UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
SECOND SESSION

VOLUME 114—PART 13

JUNE 10, 1968, TO JUNE 18, 1968
(PAGES 16381 TO 17716)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1968

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Monday, June 10, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D. offered the following prayer:

Blessed be God, the God of all comfort, who comforts us in all our affliction.—2 Corinthians 1: 3, 4.

O God, from whom we come and unto whom our spirits return, Thou hast been our dwelling place in all generations. Thou art our refuge and strength, a very present help in trouble.

Grant us Thy blessing in this hour as we remember our colleague in Congress who has gone home to be with Thee. We still stand stunned by the suddenness of it all and our hearts give way to sorrow. Yet in grief Thou art with us. Make us conscious of Thy presence and may we and our Nation find our security and our strength in Thee.

We pray for the family of our beloved Senator, for his wife and children, for his mother and father, for his sisters and brother. Comfort their hearts with thine indwelling spirit and give them the faith that sees beyond the earthly shadows the larger life in Thy living presence.

For our people we lift our spirits in prayer this sad hour. Together may we work to rid our world of war, may we toil at the task of ridding our Nation of crime, and may we labor to rid our hearts of ill will.

We pray for a nation united in purpose and principle, devoted to Thee and to Thy will for us, and dedicated to the good of all people and to Thy way among men of good will.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 6, 1968, was read and approved.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 7, 1968.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: Pursuant to authority granted on June 6, 1968, the Clerk received from the Secretary of the Senate today, the following messages:

That the Senate passed the bill H.R. 16911, entitled "An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes."; and

That the Senate, pursuant to Senate Concurrent Resolution 73, 90th Congress, appointed Mr. MANSFIELD, Mr. DIRKSEN, and Mr. JORDAN of North Carolina to the Joint Committee on Arrangements for the inauguration of the President-elect and the Vice President-elect on January 20, 1969.

Respectfully yours,
W. PAT JENNINGS,
Clerk.

ANNOUNCEMENT BY THE SPEAKER

The **SPEAKER**. The Chair desires to announce that pursuant to the authority granted him on Thursday, June 6, 1968, he did on June 7, 1968, sign the following enrolled bills of the House:

H.R. 5037. A act to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; and

H.R. 16911. An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes.

REVENUE AND EXPENDITURE CONTROL ACT OF 1968—CONFERENCE REPORT

Mr. **MIDDS** submitted a conference report and statement on the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. Speaker, I ask unanimous consent that an explanation of the bill as agreed to in conference be printed in the RECORD immediately following the statement of the managers on the part of the House.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **GROSS**. Mr. Speaker, reserving the right to object, this is the conference report on the tax bill which is now tentatively scheduled to come up on June 19; is that correct?

Mr. **MILLS**. Mr. Speaker, will the gentleman yield?

Mr. **GROSS**. Yes; of course.

Mr. **MILLS**. I am not advised as to the exact date next week that it will come to the floor. That is a matter for the majority leader and others to determine. I do hope to go to the Committee on Rules on Tuesday, June 18, to request a rule that will make the conference report debatable for 4 hours rather than 1 hour, but I do not know that it will come on the 19th or the 20th.

Mr. **GROSS**. That is the question I would have asked the gentleman; that is, if he is going to seek a rule for more than 1 hour of debate. The gentleman says he will seek a rule for 4 hours of debate?

Mr. **MILLS**. Yes. And, if the gentleman will yield further, it is also my intention to ask that the 4 hours be equally divided between the ranking Republican member of the committee, the gentleman from Wisconsin [Mr. BYRNES], and myself.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

OMNIBUS CRIME BILL

Mr. **POOL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **POOL**. Mr. Speaker, the omnibus crime bill as passed by the Senate Judiciary Committee, but not the Senate, included provisions which would preclude the Supreme Court and other Federal courts having jurisdiction to review, revise, vacate, modify, or disturb in any way a ruling in any trial court in any State in any criminal prosecution admitting in evidence as voluntary, a confession of an accused if the ruling had been affirmed or otherwise upheld by the higher court of the State involved. Also, it would curtail in the same manner the Supreme Court's or other Federal court's jurisdiction on the reviewability or admissibility of eye witness testimony where the State court had made a final ruling. Also, the original bill passed by the Senate Judiciary Committee took from the Federal courts the power to revise, vacate, or modify the highest State court decision in respect to questions of law or fact which were determined by that court and which had been brought to the Federal court through habeas corpus action. The Senate bill left this provision out.

The bill I am introducing today would amend the present statutes to include the provisions as originally passed by the Senate Judiciary Committee which were left out of the bill as passed by the Senate and the House.

I feel that Congress has the right to

act on this under the provisions of article 3, section 2, paragraph 2, of the Constitution which provide for the Congress to set the appellate jurisdiction of the Federal courts.

Law enforcement officials in our country are today hamstrung by Supreme Court decisions which deny them powers necessary for the protection of our citizenry. For this reason I believe it imperative that the Congress limit the appellate jurisdiction of the Supreme Court as the authors of our Constitution expected us to do long before this.

TAX INCREASE AND SPENDING CUT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, early in May, President Johnson stood before the television cameras, shook his fists and denounced as blackmailers and phonies those Members of Congress who insisted on more than a $4 billion spending cut as part of the so-called tax package.

Later in May, he again appeared before the television cameras but that time there was no fist shaking and no castigation of Members of Congress. The President reckoned as how there could be a $6 billion cut after all.

It would be interesting to know what caused him to change his mind in less than 30 days. But of importance now is when the President and the Democrat leadership in Congress propose to provide a bill of particulars as to where and when the $6 billion reduction in spending is to be made.

A vote on the tax package has now been put over until June 19. This Member has no intention of buying a pig in a poke. He has no intention of voting for a tax increase without specific assurance of a minimum $6 billion cut in spending and where those reductions are to be made.

TO REMOVE CERTAIN LIMITATIONS ON OCEAN CRUISES—CONFERENCE REPORT

Mr. GARMATZ submitted a conference report and statement on the bill (H.R. 12639) to remove certain limitations on ocean cruises.

SEA LEVEL CANAL BETWEEN ATLANTIC AND PACIFIC OCEANS—CONFERENCE REPORT

Mr. GARMATZ submitted a conference report and statement on the bill (H.R. 15190) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 17325, TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report on the bill (H.R. 17325) to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 172]

Abernethy
Andrews, Ala.
Annunzio
Ashley
Ayres
Bell
Biester
Bingham
Blanton
Bolton
Bow
Brasco
Bush
Button
Cabell
Carter
Clausen, Don H.
Cleveland
Conyers
Corbett
Corman
Cowger
Curtis
Daddario
Dawson
Dent
Derwinski
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Evins, Tenn.
Farbstein
Fino
Flynt
Frelinghuysen
Galifianakis
Gallagher
Gardner
Gettys
Giaimo
Gibbons
Gilbert
Green, Oreg.
Gubser
Gurney
Hagan
Halpern
Hansen, Idaho
Hardy
Harrison
Hawkins
Hébert
Herlong
Holland
Hungate
Jarman
Jonas
Jones, N.C.
Karsten
Kelly
Kluczynski
Kupferman
Kyros
Landrum
Long, La.
McMillan
Mayne
Moorhead
Morris, N. Mex.
Moss
Murphy, Ill.
Murphy, N.Y.
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Pelly
Pepper
Pike
Podell
Price, Texas
Pryor
Quillen
Resnick
Rhodes, Pa.
Rivers
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
St Germain
Satterfield
Scheuer
Sisk
Snyder
Stanton
Stephens
Taft
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Vander Jagt
Whitten
Winn
Wyman
Zwach

The SPEAKER. On this rollcall 321 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF H.R. 3400, AIRCRAFT NOISE ABATEMENT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1203 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1203

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3400) to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute shall be considered under the five-minute rule as an original bill for the purpose of amendment. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Indiana [Mr. MADDEN] is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, House Resolution 1203 provides an open rule with 1 hour of general debate for consideration of H.R. 3400 to authorize aircraft noise abatement regulations, and for other purposes. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of the amendment.

H.R. 3400 defines the role of the Federal Government as to control and abatement of aircraft noise and sonic boom. Its specific purpose is to afford present and future relief and protection to the public from unnecessary aircraft noise and sonic boom.

The purpose of the bill is to be achieved through implementation of provisions which amend the Federal Aviation Act of 1958.

Mr. Speaker, I urge the adoption of House Resolution 1203 in order that H.R. 3400 may be considered.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree wholeheartedly with the statement which has just been made by my colleague, the gentleman from Indiana [Mr. MADDEN].

However, Mr. Speaker, I hasten to point out that this bill, even though it is entitled "Aircraft Noise Abatement," seems to me to be on a collision course with the need for safety of aircraft in the United States.

However, Mr. Speaker, I am pleased to state that the committee has gone into this matter and has pointed out this need before the issuance by the FAA of any rules and regulations by the Administrator of that agency with reference to the need for public safety and will take into consideration and recognize all of the technical and practical aspects of the proposal.

Mr. Speaker, as I said earlier, it seems to me that these two are on a collision course because in this jet age when you start slowing down a heavy airplane propelled by jet propulsion you certainly run into the question of safety.

Mr. Speaker, I know that there are several problems which exist at the National Airport with reference to the takeoff of aircraft going across the river just because of the question of noise abatement.

In interrogating the gentleman from West Virginia [Mr. STAGGERS], he assured me that this will be taken into consideration. However, I do not believe from the standpoint of aircraft safety, we cannot stress this fact too much. Therefore, I hope when this matter comes under investigation they will go into it thoroughly and that they will not sacrifice aircraft safety for the sake of noise abatement. If we cannot have both, let us have aircraft safety instead of noise abatement.

The purpose of the bill is to strengthen the Federal program of aircraft noise abatement and sonic boom control by authorizing the Federal Aviation Administration to prescribe standards for noise measurement and to enforce any necessary rules and regulations pertaining to control of aircraft noise.

The bill requires the Administrator of the Federal Aviation Administration, after consultation with the Secretary of Transportation to prescribe standards for the measurement of noise and sonic boom caused by aircraft. He is also required to prescribe such rules and regulations as are necessary to provide control of such problems. Such standards shall apply to, and enforcement shall be against all certificate holders; these include aircraft manufacturers, commercial airlines, and professional pilots.

Before issuing any standards, rules or regulations, the Administrator is required to take into consideration relevant technical data, the needs of public safety and the economic reasonableness and technical practicability of the proposal.

After any standard, rule, or regulation is promulgated all affected certificate holders may appeal the decision of the Administrator to the National Transportation Safety Board within 60 days of the promulgation. The Board may amend, modify, reverse, or confirm the ruling of the Administrator.

No additional cost is anticipated in fiscal 1968 if the bill is enacted. A few additional engineers will be needed in future years. The estimated cost for 1969 is $27,700; for 1970 the figure is $55,400.

All interested agencies support the legislation. There are no minority views.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Maryland.

Mr. GUDE. I thank the gentleman for yielding, and I could not agree with him more that we must consider air safety. Those of us in the Washington area, particularly those residing in Montgomery County near the banks of the Potomac River are well aware of the mounting pressure of increased air traffic to and from National Airport. One of the more troublesome aspects of this pressure, aside from the air traffic congestion, has been the matter of jet noise which has grown with the increased volume of traffic. While the prime concern is and must continue to be the safe operation of the aircraft and the airport facilities, there is a considerable public interest in the total conditions related to this jet traffic development, including jet noise.

By the FAA's requirement to establish noise standards as a basis for aircraft noise abatement regulations under H.R. 3400, we can look to an increased effort by government and industry to reduce the aircraft noise problem. However, with due credit to advanced technology, no amount of success in reduced jet noise should deter the continued efforts to reduce the existing and potential air traffic congestion at National Airport and to bring the Washington air traffic to Dulles Airport, a modern air facility constructed specifically for the Washington jet traffic.

Mr. Speaker, I strongly support this legislation. At the same time I would hope the the airlines will cooperate in working toward the goal of reduced traffic at National Airport, and proper use of Dulles.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman from Ohio know whether this bill has had the approval of the residents of that so-called city that has been located just recently on the banks of the Potomac near the Lincoln Memorial? They have been complaining about aircraft noise.

Does the gentleman know what the residents of that new municipality think about this bill?

Mr. LATTA. To which city does the gentleman refer?

Mr. GROSS. In Washington, D.C.

Mr. LATTA. I am afraid I cannot answer the question. However, I feel it is important.

Mr. GROSS. I thank the gentleman.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. WYDLER].

Mr. WYDLER. I thank the gentleman for yielding.

My colleagues, I rise in support of this rule and in support of the bill with which the rule concerns itself.

I have been in Congress for 6 years and during the period of those 6 years I have been fighting for some effective legislation which would help our Nation's people in meeting this problem of jet aircraft noise. I am the original sponsor of the legislation which is the basis of the bill before the House.

The first thing that I believe we have to get very clear in mind when talking about jet aircraft noise is what you are talking about to the extent and degree of the problem. We are not talking here about just hearing some aircraft flying overhead that give us a little bit of trouble, we are talking about a thundering noise that is so loud that you cannot converse, or listen to your TV set, or live a normal life in its presence. And that is the problem which is inflicted on thousands upon thousands of American citizens everywhere, so that airlines may fly for a profit and make money subsidized in many cases by the American taxpayers.

I believe these people are perfectly well justified in asking that the Federal authorities do something about this problem, and to see what they can do to control it and give the people some protection.

When I first came to Washington I became a member of the Committee on Science and Astronautics, and found out that besides the Nation's space program, that NASA had under its jurisdiction aircraft research, and part of this aircraft research was the problem of jet aircraft noise abatement. It was a very weak program at the time.

It was a program directed almost exclusively to research, and they had been researching the question of jet aircraft noise for about 15 years, and repeating the results of that research over and over again which, summed up, could be simply stated as the fact that: You can do something about it if you are willing to spend money to do it.

This seemed to be all they could do insofar as research was concerned, and the question was: Would we ever get on toward trying to do something with the research?

I asked NASA to develop a program of development to use the research, and they did that. They allocated sufficient funds to do it, and in a very short time they have come up with the result which we knew they would come up with, which is that the problem of jet aircraft noise is indeed soluble, and can be solved if the effort is made on it, and if the funds are given toward the solution to the problem.

This was not a startling result, but it was one that was clearly forthcoming once it became clear to the airlines of the Nation that it was to their own economic self-interest to solve this problem. They are going to come under increasing restraints in operations unless they do in fact solve it. And it is for their economic benefit to solve this problem, along with everyone else in the world. But all of this development and all of this expenditure of effort and all of this research will go for naught unless we have a device, a device to put it into operation. And that device is this bill.

This will give the Federal Government the means and the power to take the research and development and put it into effect so that the airlines will adopt it, and the people who suffer from the problem will be helped.

Therefore, Mr. Speaker, I consider the legislation very important, and I hope that it will find very, very broad support in the House of Representatives.

Because, although this problem only affects a few people at the present time compared to the entire national population, the question of the sonic boom, which is the same problem in a different scientific context, is going to affect all of our people in the years ahead. And that means even if they are living in the middle of Iowa, or in the middle of Ohio, or on a farm, or in the city, they will all go through the terrible experience of these sonic blows that are caused by the airlines.

Mr. Speaker, I received today a telegram in support of this legislation from Mr. Austin J. Tobin, the executive director of the Port of New York Authority which operates the Kennedy Airport and the LaGuardia Airport in New York. It has the responsibility for running these airports, and it wholeheartedly endorses this legislation.

I have not heard anything from the airlines, but I believe they should wake up and endorse this legislation wholeheartedly. In the New York area the airlines desperately need a new airport, and they cannot get a location because no community wants an airport in their neighborhood because the airplane is a poor neighbor, a bad neighbor, and it is a neighbor that distracts you and annoys you, and it is for the airlines' self-interest to recognize that fact, and get this legislation passed and do something about this problem, and they will benefit accordingly.

So, as I say, I rise in support of the rule and the legislation and I hope my colleagues will find it wise to do as well.

The SPEAKER. The time of the gentleman has expired.

Mr. LATTA. Mr. Speaker, I have no further requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. 974, LAND CONVEYANCE, GLENDALE, ARIZ.

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1191 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1191

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Arizona. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Indiana [Mr. MADDEN] is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA] and pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1191 provides an open rule with 1 hour of general debate for consideration of S. 974 to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

The purpose of S. 974 is to direct the Secretary of Agriculture to convey to the city of Glendale, Ariz., approximately 20 acres of land which now constitutes the Southwest Poultry Experiment Station.

The conveyance would be made only after the Secretary has determined that the lands are no longer needed by the Department and he has made such disposition of the improvements as he deems in the best interest of the United States. Title to this land would revert to the United States if not used for public park or recreational purposes in the future. The conveyance would also be conditioned upon a determination by the GSA that there is no further need of the property by any Federal agency. The consideration for the conveyance would be set by the Secretary at a price not less than $35,000. The land originally cost the Federal Government $4,500.

Mr. Speaker, I urge the adoption of House Resolution 1191 in order that S. 974 may be considered.

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I agree with the statement made by my friend and colleague, the gentleman from Indiana, and hasten to point out that this matter was up under suspension before the House and received a vote of 202 to 138, but did not receive a two-thirds vote.

The purpose of the bill is to direct the Secretary of Agriculture to convey to the city of Glendale, Ariz., a parcel of federally owned land approximating 20 acres.

The parcel is now the site of the Southwest Poultry Experiment Station, whose function, the Department has stated, has been completed; the land is no longer needed by the Department.

Under the terms of the conveyance, title to the land would revert to the United States at any time in the future when the land was not used for public park or recreational purposes.

No fixed price is set by the bill, but it may not be less than $35,000. Approximately one-half the parcel was originally obtained by the Government through gifts of local citizens. The other one-half was purchased for $4,500. Current valuation of the land is somewhere between $140,000 and $200,000.

The Department of Agriculture supports the bill. There are no minority views.

Mr. Speaker, I have no further requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AIRCRAFT NOISE ABATEMENT

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3400) to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3400, with Mr. CHARLES H. WILSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, first, I would like to compliment the subcommittee which handled this bill. I think they gave it a very good hearing and certainly consideration in marking it up. I especially want to compliment Mr. FRIEDEL, the chairman of that committee, who has gone over the work. I think they have been very thorough and have brought to the full committee a good bill, which we have considered and have brought to the House.

Mr. Chairman, this is a simple but important amendment to the Federal Aviation Act. The Federal Aviation Administration presently has a program to reduce aircraft noise. However, it does not have specific authority to set standards, rules, and regulations with respect to aircraft noise and sonic boom. H.R. 3400 will provide this. Through this legislation the Federal Aviation Administration will be charged with the responsibility of actively carrying forward a noise-reduction effort. The specific purpose of the bill is to afford present and future relief and protection to the public from unnecessary aircraft noise and sonic boom. In effecting this program the Administrator will have to consult with the Secretary of Transportation and with Federal, State, and interstate agencies. He must also give consideration as to whether any proposed standard, rule, or regulation is consistent with the highest degree of safety.

Interested parties will have all of the usual administrative procedural rights and existing rights of judicial review. As you will see from page 7 of the report, the present FAA noise-abatement program amounts to a cost of $305,600 a year. The projects for the next 2 fiscal years contemplate only three new employees, an increase to $344,700 and $372,000, respectively. This bill was reported unanimously both by the subcommittee and the full committee.

I believe that it is a good bill and that it better defines the role of the Federal Aviation Administration in seeking remedies for the increasing problems of aircraft noise and sonic boom. I recommend its passage.

Mr. SPRINGER. Mr. Chairman, the subject of aircraft noise abatement has been before our committee in one form or another for a long time. It has been most difficult to separate the wheat from the chaff because of the conflicting interests which necessarily exist. The traveling public wants frequent, convenient, and safe air service. Residents do not like to be shaken up periodically by screaming aircraft moving overhead at lower and lower altitudes.

Another conflict which further complicates the matter stems from the diverse opinions about the relationships between noise abatement procedures and safety of air operations. Many hearings have been held which could only be said to prove that airplanes, if they fly, make noise.

At last the committee comes to the House with a measure which it feels is worthwhile and will contribute to the eventual abatement of aircraft noise. This bill grants to the Administrator of the Federal Aviation Administration the authority to prescribe standards for the measurement of aircraft noise and sonic boom and make rules and regulations providing for its control and abatement.

This statement of the purpose is deceptively simple. The control of aircraft noise will result from different actions by several elements within the aircraft industry and the communities concerned. The Administrator will be able to set a noise standard to which a new aircraft must be built. Obviously this will depend upon the technology available and the speed with which research provides answers. He will also have authority to require aircraft already in operation to be modified if and when this appears to be a practical thing to do, taking into account the amount such modification will reduce noise levels and also the consequent disruptions to service and the cost to the airlines.

It should be noted that efforts of this kind are already underway, and this legislation does not contemplate any large expansion of manpower in the Federal Aviation Administration. There are 16 people currently engaged in noise abatement activities, and it is anticipated that this number will be increased to 20.

While the committee is of the opinion that the spelling out of this authority for FAA may make it easier to accomplish noise abatement, it does not want the Members of the House or the public to think that the conferring of this authority will bring about any fast or dramatic change in the present situation. We do hope that by passing this legislation the Federal Aviation Administration will be in a better position to make use of scientific advances and new rules and procedures as they become available.

Because there has been a running argument between the FAA and some airline pilots concerning procedures now used at some airports to lessen noise, I think it should be stated here, as the committee has in the report, that it is the intent of Congress to place the first and foremost emphasis on safety. Noise abatement is desirable, safety is essential. It is in the interests of safety that the committee saw fit to place this authority with the Federal Aviation Administration. That Agency is organized for and dedicated entirely to safety in air transportation, and we feel confident that any steps taken bearing on aircraft noise abatement will be with full consideration of the safety aspects.

One matter which has caused some discussion is the broad scope of the regulations which may eventually be promulgated concerning noise abatement. The bill applies to all certificates, and that means new aircraft, operating aircraft, airlines, and airmen. All have a significant role in noise abatement, and each must be made to carry out his part of the scheme. Therefore each must also be subject to any sanctions applicable to violations.

I recommend this bill to the House.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, is it proposed to create some kind of advisory board or commission within the Transportation Department or FAA with respect to this legislation?

Mr. SPRINGER. Not that I know of. May I ask the chairman if he understands that to be so?

Mr. STAGGERS. I would say there will not be any such commission created. The FAA staffing will be the same as now with the exception of three additional employees.

Mr. GROSS. I am glad to hear that. That will help hold down the expense with respect to this bill.

Mr. SPRINGER. As far as I can determine, there will be only three additional employees.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, the situation in Washington is rather typical of the problem areas in the country. Would this be, in and of itself, an alteration in any circumstances as far as the present use of Washington National Airport is concerned?

Mr. SPRINGER. Insofar as I can observe at this time—and I say this in good faith to the gentleman from Iowa—I do not see that there could be any change.

Mr. KYL. Mr. Chairman, if the gentleman will yield further, looking into the future, how will passage of this bill affect this specific situation in the future?

Mr. SPRINGER. I do not believe it could change it, except insofar as the national standards and rules and regulations would help to abate noise. But this would be applicable to every airport. I am trying to be as honest with the gentleman as possible.

It may be that in the future there may be flights transferred to Dulles. This is a matter for the FAA Administrator to determine. But I would not think that the noise problem would be the primary reason for a transfer of any flights from National to Dulles.

Mr. KYL. If the gentleman will yield just a moment further, the reason for asking these questions is that the public sometimes is misled by actions of the Congress. If the public reads that the House has passed an aircraft noise abatement program of any kind there is apt to be an immediate assumption that we are going to change the present situation so far as the use of jet aircraft is concerned.

This bill in itself does not do that; is that correct?

Mr. SPRINGER. I say this is a step, in my opinion, in the right direction. We do now require the Administrator to act in this field. Formerly we did not require him to do anything. We say to him now, "Get busy and start working on this job and give us some standard rules and regulations to which air companies will have to abide." That is in essence what we are saying.

Mr. KYL. And the committee is saying at the same time that never should the considerations requiring noise abatement take precedence over air safety.

Mr. SPRINGER. The gentleman is correct.

Mr. KYL. I thank the gentleman.

Mr. SPRINGER. There is probably just one further thing which ought to be clear. This will not do away with the noise problem immediately. This report shows clearly it is going to be a slow and tedious task. But we have to start. We believe this bill is a beginning.

Mr. KYL. I thank the gentleman.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. FRIEDEL] the chairman of the subcommittee.

Mr. FRIEDEL. Mr. Chairman, for many years we have been receiving urgent complaints concerning aircraft noise. From 1958, when the large jets were first introduced into commercial service, complaints have steadily increased both in numbers and in the demands for relief.

Airlines, aircraft manufacturers, pilots, airport operators, local State and Federal offices have all tried to solve this problem. There is no simple solution. Some would place major emphasis on restrictive land use with acres of clear zones adjacent to airports. Others believe that this is impractical and certainly it can be argued that it would be prohibitively costly in many major cities where thousands of citizens would have to give up their homes.

The bill before us today is a more direct approach. Under H.R. 3400, the Federal Aviation Administrator would have to prescribe standards for measurement of both aircraft noise and the sonic boom and he will issue rules and regulations as to each. These will be considered with respect to the certificates which he presently controls for safety purposes. We have made his responsibilities as to noise coextensive with his responsibilities as to safety because we do not want there to be any possibility of a downgrading of safety. As important as noise reduction is, it should not be achieved at the expense of safety and the bill provides that the Administrator's actions must be consistent with the highest degree of safety.

I do not expect this bill to bring an overnight solution. I do expect that all of the major interested parties will continue their efforts in cooperation with the Administrator to achieve a speedy and effective solution to the problem. The bill has ample procedural protections. The Administrator must give full consideration to research, development and testing, he must consult with other Government agencies and he must consider the economical reasonableness and technological practicality of any proposed standard rule or regulation. In addition, actions of the Administrator are appealable to the National Transportation Safety Board.

I believe this bill is an excellent forward step toward the much desired and much needed goal of noise reduction. It has the full support of the Committee on Interstate and Foreign Commerce and I urge all other Members to add their support.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Chairman, I rise in support of H.R. 3400, the aircraft noise abatement bill.

The problem of aircraft noise is one that is serious and ever present, particularly for those in the vicinity of our ever-growing metropolitan airports.

Even though the easing of this "noise crisis" is one of great importance in our legislative tasks, I think it important, however, that we first reiterate the fact that our primary responsibility in regulating the flying of aircraft is one of safety for the passengers and the crew as well as the possible casualties on the ground. The wording of this legislation and the report makes it abundantly clear that all aspects of safety will be foremost in our minds when launching upon the task of reducing the noise around our airports.

The Federal Aviation Administration, assisted by the Department of Transportation, is given the task both in the areas of research and application to encourage and guide, if necessary, the aircraft engine manufacturers and the airlines themselves in striving for the quietest possible aircraft engine in line with safety limitations.

I wish to commend the aircraft industry and the airlines for the remarkable progress that has already taken place in the reduction of engine noise, particularly on takeoffs. I wish to point out, however, that the progress toward noise elimination on the approach patterns of our airports is not nearly so great.

I foresee a long-range program of retrofitting of existing airplane engines, but within the limitations of economic feasibility.

Mr. Chairman, we have a long way to go both in the areas of aircraft safety and noise abatement, but I do believe this legislation, H.R. 3400, is a step in the right direction.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I was a member of the Subcommittee on Transportation and Aeronautics that heard the testimony on this legislation. I strongly support it. This is a big problem, but this is a first step toward solving it. I do believe, however, that this is a necessary step, and I hope the Congress will see fit to give it its wholehearted approval. Maybe before too long we can see some progress and some solution to this very perplexing problem.

Mr. STAGGERS. Mr. Chairman, I yield 4 minutes to the gentleman from New York, the chairman of the Committee on the Judiciary [Mr. CELLER.]

Mr. CELLER. Mr. Chairman, low-flying jet planes have reached an acute level on a nationwide basis for many people in the areas surrounding large urban airports. I express particular concern about the problem of jet noise for the people in the New York City metropolitan area.

Mr. Chairman, I single out the periphery of Kennedy and LaGuardia Airports as particular trouble spots.

Under this bill the Secretary of the Department of Transportation would be empowered to set standards for acceptable levels of aircraft noise, and he could in a case where an air carrier violated the standards, refuse to grant a license, or lift a license already granted.

Mr. Chairman, a sonic boom recently shattered 200 windows at the Air Force Academy at Colorado Springs, Colo.

This incident adumbrates the grave dangers of sonic boom and points up the need for Congress to take this problem in hand and pay attention to the increased hazards of the jet age.

This bill provides for a thorough inquiry as to the need to have the FAA prescribe and amend standards of aircraft noise and sonic boom.

Mr. Chairman, it is interesting to note that the General Electric Co., for example, has launched an advertising campaign with reference to supersonic transports which will be powered by General Electric engines. The company states in its advertisement:

> America's supersonic transport will streak across the skies at 1,800 mph. That's half a mile a second—faster than a 30–30 bullet. This plane—longer than a football field—will cross the Atlantic in about 2 hours and 45 minutes. It will knock 4 hours off today's flying time to Europe, both coming and going, giving travelers an extra working day there. That's why people are waiting for it.

But, Mr. Chairman, the noise and the turbulence of the supersonic transport would be incalcuable. Some means must be devised to control and reduce such noise consistent with aviation progress and the question of noise abatement cost.

Finally, Mr. Chairman, this window-shattering experience at the Air Force Academy resulted, incidentally, in a dozen persons being seriously injured by shattered glass. The coming of this supersonic transport with its attendant sonic boom strikes terror and awe in our hearts. Something must be done, and this bill would offer some sort of relief in the sense that there would be an inquiry as to the exact situation and that inquiry would point up something in the nature of a remedy and would set forth an appropriate standard for the noise abatement question.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. I thank the gentleman from Illinois for yielding to me at this time.

I wish to point out the fact that the chairman of the metropolitan airport commission in Minnesota sent a letter to me urging the passage of this bill. He feels that unless some national standard is adopted we would be courting the possibility that we would have a hodge-podge of regulations in the many States. This might be very difficult, if not impossible, to cope with and therefore he urged that the bill become law.

Further, this morning I received a second communication from him indicating the urgency that they felt this situation should be dealt with.

I thank the gentleman from Illinois for yielding to me.

Mr. STAGGERS. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, I rise in support of H.R. 3400. The aggrieved airport neighbors in my district are watching with great interest as we consider H.R. 3400, the most important noise abatement bill we have yet considered.

With LaGuardia Airport at one end of Queens County, and Kennedy International Airport at the other, my constituents are well practiced in the "realism" of aircraft noise. They have heard all of the arguments. They know all of the positions of airline representatives, of the engine manufacturers, of the airport operators, and of government people. But now they want action.

They understand, as does anyone who knows the technology of jet aircraft, that aircraft noise will not end. They know that progress can only come slowly but they insist that it must come. They see in this bill the Federal Government belatedly taking its responsibility for leadership in noise control and reduction. And they expect vigorous and decisive leadership from Washington when this bill is passed.

For the airport neighbors, aircraft noise is not simply another "urban problem" and certainly not merely an unpleasant distraction. The jet airplane has made life unbearable for many of them. Babies scream in the night, old people are made irritable and even ill, normal social life has become impossible, all because no one has taken the responsibility for saying "Stop—this is enough."

Today we have that opportunity. Today we can give responsibility to the Federal Aviation Administrator to apply and enforce rules to make aircraft quieter. He will, under this bill, break the ring of inactivity and timidity which has paralyzed government and industry.

Instead of more reasons why less can be done, we should expect a forceful display from FAA of what it can do, and of pressures it can now apply to manufacturers and, ultimately, to airline operators.

Residents of my district may not sleep better tonight because of quieter planes. But they can go to bed reassured that someone has finally taken the first step toward considering the forgotten people in aviation—those who suffer in their homes, on the streets of their communities, and in sleepless nights in their beds, from an industry which provides every consideration for its passengers but none for the helpless victims on the ground below.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas, a member of the committee [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I support the aircraft noise abatement bill before us today, and as a member of the Subcommittee on Aeronautics and Transportation, which heard this bill, I am proud the full committee has approved the bill.

For millions of Americans, aircraft noise is more than just another slogan—such as air or water pollution—describing the path to a better society. It is a constant menace and nuisance. It is something that can cause effects as wide ranging as insomnia and depressed land values, as well as other emotional reactions yet to be fully charted.

The bill before us represents perhaps the first major legislative step the Federal Government has taken in tackling this problem. The Federal Aviation Administration has had an Office of Noise Abatement for some years, but they were acting without the benefit of strong and clear statutory backing. Their work, however, spelled out the problem quite vividly, and showed the need for new efforts. I am glad to see that progress on the bill is being carried out, and that the committee took such great pains in perfecting the legislation.

As the administration proposal was originally introduced, the Secretary of Transportation was merely given the discretionary authority to certify planes and engines for noise purposes. Very little was spelled out in the way of guidelines, and there were no real protections to either the airlines or the public.

The committee, in narrowing the governmental responsibility, revested the noise functions in the FAA, which is a part of the Department of Transportation. Perhaps more importantly, the committee made the authority mandatory, rather than discretionary, to assure that the job would be carried out quickly.

There are three major methods by which noise control can be effectuated. There can be new airframe and engine designs; there can be controlled land-use planning; or there can be new flight operating techniques. The approach taken by this legislation embodies only the first, and attacks the problem of aircraft noise at the source.

In connection with the noise standards to be promulgated, the Administrator is to consider all data available relating both to aircraft noise and sonic boom, he must consult with other governmental agencies, and he must consider the economic reasonableness and technological practicability of the standards. These standards are to be applied by the FAA in issuing certificates to qualifying aircraft, and broad and reasonable appeal rights are present to those denied certification. We have to relate noise abatement with safety and this must be realized by all citizens. It is not enough to simply obtain noise abatement; we must have abatement but still maintain safety standards.

Mr. Chairman, once again, I would like to give this measure my enthusiastic support. Both in the subcommittee and the full committee there was a lot of give and take on the bill. All sides were heard, their views considered, and result reached is a fair one.

I believe we should give this approach a chance to work, and hope that the House agrees.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman, I thank the gentleman for yielding, and I rise in support of H.R. 3400, a bill requiring the administrator of the Federal Aviation Administration to prescribe and amend standards and rules for the measurement, control and abatement of aircraft noise and sonic boom.

I believe, Mr. Chairman, that this is a small but an important step forward. There is no question but what we must do significantly more to reduce aircraft noise, aircraft soot, and to provide some relief to many families who find it difficult either to sleep or to watch television or even to go out on their front porch and have a quiet conversation.

My district in Westchester County, N.Y., is very close to two of the largest and busiest airports in the Nation—LaGuardia and Kennedy—and the noise problem in certain communities on the approaches to these airports is very serious. While I have been instrumental in alleviating the difficulty to a certain degree by working out an alternate approach pattern with the Federal Aviation Administration, the problem is by no means solved.

In 1966 and again in 1967, I introduced legislation similar to the bill before us today, the principal change being that the original measures merely authorized the FAA to prescribe such rules while the present bill requires him to do so. Specifically, H.R. 3400, as amended, requires the FAA Administrator to prescribe and amend standards for the measurement of aircraft noise and sonic boom, and to prescribe and amend any necessary rules and regulations to provide for their control and abatement. The Administrator is directed to use the certification procedure as one means of applying these rules, regulations, and standards.

H.R. 3400 takes a step toward coming to grips with a problem that has long been discussed but infrequently acted upon. The responsibility for aircraft noise abatement must be borne by the carriers and the airport operators but the FAA and the Department of Transportation must see to it that they act on that responsibility. In addition, whatever we do, I believe it is equally vital that we do so fully consistent with aircraft safety.

Reduction of aircraft noise at its source, which is the intent of this legislation, cuts across the three possible solutions to the noise problem which seem most feasible: First new or modified engine and airframe designs to achieve a quieter aircraft; second, special flight operating techniques and procedures; and third land-use planning for airports consistent with low noise objectives.

Regrettably, quiet will not be achieved instantly, and in the case of New York, may be even further delayed if a fourth jetport is not built very soon, preferably to the west of the main north-south corridor. But every appropriate action must be taken by the Federal Government to work with aircraft designers, airport operators and municipal officials to provide such relief as is now possible, consistent with air safety.

Mr. STAGGERS. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I am very pleased to rise in support of this legislation, and want to take this opportunity to thank the chairman, the gentleman from West Virginia [Mr. STAGGERS], for working this legislation through his committee and presenting it to the House today for final action. I hope the other body will not hesitate in approving this legislation so that this Nation can get on with the job of dealing with one of our newest problems, the horrible noise generated by jet aircraft in the vicinity of airports.

I am extremely proud to be a cosponsor of this legislation and I am happy that we have been able to arouse sufficient interest in the Congress of the United States to take affirmative action to deal with this problem.

This legislation gives the Secretary of Transportation authority to prescribe standards for measuring aircraft noise and sonic booms and to establish such rules and regulations as he may find necessary for the control and abatement of excessive jet noise and sonic booms.

This is landmark legislation.

It not only gives the Secretary the right to establish these tolerable standards, but it also gives him the right to refuse to certificate the future generation of aircraft unless they are so designed and powered by engines which will produce no more noise than the tolerable standards established by the Secretary.

Mr. Chairman, I want this House to understand the historic step that we are taking here today and I hope that this legislation will be overwhelmingly approved.

My own studies show that the lives of more than 20 million Americans living in the proximity of jet airports have been very seriously affected with the advent of our jet age.

There are more than 3 million people in the Chicago area alone who live in the immediate proximity of O'Hare Field which lies in the shadow of my district, and whose daily lives have been fantastically altered by the growing problem of jet noise.

O'Hare Field is the world's busiest airfield and handles more than 2,500 operations every 24 hours. When wind conditions require excessive use of the east-west runways at O'Hare Field, my constituents endure an unbearable noise level for hours at a time because of the arriving or departing jets. Frequently when wind conditions demand departure on the east-bound runways, thousands of my constituents are aroused from their sleep by jets taking off in the middle of the night.

There is no question that my own constituents and the rest of the 20 million

Americans who have been so adversely affected by jet noise are entitled to meaningful relief. I believe this legislation, if it is properly and sincerely administered by the Secretary of Transportation, can provide a great deal of help to the American people.

I think it is important to note that heretofore, certification of aircraft depended only on its air worthiness and safety standards. We are today introducing a whole new dimension which engineers and manufacturers of future aircraft will have to meet before they can have the aircraft certificated for operation within the United States. This new dimension is the problem of jet noise and sonic booms.

I have predicted here on the floor of this House time and again that unless we do something now about jet noise and sonic booms before they get out of hand the conquences will be disastrous to America. We need only look at the havoc and costly damage wreaked upon the Air Force Academy last week when a superjet caused a sonic boom over the Academy to get an example of things to come if we do not now address ourselves to the future problem of sonic booms when the supersonic transport becomes operational in the United States.

I have legislation pending which would limit supersonic aircraft operations over the continental United States at such speeds which will not produce sonic booms in excess of 1.5 pounds overpressure per square foot at ground level.

My own extensive studies show that while sonic booms of less than 1.5 pounds overpressure per square foot are troublesome, they do not produce either physical damage or psychological damage to human beings and animals in their wake.

But my studies clearly show that anything over 1.5 pounds overpressure per square foot does create serious problems both to human beings, animals, livestock, and physical properties. I hope the Secretary, under the powers being granted him in this bill, will institute a national policy forbidding flights of supersonic aircraft over our Nation at speeds which produce sonic booms in excess of 1.5 pounds overpressure per square foot.

More important, it is my hope the Secretary will announce his intentions now so that the designers and manufacturers of supersonic aircraft both in the United States and in other nations of the world, will be put on notice that if they fail to develop an air foil and powerplant which will produce no more than 1.5 pounds overpressure per square foot at supersonic speeds, they risk the prospect of not having their aircraft approved for supersonic operations within the continental United States.

Mr. Chairman, I consider this one of the most important environmental health bills to come before this Congress. The problem of jet noise has deeply and seriously had adverse effects on a vast segment of our population.

This is an international problem and I am pleased that the United States is leading the way by sponsoring the legislation here before us today.

Last year I had the privilege of sitting in on the First International Conference on Jet Noise, held in London, England. Twenty-six major nations of the world sent delegates to this very important conference. These delegates were the most knowledgeable scientists and engineers versed in the problems of aircraft operations and jet noise. One of the most encouraging aspects of this international conference was the number of representatives of aircraft manufacturers who attended the conference and actively participated in trying to find solutions to the problem of excessive jet noise and sonic booms.

It was out of this international conference that the bill which we are today considering emerged.

The most significant single recommendation made unanimously by all the nations participating was that each nation adopt rules and regulations which would permit the denial of certification to a jet aircraft which generates noise in excess of the established tolerable standards.

Mr. Chairman, I cannot impress too much on my colleagues the importance of this legislation. It reflects not only the best judgment of our own experts in this field, but it reflects also the judgment of the leading experts of the world.

I hope that we in this Chamber will adopt this legislation overwhelmingly and I hope the other nations of the world will move swiftly to adopt the same standards so that American aircraft operating within the United States and flying in and out of foreign airports as well as all foreign aircraft, will be on notice that the next generation of aircraft to come off the production lines must meet the minimum noise standards.

This legislation also enpowers the Secretary to order a retrofitting of existing jet aircraft if and when the powerplant manufacturers score a significant breakthrough in producing an engine that will substantially reduce noise at both takeoff and landing.

A tremendous effort is now being made by the big jet engine manufacturers in this country and abroad. It is my hope that they will be able to redesign the powerplant in a manner that will substantially reduce both the takeoff noise and also the afterburner whine which is so troublesome to entire communities when a jet aircraft is in its final landing approach.

Mr. Chairman, I have proposed that the airlines be given a total tax credit for every penny they spend on replacing existing powerplants with new powerplants which produce a substantial reduction in noise just as soon as such a powerplant is developed and becomes operational.

I want to give aircraft companies the widest incentive to replace their existing powerplants as quickly as possible once a more quiet engine is developed and it is for this reason that I propose the total tax credit approach so that the retrofitting programs would not cost the airlines anything but would bring substantial relief to our citizenry as quickly as possible.

Mr. Chairman, I am proud to have been a cosponsor of this bill before us and I am proud of the contribution that I personally made to the discussions in London at the international conference there. There are many of us in this Congress who have fought this problem of jet noise for a long time and we have tried time and again to impress upon our colleagues the unbearable hardships being suffered by our constituents who live in the proximity of major jet airfields.

The fact that we have this legislation before us today and will take final action on its passage is a great tribute to our perseverence. I do hope our colleagues will support us in this very important effort.

When I first began talking about excessive jet noise at O'Hare Field, I was a sort of lonely voice in the forest, because this problem did not affect many communities in America. With the advent of jets all over the country today, I may say that every major airfield is affected by jet noise.

As I said a moment ago, more than 20 million people in this country will benefit from this legislation and I urge its adoption.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, I rise in support of H.R. 3400, a bill to authorize aircraft noise abatement regulation.

Since I came to the Congress in January 1965, I was glad to join those called for effective Federal regulations and standards to reduce aircraft noise and bring relief to the millions of Americans who live in the shadow of the Nation's airports.

In the beginning I was told that I was "beating a dead horse"—that nothing could be done about jet noise—and that in any event, it was a local problem.

During the 89th Congress, I addressed my colleagues in the House on this subject more than 20 times. I sponsored a number of bills to accelerate research activities in reducing jet noise and providing administrative regulatory power to require the airlines to install quieter engines.

I am proud to be a cosponsor of this legislation which marks an important first step toward bringing some relief from aircraft noise.

This legislation authorizes the Administrator of the FAA to establish minimum aircraft noise standards. In consultation with the Secretary of Transportation, the Administrator may now set realistic standards and apply them in issuing or revoking flight certificates under the Federal Aviation Act.

Jet noise affects the daily lives of millions of Americans—it disrupts outdoor activities, it annoys children in the classrooms and those attending houses of worship, it affects the health of those exposed to the constant noise of aircraft, and it disrupts the sleep of those who live near the Nation's airports.

Jet noise has also resulted in hundreds of lawsuits against airport operators, airlines, and municipalities operating airports—lawsuits asking millions of dollars in damages resulting from jet noise.

By its very nature, jet noise is a national problem. The courts have struck down local ordinances prohibiting aircraft from flying below specified levels or from exceeding certain noise levels.

In August of 1965, I wrote to the President recommending the appointment of a Presidential Commission to study aircraft noise and recommend executive and legislative action to curb this problem. In February 1966, in his transportation message to the Congress, President Johnson recognized jet noise as a national problem and appointed a special White House task force to frame an action program to attack this problem.

As a result of the work of that task force and the comprehensive study of aircraft noise and the work of the Honorable HARLEY O. STAGGERS, the distinguished chairman of the House Committee on Interstate and Foreign Commerce and the Honorable SAMUEL N. FRIEDEL, chairman of the subcommittee which conducted the hearings and all the Members of their respective committees, the legislation before the House today was proposed.

There are many facets to the noise problem. We need:

First. Accelerated research to produce a quieter jet engine to reduce aircraft noise at its source.

Second. A revitalized program of airport planning to reduce noise over densely populated areas. We should study the possibility of diverting general aviation aircraft cargo, executive and noncommercial flights—to general aviation airfields.

Third. Programs to encourage local governments to develop improved land use planning techniques and to encourage local governments to acquire undeveloped land near airfields to be used for light industry or open space purposes.

Fourth. A study of existing airport conditions and procedures with recommendations for constructing new runways to alleviate noise.

H.R. 3400 is the first and most important step in combatting the noise problem. For some time now, I have been convinced that we already possess the technical skills to produce a quieter jet engine which would significantly reduce aircraft noise at the source.

NASA has been working on a research model for a quiet jet engine but until now, there has been no Federal authority to require the use of such a quieter engine if developed.

Under H.R. 3400 the Administrator of the FAA in consultation with the Secretary of Transportation can establish standards and require the reduction of noise where technically possible.

The legislation recognizes that air safety must be assigned a higher priority than noise abatement, but we can make substantial progress without sacrificing safety.

H.R. 3400 also recognizes that we will need Federal standards to control sonic boom. As one who has called for postponement of the development of the supersonic transport, I believe we must solve the sonic boom problem before we spend billions of dollars to place a supersonic aircraft in operation.

I have not been given the answer to my question "what would happen if a sonic boom struck a ship at sea?" I have not been satisfied that we should construct an SST to fly only over water.

H.R. 3400 will provide us with the safeguards we need if and when supersonic aircraft become operational, whether built domestically or abroad, if such aircraft does not meet the standards set.

Mr. Chairman, I urge my colleagues in the House to support H.R. 3400. Many more congressional districts in the United States will soon know the problem of jet noise. As smaller jets are produced, additional airfields will service jet aircraft. We have an obligation to act now to protect the public from this menace.

I include at this point a list of my prior statements on aircraft noise, together with views furnished to me by the Airport Operators Council on the importance of passing H.R. 3400:

January 6, 1965: Introduced H.R. 2086 to control aircraft noise and aircraft pollution.

May 6, 1965: Introduced H.R. 7981 to authorize jet noise research.

May 6, 1965: Introduced H.R. 7982 to regulate aircraft noise.

May 6, 1965: "Aircraft Noise Abatement," CONGRESSIONAL RECORD, volume 111, part 7, page 9701.

May 13, 1965: "Jet Noise—Opens the Floodgates of Litigation," daily RECORD, page A2377.

May 20, 1965: "More on Jet Noise: NASA Conference," daily RECORD, page A2533.

May 27, 1965: "More on Jet Noise—Part IV—NASA Research Program," daily RECORD, page A2718.

June 10, 1965: "More on Jet Noise—Part V—FAA Aircraft Noise Symposium," daily RECORD, page A3037.

July 8, 1965: "Jet Noise—Part VI—Hazard to the Nation's Health," daily RECORD, page A3630.

August 12, 1965: "More on Jet Noise—Part VII—Report on Noise Forum," CONGRESSIONAL RECORD, volume 111, part 15, page 20398.

August 30, 1965: "More on Jet Noise—Part VIII—Novel Test Over Long Island and Correspondence With the President," CONGRESSIONAL RECORD, volume 111, part 16, page 22277.

September 15, 1965: "The Latest on Jet Noise—Part IX," CONGRESSIONAL RECORD, volume 111, part 18, page 24020.

March 3, 1966: "President Recognizes Jet Noise Problem," CONGRESSIONAL RECORD, volume 112, part 1, pages 810–811.

March 21, 1966: "President Johnson Acts on Congressman Tenzer's Jet Noise Plea," CONGRESSIONAL RECORD, volume 112, part 5, pages 6420–6421.

May 3, 1966: "Debate on NASA Appropriation," CONGRESSIONAL RECORD, volume 112, part 8, pages 9679–9686.

July 12, 1966: "Jet Noise: A Plea for Bipartisan Support," CONGRESSIONAL RECORD, volume 112, part 12, page 15392.

August 8, 1966: "Jet Noise" (delay the Supersonic Transport), daily RECORD, page A4163.

August 24, 1966: "Debate on Department of Transportation," CONGRESSIONAL RECORD, volume 112, part 15, page 20396.

August 30, 1966: "Debate on Office of Noise Control," CONGRESSIONAL RECORD, volume 112, part 16, page 21241.

October 3, 1966: "Supersonic Transport," CONGRESSIONAL RECORD, volume 112, part 18, page 24853.

January 10, 1967: Introduced H.R. 1398 to regulate aircraft noise.

April 13, 1967: "Jet Noise: The Fight Has Just Begun," CONGRESSIONAL RECORD, volume 113, part 7, page 9116.

June 7, 1967: "President's Science Advisor Calls for Noise Abatement Legislation," CONGRESSIONAL RECORD, volume 113, part 11, page 14933.

July 11, 1967: "Executive Branch Must Act on Aircraft Noise Abatement," CONGRESSIONAL RECORD, volume 113, part 14, page 18261.

July 18, 1967: "Debate on Jet Noise and the Supersonic Transport," CONGRESSIONAL RECORD, volume 113, part 14, page 19265.

July 27, 1967: "Air Safety and Noise Abatement," CONGRESSIONAL RECORD, volume 113, part 15, pages 20575–20576.

August 18, 1967: "End Delay on Noise Abatement Legislation," CONGRESSIONAL RECORD, volume 113, part 17, page 22947.

The Airport Operators Council International, representing local public bodies which own and operate those U.S. civil airports which enplane over 85% of domestic scheduled airline passenger traffic, strongly supports prompt enactment of H.R. 3400 as amended.

Enactment of this bill, as reported to the full House by the Committee on Interstate and Foreign Commerce, is required in the public interest to make possible a tolerable environment for all U.S. citizens and to assure an orderly growth of aviation. Its specific purpose is to afford relief and protection to the public from unnecessary aircraft noise and sonic boom.

H.R. 3400 would require the Administrator of the Federal Aviation Administration to prescribe and amend standards, rules and regulations to control and abate aircraft noise and sonic boom and to apply such rules and regulations in air carrier and aircraft frame and engine manufacturers' certificates authorized by Title VI of the Federal Aviation Act of 1958. Such action is necessary for as long as there is no control over the source of the noise—the engine and the aircraft—there can be no resolution of the problem of the amount of noise an aircraft can create over populated areas. Only the Federal government can provide the incentive and authority to require reduction of aircraft noise by the development and promulgation of national noise standards, rules and regulations and their application to all aircraft through the certification process.

The only effective way to resolve the noise problem with *present aircraft* is to provide the Federal government with the authority (through enactment of H.R. 3400) to insure that *available* technology to reduce noise of *present* aircraft is uniformly required to be used by all airlines and airframe manufacturers. The aircraft manufacturers, FAA and NASA all state that significant reductions in noise are achievable *now* by sound insulation modifications to current jet engines.

The only effective way to insure that *future aircraft* are designed and built to be more compatible with our urban airport environments is to provide the Federal government with the authority (through enactment of H.R. 3400) to require that such aircraft be built in conformance with those noise levels which will be specified by the Federal government.

Passage of this bill is not intended to, nor will it, degradate flight safety in any way. The Administrator is required by H.R. 3400 to insure that any noise or sonic boom control or abatement rule or regulation ". . . is consistent with the highest degree of safety in air commerce or air transportation . . ."

While continuing to insure the utmost safety in air commerce, the U.S. Members of the Airport Operators Council International heartily support this legislation which will, for the first time, help insure a more tolerable environment for all U.S. citizens.

Mr. STAGGERS. Mr. Chairman, I wish to compliment the gentleman in the well for the work that he has done on this kind of legislation. I know that he has come to me many times, as have other Members of the Congress, to speak about this matter. The fact is there were 20 companion bills introduced, most of them identical with the bill now before the House.

Mr. TENZER had one that was somewhat different upon which he came before the committee to testify.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, I rise in support of H.R. 3400, the aircraft noise abatement bill. Many of the music lovers in the Nation's Capital may fondly recall the almost pastoral atmosphere at the Watergate concerts two summers ago. At that time most of the airlines had been struck and therefore permitted one to enjoy a Beethoven symphony or a Sousa march with little or no interruption from the thunder of aircraft. It was even rumored that the conductors became so adept that they would synchronize their pauses or rests with the infrequently scheduled takeoffs and landings of airlines which were not struck.

Although H.R. 3400 is not specifically designed to bring back the peace and serenity of that brief interval 2 years ago or of the prejet age—I believe that it is an important first step at attacking the problem of aircraft noise and sonic booms. With the development of the SST, and with other advancements in aeronautical technology, the potential dangers will become even more critical. The future well-being of our citizens, and even our animals and buildings, is at stake.

H.R. 3400 provides a very constructive approach to developing standards and regulations for the control and abatement of aircraft noise. An especially desirable feature of the bill is the provision for consultation and coordination among the Federal, State, and local agencies involved in research, development, and regulation.

Significant measures have already been taken in my own State of Massachusetts at Boston's Logan International Airport. Thus the Massachusetts Port Authority and I share the belief that H.R. 3400 can be an effective complement to local programs.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this legislation to authorize aircraft noise abatement regulation.

Last July I introduced a bill similar to the one presently under consideration, and in November I testified before the House Committee on Interstate and Foreign Commerce in favor of legislation for the control and abatement of aircraft noise.

I support this legislation because of the very critical nature of the aircraft noise pollution problem in my own congressional district and in adjacent Minneapolis-St. Paul areas. We have in the Twin Cities Metropolitan population center one of the largest and busiest airports in the Nation. It is also one of the Nation's 15 noisiest airports.

It is clear to me, from the great volume of correspondence I have received on this problem and through firsthand observation, that Congress can no longer ignore the critical problems which noise pollution causes in metropolitan areas.

The Interstate and Foreign Commerce Committee report on H.R. 3400 lists as the three most promising ways of combating aircraft noise pollution:

First, new or modified engine and aircraft designs;

Second, special flight operating techniques and procedures; and

Third, planning for land use in areas adjacent to airports so that such land use will be most compatible with aircraft operations.

The third alternative is feasible only in cases where a completely new airport is to be built far from residential and business districts, or where the existing airport is currently located in a nonresidential, nonbusiness area. Such is not the case with the Minneapolis-St. Paul International Airport. It is located adjacent to a densely populated residential area and near business districts in Bloomington, Richfield, Edina, St. Louis Park, Minneapolis, and St. Paul. Only very limited results can be obtained from control of land use around the Minneapolis-St. Paul airport.

However, the work of the metropolitan airports commission of Minnesota is an outstanding example of what can be done to employ special flight operating techniques and procedures to lessen the effects of aircraft noise on adjacent areas. The commission has been considering these four antinoise measures: Rearrangement of airport guidelines used by pilots; a new section in the pilot procedure manual spelling out the required altitudes at various distances from the airport; a review by the FAA of departure routes; and the possibility of installing an instrument landing system allowing a pilot in his cockpit to determine how high his plane should be at various intervals during landing preparations.

The legislation currently before this House is aimed at combating aircraft noise pollution by striking directly at its source, the design and operation of the aircraft causing noise. Only the Federal Government can establish and enforce the regulations necessary to bring about the development and use of quieter engines and airframe designs.

In March of this year, I presented to the House Committee on Interstate and Foreign Commerce the statement of Mayor Stanley W. Olson of Richfield, Minn. As the first citizen of the city of Richfield, which borders the Minneapolis-St. Paul International Airport, Mayor Olson made the following request of the House:

> Please take a positive action now to stop the spread of blight and discomfort caused by a geometric increase in airport noise.
>
> I'm certain the 1.7 million citizens of the Twin Cities metropolitan area surrounding the airport and the 2.3 million more to arrive during the next 33 years will join with millions elsewhere in thanking you for favorably considering effective aircraft noise abatement.

We cannot now ignore that request.

Mr. Chairman, while I urge adoption today of legislation to combat aircraft noise pollution, I hope that the Congress will take action this year on the proposal authored by Congressman FRANK BOW and by me to provide a plan for private financing in the development of the supersonic transport airplane. This aircraft promises to be the most flagrant violator of peace and quiet in aviation history through the apparently insoluble sonic boom problem. I cannot see how the Congress can claim to be acting in a reasonable and consistent manner when it with one hand advances legislation for aircraft noise abatement regulation and legislation increasing taxes and reducing Federal expenditures, and with the other hand doles out huge amounts of Federal money for development of the most noisome aircraft in history.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the bill. I have a great number of constituents, below Alexandria in the Mount Vernon district, who write me from time to time with regard to the noise at National Airport. They are concerned about the noise of aircraft. In my opinion, this bill that will help relieve the situation as well as similar situations throughout the country.

Mr. Chairman, I urge adoption of the bill.

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from New York [Mr. ADDABBO] such time as he may consume.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 3400, legislation which is long overdue, and legislation which I have long advocated and was among the first to introduce.

For many, many years, even prior to the advent of the commercial jet airplane, those of us in the Congress who represent areas in which large airports are located have sought clarification of the responsibility for noise abatement and control but without success. Today we at long last have the opportunity to affirm Federal responsibility in this area and to empower the Administrator, in consultation with the Secretary of Transportation, to act.

The harassed citizens who live in the neighborhoods of these large airports have suffered for years and their complaints have been shifted from one agency to another, city, State, and Federal, never receiving any satisfactory answer. As jets came into service and commercial air traffic increased by leaps and bounds the situation continued to worsen in spite of efforts to work out landing and takeoff procedures to lessen the noise over residential communities. It is obvious that the only relief that we can expect is in the development of a quieter aircraft engine—this will come about when we can say to the aircraft manufacturers that a plane must meet established noise criteria before it will be certificated. The bill before us today requires the Federal Aviation Administrator to prescribe such criteria and to take this into consideration along with safety features in certificating the given plane.

Mr. Chairman, this has been one of the hardest fights in which I have engaged since I have been in Congress. It was in 1962 that the Committee on Interstate and Foreign Commerce was directed, through passage of a House resolution, to look thoroughly into this problem of aircraft noise and the area of responsibility for regulation. In its report, resulting from this study, the committee stated:

> Should the authority of the Federal Aviation Administrator to promulgate air traffic rules which seek to alleviate the impact of aircraft noise on persons and property on the ground be found by him to be inadequate, he should report this fact to the Congress and seek whatever additional authority is necessary to achieve that end.

Mr. Chairman, that was in February 1963. The situation today is worse than it was then—larger jets are in operation, stretchouts and SST are in the immediate future—we must act. The President in his 1966 transportation message said:

> It is clear that we must embark now on a concerted effort to alleviate the problems of aircraft noise.

Of course, I do not imply that nothing has been done in the interim, because I know that research into the problem has been underway for some years, and I have always supported such research and the funding for same. However, I do believe that this program has not been given the priority it deserves. The one essential incentive to find the answer, I believe, is the establishment of a maximum noise level which will be tolerated or approved in the certification of the aircraft, and this maximum must be low enough to make life livable for the people living in the communities near our Nation's airports.

Mr. Chairman, passage of this legislation is not going to end the noise problem, but it is an essential first step in this direction. We must insure that as our technology brings about improvements in the noise level of aircraft that these improvements will be incorporated in the planes that serve the flying public.

Mr. Chairman, a few years ago there were only a few of us who were experiencing the problems of jet aircraft noise, those of us who had the Nation's largest airports in our district—I am sure that all my colleagues know that John F. Kennedy International Airport is located in my congressional district—today more than 150 airports have jet service and it is expected that nearly 350 airports will have jet service by 1970. We can readily see that, in a very few years, any city or town with commercial air transportation will have jet transportation—this simply by reason of the rapid conversion to jet service by the airlines.

So, I say to my colleagues who may not have the problem today, you must join us in the passage of this legislation—it could well help you and your constituents avoid many "headaches" in the future.

Mr. Chairman, as I have stated, the passage of this legislation is only the first step. There are many areas of this complex problem which require our attention, and I pledge my continuing efforts in the fight to bring to my constituents and to every American the right to enjoy the peace and tranquillity in his home to which he is entitled and to which he has every right to expect. We must insure that the clergy may give uninterrupted sermons in places of worship and that the teachers in the classrooms may give uninterrupted lessons to our children.

Mr. MINISH. Mr. Chairman, I rise in support of the aircraft noise and sonic boom control abatement bill. Aircraft noise is the neglected child among environmental problems in the United States. Perhaps the neglect is due to the relatively small number of individuals adversely affected by the problem at the present time. However, when consideration is given future prospects, one realizes we cannot repeat the disastrous course of action we undertook in allowing air and water pollution to continue unchecked for years and years. In my own area, at Newark Airport, the number of commercial flights arriving and leaving each day has increased by 64 percent over the last 10 years. Larger and more powerful planes are already on the drawing board. Hugh jetliners, now in the planning stage, such as Boeing's 747, and the supersonic transport, will be in regular service in the 1970's. The SST, as one example, will utilize three times as much thrust per passenger as subsonic aircraft and the noise nuisance increases in proportion to the increase in daily thrust at an airport location.

Mr. Chairman, experts testify that a very loud noise measuring 160 decibels will break a human being's ear drum. Already, jet engines and afterburners discharge up to 140 decibels of sound. A normal individual can experience temporary hearing damage when noise is at a level of 100 to 120 decibels, and frequent exposure to such noise will result in permanent damage to the sense of hearing. Moreover, anyone who has flown or even visited a large airport, ought to be aware of the obvious discomfort to people living in close proximity to such installations.

Effective initiative for eventually solving the problem of aircraft noise must come primarily from a source not compromised by economic interests which conflict with the welfare of the people. Under such criteria, both industry and local government are disqualified. There is only one source—the Federal Government.

Of course, the Federal Government already has assumed responsibility for many aspects of aircraft noise abatement including controls over air traffic and flight patterns. However, it is evident that these efforts, while commendable, have proved inadequate to solve the problem.

The bill before us today would authorize the Federal Aviation Administration, in addition to normal air worthiness tests, to certify aircraft on the basis of uniform noise control standards. I have no doubt that when aircraft manufacturers are compelled to cut noise levels, they will find a way to do so. Millions and millions of dollars are spent each year developing new, faster, and more luxurious planes. If only a portion of the industry's available pool of scientific talent and technical know-how were devoted to noise abatement, the problem would undoubtedly be alleviated in short order.

I urge passage of H.R. 3400 in order to make possible a more tolerable environment for all citizens.

Mr. CHARLES H. WILSON. Mr. Chairman, as a Member of Congress, who has pioneered in the introduction of various legislative remedies for the jet noise problem, I strongly support the passage today of H.R. 3400, which I cosponsored.

I represent an area, which encompasses the Los Angeles International Airport, that has been directly affected by air noise pollution. On March 19, 1968, I, along with representatives of the Inglewood Unified School District, testified before Chairman FREIDEL's Transportation and Aeronautics Subcommittee of the Interstate and Foreign Commerce Committee in favor of H.R. 3400. At that time we presented studies proving that the schoolchild of our community loses up to 50 percent of his class instruction time because of jet noise. To combat this specific problem, I have introduced H.R. 11073 amending the Federal Airport Act to provide Federal financial assistance for noise abatement with respect to schools located near public airports. The bill would allow local school districts to soundproof present classroom structures, and include soundproofing in new school-buildings. This proposal is just one of a series of steps I have taken to solve the jet noise problem. The substance of my other two bills, H.R. 13372 and H.R. 8309 is included in H.R. 3400. H.R. 3400 gives the Administrator of the Federal Aviation Administration, after consultation with the Secretary of Transportation, the authority to prescribe standards for the measurement of aircraft noise and sonic boooms and prescribe any rules and regulations necessary to provide for their control and abatement. H.R. 3400 also allows the Administrator to modify or suspend any certificate authorized by title VI of the Federal Aviation Act of 1958. I have also been a consistent supporter of both NASA and FAA authorizations that included funds to combat jet noise.

After this legislation is accepted by both Houses and signed by the President, I hope that the designated authorities will move very quickly to initiate the study and apply the necessary standards.

I feel that while much remains to be done in this vital area, we should not lose sight of the accomplishments of the local city officials, local boards of education, and airport administrators who are working toward a solution of the jet noise problem.

I hope we can all continue to work together, above partisanship and personal political gain, to solve this very serious problem threatening our metropolitan areas.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 3400, to require aircraft noise abatement regulations, and I am particularly pleased that the committee, in its wisdom, strengthened the provisions so that such regulations would be required, not simply authorized. Action is long overdue in this field, Mr. Chairman, and I believe the urgent need for regulations demands speedy action on the part of the Administrator of Federal Aviation just as soon as this measure becomes law.

As our colleagues know, Mr. Chairman, the 10th Congressional District, comprised of Arlington County, parts of Fairfax County and the city of Alexandria, is often referred to as the bedroom of the Nation's Capital. Unfortunately, it has become an increasingly noisy bedroom since the jets arrived at Washington National Airport in 1966.

The residents of my district, sandwiched between National and Dulles Airport, are vitally—and often quite vocally—concerned about the annoyance of excessive aircraft noise.

They have joined in large numbers an organization which advocates virtual abandonment of Washington National Airport and diverting all air traffic to Dulles, all because of the lack of adequate noise abatement regulation, and the apparent lack of penalty provisions for those pilots and carriers who violate existing regulations.

Never a day passes, Mr. Chairman, that I do not receive a few complaints from area residents which I faithfully refer to the Federal Aviation Administration, of violations of the FAA requirement that pilots remain on a river course for 10 miles beyond the Cabin John Bridge before turning off, and requiring southbound pilots to remain on course for 5 miles. These regulations, if strictly adhered to, would greatly relieve the residents of heavily populated areas both north and south of the noise of the planes turning over their homes.

Mr. Chairman, I believe the Civil Aeronautics Board, which has had underway for more than a year a study of the utilization of Washington National, Dulles, and Friendship, should have long ago reached the conclusion that an absolute top limit on the number of operations permitted at National should be imposed. I believe that the limit should have been 40 operations per hour in any given hour under instrument conditions and 60 operations per hour in fair weather.

Back in 1957, when the officials of the old Civil Aeronautics Authority came to us to emphasize the urgent need for a new airport at Dulles, they told us 40 operations per hour were "standard good operations" and that this could "perhaps" get up to 60, "if there were no difficulties, no delays, no communication problems and everything worked perfectly."

Today, 11 years later, after spending $110 million to build the most modern international airport in the world, we find that Washington National Airport is still handling twice as many operations as is Dulles International Airport.

The Civil Aeronautics Board, as I said before, Mr. Chairman, has been attempting to relieve the problem in the Washington metropolitan area through hearings on the use of the Washington National, Dulles International, and Friendship Airports. However, they found that their repeated attempts to reach a voluntary agreement among the air carriers, the civic parties, Government agencies and general aviation as to the solution to the problem was impossible. So they began preparing for a full-scale hearing in September of last year. Unfortunately the hearing has still not been held, because the Department of Transportation still has not "formulated its policies and procedural recommendations", whatever that means. Meanwhile, residents of Northern Virginia and parts of Washington and Maryland, whose peace and tranquillity is being disturbed in their homes by noisy jets, eagerly await the action of this House today.

Mr. Chairman, the airline industry can develop quieter jets, just as the automobile industry has developed quieter automobiles. Efforts to do so are underway, and this legislation will add impetus to industry to get on with the job.

Mr. Chairman, I urge passage of this legislation.

Mr. PATTEN. Mr. Chairman, I rise in support of H.R. 3400, a bill to authorize the Administrator of the FAA to establish minimum aircraft noise standards and sonic boom standards.

This legislation places the Congress on record as recognizing jet noise and sonic boom as national problems requiring Federal control. The residents of my congressional district and millions of others across the Nation living near airports will be protected by this authority to control the annoying problem of jet noise.

As we make progress in the field of aviation, as new airports are constructed, as smaller jet planes operate, as the supersonic transport is developed, the menace of noise and pollution of the atmosphere accelerates.

This bill, H.R. 3400, is a start in controlling these problems. Jet noise is a problem which cannot be satisfactorily met by the States or local governments. Only the Federal Government can regulate air traffic, placing air safety first and then making every effort to reduce noise.

I praise the chairman of the House Interstate and Foreign Commerce Committee and the other members of the committee for reporting this legislation and I urge my colleagues in the House to act favorably.

The people of New Jersey—those living near Newark Airport and those who may suddenly find themselves living near a new airfield must have protection. I am sure the situation is similar in the other States and H.R. 3400 is a step in the right direction.

Mr. FRASER. Mr. Chairman, I do not have to expound on the need for Federal regulation of aircraft noise. I know that my colleagues from cities with busy metropolitan airports are acutely aware of their constituents' cry for help. Our files are flooded with angry letters demanding that Congress move to silence the roar and whine of jet engines in living rooms, parks, and classrooms. Such an opportunity is now before us.

H.R. 3400 gives the FAA the same regulatory power over noise as it now has over safety. It provides for the suspension or revocation of the operator's certificate for failure to comply with noise standards. Federal regulation is clearly justified, for we simply cannot expect a profit-oriented airline to begin a potentially costly public-oriented program on its own initiative.

I realize that the din of jet aircraft cannot suddenly be ended with the passage of a law. But the time for a first step has long since arrived. Air travel is expected to triple in volume by 1975; the supersonic transport will leave in its wake a sonic boom 50 miles wide. On a coast-to-coast flight this crash could reach the ears of 20 million Americans. It is up to us to act now while the situation is still manageable.

I have here a telegram I received this morning from Mayor Arthur Naftalin, of Minneapolis, and Mayor Thomas R. Byrne, of St. Paul. It reads as follows:

> MINNEAPOLIS, MINN.,
> *June 8.*
>
> DEAR CONGRESSMAN FRASER: The peace and welfare of the Metropolitan Minneapolis-St. Paul citizens requires passage of H.R. 3400, an aircraft noise control and abatement bill, as approved by the House Transportation and Aeronautics Committee. We urge your support in the passage of this bill when it comes up for consideration by the House of Representatives on June 10, 1968.
>
> Sincerely yours,
> ARTHUR NAFTALIN,
> *Mayor of Minneapolis.*
> THOMAS R. BYRNE,
> *Mayor of St. Paul.*

Mr. Chairman, this is one of the most urgently needed bills before Congress. I urge its passage.

Mr. ZABLOCKI. Mr. Chairman, in its deliberations today on aircraft noise abatement legislation the House is coming to grips with one of the most pressing problems of our time. I commend Chairman STAGGERS and his Committee on Interstate and Foreign Commerce for their efforts in this matter and for bringing to the floor a meaningful and effective proposal.

My first aircraft noise abatement proposal was introduced on June 29, 1966. At that time I stated in a speech to the House that there is a dire need for Federal action in this area. It was that same conviction that prompted me to reintroduce an improved version of my proposal in the 90th Congress on January 23, 1967. That bill, H.R. 3344, is similar in many respects to the measure we are considering here today.

With the passage and ultimate enactment of this legislation this Congress will have served to preserve one of man's greatest possessions and needs—the privacy that comes from reasonable quiet.

Over the years many anguished letters have come to me from residents in the Fourth District of Wisconsin whose homes have been shaken, sleep interrupted and nerves drawn to the breaking point by the shattering roar of aircraft noise. This problem is especially acute, of course, in the vicinity of General Mitchell Field in Milwaukee.

The committee has aptly noted in its report on H.R. 3400, "at this stage of engine and aircraft development there are no easy nor ready solutions to the continuing and increasing problems" of aircraft noise and sonic boom. The fact that this bill provides the framework within which those solutions can be actively pursued, however, is encouraging.

Within this same context it is also heartening to note that aircraft and engine manufacturers are conducting their own noise research efforts. Efforts toward the development of quieter engines—without a downgrading of efficiency and safety—must continue as a complement to this legislation. The indication that the industry will not only maintain but increase its contributions toward the common goal of noise abatement is commendable.

It is my urgent hope that the Administrator of the Federal Aviation Administration will pursue with the greatest diligence the challenge established for him and his agency in this bill. Deliberation, consultation, and research by the FAA will, of course, be needed before the full benefit of this proposal's intent and objectives are fulfilled. On behalf of the many concerned constituents who have written me on this matter, I express the hope that those objectives will be achieved soon.

Mr. **FASCELL**. Mr. Chairman, the growth of the air industry within the last few years has been nothing short of phenomenal. In less than a year, the number of U.S. airports served by jet airliners has increased from 110 to 150; and in the next 3 years, the total will be some 350 terminals. Noise from this jet aircraft already is plaguing thousands of people in airport neighborhoods despite years of effort by the aviation industry. This is the price of the remarkable progress which the jet engine has brought to air transportation, but it is too high a price.

People living near these airports are subjected to the most severe emotional and psychological strains to say nothing of the grave economic consequences which result from the loss of property value in such areas. As difficult as the situation now appears, with jumbo jets on the horizon, the prospects for the future are a lot worse.

For these reasons, I introduced H.R. 3400 in the first session of the 90th Congress. This bill would amend the Federal Aviation Act to require the Federal Aviation Administrator to prescribe standards of measurement, control, and abatement of aircraft noise and sonic boom. This country has long taken the lead in the rigid safety requirements imposed on the aircraft industry in the interest of passenger safety. Here is an opportunity for the United States to take the lead in another area—namely, the protection of the nonflying public.

I urge that my colleagues in the House of Representatives join with me today in the unanimous support of H.R. 3400, a measure to provide the Nation with a means for action in curbing the growing menace of aircraft noise.

Mrs. **KELLY**. I wish to rise in support of H.R. 3400, a bill to amend the Federal Aviation Act of 1958, to authorize aircraft noise abatement regulations and for other purposes.

I am sure that we as Members of Congress are especially aware of the fact that aviation has become an essential and widely approved part of our national transportation system. In fact increased aviation facilities have over the years allowed us to spend more time with our constituents while at the same time to be always available for our many legislative duties in the U.S. Capitol. However, aircraft noise and sonic boom have few if any champions. Both noise and sonic boom are unwanted and unpleasant. Therefore, I introduced H.R. 16977, a bill with provisions similiar to the one before us today but with certain committee amendments which I support.

H.R. 3400, as reported by the Committee on Interstate and Foreign Commerce, defines the role of the Federal Government as to control and abatement of aircraft noise and sonic boom. Its specific purpose is to afford present and future relief and protection to the public from unnecessary aircraft noise and sonic boom by authorizing the Secretary of Transportation to establish standards for the measurement of aircraft noise and sonic booms and to promulgate and enforce regulations for the control and abatement thereof.

As a Representative from a very large urban area I feel that enactment of this legislation is a necessity. It is important that aircraft and airport noise disturbances—especially where they exist close to populated areas, such as in my State of New York—be minimized as soon as possible. Mr. Chairman, the very least the Congress can do in this field is to apply the same safety standards to noise abatement and sonic boom control on the ground as we have for those traveling in aircraft.

Mr. Chairman, just recently at our Air Force Academy a number of our cadets were injured and property damage was sustained due to the sonic boom. Therefore, I believe we must take cognizance of this happening and pass this legislation which I believe will most definitely benefit and insure the safety of the general public. Today, I urge adoption by this House of H.R. 3400.

Mr. **RODINO**. Mr. Chairman, I am most gratified to have the opportunity to rise in support of this long overdue and most essential legislation to establish standards for the regulation of aircraft noise abatement.

The problem has been under study for almost 10 years, since hearings on aircraft noise were first held in September 1959 in New York by a subcommittee of the Interstate and Foreign Commerce Committee. Research has continued since then, but it is evident that technological advances and changes in aircraft and their operation make it imperative that we constantly review the situation.

Certainly aircraft and engine manufacturers have been seeking ways to curtail noise, for I understand that they presently support research in this area at a level of about $20 million a year. But with Federal regulation, combined with continuance of this private enterprise effort, we will be able to intensify and hopefully bring about sooner a feasible solution to this complex problem.

The basic objective of H.R. 3400 is to afford relief and protection to the public, now and in the future, from unnecessary noise from aircraft and from sonic boom. But it is not just the immediate annoyance and hardship they create which concern us. For with our increasing reliance on air transportation, it is obvious that new airports and the expansion of existing ones will be a continuing problem. It is therefore a matter of urgency to begin action at once.

As the Representative of the 10th Congressional District of New Jersey, I travel frequently by air between Washington and the Newark Airport, which is located within the confines of my district. So I am personally—and indeed most strongly—testify to the need for this measure. The lives of residents living near the airport are undoubtedly disturbed and disrupted. The adverse impact on their lives, the education of their children, and in fact their entire outlook on the world is impossible to calculate or assess.

I would like also to cite another factor which illustrates the need for enactment of H.R. 3400.

In New Jersey a new jetport has long been needed, but for a decade no agreement has been possible on a site. Establishment of noise abatement standards should help make it possible to develop a jetport proposal that would be both feasible and satisfactory to all viewpoints. In this connection, I would like to include in my remarks at this point the text of a telegram from Austin J. Tobin, executive director of the Port of New York Authority which has jurisdiction over the proposed new jetport, and an article from the Newark Sunday News commenting on the importance of this legislation.

The original site proposed for this new jetport, to serve the northern New Jersey-Metropolitan New York area, was in the great swamp area of Morris County, N.J. The incredible nature of this proposal, though probably little known outside of New Jersey, demonstrates the vital need for approval of H.R. 3400. For this great swamp area proposed as the site for a jetport is now a national wildlife refuge, and in fact, hearings have just been held on legislation sponsored by the entire New Jersey Congressional delegation which would authorize a portion of this refuge to be designated as a wilderness area.

New Jersey, the most urbanized State of the Union, desperately needs to save this priceless area of wilderness which, by some miracle, still exists in our highly industrialized and populous State.

Yet, on the other hand, because of the very fact of the importance of New Jersey in the Nation's industrial and commercial life, a new jetport is essential.

It is my hope that this measure will be of major assistance in resolving this difficult situation

Mr. Chairman, I most strongly urge approval of H.R. 3400. It will be a significant step in our effort to curb aircraft noise and in the longer range, but as yet little noted, campaign to diminish the environmental hazard of noise pollution which constitutes a growing menace to our health and safety.

In my judgment, Mr. Chairman, this legislation will represent a crucial step in our objective of improving our environment so this great Nation will be the healthy and pleasant area of our planet with which we were originally gifted.

The material mentioned above follows:

WASHINGTON, D.C.,
June 8, 1968.

Hon. PETER WALLACE RODINO, Jr.,
Washington, D.C.:

Aircraft noise and sonic boom control and abatement bill H.R. 3400 is now scheduled for consideration and vote by U.S. House of Representatives Monday June 10. In the public interest we urge your full support without any further changes in order to make possible tolerable environment for all citizens and to assure an orderly growth of aviation.

AUSTIN J. TOBIN,
Executive Director,
Port of New York Authority.

[From the Newark (N.J.) Sunday News, June 9, 1968]

Jet Noise Legislation

(By Albert M. Skea)

WASHINGTON.—For the first time in aviation history, federal action is being sought to soft-pedal aircraft noise, including the clap of thunder known as the sonic boom.

Slated to come before the House of Representatives this week is an administration-backed bill which would direct the Federal Aviation Administration to establish aircraft noise limits and to set up methods for enforcing the standards.

The proposed legislation, while world-wide in its implications, is viewed as of particular interest to New Jersey for these reasons:

Establishment of strict noise abatement standards could make it "politically feasible" to locate a fourth jetport in North Jersey.

Newark Airport, which is being modernized at a cost of $250 million to serve 50 percent more passengers, would be able to continue operations as a "good neighbor"—with minimum annoyance to surrounding communities.

PORT AUTHORITY SUPPORT

The bill has been supported by the Port Authority, acting through the Airport Operators Council, International. The proposed legislation also has the backing of the Aviation Development Council, representing the major airlines serving the metropolitan area.

Federal policing of aircraft noise had been opposed by the Air Transport Association, which represents all U.S. airlines. In an interview yesterday, however, Stuart Tipton, president of ATA, said the association would now support the noise measure.

A key provision in the proposed legislation would be that its noise minimums would apply to aircraft presently in service, as well as to future aircraft. The airline industry generally has opposed setting other than future standards. The proposed bill, however, provides a safety-valve for airline financial concerns.

The bill stipulates that FAA enforcement of minimums, including the substitution of quieter engines on today's planes, should also consider whether the abatement prescription "is economically reasonable."

The airline industry has estimated it would cost between $3 and $4 million to re-equip each four-engined aircraft with advanced, less noisy powerplants. The airlines now operate about 1,000 jets.

ADDITIONAL COSTS

The Aerospace Industries Association further estimates it would cost between $600,000 and $800,000 per plane to provide noise dampening engine covers. (Aircraft noise stems both from the interaction of exhaust gases with the atmosphere and from the shrill revolutions of the internal turbines.)

As interpreted by Tipton, the House bill is a long range measure "introducing noise reduction into aircraft design." He said he was optimistic that the House, and later the Senate, would approve the bill.

Aircraft noise abatement rules have evolved around the world in response to local reactions. The Port Atuhority was in the forefront in seeking noise abatement, stipulating in 1952 that no aircraft could land at Newark, La Guardia and Kennedy airports without permission, based on noise level tests.

Other airports around the world took similar action, including bans on takeoffs after certain hours at night. The Port Authority, and other airport operators, maintain that quieter jet engines are technologically available. The challenge is to convince the airlines that the investment in new engines is necessary in their own and in the public interest.

SOLBERG SITE

Aircraft engine makers say little about quieter engines, apparently lest they offend their customers, the airlines.

Presumably, with federal noise abatement measures in effect, the Port Authority after a decade of searching, would be able to propose a jetport site that would be both politically and aeronautically feasible. Austin Tobin, PA executive director, has said he would accept the Hunterdon-Solberg area as a jetport site. The original choice had been the Great Swamp area of Morris County.

Support for the proposed regulation has been greatest from New York City community groups, particularly organizations in the vicinity of Kennedy International. New Jersey interest has been minimal, possibly reflecting satisfaction with, if not resignation to, Newark Airport operations.

Mr. TIERNAN. Mr. Chairman, I am pleased that the House has taken a meaningful first step in the effort to solve the deafening problem of aircraft noise and sonic boom by approving today H.R. 3400, the Aircraft Noise Abatement Act.

One of the most annoying aspects of our jet transportation age has been the increased volume of noise in population centers adjacent to our growing airports.

We live in an era of great technological advancement and change but with this progress has come the side effects of new discomforts and additional irritants.

I am hopeful that this legislation will help to bring about improvements in noise abatement methods and will eventually lead to an elimination of most of the discomfort and nuisance caused by our modern aircraft.

Mr. MILLER of Ohio. Mr. Chairman, the problem of aircraft noise is, as of today, not one of great concern to the people of my district. We do not have any of the large metropolitan type airports. We do, however, have a considerable amount of commercial air traffic passing over the district. We are obviously moving closer to the time when noise from some types of aircraft could conceivably present a problem. Commercial jets use the radio navigation facilities at Zanesville Municipal Airport on inbound flights to Port Columbus from many points in the east. This same situation is true in other parts of the district. This bill has as a main interest the measurement of aircraft noise and sonic boom. It also provides for present and future relief. Looking forward to the future, the SST aircraft now being designed could be a source of sonic boom. And that could then be of concern to citizens in any part of the Nation.

Further, the cost of the proposed legislation, adding three additional acoustical engineers, seems well within reason. This legislation seems to me to be timely; and I wish to voice my support for H.R. 3400.

Mr. RYAN. Mr. Chairman, I support H.R. 3400 which would authorize the prescription and amendment of standards, rules, and regulations for measurement, control and abatement of aircraft noise and sonic boom.

Such legislation is long overdue, and those of us who have been pressing for noise-abatement legislation for many years greet such a bill with satisfaction. I hope that the vote will be unanimous for its passage.

However, I think it is important to note certain questions that I have as to whether or not this legislation will be effectively implemented and whether or not the seriousness of the problem is clear.

First, I commend the Committee on Interstate and Foreign Commerce for its presentation and for the improvement it has made in the administration proposal. The administration had proposed that the Secretary of Transportation be "empowered" to prescribe and amend standards and regulations. The committee version has stated that the Administrator of the Federal Aviation Administration "shall" prescribe and amend standards and regulations "in order to afford present and future relief and protection to the public from unnecessary aircraft noise and sonic boom," and has included guidelines for such action. This positive requirement is certainly a step forward in the hoped-for implementation of the aims of this legislation.

However, there is a problem here that cannot be overlooked. While the administration had proposed that the Secretary of Transportation have the responsibility for standards and regulations, the committee has assigned this responsibility to the Administrator of the FAA. The committee's reasoning in explanation of this change appears to be sound. In essence it is that since standards and regulations relating to noise problems include new engine developments and engine certification, operating flight procedures, and so forth, they may also relate to questions of air safety. Since the responsibility for safety standards rests with the Administrator of the FAA, the committee deems it appropriate for the two responsibilities to be vested in the same authority.

Yet, it may be that in vesting this responsibility in the Administrator of the FAA, the committee has placed the Administrator somewhat in a position of a conflict of interest. For example, the FAA is the body which is promoting the development of, and is responsible for certification of, the supersonic transport. The FAA has been working long and hard to see that this controversial development takes place and that the SST project is concluded with as much dispatch as possible. It has persevered in face of severe criticism from many quarters about the economic wisdom of this project and the still unanswered questions about technical feasibility. But the greatest critics—and potentially the most effective—of the SST program have been those concerned with sonic boom—who cite the SST project as potentially if not likely intolerable to the Nation from the noise standpoint, even should it be otherwise successfully concluded. It may be that the burden upon the Administrator of FAA will be great indeed in making judgments that on the one hand should protect the public interest by restricting the growing hazard of noise pollution, and on the other hand permit the FAA to continue unimpeded prosecution of a very costly technical project—in which the government investment will be at least $5 billion—for which FAA has been the primary exponent and bears primary responsibility for success.

The committee report has cited the noise problem, generated by aircraft, as unwelcome noise—"unwanted and unpleasant." It states:

> The noise problem is basically a conflict between two groups or interests. On the one hand, there is a group who provide various air transportation services. On the other hand there is a group who live, work, and go to schools and churches in communities near airports.

I personally would have stated the problem as far more severe than that. Studies by doctors have shown that excessive noise levels are a serious hazard to physical and mental health—and aircraft noise as we know it today frequently reaches levels considered medically excessive. What is more, the amount of air traffic is increasing rapidly and the aircraft noise problem increases along with it. There are few cities, any more, of any appreciable size that do not have airports in or near their limits.

The noise problem in cities, of course, is not limited to aircraft sources. It is severe and is aggravated by many industrial processes, automobiles and other forms of transportation, workmen using machines, mechanical devices like air conditioners or television sets which exist in great profusion and close proximity, and so on.

But the greatest villain remains aircraft noise, and most cities would have to fall into the category of "a group who live, work, and go to schools and churches in communities near airports." Thus, aircraft noise is not simply a problem for an unfortunate few who happen to live near an airport, it is a serious urban problem and a severe strain on urban citizens.

If aircraft noise were the only problematical factor in the urban environment, it might possibly be tolerable as an isolated irritant to which one could hopefully become accustomed. But the various forms of irritation and environmental pollution in cities, from the air that must be breathed, through polluted rivers, overcrowded and inadequate housing and schools, excessive noise levels, transportation delays, unavailability and delays in essential services, and so forth, make it very difficult for urban residents to cope successfully with the conditions under which they must live and to meet their responsibilities with poise, dignity, and thoughtful ease. In combination with the other problems, a serious and physically irritating factor like excessive noise can become a serious hazard. Thus, nothing must be permitted to stand in the way of effective and rapid implementation of the expressed aims of this legislation.

I hope that the pending legislation will be enacted into law and that the Committee on Interstate and Foreign Commerce and the Congress at large will keep this legislation under careful review as it is administered, in order to make sure that neither conflict of interest, nor sincere but excessive concern with the financial responsibilities which lie with industry, nor excessive interest in further studies of technical problems and long leadtime technical solutions, will stand in the way of our primary purpose—to protect the public interest.

Mr. DELANEY. Mr. Chairman, legislation to authorize aircraft noise abatement regulations and certifications, as provided in H.R. 3400, is long overdue.

The fight against jet noise has been in evidence in this country since the introduction of the jet airplane by the military. The number of complaints was small at first, but the opposition by the public to aircraft noise has kept an almost even pace with the use of jet engine transports by the airline industry. In 1962 the airlines were flying 400 jet transports. As of January 1 of this year they were flying over 1,300 aircraft of this type. Since many of these aircraft fly several trips a day, the actual number of jets flying during every 24-hour period is considerably in excess of this figure. A good example of public reaction toward jet noise was demonstrated when jets began to fly into and out of Washington National Airport in April 1966. Before introduction of jets the airport had received an average of five complaints a month concerning aircraft noise, but within the first month of jet operation complaints soared to 1,100.

It seems that only those who have spent some time near major airports, such as Washington National, Kennedy International, or LaGuardia, in my own district, can really understand the physical discomfort that accompanies the repeated ear-splitting whine of jets. The residents near these major airports are greatly disturbed by this noise invasion which violently destroys the peace in their homes.

To make the noise problem worse, the demand for aviation is increasing at a faster rate than in past years. Between 1950 and 1967, the number of aircraft takeoffs and landings at the large hub airports more than tripled. The Federal Aviation Administration forecasts that aircraft takeoffs and landings at these airports are expected to increase from 20 million in 1965 to 75 million in 1980. In other words, within the next 12 years we can expect aircraft operations to almost quadruple from what they were just 3 years ago.

Further, the noise problem will be aggravated even more by the supersonic transport—SST—when it begins to fly in this country in the early 1970's. Along with engine noise, the SST will bring the sonic boom. While officials of the FAA have said that despite its hugeness the SST engines will be no louder than those engines in the jet transports today, I would hasten to point out that it is the jet engines of today which gave impetus to this legislation now being considered.

The sonic boom is a totally different type of noise which may be more unwelcome than that of the jet engine. Studies have shown that up to 25 percent of the people subjected to the sonic boom found it to be unbearable and could not learn to accept it as a continuous part of their everyday life. The seriousness of this problem is apparent when we realize that an estimated 100 million people will hear the boom each day when the SST reaches its peak growth and flies over land.

In my view, the most important part of H.R. 3400 is the provision for certification of aircraft for engine noise and for sonic boom. We are now at a point where noise abatement is second only to air safety, and certification is needed for noise and sonic boom as it is for air safety.

Certification of aircraft for noise, for instance, will give the Federal Aviation Administration the power to control noise at its source—the engine. Future aircraft engines would be designed with the lowest noise level consistent with the standards established. And, similarly, future supersonic transports would be designed for the lowest level of sonic boom.

This legislation allows the FAA to treat the problem rather than its symptoms. While certification will not solve every aspect of the aircraft noise and sonic boom problem, it will enable the Federal Government to have more control over the problem and provide alternative solutions from which to choose.

Our residents on the ground, Mr. Chairman, rightly demand in their homes a semblance of the lounging comfort which the airlines so widely advertise to be available to airline passengers flying over their homes.

H.R. 3400 will materially assist in arresting this noise invasion of our citizens homes, and I strongly urge its passage.

Mr. HALPERN. Mr. Chairman, there is no question in my mind but that H.R. 3400 is long overdue and vitally needed. Its objectives have been long-sought goals of many of us in the Congress, particularly those of us who represent areas that are plagued by the deafening, nerve-shattering, and often physically hazardous din of airplane noise. This has been one of my stanchest legislative objectives ever since I came to the House in 1959, when I introduced a series of bills aimed at this problem, including one to place the responsibility of airplane noise in the hands of the FAA. I am privileged to have sponsored legislation identical to H.R. 3400, which was introduced by the able and distinguished chairman of the Interstate and Foreign Commerce Committee.

The bill fills a legislative vacuum in airplane noise abatement by authorizing once and for all, the responsibility for setting standards to the Administrator of the FAA. This is what we have been fighting for all these years.

Acceptance of this measure, as is reflected in the House vote does not wholly resolve the problem. It is not a panacea. Far from it. It can only be as successful as its implementation.

In order for the Administrator to set effective standards for noise abatement, he must be able to command a full and deep knowledge of the extent to which aircraft noise can be diminished.

A clear mandate to carry out all the research and development necessary to exploit to the fullest the capacities of our technology would assure that H.R. 3400 is implemented to the best advantage of our citizenry, and in the manner in which this Congress intended it to be carried out.

The lack of coordination between the research and the power to establish standards remains an unfortunate deficiency that is not resolved by this bill. It is obvious that a fuller study and more conclusive research in those areas where our knowledge is presently deficient must be carried out if this legislation is to fulfill its objectives.

Therefore, it should be apparent that this legislation is but a first, and most important step, and that further action is necessary to realize the ultimate aims of protecting the public from the anathema of plane noise.

I commend the Interstate and Foreign Commerce Committee and its able chairman, the distinguished gentleman from West Virginia [Mr. STAGGERS] for bringing forth a bill that at last sets the wheels in motion for effective aircraft noise abatement.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will read the amendment in the nature of a substitute recommended by the Committee and printed in the bill as an original bill for purposes of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title VI of the Federal Aviation Act of 1958 (49 U.S.C. 1421–1430) is amended by adding at the end thereof the following new section:

"CONTROL AND ABATEMENT OF AIRCRAFT NOISE AND SONIC BOOM

"SEC. 611. (a) In order to afford present and future relief and protection to the public from unnecessary aircraft noise and sonic boom, the Administrator of the Federal Aviation Administration, after consultation with the Secretary of Transportation, shall prescribe and amend standards for the measurement of aircraft noise and sonic boom and shall prescribe and amend such rules and regulations as he may find necessary to provide for the control and abatement of aircraft noise and sonic boom, including the application of such standards, rules, and regulations in the issuance, amendment, modification, suspension, or revocation of any certificate authorized by this title.

"(b) In prescribing and amending standards, rules, and regulations under this section, the Administrator shall—

"(1) consider relevant available data relating to aircraft noise and sonic boom, including the results of research, development, testing, and evaluation activities conducted pursuant to this Act and the Department of Transportation Act;

"(2) consult with such Federal, State, and interstate agencies as he deems appropriate;

"(3) consider whether any proposed standard, rule, or regulation is consistent with the highest degree of safety in air commerce or air transportation in the public interest;

"(4) consider whether any proposed standard, rule, or regulation is economically reasonable, technologically practicable, and appropriate for the particular type of aircraft, aircraft engine, appliance, or certificate to which it will apply; and

"(5) consider the extent to which such standard, rule, or regulation will contribute to carrying out the purposes of this section.

"(c) In any action to amend, modify, suspend, or revoke a certificate in which violation of aircraft noise or sonic boom standards, rules, or regulations is at issue, the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the National Transportation Safety Board, the Board may amend, modify, or reverse the order of the Administrator if it finds that control or abatement of aircraft noise or sonic boom and the public interest do not require the affirmation of such order, or that such order is not consistent with safety in air commerce or air transportation."

SEC. 2. That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the center heading "TITLE VI—SAFETY REGULATION OF CIVIL AERONAUTICS" is amended by adding at the end thereof the following: "Sec. 611. Control and abatement of aircraft noise and sonic boom."

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee substitute amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WYDLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time only to put a little balance into this point that has been raised here over and over again today about the problem of airline safety.

That is obviously a very important consideration and it will be in the future for the people who are charged with enforcing this new provision, but I think unless we look at this a little bit rationally we tend to make the present resolution all but meaningless.

I fly in an aircraft every week. This week I am going to make two round trips from Washington to New York. I fly during the year constantly in aircraft. So I am obviously very much in favor of having good airline safety. But I think, unless we are very careful, we can use this whole argument as a defense for doing nothing in the entire area.

Practically anything that is done to an aircraft in its construction or in any way it is flown can be used as an argument that it increases the danger in risk to the passengers and, therefore, should not be done. For example, it would seem to me fairly obvious that adding weight onto an aircraft would reduce the safety factor. Yet the airlines seem to have no trouble in loading the planes with movie theaters and projection sets for the benefit of passengers, when the airlines think that will sell tickets for the airlines. Yet, we could make an argument that it compromises in some respect or other the safety of the passengers on the plane.

We can bring this argument almost to a ludicrous point unless we do realize that safety does have an important bearing, but it must be kept in balance in its application. We do fly planes for a number of purposes—to transport cargo or people—and we have to make sure they are built to protect the people inside the plane as well as the people on the ground who do not use the plane and have to suffer because of them.

For example, I find it impossible to understand how the airlines can get so high and mighty about the safety matters, when they are landing or taking off planes at 1-minute intervals at airports and filling the area with aircraft, losing track of them, and having near collisions all the time.

When it means they are going to make some profit from it, they do not seem to have any problem with the safety matter at all. When it comes to some place they may have to spend a little money, as to protecting the public from aircraft noise, they always scream and say, "Oh, do not compromise safety, not an iota. We might endanger some passengers in an airplane."

I just say that this Congress should take this argument somewhat with a grain of salt, when we see some of the activities of the airlines. We should make sure, when the agencies come to the writing of proper rules and regulations on protecting people on the ground, that they do not become overawed because of this safety argument.

I just point this out to my colleagues in the House, because I have heard this argument for many years and it has been used in the past as a "dodge" to avoid taking action which would cost money.

AMENDMENT OFFERED BY MR. WOLFF

Mr. WOLFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLFF: On line 15, page 3, insert new subsection (b) and renumber the following subsections accordingly:

"(b) No overlights of the land areas of the United States shall be permitted any foreign or domestic commercial aircraft until the FAA administrator has been satisfied that the problem of sonic boom has been solved and its effects have been controlled."

Mr. WOLFF. First, Mr. Chairman, I should like to compliment the chairman of the full committee and the chairman of the subcommittee who proposed this legislation, which has been long overdue.

However, there seems to be in one area a very grievous problem; that is the fact that we have not, to my mind, prevented a recurrence of the situation which has developed with respect to jet noise. The public will be visited with the same type of experimentation and overflights as have occurred with jet noise, in the area of the sonic boom, but the effects will be multiplied and could even be disastrous.

In this connection I do not feel that the American public should be considered again a guinea pig, and therefore would request that all overflights of the United States and its land area be prohibited by supersonic commercial aircraft until such time as the problem of sonic boom has been solved.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Does not the bill before us now move in that direction? It does give the Secretary the right to prescribe standards for measurement of sonic boom.

I introduced legislation earlier this year, H.R. 1110, which would prohibit flights by sonic aircraft over the continental United States at speeds generating sonic booms in excess of 1.5 pounds overpressure per square foot at ground level, because that appears to be the tolerable level. Anything over that does create excessive damage, both physically and psychologically.

I believe the bill before us does give the Secretary authority, and as a matter of fact, instructs him to address himself to determining tolerable standards and effects of sonic booms. I believe the Secretary would have the right to bar especially the French Concorde which is going to be creating booms well in excess of 2 pounds overpressure when it starts flying.

As I read this legislation, it means the Secretary will have the duty to place limitations on such flights.

Perhaps the sponsor of the bill would care to respond as to whether or not we are reading the legislation correctly.

Mr. WOLFF. Would the chairman like to answer that question?

The point I should like to establish is that perhaps the FAA administrator has the authority to do exact limits, however, my objective is to establish legislative history to instruct him to see to it that no overflights of supersonic aircraft are made until the attendant problem has been solved and the destructive quality of sonic boom has been removed.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment. This amendment is at cross purposes to the bill, and I would say it should not be considered. This bill limits noise. We all want to do it, and this bill gives the authority to the Administrator to do just that. One way to stop all noise is to stop all flights. The gentleman knows we cannot do that. You and I know that.

The amendment was not considered before our committee. If the gentleman wants to propose this in the form of legislation that will be considered before our committee, we will be glad to have it. At that time we can have the experts testify on it and we will see what can be done and not just say here on the floor that this is what we want done and not know what the experts have to say about it. We had no one come up and testify on it.

As I said, this is at cross purposes with the bill.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am glad to yield to the gentleman.

Mr. WOLFF. My amendment has nothing to do with the question of noise, Mr. Chairman. It has to do with the prevention of destruction by sonic boom. What is being attempted here is to permit the full use of aviation in this Nation not inconsistent with the public good.

Mr. STAGGERS. The gentleman does not want to tie the Administrator's hands to start off with; does he?

Mr. WOLFF. There is no attempt to do that here.

Mr. STAGGERS. Let us see what the Administrator is going to do and how he is going to do it.

Mr. Chairman, I oppose the amendment and say, as chairman of the committee, that in my opinion it is at cross purposes with the bill.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to make some legislative history here so that there is no question of what we are doing.

I agree with the gentleman from New York [Mr. WOLFF] that we are heading into some very serious problems with sonic booms. We saw the effect of this at the Air Force Academy last week. An airplane flew over the academy at sonic speeds and the sonic boom did considerable damage to property. It injured some 15 people. I understand one of the colonels there had a piece of glass imbedded in his neck. I do not know his condition today, but it was reported to be very serious at the time. So there is no question but that sonic booms are something we have to deal with and we have to do this effectively before we invest $2 billion in a supersonic plane and then find out that we have invested all of this money in it and then have the people say, "Well, we now have to learn to live with sonic booms." I do not think we have to learn to live with them nor do I believe we have to accept sonic booms as the necessary product of progress.

As I read this legislation—and I am inclined to agree with the chairman—in section 611 it says, first, that the Secretary is empowered to prescribe and amend standards for the measurement of aircraft noise and sonic booms. Then it goes on to say—and this is for the legislative history which I would like to establish—this is a mandate to the Secretary—that after he has established the necessary means of measuring noise and sonic booms he will then carry out the second part of this section 611 language, which says: "and shall prescribe and amend such rules and regulations as he may find necessary to provide for the control and abatement of aircraft noise and sonic boom, including the application of such standards, rules, and regulations," and so forth. In other words, what we are doing here today is first giving the Secretary the tools with which to establish standards and to determine what is a tolerable noise level and a livable boom. Then we say after that that he is to prescribe rules and regulations to limit jet noise and sonic booms to tolerable levels. This does not say that he may, but it says that he shall prescribe rules and regulations to make sure that aircraft are so constructed and so operated that they will not exceed the maximum tolerable noise levels which studies have established.

That is the purpose of this bill, and that is why I am supporting it. I think this is the first meaningful step we have seen in this country toward dealing with a problem that affects 20 million Americans.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. TENZER. I would like to rise to agree wholeheartedly with the gentleman from Illinois. This morning I talked with representatives of the FAA and I asked the question specifically—and I alluded to that in my statement on the floor—and I was told that the Administrator fully intended to establish these rules and regulations. Of course, I say to the committee and to other Members of Congress that it becomes our duty to watch and be sure to see that these rules and regulations are established and put into effect and to see that they are properly implemented and that if there should be other necessary amendments to the legislation, that they would be made.

Mr. PUCINSKI. This is just not another study commission. What we are doing here is amending the Aviation Act. We want to make certain that the Secretary of the Department of Transportation has a mandate to do something affirmative, something positive and meaningful about jet noise abatement and sonic boom. It is my opinion that within the structure of this legislation we will be able to do this.

Mr. WOLFF. Mr. Chairman, will the gentleman from Illinois yield to me for the purpose of propounding an inquiry to the chairman of the full committee?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, will the Concorde be able to fly in the United States and over the United States before the problem of sonic boom has been solved?

Mr. STAGGERS. The Administrator has to make that decision. That is the reason we are giving him this authority. The Congress of the United States is not going to make that decision, because there are too many complexities involved in order to do it. Therefore, we have to rely upon the Administrator.

Mr. PUCINSKI. Mr. Chairman, as I read this legislation under its provisions, if adopted, the Administrator is given the mandate and the duty to refuse to permit the Concorde to fly over the United States if it is going to generate pressures beyond tolerable limits for sonic booms. This is why I believe this legislation is very important and meaningful to all Americans and not just those who live around the large cities.

Mr. SPRINGER. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I think we ought to have some background information in order that the gentleman from New York will understand it. We have held hearings on this matter several times. The Administrator does not have any idea of letting supersonic planes to which he refers fly over land. I do not anticipate flight will be allowed in the United States at this time for planes to fly at supersonic speeds over the continent of the United States. The result of that is that you would not get these civilian plane supersonic booms over land. I hope we are making this clear that when the supersonic transport comes into being, there is no thought of them flying at supersonic speeds over land. In my opinion this represents good judgment and I do not believe that they would sit by; that is, the responsible authorities, and let the Administrator authorize them to do it.

Further, let me mention one question which might be confusing in the minds of some of the members of the Committee, and that is this incident which occurred at the Military Academy. May I say that the only airplanes on this continent which have the power to create a supersonic boom are the military aircraft and that there are no civilian aircraft flying anywhere on this continent which would create a supersonic boom. I want to be sure that that fact is clear. This now applies only to military aircraft. The damage which was sustained at the academy at Colorado Springs was done by military aircraft, over which our committee has no jurisdiction.

Mr. Chairman, what we have done here is to make sure that the Administrator has the power to delve thoroughly into this matter and, second, that he is required to come forth with rules and regulations and standards.

I might say to the gentleman from New York that our committee intends to continue to monitor this operation in order to see that the Administrator does act upon this legislation. We intend to have hearings next year and have him come before the committee and afford to us the opportunity to ask him just what has been done in this field. In other words, we do not want to just hand him this law and then do nothing about enforcement of the provisions thereof.

Mr. Chairman, I do want to disabuse any thought in the mind of the Members who are considering this legislation that the Administrator might allow a civilian aircraft capable of creating a supersonic boom to fly over a land area of the United States of America.

I hope I have clarified that issue. That is the reason I do not believe this amendment is either wise or necessary at all. The language of the amendment is very indefinite in talking about controls.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is one aspect of this legislation which disturbs me, not so much for what is in the bill, but rather for what it does not say.

I would like to relate to the members of the Committee the situation that stirs up my concern. Just recently at O'Hare International Airport, which is in my congressional district, a new runway—undoubtedly necessary—was opened. At that time apparently the local school district, the local officials of the adjoining communities, and others in authority were apparently not aware of the fact that this runway had been on the drawing board, so to speak, for several years. It seems certainly shameful to me that the school district should have proceeded with the erection of a new school that will be opening its doors for the first time in September of this year. Both the takeoff and the landing path in this new runway is directly over this new school.

Mr. Chairman, I contend that someone should have the responsibility for coordinating this type of thing, it seems to me, and certainly with local school officials, so that we should not have planes taking off and landing directly over a school. Aside from the noise problem, there is also the built-in hazard to public safety.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I thank the gentleman for yielding.

I believe the gentleman has brought up a very important point. And the strength of this legislation—and I wonder if the chairman will agree with me on this—the strength of this legislation is that it now firmly fixes the responsibility.

You know and I know that every time these citizens try to get relief from jet noise they get bounced around. The Federal people say that it is a local problem, and the local people say that it is a Federal problem. This legislation firmly and unequivocally fixes the responsibility in the hands of the Department of Transportation, so that people who now have a complaint on the very thing you are raising, that when you are raising it you will know where to go, where to take the complaint, and where to get action, and where you can seek some remedy. That is the strength in this bill.

Mr. COLLIER. But will it go so far as to place the responsibility for the proper notification of local authorities when the opening of a runway of this nature is proposed?

In other words, it is easy to say, as was said in the hearings which I arranged at the request of the school officials and the local officials out there in that district, that "my goodness gracious, this has been on the drawing boards for these many years."

But unless these people have access to those drawing boards, certainly it does not seem feasible to me that they would have proceeded with the construction of a new school had they been apprised at that time where this new runway was going to be opened. I took occasion to go out there and watch and listen to the planes landing and taking off, and could only ask myself "how in the world are they going to run classrooms in that school come next September unless something is done about such noise?"

Mr. PUCINSKI. If the gentleman will yield further, the gentleman is exactly correct, and this has been done, the airlines need additional runways. As the gentleman knows, at O'Hara Field they have four runways going at one time. And when they want additional runways they build additional runways, and the community does not know anything about it, nobody knows anything about it until it is too late for them to do anything about it, normally.

But under this legislation the Secretary of Transportation through the FAA now is held responsible and accountable, and that is the strength of the legislation.

Mr. COLLIER. They should be responsible to the community, and not be fearful of publicizing when a new runway is going to open for fear that the local community might touch off some protest that would hold up the opening.

I firmly believe that there is silence in this area for the very reason that, had officials publicly announced that this new runway would have been opened in direct line with the new school, that they could have properly anticipated protest—possibly even legal action from the community.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am happy to yield to the gentleman.

Mr. PUCINSKI. I might tell the gentleman that the people at O'Hare Field assured the people of that community that there would not be another runway. They told them that there would not be another runway and hearings were held and the people asked questions and the people were assured that there would not be another runway, and all of a sudden there she is.

Mr. HECHLER of West Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I support this legislation which I think is long overdue.

Mr. Chairman, I would like to take this time to commend the chairman of the full committee, my distinguished colleague from West Virginia [Mr. STAGGERS], for bringing this bill to the floor. I feel that this is an important piece of legislation which merits the unanimous support of my colleagues.

As chairman of the Subcommittee on Advanced Research and Technology of the Committee on Science and Astronautics, I have conducted hearings over the past few years which relate to the question of aircraft noise and its control. Our subcommittee, year after year, has recommended the authorization of funds beyond amounts requested in the President's budget for aircraft noise control, including advanced research on a quieter engine. For the fiscal year 1969, our subcommittee voted—and our position was sustained by the full committee and by vote of the entire House—an additional $1 million beyond the President's budget in the field of aeronautics, including aircraft noise control. The National Aeronautics and Space Administration is planning to spend about $15 million during fiscal year 1969 for aircraft noise control, and this amount may be increased as a result of the recommendation of our committee; the authorization bill is being taken up today in the other body, after which it presumably will go to conference.

I bring these facts to the attention of the Members in order to underline the importance of the pending legislation in the entire perspective of our efforts to deal with a problem of increasing concern in urban areas throughout the Nation. The rising decibels of noise from jet aircraft contributes still another strain on the nerves for urban residents.

I believe this a problem of noise pollution which deserves even more attention than it has received from the Federal Aviation Administration. One West Virginia example occurs to me immediately. The two largest cities in West Virginia, Charleston and Huntington, are located only 50 miles apart and are being joined by an interstate highway. The proximity of these two cities, plus the fact they are fast growing toward each other, makes a regional airport midway between the cities along the interstate highway a logical development. Charleston and Huntington each now have inferior airports which will not be able to handle jet traffic, and will be too expensive to upgrade for the long future. In fact, upgrading the Charleston airport would make the citizens of that area vulnerable to jet noise immediately over the most populated areas of Kanawha County. This is an additional argument in support of further action by the FAA in encouraging the development of airports outside of heavily populated urban centers. I commend the FAA for steps already taken in this direction, which I believe serve to complement the action which is being taken through the passage of H.R. 3400.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WOLFF].

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CHARLES H. WILSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3400), to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes, pursuant to House Resolution 1203, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. TENZER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 312, nays 0, not voting 121, as follows:

[Roll No. 173]

YEAS—312

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Arends
Ashmore
Aspinall
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blatnik
Boland
Bolling
Brademas
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clawson, Del
Cohelan
Collier
Conable
Cramer
Culver
Cunningham
Daniels
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Devine
Dickinson
Dole
Dow
Dowdy
Downing
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fascell
Feighan
Findley
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gonzalez
Goodell
Goodling
Gray
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morse, Mass.
Morton
Mosher
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Mich.
O'Konski
Olsen
Ottinger
Passman
Patman
Patten
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Roberts
Robison
Rodino
Rogers, Colo
Rogers, Fla.
Rosenthal
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Wydler
Wylie
Yates
Young
Zablocki
Zion

NAYS—0

NOT VOTING—121

Abernethy
Andrews, Ala.
Annunzio
Ashbrook
Ashley
Ayres
Barrett
Bell
Biester
Bingham
Blanton
Boggs
Bolton
Bow
Brasco
Brinkley
Bush
Cabell
Carey
Carter
Clausen, Don H.
Cleveland
Colmer
Conte
Conyers
Corbett
Corman
Cowger
Curtis
Daddario
Davis, Ga.
Dawson
Dent
Derwinski
Diggs
Dingell
Donohue
Dorn
Dulski
Evins, Tenn.
Fallon
Farbstein
Fino
Flynt
Frelinghuysen
Gallagher
Gardner
Gettys
Giaimo
Gibbons
Gilbert
Green, Oreg.
Gurney
Halpern
Hanna
Hansen, Idaho
Hardy
Harrison
Hawkins
Hébert
Helstoski
Herlong
Holland
Hungate
Jonas
Jones, Ala.
Karsten
Kelly
Kluczynski
Kupferman
Kyros
Landrum
Long, La.
McCulloch
McMillan
Mathias, Md.
Mayne
Michel
Moorhead
Morris, N. Mex.
Moss
Murphy, Ill.
Murphy, N.Y.
Nix
O'Hara, Ill.
O'Neal, Ga.
O'Neill, Mass.
Pelly
Pepper
Philbin
Podell
Price, Tex.
Quie
Quillen
Railsback
Resnick
Rhodes, Pa.
Rivers
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
St Germain
St. Onge
Satterfield
Scheuer
Sisk
Snyder
Stanton
Taft
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tuck
Vander Jagt
Whitten
Winn
Wright
Wyman
Zwach

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hungate with Mr. Ashbrook.
Mr. Dorn with Mr. Bush.
Mr. Gilbert with Mr. Carter.
Mr. Boggs with Mr. Frelinghuysen.
Mrs. Green of Oregon with Mr. Kupferman.
Mr. Annunzio with Mr. Railsback.
Mr. Satterfield with Mr. Cowger.
Mr. Corman with Mr. Don H. Clausen.
Mr. Hébert with Mr. Bell.
Mr. McMillan with Mr. Curtis.
Mr. Pepper with Mr. Biester.
Mr. Brasco with Mr. Fino.
Mr. Rooney of New York with Mr. Bow.
Mr. Teague of Texas with Mr. Derwinski.
Mr. Kluczynski with Mr. Michel.
Mr. Donohue with Mr. Conte.
Mr. Fallon with Mr. Corbett.
Mr. Herlong with Mr. Gardner.
Mr. Podell with Mr. Taft.
Mr. Rivers with Mr. Jonas.
Mr. O'Neill of Massachusetts with Mr. Ayres.
Mr. Murphy of New York with Mr. Halpern.
Mr. Landrum with Mr. Harrison.
Mr. Whitten with Mr. McCulloch.
Mrs. Kelly with Mrs. Bolton.
Mr. Gallagher with Mr. Gurney.
Mr. Dent with Mr. Hansen of Idaho.
Mr. Colmer with Mr. Snyder.
Mr. Barrett with Mr. Mathias of Maryland.
Mr. Tuck with Mr. Mayne.
Mr. Wright with Mr. Pelly.
Mr. Jones of Alabama with Mr. Price of Texas.
Mr. Long of Louisiana with Mr. Quillen.
Mr. St Germain with Mr. Quie.
Mr. Rostenkowski with Mr. Roudebush.
Mr. Hardy with Mr. Thomson of Wisconsin.
Mr. Abernethy with Mr. Winn.
Mr. Kyros with Mr. Wyman.
Mr. Diggs, Jr., with Mr. Resnick.
Mr. Gettys with Mr. Zwach.
Mr. Philbin with Mr. Vander Jagt.
Mr. Sisk with Mr. Stanton.
Mr. Andrews of Alabama with Mr. Cleveland.
Mr. Scheuer with Mr. Conyers.

Mr. Blanton with Mr. Morris of New Mexico.
Mr. Moss with Mr. Thompson of New Jersey.
Mr. Nix with Mr. Bingham.
Mr. Dulski with Mr. Gibbons.
Mr. Dawson with Mr. Helstoski.
Mr. O'Neal of Georgia with Mr. Ashley.
Mr. Brinkley with Mr. Moorhead.
Mr. Murphy of Illinois with Mr. Dingell.
Mr. Daddario with Mr. Rhodes of Pennsylvania.
Mr. Rooney of Pennsylvania with Mr. Flynt.
Mr. Evins of Tennessee with Mr. Cabell.
Mr. Carey with Mr. Giaimo.
Mr. Hanna with Mr. St. Onge.
Mr. Hawkins with Mr. Holland.
Mr. Davis of Georgia with Mr. O'Hara of Illinois.
Mr. Farbstein with Mr. Ronan.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LAND CONVEYANCE, GLENDALE, ARIZ.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 974, with Mr. FULTON of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. POAGE] will be recognized for 30 minutes, and the gentleman from Oklahoma [Mr. BELCHER] will be recognized for 30 minutes.

The Chair now recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this is the kind of bill that oftentimes comes before this House.

Back in 1921 the people of Glendale, Ariz., conveyed 10 acres of land which was at that time out at the edge of the town, to the U.S. Government for the purpose of a poultry experiment station.

In 1933 the Government bought an additional 10 acres of land, for which it paid $4,500.

The purpose of the purchase has long since been fulfilled, and the Department of Agriculture has declared that it no longer needs this station.

The needs for research of this sort have passed in this area. The objectives have been accomplished. Only 4 percent of the chickens in the United States come from the five-State area served.

The facilities are outmoded. They are in need of costly replacement if they are to be used any longer.

The area is no longer agricultural, but urban.

Fifteen buildings were recommended for demolition in 1960. None of the buildings or laboratories are suitable for experimentation under controlled and enviromental conditions of modern scientific research.

The Department feels that it would be a great waste of public money and effort to continue this research station.

The land has, however, been pretty well surrounded by the city. It is now urban in character. This property is said to be worth as much as $140,000 and some estimates go up to $200,000 as to its value. We think these estimates are excessive.

The legislation proposes that the land should be reconveyed to the city of Glendale for use as a public park with a reservation that when it ceases to be used for such public purposes, it would revert to the United States of America.

The bill, as amended by the House committee, provides that the city of Glendale shall pay not less than $35,000 to the U.S. Government.

Now, remember, the Government has an investment of only $4,500 in the whole of the land. It is a pretty good profit to the United States in any event, and especially so when it is conveying it all for public purposes. The general practice is to convey for about $1 for public purposes. But in this case we are going to get $35,000 for something that the United States has no need whatever, and it is still to be kept in use for public purposes.

To the Committee on Agriculture this decision seems to be a sound deal and an equitable procedure, and in line with the practice which has been followed all over the United States. The Committee on Agriculture urges the passage of the bill.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. JOELSON. Mr. Chairman, do I understand the distinguished gentleman to say that the U.S. Government originally owned a great portion of this land and conveyed it?

Mr. POAGE. No; the city of Glendale, Ariz., gave the U.S. Government the original 10 acres without cost to the Government. Then some 8 or 9 years later the Government did buy an additional 10 acres and paid $4,500 for it.

Mr. JOELSON. And was that, so far as the gentleman knows, the market value at that time?

Mr. POAGE. At the time it was purchased, that was the market value. That was during the depression, incidentally.

Mr. JOELSON. But the original 10 acres or whatever it was, was an outright gift?

Mr. POAGE. That was an outright gift by the people of Glendale to the Government.

Mr. JOELSON. I see. I thank the gentleman.

Mr. GOODLING. Mr. Chairman, I think the chairman of the committee has covered the purposes of this bill very well.

I might add just a few things. Originally, as the gentleman said, this property was used for poultry research by the U.S. Department of Agriculture. Poultry is no longer an important segment of our economy in that particular area.

The buildings on this ground are old and antiquated and are no longer suited for research. The Department does not feel justified in expending a large sum of money to improve and modernize these buildings.

As the chairman said, originally the 10 acres of this land was a gift to the Federal Government from the people of Glendale, Ariz. That gift occurred in 1921. In 1933 the Federal Government acquired an additional 10 acres.

This ground is to be reported to the General Services Administration as excess property. It can only be transferred—and there was some question about this—it can only be transferred after it has been declared surplus property and when no other agency has a need for it.

I do not know whether the chairman has said this, but this ground may only be used for recreational or park purposes. If it is used for any other purpose, the ground immediately reverts to the Federal Government.

Originally the bill called for no payment for this transfer. Some of the members of the committee thought it was improper, and the bill does now call for some payment to the Federal Government.

I yield so much time as he may consume to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the bill. It is a good bill. It is a fair and equitable bill.

Mr. Chairman, S. 974 should be adopted. It provides for the sale of 20 acres of land which was formerly occupied by the Southwest Poultry Experiment Station. This station has been closed.

The bill provides that no sale shall be made unless this land is declared surplus pursuant to the Federal Property and Administrative Services Act of 1949. In the event such a declaration is made, the city of Glendale, Ariz., will be allowed to buy this land for a price no less than $35,000. The sale to Glendale will be for park and recreational purposes only. In the event the use is changed, the land would revert to the United States.

Mr. Chairman, in my opinion this is a fair bill. The price of $35,000 is a fair price. It should be borne in mind that 10 acres of the 20 acres to be sold was originally given to the Federal Government without charge by the city of Glendale.

The other 10 acres was bought by the Federal Government for $4,500. Thus, on this transaction the Federal Government will show a net profit of $30,500. I submit that this is a much happier result than we usually expect from real estate transactions of the Federal Government.

Glendale is a rapidly growing city. It needs a park in the area in which this land is situated. As a matter of fact, if this land were to be disposed of in some other way, I think it would be fair to expect the city of Glendale to come to the Department of Housing and Urban Development for a grant to buy other lands in this area for park purposes. I am sure that all of the Members of the House will agree with me that the solution offered here, with its profit to the Federal Government, is better for the taxpayers of the United States than would be the alternative.

Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. STEIGER] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STEIGER of Arizona. Mr. Chairman, S. 974 is a bill which would authorize the Secretary of Agriculture to convey to the city of Glendale, Ariz., for public park purposes, approximately 20 acres of land which at present constitute the grounds of the Southwest Poultry Experiment Station.

This station has been closed by the Department of Agriculture and poultry research has been discontinued in this area for primarily, economical reasons.

The land is located within the city of Glendale. In 1921, prior to the establishment of the Southwest Poultry Station, the local citizens raised the money to pay for the station property. After it was purchased by these private subscriptions, it was donated to the Secretary of Agriculture for poultry research.

Later, in 1933, the Government acquired by eminent domain proceedings an addition to the grounds.

Since the Department of Agriculture no longer desires to use this property for its intended purpose, or any purpose, I would strongly urge that the property be returned to the city for public park purposes, particularly since one-half of it was donated by the citizens of the city. The mayor and the city council are anxious to develop the land.

The city badly needs park acreage. The size of the parcel is large enough and its geographical location makes it particularly valuable for these purposes.

S. 974 as amended by the Committee on Agriculture would provide for payment by the city of a sum, determined by the Secretary of no less than $35,000. There is also a reverter clause in the event the land is not used for public park or recreational purposes.

It seems patently proper that the Department of Agriculture, which is no longer able to use the land for the purposes originally donated, should return it to the citizens of the city.

I strongly urge the passage of this bill.

Mr. POAGE. Mr. Chairman, I yield as much time as he may consume to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, the bill before us today is not the most important issue facing the Congress. It involves no expenditure of funds. It has no very far-reaching significance. But it is important to the people of Glendale, Ariz., and I believe it is clearly in the public interest to pass it.

As my colleagues know, this little bill has been brought to the floor on several previous occasions. Each time it has failed of passage. I think we all know that its defeats have resulted from controversy unrelated to its particular merits.

Mr. Chairman, I have received a letter from Senator CARL HAYDEN, the sponsor of S. 974, asking my assistance in passing this bill. Although Glendale is not in my district, I am personally familiar with the situation and strongly endorse this bill. I am pleased to join with Senator HAYDEN in asking that the bill be given consideration on its own merits today.

S. 974 has been reported favorably by the House Committee on Agriculture. It has received the customary careful scrutiny of that committee, and I know how careful that scrutiny is because I have appeared before that committee many times myself. As we see the bill today it has been amended by the committee to provide for a purchase price not to exceed $35,000, and I think we can agree that for a parcel which cost the Government $4,500 this is not an unreasonable figure, either for the Federal Government or for the city of Glendale.

The 20 acres in question, formerly used for the Southwest Poultry Experiment Station, is no longer needed by the Federal Government. It is needed by the city of Glendale for park and recreational development.

In view of all these considerations I hope my colleagues will give this bill their wholehearted endorsement and support today.

Mr. Chairman, you may know that I have circularized all of my colleagues in an effort to bring this matter to a conclusion. I have also circulated the letter I have received from Senator HAYDEN asking approval of this legislation. I should now like to read that letter into the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 27, 1968.

Hon. MORRIS K. UDALL,
House of Representatives,
Washington, D.C.

DEAR MO: As you know, on February 5, the House failed to achieve a two-thirds majority vote on the motion to suspend the rules on S. 974, my bill to convey land to the City of Glendale, Arizona. This was the third time this bill failed of passage in the House.

I am sure you are aware of the unfortunate circumstances behind the House actions on this legislation—circumstances that have nothing whatsoever to do with the merits of the bill itself. The House leadership assisted in every way it could, and Chairman Poage took a personal interest in the bill during the floor consideration.

At this time, I feel that you can be of help and would appreciate your contacting your colleagues in the hope that you can convince them of the equities of the Glendale bill in order to have it brought up once more for passage before the 90th Congress adjourns.

With best regards, I remain

Yours very sincerely,

CARL HAYDEN.

Mr. POAGE. Mr. Chairman, I have no further requests for time.

Mr. GOODLING. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

S. 974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Secretary of Agriculture is authorized and directed to convey to the city of Glendale, Arizona, all right, title, and interest of the United States in and to those lands constituting the grounds of the Southwest Poultry Experiment Station, located in the city of Glendale, Arizona, which station has been scheduled for closing in the near future by the Department of Agriculture. The lands authorized to be conveyed by this Act, consisting of approximately twenty acres, the exact legal description of which shall be determined by the Secretary of Agriculture, shall be made only after a final determination has been made by the Secretary that such lands are no longer needed by the Department of Agriculture for poultry research purposes or for any other purpose. After such a determination has been made by the Secretary and before the conveyance of such lands is made, the Secretary shall make such disposition of improvements and facilities located on such lands as he deems to be in the best interest of the United States.

SEC. 2. The conveyance authorized by the first section of this Act shall provide that the lands so conveyed shall be used by the city of Glendale, Arizona, for public park or recreational purposes only, and if they shall ever cease to be used for such purposes the title to such lands shall revert to the United States which shall have the immediate right of reentry thereon. Such conveyance may be made subject to such other terms, conditions, and restrictions as the Secretary of Agriculture deems appropriate.

Mr. POAGE (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, and that it be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 6, after the word "Arizona," insert the words: "upon payment by said city of such amount as he deems appropriate, but in no event less than $35,000, giving due consideration to the public use thereof,".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. BENNETT. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

Mr. BENNETT. Mr. Chairman, I take this time primarily by way of inquiry. I am chairman of the Real Estate Subcommittee of the House Armed Services Committee. When this bill came up before I had some question in my mind as to why this action was being taken because, so far as I know, it is perfectly permissible to have land revert to the Federal Government and be disposed of in the usual procedures whereby there are opportunities for local communities to come in and share under the legislation already enacted. So the purpose of my inquiry at this point is to ask, Why was not that procedure followed here? Why was not the land declared surplus so as to let the local community come in and make whatever public purpose bid it wanted to for that property?

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. If the procedure my friend from Florida has outlined had been followed, the sale would have been at auction and anybody would have been eligible to bid on the piece of land, as the gentleman knows.

Mr. BENNETT. Yes; the gentleman knows that. As I understand, the law provides that a local community can come in, make certain suggestions, and be given opportunities above other people if the land is intended for a public purpose.

Mr. RHODES of Arizona. The gentleman is undoubtedly correct on the law. However, there were other matters that came into play, among them being a reluctance on the part of the General Services Administration to make the decision which would have been necessary to put this particular land into that category. They asked for congressional guidance on it. We see no reason why that guidance should not be given. The land is ideally suited for park purposes.

If the land were put up for auction, it would be impossible for the city to buy it for a limited purpose such as this for several reasons, one being the laws of the State of Arizona as to the type of payment which can be made for land under conditions such as this.

I hope my good friend from Florida will believe me when I tell him all avenues have been explored to get this land into the hands of the city of Glendale, which all of us believe is for the highest and best use.

Mr. BENNETT. Mr. Chairman, my reason is that in similar cases that have come before us, the land has been sold at its fair market value. We have had some cases like that. But this case is just to bypass the ordinary procedure of having it revert to GSA and having it be disposed of through that procedure. This is land which is worth obviously a great deal more than $35,000, and it is being made available to the city of Glendale at a price very much cheaper than other people in the United States have to pay for land like that which is sold by the Federal Government.

Mr. RHODES of Arizona. Mr. Chairman, may I differ with the gentleman as to the value of the land. As I say, ever since I have been in Congress this has been under discussion. The gentleman should bear in mind that 10 acres of this land was a gift from the city of Glendale to the Federal Government. There is a certain equity which the gentleman, I think, will not deny. We are talking about a purchase of 10 acres, not of 20 acres. This land otherwise would have to go to the highest and best use, and the highest and best use for this otherwise would be for residential purposes. The going value for residential purposes in that area is less than approximately $4,000 per acre. The price contained in this bill as a floor is a price which is in my opinion in excess of the value of the land for a limited purpose such as this, and which is about the price which would have to be paid if it were to be sold for residential purposes.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Texas.

Mr. POAGE. Mr. Chairman, I would like to point out that if the appraisal of $140,000, is divided by two, it is $70,000 for the land for which the U.S. Government paid $4,500 and the Government only bought one half of the land. We should also consider the fact that the appraisal is for a fee simple title, and we are not giving a fee simple title. There is no private owner on earth who would pay $70,000 for the right to use this for public park purposes, and there is no market even at $35,000, which is the price fixed in here as a minimum.

What we have done is that we simply assumed half the appraisal went to the land the Government bought, and that the other 10 acres is not worth more than half as much with this use limitation on it as would be a fee simple title. We get down then to $35,000 theoretically, but with no possible purchaser, because there would be no purchaser who would buy this land with those title limitations thereon—nobody except the city of Glendale which wants and needs this land for a public park.

The CHAIRMAN. The time of the gentleman from Florida has expired.

(By unanimous consent, Mr. Bennett was allowed to proceed for 3 additional minutes.)

Mr. BENNETT. Mr. Chairman, the main reason why I stood on the floor today to speak is that, the last time this bill was up the press reported that there were some extraneous matters which caused some people to cast negative votes at that time. Certainly those matters had nothing to do with my vote. I intend to cast a negative vote today because of what I have today discussed and this was my reason for a negative vote before.

This is giving a special benefit to a local community which is not generally given to most local communities throughout the United States; because generally such land goes at the fair market value, if it has to pass through the GSA route, and the GSA route is set up in such a way as to permit the local communities to come in and make special pleas for public uses.

I would like to make straight for the Record that my stand with respect to my negative vote before and today is based on the fact that we are giving an advantage to this community which we do not allow to other communities generally. It might be said that there is an equity in the park purpose but that is covered by general law.

So I must say unless this bill is amended I would expect to vote against it again.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike the requisite number of words.

I do not believe we should add too many more remarks about this. I should just like to say in rebuttal to the last remarks of my good friend from Florida that everything has been done which I believe properly should be done to make sure the Federal Government and the city of Glendale get a good deal on this particular matter.

I do not believe it is necessary to remind my colleagues in the Committee that the Federal Government has appropriated large sums of money for the purpose of acquiring land or allowing local communities to acquire land for park purposes. There are, in the budget for this year, appropriation requests for millions of dollars for this purpose.

Certainly, it is not too farfetched to make an analogy here. If indeed the argument of the gentleman from Florida has merit, if the city of Glendale is getting something here, then certainly it is not any more than any other city in the United States could get if a proper grant were asked for, through the Department of Housing and Urban Development, and allowed.

I will state again, that in my opinion, the appraisal for this land is completely overpriced. I am familiar with the land. I know exactly where it is. I know perfectly well if that land is worth $14,000 an acre there is an awful lot of other land around there that could be bought at that price. The price is just not that high for land in that area.

In my opinion this is a good bill. It has been worked over by all of us from Arizona. The esteemed senior Senator from Arizona is most interested in the bill. My colleagues from the second and third districts are for the bill. We feel it is absolutely necessary for this growing city to have a park in that area.

I suggest it would be utterly foolish for us to take this land, to sell it to the highest bidder, and to have the city of Glendale turn around next year and ask for a grant from HUD to buy 20 acres more of land in that area for a park. That is exactly what would happen.

Mr. POAGE. Mr. Chairman, I move to strike the last six words.

I feel that I should comment on the action of the Committee on Agriculture on this bill. I believe the implication was given that we did not give it fair and adequate consideration. I think that is contrary to the fact.

The Committee on Agriculture, like most other committees, I believe, recognizes that when a government acquires land, ofttimes there are certain equities involved. We have believed that when local communities paid for the cost of the land, that placed them in a quite different position from the one occupied when the Government simply has gone in and purchased at the best price it could land in the community.

In this case, the circumstances of a gift apply to the first 10 acres involved. Consequently, there needed to be something more than a mere harsh application of general rules set down in the general law.

We felt that the other body was exactly correct in taking this into consideration.

Then, when there is a required special and public use for the land, as there is in this case, we felt that, too, properly required a special consideration or treatment of that land, and we took that into consideration.

Then when there is a question about the validity of an appraisal, as there clearly is in this case, we felt that this, also, justified special consideration. It does not mean appraisers are dishonest when they are out of line with what others think is a reasonable appraisal. Reasonable and honest men have differing opinions about value. Our committee felt that this appraisal sounded, on its face, to be an extremely high figure for land in a relatively small town.

Taking all those things into consideration, the committee felt the only way there could be an effective and equitable disposition of this matter was to have the Congress pass upon these matters rather than to submit it to the general procedure that it would go through if sold under auction by the General Services Administration.

Your committee felt that the other body had sent us a sound piece of legislation, but there was not any specific provision in the Senate bill as to exactly how much the Federal Government should get. We took what some called the "Morse formula," from the distinguished Senator from Oregon, and applied that. We came out with $35,000 as a minimum amount to be paid to the U.S. Government.

Now, remember this: The U.S. Government has an investment of $4,500 in this land. Only $4,500 in land. You are going to come out with a clear profit of $30,500. I submit this is a great deal better than the Government ordinarily comes out, either in special bills or in general legislation.

Mr. Chairman, I think this is a pretty good deal for the Federal Government. The Committee on Agriculture has given it pretty fair consideration. I think we tried to bring about an equitable solution for everybody involved, and I hope the House will support us on it.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. FULTON of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 974), to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., pursuant to House Resolution 1191, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GUN CONTROL LAW—COMMUNICATION FROM THE ATTORNEY GENERAL OF THE UNITED STATES

The SPEAKER laid before the House the following communication from the Attorney General of the United States, which was read and, together with the accompanying papers, referred to the Committee on the Judiciary:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., June 10, 1968.

The SPEAKER,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Last week the President wrote to you stating his emphatic concern that Congress not stop with a "half-way measure," or enact a "water-down version" of a gun control law, but that it "give America the Gun Control Law it needs." The enclosed draft bill would carry out the President's request.

The proposed bill differs from Title IV of H.R. 5037, recently passed by this Congress, in two principal respects. First, it imposes restrictions on rifles and shotguns parallel to those that H.R. 5037 imposes on hand guns. These provisions prohibit mail-order purchases, sales to nonresidents, and sales to juveniles. Second, the proposed bill includes provisions to control the interstate shipment of ammunition and the sale of ammunition to juveniles, matters omitted altogether in H.R. 5037. Additionally, the draft embodies a few minor technical refinements.

By recognizing the Federal responsibility to control the indiscriminate flow of firearms and ammunition across State borders, this bill will give States and local communities the capacity and the incentive to enforce effectively their own gun control laws. Once enacted into law, it will ensure that strong local or State laws are not subverted by a deadly interstate traffic in firearms and ammunition.

The President has repeatedly urged Congress to put an end to "mail order murder," and to arrest the violence in our nation by tightening controls over firearms.

The need for immediate action can no longer be ignored. Each year 6,500 murders, 43,000 aggravated assaults, and 60,000 robberies are committed with firearms. Each day, 50 lives—more than one every half-hour—are destroyed by firearms. Since 1900, three-quarters of a million people have died in the United States by firearms, more than in all our wars. In 1967 alone, assaults with a gun rose 22%. One out of every 5 assaults is committed with a gun. Firearms are used in 58% of all robberies.

Nor is this solely a problem of hand guns. Thirty per cent of the homicides each year with firearms are by rifles or shotguns. Between 1960 and 1966, more than 95% of all law enforcement officers killed in the United States were slain with firearms, and one in four of these officers was slain by a rifle or a shotgun. A recent survey of police departments in some 40 cities over a five year period revealed that during the survey period more than 50,000 rifles and shotguns were confiscated from murderers, robbers, juvenile offenders, and others engaging in unlawful activities. Rifles and shotguns have become the chosen instruments of slaughter for snipers and assassins. Any truly effective firearms legislation simply must cover long guns as well as hand guns.

So also it is clear that controlling the distribution of ammunition is as important as regulating the sale of the firearms which use it. In previous firearms bills, including S. 1592 introduced in the last Congress, the President has urged inclusion of ammunition. With an estimated 50 million firearms now privately owned in the Nation, the control of the ammunition they fire is crucial to controlling the abuse of these weapons.

The people of this country have indicated overwhelmingly that they want immediate Federal controls over all kinds of firearms. We have debated the issue beyond reason. The increasing number of violent crimes committed with firearms and the tragic events of the last few months have made it abundantly clear that Congress must act now to help prevent further violence.

The proposed bill is substantially similar to a number of bills sent to the Congress by the President and considered by both chambers during the past two Congresses. These include S. 1592, H.R. 6628 and H.R. 6783 of the 39th Congress, and S. 1—Amendment 90 and H.R. 5384 of the 90th Congress.

The Senate Commerce Committee held two months of hearings on firearms control in 1963 and 1964. The Senate Juvenile Delinquency Subcommittee held hearings on firearms bills in 1963, and again in 1964, 1965, and 1967. The House Judiciary Committee has held hearings on this matter at length in 1965 and again in 1967.

In light of this extensive background, and at the request of the President, I urge the Congress to give immediate consideration to this extremely important legislation. There must be action now, before the Congress adjourns. While the time is short before adjournment, so also is the time short for the country to move to control the principal weapon of crime—the gun.

Sincerely,

RAMSEY CLARK,
Attorney General.

CONGRESSMAN McCARTHY ASSAILS NATIONAL RIFLE ASSOCIATION ARGUMENTS AGAINST STRICT GUN LAW

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, in the New York Times of Saturday, June 8, the president of the National Rifle Association, Harold W. Glassen, advanced a number of arguments against gun control legislation. I would like to take these one by one and answer them.

First, Mr. Glassen said:

> The simple fact is there is no gun control law that the mind of man could conceive that would have had the slightest effect in

> preventing any of the assassinations of our day.

This is false.

The original gun control bill introduced by the gentleman from New York [Mr. CELLER], and other Members including myself, would ban the interstate mail-order sales of rifles and shotguns as well as handguns. Lee Harvey Oswald clipped out a coupon from the National Rifle Association's official publications, the American Rifleman, mailed it to a mail-order gun house in Chicago and received through the mails the rifle that killed President John F. Kennedy. If the Celler bill had been law at the time Oswald acted, he would have been unable to obtain this weapon through the mails.

Second, Mr. Glassen disputed:

> all this talk about the gun lobby is baloney * * * we have yet to spend 1 single dollar on lobbying; we have never hired a lobbyist.

Who is spreading baloney?

Does anyone in this Chamber really believe that the National Rifle Association is not one of the most powerful and effective lobbying organizations in the United States today? The NRA does not have to hire lobbyists in the technical sense. It has active members right in this Chamber. In the May 1967 issue of the American Rifleman, an ad soliciting new members stated that one of the purposes of the association was to speak with a strong voice on gun legislation. The dues requested from new members, the ad emphasized, would be used to support this effort. In addition, the NRA's legislative and public affairs division spent almost $454,000 in 1966. This total did not include $113,000 listed for "public relations" campaigning costs. Because the association is tax exempt, it generates tremendous capital for its antigun law efforts. Some 28 percent, or $1,356,000, of its 1966 income came from gun, ammunition, and sporting goods manufacturers advertisements in the American Rifleman. No tax was paid on this tremendous revenue because it is exempt from taxes as a "social welfare" organization.

Third. Mr. Glassen also declared:

> There is no correlation whatever between the proliferation of firearms and crime . . . tight gun control laws wouldn't prevent or reduce homicides.

Let us take the case of Japan, with about half the population of the United States. In Japan in 1962, where they have a very strict gun law, there were only 37 firearms murders in 1962. By contrast, in the United States, there were 4,954 homicides by firearms that year.

Today guns are involved in more than 6,500 murders each year in the United States. This compares with 30 in England and 68 in West Germany. Both these countries have strict gun control laws.

Fourth. Mr. Glassen did say:

> We agree with the Administration that firearms are not for everyone. We support legislation barring the sale of guns to juveniles, to delinquents, to drug addicts and convicts.

But this claim flies in the face of the fact of the NRA's consistent opposition to restrictions on the mail-order sales of firearms. Obviously, any juvenile, drug addict, or convict can—with very little difficulty—order any weapon he wants through the mails, just like Oswald did.

Fifth. Groping for another argument against strict firearms legislation, Mr. Glassen observed that such items as a dictating machine, a telephone, a picture frame could be used to kill a person.

The truth is that the average killer prefers a gun to any other weapon. Of the 33 Americans murdered each day last year, nearly two out of three were murdered with guns. More than 80 percent of the killers who used a gun had criminal records. As a matter of fact, they had an average of six arrests over a 10-year period prior to the murder. In 74 percent of the cases, the killer and the victim were either friends, relatives, or acquaintances; 84 percent of the murders stemmed directly from an argument or a lover's quarrel. The average person who committed murder in the United States last year had a gun handy when the rage to kill overtook him. It is clear that the mere availability of a lethal weapon increases the likelihood of a fatal crime of violence.

Sixth. Glassen asserted:

> Let's not punish 40 million American sportsmen because of the fact that there are some kooks in America today.

Nobody is talking about punishing anybody. Perhaps the laws I advocate would inconvenience gun manufacturers and gunowners. But then we must also consider the "inconvenience" that the Nation's previous apathy has cost the families of John F. Kennedy, Martin Luther King, and Robert F. Kennedy.

BISHOP ROBERT E. TRACY OF BATON ROUGE

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, there have been many statements expressing the sympathy of the American people regarding the tragic events of the past week, as well as prayerful exclamation that we reevaluate our individual commitments to rid our environment of the forces which induce violence.

Probably no one has expressed the public feeling better than the beloved and highly respected bishop of Baton Rouge—Bishop Robert E. Tracy.

I am honored to insert Bishop Tracy's statement on the death of Senator Robert F. Kennedy at this point in the RECORD:

STATEMENT OF BISHOP ROBERT E. TRACY, OF BATON ROUGE, ON THE DEATH OF SENATOR ROBERT F. KENNEDY

In this tragic hour, there comes to us a rush of thoughts—of horror, of inestimable loss, of sympathy for the bereaved, and of unspeakable national grief over the death of Senator Robert F. Kennedy.

And there are apprehensions too: about the sorrow that the Kennedy family must now face once more, in its long history of affliction; and about the impact on the nation of the recent slayings of so many high-minded leaders, cut down in their young manhood, just when they were giving to their country their greatest promise of sterling, vigorous service.

But there is consolation also: for even though we humans must all walk a daily tightrope between security and tragedy, our lives are still in the hands of God who, in the end, is able to bring good out of the most unfortunate accidents and the most devastating tragedies.

Hence, in this hour of bewilderment and grief, we turn to God in prayer, for we know that, without Him, not a sparrow falls from the skies nor a single lily adorns the fields.

Let us retire, now, into our hearts and pray. And then let us arise, as a nation, to carry on the work of justice and love and compassion which cries out so agonizingly for our attention.

May God be good to the gallant young leader who was Robert F. Kennedy!

And may we remember him in our common observances and in our private prayers.

But, above all, let us strive to understand and correct the injustices, the discrimination and the corroding immorality among us which induce this awful climate of violence and against which Robert Kennedy and John Kennedy, during their lives, so mightily contended.

A NEW TRADE BILL

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include pertinent material.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, despite strong congressional reaction to last summer's Kennedy round of trade agreements, the President's new trade message offers no consolation to domestic industries who are being crippled by foreign imports.

Since the United States decided to shift from bilateral to multilateral trade negotiations and agreements by joining the organization known as the General Agreement on Tariffs and Trade, literally hundreds of bills have been introduced to limit imports which undersell similar domestically produced commodities.

Invariably these protectionist bills are designed to control imports on single items. In fact, last year almost 200 bills were introduced in this body to restrict imports on textiles alone. Hundreds of other related trade bills were submitted to cut imports on everything from wristwatches to dairy products.

Mr. Speaker, although I have sponsored import quota legislation on various individual commodities, I have consistently urged that the entire spectrum of U.S. trade policy should be carefully examined by Congress in order to find an adequate solution to the import problem. In my judgment the best method to accomplish this would be through a comprehensive or omnibus trade bill that would regulate imports on a number of items.

Practically every major American industry is feeling the adverse effect of foreign imports. The implications of the import problem are very clear. They include the loss of jobs for American workers, an increase in the balance-of-payments deficit, and the dependence of our national defense upon the friendliness of foreign nations.

One method suggested by several of our colleagues is to establish import ceilings on various products. Under this plan, imports would increase or drop back on the basis of domestic consumption. This flexible approach would assure foreign nations of participating in the American market on a more equitable basis which at the same time it would protect domestic industries from heavy imports.

Of course, in a worldwide industry where overcapacity situations are often created, the foreign producer enjoys the right of dumping his incremental volume into the most generous and useful market available, the United States. We do have antidumping laws to restrict this practice, however nothing is being done to enforce them.

Mr. Speaker, our distinguished colleague, the gentleman from Florida [Mr. HERLONG], explained the various provisions of the import ceiling bill in remarks which appeared in the RECORD May 7. After carefully examining this bill and the laudable objective it seeks to attain, I am convinced that it offers one of the most realistic approaches to the problem of imports, since the beginning of the Kennedy round in 1962. Accordingly, it is indeed an honor for me to join my colleagues today in introducing this bill.

Unless Congress takes command to redefine U.S. trade policy with a view toward protecting domestic industries, I fear that there is going to be a substantial decrease in our industrial superiority among the nations of the world. I believe there is sufficient interest in Congress to resist the trend of exporting jobs, and for this reason I am hopeful that a bill of this type will gain approval during this session of Congress.

A STIRRING TRIBUTE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, the stirring eulogy Senator EDWARD M. KENNEDY has given for his brother makes clear the qualities that have enabled the Kennedys to bear their public successes and private tragedies with equal grace. Among these family hallmarks are a profound love for one another, an equally profound loyalty, a sense of purpose in life, and a conviction that one must do his best in any task no matter how unfavorable the odds.

Senator KENNEDY's tribute to his slain brother is more than a statement of one man's love for another, more than a statement of solace for a grieving nation. It is an affirmation that the goals sought by Robert Francis Kennedy, and by John Fitzgerald Kennedy before him, have not died with these two remarkable men.

The text of Senator KENNEDY's eulogy:

Your Eminence, Your Eminences, Mr. President, on behalf of Mrs. Robert Kennedy, her children and the parents and sisters of Robert Kennedy, I want to express what we feel to those who mourn with us today in this Cathedral and around the world.

We loved him as a brother and father and as a son. From his parents, and from his older brothers and sisters—Joe and Kathleen, Jack—he received inspiration which he passed on to all of us. He gave us strength in time of trouble, wisdom in time of uncertainty, and sharing in time of happiness. He will always be by our side.

Love is not an easy feeling to put into words. Nor is loyalty or trust or joy. But he was all of these. He loved life completely and he lived it intensely.

WORDS ON FATHER RECALLED

A few years back, Robert Kennedy wrote some words about his own father which expresses the way we in his family feel about him. He said of what his father meant to him:

"What it really all adds up to is love—not love as it is described with such facility in popular magazines, but the kind of love that is affection and respect, order, encouragement, and support. Our awareness of this was an incalculable source of strength, because real love is something unselfish and involves sacrifice and giving we could not help but profit from it."

And he continued:

"Beneath it all, he has tried to engender a social conscience. There were wrongs which needed attention. There were people who were poor and who needed help. And we have a responsibility to them and to this country. Through no virtues and accomplishments of our own, we have been fortunate enough to be born in the United States under the most comfortable conditions. We, therefore, have a responsibility to others who are less well off."

APPEAL TO JUSTICE, COMPASSION

That is what Robert Kennedy was given. What he leaves to us is what he said, what he did and what he stood for. A speech he made to the young people of South Africa on their Day of Affirmation in 1966 sums it up the best, and I would read it now:

"There is discrimination in this world and slavery and slaughter and starvation. Governments repress their people; millions are trapped in poverty while the nation grows rich; and wealth is lavished on armaments everywhere.

"These are differing evils, but they are the common works of man. They reflect the imperfection of human justice, the inadequacy of human compassion, our lack of sensibility toward the sufferings of our fellows.

"But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

"Surely this bond of common faith, this bond of a common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men. And surely we can begin to work a little harder to bind up the wounds among us and to become in our own hearts brothers and countrymen once again.

OBSOLETE DOGMA AND CHANGE

"The answer is to rely on youth—not a time of life but a state of mind, a temper of the will, a quality of imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. The cruelties and obstacles of this swiftly changing planet will not yield to the obsolete dogmas and outworn slogans. They cannot be moved by those who cling to a present that is already dying, who prefer the illusion of security to the excitement and danger that come with even the most peaceful progress. It is a revolutionary world we live in; and this generation, at home and around the world, has had thrust upon it a greater burden of responsibility than any generation that has ever lived.

"Some believe there is nothing one man or one woman can do against the enormous array of the world's ills. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and the thirty-two-year-old Thomas Jefferson who proclaimed that all men are created equal.

"These men moved the world, and so can we all. Few will have the greatness to bend history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest walls of oppression and resistance.

MORAL COURAGE CALLED RARE

"Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change. And I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the globe.

"For the fortunate among us, there is the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who enjoy the privilege of education. But that is not the road history has marked out for us. Like it or not, we live in times of danger and uncertainty. But they are also more open to the creative energy of men than any other time in history. All of us will ultimately be judged and as the years pass we will surely judge ourselves, on the effort we have contributed to building a new world society and the extent to which our ideals and goals have shaped that effort.

"Our future may lie beyond our vision, but is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine our destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live."

A GOOD AND DECENT MAN

That is the way he lived. And that is what he leaves us. My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Those of us who loved him and who take him to his rest today, pray that what he was to us and what he wished for others will some day come to pass for all the world.

As he said many times, in many parts of this Nation, to those he touched and who sought to touch him:

> "Some men see things as they are and say why.
> I dream things that never were and say why not."

IMPROVED AIRLINE SERVICE FOR THE QUAD-CITY AREA IN ILLINOIS AND IOWA

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RAILSBACK. Mr. Speaker, this week the Civil Aeronautics Board will conduct hearings to consider the matter of improved airline service for the quad-city area in Illinois and Iowa. This area is equivalent in population and commercial activity to a city of approximately a quarter of a million persons and includes the cities of Rock Island, Milan, Silvis, East Moline, and Moline, Ill., and Davenport, and Bettendorf, Iowa. All of the municipal governments and chambers of commerce in this area are seeking nonstop service between the Quad-City Airport and Washington, D.C., and New York City.

In addition to the unanimous action taken by all of the cities in the area, the Department of Defense has conducted a study on behalf of its agencies located in the quad-city area; namely, the U.S. Army Weapons Command, the Rock Island Arsenal, the Army Management Engineering Training Agency, the Production Equipment Agency, the USAMC Installation and Service Agency, and the Rock Island district of the Corps of Engineers. The research has found that there are more than 1,500 flights a year by members of the Department from this area to Washington. Furthermore, the study has shown that traveltime to Washington could be cut by 48 percent if nonstop service were instituted. This saving in time to Government personnel alone is worthy of serious consideration.

The proposal which the Board will consider is for single-plane service between the quad cities and Washington, and, also, New York with one stop in Peoria, Ill. While direct, nonstop service would be most desirable, this plan would certainly be an improvement over the current situation whereby a traveler must change planes in Chicago, frequently experiencing a layover, before continuing on to his destination.

The tremendous continuing growth of population and governmental and commercial importance in the quad-city area would be greatly assisted by improved airline service to and from Washington and New York. I share the hope of the communities of the area that our efforts will be successful for an early inauguration of direct air service between the Quad-City Airport and the cities of Washington and New York.

U.S. GROUP TO THE INTERPARLIAMENTARY UNION

The SPEAKER pro tempore (Mr. NEDZI). Under previous order of the House the gentleman from New York [Mr. PIRNIE] is recognized for 60 minutes.

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Speaker, as president of the U.S. group to the Interparliamentary Union, it is my privilege at this time to report to the Congress on the spring planning conference of the world's oldest international organization of parliamentarians.

During the period April 15–21, representatives of parliamentary institutions from all over the world convened in the National Assembly in Dakar, Senegal, to discuss a variety of complex international issues. The range and importance of the topics covered by the 224 delegates from 55 nations were considerable.

There was a free exchange of ideas and information and I am confident that every delegate returned from our mission to Africa better equipped to more effectively discharge our legislative responsibilities as the result of participating in such a valuable and enlightening conference. I shall expand upon this theme in a moment, but first I wish to list the other members of our delegation:

Senator GORDON ALLOTT, of Colorado, member of the Interparliamentary Union Council; Representative EMILIO Q. DADDARIO, of Connecticut, member of the Interparliamentary Union Executive Committee and the Interparliamentary Union Council; Representative EDWARD J. DERWINSKI, of Illinois; Senator B. EVERETT JORDAN, of North Carolina; Senator A. S. MIKE MONRONEY, of Oklahoma; Representative JOHN B. ANDERSON, of Illinois; Representative JOHN JARMAN, of Oklahoma; Representative ROBERT MCCLORY, of Illinois; Representative JOHN S. MONAGAN, of Connecticut.

Our 10-member, bipartisan delegation constituted one of the smallest groups representing our country at such an international conference in recent years. Other nations dispatched more representatives than we did, but I am glad to observe that what we lacked in quantity, we compensated for in quality. The diverse background of experience each of our delegates possessed made for a balanced and effective team.

Before proceeding to the substantive portion of this report, I would like to comment briefly on two other aspects of our mission. Both are pertinent to this discussion and may prove of value to our other colleagues who, at some future date, may be privileged to represent the United States at similar international conferences.

It is the firm belief of those of us associated with the Interparliamentary Union that the success of any of our missions is directly related to the amount of advance planning that precedes the actual working sessions. A hastily called caucus en route or a predeparture strategy session is hardly sufficient to prepare adequately for an assignment of this nature.

Our group meets monthly throughout the year to prepare for the two annual IPU conferences. Continuity is maintained so that all the members can be current on developments within the organization and aware of the activities of member-nation delegations. State Department officials are frequently called in on a consultative basis as topical matters are reviewed. The research capability of the Library of Congress is employed to good advantage so we will have the necessary backup material to support our mission.

When we are at the conferences we strive constantly to have all of our efforts coordinated. Each morning delegation meetings are held to review the previous day's sessions and determine the course of action for the day to follow.

During the conference itself we realize the dividends from our earlier investment of time and energy. The effective cooperation evident within our group is, I feel, attributable to the diligence with which the members have applied themselves to the task prior to and during the conferences.

Also, I wish to stress the effectiveness of a delegation that presents a united front. When we are honored to travel abroad to represent our country at international meetings we should be mindful at all times that partisan attitudes should be left behind. In the eyes of the delegates from other nations, we are not viewed as a Republican from New York or a Democrat from Connecticut, but as Members of Congress of the United States. Therefore, it becomes essential that we act in concert as Americans, as spokesmen for the policies of our country. Dissension in our delegation could create the wrong impression among those not accustomed to our system of government and thereby weaken our hand when we are endeavoring to deal from strength. This we sought to avoid through our prior discussions and planning at home. Consequently, when our delegates spoke or engaged in debate, their words were taken as statements of U.S. position. The benefit of this approach is apparent when it is remembered that at any given time our delegates were scattered among several simultaneous sessions. Further, it conveyed to others the proper image, namely that despite occasional reports to the contrary, we are a people with a unity of purpose.

Since its formation in 1889, the IPU has provided its membership with a unique forum for legislator-to-legislator contacts. No other organization is similar in size, scope, and character since the majority of them, are composed of delegations that are functionaries of the executive branch. Ours is an organization of parliamentarians, of elected representatives of the people, of individual legislators who, like those of us in the U.S.

group, must pass judgment on measures that have international significance. Therefore, our participation in these conferences helps greatly to expand our thinking on subjects having worldwide impact. Armed with the information acquired at such sessions, we are more knowledgeable in areas of foreign policy and, better prepared to provide our constituents with the type of representation they desire and deserve.

The Honorable Andre de Blonay, Secretary General of the Interparliamentary Union, recently authored a magazine article in which he described the Union's objectives. Two key passages from his text are submitted as a prelude to an account of what transpired at the Dakar conference in order to acquaint my colleagues with the prime role of the IPU:

> As an organization devoted to peace, its mission is to inform its members of the realities of international life, to ensure that, by personal contacts and a free exchange of views, they have a better understanding of each other's preoccupations and to promote, if possible, the growth of a conciliatory spirit, of a desire for reciprocal concessions, without which it would be impossible to solve the dangerous crises which have persisted and multiplied during recent years.
>
> The Union's task is not so much to adopt a definite stand with regard to crises which divide two or more States as to undertake a long-term and continuing search for a system of co-operation and international security which would serve to prevent conflicts or, in case of need, to put an end to them by rapid and efficacious intervention. Indeed, it is in the realm of ideas and principles that the Union must display its activities.

Principle was the key phrase used repeatedly by our delegation at Dakar in its successful effort to prevent the Union's acceptance of a Communist bloc attempt to secure endorsement of its "universality of membership" proposal. Under the plan, which has been pending for several years, admission to IPU membership is sought for several divided states, including East Germany and North Korea.

The United States has steadfastly maintained that the nations in question do not have duly elected representative parliaments and, therefore, do not meet the criteria for IPU membership. Senator ALLOTT, the ranking U.S. delegate on the Parliamentary and Juridical Committee, before which this subject was reviewed, was particularly effective during committee debate. In a forceful address, which is appended to this report, he emphasized that there was "no universality about the meaning of universality." Among other things, he pointed out that the proponents of the universality concept were anxious to secure membership in the IPU for their proteges, but were not willing to accord the same privilege to other nonmember nations who are less receptive to the doctrine espoused by the Iron Curtain states.

The end result of the protracted debate on the subject was the approval of an Australian resolution—appended, as are all major resolutions passed at the conference—calling for the establishment by the executive committee of a working group "to examine the question of universality and other criteria for membership of the Union." The group will be designated at the Union's fall conference and will be instructed to submit its initial report at the spring session of 1969.

Our success in this holding action is deemed vital, not only as it affects the future of the Interparliamentary Union, but also as it relates to other international bodies. From experience we know that our conferences are frequently used by member-nations as test forums to obtain an international reaction to a proposal for which acceptance is sought on many fronts. For example, it is conceivable that the failure of the Communist bloc to achieve a breakthrough on this question at Dakar may portend the outcome of the next United Nations' debate on the admissibility of Red China to that organization.

The situation in the Middle East precipitated the most time-consuming and dramatic confrontations at the Dakar conference. I was named chairman of the Committee on Political Questions, International Security and Disarmament, and in this capacity presided over the lengthy and often stormy sessions at which this subject came under scrutiny.

While the animosity evident in the early stages of our deliberations prompted forecasts of a stalemate, with no definite action being taken, I am pleased to report that we were able to achieve a positive result. Patience and persistence were rewarded by the adoption of a resolution placing the Union on record in support of the U.N. Security Council resolution of November 22, 1967. Our delegation supported this resolution.

The impasse which was threatened as a result of the deep divisions evident during a heated Arab-Israel debate was avoided when I, as chairman, appointed a special drafting committee with instructions to develop a maningful resolution relative to the Middle East situation. Delegates from Sweden, the Netherlands, Yugoslavia, Senegal, and Nepal were named to the panel and were able to accomplish the desired result, namely an acceptable resolution, the provisions of which would not duplicate or complicate the activities of Ambassador Jarring's U.N. peacekeeping mission in the Middle East.

While we were able to muster near unanimous support for the drafting committee resolution, a resolution offered by Jordan, and amended by the Dutch, passed only by a narrow margin. Basically, this measure called for the establishment of a committee of inquiry to investigate the treatment of the people in occupied Jordan. Its implementation was left to the discretion of the Secretary General and the President. Our delegation was in opposition because, as was pointed out during debate, we do not believe the IPU should duplicate the activities of the United Nations, but, rather, should focus its attention on the original aim of our organization:

> To promote personal contacts between members of all Parliaments and to unite them in common action to secure and maintain the full participation of their respective States in the firm establishment and development of democratic institutions and in the advancement of the work of international peace and cooperation.

The Committee on Political Questions, International Security and Disarmament also decided to recommend the inclusion on the agenda for discussion at the next conference the following item:

> Concrete measures for ensuring, in particular at the Parliamentary Level, the Implementation of the United Nations Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty.

On the question of a Scandinavian proposal for the establishment of a peace research program, the committee agreed to follow the recommendations contained in the Secretary General's report. A working group, composed of an equal number of parliamentarians affiliated with the Union and of specialists from various countries will be appointed by the executive committee to study the project and submit its conclusions at a future session of the Interparliamentary Union Council.

While the action taken on the resolutions relating to the questions of universality and the Middle East highlighted the Dakar conference, I think it significant to note that a third major development occurred, the absence of debate on Vietnam.

The Czechoslovakian delegation withdrew its request that the subject be an agenda item and the anticipated highly critical Communist bloc comment on U.S. involvement in Southeast Asia did not materialize. This is the first time in recent years that we have been spared the propaganda barrage on Vietnam. It was apparent that the President's March 31 address had been accepted at face value as a demonstration of our good faith. Doubtless, the Paris talks are being followed closely by our IPU associates.

The IPU's Educational, Scientific and Cultural Committee examined several questions pertaining to the conservation of natural resources and decided to establish a special committee to explore the overall subject in depth. In this pursuit, it was recommended that the committee collaborate with the International Union for Conservation of Nature and Natural Resources (IUCN) an independent body that specializes in this important field of study.

I am pleased to report that Representative McCLORY, of our delegation, was elected vice chairman of this major committee. This recognition of his outstanding contributions to the work of his group is well deserved.

The Committee on Non-Self-Governing Territories and Ethnic Questions devoted its working sessions to a review of the subject "Colonialism, Neo-Colonialism, and New Forms of Racial, Religious, Political, and Economic Discrimination," which it decided to further explore at the fall conference.

The Economic and Social Committee absorbed itself in the consideration of items that dealt with means of providing effective aid to developing countries. A determination was made to consolidate its discussion headings into one comprehensive designation:

> Methods of providing aid to developing countries through stable prices for exported products, development of primary industries and effective financial assistance.

A resolution was approved for consideration at the forthcoming plenary session of the Union.

Mr. Speaker, appended to this report are the various resolutions endorsed by the respective committees and subsequently approved by the Interparliamentary Union Council.

Prior to concluding this report, I wish to commend the entire delegation for the conscientious manner in which each member handled official assignments and also for the spirit of cooperation that was evident throughout the entire mission.

Great credit is due Representative DADDARIO for his excellent work as a member of the executive committee. This body met for long and difficult sessions during which his objective leadership was most apparent. Also, he and Senator ALLOTT represented the United States in the extended meetings of the Council. We who were privileged to witness their conduct in these sessions have only praise for their effective participation.

A well-deserved tribute is due the Honorable Katharine St. George, our executive secretary. Her background of experience as past president of the U.S. group and an honorary member of the Interparliamentary Union made her a valuable colleague and enabled her to function efficiently in assisting the delegates throughout the entire mission.

In addition, I wish to cite the excellent support received from our efficient and effective staff under the leadership of Mr. Darrell St. Claire, our able administrative officer. Mr. William H. Gleysteen, of the Department of State, was a helpful consultant to the delegation, and our senior escort officer, Lt. Col. William Parker, USA, and Lt. Col. Richard Guertin, USA, performed their assignments skillfully.

Finally, on behalf of the entire delegation, I wish to express high commendation of our Ambassador to Senegal, L. Dean Brown, and the official family of our Embassy in Dakar. They were magnificent in support of our mission. The logistical arrangements were perfect, and throughout the entire period we noted the excellent cooperation and complete loyalty of a staff that, from the moment we alighted from the plane, became a part of the team. They demonstrated a devotion to duty that is deserving of the highest praise.

To all whose efforts combined to insure the success of our mission I, as chairman, am deeply grateful.

TEXT OF REMARKS MADE BY U.S. SENATOR GORDON ALLOTT BEFORE THE PARLIAMENTARY AND JUDICIARY SUBCOMMITTEE OF THE INTER-PARLIAMENTARY UNION, DAKAR, SENEGAL, APRIL 17, 1968

The United States regards this item as the most important question on our entire agenda. It seems obvious and plain to me that any attempt to play with or tamper with the fundamental character of the Inter-Parliamentary Union, to change statutes by statements of "intent" or "desirability" are weakening, debilitating in nature, and can only eventually lead to the weakening and perhaps the destruction of the Inter-Parliamentary Union.

Such loose statements will tend to weaken the spirit of the organization for every member can speak his mind fully and freely no matter what his party nor what the view of his government may be. An attempt to change the fundamental nature of the statutes as the pending Resolution does by placing a perverted interpretation on it is the wrong method and is one which every member of Parliament should avoid at all cost.

I want to make one thing clear, the United States supports fully the universality of Inter-Parliamentary membership for all states *which meets the standards and the criteria of the Inter-Parliamentary Statutes.*

The Statutes were designed and have been maintained to keep the unique and special character of the Inter-Parliamentary Union as distinguished from the United Nations and hundreds of other international organizations. Article 1 of the Statute says, *"to promote personal contacts between members of all Parliaments, constituted into National groups,* and to unite them in common action to secure and *maintain the full participation of their respective States in the firm establishment and development of Democratic institutions* and in the advancement of the work of international peace and cooperation, particularly by means of a universal organization of nations. With this object in view, the Inter-Parliamentary Union will also *study and seek solutions for all questions of an international character suitable for settlement by parliamentary action and shall make suggestions for the development of parliamentary institutions, with a view to improving the working of those institutions and increasing their prestige."*

To achieve these purposes the Statute logically sets out certain minimal criteria. Article 3 of the Statute says, and I quote, "The Inter-Parliamentary Union shall be composed of *National Groups constituted in Parliaments functioning as such* within the territory of which they *represent the population, in a State recognized as a subject of international law."* The Statute goes on to say how application for membership shall be handled.

As we view it, there are four criteria set up in Article 3:

(1) They must be national groups.

(2) They must be constituted in Parliaments functioning as such.

(3) They must be "within the territory of which they represent the population."

(4) In a state recognized as a subject of international law.

These qualifications are clear and sensible. They have carried this organization through more than three-quarters of a century.

There is only one way to change, and that is by changing the Statutes, not by fuzzy, unclear resolutions, defining "intent" and "desirability" but under Article 19 of the Statutes which provides, and I quote: "Proposals to alter the Statutes must be made formally in writing and sent to the Inter-Parliamentary Union Bureau at least three months before the meeting of a Conference . . ."

Let's take a short look at "universality." What do its proponents mean, and what do they not mean. There is no common understanding as is plain from the discussion here of what is meant by the proponents of universality. In fact, the only conclusion we can draw from the discussion is that there is no universality of opinion as to what constitutes universality, and this we get from the proponents of the various resolutions.

At this point I want to emphasize that if we are to adopt some interpretations of universality and to change the basic purpose and statute of the Inter-Parliamentary Union, the United States Delegation will be forced to take a long, hard look at its longstanding participation in the Inter-Parliamentary Union. We see no useful end in making the IPU a minor or secondary United Nations as some people have proposed this afternoon. We already have a United Nations. And I believe we of the American delegation would have a difficult time justifying our action in changing the nature of this organization as the advocates of some of our resolutions would have us do. We would have a difficult time in justifying our action to our fellow members of Congress. If we are only to develop a secondary or minor UN and abandon the special character of this unique organization, I am sure that our fellow members of Congress would show considerable reluctance in the support for us that they have in the past.

As I have said before, I want to make clear we support the principle of universality within the standards of the Statutes, but I hope all of us will remember that we live in a world of realities.

These realities include the facts that some states do not have Parliaments.

Others have Parliaments which do not reasonably represent their population.

Others are dramatically opposed to representative government.

And still others are not states "recognized as a subject of international law" under Article 3 of the Statutes.

Do certain proponents of unlimited "universality" favor admission of Portugal and South Africa? Do they favor letting Southern Rhodesia enter the Inter-Parliamentary Union? And if they favor, as some have said, the elimination of international requirements of the Statutes, how will they handle Rhodesia?

Do those who might favor the admission of Communist China really favor granting the same privilege to the Republic of China on Taiwan?

I do not wish to inject any unnecessary or unresolvable points into this debate but I must say that I strongly suspect that many—though not all—proponents of universality are prone to look upon it as a means to ease the entry of states which might not otherwise obtain the necessary majority of votes. But they also propose by their interpretation of "universality" to forever bar and keep other states from becoming members so that true universality is never obtained.

In closing I wish to stress most strongly that the objection of my delegation to the adoption of completely unqualified universality does not prejudge nor bind us, nor will it prejudge us or bind us, in any way we might vote on *any* individual applications which are brought before the Inter-Parliamentary Union in the proper manner.

Thank you, Mr. Chairman.

CONCRETE MEASURES FOR ENSURING, IN PARTICULAR AT THE PARLIAMENTARY LEVEL, THE IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE INADMISSIBILITY OF INTERVENTION IN THE DOMESTIC AFFAIRS OF STATES AND THE PROTECTION OF THEIR INDEPENDENCE AND SOVEREIGNTY

(Draft resolution adopted by the Committee on Political Questions, International Security, and Disarmament, and included by the Inter-Parliamentary Council in the Agenda of the Lima conference)

(Rapporteur: Mr. V. Novy (Czechoslovakia))

The 56th Inter-Parliamentary Conference,

Noting the great international significance of the Declaration adopted by the XXth Session of the United Nations General Assembly on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty,

Expressing serious concern that, despite the unanimous approval and adoption of the above-mentioned Declaration, some States continue armed intervention in the domestic affairs of other States in different parts of the world, as well as carry on other forms of direct or indirect interference with the sovereign independence of other countries and nations, resulting in increased international tension and in threats to universal peace,

Giving full support to the resolution adopted by the XXIst Session of the United Nations General Assembly on the Implementation of the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty,

Realizing the urgent need for adoption by Parliaments of concrete measures so as to achieve strict observance of the principles of the said Declaration,

Considers it its duty to call upon the Parliaments of all countries:

1. to contribute, in all their foreign-policy activities, towards the strict implementation of the principles of the Declaration of the XXth Session of the United Nations General Assembly on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty, as well as of the resolution on the implementation of this Declaration adopted by the XXIst Session of the United Nations General Assembly;

2. to secure the immediate termination and permanent avoidance of recourse to armed intervention or to the promotion or organization of subversion, terrorism or other indirect forms of intervention for the purpose of changing by violence the existing system in another State or interfering in civil strife in another State;

3. to oppose actively all actions directed towards interference in the domestic affairs of other States, particularly by open parliamentary discussions of such actions, by refusal to approve appropriations for carrying them out and by countering all other actions which might hamper the unconditional application of the humane principles of non-intervention and national independence in the practice of international relations.

Methods of Providing Aid to Developing Countries Through Stable Prices for Exported Products, Development of Primary Industries, and Effective Financial Assistance

(Draft resolution adopted by the Economic and Social Committee and included by the Inter-Parliamentary Council in the agenda of the Lima conference)

(Rapporteur Mr. J. Hall (Great Britain))

The 56th Inter-Parliamentary Conference,

Convinced that continued efforts are essential to accelerate economic and technological progress and to promote mutual undertanding among nations,

Recognizing that the economic growth of developing countries at a satisfactory pace is a question of fundamental importance not only for these countries but for the future of mankind,

Convinced that the "Principles governing international trade relations and trade policies conducive to development", adopted by the United Nations Conference on Trade and Development in 1964, create the basis for normalizing international trade and reflect a progressive conception of international economic relations,

Considering that the deterioration in terms of trade, that is to say in the relation between the prices of exported and imported goods, seriously impedes the economic progress of developing countries.

Supporting the intensive efforts of the developing countries to put an end to economic backwardness as quickly as possible and to build up a strong national economy,

Taking into account the need for encouraging the development of products of national importance, the expansion and diversification of all channels of international trade and, more particularly, the stabilization of equitable prices for basic exports of developing countries,

Appeals to the Parliaments of all countries to exert influence on their respective Governments:

1. to mobilize the efforts of their States for the speedy implementation of the decisions of the United Nations Conferences on Trade and Development contributing towards the expansion and normalization of international trade, on the basis of the principles of equality, respect for sovereignty non-interference in internal affairs of countries and mutual benefit;

2. to make every effort to ensure the practical realization of the decisions adopted by the United Nations Conference on Trade and Development held in New Delhi with regard to:

(a) the stabilization of prices of raw materials and basic products;

(b) the promotion of industrialization;

(c) the provision of financial aid without strings on an international, multilateral or bilateral basis to the developing countries;

(d) the provision of technical advice and assistance of all types;

(e) the reduction of restrictive trade barriers.

Parliament's Role in the Elaboration and Control of National Science Policy

(Draft resolution adopted by the Educational, Scientific, and Cultural Committee and included by the Inter-Parliamentary Council in the agenda of the Lima conference)

(Rapporteur: Mr. R. McClory (United States of America))

The 56th Inter-Parliamentary Conference,

Considering science to include not only the basic study of natural laws but also the application of this knowledge for mankind's needs through development, technique and technology,

Noting the continually increasing importance of science in the life of all peoples and its essential role in economic development,

Recognizing the necessity for every State to set its own goals, to formulate and implement a science policy in harmony with its own national development, and to help itself towards the achievement of its goals,

Recognizing also the universal nature of science, the imperative necessity for international co-operation in the different branches of science and the mutual benefits to be derived from world-wide co-operation in all scientific fields,

Aware of efforts to promote national science policy planning by Unesco, the Advisory Committee of the Economic and Social Council of the United Nations on the Application of Science and Technology to Development, and other international organizations, and of the advantages of strengthening the relationship between the Inter-Parliamentary Union and Unesco in this area as well as in other fields of common interest,

Believing that it is the responsibility of Parliaments to help formulate and control national science policies and to ensure that scientific advances are applied for the development of the national economy and for social progress,

1. *Reaffirms* the resolution adopted by the 55th Inter-Parliamentary Conference on the Application of Science and Technology to Economic Development, drawing particular attention to the invitation to developing countries to establish organs and institutions for studying means of harnessing the national scientific and technological potential for the purpose of economic development;

2. *Requests* that Unesco continue its role, in co-operation with other international agencies, to assist nations with science policy planning;

3. *Expresses the hope* that the developed nations will search for new ways to share the benefits of their scientific knowledge and capabilities with the developing nations for the maximum benefit of all the peoples of the world;

4. *Urges* all Parliaments to ensure that national scientific activities are provided with the human, financial and material resources necessary for their full development and to establish the governmental bodies and institutions required for the elaboration and co-ordinated implementation of a national science policy, giving emphasis to education as well as to research and development;

5. *Recommends* that each Parliament take the initiative in defining the objectives of a national science policy designed to meet its national needs and the guiding principles for achieving those objectives;

6. *Recommends* further that all parliamentarians be made aware of their new responsibilities in the sphere of science and technology;

7. *Invites* consideration by legislative assemblies of the following procedures to ensure that their new responsibilities in the field of science are fulfilled:

(a) Establishment of standing parliamentary committees specially constituted for the examination of questions relating to science policy with the aim of helping to co-ordinate scientific activities and preventing duplication of effort without adversely affecting basic scientific research;

(b) Provision to parliamentarians of access to all sources of information and the assistance necessary for debating questions regarding science policy with a full knowledge of the facts;

(c) Creation of opportunities for exchanging ideas with qualified representatives of the scientific community drawn from industry, education and other, private circles, as well as from Government;

(d) Adoption of long-term and medium-range plans for scientific development, as well as functional budgets for scientific activities.

Colonialism, Neocolonialism and New Forms of Racial, Religious, Political, and Economic Discrimination

(Draft resolution adopted by the Committee on Non-Self-Governing Territories and Ethnic Questions, and included by the Inter-Parliamentary Council in the agenda of the Lima conference)

(Rapporteur: Mr. P. de Montesquiou (France))

The 56th Inter-Parliamentary Conference,

Recalling its attachment to the basic principles contained in the Universal Declaration of Human Rights and guaranteed by Article 55 of the United Nations Charter and in the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the United Nations General Assembly in Resolution 1514 (XV),

Aware that respect of fundamental rights and freedoms is an integral element of the dignity of human beings, the violation of which, by acts of racial, national or religious intolerance, is liable seriously to compromise international security,

Deeply concerned that, despite the recent liberation of many peoples from colonialist rule, there remains a great number of human beings in certain parts of the world who are still under its yoke,

Deeply concerned, furthermore, at the maintenance and practice of racial discrimination in certain States which constitute a denial of the right of peoples to self-determination, in particular by the policy of apartheid,

Convinced that the efforts to promote human rights throughout the world are not sufficient to eliminate all forms of intolerance,

Noting that the gap between the industrialized and the developing nations is widening and that this constitutes one of the most urgent problems of the age which seriously hinders the establishment in the developing countries of effective freedoms based on the economic, social and cultural promotion of the individual,

1. *Condemns* violations of human rights and fundamental freedoms wherever they occur;

2. *Associates* itself with the work of numerous international organizations preoccupied with these problems, particularly the General Assembly, the Economic and Social Council and the Commission on Human Rights of the United Nations;

3. *Invites* delegates to take action in their respective Parliaments to ensure the adoption of legislative measures which would promote absolute respect for human rights and the elimination of all forms of discrimination based on race, sex and religion, as well as of all propaganda designed for this purpose;

4. *Urges* them to increase their efforts for the acceleration of the process of decolonization of the still dependent territories on all continents, in keeping with the United Nations resolutions;

5. *Appeals* to National Groups to exert their influence to urge their Governments to co-operate with the United Nations without delay by taking positive steps against violations of the territorial sovereignty of nations;

6. *Urgently requests* Governments

(a) to seek a solution for alleviating the economic difficulties of developing nations resulting from the trade and economic conditions maintained by neo-colonialist policies;

(b) to support the work of the 1964 Geneva Conference on Trade and Development, especially regarding the state of world market prices for raw materials, the intensification of technical aid and investments of a productive character;

(c) to support the granting of aid through the intermediary of international organizations.

SITUATION IN THE MIDDLE EAST—I

(Decision adopted by the Inter-Parliamentary Council at Dakar on April 20, 1968, by 89 votes in favour, none against, and 4 abstentions)

The Inter-Parliamentary Council,

Stressing the decisive importance of the United Nations in the efforts to reach a solution to the dangerous conflict in the Middle East,

Emphasizing the significance of the resolutions already passed by the Security Council and the General Assembly of the United Nations on the situation in the Middle East,

Expressing its support of all the views set forth in Security Council Resolution 242 of November 22, 1967, in particular that the establishment of a just and lasting peace in the Middle East "should include the application of both the following principles:

"(i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

"(ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force";

1. *Calls upon* the Security Council and all members of the UN to give every possible support to the Special Representative of the United Nations Secretary-General appointed on the basis of Security Council Resolution 242 (1967);

2. *Appeals* to the parties immediately concerned in the Middle East crisis to accept the said resolution, to be ready to implement it and to abstain from any action which might impede the efforts of the Special Representative to achieve a peaceful settlement.

SITUATION IN THE MIDDLE EAST—II

(Decision adopted by the Inter-Parliamentary Council at Dakar on April 20, 1968, by 50 votes in favour, 35 against, and 13 abstentions)

The Inter-Parliamentary Council,

Decides to establish and send as soon as possible a committee of enquiry to investigate for itself the actual conditions and treatment of the people in those parts of Jordanian territory at present occupied by Israel.

The Acting President of the Inter-Parliamentary Council, Mr. Abderrahman Abdennebi, and the Secretary General of the Union are instructed to implement the above Decision.

THE PRINCIPLE OF UNIVERSALITY IN THE LIGHT OF THE STATUTES OF THE UNION

(Decision adopted by the Inter-Parliamentary Council at Dakar on April 20, 1968, by 68 votes in favour, 16 against, and 3 abstentions)

The Inter-Parliamentary Council,

Recognizing the lack of agreement on the principles which should govern membership of, and the admission of new members to, the Union,

1. *Requests* the Executive Committee to appoint a working group to examine the question of universality and other criteria for membership of the Union;

2. *Directs* that the working group, in its composition, should include representatives of all major member Groups in terms of voting power, as well as representatives of member Groups smaller in terms of voting power, the latter to be selected with a view to ensuring equitable geographic distribution;

3. *Requests* the working group to draw extensively upon such expertise as already exists within the international community and international organizations on the legal and other issues which relate to the question of universality of membership;

4. *Instructs* the working group to make its first report to the meeting of the Executive Committee of the Union to be held in Vienna in April, 1969.

UNION PARTICIPATION IN THE ILO'S 50TH ANNIVERSARY

(Decision adopted unanimously by the Inter-Parliamentary Council at Dakar on April 21, 1968)

The Inter-Parliamentary Council,

Expressing its recognition of the unique efforts made by the International Labour Organisation since 1919 for the welfare of workers throughout the world,

Recognizing the benefits accruing from its continuing work in the field of labour and social policy over the past fifty years,

Desirous of associating the Union closely with the plans being made to mark the 50th Anniversary of the International Labour Organisation in 1969,

1. *Decides* to request the Union's Executive Committee to prepare a programme of activities within the Union which will give due recognition to the 50th Anniversary of ILO;

2. *Appeals* to the Parliaments of the world to provide an opportunity during the year 1969 for a debate on, or an assessment of, the International Labour Organisation's achievements throughout the fifty years of its history and of the participation of the respective Governments in its work;

3. *Instructs* the Secretary General to convey the text of this decision to all Parliaments and *requests* them to inform the Inter-Parliamentary Bureau at the appropriate time of the action taken.

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join the gentleman from New York [Mr. PIRNIE], the chairman of our congressional delegation to the Interparliamentary Union Spring Conference, in a report on the progress and developments at that meeting.

It was my responsibility to serve along with the distinguished gentleman from Oklahoma [Mr. JARMAN], on the Committee on Non-Self-Governing Territories and Ethnic Questions. Our committee meetings were rather uneventful and unlike some others, did not erupt into any intense debate.

The chairman of our committee, Mr. F. Mohiewdine, of the United Arab Republic, was reelected to serve in that capacity for the next year.

The agenda for committee debate and discussion at the forthcoming meeting in Lima, Peru, will be colonialism, neocolonialism, and new forms of racial, religious, political, and economic discrimination.

It is obvious, Mr. Speaker, that there is a great difference in defining what presently constitutes colonialism. Personally, it is my opinion that the only huge colonial power in the world today is the Soviet Union, which holds in bondage non-Russian people within the U.S.S.R., and exercises economic colonialism over the Communist regimes of Eastern Europe.

However, at present, Communist propaganda carries continuous repetition of charges of "Western" colonialism. We recognize that by and large the Western powers have very properly and peacefully granted independence to areas they once held as colonies. The Communists at our meetings made great use of their new charge of "neocolonialism." Incidentally, they use this same tactic at the U.N.

In addition, I served with the gentleman from Connecticut [Mr. DADDARIO] on the Political and Disarmament Committee. The chairman has reported on the subject matter under discussion in that group.

May I also mention the fact that we were able to obtain through briefings, conferences, and various opportunities for discussion, a timely review of the situation in much of Western Africa, especially in the nations that were former French colonies.

As a member of the Foreign Affairs Committee, I have found this assignment as a member of our IPU delegation valuable assistance to me in work on the Foreign Affairs Committee.

Mr. Speaker, in the time that was available to us between sessions and activities, I conducted an extensive inspection of the operations of the U.S. Information Service facilities in Dakar. Mr. James McGinley, public affairs officer, was extremely cooperative in giving me an indepth report on the operations of his unit. I believe that there can be substantial improvements made in USIS operations. Congress has neglected to properly oversee this agency. I believe it would be beneficial to its operations and to our taxpayers if we would more effectively scrutnize the procedures and long-term goals of the USIS.

In addition, Mr. Speaker, along with other members of our delegation, I visited Peace Corps operations and met with groups and individual Peace Corps men and local school officials with whom they were working. It is obvious that the Peace Corps faces a very unique challenge in Senegal, but that with the cooperation of the government and eventual receptiveness of the populous, the Peace Corps function in that country is promising.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I yield to the gentleman from Connecticut [Mr. Monagan] a most valuable member of our delegation.

Mr. MONAGAN. Mr. Speaker, I am very happy to join with the gentleman from New York [Mr. Pirnie] in this report on the activities of the U.S. delegation to the International Parliamentary Union meeting, which was held this spring in Dakar. I believe that it is appropriate that we should give an account of our stewardship, because we do represent the Congress, and at the same time the people of the United States of America.

I am proud, Mr. Speaker, of the record of our delegation, not only at this conference but also at many other conferences I have attended in past years. I agree with the statement of the gentleman from New York that we have contributed much to the prosecution of the foreign policy of the United States.

I congratulate the gentleman from New York on his leadership of the delegation. Once again, he has proved indefatigable. He has not only accomplished the difficult political discussion that the delegation had before it, seeing to it that Members did the tasks that were allotted to them and made the presentations that were required, but also in the demanding social contact of the position, which is in many ways, as all of us know, as important as the debate because of the friendly personal discussions which are made possible.

I am proud that our colleague the gentleman from Illinois [Mr. McClory] served not only as rapporteur this time, as he has in the past, for the Committee on Education, Science, and Culture, but also that he was elected as the vice-chairman of this committee. This is appropriate recognition for him and for the United States of the work he has done. I hope it may be an indication, as it has been in the past, of future advances for the gentleman.

I agree with the appraisal of the gentleman from New York as to the work of the gentleman from Connecticut [Mr. Daddario]. I make special mention of him because he is a colleague of mine and a friend of mine from Connecticut. Once again he has handled a difficult task in the political committee, that developed upon us this year.

It is true that the problems we discuss are important problems.

From time to time questions are raised as to the participation of the United States in this conference. I cannot conceive how the organization itself could go on without the participation of the United States. I feel, and I know the Secretary of State and other officials in the State Department and in the executive branch believe, that our discussion of these problems, our meetings with parliamentarians from 50 to 80 countries throughout the world, strengthens our capacity to carry on our foreign policy effectively, and at the same time carries out the ideals of the organization itself, which is to spread support for our free society and the free system of parliamentary democracy.

I believe, too, it is a great education for us to learn the viewpoints of representatives of other nations, and to gain an insight into these other countries throughout the world. I firmly believe, and it is my experience, that it makes us better Members of the House of Representatives for having had this opportunity.

I am not going to discuss this in any detail, because the gentleman from New York has fully covered the specific activities of the Interparliamentary Union meeting and of the various committees, but I do want to commend him and my colleagues for the work that has been done and I wish to say that I look forward to this U.S. delegation giving increasingly vital service to the country in this role which it performs.

I thank the gentleman for yielding.

Mr. PIRNIE. I thank the gentleman for his contribution. I wish to make clear to my colleagues that this report does not cover all of the activities of our group. There were many informal conferences which were very important.

We did have an opportunity to observe in the field some of our agencies of government operating particularly in Senegal. I should like to commend the gentleman from Connecticut [Mr. Monagan], for the work he did in appraising and examining into the activities of those agencies. I know his personal interest, so intelligently displayed, did much to improve the morale of those representatives of our country engaged in that work. I am sure he will agree with me that it was one of the most rewarding aspects of the trip.

Mr. MONAGAN. I certainly agree. The agency the gentleman refers to is the Peace Corps, specifically. One of the young representatives had come from the State of Connecticut, and another had studied in the State of Connecticut.

I believe all of us were proud of the quality of these young men, of the dedicated way in which they went about their tasks, and particularly happy about the reaction of the people of Senegal themselves to these young men, because they lived among them and spoke their language. They felt that they were brothers in spite of any difference in race or nationality.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I will be very happy to yield to the gentleman.

Mr. McCLORY. I thank the gentleman from New York for yielding.

Mr. Speaker, I want to commend the gentleman for his leadership and for his splendid report to the House today and to the country. Also I want to express my appreciation for the contribution which has just been made by my colleague from Connecticut [Mr. Monagan]. I may say it was a proud privilege that I had to serve on this committee with my colleague from Connecticut. I want to say particularly that his contribution on behalf of the subject of cultural and educational exchange is extremely significant in the work of the Interparliamentary Union. It seems to me this characterizes the type of work which it is possible to accomplish in these interparliamentary exchanges which we are able to have in the work of the Interparliamentary Union. I would like to add that the diplomacy which is carried out by us as representatives in meeting with representatives of other parliamentary bodies is extremely important, it seems to me, both with regard to the short-range and immediate foreign policy of our Nation as well as the long-range benefits that can be accomplished through it. I think particularly of the work of my own committee with regard to considering subjects of illiteracy and literacy training which are only possible to accomplish through cooperation of the developed nations in assisting the underdeveloped or the developing nations. So, with regard to this subject of cultural and educational exchange, these exchanges which students and educators are able to have, provide opportunities for understanding and for long-range methods of achieving peace and tranquility in this world, it seems to me.

Mr. Speaker, I would also like to make reference to other subjects that are of concern. Of course, with regard to the subject of science policy, which is on the agenda at the Lima Conference in September, a draft resolution which was offered originally by our U.S. group and which has now been adopted not only by the committee but the Council of the Interparliamentary Union for general debate in Lima affords an opportunity for us to educate in a sense as well as to encourage the use of technological and scientific advances in order to enable these developing nations to advance.

Also, of course, as the gentleman has indicated, the subject of natural resources and their conservation is extremely important and requires international cooperation. It involves the parliaments of the world and their role as such and involves us individually as parliamentarians.

So, with regard to most of the subjects, which were considered at this recent meeting at Dakar, Senegal, I think we were fortunate that the negotiations looking toward peace in Vietnam were taking place, because there was less propaganda and less emphasis on that subject at this Conference. This enabled us to concentrate more on the essential purposes of the Interparliamentary Union to promote parliamentary government and promote a discussion of those things in which the parliaments of the world are individually involved.

So I want to express very definitely my wholehearted support of this activity and emphasize the significance of these exchanges which we in the Congress of the

United States have with the parliamentary representatives of other countries. I think we should recall in considering this, also, that most of the leadership in the world is elected from the parliamentary bodies.

I would like to say further that our contacts frequently are with the ministers who represent the executive, who represent the Government in our exchanges and that these benefits which they receive from our having an opportunity to communicate with them and the benefits which we receive from our communications are important, and are an extremely important part of our diplomacy.

I sometimes think this is the most important part because certainly we are not only speaking for ourselves when we communicate but we are speaking for the people who have elected us and whom we represent, and know in a sense it is our responsibility to the American people to bespeak the will and expressions that are made by our diplomatic regime.

It is impossible, of course, for us to relate, except very briefly here, the work we did. However, it is my opinion that we should, of course, recall, as the gentleman in the well has recalled, the preparatory work which went on in advance of our meeting and our conferences, the conferences that we had to hold in order to make preparation for our work, the careful attendance and attention to the work while in the conference country.

Certainly, very salutary results emanated from our active preparation for the meeting.

Mr. PIRNIE. I thank the distinguished gentleman for his remarks. The gentleman from Illinois [Mr. McClory] was one of the most effective members of our delegation.

I would like to comment just briefly on the cooperation with the other member nations in the development of the legislative process. As my colleague will recall, we experienced a very wonderful rapport with some of the delegations, particularly in those countries where they are just developing in the early stages their representative form of government. They were intrigued by the manner in which legislation is evolved here in our country. They were interested in our committee system and the fact that we conduct hearings, that we have the legislative proposals before us for full debate and amendment. Already we have noted several nations which as a result have made changes in their legislative process which will further develop over the years if we continue to exchange views in a helpful way. Certainly we can thereby strengthen the legislative process throughout the world by these exchanges and it is so very important to do so.

Mr. JARMAN. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I shall be very happy to yield to the distinguished gentleman from Oklahoma [Mr. Jarman], one of the very fine members of our delegation.

Mr. JARMAN. I thank the chairman for yielding to me at this time.

Mr. Speaker, it was a real privilege to attend the Dakar conference. It represented a rich and rewarding experience. It proved to be one of the most enlightening and worthwhile meetings in which I have had the opportunity to participate.

Mr. Speaker, I simply want to go on record today in support of everything which the chairman has said in his eloquent and complete report on the essential and important aspects of the meeting.

The personal contacts, Mr. Speaker, and the free exchange of views on political, economic, social, juridicial, and cultural problems of international significance gave us all a better understanding of the realities of international life. Only through this spirit of cooperation and understanding can we hope to solve the dangerous crises which confront this world today.

I would like to take this opportunity, Mr. Speaker, to express my sincere appreciation to the distingunished gentleman from New York [Mr. Pirnie], our chairman, for his outstanding contributions to the conference as chairman of the U.S. delegation. I would be remiss, Mr. Speaker, if I did not also pay a justly deserved tribute to each member of our delegation for their able and effective representation of our Nation at this important international meeting.

Mr. PIRNIE. Mr. Speaker, I thank the gentleman, and I certainly concur in his observation that each and every member of the delegation was faithful to his assigned task, and it was a pleasure to have that complete cooperation.

May I also commend the gentleman for his serious participation in individual conversation with the members of other delegations. I am sure the gentleman agrees with me that this is one of the unique experiences available to us, and I am very sure he made full use of the opportunity and found it memorable in every way.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I am happy to yield to the distinguished gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman for yielding.

It was my privilege and pleasure likewise to serve as a member of the U.S. delegation for this spring planning conference of the Interparliamentary Union.

First, Mr. Speaker, I would say, like the gentleman from Oklahoma [Mr. Jarman] who just addressed the House, that my impressions were perhaps somewhat different from other members of the delegation because it was my first experience, and therefore they were in a sense unique impressions. But I certainly came away fortified with the feeling that it would simply be incomprehensible that the United States not be represented by a delegation at important meetings of this kind.

I believe there were something like 54 governments represented at the conference. I had the very definite feeling that whenever a member of the U.S. delegation spoke on a particular issue, whether it was in plenary session or in a committee, that other nations were listening very carefully, and watching and waiting for leadership on the part of of our delegation. I am happy to report that that leadership was not wanting. Very much of the credit for that fact, of course, must go to the distinguished gentleman now in the well, the gentleman from New York [Mr. Pirnie] because of the great competence and great diligence with which he served the delegation as its chairman, and served our Government well, I believe, in the very many important capacities which are incumbent upon the chairman of a delegation.

It was my privilege to serve as a member of the parliamentary and political committee. Although the gentleman in the well has said that his report did not attempt to even begin to be definitive, he has touched on some of the matters that were discussed in that committee. So I shall not take a great deal of time this afternoon to repeat them save to express the opinion that on the question of universality, which was an important item on the agenda, the attempt which was made by certain countries to amend the statutes of the Interparliamentary Union in effect by resolution, I believe would not have been defeated had it not been for the very fine work that was done by the senior Senator from Colorado, Mr. Allott, who served on that committee.

Again I believe that this brought out the importance of the United States having the kind of representation that it had in that conference.

Also, to second what has been said already so very well by the gentleman now in the well, and other members of the delegation, I learned of the extreme importance of the parliamentry contracts that one is able to make; the fact that one can, not only in formal plenary sessions and in committee meetings, but also on an informal, ad hoc basis, discuss the issues that threaten the peace of the world, that threaten, indeed, to divide countries in the world, that one can discuss them on this kind of basis and form the personal friendships that I believe in turn form the basis for a better understanding. I believe this is simply inevaluable insofar as the foreign policy of our country is concerned.

So again I would thank the gentleman in the well, the gentleman from New York [Mr. Pirnie] for the leadership which he provided this conference. It has been a real privilege and a matter of pride to me in having been a member of the delegation.

Mr. PIRNIE. Mr. Speaker, I thank the gentleman from Illinois [Mr. Anderson] for his comments.

Mr. Speaker, I would like to say to the gentleman from Illinois [Mr. Anderson] and the gentleman from Oklahoma [Mr. Jarman] that, although this was their first trip with a delegation of the Interparliamentary Union, it is the hope of all of our colleagues that it will not be the last, because they both carried to this conference a determination to faithfully represent this country, and that they did.

In conclusion, I would just like to observe that individuals having the responsibility to represent our Nation abroad find it sobering, particularly in these difficult times.

But if we can reflect integrity of purpose and understanding of others and a determination to achieve a relationship that will permit this world to develop; to expand all of the forces for good; and to control the forces for evil, then we believe there is within the concept of representative government the capacity to build an enduring foundation for meeting the real needs of the people. In an atmosphere of joint responsibility, people who have these tasks in their respective countries are meeting under these circumstances, in that type of friendly exchange that brings us closer to what they actually think.

There is no mirror—there is no press—there is just simply the meeting of men who perhaps share this sense of responsibility very deeply and who want to do the very best by their country and by the world.

I can say from the bottom of my heart that one of the most rewarding aspects of this great conference has been to see over the period of years the development of a closeness which has become genuine friendliness—the sparring is ended—the exchange is real, and the gestures of friendship are many.

So if we can do it on a small scale, perhaps we can set an example for something that can be achieved on a larger scale.

To each and everyone of my colleagues who shared in this mission, I want to express my deep appreciation for their faithfulness to what was the basic purpose of the mission. They put everything else aside. They worked long hours and seemed to enjoy it. They also took advantage of whatever little free time was allotted to them to see what other agencies of the U.S. Government were doing in their areas of responsibility abroad.

I think we gave encouragement and help to improve the morale of those people who in faraway places seem to be doing things which do not come to the notice of people—things which are dedicated efforts to the causes of humanity.

I remember some of the young men we saw out in the native villages, living in their little rooms with only a desk and a bed and chair, an oil lamp strung overhead. Their only entertainment was some good books. They were living there with the natives, needing so much—and being able to give so little—except something of themselves. Because they gave of themselves they were being accepted into that little community and were able to give the advice and the help to move them along paths that might protect their health—improve their minds—increase their capacity to meet the difficult conditions in this world.

The best thing was that despite differences in color and in background, they became brothers in the best sense of the word—brothers in service—brothers in purpose—and brothers in compassion.

When I saw such activity as that being carried out in the name of the U.S. Government—with no dollar sign attached—the gift, only of self, I was very proud. I remember one young man who was approaching the end of his tour, and he wanted to return and get married and pick up his life's work. But he thought maybe he ought to extend his tour because his job was not done and he was not sure if he left it that it would move as rapidly as he felt these people deserved to have it move.

When a man will put personal desires in the background and think of somebody other than himself, then he is achieving a greatness—and our Nation is the greater because of his representation.

We saw those things. We felt those things. We come back here in a way to report them and to support them. But in the sense that we went as representatives of this body and of this Nation, I feel the members of the delegation were faithful to their trust.

A SUMMING UP ON NOISE

The SPEAKER pro tempore (Mr. Nedzi). Under previous order of the House, the gentleman from New York [Mr. Kupferman] is recognized for 60 minutes.

Mr. KUPFERMAN. Mr. Speaker, on April 21, 1966, in the 89th Congress—see the Congressional Record, volume 112, part 7, page 8850—I introduced H.R. 14602—H.R. 2819 in this Congress—to establish an Office of Noise Control in the Office of the Surgeon General of the United States.[1]

Because of the special nature of that problem, I introduced legislation in the 90th Congress, H.R. 2820, to authorize a program specifically for aircraft noise abatement.

My various speeches, statements, and analyses, and reproduction of leading articles on the problem of noise pollution can be found in the Congressional Record, volume 112, part 7, pages 8745–8768, 9470–9477; volume 112, part 8, page 9679; May 16, 1966, daily Record, page A2629; volume 112, part 9, pages 12191–12205; August 1, 1966, daily Record, page A4048; volume 112, part 14, pages 18233–18257; volume 112, part 15, page 20388; volume 112, part 20, pages 27803–27824; October 21, 1966, daily Record, page A5494.

In the 90th Congress, in addition to the statement on January 18, 1967, at pages 788–810 in connection with H.R. 2819 and H.R. 2820, further analyses can be found in Senator Magnuson's statement on the Electric Vehicle Development Act at page 613 of the Record of January 17, 1967; pages 2582–2589 of the Record of February 6, 1967; page 7280 of the Record of March 20; page 8464 of the Record of April 5; page 10749 of the Record of April 25; pages 24844–24865 of the Record of August 31, 1967; pages 27008–27015 of the Record of September 27, 1967; pages 27235–27237 of the Record of September 28, 1967. Moreover, I included Secretary of Interior Udall's antinoise ode in the Record of May 14, 1968, at page 13290.

This week a national conference, in which I shall participate, on "Noise As a Public Health Hazard," will be held here in Washington sponsored by the American Speech and Hearing Association.

Next week "Atmospheric Noise Pollution and Measures for Its Control" will be the subject of a full week's symposium in continuing education in engineering at the University of California at Berkeley. I shall be on the panel.

The Berkeley program for the symposium follows:

Final Announcement: Atmospheric Noise Pollution and Measures for Its Control—Continuing Education in Engineering, the College of Engineering, and the Institute of Transportation and Traffic Engineering, University of California, Berkeley, Monday Through Friday, June 17–21, 1968

This program will deal with engineering and other problems concerned with noise pollution of the atmosphere originating from such sources as transportation systems, heavy construction, industry, and commerce, Major problems are: the relation of noise measurements to the actual effects of noise on man and the community under various circumstances; defining standards for noise control in different situations; theoretical and technical aspects of structural and equipment design and construction to meet noise control standards; relating the benefits of noise control to its cost in terms of dollars and equipment performance; legal problems associated with noise abatement enforcement.

Faculty Member in Charge: Walter W. Soroka, Professor of Acoustical Sciences and Assistant Dean, College of Engineering, University of California, Berkeley.

Enrollment fee: $270.

Location: 390 Hearst Mining Building, University of California, Berkeley.

Enrollment: Advance enrollment is required. Enrollment may be made by individuals or companies. Upon receipt of a written request, a place in the program will be reserved for individuals requiring time to obtain authorization. No refunds will be granted after the opening of the program.

For further information write or telephone Continuing Education in Engineering, University of California, 2223 Fulton Street, Berkeley, California 94720; phone (415) 845-6000, ext. 4151.

Note: University regulations do not permit the tape recording of any portion of this program.

PROGRAM

(Coffee breaks scheduled each morning and afternoon.)

Monday, June 17

Registration at 8:00 a.m.

(Program lectures commence at 8:30 a.m. and end at 4:30 p.m. daily.)

AM—Introduction (Soroka): A brief survey of the noise pollution problem. Growth of the problem in various sectors of community life. Attitudes and approaches toward its control. Terminology.

Problems of setting specific criteria acceptable to communities, regulatory bodies, and industry. (Kryter.)

PM—Subjective and objective methods of measuring noise and "standards" for tolerable exposure with respect to damage to hearing; speech; communications; and annoyance. (Kryter.)

Hearing conservation, damage risk criteria, industrial safety regulations. (Glorig): Data showing relations of hearing loss to noise-exposure and their correlation with damage risk criteria will be discussed. These will be related to existing safety regulations.

Tuesday, June 18

AM—Severity and extent of audio pollution problems. (Beranek): A review of international studies directed toward assessment of effects of noise pollution on man and the growth of local, state, national, and international regulatory activities for its control.

---

[1] I have since been joined in the endeavor by my colleagues, Charles H. Wilson, of Los Angeles, Democrat of California, H.R. 8309, and Donald R. Fraser, of Minneapolis, Democrat of Minnesota, H.R. 13846.

PM—Origins of noise of various automotive prime movers and vehicles. (Priede): The effects of operational and design parameters are to be considered. Substantial reductions of noise by design will be discussed.

Wednesday, June 19

AM—Highway designs and materials related to noise pollution. (Bourget): Rank ordering with respect to a reference design. Predictability of community acceptance.

PM—Technical and psychological aspects of noise pollution. (Salmon): Rapid transit systems will be discussed from the points of view of operator, customer, and community. The efficacy of specific noise control procedures will be considered.

Measurements and analysis of high speed rapid transit system noise and vibration. (Wilson): Predicted community noise levels for various types of systems. Procedures for controlling and reducing transit noise will be discussed.

Thursday, June 20

AM—Plans and efforts by the Federal Aviation Administration to alleviate aircraft noise. (Paulin): Selected flight paths, promotion of compatible land use, research and development on the reduction of noise produced by aircraft and aircraft engines. The political and social factors will be presented, showing efforts to establish efficient and equitable solutions to aircraft noise problems.

PM—Two sources of aircraft noise: propulsion system noise and the sonic boom. (Large): The lectures will describe how aircraft noise is produced, what is known about noise suppression, and the influence of community noise requirements on aircraft design and operating characteristics.

Friday, June 21

AM—Community noise—what is it and how is it measured? (Donley): The changes in community noise in recent years, methods of measuring community noise, efforts to establish legal restrictions on noise. Statistical descriptions of noise in various areas.

Zoning laws and community planning for noise. (Donley): Typical zoning laws in the U.S. will be compared with measured noise levels in specific communities, and factors affecting enforcement of noise sections of zoning codes. Proposed zoning codes will be presented.

PM—Progress in community noise control. (Donley): Current progress in controlling noise at construction sites and general city noise will be indicated, new trends and procedures which may be adopted for reducing or controlling future noise pollution in cities will be discussed.

Legislative approach to noise pollution control. (Kupferman): How the public, business, and industry help or hinder; legislative efforts to provide suitable noise control legislation. A comparative study of foreign legislative approaches and an assessment of the relative success here and abroad.

FACULTY MEMBER IN CHARGE

Walter W. Soroka, Professor of Acoustical Sciences and Assistant Dean of Engineering for International Cooperative Programs, College of Engineering, University of California, Berkeley. Dr. Soroka received his Sc.D. degree at Massachusetts Institute of Technology where he taught mechanical engineering from 1930–37. Since 1934 he has made industrial and research studies of factory, construction, traffic, commercial, machinery, jet engine and architectural noise problems. In 1947 he returned to academic duties at the University of California, Berkeley, where he has been teaching and doing research in vibration and noise control. He is also in charge of the Acoustics Laboratory of the Mechanical Engineering Department.

INSTRUCTIONAL STAFF

Leo L. Beranek, President of Bolt, Beranek and Newman, Cambridge, Massachusetts. Dr. Beranek received his Sc.D. in physics from Harvard University where he was a professor, Director of Research for Sound Control, Director of the Electro-Acoustic Laboratory and the Systems Research Laboratory. As an associate professor of communications engineering at M.I.T. from 1947–58, he also served as Technical Director of the Acoustics Laboratory. Subsequently he has been Secretary and Project Research Director of the National Research Council; a consultant to the Port Authority of New York, Outboard Marine Corporation, Lincoln Center for Performing Arts; a Hawksley Lecturer at the Institute of Mechanical Engineers in London; and an officer for scientific research and development for the United States Army and Navy. His principal work has been in architectural acoustics, electromechanico-acoustical devices, telephony, principles of sound control in airplanes, acoustical measurements, and noise control.

Louis Bourget, Materials and Research Department, California Division of Highways, Sacramento. Mr. Bourget received special training in the laboratories of Bell Telephone, Philco, and Wright-Patterson Engineering. During World War II he served as chief inspector in Electronics at McClellan AFB near Sacramento, and later taught for Grant Technical College. In addition to his current responsibilities, since 1954 he has served as consultant to the California State Division of Architecture on noise problems in State buildings, the California Highway Patrol on problems of vehicular noise measurement and control, Los Angeles City Noise Abatement Committee, Aerojet-General Corporation, and the Sacramento County Board of Health in their hearing testing program for school children. He holds patents in the field of electro-acoustics and is the author of numerous publications.

Ray Donley, Principal Engineer and Manager of Special Projects, Goodfriend-Ostergaard Associates, Cedar Knolls, New Jersey. Mr. Donley received his undergraduate training in mechanical engineering at the University of Cincinnati and his graduate study at American University. From 1956–62 he served as Chief, Acoustical Research Branch and as Ordnance Engineer, Engineering Research Laboratory, U.S. Army Human Engineering Laboratories, Aberdeen Proving Ground, Maryland. He is the author of numerous technical publications and is a member of several professional societies, among them the National Research Council Committee on Hearing, Bio Acoustics, Bio Mechanics, and the New Jersey Section of the American Industrial Hygiene Association.

Aram Glorig, Director, The Callier Hearing and Speech Center, Dallas, Texas. Dr. Glorig received his undergraduate degree at Atlantic Union College and his degree in medicine from Loma Linda University. He has held teaching appointments in the fields of otology and audiology at several schools of medicine, among them Yale University, University of Southern California, Loma Linda University, University of California at Los Angeles, American Academy of Ophthalmology and Otolaryngology, and Southern Methodist University. During his professional career Dr. Glorig has also served as a consultant in otology and audiology to numerous federal, state, military, public health, medical and scientific organizations throughout the country.

Karl Kryter, Director, Sensory Sciences Research Center, Stanford Research Institute, Menlo Park, California. Dr. Kryter received his Ph. D. in psychology and physiology from the University of Rochester. He has held academic appointments at Washington University in St. Louis and at Harvard University, where he was a research and teaching fellow at the Psycho-Acoustic Laboratory and Systems Research Laboratory. His professional activities have included executive committee and advisory positions for national and international governmental agencies and professional societies. He is a member of numerous scientific societies as well as the author of publications generally concerned with audition, psychoacoustics, and speech communications.

Theodore R. Kupferman, Member of Congress of the United States, House of Representatives, Seventeenth District, New York. Congressman Kupferman received his LL.B. from Columbia Law School, is a member of the New York Bar, and was admitted to practice before the U.S. Supreme Court in 1948. He served as President and Chairman of the Board of the Federal Bar Association of the States of New York, New Jersey, and Connecticut during the years 1954–60. He was the editor of the Bulletin of the Section of International and Comparative Law of the American Bar Association, and later was Chairman of the Patent, Copyright, and Trademark Relations Committee of the A.B.A. His fields of specialization have been the legislative approach to noise pollution and the problems faced by the legislature in providing suitable noise control legislation, and he has authored three bills to effect control of noise pollution. He has also made comparative studies of foreign legislative approaches and why they appear to have been more successful than those in the United States.

John B. Large, Chief, Aircraft Noise Unit, SST Propulsion/Mechanical Staff, the Boeing Company, Seattle, Washington. Mr. Large is a graduate in engineering, London University and Purdue University. He joined The Boeing Company in 1958, and he is now responsible for all the acoustic research work associated with the Commercial Airplane Division, including the SST program. Mr. Large is co-inventor of a pliant wall for reducing the skin drag of flying vehicles and the reduction of noise transmission through structures. He has published articles on all aspects of the aircraft noise problem and is a member of a number of professional societies and committees for research, evaluation, and development concerned with air pollution problems.

Robert L. Paullin, Chief, Systems Analysis Staff, Office of Noise Abatement, Federal Aviation Administration, Washington, D.C. Mr. Paullin received his undergraduate training from the South Dakota School of Mines and Technology, and holds a M.S. in civil engineering from the University of California, Berkeley. Subsequent to his undergraduate work, he served as a jet fighter pilot with the USAF before joining the Douglas Aircraft Company, where he worked as a flight test and research engineer and as Chief, Flight Safety Engineer. In 1961 Mr. Paullin joined the staff of the Civil Aeronautics Board. At the F.A.A. he has been concerned with aircraft certification (design and manufacturing) and operation. In 1965 he was selected by the F.A.A. for a year of graduate study at the Institute of Transportation and Traffic Engineering, University of California, Berkeley.

T. Priede, Senior Lecturer and Head of the Industrial Noise, Vibration and General Environmental Engineering Group, Institute of Sound and Vibration Research, University of Southampton, England. Dr. Priede received his technical education at the University of Latvia, Riga, where he obtained the degree of Inz. Mech., and he later received his Ph.D. degree from the University of London. In 1945 he joined the Baltic University in Hamburg as instructor in charge of the establishment of a mechanical engineering laboratory. From 1948 he was employed as research engineer at the British Internal Combustion Engine Research Association on problems related to diesel engine noise. In 1953 he joined C.A.V. Ltd. as principal research officer. His published work on automotive engine and vehicle noise has received several outstanding awards.

Vincent Salmon, Senior Research Scientist, Sonics Department, Physics and Chemical Physics Laboratory, Stanford Research Institute, Menlo Park, California. Dr. Salmon received his Ph.D. in theoretical physics from Massachusetts Institute of Technology. After ten years with Jensen Manufacturing Company of Chicago as physicist in charge of Research and Development, he came to Stanford Research Institute in 1949. His chief interests are noise control, underwater sound, nondestructive testing, and electroacoustics. He is a fellow of several professional societies and a member of the Research Society of America, which is affiliated with Sigma Xi. Dr. Salmon is a Registered Professional Engineer of California and Illinois. His publications and patents are chiefly in the fields of electroacoustics and noise control, and he has given several courses on noise control and electroacoustics.

George Paul Wilson, Wilson, Ihrig and Associates, Berkeley, California. Dr. Wilson received his academic training and took a Ph.D. degree in mechanical engineering at the University of California, Berkeley, where he conducted special studies in the acoustical engineering field. While with The Boeing Company, Seattle Division, Acoustics Research Group, he was involved in a wide range of research problems related to acoustical phenomena in jet and rocket aircraft; instrumentation design for calibration of acoustical transducers; and design of environmental test facilities. For six years he engaged in teaching and research engineering activities at the University of California, where he was concerned with architectual acoustics, statics, dynamics, and machine design, as well as the operation and development of the Acoustical Laboratory. Dr. Wilson has also spent many years as a consultant to federal, state, civic, and private agencies and organizations in the whole field of acoustical and vibration problems, including research on the dynamics of the human body as related to the measurement of blood flow rate.

Having attempted, as Senator WARREN G. MAGNUSON, senior Senator from the State of Washington and chairman of the Senate Commerce Committee, has indicated[2] "to alert the attention of the Congress to the problems of noise abatement and control," this then becomes a proper focal point to sum up on antinoise activity throughout the world since I last reported to my colleagues.

Also, as a Paul Revere once did in another area, we must be aroused to the dangers and evils of noise.[3]

First, we should be apprised of the report No. 1463 of May 23, 1968 in the 90th Congress, Second Session, by the House Committee on Interstate and Foreign Commerce to accompany H.R. 3400 to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation. My bill H.R. 2820 is in a similar vein. This 23-page report on the bill states that it "defines the role of the Federal Government as to control and abatement of aircraft noise and sonic boom."

Of the many interesting articles on noise which I shall discuss, the recent one in Electronics World of March 1968 at page 58 is of great interest:

SILENCE POLLUTION

(By John Frye)

Mac, returning from lunch, stepped through the door of the service department only to have his ears assaulted by a blast of sound. Both a radio and a portable TV receiver were blaring away on the "intermittent bench" while Barney snapped his fingers and twisted his body in rhythm to the music of a *Tiajuana Brass* record revolving on the turntable of a portable hi-fi resting on the main service bench.

Mac walked over and turned down the volume controls of the radio and TV receiver and threw the bench switch that cut off power to the record player. The ensuing sudden silence was deafening.

"Hey! What did you do that for?" Barney demanded.

"So I could hear myself think," Mac retorted. "What are you trying to do, ruin your hearing?"

"Of course not. Those two jobbies on the intermittent bench both have complaints of intermittent loss of sound; so I was keeping an ear on them while I worked on this hi-fi player that is supposed to lose on of its stereo channels every now and then. Being a man who likes to combine pleasure and work, I was just shagging along with Herb Alpert while I listened. Anything wrong with that?"

"Quite a bit. In the first place, nine out of ten intermittent audio failures will show up more quickly at a low signal level than at a high one, especially if the fault lies in a coupling capacitor. Furthermore, I wasn't kidding about damaging your hearing. The October, 1967 issue of *Today's Health*, published by the AMA, carried an article by Drs. John A. Garrett and Charles P. Lebo, ear specialists at the University of California, reporting their findings on deliberately exposing their hearing to lengthy sessions of rock and roll music. After one three-hour session Dr. Garrett reported, 'I couldn't hear my watch tick for three hours afterwards.'

"Dr. Samuel Rosen, another ear specialist, calls noise 'a molestor.' He describes 'a chronic noise syndrome' this way: 'At an unexpected or unwanted noise, the pupils dilate, the skin pales, mucous membranes dry up, there are intestinal spasms, and the adrenals explode secretions. The biological organism, in a word, is disturbed.' Dr. Rosen says our loss of hearing in later years is most likely related to accumulated noise exposure in our urban environment rather than age. A 70-year-old Meban tribesman in the Sudan, where average environmental noise is less than the hum of a refrigerator, has the hearing acuity of a 20-year-old New Yorker.

"It has been established by a number of authorities in continuous noise environments that a sound level of 85 dB has a damage potential. Yet you are making 10 dB of sound just breathing. Matilda's quiet typewriter is producing 65 dB, and I am producing 60–70 dB talking. A New York subway train rounding a curve produces 104 dB of noise; a loud power lawn mower, 107 dB; a jet plane at takeoff, 150 dB.

"Before you crank up the volume next time, remember this warning from the American Academy of Ophthalmology & Otolaryngology in its *Guide for Conservation of Hearing in Noise:* 'Prolonged exposure to the noises encountered in many industrial environments can produce a permanent hearing loss. This hearing loss is not amenable to treatment. Once a noise-induced loss has been acquired, normal hearing cannot be restored.' "

"I will, I will!" Barney promised with a grin. "But tell me how you define 'noise.' "

"You've touched a nerve there," Mac admitted. "Sometimes it's hard to tell what *is* noise. Probably the best definition is that noise is unwanted sound. Another definition says noise is sound that does not convey information or produce pleasure. Any sound can, under certain conditions become noise. Take the case of an auto mechanic tuning up a motor in a garage where a radio service technician is repairing a radio. The sound of the jazzing motor will be noise to the radio man trying to listen to the sound from the speaker; yet it is not noise to the mechanic because it conveys information to him. At the same time the music from the radio is noise to the mechanic because it masks informative sounds of the engine's response to acceleration he needs to hear."

"Is anybody doing anything about noise abatment?"

"You bet. A year ago New York formed the Mayor's Task Force on Noise Abatement to: (1) identify noise sources, (2) find resources that can minimize noise, and (3) educate New Yorkers to the problem so they will support abatement measures. In Congress, Representative Theodore R. Kupferman of New York is a kind of Paul Revere trying to arouse his fellow Congressmen to the dangers and evils of noise. He has done so much research on the subject that he is recognized as a lay authority on noise. He placed a bill before the House Interstate Commerce Committee that woud create an office of noise control within the Office of the Surgeon General. Last June the Health, Education, and Welfare Department decided noise was one of the most unpleasant forms of pollution confronting Americans today and decided that by no later than 1973 it must have all data necessary to set human levels of tolerance for noise."

"That means we must have some way to measure noise accurately, I suppose," Barney observed.

"Right, but this is a lot more difficult than a person might think," Mac replied. "An excellent discussion of the problems involved is contained in several articles in the November, 1967 issue of the *Hewlett-Packard Journal*. As pointed out therein, if we are going to reduce noise, we must have instruments to measure loudness; but loudness is subjective. It is the way things sound to the human ear, and no instrument yet devised is a complete model of the human ear. In fact, we do not have a very good understanding of the complicated physiological and psychological mechanisms involved in the sensation of loudness. However, even though our knowledge of many unique properties of the human ear is only empirical, we are still able to make instruments that do a fair job of duplicating the loudness-sensing function of the ear."

"Are two different but equally loud sounds equally disturbing?"

"Not necessarily, and this has caused some scientists to try to define a better measure of noise-sound called 'annoyance.' But this is difficult to pin down because of the the large number of unknown psychological factors that contribute to the effects of a sound on an individual at a given time. These include such things as the listener's history, his present state of mind, what he is trying to do at the moment, etc. Mothers know they can easily tolerate the din produced by their children at one time and scarcely bear it at another. Kryter's 'perceived noise' concept, which arrives at annoyance measured in PNdB by a computing method, has found some acceptance, but until we know more about the psychological effects of sound, the only reasonable objective measure of the disturbing effect of a sound seems to be its loudness.

To get down to basics, sound at a particular point is a rapid variation in the pressure at that point around the steady-state atmospheric pressure value. It is measured in the same units as atmospheric pressure, but because of its alternating nature 'sound pressure' refers to its r.m.s. value. At a frequency of 1 kHz, sound with an r.m.s. value of 2×10^{-4} μbar, or about 2×10^{-10} atmosphere, is just below the level of audibility for good ears. (One μbar represents one dyne per square centimeter, about the sound pressure produced by a human speaker at a distance of one meter.) This means the sensitive ear responds to variations in atmospheric pressure of only a few parts in 10^{10}.

"But the ear can also accommodate sound pressures as high as 200 μbars without becoming overloaded. Because of this tremendous dynamic range of the ear, a logarithmic scale is used for sound pressure. The reference value is the threshold of hearing level of 2×10^{-4} μbar, and *sound pressure level* is indicated in dB above this value. On this scale the ear has a dynamic range of about 120 dB—a range matched by only a few of the more sophisticated instruments.

---

[2] CONGRESSIONAL RECORD, vol. 113, pt. 1, p. 614.

[3] Silence Pollution by John Frye, Electronics World, March, 1968 at page 58. See *infra*.

"Because loudness is subjective, the primary instrument for measuring it must be a human observer. To determine how loud a sound is, we must have a significant number of people compare its apparent loudness with that of a standard sound, the accepted standard being a pure 1-kHz tone or narrow-band noise centered at 1 kHz. When a significant number of observers say the two sounds are equal to loudness, we define the *loudness level* of the measured sound as being equal to the sound pressure level of our standard sound. Loudness level is measured in *phons*. The level of any sound in phons is equal to the sound pressure level in dB of an equally loud standard sound. Thus a noise judged to be as loud as a 40-dB, 1-kHz tone has a loudness level $L = 40$ phons.

"But the phon scale does not fit a subjective loudness scale. Doubling the loudness doesn't double the number of phons. In fact, for 40 phons or greater, the corresponding increment is 10 phons. Why loudness should be different from physical quantities like voltage, for which a factor of two corresponds to 6 dB, is not fully understood; but in an effort to obtain a quantity proportional to the intensity of the loudness sensation, a loudness scale was defined with a unit called a *sone*. One sone corresponds to a loudness level of 40 phons, and the numerical value equivalent for loudness levels of 40 phons or greater are given by the formula $S = 2(L - 40)/10$, in which S is in sones and L in phons.

"There remain many other difficulties in measuring noise. Broad-band sounds seem louder to human ears than pure tones or narrow-band noise having the same sound pressure level, and I'm sure you know loudness is a function of frequency. A 40-phon, 100-Hz tone has a sound pressure level of 50 dB, while a 40-phon, 1-kHz tone has a sound pressure level of only 40 dB. I'm sure you've seen the Fletcher-Munson equal loudness level curves published in 1933 showing the response of normal ears with varying frequency. These curves are made for pure tones and relate feeling to sound level. They show the average sound intensity needed to produce a given loudness level throughout the audio-frequency spectrum.

"Zwicker worked out a procedure in which the frequency range between 45 Hz and 14 kHz is divided into bands by pass-band filters and the level of each band measured. Then these are combined by computation to produce a total loudness level comparing closely to that of the human ear. *Hewlett-Packard's* new Model 8051A Loudness Analyzer is designed to measure loudness by the Zwicker method automatically. Sound is fed into the instrument from a microphone or tape recorder and the levels of all the outputs of the 20 pass-band filters are displayed simultaneously on a CRT, while the total loudness is shown on a meter. The displays can be frozen for several minutes for leisurely analysis, and the instrument also has X and Y recorder outputs. There's lots more dope on the theory back of this instrument and its performance and application in the *H-P Journal* that I recommended you read."

"Okay, but I was just thinking: we've had the Lost Generation and the Angry Generation; but now, what with air pollution, water pollution, radioactive pollution, and now silence pollution, do you suppose I belong to the Polluted Generation?"

President Johnson in his message to the Congress of March 8, 1968, "to renew a Nation" following up on the efforts of Theodore Roosevelt in conservation stated—in the CONGRESSIONAL RECORD of Monday, March 11, 1968, page 5897 to page 5900 as follows on "Noise Control":

NOISE CONTROL

What was once critically described as "the busy hum of traffic" has now turned into an unbearable din for many city dwellers.

The crescendo of noise—whether it comes from truck or jackhammer, siren or airplane—is more than an irritating nuisance. It intrudes on privacy, shatters serenity and can inflict pain.

We dare not be complacent about this ever-mounting volume of noise. In the years ahead, it can bring even more discomfort—and worse—to the lives of people.

I am directing all departments of Government to take account of noise factors in choosing the location and design of buildings, highways and other facilities whose construction is assisted by Federal funds.

I also urge the Congress to take prompt action on legislation to strengthen the authority of the Secretary of Transportation to deal with aircraft noise. We need greater capacity to deal with the rapidly growing noise problem created by our expanding air transportation system.

The New York Knickerbocker for Sunday, March 31, 1968, volume 1, No. 6, had a feature article by Wambly Bald, entitled "A Congressman Urges: Let's Stop the Noise Menace."

A CONGRESSMAN URGES: LET'S STOP THE NOISE MENACE

(By Wambly Bald)

New York's cacophony of noises may never have killed anyone, but—

It can nudge you toward a sick state of frazzled nerves, psychotic anxiety, high blood pressure, impaired hearing, destroyed efficiency, and even heart attacks.

It has made our town the most sleepless city in the world. And neither pills nor ear plugs are an effective antidote.

The damage multiplies, year after year, but nothing is ever done about it.

These charges are made annually by Congressman Theodore R. Kupferman (R.-N.Y.) whose angry concern has earned him the questionable rank of New York Noise Fighter No. 1.

"Around my home," says Rep. Kupferman, "way up on the 15th floor in 72nd Street, my wife Dorothee has to turn on the air conditioner to neutralize the noise.

"She calls this system her anti-missile, a missile against noise."

Kupferman has fired many missiles of his own—but none has found a target.

When he was City Councilman in 1965 he introduced two separate noise abatement bills. They proved cries in the wilderness. No action was taken.

NOISE COMMISSION NEEDED

As a Congressman, on April 21, 1966, he made his bid on the national level with a bill calling for the creation of an Office of Noise Control, under the Surgeon General. This would teach states and local government to control noise at its point of origin. Still no action.

Kupferman has not given up.

"I'm ready to try with a third bill—and a fourth and a fifth, until Congress and the whole nation gets the message," he insists. "We must have an Office of Noise Control for mental as well as physical health. Let's stop fooling around!"

Rep. Kupferman needled Mayor Lindsay into creating a task force to formulate a plan for a quieter Fun City. Some minor improvements have been noted, at least in an abstract sense: Quieter garbage collecting has been promised a few million sleep-robbed citizens, and a few churches, including St. Brandon Rectory in the Bronx, have promised to soften the sound of their bells.

One day not long ago, Rep. Kupferman took to the city streets, armed with an audimeter. Here's how he found living in his home city:

Outdoors

Construction and demolition noise generated by air compressors, pneumatic drills, power saws and cement mixers; the shriek of traffic with revved up trucks and buses coughing right into people's ears; the swish-boom of jet planes; squealing subway trains above and below ground; transistor radios played by jerks, who should know better, in public places.

Indoors

No one's life is his own in today's paper-walled apartments. You can hear your neighbor singing, playing his TV, or battling with his wife. Or you may be driven out of your mind by the sonic invasion of vacuum cleaners, dishwashers, faulty air conditioners, or other instruments of torture originally called household appliances.

Sonic sufferers rarely are aware of what noise is doing to them. You know when you break a leg or come down with pneumonia. But noise damage creeps up on you over the years. No one can spot what's wrong. Meanwhile your friends realize that you're getting nervous—and slowly going deaf.

Dr. Julius Buchwald, a psychiatrist at the New York State Medical Center, says interrupted sleep can result in paranoid delusions, hallucinations, and suicidal impulses. And what about deafness?

Dr. Thomas H. Fay, Jr., chief of the Communicative Disorder Service at NYU's Medical College, discovered damage to nerve endings in the inner ear may occur gradually over a long period of time as a result of continuous exposure to noise.

This causes partial, and in some cases total or near-total, deafness.

"Here in New York deafness begins at 40", Rep. Kupferman added. "And we just sit back and accept the consequences as a part of urban living and progress.

"We very likely wouldn't have air and water pollution today if we had taken proper remedial steps 10 years ago. With our modern technology, some new laws and a little concentrated public pressure could work wonders."

While a great deal of money has been spent on production of silencing equipment and a vast depository of know-how is available, Kupferman said, practically nothing has been done to control noise generated by new construction equipment.

This is the *biggest* noise maker in New York, apart from street traffic, aircraft and the ever-present garbage collecting symphony. Air compressor acoustic housing, intended for adequate control, can very definitely be designed. But few, if any, can be found.

Muffle-bagged demolition tools, also jackhammers with built-in silencers, are available. But they are seldom used.

BARRIERS MIGHT HELP

The Citizens for a Quieter City Inc. has urged the enclosure of all demolition areas with a noise barrier—perhaps a tent-like shield as is used in Europe to protect passers-by and adjacent shops and/or apartments with an acoustic shadow zone.

Martin Hirshon of the Citizens Committee believes pile drivers can be quieted by portable and re-useable soundproof clogging similar to that in oil drilling equipment currently used around the country.

Hirshon says contractors should be obliged to operate under revised noise-control ground rules to be established by the city and public utilities.

The Diesel people, Kupferman noted, set an excellent example when they erected a 52-story office building in lower Manhattan. Foundation blasting was muffled with special steel wire mesh blankets, joints were welded rather than riveted or bolted, and demolition was carried out during late hours and on weekends, when the district was deserted.

"This type of operation requires special effort and money", he said. "But builders and manufacturers don't want to be bothered, and we don't have the laws to force such action."

Kupferman cited a law, passed under Mayor LaGuardia, which prohibit motorists from blowing their horns except for an emergency. Whoever heard of a horn-blowing driver getting a ticket?

As ridiculous as it sounds, the legal noise limit in New York is 88 decibels at a distance of 150 feet. Make more racket than that and you're supposed to get a summons.

To conform, truck manufacturers installed new mufflers. This proved to be great in theory—useless in practice. Once the muffler wore out, it was rarely replaced. No one checked the drivers and the merry din continued. What can we do about din-din-din?

"Raise *your voice* in protest and mean it", Kupferman insists. "The people closed down Newark's airport a few years ago, with their jet boom complaints. Aircraft manufacturers now have experts working overtime to keep the boom at a minimum.

"The airplane has been singled out as a leading noise maker, with the jets getting bigger and more powerful", the Congressman continued.

"The path of the jet boom on the ground is about 33 miles wide when the plane is at an altitude of three and a half miles. It's 50 miles wide when the plane is nine miles high. If you're too close you'll have your ear drums cracked or risk other permanent injury. Some scientists claim the boom can even cause sterility!

"Boeing and the other jet manufacturers are trying to contain the problem. But Congress must act.

"We need an all-out national program for noise control. Is there anything more serious, including national security, than our national health?"

"New York is 10 years behind European cities in noise abatement," Kupferman concluded.

"In London and Zurich, jackhammers are muffled and air compressors are designed with silencing features.

"In West German cities, excessive construction noise is prohibited by federal laws that are strictly enforced. They don't just gather dust on the books the way they do here.

"Noise abatement is drilled into Europeans with government pamphlets, speeches and in the press.

"In many areas traffic police and building inspectors carry audimeters to check the decibel rate of noise and offenders are heavily fined.

"London has a British Noise Abatement Society which holds international congresses every year, and Americans are invited to attend and learn.

"But we are not learning much of anything. All we do is sit and suffer and wonder why so many people look so jumpy. We seem content to live in a noise slum."

The Congressman then gave his promise: "Much as I hate noise, I'll continue to shout for real action against it at the top of my voice!"

Betsy Cohn of McGraw-Hill's Air and Water News was good enough to provide me with their special supplement of November 6, 1967, on noise, which follows:

Big Sound in 1968—More Noise About Noise

The big sound in '68 may well be noise! "Noise control and solid wastes are becoming the most serious environmental problems," and noise pollution abatement programs are on "the list of topics for new legislative proposals, with action likely next year," prophesied Secretary of Interior Stewart Udall last month (AWN, Sept. 25, p.1).

Vibrations of '67 came from France this summer, when a shock wave produced by a supersonic boom shattered a Breton farmhouse killing three and injuring one. They were felt in Santa Barbara, Calif., where legislation was passed last month to "Ban the Boom" (AWN, Oct. 22, p.4), and simultaneously picked up by outraged neighbors of J. F. Kennedy International Airport in New York, who picketed an FAA meeting bearing signs of "We are being jet choked," "We've had enough."

But "had enough" can mean different things to different people. Dr. H. Bogard, a physicist and member of New York Mayor Lindsay's Task Force on Noise Control is the first to admit that the constant low level background din found in urban areas is only a nuisance and has never been proven to be a health hazard. "It's entirely subjective," Dr. Bogard told AWN, "If you are lying in bed trying to get to sleep, a dripping faucet can be very irritating but if you are up and busy you won't even hear it." Little research has been done in this area, according to Dr. Bogard, who feels the real question is largely a philosophical one regarding man's right to privacy from audio intrusions.

LEGISLATION

Congressman Theodore Kupferman (R-N.Y.) who represents New York City's noisy mid-city, tuned in last year and started introducing noise legislation. While none of his bills have gotten far in Congress, Kupferman is staking a claim in the noise field the way Sen. Muskie has done in pollution. Currently, he has two bills awaiting action in the House. One (H.R. 14602) calls for a comprehensive study of the noise situation and establishment of an Office of Noise Control under the Surgeon General to work specifically in the areas of jet aircraft noise abatement.

His other bill (H.R. 2820) would amend the Federal Aviation Act of 1958 and establish "Aircraft Noise Control and Abatement Standards" which might be used to suspend or revoke operating certificates of excessively noisy aircraft. Kupferman told AWN that noise pollution will become a pet political ploy, as did air and water pollution several years ago, and is likely to become a key sound in several '68 campaigns.

THE BOOMING METROPOLIS

New York, the city with one of the largest headaches, has for years been receiving shouts of complaints from its citizens. Their ailments are caused by cardboard walls, shrill whistles, horns and traffic sounds, construction, subways, transistor radios, and a host of other contributers to the background din that is rising about 1 decibel/year. Mayor Lindsay last April established a Task Force on Noise Control, consisting of acoustical engineers, doctors, lawyers and related industrial personnel.

The Task Force report, to be submitted to Lindsay within the next two months, is largely on evaluation of the problem rather than a recommendation for legislation. The report points out, however, that existing noise laws are seldom enforced.

SYMPHONY IN GARBAGE

As far as most New Yorkers are concerned, the worst sound in the city is from the ancient garbage trucks which howl an agonized predawn symphony accompanied by banging steel trash barrels in the brass section. Help, however, is on the way according to the Task Force and the Dept. of Sanitation. Eight hundred new trucks to be delivered by next year are to be made 60% quieter by means of a silent compactor, rather than the conveyor belt which now grinds and whines the garbage into the trucks.

AUTOMOBILES

A substantial part of the urban background noise comes from autos, trucks and buses, which growl the streets with improved mufflers and better sound insulation for passengers but, after a few years service, noticeably louder sounds coming from the engine compartment. The Society of Automotive Engineers has established a standard of 86 decibels measured 50 feet from an auto passing in low gear at 30 mph. SAE standards, however, largely reflect what Detroit has already accomplished rather than what should be the limit.

The British Ministry of Transportation, too, has recently drawn up noise limits and Sweden is actively pursuing a program for quieting auto noises.

AND WALLS

Urban dwellers, too, have the problem of thin apartment walls providing entertainment to and from their neighbors. Wall construction can be almost soundproof, but the added costs deter many builders. New York's new building code has specified limits for sound transmission through party walls and requires extensive soundproofing of air ducts, incinerators, elevators and machinery found in the building. Unfortunately, the code does nothing to prevent street noise from coming through windows and inundating apartments, even as high as 30 stories above the ground. And local laws which permit construction crews to unlimber their jackhammers and compressors at 7 a.m. are especially cruel in a city that has a mania for tearing down and constructing buildings.

SOUND IN FLIGHT

The boom is also being lowered in higher realms; aircraft and sonic booms. "Fear of aircraft noise, not lack of money, is the main threat to new airport expansion," remarked General William McKee, FAA administrator, last month. At present, there are more than 175 lawsuits involving noise at 34 airports, pending in U.S. courts. Concern over jet noise is also helping to delay building of a "long overdue" fourth jetport in the New York City area, according to an FAA spokesman.

Probably the greatest mystery in the aircraft noise field is why people build or rent homes immediately adjacent to airports. Most of the residents who live near airports have purchased homes there with the clear knowledge that living next to an airport isn't like living next to a cemetery.

FAA officials are dumbstruck by news that a building firm is about to throw up a high-rise apartment that will almost scrape the bellies of planes using the all-weather runway at New York's LaGuardia Airport. There is nothing FAA can do but await the hordes of angry tenants complaining about the noise within months of taking occupancy.

Both airlines and pilots are also alarmed about the situation. Take-off and landing procedures are already severely restricted by efforts to avoid flying over heavily populated neighborhoods and federal officials are considering increasing the standard glide slope from 3° to 6° in order to bring the planes in more quickly from higher altitudes. Pilots feel that safety is being sacrificed over crowded urban airports which can least afford it.

TESTING AT JFK

Noise tests being conducted at Kennedy involve the world's first automatic aircraft noise monitoring systems. The airplane sound is measured in perceived noise decibels (PNdbs), which represent the noises people can hear, but weighted toward the higher frequencies associated with jets. The devices record any noise made by a plane that is greater than 103 PNdb.

The maximum allowable noise has been set by the New York Port Authority at 112 PNdb and only 690 violations have been issued for the first 8 months of this year, when 98,443 take-offs were made.

SILENCE IS TAXABLE

Los Angeles, in an effort to maintain a hushed community, has put a tab on quiet. In August, a $1.00 tax for silence was tentatively approved by the city legislature (AWN, Aug. 7, p. 8). Under this rule, each departing and arriving passenger at L.A.'s International Airport would be charged $1 for silence, as would each ton of airfreight loaded or unloaded at the terminal. The $1, in turn, would be used for soundproofing homes, schools and churches in the airport community.

Currently a $200,000 test program aimed at reducing the effects of aircraft noise on homes is being launched in the vicinity of the airfield (AWN, Sept. 11, p. 4).

QUIETER ENGINES

Problems created by noisy aircraft and the disenchantment of irritated citizens with the idea of having an airport anywhere in the vicinity, have forced a number of federal agencies to join hands in an effort to come up with quieter engines.

The National Aeronautics and Space Administration, acting for itself, the FAA, HEW and other agencies, this summer awarded Pratt & Whitney a $455,000 contract to design an engine considerably quieter than today's whining jets.

The introduction of fan jet engines has already proved a boon to noise-conscious airlines and has been a cost-saving factor to boot. Masses of air and hot gases are moved at a lower velocity by fan-jets than by the original turbo-jets, and since velocity of exhausted gases is the biggest factor in jet engine noise, fan jets have proved quieter, while delivering greater thrust.

The consortium of federal agencies is also to look into the fundamental mechanism of noise, noise muffling equipment on aircraft, and reduction of noise from planes on the ground.

THE BIG BOOM

Undoubtedly, the biggest boon to anti-noise groups has been the horror stories of the boom to be created by the supersonic aircraft going into commercial operation in the 1970's. Planes moving more than 660 miles per hour (the speed of sound at high altitudes) compress the air into shock waves. The shock waves then trail behind and beneath the plane, producing booming sounds as they strike the earth.

In August, a government report on the sonic boom tests reinforced widespread belief that supersonic airliners will not be allowed to fly at top speeds over land. The report, prepared by the Office of Science and Technology, contained preliminary findings of the effects of booms on humans, animals and buildings.

While no sound figures have been developed on physical damage or health effects of the boom, there is little doubt the boom will be an added unwelcome intrusion in already noisy lives. The Citizens League Against Sonic Boom, an academically oriented group top heavy in professional talents, was founded last March by Harvard physicist William A. Schurcliff and boasts 1,400 members.

Santa Barbara, Calif., has already banned the boom in their skies, condemned it as a "public nuisance;" and Switzerland is considering the same condemnation, calling the boom a major cause of landslides. Despite this international protestation, it is doubtful that the flight of the Boeing Supersonic Transport will be delayed. The new SST is expected to emit constant booms when making its record-breaking jaunts between Washington and Paris in three hours. And despite efforts of people like the Citizens League, Senator William Proxmire (D-Wis.) and a following of congressional disciples, delay of the SST is not likely. At most, they may be able to limit SST flights over land to less-efficient and more-costly subsonic speeds.

But realistically, whether noise is ever proven to be a health problem or is merely considered a nuisance is somewhat immaterial. American society has reached a state of affluence where it feels that it doesn't have to put up with even minor annoyances of this type. Besides, it's a beautiful issue for politicians casting about for something non-controversial to champion.—BLC, TMD.

The Washington Building Congress Bulletin of October 1967, volume 31, No. 1—30th anniversary edition—at page 45, has an excellent article entitled "Now Hear This" which follows:

NOW HEAR THIS! WATER POLLUTION, AIR POLLUTION, NOW NOISE POLLUTION

(Note.—The following article is printed only as information to advise our members of the proposed legislation. The Building Congress has taken no stand on the measure, however, we appreciate your opinions and comments.)

When U.S. Representative *Theodore R. Kupferman* introduced his "Noise Control" measure in the Congress, the silence was deafening. However, this is one subject the New York Congressman is not silent about. If his efforts have failed to stir thunder from his colleagues, he has indeed received support elsewhere.

It has been firmly established that if the noise pollution continues at its present rate—one decibel per year for the past 30 years—noise may outrank harmful fumes in the air and organic wastes in water as this country's number one pollutant.

You may think at this time it sounds far-fetched—but it isn't. We have finally enacted certain measures to abate air and water pollution and now some efforts are taking root to curb our noise problems.

Mr. Kupferman's bill, the first of its kind, would provide for a program to control noise, including sonic boom, and would further provide grants to aid state and local programs designed to control excessive noise. Mr. Kupferman feels that if we had taken proper educational and remedial steps in air pollution ten years ago, we would not have the air pollution problem facing us today. "We are now at the same relative point with respect to the environmental problem of noise pollution", he said.

As the unpleasant sounds continue, man suffers from physical ailments ranging from insomnia to heart disease. The most probable ailment attributed to noise is the nervous tension headache. They are widespread today as the common cold, yet it is doubtful our grandparents suffered from such headaches because noise was not a sustained part of the American daily life until the 20th Century.

One of the greatest annoyances is traffic noise. Included as offenders are trains, industry, construction, children, telephones, pets, etc. However, construction and demolition noise is generally exempted from daytime control in areas that have established a decibel limit since this noise is sometimes considered a temporary nuisance and the price of progress.

Noise is nothing new to city dwellers but few of our cities have taken steps to abate the situation. However, 50 years before the birth of Christ, citizens of Rome complained so loudly about the noise created by hotrod chariot drivers that Caesar banned all night traffic.

Several countries in Europe have recognized noise as an environmental pollutant. England has prepared an exhaustive report on noise and adopted a national noise reduction code. Noise abatement laws are now in effect in France, Germany and the countries of Scandinavia. Moscow bans the blowing of horns and General de Gaulle outlawed transistor radios in public places in all of France.

A New York group feels that one area where relief from noise is urgently needed is the construction industry. A quieter pile driver has already been invented and they feel less noisy equipment could be developed.

The World Health Organization is showing some concern about noise-induced "mental pollution". Reports show there is an indisputable link between noise and mental illness; there is mere noise in America than any country in the world; there is more deafness in America than any other country, with one of every 12 persons suffering from impaired hearing; there is more mental illness in this country than any other, noise fatigue accounts for more accidents in American industry than in other, and America has done less to abate the problems of noise than any other country.

One organization, the Citizens for a Quieter City, Inc., located in New York, supports a proposed building code designed to reduce the "acoustical garbage" seeping from one apartment to the other, by soundproofing walls and floors, quieting of machinery, and limitations on noises transmitted through ventilators and ducts.

Silencers or mufflers to be attached to jackhammers, air compressors, and other construction equipment is advocated; or enclosing such equipment with a noise barrier on construction sites; and portable soundproof cladding for pile drivers.

Limited construction hours from 8 a.m. to 5 p.m. would be urged. Other noise preventive measures would include garbage cans enclosed in rubber, running freeways through sunken "groove ways" to absorb traffic noises; burying garages underground wherever possible to muffle excess automobile noises.

The American Legion magazine for February 1968 ran a feature article entitled "Our Noise," which follows:

OUR NOISE

(By Frances G. Conn)

(EDITOR'S NOTE.—We have a general rule that all pictures should have captions. The pictures with this article are no exception—but we feel that each reader can supply his own captions, and in some instances will come up with better captions than we consider printable.)

When President Johnson appointed a special panel on pollution in 1965, air pollution and water pollution got most of the headlines, but the study of "noise pollution" was part of the package too.

According to a lot of people, including physicist (and former Chancellor of the University of California) Dr. Vern O. Knudson, it was about time.

The United States is the noisiest country on earth and the racket we make is getting worse almost everywhere.

Dr. Knudson points out that if the noise we make keeps increasing at the present rate, it will be as deadly in thirty years in some of our downtown cities as were the ancient Chinese noise tortures for executing condemned prisoners.

In some American cities the honking, clanking, whining, whistling, roaring, pounding and vibrating from a host of sources is increasing by one decibel a year. Since the intensity of sound doubles with every six decibels, it takes six years, at that rate, to double the loudness of city noise. The strength of the general noise background in some of our communities is now four times what it was in 1956, and 32 times what it was in 1938.

Although it has long been recognized that constant exposure to intense sound may cause serious hearing loss, there are enough people around who can still hear what's happening to raise a fuss of their own.

In many places, police have added noise-testing devices to their radar speed-checking equipment inventory, particularly to enforce noise-restrictions on trucks. This has happened in Milwaukee, in New York State, and in Memphis, Tenn. Memphis has tackled the city noise problem so vigorously that it now claims to be "the quiet city." Many outsiders agree that it has earned the title.

Others are not making so much progress, but they have hopes based on determination, and here and there they make a little headway. Robert Baron doesn't claim any results yet, but he swears he'll keep trying in his fight against the ever-swelling racket in New York City. Baron, a theater manager, was so angered by three years of subway construction racket near his 6th Ave. apartment that he formed an organization to crusade against needless noise in New York. He and his "Citizens for a Quiet City" have gained a lot of attention—so much so that New York's Mayor Lindsay formed an official city Task Force on Noise Control. N.Y. Rep. Theodore Kupferman, who replaced Lindsay in Congress, has pushed two federal bills to further noise control (unsuccessfully to date).

Presently, Baron is waging a frontal attack on the noise caused by construction and demolition projects because, he says, there seem to be no legal controls on how much racket they can make anywhere in the United States. Last Dec. 18, Baron led a public demonstration outside the city's Lincoln Center. He treated onlookers to a comparison of the noise made by typical U.S. air compressors and pneumatic paving breakers with that of some muffled foreign designs. None of them were exactly quiet, but the U.S. types were well out front in disturbing the peace.

One member of Baron's committee is Dr. Samuel Rosen, consulting ear surgeon at New York's Mt. Sinai Hospital. Dr. Rosen is one of an increasing number of experts who don't along with some old and accepted notions about how harmless constant background noise is to society in general.

He and others suggest that it far more damaging than had previously been supposed.

Industry has taken excess noise-on-the-job seriously for a good many years. But as far as human damage is concerned, industrial experts have generally held (a) that hearing loss is the chief danger to humans, and then only in intensely noisy situations, and (b) that there is a "natural loss of hearing with age" which must be discounted in judging loss of hearing caused by noise.

Dr. Rosen and California's Dr. Knudsen suggest that hearing loss may be the least of it, and that you don't have to work in a boiler factory to suffer damage from our civilized hubbub.

Both of them take steady aim on the growing general racket that most of us are exposed to day and night—roaring tires and vehicle engines; honking horns; airplanes; whistles; jackhammers; household appliances; power tools; TV's and radios tuned up over the rest; howling transistor sets carried by pedestrians; unwanted loudspeakers on trucks; clanking, ticking, humming office equipment; construction and excavation projects; other people's noises coming through thin apartment walls; the hum of air conditioners, heating systems and pumps; gear noises; fan noises and you-name-it. All of these blended together, they say, cause far more than slow deafness. They are a factor in the celebrated "tensions" of modern living, and altogether they contribute to every one of the tension-related diseases—from stomach ulcers, neuroses and mental illness to allergie and circulatory diseases.

Dr. Knudsen calls the total effect of the background roar of modern life "decibel fatigue," and says that millions of Americans suffer from it. Dr. Rosen believes that medical science will one day recognize an entire "noise syndrome"—a family of symptoms related to unwanted or unexpected noises. He and others already cite dilation of the pupils, dry mucuous membranes, skin paleness, intestinal spasms and glandular secretions as candidates for membership in the full "noise syndrome" when it is recognized.

Dr. Lee E. Farr, public health professor at the University of Texas, agrees. He told the last convention of the American Medical Association that the effect of our noise on general health hasn't yet been taken with the seriousness it deserves. It can be an "unsuspected triggering agent" of the "tension" disabilities named above. And, contrary to older beliefs, the steady sound level "need not be intense" to trigger serious physical and nervous damage.

Dr. Rosen goes on to cast doubt on the idea that there is a "natural hearing loss with age." The "natural loss of hearing" in the United States, he suspects, is caused by the general noise level of our society, and there's nothing "natural" about it. Dr. Rosen has done homework in this field. Not satisfied that the loss of hearing among his older patients was "natural," he studied the hearing and health of older people in countries that are quieter.

He investigated Egyptians, Lapplanders, Germans, Finns, Yugoslavs, Bahamians, Cretans, Russians, and—most recently—aborigines of Southeast Sudan, who live in nearly noise-free surroundings. He concluded that hearing loss in old age is related directly to the noise one lives with throughout life. In the Sudan he found 90-year-old tribesmen who could hear as well as 10-year-old boys. At the same time he found that heart and blood vessel diseases were remarkably scarce among those whose lives were spent in quiet surroundings.

While he would be the last to say that he has yet proved the point scientifically, he finds the evidence to date persuasive and worthy of far more medical research.

Until recently, the most authoritative voices about noise have come from industry, because noise was a problem inside factories before it began to swell so much in homes and out in the open air.

If industry has spawned the most experts on noise control (and it has), it also looks at the problem from a defensive position. Industry is the defendant in claims for hearing loss on the job, and it can be the chief object of attack by irate citizens who claim that an industrial plant is a public noise nuisance. Claims for compensation for hearing loss on the job now run at about $2 million a year, while it has been estimated that 4½ million American workers who don't file claims might win them if they would.

The State Hearing Society of Colorado recently estimated that one in four people in the state are exposed to noise levels (not all of it on jobs) that can damage hearing in some people. Of nearly half a million so exposed, the Society estimates that about 71,000 Colorado citizens will actually suffer damaged hearing. Dr. Murray C. Brown, of the U.S. Public Health Service, feels that as many as seven million Americans work on jobs so noisy that their hearing will be impaired.

With liability ever on their minds, it is not surprising that industrial noise experts have tended to discount noise damage and complaints about noise, even while they have led in finding ways to control noise. The "natural loss of hearing with age" is an accepted phenomenon among industrial noise experts, while it is a commonplace with them that the people who complain *most* about industrial noise as a nuisance are neurotic people. Of that there isn't much question, but Doctors Rosen, Knudsen and Farr put reverse English on it when they suggest that the noise helps make the neurosis.

Industrial experts define noise as unwanted sound, but that doesn't quite fit. *Wanted* sound can be damaging, whether you call it noise or not. In Melbourne, Australia, noise researcher R. F. Burton set out to discover why he was noticing "tender ear" in two or three percent of teen-agers. He went to a rock 'n roll teenage dance and clocked 114 decibels of sound, a dangerously high level for the ear to tolerate. He came away predicting that many teen-agers who subject themselves to this wanted noise will lose their hearing earlier in life than usual, and many will be deaf at 40.

Some accepted ways to control noise may have to go by the boards if it is ever firmly established that unnoticed noise is as dangerous as the noises that irritate the most. People get used to a steady noise level or familiar sounds and tend to adjust to them. In that, indeed, lies the humor of the old joke about the lighthouse keeper who awoke with a start when the lighthouse fog horn *failed* to sound on schedule. "What was that?" he cried.

Noises that fluctuate are more irritating than those that are steady, and in some cases, faint noises annoy more than those that are louder.

One of the accepted ways to control irregular noises is to drown them out with an added steady noise. An oft-cited example is the fan put in a doctor's waiting room to smother conversations there that invade the examining room. But the idea of masking one noise with another is now subject to the challenge that unnoticed noises are still damaging to health and hearing. That puts in question all practices that control noise by adding to it.

New York's Robert Baron is among those who are insisting that unwanted conversations coming through walls should be controlled by building codes that require walls which are more soundproof. The trend in modern apartment and office buildings is to make thinner walls than formerly, and the many people who say that their neighbor's conversations, TVs and radios are driving them crazy aren't necessarily just using a figure of speech.

By all odds, the motor vehicle, and particularly the truck, is adding most to the steady noise increase in the United States. The airplane adds most to intermittent loud noise. Construction or demolition projects create the worst temporary rackets. The superhighway and the airplane are spreading our growing noise level into non-city areas. The increasing use of motor driven appliances, record players, radios and TVs makes the inside of the American home noisier than ever, from before breakfast until late at night. These noisemakers are taking some of the curse off the industrial plant, which, a long generation ago, shared the noise onus principally with the iron-shod hoof of the horse and the noisy and sooty thread of the railroad lines.

If the average reader of this page will stop for ten minutes during a typical part of his day and identify all the sounds he hears that he didn't ask for, he will realize there's no way even to list them in this space. On top of that, unless he's remote from town or highway, he will detect a constant roar of unidentifiable sound which is the "ambient" or background noise that's spreading and growing over most of American society.

Let's look at a small sampling of the typical noises, especially those that are: (a) commonest, (b) increasing and (c) ought to be controlled better.

Construction and demolition: A New York cab driver, asked what noises are the worst in his ears as he drives around the city, said: "Auto horns and engine accelerations, *except* that in a block where there's construction going on nobody can even hear the auto horns."

Construction noises are industrial sounds. Little attempt is made to control them, and Baron says the problem of *needless* construction noise is almost entirely a legal one. The typical American city zoning ordinances or anti-noise regulations more or less regulate the neighborhood nuisance potential of *fixed* industrial installations, but no movable ones. There is virtually no legal restriction on how much noise they can make in any neighborhood they invade.

If complaining citizens attack them as public nuisances, courts will generally rule that if even the noisiest construction project serves a social purpose, it isn't a public nuisance—and of course construction serves a social purpose.

In the absence of legal control, what follows is logical. Existing industrial noise control knowledge isn't even applied to cut down construction noise. Air compressors twice as big as old-fashioned outhouses are set up curbside—amidst stores, homes and office buildings. Their engines run full blast, sometimes wide open to the air, sometimes hung around with metal sheets that only act as sounding boards. Little or no muffling of riveters, paving breakers, cement mixers, auxiliary engines and pumps is attempted. In their neighborhood, conversation is often impossible even at a yell.

The only answers are new laws and law enforcement to reduce the volume of construction and demolition noise as much as possible. Noise-control costs money and it is unreasonable to ask sympathetic construction firms to invest in noise control voluntarily, only to let the unsympathetic underbid them on jobs by avoiding noise-control costs.

Trucks, other vehicles, superhighways: The organized parts of the trucking industry—fleet owners, etc.—have for years recognized their fast-growing contribution to the national din. They have encouraged reasonable laws and fair enforcement. They want truck noise-control to be more legal than voluntary so that the "gypsies" must conform to the same standards as the fleets.

Truck tire noises haven't been a problem in cities where speeds are low. But all vehicles—of which trucks and buses are the worst—create a tire roar that spreads for miles beside our growing web of high-speed highways. So little can be done about this on the vehicles themselves that quieter paving surfaces are getting the most attention, where there is attention.

The New York and Connecticut turnpikes have brought such a roar to formerly quiet residential and rural districts that citizens of many communities have banded together to press local and state legislatures for sane and reasonable controlling laws and strict enforcement. And they are making some small headway. The state of California has taken the roar of its freeways very seriously on the state level.

Under present conditions, there is no escape from a rockbottom freeway roar, or from its increasing as traffic, speeds and freeways themselves multiply. Even reasonable standards, reasonably enforced, must allow such things as a truck to generate 85 decibels 50 feet away (as on the New York Thruway). But a beginning is now being made, albeit in a spotty way, against vehicles that ignore even this fairly deafening sound level with improperly muffled diesel exhausts and a host of other noisemakers on trucks and cars.

Many cities have laws against needless horn-blowing, but enforcement is hardly sufficient. The excess revving of motors taking off at a traffic light makes a hideous and little-controlled racket, and is virtually needless. Garbage trucks, and metal garbage cans being handled, are excessively and unnecessarily noisy. In some European cities metal garbage cans are quieted simply with rubber rings. New York City is investing in some experimental quieter garbage trucks—and a federal project is working on a design for a quieter bus. In city stop-and-go traffic, gear and engines noises on buses and trucks add significantly to background roar. Some owners of motorcycles, scooters and sports cars quite obviously enjoy unmuffled exhausts, and it is a question how much longer society's eardrums must be pounded by deliberate "sporty" noise on public streets.

Noise is not simply a sensation. It is power, transmitted by air to beat forcefully on body and eardrum. The decibel unit used to measure loudness is a unit of power, not of sensation. The deafening effect of noise is not simply a "numbing," but is physical damage to nerve receptors caused by a series of blows. It would not be wholly unreasonable to interpret excessive and *deliberate* public noise as a form of assault and battery—because that's what it is.

Aviation: Aircraft noise is a whole subject in itself. People living near airports or under low flight paths have made more complaints and gone to court more often about unwanted noise in recent years than anyone else. The enlarging of existing airports or the creation of new ones excites whole communities and chains of communities to protest. Airlines and airports alter flight paths and runways, while manufacturers drastically alter plane design to minimize the noise problem on the ground. Even the modern powering and design of planes for fast climbing is in part a reaction to vast pressure to get them and their noise away from the ground—but fast. The law of trespass and of nuisance has been altered by the advent of the plane (it is no longer a trespass to fly through the airspace over your property, but demonstrable damage and serious nuisance are actionable within limits).

What's new in all this is the sonic boom, now being debated heatedly on the national level. Britain, France and the Soviet Union are proceeding with supersonic passenger planes, while conflicting interests in the United States: (1) favor and (2) bitterly oppose development of faster-than-sound commercial planes here.

The bitter resistance concentrates on the sonic boom, which follows continuously behind any plane flying at supersonic speeds. If you haven't heard a sonic boom, it is like a nearby blast of too much dynamite—the loudest, most startling and most damaging noise yet made by any ordinary thing for routine peaceful human use. The Air Force has tested the effect of sonic booms on people and property in areas away from our very largest cities, to the tune of millions in claims and complaints in the thousands.

To anyone who has heard a sonic boom it's inconceivable that the people will ever tolerate routine supersonic commercial flights over settled areas. But you can follow the debate on this in the current newspapers and news magazines, because it is now a hot subject and promises to remain one. Not so hot are the lesser noises made by:

Thoughtless people—You can make your own catalog of these. There are the people who simply tune their home stereo up too high; social clubs that hold outdoor dances on their premises with bands or loudspeakers that can be heard a mile away; too-noisy parties or entertainment places; characters who carry transistor radios tuned loudly to their pet programs in public places, and people who chain up or pen their dogs in residential areas while they go to work, and never hear them howl all day.

America's law is lax in all these things compared to Europe's. There, many of these offenses are not only actionable as nuisances—as they may be on complaint here—but are specifically outlawed. England has a national noise reduction code, and mobile government sound laboratories that go from city to city, consulting and helping out with noise problems. Britain even makes "noise grants" to aid people in soundproofing their homes. Throughout Europe, transistor radios have been banned in many public places and horn blowing is almost passé.

In this country, Memphis won 16 national noise abatement awards in a row by setting fair standards and enforcing them firmly, without being disagreeable about it. Sound checks and anti-noise enforcement were made a regular part of police routine. All vehicle mufflers were mandatorially inspected several times a year. Teams of police were armed with portable decibel meters made by General Radio, whose engineers also counseled the police on what's reasonable and what's unreasonable noise.

The January 1963, "Fleet Owner," a trucking magazine, reported quite favorably on the enforcement of trucking noise limits in Memphis. Judges and police counseled with truckers to arrive at what would be fair and what would be unreasonable noise restrictions on trucks. Instead of being ticket-happy, police most often gave drivers in violation warnings first, and offending fleets received letters from Memphis police asking better cooperation. If a driver denied that his truck was too noisy, police would take him to a quiet street to let him hear his vehicle from the curb and read the decibel meter himself. For the worst offenders, and for repeaters, fines have ranged from $11 to $50. Basis of a violation is the policeman's charge. The meter simply backs him up.

Memphis chose wisely in relying chiefly on cooperation, while holding a get-tough policy in reserve. Police have too much to do to hold down noise by brute force, and the Memphis approach speaks for itself in its results.

Quite a few of the militant citizens committees that are agitating for better noise control in the United States are a step above agitators for many other causes. Instead of frothing at the mouth and going paranoid, a number of them have recognized that we aren't going to go back to hay wagons and rubber-tired buggies. These citizens committees have leveled their attack on *needless* noise and have studied the subject—which isn't a simple one.

The New York State Thruway Noise Abatement Committee, representing citizens in eight Westchester communities, enjoys a fine reputation with legislators and many commercial noisemakers because it has done its homework and doesn't demand the impossible. It took on the services of a top acoustic consultant, Stannard M. Potter. Though its attack is chiefly on truck noise, "Fleet Owner" commented that this committee is "roundly praised by trucking association officials for its cool, constructive approach."

Such groups emphasize that our fast-moving society makes more *unavoidable* noise all the time. We will live with that because we don't want to give up the good things our noisemakers provide. We like highway speed, we like the things the trucks bring to our store shelves, we like to fly cross-country in a few hours, we like the buildings that the riveters put together and we like the jackhammers to tear up the rough pavement to make way for the smooth. Soon we will like new things that new noisemakers will give us. So the time has come when we must clamp down on all the racket that is unnecessary, of which our great country seems to have the most ample supply in the world.

The Conservation Foundation devoted a whole issue of their newsletter, December 29, 1967, to the noise problem:

Noise—Still Another Environmental Pollutant; Will All Remaining Havens of Silence Disappear?

Now add "noise pollution" to the growing list of threats to our environment. Not that it's a new threat. Some 60 years ago, Dr. Robert Koch, renowned bacteriologist and Nobel Laureate, warned: "The day will come when man will have to fight merciless noise as the worst enemy of his health." Almost 30 years ago, the American Medical Association put us on notice that "the multiple and insidious ill effects of noise constitute an inadequately recognized, baneful influence on lives of millions of persons throughout the country."[1]

But man, in his infinite capacity to defile his environment, hasn't heard the message. Maybe he can't, what with all the noise.

Result: Noise "is one of the chief drawbacks to the enjoyment of modern urban living," according to Dr. Vern O. Knudsen, physicist and former chancellor of the University of California at Los Angeles.[2]

---

[1] C. P. McCord, E. E. Teal and W. N. Witheridge, in the Journal of the American Medical Association, May 7, 1938.

Even if the decibel din should be held to its present level—which it will not—the total mix of environmental pollutants ought to jolt us into action. For as a task force reported to the Department of Health, Education and Welfare last summer:

"An individually acceptable amount of water pollution, added to a tolerable amount of air pollution, added to a bearable amount of noise and congestion can produce a totally unacceptable health environment."[3]

About the same time, Dr. Leo L. Beranek, a leading acoustics expert, sounded this cheerful note: "In all probability the noise level will grow not only in urban centers, but with increasing population and the proliferation of machines, noise will invade the few remaining havens of silence in the world. A century from now, when a man wants to escape to a quiet spot, there may be no place left to go."[4]

The hope, of course, is that voices of sanity will break through the noise.

Concern about noise spurted when large numbers of aircraft, piston and jet, started to fly low over communities in takeoffs and landings. It was further sparked by the feared effects of sonic boom from the proposed commercial supersonic transport (SST).

But the sources of today's barrage of noise are varied and seemingly limitless: Traffic (particularly heavy trucks, scooters, motorcycles and sports cars, as well as horns of all vehicles); private planes and helicopters in addition to commercial and military aircraft; motor boats; sirens from fire engines, police cars and ambulances; garbage trucks and garbage pails; power lawn mowers, snow shovelers and leaf rakers; outside air conditioners; construction equipment such as jackhammers, air compressors, riveters and pile drivers; gunfire; household appliances such as dishwashers, blenders, garbage disposals, vacuum cleaners, radio and TV sets (including those commercials which are louder than the programs); and a wide assortment of others such as public address systems, two-way radios, telephones and transistor radios.

Add them up and noise is clearly another waste product of our technological proficiency. How to cope with it? First, some definitions.

DECIBELS TO THE UMPTEENTH POWER

Most experts define noise simply as "unwanted sound." The lowest sound that can be detected by a keen human ear under very quiet conditions is called a decibel (db). The decibel scale is logarithmic—loudness, the actual sound pressure on the ear, increases 10 times with each 10-decibel increase. Thus a level of 100 decibels is really 10 to the 10th power—or 10,000,000,000—times as intense for the eardrum as 1 decibel. And when the level goes up from a normal conversational 50 db to 100 db (a loud outboard motor), the ear suffers not just a doubling of pressure but a 100,000-fold increase.

A variety of noises, relatively low in level and more or less steady, makes up what is called "ambient noise." This is an encompassing din or blanket of sound which partially masks loud noises in its midst, diminishing their startling effect.

The effects of noise fall into four general categories: Annoyance, disruption of activity, loss of hearing, and physical or mental deterioration.

It is obvious that noise annoys. Some sounds greatly disturb everyone, but individual reactions to most noise are highly subjective. They depend not only on the person, but the circumstances. Naturally, loud noises are usually more annoying (or damaging). However, if one is watching a building under construction, one could be expected to take in stride the battering noise of a jackhammer, whereas a man reading in absolute silence might well find the drip-drip of a distant faucet intolerable.

High-pitched sounds are generally more annoying and, with some exceptions, so are intermittent noises. (If a sound is loud enough to damage hearing, however, the damage will be far less if it is intermittent.)

"The tolerance threshold of each human being to noise is a subjective and individual matter," says Dr. Howard M. Bogard, chief psychologist at Queens Hospital Center in New York. "What only mildly annoys many well-adjusted people can acutely threaten the emotional stability of those who are making borderline psychological adjustments and barely holding onto reality."[5]

Noise can disrupt activities by interfering with speech communication. A noise may blot out all conversation for its duration. Measurements have shown how many words in a normal conversation are masked by an airplane takeoff. School classes and outdoor concerts are among the many other activities besides work which can be affected. Interference with communication is linked to loss of efficiency and reduced output among workers, and even to increased accident rates. Studies at Colgate University have indicated that the average worker spends one-fifth of his energy in fighting noise.

Actual loss of hearing, either temporary or permanent, is something else again. There is no dispute that it occurs and that it is widespread. It is normally associated with industrial workers who are exposed to loud machines for many years. This loss is far greater than the normal result of aging. Long daily doses of 90 decibels or more produce loss of hearing, it is generally agreed, with louder noises causing more damage faster. Dr. Aram Glorig of the Callier Hearing and Speech Center in Dallas, says a rough way of telling whether a noise is dangerous is if it "washes out voices and you have to shout about a foot away from someone's ear to make him hear you. If so, and you work in it all day long for a period of years, it can produce a hearing loss."[6]

But the problem is not just industrial noise. "What has passed unnoticed is that many noise levels encountered in the community exceed standards found in industry," says Dr. John D. Dougherty, Harvard School of Public Health, and Dr. Oliver I. Welsh, of the Veterans Administration Outpatient Clinic in Boston.[7]

On the effects of noise on physical and mental health (other than deafness and the aggravation of neurotic symptoms), the experts are in sharp disagreement. There is a conservative view that no hard evidence has been produced to condemn noise for various ills:

Says Dr. Beranek: "Sensational stories of the effects of loud noises on the well-being of man are often printed in the popular press. The noises of daily life have been blamed for increases in the divorce rate, social conflict, indigestion, inability to perform tasks with the limbs, or eyes, nervous breakdowns, high blood pressure, heart failure, and even insanity. Most of these allegations are the products of vivid imaginations. Of course, one cannot rule out the possibility that a few people are particularly sensitive to noise. But controlled social observations have indicated that the most important biological effects of loud noises are: hearing impairment, interference with speech communication; interference by distraction with mental or skill work; interference with sleep; and a feeling of general annoyance."[4]

But other experts strongly suggest that not enough is known about noise, and that its dangers to general health may be seriously underestimated.

Dr. John Anthony Parr of Great Britain, describing the reaction to a sudden loud noise: "Our muscles tense and we jerk, our abdominal blood vessels contract to drive extra blood to our muscles and this produces the feeling of the stomach turning over, and in an instant the liver releases stores of glucose to provide fuel for the muscles which may have to fight or run. This internal upheaval if repeated again and again is exhausting physically and mentally, and ultimately can cause a nervous breakdown and then it is but a step to contracting one of the stress diseases."[8]

Dr. Samuel Rosen, a New York ear surgeon, is another firm believer that noise is a health hazard: "One day, I believe, we will recognize a chronic noise syndrome. At an unexpected or unwanted noise the pupils dilate, skin pales, mucous membranes dry; there are intestinal spasms and the adrenals explode secretions. The biological organism, in a word, is disturbed."[9]

Similar conclusions could be cited almost indefinitely. They apparently do not constitute proof—certainly not absolute proof. Dr. Rosen compares the evidence to aspirins and headaches. "An aspirin tablet cures a headache. We don't know why. All we know is it does. If you delay until you get all the facts, you would never make a judgment."

WHAT CAN BE DONE?

In the last few years, despite a great deal of noise about noise, concrete results have been minor and scattered.

At the federal level, virtually the only voice to be consistently heard against noise in general is that of Rep. Theodore R. Kupferman of New York. He has introduced legislation, which so far has not emerged from a House Commerce subcommittee, which would:

Provide federal funds to help state and local governments set up their own noise control programs, as well as wage campaigns to foster an awareness of the benefits of a quieter environment.

Empower the Federal Aviation Agency to set noise abatement standards and to reimburse airlines and airports for up to 30% of the cost of modifying equipment or airports, to comply with them, and states and municipalities up to 90% of the cost of acquiring land around airports to reduce the effects of noise.

Also pending are a host of bills which would give the FAA greater authority to control aircraft noise—principally by permitting it to set standards and then refuse to certify, or revoke certification, of any plane which did not meet them.

Currently the FAA can only prescribe runway use, takeoff and approach patterns and other flying techniques, under its mandate to insure safety of aircraft. A few airports set allowable noise standards. For example, the Port of New York Authority requires that planes, while taking off from Kennedy International Airport, not exceed 112 decibels on the ground. They don't always succeed and, in any case, some of the neighboring communities consider that level too high for comfort. The town of Hempstead, Long Island, is planning to continue a long legal fight in support of its own ordinance, passed November 19, 1963, which sets more stringent limits for overflights. However, last June 30, a federal judge ruled for the FAA and said the Hempstead ordinance couldn't be enforced because it would restrict airport use and infringe on federal control of airline commerce. The judge recognized the discomforts and distractions of the noise, but decided that the disadvantages to the residents were outweighed by the "total social interest" in having Kennedy continue to operate.[10]

---

[2] Cry California, Fall, 1967.

[3] Report of Task Force on Environmental Health and Related Problems, HEW, June 1967.

[4] UNESCO Courier, July 1967.

[5] Testimony before New York State Assembly's mental hygiene committee, 1966.

[6] McCall's Magazine, January 1967.

[7] New England Journal of Medicine, Oct. 6, 1966.

[8] CONGRESSIONAL RECORD, vol. 112, pt. 7, p. 8747.

[9] Journal of the American Medical Association, May 15, 1967.

As far as general community noise and nuisance is concerned, there is no scarcity of either police power or municipal ordinances to control noise. By and large, however, these ordinances are weakly phrased, cover only a limited range of problems (most commonly auto horns, truck noise and the like), and are lightly enforced if at all. California's new law limits truck and motorcycle noise to 92 db at a distance of 50 feet, higher than recommended by a consulting firm. New York has an 88 db limit for all vehicles.

Perhaps the most notable exception is Memphis, considered the quietest city in the country because of a noise abatement program started in 1940 and vigorously enforced by the police, who even hand out summonses for loud radio and TV.

Many ordinances limit the conditions and hours of construction work, as well as the creation of other noises; few establish maximum permissible decibel levels. A few places set noise levels for outdoor machines. The levels vary with time of day, zoning area, and character and duration of noise. These regulations are similar to modern zoning ordinances which limit the loudness of noise at a property line, or at the nearest residence.

But enforcement of such laws is difficult because some vagueness is unavoidable, because measurement is difficult, and because it may be necessary to weigh conflicting social values against each other.

The U.S. is generally far behind many other countries in noise control. For example, the Swiss Federal Anti-Noise Commission has established maximum day and night-time decibel levels for various types of areas, and they have been accepted by the Swiss courts. Similarly, in building construction there is apparently not a single code or ordinance in the United States which requires any protection against noise—either from the outside or from neighbors through the walls and floors. Yet Canada and a number of European countries have such control.

The Federal Housing Administration has issued model building techniques and noise level restrictions, but they are only suggested guidelines, not required by law. Economic considerations remain paramount. A New York apartment house builder has estimated that the cost differential for adequate sound proofing compared to none at all is about 5%. For individual homes, costs usually fall between $500 and $800.

WHAT SCIENCE GENERATES, SCIENCE CAN SUPPRESS

One hopeful aspect of noise control is that technology is rarely a stumbling block. Dr. Beranek said it well:

"Except for the sonic boom from planes and missiles traveling faster than sound, there's no noise scientific ingenuity can generate that scientific ingenuity can't suppress—if you give us money enough, room enough, weight tolerance enough . . . It can be done if society is willing to pay the price." [11]

This is not to say that many millions of dollars a year are not already being spent on research and production to reduce noise. Aircraft engine and plane manufacturers have put a great deal of effort into noise reduction (the Whisperjet is a small example) as have makers of cars, trucks, and certain appliances. Huge sums are spent each year on acoustical material to smother sounds in residential, commercial and industrial buildings. B. F. Goodrich estimates that the total market for acoustical products will reach $875 million by 1970.

It is possible to minimize noise on construction sites. Several countries in Europe have developed and are using quiet jackhammers, pile drivers, and air compressors. They also use small sheds or tents to muffle the noise of equipment in operation. Illustrating the possibilities was the construction of a 52-story office building in New York City in which blasting was muffled with special steel wire mesh blankets, joints were welded rather than riveted, and demolition was done during hours when few people were in the area.

And on December 18 in New York, Citizens for a Quieter City demonstrated a soundproofed air compressor which was developed in Britain and has been used there for five years. Measurements showed it reduced the noise level from 86 to 79 decibels. The compressor is enclosed in a plastic housing lined with foam plastic. A jackhammer was also demonstrated, with a decibel level of about 85 compared to the usual 96. Some European countries also boast rubberized garbage trucks, and now New York City is scheduled to get 800 of them—at a cost of a little more than $100 extra apiece.

LEANING ON THE LAW

There is a firm basis in the common law for various legal remedies against noise in general, since it easily classifies as a nuisance if it is unreasonable and disturbs the community. Indeed, citizens have often used court suits successfully to get rid of disturbing noises. One example occurred earlier this year when a court decided that a plant in Pennsylvania could only operate its air conditioning system from 8 a.m. to 6 p.m. and could not install another unit.[12] The company had been sued by a 77-year-old woman and her disabled veteran son. The court referred to an earlier case which ruled that noise imparing the reasonable enjoyment of a habitation is a nuisance.

Sometimes a nuisance is difficult to establish legally, however, because of the subjective reaction involved. And individual suits don't solve the overall problem.

Suits involving aircraft noise are legion, however. (Some 175 lawsuits involving airport noise are pending in the nation's courts.) In general there appears to be a slight trend toward more lenience by the courts. But a stringent view usually adhered to by the federal courts is that planes must fly directly over the landowner's property, rendering it "uninhabitable," or at least interfering substantially with the enjoyment or use of the property. Evidence of loss of property value can result in compensation.

At the other end of the scale are state court decisions which do not require a direct overflight, thus opening up claims for "lateral noise impact." In fact, an Oregon court in 1962 held that a plaintiff can keep his property and still collect damages without a complete "taking" in the eminent domain sense—and can do so under the rules against nuisances. An Oregon court in 1966 rejected the need to balance the social interests of operating the planes against the interest of the plaintiff.

Zoning and land use planning have been used in some instances, but there are serious drawbacks such as costs and the difficulty of getting a foot in the door early enough. An unusual example where it was possible to start almost from scratch was Dulles International Airport outside Washington, D.C. It is far enough from the city so most of the area was rural farmland, not expensive and displacing a minimum number of residents. Wide strips stretching a mile and a half beyond each of the three runways is clear. A large perimeter of trees—1.5 million seedlings planted in a pilot project in conjunction with the Northern Virginia Conservation Department—is designed to screen noise from the neighborhood. In spite of the cost, however, success has not been complete.

A World Health Organization study suggests that it is outdated to simply divide a city into light and heavy industrial or commercial areas and assign industries to them. Instead, performance standards should be used. City planning and zoning should take noise levels into consideration in advance, it says. "The results of past lack of forethought are aggravated by situations still developing that will certainly create noise problems in years to come. In some cities today, commercial activity is passing from the center to the suburbs, which must not be allowed to become the noisy slums of tomorrow. Whenever possible, a noise survey should precede any town-planning scheme." [13]

WHAT NEXT?

Where lies the answer to the growing noise problem?

Dr. Beranek says that it would probably be impossible to reverse the trend toward more and louder noise, even if we tried. "So we must view the problem not as one of eliminating noise, but rather of controlling it. Science alone is not the answer. Our most troublesome noise problems carry price tags: economic considerations must be weighed against people's desire for culture and 'the good life.' As in any democratic process the balance is struck in the political arena." [4]

In the absence of clear-cut economic incentives, it is not likely that significant abatement or control of noise will be undertaken by the makers of machines, the builders and the producers of noise. That appears to leave the solution of the problem in the hands of:

Foresighted government officials, who could instigate meaningful controls and follow up with meaningful enforcement

The public, whose active indignation may be required to force those official to take the necessary steps. That indignation has already manifested itself in such organizations as Citizens for a Quieter City, Inc. of New York, and the Citizens League Against the Sonic Boom.

As the New York Times editorialized recently, the first step is for Americans "to realize that noise is not just an unpleasant annoyance, to be endured as part of the price of progress."

"The problem is our attitude," Robert Alex Baron, the crusading executive vice president of Citizens for a Quieter City, told CF recently. "The attitude of the public, public officials and industry—until that attitude changes, nothing effective is going to happen. There is no area in American society that fully understands the significance of the noise pollution problem. What I want to see is the emergence of a debate. I want it to come out into the open. The questions are all fascinating and we shouldn't be giving them pat answers."

With such a debate, the public could decide whether it wants to stuff cotton in its ears, or make enough noise of its own to force the changes it wants.

THE SONIC BOOM—EACH THUNDERCLAP'S SHORT BUT THE DEBATE'S LONG AND BITTER

Few if any noises have aroused more public animosity or more hand-wringing than the "sonic boom." It has caused a bitter lobby-

---

[10] American Airlines et al., Port of New York Authority et al. v. Hempstead, D.C.E.D., N.Y., 63 Civ. 1280, 64 Civ. 45, 1967, etc.

[11] Saturday Evening Post, Feb. 6, 1960.

[12] DiCarlo v. Carmen Dress Co., Common Pleas Court of Luzerne County, Pa., July 6, 1967.

[13] "Noise: An Occupational Hazard and Public Nuisance," by Alan Bell, World Health Organization, Public Health Paper No. 30.

ing war between segments of the public and the aviation establishment. This war threatens to continue unabated for a decade, perhaps much longer, and to be fought in Congress and the courts.

Briefly, a sonic boom is caused by a plane traveling faster than the speed of sound (roughly 700 mph, depending on altitude). There is a common misconception that a plane causes only one boom, at the moment it accelerates through the "sound barrier." In fact, however, the plane drags a continuous shock wave path along its whole route, subjecting everyone beneath it (and from 20 to 30 miles on each side) to the sudden change of pressure. Each person hears this change as a single explosion. It has been compared to a sharp thunderclap or cannon shot, with a duration of about a third of a second of less.

So far, only military planes have flown supersonically, so that booms have been limited in number and controlled in location and severity. Thus the antiboom forces have focused their opposition on the proposed commercial supersonic transport (SST). Development of this plane has been approved by the Administration and Congress. In fact, the government intends to subsidize 90% of development costs. This is expected to run about $1.2 billion and may end up far above that.

Controversy over the SST has centered on its cost to the taxpayer (other programs being preferred for the money), its limited advantages—it would "benefit a small minority of affluent travelers anxious to gain status and save time on transoceanic trips," said the New York Times recently—and the alleged ill effects of its booms on humans, animals and buildings.

On the other hand, it is argued that the plane will keep the U.S. in the forefront of progress, will create jobs, and will help the country's balance of payments.

"In our opinion the sonic boom alone is sufficient ground for halting the SST program," say the Citizens League Against the Sonic Boom. The League, headed by Dr. William A. Shurcliff, a physicist, has been spearheading an intensive campaign against the SST from its Cambridge, Mass., headquarters.

Although military planes have been used for a number of tests designed to predict the boom effects of the SST, those effects are still shrouded in doubt. "We still have not made any judgment as to whether people will accept the boom or not," says Maj. Gen. Jewell C. Maxwell, head of the SST program.

There is voluminous data pro and con, but the experts can still merely estimate how great a shock the SST will produce under certain conditions, and they can only guess what the general public reaction will be. Gen. Maxwell staunchly maintains that all available evidence reveals no physiological damage to people and "negligible" property damage such as broken windows, cracked plaster, damaged bric-a-brac and the like.

(The Air Force, from 1956 through fiscal 1967, received 35,429 damage claims from almost $20 million involving sonic booms on routine military flights or test operations; it has approved in whole or in part 12,615 claims for a total of $1,325,972, some of which have been appealed, causing them to be counted twice in the totals. But government spokesmen play down the figures in many ways, blaming some awards on overzealous juries and others on their own desire to settle claims rather than fighting each one in court.)

Government officials and the press have recently stated or implied that the SST would be restricted to oceanic flights or very limited overland routes because of intolerable effects of the boom. Gen. Maxwell says, "We've made all our program and design decisions on the assumption it may be true." But he also says that no decision has been made that the SST will be kept off overland routes.

He says he does not believe the FAA currently has legal grounds to impose such a restriction, limited as it is to protecting lives and property on the ground. This, in Gen. Maxwell's view, covers physical damage only, and not annoyance. Pending legislation, however, would authorize the FAA to refuse certification to planes that didn't meet noise and sonic boom limitations.

SST opponents claim the craft won't be economical if confined to the oceans. Sen. William Proxmire of Wisconsin predicts: "The SST will start by flying the ocean routes. Soon the economic pressures of flying these high-cost planes on limited routes will force admisison of the planes to a few scattered land routes. And ultimately they will be flying everywhere."

A standard Research Institute report on tests at Edwards Air Force Base concluded that peak booms of 1.69 pounds pressure per square foot (Gen. Maxwell's estimate for a cruising SST) are unacceptable to from 27% to 40% of the residents—depending on whether they were indoors or outdoors, or had been previously exposed to booms. At Edwards, 14% said the environment was unacceptable even before the tests, when booms averaged 1.2 pounds.

The Citizens League has criticized many of the tests as biased—because they have been held only during daytime, have concentrated on communities that are used to aircraft noise or identify with the military or aviation industry and have included warnings in advance.

Some government officials concede that not very much is yet known about the effects of boom on farm animals and wildlife (the Agriculture Department is being asked to make further studies). There is also insufficient knowledge about the effects of weather variations on the intensity of the boom (and this is being studied by the Environmental Science Services Administration).

Gen. Maxwell says the probability is that 1% of the booms will have twice the intensity of the others. "Nobody knows what causes these 'spikes' or how they occur. Many suspect air turbulence and heating close to the ground." Meanwhile, aviation men will be watching closely as the Concorde—the earlier British-French competitor of the SST makes its first flight, scheduled Feb. 28. (The Boeing SST is not expected to be airborne until some time in 1971.)

FOR MORE INFORMATION

Handbook of Noise Control, edited by C. M. Harris, McGraw-Hill, 1957. *Noise Reduction*, by Leo L. Beranek, McGraw-Hill, 1960. *Noise: An Occupational Hazard and Public Nuisance*, Public Health Papers No. 30, World Health Organization, Geneva. *Urban Noise*, Columbia Journal of Law and Social Problems, November 20, 1967. *Journal* of the Accoustical Society of America. *UNESCO Courier*, July, 1967. *Noise Abatement in Practice*. International Association Against Noise, Zurich. *Quiet Please*, Journal of Noise Abatement Society, London. *Citizens for a Quieter City, Inc.*, 136 East 57th Street, New York, N.Y. *Citizens League Aagainst the Sonic Boom*, 19 Appleton Street, Cambridge, Massachusetts. And various entries in *Congressional Record*, 1966–67 (see CR index).

LOVE THAT BOOM?

"We believe that people in time will come to accept the sonic boom as they have the rather unpleasant side effects which have accompanied other advances in transportation."—Maj. Gen. Jewell C. Maxwell, head of the SST program, Science Digest, July, 1966.

"Sonic booms are an environmental annoyance like pollution of air or water. Americans will have to learn to live with them."—Henning von Gierke, Air Force Aerospace Medical Research Laboratories, New York Times, November 11, 1965.

DECIBEL LEVELS

Some quick guidelines: Threshold of audibility, 0 db. Annoyance threshold for intermittent sounds in community, 50–90 db. Intolerable for phone use, 80 db. Discomfort threshold, 1–10 db. Pain threshold, 120 db. Short exposure can cause permanent hearing loss, 150 db.

Some examples: Whisper, 20 db. Quiet room, 40 db. Quiet street, 50 db. Normal conversation, 50–60 db. Sports car, truck, shouted conversation, 90 db. Electric blender, 93 db. Pneumatic jack-hammer, 94 db. Loud outboard motor, 102 db. Loud power mower, 107 db. Jet plane (passenger ramp), 117 db. Thunderclap, 120 db. Diesel engine room, nearby air raid siren, 125 db. Machine gun, riveting, 130 db. Jet takeoff (close range), 150 db.

"WE SHOULD HAVE LEARNED

"If there is one lesson that we should have learned from the current crisis of air pollution it is that if proper educational and remedial steps in that area had been taken 10 years ago, the problem of air pollution might not have reached the critical proportions it has today. We are now at the same relative point with respect to the environmental problem of noise pollution."—Rep. Theodore R. Kupferman of New York, testifying before a House Commerce subcommittee, Nov. 14, 1967.

UDALL STEPS IN, GATHERS TEAM OF SCIENTISTS TO STUDY NOISE EFFECTS

News item: "Interior Secretary Stewart L. Udall has taken on the job of trying to determine the effect of noise pollution on man and the nation's natural resources. He started the ball rolling today when he met with a team of scientists he has asked to study the problem of noise effects—from the sonic boom to the overall increase in noises in urban areas."—Washington Star, Dec. 20, 1967.

The full story behind that news item is not yet known. But at least this much seems clear: Udall is filling a vacuum and is stepping in where others in the Johnson administration have not yet tread. Although he has expressed concern publicly about noise pollution from time to time over the past two years, he always indicated—until now—that the noise problem might more appropriately come under the jurisdiction of some other department—HEW or Transportation or HUD.

At a press conference in early 1967, Udall was critical of the "intrusion of the sonic boom on the fragile masterpieces of nature" after sonic boom damage in Arizona's Canyon de Chelly National Monument and suspected damage in Bryce Canyon National Park. He added that he intended to speak to the Federal Aviation Administration (part of the Department of Transportation) about it.

Has he now given up on the FAA and decided to mount his own campaign against the sonic boom and noise in general? And has he also given up on HEW?

Interestingly, HEW was urged last summer by its own special task force on environmental health to develop "basic data sufficient to establish human levels of tolerance for noise" and to "develop urban and rural model codes and suggested standards for the prevention and control of various sources of noise in the environment." Attempts by CF in late December to find out what HEW is doing about the task force recommendations on noise produced these official reactions from HEW sources:

"I am aware of nothing going on concerning noise . . . The Secretary (of HEW) has never accepted or rejected any of the recommendations made by the task force . . . Any follow-up on noise recommendations will appear as part of the President's legislative recommendations to Congress in 1968 . . ."

Unofficially, there's concern at HEW that the department has so far failed its obligation to exercise leadership on the noise pollution question under its general environmental health mandate.

A large unanswered question is the position of President Johnson. Did Udall have White House blessing before stepping into the noise pollution problem? No one is saying. But the President has spoken out against noise and he was visibly annoyed when jets flew overhead during a memorial service to Carl Sandburg on the steps of the Lincoln Memorial in September.

Meanwhile, back to the hard news: The scientists asked by Udall to study the problem of noise include Athelstan F. Spilhaus of Franklin Institute, Rene Dubos of Rockefeller University, Joseph Fisher of Resources for the Future, Gordon J. F. MacDonald of the Institute for Defense Analysis, Harrison Brown of Caltech, and John C. Calhoun, Jr. of Texas A&M.

The medical and health aspect is emphasized in my correspondence with Dr. Lee E. Farr, of the University of Texas School of Public Health, and the articles and material which follow:

The University of Texas School
of Public Health at Houston,
Houston, Tex., November 20, 1967.

Hon. Theodore Kupferman,
House Office Building,
Washington, D.C.

Dear Sir: Having followed in the *Congressional Record* in some detail your campaign against noise, I believe that you will be interested in the enclosed article recently published by me in the *Journal of the American Medical Association*, October 16, 1967, relative to the effects of noise on health.

May I point out that whereas the effects of noise insofar as hearing is concerned are an effect almost exclusively of its intensity which can be measured in decibels, the total effects of noise on man's emotional well-being, my area of special interest, are related not only to the intensity of the sound, but the harmonics, the tone, the pitch, the rhythm and the total quality of the sound itself. A sound barely perceptible to the ear may have as great an emotional impact as a very loud one. Therefore, it seems to me that this is an area in which we are most concerned in conserving health in our urban areas. I believe that the conservation of hearing by protection against high intensity sounds is a very important one, but that there are already many organizations actively working in this area. Whereas, in the concern for preservation of a healthy emotional state, there are very few endeavors presently under way.

I am,

Very sincerely yours,

Lee E. Farr, M.D.,
Professor of Environmental Health, Head, Department of Environmental Health.

[From the Journal of the American Medical Association, Oct. 16, 1967, vol. 202, pp. 171–174]

Medical Consequences of Environmental Home Noises

(By Lee E. Farr, M.D.)

(Note.—An examination of the home for sources of sound which may be of medical significance reveals by measurement of sound levels in actual homes that many home devices operate at surprisingly high levels of sound intensities. Operation of these devices results in intrusive and unwanted sound perception by the individual. Effects of intrusive sound may be deleterious to health, particularly for individuals with emotional disturbances and so-called tension diseases. A need exists to define the harmful potential of home noise disturbances and for physicians to become aware of noise as an adjunct in provoking manifest disease.)

Noise, or "unwanted and intrusive sound," as a pollutant of personal home environment is a matter of wide public interest. This concern has arisen from a combination of only a few factors. First is the increase in city populations indoctrinated with ideas of home automation. Second is the efficiency with which mechanical devices for household and individual use have been adapted from more costly commercial models. Third, there has been a period of extraordinary prosperity for the great majority of people in the United States which, in turn, has generated a financial capability previously undreamed of for each household and which now permits each abode to have several of the devices increasingly considered not as luxuries but as necessities of modern living. Fourth, the advertising and the general mood of the past few years has, in part, dictated a selection of devices based upon advertising impact rather than on personal need for these so-called labor-saving devices. The general mores of today's society have reinforced advertising appeals by making status symbols of these domestic units. On such a basis, possession is emphasized over performance. Fifth, and finally, an ever-increasing fraction of the ever-increasing number of city dwellers are living in the composite structures known as apartments.

Urbanization, population explosions, technology, and prosperity have thus set the stage for another phase of man's ever-broadening battle to control his surroundings sufficiently to prevent his environment from damaging him. In this instance, home sounds can threaten the health and well-being of one's emotional state.

Crowded conditions in cities have led to less space per home, with gradual abandonment of single dwellings for multiple, because of cost and convenience factors. In apartment dwellings a wall, frequently a very thin one, separates one from his fellows, and no sound-absorbent band of space, plants, earth, or trees serves to diminish sound transmittal from one household to the next.

Exposure to noise is upsetting emotionally and frequently may lead to outbursts of fury or threats, neither of which satisfies and each of which leaves frustration as a legacy. While sound can be generated at levels potentially hazardous to hearing by mechanical devices very frequently found in the home, exposure is not steady enough or sufficiently prolonged to cause hearing impairment—though Rosen's observations on the African tribe living in a quiet environment whose members retain youthful hearing acuity into the older ages gives one pause.[1, 2] Measurement of the intensity of some of these sounds reveals intensities sufficient to impair hearing if the exposure were for eight hours per day for the usual working week (Table). However, when one examines the impact of homemade sounds on man, it is his emotional status rather than his hearing acuity that is in the greater danger.

Both aspects of sound problems must be mentioned—presence and absence. Absence of certain components of sound in a heterogeneous environment may also be pointed to as capable of causing a type of trauma that should be mentioned. Absence of sound perception may follow absence of a given sound and be absolute, or it may appear to exist as a result of a loss of hearing acuity. This is well-documented for the older-age groups. The real or apparent absence of certain sound elements commonly perceived in the background spectra may result in a sense of uneasiness readily interpreted as annoyance. Through inability to effect proper selection and discrimination within certain sound spectra because of hearing acuity loss, a similar annoyance can develop. The effect can be of the same type and degree as that which ensues from sound intrusion. Gaps in sound spectra may have much the same psychological attributes as does noise.

INTENSITY OF SOUNDS COMMON IN THE HOME [1]

Appliances being operated	Apartment A (db)	Apartment B (db)
Living room: [2]		
Quiet	50	50
Vacuum cleaner (nozzle engaged on carpet)	72	72
Vacuum cleaner (nozzle free)	81	[3] 73
Hi-fi (loud but not vibrant)	70	75
Television (average volume)		68
Kitchen: [4]		
Quiet	56	56
Stove vent fan	[5] 84	[3] 68
Stove vent fan and dishwasher	88	[3] 71
Stove vent fan, dishwasher, and garbage disposal	91	[3] 84
Garbage disposal empty		72
Garbage disposal with ice cubes		78
Dishwasher only		69
Bedroom:		
Quiet	53	50
Air contidioner (central system)		55
Air conditioner and air filter fan unit		57
Bathroom:		
Quiet		53
Ventilating fan		63
Ventilating fan and toilet		72

[1] Measurements were made with a sound level meter (C scale). The apartments were in different buildings with different floor plans.

[2] Measurements were made 6 feet from the vacuum cleaner, 16 feet from the hi-fi and 8 feet from the television.

[3] Newer models.

[4] Measurements were from the center of the kitchen.

[5] Lower and steady sound productions. When hard materials such as bones were introduced into the disposal unit, the sound level rose to above 100 db.

During the last 30 years, much attention has been given to effects of various sound intensities upon the hearing acuity of workers. Maximum permissible levels of sound intensity for factories and offices have been established by regulation. In relation to home environment, until very recently there has been no evidence that design and operational criteria for any single unit in the home need be examined other than for performance or for salability. No attention whatever was given to its operational sound intensity.

In this same 30 years, only one paper on the subject is recorded in the literature, and it touches only obliquely on the necessity and desirability for control of sound in the home. It was written in 1938 by McCord et al, who stated:

"It follows as a natural consequence that occupants of buildings, living in artificial atmosphere and thus not dependent on open windows and doors, will in some measure be protected against extraneous noise arising from traffic, nearby buildings, or low flying aircraft.

"The multiple and insidious ill effects of noise constitute an inadequately recognized, baneful influence on lives of millions of persons throughout the country, especially those who live in urban areas. Noise deafness constitutes the most serious and tangible of the ill noise effects (echoseoses), but there is in addition a host of scarcely measurable injuries made evident by neurosis, loss of sleep, excessive fatigue, emotional disturbances and the like that jeopardise the complete well-being of most persons, and in which noise may well play a part."[3]

In December 1963, Farr read a paper at the

---

[1] Rosen, S., et al: Presbycusis Study of a Relatively Noise-Free Population in the Sudan, *Ann Otol* 71:727–744 (Sept) 1962.

[2] Rosen, S.: Hearing Studies in Selected and Rural Populations: Series 2, *Trans NY Acad Sci* 29:9 (Nov) 1966.

[3] McCord, C.P.; Teal, E.E.; and Witheridge, W.N.; Noise and Its Effect on Human Beings; Noise Control as By-Product of Air Conditioning, *JAMA* 110:1553–1560 (May 7) 1938.

Scientific Assembly of the American Medical Association calling attention to the mechanical devices in the home as sources of noise which could be of significance in health impairment.[4] In the last three years, industry has been extremely progressive in changing design to provide increased performance at less intense sound levels for many devices used in the home (Table). Industry now uses quietness as a selling quality—a market-tested attribute, which shows the need for such attention.

It must be reaffirmed that we are not concerned with noise as an agent in the home which induces hearing loss but rather with the attitudes of household members toward the inescapable sounds of household operation today and with the effects of those attitudes upon the person's health.

SOUND AS NOISE

Noise was defined earlier in this paper as unwanted sound, and it must be emphasized that high sound intensity *is not* a requisite component. Noise, thus defined, becomes a highly personal subjective reaction to, and interpretation of, sound perceived. While noise as a quality must not be confused with loudness, in general, a loud sharp sound will have all of the attributes of noise, since it is usually, particularly if unexpected, intrusive by virtue of its intensity and has a high annoyance value. It seems reasonable that under most circumstances sounds of high intensity are less easily ignored, day or night, than are sounds of low intensity.

We are thus dealing largely with what Kryter called the annoyance value of sound.[5] This he characterized under five qualities: (1) unexpectedness, (2) interference, (3) inappropriateness, (4) intermittency, and (5) reverberation. To Kryter's listing one additional and very important quality should be added—the origin of sound. Self-generated sound commands a very high tolerance in the individual generating it, yet it may have two or more of Kryter's annoyance values of sound. But sound generated by another person or an impersonal sound, such as a sonic boom, has a very high annoyance value, for external sound generally seems to amplify each of the qualities responsible for annoyance.

Age is another factor which may result in sound becoming annoying and irritating, for at advanced ages most people have a loss in hearing acuity. The gradual loss of hearing with advancing age increases the likelihood of extraneous sounds causing interference in communication with greater frequency and at lower intensities of the extraneous sound. Inability to discriminate effectively between some sounds of approximately equal intensities may lead to social embarrassment, which in turn leads to changes in patterns of behavior in efforts to mitigate the degree of interference. These behavioral changes are assumed to temper the source of embarrassment to the person who suffers from the loss of hearing acuity.

In some instances, such a changed pattern appears also to have been incorporated into "status symbols of success." During the era when the older patterns of executive privileges were established, it was undoubtedly true that the executive was an older person. The older executive may compensate, in part, for his loss of hearing acuity by reducing background noise. For example, the pattern of office privileges and amenities by which the executive has a quiet noise-controlled office may reflect the very simple fact that the executive, usually being older, may have lost some of his hearing acuity. If this be so, his ability to select and discriminate among a variety of sounds may have been reduced. This fact is then noted in establishment of a new criterion for executive behavior. This same type of behavior and status pattern is carried over into the executive's home where certain noise control mechanisms are effected, usually by distance rather than specific noise suppression or sound absorbing measures.

The ability to discriminate among sounds and select at will the desired sounds from a complex of heterogeneous sounds as a background or to reject the undesired sounds is in part a function of hearing acuity. When heterogeneous background noise becomes significant, as at a cocktail party in full progress, the problem of discrimination and selection of conversational sound from an adjacent person speaking may require a major effort in an older person. The inability to clearly distinguish what is said then can result in a rejection of participation in such gatherings by this individual, despite the fact that invitations to such affairs within some circles are a measure of success. The high and complex noise level in the background in the instance cited may be traumatic to an individual, because it transcends his speech interference level.

This suggestive pattern of executive behavior has been interfered with by the explosive advance of technology which has catapulted young men into executive positions, and now we are increasingly seeing executives sitting at open desks or at least in glass-walled cubicles.

The converse picture of this loss of discriminating ability is epitomized by a teenager studying in front of the television or radio set at or near full volume. This same teen-ager, if a telephone call be anticipated, will hear with astonishing perception the ring of a distant telephone and immediately sort this sound pattern out of a varied mixture of high-intensity environmental sounds. Perhaps this high level of discriminatory ability explains, in part, the tolerance of teenagers to a background of complex sounds of high intensity.

The differences noted above in ability to discriminate among various sounds in a complex background of sound may help to explain why certain sound backgrounds may be annoying to some and a matter of indifference to others. However, sounds of such intensity as are made by many household devices in present-day living quarters are well capable of generating sounds in excess of that necessary to transcend the speech interference level and of interfering with other types of sound communications as well.

SOUND IN THE HOME

While acoustical engineers and architects of this country have been aware of the deterioration of sound environment in the home, their major concern and effort have been directed toward control of noise in places of employment to protect the health of employees. Factories, offices, and many public gathering places have been engineered acoustically at but a small cost increment, with a readily observed return in increased industrial efficiency and improvement in industrial health. Home designers, meanwhile, seem to have concentrated upon appearance, with little thought of quality control of sound, and upon style, which could be merchandised as a status symbol.[6] The ultimate result has been inadvertently to turn kitchens into miniature transient simulators of old-fashioned boiler factories by introducing a variety of sound-producing mechanical devices useful in the performance of kitchen tasks. The ventilating fan over the stove, the dishwasher, the garbage disposal unit, the blender, all make significant contributions to sound, which the steel cabinets or hard plastic covered surfaces reflect, augment, and cause to reverberate. From a basic sound intensity level of 56 db, these may produce and increment to over 100 db in an ordinary kitchen (Table). A tired, taut person will certainly not leave a kitchen pleasantly relaxed; nor do the roars, squeaks, whirrs, and whines issuing from it lead to quiet contemplation of pleasant meals by those who are waiting.

Further, the sound intensity is of such loudness that for many apartment dwellers conversation in the living room is virtually impossible while some of these devices are in operation. In a large living room tested, a standard vacuum cleaner raised the sound level from 50 to 73 db when the nozzle was fully engaged on the rug, but when this was lifted, the intensity rose to 81 db. The occupants of this housefold consider their hi-fi record player to be very loud at 80 db. In each case, the instruments were placed in a position simulating that of the user's ear and about 6 feet from the sound source.

Neither have the bedrooms or bathrooms escaped this blight of noise. Bedroom air conditioners, bathroom ventilating fans, and poorly designed plumbing all make their contribution to this melee of sound.

EFFECTS ON ILLNESS

The effects of noise in exacerbating disease may be seen in a specific infectious disease, such as tetanus. In other disease states such as anxieties, duodenal ulcer, and other kindred so-called tension ills, the additive deleterious effect of noise is real and immediate. Any disease which may be associated with an emotional charge requires as part of the therapy a calm, relaxed, quiet environment. This is particularly true of disturbed emotional states. The frequency of the latter has brought the attention of psychiatrists to this problem, but it has usually been noted only in passing, although its significance was appreciated as the following quote from Denzel attests:

"We know that noise interferes with rest and relaxation and especially with sleep. While sleep, the complete withdrawal from the world around us, is an obvious necessity for physical and emotional health, less complete withdrawal into the quiet of our homes may also be necessary if we want to retain individual integrity . . . It appears rational and feasible to take positive steps to reduce the sound level of our modern environment if enough people feel the need to do so."[7]

It has already been noted that loudness is not a necessary quality of noise. The cacophony resulting from several radios and televisions tuned to low intensities, but to a variety of programs, can lead to a most annoying experience for the involuntary listener and may be just as destructive of sleep as a loud shot. Increasingly, thought has been given to temperature and humidity control within the home, as well as light, color and ventilation. It is time that man realizes that his home can be designed to acoustic criteria, resulting in a pleasant environment for him and medically conducive to a state of well-being—permitting him to daily relax, refresh, restore, and reinvigorate himself for the tasks, chores, and strains of life.

STUDIES ON SOUND CONTROL

While physicians and psychologists have not been unmindful of the desirability of maintaining sound control in homes, they have done little experimental work on the problem. This stems directly from the complexity inherent in making objective measurements of effects resulting from subjective interpretation. Sound must jar the mood to become noise, and if it does so, then noise results whether the sound be a classical rendition of Bach or a soft offkey hum of a contented individual doing personal chores.

---

[4] Farr, L.E.: The Trauma of Everyday Noise, read before the Scientific Assembly of the American Medical Association, Portland, Oreg., Dec. 3, 1963; abstracted, *JAMA* 187, Jan. 25, 1964, adv pp 36–37.

[5] Kryter, K.D.: The Effects of Noise on Man, *J Speech Hearing Dis* [*Monogr*] 1:17 (Sept) 1950.

[6] Farr, L.E.: "The Increasing Medical Significance of Environmental Domestic Noise," in *Texas Conference on Our Environmental Crisis*, Austin, Tex.: University of Texas Press 1966, pp. 210–219.

[7] Denzel, H. A.: Noise and Health, *Science* 143:992 (March 6) 1964.

The trauma of noise may bring to the surface a scarcely submerged tension and result in an emotional outburst, or it may provoke symptomatology manifesting itself as a well-recognized medical syndrome. The control of pathways which lead to these diverse expressions is not known. Perhaps with telemetry now becoming a practical means of study, it may be possible to design adequate meaningful experiments dealing with this problem.

Because of a lack of medical clarity in estimating the significance of noise as an agent of disease, some have sought to control the bane of noise by advocating legislative enactments setting forth specific criteria of construction materials and designs to provide acoustic control in buildings to be used as homes.[8] It is true that often government is looked to as a source of authority which, if properly exercised, can banish many problems involving numbers of people, but there is also some disillusionment with this source as an efficacious agent for control of one's immediate environment. It is clear that the definitive control of a person's immediate environment must be exercised by that individual, both to promote health and well-being and to avoid or mitigate illness. Further, it is seen that especially in setting the standards of acoustic criteria for personal needs, no wide area exists for specific exercise of community police powers or extension of community health services. The questions to be resolved are essentially personal, though some broad limits may be set for guidance.

With a basic design which takes into account existing ambient sound patterns, it is possible to construct private quarters in which acoustical properties can be emphasized by choice of furnishings to augment or minimize sound effects just as these are used to accentuate light or color. The physician must join with the acoustical engineer, the architect, and the decorator to establish general acoustical standards of personal environment. Once these standards are agreed upon they can be readily attained by selecting construction materials for their special qualities of absorbance and reflectance. If necessary, these can be created to meet the need; for with the new plastic materials, surface qualities and hardness can be varied at will.

The Environmental Health Letter—September 1, 1967, issue—published by Gershon W. Fishbein has the following item:

EFFECTIVENESS OF HEARING CONSERVATION PROGRAMS QUESTIONED

Of considerable importance to industrial physicians and hygienists is the report by the Public Health Service questioning the effectiveness of many hearing conservation programs in the U.S.

Medical authorities at the National Center for Chronic Disease Control declared that the use of inaccurate audiometers to measure hearing ability and detect ear damage or disease is widespread, based on the findings of a three-year evaluation of audiometers recently completed by the University of North Carolina's Audiometric Calibration Center.

The Calibration Center evaluated the accuracy of 100 audiometers and none met the study's specifications. It was conducted by PHS.

"No hearing conservation program can be effective if its audiometers are not checked for calibration on a regular basis," said Dr. Joseph L. Stewart, Audiology Consultant to the Center's Neurological and Sensory Disease Control Program.

The instruments will be reexamined at three-month intervals to determine how often they need to be recalibrated, why they go out of calibration, and which functions of the instruments give the most trouble. At the same time, the Program is negotiating with non-government contractors for construction of a model audiometer free of the defects discovered in the study instruments.

Note: "Noise pollution" will be the subject of an address to a luncheon sponsored by the Chamber of Commerce of the United States Sept. 12 in Washington. Speaker will be Rep. Kupferman (R-N.Y.), who has introduced legislation for research and control of noise.

My constituent, Dr. Zhivko Angeluscheff, who recently attended the London Noise Congress held May 13 to 18, is quoted in an article by A. Zatz, of World Medical News, on his speech in November 1966 at the International Congress of Audiology in Mexico City as follows:

DOCTORS AND DEAFNESS

A sharp dissent from the general opinion of leading acoustic engineers and audiologists that the effects of environmental ultrasound upon the human ear are temporary and innocuous was delivered by an independent investigator together with a grave warning that such frequencies interacting with artificial substances employed proshetically in operations to correct deafness are highly deleterious to nervous tissue.

Speaking at *the International Congress of Audiology in Mexico City, Dr. Zhivko Angeluscheff, City Hospital Center, New York City,** the first scientist to denounce the hazard of noise for public health, particularly of supersonic jets, before the WHO, asserted that there is an undeniable relationship between the noise of daily living and chronic progressive deafness due to osteosclerosis and deterioration of the nervous system.

"The reason for the discrepancy between my conclusions and theirs," Dr. Angeluscheff said, "is to be explained by the fact that investigators in this field either do not take into consideration or unaware of the biochemical effects of minute quantities of vibratory energy impinging upon the nerve cell. We have considerable knowledge derived from elaborate physical measurements of hearing but we are still in the dark about the chemical reactions in the biological structures involved in the process of hearing failure. Also, while a considerable amount of observation upon ultrasonic effects on these structures has been gathered, nothing has been done to clarify the specific effects on hearing. And, this is precisely where the key to the prevention and cure of progressive hearing loss is to be found."

Ultrasound as an etiological factor of otosclerosis was first considered by Dr. Angeluscheff in 1952, which has been supported by many experimental studies on the effects of exposure of the hearing organ to high sonic and low ultrasonic frequencies. These were summed up histologically as: tympanic membrane and middle ear—no change observed; labyrinth—pathological changes observed; organ of Corti—disruption of cell structure, plasma of hair cells cloudy, pillar cells broken; scala tympani—hemorrhages, particularly around the round window and basal turn, originating in the capillaries of the endosteal lining of the scala tympani; nerves and ganglionic cells—shrunken, fibers distorted and of more homogeneous character, plasma with increased staining qualities and filled with submillitary granules.

The periosteum and endosteum, the marginal layers of the bony structures, were found to manifest the initial and most intense reaction to ultrasonics, proliferating into the bone of the filaments which form partitions, causing colliquation foci and giving rise to new bluish osteoid tissue which penetrates into the surrounding area and may cause fixation of the stapes or invade the cochlea or the perilymphatic space of the semicircular canals.

The most important basic scientfiic research upon which Dr. Angeluscheff's conclusions are based was done by Dr. Linus Pauling and others which showed that sound (vibratory energy) generates a submolecular motion in the cell producing resonance at certain frequencies causing the disruption of chemical bonds under which conditions, the cell attains its maximum depletion of enzymes, electrolytes, and aminoacids. Japanese investigators have also proved vibration to have been the primary factor in producing experimental sclerotic foci in bone exposed to ultrasonics.

The manifold chemical changes provoked by ultrasonics were described by Dr. Angeluscheff. There is an H-ion concentration in the plasma as a direct response. This growing acidity promotes formation of Co_2, an important phase in the calcium metabolism of bone. By relatively long exposure to ultrasonics, the damage in the biological structures becomes irreversible. Their impact in the permeability of the cell membrane follows. A shift within the protein fractions, with an increase of gamma globulin is manifest. The vanishing of the spectroscopic bands in the serum indicates the disappearance of amino-acids, a sign of denaturation of the protein. The fibrinogen in blood increases, and a trend toward a fibrotic diathesis in the body is in the making. In this manner, the defense mechanism of the body tends to seal the gate of intrusion of the ultrasound and produces tapes ankylosis.

"Any taxing of the organ of hearing beyond its phylogenetic capacity endangers its biological functions and causes its progressive failure," the investigator observed. Whereas initiation of the phenomenon of subjective hearing requires migrations of ions with an infinitesimal energy of 10^{-16} watts/cm^2 at 1,000 cycles/sec. being sufficient to produce this sensation in man, ultrasonics of 0.1 watts/cm^2 will break down cells in organic tissue and cause otosclerosis. Chronic stimulation of the nerve cells provokes formation of Purkinje cells. In the brains of rats exposed to sublethal vibratory stimulations, these cells are found in higher percentages, are filled with granules of low physiological function, and decay progressively. The chemical substance of the granules has been identified as RNA. "This knowledge that the minute mitochondrium may be fragmented by vibratory energy is of paramount importance," he pointed out, "leading to the conclusion that any stress on this system by noise is capable of disrupting its synthethic system and undermining the highest biological activity of the cell. To what extent the cell protein is capable of withstanding submolecular vibrations which break chemical bonds is not yet completely clear. What is clear, however, is the failure of hearing function."

In passing on to discussion of the failures of surgery to restore hearing by creating artificial fistulas (fenestration, stapedectomy) and trying to keep them open through the introduction of various foreign substances, Dr. Angeluscheff remarked, "It is not so much a matter of blaming the medical profession for proceeding incorrectly but rather of their overzealousness in being ready to accept the assurances of biologically ignorant technology that the materials it introduces into our operating rooms are inert. This is our basic error."

---

[8] Kupferman, T.: H.R. Bill 14602, CONGRESSIONAL RECORD, vol. 112, pt. 7, p. 8850.

* Fellow Academy of Medicine, N.Y. Member, Academy of Sciences, N.Y. Member, World Health Organization, (A.C.C.), N.Y. Hearing and Speech Center, City Hospital, N.Y. Manhattan Eye Ear and Throat Hospital, N.Y. Acoustic Society of America. Acoustic Society of France.

The use of polyethylene to form a bridge to take the place of the stapes was abandoned in 1953 after thousands of patients had been operated on over a period of a decade. Although its use was discredited by failure in practice, Dr. Angeluscheff pointed out that no research was ever conducted to find the cause. It was not until 1965, that he himself supplied the answer. His attention was caught by the announcement of a paper entitled. "Decomposition of Polyethylene by Oxidations with Formation of Crystals," by Bell Telephone Research Laboratory investigators. He entered into correspondence with them, inquiring what the velocity of sound was within those crystals. The answer, placing it well within the ultrasonic range, provided the last link in the chain of evidence explaining the failure of this prosthesis. The familiar collapse of the polyethylene and the embrittling of the strut at the oval window was the result of the exposure of this high molecular polymer to oxygen temperature, the blood carrying oxygen and favoring crystal formation. Finally, the polyethylene crystals having piezoelectric qualities generate harmonics of high frequencies capable of penetrating the molecular structure of the nerve cell and causing its failure.

"Thinking that the problem consisted of providing a tougher substance than polyethylene," Dr. Angeluscheff continued, "technology came up with Teflon. Although the otolaryngological literature was soon proclaiming Teflon as inert, less traumatic, with little likelihood of exciting osteogenesis, and as causing less sensorial loss, etc., knowing the parentage of that substance and remembering a statement issued by the 1958 Geneva Conference on Radiation, I remained skeptical."

Teflon is a derivative of disintegrating uranium and flourine and the statement referred to above is: "The radiation chemistry of uranium is assumed to extend the particle energy distribution upward more than one-half MEV. Such energy may be capable of producing other interactions including nuclear fission. Even very small radiation can cause unsuspected bio-electrical disorders in the brains of animals and man . . . . A cumulative effect of ionizing radiation could be of great danger for the nerve cell."

Dr. Angeluscheff proceeded to send two pieces of Teflon tubing for alpha and beta activity analysis. One went to a university biochemical laboratory and the other to a leading radiochemistry laboratory. The first came up with this result: inert, no radioactivity; it had done a rough test with a Geiger counter. The second, after disintegration analysis, gave figures running into 1 MEV emission, or an amount definitely capable of damaging the biological function of the nerve cell.

Dr. Angeluscheff said "Conclusion: Do not use Teflon in association with living tissue."

The stapes bridge of tantalum was also classed by him as a dangerous innovation to be treated with the same caution as Teflon.

Reverting to the problem of hearing loss, he concluded "One should keep in mind that a population not exposed to noise, preserves its normal hearing capacity usually until very advanced age, while that in industrial areas loses its hearing very rapidly and becomes hard of hearing in middle life. Recent investigations have confirmed the previously advanced assertion that the primary etiological factor in progressive deafness is vibratory energy, sonic and ultrasonic."

Rodale's Health Bulletin for October 21, 1967, volume 5, No. 42, has the following item:

Industrial Noise Danger

An English steel company has found that 7,000 of its 10,000 employees are subjected to excessive noise levels. Because of the potential danger constant exposure to noise poses, United Steel Companies Ltd. has recommended that employees wear ear plugs as part of their protective equipment. (*New Scientist*, September 14, 1967)

In their issue for December 9, 1967, volume 5, No. 49, we find the following:

Kitchen Noises—New Threat to Health

The modern kitchen has been turned into "a miniature simulator of an old-fashioned boiler factory." With those words Dr. Lee E. Farr of the University of Texas opens his attack on the noise produced by kitchen labor-saving devices and other appliances in the home. "Noisy appliances and electronic status symbols raise the sound level in some homes to the point where it threatens your health and well-being," Dr. Farr says. "Exposure to noise is upsetting emotionally and frequently leads to violent arguments among family members."

In a study reported in the October 16 *Journal of the American Medical Association*, Dr. Farr shows that a standard vacuum cleaner may produce 81 decibels of sound at a distance of six feet. The occupants of one household who took part in the study complained that the hi-fi set was very loud when it produced 80 decibels. (The Air Force has established a standard of 85 decibels as the level above which hearing is impaired.) "Constant exposure to the varied sounds of the city, commingled with specific office, industrial and manufacturing sounds, tends to produce a fatigue of itself which in turn may lead to exaggerated emotional responses which are generally frustrated, but which on the way home from work take a toll in freeway and intersection accidents," Dr. Farr explained.

In addition to emotional hazards, noise pollution produced by common devices and machines may actually be gradually reducing man's ability to hear high tones (Health Bulletin, October 22, 1966). Harvard School of Public Health researchers John D. Dougherty, M.D., and Oliver L. Welsh, Ed.D., believe that noise-induced damage to hearing is a problem not restricted to people working in loud factories or around jet engines. The sound of the home food blender and the loud outboard engine, for example, reach decibels of 93 and 102 respectively. "Both would require ear defenders to prevent hearing loss in industry," Drs. Doughterty and Welsh pointed out.

A report in the November issue of *Health News* published by the New York State Department of Health points out that a St. Louis physiologist recently told the Acoustical Society of America that background noises gets one decibel louder each year, causing city dwellers in particular to suffer gradual loss of hearing. According to that same report, some physicians suggest that excessive industrial and community noise can result in cardiovascular disease, ulcers and serious nervous disorders.

Today's Health magazine for October 1967, at page 87, has the following entitled "Noise Takes Toll, Say Experts":

Noise Takes Toll, Say Experts

If the noise level we live with today continues to increase at the same rate for the next 30 years as it has for the last 30, it could become lethal.

This is the contention of Dr. Vern O. Knudsen of Los Angeles, a man who has spent 40 years studying sound. He is a physicist and former chancellor of the University of California at Los Angeles.

Although Doctor Knudsen is concerned about noise as a health hazard, he is not gloomy about it because Americans as they grow noisier also grow more ingenious in muffling it.

Noise, which is different from sound, has increased at a rate of one decibel (db) a year. A decibel is a measure of sound intensity. An acceptable level is about 25 to 30 decibels in a disc-recording studio, 30 to 35 in a theater, 35 to 40 in an office, and 50 to 55 in a restaurant. But we are apt to be subjected to much more than that frequently during the day. Subway trains often generate 90 to 100 decibels, and a typewriter-filled office area is just under 80 decibels.

Experts agree that exposure to noise of 95 to 100 db is hazardous. But not all sounds are noise and it is the way the individual interprets the sounds around him that oftentimes can change sound into noise, according to some experts.

A report in the *Journal of the American Medical Association* titled "Chronic Noise Syndrome Predicted" stated that "It is after all the 'inner man' that makes the distinction between noise and sound—not his hearing mechanism."

The ambulance's screaming siren gives the motorist useful information: "clear the road." This is sound. When the same intense sound wakes a light sleeper or baby it becomes noise.

The ear is perhaps more susceptible to damage than any other human organ, says Hollowell Davis, M.D., emeritus director of research, Central Institute for the Deaf, but he adds that it also is surprisingly adaptable and resistant.

Chronic noise also may affect one's health in subtle ways, both psychologically and physiologically, a number of scientists now believe.

Samuel Rosen, M.D., of New York City, for example, says: "At an unexpected or unwanted noise the pupils dilate, skin pales, mucous membranes dry; there are intestinal spasms and the adrenals explode secretions. The biological organism, in a word, is disturbed."

Whether or not a sound becomes annoying, however, depends on more than decibels. It may be the amount of sound one hears, or the pitch of the sound, or both. Pitch, or frequency, is the number of vibrations per second a sound makes.

Each sound-producing vibration is called a cycle, and the number of cycles produced each second is called the frequency. The hearing sensation produced by the frequency of the sound is the pitch—the higher the frequency, the higher the pitch. A high-pitched sound seems louder to the human ear than does a low-pitched one, even though the two may register the same on the decibel scale.

Although the psychological annoyance of noise is difficult to measure, recent events have spurred research in this area. The national plan to introduce a fleet of supersonic transports (SST) into civilian aviation has led to numerous studies on the effect of the sonic boom.

A National Sonic Boom Evaluation Office, under the technical direction of the Stanford Research Institute and the President's Office of Science and Technology, is coordinating the studies.

One reason is that the sonic boom will be the best-shared sound in history. In a transcontinental flight, according to Dr. N. E. Golovin of the U.S. Office of Science and Technology, this sonic boom would be spread over a corridor 30 to 50 miles wide below the flight path and could bring the sound to 10 million persons during a flight across the U.S. Consequently, future aircraft will be certified for noise as well as safety.

Two San Francisco ear specialists, Dr. Charles P. Lebo, assistant clinical professor of otolaryngology at the University of California Medical Center, and Dr. John A. Garrett, resident in otolaryngology at the medical school, taped the sounds from a rock-and-roll establishment in San Francisco and conducted a scientific "listen-in" at a second place. They found that cumulative exposure to rock-and-roll-type music is likely to produce ear damage. Over-all background noise from rock-and-roll establishments ranges around 100 decibels and peaks of 100 to 115 decibels were recorded with the scale occasionally hitting as much as 120.

Doctor Garrett didn't wear ear plugs or muffs during one three-hour experiment. "I couldn't hear my watch tick for three hours afterward," he said.

Probably the greatest racket some Americans are exposed to is on the flight deck of an aircraft carrier when jet planes are launched. Crewmen are buffeted by 155 to 160 decibels. Researchers have killed mice with 175 db.

Though most Americans don't live on aircraft carriers, and those who do protect their ears, even softer noises take an often unnecessary toll in illness, jangled nerves, and loss of sleep, concentration, and serenity.

Why is noise harmful? Doctor Knudsen explains it this way:

First, noise blurs or masks wanted sounds—a spigot gushes and you can't hear what your wife is saying.

It interferes with rest and impedes convalescence. Before Doctor Knudsen began wearing ear plugs to bed, he discovered that in three out of four times he awakened during the night noise was to blame.

It impairs hearing. One research team found that Scandinavian shipyard workers on the job for 31 years were unable to hear a whisper a yard away.

It hinders concentrated mental effort (how many school classes can continue when a jet plane flies overhead?).

It causes stress and nervousness, thus the diseases that spring from tension.

And the situation is getting stickier. As machinery becomes more sophisticated, as the piston-driven plane gives way to the jet, and the jetliner to the supersonic transport, problems related to the noise level get knottier.

Doctor Knudsen believes that noises that can't be eliminated should at least be muffled by spending more to sound-proof structures. He suggests that noise from all sorts of combustion engines—cars, trucks, planes—should be controlled better, and houses, schools, hotels, and apartments should be built in such a manner that the noise level is decreased.

But though there are mechanical methods to cut noise, these must be balanced against possible losses of economic or work benefits. If a noise-abatement device cuts the speed of a jet, the decrement must be considered. Soundproofing apartments increases the construction cost of a typical unit so much that it affects the rent.

If health considerations can be documented chronic noise may be reduced more rapidly, and we may be more willing to foot the bill, too.

An editorial on noise pollution by Dr. Samuel Rosen in Medical Tribune of Thursday, January 4, 1968, points out medical aspects of the problem. Also other material follows:

[From Medical Tribune, Jan. 4, 1968]

CURRENT OPINION: NOISE POLLUTION: A NEED FOR ACTION

(By Samuel Rosen, M.D., clinical professor of otology (emeritus), the Mount Sinai School of Medicine, New York)

Noise levels in the world's urban centers have been rising steadily since the Industrial Revolution. In the United States today, jet and helicopter transport have raised noise pollution to a new peak, and tomorrow the supersonic plane will lift it further. Are noise intensity and chronicity nearing a point where they are becoming a serious hazard to public health?

Legally as well as medically, intense and steady noise is recognized as an occupational "disease" that can inflict irreversible damage in the form of neural deafness. Nineteen years ago, a United States court awarded compensation to a drop-forge worker who developed occupational presbycusis. Many industries now protect their employees against chronic noise levels in the dangerous range, exceeding 85 to 90 db. The number of workers exposed to excessive factory noise is relatively small, but what of the average city or suburban resident exposed to noise levels which equal or exceed the damage-risk criteria suggested for factories? Many city noises do aproach or exceed this limit, producing a crescendo of unwanted noise against which we are helpless and to which we think we are accustomed.

We do not know how much exposure to these intense city noises will cause hearing loss, but the danger is there. At the Central Institute for the Deaf in St. Louis, chinchillas and guinea pigs were exposed to brief, intermittent periods of above-normal—but supposedly tolerable—noise levels. They developed swollen cochlear membranes and obliteration of inner-ear hair cells. Stanford Research Institute studies show that electroencephalographic patterns of sleeping subjects are radically altered by sound levels that do not awaken them. It is known that loud noises cause effects which the ricipent cannot control. The blood vessels constrict, the skin pales, the muscles tense, and adrenal hormone is suddenly injected into the blood stream, which increases tension and nervousness.

Levels of presbycusis can be correlated with the environmental sound levels of various populations, and blood nutrition to the ear seems involved in the process. In 1960 I began a series of studies, with a team of investigators, among the Mabaans, a tribe living in a relatively noise-free environment in southeast Sudan. These tribesmen were surrounded by a village background noise level of below 40 db, and only on rare festival occasions did the noise level reach 110 db for brief periods. At age 75 their hearing was still acute. Plethysmographic measurements of capillary blood flow changes showed rapid constriction of the blood vessels at loud, unexpected noise, with the flow quickly re-established. The same rapid capillary constriction occurs in the New York businessman, but recovery is much slower. This would suggest generally impaired nutrition, including that to the ear, during the reflex action. It would seem that loud noise can increase body tensions, which can then affect the blood pressure, the functions of the heart, and nervous system.

The psychic effect of noise is very important. Noise can cause enough emotional response and frustration to make a person feel nervous, irritable, and anxious. Rest, relaxation, and peaceful sleep are interrupted and often denied to those suffering from illness. We now have millions with heart disease, high blood pressure, and emotional illnesses who need protection from the additional stress of noise. We make a great point of keeping our hospitals quiet, but the sudden and repetitive noises of street traffic, construction work, roaring jets, etc., penetrate the hosiptal walls.

We now recognize the hazards of air pollution and are slowly beginning, at this late date, to attempt some solutions. Physicians and acoustic experts warn against the dangers of noise pollution, and some solutions must be sought before the acceleration of noise becomes too great for effective control. Effective controls are possible. Granting the cost may be high and governmental regulation difficult to achieve, buses, trucks, construction equipment, sanitation trucks, planes, helicopters, street traffic, subways, elevated trains, air conditioners, office machines—all these and many more sources of high-level noise can be made quieter through proper engineering techniques. Acoustical science and technology have provided the Army with an inaudible motor for front-line use, the Navy with silently operating submarines, and the Air Force with an almost silent plane. Surely some of the same techniques applied to civilian use would do much to alleviate the health hazards of excessive noise.

Public pressure could help bring about legislation and its enforcement. All community organizations and others, such as Citizens for a Quieter City, Inc., in New York, should support and aid the cause of reducing noise levels in our environment. As physicians aware of the dangers to the health and well-being of our patients, we should be involved in the campaign against noise pollution.

[From the Air Line Pilot, February 1968]

AEROMEDICINE AND THE AIRLINE PILOT: NOISE—THE KIND PILOTS DON'T LIKE, AND ITS EFFECT ON MAN

(By Capt. Richard B. Stone, ALPA Aeromedical Coordinating Committee)

Except for concerted efforts, on the part of certain groups to reduce noise problems caused by airplanes, construction, garbage trucks, sirens, etc., noise is so much a part of our lives that its presence is accepted as an inevitability. To the pilot, certain noises in flight serve to indicate proper operation of the aircraft systems (this seems to be diminishing with the advent of the jet engine and its placement further away from cockpit). Since World War II, scientists have been concerned with noise and its effect on man. Effects such as hearing impairment are obvious, but others such as speech masking, and psychomotor or physiological effects are elusive.

For the past two years, a small group of pilots from various air lines have been investigating the cockpit environment with reference to noise. A number of Federal Agencies, aircraft manufacturers and companies specifically oriented in sound have been consulted. It is quite obvious that noise standards exist for other industries and the pilot operating an aircraft from certain high density airports. Yet there is no criteria which describes how much noise is allowed in the cockpit. More effort has been devoted to attempting to quiet the departing aircraft so television watching will not be interrupted than to insuring that one pilot can communicate with another during an in-flight emergency.

Noise is defined as unwanted sound. The actual level of the sound within the frequency spectrum is important. High frequency noise is not only more annoying, but is more dangerous to the ear. Intensity of noise is characterized in decibels (db). The decibel is defined as one-tenth of a bel (not much help is it?). More practically, a soft whisper at 5 feet is about 35 db, noise in a large office is usually 50 to 60 db, a riveting machine is about 110 db and a jet at the start of a take-off roll at full power is about 125 db to an observer in the run-up area. One of the more recent descriptions of noise is PNdB (perceived noise decibels). If you fly an aircraft over a remote microphone site near one or more of our busy airports and the noise associated with your fly over exceeds 112 PNdB, you may be involved in a violation (in one form or another). Briefly, PNdB is a method of relating noise to noisiness. The basis for this method was a test in which a number of persons subjectively rated different sounds. Since sound in higher frequencies was judged more objectionable, more weight was given to these components of noise. Out of this test grew a scale in units called "Noys" which related intensity in relation to frequency. Time was not a parameter in the study and has become one of the more common criticisms of this method.

Time, or duration of exposure to noise, is an important aspect of noise evaluaiton. For example, Figure 1 depicts the environment existing during pre-flight of a B-727. This gives you an idea how acoustical engineers illustrate noise conditions. The left margin represents decibels (in relation to the International Standard) while the upper margin is graduated in octave bands (Hertz or cycles per second). OAL signifies the overall level of sound or the uniform response as a function of frequency (20 to 20,000 HZ) weighted logarithmically. When the noise level of the B-727, during preflight, is judged in light of current criteria, we find this environment is hostile over a period of time. A daily exposure time exceeding 30 minutes could, over a number of years, cause hearing impairment in the 2400 to 4800 octave band. Since most speech occurs between 600 and 4800 Hz, this is a critical octave band. Hearing protection, such as worn by many ground personnel (headset or earplugs) are an acknowledged necessity. Other aircraft have even more hostile environments during ground operation. The APU of the F-27 (Solar unit) emits noise that could cause hearing problems if the exposure exceeds 15 minutes per day for a number of years. Obviously, hearing is important for medical certification. *We should do our best to protect it.*

In flight, a number of our current turboprops are close to or in a few cases exceed maximum recommended noise levels. In almost all aircraft (exceptions are the F-227, DC-9 and M-404) the noise level during cruise causes face-to-face communications to be carried out in at least loud voices and may grow to a near shout at Vmo. Having to talk at or near a shout is a signal that risk of hearing impairment is a real potential, not to mention the additional and immeasurable amount of fatigue of having to work in this environment.

Decreasing noise is not an easy matter. Noise is an insidious intruder. Compare the difference between a closed door, an open door and one ajar a few inches. With a good noise source (such as a noisy office) on the other side of the door, little difference is realized between the door ajar and the open door. Probably the worst offender from the standpoint of cockpit noise are the poor window seals in the aircraft we fly. It's worth it to have them closely checked. Other areas that are generally troublesome are nose gear door rigging, nose wheel well soundproofing, and hard (sound reflective) surfaces in the whole cockpit area. During the highest speed regimes of flight, aerodynamic noise seems to have the greatest effect on cockpit noise. This problem has been the most difficult to deal with. The B-747 has a redesigned windshield which may help to diminish aerodynamic noise.

MORE CAN BE DONE

Much more can be done to reduce the level of noise within the cockpit. The best place to do it is on the drawing board. However, significant reductions can be accomplished with present aircraft, materials and methods. Four pilot groups have programs in progress.

A noise standard does not curently exist for aircraft evaluation by the FAA, manufacturers or ALPA. It is obvious we need one. Standards for risk of hearing loss and speech interference exist for other industries. If these are applied to our cockpits we find many of the turbo-props can cause hearing problems. Even the newest jets cause speech interference problems.

Will we have to wait until a misunderstood command, due to cockpit noise, during an inflight emergency causes a tragedy before remedial action is taken?

ALBERT EINSTEIN COLLEGE OF
MEDICINE, YESHIVA UNIVERSITY,
Bronx, N.Y., May 7, 1968.

Hon. THEODORE KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE KUPFERMAN: I thought the following information might be of interest to you.

There will probably be a conference on noise sponsored by the National Institute of Health, Neurological & Sensory Disease Control Program. The person who is behind this is a Dr. George E. Urban, Consultant in Otolaryngolgy at 4040 N. Fairfax Drive, Arlington, Va.

Knowing of your interest in this field, I thought if you did not have this information that you would be interested in learning about this. The radio broadcast we did the other month seemed to turn out quite well and I even managed to listen to our various remarks when they were broadcast.

Very sincerely yours,

B. J. RUBEN, M.D.,
Director of the Division
of Otolaryngology.

WEST PALM BEACH, FLA.,
March 6, 1968.

Representative KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR SIR: I received a letter today from Dr. Lee E. Farr, head of the Disaster Health Services Section, the department of public health in Berkeley, California. I had originally written to Dr. Farr regarding his findings related to the Environmental Medical Studies and he, in turn, has referred me to your remarks related to noise appearing in a recent Congressional Record.

As an agent in Col. James Coletta's behalf regarding the Noise Attenuating Device patent (copy enclosed for your interest), I feel that the potential use of the product by home, industry or educational aid uses, will readily be accepted by the general public.

The "Thinking Cap" or "Concentration Helmet" might be termed trade names once the device is manufactured. Its purpose is that of enhancing concentration powers by elimination of outside distractions and disturbances such as noise, deflection of sight and vibrations (airfoam lined cap style). I believe this to be an invention of a new dimension and the first break-through in a solution to the many problems and illnesses which arise due to the individual's lack of privacy and solitude.

Many recent articles have been published relating to the Environmental Medical Studies, and the effects of noise and distractions which could, and do, endanger health, disposition and functional abilities related to performance and accuracy. As the manufacture and dissemination of the product becomes familiar with the general consumer, the invention will also act as a social deterrent in that it will be known that the wearer wishes to be left alone for a certain reason.

It is to be appreciated that the patent has been obtained on the grounds of general function, theory and purpose of its use, and could, therefore, accommodate any variation of design or accessories which the manufacturer might deem desirable.

I would appreciate your comments regarding the patent and if possible, a copy of the Congressional Record.

Sincerely yours,

ELIZABETH A. WIGHT,
Patent Agent.

RÉSUMÉ OF POTENTIAL USES

Electric or battery operated accessories might be incorporated within the designs of the cap or helmet styles for the purpose of frontal lights and a timer. Another feature for the consumer might be collapsible models with handles to facilitate conveniences for commuters who might wish to wear theirs while traveling.

Educational: Study aid for students in classrooms. Homework. While taking examinations and thus eliminating the cheating problems in schools.

School and public library uses: (Disposable plastic covers could be used as a health precaution over the earpieces.)

Home: (Hotel and motel rental basis)— Reading, studying, art work, hobbies, sewing, typing, television viewing; while employing a machine requiring deep thought or concentration.

Industrial uses: Assembly line work, artists, draftsmen, seamstresses, technicians, postal workers (sorters, etc.), bookkeepers, court stenographers, typists (especially copy work), secretaries, and business machine operators.

Institutional: Patients in hospitals and nursing homes.

Any travel media: Planes, trains, buses or as a passenger in an automobile. (Battery operated lights could be used.)

INTENT OF DEVICE

Rapidity of reading.

Study boost with memory work; improved retention of thought, act, or achievement. Encourages study as a confidence builder for slow, nervous or excitable students. To provide relaxation, thus elimination of nervous anxiety.

Psychological encouragement—*Thinking cap!*

[U.S. Patent Office, No. 3,261,028, Patented July 19, 1966]

NOISE ATTENUATING DEVICE

(By James N. Coletta, 555 Franklin St., Elmira, N.Y. Filed Aug. 14, 1962, Ser. No. 216,929 1 Claim. (Cl. 2—209)

(NOTE.—References referred to are not printed in the RECORD.)

The present invention relates broadly to wearing apparel for the head and more specifically to a device to be used when extreme concentration is required.

It has been found by teachers and psychologists, particularly in the education profession, that there are many situations which call for extreme concentration in noisy and distracting surroundings. In some classrooms, there may be as many as 40 to 50 students trying to concentrate on some learning material. Obviously, distractions are numerous and, as a result, learning efficiency decreases to a low level. What is needed then is some device that will eliminate noise and limit the visual field such that concentration will be improved.

This invention thus has as an object the reduction of outside distractions from a student's visual field. A further object is the reduction of noise reaching a student trying to concentrate. A still further object is the reduction of other outside distractions such as bright sunlight, etc. Another object of this invention is to provide a device to help concentration which will be situated on the wearer's head, being adjustable to accommodate many differently shaped heads, said device being of such construction that it may be easily put on and off, and also taken apart and cleaned when desired. Yet another object of this invention is to provide a concentration device that is made of inexpensive materials such that the device can be economically disposed of after a single usage.

Other objects will be apparent from the following description of the invention, which is illustrated in the accompanying drawings. In the drawings:

Fig. 1 is an isometric exploded view of the device.

Fig. 2 is a side view of the device shown on the head of the user.

Fig. 3 is a back or end view of the device situated on the head of the user.

Fig. 4 is an enlarged side view showing the detail of the earpiece.

Referring to the drawings, in Fig. 1 the body 6 is situated between the band 7 and sound deadening device or earpiece 11. A screw or suitable fastener 10 connects the band 7 and earpiece 11 through a longitudinal slot 8 in band 7, said fastener then going through a slot 9 in body 6 and then fixed into the earpiece 11. Referring to Figure 4, as an example, the earpiece consists of a suitable thin wall plastic shell 14 containing a sponge rubber filler 15. In the center of the shell 14 is located a hole 16 which is tapped such that screw 10 may be screwed into the earpiece. The earpiece fits circumferentially around or upon the outside ear 12, of the head 13, such that the earpiece prevents outside noise from reaching the sensory eardrum inside the head.

The body 6 of the device consists of a rectangular sheet of suitable material, being easily bent and of a sturdy thickness having the front shaped in a convenient fashion. The body may be made of plastic, aluminum, tin, steel, etc. as would be suitable. The width is determined by placing the body around the head as in Figures 2 and 3 such that the body 6 completely covers the head 13 with the ends disposed below the earlobes. The back of the body 6 of the device is situated on the head of the wearer as in Figure 2 such that it covers the wearer's head. The body 6 of the concentration device is positioned on the wearer's head by a spring steel or metal band 7. This band comprises a long rectangular sheet having two slots on both ends. The sheet is permanently bent into a U shape, such that when placed around the body 6 and secured to the earpiece 11, the whole apparatus is comfortably situated on the wearer's head (Figures 2 and 3), the band holding the body 6 in the bent configuration seen in Fig. 3. The slots 8 of the band and slots 9 of the body render the device adjustable for all sizes and shapes of human heads since the earpieces can be moved along the length of slots 8 and 9.

It can easily be seen that the earpieces or sound deadening devices might be made in any configuration and of material such that said earpieces eliminate noise from reaching the ear while providing a receiver that will affix fasterner 10 securely to the earpiece. The body 6 may conceivably be made of paper or cardboard, etc. such that the device could easily be disposed of for convenience or health reasons. Likewise the band 7 could be made of some suitable plastic or other readily manufactured material that would hold the body 6 in place and at the same time render the device economical and disposable.

The invention could also be applicable to learning Morse code, listening to music, learning foreign languages, etc. which in such cases, the sound deadening devices would be replaced by earphones. The device might also be constructed without the use of earphones or earpieces if the elimination of sound or noise was undesirable. In this case the device would consist of a body similar to that described heretofore in the specification and a band also similar to that described in this specification. A suitable fastener would then affix the band to the body and the whole device would be worn in much the same manner as the firstly described device with the exception that there would be no earpieces to affix the device over the ears.

It is noted by the inventor that the front of the body 6 might be cut away such that the desired visual field is obtained by the wearer.

It is well-known by psychologists and others concerned with the problem of deep concentration that as one's ability to concentrate increases, one's awareness of outside distractions decreases. It is also known that for some people concentration is extremely difficult when accompanied by outside noise and movement. It was thus assumed that if outside distractions were eliminated, concentration would be improved. The afore-described device eliminates distractions by deadening the sound through the earpieces (sound deadening devices) and by limiting the visual field by means of a shield (the body). With these two modes of distraction disposed of, the ability to concentrate is noticeably improved.

While the foregoing description was conceived by the inventor as the best embodiment of the principles of the device, it is to be understood that the inventor does not intend to be limited to specific details of structure or methods of manufacture otherwise than as specifically set forth in the appended claim.

What I claim is:

A headpiece comprising a U-shaped thin wall body adapted to be removably secured around the top and sides and forwardly of the head of the wearer; said body having an elongated configuration with two transversely aligned slots at one end and a sloped front end opposite to the slotted end; a permanently bent U-shaped rectangular metal band with a slot at each end; said band situated circumferentially around the body so that the band slots are aligned with the body slots; screws passing through the aligned slots and securing said band to said body; earpieces disposed on the inner face of said body opposite each other; said earpieces being tapped to accommodate said screws and thereby said earpieces are held in position to cover the ears of the wearer when the device is situated on the wearer.

REFERENCES CITED BY THE EXAMINER—
U.S. PATENTS

D. 121,457: 7/1940, Nu Dell, 2–204; 1,479,017: 1/1924, Timmons, 179–156; 2,330,442: 9/1943, Nero, 2–12; 2,335,706: 11/1943, St. Clair, 2–174; 3,075,201: 1/1963, Lindblom, 2–8; 3,091,771: 6/1963, Bixby, 179–156X.

JORDAN FRANKLIN,
Primary Examiner.
W. C. COOPER,
G. H. KRIZMANICH,
Assistant Examiners.

Engineering professional groups are certainly involved.

NATIONAL SOCIETY OF
PROFESSIONAL ENGINEERS,
Washington, D.C., November 27, 1967.

Hon. THEODORE R. KUPFERMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. KUPFERMAN: I have been in a travel situation for some weeks and hence am just finding an opportunity to thank you for your letter of November 1, 1967, and the material on your efforts to deal with the noise control problem.

You will be particularly interested, I think, to know that NSPE has adopted an official policy on the subject, a copy of which is enclosed (Professional Policy No. 90).

I have not really had a chance to discuss this matter in any detail with members of the New York State Society of Professional Engineers, but I am sending the NYSSPE Executive Director the material you provided with your letter, with the suggestion that the New York State Society may wish to refer this material to an appropriate committee to study its implications for New York. Having to visit New York City fairly often, I know that noise is a real problem there, at least as much as it is in other metropolitan areas.

Thanks again for your interest and cooperation in these matters of mutual interest.

Respectfully yours,
MILTON F. LUNCH,
General Counsel.

PP NO. 90—NOISE—CONTROL, PREVENTION AND ABATEMENT

It is the policy of NSPE to urge all segments of the engineering profession and all levels of government to take appropriate action to meet the growing problem of noise and its detrimental effects on the human environment, particularly in urban areas.

NSPE believes that the engineering profession has an obligation to provide all possible assistance in the development of reasonable criteria, standards and methods for the control prevention and abatement of excessive noise. This obligation arises not only from the engineer's duty to use his knowledge and skill for the advancement of human welfare, but also because engineers in most cases develop the vehicles, machines, equipment and operations which combine to produce excessive noise.

The interstate nature of modern commerce, especially that involving aircraft and other vehicles, necessarily makes noise control, prevention and abatement a matter of interstate concern and responsibility. NSPE feels, therefore, that the development of reasonable and practical criteria for acceptable noise levels, and the publication and dissemination of information relating to such criteria, are the responsibility of the Federal Government, acting in consultation with industry and with professional assistance from the engineering and medical disciplines.

NSPE also feels that responsibility for enforcement within Federal establishments of standards based on such criteria, as well as appropriate legislative and administrative action to insure the vehicles and equipment used in interstate commerce are designed and operated to conform to such standards, rests with the Federal Government.

State and local governments should apply and enforce standards meeting such criteria as part of their responsibility for protecting the health and welfare of their citizens.

The work of Dr. Vern O. Knudsen and Dr. Leo P. Delsasso of UCLA is well described in "The Noise Haters":

THE NOISE HATERS

Two thousand years ago, the poet Horace wrote an angry diatribe against noise in the streets of Rome and thereby sounded a premature alarm for our time.

It is doubtful whether the squealing pigs and rumbling wagons that Horace accused of interrupting his work could have given him even an inkling that man-made sound would grow until it could heat the human body lethally or destroy hearing instantly. The Roman poet, in short, could not have foreseen that, in 1967, unwanted sound would be a waste product as threatening as smog to human well-being.

In some very quiet rooms three floors up in UCLA's Knudsen Hall, Horace's anti-noise campaign is being carried on by two physicists who have devoted 45 years to discovering how to manipulate sound to man's gain. Dr. Vern O. Knudsen, first dean of UCLA's Graduate Division and former Chancellor, and Dr. Leo P. Delsasso, former Associate Dean of the Graduate Division, have been scientific partners at UCLA since the University was known as "the junior college out West."

Their work recapitulates UCLA's evolution from its beginnings as the "Southern Branch" on Vermont Avenue to its role as a major research and teaching institution. In the years since Dr. Knudsen arrived at the Southern Branch in 1922, the two men have seen their research applied in fields as diverse as medicine, architecture, filmmaking, and warfare. They have trained more than 200 graduate students in the specialized discipline of acoustics. Although both are formally retired from teaching, they continue to draw graduate students into the orbit of their research at the University.

A roster of their distinguished graduates includes General William C. Bullock, the Army officer in charge of locating enemy artillery by acoustical methods during the World War II Normandy invasion; Dr. Waldo Lyon, who applied acoustical techniques to pilot the first atomic submarine under frozen waters of the North Pole; and Dr. Richard Bolt, chairman of the board of world-wide acoustical consultants Bolt, Baranek and Newman.

Dr. Knudsen took his Ph.D. at the University of Chicago, and was immediately offered an instructorship there. When he made known his intention to leave Chicago and go to UCLA as an instructor, his chairman, H. G. Gale "felt, and emphasized with his fluent profanity, that it was senseless for me to accept the Los Angeles position at an unheard-of-institution—'only a junior college.' "

But Dr. Knudsen was intrigued by the chance to be involved in the shaping of a university, and UC vice-president W. W. Campbell had convinced him that "those Los Angeles people are determined to make this a distinguished university, and nothing can stop it."

His arrival at the Southern Branch in 1922 was not auspicious. Physics Department Chairman John Mead Adams, who had begun his department three years earlier with "a brick and a meter stick," would have been glad to offer his research facilities if there had been any.

"Searching before researching," Dr. Knudsen found six high school auditoriums in Los Angeles, among the world's worst, as far as acoustics was concerned. These became UCLA's first acoustical laboratories.

Assisted by Dr. Delsasso, then a sophomore and later UCLA's first Ph.D. in physics, Dr. Knudsen began his pioneering experiments on the hearing of sound in rooms. Working at night in the vacant auditoriums with testing equipment they built themselves, they rapidly evolved techniques for controlling room acoustics.

Their recommendations to local industry resulted in the creation of a whole new family of acoustical materials and construction techniques, which made it possible to scatter, attenuate, absorb or reflect sound to create almost any desired effect in an auditorium or home.

The impact of their work was felt almost immediately, when the movie industry began converting to sound and found that UCLA was the only place on the West Coast that was able to solve the difficult accoustical problems involved. Metro-Goldwyn-Mayer called in Dr. Knudsen to design the company's first two sound stages, where the first sound movie, "The Jazz Singer," was produced.

The artistic merits of this teary tribute to motherhood can be questioned, but the sound stages where it was born were the cradle of the sound film industry.

By making each sound stage a building within a building, with an air space between all walls to act as a 'sound lock,' Dr. Knudsen made it possible to record, at the same time, a gunfight on one stage and a symphony orchestra on the other.

Similar but simpler principles, he discovered, can make homes and apartments capsules of quiet in the clamor of cities. Architecture of the future, says Dr. Knudsen, must be acoustically designed if man is to live without nervous prostration in the environment he has created.

When human beings are exposed to noise louder than 90 decibels (the equivalent of an auto horn's honk) blood pressure rises and internal muscles contract. Dr. Knudsen says these reactions are the same as the physiological response to fear, and may be a holdover from the time when early man depended for survival on his alertness to sudden sounds. The crack of a twig could mean a predator was stalking. Man needed accelerated physiological processes to prepare him for defense.

But this "fear reaction" now is triggered time after time, day after day by noise, and the resulting tension is thought to cause physical damage to heart, arteries, and internal organs.

The twentieth century's "new noise" includes some stupendous noise-makers, like machines capable of generating sounds that can roast a rat with the heat created by sound wave vibrations. Sounds of this magnitude, fortunately, are rare in most people's experience. It takes between 160 and 175 decibels to create such immediately sinister effects, and only a few products of our technology can put out that much sound.

Our streets and cities do much more to unnerve the populace at large, says Dr. Knudsen.

He points out that there has been no general adoption in this country's building codes of the acoustical principles that could protect city dwellers against unending thrum and clatter from traffic and neighbors.

Until proper acoustical design prevails, Dr. Knudsen recommends that those who would at least rest calmly follow his example and wear "ear defenders" to sleep. These are acoustically-designed ear plugs which he invented in 1938 and has worn to sleep every night since then.

During World War II, the National Defense Research Committee, acting on information that the Nazis were using noise-making machines with aircraft as "acoustical weapons" to terrify the public, sponsored modifications of Dr. Knudsen's ear defenders to protect civilian populations. Four million pairs of these "ear wardens" were also issued to American servicemen who faced exposure to ear-damaging noise levels in such operations as mine-clearing.

By wartime, Knudsen and Delsasso had made UCLA a nationwide center for acoustical research and some 40 Army and Navy officers were sent here for graduate study under Knudsen and Delsasso. This training was applied militarily in submarine tracking and detecting the location of enemy artillery.

Since 1960, Knudsen and Delsasso have concentrated their research on the intricate manipulation of sound required for optimum hearing in concert halls and auditoriums. This work is being carried on in UCLA's Knudsen Hall, which contains some of the most advanced sound laboratories in the country.

Here, Knudsen and Delsasso devised what they consider to be their best acoustical design: the Grady Gammage Auditorium at Arizona State University, considered to be the most revolutionary departure from conventional concert hall design in this country.

The Grady Gammage was the last, unfinished work of architect Frank Lloyd Wright, who died before it was completed. The drawings left by Wright described only the building exterior, composed of two giant, intersecting cylinder. This shape, although dramatic visually, would have been impossible acoustically if it had been carried into the interior of the auditorium. The concave walls surrounding audience and stage would have mangled musical performances by making the sound focus in a few spots, fade elsewhere, and echo strangely.

Dr. Knudsen's remedy was to turn the interior inside-out. Additional big convex sections combined with scientifically-calibrated tilting of the ceiling and floor. These diffuse sound so well that orchestras are heard equally well from all 3,050 seats. A "floating balcony," suspended like a bridge, lets sound circulate freely.

The Grady Gammage, highly-praised by critics and conductors, is one of the numerous prestigious music centers designed under Dr. Knudsen's guidance. Among them are the Los Angeles Music Center and centers for the performing arts now under construction at Wichita, Kansas; Atlanta; Hunstville, Alabama, and San Jose.

At UCLA's sound laboratories, however, Drs. Knudsen and Delsasso continue to seek acoustical perfection through experiments with such improbable sound-diffusers as giant helium-filled weather balloons.

The bright red balloons, spotted around Knudsen Halls reverberation room, are not frivolous in purpose, although Dr. Knudsen says he has problems with faculty members who want to take one home to their children. In the reverberation room, constructed to give maximum reflection of sound, the balloons have been found to make sound die away exceptionally smoothly.

UCLA's resident Feri Roth Quartet recently was persuaded to play a string concert in Knudsen Hall's anechoic room, which has properties exactly opposite to those of the reverberation room: all reverberation is eliminated by fibreglass wedges which absorb sound. The recorded performance was played and re-recorded in the reverberation room, with twenty of the balloons strategically located.

"Feri Roth was quite excited and so were we about the results," says Dr. Knudsen, adding that the purpose of re-recording the music was to add the proper amount of controlled reverberation for richness of sound.

"All kinds of music want some kind of reverberation," he says. "It makes the separate sounds overlap, and produces a less dry, disconnected effect. But it must be controlled. In the Beethoven Ninth Symphony, for example, there is a mighty crescendo, and then everything stops. The sound, however, persists: it dies away, and ideally that should take about two seconds."

Timing as precise as this can be achieved by acoustical design of room shape and surfaces, says Dr. Knudsen, and the research and testing involved are worthwhile for the resulting musical experience.

"What attracted me to architectural acoustics in the first place was its human value," comments Dr. Knudsen. "People's tolerance for noise varies greatly, but everyone has the right to enjoy sound—conversation, music, the laughter of their children.

"We must have quiet homes, and buildings acoustically designed for the growth of culture and good living.

The literature on sonic boom grows constantly.

North America Newspaper Alliance—NANA—had for weekend release on October 14, 1967, "Can We Live With the Boom," a series by Hal D. Steward, as follows:

CAN WE LIVE WITH "THE BOOM?" SONIC BOOM THREATENS "TO SHAKE THE WORLD"—I

(By Hal D. Steward)

(NOTE.—According to many experts, the development of the supersonic transport may not only destroy peace of mind, but also historical and prehistorical sites, natural formations, cities, housing and hearing. The following is the first of a three-part series on the sonic boom by a close observer of the aerospace-air transport field.)

WASHINGTON, October 14 (NANA).—The development of the supersonic transport (SST) may well destroy the peace of mind of all Americans—except those already deaf.

It could, in the judgment of experts, become a major health hazard and cause irreparable damage to the hearing of the young and old alike.

But, that's not all.

The SST threatens "literally to shake the world" in the judgment of Karl Ruppenthal, director of the transportation management program of Stanford University's Graduate School of Business.

Ruppenthal, himself an airline pilot of 25 years experience, said there must be much more thoughtful discussion before the U.S. is irrevocably committed to the SST program.

The SST's biggest problem, he said, "is that of the sonic boom."

DEVASTATE SITES

What most Americans have yet to realize, said Ruppenthal, is that SST flights may well leave some ancient historical and prehistorical sites in ruins.

The sonic boom that would follow an SST could crumble Stonehenge, the group of ancient stone monoliths, believed to date from the bronze age, on Salisbury Plain, Wiltshire in southern England.

There is the possibility the Leaning Tower of Pisa, which deviates from the perpendicular by more than 14 feet, could be smashed to the ground by an SST sonic boom. And what about the danger to the Acropolis in Athens and the Colosseum in Rome?

Ruppenthal said a comparatively small military aircraft already created a sonic boom that broke off 80 tons of rock and buried prehistoric cliff dwellings in Mesa Verde National Park, Colo.

He said sandstone formations in Utah's Bryce Canyon and Zion National Park have been reduced to dusty rubble by sonic booms.

"And the shock of sonic booms varies somewhat with the size of the aircraft," Ruppenthal said.

"If the SST goes ahead we can expect irreparable damage on a grand scale."

CITIES FEAR DAMAGE

Ruppenthal predicts ancient cities in Europe and other parts of the world would forbid SST planes to fly anywhere near them because of the fear of damage from sonic booms.

"Both the governments of Germany and Switzerland already have said they will forbid SST flights over their territories if their populations find them to be annoyances," he said.

"It is almost certain that cities like Paris, Florence, Rome, and Athens and many less venerable cities as well, will outlaw SST flights within their jurisdictions," he said.

Even if the airlines carried insurance to cover sonic boom damage, it would be meaningless in cases of destruction to ancient sites.

The sonic boom promises to become a national issue, warns Congressman Theodore R. Kupferman, R-NY. When the SST fleet gets into operation, the average American will have to put up with 20 booms per day.

A new anti-boom group, the Citizens League Against the Sonic Boom, has been formed by Harvard University physicist William A. Shurcliff. It's campaigning against the "horrible harassment of sonic-boom noise."

In Ruppenthal's judgment, as well as in the opinion of other experts, the SST will cause more ear-shattering noise than it's worth.

RESTRICTIONS REDUCE BENEFITS

Ruppenthal said restrictions placed on the SST by foreign countries because of its sonic-boom problem will substantially reduce the economic benefits to be expected from development of the aircraft.

Ultimately, the SST could be limited to flying only over the oceans.

Ruppenthal said it's estimated the cost of a single SST will be about $45 million—almost as much as the most profitable American airline reported in its most profitable year to date.

"It would take all the profits of 10 years of uninterrupted good business for an airline to equip itself with a fleet of SSTs," he added.

American experts aren't the only ones concerned about the threat of SST sonic booms.

Bo K. O. Lundberg, director general of Sweden's Aeronautical Research Institute, for instance, says the SST "boom carpets" will be at least 70 miles wide and cover the major part of the U.S. and Europe if no boom restrictions are imposed.

"The boom tests over Oklahoma City," Lundberg said in an official report, "proved that supersonic flight over land of the British/French Concorde and the Boeing Supersonic Transport will be unacceptable: Although the average boom intensity beneath the flight was never more than 1.6 pounds per square foot, considerable damage to buildings occurred and no less than 27 per cent of Oklahoma citizens polled declared they could not 'learn to live' with eight daytime booms per day.

NO NIGHT BOOM

"No booms at night were produced (the really critical test) but practically all day-sleepers were awakened and the morning boom, at 7 a.m., was widely used as an alarm clock.

"In over-land operation the SSTs will produce an average or 'nominal' boom intensity on the flight track of two pounds per square foot in climb and 1.5 in cruise. These averages will often be greatly exceeded due to focusing effects of winds as follows from theory and was confirmed by the tests.

"Briefly, the 'margin of safety' in the conclusion that civil supersonic flight over land is unfeasible is simply overwhelming," Lundberg said. "The tests indicate that sleep disturbance will be suffered by many even if the nominal boom intensity was reduced to 0.5 pounds per square foot, implying such a small SST that practically no payload could be carried."

An American expert, N. E. Golovin, Ph. D., who is more conservative in his estimates than Lundberg, said persons located within a corridor 30 to 50 miles wide below the flight path might hear the boom.

"This would bring the sound to 10-million persons during a flight across the United States," said Golovin, who is with the President's Office of Science and Technology.

Medical scientists say permanent hearing damage can result from a steady overall sound above 95 decibels (a unit of measurement for the relative loudness of sound).

Today's jet aircraft at takeoff has a sound level of 150 decibels; the SST is expected to have a sound level far above that.

"CHRONIC NOISE SYNDROME"

The SST could contribute to what Dr. Samuel Rosen, a New York medical doctor and an expert on noise, calls "the chronic noise syndrome."

"One day, I believe, we will recognize a chronic noise syndrome," Rosen said, "At an unexpected or unwanted noise the pupils dilate, skin pales, mucous membranes dry; there are intestinal spasms and the adrenals explode secretions.

"The biological organism, in a word, is disturbed," Rosen said.

Dr. William A. Shurcliff, the Harvard University physicist who heads up the anti-boom league, says the sonic boom "strikes without warning; the effect is startling, disrupting, sometimes even terrifying.

"It produces muscular spasm and, often, sharp increase in rate of heartbeat," he said. "Harm done to babies, nervous people, heart patients, etc., has not been evaluated satisfactorily. The boom can stampede cattle, cause mink to kill their offspring."

Although the sonic boom is not yet with us, aviation officials recognize even today the aircraft noise problem that already vexes large cities everywhere.

SOUNDPROOF HOMES

In Los Angeles, for instance, airport commissioners have begun a program to soundproof about a dozen homes near the International Airport. The Department of Airports is to spend $200,000 on the project, which has been urged by critics of airport noise.

"We consider noise to be as serious a problem as ground transportation—getting people to the airport," said Francis T. Fox, airports general manager. "It can only become more serious if we don't do something about it now."

Fox admits the project is necessary now because of the looming advent of such planes as the Boeing 747, larger than any aircraft currently used in commercial transportation and the SST.

Each will create more noise problems. The SST, for instance, Fox said, will create great "lateral"—to the side of runways—problems.

U.S. Transportation Secretary Alan S. Boyd has supported the idea of an airline passengers head tax to finance soundproofing of homes near airports.

CAN WE LIVE WITH "THE BOOM?": SONIC BOOM BLAMED FOR THREE FATALITIES—II

(NOTE.—The following is the second of three articles on the dangers of the sonic boom by a close observer of the aerospace-air transport field.)

(By Hal D. Steward)

WASHINGTON, October 15 (NANA).—In early August, this year, a French farm family, with eight neighbors and hired hands helping in the harvest, gathered for the noon meal in a farmhouse near the village of Mauron in Brittany.

Suddenly, without warning, a thunderclap was heard.

Timbers broke loose and eight tons of barley stored in a loft fell on those eating, killing three and injuring one seriously.

It was, apparently, the first time a sonic boom had been blamed for fatal injuries.

The experience of that French family may be the forerunner of what's in store for Americans when the supersonic transports (SST) become operational in the mid-1970's.

Already U.S. military jet aircraft have repeatedly created sonic booms that have damaged numerous American homes, although no deaths have yet been attributed to them.

SPLITS HOUSE

In Oklahoma, sonic booms tests in 1964 virtually split a house in two, and the owner was awarded $10,000 damages by a Federal circuit court. In all, almost 5,000 damage claims were submitted.

"An analysis of actual damage payments following sonic boom tests in Chicago and St. Louis," said the Citizens League Against the Sonic Boom, "indicates that a fleet of SSTs in routine use over the U.S.A. would be expected to damage windows, plaster, etc., to the tune of about $1 million per day."

What is a sonic boom?

After conducting a study of sonic booms at Edwards Air Force Base, Calif., the President's Office of Science and Technology explained the sonic boom is not, as many believe, a single event produced by "breaking the sound barrier." It is an intense pressure wave that follows the track of a supersonic plane.

At speeds above that of sound, waves generated by portions of the aircraft, particularly the nose and tail, build up, forming a cone-shaped surface of intense pressure with the plane at its apex. If this swift-moving cone touches the ground before being dissipated by distance, it strikes human ears as a boom.

The purpose of the government tests was to assess public reaction to the projected SST. They showed a sonic boom could be annoying to those on the ground even when the aircraft is flying above 60,000 feet.

BONE-SHAKING JOLTS

One sound expert has predicted an SST flying across the U.S. at 65,000 feet altitude could deliver a bone-shaking jolt to every man, woman and child over an area of 100,000 square miles—as many as 20 million persons.

Because of this there are indications the SST may never be permitted to operate over land at supersonic speeds.

Designed to fly at about 1,800 miles-per-hour, or about two-and-one-half times the speed of sound, the SST could fly from New York to London in less than three hours, carrying 350 passengers.

The SST, as currently being built by the Boeing Company, is 306 feet long, has gross weight of 675,000 pounds, stands 48 feet high, and it will have four 60,000-pound thrust jet engines.

Since the SST at supersonic speds may be unacceptable for flights over land, will it be acceptable to persons at sea?

It won't according to Bo K. O. Lundberg, director general of Sweden's Aeronautical Research Institute.

"No doubt a sonic boom of a given strength will usually be less disturbing on boats than on land," Lundberg said. "But, on what grounds is it believed that people on boats can accept booms many times stronger than the level acceptable to people on land?

"Surely, it would be ruthless to consider people at sea an insignificant minority."

"The SSTs will produce a 'nominal' boom of 2.5 pounds per square foot in supersonic climb over water," Lundberg said. "Due to focussing effects the intensity will often exceed five pounds per square foot. By reflection close to cabin walls the intensity could easily exceed 10 or even 15 pounds per square foot. Such booms are exceedingly frightening and potentially dangerous to people with heart disease.

STRUCK BY BOOMS

"The disturbance, fright, and danger will, of course, be especially pronounced in areas with heavy concentrations of both SST and boat traffic, in particular south of Nova Scotia and New Foundland. Conservative calculations suggest that there will be, every year, many thousands of cases of people being struck by booms exceeding five pounds per square foot (disregarding wall reflection)."

Lundberg suggests tests be conducted to determine boom effects on boats and their passengers. He said this is vital to aviation in general and "SST investors in particular."

If such tests are not made before the Western world proceeds further on the supersonic road, Lundberg said, "there is a staggering risk of an economic disaster; people at sea will certainly find ways and means of putting an end to supersonic over-water flights—once the activity has reached a scale such that the incessant boom thunder has become unbearable and there has been a number of cases of serious incidents or fatal accidents, such as heart attacks. That would imply that most of the many hundreds of SSTs then flying would have to be scrapped."

Jet noises are already mangling men's nerves, even before the advent of the SST, according to Dr. Julius Buchwald, a New York psychiatrist, and they are producing hallucinations and suicidal impulses among those on the borderline of emotional stability.

One woman living near Kennedy International Airport threatened not long ago to blow up the airport's tower to free herself and her family from jet noise.

In a study conducted in Oklahoma by Dr. Zhivko D. Angeluscheff, a Fellow at the New York Academy of Medicine and Sciences, 10,000 chickens were subjected twice a day for six months to sonic booms of jet aircraft flying overhead at an altitude of 35,000 feet.

At the end of the six months, 6,000 of the 10,000 chickens were dead.

CAN WE LIVE WITH "THE BOOM?": CITIZENS NOT PROTECTED FROM SONIC BOOM, SAY CRITICS—III

(NOTE.—The following is the last of three articles on the dangers of the sonic boom by a close observer of the aerospace-air transport field.)

(By Hal D. Steward)

WASHINGTON, October 16 (NANA).—Critics insist the Federal government hasn't done enough to protect Americans from the ear-splitting, nerve-shattering sonic boom.

Such criticism may not be entirely fair.

Nevertheless, the seven-member Santa Barbara, Calif., city council became so angry at sonic booms over their city that they outlawed them, declaring them to be a public nuisance.

It may be difficult for a Santa Barbara traffic cop to flag down a 2,000 mile-per-hour aircraft—flying at 80,000 feet—and hand the offending pilot a ticket for disturbing the peace. But, by its action, the city council has served notice supersonic aircraft won't be permitted to rattle windows and bend eardrums in Santa Barbara.

The Federal government appears to understand the concern of Santa Barbara and other cities in the nation bothered by sonic booms. It has conducted numerous experiments in an effort to devise ways in which the sonic boom might be somewhat controlled.

Government scientists have learned, for instance, that sonic booms have a peculiarity of pathy behavior. That is, they may be twice as strong in one spot as they are a few hundred yards away.

WAVY LAYERS

The experts attribute this to wavy layers in the earth's lower atmosphere that like a succession of lenses, focuses the sound on certain areas.

It ultimately may be possible, these experts say, to devise operating procedures and take advantage of atmospheric peculiarities to reduce the sonic boom menace.

On the other hand, such critics as the Citizens League Against the Sonic Boom ask: "Can scientists find a way of eliminating the boom?"

"They have been trying for years," says the League, "And have failed. The boom is a fact of nature, like gravity."

However, the U.S. Air Force and the National Aeronautics Space Administration, in a joint project, are using the giant jet XB–70 in an attempt to find answers to reduce jet noise.

The objectives of the project are to reduce the noise radiated from the compressor and fan discharge ducts of turbofan engines in presently operating commercial jets, and to develop more accurate flight path control so jets can make steeper approach paths for landing and lower the noise level near airports.

But what about the sonic boom expected from the supersonic transport (SST), a prototype of which is currently being built in Seattle by the Boeing Company?

PHYSICAL PHENOMENA

"I am told that a sonic boom is a physical phenomenon that will exist when there is supersonic flight," said William Allen, a Boeing executive.

"The degree of intensity of the boom is affected by various factors, including the size and weight of the airplane, its design, the altitude at which it is flying, the existing atmospheric conditions and the nature of the surface over which the plane flies.

"I would expect," Allen said, "the principal solution to the sonic boom problem will lie in the manner in which the airplane is operated, the route followed, the altitude at which the sonic boom flights are conducted and the approach and takeoff techniques."

While Boeing proceeds with construction of the SST, President Johnson has called for a "concerted effort to alleviate the problems of aircraft noise."

To comply with the President's order, the Federal Aviation Agency has created a Noise Abatement Staff. It has begun to work closely with the Office of Science and Technology, NASA, the Commerce Department, the Housing and Uraban Development Department and the aviation industry.

But the major task of the staff appears to be to reduce noise at major airports rather than curb sonic booms.

FEDERAL LEGISLATION

Congressman Theodore R. Kupferman, R-N.Y., has introduced Federal legislation to establish a Federal Office of Noise Control.

His bill would provide for grants to aid state and local programs aimed at controlling excessive noise, particularly from jet aircraft and for research into "sonic booms" that can be created by travel at supersonic speeds.

"The jets are really a major problem," Kupferman said. "I've had letters from people who claim the sonic boom is causing cracks in the Grand Canyon."

The U.S. Air Force, probably responsible for most of today's sonic booms, frankly admits it can do nothing about them.

In a letter to Kupferman, Air Force Col. John E. Lingo wrote:

"The Air Force wishes it were possible to accomplish the air defense mission without disturbing private citizens.

"At the present time, there is no known method of dissipating the pressure wave that is produced when an aircraft exceeds the speed of sound. Notwithstanding, scientists are trying to find ways to eliminate, or at least reduce, the audible disturbance caused by the sonic boom.

"MINIMIZE DISTRESS

"In the meantime," said Lingo, "all feasible and practicable measures are being exercised to minimize the distress to our citizens without jeopardizing the air defense capabilities of the United States."

Lingo said the Air Force restricts supersonic flights to altitudes above 30,000 feet, but this does not eliminate the audible sound of the sonic booms.

"A supersonic flight of only 100 miles in length," he said, "could expose an area in excess of 5,000 square miles."

As far as present jet airports are concerned and the noise problems associated with them, the Airline Pilots Association has "strongly opposed the inclusion of residential property within close proximity and peripheral areas of jet airports."

John S. Stefanki, representing the pilots' association, said, "The problems of jet noise pollution to the residential owner has usually been created by myopic zoning boards.

"The airline pilot is saddled with the blame inasmuch as he is at the controls of the sound problem aircraft," Stefanki said. "This would not be so if residential property owners did not lie underneath or within the confine of aircraft flight paths."

Aircraft noise is and will continue to be a big problem for Americans.

Jet aircraft engines have been developed that generate less noise, although they're not yet in use. These new quieter jets will cost money; if the public wants quiet in the skies, it must exert pressure on the aircraft industry and the government to get it.

And, most of all, the American public must decide now before the point of no return is reached whether it wants supersonic transports that will cause what medical doctors term a "startle" reaction in humans.

Other items on sonic boom follow:

SONIC BOOM: THE ENEMY OF CIVILIZATION BY ZHIVKO D. ANGELUSCHEFF, M.D.*

* * * * *

Voltaire, the French philosopher, while a guest of the Empress Katherine II of Russia, wrote to Paris: "Today a letter from Peking did arrive. It took only six months! Incredible, isn't it? Progress goes forward with tremendous steps."

Progress has continued, and we marvel! Do we indeed progress?

The Academy of Sciences in New York, on the occasion of its 150th anniversary jubilee, arranged a referendum among its members for an appropriate solgan for the occasion. I answered the invitation in the following manner: "We have lost precious time and effort in our concern for things unimportant for the future of humanity. Man and his destiny must be the primary consideration of science. *Protection and Promotion of the faculties given to Man by Nature*—this is my proposal."

---

* Fellow Academy of Medicine, N.Y.; Member, Academy of Science, N.Y.; Member, World Health Organization, (A.C.C.), N.Y.; Hearing and Speech Center, City Hospital, N.Y.; Manhattan Eye Ear and Throat Hospital, N.Y.; Accoustic Society of America; Accoustic Society of France.

The most distinctive characteristic of our mechanized civilization is its disregard of the biological limits of the human body. Technology today adds decibels and promotes deafness and mental illness among the people. Industrial and aviation noise intrudes into homes and exerts a deleterious effect upon human hearing and upon the nervous system. A population not exposed to vibratory energy (or noise), the natives of Morocco, the Congo, Sudan, can perceive frequencies as high as 28,000 c/s (32,000 c/s, Helmholtz). Our middle-aged population in Long Island, New York, an area highly infested with aviation noise, can hardly perceive 8,000 c/s; a pilot after long duty, 4,000 c/s.

Acoustics, which refers primarily to hearing, in its zeal for progress, has become the enemy of hearing. The decibel is its darling!

NORMAL HEARING

Shortly before the Congo was given independence, Belgian firms were equipping factories in the jungle. The French Institut National de Securite, an agency for preventing occupational hazards, was asked for an acoustical engineer to take care of the "desonorisation" of the machines destined for the Congo. The French acoustician inquired: Why all the fuss about desonorising machines for the jungle, when nobody does it for Belgium or France? He received this reply from a Belgian executive: "When we install machines in Belgium or France, the workers accept them and do not protest. When we do it in the Congo, the workers run away, and no power on earth can bring them back." The Congolese cannot stand the noise and leaves his job.

His natural capacity should be called normal hearing. The human ear can receive and interpret sound frequencies from 16 c/s to 32,000 c/s (Helmholtz). Vibrations above this range obey the same physical laws but are not perceived subjectively as sound; they are ultrasonics. Although not perceived, they exist objectively and act upon the biological structures. Every overtaxing of the ear leads to impairment of normal hearing.

A memory of my schooldays came back to me many years later when I became an ear specialist. A relative of mine, centenarian shepherd, was entrusted to me by my cousin. His sight was dimmed by age, and my friends and I would bring him to his bench, where he could enjoy the greetings of passing neighbors. One day our gang's "intelligence service" brought the news that the man who guarded the apples and prunes in a nearby garden was away for two days. It was an emergency call—there was nothing to do but go and help ourselves! We said to Grandpa, "You must go to bed—it is time." "No," he said, "it is not late. I haven't heard the cry of the bats."

At the time I didn't pay particular attention to his remark. But now I realize that a 109-year-old could hear the signals of the bat—120 c/s—while a man of 35-45 years, living in the city noise, cannot hear 8,000 or 10,000 or 12,000 c/s.

Can you help me with this problem, dear colleagues? Have we so greatly underestimated the capacity of the human ear—perhaps because of the effects of noise even in Helmholtz' time? Should the old man's hearing be considered the normal range?

Imagine that I am addressing you in my normal voice from the Rock of Gibraltar, and that you are seated 12 miles across the strait on the African shore. You will hear my voice as well as you hear me now, as is described in the Encyclopedia Magna.

Once I participated in a Congress in Istanbul; it was held in the Physical Institute, a modern building with a seating capacity of 1000 donated by the American government. I was seated in the 3rd row, about 10 yards from the speaker's platform. Since I understood the three official languages. I didn't use the earphone, and I didn't hear clearly. I was told it was because of the acoustics. In the evening I was the guest of Professor Ener, Dean of the Institute. "How could you accept such a gift with impossible acoustics?" I asked my host."You have so many excellent classical achievements of acoustics—Haya Sophia, the theater of Pergamum with a capacity of 15,000 listeners. There, from the last row, you hear a dime dropped on the stage!" "You are right, dear colleague, very right!" exclaimed my host. "This year I was in Pergamum. You hear well every spoken or whispered word. Even more—you hear the breathing of the actors!"

If science—architectural and acoustical—had studied or discovered the secrets of the old masters, and simply copied them, we would not now need amplifiers, those contributors to the progressive deafness and nervous illnesses of man.

Will you agree with me, dear colleagues, that western civilization is not capable of accommodating an audience of 15,000 to 50,000 without using amplifiers?

"Technicians and politicians are rushing into experiments without the faintest idea of what the results may be" (Soddy).

At the invitation of the French speaking acousticians (G.A.L.F.), I addressed their Congress on October 5, 1967. My paper was "The tragedy of Beethoven and the failure of acoustics." Since I had many times, in Congresses, reproached engineers and acousticians for their disregard of the biological functions of human beings exposed to noise, I expected some criticism. Instead, when I finished my talk with the slogan, *"A bas les decibels!"* there was applause. I was puzzled—was this French politesse? Many came to express their appreciation. A colleague working on ultrasonics took me home. He told me about the tragic occurrence in the city of Vannes, where a supersonic jet, flying over the city, killed three persons with its sonic boom, and wounded two others. Protests flooded the press. Perhaps this terrible accident conditioned my French colleague to agree with me that S.S.T.—boom—is a dangerous weapon!

VIBRATION—NOISE

Vibration is a primordial phenomenon. Submolecular movement of electrons in the living cell is a manifestation of life. Organic matter consists of units of chemically bound atoms. These adhering atoms are easily broken down by vibratory energy.

The disruption of the molecules of the nerve cells can deprive them of their biological functions. When a submolecular motion is generated in the cell by adequate frequencies, resonance results. In such a condition, the nerve cell attains its maximum depletion of enzymes, electrolytes, and amino acids. These cell components, being freed of their chemical ties, are liberated. They leave the cell, and the specific band of the amino acids is no longer obtainable in the spectroscope. Succindehydrase, cytochrome oxydase, taking part in oxydation, are thus lost. Glycolysis in the hair cells of the organ of Corti and the spiral ganglion is stopped. The plasma itself undergoes degeneration (Vinnikov).

The Electron Transport System (ETS) accounts for more than 50 per cent of the total protein. Protein under the impact of vibratory energy drops (G. Hammer). The degeneration of the high proteins (RNA, DNA) leads to deficiency and failure of cellular function.

Experimental rats exposed to sublethal vibratory stimulation showed a higher percentage of Purkinje cells in the brain tissue than did control rats. These cells are "densified," filled with granules, with low physiological function, and they decay progressively. The chemical substance of the granules has been identified by staining and ultraviolet spectrum as Ribonucleic acid (RNA). This RNA proved to be denatured and denuded of its primordial physiological function (Dunaevsky). The new knowledge of disruption and fragmentation of the minute mitochondrium by vibratory energy is of paramount importance for medical, acoustical, and all human sciences. Any stress on the mitochondrial cell system by vibratory energy, noise, is capable of disrupting its synthetic system and undermining the highest biological activity of the cell. *The biological system which converts the vibratory sonic energy into electrochemical energy then disappears.*

"Frequencies which are not perceptible by the ear, *ultrasonics*, can be damaging. The effect of sonic and ultrasonic frequencies is especially dangerous for the ganglionic cells and those of the central nervous system of the spinal cord and brain. . . . An irreversible paralysis and, under circumstances, death of the cells can result" (G. Lehmann).

Resonance is a natural quality of matter. It results when vibratory frequencies acting upon a body coincide with its natural frequencies. Resonance is caused by fundamentals or their harmonics (including ultrasonics). Physicists and biochemists today assert that the concept of resonance has "helped to disperse the veil of mystery which has shrouded the chemical bond during the decades since its existence was first assumed" (Pauling).

The natural vibration of the chemical elements has been brought into view for the first time by D. Mendeleyev. In his attempt to classify matter chemically, he affirmed that the characteristics of a substance are conditioned by the specific vibration going on within the substance. Different vibrations condition different characteristics. The quanta of Planck, the photon of Einstein, the law of continuity of matter and energy are proving, step by step, that matter is a permanent motion and has a life of vibrating waves.

Many atomic nuclei possess their own momentum of movement or "spin" (Pauli). Such a movement generates a magnetic field of definite frequency (Rabi). When frequencies of an outer field coincide with the frequencies of the nucleus, resonance results. The shortest waves, the ultraviolet, are richest in energy; the red are the least rich.

Maxwell advanced the idea that very high frequencies of electrical vibrations are identical with light, and low frequencies resemble sound. Ultrasound, sound, and vibratory flow of electricity are governed by practically the same laws. An electric circuit being traversed by a rapidly vibrating current will set up waves of harmonics, as an elastic body does. Such harmonics, acting upon systems of identical frequencies in a natural body, produce resonance (Tesla). When resonance occurs, disruption of chemical bonds and excitement of submolecular particles in inorganic and organic matter take place.

OKLAHOMA

Before the mechanization of human life, supersonic energy was in the hands of the gods. When lightning flashed and thunder boomed, the mortals on earth whispered fearfully to each other:

"The gods on Olympus are drunk! they are angry! they are quarreling!" In our days man has assumed the prerogatives of the gods.

For the first time in history, from the sky over Oklahoma, the power of the supersonic jets created by man descended on a city. As an official delegate to the International Association against Noise (A. I. C. B., Association Internationale Contre Bruit, in Switzerland), I was witness to the fact that men were executing their brethren during six long months. Eight times a day the jets flew over the city at an altitude of 35,000 feet. With their thunder, sonic boom, they were punishing all the living creatures on earth. Those who could left. The only ones who remained were birds in cages and people chained down by their work.

This is what the owner of a chicken farm told me: "Before the appearance of the jets, my chickens were healthy and gay and they peeped all day long. It was sheer pleasure to work among them. After the thunder of the first flights, the sonic boom, they became very nervous: they dashed around their cages as if they were blind and they would smash themselves against the nets. A few days later they started to shed their feathers. Subsequently, I might say, they were losing their mind; they lost their appetite, stopped eating, reached a state of complete exhaustion, and finally perished. The hens became morose, stopped laying eggs, began to suffer from internal hemorrhages, and finally died.

"Now, I ask myself: couldn't the authorities have established by laboratory test what harm sonic boom would do to the animal world? They should have established this and then forwarned us of what lay in store for us. My chicken farm, which counted 10,000 chickens before the flights, within six months was reduced to 4,000 because of the sonic boom! Why didn't the authorities think about it? I would like very much indeed to have an answer to my question."

The problem of noise is not, however, a new one for man. Ancient China solved it in its own fashion. In the third century B.C. under the law of Ming-Ti, criminals were executed by chiming bells! "Criminals should not be hanged, but flutes, drums, and the chime of bells should be sounded without let up, until they drop dead, because this is the most agonizing death man can conceive. Ring, ring the bells without interruption until the criminals first turn insane and then die!".

As the most techically advanced, the United States of America is more deeply involved than any other country in the problems of sound. The average American is awakened in the morning by the alarm clock. To shave himself, he uses a vibrating electric razor. He may even clean his teeth with a vibrating electric tooth brush. While he is eating his breakfast he is exposed to the vibrations of the radio. He makes use of the vibrating elevator and gets in his car, turns on the motor, and goes to work. During his working hours he makes frequent and prolonged telephone calls, thus exposing himself to the vibrating telephone membrane. And in the evening he looks at TV, listens to the radio or to his record player—all sound amplifiers depending on transistors which are composed of quartz, germanium, and similar sources of supersonic energy.

Add to this the thundering sound of jets which, alone, are sufficient to destroy the auditory nervous system of man and cause deafness—and the problem of sound is outlined in all its frightening, but unfortunately not perceivable, dimensions.

Thus it is not surprising that over 50 per cent of all the hospital beds in the United States are occupied by mentally ill patients.

However, other industrially developed countries are making great strides toward catching up or even overtaking the United States. For example, a report of the Federal Department of Workers' Insurance in West Germany stresses the significant increase of nervous diseases. In 1961, for every thousand sick men, five hundred were suffering from mental diseases: an increase of 20 per cent over 1959. Among female employees who applied for medical treatment, the number of those suffering from mental diseases reached 75 per cent (*New York Times*, August 16, 1964.)

A VERDICT ON NOISE AND VIBRATION

The Supreme Court of the United States, in March 1962, released a judgment on noise and vibrations. On this occasion I wrote the following letter to all the justices of the Supreme Court:

"Supreme Custodian of the Law: I read your verdict on 'noise and vibration.' This is the first of high authority defending not only the property—the homes, the walls, the ceilings—but the *very health of the people* who inhabit them.

"Your decision is a moral backing of the Hippocratic Oath: 'To enter into whatsoever houses to help, but never with a view to injury and wrong doing.' Noise and vibrations are intruding into homes, harming the health of the people.

"The health authorities of France have recognized noise as the 'Enemy No. 1!' Sustained vibratory energy depletes the blood plasma of its essential ascorbic acid. This inhibits the function of the adrenal glands; the nervous system becomes depleted in potassium electrolytes, which inhibits to a high degree the organs of sense. The normal body of a pilot is reduced to poor condition and actually becomes ill—with muscular and mental fatigue, lowered blood pressure, blurred vision and hearing, and depressed alertness. Such a sick person continues in charge of a highly responsible task—the safety of his passengers, crew, aircraft and cargo, and of the people on the ground over which he flies!

"With feelings of gratitude, I am most respectfully yours."

Thanks and acknowledgement came from Supreme Court Justice William O. Douglas, who signed for all.

SONIC BOOM

Sonic boom is the Achilles heel of noise abatement. United States Senator Monroney, chief champion of the S.S.T., stated that the British and French designers of jets have completely overlooked the problem of sonic boom. Clarence L. Kelly Johnson, a designer of jets, admitted: "I am very concerned about the sonic boom of S.S.T. Something must be done." (*Time Magazine*, July 26, 1964.)

And this "something" has not yet been done!

The Journal of the Acoustical Society of America (May, 1966, vol. 39, No. 5, page 4) confesses:

"When supersonic flying became a reality, the phenomenon of the sonic boom had not been predicted. It was discovered because people heard it, reacted to it with surprise, and wondered about its source. Although the shock wave associated with supersonic motion of a body through air was well known, it had apparently *not* been expected that this shock wave would reach the ground from high altitude with such intensity and would create an audible signal. . . . Laboratory work in support of this question has hardly been started."

At least 30 Congressmen have introduced bills attacking jet noise. No bills have been passed. The nation's airport operators have withdrawn from the antinoise council, denouncing the airlines and aircraft manufacturers for laying a "smokescreen" over the problem of jet noise—a "hoax on the public." Their statement of February 7, 1968 continues: "We are tired of being the scapegoat for the airlines and manufacturers."

An "authoritative study" carried by *Physics Today* (Feb. 1968) attempts to prove that the damage attributed to sonic boom is "superficial" and due to "dehydration and poor workmanship."

In the meantime, in Canyon de Chelly, a National Park in Arizona, where many Indians live, raising sheep, goats, and corn, 83 sonic booms were recorded for the period of August 11 to December 22, 1966. Engineers have estimated that about 80 tons of rock have fallen on the cliff dwellings in Canyon del Muerto, causing extensive damage (*New York Times*, Jan. 12, 1967).

The Santa Barbara City Council has outlawed sonic boom, which caused damage to homes and physical injury to individuals (*New York Times*, Sept. 28, 1967).

Committed as we are to technical progress, we have to accept, not the chiming of bells, but sonic boom as the most modern executioner. And this not for convicted criminals, but--in the most democratic way—for all!

Thomas A. Edison ventured a farsighted augury that man in urban areas, exposed to the steadily increasing noise, confronts the possibility of being born deaf.

Down with decibels!

U.S. Department of Justice,
Washington, D.C., April 1, 1968.

Dr. William A. Shurcliff,
Cambridge, Mass.

Dear Dr. Shurcliff: Your letter of March 6, 1968, addressed to Major General Maxwell, Director, Supersonic Transport Development, Department of Transportation, has been referred to this office for a reply to the question in paragraph 3 of your letter.

We know of only four lawsuits by Oklahoma City residents relating to the 1964 sonic boom testing program.

1. *Gravelle, et al.* v. *United States,* a suit by a number of residents of Oklahoma City was tried in Federal District Court and resulted in a judgment against the United States dated April 14, 1967, in the total amount of $18,081.09 for the nine cases litigated. This judgment has been appealed and is presently pending in the United States Court of Appeals for the Tenth Circuit. Because of the appeal, no sums have been paid by the United States. We have stipuated that if the judgment is affirmed in all respects the United States will pay the 60 plaintiffs whose cases were not litigated a total of $75,624.84. If the judgment is not affirmed the stipulation would have no effect and the disposition of the cases would be governed by the appellate decision.

2. *Bailey Smith* v. *Valley Forge Insurance Company* was a suit in Federal District Court by Mr. Smith against his insurance company. This suit resulted in a $10,000 judgment for the plaintiff which was not appealed by the insurance company.

3. *Beckham* v. *Hartford Fire Insurance Company* was a suit in Federal District Court by Mrs. Beckham against her insurance carrier. The jury found that the claimed damage was not caused by the sonic booms and the judgment was for the insurance company. The plaintiff did not appeal that decision.

4. *Kunc* v. *Standard Accident Insurance Company* was a suit in the Court of Common Pleas of Oklahoma County by Mr. and Mrs. Frank J. Kunc against their insurance company. This suit resulted in a $2,000 judgment for the plaintiffs which the insurance company did not appeal.

Sincerely yours,

Edwin L. Weisl, Jr.,
Assistant Attorney General,
Civil Division.

John G. Laughlin,
Chief, Torts Section.

Department of Transportation,
Federal Aviation Aministration,
Washington, D.C., April 4, 1968.

Mr. S. Weber,
New York, N.Y.

Dear Mr. Weber: Referring to your March letter addressed to the FAA, the Norair Division of Northrop Corporation has explained to us some of their experience in testing effects of electrostatic charges in fluid flow. Most of the publicity they have received on this project fails to state that their tests have been conducted with liquids only. These tests indicated some change in flow characteristics but the consequences of these changes have not been evaluated. Further, it is not known whether these effects would be obtained in a gas or in air. We see no serious likelihood that this concept could reduce sonic boom characteristics. According to the electrical power which Northrop used in these preliminary experiments, the electrical requirements for an airplane in flight would appear to be prohibitive.

If you wish further information on this subject, I suggest you write directly to the Northrop Corporation.

Sincerely yours,

C. L. BLAKE,
Chief, Engineering Division,
Supersonic Transport Development.

[Editorial channel 2, New York, N.Y., Feb. 14, 1968]

TRANSPORTATION 8

(By Michael F. Keating)

Take the noise of screaming jets that you hear around our airports, and make it three times louder. Then add the thunderclaps of sonic booms, and spread them across the countryside everytime one of those new supersonic jetliners passes overhead at top speed.

What you have then are the sounds of the 70s. Unless we do something in the 60s to muffle the impending din, the sounds of the 70s will be deafening.

Aircraft noise, which now helps make New York City the noise capital of the United States, is booming right along with air travel. And air travel is expected to triple in volume by 1975. Presumably so will noise. At the same time, supersonic jetliners, like the British-French Concorde will be zooming along at speeds up to 1800 miles an hour, and they'll be dragging thunderous sonic booms behind them.

Sonic booms, which travel in waves like the wake of a fast motorboat, will spread out as far as 50 miles from these new planes when they break the sound barrier. It has been estimated that in a cross-country journey, these sonic booms could assault the ears of up to 20 million Americans.

What can we do to protect our nerves, our eardrums and even our sanity from this sort of transportation "progress?" There's a great deal we can do through government and industry. But we must insist that it be done.

One of the first steps we should insist upon is the establishment of sensible zoning practices that would reserve land near airports for industry instead of housing. In far too many cases, New York City is now allowing apartments to be built too close to the airports. One project, a high-rise apartment, will be built within a mile and a half of a busy and noisy runway at LaGuardia.

Another step that local government should take is the enactment of special building codes that require soundproofing of housing that is built in noisy areas.

At the federal level, much more needs to be done about curing aircraft noise at the source. Scientific research may solve the sonic-boom problem, but until it does Washington should establish speed limits in the skies so that populated areas will be safe from these man-made thunderclaps.

More federal research funds may lead to a quieter jet engine. Washington spent $485,000 for such engine research last year; but at the same time, Congress spent $3 billion to develop supersonic jetliners and thereby sonic booms.

To us this indicates that government cares little about this problem now in the 60s, we're likely to be drowned out by the 70s.

[From Seattle magazine, March 1968]

THE SHATTERING SONIC BOOM

(By Patrick Douglas and James Halpin)

The pop art painting on this month's cover points up a major hazard of the supersonic transport, or SST, now being developed by Boeing at its Seattle plant: the reverberating sonic boom that SST's will trail when flying at high speeds. Although it is unlikely that Seattle itself will be plagued by many such booms—SST's approaching or leaving Seattle-Tacoma International Airport will be traveling at subsonic speeds—this whole area has an enormous stake in how the sonic boom dilemma is resolved.

When President Johnson announced at the end of 1966 that Boeing had been selected to build the SST, most Seattleites interpreted the news as a tremendous windfall. Small wonder, for government investment in the program will likely come to $4 billion, and Boeing estimates that SST sales might reach $50 billion by 1990, making the award, according to *Fortune*, "potentially the biggest competitive prize in U.S. industrial history."

The selection of Boeing over Lockheed as winner of the supersonic sweepstakes promised Seattle not only vast economic rewards for decades to come, but glory as well—the prestige of building a vehicle that will be reshape the world's economic, political and ecological patterns. Carrying 350 passengers at 1,800 miles an hour—or three times the speed of today's jets—the SST will be able to reach any place on the globe within 12 hours.

But stacked against these advantages is the problem that is literally earth-shaking—the inevitable sonic boom. In the first rush of excitement over the SST, the question of the boom was largely ignored; now, however, second thoughts are being voiced by responsible officials and scientists throughout the U.S. Chief among them is a new group called the Citizens League Against the Sonic Boom, with headquarters in Cambridge, Massachusetts, which presently claims more than 2,000 members.

Surprisingly, this growing criticism is not being answered by the other side—at Boeing, especially, mum's the word. Rather than responding, SST boosters seem to prefer "laying low" in hopes that the criticism will dissipate—at least until the plane is in the air. After that (so this line or reasoning goes) the public will simply learn to accept the boom, just as it has the roar of trucks and the rumble of railroad trains.

But whether Americans will ever learn to stop worring and love the sonic boom is doubtful. Almost certainly, the boom can never be entirely eradicated, for it is a consequence of physical laws. When a plane passes through the air at supersonic speed, it is flying faster than the speed at which air molecules can move out of its path. These air waves pile up in front of the plane, and once it has passed through them, they rush to fill the vacuum. Thus, the plane generates a pair of opposing, conical shock waves, one inside the other, which spread out behind the aircraft like the wake of a passing ship. In the case of an SST flying at 60,000 feet, these waves at ground level will be about 60 miles wide, and anyone in their path will hear a pair of loud explosions. Since these explosions always come without warning, their effect is apt to be frightening indeed.

Recently, for example, a Madison Park matron was nearly frightened out of her wits when a low-flying fighter-plane boomed her house. "At first I thought our furnace was exploding," she recalls. "Then I thought it was an earthquake, so I pulled the children into a doorway. When the second boom hit, I expected the ground to swallow us up."

Scientists have an apt name for this phenomenon: the "startle effect." As John Anthony Parr, a British physician, has observed: "Our muscles tense and we jerk, our abdominal blood vessels contract to drive extra blood . . . and this produces that feeling of the stomach turning over. . . . This internal upheaval, if repeated again and again, is exhausting physically and mentally, and ultimately can cause a nervous breakdown. . . ."

Some experts estimate that if and when SST's go into operation across the U.S., many areas will be boomed as often as 20 times a day. Though there is still no proof that this experience could actually produce mental illness, the damage which sonic booms cause to physical property is no longer a matter of speculation. (To keep tab on the effects of sonic booms caused locally by Air Force planes, the State Aeronautics Commission has set up a special answering service for complaints, which can be reached by dialing RO 7 3466.)

The Air Force no longer publishes damage claims filed against the federal government, but in 1962, the most recent year for which figures are available, these claims numbered more than 3,000. A farmer in North Dakota, for example, was paid $1,048 after a sonic boom caused one of his animals to run into a barbed-wired fence, while a store owner in Cedar City, Utah, was paid $1,900 for the replacement of plate glass windows and merchandise.

Although much of the damage caused by sonic booms is seldom seen, it is nonetheless real. The U.S. Department of the Interior claims that the booms have shaken tons of earth from the prehistoric cliff dwellings in Mesa Verde National Park in Colorado, just as they have reduced magnificent sandstone formations to piles of rubble in Utah's Bryce Canyon and Zion National Parks. So concerned is Interior Secretary Stewart Udall that, acting independently of the White House, he has formed a panel of a dozen scientists to advise him on all damages the SST will likely cause to geological formations and wildlife.

One of the problems in predicting the effects of sonic booms is that their intensity varies with atmospheric conditions as well as with the altitude and weight of the plane itself. Because of these atmospheric variations, every hundredth house in the path of an SST will be hit by a "superboom" of twice the normal size, while every thousandth house will be hit by a *triple-size* boom. Such superbooms can occasionally wreak fantastic damage; in 1953, for instance, a superboom caused $500,000 damage to the Will Rogers Terminal near Oklahoma City, while in 1959, an F–104 fighter flew over the Ottawa air terminal at 500 feet, causing a superboom that blew out the terminal's glass walls and twisted its roof.

Faced with such frightening prospects, some regions have taken countermeasures. After being bombarded for 75 consecutive days by jets from nearby Hamilton Air Force Base, angry residents of Santa Barbara, California, forced their city council to pass an ordinance which makes sonic booms an "unlawful public nuisance punishable by a fine of $500 and 60 days in jail." "I know we'll come in for some kidding about this," said City Attorney Stanley Tomlinson after the ordinance was signed, "but it's high time somebody somewhere spoke out against this darned nuisance."

Meanwhile, Canada has passed a regulation affecting all provinces, which stipulates: "No aircraft shall be flown in such a manner as to create a shock wave . . . likely to create a hazard to other aircraft or to persons or property on the ground." Switzerland and West Germany, for their part, have declared they will ban SST flights if their citizens raise strong objections.

At this point, however, it is unclear whether the public will rise up in protest or accept the sonic boom as part of the price of "progress"—assuming, of course, that physical damage can be kept to a minimum. So far, the most revealing indication of the public's tolerance level is found in a series of supersonic flight tests which the Federal Aviation Agency conducted over Oklahoma City in 1964.

The FAA is the agency through which government funds for the SST are distributed. Its tentative contract for firms competing to build the SST contained a clause which stated that any boom caused by the plane could not generate more than 2.0 pounds per square foot of overpressure (that is, pressure above the normal level) during acceleration, and 1.5 psf during cruising. Although the purpose of the Oklahoma City tests was to demonstrate that these boom levels would, in fact, be acceptable, the results were anything but reassuring.

From January through July, Oklahoma City was bombarded by 1,253 sonic booms at an intensity varying from 1.0 to 2.17 psf. After the first eleven weeks, less than 10 per cent of the population said that they could never learn to live with the booms, but by the end of July, this figure had risen to 27 per cent, and a total of 15,452 residents made formal complaints. Worse yet, 4,901 Oklahomans filed damage claims, of which 289 were granted at a cost to the U.S. government of $19,355. (More than half of this amount went to a couple who were able to prove that a sonic boom had split the walls of their basement.) When the tests were over, the stipulation regarding boom levels was quietly dropped from the contract.

"The idea now," says Major General J. C. Maxwell, who directs the SST program for the FAA, "is to go ahead and develop a supersonic transport as quickly as possible, even if the plane's boom level restricts it to oceanic flights." This will likely be the case —at least initially—with the Boeing plane. Interviewed by SEATTLE MAGAZINE, General Maxwell estimated that a Boeing SST flying from New York to Paris would produce booms of 2.4 psf during acceleration, 2.0 at the beginning of its cruise, and 1.7 toward the end. (When necessary, the plane can reduce it speed to subsonic levels to avoid booming the residents of England and northern France. Indeed, the Boeing innovation allowing easy adjustment between subsonic and supersonic speeds because of variable-sweep wing design is widely credited with its victory over Lockheed in the government-sponsored competition to build the SST.) "If the SST ever flies from New York to San Francisco," Maxwell added, "it will carry less fuel than it would for a Paris flight, and this decrease in weight will reduce the booms to 2.0, 1.7 and 1.6."

But to SST critics, the plan to restrict the planes to oceanic flights is small consolation. "On a flight from New York to London," says Dr. William Shurcliff, the Harvard physicist who has organized the Citizens League Against the Sonic Boom, "an SST will boom approximately 4,000 ship passengers, and once SST's become commonplace, each ship on that route will be boomed about 20 times per crossing." Moreover, continues Shurcliff, it is naive to assume that the airlines will ever be content to fly the SST only over water. "First," says Shurcliff, "they will get permission to fly over Cape Cod. Next it'll be Maine, and before long they'll be flying all over the country." When this happens, according to Shurcliff, each cross-country flight will boom some 20 million people, and all of the flights together will cause $1 million worth of damage per day.

The reason Shurcliff is so certain the SST will eventually be approved by overland flight is that the government body which is managing the program—that is, the FAA—will also decide whether the plane is suitable for service and where it may fly at supersonic speeds. "In effect," says Shurcliff, "the FAA will be asked to declare whether it has spent its own money wisely, and in my opinion, this constitutes a definite conflict of interest."

Shurcliff's assessment is vigorously disputed by General Maxwell. "The FAA," says Maxwell, "can't make a plane a success simply declaring it so. The SST's success will depend solely on whether the airlines buy it and make money from it." (Presumably, this yardstick would apply no matter how many people were being subjected to sonic boom.)

As Maxwell implies, the criteria by which the FAA presently passes judgment on a new plane have nothing to do with noise levels. "Our sole responsibility," says Maxwell, "is to decide whether the plane is safe or not. Any other considerations are outside our legal jurisdiction."

To close this gap in the law, the administration is sponsoring a bill which will give the recently-formed U.S. Department of Transportation the power to specify acceptable noise levels for new aircraft. Few sonic boom critics take much comfort in this proposed legislation, however, for as Maxwell himself points out, the FAA is part of the Transportation Department and is the most likely agency to influence any final decision.

For opponents of the SST, the one remaining hope is a group of skeptical congressmen led by Senator William Proxmire of Wisconsin. Like most SST critics, Proxmire fears that the plane's sonic boom will turn the world into what he calls a "gigantic drop-forge foundry." But beyond this, Proxmire feels strongly that the $4 billion being waged on the SST gamble could be better spent on other projects.

"I am as enthusiastic as anyone," Proxmire recently told Congress, "about the prospect of flying from Washington to London in three hours instead of seven and a half. . . . But is the duration of the average commercial flight between Washington and London a national problem of such magnitude that it deserves to be treated with as much concern and have as much public money contributed to it as the crisis in our cities, the education of our children, or the pollution of our air and our lakes and streams?" (Other critics, of course, name an even more troublesome dilemma crying for higher priority than the SST: the war in Vietnam.)

In reply, supporters claim that the overriding economic justification for pushing ahead with the SST is the nation's serious balance of payments problem. The British-French Concorde, they point out, though slower and smaller than the Boeing SST, is expected to go into service four years earlier, in 1971. (Schurcliff, however, believes that Britain, because of its present economic doldrums, will eventually pull out of the program, and that the Concorde will therefore never go into production.) Moreover, the Russian version of a supersonic transport, the TU-144, may be ready even before then. If either of these planes captures the world market, goes this argument, the U.S. will lose not only the potential foreign sales of the Boeing SST, but also the dollars which American airlines will spend for planes produced in France or Russia.

The only problem with this position, claim SST critics, is that no one knows just how large that world market will be. In the case of the SST, some economists have predicted a market for as many as 1,200 planes by 1990 (in which case the government would recover its investment, plus a $3.2 billion profit). If the plane is restricted to oceanic flight, however, this market will shrink substantially, but exactly how much is unclear.

Soon after the SST program got under way, the FAA commissioned a market study by the Institute for Defense Analyses. The results of this study predicted that if the SST was allowed to fly only over water, Boeing would sell a mere 279 planes—21 below the break-even point of 300. (Each of the planes will sell for $40,000,000.) The results of this study were kept secret for months—until objections were finally raised by the *Wall Street Journal*. Thereafter, the FAA's response was simply to commission another study from another agency. To no one's surprise, this second study declared that, even if the SST was restricted to oceanic routes, sales by 1990 would run to about 500 planes—providing the government a $1.1 billion profit on its investment. Already, the SST's supporters emphasize, 15 American airlines and 16 foreign carriers have deposited a total of $85 million toward the purchase of 125 planes. However, the plane's critics point out that, unlike most of the 74 reservations for the Concorde, those for the SST are not binding; airlines can recover their deposits whenever they wish—and if the sonic boom should prove a major problem, many may well wish to do so.

In the end, of course, any answer to the sonic boom question will have to come from the organization which is building the plane—The Boeing Company. At this point, however, Boeing isn't talking. Since receiving the contract to build the SST, it has been reluctant to release any information pertaining to the sonic boom—a curious policy in light of the fact that fully 83 per cent of the plane's cost is being paid for with public funds. (An exception to this self-imposed silence occurred when William T. Hamilton, Boeing's director of SST product development, announced that, because of the extra equipment required, the plan of two Northrup Corporation scientists to dissipate the SST's shock waves with electrical charges was impractical.) Last month, when SEATTLE sought the views of Boeing scientists, this magazine was denied any access whatever to Boeing personnel. Instead, it received a neatly-typed, one-page statement whose "reassuring" tone is revealed in the very first sentence: "Sonic boom is a natural phenomenon which occurs when aircraft fly supersonically."

But Boeing's silence, though regrettable—and certainly a *faux pas* in public relations—is understandable. Well aware of the growing opposition, as well as the rising skepticism of an economy-minded Congress company officials are saying nothing that might cause them to lose the biggest industrial contract in history—and any talk about the sonic boom, they fear, might help to accomplish just that.

Laments one Boeing public relations man: "Asking us about the sonic boom is like asking a man whether he's stopped beating his wife." Nevertheless, that is precisely the question that will be haunting Boeing bigwigs in the months ahead—and the answer they eventually come up with will play a decisive role in shaping the economic future of Pugetopolis.

[From the New Republic, Mar. 16, 1968]

SUPERSONIC SCANDAL

(By George Lardner, Jr.)

Congress has already appropriated more than $653-million for that glittering superjet called the SST. In his January budget asking for more, President Johnson said that "firm plans for construction" of two prototypes had been made last spring. Yet on February 22, the Boeing Company, which is building the supersonic transport, admitted that it did not yet have a design that it considered "safe, successful and profitable." Its engineers are still at the drawing boards. Flight tests will be delayed until at least 1972.

For the SST, it is a politically fortuitous slowdown, in tune with its charmed life. The controversial project has been insulated by powerful congressional support, but the steadily rising costs of the war and inflation are making federal spending on an airliner for the jet set more incongruous than ever. Despite this, LBJ had asked even more than last season for the SST—$223-million. The slowdown permits the Administration to scale down to a level calculated to arouse less opposition. Closed hearings will begin shortly before a House appropriations subcommittee, but if the past is prologue, the SST will fly through again. It can easily weather a show of frugality. Congress has been serving up cash for it faster than it can be spent. The SST has shown a remarkable ability to overcome the speed of any critical sound.

Sen. William Proxmire (D, Wis.) can rise on the Senate floor to denounce the SST as a "supersonic snow job," and find himself speaking to a quickly emptied chamber. Objections that once flowed from officials in the Treasury Department, Budget Bureau and Department of Defense have been hushed by implicit presidential decree. Government-commissioned reports full of embarrassing details have been suppressed for months, and then released in Washington in voluminous confusion while the aviation and space writers of the country were off in Las Vegas drinking in counterclaims by the Federal Aviation Administration that grabbed the headlines. On Capitol Hill, the SST can mount a stable of instant lobbyists that includes Eugene Black, former president of the World Bank, several one-time FAA administrators, and even ex-CIA director John McCone.

Powered by General Electric and built by the Boeing Company, the sleek titanium superliner will slice through the skies before long at 1,800 miles an hour, carrying passengers from New York to Paris in 2½ hours, from San Francisco to Honolulu in 25 minutes less. "An outstanding example of creative partnership between your government and American industry," President Johnson called the arrangement last April when he ordered construction of two needle-nosed SST prototypes. The White House decision had been delayed for months, partly because of haggling over financing, but also to foster forgetfulness of the budget cuts the Administration had imposed on the poverty program that winter. The SST is not for poor folks. The chairman of the President's 1964 task force on transportation had written him to protest that the program was "thoroughly inappropriate, inegalitarian . . . and inconsistent with the Great Society." But the Johnsonian sense of priorities in times of war and inflation was unmoved.

The FAA lost no time in formally committing the government to the program. It signed contracts with Boeing and GE May 1, the first work day after the presidential announcement. At the contract signing in the FAA building on Independence Avenue, FAA Administrator William F. McKee turned to representatives of Boeing and GE, and told them sternly: "If you don't do a helluva job, you stand to lose a helluva lot of money." McKee pronounced the agreements with the government 'the toughest . . . ever written." Nonsense. Under the contract with Boeing, the government may never get its money back. As a long-buried Treasury Department report points out, the SST program is like "a wildcat oil-drilling venture." The profits could be spectacular, but it is more likely that the investors (taxpayers) will wind up losing their shirts. It is a fine example of socialism American-style; government ownership of the means of production for the benefit of private enterprise. Rushing in where Wall Street supposedly fears to tread, the government has already committed $1.3 billion to put the two prototypes in the air. Of this, an obliging Congress has appropriated more than half.

The entire SST program is expected to cost at least $4.5 billion before the first plane is sold. Buried in the FAA's financial feasibility report is the caveat that "the government may be required to act as a guarantor of or to provide any additional funds needed by the airframe manufacturer [Boeing]."

The FAA's own financial consultants—Booz, Allen & Hamilton—concluded, in a largely ignored report they put out, that the government may have to double the $1.3 billion promised so far. And still it might flop.

Enter Maj. Gen. Jewell C. Maxwell (USAF), gruff, square-jawed director of the FAA's supersonic transport development program. "If you can prove something is an outstanding success," he says, "you're too late. We've got to compete, to invest in our own future. We're in a preeminent position and enjoying the hell out of it." The "we" who are preeminent refers to the US aviation industry and its position in the world market. It is not unusual for officials of regulatory agencies to slip into the editorial "we" for those they regulate. As Federal Communications Commissioner Lee Loevinger once said: "The history of every regulatory agency of the government is that it comes to represent the industry or groups it is supposed to control. . . . Sooner or later all of these agencies end up with constituents. And they represent them damned well, too."

Some $300 million in federal funds largely devoted to a design contest won by Boeing and GE has already been kissed off as a free contribution to commercial America's high-flying future. Now the FAA has agreed to put up close to $1 billion more for the prototype program. Boeing and GE will put up $139 million—little more than 12 percent.

Domestic airlines with options to buy SST's, their arms squeezed by the officials who regulate them, will cough up $52 million—the remaining five percent—in return for tax write-offs and other assurances.

At first, the airlines had been unwilling to put up any of their own money, and FAA Administrator McKee saw no reason to inconvenience them when the federal Treasury was available. But the President, alerted to McKee's stubbornness at a White House meeting, saw the awkwardness of asking the taxpayers to put up money that the airlines refused to risk. At length, they were persuaded to chip in, says Stuart G. Tipton, president of the Air Transport Association, so that the Administration "could recommend appropriations [from Congress] more effectively." More recently, both domestic and foreign airlines have been required to put $750,000 down for each additional SST they order. But this has produced about another one percent of the prototype program's cost.

On paper, the government is supposed to get its near $1 billion back, plus sharply limited interest, through royalties on the sale of each commercial SST. GE will begin paying up as soon as the first engine is sold. But Boeing doesn't have to pay anything back until after it has sold 100 of the planes at $40 million each. And the kicker is that the Boeing royalties—beginning with plane 101—need be paid only for an SST made "principally of titanium" with a maximum cruising speed of 2,050 miles an hour (Mach 3.1). The GE engines will be able to go faster. Should Boeing manage to match them with an airframe that goes a hair faster than Mach 3.1 or build a production model of some other metal, it won't owe government a cent.

"The contract is a scandalous, shocking deal," says Proxmire. "Advances in metallurgy are perfectly possible. The government might have to write off most of its investment even if the SST is successful."

The FAA was forewarned. A government advisory committee representing the Treasury, Justice and Defense Departments, the Budget Bureau and the Internal Revenue Service had been assigned to suggest contract terms that would guarantee repayment. They told the FAA not to put a titanium clause in the contract. And they urged a broader speed range—up to Mach 4 or 2,640 miles an hour—to make sure the government would recover its money despite improvements in later models.

Instead, the FAA gave in to Boeing's corporate phalanx. The senior partner with most of the money, the FAA hit the bargaining table with a limp wrist. It was Maxwell who overruled the advisory group and agreed to limit the government's royalties to a Mach 3.1 plane made of titanium. Only then, Maxwell says, did Boeing agree to abandon still other demands "that would have been far more disadvantageous to the government." The company, it seems, wanted royalties limited to an SST with still slower speeds and a movable wing design. "Boeing came in and asked for the whole world," commented one government lawyer, "all they got was the Western Hemisphere."

Instead of blushing, the FAA blusters. A titanium airframe, it says, would practically fall apart at speeds over Mach 3.1 without a major redesign. Boron development, it says, is still in its infancy—15 years behind titanium technology. "If the Boeing Company is able to come up with a new metal that is better than titanium and can build a new airplane out of that exotic metal," McKee told an unquestioning Senate appropriations subcommittee, "then they deserve to make all the money they can because it would be the single biggest technological breakthrough in the last two centuries."

What the FAA chooses to overlook is that the government's tunnel-visioned bureaucracy, even now, is spending millions to euchre itself out of its SST money. The Air Force is testing boron components—"five times the strength of today's aircraft alloys"—on military aircraft such as the F–111 as part of an $8-million-a-year program. Meanwhile, the National Aeronautics and Space Administration quietly secured a $13 million appropriation last fall, partly to supply expert advice for the Boeing prototypes, but also to promote development of the next generation of *commercial* SST's.

Besides the FAA's $1.3 billion commitment, NASA has gotten $62.5 million over the past 6½ years for research and development of a commercial SST. Now that Boeing is building one, asserts a NASA spokesman: "Our function is to keep looking ahead. We're thinking of the next generation of SST's, the advanced supersonic transport. We're constantly looking for improvements, maybe a better metal . . . and changes in design and configuration of the airframe, yes, definitely. We've always wanted to go faster. We're assuming there may be a desire to go faster than the SST has been designed for."

The first SST won't be sold until 1975 or later. It will be close to 1980 before the government is scheduled to get its first royalties. It could take more than another decade, even if the FAA's rosy sales estimates are accepted, for the government to get back its investment plus a modest six percent interest. It strains the imagination not to expect the next generation of SST's long before then.

"This thing," as one economist told *The Wall Street Journal* in another context, "could become the FAA's Edsel."

That the taxpayers may never get their money back is not the only danger of the SST program. They may be even sorrier if they do.

The FAA insists that the public can learn to live with the sonic boom. "The first time you hear it," Maxwell says with a shrug, "you might jump. But the 1000th time, you don't do anything." Officially the FAA has managed to muffle the boom controversy by claiming that the SST will be a commercial success even if it is limited to overwater flights at supersonic speeds. But it has made no promises. Other SST backers have sought to suggest that the boom won't be so bad at the SST's high-flying altitudes of 65,000 feet or more. Boeing has even put out a brochure calling the boom "a 20th-century sound." "I've experienced booms that are no more than . . . well, rap your knuckles on the desk," says J. O. Mitchell, Boeing's man on Capitol Hill.

The boom of the SST will be much worse than that if the government's own tests are any guide. But the FAA has repeatedly refused to accept them as the last word, or even the first. In tests over Oklahoma City in 1964, slightly more than one of every four residents interviewed said they could not "learn to live" with the boom even though it was confined to daylight hours. From this, then FAA Administrator Najeeb E. Halaby (now a senior vice president with Pan American World Airways) concluded that construction of a prototype SST was "clearly warranted."

"God!" exclaims Proxmire. "Think of it. A boom stretching out in a carpet maybe 75 miles wide." Sonic booms are like that. Once started, they roll out like a rug that grows roughly a mile in width for every 1,000 feet the plane climbs.

In a single transcontinental SST flight, White House science Adviser Donald F. Hornig told a House subcommittee last spring, "all people located within perhaps 100,000 square miles, embracing perhaps 10 million people . . . would be likely to hear and react. . . ."

Recent reports of tests over Edwards Air Force Base in California showed that a boom slightly less than that expected of the SST—even at the superliner's high altitudes—is roughly equivalent to the noises of living 1,000 feet from the end of the runway at New York's Kennedy International Airport. Those hearing an SST-size bang for the first time called it as bad as having a Boeing -707 fly 300 feet over their living rooms. Those whose eardrums were numb from living at Edwards put the "20th-century sound" only a few hundred feet more over their coffee tables.

Sonic booms from military planes in the past have collapsed the roof of a French farmhouse, killing three workers; demolished a prehistoric cliff dwelling in northeastern Arizona; and fouled up the dedication of the Ottawa Air Terminal with $300,000 in damages. No doubt the booms that did the damage were worse than those generally expected of the SST. But Bo Lundberg, recently retired director general of the Swedish Aeronautical Research Institute and one of the best-informed critics of the SST, warns that atmospheric conditions will periodically turn its boom into a "superbang," producing deep fright and damage.

The FAA set boom limits for the design competition between Boeing and Lockheed, but neither entry quite made the grade. The FAA obligingly lifted the limits. No new ones were set down in the contract with Boeing. Since then, there have been reports that Boeing's engineers feel the plane's weight may have to be increased sharply—from 672,000 to 900,000 pounds. The bigger the plane, the bigger the boom.

Is that any way to run an airline? No, says National Airlines executive vice president G. Ray Woody. That may be partly because National doesn't plan to buy any SST's. Nonetheless, says Woody, "the sonic boom will be intolerable."

Federal funds, he points out, are much more badly needed to unclog the traffic jams above and around the nation's airports. Saving time on the SST doesn't mean much when the average peak-hour flight delay at Kennedy International is fast approaching one hour. The delays in getting to airports on expressways where you can safely drive and read the paper at the same time are often much worse.

The FAA claims that 500 of the planes can be sold, even with restrictions limiting the SST's supersonic speeds to overwater flights. Without restrictions, the FAA maintains that Boeing can peddle 1,200 of the 280-seat behemoths. But the prestigious Institute for Defense Analyses, the FAA's market consultant, was far less optimistic. With boom restrictions in force, IDA concluded that not enough SST's would be sold to repay the government's investment, much less interest on it. IDA calculated a market for only 279 SST's with boom restrictions, and for 661 SST's without restrictions. The precarious economics are a clear harbinger of pressure for overland flights once the SST is built. A few scattered land routes at first, Proxmire warns, and then "they will be flying everywhere."

Witness this exchange last spring before a House appropriations subcommittee between Rep. William E. Minshall (R, Ohio) and Secretary of Transportation Alan S. Boyd:

"Mr. Minshall. Coming back to the SST, do you believe, based on data available thus far, that the Boeing SST can be permitted to overfly the United States?

"Secretary Boyd. I am confident that at the present time the SST can fly at supersonic speeds over certain routes. I am not prepared to say I think it can fly on an unrestricted basis.

"Mr. Minshall. Would you amplify that?

"Secretary Boyd. Yes. For example, going out of Chicago to the West Coast. I think it will be entirely possible to operate a route over the Plains area and possibly across the Canadian border without discomfort or inconvenience to people on the ground."

With entrees like that, the SST could strike it rich with windfall profits for the manufacturer. If the taxpayers ever get their money back plus six percent, the government royalties will be promptly reduced. Boeing and GE will pick up the mounting profits. Though it is highly improbable, two young Treasury Department economists, in a 1965 report, figured out a way by which Boeing alone could turn a fantastic profit of $100 billion.

Beyond this, many critics, such as George W. Hilton, UCLA economics professor who served as chairman of the Great Society task force on transportation, object to bringing the sonic boom era closer at public expense in order "to subsidize the travel habits of the high-income classes." Tickets on the SST will cost more, perhaps 25 percent more, than seats on the slower, but roomier and more luxurious "jumbo jets" that Boeing is building. Windows on the SST will be tiny, to help protect passengers from the blood-boiling temperatures on the other side of the cabin wall.

Mr. Eugene Black thinks "it's too bad we have to build the damn things. But the Concorde forced us to. We certainly can't sit here and turn over the market to the British and the French—from the standpoint of prestige to our industry."

Subsidized by the British and French governments, the slower (1,450 mph), smaller (136) Concorde could turn out to be a paper tiger. The projected price for the aluminum airliner, scheduled for service in 1971, has already doubled, from $10 million to $20 million. Many expect the British to pull out. "Simply because other countries are doing something that is unjustified in an economic sense," says UCLA's Hilton, "doesn't mean that we should." If it is uneconomic, all the other arguments handed out for the SST—that it will have a fine military "spinoff," promote American prestige, improve the US balance of payments, create jobs—are spurious. Former Secretary of Defense McNamara who headed the presidential advisory committee on the SST, has made it clear it has nothing to do with national defense.

Prestige? Henry S. Rowen, former assistant Budget Bureau director and now head of the Rand Corporation, says, "There's no national prestige to be won if it's a failure."

Balance of payments? The Institute for Defense Analyses concluded that with sonic boom restrictions limiting sales, the SST could add to our balance deficit by promoting more US passenger spending on air tickets and travel abroad.

The SST will create jobs, but as Senator Proxmire points out, it needs "highly skilled workers for whom the demand already exceeds the supply. The SST would do very little to satisfy the real need—providing jobs to the unskilled or partially skilled."

Opposition to the SST—led in the Senate by Proxmire and in the House of Rep. Clark MacGregor (R, Minn.)—has logic but never enough votes. By contrast, the chief congressional whip for the SST, Sen. Warren G. Magnuson (D, Wash.), has IOU's from his colleagues spilling out of his pockets. The more persuasive the attacks on the SST get, the more Senate votes it seems to pick up in its defense. It won its first appropriation in 1961 after a move to kill it in the Senate failed by the narrowest of margins, a 35–35 tie. Then Vice President Johnson, who was presiding, could have broken the deadlock, but he kept silent, and saved the SST. It came up in the Senate for its most recent appropriation immediately after the "worlds greatest deliberative body" had refused to be generous with the poverty program. Sen. Robert Kennedy (D, N.Y.) had a field day. "Three hours ago," he reminded his colleagues, "the Administration was in favor of cutting $198 million from the poverty program which would have provided jobs. Now it is supporting this kind of legislation. . . . We are faced with a $29 billion deficit. We are spending approximately $30-billion a year in Vietnam. We have internal problems in our own country and they are not improving. We should not build a supersonic plane so that one percent of our population can get to Paris in four hours while so many of our people are in such desperate need."

Pros and Cons of the SST and Its Inevitable Sonic Boom

(Prepared by scientists of the Citizens League Against the Sonic Boom: Dr. Wm. A. Shurcliff, Director; Dr. John T. Edsall, Deputy Director; Cambridge, Mass., March 1968)

What is a supersonic plane? One that travels faster than sound. Sound travels at about 700 miles per hour (mph), and a plane that travels faster than this is called supersonic. The proposed Boeing supersonic transport plane (SST) is designed to fly at about 1800 mph, or about 2½ times the speed of sound.

Do any of today's planes fly at supersonic speed? Some military planes. Yes. But no civilian planes.

What plans are being made to build commercial transport planes that will fly at supersonic speed? The British and French have a combined program for building a supersonic transport plane called the Concorde. In USA, Boeing Co. is starting* to build a supersonic plane called the 2707. (The Concorde may be abandoned: expenses have spiraled, production has been delayed, and few planes have been ordered.)

How do these designs compare? The Boeing SST will be much larger, heavier, and faster. But the Concorde is now expected to be ready for use long before the Boeing plane is ready, i.e., about 1971 as compared to about 1976.

What is the advantage of the SST over conventional, slower planes? Its speed. On a trip from New York to London it could save a traveler about 3 hours.

Is the SST inferior in any way? Yes. Many ways. It produces a sonic boom that can jar as many as a million houses and startle as many as 20,000,000 people on a single trip across USA. It is far more expensive; each plane costs about $40 million. The fares charged may have to be much higher. Many new safety problems arise (see a later page).

Has it any rival as "plane of the future"? Yes. A most impressive rival: the jumbo jet, to be in use by about 1971, i.e., relatively soon. Each jumbo jet will hold 350 to 490 passengers, considerably more than the Boeing SST can carry; thus the jumbo jets can reduce the clutter and consequent delays at airports. The jumbo jet will have a much longer range than the SST, about 6,000 miles compared to about 4,000, hence can fly nonstop on routes where the SST must land and refuel. The jumbo jet, being of much more conventional and proven design, should be safer. Fares charged on jumbo jet flights are expected to be far below present-day fares, and perhaps only 50 to 65% as great as SST fares. Traveling at speed just below the speed of sound, the jumbo jet produces no boom at all.

Will the Boeing SST be a financial success? Some say Yes, some say No. It can be a success if every one of the many major engineering problems is solved, if financing problems can be solved, if the world remains at peace, if the affluent society becomes more affluent, if airports do not become overcrowded, if international goodwill and fly-over privileges continue, if the competition is moderate, and—most important—if the people of the world accept the jarring sonic boom that is the inevitable concommitant of supersonic flight through the atmosphere. If the number of Boeing SSTs sold is less than a few hundred, the program may be a financial disaster.

---

* In February, 1968, Boeing Co. admitted to "miscalculations," and a need for extensive redesign. One or two year's delay may result.

How many Boeing SSTs will be sold? Proponents of the SST say that 500 to 1,500 may be sold before 1991, and that there will then be big profits. Opponents say that only about 200 will be needed, in view of competition from the Anglo-French Concorde and from the bigger, safer, jumbo jets, that can carry passengers farther non-stop and at much lower fares. These competing planes are scheduled to be in use several years before the Boeing SST is ready.

Is Boeing bearing the financial risk? Only a part of it. The U.S. Government, through the Federal Aviation Agency, has already contributed tens of millions to Boeing and the other contractors involved, and is considering contributing hundreds of millions more in the near future; in all, it may contribute $3 or $4 billions, and possibly much more.

Will the Government get back the money it puts into the SST program? Possibly, in 15 to 25 years if all goes well. But there are many possible circumstances, including a number of circumstances outside the control of the engineers concerned, that could cripple the program—such as world-wide depression, international hostilities, unforeseen competition, public reaction to the sonic boom; the Government might then get none of its money back.

Is it true that the airlines themselves are contributing money now? A small amount, yes. Each time a U.S. airline places an order for a Boeing SST, it hands over about 4% of the cost of the plane. Such amounts are, of course, extremely small compared to the several billions that the Government is considering contributing.

What about the sonic boom: do people really object to it? Yes. In a five-month-long series of sonic boom tests conducted in Oklahoma in 1964 with supersonic military planes, investigators found that a considerable fraction of the population was greatly annoyed. Over 15,000 persons complained to authorities; over 4,000 filed formal damage claims. A poll taken near the end of the test series showed that about one quarter of the population were so startled and so annoyed by the booms that they declared they would never learn to get used to it. Laboratory tests of various kinds have shown that a large fraction of persons find booms to be extremely annoying; an appreciable fraction show a sudden, marked increase in rate of heartbeat when struck unexpectedly by the boom.

Why does the sonic boom bother people, if they are already accustomed to city noises of all kinds? Because of the suddenness. The boom is extremely sudden, something like the "Bang" produced by a moderate-size explosion a block away, or by the collision of two fast-traveling trucks. There is no warning. The effect can be very startling; disrupting; sometimes even terrifying. The boom is, of course, very loud; but it is the suddenness, not the loudness, that makes the boom so startling.

Will the boom annoy me less when I am indoors? No. Tests have shown that, often, it is more annoying indoors, perhaps because of reverberation effects, rattling of windows, or even shaking of the entire house.

Will scientists find a way of eliminating the boom? Most unlikely. The shock-wave phenomena associated with the boom have been known for more than 40 years, and we know of no evidence that any "cure" can ever be found. The boom seems to be an immutable fact of nature, like gravity.

But if the SST flies very high, can the boom still reach the ground? Yes. Even when the Boeing SST is flying at an altitude of 70,000 ft., the boom reaches the ground easily. Indeed it reaches out about 25 miles on both sides of the flightpath, thus creating a "bang-zone" about 50 miles wide. Everyone within this strip may be banged by the sonic boom.

Is the boom produced just as the plane is speeding up? No. It is produced steadily, throughout the entire duration of the supersonic flight. If the plane flies 2,000 miles across the country at supersonic speed, the 50-mile-wide bang-zone is 2,000 miles long. Such a zone has an area twelve times the area of Massachusetts and may contain more than 20,000,000 people.

Can the sonic boom break glass windows or damage plaster walls and ceilings? Yes. This happened thousands of times in the Oklahoma City tests. More than 4000 persons filed damage claims. Lawsuits are continuing after three years. One man, whose house was virtually split in two by the sonic boom, has recently been awarded $10,000 by a Federal Court jury. As a consequence of sonic boom tests in Chicago and St. Louis, the Government had to pay out more than $160,000 for damage to windows, plaster, etc. Straightforward estimates indicate that if 150 SSTs were in routine use over USA, day and night, the damage done would amount to more than $1 million per day.

Do superbooms exist? Yes. It is now agreed that unpredictable focusing effects occur, and about one percent of the booms that strike your house will be of double-intensity and will be far more destructive than typical booms.

Has the FAA banned supersonic flight over land? No. What's worse, it has refused to ban supersonic flight over great cities. Flying over a large city, an SST could bang a million people in 30 seconds! In five minutes an SST could bang every man, woman and child in Long Island—all 5,000,000 of them—and every hospital, school, and church, too.

About safety: is there anything dangerous about the SST? SST design engineers must overcome many technical problems of major magnitude, and accordingly they must employ engineering features that are new and bold. The Boeing SST is longer and wider than a football field; its wings are designed to swing, or hinge, in flight, while carrying a load of about 300 passengers and about 150 tons of combustible fuel. The 1800 mph airstream will heat various exposed, frontal portions of the plane as hot as a smoking frying pan; even the fuel must be cooled somehow. On hazy days the visibility of the pilot will often be limited to the distance the plane will travel in 10 or 20 seconds. Maneuverability compares unfavorably with most of today's planes. Many other serious problems could be mentioned. It is clear that the planes will have to fly for many months, perhaps even a year or two, before the statisticians will know whether the safety is satisfactory. One major accident, whether due to defects in design, poor construction, improper maintenance, metal fatigue, bad luck, or sabotage, could jeopardize the entire multi-billion dollar project.

OUR CONCLUSION

The Citizens League Against the Sonic Boom concludes that the Boeing SST project has few of the hallmarks of a truly worthwhile project. The gains it offers are merely quantitative; they consist of a modest saving of time, which, relative to delays in reaching the airport, checking in, waiting for runway clearance, etc., may not prove to be of major significance; and in any case the public may well prefer to travel in the safer, longer-range, lower-fare jumbo jets. The drawbacks are impressive: the sonic boom, the huge expense, the greater cluttering of airports, the uncertain safety.

In our opinion the sonic boom alone is sufficient grounds for halting the SST program. The SST would create a new kind of pollution a world-wide sonic pollution. Hour after hour, day and night, it would inflict its startling bang on literally hundreds of millions of defenseless persons, with no place of refuge. (As recently as Jan. 31, 1967, the FAA has stated that it is not banning supersonic flight across the USA or other land areas.)

We cannot believe that the public, if it were aware of the extent to which the SST's sonic boom can interfere with our daily living and our sleeping, would permit its Government to pay out billions of dollars to Boeing et al to create this new form of harassment. What is good for Boeing is not necessarily good for the people. Scientific progress is fine; but a major new source of pollution should not be called progress. Aviation should be the servant of man, not his scourge.

We urge all persons who value peace and quiet to write now, before it is too late, to their Senators and Representatives and to their newspaper and TV commentators, urging that the SST program be halted.

Further Reading: The Citizens League Against the Sonic Boom has an interesting file of technical reports, feature articles, and letters from FAA officials, Congressmen. Inquiry is invited.

This rapidly growing League, founded March 9, 1967, includes aeronautical engineers, physicists, acoustical engineers, doctors, surgeons, psychiatrists, lawyers, architects, teachers, writers, housewives, conservationists, business men, economists. The Director, Dr. Wm. A. Shurcliff, is a physicist at Harvard; the Deputy Director, Dr. John T. Edsall, is Professor of Biological Chemistry at Harvard. The League's International Advisor is B. Lundberg, for many years Director General of the Aeronautical Research Institute of Sweden.

The League's National Committee includes Prof. John Borden Armstrong, historian; J. Henderson Barr, architect; William Brower, professor of speech; Dr. Walter C. Clemens, Jr., political scientist; Prof. Bernard D. Davis, Head of Dept. of Bacteriology and Immunology, Harvard Medical School, Murry N. Fairbank, mechanical engineer; W. H. Ferry, Vice President, Center for the Study of Democratic Institutions; Mrs. Ferdinand Fetter, housewife; David C. Forbes, attorney and trustee; Dr. John H. Gibbon, emeritus professor of surgery, Jefferson Medical College of Phila.; C. Edward Graves, conservationist and writer; Dr. Herbert I. Harris, psychiatrist; Mrs. Franz J. Ingelfinger, artist, Mrs. Francis C. Lowell, conservationist; Dr. J. H. Meier, engineer; Mrs. Sara Owen, writer; Mrs. J. H. Parker, conservationist; Prof. F. V. Pohle, mathematician; Mrs. W. T. Pohlig, housewife; Dr. J. Reece Roth, engineering physicist; John M. Sayward, chemist; John M. Swomley, professor of Christian ethics; Robert J. Varga, teacher; Dr. William Vogt, ecologist; Dr. Donald A. Walter, aerospace medical researcher.

SONIC BOOM DAMAGE

(Estimate of damage that will be done to windows, plaster, etc., by the SST and its inevitable sonic boom; prepared by scientists of the Citizens League Against the Sonic Boom, Dr. Wm. A. Shurcliff, Director; Dr. John T. Edsall, Deputy Director; Cambridge, Mass., February 1968)

Summary: From an analysis of published data on damage done to windows, plaster, etc., in several series of sonic boom tests carried out recently by the Government, one finds that the average amount of damage per million man-booms is about $600.00. (By man-boom we mean the individual event of inflicting one sonic boom on one person.) Using this value, we estimate the total amount of damage that will be done when and if 150 of the proposed Boeing SSTs are in daily use over continental U.S.A. The figure we arrive at, for damage to glass, plaster, and other forms of property damage, is $3,000,000 per day. This estimate is obviously approximate only; to be conservative, one may say that the damage will be at least $1,000,000 per day.

Sonic boom tests: The U.S. Government has carried out three major series of sonic boom tests over cities: in St. Louis in July, 1961–May 1962, in Oklahoma City Feb.–July, 1964, and in Chicago Feb.–March, 1965. Boom intensities were in the range pertinent to the proposed SST, i.e., in the neighborhood of 1 to 2 pounds per square foot (psf) or sometimes 0.8 to 3.1 psf. Various Government reports on the outcomes of the tests are available (References 1, 2, 3).

St. Louis results: A total of 150 supersonic flights were made over St. Louis (1960 population 750,000), Accordingly we estimate that there were, in all, about 113,000,000 man-booms there. Reference 1 indicates that about 5,000 formal complaints were made by citizens of the area: 1,624 claims for damage to property were filed; 825 of these claims were declared valid, and $58,648 was paid to claimants. Dividing the number of dollars paid in damages by the number of millions of persons boomed, we obtain the figure $530.00 damage payment per million man-booms.

Chicago Results: A total of 49 supersonic flights were made over Chicago (population 3,600,000), implying about 174,000,000 man-booms. About 7,116 formal complaints were made, 2,964 damage claims were filed, 1,442 claims were declared valid, and $114,763 was paid to claimants (Reference 2.) This amounts to $660.00 per million-booms.

Oklahoma City Results: In the Oklahoma City tests the number of supersonic overflights was very large: 1,253. However, the reports available to us do not give a clear indication of the damage payments. Reference 3 discusses only the smaller claims, and states that the larger claims were referred to Washington. Some indication of the importance of the larger claims, not mentioned in Reference 3, is found in a recent news item (Oklahoma Journal, Feb. 18, 1967) to the effect that, in February, 1967, a Federal court awarded a single claimant $10,000 for extensive damage to his house. Approximately 100 additional, medium or large, claims (aggregating more than $100,000.00) were pending.

Best Value: Until a more adequate account of the Oklahoma damage results becomes available, it seems best to rely on the St. Louis and Chicago results. The respective values of damage payments per million man-booms ($530 and $660) are in fairly good agreement, and it appears reasonable to employ the average of these values as the best estimate of damage payment per million man-booms. The average is approximately $600.

Estimate for the Future: The FAA has repeatedly stated that, by 1990, about 500 Boeing SSTs will be in use if supersonic flight overland is banned and 1200 if such flight is not banned. We presume this indicates that roughly half of the 1200 SSTs (i.e., roughly 600 of them) would be flying mainly overland, and perhaps one quarter of these (150 of them) would be in use over continental USA. If each of these 150 makes the equivalent of five trips across USA each 24-hour period, the total supersonic mileage of these planes will be about 150 x 5 x 2000, or about 1,500,000 miles per day. If the SST is at normal cruising altitude of 60,000 to 80,000 ft. its bang-zone will be about 50 miles wide, and the total area of all bang-zones will be 75,000,000 square miles. But the area of continental USA is only about 3,100,000 square miles; thus on the average, each square mile—and each person—will be boomed about 25 times per day. (In fact, of course, some persons might receive 50 to 100 per day if they live near "favored" routes, and millions of other persons, situated far from such routes, would receive few, or none.) Since there are about 200,000,000 persons in continental USA, the total number of man-booms per day will be about 5,000,000,000.

Multiplying the figure for millions of man-booms per day (5,000) by the amount of damage payment per million man-booms ($600.), we obtain the figure of $3,000,000 for the amount of damage payment per day.

The actual figure will, of course, be less if the SST routes are chosen so as to circumvent densely populated areas and "favor" more rural areas. The figure will be larger, however, if the fraction of claims declared valid increases; in the test series mentioned above, more than half of the claimants were told (rightly or wrongly) that their claims were not valid. In summary, it would appear conservative to say that the expected damage would exceed $1,000,000 per day.

Note: Our estimates are based on actual sonic booms delivered to actual cities. We have preferred not to include results from the White Sands tests, because the houses concerned there were few in number and were artificially arranged and supported. The Edwards Air Force Base tests are of even less significance since only 3 buildings were directly involved.

OUR CONCLUSION

It seems to us unthinkable that our Government should contemplate inflicting such widepread damage on its own people, day after day, or could associate the word "progress" with such a venture. Obviously, the total harrassment would be far greater than this $3,000,000-per-day figure suggests. We have not considered here the time wasted by homeowners in assessing damage, filling out claim forms, consulting with lawyers. Nor have we considered the horror and fear that many persons may experience: fear that flying glass, etc., may injure them or their children. Nor have we considered the effect of startling millions of people repeatedly, day and night, and repeatedly interrupting sleep. Shattered windows can be repaired, but shattered nerves cannot.

Ref. 1: C. W. Nixon & H. H. Hubbard "Results of USAF-NASA-FAA Flight Program to Study Community Responses to Sonic Booms in the Greater St. Louis Area," NASA TN-D-2705, May 1965.

Ref. 2: D. A. Hilton, V. Huckel & D. J. Maglieri "Sonic-Boom Measurements During Bomber Training Operations in the Chicago Area," NASA TN-D-3655, Oct. 1966.

Ref. 3: Anon.: "Final Program Summary—Oklahoma City Sonic Boom Study," FAA Rpt. SST-65-3, March 21, 1965.

CORRELATION OF PUBLIC REACTION TO SONIC-BOOM-INDUCED PROPERTY DAMAGE

(Prepared by scientists of the Citizens League Against the Sonic Boom; Dr. Wm. A. Shurcliff, Director; Dr. John T. Edsall, Deputy Director; Cambridge, Mass., May 1968)

ABSTRACT

Data on public reaction and property damage from sonic boom tests over Oklahoma City, Chicago, Edwards Air Force Base, and St. Louis are correlated. With one exception, the data are in good agreement and indicate that a single SST supersonic flight across the United States may be expected to cause about 219 complaints, 75 damage claims, and $3300 payment on such claims.

The proposed civilian supersonic transport planes (SSTs)—if really built—could boom large areas: a single SST flying at supersonic speed across U.S.A. would generate a bang zone about fifty miles wide and two thousand miles long. It is therefore of some interest to examine and correlate the results of past sonic boom tests and make a rough estimate of public reaction and property damage to be expected when and if such flights occur. Here we review the four major sonic boom tests that are documented in the open literature. It will be shown that, with one exception, the data from these four tests are in remarkedly close agreement, and thus provide a basis for preliminary estimates of the consequences of overland supersonic flights by SSTs.

The raw data from the four sonic boom tests are presented in Table I. The data from the Oklahoma City tests (Feb. 3-July 30, 1964) are shown in the first two rows. The data in the first row were taken from the official report (ref. 1, p. 68). Many claims were pending when this reference was issued. Data in the second row are more recent (ref. 2), and will be used in the subsequent discussion. The third row contains data from the Chicago overflights (Feb.-March 1965, ref. 3, p. 15). The fourth row contains data from the St. Louis tests (July 1961–May 1962, ref. 4, p. 19), and the last row contains data from the Edwards Air Force Base sonic boom tests (June 1966–Jan. 1967, ref. 5).

It is very difficult to make an accurate estimate of the number of individuals actually exposed to sonic booms during these tests. The fourth column of Table I lists the populations of the respective cities in the 1960 census. It will be assumed that only these populations were exposed to the sonic booms generated during the tests, and that the proportion of citizens living in suburbs was the same in all four cases. This assumption may result in overestimating the damage and complaint rates by a factor of two or even a factor of three under an extreme set of assumptions regarding the number of persons exposed to the sonic boom. The fifth column lists, for each city, the total number of supersonic overflights, and the sixth column lists the estimated number of sonic boom exposures (in millions). This latter number was obtained by multiplying the 1960 census population by the total number of supersonic overflights. The seventh column lists the total number of complaints registered in each city. These complaints took the form of a phone call, a letter, or a personal visit to the appropriate complaint center. The eighth column lists the total number of formal damage claims submitted by citizens who felt that sonic booms had damaged their property. The next-to-last column lists the total number of claims that were deemed valid and paid out by the responsible agency. The final column lists the total amount paid out for sonic-boom-induced damage.

In Oklahoma City, the complaints and damage claims were initially processed by a private claims-adjustment company under contract to the FAA (ref. 1). After this initial processing, the damage claims were further processed by Air Force personnel. It was widely felt among residents of Oklahoma City that the claims procedure was excessively cumbersome and that adequate compensation was not granted for damage suffered (ref. 1). Later, an Advisory Committee composed of Oklahoma City citizens was appointed by the FAA (ref. 1, p. 34), and this committee proposed a method of claims reexamination that was intended to alleviate dissatisfaction with the claims procedure. In the Chicago, Edwards, and St. Louis tests, complaints and damage claims were handled by Air Force personnel and contractors, using established Air Force criteria and procedures (refs. 3, 4, 5).

For three reasons the sonic boom damage listed in Table I is likely to be a minimal estimate of the damage that the proposed SSTs would produce. The first reason is that the average sonic boom over-pressure in the tests listed in Table I, (about 1.0 to 2.0 psf) are less than those anticipated for the SST (from 1.5 to 2.5 psf). The second reason is that not all the sonic boom damage resulted in a complaint or claim. In Oklahoma City, for example, at least 25% of the people interviewed in a public opinion poll felt that they had sustained some property damage (ref. 6, pp. 229–231); yet only a small proportion of these individuals made complaints or claims. The third reason is that when refs. 1 to 5 were written many claims and lawsuits against the Government were still pending. A substantial number of these are pending at the present writing. Settlement of any of these claims and lawsuits in favor of the plaintiffs would increase the total of damage payments listed in Table I and also increase the Table II figures for damage per million boom exposures.

The similarities of the data for the four cities listed in Table I are not readily apparent because of the differing populations and differing numbers of flights. The data are accordingly exhibited in reduced, or normalized, form in Table II. The final row of that table presents averages of the quantity in each column, weighted with respect to the pertinent numbers of sonic boom exposures. The individual average was calculated by multiplying the quantity for a given city by the number of sonic boom exposures in that city, summing over the cities considered, and then dividing this sum by the total number of sonic boom exposures in all cities considered. The second column of Table II lists the number of complaints per claim filed, and this is approximately the same for each city—about one complaint in three led to a formal damage claim. The third column lists the number of damage claims resulting per million sonic boom exposures. This is also approximately constant for the four cities at 14 claims per million sonic-boom exposures. The fourth column lists the number of complaints per million sonic boom exposures. This quantity also was approximately constant for the four cities at 40 complaints per million boom exposures.

The fifth column of Table II lists the ratio of the number of damage claims filed to the number of damage claims paid out. In the Chicago, Edwards, and St. Louis tests, payment was made on about one out of every two damage claims filed. In Oklahoma City, however, only one damage claim in seventeen was paid. The next-to-last column lists the number of paid-out claims per million sonic boom exposures. This was about 8 paid-out damage claims per million sonic boom exposures in Chicago, Edwards, and St. Louis, but only 0.71 paid-out claims per million sonic boom exposures in Oklahoma City. The last column lists the damage payments per million sonic boom exposures. The payment was about $600.00 per million sonic boom exposures in Chicago, Edwards, and St. Louis, but only $48.00 per million sonic boom exposures in Oklahoma City. All of the data in Table II dependent upon citizen initiative were in excellent agreement for the four cities; only the data relating to Government payments of damage claims in the Oklahoma City tests were discrepant. Because of the magnitude of this discrepancy, the data from Oklahoma City in the last three columns of Table II have been excluded from the weighted averages in the last row of Table II. (One is tempted to conclude that the citizens of Oklahoma City were grossly under-compensated by the responsible Government agency.)

It is of some interest to examine the implications of the weighted average data in Table II for SST flights over the United States. The U.S. has a population of about 200 million and an area of 3,615,211 square miles; thus the average population density is about 55 individuals per square mile. A transcontinental supersonic flight 2000 miles long and with a bang-zone 50 miles wide could then result in 5.5 million boom exposures. A larger number of exposures may result unless the SST flightpath is deliberately routed away from heavily populated areas. Multiplication of this number by the weighted averages in Table II then suggests that a single transcontinental supersonic flight could result in: 219 complaints, 75 damage claims, 44 paid-out damage claims, and $3322 actual payment.

If the average SST carries 200 passengers, the latter figure suggests that a ticket surcharge of at least $16.60 per ticket may be necessary in order to pay for the sonic boom damage. The cost of processing and handling claims would, of course, increase the figure. (Such surcharge would be in addition to surcharges required because of the high cost of building and operating SSTs.)

The implications of Table II are even more disturbing if one looks at the yearly totals for a time when a total of, say, 150 SSTs might make 5 transcontinental trips daily, 365 days a year. This would amount to about 274,000 flights per year, and accordingly one might expect 21 million damage claims per year. The processing of these claims would require an effort comparable to the existing Income Tax Bureau. In a full year, the 274,000 flights would result in about $910 million in damage claims.

The above estimates of complaints and damage might be reduced by a factor of two or more if the exposed population for the tests included substantial numbers from suburbs not included in the census figures. The total of complaints and damage for an individual flight also might be reduced in some cases by adjusting flightpath over areas of minimum population. These possible reductions could be more than offset by the factors previously mentioned—particularly the higher overpressures that the SSTs are expected to produce.

REFERENCES

1. Federal Aviation Agency Report SST-65-3 (1965).

2. F. L. Zimmerman, "Supersonic Snow Job," Wall Street J. (Feb. 9, 1967).

3. D. A. Hilton, V. Huckel, and D. J. Maglieri, NASA TN D-3655, 15 (1966).

4. C. W. Nixon and H. H. Hubbard, NASA TN-D-2705 (1965).

5. National Sonic Boom Evaluation Office Report NSBEO-1-67 "Sonic Boom Experiments at Edwards Air Force Base," Interim Report 28 July, 1967. Pp. 9, G-I-2-14, 15.

6. P. N. Borsky, National Opinion Research Center Report 101, Part 2 (1965). AMRL-TR-65-37, Vol. II, AD-625332.

TABLE I.—RAW DATA ON SONIC BOOM DAMAGE

City	Date of test	Reference	1960 population	Total SS over-flights	Total sonic boom exposures (millions)	Total com-plaints	Total claims filed	Total number claims paid	Value of claims paid
Oklahoma City	February to July 1964	1	324, 253	1, 253	406	15, 116	4, 629	229	$12, 845
Do	do	2	324, 253	1, 253	406	15, 452	4, 901	289	19, 355
Chicago	February to March 1965	3	3, 550, 404	49	174	7, 116	2, 964	1, 442	114, 763
St. Louis	July 1961 to May 1962	4	750, 026	150	113	5, 000	1, 624	825	58, 648
Edwards	June 1966 to January 1967	5	45, 000	367	1. 65	62	19	16	1. 399

TABLE II.—ANALYSIS OF REPORTED DATA

City	Complaints per claim filed	Claims filed per million boom exposures	Complaints per million boom exposures	Claims filed per paid-out claim	Paid-out claims per million boom exposures	Paid-out damage per million boom exposures
Oklahoma City	3. 15	12. 0	38. 1	17. 0	0. 71	$48
Chicago	2. 40	17. 0	40. 9	2. 05	8. 3	660
St. Louis	3. 08	14. 4	44. 3	1. 97	7. 3	519
Edwards	3. 26	11. 5	37. 5	1. 18	9. 7	850
Weighted average	2. 95	13. 7	39. 8	[1]2. 02	[1]7. 9	[1]604

[1] Excluding Oklahoma City data.

The news report of the National Academy of Sciences for March 1968, XVIII No. 3, discussed sonic boom as follows:

LITTLE SONIC BOOM DAMAGE EXPECTED; MUCH HELD UNCERTAIN

The probability of serious damage to structures from the sonic booms generated by aircraft operating supersonically in a normal manner is small, according to a subcommittee of the National Academy of Sciences. But it conceded that current understanding of sonic boom stresses and of the responses of building materials and assemblies to such stresses is incomplete and urged that steps be taken to explore more thoroughly the areas of remaining uncertainty.

In a new report, *Physical Effects of Sonic Boom* (see "New Publications," p. 8), the Subcommittee on Physical Effects of the NAS Committee on the SST-Sonic Boom outlines these areas of concern and recommends a number of research and testing programs as a means of improving capabilities of prediction.

The report is the second of a series of four being prepared by panels of the parent committee as the result of its study of the effects of sonic boom as they relate to the development of a supersonic transport in the United States. The first, on the generation and propagation of sonic boom, held out little hope for dramatic reductions in the intensities of the boom (*News Report*, January 1968). The other reports, on the effects on people and on animals, are expected to be completed soon.

Although no final decisions have yet been made by responsible authorities on permissible overland flight patterns for the SST, the physical effects subcommittee assumed—in order to provide a baseline for the study—that commercial supersonic flights would occur over populated areas at some future date.

TOO LITTLE KNOWN

While large-scale damage to structures as a result of sonic booms is not anticipated, too little is known to predict accurately what kinds and amounts of physical damage will occur, the subcommittee says. "Understanding of material responses to transient loadings is not complete and may never be, but a higher level of understanding is attainable and is required before realistic answers to these questions can . . . be given finally."

Among the present imponderables discussed are the ways in which sonic boom intensities vary under different climatic and geographic conditions and for different types of aircraft and aircraft operations; the exact nature of the responses of damage-susceptible materials and structures to the boom; and the extent to which sonic boom pressures contribute to the normal strains placed on structures by such commonplace occurrences as thunder, wind gusts, street traffic, and earth tremors.

The subcommittee argues against an early resumption of flight test programs to develop new knowledge in these areas. It points out that because atmospheric conditions are not always predictable controlled overflights experiments yielding reliable, reproducible data may not be possible.

Instead, the report urges the construction of two types of sonic booms simulators, one for testing typical construction materials in small (8 ft. by 8 ft.) assemblies and a second designed to test and evaluate structural components and whole structures on the order of 20 ft. by 20 ft. by 20 ft.

WINDOW PANES MOST SUSCEPTIBLE

In addition, the report recommends the repetitive testing in simulators of a wide range of damage-susceptible materials and assemblies. Chief among these materials is glass. Broken window panes accounted for a majority of claims submitted and damages paid during previous sonic boom testing programs, yet only limited static test data are available on the strengths and responses of glass. Accordingly the subcommittee proposes that a special testing program be undertaken with regard to commonly used glass and glass mountings. The group further recommends a sample survey of window panes in selected cities to determine the degree to which glass is used in building construction.

The subcommittee calls for an acceleration and expansion of sonic boom studies by the Environmental Science Services Administration. These studies should be enlarged, said the report, to include analysis of atmospheric and sonic boom data recorded at locations, particularly urban centers, having varied meteorological and topographical characteristics.

Much remains to be learned, the subcommittee feels, of the responses of building assemblies to transient loadings caused by natural phenomena such as wind gusts. Studies of frequency of occurrence and resulting damage might allow subsequent comparative evaluation or repetitive boom loads caused by supersonic aircraft operations.

The subcommittee also recommends an analytical study of those rare instances where earth structures may be susceptible to failure under dynamic loadings such as sonic booms, namely (a) slopes, either cuts or fills, which have critical or small safety factors, and (b) foundations either on unstable sand strata or on "quick" clays.

Anticipating a need for equitable legal guidelines in adjudicating claims of property damage attributed to sonic booms, the subcommittee proposes the appointment of an interdisciplinary group of lawyers and engineers to consider the legal aspects of structural damage.

The subcommittee also suggests that consideration be given to the possible need for a nationwide boom-monitoring network and recommends that several companies, competent in instrumentation and data retrieval be selected to study the feasibility of such a network.

The NAS Committee on the SST-Sonic Boom was established in 1964 at the request of President Lyndon B. Johnson. Chairman of the 18-man group is John R. Dunning, Dean of the School of Engineering and Applied Science at Columbia University. Everett F. Cox, Senior Research Scientist at the Whirlpool Corporation, is chairman of the Subcommittee on Physical Effects.

[From the New York Times, Mar. 5, 1968]

SONIC BOOM DAMAGE CALLED VERY SMALL; WIDER STUDY URGED

WASHINGTON, March 4.—A scientific panel said today that the probability of physicial damage from a supersonic airliner's sonic booms was "very small" but needed further study.

The finding was made by a Physical Effects Subcommittee of the National Academy of Sciences' Committee on the SST-Sonic Boom, which was created in 1964 at President Johnson's request

By physical damage, the subcommittee refers to the impact of the booms on homes, buildings and earth structures rather than damage to human beings.

No boom flight tests are planned at the moment. The subcommittee indicated that, since flight testing to date had left many questions unanswered, further research on the ground might make it possible to plan more meaningful flight tests.

The subcommittee spent a year studying the results of sonic boom test flights to date, including preliminary data from recent flights of the SR-71 strategic reconnaissance plane.

It assumed for the study that superjets eventually would fly over land and that the sonic booms laid down along the flight paths would be low enough in intensity to be acceptable to the public.

Given those conditions, "the subcommittee wishes to emphasize the fact that the probability of serious material damage being caused by a sonic boom generated by an aircraft operating in a safe, normal manner is very small," the report said.

Nevertheless, the subcommittee found that there was too little accurate statistical information in hand to be certain about some aspects of the problem.

It urged the building of large simulators in which pressure waves could be directed against structures many times an hour, simulating in a day the number of booms a home or office building might be subjected to in a year.

The subcommittee also said a "physical response research program should be "immediately undertaken and vigorously pursued." It would include simulator studies, laboratory tests of glass and "acceleration and expansion" of studies of the atmosphere's bending and magnifying effects on the shock waves of sonic booms.

See also Report R-118 "Demand Analysis for Air Travel by Supersonic Transport" in two volumes, prepared by the Institute for Defense Analyses for the Federal Aviation Agency.

[From the New York Times, Apr. 28, 1968]

CASE WOULD CURB SUPERSONIC CRAFT—SEEKS HALT OF SUCH OVERLAND NONMILITARY FLIGHTS

(By Edward Hudson)

Senator Clifford P. Case, Republican of New Jersey, said yesterday that he will introduce a bill tomorrow to ban overland flights at supersonic speeds by nonmilitary planes.

Senator Case said that the bill would maintain the ban "until all aspects of the sonic boom have been investigated and Congress has decided whether such flights should be permitted."

In addition to banning the flights over the United States and its territories and possessions for an "indefinite" period, the bill would establish a two-year Government study of the boom. The decision on whether to permit faster-than-sound flights over land would rest with Congress.

The sonic boom is the thunderclap heard by an observer on the ground when the shock wave trailed by a plane traveling faster than sound reaches its location.

OBJECTIONS WEIGHED

The possibility that such booms may be found so objectionable by the population that supersonic craft would have to fly at a limited, subsonic speed over land has long been considered by Government and industry planners of the supersonic transports. Sound travels 720 miles an hour in the air.

The consensus has been that such speed restrictions would raise the costs of supersonic operations but not enough to warrant discontinuing supersonic airliner projects.

The first of the supersonic airliners, the British-French Concorde, is scheduled to go in service in 1971. The American SST, a Boeing Company design that has encountered technical problems is expected to be in service in 1974 or 1975 if the project is continued.

Mr. Case said that his bill would direct the Federal Aviation Administration, which is charged with the development of the American SST, to conduct a comprehensive two-year research effort into all aspects of the sonic boom as well as place an indefinite ban on supersonic flights over land.

AMBIVALENCE CHARGED

The Senator declared that the F.A.A.'s position on supersonic overflights has been ambivalent, adding:

"On the one hand it states that further testing is needed before the question can be answered. But on another, the head of the SST project for F.A.A. has been quoted as saying that 'the public will have to learn to accept sonic boom to a degree.'"

He said that "even were the F.A.A. not in this awkward position, a decision on multiple overland supersonic flights is too important to be left in the hands of a single Government agency."

"Clearly the people themselves must be permitted to decide through their elected representatives in the Congress," he said.

Senator Case said that 10 million to 20 million persons might be "boomed" by a supersonic flight across the United States.

"Already initial tests have resulted in cracked plaster, broken windows and tumbling bric-a-brac, though studies on structural damage are so far inconclusive," he said.

"More importantly, yet to be answered are such questions as the effect of the boom on surgeons in the midst of delicate operations, on sleeping people, on weak buildings, on mountains laden with snow or loose rocks and on ancient geological formations.

Local areas are taking action on the "boom":

[From the New York Times, Saturday, May 18, 1968]

SUPERSONIC FLIGHTS BARRED

NEWBURGH, N.Y., May 17.—The commander of the First Air Force Aerospace Defense Command disclosed today that all supersonic flights over the Newburgh-Poughkeepsie area had been suspended because of complaints from residents of the area. The complaints increased recently after several sonic booms were heard. A spokesman for Maj. General Joseph L. Dickman, commander of the unit, said Stewart had no supersonic planes of its own, but such planes sometimes stopped here.

[From the New York Times, Sept. 28, 1967]

COAST CITY VOTES SONIC BOOM BAN—EFFECT IS DOUBTED

SANTA BARBARA, CALIFORNIA, September 27.—The Santa Barbara City Council has adopted an ordinance outlawing sonic booms. This is believed to be the first such municipal code in the United States.

The ordinance passed last night makes it unlawful "to pilot any aircraft over and in the vicinity of Santa Barbara at supersonic speeds so as to cause loud, sudden and intense sonic boom impacts in the city of Santa Barbara."

Although it does not include a specific penalty clause, the city said a violation of any ordinance was a misdemeanor punishable by fines up to $500 and six months in prison.

The ordinance was introduced by Councilman Klaus Kemp, who said booms caused damage to homes and physical injury to individuals.

The only vote against was cast by the Mayor, who said, "I do not believe the law is enforceable."

The measure drew immediate reaction from Hamilton Air Force Base, where a spokesman said that "presumably nothing" would be done about the new law.

The presumption was based on court decisions that have ruled that the Federal Government through the Federal Aviation Agency has sole jurisdiction over aircraft movements.

But Mr. Kemp said, "We are not attempting to prohibit supersonic flights or military maneuvers or to interfere with them in any unreasonable manner.

"We are merely proposing that unnecessary flights over or immediately adjacent to this city at unreasonable and unnecessarily low altitude be prohibited."

The New York City Council, of which I am a former member, held hearings recently on resolution and a bill to ban "sonic booms," introduced by Councilmen Joseph Modugno and Morris Stein. The proposed legislation and related material follow:

THE COUNCIL OF THE
CITY OF NEW YORK,
February 18, 1968.

Dr. WILLIAM A. SHURCLIFF,
Director, Citizens League Against the Sonic Boom, Cambridge, Mass.

DEAR DR. SHURCLIFF: The public hearing on my Resolution No. 1000, prohibiting the landing and takeoff of supersonic planes, and a Bill, Intro. 526, introduced by Councilman Joseph Modugno, providing that it shall be unlawful to navigate aircraft so as to cause a "sonic boom" in the New York City area, is scheduled for Monday, March 18th, in the City Council Chambers, City Hall, New York City at 10:30 A.M.

Public officials, experts and concerned citizens are welcome. The more speakers at the hearing, the better.

You may send a list of those who wish to present their views to Hon. David Ross, Majority Leader, City Hall, New York, N.Y. 10007, and to me, indicating whether they are for or against the Resolution and Bill, and how much time they wish. Each interested party may write personally if he chooses.

Enclosed is a copy of Resolution No. 1000 and Intro. No. 526.

Very truly yours,
MORRIS J. STEIN.

RESOLUTION 1000 OF THE NEW YORK CITY COUNCIL, JULY 11, 1967

(By Mr. Stein)

A resolution calling upon the Federal Aviation Authority to prohibit the landing and takeoff of supersonic airplanes in the metropolitan area or within 100 miles thereof

Whereas, The proposed supersonic transport plane has a speed of approximately 1,800 miles per hour, about three times the speed of sound; and

Whereas, The sonic boom created by a supersonic military plane is equivalent to a moderate size explosion produced as the plane hurtles through the air generating a shock wave with the noise hitting the ground below over an area 50 miles wide; and

Whereas, Such noise is sudden, and shattering; and

Whereas, Tests with supersonic military airplanes have indicated that the sonic boom can cause panic and stampede large animals, shake and split buildings, crack plaster walls and crockery and other reverberation upon the occupants of buildings; and

Whereas, Medical research reveals that excessive noise has an adverse effect upon health, that it can trigger physical and mental ailments; and

Whereas, The present jet airplane flying over residential areas with its shrill noises interrupts conversations, classroom activities, is a source of discomfort to the ill, and interferes with the peace and tranquility sought by our citizens in their homes and communities; and

Whereas, Since a supersonic plane travels at a great speed, reducing traveling time from hours to minutes, it therefore makes little difference to passengers to have them land and take off some distance from the metropolitan area and use private or public transportation to and from the City, now, therefore be it

Resolved, That the Council calls upon the Federal Aviation Agency to prohibit the landing and take off of supersonic planes in the New York City and other metropolitan areas or within one hundred miles thereof; and it is further

Resolved, That copies of this resolution be transmitted to General William F. McKee, Administrator of the Federal Aviation Agency and to the state and federal legislators from the New York City Metropolitan area.

RESOLUTION 608 OF THE NEW YORK CITY COUNCIL

(By Mr. Modugno)

A local law to amend the administrative code of the city of New York, in relation to flights of aircraft within the city of New York, causing "sonic booms"

Be it enacted by the Council as follows:

Section 1. Section 435–16.0 of the administrative code of the city of New York is hereby amended by adding thereto a new subdivision h and relettering present subdivision h to be subdivision i, present subdivision i to be subdivision j and present subdivision j to be subdivision k, to read as follows:

h. "Sonic booms." 1. Legislative intent—Great numbers of aircraft capable of operating at ever increasing supersonic speeds are and will continue to be produced. The operation of aircraft at supersonic speeds in the air above the city of New York often causes intense, severe and alarming noises and vibrations at ground level known as "sonic booms." These "sonic booms" result in physical and mental personal injury and damage to property. Such operations of supersonic flights in the air above the city of New York do not appear to be a reasonable necessity for the national defense, welfare or safety, or for the usual routine requirements of commercial air carriers, nor for any other purpose and for all these reasons such flights should be prohibited.

2. It shall be unlawful for any person to navigate an aircraft within the limits of the city of New York in such a manner so as to cause or produce loud, sudden and intense "sonic boom" impacts.

[h.] *i.* Rules and regulations. The commissioner is authorized to make such rules and regulations as he may deem necessary to enforce the provisions of this section.

[i] *j.* Violations. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor.

[j.] *k.* Separability. If any clause, sentence, paragraph, subparagraph or part of this Section shall be adjudged by any court of competent jurisdiction to be invalid, such judgments shall not affect, impair operation to the clause, sentence, paragraph, subdivision or part or invalidate the remainder thereof, but shall be confined in its * * * thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect immediately.

(NOTE.—New matter in *italics,* old matter in brackets [ ] to be omitted.)

[From the New York Times, Feb. 27, 1968]

CITY INVESTIGATES NOISE-LEVEL LIMIT—COUNCIL TOLD SOUND CAUSES FATIGUE AND ANXIETY HERE

(By David Bird)

In the face of increasing evidence that noise levels here are too high for comfort or health, the City Council's Committee on Buildings held hearings yesterday that may result in the first limits being set here on the sound level of construction equipment.

The Council members found—by an early-morning visit to a construction site and through testimony later at City Hall—that noise levels were indeed too high but that doing something about them would probably cost a lot of money.

Councilman Joseph Modugno, Queens, in a discussion about quieting the air compressors used in construction said: "We have to be very careful in setting the guidelines because we may make the product unmarketable."

The Councilmen began their day on 58th Street near Third Avenue, where a large air compressor was being used at an excavation site.

INTOLERABLE

"Intolerable," said Robert A. Low a Manhattan Democrat-Liberal who is the committee chairman as he stood close to the compressor.

"It's 96 decibels," said an acoustical engineer, adding a note of precision.

Later in a hearing at City Hall the committee heard testimony that physical damage to hearing can be caused by levels only as high as 85 decibels.

"And the psychological level should be considerably below that," said Dr. Howard M. Bogard, chief psychologist of the Queens Hospital Center.

He explained that even lower noise levels could trigger psychological difficulties ranging from simple outbreaks of rage to psychosomatic attacks of stomach ulcers.

Dr. Bogard said New Yorkers "pay an enormous price in fatigue and anxiety" because of the noise level. To say that people can adapt to excess noise levels successfully "is a gross inaccuracy," he added.

With the aid of elaborate audio equipment Stannard Potter, an acoustical engineer, played a selection of city noises caused by sources ranging from jet aircraft to subway trains.

The Councilmen winced as most of the sounds rattled the elaborate crystal chandelier in the hearing room, but Mr. Potter singled out the air compressor as "one of the most magnificent examples of intolerable and unnecessary noise."

A 50-DECIBEL LIMIT URGED

Another acoustical engineer, Martin Hirschorn, called for a daytime upper limit of 50 decibels in the city's residential areas. But he conceded that achieving that level on the streets might take some time.

Most of the speakers said that the technology existed to quiet noisy compressors but that it was a matter of creating a demand—by such legislation as the City Council is considering, for example—and meeting the added cost.

An industry viewpoint on how long it would take to get quieter compressors into service and how much it would cost was provided by Thomas Holmes, a vice president of the Ingersoll-Rand Company.

He said his company now built large compressors that emitted noise up to 112 decibels. Within two years, he said, this level should be down to 90 decibels, adding 20 per cent to the cost of a $40,000 compressor.

He had no estimate of the cost of a drastic reduction to 50 decibels, the level suggested by Mr. Hirschorn.

[From the New York Times, Mar. 19, 1968]

CITY MOVE TO BAN JET BOOM OPPOSED—HEARING TOLD UNITED STATES CONTROLS REGULATION OF AIR NOISE

(By David Bird)

A proposal in the City Council to control the noise of sonic booms from jet planes ran into opposition yesterday from the Lindsay administration, the Federal Aviation Administration and a representative of a community that had failed after "many costly years" to regulate air traffic by local law.

The opposition came at a City Hall hearing held by the Council's Committee on General Welfare and the Committee on Health and Education, on a proposed new law and a resolution that would be addressed to the F.A.A.

The bill would make it a misdemeanor "to navigate an aircraft within the limits of the City of New York in such a manner as to cause or produce loud, sudden and intense 'sonic boom' impacts."

The resolution, noting that sonic booms hit "the ground below an area 50 miles wide," calls for a prohibition on "the landing and take-off of supersonic airplanes in the metropolitan area or within 100 miles thereof."

The proposals drew support from community organizations, mainly around the city airports, and from anti-noise groups.

THE CITY'S VIEW

The administration opposition was led by Herbert B. Halberg, Commissioner of the Department of Marine and Aviation. He was followed by the department's first deputy commissioner in charge of aircraft operations, Charles G. Leedham.

Both men emphasized that enforcement of the proposed legislation would be impractical and they urged that the matter be left to the Federal Government.

Mr. Leedham said that not only would it be difficult to catch offenders because the plane would be far away when the boom was felt, but that such a law would run counter to the principle of Federal control of the airways.

Mr. Leedhan said he was opposed even to additional Washington legislation because it would limit the ability of the Federal Aviation Administration to solve the problem on its own.

The F.A.A. submitted a statement to the hearing urging that the matter be left to the Federal Government.

TRIAL BY FIRE

Ralph G. Caso, Presiding Supervisor of the Town of Hempstead, told the Councilmen at the hearing "that some five years of trial by fire has convinced me that you are using the wrong approach."

Mr. Caso said his town, which is in Nassau County in the path of approaches to Kennedy International Airport, had come to that conclusion after dragging "through the courts for many costly years" in a vain attempt to make a local law effective.

He suggested increased pressure for more Federal and state legislation to control the noise of all jet planes, including supersonic craft. But he also called for the closing of Kennedy Airport to supersonic planes.

"This will, of course, immediately be challenged in the courts," he said, "but at least you'll have a fight worth fighting."

Councilman Joseph Modugno of Queens, sponsor of the bill, said that even if the law could not be enforced he still would like to see it passed as "symbolic of our desire to do something about" sonic booms.

Among his supporters was Eugene Galanter, a professor of experimental psychology at Columbia University representing the Citizens League Against Sonic Booms.

Professor Galanter asserted that the booms could cause serious mental and physical ailments, and that perhaps the convenience of a few people "flying at 1,800 miles per hour may not be as important as the peace and tranquility of the 8 million to 15 million people living in and around New York City."

He said he was "completely opposed" to the spending of the estimated $400 million the United States already has committed to developing a supersonic plane.

Other local items are included:

NATION'S CITIES,
Washington, D.C., February 7, 1968.

Hon. THEODORE R. KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: Thank you very much for your manuscript for the Nation's Cities article on "Noise Control". It is perfect for our editorial needs and we plan to use it in a forthcoming issue. Unfortunately, I am not able at this time to let you know exactly which month it will be.

We certainly want to extend our sincere thanks to you for your efforts in preparing this article for us. I am sure it will go a long way toward informing our 60,000 municipal official readers throughout the nation about what is certainly a significant—and so far somewhat overlooked—urban problem.

Sincerely,
RAYMOND L. BANCROFT,
Managing Editor.

TOWN OF LOS ALTOS HILLS, CALIF.,
December 14, 1967.

THEODORE R. KUPFERMAN,
Member of Congress,
New York, N.Y.

DEAR MR. KUPFERMAN: Transmitted herewith are letters and documents indicating action by the City Council, of the Town of Los Altos Hills, and efforts of the Town's Noise Abatement Committee relative to noise emanating from the Junipero Serra Freeway (Route 280).

Any assistance you may give will be greatly appreciated.

Very truly yours,
DONALD A. MILLER,
Chairman, Noise Abatement Committee.

TOWN OF LOS ALTOS HILLS, CALIF.,
November 6, 1967.

Mr. ALAN S. HART,
California Division of Highways,
San Francisco, Calif.

DEAR MR. HART: The noise from Interstate Freeway 280 has created a profound and disturbing effect on Los Altos Hills. The impact of this noise on the community has caused numerous residents to express their displeasure and to bring pressure upon the Town Council and Mayor. Consequently, the Mayor appointed a Noise Abatement Committee to work with Highway and other State officials to institute measures for reduction of the noise and to recommend actions and programs to the Town Council and the Mayor. The Committee is listed in Enclosure #1.

The preliminary surveys and investigations by the Committee have resulted in two items for immediate action and four subjects for continued investigation to determine appropriate action.

We respectfully request action relative to:

1. Steps to eliminate trucks, busses and small motor bicycles from Interstate Highway 280 between Page Mill Road and the Foothill Expressway exits.

2. Investigations by the State Division of Highways and its Acoustical Engineer, as requested by the Town Council (Enclosure #2), in order to give special attention to the five (5) principal trouble areas identified by the Committee through surveys of residents. We refer to these areas from north to south as: 1) Little League, 2) La Barranca, 3) Robleda, 4) El Monte, and 5) Magdalena areas. These areas are delineated in Enclosure #3.

Actions under consideration by the Committee are:

1. Investigation of adequate muffling techniques, laws, and of noise measuring devices.

2. Review of landscaping plans and investigation of potential barriers, additional landscaping, and/or other techniques suitable for noise abatement.

3. Investigation of the effect of reduced speeds upon the noise.

4. The legal aspects associated with the passing and enforcement of noise abatement laws.

Sincerely yours,
D. A. MILLER,
Chairman, Los Altos Hills Noise Abatement Committee.

SEPTEMBER 20, 1967.

Mr. DONALD A. MILLER,
Los Altos Hills, Calif.

DEAR DON: With your permission I am appointing you Chairman of a Committee to investigate and advise upon the problem of noise generated by the recently opened freeway.

Your members are as follows:

Mr. David Berstein, 12998 Vista de Valle Court, tele. 948-0633.

Mr. John E. Cavanagh, 23675 Taaffe Road, tele. 941-4801.

Mr. Robert B. Lewis, 13038 Vista de Valle Court, tele. 948-6333.

Mr. Frank N. Shriver, 12451 Stonebrook Drive, tele. 948-8812.

Mr. Robert B. Swatosh, 12897 Viscaino Place, tele. 948-8707.

The Council member with whom I ask you to keep in touch is Mary Davey.

Faithfully,
ALBERT T. HANLEY,
Mayor, Los Altos Hills.

RESOLUTION 409

(A resolution of the City Council of the town of Los Altos Hills relating to noise emanating from Interstate Freeway No. 280)

Whereas, the noise from Interstate Freeway No. 280 has created a profound and disturbing effect on Los Altos Hills, and

Whereas, numerous residents of the Town are greatly concerned over the impact of this noise on the community,

Now, therefore, be it resolved, that the City Council of the Town of Los Altos Hills inform the State Division of Highways about this situation and request them to send an acoustical engineer to look into the problem and offer possible solutions to the Town.

I hereby certify that the foregoing Resolution was Passed and Adopted at a regular meeting of the City Council of the Town of Los Altos Hills held on September 18, 1967, by the following Roll Call Vote.

Ayes: Councilmen Aiken, Benson, Davey, Fowle, Mayor Henley.

Noes: None.

Absent: None.

Attest:

CLAYTON J. MUTL,
Deputy City Clerk.

Approved:

ALBERT T. HENLEY,
Mayor of the Town of Los Altos Hills.

THE FIVE ACOUSTIC TROUBLE AREAS FOR INTERSTATE 280 IN LOS ALTOS HILLS

(Los Altos Hills Noise Abatement Committee Letter)

1. The Little League area is that portion of the northbound lane from a point approximately 700 yards northwest of La Bar-

ranca overpass extending north toward Elena about 440 yards. The sound from the northbound lane is many times louder than from the southbound lane along this area. This section is most troublesome to residents on the northeast side of the freeway.

2. The La Barranca overpass area is in the immediate proximity of the overpass. The topography here has the unique quality of focusing the sound into the hills on each side of the freeway to such an extent that some residents who cannot see the freeway get objectionable sounds from the overpass.

3. The robleda area is that section of freeway from a point approximately 350 yards southeast of the Robleda overpass to about 350 yards northwest of the overpass. The southbound lane is most objectionable in this area to the homes on the west side of the freeway.

4. The El Monte Area consists of two strips of freeway exposure. One from 350 yards northwest of El Monte overpass to 530 yards west and the second from 700 yards west to 960 yards west of the overpass. This section is most troublesome to residents on the northeast side of the freeway.

5. The Magdalena area consists of the section of freeway from Magdalena overpass to Mora Drive. Although outside the Los Atlos Hills' city limit, this section is troublesome to residents on the west side of the freeway.

COMMUNITY PLANS, INC.,
Los Angeles, Calif., Mar. 8, 1968.

Hon. THEODORE R. KUPFERMAN,
The House of Representatives,
Washington, D.C.

DEAR SIR: I am taking this opportunity, on behalf of Community Plans, Inc., Westchester-Playa del Rey, to express to you our concerns about aircraft-generated noise and to comment on pending federal noise legislation.

The problem of aircraft-generated noise is reaching critical proportions at Los Angeles International Airport as it is in most areas throughout the country where major airports are located. Passage of federal legislation is a vital first step toward the resolution of this very serious problem.

Your bills HR 2819 and HR 2820 incorporate items we feel are important in dealing with the overall problem of aircraft noise abatement. We support your efforts to obtain appropriate legislation in this session of congress.

I am enclosing information about Community Plans, Inc., our noise resolution, the Los Angeles City Council's resolution supporting federal legislation, and an editorial from a recent issue of the Los Angeles Times.

Again, we wish to express our support for noise legislation and we would appreciate any suggestions you might have on ways we might further support this effort.

Thank you.

CARL E. NIELSEN,
President.

CITY OF LOS ANGELES RESOLUTION

Whereas, the problem of airport noise is evident at the Los Angeles International Airport and every major airport throughout the United States; and

Whereas, the development and adoption of rules and standards to regulate noise abatement are still pending; and

Whereas, the impact of aircraft-generated noise upon the residents near our airports is increasing in both volume and area and will be intensified by projected aircraft volume; and

Whereas: thirty-five bills prescribing remedial action have been assigned to the House Interstate and Foreign Commerce Committee; and

Whereas, H.R. 3400 and S. 707 authorizes federal rules and standards to regulate aircraft noise abatement;

Now, therefore, be it resolved, that the City Council urge the Chairman of the House Interstate and Foreign Commerce Committee to schedule this subject for early hearings; and

Be it further resolved, that the City Council urge the adoption of H.R. 3400, S. 707 or similar legislation that will provide an early solution to this problem and that the City Clerk with the assistance of the Chief Legislative Analyst provide David L. Wallerstein, the City's Legislative Representative in Washington, with sufficient copies of this action for distribution to appropriate persons.

Presented by:

L. E. TIMBERLAKE,
Councilman, Sixth District.

Seconded by:

JOHN FERRARO,
Councilman, Fourth District.

[From the Los Angeles (Calif.) Times, Feb. 12, 1968]

FEDERAL JET NOISE CONTROL NEEDED

The only things louder than the roar of jet aircraft are the screams of property owners and airport operators calling for quieter engines and noise controls.

So far their pleas have fallen on deaf ears.

The Airport Operators Council Intl., which represents an estimated 86% of the domestic airline business has broken a nine-year association with the industrywide National Aircraft Noise Abatement Council. They charge that airlines and aircraft manufacturers are not effectively seeking solutions to the problem, which, operators insist, requires immediate federal standards and controls.

We agree it is now time for such action.

Congress recognizes the national nature of the problem and is considering the creation of maximum noise levels to be federally enforced. Research by the government and private aircraft manufacturers is also under way to develop quieter engines.

In the meantime harassed homeowners, such as those around the Los Angeles International Airport, are waging anti-noise campaigns and filing lawsuits against airports and officials who do not have the power to effectively act to control noise.

The problem is not a local one. This area of "noise pollution" ranks with the air and water pollution problems now plaguing metropolitan areas across the country.

It is conceded that there will aways be aircraft noise. The challenge is to reduce it to a livable level.

There are several ways to approach the problem. These include noise suppression devices on today's engines, quieter new engines, revised flying operations and restricted land use and condemnation. Cost, safety and engineering problems are involved in all of them.

In the next 10 years more than 1,000 new aircraft, including jumbo jets, will be needed to meet the mounting passenger and air cargo demands. That adds up to a lot of noise.

Standards to control the noise are needed now. To be effective they must be nationwide, realistic and give the airlines and manufacturers sufficient time to meet the new rules. Research must also be stepped up on the quieter new engines.

As technology improves, regulations may be modified and stricter standards adopted. But the first step must be taken now to curtail the environmental pollution that now plagues our airports—and the crowded communities around them.

COMMUNITY PLANS, INC., WESTCHESTER-PLAYA DEL REY, EVOLVED FROM THE WESTCHESTER-PLAYA DEL REY PLANNING COMMITTEE

The Westchester-Playa del Rey Planning Committee came into being as a result of two community forums concerning the future of Westchester, sponsored by the Chamber of Commerce through its Community Development Committee in the spring of 1966.

The interest generated by these forums had two main thrusts: people wanted more information, and they wanted to be able to participate actively in the future of their community. The Community Development Committee of the Westchester Chamber of Commerce, acting in the role of "parent," supplied the needed leadership and called the first meeting of the Planning Committee last August.

The meetings were open to any interested individual, and the 25 to 30 people who attend represent a broad cross-section of the community, including homeowners, senior citizens, civic groups, co-councils, churches and schools. The committee's time has been spent exchanging viewpoints, gathering information, hearing reports and exploring the process of planning. Communication has been established with the Los Angeles Planning Department, the Departments of Airport, Highways, Parks and Recreation, Loyola University, and professionals who are in the business of planning. The emphasis has been, and continues to be, a positive one: the formulation of planning goals to insure the orderly growth of the Westchester-Playa del Rey communities.

A concise statement of what Community Plans, Inc., Westchester-Playa del Rey hopes to accomplish is summed up by our purpose:

1. To formulate planning goals for the communities of the Westchester and Playa del Rey. To relate these planning goals to the goals of the metropolitan Los Angeles region.

2. To promote community interest and participation in the formulation of these goals.

3. To provide coordination and communication between the individual citizen, other citizen organizations, and public agencies.

Community Plans, Inc., Westchester-Playa del Rey has incorporated as a non-profit corporation. It has a 25 member Board of Directors which represents a broad cross-section of the communities of Westchester and Playa del Rey. It is our objective to have a broad general membership consisting of individuals who live or work in the area, business and industrial organizations, and community groups such as churches, service and fraternal organizations, etc.

[From the Westchester (Calif.) News Advertiser, Feb. 11, 1968]

WESTCHESTER PLAN STUDY BEGINS—CPI UNIT ASSISTS PROGRAM

Official start of the Westchester-Playa del Rey community plan study was announced February 7 by Councilman L. E. Timberlake and Calvin S. Hamilton, city planning director.

Assigned to supervise the research and development of the community plan is Arden E. Stevens, city planner.

Community Plans Incorporated, a representative citizen group, has been formed for the purpose of assisting in the development of the community plan.

ADVISORY UNIT

Councilman Timberlake and Hamilton have recognized CPI as an appropriate body to serve as the citizens planning advisory committee.

Slated to be completed in 18 months, the project will be comprehensive in approach.

It will encompass five phases of technical planning work, including (1) design study (2) background data for planning (3) preliminary plan proposals (4) proposed community plans, and (5) proposed implementation program.

LONG RANGE

Officials noted that it must be a long range, community wide study related to the rest of the city and attainable.

It will entail considerable cooperation with other city departments, offices of Councilman Timberlake and Mayor Samuel Yorty, and with community civic groups, represented through the citizens planning advisory committee.

Councilman Timberlake announced that the office of city planning will be able to handle any further inquiries on the progress of the community planning study.

Stevens may be reached at the Los Angeles City Hall by calling, 624–5211, extension 1386. Senior city planner is Robert D. Wilson.

FEDERAL NOISE LEGISLATION

Federal noise legislation introduced in the 90th Congress but not yet enacted gives recognition to the serious impact aircraft-generated noise has upon millions of persons who live in close proximity to airports. The area surrounding Los Angeles International Airport, like other areas throughout the country, is adversely affected by aircraft-generated noise and the projected volume increases in air transportation will further intensify this problem.

Community Plans, Inc.—Westchester-Playa del Rey recognizes the need for federal legislation to control aircraft-generated noise. By resolution of the Board of Directors on 25 January 1968, Community Plans, Inc. recommends that the following items be included in federal noise control legislation:

Department of Transportation have overall responsibility for administration of noise programs.

Standards for measurement of aircraft noise be established.

Standards for the correlation of aircraft noise with human discomfort be established.

Standards for aircraft noise be used in aircraft certification.

Provide funds to develop methods and devices for noise abatement, both procedural and mechanical.

Provide funds to develop quieter aircraft.

Provide funds for soundproofing public structures that are adversely affected by aircraft noise.

Provide funds for the acquisition of land surrounding an airport where noise levels exceed established standards.

CITY OF EL SEGUNDO, CALIF.,
November 22, 1967.

Representative THEODORE R. KUPFERMAN,
Congressional Office,
Washington, D.C.

DEAR REPRESENTATIVE KUPFERMAN: As a representative of a community much beset by the problem of noise and stymied by the lack of legislation for relief in this area. I have read, with a great deal of interest, your concept of an office of noise control to be established within the office of the Surgeon General of the United States.

I have felt, personally, for many years that basic medical research must be done to establish safe noise levels for human habitation and expected results from exceeding these levels. Your concept would provide the vehicle for establishing these guidelines.

Please keep me advised as to progress made in this direction or as to what help, if any, may be extended by me.

Sincerely,

RICHARD G. NAGEL,
Councilman.

AIR LINE PILOTS ASSOCIATION,
Burlingame, Calif., November 15, 1967.

Congressman THEODORE R. KUPFERMAN,
House of Representatives Building,
Washington, D.C.

DEAR MR. KUPFERMAN: Enclosed please find a self-explanatory local newspaper article pertaining to newly developed noise pollution in Los Altos Hills, California, and the concern of its citizens to help decrease the unwanted sound.

Approximately a month ago, I wrote your office requesting any data that you could furnish me regarding the elimination of road noises and any other information regarding this mushrooming problem. I would hope that you could do this for me inasmuch as you are the foremost noise pollution authority on the floor of the Congress today.

The noise pollution information you have furnished my committee was very instrumental in eliminating a proposed 5,000 residential complex adjacent to the San Francisco International Airport. I hope the same can be done for the highway noises.

Hoping to hear from you regarding the article, and to receive some of the data requested, I remain,

Very truly yours,

JOHN X. STEFANKI,
Chairman, Legislative Committee,
UAL Council 34.

[From the Los Altos (Calif.) Town Crier, Nov. 8, 1967]

THE NEW AUTO NOISE LAW—WILL IT HELP?

Los Altos Hills residents, plagued with increasing traffic noise since the opening of Junipero Serra Freeway, might be in line for a little relief because of the new law regulating vehicle noise. It goes into effect today, but the problem is far from solved.

Using the decibel scale of sound level, the new law sets maximum limits of noise at which a vehicle may be operated in posted zones along highways. The noise level will be registered by instruments set up at roadside, but just how this measurement is transmitted to the California Highway Patrol has not been spelled out.

The law is on the books, however, and, speaking hopefully, it's a start.

Few residents in Los Altos or Los Altos Hills, who get the brunt of traffic noise, expect any change in the near future, nor do freeway experts. And Hills officials are acutely aware of the noise pollution, because they have a citizens' committee studying the matter, known as the Sound Abatement Committee.

It's the committee's job to find which of two opposing views is correct, that extensive planting of trees and shrubs along a freeway will, or will not, diminish traffic noise.

The State Division of Highways contends heavy landscaping will have little if any effect on reducing the decibel level, according to Robert Jahrling, an executive assistant at the Division of Highways District 4 office in San Francisco. He said engineering studies have revealed little noticeable reduction in noise.

Challenging the state's viewpoint is Robert B. Ward of Los Altos Hills, who took sound level recordings with standard noise measuring equipment from his patio, 800 feet from the freeway.

Ward claims his findings show a definite reduction in decibels when a vehicle passes a lone tree. He illustrates one finding of a passenger car that registered 44 decibels along an open stretch, but dropped to 34 decibels as it passed a tree and slightly under 34 decibels as it passed a hillslope between the car and the recording device. (The new law requires trucks and motorcycles not to exceed 92 decibels, and cars not to exceed 86 decibels, from a distance of 50 feet.)

Since the decibel measurement is logarithmic rather than linear, an increase of 10 decibels means the loudness is increased by 10 times. Thus, a reading of 44 decibels at 800 feet would be much, much higher at 50 feet.

Ward also recorded the sound level of a poorly mufflered sports car; it increased from 34 decibels to nearly 54 decibels traveling from a grove of orchard trees into the open. Ward's findings were made at 4:30 a.m., 800 feet from the source of the noise. (His findings were to have been studied at last night's meeting of the Sound Abatement Committee.)

How much effect the new law on noise has remains to be seen, but already it has been labeled ridiculously inadequate by many observers, including the Division of Highways. The California Highway Patrol, whose job it is to enforce the law, agrees the standards set are not expected to affect the vast majority of motorists who operate vehicles with standard equipment.

Jahrling told the Town Crier the new law would not effect future landscaping procedures along freeways and termed the new law somewhat less than had been hoped for.

Although convinced landscaping would not reduce the noise level generated by traffic, Jahrling did agree landspacing would produce a visual effect that would be agreeable to residents in Los Altos Hills and surrounding area.

He said advertising for the proposed landscaping along Junipero Serra between west of Foothill Boulevard to Page Mill intersection would be called for this month, with the bid awarding and work to begin in early 1968, probably January or February.

The $430,000 project will provide extensive and random planting along the median strip with eucalyptus, redwood and coffeeberry trees, and with additional trees and shrubs along both sides of the freeway that are native to the area, namely oak, laurel and cherry, that "will reflect a countryside atmosphere."

In answer to the question about whether the state would allow additional landscaping that might be initiated by either Los Altos Hills, an organization, or individual, Jahrling said the state would be happy to meet with interested groups for such a proposal. Also, the state would maintain the additional plantings as part of its overall maintenance program.

Landscaping will not control the noise factor, he said, adding, "the solution is in controlling the source of the noise."

Another area under study by the Sound Abatement Committee is the possibility of banning trucks from using Junipero Serra Freeway.

"It's possible that trucks could be banned from the freeway," Jahrling said, "in much the same way Oakland managed to have them banned from McArthur Freeway." However, he indicated the ban remains in effect only until January of 1968, when authorities will review the matter and then decide whether the ban should be continued after January. That decision could have a strong bearing on Los Altos Hills' efforts to be granted similar relief.

Traffic along Junipero Serra Freeway will greatly increase after the link from Page Mill Road in Los Altos Hills is extended into Woodside to connect with construction in progress in Daly City. Still another link of the freeway between San Bruno and Millbrae was opened to traffic on Nov. 1.

AIR LINE PILOTS ASSOCIATION,
Burlingame, Calif., November 20, 1967.

Representative THEODORE R. KUPFERMAN,
House of Representatives Building, Washington, D.C.

HONORABLE KUPFERMAN: I am in receipt of the anti-noise pollution data regarding highway noises and subsequent alleviation thereof with suitable landscaping projects. For this information, I should like to thank you sincerely.

I have forwarded the above information to the chairman of the noise abatement committee, and I am sure that it will be invaluable in helping us eliminate the noise problem in Los Altos Hills.

Expressing my appreciation once more, I remain,

Sincerely yours,

JOHN X. STEFANKI,
Chairman, Legislative Committee,
UAL Council 34.

"ORDINANCE NO. 67–1574: AIRCRAFT NOISE ORDINANCE

"An ordinance regulating the operation of aircraft over the city of Dearborn and providing for the violation thereof

"The City of Dearborn ordains:

"Whereas: It is necessary for the safety, health, life and general welfare of the citizens of the City of Dearborn that aircraft flying within the corporate limits of said city be regulated in order to prevent ever present danger to the safety, health, life, and general welfare of said inhabitants;

"Now, therefore, be it ordained by the City Council of the City of Dearborn:

"Section 1. Definitions:

"(a) Aircraft. The term "aircraft" as used in this ordinance means any airplane, flying machine, or other contrivance now known or hereinafter invented, used or designed for navigation of or flight in the air.

"Section 2. Minimum height limits for aircraft.

"No person, firm or corporation shall fly or permit any aircraft to be flown within the corporate limits of the City of Dearborn, except at a height sufficient to permit of a reasonably safe emergency landing, which in no case shall be less than 5000 feet, provided that the provisions of this section may be deviated from when special circumstances render a departure necessary to avoid immediate danger or when such departure is required because of stress of weather conditions or other unavoidable cause.

"Section 3. Operation of aircraft to be subject to air traffic rules of Federal Civil Aeronautics Authority.

"No person shall operate any aircraft over or within the City of Dearborn in violation of any valid air traffic or other rule or regulation established by the Civil Aeronautics authority or the Federal Aviation Agency, or their successors thereof.

Section 4. Noise by aircraft operation.

"Unnecessary noise by operators of aircraft within or over the corporate limits of the City of Dearborn is hereby prohibited.

"Section 5. Violation penalties.

"Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined by not more than $500 or be imprisoned for a term not exceeding ninety (90) days, or by both such fine and imprisonment.

"Section 6. Separability.

"It is the intention of the City Council for the City of Dearborn that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable."

AUTHENTICATION

This is to certify that the undersigned do hereby authenticate the foregoing record of the Ordinance therein set forth.

ORVILLE L. HUBBARD,
Mayor.

I hereby certify that the foregoing is a true copy of the Ordinance adopted by the Council of the City of Dearborn at the meeting thereof on November 8, 1967, and became effective by publication by authority of the Council in the official newspaper published in the City of Dearborn, November 16, 1967.

JOSEPH CARDINAL,
City Clerk.

UNIVERSITY OF CALIFORNIA, LOS ANGELES,
Los Angeles, Calif., February 9, 1968.

Congressman THEODORE R. KUPFERMAN,
17th Congressional District, New York, House of Representatives, Washington, D.C.

MY DEAR MR. KUPFERMAN: Enclosed is a Xerox copy of a brief article that appeared in the Los Angeles Times for February 7, 1968, dealing with certain aspects of aircraft noise that I believe will be of interest to you in connection with your pending congressional legislation.

With cordial greetings,
Yours,

VERN O. KNUDSEN.

[From the Los Angeles Times, June 7, 1968]

AIRLINES, PLANE MAKERS CALLED LAX ON JET NOISE—BOTH USE "SMOKESCREEN" TACTICS ON ABATEMENT, AIRPORT OPERATORS SAY

(By Marvin Miles)

Major airport operators broke with the airlines and aircraft manufacturers Tuesday, charging these two segments of the aviation industry with ineffective "smokescreen" tactics in seeking solutions for the jet noise problem.

Meeting in San Diego, directors of the Airport Operators Council International, representing airports that handle 86% of the domestic airline business, voted to withdraw from the industry-wide National Aircraft Noise Abatement Council.

The noise abatement organization, formed nine years ago, includes the Air Transport Assn., the Air Line Pilots Assn., the Aircraft Industries Assn. and the American Assn. of Airport Executives.

LACK OF CONTROL TOLD

"We are tired of being scapegoats for the airlines and the manufacturers," explained Francis T. Fox, general manager of the Los Angeles Department of Airports, and James R. Mettler, AOCI president and director of El Paso International Airport.

As airport operators we can exercise no control over the types of aircraft being built for the airlines. We have no control over flight patterns or air routes or airline schedules.

"In brief, this is a federal matter and the sooner we achieve the necessary legislation, the sooner the public can be assured of noise relief."

"POSITIVE ACTION" PROGRAM

The San Diego meeting adopted a threefold "positive action" program the AOCI will push on its own, including:

1—Immediate modification of all present jet (airline) engines to lessen noise in the area of domestic airports.

2—More money and urgency for the "quiet engine" program now under development by the National Aeronautics and Space Administration for future jet engines.

3—Total support for pending congressional legislation (H.R. 3400 and S. 707) which would authorize federal standards and control of jet aircraft noise.

These bills, Fox said, would give the Department of Transportation the power to certify new aircraft for noise standards and to regulate noise in the operation of present-day aircraft by modifying jet engines.

PANCOAST, FERENDINO, GRAFTON & SKEELS, CONSULTING ARCHITECTS TO THE BOARD, BOARD OF PUBLIC INSTRUCTION,
Miami, Fla.

To: Dr. Joe Hall, superintendent, Dade County Board of Public Instruction.

From: Andrew J. Ferendino, architect to the board.

The members of the Dade County Board of Public Instruction have expressed a desire to solve the noise problems in forty schools, which are caused by aircraft and street traffic. This situation is steadily getting worse and is presently compromising the educational program to a point where it seriously jeopardizes the education of the children in these schools.

Under the school construction research program, the school board architect is now studying the various individual school problems and seeking effective economical solutions.

The first step in this program was made by the Dade County School Board Maintenance Department under the direction of Carl M. Kolosna, coordinator of materials testing division. This resulted in a report of the noise problems in the various schools involved.

The second step was taken by this office assisted by Edward Hurst, associate superintendent. This report included a detailed list of the physical changes in the school buildings to eliminate noise problems and the cost of these changes.

The third step was taken by James H. Church, director, school construction research. This report is attached and was prepared by George Paul Wilson, Ph. D., of the Dariel Fitzroy firm, acoustical engineers, San Francisco, California. The Fitzroy firm is recognized as one of the outstanding acoustical consultant firms in the country. This report confirms the findings of Mr. Kolosna and also supports the general approach suggested by this office for the correction of noise problems.

Through this report and the conversations we had with Dr. Wilson during his visit, we have obtained very capable and experienced professional direction in detail regarding the solution of the acoustical problems we face. We are now in a position to carry out this program when the money is made available.

National Safety News of November 1967, at page 51 contains the following article. Unfortunately, we cannot reproduce the many fine illustrations:

INDUSTRIAL NOISE

(NOTE—It is imperative that the safety engineer have an understanding of the fundamental concepts for the evaluation and control of noise to avoid on-the-job hearing losses. (This is the 10th in a series of articles developed to acquaint safety men with the basics of industrial hygiene.))

(By Herbert T. Walworth,[*] director of industrial hygiene and occupational health, Lumbermen's Mutual Casualty Company, Chicago.)

Hearing loss is an affliction which has existed throughout the history of mankind. It occurs in all walks of life and is due to many causes. Until the development of the audiometer in recent years, there was no means of measuring the degree of hearing loss with appreciable accuracy. Now partial losses are easily measurable by use of commercially available instruments.

That workers in noisy occupations develop a greater than average degree of hearing loss has been known for more than 100 years. Prior to 1948, hearing loss was not regarded as a significant factor in workmen's compensation. Some claims occurred, but these were primarily due to traumatic injuries from such causes as blasts, concussions, blows to the head, and foreign objects or infections in the ears. Since 1948, a number of states have passed hearing loss legislation or revised existing laws to include noise induced hearing loss as a basis for workmen's compensation benefits. Now it is reported that there are at least 16 states with workmen's compensation laws providing compensation in varying degrees for partial hearing loss due to industrial noise exposure.

WHAT IS NOISE?

Technically defined, noise itself is any unwanted sound. It is a form of vibration which may be conducted through solids, liquids, or gases. It is a form of energy in air, invisible vibrations that enter the ear and create a sensation. Almost every conceivable kind of sound can, at one time, be welcome—at another time abhorred. It follows that before attacking a noise problem it must be asked: Who doesn't want it? When? Why? When these questions are answered, steps can be taken to solve the problem.

---

[*] Walworth is past chairman of the Intersociety Committee on Guidelines for Noise Exposure Control. The report of his committee appeared in the October issue of *The American Industrial Hygiene Association Journal.*

In the operation of industrial machines, unbalanced forces are applied to parts of the machine and cause displacement or movement of these parts, or of the whole machine. These displacements or motions are vibrations which set up air-borne sound waves. When men come into direct contact with noise, undesired effects may result.

Properties of noise

Some of the properties of noise are intensity, or pressure, frequency, and duration. All of these are important factors in evaluating the effects of noise on man's hearing. Sound pressure or intensity follows the inverse square law: i.e., as the distance from the sources increases the sound level decreases as the square of the distance.

The decibel

The ear is a remarkable organ, responding to sound pressures from 0.0002 to 2,000 dynes per square centimeter. To avoid working with unwieldy large numbers in evaluating intensity, however, a logarithmic scale is used with the decibel as the unit of measure. Because decibels are logarithmic units, they cannot be added or subtracted arithmetically. In fact, if the intensity of a sound is doubled, there will be a corresponding increase of three decibels, not double the number. On the decibel scale, zero (decibels) is the threshold of hearing, and 120 (decibels) is the threshold of pain.

Frequency

Frequency is the number of variations in sound pressure per unit time, usually expressed in cycles per second (cps). The sounds usually encountered in industry consist of many frequencies depending on the size, shape, and actions of the noise source. Each frequency of a given sound contributes to the total sound pressure level or intensity. The normal young adult can hear sounds over a wide range of frequencies, from about 20 cps to 15,000 cps.

The human ear responds differently to different frequencies. Because different sound frequencies may have differing psychological and physiological effects, it is important that knowledge of the frequency components of a noise be obtained. The amount of information required varies with the problem and determines the technique to be used in the frequency analysis. For general industrial hygiene work, it is usually sufficient to separate the total noise into frequency ranges of eight parts called octave bands. The octave bands most commonly used in noise measurement start with the 37.5 to 75 cycle band through the 4,800 to 9,600 cycle band. In each octave the highest frequency is twice that of the lowest.

NOISE EFFECTS ON MAN

The effects of noise on man include the following:

(1) *Psychological effects*, for example: noise can startle, annoy, and disrupt concentration, sleep or relaxation.

(2) *Interference with communication by speech*, and as a consequence, interference with job performance and safety.

(3) *Physiological effects*, for example, noise induced loss of hearing, or aural pain, nausea, and reduced muscular control (when the exposure is severe).

MECHANIC OF HEARING

The human ear is composed of three major sections: the external, middle, and inner ears. Each of these has a distinct function in the hearing process.

The external ear captures and funnels the sound waves to the middle ear where they strike the ear drum, which sets in motion the process of hearing.

The middle ear consists of the ear drum and the space and structures just inside. The space of the middle ear is filled with air. There is a chain of small bones in the middle ear with one end of the chain resting against the ear drum and the other end connected to the inner ear.

The inner ear consists of a spiral tube filled with fluid. The spiral tube contains the organ of Corti, which consists of many sensory cells with delicate hairs or hair cells projecting into the fluid.

As the ear drum vibrates, the chain of bones comprising the middle ear are set in motion. These motions, in turn, vibrate the fluid of the inner ear. When the fluid vibrates, the hair cells are stimulated, sending nerve currents or impulses to the brain. Exposure to excessive noise for extended periods overactivates the hair and nerve cells, causing injury or destruction, resulting in a permanent loss of hearing.

Hair cell deterioration also increases with advancing age, thus decreasing the hearing acuity of older age groups.

Hearing loss

Loss of hearing may be defined as any reduction in the ability to hear from that of a "normal" person. Such loss may be classified into two general categories:

(1) Temporary hearing loss from exposure to loud noises for a few hours, with normal hearing usually returning after a rest period. The recovery period may be minutes, hours, days, or even longer, depending upon the individual and the severity and length of exposure.

(2) Permanent loss of hearing may occur as a result of the aging process, disease, injury, or exposure to loud noises for extended periods of time. The hearing loss associated with exposure to industrial noise is commonly referred to as "acoustic trauma."

The most common levels of industrial noise exposures are well below the pain threshold. There is a wide range of noise levels and frequencies to which long-time exposure may cause a slowly developing impairment of hearing. The part of the inner ear that may be damaged depends on the frequency components of the noise field that are present at the levels of exposure. Individual susceptibility of the exposed worker may also be a factor. Noise-induced permanent hearing loss is first evident in a reduction in the ability to hear high frequency sounds. As the exposure continues, the reduction progresses to the lower frequency sounds in the speech range. Exposure to noise that will produce this slow damage may sometimes be accompanied by other signs, such as a sensation of tingling or ringing in the ear when one moves out of the noise field.

Present day evidence indicates that any permanent effect on the hearing organ is unlikely unless it is preceded by a temporary threshold shift of the hearing level. This shift can be detected by an appropriate program of monitoring audiometry, and this information can serve to warn management personnel that there is risk of permanent damage to the hearing organ.

Effects are similar to, or perhaps identical with, those produced by industrial noise are also produced by other agents, or result from other causes. Certain drugs used for the treatment of disease may reduce the sensitivity of the ear. These effects are frequently indistinguishable from those resulting from long-time exposure to industrial noise.

Another complicating factor in the industrial noise picture is the loss in hearing sensitivity that takes place as people grow older. Technically, the decrease in hearing sensitivity accompanying the agent process is known as presbycusis.

There are numerous infectious diseases (for example, frequently recurring or persistent colds) that may produce loss of hearing, which may be confused with those resulting from exposure to industrial noise.

It is important that otologists and industrial physicians give these other factors appropriate consideration when evaluating the effects of industrial noise on man. Management personnel can make themselves more aware of the significance of these non-noise-induced hearing losses by establishing a regular program of preplacement audiometry. This program will inform them of the hearing status of the individual at the time he is assigned to a job in which he may be exposed to industrial noise under conditions that could induce hearing impairment.

INDUSTRIAL NOISE EXPOSURE

As man moves through his industrial, home, and recreational environments, he is exposed to many noise sources. He may be exposed to car or other transportation noise during the day. He may be exposed to different noises where he works. He may be exposed at home to noises from radios, or a home work shop. Jet planes or construction in the vicinity of the home may be considered, in some cases, a noise exposure. Thus it can be seen that man in his many environments is exposed to different noises having varied frequencies and intensities.

Noise is considered synonymous with industry in general and with certain specific industries in particular. A noise survey in 1953 of 600 typical industrial operations[1] indicated that 75 per cent of the measurements exceeded 90 decibels overall—the noise level roughly adopted by some organizations as the level that should not be exceeded for hearing conservation.

Noise measurement

The purpose of making noise measurements is to evaluate exposures in relation to speech interference, comfort or hearing loss, and to collect information for use in control.

The measurement of noise may be accomplished with a sound level meter, or a sound level meter in combination with an octave band analyzer. The sound level meter records the overall level of the noise produced without regard to the frequencies incorporated in the total makeup of that noise. The octave band analyzer, when used in conjunction with the sound level meter, measures noise levels in various octave bands (frequency bands) over the audible range to the human ear.

More sophisticated equipment is available for noise measurement, but these two instruments can serve most of industry's needs for noise hazard evaluation and for the accumulation of information on which to establish hearing conservation programs.

The evaluation of industrial noise involves more than the simple reading of an instrument taken in the area of a suspected noisy machine. Many factors enter into the making of a noise study. Some of the factors to be considered are: type of noise produced (steady or intermittent), background noise; location of the exposed workers; and time workers spend in the noise exposure.

Damage risk criteria

If the ear is subjected to high levels of noise for a sufficient period of time, some loss of hearing may occur. A number of factors can influence the effect of the noise exposure. Among these are: 1) variation in individual susceptibility; 2) the total energy of the sound; 3) the frequency distribution of the sound; 4) other characteristics of the noise exposure, such as whether it is continuous, intermittent, or made up of series of impacts; 5) the total daily time of exposure; 6) the length of employment in the noise environment.

---

[1] "A Noise Survey of Manufacuring," Karplus, H. B. and G. L. Bonvallet, *American Industrial Hygiene Quarterly*, Vol. 14, December 1963, p. 262.

Because of the complex relationships of noise and exposure time to threshold shift (reduction in hearing level and the many possible contributory causes, establishment of criteria for protecting workers against hearing loss presents many difficulties. An added complication is whether such criteria should be designed to protect against any hearing loss or just loss in the speech frequency range, which is the only portion ordinarily considered for compensation purposes.

A number of tentative noise exposure **standards**[2,4,5,3] have been proposed as interim guides, pending the development of reliable scientific data. These standards relate exposures to steady-state, wide-band types of noise, because the relationship between intermittent and pure-tone types of noise exposures are more difficult to evaluate mulated. Impact or impulse noises are difficult to measure. At present so little is known about their effects on hearing that not even tentative standards have been suggested.

The most recent effort to establish the basis for reliable noise criteria is the work of the Intersociety Committee on Guidelines for Noise Exposure Control. The report of this committee was published in the October 1967 issue of the *American Industrial Hygiene Journal* (page 420).[6] A significant part of this report is the graph, which is reproduced on page 56. This chart relates the incidence of significant hearing loss to age and the magnitude of noise exposure over a working lifetime.

Without attempting to explain the full significance of the chart, it can be stated that 20 per cent of the general population at age 50 to 59 will have hearing losses of 15 decibels or more, without any industrial noise exposure. Groups of workers exposed to steady-state industrial noises over a working life-time will show an increased incidence of hearing loss. For example, exposure to 90 db on the "A" scale of the sound level meter will result in significant hearing losses to 27 per cent of the group. If the working life-time exposure is to 95 db on the "A" scale, 36 per cent of the group will show significant loss.

Essentially, this chart supplies industry and others with information on which to evaluate the risk of developing compensable hearing loss among groups of workers exposed to noises of different magnitudes.

NOISE CONTROL

Every noise problem breaks down into three component parts: 1) a source radiating sound energy; 2) a path along which the sound energy travels; 3) a receiver such as the human ear.

The control of noise at the source is an engineering problem which requires modification or redesigning of the source. The modification of compressed air jets for parts ejection, to reduce noise by altering the jet flow, is an example of this type of control.

Noise reduction along the path can be accomplished in many ways—by shielding or enclosing the source, by increasing the distance between source and receiver, or by placing a shield between the source and the receiver.

Noise control at the receiver, when the receiver is a person, can be accomplished effectively in a number of ways. Some common approaches include placing the worker in a booth or enclosure, the use of ear protectors and regulation of exposure time.

The "system" approach to noise problem analysis and control will assist both in understanding the problem and the changes that will be necessary for noise reduction. If each part of the system—source, path and receiver—is put in its proper perspective, the overall problem will be greatly simplified.

Translating these principles into practical terms, the following are specific examples of controlling industrial noise exposures:

(1) *Isolation of the Worker*—In situations where the number of operators is small and the process is such that the work task can be confined to a limited area, isolation of workers in a separate noise insulated room provides effective control. This control method has been observed in chemical processing, power, and metal products plants with noise reduction inside the rooms of as much as 30 decibels.

(2) *Machine Insulation*—Machines mounted directly on floors and walls vibrate them, resulting in sound radiation. The proper use of machine mountings insulates the machines and reduces the transmission of sound vibrations to the floors and walls.

(3) *Control of Noise by Absorption*—Noise produced at a sound source travels out in all directions. When the sound waves encounter other machinery or walls, they are reflected. Thus, the total noise exposure within the room is equal to the sum of the direct and reflected noise. The application of sound absorption material to walls can reduce the noise exposure in the room. However, this method has limited industrial application as the absorption material has no effect upon the direct noise from the source.

(4) *Substitution of Less Noisy Machines*—This approach to noise control may have limited application. However, there are certain areas in which substitution has potential application. These include "squeeze" type equipment in the place of drop hammers, welding in place of riveting, and chemical cleaning of metal instead of high speed polishing and grinding.

(5) *Reduction of Exposure Time*—Experience has shown that limiting the total daily exposure reduces the noise hazard. As a general rule, for each halving of the daily exposure time below five hours, an increase of three decibels can be made in the noise criteria selected for safety in continuous exposure.

(6) *Personnel Protection Against Noise*—There are many operators in industry that cannot be quieted by engineering methods. Ear plugs and muffs worn by the worker can provide effective protection in such cases. Numerous scientific reports have shown that such devices can provide 25 to 40 decibels of protection if properly worn.[5] As with the usual safety protective device, ear protectors may cause a degree of discomfort to the wearer. These devices are, however, used successfully in many industries where adequate attention is given to program development and employee education.

HEARING EVALUATION

Hearing evaluation is an important part of a hearing conservation program and will involve audiometric testing. Such testing should be done at time of hiring and may be done at periodic intervals, at the time of job change, or upon leaving employment. While there may be need for all of these evaluations in an industrial hearing conservation program, the preplacement test is the most important. An audiometer is required for assessing an individual's hearing ability. Depending on the type of test signal used, audiometers may be called "pure tone audiometers" or "speech audiometers." Manual and automatic models of both types are available.

Pure tone audiometers are standard instruments for industrial use. For hearing tests likely to be required in industry, the test frequencies of 500, 1,000, 2,000, 3,000, 4,000 and 6,000 are needed.

Audiometric testing facilities

In industrial situations, medical facilities may be relatively near noisy industrial areas. Background noise levels in these facilities may be relatively high. If these noise levels interfere with the audiometer signal, the subject will appear to be "partially deaf." To obtain reliable audiometric tests, it is necessary to maintain the background noise level in the test area below certain values. This may be accomplished by the design and construction of special rooms, or by the use of a prefabricated, commercially available audiometric test booth.

United States of America Standards Institute Standard S3.1–1960 gives criteria for background noise in audiometer rooms.

Audiometers must be calibrated periodically to insure accurate test results. The calibration must include both the electronic circuits and the earphones, and calibration should be repeated at intervals not longer than one year and more frequently when erratic operation or erroneous test results are suspected. Rough daily calibrations can be made by testing the hearing of persons with established audiometeric patterns.

At the present time, there is a proposal before the United States of America Standards Institute to change the standard sound pressure levels for each test frequently when the test instrument is at at the "O" or normal threshold hearing level. If approved, the signal will be about 10 db weaker than the currently used level at audiometric "0." Until such time that the change is approved by the United States of American Standards Institute, continued use of the present standard is recommended.

Industrial noise problems are extremely complex. There is no "standard" program applicable to all situations. In view of developments in the workmen's compensation field however, it behooves industry to consider and evaluate its noise problems and to take steps toward the establishment of effective hearing conservation procedures.

Detailed references to noise, its management, effects, and control will be found in a great variety of books and periodicals.[5] For those companies needing assistance in establishing hearing conservation programs, consultation services are available in a number of professional areas through private consultation, insurance, and governmental groups.

NSC SAFETY TRAINING INSTITUTE ANNOUNCES ADVANCED COURSE "INDUSTRIAL NOISE"

An advanced Industrial Hygiene Course will be offered in the Spring of 1968 by the NSC Safety Training Institute. The topic is Industrial Noise and the objectives are to train engineers, medical, and safety personnel in its measurement, evaluation, and control.

This will be a one-week course, and the following subjects will be covered:

Physics of Sound will include discussions on sound generation and transmission, sound pressure level, sound intensity, and sound power.

Instruments and Techniques of Sound Measurement will include discussion of sound level meters, octave band analyzers, instrument specifications, auxiliary equipment, and calibration.

Procedure of a Sound Survey will include an outline of the types of surveys, instrumentation, survey procedures, and a discussion of engineering surveys.

---

[2] "Tentative Estimate of a Hearing Damage Risk Criterion for Steady State Noise," *Journal of Acoustical Society of American*, Vol. 24, 1952, p. 756–761.

[3] "Guide for Conservation of Hearing in Noise," Subcommittee on Noise, Committee on Conservation of Hearing, Research Center, Los Angeles, Revised 1964.

[4] "Damage Risk Criteria and Noise Induced Hearing Loss," Glorig A., D. Ward, and J. Nixon, *Archives of Otolaryngology*, October 1961.

[5] *Industrial Noise Manual*, Chapter 7 (Second Edition), 1966, American Industrial Hygiene Association, Detroit.

[6] "Guidelines for Noise Exposure Control," *American Industrial Hygiene Association Journal*, 14125 Prevost, Detroit 48227, October, 1967.

Anatomy and Physiology of the Ear and Effects of Noise on Man will discuss the effects of continuous noise upon auditory mechanisms, damage risk criteria, susceptibility, effects of noise upon behavior, annoyance, and communication.

Hearing Measurement and Audiometry will discuss pure tone audiometry testing rooms, technician, records, test procedures, and conservation practice.

Personal Protection will take into consideration the acoustic problem, ear protector requirements, characteristics of ear protectors, and discuss ear protection programs.

Administrative and Human Relation Aspects of Industrial Hearing Conservation will be offered to show that adequate education is needed to overcome resistance to protection programs.

Engineering Control will include an outline of control methods, plant planning, substitution, reduction at the source, reduction during transmission, and miscellaneous methods.

Legal Aspects of the Industrial Noise Problem and Background for Loss of Hearing Claims will summarize the legal, medical, and scientific and technical factors involved in workmen's compensation claims for noise induced hearing loss.

The advanced course will be open to graduates of the "Fundamentals of Industrial Hygiene" and "Training Methods" courses, or at the discretion of the director of the Safety Training Institute. The tuition will include text and other course materials but does not include housing and meals.

Enrollment will be limited to 24 students. For additional information contact: Director, Safety Training Institute, National Safety Council, 425 N. Michigan Ave., Chicago 60611.

Elwood T. Driver, Chief, Control Branch, National Highway Safety Bureau, Federal Highway Administration, was good enough to bring to my attention from the Stanford Research Institute Journal, No. 16, of September 1967, an article on noise in mass transit systems. His letter and the article follow:

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, NATIONAL HIGHWAY SAFETY BUREAU,
Washington, D.C., October 26, 1967.

Hon. THEODORE R. KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: I sincerely appreciate your placing my speech on noise in the Congressional Record, and am pleased to be able to contribute to your noise abatement campaign.

I have just come across an article pertaining to noise which may be of special interest to you. It concerns noise in mass transit systems and appears to be a very well written and documented article. Although technically written it does point out that anti-noise measures are feasible and practicable.

Thank you again for your consideration.

Sincerely yours,

ELWOOD T. DRIVER,
Chief, Controls Branch.

[From the Stanford Research Institute Journal, September 1967]

NOISE IN MASS-TRANSIT SYSTEMS

(NOTE.—This article was prepared by Vincent Salmon, senior research scientist, who has been engaged in, or administered, research in sonics at SRI since 1949. He obtained his degree in Physics from Massachusetts Institute of Technology in 1938. He has engaged extensively in research on electroacoustics, noise theory, noise and vibration control, and underground explosion phenomena.)

Noise, a particularly obnoxious form of air pollution, has long been regarded as the tribute we pay for progress. For the convenience of miniature radios we are privileged to have our ears assaulted by those who are afraid of quiet. The power escalation race in home vacuum cleaners is well evidenced by their cheery scream of joy while gobbling up dirt. Along with the rapid and stimulating transportation afforded by motorbikes, we are treated to a distinctive exhaust note whose crack, blat, and snarl are calculated to keep our adrenals stimulated. Yes, it's a noisy world!

But it need not continue to be so. As with population control, we have learned that the best time for noise control is while the idea (for a new device or system) is still a gleam in the eye. This is particularly true for so complicated an assemblage of facilities and equipment as a mass-transit system. This system ordinarily comprises multi-passenger vehicles using an exclusive right of way.

Both customers and community are affected by the noise. Customers react against excessive noise by using other modes of transportation. In a less quiet fashion, an offended member of the community can take his case to court. For both situations the result is the same: reduction of net income for the transportation organization. But controlling the noise also costs money, mostly with capital investment plus maintenance. What, then, should be the criteria for balancing these opposing losses?

In the purely economic sense, the balance is reached when the equivalent yearly cost of an increase in noise control devices and procedures becomes greater than the increased net annual income that would result from increased patronage and reduced community complaints. If we could quantify the social value of decreased noise, this would also be a factor in the cost-effectiveness evaluation procedure. However, it is already difficult to estimate the reactions of people to noise, and we can only guess at the weighting of such a factor.

CRITERIA FOR ACCEPTABILITY

As used here, noise is a two-faced word. It refers to both the sensation and the physical stimulus associated with it. A procedure is needed by which objectively measured attributes of noise can be transformed into a measure of the sensation produced, and thence to a prediction of reaction expected. Several schemes have been proposed. The one most widely used is based on calculation of perceived noise decibels. The decibel (dB) is a physical measure of the intensity of a noise; perceived noise decibels (PNdB) describe the unacceptability or annoyance of the noise. The concept and procedure were developed by Kryter for evaluating annoyance from aircraft noise, but it has also proved useful in studying motor-vehicle and mass-transit noise. For most people, a change of 2 or 3 PNdb is a just noticeable change in annoyance.

In evaluating annoyance from noise, we start with the fact that usually annoyance increases with loudness and the amount of high-pitched sound in the noise. A squeal is more annoying than a roar. Thus, we first analyze the noise to determine the intensity (in dB) for each pitch range. In the calculation procedure the higher pitched (high-frequency) components are weighted more heavily than the lower pitched ones. At present, the perceived noise decibels obtained are useful for comparing sounds of the same character. Difficulties arise when comparing noise sources as different as typewriters and jet aircraft.

Annoyance in PNdB is especially useful in evaluating community reaction. For those living next to the right-of-way, a mass-transit system often represents an intrusion into the community. If they prefer commuting by auto, then this intrusion has no compensating return, as it does for passengers. Thus it is often found that community reaction must be judged from the intrusion of privacy point of view. This is especially true if minimal community participation has been sought in decisions affecting taxes, routes, station sites, service, and right-of-way beautification.

Despite these difficulties, it is possible to obtain an estimate of community reaction to mass-transit noise. The procedure is to weight the PNdB by amounts corresponding to various psychological factors. Because pure tones (as wheel squeal on curves) are more annoying than smooth noise, add 5 PNdB when such components are prominent. Any sound that is sudden in onset will be more objectionable than a slowly starting one. Hence, add 5 PNdB if such impulsive sounds predominate. A well-known example is the sonic boom. When a noise event is repeated, its annoyance increases. Weighting factors employed vary from 0 PNdB for one event pet minute or oftener, down to subtracting 25 PNdB for the single-event annoyance per day. Of course, night-time noise is more annoying, when members of the household are trying to relax. For noise at night, therefore, add 5 PNdB. If the noise occurs only during the day, or in winter (windows closed), subtract 5 PNdB. The amount of background noise has a strong effect; add 5 PNdB for rural conditions, but subtract 15 PNdB for an area with heavy industry. More difficult to quantify is the effect of habituation, ranging from no weighting for a new noise to subtracting 15 PNdB for extreme conditioning.

Several intangible factors require consideration for which no weighting is yet satisfactory. If the noise is associated with one's livelihood (as an airport worker), it is more tolerable than if not. In the absence of other data, the habituation weightings above may be used. When the person annoyed can see the noise source or feel its vibrations, the sense of intrusion is reinforced and increased annoyance is reported. Another nebulous but real variable is the knowledge of the community as to where complaint can be lodged. A community of business leaders, engineers, architects, physicians, and attorneys usually has access to the sources of political and economic power, and hence shows more rapid and massive reaction to noise than more ordinary communities. Finally, if community organizations (or individuals) contain strong leaders, a moderate annoyance situation can readily be internally escalated to one leading to severe political and economic threats. Ballots and bucks are devastating weapons. For all of these factors, no simple weighting schemes are available. Nevertheless, they must be considered in evaluating any existing or potential complaint situation.

Once the weighted PNdB values (WPNdB) are available, community reaction can be forecast and criteria set. If sporadic complaints can be tolerated, then about 90 WPNdB would be the maximum at the location of the nearest complainant for California-style housing. At 100 WPNdB, threats of community action should be expected; these may easily escalate into direct action if the community has aggressive leaders and knows to whom to complain. Such a noise limit criterion as suggested is but a beginning, for experience is simply insufficient for a prediction of the conditions under which complaints will begin for mass-transit noise.

Turning now to the other audience—the passengers—we find a completely different situation. Rather than intrusion, the complaint of excessive noise will ordinarily be based on interference with conversation, termed speed interference. Here the situation is under better control in that a considerable body of experience derived from office noise is available. The results are expressed in terms of a series of curves in which the intensity of the noise at low, intermediate and high pitch (frequency) is specified such that in each frequency region about equal interference with speech is obtained. When the actual spectrum is compared with these standard noise rating (NR) curves, a number is obtained that characterizes the speech-interference expected. At NR 60, speech in an ordinary conversational tone of voice should be intelligible at 2 feet. Hence this is a rational criterion for in-vehicle noise. For underground station-platform noise, a similar limit should apply, especially if express vehicles are rushing by. Because the duration of the exposure is short, it should be possible to relax this limit somewhat for station-platform noise, perhaps to NR 70.

Thus far we have considered only air-borne noise. However, solid-borne vibration can have strong effects on those living near underground rights of way. The perception of vibration is two-fold; the motion can be directly felt in the body, or noise can be radiated from vibrating walls or rattling objects. Separating the effects is difficult, but usually the air-borne sound is responsible for most of the complaints. Thus, annoyance is the chief factor to be considered. Because most dwellings provide 10 to 20 dB isolation, the criterion inside will be about 75 PNdB, weighted for the appropriate factors.

If low-frequency vibration perceived directly by the body is considered, the limit for easy perception is near 1 inch/sec^2, or about 1/400 the acceleration due to gravity. However, there are no accepted limits in terms of annoyance, so the above value is merely a reference, not a definite annoyance limit.

TRANSIT SYSTEMS

Consider now the general types of mass-transit systems, the subsystems in them, and noise problems with each. These may be classified as to right of way—surface, tunnel, or aerial; vehicle support—as the roadway, rails, water, or air; and propulsion, as solid, liquid, or water reaction. In any noise-control study, a first task is to identify the individual noise sources, and if possible to determine the noise output of each. Comparison with the criteria then indicates which sources need attention first.

Community noise is very considerably reduced when a subway right-of-way is used. However, because the benefit is ordinarily local, it is usually necessary for those benefited to bear the additional cost. In most instances this cost is so large ($10 million or more per mile for urban locations) that most taxpayers will not assume this added burden. When the right of way traverses a municipally attractive area, as a park, it has been seriously proposed to enclose the right of way completely. This leads to the anomaly of an elevated tunnel, but the end result can be considerable reduction in noise.

SUPPORT SYSTEM NOISE

If wheels and rails are of steel, and rolling stock is poorly maintained, this support combination may be quite noisy. By far the best control means is to keep wheels round and balanced, and rails flat. If maintenance is poor, the noise level can increase as much 15 PNdB from this cause alone.

A common support noise source in railed vehicles is wheel squeal on curves. With solid axles one wheel must slip. This usually occurs in a stick-slip fashion at a rate corresponding to a wheel resonance. Because this is inherent in a solid-axile system, the suggestion to use a split axle has been investigated. However, high-speed instability often results, probably due to not completely redesigning the truck to handle the new situation. Several palliatives exist. Fine-grained roughness of wheel or rail cause more continuous release of torque build-up; the contact can be lubricated with water (with trouble in freezing weather!); or damping material can be added to wheel and rail. Lubrication is the easy palliative, but introduces many other problems. Wheel squeal remains a largely unsolved problem of railed vehicle systems.

If the support mechanism is a roadway with pneumatic tires on the vehicles, support noise is no longer the chief source. Why then is not this system used more, in both surface and monorail variants? One difficulty is in achieving safe and reliable high-speed switching from one track to another with the guidance system usually used. Also, the running gear cannot simply be a railroad truck with rubber tires. It must be redesigned to make best use of resilience in a location (the tires) unfamiliar in conventional railroad vehicle design. Finally, a differential gear box is often needed and may itself be quite noisy.

Ordinary steel aerial structures carrying ill-maintained rolling stock can be intolerably noisy to the community. Flat wheels shock-excite the structures. If it is suspected that this can occur, then resilient rail pads should be installed during construction. These pads are placed between rail and roadbed or tie. In the past, solid pads of elastomer have been used. However, they have not been completely successful, because elastomers are practically incompressible. Thus under load the pad becomes almost a rigid connection. Much better results are obtained from designing the pads to have the desired force-displacement curve, using elastomers in shear. Reductions in aerial structure vibration of up to 30 dB are possible, limited only by the instability of extremely "soft" rail pads. With completely safe pads the noise reduction can be expected to be between 10 and 20 PNdB.

If the support system is hydrodynamic (air or liquid cushion), then the support interface is ordinarily much quieter for shear motion than a solid contact type (wheel/rail). However, the means of producing the cushion may often be intolerably loud, as in ground-effect machines used over water. Enclosure in a tunnel and use of semi-closed fluid circulation will of course shield the noise from the community, but a solid contact support system can then be used to advantage. For extremely high speeds (above 250 km/hr), the common wheel/rail system can be unstable, and research is needed to determine which support system best minimizes instability, cost, and noise.

In a railed vehicle it is possible to reduce support noise by special wheels that incorporate both resilience and damping. The old PCC streetcars (vintage of middle 30s) had such a wheel, but occasionally reports on its noise performance are contradictory. Several modern approaches show promise, but there has been no concerted research effort to determine the analytical details of vibration excitation and noise radiation by the solid axle-wheels-rails system. The common approach is pure empiricism.

PROPULSION SYSTEM NOISE

Propulsion systems may use positive solid contact or reaction drive. In solid-contact types, gear noise remains a major component. The experience of automobile manufacturers and the naval service in quiet gear design does not seem to have been adequately transferred to noise problems in the propulsion gears of self-propelled railed vehicles. Precision of manufacture is necessary, but installation and maintenance of alignment under load are equally important. Gear-case design for low noise still remains an art. In a conventional mass-transit system using railed vehicles, gear noise usually predominates at higher speeds when the wheels and rails are well maintained.

Other propulsion schemes show promise of reduced noise, but cost factors still make their immediate utility doubtful. Air or solid-contact supported vehicles in a closely fitting tunnel can be driven by a centrally supplied air-pressure difference. Presumably the central source can be quieted to any desired degree. If the drive is from self-contained air screws or reaction motors, the noise advantage is lost, at least upon the passengers.

Linear electric motors have long been suggested for a smooth and quiet propulsion system. In this, one part of the magnetic field structure (of an ordinary circular motor) is "unrolled down the middle of the track. The mating portion is on the car. The cost of installing, and maintaining close clearances (for efficiency) has been one factor in preventing use of this scheme. Because of its potential application to relatively quiet, smog-free and automated freeways, we may see more developmental effort applied to the linear motor.

BRAKING SYSTEM NOISE

What starts must stop—on earth, anyway. A braking system will be an essential and often noisy part of any mass-transit system. In self-propelled railed vehicles, a promising development is in wider use of dynamic braking. Indeed, by thus using the motor as a generator, the kinetic energy of the vehicle can be transformed into heat for heating the car, stored in a battery, or fed back into the supply line. Mechanical brakes are still needed, at the initial deceleration from high speed (where forces on motor windings and gears are quite large) and for stopping from low speed where dynamic braking is only asymptotically effective. Nevertheless, the net result is much quieter operation.

If all-mechanical brakes are used, a quieter system usually obtains if shoes bearing directly on wheel treads are replaced by disk brakes, one disk per axle. Heavy application of tread brakes may cause local melting of the tread, with consequent increase of support system noise from the rough surface developed. With all brakes there is the danger of sliding the wheels, thus developing a flat that can increase radiated noise by over 15 PNdB. However, several devices are on the market that sense the approach to sliding, and release the braking force enough to maintain maximum non-slipping friction. These devices are in extensive use on aircraft landing gear, and their application to railed vehicles should be straightforward.

Some of the completely enclosed, fluid-supported, mass-transit systems may have to use reaction motor braking. This can be noisy, but not to the community if the enclosure (tunnel) is thick enough.

MISCELLANEOUS NOISE SOURCES

Auxiliaries can be an annoying source of noise. Compressors and blowers can contribute to community annoyance, but ordinarily their contribution is lost in support and propulsion system noise. However, low-noise components are available, and control of this noise at the source is relatively straightforward.

Vehicle air conditioning and ventilation systems usually annoy only the passengers, and even then in a secondary fashion. The duct work and the points at which it pierces the vehicle boundary represent weakening of the noise isolation afforded by the vehicle body. Under these conditions, careful design is needed to retain the needed isolation without incurring the operating penalty of excessive vehicle weight.

Several miscellaneous sources exist in most high-speed mass transit systems. The noise radiated to the community as a string of vehicles emerges from a tunnel is objectionable in part because of the rapid rate of noise increase. There are few data, but it appears that a rate of 5 dB/sec is only marginally acceptable to those close to the right of way. To decrease the rate of onset of exciting noise, the tunnel opening should be gradual. For example, the first opening can be in the top of the tunnel, gradually widening over to the sides and down. Even retaining walls that taper down to track level can be helpful. Worst, however, is the abrupt opening from a hillside, with the vehicles emerging on to a trestle. The synergistic effect of the usually unsightly or out-of-place trestle reinforces the annoyance of the noise. Here the trestle design should include esthetic considerations, preferably with suitable landscaping. The track may even have to be enclosed in a tunnel on the trestle, for both visual and aural shielding. This was actually proposed for a mass-transit system that traversed a ravine in a park.

THE PASSENGER

The above discussion is chiefly in terms of annoyance to the community. But what of the man who supports most mass-transit systems, the passenger? Whether he is waiting on a station platform or is in a vehicle, he is closest to the noise source, and receives a concentrated and almost continuous exposure during his trip. We have noted criteria based on speech interference only. This admittedly still results in an in-vehicle noise environment that would not be tolerated in a living room. For the passenger on the platform of an underground station, an effective but sometimes expensive noise control means is to wall off the platform from the tracks. With the vehicles stopped in the proper place, doors in both vehicle and barrier wall are arranged to open at mating positions. Because the required attenuation of the wall is only 25 to 30 dB, its construction need not be expensive. Probably most of the noise will come through the doors, which are difficult to seal inexpensively.

It is the passenger in the vehicle on whom our attention should be directed, for his noise exposure is almost continuous. About the only good thing about the noise he ordinarily experiences is that it effectively excludes all other stimuli. This isolation will be useful for someone who wants to concentrate on a problem. But for most passengers the noise will be a frustrating, conversation-inhibiting nuisance that is to be suffered in internal silence until a mass-transit bond issue is up for approval.

The chief noise protection for the passengers is afforded by the vehicle body. Because the amount of noise varies around the vehicle, the acoustical isolation can be graduated to be most where the noise is greatest. For bottom-supported vehicles, maximum noise occurs next to the support and propulsion systems. Thus the floor should afford the best isolation.

Measurements on railed vehicles indicate that in the open the noise beside a window may be as much as 20 dB less than under the car. In a tunnel, reflections from the walls can increase the noise levels outside the windows by as much as 10 dB, depending on clearances and wall absorption. Even a moderate amount of absorption can reduce the in-tunnel levels noticeably. However, the practical problem is one of maintenance—how to remove pore-clogging dirt and grease from the absorbent. Open-pore concrete or ceramic absorbents can withstand severe cleaning, but are too expensive for lining the whole tunnel.

It has been suggested that large amounts of absorption be used near the tunnel opening. This would be graded to zero in a few hundred feet. The gradual increase in level on tunnel entry is conjectured to be more acceptable to the passengers than the abrupt rise usually experienced. Although this seems plausible, there are no psychoacoustic data to support the argument.

The above discussion bears out the fact that the vehicle floor should usually have the best isolation, perhaps 30 dB better than the windows. Although single-glazed windows are notoriously transonant (transparent to sound), it may often occur that in a lightweight vehicle the floor is the acoustically weak element. This is particularly the case when the floor is pierced by several air ducts. The noise can enter through the thin walls of an ordinary duct, travel inside the duct, or pass through imperfectly sealed openings. The ventilating system must be carefully designed to defeat all of these incursions into the vehicle. Duct walls must be of sound-isolating construction, noise attenuating duct sections are needed at appropriate positions, and all openings must be thoroughly sealed with a compound that remains elastic (does not dry hard). Duct openings to the outside should be at minimum noise locations.

If roof ventilators are employed, these become a leakage path for noise. Not only this, but on sudden tunnel entry there is sizable transient increase in pressure, enough to be felt easily like a mild sonic boom. On Japan's famed Tokaido line, with a maximum speed of 150 mph, the tunnel entry pressure pulse (also a species of noise) was so severe that automatically closing roof ventilators when entering a tunnel were investigated to reduce the annoyance and the startle reaction.

A difficult engineering problem arises from the conflicting requirements of light weight and low noise. For high noise isolation, the structure should be heavy, or made from several relatively independent layers. Thus vehicle weight or strength may suffer. This problem still represents a challenge that requires close cooperation between designer and acoustical consultant.

In tunnels the passenger receives much of the noise that is reflected from the walls, particularly if the side walls of the vehicle are acoustically weak. Much of the noise can be confined below the vehicle by maintaining wall clearances at a minimum near the support system, and by using as much absorption as possible below the vehicle. Tuned absorbers—a cavity with absorbing material in the opening—can be very effective if the noise spectrum shows pronounced maxima.

NOISE CONTROL IN OPERATING SYSTEMS

Once the system is in operation, there will no doubt be situations for which unanticipated adverse reactions of passengers and community to noise develops. When complaints are such that lost revenue and law suits cost more than added noise control, noise reduction becomes worthwhile on a purely economic cost/effectiveness basis. Assuming that system maintenance is not at fault, a most useful noise-control device is the acoustic parapet. This is simply an absorbent-lined wall on both sides of each vehicle path. The higher the wall and the smaller the clearance to the vehicle, the greater the noise reduction. For closely fitting parapets extending up to just below window height, noise radiated to the community can be reduced as much as 15 dB. On curves the value of the parapets is reduced, because their clearance must be much larger than on the straight. For a 50-ft vehicle on a curve of radius 1000 ft. the parapet clearance must be at least 4 inches greater, thus allowing much more noise to escape. Nevertheless, acoustic parapets are a most useful facility, to be used as needed. It should be noted that such parapets will cause some increase in the noise in the car, but not nearly as much as will a tunnel. However, no data has been reported on this effect.

If steel aerial structures are used, it has been noted that properly designed and installed rail pads should be used for the utmost reduction in noise radiated from the structure. However, if additional structure noise reduction is needed, damping materials can be added to the steel. The best of these materials set to a very hard layer, and are specially compounded to change vibratory energy into heat. Unsatisfactory are materials that remain soft or mastic. On thick steel, foamed elastomers are useless as damping materials.

Damping materials can also be added to wheels that, despite all care, are too noisy. The material is most effective at the tread portion. A major consideration is safety. The centrifugal force at the rim of a 30-inch wheel going 80 mph is over 300 times that due to gravity. Thus the damping material must be securely held down, lest it become a rather lethal missile.

Gear noise may often become the chief source of noise as vehicles age. There is essentially no satisfactory solution to this problem. As noted earlier, more research is needed on noise-conscious gear case design. Damping material on the case may possibly help if much of the radiation comes from that area. However, the gear will probably then run hotter and become noisier more rapidly.

A major factor in any noise-control program is the public relations aspect Many a situation has been saved by prompt, concerned attention to noise complaints. For example, planting a thin line of trees and shrubs has little effect on measured noise, but to complainants it is evidence of concern that is always of assistance in preventing escalation of a complaint situation.

Perhaps the most effective means of control is to mask the noise—site the mass transit system down the middle of a busy freeway. However, that solution is not often available. In the meantime we shall have to rely on constant attention during the design stage, careful maintenance, and alertness to developing complaint situations. The noiseless system will never be built, as long as there are ears to hear it. But we can at least be interested in people not merely as taxpayers or fares, but rather as humans whose needs are to be fulfilled without exacting the tribute of noise, or polluting their air with audio smog.

Asphalt magazine, a quarterly publication of the Asphalt Institute, in the July 1967 issue, has the following:

Asphalt: Antidote to Noise—French Studies Prove Asphalt Pavements Quietest

(Note.—Information for this article was extracted, with kind permission, from Etudes Routieres (Geneva) Volume VIII–9.)

Car travel, over the years has reached a stage of high comfort. Manufacturers offer engines that are whisper quiet. Suspension systems afford smooth riding over less-than-good pavement surfaces. And Robert Thompson's 1845 invention—the pneumatic tire—has gained such refinement that in optimum conditions its contact with the pavement is almost noiseless.

Nonetheless, vibration noise caused by tires rolling over pavements offering less than maximal quietness can be a wearying distraction to both driver and passengers. Also, it is a noise that in multiplication may physiologically affect those having to spend time in proximity to streets and highways.

Aware of the subject's importance, and taking the lead in the definitive investigation of pavement noise levels, French authorities recently studied the decibel differences[1] between cars traveling over the normal[2] pavement types, asphalt and portland cement concrete. The results were:

(A) Average-powered car traveling at 35 mph on city roads: Asphalt pavement, 82–84 dB (average 83); concrete pavement, 92–96 dB (average 94).

For the city pedestrian the results were significant in that the pressure of the sound

---

[1] The formula used in the studies was:

$$N(dB)=20\log_{10}\frac{P}{P_o}$$

where N = number of decibels
P = pressure emitted by the adiabatic sound wave
P_o = minimum audible pressure, being 2.10-4 dyne/cm^2.

[2] Included in the French studies, but not in this summary, were noise level measurements on cobblestone streets.

wave for a concrete pavement is some 3.5 times greater than for an asphalt pavement.

(B) Powerful car traveling at 62 mph on country roads: Asphalt pavement, 64 dB; concrete pavement, 67 dB.

The decibel difference, although less perceptible than those for city roads, is significant in that the sound pressure relative to a concrete surface of average quality is 40 per cent greater than that for an asphalt pavement.

According to the French investigators, sound pressure findings, when related to forces unavoidably picked-up by human ears, must necessarily be mathematically squared. For the 35 mph city roads experiments, this results in the *sound energy generated when driving on concrete being ten times greater than when driving on an asphalt pavement.*

The quiet-ride properties of asphalt pavement have, of course, been known for many years. For example, engineers responsible in 1947 for overlaying with asphalt the granite-block pavement of New York's Holland Tunnels still recall the resulting dramatic drop in traffic noise. And asphalt coatings are in regular use as architectural sound deadeners and insulators.

The French studies serve to place in cogent perspective the fact that asphalt pavements are not only superior from the economy and engineering aspects, they are also of inestimable value in reducing a bane of modern living—Noise.

Labor, the weekly newspaper of 18 unions representing railroad and airline workers in the issue of September 23, 1967, has the following item:

Noise Pollution

The U.S. government is studying ways to reduce the "noise pollution" near major airports.

The National Aeronautics and Space Administration is examining the idea of increasing the angle of descent for planes approaching an airport. NASA officials feel this would cause planes to remain at a higher altitude for a longer period, thus cutting the "circle of loud noise."

Rep. T. R. Kupferman (R., N.Y.), commenting on the same subject, declared that something must be done on a national scale to reduce noise pollution. Otherwise, he said, "we are building . . . the noise slums of the future."

The UNESCO Courier for July 1967 devoted an entire issue to the subject to noise pollution. Unfortunately, many of the illustrations cannot be reproduced. The first article is entitled "Down With Decibels":

Down With Decibels

(By O. Schenker-Sprüngli)

(Note.—O. Schenker-Sprüngli of Switzerland is Secretary-General of the International Association Against Noise. A lawyer by profession, he is director of the Swiss Anti-Noise League.)

Noise has always been with us, but never has it been so obvious, so intense, so varied and so pervasive as it is today.

Modern life has been made easier by numerous technological innovations, but some of the side-effects make progress as a whole seem problematical and indeed, in some respects more like regression. In addition to the serious problems of air pollution and water pollution we now have to contend with "noise pollution" in many forms.

Unlike the lucky few who can spend their lives far from the clamour of our technological age, most people, at least in industrial areas, are obliged to live and work under conditions in which noise often attains an alarming level. In the home, children are unable to sleep or are suddenly aroused by the roar of a passing aircraft or the din of a noisily revving automobile.

Older people also suffer from these disturbances. Deprived of a proper night's sleep in a well-ventilated room, many people are unable to recuperate the physical and mental energy they have used up at work and will need again next day. They try to shut out noise by keeping windows closed or wearing ear plugs. And even then they cannot be sure of sleeping undisturbed.

Next morning they have to face another day of hard work, often in noisy surroundings, which means that more nervous energy is burned up in resisting the stress of noise, instead of being used productively.

Insufficient rest and relaxation inevitably reduce efficiency. Noise, in fact, causes an incalculable loss of nervous energy to the detriment of the health and well-being of the individual and ultimately to the detriment of the national economy as a whole.

Although these facts have been confirmed by studies and research in Switzerland and many other countries, a few people still maintain that until noise "has turned a grey mouse into a white one", all that has been affirmed about the effects of noise is merely theoretical and therefore inconclusive.

Such persons are merely side-tracking the problem. It is just as though the painstaking research on noise that has been going on over the past ten years, leading in each case to identical conclusions, has been a complete waste of time.

Yet anyone who observes present-day conditions of life not only in our cities, but increasingly in the countryside, too, can see for himself the direct and indirect effects of incessant noise on modern man; nervous troubles, reduced powers of concentration, inefficient work, increasing absenteeism, among others.

These few examples give us a general idea of the present state of affairs. How did we come to be in such a situation? Primarily because social and legal measures were not taken to prevent it, and for the failure to act in time the public authorities bear the major responsibility. For far too long the spread of noise was accepted as a natural process, as a price to be paid for our technological progress. Law, justice and public authorities all capitulated to technology.

In such a situation the average person tended to feel, and to become, helpless. The first wave of protests gave way to resignation. People shrugged their shoulders and said "There's nothing we can do about it".

But just over ten years ago organizations were set up in a number of European countries to wage campaigns against the spread of noise. These bodies, whose organizers were often eminent doctors, jurists, engineers and specialists in acoustics, decided to unite their action and in 1959 formed the International Association Against Noise. The Association has so far held four important congresses on noise abatement (Zurich, 1960; Salzburg, 1962; Paris, 1964, Baden-Baden, 1966) and will hold its fifth congress in London early next year.

It is all very well to set up organizations and hold congresses and meetings in different countries but what practical results have been achieved by all this? Here are a few examples:

By stimulating new activities, meetings and congresses have given an impetus to basic research and have promoted progress, often of outstanding value. But it obviously takes more than a few years to eliminate even the major part of all the noise that has been accumulated by the unbridled expansion of technology over several decades. Achievements during the past ten years in acoustics, sound-proofing techniques and the introduction of anti-noise regulations have nevertheless been remarkable.

Each of the congresses of the International Association Against Noise has enabled over 500 specialists to exchange ideas, pool their experience and establish fruitful contacts on both the personal and scientific levels.

Since its foundation and especially on the occasion of its four congresses the Association has established contacts with major international organizations, including the United Nations Office in Geneva, the World Health Organization, the Council of Europe, the European Conference of Ministers of Transport and the International Organizations for Standardization. It also works closely with other organizations concerned with anti-noise campaigns, and its specialists are frequently consulted on major problems and decisions in the field of noise abatement.

Since its directorate has always comprised a physician, an engineer, a specialist in acoustics and two jurists, the International Association is in a position to give prompt and authoritative opinions on questions of international scope within its field.

If the problem of noise is to be resolved several factors will have to be kept constantly in mind:

Although the campaign against noise is a global problem, its starting point must be the individual. An individual effort to overcome egotism is a prerequisite of any collective anti-noise campaign. Anyone unable to make this effort of self-restraint and incapable of recognizing the real meaning of technical creativity, is already a victim of the technological era along with its unwanted products: noise and the pollution of air and water.

Noise and reflection are mutually exclusive. Noise is an obstacle to brainwork and can easily disrupt a vital train of thought.

It would be wrong to blame technology for all the noise, past and present, that has afflicted man. Technology as such is neither good nor bad. It is the men behind it who are responsible for noise, and it is for them to seek the remedies. As Professor Gunther Lehmann, President of the International Association Against Noise has said, "Noise is not a measure of the progress of technology, but a sign of regression".

When it comes to doing something practical about excessive noise, it is clear that most people are unwilling to take the initiative. Noise can be tackled with some hope of success only with the backing of public opinion and proper laws and regulations. Lawmaking is therefore a vital factor in anti-noise campaigns.

But laws are effective only when they are rigorously enforced. And public interest in anti-noise campaigns usually needs arousing, since many people, even the well-educated, fail to realize the harm that permanent and excessive noise can do to the human organism.

To stimulate this interest, effective public information campaigns are needed, based on the authoritative scientific data collected in the past ten years by national and international bodies, whose members include many distinguished specialists.

One example is the report submitted to the Swiss Government in 1963 by specialists in the Swiss Federal Anti-Noise Commission. Its conclusions, by the way, agree with those presented to the U.K. Parliament the same year by the British Committee on the Problem of Noise.

The Swiss Anti-Noise Commission is composed of 52 specialists and its studies and research are carried out by five sub-commissions dealing with basic medical, acoustic and technical questions; road, rail, sea and river traffic; aircraft noise; noise in industry, building construction, homes, etc; and legal questions.

Their work has enabled encouraging progress to be made in Switzerland. Public indifference to the increase of noise is gradually disappearing. More vigorous legal and administrative action is being taken against persons failing to comply with noise regulations. An official research, testing and advisory centre (the Acoustics and Anti-Noise Division of the Federal Materials Testing

Institute, at Dübendorf, near Zurich) has been set up.

The "maximum noise level" scales established by the Swiss Anti-Noise Commission have also been of great value (see below).

MAXIMUM NOISE LEVELS ESTABLISHED BY THE SWISS ANTINOISE COMMISSION

[In decibels]

Areas	Basic sound		Frequent peaks		Infrequent peaks	
	Night	Day	Night	Day	Night	Day
Recreational	35	45	45	50	55	55
Residential	45	55	55	65	65	70
Mixed	45	60	55	70	65	75
Commercial	50	60	60	70	65	75
Industrial	55	65	60	75	70	80
Main traffic arteries	60	70	70	80	80	90

Figures are given in decibels (dB, the measurement unit for noise). A level of 80–85 dB is what is normally expected from the continuous noise in a busy main street of a large city. These maximum noise levels have been accepted by the Swiss courts.

Like those already in force for automobiles in many countries, the Swiss maximum noise levels are easier to enforce nowadays thanks to technical advances in noise prevention during the past ten years.

In building construction, for example, relatively silent machines have taken over the job of foundation digging from the far noiser pile-drivers, electro-mechanical drills replace the clattering compressed-air variety and special screens now absorb the din of compressors.

Automobile noises can be reduced by the more effective exhaust mufflers now available and also by non-slam doors and boot lids.

Much can be done to reduce the din of aircraft. Already some have been fitted with silencers and further improvement has come from the installation at airports of acoustic check posts and sound-proofed hangars for testing engines. The enforcement of stricter flying regulations has also played its part.

Sound absorbing materials, drapes, curtains and carpets which deaden noise, quieter air-conditioners, ventilators and other household appliances, and sound-insulated ceilings, walls, doors and windows all help to make the home a quieter and more restful place.

Combating noise is above all a question of showing consideration for others and of the right kind of upbringing. It thus has to begin in the home as part of the education of children and adolescents.

To sum up, it seems certain that our present understanding of the problem of noise coupled with our technical knowledge and resources now give us the means to bar the way to disturbances from noise. But those who undertake this task will need great courage and determination, since many people still fail to recognize the real importance of anti-noise campaigns, especially those who rate technical progress higher than ethical values.

A current example of this attitude is the effort now being made by the aeronautical industry to persuade us that we shall enjoy the din of supersonic airliners. Public relations machinery and techniques are working on an unsuspecting public with the slogan "learn to live with the boom". But booms and bangs are incompatible with daily life. Anyone who cannot see this is gambling with nature, instead of living in harmony with it.

The program for the recent London Conference on "The Conquest of Noise" held May 13 to 18. My correspondence, and the news report thereon, follow:

Following the AICB Congresses held in Zurich (1960), Salzburg (1962), Paris (1964), Baden-Baden (1966), the Noise Abatement Society is now making preparations for the Fifth International Congress, the theme of which will be: "The Conquest of Noise."

The Noise Abatement Society has pleasure in extending to you a cordial invitation to participate.

The Congress will take place in the newly built Queen Elizabeth Hall and a simultaneous interpreting service in three languages, English, French and German will be provided.

There will be a grand Exhibition held in Battersea Park to coincide with the Congress.

At the conclusion of the Congress and Exhibition from Saturday, May 18th onwards, visitors are invited to take the opportunity of visiting places of current and historic interest in London and the Provinces, for which arrangements can be made through American Express.

This provisional Programme is intended merely as a preliminary notice from which we hope to gain an idea of the approximate number of Delegates. We shall be extremely grateful if you will let us know as soon as possible on the enclosed Reservation Form if you wish to attend.

If you would like to give a short talk on any particular aspect of Noise Abatement (lasting approximately 5 minutes), will you please send us the full script in triplicate and a short summary in English, French and German. We would especially welcome reports by delegates of practical noise abatement measures recently taken in their town/country, as well as medical evidence of the effects of noise.

It is intended that all talks will be printed and published in the final Congress Report even if some of them cannot be given during the actual Congress owing to lack of time.

JOHN CONNELL,
Chairman, Noise Abatement Society.

NOISE ABATEMENT SOCIETY,
March 7, 1968.

Congressman THEODORE R. KUPFERMAN,
New York, N.Y.

DEAR CONGRESSMAN KUPFERMAN: Many thanks for your kind letter of 4th March. We are most happy to know of your interest in the International Noise Abatement Congress to be held here in May, and have pleasure in enclosing the provisional programme.

We are, of course, very well aware of your own fight against noise and if, as we very much hope, it is possible for you to attend the Congress, a Paper from you would be an important contribution to the proceedings.

I am not yet able to give you the detailed programme for the Congress, as Papers are being submitted every day, but you will be interested to know that they are coming in from top level experts, Heads of Government Departments, etc. all over the world. We believe it will be a most important occasion which will attract world-wide attention.

With kind regards.

Yours sincerely,
NOISE ABATEMENT SOCIETY,
A. CROSSE, *Organizing Secretary.*

NOISE PARLEY ASKS SONIC FLIGHTS CURB

(By Alvin Shuster)

LONDON, May 18.—Amid signs reading "No Noise Is Good Noise," delegates from more than 30 countries concluded a week-long conference here today on the need to make life quieter.

The delegates to the Fifth International Congress for Noise Abatement heard speeches deploring the rising assault on the human ear and pleading for quieter aircraft engines, more insulation in new buildings, mufflers on factory and construction equipment and more governmental action to do something about it all.

The congress adopted a resolution today urging governments to prohibit supersonic flights over their territories in view of what John Connell of Britain, chairman and founder of the Noise Abatement Society, called the "physical and mental disturbance" such flights might cause.

In a report on noise in the United States, Dr. Charles Wakstein of Dartmouth College said that the 150 million American urban dwellers are "subjected to annoying noise levels in their homes on account of traffic."

WARNING ON NEW PLANES

If overland flights of the SST, the projected supersonic transport plane, are permitted, he continued, about 50 million people in the United Sates could be exposed to an average of 15 sonic booms a day. The flights, he estimated, could cause $100 million a year in damage to homes, mostly to plaster and windows.

Dr. Wakstein's paper was based on a study carried out this summer by a group at Carnegie-Mellon University under the sponsorship of Resources for the Future, Inc., a private foundation based in Washington. The report has not yet been published.

"In spite of the great interest in the United States in the problem of annoyance caused by jet aircraft noise near airports," Dr. Wakstein said, "it seems inescapable that hearing damage caused by exposure to noise is serious. As it happens, most of this hearing damage is caused by noisy jobs."

EXPOSURE OF WORKERS

About eight million workers, he said, may be exposed every day to levels of noise above 95 decibels—sound intensity is measured technically in decibels—for more than five hours a day. This could be enough, he said, to cause hearing damage. Yet, he noted, there is a serious question as to how many workers are aware of the danger.

"We found tree workers, for example, blithely exposing themselves to 120 decibels from their chain saws," he said.

An ordinary conversation, for example, has a noise level of about 50 decibels at a few feet. The loudness of a sound doubles every 10 decibels.

Dr. Wakstein, calling for more studies of all aspects of the effects of noise, said that the evidence so far indicated little psychological harm to those surrounded by constant noises.

"Some people active in noise abatement make statements that noise drives people crazy," he said. "As much as we might have wanted to confirm this, we couldn't."

In other talks in Queen Elizabeth Hall, the delegates heard two New Yorkers—Robert Alex Baron, executive vice president of Citizens for a Quieter City, Inc., and Ralph G. Caso, Presiding Supervisor in Hempstead, L.I.

Mr. Baron asked the delegates to urge their communities to postpone center-city landing strips for helicopters and the new vertical and short take-off and landing planes until there could be thorough investigations into their impact on the urban environment. He noted that New York had plans for such a strip in Manhattan "along the river's edge just two blocks from my house."

The congress adopted a resolution that he proposed calling for a ban on the building of heliports in areas of high-density population.

Mr. Caso suggested that a subcommittee of international experts be set up to formulate a code of uniform regulations to curb commercial aircraft noise at major airports and to propose acceptable noise levels.

I have had the opportunity of meeting with Horace Weston, scientific officer, Division of Occupational Health, in Sidney, Australia. His letter to me of October 19, 1967, and articles on noise in Australian journals follows:

DEPARTMENT OF PUBLIC HEALTH,
Sydney, Australia.
Hon. TED KUPFERMAN,
New York, N.Y.

DEAR MR. KUPFERMAN: I have received from you the copy of the Bill which you introduced on "Noise", dated January 18, 1967, and also the extract from the Congressional Record, April 21, 1966, concerning "Noise Pollution", for which I thank you. These are of considerable interest to me.

My discussion with you regarding noise was most interesting and very helpful to me, and I would like to express my appreciation to you for so kindly making your valuable time available to me.

I feel that my tour of the States was not only interesting, but very useful. During the trip, I saw evidence that engineers and executives in many industries are very much aware of noise and are working with a view to reducing it, where practical, in future. Of course, thre is still a long way to go, and no doubt, there are many who have not yet been sufficiently motivated.

I am attaching reprints of articles, viz. "A Survey of Tractor Noise and the Effects on Hearings", which I did in 1963, and "Industrial Notes in Residential Areas", which I wrote prior to my visit to the States. You may find these of some interest.

Wishing you every success in the future,
Your sincerely,
HORACE R. WESTON,
Scientific Officer.

[From the Journal of the Australian Institute of Agriculture Science, March 1963]

A SURVEY OF TRACTOR NOISE AND THE EFFECTS ON HEARING

(H. R. Weston) *

[Figures referred to not printed in the RECORD.]

It is well known that the man on the land can be exposed to a wide variety of occupational accident and health risks, such as the use of pesticides which involves considerable danger if they are not handled in the correct manner.

Prolonged exposure to excess noise may also be a potential hazard to which he is subjected (Glorig 1958; Sataloff 1957).

EFFECTS OF NOISE

Many people are of the opinion that noise often contributes to discomforts such as headaches, irritability, fatigue and nervous tension. While this is generally accepted, there are many interrelated factors, and a definite relationship is difficult to prove.

A major effect, in which we are interested, and in which some proof has been established, is a noise-induced impairment of hearing. Exposure to noise, at a high enough level, for even short periods, will often cause temporary impairment of hearing with a rapid recovery to normal after the noise ceases. However, if the noise is repeated continually over a period of years, it may cause physical damage to the nerve cells of the inner ear, eventually resulting in permanent impairment of hearing. When this occurs, there is usually a greater loss of hearing of higher frequency, about 1000 cps, than of lower frequency sounds. The term 'frequency' is expressed in cycles per second (cps) and refers to the number of pressure impulses per second of a sound wave (Glorig 1957, 1958, 1961; Sataloff 1957).

The most important function of our ears is the hearing of everyday conversation. Our speech is made up of vowels and consonants. The bulk of the sound energy is in the vowels, and is below 1000 cps. However, it is also necessary to hear the consonants, which are mainly above 1000 cps, in order for speech to be intelligible. It has been found that when a person suffers a greater loss in the high frequency range, his ability to hear the consonants is reduced without a corresponding reduction in the hearing of vowels or the total volume of sound. If this impairment continues, the hearing of speech may eventually become distorted and unintelligible. This is a serious social disadvantage (Glorig 1961).

Such an impairment usually occurs without discomfort or pain in the ears. The first indication may be a difficulty of hearing speech clearly, or a loss of tone of music.

Considerable investigation has been carried out on noisy occupations by overseas research groups, primarily the Sub-Committee on Noise Research Centre, Los Angeles, and also in Australia, by the Commonwealth Acoustic Laboratory. Based on the consensus of opinion, criteria have been established for noise levels above which there is a likelihood of hearing impairment (Glorig 1957). The figure, for a particular noise, above which prolonged exposure is considered a potential risk, is usually referred to as the 'hearing conservation level.' In industry, this level is taken as 85 decibels in any one of the four octaves from 300 cps to 4,800 cps; the ear is most sensitive in this range. When this limit of 85 db is exceeded, the term 'excess noise exposure' indicates the amount of this excess in decibels.

Audiograms showing hearing loss at various frequencies (see Figure 1) illustrate the typical trend in the development of permanent noise-induced impairment of hearing. In the later stages it extends to lower frequencies, and increases further in the high frequencies so that the hearing of speech becomes distorted and muffled.

SURVEY OF TRACTOR NOISE

As it was considered that tractor noise could be a potential occupational hazard, a survey was carried out by the Division of Occupational Health in conjunction with the New South Wales Department of Agriculture, in two areas, viz:

The Richmond-Windsor district, which is typical of coastal farming where the tractors were generally less than 50 H.P.

The Parkes district, which is inland, where many of the tractors were larger, in some cases up to 60/70 H.P.

In addition, measurements were taken at distributor depots on latest models, some up to 80 H.P., running at speeds estimated to represent field conditions.

Farming in the Richmond-Windsor area is devoted mainly to vegetables and citrus, so that tractor work is varied. It may be partly seasonal for 8 to 10 hours a day for two weeks or up to two months at a time. Generally it appears to be spread over long periods with some driving at frequent intervals.

In the Parkes area the farms, mainly wheat-holdings, are larger, and the tractor work is seasonal, mainly fallowing, sowing, and harvesting. During these periods drivers may operate 8 to 12 hours a day for several weeks at a time. It was estimated that, on the average, a driver could be regarded as operating "all day" for a total of about 10 to 12 weeks a year. During the remainder of the year work is intermittent and usually is for short periods at a time.

Two distinct sets of data were collected in each area:

1. Sound levels were measured in the driver position under normal operating conditions.

2. Hearing tests were carried out on the tractor drivers under quiet conditions. This was done before they had driven on the day of the test, to avoid temporary loss.

Noise level measurements

Sound levels can be measured with a meter consisting of a microphone which converts pressure to electrical impulses which are amplified and measured. The unit used is the decibel (db). It is a logarithmic unit related to the 'threshold of audibility' at 1000 cps for good ears, which has been found to be approximately 0.0002 dynes per square centimetre. This is taken as zero decibels. When the sound intensity is doubled the measurement on the decibel scale increases by 3.

The ear responds differently to different frequencies. Two noises of the same sound level may differ considerably in loudness and risk of damage. Consequently in evaluating a particular noise, in addition to the overall sound level, a sound analysis can be carried out to determine the sound level in each octave band, referred to as the acoustic spectrum.

Tractor noise was measured and recorded on tape with a sound level meter and a tape recorder. The recordings were later analysed into octave bands by feeding from a playback into a sound analyser, which electrically filters out frequencies as required. Before carrying out measurements in the field, the sound level meter was checked and calibration tones were recorded on the tape, as shown in Figure 2.

The noise levels measured under operating conditions were considered representative of the average noise conditions to which drivers are likely to be exposed; the power output of the tractor in work was not measured.

Hearing tests

It has been found that exposure to noise causes a typical early loss of hearing at 4000 cps; with further exposure this loss increases at 4000 cps and extends to other frequencies.

Hearing tests were carried out on tractor drivers, as shown in Figure 3, with an audiometer, a device which produces pure tones at various frequencies. The sound level in the earphones can be varied, and the lowest level at which the person can just detect it, known as the person's hearing threshold, is determined.

The tests were done, at frequencies from 500 cps to 6000 cps, on persons who had spent 8 years or more on tractor work. In both districts the average time on tractors was given as 18 years. In the Parkes district figures were taken for 34 drivers, and for 19 in the Richmond-Windsor area.

RESULTS OBTAINED

Noise

A number of drivers felt that the noise affected their hearing for some time after finishing work, and some mentioned subsequent ringing in the ears. Although this can be due to other medical reasons, when it is noticed after driving it most likely indicates that there is, in fact, a noise risk which may, in time, effect the hearing. In a few cases, plastic ear plugs were used, and some drivers attempted to get some protection by using cotton wool.

The general range of figures in Table 1 shows the overall sound levels, octave band sound levels, and calculated 'excess noise exposures' in two broad tractor groups, below and above 50 H.P.

Generally, farm tractor noise levels ranged from 92 to 106 db, but some were up to 114 db with 'excess noise exposures' up to 15 db.

The 'excess noise exposures' shown in the Tables 1 and 2 for tractors are based on noise levels in the four octaves from 300 cps to 4,800 cps, in relation to the standard of 85 decibels. However, noise outside of this range can be damaging if high enough. Some tractors showed particularly high levels below 300 cps.

Considerable variations were sometimes observed on machines of similar nominal power capacity. Generally, the figures in the lower power group would not be regarded as excess noise exposure. It should be noted, however, that the tractors were not necessarily working at or near full power, when the noise level might be expected to be at a maximum. In the over 50 H.P. group, noise levels were frequently in the excess exposure class.

---

*Mr. H. R. Weston is a Scientific Officer in the Division of Occupational Health, Department of Public Health, New South Wales.

TABLE 1.—THE OVERALL SOUND LEVEL AND DISTRIBUTION IN OCTAVE BANDS OF TRACTORS UNDER OPERATING CONDITIONS

Tractor group	Decibels									
	Overall	Octave bands (cycles per second)								Estimated excess noise exposure
	20 to 10,000	37.5 to 75	75 to 150	150 to 300	300 to 600	600 to 1 200	1,200 to 2,400	2,400 to 4,800	4,800 to 9,600	
25 to 50 horsepower:										
Diesel 30/40	93	90	83	79	74	76	70	67	65	−9
Do	92	86	88	84	77	82	75	70	63	−3
Kerosene 30/40	92	85	89	79	75	73	67	64	68	−10
Kerosene 25/30	93	84	89	83	81	76	79	79	80	−4
Diesel 25/30	101	94	98	90	91	90	91	85	77	+6
Kerosene 25/30	100	94	97	86	84	86	89	87	83	+4
Over 50 horsepower:										
Kerosene 50/60	97	85	91	94	86	83	79	76	72	+1
Diesel 50/60	106	104	99	98	92	92	93	92	87	+8
Do	95	88	91	90	81	82	81	74	69	−3
Do	98	93	90	90	88	84	85	83	81	+3
Diesel 70/80	101	98	98	91	84	80	77	74	68	−1
Diesel 60/70	106	104	101	97	98	92	87	85	78	+13

TABLE 2.—OVERALL SOUND-LEVEL MEASUREMENTS AND OCTAVE BAND ANALYSES OF CRAWLER TYPE TRACTORS UNDER SEVERAL LOAD AND MOVEMENT CONDITIONS

Tractor and operating particulars	Decibels									
	Overall	Octave bands (cycles per second)								Estimated excess noise exposure
	20 to 10,000	37.5 to 75	75 to 150	150 to 300	300 to 600	600 to 1,200	1,200 to 2,400	2,400 to 4,800	4,800 to 9,600	
20/30 horsepower, old model:										
(a) Towing 20-prong scarifier	99	91	95	88	86	87	86	78	73	+2
(b) Plowing with 20-prong scarifier	101	94	98	90	91	90	91	85	77	+6
40/50 horsepower, old model:										
(a) Stationary under open shed	113	109	103	103	100	96	93	92	95	+15
(b) Normal working gear without load	113	110	105	102	95	96	93	93	89	+11
50/60 horsepower, new model:										
(a) Stationary, estimated normal engine working level	94	91	89	89	86	84	83	73	69	+1
(b) Stationary, under load of blade	98	95	91	92	87	86	84	76	69	+2
(c) Normal forward working	99	95	93	92	87	86	84	75	69	+2
(d) Reversing	94	89	86	87	85	83	80	72	64	Nil
(e) Forward travel	93	87	86	87	84	84	80	72	65	−1
70/80 horsepower, new model:										
(a) Stationary, estimated normal engine working level	103	89	102	93	91	85	83	73	65	+6
(b) Traveling very slowly under heavy load (slow enough to avoid track noise)	103	92	102	92	89	88	85	75	68	+4
(c) Normal operating forward	103	92	102	92	90	86	83	74	66	+5
(d) Reversing	103	90	102	92	91	86	83	73	66	+6
(e) Normal fast travel	105	95	102	95	92	91	87	79	71	+7

Figures for two new machines operating at normal governed working speeds without load and with the same type of spark arrester, which also acted as a muffler, are shown in Figure 4. In this case the higher power machine was the quieter of the two.

Most of the tractors over 50 H.P. that were measured were diesels. In the lower power group they were mainly diesel or kerosene machines. The figures showed no significant noise differences between these types.

It was noticed that some tractors were fitted with mufflers and some were not; some of these mufflers were burnt out and had little value for noise reduction. Other tractors were fitted with spark arresters, specifically intended as such, which also had some value as mufflers. Some operators used a combination of both, and in several cases they were not using any except in the summer, when a spark arrester is necessary. Measurements taken on several machines showed considerable increase of noise when operating without a muffler. The increase was mainly in the important middle and high frequencies and did not always result in much difference in overall noise levels. Several cases are illustrated graphically:

(a) Figure 5 shows that a simple perforated-pipe type of muffler, on an old model 50 H.P. kerosene tractor, made little difference to the overall sound level, but there was considerable reduction in the more important high frequencies.

(b) Figure 6 illustrates considerable reduction in overall sound level throughout the whole frequency range on a new 40 H.P. diesel tractor.

(c) Figure 7 shows an interesting muffler effect observed on a 60 H.P. diesel tractor with, and without, a spark arrester. Although there was considerable reduction in the important high frequencies, this was partly counteracted by an increase in low-frequency noise. This is most likely due to resonance, and would indicate, in this case, some need for attention to suitable design for the particular engine if the spark arrester is to have optimum value as a muffler.

Some people consider that track noise, as distinct from engine and exhaust noise, may be a major factor on crawler type machines. This view may have originated with the older machines of this type.

It was not possible to operate the tracks without the engine and associated noise; consequently, the contribution of the tracks could not be determined. However, in order to gain some idea of the relative importance of track noise on crawler type machines, the following sets of measurements were carried out:

(1) With the engine operating under load:
(a) While moving.
(b) Remaining stationary.
(c) Moving very slowly.
(d) Traveling fast.
(2) With the engine and tracks operating together at normal ploughing speed:
(a) With a light load.
(b) Under a heavy load.

Details are shown in Table 2.

Sound levels for tractors under load did not show any trend to a decrease in noise when the tracks were not moving, indicating that track movement here was not a major factor.

With the engine and tracks operating together at a constant track speed, and varying load, the noise levels increased with the load, which might be expected of engine exhaust noise. This trend indicates that engine exhaust is the major factor.

It is realized that track noise could vary with the type of ground, condition of tracks and so on, but the measurements taken gave no indication that, on modern crawler type machines under average conditions, the track movements make any signficant contribution to noise in the driver position.

Hearing

The two audiograms in Figure 8 represent the average hearing loss to operators in the two districts, for 19 subjects in Richmond-Windsor, and 34 in the Parkes area.

As there is some loss in hearing acuity with age, known as "presbycusis", all figures were corrected in accordance with research carried out in the Laboratory of Industrial Medicine, Eastman Kodak Company, Rochester, New York (Riley, Sterne, Fasset, and Sutton 1961). The average corrected figures are shown in Figure 9.

The results show greater impairment in the Parkes area, and indicate that there is a potential risk of impairment of hearing when driving heavy tractors over prolonged periods.

As 4000 cps is the most sensitive region of noise-induced impairment, the mean loss in decibels at this frequency, for each group of drivers, was compared with no loss to see whether it was statisically significant. The differences were statistically significant at the 1 per cent level.

Tractor suppliers who co-operated in the survey, appear to be increasingly aware of the problem and are showing considerable interest in noise reduction. The investigation indicates the importance of continued efforts to this end.

When it is not practicable to reduce noise, ear protection can be adopted when driving continuously on heavy work. Plastic ear plugs, designed by the Commonwealth Acoustic Laboratory, or similar plastic ones, are suitable if correctly fitted, and can be obtained from many safety equipment suppliers. These will provide a worthwhile attenuation of the order of 35 db., reducing noise to a safe level without preventing conversation.

In previous work carried out on this subject at the State University of Iowa (Lierle and Reger), tractor noise was regarded as sufficiently high in intensity to produce high frequency losses of hearing in tractor operators; it was considered that individuals with noise susceptible ears usually experience ringing in the ears, known as tinnitus, for some time after work.

A group of tractor drivers in New Zealand was found to show greater hearing impairments than a group of clerical workers; the use of ear protection by drivers was recommended (Bell 1956).

SUMMARY

Investigations showed that tractor noise is generally predominantly low frequency, but the middle frequencies are of sufficient intensity to be of consequence.

Under operating conditions, the noise levels are frequently excessive. Consequently, when driving over a number of years, there is a potential risk of impairment of hearing This risk is increased by operating the tractor without a suitable muffler.

Mufflers, and in some cases spark arresters, do not necessarily reduce the overall sound level to any extent, but they may make substantial reductions on the middle and higher frequencies. In some cases, owing to resonance, a muffler, or a spark arrester, may actually increase the sound level in the lower frequency range.

Tests of hearing acuity showed greater impairment on inland farmers where the tractors are of higher power and the exposure is for long periods.

When driving continuously on heavy work the use of suitably fitting plastic ear plugs is recommended.

Many tractor suppliers are now aware of the problem, but further attention to reducing noise is necessary.

ACKNOWLEDGMENTS

I would like to thank those farmers in the Richmond-Windsor and Parkes areas who so willingly co-operated in this survey; Dr. A. Bell, Director, Division of Occupational Health, for his helpful discussion and advice; and Dr. E. S. A. Meyers, Director of State Health Services, for permission to publish this article.

REFERENCES

Bell, A. (1956)—Effects of noise on tractor drivers *N.Z.J. Agric.* 94: 350.

Glorig, A. (1961)—Effects of noise on hearing, *Journal of Laryngology and Otology* 75.

Glorig, A. (1958)—"Noise and your Ear" (Grune and Stratton, New York and London).

Glorig, A. (1957)—"Guide for Conservation of Hearing in Noise." (Research Center of the Sub-Committee on Noise in Industry, Los Angeles.).

Lierle, D. M., and Reger, S. N. (1958)—Effect of tractor noise on the auditory sensitivity of tractor operators. *Annals of Otology, Rhinology and Laryngology,* 67: 372.

Riley, E. C., Sterne, J. H., Fasset, D. W., and Sutton, W. L. (1961)—Ten years' experience with industrial audiometry. *American Industrial Hygiene Association Journal,* 22: 151.

Sataloff, J. (1957)—"Industrial Deafness" (McGraw-Hill, New York, Toronto and London).

[Reprinted from Health and Building Journal, September 1967, vol. 7, No. 5]

INDUSTRIAL NOISE IN RESIDENTIAL AREAS

(By H. R. Weston, Scientific Officer, Division of Occupational Health, Department of Public Health, N.S.W.)

(NOTE.—This article refers to noises which originate from industry and reach residential areas at levels high enough to cause complaints; it does not deal with occupational noise. Reference is made to likely community complaints and the assessment of noise to determine their validity. This is considered from the point of view of annoyance, based on average community reactions and not health implications; there are many sounds which annoy the majority of people. It is desirable for managers and engineers to have an awareness of noise and to plan to avoid it in future developments.)

INTRODUCTION

Community complaints may arise from many activities such as go-carts, model cars and planes, sporting activities, howling dogs, noisy clubs, parties, aircraft, road traffic and industrial undertakings. Noise from industry is referred to in this article.

In recent years there has been a great increase of industry in suburban areas, often near to residential sections, so that, where adequate precautions have not been taken, new noises, to which residents have not been accustomed, have been introduced into the neighbourhoods with consequent complaints.

The growth of industry in some country centres may present potential noise problems if sufficient care is not taken in the planning stages.

REASONS FOR COMPLAINTS

Existing industries

Sometimes complaints arise in connection with an established industry. One may ask why should people complain when an industry has been operating and has been accepted by the community for many years.

Such complaints may originate for various reasons, which are quite valid. Some of these reasons are shown below:

(a) A new noise may have been introduced as a result of one, or more, of the following factors.

(1) Lack of proper maintenance, wear and tear, misalignment of machinery, etc. If you take notice of your own car, you will probably realise that the noise can increase with age if regular maintenance is not carried out.

(2) The introduction of a new machine which may do the job better but, in doing so, creates more noise, or a different type of noise, such as timber planing machines, exhaust systems, metal presses.

(3) The relocation of equipment to an area more likely to worry residents, or perhaps, the extention of ductwork and exhaust cyclone dust catchers with an increase in resonance and area of propagating surfaces.

(4) Substitution of equipment, which is perhaps an improvement in many ways, but in which noise has been overlooked. Eg., an oil fired package boiler, which is cleaner and presents much less risk of air pollution than its coal fired counterpart, may not be noticed as noisy in an undertaking where many other masking sounds are present, but when it propagates a low frequency drumming tone to nearby residential areas, where the ambient noise level is low, it may considerably disturb residents. Such low frequency sounds are likely to be transmitted greater distances than those of higher frequency.

(5) Extension of the hours of operation to times when the ambient noise is lower.

(6) Increased production and staff. This may also lead to more cars, banging of doors and loud voices. This is particularly important with shifts commencing or finishing between the hours of 10:00 p.m. and 7:00 a.m.

(7) Increased storage outside of the factory building and work in the yard, such as nailing up boxes, etc. This may be accompanied by unintentional yelling or loud talk from employees making periodic excursions to the yard from within the factory, where the noise level is high.

(b) People may purchase blocks and build houses on land in proclaimed residential areas, to find out later that a nearby factory, at times, produces irritating noises.

This may be a result of situations such as the following:

(1) The factory may not have been operating at the weekend when the prospective buyer visited the block of land with the land agent.

(2) Visits may have been made when the factory was operating in the daytime, at a time when there were present many other acceptable random sounds to mask the unpleasant nature of a noise, such as a continuous tone, which perhaps continues into the night when it is most irritating.

(3) An unsuspecting person may purchase a house and later discover that a nearby factory produces a noise to which his family have not been accustomed.

(c) Changing personal conditions.

(1) A person in ill health may be worried by a noise which he would otherwise find acceptable.

(2) An aging person, owing to some loss of hearing in the high frequency range, may be more aware of an annoying low frequency noise than a person with good hearing.

New industries

A factory is likely to cause complaints if it introduces a new noise which is loud in relation to the existing background, which possesses annoying characteristics, or, one which is out of character with the existing ambient sounds.

INFLUENCING FACTORS

In many cases, there are several factors which are likely to irritate residents such as an untidy appearance of the factory, a reduction in the value of their properties, or a fear that there will be a reduction and that the standard of their living area will be lowered.

A poor public relations policy and personal dislikes may help to set off a complaint; noise may be used to amplify general dissatisfaction with a nearby industry.

The picture, in some cases, is partly changing because the general public expects an improvement in the standards of living.

ANNOYANCE AND PERSONAL JUDGMENTS

Complainants sometimes refer to residential noise as a health hazard.

While it may irritate an existing state or ill-health, in many cases, it would seem that noise does not directly produce injury; however, it is an intrusion on the privacy and comfort of the home, for the most part, people's well-being is diminished by noise and life in general is made miserable. The community should not have to suffer these discomforts. Sometimes circumstances exist when, for various reasons, a resident will exaggerate the situation.

In other cases, a factory owner or manager is unsympathetic and is not willing to do anything about it; he may have no consideration for his neighbours, or, and perhaps this is more usual, he may not realise that his factory is, in fact, creating a noise which is annoying.

Individual judgments are often misleading; there may be variations in hearing, personal prejudices, different psychological approaches and observations may be made at times when masking sounds, of an acceptable nature, are present.

ASSESSMENT OF RESIDENTIAL NOISE

Many noise problems can be solved by commonsense and consultation between the parties but, at times, misunderstandings and disputes occur and then there is a need for some form of evaluation.

Such an assessment can be quite complex; the ear sensitivity varies with the frequency and the type of noise, and the annoyance, in addition to this, depends very much on the character of the noise and the environment. Noises which cause complaints may vary considerably in nature and intensity; in some cases, annoyances shows little, or no relationship to the physical quantity of the noise.

Considerable thought has been given to suitable standards for the judgment of noise, but owing to the complexity and differences, from place to place, progress has been slow. The average judgment of noise intensity which corresponds with the boundary between "tolerable" and "annoying" is found to vary, with circumstances, over very wide limits.

It is, however, possible to make an evaluation of a particular situation, and to determine with a reasonable amount of assurance whether, or not, complaints are valid and to predict whether, or not, a noise is likely to cause complaints. It is not possible to predict what each individual's reaction will be, but it is possible to predict what the average community reaction to a noise will be.

Objective methods proposed

A number of methods have been used for assessing the likely public reaction to a noise.

Perhaps it should be pointed out that such methods are not based on health implications, but simply on the types of sound, and levels, with which experience has shown that people will live without complaining.

It would be very helpful if an assessment could be made with simple single figure measurements, such as the "A" weighting scale of a Sound Level Meter. Some people are hopeful in this respect and there is a trend towards this as a quick means of judging a situation.

The "A" weighting gives an approximation of the ear response by filtering out some of the sound to which the ear is least sensitive. These figures can give very useful information to experienced sound engineers, but there is still some doubt as to their reliability in all cases; they have limitations such as, the possibility of errors in the assessment of noise spectra and in the evaluation of noise, particularly when annoying low frequencies are present, or in cases where the background levels are very low at the low frequency end of the spectrum, which situation arises in some of our outer suburbs.

Where possible, simplification is good, but it does not simplify the matter if it is less reliable in the long term, and incorrect interpretations might well aggravate a noise problem by increasing the misunderstanding between the parties concerned.

Although more time consuming, in the first place, experience has indicated that an octave band analysis of the alleged noise at the residential boundary gives a more complete picture and perhaps more reliable information.

A Noise Rating method was proposed by the International Organisation for Standardisation (1963); this document was in draft form and did not constitute an officially recognised standard. This method has been used in this country with some degree of success, as a guide, for assessing the acceptability of a noise.

In this method, the Sound Pressure level is measured in eight or nine octave bands of frequency. By comparison with noise rating curves such as those illustrated in Figure 1 [not printed in RECORD], the rating in each octave is determined and the highest rating in any one octave is then taken as the Noise Rating Number or, in effect, a loudness estimate for the particular noise. It is then necessary to apply corrections for the character of the noise and the environment, taking into consideration factors such as, the type of spectrum, if periodic in character, peak factor, duration, time of day, or night, type of locality and degree of previous conditioning; these corrections sometimes depend on an opinion which can differ between observers.

The proposals in the above I.S.O. document are still being discussed and a number of objections have been raised; it is not simple enough and monitoring is not possible with equipment available.

In a more recent proposal December, 1966, the use of single figure Sound Level "A" measurements has been suggested with provision for frequency analysis to assist in rating doubtful cases or cases where corrective measures are required.

A method which can be very helpful, in some cases, is to carry out a frequency analysis of the background noise for the area in the absence of the alleged offending noise; this can provide useful information for deciding the correction applicable for the environment. By making a comparison of the spectra, of the alleged noise and the background sounds, the relationship between the irritant and the basic environment can be determined. Figure 2 [not printed in RECORD] shows a comparison between the very low background sound in an outer suburb and a noise, predominantly low frequency, originating from an oil-fired furnace.

A noise from outside, even if it is in excess of the background level by as much as 10 dB, may be quite acceptable if it is similar in character and if it does not contain irritating features, such as pure tone components. Figure 3 [not printed in RECORD] shows a comparison between the spectrum of the background sound and that of an acceptable noise from a nearby factory.

AWARENESS, CONTROL AND PLANNING

Generally, a scientific investigation can help to develop a better understanding between the parties.

When it shows that there is some justification for complaints, it can assist the industrial manager by showing him which sounds offend, and to what extent. Managers become pre-occupied with production problems and often they do not fully realise that their plant is a nuisance to neighbors; the sounds of a plant in full operation may be music in the ears of some managers.

As a rule, managers are co-operative if they know that they are causing an annoying noise.

Similarly, persons will not usually make trivial complaints if they understand the nature of the problem; however, in some cases, undue publicity may make residents more conscious of it.

Many problems of noise from industry could be avoided by a greater awareness, on the part of owners, managers and engineers, to the fact that there are many noises which the majority of people do not like. Most people do not want to annoy their neighbors.

Some industrial managers have never considered noise to neighbours in the planning and operation of their plants. If proposing a new factory, an extension to an existing set up, or if installing a new machine, it would be wise for management to survey the existing background noise at the residential boundary, to ascertain the likely noise from new equipment and to then design, plan and build so that the industry will not introduce a new noise, which is out of character with the existing background, and does not exceed it by a sufficient amount to become an intrusion on the privacy of the residents. Attention to this beforehand may save a considerable amount of time and money later. In addition, it will achieve much better public relations.

Some manufacturers have never considered noise in designing their products. They must be encouraged to do so. Quieter equipment should be more often sought after.

Industry must also be made aware of the need to eliminate unnecessary noise from outdoor employees, within the industrial premises, and from associated activities such as loading of trucks, shouting, banging of car doors, etc.; these may be as much a source of complaint as the manufacturing operations.

This article has referred to annoyance as a result of noise from industry reaching residential areas. When dealing with this aspect, the possibility of an occupational noise problem within the factory should be kept in mind, as it would seem logical in many cases for the management to consider both aspects when taking corrective action.

Similarly, when planning a new factory, a wise and well informed management will consider all aspects of noise within the industry together with likely annoyance to the outside community; the importance of planning cannot be too strongly emphasised.

It is very desirable for a keen awareness of noise to be cultivated among managers and engineers.

I wish to thank Dr. C. J. Cummins, Director-General of Public Health, and Dr. E. O. Longley, Acting Director, Division of Occupational Health, for permission to publish this article.

REFERENCES

Committee on the Problem of Noise (1963) Final Report, London, H.M. Stationery Office.

International Organisation for Standardisation (1963a) Draft Secretariat proposal for noise rating with respect to conservation of hearing, speech communication and annoyance [ISO/TC 43 (Secretariat 194) 314].

International Organisation for Standardisation (1966) Draft Secretariat proposal for noise rating with respect to annoyance [ISO/TC 43 (Secretariat 272) 402].

As John J. Coffey, Jr., research associate on environmental pollution of the Chamber of Commerce of the United States, has pointed out, in a speech October 16, 1967, by their Michigan president, Harry R. Hall, given in St. Paul, Minn., and entitled "We Had Better Be Better," in discussing the problems of our era, "Noise" is the springboard.

The appropriate excerpt from the speech follows:

WE HAD BETTER BE BETTER!

(By Harry R. Hall, president, Michigan State Chamber of Commerce, Lansing, Mich.)

(Prepared for presentation as the keynote address, fifty-third annual management conference, American Chamber of Commerce executives, at St. Paul, Minn., October 16, 1967)

As we convene here this morning, during the infant days of Phase III of the 20th Century, we have been given a microcosmic view of the best of America, 1967:

The pride and glory of one state.

The pride and power of 50 states.

At the identical moment that we gather here, this jet propelled century surges violently ahead to join the volcanic uncertainties, of the year 2000 and we observe an America at the apogee of its economic prosperity, its political authority, its technological advantage. These imposing sights that we have seen on the screen project a 1967 version of America, The Beautiful—

Magnificently endowed with natural beauty by nature.

Ingeniously nurtured for material wealth by man.

Majestically beautiful despite the concrete and steel scars of man's relentless march through modern civilization.

The ecstatic, boastful, but pleasing sounds that we have heard reflect the dynamism, the pragmatism, the optimism of a Phase III American Chamber of Commerce, firmly committed to the idea of progress and acceleration of progress.

These are sights and sounds of our speeding Century as we plunge into Phase III—October 1967.

NOW

Look and Listen to some other sights and sounds!

(Approximately 90 seconds of psychedelic color film SOF projected on screen.)

These, too, are sights and sounds of Phase III of this aging Century:

Weird sights and ominous sounds.

Fascinating sights with horrifying connotations.

Discordant—noisy!

This has been a *noisy* century. It is getting more noisy. Dr. Vernon Knudsen, a physicist and former chancellor of the University of California at Los Angeles, claims that noise is a slow agent of death and if it continues unabated for the next 30 years, it can become lethal, because even now ordinary urban noises to which we are subjected routinely impair hearing, jangle nerves, hinder concentrated mental effort and distort judgments.

But it seems to me we need to be more disturbed by the sociological implications of noise than with its detrimental physical effect. Some of these noises reflect a social hemorrhaging in the main arteries of an affluent, sophisticated society that prides itself in its vibrant economy and noble national purpose.

Some of these derisive noise are indicants of—dissent, frustration, hopelessness, abandonment of ingrained standards of conduct, revolt against established values, renunciation of cherished institutions.

We do not like to discuss this grating cacophony. We would like to turn off these irritating noises. But, instead, they are increasing, frightfully, in volume.

They will not, any longer, be drowned out by the counter noises that we make about our progress and prosperity.

They will not be muted by angry expressions of disgust and disdain.

They will not be stilled by indifferent neglect or irrational evasion. As Winston Churchill said, "Things do not get better by being left alone. Unless they are adjusted they explode with shattering detonation."

These shattering noises of social discontent represents problems—chamber of commerce problems. Along with our trophies of success, these passion packed casualties of failure accompany us into Phase III of this fleeting century.

The Christian Science Monitor of Tuesday, May 14, 1968, has the following item under the heading "Noise Crisis":

NOISE CRISIS

(Air craft din has the men who run American airports in a tizzy. It gets steadily worse. How to cope with it? Dr. Walton W. Jones, of NASA, says people can adjust and live with this era of sonic boom.)

(By Neal Stanford)

Washington.—Aircraft noise gets intensive study. It's about time. Aims are to uncover:

How bad it is.

Where the noise comes from.

What can be done about it.

How people can adjust to sonic-boom intensities, and how much.

Dr. Walton W. Jones heads NASA's biotechnology and human-research division. He heads up noise studies and research for the National Aeronautics and Space Administration.

In an interview he talks about his current airport-noise survey, his sonic-boom simulator, the nature of noise, and how it can be minimized or modified. One surprise: In all four cities studied, people were found who were not disturbed at all.

An aim by the Federal Aviation Administration is to have Congress set up fair maximum flying-noise levels. Too-noisy airplanes would not be allowed to fly.

Dr. Jones, I understand you are in the midst of some studies of the aircraft-noise problem at some of our big airports. What cities are you studying?

Our studies this last year have centered on four cities, Chicago, Denver, Dallas, and Los Angeles. We are shortly choosing four other cities for similar studies. Our research centers on what we call the psychoacoustic aspects of aricraft noise and sonic boom, on how humans react to these noises, on the different characteristics of these noises, and what might be done to minimize or modify them.

The data we have collected is presently being reviewed by a National Academy of Sciences panel, and until they report we won't choose the next four cities to study.

In the four case studies made how did you go about getting data and what kind of data was it?

We interviewed some 3,500 people in these studies in communities being overflown, trying to measure the reaction of the people to different kinds of noise: high frequency, low frequency, spikes in the spectrum of noise, and the like. We turned up some surprising and interesting things. For example, we found people in each of these communities who really were not disturbed by the noise at all, weren't actually aware of it. Then there were others who objected strenuously. The explanation is psychological, possibly sociological. It has to do with their being, their makeup, their interests, what they do.

You know, some men have developed very nice ways of just tuning out their wives at times, and maybe this same thing happens here.

How do you go about questioning these people? Do they know you are trying to find out how they react to different aircraft noises?

We don't advertise our studies, for we don't want any bias in them. So our interviews in going into homes do not say they are inquiring about aircraft noise. They ask a lot of questions about other noises in the community. It is really a community study. We even put in some questions for the Housing and Urban Development people so they won't have to make their own study. We only raise the question of airplane noise indirectly.

Dr. Jones, I am curious. How do you indirectly ask a person if aircraft noise bothers him?

Well, other questions may lead up to it. If they don't volunteer their reactions we can work it around so they do. I'm not so sure I should give you the questions we ask to get our information since our job is only half done.

But it is true if you ask them outright what they think of aircraft noise in their community, you will get biased answers. So our interviewers get it indirectly.

Also they notice the type of house, type of construction, number of windows, any noises from appliances, refrigerators, fans, etc. Then we have sound trucks in the neighborhood measuring the aircraft noise at the time—so answers can be related to actual noise measurements.

This may all be interesting, but how will it prove useful?

The FAA (Federal Aviation Administration) has asked Congress for authority to add to their certification requirements for airline use of airports one on noise. So if future airplanes emit noise of certain value characteristics over what criteria have been found to be acceptable, then these airplanes won't be allowed to fly. The FAA won't certify them.

The noise level agreed to, of course, must be fair—fair to both sides, and that is what we are working on now—trying to help find a fair noise level.

There are other ways of helping to improve the noise problem—quieter engines, for example, retrofitting existing engines, but those are hardware approaches, and out of my area of research.

Different kinds of planes make different kinds of noises. From your study, what planes cause the most noise problem—jets?

That is part of the reason for this study. Some people are annoyed by some aspects of noise more than others. For example, we found in work this fall that certain helicopters give very low frequency, have a very low frequency spectrum, but pictures on the walls of a house are apt to rattle. This can be very objectionable to some people.

There are several ways of handling this problem. One very simple one is to tell the people to modify their picture-hanging methods. The annoyance did not come from the noise of the helicopter but the rattle of the pictures!

Did you find that people questioned about aircraft noise while outdoors objected more strongly than those questioned indoors?

That was what we expected to find. But startlingly enough, that isn't what happened. We asked people to judge the seriousness of noise outside, and then had them enter their homes before asking again. As soon as they entered the house and closed the door, it appears, their criteria dropped, that is, their noise threshold went up, to about the attenuation of the building.

Noise that was objectionable outside on the graph indicators at 110 was just as objectionable when inside the house and registering 95. Apparently people have a built-in filter they slip off as soon as they walk inside. Part of the reason for this study is to learn such things as this, so we don't do something unnecessary in setting acceptable noise standards for airport areas.

I gather that your work also includes a psychoacoustic approach to the problem of the sonic boom. What are you doing in this field?

We have several research studies going on. One is out at the Stanford Research Institute, where we have a sonic-boom simulator measuring the effects of sonic boom on sleeping individuals.

This is a room comparable to a bedroom, furnished as in a home. One end, however, is a diaphragm that can be driven in a small adjoining room by a motor to give the effect of various boom characteristics. Tapes are used that record actual booms of varying strengths. The person is wired to an apparatus which measures levels of sleep.

Then after he has slept there for several nights and become accustomed to his surroundings the simulator is turned on.

A sonic boom is referred to as an "in-wave," and an in-wave can be low and wide, or tall and skinny, meaning time-duration widths and intensity for height. When the room is hit with a sonic boom the effect on the sleeping person can be recorded.

Does the simulator prove that people can become adjusted to sonic booms, and do they sleep through them?

So far this experiment seems to prove that people do adapt to sonic booms, but we are not prepared to say, on what data we have, what they will adapt to. But there is an adaptive mechanism, apparently.

Also, we have found that the deeper sleep they are in the more boom it takes to awaken them. People seem to get accustomed to some booms, but we can't say this applies to the whole population.

I believe your shop is also involved in the matter of improved aviation safety. What particular approach are you taking to this problem?

We are doing some interesting experimentation along with the FAA and the federal air surgeon on safer passenger and crew seats.

The military have been working on this for some time, on the question of using energy-absorption techniques in seats. If we can get some of the energy imparted to the passenger in a crash taken up by some energy-absorption device, then the passenger gets a reduced load.

Many injuries could be avoided if seats were designed to dissipate more energy. . . . If stronger seats were designed and combined with dissipation techniques, these seats could dissipate about 16 times the energy dissipated by present seat designs.

What about the talk of having passengers sit backward as a safety measure?

Not all forces are directly forward or aft in a crash. If a passenger pitches to one side he may still need a good harness. A good forward seat, with possibly a shoulder harness, would be better in many ways than turning seats around.

We are looking into all these matters. Our work on research into aircraft noise, the sonic boom, and passenger safety is really only part of a much broader study. As explained, we concentrate on the psychoacoustic aspects of the noise problem and the energy-absorbing techniques in seat construction.

The Massachusetts Audubon Society, at Lincoln, Mass., has a pamphlet on noise pollution, which follows:

Noise Pollution

FOUR DEFINITIONS

Noise—unwanted sound. Luckily, with noise two-plus-two does not equal four. Ten motorcycles are not ten times as noisy as one motorcycle but twice as noisy.

Decibel—the unit of measuring loudness (intensity) of a sound. Zero on the decibel scale is the slightest sound that can be heard by the best ears and so weak that it moves the eardrums one-tenth the diameter of a hydrogen atom. The scale goes up logarithmically, the perceived loudness approximately doubling every ten decibels. Since the blast of a jet engine at takeoff can reach 150 decibels—1,000,000,000,000,000 times as intense as the threshold of sound—the human ability to hear anything from rustling leaves to a jet blast make the ear like a balance which can weigh anything from a postage stamp to an ocean liner.

Pitch—tone level. Pitch is determined by how many times per second the sound waves vibrate. The lowest note on a piano has a frequency of 30 cycles per second; conversation ranges between 200 and 6000 cycles; and a "silent" dog whistle gets up to 14,000 cycles. The high-frequency noises that we can hear seem louder to us and are more disturbing, decibel for decibel, than low-frequency noises.

Sonic boom—the loud *bang* and change in air pressure of the shock wave which every plane flying faster than the speed of sound (about 700 miles per hour) drags along behind it. The boom isn't a one-time nuisance, occurring only at the precise moment the plane crosses from sonic to supersonic speeds, but follows along behind the plane for the entire duration of the supersonic trip.

DECIBEL SCALE

Eardrum ruptures 140: Jet taking off.

Painful to ear 120: Siren, jet revving its motors for takeoff—maximum allowable for hearing, roar of a two-engine prop plane.

Deafening 100: Thunder, car horn at 3 feet—loud motorcycle, loud power lawn mower.

Very loud 80: Portable sander, have to shout to be heard, food blender, continued daily exposure brings about loss of hearing, noisy cocktail party, impossible to use telephone.

Loud 60: City playground, vacuum cleaner, noisy office, average traffic, point at which use of the telephone becomes difficult.

Moderate 40: Suburban playground, all right for a restaurant, average living-room.

Faint 20: Quiet enough for courtroom or classroom, private office, a whisper at 5 feet.

Threshold of audibility 0: Rustling leaves, breathing.

Noise is a true environmental pollutant. Like air and water pollution it damages our health and lowers the quality of our life. In Europe the malignant effects of noise on the total environment are well recognized. In Sweden, for example, the State Power Board's one-year course in pollution control trains engineers to deal with water, air, *and noise* problems. Here, we are barely beginning to realize what a growing menace noise pollution is and that it must be curbed.

HOW NOISE AFFECTS US

Reactions to noise are more subjective than they are to smog or a drink of polluted water. About a fourth of the population say they are not disturbed by any noise, however loud; these are the people who should live near airports. One in ten is hypersensitive, but because he dislikes almost any noise not of his own making, his complaints are ignored. In between come the rest of us, and we are more sensitive to noise on some days than others. In general we find high-pitched noises harder to take than low, and any noise sounds twice as loud at night.

The most specific effects of noise are on hearing. A loud blast such as an explosion deafens everyone momentarily. (At the same time it arouses an "alarm" reaction so primitive and automatic that even newborn infants cry out with terror.)

Permanent hearing loss comes only from repeated or continuous exposures. Everyone agrees that an eight-hour daily exposure to 80 or 85 decibels leads to severe hearing damage. Until recently this was thought to be the only damaging effect of noise on the ears. But doctors now suspect that our high *community* noise level—traffic in morning and afternoon and TV at night with occasional additions from police sirens, planes overhead, car horns, and vacuum cleaners—helps account for the deafness of older people in all industrial countries and especially in ours.

Noise has other measurable effects. It raises blood pressure, lowers efficiency, and triggers ailments like stomach ulcers and allergies. It is the main cause of loss of sleep. The World Health Organization says it can be harmful even when it is not consciously heard. Dr. Vern O. Knudsen of the University of California sums it up as "a slow agent of death." And, as a matter of fact, 160 decibels—only a few more than the sound of many jet planes at takeoff—is lethal to mice and similar small animals.

WHAT WE CAN DO ABOUT NOISE POLLUTION

Noise is pollution. And the United States is the noisiest country in the world and getting noisier.

The background din of modern life comes from machines. Noisy power lawn mowers and motorcycles generate levels of loudness formerly found only in boiler factories. American kitchens with three of four appliances operating at once have been clocked at 100 or more decibels. We also have long exposures to air-conditioners (often 70 or 80 decibels), city traffic (with a mean average of 78 decibels at a Boston school playground during recess) and all-day drives (which leave most people with a temporary loss of hearing).

Since the machines are here to stay, what can we do about the noise?

We can begin by making better use of the mechanical mufflers and other silencers we already have. The Paris and Montreal subways are equipped with rubber-tired wheels, and ours could be too.

Actually, most noise nuisances can be controlled by new devices. Among recent American inventions are a "silent residential quality" attachment for pneumatic drills, steel mesh blankets to muffle blasting, a quieter pile driver, and even a portable ground muffler for jet planes to reduce sound during warm-up periods. Acoustical engineers, who can build quiet motels in the middle of airports, know all the techniques for soundproofing buildings, from what kind of partition makes the best sound barrier to how to mount apartment doorbells so that the only ring you hear is your own.

The din of traffic, rated in one large survey as more annoying than all other noises put together, can be reduced with the improved mufflers now available for all vehicles including trucks and motorcycles. New materials have been developed to make quieter road surfaces, and there are even quieter tires.

The rewards of a quieter environment need more publicity. They are much commoner than most businesses and individuals realize. It is no accident that of the four main centers of noise pollution (industry, airports, traffic, and buildings), the noisy industries have made the best progress in solving their noise problems. They began to worry about noise in 1948 when a New York worker won the first damage claim for loss of hearing acquired on the job. Now that claims amount to $2 million a year, noise abatement gets serious attention.

Practical incentives exist for builders too. In New York City some new high-rise apartments are unprofitably empty because of internal noisiness. And in the suburbs sound-conditioned houses sell faster than similar houses without anti-noise features even though they cost several hundred dollars more.

Noise abatement pays in many other businesses. Studies at Colgate University showed that the average worker spends one-fifth of his energy fighting noise. When the noise level drops, output goes up and absences and employee turnover drop.

When incentives are lacking, noise control laws and regulations must take over. Julius Caesar originated the legal approach to the quieter life by banning night chariot-driving in the streets of Rome. His example is followed today by every country in northern Europe from Britain to the USSR. European noise-abatement regulations include acoustical building codes, local ordinances forbidding the use of motorcycles during sleeping hours, and even national laws forbidding transistor radios in public places.

In comparison, we have no federal noise-abatement laws, very few state laws, and nothing more helpful on the local level than ordinances against disturbing the peace. Typically, the peace can be disturbed only after 11 P.M. and then only by a noise nuisance coming from a nearby home.

The final and most important weapon against noise pollution is public pressure. For years the people who live near airports have been writing their Congressmen, signing petitions, and attending hearings by the busload to make their objections to the racket known. They sue the government for loss in real estate values and incite their public schools to sue the airports for impairing education. They have made the airport noise problem so notorious that towns unite instantly to keep proposed airports as far from their borders as possible And while airports are still very noisy, they would be much noisier if public pressure had not forced the aircraft industry to spend millions of dollars a year on noise-control research and the federal government to regulate flight patterns and even set up noise limits at night.

If nothing is done about noise pollution, in ten years our environment will be twice as noisy as it is today.

Do we want that?

HOUSE LOTS AND NOISY STREETS

There are several ways of mitigating the noise nuisance, says Dr. Robert B. Newman of Bolt, Beranek, and Newman, the country's leading research and consultant firm in acoustics.

Q. Will it help to plant a barrier of trees and shrubs between the house and street?

A. Not at all as far as *sound* is concerned. Of course, if your house is separated from the highway by 500 to 1000 feet of thick deciduous woods, you will get more traffic noise in the winter when the leaves are gone, but this isn't a typical city or suburban situation. A barrier to keep out sound must be bulky and solid like an earth embankment or even a tall apartment house—trees won't do.

However, there's a lot of psychology in how we react to noise so trees, shrubs, and fences do have a function. They act as a visual barrier—out of sight, out of mind.

Q. Can an existing house be soundproofed?

A. Double windows on the street side will keep out some street noise; carpets, draperies, and acoustic tile will subdue the reverberations inside. The open layout of much modern architecture is an enemy of quiet in itself. The front rooms of a house on a noisy street should be segregated from the back with solid doors and floor-to-ceiling partitions, and then the back at least will be quiet.

It sometimes helps to provide a constant subdued background sound like a quiet fan, air-conditioner, or soft music which will mask out the annoying noises. But as with perfume, the masking technique has its limits—up to about 35 decibels which is still barely noticeable.

Q. The outdoor living area should obviously be located behind the house, away from the street. But should it be put near the house or at the far end of the lot?

A. Near the house. Sound barriers do a better job either close to the source or close to the hearer than halfway between.

It takes more distance than most people realize for sound to fade away. And when the noise comes from a constant line of moving traffic instead of a single source, it takes a greater distance for the sound to drop as much. This is one reason why people living in the country are bothered by night-time traffic on highways miles away. Another reason is that natural country sounds are too low to do any masking, say 20 decibels even when the crickets are singing.

Q. Can anything be done to mask sounds outdoors?

A. Try two or three little fountains or an artificial waterfall. The sound of running water is an ideal masking noise. It is continuous and unobstrusive, it carries no information, and it has pleasant associations for almost everyone.

SONIC BOOMS

With sonic booms the worst is yet to come. When—and if—Boeing's supersonic transports (SST's) crisscross the country, millions of Americans every day will jump with alarm, feel the house shake, and hear the windows rattle. From time to time they will watch plaster crack and fall and will sweep up shattered glass. And this is the *least* in the way of annoyance and property damage that we can expect from the SST.

Any plane flying faster than the speed of sound trails behind it the cone of noise pollution called the sonic boom. Although the bangs only last a fraction of a second, they usually come in pairs and are as loud as a medium-sized explosion in the next block.

A few years ago the U.S. government decided to find out exactly how annoying they are. Every day for five months Oklahoma City was jarred with eight sonic booms a day, none of high intensity and never at night. A poll taken after the test was over showed that the bang startled, disturbed, and annoyed almost everyone living within eight miles of the center line of the boom path.

Property damage is caused by the sudden change in air pressure that accompanies the boom. Two booms a week for a few weeks from the Air Force's new twin-jet spy plane over Los Angeles drew 564 damage claims, mostly for window and plaster damage. Jury awards have been as high as $10,000 (for an Oklahoma City house which was virtually split in two by the sonic boom tests).

Protest groups like The Citizens League Against the Sonic Boom (11 Appleton St., Cambridge, Mass.) are being organized here and there but on the whole Americans take the boom nuisance more meekly than Europeans. Sweden and other countries are considering forbidding any supersonic flights over their territory. The British flooded their newspapers with angry protests. The French have been especially successfully in getting cash settlements. In 1965 the French authorities paid more than a quarter of a million dollars for boom damages and immediately tightened flight rules, even to banning all supersonic flights over metropolitan areas. Yet one year later the number of damage claims almost doubled and settlements for the single area around the base of a new supersonic bomber approached $400,000.

Today's supersonic planes are all military. The first SST's, the Anglo-French Concorde and the Russian TU-144, are expected to begin delivering cargoes as well as booms in 1971. The Boeing 2707 is scheduled for a few years later. A law of physics says, the bigger the plane, the bigger the boom. The Boeing SST will be longer and wider than a football field and by far the largest supersonic plane in existence. Even when it is flying at 65,000 feet it will produce on the ground a boom covering a belt twice as wide and almost twice as intense as the Oklahoma City booms.

But until the Boeing monster comes along, the place to write for damage claim forms is the U.S. Air Force.

"It's not enough to win yesterday's battles. There are new forces at work we must be ready to contend with. The sonic boom, in my judgment, is one of the most serious ones . . . you cannot make out a case against the sonic boom by damage to the frail historic places nor, probably damage to wildlife. But you can make out a case in terms of damage to man's habitat . . ."—Stewart L. Udall.

Other pertinent material follows:

[From the New York Times Magazine, Jan. 14, 1968]

THE JET IS GETTING AWFUL

(By Robert Sherrill)

WASHINGTON.—To millions of Americans who live near major airports and are being driven frantic by the noise from jet engines, President Johnson must seem the luckiest guy in the world. No planes, propeller or jet, are permitted to fly over *his* home, and when the boistrous world or air transportation intrudes on his private or political life, he can silence the intruder with a command—as he did recently during Carl Sandburg services at the Lincoln Memorial. The commercial airliners landing and taking off from National Airport were interfering with outdoor eulogies and Johnson, not wanting his own speech interrupted, told a Secret Service man to call the airport tower and have the planes temporarily rerouted. They were.

The ordinary jet-noise victim, however, cannot command relief. He can only complain or sue, and neither does him much good. At last count, there were $200-million in lawsuits pending in courts around the country initiated mainly by citizens who felt that aviation noises had destroyed the value of their homes—and sometimes so thoroughly as to constitute actual confiscation of property. In the past, few of these suits have been successful; aviation noise has reigned as one of the era's most privileged nuisances.

This victimization of the public has been very democratic, touching alike all economic classes, from the wealthy homeowners of Playa del Rey, near Los Angeles' International Airport, and the elite of Georgetown, in the path of jets from Washington's National Airport, to the residents of walk-up flats in South Queens.

Congressmen from districts that include major urban airports have files containing many thousands of letters, accumulated over the years, begging for Federal help in muting the engines that make normal life an impossibility. The letters have piled up in a huge snowdrift of despair.

Scoop out a few from the La Guardia and Kennedy airport areas: A Flushing physician complaints that "it is sometimes impossible to have a conversation with patients and even less possible to listen to a heart or take the blood pressure of patients." A Flushing music-lover claims he "cannot listen to a complete symphony without 10 to 15 interruptions." A Whitestone father says he cannot talk with his family at the dinner table "without being interrupted every three or four minutes while the parade of jets goes by overhead." A pupil of No. 3 School in Cedarhurst complains: "We cannot hear the teacher's questions and she cannot hear the class' answers. Every two minutes a plane passes over our school." A Rosedale housewife calls the situation "unbearable . . . there are no hours when this horrible shrieking noise is not overhead . . . my baby cries constantly from the noise." A Floral Park mother, finding conversation impossible, spends two hours counting 76 planes passing overhead.

Congressmen Benjamin Rosenthal and Herbert Tenzer, whose constituents are battered around-the-clock by La Guardia and Kennedy traffic noises, warn that the prevailing mood is not merely one of unhappiness but of desperation, and some of the letters support this. From an East Rockaway housewife: "My nerves have me at the point of a nervous breakdown from the constant noise of the planes passing over my house. I don't know how much more I can stand." A letter signed by Bernard Landers, president of the Woodmere Park Association, and 100 neighbors: "Right now the noise is so bad in some areas that not only the comfort, but also the health and well-being of families are being affected. Many people cannot sleep later than 5:30 in the morning when a continuous volume of noise begins."

Consider the life of Martin Kaplan, 35, a former Air Force and airline pilot whose home in Inwood, L.I., is about half a mile from the northwest runway at Kennedy Airport. Kaplan, who had earlier appealed to Congressman Tenzer, gave me a follow-up report by telephone. He sounded keyed up, as if he were relaying observations from a front-line battle. I almost expected to hear the thumping of mortars in the background.

"They're using the runway tonight! Wish you were here! Ho, man, I wish you could feel the walls. When they take off, it's like they were shooting at us. It's like they were firing guns at us. I really mean it. Everything vibrates. It's vibrating right now. There are cracks in the walls. The beams are giving way in the basement. The floor slants. I'm constantly repairing and plastering the place. If you were here, you could smell the fuel. They've been using the northeast runway for two weeks, and that means we're catching it."

Kaplan admits he isn't *sure* the house is cracking up as a result of the jet-induced vibrations, "but this house is 15 years old and that seems a bit old to be settling from natural causes. It's ridiculous already." Worse, Kaplan believes that he and his family, like the house, are beginning to give under the strain. "I honestly think it's getting to us." When the wind is wrong, the stench from the jet fuel washes over the house and makes his 11-year-old asthmatic son sick. His 8-year-old daughter wakes up with troubled accounts of how the wall by her bed shook all night. Kaplan feels cornered. He may sue. "Either the New York Port Authority moves the airport," he said, "or it moves me."

What is happening in New York is also, of course, happening wherever traffic concentrates. For example, the neighbors of O'Hare Airport in Chicago—it is the busiest field in the world; a jet lands or takes off on the average of every 40 seconds—must put up with what their Congressman, Roman C. Pucinski, recently described as "the unrelenting, unremitting, intolerable boom and whine of tidal waves of sound." Similar Miltonic descriptions of misery are even being heard from such places as Minneapolis that used to be considered way stations.

For more than 15 years, Federal officials have been aware that these things would happen as a result of the urban build-up around airports. If they had not known it before, they received a warning in the Doolittle report, "The Airport and Its Neighbors," which was issued in the last year of the Truman Administration, before the jet age had really begun. But only now is the Federal Government making any measurable effort to coordinate its own regulatory bodies (the Department of Transportation, the Federal Aviation Agency and the Civil Aeronautics Board) with state and local authorities, and with the aircraft-manufacturing and operating industries, to bring relief before the public rebels.

Even now the Government's commitment is questioned by some critics, who point to the fact that the only important legislation pushed by the Administration (and passed by this Congress) pertaining to air transportation was an appropriation of $150-million to begin development of the nation's first commercial supersonic transport (SST), which will generously *increase* the noise.

If the SST is permitted to fly overland instead of being restricted to ocean travel—and Maj. Gen. Jewell C. Maxwell (U.S.A.F.), head of the SST program, says that overland supersonic travel is "inevitable"—the plane will drag along a 50-mile wide sonic boom, coast to coast, which could reach the ears of 20-million Americans.

It is a possibility that chills even some of the men normally most loyal to President Johnson's programs. Interior Secretary Stewart Udall, concerned about the effects of the sonic boom on wildlife and on geological formations and ancient Indian structures that can be destroyed by the boom's shockwaves, recently acted independently of the Administration to seek the advice of half a dozen scientists on the question of possible damage from the SST. Among White House intimates, however, he is a lonely dissenter. The birth of the SST and its potential monster boom was the Administration's contribution to the noise problem for 1967.

But this year, White House lobbyists have assured some Congressmen, they are going to give top priority to legislation attacking jet noise. They say that if they can just pass a bill giving Department of Transportation Secretary Alan Boyd authority to set noise standards for the industry, he will start setting standards all over the place and that will help a lot.

It sounds good, but it might as well be acknowledged by everyone involved that the victims of airborne chaos cannot look for any relief within a decade. The delay in dealing with the problem has guaranteed that, short of moving the major airports or moving most of the people away from them—neither of which seems likely—the situation will become much worse, if not intolerable, before it gets better.

Air travel is expected to triple in volume by 1975, which means that the noise it creates will also triple. At the same time there will be few pro-public counterforces. The momentum of special interests will continue for much of this period. Aircraft industry spokesmen, most of whom concede that noise is their No. 1 problem, admit that the immediate future is barren of solutions; so do officials of the Department of Transportation. Here are the major traditions and influences working against a quicker solution:

Confusion of regulation by whom of what. Some Congressmen want to give the job of regulating aircraft noise to the Surgeon General and to the Department of Housing and Urban Development on the grounds that they are primarily concerned with people and homes, whereas the Department of Transportation—which the Administration wants to have regulatory authority—is primarily interested in aviaton industry. Inasmuch as Secretary Boyd is on record, as of 1962, in opposition to the idea of Government control of aircraft noise—"the Government ought not to involve itself in matters which are primarily the business of business"—these Congressmen have a good argument, but at this stage the jurisdictional dispute is just a bit sad because technical difficulties as well as the economics of the industry are expected to block the introduction of a quieter engine for at least seven or eight years.

The National Aeronautics and Space Agency (which is doing, or supervising, most of the impressive noise research these days) has contracted with Pratt & Whitney, manufacturers of the engine of the upcoming 747 jumbo jet, to turn out a blueprint for a "quiet engine" within the next few months. After that, the industry will spend the next five or six years building the prototype engine at an estimated cost of $200-million.

But even then (and now we are speaking of 1973 nor beyond), there is no assurance that the prototype will in fact be suitable for commercial use. It is not intended to be more than a demonstrator. If a commercial engine is adapted from it, the airlines may not want to use it for a few years anyway becuse they may still be paying for their current fleet and may not be in a financial position to switch to another engine just because it is quieter.

If all goes well, this prototype engine will be 20 decibels quieter than anything flying today. A decibel is an arbitrary unit of sound measurement (10 decibels for breathing, 70 for heavy traffic, etc.) and the best way to suggest what the 20-decibel reduction will mean is to point out that most big jets taking off today are recorded at 120 decibels and up—about the same loudness as a machine gun at close range. A 20-decibel drop would be very noticeable and doubtless very welcome, but it would still leave the jets of the future making more noise than is considered the maximum tolerable level. Community complaints, which can be expected to begin at 90 decibels, usually boils over at about 105 decibels.

And when the aircraft industrialists talk of a 20-decibel drop, they talk of their ideal. Dropping back to reality, the major manufacturers recently sent Gen. William F. McKee, F.A.A. administrator, a private memorandum saying that after much soul-searching they had concluded that a six-to-eight decibel drop is all that they can promise, sometime in the nineteen-seventies. So that's that: a commercial "quiet engine" which, in fact, is still a noisy engine is 7 or 8 to 10 years away, and it will be absorbed into the commercial fleet thereafter very gradually.

With these technical obstacles ahead, it is not clear why Secretary Boyd is pressing for immediate jurisdiction. It will be many months before even the most general standards are ready. Some observers fear that Boyd's legislation can only result in shifting the risk of damage suits from industry onto the Federal Government. If that were the effect of the legislation, it might cause the aircraft industry, which now is conscientiously spending millions of dollars seeking a quiet answer, to ease back in its research. As a Senator told Evert B. Clark of The New York Times recently: "If the Department of Transportation would come up here and say, 'We've got to have this new power because Lockheed or American Airlines or so-and-so isn't doing its part,' then we might do something. But there is no point in passing a bill and conning people into thinking we've solved their problems when we know we really haven't."

Some officials think noise protestors are a little odd. Secretary Boyd suspects the mental and nervous balance of people who hate airplane noises. Five years ago, when he was chairman of the C.A.B., Boyd testified at a Congressional hearing on the noise problem that the Government should get the advice of psychologists on how to deal with the protests, which, he said, could probably be traced back to the "anxiety phychosis that seems to dwell over a great many people nowadays." He called for "more tolerance of noise." In a recent interview with a reporter from Science magazine, Boyd said that most of the opposition to the SST's inevitable supersonic boom comes from the "periphery," a statement which the reporter interpreted as Boyd's "euphemism for 'nuts.'" Boyd did not ask the magazine for a correction.

More recently he has given further indication that he thinks the anti-noise forces are composed largely of fanatics who would like to go back to the horse and buggy. In a November appearance before a House committee, Boyd's opening plea was for the committee to disregard those who would "eliminate aircraft in the United States" simply because planes are noisy—a radical suggestion that, in fact, nobody had made.

Boyd is not alone in this fear. General Maxwell told me that the opponents of the supersonic boom give him the impression that they are "little old ladies in tennis shoes who don't think we should travel 1,800 miles an hour when God clearly intended we shouldn't fly faster than 600 miles an hour."

A variation of this attitude finds the bureaucrats convinced that the public can be brought back to normalcy through repeated exposure to aircraft noise. "I think it is fair to say that as one lives with noise one tends to develop a greater tolerance of it," said Boyd, in a statement that has been repeated, in one form or another, by every important official of the Department of Transportation.

It is, somehow, a myth that has survived scientific studies showing the contrary. Dr. Karl D. Kryter of Stanford University, in an often-cited study, showed that the more exposure to noisy flights a community is subjected to the feebler its tolerance becomes. With one aircraft blast per day, the community will put up with a rating of 115 decibles. But with 128 flights a day, the tolerance level drops to 94 decibels. (And where does that put the neighbors of Kennedy Airport, who contend with about 700 jet flights a day during the peak tourist season?)

A recent experiment at Edwards Air Force Base in California demonstrated that one-third of the people who have worked to the constant accompaniment of airplane noise for several years still find the sonic boom "intolerable." The most famous tests—tests intended to prepare the way for public acceptance of the SST's boom—were conducted in Oklahoma City in 1964, when the area was bombarded with up to eight sonic booms a day over a six-month period. The F.A.A. had been shrewd in choosing Oklahoma City for this test, inasmuch as a third of the city's residents depend for their living on some phase of aviation. Nevertheless, even if Oklahoma City is a hospitable place for aviation, after six months of booming 27 per cent of the people said they could not stand to think of living with the noise indefinitely.

Experience helped very little; only one in five who started out being annoyed with the boom had adjusted in some degree to it by the end of the tests. Most of the population said the noise was more detestable at the end of the test than at the beginning.

A second variation of the crackpot theme holds that the trouble is all in the public's imagination. This theme is especially common among F.A.A. . . . to property damage from sonic booms and noise vibrations. The test homes in Oklahoma City that were exposed to the sonic boom developed hundreds of cracks. General Maxwell has an explanation: "I think it is an interesting fact that irritation brings with it an idea that somebody is doing damage." He laid most of the blame to green lumber and imagination, although he admitted there might be some exceptions. (One resident successfully charged that the booms split his home in two and won a $10,000 damage suit.)

Like Boyd, General Maxwell sees the answer as a fundamental choice between accepting noise or doing away with airplanes altogether, with nothing in between. "If you don't like supersonic airplanes," he said, "you can go back to the good old days and get a horse. You're either going to have to accept the boom, or . . . well, I don't see any probability—I don't want to say anything isn't possible, but right now I don't see anything coming down that is going to rid the airplane of it. Anyway, I've never tried to convince people that the boom is going to be acceptable, and I don't now."

Officials at all levels are oriented to payrolls and profits rather than to public comfort. Local zoning officials continue to permit realtors to build right up to the landing strips, rather than insisting on an empty buffer zone or a commercial-only zone around the airport. More high-density, high-rise apartments are already on the drawing board for the Kennedy Airport area. At Dulles Airport, the semi-ghost facilities serving Washington, Federal officials tried to get country officials to keep the houses away but they were turned down.

People sometimes seem to have a mysterious moth/flame attraction to noise centers. In the early days of railroads, towns were strung out along the tracks as it everyone were trying to get his share of the soot and rattle. But Federal housing officials are convinced that for the most part people buy houses near airports either out of ignorance—"not realizing that within five years the noise will be driving them crazy," as one H.U.D. official put it—or as victims of real-estate hucksters who show them the houses during the hours of least traffic and when the wind is blowing favorably.

When Federal officials attempt to exert some corrective pressures, they are often stymied. A perfect example of this was the directive issued by the Federal Housing Administration to withhold F.H.A. financing of new homes within a certain proximity of the New Orleans International Airport. Representative Hale Boggs of Louisiana, testifying at a Congressional hearing recently, *boasted* of getting that directive reversed, although he went on at once to complain that the homeowners who had built near the airport with his help were now finding life "intolerable" because of the noise.

In a recent letter to Washington officials, Alfred N. Warwick, chairman of the aviation committee of the Queens Borough Chamber of Commerce, recalled proudly how in the nineteen-thirties the Chamber had "selected the actual sites for what are today's Kennedy International and La Guardia airports. Our business vision has been more than justified." He ticked off the resulting thousands of jobs and millions in payroll dollars and hailed the two ports as "without question, Queens' biggest single industry . . . good for borough, city and state." Only as a kind of second thought did he mention that passage of some noise-abatement legislation might be a good idea for the people who want to live, rather than only work, in Queens.

The embodiment of this philosophy at the national level is Secretary Boyd, who holds that economics and noise "are completely interrelated." He has always taken the position that the best way to "cause people to look at the discomfort of the airport in a somewhat different light" is to remind them of how many jobs air transportation creates and how unpleasant it is to be out of work. Still very much a favorite saying around the F.A.A. is an old slogan of the agency's former administrator, Najeeb Halaby: "What is one man's annoyance is another man's livelihood."

The C.A.B., which certifies airlines for operation, makes its judgments on the premise that the amount of noise and soot and other nuisances created by airplanes is none of its business. If an airline gives good service, that's all the C.A.B. cares about. To it, air transportation is a matter of efficiently launched ledgers and the public is made up only of paying passengers—not of people who sleep, watch TV, sit in their backyards and converse or participate in a variety of other activities that require some quiet.

Congressman Rosenthal once protested that if the Government could build a national aquarium "so that fish could have a quiet place to spawn, I think that for the perpetuation of the race as I know it, at least in my district, my constituents are entitled to the same thing as the fish."

C.A.B. officials would probably sympathize, but when they certify an airline on the basis of "public convenience and necessity," they are thinking strictly in terms of getting people from one place to another safely, on time and for the industry's profit.

The same bookkeeping philosophy brought the SST program into being, but even more so. SST promoters seldom talk of the convenience of faster trips; they talk about the SST's providing the aircraft industry with 50,000 jobs and sales of between $20-billion and $48-billion; they talk of the threat of losing the jetliner market to the French-British supersonic plane, the Concorde, which is expected to be in production by 1971, and they speak of the dangerous outflow of gold if the Concorde and other European-built supersonic jetliners are left without competition.

The SST is strictly a money proposition. The comfort of the public at large has nothing to do with it. The spirit of the SST era was captured in a recent Minnesota Law Review article: "If the national interest in acquiring a cross-continental SST fleet cannot be sacrificed to the interests of a more quiet society, cost balancing not unlike that underlying the general airport noise problem seems in order." Translated, this means: go ahead and break the crockery and let the people sue.

The future, however, is not altogether hopeless for the advocate of moderate quiet. In fact, there is one positive influence that is developing along such healthy lines that it may eventually balance these negative influences. It deserves a title, so let us call it:

The New Environmental Putsch. Two months ago in Anaheim, Calif., M. Cecil Mackey, Assistant Secretary of Transportation for Policy Development, warned a group of aerospace engineers that if something isn't done to make jet noise acceptable, "people will just say, 'Sorry, we don't want airplanes around anymore, we don't want to travel that way.'" That is a far-fetched threat, but Mackey's speech was considered something of a landmark simply because he was the first important official who seemed to be aware of the bitter rebelliousness developing in airport communities.

Just as revolutionary for a bureaucrat was his admission that the airlines and the airport operators and the aircraft manufacturers can no longer be treated as a privileged industry, as they were in the beginning, but must from now on be considered as just another part of the environment and subject to the total environmental goals of the community.

"As a nation we have changed our standards," he said. "We are no longer satisfied to have additional airports, new aircraft, more freeways, modern buildings or new industries. We must have them on *acceptable terms*—even if this means greater costs. And if they are not available on acceptable terms, they may be rejected altogether."

It is doubtful that Mackey spoke for his department as a whole. The idea that air transportation can only be measured by its community impact and can only be considered in its social context, and that the solution to its problems will be political as much as economic and technical—this doesn't sound much like the kind of traditional thought one finds in the F.A.A. and the C.A.B., whose umbilical cords stretch back unfrayed into the good old days when Government regulatory bodies were tied altogether to the market place.

However, the cord-cutting precedents have been established, one of the most famous being the Second Circuit Court of Appeals' ruling that the Federal Power Commission should not have licensed Consolidated Edison of New York to build the Storm King Mountain plant on the Hudson River without considering the total environmental impact of the plant—not just engineering and profiteering questions but also such things as esthetics and the tranquillity of the community.

The courts are beginning to demand that regulatory agencies view the public as more than consumers, and one of these days, probably soon, the same kind of demand is going to be made of the F.A.A. and the C.A.B. There are several organized efforts to hurry that day along. One of the most militant groups is trying to cancel jet operations out of Washington's National Airport. Headed by Frank C. Waldrop, formerly executive editor of the now defunct Washington Times-Herald, the movement includes many Washington notables, such as Justice and Mrs. William O. Douglas, Mr. and Mrs. Dean Acheson and the wives of several Senators. Not only are they outraged by jet noises, they are also (like airport neighbors everywhere) angry about the pollution from jet traffic.

F.A.A. officials protest that the jets are not great polluters. One of the big jets like the Boeing 727 uses 450 pounds of fuel (kerosene) a minute, they say, and only four-tenths of 1 per cent of this comes out in smoke, soot and other debris. It take a jet about two minutes to clear the area. This means that the plane will deposit only about two pounds of fuel cast-offs on the city. F.A.A. officials insist that this is a negligible amount; but those who live under it contend that it adds up to several thousand pounds of filth each year.

Waldrop, a highly efficient organizer of the militants, feels that the noise and soot have tightened his army's ranks to the point where they are ready to break through the C.A.B.'s defenses.

"Eddie Rickenbacker told the National Press Club recently that 'the public will just have to get used to aircraft noise'," said Waldrop, smiling grimly. "Well, we will not accept it. The mice are rebeling. We're the mice and we intend to be heard. Heretofore, the C.A.B. has dismissed individual protestors as crackpots. Maybe we are crackpots. But crackpots as a *class* deserve to be heard.

"The C.A.B. has so far said they don't have to hear our story, but they only said it by a three to two vote. They're shaking in their boots. If they tell us, 'You have a case but we don't give a damn,' then we'll go down the street to the courts and sue everybody all over the place for damages—including the C.A.B. They have ignored the public as long as they are going to."

Waldrop's assault on the C.A.B.—and on the courts, if it comes to that—will follow a new route that others also are considering: the qualitative route, Heretofore, aviation has had to adhere mostly to quantitative measures: speed, safety, efficiency. But the elusive index of community impact has not been measured, nor even much considered. As Dr. Patrick J. Doyle, not only one of Waldrop's supporters but also chairman of the Community Medicine and International Health Department at the Georgetown School of Medicine, put it recently: "No matter what euphemisms are offered, this is a real physiological and psychological hazard not measurable by noise machines or computers."

It is a fuzzy area, poorly explored, but the C.A.B. is going to be dragged into it one of these days. "The technological age," says

Waldrop, "has run smack dab into the esthetic and psychological age."

If airline and airport and Government officials can limit the growing rebellion to legal action, they will be lucky. When Waldrop complains that his opponents "don't understand anything less than a punch in the nose," he is not speaking literally, but it is still a good measure of the kind of emotions that the noise problem has aroused.

Assistant Secretary Mackey believes that "the methods of protest that are becoming rather widespread in areas like civil rights are equally likely to be used in environmental disputes." Already it is being tried. Some groups have blocked access to airports with their autos; some mothers have tried to wheel their baby carriages onto the landing strips; there has been considerable picketing; here and there an irate citizen has actually taken a potshot at a passing plane. Tempers are short.

Increasingly, airport neighbors would agree with Congressman Pucinski that "a lot of the vested interests, a lot of the special interests who have been trying to skirt around this problem are going to face up to the fact that progress does not mean virtually destroying the lives of some 30-million Americans."

But as a matter of fact, laying all the blame on special interests is the very way to delay progress. The reciprocating machinery of capitalism is propelled by the aggression of special interests balanced by the restraint of government. Aviation's special interests have become overbearing only because Pucinski and his political colleagues at all levels of government haven't done their restraining job. If the politicians are ignorant of how to proceed, it is only because they have not listened to their hirelings.

At least eight agencies and an interagency task force have experts working on the problem, and these are some of their better suggestions for making the airplane a more civilized disturbance.

(1) Manufacturers should be induced (subsidized or bought off) to reverse their present emphasis on engine development. Now they design their engines first and try to silence them after; they should design quieter engines first and then modify them upward in power.

(2) If the quieter engines cannot lift as many passengers per load, fares should be increased to make up the difference. If this chases some travelers back to the rails, thus encouraging the development of faster surface transportation, all the better. If it calls for more Government subsidization of aviation, this will scarcely embarrass the industry, which is perhaps already the most subsidized industry we have.

(3) Future airports should be laid out as nearly as possible to imitate the generosity of the one being prepared for Fort Worth and Dallas. It spreads over 18,000 acres (nearly twice the acreage of the second largest field, Washington's Dulles), and this may even be enough to hold back rapacious real-estate developers.

(4) Wherever possible, neighboring homeowners should be bought out along the paths of maximum noise. Los Angeles, often cited as a model on this point, floated a $20-million bond issue, of which some will be used to buy private property bordering the take-off route. (But as 80 per cent of the complaints come from landing noises, this is a limited relief. Around New York City's airports, where hundreds of miles of premium real estate are involved, the cost of buying would be impressive, indeed.)

(5) Airports established in distant suburbs, like Dulles or Baltimore's Friendship (30 miles from Washington), should be made more attractive by servicing them with really high-speed and cheap transportation.

(6) Within earshot of every major airport in the country are dozens of schools and several hospitals; there are 40 schools within noise distance of the Los Angeles airport alone. By 1975, at least 460 cities will be getting jet service. Schools and hospitals built-in these cities in the future should be insulated against noise; the materials have been available for years.

In proposing all these things, the experts are quite correct. The only trouble is, with Government planners the good ideas are almost always canceled out by timidity and by niggardliness. Dorn McGrath, director of metropolitan area analysis for H.U.D., after estimating that $240-million would be needed to insulate the homes most plagued by noise around Kennedy, O'Hare and Los Angeles International airports, said that one should not expect Congress to pick up such a bill.

In saying so, he exposes the operative psyche of Washington's legislators, who are expected eventually to appropriate up to $3-billion to develop the supernoise of the SST but are not interested in spending 1/12th that amount to insulate homes against jet bedlam.

McGrath's pessimistic appraisal is probably justified, just as is Mackey's warning that "the Federal Government *cannot* be looked upon as the principal source of capital" to pay for aircraft reform. The reason is simple: Congress just doesn't care enough. Perhaps 50 to 60 Congressmen are really worked up over the problem, but no more than that. The results are exactly what one would expect.

More than two years ago, the brand-new Housing and Urban Development Department was statutorily ordered to "undertake a study to determine feasible methods of reducing the economic loss and hardship" suffered by people who live near airports. The study was to include "feasible methods of insulating such homes from the noise of aircraft" and it was supposed to be completed within one year. It still isn't complete. In fact, it has hardly been started. Congress refused to supply the money for the job.

The default was symptomatic of why the noise problem will continue for a while. There is nothing metaphysical about it. It is just a matter of buying land, of developing quieter engines, of paying the airlines to use them, of soundproofing homes and schools and hospitals, of *not* filling in more Jamaica Bays to please real-estate operators, of *not* subsidizing the development of noisier SST's.

It all comes down to a matter of budgetary priorities and esthetics—the very things, unfortunately, that politicians understand least and that an exasperated public will probably have to teach them.

BOOM

The phenomenon known as "sonic boom," the thunderlike clap that hovers over the future of the supersonic airline like a thundercloud, is caused by aerial shock waves.

All aircraft, as they push through the sky, compress the air ahead of them, causing a pressure disturbance. The pressure rises as a plane's speed increases; but at subsonic levels, since the pressure disturbance travels with the speed of sound, it can move out from the aircraft in all directions and be dissipated without affecting those on the ground.

But when the plane exceeds the speed of sound, the pressure field is forced out behind the aircraft where it assumes the shape of two cones—one extending back from the nose, the other from the tail. The pressure field is thus contracted, and the pressure radiates out in high-intensity shock waves. When the bottom edges of the cones reach the earth, their waves are received by the ear as an explosive sound—usually single, sometimes double.

As long as the aircraft exceeds the speed of sound, it continuously sends forth waves of "boom" intensity. Any one person on the ground experiences only the one boom from a plane passing overhead at supersonic speed, but he has the dubious satisfaction of knowing that all those in the shock cones' path will share the experience.

THE NOISE RECEIVER: THE CITIZEN*

(By Robert Alex Baron, M.A., executive vice president, Citizens for a Quieter City, Inc., New York, N.Y.)

You will find little humor in my dissertation. Not that I take myself all that seriously, but a sense of humor is one of the casualties of noise assault. I sometimes wonder if I am more of a masochist to passively experience the noise or to fight it.

When I was invited to present this paper, I was referred to as "the other side." This gave me pause. I hate noise. Does this mean you like it? Of course not. You and I and our families are all on the same side as far as noise is concerned.

The acoustician describes the noise problem as a chain of events. It starts with the noise source, in the middle is the transmission path, and low man on the totem pole is the citizen receiver of noise. Punch-drunk from taking all the unmuffled noise sources thrown at him, the citizen receiver must and is organizing to defend himself. He could use your help—for model codes—for designing less noisy machines.

The old bromide of "you'll adjust" won't do. The citizen receiver, like a wornout rubber band, is finding it difficult to continue to adjust to the noise. Maybe his ancestors did a better job of adjusting to Caesar's chariots than he does of adjusting to today's buses, trucks, and jets. But today's dawn-to-dawn noises are too much. They are not yesterday's, either in energy content, spectrum distribution duration, stimulus frequency, or any other noise characteristic. Air pollution at least is killing us silently; noise makes each day a torment.

The majority of human noise receivers live in congested cities, noisily bursting from their seams. Our population, now 200 million, has doubled since 1914. By the year 2000 it will exceed 300 million. Eighty percent will live in cities. Few will escape the noise explosion. Not the suburbanite, already receiving motor vehicle noise radiating from the new nationwide network of throughways not to mention a variety of noises from jets, motorboats, drag strips and a hundred other sources. Not the rural community, recoiling from this same barrage of noise plus that of agricultural machinery. The sonic boom will be a great leavener. City, suburban and rural man will all be receivers from the same source. As each attends his house of worship he can answer for himself whether five or six or what have you sonic booms per sermon constitute an annoyance. What will be the NC for churches in sonic boom land–35–45–50, or will it depend upon the sermon? Those of you involved in setting the criteria are invited to install your families in SST flight paths and let them serve as your jury.

The urban noise receiver's day can start at 7 A.M. Jackhammer reveille. Garbage truck reveille. Jackhammers and portable air compressors are permitted to be as noisy today as they were forty or more years ago.

The urban noise receiver is forced to remain tuned in to excessively noisy kitchen blenders, exhaust fans over range hoods, dishwashers, garbage disposal units, and vacuum cleaners. En route to work, the urban man endures 90 or more decibels, whether he travels by subway, by bus, or by automobile with window open.

At work—and I am sure many of you know what factory noise is like—he may be assaulted by high-level ear damaging noise from automated clerical and computing equipment, equipment perhaps like that in the check tabulating room of a large New York bank, equipment so noisy the bank is now hiring the deaf to reduce employee turnover.

---

*Presented at the Community Noise State of the Art Seminar held at the Seventy-Fourth Meeting of the Acoustical Society of America, November 14–17, 1967, Miami Beach, Florida.

The city noise receiver in his office suffers speech interference from helicopters, sirens, and soon VTOL's and hovercraft. Lunch hour, in some restaurants, is a nerve wracking cacophony of dish clatter and loud voices. After work another dose of transit noise. At home he is bombarded by noise from within his dwelling and from without. He is forced to listen not only to his family's and his neighbor's TV sets but to the details of his neighbor's personal life as well as to the air conditioners in his own quarters. Any time during the night his sleep may be disturbed by many noise sources: buses, trucks, motorcycles, fire engine sirens, police car sirens, ambulance sirens, autohorns, barking dogs, planes—and his neighbor's air conditioners.

There is no escape during leisure time, in the city or in the country. Street noises prevent his sleeping late on Saturday and Sunday. The jets may follow him to the beaches, power lawnmowers may follow him to his country retreat. Motorboats, highway traffic and jet flyovers can make ear pollution as distressing at campsites as anywhere else. Where can he go for quiet, undisturbed relaxation? Resort hotels and motels that may not be sound-proofed? Even patients in hospitals are exposed to noise which interferes with their rest and sleep, so necessary for healing and convalescence.

How do we abate traffic noise? We don't.

How do we abate 100 decibel construction noise? We don't.

How do we control noise within dwellings? We don't.

This neglect of urban man's acoustic environment is of long duration. In 1930 the New York City Health Department tabulated a list of 11,000 complaints. At the top was traffic noise. Next was transportation: elevateds, subways. Then came garbage collection, emergency vehicle signals and construction noise. Today, some thirty-seven years later, all of these noise sources are still at the top of the list of complaints. I would hazard the opinion that a noise survey five years from now would show little change, except we could add complaints from helicopters, VTOL's, hovercraft, the SST, and air conditioners.

Is it any wonder that it takes the urban receiver of noise by surprise to learn that there is a science and technology of noise control?

Yet there is an acoustical science and technology. It provided the Army with an inaudible motor for front-line use, the Navy with silently-operating submarines, and the Air Force with a silent plane, and the space agency with sound-absorbent launch pads for ICBM's. I am told billions are spent on underwater acoustics. Sometimes the earthbound receiver of noise wonders if man doesn't know more about the noise environment of the fish receiver of noise than he does about his own.

It is more than a century since the Industrial Revolution, yet millions of factory workers receivers of noise grow deaf while waiting for the application of noise control or a hearing conservation program that includes noise control. This in spite of the fact that hearing conservation is the consuming interest of some acoustical experts. A study of hearing conservation programs recently reported in the Journal of the American Industrial Hygiene Association revealed that only a small percentage, 16%, of the aerospace industries that replied to a questionnaire reported hearing conservation programs. This study also revealed a lack of uniform techniques for conducting such programs. Mind you, we are not talking about the ancient weaving mills, but the modern aerospace industry.

If even industry, which has had the benefit of years of acoustical attention is virtually without effective noise control standards, it is not surprising there is acoustic anarchy in the everyday environment.

The unavoidable fact is that basic guidelines are lacking. Action is frustrated by a plethora of measurement techniques, none of which has won universal acceptance. Instead of noise suppression we find an alphabet soup of decibels: A,B,C, Perceived Noise, Effective Perceived Noise, SIL, NC, NCa, NNI, etc., etc.

One of the standard jokes among acousticians, I am given to understand, is that there is an inverse ratio of noise suppression to noise measurement. The story goes that nit-picking measurement is necessary because noise suppression, especially in the field of jet engines, is so minimal as almost to defy detection with existing techniques.

To the poor uneducated citizen, how do you explain the inability to curb the noise of a fractional horsepower vacuum cleaner or air conditioner, but the 300 HP explosive-type engine of a Cadillac or Rolls Royce can be made so quiet you can hear that clock tick?

Does it make sense to worry about fractional decibels when the receiver is experiencing community noise in the 100 decibel range?

In concentrating so hard on measurement, are we making the mistake that the Mayan civilization made? As reported by Dr. Albert Carewe in the October 1967 issue of Physics Today, "the Mayan civilization . . . concentrated to such an extent on measuring the length of the year to incredible precision but failed to consider the needs of their own society, even to the extent of inventing the wheel." The Mayan civilization destroyed itself.

Why do we have to have such precise standards? Almost every community has an ordinance that prohibits disturbance by barking dogs. These ordinances do not specify the size of the dog, or the decibel level of the bark. It is accepted that barking disturbs sleep, and sleep must be protected. Yet when it comes to jet planes or trucks or air conditioners, all of which can and do disturb sleep, we are asked to wait for the perfect measurement—or accept standards that do not abate the noise source.

To illustrate. Air conditioner noise is a growing problem. Here on this program the Air Conditioning and Refrigeration Institute is promoting a "model" code. Here is what the editor of Air Conditioning and Refrigeration News said about this code at the Jan.-Feb. 1967 meetings of ASHRAE:

"Our industry's present recommended code suggests a 60 dbA level be permitted at the property line. In five years of actively monitoring the noise problem, I have yet to meet one person outside our industry who does not consider 60 dbA an unreasonably permissive level . . . In Cincinnati, the code authorities openly laughed at our industry's 60 dbA recommendation . . . The majority of manufacturer's don't take the problem seriously enough . . . The industry's noise code is unrealistic."

When I read this can you blame me for wondering if I shouldn't prefer the noise maker's neglect to his good intentions?

Another needed guideline is for building codes. You have heard about New York City's proposed new building code. We look into the suggested standards and it proves to be another example of the lack of effective guidelines to protect the American receiver. I quote from an analysis prepared by Martin Hirschorn for testimony before the New York City Council:

"The basis of this code is the assumption that an NC-40 criterion is acceptable to the majority of people living in city apartments; this is an incorrect assumption, and, in effect would legislate noisier apartments than we have now in this city."

Referring to the STC 45 rating proposed by this code, Mr. Hirschorn testified that this was in sharp contrast to the Russian STC 55. "The STC of 45", he testified, "is actually below the lowest standard reported in Europe." Why must the American public always have to settle for less?

Not only is the American noise receiver denied effective, practical noise control guidelines, his efforts to gain noise controls are hampered by attempts to hold him to ridicule. I quote one of the most distinguished acoustical experts writing in Scientific American:

"The noises of our daily life have been blamed variously for the high divorce rate, social conflict, indigestion and other organic disabilities, nervous breakdown, high blood pressure, heart failure, and even insanity. Most of these allegations arise from over vivid imaginations, but one cannot rule out the possibility that some people are particularly sensitive to noise just as others are allergic to nuts, eggs, or household dust." How many of you would agree?

Even if only a small minority were disturbed by noise, would we be justified in ignoring their problem? I would like to believe a civilized society such as ours is concerned with the minority. Are we not to have schools for the deaf because the deaf are a minority? Are we to be against the articificial kidney machine program because only 50,000 people have kidney disease?

Of course, the fact is that the number of people who are disturbed by noise is far greater than anyone today realizes.

Is the acoustical expert so afraid of noise control legislation that he must make the noise victim seem foolish, his needs seem unimportant?

Is it any wonder that the critizen receiver is taking measures for self-defense? He realizes if he does not act now, if he delays action, the noisy horsepower will roar out of the stable before we close the door. The hovercraft and the SST are around the corner, and we have not even begun to cope with the bus and truck.

The citizen receiver of noise, with few scientists and technologists interested in his problem, or at his disposal, with no governmental agencies capable of protecting him, with some acoustical scientists emasculating his arguments for abatement, now realizes if he is to live, work, and play in a decent acoustic environment he must accept the responsibility for his own protection from decibels, just as the pioneers of early America had to protect themselves from Indian arrows.

The noise maker can expect that every disturbing noise source will be scrutinized. If the public will find itself balked at controlling the noise, it will try to suppress the noise source. The air conditioning industry is learning about this approach to noise abatement in the cities of Coral Gables, Florida, Beverly Hills, California, and Irvington, N.Y. The FAA is hearing from the Citizens League Against the Sonic Boom.

There is no law, either natural or man-made, which says that every piece of noisy equipment somebody chooses to make must be permitted to degrade the human environment.

Where does Citizens for a Quieter City fit into this picture? We believe one reason our noise levels are so insufferable is that most of us in post-World War II America have been busy making things, to the neglect of our environment. Citizens for a Quieter City believes that education and applied research are prerequisities to intelligent action. Our purpose, therefore, is to create an awareness of the need for the control of city noise and of the means available for such control. We want to stimulate research not only on hardware and legislation, but on the effects of noise on man.

The Officers, Board of Directors and Advisory Board represent a broad spectrum of community life, including medicine, religion, business, civic affairs, public relations, advertising, ecology, law, and, of course, acoustical engineering. Unfettered by preconceptions of noise control doctrine, we can look at the noises in our environment, examine their causes, and seek practical solutions. Perhaps we have been referred to as "the other side" because we believe that the machine, like children, should be seen and not heard.

To quote our president, Jerome Nathanson, a Leader of the New York Society for Ethical Culture: "Because of a difference in attitude towards noise in the environment, some European cities and nations are a decade or two ahead of us in demanding and employing noise-reducing measures. To help change our attitude is one of our purposes."

Here is a German book of noise laws. Excessive construction noise is prohibited. Here are German standards for permitted noise levels. How was this possible in Europe, but impossible in the United States?

Our message is that noise abatement involves the active interest of the entire community of science and technology, of medicine, sociology, planning, public health. Citizens for a Quieter City especially seeks the cooperation of acoustical science and technology. This is why I am here today. To start with, help us eliminate construction noise. Agree with us that the public has been intimidated long enough by noisy jackhammers and air compressors.

Seek to encourage manufacturers to design for less noise. It is not all altruism. There is economic gain in silencing for the urban received. You may have heard about New York City's "quiet garbage truck" purchase. For a long time I had suggested that the solution to the ancient problem of garbage collection noise was to require a quieter garbage truck, to specified a quieter garbage can. We were finally able to present our concepts to receptive Commissioners of Sanitation and Purchases. Fortunately, for the necessary follow-up, there was a Mayor's Task Force on Noise Control, and serving on it a perserving acoustical consultant, Stan Potter. General Motors came up with a quieter and less air polluting truck to win a $4 million order. It cost the city only $100 additional per truck.

I hope to see the same economic advantage accrue to the company that is working on a quieter garbage can. We hope to see one in the near future.

Help us get simple, effective and practical standards for noise legislation. Help us locate and stimulate the development of silenced equipment and appliances. We would like to see the acoustical engineer have the final say-so in prouct design instead of the cost reduction engineer or the cost control accountant.

If we are to improve the human condition by controlling the Urban Age problems of environmental pollution, shouldn't the acoustical expert expand his sense of loyalty and responsibility to include the noise receiver? I am here today because our organization, and I as its representative, believes it is to your enlightened self-interest as acoustical experts, who also are violated by noise, to cooperate with and support Citizens for a Quieter City. With the right kind of dialog, you the experts, and we the receivers, can take effective action.

The human receiver of noise must not remain low-man on the totem pole. We must put our acoustical knowledge to work—for protecting model codes, or silencing in design. It should be obvious the citizen noise receiver is no longer willing to put up with the lack of control of noise which assails his ears, offens his dignity, and could injure his health. We hope the members of the Acoustical Society of America will joint with us in a cooperative effort to achieve a healthy acoustical environment.

A quieter everyday environment is possible, reasonable, and long overdue.

[From Air Transport World, March 1968]

THE AIRPORT ISSUES AND ANSWERS

(By Joseph S. Murphy)

Just when it appeared that an all-time high level of cooperation was being achieved in airline-airport relations, a seam must have broken somewhere. If not quickly amended, it could spell trouble ahead in tackling the problems that must be solved and the facilities that must be planned for the immediate years ahead.

The pullout by the Airport Operators Council International and also the American Association of Airport Executives from the National Aircraft Noise Abatement Council is a real blow. It also is a signal that airport managements, guided by the Port of New York Authority, are against land use to cushion airport neighbors against noise and from now on will preach noise kit retrofits, even if they don't exist or offer little but expensive cures if developed. The airport people are talking 15 to 20 "Perceived Noise Decibel" reduction now; airline and engine people say 5 PNdb may be in six years, but no guarantees. Somebody's right and somebody's dead wrong.

It is urgent that the top officials of the airlines and their counterparts who guide the affairs of AOCI get together and seek out the source of this breach and do something about it immediately. The job of planning and coordinating the facilities, and financing airports for the jumbo jets and SSTs, is a gigantic one even with 100% cooperative effort of airport and airline people. Without this cooperation, it could become an impossible, if not disastrous exercise.

Now is *not* the time to put political motives ahead of objectives. Airlines are nothing without good airports and good airports might as well be museums without airlines. The two go together and there's no reason in the world why the two industry segments can't work together to give the flying public what it deserves—the best facilities operating climate that their combined talents have to offer.

While meeting on this subject of airports, it might be well to add another item to the agenda. The new war of propaganda between the airlines and general aviation over airport congestion could stand some high level attention, too. Here, we urge that Secretary of Transportation Alan Boyd or FAA Administrator William McKee meet with airline, general aviation and airport people, form a task force charged with coming up with answers tailored to specific congested areas and make decisions in the public interest—not in the light of the special interests of any of the parties.

There are hopeful signs that the Department of Transportation is coming to grips with the problem. In a recent speech in Washington, D.C., M. Cecil Mackey, Asst. DOT Secretary for policy development, hit the nail on the head: "The capital requirements for air transportation," said Mackey, "must be recognized as presenting straightforward economic questions of allocation. All of us who are concerned with air transportation . . . who have the responsibility for promoting and fostering its growth and development, must do everything we can to insure that the funds which are available for aviation are used in the most efficient way possible. As with any scarce resources, airport capacity and airspace capacity must be allocated in a way which takes in account the productivity of the users in the light of our overall transportation objectives. This means that allocative techniques must be established that yield the greatest return on our investment."

Some basic decisions have to be made now to shape the system to meet the demands of tomorrow. But they must not be made to serve the special interests of any segment of aviation—airline, corporate or general aviation. They must be judged in the light of what is in the overall public interest and not just the flying public.

The present round of propaganda might well serve to stifle action by anybody to face up to the problem. It might well put off much needed action by all segments of aviation to get good answers now. It might well bring about a future situation wherein, through its own failings, the aviation industry is saddled with solutions that are intolerable for all.

[From Parade, Washington (D.C.) Post, Jan. 21, 1968]

WHAT DO YOU HEAR

(By Sid Ross and John Molleson)

VIRGINIA, MINN.—If you have worked ten years next to a pneumatic hammer, chances are you can't hear the rustle of this page. Millions of us, bombarded daily by noise, have suffered some loss of hearing. Even if you don't work next to pounding machinery, your hearing is in danger. Day in and day out, the clatter, whine, rumble and roar in homes, streets, offices and factories are wearing down the delicate hearing nerves of your inner ear. You hear less of the world's racket (which may be a form of self-defense), but you are also less able to distinguish the music of a child's laugh, the conversation of friends, or the warning honk of a horn in a rainswept street.

A NATIONAL PROBLEM

Constant exposure to "noise pollution"—a term scientists use to describe the problem of excess manmade sound—is now recognized by the U.S. Health Service as a national problem, requiring public and private action. Here in the Mesabi country, amid the not-so-silent taconite plants and iron mines, a group of sound specialists has begun a campaign to protect Americans against the effects of industrial din. Hearing Conservation, Inc., is waging what is believed to be this country's first coordinated attack on noise pollution.

Dr. Tom Summar, an otolaryngologist, heads the H.C.I. team of doctors, acoustical engineers, audiologists and psychologists whose goal is to help industry reduce noise and employees to conserve their hearing. Dr. Summar and his associates have tested the hearing of thousands of workers and gone into plants to measure noise levels and duration of harmful exposure.

When does noise begin to hurt? The subcommittee on noise of the American Academy of Ophthalmology and Otolaryngology says continued exposure to noise levels above 85 decibels—slightly greater than the noise of a busy street—can damage the inner ear. But miners, boilermakers and some heavy equipment operators, Dr. Summar says, may have to endure noise up to 115 decibels, for eight hours a day. Slaughterhouse workers are not much better of. Their plants can generate noise levels of 100 decibels, Dr. Summar says. By comparison, subway trains roar into stations at 115 decibels, and the scream of a jet engine at takeoff reaches peaks of 120 decibels or more.

Loud noise is, of course, conspicuous. We are less aware of the insidious effects of more stealthy machinery—the clatter of typewriters, hum of computers, whir of high-speed machines. Noise that doesn't seem loud may resound at wave lengths and frequencies that can abrade our hearing. Herbert H. Jones, associate chief of the Public Health Service's national noise study, says that as little as five hours' daily exposure to moderate sound levels over a period of ten years can cause hearing losses. He estimates that as many as 16 million of us are exposed to noise levels that may be hazardous to our ears—if not to our sanity.

What can be done about it? For practical reasons, Dr. Summar's immediate answer to noise pollution is protection. The quickest way to cut down the noise in a worker's ear is by earplugs or earmuffs. Later on, a plant may adopt H.C.I. recommendations for quieter assembly lines, as part of a long-range program.

In the three years since its beginning, H.C.I. has surveyed 15 plants across the country. The specialists offer industries a complete program consisting of a noise level study, recommendations for noise control, hearing checks for all workers, data and record system for continued hearing evaluations, and—perhaps most important—education of workers about the effects of noise on hearing and the importance of protection.

H.C.I. has found that in large plants where workers are continuously exposed to sound levels of from 85 to 105 decibels, about 70 percent of the employees will wear earplugs and earmuffs, if they have been told of their significance. About one-third of the men won't wear them, or will do so only sporadically, because they say the plugs hurt or are uncomfortable.

Resistance to the plugs is often strongest among older workers. Some of them say the protection is "an insult to a man's masculinity." Others find the protection interferes with the aural bond between a man and his machine which constantly lets him know how it is working.

Dr. Summar's eight-year study of 2500 miners in Minnesota showed that 98 percent who wore protection suffered no significant loss of hearing. Armed with such statistics, he has a strong argument for protection, but some workers remain unconvinced. "The only time I wear those things," said one miner, "is when I go home and listen to my wife."

ECONOMIC ARGUMENT

For management, Dr. Summar has an economic argument. He estimates that there are about 4.5 million Americans who have suffered a loss of hearing as a result of industrial noise. If only 10 percent of them were to file for compensation (the courts have lately upheld claims for hearing impairment caused by noise on the job), an average settlement of $1000 would amount to a total bill of $450 million, he says.

But the country grows noiser and some of us apparently enjoy it. Housewives want vacuum cleaners with a robust level of loudness, to be certain of their pulling power. Hotrodders demand an exhaust VROOM! second to none. TV and radio commercials increase in volume, as do the complaints about them, but the commercials are still ahead. Hi-fi delivers a purer sound, but part of the fun is making your neighbors aware of it—even across the street.

Mr. Jones foresees a time when all states will enact laws limiting noise pollution. Until now, only California, Washington and Oregon have done so, though Sen. Robert F. Kennedy has asked for changes in New York's building code to cut down noise levels in new construction, and to regulate the maximum noise generated by everything from airplanes to machinery.

"The noise situation in this country is becoming intolerable," he says. He can say that again.

CHAMBER OF COMMERCE
OF THE UNITED STATES,
Washington, D.C., October 3, 1967.

Hon. THEODORE R. KUPFERMAN,
U.S. House of Representatives,
Longworth House Office Building,
Washington, D.C.

DEAR MR. KUPFERMAN: Your remarks in the September 27th *Congressional Record* were greatly appreciated, as were your remarks at our Chamber luncheon. The comments by yourself and the other speakers were received by our corporate representatives.

In line with your remarks about our publication, "The Need: To Manage Our Environment," you will be pleased to note that our Environmental Pollution Advisory Panel will consider adding an appendix on noise pollution (similar to the appendices on air, water, and solid waste) at its January meeting.

Thank you again for your able contribution to our luncheon.

Sincerely,

JOHN J. COFFEY,
Research Associate.

GUILFORD COLLEGE,
Greensboro, N.C., November 24, 1967.

Hon. THEODORE R. KUPFERMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE KUPFERMAN: I have received the 25 additional copies of the Congressional Record you were so cooperative as to have sent to me, and also your informative letter of November 20.

Thank you so much for your keen interest. This is a serious problem which requires action, and I wish you every success in seeking establishment of an Office of Noise Control.

Next summer I expect to be back in New York, and hope to be able to drop in to visit your district office to express my personal appreciation for your services.

Kindest regards.

Sincerely,

FREDERICK W. PARKHURST, Jr.,
Associate Professor of Economics.

[From the New York Post, Mar. 13, 1968]

THE ROCK SOUND—EAR POLLUTION

GAINESVILLE, FLA.—An ear specialist, the father of a teenage daughter, has found that a rock 'n' roll band can generate a noise level close to that of a jet aircraft.

Dr. George T. Singleton, head of the division of otolaryngology at the University of Florida, tested his daughter and nine other teenagers before and after a rock 'n' roll party and discovered a measurable hearing loss in all 10.

The loss was regained, but a ringing in the ears persisted for about 18 hours. Most of the teens admitted being fatigued.

"We don't know how much sustained exposure of this type will result in a permanent hearing loss," he said in an interview. "We intend to continue our study.

FACTORY NOISE

"We do know that some individuals working in a noisy factory, say around punch presses, can lose hearing in a short time.

"Many artillerymen show hearing loss, even the two-year men. Some individuals can develop a loss in just one shot if they get too close to the gun.

Dr. Singleton and his associates found the greatest amount of rock 'n' roll noise was picked up in front of the band, as might be expected.

"The significance here is that most of the swingers like to spend most of the evening at the bandstand," he pointed out.

LOWER AT CENTER

From a peak of 120 decibels at the bandstand, the noise level dropped to only 106 decibels at the center of the dance floor. It remained high because the sounds reverberated off the drapes surrounding the dance floor. Amplifiers also serve to boom out the sound to distant points.

As a professional and a father, Singleton hopes to determine what noise level will still be pleasurable but not harmful for rock fans.

"We think that 90 decibels is a safe level," he said, "and even peaks somewhat above that may not be harmful for a short period."

The research has yielded one important measuring rod.

"When the clothing of the chaperones begins to vibrate [at about 100 decibels], you've got too much noise," he said.

[From Environmental Science and Technology, December 1967]

FEATURES OF OTHER NOISE BILLS

As of the latest count some 30 bills, endorsed by different legislators, are being considered by the House Subcommittee on Transportation and Aeronautics, under the chairmanship of Rep. Samuel N. Friedel (D.-Md.). The proposed 30 bills amend 49 U.S.C. 1301 and 49 U.S.C. 1421-30 and are essentially alike. Associated bills include H.R. 13846 (introduced by Rep. Donald M. Fraser (D. Minn.); H.R. 7266 (introduced by Rep. Joseph P. Addabbo (D.-N.Y.)); H.R. 2819 and H.R. 2820 (introduced by Rep. Theodore R. Kupferman (R.-N.Y.)); H.R. 14146 (introduced by Rep. Samuel N. Friedel (D.-Md.)); and others.

Congressmen Fraser's H.R. 13846 and Kupferman's H.R. 2819 would establish an Office of Noise Control in the Office of the Surgeon General. According to Kupferman, "The primary function of the Office of Noise Control would be to act as a national clearing house for general and specific noise information, and could, upon request, disseminate the wealth of its accumulated knowledge to the states and local governments to help them control noise at its point of origin." The proposed legislation is designed to make the Office of Noise Control responsible for controlling other types of noise such as those associated with traffic, subways, and the like.

One title of Congressman Fraser's H.R. 13846 permits certain FAA reimbursements to airlines that conform to proposed federal noise regulations. This includes the following:

As much as a 30% reimbursement of the cost of modifying aircraft to conform with federal noise regulations.

As much as 30% reimbursement to airports making the changes.

A 90% reimbursement for cities acquiring land near the airports or along flight lines in an effort to reduce the effects of noise.

Stephen's substitute bill, endorsed by ATAA, would limit the application of noise measurement standards to aircraft type certification.

[From the New York Times, Mar. 26, 1968]

BRITAIN TO PENALIZE DRIVERS OF VEHICLES THAT ARE TOO NOISY

LONDON, March 25.—The Government moved today to try to reduce noise on the nation's streets and highways by setting up roadside meters for spot checks.

After July 1, if the cars and trucks exceed noise limits set by the Government their drivers will face a fine of up to $120.

There was some question whether the levels set by Mrs. Barbara Castle, the Minister of Transport, were low enough to be of much immediate help. The Noise Abatement Society, a voluntary group, believes that they are much too high.

"We took some tests of our own last week and this week," a spokesman said, "and only one or two cars and trucks got as high as the limits set by Mrs. Castle."

"We think she's giving motorists carte blanche to make as much noise as they want to," he added.

Beginning July 1, when the roadside meters will be set up, noise decibel limits will be 92 for heavy trucks and buses and 87 for passenger cars.

Experts say that a noise measuring 110 decibels is regarded as deafening. They put gunfire, a pneumatic drill and a large machine shop in that category.

They say the ears receive about 90 on a busy street. At the other extreme is 30, which, as one expert here said, is "what you get in a library, on a country road or when somebody is whispering in your ear."

Mrs. Castle agreed that the limits that go into effect in July may allow too much noise. She said the new regulations were experimental and a first step.

She noted that more stringent regulations would go into effect in April, 1970. Talks are under way, she said, with manufacturers and research organizations, to develop quieter vehicles.

[From the New York Post, Mar. 9, 1968]

The Musical Rejects

Oklahoma City.—Loud music listened to by teenagers apparently is a factor in the rejection rate of draftees, says Gen. Lewis Hershey, director of Selective Service.

"I can't support this contention with fact," he said, "but I'm told that some youngsters who listen to loud, noisy music are losing their hearing. And hearing is a major reason for rejection."

[Airport Operators Council International, Inc., special subjects information service, May 10, 1968, S.S.I.S. No. 68-2]

Noise—Aircraft Noise Bill Adopted by House Transportation Subcommittee

The House Transportation and Aeronautics Subcommittee favorably reported out to the House Interstate And Foreign Commerce Committee on May 8 an amended version of the aircraft noise bill, H.R. 3400. This bill was sponsored by the Department of Transportation, recommended by the White House Interagency/Industry Committee on Aircraft Noise and supported by AOCI.

This is the first major procedural step in the enactment of aircraft noise control legislation. Remaining are: clearance by the full House Commerce Committee, House approval, Senate Aviation Subcommittee and Senate Commerce Committee approval, Senate approval and possibly a Senate-House Conference (should any major differences develop between House and Senate).

The bill would amend the Federal Aviation Act to

1. Require the Federal Aviation Administrator to (a) prescribe standards for the *measurement* of aircraft noise and sonic boom, and (b) prescribe rules and regulations for the *control and abatement* of aircraft noise and sonic boom;

2. Authorize the issuance, modification, or revocation of *any* certificate now authorized for safety purposes to meet these new noise standards, rules or regulations; and

3. Provide for an administrative appeal to the National Transportation Safety Board.

This bill succeeds in accomplishing the following major objectives that AOCI Members have been seeking:

Recognition that the Federal government has a responsibility for the control and abatement of aircraft noise; and

Federal government power to establish and enforce standards, rules and regulations to control and abate aircraft noise, both for *present* and *future* aircraft, through type, airworthiness and operating certificates issued to the manufacturers and air carriers.

CONTINUED MEMBERSHIP SUPPORT NEEDED

It is important *now* for each AOCI Member to keep your Congressional delegation advised of your continued interest in order to secure prompt passage of H.R. 3400. The House Interstate and Foreign Commerce Committee is expected to consider the matter next week (about May 14 or 15).

Under separate cover, we are sending to Official Representatives a copy of the Subcommmittee aircraft noise hearings held last fall and additional information on future action. For further information on these hearings see AOCI's S.S.I.S. No. 67-3, dated November 22, 1967.

Congressional testimony during the hearings evidenced a strong backing for prompt passage of this aircraft noise bill by the following Representatives:

California: J. C. Corman, C. H. Wilson.

Colorado: B. G. Rogers.

Florida: D. B. Fascell, C. Pepper.

Georgia: J. J. Flynt.

Hawaii: D. K. Inouye, S. M. Matsunaga, P. T. Mink.

Illinois: R. C. Pucinski.

Louisiana: H. Boggs.

Massachusetts: H. Keith.

Minnesota: D. M. Fraser, J. E. Karth, D. MacGregor.

New Jersey: J. G. Minish.

New York: J. P. Addabbo, F. J. Brasco, E. Celler, J. J. Delaney, P. A. Fino, J. H. Gilbert, S. Halpern, T. R. Kupferman, R. L Ottinger, O. R. Reid, B. S. Rosenthal, H. Tenzer, L. L. Wolff, J. W. Wydler.

NASA SEES NOISE REDUCTION FOR PRESENT AIRCRAFT

"With the tests we have just recently completed, by modifying nacelles for the DC-8, and 707 aircraft, it looks as though we can reduce the noise level of those existing aircraft down to a level of 100 decibels except for regions very near the airport. So this will be more than a factor of two—(cutting in half the area around the airport subjected to over 100 decibels)."

So said Dr. M. C. Adams, NASA's Associate Administrator for Advanced Research and Technology on March 11, 1968 before a Subcommittee of the House Committee on Appropriations.

In explaining the overall NASA aircraft noise research program, Administrator James E. Webb told the Subcommittee that NASA has completed much theoretical work on noise suppression of engines on current aircraft. Contracts, he noted, have been let with the Boeing and Douglas Companies, "to produce the equipment and modify the nacelles of the engines and do the flying. Now, that information comes back to us for application throughout the industry, so that we can help the FAA set standards, requirements, and regulations."

In his prepared statement presented to the Subcommittee, Mr. Webb stated that, ". . . fiscal year 1968 has involved wind tunnel testing and design and testing of boilerplate nacelle modifications. In fiscal year 1969 the final nacelle configurations will be constructed for flight proof tests on a 707 type aircraft and on a DC-8 type aircraft.

As other parts of its aircraft noise abatement research program, Mr. Webb said, NASA is also conducting research in safe climbout and landing techniques for noise minimization, and development of a "quiet engine" program. Regarding the latter, Administrator Webb explained that,

"In fiscal year 1968 preliminary work will be conducted to define the scope and some of the hardware components of a quiet research engine. The second phase of this proof-of-concept, to be implemented in fiscal year 1969, will include large scale engine component fabrication and full-scale tests of compressors and fans designed for minimum noise."

In further explanation of the "quiet engine" program Dr. Adams told the Subcommittee:

"In fiscal year 1969 we plan to let contracts for detailed designs and initiation of component fabrication for a quiet engine. We will carry out some components tests by 1970. We are working toward the integration of those components into an experimental engine for tests in 3 to 4 years.

FAA NOT READY TO SET NOISE STANDARDS, M'KEE SAYS

F.A.A. Administrator McKee said last week that agency-enforced aircraft noise standards are not eminent. In a trade press interview, he is reported as saying, "We're working with the industry to establish what is practical. We have to know what can be done before we can set any standards—there's no use in making regulations unless you know what's technically practical and feasible."

NASA, he said, is "doing some very interesting work" on means of reducing aircraft noise. General McKee said that NASA and FAA are working closely on determining what can be achieved.

[House Transportation and Aeronautics Subcommittee Print, May 8, 1968]

H.R. 3400

(Mr. Staggers introduced the following bill which was referred to the Committee on Interstate and Foreign Commerce)

A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That title VI of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430) is amended by adding at the end thereof the following new section:

"AIRCRAFT NOISE CONTROL AND ABATEMENT

"Sec. 611. (a) The Administrator of the Federal Aviation Administration, after consultation with the Secretary of Transportation, shall prescribe and amend standards for the measurement of aircraft noise and sonic boom and prescribe and amend such rules and regulations as he may find necessary to provide for the control and abatement of aircraft noise and sonic boom, including the application of such standards, rules, and regulations in the issuance, amendment, modification, suspension, or revocation of any certificate authorized by this title.

"(b) In prescribing and amending standards, rules, and regulations under this section, the Administrator shall—

"(1) consider relevant available data relating to aircraft noise and sonic boom, including the results of research, development, testing, and evaluation activities conducted pursuant to this Act and the Department of Transportation Act.

"(2) consult with the Secretary of Transportation and such other Federal, State, and interstate agencies as he deems appropriate;

"(3) consider whether any proposed standard, rule, or regulation is economically reasonable, technologically practicable, and appropriate for the particular type of aircraft, aircraft engine, appliance, or certificate to which it will apply; and

"(4) consider the extent to which such standard, rule, or regulation will contribute to carrying out the purposes of this section.

"(c) In any action to amend, modify, suspend, or revoke a certificate in which violation of aircraft noise or sonic boom standards, rules, or regulations is at issue, the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the National Transportation Safety Board, the Board may amend, modify, or reverse the order of the Administrator if it finds that safety in air commerce or air transportation and the public interest do not require the affirmation of such order."

Sec. 2. That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the center heading "TITLE VI—SAFETY REGULATION OF CIVIL AERONAUTICS" is amended by adding at the end thereof the following:

"Sec. 611. Aircraft noise control and abatement."

Among some of the excellent material available from industrial and governmental sources on noise are "Less Noise, Better Hearing" prepared under the supervision of Hale Sabine, Celotex Corp. 120 South La Salle Street, Chicago, Ill.; "Industrial Noise," a guide to its evaluation and control, Public Health Service, U.S. Department of Health, Education, and Welfare—1967—publication No. 1572 and Silencing Handbook, by B. G. Golden, 1967 edition published by Burgess-Manning Co., of Dallas, Tex.

POVERTY AND UNEMPLOYMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. Howard] is recognized for 15 minutes.

Mr. HOWARD. Mr. Speaker, atop the pressing list of domestic problems, poverty and unemployment remain at once the most urgent and inimical of issues. The distressing contrast of our wealthy Nation—the richest in history—with 30 million of its people below the acknowledged poverty level, illustrates our greatest failure.

We have, indeed, tried to meet the problem. Our welfare program attempts to relieve these poverty-stricken Americans, to help them survive and to find food and shelter. At $8 billion a year it is a very expensive program. But it is also a sorely inadequate program. Only a quarter of the poor receive any help at all.

The welfare system began as assistance for those who could not work. We use it now as our answer to unemployment. The program is by no means successful in this context. What may have been a sensible solution years ago is sensible no longer. Quite the opposite is true; for when a man has no job, giving him charity, even generous charity, cannot save his self-respect or make him a productive citizen.

As an answer to the unemployment problem, the welfare program is not only inadequate but cursed with numerous self-defeating drawbacks. What incentive, for instance, does a welfare recipient have to find a job when he realizes that for every dollar he can earn, he will be penalized by having that much less in assistance? This loss amounts to a 100-percent income tax on the very poorest members of our society. Therefore, we must replace the dole and the handout with jobs.

People on welfare become involved in a cycle that is only broken away from with the greatest difficulty. The rules and regulations for relief are often confusing. They discourage people who actually want to work from doing so. These people raise their families on relief. The children follow in their parents' footsteps so that by now the program which began as temporary aid to those who could not work is serving third generation families on relief.

The original program was not geared to handle general unemployment. Understandably it does not handle it very well. The program is really 50 different State programs, each with its own set of regulations, standards of eligibility, and levels of payment. There are vast nationwide variations in welfare payments. The average child receiving welfare in New York, for example, gets $60 per month; while in Mississippi, the average child receives only $8.35. The lower welfare payments in rural, underdeveloped areas add another incentive for the agricultural poor to move from the country areas to the city ghettos, where they can obtain a greater amount of relief money. And then the dole and the handout cycle begins again with no solution of a job or the possibility of becoming a productive member of the community in sight.

We need Federal standards so that people from the South do not migrate to the North in a desperate but hopeless attempt to better themselves. Along these lines I am now in the process of drawing up legislation which would call for equal payments throughout the country under Federal standards.

Under any circumstances, however, this system of welfare will have only limited success. Handouts cannot cure the ills of unemployment and poverty. Only jobs can do that, useful honest jobs. Welfare as a substitute for a job can produce only bitterness. The taxpayer is justly distressed to see his tax dollars spent so unproductively. Equally distressed is the recipient who becomes immersed in a cycle of dependency and alienation from which it is almost impossible to escape.

The implications of the problem are frightening. Many unemployed fathers must leave their families so that the wife and children can qualify for assistance. The destruction of the family endangers the structure of our society, at a time when we need the strength and unity of the family more than ever before. Instead of a useful, productive job, the husband and father of such a family finds only the disruption of his home and charity for his wife and children.

Some people feel that the best method of dealing with the problem is to tighten the system further, to "get tough" with these "loafers." The idea is that harsher measures will motivate the unemployed to find jobs. These misguided people would even force mothers to leave their children by restricting assistance to families which stay together.

This type of solution will not help. It only perpetuates the basic problem. The hard-core unemployed cannot find jobs on their own. Most of them would if they could and no coercive measures will help them do so. As a result of such measures, the families are destroyed, the children grow up without fathers, and the whole cycle starts all over again. The welfare rolls end up increasing rather than decreasing.

The cycle of bitterness and poverty can be broken. It must be broken if we are to bring these poor into the mainstream of American society. To this end I am cosponsoring H.R. 17567, introduced by the gentleman from Florida [Mr. Bennett], a bill which would provide tax incentives to private employers to take on the hard-core unemployed, to give them jobs and train them so that they can become productive members of the community, and not drains on the taxpayers. The benefits of such a plan multiply themselves. The burden of welfare will be lifted somewhat from the backs of the taxpayer. These unemployed will stop being a brake on the economy and become an asset. The money they earn will be spent on the open market and they will also join the rest of us as taxpaying citizens.

The husbands of poverty families will be able to support their own wives and children. One-half of those on welfare are just such wives and children. It will be possible to check and even reverse the trend toward increasing the welfare rolls. Families and therefore the very fiber of our Nation will be strengthened if the hard-core unemployed can be given meaningful jobs.

We cannot afford the bitterness and "we-have-nothing-to-lose" attitude that has become part and parcel of the way the poor see themselves in relation to society as a whole. Involving the private sector in finding jobs for the hard-core "permanently unemployed" is an important step toward solving this grave problem. It is essential in realizing the untapped potential of our Nation.

Mr. Bennett's bill, which I am cosponsoring, is patterned after the very popular act allowing tax credits to businesses which invest in new equipment. It opens the way to a real solution to the problem of the hard-core unemployed. Government alone cannot solve it. The Federal Government cannot employ men on the scale that would be necessary to alleviate the problem. Furthermore, it is far from desirable that they be paid with tax money. The private sector must assume the responsibility and this bill provides an economic tool in persuading it to do so.

The bill can create jobs. The want-ads may be full of job offerings, but they are not meant for those who need them most. With the incentive of a tax credit, employers will be able to take a justifiable chance on these men. They can fill those want-ad jobs because the Federal Government will be providing a cushion for them and reducing their risk. There are provisions that safeguard the program from abuses. The employer must retain these new workers long enough to give them a real chance if he wants the tax credit.

Mr. Speaker, let us move away from the direction of the governmental handout, and toward a program of helping the poor to help themselves.

CRISIS IN HEALTH—A NEED AND PLAN FOR MORE DOCTORS

The SPEAKER pro tempore (Mr. Nedzi). Under a previous order of the House, the gentleman from New Jersey [Mr. Cahill] is recognized for 20 minutes.

Mr. CAHILL. Mr. Speaker, during the past several years, hospital officials, medical educators, the press, representatives of organized medicine, and the public's representatives in government have spoken of an impending crisis in our Nation's system of health care. However, it has become evident that far from threatening in the remote future, crisis conditions presently exist. As reported by the President's National Advisory Commission on Health Manpower several months ago:

> The indicators of such a crisis are evident to us as Commission members and private citizens: long delays to see a physician for routine care; lengthy periods spent in the

> well-named "waiting room" and then hurried and sometimes impersonal attention in a limited appointment time; difficulty in obtaining care on nights and weekends, except through hospital emergency rooms; unavailability of beds in one hospital while some beds are empty in another reduction of hospital services because of a lack of nurses; needless duplication of certain sophisticated services in the same community; uneven distribution of care, as indicated by the health statistics of rural poor, urban ghetto dwellers, migrant workers, and other minority groups, which occasionally resemble the health statistics of a developing country; obsolete hospitals in our major cities; costs rising sharply from levels that already prohibit care for some and create major financial burdens for many more.

However, despite knowledgeable estimates that our Nation is presently short 50,000 doctors, and that by 1970 we will be short 250,000 nurses, the Advisory Commission fails to conclude that these conditions of crisis are primarily the result of a national shortage of health manpower. Rather, it places major emphasis on integrating and coordinating America's medical-care delivery system. A major portion of the Commission's report is devoted to demonstrating the need for reorganizing this delivery system with its present "duplication, high costs, wasted efforts, and overlapping aspects." In my opinion, the Commission has misjudged the nature and causes of what is wrong with the American health-care system. While I recognize that this crisis is not simply one of numbers, I am convinced that it will be impossible to improve our medical-care system without a massive national effort to provide large increases in available physicians, nurses, and allied health personnel. In my judgment, without sufficient health manpower, there can be no integrated system of health care in the United States. I would thus commend the major thrust of H.R. 15757, which has been called the Health Manpower Act of 1968.

This legislation represents a major departure from the thrust of previous legislation directed to training doctors, nurses, and allied health personnel. Largely, the Federal Government's role has been to provide massive grants for research activities. In 1967, for example, the Federal Government expended over $1.5 billion for medical research and development. Largely, this amount was for research efforts conducted by private or State medical schools pursuant to NIH or other Federal Government agency grants. The effect of this massive research support by Government has been to detract from the number of health manpower graduates each year.

There is complete agreement even by representatives of the medical schools and by organized medicine that research has diverted physicians away from the patient and hospital and into laboratories. Medical schools have found it necessary to support education and teaching programs through grants intended for research. Moreover, other results have been serious questions of accountability for funds, wasteful duplication of research projects and equipment, and an academic grantsmanship that has often provided poor research projects and results.

In short, even a special study group of the AMA has concluded:

> The adverse effects of Federal research grants on medical schools arise from many sources. Primarily they arise from the imbalance caused by burgeoning financial support for research—in the midst of a relative scarcity of funds for educational programs.

However, the Health Manpower Act of 1968 seeks to provide a balance between the functions of education and research by providing an improved and more intensive program of Federal financial assistance to medical and professional health care education. Under the act, Federal grants for teaching facilities, grants for demonstrating the need for reducing the number of years needed to train health personnel and institutional grants which provide broad support to the educational functions of medical schools are expanded. It is especially encouraging to note that the institutional grants will be allocated to medical schools on the basis of a formula which provides incentive to expanding student enrollments.

However, in my judgment, the Health Manpower Act contains many features which tend to perpetuate inadequacies in the existing system of medical and health education. Primarily, this legislation continues to place undue emphasis on research and specialization. In my judgment, this legislation should be carefully analyzed by the appropriate congressional committees to determine whether it will produce the intended results of providing widespread health care or whether it will merely institutionalize the existing tendencies of medical and health professional graduates to enter into specialties or research and academic oriented careers.

I am convinced that these are the directions that most of the Nation's medical school graduates will take unless something is done. Pursuant to my concern that there are not enough general practitioners or medical graduates entering into general medical practice at a sufficient rate to meet the needs of our population, I directed the following letter to the deans of our Nation's 88 medical schools:

> DEAR DEAN———: Pursuant to my continuing interest in Bio-medical education and research, I am presently attempting to compile data which will indicate the broad needs of medical educational institutions. While much secondary information exists, preliminary investigation indicates that medical schools have often been bypassed in determining these needs.
>
> I would thus greatly appreciate an indication from you of the professional trends that recent graduates of your medical school have taken or may be expected to take. While your own convenience and available information may permit a more comprehensive analysis, I would request an estimation of the following for your graduating classes of 1967 and 1968:
>
> (1) The total number of medical graduates;
>
> (2) The percentage of these graduates who will serve or who are serving in the Armed Forces;
>
> (3) The percentage of graduates who will serve with the Armed Forces on a career basis;
>
> (4) The percentage of graduates who will specialize in one particular area of patient-Service oriented medicine;
>
> (5) The percentage of graduates who will enter an academic or research career;
>
> (6) The percentage of graduates who will pursue graduate studies to achieve a specialty or an academic or research career;
>
> (7) The percentage of graduates who may be expected to enter general practice;
>
> (8) The percentage of graduates who will enter miscellaneous careers not mentioned above.
>
> While I recognize that this information cannot be projected with certainty, your best estimations, based on available information and your knowledge and experience, would provide an invaluable contribution. Your cooperation will be appreciated.
>
> With every good wish, I am
>
> Very truly yours,
>
> WILLIAM T. CAHILL.

Over 60 percent of the schools responded, and an analysis of the results has shocking implications for our future health care system. According to the responses I received, it was indicated that graduates from the classes of 1967 and 1968 will follow these career directions:

First. Primarily research or academic oriented careers—11 percent.

Second. General practice—15 percent.

Third. Career military service or administrative medicine—4.5 percent.

Fourth. Specialties—69.5 percent.

In view of these career directions away from the patients bedside, away from the hospital, and away from where physicians are most acutely needed, I would urge that we must undertake a national plan to produce general practitioners in a far shorter time of training than that which is required by the present system of medical education.

This can be accomplished, first, within the resources and funds available at a Federal level by a deemphasis in the amounts that are spent on medical research; and second, by devoting a major and immediate effort to improving and abbreviating medical school curriculum so that general practitioners can be graduated and undertake the treatment of the myriad illnesses and ailments that can be healed without specialization with a period of 4 years.

I would thus like to recommend an exciting and challenging article by Dr. J. Gershon-Cohen, who is director emeritus of the division of Radiology at the Albert Einstein Medical Center in Philadelphia, professor of radiologic research at Temple University School of Medicine, and assistant professor of radiology at the Graduate School of Medicine of the University of Pennsylvania.

Dr. Cohen's article which appeared in the Journal of Medical Economics clearly evidences that there is little sense in requiring a general practitioner to spend over 10 years pursuing an education that is principally oriented toward limited specialization and research. Moreover, the present career trends which I have mentioned indicate that few young men are willing to do so. The arduous demands placed on a general practitioner by his patients and practice, the prestige and financial reward accorded the specialist, the financial and personal sacrifices involved in 10 to 12 years of medical education do not make general practice an attractive career.

Dr. Cohen charts a course by which a

4-year general medical education can become a reality. Dr. Cohen would utilize the existing clinical and research facilities and personnel at our Nation's 50 medical centers. The only cost involved in providing educational and training facilities would be for the establishment and construction of teaching and dormitory space.

I would urge that the appropriate committees, particularly the Subcommittee on Public Health and Welfare, carefully consider amendment of the "Special projects" section of the Health Manpower Act of 1968 to specify that a demonstration 4-year educational center will be established.

We need more doctors. The number of foreign-trained physicians in the United States dramatically illustrates the need and our willingness to accept those not trained to the high standards in effect in the United States of America. We cannot wait. We must push forward now. The Congress has a responsibility to provide this service to the health needs of our country. Dr. Cohen's recommendations should be implemented; other similar plans should be given a fair trial. Our present system of training physicians is antiquated, ineffective, and nonproductive in sufficient numbers to supply the medical needs of our country.

Mr. Speaker, I place Dr. Cohen's article at this point in the Record:

We Can Train G.P.'s in Half the Time

(By J. Gershon-Cohen, M.D.)

A decided patient-doctor chill has set in. Everyday conversations abound with complaints about doctors—their unavailability, their exorbitant fees, their indifference. The most frequently heard charge is: "You can't find a family doctor anymore. They're all specialists." The patient who ends up in a hospital emergency room because he can't otherwise find a physician is resentful. The patient whose regular physician keeps him waiting an hour, and then gives him 10 minutes' time, is annoyed. The patient whose physician will not or cannot make a house call is indignant.

All of which leads many patients to believe, "Doctors just don't care anymore." They don't realize that there's an important reason for the seeming change. It's not that a doctor cares less, but that he has less time to care. There are too few of him. He's overworked and spread too thin.

In the U.S. at the turn of the century, there were more than 150 medical schools. They graduated almost three-fourths as many physicians as we graduate today for a population only two-fifths the present size. Small wonder that the physician of that era is recalled with nostalgia and affection. His pace was unhurried, his availability assured, his bedside manner polished. He had time for involvement; he was not swamped with paper work, post-graduate literature, and a slew of phone calls.

Unfortunately, he was as often as not the product of a school that was little more than a diploma mill. As a consequence of the Flexner report in 1910, about 70 medical schools were forced to close their doors, halving the available learning centers. Those allowed to remain open stiffened their standards. Hospitals tightened their requirements for staff appointments and extended the educational process by offering internships and residencies. "Becoming a doctor" became a longer, more arduous, more expensive proposition.

Though Flexner's pruning was necessary and wise, it also caused our current dilemma. Today, many an M.D. is nearly 30 years old before he goes out on his own. His education—through college, medical school, and post-graduate training—has cost an enormous amount of time and money, so he may be heavily in debt. Foreknowledge of these stark realities steers many from the field of medicine.

Many who do complete the exhaustive education eschew general practice for quite understandable reasons. Doctors in training can't help but note the enhanced prestige and the aura of satisfaction that clinical specialists enjoy. They hear of the hectic pace of the generalist, his long working hours, scant time for family life, low status, and relatively small remuneration. They see how the practice of many specialists is hospital-oriented, crowding out the family doctor's participation in patient care. And so about 85 per cent of all medical graduates shun family medicine. The devoted 15 per cent who elect to be G.P.s must bear the brunt of caring for our rapidly expanding, longer-lived population. They do a superb job, in the circumstances, but they can no longer give the patient what he would like the most—more time.

How to ease the doctor shortage? How to give the family doctor more time? The first solution that comes to mind is to erect more medical schools to train more doctors. But is that truly a practical answer? Some 88 medical schools are now in operation, and 16 more are in the planning stage. To build them will cost hundreds of millions of dollars. Yet each four-year school will graduate fewer than 100 doctors per year (average for 1966: 90 per school). By 1975, with every facility operating at capacity, it's hoped that the number of graduates will increase to 10,000. But we could use 20,000 now, and by 1975 the population explosion will have further widened the gap.

Obviously our plans are not commensurate with the needs. Halfway measures won't do. We need a sweeping overhaul of our old concepts of medical education, one that will produce more *family doctors*, capable of handling 90 per cent of the public's ills more quickly.

We should start by shearing off several years of training and by offering several levels of medical education instead of producing all physicians in the same Rolls-Royce mold. Some medical schools, such as Northwestern, Boston University, Johns Hopkins, and Jefferson-Penn State, are already experimenting with shorter curriculums. None of them, however, relaxes the standard course requirements for medical education, which include subjects that no family doctor needs to master. The average American medical student continues to be crammed full of specialized knowledge he'll probably never use.

Our doctor of the future should be allowed to start his medical training immediately on graduation from high school, bypassing completely the four years of premedical study at college. Naturally, this circumvention of college would necessitate changes in high school and medical school curriculums. High school courses would need to emphasize more heavily and at a higher level the necessary sciences, incorporating part of the instruction now given in the premed college courses. Medical school courses would need to be streamlined so as to exclude didactic lectures, research projects, and subjects not immediately germane to the education of a general practitioner. The student's training in clinical medicine should start in his first year when he's studying anatomy and continue for the entire four years of school while he's taking complementary courses in the medical sciences.

On graduation, the young man's experience should be enlarged by an additional year of externship, preferably as a preceptee to a certified internist or to a group of physicians practicing with a peripheral staff of specialists. That extra year of training under the watchful eye of superiors would add greatly to the maturity of our young family doctor and increase his sure-footedness. As a final test of his readiness for general practice, his qualifications as a family doctor would be certified by the same state board of examiners that now judges the abilities of traditionally trained M.D.s. Despite an accelerated medical education, I believe that any bright young man could qualify and, at the age of 22 or 23, be thoroughly prepared to serve the public. And he would be in a position to earn a livelihood comparable to that of his high school classmates who elected to go into the sciences or engineering rather than go through the long training period that medicine entails.

New clinically oriented medical schools offering accelerated courses could be created at greatly reduced expenditure if they utilized the facilities of already existing medical centers. Many great medical schools evolved in exactly that fashion (among them, Guy's and St. Bartholomew's in London). There are more than 50 excellent medical centers in this country that could be readily and economically converted into medical training centers. Properly utilized, they could turn out 5,000 family doctors yearly.

For example, the Albert Einstein Medical Center in Philadelphia has a broader spectrum of physical facilities and teaching personnel than have most medical schools. There's a flourishing basic research department, with more than 20 full-time Ph.D.s of professorial rank, equipped to teach all the preclinical medical sciences. Among the 700 clinicians attending this large hospital complex are doctors with professorial status in all the clinical specialties, including domiciliary and home care, hospital outpatient practice, emergency inpatient and outpatient practice, intensive care, supervision of acute and chronic diseases, psychiatry, preventive medicine, geriatrics, and physical rehabilitation.

TO COMBAT CRIME: MORE, BETTER-PAID POLICE

The **SPEAKER** pro tempore (Mr. Nedzi). Under previous order of the House, the gentleman from Wisconsin [Mr. Reuss], is recognized for 30 minutes.

Mr. **REUSS**. Mr. Speaker, I introduce today for appropriate reference, H.R. 17750 the Police Assistance Act of 1968.

It seeks to combat crime by channeling Federal funds to those communities where crime is most out of hand, in order to enable them to hire more policemen and to pay them better. The fundamental weakness of the police departments of large cities is that they are underfunded. Their local source of revenue is the traditional real estate tax on the homeowner. This sets up a vicious circle. If we are to make the homeowner secure in his own home, we can apparently do so only at the price of bankrupting him via the real estate tax.

H.R. 17750 seeks to cut us out of the vicious circle.

The cost of police protection is constantly increasing. For many years we have failed to provide adequate numbers of police in our cities, and the police we do have are shockingly underpaid. The effort to catch up, just begun in recent years, has been extremely costly and burdensome on the local taxpayer, and much higher outlays for police protection will be necessary in future years simply to continue the process of catching up.

As the President's Crime Commission has noted:

> There is impressive evidence that in many cities there are too few policemen . . . the number of police has not kept pace with the relocation of the population and the attendant increase in crime and police responsibility. ("The Challenge of Crime In A Free Society," Report of the President's Commission on Law Enforcement and Administration of Justice, pp. 106–107 (1967).)

Further, the Commission has found that—

> Police salary scales are now too low to attract the best qualified recruits, or to keep the best qualified policemen. (Crime Commission Report, p. 111.)

The Crime Commission report has also confirmed that crime is most prevalent in large cities, especially those with a population over 100,000—Crime Commission Report, table 8, page 28. It is in these cities also that tax resources are most strained. There has been a continuing movement of the most affluent homeowners out of the central cities ever since World War II. In more recent years, retail stores and industries have followed them to the suburbs. At the same time the demands on local treasuries have continued to rise. The very young and the very poor have come to the cities to replace those who escaped to the suburbs, putting great strains on city schools, public assistance programs, fire and police departments. The cities have tried to meet these demands by raising property taxes, but this simply hastens the flight to the suburbs.

The resources of the Federal Government are necessary to enable cities to break out of this circle. The Federal Government obtains most of its revenue from corporate and personal income taxes, which rise rapidly in response to a growing economy. Thus we can anticipate continually increasing revenue from this source in future years, even if taxes are not raised. The real estate tax, on the other hand, constantly lags behind. It is not progressive, so that it does not keep pace with growth in the economy. Property is not often revalued, so there is a considerable delay in reflecting increases in value.

Well-paid police in sufficient numbers to preserve both order and justice are essential if we are to deal with the problem of crime in this country. A substantial police "presence" in an area is the best way to deter crime that has yet been found. At the same time, this presence must not be oppressive, lest it arouse a bitterness and resentment which can lead to results with which we have become tragically familiar. The solution to this dilemma is to assure that police are not spread so thin that they must take shortcuts to law enforcement. It is easier to search without a warrant, and it certainly takes less time, but I doubt that many of us would be willing to forgo the security of our homes that the fourth amendment seeks to preserve by the warrant requirement. There are other constitutional guarantees which cannot be maintained if we satisfy ourselves with poorly paid policemen in inadequate numbers—arrests may be careless, questioning of "suspicious" persons on the street will be indiscriminate, and persons will be questioned at the police station without counsel present simply to "solve" crimes, foregoing any chance of successful prosecution in order to clear the books.

In addition, the feeling that police protection is inadequate leads too many citizens to purchase guns for their own protection, increasing the chance of death or injury from careless or illegal use of firearms.

It is not only the affluent who desire better police protection. A survey in Washington by the Bureau of Social Science Research showed that anxiety about crime is highest among the poor—Crime Commission report, page 50. This is to be expected, since—

> One of the most fully documented facts about crime is that the common serious crimes that worry people most—murder, forcible rape, robbery, aggravated assault, and burglary—happen most often in the slums of large cities. (Crime Commission Report, p. 35.)

A recent study of crime in Milwaukee's proposed model cities area showed, for example, that 42 percent of all adult arrests and 24 percent of juvenile arrests occurred in this section, although it comprised only 4 percent of the total area of the city. In addition, this area reported 34 percent of all murders known to Milwaukee police, 21 percent of all rapes, 28 percent of all robberies, 33 percent of all cases of aggravated assault, 31 percent of all other assaults, and 24 percent of all burglaries.

The present Omnibus Crime Control and Safe Streets Act does not focus directly on the problem. Grants must be channeled through the States rather than going directly to the cities that need them most. Any money received by the cities must be matched with 40 percent local funds. And only one-third of any grant may be used to compensate personnel.

H.R. 17750 would provide $100 million annually in Federal grants to city police departments. Ninety percent of the amount appropriated each year would go to cities over 100,000, on a per capita basis. According to the 1960 census, there are 132 such cities, with a combined population of 51,013,000. This represents 28.5 percent of the total population of the country. Ten percent of the total could be held in reserve by the Attorney General to be given to cities of less than 100,000 population, on a finding that the community has an "unusual need" for the grant. As with the Elementary and Secondary Education Act, the grants would be 100 percent, with no local sharing requirement. The grants would of course be administered in accordance with title VI of the Civil Rights Act of 1964, which prohibits discrimination in federally assisted programs.

The full text of H.R. 17750 follows:

H.R. 17750

A bill to improve law enforcement in cities by making available funds to be used to increase police salaries and to add more police officers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Police Assistance Act of 1968."

SECTION 1. The Attorney General shall make block grants to cities for the improvement of police salaries and for the addition of more men actively engaged in professional police work to the force.

SEC. 2. No less than 90 per centum of the amount appropriated for each fiscal year is to be used for grants to cities with a population in excess of one hundred thousand as determined by the most recent United States Census. The grants are to be apportioned among the cities on a per capita basis. Not more than 10 percentum may be granted to cities with a population of less than one hundred thousand, upon a finding by the Attorney General that the city has an unusual need for the Federal grant.

SEC. 3 For the purpose of carrying out this Act, there is authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1969, and such amount as Congress may find necessary for each succeeding year.

WASHINGTON POVERTY CREDIT UNIONS REINFORCE SELF-HELP PHILOSOPHY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last week I addressed this body on the outstanding role that credit unions have played in the war on poverty.

The June 7 issue of the Washington Post carries an article that graphically depicts the work that poverty credit unions are performing. According to the article, more than 4,000 loans have been made to residents of low-income Washington areas by nine antipoverty credit unions run in conjunction with the United Planning Organization. These credit unions have 8,338 members and assets of $423,236.88 at the end of the second year of operation of the credit unions.

Most of the 4,000 loans were for small amounts—$50 or less—and went for such items as rent, clothing, loan consolidation, medical, and furniture expenses.

By borrowing from the credit union, which by law can charge only 1 percent a month on the declining balance, low-income families are thus able to avoid the loan sharks that infest poverty areas and extract interest rates that often run as high as 100 percent of the loan.

Not only does the low-income credit union provide a source of loans at low interest rates but it also provides a place for members to save their funds and to encourage members to enter into a thrift program.

According to the Washington Post article, by the end of April of this year the credit union members had savings totaling nearly one-half a million dollars.

Mr. Speaker, it should be pointed out that the money being lent by these credit unions does not come from the Federal Government or from any other governmental agency, but is rather the savings of one member being lent to a borrowing member. Thus, as I have said before, the credit unions in the war on poverty do not extend handouts but rather offer a helping hand. Of course, as I stated in my remarks last week, it was Sargent Shriver, then Director of the Office of Economic Opportunity, who encouraged and promoted the establishment of these credit unions and his role as one of the early backers of poverty credit unions can never be overlooked.

The results of the helping hand attitude can easily be seen in the report on loan delinquencies for the credit unions. At the end of the first year's operation of the nine credit unions, loan delinquencies were 14.6 percent, while at the end of the second year, it had dropped to 9.4 percent. This does not mean that the loans have been lost but only that members are behind in some of their payments. In many cases, loans which are classified as delinquent will be brought up to date and fully repaid. And, as the credit unions continue to grow and the philosophy of the credit unions is instilled in more residents of low-income areas, the delinquency rate will continue to decline.

As future Congresses debate the merits of the war on poverty and its effectiveness, it is my hope that great significance and bearing will be placed on the role that credit unions have played in helping the poor.

The Washington Post article follows:

FOUR THOUSAND LOANS GO TO POOR, UPO SAYS

Residents of low-income Washington neighborhoods received nearly 4000 low-interest loans from a neighborhood network of credit unions last year, the United Planning Organization has reported.

The nine antipoverty credit unions had 8338 members and assets of $423,236.88 at the end of the year, according to UPO's second annual report of its credit union program.

More than half of the 3857 loans granted—amounting to $630,139.12—were less than $100. The majority of families getting loans had incomes less than $5000. They cited rent, clothing, loan consolidation, medical and furniture expenses as the most frequent reasons for seeking loans.

UPO said the neighborhood credit unions offer "refuge" to inner-city residents who were "once the victims of loan sharks and merchants charging exorbitant interest rates."

Loan deliquency dropped from 14.6 per cent at the end of December, 1966, to 9.4 per cent on Dec. 31, 1967, the report noted.

The members' savings totaled $375,851 at the end of the year. By the end of April, according to supplementary figures, the credit unions had 8960 members with savings of $454,685, UPO reported.

EXCERPTS FROM LETTER OF LT. JOHN P. CULLINAN, U.S. MARINE CORPS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the painful and perplexing question of Vietnam has been debated for years, with confusion, with consternation, and occasionally with clarity. Defenders and critics of our involvement have all been heard. And still the debate and the questions persist.

One of the most moving testimonies of our presence in Vietnam is a letter written on Christmas Eve, 1967, by a constituent of mine, Lt. John P. Cullinan, U.S. Marine Corps, to his fiancee, Miss Anne Critchley. In it he responds to several basic questions about our participation in the Vietnam war and the morality of the draft. It reveals a strong devotion to the service of his country, and a profound understanding of the fundamental nature of patriotism.

The clarity and eloquence of his explanation are compelling. The authority of his statement is particularly forceful since Lieutenant Cullinan was killed in action on January 10, 1968.

I commend this statement to the attention of my colleagues. Excerpts from Lieutenant Cullinan's letter follow:

DEAR ANNE: Trying to look at it objectively, I think it's best to say that no war is good, and every war can cause questions concerning its morality—Both the World Wars showed Americans favoring isolation until enough injustices had been done to turn the tide of public opinion. But this is a different war, Anne—and I personally think it's different because the government (Viet Nam type) has a different opinion of our aid than the Vietnamese people, or at least the majority of them do.

You see, Anne, France was here before we were and they failed and finally had to withdraw—and right or wrong, you can see the average man's reasoning of not wanting to jump in with both feet to support us when he can't be sure the same thing won't happen again—especially with all the discontent at home.

One thing I can assure you of, it's that the average man in the Republic of So. Vietnam hates the Viet Cong. However, this is a civil war—there are people fighting for both sides within the same town. Some people say that because it is a civil war we shouldn't be involved, and they are partly right. As our civil war was fought just between Americans, so also should this one.

However, this civil war has much bigger consequences at stake. And the consequence of having all of Vietnam—the threshold to the Far East—fall under Communist domain, transforms this civil war on one plateau to a confrontation of international importance on a higher plateau.

And by Communism now I'm not referring to Russian type—with whom it now appears we could co-exist peacefully, but the Chinese type that follows Mao's teachings and wants to take over the world.

So, Anne, on the overall picture, it is my personal opinion that we should be here and are here justifiably so. However, I've said before and I'll tell you again that I don't believe we are going about winning this conflict in the correct way.

We are not getting through to the people to convince them that we're here to defeat the Viet Cong and go home. Again it's only a personal opinion, but I think the whole pacification program is sheer crap.

These people are still living in what can be compared to the Dark Ages in some sections of this country. Instead of trying to help and improve the country, which is all well and good in its place, the first and primary objective should be to win the war—not by winning the hearts and minds of the people but by defeating the Viet Cong and all their sympathizers.

The fact that we, and I can use this company as an example, are doing the same thing day in and day out—month upon month, and year after year, indicates to me that our progress is little if any.

It's a different type of war than any we've ever fought before and I don't believe our government has as yet adjusted to it. Our troops are overcommitted and cannot seem to retain territory once they've won it.

But now I'm getting more specific and you wanted the overall picture—so, overall Anne, yes we should be here, but we should change our tactics.

However, there's a second thought you brought up which really irks me—and that's the draft. You asked me if it is morally right. Anne, our country is the strongest in the world and unfortunately the only way she can hope to ever live in complete peace is by being constantly alert to meet any threat which might endanger her. In order to do this we have to have a military organization beyond compare and this military organization must be made up of U.S. Citizens.

Now there are a lot of cases where the draft hits people it shouldn't and misses people it should take—but every system has its faults—and people are constantly trying to come up with ways to perfect the system. But, as of right now, all the great minds have not been able to devise a way to man our militia that is better than the draft.

You asked me Love, if the "boys lose their liberty by being forced to join."

Anne, no one born in the U.S. today has done anything to earn the liberty they are fortunate enough to possess. This was done for them through the sacrifices of their ancestors. And now every eligible male citizen has an obligation—a moral obligation—to do his part to preserve the liberty he has enjoyed for 18–20 years and will enjoy for the rest of his life as long as we are successful.

You told me you can say why college kids protest—well, Anne, college kids are the so-called intelligentsia of our nation—but right now we have a country in which the intelligentsia protests and dissents about a job that they don't want—but a job they are morally obliged to undertake for a short while.

And while they talk about the morality of the war they openly flaunt immorality in all other aspects of life—does that make sense?

In the meantime, while the intelligencia is growing beards, wearing flowers, protesting anything that might cause them to conform in any way, and advocating free love—it's the high school educated and High School dropouts from much poorer backgrounds who are now carrying on the ideals and principles our forefathers passed on to them.

And Anne, these kids are doing one helluva job. Despite the adverse conditions and trying circumstances under which we're fighting this war, they continue to do the tasks assigned to them—simply because they're Americans—and this phase is part of American life. And I can honestly say that I've met some of the greatest people in the world over here—thrown together in a conflict nobody wants—but still performing their job because the President, the American people elected by the biggest majority ever, feels that this is the way to do it.

Anne, it's with these kids that I really feel like an American and actually feel that in some small way I'm fulfilling my obligation to the people who came before me and didn't ask selfish questions of morality when deciding to make this the greatest nation in the world.

And Anne, something none of the intelligencia seems to remember is that this is our country—it'll only be as good and as strong as we make it. And before we can concentrate on domestic issues and individual selfish practices, we must first assure that our country is strong enough to hold her own against any enemy.

Were we fortunate to have enough volunteers to comprise our armed forces, there would be no problem. But everyone wants to lead their own life and rightly so—so the best answer so far devised is the draft, whereby everyone gives a couple of years to maintain the strength of the U. S. which in turn assures his ability to lead his own life when he leaves the service.

And Anne, people who burn the flag of our great nation, and burn the draft card which designates them as defenders of our freedom, are not using the intelligence they have the way they should. Rather than realizing the obligation they have to continue the country's prosperity, their lone concern is their own personal happiness—and Anne, we all know that we'll never be perfectly happy in this life—it just doesn't work that way. So everybody should work together to help our country—us—maintain the position we have held—and I hope we will always hold.

So, Anne, the draft is a moral responsibility and it is the best system yet devised, and I personally feel that people who protest the draft, just for protest-sake, and don't try to come up with a better solution, are not normally indignant, but rather—they're scared.

So there it is, Love—a few things to think about. Now I might be the one who's completely wrong but I don't think so and that's the way I feel.

REMARKS ON HON. JOHN S. MONAGAN, OF CONNNECTICUT, PEACEFUL REVOLUTION IN THE GROVES OF ACADEME

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, violent student revolts are becoming as common as football games and final exams on the college campuses of our Nation, and one of the contributing factors to these uprisings has been the erroneous and dangerous assumption in certain quarters of the academic community that any action can be condoned in the name of "intellectual freedom," and that radical students, even those dedicated to revolution, will listen to reason.

With so many instances of irresponsibility marring the end of this academic year, it is particularly encouraging to note the progress made at Queens College, N.Y., under the enlightened leadership of its distinguished president. President Joseph P. McMurray is well known to us in Washington, and is remembered for his service as administrative assistant to Senator Wagner of New York, as counsel of the Senate Banking and Currency Committee, and as Chairman of the Federal Home Loan Bank Board, from 1961 to 1965.

At this year's commencement, President McMurray reported that the college had undergone a "peaceful revolution" as a result of "responsible student petitioning." As a contrast to the more dramatic and destructive events which have recently occurred on other campuses in this country—and abroad—I commend this example of constructive student power and responsible administrative leadership to the attention of my colleagues, and include an article which appeared in the New York Times on June 5, 1968:

QUEENS COLLEGE STUDENTS' ROLE GROWS IN "PEACEFUL REVOLUTION"

Seven thousand people at the Queens College commencement were told yesterday that the college had undergone a "peaceful revolution" as a result of "responsible student petitioning."

Joseph P. McMurray, president of the municipal college, said that starting next fall students would take part in "evaluating curriculum and professional services" in each academic department and would "be able to express formally their evaluation" of faculty members up for permanent appointment.

Students will also join with the faculty in a new committee to make recommendations on the college's master plan.

Since 1965 they have constituted half the membership—with full voting powers on Faculty Council committees on student activities, student conduct and educational policy.

During the two-hour outdoor ceremony on the 30-acre hilltop campus in Flushing, 18 persons, mainly from Students for a Democratic Society, twice marched silently around the exercises. They were protesting the military draft, to which graduates become liable on expiration of student deferments.

The pickets, carrying a black banner with white lettering that said "Conscription Day," included Wally Rosenthal, a 21-year-old junior and former S.D.S. chapter chairman. Mr. Rosenthal said a Spring Action Committee in which he took part was still pressing 16 demands on Mr. McMurray.

SOME ACTION REPORTED

The college president has reported his action on some of these "recommendations," including a study by next fall on how legal counsel might be made available by the college to students involved in draft and protest problems.

In addition, courses in Negro and African history and culture are to be offered, including one on "the politics of black power," and credit for field work in community affairs is to be expanded.

At the commencement, Mr. McMurray told how the new student participation approved by the Faculty Council would work.

Each academic department is to meet with a new student committee in its department to work out methods for handling such curriculum problems as the way, and how often, courses are offered.

Also, when a faculty member comes up for full-time tenure—how after three years, although the Board of Higher Education is considering extending the preliminary period to five years—the student committee will make a formal recommendation. The committee may appeal to the president on a department decision for or against the faculty member.

HAS 25,088 ENROLLED

The college, which now has 25,000 students, including a full-time day enrollment of 11,500, gave degrees to about 1,700 graduates present at yesterday's commencement—the college's 44th.

Altogether, 3,979 degrees and certificates were awarded for work completed since last June.

Mr. McMurray told the audience—seated among maple trees near buildings dwarfed by a new 12-story classroom structure—that "the Class of 1968 has been one which has led this college through a peaceful revolution."

Wearing a gold inaugural medal hung from a neckband over his robe, he said that the Queens College students had "locked themselves up with administrators in a search for reasonable reform" and that they "honored wisdom before activism." He contrasted this with what he called "the near-destruction at Columbia University.

Kenneth Landau, the class president, evoked applause when he credited class members with helping get rid of dress regulations and a language literature and arts examination that had been required of all graduates.

"PASS-FAIL" PROGRAM

In addition, he said, the college now had "a well-established and improving pass-fail program" that enabled certain courses to be taken without grading.

In the principal commencement address, Senator Frank E. Moss, Utah Democrat, cited advances against poverty and for civil rights and warned against "meaningless protest" and "the fires of demagoguery."

Dr. Margaret Kiely, who retired in 1960 as the college's dean of faculty, received an honorary degree of doctor of laws. It was only the third honorary degree in the college's 31-year history.

INCREASED QUAD-CITIES AIR SERVICE

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, we live in a changing world, one marked by such rapid change, that it is often difficult to comprehend what is happening.

In few areas has change and technological advancement been as dramatic or as fascinating as in space. We have placed men in orbit and we are preparing to explore the moon. But dramatic advances have also come in aviation closer to earth, especially commercial aviation.

We read in newspapers, in our magazines and in technical publications about advances in the commercial aviation field. We are getting larger, faster, and more comfortable planes.

More and more people travel by air. They travel more quickly and travel better than ever before. They see their loved ones who live at a distance more often. Businessmen save time and money by using their time more efficiently. Servicemen in Vietnam can fly to Hawaii to meet their families for a week of rest and relaxation. By increasing mobility people from all over the world are exposed to differing cultures and experiences through air travel. Man's understanding of man, man's concern for others as people move and as they meet each other face to face.

A "service proposal" has been made by Ozark Airlines to the Civil Aeronautics Board to provide improved service from a number of Iowa, Illinois, Missouri, and South Dakota cities to Washington, D.C., and to New York City. It interests many of my colleagues from those States. The proposal that Ozark makes for serving the Quad-City area interests my constituents.

The proposal would provide direct, single plane jet service to Washington, D.C., and to New York City from the Quad-Cities with a stop in Peoria. This would immeasurably facilitate travel between the Quad-Cities and the east coast. The proposal is listed as CAB docket No. 18577.

This type of improved service would be a real boost to the Quad-City area. There on the two banks of the Mississippi River is a booming metropolitan area: Davenport and Bettendorf in Iowa; Rock Island, Moline, and East Moline in Illinois; and several smaller adjacent cities. Over a third of a million people live and work in this Quad-City area, and the airline people quietly lay plans for improving service to the community.

The Quad-City area, the farm equipment capital of the world, needs the best possible transportation. The U.S. Army Weapons Command, the weapons center of the Nation, has its headquarters and its Rock Island Arsenal in the heart of the area. Alcoa, Bendix, Oscar Mayer Packing, and many others have plants here to round out a vast and varied industrial and research complex along with Deere & Co., International Harvester, Farmall, and Case farm equipment and industrial equipment plants.

The area leaders have not stood by. They have watched the growth of airline travel in the area and have estimated future travel and have taken action.

A unique and cooperative organization welds together much of the area's broad business planning. There are six chambers of commerce in the area: Davenport and Bettendorf in Iowa, Rock Island, Moline, and East Moline-Silvis and Milan in Illinois. The presidents of these chambers of commerce and their executive directors meet every month on the Rock Island Arsenal as guests of the U.S. Army Weapons Command. They meet as a "Council of Chamber Presidents." The commander meets with them; they call me a one man chamber of commerce. The Arsenal Island is in the middle of the Mississippi River but not in either Illinois or Iowa. Top management takes a vital interest in the community and assumes its role alongside the chambers and other research and industrial type companies as a community leader and community promoter.

These chambers of commerce have studied the transportation patterns and the traffic load from the Quad-City area and in cities west. They have made a strong case and a plea for direct nonstop flights from the Quad-City Airport to Washington, D.C., and from the Quad-City Airport to New York City, originating west of the Quad-Cities.

The Council of Chamber Presidents invited Ozark representatives to meet with them and explain Ozark's proposal. Ozark promptly sent executives from their home office.

The council also invited United Airlines representatives to meet with them and present information about their future plans. Home office managers responded quickly and a special meeting was arranged.

This kind of cooperation makes the Quad-Cities grow. There is a competitive spirit between the cities and between their chambers of commerce, but they join together on the many matters that have areawide impact.

The Civil Aeronautics Board will be told at its hearing, as both airlines have been told, that there is a keen need for direct flight service from the Quad-Cities area to the east and that big business, little business, the Army Weapons Command and the city government officials are anxious to have it provided by either United or Ozark or both, or by American or TWA—who have no authorization into the Quad-Cities—or any airline.

I certainly add my voice to the request for direct flight service. I see the value to the community. I see its value to the individual traveler. I, like the rest of you here on the floor of the House of Representatives, must move back and forth between our home ground and the Halls of Congress with great frequency. I am proud of the First District of Iowa, which I represent, and of the whole Quad-City area. It pleases me to see it grow, serving our Nation in many ways, and providing good homes and a good community for the Quad-City citizens. It pleases me to see so many groups working together to improve air travel, which also is growing steadily.

The same type of thing is happening in other areas, I am told, and will happen soon in many more of them. This pleases me too, for it helps America be great.

Movement of people, movement of mail, movement of goods, and movement of products is essential to the continued growth of a better America. Most important of all is people. If people can move to each other, and see each other, and talk to each other, face-to-face, progress in every phase of American life is bound to come.

At this point in the RECORD I would like to insert a resolution adopted by the Davenport Chamber of Commerce on this matter:

RESOLUTION

Whereas, Ozark Air Lines is requesting the Civil Aeronautics Board to grant non-stop service from Illinois communities to Washington, D.C. and New York City; and

Whereas, the communities from which Ozark is asking to fly non-stop are Peoria, Springfield and Champaign-Urbana; and

Whereas, the Quad-Cities is designated on the Ozark route request as a stop immediately prior to Peoria and thence non-stop to Washington and New York City; and

Whereas, United Air Lines has Civil Aeronautics Board authority to provide service non-stop from the Quad-Cities to Washington, New York City and other coastal points.

Now, therefore, be it resolved that the Davenport Chamber of Commerce, Davenport, Iowa, intervene in the Civil Aeronautics Board hearing scheduled June 12, 1968, in Peoria on the Ozark petition, Docket 18577; and

Be it further resolved, that the intervention be on behalf of the Quad-City community, without reference to a choice of carrier, contending that non-stop service between the Quad-Cities and Washington and New York City is needed; and

Be it further resolved, that communication of this community desire for non-stop service between the Quad-Cities and Washington and New York be made to United Air Lines.

Dated this 28th day of May, 1968.

EDWARD M. LEHNER,
President, Davenport Chamber of Commerce.

JOHN McCORMACK, SPEAKER OF THE HOUSE

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a broadcast by Joseph McCaffrey.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, on Wednesday, May 29, 1968, the distinguished news reporter, Joseph McCaffrey, on his program "Meet the Member," commented upon our beloved Speaker. It is a pleasure for me to call this radio broadcast to the attention of the House of Representatives:

John W. McCormack is a thoughtful man, who is loyal to his friends and his political colleagues and expects loyalty in return. Yet despite the number of times during his fifty years in public life when he has found his trust misplaced, John McCormack has never let it discourage or disillusion him. In all his years the Speaker of the House has never been cynical, his faith in his fellow man is as great today as when he trotted off to work at the age of 13 following the death of his father and he was called on to become the family breadwinner.

Young John left high school and began working as a newsboy, then moved up to take a job as errand boy with a brokerage firm at what was, to him at that time, the grand wage of three dollars and fifty cents a week. The chance to increase that amount to four dollars caused him to make what turned out to be one of the most important decisions of his life. He took an errand running job for four dollars a week in the law office of William T. Way.

Taking a liking to the courteous, hard working, young McCormack, Counselor Way suggested that he read law. Studing at night and between errands in the law office, John McCormack was able to pass the bar examinations when he was 21 years old. His law career was interrupted by service during World War I, in the Army, from which he was discharged with the rank of Sergeant Major.

At about the same time he took his first step toward a political career as a delegate to the Massachusetts Constitutional Convention. In 1920 he was elected to the State House of Representatives, and then moved to the State Senate.

By now he had developed a reputation as one of the state's leading trial attorneys as the senior partner in the law firm of McCormack and Hardy. He was elected to Congress in 1928, and today is the second ranking member of the House of Representatives, following New York City's Emanuel Celler who served since November 1923.

Perhaps no one points up the value of making a good impression during the freshman term as does John McCormack. As a first termer, McCormack worked hard. He had the advantage of his years in the state legislature so he was a step ahead of most of the newer members.

He quickly came to the attention of John Nance Garner, and the powerful Sam Rayburn who was then ranking Democrat on the House Commerce Committee. Later John McCormack was picked for membership on the vital Ways and Means Committee, the first Democratic Congressman to win the influential and sought after committee assignment with less than two terms in office.

When Rayburn moved to the Speaker's chair in 1940, McCormack became the natural choice for majority leader, and he has been in the leadership ranks of the House ever since then . . . 28 years ago.

On January 10, 1962, and following the death of Sam Rayburn, John McCormack was elected Speaker, a post which he has held in the 88th, 89th and the current 90th Congress.

He is known as a fair, honest, objective man whose word has always been his bond. He is a party man only in the sense of his loyalty to his Democratic party. He does not attend social functions, preferring to spend his evenings with his wife of 48 years, Harriet. The two attend formal state dinners at the White House, but generally the Speaker, as he has done most of his public life, shys away from the social circuit.

Those who know him well doubt if any record has ever been kept of the favors he has done for others, the help he has given those in need, the compassion he has shown to men and women in all walks to life.

Years ago a chaplain of the House of Representatives summed up John McCormack the man when he said, " I think if all of us lived the kind of life John McCormack lives, there wouldn't be any need for a chaplain".

CAPTURE OF JAMES EARL RAY

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, the events of the past week were not all bleak. The news of the capture of James Earl Ray, the suspected assassin of Martin Luther King, in London on Saturday morning was welcome indeed in the light of current events.

I want to say at this time that I think the Federal Bureau of Investigation did one of its most outstanding jobs in this investigation. There perhaps has been few, if any, investigations into which it has put greater effort. The speed with which it identified the suspected killer, and the exhaustive probe which it continued to make until this man was located are the things which we Americans have come to expect of the FBI.

Thankfully, J. Edgar Hoover and his dedicated associates in the FBI have come through once again for the American people. Let this be fair warning to all would-be assassins—no stone will be left unturned until they are captured and brought to the bar of justice no matter how far they may flee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Thompson of New Jersey, for the period June 10 through July 3, on account of official business.

Mr. Donohue (at the request of Mr. Burke of Massachusetts), for 4 days, on account of death in family.

Mr. Pepper (at the request of Mr. Albert) for today, on account of official business.

Mr. McCulloch (at the request of Mr. Gerald R. Ford), for today, on account of National Advisory Committee on Civil Disorders.

Mr. Corman, for today, on account of official business.

Mr. Evins of Tennessee (at the request of Mr. Everett), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any speical orders heretofore entered, was granted to:

Mr. Howard (at the request of Mr. Charles H. Wilson), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Cahill (at the request of Mr. Blackburn) for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Howard) and to revise and extend their remarks and include extraneous matter:)

Mr. Reuss, for 30 minutes, today.

Mr. Fuqua, for 60 minutes, on July 8.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Udall during his remarks on S. 974 and to include a letter.

Mr. Rodino (at the request of Mr. Howard) to include extraneous matter with his remarks made today in the Committee of the Whole on H.R. 3400.

(The following Members (at the request of Mr. Reinecke) and to include extraneous matter:)

Mr. Byrnes of Wisconsin.

Mr. Bush.

Mr. Brown of Michigan.

Mr. Ashbrook in two instances.

Mr. Broyhill of Virginia.

Mr. Brock.

Mr. Quillen in four instances.

Mr. Fulton of Pennsylvania in five instances.

Mr. Bob Wilson in two instances.

Mr. Hosmer in two instances.

Mr. Dole.

Mr. Poff.

Mr. Scherle.

Mr. Keith.

Mr. Talcott.

Mr. Buchanan in two instances.

Mr. Smith of Oklahoma.

Mr. Utt in three instances.

Mr. Miller of Ohio.

Mr. Wyatt.

Mr. Minshall.

Mr. McClure.

(The following Members (at the request of Mr. Howard) and to include extraneous matter:)

Mr. Abbitt.

Mr. Resnick in two instances.

Mr. Fraser in three instances.

Mr. Leggett.

Mr. Jones of Alabama.

Mr. Edwards of California in five instances.

Mr. Fuqua in two instances.

Mr. Hathaway in two instances.

Mr. Fisher in two instances.

Mr. Gonzalez in three instances.

Mr. Bevill.

Mr. Rarick in six instances.

Mr. Dent in two instances.

Mr. Rooney of New York in two instances.

Mr. Murphy of New York.

Mr. Ryan in two instances.

Mr. Hamilton.

Mrs. Kelly.

Mr. Montgomery in three instances.

Mr. Fascell.

Mr. Cohelan in two instances.

Mr. Miller of California in five instances.

Mr. William D. Ford in two instances.

Mr. Blatnik in five instances.

Mr. Philbin in three instances.

Mr. Charles H. Wilson.

Mr. Friedel.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

On June 7, 1968.

H.R. 5037. An act to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; and

H.R. 16911. An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On June 6, 1968:

H.R. 11308. An act to amend the National Foundation on the Arts and the Humanities Act of 1965; and

H.J. Res. 1292. Joint resolution to authorize the U.S. Secret Service to furnish protection to major presidential or vice presidential candidates.

On June 7, 1968:

H.R. 5037. An act to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; and

H.R. 16911. An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes.

ADJOURNMENT

Mr. HOWARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 6 minutes p.m.), the House adjourned until tomorrow, Tuesday, June 11, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1915. A letter from the Secretary of Defense, transmitting a notification of deficiences to be incurred for necessities of the current year in certain appropriations, pursuant to the provisions of subsection (b) of R. S. 3732 (41 U.S.C. 11); to the Committee on Appropriations.

1916. A letter from the Secretary of the Navy, transmitting notification of a proposal to loan surplus property not needed by the Department of the Navy to the Chesapeake Bay Maritime Museum, St. Michaels, Md., pursuant to the provisions of 10 U.S.C. 7545; to the Committee on Armed Services.

1917. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the method of determining information necessary to establish entitlements under title I of the Elementary and Secondary Education Act of 1965, pursuant to the provisions of section 113, Public Law 90–247; to the Committee on Education and Labor.

1918. A letter from the Secretary of State, transmitting the seventh annual report on the activities of the Center for Cultural and Technical Interchange Between East and West in Honolulu, covering the period July 1, 1966, through June 30, 1967, pursuant to the provisions of chapter VII, Public Law 86–472; to the Committee on Foreign Affairs.

1919. A letter from the Acting Comptroller General of the United States, transmitting a report on the need to expand and relocate internal audit function in the Department of Labor; to the Committee on Government Operations.

1920. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of the act approved July 7, 1943 (57 Stat. 380), as amended (59 Stat. 434 and 63 Stat. 377); to the Committee on House Administration.

1921. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes; to the Committee on Interior and Insular Affairs.

1922. A letter from the Secretary of Health, Education, and Welfare transmitting the first annual report on the progress in the prevention and control of air pollution, pursuant to the provisions of section 306 of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

1923. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the incidence of serious hunger and malnutrition and related health problems, pursuant to the provisions of section 14, Public Law 90–174; to the Committee on Interstate and Foreign Commerce.

1924. A letter from the Attorney General, transmitting a draft of proposed legislation to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

1925. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 5, 1968, the following bill was reported on June 7, 1968:

Mr. MAHON: Committee on Appropriations. H.R. 17734. A bill making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 1531). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of June 6, 1968, the following bill was reported on June 7, 1968:

Mr. GRAY: Committee on Public Works. H.R. 6589. A bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped; with amendment (Rept. No. 1532). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted June 10, 1968*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee of conference. H.R. 15414. An act to continue the existing excise tax rates on communication services and on automobiles and to apply more generally the provisions relating to payments of estimated tax by corporations (Rept. No. 1533). Ordered to be printed.

Mr. GARMATZ: Committee of conference. H.R. 12639. An act to remove certain limitations on ocean cruises (Rept. No. 1534). Ordered to be printed.

Mr. GARMATZ: Committee of conference. H.R. 15190. An act to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans (Rept. No. 1535). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15758. A bill to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes; with amendment (Rept. No. 1536). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 17325. A bill to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; with amendment (Rept. No. 1537). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 6, 1968, the following bill was introduced on June 7, 1968:

By Mr. MAHON:

H.R. 17734. A bill making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

[*Submitted June 10, 1968*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 17735. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 17736. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 17737. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R. 17738. A bill to amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GATHINGS:

H.R. 17739. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 17740. A bill to establish a Commission on Hunger; to the Committee on Education and Labor.

By Mr. POOL:

H.R. 17741. A bill to amend title 18, United States Code, with respect to the reviewability of admission in evidence of confessions in State cases, admissibility in evidence of eye witness testimony, and procedures in obtaining writs of habeas corpus; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 17742. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 17743. A bill to amend the Social Security Act as related to certain hospitals in the State of New Mexico; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 17744. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 17745. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 17746. A bill to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during a civil disorder, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.R. 17747. A bill to authorize preschool and early education programs for handicapped children; to the Committee on Education and Labor.

By Mr. HATHAWAY (for himself, Mr. THOMPSON of New Jersey, Mr. HOLLAND, Mr. DANIELS, Mr. BRADEMAS, Mr. CAREY, Mr. HAWKINS, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr ECKHARDT, and Mr. OLSEN):

H.R. 17748. A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women, to assist and encourage the States to participate in efforts to assure such working conditions, to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 17749. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 17750. A bill to improve law enforcement in cities by making available funds to be used to increase police salaries and to add more police officers; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by the request):

H.R. 17751. A bill to prevent compression of rate ranges by reason of increases in minimum rates of pay under title I of the Federal Salary Reform Act of 1962, to enable the Administrator of Veterans' Affairs to establish higher rates of pay thereunder, to amend title 38 of the United States Code to require pay differentials for nurses in Veterans' Administration hospitals who perform evening, night, weekend, holidays, or overtime duty and to authorize payment for standby or on-call time, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITE (for himself and Mr. PRYOR):

H.R. 17752. A bill to provide indemnity payments to dairy farmers; to the Committee on Agriculture.

By Mr. PATMAN:

H.J. Res. 1295. Joint resolution providing for annual audits of the Federal Reserve System by the General Accounting Office; to the Committee on Banking and Currency.

By Mr. RODINO:

H.J. Res. 1296. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ROUSH:

H.J. Res. 1297. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. POOL:

H. Con. Res. 786. Concurrent resolution relating to the pay of the U.S. Capitol Police force for duty performed in emergencies; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

348. The SPEAKER presented a memorial of the Legislature of the State of South Carolina, relative to a proposed amendment to the Constitution on public school selection rights, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 17753. A bill for the relief of Eladio Pasamba Amador; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 17754. A bill for the relief of Amante Catalda; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 17755. A bill for the relief of Miss Ninfa Evola; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 17756. A bill for the relief of Iraj Rigi; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 17757. A bill for the relief of Epaminodas Stavrakis; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 17758. A bill for the relief of Ephy Grace Peshek; to the Committee on the Judiciary.

SENATE—*Monday, June 10, 1968*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, whose never failing love alone can heal our wounds and in whose keeping are the destinies of men and nations, in this time of grief and sorrow, when an empty desk in this Senate Chamber speaks of our tragic loss, we can but voice our deathless faith:

Jesus, I die to Thee
  Whenever death shall come—
To die in Thee, is life to me
  In my eternal home.

In life or death, O love divine, O helper ever present, through Thy abounding grace be Thou our strength and stay.

Lord, in this hour of tumult,
  Lord, in this night of fears,
Keep open, O keep open
  Our eyes, our hearts, our ears.
Not blindly, nor in hatred,
  Lord, let us do our part—
Keep open, O keep open
  Our eyes, our minds, our hearts.

We ask it in the name of the living Christ who is the resurrection and the life. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Robert F. Kennedy, late a Senator from the State of New York.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4919) to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona.

The message further announced that the House had passed a bill (H.R. 16027) to amend title 38, United States Code, to provide increases in rates of compensation for disabled veterans, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 16027) to amend title 38, United States Code, to provide increases in rates of compensation for disabled veterans, and for other purposes, was read twice by its title and referred to the Committee on Finance.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

NOMINATION FOR APPOINTMENT AS A MEMBER OF THE DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The PRESIDENT pro tempore laid before the Senate the following nomination, which was referred to the Committee on the District of Columbia:

JUNE 5, 1968.

The Senate of the United States:

Pursuant to the provisions of Section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended, I, the Commissioner of the District of Columbia nominate the following named person for appointment as a Member of the District of Columbia Redevelopment Land Agency:

Dean Stephen S. Davis, for a term of 5 years, effective on and after May 23, 1968.

WALTER WASHINGTON,
Commissioner of the District of Columbia.

EXECUTIVE MESSAGES REFERRED

As in executive session.

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Edward Klimowich to be postmaster at Montville, N.J., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, June 6, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements be limited to 3 minutes during the period for the transaction of routine morning business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rules VII and VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL WEDNESDAY AT 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 11 a.m. Wednesday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR TYDINGS ON WEDNESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the disposition of the Journal on Wednesday, June 12, 1968, the distinguished Senator from Maryland [Mr. TYDINGS] be recognized for not to exceed 1 hour.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF THE FEDERAL FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1154, H.R. 16674.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 16674) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1166), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill is designed to improve the capitalization of the Federal intermediate credit banks and production credit associations and enhance their capacity to meet the increasing credit needs of farmers and ranchers while retiring the remaining Government capital from the banks within a reasonable period. The bill would—

(1) Increase the debt-to-capital ratio of the Federal intermediate credit banks from a 12-to-1 ratio to 20 to 1, thereby permitting them to borrow more funds from investors;

(2) Permit each FICB to issue and sell participation certificates to other financing institutions;

(3) Authorize each FICB to equalize the ownership of the PCA's in its reserve account in reasonable proportion to the business done during the previous 3 years; and

(4) Permit the cancellation and retirement of class B stock of PCA's under Farm Credit Administration rules.

MAJOR PROVISION

The bill would relax the present statutory limitation on the maximum amount of their consolidated debentures that the 12 Federal intermediate credit banks may sell in the public securities market in order to obtain funds with which to finance production credit associations and other institutions in making loans to farmers and ranchers. Under existing law (12 U.S.C. 1041 (Supp. II, 1967)), the aggregate amount of such debentures and similar obligations outstanding may not exceed 12 times the surplus and paid-in capital of all such banks. Section 1(a) of the bill would make this debt-to-capital limitation 20 to 1 instead of 12 to 1. The need and justification for the amendment were made apparent at the hearing.

It is estimated that the debt-to-capital ratio of the Federal intermediate credit banks will reach 11.9 to 1 prior to the close of business on June 30, 1968. Meanwhile the production credit needs of farmers continue to increase. This is evidenced by the recent growth in outstanding loans and discounts of the credit banks for credit to farmers over the previous year, which was 14.1 percent at the end of fiscal 1966, 15.6 percent for 1967, and 14.3 percent for 1968 (estimated). If the banks are to continue in a position to meet such increasing credit needs, it is obvious that either their capital or the present 12-to-1 debt-to-capital limitation must soon be increased. While the Government might purchase additional capital stock in the banks, that would be contrary to the policy that all Government capital shall be retired from the banks within a reasonable period. The production credit associations also may be required to purchase additional capital stock in the banks and we are advised that they will be expected to do so. However, it is not deemed within the capacity of the associations to provide all the capital that would be required if the increasing credit needs of farmers are to be met within the present 12-to-1 limitation. Consequently, the bill would resolve the dilemma by increasing to 20 to 1 the permissible debt-to-capital ratio of the Federal intermediate credit banks.

As of June 30, 1967, the total amount of credit bank debentures outstanding was $3.3 billion; the maximum that then could have been outstanding under the 12-to-1, debt-to-capital limitation was $3.7 billion; and if the 20-to-1 limitation now proposed had been in effect, the legal maximum would have been $6.2 billion of debentures and similar obligations for all of the banks. Under a 20-to-1 limitation, it is anticipated that the increasing production credit needs of farmers can continue to be financed without requiring more Government capital for the banks, and that the $125,789,120 of Government capital now in the banks can be repaid within the next 5 years or so. The amount of debentures actually issued by the banks will continue to depend on the amount of loan funds required to meet the production credit needs of farmers. Although such needs are increasing, it is estimated that the amount of debentures issued for the first year under the 20-to-1 limitation should not exceed the amount issued in the previous year by more than about 15 percent.

A 20-to-1, debt-to-capital limitation for the Federal intermediate credit banks is now deemed justified not only by their own financial strength and negligible loss experience, but also because of the supporting relationship of the production credit associations which has been improved in several respects in recent years. To start with, a Federal intermediate credit bank will not suffer any loss on its financing of the production credit associations in its district, which represents from about 89 to 99 percent of its financing in the different districts, unless one or more of the associations become insolvent. However, this is well guarded against because the liabilities of each association, including its liabilty to the credt bank, may not exceed 10 times the paid-in and unimpaired capital and surplus of the association (12 U.S.C. 1032). In fact, overall the associations are currently operating within about a 7-to-1, debt-to-capital ratio, and no change in this is contemplated.

Production credit association losses in the 33 years of their existence since 1933 have amounted to only 0.08 of 1 percent of the total cash advanced to farmers and ranchers. This has not resulted in any loss to the credit banks, which have sustained no losses on any of their loans or discounts made since 1933, when the associations came into being. Taking into account losses suffered from their organization in 1923, the net losses of the credit banks in 44 years of operation have amounted to approximately $1 for each $9,000 of credit extended.

Today the likelihood of losses by the credit banks on their loans and discounts for the associations is even further reduced. As a protection for their capital and surplus, the associations have accumulated reserves for losses totaling $99.9 million, or 2.7 percent of total loans outstanding on December 31, 1967; and by annual additions these reserves will be increased to about 3.5 percent of outstanding loans. Further, the associations in the different districts, within the past few years, have adopted either loss-sharing agreements, participation loan agreements, or guarantee plans, or combinations of these, in connection with their loans. While these agreements for the different districts are in varying terms, the general effect is that certain losses by one association would be made up by contributions from the other associations. In this manner, the collective financial strength of the associations in a district serves to insulate the credit bank from losses on its loans or discounts for the associations.

The debentures issued by the Federal intermediate credit banks, therefore, are not only supported by a like amount of farmers' notes and the financial strength of the banks themselves, but also, to a considerable extent, by the financial strength of the associations. With due recognition of this, there is considered to be ample justification for the proposed amendment so far as concerns the financial stability of the Federal intermediate credit banks and the debentures issued by them.

COMMITTEE CONSIDERATION

The bill was requested by the Farm Credit Administration and the Budget Bureau advised that there is no objection to its presentation from the standpoint of the administration's program. The committee held a hearing on April 30, 1968, on a companion bill, S. 3292, and the hearing has been printed.

There was favorable testimony by all who appeared at the hearing. The bill has the support of the 12 district farm credit boards that serve as the board of directors of the Federal intermediate credit bank on their respective farm credit districts. One member from each of such boards (two from one district) was present at the hearing and either read or filed a statement indicating such support. The chairman of the National Advisory Committee of Production Credit Associations also appeared and endorsed the legislation on behalf of that group. Several of the farm organizations were represented at the hearing and either testified or filed statements in support of the bill.

The only provision of S. 3292, to which any opposition was indicated, was section 2(b) and it was deleted from H.R. 16674 by the House of Representatives. Section 2(b) would have authorized a production credit association to issue its capital notes for sale to borrowers and others. The opposition was that such capital notes would merely siphon funds from small country banks. Rather than delay action on the bill, in order to give further consideration to section 2(b), it was deemed preferable to strike it out, since there is some urgency for enactment of the major provision of the bill which is discussed separately earlier in the report. Since H.R. 16674 has been amended to omit this provision, the committee hearings showed that there is now no objection to the bill.

INFORMATION ON FEDERAL INTERMEDIATE CREDIT BANKS AND PRODUCTION CREDIT ASSOCIATIONS

The Federal intermediate credit banks, one in each of the 12 farm credit districts into which the 50 States and Puerto Rico are divided, were established in 1923. They were organized and operate under title II of the Federal Farm Loan Act as added by the Agricultural Credits Act of 1923 and since amended. Their primary function is to discount for, or purchase from, production credit associations and other financing institutions, with their indorsement, notes representing loans made by them to farmers and ranchers; and to make loans and advances to such associations and other financing institutions to enable them to make or carry loans for any agricultural purpose. Loans made to farmers or ranchers may be used as collateral for loans and advances from the credit banks. There now are about 118 other financing institutions being served by the Federal intermediate credit banks, but approximately 95 percent of the discounting and lending by such banks is for production credit associations.

The Federal intermediate credit banks obtain funds for such discounting and lending by selling their consolidated debentures in the public securities market. These debentures, for which loans made to farmers or ranchers are pledged as collateral, are the joint and several obligations of the 12 credit banks and are not obligations of the United States. During the fiscal year ending June 30, 1967, $4.2 billion of such debentures were issued, and the total amount outstanding at the end of the year was $3.3 billion.

Throughout the country there are 459 production credit associations, with the number in the 12 farm credit districts varying from 22 to 65. The associations are chartered by the Farm Credit Administration and operate under the provisions of the Farm Credit Act of 1933, as amended. Each association has a prescribed territory, usually ranging from one or more counties up to as much as one State or more, within which it makes loans to farmers and ranchers. Loan maturities usually are not more than a year but loans may be made for terms up to 7 years. During fiscal 1967, the volume of this lending, with loan funds furnished by the Federal intermediate credit bank in each of the 12 districts, totaled $5.1 billion. Out of a total membership of 548,279 at the end of that year, there were 322,700 borrowing members of the associations with $3.7 billion of loans outstanding.

Production credit associations were first authorized in 1933. As each association was organized, all of the capital stock not purchased by the organizers or initial borrowers was held on behalf of the United States. In accordance with the original design the Government capital in each association was gradually retired as the borrowers acquired more and more capital stock. The required stock investment by each borrower is 5 percent of the amount of his loan. From a peak of $90.1 million invested in all production credit associations in 1934, the Government capital has been reduced to a total of $730,000 in three of the 459 associations. Only $30,000 of this is original Government capital; the other $700,000 represents Government capital more recently invested in two associations because of adversities in their territory.

From their beginning in 1923, all of the capital stock of the 12 Federal intermediate credit banks was owned by the United States and it was not until 1956 that provision was made for the Government capital to be supplanted by private capital. During 1957 and 1958, as required by the Farm Credit Act of 1956, the production credit associations purchased capital stock in the Federal intermediate credit banks in an aggregate amount equal to 15 percent of the capital stock in the banks then owned by the United States and a corresponding amount of the capital stock owned by the United States, or slightly more than $13.1 million, was retired. Further, seven of the banks have used earnings to retire about $454,000 more of the capital stock held by the United States.

Following the 1956 legislation, the production credit associations have also increased their holdings of capital stock in the banks because the annual patronage refunds by each Federal intermediate credit bank are paid to the associations of its district in the form of capital stock. In 1965, there was further legislation which authorized each Federal intermediate credit bank, with the approval of the Farm Credit Administration, to require the production credit associations in its district to purchase additional capital stock in the bank in order to meet its credit needs. A number of the banks are now preparing to do this. However, there has been no net reduction in the amount of capital stock in the banks held by the United States. This is because during the same period, out of the revolving found in the Treasury available for that purpose, it has been necessary for the Governor of the Farm Credit Administration to purchase $51,950,000 of additional capital stock in eight of the banks in order to meet their credit needs. On the whole, therefore, the amount of Government capital put into the banks since 1956 is almost four times the amount that has been retired. Since the legal debt-to-capital ratio of the banks was increased to a maximum of 12 to 1 in 1965, though, there has been no change in the Government capital in the banks and the amount has remained at $125,789,120.

Since 1953 it has been the declared policy of Congress that the Government capital in the Federal intermediate credit banks eventually should be supplanted by capital provided by borrowers from the banks. The amendments enacted in 1956 and 1965 were intended to facilitate this. However, experience has shown, as explained at the hearing, that further legislation is necessary if the banks are to return their Government capital within a reasonable period and at the same time continue to serve the increasing needs for agricultural credit.

GUN CONTROL LEGISLATION

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that I may proceed for 5 or 6 minutes.

The **PRESIDENT** pro tempore. Is there objection? The Chair hears none, and the Senator from Montana is recognized.

Mr. **MANSFIELD**. Mr. President, there has been a great deal of pressure for the passing of antigun laws to prevent violence and to stop assassinations. I believe that it is imperative for the American people to understand that no type of gun law will prevent murder, and that any law passed will not prevent persons who are bent on breaking the law from acquiring guns or weapons of any sort. I believe that most guns used in the execution of a felony are bootlegged, stolen, or guns bought under the counter. It is my further belief that the persons who would be most affected are those law-abiding citizens who possess firearms for the protection of their families, their homes, their possessions, and their recreation.

I would point out that the Senate, on its own initiative before the assassination of our late beloved and respected colleague, Senator Kennedy, completed action on the safe streets and crime control bill.

The Congress completed action on this bill which bans interstate mail order sales of handguns and permits over-the-counter sales of handguns within a State only to residents over 21. Incidentally, 44 percent of the murders in this country were committed with handguns and only 16 percent by other guns. Rifles and shotguns are not covered by the restrictions. The bill also outlaws possession of any sort of firearms by persons convicted of a felony, mental incompetents, veterans with anything less than an honorable discharge, Americans who have renounced their citizenship and aliens illegally in this country.

The action of the Senate, concurred in by the House, does not ban the mail-order sale of rifles or shotguns, nor does it fulfill many of the recommendations cited by the President's Commission on Law Enforcement and Administration of Justice. That Commission recommended:

First. The outlawing of private possession of such military-type firearms as bazookas, machineguns, mortars, and antitank guns.

Second. Prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms. This has already been done by the Senate in the safe streets and crime control bill.

Third. Underscored the need for State registration of all firearms, and State permits to possess or carry handguns.

These requirements will not stop the killing; they may help to discourage it, and personally I would favor them.

The President and the people of this country can be assured that the Chief Executive's plea to close the "brutal loopholes" in our gun laws will be given every consideration.

I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States refused to assume theirs.

As far as handguns are concerned, it is my belief that they should not only be outlawed, as they are in the bill passed by the Senate, but that the most serious consideration should be given to restricting their use to law enforcement authorities or other persons qualified to use them in the line of duty.

Again I want to repeat, so that the issue can be set forth in perspective, that we can pass all the gun laws in the country and still not prevent people from getting shot. Gun laws no matter how stringent are not the answers and are not a cure-all, and we all had better face up to that fact. The answer lies in a sense of responsibility, parental control, more and better trained police, improvement of environmental conditions, obedience to the law, and less protection for the criminal and more protection for the innocent. There is too much lawlessness, disrespect, and irresponsibility today, and as far as guns are concerned every weapon in the country could be seized and confiscated, but we would still have the problem of guns of a crude type which could be manufactured at home, could be used with deadly accuracy, and they could kill.

It is impossible to give total protection to any public figure today, and while some States, such as California, Michigan, and New York, have tight gun control laws, yet in California a suspect possessing a gun illegally, carrying it illegally, and using it illegally, took the life of our late colleague.

Any proposal on gun legislation will, I hope, and I am sure, be given prompt consideration by the Judiciary Committee or by whatever committee it may be referred to.

Any bill that is reported will be taken up promptly by the Policy Committee and will be brought to the floor of the Senate after that committee has acted.

We ought to think not only of public persons—and their deaths are, indeed, tragic—but also of the ordinary people, such as the two marine lieutenants, one of them from Fishtail, Mont., who were shot in a little hamburger stand in Washington during the past week; of the busdriver who was held up and murdered; of the high school boy from Wilson High School, who a week or 10 days ago was assaulted and murdered; and of the thousands of little people, who are likewise entitled to just as much protection as are public figures, although certain public figures, because of their particular circumstances, need a great deal more. I shall have more to say about that at a later time.

Mr. President, I conclude by stating again that it was the Senate that initiated a good bill for the control of handguns, and that the House also approved that bill. So far as I am concerned, I hope that the President will sign the safe streets and omnibus crime control bill, because I think it is not only needed, but is also long overdue.

Mr. DIRKSEN. Mr. President, I applaud the majority leader for the frank and candid way in which he has commented on this whole subject. An emotional outburst has suddenly found its way onto television and elsewhere, seeking to excite people into thinking that Congress has passed a bill that lacks teeth and is not commensurate with the problem that is before us.

I wish the people who rush so readily into print—and this goes for some of the columnists, too—would just take a little time off and read the bill that was initiated in the Senate Committee on the Judiciary and was then even further improved on the floor of the Senate. Let them take a little time to read the Long amendment that was incorporated in the bill and see what a good job was done in the six or seven titles that are now in the bill.

I share the majority leader's hope—and I am confident, as well—that the President will sign the bill and let it go into effect. We can then see where we are before we undertake to tamper with it.

Of course there is going to be frustration and disappointment that some did not get all they wanted, but after all, this is a collective undertaking. Everyone has his own views on the matter. However, the sizable vote in the Senate and the vote of 368 to 17 in the House of Representatives speak for themselves. Let the bill be signed, get it on the books, and give it the force of law. Then, let us see where we go from there.

Incidentally, when the appeal was made to the country to become vocal and articulate to Members, I received a telephone call from a professor in one of the universities in Illinois. He said, "I want to say for myself and my associates that we think the position you took on the safe streets and anticrime bill, including the gun control title, and all the other titles, is so very eminently correct." That is the kind of reaction I have gotten thus far.

In connection with this entire matter, we all abhor the violence that struck the Nation in the last few days, from the assassination of Robert Kennedy to the shooting of two Marine officers in Georgetown.

An editorial entitled "The Shame of Washington" was published in the Chicago Tribune of today. Mr. President, it is a shame, and I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SHAME OF WASHINGTON

Yesterday's shocking news from Los Angeles has tended to obscure the news of another shooting that took place at almost the same moment in Washington. Two marine lieutenants eating hamburgers in a snack bar were murdered, and a third and his companion were wounded.

So far it is hard to ascribe the shooting of Sen. Kennedy and his companions to anything but sheer madness. But the shooting in Washington fits into a pattern of growing lawlessness and violence which has disgraced the capital for some time. It has risen to the point of terror since the riots following the assassination of Martin Luther King, Jr., and especially since the arrival of the "poor people's march" and the accompanying militants, both white and Negro, who are determined "to turn this capital upside down."

The three young Negroes charged with the murders do not appear to be registered at Resurrection City, but they are from out of town—from California—and one of them says he came to Washington to join the poor people's march.

Be that as it may, the events of the last two months have made Washington a national disgrace. Serious crimes, mainly robberies and assaults, are running at double the rate of 1967. The city reports an average of 77 cases of arson a month—at least seven of them on one day, May 8. Public transportation has been curtailed because drivers refuse to work at night. Stores are shutting down at dusk. The tourist business has almost come to a halt.

The reasons for all this are not hard to find. Crime all over the country has risen in close proportion to the success of sobsisters and the courts in obstructing the work of the police—and now the Supreme Court has, in effect, ruled out the death penalty.

Washington's own record has been especially shameful. During the April riots, government officials followed a deliberate policy of "restraint," and they even congratulated themselves on what they regarded as its success. Sen. Robert Byrd of West Virginia, chairman of the Senate subcommittee handling appropriations for the District of Columbia, saw things more clearly. Policies designed to spare the lives of rioters and arsonists and looters, he said, have merely encouraged them to greater violence.

The attorney general himself, Mr. Clark, has proved the most willing pushover of all for the rioters. He was rewarded for his "restraint" by a delegation from Resurrection City who refused to let him speak, hurled insults at him, and arrogantly threatened violence. The top law enforcement officer of the country listened meekly until the show was over.

Washington has compounded its troubles by virtually welcoming this army of marchers and giving them squatting rights in the middle of the city, even tho it should have been clear to anybody that the "nonviolence" was wishful thinking and that, in time, the militants would take over.

Congress has control of the District of Columbia, and Congress is in session. It would be best for everybody concerned if the marchers were to pack up and go home quickly, before they wreck their own cause along with the city of Washington. But if they don't, then Congress had better be prepared to see that they leave when their permit expires or to assume the responsibility for a capital turned upside down.

Mr. METCALF. Mr. President, a few moments ago my distinguished colleague, the majority leader, the senior Senator from Montana [Mr. MANSFIELD], made some comments about gun control legislation.

He pointed out that before the assassination of Senator Robert F. Kennedy, the Senate had enacted substantial gun control legislation, had turned down some amendments on the floor of the Senate, and had also adopted other amendments on the floor of the Senate.

He pointed out further that no one in the Senate believes we should have bazookas or hand grenades or permit the sale of antitank guns or French 75's, or many other such weapons, but that they should be under strict control.

He also pointed out that, in his opinion, there should be registration of all guns. I concur in that statement. I would estimate that the State of Montana has about as many guns as any State in the Union; and I concur with the senior Senator from Montana that the people of Montana would agree to the registration of guns.

I think that we should have a complete prohibition of the sale of handguns. But, at this time of emotion, at this time when all of us grieve for the death not only of Senator Robert F. Kennedy but also for the deaths of the two marines who were mentioned, one of whom came from Montana, we must not let emotion run ahead of objective consideration of what can be done.

The senior Senator from Montana has made some substantial suggestions. This gun control bill that we have passed, should be given an opportunity to achieve its objectives, because it is ably conceived.

Columnists, cartoonists, and writers are all talking about stricter gun control. The law that was passed by the Senate and adopted by the House of Representatives the other day would take care of the kind of gun control that would eliminate handguns, one of which was used in the assassination of Senator Robert F. Kennedy.

These things should be left to the States. I would hope that my State of Montana, through its legislature would pass the kind of registration law that would be operative in that State to control long guns, and that the State of Montana would prohibit the use of handguns except under very unusual situations, in gun clubs, and so forth.

But this is no time to yield to the emotion created by the assassination of a great Senator or the death of two young marines to reconsider legislation that has been carefully drafted in the Judiciary Committee, and debated on the floor of the Senate; legislation that has not yet been tried.

So I would hope that the statement of

the senior Senator from Montana will be heeded, urging consideration and moderation, and urging that the Judiciary Committee hold the hearings, and suggesting that the Judiciary Committees of the Senate and the Congress, and all the various agencies involved, carefully consider the whole subject of additional gun control legislation in the light of not only what has happened recently but in the light of the welfare of all the people involved.

Mr. TYDINGS. Mr. President, I listened to the remarks of my distinguished colleagues, the Senators from Montana and the senior Senator from Illinois, on gun legislation. I will have something to say in some detail Wednesday morning, together with some thoughts on what my colleagues should do if they are really concerned with the problem faced by this Nation.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of Thursday, June 6, 1968,

The Secretary of the Senate, on June 6, 1968, received the following message from the House of Representatives:

That the House had agreed to the amendment of the Senate to the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H.R. 5037. An act to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes;

H.R. 16911. An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes; and

H.J. Res. 1292. Joint resolution to authorize the U.S. Secret Service to furnish protection to major presidential or vice presidential candidates.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of Thursday, June 6, 1968,

The Vice President, on June 6, 1968, signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 2585. An act for the relief of Kap Rai Kim and Young Nam Kim;

H.R. 11308. An act to amend the National Foundation on the Arts and the Humanities Act of 1965; and

H.J. Res. 1292. Joint resolution to authorize the U.S. Secret Service to furnish protection to major presidential or vice presidential candidates.

The Vice President, also, on June 7, 1968, signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 5037. An act to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; and

H.R. 16911. An act to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

LOAN TO SOUTHERN ILLINOIS POWER COOPERATIVE, INC.

A letter from the Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, pursuant to law, information on the approval of a loan to the Southern Illinois Power Cooperative of Marion, Ill. (with an accompanying paper); to the Committee on Appropriations.

MOBILE TRADE FAIRS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs (with accompanying papers); to the Committee on Commerce.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report of the need to expand and relocate the internal audit function in the Department of Labor, dated June 6, 1968 (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONVEYANCE OF TRACT OF LAND TO LILLIAN I. ANDERSON

A letter from the Assistant Secretary of the Interior, transmitting, a draft of proposed legislation to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lillian I. Anderson (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PROPOSED DISPOSITION OF JUDGMENT FUNDS TO THE QUECHAN TRIBE OF FORT YUMA RESERVATION

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT, CURECANTI NATIONAL RECREATIONAL AREA, COLO.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a copy of a proposed concession contract under which Messrs. R. D. Jackson and C. M. Voss, a partnership doing business as Curecanti Marinas, will be authorized to provide a marina and marine merchandising, camping, and food and beverage facilities and services for the public in Curecanti National Recreation Area, Colo. (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, a report setting forth a method of determining the information necessary to establish entitlements within each of the several States under title I of the Elementary and Secondary Education Act of 1965 on the basis of data later than 1960; to the Committee on Labor and Public Welfare.

REPORT DEALING WITH THE INCIDENCE OF SERIOUS HUNGER AND MALNUTRITION AND HEALTH PROBLEMS INCIDENT THERETO

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report dealing with the incidence of serious hunger and malnutrition and health problems incident thereto (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT ON PROGRESS IN THE PREVENTION AND CONTROL OF AIR POLLUTION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report describing progress in the national effort to prevent and control air pollution (with an accompanying report); to the Committee on Public Works.

PROPOSED AMENDMENT OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended (with accompanying papers); to the Joint Committee on Atomic Energy.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of New Mexico; to the Committee on Finance:

"SENATE JOINT MEMORIAL 2

"A joint memorial pertaining to Federal participation in welfare payments to nonresidents

"Whereas, the Federal Social Security Act since its enactment in 1935 has permitted the various states to impose reasonable residence requirements for eligibility to the various public assistance programs whose costs are partly paid by federal funds; and

"Whereas, the Federal Social Security Act so provides at the present time with New Mexico having consistently required a reasonable continued residence as an eligibility factor for permanent public assistance payments; and

"Whereas, a federal court in California and in federal courts in many other states in the nation have declared the unconstitutionality of such residence requirements alleging that they contravene the 'equal protection of the law' guarantee of the Federal Constitution and that they unduly restrict the freedom of Americans to travel at will within the country; and

"Whereas, if this new judicial theory is upheld by the United States Supreme Court, state costs of public assistance in New Mexico will be tremendously and permanently increased;

"Now, therefore, be it resolved by the Legislature of the State of New Mexico that the President and the Congress of the United States be respectfully memorialized to amend the Federal Social Security Act at once so as to provide full federal financing of public assistance payments made to recipients who do not meet the length of residence requirements presently permitted by federal statute and contained in the welfare laws of this state and applicable statutes in other states, such federal financing to continue in each case only until the existing length of residence requirements have been met by each recipient;

"Be it further resolved that copies of this memorial be transmitted to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from New Mexico in the Congress of the United States.

"E. LEE FRANCIS,
"President, New Mexico Senate.
"BRUCE KING,
"Speaker, House of Representatives."

A concurrent resolution of the General Assembly of the State of South Carolina; to the Committee on the Judiciary:

"CALENDAR NO. S. 958

"A concurrent resolution to memorialize the Congress of the United States to Propose an Amendment to the Constitution Which Would Authorize Citizens to Exercise Freedom of Choice in the Selection of the Public Schools Which they Wish to Attend

"Whereas, a recent decision of the United States Supreme Court has taken away the right of citizens to select the public school which they may attend; and

"Whereas, this ruling contravenes the basic and traditional ideas of freedom which have successfully guided our Nation throughout its history; and

"Whereas, people of food faith of all races require a reasonable principle to guide them in their search for an orderly and equitable resolution of the difficult problems involved in the desegregation of our schools. Now, therefore,

"Be it resolved by the Senate, the House of Representatives concurring:

"That the Congress of the United States be and is hereby memorialized to propose an amendment to the Constitution of the United States which will authorize citizens to exercise freedom of choice in the selection of the public schools they wish to attend and insure thereby an orderly and equitable approach to the difficult problems involved in the desegregation of our schools.

"Be it further resolved that copies of this resolution be forwarded to each member of the South Carolina Congressional Delegation, the Speaker of the United States House of Representatives and the President of the Senate."

DEATH OF SENATOR ROBERT F. KENNEDY, OF NEW YORK

Mr. MANSFIELD. Mr. President, the Vice President, the President of the Senate, and I have received a number of communications from around the globe, from officials, and from private citizens as well, expressing their deep sorrow and profound regret at the passing of our respected and esteemed colleague, the late Senator Robert F. Kennedy.

I ask unanimous consent that these communications may be printed in the RECORD and referred to the appropriate committee.

There being no objection, the communications were referred to the Committee on Foreign Relations, as follows:

STRASBOURG,
June 7, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.:

The tragedy which has struck your country is deeply felt in Europe. On behalf of the Consultative Assembly of the Council of Europe I beg you to accept our deepest and heartfelt sympathy.

GEOFFREY DE FREITAS.

TOKYO,
July 7, 1968.

Mr. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.:

Deeply shocked at the tragic news of the sudden and deplorable death of Senator Robert F. Kennedy. The demise of this great statesman is an immeasurable loss not only to your country but also to the whole world at this time of crucial importance. On behalf of the House of Councillors I wish to express my profound sentiments of condolance and sympathy to you, the bereaved family and the people of the United States.

YUZO SHIGEMUNE,
President of House of Councillors.

PRAHA,
June 6, 1968.

Mr. HUBERT HORATIO HUMPHREY,
President of the Senate of the U.S.A.,
Capitol Hill, Washington, D.C.

DEAR MR. PRESIDENT: It is with deep emotion and indignation that the deputies of the National Assembly of the Czechoslovak Socialist Republic received the news about the attempt on the life of Senator Robert Kennedy and his tragic death. Accept please on my behalf as well as on behalf of all deputies the assurance of our deepest sympathy and kindly present our sincerest condolence to the family of the deceased Senator.

JOSEF SMRKOVSKY,
President of the National Assembly of the Czechoslovak Socialist Republic.

ADDISABABA,
June 6, 1968.

PRESIDENT OF THE SENATE,
Congress of U.S.A.,
Capital Hill, Washington, D.C.:

I wish to convey through you my heartfelt grief and condolence to the Senate of the United States of America over the untimely death of Senator Robert Kennedy who championed the cause of humanity in his short but fruitful life. Senator Kennedy's death is a loss not only to the United States of America but also to mankind at large.

KETEMA YIFRU,
Minister for Foreign Affairs of Ethiopia.

SAIGON,
June 7, 1968.

PRESIDENT,
Senate, Washington, D.C.:

President Commission Contre Corruption Chambre Legislative Vietnam profondement touche nouvelle assasinat Senateur Robert Kennedy. Presente a senat ainsi qua Madame Robert Kennedy et toute famille Kennedy respectueuses condoleances et souhaite tout coeur miracle operation chirugicale sauvera Senateur Robert Kennedy pour usa ut monde libre.

Respects,

PHANHUYDUC.

TOKYO, JAPAN,
June 7, 1968.

Mr. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.:

On receiving sad news of the sudden death of Senator Robert Kennedy, my sorrow knows no bound. I respectfully express my deep condolences. Please convey my profound sympathy to the bereaved family.

MITSUJIRO ISHII,
Speaker, House of Representatives.

GERMAN EMBASSY,
Washington, D.C., June 6, 1968.

The VICE PRESIDENT,
The Capitol,
Washington, D.C.

MY DEAR MR. VICE PRESIDENT: The President of the German Bundestag has asked me to transmit to you in your capacity as President of the United States Senate the following message of condolence of the German Bundestag:

"Tiefbewegt spreche ich Ihnen, Herr Präsident und dem Senat der Vereinigten Staaten von Amerika die aufdichtige Anteilnahme des Deutschen Bundestags aus zu dem überaus schmerzlichen und tragischen Verlust, den Sie und die Vereinigten Staaten durch den Tod von Senator Robert Kennedy erlitten haben. Der Deutsche Bundestag trauert mit Ihnen um eine grobe Hoffnung Ihres Landes. Er gedenkt in herzlicher Anteilnahme auch der zweifach schwer geprüften Familie Kennedy.

"Ihr aufrichtig ergebener,
"GERSTENMAIER,
"Präsident des Deutschen Bundestags."

The English translation reads as follows:

"Deeply moved, I express to you, Mr. President, and to the Senate of the United States of America, the sincere participation of the German Bundestag in the painful and tragic loss which you and the United States have suffered through the death of Senator Robert Kennedy. The German Bundestag is in mourning with you over a great hope of your country. It also is thinking with heartfelt sympathy of the again so severely tried Kennedy family.

"Very sincerely yours,
"GERSTENMAIER,
"President of the German Bundestag".

Respectfully yours,

H. KNAPPSTEIN.

BUCURESTI,
June 6, 1968.

Hon. HUBERT H. HUMPHREY,
President of the U.S. Senate,
Washington, D.C.

Deeply grieved at the news of the assassination of Senator Robert Francis Kennedy an outstanding member of the United States Senate and a remarkable figure of American political life. I convey my most sincere condolences as well as those of the members of the Grand National Assembly of The Socialist Republic of Romania. May I also request you to transmit to Mrs. Ethel Kennedy and to the bereaved family the expression of our profound sympathy at this time of harsh trial.

STEFAN VOITEC,
President of the Grand National Assembly of the Socialist Republic of Romania.

WASHINGTON, D.C.,
June 6, 1968.

Hon. HUBERT H. HUMPHREY,
Vice President of the U.S.,
Washington D.C.

Following upon my visit to the Senate yesterday, I received the sad news of Senator Robert F. Kennedy's death. On behalf of the Danish Government, I ask you to convey to the Senate the expression of my sincere condolences on this tragic occasion.

POUL HARTLING,
Foreign Minister of Denmark.

GRENADA,
June 6, 1968.

LEADER OF U.S. SENATE,
Washington:

Please convey to the United States Senate the sympathy of the Government and people of Grenada on the tragic loss of Senator Robert Kennedy.

PREMIER.

BRUXELS,
June 6, 1968.

Mr. HUBERT HUMPHREY,
Vice President,
Washington, D.C.:

President, Members and Secretariat North Atlantic Assembly convey deepest sympathy on tragic death of Robert Kennedy.

DESHORMES,
Secretary General.

NEW YORK, N.Y.,
June 6, 1968.

HUBERT H. HUMPHREY,
Vice President,
Washington, D.C.:

I learned with great shock of today's brutal attempt on Senator Robert F. Kennedy's life.

I hasten to express to your Excellency, in my name and in that of my fellow Senators my heart-felt sympathies.

Please accept, Excellency, my best wishes for Senator Kennedy's speediest recovery and return to his well-being.

IBRAHIM SEVKI ATASAGUN,
President of the Senate of the Turkish Republic.

ADDISABABA,
June 6, 1968.

Vice President HUBERT H. HUMPHREY,
President of the U.S. Senate,
Washington:

It is with great sorrow that we have learnt the tragic news of the death of Senator Robert Kennedy. The untimely death of this distinguished and dynamic Member of the U.S. Senate will undoubtedly be a great loss to the United States and the world. We join you and the people of the United States in mourning this great loss.

HAILE SELASSIE,
Emperor.

LUXEMBOURG,
June 6, 1968.

Mr. HUMPHREY,
President of the Senate,
Capitol, Washington, D.C.:

Deeply affected by the dreadful news of the assassination of Senator Robert Kennedy. I wish to convey to you and to the Senate of the United States of America my heartfelt condolences as well as those of the Parliament of Luxembourg.

ROMAIN FANDEL,
President of the Luxembourg Parliament.

PRAGUE,
June 6, 1968.

THE SENATE OF THE U.S.A.
Washington, D.C.:

The Chechoslovak Society for International Relation received the news about the tragic decease of the Senator Robert Kennedy with deep emotion. In his personality passed away a significant politician, one of the best sons of the American Nation. We are paying homage to his memory with deep reverence.

Professor Dr. JAROSLAV MARTINIC,
The President of the Chechoslovak Society for International Relations.

NEW YORK, N.Y.,
June 6, 1968.

HUBERT H. HUMPHREY,
Vice President,
Washington, D.C.:

I learned with great shock of today's hateful attempt on Senator Robert F. Kennedy's life.

I hasten to express to your excellency in my name and in that of my fellow Senators my heartfelt sympathies. Please accept excellency, my best wishes for Senator Kennedy's speediest recovery and return to his well-being.

IBRAHIM SEVKI ATASAGUN,
President of the Senate of the Turkish Republic.

PAKISTAN,
June 6, 1968.

HUBERT H. HUMPHREY,
President, Senate,
Washington, D.C.:

Rudely shocked at dastardly assassination of Senator Robert F. Kennedy at prime of life. Kindly accept and convey to bereaved family heartfelt condolences on behalf of myself and members of National Assembly of Pakistan.

ABDUL JABBAR KHAN,
Speaker, National Assembly of Pakisan.

STOCKHOLM,
June 6, 1968.

Vice President HUBERT HUMPHREY,
Senate Building,
Washington, D.C.:

Please accept my deepest condolences at the terrible loss of one of the Senate's most outstanding members.

ERIK BOHEMAN,
President of the Swedish Senate.

June 6, 1968.
BELGRAD,

Hon. HUBERT H. HUMPHREY,
President of the U.S. Senate,
Washington, D.C.:

Deeply moved by the tragic news of the violent death of Senator Robert F. Kennedy. Please accept on behalf of the Federal Assembly and in my own name the expressions of our most sincere condolences. Please convey Mr. President to the family of the deceased, Mr. Robert F. Kennedy, the expressions of our heartfelt sympathies.

MILENTIJE POPOVIC,
President, Federal Assembly of the Socialist Federal Republic of Yugoslavia.

CANADIAN EMBASSY,
Washington, D.C., June 6, 1968.

Hon. HUBERT H. HUMPHREY,
Vice President of the United States of America, President of the Senate of the United States, Washington, D.C.

MY DEAR MR. VICE PRESIDENT: I have been asked to convey the following message to you from the Hon. Sydney J. Smith, Speaker of the Senate of Canada:

"MY DEAR MR. VICE PRESIDENT: On behalf of my colleagues of the Senate of Canada and as Co-Chairman of the Canada-United States Interparliamentary Group, I extend our deep sympathy at this time, through you to all members of your Senate and members of the family of the late Senator Robert F. Kennedy.

"May we all dedicate our efforts to achieve the worthy purposes to which he devoted his life.

"Yours sincerely,

"SYDNEY J. SMITH,
"Speaker of the Senate of Canada."

Yours sincerely,

A. E. RITCHIE,
Ambassador.

MANAGUANIC,
June 6, 1968.

Hon. Senor HERBERT HUMPHREY,
Presidente, Del Congreso,
Washington, D.C.:

Congreso Nacional de Nicaragua hace propio el universal dolor causado por el fallecimiento Del Honorable Senador Doctor Robert F. Kennedy y manifiesta por su medio a ese alto cuerpo sus sentimientos de pesar. Punto. Cordialmente suyo.

ORLANDO MONTENEGRO MEDRANO,
Presidente, Congreso Nacional de Nicaragua.

[Spanish translation]

Hon. HERBERT [sic] HUMPHREY,
President of the Congress,
Washington, D.C.:

The National Congress of Nicaragua shares in the universal sorrow caused by the death of the Honorable Senator Doctor Robert F. Kennedy and expresses through you to this high body its feelings of sympathy. Stop. Cordially yours.

ORLANDO MONTENEGRO MEDRANO,
President, National Congress of Nicaragua.

[Russian translation]

Mr. HUBERT H. HUMPHREY,
President of the Senate and Vice President of the United States of America, Senate Office Building, Washington, D.C.:

We wish to express our most sincere sympathy on the occasion of the villainous killing of the outstanding leader of the USA Robert F. Kennedy. The infamous crime to which Robert F. Kennedy fell victim arouses a feeling of indignation in the Soviet people.

I. SPIRIDONOV,
Chairman of the Supreme Soviet of the U.S.S.R..

PALECKIS,
Chairman of the Soviet of Nationalities, U.S.S.R.

Moscow, *June 6, 1968.*

MOSCOW,
June 6, 1968.

PRESIDENT OF THE SENATE,
Mr. HUBERT H. HUMPHREY,
Vice President of the United States of America, Senate Office Building, Washington, D.C.:

Vyrajaem Iskrennee Soboleznovanie Po Povodu Zlodeiskogo Ubiistva Vidnogo Deiatelia Ssha Senatora Roberta F. Kennedi. Gnusnoe Prestuplenie, Jertvoi Kotorogo Stal R. Kennedi, Vyzyvaet U Sovetskih Liudei Chuvstva Negodovania. Predsedatel Soveta Soiuza Verhovnogo Soveta USSR.

I. SPIRIDONOV,
PALECKIS,
Predsedatel Soveta Nazional Nostei Verhovnogo Soveta USSA.

WASHINGTON, D.C.,
June 6, 1968.

Senator CARL HAYDEN,
President, pro tempore of the U.S. Senate, Washington, D.C.:

Please accept my sincere condolences on the tragic passing of Senator Robert F. Kennedy.

VASCO LEITAO DA CUNHA,
Brazilian Ambassador.

SAIGON,
June 7, 1968.

HUBERT H. HUMPHREY,
President of the Senate of the United States, Washington, D.C.:

Learned with great emotions death of Senator Robert Kennedy in the name of Senate Republic of Vietnam please acept our most sincere condolences.

NGUYENVANHUYEN,
President, Senate Republic of Vietnam.

JUNE 8, 1968.

PRESIDENT OF U.S. SENATE,
Washington, D.C.:

Central American Aeronautical Navigation Service Corporation extends deepest sympathy and regret in the loss of your colleague and our beloved friend Robert Kennedy. Please pass our condolences to his wonderful family.

LISANDRO ROSALES ABELLA,
General Manager, Cocesna.

[German translation]

Mr. HUBERT H. HUMPHREY,
President of the U.S. Senate,
Washington:

To you and to the Members of the United States Senate I wish to express and also in the name of the members of the German Federal Council my heartfelt condolences in connection with the death of Senator Robert Kennedy. The human language is too poor to allow us to express what we are perceiving at the death of this outstanding politician. The horrid crime of Los Angeles has put an end to the life of a man on whose struggle for peace justice and freedom innumerable men all over the world have set their hopes. The news of his death is inconceivable to me.

KLAUS SCHUETZ,
President of the German Federal Council.

BONN,
June 6, 1968.

Herrn. HUBERT H. HUMPHREY,
Praesidenten des Senats der Vereinigten Staaten Von Amerika, Washington, D.C.:

Ihnen und den mitgliedern des Senats der Vereinigten Staatenvon Amerika spreche ich auch im namen der mitglieder des Deutschenbundesrates meine aufrichtige teilnahme zum tode Von Senator Robert Kennedy aus die col menschliche sprache erweist sich als ohnmaechtig das auszudruecken was U S beim tode dieses hervorragenden politikers bewegtdas abscheulicheverbrechen von Los Angeles hat dem leben einesmannes ein ende gesetz auf dessen eintreten fuer frieden gerechtigkeit und freiheit sich die hoffnungen zahlloser menschen in aller welt gruendeten die nachricht von seinem tode ist fuer mich unfassbar.

KLAUS SCHUETZ,
Praesidentdes, Deutschen Bundesrates.

[Spanish translation]

PRESIDENT,
U.S. Senate,
Washington, D.C.:

In the name of the Congress of the Republic of Venezuela I express to you and through your worthy instrumentality to the Senate and people of the United States our most profound condolences at the death of the Honorable Senator Kennedy. The Congress of Venezuela condemns the crime whose victim is the Honorable Senator Kennedy, leader in the fight against racial discrimination and champion of peace and understanding among all people.

ARMANDO VEGAS,
President, Congress of Venezuela.

CARACAS,
June 6, 1968.

PRESIDENTE,
Senado Estados Unidos,
Washington, D.C.:

A nombre Congreso Republica de Venezuela expreso a usted y por su digno organo al Senado y Pueblo de Estados Unidos nuestro profundo pesar por sentida muerte del Honorable Senador Kennedy punto el Congreso de Venezuela condena el atentado de que ha sido victima el Honorable Senador Kennedy lider de la lucha contra la discriminacion racial y combatiente por la paz y comprension entre los pueblos punto.

ARMANDO VEGAS,
Presidente, Congreso de Venezuela.

[Spanish translation]

PRESIDENT OF THE U.S. SENATE,
Washington, D.C.:

Deeply terrified by the tragic death of Senator Robert F. Kennedy, illustrious citizen who had been admired by all socially sensible men all over the world and especially in Latin America. We address our prayers to the Lord for his eternal rest and we share the sorrows of his wife, parents, children, brothers and sisters and citizens of the country.

PANAMENIAN ASSOCIATION OF BUSINESS EXECUTIVES.

PANAMA,
June 6, 1968.

PRESIDENTE,
Del Senado de Los,
Washington, D.C.:

Profundamente consternados tragico fallecimiento Senador Robert F. Kennedy ilustre ciudadano admirado por los hombres de sensibilidad social del mundo y especialmente America Latina elevamos nuestras plegarias al Senor por su eterno descanso y acompañamos en su dolor a su esposa padres hijos hermanos.

FAMILIARES Y CIUDADANOS,
De ese Pais Asociacion Panamena de Ejecutivos de Empresa.

[Translation, German]

Hon. HUBERT H. HUMPHREY,
President of the Senate, Vice President of the United States of America, Senate Office Building, Washington, D.C.:

The Austrian federal government has received with consternation the painful news of the death of Senator Robert F. Kennedy who perished under such tragic circumstances. This so early broken life makes us suddenly realize to what extent his advocating the high aims of humanity, of peace, freedom and justice has taken possesion of our thinking and feelings. In this deep sorrow that so hard befell the American Senate and the whole American Nation, I ask you, Mr. Vice President, to be assured of the deep sympathy of the federal government and of the Austrian people.

JOSEF KLAUS,
Federal Chancellor of the Republic of Austria.

JUNE 6, 1968.

HUBERT H. HUMPHREY,
Praesident des Senats, Vizepraesident der Vereinigten Staaten von Amerika, Senate Building, Washington, D.C.:

Die Oesterreichische Bundesregierung hat die schmerzliche Nachricht vom Tode des Senators Robert F. Kennedy der unter so tragischen Umstaenden verschieden ist mit Bestuerzung vernommen. Im Angesicht dieses frueh gebrochenen Lebens wird uns ploetzlich bewusst in welchem Masse sein Eintreten fuer die hohen Ziele der Menschlichkeit, des Friedens, der Freiheit und der Gerechtigkeit von unserem Denken und Fuehlen Besitz ergriffen hatte. In dem schweren Leid das den amerikanischen Senat und die ganze amerikanische Nation so hart getroffen hat, bitte ich Sie, Herr Vizepraesident, an das tiefe Mitgefuehl der Bundesregierung und des oesterreichischen Volkes zu glauben.

JOSEPH KLAUS,
Bundeskanzler der Republik Oesterreich.

MEXICO, *June 7, 1968.*

Senor Senador MIKE MANSFIELD,
U.S. Senate,
Office of the Majority Leader,
Washington, D.C.:

Profundamente conmovidos por el deceso del senor Senador Robert F. Kennedy el senado de la Republica Mexicana le manifiesta su hondo pesar por este infausto ancontecimiento y le suplica recibir el testimonio de su condolencia mas sincera por la perdida de tan distinguido representante del pueblo norteamericano.

Senador MANUEL BERNARDO AGUIRRE,
Presidente, de la Gran Comision.

BRUSSELLS.

MIKE MANSFIELD,
Majority Leader,
Senate House,
Washington, D.C.:

The great loss caused to the United Senate by the appalling death of Senator Robert Kennedy is shared by parliamentarians the world over. My deepest sympathy and my thoughts are with you the American people and the bereaved Kennedy family.

VICTOR BODSON,
President, Assocation Internationale des Parlementaires de Langue Francaise.

WASHINGTON, D.C., *June 6, 1968.*

Senator MIKE MANSFIELD,
Majority Leader,
Senate Office Building,
Washington, D.C.:

With the greatest concern and astonishment I received the news of the attempt against the life of Senator Kennedy. All my prayers went to the Almighty for his full recovery. The fatal out-come has filled me with the deepest of sorrows. The tragic death of Robert F. Kennedy constitutes an irretrievable loss for this great Nation and for those of us throughout the world who love democracy. I also feel that the violent passing of such an outstanding public figure is a most despicable attack against democracy.

JULIO A. RIVERA,
Ambassador of El Salvador.

RIO DE JANEIRO,
June 5, 1968.

Senator MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.:

Astonished brutality attempt against Senator Robert Kennedy please accept expression my grief with best wishes fast recovery great Democratic leader.

Senator VICTORINO FREIRE,
Brazilian Senate.

ECHEGARAY, MEXICO,
June 8, 1968.

MIKE MANSFIELD,
Senado de los Esados,
Unidos de America,
Washington, D. C.:

Personalmente me uno al sentir del pueblo Americano por la lamentable tragedia que sinceramente lamento y condeno.

LEOPOLDO REYNA.

PARIS,
June 6, 1968.

MEMBERS DU SENAT,
Des Etatsunis Palais,
du Capitole,
Washington, D.C.:

Au nom du senat de la republique francaise qui unit dans le meme respect la memoire de John et de Robert Kennedy je exprime au senat des etatsunis da merique notre douloureuse emotion et notre profonde sympathie.

PRESIDENT SENATE.

GENOVA,
June 6, 1968.

U.S. Senate,
Washington, D.C.:

Sentite condoglianze.

AMICI NAVAL REGISTRO,
Italiano.

TOKYO,
June 6, 1968.

Senator MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.:

Deeply dismayed by unfortunate incident involving Senator Robert Kennedy stop we are with you in prayers for his recovery and for your country.

TOKUSABURO KOSAKA.

MEXICO CITY, MEX.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.:

Wishing the best for you, for Kennedy and for your country.

CARMEN T. MORENO SANCHEZ.

CHICAGO, ILL.,
June 8, 1968.

MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.:

Deepest sympathy for the loss of the great Senator Robert Kennedy. He died for the ideas which we believe and fight for.

DENNIS GIANNAKES,
International President,
the Greek Society.

GREAT FALLS, MONT.,
June 6, 1968.

Hon. MIKE MANSFIELD,
U.S. Senator, Montana, Senate Office Building, Washington, D.C.

DEAR SENATOR MANSFIELD: The city of Great Falls has extended our sympathy and condolences to the Kennedy family through a telegram to their home in Hyannis Port. We would also appreciate your conveying our personal messages of sympathy to any of the family or relatives with whom you come in personal contact. We are flying the flag at half mast over the Civic Center from 8:00 o'clock this Thursday morning until after the funeral.

Sincerely,

JOHN J. MCLAUGHLIN,
Mayor, City of Great Falls, Mont.

BROOKLYN, N.Y.,
June 8, 1968.

MIKE MANSFIELD,
U.S. Senator,
Washington, D.C.:

Condolences to the Senate on the loss of Senator Robert Kennedy.

MRS. FELICIA ELEANOR ALPERT.

TWO DOT, MONT.,
June 6, 1968.

Hon. MIKE MANSFIELD,
U.S. Senate Office Building,
Washington, D.C.:

With deep grief we unite with you over the loss of a great American. May his ideals live on.

With love,

MARY and PETE WHITE.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. **DIRKSEN**, from the Committee on the Judiciary, without amendment:

S. 214. A bill for the relief of Erman-Howell Division, Luria Steel & Trading Corp. (Rept. No. 1176).

By Mr. **McCLELLAN**, from the Committee on the Judiciary, without amendment:

S. 1075. A bill for the relief of Rivercliff Co., Inc. (Rept. No. 1180); and

S.J. Res. 172. Joint resolution extending the duration of copyright protection in certain cases (Rept. No. 1181).

By Mr. **ERVIN**, from the Committee on the Judiciary, without amendment:

H.R. 13439. An act to correct and improve the Canal Zone Code, and for other puropses (Rept. No. 1177).

By Mr. **HART**, from the Committee on the Judiciary, with an amendment:

H.R. 3865. An act for the relief of Mauritz A. Sterner (Rept. No. 1179).

By Mr. **HART**, from the Committee on the Judiciary, with amendments:

S. 660. A bill granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes (Rept. No. 1178).

By Mr. **EASTLAND**, from the Committee on the Judiciary, without amendment:

S. 2490. A bill for the relief of Dr. Juan de Moya (Rept. No. 1182);

S. 2516. A bill for the relief of Dr. Jose A. Sierra (Rept. No. 1183);

S. 2517. A bill for the relief of Dr. Jose Salazar (Rept. No. 1184);

S. 2559. A bill for the relief of Dr. Rafael Luis Bejar Arias (Rept. No. 1185);

S. 2587. A bill for the relief of Dr. Roberto Garcia-Rivera (Rept. No. 1186);

S. 2599. A bill for the relief of Dr. Alberto M. Hernandez (Rept. No. 1187);

S. 2609. A bill for the relief of Dr. Jose Zirau (Rept. No. 1188);

S. 2651. A bill for the relief of Dr. Aurelio Julian Andres Jimenez Cortina (Rept. No. 1189);

S. 2698. A bill for the relief of Dr. Carlos T. Toledo (Rept. No. 1190);

S. 2724. A bill for the relief of Peter Rudolf Gross (Rept. No. 1191);

S. 2825. A bill for the relief of Dr. Jacinto Felix de la Presilla-Elias (Rept. No. 1192);

S. 2826. A bill for the relief of Dr. Carlos Jesus Aguilar Lima (Rept. No. 1193);

S. 2835. A bill for the relief of Dr. Rogelio J. Barata (Rogelio Jose R. Barata y Rivero) (Rept. No. 1194);

S. 2848. A bill for the relief of Enrique C. Sanchez (Rept. No. 1195);

S. 2859. A bill for the relief of Margarete Reinhold Hallett (Rept. No. 1196);

S. 2897. A bill for the relief of James T. O'Brien (Rept. No. 1197);

H.R. 2709. An act for the relief of Suh Yoon Sup (Rept. No. 1198);

H.R. 4030. An act for the relief of Yong Chin Sager (Rept. No. 1199);

H.R. 4370. An act for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos (Rept. No. 1200);

H.R. 7042. An act for the relief of Dr. Jose Del Rio (Rept. No. 1201);

H.R. 7431. An act for the relief of Gilmer County, Ga (Rept. No. 1202);

H.R. 8241. An act for the relief of Victorino Severo Blanco (Rept. No. 1203);

H.R. 15462. An act for the relief of Lennart Gordon Langhorne (Rept No. 1204);

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, US51615166 (Rept. No. 1205); and

H.R. 15972. An act to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances, and for other purposes (Rept. No. 1206).

By Mr. **EASTLAND**, from the Committee on the Judiciary, with an amendment:

S. 2577. A bill for the relief of Angeliki Giannakou (Rept. No. 1207);

S. 2610. A bill for the relief of Leonardo Seda (Rept. No. 1208);

S. 2706. A bill for the relief of Yung Ran Kim (Rept. No. 1209);

S. 2733. A bill for the relief of Dr. Angel Solar (Rept. No. 1210);

S. 2756. A bill for the relief of Dr. Heldo Gomez and his wife, Olga Enrique Gomez (Rept. No. 1211);

S. 2759. A bill conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King (Rept. No. 1212);

S. 2764. A bill for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia (Rept. No. 1220);

S. 2827. A bill for the relief of Eloy Rene Tuya Hernandez (Rept. No. 1213);

H.R. 4544. An act for the relief of Giovanna Ingui Dallara (Rept. No. 1214);

H.R. 4976. An act for the relief of Theofane Spirou Koukos (Rept. No. 1215);

H.R. 11287. An act for the relief of Amir U. Khan (Rept. No. 1216); and

H.R. 13301. An act to confer U.S. citizenship posthumously upon Private First Class John R. Aneli (Rept. No. 1217).

By Mr. **EASTLAND**, from the Committee on the Judiciary, with amendments:

S. 1506. A bill for the relief of Ernesto Alunday (Rept. No. 1218);

S. 2547. A bill for the relief of Juan Antonio Lopez (Rept. No. 1219);

S. 2568. A bill for the relief of Mr. Leonel E. Enriquez (Rept. No. 1221);

S. 2783. A bill for the relief of Dr. Cesar Baro Estava (Rept. No. 1222);

S. 3024. A bill for the relief of Richard Smith (Noboru Kawano) Rept. No. 1223);

S. 3488. A bill to provide for the admission to the United States of certain inhabitants of the Bonin Islands (Rept. No. 1224); and

H.R. 1879. An act for the relief of Stanislaw and Julianna Szymonik (Rept. No. 1225).

REPORT ENTITLED "CRIMINAL LAWS AND PROCEDURES"—REPORT OF A COMMITTEE (S. REPT. NO. 1167)

Mr. McCLELLAN, from the Committee on the Judiciary, submitted a report entitled "Criminal Laws and Procedures," pursuant to Senate Resolution 31, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "PATENTS, TRADEMARKS, AND COPYRIGHTS"—REPORT OF A COMMITTEE (S. REPT. NO. 1168)

Mr. McCLELLAN, from the Committee on the Judiciary, submitted a report entitled "Patents, Trademarks, and Copyrights," pursuant to Senate Resolution 37, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "IMMIGRATION AND NATURALIZATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1169)

Mr. EASTLAND, from the Committee on the Judiciary, submitted a report entitled "Immigration and Naturalization," pursuant to Senate Resolution 32, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "REVISION AND CODIFICATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1170)

Mr. ERVIN, from the Committee on the Judiciary, submitted a report entitled "Revision and Codification," pursuant to Senate Resolution 39, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "CONSTITUTIONAL RIGHTS"—REPORT OF A COMMITTEE (S. REPT. NO. 1171)

Mr. ERVIN, from the Committee on the Judiciary, submitted a report entitled "Constitutional Rights", pursuant to Senate Resolution 29, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "ADMINISTRATIVE PRACTICE AND PROCEDURE"—REPORT OF A COMMITTEE (S. REPT. NO. 1172)

Mr. HART, from the Committee on the Judiciary, submitted a report entitled "Administrative Practice and Procedure," pursuant to Senate Resolution 25, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—REPORT OF A COMMITTEE (S. REPT. NO. 1173)

Mr. BAYH, from the Committee on the Judiciary, submitted a report entitled "Constitutional Amendments," pursuant to Senate Resolution 28, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "NATIONAL PENITENTIARIES"—REPORT OF A COMMITTEE (S. REPT. NO. 1174)

Mr. BURDICK, from the Committee on the Judiciary, submitted a report entitled "National Penitentiaries," pursuant to Senate Resolution 36, 90th Congress, first session, which was ordered to to be printed.

REPORT ENTITLED "THE FEDERAL JUDICIAL SYSTEM"—REPORT OF A COMMITTEE (S. REPT. NO. 1175)

Mr. TYDINGS, from the Committee on the Judiciary, submitted a report entitled "The Federal Judicial System," pursuant to Senate Resolution 34, 90th Congress, first session, which was ordered to be printed.

REPORT ENTITLED "ANTITRUST AND MONOPOLY ACTIVITIES, 1967"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1226)

Mr. HART, from the Committee on the Judiciary, submitted a report entitled "Antitrust and Monopoly Activities, 1967," pursuant to Senate Resolution 26, 90th Congress, first session, which was ordered to be printed.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the report filed earlier today by the Senator from Michigan [Mr. HART] on Antitrust and Monopoly Activities, 1967, be printed together with the individual views of Senators DIRKSEN and HRUSKA.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD (for himself, Mr. CLARK, Mr. FONG, Mr. GRIFFIN, Mr. HARTKE, Mr. JAVITS, Mr. LAUSCHE, Mr. PASTORE, Mr. RANDOLPH, Mr. RIBICOFF, and Mr. SMATHERS):

S. 3604. A bill to require the registration of firearms; to the Committee on the Judiciary.

S. 3605. A bill to amend chapter 44 of title 18 of the United States Code to provide adequate regulation of certain sales of shotguns and rifles; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bills, which appears under a separate heading.)

By Mr. TALMADGE:

S. 3606. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

By Mr. BYRD of West Virginia:

S. 3607. A bill to make it a Federal offense to assassinate, kidnap, or assault a Member of Congress or a Member of Congress elect; to the Committee on the Judiciary.

(See the remarks of Mr. BYRD of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. MILLER:

S. 3608. A bill to amend sections 871 and 1751 of title 18, United States Code, relating to threats against the President and Presidential assassination, kidnaping, and assault, so as to protect Cabinet members and Members of the Congress against similar offenses, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 3609. A bill to authorize the Secretary of Agriculture to grant an easement over certain lands to the St. Louis-San Francisco Railway Co.; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 3610. A bill for the relief of Daisy M. Tharp; to the Committee on the Judiciary.

By Mr. FONG:

S. 3611. A bill for the relief of Venancio Lorenzo and his wife, Maria Rumina Barcena Lorenzo; and

S. 3612. A bill for the relief of Hoon Kyubyuk Kiem, his wife, Uesuk Peark Kiem, and their two daughters, Jin-A Kiem and Jin In Kiem; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 3613. A bill for the relief of Dr. Wolf V. Heydebrand and his wife, Ruth Heydebrand: to the Committee on the Judiciary.

By Mr. HARTKE:

S. 3614. A bill to amend section 302 of the Automotive Products Trade Act of 1965 to continue for a period of three years the time for filing petitions for adjustment assistance under title III of such Act; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself and Mr. HATFIELD):

S. 3615. A bill to authorize the Secretary of the Army to convey to the Port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes; to the Committee on Armed Services.

By Mr. HARTKE:

S. 3616. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

S. 3607—INTRODUCTION OF BILL PROTECTING MEMBERS OF CONGRESS AND MEMBERS OF CONGRESS-ELECT

Mr. BYRD of West Virginia. Mr. President, I am today introducing a bill which would make it a Federal crime to assassinate, kidnap, or assault a U.S. Senator or Representative.

The bill would correct an obvious oversight in our Federal criminal statutes.

That oversight lies in the fact that there is no Federal prohibition against assassinating Senators or Representatives, while Federal jurisdiction is extended over the President and Vice President, Federal judges, U.S. attorneys, a wide variety of Federal law officers and a host of minor Federal employees.

My bill provides the ultimate deterrent—the death penalty—for persons convicted of the first-degree murder of Senators or Representatives.

This becomes significant when one considers that the late Senator Robert Kennedy's assassin might have shot his victim in any one of eight States which have no death penalty at all or in any of six other States where the death penalty applies only in extraordinary circumstances, such as murders of peace officers or murders committed by persons already serving life terms for previous murder convictions.

I do not believe that assassins should be permitted to strike down Members of Congress without fear of capital punishment and I hope, in the wake of the tragedy which we witnessed last week, that this will be a feeling shared by all.

My bill, which covers Senators-elect and Representatives-elect, provides stringent penalties for kidnapings or attempted assassinations or kidnapings of the individuals over whom jurisdiction is extended.

It provides for prison terms up to and including life for the crime of kidnaping and it provides for life imprisonment or the death penalty in kidnaping cases which result in the death of the victim.

Attempted murders are punishable by sentences of up to life, and assaults are punishable by fines of up to $10,000 and/or prison terms of up to 10 years.

Mr. President, there is ample legal precedent for such legislation as I have proposed and I therefore urge that we move with utmost haste to enact this bill and correct a glaring inequity in our laws.

I ask unanimous consent that chapter 51, section 1114, and chapter 84, section 1751 of title 18, United States Code, which establish the legal precedent, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the sections of the United States Code referred to will be printed in the RECORD.

The bill (S. 3607) to make it a Federal offense to assassinate, kidnap, or assault a Member of Congress or a Member of Congress-elect, introduced by Mr. BYRD of West Virginia was received, read twice by its title, and referred to the Committee on the Judiciary.

The sections of the United States

Code, presented by Mr. BYRD of West Virginia, are as follows:

§ 1114. Protection of officers and employees of the United States.

Whoever kills any judge of the United States, any United States Attorney, any Assistant United States Attorney, or any United States marshal or deputy marshal or person employed to assist such marshal or deputy marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, any post-office inspector, any officer or employee of the secret service or of the Bureau of Narcotics, any officer or enlisted man of the Coast Guard, any officer or employee of any United States penal or correctional institution, any officer, employee or agent of the customs or of the internal revenue or any person assisting him in the execution of his duties, any immigration officer, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any employee of the Department of Agriculture designated by the Secretary of Agriculture to carry out any law or regulation, or to perform any function in connection with any Federal or State program or any program of Puerto Rico, Guam, the Virgin Islands of the United States, or the District of Columbia, for the control or eradication or prevention of the introduction or dissemination of animal diseases, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty, in the field service of the Bureau of Land Management, any employee of the Bureau of Animal Industry of the Department of Agriculture, or any officer or employee of the Indian field service of the United States, or any officer or employee of the National Aeronautics and Space Administration directed to guard and protect property of the United States under the administration and control of the National Aeronautics and Space Administration, or any security officer of the Department of State or the Foreign Service, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under sections 1111 and 1112 of this title. (June 25, 1948, ch. 645, 62 Stat. 756; May 24, 1949, ch. 139, § 24, 63 Stat. 93; Oct. 31, 1951, ch. 655, § 28, 65 Stat. 721; June 27, 1952, ch. 477, title IV, § 402(c), 66 Stat. 276; July 29, 1958, Pub. L. 85–568, title III, § 304(d), 72 Stat. 434; July 2, 1962, Pub. L. 87–518, § 10, 76 Stat. 132; Aug. 27, 1964, Pub. L. 88–493, § 3, 78 Stat. 610.)

Legislative history

(REVISER'S NOTE.—Based on title 18, U.S.C., 1940 ed., § 253 (May 18, 1934, ch. 299, § 1, 48 Stat. 780; Feb. 8 1936, ch. 40, 49 Stat. 1105; June 26, 1936, ch. 830, title I, § 3, 49 Stat. 1940; Reorg. Plan No. II § 4 (f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; June 13, 1940, ch. 359 54 Stat. 391).)

The section was extended to include United States judges, attorneys and their assistants, and officers of Federal, penal and correctional institutions in view of the obvious desirability of such protective legislation.

Employees of the Bureau of Animal Industry have been included in this section to complete the revision of section 118 of title 18, U.S.C., 1940 ed., which was consolidated with the assault provisions of section 254 of said title 18 and is now section 111 of this title. There seemed no sound reason for including such officers in the protection against assaults but excluding them from the homicide sections.

For like reasons the section was broadened to include officers or employees of the Secret Service or of the Bureau of Narcotics.

Changes in phraseology were made.

Amendments

1964—Pub. L. 88–493 inserted "or any security officer of the Department of State or the Foreign Service."

1962—Pub. L. 87–518 included employees of the Department of Agriculture performing any function connected with any Federal or State program, or program of Puerto Rico, Guam, the Virgin Islands, or the District of Columbia, for control, eradication, or prevention of animal diseases.

1958—Pub. L. 85–568 included officers and employees of the National Aeronautics and Space Administration.

1952—Act of June 27 1952, substituted "any immigration officers" for "any immigrant inspector or any immigration patrol inspector".

1951—Act Oct. 31, 1951, substituted "the field service of the Bureau of Land Management" for "the field service of the Division of Grazing of the Department of the Interior".

1949—Act May 24, 1949, inserted "any officer, employee * * * of his duties".

Transfer of functions

All functions of all other officers of the Department of the Interior, and all functions of all agencies and employees of such Department, were, with two exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 3 §§ 1, 2, eff. May 24, 1950, 15 F.R 3174 64 Stat. 1262, set out in note under section 481 of Title 5, Executive Departments and Government Officers and Employees. Officers and employees of the National Park Service, and of the Indian field service, referred to in this section, are officers and employees of the Department of the Interior.

All functions of all other officers of the Department of Justice, and all functions of all agencies and employees of such Department, were, with a few exceptions, transferred to the Attorney General, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 2, §§1, 2, eff. May 24, 1950, 15 F.R. 3173, 64 Stat. 1261, set out in note under section 291 of Title 5, Executive Departments and Government Officers and Employees. United States Attorneys, Assistant United States Attorneys, United States marshals, and deputy marshals, referred to in this section, are officers within the Department of Justice, the Federal Bureau of Investigation, also referred to in this section, is a bureau of such Department, and officers and employees of United States penal or correctional institutions and immigration officials, also referred to in the section, are officers and employees within such Department.

The Grazing Service of the Department of the Interior, referred to in this section as the "Division of Grazing", was abolished and its functions consolidated with those of the former General Land Office (likewise abolished) to form a new agency in such Department, to be known as the Bureau of Land Management, by 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F. R. 7876, 60 Stat. 1100, set out as a note under section 1 of Title 43, Public Lands.

All functions of all officers of the Department of the Treasury, and all functions of all agencies and employees of such Department, were transferred, with certain exceptions, to the Secretary of the Treasury, with power vested in him to authorize their performance or the performance of any of his functions, by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 26, §§ 1, 2, eff. July 30, 1950, 15 F. R. 4935, 64 Stat. 1280, set out in note under section 241 of Title 5, Executive Departments and Government Officers and Employees. The Secret Service and the Bureau of Narcotics, referred to in this section, are agencies in the Treasury Department, the customs and internal revenue officials, referred to in this section, are officials in such Department, and the Coast Guard, referred to in this section, is generally a service in such Department, but such Plan excepted, from the transfer, functions of the Coast Guard, and of the Commandant thereof, when the Coast Guard is operating as a part of the Navy under sections 1 and 3 of Title 14, Coast Guard.

Immunity from criminal prosecution

Section 5 of Pub. L. 88–493 which provided that nothing in Pub. L. 88–493, which amended this section and section 112 of this title, and enacted section 170e–1 of Title 5, Executive Departments and Government Officers and Employees, shall create immunity from criminal prosecution under the laws of any State, territory, possession, Puerto Rico, or the District of Columbia, is set out as a note under section 112 of this title.

Cross references

Assaulting, resisting, or impeding officers or employees designated in this section, see section 111 of this title.

Federal forms of criminal procedure

Indictment for murder in the first degree of federal officer, see form 1, Appendix to this title.

CHAPTER 84.—PRESIDENTIAL ASSASSINATION, KIDNAPING, AND ASSAULT

§ 1751. Presidential assassination, kidnaping, and assault; penalties.

(a) Whoever kills any individual who is the President of the United States, the President-elect, the Vice President, or, if there is no Vice President, the officer next in the order of succession to the office of President of the United States, the Vice President-elect, or any individual who is acting as President under the Constitution and laws of the United States, shall be punished as provided by sections 1111 and 1112 of this title.

(b) Whoever kidnaps any individual designated in subsection (a) of this section shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(c) Whoever attempts to kill or kidnap any individual designated in subsection (a) of this section shall be punished by imprisonment for any term of years or for life.

(d) If two or more persons conspire to kill or kidnap any individual designated in subsection (a) of this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(e) Whoever assaults any person designated in subsection (a) of this section shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

(f) The terms "President-elect" and "Vice-President-elect" as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

(g) The Attorney General of the United States, in his discretion is authorized to pay an amount not to exceed $100,000 for information and services concerning a violation of this section. Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this subsection.

(h) If Federal investigative or prosecutive jurisdiction is asserted for a violation of this section, such assertion shall suspend the exercise of jurisdiction by a State or local authority, under any applicable State or local law, until Federal action is terminated.

(i) Violations of this section shall be investigated by the Federal Bureau of Investigation. Assistance may be requested from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding. (Added Pub. L. 89–141, § 1, Aug. 28, 1965, 79 Stat. 580.)

S. 3608—INTRODUCTION OF BILL PROTECTING MEMBERS OF CONGRESS AND CABINET MEMBERS

Mr. MILLER. Mr. President, the entire Nation was shocked and revolted by the events of the last week when the distinguished Senator from New York, Robert Kennedy, was struck down by an assassin's bullet.

It was a saddened and sorely troubled Nation which watched as the Senator, young in years and with so much still to offer his fellow citizens, was laid to rest beside his brother, also felled by an assassin.

When will it all end? When will the criminal permissiveness and lack of respect for the lives and rights of others be banished from this land, to be replaced by good will among all and an understanding of each other?

But we cannot legislate what should be in the hearts of men.

However, we can take steps to set penalties for those who would defy the laws of reasonable men. A crime such as that of last week is so heinous as to know no State borders. Although the victim was elected by the people of only one State, the crime was nationwide in import and thus should be subject to Federal jurisdiction.

For this reason, I introduce, for appropriate reference, a bill which would make it a Federal crime to kill or attempt to kill, assault, kidnap, or conspire to kill or kidnap the head of an executive department of the United States or a Member of Congress.

This legislation would mean that we would complete the work that Congress began 3 years ago.

In the present state of the law, a State and not the Federal Government has jurisdiction over crimes such as the one committed against Senator Kennedy. The laws of the various States differ considerably. So do the law enforcement procedures and security capabilities. Without taking anything away from the many fine law enforcement officials of the States, cities, and localities of the Nation, I believe such crimes against key officials of the Nation should fall within Federal jurisdiction—with the alleged assailants held in Federal custody, tried by a Federal court, and punished under Federal law.

In 1963, after the tragic assassination of President John F. Kennedy, I introduced a bill which would make it a Federal crime to kill or attempt to kill the President or Vice President; my bill also included members of the Cabinet and Members of Congress. Subsequently, the provisions covering the President and Vice President were enacted in August of 1965.

Thus, section 1751 of title 18 of the United States Code provides criminal penalties for Presidential assassination, kidnaping, or assault. Also, as the law now stands, severe penalties are prescribed for persons who murder or attack Federal judges, U.S. attorneys, FBI agents, postal inspectors, Secret Service officials, customs agents, and various employees of the Departments of the Interior and Agriculture. But, for some strange reason, the laws for the protection of officers and employees of the United States do not cover Members of Congress or Cabinet members.

Mr. President, my bill would fill the gap. It would extend the coverage of the law dealing with Presidential assassination and kidnaping to Members of Congress and the Cabinet. My bill would also amend section 871 of title 18 to extend that provision to cover assaults and threats against Cabinet members and Members of Congress, as well as the President and Vice President.

I strongly urge that this bill be given immediate and favorable consideration by the Committee on the Judiciary and by the Senate.

Mr. President, I ask unanimous consent that the bill be printed, appropriately referred, and printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3608) to amend sections 871 and 1751 of title 18, United States Code, relating to threats against the President and Presidential assassination, kidnaping, and assault, so as to protect Cabinet members and Members of the Congress against similar offenses, and for other purposes, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

(a)(1) Subsection (a) of section 871 of title 18, United States Code, is amended to read as follows:

"(a) Whoever (1) knowingly and willfully deposits for conveyance in the mail or for a delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, the President-elect, the Vice President or other officer next in the order of succession to the office of President of the United States, or the Vice President-elect, or the head of any Executive department specified in section 101 of title 5, or a Member of Congress, Member of Congress-elect, Resident Commissioner, or Resident Commissioner-elect, or (2) knowingly and willfully otherwise makes any such threat against any individual designated in clause (1), shall be fined not more than $1,000 or imprisoned not more than five years, or both."

(2) The section heading of such section is amended to read as follows:

"§ 871. Threats against President and successors to the Presidency, Cabinet members, and Members of Congress".

(b) The analysis of chapter 41 of title 18, United States Code, is amended by striking out the section reference to section 871 and inserting in lieu thereof the following:

"871. Threats against President and successors to the Presidency, Cabinet members, and Members of Congress.".

SEC. 2. (a)(1). Subsection (a) of section 1751 of title 18, United States Code, is amended by inserting, immediately preceding "shall", the following: "or the head of any Executive department specified in section 101 of title 5, or a Member of Congress, Member of Congress-elect, Resident Commissioner, or Resident Commissioner-elect,".

(2) The section heading of such section is amended to read as follows:

"§ 1751. Assassinating, kidnaping, and assaulting President, Cabinet member, and Member of Congress".

(b)(1) The chapter heading of chapter 84 of title 18, United States Code, is amended to read as follows:

"CHAPTER 84.—PRESIDENTIAL AND CONGRESSIONAL ASSASSINATION, KIDNAPING, AND ASSAULT".

(2) The analysis of such chapter is amended to read as follows:

"Sec.
"1751. Assassinating, kidnaping, and assaulting President, Cabinet member, and Member of Congress.".

(c) The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by striking out the chapter reference to chapter 84 and inserting in lieu thereof the following:

"84. Presidential and Congressional assassination, kidnaping, and assault..1751".

S. 3609—INTRODUCTION OF BILL GRANTING EASEMENT FOR MISSOURI LEAD BELT LINE

Mr. SYMINGTON. Mr. President, in an effort to expedite congressional action needed on a situation of importance in my State, I introduce, for appropriate reference, a bill identical to H.R. 17320 now on the House Calendar, having been favorably reported by the House Committee on Agriculture.

The bill would authorize the Secretary of Agriculture to grant an easement over certain national forests to the St. Louis-San Francisco Railway Co.

The Frisco has constructed a new railway called the Lead Belt Line, 14 miles of which traverse the Clark National Forest. The National Forest Service issued a special use permit to the railroad covering the proposed route. This was satisfactory to the railroad for its construction. However, the railroad now has undertaken long-term financing of the $6 million project. The financing arrangements cannot be concluded unless the company has a greater interest in the right-of-way than it presently has under the revocable special use permit.

This new railroad serves an area in the Ozark Mountain region which is now developing by reason of its lead deposits. The railroad and the mining facilities are helping to provide new jobs and improve the economic picture in this section of Missouri.

Under terms of the bill the granting of

the easement would be paid for by the railroad and therefore no cost is expected to be borne by the Federal Government. Public protection is afforded by a provision in the bill which permits the granting of the easement only if the Secretary of Agriculture finds it compatible with the public interest.

Because of the need to complete the financial arrangements this month and because of the importance of the railroad to the communities in Missouri which it serves, we would urge affirmative action by the Committee on Agriculture and subsequently by the Congress at the earliest possible date.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3609) to authorize the Secretary of Agriculture to grant an easement over certain lands to the St. Louis-San Francisco Railway Co., introduced by Mr. SYMINGTON, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 3614—INTRODUCTION OF BILL EXTENDING ADJUSTMENT ASSISTANCE UNDER AUTOMOTIVE PRODUCTS TRADE ACT OF 1965

Mr. HARTKE. Mr. President, on May 28, 1968, the President of the United States in his message on the Trade Expansion Act of 1968 recommended that Congress extend the adjustment assistance provisions of the Automotive Products Trade Act of 1965 through June 30, 1971. On the same day in the House of Representatives, Congressman MILLS introduced the Trade Expansion Act of 1968 as H.R. 17551. Included as title V of that bill is the provision to extend the adjustment assistance provisions of the Automotive Products Trade Act as proposed by the President. I am today by separate legislation introducing in this body a bill which will amend section 302 of the Automotive Products Trade Act of 1965 to continue for a period of 3 years the time for filing petitions for adjustment assistance under title III of that act. This is as requested by the President in his message and as is contained in title V of H.R. 17551.

I urge prompt approval by the Congress of this important legislation since otherwise the opportunity for applications for such assistance by firms or employees terminates on June 30. The Automotive Products Trade Act of 1965 was the enabling legislation enacted by Congress to implement the Canadian Automotive Agreement. This latter is an executive agreement between the United States and Canada for the removal of tariff duties between the two countries for importation of vehicles by certain preferred automobile manufacturers and for the importation of original automotive equipment parts between the two countries. The adjustment assistance provisions of the enabling legislation, the Automotive Products Trade Act of 1965, were designed to provide economic adjustment assistance to firms and workers who were adversely affected by the agreement.

Recently in the CONGRESSIONAL RECORD of May 29, 1968, I had occasion to comment on the adverse results of the agreement insofar as it related to our balance of payments. Referring to the President's second annual report to the Congress on the operation of the agreement, I noted that, contrary to the representations of the administration at the time the enabling legislation was before the Finance Committee, our automotive trade surplus with Canada had, in the 3 years that the agreement has been in effect, diminished from $578.3 million in calendar year 1964 to $285.8 million in calendar year 1967 for a reduction of more than 50 percent.

Similar adverse consequences have resulted in the dislocation and unemployment of workers. The President's report on the agreement notes that during the calendar year 1967, 15 petitions for adjustment assistance were filed by groups of workers of which 13 were acted upon and nine certifications of eligibility were issued. The report notes—page 28—that—

> From the inception of the assistance program through 1967, nearly 2,500 workers have been certified as eligible to apply, and 2,064 of these have been found eligible for weekly benefits. Total adjustment assistance payments since the inception of the program through calendar year 1967 have amounted to $3.1 million of which $2.5 million has been paid out in calendar year 1967.

I fear that further disruptions and dislocations in our economy will continue to occur as a result of this unwise agreement. Apparently the President has similar fears in urging as he has the continuation of this assistance program. In light of the unwise commitment of the United States it becomes obligatory that Congress continue to afford relief to those who have to bear the economic consequences of our imperceptive and injudicious action. I urge that Congress promptly act on this measure and I ask that the text of the bill appear in the RECORD following my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred and, without objection, the bill will be printed in the RECORD.

The bill (S. 3614) to amend section 302 of the Automotive Products Trade Act of 1965 to continue for a period of 3 years the time for filing petitions for adjustment assistance under title III of such act, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 3614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(a) of the Automotive Products Trade Act of 1965 (Public Law 89–283; 19 U.S.C. § 2022(a)) is amended by striking therefrom "July 1, 1968" and inserting in lieu thereof "July 1, 1971."

S. 3616—INTRODUCTION OF BILL ON LIVES WE CAN SAVE

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs. In brief, my measure is designed to save approximately 6,000 American lives each year.

The need for immediate action in this area can best be shown by the fact that over 25,000 people die each year from terminal kidney disease. Of this number, at least 20 percent of these persons die needlessly. They die simply because they do not have the money or the facilities available to prevent their slow agonizing death from this dreadful disease.

Congress has in the past allocated vast sums of money to combat cancer and heart disease. The success with which cancer and heart disease patients are being cured is in direct relationship to the money, research and development, and energies expended in these two areas.

I call to the attention of my colleagues that the estimated cost to the U.S. taxpayer over the next 6 years to combat kidney disease would be approximately $1 billion. Yet this 6-year cost equates to what we are spending every 2 weeks to support the Government of South Vietnam.

A special blue ribbon committee commissioned by the President, and headed by Dr. Carl W. Gottschalk of the University of North Carolina School of Medicine, reported to the White House on September 14, 1967, that of the estimated 7,000 new patients in fiscal year 1968 with chronic uremia who are medically suitable, treatment by transplantation will be available to only 450, and by dialysis, approximately 550 persons. In addition, some 750 patients from previous years can be maintained on dialysis.

The kidney machine has been in use since 1960; however, current facilities now accommodate few more than 1,000 persons at a cost ranging from $3,000 to $14,000 a year, thus condemning less fortunate sufferers. Few can personally afford it; in one case, the employer is paying; in another, the entire suburban community put on a drive and raised the money. Only patients who meet certain tests and have no other physical ailment, and who demonstrate sound psychological stability to follow the rigid regimen, are accepted.

Because of the limited number of places and facilities, and the large number of applicants, it has been necessary to set up a board of evaluation which, in actuality, decides which person gets a place on the machine and therefore who is to live and who is to die. This type of arbitrary selection in choosing among patients because of the limited facilities cannot be tolerated any longer in a nation as rich as ours.

Chronic kidney disease is a fact of life, just as cancer and heart disease are. However, because of the vast amount of money, research, and effort put forth in curing these two killers, the gap between life and death is closing, though not rapidly enough. It is time to also give attention to the prominent killer, kidney disease and expend some money and energies needed in curing this dreadful disease.

In the past several months, several very illuminating articles have been written on this subject, and I ask unanimous consent that they appear in the RECORD at the end of my statement.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the articles will be printed in the RECORD.

The bill (S. 3616) to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The articles presented by Mr. HARTKE, are as follows:

[From the New York Times, May 26, 1968]

KIDNEY FAILURE DILEMMA: 6,000 A YEAR WHO COULD BE SAVED DIE BECAUSE TREATMENT IS SO EXPENSIVE

(By Howard A. Rusk, M.D.)

Each year 6,000 Americans die whose lives could be saved at a cost of $28,000 each. They are the victims of kidney failure whose lives could be saved by kidney dialysis.

The kidneys contain millions of small groups of cells called glomeruli. Their function is to filter out the body's waste material that is carried to them through the bloodstream. They are, in turn, connected with millions of tubules that carry the waste through the urine into the bladder for excretion.

Fortunately, nature has given the various organs of the body tremendous powers of overcompensation. When one kidney is removed the remaining kidney enlarges to take over the function and thousands of people today live normal lives with only one kidney.

When the kidneys become diseased and fail in their function then nitrogenous wastes accumulate in the blood. This condition is called uremia.

It is usually accompanied by albumin in the urine, often high blood pressure, progressive weakness, associated heart failure and anemia, and eventually if the condition is not corrected, death.

To separate out the poisonous waste, needles are placed in a vein and artery in the forearm. The blood then circulates through a cellophane membrane with a fine mesh that allows the small toxic waste material to filter through but retains the large protein molecules that are life sustaining in the blood. This process is called dialysis.

A SLOW, AGONIZING DEATH

Dialysis treatment initially requires hospitalization. After the original diagnosis, evaluation and treatment the patient is discharged but must return to the hospital for an overnight stay two evenings a week.

Currently there are an estimated 7,000 terminal uremic patients who could benefit from dialysis but only about 1,000 can be treated in existing facilities.

For the other 6,000 the future is a slow, agonizing death from insidious poisoning, often with convulsions that end with a coma.

It has been estimated that to create a nationwide network of dialysis centers that could save their lives would cost $28,000 per case.

A letter received by this writer recently describes the agony of such impending death when life is possible. This patient wrote as follows: "I worked my way through school and following graduation taught in a rural high school. After seven years of teaching, I returned to New York and obtained a job with the Navy as a civilian worker in the education field. For the first time I received a salary commensurate with my experience and training. I lost my job in 1965 when the New York Navy Shipyard was closed. I moved with my family to another community in order to maintain tenure with the Federal Government and was assigned to work in another state. I received two promotions and my rating has been outstanding.

"All went well until Feb. 9, 1968, when I was taken ill at work. I was admitted to the hospital and my case was diagnosed as kidney failure. Through the efforts of the doctors and staff I was saved, yet I was 'hooked.' The hooking refers to being an artificial kidney patient. The first two weeks in the hospital passed quickly. I felt better but I became concerned about the bills. After two weeks I asked if I could be discharged. The hospital and medical bills then totaled $4,700. Even with hospitalization insurance meeting the major share of these expenses, it is impossible for me to maintain this life-saving therapy and feed my family.

"Now, I report to work at 7:30 A.M. on Monday and leave at 3:30 P.M. for the hospital I am connected with the artificial kidney, and at 7:30 A.M. the following morning, I am disconnected and go back to work. This is repeated on Thursday. I work a 34-hour week.

"Six or seven patients are treated together in one large room. The cost of this biweekly treatment is in excess of $300 per week and $100 additional for special nurses.

"This treatment is essential for my survival. Therefore, I can only say it is 'survival for the wealthiest—survival that depends on the size of your pocketbook.' I was told that if I were unable to borrow the money and pay the treatments would have to be stopped.

"I was then advised to buy equipment for 'home dialysis.' The equipment costs $3,000 and generally it is estimated that such home treatment would cost in excess of $10,000 a year in addition to the equipment.

"I want to live for the sake of my family. I have to live. I am still paying for hospital bills incurred last year. Is there any place I can turn? Please help me."

Five years ago, one of the young research physicians responsible for the dialysis program stopped in my office on his way to the World Health Organization in Geneva. He was truly a man beside himself.

"How long can I continue to play God?" he added, "I have facilities in my hospital to dialyze six patients. There are 300 on the waiting list. I have to decide who is going to live and who is going to die. I simply can't stand it much longer."

Man cannot be in a more difficult position. We talk so much about bringing the work of the research laboratory to the bedside of desperately ill patients at the earliest possible time. Here we have the knowledge, we know it's life-saving, but we don't have the money. We can't go on arbitrarily selecting patients for dialysis on the basis of ability to pay. It is intolerable and unconscionable.

[From the New York Times, June 2, 1968]

AID TO KIDNEY PATIENTS: PANEL URGED UNITED STATES TO SPEND $1 BILLION TO HELP SAVE LIVES THROUGH DIALYSIS

(By Howard A. Rusk, M.D.)

As reported in this column last Sunday, each year 6,000 Americans with kidney disease die whose lives could be saved if sufficient resources were available to provide kidney dialysis.

Last November the White House received a report from a special committee on chronic kidney disease that recommended the Federal Government spend about $1-billion during the next six years to save their lives.

Currently there are about 7,000 terminal uremic patients each year who could benefit from dialysis, the process in which a "mechanical kidney" is used to remove the poisonous waste that accumulates in the blood. There are only, however, facilities for accommodating about 1,000.

In New York City and Westchester County, for example, there were only 66 beds in November 1967, although it is expected this number will double by January 1969.

The committee therefore pointed out that about 25,000 lives could be saved during the next six years under the program it recommends.

Currently the Federal Government supports dialysis through Public Health Service Demonstration Grants to a number of states and through vocational rehabilitation in some states.

The Veterans Administration also has a program for patients eligible for its services.

JOHNSON RECOMMENDATION

Last year, President Johnson recommended amending Title 18, the Medicare section of the Social Security Act, to cover persons who regardless of age, were permanently disabled.

Congress, however, rejected the proposed amendment.

Had it been adopted, terminal uremic patients who could benefit would have been eligible for dialysis care.

Unfortunately, the Public Health Service Demonstration Grants for dialysis are running out.

New York State, however, last year voted to establish a kidney disease center with satellites throughout the state and a special committee has been established to advise the State Department of Health on the implementation of this legislation.

Dialysis costs are constantly being lowered and will continue downward with technological improvements and increased use.

Currently, dialysis in a hospital costs about $14,000 per year, but following initial hospitalization, patients can be transferred to a home dialysis program at a cost of about $3,000 to $4,000 per year.

As Dr. Norman Deane, director of the dialysis program at New York City's Lenox Hill Hospital, has pointed out in a booklet, "Hemodialysis at Home," that there are many other advantages to home dialysis.

Dr. Deane also warns against general public feeling that the problem is merely "shortage of hardware." He also points out that there are many patients with kidney disease who are not suitable for dialysis because of other complications.

He urges that all patients in the early stages of kidney disease should be sent to qualified specialists for evaluation and treatment that may prevent or delay the patient's reaching the stage of irreversible uremia that may be terminal.

Copies of the booklet may be obtained on request from Dr. Norman Deane, Lenox Hill Hospital, 77th Street and Park Avenue, New York 10021.

In its report the committee on chronic kidney disease pointed out its belief that kidney transplantation is the preferred therapeutic route. Today, about 2,000 kidney transplants have taken place with approximately 75 per cent chance of function for more than a year if a related donor is used. The chances are signficantly lower if the kidney is obtained from a nonrelative or a cadaver.

ADVANCED TYPING METHODS

With advanced typing techniques there has been a steady increase in the chances of success. The chances of finding a compatible donor through typing techniques is good as the recipient can be sustained indefinitely on dialysis while a search is conducted for a compatible donor.

The transplant patient, if the graft takes is essentially a well person with few restrictions on his activities. In contrast the dialysis patient must be hooked up to his machine for several hours twice weekly.

The experts report also that a person who receives a transplant can expect to live twice as long as a patient on dialysis.

As facilities for kidney transplantations are extended the need for dialysis will increase as each transplant patient requires an average of three months of preoperative dialysis plus further treatment on the dialyizer if his graft fails.

A small but growing voluntary agency, The National Kidney Foundation, 315 Park Avenue South, New York, N.Y., 10010, is seeking to improve the current treatment of kidney disease patients, control and reduce its occurrence by means of detection programs and increase support for research.

The Administration is now being pressed by Congress to cut nonmilitary spending by $4-billion to $6-billion before it will consider the President's request for an increase in income taxes.

The fate of the 6,000 Americans with kidney disease who now die each year is squarely in the hands of those responsible for these budget cuts.

Unfortunately, unless this program receives financial support new knowledge developed in the laboratory cannot be used at the bedside and individual physicians must continue to make the decision as to who will live and who, unfortunately, will die, with the ability to pay being a primary consideration.

[From the Evening Star, May 23, 1968]

SPENDING CUT A DEATH SENTENCE

(By Judith Randal)

"If it were possible to save the lives of 6,000 Americans each year, at a cost of $28,000 each, should it be done?"

This question comes from a magazine for physicians called "Medical World News." It is now clear that whether or not such a lifesaving program should be undertaken, it almost certainly won't be—not because it is impractical, but because the money for this "luxury" simply is not to be had.

Why the need for—and lack of—funds? The answers are both simple and complex.

The 6,000 Americans are men and women whose kidney function has failed so that only regular dialysis sessions with an artificial kidney or a transplant operation can enable them to survive. A blue-ribbon White House Commission indicated last year that if such programs were set up, at a cost of $1 billion over the next six years, thousands of people could be rescued from imminent death to lead useful lives.

The money will not be available because Rep. Wilbur Mills, D-Ark., powerful chairman of the House Ways and Means Committee, has made a $6 billion expenditure cut the price of his support for an "anti-inflationary" tax increase. At least $500 million and more likely as much as $1 billion of this reduction would come from the Department of Health, Education and Welfare, which already pared its budget earlier this year.

Since certain of HEW's obligations, such as welfare payments, are untouchable, a large part of the bite must be taken out of new projects. So it is that one man's tax increase may be another's death warrant.

There are, for example, more than a dozen HEW-supported demonstration projects offering dialysis. Together they can meet the needs of fewer than 1,000 patients, and even these people now are living on borrowed time.

The projects were financed for one year with the understanding that the states, assisted financially by the Comprehensive Health Planning and Health Services Act, would take over from there. But this money, too, is almost sure to be cut and the original demonstration grants are running out. There will be money for any center after mid-1969, as things now stand.

This will leave only Veterans Administration hospitals in the business of providing treatment for terminal kidney diseases for those who cannot afford the vast sums necessary for private treatment and few who require this treatment are eligible for VA care.

From here on, any sufferer lacking the $14,000 or so that a year of dialysis cost, or the price of a kidney transplant operation, will be doomed to die.

Heart-rending as is this situation, the broader outlook for health services is bleaker still. Consider the matter of health costs, now rising so fast that many experts believe hospital charges will reach $100 a day within five years.

The Comprehensive Health Planning and Health Services Act, also known as "Partnership for Health," was passed in 1966 and strengthened in 1967 with the idea of streamlining allocation of federal funds to the states. Lump sums would be granted, rather than disease-by-disease allotments. The states could use the money to best fit their particular needs. The thinking was that greater flexibility would encourage efficiency.

Still other programs are being emasculated. Already the House has cut $65 million from the 1969–70 budget authorizations of the Regional Medical Program, best known for its concern with heart disease, cancer and stroke.

Another cutback has weakened the financial and philosophical underpinnings of a related program intended to provide incentives for establishment of community mental health centers. The bill as originally written would have permitted centers to establish halfway houses for alcoholics, but subcommittee members feared that these would turn into flophouses and struck this feature out.

Besides directly affecting health services and facilities, the cuts almost certainly will aggravate the already serious shortage of doctors, nurses and technicians. Support of medical education, already long overdue, can be expected to remain a token affair at best.

These are the immediate prospects. The long-range picture is even gloomier. The National Institutes of Health research budgets—founts of further medical progress—are also vulnerable. Research cannot guarantee results, and in a time of pragmatic budget-cutting such high-risk enterprises are certain to be sacrificed to goals with much more immediate probability of payoff.

One discouraged NIH scientist summed it up this way: "What people and Congress don't realize is that when you dam up a swiftly flowing river it becomes a deep and apathetic lake."

AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN MARITIME PROGRAMS OF THE DEPARTMENT OF COMMERCE—AMENDMENT

AMENDMENT NO. 846

Mr. WILLIAMS of Delaware (for himself and Mr. Lausche) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 15189) to authorize appropriations for certain maritime programs of the Department of Commerce, which was ordered to lie on the table and to be printed.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination: George W. Renchard, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

SENATOR ROBERT F. KENNEDY—IN MEMORIAM

Mr. HILL. Mr. President, I rise to speak in sorrow for the second time in less than 5 years of the death of a member of the Kennedy family. On December 11, 1963, the Senate dedicated a day in memory of John F. Kennedy, murdered in the month before. Today, we speak of another Kennedy, foully slain as was his brother before him:

> On Horror's head, horrors accumulate.

Again the Nation and the world stand with bowed heads in mourning the loss of a gallant American. Again, a whole people are shocked over another cruel and senseless act of violence.

May I say that on Thursday of last week from the top of the capitol of my State of Alabama in Montgomery, the Confederate flag flew at half mast for Senator Robert Kennedy, and Gov. Albert Brewer spoke these words:

> It would be my prayer that this shocking event will precipitate a return to what has been absent from this Nation for much too long—a true respect for law and order and an end to senseless violence.

Mr. President, it was as chairman of the Committee on Labor and Public Welfare, on which Robert Kennedy served since he entered the Senate in January 1965, that I had occasion to work with him day by day and to best come to know him and admire him.

It is worth noting, Mr. President, that never before in our history has one family sent three of its sons to the U.S. Senate: John, Robert, and Edward Kennedy. All three have served on the Committee on Labor and Public Welfare; all three during the time I have been privileged to be the committee's chairman; all three helping make major contributions to our country's welfare. These three brothers eagerly sought membership on the committee because it afforded them the greatest possible opportunity to search out and help enact solutions to the most pressing human problems of our time—the physical and mental health of our people; the education of our children and youth; the elimination of poverty and human misery in the cities and on the farms; rehabilitation of the handicapped; juvenile delinquency; protection of our elderly citizens; improvement of the wages and working conditions of the people employed in commerce, industry, and agriculture; fair and equitable relations between labor and management, the health, education, and adjustment to civil life of veterans of our Armed Forces, and many similar social and human problems.

During his 8 years as a Senator, John Kennedy served with grace and distinction as a member of the committee, rising to become chairman of its Subcommittee on Labor.

Edward Kennedy has served on the

committee for the past 6 years and has become chairman of its Subcommittee on Veterans' Affairs.

Robert Kennedy, as I have said, came to the committee immediately upon his entering the Senate 3½ years ago.

Robert Kennedy was one of the most active and diligent members of our Labor and Public Welfare Committee. He sought to shoulder the greatest possible load of responsibilities that a junior member could undertake. He was a member of five of the seven standing subcommittees: Education, Labor, Veterans' Affairs, Migratory Labor, and Employment, Manpower, and Poverty. In addition, beginning in September of last year, he became chairman of our Special Subcommittee on Indian Education in which he showed intense interest and passionate concern. Although he was not a member of the Subcommittee on Health, of which I am chairman, he always strongly supported any and all legislation designed to protect and improve the health of our people.

While, at times, I found myself in disagreement with some of his proposals and positions, I could not and did not ignore the fact that he was motivated by a deep conviction that the goals he pursued were for the best interests of the Nation. He was a sincere and eloquent advocate of the causes he favored. He was genuinely moved by the evidences of misery, disease, and misfortune he observed in his extensive travels in connection with committee work. He took his membership on the Committee on Labor and Public Welfare and his duties thereon with utmost seriousness.

Last year, the Subcommittee on Employment, Manpower, and Poverty, of which he was a most active member, conducted an extensive survey of poverty, hunger, and malnutrition in America. With the subcommittee he traveled thousands of miles from the slums of Harlem to the Watts section of Los Angeles and the fruit fields of central California; from the Mississippi Delta to northern Wisconsin; from Appalachia to the south side of Chicago. In all his travels, in all his subcommittee work, he was always an assiduous and devoted participant. He did his best, despite the many other duties pressed upon him as a Senator representing the great State of New York, to attend every committee hearing and every executive session. His keen intellect, the absorptive power of his mind, the retentive grasp of his memory, coupled with his extraordinary energy, drive, and zest, made him in a short time one of the best informed and knowledgeable experts among us on the vast range of public questions with which our committee is concerned.

One of his principal contributions in the effort to reduce the toll of human poverty was his amendment creating the special impact program, which established economic and business development programs in heavily populated low-income urban areas, to create job opportunities and training programs for the underemployed and the unemployed.

As a member of the Subcommittee on Veterans' Affairs, he was a powerful ally of the distinguished Senator from Texas [Mr. YARBOROUGH] in our successful struggle to establish a GI program for veterans of the cold war period.

On the Subcommittee on Education he worked hard and long beside the able Senator from Oregon [Mr. MORSE] in broadening and improving Federal assistance to our Nation's schools and colleges and to the young people who attend them.

As a member of the Subcommittee on Migratory Labor, he was a strong right arm to the distinguished Senator from New Jersey [Mr. WILLIAMS] in helping bring about decent health, education, and living conditions for hundreds of thousands of migrant workers and their families.

On the Subcommittee on Labor, he staunchly supported the efforts of the late Senator McNamara of Michigan and his successor as chairman of that subcommittee, Senator YARBOROUGH, in bringing about major changes in the Fair Labor Standards Act, raising the minimum wage, and extending the act's protection to millions of additional workers.

Not only did he become expertly informed on all the great social problems we face, not only did he seek always to translate this knowledge into effective legislative responses, Senator Robert Kennedy likewise became a movingly expressive spokesman of the needs and aspirations of the disadvantaged, the poor, the sick, and the ill-nourished members of society.

As Solomon the Wise said:

> The souls of the righteous are in the hand of God, and there no torment shall touch them. In the sight of the unwise they seemed to die; and their going from us to be utter destruction: but they are in peace.

As we unite in prayer that the soul of Robert Kennedy may rest in peace, let us unite in determination to bring peace to the souls of those who live on.

In closing, Mr. President, may I extend to Robert Kennedy's beloved wife, Ethel, and her bereaved children, his brother, EDWARD, and the other members of the Kennedy family, Mrs. Hill's and my deepest sympathy in this hour of sorrow.

Mr. TYDINGS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. TYDINGS. I should like to take this opportunity to congratulate and commend the distinguished statesman from the State of Alabama for his moving and eloquent remarks about our late beloved colleague, Senator Robert F. Kennedy.

I know the very high esteem and affection which Senator Robert F. Kennedy felt for the distinguished Senator from Alabama—the same high esteem and affection which we all feel for him.

The Senator's remarks have been so well articulated that I am reminded of the wonderful passage Senator Robert F. Kennedy quoted from Shakespeare in describing his late, beloved brother, John Fitzgerald Kennedy to the convention in Atlantic City.

Let me recite those lines again because they are so moving:

> . . . and, when he shall die,
> Take him and cut him out in little stars,
> And he will make the face of heaven so fine,
> That all the world will be in love with night,
> And pay no worship to the garish sun.

I thank the distinguished Senator from Alabama.

Mr. HILL. I thank the Senator from Maryland for his most kind and generous words, and for his beautiful tribute to Senator Robert F. Kennedy.

Mr. GORE. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. GORE. I wish to express my personal appreciation for the eloquent remarks which the distinguished chairman of the committee, on which the late Senator Robert F. Kennedy served, has given in tribute to his life and service.

With the noble sentiments which the Senator has expressed, I wish fully to associate myself.

Mr. HILL. I thank the Senator from Tennessee for his generous remarks and express to him my appreciation and say to him that I am privileged to have him join in tribute to Senator Robert F. Kennedy.

Mr. DODD. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. DODD. I join the great Senator from Alabama in his tribute to Senator Robert F. Kennedy.

Last week, I tried to say how I felt about Robert F. Kennedy. The tribute of the Senator from Alabama this morning is a most eloquent and fitting one, with which I wish to be associated.

Mr. HILL. I want to thank the Senator from Connecticut for his most generous remarks. I appreciate his joining me in this tribute.

Mr. METCALF. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. METCALF. The Senator from Alabama has listed the record of accomplishment on the Committee on Labor and Welfare—attendance and diligent attention to routine committee activities not only of the late Senator Robert F. Kennedy, and our late President, John Fitzgerald Kennedy, but also of Senator EDWARD KENNEDY. It shows that these three brothers have contributed to the welfare, the health, and the education of this country. Their compassionate natures have developed many programs of assistance to aid the less fortunate people of America.

The Senator from Alabama has made a significant contribution to the eulogies of the late Senator Robert F. Kennedy. He has demonstrated that as a Senator in this body, Robert Kennedy's contributions have been significant and important to the welfare of the United States.

Mr. HILL. I thank the distinguished Senator from Montana for his most kind and generous words and express to him, too, my appreciation for joining in this tribute to Senator Robert F. Kennedy.

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. MANSFIELD. I join my colleagues in expressing my deep appreciation for the most significant speech delivered by the distinguished Senator from Alabama relative to the brothers Kennedy—all three of whom have served so ably under his chairmanship, one of whom still with us and who will be with us for many decades to come, I am sure—is still serving.

The Senator from Alabama has had the experience of having eagles with him on the committee in the persons of John Fitzgerald, and Robert Francis—men who soared high, who tried to achieve objectives which would benefit all of us, in all sections of the country, in all segments of society; men whose contributions will be long remembered not so much because their names happened to have been Kennedy but because of what they did, what they attempted to do and what they stood for.

Mr. TYDINGS. Mr. President, in the Washington Post of yesterday, Arthur Schlesinger, Jr., an outstanding historian, a close personal friend of our late President John F. Kennedy, a close personal friend of our late colleague, Senator Robert F. Kennedy, wrote what I feel is a very accurate, definitive essay entitled "Kennedy's Stature More Than Legacy."

I ask unanimous consent that this tribute to Senator Robert Kennedy be printed in its entirety in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 9, 1968]

KENNEDY'S STATURE MORE THAN LEGACY

(By Arthur Schlesinger, Jr.)

No one ever forgot, of course, that Robert Kennedy was the brother of a President of the United States, and some accused him of running for the Presidency on his brother's coattails. Yet Robert Kennedy had not only an identity but a record of his own—an identity and a record which would have entitled him to consideration for the Presidency had none of his relatives even been elected to anything higher than city assemblymen.

This record began in a serious sense when, amid almost total skepticism on Capitol Hill and among the press, John Kennedy appointed Robert Kennedy his Attorney General. Skepticism was understandable. Robert Kennedy was hardly 35. His legal experience had been limited to service as counsel for senatorial committees, and there his role had been one of a zealous—many thought overzealous—prosecutor.

His chief fame then was as the manager of his brother's campaign. His designation as the Nation's chief law-enforcement officer seemed an act of dynastic indulgence. Why not, someone said, make him Postmaster General, like Jim Farley?

But Robert Kennedy was a good deal more than a party manager. His brother valued his intelligence and judgment and wanted him by his side. They had thought for a moment of a deputy or assistant secretaryship—perhaps in Defense or in Latin American affairs at State—but their father had pointed out this would put the official who stood between the brother and the President in an impossible position.

So the President-elect decided to go ahead with the Attorney Generalship. He later told Ben Bradlee how he planned to announce the appointment: "I think I'll open the front door of the Georgetown house some morning about 2 a.m., look up and down the street and, if there's no one there, I'll whisper, 'It's Bobby.'"

When the moment finally came, and the brothers started out the door to face the press, he said, "Damn it, Bobby, comb your hair." We were still saying that 7½ years later.

THE RACIAL CRISIS

As Attorney General, Kennedy was plunged into the heart of the racial crisis. He came to this crisis with strong general sympathies but without much specific background, and he learned very quickly. He learned above all of the determination of his black fellow citizens to achieve their rights. He believed in the justice of their cause and respected their courage, and his own exceptional feeling for the excluded groups, his curious sense of identification with the casualties and victims of American society, gave him the power to command the confidence of those who had no one to trust.

He called out the troops to put James Meredith into the University of Mississippi. He managed the passage of sweeping civil rights legislation. And his concern extended to the poor in general, especially through his Committee on Juvenile Delinquency, which originated many of the ideas and programs later carried forward in the war against poverty.

His relationship to his brother, moreover, meant his involvement in a far wider range of public questions than any other Attorney General in our history. He did not take part in the meetings which preceded the Bay of Pigs, but thereafter President Kennedy took no crucial decision in foreign policy without making sure that Robert Kennedy was there.

Next to the President, Robert Kennedy played the most important role in the peaceful resolution of the Cuban missile crisis. At the start, he led the opposition to the proposal that we take out the missile bases by surprise air attack and, at the end, when two messages of different import arrived from Khrushchev, he conceived the idea of ignoring the second and harsher message and responding to the more reasonable negotiating terms set forth in the first.

NERVE CENTER OF NEW FRONTIER

Beyond all this, Robert Kennedy was, in effect, the nerve center of the New Frontier. Every New Frontiersman, chopping his way through the thickets of Government, tended to turn to Robert Kennedy when he encountered obstacles and frustrations. The Attorney General had a sort of roving mandate through the Government, and he used it with discretion and imagination to reinforce liberal ideas and initiatives on matters from the release of Junius Scales to our policy in Africa, Latin America and Indonesia.

There was a tendency to feel that Robert Kennedy as a Senator was more liberal than he had been as Attorney General and to attribute this to his New York constituency. This was not so. The effect of Dallas was not to transform his convictions but to give them a new dimension and quality. His brother's murder intensified his own sense of the awful fortuity of life.

He now inclined more than ever toward that fatalism which saw human existence in terms of a tragic destiny but did not relieve man from his obligation to strive as best he could for the right. He found comfort in Aeschylus and also in Camus, and he evolved for himself a personal faith, a kind of Catholic stoicism and existentialism.

Elective politics also developed latent qualities in what had been a somewhat abstracted and diffident man. He became, for example, an excellent speaker, and he was at his best when he went among the poor and the helpless, whether in hospitals or Indian reservations, in hovels along the Mississippi delta or in the teeming ghettos of New York or Los Angeles. These years strengthened his sense of identification with the untouchables of American society. He made himself in the Senate the particular champion of those who in the past had been the constituents of no one. He was the representative of the unrepresented.

MOST PROMISING LEADER

This made the fashionable complaint of 1968 that he was a divisive figure so irrelevant. No doubt he was divisive in the country clubs and the manufacturers' associations. But in the context of the great and terrible divisions of American society—affluent America vs. destitute America, white America vs. black America—he was the most unifying figure in our politics. No one else offered such a possibility of a bridge between the alienated groups and the official American community.

He continued his fight, of course, for restraint and rationality in foreign affairs, and he spoke out against military escalation in Vietnam as early as the spring of 1965—long before any other of the current presidential aspirants.

It was an intense sorrow for him that his hesitation in entering the presidential competition of 1968 lost him the support of so many among the young and in the intellectual community; these he regarded as his natural constituency. But I have no doubt that after California and South Dakota he could have been well on his way to regaining their confidence and backing.

He was a brilliant and devoted man, superbly equipped by intelligence, judgment and passion for the great tasks of national leadership. He was, indeed, better prepared for the Presidency than his brother had been in 1960. His experience had been wider, and he had been exposed to more of the terrible problems of his own country and the world. He was, I deeply believe, our Nation's most promising leader.

In his private relations, he was a man of exceptional gentleness and generosity—the best of husbands and fathers, the dearest of friends. He was, in addition, a man of the most irresistible and rueful wit. I spent Thursday, May 30, with him as he whistle-stopped through the Central Valley of California. What lingers in memory are the faces of the crowd, worn and tired faces, weathered in the sun, lighting into a kind of happy hope as he appeared on the back platform of the train and launched into that characteristic combination of banter and intensity with which he beguiled and exhorted his audiences.

He went through this all with his sense of fatality. Perhaps no one would have been less surprised than Robert Kennedy himself by the tragic conclusion of his life. He was vividly aware of the interior tensions of American society; that is why he mingled his attack on social and racial injustice with insistence on the defense of the peaceful processes of change. He loved his fellow citizens and was prepared to trust himself to them, and the quality of his love was such that it would surely have survived the depraved and terrifying act that destroyed him.

Just two months earlier, he had stood at dusk on a street corner in Indianapolis, his voice breaking with emotion, telling a black audience that the Rev. Dr. Martin Luther King Jr. had been murdered. He said, "In this difficult time for the United States, it is perhaps well to ask what kind of a nation we are." Black people, he said, might understandably be "filled with bitterness, with hatred, and a desire for revenge." We can move in that direction as a country, he said. "Or we can make an effort, as Martin Luther King did, to understand and to comprehend, and to replace that violence, that stain of bloodshed that has spread across our land, with an effort to understand with compassion and love."

That stain of bloodshed is now deeper than ever. With the murder of Robert Kennedy, following on the murder of John Kennedy and the murder of Martin Luther King, we have killed the three great embodiments of our national idealism in this generation. Each murder has brought us one stage further in the downward spiral of moral degradation and social disintegration. "What we need in the United States," Robert Kennedy said that sad spring evening in Indianapolis, "is not violence or lawlessness, but love and wisdom, and compassion toward one another and a feeling of justice toward those who still suffer within our country."

"A TIME OF VIOLENCE—A TIME OF TRADEGY"—COMMENCEMENT ADDRESS BY SENATOR MIKE MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a commencement address which I delivered at Seton Hall University, South Orange, N.J., on Saturday last, be incorporated in the RECORD at the conclusion of my remarks. I made the speech between attending the funeral of our late beloved and distinguished colleague Robert Kennedy at St. Patrick's Cathedral and returning to Washington for the culmination of the events of that tragic week.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A TIME OF VIOLENCE—A TIME OF TRAGEDY

(Commencement address by Senator MIKE MANSFIELD, Democrat, of Montana, delivered at Seton Hall University, South Orange, N.J., June 8, 1968)

I shall be brief because of the death of Senator Robert F. Kennedy has made all words inadequate. The remarks which I had intended to make to you are prefixed now with a deepening of the concern which I have long felt with respect to the nation's direction. The tragedy in Los Angeles has added another dimension to our urgent national difficulties.

These are, indeed, times which try men's souls. I grieve for Senator Kennedy and his family. I grieve even more for my country.

There is something wrong, very wrong, when the attempt of reason and understanding to cope with grave national problems is ripped apart time and again by the bullets of irrationality and hatred. Senator Kennedy was among the most civilized and sensitive of political leaders and one of the nation's most thoughtful. His death lights up the threat to the very survival of freedom which is posed by this orgy of political violence. It has already brought down political and social and other leaders of the quality of President Kennedy, Medgar Evers, Martin Luther King, Jr., two young Marine lieutenants in Washington, D.C. this week, one of them from my own state of Montana, and now Senator Robert F. Kennedy. These are rare men. As a nation, we could not afford the untimely loss of any of these men. We can afford no more.

This epidemic of horror, this pathology of political and social violence strikes at the very heart of the American structure—we will either put an end to it or it will put an end to American freedom.

I look to you young people of today in the hope of glimpsing a better tomorrow for America. It may be that you will be able to make that decisive contribution which will turn the crises of today into the resolved problems of yesterday.

This is your commencement. In a larger sense, however, it must also be seen as a time of commencement for the nation. We live, today, in a nation torn apart by old tensions and in a world strained by new. There are difficulties abroad, serious difficulties. There are, clearly, even more serious difficulties at home. I refer not only to the assassinations of American public figures and others, but to the whole range of problems which afflict the nation.

You who graduate, today, have lived without surcease from critical national and international problems. Crisis is your dubious birthright. You were born almost at the same time as the birth of nuclear power. Abroad, you have grown up with an accumulation of national commitments which stretch around the world. Most of these commitments were undertaken before your time. More often than not, however, the bills are falling due in your time. Viet Nam is such a commitment.

At home, you inherit the massive accumulation of physical and human neglect which has led to the current conditions in the nation's cities. It is a measure of the nation's plight that we have tended to ignore these domestic volcanoes until an outburst of violence comes as a shocking reminder of their smoldering presence. It ought not to be necessary to wait for an assassination to focus realistically and with determination on these problems which Senator Kennedy and others have long insisted ought to be faced as a matter of exterme urgency.

Viet Nam is still there. So, too, are a dozen or more other focal points of trouble in this nation. Indeed, international conflict and domestic strife seem to have joined together under the common symbol of the bullet and the gutted city.

So I reiterate, your time of commencement must also be a time of commencement for the nation. If the tragic event in Los Angeles a short time ago, plus the accumulated tragedies of the past few years are to have any meaning, we will begin, now, to convert the difficulties of today into the solutions of tomorrow.

In this process of conversion, the contribution of young people is indispensable. It was not by accident that Robert F. Kennedy turned to young people. It was not by accident that young people turned to him. Rather, I believe it was because the attitudes of young people reflect a perspective of the contemporary world and times which is much sharper and yet more flexible than that exhibited by those of us who have borne adult witness to the events of the past two decades. And by the same token, young people saw in Robert F. Kennedy and Eugene McCarthy a source of inspiration and leadership in coming to grips with the world of today and tomorrow.

That the questions which young people are asking sometimes show a disdain for conventional and entrenched approaches to our national problems is not surprising. It in no way alters the importance, indeed, the necessity of trying to find the answers. That, indeed, was what Robert F. Kennedy was seeking to do.

If you who are young tend to look at the long-accepted and dogmatic descriptions of the world scene with a degree of healthy pragmatism, it is perhaps because you are not bound by the furies, fixations, and fears of the past 20 years. It may be, and I hope it is, that your thought-processes are still flexible enough to permit you to perceive an obvious need for adjustments in the policies of this government in the light of the way Yugoslavia, Albania, not to mention China and Viet Nam and most recently Romania and Czechoslovakia, have undercut the old theory of a Russian communist monolith.

Whatever the reasons, it seems to me that you know enough to insist upon more than patent-medicine responses to the problems of international life in these closing decades of the 20th century. You know enough, too, to insist that this government assume a direct responsibility in the face of unrest and violence at home with at least as great a determination as it has sometimes displayed in taking on responsibilities for the curbing of unrest and violence abroad. In short, what your questions add up to is a call for a continuing appraisal of the premises of our foreign policies particularly in the light of changes abroad and urgent needs at home. To a considerable degree Senator Kennedy succeeded in setting in motion that kind of appraisal in his all too brief years in the Senate and in these past few weeks as a candidate for the Presidency. He knew, as I believe all of us sense, that there is an intimate association between the achievement of peace abroad and the realization of peace at home.

It is not at all certain that the negotiations at Paris will end the Vietnamese conflict in the near future. Indeed, the pace at which those negotiations have proceeded to date provides no basis for sanguine expectations. Nevertheless, Paris remains and I feel must remain, the hope for a peaceful settlement. The President and his negotiators should receive every possible support from the rest of us in their current effort to bring about that settlement.

Let me close these remarks on the same note with which I opened them. This commencement finds the nation entering upon a time of testing. Our difficulties are underscored, personified, and emphasized by the tragic death of Senator Kennedy. We must face up to the question of violence within the nation. We must face up to the threat which it poses to an orderly, peaceful, and free political structure in this nation.

To deal with this difficulty and others which plague us at home and abroad involves material resources. Far more than material resources, however, the very survival of the nation, I believe, cries out for the resolve and the ingenuity, the wit and the integrity to face firmly the situation which confronts us. It requires us to look long and hard at the bitter experiences of these past few years. It compels us to search in the unspeakable and barbaric tragedy of Viet Nam, in the assassinations of American leaders, and amidst the burnt out cities of the nation, for clearer definitions of the evolving problems of our times and to develop new approaches and new policies which look to their solution.

In that pursuit the participation of the young people of this nation is essential. I ask you to join your fresh courage, your fresh conviction, your fresh concern and your fresh outlook to the longer experience of the rest of us. Together, we can repair the weaknesses in the nation's society and mend the fences that have broken down. Together, we can cut out the dry-rot in our policies, both foreign and domestic. Together, we can build anew the inner structure and the inner peace of this nation. Together, we can act to shape a new society in a new world. Far more than words of eulogy, a dedication of heart and mind to that purpose would be a fitting tribute to the late Senator Robert F. Kennedy.

Will you give it?

Mr. ANDERSON. Mr. President, I join Senators in paying tribute to our departed colleague, Robert F. Kennedy of New York.

Words cannot adequately express the sympathy which I feel for the Kennedy family during this hour of further tragedy in their lives. They have suffered far more than their share of sorrow.

The events surrounding the funeral, which we have all observed these past days, have once again been a witness to the courage and faith which these noble people possess. The Nation has been inspired by their magnificent strength. The love and solidarity displayed by the family is a testimony and an example of the highest ideals of mankind.

I add my name to those who express that this act of tragedy does not represent a diseased society. One man alone pulled the trigger. The rest of the Nation mourns the senselessness of the deed.

With all of the sorrow in the life of Robert F. Kennedy, his faith in democracy never wavered. In February of 1966 he stated:

> . . . Democracy is no easy form of government. Few nations have been able to sustain it. For it requires that we take the chances of freedom, that the liberating play of reason be brought to bear on events filled with passion; that dissent be allowed to make its appeal for acceptance; that men chance even in their search for truth.

Senator Robert Kennedy dared take the chance of freedom. He will best be remembered for his inspiration to youth and for his valiant stands against poverty and oppression and war. His dedication and vitality were examples to us all.

We are deeply touched by his loss. But we are bettered by having known him. His contribution to the Nation can well be summarized by a challenge he issued to himself in a speech delivered in June of 1961:

> My faith is that Americans are not an inert people. My conviction is that we are rising as a people to confront the hard challenges of our age—and that we know that the hardest challenges are often those within ourselves. My confidence is that, as we strive constantly to meet the exacting standard of our national tradition, we will liberate a moral energy within our nation which will transform America's role and America's influence throughout the world—and that upon this release of energy depends the world's hope for peace, freedom and justice everywhere.

Mr. MAGNUSON. Mr. President, the Nation passed a weekend of grief which, like a black ominous cloud has descended over men of good will everywhere and yet on this Monday, when we must try to pick up the pieces and carry on our business which must go on, the deep and forboding sense of loss will not be dissipated. Mr. President, we have lost one of our own; we have lost a colleague of unusual ability and extraordinary perception, a most uncommon Senator and American. Our sense of loss is great. The Senate of the United States will not be the same without the junior Senator from New York. We will miss his quiet wit, his perceptive mind, and his genuine concern with the problems of America. But ours, of course, is not the only loss. We have lost a friend, a colleague, a fellow legislator, but our loss will never match the unspeakable tragedy which must be borne silently by the Kennedy family.

The great American family which has contributed an unmatched heritage of service to this land of ours, a family that has given our Nation a President, a wartime hero, an Ambassador, and two U.S. Senators. The grief of that family must certainly be without parallel in American history. It is unspeakably outrageous that two great American men, men who were in the prime of their lives and whose service to the Nation was in midcourse, have been brutally murdered. It is outrageous that the wives were suddenly widowed and that their children have only the memories of a father, and that for them in a very personal sense, life will never again be as rich.

But, Mr. President, may I suggest that the American people, too, have suffered an immeasurable loss. They have lost a great and courageous national leader. Perhaps most important, they have lost the man who embodied our Nation's struggle with ignorance, intolerance, injustice, and deprivation. They have lost a man who was vitally committed to guaranteeing to all Americans the great ideals on which this Nation was founded. They have lost a man who was concerned with meeting the plight of the poor and the ignorant and the disadvantaged. A man who was alarmed that in a nation of unprecedented prosperity and economic growth, men, women, and children are still hungry, homeless, jobless. They have lost a man who was outraged by the prejudice and injustice which befalls our fellow Americans simply because their skin happens to be black. And they have lost a leader who had a vision of American cities as exciting, cosmopolitan, amenable places in which all could live in decency, prosperity, and justice. In short, Mr. President, our Nation has lost a man who had a vision of a better future and the political and moral courage to fight for a better America.

And let us not forget too that the loss of Senator Kennedy is particularly keenly felt by America's young. Those men and women who will assume the burden of leading our Nation tomorrow. Senator Kennedy did offer a new voice. To many, he was the hope of a better future. Mr. President, although Senator Kennedy is gone, his memory, and his aspirations for America will live on in this Chamber. He was a good man and a great American and we would all do well to seek to pick up the burden for the future which he carried so gracefully. May God let him rest in peace.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from Arkansas [Mr. FULBRIGHT] in respect of the late Senator Robert Kennedy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FULBRIGHT

I share the shock and sorrow of all Senators and of the nation at the tragic loss of our colleague, Senator Robert Kennedy. My deepest sympathy goes to Mrs. Kennedy, the children, and to all the Kennedy family, a family that has given so much and lost so much.

Once again we find ourselves mourning the loss of one of our most able leaders through a barbarous, senseless act. Once again violence has torn at our society.

Senator Robert Kennedy was one who exhibited a consistent and profound concern about the serious problems facing our nation. He was a man of intelligence and courage, who believed in America and was totally committed to the service of the nation.

We must stop the violence and heal the divisions in our society. We must dedicate our efforts to meeting the urgent social needs of this country. Senator Robert Kennedy recognized the seriousness of the foreign and domestic problems which we face, and, as a man of action, dedicated himself to their resolution.

I earnestly hope that the memory of our fallen colleague and the example of service rendered by him will serve as an inspiration to all Americans to work for peace in the world and tolerance, justice, and order at home.

S. 3604 AND S. 3605—INTRODUCTION OF PROPOSED GUN CONTROL LEGISLATION

Mr. DODD. Mr. President, I send to the desk two bills. I shall explain them briefly. I ask unanimous consent that I may continue to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, one bill (S. 3604) would require the registration of all firearms of every kind and every type. It would provide for a period of amnesty at which time all citizens and all persons in this country would be required to register their firearms, and if they failed to do so within that period of time they would thereafter be subject to penalty for failure to do so.

The second proposal (S. 3605) which I have sent to the desk would restore the long gun amendment which was defeated here on the floor of the Senate after it was offered by Senator EDWARD KENNEDY of Massachusetts.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. DODD (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 3604. A bill to require the registration of firearms; and

S. 3605. A bill to amend chapter 44 of title 18 of the United States Code to provide adequate regulation of certain sales of shotguns and rifles.

Mr. DODD. Mr. President, I listened with great interest to my fellow Senators who spoke of Senator Kennedy's assassination. We have lost here personally in the Senate a beloved Member. Not only did we lose President Kennedy, but there was Medgar Evers, and then there was Malcolm X, and then there was an attempt to kill General Walker, and then there was the murder of Rev. James Reeb in Selma and the brutal killing of civil rights workers in Mississippi, and then there was Dr. Martin Luther King.

I did not agree with a few of the people I have just named but the political fact is that political assassination is becoming almost a habitual thing in this Nation.

Private citizens are no less important than those in public office who have taken a position on this or that cause, and something should be done to protect all of them. For 7 years I have been trying to get a modest gun control bill through Congress, and for most of those years I could never get anywhere with it. Finally, one tragedy after another made it possible for us to get some firearms control legislation, not enough, but something. Now the situation in this country is so bad, so terrifying, so frightening that our people are demanding that something more be done.

Who fears registration? No honest man is afraid to have his gun registered. The bill I introduce today is a self-protective bill, and it ought to be passed.

As I have said so many times before, a gun has only one purpose. Its purpose is to put a bullet through something, to kill something, or somebody, and it is in the public interest that this kind of device be registered. I repeat: Who is going to be hurt if we require that we do so?

I do not know of any other country that pretends to be advanced that does not have such a requirement. There are hundreds of thousands, probably millions, of guns in the hands of people who should not have them. We do not even know about them. This killing will go on, and we will keep talking about possible remedies. The gunrunners will tell us we are getting "hysterical." If that is being hysterical, as was said before on the memorable occasion of the assassination of President Kennedy, then let the gunrunners make the most of it.

We want our streets safe. We want our people safe. We want control over these dangerous weapons. If Federal registration is the only way to do it, and I am convinced that it is, then let us do it. Let us face up to it.

I should have also mentioned that my bill includes control over the sale of ammunition. It requires a person to prove his gun is registered in order to purchase bullets for it. That provision is aimed at the hundreds of thousands, perhaps millions, of guns which are already in irresponsible hands. Nobody knows anything about them. It is about time that we know who owns them and stop the sale of ammunition to criminals and children.

Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore (Mr. METCALF). The Senator has 10 minutes remaining.

Mr. DODD. Mr. President, the Nation has spoken its grief and its horror and shame over the tragedy that took place in Los Angeles last Tuesday night.

The life or death of one man is something of infinite importance. Indeed, if there is any single concept that can be defined as the essence of religious morality, it is the transcendent concern for the individual, for human life and human dignity. This is, or should be, what distinguishes the civilized man from the barbarian, the free man from the totalitarian fanatics of left and right.

But if this is the criterion, then one begins to wonder whether our Nation truly qualifies as civilized. For the assassination of Senator Kennedy was not an isolated incident. It was only the latest of a series of assassinations and attempted assassinations which have been occurring with increasing frequency in recent years.

There was President Kennedy. And there was Medgar Evers. And there was Malcolm X. A bit further back, there was the attempt on General Walker's life. There was the murder of the Rev. James Reeb in Selma and the brutal killing of three civil rights workers in Mississippi. And only a few short weeks ago there was Martin Luther King.

And now a young Senator, the father of 10 children, a candidate for the Democratic presidential nomination, has been cut down by an assassin's bullet.

And the same newspapers that carried the news of the shooting also reported on the opening of the trial of a group of black extremists charged with plotting the assassination of Negro leaders Roy Wilkins and Whitney Young.

We must all ask ourselves: What is wrong with our society?

For some time now the suggestion has been bandied about that the most effective way of dealing with the problem of the political assassinations would be to conduct a study of the psychopathology of political assassins.

Such a study, I am afraid, would get us absolutely nowhere because it proceeds from a false premise. The epidemic of assassinations cannot be considered in isolation from the epidemic of violence which has been growing with each succeeding decade, and which now infects our society at every level.

When a political leader is shot by an assassin, this is an item that commands worldwide attention in the press.

But political leaders are not the only victims of guns and gunmen.

Each day in our country 15 or 20 Americans are shot down by gunmen. Because they are ordinary citizens and because their names are not nationally known, we accept these tragedies for the most part without even lifting an eyebrow.

As incredible as it may seem, far more people have been killed by firearms in our country since the year 1900 than have died in all of our wars, from the American Revolution to Vietnam. Between 1900 and 1966, firearms were responsible for 280,000 murders, 370,000 suicides and 145,000 deaths by accident—making a grand total of 795,000 since the onset of the century. Against this figure, the total number of American war dead, from the beginning of this Nation to this date in Vietnam, stands at 550,000.

As I pointed out in my Senate speech in support of title IV, our annual rate of murder by gunfire has been astronomically higher than the rate for other civilized countries. Let me repeat a few of these statistics, because they are essential to any intelligent discussion of the problem.

The last year for which the Library of Congress could give me comparative statistics was 1963. In that year we showed almost three homicides by gunfire for every 100,000 population. This rate was 55 times the rate for Great Britain; 25 the rate for Germany; 55 times the rate for Japan; 90 times the rate for the Netherlands; and so on down the line.

Reduced to round figures instead of statistical rates, the facts are equally impressive. Thus, we find that major countries like Great Britain and Japan during the early sixties averaged approximately 30 firearms homicides per year, a figure roughly equivalent to the number murdered by guns in our country in 2 days. And we also find that for a period of 3 years in the early sixties the Netherlands did not have a single case of murder by firearms.

This appalling massacre has been possible because of our delinquency, our gross and unforgivable delinquency, in regulating the interstate traffic in firearms in the United States.

True, some of our States have for years had reasonably good gun laws.

But the gun laws of our various States have been violated wholesale and rendered ineffective because of the lack of supporting legislation at the Federal level. Hundreds of thousands of weapons have been sold to our citizens in circumvention of their own laws, in across-the-counter transactions in neighboring States and by mail-order sale.

Until this week it has been possible for anyone—criminal, a juvenile, or a lunatic—to clip an advertisement from a score of magazines, order either a handgun or a long gun for a few dollars from a dealer in a distant State, and, in a matter of weeks have the gun delivered to him with virtual anonymity.

We have now taken the first step in the direction of effective gun control.

On Thursday of last week Congress completed the approval of the gun controls which were incorporated as title IV of the omnibus crime bill.

This bill is far from perfect.

But it represents a major step ahead in a number of respects.

First, it prohibits all mail-order sales of handguns to non-State residents.

Second, it prohibits the sale of handguns to non-State residents.

Third, it prohibits the sale of handguns to minors.

Fourth, it requires that all purchasers of firearms from Federal licensees be required to identify themselves by name, address and age.

Fifth, in order to eliminate the fraudulent and fly-by-night dealers, it requires the Federal licensing of dealers, manufacturers and importers of firearms, and establishes certain minimum standards that must be met by applicants for licenses.

Sixth, it prohibits the import into the United States of all military surplus handguns, destructive devices, and other nonsporting guns, including rifles and shotguns.

Seventh, it stringently controls the sale of destructive devices.

I do not underestimate the importance of this legislation. Indeed, I consider its approval by Congress a major triumph for the forces of law and order and decency and sanity in this country. But the fact is that it does only a part of the job that has to be done.

THE SALE OF LONG GUNS

One of its chief weaknesses is that it does not establish controls over the sale of long guns.

As the Senate knows, the terms of the bill which I recently submitted also applied to rifles and shotguns. In the course of a prolonged committee debate, however, rifles and shotguns were removed from the coverage of title IV.

In my opinion, as I said at the time, this was a mistake.

I also supported the amendment introduced by the senior Senator from Massachusetts which sought to extend the coverage of title IV to include rifles and shotguns. On this amendment, the vote in the Senate went against us.

I have tried hard to understand the reasoning of the opposition, but I find that their reasoning defies understanding.

The opponents of long gun control tell us that the rifle and the shotgun are sporting weapons and that they are rarely used in the commission of crimes. But the fact is that long guns figure in approximately one third of the gun murders committed in our country. Our law-enforcement authorities across the country have urged legislation to control the sale of long guns.

Mr. Quinn Tamm, representing the International Association of Chiefs of Police has told us that—I quote—"the long arm has taken its place in 20th century crime with a demolishing force" and he has urged the enactment of supporting legislation.

His views have been echoed by the chiefs of police of our major American cities, almost to a man.

And now the President of the United States has pointed to this unfortunate weakness in the gun legislation approved by Congress, and he has asked Congress to enact legislation that would extend the controls of title IV to the sale of rifles and shotguns.

A questionnaire which our subcommittee sent out to various police departments across the Nation developed the following very revealing statistics on the role of long guns in illegal activities of all kinds for a 5-year period for the 40 cities that responded to the questionnaire: 805 rifles and shotguns were confiscated from juveniles, 1,210 rifles and shotguns were used to commit murder, 2,908 robberies were perpetrated with long guns, 4,179 assaults were committed with long guns, 14,035 long guns were misused in other crimes, 23,130 rifles and shotguns were confiscated from persons involved in illegal activities, 4,478 long guns were seized on illegal weapons charges. This makes a total of 50,745 cases where longarms were used in crimes of violence or other illegal activities.

These are facts which cannot be ignored.

To this date, the opponents of long gun control have displayed a cavalier disdain for the opinions of Mr. J. Edgar Hoover and Mr. Quinn Tamm and Attorney General Ramsey Clark and of our metropolitan chiefs of police. What their opposition adds up to is that they do not think J. Edgar Hoover and the Department of Justice and the chiefs of police of our major cities know about the problem of crime and enforcement.

In their arrogant omniscience, they apparently believe, that they, the members of the gun lobby, are the only ones who know what to do about crime.

But now that the President of the United States has once again appealed, in the most urgent terms, for legislation establishing effective controls over the sale of long guns, I earnestly hope that Members of the Senate who have thus far voted against such controls will reconsider their position. Yes, and I even venture to hope that the directors of the National Rifle Association, who are, after all, good citizens if misguided ones, will reconsider the implications of their opposition to such a measure.

Mr. President, one of the bills I am introducing today would have the effect of extending the provisions of title IV of S. 917 to cover the sale of rifles and shotguns.

If we claim to represent the American people, who cannot as a body persistently vote against legislation which three-fourths of the American people want.

And if we claim to be truly concerned about our growing crime rate and truly desirous of giving our law enforcement authorities the legislative assistance they need in order to combat crime, then we cannot go on ignoring the advice of the Department of Justice and the FBI and of our law enforcement authorities at every level.

We cannot ignore the fact that one third of all gun murders and a large part of all gun crimes involves the use of rifles and shotguns or sawed-off rifles and sawed-off shotguns.

We cannot ignore the fact that the high-power rifle is the favorite weapon of the assassin.

We cannot ignore the fact that the rifle is the favorite weapon of the berserk killer.

We cannot ignore the fact that the rifle has been the main weapon of the snipers who have taken so murderous a toll in our big city riots, and whose activities have done so much to aggravate the general violence that has characterized these riots.

Finally, we cannot ignore the fact that rifles and shotguns are being used with increasing frequency in a wide variety of crimes, and that they are bound to play an even more prominent role in crimes of violence if we impose restrictions on the sale of handguns without imposing parallel restrictions on the sale of long guns.

Mr. President, I ask for a vote of confidence in our law enforcement authorities.

I ask for legislation which will give them the assistance they themselves have asked for in the fight against crime.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LAUSCHE. Will the Senator grant me the privilege of being a cosponsor of the bill he is introducing?

Mr. DODD. I will be honored.

Mr. President, I neglected to say that I should like to have the bill remain at the desk for 5 days, to give any other Senators who would like to cosponsor the measure an opportunity to do so.

Mr. LAUSCHE. Will the Senator yield further?

Mr. DODD. I yield.

Mr. LAUSCHE. The Senator from Connecticut will recall that I was a cosponsor of the original bill which he offered.

Mr. DODD. I do; and the Senator from Ohio was of great help in the long fight to obtain some sensible gun control legislation.

The ACTING PRESIDENT pro tempore. Is there objection to the request that the bill be held at the desk for 5 days?

Mr. WILLIAMS of Delaware. Mr. President, I personally would have no objection, but will the Senator from Connecticut withhold his request until the Senator from Illinois has seen the bill? I think he may have some suggestions.

Mr. DODD. Certainly.

How much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 3 minutes remaining of the time he requested.

Mr. DODD. Could I have 5 more minutes?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Connecticut may have an additional 5 minutes, or until the hour of 1 o'clock, to complete his remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Does the Senator withdraw his request to have the bill held at the desk?

Mr. DODD. Yes. As I understand, the Senator from Delaware has asked me to withhold the request until the Senator from Illinois could get to the floor. That was the way I understood him.

THE NEED FOR COMPULSORY GUN REGISTRATION

The second bill which I am introducing today provides for the compulsory Federal registration of all firearms.

There is too much hatred in our country and too many extremists of both leftwing and rightwing persuasions. There are also far too many guns in the hands of irresponsible elements.

I think that the time has come when we shall have to follow the examples of other civilized countries and make registration of all guns compulsory.

The fact is that the control of the future sale of guns solves only part of the problem. We are still left with the problem of disarming the countless thousands—the figure may well run into millions—of criminals and drug addicts and extremists and alcoholics and mentally unstable elements who have been able to secure weapons for themselevs under our hitherto lax and ineffective gun laws.

Compulsory registration of all firearms would enable us to move to disarm these dangerous and antisocial elements.

On the other hand, no law-abiding citizen would have anything to fear from compulsory registration. He could continue to own guns for sporting purposes or for self-protection; and he would do so more secure in the knowledge that something was being done to take guns away from those who should not own them.

The essential features of this legislation are the following:

First, it calls for compulsory Federal registration of all firearms under a machinery to be set up by the Secretary of the Treasury.

Second, it exempts those States which have or will have laws requiring compulsory registration.

Third, it establishes a nominal registration fee of $1 to cover the cost of administering the registration program.

Fourth, it provides for a period of 90 days after the law is enacted before it becomes effective. This will make it possible to set up the necessary administrative machinery before registration begins.

Fifth, it provides for a registration period that will commence 90 days after its enactment and will extend for a period of 6 months thereafter.

Sixth, my legislation grants an amnesty from prosecution under this act to all persons who come forward to turn in their firearms before the close of the registration period.

Seventh, it would prohibit any person, including a federally licensed dealer from selling, delivering, or otherwise disposing of any ammunition to any person who does not furnish proof that the weapon for which he is purchasing ammunition has been registered under this act.

This, I feel, is a very necessary part of this legislation. There are millions of firearms presently in this country that are subject to misuse.

The availability of ammunition, however, is another question. It will be difficult for a criminal or juvenile to misuse an unregistered gun if it is illegal for him to buy ammunition for that weapon.

In addition, hearings before the subcommittee proved that until the cheap, imported handgun was made available, it was a simple matter for juveniles to manufacture guns. The much discussed "zip gun" of the juvenile gangs is a good example of the need to exert some control over the distribution of ammunition. It is a logical and reasonable extension of this act which calls for registration of all firearms, to require that a person purchasing ammunition for that firearm prove that the gun is, in fact, legally possessed.

Eighth, it establishes a penalty of a maximum of up to 2 years in prison and $2,000 fine, or both, for those who are found to be in violation of this act.

This is a simple and workable proposal. In fact, it closely resembles the gun registration laws in Switzerland, which have sometimes been held up by the National Rifle Association as an ideal gun country.

I want to repeat again that no law-abiding citizen has anything to fear from registration.

No one questions the need for automobile registration or motorcycle registration, or even bicycle registration and dog registration. They understand that this is essential for the protection of the owner as well as for the protection of the community. Nor does anyone question the need for drivers licenses or the right of the State to deny such licenses to juveniles and alcoholics and those convicted of reckless driving.

Why then should anyone object to the registration of guns in the interest of the community?

THE REACTION OF THE GUN LOBBY

I know that this proposal will encounter the violent opposition of the gun lobby and the gun runners.

I have no illusions about their persistence about their power. Indeed, their power is nothing short of frightening.

I have repeatedly discussed in this body during the last 7 years the unrelenting pressure which the firearms lobby, led by the National Rifle Association, has put on the Congress, and most recently on the Senate, as firearms legislation approached a vote.

I consider it the most stubborn, the most militant, the most effective, the most wrongheaded, and probably the most dangerous lobby that has ever existed.

They have fought effective gun legislation every single step of the way.

The Juvenile Delinquency Subcommittee, of which I am chairman, first embarked on a study of the need for more effective gun legislation in 1961. We sent committee investigators to all parts of the country to ascertain the nature and scope of the problem, with particular emphasis on the problems of mail-order sale guns.

After days and weeks of hearings and investigations, and after meetings with the gun lobby and the gun manufacturers, I introduced, with the cosponsorship of four other members of the committee, a simple mail-order gun bill.

This was in 1963, just four months before the assassination of John F. Kennedy. The tragedy of the assassination aroused the public and it helped to persuade the Senate sponsors of gun control to seek broader legislation. Subsequent to the assassination in Dallas, I amended the bill to include rifles and shotguns.

For the next 2 years we fought with the gun lobby and the gunrunners and with the powerful political opposition which they fed and encouraged. I was accused of being part of a Communist conspiracy. It was charged that committee members wanted to do away with the second amendment to the Constitution. We on the committee were reacting "hysterically" on the subject of guns, trumpeted the firearms industry press.

In 1965, at the request of the administration, I introduced a gun bill that was stronger than any introduced in the history of the United States.

Despite the emergence of the civilian snipers in the Watts riots, we continued to meet increasingly violent opposition from the gun lobby, especially from its main mouthpiece, the National Rifle Association.

When the gun lobby's friends in Congress succeeded in stalling congressional action through 1966, I again introduced the President's bill in 1967. And we have been fighting up until only a few days ago to send to the President a bill that would make a significant contribution to the problem of gun control.

On April 4, 1968, the Senate Judiciary Committee finally reported a gun bill as title IV of the omnibus crime bill. The decision came after prolonged and stubborn debate. It may be a portent of some kind that the vote came within the very hour that the Reverend Martin Luther King was shot down by a gunman in Memphis, Tenn. I remember saying to my colleagues: "How many more good men must be shot down before we take action?"

Title IV in its present form was approved by a narrow margin. But the committee eliminated the very weapons that were used by Oswald, Whitman, the snipers of Watts and Detroit—the weapon, which, within the hour of the Judiciary Committee's imprudent action, was to snuff out the life of Dr. Martin Luther King.

I think it is painfully ironic, Mr. President, that one Senator who through the years supported my efforts to get a good gun law was Senator Robert F. Kennedy. And now he, too, has been felled by a blast from the gun of an assassin.

The gun lobby has already begun grinding out its propaganda, as they did after the assassination of President Kennedy, after the Whitman massacre, after the riots, and after the murder of Martin Luther King. They cry that "no gun law in the world would have prevented these tragedies." Then they piously conclude that the Congress should do nothing.

We are now witnessing the usual smoke screen and the usual call for "calmness and reason."

And for what?

To buy time for the gun lobby to spread its poisonous propaganda again and for the shock to wear off a Nation once again bereaved.

Before and during the recent Senate debate on title IV, representatives of the gun lobby operated openly and shamelessly in the Halls of Congress. Twice during debate on title IV, in passing through the reception room to the Senate Chambers, I met two top officers of the National Rifle Association.

This came as no surprise to me because of the unique position the National Rifle Association sees itself occupying in the affairs of the Congress.

Harold W. Glassen, president, opened the annual meeting of the National Rifle Association in Boston on April 6, 1968, a little over 6 weeks ago.

And he opened it with a threat.

In discussing the "real strength" of the National Rifle Association he said that its "1 million members are a unified force to be reckoned with in every corner of America."

And then, as president of a tax-free, nonpolitical, nonlobby, education organization he went on to discuss the politics of lobbying.

He said:

> . . . I should think our political enemies would keep this in mind when they're dreaming up some of those things they say about us. We're all voters, and I'm sure they're going to hear from us at the polls in November.

I know darn right well they're going to hear from me.

> . . . I will tell you this much—the politicians who use this great American organization as a whipping boy in order to further their own selfish interests are not going to get my vote.

I am not cowed by his open political blackmail; but I am shocked by this blatant public threat of political retaliation issued to this Congress if it does not conform to its wishes. I believe this will be the reaction of every Member of Congress.

I ask unanimous consent that the portions of the annual report of the National Rifle Association dealing with their legislative service and their public relations service for the years 1963 through 1967 be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, I think the Senate and the general public should know something of the National Rifle Association's arrogant bragging to their members about their effectiveness in swaying firearms legislation.

Let me quote this one paragraph from the 1964 report which more than anything else shows the true purpose and the true activities of the National Rifle Association:

> Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers are Doing," in The American Rifleman; (2) NRA Legislative Bulletin; and (3) direct contracts by mail or wire. During 1963, 350 bills of concern to gunowners were introduced in state legislatures and 32 in the U.S. Congress. Details about the more important ones were published in 42 columns of the magazine, and 42 legislative bulletins were mailed to 320,000 members and clubs in 50 states. *NRA members reacted promptly, firmly, and in force.* As a result, none of the legislation deemed *severe were enacted.*

The gun lobby, led by the National Rifle Association, will no doubt make another determined effort to deprive the public of the kind of firearms legislation it has requested, indeed demanded.

For weeks before and during the debate on the gun bill, officials of the gun industry, "conservation" groups, and the National Rifle Association have stalked the Halls of Congress waving the flag, repeating arguments they knew to be spurious, and hinting at political reprisals.

They were in the cafeterias, the elevators, in the reception rooms and in the galleries waiting for a chance to buttonhole what looked to them like another vote for their own perverted view of the public interest, a view that shows a total and callous indifference to the epidemic of mail-order death that has been sweeping across our country like some modern-day black plague.

The gun apologists argued only yesterday that the Dodd bill would not have prevented the shooting of Senator Kennedy.

Maybe it would have and maybe it would not have.

It is impossible to prove in mathematical terms that even the most stringent gun control legislation would have prevented a specific murder. But no law can prevent all the crime it is intended to deal with. And the statistics which I have already quoted demonstrate conclusively that those countries with tight gun controls have far fewer murders and far fewer crimes of violence, on a pro rata basis, than the United States.

It is a fact to reflect on again that the rate for gun murders in this country is 55 times the rate for Britain and 90 times the rate for the Netherlands.

It is a fact to reflect on, too, that every single law enforcement officer who has testified on the subject has expressed the conviction that our soaring crime rates are directly related to the easy availability of guns of all kinds and the lack of adequate gun controls.

I do not say that enactment of the gun bill or even of compulsory registration will prevent all murders or any specific murder. I do say that they will result in the saving of many thousands of lives over the years. And this is more than ample justification.

If we fail to take these stringent measures in the immediate future, then it can be predicted as a certainty that our land will be the scene of more assassinations and attempted assassinations, and that these crimes will occur with increasing frequency.

Pious condolences over the assassination of President Kennedy or of Dr. Martin Luther King, or over the assassination of Senator Kennedy, will no longer suffice. If our country is not to be regarded by the rest of the world as a nation of murderers and assassins, we must take the most energetic action to put an end to the conditions that today makes America a land of murder and violence.

Let me add a final word. We are all saddened by the assassinations that have occurred. But that is not enough. No one could be more truly stricken than we of the Senate. As a result of the assassination of President Kennedy, the assassination of Dr. King, and now the awful murder of Senator Robert Kennedy, our country has come to be regarded by the rest of the world as a Nation of murderers and assassins. We must take energetic action to put an end to the condition that today makes America a land of murder and violence.

I know there is more to murder and violence than the availability of guns. I remember when I was attempting to get shows exploiting crime, violence and brutality off the television screens. An attitude of mind is involved. How can we expect children, who see mostly beatings, killings, and shootings on television screens, to behave themselves and to be nonviolent?

I think the Juvenile Delinquency Committee hearings may have served a good purpose. I believe it is clear that we must do more than pass gun laws in order to reverse the violence prevalent in our country today. I hope that we will face up to doing what is necessary to accomplish our purpose.

Clearly, the most immediate need is the enactment of stronger firearms legislation.

I thank the majority leader for his courtesy in granting me extra time during the morning hour.

Perhaps it would be easier for those who wish to cosponsor the bills to have them lie on the desk for cosponsorship for the rest of the day. Some Senators called my office and wanted to cosponsor the bills. Will it be satisfactory to let them lie at the desk for the rest of the day?

Mr. MANSFIELD. Yes.

Mr. DODD. I make that request.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXHIBIT 1

NATIONAL RIFLE ASSOCIATION
OF AMERICA,
Washington, D.C., April 9, 1968.

To the Board of Directors:

The membership and financial position of our Association is greater today than ever before in its history.

Progress in meeting the long-term objectives adopted by the Board of Directors in 1960, the NRA Centennial Plan, continues at a rapid pace. The original goal of 500,000 individual members was surpassed by the end of 1962. We now are "shooting for a million," with a total of 902,000 members at the end of 1967. Our official journal The American Rifleman, has been improved so that it is the most complete monthly publication on firearms and shooting available anywhere in the world. NRA activities with the greatest potential growth are being promoted, and new activities are being established to attract new supporters. We constantly are strengthening our relationships with organizations which will help to carry our program to the people.

A careful study of the information presented in this report will show that the National Rifle Association has made great strides in the accomplishment of its mission. These results have been achieved with the wholehearted support and unselfish dedication of its officers, members and staff. Our success has been made possible because individuals in all parts of our land are willing to devote time and effort, without financial compensation, to help in the establishment of a comprehensive nationwide program to promote and conduct NRA activities in local communities. With continued enlightened guidance by our leadership and the enthusiastic support of our membership, we can look to the future with confidence in our ability to grow and to be of greater service to our members, to our communities and to our nation.

FRANKLIN L. ORTH,
Executive Vice President.
LOUIS F. LUCAS,
Executive Director.

LEGISLATIVE SERVICE

The principal function of the NRA's Legislative Service is the collection and dispensing of evaluated information concerning existing and proposed firearms controls. The principal means of transmitting such information is the regular monthly "What the Lawmakers are Doing," appearing in The American Rifleman. In addition, special legislative bulletins, memoranda and direct contact by mail, telephone, telegram or personal conversation are utilized to accomplish this information gathering-reporting function.

Retrospectively, the year 1967 was active and productive in terms of proposed legislation. Forty-seven state legislatures were in session, and interstate firearms controls was a subject of frequent Congressional comment. Seventy-six columns in The American Rifleman were devoted to legislative news; one special bulletin on proposed federal legislation was sent to all NRA members and clubs; and 18 legislative bulletins were mailed to all NRA members and clubs in states or cities in which crucial firearms legislation was under consideration.

Federal

The first session of the 90th Congress convened on January 10, 1967. That night, President Johnson delivered his State of the Union message outlining his legislative program for the year, in which he recommended "strict controls on the sale of firearms." The next day, Senator Thomas J. Dodd (Conn.) introduced the Administration's bill, S. 1, to amend the Federal Firearms Act. This bill was identical to S. 1592, as amended, in the 89th Congress. In his message to Congress on February 6, 1967, the President referred to further delay in enacting strict firearms controls as being "unconscionable" and he recommended that all states enact a Sullivan-type law. Shortly after this, the President's Crime Commission published a report recommending strict regulation of firearms, including registration. On February 8, 1967, S. 1 was amended so as to prohibit the interstate sale of all firearms, except between federally licensed manufacturers and dealers.

On February 15, 1967, Representative Emanuel Celler (10th Dist.-N.Y.) introduced H.R. 5384, identical to the Dodd Bill as amended. Representatives Casey, King, Horton, Sikes, Dingell and others introduced legislation reflecting the NRA three-part legislative program of 1965–66. At its Annual Meetings, however, the Association added a fourth part, providing for an affidavit procedure for the interstate or mail order purchase of pistols or revolvers. The affidavit approach was initially reflected in H.R. 8645, introduced by Representative Cecil King (17th Dist.-Calif.) on April 17. On May 24, Senator Hruska introduced his now famous bill, S. 1853, similar to H.R. 8645, as well as a bill, S. 1854, to control destructive devices.

Four days of hearings were held on the Celler Bill (H.R. 5384) in April. There were eleven days of hearings on the Dodd and Hruska Bills, in July and August. The NRA testified in both houses in opposition to the Administration bills, and spoke in support of legislation reflecting the NRA's four-part program.

Late in the session, both Administration bills were reported from subcommittee to the parent Judiciary Committee in each house. The version of the Dodd proposal reported was S. 1 as amended in February; the Celler measure was reported by a substitute which retained the ban on interstate sales.

At the close of the first session of the 90th Congress there were a total of 16 bills either reflecting or similar to the NRA four-point program (14 in the House and 2 in the Senate). There was a total of nearly 40 general bills to regulate firearms introduced in the first session of the 90th Congress, all of which carry over to the second session.

On November 2, 1967, NRA Executive Vice President Franklin L. Orth testified before the Subcommittee on Wildlife of the House Merchant Marine Committee in support of H.R. 11190, by Rep. John Dingell of Michigan, to provide that one-half of the excise tax on pistols and revolvers be used for target ranges and firearms safety training programs and the other half of such revenue be used for wildlife restoration under the Pittman-Robertson Act. This bill is still in subcommittee.

State

This past year, there was a noticeable trend toward more restrictive firearms controls in various states. There were nearly 500 bills pertaining to firearms or hunting and game conservation matters, several of which included proposals to place rifles and shotguns under further controls—including a permit to possess or acquire, license to carry, identification cards or registration.

The long firearm came under particular attention in New York, Illinois, Maryland, Washington, Hawaii and Michigan. With the exception of Illinois, no bill to cover rifles or shotguns became law.

The outstanding development on the state level this year was the enactment of a new firearms law in Illinois to require an identification card for the acquisition or possession of any firearm, pellet gun or ammunition. The new Illinois statute differs from the ID card requirement of the 1966 New Jersey law by providing for the mandatory issuance of the identification card after the applicant has met certain generally reasonable and clearly set forth conditions.

The following states adopted resolutions opposing the Administration-backed Dodd-Celler Bill: Alabama, Alaska, Arizona, Arkansas, Kansas, Louisiana, Michigan, Montana, Oklahoma, Pennsylvania and Texas.

Connecticut has a new law to provide for the establishment of a board of firearms permit examiners, including sportsmen's representatives, to review denial of application for a handgun permit or renewal thereof.

In Texas, a long-standing requirement that handgun dealers submit quarterly reports to the Department of Public Safety was repealed, thus removing a cause of annoyance to both dealers and their customers.

Amended and added to in several important respects was California's firearms law. Perhaps the most publicized change was prohibiting the carrying of a firearm in any public place or street in an incorporated area or in a prohibited area of an unincorporated area, with certain exceptions.

Hunter safety training bills failed of passage in Colorado, Florida, Michigan and Nebraska, and are pending in Pennsylvania. In Illinois, a new law provides for the initiation, promotion and development by the Conservation Department of a safe firearms handling program for persons between 12 and 21 years of age.

Local

The most significant development on the local level in 1967 was the adoption by New York City of perhaps the toughest gun law in the nation. In November the City Council passed, and the Mayor signed, an ordinance to require the registration of all rifles and shotguns in addition to handguns, as well as a permit to purchase and possess such firearms.

Attempts at additional controls on the municipal or county level were made in Chicago, Miami, Coral Gables (Florida), and Maryland's Montgomery County, among others. Miami adopted a 72-hour waiting period; Coral Gables, a registration requirement; and Montgomery County, an expansion of the area in which firearms may not be discharged, with certain exceptions.

PUBLIC RELATIONS

As a public service organization, the entire NRA Headquarters operation contributes to the Association's total public relations effort. However, the Office of Public Relations carries out a basic public relations program designed (1) to inform the general public on the various aspects of Federal, state and local firearms legislation; (2) to increase the prestige and public acceptance of the NRA in its various programs; (3) to establish and promote civilian marksmanship training as essential to the national defense; (4) to emphasize that shooting is safe; (5) to promote recreational shooting in its various forms; (6) to identify shooting as an essential international sport; and (7) to identify the NRA as *the* authority on guns and the shooting sports.

In order to accomplish this mission, the NRA Office of Public Relations operates in several broad general categories: (1) general publicity, which includes almost daily use of the printed media, radio and television; (2) shows and exhibits; (3) personal appearances and interviews; and (4) personal assistance to media representatives.

Publicity

The Office of Public Relations had a particularly active year in 1967. During this time 71 special releases were written with a total of 234,300 stories distributed. These stories related to major activities or statements concerning the Association's programs and policies on various issues. In addition, 5,372 "Hometown" releases were prepared and distributed to local newspapers and broadcasters. These releases on individual NRA members concerned personal accomplishments, awards, instructor certification, club organization and other pertinent accomplishments.

Complete news coverage of the National Matches, the International Tryouts, the Pan American Games, the National Police Championships, the National Collegiate Championships at Manhattan, Kansas, and the major Police Regional at Winter Haven, Florida, was provided by staff members of the NRA Office of Public Relations. Clippings and transcripts received indicate excellent use of stories concerning these matches. Also, prior to the National Matches, 7,100 "Hometowners" on individual participants were issued to local media. Similar stories were released on the Pan American Team and the participants in the National Police Championships. All news stories on shooting resulting from the Pan American Games were written and placed with the wire services by the OPR staff men in attendance.

Prior to, and during the Annual Meetings, the OPR prepared and distributed 12 major stories. Clippings indicated that "pick-up" was very good. Also, during the Meetings, OPR arranged three radio interviews and a news conference for the NRA President.

During the fall months, OPR staff members attended and arranged news coverage of two major Home Firearms Safety programs. Unusual interest in these programs was generated among the media, and favorable coverage was accomplished.

During 1967, the NRA feature column, "Target, Woods and Gun Room," was used by 675 newspapers and magazines, with a total of 15,725 columns being distributed. In addition, NRA safety spots were used on 603 radio stations for a total of 264,000 broadcasts. This represents several million dollars in public service air time. The "Fess Parker" TV spots were still in use on 171 TV stations and a new animated spot was released late in the year. Figures on use of this spot were not available for calculation by the end of 1967.

The Gary Anderson "Shooting Tips" strips were placed in 675 newspapers and magazines in 1967, and the "Tipper Flintlock" safety mats were in use by 516 newspapers. "Tipper" will be replaced by 1968 by the new safety symbol, "Keeneye."

In 1967, OPR distributed 325,825 pieces of promotional material for use by clubs at sportsmen shows and for other activities.

Over the Report period, OPR personnel arranged for, prepared, or "planted" 12 major stories in national publications such as the "Club Woman," "Presbyterian Life," and the AP feature story, "Why Americans Shoot." This represents a "breakthrough" in NRA relations with previously unused media sources.

Of major significance during 1967 was a debate arranged by OPR between the NRA President Harold Glassen and Senator Joseph Tydings at the National Press Club in Washington. This marked the first time that a debate has been held in this news club, the largest in the United States. Several hundred newsmen were in attendance and press and TV coverage was heavy. Since that time, President Glassen and Senator Tydings have appeared on two television debates.

Speaking engagements, interviews and radio and television appearances were arranged for NRA Officers, Directors and personnel during 1967, and OPR staff members appeared before 73 civic and professional groups during the year. In addition, OPR personnel appeared on 13 different radio and television programs. Speaking engagements arranged for NRA Officers included such influential groups as the National Society of State Legislators and the American Dental Association.

Staff personnel from the Office of Public Relations attended 13 major conventions or meetings during 1967, including such important programs of the National Association of Sporting Goods Dealers, the Industrial Recreation Association, the Boy's Clubs of America, the National Sheriff's Association, the National Association of Counties, the American Association for Health, Recreation and Physical Fitness, the Outdoor Writers Association and others.

General

The NRA Office of Public Relations began 1967 with a staff of three public relations professionals and three clerical personnel. In September, a highly qualified news writer was added to the staff and a similarly qualified TV-radio man was added in October. In November, the name of the division was changed from the Office of Public Affairs to its present designation. Through the addition of the two staff members, the OPR has been able to cover more newsworthy events and arrange more appearances for NRA Officers and Directors.

Late in 1967, the OPR developed plans for organizing a volunteer public relations network from qualified NRA Life Members and others selected by the OPR Director. Plans called for initiating the network early in 1968.

Over the past year, the majority of NRA's public service films were in the hands of members of the Infoplan field operation. It is not known how many showings these films received during the report period. However, films were being recovered in late 1967 for placement in TV distribution during 1968.

One of the most important aspects of a public relations program is the establishment cultivation and maintenance of favorable contacts in the various media and major national organizations. Over the past year OPR personnel have been successful in establishing such contacts, and it is through these that the NRA will be able to receive fair treatment from the media and reach the public with its story.

NRA field representatives

To promote the best interests of NRA, six NRA, Field Representatives were active in 1967. These men direct their efforts to promoting individual memberships and organizing new clubs. Special consideration is given to appearances before sportsmen's clubs, civic groups and other organizations for the purpose of creating a better understanding of the objects and purposes of NRA and to encourage support of its programs.

Their activities by days break down as follows for the entire year:

Legislation	182
Competitions	174
Training	76
Administration	327
Travel (contacts)	958
Meetings	257
Other	65
Total days	2,039

They attended and participated in 501 meetings during the year, with a total attendance of 41,065 people. They traveled 313,886 miles on 1,533 days while in travel status. All 50 of the states were visited, and 1,219 visits were made to cities and towns.

The types of contacts made break down as follows:

NRA Clubs	746
Law Enforcement Agencies	562
Sporting Goods Dealers	409
State Officials	403
Ranges	328
Press, Radio and TV	328
Directors, Council Members	274
Instructors	270
Sportsmen's Organizations	244
Referees	215
State Associations	200
Competitors	186
Fish and Game Departments	155
Non-NRA Clubs	141
Military Establishments	101
Parks and Recreation Departments	100
Gun Collector Associations	84
Civic Clubs	78
Colleges and Universities	73
All Other Contacts	721
Total	5,618

Grant Sanborn joined the Field Staff in February. Clem Theed retired at the end of May and was replaced by Merle Preble. Mary Driver also retired at the end of May and was replaced by Joe Peot.

[The 1966 report]

NATIONAL RIFLE ASSOCIATION
OF AMERICA,
Washington, D.C., April 1, 1967.

To the Board of Directors:

The strength and influence of our Association is greater today than ever before in its history. Its financial condition is excellent, and the number of individual members continues to grow.

Progress is meeting the long-term objectives adopted by the Board of Directors in 1960, the NRA Centennial Plan, continues at a rapid pace. The original goal of 500,000 individual members was surpassed by the end of 1962. We now are "shooting for a million," with a total of 790,000 members at the end of 1966. Our plan to develop more shooting facilities has been highlighted by a project to research and develop a prototype outdoor "safety range." Our official journal, "The American Rifleman" has been enlarged and improved so that it is the most complete monthly publication on firearms and shooting available anywhere in the world. NRA activities with the greatest potential growth are being promoted, and new activities are being established to attract new supporters. We constantly are strengthening our relationships with organizations which will carry our program to the people, and our prestige in international shooting expands each year.

A careful study of the information presented in this report will show that the National Rifle Association has made great strides in the accomplishment of its mission. These results have been achieved with the wholehearted support and unselfish dedication of its officers, members and staff. Our success has been made possible because individuals in all parts of our land are willing to devote time and effort, without financial compensation, to help in the establishment of a comprehensive nationwide program to promote and conduct NRA activities in local communities. With continued enlightened guidance by our leadership and the enthusiastic support of our membership, we can look to the future with confidence in our ability to grow and to be of greater service to our members, to our communities and to our nation.

FRANKLIN L. ORTH,
Executive Vice President.
LOUIS F. LUCAS,
Executive Director.

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislation. No other organization carries on such a continuous and successful effort to inform its members about proposed firearms legislation which would restrict the ownership and use of rifles, shotguns, or handguns. In the U.S. Congress and in the halls of state legislature, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for legitimate purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in the communications media and the increasing number of firearms bills which find their way into the "hopper" every year. Some reasonable controls are to be expected, but vigilance is necessary to prevent discriminatory measures against legitimate ownership of firearms and safely-supervised shooting programs.

Through reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform NRA members when urgent action is required. Local legislation, however, may be enacted much more swiftly than national or state laws. Local communities must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and, as quickly, generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means: (1) The regular report, "What the Lawmakers Are Doing," in The American Rifleman; (2) NRA legislative bulletins and memoranda; (3) direct contacts by mail, telephone or telegram. During 1966 over 180 bills of interest to gun owners were introduced in 21 state legislatures and the U.S. Congress. Details about the more important proposals were published in 43 columns of the magazine, and 8 legislative bulletins were mailed to 91,754 members and clubs in 6 states. NRA members reacted promptly, firmly and in force. As a result, no severe legislation was enacted on the federal level; and only one significant control measure was enacted on the state level (New Jersey).

FEDERAL LEGISLATION

A total of 6 bills to regulate firearms in interstate and foreign commerce were introduced in the Congress (3 in the Senate and 3 in the House of Representatives) in 1966. No public hearings were held on any of these firearms bills. However, S. 3767, introduced by Senator Roman L. Hruska of Nebraska on August 25 was reported out of the Senate Committee on the Judiciary in place of S. 1592, the Dodd bill. The Hruska Bill did not advance beyond that stage, and the second session of the 89th Congress adjourned without taking any additional action on any of the firearms bills.

Since its introduction in March 1965, the Dodd Bill has received nationwide publicity in all media. This bill was an outgrowth of, and reflected, the recommendations for firearms controls made by the President in his crime message to the Congress in March 1965. Extensive hearings were held on the Dodd proposal and other firearms bills in the Senate and House of Representatives in 1965. The NRA testified in both houses in strong opposition to the bills' general orientation and some specific provisions.

In another crime message to the Congress in March 1966, the President supported the Dodd Bill approach to the control of firearms in commerce. Shortly thereafter, the Subcommittee on Juvenile Delinquency (Chairman, Senator Dodd) approved S. 1592 with amendments by a vote of 6 to 3. On May 19, S. 1592, as amended, was reported to the Senate Committee on the Judiciary.

While the amended Dodd Bill did not contain several of the features objected to in public hearing, the "core" of this proposal remained the same. The bill still imposed a flat prohibition on the shipment or receipt of firearms by nonlicensed individuals in interstate or foreign commerce, and it still imposed rather vague and burdensome restrictions on the importation of firearms.

Repeated attempts by proponents of S. 1592 to have the Senate Judiciary Committee take favorable action on the bill from May to August failed. Consequently, the supporters of S. 1592, in a tactical move, decided on September 22 to report out an alternative bill, S. 3767, introduced by Senator Hruska on August 25. The Dodd Bill proponents did this "with the intention of substituting S. 1592 for S. 3767 once the bill came to a vote on the Senate floor." During the final week of the second session of the 89th Congress, 3 attempts to get the Hruska Bill to the floor for a vote failed. Finally on October 20, Senator Mansfield of Montana, the majority leader, asked and received unanimous consent for the Hruska Bill to be referred to the Senate Committee on Commerce (Chairman, Senator Warren G. Magnuson of Washington). This was the situation when the Congress adjourned on October 22.

In addition to the Hruska Bill, other firearms bills introduced in the Congress in 1966 were: S. 3369, by Senator Carl Hayden of Arizona, and H.R. 14628, by Representative Robert L. F. Sikes of Florida, to prohibit any federally licensed manufacturer or dealer from shipping or transporting any firearm to any person in any state in violation of any law of such state; H.R. 16288, by Representative Ed Edmondson of Oklahoma, and H.R. 16359, by Representative James Kee of West

Virginia, to provide a mandatory penalty for the carrying or use of any firearm during the commission of any crime of violence; and S. 3868, by Senator Hruska, to place "destructive devices" under the tax and registration provisions of the National Firearms Act. These bills reflect the suggestions for legislation made by the NRA in its 3-part program set forth in the January 1966 American Rifleman.

STATE LEGISLATION

More than 170 bills were introduced at the state level. These proposals were concerned with firearms, ammunition, hunting and hunting safety, explosives and related matters.

The 1966 highlights: Maryland adopted a law to provide a 7-day waiting period for the purchase of a handgun and legislation to develop a statewide program of firearms safety. New Jersey has a new firearms law to provide, among other things, for a certificate of identity for the purchase of a rifle, shotgun or airgun, and for greater restrictions on the acquisition of firearms by certain classes of persons. In New York, the Governor vetoed (1) a bill to reduce the age for the possession and use of a firearm at a range from 12 to 11; (2) a bill to require that an applicant for a handgun license submit a certificate of his qualification to handle such firearm. In New York City a bill signed into law liberalizes the restrictions on the carrying of handguns in New York City by holders of a New York license issued other than in New York City. Of interest to Colorado Sportsmen was the enactment of a bill to empower the county commissioners to restrict the discharge of firearms in certain county areas.

Again in 1966, the Arizona Legislature adopted identical Senate-House resolutions against the passage of the Dodd Bill by the Congress.

Overall, shooter-sportsmen in several states, in addition to those mentioned above, were highly active in promoting the cause of reasonable firearms controls and opposing those contrary to the spirit of the right to possess and use firearms for lawful purposes.

LOCAL LEGISLATION

The NRA received many reports from members throughout the country on various kinds of proposed ordinances for their local jurisdictions. Of those reported to us, no seriously restrictive regulation was adopted by the local lawmaking body.

As a public service organization, the entire NRA Headquarters operation contributes to its public relations effort. However, the Office of Public Affairs carries out the basic public relations plan designed (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys, and girls can easily participate; (3) to establish and promote civilian marksmanship training as essential to the national defense; (4) to identify shooting as an international sport; (5) to identify the NRA as the authority on guns and shooting; and (6) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories: (1) general publicity, including press, radio and television; (2) shows and exhibits; and (3) personal appearances and special contacts.

PUBLICITY

During 1966 the Office of Public Affairs arranged 55 press, radio and television interviews for NRA Officers, Directors and certain staff personnel. In addition, OPA arranged 23 speaking engagements for NRA Directors in the various states. The majority of the media interviews and appearances occurred during and immediately after the Austin incident in an effort to combat the unfavorable publicity the shooting sports received at that time.

In 1966 the Office of Public Affairs prepared and distributed radio safety spots to the nation's broadcasters. At the close of the year, 516 stations were broadcasting the spots on a regular basis. A total of 173 TV stations were telecasting the "Fess Parker" safety spot regularly. The "Tipper Flintlock" safety spots were used by 543 newspapers, and the Gary Anderson "Shooting Tips" strips were placed in 613 newspapers. New series of both items are in preparation for distribution in 1967. A 30-second color TV safety spot was prepared for distribution early in 1967.

The NRA Float in the 1966 Tournament of Roses Parade was entitled "Land of the Free, Home of the Brave" and featured the U.S. Capitol, cherry blossom trees, and Fess Parker portraying a frontiersman with his rifle.

During 1966 a total of 108,100 news releases were distributed. "Target, Woods and Gun Room" articles were used by 534 publications with 12,875 copies of the column being distributed. A total of 357,825 items of NRA material were mailed to clubs and individuals. Complete coverage, including press, radio and TV, was provided at the 1966 National Matches, the 1966 National Police Pistol Championships, the 1966 NRA International Shooting Championships and the 1966 World Shooting Championships.

The NRA Office of Public Affairs attended 13 conventions and made 76 personal appearances before civic groups. A total of 1,000 Press Kits were distributed. NRA officials and members of the staff keep in close contact with executives of national and state organizations with mutual interests and purposes by attending conventions and meetings.

[The 1965 report]

NATIONAL RIFLE ASSOCIATION OF AMERICA,
Washington, D.C., April 1966.

To the Board of Directors:

The strength and influence of our Association is greater today than ever before in its history. Its financial condition is excellent, and the number of individual members and affiliated organizations continues to grow.

Progress in meeting the long-term objectives adopted by the Board of Directors in 1960, the NRA Centennial Plan continues at a rapid pace. The original goal of 500,000 individual members was surpassed by the end of 1962. We now are "shooting for a million," with a total of 723,000 members at the end of 1965. Our plan to develop more shooting facilities has been highlighted by a project to research and develop a prototype outdoor "safety range." Our official journal The American Rifleman, has been enlarged and improved so that it is the finest publication on firearms and shooting available anywhere in the world. NRA activities with the greatest potential growth are being promoted, and new activities are being established to attract new supporters. We constantly are strengthening our relationships with organizations which will carry our program to the people, and our prestige in international shooting expands each year.

A careful study of the information presented in this report will show that the National Rifle Association has made great strides in the accomplishment of its mission. These results have been achieved with the wholehearted support and unselfish dedication of its officers, members and staff. Our success has been made possible because individuals in all parts of our land are willing to devote time and effort, without financial compensation, to help in the establishment of a comprehensive nationwide program to promote and conduct NRA activities in local communities. With continued enlightened guidance by our leadership and the enthusiastic support of our membership, we can look to the future with confidence in our ability to grow and to be of greater service to our members and to our nation.

FRANKLIN L. ORTH,
Executive Vice President.
LOUIS F. LUCAS,
Executive Director.

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislative service. No other organization carries on such a continuous and successful effort to inform its members about proposed anti-gun laws which would restrict the ownership and use of shotgun, handgun and rifle alike. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for lawful purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in newspapers and magazines and the increasing number of firearms bills which find their way into the "bill basket" each year. Some reasonable controls are to be expected, but vigilance is necessary to prevent discriminatory measures against lawful ownership of firearms and safely-supervised shooting programs.

Through available reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform our members when effective action is deemed necessary. Local legislation, however, may be enacted much more swiftly than state or national laws. Members in a local community must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and as quickly generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers Are Doing," in The American Rifleman; (2) NRA legislative bulletins and memoranda; and (3) direct contacts by mail or wire. During 1965, 350 bills of concern to gun owners were introduced in 47 state legislatures and the U.S. Congress. Details about the more important ones were published in 99 columns of the magazine, and 28 legislative bulletins were mailed to 300,000 members and clubs in 14 states. NRA members reacted promptly, firmly, and in force. As a result, no severe legislation was enacted on the federal or state level.

A total of 35 bills to regulate firearms in interstate or foreign commerce were introduced in the Senate and House of Representatives during 1965. Public hearings were held on S. 1592 (Dodd Bill) by the Senate Subcommittee to Investigate Juvenile Delinquency. Public hearings also were held by the House Committee on Ways and Means on bills identical to S. 1592. The first session of the 89th Congress adjourned without taking any additional action on any of the firearms bills.

More than 350 firearms and related bills were introduced at the state level.

Several bills of interest to the sportsman were enacted in *California*. One bill exempts members of gun collector clubs from the requirement of a license to carry a handgun concealed while at or going to or returning from their meetings or activities. Another bill conforms the definition of a machine gun to that contained in the National Firearms Act. Another bill removes the difficulties that have arisen in the past concerning the old ten-shot definition of a machine gun in that state. In *Illinois*, a bill to require a license for the purchase and possession of a handgun was killed in the House. Efforts by the sportsmen to have enacted a law to impose a mandatory penalty for the commission of a crime when armed was vetoed by the Governor. In *Florida, Iowa* and *Massachusetts*, legislation was enacted clarifying controls governing the carrying of firearms.

South Carolina repealed an old and unwieldy statute against handguns and in its place enacted a realistic and reasonable law regulating the sale, transfer and possession of pistols. *New Hampshire* has a new law providing for a study leading to the future establishment of a state rifle range and park facilities. New hunter safety laws were enacted in *Maine* and *Wisconsin*. Significant is the number of state legislatures that adopted resolutions or memorials against the passage of restrictive federal firearms controls. They were *Alabama, Arizona, Arkansas, Louisiana, Michigan, Nebraska, New Hampshire, New Mexico, Ohio, Oklahoma, Texas, Vermont, Washington* and *Wisconsin*. Shooter-sportsmen in several states, in addition to those already mentioned specifically, were able to support reasonable and prevent ill-advised legislation.

As a public service organization, the entire NRA Headquarters operation contributes to its public relations effort. However, the Office of Public Affairs carries out the basic plan designed (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys and girls can easily participate; (3) to establish civilian marksmanship training as essential to national defense; (4) to identify the NRA as the authority on guns and shooting; and (5) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories: (1) general publicity, including press, radio, and television; (2) shows and exhibits; and (3) special contacts by personal visits and by correspondence

In 1961 the NRA produced a motion picture film entitled "To Keep and Bear Arms"; in 1962 a film of Camp Perry entitled "Ready on the Firing Line" was finished; in 1963 a 15-minute picture of the ISU World Shooting Championships entitled "International Shooting" was completed; and in 1964 two safety films—"Sure as Shootin'," dealing with hunting safety, and "At Home with Guns," dealing with safety training—were produced. During 1965 a documentary motion picture, "There Oughta Be A Law," dealing with firearms legislation was produced. Also produced in 1965 for release in early 1966 is a motion picture, "Arms Of The Law," dealing with police marksmanship training.

Other special projects completed by our consultants, John E. Horton and James B. Deerin, were: (1) a shooting safety tip featuring Fess Parker as "Daniel Boone", (2) a TV hunter safety spot for all networks, (3) safety messages for 2,500 radio stations, (4) three "Tipper Flintlock" series provided to 8,000 newspapers, and (5) production of shooting tip strip featuring Gary Anderson for release in early 1966.

The NRA float in the 1965 Tournament of Roses was entitled "Let Freedom Ring" and featured the Liberty Bell, the American Flag, the Eagle and crossed rifles. It won the National Trophy Award.

During 1965 a total of 133,428 press releases were distributed. "Target, Woods and Gun Room" articles were used by 615 publications on a regular basis, with 17,520 copies of the column being distributed. A total of 153,721 items of NRA material were mailed to clubs and individuals, and 155,400 copies of "The Story Of NRA" were distributed. Complete coverage, press, radio and TV, was provided at the 1965 National Matches, the 1965 National Police Pistol Championships and the NRA International Championships.

NRA staff personnel manned exhibits at 8 large national conventions, and made 51 personal appearances before civic groups. A total of 750 Press Kits were distributed to journalists. NRA officials and members of the staff keep in close contact with executives of national and state organizations with mutual interests and purposes by attending conventions and meetings.

[The 1964 report]

NATIONAL RIFLE ASSOCIATION
OF AMERICA,
Washington, D.C., April 1965.

To the Board of Directors:

The strength and influence of our Association is greater today than ever before in its history. Its financial condition is excellent, and the number of individual members and affiliated organizations continue to grow.

Progress in meeting the long-term objectives adopted by the Board of Directors in 1960, the NRA Centennial Plan, continues at a rapid pace. Already, the goal of 500,000 individual members has been surpassed, with an increase of 342,641 (105.4%) in the brief period of only five years, and we now are "shooting for a million." Our plan to develop more shooting facilities has been highlighted by a project to research and develop a prototype outdoor "safety range." Our official journal, The American Rifleman, has been enlarged and improved so that it is the finest publication on firearms and shooting available anywhere in the world. NRA activities with the greatest potential growth are being promoted, and new activities are being established to attract new supporters. We constantly are strengthening our relationships with organizations which will carry our program to the people, and our prestige in international shooting expands each year.

A careful study of the information presented in this report will show that the National Rifle Association has made great strides in the accomplishment of its mission. These results have been achieved with the wholehearted support and unselfish dedication of its officers, members and staff. Our success has been made possible because individuals in all parts of our land are willing to devote time and effort, without financial compensation, to help in the establishment of a comprehensive nationwide program to promtoe and conduct NRA activities in local communities. With continued enlightened guidance by our leadership and the enthusiastic support of our membership, we can look to the future with confidence in our ability to grow and to be of greater service to our members and to our nation.

FRANKLIN L. ORTH,
Executive Vice President.
LOUIS F. LUCAS,
Executive Director.

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislative service. No other organization carries on such a continuous and successful effort to inform its members about proposed anti-gun laws which would restrict the ownership and use of shotgun, handgun and rifle alike. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for lawful purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in newspapers and magazines and the increasing number of firearms bills which find their way into the "bill basket" each year. Some reasonable controls in highly-populated areas are to be expected, but vigilance is necessary to prevent discriminatory measures against lawful ownership of firearms and safely-supervised shooting programs.

Through available reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform our members when effective action is deemed to be necessary. Local legislation, however, may be enacted much more swiftly than state or national laws. Members in a local community must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and as quickly generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers are Doing," in The American Rifleman; (2) NRA legislative bulletins and memoranda; and (3) direct contacts by mail or wire. During 1964, 210 bills of concern to gun owners were introduced in 27 state legislatures and the U.S. Congress. Details about the more important ones were published in 57 columns of the magazine, and 26 legislative bulletins were mailed to 141,000 members and clubs in 11 states. NRA members reacted promptly, firmly, and in force. As a result, no severe legislation was enacted.

Twenty-one bills to regulate firearms in interstate or foreign commerce were introduced in the Senate and House of Representatives since the introduction of the Dodd Bill in August 1963. No action was taken on the House bills, and the Senate Commerce Committee voted not to take any action during the 88th Congress. (Senator Dodd re-introduced his bill, with one minor addition, during the first week of the 89th Congress.)

A total of 189 firearms and related bills, a record number for an "off" year, were introduced at the state level. Numerous bills were drawn in an atmosphere of high emotion and sharp reaction not only to the assassination of the late President Kennedy but also to local tragedies. In a number of cases, the bills simply added control upon control with little thought given to the existing law and regulations. No seriously restrictive proposals were enacted.

Legislation was enacted in *Maryland* resulting in the appointment of a Governor's Committee to study the desirability of formulating a program for training in the safe handling of firearms; in *New York*, to allow, under certain conditions, a person holding a handgun license issued elsewhere in the State of New York to pass through New York City without first obtaining a similar City license in order to participate in registered pistol matches located elsewhere in the state; in *South Carolina*, to memorialize the U.S. Congress not to enact legislation which would limit the right of private citizens to purchase and possess firearms; in *Virginia*, to allow the use of handguns in the hunting of predatory or undesirable species of birds and animals, and a declaration by the General Assembly that no agency or political subdivision within the state would interfere with the right of law-abiding citizens to purchase, possess or use firearms for the purpose of personal defense, sport, recreation, or other legitimate activities; in *Georgia*, to exclude bona fide collectors from the provisions of state law relating to the licensing of dealers; in *Massachusetts*, to allow an out-of-state person who is a U.S. resident and holds a permit to carry firearms in his state to carry a handgun in or through Massachusetts to attend a match or collectors meeting or exhibition; and in *Michigan*, to clarify certain provisions of state law relative to the sale, possession and use of handguns.

As a public service organization, the entire NRA Headquarters operation contributes to its public relations effort. However, the Office of Public Affairs carries out the basic plan designed (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys and girls can easily participate; (3) to establish civilian marksmanship training as essential tc national defense; (4) to identify the NRA as the authority on guns and shooting; and (5) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories; (1) general publicity, including press, radio, and television; (2) shows and exhibits; and (3) special contacts by personal visits and by correspondence.

In 1961 the NRA produced a motion picture film entitled "To Keep and Bear Arms"; in 1962, a film of Camp Perry entitled "Ready on the Firing Line" was finished; in 1963, a 15-minute picture of the ISU World Shooting Championships entitled "International Shooting" was completed; and in 1964, two safety films—"Sure as Shootin'," dealing with hunting safety, and "At Home with Guns," dealing with safety training—were produced. The two NRA movies, "To Keep and Bears Arms" and "Ready on the Firing Line," have been viewed by over 700,000 persons.

The special projects undertaken by our consultants, John E. Horton and James B. Deerin, included, in addition to producing the two motion pictures, the production and distribution of NRA Shooting Tips to 650 TV stations, assistance in filming the Olympic Shooting Team Tryouts for ABC–TV, preparation of the Tipper Flintlock safety messages for 5,200 newspapers and magazines, and development of the "Guns of America" feature for newspapers. In the radio field NRA "spot" safety announcements were used by 4,000 radio stations.

The NRA float in the January 1, 1964, Pasadena Tournament of Roses Parade featured a printing press actually producing copies of the Bill of Rights for distribution to the spectators.

During 1964 a total of 48,600 press releases and 4,582 photographs were distributed and important NRA announcements were carried by the nationwide wire services. The "Target, Woods and Gun Room" articles on NRA activities and programs are being carried by 498 newspapers, with 15,800 copies of this feature distributed during the year.

During the year a total of 160 NRA affiliated organizations participated in local exhibits with materials supplied by NRA Headquarters. NRA staff personnel manned exhibits at 8 large national conventions, and made 59 personal appearances before civic groups. A total of 157 Speech Kits were furnished to individuals, and 750 Press Kits were distributed to journalists. Members of the NRA staff, especially its elected officers, keep in close contact with executives of national and state organizations, with mutual interests and purposes, by attending conventions and meetings.

[The 1963 report]

National Rifle Association
of America,
Washington, D.C., April 1964.

To the Board of Directors:

Annually, the operating report affords an opportunity to review the progress of the National Rifle Association during the year. In this way, we can provide you with facts about its activities and bring to you, in words, pictures, and figures, something of what NRA is and report on its accomplishments.

The strength and influence of our Association is greater today than ever before in its history. Its financial condition is excellent, and the number of individual members and affiliated organizations continues to grow.

Progress in meeting the long-term objectives adopted by the Board of Directors in 1960, the NRA Centennial Plan, continues at a rapid pace. Already, the goal of 500,000 individual members has been surpassed, with an increase of 295,141 (90.8%) in the brief period of only four years. A more favorable public opinion for guns and shooting is being created as a result of our expanded public relations effort to emphasize the true value of NRA programs relating to all aspects of shooting, both as a sport and in support of the national defense. Our plan to develop more shooting facilities has been highlighted by the earmarking of $100,000.00 of the resources obtained from our building fund campaign to initiate a project to research and develop a prototype outdoor "safety range." Our official journal, the American Rifleman, has been enlarged and improved so that it is the finest publication on firearms and shooting available anywhere in the world. NRA activities with the greatest potential growth are being promoted, and new activities are being established to attract new supporters. We constantly are strengthening our relationships with organizations which will carry our program to the people, and our prestige in international shooting expands each year.

A careful study of the information presented in this report will show that the National Rifle Association has made great strides in the accomplishments of its mission. These results have been achieved with the wholehearted support and unselfish dedication of its members and staff. Our success has been made possible because individuals in all parts of our land are willing to devote time and effort, without financial compensation, to help in the establishment of a comprehensive nationwide program to promote and conduct NRA activities in local communities. With continued enlightened guidance by our leadership and the enthusiastic support of our membership, we can look to the future with confidence in our ability to grow and to be of greater service to our members and to our nation.

Respectfully submitted,

Franklin L. Orth,
Executive Vice President.
Louis F. Lucas,
Executive Director.

LEGISLATIVE SERVICE

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislative service. No other organization carries on such a continuous and successful effort to inform its members about proposed anti-gun laws which would restrict the ownership and use of shotgun, handgun and rifle alike. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for lawful purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in newspapers and magazines and the increasing number of firearms bills which find their way into the "bill basket" each year. Some reasonable controls in highly-populated areas are to be expected, but vigilance is necessary to prevent discriminatory measures against lawful ownership of firearms and safely-supervised shooting programs.

Through available reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform our members which effective action is deemed to be necessary. Local legislation, however, may be enacted much more swiftly than state or national laws. Members in a local community must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and as quickly generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers are Doing," in the American Rifleman; (2) NRA Legislative Bulletins; and (3) direct contacts by mail or wire. During 1963, 350 bills of concern to gun owners were introduced in state legislatures and 32 in the U.S. Congress. Details about the more important ones were published in 42 columns of the magazine, and 42 legislative bulletins were mailed to 320,000 members and clubs in 50 states. NRA members reacted promptly, firmly, and in force. As a result, none of the legislation deemed severe was enacted.

FEDERAL LEGISLATION

Before and after the assassination of President Kennedy in November, a total of 20 bills were introduced to restrict the interstate shipment of firearms obtained through mail-order channels. Seventeen bills were referred to the House of Representatives Committee on Ways and Means and one bill to the House Committee on Rules for possible future action. S. 1975, by Senator Thomas Dodd, was the subject of several open hearings by the U.S. Senate Committee on Commerce. Through the efforts of the National Rifle Association, many restrictive features of this bill were removed and were substituted by several provisions aimed at limiting the accessibility of firearms to social undesirables and written in such a manner as not to infringe on the rights of shooter-sportsmen.

Of prime interest to the shooting fraternity was the enactment of Public Law 88-186, amending the Arms Control and Disarmament Act. Among its provisions is the amendment proposed by Senator Hickenlooper of Iowa and Congressman Sikes of Florida which reads as follows: "Nothing contained in this Act shall be construed to authorize any policy or action by a Government Agency which would interfere with, restrict, or prohibit the acquisition, possession, or use of firearms by an individual for the lawful purpose of personal defense, sport, recreation, education, or training."

STATE LEGISLATION

Bills concerning the registration of handguns were introduced in Maryland, Missouri, Ohio and Oklahoma. Various forms of firearms purchase controls were introduced in Connecticut, Georgia, Maryland, Missouri and Ohio. Convenience legislation or legislation providing a device to assist game-law enforcement officers to apprehend violators of fish and game statutes were introduced in Alabama, Indiana, Michigan, Montana, New Hampshire, Ohio and Vermont. Other bills dealt with prohibiting the discharge of firearms on Sunday; regulating or restricting the use of firearms by minors; sale of firearms and ammunition; and licensing of firearms dealers; to mention a few.

Legislation was enacted in *Connecticut* to permit members of rifle or gun clubs from out of state to participate in competitions without the necessity of having a Connecticut license to carry handguns, if such persons are so licensed in their home state; in *Montana* to allow children under 14 years of age to engage in supervised marksmanship programs; in *New York* to recodify those sections of the State Penal Code referred to as the Sullivan Law; and in *New Mexico* to eliminate the obsolete and undesirable provisions of the old State Firearms Law.

PUBLIC RELATIONS

The public relations activities of our association continue to produce excellent results. The basic plan is (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys and girls can easily participate; (3) to establish civilian marksmanship training as essential to national defense; (4) to identify the NRA as the authority on guns and shooting; and (5) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories: (1) general publicity, including press, radio, and television; (2) shows and exhibits; and (3) special contacts by personal visits and by correspondence.

Publicity

In 1961 the NRA engaged, as special consultants, John E. Horton and James B. Deerin for a special public service publicity campaign. The first major project was the production of a motion picture film entitled "To Keep and Bear Arms." The "Big Picture" TV program of the U.S. Army used this film at 350 stations in the United States and 44 stations overseas, and the 130 prints were made available to the public through Signal Corps libraries. Nine prints were delivered to the Army—Air Force Motion Picture Service for use at camps, bases and stations. "Ready on the Firing Line," a film of Camp Perry, was finished in 1962, and a 15-minute motion picture of the ISU World Shooting Championships at Cairo was completed in 1963. The two major films were viewed by over 470,000 persons during the year, and the Cairo film is being shown by the U.S. Army to all posts and stations.

Another project in this campaign includes firearms safety messages carried by a cartoon character, "Tipper Flintlock." In 1963, cartoon and copy features were produced and distributed to 15,000 outlets. A special hunting safety spot was distributed to TV and radio stations through the auspices of the Advertising Council as a public service activity. A new series, "Guns of America," consisting of 6 matted drawings of historic firearms, was distributed to 4,100 newspapers.

The NRA participated in the 1963 Tournament of Roses Parade in Pasadena, California, with a float depicting in theme "The Bill of Rights—Freedom to Keep and Bear Arms."

National news releases and photographs were distributed on major activities of NRA. Over 16,500 separate releases were issued covering new clubs, instructors and qualifications awards. Late in 1963, special articles on NRA activities and programs, under the heading of "Target, Woods and Gun Room," were offered to the nations newspapers. About 200 requests for this feature had been received at the year's end.

Mr. LAUSCHE. Mr. President, I am delighted to observe that the distinguished Senator from Connecticut [Mr. DODD], has introduced bills to strengthen the gun laws of the country. As he said, the passage of laws in and by itself will not cure an illness that besets the Nation today. I fully agree with his statement that the passage of laws alone will not achieve a restoration of law and order and the respect of the people of the world.

Our country is in a tragic plight. We do not know the source of our weakness or why, in the eyes of our own people and in the eyes of the people of the rest of the world, shame, in a measure, has fallen upon us.

In my judgment, if the problem is to be remedied, it will have to be through a coordination and a consolidation of efforts on the part of the people in public authority. First, government, especially the Government of the United States, must stop surrendering its authority to the lawless. The idea that by yielding to the masses, who deliberately precipitate disorder and who violate the law, we will in some manner influence them to perform their obligations as citizens, is fallacious. When we coddle those who defy Government and expect that through coddling them we will induce them to comply with the laws and eventually to perform their duties as citizens, we commit a grave wrong against the United States. The first place to begin to establish the idea that law and order must prevail, that the lawless shall not be permitted to take control, and that the innocent shall be protected is in the Government of the United States, especially in the Department of Justice.

Second, privately operated institutions should quit abdicating their authorities and responsibilities. They should not allow them to be taken over by groups which have become convinced that through anarchy and the willful precipitation of disorder they can achieve their objectives.

I have just observed while reading the New York Times, a picture which I suppose was taken at Columbia University. It is a picture of a long-haired student seated on a windowsill, with his legs hanging down the wall. He is showing the "V" sign of victory. The title of the article is "Willful Disorder Achieves Its Objective." Conduct of that type, accepted by those in authority, is an example for all who believe in violence to follow that type of conduct and to be convinced that it will achieve the objectives of those who do not believe in compliance with the law, or who are convinced that by the creation of mass disorder they will get what they want.

Third, I regretfully say that our courts have forgotten the innocent man. They are concerned only with what is supposed to be the unlimited and perfect protection of the criminal.

Mr. President, I was admitted to the bar in 1921. I am familiar with the principle of our Government that every man is presumed to be innocent until proved guilty beyond a reasonable doubt. Our forefathers, when they wrote the Constitution and adopted the Anglo-Saxon system of jurisprudence, wanted the strong arm of the government, with all of its power, not to be used brutally to club down the citizenry of the Nation. Therefore, they wrote into the Constitution ample provisions that will protect the individual charged with crime, but at the same time will enable the Government to perform its functions.

Mr. President, those provisions written into the Constitution have now been interpreted by the courts far beyond what the language of the Constitution justifies and far beyond what the writers of the Constitution had in mind when that document was written.

Yes, let us pass gun laws.

Let us firm up the provisions of the laws dealing with crimes. But, Mr. President, the first avenue to move into is to quit coddling those who defy our Government. Yielding to them must be stopped. Yielding is the worst sin that we can possibly commit. When we yield, we merely give encouragement to further defiance of Government.

I never believed I would see the day when the lawless are in command and the innocent must be subservient to the demands of the lawless. If it were within my power, the first thing I would do would be to demonstrate that the U.S. Government will quit coddling those who deliberately perpetrate disorders, and will quit coddling those who are convinced that the Government will do nothing about their transgressions.

The central office is the executive branch of the Government. The creation of commissions to make studies will do nothing to solve the problem. Study after study has been made; and some of the studies have deliberately exculpated the wrongdoers.

The No. 1 place to begin is in the executive branch of the Government, next in the executive branch of each State, and then in the offices of the trustees who have charge of our universities. They should stand up and say, "We will not yield. We will not surrender our buildings; we will remain in command of them."

I commend the distinguished Senator from Connecticut [Mr. DODD] upon the introduction of his bills. However, although laws well may be of help, there must first of all be a reformation of the consciences and of the thinking of the people, and that can begin only by setting the example in Washington and throughout the offices of those in authority.

Mr. CLARK. Mr. President, I am joining today in cosponsoring legislation to provide for mandatory Federal registration of all firearms—pistols, rifles, and shotguns.

If we are ever to bring a halt to the gun madness which has seized this country, we must have an effective nationwide system of gun registration. Banning mail-order sales, which was provided for in the administration bill introduced last year, which I cosponsored, is not enough. And a ban on such sales which excludes long guns—which is what the bill passed by the House and Senate this year does—is so weak as to be virtually a deception. Registration is the key. We must have it, and we must have it now.

There is no other civilized, industrialized nation in the world which is as lax as this country in regulating the acquisition and possession of firearms. Virtually all of them require firearms registration as a minimal measure is protecting the public safety; many have far more severe restrictions.

We must get over the childish notion that possession and use of a gun is either a testimonial of our manliness or a guarantee of our freedom. As the tragic events of the past several years have shown guns are the agents by which free democratic institutions are destroyed, not preserved. What good is a free ballot worth, when a bullet can cancel out its effect in a single second?

Registration is a sane and sensible answer. No one would argue that he has a "right" to possess an unregistered automobile. What "right" can there be to possess an unregistered gun?

It is time for America to get a grip on itself. It is time for the Congress to grow up, to shrug off the noisy protests of the gun lobby and listen to the rising murmurs of the great mass of the American people, and to pass this gun registration bill.

Mr. DODD. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. DODD. Mr. President, no one has been a stronger supporter of decent gun legislation than the distinguished Senator from Pennsylvania. Without his help, we would not have gotten as far as we have gotten. I wish we had more help of this kind. The Senator has a clear view of what the matter is all about and he has very ably expressed it. I wish to thank the Senator publicly for his help, and that clarity with which he has expressed himself on this matter.

Mr. CLARK. I thank the Senator from Connecticut for his kind words. We would not have any gun legislation at all, even the mildly innocuous measure we finally succeeded in passing in the Senate a few weeks ago, if it had not been for the Senator from Connecticut. Actually it is his bill I am cosponsoring, which provides for registration. Again, I wish to congratulate the Senator for the leadership he has shown in this regard.

Mr. DODD. I thank the Senator from Pennsylvania.

CONGRESS OF INDIANS NOT SUPPORTING POOR MARCH

Mr. FANNIN. Mr. President, much has been made of the inclusion of American Indians in the poor march in Washington. Actually the plight of the American Indian is by and large one of the foremost examples of what can happen when a segment of the population becomes substantially dependent upon the Government for its sustenance. I think those who are demanding to be dangled in the lap of Government should take a good look at the guarantees the U.S. Government has offered to the American Indians and how the Government has not lived up to those agreements. They will see that Government has neither the will nor the ability to take care of individual wants and needs.

What I wish to point out is that the Indians have some very real grievances. They are in the nature of broken treaties and misadministration of programs designed to assist the Indians. I know something about this problem, since there are more Indians in my State of Arizona than in any other. Presently I serve on the Subcommittee on Indian Education of the Committee on Labor and Public Welfare, and we are very much aware of these problems and are seeking satisfactory solutions to them. The late beloved Senator from New York, Mr. Kennedy, was chairman of that subcommittee, and I know that he shared a deep concern for these difficulties.

It should be noted that the National Congress of American Indians, one of the most outstanding organizations interested in the affairs of Indians, has voiced its opposition to the poor march in Washington and has courageously pointed out that without definite realistic and achievable goals there can be little hope of success. The NCAI has wisely called for a restatement of the long-range collective goals of the Indians, presented in an orderly and proper way to the various branches of Government.

Mr. President, it is high time that we took more notice of, and thereby encouraged, those who recognize the proper and effective way of presenting petitions to Congress. We cannot have progress unless we have order. If we are to "selectively disobey" those laws which we do not like, then we should put a plainer label on our action and call it by its proper name of "anarchy" or "nihilism."

Mr. President, I commend the action of the NCAI in its plans to be responsible and reasonable in presenting the case for the Indians to the Congress and ask that a statement issued by the NCAI on June 3, and a list of the supporters of that statement be printed in the RECORD.

There being no objection, the statement and list were ordered to be printed in the RECORD, as follows:

[From the National Congress of American Indians, June 3, 1968]

THE NATIONAL CONGRESS OF AMERICAN INDIANS CALLS EXECUTIVE COMMITTEE MEETING

President Wendell Chino of the National Congress of American Indians has called an emergency session of the NCAI Executive Committee June 6–8, 1968, at the Albuquerque Indian School, Albuquerque, New Mexico to formulate position papers on various social and economic issues now being aired by the Indian participants in the Poor Peoples Campaign in Washington, D.C.

According to John Belindo, Executive Director of NCAI, the real issues of unemployment, education, housing, and hunting and fishing rights now being raised in Washington are being clouded by the emotional appeals and accusations of some of the individual Marchers. To offset the arguments being posed by this group, the NCAI wishes to present its ideas and recommendations—in the form of a long-term program of economic development—to various Departments of the Government.

Because of the size and diversity of its membership—some 105 major American Indian Tribes and Alaska Native Villages—the NCAI feels that it represents the collective interests of the Indian Community more so than any other organization and must therefore, pursue policies which are oriented to answer the wants of the majority on occasions where such wants may be at cross purposes with the desire of individual segments.

In a statement on the Poor Peoples Campaign issued May 31, the NCAI refused to give official endorsement of the March because of the lack of any unanimous conviction among its membership that the March as it is presently conceived can produce satisfactory results before the thresholds of frustration of its participants have been exceeded.

According to the statememnt, "There is no defined criteria as to what a satisfactory program would be, hence, what achieved goals will terminate the March. Even if Congress knew exactly what legislative measures the marchers deem necessary, and if Congress were completely cooperative and sympathetically inclined to pass this legislation, it is doubtful that the mechanics of legislative procedure would grind out a program that would produce visible results in a short enough time period to satisfy the Marchers."

NATIONAL CONGRESS OF AMERICAN INDIANS—TRIBAL LIST

ALASKA

Alaska Federation of Natives.
Alaska Native Brotherhood.
Cook Inlet Native Association.
Metlakatla Indian Community.

ARIZONA

Colorado River Tribe.
Fort Yuma.
Gila River Pima-Maricopa.
Hualapai.
Papago.
Salt River Pima-Maricopa.
San Carlos Apache.
White Mountain Apache.
Yavapai-Camp Verde.

CALIFORNIA

Covelo Indian Community.
Fort Mojave.
Hoopa Valley.
Round Valley.

COLORADO

Southern Ute.
Ute Mountain.

IDAHO

Coeur d'Alene.
Kalispel.
Kootenai Tribe.
Nez Perce.
Shoshone-Bannock.

MICHIGAN

Keweenaw Bay Indian Community.

MINNESOTA

Grand Portage Chippewa.
Minnesota Chippewa.
Red Lake Chippewa.

MONTANA

Blackfeet.
Chippewa Cree Tribe.
Confederated Salish & Kootenai.
Crow.
Fort Belknap Community Council.
Fort Peck.
Northern Cheyenne.

NEBRASKA

Omaha.
Winnebago.

NEVADA

Duckwater Shoshone.
Fort McDermitt Paiute.
Pyramid Lake Paiute.
Western Shoshone-Paiute.
Walker River Paiute.

NEW MEXICO

All Indian Pueblo Council: Acoma Pueblo, Cochiti Pueblo, Isleta Pueblo, Jemez Pueblo, Laguna Pueblo, Nambe Pueblo, Picuris Pueblo, Pojoaque Puelbo, Sandia Pueblo, San Felipe Pueblo, San Ildefonso Pueblo, San Juan Pueblo, Santa Ana Pueblo, Santa Clara Pueblo, Santo Domingo Peublo, Taos Pueblo, Tesuque Pueblo, Zia Pueblo, Zuni Pueblo.
Mescalero Apache.

NORTH DAKOTA

Fort Totten Sioux.
Standing Rock Sioux.
Three Affiliated Tribes.

OKLAHOMA

Absentee Delaware.
Cheyenne & Arapaho.
Cherokee Nation.
Chickasaw.
Choctaw.
Creek Tribe.
Miami Tribe.
Osage.
Otoe-Missouri.
Quapaw.
Sac & Fox.

OREGON

Klamath
Umatilla Tribe.
Warm Springs.

SOUTH DAKOTA

Cheyenne River Sioux.
Crow Creek Sioux.
Flandreau Sioux.
Lower Brule Sioux.
Oglala Sioux.
Rosebud Sioux.
Sisseton-Wahpeton Sioux.
Yankton Sioux.

WASHINGTON

Chehalis.
Cowlitz.
Kalispel
Lummi.
Makah.
Muckleshoot.
Nisqually Community Council.
Port Madison.
Quinault.
Snohomish.

Spokane.
Squaxin Island.
Swinomish.
Tulalip.
Yakima.

WISCONSIN

Forest County Potawatomi
Lac Courte Oreilles.
Lac du Flambeau Chippewa.
Oneida.
St. Croix Chippewa.
Stockbridge-Munsee.
Winnebago.

UTAH

Uintah & Ouray.
Ute.

POLITICAL ASSASSINATIONS AND GUN CONTROL LEGISLATION

Mr. DODD. Amitai Etzioni, a professor of sociology at Columbia University, has written an extremely interesting article which appeared in yesterday's Washington Post in the Outlook section.

Professor Etzioni theorized that the five political assassinations in the last 5 years mean that there will be still more assassinations and attempted assassinations of American political leaders in the next several years.

Professor Etzioni pointed out that—

> Studies of patterns of violence indicate that once an outbreak occurs it tends to repeat itself at other places and times at an accelerating pace until the wave runs its course.

This expert sociologist writes that there is only one thing which can be done immediately to arrest this trend, and that is: "Congressional approval of comprehensive gun control legislation."

In support of this statement Professor Etzioni writes:

> Most experts on the subject agree that while political assassinations could not be completely eliminated, their number could be greatly reduced if this country had firearms' restrictions similar to those in Britain, Sweden, Norway, Denmark, Israel, and most other democracies.

Professor Etzioni points out that most assassins obtain their weapons shortly before they use them, when they are already in an agitated state of mind—this applies to 81 percent of all killings.

Thus we see why there are almost no political assassinations and far fewer homicides in other countries, since we know that so many other countries require a permit to own a gun and in addition, require a cooling off period before purchasing a firearm.

It is time for this Congress to wake-up and enact some strict and truly meaningful firearms control in addition to the modest measure recently passed by Congress so that we might curb this dreadful tendency toward political assassination and homicides in general.

Mr. President, I ask unanimous consent that Professor Etzioni's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

POLITICAL ASSASSINS ARE NOT FINISHED

(By Amitai Etzioni, professor of sociology at Columbia University)

There will be more assassinations, and attempted assassinations, of American political leaders in the next several years. Studies of the patterns of violence indicate that on an outbreak occurs, it tends to repeat itself at other places and times at an accelerating pace until the wave runs it course.

This holds for slum riots, which have been increasing rapidly ever since Watts, and for student rebellions, whose rate has been escalating since Berkeley. It also holds for political assassinations, beginning with the murder of John F. Kennedy in 1963.

While attention has been focused on the assassinations of two of the greatest white and black Americans of this generation, John F. Kennedy and Martin Luther King Jr., other political leaders of very different persuasions and stature have also been killed, reinforcing the pattern. These include Malcolm X and George Lincoln Rockwell of the American Nazi Party.

THE REAL TRIGGER

Unfortunately, there is no way known to social science to stop this wave. There has been much talk of the sick society, of the need to reduce violence in general, to overcome hate, to unite the country. While all these goals are, of course, worthy, the tragic truth must be faced: political assassinations are linked only indirectly to the general state of the Nation.

They are usually done by mentally unstable individuals who, while they are egged on by a national climate that fosters hate and violence, are more directly triggered by earlier killings that set the pattern. (As they mull over them, they rehearse their own acts.)

It must also be noted that the many causes of aggression and tensions in our lives cannot be readily eliminated. Such measures as full justice for black Americans, peace in Vietnam, a reconciliation between youth and the older generation will probably be realized only gradually.

THE UBIQUITOUS GUN

There is one thing that could be done much more rapidly: congressional approval of comprehensive gun-control legislation. Most experts on the subject agree that while political assassinations could not be completely eliminated, their number could be greatly reduced if this country had firearms restrictions similar to those in Britain, Sweden, Norway, Denmark, Israel and most other democracies.

First of all, most assassins obtain their weapons only shortly before they use them, when they are already in an agitated state of mind. (Eighty-one per cent of all killings may be classed as impulsive and not premeditated). One reason why there are almost no political killings and far fewer homicides in general in the other democracies (0.11 per 100,000 in Sweden and 0.05 in Britain as compared to 2.7 in the United States) is that they require a "cooling off" period if a gun can be bought at all. That is, a person has to get a permit before he can buy a gun, explain why he needs it and, if approved, wait a few days before he obtains it.

ALTERNATIVE INEFFICIENT

It is true, of course, that even a sharp reduction in the number of firearms in the United States would not stop all assassinations; Molotov cocktails and knives would still be available. But such weapons are much more difficult to wield, rarely cause multiple fatalities, often wound rather than kill and can be warded off by one or two bodyguards.

So effective gun curbs are needed, yet none of the more than 60 bills introduced since John F. Kennedy's assassination has reached the floor. (The gun control clause in the bill finally passed last week simply prohibits mail order sales of hand guns and other over-the-counter sale to minors, insane persons and convicted felons.)

A MIGHTY MINORITY

A Harris survey in October found that 71 per cent of Americans wanted tight Federal control of firearms sales. The White House and much of the press support this position. It is opposed, however, by one of the most powerful lobbies in American history, spearheaded by the National Rifle Association and backed by many gun collectors, sportsmen and superpatriots.

The supporters of gun legislation have so far moved "incrementally," that is, suggesting a few small steps at a time, apparently in the hope of not provoking the gun lobby. What is needed, however, is a comprehensive gun permit measure aimed at reducing sharply the number of firearms in private hands.

It may be said that it is politically naive to hope for such a result, but only when the level of arms held privately in the United States reaches a level similar to that of the other democracies will our homicides rate drop to theirs and political assassinations be as rare here as they are in Western Europe.

PICKETS IN FRONT OF SENATOR BYRD'S HOME, OPPOSITION TO INCREASED OIL IMPORTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record a transcript of questions which were asked me during a TV interview which was filmed on June 4, 1968, and with my answers thereto.

There being no objections, the transcript was ordered to be printed in the Record, as follows:

TEXT OF SENATOR BYRD'S TELEVISION INTERVIEW JUNE 4, 1968

Q. Senator Byrd, would you explain what happened when the poor people from West Virginia demonstrated in front of your home a few days ago?

A. Well, not all of the persons who demonstrated were from West Virginia, not all of them were poor people. They were discourteous to my wife, and I do not mean to imply that all of them participated in this discourtesy, but she tried to explain to them that I was at the office and that I would be glad to meet with them at the office and that they should go to the office.

After all a man's home is for his privacy and that of his family and it is certainly not a fitting place to discuss Senatorial business with a group of 150–200 people.

My wife offered even to set up an appointment for the group but they did not want this. They were rude to the point of being insolent. They yelled and shouted, and in my judgment this kind of conduct is disgraceful. It can get them nowhere and I believe that the poor people of West Virginia would be ashamed of this kind of conduct.

Q: What was the nature of their demands?

A: Well, for the most part their demands were vague and spurious and utterly irrelevant to the problems of poor people.

For example, one of the demands was that I stop my opposition to home rule for the District of Columbia. Now what does this have to do with the poor people of West Virginia?

And another demand was that I initiate legislation to prevent the wealth from leaving West Virginia and Appalachia. Well, this is utterly fantastic. The Congress couldn't do this if it wanted to do it. What would we do with our coal? Would we sell it to ourselves? Would we stop exporting coal to foreign countries? Would we stop selling it along the eastern seaboard and close down the mines?

In my judgment, the persons or the group that formulated these petitions that were addressed to me certainly lacked knowledge, or entirely disregarded the knowledge, of the true facts concerning my public record. It appears to be an attempt to make the poor people of West Virginia think that I am

their enemy and they know better than this. They know that I have been their friend. My record will prove that I am a friend of the poor people and I intend to continue being their friend.

Q: What effect do these demonstrations have on you and what effect do you think they'll have on the Congress?

A: Well I do not intend to be intimidated by those who attempt to threaten and abuse me. I intend to continue to do as I have done in the past and that is to be fair and just and to reach my decisions based on the facts rather than on fear.

When it gets to the point in this country where public officials are afraid to speak and act and exercise their own good judgment and when legislation becomes the product of mob demands rather than the product of orderly legislative processes, then our Republic is going to fall, and I do not intend to be an accomplice to its destruction.

Q: Senator Byrd, will you explain why you oppose the Interior Department's proposal to allow greater imports of fuel oil from abroad as a means of combating air pollution?

A: Well, in the first place it will hurt West Virginia because it will give foreign oil an opportunity to make further cuts into the markets for coal.

It will also injure the domestic oil industry. I also oppose it because research in connection with the problems of air pollution by sulphur oxides and their relation to human health is not complete. The mining industry, which would be hurt, is itself conducting research into these problems and I think we should conduct more research.

In the opinion of many experts some of the so-called air pollution regulations and standards that have been set are unrealistic. I think in the first place we ought to conduct research to show that indeed these sulphur oxides are harmful to human health and then the research ought to point the way to solve the problem.

JOINT MEMORIALS PASSED BY 1968 SPECIAL SESSION OF NEW MEXICO STATE LEGISLATURE

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed in the RECORD the following Senate joint memorials passed by the 1968 special session of the New Mexico State Legislature:

Senate Joint Memorial 1, requesting the President of the United States to proclaim certain portions of the Denver & Rio Grande Western Railroad a national monument.

Senate Joint Memorial 2, pertaining to Federal participation in welfare payments to nonresidents.

There being no objection, the memorials were ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 1

A joint memorial requesting the President of the United States to proclaim certain portions of the Denver and Rio Grande Western Railroad a national monument

Whereas, the Denver and Rio Grande Western Railroad Company has made application to the Interstate Commerce Commission to abandon its narrow gauge line between Alamosa, Colorado and Durango, Colorado; and

Whereas, in the event of such abandonment of this line and discontinuance of its operation, there will pass forever from the American scene the last tangible link between Southern Colorado and Northern New Mexico of a great historical era served by the men of strength and character who built, fired and braked this little train since the turn of the century; and

Whereas, this famous line of narrow-gauge Rocky Mountain railroad is an object of great scientific interest to industrial archaeology and to the economic historians of this nation, as well as to the citizens of this country, both young and old, in that it is one of the few remaining operational, narrow-gauge, coal-fired steam railroads extant in this country, and in that it played an indispensable role in the economic development of Northern New Mexico and Southern Colorado; and

Whereas, this historic railroad traverses some of the most staggeringly beautiful country in the United States, largely inaccessible to motorists, its narrow tracks laboriously climbing over the awesome 10,000 foot-high Cumbres Pass and winding down through the enchanting country of the Chama and the Jicarilla-Apache Indians finally terminating in historic old Durango; and

Whereas, its preservation and continued operation on a seasonal or otherwise limited basis as a scientific, historic and recreational attraction would be a most fitting and appropriate national monument, accuring to the lasting benefit of generations of yet unborn Americans;

Now, therefore, be it resolved by the Legislature of the State of New Mexico that the President of the United States be respectfully requested to declare by public proclamation that portion of the Denver and Rio Grande Western Railroad running from Alamosa, Colorado through Cumbres Pass, the Chama Country to Durango, Colorado as a National Monument of the United States of America to be preserved and operated on a limited basis for the benefit of the American People; and

Be it further resolved that a copy of this memorial be sent to the President and to the Honorable Secretary of the Interior, and to each member of the New Mexico and Colorado Congressional Delegations.

Signed and Sealed at The Capitol, in the City of Santa Fe.

E. LEE FRANCIS,
New Mexico Senate.
BRUCE KING,
Speaker, House of Representatives.

SENATE JOINT MEMORIAL 2

A joint memorial pertaining to Federal participation in welfare payments to nonresidents

Whereas, the Federal Social Security Act since its enactment in 1935 has permitted the various states to impose reasonable residence requirements for eligibility to the various public assistance programs whose costs are partly paid by federal funds; and

Whereas, the Federal Social Security Act so provides at the present time with New Mexico having consistently required a reasonable continued residence as an eligibility factor for permanent public assistance payments; and

Whereas, a federal court in California and in federal courts in many other states in the nation have declared the unconstitutionality of such residence requirements alleging that they contravene the "equal protection of the law" guarantee of the Federal Constitution and that they unduly restrict the freedom of Americans to travel at will within the country; and

Whereas, if this new judicial theory is upheld by the United States Supreme Court, state costs of public assistance in New Mexico will be tremendously and permanently increased;

Now, therefore, be it Resolved by the Legislature of the State of New Mexico that the President and the Congress of the United States be respectfully memorialized to amend the Federal Social Security Act at once so as to provide full federal financing of public assistance payments made to recipients who do not meet the length of residence requirements presently permitted by federal statute and contained in the welfare laws of this state and applicable statutes in other states, such federal financing to continue in each case only until the existing length of residence requirements have been met by each recipient;

Be it further Resolved that copies of this memorial be transmitted to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from New Mexico in the Congress of the United States.

Signed and sealed at The Capitol, in the City of Santa Fe.

E. LEE FRANCIS,
President, New Mexico Senate.
BRUCE KING,
Speaker, House of Representatives.

RESOLUTION BY KANSAS BANKERS ASSOCIATION

Mr. PEARSON. Mr. President, the strength and the stability of the Kansas economy is in no small measure the result of the wisdom and integrity of the Kansas bankers.

Their knowledge of our local business needs enables them to provide the complete range of banking facilities to the citizens of Kansas. But their understanding of national monetary and fiscal requirements is in like manner complete and responsible. As testimony to this fact, I refer to a resolution of the Kansas Bankers Association which was unanimously adopted on May 16, 1968, at their annual convention in Kansas City, Kans.

This resolution calls for a reduction in the Federal budget by at least $6 to $8 billion and an increase in income taxes as much as 10 percent surcharge as requested by the President. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, recent events have illuminated a worldwide diminution of confidence in the dollar as an exchange currency; and such a lack of confidence imperils the stability of the international monetary system; and

Whereas, speculative attacks on the Free World's gold supply have necessitated establishment of a two-price market for gold which will function as a temporarily effective deterrent to dangerous speculation; and

Whereas, we agree with the Chairman of the Board of Governors of the Federal Reserve System that the Free World is confronted with a financial crisis unless this nation takes prompt and effective steps to cut back the huge federal deficit and to increase taxes;

Now, therefore, be it resolved, That members of the Kansas Bankers Association, both individually and in concert, do call upon the President and the Congress of the United States to take immediate action to reduce the federal budget by at least $6 to $8 billion and increase incomes taxes at least as much at the 10 per cent surcharge requested by the President; and to make a concerted effort to balance the budget.

And be it further resolved, That officers of this association be directed to communicate this policy to the President and the Congress; and that all members of this Association, in their individual capacities, are urged to do the same.

(Certified to be a true copy of a resolution adopted unanimously on May 16, 1968, by the Kansas Bankers Association in annual convention at Kansas City, Kans.)

Carl A. Bowman,
Executive Secretary,
Kansas Bankers Association.

"HAVE OUR RIGHTS BEEN ABUSED?—A KENNAN VIEW"—ARTICLE IN WASHINGTON SUNDAY STAR

Mr. TYDINGS. Mr. President, Colonial Williamsburg celebrates each year, from May to July, a Prelude to Independence Period, which commemorates the activity in Virginia which led to the adoption of the Declaration of Independence. This year's address was delivered by George F. Kennan, diplomat, historian, educator, and Pulitzer Prize winning author. Mr. Kennan devoted his address to an examination of some things that are going on in this country which now disturb him.

I ask unanimous consent that the text of his address, entitled "Have Our Rights Been Abused? A Kennan View," which was published in the Washington Sunday Star of June 9, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Have Our Rights Been Abused?—A Kennan View

One would so like to be able to feel that the political principles laid down here 192 years ago were still the secure anchor of our civilization—that we could still confidently use them as points of reference and orientation in the treatment of our great contemporary problems—that the attachment of our people to them was still firm and unshakeable.

And yet, when one let one's thoughts roam beyond these pleasant and beautiful precincts—to the great troubled America of 1968 that lies outside, the contrast between this early model and the reality of American life today is so tremendous that one is oppressed by all sort of doubts and questions. One is constrained to raise, in particular, the painful question as to whether the principles by which these men lived, and which they embodied in the Virginia Bill of Rights and Constitution, were really ones of universal validity, as they hoped, or whether these principles presupposed, for their effectiveness, the acceptance of a very specific cultural and ethical and even religious heritage—and not just the detached intellectual acceptance of it, as one might accept a new and strange thought, but a species of actual membership in it, of being a part of it, by virtue of birth and breeding, by the spirit and the discipline of the home.

We of subsequent American generations have obviously proceeded on the basis of the first of these propositions. We have assumed that these principles were ones of an inmate universal validity—that they required no special cultural or religious inheritance to become truly effective as guides for the political conduct of a society. We have shown no hesitation, over these intervening years, in throwing our country open to the immigration of great masses of people reared in quite different climates of political and ethical principle. We have done this in the confidence that our traditions were so sound, so universal in their validity, and the institutions flowing from them of such strength, that we could easily afford this liberality. The spirit of the Virginia Bill of Rights was expected to spread through some inherent power of its own to all who set foot on these shores and proceeded to make their home here, regardless of whether these people had any share in the cultural and philosophic soil out of which these traditions and institutions had grown.

MIGHT BE A LIMIT

And it is not, incidentally, just in relation to the development of our society as a whole that we have been guided by this lighthearted faith in the assimilative powers of our national tradition. It has often struck me that we have manifested the same confidence in our attitude to the development of our major cities. It has seemingly never occurred to us that these great urban areas, the nerve centers of our civilization, the gathering and distributing points of our cultural and administrative and economic strength, might also be limited in their capacity for the assimilation of people to whom their traditions and arrangements of self-government were strange.

Without a qualm we permitted, in the early decades of this century, the entire residential patterns and community structure of our great cities to be disrupted and disintegrated, the central districts to be blighted and to be drained of people of education and influence and responsibility—all of this as a result primarily of the sudden switch to the private automobile as the prevailing mode of transportation; and then, with an equal absence of qualm, we permitted these blighted central districts to be colonized by huge masses of impoverished and poorly-educated people from remote rural environments—people largely devoid of understanding for the institutions of urban self-government by which they were now supposed to be living—and people for whom, in the districts to which they were being permitted to move, there were obviously no adequate prospects of employment and no adequate residential, educational or cultural facilities. Never, but literally never—down to the present day, never—does it seem to have occurred to us that perhaps there were limits to the absorbent capacity of our great urban communities, and that perhaps it was the business of governmental authority to see that these limits were not over-stepped.

Please do not misunderstand me. In mentioning this extravagant faith we have shown in the assimilative qualities of our political tradition, I am not meaning to draw any value judgments. I know of no absolutes in the quality of human beings anywhere. I do not believe in the inferiority or the superiority of any racial or ethnic or national group anywhere in the world. But people can be different,without being inferior; and differences can be important; and it is this that we, I think, tend to ignore.

OVER-WORKING SUCCESS

I do not mean to disparage or depreciate the progress actually made over the decades in the way of assimilation of our tradition by people to whom it was not native. On the contrary, what has been accomplished in this respect, it seems to me to have been little short of miraculous. And in many instances, I know, the spirit of the Virginia Bill of Rights and Constitution has been better understood, more highly valued, and more reverently cultivated, by persons born outside the English-speaking world than it has by many whose ancestors were among the heirs to the British cultural and political tradition. But one of our national failings, it seems to me, is a tendency to overwork success of any kind; and in this instance, too, to say that we have accomplished much does not preclude the possibility that we have attempted to accomplish too much.

I am well aware, of course, that if there has been a serious dilution of the ideological inspiration that flowed from this colonial capital nearly two hundred years ago, it has been a dilution that has taken place partly within the souls and minds of those of us who belong to the old-American element. We have taken the enduring power of this inspiration for granted with regard to ourselves as well as to others. We have shown little recognition of the need for preserving and cultivating it even in the rules and habits of our own lives; in the cultivation of religious faith; in the rearing of our children; in the structuring of our communities. If these ideals have been betrayed, the betrayal is certainly one that has taken place partly within ourselves.

My point, therefore, is neither that there has been no assimilation at all, nor that the weakening of understanding for the founding principles of our society is something that has come only by the reckless admission of unassimilated elements to our midst. My point is simply that we have played fast and loose generally with our national tradition, taking very little care to see that its philosophic and ethical foundations were adequately communicated to the millions of strangers admitted to our body politic, taking equally little pains to see that these foundations retained their vitality in our own habits and outlooks. And the result is that we have today a society that has come a long way indeed—an alarmingly long way—from what those Virginia forefathers thought they were creating in the way of a body politic when they drafted their memorable documents, a society in which the endurance and validity of the things they cared for is now very gravely jeopardized.

THE DISORDERS

You all know what I have in mind when I use these strong words.

I doubt that there can be any of us present whose senses have not been repeatedly sickened over these recent months by the spectacle of angry, disorderly people: milling about, screaming, shouting other people down, brawling with the police or with equally violent opponents, obstructing other people in their normal pursuits—and all this ostensibly in the effort to achieve one objective or another not by the devices of persuasion, not through the orderly processes of appointed authority and procedure, but through the devices of intimidation and blackmail? It will be clear to all of us that this style of political action, far from having anything to do with that "firm adherence to justice, moderation, temperance, frugality and virtue" which the Virginia Bill of Rights demanded, is in the most direct and flagrant conflict with the whole spirit of that document. It represents a frame of mind that can lead, if the entire previous experience of mankind is to be credited, only to demagoguery and dictatorship. I'm thinking here of the antecedents of the Russian Revolution, which over the years, I've had occasion to study.

The predilection for this style of political action, while by no means restricted to these two groups alone, has been particularly marked, as we all know, in two sectors of our society where we can least afford to tolerate a lack of respect and understanding for our traditions: namely, in the urban Negro communities whose collaboration is going to be essential if our great cities are to retain their vitality, and among the student population of our great urban universities—among people, that is, on whose intellectual and civic capacities our national future is going to depend in the most intimate way. The damage done just in these two sectors of our society alone, and not just the physical damage but even more the social and spiritual disorientation that invariably attends mass disorders of every sort, has already attained extremely serious dimensions. Along with all this, and not unconnected with it, there has gone a persistent and continuing growth in a crime rate that is already appallingly high and, more disturbing still, a recent increase in the private purchase of firearms, made possible by the incredible laxity of existing legislation,—a development that has the most sinister implications for the state of mind now beginning to develop among great numbers of our fellow citizens.

AUTHORITY FEEBLE

Now, all this is bad enough in itself. But its gravity has been multiplied, as I see it, by the hesitancy, the feebleness, and the ineffectiveness of many of the responses on the part of established authority. One is forced to the conclusion that the confusions of mind which these disorders reflect are ones from which not even those people are immune whose responsibility it is to see that the dignity and good order of our public life are maintained.

Now, obviously, we are faced today with two urgent tasks. The first is to bring this situation under control. Surely only the most fatuous optimist could believe that we have already done that. Which of our cities is safe from a repetition, over this coming summer, of the scenes that have disgraced the streets of a number of them over the course of the past year? Surely, if there has been any excess here, it has been an excess of tolerance towards such things as arson, looting, sniping and the malicious harassment of police and firemen endeavoring to perform their duty. Such things cannot be justified by any cause or any grievance. They are not conducive to the alleviation of any cause or any grievance. They carry with them a great and real danger of provoking forms of counterlawlessness even more ugly and menacing than themselves. They are contagious in the sense that they conduce to the undermining of confidence in orderly procedure, and to the deterioration of standards of political action across the country.

In no other country in the world would they have been treated with the lenience that has been shown in our great cities. In the face of the provocation given, I find the charges of police brutality simply ludicrous. Whoever deliberately obstructs the exercise of public authority and then resists arrest, is not only provoking violence but necessitating it; and he should know what to expect.

STUDENT REBELLIONS

The same is true of the resort to violence and obstruction by students on university campuses. Every university administration has no doubt its deficiencies. It would be surprising if the administration of Columbia University, in particular, had been without them. But no such deficiencies could conceivably justify what took place on that campus a few weeks ago.

What gives rise to concern is not that the administration of the university ultimately invoked the help of the police to restore its control over its own buildings—it would have been remiss in its duty had it failed to do so. What gives rise to concern is that the measure was not taken more promptly; that a considerable portion of the faculty chose to support these student rioters, and their trouble-making friends from outside, in illegal and indefensible actions; and that even now, a month after the first of the disorders, the leaders of all this lawlessness and indecency should still be clamoring for continued enrollment and recognition as students.

Universities are there for purposes of education. They are not supposed to be exercises in political democracy. The term "democracy" refers to the procedures of government and defines the relationship between the individual citizen and those who hold the ultimate power of disposal over his person and his property; it has no proper applicability to the administration of the educational process.

Universities cannot fulfill their true educational function other than in an atmosphere of respect for the authority of both teacher and institution. It would be better that they be closed entirely than that they attempt to function under conditions in which that respect is absent.

The American student of this day and age has the finest educational facilities ever offered to any students at any time and at any place in world history. For the actual costs of what is offered to him at these places he does not, on the average, pay even the half. The rest is given him by that very American society—that American "Establishment," if you will—for which the student-activist professes such contempt. It is the student who is under obligation to the university and its sponsors, not vice versa. Higher education is not an absolute right, nor is the enjoyment of it devoid of responsibilities. In an age when there are far more applicants for enrollment in our leading institutions than these institutions can handle, there is no reason why anyone should be tolerated as a student on one of these campuses who is not prepared to give the university his respect and whose presence and activity there are disruptive of the educational progress of other students.

LONG WAY TO GO

In each case, then—in that of the big-city ghettoes and that of the college campus—things have gotten seriously out of hand, and we have a long way to go just to prove to a number of our fellow-citizens that violence and disorder are not the means by which causes can be effectively furthered, and objectives achieved, in this country. I can well imagine that in each case there might have to be more unpleasantness rather than less, before this point can be successfully made. If so, I would regret it as much as anyone; but I would see no alternative, because I cannot conceive of useful changes being brought about otherwise than in an atmosphere of decency and decorum and by the established processes of rational discussion and representative government.

But even when respect for the good order of our life is restored, we will still have before us the greater part of our task, which is the correction of the various evils and injustices and failure of understanding in which this misguided behavior has its origins. The fact that violence is not the way to correct these conditions does not mean that they are not serious, that they do not run deep, or that they do not cry out for correction. On the contrary, they do. Ours is indeed a partially sick society; and I yield to none of these extremists in my sense of the need for immediate diagnosis and treatment. Not only that, but I consider that the task of curing these evils is a far more difficult one than most of us have realized, and that it is going to tax our energies and resources to the very limit. Yet even in the analysis of the causes, and in the identification of the requirements for their removal it seems to me that we have not even scratched the surface. The public discussion of these matters remains, for the most part, superficial, tentative, enmeshed in outworn shibboleths and stereotypes.

In the case of the radical students it is plain that we have to do, here, not really with those rapidly-changing complaints and demands—some justifiable, some silly—with which they come at us but with some deep emotional discomfort, approaching at times a mass hysteria, the roots of which reach far back into the environment of home and school: Into the disintegrated family, the bored over-affluent parents, the timid secularism of parental and school authority, the television set, the overcrowded school room, and the false freedom of the teen-age automobile. To correct these conditions will indeed require a revolution—a revolution in the social and intellectual and spiritual environment of American childhood and early youth—but a thoughtful and orderly and constructive sort of a revolution—not the kind they picture.

And similarly, in the case of the Negro: What good will it do to raise the living standard of those Negroes already present in our great cities if millions more are waiting to crowd in behind them and to take advantage in this way of any marginal opportunities, however miserable, that may be opened up by the improvement in the condition of the others? Is there any answer to this problem that does not include some means, either one of economic incentive or of direct administrative control, for preventing the migration of new poverty into these great urban areas just as fast as the old poverty can be remedied? And is it realistic to suppose that the American Negro is going to find his dignity and his comfort of body and mind by the effort to participate and to compete as an individual in a political and social system he neither understands nor respects and for which he is ill-prepared? Will it not be necessary to permit him to have, as a number of his leaders are now demanding, a local political community of his own, through which he can express himself collectively and in which he can find identity and gain dignity?

INHERITED PROBLEM

And finally, I would question the usefulness of any public discussion of this problem of the American Negro that departs, as has so much of what we have heard in the recent past, from the wholesale imputation of guilt or innocence to great masses of people. This is a problem with deep historical roots. It was not created by the generation of Americans now alive; it was only inherited by them. There have been many people of good will on both sides, even in our lifetime, who have never failed to make the effort to improve things within the limits of their own modest possibilities. Let us not make it worse than it is. Perhaps I speak for some of these when I say that I am a little tired of being told how endlessly guilty I am with relation to this situation. It seems to me that the first requirement of a useful discussion would be the recognition of the truly tragic nature of the problem—a characteristic from which both Negroes and non-Negroes suffer alike.

These, my friends, are only a few examples of the reflections that lead me to feel that our problems are of enormous profundity and that a hopeful attack on them will require a national effort—an effort of understanding as well as of action—on a scale far greater than anything we have yet contemplated.

And it is this, the magnitude and urgency of the tasks that we face in the ordering of our domestic life, that brings me now to the burden of the thought I wish primarily to state to you today. It is simply this: That a nation in such a state of internal disarray—a nation faced with domestic tasks of such gravity and magnitude—cannot afford the luxury of extravagant excursions, whether of altruism or of military adventure, into the world beyond its borders. It has no choice but to prune its external involvements to the bone, to cure itself of all dreams of being more to others than it is to itself, and to adjust the objectives of its foreign policy to a realistic assessment of its own capabilities.

OUR WORLD ROLE

Now let me elaborate.

I do not want to talk about Vietnam. Of course, it is little short of fantastic that a country facing such domestic problems as we now face, and one that stands virtually on the brink of a major international financial humiliation, should be continuing to pour its substance to the tune of a full fourth of its budget and more than a half a million of its young men, into a military adventure on the other side of the world, in an area to which its vital interests are only remotely related. But that is an old argument. This is not the time to renew it. A further escalation of this conflict has, I hope, now become politically unthinkable; and negotiations looking to its ultimate liquidation are now in progress. I cannot regard these negotiations with any great measure of optimism. The procedures we are following are not the best ones I would have thought most promising in the interests of an early liquidation of the conflict. But the negotiations are being conducted by men of great experience and ability, in whom I have the highest personal confidence. I would not like to say anything here that would complicate their tasks. I will only say that the successful liquidation of this involvement is a prerequisite to any successful national policy over the coming four years, whether at home or abroad.

When this liquidation is finally effected, and when we are able to turn our full attention to other parts of the world and to take stock of what has been happening to our world position during the period of our preoccupation with Southeast Asia, we will be dismayed, I think, to find how much Vietnam has cost us in terms of the confidence and respect of world opinion.

MILITARIST CHARGES

Our political adversaries have naturally been only too happy to take advantage of a situation that played so beautifully into the hands of their favored propaganda charges against us. The fact is that we are going to find a distressingly large part of the world public either inclined to the belief that we are some species of blood-thirsty militarists and imperialists or at least shaken in a prior impression that we were not. In these circumstances, almost any very active policy on our part, whether we conceive it as one of altruism or as an assertion of power, will be almost bound to be misinterpreted. To certain forms of hostility and suspicion and skepticism about one's motives, in international and personal life there is only one dignified and effective response: withdrawal, abstention and a dignified silence. Only by long periods of restraint and detachment toward the affairs of other countries and continents, will it be possible for us to correct the misinterpretations concerning the spirit and purposes of our nation to which the Vietnam involvement has given rise.

And this forebearance will have to be supported by the quality of our effort here at home. Whoever has looked closely at international affairs knows that the way in which nations really commend themselves to the respect and confidence of others is not primarily through their words or even primarily through their external actions, but rather through the tone and quality of their domestic life. It is not only between individuals that the power of example is greater than the power of precept. This is also true among nations. And until we in this country have restored the quality of our domestic life to a level where we can exhibit it to the rest of the world without shame or apology, we will get very far in advancing our prestige either by talking at people in other countries, or by dispensing aid and technical advice to them, or by force of arms. There is a crying disparity between the elaborateness of our present efforts to influence other peoples by our physical presence and our activities of one sort or another in their midst, and the abundant evidence of our failures here at home.

What sort of guides to industrialization are we who have not learned how to industrialize ourselves without depleting our resources and despoiling the natural beauty and healthfulness of our country?

What sort of guides are we to urban development who cannot prevent the deterioration of life in our great cities?

What sort of educators are we who cannot win and retain the confidence and respect of our own students? A prerequisite of our coming to terms successfully with our international environment is that we should first come to terms with ourselves.

LABELS WON'T WORK

I do not mean to overdo this thought. We will only be confusing ourselves if we try to define our foreign policy of this coming period by relating it to such shopworn and outdated terms as "isolationism." Obviously, our present situation has little similarity to that which we enjoyed in the last century. Even in a post-Vietnam world, there will be a number of problems and responsibilities to which we shall have to give most serious attention.

There is, for example, the problem of Europe, and particularly Germany. The special responsibilities we have assumed with relation to these areas, and the intimate nature of our interests there, oblige us to take a continuing interest in the unfolding of events in that part of the world.

Beyond that we have the two great latent crises of the Middle East and the southern part of Africa. One of these is an urgent crisis, the other a slow one; but both are tragic ones, without visible solution today, and both are full of danger. Here, our task will be not to attempt to solve the respective problems at once, for no outside force can do that; and it will not be to take sides in these bitter conflicts, because they are not our quarrels and we do not have the answers in our pocket, but to shape our conduct in such a way as to help prevent both of them from becoming threats to world peace.

We shall also be confronted, once the Vietnam involvement is over, with the task of shaping some sort of a stable relationship to mainland China. Here, too, great patience, detachment and forebearance will obviously be necessary. Chinese feelings towards us are violent, neurotic and ill-informed in a degree for which it is hard to find a parallel in recent diplomatic history. These feelings are not going to be corrected in a single day, or even a single year. And even when and if the general atmosphere is improved, we are still going to have to contend with those ingrained characteristics of official Chinese mentality—the xenophobia, the exaggerated pretensions, the anxious preoccupation with the externals of prestige—that have complicated China's relations with the West even in happier times.

NUCLEAR PROBLEM

Finally, there is the great and terrible danger presented by the present cultivation of nuclear weapons by at least five powers, and the rapid proliferation of the ability to cultivate them into still other hands. There is the question whether the present relative balance of power in weapons of this nature is not being undermined by new technological developments and uncertainties; and there is the wider question, which now presents itself on the basis of twenty-five years of experience, as to whether the basing of our defense posture on weapons of this nature has really added to our security, or detracted from it.

With these, and other, questions, we shall have to occupy ourselves, and in the most serious way, even in a post-Vietnam world.

But none of this precludes us from carrying out in the coming period an extensive reorientation of our national policy: away from the ambitious dreams and extravagant efforts of recent years, and in the direction of a new determination and concentration of effort in the ordering of our domestic affairs. The world has changed very greatly over what it was 20 years ago. Neither the hopes nor the fears that have inspired our policy over the intervening years have full validity today. Communism is not what it was in 1948, nor is western Europe, nor are we. At many points, in Europe and elsewhere, where we have become accustomed to regarding our own presence and attention as essential to stability, others can now do without us. Not all of them are going to find it as pleasant as they thought they would when Yankee really goes home; but Yankee, as I see it, has no choice; and many of them may gain from the denial of America's favors a repect for what America has to offer which the extravagant extension of those favors was never able to produce.

AN M.D. DISCUSSES THE COST OF MEDICAL CARE

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial dealing with the cost of medical care, and published in the American Medical Association News of June 3, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN M.D. DISCUSSES THE COST OF MEDICAL CARE

(EDITOR'S NOTE.—George E. Shambaugh Jr., MD, of Chicago, has written the following article and had it printed for distribution to his patients as they come to his office. He entitled it, "The Cost of Medical Care and What You and I Can Do About It."

(Dr. Shambaugh is senior surgeon, Otologic Professional Associates; professor of Otolaryngology at Northwestern U.; chief editor of *Archives of Otolaryngology*, and president of the American Otological Society.)

All of us are concerned, and a little bewildered, by the rapid rise in the cost of medical care; a rise, we are told, that will continue. At the same time we hear complaints that the *quality* of medical service may not be as good as formerly, and those of us who have had to be hospitalized know that nursing service is certainly less adequate in spite of the exceedingly high cost of a hospital bed.

It seems appropriate to explain to our patients some of the reasons for the rising costs of medical care, and what your doctors . . . are doing to try to keep these costs down while constantly improving the quality of medical service. There is something that you, the patient, can do, too, to keep these costs down.

If we go back to the Depression Years when the new Wesley Memorial Hospital opened its doors on Pearl Harbor Day, we find that a two bed room cost the patient $6 a day, and there seemed to be an abundance of good nursing care. In that year (1941) the doctors in this office helped to develop the first successful operation for restoring hearing in progressive deafness, the fenestration operation for otosclerosis. By using an operating microscope for this operation they made it a dependable method successful in 80% of cases for permanently restoring useful hearing in patients suffering from otosclerosis. In 1940, the charge by your doctors in this office for a complete initial history and examination, including hearing tests, was $25. The minimum charge for a fenestration operation by the senior doctor was $500, but this operation also cost the patient eight days in the hospital and three or four weeks away from work.

Today, 28 years later, we charge *exactly the same* $25 for our complete initial history and examination including hearing tests. *But*, we have added two additional tests to this examination, the speech reception and discrimination test, we have better (and far more expensive) sound proof testing rooms, while the salaries of our nurses who take the history and audiometrists who do the hearing tests have increased by 200% or 400%. *All of these increased costs of operation have been absorbed by the doctors at no additional cost to the patient.*

Today, 28 years later, we have a better operation to restore normal or near-normal hearing in patients with otosclerosis: the stapes operation. The minimum charge for this better operation by the same senior doctor, including the first year of post operative care, is $525. But this improved method requires only three days instead of eight in the hospital and an average of one week instead of three or four away from work, so that actually the total cost to the patient with otosclerosis is *less* today to have his hearing restored through surgery than in 1940.

Then why are the costs of medical care rising so fast that we are reading and hearing about "a crisis ahead in medical care," as in the Feb. 26 *U.S. News & World Report*, page 56?

One reason is the rapid advance of scientific medicine with the addition of new, valuable, but expensive diagnostic tests. An example is the new method of x-raying the inner ear and hearing nerve called polytomography. This requires an apparatus imported from Europe, costing $75,000, plus $25,000 to install. Because of its expense it is not yet available in hospitals or clinics, one of the very few in America being in Chicago. With it we are now able to diagnose tumors of the hearing nerve as small as a pea, whereas before we could not make the diagnosis until such a tumor had become as large as a small lemon and had reached the brain. Today by polytomography we can see defects or fixation of parts of the ossicular chain that carries sound from the ear drum to the hearing nerve, and such defects can be repaired. We are able now, with polytome x-ray studies to diagnose the early beginnings of otosclerosis *even before the hearing begins to fail*, and we have a method for retarding or arresting the progressive loss of hearing. The problem is that only six examinations a day can be made by the polytome x-ray apparatus, and the least that can be charged for this study to pay for its operation and to amortize the cost of the apparatus and installation is $60. This is quite expensive. But the *benefits* for the patient in diagnosing life-threatening tumors and hearing losses that can be prevented or cured, far outweigh the cost of the examination.

A second reason for the rising costs of medical care, and actually the greatest reason according to all studies that have been made, is the rising cost of hospitalization. A two-bed room that cost $6 a day in 1940 costs an average of $40 a day today. The reason? Hospitals, too, have had to provide expensive equipment and apparatus and professional personnel to operate them, in the operating room, the recovery room, and the intensive care units. The hospitals have been caught in a squeeze between inadequate help and rising salaries of non-professional and professional workers, so that patient bed care is less adequate but far more expensive today than 28 years ago. Hospitals are non-profit charitable institutions and have no other way to absorb these rising costs than to pass them on to the patients.

Medicare and Medicaid, as the doctors knew they would, are costing three or four times as much as the government planners expected. One reason is that the patient, with all his bills paid for him, lacks any incentive to leave the hospital as soon as he is able to. We saw this in the V.A. hospitals where a fenestration operation required an average of eight weeks of hospitalization, compared to eight days in a private hospital. Another reason is that patients want to be hospitalized for x-rays and other diagnostic tests which their insurance will not pay for on an outpatient basis. The decline and fall of Britain as a world power, according to *U.S. News & World Report* for Feb. 12, 1968, p. 64, has been due in part to the politically popular but economically disastrous provision of *all* health services free to *everyone*. Too easily the voters forget that *they* always pay the bill, and the bill when the government takes over is *always* larger to support the huge administrative bureaucracy with red tape and inefficiency. We can only hope that Medicare will never be extended to everyone, for this would not only threaten the *quality* of medical care but it would be costly beyond imagination.

Now a few words about the quality of medical care. The great advances in scientific knowledge of the ear began in Europe, but now are coming from America. We believe that the private practice of medicine in our country has encouraged the development of better methods and new ideas, whereas state-controlled medicine as in England very much discourages and impedes new developments. . . .

In the early days of the fenestration operation, when microsurgery was just beginning to develop, there were very few doctors trained and equipped to do these operations to restore hearing. We were keenly aware of our badly overcrowded schedule so that patients had to wait a long time for an appointment, and too often had to wait a long time in our "waiting room"—a good name! It was not easy and it required time to find and train enough doctors to be able to give the kind of "instant" care and attention that we would want for ourselves when we are ill. We believe that we are finally and slowly approaching this ideal. . . . Meanwhile, every one of our costs of operation has risen steadily, some more than others; rent, cost of electronic testing equipment, salaries of nurses and other office employees. Even stamps to mail out monthly statements cost twice what they did a few years ago! Reluctantly, we have had to make a modest increase in our charge for an office visit. If the "creeping inflation" of recent years continues, we shall, very reluctantly, have to make further small increases. We are proud of the fact that our fees as doctors have increased *far less* than our costs of operating our office, and we intend to continue to "hold the line" on our charges for first visit diagnostic examination and for surgery as much and as long as we possibly can.

The rising costs of medical care have been considered by a National Advisory Commission on Health Manpower, and will be considered by a congressional committee. An attempt may be made by the government to blame the increase upon doctor's fees, rather than to blame their own miscalculated plans. If this should happen, we hope you will contact your congressman and point out the actual facts.

Our small contribution to keeping down the costs of medical care include our policy to send the patient to the hospital the evening before surgery *only after all diagnostic tests* have first been made, and allowing him to go home from the hospital *at the earliest possible moment*. By utilizing local anesthesia for most of our operations, convalescence is more rapid, and the risk to the patient is minimized.

You, as the patient, can make *your* small contribution to keeping down the costs of medical care, by planning to go home from the hospital as soon as the doctor says you are ready, even when Medicare or other insurance is paying for part or all of your bills, and in not asking to be hospitalized for diagnostic tests that can be done just as well as an outpatient.

GALLUP POLL ON METHODS OF CURBING VIOLENCE

Mr. DODD. Mr. President, 2 days ago George Gallup released the results of a special nationwide survey which was conducted last Wednesday.

The major purpose of the poll was to determine what the people of this country feel should be done to prevent violence.

Many steps were recommended by those polled, but more than anything else, stricter gun laws were called for.

Mr. Gallup also reports that, in his latest survey on the subject of registration of firearms, 85 percent of those polled favored such a registration statute. Thirty years ago a Gallup poll resulted in an almost identical report. At that time it was 84 percent of the adults polled that favored such a proposal.

The fourth most commonly mentioned recommendation in last week's poll was to remove programs of violence from TV. In 1964, I released a report pointing out the great amount of violence on television to which our children are exposed, and I recommended its elimination.

It is perfectly clear that the results of last week's poll, together with the poll conducted 30 years ago, demonstrate conclusively that the American people favor a strict firearms registration act, such as the one I have introduced today.

Mr. President, I ask unanimous consent that the results of this Gallup poll be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Gallup Poll: Registration of All Guns Is Favored

(By George Gallup)

Princeton, N.J., June 8.—A special nationwide survey conducted Wednesday, the day Sen. Robert F. Kennedy was shot, shows the public calling for the registration of all firearms as the best way to curb violence in our society.

These two questions were asked first: "*What do you think are the causes of violent behavior in this Nation?*"—and "*What steps do you think should be taken to prevent such violence in the future?*"

In terms of causes, the public chiefly blames our complex society; the fact that the country has waited too long to tackle the basic causes of racial, ethnic and religious prejudice; poor discipline in the home; a lack of respect for authority among youth; a disregard for God and religion.

Here are the steps proposed as ways to help prevent violence in the future:

1. Stricter gun laws (laws to keep guns out of the hands of criminals, the mentally disturbed, minors).
2. Stricter law enforcement (including more police, less leniency on part of courts).
3. Greater security for candidates (including appropriate changes in presidential campaigning).
4. Remove programs of violence from TV.
5. Improve parental control (including courses for parents on how to rear children)
6. Encourage a greater awareness of the importance of ethical behavior (including courses in schools).
7. Improve environmental conditions such as jobs, education, and so forth.

On May 1, 1938, 30 years ago, the Gallup Poll reported that 84 per cent of all adults favored a law requiring all owners of pistols and revolvers to register with the government. In the latest survey (1967), 85 percent would still back such a law.

Congress has just passed broad anti-crime legislation, including controls over interstate sale of handguns.

But the public, gunowners and non-owners alike, would go much farther than this bill. They favor a law requiring the registration of all guns, a law banning the sale of all guns through the mails, and strict restrictions on the use of guns by persons under 18 years of age.

SENATOR GEORGE AIKEN, THE OUTSPOKEN SAGE OF THE SENATE

Mr. PEARSON. Mr. President, Parade magazine of June 2, 1968, contains an article entitled "The Outspoken Sage of the Senate." Of course, the article refers to the distinguished senior Senator from Vermont, GEORGE AIKEN.

Speaking as a junior Member of the Senate, I think one of the most positive arguments for our seniority system is Senator AIKEN. His voice in 40 years of public life and his sense of fairness give proof to the proposition that experience counts.

Mr. President, I ask unanimous consent that the article be printed in the RECORD as my own expression of respect for a highly respected U.S. Senator and a very great American.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Senator George Aiken: The Outspoken Sage of the Senate

(By Jack Anderson)

WASHINGTON, D.C.—To repair its reputation, the scandal-stained Senate recently drafted a code of ethics. In the showdown voting, however, the Senate's historic reluctance to reform itself prevailed, and the new code was vented with more loopholes than a medieval fortress. Yet the senators, one by one, paid solemn lip service to the pretended reforms. At last, gnarled, gnomish Sen. George Aiken rose, the customary twinkle gone from his eyes. "I will not be a party to the perpetrating of a fraud upon the American people," he declared, "by making them think that we are trying to purify ourselves when we are really making ourselves look worse."

He stood alone when the Senate finished recording the votes, 67 to 1. But his few clipped words had an impact that belies the final count. For under his mossy exterior, there is solid granite. "Any position Aiken takes," said Democratic Leader Mike Mansfield of the Senate's senior Republican, "automatically becomes respectable, just because it's held by George Aiken."

FORTY YEARS IN POLITICS

His character has withstood the ravages of 40 years of politics. In all this time, he has served Vermont as a state legislator, lieutenant governor, governor and senator. It is a testament to his integrity that the road in front of his farm at Putney, Vt., is still unpaved.

Many of his peers would like to ignore Aiken, but they have learned they cannot. His incisive views have served as an irritant to both parties over the years, and he has seldom failed to support a Democrat when he thought the opposition was right or lambast a Republican when he believed his own party was wrong.

Like few other members of Congress, he lives on his salary. His blue suits shine. His lank red tie is a trademark. He lives in a small $150-a-month apartment near his Senate office so he can walk to work. Until she died in 1966, Beatrice Aiken, his wife for 52 years, stayed home in Putney to help keep the expenses down, waiting for Aiken's frequent visits. Lonely without her, Aiken remarried in mid-1967. His bride is Lola Pierotti, who had been his administrative assistant for many years.

Like the sugar maples near his Vermont home, Aiken imparts his wisdom in slow drops. He sits back and listens intently to the exchange of ideas in the Senate. Then he cuts through the froth of words with his sharp Yankee philosophy.

Nor has his understanding been blurred by age. Although 75, Aiken has a clear, crisp insight into the problems of today. His views are usually blunt: Here are a few of them:

On *Today's Youth*—"We have always had hippies in one form or another. I don't think kids are much worse now than they used to be. They have better educations now, but there are many without opportunities. This is where the trouble starts. They wind up blaming the system, then they try to change the system."

On *Vietnam*—"I have maintained for many months that we made a huge military commitment in that part of the world simply because we did not have the wit, the imagination or the courage to devise a political strategy to suit a political problem."

On *Civil Rights*—"If I were to wake up some morning and find, before 10 o'clock, that everyone was the same race, creed and color, people would find some other causes for prejudice by noon." He added that the militants of both races "aren't looking for solutions: they just want action."

On *The Presidency*—"As I see it, it is far more important to elect a person of integrity and ability to the presidency—one who will conscientiously perform the duties of the office as described in the Constitution—than it is to elect one on the promise that he may agree with our particular viewpoint."

Aiken has been in the Senate since 1941, but he waited until this year to issue a statement on the state of the Union. "This is a privilege I have forgone in the past," he explained, "because usually I have felt that the Union's state was not as bad as its detractors would have it, nor so good as those in office wanted to make it out to be. But this year, the state of the Union is so clearly bad that for the first time in my 27 years as a Senator I feel compelled to stand on my privilege."

Then in terse, punchy sentences, he looked at America's place in the world and rendered his verdict. "We are entering an intensely political year," he said, "and I believe the deteriorated state of politics is very much at the root of the malaise of our times. In politics, as in television, media has triumphed over matter. A man's image has become so much more important than the substance of his thoughts and ideas that we have elevated a cult of personality far above any real debate of the issues. And in this respect, we are not far apart from our ideological enemies as we would like to think we are or as we should be."

ADVICE IGNORED

He proceeded to outline concisely what he thought was wrong with President Johnson's policies. Afterward, Aiken remarked, eyes twinkling but only in half-jest, to a friend: "If Mr. Johnson did what I told him, he'd be the best President in history."

Aiken never went to college and has never pretended that he holds the world's knowledge. Still, when he believes it is time to speak, he doesn't hesitate. "Some say you shouldn't prune except at the right time of the year," he philosophizes. "I generally do it when the saw is sharp."

The senator's rural background is always with him as he goes after the world's great issues. "Problems," he says, "are like the large rock in a farmer's field. He may hire a derrick to have it removed only to find two larger ones underneath. But, after all, problems are what make life worth living."

In previous Parade reports, I have advocated mandatory retirement for senators and congressmen at age 65. George Aiken would have to be exempted from any such rule. For although he is wrinkled and rumpled and tousled by the years, he is still a young man. As his bride confessed to Parade: "He is too healthy for me."

"HOW 20TH CENTURY CIVILIZATION COLLAPSED"—ARTICLE BY JOHN W. GARDNER

Mr. TYDINGS. Mr. President, John W. Gardner, recently resigned as Secretary of Health, Education, and Welfare to become the chairman of the Urban Coalition, an organization of business, labor, civic, and civil rights leaders formed to press for solutions to the problems of the cities. Last week he addressed the 100th commencement of Cornell University. The Washington Post of Sunday, June 9, 1968, summarized or published excerpts from that address. It was entitled "How 20th Century Civilization Collapsed." It is, I feel, an accurate description of some of the problems which the Nation faces today, and of some of the various attempts to meet those problems, both successful and unsuccessful.

I ask unanimous consent that the excerpts be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

How 20th Century Civilization Collapsed

(By John W. Gardner)

I am going to take you on a 600-year tour of history, beginning some three centuries ago and stretching three centuries into the future. Such a tour might present some difficulties for a qualified historian, but it is a mere finger exercise for the practiced commencement speaker.

In the 17th and 18th centuries, increasing numbers of people began to believe that men could determine their own fate, shape their own institutions and gain command of the social forces that buffeted them.

Before then, from the beginning, men had believed that all the major features of their lives were determined by immorial custom or fate or the will of God. It was one of the great Copernican turns of history that brought man gradually, over two or three centuries, to the firm conviction that he could have a hand in shaping his institutions.

No one really knows all the ingredients that went into the change, but we can identify some major elements. One was the emergence, with the Scientific Revolution, of a way of thinking that sought objectively identifiable cause-and-effect relationships. People trained in that way of thinking about the physical world were bound to note that the social world, too, had it causes and effects. And with that discovery came, inevitably, the idea that one might manipulate the cause to alter the effect.

At the same time, people were less and less inclined to explain their daily lives and institutions in terms of God's will. And that trend has continued to this day. Less and less do men suppose, even those who believe devoutly in a Supreme Being, that God busies himself with day-to-day microadministration of the world.

While all of this was happening, new modes of transportation and communication were breaking down parochial attitudes all over the world. As men discovered that human institutions and customs varied enormously from one society to the next, it became increasingly difficult to think of one's own institutions as unalterable, increasingly easy to conceive of a society in which men consciously shaped their institutions and customs.

The result is that today any bright high school student can discourse on social forces and institutional change. A few centuries ago, even for learned men, such matters were "given," ordained, not subject to analysis, fixed in the great design of things.

BURDEN ON SOCIAL STRUCTURES

Up to a point, the new views were immensely exhilarating. In the writing of our Founding Fathers, for example, one encounters a mood approaching exaltation as they proceed to shape a new nation.

But more recently, another consequence has become apparent. The new views place an enormous—in some instances an unbearable—burden on the social structures that man has evolved over the centuries. Those structures have become the sole target and receptacle for all man's hope and hostility. He has replaced his fervent prayer to God with a shrill cry of anger against his own institutions. I claim no special insight into the unknowable Deity, but He must be chuckling.

Men can tolerate extraordinary hardship if they think it is an unalterable part of life's travail. But an administered frustration—unsanctioned by religion or custom or deeply rooted values—is more than the spirit can bear. So increasingly men rage at their institutions. All kinds of men rage at all kinds of institutions, here and around the world. Most of them have no clear vision of the kind of world they want to build; they only know that they don't want the kind of world they have.

So much for the past and present.

I told you I would take you three centuries into the future. I am able to do this thanks to a Cornell scientist who recently discovered how man may step off the time dimension and visit the past or future at will. You may be surprised you haven't heard about this, but he doesn't want to publicize his findings until he has won a few more horse races.

At any rate, he gave me a few pills and, since I'm not interested in horse races, I decided to find out what the future holds in the struggle between man and his institutions. I cannot guarantee the results. I do not offer what follows as a prediction. Perhaps the pill just gave me bad dreams.

EVERYTHING TUMBLES DOWN

The first thing I learned is that in the last third of the 20th century, the rage to demolish succeeded beyond the fondest dreams of the dismantlers. They brought everything tumbling down. Since the hostility to institutions was a product of modern minds, the demolition was most thorough in the most advanced nations.

You will be pleased to know that unlike the fall of Rome, this decline was not followed by hundreds of years of darkness. In fact, there followed less than a century of chaos and disorder.

In the latter part of the 21st century the rebuilding began. Since chaos is always followed by authoritarianism, this was a period of iron rule worldwide—a world society rigidly organized and controlled. I don't think I shall tell you what language was spoken.

But tyrannies tend to grow lax, even under futuristic methods of thought control. By the end of the 22d century, the sternly disciplined institutions of the world society had grown relatively tolerant and the old human impulse to be free had begun to reassert itself.

In the new, more permissive atmosphere, men were again allowed to study history—which had been under a ban for two centuries. The effect was electric. To those austere and antiseptic minds, conditioned to the requirements of a technically advanced authoritanism, the rediscovery of man's history was intoxicating. It generated an intellectual excitement that dominated the whole 23d century. Scholars were entranced by the variety of human experience, shocked by the violence and barbarism, saddened by the stupidities and exalted by the achievements of their forebears.

And as they searched that history, excitedly, sadly, lovingly, they returned increasingly to the 20th century as a moment of curious and critical importance in the long pageant.

WHY DID IT HAPPEN?

All the evidence available to them indicated that the preceding centuries had seen a vast and impressive movement in the direction of institutions that were responsive to the will of men. There were setbacks, to be sure, and trouble and hypocrisy and failures—but over the years the trend was unmistakeable.

Why then, in the late 20th century, did men turn on their institutions and destroy them in a fit of impatience?

As one 23rd century scholar put it. "Until we answer that question we shall never be sure that we are not preparing the same fate for ourselves."

As they studied the history of the 20th century, they discovered that human expectations had risen sharply in the middle years of the century. They observed that men came to demand more and more of their institutions—and with greater intransigence. And they noted that the demands for instant performance led to instant disillusionment, for while aspirations leaped ahead, human institutions remained sluggish—less sluggish, to be sure, than at any previous time in history, but still inadequately responsive to human need.

Twenty-third century scholars finally concluded that the tension between released aspirations and sluggish human institutions would always be potentially hazardous, and that the whole cycle could repeat itself. But they disagreed as to the implications.

One school of thought said the big mistake had been to let aspirations loose in the first place. Human aspirations, they said, should be kept under tight control.

The opposing school of thought argued that human aspirations were a dynamic force that held enormous potential for good. They insisted that the main problem was to make human institutions less sluggish. The only error of the mid-20th century, they, said, was to release aspirations without designing institutions responsive enough to satisfy those aspirations.

After years of debate, the two schools of thought began to come together and a common doctrine began to emerge.

The first thing they agreed on was that human aspirations were capable of contributing enormously to the dynamism of the society and therefore should not be tightly bottled up. But they also agreed that there must be procedural bounds within which the aspirations could express themselves.

Some were quick to point out that in the mid-20th century such procedural bounds did exist, and functioned quite well, permitting extraordinary scope and variety of dissent, until the last third of the century, when the bounds were increasingly rejected and the dissolution of the society began. Back of the rejection was the impatient hostility that late 20th century man felt toward his institutions.

The second thing 23d century scholars came to agree upon was that if society is going to release aspirations for institutional change—which is precisely what many 20th century societies deliberately did—then it had better be sure its institutions are capable of such change. In this respect they found the 20th century sadly deficient.

Most institutions were designed to obstruct change rather than facilitate it. And that is not really surprising. The institutions were, after all, designed by human beings, and most men most of the time do not want the institutions *in which they themselves have a vested interest* to change. Professors were often cited as an interesting example of this tendency, because they clearly favored innovation in other parts of the society but steadfastly refused to make universities into flexible, adaptive, self-renewing institutions.

There were, of course, a good many people in the 20th century who *did* want change—but they were curiously indifferent to the task of redesigning their institutions so that change could be readily accomplished. Many of them were moral zealots who expended their total energy in headlong combat between themselves, whom they believed to be very, very good, and specified others whom they believed to be very, very bad; and the object of the combat was to do in the baddies, even if it meant doing in oneself. This led to endless hostilities, especially when those marked for assault had equally strong convictions about their *own* moral superiority. It was particularly difficult when the two groups spoke a different language or were separated by an ocean or 30 years in age.

There were other reformers who were considerably more discriminating and saw that to achieve their ends they must change human institutions. But even these often misconceived the fundamental talks.

Each such reformer came to his task with a little bundle of desired changes. The society is intolerable, he would assert, because it has these specifiable defects: a, b, c . . . and so on. The implication was that if appropriate reforms a', b', and c' were carried through and the defects corrected, the society would be wholly satisfactory and the work of the reformer done.

That, as 23d century scholars plainly saw, was a primitive way of viewing social change. The true task, they saw, was to design a society (and institutions) capable of continuous change, continuous renewal, continuous responsiveness. They understood that this was entirely feasible; indeed, they noted that the 20th century had hit upon a number of partial solutions to the problem of designing self-renewing institutions but had never pursued the task with adequate vigor. I might add parenthetically that I, myself, wrote a book on this subject back in the 20th century. It was entitled "Self-Renewal." I won't review its findings here, because I wouldn't want to spoil your enjoyment of the book.

NO RESPONSE TO CHALLENGE

Because of failure to design institutions capable of continuous renewal, 20th century societies showed astonishing sclerotic streaks. Even in the United States, which was then the most adaptable of all, the departments of the Federal Government were in grave need of renewal; state government was in most places an old attic full of outworn relics; local government was a waxworks of stiffly preserved anachronisms; the system of taxation was a tangle of dysfunctional measures; the courts were crippled by archaic organizational arrangements; the unions, the professions, the universities, the corporations each had spun its own impenetrable web of vested interests.

Such a society could not respond to challenge. And it did not.

But as one 23d century scholar put it, "The reformers couldn't have been less interested in the basic adaptability of the society that posed tough and complex tasks of institutional redesign that bored them to death. They preferred the joys of combat, of adversary relationships, of villain hunting. As for the rest of the society, it was dozing off in front of the television set."

The 23d century scholars made another exceptionally interesting observation. They pointed out that 20th century institutions were caught in a savage crossfire between uncritical lovers and unloving critics. On the one side, those who loved their institutions tended to smother them in an embrace of death, loving their rigidities more than their promise, shielding them from life-giving criticism. On the other side, there arose a breed of critics without love, skilled in demolition but untutored in the arts by which human institutions are nurtured and strengthened and made to flourish.

Between the two, the institutions perished.

The 23d century scholars understood that where human institutions were concerned, love without criticism brings stagnation and criticism without love brings destruction. And they emphasized that the swifter the pace of change, the more lovingly men had to care for and criticize their institutions to keep them intact through the turbulent passages.

SO THEY REDESIGNED

In short, men must be discriminating appraisers of their society, knowing cooly and precisely what it is about society that thwarts or limits them and therefore needs modification. And so must they be discriminating protectors of their institutions, preserving those features that nourish and strengthen them and make them more free. To fit themselves for such tasks, they must be sufficiently serious to study their institutions, sufficiently dedicated to become expert in the art of modifying them.

Having arrived at these judgments, 23d century leaders proceeded to redesign their own society for continuous renewal.

As I told you earlier, I cannot guarantee the glimpse of the future given me by my friend the Cornell scientist. Come to think of it, he hasn't been winning his horse races consistently.

So perhaps it's not too late to alter history's course.

TRANSPORTATION CHIEF RIDES A COMMUTER TRAIN

Mr. ALLOTT. Mr. President, the transfer of the Urban Transit Administration from the Department of Housing and Urban Development to the Department of Transportation is now a fact.

Obviously, this is an appropriate time to begin a fresh approach to urban transit problems. As I have studied the various reports, statements, and releases on urban transit published by the UTA over the past few years, I have often been concerned by the "theoretician" approach taken to many of our very urgent transportation problems. This concern deepened when I became aware of the fact that the majority of the staff at the Urban Transit Administration has had little or no experience in operating urban transit systems.

For that reason I was particularly impressed when I learned that Transportation Secretary Boyd visited Philadelphia recently to ride commuter trains, subways, and trolleys. I am told that the Secretary plans similar trips to other cities.

Now that he has been given the responsibility for urban transportation, there is no time like the present for him and the staff at the Urban Transit Administration to become acquainted with the day-to-day problems of operating transit systems through actual experience. It is hardly fair for people who have never been aboard a subway car to make important decisions concerning subways.

I think Secretary Boyd in taking this field trip has made a small step in the right direction. I would hope he and others in the Urban Transit Administration would visit cities such as Colorado Springs and Pueblo, both of which have transit difficulties at the moment, so that they could also become acquainted with operating procedures in medium-sized cities. He would be most welcome there, as well as in Denver, which has a privately operated transit system.

I believe, as I have said repeatedly in the past, that it is time to end the talk and start the action in the field of urban transit. One way to make the action more realistic is to be sure that our Federal Government people who deal in transportation know exactly what they are talking about. I commend the Secretary for showing them the way to get such information.

Mr. President, I ask unanimous consent that an article in the May 16, 1968, Philadelphia Bulletin, describing Mr. Boyd's experiences as a commuter, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Transportation Chief Rides Paoli Local as a Commuter

(By Eugene L. Meyer)

U.S. Transportation Secretary Alan S. Boyd, with newspaper underarm, took to the rails this morning and commuted from Paoli to center city via train, subway and, trolley car.

During the hour-and-20-minute trek, he buried his head in the newspaper, chatted with the trainmen and fellow passengers and did some paperwork.

The paperwork was some boning up on Philadelphia's mass transit network. Boyd coupled the paperwork with a ride on some of the equipment that makes it tick, day after day.

PAOLI LOCAL

He decided to take the rides because his agency will have the responsibility for federally-funded urban mass-transit programs after July 1. He's already been to Baltimore to take a ride. Other U.S. cities on his list are New York and Boston. He'll also go to Montreal to see how the Canadians commute.

Boyd, with his wife, Flavil; Deputy Under Secretary Paul Sitton; his special assistant, Jack Burby, and four other aides boarded the Paoli local at Paoli at 8.15.

When Trainman William Crawford collected his 55-cent fare, Boyd introduced himself.

Crawford smiled and remarked: "Would you believe there are two Democrats on this train? You and me."

As the train approached Villanova, Boyd commented that it had been a comfortable ride.

At Villanova, Boyd and his party got off the train and rode in two U.S. Coast Guard automobiles to the Villanova station of the Red Arrow's Philadelphia and Western Line.

A train came along at 8:49 and they climbed aboard. Boyd noted that the car was "more comfortable than the train."

At the 69th st. terminal, Boyd and company got off and caught the Market Street Subway to 30th st. He said he was impressed with the ventilation system in the subway cars.

SWITCHES TO TROLLEY

At 30th st., Boyd switched to a subway-surface trolley car.

Boyd's trip was completed, and he was met by Edmund N. Bacon, executive director of the City Planning Commission, for a briefing on transit facilities here.

Bacon briefed Boyd on Philadelphia's renewal of the center city, including Market Street East and City Hall West Plaza.

At a press conference in the Municipal Services Building, Boyd gave his impression of Philadelphia transit lines.

"They operate on time, fares seem reasonable and frequency seems quite good," he said.

"It did occur to me at my ripe old age of 45, that some of the equipment could call me 'son.' I doubt seriously that the public would object to some new equipment."

Before departing for New York on the Department of Transportation's high-speed test train, Boyd was taken on a tour of center city by Public Property Commissioner William A. Costello and City Transit Chief Edson L. Tennyson.

A RETURN TO SANITY

Mr. SMATHERS. Mr. President, one of the leading newspapers of my State, the Orlando Sentinel, published some cogent commentary on the lawless aspects of our society which culminated in the tragic assassination of Senator Robert F. Kennedy. The Sentinel's words are especially appropriate in that on the same day that Senator Kennedy was killed a young Marine lieutenant from Orlando was slain in an equally senseless and wanton attack which took place in a Georgetown hamburger stand. The marine, Lt. William G. King, was only 21 years old. Senator Kennedy was only 42 years old. Both men were struck down at a time when their lives and careers were just ripening.

I commend the Orlando Sentinel editorial to the attention of Senators and I ask unanimous consent that an editorial entitled "We Must Return to Our Senses," which was published in the Orlando Sentinel of June 6, be printed in the Record. I also ask unanimous consent that a brief editorial entitled "Gun Laws," published in the same edition of the Orlando Sentinel, also be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

We Must Return to Our Senses

Painfully, and at extravagant cost, America is paying the price for coddling law breakers.

The tragedy that unfolded during the early morning hours Wednesday in the kitchen of a Los Angeles hotel apparently took root in the brain of an insane man, but it was nourished by a year after year erosion of respect for law in this country.

Senator Robert Kennedy and his family are the immediate victims, but all of us are equally punished.

House Speaker John W. McCormack, from the Kennedy family's home state, said it best, we think, of all those who tried to fix the cause for the type of crime that occurred so shockingly in Los Angeles.

"Those who enforce the laws," said Speaker McCormack, "are finding themselves the defendants—instead of the lawbreakers and the defiers of authority."

"We've got to support the police officer," Mr. McCormack pleaded. "We've got to bring back the respect for the man who wears the uniform."

America is facing a wholesale onslaught against authority.

Those who would weaken this nation of laws have had unwitting support from some in high places and from courts, who, in their zeal to right certain wrongs, have hastened assault on the very fabric of America.

Tradition is dead; change is "in."

Authority is there to be challenged if not subverted or even overthrown, and by force if necessary.

The policeman is a fuzz; the criminal is indulged.

One takes what he wants; he obeys the laws of his choice.

Murder is an everyday happening; assassination of public figures threatens to become commonplace.

Such are the fruits of this strange cult that ensnarls us. It is sparked by conspirators and is fed by the well meaning but easily duped—those who are troubled by an unpopular war, those who feel they are the victims of social injustice, those who are so immature that they know not what they want.

True, it is difficult, perhaps even impossible, to protect against the isolated nut in a crowd. But who is to say that the mad man is not goaded into his insane act by all these examples of lawlessness and disrespect for authority around him.

Crime breeds more crime. Anarchy will bring ruin. We have had enough of both.

Gun Laws

All the gun laws that Congress can write will not prevent criminals from killing and robbing.

Strong law enforcement, however, will make it more difficult for the criminal, and a gun control law should be part of the arsenal that police may use to protect this country's peaceable citizens.

We should require registration of all guns. Possession of an unregistered hand gun or rifle should be a felony.

HERBLOCK'S HATCHET SWINGS AGAIN

Mr. FANNIN. Mr. President, it should be called to the attention of the Senate that the master of the poison pen, Herbert L. Block, of the Washington Post, keeps inventing new ways to slander the character of honest men. He cares not where his hatchet falls, so long as it seems to serve the end he seeks. He stoops to practically any means, fair or not, seeking to crush opposition to his viewpoint.

The latest example of Herblock's handiwork appears in the Washington Post on the same day that headlines blazon the death of our friend and colleague, Robert F. Kennedy. Since I cannot insert these shabby examples in the RECORD as they appeared in the Post, I should at least try to describe what was done, so that Herblock's methods may be exposed.

The cartoon that appeared in the first edition depicts a fat, bald man holding a huge pistol with "gun lobby" plastered across his vest. It carries a poster with the words of Senator Kennedy quoted:

> A bill to stop mail-order traffic in firearms "would save hundreds of lives in this country and spare thousands of families all across this land the grief and heartbreak that may come from the loss of a husband, a son, a brother or a friend. It is time that we wipe this stain of violence from our land."

And another list headed:

> Vote to kill Senator Ted Kennedy's Proposal To Ban Interstate Mail-Order Sales of All Guns, May 16, 1968.

Under that title the first edition cartoon lists the following Senators in two columns alphabetically:

> Allott (Colo.), Anderson (N.M.), Baker (Tenn.), Bartlett (Alaska), Bayh (Ind.) Bennett (Utah), Boggs (Del.), Cannon (Nev.), Carlson (Kan.), Church (Idaho), Cotton, (N.H.), Curtis (Neb.), Dirksen (Ill.), Dominick (Colo.), Eastland (Miss.), Fannin (Ariz), Hansen (Wyo.), Hatfield (Ore), Hickenlooper (Iowa), Hollings (S.C.), Hruska (Neb.), Jordan (Idaho), Miller (Iowa), Morse (Ore.), Moss (Utah), Mundt (S.D.), Murphy (Calif.), Scott (Pa.), Thurmond (S.C.), Tower (Tex.), Young (N.D.).

This particular edition is the mail edition and is listed by the Audit Bureau of Circulation as approximately 16,000 papers being primarily the "mail" edition going out across the Nation.

The final edition carries the same cartoon except that the list of Senators has now been broken down by party and suddenly another 25 Democratic Senators appear on the list as follows:

> Democrats: *Anderson (N.M.), *Bartlett (Alaska), *Bayh (Ind.), Bible (Nev.), Burdick (N.D.), Byrd (Va.), Hart (Mich.), Hayden (Ariz.), Hill (Ala.), Holland (Fla.), Jackson (Wash.), Jordan (N.C.), Long (La.), Mansfield (Mont.), McClellan (Ark.), McGee (Wyo.), *Morse (Ore.), *Cannon (Nev.), *Church (Idaho), *Eastland (Miss.), Ellender (La.), Ervin (N.C.), Gruening (Alaska), McGovern (S.D.), Metcalf (Mont.), Muskie (Maine), Nelson (Wis.), Proxmire (Wis.), Russell (Ga.), Sparkman (Ala.), Stennis (Miss.), Talmadge (Ga.), *Moss (Utah), *Hollings (S.C.).
>
> Republicans: *Allott (Colo.), *Baker (Tenn.), *Bennett (Utah), *Boggs (Del.), *Carlson (Kan.), *Cotton (N.H.), *Curtis (Neb.), *Dirksen (Ill.), *Dominick (Colo.), *Fannin (Ariz.), *Hansen (Wyo.), *Hickenlooper (Iowa), *Hruska (Neb.), *Jordan (Idaho), *Miller (Iowa), Mundt (S.D.), *Murphy (Calif.), *Scott (Pa.), *Thurmond (S.C.), *Tower (Tex.), *Young (N.D.), *Hatfield (Ore.).

Those with asterisks by their names are ones which appeared in the first-edition list.

Now what are the implications of this?

First of all, running next to a lead editorial entitled "The Shooting of Senator Kennedy," as it does, the cartoon is at the very least in bad taste.

Second, heading the list of Senators with the words "Vote To Kill" is so unjust and inflammatory as to be unbelievable.

Third, what possible reason can prompt a paper to run a complete list of Republican Senators in one edition and omit the complete list that includes another 25 Democratic Senators until it was apparently inserted in the final edition of 59,000 distributed mostly on newsstands and in the street?

Some horrible questions arise from this action:

Does Mr. Block intend to convey the idea across the Nation that more Republicans voted to kill Senator Kennedy than Democrats? I almost choke on the very words, but the implication is clearly resident in the manner in which this affair has been handled.

Does Mr. Block intend to convey that all Senators who voted down Senator EDWARD M. KENNEDY's amendment voted to kill Senator Kennedy? That is too horrible to imagine. This list contains the names of our cherished majority and minority leaders. It contains the name of Democratic Senators who had been closely associated with Senator Robert F. Kennedy over the years and were close personal friends. Such an idea is absolutely abhorrent and repulsive.

I cannot find words to express my dismay and disgust at such irresponsibility displayed on the editorial pages of one of our supposedly leading papers. This issue of the Post contains, I would guess from information given me by the paper, approximately half a million papers. How many carried each list I do not know, but this is obviously an act intended to poison the minds of men so as to achieve a long-established goal of the paper.

Mr. President, I do not quarrel with a newspaper having a point of view and expressing it. Espousal of ideas and causes freely in America is basically one of the great strengths of our Republic. But this kind of action puts a blot and stain upon the record of responsible journalism and I cannot see how it could be defended as the legitimate exercise of a free press.

No matter how one may stand on gun-control legislation, this irresponsible frothing at the mouth by TV commentators, editorialists, and public officials does not contribute to a reasonable solution to whatever problem may exist. This public clamor for gun legislation is a monstrous nonsequitor to the events in Los Angeles. To ride this tremendous emotional wave, recklessly tossing off terms like "mail-order murder," is worse than irresponsible, because such actions carry the false implication that if a stronger bill is passed it will put an end to such problems. In fact, no legislative proposal that has yet been put forth would have, of itself, prevented the murder of Robert F. Kennedy. I intend to say more about this at another time.

It is incumbent upon men everywhere to recognize such underhandedness and expose it to the light of public opinion. Those who stoop to libel and slander, differ from the assassin only in the weapon they choose. With the one it is the tongue or pen, with the other a gun—the hatemonger is worse than the killer, for the last one kills only the body, the other murders reputation, peace, and order.

TAXPAYERS' MONEY—LET US SPEND IT WISELY

Mr. YOUNG of Ohio. Mr. President, in the years 1964 through 1968, more money was spent on national defense than was collected in individual taxes, by far the largest source of Federal revenue. In other words, every cent paid in income taxes was used for war and defense. This does not include the interest paid on the national debt, which is caused primarily by expenditures for past wars. In 1967, this amounted to more than $12.5 billion; more than $13.5 billion in 1968; and will exceed $14.4 billion next year. Also, this does not include expenditures for veterans' benefits and services, which cost taxpayers approximately $7 billion a year.

A nation's budget is a good indication of what a society values. Americans value their freedom above all else and are willing to pay for it. However, if taxpayers are informed that all of their personal income taxes are earmarked for national defense purposes, they should certainly insist on policies designed to seek peace and to avoid involvement in civil war in countries such as South Vietnam, which is of no strategic or economic importance to the defense of the United States—never was and never will be. They might also encourage their leaders to abandon the concept that the United States has a mandate from Almighty God to police the entire world.

National priorities are reflected in the things on which our tax dollars are spent. Let us take a second look as to just what is important to us. Certainly, a nation that has spent as we have a huge total of more than $308 billion on fighting an undeclared war and for national defense within the past 5 years, and more than $122 billion on foreign aid in the last two decades, certainly we Americans should surely spend at least $10 billion a year to eradicate poverty and hunger and want here at home.

THE POLITICAL DYNAMICS OF PROTEST—ADDRESS BY SENATOR BROOKE

Mr. PEARSON. Mr. President, politics of protest has become a sign of these troubled times. And particularly in recent months it has become a dramatic feature of the contemporary academic scene.

The growing protest movement on our college and university campuses is too loud to be ignored and is still too new and unsystematic to be fully understood. But because the movement is so important, because its possible consequences are of such significance, it is essential that all of us—politicians, parents, academic administrators and faculty members, and the students themselves—make a most serious attempt to understand this movement.

Because this understanding is so vital, I invite the attention of Senators, and of the public as well, to a major speech delivered by the distinguished Senator from Massachusetts [Mr. BROOKE] at the commencement exercises of Boston University on May 19, 1968. Senator BROOKE's analysis of the causes and possible consequences of the politics of protest in the academic community is always cogent and often brilliant.

Senator BROOKE properly notes that which is good and encouraging about the new interest and dynamic concern which characterize the student population of the 1960's. He also, however, accurately points to the potential dangers inherent in the more militant forms of student protests. In this connection he observes:

> Intemperate politics is almost always ineffective politics and that protest used cavalierly is a doubled-edged weapon which can damage its wielder as much or more than those at whom it is directed.

Senator BROOKE emphasizes this theme not because he rejects all the goals which the students seek, as do so many critics of the student protest movement. Rather, he urges temperance, because out of his deep understanding of the American political process he recognizes that unrestrained and irresponsible protest will generate its own backlash which will curb not only that which is bad and irrelevant among the goals sought by the student protesters but also that which is good and significant.

The Senator's views are effectively stated in one powerful paragraph which I endorse as my own:

> Briefly stated but deeply felt, my own views are that the right to protest is the right to persuade, not the right to paralyze; that the authoritarianism of protest is no better than the authoritarianism of repression; and that the disruption of great universities is a disservice to a free society.

I ask unanimous consent that the commencement address, entitled "The Political Dynamics of Protest," delivered by Senator EDWARD W. BROOKE at Boston University, be printed in the RECORD.

There being no objection, the commencement address by Senator BROOKE was ordered to be printed in the RECORD, as follows:

THE POLITICAL DYNAMICS OF PROTEST

(Commencement address by Senator EDWARD W. BROOKE at Boston University, Boston, Mass.)

I am pleased and honored that you invited me to be with you today. This great university means much to me. It has been and is an intimate part of my life, as well as yours, and I have looked forward to being with you for many weeks.

Perhaps you have heard of the reporter whose editor told him never to state anything as a fact that he could not verify personally. The reporter's next story was about an important social event and read: "A Woman giving the name of Mrs. James Jones, who is reported to be one of the society leaders of the city, is said to have given what purported to be a party yesterday to a number of alleged ladies. The hostess claims to be the wife of a reputed attorney."

The reporter was a faithful employee, but I guess the editor realized well enough that it is possible to carry a good thing too far. That is no less true in politics than it is in journalism. I would like to raise with you today some of the issues posed by what I consider to be a case in point, the politics of protest which have become such a prominent feature of the contemporary academic scene.

The students of the nineteen-sixties have wrought great change in the reality and the image of American campus life. The silent generation of the last decade has given way to the vocal generation. But the differences between today's student activism and the behavior of previous college students are more than audible. The new style in campus practices has raised with special force a number of critical issues which had been quietly building under the placid surface of academic life for some time. This new style has, of course, formed part of a larger trend in our national history; it has been both cause and effect of the "new politics" which social commentators have described as the forerunner of a budding revolution in American institutions.

It is tempting to link the recent patterns of student behavior in this country with the resurgence of student activism in Paris, Warsaw, and in other cities abroad. Students in many countries, capitalist and communist alike, are displaying a new adamance in pressing for changes in the universities and the societies in which they live.

The objectives of these protests vary widely Many are obviously meritorious—demands for more relevant curricula, for more responsive channels of communication among administration, faculty, and students, for greater personal freedom, for students to govern their private lives, for admissions standards that promise greater opportunity to the more disadvantaged students in society, for greater university involvement in service to the community at large.

Many people have speculated about the causes of these trends. Some have seen the succession of disorders on campus as an outgrowth of a passionate disaffection with the war in Vietnam. Others suggest that the children of affluence who now inhabit most campuses, youngsters who have known little deprivation themselves, are insensitive to the need for order and the value of individual achievement. Still other critics wonder whether the problem lies in the fact that today's college generation has come to maturity without the psychological toughening of great crisis like the Second World War and the Depression. One also hears arguments stressing the impersonal quality of the modern "multiversity", a giant institution which, by growing less responsive to the needs of students as individuals, evokes frustrated responses on the part of students as a group. All these hypotheses are touched with plausibility, although none captures more than a particle of the whole truth.

Whatever the causes of today's student unrest, I am more interested in what the results of that unrest will be. In the universities, as in the rest of society, we need to ask: Are we witnessing the start of a downward spiral of social dissension which will end in self-destruction? Or can we direct the energies now being mobilized on campus into channels that transform our universities and our nation into better and more viable institutions? We would be naive to believe that a favorable answer to this question is pre-ordained. All who care about this university and others, all who appreciate the crucial interdependence of our schools and our society as a whole, all of us are going to have to devote our best efforts to seeing that the right directions are pursued and the right means used in our quest for change.

My own experience with students at B.U. and elsewhere gives me a degree of optimism about the role you and your peers will play in this continuing task. A quarter-century ago Robert Hutchins told the graduating class of the University of Chicago that "The most distressing aspect of the world into which you are going is its indifference to the basic issues, which now, as always, are moral issues." That complaint is still too true today, but I don't think it can be levelled at the generation now emerging from our universities. If you have the stamina to sustain your concern, the wisdom to guide your zeal, the outlook is promising indeed.

The shifts in student behavior have served to focus public attention on the distinctive functions of colleges and universities in our society. Amid the noise and distraction of the current scene it has grown more imperative than ever that we clearly conceive and stoutly protect the academic mission. If we are going to succeed in this necessary and permanent task, the many groups involved—students, faculty, and administrators in the universities, parents, politicians, and others in the general public—are going to have to move beyond the shouting stage and begin a serious, reasoned discussion of the central questions bearing on their mutual relationships.

Now that knowledge and the pursuit of knowledge have become big business, they are increasingly affected, as a lawyer would say, with "a public interest". Now that the identification and achievement of public purposes are increasingly dependent on the manpower and unique capabilities developed by the academic community, the public stake in a healthy system of higher education has grown enormously. Now that the costly burdens of maintaining this system have come to be shared by the public treasury, those directly dependent on the academic institutions have acquired a novel and very mixed bag of problems, including both a need to insure their own independence and a need to elicit continued and growing public support.

The new facts of academic life in America impose new responsibilities on all the parties involved. No one has a pat formula to resolve the dilemmas they raise. To the extent that the confrontations now taking place on many campuses are directed to these large and complex questions, they should be welcomed. An aroused student body can press the public and the academic community itself to deal concretely with these issues.

Today I would like to offer some personal thoughts on a few of the implications which impress me in the altered relationships of academe and society. I speak not as a preacher, but as a pragmatist; not as an annoyed elder, but as an involved official; not as a hostile outsider, but as a friendly beneficiary of American higher education. In all these capacities I am deeply disturbed at the lengths to which some of them have had. Protests and demonstrations can be effective attention-getting devices. They can convey legitimate demands and highlight just grievances in a particularly potent fashion. Unfortunately, we are learning that they can also become vehicles for unworthy purposes, or can be applied with such crude and overbearing techniques that they can actually defeat the worthiest of ends. As Sir Walter Moberly once put it, "An honest intention to fight the Lord's battles is no guarantee against mistaken objectives or illegitimate methods of warfare."

It may date me terribly to cite the Greeks rather than the Existentialists, but I cannot help wondering how some student leaders could be so totally oblivious to the concept of the "golden mean." As a practicing politician, perhaps I am more aware than most that intemperate politics are almost always ineffective politics. To carry an argument to the point where those whom one is petitioning can only respond by appearing to cave in to force or pressure is, in my experience, a sure recipe for failure. Some of the more outrageous student uprisings of recent days seem to me to have gone well beyond the bounds of sensible political action. A number of these incidents have not sought to raise questions but to proclaim answers. The tendency has been not only to demand a role in the collective decision-making of the university at large, but to assert the right to pre-empt key decisions which properly belong to others. This has been true especially with respect to the rights of other students and faculty to carry on the normal processes of university study and teaching.

In my judgment the political result of these kinds of demonstrations, even more than in the case of civil rights protests in the wider society, has been to create the danger of a backlash that could do grave harm to the universities and to the country. The recklessness with which some student leaders have acted is not only unbecoming; it could well breed the most sinister type of reaction against intellectuals and the academic community generally. It can only feed the latent anti-intellectualism which Richard Hofstadter and others have found to be a continuing element in American life and politics.

I would argue that a good many of the present outbursts on campus proceed from a complete misreading of the experience of other protest movements, especially those in the civil rights field. The shrewdest and most influential leaders of civil rights demonstrations have always recognized the delicacy of protest as a political instrument. They have been acutely aware that, if used cavalierly, it is a double-edged weapon which can damage its wielder as much or more than those at whom it is directed. For this reason these men have consistently taken pains to tailor their use of this technique to specific, selected ends whose justice was indisputable. The sit-ins and the freedom rides of some years ago, the historic march on Washington in 1963, the Poor People's campaign now getting under way in the nation's capital, all these undertakings were planned with these principles in mind.

But where protest becomes the rule rather than the exception, its political value is dulled. When many campuses are torn by repeated, calculated disorders, potential sympathy for the particular complaints of individual protesters tends to collapse under the swelling antipathy of a majority who want an end to disruption. Thus, the likelihood grows that the protesters will not only fail in the first instance, but will weaken the utility of the protest mechanism for future application.

This possibility, which I believe is approaching reality in some respects, was well understood by Martin Luther King. The dynamics of campus protest and reaction are parallel to those in society as a whole. If an excess of ardor on the part of protesters discredits the process, orderly protest as well as disorderly protest may be tarred with contempt. If protest hereby becomes futile, social tensions will lose a vital outlet, social cleavages will widen, social animosities will intensify. As this process continues, the angry and the frustrated, whatever the justice of their discontent, will be prone to employ ever more violent means to register their feelings.

But once such a sad sequence has begun that will not be the end of it. It was the genius of Martin Luther King to perceive that, if such a trend persisted, the outcome could only be fatal to the cause of freedom and progress in our country. For it is wholly predictable that the upshot of this kind of development would be a victory for authoritarianism, with society resorting to increasingly stringent measures to preserve order.

Someone once said, and I fear that it may be true, that where the choice for society becomes one between freedom and order, it is freedom that will perish. That thesis has been confirmed in the history of too many other nations for America to dismiss it lightly. I would not for a moment compare the United States to the European states of the nineteen-twenties and thirties, where social fragmentation provoked the fierce oppression of right-wing reaction. There is no group of any consequence in America which espouses a philosophy fairly comparable to the authoritarian doctrines which came to prevail in parts of Europe. The United States is not on the verge, or even remotely in sight of, a possible fascist reaction.

My concern is both more modest and more real. To the extent that the disruption on college campuses becomes a part of wider disruption in our national life, the requirements of social order may come to dominate public debate and attention in this country. And, to put it candidly, I don't believe we can afford to be distracted in this manner from the greater and more urgent human tasks which lie ahead. Order is the first responsibility of government, but it is not the only responsibility, and I think it would be tragic if, at a moment when the interests and capacities of this nation have begun to focus on the lingering social inequities which plague us, we should be drawn into an expensive preoccupation with the problem of public order.

From my vantage point in the Senate it appears to me that far more is at stake in these episodes than the immediate prerogatives of individual protestors or administrators, or the general impressions which other groups hold of them. In the public mind and in the minds of many government officials, campus protests appear as part of a more general pattern of social disintegration. Because of this, they tend to confirm the rising inclinations of many citizens and officials to insist on strong punitive measures to meet such protests.

For example, the recent outbursts at Columbia and elsewhere, though actually irrelevant, have psychologically reinforced the efforts of those who are now waging a campaign for congressional approval of harsh law enforcement legislation, legislation which would reverse a number of the most humane and essential decisions in the history of the Supreme Court. To many of those alarmed by the incidents of recent years, Berkeley and Columbia seem intimately related to Watts and Detroit as symbols of the creeping chaos which threatens society. Leaders of campus demonstrations ought to recognize this effect of their actions. If they do, I doubt that they will consider it a happy result of their endeavors, for it strengthens political forces which seek quite divergent ends from their own. And I, for one, believe this factor deserves some weight in determining what form and content of campus demonstrations are prudent and politically constructive.

When protest as a political technique is abused, it only provides fresh fodder for those who wish an excuse for inaction. They can, and, believe me, they do harp on the theme that to respond affirmatively to the demands of rowdy or disruptive protestors is to reward intimidation, even if they admit that the demands have merit. Few things are better designed to make it difficult for anyone in authority to respond to protests in a conciliatory way than to expose them to charges that doing so is an act of cowardice. Neither college administrators nor public officials are going to relish having their manhood and courage impugned.

Apart from the influence of campus protests on the general political climate of the land, I sense other implications that bear quite directly on the relationships between universities and government. As I have already mentioned, those connections have become closely intertwined in the years since the Second World War. By and large the rising financial assistance by government to the academic community and the increased involvement of academics in matters of public policy have been fortunate and fruitful developments. The federal government, both through its research support and through its direct assistance programs, has become a principal source of necessary funds to colleges and universities. Virtually no center of learning in America could continue to operate effectively if federal support were abruptly withdrawn.

Lately, however, research and development appropriations have leveled off somewhat and some trouble spots have appeared in what was previously a smooth relationship. Considerable resentment has appeared in Congress and elsewhere toward those members of the academic community who have benefitted from public support and who now are so vocal in attacking public policies and public institutions. It is an attitude compounded of many things, resentment at the comparative affluence of modern academics, hostility toward the presumed meddling by scholars in subjects outside their fields of expertise, annoyance that universities do not appear more grateful for the privileged position they occupy in our society. Added to these nettles one now finds growing distress in and out of Congress with what is said to be the antisocial action of colleges and universities in turning out teeming crowds of vociferous protesters, of would-be revolutionaries.

A few years ago one might have smiled at these exaggerated sentiments and dismissed them out of hand. But today one has to contend with the unhappy prospect that they will combine with other pressures to force a cutback in federal support for higher education. If this were actually to happen, I believe the nation would suffer severely. For example, over 65% of the total budget of MIT comes from federal funds. I have noticed in my work on the Senate Space Committee that a comparably high fraction of the Caltech budget comes from the National Aeronautics and Space Administration. If the warm and constructive ties between government and academe went sour, the effects on these and other major research centers would be disastrous.

However much one may condemn the notion of this kind of legislative reprisal, however much one may denounce it as an infringement of academic freedom, the danger is a real one. You all know that the House of Representatives has passed a prohibition on the use of federally-financed loans and scholarships for students involved in a "serious obstruction" of college activity. Other symptoms of rising congressional venom on this score are not yet visible, but they exist. In one of my committees this week we had a strenuous argument concerning a proposal to withhold federal funds from any university which bars military recruiters from its campus. And in a related development only nine members of the Senate voted against an amendment which, by denying federal jobs to rioters, seeks to make the civil service another instrument for punishing those who take part in future disorders. If you find it difficult to see the connection between these seemingly disparate events, I wish you could hear for yourselves the way riots, campus disturbances, the crime problem, and other issues mingle in the conversation of many of my colleagues. We are observing what could become a damaging reaction to disorderly behavior in many fields, including academic life, and the opportunities for political retaliation are numerous.

I am not at all suggesting that events are likely to move in this direction. We are not in eminent danger of an exorbitant reduction in federal funds for higher education. I am only anxious to underline the way in which complex issues interact to affect public policy in this field. Campus protests are not about to cause a severance of these relationships. But indirectly and subtly, they contribute to an environment in which Congress is likely to be less rather than more generous in nourishing the institutions of learning in this country.

On questions such as these no one has the final word. Free men are obliged to make their own judgments on them. Each of us must reach his own faith and proclaim it, not as a binding guide to others but as a commitment of himself. So I do not presume to tell student protesters what they should or should not do. I ask only that they consider the larger political context in which they act and judge for themselves whether their determined efforts to achieve local goals are important enough to jeopardize the other values at stake.

Briefly stated but deeply felt, my own views are that the right to protest is the right to persuade, not the right to paralyze; that the authoritarianism of protest is no better than the authoritarianism of repression; and that the disruption of great universities is a disservice to a free society.

I believe that these principles are in fact shared by the great majority of American college students. I also believe that, even among the minority of student activists who have gone beyond the bounds of peaceful protest, these principles will gain rather than lose strength from the troubled events of recent months. The coercive encounters of these days can and must give way to the cooperative endeavors of tomorrow. Faculty and administration will have to join hands with students in an active collaboration to meet the serious challenges which have arisen to threaten the university. The earnest dialogue now underway on many campuses is a hopeful sign. Administrations whose indifference or conservatism tended to provoke student unrest must now respond constructively to the legitimate grievances voiced by some protesters. Those administrations whose sympathetic and prompt responses to justifiable criticism have maintained harmony and progress provide a model for others to follow. Just as the persistent efforts of students and faculty have been a spur to the campaign for peace in Southeast Asia, so, too, their perserverance can work a resolution in American higher education, a revolution that emphasizes not force, but freedom, not selfish design. but social purpose.

My ambitions for this generation are high and soaring. I greatly admire your candor and your freshness, your personal integrity and your collective talent. I hope that you will continue to do what you do best: Help make the world un-safe for hypocrisy.

GOLD-PLATED SHELL GAME

Mr. FANNIN. Mr. President, often we have been discussing the international monetary problems and what to do about them here in this Chamber. Just last Thursday an interesting fact came to my attention which I think should have a bearing on our discussions and make us more aware of the ease with which supposed facts can be manipulated to give an erroneous impression.

The International Monetary Fund is one of the most cloudy operations existing today. Very few of us have any understanding of how it operates and those of us who have tried to become knowledgeable on international monetary policy, or to keep up with the current status, find that often things are not what they seem.

For instance, although the IMF holdings of member currencies is listed at almost $18 billion, the Wall Street Journal quotes insiders as saying that the amount available for lending is probably closer to about $3 billion. That is a difference of $15 billion and indicates that the IMF is in a much different financial state than one would conclude from the published reports.

In the same story we have a reported instance of double dealing in accounting. The IMF keeps $800 million in gold with the U.S. Treasury as payment for interest earning short term Treasury securities. The IMF can recoup this gold at the time the investments are terminated, that is, the gold is obligated, it is not free and clear. Yet we find that this gold is listed by the U.S. Treasury as part of its gold stock of $10.4 billion.

Mr. President, if anyone goes to a bank and lists as an asset some property which is mortgaged 100 percent, and does not report the mortgage, I should think he could be prosecuted for fraud if he attempted to get a loan on the strength of such an accounting.

Here we are, the Senate of the United States of America, asked to deal with tax matters, international monetary policies, pending revenue and spending problems, and the Treasury of the United States plays a gold-plated shell game in reporting the gold stocks of the United States.

Mr. President, when such matters come to light, I am not surprised that confidence in the dollar appears to be in doubt. My confidence in the candor of the Treasury and of this administration is very doubtful also. I imagine the people feel the same way. I ask unanimous consent that the article to which I have referred be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

IMF Lifts Some Gold Deposited With United States, Reflecting Aid Going to France and England

(By Richard F. Janssen)

Washington.—The International Monetary Fund reclaimed some gold it had deposited in the U.S. Treasury stock, it was learned, underscoring the strains posed by the massive aid the IMF is providing for the currencies of France and England.

While the $17 million in gold withdrawn from the Treasury early this week is small, the action focuses attention on the "cosmetic" nature of the special deposits the IMF has been making for several years; these allow the same gold to be shown in the statistics of both the U.S. and the 107-country IMF.

Most importantly, monetary observers suggest, the willingness of the IMF to advesely affect the U.S. gold statistics shows that it's more worried now about the stability of currencies other than the dollar, and that it's entering a period of squeeze on its own readily available cash.

Although IMF holdings of members' currencies total almost $18 billion, insiders say, the amount of currencies considered suitable for lending probably isn't valued at much more than $3 billion, and the readily usable funds the IMF could borrow from several big countries would buttress this by only another $2 billion or so.

Basically, the IMF lends currencies to countries having a balance-of-payments deficit, which occurs where more money leaves a country than is returned by foreigners in all dealings.

The gold withdrawal, which is expected to show up within a few days as a shrinkage in the U.S. gold stock, was prompted by the IMF's need to spend $182 million of its gold to buy foreign currencies which France drew on Tuesday; the remainder of the $745 million French drawing was available from the IMF's existing stock of currencies of member nations.

The IMF is also said to be withdrawing $3 million of the $44.4 million in gold it has deposited in the British official stock. The deposts in the U.S. and Britain were started in 1966. They were aimed at offsetting the drain caused by small countries buying gold from these two key monetary nations in order to make mandatory payments of gold to the IMF in connection with increases in their quotas, or subscriptions.

The IMF's deposits in the U.S. Treasury totaled $246.9 million as of last Friday. In addition, the IMF since the late 1950s has kept $800 million of its gold with the U.S. Treasury as payment for interest-earning short-term Treasury securities; legally, the IMF can recoup this gold whenever the investments are terminated. The IMF gold deposits and investment allow the Treasury to report a gold stock of about $10.4 billion instead of only the $9.3 billion that the U.S. owns outright.

The original understanding reached in 1965 was that gold deposits would be pulled out only when the fund needed the precious metal in "normal" circumstances. It was agreed last fall that the devaluation of the British pound wasn't normal; therefore, the British drawing of $1.4 billion in various currencies, which was arranged on a "stand-by" basis then and which Britain yesterday said it plans to carry out, was to be implemented without withdrawing any gold deposits, a U.S official said.

Nevertheless, some changes in the British drawing arrangements will have to be made, strategists said. This is because $231 million of French francs was to be part of the package, but the doubts cast on the strength of the franc by the French disorders works against their use. The difference will have to be made up by extra amounts of currencies from other nations. Because U.S. payments deficits have put too many dollars in foreign hands already, it's expected that the U.S. share of $250 million will be raised little, if at all.

The "rejuggling" of the contents of the British drawing, an authority said, means that it won't be forthcoming at least until sometime next week. A prerequisite meeting of the "Group of Ten" key industrial countries that are directly providing part of the funds to be lent by the IMF isn't scheduled to take place until next Tuesday, he explained. The Group of Ten consists of the U.S., Britain, France, Canada, Sweden, Japan, West Germany, Italy, the Netherlands and Belgium.

AGENCY'S PROCEDURE

On the ground that the French drawing was a more or less "normal" operation, it's understood, the IMF decided to implement the previously confidential understanding that when necessary in such instances it would sell identical percentages of gold from its own stock-on-hand ($2.73 billion at the end of April) and from its deposits in the U.S. and U.K. The IMF probably won't resort to gold sales in financing routine drawings of modest amounts by small countries, an expert said, but presumably would sell more gold if such small drawings led to a large cumulative drain.

With the French and British drawings totaling some $2.1 billion, which an analyst said would clearly be a record for any month, strategists are hoping the IMF won't have to cope with any more big demands in the near future. The bulk of the currencies it has on hand are those of big countries having payments-deficit problems, such as the U.S. and the U.K., or of smaller or poorer countries ranging from Afghanistan to Zambia, whose currencies aren't well-established in foreign exchange markets.

While precise figures aren't available, it's authoritatively estimated that the IMF's stock of other currencies with a history of regular successful use in drawings is valued at about $2 billion, and that it has on hand perhaps $1 billion of currencies that sometimes have been useful. Beyond these direct holdings, countries other than the U.S. and U.K. in the Group of Ten are committed to lend the IMF about $2 billion in various currencies on request. Lest the IMF run too low on usable currencies to meet their drawing demands, it's understood, smaller nations have pressed the institution to make the gold sales to acquire more currencies.

"LONDON GOLD POOL"

In another development, the Treasury issued a report showing that several participants in the old "London Gold Pool" bought gold from the U.S. during the first quarter of this year. Prior to the pool's abandonment March 17, the U.S. and six other nations provided gold through it to hold the private market price close to the fixed price of $35 an ounce at which the Treasury deals in gold with other governments.

Previous reports that the other participants were compensating for their pool losses by buying Treasury gold had been vigorously denied by the various governments; an aide yesterday observed, however, that whether some of the purchases were for that purpose or motivated by other reasons depends on "the way you look at it."

Of the six foreign pool participants, only West Germany was notably absent from the list, which showed these net sales to the other five in the first quarter: Italy, $184 million of gold; the Netherlands, $48.5 million; Belgium, $25 million; Switzerland, $25 million, and the U.K., $899.6 million. The U.K. total is in line with previous reports on the gold sent to London as the U.S. share of the operation, but the report left open the possibility that some went separately to the British government. The transactions with the U.K., it said, "include settlements for gold pool operations."

NO AMERICAN SHOULD GO HUNGRY OR UNDERNOURISHED

Mr. YOUNG of Ohio. Mr. President, it is a shocking fact that poor Americans are four times as likely to die before the age of 35 as the average citizen. The effects of poverty begin before birth. Poor women receive prenatal care less often than others. In maternity wards in public hospitals 45 percent of the women have had no prenatal care whatever. This increases by threefold the likelihood of their giving birth prematurely. Mental retardation occurs 10 times more often in very small premature babies than in those born at full term. Negro women in Mississippi and some other States die in childbirth six times as often as white women. In some urban ghettoes in the North one child in 10 dies in infancy. In more affluent communities and in rural America in the Midwest and West infant mortality is very much less. Ten million Americans, mostly children, suffer from chronic hunger or malnutrition. Also, those born in deep poverty too often are the victims of dietary deficiencies that affect development of the brain. By the time these children reach the ages of five or six and attend public schools where they may receive one hot meal a day, the damage is done and is irreversible.

The health gap between the rich and poor is a continuing national disaster. This is an unconscionable situation and must not be permitted in the richest Nation in the world. Every effort must be made by the Congress before adjournment this year to provide all Americans, regardless of their economic status, with an adequate and balanced diet. Otherwise, in tolerating the situation we condemn millions of Americans and thousands of babies born each year to a lifetime of second-class citizenship.

NEW POTENTIAL TO ELIMINATE HUNGER

Mr. PERCY. Mr. President, all of us deeply resent needless waste of human life. Recent studies of hunger and malnutrition in the United States have very dramatically touched that cord of resentment. We are so struck because we find this happening in our country which has the highest agricultural productivity, the most advanced marketing structure, and the finest research in the field of nutrition of any nation in the world.

One scientific breakthrough that contributes to our potential to eliminate hunger is fish protein concentrate. A recent Chicago Tribune article tells the story of the struggle to obtain FDA approval for use of fish flour as a dietary supplement in this country. Senator Paul Douglas was greatly instrumental in that struggle. Due in large part to his efforts we now have an important new tool with which to fight human suffering.

I ask unanimous consent that the article telling the story of VioBin, the Illinois firm that has contributed such important leadership to the mass production of fish flour, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, June 2, 1968]

FISH FLOUR SEEN AS CURE FOR WORLD FAMINE

(By Richard Orr)

(First of two articles describing how protein-rich food from the sea may help solve the world hunger problem.)

MONTICELLO, ILL., June 1.—From a laboratory in a small, unimposing building in this central Illinois town comes a protein-rich seafood product that holds promise for helping solve the vast and complex problem of world hunger.

The product is a fine, light tan powder, tasteless and odorless, that is made by grinding up whole fish—head, viscera, scales, and all. It's called fish protein concentrate, but is more commonly known as fish flour or FPC.

The laboratory is in the plant of VioBin corporation, a privately owned food additive and pharmaceutical firm. Owner, president, and director of research is Ezra Levin, 75, a biochemist who lives in nearby Champaign, Ill.

GROWING TOO FAST

Levin notes that the world population is growing faster than its ability to feed itself adequately. Two-thirds of the world's people inhabit the under-developed countries of Africa, Latin America, and Asia, where hunger and malnutrition are widespread even now.

In the next 15 years, demographers predict, one billion more people will have been added to the world population, four-fifths of them in the regions that already are short of food. By the year 2000, today's population will have doubled to 6 billion.

Levin contends that agriculture alone cannot solve the problem. The world, he says, must turn to the sea, where an abundance of marine life can supply a wealth of nutrition to supplement the protein-deficient diets of hundreds of millions of hungry people.

Fish flour is rich in protein and cheap to produce. VioBin has been producing it for 12 years, and in that time has sold or dispensed free more than 50,000 tons to hospitals, health research centers, and universities for experiment, particularly in the hunger areas.

It was a little more than a year ago that the food and drug administration approved use of FPC for human consumption in the United States. Last December, FPC won approval from a committee of the National Academy of Sciences.

And it was only a month ago that the Agency for International Development granted its first commercial contract for the production of FPC for the food-for-freedom program. The agency ordered $900,000 worth of fish flour from Alpine Marine Protein Industries, Inc., New Bedford, Mass., a company formerly owned by VioBin and now licensed to produce FPC.

OPENS UP THE SEA

"This is the beginning of a much broader development," said Levin. "It opens up the sea to its great potential for feeding the hungry."

The FDA had withheld its approval for six years, first on aesthetic grounds, and later because it said it was not satisfied with the chemical methods used to produce the product. Although FDA approval was not necessary to market FPC for human consumption abroad, other nations were reluctant to build processing plants until the product was approved for use in the United States.

TURNS OUT 6,000 POUNDS DAILY

Also approved by the FDA was a different process for producing FPC, developed by the department of the interior's bureau of commercial fisheries. In March, 1967, Secretary of the Interior Stewart Udall announced the government would build a one-million-dollar pilot plant for the manufacture of fish flour in the Pacific northwest, but construction there has not yet started.

VioBin is producing FPC in its plant here, which turns out 6,000 pounds daily, and through its Massachusetts licensee, which has a capacity of 40,000 pounds every day. Three more plants are planned which will be licensed by VioBin.

Fish flour is not used for human consumption by itself. A small quantity of the concentrate is added to wheat flour or to the processed products of other cereals—such as corn or rice—that go into various foods like bread, cookies, macaroni, noodles, soups, pastries, and confections.

Because its protein content is as high as 80 per cent [double that of milk], 5 to 10 per cent FPC added to any cereal gives a protein quality of the total mixture equal to meat or milk, Levin said.

Fish flour is produced by VioBin in a two-stage process. First, the whole fish is ground up and the oil and water removed by solvent extraction. Then the dried, defatted product is run through another process with alcohol to deodorize it.

Thus far, FDA approval of fish flour for human consumption is limited to its manufacture from hake, a member of the cod family, or hake-like fish. But Levin says the concentrate can be manufactured from any animal life that lives in the sea.

[From the Chicago Tribune, June 3, 1968]

FISH FLOUR IS "FOR THE BIRDS," SOME EXPERTS ASSERT

(By Richard Orr)

(Second of two articles describing how protein-rich food from the sea may help solve the world hunger problem.)

Monticello, Ill., June 2—Not every expert on the subject agrees with Ezra Levin that the answer to the world famine is to be found finally in the sea. There are those who do not agree that agriculture, with all its scientific innovations and techniques, must eventually fail in its ultimate role of serving hungry millions.

But few can claim more dedication to the problem. And certainly few, if any, are more enthusiastic in their devotion to the idea that in the abundance of fish protein lies the eventual solution to the hunger and malnutrition that afflicts two-thirds of the world's population in the under-developed countries of Africa, Latin America, and Asia.

Levin is president and research director of BioVin corporation, a food additive and pharmaceutical firm here. His dedication and enthusiasm are based on 15 years of research and development of a process to manufacture fish protein concentrate, more commonly known as fish flour or FPC.

HOPE LIES IN THE SEA

"I believe the only hope for feeding the world wide famine is in the sea," he said. "The nutritional element primarily lacking in the diet of the malnourished is animal protein, whether meat, fish, eggs, or milk."

After a year-long study of the world food problem, President Johnson's science advisory committee issued a report, which said: "Taken as a whole, the seas contain a tremendous potential for world feeding. Only a few dozen of the 20,000 to 25,000 species of fish are used directly or indirectly as food by man.

"The potential, however, is but the beginning. In order to achieve even a part of this potential, large expenditures of money on boats and equipment to catch and process the fish will be required and this will entail time as well as money."

TWO PROBLEMS REMAIN

"The problem of whether acceptable fish are available off the coast of certain developing countries remains, as does the acceptability of fish in some of these cultures. . . ."

Johnson more than a year ago ordered Secretary of the Interior Stewart Udall to proceed "on an urgent basis" with the development of methods of converting fish protein into a usable source of food for humans. The bureau of commercial fisheries has an approved process, but as yet no plant, for making fish flour.

DEVELOP AN IDEA

Levin has both an approved process and a small plant, as well as a larger licensed plant, which already are in production. Three other licenses are planning construction of plants.

"Our objective is not to own plants, but to develop an idea," he said. "The price of FPC protein, at less than one-half the price of milk protein, is factual and realistic.

"Fifteen years of research and development have made the utilization of the sea for food, live stock feed, industrials, and chemicals an immediate reality. A plant to produce FPC for human and animal use that would be amortized in five years can be erected anywhere in the world where fish are available."

SAUCE FROM SQUID

Levin led a reporter to his laboratory where he poured a dark brown liquid from a vial into a cup, added hot water, and said, "Taste it, it's good." It was good, with a taste similar to strong beef bouillon.

"That's a source we're making experimentally out of squid," Levin explained. "FPC made from squid is good quality protein, not quite as good as fish itself, but better than soybeans and other types of good vegetable protein."

A glass jar contained a sample of dry fish powder made from krill, a species of small shrimp which feed on tiny plants called phytoplankton and which in turn are eaten by whales and other fish.

"Krill can be used for human food, and there are 100 million tons of it available annually," said Levin. "Russian reports indicate that 5 to 10 metric tons of krill can be caught with an ordinary industrial trawl in 30 minutes to an hour.

"Five hundred million tons of fish are available each year to make FPC. This represents a quantity that would fill the needs of the total protein requirement of all the people inhabiting our earth at the end of the century, when there will be 6 billion of us."

Levin believes that fish can provide the food for the "have not" nations so they can survive economically and politically.

He said that not only food, but animal feed, chemicals, industrial products for sale in the world markets, will lift their standards of living, give them foreign exchange, and provide them with dignity and independence.

"If the 'have' nations could help the developing countries produce more food and prevent starvation, we would have the common denominator to bring the world together for a common purpose in a common crisis," Levin said.

COMMENDATION OF J. EDGAR HOOVER

Mr. HRUSKA. Mr. President, I want to take this opportunity to speak a word of thanks to J. Edgar Hoover and the men and women of the FBI. The capture of James Earl Ray, suspected slayer of Martin Luther King, last Saturday brought to a close one of the greatest manhunts in the country.

We all know this man Ray was captured in London, England. He was there only en transit, for he was continually on the move in an effort to avoid the relentless pursuit of the FBI. But no matter how often he moved, how frequently he changed his name, he was never able to shake these highly trained and dedicated men.

They received tremendous assistance from Canadian law enforcement authorities. Thousands upon thousands of passport applications were thoroughly inspected and analyzed for some clue as to the location and the course of flight that might have been taken. A tedious painstaking task; a task seemingly impossible; but nevertheless diligently pursued by many dedicated agents.

All these efforts were not in vain. They culminated in the apprehension of the man who was sought.

I hope the capture of Ray will be a lesson to two classes of people. First, I hope all who might ever consider committing an assassination will realize that law enforcement agencies throughout the free world will do everything possible to bring about their capture. Second, I hope these selfish critics who have accused Mr. Hoover and the FBI of giving less than their best where crimes against civil rights activities are concerned will once and for all realize that their unfounded charges, are preposterous and entirely out of order.

STATUS OF HUMAN RIGHTS TREATIES

Mr. PROXMIRE. Mr. President, it is my sincere hope that the International Year for Human Rights 1968 observance would provide the needed effort for action by this Nation on the human rights conventions.

So far, this has clearly not been recognized. To date, only the Supplementary Convention on Slavery has gained Senate approval. We must break the stalemate involving the Conventions on Forced Labor, Genocide, Freedom of Association, and Political Rights of Women.

Our participation in the small group of the United Nations members that have failed to ratify any of these human rights treaties has become an increasing diplomatic embarrassment. The friends of America cannot understand it. Our enemies certainly exploit it. Our continuing failure to ratify any human rights conventions represents a costly anachronism which we should eliminate as quickly as possible.

An updated statistical table revealing the status of the human rights conventions is herewith presented for examination and I ask that it be inserted into the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

WHAT ACTION OR INACTION BY UNITED STATES ON HUMAN RIGHTS CONVENTIONS

Convention	Date adopted by U.N	Total ratification by U.N. members	Submitted to U.S. Senate by President	Ratified in U.S. Senate
Genocide	1948	71	Yes (1949)	No.
Freedom of Association	1948	74	Yes (1949)	No.
Slavery Supplement	1956	70	Yes (1963)	Yes (Nov. 2, 1967).
Political Rights of Women	1952	54	Yes (1963)	No.
Forced Labor	1957	78	Yes (1963)	No.
Employment Discrimination	1958	59	No	No.
Equal Remuneration	1951	54	No	No.
Discrimination in Education	1960	36	No	No.
Racial Discrimination	1965	14	No	No.

IS THE NEW VIETCONG PROGRAM REALLY NEW?

Mr. DODD. Mr. President, last September the so-called National Liberation Front of South Vietnam—NLFSV—published a new and ostensibly more moderate program. Among other things, it promised general elections, direct and secret ballots, freedom of religion, and freedom of speech, press, assembly, and organization. To implement this program, it called for the setting up of a government of national union.

The program was hailed at the time as an evidence that more moderate elements might now be in control of the Vietcong and that these elements might be disposed to enter into a compromise arrangement with the South Vietnamese Government. To this day, one sees periodic references in newspaper articles to the supposed moderation of the National Liberation Front program.

By way of dealing with such over-the-rainbow speculation, I wish to call the attention of my colleagues to an analysis of the new NLF program written by Mr. Daniel Teodoru, a graduate student at Brooklyn College.

In an effort to find out if there was anything really new in the NLF's so-called new program, Mr. Teodoru submitted it to a paragraph by paragraph comparison with the program put out by the Vietnam Fatherland Front—VNFF—under Ho Chi Minh in 1955.

The result of this comparative analysis is nothing short of startling.

Despite minor differences, the two programs set themselves virtually the same political objectives. Not merely this, but in some cases entire sentences were repeated virtually verbatim.

The program promulgated by Ho Chi Minh's fatherland front in 1955 sought to rally the broadest possible support for the reunification of Vietnam. This essentially political approach was made necessary, as Mr. Teodoru points out, after Moscow vetoed General Giap's plans to invade the South.

The manifesto did not talk about communism. It did not even talk about imperialism. In words carefully chosen for their moderation, the manifesto said:

> In the conception of *broad unity* launched by President Ho Chi Minh, the Fatherland Front will rally all the national democratic and peace loving forces in the country. It will frustrate all the maneuvers aimed at sabotaging peace, at dividing our country. It will build up a peaceful Vietnam unified, independent, democratic, prosperous and strong.

Because it is stalemated militarily today, the National Liberation Front has reached the same conclusion that Ho Chi Minh originally reached in 1955—that victory, if it is to be achieved, will have to be achieved primarily through political means.

The new NLF program has therefore been tailored as a model of moderation—to use its words—"with a view to further broadening the bloc of great national unity."

As Mr. Teodoru rightly points out:

> The new program can only be considered new in that, unlike the NLF's 1961 program, it fully exhibits Hanoi's control over the NLF—even down to the wording of the text.

Let me give you only one example from Mr. Teodoru's comparative tabulation of the text of the Vietnam fatherland front program of 1955 and the text of the new NLF program for 1967.

In the 1955 program the section on "proposed government" said:

> A National Assembly to be elected by free, general elections . . . Electoral procedure to be based on universal suffrage equal, direct and secret ballot.

The parallel section of the NLF's new 1967 program is worded in these virtually identical terms:

> To hold free general elections to elect the National Assembly in a really democratic way in accordance with the principle of universal, equal direct suffrage and secret ballot.

Let there be no mistake about the so-called new program of the NLF. It is not really new. It is simply the old Ho Chi Minh "democratic" boobytrap, slightly restyled to fit changed circumstances.

Mr. President, I hope that Senators will find the time to study Mr. Teodoru's comparative analysis, and I therefore ask the unanimous consent to insert it into the RECORD at this point.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ON THE "NEW" PROGRAMME OF THE NLF

("Any realistic appraisal of the present possibilities for peace must take into consideration the whole sweep of events in Vietnam since the end of the Second World War."—ROBERT SHAPLEN.)

(By Daniel E. Teodoru)

On September 2, 1955 Ho Chi Minh declared, "We are ready to unite with whoever from North to South approves of peace, unity, independence and democracy regardless of with whom they collaborated in the past." On September 10, 1955 the Vietnam Fatherland Front (VNFF) came into existence to serve that very purpose. Its task, according to its Manifesto, was, "In the conception of *broad unity* launched by President Ho Chi Minh, the Fatherland Front will rally all the national democratic and peace loving forces in the country. It will frustrate all the maneuvers aimed at sabotaging peace, at dividing our country. It will build up a peaceful Viet Nam unified, independent, democratic, prosperous and strong."[1] It also claimed that, "its members belong to different social strata and represent the most diverse political tendencies."

This program came at a time when, after Moscow had vetoed General Vo Nguyen Giap's plans to invade the South for refusing to hold nation-wide elections to unify Vietnam as allegedly promised at Geneva in 1954,[2] the Lao Dong Party realized that it would have to resort to political means in order to take over the south. Hanoi had also realized that the cause of anti-colonialism could not serve to rally the people against the Diem regime. Indeed, even Ho Chi Minh had to admit that, "After all, Diem is a patriot after his own fashion."[3] This is why Hanoi dissolved the the Vietnam Association for National Unity (Lien-Viet Front) which was geared towards "unity" to fight "colonialism" and created the Vietnam Fatherland Front (VNFF) geared toward "unity" to fight for "reunification" of Vietnam. But the war-weary and suspicious Southerners had neither any great love for the Northerners nor any great desire to go to war for reunification.[4]

Realizing this, in December 1960, Hanoi created the bogus National Liberation Front of South Vietnam (NLFSV) which was claimed to be "totally southern in character" and fighting only for *Southern* "independence and democracy." It played down reunification and concentrated on exploiting the "evils of the My-Diem dictatorship" in Saigon. With the demise of Diem in 1963 and the subsequent involvement of the United States in 1965, the NLFSV had first (in 1963) lost its basic cause (anti-Diemism) and subsequently (in 1965) lost what looked like near victory. Today stalemated militarily and convinced of its inability to win by force, the NLFSV has, as Hanoi had in 1955, realized that victory can only come through political means. Observing that its "violence program"[5] is not bringing about victory the NLFSV has concentrated on promoting the same kind of "broad unity" that the VNFF program sought in order to obtain victory politically rather than militarily. As the preface to the so-called "new" program states, "At this juncture . . . the NLFSV has worked out this Political Program *with a view to further broadening the bloc of great national union* and stimulating the entire people to rush forward."[6]

The program was designed to draw in all the dissident non-communist factions. Obviously, the timing of its appearance—one month before the Presidential elections—was designed to fully exploit the controversies of the period and to offer a political alternative to the losers of the election just as the VNFF program—also appearing one month before the people of South Vietnam were to choose between Diem and Bao Dai—was aimed at providing an alternative to the inevitable winner, Diem.

Despite the glaring similarity between the 1955 VNFF and the 1967 NLFSV programs, both in terms of timing and manifest intents, many otherwise mature Vietnam journalists and scholars claim to find something "new" in the so-called "New" NLFSV program. However, a comparison of the two documents on their major propositions shows an amazing similarity, even down to the wording. Parts quoted from both texts below, when examined against their historical backgrounds, I hope will clearly show that there is nothing new about the new NLFSV program and that it is rather a demonstration of Hanoi's rigidity and inability to escape its methods of the past. The new program can only be considered new in that, unlike the NLF's 1961 program, it fully exhibits Hanoi's control of the NLFSV—even down to the wording of the text.

---

[1] Vietnam Fatherland Front. Resolutions, Manifesto, Program and Statutes. Hanoi: Foreign Language Press, 1956.

[2] Brian Crozier, "Southeast Asia and Communist Subversion," in S. Ray (ed.) "Vietnam: Seen From East and West." New York: F. A. Praeger, 1966.

[3] Jean Lacouture, "Vietnam: Between Two Truces." New York: Random House, 1966.

[4] Philippe Devillers, "The Struggle for the Unification of Vietnam," *China Quarterly*, October–December 1962.

[5] Douglas Pike, "How Strong is the NLF?", *The Reporter*, Feb. 24, 1966.

[6] "Political Program of the South Vietnam National Front for Liberation," *Vietnam Courrier*, September 7, 1967.

PROGRAM OF THE VNFF, 1955	PROGRAM OF TH NLFSV, 1967
Proposed government and legislature	
A National Assembly to be elected by free. general elections . . . Electoral procedure to be based on universal suffrage equal, direct and secret ballot . . . (National Assembly) to be the supreme lawmaking body of the State. It will work out a new Constitution for the whole country. Parliamentary privileges of all members of the National Assembly, including the opposition, to be effectively guaranteed . . . The formation of a coalition government to be aimed at reinforcing the unity between political parties, social classes, the various nationalities and religions in Vietnam.	To hold the free general elections to elect the National Assembly in a really democratic way in accordance with the principle of universal, equal direct suffrage and secret ballot. This National Assembly will be the State body with the highest authority in South Vietnam; it will work out a democratic constitution . . . to guarantee the immunity of the deputies to the National Assembly . . . To set up a national union democratic government incuding the most representative persons among the various social strata, nationalities, religious communities, patriotic parties, patriotic personalities and forces, which have contributed to the cause of national liberation.
Civil liberties	
The Vietnamese people to have the right of freedom of religious beliefs, of speech, press, assembly, organization (political and other), residence, movement, correspondence, etc.	To proclaim and enforce broad democratic freedoms: freedom of speech, freedom of the press and publication, freedom of assembly, trade unions freedom, freedom of association, freedom to form political parties, freedom of creed, freedom of demonstration . . . freedom of residence and lodging, secrecy of corespondence, freedom of movement.
National economy	
To repair the ravages of war and improve the life of the people, the national economy to be restored . . . in order gradually to raise Vietnam from an economically backward country to an advanced industrial country, prosperious and strong. . . . Private industry and commerce to be protected. . . . Restoration and development of private industrial and commercial enterprises useful to the State economy and the people's livelihood to be encouraged.	To build an independent and self-supporting economy. To rapidly heal the wounds of war, to restore and develop the economy so as to make the people rich and the country powerful. . . To protect the right to enforce freedom of enterprises to the benefit of national construction and the people's welfare.
Land reform	
Land reform to be carried out through purchases by the State at a fair and reasonable price, of land belonging to landlords who hold above a certain amount.	The State will negotiate the purchase of land from landlords who possess land upward of a certain amount.
Foreign relations	
Diplomatic relations to be established and maintained with any country in the world on the basis of the five following principles: mutual respect for national sovereignty and territorial integrity, non-aggression, and non-interference in internal affairs, equality and mutual benefit, peaceful coexistence. Non-adherence to any military bloc.	To establish diplomatic relations with all countries regardless of their social and political system on the principles of mutual respect for each other's independence, sovereignty and territorial integrity, without infringement upon each other's territory, without interference in each other's internal affairs, equality, mutual benefits and peaceful coexistence . . . to join no military alliance.

In a recent article Hoc Tap, the official journal of the Lao Dong (Vietnam Communist Party) boasted of the Party's victories since the creation of the Indo-Chinese Communist Party in 1930. (Interestingly, it also listed the NLFSV as the product of its handicraft.) Its major tactic for victory was that it, "cleverly took advantage of the regional and temporary contradictions of the enemy to sow division among them . . . it united with anyone who could be united and won over."[7] Such flexibility is exhibited in the "New" program of the NLFSV. Those of us who naively take it at face value have no excuse. Hanoi has openly warned us of its deceptive willingness to momentarily unite with anyone whenever advantageous toward its end—Communization of all Vietnam.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATIONS ACT, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Assistant Legislative Clerk. A bill (H.R. 15856) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, without losing my right to the floor, I yield to the Senator from Alabama [Mr. Hill].

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. HILL. Mr. President, I wish to make a few remarks that I hope will help keep the space program in a proper and favorable perspective.

The essence of the space program is probing into the unknown. When man probes the unknown, he often comes up with findings of value.

Until the U.S. space program got underway, the moon, the stars, and the planets were largely unknown, except for what we had learned from earth-based telescopes and theoretical speculation. It was important for us to investigate these other bodies in outer space. Information about our solar system, our own environment, is something we simply should and must have; not just to satisfy scientific curiosity; not just to keep a researcher busy in a university laboratory, but because the degeneration of life on another planet or the possibility of yet-unborn life on another can be of vital importance to us here on earth. The composition of the moon, its history and its geologic processes, can tell us much about our own past and future.

In a mood of apprehension following sputnik, but also with a spirit of enthusiasm among those who understood what space exploration could mean, Congress launched our space program 10 years ago. We are all familiar with the spectacular accomplishments achieved since then.

Let me briefly describe two lesser known but very significant byproducts of our space program in the field of medicine—byproducts which could help us find the cure to cancer. One leads to early detection; the other indicates a much improved method of cancer therapy. And I might add that while I shall dwell on only these two, there are many other medical byproducts of our space program.

When the United States was receiving the first close-up pictures of the Moon and the planet Mars from its Ranger and Mariner spacecraft, NASA scientists were already at work on a means of improving the quality of these photographs. It developed that computerized processing of the video signals could produce much sharper and clearer images. The tremendous possibilities for other applications—for example, X-ray photographs—were immediately apparent. The National Institutes of Health was so impressed that they are arranging to support further development of this breakthrough at NASA's Jet Propulsion Laboratory in Pasadena, Calif. Already, I am told, some lung X-ray photographs that showed no cancer after normal processing methods have indeed detected cancers under the enhancement process developed in the space program.

---

[7] "Let Us Step Up the Theory of Formulating Task of the Party," *Hoc Tap*, September 1966.

I turn now to the other exciting discovery in this field. NASA has orbited a satellite known as Biosatellite. It carried certain experiments concerned with the combined effect of radiation and weightlessness on certain plants and various forms of living tissues. Biologists are greatly interested in the results from the experiments aboard Biosatellite II, which was orbited in the period of September 7 to 9, 1967. The experiments show that in some cases radiation has a greater effect on organisms that are affected by gravity. The greatest effects of radiation in weightlessness were observed in rapidly growing tissues. Scientists tell us that the primary example of rapidly growing tissue in human beings is the cancer cell. The reason that radiation dosage is therapeutic is that it affects the cancer more than it does the surrounding tissue. If future flights of the NASA Biosatellite determine that human cells react the way the relatively simple experiments on Biosatellite II did, the conclusions will be fairly obvious. If weightlesseness can be simulated here on earth—and doctors believe it can be—effective use of the increased radiation effect could be made in the treatment of cancer.

NASA itself has been reluctant to claim such therapeutic values from its Biosatellite experiments. More research must be done. But let me quote from the March 11, 1968, issue of the Journal of the American Medical Association, which, in an article entitled "Biosatellite Data Suggest New Mode of Radiation Therapy," said, in part:

> Weightlessness in the spacecraft appeared to enhance the effects of an on-board radiation source from 10% to 400%.
>
> "We already know that various extracellular influences, such as hyperbaria, modify the radiation sensitivity of certain cells," commented Shields Warren, M.D., of Boston. "Should weightlessness prove of importance, we will seriously have to consider cheap and practical ways to achieve this effect."

Dr. Warren went on to say that there are earthbound methods of simulating weightlessness, such as the giant centrifuge or the clinostat.

Mr. President, I have cited these two remarkable advances in medical sciences for only one reason. I could cite countless more—about the hope of microminiaturization, about the promise offered by electronic sensors so small they can be injected into a person's bloodstream, about many other discoveries made in the space program both in manned and unmanned space flights. My reason for bringing these to the attention of the Senate is to endeavor to show that the space program for which we are asked to appropriate sizable sums of money is not just a trip to the moon. It is a carefully thought-out program to advance the frontiers of science, to investigate the unknown much as Columbus did, to expand the walls of the tiny little room mankind lives in. It is, in the final analysis, man's attempt to learn more about himself and his environment. This program should not be impeded; it should not be shelved. I would remind my colleagues that when Faraday appeared before the British Parliament to explain his discoveries in the field of electricity, the Members of Parliament asked him what his research would produce, specifically. He said, "I cannot say, but some day you will tax it."

Mr. President, I ask unanimous consent that the article from the March 11, 1968, issue of the Journal of the American Medical Association, to which I previously referred, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Biosatellite Data Suggest New Mode of Radiation Therapy

Early last fall a United States spacecraft made 30 trips around earth with a passenger list more diverse than any Mother Goose ever collected. Preliminary results from Biosatellite II now indicate the potpourri of travelers contributed mightily to biological science.

More of a surprise is the possibility, yet unconfirmed, that the trip revealed a new mode of radiation therapy.

Weightlessness in the spacecraft appeared to enhance the effects of an on-board radiation source from 10% to 400%, a recent Washington conference was told.

The increased radiation effect was most evident in "young, rapidly-dividing cells, or in active reproductive cells," according to the National Aeronautics and Space Administration. Among the most effected of Biosatellite II's passengers were developing flour beetles and vinegar gnat (fruit fly) larvae.

"We already know that various extracellular influences, such as hyperbaria, modify the radiation sensitivity of certain cells," commented Shields Warren, MD, of Boston. "Should weightlessness prove of importance, we will seriously have to consider cheap and practical ways to achieve this effect."

There are earth-bound methods for achieving weightlessness, added Dr. Warren, director of laboratories at New England Deaconess Hospital. The giant centrifuge long has been used in motion sickness research. The clinostat apparently achieves a weightless effect on laboratory samples.

Russian scientists recently orbited cultures of both normal and malignant human cells. "We are eager to hear if they found any differences in the radiation effect," said Dr. Warren, who is also professor emeritus of pathology, Harvard Medical School. Contrary to the effect of hyperbaria, the impact of weightlessness may not be as selective.

Further experiments must rule out other space flight factors—including vibration, acceleration, and shock—to confirm weightlessness's synergism with radiation. Ground simulations of Biosatellite II's flight begin this month at the Ames Research Center, Moffett Field, Calif.

Even now "these data are hard to brush off," said Kenneth V. Thimann, Ph. D. University of California biologist. "I would currently regard the potentiating effect as an empirical fact." Dr. Thimann, who is also provost of California's Crown College at Santa Cruz, chaired the recent Biosatellite II symposium. It was co-sponsored by the National Academy of Sciences Space Science Board and NASA.

There were 13 experiments aboard the space capsule, which was orbited Sept. 7–9, 1967. Only seven were exposed to the gamma rays on the on-board source of Strontium 85. These included preparations of latent-virus carrying lysogenic bacteria, neurospora, parasite wasps, vinegar gnats, flour beetles, and the blue wildflower, *Tradescantia*.

Shielded from radiation during flight were samples of amoeba, frog eggs, wheat seedlings, and pepper plant.

All experiments were conducted in-flight by automation. The Sr 85 was "unveiled" after lift-off and sealed 42 hours later, just before the descending satellite re-entered earth's atmosphere. An Air Force plane plucked the parachuting capsule out of the sky over the ocean off Australia.

Among radiation effects reported were increased gene and chromosome damage to both adult vinegar gnats and their offspring. Recessive lethal mutations occurred in 5.1% of irradiated flight cells, compared to 3.3% of those exposed to the same dose on the ground, a Rice University scientist said. One stress-sensitive mutation, shortened wings, was at least three times more frequent in the orbited sperm cells, noted Luolin S. Browning, Ph. D.

Double the control groups number of lethal mutations in developing flour beetles, who received 1,350 roentgens before flight and another 950 R in orbit, were observed in a University of California experiment. About 45% of the beetles irradiated while weightless developed a wing abnormality, compared to 30% of ground controls receiving a similar dose, reported John V. Slater, Ph. D., and colleagues.

In contrast, weightlessness did not produce increased mutations in *Tradescantia*, said Arnold H. Sparrow, Ph. D. But increased cell death, pollen abortion, and other effects did appear post-flight in the Brookhaven National Laboratory specimens.

Other irradiated material, such as the neurospora, showed no evidence of enhanced damage under weightlessness.

The scientists have asked NASA to add an additional mission to the biosatellite program to confirm current data.

At least four other biolsatellites will be launched in the effort to learn more about the effects of prolonged space travel. Most ambitious of the projected flights is a 30-day mission, which will carry non-human primates, monitored for changes in metabolism, cardiovascular and brain function, and bone density.

Mr. ANDERSON. Mr. President, we have before us today H.R. 15856, to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1969 for research and development, construction of facilities, and administrative operations, and for other purposes. Mr. President, at this time I would like to thank the senior Senator from Maine [Mrs. Smith] for her many contributions to the work of the committee during our consideration of this authorization request.

This is the 11th annual budget for the National Aeronautics and Space Administration. The Administration requested an authorization of $4,370,400,000, an amount almost $500 million below that authorized by the Congress for the current fiscal year. A large part of this reduced request is accounted for by the maturity of the Apollo program and the fact that it has passed its funding peak. Nevertheless, the committee, in reviewing the request, has been most cognizant of the need to carefully scrutinize every program for its necessity, for its contribution to the national space effort, and for its reasonableness in order to recommend the minimum amount necessary and thereby be consistent with the need for fiscal austerity. In view of the fact that a majority of the National Aeronautics and Space Administration programs are not new but rather are well into the hardware and flight stages, it becomes extremely difficult to make large reductions without seriously impairing programs in which the Nation has already invested substantial sums of money and from which a return on investment is about to be realized. There is also the necessity to make modest provision for programs which will be important to the Nation in the future because in my view science and technology will continue to assume an increasingly important role in the Nation's future well-being. Therefore, even in these times of financial stringency, I believe it is important to undertake those developments which will not only assure preeminence of this Nation in space but will also contribute to the national wealth of science and technology. It is these considerations that underlie the recommendations in this bill and also the considerations which have made it extremely difficult for the committee to make certain choices which had to be made out of fiscal considerations.

This bill contains $3,475,400 for NASA's research and development programs, an amount $201.8 million less than requested; $39.6 million for the construction of facilities program, a reduction of $5.4 million from the budget request; and finally, $635,560,000 for administrative operations, a cut of $12.64 million. In summary, the total of these three appropriations categories of $4,150,560,000 represents a reduction of $219,840,000 from the NASA budget request of $4,370,400,000. Based upon the considerations which I just mentioned the committee has effected reductions in every research and development program to a greater or lesser degree.

As I also noted, this action is most difficult because of the advanced stage of many of the programs and because of our reluctance to cut those advanced research and technology programs which we believe are building our technical strength for the future. In the construction of facilities program your committee is recommending approval of only those projects for which it deemed a pressing need existed to initiate construction activity this year. Accordingly, the committee is recommending deferral of two projects totaling $3.4 million which, in its judgment, could be delayed without seriously impairing the programs they were designed to support. In addition, a $2-million cut was made in advanced facility planning funds. The administrative operations—AO—reduction of $12.64 million for fiscal year 1969 was taken against the background of a $31 million overall reduction made in this appropriation category during fiscal year 1968 as a result of congressional action last year. During fiscal year 1968 substantial reductions were made in the supporting items of expense and it was also necessary to effect a net reduction of approximately 1,300 permanent positions for NASA personnel. It is this situation which gave us quite some concern in recommending further reductions since about 68 percent of this category is represented by personnel salaries and since extensive reductions in what are essentially fixed changes at the centers have been made previously. Accordingly, any substantial reduction in NASA's fiscal year 1969 AO budget request would of necessity result in a large reduction in NASA personnel. Proceeding one step further, it became apparent that large numbers of personnel cannot be taken from the Kennedy Space Center, the Manned Spacecraft Center, or the Goddard Space Flight Center because of the large-scale Apollo flight operations scheduled for fiscal year 1969. Undoubtedly, then, any substantial cut in administrative operations would have to be assessed against the NASA research centers which are the foundations of NASA and are building the base for our future in aeronautics and space.

REVIEW OF PAST YEAR

You will recall that in January 1967, the program suffered a major setback in the Apollo 204 spacecraft fire at the Kennedy Space Center which cost the lives of three astronauts and required a complete reexamination of the spacecraft and many other aspects of the space program. Today I believe there is substantial evidence that the program has great technical strength as shown by its ability to recover from this tragic event and regain momentum, and also by the many significant accomplishments of the past year, a few of which I will briefly mention.

On August 1, 1967, NASA completed the Lunar Orbiter program with its fifth successful flight of a five-flight program. This has enabled NASA scientists to make a detailed photographic map of the moon. A complementary lunar program, Surveyor, might be said to have had an equally good record because of the complexity of the mission assigned to this spacecraft. The Surveyor program, involving the landing of an unmanned spacecraft on the lunar surface, taking and transmitting television pictures to the earth, excavating soil samples and sampling the chemical composition of the lunar soil, was completed in January of 1968, with a success record of five out of seven flights.

In the planetary area, the Mariner V spacecraft, launched June 14, 1967, made a successful encounter with the planet Venus on October 19, 1967, and returned additional data on that planet.

In the earth orbital environment the third advanced technology satellite returned the first continuous weather pictures of the earth in color in November 1967.

In the field of aeronautics where NASA has a fine history of performance in fundamental research, a new world speed record was set by the X–15 aircraft.

A moment ago I referred to the technical strength developed in NASA. I believe this is evidenced by the first flight of the Saturn V launch vehicle in an "all up" systems test on November 9, 1967. This was the first flight of the S–1C first stage; it was the first flight of the S–II second stage; and it was an almost perfect flight in every respect including the performance and recovery of the Apollo spacecraft which was launched at that time. This was followed on January 22, 1968, with the first flight of the lunar module on a Saturn 1B launch vehicle. Although there was an instrumentation malfunction which did not permit engine exercise as originally planned, it has been the judgment of NASA engineers that the total systems performance of this spacecraft was the best on its first flight of any which NASA had launched.

On April 4, 1968, the second Saturn V was launched for a second unmanned vehicle qualification flight similar to that of the November flight. During this flight engine malfunctions were experienced in the second and third stages and yet the system responded in such a way that the vehicle achieved orbit and would not have presented any danger to an astronaut crew if they had been aboard.

I suggest that this is a fine demonstration of the systems which have been developed in this program. Further, the instrumentation for the flight and the performance data obtained provide a basis for NASA technical personnel to analyze the malfunctions, determine the necessary corrective action, initiate that action, and be in a position to recommend to the Administrator that the next flight of this vehicle can be manned.

In carrying out its responsibility for supporting other organizations NASA launched three communications satellites for the Communications Satellite Corporation and three weather satellites for the Environmental Science Services Administration in 1967. In this regard I would like to point out that communications satellites and the weather satellites represent two of the earliest, and perhaps most successful and meaningful to the layman, applications of space technology to improve the conduct of our day-to-day business.

Finally, I believe that the extensive review of the design of the Apollo spacecraft and of the program management undertaken as a result of the Apollo 204 fire has had the effect of converting this unfortunate experience into the building of a much safer and better spacecraft, and also assuring a more effective program overall.

Mr. President, I ask unanimous consent to have printed in the RECORD a summary showing the NASA authorization request, the action of the House in passing H.R. 15856, and the actions of your committee as set forth in H.R. 15856, as amended.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF ACTION OF SENATE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES ON S. 2918

	Budget request	House action	Senate committee action
Research and development:			
Apollo	$2,038,800,000	$2,025,000,000	$2,025,000,000
Apollo applications	439,600,000	253,200,000	350,000,000
Advanced missions	5,000,000	2,500,000	2,500,000
Physics and astronomy	141,900,000	138,150,000	136,900,000
Lunar and planetary exploration	107,300,000	102,400,000	92,300,000
Bioscience	48,500,000	33,300,000	39,300,000
Space applications	11,2200,000	112,200,000	98,700,000
Launch vehicle procurement	128,300,000	115,700,000	117,700,000
Sustaining university program	10,000,000	10,000,000	9,000,000
Space vehicle systems	35,300,000	35,300,000	31,800,000
Electronic systems	39,400,000	39,400,000	35,500,000
Human factor sytems	21,700,000	21,700,000	19,700,000
Basic research	22,000,000	22,000,000	21,000,000
Space power and electric propulsion systems	44,800,000	42,300,000	42,300,000
Nuclear rockets	60,000,000	11,700,000	55,000,000
Chemical propulsion	36,700,000	36,700,000	30,200,000
Aeronautical vehicles	76,900,000	77,900,000	74,900,000
Research and development—Continued			
Tracking and data acquisition	$304,800,000	$299,800,000	$289,800,000
Technology utilization	4,000,000	4,000,000	3,800,000
Total	3,677,200,000	3,383,250,000	3,475,400,000
Construction of facilities:			
Ames Research Center	386,000	386,000	386,000
John F. Kennedy Space Center	13,909,000	13,909,000	12,109,000
Manned Spacecraft Center	3,100,000	3,100,000	1,500,000
Michoud Assembly Facility	400,000	400,000	400,000
Wallops Station	500,000	500,000	500,000
Various locations	23,705,000	23,705,000	23,705,000
Facility planning and design	3,000,000	3,000,000	1,000,000
Total	45,000,000	45,000,000	39,600,000
Administrative operations	648,200,000	603,173,000	635,560,000
Grand total	4,370,400,000	4,031,423,000	4,150,560,000

Mr. ANDERSON. Mr. President, your committee is recommending $3,475,400,000 for research and development, $39.6 million for the construction of facilities, and $635,560,000 for administrative operations. These amounts, totaling $4,150,560,000, represent an amount $119,137,000 above the House action on H.R. 15856 and an amount $219,840,000 below the NASA request.

The recommended amount of $3,475,400,000 for research and development is $201.8 million below the NASA request and $92,150,000 above the amount approved by the House. Of the $3,475,400,000 for research and development, $2,377,500,000 is recommended for manned space flight activities, the major amount of which—$2,025,000,000—is for the Apollo program. This amount has been reduced $13.8 million by the House and by your committee and as herein recommended, is approximately $500,000,000 less than the fiscal year 1968 operating plan. As I have already stated, the Apollo program has been very carefully examined by NASA in the months following the Apollo 204 fire. As a result, contractual adjustments were made to bring the many elements of the program into balance with the new flight schedules which had to be established for Apollo and also to reduce the funding requirements to the extent possible during fiscal year 1968. From its review your committee is convinced that the Apollo program request has been closely estimated by the agency and that it warrants the support of the Congress essentially as presented. However, to encourage the utmost in austerity your committee is recommending a $13.8 million cut.

A reduction of $89.6 million in the NASA request, to $350 million, is being recommended for the Apollo applications program which was recommended initially by your committee and accepted by the Senate last year. It is this program that will utilize the knowledge, the launch vehicles and space flight hardware, facilities, and the manned space flight techniques developed in the Apollo program to maintain the preeminence of this Nation in manned space flight. As a result of reductions made by the Congress in this program last year—principally due to the belief that the then current problems in the Apollo program should be resolved before moving forward—this program was reexamined, and schedules and mission plans completely reoriented to conduct the program at a lesser pace and yet maintain the basic capability to move forward. These changes established that Apollo applications flights would not be flown until after the lunar landing was achieved. Accordingly, it is the judgment of your committee that the program presented by NASA this year is well thought out and, most important, that the program is an essential ingredient to the future manned space flight capability of this Nation and consequently should be supported even during this period of fiscal austerity. In order to meet these objectives, your committee has cut $89.6 million from this program believing that the remaining amount is adequate to support a viable continuing manned space flight program although NASA may find it necessary to make selected adjustments within the program in order to remain within the recommended amount. The House has cut this program $186.4 million, $96.8 million more than the reduction made by your committee. It is the judgment of your committee that the House cut is most severe and that it would not permit NASA to proceed with any program like that which was presented. In fact, it would require a major reorientation and in your committee's belief this would not fulfill the objectives of assuring an ongoing capability for the Nation's manned space program.

In those programs of the Office of Space Science and Applications, your committee believes that the plans presented were basically sound and that NASA should be authorized to proceed; however, in accordance with the committee's expressed concern for austerity, reductions totaling $53.3 million were assessed against the five programs. The committee reserves to NASA the apportionment of each cut within each program. The lunar and planetary program within the space science group is recommended at $92.3 million, a reduction of $15 million below the NASA request and about $10 million below the House amount. The lunar and planetary exploration program area includes the successful completion in fiscal year 1968 of the Surveyor program, the lunar orbiter program and the Mariner-Venus program which I have already discussed. These completions are reflected in a budget request $33 million below the fiscal year 1968 level. In addition to continuing the Mariner-Mars 1969 flyby program previously approved, NASA is proposing a two-flight Mariner-Mars 1971 orbiter program and a two-flight Titan-Mars 1973 orbiter/lander program. These proposals result from congressional rejection of the more sophisticated, more expensive, and larger payload Mars-Voyager project presented in fiscal year 1968. The program which NASA is now presenting, in the judgment of your committee, is an orderly step-by-step approach to planetary exploration which can be accomplished much more economically and yet return the fundamental data about this planet which many scientists feel may have an important relationship to the understanding of phenomena taking place on the earth itself.

Your committee reluctantly imposed a $13.5 million cut against the space applications program in the interest of fiscal austerity. This amount is equivalent to the increase in supporting research and technology proposed for fiscal year 1969 above that planned for fiscal year 1968. This action by your committee should not be interpreted in any way as lack of support for this program which has produced highly successful spin-offs in communications and weather satellites. Rather, it was believed that the increase requested in supporting research and technology could be deferred without harm to the several development projects in this program which are fully supported.

A cut of $10.6 million was assessed against the launch vehicle procurement program which supports the space science and applications missions with the belief that planning efficiencies could absorb this reduction. Similarly, a $9.2 cut was made in the bioscience program.

Your committee is recommending $310,400,000 for the NASA programs in advanced research and technology. This is a cut of $26.4 million from the NASA request and an increase of $23.4 million above the House bill. The overall cut of $26.4 million is distributed over eight programs which are oriented toward advanced research involving scientific and technical effort rather than toward flight programs involving flight hardware which tends to dominate manned space flight, for example. It is these programs which your committee feels are vital to laying the groundwork to assure a continuing strength in space and aeronautics in the future and, in so doing, contribute significantly to increasing the technological base of the Nation as a whole.

The advanced research and technology program grouping includes a line item recommendation of $55 million for for the nuclear rockets program, $5 million less than requested. This is a program which has been underway for several years and has made great progress in its technology phase now nearing completion. In fact, the performance goals of reactor output and run duration have been successfully demonstrated and leave no doubt in the minds of the knowledgeable scientists and engineers that the technology is in hand to proceed with the development of a flight engine. This engine, in the 75,000-pound thrust category, would be used on the third stage of the Saturn V launch vehicle and, in addition to greatly enhancing the space propulsion capability of this vehicle, would have the added advantage of extending the useful life of the Saturn V vehicle itself. Possibly the most cogent point that could be made about the NERVA engine program is that it represents the only large thrust, high efficiency space propulsion system signifying a great stride forward in propulsion capability, which is under development in this Nation today. Only by following through with this development will the Nation be in a position to have the propulsion capability to do the things in space it may elect to do in the late 1970's. In this regard the NERVA engine development is characterized by a long leadtime which makes it necessary that the formal development be initiated this year.

In addition to the space nuclear propulsion capability this development will provide the Nation, this project presents a technical challenge and a focal point for scientific and engineering effort that will immeasurably contribute to the Nation's technological base. As this point I would like to include in the RECORD four points made by Mr. James E. Webb, Administrator of NASA, in testifying in support of this program. I think they are most pertinent to the matter under discussion:

> First, during the second decade of the space age we will undoubtedly find that there are important civil or military requirements for space vehicles and missions requiring nuclear propulsion or for which it will provide decisive advantages.
>
> Second, as in other fields of advanced technology, the Nation should not shortsightedly cut off or constrain the development of new technology of great promise because specific requirements or applications cannot be clearly identified and justified in advance.
>
> Third, it is very important that we move ahead with nuclear rocket engine development in fiscal year 1968 and fiscal year 1969 to give a clear signal that the United States does not intend to limit its development of large launch vehicle and payload capabilities to those of the Saturn V class space booster.
>
> Fourth, it is important to proceed with the development of a nuclear rocket engine at this time to serve as a central focus for a continuing advance in the nuclear and other technologies involved. We may well find over the next half dozen years important benefits and applications in other fields coming out of the work on nuclear propulsion, so much of which is at the most advanced boundaries of our current knowledge and technology.

For the reasons I have outlined, I believe that the committee is most judicious in recommending $55 million for this program—after a cut of $5 million to assure the utmost efficiency in program management—which is in sharp contrast to the $11.7 million recommended by the House. The $11.7 million will not permit the test firing of technology program engines already constructed and will not even cover the costs of terminating the program, let alone support a continuation into the NERVA engine development phase. I have long been a supporter of atomic energy and the projects which have grown from this great discovery. I think there is ample evidence today of the great benefits this country has already derived from the use of nuclear energy, and I have every conviction that this source of energy will play a vital role in the space efforts of the future. During our hearings on the fiscal year 1969 NASA authorization request the committee devoted 3 days to this program, taking testimony from the most knowledgeable people with respect to the technical base for proceeding with the engine development and with the need for the propulsion services which it offers for the future. This testimony is in volume 3 of the committee hearings, which is before you, and I believe it fair to say that our witnesses were unanimous in their recommendation that the Nation undertake this development. Accordingly, I strongly urge your acceptance of the committee's recommendation of $55 million for the nuclear rockets program.

The last major program in research and development is that of tracking and data acquisition, for which your committee recommends $289,800,000, a reduction of $15 million from the NASA request. It is this funding which supports the flight operations for both manned and unmanned space flights, and with the initiation of the Apollo manned flights in the third quarter of this year, heavy operational demands will be placed upon the facilities and personnel funded by this program. Your committee is most appreciative of the significant role which this network plays in mission control and data return, and overall mission success. However, it does believe that its $15 million cut will assure the highest degree of efficiency, and yet not have a detrimental effect on the effectiveness of this program.

CONSTRUCTION OF FACILITIES

The administration requested $45 million for the NASA construction of facilities program, of which your committee is recommending $39.6 million, a reduction of $5.4 million. The House approved the request as submitted. The facilities request may be separated into two general categories. One, facilities modifications, alterations, and repairs to either enhance their effectiveness or to maintain them in a state of reasonable repair. This category represents about $22 million of the request and includes such things as replacement of a roof on a Government-owned plant which has outlived its expected useful life, replacement of the environmental control system for the Saturn V first stage test facility at the Michoud plant, and various modifications or rehabilitations to manufacturing, test, and launch complexes.

Within this category are two projects totaling $3.4 million which are related to the Apollo applications program. Your committee considers these items necessary, however, based upon the review of the Apollo applications program it is believed that these two items could be deferred this year. The second major category of facilities items is that of a $20 million request for advanced antenna systems to support flight spacecraft. $17 million is required to initiate construction of two 210-foot antennas for the deep space net to complement the one 210-foot antenna which is already in use and performing most successfully. The addition of these two antennas so located to provide, in conjunction with the existing one, support from three equidistant points about the earth will permit continuous tracking, mission control, and data acquisition of spacecraft to planetary distances and beyond. The construction of these two antennas must be initiated this year if they are to be available to support the Titan-Mars 1973 mission which your committee is recommending approval of under the lunar and planetary exploration program. Because of the limited launch windows for planetary flights, timing becomes a most critical factor in readiness to support the 1973 launch opportunity. The remaining amount is for a phased array antenna system to support the Sunblazer project, a small, relatively inexpensive spacecraft designed to study solar phenomena.

NASA requested $3 million for advanced planning and design work in support of facilities to be studied and requested in future years. Your committee believes that $1 million, equivalent to fiscal year 1968 operations, should be adequate to support the level of facilities programs currently being undertaken.

ADMINISTRATIVE OPERATIONS

Your committee is recommending $635,560,000 against a request of $648.2 million for administrative operations for fiscal year 1969. This is a reduction of $12.64 million from the NASA request and an increase of $32,387,000 above the House authorized amount. This appropriation category provides for personnel, travel, and other expenses associated with NASA program direction and administration, the conduct of in-house research programs and the operation of NASA installations, of which there are 11. Approximately 68 percent of the administrative operations budget is for salaries and related personnel expenses. The remainder supports the several NASA Centers with housekeeping, utility, computer, and other services and supplies. Of NASA's personnel complement of about 33,000, some 18,000 are scientists, engineers, and supporting technicians, 4,500 are administrative and management professional personnel, about 4,500 are technicians supporting the in-house research facilities, and the remainder are clerical and administrative support personnel. The very high percentage of scientific and engineering personnel reflects the research and development operation that is NASA, and it follows from this that large personnel cuts would have a severe impact on research and development programs which, as I have previously noted, I personally believe are very important to the ongoing scientific and technical posture of the Nation.

I stress the foregoing because during fiscal year 1968 a $31 million reduction was made within administrative operations by NASA. This reduction was a direct result of congressional action which forced a complete reexamination of the personnel and other expenses which comprise the administrative operations appropriation category. Subsequently, NASA made a large reduction in the support expenses. Also as a result of that examination, NASA has held its fiscal year 1969 request for these expenses to almost this same level. Further, as a result of the administrative operations reduction in fiscal year 1968, personnel cuts were made and an actual reduction in force was effected when normal attrition such as resignations, transfers, and retirements did not reduce the personnel complement sufficiently to remain within available funds. Consequently, the fiscal year 1968 end-of-year permanent employment will be at least 1,300 below fiscal year 1967.

In reviewing the NASA personnel structure, it becomes clear that it is virtually impossible to effect reductions at the Kennedy Space Center, the Manned Spacecraft Center, and the Goddard Space Flight Center because of the shift of Apollo activities to flight operations and the heavy schedule established for fiscal year 1969 which will require a large and continuous NASA management and technical personnel commitment to staff these operations.

The committee's analysis, therefore, indicates that in order to make reductions in the administrative operations appropriations category, it must be made in personnel because salaries and personnel benefits make up such a large portion of the administrative operations budget. Further, in order to realize any great savings, large numbers of personnel must be immediately removed from the payroll. And finally, if such gross numbers of people are reduced in force it is quite clear that the heaviest impact will be at those NASA centers involved in advanced research and technology—those centers heavily engaged in in-house research which are building a base for future scientific and technical programs. It is against this background that your committee has judged the House cut of $45,027,000 as too harsh and one which is liable to do serious damage to the technical strength contained in the organization. On the other hand, as your committee has recommended reluctantly in many areas—reductions were made in practically every NASA proposal—we also are recommending a reduction, $12.64 million, to assure the utmost economy in this aspect of NASA's operations.

LEGISLATIVE ACTIONS

The House, in passing H.R. 15856, approved three legislative amendments not included in the original NASA fiscal year 1969 budget request.

The first one, section 5, was an amendment which would prohibit the payment of salaries of any employee of NASA convicted of inciting, promoting, or carrying on a riot or group activity resulting in material damage to property or injury to persons found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned. Your committee took cognizance of the fact that the Senate had voted favorably for an amendment to S. 917 dealing with this subject and covering all Federal employees and, therefore, is recommending an amended version of section 5 of the bill which would be compatible with the policy already agreed to in the Senate action. This amendment, however, unlike the amendments of S. 917, which prohibits convicted individuals from being employed by the Federal Government for 5 years, applies only to funds authorized for the payment of salaries to employees of NASA for fiscal year 1969.

The House-passed bill also contained a provision in section 7 which would direct the Administrator of NASA to keep the House and Senate Space Committees fully and currently informed with respect to all NASA activities. This is the same amendment adopted by the House in fiscal year 1968 and which was subsequently rejected by your commmittee and by the Senate. Your committee believes that NASA has made a conscientious effort to keep the committee informed and consequently believes there is less reason for adopting such a provision this year than there was last year.

The third amendment in the House bill, section 8, would require the Administrator of NASA on all noncompetitive procurements in excess of $25,000 to obtain from each contractor or subcontractor a certification that the price specified in such contract or subcontract is no higher than the price of that item charged to any other purchaser similarly situated. From its review your committee decided that the complexities of the procurement situation necessitated in-depth examination before undertaking legislation in this area. Accordingly, your committee does not recommend adoption of the amendment at this time, although it is sympathetic in principle to the proposal.

In concluding, I would like to reiterate the scrutiny that your committee has given to the fiscal year 1969 request for the National Aeronautics and Space Administration. We have reduced this request by $219,840,000 not because we did not believe these programs were well presented, but because we believed there was a need for fiscal austerity and that we should work toward that objective and still maintain a balanced and viable space program which would allow continuation and completion of current programs and further, and equally as important, permit the development of a base which would keep this Nation preeminent in space in the years ahead. I urge your support of this bill.

Mr. President, I want to yield to the distinguished Senator from Maine [Mrs. SMITH], who has worked very hard on this bill, as well as on previous bills. We are very pleased to have her as a member of the committee.

Mrs. SMITH. Mr. President, I would like to take this opportunity to congratulate the chairman for the excellent manner in which he handled the NASA authorization bill, H.R. 15856. The chairman has thoroughly explained the contents of the bill, and I will not take the time of the Senate for further explanation. As the ranking minority member of the committee, however, I would like to make some general comments concerning our space program.

I believe most of my Senate colleagues are aware that I firmly support our space science and technology efforts and have done so since the early days of the program. I like to think that my faith in our space program stems from plain old-fashioned logic—based on the fact that our space efforts continue to demonstrate an enormous potential for unlimited good over a broad range of social, economic, and military needs.

Notwithstanding the relative infancy of space exploration, we have already achieved several beneficial and practical applications. We have in operation worldwide weather and communication satellites, and we have made inspiring insights into nature that are of direct relevance to human conditions here on earth.

Yet, there are those, such as some of our leading presidential candidates—of both political persuasions, I might add—who use rather questionable logic when discussing the space program. In one breath, they recommend severe cuts in the space budget, and in the next, they profess that, if elected, they would vigorously pursue solution to some of the same problems for which the space program may well have the greatest potential to effect solution.

If ever there was a Government-sponsored program that provides "something for everyone"—as the saying goes—it is the space program. So much so, that I believe the NASA authorization bill could properly be called a welfare program. Do you find this farfetched? Then let me take a few brief minutes to explain.

Let me first discuss the social and economic benefits of our space program.

I personally know that many of you have fought long and hard to obtain aid for regions affected by the weather—be it because of hurricanes or drought. To you then, I ask: Do the current achievements in space weather satellites mean only that you will be able to determine more precisely whether or not to carry your umbrella on a given day?

Of course not. Our weather satellites have already demonstrated that the loss of human life can be reduced by predicting the severity and direction of impending storms. But the real impact of continued research in this area, we are told by many of our most eminent scientists, is that through this technology we may well be able to control the weather, eliminate arid regions of the world, and thereby multiply our food supply many magnitudes.

With regard to our planetary exploration efforts, some critics of the space program unwittingly say that we explore the universe merely for the same reason mountain climbers climb mountains, that is, "because they have not been there before."

Nothing could be further from the truth. I support a vigorous planetary exploration program, not only because it contributes to our general knowledge of the universe, but because it will provide us with a deeper understanding of our own earth environment which can be applied to the control of natural phenomena.

Let me illustrate by mentioning two such problems—earthquakes and air pollution. I know several of our colleagues represent geographical areas where earthquakes or air pollution are menacing problems for their constituents.

In regard to earthquakes, the eminent Dr. Gordon F. MacDonald, vice chancellor of the University of California and a member of the President's Science Advisory Board, recently discussed before our committee the current speculative hypothesis as to the major cause of earthquakes. Dr. MacDonald relates planetary exploration and study of earthquakes this way—and I quote:

> On earth we know of no way to test these hypotheses. Observations on the surface of Mars and the Moon would be highly relevant. * * * At present NASA is planning seismic observations on the moon in the Apollo program and a candidate instrument for the 1973 Mars rough lander. These experiments, if successful, would be the first steps toward using information about other members of the solar system in understanding our earth.

The relationship of air pollution on earth and planetary exploration was most succinctly described by Mr. Oran W. Nicks, Deputy Associate Administrator of NASA's Office of Space Science and Applications—and I quote:

> Our planetary atmospheres scientists report that within the last 60 to 70 years the carbon dioxide content of the Earth's atmosphere has increased by at least 8% and seems to be continuing to rise. The reasons are not readily explainable but may be connected with our industrial growth. The consequences of even a small increase in carbon dioxide content will be a gradual increase in the average surface temperature. This kind of change in our atmosphere may overshadow present worries about the population explosion—our planet might become unfit for life before it becomes too crowded.
>
> * * * * *
>
> . . . carbon dioxide seems to be the most prominent gas in the atmospheres of both Mars and Venus. An understanding of why two of three terrestrial planets have atmospheres composed primarily of carbon dioxide could allow significant implications as to the future evolution of our Earth's environment.

Let us continue just a bit further with this "something for everyone" legislation, currently known as the NASA authorization bill.

It seems to me that during the few years that I have been a Member of this body I have listened to many an impassioned plea concerning the need for economic aid in such fields as agriculture, forestry, geology, oceanography, navigation, and traffic control. To those of you who have specific constituent interest in these fields I point out that NASA's programs of useful space applications are now at the brink of demonstrating the capability of making substantial benefits in each of these fields.

The technology is now being perfected to permit such practical and diverse benefits as location of mineral and oil deposits, surveying agriculture resources, determining the most promising fishing areas, and monitoring of iceberg and ice field movements.

Let me read just a few words of a recent report of a Committee of the National Academy of Sciences on the promise of space applications. I quote:

> Our first general conclusion is that the potential economic benefits to our society from space systems are enormous. They may amount to billions of dollars per year to many diverse elements of our industry and commerce and thus to the public. In some areas, it is possible to predict these benefits with accuracy; in others, we can estimate within broad but conservative limits.
>
> * * * Benefits from satellites may result because they provide a more economical way to accomplish a function or service already being performed. * * * In other areas, such as geodesy and meteorology, space technology can accomplish tasks that are essentially inconceivable by other means.

Lest we forget, the space program also makes a significant impact on our foreign policy and on our military defense position.

To those among you who believe we should encourage cooperation with the U.S.S.R. and reach further accords to limit the arms race, I ask: Could there have been any reasonable basis of agreement whatever to halt the test of nuclear devices in the atmosphere if it were not for our space technology which provides us with the ability to detect effects of high altitude nuclear testing?

My answer is unquestionably "no," As an indication of the necessity for such space detection devices, you may recall that the 1961–62 Soviet nuclear tests were carried out in direct violation of the international moratorium on atmospheric nuclear testing.

Now, I address myself to those of my colleagues who have been consistent and unwavering in their demands that the United States continue to maintain and perhaps increase its military defense vigilance. Could we provide this strong military defense you seek were it not for unmanned military satellite systems in the fields of communications, meteorology, navigation, surveillance, early warning, and the monitoring of nuclear tests which have proved far more effective than almost anyone anticipated a decade ago? And should we not continue to increase our knowledge in this vital technological areas?

The answer to these questions is, of course, obvious. But the significance of NASA's contribution to our military space programs was perhaps best expressed in the testimony of Dr. John S. Foster, Jr., DOD's Director of Defense Research and Engineering, when he appeared before our committee on March 26 of this year.

I quote:

> * * * Further development of launch vehicles, rocket engines and applicable subsystems points toward increased military capability, utility and reliability. The work of NASA continued to contribute heavily to the necessary science and technology base.

Now I know that each of you will, and rightly so, vote funds for the space program as your conscience dictates. My only aim in discussing these matters has been to perhaps shed some additional light on what we can expect by continuing a viable space program. The space program is not an abstract, intangible activity; we are not merely conducting science for science sake.

I know that other proponents of the space program describe the prestige and national pride brought about by exceptional space feats. I have never been convinced that these factors alone are adequate justification for spending large sums of the taxpayers money.

On the contrary, there is every reasonable basis to expect that enormous practical benefits, affecting virtually every segment of society, will accrue from our current efforts in space science and technology. Historically, exploration and technology were perhaps the most significant factors in our country's tremendous growth and prosperity. And, in my view, exploration and technology may well be the principal factors in determining whether or not this country will even survive in the future.

Needless to say, I earnestly commend to my colleagues passage of the NASA authorization bill as reported out by the Committee on Aeronautical and Space Sciences.

Mr. ANDERSON. I yield to the Senator from Idaho.

Mr. JORDAN of Idaho. Mr. President, I urge Senators to support the bill reported by the Committee on Aeronautical and Space Sciences. NASA's aeronautical and space programs have been cut substantially during the past year. The committee recommendation of $4.15 billion is about $950 million—almost a billion dollars—less than was requested last year and, in fact, it is less than any year since fiscal year 1963.

We are familiar with the many direct benefits of the aeronautical and space program—with the tremendous increase in scientific knowledge which it has provided, with the great new technology it has made available to our industry, with its direct applications of space technology to communications, weather, and navigation, with the application of aeronautical and space science technology to the solution of problems in other fields.

But, I would like to draw attention to the fact that this program makes tremendous intangible contributions to the United States as a nation—contributions whose values cannot be precisely measured or weighed, on which we cannot put a dollar sign, but in value so great as to be priceless. The contributions I want to call attention to are the contributions of the aeronautical and space programs to—

First. Education: It is generally acknowledged that the space program, more so than any prior Federal program, has stimulated the interest of our youths in the quest for scientific knowledge. As a result, school science curriculums have been modernized and strengthened at all levels and the highly trained and dedicated people who emerge from these institutions will help keep this Nation out in the front ranks of science and technology. In addition, NASA has given strong, direct support to approximately 200 of the science-oriented universities and predoctoral training grants to more than 3,000 gifted young men and women.

Second. Better health and medicines for our population: Space program discoveries have resulted in the improvement of medical instruments and electronic instrumentation; this, in turn, offers opportunities to revolutionize the equipment of clinics, hospitals, and doctors' offices, and with computer-aided diagnosis, it is possible to have more nearly automated hospitals to help meet the shortages of both doctors and nurses and at the same time improve the quality of the individual patient's care. In addition, we can now foresee that the use of remote-sensing devices in orbiting satellites can help in the abatement of diseases, detection of pollution sources, and the location of plant infestation.

Third. Greater security: Our civilian space effort has and continues to make a major contribution in space technology to prevent the likelihood of aggressive action in space by others and to increase our alertness of the dangers to our national security. This contribution has already made possible first, reliable communications satellites for use of military and diplomatic personnel; second, weather satellites providing instantaneous world weather data, third, navigation satellites used by ships and submarines for highly accurate location data; fourth, satellites furnishing data for much more accurate mapmaking; and, fifth, satellites involving the nuclear test ban treaty in the atmosphere and in space.

Fourth, a healthier free enterprise system: Scientific discovery is no longer accomplished by the sole inventor. It calls on all the resources of the Nation and the space program has demonstrated how industrial resources can be marshaled successfully. In addition, the competition required to use expanded scientific knowledge through advances in engineering and technology is a powerful stimulus to the modernizing of all industry.

Fifth. International cooperation: This country is taking every possible advantage of its preeminent position in space research to improve our relations with other nations. Currently, we have cooperative space efforts going with 70 other countries. This cooperation includes the incorporation of foreign scientific experiments on U.S. space missions, the U.S. launching of foreign spacecraft, the training of foreign scientists at U.S. space research centers, the exchange of scientific data, and the use of overseas territory for our worldwide tracking station net.

Sixth. Increased chances for world peace: We are now exchanging a limited amount of weather satellite data with the Soviet Union over a special wire line installed between the weather centers of the two countries. This is one of the few areas of active cooperation that we have been able to establish with the Soviet Union in the space realm. Last year we enacted the Outer Space Treaty which 89 countries endorsed with their signatures. More recently, 48 governments have signed an Astronaut-Rescue Treaty which required that all possible assistance must be given to astronauts in the event of accident, distress, or emergency landing and to insure the prompt return of both astronauts and spacecraft. Thus, we seem to be able to come to agreement more readily in space than here on earth and perhaps this may well be the means in which we can gain momentum for the search of world peace.

I want to emphasize that the national aeronautical and space program helps us to move forward in every one of these areas. No one can put a dollar sign on the contributions of the space program in these areas. If further cuts above and beyond those already made are imposed on the NASA programs, our ability to achieve our objectives in these areas will be far less and more distant of attainment.

Mr. **ANDERSON**. Mr. President, will the Senator yield?

Mr. **JORDAN** of Idaho. I yield.

Mr. **ANDERSON**. A few minutes ago I mentioned the very fine work the Senator from Maine has done on the committee. I should mention also that the Senator from Idaho is an extremely fine workman and has been very helpful to the committee, and I congratulate him.

Mr. **JORDAN** of Idaho. I thank the chairman.

Mr. **KUCHEL**. Mr. President, I ask unanimous consent to have printed in the Record the partial text of some remarks I made at the Los Angeles Junior Chamber of Commerce luncheon at Los Angeles on May 24, 1968.

There being no objection, it was ordered to be printed in the Record, as follows:

Looking Beyond the Moon

(Partial text of remarks by U.S. Senator Thomas H. Kuchel, before the Los Angeles Junior Chamber of Commerce luncheon, Los Angeles, May 24, 1968)

Early this month the California Department of Industrial Relations reported that in the past year earnings of industrial workers in California increased by nearly five percent. By itself this would be an important gain in take-home pay. The Department points out, however, that the advance in wages was substantially wiped out by increasing prices. In fact, California workers' buying power did not advance one iota from the 1967 level.

These are the wages of inflation. They carry cruel implications for all of our citizens, for the factory workers, the agricultural laborer, the businessman, and, particularly, for all those dependent on fixed income—the retired and the aged.

At home and abroad our nation faces a financial crisis of proportions unseen for forty years. This price of gold has again soared above the forty dollar mark on the London Market. Our trade surplus has momentarily we hope, disappeared. Interest rates are at highs reminiscent of 1929. For the second year in a row, the federal deficit threatens to run over 20 billion dollars.

There is a disgraceful game being played in Washington today over how we are going to put an end to mismanagement of our public purse. The biggest mystery lies in the attitude of the Administration. The Senate has acted. We have passed a measure calling for a temporary one-year tax surcharge together with a mandatory spending reduction of 6 billion dollars. In conference with committee members in the House, these items have been sustained. Despite action at long last in the Congress there has been too little leadership, and too many harsh words from the other end of Pennsylvania Avenue.

In an election year politicians don't like to cut non-essential spending. The federal grant that was a frill last year, in the politician's rhetoric, may suddenly be vital to the national interest with an election drawing near.

At the risk of violating a long-cherished rule of political survival, I have been telling Californians for some months now that in order to protect the American dollar, in order to prevent rampant inflation, we must face a period of austerity. We must cut federal spending and raise taxes.

Spending cuts are rarely popular. But neither is inflation, and it is going to come home to us with hurricane force if we delay meaningful restraints in spending, coupled with a little more revenue in the treasury.

Paper gains in income are meaningless unless they can be turned into solid value in the market place. The economic crisis we face today requires us to make a limited sacrifice for an ensuing, temporary period in order to put our economy back on the tracks and keep it growing. It is a matter of trading off a relatively small immediate cost in order to cut down inflation, to stabilize the dollar as an international medium of exchange, and to maintain the most powerful engine of production the world has ever known.

This means that for the next 12 months every item in the Federal budget not vitally necessary either for present needs, or to sustain our safe transition to the future, will have to be treated on an austerity basis. It means a tight ceiling on Federal employment, postponement of major public works programs, a reduction in our troop commitment in Europe, and across-the-board cuts in the large majority of Federal activities, including some of those near and dear to California. One of those activities where cuts will come inevitably will be the space program.

I believe the space program is especially vulnerable to cuts. Indeed, the reduction of funds over the past two years years for space activities has been considerable, and last week the director of the space program testified that his agency, the National Aeronautics and Space Administration, would go along with the latest efforts at cutting the program.

Do we abandon the space effort as dead? Should we give it up? I do not believe we should. I believe it must and it will survive the present austerity period. What we do with that program, then, is the question.

First, I think we must recognize that the very vulnerability of the program has been in part the result of a woeful mismanagement by the administration.

What we need, and what we have lacked, is an administration which will allocate space dollars according to the skills and manpower and brainpower available, rather than on a basis of political preference. I believe that situation will be changed this next November.

The technological future of America must not be sacrificed to geographic political manipulation.

Once before, I successfully fought an effort to take research and development dollars from the states which win them on merit, like California, just to divide them elsewhere on a so-called need basis. I will continue to guard the rule of fair play on a merit basis. It can only help California.

I am going to discuss today what I believe we must do now to prepare for the future of our space effort. Potentially, it is a bright hope for the future economy of California and the nation. We must turn that potential into reality.

We have a tradition in California of looking to the future both as a challenge and a source of good fortune. That means striking out in new clearly charted directions without fear of the unknown. This was the spirit of the early frontier that even today distinguishes California life.

Without new horizons we become limited and cease to advance. I would prophesy the end of our free society on the day when our leadership in business or government says "This is it. Our job is finished. There are no more tasks ahead. We've built America."

Here in California, we look forward. More money is spent on research and development in our advanced economy each year than in all of Western Europe. That is money spent on the future, and, of all the new horizons, the grandest is especially our own. I refer, of course, to the last frontier in outer space.

There is no federal program more in need of full public understanding than the space program and its relationship to a balanced and growing economy. In my view, the lack of public understanding stems directly from our failure as a nation to establish in simple digestable terms what we hope to achieve, and what this investment means to our future and prosperity. The consequence has been a growing cry from some for severe reductions in the space program. Indeed there are some who would eliminate it altogether.

In California, we know from bitter experience what ups and downs in income and employment result from a stop-and-go investment policy in the aerospace industry. It is a paradox that well-meaning people want to alleviate poverty and economic dislocation in some places by creating it in others. It is all the more a paradox when the activity to be cut is the very one offering the best opportunity for growth and prosperity.

We do not seem to know what we are about. Our current mission is to put a man on the moon in this decade. But that objective hardly describes the full goal of a national space program. It tells us nothing of any of our military, scientific, or technical requirements in the years and decades ahead. It takes no account of the enormous technical advantages to be gained by pressing on the frontiers of discovery. It says nothing of the achievement of knowledge of our universe for its own sake. Finally, it ignores the latent threat of space competition, and the nightmarish weaponry potentially deployed by the determined enemy in the form of satellites, partial orbital systems, or other yet undreamed of interplanetary contrivances designed to destroy with ever greater sophistication.

When looking at future space investment, we must be careful to count the pay-off already gained. The catalogue of achievements now ranges from heat-resistant frying pans, to fool-proof fingerprint identification, from a new system tested in the San Bernardino Mountains to predict earthquakes, to a new method of skid-proofing California freeways, not to mention vast areas of new technology in lasers and micro-electronics. The spinoff from space technology is already proving an enormous boon to both soldier and civilian.

We are on the threshold of a new system of spy-in-the-sky activities which can substantially reduce the risk of surprise attack by conventional means. Over a year ago, I advocated that a system of satellites be placed over the Near East to observe the deserts surrounding Israel as a means of giving advanced warning to the world on any preparations for massive assault from the desert. That capability is already ours. We may dare to hope that in future years observation techniques might become so accurate as to help us guard against infiltration by individual terrorists.

We are on the verge of a revolution in the technology of natural resource exploration and exploitation. Using remote sensing devices in orbiting satellites man will make vast strides in locating valuable minerals, oil and water. Commercial fishing will improve with the ability to trace the location of schools of fish by satellite. These are the predictable results, and with the application of imagination we can forsee abatement of disease, detection of pollution sources, location of plant infestation, better mapping and revolution in the science of population studies.

This sounds fantastic. Indeed it is. The whole problem about space is that we are moving into the unknown—with its unseen perils and its untapped bonanzas.

We must move into the unknown with purpose. The entire multi-billion dollar space program, and the industry and economy and jobs which have been built on it, will eventually fall into expensive disarray if America fails to define its goals beyond the moon. For a decade the driving force of the program has been the national goal to put men on the moon and to bring them back. Once the manned lunar landing is achieved, America's aerospace program will be without a guiding purpose. We need goals not only in pure scientific terms. We also need space goals which clearly state the potential benefits of the program to people, or the public will justifiably fight a single penny being thrown into space.

In 1937, the Administration convened a group of scientists to look into the future and to predict the new industries which advancing science would create. The learned gentlemen produced a report that was a landmark of its time. They did foresee television and polaroid photography. But they failed to anticipate that in a scant five years there would be practical applications of radar, in ten years there would be atomic energy, in twenty years man would be in space.

The experience of the 30's shows that we are unable to predict what we can achieve. Imagination still runs behind the wonder of discovery. While we cannot predict, we can determine the road to take, and decide which requirements merit priority. In my view, the mission to the moon is only a point at the near end of a long chain of possibilities.

We have in the past employed with some success, a mechanism to give direction to our national thrust into the unknown. At the end of World War II, the Finletter Commission's report on "Survival in the Air Age" set down the guidelines for the establishment of our nation's air arm. A decade later, under President Eisenhower, a group of distinguished scientists addressed the hotly debated missile question. Both of these commissions had enormous impact in providing guidance and goals for a vital national effort. The 1960's and particularly the current economic crisis, pose the questions of outer-space—not only how far and how fast we should go, but where and why.

Earlier this week, I sent a message to the President of the United States calling on him to appoint a Presidential Commission on Space composed of the most highly qualified men in our nation—scientists, businessmen, military, legal, diplomatic and political leaders to evaluate our space program, to decide what we can and ought to be doing and to fix our goals and to organize accordingly. We cannot allow a great nation to gauge its activity on the frontier of knowledge by reaction to rival efforts of the Soviet Union. That is not right for the leader of the free world. Nor does it allow us to stake out our own destiny as Americans have always done.

Naming a commission does not mean automatically spending more money on our space effort. Commission recommendations would hopefully tell us where we can spend less, where we can cut waste, where we can best stop a program with relatively little promise. Most of all, a commission which does its job properly will tell our next president, a concerned Congress and a puzzled public what is indeed happening in America's space programs.

A clear understanding of the program will permit us to move forward with a steady investment plan. We can avoid the pitfalls of spasmodic changes in employment. We can reap the benefits of discovery in the unknown. We can continue to expand the limits of the human mind and knowledge of our universe. We can increase the chances of national security for ourselves and our posterity.

If handled correctly, the information provided by my proposed Presidential Commission on Space would permit our economy to grow in real terms far beyond its present frame.

It is nice to put a man in space. It is essential to find some benefits of that project on earth. To get the job done, we must show the courage to chart our course and follow it. It is we who must manage our technology and make it work for us. Success will take us not only beyond the moon, but a long step forward on earth as well.

SPACE AUTHORIZATION: THE QUESTION OF ECONOMY

Mr. CANNON. Mr. President, I believe that the record of the administration in practicing economy in the space program is a good one. This request has been cut even more deeply by the Senate Space Committee.

However deep President Johnson's zeal for the space program, there is no doubt that he has carefully reviewed his priorities. During the past few years, he has severely cut space spending. His proposed space budget for fiscal year 1969 is $691 million less than he recommended in fiscal year 1968; $943 million less than he requested in fiscal year 1966; and $1.34 billion less than fiscal year 1964.

With all of the earthly demands on the tax dollar, what is the case for space, the taxpayer asks? Does it matter if we reach the moon a few years later than now planned? If we ever land on Mars? Or develop a new generation of powerful nuclear rocket engines?

I am convinced that the space program matters a great deal, and has ever since the U.S.S.R. put up its first sputnik ahead of the United States in 1957. And so I believe that space spending deserves the priority it has enjoyed in the budget process.

Our space program involves more than the Nation's prestige, as important as that is during this time when the American image is suffering badly in many countries of the world. More is involved than the continuing health of the aerospace industry and the employment of the hundreds of thousands of people engaged in the space program. More is involved than the difference that the space program can make between prosperity and recession in America's long industrial boom. More is involved than the beneficial byproduct of space technology to other endeavors here on earth ranging from new techniques for forming metal to tiny biomedical monitoring devices providing for the medical needs of our people.

The fact is that a great nation cannot ignore the need to master and command the science and technology of the times. Indeed, in substantial measure, the recognition of greatness stems implicitly from this mastery. To achieve leadership in science and technology, the space program must have goals—goals like those set by President Kennedy in 1961 to land a man on the moon and return him safely to earth within this decade; scientific goals such as those set for our unmanned programs of photographing the moon and the planets; and of expanding our understanding of the universe. What is really involved in the space program is the acquisition of knowledge which challenges the human spirit to the utmost and provides both the environment and the opportunity for our people to challenge the unknown. It is out of this basic and fundamental fact that the Nation reaps many of its regards in the form of more advanced technology applicable to every aspect of our living, not only in the direct space applications that are already evident, but also in the challenge of our national spirit. Moreover, from the standpoint of our national security, we must command advanced technology and we cannot permit any other nation to surpass us.

If we fail to undertake the rather limited but nevertheless very necessary space activities proposed in this budget, then there will be a very long delay between the time we accomplish the objective of our present program and proceed to anything new. We are not the only nation strong in science and technology, and if we permit our programs in these areas to lapse, we will reap the bitter rewards in the very near future.

The United States has come a long way in its space program since those unhappy days of late 1957. Our space program received a great thrust forward when President Kennedy with the cooperation of Congress decided on the manned lunar landing program—a decision, as I have said, which history will record as one of President Kennedy's great decisions and one of the great Presidential decisions. In the next century children will still read of Queen Isabella's decision to send Columbus in search of a new passage to India and of the discovery of America. A few pages further on—or maybe only a few paragraphs—these same children will read of President Kennedy's decision to send a man to the moon.

As I said earlier, the space program has no greater supporter than the President of the United States, and in these difficult times, there are great demands on our resources. Because of other problems, he has appropriately reduced the program; he has recognized the need to proceed at a slower pace; but he has recognized the need to proceed.

The Senate Committee on Aeronautical and Space Sciences has reviewed the President's recommendations and has recommended further reductions totaling about $220 million, but the program recommended to the Senate by its committee does provide that we move forward.

Mr. President, I urge the Senate to support this program because of its importance to the United States of America.

AMENDMENT NO. 842

Mr. CURTIS. Mr. President, I call up my amendment No. 842, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Nebraska [Mr. CURTIS] proposes an amendment No. 842, as follows:

> (h) No part of the funds appropriated pursuant to subsection (a) of this section may be used for grants to any nonprofit institution of higher learning unless the Administrator or his designee determines at the time of the grant that recruiting personnel of any of the Armed Forces of the United States are not being barred from the premises or property of such institution except that this subsection shall not apply if the Administrator or his designee determines that the grant is a continuation or renewal of a previous grant to such institution which is likely to make a significant contribution to the aeronautical and space activities of the United States. The Secretary of Defense shall furnish to the Administrator or his designee within sixty days after the date of enactment of this Act and each January 30 and June 30 thereafter the names of any nonprofit institutions of higher learning which the Secretary of Defense determines on the date of each such report are barring such recruiting personnel from premises or property of any such institution.

Mr. CURTIS. Mr. President, this amendment is offered in behalf of myself, Mr. CANNON, Mr. HICKENLOOPER, Mr. JORDAN of Idaho, and Mrs. SMITH. A number of the other members of the Committee on Aeronautical and Space Sciences have indicated their support of it.

The amendment was not incorporated in the bill in committee. It was, however, offered and discussed. It was withdrawn, and the language has been reworked somewhat and some conferences have been held with individuals knowledgeable of the workings of our military services with respect to recruiting.

I make that statement so that it will be understood why this provision is not in the bill, since I am a member of the committee.

I commend the chairman for his leadership, and also the distinguished ranking minority member, the Senator from Maine [Mrs. SMITH], and the Senator from Idaho [Mr. JORDAN], who has done outstanding work. Perusal of the record of the hearings also indicates very thorough consideration by the distinguished Senator from Nevada [Mr. CANNON].

It was not my privilege to be able to attend all of the public hearings, but I did attend all of the executive hearings. In the course of the discussion of this bill in executive session, I asked the question, "What educational institutions, if any, to which NASA is making grants, have a policy of barring the recruiters for the Armed Forces of this country?"

I had previously read in the newspapers—this was some 3 or 4 months ago—that Columbia University had barred certain recruiters for the Armed Forces from its campus. We are speaking now not about student resistance or trouble caused by students; we are talking about the administration of a college or university taking the position that certain of our recruiters cannot come on the campus.

That question was embodied in a letter to the Secretary of Defense. The letter was answered by Mr. Alfred B. Fitt on May 8, 1968, in a letter addressed to Mr. Gerald J. Mossinghoff, liaison officer of NASA, and reads as follows:

> This is in response to your letter of April 11, 1968 in which you requested the names of colleges and universities which officially bar Armed Services recruiters from their campuses.
>
> We have canvassed the four Services on this matter. Army and Air Force have reported that no such bars exist at the present time.
>
> Navy reported that, by official action of the institution, its recruiters are not permitted to recruit at the following colleges and universities at this time:
>
> Columbia University, New York, New York.
> Fordham University, New York, New York.
> New York State University, Queens, New York.
> New York University, New York, New York.
> Rutgers University, New Brunswick and Newark, New Jersey.
> Upsala College, East Orange, New Jersey.
>
> Similarly, the Marine Corps reported that, as a result of official action by the institutions, it is not permitted to recruit on the following campuses at this time:
>
> Barnard College,[1] New York City, New York.
> Brandeis University, Waltham, Massachusetts.
> College of New Rochelle,[1] New York City, New York.
> Finch College,[1] New York City, New York.
> Long Island University, Farmingdale, New York.
> Pratt Institute, New York City, New York.
> Queens College, Brooklyn, New York.
> Sarah Lawrence College,[1] New York City, New York.
> Syracuse University, Syracuse, New York.
> University of Massachusetts, Boston, Massachusetts.
> Central State University, Wilberforce, Ohio.
> Hood College,[1] Frederick, Maryland.
> Howard University, Washington, D.C.
> Oberlin College, Oberlin, Ohio.
> Wilberforce University, Wilberforce, Ohio.
> University of Puerto Rico, Commonwealth of Puerto Rico.
>
> The Department of Defense would strongly oppose the imposition of sanctions on schools resulting from these isolated situations, which are, in the large majority of the cases, considered temporary suspensions rather than permanent prohibitions.

Then they go on to say that military recruiters visit colleges and universities as the guests of the institutions.

I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> ASSISTANT SECRETARY OF DEFENSE,
> *Washington, May 8, 1968.*
>
> Mr. GERALD J. MOSSINGHOFF,
> *Director, Congressional Liaison, National Aeronautics and Space Administration, Washington, D.C.*
>
> DEAR MR. MOSSINGHOFF: This is in response to your letter of April 11, 1968 in which you requested the names of colleges and universities which officially bar Armed Services recruiters from their campuses.
>
> We have canvassed the four Services on this matter. Army and Air Force have reported that no such bars exist at the present time.
>
> Navy reported that, by official action of the institutions, its recruiters are not permitted to recruit at the following colleges and universities at this time:
>
> Columbia University, New York, New York.
> Fordham University, New York, New York.
> New York State University, Queens, New York.
> New York University, New York, New York.

---

[1] Denotes women's college

Rutgers University, New Brunswick and Newark, New Jersey.

Upsala College, East Orange, New Jersey.

Similarly, the Marine Corps reported that, as a result of official action by the institutions, it is not permitted to recruit on the following campuses at this time:

Barnard College,[1] New York City, New York.

Brandeis University, Waltham, Massachusetts.

College of New Rochelle,[1] New York City, New York.

Finch College, New York City, New York.

Long Island University,[1] Farmingdale, New York.

Pratt Institute, New York City, New York.

Queens College, Brooklyn, New York.

Sarah Lawrence College,[1] New York City, New York.

Syracuse University, Syracuse, New York.

University of Massachusetts, Boston, Massachusetts.

Central State University, Wilberforce, Ohio.

Hood College,[1] Frederick, Maryland.

Howard University, Washington, D.C.

Oberlin College, Oberlin, Ohio.

Wilberforce University, Wilberforce, Ohio.

University of Puerto Rico, Commonwealth of Puerto Rico.

The Department of Defense would strongly oppose the imposition of sanctions on schools resulting from these isolated situations, which are, in the large majority of the cases, considered temporary suspensions rather than permanent prohibitions.

Military recruiters visit colleges and universities as the guests of these institutions. Further, many of the schools listed above host one or more ROTC units. The imposition of a form of financial sanction on universities to compel recruiting on campus would have a serious detrimental effect upon the excellent relations now existing between military recruiters and the great majority of universities and university officials throughout the country. It is the judgment of military recruitment officials that such a policy could impair these relations and, in the long run, serve to handicap their college student recruitment programs.

Sincerely,

ALFRED B. FITT.

Mr. CURTIS. Mr. President, I wish to make one or two comments about the amendment.

The amendment is prospective. It does not seek to bar grants to institutions that have some time in the past barred recruiters from their campuses. The test is, at the time the grant is made, are they barring our recruiters from the campus? It boils down to a very simple proposition: Are we going to tax the men fighting for our country, and their relatives and their friends, to pay their portion of a grant to a university that will not even let the recruiters of the U.S. Government come on the campus? I can conceive of but one answer to that: We should not.

Also, are we to admit that when it comes to scientific knowledge, capability, and know-how, we are so bankrupt in this country that we are dependent upon a university that has as its policy the barring of recruiters of our armed services? I think not.

Much has been said about distributing these grants to more universities. Here is our chance. Some grants have been going to universities which, for some reason or other, have an official policy of not permitting the recruiters of our Armed Forces to come on the campus. I do not believe it is necessary to plead the case for the need for such an amendment. I do call attention to this: In the amendment is language to make an appropriate exception when it is necessary to do so for the interest of the Government. Conceivably, some university could have a longtime research project going, and it is about to be completed, and to abandon it would result in loss and damage to the space program of the country, or other loss. For that reason, we have this language in the amendment:

> Except that this subsection shall not apply if the Administrator or his designee determines that the grant is a continuation or renewal of a preivous grant to such institution which is likely to make a significant contribution to the aeronautical and space activities of the United States.

In offering this amendment with that language in it, I desire the legislative intent to be clear, that the exception is to be used only for the benefit of the United States, never for the benefit of the institution or some department or some researcher who would like to finish his work. The exception to the rule is in the amendment to protect the United States and is only to be used for that purpose.

Mr. President, the space program is very important to the country. I do not concur with the feeling that the program should be junked in order to take care of this cause and that cause. There must be restraint. There must be a reduction. There is a substantial reduction in the bill.

Sometimes the question is raised, "What good does it do to go to the moon?" Well, I do not know. When we get there, we may not find anything that will have a direct relationship for a long time to man's problems here on earth. But I do know this: In order to send a satellite to the moon and in order to send a manned spacecraft to the moon, the United States has to acquire information and add to the world's knowledge very significantly. Our gain will be in the scientific advances that come to the country by reason of the efforts of getting to the moon. If we fail to take part in that program, we will not lead the world or be among the leaders in scientific advance.

It is a program that must be carried on by the National Government. It is not of the type that can be carried on in the main by private individuals. The States cannot assume the responsibility. It has a direct relation to the defense of the country. If another nation can set an object in orbit around the earth and bring it down precisely at the point they wish, that has great potential from the standpoint of military action. Therefore, for our own defense not only must we carry on our space activities, but also, I believe we must give further attention to the military aspects of the matter, not for the purpose of aggression but for the purpose of keeping the peace; because as long as that know-how is in the hands of Uncle Sam, it is in the hands of the most generous, most just, most helpful peace-loving nation on earth—a nation that has never used its might to overrun and control other people, a nation that has repeatedly helped nations when we had no legal obligation to do so. Therefore, we cannot permit a situation to exist in which the free world does not have a participant in the whole realm of space. For that reason, I support this bill.

I believe that the amendment will be a good addition to the bill. It will not hurt the space program. I am satisfied that most of these institutions, probably all, will comply with it, because it is prospective in nature. If they do not comply with it, if it becomes law and an institution says to our country, "The recruiters for the Armed Forces are barred from this campus," certainly, something is wrong; certainly, there is a time to quit; and, certainly, there is a situation in which the governing bodies of those institutions need to look at the administration of them.

Mr. President, I urge the adoption of the amendment.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. MAGNUSON. Could the Senator state for the record what military recruiters do on the campus? What is the day-to-day operation? Do they set up an office there and point out the benefits of a career in the military service, or just what do they do?

Mr. CURTIS. A member of the Committee on Armed Services would be better qualified to give the Senator from Washington a detailed answer.

I have made some observation of the situation. It is true that they are there to recruit members for the armed services. But they are also there to serve young men and women who are enrolled, because they answer the questions of the students. The students are facing a military obligation. They are able to find out where their talents can be used, and the periods and terms of service.

So this is a two-way street. It is not only to recruit personnel for the Armed Forces but is also a distinct service to the fine young men and women enrolled at the institution, who expect to discharge their responsibility for military service and are in need of information and answers to their questions.

Mr. MAGNUSON. Suppose a young man in college intended to enlist in one branch of the service? This would be a place for him to go to find out about it; or, he may have some sentimental reasons for going into the Army instead of the Marines, or vice versa.

He could find out the difference. It would enable him to make a better decision about his military service, which I hope the RECORD will show is purely voluntary in this case.

Mr. CURTIS. The Senator is correct.

Mr. MAGNUSON. There is no forcing these people to do anything. They are there as a service. Is that correct?

Mr. CURTIS. The Senator is correct. This situation does not relate to selective service.

Mr. MAGNUSON. No.

Mr. CURTIS. It relates to recruiting of personnel and, as the Senator pointed out, it is a service to the individual involved.

Mr. MAGNUSON. They do not interfere with classes, education, or anything of that nature; is that correct?

Mr. CURTIS. I believe the Senator is correct.

I wish to point out, however, having read in the RECORD that the Secretary of Defense was opposed to this matter, since that time the amendment has been redrawn. I am not prepared to say that they now support it. I am prepared to say that some individuals, knowledgeable with procedures in the Department of Defense, have improved the language and I believe it is regarded as workable.

Mr. MAGNUSON. I shall state it another way. If someone went to the university and wanted to try to convince young men or young women not to enlist, he would have a right to say so in most universities, would he not?

Mr. CURTIS. I would expect so.

Mr. MAGNUSON. It seems to me that is the case. They are there only to try to help the young people to try to make up their minds about this matter. In the case of a Marine recruiter, he would not be a fellow who would try to incite anyone but he would be there merely for informational purposes. He might say: "This is what the Marine Corps is all about. If you are going to enlist, perhaps you would like to come into the Marine Corps."

Mr. CURTIS. I think it is important that Congress stop right away this practice which has been referred to. I believe institutions have an obligation, patriotic in nature, and in the interests of our country to cooperate with programs of the U.S. Government. I think this will correct the situation. I do not believe that very many universities will continue this practice if Congress takes this action.

Mr. MAGNUSON. I hope not, if these people are doing what the Senator and I have discussed. We have recruiting stations in different parts of the country. In some areas they may be a little removed from the campuses because there is no room on the campuses. However, it seems to me they perform a service and it is merely permissive of these people. There is no ordering of them to do this or that.

Mr. CURTIS. That is my understanding.

Mr. MAGNUSON. I thank the Senator.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may be added as a coauthor of the Curtis amendment.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC EDUCATION ACT

Mr. MORSE. Mr. President, I ask the the Chair to lay before the Senate a message from the House of Representatives on S. 1999.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 1999) to amend the District of Columbia Public Education Act which was, strike out all after the enacting clause, and insert:

SECTION 1. Title I of the District of Columbia Public Education Act is amended by adding at the end thereof the following new sections:

"SEC. 107. In the administration of—

"(1) the Act of August 30, 1890 (7 U.S.C. 321–326, 328) (known as the Second Morrill Act),

"(2) the tenth paragraph under the heading 'EMERGENCY APPROPRIATIONS' in the Act of March 4, 1907 (7 U.S.C. 322) (known as the Nelson amendment).

"(3) section 22 of the Act of June 29, 1935 (7 U.S.C. 329) (known as the Bankhead-Jones Act),

"(4) The Act of March 4, 1940 (7 U.S.C. 331), and

"(5) the Agricultural Marketing Act of 1946 (7 U. S.C. 1621–1629),

the Federal City College shall be considered to be a college established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301–305, 307. 308) (known as the First Morrill Act); and the term 'State' as used in the laws and provisions of law listed in the preceding paragraphs of this section shall include the District of Columbia.

"SEC. 108. (a) Section 22 of the Act of June 29, 1935 (7 U.S.C. 329), is amended (1) by striking out '$7,650,000' and inserting in lieu thereof '$7,800,000', and (2) by striking out '$4,300,000' and inserting in lieu thereof '$4,320,000'.

"(b) In lieu of extending to the District of Columbia those provisions of the Act of July 2, 1862 (7 U.S.C. 301–305, 307, 308), relating to donations of public lands or land scrip for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to the District of Columbia the sum of $7,241,706. Amounts appropriated under this subsection shall be held and considered to have been granted to the District of Columbia subject to those provisions of that Act applicable to the proceeds from the sale of land or land scrip.

"SEC. 109. (a) In the administration of the Act of May 8, 1914 (7 U.S.C. 341–346, 347a–349) (known as the Smith-Lever Act)—

"(1) the Federal City College shall be considered to be a college established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301–305, 307, 308); and

"(2) the term 'State' as used in such Act of May 8, 1914, shall include the District of Columbia, except that the District of Columbia shall not be eligible to receive any sums appropriated under section 3 of such Act.

"(b) In lieu of an authorization of appropriations for the District of Columbia under section 3 of such Act of May 8, 1914, there is authorized to be appropriated to the District of Columbia such sums as may be necessary to provide cooperative agricultural extension work in the District of Columbia under such Act. For the fiscal years ending June 30, 1969, and June 30, 1970, sums appropriated under this subsection may be used to pay the total cost of providing such extension work; and for each fiscal year thereafter such sums may be used to pay no more than one-half of such cost. And reference in such Act (other than section 3 thereof) to funds appropriated under such Act shall in the case of the District of Columbia be considered a reference to funds appropriated under this subsection.

"(c) Four per centum of the sums appropriated under subsection (b) for each fiscal year shall be allotted to the Federal Extension Service of the Department of Agriculture for administrative, technical, and other services provided by the Service in carrying out the purposes of this section.

"SEC. 110. The enactment of sections 107 and 109 of this title shall, as respects the District of Columbia, be deemed to satisfy any requirement of State consent contained in any of the laws or provisions of law referred to in such sections."

SEC. 2. Sections 107 and 108 of the District of Columbia Public Education Act (added by section 1 of this Act) shall take effect with respect to appropriations for fiscal years beginning after June 30, 1968.

Mr. MORSE. Mr. President, the amendment of the House is acceptable. I move that the Senate concur in the House amendment.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

Mr. MORSE. Mr. President, the bill which I introduced and to which the Senate just gave its final approval provides to the citizens of the District of Columbia the services and benefits derived from a land-grant college. Though the language in the bill as passed by the House is different from the Senate-passed bill, the intent is identical and authorizes the same programs.

The District of Columbia is the last area in this Nation that Congress has authorized the establishment of a land-grant college. I believe it is highly significant that Congress has just taken the unprecedented action in authorizing land-grant programs specifically for an entirely urban area. The legislation finally enacted by Congress today will, I believe, be a significant precedent toward establishing urban-grant colleges throughout the Nation to help alleviate slums and poverty in our cities. This legislation offers a real pioneering opportunity in urban-grant programs by the Federal City College. This college, in my judgment, is ideally suited to undertake this important task. My committee will be looking to the Federal City College to be creative and innovative in establishing urban-grant programs in the Nation's Capital.

The final action taken by Congress on this legislation today makes the Federal City College the latest authorized land-grant college and, in actuality, the first urban-grant college authorized by Congress.

I wish to compliment my very distinguished friend and colleague from Nevada [Mr. BIBLE] for the very wonderful report he gave me and the full District of Columbia Committee in connection with this legislation. I wish also to pay special tribute to the Senator from Vermont [Mr. PROUTY] and the late Senator Robert Kennedy for their championship of this very important legislation. They all fully understood the true significance and the impact that this legislation will have on the lives of tens of thousands of youngsters and the tens of thousands of families who live in the District of Columbia in circumstances approaching abject poverty. The members of the Senate District of Columbia Committee fully expect this legislation to provide urgently needed supplemental assistance to these youngsters and to their families who are hopelessly caught up in impoverished circumstances by informational, educational, and vocational inadequacies.

I also wish to compliment the full House District of Columbia Committee for its support of this legislation, especially my friend from California, Mr.

SISK, and my friend from Minnesota, Mr. NELSEN. Their assistance in getting this legislation through the Congress has been invaluable.

I also want to pay tribute to Mr. Russell Thackery, executive director of the National Association of State Universities and Land Grant Colleges, the Bureau of the Budget, the Department of Agriculture, the Department of Health, Education, and Welfare, and the District of Columbia government for their support of the bill. Finally, I would like to commend Dr. Frank Farner, president of the Federal City College, and Dr. Eugene Wiegman, dean of Community Education of the Federal City College, for their untiring work and efforts in behalf of the bill.

I close by saying that as the damning darkness hangs over many American cities this summer, I believe that this legislation, which will soon be forwarded to the President for his signature, is very significant legislation which can help light the candle toward achieving a more stable and meaningful urban society.

LONGER TERM LEASES OF INDIAN LANDS ON THE HUALAPAI RESERVATION IN ARIZONA

Mr. FANNIN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 4919.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 4919) to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona.

Mr. FANNIN. Mr. President, I move that the Senate recede from its amendments to H.R. 4919.

The PRESIDING OFFICER. The question is on the motion to recede.

The motion was agreed to.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT, 1969

The Senate resumed the consideration of the bill (H.R. 15856) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

Mr. STENNIS. Mr. President, unless the Senator from New Mexico wishes to speak at this time, I wish to address the Senate.

Mr. ANDERSON. I do not wish to speak at this time. The Senator may proceed.

Mr. STENNIS. Mr. President, it was partly at my suggestion that the committee did not pass on the proposal of the Senator from Nebraska at the time the bill was being drafted. My purpose was solely to check to see what effect the proposal would have with respect to the military and in order to get the complete picture of the entire situation.

After some conferences with the military, this language was revised somewhat. They do not support the amendment of the Senator from Nebraska, but the amendment certainly makes it much more workable from their point of view and I think from the point of view of NASA also.

I am glad to support the amendment. I think the Senator from Nebraska has rendered a service in the fine work he has done on this subject. I believe he has worked out a definite amendment that does present a sound approach. It could not be hurtful or injurious to others.

Mr. President, I wish to make this comment with respect to the question of the Senator from Washington. I think the Senator from Nebraska answered correctly. I have never heard of any abuse by any recruiting officer in connection with anything they have done on any of the campuses of any institutions. I think this situation of barring those officers was largely created by sentiment in connection with the war. However, this question goes far beyond the war. We will have to have a sizable military force for years to come.

It is a help to the men on the campuses. It is a help to the Government to render the service to the young men and find more about the talent, and it enables the young men to find out more about the service, what they offer as well as many others major facts concerning their situations.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MAGNUSON. I had always understood, right or wrong, and I do not wish to argue the matter, that many of the protestors have been the ones who have suggested that we have a volunteer military. It seems to me that is what we are trying to do. In many places where I have been there has been a lot of protest. They talk about the military being voluntary and this is what we are trying to do.

Mr. STENNIS. The word of the recruiting officers is a contribution toward voluntary military service.

Mr. President, I would like to add my support to the amendment offered by the Senator from Nebraska. In substance this amendment provides that where a finding has been made that Armed Forces recruiting personnel have been barred from the premises of institutions of higher learning, no funds appropriated pursuant to this legislation may be used for grants to these institutions unless the Administrator of NASA determines that this grant is a continuation or renewal of a previous grant which is likely to make a significant contribution to aeronautical and space activities of the United States.

It is not anticipated that this amendment will be very extensive in scope. It is my understanding that of the 21 schools which have barred recruiting, only seven now have NASA grants. In these instances, of course, it may well be that the institutions would revise their policy with respect to Armed Forces recruiting personnel.

It is important, however, Mr. President, that the policy aspect of this amendment be emphasized. In effect, it should be considered a warning that the Government on the one hand will not be making grants to the same institutions which refuse to cooperate with the Government with respect to permitting Armed Forces recruiting personnel on their property.

The legislative history of this amendment should be made clear and I would emphasize the following points:

First, the finding of fact as to whether Armed Forces recruiting personnel have been barred from the premises of an institution would be determined by the Department of Defense. The amendment provides that a list of such institutions will be furnished by the Secretary of Defense to the Administrator of NASA within 60 days after the enactment of this authorization, with a subsequent report being furnished as of each January 30 and June 30 thereafter. It should also be made clear that changes to this list can be made between these dates where there has been a change in university policy.

Second, the amendment provides authority under which the Administrator may make an exception to the requirement of the amendment if he finds that the grant is a continuation or renewal of a previous grant which is likely to make a significant contribution to the country in terms of aeronautical and space activity.

In summary, Mr. President, this amendment, in my opinion, will in no way have a harmful effect on our national space program. At the same time it will serve to establish a wise policy with respect to the use of NASA grants for institutions of higher learning.

Mrs. SMITH. Mr. President, I have cosponsored the amendment proposed by the distinguished Senator from Nebraska, and I now rise in its support.

NASA grants to universities are part of an overall cooperative program between the Federal Government and universities to strengthen institutions of higher learning. And, it has always been my belief that to attain cooperation, both parties involved must act in a responsible and amendable manner.

Senator CURTIS' amendment merely puts the universities on notice that they cannot, with one hand, bar Government representatives from the campus while holding out the other hand to obtain Government subsidy. Using a slightly old-fashioned proverb—the amendment says, "you can't have your cake and eat it too."

I have no doubt that only a small number of universities will be affected by this amendment—but more importantly—its passage would clearly set forth the sense of the Congress on a subject that has become of concern to a great many people.

Mr. President, the distinguished junior Senator from Massachusetts, who also is a member of the Aeronautical and Space Sciences Committee, is necessarily absent from the city today on official business. However, he has asked that his statement in support of H.R. 15856 be inserted in the RECORD as part of the discussion on the bill.

Therefore, Mr. President, on behalf of Senator Brooke, I ask unanimous consent that this be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement of Senator BROOKE is as follows:

If the Congress were to agree to all the Presidential recommendations for research and development for FY 1969, obligations for R&D would increase about $0.9 billion from $16.9 billion in 1968 to about $17.8 billion in 1969. There would be major increases for the Department of Defense and for the AEC—about $1 billion. Other agencies would receive increases amounting to about $0.3 billion. These would be offset by a decrease of $0.4 billion for the National Aeronautics and Space Administration.

However, the Senate Committee on Aeronautical and Space Sciences has recommended a cut of $0.2 billion in the budget request for NASA, so, in fact, R&D increases will be offset by a decrease in NASA's obligations of over $0.6 billion.

Those of us who have dealt with the R&D programs of the federal government realize the significance of this effort to our country. It is an investment in the future. One of the most important parts of this effort is the NASA aeronautics and space program. Dr. Werner von Braun refers to the national space effort as "the cutting edge of our technology," for no other program cuts across so many scientific disciplines and so many technologies, providing building blocks for the future.

The demands on our national resources today are tremendous. The war in Vietnam is costing some $30 billion a year. At home, it is clear as it has never been before that the Congress must take action to guarantee to the poor of our center cities their full right to participate in American life. I have said before, and I will repeat now, that this is where our priorities must lie.

But, at the same time, it would be a tragedy of the highest order if we turned our backs entirely on science and technology. The nation's scientific effort is not and cannot be a faucet to turn on and off. Scientific research must progress in orderly increments; individuals must be assured that they will have an opportunity to complete an effort begun. To call a temporary halt to efforts in progress would not only jeopardize their success but would, in the long run, greatly increase their cost.

With its tremendous resources, this country has the capability to attack all the present day problems and still carry out the aeronautics and space program of NASA as recommended by the Committee. To do less will deny our people the fruits that accrue to those who successfully undertake difficult scientific and technological programs. If we do not move forward with a vigorous space program, we can expect in the future to be less of a national power, to command less prestige among the other nations of the world, to suffer the loss of some of our national pride, to forego some defense benefits, to be less able to participate effectively in international cooperation and so be less effective in forging a peaceful world. We will feel particularly the impact on education since few programs have benefited education more than the national space effort.

The Committee on Aeronautical and Space Sciences has worked long and hard on this authorization bill. It has recommended $220 million less than requested by the Administration and almost a billion dollars less than was requested for the program a year ago. I believe that this bill as reported by the Committee strikes a balance between the nonscientific priorities of this year and the need to maintain an orderly space program.

Mr. ANDERSON. Mr. President, this amendment was discussed favorably in committee, but it was agreed that it would not be accepted until the Senator from Mississippi [Mr. STENNIS] had an opportunity to study the matter. The Senator from Mississippi has studied it and has said he is glad to support the amendment. I see no objection to including the amendment in the bill, and I accept the amendment.

Mr. CURTIS. I thank the distinguished chairman, and ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska.

The amendment was agreed to.

AMENDMENT NO. 845

Mr. PROXMIRE. Mr. President, I call up my amendment No. 845 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. PROXMIRE, is as follows:

On page 17, between lines 2 and 3, insert the following new section:

"SEC. 7. Notwithstanding the foregoing provisions of this Act, not more than $3,370,400,000 may be expended in the fiscal year ending June 30, 1969, for all programs authorized by this Act. The Administrator of the National Aeronautics and Space Administration in his discretion may determine the extent to which sums authorized by this Act for particular programs are reduced in compliance with the limitation contained in this section, but nothing contained in this section shall be deemed to authorize any increase in the amount of any such authorization."

On page 17, line 3, strike out "SEC. 7." and insert in lieu thereof "SEC. 8.".

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the Senator from Delaware [Mr. WILLIAMS] be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, this amendment would cut $780 million from the space authorization bill as it was reported to the floor of the Senate. It would slice $1 billion from the amount requested in the President's budget. There are several basic reasons for this sharp cutback. First, the Senate has gone on record in support of a $6 billion reduction in spending by approving the Williams-Smathers substitute for the excise tax bill. The House is apt to approve this approach by accepting the conference report on the tax hike proposing to cut the bill.

Where are the savings going to be made?

The obvious place to start is with the space program. It would be almost impossible to make a substantial cut in other programs, including vital human resources, without crippling or perhaps killing them.

Let me say that the $6 billion reduction in expenditures means about a $12 or $13 billion cutback in appropriations. Thus, what I am asking for the space program, I think, is modest. It is in proportion and, frankly, if I had my way, it would be substantially bigger than that. Thus, it is a modest suggestion.

Second, the space cut would not have a major adverse impact on the moon shot program. It would simply prevent us from committing ourselves to post-moon-shot goals which are, as yet, clearly defined—I should say unclearly defined. They might well cost $10 billion in the next few years. As Members of the Senate, we should exercise our own legislative responsibility. We should make at least some specific and meaningful cut in expenditures rather than passing the entire buck to the executive branch. My amendment would give the Senate the opportunity to do just that. Members of Congress and Members of the Senate are frequently complaining—and understandably and rightly so—about the erosion of legislative authority and legislative power, that the executive branch has taken over more and more. Well, if we simply tell the executive branch to cut $6 billion in spending and $12 billion in appropriations anywhere they want to, certainly a major part of our legislative responsibility will have disappeared. We shall have abdicated.

Let me point out that the basic argument against going ahead as fully as the committee has asked us to go ahead with the space program is not simply a matter of money but a matter of manpower resources. The space program, more than any other governmental program I know about, uses the most competent, scientific capabilities we have in the economy, scientists who are desperately needed in graduate education, in defense, in industry, as well as technicians who are broadly needed in the country. This is truly a highly skilled program if ever there was one.

Six years ago, when Senator Kerr was handling the bill I introduced an amendment providing for a manpower study. Unfortunately, the amendment did not succeed. I wish that it had, because we would be in a much better position to know the degree to which we could afford to have scientific personnel which is, as I say, so urgently needed elsewhere, to go into a program which has its merits but which has, in my view, been placed far out of proportion to its justification.

There has been a tendency for people to look at the space program and space spending as strictly what we do with the NASA budget. Actually, that is only one part of it. There are other space programs in other agencies which are very substantial.

I invite attention to the fact that whereas the 1969 budget estimate for new obligational authority for NASA is $4.2 billion, the Department of Defense space program budget request is $2.2 billion; the Atomic Energy Commission has a $154 million space program; the Department of Commerce has a $30 million space program; the Department of the Interior has a $4 million space program; the Department of Agriculture has a $1 million space program; and the National Science Foundation has a $2 million space program. That adds up to $6.6 billion to be authorized this year for space.

Furthermore, I point out that the expenditures estimated by the Bureau of the Budget are not only extensive outside of the Space Agency, but in the aggregate also amount to an increase—a fairly substantial one in 1969 as compared with 1968 in expenditures, the year in which we say we indicate the Senate has committed itself, and very substantially, to cut back on the budget request.

The facts are that expenditures for the programs were $6.7 billion in 1968, and the Budget Bureau has asked that they go to $6.8 billion in 1969—$6.826 billion in 1969.

In considering space spending, it is very important that we recognize it is not limited only to NASA, that the NASA program, while it has a distinct military contribution to make, is not a major military space program. That is separate. That is in the defense budget

Mr. President, let me indicate why it is so important for the Senate to reduce the program, and reduce it sharply.

Here is a program that has had very little in the way of guidelines, very little in the way of cost analyses, and very little in the way of attempts to establish priorities and then stick to them.

The best way to illustrate my point is to quote the testimony of the Comptroller General, Elmer Staats, to the Joint Economic Committee, only a few weeks ago.

In the course of his testimony, I ask Mr. Staats the following question:

> Chairman PROXMIRE. Let me ask you, Mr. Staats, without the benefit-cost system analysis, without discounting, without using a discount rate, how can an agency possibly evaluate with any objectivity its investment program?

Mr. President, before I go ahead with Mr. Staats' answer, we know that if we are going to go into a program such as NASA has, as the Department of Defense has, as the Department of the Interior has, as the Department of Agriculture has, and so on, we should have some notion of when the benefits will come. We should be able to discount the benefits when they are in the future, because we all know now, better than ever before, that costs may force us to finance the programs so that we have to pay interest—and big interest—and, therefore, we have to discount the value of those programs as the value comes up in the future.

If we do not do that, we do not have any clear notion on how useful the program is and whether it is going to cost more than it is worth. There is no question that we should know whether the program is going to cost more than it is worth or not. They have not told us. They have not given us the kind of information the Comptroller General says they should give us.

Let me read Mr. Staats' answer:

> Well, I think the answer is that there has to be some evaluation of benefits and costs in any judgment that is involved in a budgetary process. The question is whether or not it is a good judgment or a bad judgment. The question of whether or not you are making decisions erroneously in terms of priorities depends heavily upon the use of some analysis of this kind.
>
> As suggested in your committee report, the danger may well be that we are spending money in some areas which will yield far less in terms of return for our tax dollar than we would if we invested in some other areas, and this, of course, is the great danger.

And, I may add, than if we did not tax it away from the private sector and left it in the private sector, with a return of about 12 percent.

Mr. Staats went on to say:

> I would like to read a paragraph from the reply we had from the National Aeronautics and Space Administration which has a very major capital investment program.

Mr. Staats then read the following from NASA's reply to the Comptroller General:

> We have not, however, applied specific discount rates. That is to say we have not attempted to express in terms of percentage discounts, the effect of future costs and benefits, although these economic factors are implicit in our consideration of alternative programs and assessment of priorities. Frankly, we find it extremely difficult to quantify such elusive economic considerations as they affect research and development efforts in the space environment.

Mr. Staats' observation on this—and he picked this out as one of the most generalized, and therefore, in my view, one of the most useless kinds of replies—was:

> I cite this as one kind of situation where they are no using discount rates. They say it is implicit. This may or may not be true.
>
> Unless they have some more systematic approach to it it seems to me it would be very difficult to say in a case of this type that it is implicit in all of these decisions.

Then I said to Mr. Staats:

> But I would just say that if it is implicit, lets make it explicit. After all if they can say they don't know what the benefits of space exploration are then maybe we had better forget about it. They should be able to make an attempt at quantification. If we don't have some kind of objective measurement in these areas, it just means we are pushing money out in the hope that maybe it will do some good. We don't know what good it will do and we can't even make an estimate.
>
> If the Defense Department, with all of the great problems involved there, and the enormous amounts of money, in determining cost effectiveness and so forth can do it [that is, apply discount techniques] as widely as they do it, it seems to me that space and other agencies that make investment programs should do it, that they should certainly make their implicit findings explicit so that we know what we are doing.

I went on to say:

> Then you can properly conclude on the basis of this study that the Federal Government has been engaged in practices which do inevitably result in a substantial amount of misallocation of resources. We know that. You are not giving us an estimate, but my own estimate is that it would be in the billions of dollars a year as compared with the kind of investments we would make if we had a standard system which was used throughout government—and not rigidly, still permitting value judgment, intuition and going ahead with low yield programs if there were other reasons for doing so—if we had this criteria, a basis for the Congress and President making a decision.

Mr. Staats said:

> This certainly could be a proper conclusion, I think, unless a decisionmaker has this kind of information before him; certainly the opportunity is there for errors of judgment, and I think it would be almost certain that this does occur in the absence of this kind of——

Then Mr. Staats said:

> In a very recent letter which we received from the Defense Department they first say they agree on the desirability of a greater degree of standardization of government practice. Then they also say that:
>
> "Our discount rates correspond closely to the opportunity cost concept, but in arriving at our rates we did not use exactly the opportunity cost concept as you describe it."
>
> Incidentally, the Department's regulations are fairly recent, about two years old. The Department's letter goes on:
>
> "Since our reasoning led to what I believe to be the same end result, I doubt that the differences are worth noting.
>
> "My staff would be glad to discuss this matter in more detail with your staff if you wish. I doubt that the cost of Treasury borrowing is the relevant rate for the type of problems with which we are concerned. The data we gave on the projects where discounting was used and the analysis considerably understates the use of these practices. The 73 projects mentioned are those where the discount calculation actually appeared in the budget submission. There must be hundreds of other investments decisions in which discounting techniques are used, but which do not show up in the data because they involve amounts that are not large enough to require individual consideration in the budget or because the discounting techniques showed the project was not sufficiently attractive to warrant submission. Moreover, discounting concepts are used on lease or buy decisions and we did not include these in the list. For example, the recent Air Force decision regarding its Phase II computers, with which I think you are familiar, was based on data that included an analysis that calculated the implicit interest cost of leasing for a year."

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Florida.

Mr. HOLLAND. I want to say to the distinguished Senator that I am not clear, from reading his amendment, just what he means, because we have questions of authorizations, we have questions of new obligational authorities, and we have questions of expenditures, so sometimes I get mixed up, at least in my own mind. I would like to ask the distinguished Senator this question, after stating I am not sure I understand the meaning of his language: Is it the intention of the Senator's language to limit NASA's expenditures during fiscal 1969 under appropriations "made pursuant to this authorization" to $3.370.400,000?

Mr. PROXMIRE. That is correct. The intention is to limit the authorized appropriation to $3,370,400,000.

Mr. HOLLAND. Does the Senator mean to limit the authorized expenditures?

Mr. PROXMIRE. The authorized appropriation. There is no way this amendment directly limits the expenditure. As the Senator knows, that is something that would require some different kind of resolution, as I understand. I checked with the Appropriations Committee and I was told that, in their analysis, a reduction of $1 billion in appropriations for the space program would result, if nothing else were done, in probably a cutback of half a billion dollars in expenditures. That may be wrong, but it is an off-the-cuff estimate.

Mr. HOLLAND. I think I understand what the Senator intends. I want to restate my question under that understanding. It is his intention to limit NASA's expenditures during fiscal 1969 under appropriations made pursuant to this authorization to $3,370,400,000?

Mr. PROXMIRE. That is correct. That is what I hope to do. That is certainly my intention.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. MAGNUSON. Mr. President, may I ask the Senator a question?

Mr. PROXMIRE. I yield.

Mr. MAGNUSON. In the explanation of the Senator's amendment which was just put on our desks, the Senator says:

> Second: this space cut would not have a truly adverse impact on the moon shot program. It simply would prevent us from committing ourselves to post-moon-shot goals . . .

What figure does the Senator have to justify that statement? As the Senator knows, I am chairman of the subcommittee that handles the appropriation.

Mr. PROXMIRE. I understand.

Mr. MAGNUSON. The Senator may be absolutely correct on this, but the post-moon-shot goals do not amount to the figure the Senator mentions.

Mr. PROXMIRE. The moon shot amounts to $2 billion.

Mr. MAGNUSON. The Apollo program?

Mr. PROXMIRE. The Apollo program amounts to $2 billion. This amendment would leave $3,370,400,000 for the whole program. There are no specific strings to which the Administrator is tied. He could go ahead with the whole Apollo program.

Mr. MAGNUSON. I like to look at the so-called Apollo program in contrast to what the Senator is talking about, when we would proceed beyond the Apollo program to programs involving the other planets. Part of the money the Senator is talking about is for other purposes than strictly the Apollo program. It involves building boosters for weather satellites. A small amount is involved for subsonic and sonic research.

Mr. PROXMIRE. Yes. In my remarks, I go into detail showing how $1 billion can be cut out of the NASA program without, in my view, adversely affecting the Apollo shot itself, or affecting other necessary programs.

Mr. MAGNUSON. When the Senator limits it to the Apollo program, he has the figure correctly. There are five or six other programs, but there is also a program which involves the Voyager and one that goes around the planets. Then there is a large program for science astronomy. There are several other programs. The program that goes beyond Apollo and involves other planets does not involve as large an amount as I interpret the Senator's amendment to indicate.

I am a little like the Senator is in this respect, and we have discussed this matter before. I hope after we are through with Apollo, that in the explorations of space for scientific purposes, learning about the other planets and the universe, which becomes of no particular military value whatsoever, but involves merely scientific knowledge, we will be able to work out something with other countries in the world, not only with the Soviet Union, but India, Australia, France, Canada, and many other countries, so that, in a joint effort, all mankind can get the benefits of what we learn.

Mr. PROXMIRE. I could not agree with the Senator more. That is exactly why I have offered this amendment; because otherwise, we shall be making such a big commitment of money to go ahead with manned flight to other planets that the argument will be made—the Senator from Washington, and I have heard it again and again—that after all, when we have spent billions of dollars over the years, we should not stop now.

I believe we should keep our options open; and we will not be able to keep them open if we go ahead and fund this program as fully as the committee has requested.

Mr. MAGNUSON. If we could make that worldwide agreement, think what it would do for all mankind, for every country to get together, as we have been doing in the field of oceanography, where a great deal of joint work has been done, and as we did during the International Geophysical Year, in which this country participated.

But, of course, if all the countries cannot get together, we will have to go ahead with our program, regardless. But I am hopeful that can be done. It seems to me that it would be a great thing for mankind, psychologically, if in no other way, if we could all get together in an effort to find out what is beyond us in the universe.

But I do not think the cut which the Senator suggests would affect only that particular part of the Apollo program. It would affect some other programs as well.

Mr. PROXMIRE. No; it would affect a number of other programs. I intend to point out the kind of things it could affect.

Once again, I would leave it up to the Administrator. I am not saying every program has to be cut a certain amount, or that some programs would have to be eliminated.

I call attention to Congressman RYAN's recommendation for clear alternative choices for the Congress on post-Apollo application. He favors a presentation of two explicit alternative post-Apollo programs—one emphasizing manned missions and the other unmanned missions. This should include detailed comparisons of projected costs for each mission in the alternative programs; it should include as well the goals and expected benefits for each mission and a list of probable data penalties in each approach. The presentation should include the relation of these missions to longer-range NASA plans, and should spell out clearly the total financial requirements for total programs as a basis for open and public discussion of the relative costs and benefits of the alternative approached.

Congressman RYAN also made a very useful criticism of the NERVA nuclear rocket engine impact on future budgets.

He pointed out that an expensive long leadtime flight hardware development such as the NERVA nuclear rocket engine for which there is no mission requirement should not be authorized until such time as the Congress approves a national goal which would lead to such a requirement. Although the options provided by such a development may be desirable, it should be remembered that other options concerning allocation of resources are closed when such a costly and extensive development is undertaken.

If we are going to commit ourselves to go to Mars and other planets, and spend billions of dollars—and I have seen some high estimates on what it would cost us to put a man on Mars, or any planet except the moon—it will mean that we will not be able to have either a tax reduction or, on the other hand, to continue with the programs in our cities, our educational programs, and measures to meet other domestic needs. We must put these matters in perspective, and evaluate them in terms of what the benefits are.

As I say, my amendment will leave a great deal of discretion in the hands of the Administrator to spend the authorized funds. As the text of my amendment indicates there will be a cut of $1 billion but I will also indicate areas where these cuts might be made. However, the Administrator will be able to spend up to the figure authorized by the Senate substitute on any individual program he feels merits such an expenditure so long as the overall total of expenditures does not exceed the $3,370,400,000 provided by the pending amendment.

It is hoped that should the amendment be successful, NASA budgeting procedures will necessarily be changed to permit the allocation of available funds on a priority and a specific program basis, enabling the Congress next year to analyze the actual costs of each program, trends in its costing if they can be reconstructed, and projected needs for the program.

This amendment thus provides, along with my remarks, both specific cuts possible and the flexibility for NASA to set spending priorities within the $3,370,400,000 limit.

Mr. President, following is an outline of the various specific cuts, and my reasons for the amounts I recommend the Administrator cut from the various programs. Again, these are suggestions and should not be taken as mandatory. My main purpose in delineating specific cuts is to demonstrate to my colleagues that the total cut of $1 billion is a composite of carefully thought out cuts in each program.

Mr. President, I should like to make an outline, now, of the various specific cuts, with the reasons why I suggest they be cut from the programs.

First. Apollo: I recommend a total cut from Apollo of $151.8 million. This consists of the Senate committee's cut of $13.8 million and a $38 million—7 percent cut across the board.

Originally I had intended to add $50

million of this cut to the administration operations authorization, to be used solely for the conversion to civil service or in-house employment of those employees presently not under civil service.

However, I realize that this would involve an increase in Federal employment for NASA at a time when there is legislation in conference that would freeze Government employment. Therefore, in deference to the wishes of the senior Senator from Delaware and the senior Senator from Florida I will not call up the amendment calling for an increase in U.S. employees for NASA civil service.

I am a firm believer in keeping Federal employment as low as possible. My record makes this very clear. Yet I do not feel we should let slavish adherence to a principle keep us from saving a dollar wherever we can. For this reason, to save the taxpayer's hard-earned dollar, I recommend that the Congress and NASA take a hard look at this policy area and design meaningful guidelines for levels of both contract and civil service employees and justification for such levels.

Mr. President, as basic support of this position, I shall ask unanimous consent to have printed in the RECORD the cover letter of a report submitted to the Congress, by the Comptroller General of the United States, Mr. Elmer B. Staats. The report is dated June 1967, and states the results of studies contrasting personnel costs for the same mission accomplished by contract and then by civil service employees.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[B-133394]

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C.

To the PRESIDENT OF THE SENATE and the SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The accompanying report presents the results of our review of the relative costs of using civil service personnel or contractor-furnished personnel to perform engineering and related technical support services at the National Aeronautics and Space Administration's Goddard and Marshall Space Flight Centers.

Our review at Marshall was limited to three contracts for services to be performed in three laboratories, for which Marshall incurred about $24.4 million in costs, excluding common costs, during the contract year ended in fiscal year 1966. At Goddard, we reviewed six contracts providing for engineering and related technical support services; the estimated cost of these contracts was about $19.9 million, excluding common costs, over a 3-year period.

Our review of the relative costs of obtaining the necessary services through the use of support contracts and through the use of civil service employees showed that estimated annual savings of as much as $5.3 million could be achieved with respect to the contracts we reviewed at Goddard and Marshall if these services were to be performed by civil service employees.

Also, it appears that additional savings could be achieved at the Marshall Space Flight Center and other Space Administration centers as evidenced by the results of studies accomplished or sponsored by the agency itself.

The indicated savings are attributable, for the most part, to the elimination of many contractor supervisory and administrative personnel, which would result from a conversion to civil service staffing and the elimination of the fees paid to the contractors.

By letter dated April 20, 1967, the Associate Administrator for Organization and Management provided us with the Space Administration's comments on our findings and conclusions. As a general justification for the use of the contractor personnel, the Associate Administrator stated, in essence, that the rapid development of the civilian space program had, from its inception, required the extensive use of support service contracts to accomplish assigned objectives. The Associate Administrator informed us that there were factors and considerations other than costs which would continue to be of a major significance in determining whether to contract for services.

Although recognizing that we gave consideration to factors other than cost in presenting our conclusions, the Associate Administrator stated that, in the situations discussed in our report, such factors supported the Space Administration's decisions that contracting for the services involved had been in the best interests of the Government.

We have no basis on which to question the Associate Administrator's views regarding the need for such services to carry out the objectives of the Space Administration's rapidly developing program, or his views regarding the significance of factors other than cost in determinations to contract for services. We recognize that, because of changing objectives or requirements, the National Aeronautics and Space Administration, as a practical matter, would probably have to continue to depend to some degree on support service contracts.

Although we recognize the possible merit of those considerations, it is our view that the Space Administration's policies relating to the use of such contracts have not been sufficiently clear as to the consideration which should have been accorded to relative costs in determining whether contractor-furnished or civil service personnel should be used.

In any event, we believe that, in contrast to its past rate of growth, the Space Administration has now achieved a relative degree of stability and should be able to better consider relative costs in assessing the extent to which it should continue to rely on the use of support service contracts. In this regard the Associate Administrator advised us that the Space Administration recognized the need for more specific guidance on cost considerations and that such guidance would be part of any redefinition of policy resulting from a current review of agency experience in the use of support service contracts.

We are bringing this matter to the attention of the Congress because of the potential for savings that we believe would result from greater consideration by the National Aeronautics and Space Administration of the relative cost of contractor and in-house performance of support services. Also, because the action to fully correct the situation discussed in this report would require a significant change in the Space Administration's policy relating to the use of support service contracts and because of the potential effect that a significant change may have on its civil service personnel requirements, the Congress may wish to consider the policy aspects of this matter in further detail with agency officials.

The Congress may also wish to explore with the National Aeronautics and Space Administration the impact that cost considerations should have in determining whether to use contractor or civil service personnel in those cases where either contractor or civil service personnel could equally carry out the operation.

Copies of this report are being sent to the Director, Bureau of the Budget, and the Administrator, National Aeronautics and Space Administration.

ELMER B. STAATS,
Comptroller General of the United States.

Mr. PROXMIRE. Mr. President, I would like to read a paragraph to the Senate, as it states exactly the point I am trying to make:

> We are bringing this matter to the attention of the Congress because of the potential for savings that we believe would result from greater consideration by the National Aeronautics and Space Administration of the relative cost of contractor and in-house performance of support services. Also, because the action to fully correct the situation discussed in this report would require a significant change in the Space Administration's policy relating to the use of support service contracts and because of the potential effect that a significant change may have on its civil service requirements, the Congress may wish to consider the policy aspects of this matter in further detail with agency officials.

This excerpt from Comptroller General Staats makes clear that there should be some change in employment policy and such a change in policy will result in substantial savings to the Government. I submit to the Senator that the switching of funds from contract employment to civil service employment could result in substantial savings for fiscal 1969 and continue as we pursue our space efforts in the years ahead.

Savings of $151.8 million from $2,038 million results in an Apollo authorization, under this amendment, of $1,887 million.

Second. Apollo application: I recommend a cut of $186.4 million from the Apollo applications program. This cut is identical to the amount cut by the House bill. I believe that this lower figure is consistent with the defined goals of the program. As I said earlier in my remarks, this program was cut substantially last year and NASA itself diverted over $60 million from it to support other programs. Furthermore, the program is full of uncertainties as to definite goals. It seems that the only firm goal in mind at NASA is to achieve a substantial financial commitment from the Congress.

Until it is made very clear, what the specific goals of the AAP program are and that there is no duplication between the AAP programs and the Air Force's MOL and there is further clarification and resolution of the manned versus unmanned flight controversy, I urge that my colleagues accept this cut and permit this program to proceed at a better-planned and more prudent pace. As the President's Science Advisory Committee asked in its February 1967 report:

> Whether the pace of the overall manned flight program necessitates the acquisition of these longer duration flight data substantially earlier than available from the MOL.

This question has not yet been answered and until it is answered there is no justification for authorizing nearly half a billion dollars for AAP.

Furthermore, Mr. President, the cutting down on this program for post-Apollo flights would represent no threat to our national security as some would have us believe. The Director of Defense Research and Engineering of the Defense Department, stated in a letter on May 31, 1967 that—

> The main contribution of NASA's space program to defense is in the technology being developed rather than in major items of hardware. . . . While much of the basic spacecraft technology developed by NASA could contribute to a space surveillance system, the contribution to a ballistic missile capability would be substantially less. In fact, the DOD ballistic systems and technology programs, which have contributed heavily to NASA's space effort in the past, are expected to provide technology advancements of value to NASA in the future, particularly in such areas as guidance and control, upper stage propulsion, and reentry materials.

Mr. President, certainly that statement from the military should put to rest the statements that curtailing some of the less-defined programs in NASA would hurt our defense posture. Indeed, the statement backs up exactly what I referred to when I said that NASA could contribute more to post-Apollo space investigation by developing new technology rather than applying present technology to bigger and bigger boosters that only can be meant for manned-flight beyond the Moon, before the Congress has authorized such flights or even considered and debated whether this type of flight is to become national policy. First, the scientific controversy should be resolved and then Congress can decide on controlling policy before NASA takes it upon itself to commit the Nation in the 1970's to flights to Mars and beyond.

Savings of $186.4 million—the House figure—from the requested $439.6 million, would result in an authorization of $253.2 million. This figure is sufficient for NASA to carry on a post-Apollo program that does not commit us to deep-space manned flights yet permits the advance of a technology that will permit the design and construction of the hardware necessary to achieve this goal should the Congress determine this to be national policy.

Third. Advanced missions: In view of the fact that substantial cuts are being made in the AAP and other programs and their pace brought under firmer control, it logically follows that those programs being planned even further in the future should likewise be cut back. Funds authorized for advanced missions study are to be used in determining the need for an intermediate launch vehicle for the space station program. Since this program will not become operational until the mid-seventies, the delay in funding advanced missions seems to be fully justified. I support the reasoning contained in the Senate report. However, since the overall R. & D. savings contained in my amendment are substantially above those in the committee amendment, it logically follows that the funds needed for advanced missions should be corresponding lower. Less money available lengthens the timespan in which those various programs can become operational. A restraining hand on Apollo applications necessarily puts advanced missions further in my future.

For this reason I propose to save $4 million from the requested $5 million, leaving $1 million for advanced mission planning.

Fourth. Physics and astronomy programs: The Senate committee cut $5 million from this program. I propose to add to that cut the sum of $41.9 million achieving a total saving of $46.9 million.

This program can be cut both in number of flights, types of hardware, and in the support for the various launches. Slowing this program to a more manageable pace will permit fuller evaluation of the data already gained from past explorations of the solar system, interplanetary environment, and ionosphere. I believe, particularly with respect to sounding rockets, we may be indulging in some scientific overkill here. Surely, this is an area where some economies can be achieved without essential damage being done to the program. I doubt very much that it is necessary to send up over 100 sounding rockets a year. Surely, space matter, radiation levels and energetic particles at the 40- to 175-mile range does not change radically every 3½ days.

Other areas where economies can be achieved are by delaying or eliminating IMP, the two planned Explorers and Sunblazer. It would also seem here that Explorer is planned to do the work of the sounding rockets. If we are going to have a satellite in the 40- to 175-mile range we will be gathering the same data gathered by the sounding rockets. I don't believe that sound arguments can be made for retaining both of them. This is one area where the Administrator can look for overlap and allocate funds where they will achieve the most for the least money.

Savings of $46.9 million from $141.9 million results in a recommended authorization of $95 million for physics and astronomy.

Fifth. Lunar and planetary exploration: The Senate committee cut $15 million from this program. I propose to add savings of $50 million to that to achieve total savings of $65 million.

While the descriptions of the functions of this item and its various programs indicate that their purpose is to gather scientific data about the moon and the other planets in our solar system, it seems clear to me that the real object of this total program is to commit the United States to manned exploration of the solar system during the late 1970's. Again we would be putting the cart before the horse. I would like to remind my colleagues at this point, that it is estimated conservatively by space experts that to embark now on a policy of deep-space manned flights will commit us to expenditures in the nature of $200 billion. It may well be that by the early seventies we will be able to afford such an outlay for space exploration; though I seriously doubt it. Yet the fact remains, we cannot afford it now and we can't pay for it now, except by bigger deficits, higher taxes, inflation and continued serious neglect of more pressing problems right here on earth, right here in the United States.

Again since my amendment and suggested specific cuts envision a substantial savings in all manned programs and significant savings in unmanned programs, it is logical to expect lunar and planetary exploration to slow its pace to that of Apollo Applications.

Because of this program's close tie-in with the After Apollo program, it can be reduced substantially without causing any serious damage to our presently defined national goals on space. That goal of reaching the Moon by 1970 is a fact; however, the continuation of manned space flights to Mars, Venus, and Mercury is not. Testimony before both committees of Congress and the reports of both committees make it quite clear that research and development in extremely expensive programs calling for manned flights to other planets in our solar system is included in this request. But I state again that the Nation has not yet committed itself by law to deep-space manned exploration. Yet a look at practically every item in the budget requests show that what we are doing now is a mere prelude to what will be done on the manned level during the next decade. Size of boosters, size of projected antenna systems, development of a nuclear rocket: all are gradually committing us to backing into a stupendously expensive program that the country would not approve and the Congress would not approve of our undertaking if our eyes were open to total projected costs. Again I refer to the figure of $200 billion to place a man on Mars.

The statement in the Senate committee report that Titan Mars 1973 "provides maximum flexibility to implement future mission options depending upon the national interest and economic support for planetary exploration" would seem to lend itself in 1973 to the argument that since we have already spent millions and millions and millions of dollars developing this capability we must now go ahead and put a man or men on Mars. Again, we are backing into deep-space manned exploration at a time when we simply cannot afford it.

Savings of $65 million from the requested $107.3 million results in a recommended authorization of $42,300,000.

Sixth. Bioscience: In the bioscience authorization I concur with the Senate committee recommendation for a saving of $9.2 million. Taking the $9.2 million from a request of $48.5 million results in a recommended authorization of $39.3 million.

Seventh. Space applications: Again I concur with the Senate figure for space applications authorization. The saving of $13.5 million from a request of $112.2 million results in a recommended authorization $98.7 million.

Eighth. Launch vehicle procurement: The Senate committee cut $10.6 million from this request. I would add savings of $28 million, arriving at total savings of $38.6 million.

In view of the savings achieved in the programs that will utilize these various launch vehicles, there will be a corresponding smaller need for launch vehicles. Cuts can be made in Scout, Delta, Agena, and Centaur procurement, since the specific programs which they are connected with will also be reduced or slowed to a pace that is fiscally manageable.

Ninth. Sustaining university program: Because of the impact other cuts in hardware will have on basic research, I recommend that no cuts be made in this program. The tendency for basic research to be cut before the giant rockets even feel the pinch is well known in the scientific community. I would not want to see this happen and suggest that university programs be converted to basic research as much as practicable and that the full request of $10 million be allocated.

Tenth. Space vehicle systems: I concur with the Senate reduction in the program of $3.5 million. This cut can easily be taken from the supporting research and technology portion of the authorization without hurting the other smaller efforts within the program. Reductions in space vehicles themselves logically calls for reductions in their support systems needs. The recommended authorization is $31.8 million.

Eleventh. Electronic systems: Again I agree with the Senate committee reduction of $3.9 million. The recommended authorization is $35.5 million.

Twelfth. Human factors: Here I also agree with the cut made by the Senate committee. The reduction of $2 million from $21.7 million results in a recommended authorization of $19.7 million.

Thirteenth. Basic research: Here, as with the sustaining university program, I do not recommend any cuts. Basic research will suffer enough from cuts within the administration, I fear, and I will not add to its difficulties. However, I do believe that this type of research is of far more value ultimately than developing enough rocket thrust to theoretically get the Washington Monument rushing skyward. I support this type of research and hope the Administrator sees fit to leave it fully funded. This type of approach demonstrates the need for some reordering of priorities within NASA.

Fourteenth. Space power and electric propulsion systems: I concur here with the committee reduction. Savings of $2.5 million from a request of $44.8 million results in a recommended authorization of $42.3 million.

Fifteenth. Nuclear rockets: I concur with the House reduction of the nuclear rockets program from $60 million to $11.7 million, a saving of $48.3 million. As the House report says:

> In view of the magnitude of this commitment, and with a full appreciation of the progress to date in this field, the Committee deferred the NERVA engine development work for Fiscal Year 1969. This deferral was made primarily because of the large fund requirement and because there are no approved missions at this time that cannot be made with existing boosters. The $11.7 million remaining in the program is available to carry out necessary supporting research and to test the experimental reactors at the Nevada site.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. COOPER. Can the Senator comment in more detail about the nuclear rockets program?

Mr. PROXMIRE. The Senator refers to the nuclear rockets program.

I read from page 53 of the Senate committee report with reference to the nuclear rocket program:

> The objective of the Nuclear Rockets Program is to provide rocket propulsion systems for application to high-energy, high-payload missions of the future. In carrying out this objective, the AEC–NASA Space Nuclear Propulsion Office is conducting a detailed system-analysis, design, development, and test program to provide an approximately 75,000-pound-thrust NERVA engine of between 800–850 seconds specific impulse for flight status by about 1976. The data, designs, and experience required to develop this engine were established during the earlier technology phase of the program.
>
> The specific NERVA activities to be conducted during fiscal year 1969 include the completion of the technology phase of the NERVA program and continuation, at an increased level, of the design, development, procurement, and component testing of the 75,000-pound-thrust NERVA engine initiated in fiscal year 1968.

Earlier in my remarks, I say to the Senator from Kentucky, I indicated that I was concerned about this type of program because it seems to commit us to manned flights.

The principal reason for having rockets with this terrific thrust, as I understand it, is that they are necessary if you are going to put a man on a distant planet. The scientific community, as the Senator from Kentucky is aware, is divided on this matter. Many scientists feel it is unnecessary, that the benefits from having a man on Mars would be very slight, that we can have instruments do the same work with far less risk of life and far less expense.

My fear, if we go ahead with the program of having this engine, is that, having committed ourselves, the argument will be made that Congress has already appropriated this money and the Government is already committed to going ahead, that we have spent billions of dollars and we had better proceed. For that reason, I believe we had better keep our options open, especially at a time when our fiscal problems are so great.

Mr. COOPER. I have been following the Senator's argument; that if we approve the authorizations for the various items he has discussed, in effect, Congress would be approving—at least, through the authorization of money—programs which it really had not considered and which in some cases we may not ever want to undertake.

The reason I asked the Senator about this particular item is this: I recall that at the beginning of our major space effort, after the Sputnik was put in orbit, the United States was hampered for a long time by the fact that it did not have the necessary propulsion or booster system; while it was recognized that we had the best instruments and more sophisticated facilities and satellites, we could not match the Soviets for several years.

For years we were still working on propulsion or launching systems of greater power.

I do not know what the Congress and our country might want to do 5 years from now or 10 years from now. But I raise this question: If we did find it necessary in the Congress and the country to undertake advanced programs, would we find ourselves in the same position with respect to nuclear rocket, nuclear engines—in which we found ourselves after Sputnik, with respect to booster systems—unable to make the progress that could be very necessary?

Mr. PROXMIRE. I recall very well, also, that that was seemingly the only area in which the Soviet Union was ahead of us. We had more flights, more miniaturization, much more sophisticated instruments. But they were able to beat us in some of the great projects in space because they had bigger boosters and could send more people up, keep them up longer, and so forth, than we could.

Well, it depends on the objectives. I am sure that if we make the assumption and the commitment now that we want to put a man on Mars, and we are willing to commit ourselves to $200 billion—which is one estimate, and I believe a reasonable and sensible estimate, of what it would cost—then I believe the logic of the argument that we should go ahead now with these big boosters makes sense. However, as I understand it, we do not need these big boosters for the Apollo program, and they are not part of the Apollo program.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. ANDERSON. Will the Senator explain where he gets the $200 billion figure? No reliable authority has set it.

Mr. PROXMIRE. It is my understanding that this estimate was made on the basis of general study of other scientific estimates, both on the floor of the House and in the committee of the House, and it has not been refuted. Other people say it will not cost that much.

I would be happy if the Senator would indicate what his estimate would be of the cost of putting a man on Mars. It is going to cost approximately $40 billion to put a man on the moon. It seems to me that it would be far, far more expensive to put a man on Mars—at least $200 billion and probably more than that.

Mr. ANDERSON. I wish to make this statement carefully. The committee has reviewed the NASA program very carefully. It is our view that there is no money in the budget for a manned planetary flight. Can anyone show where it is in the budget? Not a dollar is provided in the budget for that purpose. The Senator has been talking about it all afternoon. Can he show the $200 billion figure on paper?

Mr. PROXMIRE. I am saying to the Senator from New Mexico that of course it is not. I am not claiming that the committee has told us. If it did, I believe we would have a clear-cut issue before the Senate, and we would be able to cut this authorization easily.

The only reason for this enormous commitment of funds to these very powerful engines, for example, is so that we can put a man on planets or on the moon.

Mr. ANDERSON. Not necessarily.

Mr. PROXMIRE. What purpose do they serve, then?

Mr. ANDERSON. Planetary flight. They do not necessarily have to put a man on Mars.

Mr. PROXMIRE. They would be useful for what purpose besides going to another planet?

Mr. ANDERSON. It would be to have a fly-by. That would not be landing a man on Mars.

Mr. PROXMIRE. That is one of the difficulties of the program.

Mr. ANDERSON. The difficulty of the program has been that the people working for the committee hour after hour have the facts and it makes it difficult in a session of this nature.

Mr. PROXMIRE. I was going to say to the distinguished Senator that the difficulty is to create these enormous and expensive engines, and they say there are no specific missions for them to perform. It would be different if they had some kind of mission involving the Apollo program but this is outside the Apollo program.

Mr. WILLIAMS of Delaware. Mr. President, will the Senate yield?

Mr. PROXMIRE. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I shall support the amendment of the Senator from Wisconsin.

I do not question for one moment that much knowledge can be gained through this program. I think it is very worthwhile, but nevertheless we are going to have to make significant cuts in many of these programs.

The conference report dealing with the tax bill, which is now awaiting action by the House of Representatives, provides for a $6 billion mandatory expenditure reduction for fiscal 1969. It also provides in the second section that it be mandatory that we reduce the obligational authority in fiscal 1969 by $10 billion. Then at the end of this year they are supposed to rescind $6 billion of the outstanding obligational authority.

Mr. President, the proposal of the Senator from Wisconsin proposes to reduce new obligational authority from $4,150,000,000 to $3,370,000,000. This is $1 billion less than the budget asked for and about $780 million less than reported by the committee.

Without debating the merits or demerits of this particular program, I merely point out that we must establish a system of priorities; the only alternative would be to pass to the President this authority to make the reductions. We would be conferring upon the President the instruction and direction to cut $10 billion from new obligational authority for 1969 and to reduce spending by $6 billion.

I think that we in Congress should establish our own system of priorities by cutting back on some of these programs. This program is one in which we can make reductions.

I certainly support the amendment of the Senator from Wisconsin, and I wish to join him as a cosponsor.

Mr. PROXMIRE. I thank the Senator from Delaware. He certainly is the leader in the Senate on economy. I have followed his lead almost 100 percent of the time. However, he has done a magnificent job in this respect.

Mr. President, I hate to think of the problems we would have in terms of keeping spending down if it were not for the Senator from Delaware. His support is most welcome. He is always most logical in his perspective. He has not made unreasonable proposals that we eliminate services. His approach has always been thoughtful and designed to cut out what we do not have to have.

Mr. WILLIAMS of Delaware. We have to cut those items which have the least priority at this time. To get the record straight, the bill before us would authorize new expenditures in 1969 and years thereafter in the total amount of $4,150,560,000.

The amendment offered by the Senator from Wisconsin of which I am a cosponsor, would reduce the overall authorization that could be permissible in 1969 and thereafter to $3,370,400,000, notwithstanding the authorizations in the act.

Mr. PROXMIRE. The Senator is correct.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BIBLE. I wish to ask a question or two on the nuclear rocket engines to which the Senator has been addressing himself.

I understand that in the overall amendment he is proposing to cut back to $11.7 million, which is the House figure.

Mr. PROXMIRE. The Senator is correct.

Mr. BIBLE. I wonder how the figure of $11.7 million was reached. Could the Senator tell me that? Why is the figure not $12.5 or $10 million?

Mr. PROXMIRE. Frankly, I cannot tell the Senator. I can tell him, in general, they cut the program for the reasons I indicated. The House said:

> In view of the magnitude of this commitment, and with a full appreciation of the progress to date in this field, the Committee defered the NERVA engine development work for Fiscal Year 1969. This deferral was made primarily because of the large fund requirement and because there are no approved missions at this time that cannot be made with existing boosters. The $11.7 million remaining in the program is available to carry out necessary supporting research and to test the experimental reactors at the Nevada test site.

I presume the reason they made it $11.7 million is that was their estimate of what it would take to forget the development of the NERVA engine, to lay that aside, and rely completely on experimental research and reactors.

I think it is necessary and desirable for the RECORD that it be pointed out that none of this is mandatory. The administration would be free to spend $9 million or $13 million if it were consistent with the remainder of the program. These are some areas that could be cut.

Mr. BIBLE. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I yield.

Mr. BIBLE. Mr. President, I support wholeheartedly and enthusiastically the action of the legislative committee in reporting the bill.

In allowing for the NERVA I project, I think it can be demonstrated it is worthwhile, that it has an essential mission, and should go forward; but I am not going to trespass on the Senator's time for that purpose. I shall attempt to be recognized on my own time by the Presiding Officer later.

I have been advised, and this is the purpose of the question, that the $11.7 million was the cutback figure of the House of Representatives and it is insufficient even to take care of the phasing-out operation.

Mr. ANDERSON. The Senator is correct.

Mr. BIBLE. They have certain contract obligations. Even if they phased out, it is something like $30 or $35 million.

I am wondering if $11.7 million—with which I do not agree, in any event—is realistic. Possibly the chairman of the committee could throw some light on the matter. I wonder why that figure is used. The Senator has said he took the figure from the House of Representatives.

Mr. ANDERSON. It is a liquidating figure. It should have been $38 million. They got $11 million by mistake in the RECORD, that would completely wipe out this work.

Mr. BIBLE. But with respect to completely wiping it out, I might say to the Senator, the figure would not do that. It should be in the range of $21 to $30 million.

Mr. ANDERSON. The Senator is correct.

Mr. BIBLE. I am not espousing that and I do not propose it. I wondered where the figure came from.

Mr. PROXMIRE. It came from the House of Representatives.

There is one particular matter to which I wish to call the attention of the Senator from New Mexico and the Senator from Nevada, and that is that there is discretion for the Administrator. If there is need for $21 million, it would not be easy, but it would be possible for him to secure other funds. He could spend more than $11.7 million if my amendment is agreed to.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BIBLE. Is it the intent of the Senator from Wisconsin to proceed with the overall approximate $1 billion cut, with that discretion vested in the Administrator?

Mr. PROXMIRE. The Senator is correct.

Mr. BIBLE. Rather than the individual amendment.

Mr. PROXMIRE. I am simply discussing what might be reduced. I am not saying this is what has to be done. I am saying: "You must cut $1 billion in the budget request, but the specific cuts can be made now." It does not have to be made this way.

Mr. BIBLE. The amendment of the Senator from Wisconsin, which I understand the Senator from Delaware is cosponsoring, will be an overall $1 billion cut to be exercised in the discretion of the Administrator.

Mr. PROXMIRE. The Senator is correct.

Mr. BIBLE. I thank the Senator.

Mr. WILLIAMS of Delaware and Mr. HOLLAND addressed the Chair.

Mr. PROXMIRE. Mr. President, I yield first to the Senator from Delaware and then I shall yield to the Senator from Florida.

Mr. WILLIAMS of Delaware. Mr. President, I agree with the answers the Senator gave to the Senator from Nevada, but to clarify the matter I think we might modify the language somewhat.

All the authorizations under the bill naturally are not for spending in the year authorized. Some of this year's authorizations will be spent in 1969 and some in subsequent years. The way the amendment reads it is tied to expenditures in fiscal 1969. I suggest that to make it clear, on line 5 we amend it to strike out the words "in the fiscal year ending June 30, 1969," and let the amendment read "not more than $3,370,400,000 may be expended for all programs under authorizations by this act."

Then there would be no question that it gives discretionary authority to put the cuts where they prefer. The money can be spent in 1969 or 1970, whichever they think would be more feasible.

Mr. PROXMIRE. I agree with the Senator. Mr. President, I ask unanimous consent that line 5 of my amendment containing the words, "in the fiscal year ending June 30, 1969," be stricken and a comma added after the word "expended"——

Mr. HOLLAND. Mr. President, I object.

Mr. PROXMIRE. Mr. President, I move that the amendment to my amendment be taken—oh, I will send the modified amendment to the desk shortly.

Mr. WILLIAMS of Delaware. Mr. President, it will save a lot of time——

Mr. HOLLAND. Mr. President, I object because such a change would completely contradict the statements made twice into the RECORD already by the distinguished Senator from Wisconsin as to what his purpose is. I do not propose to have a complete change in direction as to what his purpose is at this stage in the proceedings.

Mr. WILLIAMS of Delaware. The intention is to cut back on authorizations in this bill. It can be corrected in this amendment, or a new amendment can be offered to accomplish the same result by three rollcall votes.

Mr. HOLLAND. All I can say is that the request for unanimous consent changes this amendment in a very important way, so as to make it differ in its meaning from what has been stated in the RECORD twice by the Senator from Wisconsin, as to what his meaning is and what his intention is; and I prefer not to have it done that way. If the Senator wants to offer a different amendment later, that is all right. But, as it is now, the RECORD shows clearly what the Senator is trying to do, and what the distinguished Senator from Delaware is trying to do; namely, to effect a change of purpose already stated twice in the RECORD.

Mr. PROXMIRE. Let me say to my good friend from Florida, whom I highly respect, and who is an extraordinarily able and distinguished member of the Appropriations Committee, and understands these things very well, that by deleting the words "in the fiscal year ending June 30, 1969," I am simply saying that, "nothwithstanding the foregoing provisions of this act, not more than $3,370,400,000 may be expended for all programs authorized by this act." I achieve what is my objective, and what is also the objective, I believe, of the Senator from Delaware.

Mr. WILLIAMS of Delaware. I would likewise achieve what the Senator from Florida wants, because we would not tie them down as to what they can spend under the bill for 1969 under new outstanding obligational authority. This is merely a reduction of the authorization under the particular bill from $4,150 million to $3,370,400,000, which is $1 billion less than the new obligational authority requested by the Budget. It is $780 million less new obligational authority than was reported by the committee. That is exactly what the Senator from Wisconsin stated at the beginning.

Mr. HOLLAND. What are the words the Senator from Wisconsin wished to delete?

Mr. PROXMIRE. On line 5 of the amendment, "in the fiscal year ending June 30, 1969." Those words would be deleted.

Mr. HOLLAND. In other words, this amendment would leave the limitation of $3,370,400,000 for expenditures not only in this year but also for all years in the future; is that it?

Mr. WILLIAMS of Delaware. Under this particular authorization program; yes.

Mr. PROXMIRE. But only under this authorization. Next year would be another authorization.

Mr. WILLIAMS of Delaware. It would not affect the outstanding authorizations or carryovers.

Mr. HOLLAND. I think I shall continue my objection. If the Senator wishes to draft another amendment and put it in, that will be a different situation; but this would change it. As the Senator well knows, the meaning of his amendment has already been stated by him and placed in the RECORD twice, in response to specific questions addressed to him by the Senator from Florida.

Mr. WILLIAMS of Delaware. I have no objection if the Senator from Florida wants to insist on his position, but I really think that it would make a lot of unnecessary work for the Senate and about three extra rollcall votes to get back to the same objective. It would take unanimous consent to withdraw this amendment, or it could be rephrased in 20 different ways. Thus, in the interest of orderly procedure and to save a lot of time I believe that the Senator from Wisconsin should have the right to modify his amendment. It is clear that the authorization the committee reported was $4,150,560,000 and that the budget had asked for $4,370,400,000, and it is also clear that the Senator from Wisconsin was trying to reduce it by $1 billion below what was the budget request, which would be about $780 million below what the committee reported.

Now the committee report points out that the expenditures and the authorizations in years heretofore have been in excess of that, so it would be reasonable to expect that the expenditures could be even higher this year. But I do not believe that the Senator from Florida wants to tie this as a limitation on the overall expenditures of the agency by including the outstanding authorizations.

Mr. HOLLAND. Mr. President, with that explanation, I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the modification of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. I thank the distinguished Senator from Florida and the distinguished Senator from Delaware.

Mr. CANNON. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. CANNON. Does the Senator intend to have the NERVA program completely terminated? Is that the intent of his amendment?

Mr. PROXMIRE. The intent of my amendment—as the House acted on it, as I understand it, relative to the work on the NERVA engines—would be to permit the rest of the program, what they call "necessary supporting research" and testing of the reactor at the Nevada site. The senior Senator from Nevada and the junior Senator from Nevada are experts in that field. It is in their State. I know that the Senators from Nevada understand the program thoroughly and in detail, and if they tell me that it would take more than $11.4 million to keep the program alive at all, I think they might very well be right. But what I should like to say to the Senator from Nevada [Mr. CANNON] is, this is a suggested way in which the Administrator could save $1 billion. If he has to spend more than $10 billion or $15 billion, he is free to do it, provided he can get the $10 billion to $15 billion elsewhere. Thus, I am not locking out the NERVA program, or any others.

I am merely suggesting ways in which possibly this amount of money could be saved. The two Senators from Nevada made a very good point on this particular program.

Mr. CANNON. Is the Senator aware of the fact that the NERVA program has been a very successful, ongoing program up to the present time?

Mr. PROXMIRE. Yes, indeed.

Mr. CANNON. Is the Senator also aware of the fact that there are two engines in the process of completion and on which most of the work has been accomplished, in a bought and paid for sense, but they could not be tested if the Senator's amendment were to be adopted?

Mr. PROXMIRE. I understand that. It could be done. Anything could be done. They can go ahead with the full budget funding. They could not go above it, but they could go as far as the Senate suggested. I am suggesting that this is one place in which it could be cut. The reason for it is that there is no approved mission for the engine.

Mr. CANNON. I wonder if the Senator is aware of the statement made by Mr. Klein as it appears in the hearings. Let me read from the hearings:

> Senator CANNON. Now, the House Committee on Science and Astronautics has reduced the $60 million request by $48.3 million, as we all know, leaving only $11.7 million in

> the bill. If this cut were to stand, what is the effect on personnel employed by Government agencies and contractors in the program?
>
> Mr. Klein. That cut, Senator Cannon, would essentially wipe out the entire program. The best we can determine, it might about pay for the cost of termination, immediate termination; that is, but would not at all provide for the testing even of hardware that is on hand. So it is immediate termination, essentially.
>
> Senator Cannon. That was going to be my next question: What would be the effect on the test firing of the experimental engines, No. 1 and No. 2, which have yet to be accomplished in the technology program?
>
> Mr. Klein. It would not permit us even to conduct those tests.

In view of that statement, I wonder if the Senator would feel that his position should be modified with respect to the NERVA program.

Mr. PROXMIRE. No. I realize it is going to be extremely difficult for the Administrator of NASA to make these judgments, but it is one of those disciplines that has to be enforced on the executive branch, because the Senate has now decided to cut expenditures by $6 billion. We have to find ways to do it. If the program has to be closed down, then it has to be. They can start it up again if they decide it should be started up again. The argument for closing it down has nothing to do with the fact that they are fine people who have made a success of the program. What it has to do with is that there is no apparent purpose for these engines once developed. They have no approved mission at this time that cannot be done with existing boosters. They just do not need it.

Mr. CANNON. The Senator made the statement that this program could be started up some time in the future if it were desirable. Is he aware of the fact that to close it down and start it up sometime in the future would be more costly than to continue the program at the present time?

Mr. PROXMIRE. That may or may not be true. Once again, it is discretionary with the Administrator. I may also say to the Senator from Nevada that it is perfectly possible, in view of the nature of technology in this field, that advances may be made that would make it cheaper to start in the future.

Mr. CANNON. Does the Senator also know that the Senate and the House have already approved for the AEC some $69 million to proceed with the program, a program directly related to the NERVA program; that Congress has acted to approve that amount, and that amount could not be used except in connection with the NERVA program? Is the Senator aware of that?

Mr. PROXMIRE. Of course, I am aware that whenever any of these programs are stopped, there are bound to be some kind of protests. The only way to economize is to economize. The only way to stop it is to stop it. It is going to be painful no matter how we do it.

Mr. CANNON. The Senator's statement does not get at the problem.

Mr. PROXMIRE. I say it is possible to go up to $55 million. I suggested $11 million, but $55 million is the only limit that is applied to the particular program by the Proxmire amendment for nuclear rockets. So there is absolutely no reason why the Administrator has to go down to $11 million or $13 million or $20 million, for that matter.

Mr. CANNON. I do not believe the Senator has answered the problem I raised.

I would like to quote from page 58 of the report, as follows:

> Since the Nuclear Rockets program is a joint program of the AEC and NASA, and since the authorization for the AEC portion of the program ($69 million) has already been approved by the Congress, it would be inconsistent to reduce the NASA portion by the $48.3 million suggested by the House.
>
> The House committee's report said:
>
> "This action was taken in recognition of the severe funding requirements of the Nation and with the full understanding of the progress that has been made in this program. In no way should this action be construed as a lack of confidence in the program but purely as a desire to defer the actual NERVA I development and reduce the level of effort in the nuclear rockets program."

Then the House and Senate both turned around and approved the AEC portion of the $69 million for this program. It has to go as one program or not go at all.

Mr. PROXMIRE. It is perfectly possible that the Appropriations Committee may cut the AEC appropriation, for that matter. We are going to have a lot of very, very painful cuts this year. There is no question about it. I am simply suggesting that we can cut this particular budget, and cut it deliberately, knowing what we are doing, and take responsibility for it. I think we can do so responsibly. What I am suggesting here is to leave with the Administrator the discretion to determine, when he is familiar with the situation, whether it has to be cut to $11 million or whether it should not be cut that much.

Mr. CANNON. I agree with the Senator that we may find areas than can be cut, but I also agree that cuts should be made that are responsibly made. I think the next two paragraphs following the paragraphs I just read from the report are pertinent, and I would like to read them:

> Many of the activities of the Nuclear Rockets program are in mid-stream and the $11.7 million left in the program by the House would not permit testing of experimental engine systems already built and might not even cover all termination costs. In spite of the language in the House report, then, it seems unavoidable that the Nuclear Rockets program would have to be terminated if funding is reduced to the level recommended by the House.
>
> Through fiscal year 1968 about $1.1 billion will have been invested in it by both NASA and AEC. To terminate it now would be to waste the knowledge already paid for and to lose the many highly skilled people on the program to other pursuits. The experts agree the technology is available to proceed now with the development of the NERVA I nuclear rocket engine and that nothing would be gained, and indeed much would be lost, if the development of the nuclear rocket engine was not undertaken at this time. Nearly everyone agrees that nuclear rocket propulsion will be required for space exploration, and attempts to reinstate the program at some future time would be extremely costly both in time and money.

The Senator seemed concerned about the fact that there was no specific mission, but I think the record is quite clear, from the testimony of all the experts, including Dr. von Braun and others, that this engine would be required for future missions.

Mr. PROXMIRE. What kind of missions?

Mr. CANNON. It is my understanding that the Senator earlier made the statement that it would be used for manned planetary explorations in the distant future. That is not contemplated.

Mr. PROXMIRE. What is contemplated? They do not have any approved missions for which they can use the present boosters. They do not need it.

Mr. CANNON. Mr. Webb, in his testimony before the committee in the hearing on NERVA, said:

> In considering how best to move ahead within the overall budgetary restraints without causing a major hiatus in the development of nuclear propulsion, we concluded, as we informed the Committee last fall, that a nuclear engine of approximately 75,000 pounds thrust would be the best system to proceed to develop. Our studies show that for all types of missions that we now foresee, an engine in this class will provide performance gains approximately equal to those possible with the larger engine, except that it is not the optimum size for very large planetary flights such as manned planetary landing missions.

In other words, he is pointing out the engine they have said they want to get—not NERVA II, but the upgraded NERVA I—would not permit them to go ahead with large planetary flights such as manned planetary landing missions.

Mr. Webb went on to say:

> However, Mr. Chairman, I want to be very clear that we are not proposing to proceed with nuclear engine development on the basis of manned flight to the planets, and that such missions are not included in our plans at this time.

Then he does go on and states the type of missions that can be accomplished with the upgraded NERVA I engine.

Again on page 809 of our hearings, Mr. Webb made it clear, in response to a question from the chairman, the distinguished Senator from New Mexico:

> Mr. Webb. No, sir; we have no plan in our program for a manned flight to Mars or any other planet. We do have plans, as you know, to go the Moon, which is a satellite of the Earth and is different from these other bodies in that it is the first stage toward the development of a national capability to proceed outward.

Mr. PROXMIRE. May I say to my good friend from Nevada that once again, the language in the report is exactly the kind of thing which I have been referring to all day, which does not make any sense at all to me.

Listen to this:

> Through fiscal year 1968 about $1.1 billion will have been invested in it by both NASA and AEC. To terminate it now would be to waste the knowledge already paid for and to lose the many highly skilled people on the program to other pursuits.

And so forth. This is the argument for going on indefinitely with these things. We spend more this year in this bill on NASA, and next year and the year after the committee will come in and say we have to spend more because we have already spent so much.

It is true that there may be, possibly, some other kind of use for this engine, but the facts show there are no contemplated missions at this time which cannot be made with existing boosters.

Mr. CANNON. If the Senator will yield further, that certainly is not an argument for going on indefinitely. It is an argument for going ahead and completing the program.

It is like starting a program for building an automobile, going ahead and building the front end, and not completing the rest of it. If you are going to start a project, you ought to complete it. If it is worth doing, and we are going to do it, we ought to do it now, when we can do it at an optimum cost, rather than some unspecified time in the future.

Mr. PROXMIRE. If you are building an automobile, you can go ahead with your design and engineering and plans; but that does not mean you have to build it.

Mr. CANNON. If the Senator will yield, this has been built to a great degree. We have two engines already built, that have not been tested, and cannot be tested unless the program is funded. This equipment has been bought and paid for, and is hardware on the shelf.

Mr. PROXMIRE. They can be tested in the future, if not now.

Mr. CANNON. They can be tested if the committee's recommendations are followed, but they cannot if the Senator's recommendation is followed.

Mr. PROXMIRE. Let me read just two paragraphs from the House report. The House committee went into this in great detail, and took the same position I am taking. The report says:

> The funds required for the NERVA engine development extending through 1978 are estimated at $600 million. This is the total cost to NASA and to the Atomic Energy Commission. The distribution is $333 million to NASA and $267 million to AEC. Upon completion of this engine development it would then be necessary to develop the flight stage for a particular mission. This latter cost has been estimated at $500 million.

So if the Senator is telling me that because we have authorized $65 million for the AEC we have to go ahead, I am saying that this is just the beginning. The Senator says these engines are just about finished. If that is true, I cannot read, because this report says $600 million for further development, and then $500 million after that for the flight stage.

I quote further:

> In view of the magnitude of this commitment, and with a full appreciation of the progress to date in this field, the Committee deferred the NERVA engine development work for Fiscal Year 1969. This deferral was made primarily because of the large fund requirement and because there are no approved missions at this time that cannot be made with existing boosters.

I think that the Senator from Nevada does make a very strong case, as his colleagues did. Perhaps they could persuade the administrators to use other funds in this program. But I do think the argument the House of Representatives made also stands up, and I say to my good friend from Nevada that we are, after all, bound to have these difficulties when we cut back programs. We are not going to be able to finish everything; we have to interrupt some of them. Perhaps we will have to spend more dollars in the future if we decide to go ahead than if we had proceeded directly; but that is one of the problems you run into when you decide that you have to cut spending. It seems to me this is one of the painful decisions we have to make.

Mr. CANNON. Will the Senator yield further on this point?

Mr. PROXMIRE. I yield.

Mr. CANNON. I think the distinguished chairman of the committee made four very good points in his opening statement, and I believe that they should be reemphasized here:

> At this point I would like to include in the record four points made by Mr. James E. Webb, Administrator of NASA, in testifying in support of this program. I think they are most pertinent to the matter under discussion:
>
> "First, during the second decade of the space age we will undoubtedly find that there are important civil or military requirements for space vehicles and missions requiring nuclear propulsion or for which it will provide decisive advantages.
>
> "Second, as in other fields of advanced technology, the Nation should not shortsightedly cut off or constrain the development of new technology of great promise because specific requirements or applications cannot be clearly identified and justified in advance.
>
> "Third, it is very important that we move ahead with nuclear rocket engine development in fiscal year 1968 and fiscal year 1969 to give a clear signal that the United States does not intend to limit its development of large launch vehicle and payload capabilities to those of the Saturn V class space booster.
>
> "Fourth, it is important to proceed with the development of a nuclear rocket engine at this time to serve as a central focus for a continuing advance in the nuclear and other technologies involved. We may well find over the next half dozen years important benefits and applications in other fields coming out of the work on nuclear propulsion. so much of which is at the most advanced boundaries of our current knowledge and technology."

I think that does make a very good case, and I thank the Senator for yielding.

Mr. PROXMIRE. I thank the Senator from Nevada. I think he makes a strong case. I simply say in response that I believe there is great merit in the House position, which I support. I think that merit is increased, furthermore, by the fact that the Administrator does have discretion in this matter, and if he feels that particular programs need greater funding, he can reduce other programs. This is just a suggested list of reductions; it is not mandatory.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. COOPER. I raised a question about this particular item about an hour ago for these reasons: I have been following the Senator's argument for reducing the authorizations for specific items, and his general grounds for all reductions.

As I have followed his argument, the Senator did not, first, want Congress to commit itself to large future programs, by this means of gradually increasing authorizations over the years, without really making a decision as to whether it wanted to engage in such a future program.

But I noted that in the Senator's proposed reductions, item by item, he did not reduce any one of the items extensively. On the first item, for example—the Apollo program, in addition to the cut that has been made by the committee, the Senator proposed a cut of 7 percent.

As I followed the Senator, item by item, it seemed to me that he suggested what I thought were reasonable reductions. But when the Senator came to the item we are now discussing, he is proposing a cut of from $50 million to $11 million.

Mr. PROXMIRE. Fifty-five million dollars to $11 million.

Mr. COOPER. Such a cut, it seems to me, differs from the treatment of other items, and would have the effect of ending the entire program. To attempt to make judgments about the U.S. space program is difficult for all of us except those who are on the committee on the Appropriations Committee, who have a chance to hear all the testimony, and who have studied the subject for years.

But I recall the problem that the country experienced at the time the Russians put up their Sputnik. We had highly sophisticated instruments and sophisticated satellites, but we did not have a booster system that could launch large satellites. For years we witnessed the Soviet Union sending into space larger and larger satellites; then a satellite carrying a dog; and then satellites carrying men. The United States was behind.

This program involves a new kind of engine. According to the report, it is described as a new development, one that could be a highly advanced means for the propulsion of a space vehicle. Its technology could also be applied in other fields.

I believe it would be more reasonable, and I would feel much better about voting for the Senator's amendment, if he would not insist on suggesting that the nuclear engine be cut so extensively—and thus close out a program which might be of inestimable value in the future.

Mr. PROXMIRE. The reason I propose to cut the amount sharply to $11 million is that I follow the recommendation of the House. The House made an even greater cut. Of course, the Senate did not agree with the House. But I say, in support of the position I have taken, that I have not specified in the amendment that the cuts have to be made in each program. I simply propose an overall cut of $11 million, the cuts to be made at the discretion of the Administrator and within limits set by the Senate. However, if the Administrator felt he should cut the amount for the engine program, he would be free to do so. He may make cuts in other parts of the program, as well.

The argument of the Senator from Kentucky is a strong one. However, the House also said it simply did not have any approved missions for which this booster is necessary.

Mr. COOPER. As a matter of commonsense, it seems that, unlike the Senator's other proposals, his suggestion in this case would discontinue a program which is in progress and which might mean more for the future development of technology, not only in the area of space but in other fields as well, than would some of the other items.

The Senator relies on the House position; but we do not have to accept that position. We must make our judgment.

Mr. PROXMIRE. I am not relying completely on the position of the House. The Administrator is free to act within certain limits.

Mr. COOPER. If I were in the Senator's place, I would act differently with respect to the item for nuclear engines.

Mr. PROXMIRE. I am sure that the Administrator, who would have discretion, would act quite differently from the Senator from Wisconsin if the amendment should prevail and should be retained to any extent in conference.

Let me add one more sentence from the House report. I read from page 90:

> Nuclear propulsion would also reduce by several million pounds the weight of the space vehicle required to be launched from earth orbit for manned planetary missions.

So while this is not the only purpose of the manned planetary missions, as specified, it is one of the principal purposes for a nuclear rocket.

Once again, I say that I simply do not think we ought to make a commitment, or even an implicit commitment, for manned planetary flight.

Mr. HOLLAND. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. HOLLAND. I am particularly intrigued by the approach which the Senator follows. Apparently he wants to follow anybody except the Senate committee, which has made this recommendation. In one breath, the Senator says, "Let us leave the cut to the discretion of the Administrator. He can put in $55 million, or a larger or a smaller amount, if he wants to." In the next breath, the Senator says, "I recommend that we follow the proposal of the House committee, which reduced the amount to $11.7 million."

I am wondering whether the Senator thinks that the Senate committee made no study at all, when it recommends a particular handling of this problem, specifically in language that is different from the House language, and does not leave tremendous discretion with the Administrator, rather than with Congress.

Mr. PROXMIRE. No; I followed the recommendations of the Senate committee to a great extent. I accept the limits the committee placed on each program. I do not change them at all.

But I do feel that if we are to have a saving of $6 billion, which the Senate has forced itself to take by adopting the Smathers-Williams amendment, we ought to be responsible enough to indicate areas where the savings should be made. We ought to recognize what the implications will be if we do not do that.

If we go ahead with the kind of funding that the committee recommends for the space program, it means that we will virtually wipe out other programs. We will have to make a proportionate cut in every program that comes before us.

This is a modest reduction in space spending. If we will carefully examine the budget, as I am sure the Senator from Florida has done, and try to figure out how we can cut $6 billion in expenditures during the coming year, we will find that it is a very difficult and painful task, one which will require at least the kind of cut that I am recommending.

Mr. President, this statement supports not only the wise deferral by the House of this program but underlines my earlier statement that we are developing hardware for which there is "no approved mission at this time." Here is a prime example of how we are being maneuvered backward into investing in programs that have not yet been defined as national goals by the Congress. I fully support this saving. It is eminently justifiable.

Sixteenth. Chemical propulsion: In this request, I concur with the saving recommended by the committee. The reduction of $6.5 million from a request of $36.7 million leaves a recommended authorization of $30.2 million for chemical propulsion.

Seventeenth. Aeronautical vehicles: I recommend a reduction for this program of $35.6 million. Mr. President, it is no coincidence that this figure is the exact sum of the amounts requested for supersonic and hypersonic aircraft technology supporting research. Research in these two areas are a gift to the aircraft manufacturing industries. I do not see the fairness to taxpayers who will never be able to afford supersonic commercial air travel or even live to see hypersonic commercial air travel subsidizing this kind of research. If there is a need for this type of transportation, then it is economically viable. If it is economically viable, then there will be a return on investment. If the aerospace industries feel this is an area of promise, then the Government should not preempt this field that will eventually pay such high dividends.

Admittedly there is some benefit to the military from this type of research. However, I am in favor of the military funding and conducting their own research in these highly sophisticated fields.

If there is a military justification for hypersonic flight, then let the military develop it and let the nonmilitary applications of hypersonic flight technology take second place, as it should. Again, if industry expects to benefit from such research, then let them undertake to pay for it. Let us not grant funds received from hardworking, average Americans so the jet set can fly ever faster between the glamorous capitals of the world.

Reduction of this program by $35.6 million results in a recommended authorization of $41.3 million. Should the Administrator still wish to subsidize industry, it will be at the expense of other more justifiable items in aeronautical vehicles program.

Eighteenth. Tracking and data acquisition program: The Senate committee recommends savings of $15 million. To this figure I would add $100 million, resulting in a total savings of $115 million. As I mentioned earlier in my remarks on Apollo, I would have preferred to have half of this added to the administrative operations authorization for use in converting contract employees to civil service at a net saving to the Federal Government. However, because of the practicalities of the situation, the Administrator will have to absorbe this whole cut as best he can and allocate to the AO budget only so much as is absolutely necessary to support fiscal 1969 programs in their reduced size.

Another important point here is that a reduction of this size will require the Administrator to assign costs for tracking and data acquisition to each specific program on the basis of intensity of coverage and time involved in servicing each specific project. This will require closer identification of total project costs and enable Congress to get a better idea of the real cost of each specific project and judge whether its benefits warrant the investments made and projected in effecting it.

Saving $115 million from the request of $304.8 million results in a recommended authorization of $189.8 million.

Nineteenth. Technology application: This is another area, Mr. President, where I recommend that no cuts be made. I believe it is essential that there be some centralized agency to analyze the nonaerospace application of discoveries and technology resulting from space research and technical programs. I concur in the Senate committee's reasoning that there is no pressing need to conduct "various undefined management studies," but feel that the savings effected should be applied to additional research in this field which promises so much.

This is where we should recoup some of the huge investments already made in aerospace efforts. I recommend authorizing the full $4 million.

CONSTRUCTION OF FACILITIES

Mr. President, I also recommend a cut of $45 million from the funds requested for construction of facilities. I realize that this is the total figure requested and that this leaves no specific funds in the construction budget. However, I point out that this is another opportunity for the Administrator to move closer to the ideal of identifying total costs of each project. Surely, part of the costs of a project should be the facilities needed to conduct it properly. The construction costs should come out of the total funds identified as necessary for the project. As I said before in my remarks, this will also give Congress a better idea of the costs of a program and evaluate its progress or lack of it and the benefits to be achieved for the investments made.

In addition to pointing out the necessity for more accurate cost figures, I should like to call attention to the Deep Space Network 210-foot antenna facilities, discussed on page 83 of the Senate reports. This $17 million item calls for the construction of two such antennas. They are identified as "deep-space," and a description of their capabilities leads one to suspect that they will be the means for communicating more perfectly with manned flights to Mars and elsewhere in deep space.

Again, this type of project can be delayed until it has been determined by Congress that we are going to Mars. Until such a determination, the present 85-foot antennas and the one 210-foot antenna are well able to communicate with, and receive data from, various probes and satellites. Admittedly, it would be preferable to be able to install and use this improved system. But until we can afford this new "stereo" we will have to get along with "monaural."

In addition to this project not being needed at this time, it represents costs for new tracking and data acquisition facilities that should be identified by share in the costs of each project that will utilize its functions.

Again, Mr. President, this cut is justified on the grounds that costs should be borne by each specific project and the fact that much of this planned equipment can well be deferred.

ADMINISTRATIVE OPERATIONS

Mr. President, for administrative operations authorization I recommend a saving of $45,027,000. This would leave $603,173,000 in authorizations for this request. This figure is identical with the recommendations of the House. I use this figure rather than recommend a larger cut, since this would result in wholesale reductions-in-force of civil service personnel, and I have already discussed my belief that Congress should investigate as a matter of high priority the savings to be effected through conversion of contract employees to civil service employment.

However, it still remains a fact that economies can and must be effected in the administrative costs of running the space program. The substantial cuts in hardware programs and their support activities should be accompanied by a lessening of the administrative costs represented by this request. But there should also be, to the degree practicable, conversion of contract to civil service, using the funds authorized in administrative operations. It is for this reason that I do not recommend a lower figure than that coming from the floor of the House. The floor debate in the other body made very clear the continuing increase of administrative costs while research and development costs have been falling. Therefore, I believe that the Administrator, when presenting subsequent budget requests to Congress, will receive a more receptive welcome on this one request item if he is able to show impressive conversion economies with the same job being done for less money.

Mr. President, I have recommended for Senate consideration certain specific savings that can be made in the space program. I trust I have demonstrated that this is not a meat-ax approach and that thought was given to the relative needs of each program, as I saw then. The savings of $732,700,000 in research and development, the $45 million in construction, and the $45,027,000 in administrative operations adds up to total specific cuts of $822,727,000. To this figure I would also recommend an across-the-board cut of $177,273,000, which added to the specific cuts of $822,727,000 would provide a total saving to the American taxpayer of $1 billion—$1 billion that will not have to come out of programs that have a far greater urgency than placing an American on Mars in the next decade. The principal program now, I hope, would be to reduce the deficit which is so great and so inflationary.

The Administrator, I again emphasize, has the flexibility within this amendment to allocate funds within the limits of the $3,370,400,000 total authorization and the maximum allocated to each specific program in the Senate substitute. The savings I recommend are just that: recommendations. The Administrator will be abe to effect these specific cuts with more precision and fairness. But these cuts must be made if we are to begin this hard, searching look at reordering of our national priorities in light of what is necessary and not what is desirable; what we can afford and not what we can leave for those who follow us to pay.

Mr. President, I yield the floor.

Mr. HOLLAND. Mr. President (Mr. Jordan of Idaho in the chair), what the distinguished Senator from Wisconsin suggests would negate the long and careful work of the committee, which has carefully reviewed and scrutinized each program in arriving at a considered judgment designed to preserve the balance and integrity in the overall program. I do not believe that this is sound legislative practice, and I, for one, believe that the Senate should not endorse it.

He suggests, on the one hand, that we pay little attention to what the Senate committee has done and consider very kindly what the House committee has done. On the other hand, he suggests that we should leave the thing in the lap of the Administrator and dodge the congressional responsibility. I am fearful that we could not steer that course accurately and come through with a good, sound program, and I hope the amendment will be rejected.

I wish to mention a fact which has not been mentioned—at least, I am not aware that it has been—but it is the very meat of this question. The committee reduced the NASA request by approximately $220 million. That was after the administration itself had cut its request $730 million below the figure of last year. Therefore, the total reduction in this program since last year is $950 million—nearly 20 percent. I know of no other program which has been sent to Congress this year that has been reduced by that amount or by such a high percentage.

The second point, which is unrelated, is to strongly support the point made by my distinguished friend, the Senator from Idaho [Mr. Jordan], who now presides so graciously over the Senate. He made the point that the activities of NASA and its scientists and the universities which are serving it have very greatly supplemented our information in many scientific fields. Mr. President, that is so true. Only a minute or two before we came to the floor to enter into this debate, most of us were visiting with the presidential scholars from our State—I was—downstairs in the Senate Caucus Room. Two presidential scholars are from Florida. One of them is a specialist in the field of physics and the other in the field of bioscience, both of which fields are given emphasis in the investigative and experimental programs of NASA. I am certain that the studies and work and opportunities for advancement of those two young people, in whom our State is interested—and we are proud of them, and I am sure that is true of the youngsters from every State who are here as presidential scholars—are vastly enlarged by reason of the knowledge which has been gained through NASA experimentation in the field of science.

The third point I wish to make is in furtherance of the statement made by the distinguished Senator from Wisconsin relative to the field of chemical propulsion. He stated that in his opinion it was wise to follow the advice and findings of the Senate committee. I am glad that in that one instance—there were some other instances, also—the distinguished Senator did see fit to follow the suggestions of the Senate committee.

Since in my State we are particularly interested in the large solid motor project, I ask unanimous consent to have printed at this point in the Record the closing two paragraphs at the bottom of page 61 of the Senate report, under the head "Large Solid Motor Project," and the first two paragraphs at the top of page 62, which are under the same head.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

LARGE SOLID MOTOR PROJECT

Three test firings of the 260-inch diameter 75-foot-long large motor were successfully completed by fiscal year 1967, with peak thrust of 5.9 million pounds produced in the last test. In fiscal year 1968 and fiscal year 1969, the large motor project entered a sustaining phase to preserve a competitive option between solid and liquid rockets for the boost stage of an intermediate vehicle of about 100,000 pounds payload in the event there is established a requirement for such a payload.

COMMITTEE COMMENT

Your committee recommends a reduction of $6.5 million in the chemical propulsion program.

The House made no reduction in this program and the House bill provided that of the $36.7 million authorized to be appropriated: "$3.1 million is to be used only for the 260-inch solid motor project."

The Senate committee deleted this language from the bill. However, the reduction recommended by your committee is not directed against any specific part of the chemical propulsion program, and, as in the case of reductions by the Committee in other Programs, the Committee leaves the application of the reduction in the Chemical Propulsion Program to the discretion of NASA.

Mr. HOLLAND. Mr. President, I yield the floor, and I strongly hope that the Senate will reject this amendment, which would be very hurtful, which is not well thought out, and which has had to be changed one time during the course of the debate and needs further change to make it more meaningful if it is to do anything such as has been suggested by the Senator from Wisconsin.

Mr. BIBLE. Mr. President, a few moments ago in a colloquy with the distinguished Senator from Wisconsin, I questioned him concerning his conclusions on the nuclear rocket item. I believe the budget figure was $60 million and the House figure was $11.7 million. He recommended that we go back to the House figure. He made it very clear that he was not suggesting that by way of amendment, but that this could be taken into consideration by the Administrator. I said at that time I disagreed with the conclusions he made on the NERVA project.

Mr. President, I reemphasize my disagreement. I think the recommendation of the Committee on Aeronautical and Space Sciences in placing total funding for NERVA at $55 million is realistic. I have a few remarks I wish to make, and I shall not occupy the Senate floor for a very long period of time.

Mr. President, I believe it is correct that we have expended approximately $1 to $1.1 billion in this effort to date. It seems to me that to abandon the effort at this time would be shortsighted, it would be poor economy, and it would be a crippling blow at a very important part of our space effort.

It is my understanding that to keep this particular project we must spend in the neighborhood of an additional $600 million. Therefore, if we were to cut down now, as is suggested on the amendment of the Senator from Wisconsin, it would, I am advised, set back the program 5 or 6 years. It would cost an increased $250 to $300 million if the project were ever reactivated. Therefore, it seems to me it would be not only a bad move in the competitive world in which we live in the space effort, but it would be very poor economy in the long run.

I think the conclusions of the committee in its report go right to the heart of the problem.

Mr. President, I ask unanimous consent to have printed in the Record the recommendation of the committee in that regard.

There being no object, the excerpt was ordered to be printed in the Record, as follows:

Community Comment

A special effort was directed to thoroughly review the Nuclear Rockets Program. Three days of hearings were devoted to this program during which eight expert witnesses testified. As a result of this careful consideration your committee recommends a reduction of $5 million in the Nuclear Rockets program, but strongly recommends against the crippling reduction of $48.3 million suggested by the House.

The Nuclear Rocket's program to date has been directed to the development of the technology necessary to build a nuclear rocket engine. This technology program has been extremely successful in producing propulsion efficiencies and operating times much greater than expected. Because of this success, the United States is now in a position to move forward with the development of a flyable engine which would provide the United States with a major advancement in space propulsion capability.

Due to the high efficiency of nuclear rocket engines compared with the efficiencies achievable with the chemical rocket engines, the nuclear rocket engine, NERVA I, will provide a vastly increased performance capability for space exploration by the last half of the 1970's; moreover, it is the only major space propulsion development underway in the United States which can give an increased propulsion capability by that time as lead times for the development of advanced space propulsion systems are long—between 5 and 10 years.

The NERVA I engine, when used in a nuclear third stage on the Saturn V launch vehicle, would increase the payload capability of the Saturn V from 65 to 100 percent and enhance its operational characteristics for a variety of missions. Some of the missions for which a NERVA I power stage would provide operational and payload advantages are: large payloads to synchronous orbit; earth orbital plane transport missions; heavy manned or unmanned lunar missions; and, eventually heavy payload missions beyond the moon. However, the size of the NERVA I engine makes it undesirable for heavy planetary missions and therefore very unattractive for manned planetary missions.

Since the Nuclear Rockets program is a joint program of the AEC and NASA, and since the authorization for the AEC portion of the program ($69 million) has already been approved by the Congress, it would be inconsistent to reduce the NASA portion by the $48.3 million suggested by the House.

The House committee's report said:

"This action was taken in recognition of the severe funding requirements of the Nation and with the full understanding of the progress that has been made in this program. In no way should this action be construed as a lack of confidence in the program but purely as a desire to defer the actual NERVA I development and reduce the level of effort in the nuclear rockets program."

Many of the activities of the Nuclear Rockets program are in midstream and the $11.7 million left in the program by the House would not permit testing of experimental engine systems already built and might not even cover all termination costs. In spite of the language in the House report, then, it seems unavoidable that the Nuclear Rockets program would have to be terminated if funding is reduced to the level recommended by the House.

Through fiscal year 1968 about $1.1 billion will have been invested in it by both NASA and AEC. To terminate it now would be to waste the knowledge already paid for and to lose the many highly skilled people on the program to other pursuits. The experts agree the technology is available to proceed now with the development of the NERVA I nuclear rocket engine and that nothing would be gained, and indeed much would be lost, if the development of the nuclear rocket engine was not undertaken at this time. Nearly everyone agrees that nuclear rocket propulsion will be required for space exploration, and attempts to reinstate the program at some future time would be extremely costly both in time and money.

The program presented by NASA would provide a flexible nuclear rocket engine that can be adapted to many kinds of missions. It is, therefore, the committee's recommendation, that this country move forward now with the development of a nuclear rocket engine. At the level recommended by your committee for the Nuclear Rockets program, $55 million, NASA can move forward with that development during fiscal year 1969. This level will protect the $1.1 billion already invested and avoid the costly and inefficient reinstatement that would necessarily follow if the program were terminated this year.

Mr. BIBLE. Mr. President, I sincerely and vigorously urge that there be no cut in this particular program.

I think it was developed in my questioning with the Senator from Wisconsin that we could not even attempt to phase out or close down with the figure here. The Senator from Wisconsin frankly admitted the figure was a House figure and that more money might be required.

I think the record will show that it would cost more even to phase out this project. Of course, that is false economy and it would not be in the best national interest.

I wholeheartedly support the position of the committee as voiced by its very distinguished chairman, the senior Senator from New Mexico.

A year ago, when the National Aeronautics and Space Administration budget was last before Congress, I raised the warning that too much was hanging in the balance to play budget-cutting exercises with the space effort. Congress of course has the responsibility to reduce spending wherever it can at the Federal level. The space program is as open to spending cuts as any other Federal program. But blind, arbitrary slashes can cause mortal wounds.

We avoided the mortal wounds last year, but we again face that danger this year. And one of the prime targets is the nuclear rocket development program—our Nation's effort to power the space program with nuclear energy. As we have discussed, the House chopped this program back from $60 million to $11.7 million. In so doing, it failed to leave enough money even to close out the project. The ax fell without reason or direction.

The Senate Space Committee, commendably, has recommended a restoration that would put the total funding for the NERVA nuclear rocket engine at $55 million. That recommendation must carry, or we will sacrifice any meaningful future for our space effort.

We have heard all the arguments in behalf of NERVA many times over. We know that this nuclear rocket engine is the inevitable next step forward, that the program is already eminently successful, that 1 year's delay now will cost us 5 to 6 years later, that leadtime is needed to maintain a continuous advance in technology, and that if we do not perfect a nuclear rocket engine, the Russians soon will. I will not attempt to retrace all these familiar points. I would rather concentrate on the area that concerns us most in this year of financial problems. I will argue on the money points.

Few among us, I think, realize the NERVA program—which will double our space capability—is costing less than 1½ percent of the overall space budget. The request this year, for example, is 1.3 percent. What is more, it is not expected ever to exceed 3 percent at any time during the flight engine development. So, point 1 is that this program, which will deliver such big results, is costing comparatively little. The experts call this cost-effectiveness, I think.

Point 2, as I pointed out earlier, we have already invested well more than $1 billion in this effort. It becomes nothing short of foolish to abandon it now at this critical juncture merely to shave a few figures off the authorization total.

Point 3, it would actually be more expensive in immediate spending to shut down all this fine work. The actual cost of keeping it running is less than the phase-out expense. Regardless of the House recommendation, we cannot get by on $11.7 million—unless we blow the whole thing up with the cheapest dynamite we can find.

So we must begin to ask—where is the saving? We are really too far committed—and we should be—to withdraw now. If we examine all the issues with reason and justice, we will see clearly that it is far too costly to defer or delay.

Point 4 is perhaps the most telling argument. That point is the long-range cost of shuting down and reactivating at some future date. The added price of this rather futile gesture toward budget cutting runs to an estimated $300 million, as I stressed earlier.

This is costly economy, Mr. President. I do not think our Nation can afford it.

There is one additional point, which I stressed in testimony to the committee. That is the strong support for this program that has been demonstrated by the Joint Committee on Atomic Energy. This committee, in successfully recommending nearly full funding of the Atomic Energy Commission's share of NERVA had this to say:

> The committee is disturbed by the recent signs indicating that support for this program may be faltering, and that development of the NERVA nuclear rocket engine may be curtailed. They are the more surprising in view of the rapid technological advances being made in the program. Lack of support for the NERVA engine in fiscal year 1969 could seriously impair this country's ability to make use of the tremendous technical capability developed in this program over the past 12 years. Worse yet, without the development of a nuclear rocket engine, it is not possible to project a viable space program based on a significant step-wise advancement in propulsion capability. Deferral is not possible without incurring certain irreversible penalties which will be very costly to this Nation in the long run. The flight engine program is a logical continuation of an existing capability, not a build-up of a new one. Moreover, the recommended pace has been determined in the light of current budgetary pressures. Only because of intense competition for funds, largely to meet commitments in the defense area, has the committee seen fit to recommend a cut of $3 million in this year's program.

Mr. President, I urge approval of the space committee's recommendation on the essential NERVA program, and I urge that we remain steadfast in conference with the House so that this vital program will not be demolished.

Mr. CANNON. Mr. President, further in response to the point to the Senator from Wisconsin that there is no mission for NERVA, I wish to call the Senator's attention to the report wherein Dr. von Braun appeared before our committee. Certainly he is one of the most distinguished experts in this field in this country or in the world, for that matter.

I am reading from the record at page 928 and 929:

> Senator CANNON. In your statement, you indicated that at the time of the development of the F-1 and the J-2 engines, we did not have a mission for either one of those engines. Is that correct?
>
> Dr. VON BRAUN. That is correct; yes.

Mr. President, the F-1 and the J-2 engines are the engines that are so important in the Saturn program. We could not have gone ahead with the Saturn program if we had not had these engines available.

Dr. von Braun made clear that they did not have a mission at the time they were planned and developed. This is the point the Senator was concerned about.

I asked Dr. von Braun:

> Is this somewhat the same situation we are finding ourselves in now, there is not a specific mission designated for the NERVA I, and yet we have had a great area of possibility in the future?
>
> Dr. VON BRAUN. Senator Cannon, it is precisely the same situation. Rocket engines have typically a leadtime of 6 years or so between approval of a feasible concept and availability of flight hardware. I think even in the case of our nuclear engine, the leadtime is probably in the same category. So it is not surprising that we cannot define precise flight missions at a time when we have to start the development of a flyable engine.
>
> Senator CANNON. Well, now, some suggestions have been made that we should wait for a more advanced technology before proceeding with the development of a nuclear rocket engine. However, you answered Senator Young, I think, that we have the complete technology available for the development of a NERVA I engine at the present time. Is that correct?
>
> Dr. VON BRAUN. That is correct; yes.
>
> Senator CANNON. So really, that argument is not a very valid argument, then, to say that we should wait until we develop something else and then we can decide on an engine?
>
> Dr. VON BRAUN. All of the more advanced nuclear propulsion concepts that I know of are still in the pipedream stage.
>
> Senator CANNON. In the what?
>
> Dr. VON BRAUN. In the pipedream stage. Their feasibility has not yet been demonstrated, even on paper.
>
> ### NERVA PROGRAM CUT WOULD BE UNWISE DECISION
>
> Senator CANNON. You gave quite a good definition of advanced technology and the problem we create if we terminate this type of program—what it would do to our technological base. How important, actually, do you really consider that? Is it a really important thing, or is it a desirable objective, or how would you define it?
>
> Dr. VON BRAUN. Well, I think nuclear technology as such is undoubtedly one of the most important activities in physics and advanced technology today. I think a fascinating program requiring the cooperation of hundreds of experts in this field has all the qualities of a cutting edge of scientific and technological progress in a field of paramount national importance.
>
> Senator CANNON. Well in your judgment, would you define it as being an unwise decision if we were to determine, now, not to go ahead with the NERVA program?
>
> Dr. VON BRAUN. Definitely; yes, sir.

Mr. President, few question the importance of science and technology to the prosperity of the United States and its leadership in the free world; and since the NASA programs provide a great deal of that science and technology, it makes little sense to cut these programs more than they have been cut already.

All Senators are anxious to reduce new authorizations and appropriations to a minimum, and all requests for fiscal year 1969 must be examined carefully. Many of the new requests are up substantially from previous years, but this is simply not the case for the NASA budget—it is down substantially from previous years.

The amount recommended by the committee for NASA for fiscal year 1969 is $700 million less than the committee recommended for NASA in fiscal year 1968, $439 million less than was appropriated in 1968, and $950 million less than NASA requested in 1968.

So huge reductions have been made in our civilian space program due both to congressional action and to reductions in the request of the administration for fiscal year 1969.

If one goes back a few years and looks at the trend of the budget since fiscal year 1965, he finds that the trend of the NASA budget is down—down 21 percent since fiscal year 1965, or $1.1 billion. Most of the NASA reductions have taken place in the fiscal years 1968 and 1969 budgets. NASA's budget for fiscal year 1968 was trimmed by about half a billion dollars from the previous year. The administration trimmed it another $279 million this year, and the committee is recommending a further cut of $220 million—a total reduction of about $1 billion.

These reductions have been made despite the fact that the Nation's civilian space program has been and is one of the most successful programs ever carried out in this or any other country. It has produced more new scientific knowledge and technology during the past decade than any other undertaking and what has been accomplished is nothing compared to what we can expect during the next 10 years if we support these programs.

Mr. President, it makes no sense to me to cut these programs any more than they have been cut. The National Aeronautics and Space Administration has been very successful in accomplishing goals it set out to attain. If we want to cut programs, let us cut those agencies whose programs are unsuccessful.

Mr. President, I urge the Members of this body to support the bill reported out by the Committee on Aeronautical and Space Sciences.

Mrs. SMITH. Mr. President, much has already been said in opposition to the amendment. I can only add that I am unalterably opposed to the amendment proposed by the Senator from Wisconsin which apparently proposes to cut almost one-fourth of the funds necessary for NASA to carry out its programs for fiscal year 1969.

This is entirely unreasonable. The committee has already reduced the NASA request by some $219 million, and it was done on the basis of a careful evaluation of each proposed program.

Mr. President, I therefore recommend that the amendment not be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Washington [Mr. JACKSON], the Senator from Hawaii [Mr. INOUYE], the Senator from New Mexico [Mr. MONTOYA] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. RIBICOFF] would vote "yea."

On this vote, the Senator from Montana [Mr. MANSFIELD] is paired with the Senator from Alaska [Mr. BARTLETT]. If present and voting, the Senator from Montana would vote "yea" and the Senator from Alaska would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Pennsylvania would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Washington [Mr. JACKSON]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Washington would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from Massachusetts would vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Wyoming [Mr. HANSEN], the Senator from Oregon [Mr. HATFIELD], the Senator from New York [Mr. JAVITS], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Delaware [Mr. BOGGS], and the Senator from Oregon [Mr. HATFIELD] would each vote "yea."

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Massachusetts [Mr. BROOKE]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from New York would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 33, nays 38, as follows:

[No. 180 Leg.]

YEAS—33

Bayh
Brewster
Burdick
Byrd, W. Va.
Case
Church
Cooper
Cotton
Ervin
Gore
Griffin
Gruening
Harris
Hart
Hartke
Jordan, N.C.
McGovern
McIntyre
Morse
Morton
Moss
Nelson
Pell
Prouty
Proxmire
Randolph
Russell
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—38

Aiken
Allott
Anderson
Baker
Bennett
Bible
Byrd, Va.
Cannon
Curtis
Dominick
Eastland
Ellender
Fannin
Fong
Hickenlooper
Hill
Holland
Hruska
Jordan, Idaho
Kuchel
Magnuson
McClellan
McGee
Metcalf
Miller
Mondale
Mundt
Murphy
Muskie
Pearson
Percy
Scott
Smith
Sparkman
Spong
Stennis
Thurmond
Young, Ohio

NOT VOTING—28

Bartlett
Boggs
Brooke
Carlson
Clark
Dirksen
Dodd
Fulbright
Hansen
Hatfield
Hayden
Hollings
Inouye
Jackson
Javits
Kennedy
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
Monroney
Montoya
Pastore
Ribicoff
Smathers
Tower
Yarborough

So Mr. PROXMIRE's amendment (No. 845) was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was defeated.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SCOTT. Mr. President, I wish to support the bill which authorizes appropriations for the National Aeronautics and Space Administration. The committee report shows it performed with distinction in thoroughly analyzing the requirements of our national space program in the context of other national needs.

This bill represents a balanced response to the needs of our national space effort. There have been reductions in the amounts authorized, but these reductions are reasonable and uniform and they do not destroy balance in the program. Neither do they deny the administration the flexibility it seeks in the conduct of NASA's affairs. I am greatly concerned over the possible effect of our accepting the bill reported by the other body. That bill makes drastic reductions in one or two victim programs. It occurs to me, that the fiscal year 1969 authorization bill reported here to the Senate allows adequate room for wise decisions based on sensible priorities with regard to the use of available resources.

We must remember when considering this bill that our committee's recommendations are $950 million less than the amount that was requested by NASA for fiscal year 1968.

It can surely be stated, therefore, that NASA listened to the Congress, and I was certainly one of the spokesmen, when we advised the executive branch that fiscal year 1969 was to be a year of restraint in Federal expenditures. The Senate Space Committee has requested approval of a bill that is 20 percent below the level of expenditures requested by NASA 1 year ago, and rather then penalize NASA by cutting this bill even further by various floor amendments, I feel we should approve our committee's bill, and thereby acknowledge the responsibility with which the NASA Administrators approached their fiscal year 1969 requests.

I wish to say an additional word respecting one aspect of our space program in which I am extremely interested—our Nation's only advanced space propulsion effort, the nuclear rocket engine.

The committee has approved an authorization of $55 million for this important program. It is one of the most difficult, yet highly successful technical efforts ever undertaken in our space propulsion development work. NASA's current request for $60 million to support development of the NERVA I nuclear rocket engine is important, not only for the future strength of our national space effort, but for several very practical reasons.

First, without an authorization of at least the amount recommended by our space committee, the program stands little chance of survival. This year's funding represents the final phase of a technology program which started about 6½ years ago. Unless the program is supported this year and funds are made available to use the new technology and develop the engine hardware, the program will terminate. Personnel who are presently working on the program will leave.

Reductions made last year in the program, in fact, caused major reverberations in the program, with respect to personnel. When part of the program was deleted, Westinghouse, the principal subcontractor for the program, was forced to drop almost one-quarter of its people who were working on the engine development. I have been informed that the prime contractor experienced a similar reduction as a result of funding cuts. The danger of loss of personnel, and thus of irreplaceable technology, is very real. This highly skilled and unique team of engineers and scientists must be sustained or we will lose them and thus waste a very valuable national resource in the field of atomic energy and space propulsion.

Second, if we were to allow cancellation of the program this year, it would be most unfortunate since it would have been done for shortsighted reasons. All of the experts that I know, who have spoken about this program, emphasize the great technological achievement of demonstrating that the nuclear rocket is not only feasible, but that it should be a highly reliable propulsion system for future space exploration. The program has been most successful to date, and we are now at the point of being able to take advantage of this technology. Our committee's recommendations would enable NASA to take advantage of the funds expended to date in developing the technology for the purpose of building a nuclear rocket engine, always the end objective in this program.

Third, the United States has already spent over $1 billion to develop the nuclear rocket engine technology, to power the third stage of the Saturn V launch vehicle. Testimony of Government witnesses has consistently emphasized that this engine is essential in order to accomplish a wide variety of necessary future space missions. These missions relate to earth orbital operations, advanced lunar missions and scientific missions into outer space. We must exploit and make profitable the technologies we have spent large sums to develop. In one area, for example, President Johnson has said that the development of reconnaissance satellites has returned a value to our Nation 10 times what has been spent in the entire field of space. We can hope that in the field of meteorology and communications and in the manned space program, our experience will be similarly profitable. We can be absolutely sure that there will be no gain beyond what we now have if this nuclear rocket program is deleted.

The nuclear rocket engine permits an expansion of our space capabilities which can assure future space profitability. I would very much dislike to see a decision made which commits the United States only to chemical propulsion systems which severely limit future U.S. spacecraft performance.

In my estimation, if we were to allow this, we would be abandoning nuclear space propulsion and a viable role in space to the Soviet Union. It would be foolhardy to assume that the Soviets do not have their own nuclear rocket engine development effort, just as we do. Of course, it may be harder for us to see the results of their program. They are still a closed society. But, I am sure there would be great rejoicing in Moscow if our decision today resulted in dropping this crucial program which has been so successful to date.

Fourth, the Senate has already approved funding of that portion of the program conducted by the AEC. It is difficult for me to see how we could come to an inconsistent and contradictory decision with regard to the NASA portion of this joint program.

Fifth, the capabilities described by many Government witnesses demonstrate to me that the engine will have not only civilian applications but will surely have important uses in our military establishment. In his most recent testimony, the Administrator of NASA said that there will undoubtedly be important civilian and military applications of the nuclear rocket engine.

For these reasons, Mr. President, I wish to say again that I support the report of our committee. I do so with particular satisfaction that the committee has chosen to cure a most serious deficiency in the bill reported by the other body. That deficiency had the effect of canceling, with funds insufficient even for termination costs, the nuclear rocket engine program. I urge Senators to support the Senate bill.

AMENDMENTS NO. 844

Mr. PROXMIRE. Mr. President, I call up my amendments No. 844.

The PRESIDING OFFICER. The amendments will be stated.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with; that they be printed in the RECORD at this point; and that the Senator from Delaware [Mr. WILLIAMS] may be added as a cosponsor of the amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (No. 844) are as follows:

On page 9, line 17, strike out "$350,000,000" and insert in lieu thereof "$253,200,000".

On page 9, line 21, strike out "$39,300,000" and insert in lieu thereof "$11,700,000".

On page 9, line 23, strike out "$117,700,000" and insert in lieu thereof "$115,700,000".

On page 10, line 7, strike out "$55,000,000" and insert in lieu thereof "$11,700,000".

On page 11, line 3, strike out "$635,560,000" and insert in lieu thereof "$603,173,000".

Mr. PROXMIRE. Mr. President, I wish to modify my amendment.

Let me say that I am glad to yield first so that a unanimous-consent request on a limitation of time may be propounded.

Mr. BYRD of West Virginia. Mr. President, Senators opposed to the amendment may want to know what it is first.

Mr. PROXMIRE. This amendment is to provide that the authorization would be reduced in each category to the lowest figure of the House or Senate. It will be reduced to approximately $400 million below the request of the administration and about $180 million below the Senate committee recommendation.

The PRESIDING OFFICER. Will the Senator from Wisconsin please state the modification?

Mr. PROXMIRE. Yes. The modification is in line 4. The figure "$11,700,000" should be changed to "$33,000,000." That was an error in printing discovered by my staff.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. PROXMIRE. Yes. Indeed.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on this amendment be limited to 20 minutes, to be equally divided between the mover of the amendment, the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from New Mexico [Mr. ANDERSON].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, the House version of the authorization is $338,977,000 less than the budget request. My amendment would save an additional $61.3 million.

The Senate version is $219,840,000 less than the budget request. My amendment would save an additional $180.4 million below the Senate committee recommendation.

The authorization resulting from my amendment would be $3,970,073,000, or just $27 million short of $4 billion.

Surely, $4 billion should be more than sufficient for NASA to carry on all the delineated projects in the budget, with little change in plans.

This amendment is a moderate one, and surely the very least we can do in carrying out our responsibilities, in view of the fact that the Senate has gone on record in favor of reducing expenditures this year by $6 billion, is to adopt the amendment. I submit that if we fail to reduce the space budget by at least the amount in this amendment, we can not responsibily expect the Executive to go ahead and cut $6 billion from its expenditures without taking over our responsibilities.

I have already gone into some detail on how economies of $1 billion could be achieved. For that reason I was happy to agree to a unanimous consent agreement on a time limitation on this amendment.

The same reasoning that I went into in some detail before, but with lesser savings, can be applied using the $400 million cut.

The advanced projects program can be cut. NERVA can be cut. All the hardware programs can be reduced. Corresponding restraint can be exercised in the various support programs. Surely, this saving of approximately 9 percent is not unreasonable, particularly when you realize how much of the Federal budget is not amenable to cutting. After adding together the sacrosanct defense budget, the interest on the national debt, statutory payments such as veterans' and social security benefits, and the costs of providing essential government services in all departments of government, there is only about $30 billion out of approximately $170 billion in consolidated Federal expenditures from which the pending $6 billion can come. And when you realize that more than $4 billion of that $30 billion is earmarked for putting a man on the moon, and, less obviously so, on Mars, the obviousness, hopefully, the inevitability, of a large saving being achieved in the space program becomes clear.

I have already spoken at some length in outlining the unpleasant alternatives to our not living up to our responsibilities for fiscal restraint—the state of the economy resulting from another huge deficit; the penalizing of those on fixed incomes through inflation; the worsening of our balance-of-payments deficit; and the inexcusable neglect of our human resources programs.

This catalog of ills is not read as a scare tactic. Every Senator knows them to be inevitable, inescapable companions to fiscal irresponsibility. I urge the overwhelming support of the Senate for this moderate, restraining amendment to the space authorization.

I yield the floor, but withhold the rest of my time.

Mrs. SMITH obtained the floor.

Mr. CANNON. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I am happy to yield on the other side's time.

The PRESIDING OFFICER. The Senator from Maine has the floor.

Mr. CANNON. Mr. President, will the Senator yield me 2 minutes to ask a question?

Mrs. SMITH. I yield.

Mr. CANNON. The Senator, in his previous statement, on the NERVA program, stated the Administrator would have the authority to determine how much money was spent. Under this amendment, would it not completely eliminate any discretion on the part of the Administrator and limit the amount——

Mr. PROXMIRE. The Senator is absolutely correct. This amendment does what the House said should be done since there are no planned missions with nuclear engines. The House thought $11.7 million was enough. That is what the amendment provides.

Mr. CANNON. The Senator is changing his position in response to my questions in the colloquy we had, when he said he would not favor canceling out the NERVA program and would let the Administrator have that discretion. This amendment would eliminate the NERVA program if the $11.7 million figure were to stand.

Has the Senator changed his position on that since our colloquy?

Mr. PROXMIRE. The position was, under the previous amendment, that it would have been up to the discretion of the Administrator. Under this amendment, he does not have that discretion. But I say, and my feeling right along has been, that this program could be postponed. It does not eliminate the program. It provides $11.1 million for the program.

The PRESIDING OFFICER. Who yields time?

Mr. ANDERSON. I yield 3 minutes to the Senator from Maine.

Mrs. SMITH. Mr. President, the amendment proposed by the senior Senator from Wisconsin would have a sweeping and critical effect on significant space programs merely on the basis of what appears to be an arbitrary decision to revert to amounts approved by the House.

I cannot believe this is a legislative practice the Senate wishes to endorse. In essence, the proposed amendment would negate the careful review and evaluation work of your Space Committee.

Your committee has already reduced the NASA request by some $219 million; and this amounts to a reduction of approximately three-quarters of a billion dollars from the amount authorized last year.

These cuts were made with reluctance by the members of the Space Committee and only because the current fiscal condition requires that agency budgets be pared to a minimum.

I fully subscribe to the need to cut expenditures—but should not other agency budgets be subjected to similar reductions?

Our space program has already demonstrated some remarkable successes, and there is every reason to expect that enormous practical benefits, affecting all mankind, will result from our current efforts in space science and technology.

I, for one, would welcome any suggestion as to where this NASA bill could be further reduced—providing, first, that the reduction is subject to the same careful consideration applied by your committee; second, that the cut does not put a demise to necessary and useful programs; and, third, that it is the sense of the Congress to apply similar reductions to all other civilian programs.

The PRESIDING OFFICER. Who yields time?

Mr. ANDERSON. I yield myself 3 minutes.

Mr. President, the Senator's amendment would take the bill back to the House figures on five important programs reducing the NASA bill $180,487,000 below the recommendation of the committee. Apparently the Senator has more faith in what the House does than he has in the Senate committee's recommendations.

Mr. President, the committee reviewed very carefully the actions of the House on these five programs and after long and deliberate considerate recommended the amounts now in the bill before the Senate.

Mr. President, the Apollo applications program is designed to use the hardware developments of the Apollo program. At the level of the House cut—$186.4 million—the Apollo applications program would have to be restructured and manned space flight operations after the Apollo program would be stalled preventing the United States from reaping the full reward from the huge investment made in the Apollo program. With the reduction—$89.6 million—recommended by your committee, the Apollo applications program will obviously have to be cut back, but the program will not have to be completely restructured and the opportunity to continue manned space exploration on a reasonable schedule will be preserved.

Mr. President, in assessing the $15.2 million cut against the bioscience program, the House cut $11 million from the 21-day mission of the biosatellite project. The House report says that—

> The committee believes that a delay of an additional year is appropriate in the light of currently limited resources.

The Senate committee examined this carefully and found that it would be very inefficient and costly to proceed as recommended by the House committee. However, we did find that the biosatellite 21-day mission could be slipped for 6 months and a cut of $5 million assessed permitting a more efficient program and one that will not cost nearly so much. The committee views on this are set forth on page 31 of its report.

Insofar as the launch vehicle procurement program is concerned, this program provides the vehicles to launch the unmanned spacecraft. Both the House and the Senate committees annually examine this very carefully and provide only the funds needed to buy the launch vehicles for approved programs. With all due respect to the Senator from Wisconsin I must say to the Senate that this program should not be cut except to remove vehicles that are not required.

At the level of the House cut in the nuclear rockets program—a cut of $48.3 million—the nuclear rockets program would have to be terminated. Not only would the United States be prevented from moving forward with the development of a nuclear rocket engine, but many of the activities in the program, which are at the forefront of the new technologies, would have to be stopped. Many of the final test activities are in midstream and these would have to be stopped. The $11.7 million left in the program by the House is not, in fact, sufficient to complete tests for which hardware is already built. In addition, $11.7 million would not cover all termination costs.

Mr. President, the nuclear rockets program has been an extremely successful development to date. The country has invested about $1.1 billion to date in that program and we are now ready to move into the development of a nuclear rocket engine—the program objective. The committee examined this program in great detail during 3 days of hearings. There is unanimous agreement among knowledgeable scientists and engineers that nuclear rocket propulsion will be required for space exploration and that the technology is available to proceed with the engine development. This is a joint program carried out by both NASA and the AEC; and the Congress has already authorized the AEC portion of the program.

Mr. President, the committee spent a great deal of time studying NASA's administrative operations request, and the committee has recommended to the Senate a reduction of $12.64 million in this program. With this reduction, substantial numbers of people will have to be let go by NASA. But if the Senate accepts the House figure—a cut of $45 million—then, NASA will have to terminate about 4,900 people—about 15 percent of all of the civil servants working for NASA—provided they can get them all off the payroll by September 1, 1968. That would be a most difficult and desperate thing to do and would prohibit the agency from carrying out its function as designated by the Congress. The committee recommends strongly against a cut larger than it recommends.

Mr. President, as I said before, the committee reviewed carefully the House actions in formulating its recommendations to the Senate. We believe they cut too deep in some programs and not enough in others and made our recommendations to the Senate accordingly.

Mr. President, I hope the Senate will support the recommendations of its committee rather than the action of the House.

I cannot conceive that the Senate would agree to an amendment of this nature. The Senate committee spent a long time considering this measure. The House committee did also, and there is a wide difference in our opinion. This is an important program, and I hope that the amendment will be defeated.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, will the Senator yield to me?

Mr. ANDERSON. I yield to the Senator from Illinois.

Mr. PERCY. As a member of the Space Committee, I have supported major cuts in our budget for 2 years. I have felt we simply had to cut back the extent and size of spending on the space program. The budget cuts actually made from the original request of the administration for fiscal 1968 amounting to $5,100,000,000 in these 2 successive years, have now been cut back, with this bill, by $950,000,000.

That is a 20-percent reduction in a

major program. I support the committee report, because I feel the space program has taken its due share of cutting back. To cut back an organization and a program that looks 7 to 10 years in the future by 20 percent—in 2 years—is a major piece of surgery. I have had to go through this in a business corporation, on occasion, and I know of the personal adjustments that must be made and the tearing apart of programs that has to be undertaken.

I know what it is like to reduce the size of an organization's operations and undertakings. I can speak from some experience as to the problems that will be caused by successive cutbacks in 2 years of 20 percent of the operating revenues of a going concern. These successive reductions in the amounts available to the space program are very severe. The year-to-year appropriation process does not accurately reflect the impact of disruptive continuity in programs which in their entirety stretch over a 7- to 10-year period. Nor can we presently feel in 1 year the impact of cuts already made.

In short, no one should be under any illusions that the pace of our research and explorations in space has not been checked. No one should be under any misconception that this program has not borne an important share of the necessity—which is an urgent one—to reduce Government expenditures.

Mr. President, there are two areas in which there is substantial disagreement between the House bill and the Senate report. They are both items in which are bound up the directions and the pace of space efforts in the future.

The first is Apollo applications, the program that is intended and is being designed as a follow-on to the present Apollo program. The second is the NERVA project, our single ongoing program aimed at assuring the United States a viable nuclear rocket capability.

The Apollo applications budget request was for $439,600,000, a substantial increase over the $315,000,000 appropriated last year but less than the fiscal year 1968 request.

While the House committee reduced this amount to $395,600,000, the amendment on the floor reduced the amount further to $253,000,000. Thus, while the recommendation of your committee represents an increase over final amount in the House bill, it represents a reduction from the amount requested by the House committee.

The Apollo applications program is designed to build on the capabilities developed in the Apollo program for manned space flight. Just as the present Apollo successes are heavily dependent on the development of that program during the years the Gemini program held the center of public attention, the future manned spaceflight capability of the United States depends on the solidarity of present groundwork in Apollo applications.

Your committee has made an informed judgment, I believe, in reducing this program by $89 million. While this is consistent with a similar reduction last year, its long-range effect will necessarily be a cumulative one with last year's reduction. If we are to have a capability for manned space flight programs in the 1970's responsive to the national needs, we cannot then plan it and create it overnight.

Work must be done now to anticipate those requirements. The objectives of the program are flexible and to some degree they remain undefined. This is appropriate if we are to capitalize on later developments and directions, accomplishments of the Apollo program objectives and changing national goals are sure to bring. But the requirement for present investment is clear. I urge that the investment continue in fiscal 1969 in the amount approved by your committee.

Nuclear rocket propulsion is clearly the motive power of the future in space. This is the basic fact recognized by your committee's recommendation of $55,000,000 in funds therefore. With $1.1 billion in funds already spent on the program, it is now clear that the high efficiency of nuclear rockets will far surpass the capability of chemical rockets.

The House reduction of this program from $60 to $11.7 million was based on lack of definite mission objectives. While this criticism presently is well taken on the present state of future planning, I believe that as an argument for reducing the authorization, it misses the point. The question is, "Will there be future space missions beyond the 1970's?" If the answer to that question is affirmative—as I believe it is—then the question only remains whether the costs of development of nuclear capability will bring a worthwhile return in increased efficiency and flexibility. From the preliminary data, the chances that this is a wise investment are great. The balance between these chances, the amount already spent on this program development and the minimal amount found by your committee necessary to sustain it is decidedly in favor of the amount contained in the committee report. I am happy the gentleman from Wisconsin has deleted the portion of his amendment relating to the NERVA project.

Mr. President, almost every dissertation on expenditure reductions gives NASA funds a prominent position. I agree NASA must absorb a fair share of cuts, and possibly more. In my view, it has already been cut, and cut severely. I would like to suggest several reasons why further major cuts are unwarranted at this time.

In the first place, it should be obvious that the money appropriated is spent right here on earth. More than 99 percent of NASA's expenditures are right here in the United States—buying goods and services, and providing employment for about 300,000 people.

Second, the space program is not some kind of modern makework project. It does not consist of digging holes and then filling them up again. NASA and its programs are at what Dr. Wernher von Braun calls the "cutting edge" of technology. In developing new launch vehicles and new spacecraft, our space scientists and engineers are working at the very frontiers of current knowledge. They are working to solve problems that have never been addressed before by man. They are true pioneers of this day and age.

Third, it is in these developments—the new technology, new materials, new sources of power and new knowledge—that the real importance of the space program lies. These are the developments which will enrich tomorrow's industry, tomorrow's source of wealth in an increasingly competitive world.

Far from being lost money, it is seed money. It is a necessary expenditure to our Nation's healthly economic growth, which is essential if we are to solve our own domestic and international problems.

Mr. President, I believe very strongly that if we lose our desire to meet these challenges at the frontiers of knowledge; if we consciously choose to arrest the momentum of our magnificent efforts in the last 10 years; then we will be in a worse position—not a better one—to meet our responsiblities as a great nation.

Mr. President, I support the bill as reported by the committee.

The **PRESIDING OFFICER**. Who yields time?

Mr. **PROXMIRE**. Mr. President, I yield 2 minutes to the distinguished Senator from Missouri.

Mr. **SYMINGTON**. Mr. President, I shall vote "yea" on this amendment of the distinguished Senator from Wisconsin, for the following reasons:

Reduction of expenditures must be made wherever possible, in an effort to reduce an ever-increasing Federal deficit and its inflationary pressures on the economy, and the subsequent effects on world monetary arrangements.

President Johnson has stated that he would accept a $6 billion cut in expenditures in order to obtain a requested 10-percent tax increase. In other words, he would accept the Smathers-Williams amendment.

If that measure is accepted by the House of Representatives, the expenditure reductions must be made, and it is the responsibility of Congress as well as the Executive to assign priorities.

Mr. President, the costs of the Vietnam war are rising daily. Until such time as we are able to eliminate or reduce those expenditures—and I intend to vote for non-Vietnam military expenditure reductions—we must realize that our resources are limited, and that preference should be given to those areas of most immediate need.

The **PRESIDING OFFICER**. The time of the Senator from Missouri has expired.

Mr. **SYMINGTON**. Mr. President, I ask unanimous consent that I may proceed for another minute.

Mr. **PROXMIRE**. I yield an additional minute to the Senator from Missouri.

Mr. **SYMINGTON**. This does not mean that the space program and other comparable programs, which regrettably should be cut and will be cut if we are to fulfill what we originated with respect to reductions, are not important to our society. Of course they are. But I believe the solvency of the United States and the preservation of the integrity of the dollar are even more important. That is why I shall vote for the amendment.

Mr. **NELSON**. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I yield to my colleague from Wisconsin.

Mr. NELSON. Do I correctly understand that the Senator has simply taken the lowest of the authorizations for each of the five items in which he makes a cut and has incorporated them in his amendment?

Mr. PROXMIRE. That is correct. The theory is that both the House committee and the Senate committee gave that subject a great deal of time and study. What I did was to take the positions of the House and Senate. I did not cut below the House and Senate figures in any of the five items or in any other items.

Mr. NELSON. The argument has been made that making cuts of this kind should be done after careful consideration. Is it not correct to say that when the Senator took the House figure he was taking the figure that the House arrived at after careful hearings and careful executive sessions?

Mr. PROXMIRE. Yes, indeed; after many weeks and months of study.

The Senator from Illinois [Mr. PERCY] has made a telling argument with which I emphatically disagree. It is true that many hundreds of thousands of people are working in this program. That is a major point. Not only is a vast sum of money involved, but also vital manpower that is necessary in education and in other defense projects throughout the country. If ever there was a time when people who are skilled in science can get jobs, it is now. They do not have to worry about getting jobs.

Much of the policy with respect to our scientific effort and the space program is a major mistake. It is true that we should have a big space program. I favor a $4 billion space program. But to have an even greater amount and have so much of our total scientific effort in this governmental area would cause many scientists to say is an error.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield whatever time remains to me to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I hope the Senate will approve this amendment. A good argument has been made for its adoption. We do not want to overlook the fact that this is still a $4 billion bill. Even with the passage of the amendment the amount will be close to $4 billion. Do not forget that we shall be paying 6 percent for the money to finance these expenditures.

We now operate with a deficit of about $2 billion a month. That is the projected rate of deficit for the next 12 months assuming taxes are not raised or expenditures further reduced.

I agree with the Senator from Missouri. I do not think that we in Congress should pass the responsibility to the President. We should accept our responsibility and make these cuts. Here is a good place to start.

Mr. HOLLAND. Mr. President, will the Senator from New Mexico yield me 2 minutes?

Mr. ANDERSON. I yield 2 minutes to the Senator from Florida.

Mr. HOLLAND. I doubt whether the Senator from Wisconsin realizes just what would be the effect of the amendment. The effect would be to reject the principal changes from the House bill that the Senate committee, after long study, has thought are necessary. Those principal changes are three:

First, with reference to the Apollo applications, where he proposes to cut $96.8 million below the amount the Senate committee has felt would be the utmost that could be cut off.

In the case of nuclear rockets, the Senator from Wisconsin proposes to cut $43.3 million below the figure the Senate committee has felt is the lowest reasonable amount.

In the field of administrative operations, which is the most serious of all, the Senator proposes to cut $32 million.

The principal deficiencies in the House bill, which have been corrected by the Senate committee, are proposed to be ignored by the Senator's amendment. That is all it does. The amendment merely proposes to ignore them. The Senate committee has found the three weakest places in the House bill and has proposed in the report to correct those three weakest spots. But in each case the Senator from Wisconsin, by his amendment, proposes to take the House figures and ignore the recommendations of the Senate committee, recommendations which are based on long study.

Aside from that, the Senator overlooks the fact that the Senate committee is proposing to cut the budget amount of 1968 by $950 million—almost $1 billion. We are proposing to cut the budget for 1969 already very greatly reduced over last year by $220 million.

The Senator is proposing to negate the work of the committee in the three most important provisions which it found required the action of our committee, after it had looked into the action of the House committee, as contained in the House bill.

I hope the Senator's amendment will be rejected.

The PRESIDING OFFICER. The Senator from New Mexico has 1 minute remaining.

Mr. ANDERSON. I am ready to vote.

The PRESIDING OFFICER. Is all time yielded back?

Mr. ANDERSON. I yield 1 minute to the Senator from Nevada.

Mr. CANNON. Mr. President, I desire to offer an amendment to the amendment of the Senator from Wisconsin.

Mr. ANDERSON. Then I yield back the remainder of my time.

The PRESIDING OFFICER. The amendment of the Senator from Nevada will be stated.

THE ASSISTANT LEGISLATIVE CLERK. The Senator from Nevada [Mr. CANNON] offers an amendment to the amendment of the Senator from Wisconsin [Mr. PROXMIRE] to strike out lines 7 and 8, as follows: "strike out '$55,000,000' and insert in lieu thereof '$11,700,000' ".

Mr. CANNON. Mr. President, the Senate debated this question at great length earlier today. The Senator from Wisconsin has admitted that he does not want to see the NERVA program terminated, as it was proposed. The Administrator had leeway. He would not have leeway under the amendment as it is now proposed. Therefore, I have offered an amendment to strike the portion relating to NERVA. This would impose a strict limitation on the Administrator completely terminating the program, and would not even permit the termination of ongoing projects that are in process at the present time.

I am ready to vote.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. CANNON. I yield to my colleague from Nevada.

Mr. BIBLE. I wish to associate myself with the amendment offered by my colleague from Nevada. He is a valuable member of the Committee on Aeronautical and Space Sciences. We discussed this point at length earlier in a colloquy with the Senator from Wisconsin. I think the record is abundantly clear that a cut of $11.7 billion would have a devastating effect on the program. It would be particularly troublesome now, because the earlier amendment at least left certain discretion to the Administrator. Now no discretion would be left. To vote for an amendment such as is now proposed by the Senator from Wisconsin would be absolutely devastating to ongoing projects.

I associate myself with the amendment offered by my colleague from Nevada.

Mr. PROXMIRE. Mr. President, both Senators from Nevada have made a strong case. I am perfectly happy to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

Mr. CANNON. Mr. President, the yeas and nays have not been ordered on my amendment.

Mr. COTTON. Mr. President, a point of order with respect to the acceptance of the amendment by the Senator from Wisconsin. He cannot accept it after the yeas and nays have been ordered on his amendment.

Mr. PROXMIRE. The Senate should vote on the amendment of the Senator from Nevada.

Mr. CANNON. Mr. President, I can think of very few actions we could take in Congress this year, which hold greater potential for crisis in our Nation's future space program, than abandonment of our nuclear rocket engine program. And, that is exactly the issue before us today.

I think, one point should be made very clear: the nuclear rocket program is not something new, contrived in the last couple of years. It is a program with a distinguished history of technical accomplishment starting with studies at the Atomic Energy Commission's Los Alamos Scientific Laboratory in 1953.

Since then and through fiscal year 1968, the total national investment in the nuclear rocket program is $1.139 billion; $444.8 million has been expended by NASA and $694.5 million by the AEC.

Our legislative situation today is that the House Space Committee and the House of Representatives have voted $11.7 million for this program in fiscal year 1969. This amount effectively cancels the nuclear rocket program. In fact, it does not even provide sufficient funds to close out existing obligations. One may only observe that the House action was a monumental mistake.

Our Committee on Aeronautical and Space Sciences, under the able chairmanship of my distinguished colleague from New Mexico, conducted 3 full days of hearings, intended to inform committee members and Members of the Senate about the state of progress in the nuclear rocket program and its importance to the national security. As a result, the recommendations before the Senate today by our committee are for $55 million for nuclear rocket development. This represents a $5 million reduction below the President's request, which is recognition of the pressures on our national economy. This reduction is in line with reductions in other phases of the NASA program this year.

My purpose is to alert my colleagues to the fact that in order to keep life in this nuclear rocket engine program, it is necessary for us to authorize the full amount recommended by your committee. Anything less will seriously jeopardize the program. Cancellation of this program now would mean surrendering vital space activities, which will have tremendous impact on our national security, to other nations engaged in the space effort who more aggressively push forward into that frontier. If the Senate should indulge any suggestion to abandon the technical progress thus far made, it would open the door to a crisis, far more serious than the great sputnik crisis of 1957 and 1958.

From the beginning, the objectives of the nuclear rocket program have been to demonstrate the feasibility of a workable nuclear rocket engine, and to develop the technology necessary to move on to engine development. It is the engine phase which we are now considering today.

The work on nuclear rocket engines represents a tremendous advance in rocket engine technology. This engine will have literally twice the capability of any chemical rocket engine. That is to say it will be capable of producing more miles per gallon than any chemical rocket engine. In addition, a nuclear rocket engine can be fired continuously for 1 hour or more at full power, and can be throttled down or stopped, with ease. Such features are extremely important to the ability to maneuver in space. Thus, many space experts refer to the nuclear rocket engine as the workhorse for future space activities.

The question has been raised, what requirement is there for nuclear propulsion. Mr. James Webb, NASA Administrator, described nuclear rocket propulsion as "extremely important." He emphasized that the efficiency and flexibility of nuclear propulsion is important to the Nation's total capabilities since there undoubtedly will be important military and civil requirements for nuclear propulsion, once it is available to the Nation. He warned, however, that it would be shortsighted to cut off or constrain the development of this new technology merely because specific mission requirements cannot clearly be identified at this early date.

Because of the dilemma presented by the phase to which this highly successful program has progressed, and under the circumstances of a highly stressed economy, I must say to my colleagues, we stand today at a technological Rubicon. We are deciding whether this Nation will have a viable space program in the next several years, or whether it will abandon the NERVA I engine development now, and give space over to those who more aggressively are exploring space. Dr. Wernher von Braun warned that he would "have great concern for the long-range future of our space program" without the nuclear rocket program which he considers "a must for our future space needs."

The fact that a specific mission requirement cannot now be identified for the nuclear rocket is not at all unique. In fact, those of my colleagues who are familiar with research and development efforts such as this, know that this situation is most ordinary.

NASA officials have testified that a nuclear third stage for the Saturn V will literally double the ability of that booster to perform a variety of missions—solar probes, unmanned planetary flights, increased payloads to any place on the lunar surface, and, most importantly, increased payloads to perform complex maneuvers in earth orbital operations.

Large multiple, orbital plane and altitude changes with very heavy payloads, are extremely important to future civil and military space missions. The flexible nuclear rocket engine offers wide utility beyond any chemical rocket engine. In fact, the current third stage of the Saturn V cannot perform the kind of missions which are being planned for future years. Some have said that the nuclear rocket engine will have applications far beyond the vision of the world's very best crystal balls.

Experts agree that the nuclear rocket engine is a major advancement in space propulsion. The NERVA nuclear rocket engine development can proceed without a specific mission assignment, with complete confidence that its utility will support our approval of this program today. This situation is analogous to experience with the chemical J–2 rocket engine, which took its maiden test flight last year after a 7-year development program. This 205,000-pound thrust engine was developed for general purposes, where high specific impulse was required for upper stages of advanced vehicles. No more mission identification than that justified its development. Last year, it powered the second and third stages of the mighty Saturn V.

The developer of the Saturn V, Dr. von Braun, said that it is "not surprising that we cannot define a precise flight mission at this time when we have to start the development of a flyable engine." Good space planning dictates that space equipment must be demonstrated before confidence can be placed in the assignment of an item of space hardware to a specific mission.

There is another more ominous reason why we must keep life in this program this year. Let us think back to the sputnik crisis of 1957 and 1958.

Recall, if you will in the 1950's, the many public statements by Soviet officials and scientists which related to their interest and intentions to undertake space flight. Their pronouncements were generally ignored by many officials who were afflicted with an attitude of complacency. The shock we felt in 1957 with the launch of Sputnik I was staggering.

Today, the Soviet Union appears to be preparing for a very early resumption of an accelerated manned space effort. The expectation of big things to come from the Soviet Union is developing, not only in the Soviet Union but throughout the rest of the world—every place it would seem, except here in the United States where we are distracted by some very pressing domestic problems, just now. The Soviet Union is putting primary emphasis on constructing large orbiting manned space platforms for which they talk of replacing crews through the use of shuttlecraft between space stations and earth and between a family of orbiting space stations.

In addition, there are a number of sources showing of growing interest in nuclear propulsion. In the report of the House Committee on Science and Astronautics they quote Prof. Leonid Sedov as "stating his belief in the importance of nuclear propulsion for very large rockets which will soon be needed." Russian cosmonauts and scientists have given strong indication of Soviet interest in nuclear rocket engines. Mr. Webb observed during our hearings:

> . . . We have gone on the primes and we have had some hints that the Soviets are developing nuclear rockets . . .

Dr. von Braun reiterated the warning by saying that Soviet scientists are apparently studying the field extensively. He noted that many articles have been written on nuclear propulsion indicating that the U.S.S.R. is looking for ways to go out in front in the shortest possible time by substantially increasing the number of options available to the Soviet Union. Mr. Webb noted the fact that the Soviet Union for some time has been moving at a more rapid rate in nuclear capability than the United States.

Now it is true that the U.S.S.R. has not formally announced its intentions to develop a nuclear rocket engine. This would certainly be out of character with that secretive society. However, there are strong hints of what they are doing which are quite similar to the kind of statements they made in the late 1950's. Dare we risk the chance that the Soviets are not developing a nuclear rocket engine? If we stop the U.S. nuclear rocket program today, as recommended by the House of Representatives, consider the impact of a future Soviet announcement that they have successfully flown a nuclear rocket propelled spacecraft which is in support of a large Soviet multimanned space station orbiting somewhere in space over the United States. Consider the national concern created by the absolute knowledge that our Nation is under direct and constant surveillance by Soviet cosmonauts.

We must consider such consequences today. If this program is allowed to die, we will immediately be 8 years behind the U.S.S.R., based on our own estimates of leadtime. If this occurs, I expect the

U.S.S.R. will drive home its new advantage and deprive us of many of our options, freely to engage in space exploration.

We cannot put off this engine development program. As the key to our recovery in 1958 was the development of chemical rocket systems, I am convinced that today the key to our future technological security lies in the nuclear rocket engine.

Although it might be possible to cancel the program this year, under the guise of "putting the technology on the shelf" we must remember that there are people working on this program who will leave the organization now responsible for development and go off to new jobs. The technology which has been developed during the life of the program will be dissipated, irretrievably. Once these people are gone, it is unrealistic to assume that the same team can ever be reconstituted. If, at some time in the future, there is a decision to once again take up the nuclear rocket program, it will require a long period of hiring new people, training them, putting them to work, and redeveloping the technology to the stage at which it stands today. The cost will be tremendous. Dr. von Braun estimates that it would cost many times the price of 1 year's program support. Estimates of $300 million have been made as to the cost of bringing the technology back to its present state. It could be done, but only after a costly period of several years.

Not alone the waste of over $1 billion already spent on the program, but the additional cost to recapture what we now have in our hands today, seems to be fiscal extravagance in the extreme. We are indeed at technological crossroads today, because the decision we make here will spell the difference between our Nation having a nuclear rocket or not.

I urge full support of the recommendation of your committee for development of the nuclear rocket engine.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada [Mr. CANNON] to the amendment of the Senator from Wisconsin.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Wisconsin as amended by the Senator from Nevada. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from Washington [Mr. JACKSON], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina [Mr. ERVIN], the Senator from Montana [Mr. MANSFIELD], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Massachusetts [Mr. KENNEDY] would each vote "yea."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Alaska [Mr. BARTLETT]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Washington [Mr. JACKSON]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from Washington would vote "nay."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Wyoming [Mr. HANSEN], the Senator from Oregon [Mr. HATFIELD], the Senator from New York [Mr. JAVITS] and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Delaware [Mr. BOGGS] and the Senator from Oregon [Mr. HATFIELD] would each vote "yea."

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Massachusetts [Mr. BROOKE]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from New York would vote "yea" and the Senator from Texas would note "nay."

The result was announced—yeas 44, nays 25, as follows:

[No. 181 Leg.]

YEAS—44

Aiken
Baker
Bayh
Bennett
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cooper
Cotton
Dominick
Fong
Gore
Griffin
Gruening
Hart
Hartke
Hickenlooper
Hruska
Jordan, N.C.
McGovern
McIntyre
Miller
Mondale
Morse
Morton
Moss
Mundt
Muskie
Nelson
Pell
Prouty
Proxmire
Randolph
Scott
Spong
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—25

Allott
Anderson
Bible
Cannon
Curtis
Dodd
Eastland
Ellender
Fannin
Hill
Holland
Jordan, Idaho
Kuchel
Magnuson
McClellan
McGee
Metcalf
Murphy
Pearson
Percy
Smith
Sparkman
Stennis
Thurmond
Young, Ohio

NOT VOTING—30

Bartlett
Boggs
Brooke
Carlson
Clark
Dirksen
Ervin
Fulbright
Hansen
Harris
Hatfield
Hayden
Hollings
Inouye
Jackson
Javits
Kennedy
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
Monroney
Montoya
Pastore
Ribicoff
Russell
Smathers
Tower
Yarborough

So Mr. PROXMIRE's amendment (No. 844), as amended, was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, as amended.

The comittee amendment, as amended, was agreed to.

The committee amendment, as amended, was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 15856) was read the third time.

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from Washington [Mr. JACKSON], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Pennsylvania [Mr. CLARK], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. MANSFIELD], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Rhode Island [Mr. PASTORE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs], the Senator from Massachusetts [Mr. Brooke], the Senator from Kansas [Mr. Carlson], the Senator from Illinois [Mr. Dirksen], the Senator from Wyoming [Mr. Hansen], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Delaware [Mr. Boggs], the Senator from Massachusetts [Mr. Brooke], the Senator from Illinois [Mr. Dirksen], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 66, nays 4, as follows:

[No. 182 Leg.]

YEAS—66

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Griffin
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Magnuson
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Percy
Prouty
Proxmire
Randolph
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—4

Gore
Gruening
Morse
Pell

NOT VOTING—29

Bartlett
Boggs
Brooke
Carlson
Clark
Dirksen
Fulbright
Hansen
Hatfield
Hayden
Hollings
Inouye
Jackson
Javits
Kennedy
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
Monroney
Montoya
Pastore
Ribicoff
Russell
Smathers
Tower
Yarborough

So the bill (H.R. 15856) was passed.

Mr. ANDERSON. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Anderson, Mr. Magnuson, Mr. Stennis, Mr. Symington, Mr. Cannon, Mrs. Smith, Mr. Hickenlooper, Mr. Curtis, and Mr. Jordan of Idaho conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, there will be no further rollcall votes today.

Mr. MAGNUSON. Mr. President, I understand that the authorization bill will be laid before the Senate, so that it will be the pending business tomorrow; is that not correct?

Mr. BYRD of West Virginia. The Senator is correct.

REMOVAL OF CERTAIN LIMITATIONS ON OCEAN CRUISES—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) to remove certain limitations on ocean cruises. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) to remove certain limitations on ocean cruises, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same.

Amendment No. 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "*Provided, however,* That no such vessel may cruise for more than seven months of each year to ports which are regularly served by another United States-flag passenger vessel pursuant to an operating-differential subsidy contract."

And the Senate agree to the same.

Warren G. Magnuson,
E. L. Bartlett,
Daniel B. Brewster,
Norris Cotton,
Robert P. Griffin,
Managers on the Part of the Senate.
Edward A. Garmatz,
Thomas N. Downing,
John M. Murphy,
W. S. Mailliard,
Thomas M. Pelly,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, I move adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

APPOINTMENT OF ADDITIONAL CIRCUIT JUDGES

Mr. TYDINGS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2349.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2349) to provide for the appointment of additional circuit judges which were, on page 1, line 6, after "circuit," insert "one additional circuit judge for the sixth circuit."

On page 2, in the table following line 10, after

Fifth ------------------------------ Fifteen

insert:

Sixth ------------------------------ Nine

Mr. TYDINGS. Mr. President, this is the omnibus judgeship bill, amended in the House at the request of the distinguished ranking minority member of the House Judiciary Committee, to add one judge to the Sixth Circuit Court. I have cleared this with the ranking member on that committee, the distinguished Senator from Nebraska, as well as the distinguished chairman of the full committee of the Committee on the Judiciary, the Senator from Mississippi [Mr. Eastland].

I move that the Senate concur in the House amendments.

The amendments were agreed to.

AUTHORIZATION FOR ADDITIONAL TIME TO FILE MINORITY VIEWS ON INTERNATIONAL WHEAT AND TRADE CONVENTION REPORT

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that various members of the Committee on Foreign Relations who desire to file minority views on the International Wheat and Trade Convention report, be given until the close of business tomorrow to file their minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF ROBERT MELVIN HITT, JR.

Mr. THURMOND. Mr. President, South Carolina lost one of her most beloved and colorful citizens last week when Robert Melvin Hitt, Jr., editor of the Charleston Evening Post, died on Monday, June 3, 1968.

"Red" Hitt, as he was known in the profession and among his friends, was a newspaperman's newspaperman. He began his career at age 5, working on the Bamberg Herald, which his father owned. With the exception of a brief period of time following his graduation from The Citadel, the military college of South Carolina, in 1935, he devoted his life to the work he loved. As a reporter, a sports editor, a news editor, and a managing editor he met each task and met it well.

As editor of the Charleston Evening Post since 1953, he enjoyed a national reputation—as a most competent newspaperman, an engaging afterdinner speaker, a dedicated civic worker, and a delightful and warmly human character. Perhaps the last phrase, a delightful and warmly human character, is one most often used to describe Red Hitt—for that he was. He could stand before a group in white trousers and blue coat, silver hair tousled, looking every inch the country gentleman that he was, and receive more laughs and appreciation giving a committee report than the afterdinner speaker could hope for. He was, indeed, a hard act to follow.

As one newspaper editorialized, he could receive through connections in his church, which he loved and served, money to buy a gift for a resident of an old ladies home—and choose a bottle of wine and deliver it with a personal visit. His deep base voice a major asset to his speeches, could be heard across a room when he was whispering and his laugh has been likened to thunder. His keen sense of humor, his sharp wit, his spicy writing, and his editorials, always constructive even when critical, will not be forgotten.

The Charleston Evening Post, which became the largest afternoon newspaper in South Carolina under the leadership of Red Hitt, began its editorial on his death with these moving words:

> The office of the editor of the Charleston Evening Post is dark. The desk is clear. The typewriter is stilled. Robert M. Hitt, Jr. has gone and behind him he has left an emptiness that hurts. Unexpectedly, he is dead at 53.

Mr. President, in the death of Melvin Hitt, ~~our~~ State and Nation have lost a distinguished citizen, a true patriot, a gifted writer and editor, and a great American. Descending from such worthy parents, he could not have been otherwise. His father was an able and dedicated editor and publisher, and his mother, Weinona Strom Hitt, my cousin, is a lady of lofty character, high ideals, imaginative mind, and gracious manner.

Mr. President, I join a host of other South Carolinians and Americans who mourn the passing of my cousin, Robert Melvin Hitt, Jr., and ask unanimous consent that the following editorials and articles be printed in the RECORD.

Charleston Evening Post, Tuesday, June 4, 1968, "People Simply Don't Forget Him"; Charleston Evening Post, Tuesday, June 4, 1968, "Robert M. Hitt, Jr."; the News and Courier, Charleston, S.C., Wednesday, June 5, 1968, "R. M. Hitt, Jr."; the State, Columbia, S.C., Wednesday, June 5, 1968, "Final Deadline"; the Greenville News, Wednesday, June 5, 1968, "R. M. 'Red' Hitt, the 'Man Who' "; the News and Courier, Thursday, June 6, 1968, "Senate Pays Tribute to R. M. Hitt, Jr."; Charleston Evening Post, Tuesday, June 4, 1968, "R. M. Hitt, Jr., Evening Post Editor, Dies"; the News and Courier, Tuesday, June 4, 1968, "Robert M. Hitt, Jr., Editor of Evening Post Dies"; and the Greenville Piedmont, Tuesday, June 4, 1968, "Post Editor R. M. Hitt Dies at 53."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Charleston Evening Post, June 4, 1968]

PROFILES OF AN EDITOR—PEOPLE SIMPLY DON'T FORGET HIM

(NOTE.—The following article, written by the vice president and assistant publisher of the Evening Post and The News and Courier, appeared in the October, 1966, bulletin of the American Society of Newspaper Editors.)

(By Frank B. Gilbreth)

The first time I saw Red Hitt was in 1936 when he started as a reporter for the Charleston (S.C.) News and Courier, where I had been working for a couple of years.

The first thing you noticed about him was the mop of flaming red hair atop as rawboned a body as ever was produced by the thriving municipality of Bamberg, S.C. (pop. then about 2,000) where his mother and father ran the weekly paper. He weighed 160 pounds which barely covered his 6 foot 3 inch frame, and he walked with a slight stoop as if somewhat embarrassed by his height. His face was long and Lincolnesque, with dark brown eyes and bushy, almost black eyebrows.

After you had sized him up physically, there was his voice—a deep bass that you could hear all the way across the newsroom, even when he was whispering. When he wasn't whispering—when, for instance, he leaned back those long bones for a laugh—you couldn't hear yourself think. Don't tell me! I had the desk right next to him.

For the vital statistics, he was born Robert Melvin Hitt Jr., June 12, 1914, and started working on The Bamberg Herald with his parents when he started grammar school. By the time he entered The Citadel in 1931, he had done everything there was to do on the paper. He wrote stories, put them into type on an ancient Model L Linotype, made up pages and hand-fed an old flatbed press which had been purchased secondhand in 1892.

After graduating from The Citadel in 1935 he reported to his father for work but was refused a job. (Southern weeklies were in shaky condition in those Depression days). He wrote letters to a number of dailies, seeking work. None too modestly he outlined his many qualifications, to the end that the letter he sent to the Greenville (S.C.) News was posted on the bulletin board with an unkind legend blue-penciled across it saying, "You're too good for us, brother."

In desperation that fall he took a job as grammar school principal in the crossroad town of Smoaks, S.C. After five weeks he had raced sixth grade pupils through a history book that he learned was supposed to last all year and he knew then he was in the wrong business.

In October, he read a news story saying that $50 million had been appropriated to start the National Youth Administration. Being a youth, he figured he was eminently qualified to be national director so he got off a letter to President Roosevelt saying so. The White House sent a letter back saying Aubrey Williams, a protege of Eleanor, already had the job. He wrote Aubrey, offering to serve as state director, but a college professor had already been selected. Doggedly, he wrote the professor and got appointed a regional director to supervise the NYA in a nine-county area. So, Jan. 2, 1936, found him, at the age of 21, in Charleston with a private secretary, three stenographers and a New Deal function to perform with no directions except to see that some needy youths were employed doing something.

A couple of weeks passed and Red, upon emerging from a meeting of school superintendents, was told that Thomas R. Waring, then city editor and now editor, of The News and Courier wanted to see him. At NYA headquarters he got the same message. Visions of a front page splash about the new NYA chieftain and his plans for salvaging the youth of nine counties passed before his eyes.

"I thought I was a pretty big wheel," he recalls, "so I said hell, I'll play hard to get. Late that afternoon I figured Tom had sweated enough so I returned his call. He said could I drop by to see him."

This was something of a letdown, but Red went to his apartment, put on his new suit, slicked his hair just in case a photo was wanted and dropped by the newspaper plant after supper.

He was interviewed all right, but not for a page one story. There was an opening on the city staff and the starting pay was $15 a week.

"I snapped it up before Tom could change his mind," Red says.

So that's when I first met him and he's been "working" on the Charleston papers ever since.

I put the word "working" in quotes because the fact is that he is one of those lucky people who can get more done with less effort than any character I have ever unforgettably met.

In a matter of weeks, he had news sources in Charleston eating out of his fairly mammoth and freckled hand. If he needed a ride to the police station to check a story, they'd send a squad car. If he was too busy to get to the station, they'd telephone and give him the dope. And sometimes, if he was too busy to be tied up on the phone, they'd write down the facts and send them to him.

I don't know how to describe the quality he has of attracting people and making them work for him—but he's a genius at it, and it explains why he's had the time to bring his golf handicap down to 5 and to take time off to make speeches all over the country.

The quality is part personality and part his looks. He towers above most people and that shock of red hair—now a distinguished silver-white, but still a shock—makes him stand out in a crowd. And that deep bass—he has sung for years in the St. Philip's Protestant Episcopal Church choir—attracts attention, even when he tries to mute it, which isn't always. He likes to talk, he's witty and he's—well—engaging! All in all, people simply don't forget him.

Jack Hornaday, a veteran syndicate man, told me that a few years ago he invited Red to play in the member-guest golf tournament at Sleepy Hollow, Tarrytown, N.Y.

"After a couple of hours in the clubhouse, everyone there knew Red," said Jack. Damnedest thing I ever saw. And you know, people are still asking me, 'When are you going to bring that fellow Red Hitt up here to play again?' "

That's the kind of impact he makes. And he's such a good speaker that he could stay on the road all the time, if he wanted to. For instance, the Jack Tar Hotel organization flew him to San Francisco a few years ago to emcee the grand opening of its new $12 million hotel out there.

To get back to the chronology, though, in the spring of 1938, Red was hurrying back to Charleston after a weekend in North Carolina. Two flat tires caused him to be three hours late reporting in, and on his typewriter was a note from the boss saying, "See me at once." Braced for a stern lecture if not dismissal, he waited for Tom Waring to return from lunch. The two went into a corner of the city room and Tom said, "What do you know about sports?" Red replied, "Not much." And Tom said "Well, you'd better start learning because you are now the sports editor."

The sports editor had quit over the weekend and Red had a new assignment. He had put out the sport pages a few times on Sundays but he never had been a really ardent sports fan.

Fortunately he had friends in the composing room, including the foreman who appointed himself as a special committee to monitor and correct Red's headlines—until the new sports editor came to know that the Chicago Americans were the White Sox, not the Cubs, and that the Yankees ordinarily didn't clash with such teams as the St. Louis Braves or the Philadelphia Giants.

He began a daily sports column which, naturally, was labeled "Hitt's Runs and Errors," and within a few weeks the sports department was functioning with unprecedented smoothness. He boned up on baseball and football and things like that and his authoritative column was deemed one of the best features in the paper.

Five years later, management of the Charleston newspapers decided that the Evening Post needed a reorganization. Hitt was offered the job of news editor and with it a free hand to do whatever he thought necessary to revitalize and improve the newspaper. The staff was composed of four oldtimers, including the editor, two girl reporters, society editor, a police reporter, sports editor and two male reporters.

Hitt took over the city desk on a Monday morning in an atmosphere icy with resentment. The oldtimers didn't cotton to the idea of the lanky, young redhead from the "other" newspaper moving in. The reporters had been deliberately accumulating copy for days and they flooded his desk with more material than he could handle in a week.

"I wasn't very happy those first few months," he recalls. "I understood the resentment and I knew I just had to wear it down. It took a lot of time."

By the end of World War II the oldtimers had come around. The Post had a new look and Hitt was gently but firmly in control. His title changed to managing editor and he was given carte blanche to build up a staff. Circulation began to climb and it has done so ever since—from a little over 20,000 when he moved in to more than 40,000 today, making the Post the largest afternoon paper in the state by a comfortable 10,000 margin.

Red was named editor in 1953 and a director of the publishing companies in 1963. He brought to the editorial page a positiveness the Post had not known for years. He has been active in all phases of civic life and it's doubtful if any small-town boy has ever been more successful at cracking Charleston's citadel of "high society." In 1948 he was president simultaneously of the Country Club of Charleston, the Lions Club, a vice president of the Chamber of Commerce and commodore of the Carolina Yacht Club. He was elected a director of the Associated Press Managing Editors Association in 1950 and has just completed a term as president of the S.C. Press Association. In 1963 The Citadel awarded him an honorary Doctor of Laws degree. He joined ASNE in 1946. He and Mrs. Hitt have five children and two sons-in-law.

His newsroom, like Red himself, is alert but relaxed and the turnover of personnel has been unusually small. He strongly believes in letting his key men have their heads. He doesn't remember ever issuing an order but his staffers say his booming voice carries with it a high degree of persuasiveness. The boys in the composing room who knew him "back when" still, for reasons he can't remember, call him "Joe".

All in all, his is a "stay loose" operation, especially when big news breaks on the deadline. And the loosest man in the shop is always Editor Hitt whose creed is that rules and policy must never get in the way of sound judgment.

[From the Charleston (S.C.) Evening Post, June 4, 1968]

ROBERT M. HITT, JR.

The office of the editor of the Charleston Evening Post is dark. The desk is clear. The typewriter is stilled. Robert M. Hitt Jr. has gone and behind him he has left an emptiness that hurts. Unexpectedly, he is dead at 53.

Mr. Hitt was a newspaperman's newspaperman. There was, literally, no newspaper job he could not do—and do better than most. At the age of five he began helping his father put out the weekly Bamberg Herald and the practical lessons in journalism which he learned early in life stood him in good stead, providing the stairs to a highly successful career. With the exception of a brief period of time following his graduation from The Citadel in 1935 he had devoted a full life to a business he loved.

As a reporter, a sports editor, a news editor and a managing editor he approached each daily task—no matter what—with an enthusiasm that was infectious. He was a leader but never a pusher. A man of reason and persuasion, he had that inbred quality that inspires. He had the respect of his staff.

As editor of the Evening Post since 1953 he had developed a professional reputation that was recognized nationally. He was a man of knowledge and of wisdom, a man with the ability to analyze situations almost at a glance. He was equally facile in commenting editorially on international, national or local issues. He wrote concisely and lucidly and often with humor. His editorials were at times pointed but they were never scathing. He did not indulge in personalities.

That was the kind of a man Mr. Hitt was, in the office and out. He was a friendly man, with a keen sense of humor. More important, he was a man of compassion. He cared about people. He was, above all, a man of integrity and of honor. His news judgment was sharp, but he was a firm believer in the exercise of common sense. He gave everyone a fair shake.

As an editor and as a citizen he was a promoter of Charleston and the Lowcountry. In the field of civic endeavor he was known as a man who could get a job done. He gave freely of his time and of his talents to help build a better community. We believe he succeeded.

We join a wide circle of friends in this city, in the state and in the nation in mourning his passing. To his family, of whom he was so proud, we extend our heartfelt sympathies.

A few days ago he was counseling a younger associate on the technique of writing. "Stay loose," he said. "Don't tense up. Decide what you want to say and then say it plainly and simply." We have tried to follow his advice but this time it was painfully difficult.

In the newsroom of the Evening Post we will miss his towering figure, his hearty laugh, his bass voice. We will miss his guidance and his kindness. We will miss him as a boss but even more as a friend. His death leave a void that will not be filled.

Elsewhere on this page we have reprinted today a profile that his newspaper colleagues feel best portrays Robert M. Hitt Jr.

[From the Charleston (S.C.) News and Courier, June 5, 1968]

R. M. HITT, JR.

A journalist of nationwide renown, Robert Melvin Hitt Jr. was a justly admired citizen of South Carolina and one of the most popular men of his time in Charleston. Through public speeches and a wide personal acquaintance he had projected a warm personality far beyond the circulation territory of the Charleston Evening Post, which he had served as editor for 15 years.

We first became acquainted with Red Hitt when he was a lanky freshman at The Citadel. At age 16, he already showed promise. In applying for appointment as campus correspondent for The News and Courier, he listed among his qualifications an ability to set type, tend a press and write any kind of copy from advertisements to editorials.

These were no idle boasts. He had grown up around a newspaper shop. His father was the late R. M. Hitt, editor of The Bamberg Herald, whom we revered among the solid and able weekly journalists of our state. Although in those days only senior cadets served as campus correspondents, we watched the progress of the boy from Bamberg. Not long after his graduation we offered him a job as a reporter for The News and Courier. Though it paid less than he earned from a government job, he readily accepted because his first interest was newspapering. Mr. Hitt's progress in the craft was rapid. First as sports editor for The News and Courier, then as city editor and managing editor for The Evening Post, he climbed the ladder of desks and in 1953 was appointed editor.

As a member of the American Society of Newspaper Editors, he was respected and liked by colleagues all over the country. Behind the rugged countenance and booming voice that were his trademarks was a gentle and sensitive nature. He was perceptive and sympathetic in dealing with both people and issues. These qualities, with a vivid gift for words, superbly equipped him for the duties of a newspaper editor. He discharged them with admirable style and skill.

Perhaps his most engaging quality was a keen sense of humor, quick but kindly. It spiced his writing and brought welcome wit to social conversations. Who will forget his bass voice and hearty laugh?

Brought up in a Christian home, in which family loyalty and civic obligation were regarded as matters of course, he grew in character and stature with the years. His unexpected death at age 53 has cut short a career that should have had many fruitful years to run. The newspaper profession has suffered a grievous loss. The sorrow of his family, his associates and a vast collection of friends is beyond measures.

[From the Columbia (S.C.) State, June 5, 1968]

FINAL DEADLINE

From the time he labored as a gangling, red-headed lad in his father's newspaper shop at Bamberg, Robert Melvin Hitt, Jr. was destined for a life in journalism.

Newspapering tugged at him through high school and at The Citadel, where his facile pen begin attracting attention both on and off the campus. But newspaper jobs were scarce when he was graduated in 1935, and it was a year later before he signed on with the *News and Courier* at Charleston as a cub reporter.

From there on out, "Red" Hitt was in his own briar patch—whether reporting, editing, or writing delightful columns such as those he turned out (while sports editor) under the heading "Hitt's Runs and Errors."

He really hit his stride when he became editor of the *Charleston Evening Post*, enlarging his interests and influence in civic affairs while continuing to make friends for himself and for the Charleston newspapers. His unfailing good humor, his *basso profundo* voice (it was likened to the sound of distant thunder) and his profound knowledge of newspapering brought him recognition in both state and national journalistic circles.

But that deep bass voice was stilled last week when he fell victim to a brain hemorrhage. Early Tuesday morning he died, leaving not only a bereaved family but also hosts of sorrowing friends in newspaper shops across the length and breadth of the land.

They, including those of *The State*, will remember "Red" Hitt not so much as the competent craftsman but as the lovable individual who never met a stranger nor made an enemy.

[From the Greenville (S.C.) News, June 5. 1968]

R. M. "RED" HITT, THE "MAN WHO"

Seldom has the South Carolina press suffered such a severe blow as was dealt it by the untimely death of Robert M. Hitt Jr., editor of the Charleston Evening Post.

At age 53. Mr. Hitt was at the height of his great intellectual powers and his ability to sway others with the charm of his unique personality. The loss is shared by the whole state, by the cause of good citizenship, better government and more pleasant communities.

Because of his highly developed and perfectly-timed sense of humor and his ability to win a crowd instantly and hold it as long as it suited him, Mr. Hitt was much in demand as an after-dinner speaker. He had a nationwide reputation.

"Red" Hitt was the "man who:"

Was relentless in his search for the truth in the news, but used compassion in printing it.

Was forthright in his editorial expressions, but always constructive and never critical for the sake of mere criticism.

Was possessed of the sharpest natural wit we ever enjoyed off the professional stage, and used its keen edge to good effect. But he never hurled barbs that hurt, and he preferred to be the butt of his own jokes.

Was known by thousands over the country, admired by all who ever encountered him, had hundreds of friends in professional journalism organizations, but never changed basically from the son of a country newspaper editor who started work in a printing shop as a boy.

Rose to heights in his career and in community life, but never lost the enthusiasm of The Citadel cadet he was more than 30 years ago. He served many organizations, but never pushed for personal recogition.

Could render the report of the nominating committee and evoke more laughter than the "speaker of the evening," while in the next moment pointing out in his deep rumbling voice the easy solution to a serious problem.

Trained many young journalists, speaking to them in their classes and working with them in his offices, and left a lasting impression on them.

Could discipline a reporter, or a subordinate editor, in a manner he would never forget—without hurting his feeliings.

Could receive through connections in his church, which he loved and served, money to buy a gift for a resident of an old ladies' home—and choose a bottle of wine and deliver it with a personal visit.

Was not content merely to write about community problems, but involved himself in their solutions.

Mr. Hitt was all of these things, and more, the devoted husband and father of a fine family and an active churchman. But his greatest contribution, and the most important to him, was, first to better newspapers and, second, receiving and returning the love of his friends.

We pass this way but once, and to encounter just one "Red" Hitt along the way is to be highly privileged.

[From the News and Courier, June 6, 1968]

SENATE PAYS TRIBUTE TO R. M. HITT, JR.

COLUMBUS.—The Senate Wednesday adopted a resolution expressing the regrets of the general assembly at the death of Charleston Evening Post Editor Robert M. Hitt Jr.

The resolution, jointly sponsored by Charleston's four Republican senators, goes now to the House for action.

Hitt, who collapsed a week ago after suffering a brain hemorrhage, was described in the resolution as a man who will be "long remembered" for his contributions to journalism and community service.

In adopting the resolution, its authors wrote, the legislature will be reflecting the feelings of the entire people of South Carolina. It extended the sympathy of the legislature to members of the bereaved family.

[From the Charleston Evening Post,
June 4, 1968]

R. M. HITT, JR., EVENING POST EDITOR, DIES

Robert M. Hitt, Jr., editor of the Charleston Evening Post for the last 15 years and a director of the Evening Post and The News and Courier publishing companies, died late last night at Roper Hospital. He was 53.

He had been in a deep coma since he collapsed Wednesday afternoon during a meeting sponsored by the Charleston Safety Council at the Charleston Marina.

His death was caused by a brain hemorrhage.

Funeral services will be held at noon tomorrow at St. Philip's Episcopal Chruch with the Rev. Samuel T. Cobb officiating. Burial, directed by Connelley's, will be in the churchyard.

Pallbearers will be Thomas R. Waring, Ernest A. Cutts, W. Hampton Logan, Thomas E. Myers, William D. Workman Jr., S. Norwood Hastie Jr., C. C. Rhodes and Theodore D. Maybank.

Mr. Hitt had been a newspaperman nearly all his life. He held official posts in various newspaper organizations, both state and national.

He was a tireless worker for the betterment of his profession, yet found time to maintain an intense interest in all facets of Charleston life; its political, social and civic affairs, preservation and progress.

Mr. Hitt resided at 60 Anson Street.

Mr. Hitt, familiarly known as "Red" although his red hair had turned grey with the passage of the years, was well known for his booming voice, his contagious laughter and his keen sense of humor.

He was much sought after as a master of ceremonies and after-diner speaker. The wit he always inserted in his speeches endeared him to audiences in many cities, towns and hamlets throughout South Carolina.

But his fame as a speaker went far beyond the boundaries of his native state, and often he was called upon to speak before national audiences in farflung places. He had addressed the American Society of Newspaper Editors in Washington, D.C., and the annual meeting of United Press International in San Francisco.

He possessed the enviable ability to see the humorous side in almost any situation. He was a marvelous story teller.

Fundamentally a gentle, kind-hearted and generous person, he counted his friends in the thousands. He was known and admired by high-ranking politicians, admirals, generals, businessmen, newspapermen the nation over, and by many others of lesser light.

The prophetic lines under Cadet Hitt's picture in the 1935 Sphinx (the Citadel yearbook) the year he graduated from the military college sums up what his fellow students thought of him, and those thoughts have been projected to this day:

"He who jests with him must have a nimble wit indeed. The name "Red" Hitt will forever arouse memories of a tall, raw-boned, red-haired jester . . .

" 'Red' will leave a vacancy in the Cadet Corps which will long remain unfilled. His capabilities are many and manifest but his strong point has been, and probably will remain, publications. As managing editor of The Bulldog and as business manager of the Sphinx, he performed difficult tasks and performed them well. Furthermore, he maintained such a high sense of humor and proficiency at repartee that he was chosen the wittiest man in his class."

A man of varied talents and versatility, Mr. Hitt even entered the field of drama on one occasion. He played the second lead in the Dock Street Theater production of "The Front Page" in April, 1945.

Mr. Hitt had a sincere and lasting interest in civic affairs, and believed it his duty to lend his talents and leadership ability to any and all Charleston organizations that called upon him.

Hardly a week went by when he wasn't called on to attend a meeting of some group, or asked to head a committee, or prevailed upon to speak before a local or state organization.

The amount of time and talent he gave freely to civic duties would be difficult to match.

With the exception of three months as a grammar school principal and teacher and three months as a federal employe, Mr. Hitt's entire life was spent in the newspaper field. At the age of five he began helping with chores at The Bamberg Herald, which was published and edited by his father.

He became editor of the Charleston Evening Post in 1953 and 10 years later was named a director of the Evening Post and The News and Courier publishing companies.

The Citadel awarded him the honorary degree of Doctor of Laws in 1962.

After graduating from The Citadel in 1935, he became principal of Smoaks Grammar School in Colleton County. Three months later he was named district director of the National Youth Administration program with jurisdiction over nine Low-country counties.

He resigned in May, 1936, to become a reporter for The News and Courier, launching a career that was to make him one of the most widely known and highly respected newspapermen in the nation.

In 1938 Mr. Hitt was appointed sports editor of The News and Courier. His daily column, "Hitt's Runs and Errors," became one of the most widely read items in the newspaper.

After four years as sports editor, he was named news editor of the Charleston Evening Post, which then had a circulation of about 20,000. He became managing editor in 1944 and editor nine years later. During his career with the Evening Post, its circulation rose to more than 40,000, making it the largest evening daily in the state.

He was a past president of the S.C. Press Association, a charter member and first president of the S.C. Associated Press News Council, a former director of the Associated Press Managing Editors Association, a member of Sigma Delta Chi, national journalism fraternity, and a member since 1946 of the American Society of Newspaper Editors.

Mr. Hitt was active in many local organizations. He was a past president of the Charleston Association of Citadel Men, Charleston Lions Club, and Country Club of Charleston; a past commodore of Carolina Yacht Club, and past vice president of the Charleston Trident Chamber of Commerce.

In 1955 he was appointed to the State Fiscal Survey Commission to investigate the state's governmental operating procedures.

While a student at The Citadel, he was a member of the Glee Club, Buccaneer Club, Junior and Senior Exhibition Platoons and co-canteen manager.

During his senior year he was a cadet first lieutenant, business manager of the yearbook, cadet newspaper managing editor and a director of the South Carolina Collegiate Press Association. Color-blindness and a knee injury kept him from receiving a military commission at graduation.

Mr. Hitt was born June 12, 1914, in Bamberg, a son of the late Robert H. Hitt and Mrs. Weinona Strom Hitt. He was a member of the vestry of St. Philip's Episcopal Church and had sung in the church choir for many years.

Surviving are his widow, the former Miss Ann Elizabeth Leonard of Charleston; three daughters, Miss Joan Leonard Hitt of San Francisco, Mrs. Douglas Alan Rodgers of Charleston and Mrs. Gardner Brockway Miller of Missoula, Mont.; two sons, Robert M. Hitt III, and John Thomas Leonard Hitt, both of Charleston; his mother of Bamberg; two sisters, Mrs. Charles L. Stuckey of Charlotte and Mrs. Thomas D. Thrailkill of Bamberg, and a grandson.

[From the Charleston (S.C.) News and Courier, June 4, 1968]

ROBERT M. HITT, JR., EDITOR OF EVENING POST, DIES

Robert M. Hitt Jr., editor of the Charleston Evening Post for the last 15 years and a former sports editor of The News and Courier, died last night in a local hospital. He was 53.

He had been in a deep coma since collapsing Wednesday at a meeting of the Charleston Safety Council. Death was caused by hemorrhage in the brain, which released blood into the spinal fluid.

Funeral arrangements are incomplete.

Aside from his work in journalism, Mr. Hitt, known to his friends as "Red," was one of the leading after-dinner speakers and raconteurs in the South Carolina Lowcountry. He was well known for his booming voice, contagious laughter and keen sense of humor.

With the exception of three months as a grammar school principal and teacher and three months as a federal employe, Mr. Hitt's entire life was spent in the newspaper field. At the age of five he began helping with chores at The Bamberg Herald, which was published and edited by his father.

He became editor of the Charleston Evening Post in 1953 and 10 years later was named a director of the Evening Post and The News and Courier publishing companies.

The Citadel awarded him the honorary degree of Doctor of Laws in 1962.

After graduating from The Citadel in 1935, he became principal of Smoaks Grammar School in Colleton County. Three months later he was named district director of the National Youth Administration program with jurisdiction over nine Lowcountry counties.

He resigned in May, 1936, to become a reporter for The News and Courier, launching a career that was to make him one of the most widely known and highly respected newspapermen in the nation.

In 1938 Mr. Hitt was appointed sports editor of The News and Courier. His daily column, "Hitt's Runs and Errors," became one of the most widely read items in the newspaper.

After four years as sports editor, he was named news editor of the Charleston Evening Post, which then had a circulation of about 20,000. He became managing editor in 1944 and editor nine years later. During his career with the Evening Post, its circulation rose to more than 40,000, making it the largest evening daily in the state.

He was a past president of the S. C. Press Association, a charter member and first president of the S.C. Associated Press News Council, a former director of the Associated Press Managing Editors Association, a member of Sigma Delta Chi, national journalism fraternity, and a member since 1946 of the American Society of Newspaper Editors.

Mr. Hitt was active in many local organizations. He was a past president of the Charleston Association of Citadel Men, Charleston Lions Club, and Country Club of Charleston; a past commodore of Carolina Yacht Club, and past vice president of the Charleston Trident Chamber of Commerce.

In 1955 he was appointed to the State Fiscal Survey Commission to investigate the state's governmental operating procedures.

While a student at The Citadel, he was a member of the Glee Club, Buccaneer Club, Junior and Senior Exhibition Platoons and co-canteen manager.

During his senior year he was a cadet first lieutenant, business manager of the yearbook, cadet newspaper managing editor and a director of the South Carolina Collegiate Press Association. Color-blindness and a knee injury kept him from receiving a military commission at graduation.

Mr. Hitt was born June 12, 1914, in Bamberg, a son of the late Robert M. Hitt and Mrs. Weinona Strom Hitt. He was a member of St. Philip's Protestant Episcopal Church and had sung in its choir for many years.

Surviving are his widow, the former Miss Ann Elizabeth Leonard of Charleston; three daughters, Miss Joan Leonard Hitt of San Francisco, Mrs. Douglas Alan Rodgers of Charleston and Mrs. Gardner Brockway Miller of Missoula, Mont.; two sons, Robert M. Hitt III, and John Thomas Leonard Hitt, both of Charleston; his mother of Bamberg; two sisters, Mrs. Charles L. Stuckey of Charlotte and Mrs. Thomas D. Thrailkill of Bamberg, and a grandson.

[From the Greenville (S.C.) Piedmont, June 4, 1968]

POST EDITOR R. M. HITT DIES AT 53

CHARLESTON, S.C.—Charleston Evening Post editor Robert M. Hitt Jr., who had been in a coma since last Wednesday died Monday night as the result of a brain hemorrhage. He was 53.

A charter member and first president of the South Carolina Associated Press News Council, Hitt had been a newsman for most of his life, beginning in the shop of his father's weekly Bamberg, S.C. Herald while still attending elementary school.

Hitt became a reporter on the Charleston News and Courier after graduating from The Citadel in 1936. He was named sports editor of the News and Courier in 1938 and was appointed news editor of the Evening Post four years later.

He became managing editor of the Evening Post in 1944, and was named editor in 1953.

With Hitt occupying the editor's chair, the Evening Post became South Carolina's largest evening daily, more than doubling its circulation.

Hitt was a past president of the S.C. Press Association, a member of Sigma Delta Chi, and a member of the American Society of Newspaper Editors since 1946.

Survivors include his wife, the former Miss Ann Elizabeth Leonard of Charleston; three daughters, Miss Joan Leonard Hitt of San Francisco, Mrs. Douglas Alan Rodgers of Charleston, and Mrs. Gardner Brockway Miller of Missoula, Mont.

Also: two sons, Robert M. Hitt III and John Thomas Leonard Hitt, both of Charleston; his mother, Mrs. Weinona Strom Hitt of Bamberg; two sisters, Mr. Charles Lamar Stuckey of Charlotte N.C. and Mrs. Thomas D. Thrailkill of Bamberg, and a grandson.

The funeral will be at noon Wednesday at St. Philips Episcopal Church with burial in the churchyard.

THIS AGE OF PERMISSIVENESS

Mr. ALLOTT. Mr. President, recent appalling events around the country lead me to the inevitable conclusion that this country has completely lost all perspective, and is fast being sucked under the swirling waters by a whirlpool of anarchy. Certainly, we are in an era of unparalleled, self-induced hysteria. We are plagued by personal indifference to the problems and rights of others. We are overrun by those power-hungry demogogs who use people for their own selfish purposes, who believe in only those laws which they alone invent and who are using the established institutions of this country as instruments of national revolution. We are pummeled by the meaningless and euphemistic phrases of political candidates, both to the left and to the right. Responsibility, self-discipline and respect are words which are "anachronistic" or "irrelvant." The actions of a dissident minority go unchecked, actions which are not just trampling the rights of the majority but the very foundation upon which our whole governmental structure is built. In short, Mr. President, we are reaping the harvest sown during the age of permissiveness, an age wherein individuals are not fixed with the responsibility for their actions, an age where right is wrong and wrong is right, an age where maturity and experience are used as derisive terms. Our society simply can no longer tolerate this divisiveness, for while we have somehow managed to stay united, we just do not know how much longer we will be able to do so. We must get a grip on our national perspective. We must restore some balance to our national mental health. The majority of this country must rise up in indignation—indignation toward the indifference to what is going on in this country. We can no longer afford to feed the forces of anarchy and violence. We must set things right.

In this connection, Mr. President, I ask unanimous consent that a letter written to me by a well-meaning, but, to my mind, misguided individual, be printed in the RECORD, together with my reply to him.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STANFORD UNIVERSITY,
Stanford, Calif., May 14, 1968.

Senator GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: I would like to strongly implore you to not only vote against, but also to speak against the proposed amendments to appropriation bills which would revoke NSF and NDEA aid from students involved in protests. Although I am against some protests, I feel others are necessary for the continued advancement of the academic, political and economic goals of our country. I particularly feel the proposed amendments unnecessarily imperil the freedom of thought and action which is imperative for maintaining the high level of progress now observed in our country.

Our country exists because our founding fathers protested—to the point of revolution. Now that same government they founded is attempting to single out undergraduate and graduate students, the future leaders of our country, most of whom could not afford to continue their study if their fellowships were revoked for some vague activity which "disrupts a college's operations"—without a legal trial! There are already sufficient laws to prosecute protestors who get out of line in a fair and legal manner without resorting to the unequitable methods that these amendments would make possible. I therefore implore you again to act against these amendments.

Sincerely,

——— ———.

MAY 22, 1968.

Mr. ——— ———,
Stanford University,
Stanford, Calif.

DEAR MR. ———: This will acknowledge receipt of your May 14th letter, in which you discuss your opposition to two amendments, recently adopted by the House I believe, which would provide:

"That no part of this appropriation shall be available for or paid out to the benefit of any individual who at any time after the effective date of this Act, willfully refuses to obey a lawful regulation of this university or college which he is attending or at which he is employed."

Perhaps at the time you wrote me you were unaware of the actual wording of the amendments adopted by the House of the legislative history pertaining to them. During the debate on the amendment to the Independent Offices Appropriation Bill for fiscal year 1969, the sponsor of the amendment, Representative Wyman, stated, in part:

"This simple amendment reflects the concern of Members of Congress to do something to help restore a greater measure of order and responsibility on the troubled campuses of America. One of the ways we can do this is to make it clear that engaging in this type of offensive activity cuts off your scholarship or fellowship help if you are receiving any.

"There is no intention to penalize anyone but cutting off a scholarship for a minor infraction. The situation that this is directed to is the sort of thing that offends all of us: The usurpation of the administrative function and responsibilities of our educational institutions by willful disobedience and willful infraction of the law, sometimes extending to criminal conduct on the part of individual students who may be receiving a scholarship under this particular segment of this appropriation."

Now, from the above, it is abundantly clear that three factors must be present in order for the withdrawal of Federal aid to take effect: 1) Ample warning, in that the action is not retroactive, but does become effective after congressional enactment; 2) A *willful* refusal by the individual to abide by a regulation; 3) The regulation must be a lawful one, in that it must have been approved through the duly constituted channels of officialdom in the institution. In light of this, I would venture to say that the amendments we are discussing might tend to restore order to the campus and thus allow those individuals not engaged in unlawful activities to pursue their studies without interruption. Former Dean Erwin N. Griswold of the Yale Law School and now Solicitor General of the United States said recently:

> "The right to disagree—and to manifest disagreement—which the constitution allows to the individuals in those situations—does not authorize them to carry on their campaign of education and persuasion at the expense of someone else's liberty, or in violation of some laws whose independent validity is questionable."

And, in this connection, I think mature acceptance dictates, as Livy once said, many centuries ago:

> "No law can possibly meet the convenience of every one: we must be satisfied if it be beneficial on the whole, and to the majority."

In the first sentence of your last paragraph you make what I feel may well be an invalid conclusion. You stated that our country "exists" because the framers of our form of government "protested—to the point of revolution." On the contrary, I believe you will find that our country "exists" by virtue of the adoption of the Declaration of Independence and the eventual dissolution of ties with the mother country, whose lists of abuses toward its colony were of such a despotic and tyrannical nature that they could no longer be tolerated. And, if my memory of history has not failed me completely, prior to the Declaration of Independence repeated attempts were made of a lawful nature in the form of petitions to King George and the Parliament for a redress of these grievances. Indeed, the famous British statesman and orator almost succeeded in convincing his brethren of the validity of the colony's grievances. His name—Edmund Burke—and he said of the colonies:

> "Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve the unity of the empire."

But, the only answer which came from the monarch was to wage war against the coastal towns, plundering the villages and destroying lives. It was not until this final act of war from the monarch came that the colonies had no other recourse but to declare its independence from "a Tyrant . . . unfit to be the Ruler of a free People". So, while I do not mean to suggest that your contention is not analogous, I would suggest that perhaps the reasons for the final act of declaring independence may have been of a somewhat higher nature than those relating to the construction of school gymnasiums on recreation land, the recruitment on campus of students into governmental service or the question of whether or not male students should be allowed to entertain individuals of the opposite sex in their bedrooms. Just as our Founding Fathers stated, in the Declaration of Independence: "Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes;", so I believe that without more justifiable reasons which have no other course of redress, the present situation on campuses throughout the country, the disruption of the learning process, cannot be condoned.

I have always stated that the duty and the responsibility of the adult population is to provide the best education possible for young people. The responsibility of the young people is to take advantage of the learning provided by the educational institution. If any changes are to be made in the provision of this education, it is the responsibility of duly constituted administration of the institution to make these changes, perhaps with the advice and urging of the student population, through the appropriate, lawful channels, and within the framework of law and order. Justice Frankfurter once said:

> "Law alone saves a society from being rent by internecine strife or ruled by mere brute power however disguised . . . Violent resistence to law cannot be made a legal reason for its suspension without loosening the fabric of our society."

To believe otherwise is to state that might makes right and I would hope you would agree with me that this is the very antithesis of our form of government.

But, getting back to your original question as to how I will vote if the proposition arises in the Senate as to withdrawing Federal aid from individuals engaged in unlawful campus activities, I am inclined to support such a move in view of the apparent helplessness of some university administrators to prevent campus disruptions of the type we are discussing. I cannot see either the wisdom or the logic of using taxpayers' dollars to contribute to the activities of those individuals who would utilize a university as an instrument of revolution, such as has been freely admitted by the SDS. Nor, do I see any justice in supporting, with Federal tax dollars, a student engaged in the unlawful activity of disrupting university operations, thereby depriving other students not so supported from obtaining the education they have paid for. The Federal government has no legal or moral obligation, nor is it good policy, to finance individuals or activities which use the educational system for purposes other than education.

Sincerely yours,

GORDON ALLOTT,
U.S. Senator.

U.S. POLICY TOWARD COMMUNIST CHINA

Mr. MURPHY. Mr. President, I want to take this time to bring to the attention of my colleagues a matter which I think is of grave concern and should be carefully considered by all Members of this distinguished body and, hopefully, by the people of the United States of America.

Mr. President, I am increasingly concerned over indications that the administration may be, in a subtle fashion, attempting to alter established U.S. policy toward Communist China. Many news reporters have described a recent speech on Communist China by Under Secretary of State Katzenbach as a "trial balloon" designed to test public sentiment on the possibility of changing America's policy toward Communist China in the near future.

However, Mr. Katzenbach's speech is not the first so-called "trial balloon" on the subject. Since the beginning of this year, several high administration officials have been making strangely conciliatory comments about Communist China.

I think it might be useful to review this series of administration statements to determine if a pattern is, indeed, developing, a pattern indicating that a change in America's posture toward Communist China is in the offing.

In his state of the Union message in January, President Johnson said:

> Turmoil continues on the mainland of China after a year of violent disruption. The radical extremism of their government has isolated the Chinese people behind their own borders. The United States, however, remains willing to permit the travel of journalists to both of our countries to undertake cultural and educational exchanges; and to talk about the exchange of basic food crop materials.

As far as I have been able to find out, this is the first statement in which anyone in the administration discussed the possibility of "exchanging food crop materials." I wonder exactly what the President meant by that statement? What sort of food crop materials would the United States, the greatest agricultural Nation in the world, need from Communist China? The only agricultural product of China which is known to be in surplus and in great demand in the rest of the world is opium—and we certainly do not need any of that.

I am confident that the President's state of the Union message is an accurate statement of the administration's intent—even though I do not see what agricultural products China will trade to us. I certainly hope the President's statement is not the forerunner of a request for the shipment of American surplus agricultural products to mainland China. The past two Democratic administrations have made a habit of bailing out such troublemakers as Sukarno, Nasser, Toure, and Nkrumah with loans and gifts of America's surplus agricultural products. I certainly hope the administration is not now thinking of extending this foolish policy to our self-appointed enemies in Communist China. I certainly hope we will be sure our own people all have adequate diets—and I note some people have suggested 10 million Americans go to bed hungry—before we attempt to feed the Chinese Communists.

The next indication of the possible change in administration thinking on China was the Vice President's unequivocal statement in April of this year, extending the administration's "bridge-building" theory—which had previously been applied primarily to Eastern Europe—to Communist China. This was rather an amazing about face, for only 6 months before the Vice President was issuing warnings about "militant, aggressive, Asian communism, with its headquarters in Peking, China." Following his change of heart, the Vice President said:

> I look forward to the day when the great Chinese people, no longer victimized from within, take their place in the modern world. Surely one of the most exciting and enriching experiences to which we can look forward is the building of peaceful bridges to the people of mainland China.

If the Vice President intends merely to express support for the idea that the Chinese people will eventually regain their freedom, then none could fault his statement. However, such statements must be considered in the context of the events and policies of the day. "Bridge building," in the current administration's vernacular, connotes an attempt to increase trade with Communist government now in power. In my opinion, this is hardly the time to seek increased trade with Communist China. Although we may wish to reaffirm our traditional friendship for the Chinese people, this is no time for U.S. initiatives which might legitimize the current Chinese Communist rulers or help them overcome China's grave internal problems.

Finally, Mr. President, two top officials of the Department of State, Mr. Katzenbach and Mr. Eugene Rostow, made speeches on the same day elaborating on what the President and Vice President have already said about the possibility of improving our relations with Communist China.

The Under Secretary of State, Mr. Katzenbach, speaking at the National Press Club on May 21, 1968, hinted that this country might loosen its trade embargo against Communist China if Peking would ease its opposition to commerce with the United States. One recent example of America's "new flexibility" on trade and financial matters, I am told, was the granting of a license to the Radio Corp. of America permitting RCA to pay about $600,000 to the Chinese Communists for services rendered by the Peking authorities in accepting RCA messages from overseas customers primarily located in the Middle East. According to newspaper reports, this transfer of funds is the largest ever authorized under the Foreign Assets Control Act of 1950. I believe Members of Congress would be very interested in the details of this transaction and in an explanation as to why the administration chose this particular moment to authorize payment of over half a million dollars to the Red Chinese when our balance-of-payments situation is so critical.

Mr. Katzenbach, the No. 2 man in the State Department, further stated that the administration would accept "just about any gesture" as an indication of Peking's interest in improving relations with the United States. I am amazed that such a statement would be made while the administration is trying to negotiate an end to the Vietnamese war and when it is well known that Peking is urging Hanoi to prosecute that war with renewed vigor. I am appalled that such a statement would be made when more Americans have been killed in Vietnam with the aid and support of the Red Chinese in the past 4 weeks than in any other previous 4-week period during the entire Vietnamese conflict.

Mr. Katzenbach's speech contains some other rather remarkable language. He says, for instance, that—

> The military threat posed by Peking can be, and perhaps at times has been, exaggerated.

I am amazed to find Mr. Katzenbach making such a statement when his immediate superior, Mr. Rusk, has repeatedly stated that one of the main reasons for our intervention in Vietnam is to prevent Chinese Communist expansion into all of Southeast Asia. I am amazed to hear such a statement from the Under Secretary of State just a few months after the Secretary of Defense justified the expenditure of $5 billion for an ABM—antiballistic missile—system designed to protect us from the growing Chinese Communist nuclear threat. Such glaring inconsistencies make one wonder whether the right hand of the administration knows what the left hand is doing.

Mr. Katzenbach further states that the Department of State understands Communist China's "legitimate needs for security and friendly relations with neighboring countries." This comment implies that Peking has a benign and peaceful record throughout the world. Mr. Katzenbach blithely overlooks the fact that since 1960 Communist China has made at least two open military attacks on India, created disturbances in Macao and Hong Kong, nearly conquered Indonesia from within, launched widespread subversion in Africa, continually probed the Taiwan Straits, and has encouraged both the disgraceful conduct of Chinese Communist diplomats abroad and the mistreatment of foreign diplomats and newsmen in Peking.

The Under Secretary's statement about Communist China's "friendly relations with her neighbors" seems to contradict many previous pronouncements made by both Democratic administrations since 1960 in opposing the admission of Communist China to the United Nations. The United States has repeatedly, and I think rightly, pointed out that the Government in Peking is not peace loving. The Chinese Communists clearly do not concur in the obligations which the U.N. Charter imposes upon members. I question whether Mr. Katzenbach's remarks are not most untimely, for during the past few years Communist China has aggressively attempted to put its openly stated theory of world revolution into effect. As a result a growing majority of United Nations members now oppose Communist China's entry into the world body, whereas previously the number of states voting with the United States against Communist China was decreasing. So once again this administration appears to be wavering in its support for a policy which has finally won the enthusiastic backing of friendly states, a policy which the United States has firmly endorsed since the Chinese Communists attacked United Nations forces in Korea in 1950.

The Under Secretary of State for Political Affairs, Mr. Eugene Rostow, speaking in Cincinnati on the same date as Mr. Katzenbach, stated:

> We have ourselves pushed aside barriers which once existed in our policy . . . We have made clear our willingness to welcome Chinese scientists, scholars, and journalists to the United States, and have encouraged our own academics to establish contact with their counterparts on the mainland of China. To facilitate these contacts, we have eased restrictions on travel to Communist China. Few applications for the validation of passports for travel to Communist China have been refused in recent years . . . We have taken other steps as well.

Mr. President, I think Members of Congress would like to know what the "other steps" referred to by Mr. Rostow are. I would like to know the reasons behind the administration's change in tactics toward the Chinese Communists. I would like to know what has prompted the administration to begin throwing bouquets at the Chinese Communists. Is there some startling piece of news about Communist China which policymakers in the State Department and in the White House know which other Americans are not privy to? If there is, the administration should share this news with the American people. If there is not, I suggest that this is a most peculiar time for America to begin courting the Chinese Communists.

As of a few months ago there was great uncertainty among China scholars as to who was actually in control in Peking. This Senator is still uncertain.

Does not the continuing conflict on the mainland make it impossible to predict now whether the Communists will be able to retain centralized control of that huge country? It is not quite possible that China will disintegrate into regional rule by warlords? Is it not even possible that the Chinese people will regain their freedom to choose a better form of government? If so, this would hardly appear to be the time to alter our China policy. It would seem to be a time for continued watchful waiting.

Friendship is a two-way street. Have the Communist Chinese taken any initiatives indicating they wish to improve relations with the United States? Oddly enough, both Mr. Katzenbach and Mr. Rostow express doubt in their speeches that the Chinese Communists are interested in friendly relations with the United States. For instance, Mr. Katzenbach said:

> Contact, exchange, detente—all threaten not only the objectives of Peking's foreign policy, but the whole ideological fabric which this generation of leaders has woven . . . such a move—the desire for expanded and improved peaceful contact between the two countries—appears still to be lacking on the Chinese side.

If Peking is interested in improved relations with the United States, it has an excellent opportunity to demonstrate good faith by helping us find a peaceful solution to the war in Vietnam. If, however, the Chinese Communists continue to withhold their cooperation on this question on life and death importance to all Americans' I consider it most inappropriate for our Government to extend America's hand of official friendship.

Certainly the American people are entitled to a clear statement of the administration's intention toward Communist China. I see no reason why we should be obliged to read the fine print of numerous speeches to gain an impression of administration thinking on such a crucial issue. Unless the national security would be adversely affected. I call upon the administration to issue a clear, comprehensive policy statement on Communist China.

GUN CONTROL LEGISLATION

Mr. MILLER. Mr. President, because of certain statements carried by the press, a great amount of confusion exists in the public mind over precisely what gun control legislation has been enacted by the Congress as a part of the omnibus crime control bill.

Title IV of the bill, "State Firearms Control Assistance," which begins on page 97 and runs through page 123 of the Senate-passed bill, is a very substantial piece of legislation. It will be recalled that this was passed by the Senate without change from the manner in which it was reported out of the Senate Judiciary Committee, which held long and tedious hearings on the whole subject. Efforts to amend title IV were defeated by sizable margins. This is not to say that title IV is perfect, or that it is the ultimate in Federal gun control legislation. It is a beginning—a very meaningful beginning, and one which is administratively workable. It closely regulates commerce in handguns, destructive devices, machineguns, short-barreled shotguns and short-barreled rifles; also all firearms of any kind where the purchaser could not lawfully purchase or possess the same in accord with State and local laws; and makes it unlawful for any licensed importer, manufacturer, or dealer to sell or deliver any handgun to any individual whom the licensee knows or has reasonable cause to believe is under 21 years of age. There are provisions prohibiting receipt or shipment of any firearms by felons and persons under indictment.

I ask unanimous consent that title IV, as above-referred to, be printed in the RECORD as a matter of public interest.

There being no objection, the requested excerpt from the bill was ordered to be printed in the RECORD, as follows:

TITLE IV—STATE FIREARMS CONTROL ASSISTANCE

Findings and declaration

SEC. 901. (a) The Congress hereby finds and declares—

(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

(2) that the ease with which any person can acquire firearms other than a rifle or shotgun (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of such weapons is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the business of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

(4) that the acquisition on a mail-order basis of firearms other than a rifle or shotgun by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

(5) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

(6) that there is a causal relationship between the easy availability of firearms other than a rifle or shotgun and juvenile and youthful criminal behavior, and that such firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incindiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

SEC. 902. Title 18, United States Code, is amended by inserting after section 917 thereof the following new chapter:

"CHAPTER 44.—FIREARMS

"Sec.
"921. Definitions.
"922. Unlawful acts.
"923. Licensing.
"924. Penalties.
"925. Exceptions: Relief from disabilities.
"926. Rules and regulations.
"927. Effect on State law.
"928. Separability clause.

"§ 921. Definitions

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term 'State' shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

"(3) The term 'firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"(4) The term 'destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alternation, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'indictment' includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(14) The term 'fugitive from justice' means any person who has fled from any State or possession to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

"(15) The term 'antique firearm' means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States; and is not readily available in the ordinary channels of commercial trade.

"(16) The term 'ammunition' means ammunition for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device.

"(17) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(18) The term 'published ordinance'

means a published law of any political subdivision of a State which the Secretary of the Treasury determines to be relevant to the enforcement of this chapter and which is contained on a list compiled by the Secretary of the Treasury which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this chapter.

"(b) As used in this chapter—

"(1) The term 'firearm' shall not include an antique firearm.

"(2) The term 'destructive device' shall not include—

"(A) a device which is not designed or redesigned or used or intended for use as a weapon; or

"(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, linethrowing, safety or similar device; or

"(C) any shotgun other than a short-barreled shotgun; or

"(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

"(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of sections 4684(2), 4685, or 4686 of title 10, United States Code; or

"(F) any other device which the Secretary finds is not likely to be used as a weapon.

"(3) The term 'crime punishable by imprisonment for a term exceeding one year' shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

§ 922. Unlawful acts

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

"(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm other than a rifle or shotgun, or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, expect that—

"(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received.

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

"(3) for any person other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business)—

"(A) any firearm, other than a shotgun or rifle, purchased or otherwise obtained by him outside that State;

"(B) any firearm, purchased or otherwise obtained by him outside that State, which it would be unlawful for him to purchase or possess in the State or political subdivision thereof wherein he resides (or if the person is a corporation or other business entity, in which he maintains a place of business).

"(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary.

"(5) for any person to transfer, sell, trade, give, transport, or deliver to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity)—

"(A) any firearm, other than a shotgun or rifle;

"(B) any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations or ordinances of the State or political subdivision thereof in which the transferee resides (or in which his place of business is located if the transferee is a corporation or other business entity).

"This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(6) for any person in connection with the acquisition or attempted acquisition of any firearm from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer licensed manufacturer, or licensed dealer to sell or deliver—

"(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle.

"(2) any firearm to any person in any State where the purchase or possession by such person of such firearm would be in violation of any State law or any published ordinance applicable at the place of sale, delivery or other disposition, or in the locality in which such person resides unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State law or such ordinance.

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle.

"(4) to any person any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter.

"(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3), and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(d) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(e) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"(g) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"(i) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

"(j) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(k) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§923. Licensing

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) if a manufacturer—

"(A) of destruction devices and/or ammunition a fee of $1,000 per year;

"(B) of firearms other than destructive devices a fee of $500 per year.

"(2) If an importer—

"(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"(B) of firearms other than destructive devices a fee of $500 per year.

"(3) If a dealer—

"(A) in destructive devices and/or ammunition a fee of $1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices a fee of $250 per year;

"(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year.

"(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"(1) the applicant is under twenty-one years of age; or

"(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information, which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(e) Licenses issued under the provisions of subsection (b) of this section shall be kept available for inspection on the business premises covered by the license.

"(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"§ 924. Penalties

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"§ 925. Exceptions: relief from disabilities

"(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"(d) The Secretary may authorize a firearm to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm establishes to the satisfaction of the Secretary that the firearm—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"(2) is an unserviceable firearm, other than a machinegun as defined by 5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm:

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm will be allowed under this subsection.

§ 926. Rules and regulations

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

"§ 927. Effect on State law

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

SEC. 903. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

Sec. 904. Nothing in this title or amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

Sec. 905. The table of contents to "Part I.—Crimes" of title 18, United States Code, is amended by inserting after

"43. False personation................ 911"

a new chapter reference as follows:

"44. Firearms........................ 921"

Sec. 906. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

Sec 907. The amendments made by this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.

RELIEF OF DR. SANTIAGO JOSE MANUEL RAMON BIENVENIDO ROIG Y GARCIA

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 13154.

The PRESIDING OFFICER (Mr. Spong in the chair) laid before the Senate the bill (H.R. 13154) for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig Y Garcia, which was read twice by its title.

Mr. BYRD of West Virginia. I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF ANGELIKI GIANNAKOU

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 13912.

The PRESIDING OFFICER laid before the Senate the bill (H.R. 13912) for the relief of Angeliki Giannakou, which was read twice by its title.

Mr. BYRD of West Virginia. I ask unanimous consent that the Senate proceed to the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILLS INDEFINITELY POSTPONED

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that S. 2764 and S. 2577, which were reported today by the Committee on the Judiciary, and are identical with the bills just passed, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the bills are indefinitely postponed.

THE CAPTURE OF JAMES EARL RAY, SUSPECTED SLAYER OF MARTIN LUTHER KING

Mr. BYRD of West Virginia. Mr. President, the tragic events of last week overshadowed one of the greatest accomplishments in law enforcement activity in recent years—the capture of James Earl Ray, the suspected slayer of Martin Luther King.

Many of us have become accustomed to such achievements by the FBI, for we have seen J. Edgar Hoover and his dedicated men and women time after time accomplish the seemingly impossible. Some felt this case was impossible. Others, selfish individuals who do not know the true character of Mr. Hoover and his associates, have blandly asserted their belief that Ray would never be captured, implying that the FBI did not really want to catch Ray.

But the FBI all the while continued its job in its usual professional manner, saying nothing about the progress being made. Hundreds of thousands of manhours went into the investigation. No lead, no matter how farfetched it seemed, was left unchecked. The trail, wherever it led, was followed, FBI agents and officials alike, from Mr. Hoover on down, worked long hours, day and night, weekends and holidays, in an effort to find this man.

The break came finally last week, and Ray is now in jail awaiting his day before the bar of justice. Ray could not have run afoul of three finer law enforcement agencies in the world even if he had tried, for his final capture resulted from the cooperation of the FBI the Royal Canadian Mounted Police, and New Scotland Yard.

Let all would-be assassins take note—the full force of law enforcement throughout the free would will never rest until all such criminals are brought to justice.

Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Superb Police Work," published in the Washington Daily News of June 10, 1968.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Superb Police Work

Only the trial can confirm whether or not the suspect in the murder of Dr. Luther King is the right man.

But the international police diligence, patience and skill which led to the capture of James Earl Ray, alias Eric Starvo Galt, alias Ramon George Sneyd, has to go into the books as one of the most remarkable crime searches in many years.

The FBI had been looking for Ray since April 20, after a spate of intensive detective work pin-pointed the identity of the man they wanted. Police all across the United States had been involved in the hunt, and when it seemed possible Ray might have slipped out of the United States, police forces in other countries were informed.

There are no passport requirements for Americans visiting Canada and it was fairly easy for Ray to "go north."

But the Royal Canadian Mounted Police lived up to their reputation for relentless pursuit. They combed 200,000 applications and turned up Ray's picture on a request for a Canadian passport under the name of Sneyd. The FBI and the British were alerted, among others.

Britain's famed Scotland Yard made the capture as the result of typical perseverance. Ray was caught at an airport trying to leave the country.

This fellow obviously is no ordinary suspect. Whether or not he had confederates, his trail marks him as a cunning character.

In any case, we think the FBI, the Mounties and Scotland Yard deserve special commendation. And only hope that similarly skillful police cooperation will lead to the arrest of other wanton killers—the three men, for instance, who gunned down Abder Rayyan, a South Side Chicago merchant. Police could detect no motive but since Rayyan was a Jordanian immigrant, it was possible the killing was intended as revenge for the assassination of Senator Kennedy.

APPROPRIATIONS FOR MARITIME PROGRAMS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1104, H.R. 15189. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 15189) to authorize appropriations for certain maritime programs of the Department of Commerce.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, on page 2, after line 15, insert a new section, as follows:

Sec. 2. It is the sense of Congress that not later than sixty days after the date of enactment of this Act the President should submit to the Congress proposals to strengthen and modernize the United States merchant marine.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 11, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 10, 1968:

District of Columbia Redevelopment Land Agency

Pursuant to the provisions of section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended, I the Commissioner of the District of Columbia nominate the following-named person for appointment as a member of the District of Columbia Redevelopment Land Agency:

Dean Stephen S. Davis for a term of 5 years, effective on and after May 23, 1968.

Diplomatic and Foreign Service

George W. Renchard, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Department of Health, Education, and Welfare

Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare, vice Paul A. Miller.

Public Health Service

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms of 4 years from August 3, 1968:

William George Anlyan, of North Carolina, vice Dr. Barnes Woodhall, term expiring.

Max Michael, Jr., of Florida, vice Dr. Morris Tager term expiring.

George William Teuscher, of Illinois, vice Dr. Walsh McDermott, term expiring.

Postmasters

The following-named persons to be postmasters:

ARKANSAS

Lenoard E. Tripp, Wheatley, Ark., in place of S. C. Scott, retired.

CALIFORNIA

James P. Hutler, Chico, Calif., in place of I. A. Cleek, retired.

Harmon G. Hawblitzel, Duarte, Calif., in place of T. V. Holmes, retired.

GEORGIA

Virginia R. Roberts, Haralson, Ga., in place of W. W. Gable, retired.

Gordon W. Allen, Red Oak, Ga., in place of H. W. Williams, retired.

INDIANA

Nelson R. Beer, Aurora, Ind., in place of A. R. Petscher, retired.

KANSAS

June E. Schoneman, Edwardsville, Kans., in place of L. A. White, retired.

LOUISIANA

Vera M. Hornsby, Pine Grove, La., in place of J. D. Hornsby, deceased.

Kenneth O. Halbrook, Pollock, La., in place of C. T. Bigner, retired.

MICHIGAN

George A. McPherson, Rhodes, Mich., in place of L. I. Ingle, retired.

MINNESOTA

Vernon W. Olson, Bellingham, Minn., in place of L. G. Hanson, transferred.

Joseph R. Anderson, Belview, Minn., in place of R. D. Miller, transferred.

MISSISSIPPI

Robert L. Stubbs, Magee, Miss., in place of J. H. Magee, retired.

MISSOURI

John C. Greenwell, Jr., Adrian, Mo., in place of R. E. Ray, deceased.

MONTANA

Harold O. Gunderson, Havre, Mont., in place of E. N. Blythe, retired.

NEW YORK

Elliot B. Marrus, Cedarhurst, N.Y., in place of W. L. Divver, retired.

NORTH CAROLINA

Bernard J. Carter, Stoneville, N.C., in place of Roy Prillaman, retired.

OHIO

Robert Burns, Sidney, Ohio, in place of W. B. Swonger, retired.

PENNSYLVANIA

Mary C. Cardone, Bairdford, Pa., in place of G. M. Ward, retired.

Mary F. Holdren, Beaver, Pa., in place of E. L. Ervin, retired.

John A. Antonetti, Bulger, Pa., in place of Margaret Darras, retired.

Russel E. Horner, Burnham, Pa., in place of A. W. Kinsloe, retired.

Joseph D. LaGorga, North Versailles, Pa., office established in February 10, 1968.

SOUTH DAKOTA

Richard R. Jacobson, Valley Springs, S. Dak., in place of A. B. Elliott, retired.

TENNESSEE

Cecil E. Collier, Church Hill, Tenn., in place of O. H. Seaver, retired.

William J. Swann, Jefferson City, Tenn., in place of I. M. Godwin, retired.

John L. Marrs, Lobelville, Tenn., in place of K. E. DePriest, resigned.

TEXAS

Verner S. Howard, Carrizo Springs, Tex., in place of C. V. Speer, retired.

James L. McAllister, Clarksville, Tex., in place of J. T. Jolley, retired.

Marion T. Seale, Giddings, Tex., in place of M. F. Bobo, retired.

Barney W. Oliver, Greenville, Tex., in place of R. E. Hutchins, deceased.

Billie W. Creed, Plano, Tex., in place of W. G. Carlisle, retired.

VIRGINIA

Callie H. Stevens, Stanleytown, Va., in place of E. H. Kirby, retired.

WISCONSIN

Harold C. Ristow, La Crosse, Wis., in place of G. M. Hetherington, retired.

Lorraine J. Olson, Maiden Rock, Wis., in place of R. S. Foley, retired.

Robert T. Kauth, West Bend, Wis., in place of M. J. Gonring, retired.

In the Navy

The following-named captains of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

Frank H. Price, Jr.
Raymond J. Schneider
Arthur G. Esch
Robert L. Baughan, Jr.
David H. Jackson
Burton H. Andrews
James B. Hildreth
Mayo A. Hadden, Jr.
Henry Suerstedt, Jr.
Edwin M. Rosenberg
Philip P. Cole
Daniel E. Bergin, Jr.
George L. Cassell
Howard S. Moore
Philip S. McManus
Lawrence Heyworth, Jr.
William T. Rapp
John M. Barrett
Marmaduke G. Bayne
Robert L. J. Long
Thomas J. Christman
Clarence A. Hill, Jr.
William R. Flanagan
David H. Bagley
Kent L. Lee
Frederick C. Turner
Robert B. Baldwin
Julien J. LeBourgeois
George P. Steele II

In the Marine Corps

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel, subject to qualification therefor as provided by law:

William C. Airheart
Leland G. Alexander
Almarion S. Bailey
Edward A. Bailey
Noland J. Beat
Van D. Bell, Jr.
Ernest J. Berger
Rocco D. Bianchi
William Biehl, Jr.
Don H. Blanchard
Miller M. Blue
Norris C. Broome
Williams P. Brown
Ralph D. Cail
Edward E. Camporini
Thomas P. Casey
Earl W. Cassidy, Sr.
Albert E. Coffeen
Donald Conroy
Keith W. Costello
Wallace W. Crompton
Rex A. Deasy
James G. Dionisopoulos
John H. Doering, Jr.
Walter E. Domina
Michael J. Dunbar
Thomas G. Elder
Ralph F. Estey
Daniel R. Evans
Harold W. Evans, Jr.
William Farrell
Sidney Fisher
Freddie L. Franzman
Owen V. Gallentine
James C. Gasser
George A. Gibson
Thomas E. Gleason
Jerome L. Goebel
Willis L. Gore
Joseph S. Heitzler
Wilmer W. Hixson
Hardy V. Huffstutter, Jr.
Kenneth H. Huntington
Clyde R. Jarrett
Ray N. Joens
Victor A. Kleber, Jr.
William H. Lanagan, Jr.
John H. Lauck
James A. MacDonald, Jr.
Richard H. Mample
Clyde R. Mann
Lyle B. Matthews, Jr.
Alden McBarron
William L. McCulloch
Herbert E. Mendenhall
Alexander L. Michaux, Jr.
Henry H. Morgan
Robert J. Morrison
Theodore Nahow
William L. Nelson
Robert L. Nichols
Lawrence C. Norton
William R. Nowadnick
Joseph T. Odenthal
Andrew W. O'Donnell
Francis C. Opeka
Robert H. Piehl
Albert C. Pommerenk
Mark A. Rainer, Jr.
Richard S. Rash
Harry G. Robinson, Jr.
Horton E. Roeder
Edward R. Rogal
Edwin S. Schick, Jr.
Clarence H. Schmid
Adolph C. Schwenk
Robert L. Simmons
Anthony J. Skotnicki
Burneal E. Smith
Albert W. Snell
James B. Soper
Harvey E. Spielman
Bernard J. Stender
Grover S. Stewart, Jr.
John B. Sullivan
David G. Swinford
Robert W. Taylor
Alfred I. Thomas
Lyle V. Tope
McDonald D. Tweed
Sumner A. Vale
Francis W. Vaught
Earl K. Vickers, Jr.
Marvin D. Volkert
William W. Wander, Jr.
Warren C. Watson
Donald E. Watterson
Herbert L. Wilkerson
Lynn F. Williams
James F. Williams
Alexander Wilson
Robert Zeugner
Robert J. Zitnik

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

Donald W. Anderson
Richard L. Anderton
Themistocles T. Annas
Robert O. Barnes
Robert E. Benson
James L. Black, Jr.
Billy D. Bouldin
Frederick R. Bowie
Albert R. Bowman II
James R. Bowser, Jr.
William C. Britt
Bruce G. Brown
Joseph B. Brown, Jr.
George L. Bruser
Carl E. Buchmann
Guy R. Campo
Harlan C. Chase
Charles C. Chisholm, Jr.
David A. Clark
Frederick D. Clements
Donald K. Cliff
John Colia
James K. Coody
Henry T. Cook
Alfred J. Croft, Jr.
William M. Cryan
James L. Day
Albert M. Desselle
John W. Detroy
Charles N. Dezer, III
Frank Dicillo, Jr.
Roy L. Doering
Alfred N. Drago
William C. Drumright
Raymond L. Duvall, Jr.
Robert A. Elder
Jim T. Elkins
Richard L. Etter
John E. Fahey
Martin E. Farmer
Frederick L. Farrell, Jr.
Benjamin B. Ferrell
Herbert G. Fischer
William E. H. Fitch III
John R. Fox
Samuel J. Fulton
William E. Garman
Donald L. Gaut
George H. Gentry, Jr.
James C. Gerard
Ernest H. Graham
Wallace H. Graham
Edward F. Grayson, Jr.
Mac Donald Greer
Louis A. Gulling
Bobby R. Hall
Lawrence R. Hawkins
David B. Hayes
William H. Heintz
Richard E. Hemmingway
Howard R. Henn
John A. Hennelly
John C. Hergert, Jr.
Emil W. Herich
Peter L. Hilgartner
Max J. Hochenauer
Clarence E. Hogan
Harry H. Holmberg
Delos M. Hopkins
Henry J. Huntzinger
Gerald H. Hyndman
Ronald L. Iverson
Maurice H. Ivins, Jr.
Robert D. Jameson
Paul G. Janssen
Charles F. Jones
Thomas M. Kauffman
John J. Keefe
Robert J. Keller
Warren P. Kitterman
Frank R. Koethe
Charles R. Kucharski, Jr.
William M. Kull
Dudley N. Kyle
Leo J. Le Blanc, Jr.
Eugene Lichtenwalter
George G. Long
Theodore J. Lutz, Jr.
Joseph V. Manis, Jr.
Robert E. McCamey II
Thomas A. McPheeters
Max McQuown
John J. Metzko
Edison W. Miller
Thomas R. Morgan
Roy E. Moss
Neil A. Nelson
Robert E. Nicholson
Jack L. Norman
Joseph F. Paratore
Oswald O. Paredes
Darold D. Parrish
Paul E. Pearson
John J. Peeler
Charles R. Popee, Jr.
Robert D. Purcell
Francis X. Quinn
James W. Quinn
James D. Quisenberry
Stanly H. Rauh
Robert C. Rice
William H. Rice
William R. Rice
James L. Richard
William L. Robbins
John W. P. Robertson
Henry M. Robinett
Donald G. Robison

Thomas F. Rochford
Robert D. Rosecrans
Jack D. Rowley
James B. Ryckman
Edward J. Sample
Louis W. Schwindt
William A. Scott, Jr.
Lawrence R. Seamon
Roy A. Seaver
William F. Sheehan
Eugene E. Shoults
John D. Shoup
Eugene A. Silverthorn
Benjamin B. Skinner
Michael E. Spiro
Edward H. Stansel
Roderick M. Stewart
John H. Stranquist
Thomas R. Stuart
Lawrence F. Sullivan
Charles R. Swilley, Jr.
Wylie W. Taylor, Jr.
Frank D. Topley
Oliver W. Van Den Berg, Jr.
Larry R. Van Deusen
Archie Vanwinkle
Gerald W. Vaughan
Carroll R. Vorgang
Anthony W. Waite
John J. Walsh, Jr.
Vonda Weaver
Morgan W. West
Paul H. Westenberger
James B. Wilkinson
Bobby R. Wilkinson
Theodore J. Willis
Rondell K. Wood
Robert L. Zuern

The following-named officers of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

Roger L. Clawson
Jerome T. Hagen
Raymond C. Kargol
Thomas F. Meehan
Harry E. Sexton
John V. Tizio
Richard L. Upchurch
Willard W. Warfield
Warren H. Wiedhahn, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Ronald D. Bonnett
Douglas A. Crowe
Barry W. Ferich
John G. Fitzgerald
William H. Ganz
Arnold T. Lawson
John H. Messick
John K. Payne
Michael E. Popelka
Eugene A. Smith

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

George E. Allen, Jr.
David W. Cleeland
Charles J. Conlon, Jr.
Daniel J. Coonon
William M. Dale
Daryl D. Dalrymple
Edgar J. Easton, Jr.
Arturo E. Flores
Joe B. Green
Garratt W. Greene
Howard M. Hoffman
Anthony L. Keyfel
Robert G. Lathrop
Terrence D. Lewis
Anthony A. Lopez
Bruce F. Marrs
Thomas H. Meurer
Edward R. Miller, Jr.
Michael W. Murphy
Russell G. Nelson
Frank S. Phillips
Jimmy M. Ray
Charles R. Stichter, II
Robert W. Warner

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Ashton D. Asensio
Michael D. Ashworth
Sam R. Baker
John D. Bank
John L. Barry
Allen C. Bartel
John M. Basel
Mark C. Bunton
James A. Burns
Douglas Caldwell
Carl P. Campbell
Floyd D. Campbell
Evert E. Cannon
Donald F. Carey, Jr.
Robert B. Casey
Vaden L. Cobb
George W. Coleman
Gary E. Colpas
James C. Crockett
John H. Daly
William L. Daugherty
Elmer H. Davis, Jr.
Gene F. Davis
William P. Davis
Samuel C. Decoteau
John R. Dempery
Conrad Dogil
Thomas E. Edwards, II
Carl H. Ertwine
Michael G. Evinrude
Marcus G. Fiebelkorn
John J. Folan, Jr.
Robert W. Fout
Toby R. Gritz
Donald L. Gustafson
Samuel J. Hannah
Robert W. Harris
Michael T. Hart, III
James P. Hartneady
Jon E. Hass
David M. Hauntz
Paul Hayes
Howard L. Helms
Richard L. Herrington
John M. Holladay
Richard E. Holt
Paul B. Hugenberg
Floyd W. Hunter, III
James W. Hust
Nathan D. Jacobs
Ralph M. Jeide
William J. Johnston, III
Anderson Jones
Barry T. Jones
Lorenzo G. Jordan
William W. Kastner, III
Lee G. Kinney
Robert L. Lanham
Richard D. Letts
Robert W. List
Lonyer M. Little
Thomas E. Little
Gerald E. Martin
Douglas L. Bash
William R. Blair
Robert J. Boardman
George J. Bolduc
Joseph A. Boyle
George M. Brooks, III
Thomas M. Brown
Justin M. Martin II
Steven R. Matulich
Billy R. Matzke
Russell J. Mazzola
James W. McCabe, Jr.
Charles C. McCorkel
George R. McKay
David E. Melchar
Fred L. Migliorini
John W. Mohr
Ronald H. Morgan
Mation W. Neighbors
Robert R. Nelson
Linn B. Peterson
Gerald B. Plant
Henry P. Purdon
Rockne C. Rhoda
Clyde A. Riley
Joe D. Robinson
Jimmie L. Russell
James R. Ryan
Michael D. Ryan
Andrew R. Sargent
James P. Scott
Michael M. Sheedy III
Michael W. Shepard
Michael R. Shuttleworth
David P. Shiles
Keith T. Soukkala
Deforest D. Spindler
Jonathan B. Stad
Ted A. Steiner
Jack E. Steury
Dale M. Tarbet
Robert Tait
Wayne P. Tichenor
Benedict J. Tisa
Ernest M. Trominski
Sterling D. Udell
Howard R. Vanwinkle
Gerald J. Villano
Bob C. Walker
Charles G. Weaver
Richard F. Webb
Harry R. Weber III
Richard A. Weber
Garrit L. Wiescamp
Thomas D. Willson
Stephen M. Wistrand
Terry L. Wojcik
Charles E. Wolff
Allen P. Woods
Alin C. Worley
Eugene O. Wright
Ronald J. Wroblewski
Randall D. Yeary
Lawrence R. Zinser

WITHDRAWAL

Executive nomination withdrawn from the Senate June 10, 1968:

POSTMASTER

The nomination sent to the Senate on April 3, 1967, of Edward Klimowich to be postmaster at Montville, in the State of New Jersey.

EXTENSIONS OF REMARKS

THE CONGRESSIONAL MESSAGE OF THE SUPREME COURT ABOUT CONFESSIONS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. THURMOND. Mr. President, the Evening Star of May 28, 1968, contained an excellent editorial by Mr. James Kilpatrick which succinctly states the message from the Senate, and now the House, on the need "to see a balance restored between the rights of a defendant and the rights of society" in the matter of admitting confessions as evidence in criminal proceedings.

Mr. Kilpatrick said:

> The United States Senate dealt the Supreme Court the strongest rebuke that has been officially hurled at the Court in more than 30 years.

When the Senate adopted the provisions of title II of S. 917, we intended to override the Miranda and other decisions which had established artificial and highly technical rules pertaining to right of counsel and the right not to be compelled to incriminate oneself.

Mr. President, I trust that the Supreme Court will accept this sincere effort by Congress to restore the much needed balance in this area of law enforcement. I ask unanimous consent that this editorial be printed in the Extensions of Remarks in the RECORD following my comments.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUPREME COURT GAVELED DOWN ON CONFESSIONS

(By James J. Kilpatrick)

The United States Senate last week dealt the Supreme Court the strongest rebuke that has been officially hurled at the court in more than 30 years. Not since the days of Roosevelt's court-packing proposal has a co-equal branch of government spoken in such unmistakable terms.

Roosevelt's scheme failed of adoption, of course, but it had its effect nonetheless. Chief Justice Hughes got the word. Many Americans, deeply concerned at the trend of Supreme Court decisions over the past ten years, will pray that Chief Justice Warren and his majority bloc prove equally attentive this time around. The Senate has said bluntly that it wants to see a balance restored between the rights of a defendant and the rights of society. The step is long overdue.

Specifically, the Senate approved section 3501 of the Crime Control Act of 1968. The section says that in Federal criminal prosecutions, a confession shall be admissible in evidence "if it is voluntarily given." Trial judges are to review the circumstances in the absence of a jury. If a judge determines that a confession was in fact voluntary, according to conditions laid down in the act, he is to admit the confession and instruct the jury to give it such weight "as the jury feels it deserves under all the circumstances."

Under the Senate bill, the presence or absence of a lawyer would be merely one factor, and not necessarily a conclusive factor, in determining the issue of voluntariness. Manifestly, this provision of the act is intended to override the high court's 5–4 decision in the famed Miranda case two years ago. The court then laid down such sweeping requirements for the advice of counsel that the use of confessions in evidence was rendered almost impossible.

As you might expect, the Senate's refusal has evoked moans of anguish from knee-jerk liberals who bleed for the rights of rapists. The Washington Post, which goes into hysterics whenever Earl Warren sneezes, has been regaling its readers with horror stories of confessions obtained by the third-degree. You would suppose that police routinely exact confessions by thumbscrews and rubber hoses.

Sure enough, instances of coerced confessions have occurred. Too many of them. But there is not one line in the Senate bill that would condone the abhorrent practice. It is an insult to the whole of the Federal trial bench to imagine that such confessions would be received in the future.

The more applicable horror stories go in precisely the other direction.

Two months after the Miranda decision, a Brooklyn housewife came on trial for the murder of her four-year-old son. She had taped his mouth and beaten him to death with a broomstick. She freely confessed. She had not had a lawyer. She went free. Miranda.

There was the case in New York of Jose Suarez, 22, a laundry worker. He killed his wife and five small children by stabbing them more than 100 times. Police arrested him. He confessed at once. No lawyer. Justice Michael Kern bitterly agreed that "even an animal such as this one, and I believe this is insulting the animal kingdom, must be provided with all the legal safeguards—but it makes my blood run cold to let a thing like this out on the street." Suarez walked out of court, a free man. Miranda.

Dozens of such fantastic miscarriages of justice have occurred by reason of the Supreme Court's excessive solicitude. As North Carolina's Sen. Sam Ervin has noted, the number of confessions in criminal cases has fallen drastically. The state's attorney of Baltimore remarks that "the confession as a law enforcement instrument has been virtually eliminated." If the House accepts the Senate bill, the trend may be reversed. It will all depend on whether Chief Justice Warren gets the word.

COMPENSATION INCREASES FOR SERVICE-CONNECTED DISABLED VETERANS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. PEPPER. Mr. Speaker, I rise in support of this important veterans compensation legislation. I was unavoidably detained in my office by the secretary of my State, the Honorable Tom Adams, and arrived late to cast my vote for this bill. I want the RECORD to show, however, my close association and support for this legislation.

I commend the distinguished chairman and members of the Veterans' Affairs Committee and my colleagues who have risen to comment on the outstanding legislative program we have been able to enact during the past 3 years for the benefit of our veterans. There has been a smoldering movement for years earnestly seeking to revise and revamp the entire veterans assistance program, but it took the leadership of President Lyndon Johnson to set the program in motion and bring about much-needed results.

I think that it is important that we also consider the fact that despite the concern of the administration for equitable benefits, there has not been a single recommendation that did not benefit the entire country as well as the veteran. When we consider that there are now over 26 million living veterans and together with their families they comprise almost one-half of our total population, the budget that has been required to provide benefits is still modest. We have increased—under the urging of the President—the budget about $300 million for each of the past 4 fiscal years, but with this money much has been accomplished.

We point with pride to this compensation increase voted today, but this is but part of the whole picture for our veterans. Every age group—from World War I through our present-day Vietnam veteran—has been provided for in our legislation. Pensions have been increased, rehabilitation for the disabled continued, widows and orphans of deceased veterans have been remembered. The entire scope of those who deserve so much from a grateful people for their sacrifices to preserve our freedom have been remembered.

I am not hesitant to extend my thanks to President Johnson and his administration for the helping hand provided on the accomplishments in the field of veterans' legislation. It is a most welcome innovation. It is good to see a President take the time to work out complete programs for our veterans and ask for the concurrence of Congress. It is good to see a President propose legislation that many of us knew should have been enacted before, such as increased pensions for our older veterans, more money for hospital care and construction, and an encompassing desire to be of real service to our veterans coming home from Vietnam.

In addition to the legislation that has been asked for by the President, he has shown his genuine concern by issuing Executive orders that are within his prerogative that expedited and implemented any legislation that we might have passed. The Bureau of the Budget proposed the hospitals that we have built in the past 3 years—15 new or replacement hospitals. Medical research and development has reached a new high under the Johnson-Humphrey administration. As a result, hospitals are a place to get well instead of confinement. More veterans are being treated than a few years ago was dreamed possible, and they are receiving better care. Our Vietnam veterans are being advised of their benefits even before they leave Vietnam by a group of VA counselors. All this was at the insistence and orders of the President.

I am happy to have been a part of this administration and be able to accomplish enactment of this needed legislation for our veterans.

HUNGER IN AMERICA

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MONDALE. Mr. President, on May 16, 1968, I introduced a bill designed to remedy a condition unforgivable in this land of abundance—the condition of hunger present in 10 million or more Americans today.

In the statement introducing S. 3507—the Domestic Food Assistance Act of 1968—I stressed that hunger was a nationwide phenomenon. I said that hunger can be found in rural farms and urban slums, in the South, East, West, and North.

Mr. President, hunger exists in Minnesota as it does in all parts of the country. A recent report, submitted at my request by the community action program of the Minneapolis, Minn., area gives specifics about hunger in Minnesota. Cases have been reported throughout the network of neighborhood centers in Minneapolis' slum area. While temporary relief has been found through the OEO effort, the longrun problem of inadequate food remains.

Mr. President, hunger is a national disaster. It requires immediate response on the part of Congress.

I ask unanimous consent that the report on hunger in Minneapolis published by the Hennepin Office of Economic Opportunity be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CASE HISTORIES AND DOCUMENTATION OF FAMILIES SUFFERING FROM LACK OF FOOD

(Compiled by Hennepin County Office of Economic Opportunity, May 25, 1968)

CITIZENS COMMUNITY CENTER,
Minneapolis, Minn., May 21, 1968.

Senator WALTER MONDALE,
Washington, D.C.

DEAR SENATOR MONDALE: Yes, we have hungry, starving people in Minneapolis!

The problem as we have seen it comes to us in many forms:

The mother of ten (10) children who is not eligible for assistance because of the one year residency requirement. The family lived on $33.00 a month for six months.

The family of five (5) who were afraid to apply for any assistance because they had been threatened that their children would be taken away.

The children of many families whose hollow, frail bodies cannot combat sickness.

The family of eight (8) where the father was recently employed with the first check being held back for two weeks. They hadn't had any food for a week and one-half prior to his employment. *Over a month without any money to buy food.*

People who are not eligible for any kind of assistance, yet their annual income is too low to buy the quantities of nutritious food necessary to feed their families adequately. Low-income people need and want decent housing, clothing, food, bedding; they pay school fees, shop fees, repair bills with the money available to them. All of their basic needs cannot be met adequately. The money that can go for food is determined by many variables; not to mention that poor people also enjoy music, books, movies, puzzles, model airplanes, etc.

What we see are people who are slowly disintegrating and rehabilitation can never be of help. But, for people who may not yet be permanently damaged, there is a preventative—the immediate, emergency distribution of food.

Very sincerely,

PATRICIA A. PATTERSON,
Administrator.

INFORMATION AND CASE HISTORIES REPORTED BY THE SOUTH SIDE CITIZENS COMMUNITY CENTER, A HENNEPIN COUNTY COMMUNITY ACTION PROGRAM

A large number of requests are made to the Southside Citizens Community Center for food. These requests are reported on our statistics under the heading of financial problems. This category consistently leads our problems each month. 189 such cases were recorded during the first four months of 1968.

In cases where the individuals have not qualified or for some other reason are not able to get help from the public agencies, we have been getting help for them from the Operation Greentape operated by the Twins Cities Opportunities Industrialization Center, Inc., the Fifth Avenue Congregational Church, and the Episcopal Neighborhood Center. We have also used our Center "slush" fund after exhausting all other sources.

These cases demonstrate some of the problems that are particularly difficult:

Case A came to our attention when the lady called us after being referred by her AFDC worker. Case A had moved that month from a northern Minnesota county and was now residing in Minneapolis. Her AFDC grant was still based on the budget figures set up at the other county and had not been adjusted to reflect the increased cost of living in Minneapolis. Because of this and particulalry because of the increased rent the lady had to pay, she ran out of food before she received her next check. The client received food through Operation Greentape operated by the Twin Cities Opportunities Industrialization Center, Inc.

Case B was another situation of a family or a combination of relief and AFDC from other than the local county. Because of the low subsistence level of her grants, it was impossible for her to make ends meet. The case was brought to our attention when the family was visited during a routine out-reach program in the neighborhood. This client received money from the Citizens Community Center "slush" fund to help her until some other resource could be developed.

MAY 14, 1968.

DEWEY BOELTER,
Center Administrator.
PAT MORIARTY,
Information and Referral Specialist.

REPORT SUBMITTED BY EAST SIDE CITIZENS COMMUNITY CENTER, A HENNEPIN COUNTY COMMUNITY ACTION PROGRAM, MAY 27, 1968

In canvassing our neighborhood, we have come across various people who are hungry. They include senior citizens who are struggling on meager Social Security checks of $80.00 and paying $60.00 a month rent. As you can see, it leaves little for food. In the age range of 62 years and older, 10 individuals have been found with no food, eating only milk and crackers or only a couple cans of soup.

We have found 12 families that include both parents and at least one child with no food, in some instances living in a car, bare rooms or wherever they could manage to stay, before being evicted. Some families' income is so low that only some children can go to school by taking turns wearing shoes and coats, as there are not enough to go around. The school complains because the children from these families have no breakfast, and probably have very little for lunch if anything at all. This is why our push for hot lunch program. Not all schools in our target poverty area provide hot lunches.

Tragic though it may seem for these people above, it is much worse for the age group 55 through 62. If unemployable through illness or other reasons, they are left with so little. It takes these people forever to get Social Security. They can't receive old age assistance, Senior Citizen's homes, and most of all, medical assistance. They must use whatever funds they have then to buy medications and are left without food. We have had 6 of these cases just recently.

I have been asked time and time again by the elderly and the middle-aged, "Why!! can't we buy just a *few* food stamps? Why must we put *all* our money into these stamps. We have such a little bit. If we buy food stamps, then we won't have enough money for our medicine."

We are behind you 100% in trying to help our hungry people.

MARGARET BALL,
Acting Information and Referral Specialist.

CASE HISTORIES REPORTED BY OPERATION GREEN TAPE, TWIN CITIES OPPORTUNITIES INDUSTRIALIZATION CENTER, MINNEAPOLIS, MINN.

(Submitted by Clifford Johnson, deputy director of operations)

Case A

Ruth, age 36, has 5 living children who are all in foster homes. After her husband's death, Ruth had a nervous breakdown and entered a mental hospital. She now lives alone in a tiny apartment and has occasional visits with only one daughter, a mentally retarded girl. When the T.C.O.I.C. visitor arrived at her apartment, Ruth's refrigerator was bare. She is receiving food through Operation Green Tape and has no known means of support.

Case B

J., age 37, has 11 children and lives in a two bedroom apartment in a housing development. J. has lived in Hennepin County only 6 months, therefore not qualified for any type of public assistance due to residency requirements: 1 daughter pregnant; 1 child left in Louisiana; 2 children with obvious eye defects; several children with a great deal of dental decay.

J. was referred for Operation Green Tape and the family was assisted by a private donor.

Case C

An Indian family with 2 children, both parents apparent alcoholics, has visited various community agencies seeking assistance. They were finally referred to Operation Green Tape for food. When the coordinator visited this family to deliver food, they were existing by getting hand-outs wherever they could.

Case D

B. is a Negro, the mother of 5 children, and the head of her household. She is over 40 years of age. She receives Public Assistance to support her own 5 children and the child of her teenage daughter. While B. was hospitalized for the removal of skin cancer, she met a T.C.O.I.C. staffer who referred her to Operation Green Tape. B.'s family was given food and milk, toys, clothes, and dishes for Christmas, 1967.

Case E

A mother and father with 3 children subsist on the mother's income from babysitting. The husband applied for training at T.C.O.I.C. The day of his interview the family was down to their last food and milk. They were able to get Green Tape assistance through the TCOIC counselor.

Case F

A mother and father with 8 children receive an inadequate income from Public Assistance. The Department of Public Relief was unable to help them so Green Tape assistance was granted.

Case G

A Negro family with four children moved to Minnesota from Illinois. They have no income. The husband is unable to work because of a possible diagnosis of cancer. He also needs psychiatric care. One child has colostomy and needs several further operations. The husband's hospitalization is paid for by V.A. but no subsistence funds are available for the family from V.A. until residency has been established in Minnesota for *3 years.*

INFORMATION REPORTED BY MRS. JUNE RHINEHART, SCHOOL SOCIAL WORKER, GRANT ELEMENTARY SCHOOL, MINNEAPOLIS, MINN.

Mrs. Rhinehart is presently working with three families who are totally without funds for any necessities, including food. One family has 12 members, another has 15, and the third has 17 members. Each of these families also has retarded members (parents and/or children) which limits their employment opportunities. The health problems of these families are severe. Mrs. Rhinehart has had to seek out charities and private individuals to assist these families over a period of one year until they can obtain public assistance.

Mrs. Rhinehart estimates that she has 25 families per year with no resources to draw even a subsistence level income.

Because of the residency requirement of the Relief Department, families arriving in Minneapolis with no resources are unable to attain public assistance. In seeking help for these families, Mrs. Rhinehart often has to involve as many as *twenty-five* agencies with *each* family to fill its basic needs. The expenditure of all these agencies in time, money, and personnel cost much more than if the Relief Department would immediately accept such families.

The common response of the Relief Department to newly arrived families with no resources in Minneapolis is that they should return to their former home. This is, needless to say, impossible for most families and extremely undesirable.

STATEMENT FROM MR. HY ROSEN, COMMUNITY INFORMATION OFFICE, PILOT CITY CENTER, A HENNEPIN COUNTY COMMUNITY ACTION PROGRAM

In the past few years, I have received calls for emergency food deliveries to persons who are not able to secure assistance from government agencies until certain forms are made out and approved. In the interim, their families are left without food. Many times government employees and elected officials were helpless to act and sought assistance from neighborhood organizations. I personally have delivered food to needy families, many with babies, whose cupboards were bare. At times neighbors and friends have pooled what little resources they had to help these people. In many instances, the families went hungry.

"One or more health problems were found in 63.7 per cent of the children . . . Among health problems found in the children *nutritional were third in order of frequency."*—"Health Program for Minneapolis Project Headstart 1966" by Evelyn E. Hartmen, M.D., M.S. and Al Olson. Printed in *The Journal of School Health,* Vol. XXXVII, No. 5, May, 1967.

FEDERAL ACTIVITIES POLLUTE LAKE ERIE IN VIOLATION OF THE LAW

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ASHLEY. Mr. Speaker, any discussion of the desperate state of pollution of Lake Erie must take into full account that for many years both the United States and Canada have been and continue to be in flagrant violation of the law which exists pursuant to a treaty entered into by the two countries in 1909 providing for the adjustment and settlement of all questions which might arise between the United States and Canada with respect to the use of boundary waters. The treaty, which is still in full force and effect, defines boundary waters as "the waters from mainshore to mainshore of the lakes and rivers and connecting waterways, or the portions thereof, along which the international boundary between the United States and the Dominion of Canada passes." Obviously this includes Lake Erie.

Article IV of the treaty specifically provides:

> Boundary waters and waters going across the boundary shall not be polluted on either side to the injury of health or property on the other.

Article VIII establishes an order of preference with respect to various uses for these waters, with water for domestic and sanitary purposes having highest priority, followed next by water used for navigation, then for power and irrigation.

Contrary to article IV, providing that boundary waters shall not be polluted on either side, we find that 6 percent of municipal waste, from a population of 10 million Americans living along the shores of Lake Erie in 1965, were deposited in the lake with no treatment at all, that 41 percent received only primary treatment and 53 percent received secondary treatment.

About 79 percent of the municipal waste from the Canadian population of 1.2 million living on Lake Erie in 1965 received secondary treatment, 12 percent primary treatment and 9 percent no treatment.

Similarly, according to the 1965 interim report of the International Joint Commission, the United States in 1965 had 271 and Canada 63 sources of industrial waste along the Lake Erie, many of which were classified as being subject to inadequate treatment. The report also noted that waters from overland runoff and deep percolation contained agricultural and other wastes which affect the quality of the receiving waters, and of course this is especially true of Lake Erie.

A surprising omission in the Commission report was the extent to which the Federal Government of the United States is itself in constant violation of the 1909 treaty and therefore of Federal law.

Last year, 1967, U.S. Government dredging projects at 14 Lake Erie harbors produced a total of 7,671,000 cubic yards of polluted dredged material. Of this total, 5,438,000 cubic yards were dumped at so-called "authorized" disposal areas in Lake Erie.

For 1968, also according to data received from the Office of the Chief of Engineers, Government dredging at these same harbors is expected to produce 7,015,000 cubic yards of spoil material, virtually all of it polluted. Of this total, 5,302,000 cubic yards are planned for open lake disposal.

Since the 1965 interim report of the International Joint Commission, U.S. efforts to bring Government dredging operations within the law have been anything but noteworthy or encouraging. In 1967, 2.2 million cubic yards of Government dredged spoil material were consigned to diked area disposal. For 1968, the amount of polluted material resulting from Government dredging that will be consigned to diked areas is expected to be only 1.7 million cubic yards.

What this means, quite clearly, is that about 71 percent of the polluted material resulting from Federal dredging activities in 1967 was dumped into Lake Erie in violation of the law as against 29 percent that was properly diked, and that in 1968 unlawful open lake dumping is expected to increase to more than 75 percent, as against only 25 percent that will be diked.

When I state that this activity is in violation of the law, let me again refer to article VIII of the treaty. If I interpret this language correctly, it means that the use of lake waters for domestic and sanitary purposes is given preference over other uses and no use shall be permitted, including dredging for navigation that results in the pollution of Lake waters, which tends materially to conflict with the highest priority of water use; namely, for domestic and sanitary purposes.

Yet, completely contrary to this policy and prohibition, the Department of the Army takes the position, as stated in a letter to me dated May 3, 1968:

> Because of severe economic hardship . . . and because no disposal areas other than the authorized deep water areas of Lake Erie are now available, it has been determined that dredging in 1968 must be done *and the dredged material disposed in the Lake.*

Although fully aware that the spoil material thus consigned for lake disposal is bound to result in further pollution, the letter concludes with the assurance:

> The Corps of Engineers will continue its efforts, in coordination with FWPCA and State authorities, to construct and maintain harbors in consonance with the national objective of cleaning up our rivers and lakes and at the lowest possible cost.

With respect to Lake Erie, the corps apparently has determined that the cheapest way to clean it up is to fill it up. The fact is that the corps is not maintaining harbors on Lake Erie with the national objective of cleaning up our rivers and lakes. What it is doing is dredging at the lowest possible cost by "authorizing" so-called deepwater disposal areas along the entire U.S. shoreline of Lake Erie—areas which it has no right to authorize and which, in point of fact, are both shallow and in many cases in immediate proximity to municipal water intakes serving hundreds of thousands of people.

The result of this Federal activity is to constantly add to rather than abate the pollution of Lake Erie waters; Federal justification for pursuing this policy is said to be economic hardship to navigation, a use which somehow has leapfrogged in priority over the "uses for domestic and sanitary purposes" that are given preference in the treaty of 1909.

Now let me comment on the problem of disposal of materials dredged from harbors and waterways under permits issued by the Corps of Engineers.

In 1967, such permit dredging accounted for 185,000 cubic yards of dredged material, all of which was polluted and all of which was dumped in open lake disposal areas. In 1968, contract dredging pursuant to permits issued by the Corps of Engineers has already more than doubled and 348,000 cubic yards of additional polluted material have been added to Lake Erie waters so far this year. These figures, of course, do not include a large number of applications presently pending for approval or expected to be filed for permit dredging this summer and fall.

One permit for private dredging not yet acted upon by the corps has generated particular interest. It involves the application of the Dunbar & Sullivan Dredging Co., of Detroit, to dredge 295,000 cubic yards of especially badly polluted spoil and scum from the bottom of the Rouge River and to dump it in shallow waters in western Lake Erie within less than 2,000 yards of the international boundary.

The policy of the Corps of Engineers appears to be ambivalent. The corps itself dredges polluted spoil from the Rouge River which, because of its condition, it deposits on Grassey Island rather than in the lake. At the same time, its district office recommended approval last year of a permit to allow private dredging of the same contaminated material for disposal in the shallow waters of Lake Erie.

Again in 1967, the same private dredging company was in the process of dumping into Lake Michigan, with the Corps of Engineers approval, some 203,000 cubic yards of highly polluted dredging similar in character to the spoil material in the Rouge River. In the wake of public outcry and vigorous representations from the Illinois congressional delegation and the Governor of Illinois, this dumping was found to be contrary to the public interest and was halted.

In a letter to me dated May 31, 1968, Assistant Secretary of the Interior Max N. Edwards advised me, relative to the proposed permit dredging of the Rouge River for open lake disposal:

> In view of the nature of the sediments to be dredged, the Federal Water Pollution Control Administration Regional Office has recommended to the U.S. Corps of Engineers that the dredgings concerned not be disposed of in Lake Erie, but he placed in upland areas so that pollution of Lake Erie will be prevented. Recognizing the shortage of suitable on-shore disposal sites for such materials, (your) suggestion that this material be placed on the Grassey Island disposal site appears to be appropriate from a pollution control viewpoint. We understand, however, that this approach has been rejected by the Corps.

All of this suggests to me, in the strongest possible terms, that the final decision with respect to issuance of dredging permits, where the material to be disposed of has been found to be polluted, should rest with the Secretary of the Interior rather than the Secretary of the Army. Under a July 13, 1967, agreement between the Secretaries of these two departments, the Secretary of the Army is given the authority to evaluate the economic advantages and benefits of a proposed dredging operation in relation to resultant loss or damage, including violation of applicable water quality standards, and to either deny the permit or include such conditions as he determines to be in the public interest.

In my view, if Lake Erie is to be saved, strong pollution abatement enforcement should not be subject to a waiver based upon temporary economic convenience or advantage. Activity which contaminates the water upon which our very lives are dependent must be outlawed and uniform enforcement should be in the hands of the agency having primary responsibility for establishing water quality standards and seeing that they are met.

Let me say in conclusion that there must be a prompt clarification of Federal policy if the confidence, support and commitment of our citizenry is to be sustained in fighting pollution and achieving a national goal of clean water.

A WORKING CREDO—A COMMENCEMENT ADDRESS

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. COTTON. Mr. President, Belknap College, a new but rapidly growing institution of higher learning in Center

Harbor, N.H., recently held its 1968 commencement exercises.

An honorary degree was most properly bestowed upon Mr. John S. Woodbridge, who for 37 years served so willingly and tirelessly as accountant, treasurer, and comptroller of Pan American World Airways until his retirement in 1966.

Mr. Woodbridge has for a considerable time been a trustee of Belknap College and that Belknap chose him to be the recipient of an honorary degree as doctor of laws is heartwarming to those of us who know of the hundreds of hours Mr. Woodbridge has put into his efforts on behalf of this new fine New Hampshire school.

As I read this address, I am reminded of the everlasting words of Daniel Webster in the Dartmouth College case, when he said:

> It is, sir, as I have said, a small college. And yet, there are those who love it.

Mr. Woodbridge has well demonstrated such love and dedication, and I ask unanimous consent that his commencement speech be inserted in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A WORKING CREDO

(By John S. Woodbridge)

This is commencement. Not the ending of a college career; not the termination of four years of self-imposed educational discipline; not the final triumphant gesture of earning a sheepskin and thereby cauterizing and sealing off a compartment of one's life.

This is commencement. The beginning of an unfettered life, the emergence of the butterfly from the chrysalis, the change from protected pinfeathers to pinions ready for soaring flight. The emancipation from guarded and directional academic life superimposed upon cloistered family life, all of which has been aimed to prepare well the object of their devotion to deal with the basics that lie ahead.

This sounds like the prelude to a treacled and boring set of platitudes, soporific and to be endured by a captive audience while its wooden chair seats get harder and harder. But no! I am going to talk to you as if I were talking to my two children of your general vintage, and let you in to some secret places where joy and satisfaction await, and where a little imported experience may help you taste them sooner.

First let me say that you have gained something today that few people have, something that you can guard with fierce pride and with the sure knowledge that it is priceless, an earned degree from a polished gem of academic excellence, Belknap College. This is not a little run-of-the-mine college in sleepy foothills, but an educational factor fast assuming its rightful position as one of the truly inspirational leaders of American culture, bursting at its seams with values that it craves to impart. Young it is, time-wise, but seasoned thoroughly through its incandescent furnace of vast and useful experience and arduous tribulations adroitly and successfully encountered.

In its command towers that educator of national note, Royal Merrill Frye, who with his tiny cabinet created this college with bare but sure hands, bare pocketbooks and bare credit resources. Their contagious pioneering zeal and uncanny facility for curing these barenesses have confounded the early prophets and pessimistic critics and converted them into ardent supporters.

Like the Pilgrim Fathers, his tight little group splintered off from another area, its goals and working patterns already established, with a select entourage of educators and students accompanying the group in its search for earlier realization of its dreams. The premises were chosen after careful review of surrounding circumstances, aided by thoughtful and sympathetic citizens, and operations began with less than the barest of minima as to physical facilities, optimism running rife and the staff of teachers and administrators running ragged trying to keep up with the triple-pronged duties that each had to perform.

Slowly, excruciatingly slowly, the balance started to turn. Enthusiasm grew as the students themselves became carpenters and journeymen in the creation of physical facilities, as suppliers and bankers gained more confidence in the future of the College and so became more patient in their credit requirements, as organizations dealing with educational situations and requirements became increasingly aware of the innate values of the College just emerging into prominence.

The Board of Trustees, a strong and representative body, has quietly been restoring heart over and over again in this heartbreaking and frustrating development period by lending expertise, experience and other comfort to the College, and by making available financial facilities in both temporary and permanent form. Financial support continues to broaden with an ever-increasing circle of graduates conscious of the needs of their Alma Mater and becoming financially able to do something about it, with development of requirements enabling important educational funds to participate, with the sympathetic agencies in Washington beginning to be permitted to lend their facilities, and with more and more individuals recognizing the worth of the College in tangible manner.

Having addressed myself to your academic heritage, let me turn to phases of the working credo which I have touched on and which will bear exploration. They do not conflict with the austerity and loftiness of the Decalogue, The Ten Commandments graven on tablets of stone, nor with the Sermon on the Mount of The Great Teacher, but amplify and embellish them tangentially, emphasizing in legato phrasing certain areas considered of present-day significance while not altering in a single respect the great and abiding principles incorporated within those exalted sayings.

The precepts expressed herein, like those of the noble and related sayings referred to, perforce are in staccato form, for each might well and has been expanded in voluminous manner in the libraries of the world, and our time limitation here forbids other treatment. Instead, each of these tenets is well worthy of quiet and contemplative digestion, to be reviewed frequently when indicated, and thus should be of real help in your goal of a fuller life. They are embraced in that powerful and all-compelling call, set forth in the Old Testament in Chapter 19 of Leviticus, verse 18, echoed by the Great Teacher in his characterization of it as one of the two greatest commandments, polished to perfection in unmistakable and crystal clear tones, saying:

"Thou shalt love thy neighbor as thyself."

To me, one of the facets of utmost importance is that of consideration, the art of being considerate, consideration for others and their lives, consideration becoming a way of life and thus a foe to selfishness and rudeness. What a pleasure to be in the presence of a considerate person, one who needs not try to impress by domineering speech or manner! What an instant way to create and to retain friendships, one of the bulwarks of joyous living!

Linked closely to this worthy attribute, practically synonymous, is that of tolerance, not haughty or supercilious tolerance, but sincere respect for the views of others, whether or not they are your own. This characteristic runs the gamut of a host of situations, of color, creed or religion, of social or financial status, of customs or practices, of approach to music, literature or other arts, of postures or activities of governing bodies, be they international, national, state, municipal or collegiate. One may disagree utterly with any or all facets of such situations, but should not accordingly dismiss them cavalierly or without due consideration, taking action if necessary through channels provided or available, and in an orderly manner.

Closely related to this practical and eminently workable virtue is that of pride, pride in one's accomplishments, in one's friends and surroundings, in one's heritage and land of birth and citizenship. This is not to be confused with that phenomenon known as "False Pride," an uncomfortable chip on the shoulder refuge from suspected condescension, a friendship-shattering posture to be avoided like the plague. Nor should pride be considered as synonymous with braggadocio, colloquially known as self-aggrandizement, which, like self-pride, is a rather disagreement type of snobbishness not welcome anywhere. So let your true pride be contagious; let it infect and inspire others; let it elevate its subject even higher in your mind and in the minds of others.

Another great attribute is a sense of humor, wholesome and gladdening and easing of troublesome situations. If one is not endowed with such a sense, it is not hard to cultivate it, especially since Dame Nature has dictated that muscles controlling the smile mechanism are far less complex or difficult than those controlling the scowl mechanism. To possess this attribute does not mean that one must be an accomplished spinner of tall tales or a purveyor of off-color anecdotes of barnyard humor or even a talented listener to such essays (it being an accepted fact that a good listener is a great conversationalist). With a sense of humor, one can better savor and enjoy friends and situations and surroundings, and will never be completely dismayed or defeated under the direst circumstances. One clings to such a person as an asylum and thereby gains strength to pursue one's course.

Display of enthusiasm, if genuine and not cloying, is rewarding to the generator of the cause for the enthusiasm, which in turn reflects back to the displayer and thus to the friendship element. Such display frequently leads to further development of the subject matter, and even to other matters, by reciprocal enthusiasm and the exchange of more advanced ideas and plans. Failure to display enthusiasm when due is stultifying and a deterrent to a continuation of the cause for enthusiasm, frequently leading to a complete stoppage of the topic otherwise being developed, with a concurrent lowering of the friendship level.

A few negative areas come to mind, to be exposed and, by application of the admirable double negative concept, become positive and thus rewarding.

Mental laziness is one of such vices, easy to pamper and insidious in its results. You have been exposed here for a long time to the art of thinking, of exercising the logic factor so important throughout one's entire life. As a matter of fact, such stimulation frequently transcends the subject matters of the academic courses taken, even though they have been highly technical, while there is nothing to prevent these two types of facility growing together hand in hand. There are many varied and fascinating methods of escape activities, useful in most cases as anodynes where necessary, but their abuse can be not only stultifying but chronic, leading to mental laziness, apathy, mediocrity, loss of friends. It is not necessary to cite the media for such escape hatches, which are well-known to all and in widespread existence at home and elsewhere.

Garrulity is a pit from which it is hard to extricate oneself, a floundering around in a morass of words of no great consequence, deadening to captive audiences who quietly learn to sidestep the purveyors of such linguistic torrents. Friendships survive with difficulty in its presence, which frequently stems from insecurity and often results in unconscious attempts to dominate. The truncated phrase "Verbum sap" applies.

On the other side of the coin can be found the art of being LACONIC, either a virtue or a vice. Let the two following colloquys speak for themselves without elaboration, both occurring as we once drove through the Northern regions of our country. First, with the busy operator of a turnpike tollbooth: Question—"Is this the way to Highway 'X'?" Answer—"Right." Polite, adequate, factual. Secondly, with the dispenser of gasoline at a filling station: Question—"It has been very dry in Connecticut; has it rained much here?" Answer—"Some." Rude, inadequate, though no doubt factual.

But the gift of good speech, not to be confused with garrulity or with the art of being laconic, is something to be cherished, nor is it necessarily innate, but can be cultivated, especially with your academic background. We have all been endowed with the ability to express ourselves orally, and a wealth of vocabulary awaits those who crave its shadings and nuances and fine delineations. Alas! Too often do commonplace oaths and vulgarities become frequently and currently adjectival, displacing descriptive language and rapidly and tediously losing their expletive value. Since there are so few hundreds of words used in the active vocabulary of our surroundings, it seems a shame to surrender some of them in favor of these thoughtless, lazy, vocal, stopgap objurgations.

Facility of expression, especially when coupled with felicity of language, converts readily into enjoyable and picturesque speech; good practice in its development results when you couch your personal correspondence in such a manner that you are certain that your letters will be read at least twice, and frequently aloud. Nor need laconic practice be a stumbling block in this art, which does not require loquacity. One of the most poignant phrases in the Bible is its shortest verse, finding itself as the 35th of the 11th Chapter of St. John, immediately following the announcement of the untimely demise of the Lord's friend Lazarus. It reads simply—"Jesus wept".

Continuation of studying after graduation will be found particularly rewarding, whether it be in the field of endeavor which you are about to adopt or in parallel fields or in areas completely foreign to these. The main thing is to keep the thought processes which you have been employing here so assiduously from becoming atrophied through disuse. It may be hard to do and often inconvenient, but your enlarging of your acquaintance with topics otherwise denied you will certainly aid you in your contacts with your growing circle of friends and associates.

My esteemed predecessor Moses has so comprehensively and concisely set out further negative postures requiring double negative positive treatment that I respectfully would like to incorporate them by reference in this talk to my children and to you, suggesting that it would not be amiss if both the Decalogue and the Sermon on the Mount were readily available to you as you continue your career through this wonderful life.

The working credo we have been exploring here, both in its positive form and in its double negative form, can serve you well as you sally forth from here and enter your postgraduate lives and careers. Its active and sincere practice will fit in anywhere you go and in anything you do, and observing you acting under its precepts may well cause others to follow your example, characterized by the great commandment:

"Thou shalt love thy neighbor as thyself."

So go forth, my very good young friends, and may God bless you!

LAW, LEARNING, AND LIBERTY

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. POFF. Mr. Speaker, on June 9 the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], delivered the commencement address to the College of William and Mary in the 275th year of its charter in Williamsburg, Va. The theme of the address is most topical and timely. I quote the same herewith:

LAW, LEARNING, AND LIBERTY

President Paschall, faculty and friends, parents and students, and members of the Class of 1968 of the College of William and Mary at the close of your two hundred and seventy fifth year, greetings and congratulations.

I am grateful indeed to be invited to this distinguished landmark of higher education in America, and doubly delighted to have been chosen by a student committee. In issuing and accepting this honor none of us could foresee the dark cloud of tragedy which has cast its shadow on the political scene and transformed today into a national day of mourning. Yet I think Senator Kennedy would have been the last to want to rob you of any of the joys of this long-awaited day—not that my speech will be a joy—but its message may encourage some of you to take the same vigorous part in public affairs which both John F. and Robert Kennedy did from their youth. The red thread of violence and intolerance, with its ugly knots of assassination and anarchy, which has run through all your student years, will not be severed by sorrowing nor untangled with tears.

In this serene setting, the evident fulfillment of the Founding Fathers' dream of domestic tranquillity, it is hard to remember that even college campuses have not all escaped what one writer calls "the neon glow of the age of comfort and violence." Therefore it's reassuring to me to know that this historic Sir Christopher Wren Building, the oldest administration building in the country, which has been sacked by British Redcoats, commandeered by French officers, burned by Union cavalrymen and fortified by Federal cannoneers, has never yet fallen to the student body.

I did note that Commencement Exercises for the Class of 1849 were suspended, according to the college records, "to give time for the excitement and prejudice to subside." This simply illustrates that anything Columbia University can do, William and Mary did a century or so sooner.

What that excitement was all about I'm not sure. In my day the chief causes of campus commotion were swallowing goldfish, or raiding the women's dormitories. I understand the latter situation has been reversed nowadays, with the girls doing the raiding, and to me this seems to be real progress.

As for the goldfish swallowing—I believe the record was 87—that appears to have passed quickly, proving only that what you put into your head in college is more important that what you put into your stomach.

You are probably all thoroughly fed up with observations about the antiquity of the College of William and Mary, and I shall limit my remarks on your alma mater's age to this reminder: the first poor people's movement of this country was across the Atlantic Ocean, across the mountains and the plains and the mountains, and it has never really ceased.

These poor people, these outcasts, these disadvantaged, these rebels against the old Establishment, brought very little with them, but what they did bring was precious and must be preserved. They brought, even as they protested its capricious abuse, an abiding respect for the rule of law—they built themselves systems of orderly self-government even before they erected dry houses.

They brought, also, to this unknown and untamed wilderness, a profound appreciation of and insistence upon the disciplines of formal education. As they built crude log stockades they also built schoolrooms, and then opened them to the children of their savage enemies as well as their own.

Finally, this poor people's march half a world around carried with it a common commitment to the future, to the half-humanist, half-theological idea of the perfectability of society, the enlargement of freedom and the innate and unique worth of individual man.

The College of William and Mary stands pre-eminent in the nurture of these three transplants to the New World. Some of your students, Thomas Jefferson, John Marshall, Peyton Randolph and George Wythe, synthesized them into the foundations of our present political system. Each of you, as you receive your degrees this evening, represent the latest fruition of this Anglo-American legacy of law, learning and liberty.

We hear a good deal these days about a "generation gap" which is supposed to cut off effective communication between, say, the Class of 1935 and the Class of 1968. I am not sure this is anything more profound than a new name for a very old complaint, papa isn't always listening when sonny is talking, and vice versa. Youth and age—or for that matter male and female—have always grumbled that they weren't really understood by the other, and what a dull life it would be if we always were!

You can reach back into the past about 10 times as far as the founding of William and Mary, for instance, and find in the Proverbs of Solomon page after page of good advice from father to son, without any hint as to whether the son ever paid any attention to it.

One proverb that sticks in my mind, however—and it is honestly the only thing I can now remember from my own baccalaureate—goes like this:

> "Wisdom is the principal thing; therefore get wisdom;
> "And with all thy getting, get understanding."

Now this is pretty good counsel, coming from Solomon, who was reputed to be the wisest man of all time—though I've always wondered how you could say that about anyone who had 700 wives and 300 playmates in one palace. You have to admit, though, that such a household does call for a lot of understanding.

I thought I'd see whether Solomon's advice to his son has any relevance for today's graduating seniors, so I asked one of my younger generation consultants, who still communicates fairly successfully, what it meant to him:

> "Wisdom is the principal thing; therefore get wisdom;
> "And with all thy getting, get understanding."

His answer was not long in coming.

"I guess that means, like, first you get with it; but don't just get with it—get into it," is the way he translated it.

Not bad. I doubt that it will replace the King James rendering, or ever go very big in the Sunday Schools. But I'm going to toss it across Generation Gap to you today, from Solomon and me, 30 years or 30 centuries give or take a little, and hope you'll remember it:

"Don't just get with it—get into it."

I can almost hear some of your fathers and mothers whispering: Now what on earth is he telling them—they're already messing into a lot more things than they ought to be. We always heard that Jerry Ford was a nice, solid type and here he is talking like that!

And did I hear still another whisper?

Yeah, what have we got to get into—the Army? Who do you think you're kidding about law and learning and liberty. We've had too much of the first, just about enough of the second, and not very much of the third. You and all the politicians who have been running things ever since we were born have really made a mess of it. So now you want us to get into it with you.

Well, we *are* in quite a mess, that's certain. I suppose I could duck this by saying I've been in the minority most of the years I've been in Congress, so don't blame me. That won't do, of course. All adult Americans have to accept responsibility, at least some responsibility, for the way things are; because as Theodore Roosevelt put it bluntly:

"The government is us; we are the government, you and I."

Another President, who was also a professor, said it a longer way:

"Government," said Woodrow Wilson, "is merely an attempt to express the conscience of everybody, the average conscience of the nation, in the rules that everybody is commanded to obey. That is all it is. If the government is going faster than the public conscience, it will presently have to pull up; if it is not going as fast as the public conscience, it will presently have to be whipped up."

The truth of Wilson's definition is nowhere more evident than in the House of Representatives, which is why serving there is so rewarding. Congress is often the scapegoat for the sins of American society because Congress *is* the people in microcosm. This year and every two years we go home to the people who sent us to Washington and do what many of you have been doing—seeing about a job. If they like the way we've been acting for them and speaking up for them they hire us for another two-year contract, but if they don't—that's all, brother. If you don't get government that serves you best out of this arrangement you at least get the kind that serves you right, as good as you deserve.

But is this good enough to come to grips with today's challenges?

No, frankly, it is not.

Without wanting to strike a partisan note it's merely a fact of recent history that my party gained 47 seats in the House two years ago. We needed reinforcements badly, we rejoiced in the quantity, but even more in the quality of the men and women who joined our ranks—many of them not too far from their own college commencements.

These hard-driving, enthusiastic and tough-minded young legislators not only brought the insights and initiatives of a new breed of politician to our debates; already they have left their mark on the Congress. Their extra votes and persistent pressures helped to create a new code of official conduct for the House, to greatly improve and strengthen anti-crime and consumer protection laws, to expose waste and corruption in the poverty and foreign aid programs, to focus attention on urban needs, to demand long overdue reforms in the machinery of Congress and the Executive Branch, to mention only a few areas of their activity.

The younger men and women coming up in Washington are not only with it, they are in it—and we are waiting to welcome more. But obviously, it will require more than better and bolder leadership from government to cope with the problems that face us. If my generation has learned nothing else in the postgraduate school of experience it must be that government can do only so much, that simply passing laws that promise easy solutions and raising taxes to redistribute the great wealth of this country cannot begin to cope with what are essentially moral and individual problems; indeed, government action can compound them.

Look at the grave issues which face our nation and each of us today. All of them, when you think about it seriously, are at the very core moral concerns. The pros and cons of these questions are fundamentally moral arguments, and perhaps this explains why debate has become so impassioned and even violent.

Take the war in Vietnam. This is a major national concern, probably the chief concern of young Americans. Let there be no doubt on one point—we all, every one of us, would much rather make love than war. This war is unpopular, but I doubt very much that the United States has ever had a really popular war—even the war with Spain had its aftermath of disillusionment. The year I was graduated from the University of Michigan was the year Adolf Hitler seized all power in Germany—and my generation didn't like the prospect of war disrupting our lives any more than yours. But the nation met that challenge successfully because America's moral commitment to the cause of human decency was clear, and we saw it clearly. We fought that war for you—even though you didn't yet exist.

The moral dilemma of Vietnam is much more difficult. Its magnitude is measured by the cruel fact that during just two weeks in May—even with peace talks going on—more young Americans were killed in action in Vietnam than William and Mary will graduate here today. It has become a cliche to say that we are bogged down in a war we cannot win and cannot lose, that there is no way out. This nation has the material strength and human resources to do anything it sets its mind to; what is lacking is the clear moral commitment of our people to a course of action that is both reasonable and right, and we have neither now.

The task of leadership is to set such a course; the task of citizens is to make such a commitment. In one way or another, I say to the Class of 1968 to get into it. We are the government, you and I. Nobody is going to get us out of this mess except ourselves.

Take crime and lawlessness, riots and disorders. Already, this looms as a larger national issue than the war, and already it directly affects more Americans. Half the women in this country are afraid to walk alone at night in their own neighborhoods—and no wonder, someone is murdered in cold blood every 41 minutes and a sexual attack occurs every 19 minutes, on the average.

The crime rate is rising eight times as fast as the population. In the time I've been talking to you there have been six robberies and nine aggravated assaults somewhere in America. They say in Washington it's so bad even the purse-snatchers and muggers only walk in pairs.

Every other American now owns a gun, and admits it. More alarming, only last August only 27% of these gun-owners said they would use their weapon against another person in the event of a riot; now 67% say they'd shoot under such circumstances. Untouched by the pollsters are those who are killing just for kicks, or from mentally sick motives.

Of course there's a difference between ordinary criminal activity and the riots and arson and looting that swept more than 125 cities in one week last April. But the distinction is not so precise as one might think; it was one "ordinary" crime—murder—that triggered the "extraordinary" racial explosion that followed; and that spasm of anarchy and destruction was composed of thousands of instances of the "ordinary" crimes of burglary, theft, arson, assault and murder.

What all these forms of lawlessness and violence have in common, whether in a dark alley or in front of newsreel cameras in broad daylight or in the academic halls of ivy, is the breakdown of the moral values and the boundaries around behavior by which society justifies and protects itself.

Thus this national concern over crime is also, at the core, a moral matter. It has been proved time and again that Congress cannot legislate morality; only in an imperfect sense can it reinforce and define, as Wilson said, the average conscience of the nation. To say that government is based upon the consent of the governed is to stop too short; it is not enough that a majority of citizens consent to a law, and agree to obey it themselves. That same preponderance of the people must commit themselves to the moral principle that law must be obeyed.

The task of leadership is to translate the national conscience into effective laws and to enforce those laws firmly but fairly against offenders. The task of citizens is make their broad commitment to the rule of law clear and unequivocal and to use the ready electoral, legislative and judicial mechanisms to change such specific laws as seem to them unwise or unjust. So I say again to the Class of 1968, get into it. We are the government, you and I. Nobody is going to get us out of this mess except ourselves.

The last great national concern I shall mention today is inflation, and you parents are perhaps more troubled by continuously rising prices, rising taxes, rising interest rates than you have been. The dollar drain has been, for some of you, a problem best solved by a collect phone call to Daddy. And even when you're holding down a job in college, if I remember rightly, you don't hang onto any dollar bill long enough to realize it's losing its value.

But I also suspect a lot of you, in considering which job looks best, have had occasion to compare the fringe benefits and various pension plans and profit-sharing systems which today's employers use to attract the ablest graduates and keep them after they're on the payroll. Maybe you figured your career would be brighter with one company rather than another, even though the starting salary was a little less, because of these provisions for your future security and that of your family.

You wouldn't have any doubt that it was a moral issue if, after giving the best years of your life to that employer, you were told when you reach the age of 50 or 60 that they'd spent the money, your contributions as well, on something else, so you'd have to get along on half the pension they'd promised you in 1968.

Is it any different when the government does this to everybody? And this is exactly what government has done, and is still doing. If Aunt Jane gave you a savings bond—what do they call them now, Peace Bonds?—when you graduated from high school, let me break the bad news—interest and all, it isn't worth as much today as what the old dear paid for it in real purchasing power. If it's wrong for Uncle Sam to take a few years out of a citizen's life at the start of it, as some young people claim, then it's certainly immoral for Uncle Sam to ruin the last few years of a citizen's life by stealing half his savings. And that's what inflation is all about.

The experts warn we're on the brink of the worst worldwide fiscal crisis since 1931. I remember that as well as you remember your first day in college—and I don't want it to happen again. But it can happen if we as a nation fail to put our fiscal house in order, if we hesitate too long to take the nasty economic medicine every doctor has prescribed. This country is rich and productive beyond the wildest imaginings of the men who built this college. Our economy can "afford" anything we need and much that we really don't need, but it cannot give us everything we want and everything we must have and do all these things at the same time.

We are going to have to set priorities for our national undertakings exactly as you have had to set priorities for studying for finals, writing term papers, dating and dancing and demonstrating and whatever else seniors do these days. A sound dollar doesn't turn everybody on emotionally like the deadly war in Vietnam and the crime raging in our cities, but it too demands citizen commitment and enlightened leadership. It too is something the Class of 1968 ought to get into. We are the government, you and I. Nobody is going to get us out of this mess except ourselves.

Why do I keep telling you to get committed, to become involved, not just to get with it but to get into it? I've visited 22 college university campuses already this year and I know very well that's just what you intend to do. I am perfectly aware what this generation of students is like and I'm not confused by the antics of an immature handful who bang their heads on the floor or threaten to hold their breath if they can't have their way—or don't get enough attention. I'm more impressed with Sen. McCarthy's volunteer workers than I am with his politics, to be honest, but I'd rather you all went out and worked to elect Democrats than go out to storm the Pentagon, do bloody battle with the police, or shout down those with whom you dissent.

You are graduating from college in a Presidential campaign year, and while this is hidden by a lot of fun and hoopla there are grave and vital choices to be made next November that will affect your lives very directly. Don't just get with it—get into it.

I recently got a look at a very extensive survey made by the Gallup Poll for the American Heritage Foundation on the attitudes and political opinions of young Americans aged 21 through 29. Much of it hasn't been published, and it's as full of surprises and contradictions as youth itself.

First, young people like to think of themselves as "Independents" in politics—this category outnumbers both Republicans and Democrats and among college graduates it amounts to 44 per cent. Young men are more independent than young women—I'm speaking strictly of politics—and, curiously, those traditional bastions of Democratic and Republican strength, the South and Midwest, turn out the most independent 20-year-olds.

In this age group two-thirds expressed considerable interest in politics, and this rose to 80 percent on the college campuses. Forty-one percent said they'd be willing to volunteer for campaign work and 42 percent would kick in $5 for their favorite candidate or party—a lot better on both counts than their affluent and complacent elders.

But then when it comes to the simplest test of political commitment—voting in a Presidential election—you don't come off so well. Too often, "Independent" really means "Indifferent." When a record 65 percent of the eligible electorate voted in the cliffhanger Kennedy-Nixon contest of 1960, only 54 percent of those in their Twenties turned out. In '64 the record was slightly worse.

This year, although it's early in the game, only 48 percent of those in the 21 to 29 bracket are registered to vote in the precinct where they live. For all their expressed interest, for all their involvement with exciting causes and for all their ideals, only about 13 million young Americans are actually expected to cast their ballots this year.

Sure, you get busy, doing your job, starting a home, moving around. But that's why I keep harping on my theme: Get into it, and stay in.

If you don't like the way it is, do something about it. Maybe you don't want to make public service your career, or ever run for elective office. But there are a million ways each of you can upgrade the standards of politics and the quality of government at every level. You can't all be President of the United States, in spite of William & Mary's headstart program in this respect, but probably all of you who want to badly enough to work at it could be president of a school board, or chairman of a county central committee. And remember, if you don't you can be sure some idiot will get the job and do everything wrong. Nobody is going to get us out of this mess except ourselves. We are the government, you and I.

One final word as one who has some experience with minority status. I hope mine is temporary, but yours is permanent. You are about to join the oldest minority in the world—those who have the brains and the disciplines of education that enable them to give civilization a little bit more than they take from it.

The educational explosion in this country has been far more significant than any nuclear blast. In 1900 all the institutions of higher learning in America awarded 27,410 degrees, only 5,237 of them to women. When I received my diploma at Ann Arbor, the combined Class of 1935 was nearly five times that large, two-fifths of them women. You are among an estimated 673,000 seniors graduating this Spring, another fourfold increase. There still aren't quite enough girls to go around—I think they see to that.

But we Bachelors of Arts and all living Americans who have earned a college degree still amount to only about 11 percent of the adult population. We are still in the minority and are likely to remain there all our days. So let's take as our motto "Build, Man, Build!" instead of "Burn, Baby, Burn."

Let's build on the solid triad of law, learning and liberty—not for our ancestors' sakes, but for our descendants. Let's not quench the rebel and the dissenter in us because our fathers were rebels and dissenters and so will our children be. But let's build instead of burn, work instead of wreck and help instead of hate.

Unlike any other thing in the Universe, John Steinbeck wrote in *The Grapes of Wrath*, "man grows beyond his work, walks up the stairs of his concepts, emerges ahead of his accomplishments."

You have finished the work of the classroom, you have chosen and sorted out your concepts, and now comes the time for accomplishment.

Come out ahead, Class of 1968, and God be with you.

CIVIL DISORDERS

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. HARRIS. Mr. President, Deputy Attorney General Warren Christopher recently made an extraordinary address in Portland, Oreg., about the quite different responses of local officials to the urban disorders of 1967 and to those which followed the tragic assassination of Dr. Martin Luther King. He believes, as I do, that the generally intelligent, practical, and comparatively humane actions of police and military forces during the more recent riots demonstrate that the report of the President's National Advisory Commission on Civil Disorders has already had an important and positive effect.

My colleagues and I on the Commission became convinced, after closely studying dozens of disorders across the country, that the indiscriminate use of firepower invariably intensifies and prolongs a riot by creating instant new grievances upon which the conflagration feeds. As Mr. Christopher points out, many police forces have now found that manpower is superior to firepower, all other things being equal, both in order to minimize death and injury and, quite simply, in order to quell a riot as quickly as possible.

I would also like to commend Deputy Attorney General Christopher for his eloquent support of the proposition that social order of the kind America must have can rest only upon genuine social justice for all of its citizens. I ask unanimous consent that his address be printed in full in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REFLECTIONS ON DISORDER

(Address by Deputy Attorney General Warren Christopher at a joint meeting of Multnomah County Bar Association and the City Club of Portland, Oreg., May 3, 1968)

The preservation of the civil peace is the first responsibility of government. Order is not the final goal of civilization but it is the indispensable foundation.

The disorders of April, 1968—the massive violent aftermath of the assassination of Dr. King—have again focused the attention of the Nation on this first responsibility of government.

Over the last three years, largely by chance or coincidence, I have often seen the streets of disorder—on 103rd Street in Watts in August, 1965, on 12th Street in Detroit in July, 1967, on 7th and 14th Streets in Washington, D.C. and on Madison and Roosevelt Streets in Chicago last month.

The glib answers disappear out on the street in the midst of a disorder. There, the hard reality takes hold, and the scene etches deep into memory, for the preservation of the civil peace is not only the first responsibility of government, but it is mine and it is yours, too.

Law Day, 1968, witnesses peril to the rule of law. It is an appropriate time to reflect on these disorders, to ask questions about them, to suggest answers. My view has always been that we pay the highest honor to Law Day when we use this occasion to probe into our hardest problems—to probe deeply, frankly, and without an overabundance of platitudes. And so I propose today to consider a series of questions about disorders—questions most often asked of me, and questions I ask myself.

The first question we might consider together is: What were the differences between the disorders of the summer of 1967 and those of April, 1968?

One of the striking differences is the concentration of disorders which occurred during a relatively short period of time in April, 1968. Although 164 disorders took place between January and September of 1967, this frequency was far exceeded when the Nation experienced over 100 disorders in the week following Dr. King's assassination.

A wide variety of precipitating incidents led up to the disorders of 1967. Half of them were touched off by a police incident. In contrast, the disorders of 1968 were triggered by a single event—the death of Dr. King.

Another major difference—and a difference that I will consider in some detail later—

concerns the number of deaths that took place as a result of the disorders. There were as many people killed in a single riot in 1967—the Detroit riot—as there were in all of the disorders last month. Both the number of deaths caused by law enforcement action and the number of law enforcement officers fatally injured was far lower in last month's disorders.

These 1968 fatality figures reflect a general restraint in the use of lethal force. This was due at least in part to the increased use of chemical agents, particularly CS and tear gas. A number of non-lethal weapons are in the process of development and testing—some of them rather exotic devices such as foam generators, oil slicks, tranquilizing darts, and mace. However, tear gas and CS are at this point by far the most effective of the non-lethal family of weapons. They are the standard non-lethal weapons of the National Guard and Federal forces, and they were extensively used last month.

Another significant difference was the coverage of the disorders by the news media, particularly television. In 1967 and earlier years, riot coverage was marred by sensationalism, imbalance, and unchecked rumors. In 1968, the coverage of the disorders was more restrained, less inflammatory, far more constructive. By all accounts, the media have taken significant steps to eliminate abuses that occurred in some instances in the summer of 1967.

Still another major difference between 1967 and 1968—and one that is particularly important to the Department of Justice—was the improved state of preparedness and performance of local law enforcement agencies and the National Guard. In general, both the local and state law enforcement personnel were mobilized and deployed more rapidly, curfews were promptly established, and perhaps the most important, command and control procedures were more efficient.

A comparison of the 1967 and 1968 Detroit disorder is indicative of the changes that have been made. As you may recall, in the early stages of the 1967 Detroit disorder, there was delay by the Detroit Police in mobilizing additional police manpower and there was further delay in deploying the Michigan National Guard. As a result, there was an "under reaction" during the early stages of the disorder, and the disorder ultimately raged out of control. During the later stages of the disorder, there was a widespread and sometimes undisciplined firing by police and National Guard units—literally thousands of rounds of ammunition were expended. The result was a death toll of 43 persons killed, and of these, from 27 to 30 were killed by the acts of police and National Guard.

In contrast, in 1968, the Detroit Police Department quickly mobilized, sent a powerful task force into the area where vandalism and looting were taking place, and quickly cleared the streets. The Governor quickly committed the State Police and National Guard. Show-of-force operations were conducted in the affected area and they were increased in size, and continued until well after dark. A curfew was quickly imposed and the streets were cleared.

The law enforcement effort was a joint operation in accordance with previously developed plans. There was little confusion during the coordinated operation, no over-response, no conflicting orders. Both police and National Guard had profited from additional training, particularly in the area of small unit leadership. Even with thousands of guardsmen in the city on round-the-clock-patrols, only one round of ammunition was fired. The casualty toll was two dead and 16 injured.

The second question I would like to consider is: Was there an organized plan or conspiracy behind the disorders which have rocked our Nation?

On July 28, 1967, President Johnson established the National Advisory Commission on Civil Disorders to probe the 1967 disorders. As a result of its investigation, this Commission, often called the Kerner Commission after its Chairman, Governor Otto Kerner, concluded "that the urban disorders of the summer of 1967 were not caused by, nor were they the consequence of, any organized plan or 'conspiracy'." This same conclusion was reached by the Department of Justice, and Director Hoover of the FBI so testified before the Kerner Commission.

As in 1967, the disorders of 1968 appear to have been largely spontaneous outbreaks of violence, generally by groups of Negro youths, touched off by the assassination of Martin Luther King. As in 1967, the attacks and the damage were almost exclusively confined to Negro neighborhoods. As in 1967, there were relatively few attacks against white persons. Nor were the post-assassination disorders characterized by terrorist attacks against vital installations or by efforts to disrupt the governmental structure.

While no compelling evidence of conspiracy has yet appeared, we remain vigilant. To probe more deeply on this question, the FBI has expanded its investigative effort and the Department of Justice has established an intelligence unit focusing solely on the disorder question. In time of disorder, teams of men are working around the clock trying to discern whether there is some pattern, testing whether there are pieces of a jigsaw which can be fitted together.

The third question I would like to consider is: What are the characteristics of the typical rioter?

The typical rioter of 1967 was a Negro, unmarried male between the ages of 15 and 24. He had not graduated from high school, was likely to be unemployed or working in a menial or low-status job, and was extremely hostile toward whites, and toward middle-class Negroes.

My guess is that the typical 1968 rioter may be even younger than his 1967 counterpart. In all probability, he is a teenager.

These riot profiles are based on arrest data, and I would like to add one caution about the use of such data. Many riots begin with rock throwing and acts of vandalism by groups of teenagers. Not only are these youths extremely difficult to apprehend, but it is also true that in the early stages of disorder police sometimes do not have the necessary manpower mobilized and deployed to make arrests. The result is that the arrest data may be somewhat distorted by the failure to apprehend the youths who were the instigators of the disorder, and by the large numbers of arrests of later participants or curfew violators who are often older persons. I am told that the staff who conducted a study of arrestees of the 1967 Detroit disorder, called it their "slow runner survey."

From my experience, it is unquestionably clear that male teenagers and quite young adults are most often involved in the rioting. They are, I believe, the major control problem.

The next question I would like to consider with you is: Is it possible to predict riots, and specifically, are more riots anticipated this coming summer?

A frank answer is that at the present time neither we, nor as far as I know anyone else, can predict a particular riot, at a particular place, at a particular date and time. As I pointed out previously, the disorders of 1967 and 1968 were, essentially, spontaneous events. As such, they were, almost by definition, unpredictable.

There are, however, a number of indicators that can give us some idea of the potential for disorder. For example, I think that we can realistically predict that practically any city with a large Negro population; with a large number of teenagers in that population; with an urban ghetto marked by overcrowded housing, substandard schools and poor health facilities; with high rates of unemployment and underemployment should be prepared for violence, particularly during the summer when the school is out and large numbers of people are often on the streets. In such a setting, practically any incident—and particularly a police incident—can produce a crowd that has the potential for violence.

We and others in Government, as well as private research organizations, are looking at these and other factors in an attempt to determine whether they can at least provide a primative means to guage the potential for disorder. In addition, we are following the activities of certain individuals and organizations which may have the potential for inciting violence.

As for this summer, I have no doubt that the nation will have moments of tension and periods of disorder. I am distressed but not discouraged. Indeed, I am inclined to believe that sometime next fall we will look back on the summer and say that it was not nearly as bad as we had expected. But, of course, we must—and we are—planning for trouble. As with all such planning, there is the hope that the planning itself will act as an inhibiting factor.

Next, may we consider: What is the relationship between demonstrations and riots? Our Constitution guarantees to all citizens the freedom to assemble and the freedom to petition the Government for redress of grievances. A peaceful parade of citizens carrying signs advocating a particular cause is thus the exercise of a basic constitutional right. Basic as these rights are, they are not unlimited. The Supreme Court has said:

"The rights of free speech and assembly, while fundamental in our democratic society, still do not mean that everyone with opinions or beliefs to express may address a group at any public place and at any time. The constitutional guarantee of liberty implies the existence of an organized society maintaining public order, without which liberty itself would be lost in the excesses of anarchy . . ." 385 U.S., at 48.

Because the right to demonstrate is not unlimited, a demonstration may involve acts of so-called civil disobedience, as for example, a sit-in which constitutes a trespass on private property or seriously obstructs traffic. This type of conduct—even if the conduct is to dramatize a lawful cause—is not a constitutionally protected right. Demonstrators who engage in such acts are subject to arrest. They would do well to recall the comment made a few days ago by Solicitor General Edwin Griswold. He said: "it is of the essence of law that it is equally applied to all, that it binds all alike, irrespective of personal motive. For this reason, one who contemplates civil disobedience out of moral conviction should not be surprised and must not be bitter if a criminal conviction ensues. And he must accept the fact that organized society cannot endure on any other basis."

Acts of civil disobedience are generally a far cry from the widespread violence that takes place during a civil disorder. But we must recognize that a demonstration which involves civil disobedience has a greater potential for disorder. Nevertheless, it would not be prudent to stop all demonstrations on the ground that they might lead to disobedience and thus disorder.

There are several reasons for this conclusion. First, the demonstration may well serve as an escape valve by permitting a public airing of grievances without violence. The language of the FBI Manual is much in point:

"A peaceful or lawful demonstration should not be looked upon with disapproval by a police agency; rather, it should be considered as a safety valve possibly serving to prevent a riot. The police agency should not countenance violations of law.

However, a police agency does not have the right to deny the demonstrator his constitutional rights."

Furthermore, most major demonstrations involve a good deal of planning by both those who are leaders of the demonstration, and by the concerned law enforcement agencies. With such planning, it is possible to build-in safeguards against violence and disorder.

The events in Memphis before and after Dr. King's death provide a useful example. You will recall that there was violence accompanying Dr. King's march in Memphis supporting the striking sanitation workers. There is general argeement that the lack of planning played a heavy role in the trouble. But as you also recall, there was no violence during the march in Memphis subsequent to Dr. King's assassination, despite the presence of a very large crowd. Good planning and careful control made the difference.

The next question I would like to consider is: What are the major adjustments required by law enforcement agencies to improve their riot control ability?

The basic problem, underlying all others, is that the primary mission of police forces in the United States has been to train policemen to act individually in handling single incidents involving very small numbers of people at one time. This concept of the police role has been, and is, sound. It enables the police to carry out their mission effectively under most circumstances.

But individual officers, acting independently, cannot control large numbers of rioters. To function effectively in a riot situation, a police department must instantly become a different kind of organization. It is required to shift gears immediately so that its manpower can be deployed in teams or squads. A field organization must be designed to enable command decisions to be made on the spot as conditions change and crises develop.

This, of course, requires careful planning and testing of plans *before* civil disorder erupts. It also requires more manpower, for almost every big city police department is not only underpaid but undermanned. With more manpower, the police would be better able to mobilize and deploy a sufficient number of men to control relatively small incidents and prevent them from becoming full scale riots. During quieter times, these men could be used on foot beats where they would be able to know the people in the neighborhoods, and the people know them.

This winter and spring, the Department of Justice sponsored a series of fourteen one-week conferences on Prevention and Control of Civil Disorder. These conferences were attended by more than 150 Chiefs and their immediate subordinates from the Nation's largest cities. These meetings have identified a number of special disorder problems:

Many police chiefs have reported inadequate or inaccurate intelligence regarding incidents as they are occurring. This has been corrected in many instances by reorganization and the fixing of specific responsibility.

Many chiefs emphasized the lack of adequate communications equipment and frequencies. The problem of adequate radio frequencies has been alleviated by the recent release of forty frequencies by the F.C.C. for police use. Research has been started to develop an inexpensive, very small, powerful individual two-way radio, to enable field officers to maintain contact with each other.

And, always, the problem of planning for shifting from one type of an organization to another was identified. This is being corrected rapidly in many departments throughout the United States.

Here in Portland you are fortunate to have an outstanding Chief of Police, Don McNamara. He has a very active, ongoing planning operation in his department. I know he has trained and assigned top level staff to review, revamp, and test his department's plans for prevention and control of civil disorder.

If a police department has a reasonably adequate number of able personnel; if good, comprehensive plans for mobilization and deployment of manpower have been developed; and if those plans have been fully field tested and changed to meet actual conditions, that department will be able to control relatively small incidents so as to prevent them from becoming full-blown riots. A well prepared and disciplined police department cuts down the odds that a city will have trouble.

The next question I would like to consider is: What type and degree of force should be used to control disorder?

The first order of business in a time of civil disorder is to restore order. To do this without loss of life and, if possible, without injury to people and property is the goal of law enforcement. The key to achieving this goal is the use of the minimum effective force.

Virtually all law enforcement experts, including the FBI, are persuaded that the most effective way to control a riot is not a resort to deadly weapons, but instead is a quick reaction by a sizeable force of trained and disciplined men, using if necessary, tear gas and other non-lethal weapons.

During the disorders of 1968, most police departments and as far as I know all National Guard Units and Federal units, adhered to this concept of "the minimum effective force." In nearly every instance this meant the urgent mobilization of sufficient manpower so that arrests could be made promptly and decisively. We must redouble our efforts to improve the reaction time for mobilization and deployment. In many cities, tear gas and other non-lethal weapons augmented control efforts, thus offering police departments an added resource which is completely consistent with the minimum effective force concept.

The doctrine of minimum effective force is not a new concept that was designed especially for the 1968 disorders. It has, for many years, been part of the standard military orders for those troops to be used in controlling civil disorder. The Federal Bureau of Investigation manual on riot control clearly adopts the minimum force concept.

The manual states: "The basic rule, when applying force, is to use only the minimum force necessary to effectively control the situation." The manual goes on to say: "A basic rule in police firearms training is that a firearm is to be used only in self-defense or to protect the lives of others." The International Association of Chiefs of Police have released guidelines for law enforcement agencies, which adopt the minimum force concept, and which state, "The use of firearms should be considered as a last resort, and then only when necessary to protect the lives of citizens and officers."

In short, the doctrine of minimum effective force is an old one. The difference between 1967 and 1968 was that in 1968 police and National Guard command and control, and training had improved so that doctrine could actually be put into effect.

The principle of minimum effective force does not depend for its support upon humanitarian reasons, though it is of course supported by those considerations. Rather it is fully justified upon the most pragmatic and expedient grounds.

First, it is plain that widespread use of firearms in most situations would create grave risks of killing or wounding bystanders and other innocent people. The commander of the Federal forces at Baltimore last month was a paratroop general named Robert H. York. General York put it plainly when he said: "We know from experience that when there is indiscriminate firing, more innocent people have been killed than guilty ones."

Second, the unwarranted use of deadly force would surely result in a serious risk of escalation of the disorder. The FBI manual says: "unwarranted application of force will incite the mob to further violence as well as kindle seeds of resentment for police that, in turn, could cause a riot to recur."

General York, explaining his use of minimum effective force in Baltimore, spoke eloquently on this subject:

"Force invariably produces counterforce. Here in Baltimore we did not have a race riot as such—and it was my endeavor to prevent that if at all possible. This is what the extremists want, as you know, and I feel we would have been playing directly into their hands if we had created a situation whereby this would have occurred. And, of course, if it had occurred, the loss of lives and the destruction of property would have been immensely greater than I feel it has been. No one—your women, children—would have been safe under these kinds of circumstances, and neither would any home in the city."

Finally, the use of excessive force would have most certainly made the wounds harder to heal. It would have deepened the chasm between the races at a time when we must bend every effort to reach across it.

The next question that I would like to consider is: Under what circumstances will Federal forces be dispatched to assist state and local government in controlling disorder?

Under our Constitution and under our traditions, law enforcement is first and foremost a responsibility of local and state government. This policy is clearly expressed both in the laws governing the use of Federal troops to control domestic violence, and in the precedents established and followed by a long line of Presidents. President Johnson adhered to this principle with full fidelity in his use of Federal troops in 1967 and again last month.

In August of 1967, Attorney General Ramsey Clark wrote the Governor of each state specifying the requirements for the dispatch of Federal forces to aid in controlling a disorder. There are three basic requirements:

1. That a situation of a serious "domestic violence" exists within the state.
2. That the violence cannot be brought under control by the law enforcement resources available to the Governor, including local and state police forces, and the National Guard.
3. That the legislature or the Governor requests the President to deploy the Armed Forces to bring the violence under control.

While the mechanism for the request and dispatch of Federal troops is simple, there are deep ramifications which must be kept in mind. First, Federal troops can never be a substitute for a quick reaction by a large and disciplined force of local police. Unless we cross a long bridge and become a garrison state with Federal troops quartered in every major city, Federal assistance is certain to be at least several hours in arriving even with the best airlift and other optimum circumstances. This means that if an incident is to be stopped from growing into a disorder or a disorder nipped in the bud, a city must look to local law enforcement.

Moreover, the use of Federal troops in an American city is a serious departure from our normal concept of government, a departure which should not be taken lightly. It produces an abnormal condition, and the return to normality can be slow and painful.

If, however, Federal troops are requested under the circumstances described above, you can be sure they will be rapidly mobilized and available for deployment as required. Only a few days ago, the Secretary of Defense established a new Directorate of

Civil Disturbance under Lt. General Mather who commanded the Federal forces at Chicago. General Mather's task is to concentrate solely on this problem and to improve the Federal capability. There were tens of thousands of troops involved in suppressing domestic violence last month, and the determination to be even better prepared in the future.

The next two questions I'd like to consider raise basic issues, issues that transcend the immediate importance of the recent disorders. The first: Have the disorders helped or hurt the cause of the Negro?

First, I think that a better statement of the question would delete the reference to the Negro cause. The cause is that of all Americans, white and black.

I have never doubted for even a minute that everyone—white and black, young and old—loses when there is a riot. Violence makes it much more difficult, not easier, to address the urgent urban problems. The legacy of hate and bitterness and fear which follows in the wake of violence is an impediment, sometimes a fatal obstruction, to progress in education, in employment, in housing, in all the areas where remedial action is so essential.

Only the hate-brokers—both black and white—are beneficiaries of domestic violence. It is their status that is enhanced by these disturbances; it is their power that thrives on death and destruction. The racism they preach cannot compete in the market place of ideas. Their theories cannot survive rational analysis. Only in an atmosphere of violence can their philosophy of hate gain acceptance.

Among the saddest aspects of the 1968 riots was the fact that the wanton acts of violence and destruction were completely contrary to the entire philosophy of Dr. King. I believe he would be the first to know that any further violence can only harm the cause of the Negro—our cause—and add to the racial division in our country.

The final question is the most difficult of all: Under our form of Government, can we achieve social progress and justice without violence?

Despite all our problems, we have been making progress and achieving the type of changes that will make our country a better place for all its citizens. The 1964 Civil Rights Act, the 1965 Voting Act, and the open housing bill recently signed by President Johnson have done much to promote equality and justice.

We are also making progress in other fields. Annual Federal spending in education has increased in the last four years from three billion dollars to 12 billion dollars. In the field of health—where there has been such great disadvantage—Federal spending has increased in four years from three billion to 14 billion dollars. In 1964, 75,000 people were trained in manpower development programs; the figure for this year is a million and a half. Within the last four years, some 5.6 million people have crossed the poverty line into at least a somewhat better life.

But obviously there is much more to do. We need a new generation of will in all citizens.

On this Law Day, my plea to you is that we join in working toward an end to violence, and toward a new spirit of justice and generosity. There has never been a time in our history where we have had more resources, more opportunity, more urgent need to act. We need only the will.

The improvement of ghetto conditions through reform in education, employment, and housing is a difficult and demanding road for all segments of society. But there is no shorter route. The avenues of violence and lawlessness all lead to a dead end. If we are to travel this difficult road, we must take every precaution to insure that violence and disorder along the route do not prevent us from reaching our destination together.

We must always remember that after this summer is over, and after a decade of summers are over, we will all be living here on this Continent together. Providence destined us to live together, and providence destined us to be a great people in a great Nation.

H.R. 5037—LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. GONZALEZ. Mr. Speaker, I have voted against the passage of the so-called Omnibus Crime Control and Safe Streets Act. I have voted against it for several specific reasons, not the least of which is the fact that this measure has not received the sober, careful, and reasoned study it should have. I am convinced that if this had been the case—if, indeed, it had been done at a calmer time—the House would never have approved.

I am convinced that this legislation is as much a hoax as the cigarette labeling act.

This measure is repugnant to every basic tradition of Anglo-American jurisprudence and government. It is clinching what some might call a "constitutional dictatorship." It is an attempt to clothe with the sanction of legality what has hitherto been naked injustice. It is being palmed off to us on the theory that angels will be administering it. The truth is that we should always deal with legislation as if the Devil, not an angel, were going to enforce it.

We have given the stamp of approval, unless curbed by a declaration of its obvious unconstitutionality, to the forced confession, the illegal detention, and so forth—all in the name of "crime prevention."

Added to these obvious defects, the atmosphere of emotion and pressure engendered by the callous assassination of Senator Kennedy, have compounded the unreal and irrational moments we live. Whether it is in some other country or our own it is always sad and poignantly tragic to witness the parliamentary suicide of a democracy.

I am reminded of Oscar Wilde's observation, that "democracy is the bludgeoning of the people, by the people, for the people."

It has never been easy for constitutional democracy, and it gets harder each year; but, it still must depend on the skill, the judgment, the restraint such bodies as ours reveal at moments as tough and as critical as these. But, I honestly feel that our country is not in such a state of emergency or condition as to warrant the establishment of a garrisson state.

I feel so strongly about this that I, in the company of my distinguished colleague, Chairman WAYNE ASPINALL, are sending a telegram to President Lyndon Johnson, asking that he veto this ill-advised measure. I place in this telegram in the RECORD at this point:

LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.:

Strongly urge you veto this so-called "anti-crime" bill that passed the House today.

It goes contrary to the warp and woof that has made the fabric of this country great.

In the hysteria and emotion of this moment we're afraid we have submitted to hasty and intemperate legislaiton in our desire to control some sad aspects and manifestations appearing in our country today.

We are convinced that this unwise and noxious legislation would not have been approved in calmer moments in the manner, shape, or form it was today.

A letter outlining our particular objections will follow.

Congressman HENRY B. GONZALEZ.
Congressman WAYNE ASPINALL.

AGRICULTURAL DEVELOPMENT BY PRIVATE ENTERPRISE IN THAILAND

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MONDALE. Mr. President, an article concerning agricultural development by private enterprise in Thailand was published in the Business and Finance section of the Washington Post on June 2, 1968. Since it appears to be an excellent example of what we have all been talking about relative to involving private industry in the international war on hunger, I ask consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITAL COMMERCE: AREA-BASED FIRM TO AID THAI FARMERS

A New York and Washington-based firm is pioneering efforts to help Thailand's farmers help themselves and to make a profit for the company.

Called Calabrian, the company is the first private profit-making firm to receive an extended risk guaranteed loan from the Agency for International Development to help start the Thai venture.

What the company has done is develop a system of "county agents" to help Thai farmers get into profitable agriculture. While helping itself, it hopes to break the chains of poverty which tie the farmers to local merchants who have advanced seed, tools and food at interest rates up to 120 per cent.

Under the company's plans "approved" Thai farmers can take out bank loans at 1 per cent monthly interest rates. The money can be used to buy seed, fertilizer and rent tractors from Calabrian.

To help farmers, Calabrian has built a number of regional development centers where seed and fertilizers are tested and where the farmers can rent their equipment.

In return the company hopes to get a share of Thailand's corn exports.

The company began 22 years ago as a commodity trading firm. It got its first foothold in Thailand six years ago when AID contracted it to study plans for a proposed sugar refinery there. Eventually the Thai government made Calabrian the country's exclusive sugar export agent.

Now, said company president Charles Cogliandro, "We are on the threshold of an accelerated penetration of the food and feed grain and oil processing industries."

However, Cogliandro says he is not trying to develop a monopoly in Thailand. "Anyone who is interested in penetrating or developing a market in Southeast Asia is welcome," he said.

A PROPOSAL TO LOWER THE VOTING AGE

HON. PETER H. DOMINICK

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. DOMINICK. Mr. President, I recently presented testimony to the Subcommittee on Constitutional Amendments of the Committee on the Judiciary in support of Senate Joint Resolution 8, the proposal which I am cosponsoring to lower the voting age to 18. I ask unanimous consent that my remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Statement to Subcommittee on Constitutional Amendments

Senator Dominick. Mr. Chairman, I appreciate this opportunity of presenting a statement to your Subcommittee. As a co-sponsor of Senate Joint Resolution 8, I have indicated my support for lowering the voting age to 18 through a Constitutional amendment to be considered by the states. In supporting this move, I am honoring a commitment made more than a decade ago, when as a member of the Colorado State Legislature I tried unsuccessfully to lower Colorado's voting age requirements from 21 to 18. Then, as now, it seemed clear to me that an inconsistency exists in our treatment of our 18, 19 and 20 year olds:

We assume they are old enough to be taxed on any incomes they may earn;

We assume they are old enough to drive an automobile in most states; get married in most states; and drink alcoholic beverages such as wine and beer;

Especially we assume that our young men and women 18 years old and older are mature enough to act responsibly and courageously in battlefield combat and in battlefield hospitals.

We have, Mr. Chairman, given to our 18-year-olds, a good many of the rights and responsibilities assumed by our citizens over 21 years of age.

At the same time, however, we have continued to deny to them the right to vote in our elections, to assist in determining the policies which affect them at least as much as those of us who hold elective office. Our denial of this basic right is the inconsistency in our recognition of the maturity and intelligence of the vast majority of our 18-year olds.

Thus, Mr. Chairman, we are withholding a privilege and a right which, in light of today's conditions, should be granted.

The test of whether 18, 19, and 20-year olds should vote should stand alone. It must be measured not on the exception—the unusual youth—but on the performance and ability of the average 18-year old. In my mind, our great majority of young people pass the test with flying colors.

No generation in our history has been more exposed to the problems of our society and the world. Mass communication media has made our young people aware, and even more important, has made them vitally interested in the course of their nation's policies.

Recent news stories indicate that our 18-year olds throughout the country have been conditioned by constant exposure to the events of our day. They are not just interested in the end results of our policies, but they are also motivated to participate actively in the formulation of those policies. For every student protester acting beyond the law, there are numerous young people who diligently and intelligently pursue the goals of our nation, and these same young people actively participate in the political processes of our country. They have not been waiting passively for us to give a go-ahead signal. Instead, they've turned their enormous vitality and motivation toward learning about and working for those same people for whom we do not allow them to vote.

Mr. Chairman, I urge the approval of Senate Joint Resolution 8 so that we may take the lead in recognizing the solid contributions of our 18-year olds to the course of our nation and in extending the franchise accordingly.

Historically, Congressional action has led to an extension of the franchise; when our Constitution was formulated, strict property ownership and background requirements determined a small percentage of our populace which could vote. Gradually we have expanded that percentage by recognizing expanded privileges and responsibility of citizenship. The time has come for Congress to take the initiative by providing to the elected representatives of each state legislature an opportunity to voice the sentiments of their constituents in voting for or against the proposed constitutional amendment.

With our consistent recognition of their intelligence and motivation, we will encourage even greater participation in our political processes by the youth of this country. They now understand *how* our system should work; let us take the lead to insure them the chance to express their understanding.

VICE ADM. B. F. ROEDER DELIVERS MEMORIAL DAY ADDRESS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BOB WILSON. Mr. Speaker, too often the real meaning of Memorial Day is lost amid the picnics, baseball doubleheaders and swimming parties. My good friend, Vice Adm. B. F. Roeder, commander of the 1st Fleet, delivered a Memorial Day address in which he solemnly observed that all of us are deeply indebted to the gallant Americans who fought and died to preserve our Nation's freedom. His speech is an inspiring one which I am sure will be of interest to all of our colleagues:

Remarks by Vice Adm. B. F. Roeder, at a Memorial Day Address to the Coronado Veterans' and Fraternal Organizations, May 30, 1968

I am highly honored that you have invited me to join with you in the observance of Memorial Day. Traditionally this day is a most solemn occasion, and especially at this time—when efforts are being undertaken to seek a just peace after more than three years of conflict in Vietnam. This year the honoring of those who have given, and at this moment are giving their lives to preserve our dream of freedom for all men is particularly appropriate.

Never in our eventful history has the international situation been more turbulent. The forces of change in many countries of the world, as well as in our own, have placed great demands on our military forces. Yet, never before have our fighting men performed more superbly.

No one likes war—especially those who have seen or been in one. But there are things worse than war as the British philosopher, John Stuart Mill, pointed out in the 1800's. He wrote:

"War is an ugly thing, but not the ugliest of things: the decayed and degraded state of moral and patriotic feeling which thinks nothing is worth a war—is worse. A man who has nothing which he cares about more than his personal safety is a miserable creature who has no chance of being free, unless made and kept so by the exertions of better men than himself."

It is more than a hundred years now since Abraham Lincoln delivered his immortal Gettysburg Address. The majestic simplicity with which he expressed such profound and enduring truth has been an inspiration to Americans ever since.

Today, as we face the grim challenge of communism, we find that the issues are unchanged. They are, as in Lincoln's time, the survival of our country as a Nation, and freedom versus enslavement. The stage—now worldwide—is larger, geographically. The players far more numerous. And yet, due to technological advances in speed of transportation and communication, the setting is actually smaller.

Memorial Day is, I believe, a particularly appropriate time for Americans to reflect on the significance of being American. I'm reminded of a book by Marcus Bach entitled "had you been born in another faith" which explores with the reader how he would think and act were he a member of one of the nine major religious faiths in this and other countries. It's too bad that we don't have a similar book for all Americans entitled, "had you been born in another country," to draw parallels between the life we so often take for granted and that of a citizen of another country.

Ours is a heritage of freedom. Not a freedom given to us but one that was earned by the many Americans who fought and died to win it, and by countless others who have given their lives to preserve it. Now I submit that the American is not warlike by nature—that the very freedom he enjoys makes the idea of armed conflict alien to him—that none of our professional soldiers, sailors, or airmen have any enthusiasm for the business of killing. Most of those who go, and whom we honor today, were *sent* . . . yet go they did . . . not wantonly, but willingly and without hesitation. And therein lies the merit to which we today offer our praise.

All too often amid the planned picnics and double headers, the real meaning of Memorial Day is lost. Many believe that the observance of this day began in Columbus, Mississippi, shortly after the Civil War. The women of that small southern town made a pilgrimage to the local cemetery to decorate the graves of the Confederate war dead. When they had finished decorating the graves of their soldiers, they saw nearly the bare graves of the northern dead, fallen on the same field. In contrast to the flowered Confederate graves, they looked cold, drab, and forgotten.

The women could not ignore the Union graves. Carefully they decorated them too, and when they had finished, there was nothing to distinguish the Yank grave from the Rebel. As the news of this touching tribute flashed over the North, it roused, as nothing else could have done, National amity and broke down sectional animosity and passion. Thus, out of sorrows common to North and South, came this noble custom.

To those of us here today the idea of fulfilling a responsibility to our country through military service is not foreign. As a professional military man, it is my job to understand the uses of military power; to evaluate the dangers of a military threat.

But as a citizen I must express my belief that one of the greatest dangers that confronts our country is not military, rather, it is the possibility that we may fail to recognize the grave obligations that our freedom imposes upon us; that we may fail to grasp the real meaning of freedom. For while the rights and privileges of freedom must be respected and safeguarded, we must remember that freedom involves responsibilities as well as rights—obligations as well as privileges.

Today there is a small but dedicated group in this land who abuse, yet take refuge, in the laws and freedoms earned and defended for them by, in the words of Mr. Mill, "better men." More than ever before we must instill in our young people the sense of pride, dedication, and responsibility that are so much a part of being American. Our system is certainly not flawless but no where on earth can a person enjoy more freedom or find more opportunity.

Walk in loose step if you wish—suffer the foolish—give even the ignorant and the unwise their day and their say—but when it's time, close ranks behind America and pay the cost, be it ever so great.

As we commemorate this Memorial Day 1968, let us re-dedicate ourselves "to the great task remaining before us. . . . That from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion. . . . That we here highly resolve that these dead shall not have died in vain. . . . That this Nation, under God, shall have a new birth of freedom. . . . And that government of the people, by the people, for the people shall not perish from the earth."

You, families and friends of the gallant dead, will surely feel that no eloquence of words can fittingly praise the value of a man's life. Our liberty, our freedom, and our independence are the visible legacy of those who gave their lives for their country.

Today, as we place flowers on their graves and praise their deeds, we realize that we cannot discharge our solemn obligation to these men with mere words of homage. They did not die for wreaths and words. They died for the rights of Americans, and free men of all nations, to enjoy freedom. They died for future generations. They died for us.

Thank you.

COMMENCEMENT ADDRESS BY SENATOR MARK O. HATFIELD AT MOREHEAD STATE UNIVERSITY

HON. THRUSTON B. MORTON

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MORTON. Mr. President, my esteemed colleague, Senator MARK HATFIELD, made a very interesting speech at the commencement exercises at Morehead State University, Morehead, Ky., on May 27, 1968. I ask unanimous consent that his address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR MARK O. HATFIELD, MOREHEAD STATE UNIVERSITY COMMENCEMENT, MOREHEAD, KY.

Today I would like to share with you some very brief thoughts not, I hope, in the traditional sense of a commencement speaker. Which reminds me of one of our former governors who gave a commencement speech at Oregon State University. He rose to the height of eloquence when he said to the graduating class, "and don't forget, the future lies ahead of you." I would like to break that kind of tradition and hopefully say something to you that will be meaningful. I come today not as a dreary pessimist nor as a "Pollyanna" optimist. But hopefully I can speak to you in certain terms of realism—realism of both the issues and the forces and the trends that we face today. I must say to you that I am concerned, as I am sure you are concerned. But I also believe that America has the dynamics, it has the genius, it has the capacity to meet these various problems and to do it well and to do it appropriately. Sometimes I think all we have to have is a little nudging.

I care not whether you are a Democrat or Republican, a liberal or conservative because these labels are sometimes very misleading. My so-called liberal brethren are quite concerned that as a Rockefeller delegate in 1964 to the Republican Convention I supported Barry Goldwater for the presidency following the convention in eight different states, as well as my own. But again, let me emphasize there are certain things that transcend all these various labels and these classifications into which we like to neatly package people.

One thing that causes me great concern today is that we are tending toward labels. We are tending to polarize the people of this country into antagonistic groups. Let me illustrate by one example. I am sure that all of you were deeply concerned by what we call the law and order problem of our cities and of our nation at large. It seems that there is in this particular issue a polarization of people—those who would support and engage in what we call anarchy on one side, and those who would respond by repression on the other side. Anarchy and repression. Let me assure you that neither will solve our problem. Those who want to beef up the police force and bring in the troops and say "let us maintain law and order at all costs" may have a point as far as maintaining a stable society is concerned. But they stop too often at that point and fail to address themselves to the causes of disorder. There is a necessity to consider both those problems that we see before us and their solutions not in extremes but in what we would consider the great middle area. Polarizing the people today between those who are defenders and dissenters of a war issue again does not tell us an accurate story. Hawks, doves, chickens, eagels, owls, what ever kind of bird that you want to use as an application for a label sometimes is not accurate at all but rather represents what we might call "the enemy of simplistic approach."

I would like to talk a little about the need for priorities and understanding. You in a sense have a unique responsibility, an opportunity to provide the kind of solutions which will eliminate the simplistic approach and will tend to demonstrate that answers are not found every time in the "either/or," in the black or white of the case. But rather perhaps in gray complexity will be found the truth. The priorities of which I speak of course are many fold and again let me say it makes no difference whether you are a defender or a dissenter. There are certain priorities that all Americans must consider today, priorities which I feel are not being considered properly.

Just where do our priorities lie? Is it more important to kill a Viet Cong in South Vietnam or to save the embittered poor of our own country? Is it more important to bomb south Vietnamese villages into rubble or to reconstruct our own cities of this nation? Is it more important to involve ourselves in a revolutionary war in southeast Asia or try to prevent a revolutionary war at home? Let me illustrate by certain cold statistics which sometimes loses the personalism which we must always maintain. We are expending today over thirty billion dollars in a war that has yet to be clearly defined in terms of goals and objectives. Over 130 billion has been expended since the year 1946 when we first embarked upon this policy of trying to use an exclusive military instrumentality to solve basically a political, economical and social problem. Do not forget, my friends, the lessons of history because during that period of 1946–1954, we ultimately supported 80 percent of the cost of the French War. The French controlled Hanoi and Saigon, yet they lost in the debacle at Dien Bien Phu. They also lost 96,000 dead troops. We have lost over 20,000 and yet we realize that we are pursuing further and further the kind of policy of escalation which has not brought us either victory or solution.

And yet, one month's cost of this war would provide enough library facilities to give all Americans who today do not have libraries. One month's cost of this war would eliminate all the teacher shortage in America, elementary, secondary, special, vocational, technical, higher education, post doctoral needs and other teaching professions. One month's cost would not only eliminate all the teacher shortage but all of the nursing shortage of those that are called forth to provide the nursing and the healing professions and their facilities. It would provide for the elimination of the doctor shortage in this country today. Now again, it makes no difference whether you defend or dissent the war policy, the difference is that there are some of the costs and there are some of the needs of America today.

Four months' cost of this war would have replaced one million dilapidated housing units for one million Americans living in substandard houses—poor people living in the ghettos. Eight and one half months' costs of this war would have built all the school and hospital facilities we need in this nation today. Fifteen and one half months' cost of this war would eliminate all the metropolitan transportational systems needs for the next ten years, would remove all the urban renewal problems for the next ten years, and all of the air and water pollution problems for the next ten years in America. Do you realize that ⅔ of the skilled engineers and scientists of America are diverted to cause of war. 170,000 teachers are needed and yet at the same time this year ½ to ⅔ of all of our draftees will be Bachelor degree and Master degree holders. Let me remind you that the government of Vietnam has still to draft their students, and one qualifies as a student in Vietnam if he has a single unit of course work. I feel that we need to help people in other nations. But I say we must measure the cost in this country today in terms of lives, in terms of material, in terms of diversion from other needs of this nation. These are some of the priorities that all Americans must consider.

We know that this coming year we will experience a 70 percent reduction in our first year graduate programs in our institutions of higher learning, a 70 percent decrease which means a 63 percent drop in the field of physics and in the field of engineering alone. And this, my friends, is a nation dependent upon technological advancement and skilled personnel.

I grow very concerned about the depreciation of human life. Every night into our homes via the television come the bloody pictures of war. Everyone knows that war is hell. Of course, any war is hell. But my point is that when we see today a nation which measures its progress and its advancement in terms such as the kill ratio and the body count, it's time for concern. That's the terminology and the nomenclature of the slaughter house out west where I come from. This depreciates human life and there is a relationship between the instrumentality of violence abroad and the violence that we see in our city streets today.

You say, "But, oh, what's the answer?" "Do you have a solution?" Well, let me remind you that when those who went from the states of this great nation of ours to Philadelphia in 1787 to consider the inadequacy of the articles of confederation, they did not go with the drafted constitution in hand. They did not have a blue print, a panacea but they did recognize one thing, that the Articles of Confederation had been inadequate to meet their needs.

And I say that there is a *myth* today in America that somehow before one can dissent, one must have a panacea, a blue print. I do not have. But I do know this: our present policy is inadequate. It has not served the needs of America and, therefore, all I ask is that you think about history and the economic and social implications of this policy are. Let me say that the need is going to be met when people like you think and act and speak and have the courage of your convictions.

Oh, I know it is terribly unpopular, but my friends in the graduating class, you are going to face many situations which it will be much easier to go along with, to conform to, or to support the status quo rather than to challenge constructively and intellectually and with facts and data which has been accepted. Usually this is so because of apathy and lethargic attitudes. I do not believe in challenging the status quo for the sake of action, but rather for the sake of change and improvement. That is the essence of progress and that is what has built America.

I am not speaking of institutions. I am speaking of people. Here then is another priority. Are we going to serve people or are we going to serve institutions? I am reminded of the time when I was at Berkeley hearing about the demonstration in which one student carried a placard and upon that placard he had written the words "Jesus, Yes—Christianity, No." Jesus, Yes—Christianity, No. To the sensitive soul this might sound rather offensive, but on the other hand, there might be a rather profound lesson for each of us. In the personality and in the person of Jesus Christ was something very attractive, something very compelling, truth, humility, God incarnate. And yet, on the other hand, as the student saw the institution of the church and oftentimes what might be called the institutionalizing of Christ, he did not see something that measured up to the same attractive and compelling personality. I use this not to indict the church, because the church is vital as an instrument and institution, but to suggest that the fault of worshipping an instrument rather than an objective or a goal is grievious.

I submit this morning that many times in our political policy we are engaged in supporting and perpetuating institutional life for the sake of the institution and we lose perspective of the individual. God created each human being and He gave each human being an intellect, a soul, a body, feelings, emotion—all of the things that compose and comprise man. We find too, that we sometimes lose sight of man as a total being. Remember what Plato said. Plato said that the error of the physicians of Greece is that they were attempting to cure the body without the soul—without consideration for the soul.

I think this is oftentimes true with our quest for policies both national and international. Look at our great concern today about the competition of communism in the international realm. I am concerned about communism. I might say that I have been involved in communist civil war. Some of us got involved after World War II in the Chinese Civil War in which we fought the Chinese Reds from Peking south. But let me say to you that those with whom we worked, oftentimes on the Chinese Nationalist side, were soldiers 15 and 16 years of age who knew little of what they were fighting for or what cause they supported. Many times, again, they were serving an institution. One might wonder, then, why there has been a spread of communism in Asia.

Let me indicate to you why I feel there has been a spread of communism in Vietnam. Why should Ho Chi Minh be the great popular leader he was following World War II? We supported him, don't forget. We were his ally. He was our ally. Some of us stood in the streets of Hanoi in September of 1945 as he raised that flag over City Hall. There was on the flag, the hammer and sickle. It was the flag of Vietnamese Nationalism. I'll tell you why President Eisenhower said in his memoirs that if a free election had been held, Ho Chi Minh would have won 80 percent of the vote of South Vietnam as well as North Vietnam. Because he espoused a communist doctrine? No. Because he had one simple phrase that was understood by the people. "The land shall be yours." "The land shall be yours." And to the South Vietnamese and to the North Vietnamese this meant for the first time in their life that they were going to have economic security, they were going to have food in their stomachs. Now you can say he lied and he was dishonest. The point is he was addressing himself to the needs of the people at the time just as we were addressing ourselves to institutions of political establishments.

And the greatest offense that we could wage against communism in the world today is not through bombs, bullets and hand grenades, but it is through food production to feed the hungry, miserable people of the world. Four million people will be added to this globe by the end of the year. Three million people will die this year because of starvation. Do you realize that fifty percent of the world's population in the underdeveloped parts of the world will never reach the age of six? They will die because of starvation and malnutrition. History counsels us again that revolutions are not born out of a passion for blood letting. Revolutions are born out of impatience with human misery. This is the real war. The real war is against that which is misery and starvation.

And, let me remind you, those of you who are going into teaching, that we are losing the battle today in the battle for literacy. The world's illiterate will increase in gross numbers by some 200 million people. We are losing this battle against illiteracy.

We are losing the war against hunger and at the same time we put our priorities on destruction. Now let me assure you that I believe in strong defense—military institutions that will defend our system. We must have them. But we must have balance. We're spending billions to try to beat the Russians to the moon and yet as we compete for the moon, most of the world's population is competing for bread.

We must remember, too, that the nation that unlocks the ocean will have greater influence and prestige than that nation which puts a man on the moon first. Because it is the ocean that covers 71 percent of our world's area. It is here that we will find the necessary protein to build the minds and bodies of people. And so again let me emphasize that the priorities we need today is to understand who man is and what man is. Then we can begin to build our priorities.

We live in a magnificent age of technology. We are engaged today in a hot pursuit of materialism. And I recall, as you who study history will see, that when man was first studying himself and asking questions, as in the case of the ancient Greeks, he asked "What is Man?" He was considering his relationship to his Creator. He was considering the fact that his environment was his enemy. And yet today we have conquered our environment to a great extent, but we have also determined more about what man *is* through what man *has* rather than what man is as a spirit. I know this is very old fashioned, but let me point out to you that it is not a question of theology to understand what man is. It is a very practical question. It is very pragmatic. Judge Learned Hand, one of our great legal minds of our country, has said that man in America is attempting to place all of his hope for security and liberty on the constitution, in the courts and in the statutes. This is a false basis for our security and our liberty because, he said, when liberty dies in the heart of men then no constitution, no statute, no court can save it. It is a question of the spirit. It is something that cannot be answered by legislation. It cannot be answered by money and possessions. It is something that can only be answered by each individual understanding who he is, why he is and what his relation is not only to his God but to his environment and his fellowman.

It was Albert Schweitzer who said, "I do not know what your destiny will be but one thing I do know: the only ones among you who will be really happy are those who will have sought and found how to serve." Again, this is an element of the spirit. This is a character of man, a part of his character that cannot be provided by institutions.

I am deeply concerned that as we progress in America today, we tend to put our emphasis upon institutions and material wealth and power. Yet let me remind you that it was twelve, only a group of twelve, who were committed to a person and to a great cause and a new way of life. They were called the apostles and they were an element that helped overturn the might of the Roman empire. They were a minority. They were a small band of men and yet they had within them a power of love, not a power of an institution, not the power of materialism, but the power of love. We have been taught that the greatest power that a man has to cast out fears and doubts is the power of love. St. John has told us this. He said perfect love casteth out fear. That is why I am not fearful. That is why I feel that we have a great destiny and a great country which can conquer these problems. But I do believe we must mobilize the real instrumentality of power which is the power of the spirit. It is a cause for a spiritual renaissance. It is a need today for men to understand their relationship to their Maker. To understand why they are here and for what purpose they have been called to serve. As we mobilize this great divine power as represented and incarnated in our Saviour, Jesus Christ, we will find man equipped not only intellectually but with the spirit to do that which is needed to build not only a powerful and influential life but in turn a powerful America, an understanding America with priorities that will meet men's needs not only here but throughout the world.

OLD GLORY

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. UTT. Mr. Speaker, under unanimous consent I include in the Extensions of Remarks an ode to "Old Glory" by "Old Ironsides" of radio station KTRG in Honolulu, Hawaii. How I wish that every American would have this same spirit.

The ode follows:

OLD GLORY

(By "Old Ironsides" of radio station KTRG, Honolulu, Hawaii)

I am Old Glory, Flag of the United States of America!

My alternate red and white stripes symbolize the thirteen original states of the Union, founded under God upon the blood, sweat and tears of honest men and women, who believed in the right of men to be free! My red stripes remind us of the blood, that was, and still must be shed to win and hold the right to this freedom, and the white separating those scarlet rivers, becomes at once the righteousness and the awareness of the duty that we owe to the God-given heritage of this freedom.

My field of blue represents the Canopy of Heaven, and the Grace of God under which our Great Nation was founded, while the inseparable Union of it's fifty stars in this broad vault of blue denotes the strength in Unity out of many.

I am a Proud Flag! I have been honored and respected both at home and abroad, through the scores of years that have passed since my creation. I have stood firmly, as the symbol of Freedom and Opportunity, not only for my own people but for all peoples, whithersoever dispersed upon the face of the earth. I am proud of the principles for which I stand, proud of my Nation, and the American People whom I represent before all mankind! I have been ripped and torn in battle by shrapnel and shell, and I have been drowned in the bitter salt of the world's oceans, where I still proudly fly from the halliards of my Country's fighting ships whose guns were still firing as the merciless sea closed above them.

How great was my Glory, when I stood upon the brow of the hill at Iwo Jima and on the countless bloodstained ridges of Korea, nor was it ever less as I was raised above each other tiny bit of soil for which my people fought and gave their utmost measure of devotion!

I fly above the Memorial Cemeteries of the greatest and most powerful Nation that this world has ever known, in order that I might remain among those who gave so much to perpetuate my honor among men.

Today, my bunting ripples in the wind over a changing world of unrest and confusion. Abroad, I have been spat upon, trampelled upon, torn down, desecrated and burned publicly and my ashes thrown into the face of my Nation as a challenge to it's Freedom!

I have been reviled, insulted and denounced, by some of the people of my own Country, who with the same treacherous breath proclaim themselves to be Americans, while they cower under the protection of my significance and strength like vermin beneath a stone!

Pick up the Broom, America, your house needs a little sweeping!

There is no place in this Great Nation for those who would attempt to destroy it's very foundations with subversion, narcotics, violence, or even those who would sell their American birthrights for political affluence.

We have become a Nation sick with permissiveness and toleration that is more deadly than the malignancy of cancer for which radical surgery can be the only cure.

You, the American People are the Operating Team, and your scalpel is the ballot box. Use it with Wisdom and Deliberation, in order that your Patient may survive this Apathetic trauma with which it is so sorely stricken.

Stand up for me, as I have stood for you through all of the trials of our existence together, that we as One Nation, indivisible, invincible, and incorruptible, shall not perish from this earth!

THE SMALL BUSINESS ADMINISTRATION'S ECONOMIC OPPORTUNITY LOAN PROGRAM

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MONDALE. Mr. President, the Small Business Administration's economic opportunity loan program has brought help to disadvantaged people in urban and rural areas throughout the United States.

SBA has made 6,297 of these loans since the program began. SBA Administrator Robert C. Moot reports that the agency has made a study of the results of their economic opportunity loans and found that each loan produces at least 2.5 jobs, including the borrower. The loans SBA has made under this program have created about 15,000 jobs.

Among people in my State who have benefited from the EOL program are Mr. and Mrs. Charles Young and Rev. Benjamin Cassius, of Minneapolis.

The Youngs own a tailoring business. The Reverend Mr. Cassius operates a drycleaning firm. Mr. and Mrs. Young have a very high opinion of SBA and the help they have received; the Reverend Mr. Cassius says:

> Had it not been for SBA, I would not be in business today.

I ask unanimous consent to have printed in the RECORD newspaper articles about their businesses and the work SBA is doing. This work of SBA, the help the agency offers to people who are determined to build a thriving business, is making success stories like those of the Youngs and the Reverend Mr. Cassius all over the United States.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Minneapois (Minn.) Spokesman, May 16, 1968]

HE OPERATES TAILOR SHOP; CONSIDERED AMONG AREAS TOP

Charles A. Young has operated his tailoring business at 4811 Nicollet Ave., Minneapolis for the past three years. He is one of the top tailors in the Twin Cities having had a broad background and experience and training in this profession.

In 1937 he graduated from the tailoring school in the Minneapolis Vocational School and shortly thereafter got a job as a finisher for the B. W. Harris Company in St. Paul. In addition he made samples of merchandise that this firm manufactured.

He spent a little over three years in World War II and this service took him into Europe, India, China and the Burma Theater of Operations. He served as a cook in the Signal Corps.

Backing up Mr. Young in his business is his lovely wife Mosylean who also does tailoring and works as a partner in the business. The quality of Mr. Young's work is known all over the State. In addition to having customers from throughout the Twin Cities he has customers coming in from as far away as Wadena, a community about 200 miles northwest of Minneapolis.

The work must be good too, since the ROTC, University of Minneasota, has given him several contracts for the alteration of uniforms for students participating in this activity.

Mr. Young thinks highly of SBA and indicated that the reception he got at SBA could not have been better.

Mr. and Mrs. Young are the proud parents of five children whose ages range from 10 to 24. They also have three grandchildren.

Charles A. Young has operated his tailoring business at 4811 Nicollet Avenue for the past three years. He is one of the top tailors in the Twin Cities having a broad background of experience and training in this profession.

In 1937 he graduated from the tailoring school in the Minneapolis Vocational School and shortly thereafter got a job as a finisher for the B. W. Harris Company in St. Paul. In addition he made samples of merchandise that this firm manufactured.

Backing up Mr. Young in his business is his wife Mosylean who also does tailoring and works as a partner in the business. The quality of Young's work is known all over the state.

Through the aid of the Small Business Association, Young was able to receive the loan to start his tailor shop. Young thinks highly of SBA and indicated that the reception he got at SBA could not have been better.

Mr. and Mrs. Young are the proud parents of five children.

[From the Minneapolis (Minn.) Spokesman, May 16, 1968]

SBA LOAN WAS GOOD ASSIST FOR REV. BEN CASSIUS

Things were not always honey and roses for Rev. Benjamin C. Cassius, propietor of Cassius Cleaning located at 1800 Plymouth Av. N. in Minneapolis.

"In fact," according to Rev. Cassius, "my situation was so serious when I first started this business that my creditors started calling me by my first name. All my creditors said I wouldn't be around more than six months. Now I am one of two, out of six dry cleaners that were here when I started. Most of the problems arose from the difficulties we had with the floor in our building which would not support the heavy cleaning equipment that we installed."

After weathering the first year, which is always difficult for any business starting out, the Cassius Cleaning Company has become a successful operation.

"Now that my business is in good condition, my suppliers and creditors are once again calling me Rev. Cassius."

Rev. Cassius was born and raised in Oklahoma and came to St. Paul in 1921. Sometime later, he moved to Washington, D.C. where he attended Howard University for two years where he majored in engineering. He also went to business school at night. With the advent of World War II, he went to work for a Navy shipyard in Washington, D.C. All in all, he spent 16 years in Washington, D.C.

Following World War II he returned to St. Paul where he went to Bible School. He became assistant pastor of the Bethesda Baptist Church in Minneapolis.

He then moved to Duluth where he became pastor of the Duluth Calvary Baptist Church. Later he returned to Minneapolis and organized the Macadonia Baptist Church and was pastor for three years.

To get his business started, Rev. Cassius needed financial assistance. It was about this time that he talked to Charles McCoy, a Loan Specialist for the Small Business Administration, with regard to a SBA loan. Arrangements were made through the SBA for a loan in the amount of $7,000 which made it possible for Rev. Cassius to buy equipment and to rewire the building. Shortly thereafter another loan of $1,700 was approved to reinforce the floor in order to support the heavy equipment. Rev. Cassius stated that "had it not been for SBA, I

would not be in business today; and further, had they not gone along with me during my early difficulties after I had acquired the business, I never would have remained in business."

In recognition of his success, Rev. Cassius was recently elected to serve as president of the Plymouth Avenue Businessmen's Association. It is the first time that this association has elected a Negro to serve as its president.

BROOKTRAILS CO., LTD.

HON. GEORGE MURPHY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MURPHY. Mr. President, although I usually try to avoid generalizations, I find it difficult, as do many Americans, to turn my thoughts to the South without remembering its traditional charm, to think of the Northeast without recalling its heritage of Yankee ingenuity, or to turn my thoughts to our great Central and Midwestern States without remembering their historic determination to preserve their individualities and personalities.

Yes, each section of our country possesses distinguishing characteristics which, when combined, make this the greatest Nation in the history of the world, and we of the old frontier area take pride in our own unique contribution, the inspiring "spirit of the West."

This is a spirit of innovation and adventure, of experimentation and progress, of independence and self-reliance.

It is a spirit which recognizes man's duty to his fellow man and his God, and man's obligation to build without indiscriminate destruction.

Later this month, dedication ceremonies will be held in my State for an undertaking which typifies the spirit of which I speak.

This venture, in Mendocino County, represents the first conservation-recreation park in the Nation to be established and sponsored by private enterprise. The owner and developer is Brooktrails Co., Ltd., of Beverly Hills.

Also being developed in conjunction with the conservation-recreation park is a community of approximately 20,000 homes for vacationers and retired residents.

Half of Brooktrail's 4,000 acres have been set aside for the park while the remaining 2,000 acres have been allocated for homesites.

It has been said that Brooktrails is designed to be the location where land development and forest conservation meet and become mutually beneficial.

The conservation-recreation portion of the development consists of a four-square-mile area containing a redwood and mixed-growth forest, three lakes, riding trails, nonvehicular camping sites, a demonstration forest, and other outdoor recreational facilities.

The entire area has been pledged in perpetuity to the Resort Improvement District of Mendocino County for conservation and recreation purposes.

To supervise the conservation aspects of this unprecedented project, the resort improvement district has retained Prof. Gerald Partian, of the Humboldt State College Department of Natural Resources, to act as conservation consultant and director.

Professor Partian is now completing his initial report covering operational procedures for this community conservation-blend project and plans have been made to make his report available to interested individuals or organizations on request.

This is not strictly a question of philanthropy, however, for Robert J. Beaumont, general partner of Brooktrails, readily admits that he thinks that good conservation is good business.

For instance, the developers point out that the undertaking will provide an attractive setting for residents, a new source of tax revenue for local government, a new source of employment for the local labor force, and a preserved natural area for recreation for the general public.

At the same time, the community-conservation blend initiated at Brooktrails, unlike Federal and State parks, will not be an added burden to our taxpayers.

This, therefore, is an excellent example of what private individuals and private enterprise can and should do in the field of conservation.

It is an excellent example of the "spirit of the West."

I salute the developers and extend my best wishes to all who will be fortunate enough to participate in the dedication ceremonies.

BUREAUCRATIC ARMTWISTING

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. DOLE. Mr. Speaker, almost 2 years ago Congress enacted legislation authorizing the development of a large nuclear power and desalting plant in southern California at a cost of more than $444 million.

Plans called for the Department of Interior and the Atomic Energy Commission to build the project in cooperation with the Metropolitan Water District of Southern California and three power utility companies of California. For various reasons, not all of which are known to me, the designated private utilities have thus far seemed reluctant to perform their part of the bargain. The original cost estimate has now increased to the present $765 million.

Recently there have been disclosures that high-ranking officials of the Department of Interior and the Atomic Energy Commission have been pressuring the utilities involved to "get going." The allegations of this improper activity by Federal officials is outlined fully in the article entitled "Political Pressure Mounting to Get 'Yes' Vote on Bolsa Island," appearing in the Nucleonics Week newsletter of May 23, 1968. I submit the article for inclusion in the RECORD at this point:

POLITICAL PRESSURE MOUNTING TO GET "YES" VOTE ON BOLSA ISLAND

The pressure was being applied this week in California as the federal government tried in every way it could to "encourage" affirmative decisions by its partners in the Bolsa Island nuclear power/desalting project. A series of letters from high government officials—including AEC Chairman Glenn Seaborg and Interior Secretary Stewart Udall—to the Metropolitan Water District of Southern California, Los Angeles Dept. of Water & Power, Southern California Edison and San Diego Gas & Electric was being followed up with personal visits Tuesday, yesterday and today (May 23) by AEC Commissioner James T. Ramey, AEC Reactor Chief Milton Shaw and Raymond Durante, Bolsa project manager for Interior's Office of Saline Water. The gist of the letters and the visits was the same; Shaw put it gently: "The greatest thing we can do for these people is give them some perspective." An MWD man put it less diplomatically: "Some political muscle is being exerted."

The Johnson Administration sees nuclear desalting as a potential major step toward solving many of the world's ills, but the principle must first be proved out in the U.S. So, according to Durante, the federal officials have been telling MWD, LADWP and Edison that if one or another of them declines to undertake the Bolsa project, the government "might get someone else to do it" and then the present partners would be "missing a great opportunity." The officials are pointing out that the original 1965 estimated cost of $444-million was rock-bottom and made no provision for escalation; that the utilities and MWD then thought Bolsa was worthwhile and have presented no reasons since to contradict this view; that the increase in estimated cost to the present $765-million is not attributable solely to escalation but includes many changes in scope and the new price tag, therefore, should not have been unexpected. It is Shaw's opinion that the cost increase is not the sticking point but, rather, that any project normally looks less desirable as the time approaches to actually put up the money.

On the West Coast, things look different than they do in Washington. Only LADWP can be considered a fairly sure bet. As a public utility, its cost of money is relatively low and, in its restricted service area, it needs the close-in nuclear breakthrough that Bolsa Island would mean. LADWP already has run into trouble with the fossil-fired addition to its Scattergood plant that it feels it needs because of the Bolsa stretchout (NU Wk, 7 Mar '68, 5). The Los Angeles pollution-control agency has denounced it and, although LADWP contends it does not come under the agency's regulation, court action is possible.

Southern California Edison executives are conducting what they have termed an "agonizing reappraisal" of the Bolsa project. The private utility says it could build a fossil-fired plant at some distance and bring the electricity into its load center more economically than the Bolsa nuclear plant now appears. There are compensations to be derived from Bolsa beyond cold economics, but the question is how much can these be justified before the state Public Utilities Commission, the ratepayers and the bondholders. This was one of the things that the Edison directors wrestled with at a meeting last week; any answers they came up with have not been revealed.

Neither was a decision forthcoming from last week's meeting of the MWD board; nor is one expected until the board's June 11 session. But those of the 47 MWD directors who have always opposed the Bolsa project have become increasingly outspoken since the cost escalation was revealed (NU Wk, 14 Mar '68, 1; 21 Mar. 1) and the consensus of knowledgeable observers is that a vote now would be exceedingly close. The opponents contend that MWD can't afford the Bolsa project with all the other financial obligations that MWD has at this time. Chief among these is cost of distribution facilities for water to be received from the state's Feather River Project. When MWD's board approved in 1966 an $850-million bond issue for this, it factored in 2.5% for escalation. It sees now that 2.5% wasn't enough and the board is pondering how it will finance the added cost of these distribution facilities.

The Bolsa troubles are relatively easily traced. The original cost estimate in 1965 was based on that year's prices, intentionally with no provision for escalation. Because of long delays in developing contractual requirements between MWD and the private utilities and MWD and the federal government, the project has slipped so that commercial operation of the first of the two nuclear reactors and the first 50-million-gallon/day desalting unit is scheduled for September 1974, and the Phase II 100-mgd desalting unit for September 1978. That's nine and 13 years worth of escalation that had not been figured in the first estimates. Then there were these other elements: 1, the electric utilities decided to increase the thermal ratings of the reactors approximately 10% from that calculated in the 1965 cost estimates; 2. the special committee set up by the Interior Dept. recommended that the man-made island be designed to withstand greater seismic and tsunami events than originally were allowed for; 3. Edison had planned overhead transmission lines after power from the island station reached its mainland switchyard, but LADWP planned underground lines; Edison changed its plans to conform—at an added cost of $32-million; 4. California state sales tax increased from 4% to 5% and the cost of money to MWD went up from 3.5% to 4 or 4.25%; the prices of nuclear steam supply systems have shot up some 40% between 1965 and today; 5. the utilities now include in their cost estimates a substantial contingency for unknown licensing requirements that may be imposed on this first-of-a-kind island site.

Some observers feel that the project will go forward, even though possibly in different form than first contemplated. MWD appears to be the key, for the project might still be feasible with a single utility and one nuclear unit but not without the water company. Even if San Diego G&E decided to forego its 20% share of Edison's end of the project, the latter might stay in, for Edison is looking at the costs on a dollar/kw basis and this would be the same for either 100% or 80% of the plant. The June 30 deadline for decision conceivably could be deferred for a third time, but most of the participants don't believe it will be.

FREEDOM'S DOWNFALL

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. THURMOND. Mr. President, an excellent editorial appeared in the State newspaper Wednesday, May 29, which I recommend to my colleagues.

The article, entitled "Freedom's Downfall," demonstrates how one of our country's basic freedoms, the freedom of choice, has been obliterated by "the Federal judiciary as well as the Federal bureaucracy insofar as the term relates to public school attendance."

As the editor points out, no longer will parents, either black or white, have the right to choose the school which they think will give their child the best education, but must instead succumb to "the sociological goal of complete and compulsory racial integration" based on a set proportional basis.

The editorial's solution, which I agree with, is—

> If Americans are to retain—the better word is regain—any control over their schools, their states, and even themselves, they must assert their voice in the November election.

The asserted voice of the voters must be "to clean house in Washington" of the majority party which has led to the usurpation of our rights.

Mr. President, I ask unanimous consent that this editorial be printed in the Extensions of Remarks in the RECORD at the conclusion of my comments.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Freedom's Downfall

Freedom of choice, as now defined by the federal judiciary as well as the federal bureaucracy, has lost the essence of both freedom and choice insofar as the term relates to public school attendance.

All that remains, after the U.S. Supreme Court's decision of Monday, is the spurious "freedom" of school children and school authorities to walk—in lock-step—toward the sociological goal of complete and compulsory racial integration. The racemixing obsessions of official Washington stand revealed more starkly than ever before.

The wishes of parents, of pupils, of educators, of entire communities are of no consequence—unless they serve to mix the races in such proportions and places as the federal government demands. In short, the federal fist has been clenched and stands ready to smash any person or group of persons unwilling to make integration—not education—the aim and end-all of the public schools of America.

No longer will parents, whether white or black, have any rights or legal recourse in selecting schools which they think might contribute most to their children's education and happiness. Factors of compatibility, of convenience, of discipline, of environment and all the other factors which affect the learning process must now yield to the all-consuming cause of reaching some racial balance acceptable to the federal bureaucrats who stand in judgment over what once were local schools, run by local people.

The only freedom left to parents in choosing schools is to choose a private school.

The only remedy left to Americans who have a belly full of federal meddling, dictation, and despotism is to clean house in Washington—starting with the White House and sweeping through that fabled "house of our fathers," the term so often used by Southerners to describe the Democratic Party.

If Americans are to retain—the better word is regain—any control over their schools, their states, and even themselves, they must assert their voice in the November elections.

The people of the United States are caught between the forces of rampant and almost unrestricted crime and violence on one extreme and the dictatorial authority of a growing despotism on the other.

The citizens in between are in a hell of a mess.

GATES ALREADY AJAR

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, on a recent Sunday, there appeared in the Daily Oklahoman, Oklahoma City, Okla., an article of such depth and understanding that I would like for my distinguished colleagues to read it.

It relates to the President's proposed 10-percent income tax surcharge and the $6 billion slash in contemplated spending.

I include the article in the RECORD at this point:

Gates to "Chaos" Already Ajar

President Johnson says he thinks "the gates of economic chaos' could open if congress refused to enact his proposed 10 percent income tax surcharge.

A great many people may suspect the gates already are ajar if the difference between economic salvation and ruin is measured by the relatively feeble impact a $10 billion tax increase could make on a towering unified spending budget of $186 billion.

In exchange for the tax increase the president reluctantly agrees to accept a $6 billion slash in contemplated spending. Thus the fiscal outlook would be improved by $16 billion if the cut represented something more than a mere postponement of the spending originally contemplated.

But recent experience is none to reassuring the president only the other day called on congress to provide a total of $4.7 billion in supplemental appropriations for the fiscal year ending June 30. In making the request, the president mentioned the increased costs of Vietnam and unforeseen military expenses related to North Korea's seizure of the intelligence ship Pueblo. The taxpayers may be at a loss to understand just what they got for their money as a result of the diversion of the aircraft carrier Enterprise to Korean waters and the other costly but ineffectual huffing and puffing associated with the Pueblo's seizure. After more than four months, the Communists still hold the ship and its crew.

A less publicized reason for the requested supplemental appropriations has nothing to do with the war in Vietnam or the Pueblo affair. The president is asking for more than $791 million in supplementals to meet the estimated cost of the civilian and military pay increases that congress approved last year. This comes on top of another pay supplemental request of more than $177 million previously sent to congress.

Ample, therefore, are the grounds for skepticism concerning the permanence of any fiscal improvement that may result from the tax increase. Vastly increased eventual spending is foregone as long as congress and the executive branch continue to dream up new programs aimed at everything from the abolition of poverty to putting a man on the moon.

The immediate threat to the dollar is related not so much to the long-standing domestic deficits as to the chronic imbalance of international payments. The prospective tax increase will have no direct bearing on the balance of payments. These international payments deficits are making foreign creditors increasingly uneasy in their possession of dollars.

In a presidential election year, it isn't likely that the administration will do anything positive to curb organized labor's wage settlements now running more than double the 3.2 percent guideposts formerly considered consistent with the economy's growing productivity.

The effect of soaring wage costs is to make this country's goods higher priced and less competitive in world markets and thus imperil the advantage it previously enjoyed in its strictly commercial transactions with other nations. This advantage is narrowing as increases occur in the huge payments deficits associated with Vietnam, the maintenance of large military forces overseas and continuing economic aid to "developing" nations.

In view of these costs and other vast domestic commitments, it isn't apparent that a $6 billion spending cut will keep the gate closed long, even if it amounts to something more than bookkeeping gimmickry.

OUR SCHOOLS AND THE "FORGOTTEN AMERICANS"

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. HANSEN. Mr. President, during the past few months I have made several remarks in the CONGRESSIONAL RECORD concerning Indian education. This is an area of inquiry which concerns many dedicated people in our country.

On June 3, 1968, the Commissioner of Indian Affairs delivered an excellent address before the Education Administrators Workshop at Northern Arizona University. Among other things, Commissioner Bennett says:

> After years of exclusion, Indian children are now being recognized as an integral part of the American school population and are sharing in the opportunity for quality programs.

Commissioner Bennett has devoted his life to enriching the lives of his own people. With his vast experience, he is particularly qualified to offer personal insight and understanding into the problems of Indian education. I commend his remarks to those interested Members of the Senate and readers of the RECORD.

I ask unanimous consent that Robert L. Bennett's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

OUR SCHOOLS AND THE "FORGOTTEN AMERICANS"

(Address by Robert L. Bennett, Commissioner of Indian Affairs, before the BIA-sponsored Education Administrators Workshop, Northern Arizona University, Flagstaff, Ariz., June 3, 1968)

In a very real sense, this workshop for education and guidance personnel working with Indian children signifies a new era in Indian education policy.

The beginning of the new era can be pinpointed to March 6, 1968. On that date President Johnson delivered to Congress an unprecedented message outlining the plight of the American Indian minority—whom he termed "the forgotten Americans." His message called for a program that stresses Indian self-determination and promotes partnership self-help, so that Indians may take full part in the life of modern America.

Concerning educational opportunity for Indians, the President directed the Secretary of the Interior, in cooperation with the Secretary of Health, Education, and Welfare, to establish a "model community school system for Indians." He said:

"These schools will have the finest teachers, familiar with Indian history, culture and language; feature enriched curriculum, special guidance and counseling programs, modern instruction materials, and a sound program to teach English as a second language; and will serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings."

Furthermore, the President urged development of "a concentrated effort in Indian education with State and local agencies," stating that "this is critical if the two-thirds of Indian school children in non-public schools are to get the special help they sorely need."

This broad mandate projects our education responsibilities for Indians into the very vortex of the Nation's future. The President's challenge is directed at each one of you as well as to the Federal administrators in Washington, such as myself. It has brought us together in a new kind of meeting—Federal, State and local school authorities and Indian leaders, joined in consort to help create model school programs for Indian children with special needs.

How different it all was in the beginning, a century ago, when the sole objective of Federal schools was to "civilize" the Indians by teaching them farming and trades. The expectations for them were limited and the efforts in their behalf were minimal. Charles C. Painter, a Federal investigator, on a tour of Indian schools in the Indian Territory of Oklahoma in 1887, described one of the teachers he saw in this colorful language:

"He looked as if he had gotten out of his grave to find a 'chaw of terbacker' and lost his way and could not find his resting place."

Schools for Indians in earlier days reflected the general tenor of educational opportunity for American children as a whole. The concept of free schooling did not reach far beyond the three R's. Even in my own childhood on the Oneida Reservation in Wisconsin, the work farm school remained as a holdover from the 19th Century.

Then came two men named John who have had a lasting impact on Indian education: first, John Dewey, who revolutionized the public view of education in a democratic society; and, second, John Collier, appointed Commissioner of Indian Affairs in 1933, who endeavored to put into practice some of the convictions he had acquired as a lifelong student of Indian affairs. Federal schools took on the look of modernity. Teachers were recruited from the ranks of the trained educators. Academic studies were introduced as companion offerings to vocational training for Indians. Indian children for the first time were treated as "educables" and were encouraged to look to the far horizons of the professions and public service.

A high water mark in Indian education was reached three decades ago in the Federal schools. Innovations in curricula, experimentation in the classroom, and unorthodox approaches to administration characterized the schools in those days.

Federal schools pioneered in business education and skilled trades. They pioneered in development of primer readers in the Navajo and Sioux languages and in some of the Alaskan native dialects. Wrangell Institute in Alaska pioneered in modern seafaring training—a program now defunct, but the forerunner of the growing emphasis in public technical schools upon marine studies. Our schools pioneered in organized athletics—and we have Olympic champions and Hall of Fame sportsmen to prove it.

Above all, BIA pioneered in that very important intangible—the ability to stimulate a desire for learning. One of the most progressive of all our programs was the community school concept. Using the isolated and socio-economically depressed Pine Ridge Sioux Reservation as the demonstration center, the schools were transformed into centers for adults as well as child education and recreation. Although we didn't use the new slogan "Don't fence me out," it surely was the philosophy behind the Pine Ridge community school program.

In our community school concept of the 1930's education went far beyond the traditional in an effort to relate formal instruction to practical needs. Children were taught in both Siouan and English tongues. Parental involvement was encouraged. Experimental programs were based upon the practical needs of the Indian community—for example, model breeding herds of cattle and goats, oil drilling practice, and horse ranching were integrated into the total community school education effort.

You are probably wondering: why did such innovations fail to result in an exemplary educational system by the 1960's?

The answer is in the forgotten pages of recent history under the heading "Budget." Economic deprivation is recognized as a cause of student underachievement in the classroom. It might also be said that economic deprivation is the cause of deficiencies in a school system. The budget for Indian education for at least 15 years following World War II was not enough to permit the kind of progress we had in mind. The Indian baby boom created a classroom seating problem which was not adequately corrected until 1965. Teacher salaries remained lower than competitive salaries in the better public school systems. I recall a situation a few years ago in which we obtained funds to build a new elementary school complete with multipurpose room and separate library; but we could not buy books for the library the year the school opened. I also recall, in the early 1960's, when $15 thousand was all that was set aside annually for our central educational film library—this amount required to serve the entire Federal school system.

With such inadequacies, the Federal schools could do little more than maintain the pre-war level. They were unable to move with the new thrust in science, language studies and related enrichment programs that marked the post-war trend in all good public schools.

The quality of education for Indians did not slip backward. It simply did not rush forward to keep pace with the swifly changing demands of the times The best we could do was adhere to minimum State standards, because there was no financial leeway to implement standards of higher excellence.

Public schools in rural areas were often in a similar predicament. Indian children, who frequently need special attention because of their English language handicap, received no special aid in public schools except as it may have been modestly financed under the BIA's long-standing Johnson-O'Malley Act. This source of funding, too, was far short of needs.

When I was area director of Indian Affairs in Alaska in the early 1960's I witnessed time and again the frustration of hopes and plans on the education front. It was a repetition of my earlier experiences in the area office at South Dakota. I saw dedicated school teachers and creative administrators deprived of the financial wherewithal to put their best talents forward. I saw miracles of accomplishment, nevertheless—but the highest goals always had to be compromised in the face of budget limitations.

Thanks to the generosity of the 89th and 90th Congresses—and, thanks to our new Assistant Commissioner for Education, Chuck Zellers—our heads are above water and we are floating toward a new high mark in quality education and equality of educational opportunity for Indians.

Mr. Zellers is our watchdog on Federal education aid. He and his staff have been largely instrumental in obtaining increased financial help for education of Indians under many of the grant programs administered by the U.S. Office of Education. For more than a decade, public schools serving a concentration of Indian students have been eligible for help under the "impact" laws—which provide school aid for Federally impacted areas. Now both Federal schools and public schools are benefiting under the expansive Elementary and Secondary Education Act of 1965.

Other legislation providing aid for research, teacher training and programs for the handicapped have also been made applicable to Indians. Legislation is now before Congress which would make Federal schools for Indians eligible for aid under Title III of the National Defense Education Act, which funds equipment and materials for science and language studies. The 1966 Education Professions Development Act and the new Bi-Lingual Education Act and vocational aid laws are also under scrutiny for revision to benefit Indian schools. Restrictions have also been lifted against BIA's providing higher education aid for students in sectarian colleges.

After years of exclusion, Indian children are now being recognized as an integral part of the American school population and are sharing in the opportunity for quality programs.

Now the challenge is to put these funds to most effective uses. I trust that this meeting will help all of us to visualize how our efforts and resources can be pooled for the greatest benefit of our Indian children.

Schools are more than bricks and mortar and glass. Schools are the first point of contact children have with the world beyond their homes. Schools are teachers and administrators. Particularly for Indian children, schools are the making or breaking point in their lives.

The heart of the challenge lies in our being able to create an environment that will motivate children who are culturally apart from the middle-class norm. Cultural differences can be used as a source of strength for the whole community, rather than continuing as a source of divisiveness.

Indians in particular have a cultural heritage that often puts them out of step with the rest of our society. Yet this heritage is an asset, because it gives them inner support for their confrontations with the dominant society. This asset can be used to advantage in the classroom. If the child's background is respected and made the subject of serious study, then the entire group benefits.

This is the responsibility of the teachers and administrators of Indian education programs, whether they be in Federal schools or in public schools. The classroom must be made not only a physically comfortable place but a *comforting* place, as well—a place where conflicting cultures synthesize rather than polarize.

It is necessary, therefore, that teachers and administrators cultivate within themselves a measure of empathy for their Indian students, as the first step toward breaking down the culture barriers. Too often we demand that the child adjust and adapt, yet we do not try to meet him even half way. The time has come to adjust the programs and the teachers to the needs of the students, rather than trying to fit children into the preconceived molds of their middle-class-oriented mentors. Indian aides and more Indian teachers in the school system could help in this respect.

This is not to say that Indian children should not learn to appreciate the mores of the dominant society. They will have to survive in daily contact with that society, so therefore they must acquire an appreciation of its purposes. But we can't continue asking them to cast off their ties with the past. The past is their prologue, just as your past is yours—so help them to build upon it, not apart from it.

We must be willing and ready to make room for individual differences and to recognize the fundamental fact that motivation in a democratic society is an *individual* matter, not a group response.

We must think in terms of flexible scheduling and individual instruction to meet individual needs.

We must focus on the use of Indian languages as the starting point for teaching fluent English.

We must give the Indian child in the classroom a sense of belonging and a sense of achievement.

We must help the child and his parents relate his formal education to his family life, and thereby bring some family life into the classroom. The school should not shut its doors against the community outside, for when it does it erects a barrier between the child's world and the teacher's world.

The task of the teacher of culturally different children becomes one of selectively mixing old ideas and new in rich proportions to sweeten the taste of transition. It requires that you proceed creatively rather than with strict adherence to orthodox methods, because usually there is no successful methodology upon which to draw.

But it is at least possible to draw upon the generic meaning of the word "education"—to lead each child by his own special light to the threshold of intellectual and practical understanding of himself and the world around him. With this kind of foundation, the disciplines of formal learning can be woven into the child's total personality rather than stitched in haphazard patches upon it.

I promise you that if you succeed in this objective you will have done more than contribute to a model education program. You will have restored vitality to a race and uncovered a new source of strength for the Nation.

PRIVILEGE OF ABSURDITY

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. **BROCK**. Mr. Speaker, the philosopher, Thomas Hobbes, wrote of the "privilege and absurdity to which no living creature is subject but man only."

A constituent has called to my attention a very graphic display of our Government's exercise of this "privilege." Side by side on the June 1 Chattanooga Times financial page are two stories—one tells of the administration's agonizing over where and how to trim $6 million from the budget; the other reports on the progress of a Department of Agriculture financed project to "improve the fit of women's clothing."

For one thing we can be grateful. As Hobbes notes this peculiar talent for absurdity is limited to man. It might still be possible for us to hire a baboon or monkey to correct our total lack of spending priorities. He, or it, could hardly do worse than this administration in its haste to spend the taxpayers' hard-earned income. I include this material in the RECORD so that my colleagues may be aware of the problem we face:

[From the Chattanooga (Tenn.) Times, June 1, 1968]

WHERE TO SLASH IS L. B. J. PROBLEM—$6 BILLION CUT IS CERTAIN TO HIT PET INTERESTS OF CONGRESSMEN

(By Marjorie Hunter)

WASHINGTON.—Budget Director Charles J. Zwick dropped by President Johnson's office one day recently to discuss the tough problems of budget-cutting.

"I'm going to make the commencement address at my alma mater, the University of Connecticut," Zwick told the President.

"Better watch it," the President advised. "There's a freeze on federal money for that new medical school up there."

"I don't think he was kidding me," Zwick said Friday.

The President wasn't kidding. The University of Connecticut's application for $13.5 million in federal funds for a medical school is caught up in the Department of Health, Education, and Welfare's halt on signing new commitments for grants, projects, awards and contracts.

HEW is the only federal agency so far to order a temporary freeze on new spending commitments, pending final congressional action on a package coupling a 10 per cent tax increase with a $6 billion slash in federal spending.

But if the spending cutback becomes law—as it now appears likely in view of Johnson's decision to accept such a cut—the budget squeeze is certain to spread rapidly throughout the government.

SLICE UNCERTAIN

Neither Johnson nor congressional leaders believe that Congress will slice $6 billion in Federal spending. Every member of Congress has pet interests—education, space exploration, agriculture, urban aid and so forth—and there simply is no consensus where the cutting should come.

Thus, a major share of the job will fall to Johnson himself. And no matter what he cuts, there are certain to be loud protests, both on Capitol Hill and throughout the country.

The President is said to feel that much of the $6 billion cutback will be "phony." While cuts may be made in the next few weeks or months, either by Congress or by the President, Johnson is reported to be convinced that the funds will be restored by Congress through supplementary money bills after the November elections.

There are strong indications that the first $4 billion in cutbacks will be roughly $2 billion in non-Vietnam defense expenditures and the same amount in non-defense areas, including deep cuts in space exploration and foreign aid.

So far, the House has lopped slightly more than $1 billion in expenditures from sums proposed last January by the President.

NO COMFORTABLE WAY

One administration official said Friday there are various ways to achieve the final $2 billion cutback, "but none of them are comfortable."

One route under consideration would be to postpone the $1.6 billion in civilian and military pay raises, scheduled to start July 1 and cut highway construction spending by $400 million, or cuts of $200 million from highways and $200 million from on-going public works projects, such as dams and waterways, could be substituted for highway cuts.

A second route being considered would be to adopt a "no new loans policy," meaning an immediate halt in lending by the Farmers Home Administration, the Small Business Administration, the Rural Electrification Administration, the Veterans' Administration and the Export-Import Bank.

A third route being considered would be to cut deeply into social and urban aid programs, such as model cities, anti-poverty, food stamps, hospital construction, urban renewal and aid to education.

Some within Congress have suggested that the bulk of savings could come in the area of public works. But administration officials point out that to achieve any real savings, every on-going project would have to be halted, even those half-completed or nearly completed.

Halting all new starts on public works projects would save a mere $16 million, in the coming year, according to the Budget Bureau.

[From the Chattanooga (Tenn.) Times, June 1, 1968]

FIT OF CLOTHING BEING RESEARCHED

Four women from Boston University are visiting here to conduct a survey sponsored by the Consumer Research Division of the U.S. Department of Agriculture "to improve the fit of older women's clothing."

Chattanooga is one of four centers being surveyed in the United States. Other cities involved are Los Angeles, Boston and Chicago.

Dr. Beverly Bullen is project director and is being assisted by Misses Wendy Hendricks and Pamela Hawes and Mrs. Elizabeth Knights.

Dr. Bullen pointed out Friday that 35 different measurements important for patterns and the sizing of women's garments are made for each woman. Women participating in the study receive a sum of $5.

She said that women of ages 71, 73, and 76 through 79 are still needed to complete the Chattanooga sample of almost 200 women. Women interested in participating in the study should contact Dr. Bullen at 266-0272.

Measurements are being made through June 12 at the Senior Neighbors building on 10th Street.

UNIT STEERS VOLUNTEERS TO AGENCIES

HON. GEORGE MURPHY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MURPHY. Mr. President, in these days when we hear and read so much about social problems afflicting our Nation's cities, it was refreshing for me to read of the positive and productive action to help meet people's needs in the District of Columbia taken by Ben Cotten and a group of his associates in the Young Republicans.

Mr. Cotten's program was reported in the May 15 Washington Post by Mr. William Raspberry. Believing that actions such as this deserve widespread attention, since they can serve as guides for similar action in other areas, I ask unanimous consent that Mr. Raspberry's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIT STEERS VOLUNTEERS TO AGENCIES

(By William Raspberry)

Ben Cotten, president of the Young Republicans of D.C., had approached Elizabeth Madley about setting up a sort of "big sisters" program for needy girls.

Miss Madley didn't think very much of that notion, or of tying a service program too closely to a political group. But she did like the idea of "getting involved."

Miss Madley, Cotten and a handful of friends got together and came up with a program they call VIVA—Volunteers in Vital Action.

The theory behind VIVA is that what is needed is not so much another volunteer agency but some kind of traffic director to steer would-be volunteers to agencies that already exist.

Miss Madley, who works full time in the admissions office at Mount Vernon Junior College, describes VIVA's function as "collecting programs."

"We locate programs already in existence here in D.C. that need volunteers. Then we look for people who are interested in doing (rather than talking) and we place them in one of these programs."

It is a simple concept, but a very useful one.

Service agencies keep springing up all over town, often dying a short time afterward because of the problem of finding volunteers to staff them. VIVA hopes to solve that problem.

The eight young women—all single—who make up the VIVA staff have each taken on specific jobs.

For example, Anne Liady, an employe of the Chesapeake & Potomac Telephone Co., accepts the first phone calls from would-be volunteers (298-6091). The company has granted her permission to receive calls during her regular working hours.

At the end of each day, Miss Liady relays the names and addresses of callers to Jeanne Allen, in charge of placements, who sends the volunteer an information kit and notifies the agency of the new placement.

Other staff members handle public relations, recruitment and contacts, working anywhere from a few hours a week to what amounts to nearly another full-time job, as in Miss Madley's case.

Rather than spread itself too thin too quickly, VIVA is beginning with just a handful of volunteer programs and will be adding two new ones each month.

Those already signed up with VIVA are the Urban League's Future for Jimmy, Junior Village volunteers, Tri-School tutors, Columbia Lighthouse for the Blind readers, D.C. Receiving Home volunteers, an English study program for Spanish-speaking youngsters, Community Action, Inc., the Paulist Fathers and the Opportunity Project for Education Now (OPEN).

About 40 volunteers are enrolled so far, nearly half of them with the Future for Jimmy tutorial program.

Although the VIVA staff and most of the volunteers are women, men are being recruited as well, particularly to work with boys in the tutorial programs.

Miss Madley said the group hopes to recruit about 1200 volunteers "and as many programs as we can get."

Since all the staff members are volunteers, VIVA's only operating expenses are for such things as stationery, publications and postage, for which the Young Republican Club of D.C. picks up the tab.

If the program works well here, Miss Madley said, the national Young Republicans organization may want to pick it up and make it a nationwide program.

That may be a little too ambitious. One wonders how long the local VIVA staffers will continue to work as hard as they are now without being paid for it, or how many will get married and drop out of the program.

It may be enough for now to develop the local program and recruit some additional volunteers for VIVA itself.

There are hundreds of Washingtonians who want to help solve the city's social problems but don't know how to make their services available. If VIVA can serve as a broker between the volunteers and the agencies that need them, it will be fulfilling a most useful role.

THE FABRIC OF DISORDER

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, in the wake of the tragic assassination of Senator ROBERT KENNEDY, a wave of revulsion has enveloped the land and again a demand for action to help put an end to this sort of thing has been raised. Among the proposals that have been advanced is the need for meaningful gun control legislation. I heartily endorse the need for such legislation as I have in the past. I will not only support this concept but I will insist on the passage of all measures designed to prevent weapons from falling into the hands of criminals, emotionally disturbed individuals, minors, and all others who should not possess them. I feel Congress made a step in the right direction when it passed the crime bill, which I supported, but it is apparent that more stringent curbs on the sale and possession of firearms are still needed.

This in itself, however, will be meaningless unless we examine the entire fabric of disorder in the United States today. I thoroughly disagree with those among us who are so ready to blame the American people at large for the evils abroad in our land today. I reject the premise that America is sick. Certainly we have grave problems in our midst and solutions have been elusive. We have inherited the lion's share of these and I feel our own generation has been heroic in its efforts to make this world a better place in which to live. To be sure, there are those among us who have not given perhaps as much as they should have, but to our detractors I would remind them that the flower of our generation felt the full force of tyranny unleashed at Pearl Harbor, Guadalcanal, Midway, El Alamein, and in the Battle of Britain. We fought back across the English Channel and slugged it out with Hitler's panzers and Luftwaffe, leaving forever many of our comrades behind us. We fought back across the Pacific at Kwajalein, Tarawa, Iwo Jima, Okinawa, and Tokyo.

We came home and rebuilt an America upon the scars left by a tragic depression and a long and arduous war. This was our inheritance and our contribution. We saved a world from a madman at the helm of a war machine, the likes of which had never been seen before.

We were not sick then. We are not sick now. And to those masochists among us who are so willing to blame and scorn, I admonish them to take another look.

What we must do is reestablish our tradition of law and order. We must ask our courts to protect the innocent but at the same time punish the guilty. We must return to due process of law and reject direct action regardless under what banner it is perpetrated. Just as we rejected the practices of the Klan and vigilantes with noose and torch, we now must reject those practices of disruption, arson, coercion, and looting. The men of peace who have led mobs into the streets in protest must revise their ways and return to the ballot box, the courtroom, and the legislatures. The clergy must purge itself of the irreligious, the irreverent, and the incompetent. They must teach good will and obedience toward law—not defiance thereof.

The leftwing assassins of President John Kennedy and his brother, Senator ROBERT KENNEDY were fanatics. Perhaps they were lunatics as well, but certainly they—not America—were sick. Certainly they were moved to take law into their own hands. They had no faith in the established order and appointed themselves judge, jury, and executioner. They may well have taken comfort from the example that was being set for them by those who were defying our laws and practices, with impunity.

Although I will support additional measures designed to strengthen law and order in the United States, I feel for the most part we have plenty of laws on the books already if we will obey them and see that they are obeyed. More important however, we must return to our system of governing which requires patience, understanding, and discipline. Winston Churchill said that democracy was the worst form of government there is until compared to all the others. I subscribe to this view and reject attempts to override the will of the people by force. When Robert E. Lee, after the Civil War, was asked at the christening of a baby boy by his mother for a word of counsel, he advised her to teach him self-denial. It is at this time America must learn and practice self-denial, patience, and discipline, if we are to continue to flourish under this democratic system we have so jealously guarded and cherished until now.

CRIME

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. THURMOND. Mr. President, the June 5 issue of the Evening Star and the May 30, 1968, issue of the State newspaper, Columbia, S.C., carry excellent editorials on the subject of crime.

The one in the Evening Star, written by David Lawrence, is entitled, "Judge's View of District of Columbia Riot Pointed." Mr. Lawrence points out that Judge Alfred Burka, of the court of general sessions in Washington, pointed the finger of blame at city officials for their failure to order the police to arrest rioters. One of the witnesses admitted that "people told him the police were not arresting anybody," and gave that as his reason for participating in the looting.

The editorial in the State newspaper is entitled, "Concern Over Crime." In this penetrating analysis, the capable editor, Mr. Bill Workman, cites the efforts by the public in Charleston County to take proper and legal notice of festering local conditions. The grand jury in Charleston County handed down a report on law enforcement and administration of justice that might well be used as models throughout the country.

Mr. President, I invite the attention of my colleagues to these two pertinent articles and request unanimous consent that they be printed in the Extensions of Remarks in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, June 5, 1968]

JUDGE'S VIEW OF DISTRICT OF COLUMBIA RIOT

(By David Lawrence)

There is a lesson for every city in the country in the comment made by Judge Alfred Burka of the Court of General Sessions in Washington when he sentenced several persons who had engaged in rioting or looting here in April. The judge pointed the finger of blame at city officials for their failure to order the police to arrest rioters and to announce in unequivocal words that looters and arsonists would be severely punished.

"I have questioned several police officers," Judge Burka said, "and there is no doubt in my mind they operated with implicit or implied orders not to make arrests."

The judge insisted that there appeared to be no efforts to publicize beforehand the fact that looters would be arrested and prosecuted. He declared that the prisoners he had questioned admitted that they had no fear of arrest when they engaged in unlawful acts.

All of the group of seven defendants had records of steady employment and salaries of $100 or more a week, with one exception. Three earned more than $160 weekly. Most of them had no previous involvement with the law.

Judge Burka said that "people we were depending upon to uphold law in the District were involved in the disorder and very few of them were caught." He asked Nathaniel Dodds, 51, one of the defendants:

"Would you have gone (with the looters) if you had been warned that looters would be arrested or shot?"

"No sir," Dodds replied. "People told me the police weren't arresting anybody, and I thought it was all right, since everybody else was doing it." He added that he saw "lots of police around, but nobody was being arrested."

For some time there have been rumors that the Washington police were told not to make arrests or to shoot at anybody seen looting. In Chicago, Mayor Daley has warned that the police have orders to shoot those engaged in lawbreaking if they do not desist and submit to arrest.

Many of the disorders can be anticipated. "Demonstrations" are previously announced, and incitement to violence has been a frequent occurrence. Yet authorities in very few of the cities have issued warnings that persons engaged in rioting or looting or vandalism will be arrested and punished. Apparently a wave of propaganda has swept the country that the police are engaging in "brutality" if they attempt to use force to stop rioters, arsonists and looters.

Some of the difficulty arises because the Supreme Court of the United States, in a number of decisions, has upheld the right of "demonstrations" as coming under "free speech," and only recently has made it plain that this does not permit all violations of law. Clearly there is need for publicity, particularly in the areas threatened by disturbances, so that the population generally will be fully aware that the police will not hesitate to arrest persons who participate in disorders and incite others to break the law.

* * * * *

Judge Burka, in criticizing Washington officials, said:

"It is an indictment of the constituted authority of the District of Columbia that apparently no effort was made to instruct the public that looting would be punished by arrest and prosecution. I only hope the public will be notified that swift and appropriate action will be taken in the event of any future recurrence of this (riot) activity."

Because Washington is the capital of the United States and is supposed to set an example to the nation, the experience of Judge Burka in interrogating prisoners and discovering that they did not expect to be arrested will be an eye-opener to the country. For while this city has a council form of government, the appointees are responsible to Congress and the President of the United States. Undoubtedly the issue will be raised in the coming national campaign as to whether the Democratic administration has been fulfilling its responsibilities to preserve law and order in the nation's capital.

[From the Columbia (S.C.) State, May 30, 1968]

CONCERN OVER CRIME

Charleston County's grand jury this week handed down a report on law enforcement and the administration of justice that might usefully be employed as a model by other communities in the state.

It is specific. It is candid. It is properly critical of abuses and deficiencies among magistrates and the police. And it will be ignored by responsible authorities only if they are content to be regarded as either indifferent or corrupt.

The grand jury was particularly critical of the lax manner in which vice is policed in the port city and the county. This is a serious deficiency, as the grand jury noted, in a largely urban county that contains both a seaport and sizeable military installations. To neglect widespread vice in such circumstances, the grand jury emphasized, is to "open the door to organized crime."

At the same time that it pointed to unsavory conditions in the county, however, the grand jury recognized its own limitations. These are not limitations in law, but in experience. South Carolina grand juries have immense authority, but without professional investigators they are hamstrung in making criminal charges that will stick. This is very plainly the reason the grand jury requested the Governor, as chief magistrate of South Carolina, to order a full-scale probe of Charleston's city police department—a request the Governor should not hesitate to grant.

It is especially essential in this day and age for such charges to produce prompt and adequate attention. The orderly processes of law are under sustained attack from wreckers and anarchists and just plain fools, who allege that all society is corrupt and needs destroying, that reform will have to arise from the ground up. Here, in this grand jury presentation, is society's retort.

True enough, human society reflects the frailty of its members, who at times are venal and depraved. But the great advantage of the American system, rooted in Britain's long experience with tyrants, lies in the remedies that are available within the traditional and legal framework. The public, as opposed to those who manage the public's business, can be faulted only when, though knowing of corruption, it shirks its cleansing duties.

In Charleston County, the public, acting through its grand jury, has taken proper and legal notice of festering local conditions that local officials, many of them, have too long ignored. Because of this and because the grand jury asked for it, state action is required. The Governor will want to exert every influence to see that it is not withheld.

MEMORIAL DAY

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. UTT. Mr. Speaker, under unanimous consent I include in the Extensions of Remarks a Memorial Day address

before the student body of the Crown Valley Elementary School, Laguna Niguel, Calif., on May 29, 1968, by David H. Blakelock, Brig. Gen., U.S. Army, retired. The Memorial Day program at Crown Valley School included a "ceremony of flags and flowers," in which the students honored the millions of Americans who died in each of the nine wars the United States has engaged in, including the Vietnam War. The speech of General Blakelock was quoted in its entirety on the editorial page of the San Clemente Daily Sun-Post.

The editorial follows:

MEMORIAL DAY

One hundred years ago, General Logan, Commander-in-Chief of the Grand Army of the Republic, published a General Order designating the 30th day of May as a day to decorate with flowers the graves of those brave comrades who died in defense of their country during the late rebellion. This was the origin of Decoration Day which has come down to us as Memorial Day.

Five years earlier, a lonely and sad man stood on the battle field at Gettysburg to dedicate a portion of that field as a last resting place for those who fell there. It was Abraham Lincoln and he spoke these never to be forgotten words: "The world will little note nor long remember what we say here, but it can never forget what they did here."

We have not forgotten. Tomorrow we will decorate the graves of our Civil War dead and we will also honor and decorate the graves of all who have served our country in all of its wars. Yes, throughout the Free World, observances like this will be held in memory of those who have served our nation and their graves will be decorated not only with flowers but also with small American Flags as a fitting tribute to their devotion.

One observance will be of interest to you children. This very day the school children in Hawaii are gathering flowers and fashioning leis to be flown to Honolulu tomorrow morning. There they will be placed on the graves in the National Cemetery in the Punch Bowl which overlooks Pearl Harbor where the rusting hull of the Battleship Arizona lies. At the Punch Bowl and on the memorial, built on the hull of the Arizona, memorial services will be held in memory of all who are buried there and for all who gave their lives during World War II throughout the vastness of the Pacific.

Yes from Flanders Fields to the fields of Vietnam—tiny American Flags will fly and proudly mark the spot where our fathers and our sons lie in hallowed ground. I pray that this fitting tribute will long be observed.

I also like to pay homage on Memorial Day to the Patriots of the Revolution; to those who gave their lives and fortunes to win for us our Independence and our Freedoms. In those trying days we were a handful of struggling colonies fired with a burning desire for Liberty and freedom from the British Crown. They defied the strongest nation in the world and won for us our over Independence.

A few years later, they defied both England and France to protect their Merchant shipping and demanded and won respect for our new nation and for the Stars and Stripes. Yes—we were young and weak but we were determined to have our new nation and our flag respected. Do we demand and receive that respect today? What has happened to the U.S.S. Pueblo and its crew of 83? It was seized by the North Koreans three months ago and we are still talking with their captors about their release. Why?

Our forefathers won for us our Independence. They gave us our Constitution and Bill of Rights both of which were firmly based on a belief in God and his teachings. Our forefathers, through all of our history, have fought to preserve those liberties and freedoms for us. We must be prepared to pass them on to you.

But what is happening today? Our freedoms are being threatened from within and from without. I regret to say that too many of our people are too blind to see or too complacent to do anything to stop this threat.

From within, we are threatened by the gangsters, the sob-sisters, the do-gooders, the hippies and the avowed commies. They are all fired with a firm resolve to change our rules for the benefit of themselves, the lawless and the lazy.

From without, we are threatened by the Communist Bear of Russia and the Red Dragon of China. Both are jealous of our prosperity and anxious to take over our riches for their use and make us their slaves as they have done in other countries.

Will the honor we pay in our Memorial services be a hollow tribute, soon to be forgotten? Or will we cherish day by day the memory of those we honor in our services? I hope that we will all remember and build within ourselves a firm determination to honor our forefathers by striving in every way possible to preserve those precious liberties and freedoms which they have passed on to us.

You ask, how can I help?

You will be the leaders of this great country in a few short years. Now is the time to prepare yourselves to assume the responsibilities of leadership. Now is the time for you to develop respect for law and order. Now is the time for you to learn that without work and sacrifices this great country cannot continue great. You are building the foundation of your future and the future of our country right here and now. Don't neglect your opportunities. Don't forget your responsibilities.

Today there are too many who refuse to live within the law; too many who are demanding something for nothing; too many who are dictating to those in authority how they want things changed. Today, too many are using our hard won freedoms as an excuse to do as they please regardless of how it affects others.

We are all freed to do as we please as long as we keep within the rules and do not trespass on the rights of others. For example—on our highways there is a yellow line down the middle. This line restricts our freedom to drive as we please. You know what will happen if you cross over that yellow line. Our freedom of movement is restricted to protect us and the lives and property of others.

When we have riots, sit-ins, mass demonstrations, illegal strikes and other acts of violence we have a breakdown of law and order. The yellow line has been crossed and the freedoms of the law abiding have been endangered. We must in all fairness to ourselves and others stay on our side of that yellow line and insist that those who cross it pay the penalty for their illegal act.

In carrying out our obligations as citizens I think two mottoes from our armed services can give us wonderful guide lines to follow. I will give them to you hoping that you will remember them and live by them in the years to come.

The Marine Corps—Semper Fidelis—Always Faithful.

The Cadet Corps at the United States Military Academy—Duty, Honor, Country.

Always be Faithful to the Duty you owe to God, your parents, your teachers and to yourselves.

Always be Faithful to your personal Honor by being truthful, honest, law abiding and respectful.

Always be Faithful to your Country, with the liberties and the freedoms that are unequaled any place else in this wide world, and to your flag, the Red, White and Blue.

Make a resolve, this Memorial Day, that you will on your honor do your duty to your country and that you will always be faithful to your resolve. By doing this you can preserve the memory of those who have gone before and you can help to preserve the liberties and the freedoms they have passed on to you.

Again the immortal words of Lincoln:

"Let us here highly resolve that these dead shall not have died in vain, that this Nation under God shall have a new birth of freedom and that this Government of the people, by the people and for the people shall not perish from this earth."

To you we will soon pass the torch of Freedom. Hold it high and keep its flame ever burning bright.

DISCRIMINATION IN HOUSING

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. MONDALE. Mr. President, the Supreme Court has before it for consideration a case dealing with discrimination in the sale of real estate, Jones against Alfred H. Mayer Co. An excellent amici curiae brief in support of Mr. and Mrs. Jones was filed jointly by the National Committee Against Discrimination in Housing—Mr. Sol Rabkin; the National Association for the Advancement of Colored People—Mr. Robert L. Carter; the American Jewish Congress—Mr. Joseph B. Robison; and the Anti-Defamation League of B'nai B'rith—Mr. Arnold Forster.

While the brief is too long to have printed in the RECORD, several portions of it deserve special attention. I therefore ask unanimous consent that pages 1 through 3 and 35 through 63 be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[In the Supreme Court of the United States, October Term, 1967, No. 645]

JOSEPH LEE JONES AND BARBARA JO JONES, PETITIONERS, *v.* ALFRED H. MAYER CO., A CORPORATION, ALFRED REALTY CO., A CORPORATION, PADDOCK COUNTRY CLUB, INC., A CORPORATION, ALFRED H. MAYER, AN INDIVIDUAL, AND AN OFFICER OF THE ABOVE CORPORATIONS, RESPONDENTS

(On writ of Certiorari to the United States Court of Appeals for the Eighth Circuit.

(Brief amici curiae and appendix for National Committee Against Discrimination in Housing, National Association for the Advancement of Colored People, Anti-Defamation League of B'nai B'rith, and the American Jewish Congress.)

INTEREST OF THE AMICI

This brief is sponsored by four national organizations which have long been deeply involved in and concerned with the danger to our democracy arising out of discrimination and segregation in housing. All have been involved in education and litigation aimed at strengthening the machinery for combatting this evil badge of slavery. The National Committee Against Discrimination in Housing, The National Association for the Advancement of Colored People, The Anti-Defamation League of B'nai B'rith and the American Jewish Congress are united on the need for insuring that government and private programs affecting housing do not extend and indurate existing patterns of racial segregation in housing.

The harsh fact is that the pattern of black ghettos in our major cities is spreading rather than abating and the growing rings of lily-white suburbs which enclose our central cities make it clear that there is an increasing urgency in the need for mobilization of every force of government as well as of private industry to deal with the problem. Watts, Hough, Rochester, Harlem, Bedford-Stuyvesant have joined with other racial ghettos to make clear the imperative need for speedy federal action to help break down the walls of housing prejudice and discrimination which have brought about these explosions of violence and hatred. The federal devices which are at hand must be used now. Builders of white suburban communities must not be allowed to spread the plague of housing segregation, a plague which endangers the very roots of our free democracy, simply because their state has failed to adopt fair housing legislation and they have elected to eschew use of federal aids in order to keep their newly built housing projects "exclusive." Every such action by a private builder lays the base for more Wattses.

The organizations sponsoring this brief believe that since 1866 there has been a federal law which bars racial discrimination in the sale or lease of real property. They believe that law must be enforced if we are to begin to move forward in preserving our democracy, in implementing the promise of equality of opportunity which is a fundamental aspect of the American dream.

The *amici* are indebted to Kenneth B. Clark, Isidore Chein and Professor Stephen Berger for invaluable aid in providing them with the material contained herein on the psychological and sociological impact of racial segregation in housing on those immured in our racial ghettos. They wish also to acknowledge the help provided, in addition to those listed on the brief, of Robert Van Lierop of the NAACP who assisted in the legal research on which the brief is based.

OPINIONS BELOW

The opinion of the Court of Appeals (A. 50a-77a)[1] is reported at 379 F. 2d 33. The memorandum opinion of the District Court for the Eastern District of Missouri is reported at 225 F. Supp. 115 (A. 18a-49a).

JURISDICTION

The judgment of the Court of Appeals was entered on June 26, 1967. The petition for writ of certiorari was filed on September 22, 1967, and granted on December 4, 1967. The jurisdiction of this Court rests on 28 U.S.C. 1254 (1).

* * * * *

E. THE MEANING AND EFFECT OF THE ACT

Section 1 of the Civil Rights Act of 1866 opens with a declaration that all persons born in the United States except subjects of a foreign power and Indians not taxed are citizens of the United States. Thus all the former slaves were made citizens as were those who had been freed before the Civil War or were descendants of such free Negroes born in the United States. And the grant of citizenship was of federal citizenship, not citizenship of the state in which each freed Negro resided. This grant applied everywhere in the United States, not just in the rebel states. That this declaration was of utmost importance is demonstrated by the fact that at the time of the adoption of the act the State of Indiana had a constitutional provision barring any Negro or mulatto from coming into or settling in the State[2] and voiding all contracts made with any Negro or mulatto coming into the state.[3] And the Indiana legislature had passed an act to enforce this article of the state constitution on June 18, 1852. 1 G. & H. 443. See *Smith* v. *Moody*, 26 Ind. 299-300 (1866).

The fact that the act speaks in terms of "citizenship of the United States" is also significant. Here is a declaration by Congress, under the authority of the Thirteenth Amendment that there can be a federal citizenship, not merely a state citizenship, and that this federal citizenship carried with it rights which were not dependent on the attributes of each citizen's home state but survived independently of such state citizenship attributes and limitations. Here was a rejection of the supposition that the destiny of slavery within and between the states was to be determined by their law and not by the laws of the United States.[4] Implicit in this declaration is the giving of statutory force to what the sponsors of the Thirteenth Amendment and the 1866 Act had spoken of, a federal citizenship which embodied the natural rights seen in Anglo-Saxon law and tradition as the minimum essential rights one must have to be free.[5]

Section 1 of the 1866 Act goes on to declare that "such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude * * * shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to the full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens." Finally, the section guaranteed to such citizens that they would be "subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding." This enumeration of rights calls to mind the summary of the fundamental rights of citizenship of Mr. Justice Washington in *Corfield* v. *Coryell*, 4 Wash. C.C. 371, 6 Fed. Cas. 546 (E.D. Pa. 1823) as including:

"the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; * * * The right of a citizen of one state to pass through, or reside in any other state, for purposes of trade, agriculture, professional pursuits, or otherwise; * * * to take, hold and dispose of property either real or personal; * * * (at 551-2)."

Certainly this charter, spelling out in detail the rights implicit in and necessary to the implementation of the abolition of slavery and involuntary servitude, destroyed forever the iniquitous and racist strictures of *Scott* v. *Sanford*, 19 Howard 393 (1857), which sought to place the dark skinned human being in a category somewhere between humankind and its animal beasts of burden and supply. The denial of these basic rights in the slave states was by no means the sole source of the specific rights enumerated as now guaranteed by the act. That a chattel could not hold property, levy action in court, make and enforce contracts, be educated, testify as witness and receive the protection of the law for an offense against his person was obvious. And that permitting freed slaves to walk and live free and assert any of these rights endangered the security of the slaveholder's in their chattel was equally obvious. So laws and customs barring these rights to Negroes were to be expected to exist in the South.

But prior to the Civil War the status of free Negroes in the North was little better than that of their slave brethren in the South. They were shut out from white schools and churches, forced to live in city slums and ghettos, denied equal civil and political rights, subject to Jim Crow legislation and degrading "black laws" in many states, confined to menial occupations and almost universally despised as members of an "inferior" race.[6] And whether these dire results were due to law or custom was not relevant when legislation was being adopted to do away with these disabilities. The existence of laws requiring their imposition made it impossible for even the dissenter, the abolitionist, the good Christian, to act in accordance with his beliefs, and they transferred to the entire community the stain of slavery. But it was the institution, not its source in law or action of private individuals, which contradicted the fundamental concepts of Anglo-Saxon freedom on which our system was based and made slavery "odious."[7]

The language of the Act makes it clear that it is aimed not just at "Black Codes" and other state laws imposing discrimination on the basis of race or previous condition of servitude but rather at any and every effort or development, whether by use of state power or by private power, to re-establish and re-impose on any group the incidents or practices of slavery.[8] The use in the statute of the term "custom" makes it clear that its thrust is by no means limited to the exercise of state power. And the discriminations it bars deal with far more than the right of access to state facilities. Clearly the guarantee against racial discrimination in the right to make contracts can have meaning only in terms of a limitation on the right of private individuals, the other parties to such contracts. And the civil right here in issue, to purchase and hold real property, is equally a right which can have no meaning if private individuals, who are the sellers of most real property, are free, either through conspiracies or individually, to nullify the right by refusing, on the basis of racial bigotry or discrimination, to sell property they have put on the market.

The evil effect of such discrimination, in terms of reinstituting an incident of slavery, or excluding members of the racial group descended from slaves from full participation in the life of the community, of rendering them more subject to economic exploitation and less able to develop their capabilities on a basis equal with members of other racial groups, has been recognized by many states and local communities, which have taken action by law to bar such discrimination.[9]

---

[1] References to the Appendix containing the relevant entries in the proceeding below, the relevant pleadings and opinions below and the judgment and decision below, are designated by A.

[2] Indiana State Commission, Article XIII, Sec. 1 (1851).

[3] *Ibid.*, Sec. 2.

[4] Howe, *supra*, fn. 14, at 41. Professor Howe's analysis is most enlightening on this question of the relation between federal citizenship and the state power over slavery.

[5] tenBroek, *supra*, fn. 2, at 178, 185 and fn. 14 herein. See also, Antieau, *Paul's Perverted Privileges or the True Meaning of the Privileges and Immunities Clause of Article Four.* 9 William and Mary Law Rev. (1967) 1 at 4.

[6] McPherson, *supra*, fn. 40 at 223.

[7] The Case of James Sommersett, 20 How State Trials 2, 82 (1772).

[8] See, Frank & Munro, *The Original Understanding of "Equal Protection of the Laws"*, 50 Columbia Law Rev. 131, at 138–40 (1950).

[9] See *e.g.*, Alaska Sess. Laws ch. 49, § 20–1–3 (1962); Calif. Health & Saf. Code § 35700 (Supp. 1965); Colo. Rev. Stat. Ann. §§ 69–7–1–5 (1963); amended: Colo. Sess. Laws ch. 185 (1965); Conn. Gen. Stat. Rev. § 53–35 (Supp. 1963); Ind. Stat. Ann. § 40–2308 (1965); Me. Rev. Stat. Ann. ch. 17, § 1301 (Supp. 1965); Mass. Laws Ann. ch. 151B, § 4 (6, 7) (1965); Mich. Comp. Laws § 750.146 (Supp. 1961); Minn. Stat. Ann. § 363.03(2) (Supp. 1965); N.H. Rev. Stat. Ann. § 354–A:8(IV) (Supp. 1965); N.J. Stat. Ann. § 55:14A–39.1 (1964); N.Y. Executive Law § 296(5) (Supp. 1965); Ohio Rev. Code Ann. § 4112.02(H) (Baldwin, Supp. 1965); Ore. Rev. Stat. § 659.033 (Supp. 1965); Pa. Stat. Ann. Tit. 35, § 1664 (1964); R.I. Gen. Laws Ann. §§ 34–17–1 11 (Supp. 1965); Wisc. Stat. Ann. § 101.60(2) (Supp. 1966).

In 1967, Hawaii, Iowa, Maryland, Vermont and Washington enacted fair housing statutes.

F. PSYCHOLOGICAL AND SOCIOLOGICAL ASPECTS OF HOUSING SEGREGATION

The conclusion reached by the lawmakers of these states is not without basis in fact. This is evident from the following analysis made by Professors Kenneth B. Clark, Isidore Chein and Stephen D. Berger, all outstanding scholars with special expertise in the field of housing discrimination, of the effects of racial segregation in housing which flow from the existing pattern of racial discrimination in the sale or lease of real property by private individuals acting either jointly on the basis of conspiracy or separately on the basis of parallel compliance with existing customs.

"Negroes are by far the most residentially segregated large minority group in recent American history." [10]

The urban Negro and the urban white live in different parts of the city.

Nor have the trends over time been encouraging. Generally speaking, residential segregation increased slightly between 1940 and 1950 and decreased slightly in the following decade. Between 1950 and 1960 residential segregation increased in most southern cities so that most are at least as segregated as northern cities.[11]

"The objective dimensions of the American urban ghettos are overcrowded and deteriorated housing, high infant mortality, crime, and disease. The subjective dimensions are resentment, hostility, despair, apathy, self-depreciation, and its ironic companion, compensatory grandiose behavior." [12]

Further, the poor housing situation of the Negro cannot be explained by his poverty. For this to be the case, the quality of housing available at a given price should be the same for Negroes as it is for whites. The only possible conclusion is that "white and nonwhite households are not competing in the same housing market. Instead, white households are competing in a white housing market and nonwhite households are competing in a nonwhite housing market." [13]

The psychological effects of poor housing, *per se*, are difficult to separate from the social meaning of housing as an indicator of social status. The most thorough study of the effects of housing, which compared a group of Negroes who moved into a public housing project with a group who remained in the slums found those in the housing project were more likely to feel they were getting their money's worth for the amount of rent, had closer relations to their neighbors, and more pride in their neighborhood. They felt they had improved their position in life and that they were rising in the world.[14]

"Housing is no abstract social and political problem, but an extension of a man's personality. If the Negro has to identify with a rat-infested tenement, his sense of personal inadequacy and inferiority, already aggravated by job discrimination and other forms of humiliation, is reinforced by the physical reality around him. If his home is clean and decent and even in some way beautiful, his sense of self is stronger. A house is a concrete symbol of what the person is worth." [15]

Residential segregation of the Negro creates segregated schools. The United States Civil Rights Commission has documented that the growth of urban ghettos and the movement of whites to the suburbs has dramatically increased the number of children attending segregated schools.[16] Studies done for the Commission show that segregated schooling *per se* has a harmful effect on students. Students in segregated schools perform more poorly than students in integrated schools even when the effects of students' backgrounds and the class composition of the schools are controlled.[17] In addition, communities stigmatize segregated schools as Negro and therefore inferior. This constitutes one more factor in the life of the Negro which reinforces his membership in a lower caste and his feelings of low self-esteem.[18]

Interracial contact is extremely important in bringing about differentiated perceptions of the other race. This is particularly true for the school. As the Commission emphasized:

"Racial isolation in the schools also fosters attitudes and behavior that perpetuate isolation in other important areas of American life. Negro adults who attended racially isolated schools are more likely to have developed attitudes that alienate them from whites. White adults with similarly isolated backgrounds tend to resist desegregation in many areas—housing, jobs, and schools.

"At the same time, attendance at racially isolated schools tends to reinforce the very attitudes that assign inferior status to Negroes. White adults who attended schools in racial isolation are more apt than other whites to regard Negro institutions as inferior and to resist measures designed to overcome discrimination against Negroes. Negro adults who attended such schools are likely to have lower self-esteem and to accept the assignment of inferior status.

"Conversely, Negroes who have attended desegregated schools tend to have a higher self-esteem, higher aspirations and are more likely to seek desegregated situations. Whites who have had desegregated education are more likely to report a willingness to accept Negroes in desegregated situations and to support measures that will afford equal opportunity." [19]

The residential segregation of the urban Negro also affects job opportunities for Negroes. Negroes are disproportionately employed near where they live. They are restricted from holding jobs in white neighborhoods, particularly from jobs where they would be seen by clients.[20] Second, since knowledge of available jobs is often obtained only through informal contacts, Negroes are restricted in this way as well from obtaining jobs elsewhere. Third, the time and cost of journeying to jobs outside of the central city are prohibitive for Negroes. Public transportation systems were developed to carry commuters *into* the central business and not *out* from the central city. And most Negroes are too poor to own an automobile. The McCone Commission emphasized the importance of inadequate public transportation for Negro unemployment in Watts.[21]

These three factors become tremendously important when it is realized that since the second world war new jobs have been created largely in the suburbs, far away from the ghettos.[22]

Ghetto residents tend to be shortchanged with regard to such services as schools, garbage removal and police protection.[23] They are also shortchanged by business in the ghetto—"the poor pay more" and all who live in the ghetto, poor or not, tend to buy at the same, largely white-owned stores.[24] Ghetto residents become embittered over such grievances and their occurrence is related to support for violent outbursts.[25]

Thus residential segregation into urban ghettos implies not only residential isolation. On the base of residential segregation is built poor, overcrowded and expensive housing, segregated and inferior schools, unemployment, economic exploitation and inferior services. All of these, harmful as they are in themselves, are much more destructive because they reinforce the ghetto resident's realization that this is his lot because he is a Negro.

"Human beings who are forced to live under ghetto conditions and whose daily experience tells them that almost nowhere in society are they respected and granted the ordinary dignity and courtesy accorded to others will, as a matter of course, begin to doubt their own worth. Since every human being depends upon his cumulative experience with others for clues as to how he should view and value himself, children who are consistently rejected understandably begin to question and doubt whether they, their family, and their group really deserve no more respect from the larger society than they receive. These doubts become the seeds of a pernicious self- and group-hatred, the Negro's complex and debilitating prejudice against himself." [26]

From the perspective of the larger community, the metropolis, it can be argued that "Negro residential segregation is the most important of the fundamental causes of metropolitan disorders." [27]

"The central Negro ghetto has produced a distortion of metropolitan development that has added substantially to problems in central city finance, metropolitan transportation, housing, and urban renewal. The decline of central cities has been hastened by a conviction in the white community, both individual and corporate, that the ghetto would continue its rapid expansion with the associated problems of concentrated poverty and social disorganization." [28]

One reason for the movement of whites to the suburbs, which causes the present transportation crisis, is the presence and expansion of central city ghettos which push "white residential areas farther and farther from central workplaces." "In the absence of encroaching racial ghettos, many central city homeowners might have been encouraged to renovate their existing properties rather than buy new houses in outlying areas." Without central city ghettos there would be more middle- and high-income residential demand in central cities, which would facilitate attempts at center city renewal. Also, suburban firms have been reluctant to move back into the city when faced with the prospect of the ghetto and the "long, hot summer." The flight of upper income whites and of firms to the suburbs, although not due only to expanding central city ghettos, has reduced the financial base for public services while the need for them has risen.[29]

---

[10] Tauber, *Negroes in Cities* (1965. Aldine Press), at 68.

[11] *Ibid.*, at 44–5.

[12] Clark, *Dark Ghetto* (1965, Harper and Row), at 11.

[13] Duncan and Hauser, *Housing a Metropolis—Chicago* (1960, The Free Press), at 204.

[14] Wilbur, Walkley, Pinkerton and Tayback, *The Housing Environment and Family Life* (1962, Johns Hopkins Press).

[15] Clark, *Supra*, fn. 53, at 32–33.

[16] Report of the United States Commission on Civil Rights, *Racial Isolation in the Public Schools* (1967) 2 vol.

[17] *Ibid.*, vol. 1, Ch. 3.

[18] *Ibid.*, vol. 1, p. 104.

[19] *Ibid.*, vol. 1, p. 110.

[20] Kain, *Housing Segregation, Negro Employment and Metropolitan Decentralization* (to be published in Quarterly Journal of Economics, Feb. 1968). Available, Harvard University Program on Regional and Urban Economics, Discussion Paper No. 14, July, 1967.

[21] *Ibid.*; also Kain, *The Big Cities' Big Problem*, Challenge, Sept./Oct. 1966 (reprinted in the reprint series of the Joint Center for Urban Studies, Cambridge, Mass.).

[22] Kain, *The Distribution and Movement of Jobs and Industry*, Harvard University Program on Regional and Urban Economics, Discussion Paper No. 8, Nov. 1966.

[23] Clark, *Dark Ghetto* (1965, Harper and Row); Coleman, et al., *Equality of Educational Opportunity* (1966, U.S. Government Printing Office) 2 vol.; Drake, *The Social and Economic Status of the Negro in the United States*, Daedalus, Winter 1965, at 771–814.

[24] Caplowitz, *The Poor Pay More* (1963, The Free Press).

[25] Murphy and Watson, *The Structure of Discontent*, Institute of Government and Public Affairs, University of California at Los Angeles (1967).

[26] Clark, *supra*, fn. 53, at 63–64.

[27] Kain, *supra*, fn. 62.

[28] Kain and Persky, *Alternatives to the Gilded Ghetto*, Harvard University Program on Regional and Urban Economics. Discussion Paper No. 21, Sept. 1967, at 3.

Thus much of the urban crisis today is a product of Negro segregation into central city ghettos and the flight of whites from the Negro and from these ghettos.

The status component in residential segregation has already been discussed above. The corresponding status component in white reactions is also important. Race relations in America are always also status relations. Because residence is one of the most important manifestations of status, the connection between residential segregation and the low status of Negroes (and the corresponding high status of whites) is particularly close.

The quality and nature of housing and its neighborhood surroundings, its "address," are important symbols of status in American society. Neighborhoods are evaluated as higher or lower in status.[30] This means that neighborhoods tend to be composed of people approximately equal in status. Thus people in different occupations tend to be residentially segregated from each other according to the status of their occupations.[31] Housing and neighborhood cannot be discussed merely on the basis of their physical characteristics. The social element of status is always intimately involved.

In the competition to achieve high status, belonging to a lower caste is a tremendous constraint, belonging to a higher caste an advantage. As Myrdal had put it:

"When we say that Negroes form a lower caste in America, we mean that they are subject to certain disabilities solely because they are 'Negroes' in the rigid American definition and not because they are poor and ill-educated.[32]

"The caste principle, as insisted upon and enforced by white society, would undoubtedly be best satisfied by a classless Negro community wherein all Negroes in all respects—educationally, occupationally, and economically—were in the lowest bracket and placed under the lowest class of whites." [33]

This is not, and has never been, the case. Negroes are differentiated into classes in somewhat the same way as whites are. In this situation, caste has a slightly different meaning:

"On the same class level—that is, assuming white and Negro individuals with the same education, occupation, income, and so on—the white does *not* 'look across' the caste line upon the Negro, but he definitely *looks down* upon him. And this fundamental fact of caste is materialized in a great number of political, judicial, and social disabilities imposed upon Negroes somewhat independent of their class * * *" [34]

An important attribute of the American caste system is that equal-status contact with a member of the lower caste tends to be seen as lowering one's own status. It is this fact that makes the American race problem more than a problem of individual prejudice. Caste has its effects regardless of whether a given white is prejudiced or not.

Because housing is intimately connected with status, it is closely related to caste. Residential segregation occurs in part because whites do not wish to live near Negroes for fear of losing status. And residential segregation, which defines a Negro neighborhood as one of low status, helps to reinforce the lower caste status of the Negro.

Residential segregation cannot be explained by the lower economic position of the Negro.[35] It is not only middle-class whites who fear and flee or fight when Negroes try to move into their neighborhood, nor is it that middle-class whites will not oppose the entry of middle-class Negroes into their neighborhood. The most typical situation today is not that of lower class Negroes trying to enter a white neighborhood, but rather: "Expansion of Negro residential areas in recent years has been led by Negroes of high socio-economic status—not only higher than the rest of the Negro population, but often higher than the white residents of the 'invaded' neighborhood." [36]

Residential segregation cannot be explained either by the prejudice of whites. When a neighborhood is "invaded" by Negroes, it is not the case that the racially prejudiced whites lead in leaving the neighborhood. The order of leaving is much more determined by the *status* of the whites, and their possibility of obtaining homes elsewhere.[37]

"Where one lives, both home and neighborhood, is closely linked to social status. When that status is threatened, the individual and the neighborhood take measures to combat this threat, usually by fleeing, but sometimes by violence. The fact that the threat may only be fancied is irrelevant. As long as people believe it to be true, it becomes the truth. In the case of Negroes, the high visibility factor, combined with the low status of Negroes as a group, has produced an invasion-succession cycle that is separating most large American cities into two ghettoes, Negro at core, white on the periphery." [38]

The residential caste segregation of the Negro means that the *sources* of high status in America, education, occupation and income, cannot be transformed into the appropriate American *symbols* or manifestation of high status. It forces the Negro who has "made his way up in the world" to see that he is still defined by others and must still define himself not as a person with a certain achieved status but as a Negro. When the rewards of status are not granted, people are less likely to make the effort necessary to better themselves.

"The middle-class Negro is demanding the right to share in the status symbols of personal success—quality education for his children; white-collar, managerial, or executive jobs; a fine home in one of the better neighborhoods. Having accepted the same value system which the middle-class whites live by, middle-class Negroes are forced to compete with them even at the risk of conflict. The demand for nonsegregated public schools comes largely from upwardly mobile middle-class Negroes; the demands for better white-collar, managerial, and executive jobs and for better nonsegregated housing come from the more successful and stable middle-class Negroes. If whites respond without more grudging tokenism * * * the masses of working-class and lower middle-class Negroes will benefit. *Other Negroes, too, will come to believe that the average Negro can win rewards through persistence, hard work, thrift, and character.*" [39]

Indeed, there is some evidence that the successful middle-class Negro cannot even obtain the appropriate status rewards of success inside of the ghetto.[40]

Caste, as a ranking of people without regard to their individual characteristics, is closely related to stereotyping. Studies of interracial contact, especially of interracial housing, all show that such contact tends to reduce stereotypes each race holds of the other, and to increase differentiated evaluations of individuals.[41] Thus, anything which hinders interracial contact helps preserve racial stereotypes.

But it is not interracial contact in itself which reduces steretoyping. Studies show that what is necessary is *equal-status* interracial contact in a non-competitive situation.[42]

"Racial problems have not been problems of racial contact * * * It is not the sitting next to a Negro at a table or washing at the next basin that is repulsive to a white, *but the fact that this implies equal status.* Historically, the most intimate relationships have been approved between Negro and white so long as status of white superiority versus Negro inferiority has been clear. Trouble comes only when Negroes decided not to be servants or mistresses and seek a status equal to that of whites. When Negroes start to assume symbols of upward mobility, then a pattern of residential segragation develops in the South, too". [43]

Since housing is linked to status, interracial residence is equal-status residence. Thus interracial housing and interracial neighborhoods would help to contradict and begin to destroy the stereotype and the lower caste position of the Negro. Conversely, residential segregation with Negroes restricted to low status areas helps to maintain stereotypes and to maintain the lower caste position of the Negro.

When forced residential segregation is such a powerful reinforcer of caste position it is not surprising that ghetto residents feel powerless, bitter, and alienated from the larger community. A Rochester study compared Negroes in similar economic circumstances in segregated and integrated neighborhoods:

"This single difference was associated with pronounced differences in how Negroes felt about life in Rochester. Those Negroes living on integrated streets were less likely to believe accusations of police brutality against Negroes, were less likely to be sympathetic with the 1964 Rochester riots, were less likely to be antagonistic toward whites, were less likely to feel whites were prejudiced, and were more likely to prefer living in Rochester. In my mind these differences arise because those Negroes who live on mixed streets feel more a part of the community; they feel more accepted by whites. Those who live in all-Negro neighborhoods do not have the same feeling of belonging to the Rochester community."[44]

---

[29] Kain, *supra*, fn. 62.

[30] Warner and Hunt, *The Social Life of a Modern Community* (1944, Yale University Press); Warner, Meeker and Eells, *Social Class in America*, Science Research Associates (1949).

[31] Duncan, *Residential Distribution and Occupational Stratification*, 60 American Journal of Sociology (1955), at 493–503.

[32] Myrdal, *An American Dilemma* (1944, Harper and Row), at 669.

[33] *Ibid.*, at 689.

[34] *Ibid.*, at 692–693.

[35] Tauber, *Negroes in Cities* (1965, Aldine Press), Pascal, *The Economics of Housing Segregation*, Rand Corporation (March, 1965).

[36] Tauber, *supra*, at 7.

[37] Wolf, *The Invasion-Succession Sequence as a Self-Fulfilling Prophesy*, 13 Journal of Social Issues, No. 4 (1957), at 7–20; Fishman, *Some Social and Psychological Detriments of Intergroup Relations in Changing Neighborhoods: An Introduction to the Bridgeview Study*, 40 Social Forces (October 1961), at 42–51; Leacock, Deutsch and Fishman, *Toward Integration in Suburban Housing*, Anti-Defamation League of B'nai B'rith, n.d.; Lang, Kurt and Lang, *Resistance to School Desegregation: A Case Study of Backlash Among Jews*, 35 Sociological Inquiry (Winter, 1965), at 94–106.

[38] Mayer, *Race and Private Housing: A Social Problem and a Challenge to Understanding Human Behavior*, 13 Journal of Social Issues, No. 4 (1957), at 3–6.

[39] Clark, *supra*, fn. 53, at 60.

[40] Tilly, Jackson and Kay, *Race and Residence in Wilmington, Delaware*, Teachers College Bureau of Publications (1965), at 84; Duncan, *Factors in Work-Residence Separation: Wage and Salary Workers, Chicago, 1951*, 21 American Sociological Review (February 1956), at 48–56.

[41] Deutsch and Collins, *Interracial Housing* (1951, University of Minnesota Press); Wilner, Walkley and Cook, *Human Relations in Interracial Housing* (1965, University of Minnesota Press).

[42] Harding, Kutner, Proshansky and Chein, *Prejudice and Ethnic Relations*, Lindrey, ed., Handbook of Social Psychology (1934, Addison-Wesley), vol. 2 at 1021–1061.

[43] Clark, *supra*, fn. 53, at 60.

It is hardly surprising that collective violence becomes a live possibility for ghetto residents. Nor is it surprising that some have begun to try and make the best of the situation by redefining blackness as a positive virtue and separation from whites as a good thing.

The direct discriminatory effects of the ghetto and the meaning of these effects for relationships between the races and the reinforcement of caste are important. But the effect of the ghetto and its discriminations on the structure of the Negro community inside of the ghetto also is of concern. The Negro community is also a differentiated and stratified one, but the constraint of the ghetto does not provide enough space for the classes to be as spread out, as separated from each other, as in the white world.[45] Because of this, and because so many Negroes are still in poor economic circumstances, "many more Negroes than whites live in predominantly lower-class neighborhoods."[46] Thus most Negro children must go to segregated schools in which the predominant background of the other children is lower class. But the lower class composition of a school has a powerful depressing effect on educational performance.[47] The conclusion is that Negro ghetto children are doubly deprived by being forced into segregated schools—by the class composition of the school as well as its racial segregation. Parents who try to instill a concern for achievement and for education in their children find their efforts negated by the class composition of the school.

It is well known that such manifestations of social disorganization as juvenile delinquency, drug addiction, crime and mental illness are found with high frequency in the ghetto. The closeness of the ghetto means that all of its residents will be exposed to these phenomena.

"The structure of the Negro neighborhood and the Negro community means that the Negro middle class * * * rarely escapes from the near presence of the Negro poor, as well as of the depraved and the criminal. The middle-class neighborhoods border on the lower-class neighborhoods, and suffer from robberies and attacks, and the psychic assaults of a hundred awful sights."[48]

An important theory of social disorganization argues that deviant behavior is a response to the lack of the means and the opportunity to achieve the means necessary to attain culturally valued goals.[49] Since Negroes are doubly deprived of means and opportunity—by their economic position and their caste—it is not surprising that such phenomena occur so frequently in ghettos.

An environment so full of crime, addiction and mental illness, as well as the discriminatory aspects characteristic of the ghetto, works against the efforts of parents to instill appropriate aspirations and concerns in their children. The environment, instead of aiding parents' efforts—and the efforts of the children themselves—tends to thwart it. To escape its effects children have to dissociate themselves as much as possible from their immediate surroundings.

"My colleagues and I found that the most striking characteristic of the 'squares'—that is, the non-delinquent, non-drug-using youth—in high delinquency, high drug-use areas of the city is the degree to which they actively dissociate themselves from their destructive environment and work toward leaving it entirely. They are not as yet free to change their place of residence, but they can try to spend as little time as possible on the streets, to select their companions carefully, to concentrate on their school work, to spend their free time in reading and activities of the community center, to seek out suitable adults to serve as models, confidants and advisors, and so on."[50]

There is little wonder then that people wish to escape from such an environment. Added pressure for escape comes from the higher status of white neighborhoods. Middle-class Negroes are especially eager to escape from the ghetto,[51] and become embittered once again when they find that the ghetto has caught up with them again. The result is that all those in the ghetto are dissatisfied with it, and not merely those economically at the bottom. A study of Watts concluded:

"It is important to note that a high level of discontent seems to pervade the entire curfew community. This is particularly striking in the light of the often repeated refrain that problems of police brutality and exploitation by merchants are essentially confined to the poorer segments of the segregated community. Silberman, for example, argues that 'squalid housing, a narrow range of job possibilities, frequent unemployment, low pay, exploitation (whether real or imagined) by landlords, shopkeepers and employers, police brutality—these are the grievances that animate the Negroes that live in the big city slums.' We have found that these grievances are indeed salient for the Negroes in Los Angeles and are related to support for the riot and participation in it, but they are not limited to those who form the 'underclass' of the Negro community."[52]

The ultimate and increasingly frequent response of ghetto residents to such a totally destructive environment is the riot. There is some reason to think that ghetto residents, feeling that no ordinary action will have any effect on the fact of the ghetto, are increasingly coming to see the riot as an acceptable form of political action.

"Rioting evolves as a form of collective pressure or protest where large numbers of people are crowded and alienatted together, sharing a common fate that they no longer accept as necessary, though to them it may seem inevitable."[53]

Increasingly many Negroes are obtaining more education, better jobs, higher incomes, although it is not clear that the position of Negroes as a group, as compared to whites, is improving.[54] At the same time residential segregation is not declining, and the ghettos are growing. One of the most important American manifestations of status, the home and the neighborhood, is being denied to increasingly many Negroes just as they achieve the characteristics that are supposed to bring high status. The pluralist position which argues that Negroes should be "assimilated" into the larger society while remaining physically separated (by their own choice) fails to see this contradiction. As long as high status is not given to the achievements which merit it in white society, this contradiction increases the destructive effects of the ghetto.

This contradiction between the material improvement of many and their continued status frustration is exceedingly dangerous. It is the classical cause of collective violence.

"It has often been noted by students of revolutionary movements that the period of greatest violence occurs not when people are most deprived and repressed, but rather when things seem to be improving. This has been explained as a consequence of frustrations experienced by persons whose expectations have been raised by material improvements in their life situations and who impatiently come to expect further gains which are not immediately obtainable. In a psychological sense, such persons compare themselves with those enjoying more of the rewards of society rather than with those less fortunate or with their own previous deprivations. Accordingly, modest gains exaggerate feelings of frustration and despair rather than diminish them. In the present case, it has been remarked by many public officials that Los Angeles, with its palm-lined streets of single-family dwelling units, its absence of rat-infested alleys, and its relatively better labor market, should not be experiencing violent racial troubles. The above theory would suggest that such improvements in living conditions trigger higher expectations among the inhabitants and a heightened sense of 'relative deprivation.' * * * The Los Angeles riot * * * appears to have been a collective emotional explosion of persons responding not to ideological pronouncements but to an accumulation of irritation and despair and to the excitement of the moment."[55]

The harmful and destructive effects of forced ghettoization have been outlined above. The results of these effects in reinforcing caste have been shown to be at the base of the present metropolitan problem. The urban problem is a crisis, for discontent, frustration and bitterness are uniform throughout the ghetto. Middle-class ghetto Negroes, as well as lower-class ones, are increasingly willing to resort to violence.

"* * * the motivations of persons supporting that riot vary with their relative positions in the structure of the community. Those who are better off seem to evidence considerable anti-white sentiment which is significantly related to their participation in violence. Those less fortunate rebel against discrimination and appear to be motivated mainly by economic discontent. Mistreatment or exploitation by whites (merchants and police) seems to be a source of riot support for all levels in the ghetto. Such evidence of differential motivation points to the hypothesis that the more fortunate members of the community compare themselves with the white majority *and feel frustrated at their inability to gain benefits in keeping with their status aspirations*. Such persons have made social and economic gains, but along with their mobility have gone rising levels of expectation. We have seen that the amount of social contact with whites increases with improvements in socioeconomic status. But we have also seen that discontent increases as social contact increases. We would expect that continued contact with white persons by those Negroes who have made economic gains would serve to increase their impatience and frustration at not being able to enjoy the same freedom of movement and opportunity taken for granted by white persons in their quest of "the American dream." We suspect that many white persons have viewed the middle-class Negro group as a moderating influence in the racial struggle. * * *

---

[44] Harper, *Integration: Myth and Reality*, Address at the Fifth Regional Conference of the Attorney-General's Committee on Human Relations, Rochester, New York, December 15, 1965, at 6.

[45] Tauber, *Negroes in Cities, supra*.

[46] Report of the United States Commission on Civil Rights, *supra*, fn. 57, vol. 1, at 167.

[47] Coleman, et al., *supra*, fn. 64, at vol. 1, ch. 3.

[48] Glazer and Moynihan, *Beyond the Melting Pot* (1963, M.I.T. Press).

[49] Morton, *Social Structure and Anomie*, Social Theory and Social Structure, Rev. Ed. (1957, The Free Press); Cloward and Ohlin, *Delinquency and Opportunity* (1960, The Free Press).

[50] Chein, *Environment and Personality in Behavior Deviation*, Address at the 19th Annual Meeting of the New York Society of Clinical Psychologists, New York, May 20, 1967, at 1–2.

[51] Fishman, *supra*, fn. 78, 40 Social Forces at 42–51

[52] Murphy and Watson, *The Structure of Discontent*, Institute of Government and Public Affairs, University of California at Los Angeles (1967), at 112–114.

[53] Lang, *Racial Disturbances as a Collective Project*, paper presented at the meeting of the American Sociological Association, San Francisco, August 1967, p. 14.

[54] Fein, *An Economic and Social Profile of the Negro American*, Daedalus (Winter, 1965), at 815–846.

[55] Murphy, *Postscript on the Los Angeles Riots*, Murphy and Elinson, eds., Problems and Prospects of the Negro Movement (1966, Wadsworth), at 231–234.

"We find little room for such an optimistic appraisal. If our analysis is correct, the problems of urban life for the Negro, even in the palm-lined spaciousness of Los Angeles, have grown acute and a significant number of Negroes, successful or unsuccessful, are emotionally prepared for violence as a strategy or solution to end the problems of segregation, exploitation, and subordination."[56] [Emphasis added.]

The foregoing discussion of the effect on the victims of racial segregation in housing, confined thereby to the racial ghetto, is primarily in terms of the effect of such segregation on the self-image of Negro Americans. It demonstrates that today, more than one hundred years after the Thirtenth Amendment and the adoption of the federal law guaranteeing the right of all citizens to purchase and hold real property without discrimination based on race, a pattern of denial to our Negro citizens of that right in our country still remains, primarily through widespread racially discriminatory practices by private sellers. The denial of that right which the post-Civil War congresses and federal courts stated to be a badge of servitude, results in its continued existence even now. And such continuance is a violation of the rights protected by the 1866 Act and Section 1982.

Another aspect of the foregoing discussion which has relevance to the issue before this Court in this case is the description of the psychological impact of the segregated racial ghetto on its inhabitants. This Court in *Brown* v. *Board of Education*, 347 U.S. 483, 493–95 (1954) took cognizance of the fact that racial segregation of children in public schools generates in children so segregated "a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." (at 494). Confinement to a racial ghetto causes not only children, but all those imprisoned in it because of their race to suffer from precisely the disabilities which the 1866 Act sought to end for all the victims of human slavery because its authors knew that without so doing they would fail in their goal of bestowing true freedom on them, of insuring that they could enter the free American society on a basis of equality.

Section 1 of the 1866 Act did, of course, bar many forms of discriminatory state action. Thus the rights to sue and be parties and give evidence can have effect both in instrumenalties of the state and in litigation between private parties. The right to inherit property also is dependent on the operation of the state's machinery governing decedents' estates. And conveyance and holding of real property normally involves, in addition to private conduct, and the operation of some forms of state machinery such as recordation, the payment of certain taxes and compliance with laws governing the transfers of the kind of property involved. And obviously the guarantee of full and equal benefit of all laws and proceedings for the security of person and property operates primarily as a check on the exercise of state powers. Hence it is clear that Section 1 involves prohibitions on both state and private action in order to achieve its basic goal, elimination for as long as it is law, of all the incidents of slavery and a guarantee to all, free from discrimination based on race, of equality in the exercise of all those civil rights it specifies, because its authors and the Congress that adopted the law believed them fundamental to freedom and necessary to do away forever with the possible revival of human slavery by extirpating every one of its incidents.

Applying the foregoing to the instant case it becomes clear that the District Court is in error when it says, "The legal right to purchase property does not, however, carry with it a corresponding obligation on the part of the owner to enter into a contract of sale against his will." And the Court of Appeals introduces an element of confusion when it questions whether Congress intended to create a duty to sell without discrimination. If the guaranty of the right of the petitioners herein to the same right to purchase real property as white citizens is to have any meaning or impact, it must mean that a would-be seller of real property whose terms as to price and time have been met cannot refuse to sell to the person who has met those terms solely because of the race of the purchaser. It was not a desire to protect the marketability of property which led Congress to enact the 1866 Act. It was a recognition of the need to end for the freed men all the incidents of slavery. And if this goal is ever to be achieved, the right of Negroes to purchase property, in this instance real property, without discrimination based on race must carry with it a corresponding duty on the part of the seller who has placed his property on the market to sell without discrimination based on race. A seller faced with a would-be buyer who, aside from race, meets all his demands, demonstrates ability and willingness to pay the price asked, and plans a type of occupancy consistent with the seller's wishes, must have an obligation to sell to such a purchaser, if the right of that purchaser to buy free from racial discrimination is to have any reality. Here failure to impose such an obligation on the respondents toward the petitioner, may well result in denial to the Negro petitioner of the right to live anywhere in St. Louis County, even though he can afford a home there and housing facilities are available for sale there. If respondents are not held to be so obligated, they and other sellers similarly allowed to refuse to sell to Negroes, whether by conspiracy, custom or parallel action arising out of fear of social or economic repercussions or bigotry, may exclude Negroes from the entire county, and even, if the practice spreads far enough, the entire area. This would certainly be a denial of the petitioners' right to live and work where they will.

It is not here contended that the Congress that enacted the 1866 Act was intending to adopt a fair housing law. Rather it intended to insure the right of all to purchase or lease real property without racial discrimination because denial of that right is an incident of slavery. It could not have foreseen the vast development of racial discrimination that has created our racial ghettos and the white surburban nooses around our cities[57] with their concomitants of poverty, slums, economic exploitation of the enforced dweller in the racial ghetto and segregation in education and in employment. But it would have conceded that these results are incidents of slavery which deny the fundamental rights of free men and therefore fall under the ban of the Act. It would have rejected any effort to interpret the Act as not preventing *such patterns of racial discrimination* in housing when imposed by private persons. It would have incisted that thus leaving the right of the Negro descendants of freedmen to live and work where they wished, dependent on the tender mercy of individual or corporate owners of real property would be to open the way to the perpetuation of an aspect of slavery.

G. CONSTITUTIONAL AUTHORITY FOR THE CIVIL RIGHTS ACT OF 1866

It is submitted that there are three different grounds in both the Thirteenth and Fourteenth Amendments to support the constitutionality of the Civil Rights Act of 1866. These are Section 2 of the Thirteenth Amendment, the Thirteenth Amendment's first section, and Section 5 of the Fourteenth Amendment.

A LETTER FROM A CONCERNED MOTHER

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. MONTGOMERY. Mr. Speaker, I wish to call to the attention of my colleagues a letter that I have just received from a concerned mother and loyal American. The violence that is rampant in our country today and the seeming breakdown of law and order in America are of vital concern to her, as they are to all of us.

The letter follows:

706 FORREST BOULEVARD,
COLUMBUS, MISS.,
June 5, 1968.

Hon. G. V. MONTGOMERY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: After listening to President Johnson's speech tonight about the attempt on the life of Robert Kennedy, I felt that I must tell someone exactly how I feel about the cause and reasons behind such horrible acts of violence we have experienced within this country within the last few years. If I thought my letter would be brought to his attention, I would mail it directly to him.

He has appointed a committee of very distinguished Americans to probe this question and to bring forth reasoning on this matter; however, there is one main factor which is the contributing source of these things and I feel this very deeply. This factor is the news media on television. I am not referring to the facts of news which are broadcast, but the elaboration on these facts, as well as, the opinions (mostly personal) expressed by the newsmen themselves. The full coverage programs of the acts of violence which are brought before the American people daily cannot help but arouse prejudice and hatred when the acts are flashed before them time after time.

Information, free speech and free press are vital; but too much of a good thing is almost always detrimental when it is exposed to so many. Commentaries are good when they do not create civil strife and rage.

I don't think I have ever been more horrified in all my life as I was several months ago while watching a live news broadcast from Viet Nam in which a young North Vietnamese Rebel was captured, brought into the streets of Saigon and turned over to the Chief of the Saigon Military Police at which time he was shot through the head point blank without even a word spoken and crumpled to the ground right before the eyes of the American viewers. This is only a small instance among many and I ask you, "Is this not enough to enrage the mind of a sane person, much less a fanatic?"

Maybe these thoughts and feelings of a common everyday citizen and mother will not go by the wayside. I hope not. My children love to watch television and sometimes it is not possible to monitor a program they do not need to see (children are impressionable) and since these have become so numerous, they may grow up to think that this is the way this country is supposed to be. God forbid it.

---

[56] Murphy and Watson, *supra*, fn. 66, at 114–115.

And what about the next age group, the ones you don't choose a program for. They will be our next leaders and most are easily swayed.

A sincerely concerned person,
LYNN STEWART.

THE ORGANIZED BAR'S RESPONSIBILITY TO IMPROVE INTERRACIAL RELATIONS

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1968

Mr. TYDINGS. Mr. President, the lead article of the June 1968 issue of the American Bar Association Journal deserves the attention of all who are interested in improving the condition of American life. The article, entitled "The Organized Bar's Responsibility To Improve Interracial Relations," was originally delivered as an address to the National Conference of Bar Presidents by the president of the Cleveland Bar Association, Mr. James C. Davis.

In clear terms and with keen insight, Mr. Davis depicts the threat of disorder in our society, the underlying causes of despair which foment disorder and the role lawyers must play in eliminating the symptoms of disorder. In defining the challenge to and suggesting the response of our society, Mr. Davis candidly states what society's response should be. He writes:

> The white man's charity is not needed. What is required is the creation of a climate in which the Negro can achieve his own salvation, in which he can stand on his own feet and achieve his own self-respect. What is required from the white majority is to make such an environment possible.

Mr. Davis candidly recognizes that the argument for the creation of a hospitable environment for Negro achievement often meets the complaint that Negroes, like impoverished immigrant minorities of previous decades, should be left to their own devices for advancement. But times have changed, and as Mr. Davis points out, the conditions which face the present Negro slum dwellers are greatly different from those which confronted the white man who worked his way out of the slum.

Mr. Davis urges the organized bar to take specific actions which will give the Negroes hope for a better life. I quote several key passages:

> What specific aids can the organized bar bring to the solution of these problems? We can start with the profession itself. We can remove all restrictions, if any still remain, on the admission of Negro lawyers to our professional societies on a basis of complete equality with their white contemporaries. We can eliminate the bars to the employment of competent Negro lawyers by white law firms. If the leadership of lawyers is to be effective, it must include both white and Negro lawyers acting together in equality.
>
> At the national and state levels we can utilize the influence of the organized bar to bring public authorities to the realization that our interracial problems cannot be solved without large-scale government assistance. The white majority must accept this cost. The organized bar must provide the leadership to obtain that acceptance. The provision of such assistance is not the breaking of new ground. In the depth of the great depression, when our white majority was faced with economic and social distress comparable to that now facing the Negro minority, neither the federal nor the state government hesitated to act. What measures are now required may be debated, but the need for effective measures should not be.

Mr. President, I commend Mr. Davis' article to every attorney and concerned American, and I ask unanimous consent that it be printed in the RECORD.

There being not objection, the article was ordered to be printed in the RECORD, as follows:

THE ORGANIZED BAR'S RESPONSIBILITY TO IMPROVE INTERRACIAL RELATIONS

(By James C. Davis)

My interest in the organized Bar's responsibility with respect to interracial relations flows from practical necessities. The law firm of which I am a member—a hundred-odd lawyers—is located in Cleveland, Ohio, a metropolitan area in which the inner-city population is more than 35 per cent Negro. We have experienced conditions in our city that are not unique—disturbances on a scale to require the services of the National Guard to restore law and order. The necessity for the resolution of interracial conflicts is no longer a matter of academic interest; it is a matter of professional survival.

The practice of law is not ambulatory. If the climate becomes inhospitable, we cannot move to other locations. A business enterprise, faced with the same problem, may pick up stakes and move. This luxury is not available to lawyers. Since we cannot abandon ship, our choice is a narrow one. We must either keep the vessel seaworthy or go down with it.

No permanent solution to interracial problems will evolve until we successfully grapple with their basic underlying causes. The primary need is for leadership, with the wisdom and courage not only to expose these causes but to point the way to their solution. I believe that lawyers, by education and experience, are better equipped than any other group in our society to provide this leadership.

Lawyers are still generalists, and there are few of them left. Our education has not been limited to a particular science or a specialized section of the business economy. Rather, our study of the common law has required an examination of men's social and economic experiences, in good times and bad, under a great variety of political structures, from monarchy through democracy and federalism to our present quasi-socialistic environment.

As with our education, so with our experience. We have learned to investigate disputed facts and conflicting points of view and, therefrom, to ascertain and demonstrate the truth. We have learned objectivity in analysis. If we lawyers, as a group, will put our minds and strengths to work, we are best equipped to recognize the causes of today's interracial problems and to provide the leadership through which they may be resolved.

RIOTS COULD BECOME REBELLION AND REVOLUTION

A principal obstruction to solution of these problems has been the failure of the white majority of our citizens to understand fully the width and depth of our racial conflicts and that their resolution is essentially a white responsibility. Fortunately, the riots in our metropolitan ghettos have not yet been true race riots. They have not involved substantial direct conflict between white and Negro populations. Rather, they have been riots against the situation in which the Negro poor are forced to live, and they have been confined largely within the ghetto areas. These facts, however, have tended to obscure both the depth and breadth of the Negro unrest.

The fact is that no matter where riots have occurred, there has been no concerted effort by the mass of the Negro population to suppress them. The riots have been tolerated, if not tacitly approved, by substantial numbers of our Negro citizens. This is not difficult to understand when millions of Negroes live in the depth of poverty surrounded by the most affluent white society in history. While only the most radical Negro is prepared to participate in armed rebellion against the white majority, far greater numbers are convinced that were it not for the riots the Negro problem would be looked at with yesterday's indifference rather than today's concern. In the minds of many Negroes, violence—and *only* violence—pays off.

History should teach us that the road from riot to rebellion to revolution has been traveled before and that the trip can be a quick one. The Boston Tea Party was a riot. It was carried out by a small number of a minority group. But, when riot did not arouse the majority to relieve the oppression felt by the minority, it was a short journey from riot through rebellion to revolution.

Where rioting appears on the scale that we have already witnessed, there must exist the potential for rebellion and revolution. No small group of Stokely Carmichaels, Rap Browns or Black Nationalists, no matter how well organized or financed and no matter by whom inspired and trained, could have produced the destruction and looting we have witnessed without at least the tacit acceptance of the majority of the inhabitants of the Negro ghettos. It follows that there is present in the heart of all of our urban centers the potential for a much more violent and broad reaction than has yet occurred.

The best current estimates of the Negro population of the United States place it somewhere in the neighborhood of 15 per cent of the population. If this be true, it is close to 30,000,000. The population of the Confederacy during the Civil War was 7,500,000—one fourth of the present Negro population of this country. The population of North Vietnam is estimated to be 19,000,000—a little over 60 per cent of the Negro population of the United States. Yet this small population today ties down more than 500,000 of the best-trained and best-equipped military personnel in the modern world, plus some 700,000 of allied forces. The efforts of more than 1,000,000 troops have not been able to maintain the security of the relatively small cities of South Vietnam when disorder occurred in them simultaneously. And all this is taking place in a country smaller than Missouri or Nebraska.

Seventy-five per cent of our Negro population is now concentrated in our cities. These cities are not isolated in a Missouri or a Nebraska, but they extend across the length and breadth of the nation. In all of Chicago, Philadelphia, Detroit, Baltimore, Houston, Cleveland, St. Louis, New Orleans, Atlanta and Memphis, the Negro population exceeds 25 per cent. In our nation's capital it exceeds 50 per cent. Should the majority of the Negro populations in these cities alone, to say nothing of Harlem and Watts, move from passive acquiescence in riots to active participation in rebellion, it is obvious what the result would be. Obvious though it is, too few of the white majority in this country fully understand and appreciate it. To bring about an understanding should be the first business of the organized Bar.

NEGRO POPULATION IS CONCENTRATED

Forty years ago 75 per cent of our Negro population was widely dispersed in rural areas; today 75 per cent is jammed into overcrowded central-city ghettos. This change marks the most recent of the immigration waves to reach our big cities. America is inhabited exclusively by immigrants or the descendants of immigrants. We and our fathers came seeking the same goals that are today sought by the Negro immigrant to the cities—liberty, equality of justice and economic opportunity, and personal security. The keys that opened the way to the achievement of these goals for the white immigrant are the same keys that are today the goal of the Negro immigrants—equality of education, jobs, housing and living conditions.

On every hand members of the white majority—the descendants of white immigrants—ask: Why doesn't the Negro help himself? Why must he seek government handouts? We and our ancestors made it on our own, why not the Negro? And they answer: It must be because the Negro is different. He is stupid, not educable, without ambition.

Are these valid observations? Let us look at the facts.

Anyone who has given it serious consideration knows that the fact of the matter is that the Negro does not want the white man to do it for him. He does not desire to rely for his future on the white man's handout. The fact is that the desire of the Negro to help himself furnishes the keystone of support for the Black Nationalist and other militant Negro groups.

White domination and the handout have been the story of the Negro's life in the United States since he was brought here as a slave. The white man's charity is not needed. What is required is the creation of a climate in which the Negro can achieve his own salvation, in which he can stand on his own feet and achieve his own self-respect. What is required from the white majority is to make such an environment possible.

Were it now possible for the Negro, in the mass and through his own efforts, to improve his environment and to achieve social and economic equality of opportunity, of course he should be expected to do it on his own. It would then be valid to treat him as the white immigrants were treated and to exact from him the same requirements. Unfortunately, the problems which confront the Negro immigrants are altogether different from those faced by their white predecessors.

NEGRO IMMIGRANTS FACE GREATER PROBLEMS

As lawyers, we know that the individual Negro is neither stupid nor without the capacity for education. Negroes, when the opportunity has been available, have been successful in business and in the professions. Negroes are among the most capable of our judges. Negro physicians are recognized by their white colleagues as peers and have been elected to serve as leaders of medical societies. In our own office we have employed young Negro lawyers. Their ability to compete on even terms with their contemporaries is established.

When these facts are marshaled, the frequent reply from the white community is that since the individual Negro has demonstrated the capacity to compete on equal terms with individual white men similarly situated, does this not prove that the Negro can, if he but will, work his own way out of his problems just as the white man did? Do these facts not demonstrate that the plight of the Negro in the mass is in truth his own fault—and a matter of no concern or responsibility of the white population?

Maybe so—but, again, let's take a little closer look at the facts.

There is one similarity between the present Negro slum dweller and the white man who worked his way out. Both left a dead-end environment of repression and absence of economic opportunity and moved to the cities in search of a better life. But that is where similarity ends and differences begin.

First, the Negro influx into urban communities is unique because of its sheer volume. In Cleveland, for instance, in the last twenty-five years the Negro population has increased by nearly 400 per cent. By and large, this increased population has been compressed into substantially the same residence districts previously occupied by Negroes. The attempt to house four people where there is but room for one has created a housing problem that never existed on the same scale for the white immigration waves.

Second, while many white immigrants also lived in overcrowded slums, yet for them there was always available a safety valve. Those who achieved the financial ability to move from the white ghettos were able to do so, limited only by their financial circumstances. Not so with the Negro. The white majority generally has not yet recognized the necessity to accept Negroes as neighbors. No long-term solution of interracial conflicts is possible without this acceptance.

Third, the white immigrants knew that once education had been obtained the door of opportunity would open into a new and better environment. They sought by every means available to acquire education. Just the opposite has been the experience of millions of the Negro immigrants and their ancestors. They have no credible evidence of the value or necessity of education. Historically, the educated Negro has been handed the same shovel as his uneducated contemporary. Until the mass of Negroes can be made to believe that education will pay off in equality of job opportunity, mass education of the Negro will continue to be difficult of achievement.

Fourth, two of the strongest forces that maintained social order and hope in the white ghettos have not been available to the Negro immigrant. These were a strong family structure and an effective church discipline. Most of the white immigrants to the big cities came either as parts of family units or through the influence of family members who had preceded them. They brought with them adherence to a strong family structure and discipline, which had been developed over centuries and which contributed significantly to the stability and advancement of the white immigrant. Not so with the Negro. At the lowest levels of Negro society, where the need for repair of the present structure is most acute, fathers do not know their own children, and children frequently know no father at all. The family unit the white immigrant knew is nonexistent. These are the fruits of slavery—harvested by the Negro but planted by the white. And for the white immigrant the discipline and example of the family was supplemented by the discipline, leadership and restraining influence of the church. No similar influence is available to the mass of our Negro ghetto population. Negro religion—at the levels of our concern—is emotional rather than disciplinary.

Finally, of course, is the difference in the color of the skins of the white and Negro immigrants. The white immigrant had no need for outside assistance to qualify him either for a job or a place to live. The anonymity of his white skin afforded him free and unrestricted access to whatever job his skills, education and personality permitted him to hold and to whatever housing accommodation his resources permitted him to enjoy. Not so with the Negro.

It should be obvious that these interracial problem are interrelated. Negroes are denied equal employment opportunities because they have been denied equal educational opportunities, and these have resulted largely from denial of equal housing opportunities. In substantial part the denial of equal housing opportunities has resulted from the fact that because of lack of equal educational and employment opportunities Negroes were unable to achieve sufficient earning capacity to improve housing opportunities. As a result, there has been created a situation that the Negro simply cannot correct on his own. This is not because he is a Negro. The problem is one of magnitude, not of color.

WHAT ROLE FOR THE ORGANIZED BAR?

What then, should be the role of the organized Bar in achieving solution of these interracial problems? Of course, we must support all proper measures for the maintenance of law and order, but we cannot solve these questions with our heads in the sand. We ourselves must believe, and we must exert the full force of our efforts to make others realize, that law and order cannot long be maintained by suppressive and repressive efforts alone. The white majority must come to realize that supression of the symptoms of riot and disorder will afford no permanent solution. We must lead the way to a full realization of the true nature of the underlying causes of such symptoms and the urgent necessity for the development of workable means for their removal.

We must lead the Negro citizen at the same time to realize that there is understanding and appreciation by the white majority of these causes and that the majority will face up to its responsibility for their removal. The Negro, in the mass, must be given hope. The absence of hope has been a material cause of riots.

What specific aids can the organized Bar bring to the solution of these problems? We can start with the profession itself. We can remove all restrictions, if any still remain, on the admission of Negro lawyers to our professional societies on a basis of complete equality with their white contemporaries. We can eliminate the bars to the employment of competent Negro lawyers by white law firms. If the leadership of lawyers is to be effective, it must include both white and Negro lawyers acting together in equality.

At the national and state levels we can utilize the influence of the organized Bar to bring public authorities to the realization that our interracial problems cannot be solved without large-scale government assistance. The white majority must accept this cost. The organized Bar must provide the leadership to obtain that acceptance. The provision of such assistance is not the breaking of new ground. In the depth of the great depression, when our white majority was faced with economic and social distress comparable to that now facing the Negro minority, neither the federal nor the state governments hesitated to act. What measures are now required may be debated, but the need for effective measures should not be.

WHAT IS BEING DONE IN CLEVELAND

At local levels the great opportunity for leadership by the organized Bar is to improve interracial communication and understanding between individuals. Specifics must vary from community to community. We have had some experience in Cleveland that may be helpful.

We have come to realize that to the poor the law is an oppressor rather than a protector. Contact with the law by the poor has been limited primarily to relationships with the police and the garnishment and eviction processes. In co-operation with the Office of Economic Opportunity, we are providing legal aid through neighborhood offices located in the heart of the ghettos not only for criminal defense but also for the solution of civil problems. To the charge that this is a socialization of the practice of law, our response is that if the practice cannot meet the demands of modern society, it cannot justify its continued existence in its traditional form.

The Cleveland Bar Association is working with the local government to provide technical assistance in police-community relations and in urban renewal and housing problems. It is assisting the business and educational leaders in attacking the job opportunity problems.

The association has organized a broadly based working group, including both Negro and white lawyers, that seeks by personal contacts with clients, church representatives, nationality groups, friends and neighbors to teach the white community about the necessities of the problem and the urgent need for its resolution, and to teach the Negro community that riot and disorder can only be destructive and that, with the opening of new opportunities, education, ambition, industry and responsibility will, in fact, pay off.

To date the results of our efforts have not been sensational, but we have proved that both our private and public sectors will accept the leadership of lawyers if it is made available to them.

The crisis we face is the greatest since the Civil War. The greater the crisis, however, the greater the opportunity for leadership and service. If American lawyers will put their hearts and minds to the task, we can once more become "one nation indivisible, with liberty and justice for all". If our nation does not succeed in this endeavor, certainly our efforts to maintain leadership in a world two thirds of whose population is nonwhite must be futile. If we win, our victory will be magnificent. If we fail, our failure will be disastrous.

VIETNAM VETS: FUTURE EMPLOYMENT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Oakland Tribune, May 31, 1968]

VIETNAM VETS: FUTURE EMPLOYMENT

Because of the well-heralded frustrations and bitterness of the hard-core unemployed, this nation is now spending billions in an unprecedented effort to provide them job training and job opportunities.

This effort is unquestionably necessary and justifiable. But in our preoccupation with tending to the needs of the nation's poor, we have forgotten that another group of citizens must have priority attention.

We are speaking of our nation's returning Vietnam veterans—young men who have spent two, three and four years risking their lives for this country while others at home rioted, looted and burned draft cards.

The transition from war to peace has always been recognized as a difficult one for the returning veteran. In other times it has been awarded top national priority. The plight of the returning Vietnam era veteran must also have top billing in finding employment.

Indeed, a Vietnam GI Bill has been provided; the President has issued an executive order exempting returning veterans from taking competitive examinations for federal employment at the five lowest civil service levels; and federal and state employment services are engaged in special efforts to locate and counsel job-seeking Vietnam veterans.

But, when compared with vast civilian manpower programs, the total effort in behalf of Vietnam veterans appears to be receiving only secondary attention.

Unless a greater effort is made by both government and the private sector of the economy, the growing problem of providing jobs for veterans could become a critical one—particularly in our own state.

One year ago the Defense Department estimated that between July 1, 1967, and June 30, 1968, 750,000 veterans would return to the labor market nationally, 65,000 of them to California.

Local Department of Labor officials now say the California figure instead will be almost double that prediction—somewhere around 120,000 men. The reason advanced is that a high percentage of returning veterans are separated from the service in California and simply elect to remain in the state.

Should the Paris peace talks eventually prove fruitful, it's estimated that the resulting demobilization would release 900,000 servicemen into civilian life over an 18-month period.

These young men—most of them, statistically, in their early 20's and more than 80 per cent with a high school education or better—deserve far more from their nation than to return from the sacrifices and turmoil of the battlefield merely to a more frustrating and embittering social turmoil at home.

They have already demonstrated their first-class citizenship; they are entitled to nothing less than first-class treatment.

We suggest that it is high time the task of providing job training and job opportunities for returning Vietnam veterans receive the attention, energies and priorities of government, commerce and industry.

SERVICE-CONNECTED COMPENSATION INCREASE FOR VETERANS

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. PHILBIN. Mr. Speaker, I am very happy indeed that H.R. 16027 providing for increased benefits for veterans with all degrees of disability has been reported by our great Veterans' Affairs Committee.

This bill is extremely meritorious, especially during these times of rising prices and inflation, and I am happy indeed to know that our efforts to secure its passage has finally been crowned with success.

Our basic veterans program is very well conceived. Throughout the years, we have put a great deal of time into it to make sure that it meets all the needs of our veterans in the different areas where the Government provides benefits and privileges.

I think it can be said by common consensus of the American people embracing all races, creeds, and classes that this work of ours for the veteran is indeed God's work, since it does justice and equity to those who have offered their all to protect and preserve this great country, or who have paid the supreme sacrifice with the sure conviction that their dear ones and dependents would be remembered, as they are by this bill, and other veterans programs to which I have referred.

I am pleased to support this fine bill and commend the committee for reporting it to the House. It deserves unanimous support.

TALLAHASSEE DEMOCRAT DEDICATES NEW PLANT

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FUQUA. Mr. Speaker, recently I was privileged to attend the dedication rites of the new building housing the operations of the Tallahassee Democrat, the influential daily newspaper in the capital city of Florida.

Two very outstanding addresses highlighted that service. President Lee Hills of Knight Newspapers, and James Knight, a vibrant force in American journalism and one of the key men of the firm which bears his family name, were the speakers.

I am proud of this progressive step on the part of Knight Newspapers, for the Tallahassee Democrat is an important force in Florida and vital to north Florida.

I cherish my friendship with Publisher John Tapers, Editor Malcolm Johnson, and Managing Editor Bill Phillips. They made a great contribution to the people of our area of the State in particular and are a credit to the newspaper profession in general.

I join in paying tribute to the management and staff of the Tallahassee Democrat on this singularly important event in the life of this growing newspaper.

At this point, I would like to have reprinted the remarks of Mr. Hills who pointed out that this paper must ever be "a defender of the people's right to know." His remarks were as follows:

REMARKS OF LEE HILLS AT DEDICATION OF NEW TALLAHASSEE DEMOCRAT BUILDING, TALLAHASSEE, FLA., MAY 24, 1968

First, let me extend greetings from Jack Knight, and also convey his disappointment that he couldn't be here today for reasons beyond his control. But the fact that he couldn't make it, as you've seen, doesn't mean that this beautiful new building couldn't be dedicated right on schedule and the final edition of today's Tallahassee Democrat printed and distributed.

As Mrs. Audrey Griscom said when the Knights purchased the Democrat 39 months ago, "They allow maximum autonomy so that their newspapers can best mirror community needs." Jack would be the last to think his presence was required here today.

And since I'm not a member of the Knight family, but only a knight standing in shining admiration of them, of their contribution to the newspaper profession and to their communities, perhaps Jim Knight here will excuse me for saying some things about them that he or Jack would never say about themselves.

The first and most important is that they firmly believe and firmly practice what Jack Knight said when they acquired the Democrat:

"It is the obligation of every newspaper," he said, "to protect the public interest through investigative reporting and pertinent editorial comment. The Democrat must ever be a crusader for the truth and a defender of the people's right to know."

That the Democrat has adhered to these obligations, I might inject, has rarely been better shown than in the recent troubles at Florida State University. Malcolm Johnson and Bill Phillips, backed by John Tapers, called the shots as they saw them, and we're proud of them.

I want to get just a little personal about the Knights, as I suggested a moment ago.

The greatest example of the dedication we are talking about are Jack and Jim Knight themselves. Of the two, Jim is more the businessman, and the first lesson of newspapering is that unless the newspaper is in the black, unless it is sound financially, it can't do anything else—including protecting the public interest and the people's right to know.

Jim is also the innovator, as both this plant and our new Miami Herald building will testify. And he now has started on a third new newspaper plant in Charlotte, North Carolina, where we operate the Charlotte Observer and News.

The future, as he sees it, has no limits, and he has faith that we will be there.

Little really needs to be said about Jack Knight as the editorial partner other than to cite his credentials:

The Maria Moors Cabot Award, the University of Missouri medal for distinguished service to journalism, the John Peter Zenger award this year, and to top it all, a Pulitzer for editorial writing himself, and Pultizer Prizes for two other Knight Newspapers this month.

It's fitting and proper that Jack should be the editorial chairman of one of those Pulitzer winning newspapers, and Jim the publisher of the other. And it is certainly worthy of note, if you'll pardon my pride, that this was the first time in the 52-year Pulitzer Prize history that three awards have gone to one newspaper organization. We now hold a total of 12 of these coveted prizes, plus two honorable mentions.

As you all know, Jim and Jack have a long and ardent love affair with this part of the country. Their father, Charles Landon Knight was born on a farm near Milledgeville, Ga., which was, like Tallahassee, the first capital of its state.

Along the way while their father was becoming a famous editor himself, Jack was born in Bluefield, West Virginia. And if Tallahassee, as Malcolm Johnson once said, is on the little toe of the Appalachians, Bluefield has got to be the instep.

Jim was born in Akron, Ohio, but he corrected that when he was still a very young man by moving to Florida and becoming a Southerner. He has now been a resident of Florida for more than 30 years.

But enough of the Knights, though I could spend hours telling you about them and about the satisfactions of working for their kind of newspapers. Today we are talking about one newspaper—the Democrat—and its long and honorable association with Tallahassee.

When the old building at Call and Adams was built in 1953, it was the latest word.

But that was 15 years ago, when Tallahassee, Leon County and the Democrat were all smaller, and we were all a lot younger.

By the time Knight Newspapers purchased the Democrat, the plant was too small and too crowded, and the equipment was unable to meet the needs of this growing, thriving, vibrant area.

It is rumored that Jim looked at some of that old machinery in dismay, and a colleague wisecracked: "You can't put a Knight out on a dog like this!"

Be that as it may. The same people who struggled with the battered old equipment are now showing what they can do when they have the tools to work with. And that is exactly what it amounts to. This shining new modern plant cannot make a better newspaper, except superficially. The men and women who work in every department of the paper are the ones who produce a better Democrat. For a newspaper, more than any enterprise I know, is people.

With unlimited faith in the future, and with the welcome extended us three years ago by Mrs. Griscom that the Democrat is "in capable hands" still fresh in our minds, we have built this new newspaper plant. And I would like to pledge again the promise that the Knights made then, on Feb. 13, 1965:

"We have made a substantial investment in the Democrat because of our faith in the future of Tallahassee and the state of Florida.

"The Democrat has made many constructive contributions to the area it serves. We believe its accomplishments can be even more notable in the years ahead.

"Your newspaper will continue to be politically independent in its policies, but never voiceless. It will support the candidates and the causes which, in the opinion of its editors, can best advance the growth and development of its community and state."

It has. It can. And it will.

Before I turn this program over to James L. Knight, I'd like to tell you a story about him. The last time he built a major newspaper plant was six years ago in Miami. One day I was getting the guided tour with Jim and Chuck Sandlin, who was in charge of that project and has helped on this one, too.

Typically, Jim stopped to talk with a workman. Chuck and I walked on, not noticing Jim missing. Soon, I did notice and said, "Chuck, I think Jim is lost."

"No, Lee," Chuck said. "Considering who he is and who we are, I think we're lost."

Chuck was right. If Jim Knight ever lost his way, or ever became confused about how he wanted his papers to go, he wouldn't be Jim Knight.

Thank you, and now we'll hear from Jim.

Mr. Speaker, I think you will agree that his was a moving statement. Here are the remarks of Mr. Knight:

My friends, we meet at a time of crisis, in fact, many crises. There is the crisis of the war in Vietnam—a war we cannot win, and even if we could, we would not know what to do with the victory.

There is the crisis of lawlessness and violence and ever increasing crime which has made some of the most famous and once respectable streets of our great cities unsafe to walk at night.

There is the crisis in our courts where mistaken permissiveness has placed the criminal in a favored position over the police in many instances.

There is the crisis in our schools where the students, in residence so very briefly and so inexperienced, would take over the management of some universities by means, which in some cases, outside of Florida, are violent.

There is the crisis of freedom in which the organized minorities would take away the rights of the unorganized majority which is leaderless and confused.

There is the crisis of the dollar with its declining value, the crisis in the imbalance of trade, and the crisis of productivity which threatens our industrial might.

And it is of none of these that I would discuss today. Rather, we might devote a few minutes to considering another crisis which is a result of all of the above—the crisis of confidence, the confidence once held by all Americans that we could achieve anything we set our minds and our hearts to doing.

Reflect upon this matter of confidence. On December 8, 1941, the day after our fleets and airfields were destroyed at Pearl Harbor and in the Philippines, could you find an American who ever doubted for a moment that we would win that war? You could not. Reflect further upon that era. France was defeated and the Nazi war machine stood triumphant throughout all of Europe and North Africa and also held the Middle East under its influence. Only England had survived. The Japanese had swept down through Asia taking all of coastal China, Korea, Malaya, much of Burma and all of Indonesia.

The situation was never more dangerous for the United States. But were we unsure of ourselves? Did we lack confidence? Of course we did not. All we needed was a little time. We got it and we fought two great wars on opposite sides of the world and won them.

We plunged into the post-war world with great confidence, lifted Europe to its feet with the Marshall Plan, lifted Japan to undreamed of industrial eminence, and pursued the good life at home.

Now, what has happened? Have we really lost our confidence?

I think not—and I would cite our ceremony here today as our own evidence in our own profession that we know that there are good things in store for all of us.

We of Knight Newspapers were confident of the future of Tallahassee and Florida and that is why we welcomed the invitation to come here and join the good people of our state capitol.

We had and have confidence in the people of Tallahassee, Leon County and this entire area with its burgeoning developments in population, education, business and industry.

We have confidence in the men and women who produce every day a splendid newspaper which renders a valuable service to the readers, the advertisers, and to the development of the community as a whole.

That is why we decided to build this building (in the charming tradition of your own architecture), with all confidence in the work it will do for the community and the response the community will continue to make to the Tallahassee Democrat.

Without such confidence, of course we would have done nothing. Thus, in our own field, in our own area, we express the underlying confidence which every knowledgeable American must have in his country and its future.

Regardless of how severely the shocking developments of the day can becloud our national purpose, we know in our hearts that we live in the greatest country the world has ever known and that we have the energy, the abilities, the skills, and above all, the ideals and the dedication, to make it provide a better and better life for every deserving citizen.

I would like to take this occasion to compliment the Democrat publisher Jack Tapers and its editor Malcolm Johnson, who displayed an abundance of confidence recently. The task of moving this newspaper to its new home was a major undertaking—but concurrent with this they have caused the processes of publishing to be dramatically changed at the same moment. The man behind the construction and the changeover is Chuck Sandlin, former submariner and electronics engineer. The name Sandlin means much to us because Chuck's father, Bill, has been with us for a half century or more.

The production of setting ads and reading matter is now produced by the most modern methods—the processes of printing this newspaper have been changed from the old style letter press to the modern offset system.

Mr. Speaker, I too have faith in the growth and progress of Tallahassee and this section of Florida. This new plan provides the Democrat with the most modern printing equipment and it already has a dedicated staff.

We have every right to be proud along with Knight Newspapers at this time.

FLAG DAY, 1968

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BEVILL. Mr. Speaker, on June 14, our Nation will observe Flag Day, 1968. Every U.S. citizen should be proud to look upon the American flag as the greatest national symbol ever unfurled from any standard. It represents the constant strengthening belief that the powers of our Government are derived from the people—a principle which has sustained us down through the years.

Under unanimous consent, I insert in the Extensions of Remarks of the CONGRESSIONAL RECORD a recent editorial which appeared in the Etowah News-Journal of Attalla, Ala. I believe my colleagues will find in this article, as I did, words that should be spoken at this time in our history.

The editorial follows:

FLAG DAY, 1968

The calendar tells us that we soon will be observing Flag Day. This year it falls on June 14. Every U.S. citizen should be proud to look upon the American Flag as the greatest national symbol ever unfurled from any standard. It represents a nation formed on the unprecedented principle that the powers of government are derived from the people. The U.S. Flag exalts the individual and the constitutional guarantee which preserves his freedom. It represents a people that have been generous, heroic, and creative. It is the symbol of freedom from political oppression, of opportunity to make a better life to which the oppressed of all nations have turned with hope and been fulfilled.

Flag Day is a good time to get back to basics and recognize that a tingling up your spine when the Stars and Stripes go by is one of the surest signs that the vitality and genius of this nation and its capacity to achieve great things on the stage of history is still very much with us. Despite our mechanized, computerized society, the fact remains that anything having to do with human endeavor rests upon an intangible quality of spirit in the individual. Some individuals have it in larger measure than others, and the same is true of nations.

The greatness of the United States is based on the spirit of her people. Let us remember in these complicated days of our history, there is much need for simple patriotism, deeply felt and clearly shown.

BENNETT'S REMARKABLE RECORD

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FUQUA. Mr. Speaker, if I were to write a sequel to the late John F. Kennedy's book, "Profiles in Courage," I would have to include a chapter on my friend and colleague, Congressman CHARLES E. BENNETT, of the Third District of Florida.

It has been my privilege to serve in the adjoining district and I know from our close friendship the sacrifices he has made to establish an enviable record in the Congress, having established a voting record that extends over 17 years.

This is not just remarkable, it is phenomenal to those of us who know him best, for he suffered polio while serving behind Japanese lines in the Philippines during World War II.

Broken bones and the difficulty of getting around have only served to make him more determined to make every vote. Sometimes he has done so in a wheelchair, arriving at the Capitol in an ambulance, and a thousand other examples of personal courage.

The Lake City Reporter recently wrote a fine editorial about a truly remarkable man and I include it here as an additional tribute to a friend and colleague I greatly admire:

BENNETT'S REMARKABLE RECORD

He had to get there in a wheelchair, but Rep. Charles E. Bennett, Jacksonville Democrat, nevertheless succeeded in keeping his remarkable voting record intact in the U.S. House.

The north Florida congressman recorded his 2,000th vote in a string extending some 17 years when he voted "yea" on a bill to authorize a Missouri River Basin public works project.

His consecutive voting record dating back to June 5, 1951, is unmatched in the 179-year history of Congress. Especially is Bennett's outstanding devotion to duty worthy of salute in view of the long list of obstacles he has had to master.

The reason it was necessary for him to utilize a wheelchair to chalk up his 2,000 House vote was due to a knee fracture he sustained in mid-April on a train en route from Washington to Jacksonville.

And this wasn't the first time he has refused to let a broken bone keep him from the House floor when a roll call vote was to be taken.

Since being elected to the U.S. House after suffering polio while serving behind Japanese lines in the Philippines during World War II, Rep. Bennett has suffered four broken legs. Each time he managed to make his way to the floor of the lower chamber to vote, making the trip from the hospital to the capitol in an ambulance on one occasion.

Bennett's war-time illness left his weakened legs susceptible to fractures, and he is required to walk with the aid of braces and a cane. Even so, he is always on hand when an issue is to be decided.

This truly remarkable voting record of Bennett is in sharp contrast to the pitiful performance recorded by many of our lawmakers who spend much of their time away from the capitol and fail to answer up to 75 per cent of the roll call votes.

SENATE—*Tuesday, June 11, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, on the threshold of a new day, send us forth armed with Thy power to overcome evil; if need be, to endure hardship, but in all things to serve Thee bravely, faithfully, joyfully; that, at the end of the day's labor, kneeling for Thy blessing, Thou mayest find no blot upon our shield.

Thou art the center and soul of every sphere, yet to each loving heart how near.

Renew our faith in Thy power and in the victory of Thy purposes. Here let us see again the vital and eternal things that are stronger than the noise of the world.

Quicken our love of America that we may see the shining glory of the Republic both as a heritage and a trust.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 10, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 3400) to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 3400) to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATIONS ON THE SECRETARY'S DESK—DIPLOMATIC AND FOREIGN SERVICE

The bill clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service, which had been placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

INEQUITIES AND INADEQUACIES OF OUR ELECTORAL SYSTEM

Mr. MANSFIELD. Mr. President, now that the last of the happenstance primaries are over and the results are in, I think it is time to make a few comments on the inequities and inadequacies of our electoral system.

Some of the candidates went directly to the people. Others disdained the primaries and concentrated on sewing up State delegations. All of the candidates have required huge sums of money to be spent in their behalf; I daresay amounts which collectively involve millions of dollars. For what?

I hardly think these methods are any longer appropriate to the requirements of the Republic. It would appear to me that it would be far more equitable, far more just, and far more democratic and, above all, far more rational to adopt an electoral system based on the following procedures:

First. Abolish both the convention system and the electoral college.

Second. Extend the right to vote in primaries as well as in general elections to the 18-year-olds.

Third. Establish a nationwide primary to be held in all the States on the same day to be followed by the direct election of the President; and in that fashion elminating both nominating conventions and the electoral college.

Fourth. Limit the Presidency to one term of 6 years.

If the above proposals were adopted, and I know before they are, if ever, they will have to traverse a long and hard road, it would mean that the people would be able to participate fully and directly in the electoral process, from nomination to election, rather than as is now the case through intermediary state delegations. It would give younger citizens a chance to participate more actively and pertinently from the beginning to end and, hence, not suffer the bitter letdown which comes when the candidate on whom they have spent so much time and energy loses by virtue of happenstance primaries in which they can work but cannot even vote. It would strengthen the Presidency by forbidding reelection and would allow the President to be his own man, so to speak, throughout his entire term of office.

I would urge also, through legislation if necessary, something be done to restrict public appearance campaigning of presidential candidates to TV and radio and all public appearance of Presidents of the United States to those circumstances and occasions for which there can be provided total protection.

I offer the above suggestions in the hope of enhancing and guaranteeing the survival of the American political system rather than its demise. The methods of choosing the Nation's leaders must be reassessed. The methods by which they have been chosen must be changed. As of now, no matter how careful the security measures, no matter how many laws we pass, the candidate will still be at the mercy of the assassin. Furthermore, the campaigns should be reduced drastically in time, the cost scrutinized very carefully because certainly with the exorbitant expenses of campaigns today and the need for contributions, obligations, whether recognized or not, are created on the part of those who receive contributions.

It is time to end these drawn out political extravagances which are more like circuses and to bring about the necessary changes to make our system more effective, to bring it more up-to-date and to establish a procedure more in accord with the realities and the difficulties of today.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BYRD of West Virginia. Mr. President, I wish to compliment the distinguished majority leader on his thoughtful and timely statement. I share his viewpoint as he has expressed it, and I wish to associate myself with his remarks.

Mr. MANSFIELD. I thank my distinguished friend.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATION FOR MARITIME PROGRAMS—UNANIMOUS CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, on the pending business, I ask unanimous consent that, beginning at the hour of 2 p.m., there be a time limitation on the Williams amendment, the time to be limited to 40 minutes, to be equally divided between the distinguished Senator from Delaware [Mr. WILLIAMS] and the distinguished Senator from Washington [Mr. MAGNUSON]; and that at the conclusion of that time, not to exceed 40 minutes in toto, there be a vote on the Williams amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN CONTROL LEGISLATION—ORDER FOR REFERRAL

Mr. MANSFIELD. Mr. President, after conferring with the Parliamentarian and the chairmen of the Committees on the Judiciary and Commerce, I ask unanimous consent that a communication from the Department of Justice on gun legislation be referred jointly to the Committees on the Judiciary and Commerce, and that any bill on the subject be referred to the Committee on the Judiciary and, upon the bill being reported by the Committee on the Judiciary, that it be referred to the Committee on Commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, in explanation, I want to state that there was a question, because of the interstate commerce clause, as to the responsibility and the authority of the Committee on Commerce with respect to firearms proposals. It was my personal belief that it should have been referred to a single committee and reported from that committee to the floor for consideration. But, in recognition of the realities, I see no other course to follow than that which has been just granted by the Senate in response to the request made.

I would express the hope that hearings would be held promptly and that a bill would be reported so that, if at all possible, it would be available for consideration, debate, and disposal by the Senate at this session.

I want to assure the Senate, so far as the leadership is concerned, that there will be no roadblocks placed in the way of considering any such bill reported and approved.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

A. Everette MacIntyre, of Virginia, to be a Federal Trade Commissioner.

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, as in executive session, I also report favorably sundry nominations in the Environmental Science Services Administration and in the Coast Guard which have previously appeared in the Congressional Record and, to save the expense of printing them on the Executive Calendar, ask unanimous consent that they may lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Hubert W. Keith, Jr., and sundry other persons, for appointment in the Environmental Science Services Administration;

Joseph J. O'Connell, Alvin Cattalini, and Louis J. Korecki, Reserve officers, to be permanent commissioned officers of the Coast Guard; and

Charles A. L. Linder, and sundry other officers, for promotion in the Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL (for himself and Mr. Murphy):

S. 3617. A bill to amend the Agricultural Adjustment Act of 1938 with respect to wheat; to the Committee on Agriculture and Forestry.

By Mr. KUCHEL:

S. 3618. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. HAYDEN:

S. 3619. A bill to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lillian I. Anderson; to the Committee on Interior and Insular Affairs.

By Mr. JACKSON (by request):

S. 3620. A bill to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JACKSON (for himself and Mr. Magnuson) (by request):

S. 3621. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 3622. A bill to amend section 303 of the Communications Act of 1934 to require that radios be capable of receiving both AM and FM broadcasts; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 3623. A bill to establish a Federal commission to issue bronze medals to honor American military men and women; to the Committee on Banking and Currency.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY (for himself and Mr. Harris):

S. 3624. A bill to authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the Treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission docket numbered 314, amended, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 3625. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 3626. A bill to amend section 34(b) of the Trading With the Enemy Act to extend the period within which certain debt claims may be filed thereunder; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3627. A bill for the relief of Tam Kam, Tong Pui Nam, Chim Wing, and Lam Leung Kam; to the Committee on the Judiciary.

By Mr. McGOVERN (for Mr. Montoya, for himself and Mr. McGovern):

S. 3628. A bill to amend section 416 of the Agricultural Act of 1949, as amended, in order to require the Commodity Credit Corporation to distribute food commodities to needy persons under such section, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 3629. A bill to amend the Act of October 3, 1965;

S. 3630. A bill for the relief of Laura Pinna;

S. 3631. A bill for the relief of Norma Serabia; and

S. 3632. A bill for the relief of Lucio Martella; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the first above-mentioned bill, which appear under a separate heading.)

S. 3618—INTRODUCTION OF BILL TO AMEND THE RETIRED PAY OF MEMBERS OF THE UNIFORMED SERVICES RETIRED PRIOR TO JUNE 1, 1958, WHOSE RETIRED PAY IS COMPUTED ON LAWS ENACTED ON OR AFTER OCTOBER 1, 1949

Mr. KUCHEL. Mr. President, in 1958, the Congress enacted a major change in retirement legislation for members of the armed services. The Congress saw fit to separate a longstanding relationship between retired and active duty pay. For more than 100 years our Government accepted a moral and legal obligation to calculate retired pay as a percentage of payments made to men on active duty. In accordance with title 10, section 6149 of the United States Code, every man who entered the armed services knew this would be his right on retirement.

This change made in 1958 was a breach of a hallowed contract between this Nation and its men in the armed services. I am introducing legislation today to come to the aid of those who retired prior to the 1958 law and entered retired status under what they believed to be a binding legal contract, or at least what would be a legal contract under the rules governing the relationship between private parties. The report of the U.S. Veterans Advisory Commission on the Veterans Benefits System specifically recommended that action be taken. I quote from their recommendation:

> Retired members of the uniformed services have suffered a loss in their earned compensation due to the action of Congress in 1958 of suspending, and later abandoning, the direct relationship between retired pay and current active duty rates. As a result, military retirees of the same rank, who have served exactly the same length of time, enduring equivalent hardships and dangers, now draw eight different rates of pay. The difference is not related to rank or length of service but solely to date of retirement.
>
> In illustration, the retired pay of a Sergeant (E–7) who retired in June 1958 after 24 years on active duty is $238.72. Retirement today, of a person with equal rank and years of service, would draw retired pay of $297.72, 24.7 percent greater. A Major (O–4), with over 25 years of active duty, retiring in June 1958 would receive $429.70 per month, while his counterpart retiring today would receive $525.78, 22.3 percent greater. In each case the lowest rate is for the oldest group of retirees and, as successive active duty pay raises and "cost of living" raises for retirees are made in the future, the disparity against the older groups will continue to increase.
>
> The Commission believes that elimination of this growing inequity would do much to reestablish the good faith of the Government in carrying out its moral obligations. This action would also create confidence among current active duty servicemen that their *earned* rights would not also be swept away after completion of their service.
>
> Therefore, the Commission recommends that a request be made to the Secretary of Defense to initiate and lend his support to a legislative proposal for basing the computation of military retirement pay on current active duty pay rates.

Mr. President, I concur in that recommendation.

Mr. President, I introduce, for appropriate reference, a bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949. I ask unanimous consent that the complete text of the bill which I am introducing today be printed at this point in the Record and that the bill be referred to the Committee on Armed Services.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3618) to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949, introduced by Mr. Kuchel, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 3618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in this Act the term "uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, including the reserve components thereof.

Sec. 2. Except as provided in section 3 of this Act, retired members of the uniformed services are entitled to have their retired pay, retirement pay, or equivalent pay recomputed on the basis of rates of basic pay that are now or may hereafter be authorized for uniformed services personnel in an active duty status provided that—

(a) such retired pay, retirement pay, or equivalent pay was originally computed on rates of active duty pay that were in effect on or after October 1, 1949, and before June 1, 1958, or

(b) such retired pay, retirement pay, or equivalent pay was originally payable on the basis of laws in effect prior to October 1, 1949, and the retired member's pay was recomputed under the authority provided by Public Law 81–351.

Sec. 3. Nothing in this Act shall operate to reduce the retired pay, retirement pay, or equivalent pay of any retired member of a uniformed service.

Sec. 4. The increases in retired pay, retirement pay, or equivalent pay authorized by this Act shall become effective on the first day of the month following the month in which enacted.

S. 3622—INTRODUCTION OF BILL TO REQUIRE RADIOS SHIPPED IN INTERSTATE COMMERCE TO RECEIVE BOTH AM AND FM BROADCASTS

Mr. MOSS. Mr. President, I am today introducing a bill to amend section 303 of the Communications Act of 1934 to require that all radio receiving sets shipped in interstate commerce be capable of receiving both AM and FM broadcasts. A similar bill has been introduced by Congressman Alvin E. O'Konski in the House of Representatives.

The practical effect of this bill is to assure greater diversity in radio programs to millions of Americans. At the present time many sets are equipped to receive only AM broadcasts, and the people owning these sets are shut out from the vast world of FM broadcasting—a world which includes both educational as well as commercial programs. This FM world of broadcasting will become even more important as Corporation for Public Broadcasting gets into full swing.

At the present time there are about 4,200 AM stations in the country, some half of which are daylight stations only. There are approximately 2,100 FM stations on the air today, 325 of them noncommercial, or educational stations. The inclusion of FM bands on all radio receivers would make additional radio available to many people after the daylight stations go off the air, as well as during the day when both types of stations are broadcasting. It would give the public a much wider choice of programs at all times.

At the present time, the receiving sets including AM and FM bands are more expensive than the sets which receive AM programs only. The average factory price for FM–AM sets is $22.95, while the average factory price for AM only runs somewhere between $16 and $18. There are some cheap AM sets on the market which can be bought considerably below this price, of course.

Undoubtedly, the requirement that all sets carry both AM and FM bands would increase the price of sets at first, but with greater mass production some technological savings could be expected.

The rationale on this bill is in line with thinking of the Federal Communications Commission on radio programing generally. For instance, the Commission has recently held that jointly owned AM–FM stations in communities of 100,000 population or over must program separately, in order to give the public a greater diversity and choice. My bill would have the same end result.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3622) to amend section 303 of the Communications Act of 1934 to require that radios be capable of receiving both AM and FM broadcasts, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Commerce.

S. 3623—INTRODUCTION OF BILL RELATING TO AWARD OF MEDAL TO HONOR AMERICA'S DEFENDERS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to authorize the U.S. Mint to strike 1 million bronze medals in commemoration of the American military man and woman. The Administrator of Veterans Affairs shall appoint a five-member, ad hoc, nonprofit Commission to handle the administrative details of the medals' sale and distribution. This Commission shall be designated as the Commission for the American Military Man Commemorative Medal. Each member shall serve with no pay. The Administrator shall serve in an ex officio capacity, without vote.

The five appointed members of the Commission shall be nongovernmental personnel and shall be generally acknowledged for their energetic work in veterans' affairs and organizations. It shall also be the duty of the Commission to approve a suitable design for the medal. In all cases, the Commission, through the Administrator, shall work in close liaison with the Veterans' Administration. The life of the Commission shall terminate upon the sale of the authorized number of medals, unless, of course, a legislation for additional medals, over and above the authorized number, is enacted.

The medals shall be designed, then struck in lots of 5,000, the cost of which is to be absorbed by the $3,000 sum authorized in my bill for such procedures. At that time, the Commission may purchase such medals, at cost value, from the Mint. It shall then be the function of the Commission to resell the medals to the public at a premium, at a price already having been decided upon by the Commission.

The profits obtained from the sale of these medals shall be used to provide assistance to American servicemen and servicewomen who are veterans of the conflict in Vietnam, in accordance with a suitable formula to be devised by the Veterans' Administration. These funds are to be used specifically in connection with the present readjustment programs which are geared to serve the returning Vietnam veteran. The Veterans' Administration's most recent figures show that approximately 26.2 million veterans are now in civilian life, with 2.1 million of them having served in Vietnam.

Our recent observance of Memorial Day reminded us that it is the man and woman in uniform to whom we owe so much. Our country's freedom has been defended so often in our history, and each time by men and women who were called to duty and who served bravely. So let us never forget that America stands free today, because her sons and daughters have fought and died for the liberty that is now ours. We must memorialize this Nation's courageous fighters in a manner befitting the true allegiance to which they themselves are pledged.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3623) to establish a Federal commission to issue bronze medals to honor American military men and women, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3624—INTRODUCTION OF BILL RELATING TO PAYMENT OF A JUDGMENT IN FAVOR OF CERTAIN INDIANS

Mr. MONRONEY. Mr. President, I, introduce for appropriate reference, a bill to provide for the payment of a judgment in favor of the Confederated Tribes, now collectively known as the Peorias. This bill will also provide for the preparation of a roll of persons entitled to their proportionate share under the judgment, the cost of the entire matter to be paid for out of funds now on deposit to the credit of the Peorias in accordance with the terms of the judgment.

I am happy to state that my distinguished colleague from Oklahoma, Mr. Harris, joins in introduction of the bill.

The PRESIDING OFFICER. The bill

will be received and appropriately referred.

The bill (S. 3624) to authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission docket numbered 314, amended, and for other purposes, introduced by Mr. MONRONEY (for himself and Mr. HARRIS), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3625—INTRODUCTION OF A BILL TO AUTHORIZE APPROPRIATION FOR PADRE ISLAND NATIONAL SEASHORE

Mr. YARBOROUGH. Mr. President, pursuant to the purchasing and establishing of the Padre Island National Seashore, there have been several declarations of taking in condemnation actions which have resulted in final court awards.

There are two particular actions which have now been concluded and awards made, but not paid because of lack of appropriations. Because the interest on these unpaid obligations is accumulating at the rate of $31,080.65 per month to the Government, I am introducing this bill to pay the awards made in court.

I ask unanimous consent that a letter from the Secretary of the Interior Department to the President of the Senate supporting this legislation be printed immediately after my remarks, along with a copy of the bill I am introducing.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3625) to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy any final judgments rendered against the United States in civil actions numbered 65–C–54 and 66–B–1 in the United States District Court for the Southern District of Texas, for the acquisition of land and interests in land for the Padre Island National Seashore. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgments, together with interest and costs as provided by law.

The letter presented by Mr. YARBOROUGH, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 4, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

The bill would authorize the appropriation of such sums as are necessary to satisfy final judgments against the United States in two condemnation proceedings which were brought to acquire property for the Padre Island National Seashore in Texas.

The Act of September 28, 1962, (76 Stat. 650; 16 U.S.C. 459d), authorized the Secretary of the Interior to acquire property within the seashore by donation, purchase with donated or appropriated funds, exchange or otherwise. Section 8 of the Act authorized the appropriation of not more than $5,000,000 for the acquisition of lands and waters and interests therein.

The Department's report dated April 7, 1961, to the Senate Committee on Interior and Insular Affairs on S. 4, 87th Congress (the bill which was enacted) gave an estimate of land acquisition cost of $4 million. The bill as reported by the Senate Committee (S. Rept. 1226, 87th Cong., 2d sess.) limited appropriations for land acquisition to $4 million S. 4 passed the Senate on April 10, 1962, with this limitation. The House Committee on Interior and Insular Affairs amended S. 4 to increase the appropriation authorization to $5 million (H. Rept. 2179, 87th Cong., 2d sess.) with this statement:

"As in other cases, however, the committee is dutybound to point out that cost estimates of this sort vary widely and that the adequacy of this allowance may well change if the lands are not acquired in the relatively near future."

Pursuant to an April 1963 Act of the Texas Legislature the State donated some 33,545 acres of submerged and tidal lands, leaving approximately 100,294 acres of private land to be acquired.

The Department of the Interior and Related Agencies Appropriation Act, 1964 (approved June 26, 1963, 77 Stat. 96) appropriated $1,500,000 for land acquisition at Padre Island National Seashore; the supplemental Appropriation Act, 1965 (approved October 7, 1964, 78 Stat. 1023) appropriated the remaining $3,500,000 authorized under the 1962 authorization. With these funds, detailed surveys and appraisals were made upon the private lands which were divided into tracts bearing the numbers 2 through 17. These appraisals were made by the National Park Service, using its own land appraisal staff and additional appraisers living in that area, who were operating under contract to the National Park Service.

Using the values resulting from these appraisals, negotiations were undertaken with the landowners in 1964 and 1965. Repeated offers, however, were found unacceptable to the owners in a number of cases. Following the failure of negotiations, condemnation actions were filed with accompanying declarations of taking, resulting in two civil actions; No. 65–C–54, May 1965, and No. 66–B–1, January 1966.

In civil No. 65–C–54, the sum of $1,212,350 was deposited with the court as just compensation for the owners of nine tracts totaling 33,680 acres. An additional tract (No. 12) of 66,360.98 acres was included in this action in January of 1966, and for it, a deposit with the court of $1,190,000 was made as just compensation. At this same time, an additional action was taken to clear title on a tract (No. 7) of 693 acres, the deposit with the court being $80,000. Total deposits, then, in civil No. 65–C–54 were $2,402,350, exclusive of the deposit for the friendly condemnation.

Trial on the first nine tracts was held in September and October of 1966 resulting in jury awards of $5,562,875 to these owners. The jury awarded $3,649,855 to the owner of tract No. 12. This brought the total of the awards, again excluding tract No. 7, to $9,212,730, resulting in the deficit of $6,810,380. Interest on that deficiency is accumulating at the rate of $31,080.65 per month. The landowners of tract No. 7 accepted the $80,000 prior to trial. This amount has been paid and is not involved in this bill.

Upon careful consideration the Department of Justice on behalf of the United States determined that it would not press an appeal. In the matter of civil No. 66–B–1, negotiations by the United States with the owners of two large and two small tracts numbered 14, 15, 16, and 17 failed. The United States filed a condemnation action with a declaration of taking in January 1966 to acquire and deposited the sum of $1,602,921 with the court as estimated just compensation for the four tracts. The trial on two of the tracts in question is expected in 1968. The Department is, of course, unable to predict the sum of the final court awards.

Inasmuch as title to the property has vested in the United States by virtue of the declarations of taking, the only issue to be determined by these proceedings is that of the amount to be awarded as just compensation. We recommend, therefore, early enactment of the bill in order that the Department will be in a position to request appropriations as soon as possible and forestall the continued running of interest.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,
CLARENCE F. PAUTZKE,
Secretary of the Interior.

S. 3628—INTRODUCTION OF BILL RELATIVE TO RELIEF FOR THE HUNGRY

Mr. McGOVERN. Mr. President, the Senator from New Mexico [Mr. MONTOYA] who is necessarily absent, has requested me to introduce for him a bill relative to relief for the hungry, of which I am honored to be a cosponsor. I therefore introduce the bill and ask unanimous consent that a statement prepared by the Senator from New Mexico be printed in the RECORD, together with the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 3628) to amend section 416 of the Agricultural Act of 1949, as amended, in order to require the Commodity Credit Corporation to distribute food commodities to needy persons under such section, and for other purposes, introduced by Mr. McGOVERN (for Mr. MONTOYA and himself), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 3628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431), is amended by inserting "(a)" immediately after "SEC. 416.".

(b) Such section is further amended by striking out the first three sentences and inserting in lieu thereof the following: "In order to prevent the waste of commodities whether in private stock or acquired through price-supported operations by the Commodity Credit Corporation before they can be disposed of in normal domestic channels without impairment of the price-support program or sold abroad at competitive world prices, the Commodity Credit Corporation, on such terms and under such regulations as the Secretary may deem in the public interest (1) is authorized (A) upon application, to make such commodities available to any Federal agency for use in making payment for commodities not produced in the United States, and (B) to barter or exchange such commodities for strategic or other materials as authorized by law; and (2) is authorized and directed, in the case of food commodities, to donate such commodities to the Bureau of Indian Affairs and to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in nonprofit school-lunch programs in nonprofit summer camps for children, in the assistance of needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served. In the case of food commodities donated pursuant to clause (2) of this subsection, the Secretary shall obtain such assurances as he deems necessary that the recipients thereof will not diminish their normal expenditures for food by reason of such donation. In order to facilitate the appropriate disposal of such commodities, the Secretary may from time to time estimate and announce the quantity of such commodities which he anticipates will become available for distribution under clause (2) of this subsection."

(c) Such section is further amended by adding at the end thereof a new subsection as follows:

"(b)(1) In providing for the distribution of food commodities to needy persons in any community or area of a State pursuant to clause (2) of subsection (a) of this section, the Secretary shall utilize the voluntary services and facilities of the local churches of such community or area if the distribution of food commodities would be expedited by the use of such services and facilities. The Secretary shall utilize the services and facilities only of those churches which request permission to participate in the distribution of food commodities to needy persons under this section; but no church shall be permitted to participate unless it agrees to do so in accordance with such rules and regulations as the Secretary may prescribe. Whenever the services and facilities of local churches are utilized in the distribution of food commodities to needy persons under authority of this section, the Secretary shall take such measures as may be necessary to insure that (A) such commodities are made available without regard to race, color, religion, or national origin of the recipients, and (B) the recipients of such commodities are informed that such commodities have been donated by the Federal Government.

"(2) If the State, Federal, or private agency or agencies designated by the proper State or Federal authority under clause (2) of subsection (a) of this section have failed to provide an adequate local food commodity distribution program to meet the needs of needy persons in any community or area within 90 days after the date of enactment of this subsection, the Secretary shall promptly establish in such community or area such local food commodity outlets as may be necessary to properly meet the food needs of such persons. Such local commodity outlets shall be established without regard to local governmental boundaries or other political subdivisions but shall be established in such manner as the Secretary determines will best meet the purpose of this section."

The statement of Mr. MONTOYA is as follows:

Mr. MONTOYA. Mr. President, in recognition of the fact that there are people in this great country who are hungry in a land of overabundance, and in consideration of the fact that a major reason for this situation is that there is a lack of adequate distribution facilities as well as specific legislation designed to preclude this problem, I am today—on behalf of myself and Mr. MCGOVERN—proposing a bill as an amendment to the Agricultural Act of 1949, section 416.

I believe that my bill will provide a great measure of relief by:

First. Directing the Secretary of Agriculture, through the Commodity Credit Corporation, to donate the designated surplus food to the needy;

Second. Directing him to cooperate with other Federal and State agencies and such private agencies as may request permission to assist in food distribution programs, and of special significance, specifically including churches in local communities; and

Third. If all else fails, directing him to establish distribution centers in any area where he has knowledge or reason to believe that the distribution of food to the needy is not being accomplished.

Among other things, part 3 of section 416 of the Agricultural Act of 1949 authorizes the distribution of surplus food commodities for use in the United States in the assistance of needy persons to the extent that such needy persons are served. Yet current events repeatedly call to our attention the fact that in many instances this is not being accomplished.

The fact is that many of the present food distribution centers are located several miles from people they are intended to serve. Not only is it difficult, it is sometimes impossible for many of these persons to find transportation to and from these centers. In some cases it is apparent that food distribution centers have never been established.

A means must be found whereby an effective food distribution program is established. I believe that the direction afforded by my bill will accomplish this.

In this time of need, brought to the attention of the Nation by many compassionate individuals and organizations, and particularly by many churches, it is reasonable and logical to presume that many of them will be receptive of the opportunity to be able to take a more direct part in providing help to impoverished persons in their communities. Not only do I believe that many of the churches will welcome this opportunity to help less fortunate members of society by this direct action, I am convinced that other private agencies as well as the Federal Government and the several States will see this as an opportunity to put forth a helping hand in the true spirit of aid and assistance to those in need.

Mr. President, many of us recognize that there are inadequacies in the existing legislation directed toward providing food for the needy. At this moment, let us not debate the issue. But rather, let us act now to relieve a situation that begs for attention.

The bill I propose offers an uncomplicated means for accomplishing relief. It permits a concerned and significant number of our citizens to do something to help. It provides a voluntary way for persons who are close to the problem to offer immediate assistance to others whom they know personally, or who are closely enough identified with the community, that their needs are obvious to others who reside there. It provides for those who want to help an opportunity to help.

However, if voluntary measures fail, the Secretary will now be directed to establish distribution centers where a need exists. There will be no question about whether or not he has the authority to act.

There is no doubt that food commodities are available. There is much doubt that our present facilities are adequate for reasonable distribution. I hope that we will not take direct action to correct this situation.

Mr. President, I ask all Members of this Congress to support this proposed bill for the immediate relief of the hungry.

S. 3629—INTRODUCTION OF BILL RELATING TO CUBAN IMMIGRATION

Mr. JAVITS. Mr. President, the Immigration Reform Act of 1965 imposed, for the first time, a numerical limitation on the number of immigrants who would be allowed to enter this country from the Western Hemisphere. Because of our special relationship with our Pan-American neighbors, a policy of free immigration had existed, which will end when the new quota goes into effect on July 1. Beginning next month, only 120,000 such immigrants will be admitted each year. I opposed the imposition of these quotas, and was particularly distressed to learn that Cuban political refugees will be included in the overall limitation. Mr. President, I certainly did not favor this restriction. It was one of the prices we paid for getting the bill.

The Select Commission on Western Hemisphere Immigration recently pointed out that Cubans are being admitted to this country at the rate of approximately 40,000 a year, thus charging them to the quota will effectively reduce the allotment by one-third.

As one who was a member of the Judiciary Committee at the time, I can state that Congress did not contemplate the extent of Cuban immigration at the time this bill was considered, for the Cuban Government did not liberalize its exit policy until after the bill had been passed. Certainly we did not intend that fully one-third of this quota should go to a single small country, but neither would we want to bar the Cubans who are essentially political refugees. Accordingly, I introduce, for appropriate reference, a bill recommended by the Select Commission on Western Hemisphere Immigration to provide that Cuban immigrants be admitted without being charged to the quota.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3629) to amend the act of October 3, 1965, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

Mr. DODD. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from California [Mr. KUCHEL] and the Senator from New Jersey [Mr. WILLIAMS] be added as cosponsors of the bill, S. 3605, to amend chapter 44 of title 18, United States Code, to provide adequate regulation of certain sales of shotguns and rifles.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I also ask unanimous consent that, at its next printing, the name of the Senator from New Jersey [Mr. WILLIAMS] be added as a cosponsor of the bill, S. 3604, to require the registration of firearms.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana [Mr. HARTKE] I ask unanimous consent that, at its next printing, the name of the Senator from Texas [Mr. YARBOROUGH] and my name be added as copsonsors of the bill, S. 3616, to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor of the bill, S. 3408, the Veterans' Employment and Relocation Assistance Act of 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that the names of the Senator from Colorado [Mr. DOMINICK], the Senator from Missouri [Mr. LONG], the Senator from Wisconsin [Mr. NELSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Pennsylvania [Mr. SCOTT] be added as cosponsors of the bill, S. 958, to provide that future appointments to the Office of Commissioner of Food and Drugs, the Office of Commissioner of Vocational Rehabilitation, and the Office of Commissioner of Welfare shall be made by the President, by and with the advice and consent of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 302—CONTRIBUTIONS TO VIOLENCE

Mr. WILLIAMS of New Jersey. Mr. President, a current listing of movies being shown in the area, which may contribute to answering the question, includes:

"The Devil's Brigade, a sock-it-to-'em war movie."

"The Last Challenge—Their law—kill or be killed."

"The Savage Seven—Blessed by the Devil Himself."

"We Still Kill the Old Way."

"Nevada Smith—He hated—he killed."

"Wild in the Streets—Zings you right where it hurts."

And television too, here are some current television opportunities: "The Wild, Wild West," "The Rifleman," "Guns of Will Sonnett," "Wanted: Dead or Alive."

These are old favorites, but there was a special treat last week: "Man in a Suitcase"—in "Why They Killed Nolan," one man is framed for murder and is set up as the victim of another; it is suggested viewing for TV audiences, since it is not a repeat.

The media though are not alone. Birthday coming up for your youngsters? How about the realistic, very popular "GI Joe Infantry Set—camouflaged repeating tommygun, repeating military pistol, handgrenades—knife and sheath, caps included."

Maybe we should try the book racks. We can find such bedtime reading as:

"'The Shadowy Third'—Murderous, mysterious, and homicidally delightful—the world's rarest violin disappears and the suspects keep turning up as corpses."

"See the Red Blood Run."

"'The Bright Blue Death'—A killmaster spy chiller."

"Lust for Murder."

"Law of the Gun."

"One Monday We Killed Them All."

Of course, I am not suggesting that emptying the theaters, turning off the sets, or stopping the presses will end the problem. In fact, these industries can multiply their benefit to the American way of life, as they have demonstrated time and time again.

The motion picture industry that can produce "The Sound of Music," "Guess Who's Coming to Dinner," and "In the Heat of the Night," can be a most powerful force for the saner society which we know we can achieve.

The task is not to curtail the dissemination of images and opinions, because that would be antithetical to all that this Nation stands for. The task, instead, is to evaluate the influence these agents of social change are actually exerting on the collective consciousness of the people; then, the responsibility becomes one of improvement, not curtailment.

If we care about the nature of our society, we have got to acknowledge that the urge to violence is threatening our social order. We have also got to admit that some of the influential communications media may have played a part in fostering violence. Finally, we have got to look for ways to bring about a change.

The Senate has the responsibility, and the opportunity, to lead in this search for new priorities, new attitudes, and a new concern for man's humanity to man.

Accordingly, Mr. President, I am submitting a sense of the Senate resolution which calls on the molders and shapers of public opinion to undertake a thorough self-examination to determine in what way they might be contributing to the atmosphere of violence and what they can do about this. I am particularly emphasizing that this be done by radio and television, the daily press, motion pictures, manufacturers of toys and games for children, lecturers and public speakers, and publishers of popular fiction.

Mr. President, I ask unanimous consent that the text of this resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 302) was referred to the Committee on Commerce, as follows:

S. RES. 302

Whereas the American social order is threatened with disruption and chaos, as a result of steadily mounting violence against person and property, and,

Whereas Americans cannot tolerate such violence and still maintain a viable social structure, and

Whereas certain attitudes and psychological conditions in America contribute in some way to the perpetuation of violence, and

Whereas investigative commissions and other public bodies represent a limited approach to the problem, and

Whereas the Congress is similarly limited in its ability to legislate against these attitudes: Therefore be it

Resolved, That (a) it is the sense of the Senate that institutions and agencies of opinion leadership, as well as private citizens who attempt to mold public opinion, undertake a thorough self-examination, to determine in what way they might be contributing to the atmosphere of violence in America;

(b) That such self-examination take as its goal the elimination of practices or policies which foster a climate of violence; and

(c) That such institutions, agencies, and private citizens shall include, but not be limited to, the mass media of broadcasting; the press, particularly daily newspapers; motion pictures; manufacturers of toys and games for children; lecturers and public speakers; and publishers of popular fiction.

A PROFESSORS EMERITUS AMENDMENT TO S. 3098

AMENDMENT NO. 847

Mr. YARBOROUGH. Mr. President, I am today submitting a proposed amendment to S. 3098, the Higher Education Amendments of 1968. The amendment is a technical one, being the same in substance as an earlier one introduced as amendment No. 526 to S. 1126, the Higher Education Amendments of 1967.

The amendment which would provide Federal sponsorship for the employment of professors emeritus at developing institutions of higher education has been redrafted to conform to S. 3098.

I ask unanimous consent to have printed in the RECORD this proposed amendment to S. 3098.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment was referred to the Committee on Labor and Public Welfare, as follows:

On page 12, after line 25, insert the following new section:

"SEC. 302. Title III of the Higher Education Act of 1965 is amended by adding the following new section:

"'PROFESSIONAL EMERITUS

"'SEC. 306. (a) The Commissioner is authorized to award grants under this section to professors retired from active duty at institutions of higher education which do not qualify for assistance under this title, to encourage such professors to teach and to conduct research at developing institutions. The Commissioner shall award such grants only upon application by an institution approved for this purpose by the Commissioner and only upon a finding by the Commissioner that the program of teaching or research set forth in the application is reasonable in the light of the qualifications of the professor emeritus and of the educational needs of the applicant.

"'(b) To facilitate subsection (a) the Commissioner shall undertake a program to disseminate information concerning this section both to institutions of higher education which qualify for assistance under this title and to those which do not and shall solicit from those institutions which do not qualify for assistance under this title the names of retired professors and of professors about to retire who evidence interest in participating in the professors emeritus program and disseminate such names and other pertinent background data to those institutions qualifying for assistance under this title.

"'(c) Grants may be awarded under this section for such period of teaching as the

Commissioner may determine. The amount of each grant awarded under the provisions of this section for each academic year of teaching or research shall be determined by the Commissioner upon the advice of the Council.' "

On page 13, line 2, strike out "Sec. 302." and insert in lieu thereof "Sec. 303.".

On page 13, line 3, insert "further" immediately before "amended".

On page 16, line 10, strike out "Sec. 303." and insert in lieu thereof "Sec. 304.".

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 11, 1968, he presented to the President of the United States the following enrolled bills:

S. 1999. An act to amend the District of Columbia Public Education Act; and

S. 2349. An act to provide for the appointment of additional circuit judges.

NOTICE OF HEARINGS ON S. 272, S. 2069, AND H.R. 15794

Mr. JORDAN of North Carolina. I wish to announce hearings have been scheduled for Monday, June 17 on the grain inspection bills S. 272, S. 2069, and H.R. 15794. The hearings will be held by the Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture and Forestry. They will begin at 10 a.m. in room 324, Old Senate Office Building, and anyone wishing to testify should contact the committee clerk as soon as possible.

JOB SAFETY HEARINGS TO RESUME

Mr. YARBOROUGH. Mr. President, I wish to announce that the Subcommittee on Labor of the Labor and Public Welfare Committee will resume hearings tomorrow at 10 a.m., in room 4232 of the New Senate Office Building, on S. 2864, the Occupational Safety and Health Act.

In connection with this bill, I call the Senate's attention to an excellent article that appeared in Monday morning's Washington Post. The column by Joseph Slevin points out that enactment of a comprehensive on-the-job safety law, such as S. 2864, would mean a tremendous dollar savings to American business. As Mr. Slevin states, $7 billion a year is at stake—counting wages lost, production losses and the other costs that are involved in on-the-job injuries and deaths.

There is no way, however, to assign a dollar value to the personal heartbreak and anguish these injuries cost. Each year more than 14,500 workers are killed. Each year more than 2 million Americans are injured badly enough to be off the job for a while—many permanently. Each year a total of 7 million American men and women are hurt at work.

As Mr. Slevin points out, with those kind of statistics the incredible thing is that something was not done by the Federal Government decades ago. Mr. President, I believe this article is a powerful argument for passage of S. 2864.

I ask unanimous consent to have printed in the Record an article entitled "Easy Way To Save $7 Billion: Enact On-Job Safety Law," written by Joseph Slevin and published in the Washington Post of June 10, 1968.

There being no objection, the article was ordered to be printed in the Record, as follows:

Easy Way To Save $7 Billion: Enact On-Job Safety Law

(By Joseph Slevin)

There is an easy way to save the American people millions of heartaches and $7 billion a year and it is beginning to look as though Congress will do something about it.

The undramatic solution is to enact a national on-the-job safety law. The United States does not have a broad industrial safety law and those millions of heartaches and the $7 billion represent the annual cost to the country of the deaths and injuries caused by occupational accidents.

Close to 15,000 workers will be killed on the job this year. More than 2 million will be temporarily or permanently disabled while another 7 million will be injured.

They will lose $1.5 billion in wages, will be away from their jobs for more than 250 million days, and the U.S. economy will lose $5 billion of needed production that it otherwise could have received.

President Johnson proposed the occupational safety bill last January. A House Labor subcommittee endorsed it the other day and the full committee is scheduled to vote next Tuesday. A Senate Labor subcommittee plans to complete its hearings on the measure by the end of the week.

The case for the bill is open and shut. The death, injury, and economic facts are shocking and irrefutable. The individual case histories of maimed men and women are devastating.

Yet there is a chance that the safety bill will not clear Congress. If it fails, its defeat will be a tribute to a singularly powerful lobbying campaign by the U.S. Chamber of Commerce.

The business organization is bitterly opposed to the measure. The National Association of Manufacturers is fighting the bill, too. The Chamber of Commerce campaign reached such a pitch last month that Monsignor George G. Higgins denounced the Chamber for a "demagogic and almost hysterical" attack.

Actually, the surprising thing is not that the Government wants to establish and enforce national safety standards but that something was not done a long time ago. Back in 1910, President Taft successfully asked Congress to halt the "frightful" diseases caused by making matches with phosphorous. Very little, however, has happened since.

Apart from the tremendous and overridingly important human gains, on-the-job safety is good business. It pays in greater worker efficiency, fewer production interruptions, and reduced insurance costs.

The problem companies are those that employ fewer than 500 workers. They have two-thirds of the 75 million U.S. jobholders, account for 98 percent of the working establishments in the country, yet frequently have weak or nonexistent health and safety programs and often are unaware that they have problems that can be corrected.

All the evidence is that on-the-job injuries and deaths can be cut sharply when adequate safety standards are enforced.

There is a striking contrast, for example, between the injury frequency rate for the one-tenth of 1 percent of the business and industrial firms that belong to the National Safety Council and the 99.9 per cent that do not. NSC members have a low 5.1 accident rate while non-members have a 17.5 rate.

Foundries run by NSC members have an injury rate of 10.5 against 25.6 for all foundries. Similarly, the injury rate in lumber is 15.9 for NSC members and 41 for the entire industry. In machinery the rate is 4.2 against 12.5 and in sheet metal it is 4.5 against 19.7.

Secretary of Labor Willard Wirtz told Congress that he cannot give a computer-exact forecast of the gains that will flow from enactment of the occupational safety bill but he promised that each year thousands of lives will be saved, hundreds of thousands of disabling injuries will be prevented, and billions of dollars of increased production will pour into the American economy.

PRESIDENT JOHNSON SPEAKS AT TEXAS CHRISTIAN UNIVERSITY

Mr. YARBOROUGH. Mr. President, on May 29, 1968, President Johnson received an honorary degree from Texas Christian University, where he delivered the commencement address to the graduating class. Against a background of change and controversy in our universities, the President's remarks constituted a message of hope and challenge to our young people. Citing the many accomplishments of America, the President noted that in spite of our successes, "We are a restless Nation." President Johnson urged the graduates to apply their moral energy to the positive aspects of change in our society. He urged them to make personal commitments to improving the Nation.

As a counterpart to his plea, he recommended that 18-year-olds be granted the right to vote. I have advocated this since my first campaign for Governor of Texas in 1952, and I am pleased with the President's corresponding support.

Because there is so much interest in and concern in our young, I ask unanimous consent that the President's remarks be inserted at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of the President at Commencement Exercises, Texas Christian University, Fort Worth, Tex., May 29, 1968

Dr. Moudy, and other students:

Any political speaker who comes to a college campus today does so at his own risk. I want to make it very clear at the beginning—I come here tonight not as a politician but as a student.

Just like you, I am here to get my degree. I am honored to appear here with seven others who will receive honorary degrees tonight. Perhaps my degree means more to me than it does to them. I am the only one who is a college dropout—from the electoral college, that is.

Dr. Moudy, I appreciate your Doctor of Laws Degree for another reason, too. As someone who has spent the better part of his life doctoring laws, it is nice to finally have a license.

So I appreciate it and I am delighted to be welcomed into the fraternity of educated men.

I may even apply for a Fulbright Scholarship, although I am not very hopeful of my chances. So I can come to TCU without paying homage to its great quarterbacks like Sammy Baugh and Davy O'Brien. Fort Worth is known as the some of great quarterbacks. So is the national capitol, Washington. The only difference is that your quarterbacks play on Saturday and ours do their work on Monday mornings.

We meet here tonight at a time when the American universities are at the center of rapid change and the center of heated controversy.

Perhaps this is a good time to reflect on the nature of change in America—on affirmations and discontent among our young people and on your opportunity to share in the ongoing discovery of our country.

It is an unchanging habit of commencement orators to talk about change. The speakers who tell their audiences this year that times are changing, however, should not be accused of dealing with platitudes. For America—and the world—are altering themselves at a dizzying speed. The citizen, the student and the public servant may find it difficult to fathom the nature and the meaning of all of this change.

But all of us can feel it happening. All of us are stirred by it. All of us are sometimes elated—and sometimes disturbed by it.

A stranger to America might well wonder how a people so active and so successful can be so troubled.

Why do we take so little comfort in the undeniable triumphs of the past few years? Why do we scarcely seem to notice how far we have come—and in how short a time—toward solving problems that have plagued our democracy for generations?

In the past three years, a stranger might point out, America has brought the franchise to almost a million citizens who had been systematically denied the right to vote.

In this Administration alone, the nation's economy—and our common efforts to conquer want—have lifted more than eight million citizens up from poverty; created more than seven million new jobs; cut unemployment to the lowest level in fifteen years; and increased the real income of the average American, after taxes, by more than 20%.

In a few years, the Congress has broken the deadlock of years and pioneered new programs in health, in education, in consumer protection in conservation, in civil rights. Your own Senator Yarborough and Tiger Teague and others have supported the leadership in this field.

Yet for all this accomplishment, the American people are anything but satisfied. We are, as countless orators and observers remind us, a restless nation.

Why? Part of the answer lies, I believe, in the very progress we have made. For a nation—as for an individual—success brings its own problems and raises its own vexing questions.

More than a century ago, a shrewd French visitor to our shores made this observation:

"The sufferings that are endured patiently, as being inevitable, become intolerable—at the moment it appears that there might be an escape. Reform, then, only serves to reveal more clearly what still remains oppressive, and now all the more unbearable. The suffering, it is true, has been reduced—but one's sensitivities have become more acute."

Certainly our sensitivities have become more acute. We are today more keenly aware of lingering poverty amid our growing wealth—of public squalor amid private luxury. Our people, especially our younger people, are more impatient than ever with "what still remains oppressive"—with racial injustice, urban decay, outworn institutions, bitterness and war between nations.

By almost every measure, we have moved closer—much closer—to solving our problems. But although some of the solutions are in sight, many of them remain frustratingly beyond our reach. With all our advances in computer technology, we are still unable to set a precise date for the arrival of equality, the advent of peace, the curing of old ills and the healing of old wounds.

As President Kennedy put it, we are destined—all of us—"to live out most, if not all, of our lives in uncertainty and challenge and peril."

How should we face that uncertainty? Will we master an uncertain age, or let it overwhelm us?

Have we the strength, the tolerance, the vitality—and the faith—to weather the "burden and the heat of the day"?

Much depends on the answer your generation gives. And sometimes, that is not encouraging.

Today, as in every time in our history, there are those who doubt the power of our democracy to make early and significant progress.

There are extremists whose aim is to rule—or to wreck. They speak only in slogans, sometimes they are deaf—deaf to reasoned reply. They are chiefly united in the certainty with which they advance their views—and in the vehemence with which they mock the views of others.

Theirs is not the spirit of liberty—which Judge Learned Hand once defined as "the spirit which is not too sure that it is right."

Thomas Jefferson, the drafter of the Declaration of Independence, the philosopher of individual liberty and the defender of individual conscience, wrote a kinsman in 1808 that public men,

"should from all students disputants keep aloof, as you would from the infected subjects of yellow fever or pestilence. Consider yourself, when with them, as among the patients of Bedlam, needing medical more than moral counsel. Be a listener only, keep within yourself the habit of silence, especially on politics. In the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in fact or principle. They are determined as to the facts they will believe, and the opinions on which they will act. Get by them, therefore, as you would by an angry bull; it is not for the man of sense to dispute the road with such an animal."

I might point out that Thomas Jefferson wrote this during the last year of his Presidency.

It would be interesting to compare his views with those privately expressed by several modern presidents in recent weeks.

But my purpose, this evening, is to talk about change—and those who glorify violence as a form of political action are really the best friends the status quo ever had. They provoke a powerful conservative reaction among millions of people. They inspire, among many people, a blind allegiance to things as they are—even when those things ought to be changed.

But though they are great in volume, these young totalitarians of opinion are few in number among America's graduating classes this Spring.

For almost forty years—since I was graduated from a small college down in San Marcos—I have been observing the quality of each year's crop of university graduates. I must speak to you frankly, and without any attempt at flattering: I believe that this generation of young college people is the best I have ever seen.

Healthier, as you would expect. Quicker of mind, and better trained.

But beyond those things—which could be, after all, only the results of affluence and evolution—there is a moral energy in this generation that exceeds any I have ever seen before.

Even that may stem in part from historical circumstance. Most of those who are graduating from college now have had a degree of leisure, in which to contemplate the society around them. Most have had a measure of confidence in their ability to secure a prosperous place in that society. And so they have been spared the pressure of meeting society's demands—of shaping themselves to be acceptable to a very restricted job market.

However it has come about, they have had an opportunity to look at their country—at its institutions, its people, its promise, and its performance.

You have had a chance to feel the force of change in modern life—even if you—like the rest of us—cannot entirely comprehend it. You have already experienced the impersonality of modern institutions—that affords you a degree of privacy, while it sometimes deprives you of a sense that you count.

You know that your chances for long and prosperous lives have never been better.

Your life expectancy is far from what the graduate's was of yesteryear. But you wonder whether you will continue to live side by side with desperate want, ugliness and with racial animosity.

You know that your country is the most powerful nation on earth. But you wonder how its power, and its idealism, may help to bring peace to a tormented world.

These are not new concerns. What is new is the desire of the young college graduates today to ask the right questions—and the desire of your country to try to find the right answers.

Here are some of the questions I hope you will ask—and then I hope you will take part in answering them:

How can the quality of education be improved—not only in ghetto classrooms, but throughout the nation's educational system, from pre-school to graduate school? From Head Start to adult education?

How can education be improved?

What are the best means of helping our poor to lead more secure and productive lives?

How can good medical care be provided at reasonable cost to every citizen in our land?

How can the transportation of people be made safer, swifter, less frustrating, more efficient?

How can we take advantage of technological change, and the economy of massive enterprises, without submerging the individual?

How can we best help the people of the underdeveloped world in their struggle against poverty?

How can we help the world—and help ourselves—find rational solutions to conflict, and end the threat of a nuclear war?

These are formidable questions. You may feel ill-equipped to deal with them. I assure you that I do.

But they must be answered, if conditions in our country and the world are to change—in a manner that will serve man, and not master him.

And it is your generation that must answer them.

You must begin now—in industry, in government, in universities, in politics, in private life—to examine the alternatives, to seek the programs, the politicians, and the public support for progressive change.

I believe that leaders in government can contribute to the education of this college generation. I should like to see outstanding leaders from the junior classes in the colleges all over America come to Washington each year, for direct discussions with government leaders on these key issues of our times that we must find the answers to. I would like to see them spend, without losing credit, a month to six weeks in Washington each Spring—deepening their understanding of the problems and prospects we face.

I have called, at present, upon the White House Fellows—young citizens who have served a year at the highest levels of our government—to develop a plan for accomplishing this, and to submit their plan to me in the early Fall.

It is a time to widen the opportunities for excellence. It is a time to widen the opportunities for service in public affairs. I have tried to do this in a number of ways:

—through VISTA, Volunteers in Service to America, where young men and women help those who need it most;

—through the White House Fellows program;

—through the recognition of Presidential scholars from every State in the Union;

—and, not least, through going out to college campuses and finding and using the best young talent available for service in our government.

Now, I believe we should extend the range of young people's participation in public life. I believe we should move forward—now—to grant the vote to 18-year-olds.

Several states have already done so. A majority of the people and many in Congress approve the idea. The great majority of young people in America have demonstrated their maturity; their desire to participate; their zeal for service.

But we can do more than open the door to participation for our chosen few. I think there is a basic and fundamental need to open our political system to the participation of the many.

I strongly believe, therefore, that the time is already here for this Nation to recognize and to grant the right to vote to 18-year-olds. We have everything to gain by extending to these young people the most precious right and responsibility of citizenship—the right to vote.

I leave you, this evening, in faith: faith in you; faith in our institutions; faith in our country; faith in your capacity to change our country for the better.

My faith is built on what young people have achieved, in these past few years; on their bravery and steadfastness in battle; on their idealism and perseverance in the cause of social justice.

It is built, as well, on the country itself: on its ability to move out of apathy and bigotry, toward dignity for all of its people; on its steady assumption of responsibility in the world.

I know the future will be often perilous and frustrating. The past, you know, has been that way, too. But what we have accomplished in these years—and what you are tonight—tells me that we have only begun to achieve the greatness that is our destiny. Good night, and God bless you all.

"NO ONE HAS DONE MORE"—THE AMERICAN DENTAL ASSOCIATION PAYS TRIBUTE TO SENATOR HILL

Mr. WILLIAMS of New Jersey. Mr. President, the American Dental Association has paid its tribute to the man who is the "leading statesman for health affairs." To them he is their "distinguished honorary member"; to us he has been the relentless champion of our health efforts in Congress. The April issue of the Journal of the American Dental Association has the cover and feature story on this great man and his contributions to health. The article makes an appropriate observation in commenting on his present position as chairman of the Labor and Public Welfare Committee and chairman of the Appropriations Subcommittee by saying:

> If America enjoys today the exultation of standing "at the threshold of a Golden Age of Medicine," it is not so much because those Chairmanships were led by LISTER HILL as it is that those Chairmanships, at this crucial point in our history, were invested with purpose and meaning by a man who understood clearly that this nation's potential is equal to its needs, the Honorable LISTER HILL of Alabama.

Mr. President, I ask unanimous consent that this excellent tribute to our colleague and friend be printed in the RECORD at this time.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

THE HONORABLE LISTER HILL: LEADING STATESMAN FOR HEALTH AFFAIRS

(NOTE.—The American Dental Association pays tribute to its distinguished Honorary Member—The gentleman from Alabama—who during his 45 years in the United States Congress established an unprecedented record in the furthering of the nation's health.)

"We stand today at the threshold of a Golden Age of Medicine." The words are those of Lister Hill. They are appropriate words for him to speak since he is eminently one of the men who has led us to that threshold. No man has done more than he to shape the health future of America, to give it promise and hope. He has done it with unfaltering vision, courtly eloquence, tireless leadership. Writing of him, William S. White, the noted newsman, said: "Countless millions owe their lives to Lister Hill. He has done more for the public health than any American in history."

Born in Montgomery, Alabama on December 29, 1894, Lister Hill's identification with the nation's health was a family heritage. His father, the late Dr. L. L. Hill, was one of the South's foremost physicians.

On August 14, 1923, Lister Hill was first elected to national office, taking a seat in the House of Representatives in the 68th Congress. It was the era of normalcy; Calvin Coolidge was President of the United States, and it would be eight years before the title, "The National Institute of Health," would come into being.

In 1938, Representative Hill became Senator Hill. His steady, lifelong concern for the health of the nation intensified during the early years in the Senate even as he carried out a full range of Senatorial duties, including the post of majority whip during the 77th, 78th, and 79th Congresses.

The list of health measures that Lister Hill has guided through the legislative process is of astounding length. His contributions have ranged across the entire spectrum of effort in the health field, encompassing facilities and services, research, education and training, and preventive services.

Of all the measures for which he is responsible, the one with perhaps the broadest impact is the Hill-Burton Act, which has helped provide 353,000 beds in hospitals and nursing homes and 2,400 other health facilities.

Other vital contributions have been in research. Senator Hill's efforts in this area began as early as 1928 when, in the House he led the struggle for the Gorgas Memorial Institute of Tropical and Preventive Medicine, designed to conduct and encourage research in preventing and treating tropical disease.

It was Lister Hill who sponsored the measure, in 1948, to establish the National Institutes of Health as the research arm of the United States Public Health Service. Additional legislation through the years has made it possible for that agency to grow in specialized areas to keep pace with the fruits of research. Senator Hill's unfaltering interest has focused not only on the total program of the Institutes but on each of the specialized areas. It was at the recommendation of his Appropriations Subcommittee, for example, that Congress provided funds for an independently housed National Institute of Dental Research.

The Research Facilities Construction Act of 1956 is another major achievement sponsored by Senator Hill as is the establishment of the modern National Library of Medicine.

Such achievements go toward providing the tools that a highly trained professional team must have. A need that is perhaps even more basic is to assure a continuing supply of such professional workers. Here too Lister Hill has led, with credit for the Omnibus Health Act of 1956, The Health Professions Educational Assistance Act of 1963, The Nurse Training Act of 1964 and the Allied Health Professions Personnel Training Act of 1966.

In the area of public health, the impetus to construction of public health centers under the Hill-Burton program has been a major factor in modernizing public health and health education. As of June 1, 1966, more than 1,240 health centers and laboratories had been or were being built under the auspices of the Hill-Burton program. Senator Hill is also an architect of the Comprehensive Health Planning and Public Health Service Amendments of 1966.

At the same time as these general efforts have been made, Lister Hill has pursued a compassionate interest in the handicapped, the mentally ill and the mentally retarded. The Hill-Harris Act of 1963, authorizing financial assistance for the construction of a comprehensive network of facilities for the mentally retarded and mentally ill, is precedent-setting legislation. He is the author, as well, of the most comprehensive rehabilitation legislation Congress has enacted. The Hill-Burton provision for construction of rehabilitation facilities has provided a focal point for community efforts in rehabilitation.

Senator Hill has led in enactment of legislation relating to training of teachers of the deaf and providing braille textbooks and other educational material for blind schoolchildren. It was his efforts that led to establishment of the National Technical Institute for the Deaf.

It has been frequently noted that Lister Hill is in a strategic position to further America's health programs since he is Chairman of the Committee of Labor and Public Welfare and Chairman of the Appropriations Subcommittee concerned with health expenditures. Though there is some pragmatic truth in that, it is a little like saying that the sun begins to shine when the earth is warm. If America enjoys today the exultation of standing "at the threshold of a Golden Age of Medicine," it is not so much because those Chairmanships were held by Lister Hill as it is that those Chairmanships, at this crucial point in our history, were invested with purpose and meaning by a man who understood clearly that this nation's potential is equal to its needs, the Honorable Lister Hill of Alabama.

PRESIDENT JOHNSON RESPONDS TO VIOLENCE IN THE NATION

Mr. INOUYE. Mr. President, President Johnson has announced the establishment of a Commission on the Cause and Prevention of Violence. This move will not undo the tragic events of the past, but it is a vital first step toward ridding our national life of unreasoning violence. The membership of the Commission is broadly representative of the various segments of American life. We can anticipate, therefore, that the recommendations of the Commission, when it shall have finished its study, will provide a workable blueprint for effective action.

Yesterday afternoon, in speaking at the first meeting of the new Commission, the President said:

> This troubled world will long remember the scar of the past week's violence, but when the week is remembered, let this be remembered, too: that out of anguish came a national resolve to search for the causes and to find the cures for the outbursts of violence which have brought too much heartbreak to our Nation.

The President has acted wisely in establishing the Commission. I support his action. I urge Senators to support and cooperate with the Commission in its work. The dangers of violence are far more serious than the dreadful acts performed by mindless advocates of violence. The whole notion of violence is incompatible with the democratic process, and is therefore a direct threat to our way of life. If America does not find a

way to put an end to violence, then violence may well put an end to America as we know it and love it.

FEDERAL ROLE IN RIOT INSURANCE PROTECTION

Mr. RIBICOFF. Mr. President, prior to the riots of recent years, little attention had been paid to the problem of property insurance in our central cities. But in the wake of these disturbances the scope and importance of this problem has been vividly shown. We now know that in the urban core areas many businesses and homeowners are denied property insurance. Others must pay high rates due to the high risk of loss. For these people insurance becomes a luxury few can afford.

Property insurance is the lifeblood of a community. Without coverage against the perils of fire and theft, banks will not extend credit to finance business operations or homeownership. As a result, economic activity in the area will halt and deterioration begin. Once started, this process can spread and stagnate an entire city.

In 1966 and 1967 my Subcommittee on Executive Reorganization conducted extensive hearings on the Federal role in urban affairs. On the basis of the testimony and my own study I became convinced that there is a constructive role for the Government to play in making property insurance available to those who need it in the central cities. To carry out my views I introduced S. 2270 in August 1967.

Earlier this year the President's Advisory Panel on Insurance in Riot-Affected Areas made its report and recommended legislation similar to my own. These proposals have been incorporated in the Housing and Urban Development Act of 1968, which I supported when it passed the Senate.

This is an important step forward. We are now on the way to an effective program of riot insurance in our urban areas. But this is a complex problem requiring greater public understanding. To explain these matters to the legal profession, I wrote an article for Trial magazine, the journal of the American Trial Lawyers Association. The article will be of interest to everyone affected by this problem. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR THE GHETTO: FEDERAL ROLE IN RIOT INSURANCE PROTECTION

(By ABE RIBICOFF, U.S. Senator, Democrat, of Connecticut)

Insurance is vital to the growth and stability of a city. It is the cornerstone of credit. Without it, banks will not make loans for new housing or the repair of substandard units; new businesses cannot open and old ones cannot survive. Without insurance, commerce is impossible, goods are not produced and unemployment spreads.

If this condition is allowed to become prevalent, we face the prospect of vast, uninhabited ghost sections in our major cities. Then rising crime, increased fire hazards and sanitation problems will exert an economic undertow which can drown a city.

The consequences to a neighborhood can be even more serious. While the city government may suffer some loss of revenue or be put to extra expense as a result of a riot, the residents of the area are deprived of sources of food, clothing and vital services.

In the aftermath of disorder, neighborhood life comes to a standstill. And without property insurance the neighborhood cannot rise from its devastation and renew its environment and its people.

For most of us, obtaining insurance on our homes or businesses is a simple chore. A telephone call to an insurance agent, the completion of a few forms and it's done.

But for the resident or the person who does business in the inner city, this can be an impossible task. Some companies refuse to extend coverage, others grant only restricted protection at high rates. The reason is that insurance companies have found central city business unprofitable. As a result, economic growth in the urban core is stunted and the economic resources of the local government are reduced.

But let us look at this problem more closely.

By now the words are familiar. A Detroit homeowner says, "I was paying $85 for three years, coverage, now it will cost me that much for one year." An Omaha shoe repair store owner laments, "Ten days after the riot, automatically all insurance was dropped out." And after the Watts riot, a $150,000 maximum was set for a single property and insurance companies refused to write policies covering theft, vandalism and malicious mischief.

Last year the President's Advisory Panel on Insurance in Riot-Affected Areas conducted a study of insurance coverage in six cities. It found that over 20 per cent of the businessmen and six per cent of the surveyed homeowners did not have basic fire insurance. Nearly 50 per cent of the businessmen had no burglary or theft insurance.

When asked why they lacked this protection, the businessmen and homeowners frequently responded that it was unavailable or the cost was prohibitive.

The pattern is consistent and cumulative across the country, whether the city has experienced a riot or not. It all adds up to one inescapable conclusion: there is a serious lack of property insurance in our central cities.

VIEW OF INSURANCE COMPANIES

The insurance companies are caught in the vise of conflicting responsibilities. They recognize a duty to provide necessary insurance coverage in the urban core areas, but they also have a duty to their policyholders to maintain an adequate reserve for the payment of claims and to their shareholders to earn a fair return on their investment.

Under normal conditions, the companies experience net losses on the policies they write in rundown neighborhoods, but riots impose a huge additional burden on them. In the summer of 1967, insured property losses from riots reached nearly $75 million.

Faced with this situation, the insurance companies have but two choices: to reduce or eliminate coverage in these areas, or find some safeguard against catastrophic riot losses. Up to now the industry has had no real alternative to decreasing or eliminating coverage altogether, through such practices as "red-lining" certain localities and excluding them from receiving property insurance.

This was the three-sided problem confronting the nation last summer. After studying the situation, I reached the conclusion that there is a constructive role for the federal government to play in providing property insurance in the urban center.

My bill, S. 2270, is designed to meet the threat of large losses so that insurance companies can provide basic coverage. It offers government reinsurance to protect companies from the extraordinary losses from civil disorders. In my view, this is a fair balance of responsibility. The insurance industry will continue to cover normal risks and the government will provide standby assistance in case of heavy losses.

After months of study, the President's Advisory Panel produced a five-point plan built on the foundation laid out in my bill. This is a cooperative plan calling for the combined efforts of the insurance industry, the states and the federal government. It is an excellent approach which I support.

First, the proposal calls on the insurance industry and the states to establish plans guaranteeing fair access to insurance requirements (FAIR plans, for short). Under this plan, all business and residential property and their contents are inspected. If repairs or loss prevention measures are needed to make the property insurable, written notice is given. All property is judged on its own merits, not by the neighborhood it is in. If the property is maintained in accordance with reasonable standards, insurance will normally be granted. Policies will give protection against fire, vandalism, malicious mischief, burglary, theft and riot damage.

State laws will continue to govern insurance rates, just as they do now.

Second the report recommends that states and insurance companies form a pool to insure property which, though properly maintained, is uninsurable even under FAIR plans, due to a high risk of possible loss. The underwriting standards of the pool will be set by state insurance agencies after consultation with the industry. The value of the pool arrangement is that it spreads the risk evenly throughout the insurance industry and provides 100 per cent insurance coverage for all property.

Third, the federal government would create a National Insurance Development Corporation to provide reinsurance to individual companies and state pools against losses from a riot.

Any company participating in FAIR plans or a state pool would be eligible for riot reinsurance. The insurance companies would pay a premium to the corporation for this reinsurance and the premiums would form a fund from which to pay losses.

In case of emergency, the corporation would be authorized to borrow from the Treasury up to a certain amount to pay losses.

Fourth, it is recommended that the federal government defer tax on any amount placed by insurance companies in special reserves to meet losses resulting from civil disorders. This advantage would be available only to companies participating in FAIR plans or state pools and would be regulated by the states, which would set a limit on reserves. The tax deferral would end when the company transferred funds from the reserve to its general account.

Fifth, several steps should be taken to meet the special problems of insurance in the core city. Among those recommended by the President's Panel were: manpower training programs to train residents of blighted areas as agents and brokers with special competence to handle the insurance needs of the inner city, more economic methods of marketing insurance to reduce its cost, and research programs to develop loss prevention techniques and other methods of improving the market for insurance.

This five-point federal program is an excellent one which will go a long way toward solving the insurance problems of the central city. The FAIR plans, by encouraging property improvement, directly attack the basic conditions which have led to the current dilemma. The state pools and the National Corporation assure an equitable division of responsibility for insurance coverage. The private market will continue to provide primary coverage, with the government in a secondary or backup position.

This is in accordance with the principles of our free enterprise economy. And, most important, the tax deferral procedure promises that the entire program can become self-supporting.

Legislation embodying these concepts is now before the Congress. I believe it is our best hope for ending the insurance crisis in our cities.

FEDERAL CROP INSURANCE

Mr. JORDAN of North Carolina. Mr. President, down in North Carolina we are rather proud of the fact that our State stands first in the amount of Federal crop insurance protection—$100 million worth—which some 30,000 of our farmers carry on one or more of seven crops: apples, corn, cotton, peaches, soybeans, tobacco, and peanuts. Tobacco, of course, is our big crop, and accounts for about 85 percent of our Federal crop insurance participation, and cotton is second for about 10 percent.

Nationally, I understand, a third of a million farmers in 39 States now carry $750 million in Federal crop insurance on 25 separate crops. The scope of this expanding program has more than doubled in the last 6 years—principally because the rapid rise in farming costs has made farming an increasingly risky business, financially, and farmers are feeling the need more and more to protect their investment dollar against unpredictable weather disaster that could wipe many of them out.

Last year the Federal Crop Insurance Corporation, an agency of the Department of Agriculture, established 30 years ago by Congress, paid nearly 3,800 North Carolina farmers nearly $1,700,000 in loss payments—making it the fourth largest loss payment for any one year in the last 20 years. Other high years included $2,666,000 paid in 1966, $2,171,000 paid in 1962, and $2,020,000 paid in 1953. Over the two decades, FCIC has paid North Carolina farmers about $14½ million in loss payments averaging about $725,000 a year. This money kept many farmers in business, paid back many bank loans, and paid for upkeep of homes and clothes and education for farm families.

It is to the credit of USDA's Federal crop insurance program that for the last 20 years it has been able to pay its losses, nationally, out of premium income as Congress originally instructed.

FORGIVE US OUR TRESPASSES

Mr. CHURCH. Mr. President, the ghastly murder of Senator Robert F. Kennedy has engendered millions of words of outrage in the past week. But I have yet to read a more penetrating evaluation of our affliction than the litany on self-righteousness written by the noted columnist, Mr. Arthur Hoppe, and published in Monday's edition of the Washington Star.

I ask unanimous consent that Mr. Hoppe's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAVE US FROM ALL OUR "SAVIORS"

(By Arthur Hoppe)

The anger grew. As the tiny figures swirled and eddied across the television screen and told their conflicting stories in shock and horror, the anger grew.

That this should happen once again to the Kennedys. That this should happen once again to all of us.

It was an all-encompassing anger. It encompassed the sickness of our society, the unfairness of life, it questioned God.

"I did it for my country," a news announcer quoted the gunman as saying. "I did it because I love my country."

Suddenly the anger focused. It focused not so much on the gunman as on all those like him among us—those who know what is good for the rest of us, those who push and shove and trample and shoot and kill in the righteousness of their own glorious cause.

Save us, dear Lord, from those who would save us.

For no man consciously does evil. Each man must justify to himself what he does. And how easy that is for those who know they serve in a righteous cause.

How easy for the assassin to pull the trigger, for he knows what's good for his country. How easy for the Nazi to strangle a Jew, for he knows he builds a Reich that will last a thousand years. How easy for a Communist to purge a dissenter, for he knows he creates a brave new world.

How easy it is for the Christian or the Moslem to butcher his fellow man, for he is the repository of divine truth. How easy for the Viet Cong terrorist or the Saigon police chief, for each knows he kills to save his nation.

How easy for the Klansman to lynch a black, for he knows he saves the Southern Way of Life. How easy for a Black militant to cry, "Burn, baby, burn," for he knows this will make his people free.

How easy for the radical left to strive to tear down this sorry scheme of things entire, for they know our society is destroying our souls. How easy for the radical right to form secret guerrilla bands, trained to shoot and kill, for they know they must save us all.

How easy it is. How easy it is for the righteous to justify what they do.

So the anger grew. And with it the hatred. I hated. We must somehow save ourselves from these hateful people who would march militantly over us to save our society, our nation, our world.

In my own self-righteousness, I hated more than I can remember ever hating before. In my own self-righteousness, I could gladly have seen them all destroyed. In my own self-righteousness.

And now, in reflection, I am more convinced than ever in what I have long believed:

If I would remake the world, I had better start with me.

DISTURBANCES ON COLLEGE CAMPUSES—THE DIFFICULTY OF PERSPECTIVE

Mr. TALMADGE. Mr. President, in recent weeks we have witnessed virtual anarchy on many college campuses across the country. We have seen students, notably at Columbia University, take over entire campuses, hold university officials hostage, and literally bring a halt to education.

The University of Georgia also fell victim to a small and relatively inconsequential student demonstration, during which about 200 students supposedly occupied one of the academic buildings. The publicity attendant to this student protest was tremendous and, in my judgment, the entire affair was magnified far out of proportion. This was nothing new. Each day in the press we see that students or anyone else who make the most noise and create the most commotion—regardless of how justifiable their cause or how sound their footing—make headlines, while the vast overwhelming majority of people who go about their business remain unnoticed.

It is my pleasure each year to speak on many high school and college campuses all across the State of Georgia, and each time I have come away with a great feeling of pride in the high quality of our young people today. It is my unswerving conviction that except for a handful of people the young men and women of Georgia and the Nation are more interested in doing than they are in demonstrating, and they are more interested in building than they are in tearing down.

In connection with the April demonstration at the University of Georgia, President Fred Davison prepared a memorandum for trustees of the University of Georgia Foundation in which he warned against losing sight of the excellent work that has been done and will continue to be done at the university by its students and faculty.

In referring to the couple of hundred students that took part in the University of Georgia demonstration, President Davison laid an important finger and put the matter in its proper perspective when he declared:

> At the same time, though, about 15,500 other students here were "sitting-in" several dozen other buildings with no reporters present, no flashbulbs popping, no cameras or tape recorders whirring. These students were learning how to teach and stimulate disadvantaged as well as superior youngsters; getting the scientific background from which they might later unlock the secrets to the conquest of disease, to abundant clean air and water, to plentiful food supply for all people; mastering the techniques and honing the talents which uplift all persons through art and music and drama. They were learning how to defend the indigent as well as the affluent in courts of law; how to make business and industry more profitable for management and labor; how to minister to the mentally sick and the emotionally disturbed.

Dr. Davison goes on to point to the conscientious student body and splendid faculty, and the excellent academic program at the university. Because of its relevance not only to the University of Georgia but to countless other colleges and universities throughout America, I commend Dr. Davison's memorandum to the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF GEORGIA,
Athens, Ga.

Memo to: U. GA. Foundation Trustees.
Subject: "Man Bites Dog" and the difficulty of perspective.

It's difficult to argue with the old newspaper axiom that when "man bites dog" it's more attention-getting than the reverse. But even commentators from the ranks of the media have decried the unfortunate result that much significant, if more pedestrian, information is crowded out of the papers and airwaves—or at least the headlines—in the process.

While the news media have devoted more time and space to University of Georgia activities this year than ever before, one story obviously drew the most attention . . . the sit-in.

For nearly 48 hours in April a couple of hundred students occupied old Academic Building to supposedly demonstrate their displeasure over certain regulations governing women students. This, of course, is the stuff of which headlines are made and, let's face it, it's the stuff which attracts your and my attention, too. The leadership of the sit-in here and those elsewhere are rather keenly aware of this response by the media and by the rest of us.

At the same time, though, about 15,500 other students here were "sitting-in" several dozen other buildings with no reporters present, no flashbulbs popping, no cameras or tape recorders whirring. These students were learning how to teach and stimulate disadvantaged as well as superior youngsters; getting the scientific background from which they might later unlock the secrets to the conquest of disease, to abundant clean air and water, to plentiful food supply for all people; mastering the techniques and honing the talents which uplift all persons through art and music and drama. They were learning how to defend the indigent as well as the affluent in courts of law; how to make business and industry more profitable for management and labor; how to minister to the mentally sick and the emotionally disturbed.

They were, in short, about the basic business of education. And I, for one, resent the inference drawn by some quarters that these students are less "active," or are disinterested, uninvolved or unconcerned with the problems of today's world. I protest, to borrow a word, any implication that this greater number of students will be less effective citizens than those who feel moved to picket peacefully or be violently disruptive.

In particular, through this memo, I want to call your attention to several things which may put the University and the school year now ending in a better perspective for you.

The greater part of the significant progress we feel has been made on campus this year is directly related to the bold action on the part of the Board of Regents in authorizing nearly 400 new faculty positions. If one stops and considers for a moment that many colleges and universities have fewer total faculty than that, it seems almost unbelievable that such growth could occur at one time. In a sense, it's almost as if a brand new university has been created. And what have been the results?

The increase in teaching faculty has reduced the student-faculty ratio; it has enabled the University to guarantee a goodly number of small classes, to greatly improve the institution's program of academic counseling, and it has assured that the student at the University will not lack for individual attention.

To illustrate: in the Fall of 1966 there were 214 undergraduate sections (classes) with over 40 students; in the Fall of 1967 there were only 140 undergraduate sections with over 40 students. In the Fall of 1966 there were 946 out of a total of 1470 undergraduate sections with fewer than 30 students; in the Fall of 1967 there were 1310 out of a total of 1698 sections with fewer than 30 students.

In history, for example, the average class size decreased from 36 to 22. In sociology and anthropology the average class size went from 51 to 29. Comparable reductions were shown in art, chemistry, classics, English, entomology, modern foreign languages, math, philosophy, statistics, zoology and others.

Small honors sections increased by 20 per cent and the number of students engaged in independent study under special direction of a faculty member more than doubled.

Because of the larger number of small classes, there has been an even greater efficiency required in the use of facilities. As business and professional men, as taxpayers and as supporting alumni you might be interested to learn that, based on an 8-hour day, there is an 87 per cent usage of classrooms. The normal school days, as you might expect, is also beginning to stretch into 10 and maybe, by Fall, 12 hours.

Another change effected by the increased faculty is a more proper use of graduate assistants. Previously, it was necessary for many graduate assistants to handle instructional duties with little or no supervision. All now have such supervision and usually are used as assistants rather than autonomous instructors. In English, for instance, the number of autonomous graduate teaching assistants was reduced this year from 27 to 10; in psychology, the number was reduced from 30 to 18.

A special residence hall tutorial program established on a trial basis last year has been expanded. This program, designed primarily to assist freshmen and sophomores, assures them serious and competent assistance when needed. Regular sessions are held in math, chemistry, English, French, Spanish, psychology and other subjects. Held in the dormitories, these sessions are available to all students without extra cost.

Several other efforts have been expanded or initiated. The summer orientation program for incoming freshmen is now held on a quarterly basis. A new academic probation and exclusion program is serving to identify, warn and assist those students not making satisfactory progress toward graduation and also has served to raise academic standards. And the incresed faculty has enabled us to greatly improve the program of academic counseling.

What about the students?

All in all, I have never been associated with a finer group of young people than have comprised the student body at Georgia this year. Through their duly elected student government association and through other constituted organizations they have shown leadership, responsibility, maturity and concern for improvement in themselves, their institution and society.

The Student Government Association, for instance, spent a large part of the year studying, evaluating and revising all rules and regulations related to student activities and conduct. Their proposals were presented recently to the student body as a whole for approval or disapproval (they approved) and are now under consideration by the faculty.

This year we have 60 National Merit Scholars on campus. You might be interested in comparing that number with other institutions in this region: Florida State, 13; LSU, 22; Maryland, 12; North Carolina, 43; Tennessee, 24; Texas, 89; Virginia, 18; Agnes Scott, 19; Emory, 40; Duke, 94; Johns Hopkins, 29; and Vanderbilt, 49.

In 1966–67 the state of Georgia produced 276 National Merit Semi-Finalists, of which 71 were named National Merit Scholars. Of these, 19 came to the University. Of the 86 recently named in Georgia for next year, 25 have already indicated they will come here.

As you know, this impressive achievement in attracting bright young men and women is largely due to the University Foundation Merit Scholarship program. You can be justifiably proud of this accomplishment.

You can take added pride, too, in such things as the 45 percent increase in library circulation which Porter Kellam, director of libraries, says is due to greater stimulation by the faculty. You should know that your institution this year attracted faculty from such places as Harvard, Johns Hopkins, Wisconsin, California, Yale, Columbia, Minnesota, North Carolina, Tulane, Florida and Texas.

In these few pages I've tried to touch on a handful of highlights of the year in which you might be interested. There are so many others it is difficult to resist the temptation to continue. I've hardly scratched the surface of what we're trying to do with the instructional program and have not even mentioned the developments in research and service programs. Perhaps you'll let me share some thoughts on those areas in subsequent memos.

Cordially,

FRED DAVISON,

EULOGY DELIVERED BY SENATOR LISTER HILL, OF ALABAMA, AT THE MEMORIAL SERVICE FOR MISS HELEN KELLER

Mr. SPARKMAN. Mr. President, on June 5 my distinguished colleague, Mr. HILL, delivered a eulogy at the memorial service for Miss Helen Keller.

I ask unanimous consent to have it printed in the RECORD together with articles and editorials from the Birmingham News and the Birmingham Post-Herald.

There being no objection, the eulogy and articles were ordered to be printed in the RECORD, as follows:

EULOGY DELIVERED BY SENATOR LISTER HILL AT THE MEMORIAL SERVICE FOR MISS HELEN KELLER, WASHINGTON CATHEDRAL, WASHINGTON, D.C., JUNE 5, 1968

May I say how privileged I feel to pay tribute at this hour to Helen Keller. I would that all the world could know the deep sense of pride which we of Helen Keller's native State, Alabama, feel in this remarkable and gentle lady.

On her father's side, Miss Keller was descended from Alexander Spotswood, a Colonial Governor of Virginia, and was related to the Lee family and other distinguished Southern families. On her maternal side, she was connected with the Hales and Everetts of New England, and her mother was an Adams. Her family has long been prominent and has rendered distinguished service in Alabama.

We call to mind at this hour the story of the infant girl made blind and deaf by disease, imprisoned at the very early age of 19 months; imprisoned, as she called it in a "no world". All of us remember the challenging story of how this pitiful child, with the help of her devoted teacher, Anne Sullivan Macy—who, as we know, was partially blind herself—emerged from hopeless childhood into a remarkable womanhood; how, through her own determination and faith, and through the patience and understanding of Anne Sullivan—who to Miss Keller was "eyes to the blind and feet to the lame"—she won her magnificent victory over darkness and defeat.

After learning the first hand signals at the age of 8, she soon became fluent in using the sign language, and mastered the Braille alphabet. In writing of those first stammering starts at the sign language, she said, "There was a strange stir within me. When I understood that it was possible for me to communicate with other people by these signs, a delicious sensation rippled through me, and sweet, strange things that were locked up in my heart began to sing." And then, through almost miraculous efforts, she learned to speak.

In considering this miraculous achievement, we must remember that Miss Keller deeply felt her handicaps. In her earlier years, she wrote:

"Sometimes, it is true, a sense of isolation enfolds me like a cold mist as I sit alone and wait at life's shut gate. Fate, silent, pitiless, bars the way. Fain would I question his imperious decree; for my heart is still undisciplined and passionate; but my tongue will not utter the bitter, futile words that rise to my lips, and then fall back into my heart like unshed tears. Silence sits immense upon my soul."

She attended the Horace Mann School for the Deaf in Boston, and then she entered the Perkins Institution for the Blind. She told her teacher she wanted to go to college, and she entered Radcliffe in Cambridge, Massachusetts, where, in 1904, she graduated *cum laude*. At Radcilffe, Helen Keller wrote her first book, her autobiography entitled "The Story of My Life." The book became standard reading in schools throughout the country. Before her writing career was over, Miss Keller wrote eleven books, the last of which was "Let Us Have Faith."

Miss Keller's personal victory over darkness and despair turned her life and ambitions to the service of others. With energy and stamina that were almost limitless, she dedicated her life to others.

She gave of herself unceasingly—speaking, writing, traveling, working constantly to improve the conditions of deaf and blind people. She was the moving spirit which led to a new era of work for the blind of the world. Tirelessly she strove to fulfill her dream, "that every blind child have an opportunity to receive an education . . . and every blind adult, a chance for training and useful employment."

As she has written:

"Many persons have a wrong idea of what constitutes true happiness. It is not attained through self gratification but through fidelity to a worthy purpose. Happiness should be a means of accomplishment not an end in itself. The more we try to help each other and make life brighter, the happier we shall be."

With this guiding philosophy, Helen Keller, for more than half a century, employed the symbol of her own courage and faith to the benefit of millions of her fellow handicapped in America and throughout the world. As counsellor to the American Federation of the Blind, she guided programs to advance economic, cultural and social opportunities of deaf and blind persons throughout the United States. Through the Helen Keller World Crusade for the Blind, she inspired programs for the education and rehabilitation of blind persons around the globe. She learned to speak seven languages and she lectured in 35 countries on all five continents. In her 75th year, Miss Keller embarked on a 40,000 mile journey to promote services for the blind throughout Asia. Two years later, she made a similar mission to the Scandinavian countries.

Wherever she went, she was received with a massive outpouring of love and admiration; she was honored by heads of state; she was acclaimed by all. She was decorated in almost as many countries as she visited. She received the Order of St. Sava of Yugoslavia in 1931, and an honorary doctor of laws degree in Glasgow in 1932. She was named Chevalier of the Legion of Honor of France in 1952, and received the Southern Cross of Brazil in 1953. The great warmth of her personality particularly attracted children whom she loved deeply and by whom she was constantly surrounded.

Famous and important people thronged to meet her and enjoy her company. They found her a witty and interesting conversationalist, well informed on matters of interest at the time. She was truly a citizen of the world. She came to know famous men such as Oliver Wendell Holmes, Mark Twain, Albert Einstein, John Greenleaf Whittier, Andrew Carnegie, and Alexander Graham Bell, who did much to counsel and help her.

Helen Keller has truly "lighted a candle of understanding in our hearts which shall not be put out." She will live on, one of the few, the immortal names not born to die. Her spirit will endure as long as man can read and stories can be told of the woman who showed the world that there are no boundaries to courage and faith, which she so devoutly and beautifully expressed when she said:

"What is so sweet as to awake from a troubled dream and behold a beloved face smiling upon you? I have to believe that such shall be our awakening from earth to heaven. My faith never wavers that each dear friend I have 'lost' is a new link between this world and the happier land beyond the morn. My soul is for the moment bowed down with grief when I cease to feel the touch of their hands or hear a tender word from them; but the light of faith never fades from my sky."

Although she was denied the light of day, Helen Keller cast more of the radiance of heaven than any person on this earth. Within this radiance and the light and example of her life, may we carry on in our troubled world, worthy of her deeds, her hope and her faith—a faith of which the Lord spoke in His words, "Then the eyes of the blind shall be opened and the ears of the deaf shall be unstopped."

[From the Birmingham (Ala.) News, June 5, 1968]

IN WASHINGTON CATHEDRAL: HELEN'S ASHES PUT BESIDE THOSE OF TEACHER

(By James Spotswood)

When Anne Sullivan Macy died in 1936, Helen Keller prayed for strength "to endure the silent dark until she smiles on me again."

Today the ashes of the great humanitarian were placed beside those of beloved "Teacher" in Washington Cathedral, and near those of her second companion, Polly Thomson.

It was Miss Anne Sullivan who helped a frustrated 7-year-old Tuscumbia child break through the barriers of blindness and deafness and blossom into brilliant womanhood.

Miss Keller died peacefully and very quietly at her white clapboard home on a knoll near Easton, Conn., 26 days before her 88th birthday.

Miss Keller visited more than 35 countries, lecturing on behalf of the blind. At 77 she made her last major overseas tour.

Audiences saw a smiling, poised woman whose blue eyes seemed to shine. When she began speaking, they soon forgot her strangeness of voice in the magic of her words.

Thomas F. Hill of The Birmingham News was with Miss Keller when she visited her childhood home, Ivy Green, in 1954, and wrote:

"Sightless eyes sparkled as they looked deeper into nature's wonderland than normal people can ever see. Lips trembled as they formed words of sheer delight. Loving hands caressed a rose, felt a water droplet on a leaf.

" 'It is just as it always was,' she said, 'Just as I remembered it . . . the walk, the trees, the smell of boxwoods.' "

Miss Keller was a strong-minded, strong-bodied woman who was entirely self-reliant in familiar places, not the near-helpless person some people thought because she was guided in public places . . .

Like her close friend, Mark Twain, she often championed unpopular causes, and at times was criticized for her stands. Twain once growled that there were worse things than being blind—it was worse to have eyes and not to see.

The humorist once said of her. "The two most interesting characters of the 19th Century are Napoleon and Helen Keller."

Miss Keller said she liked to have Mark Twain around "because his talk was fragrant with tobacco and flamboyant with profanity."

"You are one of the select company of men and women whose achievements have become legendary in their own time," the late President John F. Kennedy said on her 83rd birthday.

Her bedroom and study were painted light blue, a color she said she favored because, "It is the color of the sky."

How could she who was blind from babyhood know this?

"The seeing are apt to conclude that the world of the blind—and especially the deaf-blind person—is quite unlike the sunlit world they know," she once said rather indignantly.

"They need to be told that the deaf-blind inherit their brain from a seeing and hearing race fitted for five senses, and the spirit fills the silent darkness with its own sunshine and harmony."

"I who am blind can give one hint to those who can see, one admonition to those who would make full use of the gift of sight—use your eyes as if tomorrow you would be stricken blind," she said on another occasion.

Helen Keller's rescue from silent darkness is one of the great stories of all time.

Born in 1880, she was stricken by a brain infection at 2, just as she was showing her precocious intelligence by babbling a few baby words. She soon forgot them.

By 7 she was a half-wild little tyrant, striking at her parents and nurse when they couldn't understand her animal-like gruntings and give her what she wanted.

In desperation the Kellers contacted Alexander Graham Bell, who recruited a 20-year-old Irish girl who had had some training at the Perkins Institution for the Blind at Boston.

At first the child was as difficult as ever, once knocking Miss Sullivan to the floor, causing her to break a tooth.

But the patient newcomer captured Helen's interest with a doll the blind children at Perkins had made for her. Helen quickly learned to make the word for "d-o-l-l" but of course didn't know what she was doing. She didn't know what words were, so how could she connect them with objects?

One day teacher and child were standing beside a pump. Miss Sullivan put the child's hand under the spout and let the cold water run over her hand. Then she spelled "w-a-t-e-r" into the other hand.

And Helen knew.

"There was a strange stir within me," she wrote later. "I understood it was possible for me to communicate with other people by these signs . . . Delicious sensations rippled through me, and sweet, strange things that were locked up in my heart began to sing."

By nightfall, Helen had learned 30 words, and one of them was "Teacher," always her favorite name for the woman who brought her to the light.

[From the Birmingham (Ala.) News, June 4, 1968]

HELEN KELLER

Through the years Alabama, with great and understandable pride, has claimed one of the world's most remarkable human beings—Helen Keller—as its own.

And because she was a native daughter we could properly claim a share of this noble woman who died late last week. But the fact is, Helen Keller did not belong just to "Ivy Green" or Tuscumbia or Alabama.

She belonged to the world, to every human being whose spirit lifted him from the darkness of physical adversity, to all those who have reached through their blindness to find the sunlight, to the deaf who learned the sounds that overcome silence.

Even if Helen Keller had been blessed with normal senses which most of us possess, she would have made, with little doubt, a lasting mark upon her time in still other ways.

But because her mind and heart combined to overcome the lack of those things most of us take for granted—sight and hearing—she lighted a beacon that has guided thousands of the sightless and soundless of this century and will continue to be an inspiration to the less fortunate in the future.

Helen Keller accomplished many things.

Perhaps the most remarkable of the things she left us is a clearer understanding of how a man or woman led to the brink of despair can capture the full meaning of life through nobility of mind and spirit.

Such was the story of Helen Keller. How much better we and our world would be if all heard the message it brings.

[From the Birmingham (Ala.) Post-Herald, June 3, 1968]

GREAT LADY

Alabama has produced some great national figures, but it is doubtful if any of its military heroes were braver or if any of its political leaders accomplished more for the people of the world than a frail woman who died over the week-end shortly before her 88th birthday.

Helen Adams Keller, who walked with the greatest men and women of the 19th and 20th centuries, may well be remembered longer, and with more reason, than any other person ever born in this state.

Left blind, deaf and silent after an illness when she was 19 months old, Helen Keller, under the instruction of Anne Sullivan, a teacher of genius, regained communication with the world, made a brilliant record in college and went on to a great career of writing and speaking for the handicapped of the world.

Mark Twain called Helen Keller and Napoleon the "most interesting characters of the 19th Century." William James, the philosopher, wrote to Miss Keller: "The sum of it is that you are a blessing."

Miss Keller's birthplace in Tuscumbia is open to the public and on its grounds the play "The Miracle Worker," which tells the story of Helen Keller and her teacher, is produced each Summer.

Helen Keller once described the moments in which Anne Sullivan opened the world to her. They were at an outdoor pump. As Miss Sullivan let water flow over one hand of the child she tapped in the other the manual alphabet spelling of the word "water."

"There was a strange stir within me," Miss Keller wrote later. "I understood that it was possible for me to communicate with other people by these signs. . . . Delicious sensations ripple through me and sweet things that were locked up in my heart began to sing."

The song which sounded in Helen Keller's heart that day will be heard as long as courage and determination have meaning.

[From the Birmingham (Ala.) Post-Herald, June 3, 1968]

HELEN KELLER NEVER GAVE UP

Helen Keller, who became a world-wide symbol for the example she set in overcoming a triple handicap, died at her estate at Easton, Conn., during the past weekend. She was 87.

A non-denominational funeral service will be held Wednesday in Washington's National Cathedral.

Plans were announced late Sunday. Sen Lister Hill, (D., Ala.), a long time friend of Miss Keller's will read the eulogy at the 2 p.m. EDT service. It will be open to the public.

Miss Keller's body will be cremated Monday in Bridgeport, Conn., at a private ceremony and the ashes taken to Washington Tuesday. They will be placed on a crypt in the cathedral following the service.

Miss Keller had suffered a mild heart attack earlier last week. She had been in failing health for several years.

Born in Tuscumbia in 1880, the daughter of a newspaper editor, Miss Keller lost her sight and hearing before she was 2 years old.

She was an almost uncontrollable child, scratching, clawing and snorting to express her needs until her father appealed to Alexander Graham Bell for help. Mr. Bell arranged for a teacher, Anne Sullivan, who had been blind herself, to work with the child in Tuscumbia.

It was at an outdoor pump as water poured over her hand that Miss Keller learned, through the young teacher, there was a word for water.

"There was a strange stir within me . . ." Miss Keller wrote of the moment. "I understood that it was possible for me to communicate with other people by these signs . . . delicious sensations rippled through me and sweet, strange things that were locked up in my heart began to sing."

Miss Keller's first home, Ivy Green, which dates back to 1820, is a museum in Tuscumbia. Boxwood hedges that she used to guide herself as a child are still kept neatly trimmed by the city, which opened the home to the public in 1952.

In 1904, Miss Keller was graduated from Radcliffe with a BA degree cum laude and soon she began a series of lectures and giving aid to other blind persons.

As her writings appeared, her friends began to include the elite, such as John D. Rockefeller, Mark Twain, William Dean Howells, Woodrow Wilson and William James. She also met numerous other famous people, including U.S. Presidents, Prime Minister Nehru of India, and others.

The story of Miss Keller's life, "The Miracle Worker," is performed at Ivy Green each Summer.

Shortly before his death, Mark Twain said, "The two most interesting characters of the 19th century are Napoleon and Helen Keller."

Miss Keller's books, "Optimism," "The Story of My Life," "Out of the Dark" and "The World I Live In," met wide success.

A tragic irony struck in 1934. While in Scotland, where Helen herself was in ill health, Anne Sullivan's eyesight began to fail again. Teacher now became pupil and Helen devoted herself to her friend.

Anne Sullivan Macy died in 1936, the same year that she and Helen were awarded the Roosevelt medal for achievements of "heroic character and far reaching significance."

Though sorrowed by her friend's death and frequently ill herself, Helen found new projects.

A tireless traveler, she lectured in behalf of the blind in more than 25 countries on five major continents. She aided the war effort, spoke before legislatures, addressed every group that time permitted.

At the age of 74, her brown hair now graying, she undertook her last major trip—a 40,000 mile survey of conditions among the physically handicapped in the Far East.

Awards and honors made to Miss Keller were endless and came from many nations. Harvard University granted her the first honorary degree it ever gave to a woman. She has been selected in numerous versions of the "ten greatest women."

Miss Keller is survived by a brother, Phillips B. Keller of Dallas, Tex.; a sister, Mrs. Mildred Tyson of Montgomery, Ala.; a nephew, Phillips B. Keller Jr., and four nieces, Mrs. William Tyson Bickley of Nashville, Tenn.; Mrs. W. Tyson Johnson of Tuscumbia, Ala.; Katharine Tyson of Montgomery, and Mrs. Gordon Keller Ewin of New Orleans, La.

[From the Birmingham (Ala.) News, June 3, 1968]

TUSCUMBIA HAS SPECIAL SADNESS FOR HELEN KELLER

(By Nelle Bigbee)

TUSCUMBIA.—Helen Keller is dead. Yet the memory of this First Lady of Courage will live on forever. The news of her passing has reached the world, and the world mourns.

In Tuscumbia, the announcement brought a personal sadness, because this is where she was born June 27, 1880. The town where she lived the first years of her life, and the town in which she was stricken with an illness so early in her childhood that forced her to face the future without sight, without hearing, and without speech.

To this hamlet came a young Irish teacher, Annie Sullivan, at the age of 19. She had suffered blindness herself, before many operations. She was sent to Tuscumbia from the Perkins Institute to teach Helen Keller, who had by now grown into a tyrant of a child because she could not express herself, and her family had catered to her tantrums and desires because of her affliction.

The story of Helen Keller's work with the blind in both American and in foreign countries has been told and retold. She wrote "The Story of My Life" which begins with her childhood in Tuscumbia. Other books include "Out Of The Dark," "The World I Live In," "Optimism," which were followed by "My Religion," "The Song of the Stone Wall," including journeys she made, "Helen Keller in Scotland," Helen Keller's Journal, "Midstream, My Later Life," "Peace at Eventide," and "Let Us Have Faith." All her writings are masterpieces of her accomplishments, and are now on the shelves of the Helen Keller Library in Tuscumbia, which was named in her honor.

Ivy Green, the birthplace of Helen Keller, was purchased by the city of Tuscumbia in 1951, and is a state shrine. The plantation house is flanked by a guest cottage where Helen Keller was born. Tall oak trees and magnolias stand guard about the spacious grounds, and boxwood, waxy and fragrant, borders brick walkways. This boxwood hedge played an important part in the youth of Helen Keller, who wrote that she could find her way about the yard by the fragrance and the feel of the waxy leaf.

One playmate of Helen Keller was Miss Bessie Rather, now 93, who still lives in Tuscumbia. She recalls their childhood years, when they attended the First Presbyterian Church, a church built here in 1824. Helen recognized her friends by touching their faces. The late Mrs. W. A. Weinbaum was another playmate, who often told about a small donkey that Helen Keller rode as a small child.

In my pre-teen years, I had the privilege of shaking hands with Helen Keller. Her large blue eyes were so impressive, and her smile so sincere. Then when she came to Tuscumbia in 1954, to visit the Helen Keller Shrine, I met her at the train station along with many other citizens. She was greeted by Mayor E. J. Henninger, Lt. Gov. Allen and Dewey Wilson, city commissioner who headed the committee to purchase Ivy Green and restore it. She was accompanied to Tuscumbia by her companion, Miss Polly Thompson, and the famous Broadway star, Katherine Cornell.

A caravan of cars from the railway station to Ivy Green escorted Helen Keller to her homeplace, where we saw her touch the boxwood affectionately. She let her hand run over the top of a wicker sewing basket, and through her companion, Miss Thompson, said she learned to pull-up to that sewing basket as an infant before her illness. This sewing basket is one of the authentic pieces, used by Miss Keller's mother, in the birthplace cottage today.

As a writer, I've written many stories about Helen Keller that have always been centered around her birthday in June.

Seven years ago, the Starmaker Playhouse Theater was organized in Tuscumbia, and the "Miracle Worker" written by William Gibson, was staged on the lawn at Ivy Green. This play depicts the dramatic life of Helen Keller as a wild creature subdued by her teacher, Anne Sullivan, and the great breakthrough when she understands and utters her first word. Each summer, I've played Aunt Ev, the aunt who insisted that something be done for the child. Last year on an educational study tour of the Orient, when I mentioned my home town was the birthplace of Helen Keller, foreigners understood immediately. Her name inspired national and international understanding, when mentioned.

Her ashes will be placed in the National Cathedral in Washington, with those of Anne Sullivan Macy, who opened a new world to her, and of Polly Thompson, a later companion.

Miss Keller was cremated today in Bridgeport, Conn., after private services. A memorial service will be held Wednesday in the National Cathedral, with Sen. Lister Hill, D-Ala., a friend of Miss Keller, delivering the eulogy.

[From the Birmingham (Ala.) News, June 2, 1968]

BROUGHT UNDERSTANDING: WORDS OPENED WORLD FOR HELEN KELLER

(By Jack Hartsfield)

A drop of water from an outdoor pump. Steady reassurance of someone who understood. Ever so gently placing her small hand under the spigot.

In the other tiny hand of this sightless, speechless child, the teacher slowly tapped out the word "w-a-t-e-r."

Unbelievable that this pitiable child—most people grimaced, saying she was doomed to idiocy—would one day command the respect of kings, of presidents, of the great and humble.

For 7-year-old Helen Keller, a new world had opened its doors to her. Dark soundlessness could not imprison her spirit of fortitude.

That moment at Ivy Green near Tuscumbia began the creation of one of the world's most remarkable women.

Distinguished author and lecturer, friend of presidents and royalty, helper of the handicapped, a magnificent benefactor of mankind.

Helen Keller was all those and more. And through her youth, her womanhood, her twilight years, and finally death, the ardor of her faith lives on.

A shining symbol of courage. Despite stone blindness and stone deafness.

ILLNESS LEAVES HANDICAPS

Born June 27, 1880, at Tuscumbia, she was suddenly shut off from the world at the age of 19 months when illness left her blind and deaf.

Hopeless, they said. Hopeless, they all said. Nevertheless, she had shown signs of intelligence, even though there was little understanding.

Her father—a newspaper editor land owner and man of considerable influence—sought the advice of Alexander Graham Bell. Anne Sullivan from Perkins Institute for the Blind at Boston came to her.

"Teacher," Helen Keller later called her. From the drop of water to 30 other words in the same day, to mastering Braille alphabets to learning to read and write.

But Helen Keller yearned for more. "Teacher" remained at her side, Helen Keller's "eyes and ears."

ATTENDS SCHOOLS FOR DEAF

First it was the Horace Mann School for the Deaf in Boston, then Perkins Institute, then Wright-Humason School for the Deaf in New York.

Now grown to womanhood, she entered Cambridge Mass., School for Young Ladies to prepare for Radcliffe College, from which she was graduated cum laude in 1904.

But even before graduation, Helen Keller started to write. "The Story of My Life" appeared as a serial in the Ladies' Home Journal in 1902.

The disapproval of her friends led to an exchange of notes in Braille and the suitor disappeared. "Teacher," now Mrs. John A. Macy, died in 1914 and Miss Keller turned to her secretary, Mrs. Winfred Corbally, to manage her household. . . .

Helen Keller lives today on thousands of library bookshelves. A few: "Optimism," "The World I Live In," "The Song of the Stone Wall," "Out of the Dark," "Let Us Have Faith."

In her busy lifetime, she lectured on behalf of the blind in more than 35 countries in the five major continents.

Her inspiring life was the basis for "The Miracle Worker," which appeared on television and Broadway.

"The two most interesting characters of the 19th century are Napoleon and Helen Keller," Mark Twain once said of her.

And in 1954, the premier of "The Unconquered," a film story of her life, brought her back to Alabama after 40 years . . .

Receiving plaudits at the Temple Theater was an unforgettable moment for her, but treading the soft path at her Tuscumbia birthplace was her dream.

"It is just as it always was," she had told a companion. "Just as I remembered it. The walk, the trees, the smell of boxwoods." She savored the moment.

But as the long shadows crept across the path of Helen Keller's life in later years, the vitality of the strong-souled and brilliant woman who overcame the crushing handicaps of deafness and blindness began to wane.

Her world shrank from the vast globe she traveled and cherished to a clapboard home atop a knoll outside Easton, Conn.

Her creative life seemed ending, but she still felt the exciting textures of the world around her, sensed its mysterious vibrations. Scent of flowers called to her. She tasted its treasures.

"I who am blind can give one hint to those who see," she once said, "one admonition to those who would make full use of the gift of sight—use your eyes as if tomorrow you would be stricken blind."

Without sight, Helen Keller saw.

Without hearing, Helen Keller listened.

NEW RESOLVE

Mr. RIBICOFF. Mr. President, our Nation felt shock and outrage at the assassination of Senator Robert F. Kennedy.

A brilliant young leader has been shot down—and our Nation has suffered a great loss.

If we can find any measure of consolation at this time, it is in the hope that the Nation will now rededicate itself to achieving genuine justice and freedom for all its citizens—the very goals Senator Robert Kennedy pursued with such enthusiasm and courage.

"New Resolve," the title of an editorial published in the Bridgeport, Conn., Post of June 9, 1968, is about the need for all Americans to vow to improve this great Nation—and to work to accomplish our goals with the same determination that Senator Kennedy displayed.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW RESOLVE

Today is a day of national mourning, the second we have been called to observe in recent weeks.

In issuing the proclamation President Johnson declared, "In our churches, in our homes, and in our hearts let us resolve before God and before each other that the purpose of progress and justice for which Robert F. Kennedy lived shall endure."

This day should be a time for one and all to make a thorough examination of his conscience. We did not press that trigger, but are we by our everyday attitude helping to rebuild America?

We may think, each of us, that our hearts are clean of hate. Yet, are they filled with love?

Each of us in our solitude can answer this question.

As never before in recent history our spiritual leaders are being challenged to translate for us the Teachings of Jesus Christ. We must listen to their words and imprint these messages on our minds.

And, if ever there has been a need for courage on the part of our elective officials and those who aspire to high public office that time is now.

Our high ranking elective officials no longer command the public respect that should be afforded them. Through the years a compilation of incidents, many centering around self-interest and pettiness, has contributed to the attitude of a great many people toward our highest public offices.

Through their conduct these men and women must win back the respect their offices deserve and we must be ready and willing to adjust upward our appraisal of our lawmakers and ranking government officials. We must want and we must follow leadership.

They have responsibilities.

So do we.

An appreciation of both can come about only through mutual respect.

The last words of Senator Kennedy might well serve as our guide. "People want a change. A new direction. Peace. We are a great country, an unselfish country, and a compassionate country."

No matter how elusive it may seem, as undefined as Senator Kennedy left it, that "new direction" must be found, developed for the common good, and followed through the corridors of the future.

TRIBUTE TO LEE MORSE

Mr. TALMADGE. Mr. President, Mr. Lee Morse, a counsel for the House Committee on Banking and Currency and a fellow Georgian, has resigned his position with the committee and plans to open law offices in Washington and Atlanta. When recently talking with the chairman of the committee, the gentleman from Texas, Representative WRIGHT PATMAN, he told me of his high regard for Mr. Morse and that his splendid services will be greatly missed on the committee.

Lee Morse is a very capable young man who has held this high-ranking position for the last 4 years, and I know that he has contributed substantially to the committee's work. I join with others in wishing him every success in his law practice.

The Atlanta Journal of June 6, 1968, contains an article about Mr. Morse which I should like to bring to the attention of the Senate. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORSE QUITS POST WITH HOUSE PANEL

WASHINGTON.—Georgian Lee Morse, chief counsel for the House Banking and Currency Committee, said Thursday that he is resigning to open law offices in Washington and Atlanta.

Mr. Morse, 37, has served as counsel for the committee for the past four years. He has also worked with the Securities and Exchange Commission and the comptroller of currency.

There is speculation that the move by Mr. Morse will make him available for work in the 1968 Democratic party campaign.

"I expect to be active in the campaign," he said, but added that he had no statement on presidential politics for the present.

A native Georgian, Mr. Morse was born in Griffin and grew up in Manchester. He received a master's degree in business and a law degree from Emory University in Atlanta.

Mr. Morse said that his practice would be in the field of business, corporation, and banking law. "I plan to open an office in Atlanta as well as Washington," he said.

Tenth District U.S. Rep. Robert G. Stephens Jr., D-Ga., of Athens, a member of the Housing, Banking and Currency Committee, praised the young Georgian's work on the committee.

"He has done a good job during his years with the banking committee and we will miss his services," Rep. Stephens said.

Mr. Morse held one of the highest staff positions on Capitol Hill occupied by a Georgian. He said his resignation would be effective this week.

He is a member of the Georgia Bar Association, the federal bar, the American Bar, and the District of Columbia Bar. Mr. Morse is also president of the Automobile Club of America, Inc., at Savannah.

CONTRACT TO STUDY TRANSPORTATION OF HANDICAPPED AND ELDERLY

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the Committee on Aging, I was pleased to hear recently that the Department of Transportation under its able first Secretary, Alan S. Boyd, has awarded a contract to the ABT Associates of Cambridge, Mass., for a 1-year research study of the transportation needs of the 30 million Americans who are hindered in travel because of physical handicaps or advancing age. I have been assured by Mr. James R. Nelson, Director of that Department's Office of Economics, that it has been made unmistakably clear to the contractor that transportation problems of the elderly are to be included in this study, and that it is not to be limited only to those who are afflicted with physical disabilities and handicaps not usually shared by others of their age.

Mr. Nelson has quoted the following paragraph from the ABT proposal, which has been incorporated into the contract:

> As the size of the aged population increases both absolutely and relative to the total, the urgency of accommodating them becomes clearer. With improvements in health standards—especially in the area of geriatrics, this group is expected to increase substantially. To not take this fact into account now is to risk the creation of a large immobile segment of the population simply because their lives were prolonged. All of the impacts delineated above will be felt even more as a result of this growth.

This $94,000 study on how to make travel easier, safer, and more comfortable for the handicapped and the elderly is expected to be completed in approximately 1 year. The members of the Special Committee on Aging will look forward to the results of this study approximately 1 year hence, with the hope that it will point the way toward solving transportation problems which beset our older compatriots.

THE UNITED STATES AND ASIA

Mr. McGEE. Mr. President, even now the nations of Southeast Asia associated with Great Britain's past empire are meeting to discuss the defense of their region, realizing that future aggression is always possible, even after peace is finally restored in Vietnam.

I mention this meeting, Mr. President, because we have had in recent days reasons to be aware of the viewpoint of these independent nations of the Asian region. Speaking here in Washington, Australian Prime Minister John G. Gorton, asked his audience at the National Press Club "what the situation of comparatively small nations in the world today would be if there were not in existence a United States."

Mr. Gorton went on, Mr. President, to speak of Vietnam in very specific words which were quoted by David Lawrence in a column which appeared June 4 in the Evening Star. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GORTON ACCENTS ALTRUISM IN ASIA

(By David Lawrence)

Maybe international altruism has not been presented often enough to the world as the greatest service to humanity today. The concept that man should be his "brother's keeper" is brushed aside frequently by those who proclaim that the Vietnam War is "none of America's business." But the prime minister of Australia, John G. Gorton made a speech the other day in which he expressed to the American people the gratitude of his own nation for what is being done to protect the countries of the Far Pacific against aggression and to thwart the imperialists who covet the territory of smaller nations.

Gorton's speech was delivered before the National Press Club, but wasn't reported widely in the press. Only a few sentences got attention, and several of the larger newspapers didn't mention it at all. Possibly the reason was that the Australian prime minister spoke "off the cuff" and a transcript of his remarks was not readily available.

Gorton said in part:

"I do want to say that as a representative of a small nation . . . I wonder if anybody has thought what the situation of comparatively small nations in the world today would be if there were not in existence a United States.

"With a heritage of democracy and with a willingness to see that small nations who otherwise might not be able by themselves to protect themselves, we're given some shield and some guarantee that they would be able to run their own affairs in their own way.

"Just imagine what the situation in the world would be if there were not a great and giant country which was prepared to make these sacrifices for that end. And the end is not negligible. . . .

"If it is true, as I believe that it is true, that in the future mankind, as a whole and in all the nations of the world, can only reach a state of enduring peace and proper progress if it is realized that the individual must dominate the state and not the other way around, then what was done in the Second World War was something which serves the future of humanity.

"Now I go further. As we see it in Australia, this is the basic question in Vietnam. It is claimed this is a civil war. We do not see it that way. We see it, as your President sees it—and as, I believe, your President's predecessors saw it—as another test of whether small nations are to be subdued by force, as another test of whether the state or the individual is to be the unit by which humanity progresses. And because we see it that way, we contribute.

"We don't contribute a great deal. But we do have navy, air force, army there. We do what we can to help, because we think that what you are doing to help the South Vietnamese is right."

Australia is a country of 12 million people. It has immense natural resources which as yet have not been fully developed. It is making substantial progress, but it would have little chance if Communist autocracy sought to take over. Much the same situation prevails in small nations on and adjacent to the Asian continent.

Prime Minister Gorton is making a trip this week to Vietnam and other countries in Southeast Asia. He desires to emphasize that Australia believes that the independence of small nations must be preserved and that it can only be maintained only by guarantees against aggression.

Plans are under way to develop a common defense among the nations of Southeast Asia. Australia itself is looking with favor on a citizen-military force in which an individual would continue his regular civilian occupation most of the time, but would have a period of training each year and be armed and equipped for immediate duty for possible emergencies in Australia or areas in which it has treaty commitments.

Great Britain, Australia, New Zealand, Malaysia and Singapore are to discuss at a meeting on June 10 the defense of the region after the withdrawal of Britain from Malaysia and Singapore. It is recognized that even if a peace agreement is obtained in Vietnam, the chances of further acts of aggression in Asia still will exist. The Southeast Asian countries want to prepare for such threats, though they may have to rely on the help of the United States if either Red China or the Soviet Union becomes involved in future conflicts.

TEXAS CONSERVATION COUNCIL, INC., ADOPTS RESOLUTION IN FAVOR OF BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, one of the outstanding conservation organizations in Texas, the Texas Conservation Council, Inc., has adopted on May 10, 1968, a resolution in favor of establishing a Big Thicket National Park, as proposed in my bill, S. 4.

Due to the encroachments of civilization on this vast, unique area, the timing of action on this proposal is critical. I am hopeful that after a long wait we will soon get a favorable report out of the Department of Interior on the proposal.

To illustrate the local support for such a national park, I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION FAVORING THE PROPOSED BIG THICKET NATIONAL PARK

(Adopted by the Board, Texas Conservation Council, Inc., May 10, 1968)

Whereas: the Big Thicket of East Texas is a fabulous region of forests, swamps, and thickets with an ecology that is unique because of an unusual combination of geological features and soil and moisture conditions; and

Whereas: it is of great scientific value because of its ecology and of great interest because of its historical and legendary background; and

Whereas: the area has already been reduced from approximately 3⅓ million acres at the turn of the century to less than 350,000 acres because of logging, oil operations, and industrial and urban development; and

Whereas: it is so vulnerable at this time that delay may mean the destruction of some of its finest areas;

Resolved, therefore, that the Texas Conservation Council urge early action on Senator Ralph Yarborough's S. 4, which proposes the establishment of a 75,000-acre Big Thicket National Park.

THE NEGRO AND HIGHER EDUCATION

Mr. WILLIAMS of New Jersey. Mr. President, America is a nation at odds with itself. Our people find themselves faced with a series of problems which threaten the goals and objectives we took as our own nearly 200 years ago. At the heart of this maelstrom is the question of equality of opportunity for all Americans; it should be evident by now that when one group of people is denied full humanity, all people lose a little of their own humanity in the process.

Negroes in America have been denied their place in the scheme of things. Poverty, injustice, prejudice, misery: these are the burdens of the American Negro. Violent upheavals in our cities have paid agonizing witness to the imbalance in American society. Studies and surveys and reports have found a framework of futility in the American Negro existence.

One aspect of social growth and development that holds some hope for a solution to this crisis is education. Everywhere the conclusion is the same: educational opportunities for the Negro have been inadequate, sporadic, and qualitatively inferior to those opportunities given white America. Throughout the educational process—from elementary school to postgraduate work in colleges and universities—Negroes have been denied full access to a decent education.

I became aware of a particularly unfortunate situation recently, when I learned that the percentage of Negroes at America's institutions of higher education is shockingly low—5.6 percent, on a nationwide basis. Negro enrollment at predominantly white colleges and universities is even lower—about 3 percent. The percentage of Negroes in college is only one-third that of middle-class whites.

These facts disturbed me, because higher education holds out the best clear chance for real growth and real improvement in the American social order. The professions, business, the arts: all of these will suffer enormous losses if Negroes are not able to contribute their share. Contributions of this kind are built on a base of higher education.

This concern led to my sponsoring a 1-day workshop on the Negro and higher education, on May 21, here in Washington. Some of the Nation's leading educators, admissions personnel, social psychologists, and education specialists met to discuss the challenges to education posed by the Negro in America. It was my feeling that the workshop would be an ideal format for the discussion of many of the problems related to Negro participation in the educational process; preparation, motivation, recruitment, financing, and similar issues.

I want to call the attention of the Senate to an excellent article about one of the workshop participants. Dr. John U. Monro, director of freshman studies at predominantly Negro Miles College in Birmingham, Ala., gained national prominence when he gave up his post as dean of Harvard College to make the move to Miles College. In an interview with U.S. News & World Report, Dr. Monro touches on some of the questions which he asked, and answered, at the workshop.

It is appropriate to begin an examination of the Negro role in higher education with a look at the role of the predominantly Negro college, where more than half of the Negroes now in college find their educational opportunities. I ask unanimous consent that Dr. Monro's article be included in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGRO COLLEGES: THEIR OUTLOOK

(NOTE.—Negroes in predominantly white universities are attracting attention now, but the vast majority of black students still are in Negro colleges. Why is turmoil developing on Negro campuses? What kind of education do these schools offer—and what sort of student do they get? Do the Negro colleges have a meaningful future?

You get a realistic appraisal of this type of school in the following interview with Dr. John Monro, who made headlines when he left a high post at Harvard to take a job at a Negro school in Birmingham. His view: Such institutions are to become a major center of "black power" in the U.S. during times just ahead.)

Question. Dr. Monro, are Negro colleges facing big change?

Answer. Yes, I think it is really to be a kind of revolution. The black colleges are moving away from the old idea that they should be imitative of white colleges. For the first time these colleges are trying to become distinctively Negro colleges.

Question. In what way?

Answer. One of the problems has been that the Negro-college curriculum hasn't been attentive enough to the needs of black people. I'm just as sure as I can be that there is a black community with special problems, a special outlook, special needs of organizing to develop its institutional strength. But the Negro colleges, until lately, have seen themselves as mainly preparing people to be teachers or preachers, or to get good jobs in a middle-class white situation a thousand miles away, in Detroit or Los Angeles or New York. They have offered traditional, adequate, liberal-arts curricula—but that will not do any more.

Question. Are you saying that Negro colleges are in the process of becoming centers of "black power"?

Answer. Yes—black awareness, black identity, black pride—if you like, black power.

I want to define "black power" in a sensible way. Let's think of the kind of power some of our big institutions exercise today—say the First National Bank, or U.S. Steel, or the Democratic Party, you name it. None of these institutions is a black organization or reflects Negro concerns or problems. They're all white organizations. There are few or no blacks on the boards of directors. In fact, they belong to and represent the white community. They are "white power." That is how the Negro people see it. As a community, the Negro people have nothing to say about this kind of institution and what it does. It doesn't take you very long, living in the black community, to understand about "white power."

In this country you've either got institutional strength or you've got nothing. It's the name of our game. We have a national genius for developing social institutions for social gains—corporations, associations, fraternities, universities, political parties—thousands upon thousands of institutions which interlock together in a powerful social fabric. If you're outside of that power framework in this country, you're nothing. And the Negro people are outside it.

The American workingman was outside until he saw the point, organized powerful unions and made institutions such as General Motors sit up and take notice. As soon as GM and Ford no longer were able to force their will on the unions, they had to sit down and negotiate. This was not because they had any built-in respect for the individual worker or his needs. They came to have respect for his institutional strength.

One of the dangerous elements in our national situation at the moment is, despite all the bleeding hearts, there isn't any real respect for the Negro people and there won't be any until the Negro community can haul up its socks and develop some institutional power of its own. The American white community devotes itself to developing institutional strength, and respects institutional strength, and really respects little else.

Question. What forms can institutional strength for Negroes take?

Answer. The Negro people have the beginnings of organized strength in some fields already—in the colleges, in churches, in parts of organized labor and in a few political situations. But this is not nearly enough. Negroes have almost no economic power to speak of, and this is an important criterion for respect in America.

When black people begin to own and operate banks, publishing companies, business firms and industries on more equal terms with the rest of the population, it will give them not only financial resources but other means of leverage as well for making their weight felt in national decisions. And Negro colleges are an important element in this whole effort, not only in helping create "black power" but in giving it direction.

For example, the black colleges can be a meeting center for leadership in the black community; a center from which important information can move out to the black community; a center for developing social and economic discussions and new programs; a center for keeping an eye on the quality of education in the schools and developing and pressing improvements; a center for discussion of community affairs, including political organization, and, not least, a center for effective contact and co-operation with various parts of the white power structure.

Question. What changes will this bring to Negro colleges?

Answer. Well, for one thing, there is going to be redirection of the curriculum so the young people become aware of the background of institutional power in this country—and how black people can attack the problem.

There is already somewhat more emphasis now on Negro history and Negro culture. You know, the students coming to Miles are terribly ignorant of their own background, the role that the Negro people have played in this country. Lately we have put in a quite strong course in recent Negro history for freshmen during the fall term. This was an important move.

Let me add here that white youngsters across the country need even more than black students to study the terrible story of racial confrontation in the U.S.A. I'm trying to get people to discover the tremendous human epic that has been going on in America for 300 years.

We spend a great deal of time in our schools studying all about the two-bit, ancient comic-opera war described in the "Iliad" and "Odyssey"—but we haven't ever taken a good look at our own terrible epic, our great racial confrontation.

NO. 1 ENTERPRISE: BUSINESS

Question. Should Negro colleges be getting away from emphasis on traditional liberal-arts programs, and teacher training?

Answer. Yes. For example, one of the things I'm eager to see the Negro colleges develop is a strong, up-to-date undergraduate major in business administration. After all, the No. 1 enterprise in America is business, and the Negro people just aren't in it at all. I am persuaded by the experience of the Harvard business school that there is a very fine, new curriculum in liberal arts to be developed around the business major.

Most of the elements that go into business decisions—economics, human relations, ethics, concern for social environment—are already a part of liberal-arts training in the colleges. But when you bring them all together and call them "business administration," people say, "Oh my, that's vocational."

Question. Do many Negro colleges offer business training now?

Answer. Yes, some. But I have not been impressed by the programs I have seen—too much like junior-college vocational programs. What is needed is a very sharp infusion of the latest and best curriculum materials from the top graduate schools in business administration. It could be a much more liberal education than, say, the ordinary major in English.

We could also develop an important new major on the social and economic needs of people in big-city ghettos, and strategies of organizing communities to meet their needs.

Question. How well prepared are the youngsters at Negro colleges for undertaking this kind of work?

Answer. On the average, not well enough. In fact, on standardized tests our students, on average, score somewhere around the tenth grade or ninth grade after 12 years of schooling. If you put this in terms of College Board scores, on a scale running from 200 to 800, most of our students would score under 300. Yet most of them stood in the top half of their graduating class in high school.

This is a complicated matter. These standardized tests are set for a pattern of information, of schooling, and of language quite different from the patterns that these youngsters have been brought up in. I'm increasingly sure that the standard tests do not measure the academic achievement of our students.

I know they do not measure the student's academic ability, or his I.Q. In case after case, our experience in teaching shows there is no particular validity in predictions you would get from the tests.

As a matter of fact, the low scores seem to me a measure of what the community puts into the public schools for these youngsters; and, of course, the scores also reflect how much support and background they get at home.

Question. What are your students' family backgrounds, in general?

Answer. Most of them come from Birmingham. And about 75 per cent qualify for U.S. poverty aid, which means a family income of about $3,500 or less.

Question. Can these students, in four years of college, hope to catch up with the national average?

Answer. We've got a good many students who graduated from high school with average achievement scores considerably below tenth-grade level, and we are working with them—successfully. In fact, that has to be a great part of our effort in the Negro colleges.

I think there is solid reason to feel we can do a lot about such deficiencies, and in a hurry. For example, I have a lot of impatience with the way English grammar and writing are taught almost everywhere—much too complex and detailed, not at all functional to the problems of getting raw ideas down into simple sentences, and sentences working together in a paragraph. The deadening complexity of ordinary grammar handbooks becomes a real problem for Negro students who speak a nonstandard form of English at home and with friends. It's a dialect, really. It is a perfectly good, rich language, flexible and vigorous and expressive. But it will not do for college-level reading and writing in so-called standard English prose, or for expository prose of a professional kind.

THE MESSAGE OF MALCOLM X

Question. How are Negro colleges going to overcome this problem?

Answer. Any number of approaches are being tried. The main thing, as I see it, is to teach the student in a framework where he wants to do a lot of work. For instance, I knew last summer that we were going to have to work hard on vocabulary—it seemed to be the No. 1 problem. I was sure that the usual word lists were no good, that vocabulary would have to be learned in the context of selected reading.

Next question: What kind of reading would interest the students, and thereby interest them in the language? After thinking about it, I decided to find our vocabulary words in the "Autobiography of Malcolm X."

This turned out to be an absolute 10-strike. The book has a remarkable range of vocabulary, and, of course, it is a book that interests the students very much. And it was valuable in helping all of us understand what is going on in the world. Right in the middle of the book is a remarkable chapter in which Malcolm X tells how, when he was a prisoner at Norfolk Prison Colony in Massachusetts, he turned his life around—by getting religion, and by copying off every page of the dictionary. The book carries its own moral, and our students got the message.

Now, this use of Malcolm X's book is a good instance of what I'm trying to say about our special opportunities in curriculum. This is not a book that the ordinary white college would choose at all. But we pick it, and it's wonderful. The students are interested. The book helps them in every way. I have to suspect that white students would be just as interested, and would get more help from it.

Question. What do you find to be the attitude of Negroes entering college?

Answer. What impresses me most is the number of students who have had a quite bad preparation in school but anyway come on to this college eager to learn and willing to work. They're uncertain about what the future holds. They can't be sure that anything is going to develop for them in the way of a good job, especially at home in Birmingham, after they graduate from college.

Yet the fact is that there are numbers of students who go on from our college to graduate school every year. Scores and scores of our graduates have gone out to good careers in teaching and other professions. The college faithfully serves its community.

Question. What has been the impact on Negro colleges of the growing recruitment of the most able students by top-quality universities and colleges—Harvard, Yale, Stanford and others?

Answer. Obviously, such recruiting efforts will skim off a number of the best students, particularly those who can do well in standard tests. But we are glad the new opportunities are opening up, and the situation isn't much changed for us in the Negro colleges. The Southern Regional Education Board estimates that only 15 per cent of the Negro boys and girls getting out of high school in the South go to college, as compared with 45 per cent of college-going for all young people coast to coast.

This is a shortfall of around 30 per cent of the graduates. Translate this into actual numbers, and in the South alone, each year, somewhere between 200,000 and 250,000 Negro boys and girls in the top half of their high-school graduating classes are not going to college.

In a situation like that, there is plenty for all the colleges to do. No matter what Purdue does or Harvard does, we are not even beginning to tap this intelligent manpower and womanpower. There is a big 25-year job ahead for all of us.

I'm delighted that Yale of Chicago is combing the Negro high schools. I'm glad the University of Alabama is taking Negro students, and that Birmingham Southern has started to admit Negro students. But the heart of the problem is that right now, this September, a quarter of a million able black boys and girls in the South are not going to get to college. This is the greatest untapped human potential in the country, and there is plenty of work for everybody.

Question. Some educators are saying that a lot of Negro colleges should be merged or phased out entirely—

Answer. I regard the idea as idiocy. We are taking students that no one else will take, and we're designing programs for the whole spread of students—remedial programs, reinforcement programs, enrichment programs, special curricula in black history, black culture, black problems. The University of Alabama isn't going to do this. Harvard isn't going to do this.

We're doing things for our students that no one else will do, and we're turning out strong, professional people who are going to be leaders in the Negro community.

This college was established around 1907 by an impoverished community of Methodist Negro people. They didn't have any money.

They had no right to establish a college. But they did, and it has been serving the community faithfully and effectively for 60 years.

Now along come a lot of smart alecks from New York or Washington who say: "Pooh, pooh! Grade average of 9.5, or tenth grade. And look at the faculty and the faculty salaries! Wouldn't it be better if all those people went to the University of Alabama?"

People who say that simply do not understand the human values involved in such an institution as this. And they do not understand the service that this institution is performing, and will continue to perform.

We care about these youngsters. We know there is already visible a real transformation in the black community. One of the most important functions that this college performs in Birmingham is as a center of institutional strength for the black community—"black power," if you like. This is one institution that belongs to the black community.

Almost all the board of directors is black, the president is black, all the deans are black, over half the faculty is black and 99 per cent of the students are black. This college can be a center of real strength for the 250,000 Negroes living in Birmingham, who otherwise have no institutional strength to speak of.

Question. Would you agree with the two Harvard sociologists who recently described Negro colleges as an "academic disaster area"?

Answer. That was the cruelest kind of phrase-making. Of course, I'm aware of what David Riesman and Christopher Jencks were trying to do. They were trying to stir things up, and get people moving toward change.

However, their article was regarded among Negro educators as a vicious and undisciplined attack by white sociologists on black colleges. The violence of that rhetoric, when applied to people who have tried as hard and as earnestly and as effectively as the people in these colleges have tried for 100 years to work on problems that no one else cared about, added up to a kind of inhumanity and insensitivity which is all too characteristic of the way white people deal with the Negro people anyway.

Question. Are Negro colleges going to be able to get more money than in the past for carrying out their work?

Answer. We're trying, of course, all the time. We're working all the while with private donors, with the Government, and with the foundations. I've been much encouraged, for example, by the fact that the Ford Foundation has set up a special unit to study how the foundation can move in on our problem. I hope the foundations will come to see that our Negro colleges are going to be extremely important centers for developing institutional strength in Negro communities in the years ahead.

HELP FROM NEGROES

Question. What about Negroes themselves? Are they showing an interest in helping solve the financial problems of Negro colleges?

Answer. Yes. Of course, there aren't the resources within the Negro community that you need to support Negro colleges. You do not have the rich alumni, and you don't have the big grants that foundations give to the better-known universities and colleges. On the other hand, I believe more support will come when the special role of the Negro college is better understood and developed.

Question. What accounts for the wave of unrest among students at Negro colleges?

Answer. Broadly, I would say the students are not satisfied with the quality or content of education they have been getting at these colleges. They also tend to view the college as being authoritarian and deaf. And often enough, the students are right in their concern. Of course, black students and black colleges have no monopoly on unrest.

Question. Has there been unrest at Miles College?

Answer. Yes, for the past couple of years. We had one or two efforts at a boycott in the autumn, and we may have more.

ROLE OF VETERANS

Question. What about Negro war veterans? Do they figure in this unrest?

Answer. Not here, as yet. They are just beginning to come to the campus—we have a number of veterans in our freshman class. Some of the most impressive men I've ever met are these young Negro soldiers back from Vietnam. These are men who have learned how to handle themselves in difficult situations in a disciplined way. They've grown up and matured; they have become powerful, intelligent and self-respecting individuals. They have learned a lot about organization, and they want things to go right.

But the whole thing can turn sour and volcanic unless these young men, who have put out so much, get some sense that they have come back home to a reasonable opportunity. I only hope that American industry can somehow discover these men, and quickly, and develop some special cooperative programs allowing the men to work and go to school. They're one of the greatest resources of able manpower I've ever seen anywhere.

Question. Do employers send recruiters to Miles College?

Answer. Yes, they're interested in our students. A Negro college is an obvious-enough place to come if you want to get Negro men and women, so that industrial personnel directors have discovered us. It helps to have the U.S. Government monitoring the progress of interracial hiring. We've never had such a rush of recruiters as now.

The problem of the veterans is that they are just coming back. They're in their first or second year of college, so talent scouts haven't begun to discover them yet. What I'm suggesting is that they ought to be on the lookout to hire veterans for summer jobs, and to work out co-operative programs during the academic year.

It is important to note that opportunity and threat are closely joined here. These veterans are so able and they have been through so much that, on the one hand, they are a great catch for anybody but, on the other hand, they know their own worth and they know their own strength. They are not going to take a letdown easily. For better or worse, they are going to have a big say in the building of the Negro people's institutional strength in the years ahead.

Question. As Negro colleges become "black power" centers, what role will whites like yourself play?

Answer. I think there will continue to be a place for white teachers who come here to do a professional job and to learn. But they mustn't try to run the place. They must be good subordinates, and do what's asked, and do their "missionary" work back in the white community, which needs it. I don't think a white man should accept a job as president or dean of a Negro college. First, he should be smart enough to realize that he couldn't manage the job. Second, it wouldn't be right. Those jobs, and this institution, really belong in the hands of the black community.

Question. How many whites are there on the faculty at Miles?

Answer. About 25 out of the total faculty of 60. But seniority and influence lie largely on the Negro side, because the turnover among whites is pretty rapid.

Question. Why did you leave Harvard to teach at Miles College?

Answer. Well, for many years I've been increasingly aware that the central social problem in our country is adequate education, an even break, for the underprivileged young people. I started working at Miles in the autumn of 1963, and came back off and on thereafter as consultant and a teacher in prefreshman summer programs. I became more and more impressed with this college and community as a place where I could begin to weigh in on a problem of deep concern to me.

Question. What is your job as director of freshman studies?

Answer. I'm in charge of developing the basic freshman courses in English and social studies, getting them staffed, laying out the curriculum, setting the levels of instruction and accomplishing as much as we possibly can in the freshman year. For two summers, I've also had charge of prefreshman programs—what we call a "basic skill workshop," for teaching English and math to high-school graduates on their way to college.

You can sense some of the impact of having an integrated faculty early, when the youngsters hit the prefreshman summer or freshman year. The white teachers on our faculty will be the first that 95 per cent of our students have ever worked with. Most have never been to school with any white students. In fact, they have had hardly any relationship with white adults except as employers. So this classroom relationship is new, and I think it is important if only as confrontation. I can tell you it is a sharp and important confrontation for the white men and women involved.

A LONG WAY TO INTEGRATION

Question. What is going to happen to integration if Negro colleges become "black power" centers?

Answer. I'm all for integration. I stake my future on it. Ultimately, over the years, integration is what has to happen. But we have a long way to go to get there, and the soundest basis for arriving at mutual respect is self-respect and self-identity, and a sense of organized strength.

Among Negroes, there has to be a significant sense of pride in blackness, and pride in the organizational strength of the black community. When the white community learns to respect the pride and institutional strength in the black community, then we will move ahead.

That is why Negro colleges are going to be so important, not only to blacks but to whites. I can't imagine any clearer message writ large on the wall for the white people of America during the past two summers, and again during the recent riots—namely, the absolute need to develop institutional strength of a responsible kind in the Negro community.

It almost comes down to this: If you don't have that responsible institutional strength in Negro communities—the ability to discover felt needs and get them tended to—then you are going to have deep frustration and violence. Give our young black people the sense that they are developing some organized leverage in society, that they are in a position to confront American society in an orderly and regular way and make progress, and they will do it right.

My students are much more interested in progress than in violence, but have reached a point where they demand progress, and demand to be heard, or else. We will be a better society when we listen and learn how right they are.

HOLIDAY AWARD TO E. GENEVIEVE GILLETTE OF MICHIGAN

Mr. HART. Mr. President, I take particular pleasure in calling public attention to the fact that the May 1968 issue of Holiday magazine announces five awards to a public official, a private citizen, a State, and two groups who have made outstanding contributions to a beautiful America.

The private citizen chosen for the award is Miss E. Genevieve Gillette, a landscape architect of Ann Arbor, Mich. Miss Gillette is president of the Michigan Parks Association and serves on the President's Citizens' Advisory Committee on Recreation and Natural Beauty.

Mr. President, I ask unanimous consent that the Holiday magazine description of the awards and the citation of Miss Gillette be inserted in the RECORD at this point. If each State had just one Genevieve Gillette, I can assure Senators we would have a more beautiful America.

There being no objection, the text of the award was ordered to be printed in the RECORD, as follows:

The Holiday Awards for a Beautiful America are given in recognition of individuals and groups that are actively devoted to the cause of conservation and beauty in the United States, and as incentive for further efforts by all Americans. The winners named here have worked to protect our country's natural graces, to remove blight, or to increase manmade benefits to our environment. We feel that what they have done will have a lasting impact; they are the guides for the swelling ranks of those interested in a beautiful America.

Our readers nominated many fine candidates for the awards. The editors are grateful to them, and to the judges who helped us in the difficult work of selection: architect Peter Blake, editor of *The Architectural Forum* and author of *God's Own Junkyard;* Henry L. Diamond, Counsel to the President's Citizens' Advisory Committee on Recreation and Natural Beauty; and Michael Frome, noted conservationist and author whose most recent book is *Strangers in High Places.*

Genevieve Gillette, conscience for the landscape of the nation, redoubtable foe of despoliation, indefatigable fighter for good design and good sense in a Beautiful America. Miss Gillette has been a prime mover in establishing dozens of parks and recreation areas. She is a founder of the Michigan Parks Association, and one of the twelve members of President Johnson's Citizens' Advisory Committee on Recreation and Natural Beauty.

WHAT ARE WE WAITING FOR IN RATIFYING THE HUMAN RIGHTS CONVENTIONS?

Mr. PROXMIRE. Mr. President, for a long time now I have been reminding the Senate practically every day of the incongruity of our failure to ratify the various human rights treaties. I have discussed these treaties in detail. I have traced their histories. I have listed those nations who have ratified some of the treaties and the treaties they have agreed to. I have shown the extremely awkward position in which our failure to ratify has placed us. I have cited stirring words from every conceivable quotable source on human rights and dignity from practically the beginning of recorded thought to the present.

I have quoted philosophers, kings, presidents, poets, religious leaders, and the thoughts and aspirations of a striving Everyman over the span of time. I have spoken on the necessity for the peoples of every nation to approve these declarations of our belief in the basic worth, dignity, and personal inviolability of all men.

Every American President from the earliest time these conventions were before the world community has spoken out strongly for their ratification. Every representative of the United States at the United Nations has spoken for their ratification while being understandably chagrined by the failure of his own country's Senate to ratify them.

Mr. President, there have been conferences and resolutions and meetings and conventions—all aimed at eliciting long-overdue ratification by the Senate of these Human Rights Conventions. What I have to ask the Senate today is, "Just what does it take to bring about this action by the Senate?"

I assure my colleagues that I admittedly am impatient with our failure to act. But I also hasten to assure them that I am far from weakening in my resolve to persevere in calling this inaction to their attention and calling our inaction to the notice of the country. I will continue until ratification is achieved. Hopefully that will be soon.

Mr. President, far too long a time has passed in which the United States has been placed in the ridiculous position of having the explicit principles upon which this country was founded embodied in treaties that this same country has failed to ratify. Let us now act so as to no longer make a mockery of the Declaration of Independence, the Constitution and indeed the laws and traditions of this Nation all of which affirm our fundamental belief in what all these human rights conventions really signify.

POVERTY AND WELFARE

Mr. RIBICOFF. Mr. President, we are all concerned about our welfare programs. As Senators, we hear a great deal from our constituents on the problems of welfare. In Connecticut, the Danbury News-Times decided to print the facts about poverty and welfare, concluding with a goal for a program of constructive action. The editorials were a real public service. They sum up facts that all of us must continue to keep in mind as we debate the future of our welfare system.

So that the editorials might receive the attention they deserve, I ask unanimous consent that they be printed at this time in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Danbury (Conn.) News-Times, May 25, 1968]

POVERTY AND WELFARE: THE NEED FOR PUBLIC UNDERSTANDING

A few weeks ago the News-Times published a letter from a mother of three children who had found it necessary to go on a state welfare program, pleading not just for help for herself and her family but for an understanding of the problems those on welfare face.

There was a heartwarming response from many concerned individuals, which has been gratefully acknowledged.

But the basic and complex problems of poverty and welfare, cited in an editorial which accompanied the letter, cannot be solved by individual or isolated actions.

That editorial urged that the clarity of the letter writer's message not be lost in the details of one specific case. It continued:

The message is that welfare is basically the problem of human beings—infants, children and their mothers more than any other group.

It is a problem of humans, caught, more often than not, in circumstances not of their own making.

It is a problem which cries today more than ever before for public understanding.

It is toward this goal of public understanding that a promised series of editorials, of which this is the first, is aimed.

In the few weeks which have elapsed since the letter and earlier editorial appeared, there have been many interesting and, in many cases, significant developments.

The best publicized—and most controversial—has been the Poor People's Campaign and the establishment of its plywood tent city in Washington as the headquarters of its massive lobbying effort. Here again is a case where the basic message—involving whites as well as blacks, along with Puerto Ricans, Mexican-Americans and American Indians—should not be lost sight of in the welter of controversy.

One of the most significant developments occurred early this week when the prestigious Regional Plan Association published a report urging that the federal government take over the financing of all public services aimed at helping the poor, such as welfare, public health, special education and anti-poverty projects, and more than double the amount now being spent at all levels.

In this way, says RPA, the nation's cities and states could save the $5 billion they are now spending annually. This, along with the greater effectiveness in programs helping low income families raise themselves from poverty, could make city living competitive with the suburbs, with better education for all, more parks and recreation programs, improved transportation and generally greater amenity.

Says the RPA report: "The federal government could absorb this budget rise of $20 billion a year . . . because the gross national product is rising so rapidly that within 2½ years, the federal government's tax returns will be $20 billion higher than they are this year without raising tax rates."

The proposal did not stir up much reaction. That may come next week when a similar proposal is aired in a Look magazine article by John Kenneth Galbraith, the controversial former presidential adviser.

Another recent development included the cover article treatment given poverty in America by Time magazine and the CBS television special last Tuesday night, "Hunger In America."

Next week, financial writer Sylvia Porter, whose column appears in the News-Times and scores of other newspapers, will devote four columns to "The Welfare Crisis."

More and more, the various aspirants for the Presidency have been discussing poverty and welfare.

All this represents only a sample of what has been said, done or planned in the few weeks since the News-Times published the letter of the welfare mother and the accompanying editorial which announced that this series of editorials was being prepared.

The News-Times hopes this series will contribute to public understanding and, as always, welcomes the views of its readers.

[From the Danbury (Conn.) News-Times, May 27, 1968]

POVERTY AND WELFARE—II

As brought out in an editorial in this space Saturday—and by columnist Sylvia Porter in a series of four columns on this page beginning today—the problems of poverty and welfare are getting new and unusual attention. Some of it is in new and unusual places.

Poverty and welfare are so closely interwoven that the tendency has arisen to use the terms almost interchangeably.

So it may be best to make clear that in this series of editorials, the term poverty will be used in relation to those who do not have sufficient income to meet basic needs—an estimated 30 to 35 million Americans—and the term welfare will be used in relation to those receiving public assistance—some 8.6 million children and adults.

There is a growing feeling in many quarters that welfare programs, rather than alleviating poverty, may actually be contributing to its spread and its recurrence now in second and third generations.

Who, then, receives public assistance funds?

There are two classes of recipients—those receiving general assistance under state/local programs and those receiving specific aid under one of the federal/state categorical programs going back to the Social Security Act of 1935.

General assistance is usually a temporary thing. It covers grocery orders, rent payments and cash grants, usually in the nature of emergency help or until the family or individual qualifies for a state program.

Amounts and regulations vary from state to state and even from community to community. Connecticut reimburses cities and towns 75 per cent of the cost of general assistance.

Editorial Research Reports, a service to which the News-Times subscribes, estimates that as of last September, 729,000 men, women and children were receiving general assistance of some form.

Cost of the categorical programs is shared by the state and federal government.

The biggest program as indicated by the chart, is aid to families with dependent children (AFDC), which benefits some 4 million children along with the million plus mothers and some 160,000 fathers who take care of them.

The other categories, also indicated on the chart, are old age assistance (OAA), approximately 2,065,000 in total number, aid to the blind (AB) and aid to the permanently and totally disabled (AD) which add up to approximately 710,000.

Well over half of those receiving welfare benefits are children and more than half of the remaining are elderly. Most of the others are mothers and a comparatively few fathers who are eligible for welfare benefits only because of their children.

These points should be kept in mind in any meaningful discussion of public welfare assistance programs.

[From the Danbury (Conn.) News-Times, May 28, 1968]

POVERTY AND WELFARE—III

American society is for the most part so affluent that it finds it difficult, if not almost impossible, to understand how poor a person has to be in order to be eligible for a welfare program.

Even so, only approximately a quarter of the 30 to 35 million Americans living in poverty are actually covered by a public assistance program.

Each state has its own regulations, which tie in with federal regulations. The regulations in some states are so restrictive that they do not qualify these states for all the federal assistance they might get.

The Connecticut regulations, which are typical of those of an industrial state in the North, and which qualify the state for its full federal share of 50 per cent of the expenditures, include:

An applicant for old age assistance, aid to the blind or aid to the totally and permanently disabled cannot own personal property with a value in excess of $450, except that the cash value may not exceed $1,300 when the personal property consists solely of life insurance.

The applicant must agree to assignment of personal property in excess of $250 value to the state welfare commissioner.

If the applicant owns or shares ownership of a home, he or she must agree to a lien against it in return for the public assistance, and must agree to liquidate equity in real estate other than home-property.

Somewhat similar regulations apply to the mother or "supervising relative" in the case of children for whom aid for dependent children is sought, except that the total value of personal property, including cash value of life insurance, may not exceed $250.

There is a number of other requirements, depending on the category of assistance sought. They are outlined in small booklets prepared by the State Welfare Dept.

Even a casual reading of one of these booklets shows that a person has to be among the poorest of the poor to qualify for public welfare.

What are the benefits of the individual programs?

Each booklet answers with a four-word sentence, "Financial need is met."

Law and department regulations in each state determine the financial need, usually from a budget which takes into consideration the number of individuals in the household and their ages.

Income from any other source, such as Social Security benefits, pensions, earnings, or contributions from relatives, is deducted. The welfare check makes up the difference between these deductions and the amount of the established budget.

Not only must applicants be very poor in order to qualify for benefits, the amounts granted—as will be brought out in an editorial tomorrow—keep them poor or make them even poorer.

[From the Danbury (Conn.) News-Times, May 29, 1968]

POVERTY AND WELFARE—IV

The three most widespread misconceptions about welfare programs may be summed up in remarks like these which nearly everyone can recall having heard:

"Poverty? Oh, that's the kind of problem they have down South, or in Appalachia. We don't have much of that around here."

"With all the jobs there are, why doesn't that lazy bum get off welfare and go out and get a job?"

"Why should my taxes be spent on a loose-living woman who hasn't got a husband but has another baby just so she can get a bigger welfare check? Why should they get all that money?"

Each of the comments contains a grain of truth, but otherwise is wide of the mark of accuracy.

It is true that poverty in the South and in Appalachia is well known, but it is just as true that poverty exists even in the richest counties of the United States. (As for this area, see editorial below.)

It is true that there are many jobs unfilled, but most of them require skills that a vast majority of the unemployed do not have, furthermore, there is no welfare program for an adult male who is physically and mentally capable of working, except for a comparatively small number who in place of the mother, are trying to hold dependent children in a family.

It is true that some women on welfare have babies out of wedlock, just as women in other sections of society have babies out of wedlock. But the "O. W." mother is no more typical of the welfare mother than she is of the nonwelfare mother.

It is also true that the problem of the "O. W." mother-to-be is more widely known because she has no choice but to turn to a public agency for help. But it is hardly true that she deliberately seeks a pregnancy in order to qualify for a bigger welfare check, an extra $23 a month—or even less.

That's right—$23 a month.

None of the public assistance programs offers "all that money" that one hears about. The important point of dollars and cents will be discussed further in an editorial Friday.

[From the Danbury (Conn.) News-Times, May 29, 1968]

HERE AT HOME, AS WELL AS IN APPALACHIA

Poverty, to some degree, exists in nearly every American community—In Sherman as well as in Bethel, in Danbury as well as in New York City.

This comes as a surprise to those who think of poverty as only something affecting the rural areas of the South or Appalachia or the slums of the big cities.

Nationally, only about one-quarter of those believed to be living at or below poverty levels ($3,300 annual income for a city family of four) are recipients of public assistance through a welfare program. A Connecticut survey indicated that the figure is one out of three in this state.

Much poverty is hidden. A spirit of independence, pride, lack of knowledge and other factors keep many from seeking the assistance to which they are entitled. Many others do not meet eligibility standards.

There may be as many as 4,200 men, women and children in Danbury living at or below poverty levels. No one really knows.

What is known is that there are approximately 1,400 who are recipients of some form of aid administered through the State Welfare Dept.

There are 263 families receiving aid in the dependent children category, with an average of one adult and three children per family.

There are 20 individuals under the old age assistance program, seven under the aid to the blind and 134 under the aid to the disabled programs. Some of these are also included among the 226 under the medical assistance program.

The Danbury office of the State Welfare Dept. covers five other area towns with these caseloads (with the indicated average of additional children in brackets): Bethel, 93 (78); Brookfield, 27 (24); New Fairfield, 22 (24); Newtown, 42 (48); Sherman, 4 (6). (Medical assistance recipients at Fairfield Hills Hospital have been excluded.)

These figures, it must be again emphasized, represent only cases handled by state welfare workers through the Danbury office. They reflect only part of the poverty problem which exists for a larger number of people in each community.

[From the Danbury (Conn.) News-Times, May 31, 1968]

POVERTY AND WELFARE—V

The preceding editorial in this series asserted that it is hardly true that a welfare mother would seek to have another child merely to qualify for a larger welfare check—larger by $23 a month, or less.

Why $23 a month?

The simple answer is that this is what the law allows.

To understand the "why" of this answer requires an understanding of how the budget procedure works for any recipient of a public assistance program.

Whether the budget applies to an individual or to a family, the amounts granted in each category are set by a state cost commission. These amounts must be followed by the Welfare Dept. caseworker in determining the total budget.

Net income from work, Social Security benefits, contributions from relatives, pensions, etc., are deducted from the budgeted total and the welfare check represents only the difference.

In other words, a dollar received is a dollar deducted. Connecticut will make a partial change in the case of earnings, beginning July 1; more about that later.

Now take, for an example, the case of a mother of three children, two between the ages of 4 and 12 and one age 3. As the adult in a household of four or five members, the mother is entitled to a basic monthly allowance of $45 for food, clothing, personal incidentals and household supplies. There is $34 each, or $68 in all, for the two older children and $23 monthly for the baby.

There is an allowance of up to $109 a month for rent, up to $14.60 a month for gas, electricity and hot water and, from Oct. 1 to May 31, up to $23 a month for heat.

Those are the basic figures—$259.60 a month from June through September and $282.60 a month from October through May.

Suppose this mother had another baby. The basic budget would be increased another $23 a month. All the other figures—for a four or five member family—would remain the same.

Suppose, on the other hand, this is a three-member family, the mother, one child over 4 and a second under 3. The individual allowances for food, clothing, personal incidentals and household supplies, would be slightly higher, $47, $37 and $24, but the rental ceiling would drop to $89, the allowance for gas, electricity and hot water to $12.10 and the heating allowance for eight months to $18 monthly.

The total basic budget would then be $209.10 a month from June through September and $227.10 a month during the rest of the year.

The figures used here apply only in the two cases cited. They should not be applied to any other case.

These are only basic maximum figures. There are some "extras," where necessary for reasons of health and welfare of the family, but they are limited to what most people consider to be essentials. Necessary medical expenses are met.

On the other hand, there is no extra provision if the rent, the utilities or the heat cost more than the budgeted figures. It then becomes a case of "make do," within the framework of the total budget. Some of the grocery money may have to be used for the rent, or money which might have gone for soap goes instead to make up the payment of the utility bill.

Also, the maximums in rent-heat-utilities categories are prorated downward if a non-eligible person lives in the household.

These figures provide the factual answers, in cold dollars and cents, to those who claim individuals or families go on welfare to "get all that money."

"All that money" just is not there.

[From the Danbury (Conn.) News-Times, June 1, 1968]

POVERTY AND WELFARE—VI

So far in this series of editorials, four major points have been made:

1. Of the estimated 30 to 35 million persons living at or below poverty levels in this country, only about one-quarter or approximately 8 million are receiving public assistance under a welfare program.

2. Most of these covered are children, the aged and the disabled.

3. To be eligible for welfare benefits, a person or family may have only limited personal assets; any real estate in which an interest is held must be liened or mortgaged beforehand in favor of the state.

4. Welfare payments, as determined by law and regulation, are designed to meet only basic needs; another mouth to feed and body to clothe may represent as little at $23 a month additional. In short, there is no "easy money" to be had through welfare.

Those who are closest to the problem—welfare workers and the recipients themselves—are aware of the shortcomings.

Professionals in the welfare field, who argue that current laws and regulations do little more than keep people from starving and perpetuate poverty into second and third generations, find most legislatures are reluctant to permit any liberalizing improvements.

Congressional action late last year was indicative of the legislative mood The House committee handling the conference report on improved Social Security benefits insisted on Senate acceptance of restrictive changes in federal welfare law.

The most criticized of these placed a ceiling on the number of children for whom the federal government would provide matching funds to the states under the Aid to Dependent Children program. The ceiling was set as the percentage of children on relief rolls in each state last Jan. 1.

Congress is already having second thoughts and the effective date has been set back from July 1 of this year to July 1, 1969. If the change becomes final, it will represent in many instances merely a transfer of the financial burden from federal to state budgets.

But in some states, it will mean a further cutback in the already small amount which the state allows a family on welfare to receive.

A family of four in Connecticut, with children of the ages mentioned in Friday's editorial, is allowed a basic budget of $259.60 a month. If this family has no income at all, this is the amount of the welfare check. If there is other income, the state check is supplemental, designed to bring the income up to the budgeted amount.

In Indiana, on the other hand, a federal study showed that the State Welfare Dept. there found that a similar family needed at least $237 a month But the maximum payable under state law there is $126.

There are other wide differences from state to state and from locality to locality. The one common factor is that total welfare expenditures are continuing to mount.

This cost growth is due to many factors—principally the larger number of children and the increased proportion of them eligible for welfare benefits, and the increasing urbanization of society.

The continuing decline of rural areas, in the South and elsewhere, sends more and more families, with more and more children, to cities where the parents are ill equipped with education and skills to seek the jobs available.

It is little wonder, then, that the whole question of poverty and welfare is getting a new look, and not just from government officials and those in the social welfare field. Leaders in business and industry are showing new concern, as will be outlined here.

That concern arises not just from mounting financial costs, but from the mounting waste of human resources.

[From the Danbury (Conn.) News-Times, June 3, 1968]

POVERTY AND WELFARE—A CHALLENGE TO LEADERSHIP AND ACTION

The debate over poverty in America and the public welfare programs designed to meet at least some of its problems covers a wide range. Only a few of the highlights have been touched on in the six editorials on the subject which have appeared here since May 25.

These highlight have been sufficient to demonstrate that new approaches and some basic changes are called for.

One conclusion is clear. There must be better public understanding of the problems of poverty and welfare, along with the realization that there will always be some who for mental, physical, age or other reasons will require some form of public assistance, sometimes temporarily and in other cases permanently.

No censure or stigma should attach to either the giving or receiving of such assistance. Rather, it should be extended in the form of neighborly love for those who are less fortunate.

Some other conclusions:

1. Too many are already in the "lost generation" category, due to the way public assistance programs have been forced by public policy to operate since depression days. Emphasis should be placed on steps which will encourage people in poverty to get ahead economically, so that they can get off welfare rolls.

2. Regressive steps, such as the ceiling on aid to dependent children which Congress adopted last December, which will serve only to limit the already minimal help and opportunity to children in welfare families, should be repealed.

3. States should set more realistic subsistence levels; in Connecticut, the cost commission should have the authority to set higher levels in areas where costs are higher than the state average.

4. To help families break the poverty cycle, earnings should not be counted against benefits. Connecticut will put a new program into effect July 1, under which the first $30 of earnings and one-third of the remaining will not be counted against monthly AFDC allowances for mothers who are able to obtain employment.

5. Every possible way to lower the ratio of administrative costs should be explored. New York, for intsance, is undertaking spot checks of eligibility, rather than having a full field investigation of each case. Connecticut is preparing a similar experiment in adult cases. The monetary savings possible in such an approach should be carefully explained to the public.

6. Greater weight should be given to the views of those who deal with welfare—those actually administering the programs and the recipients themselves. It's easy to talk about the rising cost of welfare and deficits in welfare budgets; it's much harder to seek answers to why those rising expenditures are not bringing basic improvements and lasting results.

7. With the rising demands on local and state tax resources, there must be full study of proposals that (A) states take over all local welfare costs and (B) that all welfare expenditures be made a federal responsibility. Court decisions outlawing residence requirements in Connecticut and other states make the latter study imperative.

8. At the same time, there must be full study, nationally and at the state level, of (A) ways to improve the current system so that it will meet the needs of the 1960s and 1970s, rather than those of the 1930s for which it was first designed, and (B) proposals that the present system be abandoned in favor of a new approach such as a negative income tax, guaranteed annual wage or similar programs aimed at solving basic economic problems as well as problems of welfare.

9. Drifting along under the present system is not acceptable. Therefore, we call on Connecticut, through Governor Dempsey, the state legislature, and the state delegation in Congress, to take the leadership in promoting the needed changes.

Our call goes not only to those now in office but to all who will seek office this November.

Connecticut has always shown itself to be a state which cares. This is because it has leaders and legislators, and people who care.

Of course Connecticut cannot do it alone. But it can provide leadership—and set a spirit—which the times require.

COMMISSION ON VIOLENCE DESERVES OUR SUPPORT

Mr. **BAYH**. Mr. President to a nation wrenched by the tragedy of violence, President Johnson's new Commission on the Causes and Prevention of Violence offers hope that this ugly phenomenon may some day be eliminated from our national life.

In his remarks at the first meeting of the National Commission, the President made it clear that this is not going to be merely a superficial look at a complex problem. Here is what the President hopes the Commission will provide for the American people:

> First, an understanding and an insight into the kinds of violent abberrations which have struck down public figures and private citizens alike.
>
> Second, I hope your search will uncover the causes of disrespect for law and order—disrespect for proper authority in the home and disrespect for public officials—and of violent disruptions of public order by individuals and groups.
>
> Third, I hope your studies will lead to practical actions to control or prevent these outbreaks of violence.

Here are some of the questions he asked the Commission to answer:

> Is there something in the environment of American society or the structure of American institutions that causes disrespect for the law, that causes contempt for the rights of others, and incidents of violence? If there is, how can we correct it?
>
> Why do some individuals and groups reject the peaceful political and institutional processes of change in favor of violent means?
>
> To the extent we can identify the basic causes of violence and disrespect for the law, what practical steps then can we and should we take to eliminate them?
>
> How can the Government at all levels, the churches, the schools and the parents help to dispel the forces that lead to violence?

No Commission, no action can change the tragedies of the past. But to the extent that men of good will can work together toward a reasonable solution to this national problem, we must all lend our support and best efforts.

I commend the President on his action and I stand with him in seeking to halt violence in our daily life.

CHARLES DAVIS OF HAWAII SINGS OUT AT CARNEGIE HALL

Mr. INOUYE. Mr. President, one of Hawaii's best-known opera and concert tenors, Mr. Charles K. L. Davis, will sing at his first Carnegie Hall concert tonight in New York City.

Born in Hawaii and a winner of Metropolitan Opera auditions, Mr. Davis has appeared at the White House and was chosen by Ed Sullivan to sing with Rise Stevens on a tour of the Soviet Union.

Truly one of the golden voices of Hawaii, Charles Davis' talents are well known in the opera, concert, radio, and television fields.

I hope that my colleagues will one day have the opportunity to hear this rising star in the ranks of bel canto tenors.

RELIGIOUS HERITAGE RESOLUTION

Mr. CHURCH. Mr. President, Religious Heritage of America has long made an outstanding contribution toward promoting understanding among men of all faiths and finding fresh approaches and workable plans for using collective religious principles as an effective force for good.

It was in keeping with this organization's goals that at its annual meeting last week a resolution was adopted, urging rededication to the principles of our religious heritage, following the tragic death of Senator Robert F. Kennedy.

Mr. President, I ask unanimous consent that this resolution be printed in the Congressional Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas, Religious Heritage of America is a national, non-profit, non-sectarian organization devoted to preserving and promoting the Judeo-Christian heritage of our great country, and

Whereas, its 18th National Leadership Conference was held in Washington, D.C. on June 6, 1968, when another of the nation's leaders died, a victim of an assassin's bullet, and

Whereas, in meetings held with national religious leaders, both lay and clergy, the problems of religion and crime, religion in the schools and the future of religion in America were discussed and solutions sought.

Be it therefore resolved that Religious Heritage of America calls upon every American to rededicate himself to the great principles of our religious heritage and to use religion as a force for good to strengthen our nation to give it the spiritual direction and guidance it so vitally needs today.

(Unanimously adopted by the membership of Religious Heritage of America, Inc., at its annual meeting held this 7th day of June, 1968, at the Sheraton Park hotel in Washington, D.C.)

THE RIOTS IN WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Nine in Riot Cases Wary of Force," published in today's issue of the Washington Post.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nine in Riot Cases Wary of Force

Nine men who pleaded guilty to riot-related offenses said yesterday they would have stayed home during the April disturbance if authorities had said looters would be shot.

The nine, appearing before Judge Alfred Burka in the D.C. Court of General Sessions for sentencing gave their views in response to questions from the judge.

As each appeared before him, Judge Burka asked, "If you had heard that looters would be shot, would you have been on the street?" All nine answered, "No sir."

When the judge asked if the threat of swift arrest and prosecution would have had the same effect, the nine replied it would have.

Burka explained his questioning by saying he was trying to learn what it was that prompted people "who have no business being in court" to commit crimes during the riot April 4–7.

"I have the feeling I'm not getting the whole story, but it appears that somehow many people in the city just didn't consider that the police would act," Burka said.

He said there was "an apparent breakdown, a lack of respect, a lack of fear of officers of the law" among the defendants appearing before him. He said that "by fear I mean fear they (police) would act swiftly.

"It seems the public has came to believe that what is done in a group is all right although the same act committed by an individual would be punished."

This was a reference to the defendants' repeated statements that their acts were no more than "what everyone else was doing" during the disorder.

However, Burka again left the impression he was in some disagreement with the District's policy of using minimum force to control the rioting and looting.

As was the case last week, Burka said the records of the men before him yesterday were generally excellent, and of the nine, only one received a jail term.

The sentences of the eight others ranged from 180 to 720 days in jail, but execution of the sentences was suspended in all cases and the men were released either on probation or under their own supervision.

The man sent to jail was Edgar Winston, 36, of 726 Somerset st. nw., who received a 360-day jail term with a recommendation that he be permitted to work outside the jail while serving his sentence.

Winston was arrested April 4, the first night of the disorder, on a charge of attempted burglary and petty larceny. He was rearrested April 5 as a curfew violator. His prior record included a number of arrests.

The others sentenced were:

Robert Spearman, 50, of 1220 Holbrook ter. ne., a concrete finisher who earns $5.02 an hour, charged with unlawful entry. He received a 180-day suspended sentence and was released on unsupervised probation.

Phillip S. Miller, 25, of 5012 10th st. nw., who was charged with unlawful entry and petty larceny and received a 360-day suspended sentence and two years' probation.

Charles M. Little Jr., 32, of 1941 T st. se., a carpenter who owns his own home, charged with petty larceny when police said they found him with stolen beer. He received a 180-day suspended sentence and a year's probation.

Stanley B. Roberts, 21, of 230 Oakwood st. se., a messenger for the Bureau of National Affairs and one of two high-school graduates in the group. He was given two years' probation and a 360-day suspended sentence for receiving stolen property.

Richard O'Neal, 36, of 1127 G st. ne., a $3.45-per-hour concrete finisher who was charged with unlawful entry and attempted petty larceny and received a 720-day suspended jail term and two years' probation.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The **PRESIDING OFFICER.** Is there any further morning business? There being none, morning business is closed.

AUTHORIZATION OF APPROPRIATIONS FOR MARITIME PROGRAMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** The bill will be stated by title.

The Bill Clerk. A bill (H.R. 15189) to authorize appropriations for certain maritime programs of the Department of Commerce.

The **PRESIDING OFFICER** (Mr. Byrd of West Virginia in the chair). Without objection, the Senate will proceed to the consideration of the bill.

The Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the pending business before the Senate is the bill authorizing appropriations for the operation of the maritime fleet of the United States. Contrary to general understanding, the maritime fleet is not operated by the Government, but by private industry. Though operated by private industry, since 1936 the Government has been subsidizing the construction and the operation of the maritime fleet.

I speak on this subject today, Mr. President, because, in my opinion, the deterioration of the maritime fleet of the United States has been of such a grave nature as to indicate that Government subsidies operate as an opiate rather than as a tonic in the development of any segment of the economy. The number of ships in the merchant marine has gradually gone down in number. In 1936, when the subsidy bill was passed, it was argued that we need a strong, privately operated merchant marine; that the only way to achieve that objective was for the Government to provide money in the building of ships and in the operation of them.

Mr. President, since 1936 the U.S. Government has provided for the carriers in the merchant marine, as an operating subsidy, the sum of $2.316 billion. Secondly, it has provided for the private operators of the merchant marine sailing on the high seas $920 million. It has also provided for them, as a reconstruction subsidy—different from the building of new ships—in the sum of $52 million. The total amount of money given by the taxpayers to the operators of our ships on the high seas has been $3.3 billion.

When the subsidy program was adopted, it was argued that, with our high wages in the United States, we could not compete in the shipbuilding industry with foreign shipbuilders, nor with the carriers of foreign countries, because in each of those instances the cost of operation of a foreign government was far less than the cost of operation in the U.S. market. It was argued, however, Mr. President, that in the course of time, wages in Japan, Germany, Britain, and other shipbuilding nations would go up, and that the gap between the high cost in the United States and the low cost in foreign countries would disappear. That argument was made 32 years ago.

In 1936, the subsidy for shipbuilding was limited to 50 percent. In no event was the taxpayer to be asked to put up more than 50 percent of the cost of the building of a ship. If the ship cost $3 million, the maximum that the taxpayer would put up would be $1.5 million. But, in 1936, the differential was 35 percent. So that on a $3 million ship, the Government of the United States would put up $1,050,000.

I now get back to the argument then made that, in the course of time, the gap will be eliminated. What are the facts? The differential now is 55 percent. Instead of the gap being reduced, it has been widened by 20 percent. We had to rewrite the law a few years ago and, over the objections of the Senator from Delaware [Mr. WILLIAMS], myself, and other Senators, the 55-percent limitation was adopted.

Now, getting to the operation of the subsidy, the taxpayers of the United States pay the difference to a carrier on the high seas between the cost of operating his ship with high-priced U.S. labor and the supposedly low-priced foreign labor. I have just stated that the cost of subsidizing the operating differential since 1936 has been $2.316 billion. Our ships sail on the Pacific and on the Atlantic. They are liners of magnificent structure. They provide all of the conveniences and luxuries that one can find on the land, and even more.

But, Mr. President, to the operators of passenger ships alone our Government pays, each year, $50 million. I repeat that figure: $50 million in 1 year we pay to the operators of the passenger ships on the Pacific and the Atlantic.

How much does the Senator from Delaware think the taxpayers pay to the operators of the passenger ships for carrying each passenger who is taken across the Atlantic or the Pacific? As I say, at present $50 million of taxpayers' money goes annually for the support of 13 passenger liners. This is equivalent to the taxpayers putting up $275 for each passenger ticket sold.

What good does that do for the United States? Certainly it brings a bit of prestige. But it is an expensive cost to carry: $50 million paid to 13 passenger ships, or a rate of $275 per passenger.

Mr. President, I have already identified three classes of subsidies: First, the construction subsidy, second, the operation subsidy, and third, the reconstruction subsidy. I go now to a fourth.

Congress—in my opinion unwisely—wrote into the law the requirement that 50 percent of Public Law 480 shipments must be carried in American bottoms, or in American ships. That 50-percent requirement is an indirect subsidy, and costs the taxpayers about $100 million a year.

In addition—and this is sound, in my opinion—all military equipment, all equipment needed in war or in the operations of the Department of Defense, must be carried in American bottoms.

So we have subsidies for construction, subsidies for operation, subsidies for reconstruction, and subsidies by way of commands that only American bottoms can carry goods under certain circumstances. The total cost of these subsidies since 1936, I repeat, has been $3.3 billion.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. The Senator from Ohio is performing a useful service in calling attention to the amount of these subsidies, but there is an additional subsidy which should not be overlooked. When we entered World War II and again when we entered the Korean war the Government took over many of these ships, and they were priced and paid for at wartime prices. Then at the end of the war the ships were declared surplus and sold ofttimes to their former owners at an insignificant fraction of their original cost and an insignificant fraction of the amount which had been paid for them by the Government. Some of them, as I have mentioned on previous occasions, were sold for as little as 10 cents on the dollar. For example, a ship just off the ways in the Bethlehem yard in Baltimore which cost around $6.5 million was sold for approximately $400,000 net.

This, too, is a part of the subsidy program. I agree fully with the Senator from Ohio that this is one subsidy program which has gotten out of hand, and instead of working in the direction of reducing the cost to the taxpayers on an annual basis it has been the opposite in that each year the requests for subsidies grow larger and larger.

The Senator from Ohio is rendering a useful service today to Congress and to the taxpayers in pointing out the extent to which we have become involved.

Mr. LAUSCHE. Mr. President, I am glad that the Senator mentioned the sale of the ships after World War II. They were sold for 10 cents on the dollar of cost, and they are now in operation, many of them.

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. Among my papers—though I cannot lay my hands upon them at the moment—are figures which show that subsidizing the operation of those ships cost the Government $600,000 a year.

Mr. WILLIAMS of Delaware. The Senator is correct. If he will yield further, there is one additional advantage in operations afforded the merchant marine in that they are permitted to set aside each year, before taxes, a portion of their earnings to be used toward the procurement of ships, to pay a part of the 45 percent which they must advance. That is really before-tax money.

As the result of the elimination of the tax, the Government, in effect, is paying, under existing 48 percent rates, nearly half of the industry's part of the cost of the ship. This is in addition to the 55 percent direct subsidy on construction.

So this subsidy seems to be multiplying from every angle, and I think the time is long overdue when the merchant marine, which boasts of being a part of our free enterprise system, should recognize that with this free enterprise system goes a responsibility not to lean on the Federal Government and the American taxpayers for all of their operational capital and profits, but that they should assume some risks themselves.

Mr. LAUSCHE. I am grateful to the Senator from Delaware, and I think it would be worthwhile to repeat now, for the purpose of the RECORD, the list of subsidies which the operators are receiving.

First, the construction subsidy.

Second, the operational subsidy.

Third, the reconstruction subsidy.

Fourth, the tax benefits which are granted to these operators by permitting them to set aside reserves.

Fifth, the subsidy derived from compelling shippers of food under the Public Law 480 program to use American ships to carry 50 percent of their shipments across the sea.

Mr. President, the query is this: What has become of the merchant marine of the United States, in the face of the fact that the taxpayers have given it, with all of these items involved, in the last 32 years, some $4 billion?

Has it been strengthened? Has it been weakened? What has been the effect of a Socialist operation through which the government has subsidized the merchant marine on a basis different from the treatment that it accords to the railroads and the airlines? It is, of course, important to know that we have burdened the taxpayers in the amount which I have described. But of greater import to me is the absolute demonstration that governmental subsidies in the merchant marine have acted as an opiate. The subsidies have deadened the activity of the economic body of the merchant marine. The operators and labor leaders have forgotten the need to exercise their skill so as to place them in a competitive position with the merchant marines of other countries of the world.

What is the situation in the aircraft industry? American Airlines, Pan American Airways, Braniff, Trans World, United Air Lines, and others can buy airplanes in Europe if they can get them cheaper there.

What is the situation with respect to railroads if they need locomotives or cars? They can go anywhere in the world and buy them.

But the merchant marine has to buy its ships in the United States.

The aircraft industry has thrived. The railroads have not had great success, but they have not fallen into the stagnant state which confronts the merchant marine of our country.

Only one deduction can be made: When the paternalistic hand of government begins to give handouts, individual energy and dynamics are destroyed. The more the destruction, the greater the handouts that are demanded. It is just like the human body taking a drug. The more the drug is taken, the more it is wanted; and ultimately there comes complete collapse.

The amendment that will come before the Senate, offered by the Senator from Delaware [Mr. Williams] and myself, is simple. The President and the Department of Transportation, headed by Secretary Boyd, are conscious of the need for the reform of this indefensible program which is draining the taxpayers' money and is bringing about the destruction of a merchant marine that is so vitally needed in the United States.

Mr. President, appearing before the Committee on Commerce was Mr. Alan S. Boyd, Secretary of Transportation. He spoke for the President. I ask unanimous consent that the text of Mr. Boyd's statement be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, Mr. Boyd said, among other things:

> We believe that America's maritime industries can reestablish their position of importance in the commercial life of this Nation if they are (1) revitalized through the application of advanced industrial technology and sound business practices; (2) incorporated into an integrated transportation system."

Let us take the first statement: "Revitalized through the application of advanced industrial technology." Technology has been disregarded by the industry. It has been disregarded because both the operators and the labor leaders knew that regardless of the greatness of the cost of building or operating, the taxpayers would contribute the cost in part.

The second point: The industry can be revitalized if it is incorporated into an integrated transportation system. That brings me to another thought. As I recall, it was last year or the year before last that Congress passed the bill to establish the Department of Transportation. That bill was designed to put under one head—the Secretary of Transportation—the railroads, the truckers, the inland water carriers, the high seas carriers, the pipelines, and the airlines. The bill was submitted to the Senate for the purpose of having one set of eyes to watch what the Government was doing toward helping or hindering, separately, any of the five parts of the transportation system. Everyone hailed the recommendation as sound. It was recognized that we could not help the airlines inordinately without hurting the railroads; that we could not help the railroads inordinately without hurting the carriers on the high seas and on the inland waterways.

So we proceeded to vote on the bill for an integrated transportation system. Four of the systems were allowed to remain in the bill. The operators of the merchant marine and those associated with them had the power to influence Congress to omit the merchant marine from the integrated transportation system. So Mr. Boyd states that it is needed to put this segment of the transportation system of the United States within that one department.

What did the administration propose? It proposed five major steps:

> 1. Expand the scope and improve the system of ship operating subsidies, and establish the amount of subsidies according to the size of the fleet necessary for national security.

I invite the attention of the Senator from Delaware to that statement. In other words, the subsidies shall be commensurate with the moneys needed to protect the national security through the transportation facilities of our country. The issue of national security is one of the principal underlying reasons for the granting of subsidies to the merchant marine.

> 2. Reform the construction subsidy system and relate this subsidy to the Nation's need for an adequate shipyard capacity for national security.

In other words, with reference to the construction and operation, the administration properly recommends that the subsidy shall be one in an amount needed to serve the national security fully.

The amount should not include the purpose of subsidizing the commercial aspect of this industry outside of what is needed for the national security.

> 3. Remove restraints on the freedom of shipowners to purchase ships in the world market—treating shipowners like other American purchasers of transportation equipment and subject to the same restrictions on foreign investments and expenditures.

We compel the industry to have their ships built in the United States. That has produced a situation in which at present if a ship, built in the United States costs $8 million, in a foreign country it would cost $3.450 million. For every one ship bought with American dollars in the United States, you could buy $2\frac{1}{20}$ ships in a foreign country. But we prohibit the operators from buying in foreign countries. We prohibited them because we wanted to build up a strong merchant marine industry. The result, however, has not been a buildup but a destruction of it.

> 4. Expand maritime transportation research.

To this proposal of the President and the administration there has been objection on the ground that no good can come from it. Well, that has not been true in the railroad industry, and it has not been true in the airline industry.

> 5. Transfer the Maritime Administration to the Department of Transportation.

I have already dealt with that subject, and it needs no further elaboration.

Mr. President, someone might argue that it is folly to build in foreign countries, to buy in foreign countries, instead of buying in the United States. The answer to that argument is that Russia buys the major part of her fleet in foreign countries. It buys in foreign countries because it believes that it can build up its merchant marine by purchases in foreign lands better than it can by purchasing in its own country.

With regard to the assertion that if we buy in foreign countries, American dollars will go out and the balance of payments will become more acute, we can guard against that. A provision can be written into the law that whenever an American carrier buys in a foreign country, the moneys needed to make the purchase must be financed in the foreign country where the ship is purchased. That would eliminate the argument with regard to the balance of payments.

Now, Mr. President, what is the status of our military requirements? Mr. Boyd says:

> The merchant marine—like any other program requiring Government support—should be subsidized only to the extent necessary to meet a compelling national need. That need can be clearly identified.

And the need is related to the national security.

> Subsidy reform: The subsidy system itself is in clear need of reform. Instead of encouraging innovation and productivity, the subsidy system focuses attention on the subsidy dollar as a source of income.
>
> A new system must be found that will induce the industry to take full advantage of advancing technology, management ingenuity, and the resources of the skilled labor force.

There is another aspect of this problem that has not been discussed at any length. The carrier, in order to get his construction subsidy and his operational subsidy, and the Government, must keep hired a large staff of workers so as to be able, with truthfulness, to set forth the actual cost of the ship and the actual cost of operation.

> It requires a network of government auditors in the steamship company's offices as well as an overseas staff of government employees to provide estimates of foreign operating costs.
>
> It imposes cumbersome administrative procedures upon the operator, who is forced to make a detailed justification for each of his subsidy related costs.
>
> It requires strict adherence to trade routes and restricts the operator from taking advantage of shifting market conditions.
>
> To correct these deficiencies—and at the same time to assure operators a reasonable rate of return on their investments—the present system must be restructured to promote business judgment and operational flexibility. . . .
>
> The administration recommends legislation to authorize the Secretary of Transportation to enter into contracts with qualified applicants to test more productive and competitive subsidy systems.

One further word on the passenger ships of the United States. Operators of passenger ships, according to Mr. Boyd, should be encouraged to terminate their subsidy contracts voluntarily so that the funds can be allocated to more productive purposes. Once important as emergency troop transports, the defense value of these passenger vessels is now minimal. Their subsidization can no longer be justified on this basis.

Mr. President, with the development of the 400-passenger airplane and the prospective 600-passenger airplane the passenger ships will no longer be used to any important degree in the carrying of troops on our high seas to places of involvement.

Now, I shall read a bit of Mr. Boyd's statement with regard to purchasing ships from foreign manufacturers.

> In the Nation's infancy, American shipowners were required by law to buy only American built ships. This was necessary then for the development of a shipbuilding industry. Today, America's ship construction industry is the largest in the world by nearly any measure.

Why is it so large? The Government buys $2 billion worth of military equipment each year from these shipbuilders in our country.

I shall read further from Mr. Boyd's statement:

> (The maritime industry) can draw upon the country's great technological resources. Its size and health are ensured by a naval construction and repair program which infuses more than $2 billion of government funds into the industry every year. Yet, our merchant shipowners are under almost the same constraints as those of two centuries ago.

Two centuries ago the Government was buying practically very little from American shipyards; purchases were mainly commercial:

> Since merchant ship work under government subsidy amounts to less than 10 percent of the shipbuilding industry's business, this restriction cannot be justified as essential to the industry's health.

Mr. President, 90 percent of the income of the shipbuilding industry comes from the Department of Defense, mainly through the Navy; only 10 percent of the income comes from the subsidized operations. I make that point to demonstrate that if the subsidies are stopped, nothing serious will befall the shipbuilding industry.

However, there is trouble in the industry because the cost in the United States is causing our number of ships to dwindle. The lethargy and the dumbness produced by the taking of the opiate provided by the Government in the form of a subsidy has deadened the virility and the energy of this industry.

For every ship taken off the seas because of the inactivity of the industry, people are thrown out of jobs and thrown out of them in great numbers. The best way to find jobs for this industry is to put it on its own, quit giving it taxpayers money and causing it to become indifferent about the adoption of technology and indifferent about the adoption of sound business practices.

Put them on the same basis as the railroads, airplanes, and other transportation systems of our country.

What is another problem produced by the subsidies of the Government? In no industry of the United States have there been as many strikes. We have not had any strikes for the last 2 years, but I would not be surprised that they are going to pop up again, strikes paralyzing the entire eastern coast, the entire western coast, and the gulf area and affecting industry throughout the country in a substantial degree. The query can well be made: Why the great number of strikes in the merchant marine? The srtikes, in my opinion, are a product of the knowledge that the taxpayer will carry the increased cost of the burden.

Mr. President, I have before me a list containing the strikes in the merchant marine, begininng in 1945 and going down to 1964. I ask unanimous consent to have printed in the RECORD the list of strikes in the merchant marine covering that period.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SUMMARY OF STRIKES AND WORK STOPPAGES, MARITIME INDUSTRY, FROM 1945 TO 1964

Year and industry category	Unions involved	Commenced	Number of— Days	Number of— Workers	Area
1945—Shipyard	IUMSWA	Sept. 24	4	17,000	Camden, N.J.
Longshore	ILA	Oct. 1	19	30,000	Port of New York.
Seamen	CIO unions	Dec. 3	1	13,000	Atlantic, Gulf and Pacific Coasts.
1946—Longshore	ILWU	Jan. 2	15	1,100	Port Hueneme, Calif.
Do	ILA	Feb. 4	9	30,000	Port of New York.
Harbor	UMW	Apr. 5	6	18,000	Harbor craft, Philadelphia, Pa.
Longshore	ILWU	June 15	1	1,000	Port of Los Angeles.
Seamen	NMU/SIU	July 10	4	11,500	Atlantic coast ports.
Longshore	ILWU	July 12	1	4,050	Port of Los Angeles.
Do	ILWU	July 15	1	2,500	Port of Seattle, Wash.
Do	ILWU	July 31	3	12,000	Ports of San Francisco, Los Angeles.
Seamen	AFL/CIO	Sept. 5	17	[1]132,000	Atlantic, gulf and Pacific coasts.
Do	MMP/MEBA	Oct. 1	54	[1]142,000	Pacific coast ports (approx. 8,000).
Do	MMP (A&G)	do	26		Atlantic and gulf ports.
Do	MEBA (A&G)	do	22		Do.
Longshore	ILWU	do	54	13,000	California ports.
Do	ILWU	Nov. 23	16	2,150	Puget Sound ports.
1947—Seamen	NMU/ARA	June 15	5		All ports (stoppage incomplete).
Longshore	ILWU	do	5	12,000	California ports.
Shipyards	IUMSWA	June 26	134	50,000	All coasts (some settled in 30, 60, 90 days).
Longshore	ILWU	Oct. 1	6	2,700	Port of Los Angeles.
Do	ILWU	Nov. 7	1	2,350	Port of San Francisco.
Do	ILA	Nov. 10	17	37,000	Atlantic coast ports.
1948—Longshore	ILWU	Feb. 29	20	3,500	Ports of Los Angeles, Long Beach.
Clerical	UPWA	Aug. 16	2	50	Alabama State docks, Mobile.
Seamen	MEBA/ROU MCS/MFOW	Sept. 2	93	28,000	All Pacific coast ports.
Longshore	ILWU	do	93		
Do	ILA	Nov. 10	18	45,000	Atlantic coast ports.
Do	ILA	Dec. 18	4	5,000	Port of Philadelphia, Pa.
Do	ILWU	Dec. 21	9	2,000	Ports of Seattle, Tacoma, Wash.
Do	ILA	Dec. 23	3	3,000	Port of Houston, Tex.
1949—Longshore	ILA	Oct. 29	1	3,000	Port of Houston, Tex.
1950—Longshore	ILA	June 10	35	400	Port of Gulfport, Miss.
Do	ILA	July 6	43	4,500	Jersey City and Hoboken piers.
1951—Longshore	ILA	Jan. 3	5	5,000	Port of Philadelphia, Pa.
Seamen	MEBA/ARA/NMU	June 16	11	15,000	Atlantic and Gulf ports.
Longshore	ILA	Oct. 15	26	17,000	Ports of Boston and New York.
1952—Seamen	SUP	May 23	67	9,000	Pacific coast ports.
Do	MMP/ARA	July 29	3	1,000	Do.
Longshore	ILWU	Sept. 10	1	12,000	Do.
Seamen	SUP	Nov. 5	5	1,800	Do.
Longshore	ILA	Nov. 11	34	300	Port of Seattle, Wash.
1953—Seamen	NMU	June 19	1	2,000	Atlantic coast ports.
Shipyard	IAM	July 1	26	8,200	Pacific coast shipyards.
Harbor	UMD	July 3	5	80	Harbor tugs, Port of New York.
Longshore	ILA	July 7	6	72	Port of New York (local pier).
Shipyard	USW	July 16	2	350	Moore drydock, Oakland, Calif.
Do	IBB	July 24	5	50	Todd Shipyards, Pacific Coast.
Longshore	ILA	July 27	1	234	United States Lines pier, Port of New York.
Shipyard	IBB	July 28	46	1,270	Puget Sound Shipyards.
Do	IUMSWA	July 29	8	500	Bethlehem Steel yard, 27th St., New York.
Longshore	ILA	Aug. 4	11	400	Moore McCormack piers, New York.
Shipyard	IUMSWA	Aug. 11	1	200	Tood-Johnson Yard, New Orleans.
Seamen	MMP	Aug. 12	2	8	Harbor pilots, San Francisco.
Do	MMP	Aug. 16	4	14	Harbor pilots, Seattle.
Longshore	ILA	Aug. 25	2	300	Cunard piers, New York.
Shipyard	IAM	Sep. 1	48	260	Broward Shipyard, Fort Lauderdale, Fla.
Longshore	ILA	Sept. 2	2	425	AEL and APL piers, Jersey City.
Shipyard	IAM	Sept. 10	22	175	Seattle, Wash. shipyards.
Longshore	ILA/IBL	Sept. 22	1	110	Pier 25, North River, New York.
Do	ILA	Oct. 1	5	30,000	Atlantic and Gulf Coast ports.

See footnotes at end of table.

SUMMARY OF STRIKES AND WORK STOPPAGES, MARITIME INDUSTRY, FROM 1945 TO 1964—Continued

Year and industry category	Unions involved	Commenced	Number of— Days	Number of— Workers	Area
1953—Continued					
Seamen	MMP	Oct. 1	8	450	Tankers—Atlantic and Gulf Coast ports.
Longshore	ILA/IBL	Oct. 7	7	15	Local pier, New York.
Do	ILA/IBL	Oct. 7	5	96	Local stevedore firm, New York.
Do	ILA	Oct. 10	2	184	Holland-America Line piers, Hoboken.
Do	ILA/IBL	do	2	225	Isthmian Line piers, New York.
Do	ILA/IBL	Oct. 11	56	130	Stevedore piers, New York.
Do	ILA/IBL	do	49	200	Local Jersey City piers.
Do	ILA/IBL	Oct. 14	3	96	Do.
Do	ILA	Oct. 16	10	300	Jarka Stevedoring piers, New York.
Shipyard	IAM	Oct. 19	12	560	American shipbuilding yards, Toledo and Lorain.
Longshore	ILA	Oct. 20	1	46	Pier 74, North River, New York.
Shipyard	IAM/IBB	Oct. 27	4	465	Savannah M. & F. Yard.
Harbor	UMD	Nov. 11	55	121	Harbor Tugs, Port of New York.
Seamen	MMP/MEBA	Nov. 20	18	353	B. & O. SS Co., Miami, Fla.
Longshore	ILWU	Nov. 23	1	51	APL piers, San Francisco.
Do	ILA	Dec. 1	1	6,300	Hudson River piers, Port of New York.
Shipyard	MTA	do	36	2,000	California shipyards.
Longshore	ILWU	Dec. 3	1	6,000	California ports.
1954—Longshore	ILA	Jan. 2	16	300	Brooklyn piers, Port of New York.
Harbor		do	40	10	Tank Barge personnel, New Jersey refineries.
Shipyard		Jan. 18	34	100	Marine Welding, New Orleans (plumbers).
Do		do	1	48	Hampton Engineering, California (repairmen).
Clerical	ILA	Jan. 28	1	103	Argentine State Line office, New York.
Do	ILA	Feb. 4	2	460	AEL offices and piers, New York.
Do	ILA	do	1	273	Argentine State Line office, New York.
Do	ILA	do	2	332	Luckenbach offices and piers, New York.
Do	ILA	Feb. 13	2	75	Royal Netherlands office and piers, New York.
Longshore	ILA	Feb. 19	8	22	Isthmian piers, New York.
Do	ILA	Feb. 23	2	125	Moore McCormack piers, New York.
Do	ILA/IBT	Feb. 26	10	4,000	Longshore versus Teamsters, Port of New York.
Do	ILA	Mar. 5	29	30,000	Port of New York.
Shipyard	IBB	Mar. 9	1	500	Marine repair yards, Port of New York.
Longshore	ILA	Mar. 17	1	5,000	Port of Philadelphia, Pa.
Shipyard	USW	Apr. 1	2	4,500	Bethlehem Steel Shipyards, Baltimore.
Do	IBB	Apr. 6	3	6,600	New York Shipbuilding Corp., Camden, N.J.
Longshore	ILA	Oct. 5	2	20,000	Port of New York.
Seamen	SUP/ILWU	Oct. 27	91	45	(SS Pacificus case, 1 ship.)
Longshore	ILA	Nov. 6	15	5,000	Port of Philadelphia, Pa.
Seamen	ARA	Dec. 2	6	1,000	Ships in Pacific coast ports.
1955—Longshore	ILWU	June 6	1	13,000	California ports.
Seamen	MMP/MEBA ARA/NMU	June 14	7	28,000	Atlantic and gulf ports (tankers).
Harbor	ILA	July 13	17	125	Baltimore tug operators.
Rivers	MMP/MEBA	July 18	3	450	Mississippi River Barge Lines.
Shipyard	IUMSWA	Aug. 1	2	150	Mathis Shipyard, Camden, N.J.
Longshore	ILA	Aug. 23	2	600	Port of New York (local piers).
Do	ILA	Sept. 7	8	32,000	Port of New York (spread to Atlantic and gulf ports).
Do	ILA	Oct. 1	20	650	Port of New York (scalemen, weighers).
Shipyard	IUMSWA	Oct. 10	45	1,500	Sun Shipyard, Chester, Pa.
1956—Harbor	IBU	Jan. 6	3	85	San Francisco Bay tugs.
Do		Mar. 9	34	60	Norfolk, Va., tug operators.
Seamen	MMP/MEBA SIU	May 11	8	6,800	Atlantic and gulf coast ports.
Harbor		May 28	4	300	Great Lakes ports.
Shipyard	IUMSWA	July 24	3	1,300	Merrill-Stevens Yard, Jacksonville.
Seamen	MEBA	Aug. 3	32	1,800	Pittsburgh Steamship Co. (Great Lakes).
Do	MMP	Aug. 7	28		
Shipyard	IAM	Sept. 18	5	2,400	Bethlehem Steel repair yards, New York.
Longshore	ILA	Nov. 16	9	60,000	Atlantic and gulf ports.
1957—Harbor	UMD	Jan. 30	36	4,000	Tugs, harbor craft, Port of New York.
Longshore	ILA	Feb. 12	10	45,000	Atlantic coast ports.
Seamen	MMP/MEBA, SIU	Aug. 19	64	1,178	Bull Line piers and ships, New York.
Shipyard	IUMSWA	Nov. 11	28	1,500	Bath Iron Works Yard, Bath, Maine.
1958—Harbor	MMP	Apr. 25	7	30	Harbor pilots, Cleveland and Chicago.
Longshore	ILA	May 1	1	900	Cleveland, Chicago (support of pilots).
Seamen	MMP/MEBA, ARA/NMU	June 16	3	6,500	Atlantic and gulf ports (130 ships delayed due MEBA).
Clerical	OEIU	July 9	5	75	Greek and Belgian Lines piers, New York.
Seamen	MEBA	July 25	4	1,200	Atlantic and gulf ports (tankers).
Shipyard	IAM	Aug. 4	64	1,200	American Shipbuilding Yards, Toledo, Lorain, Buffalo.
Do	IUMSWA	Sept. 12	8	2,100	Maryland Shipbuilding Yard, Baltimore.
Do	IUMSWA	do	40	175	Craig Shipyard, Long Beach, Calif.
Seamen	MMP	Oct. 1	7	6,100	AMMI operators, Atlantic ports.
1959—Shipyard	MTA/IAM	Jan. 1	69	1,250	Ship repair yards, New Orleans.
Seamen	MFOW/MCS	Jan. 14	1	600	San Francisco.
Harbor	UMD	Feb. 1	7	4,000	Tugs and oil craft, Port of New York.
Shipyard	UMSWA	Mar. 1	1	1,100	Alabama DD and SB, Mobile.
Longshore	ILWU	Mar. 9	3	1,000	San Francisco.
Harbor	SIU	Mar. 16	20	24	Tug crews, New Orleans.
Longshore	ILA	Mar. 19	7	4,500	Port of Philadelphia.
Harbor	IBU	Apr. 1	165	110	Tug crews, Port of Los Angeles.
Do	IBU	May 15	259	175	Tug crews, Port of San Francisco.
Do	TWU	June 15	4	1,250	Railroad tugs, Port of New York.
Rivers	MMP/MEBA NMU	July 1	122	1,500	Mississippi River Barge Line.
Longshore	ILA	July 3	19	2,000	Sugar piers, Philadelphia.
Shipyard	MTA/IAM	Aug. 24	156	8,000	Ship repair yards, San Francisco to Seattle.
Do	MTA/IAM	Sept. 2	47	11,500	Pacific coast shipyards.
Longshore	ILA	Oct. 1	8	52,000	Atlantic and gulf ports (approximately 220 ships).
Shipyard	UMSWA	Nov. 23	42	1,100	Todd Shipyard, Los Angeles.
1960—Shipyard	UMSWA	Jan. 22	149	18,500	Bethlehem Steel yards, Atlantic coast.
Longshore	ILA	Mar. 8	92	60	Grain Trimmers, Port of New York.
Clerical	OEIU	Apr. 14	8	20,000	Port of New York (including longshore).
Longshore	ILA	May 15	19	3,800	Great Lakes ports.
Do	ILA	May 16	7	150	American Export Line piers, New York.
Do	ILWU	Aug. 12	14	3,500	Containership "Hawaiian Citizen," Los Angeles.
Do	ILA	Sept. 1	8	700	Grain elevator piers, Chicago.
Do	ILA	Sept. 8	14	75	Grain elevator piers, Buffalo.
Shipyard	UMSWA	Oct. 31	37	110	Merrill-Stevens yard, Jacksonville.
Do	IAM	Nov. 2	12	1,100	Ship repair yards, New York.
Clerical	OEIU	Nov. 21	4	120	American Export Line piers, New York.
Longshore	ILA	Dec. 7	2	3,000	South Atlantic ports.
1961—Harbor	MMP/MEBA SIU	Jan. 10	13	600	Railroad tugs, Port of New York.
Longshore	ILWU	Feb. 9	5	125	East Bay piers, San Francisco.
Do	ILWU/IBT	Mar. 9	4	10,000	Automation, Los Angeles and San Francisco.
Do	ILWU	Mar. 27	2	1,500	Stop-work meeting, Seattle.
Clerical	OEIU	Apr. 28	8	106	French Line office and piers, New York.
Do	OEIU	May 15	1	120	American Export piers, Jersey City.
Seamen	MMP/MEBA ARA/NMU	June 16	18	13,200	Atlantic and gulf ports.
Do	MMP/MEBA ARA	June 16	18	2,600	Pacific coast ports.

See footnotes at end of table.

SUMMARY OF STRIKES AND WORK STOPPAGES, MARITIME INDUSTRY, FROM 1945 TO 1964—Continued

Year and industry category	Unions involved	Commenced	Number of— Days	Number of— Workers	Area
1961—Continued					
Shipyard	IAM/IBE	July 1	70	1,300	National Steel Shipbuilding, San Diego.
Clerical	OEIU	July 13	4	150	Hellenic (Greek) Line piers, New York.
Seamen	MMP	Sept. 28	14	2,200	Pacific coast (resumption of June 16).
Longshore	ILWU	Oct. 9	19	60	Scrap metal piers, Los Angeles.
1962—Clerical	OEIU	Feb. 1	1	250	American Export piers, Jersey City.
Seamen	SUP/MFOW MCS	Mar. 16	27	5,300	West coast operators (excludes tankers).
Do	MEBA	Mar. 28	14	(3)	Isbrandtsen transfer of ships to AEL.
Shipyard	UMSWA	Mar. 29	13	100	American Shipbuilding yard, Buffalo, N.Y.
Seamen	MEBA	Apr. 12	7	(3)	Resumption of dispute with Isbrandtsen.
Do	MEBA	May 3	5	(3)	Do.
Do	NMU/SIU	May 16	27	1,600	Robin Line (19 Mormac ships idled).
Do	MEBA	June 13	53	(3)	Resumption of dispute with Isbrandtsen.
Shipyard	MTC	July 19	2	9,000	Metropolitan Trade Council/Electric Boat.
Seamen	MMP/ARA NMU	July 31	13	105	NS "Savannah," Yorktown, Va.
Shipyard		Aug. 3	1	200	Welders, Todd Yard, San Pedro.
Longshore	ILA	Oct. 1	5	70,000	Atlantic and gulf coasts.
Seamen	MEBA	Dec. 5	9	105	NS "Savannah," Los Angeles.
Longshore	ILA	Dec. 24		70,000	Atlantic and gulf coasts (ended in 1963).
1963—Longshore	ILA		33	70,000	Continuation of Dec. 24 strike; ended on Jan. 25, 1963; see above.
Shipyard		Mar. 4	2		Ship carpenters; New Orleans yards.
Longshore	ILA	Mar. 22	2	375	North Carolina State docks Wilmington, N.C.
Do	ILA	Mar. 22	2	125	North Carolina State docks, Morehead City, N.C.
Seamen	MMP/AMO	May 14	14	40	SS Dearborn, Brooklyn, N.Y.; MMP picketed due to AMO (MEBA) manning of deck officers.
Do	MEBA	May 6	(3)	120	NS Savannah, Galveston; engineers refuse to sail; implement resignations of Nov. 30, 1962 sailing canceled by M.A.
Do	SUP/NMU	May 19	22	90	SS P. & T. Forester, P. & T. Navigator at New Orleans; ships transferred by sale from SUP to NMU company; SUP refused to relinquish shipboard jobs.
Do	NMU/SUP	May 20	30	48	SS Mormacmar, San Francisco; NMU retaliation for P. & T. ships at New Orleans.
Do	NMU/MEBA	June 10	10	850	SS Maximus at Philadelphia, first voyage with new owners; ship manned by NMU and BMO: MEBA picketed against BMO, NMU retaliated by picketing MEBA ships on 3 coasts. 19 U.S. and 17 foreign-flag ships idled by 10th day. Truce ended stoppage June 20 to permit SS Maximus sail Cuba assignment.
Longshore	ILA	June 17	1	150	Port of Miami, ILA picketed 5 FF cruise ships for using nonunion labor handling passenger baggage.
Seamen	NMU/MMP MEBA	June 28	28	48	At Marcus Hook, Pa.; SS "Sinclair Texas" delivered by shipbuilders; unions delayed maiden voyage departure demanding increased manning; subsequently withdrew demands
Do	MMP	July 25	20	48	Los Angeles; expiration lumber schooner contracts; SS "Cynthia Olsen" and "Alaska Spruce" strikebound; resumed operation Aug. 13.
Do	NMU/MEBA	Sept. 16	14	600	SS "America"at New York; NMU charged discrimination against NMU members by MEBA engineering officer. Sailings cancelled, crew paid off, ship laid up. Sailings resumed Feb. 7, 1964.
Shipyard	Welders	Sept. 6	14	368	Alabama Drydock and Shipbuilding, Mobile; Wildcat strike. Welders returned to work Sept. 20, 1963 grievances settled with management.
Do	Ironworkers	Sept. 23	7	400	National Steel and Shipbuilding, San Diego; seniority grievance; employees returned to work Sept. 30, 1963 pending negotiations with NASSCO.
Harbor Workers	UMD	Nov. 4	4		Port of New York; UMD Local 333 (NMU) pickets set out against ships of Sea-Land and Seatrain lines for using nonunion tugs in Puerto Rico; 2 Seatrain and 2 Sea-Land ships delayed at New York.
Ship Repair	IAM	Nov. 6	9		Port of New York; Machinists strike against 16 New York ship repair firms; 1 MSTS transport and 1 commercial ship strikebound in repair yards; FCMS acted to establish new contract; work resumed Nov. 15, 1963.
Longshore	ILA	Dec. 18	1	100	Port of New York; Norwegian-American Line pier; wildcat strike of 4 gangs; issues not given.
1964—Seamen	MMP/TOA	Jan. 3			SS "Point Vicente" (tanker) picketed by MMP (Pac) due to mates supplied by TOA, an MEBA affiliate. Minor delay to ship; Cole, AFL-CIO impartial umpire ruled against MMP action.
Do	MMP/AMO	Jan. 8			SS "Christopher" at Baltimore picketed by MMP due to deck officers supplied by AMO, an MEBA affiliate. Minor delay to ship; Cole found MMP in violation.
Do	MEBA	Jan. 16	3	9	SS "President Wilson" at San Francisco, MEBA refuses to sign on until pension demands met. 12 other ships in Pacific coast ports affected but without delay to sailings.
Harbor	UMD(NMU)	Feb. 1	33	3,000	Port of New York; commercial tug contract expired Jan. 31; crews of tugs, barges, and scows included in total workers.
Seamen	MMP/AMO	Mar. 3			SS "Columbia" picketed by MMP due to mates supplied by AMO (MEBA affiliate); ship harassed but sails; Mar. 15 longshoremen from Philadelphia join demonstration, Philadelphia, cargo activity suspended 4 hours; Apr. 10 MMP (Pacific) pickets ship at Pittsburg, Calif., terminal of U.S. Steel; MMP joined by ILWU in picketing; ship harassed but maintains schedule. Apr. 21 at Morrisville (Philadelphia) ship picketed by MMP and ILA picketing resumed at Pittsburg, Calif., May 9 and again at Morrisville, June 4. June 8, SIU crew supports ILA and leaves ship; June 18, Federal court halts ILA picketing; SIU crew rejoins ship; June 20 ship sails for west coast. July 7, ship arrives Pittsburg, Calif.; steelworkers cross MMP and ILWU picket lines. July 9, ILWU enjoined against picketing, ship departs for east coast; MMP plans for future picketing uncertain.
Longshore	ILA	Mar. 5	1	250	Brooklyn, wildcat strike re penalty cargo rate for handling talc rubber; 2 ships immobilized.
Shipyard	IBB	Mar. 16	16	3,500	New York Shipbuilding Corp., boilermakers in wildcat walkout due to employer's disciplinary actions; strikers return to work Apr. 6.
Longshore	ILA	Mar. 19	1	1,200	Port of New York; dispute with New York Waterfront Commission re seniority hiring.
Shipyard	Moulders	Apr. 6	7	15	Puget Sound Bridge & Drydock, work on MSTS 68a; moulders stage walkout over yard's contracting out work on capstan, winches, windlass, other castings. Moulders returned a.m. Apr. 13.
Longshore	ILA	May 18	1	2,500	Port of New York; 500 chenangoes charge diversion of work to longshoremen; 2,000 L/S immobilized by pickets.
Seamen	NMU	May 28	5	550	NMU charge 4 Colonial Tankers sold to Western Tankers, Inc. (Isbrandt. Sub.) manned by SIU. 11 AEIL ships strikebound. Arbitrator calls meeting; NMU declines attendance; strike action suspended by NMU; $40,000,000 damage suit filed by NMU; rejected by courts.

See footnotes at end of table.

SUMMARY OF STRIKES AND WORK STOPPAGES, MARITIME INDUSTRY, FROM 1945 TO 1964—Continued

Year and industry category	Unions involved	Commenced	Number of— Days	Number of— Workers	Area
1964—Continnued					
Clerical	OEIU	June 5	17	110	New York, office workers picket French Line; no ships in port. Strike action extended to Baltimore June 16; French Line cargo ship delayed; new contract reached June 20, workers returned June 22.
Longshore	ILA	June 27	1	40	Pier 97, North River, N.Y., 2 gangs stage wildcat walkout due to pier superintendent refusal to hire 1 objectionable individual. Passengers from 2 inbound ships handle own baggage. Pier normal following day.
Seamen	MEBA	June 29	2		SS "Inger" (Reynolds Alum) at Galveston, picketed by MEBA claiming 75 percent ship's engineers were members MEBA altho represented by ALOA (American Licensed Officers Association) of Collin's Independent Tankers. Pickets removed by court order.
Shipyard	IAM et al	July 1	20	1,100	NASSCO Yard, San Diego; contracts expired June 30 for machinists, ironworkers, carpenters, electricians, operating engineers, painters, and truckdrivers. (Moulders' contract expires Sept. 1 but moulders joined walkout in sympathy.) Five other local shipyards/repair yards in area also strikebound; 5 MA-CDS hulls at NASSCO involved. Aug. 17, machinists, painters, electricians, and carpenters vote to accept terms; Aug. 19 teamsters and ironworkers vote to accept; pickets withdrawn noon Aug. 19; work resumes Aug. 20.
Seamen	MEBA	July 6			SS "Walter Rice" (Reynolds Aluminum) at Longview, Wash., picketed by MEBA, (same grievance as SS "Inger," above) Reynolds grants representative election; both SS "Inger" and "Walter Rice" vote against affiliation with MEBA.
Longshore	SIU	Aug. 1	159	35	Port of Galveston; grain elevator leased by Bunge (new lessee) resulted in discharge of 35 plant personnel; United Industrial Workers (SIU affiliate) picket in protest; temporary injunction halts picketing Aug. 4; no ships delayed or affected until Nov. 8 when foreign-flag ship attempts to load 390,000 bushels grain; picketing limited to elevator, foreign-flag ship SS "Jupiter" sails Nov. 12 without loading; dispute ended Jan. 7, 1965.
Do	ILA	do	5	12	Galveston, grain samplers ILA local 1849, contract expiration; longshoremen honor picket line; 1 ship affected Aug. 3; samplers return to work while negotiations resume; agreement reached Sept. 9: (20 cents over 2 years).
Do	ILA	Aug. 3	25	15	Houston, grain samplers, contract expires; pickets affect 50 percent of port activity; 17 ships idled when longshoremen honor picket lines; Aug. 6, picketing limited to grain elevators; 2 ships idled; Aug. 7 SS "Transyork" sailed without loading; agreement reached Aug. 28, (20 cents over 2 years).
Building trades	BTC	Aug. 4	6		Galveston, pickets protest wage scale in city contracts for pier renovation work; all port facilities idled except banana piers; Aug. 6, picketing restricted to pier 14, Aug. 13 pickets removed, port returns to normal.
Longshore	ILA	Aug. 19	1	1,500	Philadelphia, longshoremen protest location of new hiring center, 14 ships affected. Hiring center originally introduced May 1962, meeting with similar objection then; center is to eliminate 14 shapeup points on waterfront. Port returned to normal Aug. 20.
Seamen	MEBA	do	7		SS "Mormacargo" at Pascagoula; engineers dispute mechanized ship duties, refuse to sail vessel when delivered by builders; agreement between Mormac and MEBA reached Aug. 26; ship sailed Aug. 28 for Boston to load.
Do	MEBA	Aug. 20			SS "Margaret Brown" (Bloomfield) at Beaumont, engineers cause 33-hour work stoppage on rumors of ship's sale to States Marine; status of engineers' job security at issue.
Longshore	ILA	Aug. 25	4	2,000	Philadelphia, longshoremen resume work stoppage of Aug. 19 rehiring center; 27 ships affected Aug. 26; ILA executive committee ruled shapeup hiring to be resumed; port normal Aug. 29.
Seamen	MMP	Sept. 23	16	36	SS "Gulf Crader" (GSA) at Avondale Yard, N.O., MMP refuse to sign on due to chief officer required to stand watch; dispute suspended at arbitrator's findings; GSA filed suit in Federal Court to compel MMP to provide deck officers; ship commenced loading Oct. 10, sails Oct. 20.
Longshore	ILA	Oct. 1	2	60,000	Atlantic and gulf ports; contract expired Sept. 30, 1964; 30 U.S. and 167 foreign-flag ships immobilized 1st day; restraining order Oct. 2, ports returned to normal Oct. 3; (ships crews remained assigned to their ships).
Do	ILA	Dec. 21	(4)	(4)	Atlantic and gulf ports; Taft-Hartley injunction expired Dec. 20; tentative agreement reached at Port of New York; wildcat strikes erupted at most principal ports on Dec. 21, Dec. 22. and Dec. 23; New York back to normal Dec. 23; Baltimore idle; Houston/Galveston provide 50 percent of labor required, no night gangs; Dec. 24, all Atlantic ports working except Baltimore, all gulf ports working except west gulf; Dec. 28, all Atlantic ports working, west gulf still hampered; Dec. 29, Houston longshoremen fill 70 percent of demand; Dec. 30, all ports normal except for Houston supplying 70 percent of demand.

---

[1] Includes related idleness, seamen strikers only, approximately 70,000.

[2] MEBA picketing caused some dislocations in American Export operations of former Isbrandtsen ships and also some AEL ships. No loss in shipboard employment; approximately 300 longshoremen affected along several Brooklyn piers for sporadic periods.

[3] Indefinite.

[4] Varies.

Mr. LAUSCHE. Mr. President, the list indicates that there have been 230 strikes in that period of time in the merchant marine.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. During one of the recent maritime strikes I was talking with representatives of the industry. They made it very clear that they were not in the least bit concerned about the size of the demands of the union and that they were perfectly willing to agree to all or any of the demands the following day provided the Government would also agree because, they said, to the extent any increase in wages would be granted it would automatically require an increase in their subsidy. Under the subsidy the Government would underwrite practically all of the increase.

It was not a negotiation between management and the union, but rather negotiation between the taxpayers and the union.

Mr. LAUSCHE. Exactly. When the union leaders and the operators know that the Government is going to pick up the tab, there is no restraint in trying to develop the industry, none whatsoever.

Mr. President, I also ask unanimous consent to have printed in the RECORD tabulation of the cost of the subsidies.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE—MARITIME ADMINISTRATION

EXPENDITURES FOR OPERATING-DIFFERENTIAL, CONSTRUCTION-DIFFERENTIAL, AND RECONSTRUCTION-DIFFERENTIAL SUBSIDIES—BY FISCAL YEARS FROM INCEPTION (JULY 1, 1936) THROUGH JUNE 30, 1967

	Operating-differential subsidy	Construction-differential subsidy	Reconstruction-differential subsidy
Inception through June 30, 1949	$16, 601, 213		
Inception through June 30, 1953		$131, 571, 571	
Inception through June 30, 1954			$3, 286, 888
Fiscal year ended:			
June 30, 1950	5, 784, 595		
June 30, 1951	14, 018, 284		
June 30, 1952	41, 437, 567		
June 30, 1953	62, 838, 704		
June 30, 1954	85, 038, 513	5, 538, 417	
June 30, 1955	115, 391, 111	5, 358, 663	
June 30, 1956	135, 342, 146	1, 613, 737	14, 368, 668
June 30, 1957	108, 292, 274	16, 379, 076	3, 909, 195
June 30, 1958	120, 031, 522	22, 637, 540	4, 709, 383
June 30, 1959	127, 693, 052	21, 679, 547	7, 065, 416
June 30, 1960	152, 756, 154	69, 156, 794	4, 828, 227
June 30, 1961	150, 142, 575	102, 118, 519	1, 215, 432
June 30, 1962	181, 918, 753	136, 858, 263	4, 160, 591
June 30, 1963	220, 676, 685	90, 514, 302	4, 181, 314
June 30, 1964	203, 036, 847	77, 234, 458	1, 665, 087
June 30, 1965	213, 334, 409	87, 649, 008	38, 138
June 30, 1966	186, 628, 357	70, 810, 939	2, 571, 566
June 30, 1967	175, 631, 860	81, 592, 502	932, 114
Total	2, 316, 594, 621	920, 713, 336	52, 932, 019

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield further?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. The Senator speaks about the shipping industry and the ship-construction industry losing their initiative as a result of having been oversubsidized. I wonder if the situation is not somewhat comparable to the experience of a certain sportsman who was feeding migratory waterfowl on a pond on his farm. The waterfowl became so used to being fed that when the pond froze over and the sportsman did not put out the corn the waterfowl stood there waiting to be fed and starved.

The Department of the Interior and the Department of Agriculture have found that when there has been too much feeding of migratory waterfowl in an area it causes the waterfowl to forget how to search for food for themselves; once the food is taken away they stay there and starve.

Our shipbuilding industry, to an extent, has been feeding at the public trough so long that it has forgotten how to operate in the free enterprise system.

Mr. LAUSCHE. I think the illustration which the Senator has given is excellent.

At this point, I wish to ask the Senator from Delaware a question. I have the figures on my desk, but the Senator from Delaware can give them to me.

What amount did the administration recommend for the shipbuilding industry for fiscal year 1969?

Mr. WILLIAMS of Delaware. The administration recommended a construction differential subsidy total of $119,800,000. The committee approved a total in the bill before us of $237,470,000. This represents an increase of almost double the amount which the administration asked for, or an increase from $119,800,000 to $237,470,000, which is an increase of $117,670,000. The pending amendment which is being offered on behalf of myself and the Senator from Ohio would reduce that figure to the exact amount requested by the administration, or a reduction of $117.6 million.

On another item——

Mr. LAUSCHE. Let us not go into that other item at this time. I hope the Senator will not insist——

Mr. WILLIAMS of Delaware. Surely.

Mr. LAUSCHE. Mr. President, the former head of the merchant marine of the United States, Mr. Johnson, based upon his experience as chairman of the board, practically made the same recommendations and the same argument that Mr. Boyd made, and the same approach the administration has made, about the need to reform the laws of the merchant marine.

I ask unanimous consent that the statement made by Mr. Johnson dealing with the subject be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE AMERICAN PARTNERSHIP: THE U.S. MERCHANT MARINE

(Remarks prepared for delivery before the Mid-Gulf Conference on Transportation and Industrial Modernization for Profit and Growth, luncheon, New Orleans, La., February 9, 1965, by Nicholas Johnson, Maritime Administrator, U.S. Department of Commerce)

Problems of modernization in the transportation industry are among the most exciting and potentially rewarding facing the United States today; and, of course, I think that those confronting the maritime industry present many of the most fascinating challenges of all.

The shipping industry has only recently commenced to be attuned to modernizing and mechanizing the fleet. And now, when the pace of technological advance has picked up, we discover that modernization is not alone a question of technology. It is a search for new perspectives.

This search has been an exciting one for me, for I have been seeking the ideas, experience and judgment of those who know the shipping business and of the laboring men who serve it. It has, I think, been exciting for the industry as well. We have stumbled over a few myths and misunderstandings, and found new truths.

Some of our problems remind me of the fellow who joined the Navy and found himself on a training ship. When he lost his hat overboard one day, he was told we would have to pay for it. He protested, and said, "Suppose I had borrowed a jeep and it had been stolen, would I have to pay for that?" The supply officer patiently explained that in the service one paid for all the government property lost. "My Lord," gasped the boot, "now I understand why Captains go down with their ships."

This story has a special point for Americans, for as a nation we do have to pay for our ships, and although in doing so there is not yet any question of going down with our ships, our problems have certainly diminished our stature as a maritime nation.

These are serious problems, for the merchant marine is an essential part of our economy and of our whole national life.

We are the world's largest trading nation, supplying some 315 million tons of imports and exports each year—99% of which go by ship.

Nearly six out of every hundred workers in this country make their living on farms and factories providing goods for export. Last year America's 3.5 million farm families produced and sold over 1.6 billion bushels of grain for export. Most of the major cities of the United States, and scores of others, are ports. One ton of general cargo handled in a port generates between $15 and $20 for the economy of the surrounding area—close to $1 billion per year in our port communities.

The shipping industry generates about $1.5 billion of gross national product, and pays about $75 million in federal and local taxes; its workers pay over $80 million in personal income taxes. It provides employment for about 200 thousand men, including longshoremen.

The merchant ships under our control are vital elements in our power as a trading nation. We must have a strong voice in international shipping circles, and maintain an impact on world shipping rates. Our national security, in wars both hot and cold, requires the availability of U.S.-flag merchant ships for many support services. Our shipping policies affect virtually every Department in our federal government in some way.

It is plain, therefore, that any serious diminution in our merchant seapower is a matter of grave national concern.

In part, it is a problem which can be met by American shippers simply understanding the benefits—to them and to our nation—of shipping on American vessels. Our liner service is better than any in the world, and yet offers rates as low as on foreign ships.

Because the merchant marine is an essential part of our economy, very early in our national life there was created a uniquely American partnership of industry and government, a partnership whose goal was to create and maintain an American merchant marine. In times of crisis that partnership has produced miracles—like the 50 million gross tons of ships built during World War II. But even in times of calm the need continues.

As one partner, it is my job to report to you the facts, problems, and alternative solutions—for solutions there are. It is our job together to make the choices that will rebuild our fleet—for rebuild we must. All my energies are presently committed to that end.

SUBSIDIZED LINERS, 315

A few figures will suggest the depth and immediacy of our problem. Our foreign trade liner fleet is composed of some 315 subsidized and about 100 unsubsidized liner ships. The subsidized ships are as fast and modern as any in the world, and although there have been some alterations in the original replacement schedule, the fleet nevertheless is being renewed.

UNSUBSIDIZED LINERS, 100

Of the 100 unsubsidized ships, however, all but 5 date from World War II. Yet no provision has been made for the replacement of this fleet. Unless we alter course, these 100 ships will disappear from the American-flag merchant marine over the next five to ten years.

To grant applications for operating subsidy on these old ships would require an additional subsidy of about $50 million per year. To replace them under present programs would cost the government on the order of an additional $600 million.

We are not faced with an easy choice. Look at the result if we do not replace these ships. In 1963 the total amount of government-sponsored cargo moving on American liner ships was about 7.2 million tons. Without the unsubsidized liners all of this cargo will have to go on the subsidized ships, and the percentage of purely commercial cargo on these ships will then decline to at most 40%. What would be left of our purely commercial merchant marine?

If we look at the dry bulk segment of our fleet, the situation is even more serious. We now carry about 5% of our total dry bulk trade: wheat, coal, iron ore, etc. In the next twenty years the amount of dry bulk cargo in the international trade of the United States will leap from 140 million to 380 million tons. Meanwhile, our capacity to carry that trade will decline from today's small 7.8 million tons to a puny 3.9 million tons—about 1% of the total.

TRAMP FLEET

The tramp fleet is composed of about 130 vessels. Only seven of these ships were built since World War II. They are inadequately maintained. An American in India recently wrote to me that some were in such dreadful condition he was ashamed to see them flying the American flag. Last month off the coast of Florida one simply sank. Over the next five or ten years the rest of this fleet will be unable to meet class requirements—or will just break down forever in some foreign port.

Today we are paying $80 million a year in subsidy through cargo preference freight-rate differentials to perpetuate this fleet. There presently exists no program to replace it. To put 100 modern dry bulk carriers under operating subsidy probably would cost the taxpayers on the order of $30 to $40 million a year in operating subsidy. To build them in American yards probably would cost the government an additional $400 to $500 million.

I will not burden you with more figures on the decline of our fleet. The same sad story could be told about our domestic fleet. But it must be plain by now that our problems are acute: our fleet is growing smaller and more expensive.

There is an almost unavoidable human tendency to act as my daughter did the other day when she and a friend were deciding who would ride the friend's new bicycle first. Finally my daughter suggested, "Let's take turns. You have it today." The friend agreed, and began to walk away with the bike. "Wait," my daughter said, "Now we are playing it's yesterday."

In many ways we are playing it is yesterday: boasting of our fleet even as it sinks.

Let us for a moment play that it is tomorrow. What alternatives remain open for America?

SHIPBUILDERS

It is appropriate to begin with our shipbuilding industry, for although little understood, many of the problems of the merchant fleet can be traced back to policies regarding the yards.

The Maritime Administration's Office of Ship Construction is the largest in the agency, administering $100 million in subsidy for shipyards each year.

The need for a shipyard subsidy derives from the statutory requirement that all subsidized ships in the U.S. merchant marine must be built in American shipyards. It costs more than twice as much to build a ship in the United States. The government pays the excess over world market price. Without the build-American requirement, however, shipowners would be free to build where they chose and would not require one dollar of construction subsidy.

RUSSIA

The United States is the only major maritime nation in the world to require all of its subsidized commercial ships to be built at home. Under Russia's massive merchant fleet expansion program only 30% of the new ships are being constructed in the Soviet Union. Norwegian shipowners build over 80% of their ships abroad.

Nor is any other American transportation industry required to purchase its equipment in this country. Other American businessmen may purchase and operate in the U.S. airplanes, locomotives, automobiles, trucks, and pipelines, which were manufactured abroad.

What have been the reasons for our shipbuilding policy?

Under ordinary conceptions of American free enterprise and world trade our shipyards would have gone out of the merchant ship business. Why have we prevented this happening? The experience in the First and Second World Wars was that a substantial shipbuilding capacity was required. During World War II, for example, we built over 5,600 vessels at a cost of more than $15 billion. That experience is still fresh in our minds.

But do similar needs exist today? A great deal has changed since 1945—in both war and transportation. Perhaps today's needs are centered more on a fleet in being, quickly responsive to emergency needs, and less on long term shipbuilding capability. In any event, the magnitude of the need for shipbuilding capability ought not to be confused with the magnitude of the need for ships. They are significantly different needs. For example, it could be that both civilian and military requirements would suggest a larger fleet than we presently possess, even though the present level of shipbuilding capability were sufficient for emergency needs. The lack of relationship between ships and shipyards is further emphasized by the existence of our national defense reserve fleets, which provide for immediate expansion of the fleet without any new building at all.

In fact, the relationship between the shipping subsidy and shipyard subsidy is no more inevitable than that between the farm subsidy and a subsidy for the farm tractor industry.

What does the maritime shipyard subsidy mean to American shipyard workers and owners?

The total government-sponsored input into Navy and private shipyards in this country runs to about $3 billion each year—mostly new construction and repair for the Navy. Thus, subsidized commercial shipbuilding represents less than 7% of the total. And of the 21 American private yards capable of constructing merchant vessels, only 5 are participating in subsidized shipbuilding. For example, America's largest yard, Newport News Shipbuilding and Dry Dock Company, which employs 19,500 men and presently has $511 million of work under contract, has not built a subsidized merchant ship for 2 years, and appears to have no plans to do so. Even among the five yards which are doing subsidized commercial work, an average of 50% of their income is generated by the Navy.

Not only is the statutory restriction prohibiting subsidized shipowners from purchasing ships abroad doing little for the plight of the American shipyards, but it has had a devastating impact on the growth of our merchant marine.

Our total merchant fleet has decreased from 3,421 ships in 1949 to 2,529 today. Even after discounting the decrease resulting from the sale or scrapping of war-built ships, our active commercial fleet has declined by 25% during the same years.

WHY

Why is this so? It is in part because the build-American requirement means in practice that once the annual shipbuilding subsidy has been spent, no more ships will be built. Unless the Congress were to provide an unlimited appropriation for subsidizing American shipyards, the size of the fleet inevitably will be a function of the construction appropriation. And the cost of American construction is so high—over double world rates—that the restriction has been severe.

Few Americans realize how severe our ship replacement needs are today. The 15 subsidized companies have a contractual obligation to replace their 317 ships. If the ships had been replaced at the end of their statutory 20-year lives, the operators would have built an additional 80 to 90 ships by now. In addition, the 100 unsubsidized liners have applied for subsidy—and subsidized replacement. Our domestic fleet, 192 dry cargo and passenger ships in 1949, has dwindled to but 93 ships today (excluding tankers). Our 120 tramps ships require replacement, and applications for nine new bulk carriers are pending before the Maritime Subsidy Board. Thus, hundreds of ships are required simply to hold our own. Expansion would require more than that.

Nor does there appear to be much prospect for the costs of ship construction being reduced. American shipyards are relatively among the least competitive, by European Standards, of all U.S. industries. A study of 44 major American industries, using productivity in the United Kingdom as a base, revealed that many were 300% to 500% more productive than their foreign competitors—a difference fully adequate to offset higher wage costs By this standard, our shipyards were ranked 44th—about equally as productive as the foreign competition. Today our yards charge about 220% of foreign ship prices, and yet reap relatively low profits. American shipyard owners are good businessmen, and shipyard workers are as efficient as any others. But shipbuilding is not readily adaptable to automation (about 750,000 man hours may go into a ship), and with the relatively few ships each year, and the 21 yards operating at only 42% capacity, there is little incentive for extensive capital improvements.

These are some of the basic facts. What are our alternatives?

(1) We could continue the status quo: require all subsidized merchant ships to be built in American yards and appropriate enough money to replace our fleet at the present level of 16 to 18 ships per year. We thus accept the fleet's continued decline, and at a faster rate than today because of the bloc obsolescence of the war-built ships.

(2) We could continue the build-American requirement but increase the appropriation well beyond the present $100 million level.

(3) Finally, we could determine our national security or other needs for shipbuilding capacity, and spend sufficient money in addition to naval construction to insure that this capacity is maintained. Beyond that the fleet could be expanded to its economic limits by permitting American shipowners to purchase ships wherever they wish.

This third alternative, of course, carriers with it an impact on the American shipyard workers. While the dimensions of the impact are far from inconsequential, they must be viewed in perspective. It is a fact that there are about 100,000 shipyard workers. It is also a fact, however, that all of the subsidized merchant shipbuilding put together creates no more than 7,600 jobs. So that the dimensions of this particular problem relate to 7,600 jobs—to which serious consideration must be given. Finally, preservation of these jobs may result in the loss of an even greater number of shipboard jobs if present policies continue.

BULK FLEET

That these are difficult decisions makes them no less inevitable.

How about our bulk fleet? I spoke a few moments ago about our diminishing dry bulk capacity in contrast to the enormous growth of this element of our trade. Upon closer examination the inadequacy is even more disturbing. For example, in 1965 we will export about 45 million long tons of coal. We now possess only four aging ore carriers built in the first four years following World War II. By 1975 our coal exports will have jumped to 72 million long tons, and—if present policies continue unchanged—not a single ore carrier will be built to carry that coal.

There have been a number of suggestions that an extension of the cargo preference principle is the answer to the problems of the dry bulk fleet. For example, quotas for American-flag carriage of ore imports have been suggested. Yet I think the experience of the past decade raises serious questions about this conclusion.

In 1954 a series of temporary and individual cargo preference requirements finally culminated in the adoption of Public Law 664—a permanent, general cargo preference statute requiring that 50% of government-sponsored cargo be shipped in American ships. The Senate and House Committee Reports make it clear that the cargo preference principle was chosen as a means of implementing the objective of carrying a substantial portion of our foreign commerce in American ships.

Considerable controversy surrounded this legislation, and in 1956 the Secretary of Commerce, at the request of the President, reviewed the situation. His report supported the cargo preference principle. It pointed out that early fears the legislation would produce restrictive shipping legislation in other countries had no foundation; it countered the argument that cargo preference was undesirable as an indirect subsidy on the grounds that it was, quite plainly, a direct subsidy; and finally, the report speculated that the permanence of the P.L. 664 legislation would provide an incentive for the construction of a "modern and efficient" dry bulk fleet.

Unfortunately, our experience since that report has not borne out the predictions of its authors. Since 1956, 15 countries have adopted restrictive shipping legislation, and most of the maritime world points to United States practice as the cause. Whatever may be said regarding the futility of such laws for the countries in question, and their impact on American trade, it seems clear they are not in the best interests of American shipping. As a subsidy, direct or indirect, cargo preference has been a miserable failure: not a single new tramp ship has been built since 1956, and the cost of keeping the old ones in existence climbs higher and higher. A converted 10,000 deadweight ton Liberty employed in the grain trade costs the taxpayers about $700,000 in freight-rate differential payments annually. By contrast, our most modern liner ships, with 40% more carrying capacity and twice the speed require an average of only $500,000 per year; this means an equivalent shipping capability at 25% of the subsidy cost.

Here, too, the American people are faced with a number of alternatives.

(1) Present programs could be continued—at least so long as there is an agricultural surplus disposal program. The result would be a steady rise in subsidy cost as these vessels become increasingly inefficient, followed by a rapid decrease in the cost as the subsidy disappears with the ships.

(2) The tramp fleet could be eliminated more quickly by simply eliminating the cargo preference program.

(3) Cargo preference could be continued, but supplemented with construction subsidy for replacement ships. Because the present production of 100 tramp ships easily could be matched with only 22 modern dry bulkers, however, any meaningful dry cargo fleet cannot be hitched alone to the cargo preference grain trade. The future of the dry bulk fleet, like the rest of our merchant marine, necessarily depends upon the capacity to compete for commercial cargoes. Moreover, adding construction subsidy on to the existing cargo preference system would provide subsidy without any provision for mandatory ship replacement, for reserve funds, for recapture, or for any of the other safeguards of the public interest built into the 1936 Act.

(4) Cargo preference could be eliminated gradually, no faster than some form of direct operating subsidy is substituted for it, making it possible for these ships to compete for commercial cargoes at world rates. Dry bulkers are more simple ships than liners, and proposals have been made to construct, for example, a 30,000 ton ship for as little as $9 million, and operate it with a small crew and only $300,000 to $400,000 in annual operating subsidy. In order to give you some idea of what these figures mean, if the present $80 million per year spent on cargo preference freight-rate differentials were all paid in operating subsidy to such new ships, we could maintain about 200 modern dry bulk carriers, with a total capacity about eight times our present dry bulk fleet. Even with reduced crews on highly mechanized ships it is obvious where the greatest long-term job opportunity is to be found.

Necessarily, in making these choices the number of competing interests is too great to satisfy everyone completely. In discussing various new ideas with members of the industry, I sometimes feel like the fellow whose wife bought him two ties for Christmas, one red and one green. He expressed delight with both, and when she appeared skeptical about the genuineness of his feelings, he put on the red one to prove it. "What's the matter," she said, "don't you like the green one?"

This kind of a reaction is especially common in discussions about our passenger ships.

American operators have 13 remaining passenger ships, staffed with crews ranging from 260 to 1,000. In 1965 these ships will absorb almost one quarter of the total money available for operating subsidy—about $46 million. And if they are expensive to run, they are even more expensive to build. The government's share of replacing the SS United States today, for example, could run to about $100 million. Like any other major investment the benefits derived from these ships—to the industry and to the government—deserve the closest examination. The arithmetic is striking.

In 1962 the then 15 passenger ships produced a loss, before subsidy, of about $44 million. The subsidy amounted to $48.7 million, or more than ten times the after-subsidy profits for the 15 ships. In 1963, financial results were little better. The subsidy bill was nine times the companies' profits after subsidy. Eight of the 15 ships lost money even after subsidy, and two others did little better than break even.

By contrast, comparable figures for general cargo ships show a subsidy bill only two or three times profits after subsidy. For the companies operating both passenger and general cargo ships, the gross revenue from cargo operations was three times that for passenger operations, and profits after subsidy were more than seven times as high.

It is not surprising that shipowners have shown little inclination to replace their passenger ships.

Nor do the passenger ship operators have much hope for improved profits. The productivity of cargo ships has increased in recent years. But 73% of the crew on a passenger ship are stewards—cooks and waiters—and mechanization can do little to increase their productivity. Indeed, it is this personal service which tends to attract those relatively few people who travel by ship rather than air.

Even if passenger ships are not a profitable business for the owners or the government, it is often argued that they are of great benefit to us as a nation. If so, they are surely worth the investment. But what are these alleged benefits?

How about their balance of payments contribution? In 1963, the net balance of payments contribution of U.S.-flag passenger ships was about $47 million. Since we spent about $46.3 million in subsidy to secure that saving, you oan see that it was bought rather dearly. By contrast, in 1962 the international commercial airline industry contributed $128 million to our balance of payments from passenger fares alone—and without the necessity of any contribution from the taxpayers. Or compare the like figures for general cargo ships. In 1963 the net balance of payments impact of the 285 subsidized cargo ships was about $204 million—at a subsidy cost of approximately $135 million. Thus, even by standards of return on shipping subsidy, the balance of payments impact of one dollar of subsidy spent on a cargo liner is almost double the impact of a dollar spent on a passenger ship.

"Prestige" is also said to be a benefit of passenger ships. Of course, prestige is an elusive thing. Our present operating subsidy expenditures for passenger ships would support close to 100 modern liner ships, which might well do more for our prestige around the world than a few passenger ships known to be highly unprofitable.

Moreover, two important reasons for having a merchant marine—trading leverage and stability of freight rates—are virtually unaffected by passenger ships.

Finally, there is national defense. Historically, passenger ships have played a major role in our defense efforts. During World War II, for example, most of our troops were transported in ships which once sailed as commercial vessels. By the time of the Korean hostilities, however, the situation had changed and only one passenger ship was removed from commercial service for troop carrying to the war zone. Three small passenger ships under construction were transferred to MSTS but were fitted primarily as passenger ships for military dependents. All other troops were carried by MSTS troop carriers or by air.

Our defense needs today still call for a passenger ship capability. But the development of new aircraft, like the C–141 and the recently announced 600 passenger plane, is eroding the justification for heavy government investment in constructing and maintaining commercial passenger ships.

To some extent modern cargo liners could be converted to effective troopships if necessary. Even commercial passenger ships must be converted to troop-carrying conditions—still need conventional passenger ships it might better safeguard our national security if the conversion were done in advance, and the ships preserved in the reserve fleet in a high degree of readiness—at about one tenth the present annual cost.

But all of this analysis really adds little to the stark economic reality that American businessmen have little desire to build and operate passenger ships at a loss. Unless some presently unforeseeable change comes about some 5,500 jobs will disappear from these ships over the next ten years irrespective of how the government feels about the wisdom of this $50 million subsidy account.

The question before us is not whether the 5,500 jobs will be affected, but whether any ships and jobs will be substituted in their place.

Of the 5,500 men on passenger ships about 4,000, or 73%, are stewards who can find ready transferability of their skills in the hotel and restaurant trades. But what of the 1,500 deck and engine men? Their jobs are not as easily transferable. If the $42 million passenger ship subsidy were used for cargo liners—even the most highly mechanized now imaginable—we would need about 3,000 men to operate them. The road to true job opportunity seems clear.

Finally, I want to say a few words about two aspects of our present system of paying operating subsidy.

First, the trade route idea.

At the present time the Maritime Administration has designated 30 trade routes and three services as essential to the foreign trade of the United States. A subsidized shipping company wishing to move from one trade route to another is required by law to undergo a long and arduous public hearing, effectively eliminating its ability to respond rapidly to competitive pressures. In addition, an operator's activities on any particular trade route—the frequency of sailing and the ports at which his ships call—are all subject to the approval of the Maritime Administration.

Many questions are called to mind. Is it not strange to have this high degree of protectionism for American operators against only a small part of their competition? For U.S. trade route restrictions obviously do not affect the foreign companies carrying about 70% of our liner cargo. What is the impact of these restrictions on the behavior of American shipping companies? What are the supposed benefits of the system, and how real are they?

It is usually urged that the trade routes underlie the "service" concept of the 1936 Act, and that they serve to prevent "cutthroat competition." Each of these assertions requires close examination.

As for the first, to my knowledge there is not a single American operator serving a trade route because he was ordered to do so by the Maritime Administration. In each case the operator requested permission to serve that route because there was cargo to be carried. Look, for example, at the number of foreign companies, which may come and go much as they please, serving small ports on regular schedules because the existence of cargo makes it profitable for them to do so. Look at the American companies providing regular service to Alaska, Hawaii and Puerto Rico for the same reason. There is no reason to expect that American companies in foreign trade would act very differently even if not bound by the strictures of the trade route concept.

And if there is not sufficient cargo to justify shipping services at all, I doubt very much whether the framers of the 1936 Act intended that American companies be compelled to service ports at a loss to themselves as well as the taxpayers. For example, if it is cheaper to ship cargo by barge from a small to a larger port and then out by ship, that is probably the way the cargo ought to move. That is the basic principle underlying the new Lykes Sea Barge Clipper concept.

I doubt, therefore, if a relaxation of the present rigorous trade route requirements would undermine adequate service for American shippers—quite the contrary.

Many shipowners have told me that the tortuous procedures necessary to gain permission to operate on a different trade route, even for a short time, have forced them to forego many attractive commercial opportunities—to the benefit of the merchant fleets of other nations. This reminds me of the story about the Cape Cod garbage collector, whose weekly charge was twenty-five cents. One newcomer, seeking to do a little better, asked for his monthly rate. "$1.50," was the reply. When the newcomer inquired why the monthly rate should be so much higher than four times the weekly rate, the old man replied, "The extry is for bein' tied down." I rather suspect that we may be paying "extry" for tying down our shipowners, too.

We turn, then, to the question of cutthroat competition. Whenever I hear that term, I am reminded of a story an old Texan used to tell about the general store in the small town where he grew up. The store had a monopoly for many years, but as the town grew it began to attract new business, and in due course a competitor opened his doors across the street from the general store. The old proprietor began to bemoan his fate to the town at large, and one young man, recently back from a freshman economics course at the local college said, "But sir, isn't that just competition?" "Oh no," he replied, "it's worse than competition." Some shipowners have expressed similar sentiments to me, explaining that they have competition now, and that relaxing trade route restrictions would be worse.

Since trade route restrictions have no impact on the activities of foreign shipping companies, the danger arising from a relaxation of the trade routes must be seen to come from the competition of other American shipping companies. Some shipowners feel that a new American company will come on the route and take one-half of the "American" cargo, putting them both out of business.

But, by and large, an established steamship company will tend to stay on its old routes, since it is costly and time-consuming to develop new trade relations. Moreover, such a company will consider carefully whether it can make a sufficient dent in the foreign market on a new trade route. With such high capital costs, few shipping companies would be foolhardy enough to enter a wholly new competitive environment solely with the idea of taking away from a pre-existing American company most of its established business.

Moreover, shipping conferences will tend to act as a moderating force. For example, foreign-flag companies would seem to be in much the same position vis-a-vis each other as would American companies in the event of a relaxation of trade route restrictions. Yet there have not been a series of protracted rate wars.

There is, of course, a perfectly legitimate basis for fearing the activities of an irresponsible "raider," an operator with no interest in establishing any sort of trade relations, whose sole aim is to skim off the cream of the trade at the peak of the season with exceptionally low rates. But this problem can be solved without abandoning the whole idea of trade route flexibility. There would seem to be no reason why a procedure could not be designed to sift the serious competitor from the fly-by-night.

The present rigid system prevents companies from taking advantage of fluctuations in world trade. And to the extent that it is an effective shield against competition, it tends to insulate the companies on the trade route from the salutary effects or competition. Finally, the present system puts into the hands of the government too much of the question whether a shipowner will change trade routes.

Finally, I would like to say a few words about what has come to be called an "incentive operating subsidy." I have spoken about this issue at length in the past, and there is no reason to belabor it here. But there is one common misconception which I would like to clear up.

A number of people have told me of their impression that the incentive subsidy is an economy measure—that we will somehow end up with a lower subsidy bill. Nothing could be further from the truth. An incentive subsidy may result in increased productivity, higher profits and wages, and relatively less need for subsidy. But whatever the needs for subsidy may be they must be met if the industry is to continue. No one argues with that basic truth.

I think that $380 million is a substantial sum and, as Maritime Administrator, I feel an obligation to insure that it is spent in the most productive way possible. If it is being spent under a system which could be improved, then that standard has not been met. If it is producing one less ship than it could, and I remain silent, I am not doing my job.

In the shipping business, like most others, profits may be increased by cutting costs or increasing revenues. But operators have little incentive to reduce subsidizable costs under the present system, for the government will simply pay them less in subsidy. This puts a responsibility on the government alone to maximize the public's return from its subsidy bill. Often government is forced to take positions which segments of labor and management find objectionable. But under the present system it is inevitable.

On the other side of the profit picture, one of the chief means for most businesses to increase the utilization of their capacity is by reducing rates.

The conference system, however, precludes this. It would seem obvious then that the system could be substantially improved, especially by providing some meaningful incentive to management and labor to cut costs—removing the government from the process.

As I see it, and as I hope you do, as well, there are many alternatives open to the American merchant marine. Each of our problems has at least one solution. Some require the expenditure of much larger sums of money; others seem to spell the continued decline of the fleet. Still others seem to promise more shipping capability at a relatively lower cost—even though perhaps pointing the way to larger total expenditures.

The American merchant marine is at the crossroads. Basic decisions must be made. They must be made by you, and every American concerned about our trade and economic growth. We cannot hope to make every decision exactly right, but when the alternatives are clear before the people their record is pretty good.

The problem is worthy of our effort.

Mr. LAUSCHE. Mr. President, in the face of Mr. Johnson's recommendations and in the face of Mr. Boyd's recommendations, as well as those of the President of the United States, a bill has been sent to the Senate floor raising the subsidy from the $119 million recommended by the President to $237 million.

Mr. President, I just cannot understand it. Taxes are being raised. Recommendations are being made to cut spending. The taxpayer is complaining. The 10-percent tax increase for 1968, in my opinion, will be inadequate to meet our deficits in 1970. Yet, a bill is sent to us for passage entailing an expenditure of $118 million more than the administration recommended.

My query is: What does this industry feed upon? What does it take into its system that, in spite of all the help we have given it, practically $3 billion in the past 32 years, still is not content and wants more?

Where does it get its power? Upon whom does it operate? What chains does it have on Congress? How did it get itself exempted from the integrated Transportation Act?

How was it that the airlines, the railroads, the truckers, and the pipeliners have to be placed under one roof, but the merchant marine succeeded in getting itself exempted?

Mr. President, I shall be leaving the Senate next January. But one thing will remain everlastingly in my mind: How can this shameful condition be allowed to continue? Why can it not be stopped?

I think that the President and Mr. Boyd are on the right track. I hope they press it. My hopes are that the amendment offered by the Senator from Delaware and myself will be adopted.

There are one or two shipbuilding companies in Ohio. There are shipbuilding companies in Maryland, California, Pennsylvania, Virginia, and probably in Florida. But the selfish purpose of serving those industries at the expense of the general taxpayer should not be condoned. For the good of the merchant marine, it should be placed on the same basis as the airlines, railroads, and truckers. Preferential treatment should not be given to it.

Mr. President, I thank the Senator from Delaware [Mr. WILLIAMS], and I also thank the Chair.

Mr. President, I ask unanimous consent to include Mr. Boyd's statement at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE NEED TODAY

(Statement of Alan S. Boyd, Secretary of Transportation, before the Senate Commerce Committee, Subcommittee on Merchant Marine and Fisheries, New Senate Office Building, May 20, 1968)

During this Nation's first century, a strong merchant fleet carried American commerce—under the American flag—to and from the seaports of the world.

From that early development of commercial water routes, our Nation grew to its present position as the world's largest trading power. In 1967 alone, more than 400 million tons of goods—valued at over $36 billion—moved in our oceanborne foreign trade. This was about one-sixth of the world's foreign trade, far more than any other country's share.

Our national growth and prosperity have depended in part on this foreign commerce. Our future growth and prosperity demand that our trade in the markets of the world continue to expand. In little more than a decade—by 1980—our waterborne foreign trade should nearly double in size, reaching 700 million tons.

In the course of our trade expansion, the U.S. Merchant Marine has lost much of its vitality. Because of outmoded and uneconomical practices, capital and operating costs have skyrocketed. Lower construction costs in foreign shipyards, and lower operating costs of foreign vessels, have made it difficult for the Merchant Marine to compete with ships of other nations to carry our foreign trade.

Both the Merchant Marine and the shipbuilding industry have become increasingly dependent on Government subsidies. In fact, direct and indirect subsidies, together with preferential movement of Government cargo on U.S. flag ships, are largely responsible for keeping our Merchant Marine alive.

This dependence on Government support has led to detailed Government involvement in matters of management.

Over the past several years, programs to strengthen the industries have been subjected to exhaustive study and intensive debate—within the Government and in public forums as well. There have been a large number of proposals aired recently on what to do about the Merchant Marine. All of them agree that changes and reforms are essential and long overdue. At the same time there is little agreement regarding the direction or details of reform.

The problem is not an easy one. For the last three years we have analyzed and discussed the many arguments and the suggested solutions. We have talked at length to all representatives of the merchant marine and shipyard industries—both on the management and labor sides. The Administration has thoroughly considered the possible alternatives. Now more than ever we are convinced that the future of our Merchant Marine demands a shift from past policies: To provide the streamlining and flexibility that is needed to enable it to cope with the competitive world of today and the future. These conclusions emerge:

Subsidy support should be provided only to meet this Nation's security needs. Ship operating support should be clearly distinguished from ship construction support.

Although Federal support must continue if the Merchant Marine is to survive, Federal dollars alone will not solve the problems of the maritime industries.

The genius of the free enterprise system—of skilled labor and profit-motivated businessmen, stimulated by competition—must be called into full play if the industries again are to prosper.

Our present subsidy systems do not provide incentives to use fully the resources and talents of American industry.

A NEW MARITIME PROGRAM

I am here this morning to present the Administration's Merchant Marine program.

We are convinced that the program being proposed is based on the kinds of public interest considerations which should guide the formulation of any Federal program.

Certainly, the public interest requires of the maritime program that we examine:

How much and what kind of a Merchant Marine we need to subsidize and for what purposes.

How much shipbuilding capacity we need to support and to what extent this should be supported by subsidized merchant marine programs—rather than Navy or other programs for building and repairing government-owned vessels.

What specific policies and programs would best implement our determinations of the public interest in these areas.

We believe that America's maritime industries can reestablish their position of importance in the commercial life of this Nation, if they are—

Revitalized through the application of advanced industrial technology and sound business practices.

Incorporated into an integrated transportation system.

PROPOSAL

The Administration proposes five major steps to accomplish these purposes to modernize our maritime industries:

1. Expand the scope and improve the system of ship operating subsidies, and establish the amount of subsidies according to the size of the fleet necessary for national security.
2. Reform the construction subsidy system and relate this subsidy to the Nation's need for an adequate shipyard capacity for national security.
3. Remove restraints on the freedom of shipowners to purchase ships in the world market—treating shipowners like other American purchasers of transportation equipment and subject to the same restrictions on foreign investments and expenditures.
4. Expand maritime transportation research.
5. Transfer the Maritime Administration to the Department of Transportation.

SHIP OPERATING SUBSIDIES

Enduring through the years as a tradition, the Merchant Marine has declined as an industry. Its decline parallels its increasing dependence on Government support through subsidies of one kind or another. Subsidies—direct and indirect—have been a compromise answer to a difficult situation. They have prevented both the death and the nationalization of the Merchant Marine. At various times in our history, the Congress and the Executive Branch have shaped the principle of subsidy to meet the demands of the day.

The Merchant Marine Act of 1936, which established the basic policy under which we operate today, was a remarkable accomplishment for its time. Three decades ago—and for a considerable period after—it helped to promote our foreign trade and our national security. Now it is time to take another thorough and searching look at the Merchant Marine and the subsidy system that sustains it. In this time of budget stringency, Government spending must meet the most rigorous tests of necessity.

The Merchant Marine—like any other program requiring Government support—should be subsidized only to the extent necessary to meet a compelling national need. That need can be clearly identified: We must have adequate shipping to meet our military requirements and those urgent non-military demands that would prevail in time of emergency. It is only to this extent that our maritime fleet should be subsidized. Beyond this level, the fleet should meet the tests of the free market.

Subsidy reform

The subsidy system itself is in clear need of reform. Instead of encouraging innovation and productivity, the system focuses attention on the subsidy dollar as a source of income. A new system must be found that will induce the industry to take full advantage of advancing technology, management ingenuity, and the resources of a skilled labor force.

The Government now subsidizes the ship operator to make up the differences between certain elements of his operating costs and those of his foreign competitors. This process has proven inadequate and unsound. For example:

It requires a network of Government auditors in the steamship company's offices, as well as an overseas staff of Government employees to provide estimates of foreign operating costs.

It imposes cumbersome administrative procedures upon the operator, who is forced to make a detailed justification for each of his subsidy-related costs.

It requires strict adherence to trade routes and restricts the operator from taking advantage of shifting market conditions.

It gives the operator little incentive to hold down costs, since increases are borne by the Government.

This direct subsidy has only been available to a part of the fleet.

To correct these deficiencies—and at the same time to assure operators a reasonable rate of return on their investments—the present system must be restructured to promote business judgment and operational flexibility, and minimize Federal involvement and intervention. The restructured system should be made available to other categories of ship operators to replace indirect subsidies they now receive.

The Administration recommends legislation to authorize the Secretary of Transportation to enter into contracts with qualified applicants to test more productive and competitive operating subsidy systems.

Over the past few years, a number of alternative subsidy systems have been studied and developed. These systems will be examined thoroughly. The Government and operators together will examine these systems and experiment with the most promising. Different systems can very likely be tried simultaneously, in different trading areas. Whichever are found the most productive through actual experience will then be put into effect. All operators will be required to use the systems selected to be eligible for subsidy support—new operators upon entry and the present subsidized operators upon expiration of their current contracts.

Bulk cargoes

Dry bulk cargoes total about 35 percent of our foreign trade. More than 140 million long tons are carried each year. By 1980, that trade is expected to rise to over 380 million tons. Very little of this goes on U.S. flag ships, however—because the American ships in this bulk trade are old and inefficient and unable to compete for commercial shipments. The answer is to promote the development of an efficient and up-to-date U.S. flag bulk carrier fleet. At the present, this cannot be done because operating subsidies are not extended to bulk carriers.

The Administration recommends legislation to authorize a system of innovative operating subsidies, such as those described above, for new bulk carriers to be built under a new construction subsidy program—which is detailed later in this testimony.

Passenger ships

Passenger ship operations under the American flag are costly in subsidies, and return only minor benefits. The sharply accelerating trend to air travel raises serious questions about the economic future of this mode of transportation.

At present, about $50 million goes annually to the support of 13 ships—which are turning more and more to luxury cruises. This is equivalent to $275 for every passenger carried.

Once important as emergency troop transports, the defense value of these vessels is now minimal. Their subsidization can no longer be justified on this basis.

Operators of passenger ships will be encouraged to terminate their subsidy contracts voluntarily so that the funds can be allocated to more productive purposes.

Nuclear ship program

There is serious doubt as to the attractiveness and wisdom of proceeding with a broader nuclear ship program at the present time. It appears that power reactors of the relatively small sizes required for merchant ship propulsion will continue to be non-competitive with oil over the foreseeable future.

CONSTRUCTION SUBSIDIES

At this time, the Administration does not seek increased subsidies for the construction of ships. For the present, I believe the construction subsidy program should be held at a level of about 110 million, rougly its present level. For the future, however, we need to know how much will be required to meet national emergency demands for shipbuilding capability.

The proposed legislation would authorize the Secretaries of Defense and Transportation to recommend jointly to the President the level and character of ship construction subsidies.

Each year the two Secretaries will:

Determine the national emergency need for private shipyard activity and capacity

Ascertain how much and what kind of Federal support is necessary—beyond that provided through Navy and other programs which build Government vessels—to maintain an adequate emergency capability for ship construction and repair.

Determine to what extent this additional support should be provided by subsidies for merchant marine construction.

In making their determinations the Secretaries will consider such factors as long-range plans for emergency construction or repair, and the need to maintain specialized skills.

For greater flexibility

The present construction subsidy system is too inflexible. It does not encourage shipyards to propose a standardized design which several operators can use. It fosters, instead, costly individual designs. Under existing practice, an operator submits to the Maritime Administration a design tailored to his individual needs—for one ship or a few. This individual design is then put out for bids among the shipyards. The bids are generally high—reflecting the cost of constructing just a few custom-built ships. The small market for commercial ships in the U. S., and limited competition, add further to the cost of ships built in American yards. In large measure, these costs are borne by the taxpayer—since the Federal subsidy to the ship buyer is the difference between the shipyard's high price and the estimated cost the operator would pay in a foreign shipyard.

The construction subsidy program should be made more flexible and better able to produce ships less expensively.

The Administration recommends legislation to encourage the shipyard to design and develop ships which can be built with the modern production techniques that have made our aircraft industry predominant in the world today.

Under this system, this subsidy would be paid directly to the shipyards. Shipbuilders would be told precisely what proportion of construction costs the Government would pay. The yards would then compete with each other for sales to domestic or foreign ship purchasers on the basis of what they could construct with available subsidy funds. The proposals calling for the latest subsidy dollar per productive unit would receive the subsidy.

With preference thus going to shipyards producing at the lowest cost per ship, yards will be encouraged to design and sell their ships on an efficient multiple-production basis—just as aircraft companies aggressively market their designs to the airlines.

Foreign ship purchase

In the Nation's infancy, American shipowners were required by law to buy only American built ships. This was necessary then for the development of a shipbuilding industry. Today, America's ship construction industry is the largest in the world by nearly any measure. It can draw upon the country's great technological resources. Its size and health are ensured by a naval construction and repair program which infuses more than $2 billion of Government funds into the industry every year. Yet our merchant shipowners are under almost the same constraints as those of two centuries ago. To engage in domestic trade, or to be eligible for a subsidy, they must buy only in U. S. shipyards.

Since merchant ship work under Government subsidy amounts to less than 10 percent of the shipbuilding industry's business, this restriction cannot be justified as essential to the industry's health. An American operator should not have to base his plans for purchases of new ships on the amount of construction subsidies available.

After the necessary level of ship construction in U. S. shipyards has been reasonably assured, American ship operators will be permitted to purchase their vessels in the world shipbuilding market and these ships would be accorded the same treatment as ships built in American yards.

To protect our balance of payments position, controls will be exercised in accord with our programs restraining foreign expenditures and investments. By requiring the cost of the vessels to be financed through foreign loans, we can avoid a drain on American dollars. Ships built in foreign shipyards for documentation under the U.S. flag would be required to meet all U.S. standards of safety and construction. They would be eligible for all privileges available to U.S. flag operators in the U.S. foreign trade. American flag operators in domestic trade would also be permitted to employ a limited number of foreign-built ships—with procedures to assure established operators will not be harmed.

Reserve funds

The maritime industry—as do many other industries—requires large amounts of capital for the construction of modern, efficient equipment. At present, certain ship operators are not taxed currently on funds put in reserve and used for this purpose. These operators therefore pay taxes on different terms from other ship operators and other businesses. This system is complex and inequitable.

The Administration program contemplates that the setting aside of these funds will be terminated at the expiration of the present contract commitments. The future capital investments of the Merchant Marine can then come under the depreciation guidelines and the investment credit rules of the Treasury Department similar to those governing other industries. We also contemplate orderly liquidation—consistent with existing contracts—of present reserve funds over a reasonable period of time.

In addition, the Secretary of the Treasury will undertake a review of our tax law as it affects the shipping industry including U.S. owned ships under foreign flags, with a view toward recommending other legislation to remove unjustified tax advantages.

NATIONAL DEFENSE SHIPPING NEEDS

National Defense Reserve Fleet

The National Defense Reserve Fleet was established at the end of World War II. It has served this Nation well in two major emergencies. During periods of crisis, the breaking-out of this inactive fleet has been an important factor in preserving our national security and in maintaining stable rates in the world shipping market. This method of meeting peak emergency needs is less expensive in limited emergencies and causes less disruption of commercial service than other alternatives.

To improve this capability, we ask authorization for an initial appropriation of $30 million for Fiscal 1970, to revitalize the National Defense Reserve Fleet.

These funds will be used to build a limited number of new vessels of austere type, and to convert some relatively unused reserve troop ships into general cargo ships. These ships will be retained in the reserve fleet for emergency use.

Fast deployment logistic ship program

No expansion of the Merchant Marine will fill the military need for rapid-response sealift. This vital need can best be met through the Fast Deployment Logistic Ship program.

Fast Deployment Logistic Ships (FDL's) will not compete with the Merchant Marine. The ships are designed for quick and flexible military response. They can operate without ports, if necessary. They are an essential part of our strategic planning. They must be available at all times to enhance our national security. Last year the Congress did not act on the Administration's recommendation that an FDL program be started.

This year, the budget includes a request for $184 million to fund this important program. The Administration urges the Congress to approve it promptly.

EXPANDED RESEARCH

The Administration recommends a 5-year program of $25 million annually commencing in Fiscal 1970, to increase both basic and applied maritime research activity—conducted in cooperation with private industry.

The goal of this research will be to improve the competitive position of the U.S. maritime industries by acquiring new knowledge of:

Ship operations and design,

Cargo handling systems on ships and ashore,

Port facilities,

Basic hydrodynamics related to modern merchant ship hull forms,

Ship construction methods, and

Integration of sea and land systems.

MANAGEMENT-LABOR RESPONSIBILITY

The program of reforms that I have outlined will aid in bringing the U.S. Merchant Marine into today's competitive world and make it an active and productive part of our commercial life and our future growth.

The Government can go only a part of the way toward this goal, however. Essential steps must be taken by the elements of the maritime industries themselves—management and labor in the operating Merchant Marine, in the shipbuilding industry, and in allied industries. Federal subsidy dollars must not be dissipated through price inflation or excessive wage increases. Otherwise, their potential benefits would never be realized. America's maritime capabilities would remain weak and ineffective. An important part of the program being recommended today is to insure that wages will be stabilized and that bid prices will be reasonable and competitive.

Wage Structure Stabilization and Work Stoppages

If the U.S. Merchant Marine is to respond to the needs of the American shipper, both management and labor must work closely to—

Eliminate the recurring interruptions in service caused by work stoppages. Such interruption destroys confidence in U.S. flag carriers. Shippers consequently turn to foreign flag vessels for their needs.

Stabilize the maritime industry's wage costs.

A series of labor-management agreements, negotiated in 1965 to help assure wage stability, have in practice accomplished the opposite. Under these agreements, if the members of one union receive a wage increase or other benefits, other maritime unions can reopen their contracts through a "me too" clause and demand arbitration to obtain a matching increase. By the time several unions have received such increases, the first union is in a position to assert that it is once again behind the others—and the cycle starts over again.

Because of this practice, employment costs in the industry have risen more than 30 percent since 1965. These costs, increase Federal expenditures through the operating subsidy program and shipping costs on Government cargoes. They diminish the ability of the U.S. Merchant Marine to compete with foreign fleets. Not only do spiraling employment costs threaten the industry with economic ruin, they imperil the American public as well, for they have a shattering impact on our Nation's wage-price stabilization objectives.

We call upon management and labor—working with the Secretaries of Labor and Transportation—to begin discussions promptly to solve this problem.

AN INTEGRATED TRANSPORTATION SYSTEM

No improvements we can make in our maritime fleet will permit it adequately to meet America's need today unless it is fully integrated into a unified national system of transportation. When the President signed the Department of Transportation Act in October 1966, he expressed regret that the new Department did not include the Maritime Administration. He expressed hope that the Congress would reexamine its decision. This reassessment is now vital to our maritime future.

The Administration recommends legislation to transfer the functions of the Maritime Administration to the Department of Transportation.

This step will bring increased recognition to ocean shipping in the transportation policy councils of the Executive Branch.

The Department of Transportation was created to promote a more efficient national transportation system. This cannot be fully accomplished so long as the maritime component of the transportation system remains outside the Department's jurisdiction.

The Maritime Administration itself suffers in its isolation from the new technology and promotional support which the Department now provides to other elements of our national transportation system. Potential developments which hold great promise for maritime commerce affect other modes of transportation as well. Ports, for example, must provide facilities which can rapidly handle cargoes arriving and leaving by rail and highway. Container systems must be developed which can be economically used on all modes of transportation, so cargoes can move without interruption from origin to destination.

Transfer of the Federal Government's maritime programs to the Department of Transportation will permit fuller coordination of all our research resources for the improvement of our entire transportation system. Each mode will benefit greatly. But most important, the Nation's intricate and extensive transportation network will be strengthened, and better able to serve the complex needs of our society. This organizational change is the key to a truly effective maritime program. Legislation to accomplish this and other elements of the program I have outlined is attached as an appendix to this statement.

CONCLUSION

A strong and healthy Merchant Marine has been a proud element of our national strength. It can be so again.

It is deeply in the national interest that we revitalize our Merchant Marine and make it both effective and competitive—a maritime service which is not just barely kept alive by Government subsidies and Government cargoes, but one able to attract a significant share of our commercial trade as well.

I believe the program I have outlined will accomplish this. With its passage, and with the cooperation of maritime management and labor, we can realize the goals we have set. This program provides the cornerstone on which we can build anew the maritime tradition of the American past.

Mr. BREWSTER. Mr. President, this debate marks an alarming crisis in the history of the American merchant marine. It is not only possible, but probable, that if this bill fails to pass, or if it passes but is not implemented by the executive branch, we will witness the agonizing death of our merchant marine, and of this country's participation in the oceanborne commerce of the world.

But much more is involved than the merchant marine, important though that is. It was an American, Admiral Mahan, who first clearly enunciated the fact repeatedly demonstrated in history, that no nation can long continue as a world power without its own merchant fleet capable of carrying a substantial portion of its commerce, supporting its national defense, and sustaining its allies.

We have relearned this lesson at the beginning of every war, and forgotten it after every peace settlement. At the outbreak of war we have found it urgently necessary to build a merchant marine, feverishly and with enormous waste; and at the end of the war we have allowed that merchant marine to dwindle and almost die. Although we are in the atomic age, and aerial circumnavigation of the earth is a daily commonplace, Vietnam has again demonstrated that we are still as dependent upon the merchant marine as ever. Much more than 90 percent of all the material, military and civilian, required in Vietnam has been carried there by ship.

It is painful to express the fact that our own merchant fleet has been inadequate for this purpose, and that we have been compelled to rely upon foreign-flag ships whose loyalty is undependable.

We emerged from World War II, after the fantastic achievement and fabulous cost of mass producing a merchant fleet, as the strongest maritime power in history. Today, in number of ships, we rank fourth among our allies, and in efficiency we rank much lower. We do not know with any accuracy how many merchant ships are controlled by Russia and her allies, or their efficiency. But we do know that in its propaganda Russia boasts, and informed maritime circles believe, that the Communist-bloc merchant marine is rapidly overtaking us, and if present trends continue in a few years will dominate the sealanes of the world.

As of December 31, 1967, we had 906 vessels in our merchant fleet. Of that number, according to Lloyd's Register of Shipping, February 1967, 80 percent were more than 20 years old, although the economic life of a ship is from 20 to 25 years. We are justly proud of our subsidized liner fleet, perhaps the finest in the world. It consists of about 304 ships with an average age of more than 14 years, which means that many of these liners are more than 20 years old. By comparison, slightly more than 23 percent of the British fleet is more than 20 years old, of the West German fleet less than 20 percent, of the Norwegian fleet slightly more than 26 percent, of the French fleet less than 11 percent. These are the stark facts of obsolescence in our merchant marine.

The Merchant Marine Act, 1936, which provided us with the liner fleet, solemnly declares that it is our national policy to insure that our American merchant fleet, owned, operated, and manned by American citizens, shall carry a substantial percentage of our foreign commerce.

In 1966—the latest year for which official figures are available—the share of our liner trade carried on American ships had declined to 23 percent. The percentage of our total oceanborne commerce carried on American-flag ships is at present about 7 percent or less.

Since World War II, our foreign commerce has increased steadily from more than 188 million short tons in 1947, to about 444 million short tons in 1965. The U.S. Army Corps of Engineers projects that by 1972 our total foreign commerce, exports and imports, will be in the neighborhood of 600 million short tons.

Whereas in 1936 it was believed that the shipping trend was toward the disappearance of bulk carriage by tramps, and toward ever-increasing liner cargo, the exact opposite has occurred. Today the great proportion of our foreign commerce in tonnage is bulk cargo. Indeed, we grow more and more dependent on bulk imports to sustain our economy and maintain our national defense. We now import oil, iron ore, aluminum ore, and a large percentage of many of the vital materials for our defense and our economy. It is precisely in this segment that our merchant fleet has dwindled and is now near death.

It is shocking to realize that the decline of our merchant marine is almost entirely due to governmental neglect. We have no shortage of materials, finance, technology, manpower, nor initiative. In all of these, we lead the world. Indeed, many of the inventions and new techniques which are revolutionizing the merchant fleets of the world are American inventions and developments.

This is true of roll-on roll-off, of containerization, of surface-effect vessels, and so on. But these products of American genius have gone begging in this country because of governmental neglect, and are largely responsible for the upbuilding of the fleets of our allies and competitors.

Year after year, decade after decade, we have watched the merchant marine decline at an accelerating rate, and year after year, we have observed the complete apathy and inaction of the executive branch under administrations elected by both parties.

In his state of the Union message, immediately after his election, President Johnson pointed to the decline of the merchant marine, emphasized the necessity of rebuilding it, and promised a maritime program at an early date. But no program appeared until last month when Secretary Boyd submitted a so-called maritime revitalization program which, if adopted, would be the epitaph of the merchant marine.

He recommended that there be no increase of construction subsidies above their present meager and inadequate levels. He recommended the termination of subsidies for passenger ship operations which would put them out of business. He recommended a wholly unformulated restructuring of the operating-subsidy system. He recommended transfer of the Maritime Administration into his Department. He recommended elimination of existing capital reserve funds, and, to add insult to injury, he recommended the use of maritime appropriations to build FDL ships. These recommendations can be regarded not only as a threat to the very life of the merchant marine, but as a deliberate defiance of the Congress. It will be remembered that the original legislation creating the Department of Transportation included a provision placing the Maritime Administration in that Department.

Because of the hostile attitude of Secretary Boyd, because of the apathy of the administration with respect to the merchant marine, and because it understood the importance of reviving our merchant fleet, the House of Representatives struck that provision from the Department of Transportation legislation, and instead passed a bill to create an independent maritime agency. In the meantime, the Senate Commerce Committee and the House Merchant Marine Committee have labored for many months, in spite of the defiant refusal of the Department of Transportation to cooperate, to creat a program which offers hope of saving the merchant marine. The first step in that program is the present authorization bill, S. 3016.

Under existing law, the person charged with the formulation and administration of a maritime program is the Maritime Administrator. In a pathetic appearance before the House Merchant Marine Committee, the Administrator testified that his recommendations had been ignored by his superior, the Secretary of Commerce, and reversed by the Bureau of the Budget. Thus for fiscal year 1967, he had recommended an appropriation for ship construction of $258 million, which was reduced by the Department of Commerce to $134 million, and by the Budget Bureau to $85 million.

For fiscal year 1968, the Administrator testified that, because of the continuing decline of the merchant marine, he had recommended an appropriation of nearly $317 million to build 30 ships, which the Department of Commerce cut to $308 million, and which the Budget Bureau had cut to $143 million. For fiscal year 1969, he had recommended $388 million, which was reduced by Commerce to $137.7 million, and by the Budget Bureau to $119.8 million, which, of course, was the figure included in the original authorization bill, S. 3016.

Mr. President, it is worth noting that the amount approved by the Budget Bureau is much less than one-half the amount recommended by the Maritime Administrator.

At a later appearance before the House Merchant Marine Committee, the Administrator was asked if he supported the Boyd program to which I have previously referred. Summarizing the agonized responses, it is clear that in spite of congressional refusal to submit the Maritime Administration to the hostile control of the Secretary of Transportation, the administration has nevertheless divested the Maritime Administrator of all authority and responsibility over the maritime program, and has designated the Secretary of Transportation as its spokesman on maritime matters.

Early in February, at the request of the administration, the chairmen of the Senate and House committees, introduced this authorization bill, H.R. 15189 in the House, and S. 3016 in the Senate. This bill carried less than $120 million for ship construction and reconditioning. That sum would be inadequate to enable the Government to fulfill its contractual obligations to the subsidized lines, and would provide nothing whatever for the construction of new bulk carriers. As we have seen, it is much less than the amount recommended by the Maritime Administrator.

Congress has listended year after year to the story of the demise of the merchant marine without resolving to do something about it. In the absence of leadership from the administration, congressional committees having jurisdiction over maritime matters have done something about it. The House, on April 10 of this year, passed the authorization bill, H.R. 15189. This bill provided $340.7 million for ship construction in 1969, which would permit the building of about 27 new, modern ships. The same authorization is contained in S. 3016, now pending before the Senate. It represents the mature judgment of the House of Representatives and of the Commerce Committee. It is based upon studies and calculations of the Maritime Administrator, and the maritime industry, management, and labor. It would provide a necessity, not a luxury. It is based on the hard facts of our economy and national defense. If it is passed by the Congress, as I most enthusiastically recommend, it will reverse the deterioration of the fourth arm of our national defense, and start us on the way back to world sea power.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and they were signed by the President pro tempore:

S. 1999. An act to amend the District of Columbia Public Education Act;

S. 2349. An act to provide for the appointment of additional circuit judges;

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona;

H.R. 13154. An act for the relief of Dr. Santiago Jose Manuel Ramon Bievenido Roig y Garcia;

H.R. 13912. An act for the relief of Angeliki Giannakou; and

H.R. 16674. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the recess not to extend beyond 2 p.m. today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Thereupon (at 1 o'clock and 47 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 1:57 p.m., when called to order by the Presiding Officer (Mr. LAUSCHE in the chair).

TENT CITY VOLUNTEER PLUMBER GETS NO AID FROM THE POOR HE HELPS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Plumber Gets No Aid From Poor He Helps," written by Chris Wright, and published in the Washington Evening Star of Monday, June 10, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TENT CITY VOLUNTEER PLUMBER GETS NO AID FROM POOR HE HELPS

(By Chris Wright)

James H. Clark stood shoulder-deep in the freshly dug trench, sighting down the line of black sewer pipes he had just laid between two rows of Resurrection City's plywood shacks.

Clark is not a resident of the poor people's encampment. He is a licensed plumber with his own business in Washington.

Yesterday he was at Resurrection City laying a sewer line so the showers would have drains and not create a quagmire. He was doing the work free, and asked the encampment officials about the possibility of help.

Periodically the public address system would ask for volunteers—for an unspecified task. Clark would look up once in a while, shrug his shoulders and bend back down into the trench.

No volunteers came.

"These people don't want to work," he said.

When the motor of the earth-mover idled, transistor radios could be heard inside nearby shelters. From time to time a group of men would gather around the ditch and watch Clark work.

Once Clark looked directly at a big man who seemed to be a leader and asked him to get some help and begin filling the trench behind them.

The man looked surprised.

"Brother, I came down here to get away from shovels," was the reply.

By late afternoon the line was about halfway to the showers. Someone obtained a second earth-moving machine but only began to haphazardly fill the trench. He soon went away.

As Clark worked, he said he has very little use for the Poor People's Campaign, personally. But he feels sorry for the people in the camp—and he likes to see a job, especially one done by Negroes, done right.

HELPED BY COUSIN

"I sure would like to regrade that last section," he said, apologizing for his use of rocks instead of brick to support the pipes. The afternoon sun beat down. He walked off down the trench carrying his red level.

Clark, of 431 10th St. NE, donated his time for the project. He also got his cousin to help, and guaranteed payment for earth-moving machinery, that was supposed to be rented out of campaign funds.

He got started on the pipe-laying on Saturday after a friend called him and disclosed that the tent city was in trouble because of its non-existent sewer system.

No stranger to weekend work—"You can drive down the street and see people sitting on their porches, but I usually find something to do"—he got organized and was digging before the city's residents seemed to realize he was there.

As the day went on his pipeline progressed steadily through the hot, sun-baked clay toward the plywood shower stalls in the center of the camp.

Clark and his helper ignored camp residents who jumped the trench kicking dirt where they were working.

RAIN FILLS TRENCH

As huge thunderclouds began to blot out the sun at about 6 p.m., Clark looked anxiously at his handiwork and the mostly unfilled trench.

A few big drops fell, making dark spots on his green denim shirt.

"I'm a damn fool," he threw down the shovel in his hand.

"But I've been one—brought up that way." He picked up the shovel and finished bracing the pipe joint.

The rain clouds got darker. "The least they could do is fill up this hole."

He jumped out of the ditch. "Take this shovel and put it in our truck," he told his cousin. "I'm going to do something about this."

Clark strode off between the plywood houses. His cousin disappeared in the other direction.

Time passed. The rain began to fall in sheets across the camp.

The hole began to fill with water. The loosely piled earth on the sides turned to runny mud.

At the other end of the camp three men in yellow rain slickers experimented with one of the earth-moving machines. They didn't know who Clark was.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR MARITIME PROGRAMS

The Senate resumed the consideration of the bill (H.R. 15189) to authorize appropriations for certain maritime programs of the Department of Commerce.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. SPONG in the chair). The Senator from Washington will state it.

Mr. MAGNUSON. I assume that the pending business is H.R. 15189.

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. On page 2 of the House bill, beginning on line 16, is a committee amendment which reads as follows:

> SEC. 2. It is the sense of Congress that not later than sixty days after the date of enactment of this Act the President should submit to the Congress proposals to strengthen and modernize the United States merchant marine.

This section was placed in the committee bill prior to the time that the President sent to Congress the alternative merchant marine proposal or bill that was introduced by the distinguished Senator from Alaska [Mr. BARTLETT] and myself.

So there is no necessity for that section to be in the bill. The Senator from Michigan proposed the amendment, and before I ask for its elimination from the bill, I should like to confer with him. I expect him in the Chamber shortly.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. What will be eliminated from the bill?

Mr. MAGNUSON. Section 2, on page 2.

Mr. LAUSCHE. What does it provide?

Mr. MAGNUSON. I just read it.

> SEC. 2. It is the sense of Congress that not later than sixty days after the date of enactment of this Act the President should submit to the Congress proposals to strengthen and modernize the United States merchant marine.

Mr. LAUSCHE. And that has been done?

Mr. MAGNUSON. That has been done by the administration since we put this in the bill. But I desire to check with the Senator from Michigan, who proposed this amendment, before I ask that it be stricken. It is redundant and clutters up the bill.

The PRESIDING OFFICER (Mr. SPONG in the chair). The Chair invites the attention of the Senator from Washington to the fact that, in accordance with the previous order, the time is controlled, beginning at 2 o'clock—20 minutes to a side.

Mr. MAGNUSON. That is on the Williams amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the committee amendment be withdrawn.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. I might say, for the RECORD, that we have conferred with the Senator from Michigan.

Mr. President, I know that the Senate regrets that the distinguished senior Senator from Alaska [Mr. BARTLETT] cannot be present today. He is in the hospital, and we all hope he will leave the hospital as soon as possible. He held lengthy hearings on this authorization bill, and were he present, I am sure he could describe the situation much better than I can. I simply wish to make clear that the distinguished Senator from Alaska is not present because of his illness.

AMENDMENT NO. 846

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Ohio [Mr. LAUSCHE] and myself, I call up amendment No. 846.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read the amendment, as follows:

> On page 1, line 10, strike out "$237,470,000" and insert in lieu thereof "$119,800,000," and on page 2, line 6, strike out "$11,000,000" and insert in lieu thereof "$6,700,000."

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes.

The purpose of this amendment is to roll back the authorizations provided in this bill by $121,970,000, or to the exact amount requested by the administration.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. The administration witnesses who testified on this bill before the committee stated that this was all that was needed. Certainly, at a time when we are having difficulty in meeting the bills of the Government, at a time when we are proposing that the 1969 budget be reduced by $10 billion in appropriated authority and by $6 billion in spending authority, it is not the time to double the amount of an authorization as proposed by the committee bill.

On the construction differential subsidies the administration has asked for only $119.8 million. The committee increased that amount by $117,670,000, to a total of $237,470,000.

Likewise, they increased the second item from $6,700,000, which was the amount requested, to $11 million. The second item was for the expenses necessary for research and development activities of the merchant marine.

This is an area in which we can accomplish combined reduction of approximately $122 million.

It is interesting to note that the House, by a point of order, rejected the same proposed increase when it was offered on an appropriation bill just last week. I cannot conceive of the Senate's refusing to adopt this amendment.

As the Senator from Ohio pointed out earlier in his discussion, since 1936, we have already subsidized the American merchant marine on construction subsidies alone in the amount of $2,316,000,000.

Mr. LAUSCHE. Mr. President, may we have order? Others on the floor are speaking, and they can be heard more easily than the Senator who has the floor.

The PRESIDING OFFICER. The Senate will be in order. Attachés will leave the Chamber.

Mr. WILLIAMS of Delaware. Over the years we have subsidized ship construction in the amount of $2,316,000,000; another $920 million has been paid in the operational subsidies, plus $52 million more for the reconstruction of ships. In addition, we have the subsidy whereby under Public Law 480 they are forced to use 50 percent American bottoms; then there are the special tax incentives which are allowed.

I can not believe there will be much objection to this amendment, and until I hear some I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement by the distinguished Senator from Alaska [Mr. Bartlett] on the maritime authorization bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Bartlett

The purpose of this bill is to authorize appropriations for the Maritime Administration program pursuant to Public Law 90–81 enacted in the First Session of the 90th Congress.

The Maritime Authorization Bill as requested by the Department of Commerce would have authorized a total of $344,856,000 for the acquisition, construction and reconstruction of vessels, payment of obligations incurred pursuant to operating subsidy contracts, research and development expenses, reserve fleet expenses, operation of the Merchant Marine Academy at Kings Point, New York, and financial assistance to State Marine Schools. The pending bill as passed by the House of Representatives and reported favorably by the Senate Commerce Committee has increased the authorization requested of $344,856,000 to the sum of $466,961,000. The major item involved in this increase is an increase in ship construction funds from $119,800,000 as requested by the Department of Commerce to the sum of $237,470,000. The bill as passed by the House of Representatives and reported by the Senate Commerce Committee would also increase the funds requested for research and development from $6.7 million to $11,000,000 and increase the funds for financial assistance to State Marine Schools from the request figure of $1,900,000 to $2,035,000.

An analysis of the record will show that the recommended increases are conservative in light of the known needs of our merchant fleet. The needs of our fleet have been accumulating at a most disturbing pace, particularly in the area of ship construction and research and development. This is well illustrated by the fact that the Maritime Administration recommended that the appropriation for Fiscal Year 1969 for ship construction be $388,045,000 to build some 30 new ships. Of course that figure was trimmed to $119.8 million by the time the Bureau of the Budget cleared the request bill for submission to the Congress.

The amount of funds for ship construction requested by the Administration is clearly inadequate. Even the witnesses at our hearings on behalf of the Administration admitted that it was impossible to comply with the demands of existing laws if the level of funding was that requested by the Administration. Specifically, in response to a question propounded at the hearing the Maritime Administrator reluctantly agreed that the request bill did not represent a "reasonable, appropriate and proper effort to fulfill the mandate of the 1936 Merchant Marine Act," by maintaining a U.S. flag Merchant Marine adequate for national defense and sufficient to carry a substantial portion of our water-borne commerce. The 1936 Merchant Marine Act is the law of the land. The funds recommended by the House of Representatives and the Senate Committee on Commerce represent the very minimum effort that must be made in order to comply with the requirements of the 1936 Merchant Marine Act.

If ship construction funds are appropriated and spent in the amounts recommended in the pending authorization bill we will be able to build some 27 merchant vessels rather than the 10 which would be the maximum allowed under the request bill. I would point out that there is pending legislation before the Senate Commerce Committee which would among other things authorize the building of up to 40 vessels per year and that legislation of which I am a co-author is considered merely the beginning of the necessary revitalization effort that must be carried out if we are to regain our rightful place upon the seas.

However, we are all mindful of the severe strain on the budgetary dollar. We cannot, however, afford to cut corners where defense and economic considerations demand priority. It is clear that the Senate Commerce Committee and the entire House of Representatives have concluded that the appropriate priority required for our merchant fleet is represented by the pending bill, and the amount of funds recommended therein. I strongly urge the Senate to approve the pending measure.

Mr. MAGNUSON. Mr. President, pursuant to legislation enacted in the first session of the 90th Congress, the Senate is called upon for the first time to enact authorizing legislation as a precondition to enacting an appropriation bill for programs of the Maritime Administration—that is, an authorization bill.

As a cosponsor of the legislation passed last session establishing the authorization requirement for the Maritime Administration, I firmly believe that the authorizing process will be of substantial benefit to an enlightened and increased effort on behalf of the U.S. merchant marine. Surely, at no time in the history of this Nation has such an effort been more clearly required.

I have served Congress for a number of years, and during each of those years I have had a special interest in and concern for the strength of our merchant fleet, largely because all the legislation has come from the Committee on Commerce, of which I am a member and am presently chairman. Although I have long advocated a strong merchant marine as an essential economic and defense attribute of our Nation, I have watched with amazement and concern as the merchant fleet has time after time been neglected and often rejected outright when it came to receiving necessary support from the Federal Government, in carrying out the distinct provisions of the Merchant Marine Act of 1936. That is still the law of the land.

While this Nation's production of goods and services has expanded in a most awesome fashion, and while our trade with foreign nations has grown at a fantastic rate, our merchant fleet, upon which we depend to carry our goods and services throughout the world, has dwindled.

In times of conflict we have always relied upon the merchant marine as the fourth arm of national defense. No one can forget the vital and important role played by our merchant marine in World War II and in the Korean conflict. And, of course, in spite of statements made a few short years ago by some defense experts, the plain, hard, cold facts disclose that the merchant fleet has carried some 95 percent of all cargoes to Vietnam. So it is literally the fourth arm of national defense. In order to carry out the Vietnam sealift, we have had to break 170 old rustbuckets out of the national defense reserve fleet.

"Rustbuckets" is really a kind and generous description of the vessels for they are all of World War II vintage. Our reserve fleet is so depleted now that of the cargo vessels left in the fleet only 37 of them will be floating 3 years from now. Whether they could even be used is in doubt.

There can be no dispute about the decline of our merchant marine. We are now carrying only 5.6 percent of our foreign waterborne trade. We are now rated 16th in the world's shipbuilding statistics. While the world fleet has increased by 61 percent in the last 15 years, our privately owned fleet has decreased by 24.5 percent.

These other fleets are subsidized in one way or another by their governments. We have only about 850 ships under the U.S. flag, and at best only 100 of them could be considered modern or be capable of sustaining speeds of 20 knots or more. By 1975 most of the ships in the national defense reserve fleet will be 30 to 35 years of age, clearly obsolete and practically useless. The average age of the privately owned U.S.-flag fleet is about 20 years. That is considered the maximum useful life generally for merchant vessels. And the Government-owned fleet consisting of the national defense reserve fleet and vessels under operation by GAA and the Bureau of the Budget have an average age of some 24 years. In short we are facing block obsolescence of our fleet because it consists overwhelmingly of World War II vintage vessels that can no longer make the grade, carry our cargoes, or serve our maritime needs.

The unsubsidized tramp fleet cannot replace its World War II built vessels at a cost that makes replacement feasible. As such, in a few short years we will probably no longer have a tramp fleet operating, even though over 70 percent of its total general cargo capacity is in Government service carrying vital supplies to Southeast Asia.

The maritime authorization bill pending before the Senate would allocate $237,450,000 for ship construction, acquisition, and conversion. This is the very least that we can do and that needs to be done. I, for one, would advocate doing even more and I know that I am not alone in my conviction on this matter. There is presently pending in the House and in the Senate omnibus maritime program bills authored by Senator BARTLETT, Senator BREWSTER, and myself in the Senate and Representative GARMATZ and Representative DOWNING in the House of Representatives that would among other things authorize a minimum of $300,000,000 a year for each of the next 5 years for construction subsidy. We have been holding hearings and working on refinements for our program. But we cannot afford to wait until new maritime legislation is on the books. The economy and security of the United States is dependent upon having new ships constructed for operation under the U.S. flag, and not under other flags.

The situation is getting so bad that the fleets of Nicaragua and Panama are larger than the American fleet. We have gotten to the point where we carry only 5.6 percent of our total imports and exports.

Some 3 years ago President Johnson stated that he would offer a new merchant marine program to the Congress. That program was received 2 weeks ago and it is, in my opinion, and also in the opinion of most of the members of my committee with one or two exceptions——

Mr. LAUSCHE. Yes, very definitely.

Mr. MAGNUSON. I said "with one or two exceptions"—it is a most deficient and shortsighted proposal. At this critical juncture in the history of our merchant marine the administration proposal advocates a lessening of our commitment to the merchant marine. I believe the administration proposal is invalid and based upon unsound principles and a lack of understanding of the vital role played by the merchant marine. The maritime authorization bill before the Senate today would authorize construction differential subsidy in an amount less than that proposed in the legislation now pending before the House and Senate committees to provide a strong merchant marine program. There is no question in my mind that the Congress of the United States will reject a recommendation which would call for lessening of our effort in this vital area. This is well illustrated by the action of the House Appropriations Committee which just last week reported to the House an authorization bill for the Maritime Administration containing $245,000,000 for ship construction, a sum even greater than that contained in the pending authorization bill. While the House appropriations bill was subject to a point of order because the authorization bill—and this is the bill we are working on now—had not received final action there is no question in the attitude and conviction of the House in providing the funds necessary to begin revitalization of the merchant marine. I imagine they are not going to change their minds.

This is in no way a failure to take cognizance or give due consideration to the administration proposals for the merchant marine. There are no new ideas in that proposal. It is nothing more than a warmed-over version of the interagency task force report which was soundly rejected a few years ago.

I strongly urge my colleagues to give favorable consideration to the bill before us. I am mindful of the budget limitations forced upon us by the economic conditions now prevailing and because of our commitment in Southeast Asia. I am well aware also of the vast demands upon the Federal budget dollar to correct and enhance various domestic programs which are so widely needed in our society. I believe I have been a strong and vigorous voice in support of these domestic programs and I shall continue to endorse and to fight for expanded efforts on the domestic scene. However, it is my sincere belief and firm conviction that the revitalization of the American merchant marine is deserving of considerable priority. The pending bill, in my opinion, reflects the appropriate priority for the merchant marine in this critical hour of our fleet.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MORSE. Mr. President, I rise to support every word the distinguished Senator from Washington has spoken in opposition to the amendment offered by my good friend, the Senator from Delaware [Mr. WILLIAMS].

I wish to add this comment. We are in a very serious situation in regard to our shipyards in this country, both on the east coast and on the west coast. However, I speak in regard to the deplorable situation on the west coast. We are suffering from the unfair competition of the Japanese shipyards, where the wage rates are abominably lower than ours.

The situation which the distinguished Senator from Washington has pointed out is very true. We need construction in our shipyards to maintain the American-flag merchant marine.

The Senator from Washington [Mr. MAGNUSON], the Senator from Wisconsin [Mr. PROXMIRE], I, and a few other Senators, fought a fight on the floor of the Senate a few months ago to protect our shipyards from the unfair competition of the British shipyards in regard to building some minesweepers. The British were not even the low bidders and yet the U.S. Navy proposed to give the contract to the British shipyards. We succeeded in getting the Navy action set aside, and the whole matter is to be reconsidered.

With respect to the balance of payments, I am at a loss to understand why we would follow a deliberate course of action to increase the problems of our balance of payments, which is exactly what we are doing when we permit so much of the merchant marine to be built in foreign shipyards.

As far as our west coast shipyards are concerned, unless we come to their assistance, we are going to find more and more of them are going to have to close down because they cannot meet this foreign competition. We had better take steps necessary to protect our own domestic economy and stop permitting ship construction abroad, which is not only doing great damage to the construction of the merchant marine under our flag but also doing great damage to the economy of our country. I do not think this is the place to make the budget cuts. The Senate knows where some of the savings should be made. This is not one of the places. The cuts should come out of the non-Vietnam-connected defense budget of more than $80 billion. If we support the committee here today with the funds proposed—and, as the Senator says, there has been some reduction even in this report—we will be striking a blow not only to strengthen the economy of the entire country but we will also be making available and giving a greater economic guarantee to the shipyards of the country which are so vital to the defense of our country in time of national crisis.

Mr. MAGNUSON. Mr. President, continuing along the line of what I have been saying, I want to quote from the statement of a very distinguished Republican, the Senator from Illinois [Mr. DIRKSEN], in his article entitled "A Senator's Notebook," as to one of the reasons we should do this:

> We rank 14th as builders of ships.
>
> When we were a new nation of 13 states, we were a truly maritime nation.

He points out another factor, which is even worse:

> Of all the petroleum brought to the United States from the foreign oil areas of the world, U.S.-flag tankers carry only three per cent of the total. Our waterborne commerce has increased by 31 per cent or more in the last six years, but our ship capacity has increased by only four and one-half per cent.

He also states—and this is important:

> We must then ask ourselves, if in spite of such conditions of economics, we want to maintain an American merchant marine that comports with the prestige and the commerce of this country. Do we want to make certain that in time of international difficulty we will have an adequate merchant marine? Should we use public funds to subsidize it?
>
> The answer must be, indeed, yes.

Mr. President, I ask unanimous consent to have the entire article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SENATOR'S NOTEBOOK

(By EVERETT MCKINLEY DIRKSEN)

What do we Americans want to do about the sad state of the out-of-date, lagging United States merchant marine?

Here is a mighty country with power and richness unsurpassed, whose ports ship and receive goods and products to and from everywhere on the globe. You would think, then, that our merchant fleet would also be unsurpassed. Well, it is not.

During World War II it was the largest merchant fleet in the world. Where do you think we rank today in world ship construction? The Soviet Union, Japan, Germany, Great Britain, France, among others, are outsailing us and outbuilding us. We rank 14th as builders of ships.

When we were a new nation of 13 states, we were a truly maritime nation. Ocean commerce was brisk and our merchant sailing vessels navigated all of the Seven Seas. When pirate ships and the ships of other nations harassed or attacked our oceangoing commerce, American fighting ships hunted them down and put an end to it and we were respected. Substantial shipyards developed along the eastern coast and the whole nation was enriched by our maritime success.

Now look at us. Although the operations of the various American oil companies in foreign fields are enormous and require a huge fleet of tankers, and although our Navy must be supplied wherever it may be, the American merchant tanker fleet now averages about 15 years of age per tanker. It is the oldest tanker fleet in the world.

Of all the petroleum brought to the United States from the foreign oil areas of the world, U.S.-flag tankers carry only three per cent of the total. Our waterborne commerce has increased by 31 per cent or more in the last six years, but our ship capacity has increased by only four and one-half per cent. There is an overlying reason for those melancholy facts, and that is the matter of cost.

It has been said that because of low labor costs abroad, three ships can be built in a foreign yard for the price of two in the United States. The result is that enterprises here at home can receive a subsidy from the federal government when they build vessels here that have installations of certain defense facilities. But only 13 vessels will be built in American shipyards this fiscal year. All of them must be subsidized.

There is the problem of the cost of operating American ships. By law our ships must hire a substantial percentage of American seamen. Foreign-flag vessels, by and large, can sign on anybody available in the seamen's market—Filipinos, Chinese, East Indian lascars—at lower wages and with lower living standards aboard ship. Their shipowners, therefore, can quote cheaper rates to shippers everywhere.

We must then ask ourselves, if in spite of such conditions of economics, we want to maintain an American merchant marine that comports with the prestige and the commerce of this country. Do we want to make certain that in time of international difficulty we will have an adequate merchant marine? Should we use public funds to subsidize it?

The answer must be, indeed, yes.

Mr. MAGNUSON. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Washington is recognized for 3 minutes.

Mr. MAGNUSON. Mr. President, the Williams amendment would reduce ship construction funds from the $237 million to the request figure of $119 million.

The $237 million figure was approved by the House of Representatives and the Senate Commerce Committee.

The request figure would allow construction, at the most, of 10 vessels, while the figure reported by the committee, and passed by the House, would allow the building of some 25 to 30 vessels.

The best estimate we can get from the most conservative people involved is that we need to have about 41 to 45 vessels a year in order to keep the merchant marine alive, which today is accounting for only 5.6 percent of our exports, which is contributing to our balance-of-payments deficits. Because of that, this would allow 10 vessels at the end of fiscal 1969. We would be 43 ships behind in the conservative estimate, in subsidized operation, and contractual replacement programs, which is our duty under the 1936 act. That has not been repealed yet that I know of.

If the budget request figure of $119 million is adopted, at the end of the next fiscal year we would be 66 ships behind, what the act says we should do, let alone doing some more, in considering the economic growth of foreign trade and the probable balance-of-payments deficit.

We now have less than 100 modern ships in the fleet.

Again I point out that we carry only 5.6 percent of the total waterborne commerce of the world so that would mean we would be not only 66 ships behind—and one does not build a ship overnight—but it would also mean, by the end of the next year, that we would probably be 99 or 95 ships behind, and from 5.6 percent we would go down to practically nothing, carrying hardly any of our export-imports on ships flying the American flag.

The amount we are talking about is the cost of one warship. I do not like to make comparisons. Warships are needed, of course, but when the fourth arm of defense carries 90 percent of cargo in the ships of other countries, it seems to me it is worth as much as one warship.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. GRIFFIN. Mr. President, in reporting this martime authorization bill to the Senate, our committee has in effect endorsed the funding provisions adopted by the House.

In doing so, the committee concluded that the Nation can no longer ignore the accelerating—and ultimately costly—decline of the merchant marine.

Of course, the pending bill must be deemed provisional in nature. For hearings are now underway, in both the House and the Senate, looking toward development of a new maritime program.

The plight of our obsolete merchant marine has been well documented in numerous studies undertaken within and outside of the Government since 1965.

There is general agreement that existing policies have failed to encourage the maintenance of a healthy, competitive maritime industry.

But it has not been possible to reach a consensus on all aspects of a new revitalization program.

For more than 3 years, the administration, concerned Members of Congress, as well as affected companies and organized labor have been grappling with this problem. Last year, the Merchant Marine and Fisheries Subcommittee, on which I serve as ranking minority member, held a series of lengthy background hearings on all phases of our national maritime policy.

Subsequently, the chairman of the full committee, the distinguished Senator from Washington [Mr. MAGNUSON], introduced S. 2650, setting forth a proposed new maritime program.

And on May 20, the Secretary of Transportation presented a comprehensive set of new proposals, many of which differ substantially from earlier administration plans and from the provisions of S. 2650.

The stage has been set for decisionmaking.

But, unfortunately the authorization bill before the Senate today is not a new beginning; it does not chart a new course for our merchant marine. Rather, it represents merely a temporary holding action.

The second point I wish to stress is that adequate funding is not the sole answer to our old and inefficient cargo fleet. While this industry will continue to require some Government support, it is clear that a major overhaul of regulatory and subsidy practices is needed.

While I support enactment of the measure before us, I do so with the expectation that the Congress will, as it must, cut through the bickering and controversy and move ahead toward a new maritime program in the national interest.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Delaware has 14 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. I thank the Senator from Delaware.

Mr. President, it is a fact that the merchant marine of the United States is deteriorating, but it is deteriorating because the U.S. Government has been giving it an opiate. It has been giving it a drug and not allowing it to develop on the basis of competitive operations with other industries in this country. The merchant marine of the United States has been given extraordinary milk-and-honey treatment by the Government. We give the merchant marine of the United States aid that we do not give to any of the other industries in the whole country. We subsidize the operations of the merchant marine. We subsidize the building of the ships of the merchant marine. We subsidize the reconstruction costs of the merchant marine.

We give them special tax privileges. We require their ships to be used in the transportation of food under Public Law 480. Everything has been done to strengthen the merchant marine in the United States. We have expended in direct subsidies, since 1936, $4 billion in helping this industry compete with the world. We do not allow our carriers to buy ships in foreign nations. We make them buy them in America. Russia buys 30 percent of its ships from foreign countries. Norwegian shipowners buy over 80 percent of their ships abroad. The countries of the world buy their ships in the markets where they are obtained at the lowest prices.

Russia buys them in foreign countries. But the merchant marine of the United States says, "Do not buy two ships in Germany, England, or Japan, for the same money that you can buy one in the United States. Buy them all in America."

I repeat what I said earlier today: Here we have the finest example of what a Socialist government does. Our Government is giving an opiate, a drug, to the merchant marine of the United States. We are telling it, "Do not sharpen your strength, regardless of what you can do. The taxpayers of the United States will provide money for you in the financing of the passenger fleet and the cargo-carrying fleet."

I want the taxpayers to listen to this: We have 13 ships sailing on the Atlantic and Pacific Oceans. To those 13 ships, the taxpayers give $50 million a year. That is a subsidy of $275 for each passenger carried.

"Shame" is all that you can say about it as far as the ordinary taxpayer is concerned.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Delaware has 9 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 4 minutes.

The argument has been made that the merchant marine flying the American flag is declining in importance as compared with the other nations of the world. That is true. But why? It is also pointed out that when we were a new nation we had a much stronger merchant marine. At that time we were not subsidizing our merchant marine, either. Maybe this industry has been oversubsidized, as suggested by the Senator from Ohio. Perhaps it has relaxed and is not operating as efficiently as it should. The more we increase the subsidy it seems, the more our merchant marine declines.

It was stated here today that Panama and Nicaragua have a larger merchant marine sailing under their flags than does the United States, but I point out that the bulk of those ships are owned by Americans and are merely flying the flags of those countries. Why? Because they can operate with cheaper labor and because they get tax advantages in those countries. But they are American-owned ships.

As to how much this proposal will affect the American economy, I point out that we expect to close this year with a $20 billion deficit. It is estimated that we will close next year with a $28 billion deficit, assuming that we take no action toward increasing taxes or cutting spending. Certainly, confronted as we are with a $2 billion-a-month deficit something has to be done, and when we start reducing expenditures we are going to have to touch programs which are sensitive to some of us.

The bill before us, instead of cutting back, proposes to double the authorization which was requested by the Executive. Next week the House will be acting on the conference report on the tax bill which has already been approved by the Senate. In this tax bill we make it mandatory that in 1969 there be a $8 billion reduction in expenditures and that in 1969 there be an overall reduction of $10 billion in new obligational authority. We also require that at the end of this year the President submit to Congress a suggestion for eliminating another $6 billion from existing obligational authority. We are telling the President that Congress wants $16 billion reduced in our long-range obligational authority and that we want a $6 million reduction in actual expenditures for 1969.

Yet when we act on each new program some one always argues, "This one is sacred. Do not touch this program. We will cut somewhere else." It is about time that as Members of the Senate we asked ourselves where we are going to cut this spending. Certainly we must cut programs that will hit my State as well as States of other Senators. This amendment merely holds the line against ever-expanding increases.

Certainly the Senate will overwhelmingly approve the amendment.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Delaware has 5 minutes remaining to him.

Mr. WILLIAMS of Delaware. First I yield 4 minutes to the Senator from Massachusetts [Mr. BROOKE]. Then I will yield briefly to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROOKE. Mr. President, as a Senator from a maritime State, I am fully aware of the significant contribution which the merchant marine has made to the well-being of this Nation. A strong merchant fleet has long been a cornerstone of our economic strength and of our military preparedness.

No one has been more distressed than I at the steady decline which this important arm our our national economy has suffered in recent years. Where once American shipping literally dominated the seas, it is now reported by the shipping industry that no less than 93 percent of our foreign trade is carried in foreign-flag vessels. Such conditions have a definite impact upon our balance-of-payments problem, for certainly some of the funds which are expended on leasing foreign transportation facilities could and should be spent to provide jobs and income for American seamen. An important deterrent to our ability to transport our own products is certainly the age of many of our ships. According to the committee of the American Steamship Lines, more than 100 American ships are slated to reach 25 years of age in this year alone. Their projection for 1969 is 211 ships, and for 1970, 228 ships. Since ships are generally regarded as obsolete after 25 years of service, these figures make it very clear that the shipping industry is facing a crisis of major proportions.

But, Mr. President, our entire country is facing a crisis of major proportions. The shipping industry is not alone in the obsolescence of its equipment or the inadequacy of its program. The poor of this Nation are underfed, ill housed, and unemployed. Yet the Department of Health, Education, and Welfare has cut back on all new obligational funding for hospitals, schools, and research programs. Why then should the merchant marine have its research allocation nearly doubled? The Congress appears reluctant to allocate an additional $25 million to further the Headstart program for children whose education is more than obsolete, is indeed basically irrelevant. Why then should we be willing to vote well over $100 million more than even the administration requested to build merchant ships?

In this time of fiscal as well as social crisis, I believe that our national priorities demand that we put the immediate welfare of our people ahead of a number of other worthwhile but less critical programs. I do not suggest that improvement of our merchant marine should be postponed indefinitely. We are, by tradition and by necessity, a seagoing Nation. The caliber and efficiency of our ocean transport must be improved. But such improvements should not take precedent over critically needed funding for social welfare.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BROOKE. I ask for 2 minutes.

Mr. WILLIAMS of Delaware. I do not have that much time. I yield the Senator half a minute, and then I will yield briefly to the Senator from Oregon.

Mr. BROOKE. The maritime authorization bill, as reported from committee, would make possible the allocation of $122 million more than was originally requested by the administration. It would make possible the construction of 27 ships, or nearly three times the number originally planned for by the Department of Commerce. Unobligated funds already available for this purpose total $103.3 million. With the proposed increase of $117.6 million, the total amount available for construction and modernization would be $340.7 million, or only $4 million less than the total requested by the administration for the entire bill.

While I agree both in principle and in practice that our merchant marine should be modernized, I seriously question the advisability of adopting such provisions at this time.

The authorization requested by the executive branch, together with the unexpended funds already available for ship construction, will certainly sustain an adequate building program until the present extreme pressures on the budget are relieved. When the heavy burdens in Vietnam are eased, and we all pray that they will be eased in the near future, there will be ample time to increase the authorization for the purposes which this legislation is designed to promote. But today, when a majority of Congress is calling for reallocation of Federal expenditures to our critical domestic priorities, when a majority of Congress is calling for a tax increase and a total reduction of several billion dollars in the Federal budget, is not the time to expand the maritime authorization. For this reason I strongly urge that the amendment of the Senator from Delaware be adopted.

Mr. WILLIAMS of Delaware. Mr. President, I yield the Senator from Oregon [Mr. MORSE] one-half a minute. First, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, the proposal of the Senator from Washington has been attacked on the ground that it is a subsidy.

Mr. President, there is nothing wrong with a subsidy if it strengthens the economy, and if it results in increasing the ability of a large segment of our economy to pay greater taxes, which this will do.

We subsidize railroads, we subsidize airlines, we subsidize farm programs, and we subsidize small business. Those subsidies are necessary to keep the economy strong. This is one of the soundest subsidies we have, and I hope the amendment will be rejected.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Delaware. On this vote, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the distinguished Senator from Maryland [Mr. TYDINGS]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. TYDINGS] is absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from New Mexico [Mr. MONTOYA], are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY], would vote "yea."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Alaska [Mr. BARTLETT]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Alaska would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Wyoming [Mr. HANSEN], the Senator from Oregon [Mr. HATFIELD], and the Senator from Texas [Mr. TOWER], are necessarily absent.

If present and voting, the Senator from Illinois [Mr. DIRKSEN] and the Senator from Texas [Mr. TOWER] would each vote "nay."

If present and voting, the Senator from Illinois [Mr. PERCY] would vote "yea."

The result was announced—yeas 48, nays 32, as follows:

[No. 183 Leg.]

YEAS—48

Aiken
Allott
Baker
Bayh
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Gore
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
McGovern
Miller
Monroney
Morton
Moss
Mundt
Pastore
Pearson
Proxmire
Randolph
Russell
Smathers
Stennis
Symington
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—32

Anderson
Brewster
Byrd, Va.
Dodd
Fannin
Fong
Griffin
Gruening
Harris
Hart
Hill
Inouye
Jackson
Kuchel
Magnuson
McGee
McIntyre
Metcalf
Mondale
Morse
Murphy
Muskie
Nelson
Pell
Prouty
Ribicoff
Scott
Smith
Sparkman
Spong
Talmadge
Williams, N.J.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mansfield, for.

NOT VOTING—18

Bartlett
Carlson
Clark
Dirksen
Fulbright
Hansen
Hartke
Hatfield
Hayden
Hollings
Kennedy
Long, Mo.
Long, La.
McCarthy
Montoya
Percy
Tower
Tydings

So the amendment (No. 846) of Mr. WILLIAMS of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. COOPER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RELIEF OF GILMOUR C. MacDONALD, COLONEL, U.S. AIR FORCE (RETIRED)

Mr. McCLELLAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 10932.

The PRESIDING OFFICER (Mr. SPONG in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force, retired, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCLELLAN. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MCCLELLAN, Mr. HART, and Mr. FONG conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

ORDER OF BUSINESS

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. MAGNUSON. Is the Senate still considering the maritime authorization bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Rhode Island will state it.

Mr. PASTORE. Is the Senate still operating within the period of germaneness?

The PRESIDING OFFICER. Yes; the Senate is still within the 3-hour period, which will last until 3:30.

Mr. PASTORE. I should like to make a statement for about 5 minutes on a matter not related to the bill.

Mr. MAGNUSON. There was a time limitation on the Williams amendment, but there is no limitation on the bill.

The PRESIDING OFFICER. The Chair will state that the only agreement as to time related to the amendment of the Senator from Delaware.

Mr. MAGNUSON. The Senator from Rhode Island, then, can ask to have the floor.

The PRESIDING OFFICER. The Senator is correct.

GUN CONTROL

Mr. PASTORE. Mr. President, I have just returned from a heartbreak weekend at home. I feel impelled to tell Senators that I have never found citizens of Rhode Island more saddened or more disturbed. They are indignant over the failure of Congress to pass a strict gun-control law. I cannot say how many people I met at church on Sunday who talked only about a strong gun-control law.

Already, three or four petitions have been passed through my front door, petitions drawn by sincere, well-intentioned citizens who feel that Congress needs to be petitioned to do something about gun control.

Mr. President, the matter is very, very serious. I do not believe there is a man or woman in Rhode Island who wants to deny to any citizen the right lawfully to possess a gun. But what they are disturbed about is that many guns are getting into so many wrong hands, and it is believed that something ought to be done to cure the condition.

The President has spoken out on the subject half a dozen times. On the plane coming down from Rhode Island, I read in the New York Times an article to the effect that the minority leader [Mr. DIRKSEN] has said that there is not a ghost of a chance that such a gun bill will pass at this session.

Regrettably, I also read a statement by the majority leader, who takes the position that any gun law will not prevent anyone from being shot. We all understand that. We understand that we cannot pass a law that will be a panacea and cure all our ills. We understand that completely. As long as we have guns, somebody is going to use them and somebody is going to get killed, whether it be by accident or by savage intent.

What we are trying to do is to require these guns to be registered in such a way that the Government and the police authorities will know that these guns are not in the wrong hands. That is all we are trying to do. We are not trying to impinge upon anybody's constitutional rights. We are not trying to stop anyone from lawfully buying a gun if he feels he must have it. But I cannot understand why it is wrong to know where these guns are.

If one owns an automobile, he must register it, so that if there is an accident, people will know the identity of the owner. Our legal history is replete with regulations that many of these things must be registered.

I regret that some very well-intentioned people—I am speaking now of the sportsmen in this country—have taken a very strong position against gun legislation. I repeat that no one wants to hurt them. No one is going to prohibit them from owning or buying a gun.

All we are saying is that in view of what has happened in our society, let us do everything we can to keep these guns out of the hands of gangsters—savages and the unbalanced. I know we cannot stop it completely, but certainly we can slow it down.

It is my fervent hope that Congress will pay attention to this need and consider this bill. If the committee does not choose to do so—and I have the highest affection and respect for my distinguished colleague who is the chairman of that committee—I believe it should be attached as an amendment to the first bill that is reported by the Committee on the Judiciary and Congress should be given another chance to vote on this matter.

A President was shot within a matter of a few years—November 22, 1963. Within the week his brother was shot. A few weeks ago, Martin Luther King was shot. Three savage and senseless acts that shock humanity.

The use of guns has become too promiscuous. In my own State we have just had a killing on the part of certain gangsters. And the pattern is nationwide. The situation is deplorable, and something should be done about it quickly.

We should not hurt anyone in his personal rights, but for once let us think of the public interest and let us think of the public safety.

I congratulate the Senator from Connecticut and the Senator from Maryland. I am proud to be a cosponsor of the bill, and I hope that serious consideration will be given to the bill.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. METCALF. Mr. President, in justice to the majority leader, my distinguished colleague from Montana, I believe it should be pointed out that he suggested that there be a registration of guns at the State level.

The Senator from Rhode Island drew an analogy with automobiles. There is registration of automobiles at the State level and not at the Federal level.

All of us agree with the Senator from Rhode Island, the Senator from Connecticut, and the Senator from Maryland, and many others, that there are abuses. The bill that we passed prohibits the sale of handguns. We say that handguns should be prohibited. The only use they can have is to kill people.

In Montana, in Wyoming, and in other States in that part of the country, we use rifles and shotguns for legitimate hunting enterprises.

I have never been approached by a member of the National Rifle Association. I have only been there once, as a Member of Congress, to view its exhibit. Local affiliates of the National Rifle Association conduct a hunter safety program in the State of Montana that is one of the finest programs in the State.

In Montana we have contempt for the assassin, for the sniper. We call them "dry gulchers." We have taught the people of Montana to have contempt for them. Television and its violent programs have taught people that guns are things with which to kill people. In Montana we do not consider guns as things with which to kill people. We consider a gun as something with which to kill antelope, elk, moose, predators, and game birds.

In the States I have referred to, where we have a regular arsenal of guns, we are willing to register them under the State law. We feel that the State should put registration laws into effect. We agree that there should not be handgrenades or antitank guns or any of the other exotic type of weapons. But we feel that this is a matter of State control and State regulation, and that is what the senior Senator from Montana said.

Mr. PASTORE. I realize what the senior Senator from Montana said. But until the day comes when the 50th State passes the law, I ask my colleague what essentially is the harm? Where is the deprivation of the constitutional right if a Federal law is passed with respect to that, if it is a good thing for each State to do it, until the States get around to it? What is wrong with having a Federal law?

And I say to the Senator that there is no greater nobility in the citizenry of Montana than in the people of the State of Rhode Island. Many people in Rhode Island use guns for legitimate purposes.

As a matter of fact, the gun that killed Martin Luther King, the gun that killed John F. Kennedy, and the gun that killed Robert F. Kennedy were not bought in Rhode Island. I do not know if they were bought in Montana, but they were not bought in Rhode Island. What does that have to do with the matter?

All I am saying is that at the moment, until the 50 States get around to passing a law, this is a national calamity, and we should approach it on a national level. When the 50 States get around to passing such a law, we can repeal the Federal law. But until that day, there is nothing to prevent a man from buying a gun in a State that does not have such a law and using that gun in the State of Rhode Island or in the State of Montana.

Mr. METCALF. Except title IV of the bill we just passed.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from California.

Mr. MURPHY. I thank the Senator.

Mr. President, I rise at this time to say that we should take any necessary steps to control lawlessness and disrespect for the law.

I should like to point out that in the unfortunate and untimely event which took the life of Senator Kennedy, five sections of the California Penal Code relating to concealed weapons may have been violated.

Section 12021 prohibits aliens from owning or possessing any concealable firearm. The penalty for the violation of this provision is up to 15 years of imprisonment.

Section 12022 makes it a crime, punishable by 5 to 10 years' internment, to commit a felony while armed with a firearm capable of being concealed.

Section 12025 makes it a misdemeanor to carry a concealed weapon without a license.

With certain exceptions relating to law enforcement and military personnel, section 12031 makes it a misdemeanor to carry a loaded firearm in a public place.

Finally, section 12072 prohibits the transfer of any firearm that might be concealed to any alien.

Furthermore, the licensing provisions in California are stringent. In order to carry a concealed firearm, a person must have a permit and this can only be obtained after an affirmative determination by the local law-enforcement officials that the applicant is of good moral character and after the State bureau of criminal identification and investigation has notified the local law-enforcement officials of any information it has in its possession with regard to the applicant.

Yet, Mr. President, Senator Kennedy was murdered in California by a person carrying a concealed weapon.

That is why I must say that simply the passing of another law will not necessarily cure the problem.

I recommend a careful reading of the decision of the Supreme Court yesterday which permits policemen to "stop and frisk" suspicious persons under reasonable conditions. In my opinion, this may do more to assist law enforcement and prevent crimes than the writing of further gun laws.

While many laws are in existence, many have not been properly enforced. Unfortunately, we have allowed some strange type of lawlessness—some strange insanity, if you will—to pervade our society.

I believe we must not only right the moral structure of this society but also enforce the laws now in existence, and then decide how much further we should go.

Mr. PASTORE. I agree with the Senator. But it is like talking about the Ten Commandments. Nobody disagrees with what the Senator from California has just said. I do not disagree with what he has just said. I know it would not be a cure-all. I never pretended that it would be. It will slow down violence if we make it tough for a man to own a gun, if we make it tough for a man to possess a gun, if we make it tough for a man to carry a gun around, and if we make it tough for him to buy a gun. We might slow down some of these savages who, for some reason or another, get their hands on guns and then go around killing everybody who comes in sight.

Mr. MURPHY. Mr. President, will the Senator yield for one more comment?

Mr. PASTORE. I yield.

Mr. MURPHY. I agree completely. I mentioned the Supreme Court decision because the man who commits the crime is illegally in possession of a gun in a public place, and I think if we make it possible for the police to anticipate the crime before it happens, then we will have achieved a great step toward preserving "domestic tranquillity."

Mr. PASTORE. I agree with everything the Senator has said, but I would go a step further and make sure about it. We have many criminal laws, and yet we still have criminality and we still have crime.

I have never pretended for 1 minute that we can legislate morality or that laws will stop crime. However, there can be a deterrent, and the way to get it is by a stiff law that restrains the undesirable without restricting the rights of the good citizen. We propose such a law.

Mr. DODD. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DODD. Mr. President, I asked the Senator to yield for a very brief purpose. I ask the Senator from Montana [Mr. Metcalf] if I may have his attention.

The Senator made the argument in answer to the Senator from Rhode Island that motor vehicles are registered in the States. We have a National Motor Vehicle Theft Act on the statute books. That act came about because there was a national problem. That is why we need a gun control statute, and that is why one was enacted 30 years ago. Although the statute was inadequate, its enactment constituted a recognition, even at that distant time, that there was a national problem.

I have great respect for the distinguished Senator from Montana and his people. However, I wish to point out to him that the State of Montana has the fifth highest rate of murder by gun in this country.

Mr. METCALF. Accidental homicide.

Mr. DODD. I am not talking about accidental homicides. The figures as of 1966 show a rate of 2.8 persons murdered per 100,000 population. There are approximately 700,000 people in the Senator's State. The State of Montana has not been wholly free of accidents or suicides or murders by gun, by any means. It is the fifth worst State in this country with respect to the rate of murder by gun. That is something to think about.

Mr. METCALF. Would the Senator divide that figure into actual homicides and accidental homicides?

Mr. DODD. I am talking about murder by gun. The figures, which are from the best sources in this country, show that of all murders in Montana 72 percent, were by gun. That is the fifth highest in the country.

I have done my level best for 7 long years to bring some sense to this country about guns. The Senator from Montana is one of the greatest Members of this body. He is an honorable man and a great sportsman. I know something about the many positive aspects of his record. I am simply asking the Senator to wake up and face the facts about gun control.

The statement of the Senator from Rhode Island is so true. I am grateful to him for his reference to me. However, I do not want any credit and I do not want any glory; I want an end to the "gory" in this country. I have witnessed more than enough of the gory side. And I know this is the attitude of most people. I do not wish to delay the Senate. I am trying not to get overwrought about these things. I know that my colleagues find violence or killing as abhorrent as I do.

I think the Senators who oppose gun control legislation are sadly mistaken. But I harbor no ill will because of the resistance to my proposals.

There is involved in the present situation not only guns, but also all kinds of violence.. For thousands of years man has lived under violence. I ask Senators, in good faith, let us commit ourselves to a truly nonviolent society.

I see the distinguished Senator from Arkansas [Mr. McClellan] in the Chamber, and I wish to add one further comment. I think he made a great contribution to our society in connection with the passage of the omnibus crime bill, as it is properly designated. I am glad I supported it.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. McCLELLAN. I thank the Senator very much.

Mr. METCALF. Mr. President, will the Senator yield to me?

Mr. DODD. I yield.

Mr. METCALF. I said before, and I say again that I think the Senator from Connecticut has made a contribution to the life of America in bringing out this bill, that there has been indiscriminate wholesale distribution of weapons, such as handgrenades, antitank guns, and so forth, by mail order, and that his attempt to control that practice is in the public interest and has made a significant contribution to our attempts against violence. I applaud the Senator for that.

We disagree on some minor parts of this legislation. The Senator was able to prevail in most of the provisions he wanted in the bill that was passed. I applaud the Senator for his contribution to prohibit mail-order violence and to prohibit the sale of machineguns, and so forth.

However, I would hope he would not place a great burden on the sportsmen of Montana, the sportsmen of the West, and the sportsmen of his State in this emotional field we have right now until we can see what the people of the States can do about registration, and so forth.

Mr. DODD. I thank the Senator.

Mr. MAGNUSON. Mr. President, will the Senator yield to me briefly?

Mr. DODD. I yield.

Mr. MAGNUSON. Mr. President, the Senator from Connecticut, of course, has been the strongest proponent and most active person in this field. I know of no other Senator in this field who has been more active.

The Senator will recall that when he first introduced his bill it came to the Committee on Commerce. We held some hearings and we agreed, the Senator and I, that we would send it to the Committee on the Judiciary because it involved so much of their jurisdiction. Then, when it finally came out after a great deal of trouble in the Judiciary Committee I said I favored Congress taking action and we refused to take further jurisdiction in the Commerce Committee.

Mr. DODD. The Senator's statement is correct in every respect. I would be remiss in my duty if I did not say that the Senator from Washington has been a stalwart support and a great comfort to me in trying to get something done. I know it has been a hazard for him.

Mr. MAGNUSON. Yes.

Mr. DODD. I am aware of it. I know the hazards to many Members here. I am not unmindful of the different situations in different States. I have tried to understand that. I have discussed the matter with many Senators.

However, this is a great national problem, and the problem is not only guns. The Senator from Washington is aware of this fact because he and I have talked about it. I remember the evening that I sat with him at dinner and we discussed the problem. The problem is much more than guns. But guns are a part of it.

Mr. MAGNUSON. The jurisdiction of some of the other gun bills that have been introduced have the same arrangement. But I want to assure him, and the chairman of the Committee on the Judiciary, that whenever they take up such a bill, the Committee on Commerce can act on it in 1 day.

Mr. DODD. The Senator is a great Senator.

Mr. MAGNUSON. I am convinced about the values which the Senator from Rhode Island [Mr. Pastore] talked about, from the experience I had some years ago. There was an epidemic of juvenile delinquency and they were using switchblade knives.

Mr. DODD. I remember.

Mr. MAGNUSON. The Senator will remember that. I got busy and a bill was passed which prohibited the interstate shipment of switchblade knives. Now I do not suppose we corrected everything, but——

Mr. DODD. It helped.

Mr. MAGNUSON. But I understand that there are no more advertisements of switchblade knives.

Mr. DODD. The Senator is correct.

Mr. MAGNUSON. The fact is, it has been working so well—of course, there are local laws, too, on the subject—that only four prosecutions have been necessary in all these years.

Mr. DODD. The Senator from Washington is a great Senator. That bill hit right on target. And that is all I have been trying to do with guns. I have never said that we would stop all crime by guns. But it will help. That is what the Senator did with switchblade knives.

We have to do the same thing in 100 other areas.

With so many of our television programs featuring beatings, sadism, and brutality, how can we expect to show that stuff to our children and then have a generation of young boys and girls not committed to violence? That is one of our grave problems.

I tried to get something done about that, but I was talking to myself, apparently.

I wish all Senators would give thought to this problem. There is no glory for me in this any more. But there is glory for the Senate if it will pass a sensible gun control bill—at least, strengthen the measure on which we acted last week. That is all I hope to do.

Mr. LAUSCHE. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. LAUSCHE. Mr. President, yesterday, I joined the Senator from Connecticut in his objective to procure the passage of a gun control bill which will contain firmer provisions than the one the Senate passed several days ago. I was an original cosponsor of the first bill introduced by the Senator from Connecticut [Mr. DODD] on the subject of gun control.

Now I have a few thoughts I should like to express. Today, there has been manifested on the Senate floor what seems to be tremendously needed and will be helpful to the people of this country to eliminate the lawlessness now prevailing.

There are three branches of Government in this country. First, the legislative branch, which today, at this very moment, is pointing out some of its own weaknesses in dealing with the need to procure performance with law and order.

Yesterday, the Supreme Court of the United States revealed that its conscience was pricked a little bit, because it abandoned many of the precepts it has been advocating over the past 10 years. The voice of the people evidently finally reached into the chamber of the Supreme Court of the United States and into the private office of every one of its members.

In my judgment, the death of Robert F. Kennedy caused the Justices, hoping to sleep peacefully in the lateness of the night, to come to the realization that their pronouncements over the past decade have, indeed, been encouragement to the criminal and discouragement to the innocent citizens of our country.

This morning, I was amazed to read that the Supreme Court declared a policeman, under circumstances indicating the grave possibility of a commission of a crime, has the right to frisk a citizen so suspected.

Let me say to the Senator from Connecticut that today what we are saying well reflects what is needed from Congress. What the Supreme Court said in its decision yesterday well reflects what should be the thinking of the Supreme Court; namely, more attention to the innocent citizen and less attention to stretching the meaning of the Constitution and giving criminals privileges never intended by the writers of the Constitution.

The legislative branch is now speaking. My hopes are that the judicial branch, when it spoke yesterday, will continue speaking in the light of interpreting the Constitution according to the wishes of the men who wrote it.

I now come to the third branch of Government—the executive. If we are to bring about obedience to law and order, we must reawaken the conscience of the people to the fact that democracy cannot survive unless there is compliance with law and order, and that requires the coordinated activity of all three branches of Government.

In the executive branch lies the final solution of all that can be done. Encouragement came to me when I read that the Attorney General of the United States, Ramsey Clark, stated that there must be vigor in the enforcement of law and order. This is the first time he has spoken that way since he has occupied that high office.

Until now, he has believed in coddling. He has believed in yielding. He has been afraid to meet face to face with the problem of whether anarchists and insurrectionists shall overcome or whether Government shall remain supreme. His statement that law and order must be maintained vigorously is very encouraging.

The problem is serious. It requires the cooperation of all three branches of Government. It also requires the cooperation, as the Senator from Connecticut [Mr. DODD] has stated, of the news media, of television, and radio.

I read this morning a column that a picture was shown on television of a man from California, Frank Sinatra, and a woman reaching what is supposed to be the superlative stage of ecstasy. The column stated that succeeding pictures will be even more pointed in putting into the view of the public on television the most intimate relations of man and woman. How can a nation expect to survive on that basis? It cannot be done.

Mr. COOPER. Mr. President, will the Senator from Connecticut yield me 1 minute?

Mr. DODD. I yield.

Mr. COOPER. Mr. President, I do not want, by my own voice, to prolong this discussion. I would like to say, though, that since the death of President Kennedy, as I am sure is true of all other Members of the Senate, I have been deluged by communications, chiefly telegrams, saying substantially the same thing—"For God's sake, pass a firearms control bill."

The thought came to me that there has been a firearms control bill before the Congress for years. I do want to pay this tribute: that long before others became so interested, the Senator from Connecticut [Mr. DODD] fought, I think, a very lonely fight for a firearms control bill. So I would like to pay my tribute to him. I hope that his long efforts, efforts which have gone on for nearly 3 or 4 years, will be successful.

With all of the soul searching into violence, it should be stated that we have had some forms of violence in this country since its beginning. In my view, a firearms control law is not going to reconstruct the human soul or spirit. But a firearm is the agent of violence, and to whatever degree its use and possession can be restricted at least to those who have some judgment in its use, and whose identity can be known, it will restrict this agent of violence which leads to violation of the human body and personality.

I support the Senator. I thank him for his long and lonely fight.

Mr. DODD. Mr. President, how does one respond? I am touched by the generous remarks of the Senator from Kentucky. I want him to know I am grateful for them. He is a kind man, a just man, and enjoys the affection and esteem of all his colleagues.

I am most grateful, too, to the senior Senator from Ohio for his generous comments. His encouragement and support in the battle for effective gun control legislation mean all the more to me because of his unique reputation for independence and integrity.

Moreover, the fact that the Senator from Ohio favors strong gun control legislation is the best answer I can think of to the gun lobby's ridiculous argument that gun legislation plays into the hands of the Communist conspiracy.

As the Senate knows, the Senator from Ohio has for years now been one of the most informed and effective opponents of the Communist conspiracy in the Congress. There are others who, out of inexperience or naivete, may from time to time be misled. But the Senator from Ohio has displayed a consistency in wisdom that makes him proof against any Communist deception.

I want to thank the Senator again for the important contribution he has made to the debate.

If I may have the indulgence of the Senator from Washington, I should like to speak for a few more minutes. I did not start this discussion. I am the first to admit that gun control legislation will not by itself put an end to the problem of violence, as the Senator from Kentucky has well said.

I believe that I am a nonviolent person and that the same is true of all the Members of this Chamber. But there are those among us in our society who are committed to violence and there are others who pretend nonviolence, but whose actions belie their pretense. This has been the history of mankind. We have been killing and maiming each other for as long as man has lived. It has got to stop.

My struggle is not for just gun control; it is for a cessation of all kinds of violence. That is the way man should live.

No man should have to lock his door and pack a pistol. All we should have to do is live decently with each other and put under control those who do not want to live as peaceful members of the community.

That is what this struggle is all about. The world must move to a commitment to nonviolence, and not just with relation to guns. We must rid ourselves of hate of all kinds. This message of universal love and peace was preached by one man, long ago, in words more eloquent than anyone has voiced before or since. But very few people have ever entirely lived up to His teachings. Indeed in His name, more violence has been perpetrated over the centuries than in the name of any other person.

This is a shame on humanity.

THE SICKNESS OF VIOLENCE AND THE NEED FOR GUN CONTROL LEGISLATION

Mr. President, yesterday the Attorney General submitted to the Senate at the request of the President a gun control bill intended to strengthen the gun control provisions which are incorporated in title IV of the omnibus crime bill.

Essentially, this legislation would extend the provisions governing the sale of handguns to the sale of rifles and shotguns; and it would, additionally, establish controls over the interstate sale of ammunition.

As the Senate knows, I have for many years now favored controls over the sale of long guns as well as handguns.

I fought for this position in committee. I fought for it on the floor. And I renewed my efforts only yesterday by introducing legislation calling for strict control over the sale of long guns.

I also introduced legislation yesterday calling for the compulsory registration of all firearms, because only in this way can we move to disarm the many hundreds of thousands, and perhaps millions, of irresponsible elements who have been able to obtain arms for themselves under the weak gun controls that have heretofore existed.

Mr. President, I believe the time has now come that we must enact stringent gun control legislation, comparable to the legislation in force in virtually every civilized country in the world.

Quarter measures and half measures will no longer suffice to deal with the terrifying epidemic of violence that today afflicts our country.

Before outlining in detail the major provisions of the administration's proposed legislation, I want to discuss in a general way just what is involved in this epidemic.

I do not say that America is a "sick" country or a "guilty" country. I believe, in fact, that some of the charges that have been made against this country by its critics, both foreign and domestic, are vastly exaggerated.

The Americans are not a sick people, nor are they a nation of murderers and assassins, as some people in other parts of the world are wont to regard them.

The hundreds of thousands of mourners who filed solemnly past Senator Kennedy's casket in St. Patrick's Cathedral, and the hundreds of thousands more who waited for hours along the train route on a hot summer afternoon, and the nationwide outpouring of grief and revulsion, all constitute dramatic proof of the genuine horror and grief with which the great masses of the American people reacted to the assassination of Senator Kennedy. They constitute a tribute to the essential decency of the American people.

There has been a lot of irresponsible talk, too, about our collective "guilt" for the assassination of Martin Luther King and Senator Kennedy. But it is the worst kind of nonsense to condemn an entire people for the crimes of one man or of a small group of men.

We may feel ashamed that such things can happen in our country. But this is an altogether different thing from accepting guilt for them. These are things that must be said to put the situation in perspective.

The overwhelming majority of the American people are decent, warm-hearted, peaceful, and law-abiding. This majority is not "sick." But it would be going to the other extreme to conclude from this that all the talk about the epidemic of violence that wracks our society is exaggerated.

After all, if 2 million people, or 1 percent of our population, came down with Asian flu, it would certainly be proper to describe this as an epidemic, even though the other 99 percent might be in the best of health.

And it is certainly not an exaggeration to speak about an epidemic of violence when there are 6,500 gun murders a year in our country and more than a hundred thousand gun crimes of all kinds; when race riots take place with frightening frequency in our major cities; when student violence erupts on campus after campus; when small but deadly extremist organizations on both the left and right engage in bombing and arson and terror; when political assassinations occur with terrifying frequency; when the citizens of our major cities fear to walk the streets at night; and when bus drivers refuse to carry cash with them on night runs.

Those who are afflicted by what I have described as the "sickness of violence" may constitute only a tiny fraction of our people. But let no one have any illusions about their capacity for damage and mischief.

The problem is a complex one and no single measure is going to solve it. Least of all, will it be solved overnight?

As I see it, there are three major factors which contribute to this epidemic of violence.

First, there is the terrifying diet of violence and mayhem that has characterized some of our major network programs.

Second, there is the influence of extremist organizations and ideology, both left and right.

And third, there is the ridiculous ease with which Americans, both responsible and irresponsible, have been able to obtain arms for themselves, so that it is today estimated that the private arsenals of the citizens of America include more than 100 million firearms of all kinds.

There are other factors that contribute to the violence in our society, but, as I see it, there are the major ones.

THE IMPACT OF TV AND FILMS

As chairman of the Juvenile Delinquency Subcommittee, I have been concerned with the problem of violence since 1961.

In one of our studies we polled the foremost experts in psychiatry, criminology, and other fields of crime control to help find answers to the seemingly growing rate of violence in the Nation.

Between 1961 and 1963 I investigated the problem of violence on television and its potential effects on the public and on youth.

And from 1963 on I have been involved in hearings and inquiries with respect to firearms control because of the large number of violent crimes, such as murders, robberies, and assaults, perpetrated with guns in the hands of criminals, mentally disturbed persons, and juveniles.

Today I want to present for the record some of the findings of these inquiries in the hope that they might improve public understanding of the violence around us, that they might enhance the work of the newly appointed President's Commission on Violence and of other groups that will analyze these matters in the weeks and months to come and in the hope that they will draw new support for additional legislation to control the primary instruments of violence, the pistols, the revolvers, the rifles, and the shotguns in the hands of criminals.

An early subcommittee conclusion based on expert opinion was that it is of the utmost importance to eliminate the causes of violent crimes "because of the irreparable damage sustained by society as a result of such acts." Last week, the Nation, once again, learned the tragic extent of this irreparable damage.

In line with this early recognition, we went on to study the effects of violence portrayed on television, to try to reduce it, and we went on to seek controls over the widespread availability of deadly firearms.

We discovered, while searching for the causes and effects of this phenomenon, that violence feeds on itself, that it reflects an almost malignant growth pattern, and that its extent is enhanced by the endless programs on television which have violence as their basic theme, and by the pathological preoccupations with guns among a segment of our population.

With respect to mass media we analyzed research which showed that—

First. Normal people who view violence on film exhibit twice as much violence thereafter as persons not exposed to such presentation.

Second. That people do not hesitate to inflict pain on others after viewing violence in motion pictures.

Third. That the tendency to violence increases among a film audience in an angered mood.

Fourth. And that violence learned through such exposure to it may have persistent effects which can be expected to retain their original strength and reappear on later occasions in the presence of frustration, anger, or other aggravating circumstances.

More recently, we have added another finding with respect to firearms.

We have learned from a University of Wisconsin study that the mere presence of an instrument of violence in the vicinity of an angered person—such as a gun on the table—increases the danger of a violent reaction.

Mr. President, these are the findings presented in the reports, hearing records, and other documents of the Juvenile Delinquency Subcommittee.

They are drawn from research of nationally known scientists in psychiatry and the social sciences—Dr. Albert Bandura of Stanford, and Dr. Leonard

Berkowitz of the University of Wisconsin among others.

And these are findings that have led me to conclude that any violent act is a combined product of both individual and social pathology.

It is a product both of individual emotional disturbance and of a broader sickness in the society which provides the climate for its expression, which lacks proper restraints and which lacks the power to contain the individual and the potential for violence within him. I have expressed these problems in their simplest terms.

We have in the social sciences the background for this evaluation.

We will search further to find the specific steps, the concrete action to get at the basis of the problem.

Whatever steps we will take, and however long it takes us, one issue is clear.

We must set about molding a society for future generations where youth are not conditioned to violence by a warped system of social values and by the glamorization of violence in the mass media; a society where the instruments of violence, the firearms and other deadly weapons, are respected, restricted, and controlled to the most effective degree attainable in a civilized nation.

THE INFLUENCE OF POLITICAL EXTREMISM

In part, the epidemic of violence stems from the activities of extremist organizations, both left and right.

The extremist groups of the right have been responsible for hundreds of acts of terror in recent years, including the burning and bombing of churches and the coldblooded murder of civil rights workers.

On the other side, it was the strong influence of leftwing ideology on impressionable minds that helped to inspire Oswald to the murder of President Kennedy and Sirhan Sirhan to the murder of Senator Kennedy only 1 week ago.

And it was the influence of a similar ideology that led members of the Peiping-oriented revolutionary action movement to plot the assassination of Roy Wilkins and Whitney Young.

In 1965, in a speech before the American Legion convention, I quoted extensively from a propaganda broadcast made by the renegade American Negro, Robert Williams, over Radio Havana to Negroes in this country. I warned that such lunatic incitations to violence could not be ignored, that, given the racial tensions in our society, they were bound to encourage the kind of riots we have witnessed in recent years.

The House Committee on Un-American Activities has recently issued two studies documenting the inflammatory broadcasts and printed propaganda that reach our country from Peiping and Havana, and the parallel propaganda put out in this country by various groups sympathetic to Peiping and Havana.

All of this propaganda openly incites the American Negroes to rioting, arson, looting, sabotage, and the murder of white men.

It is my conviction from the events of the past few years that this reckless agitation is now having a cumulative impact.

I believe that we can reduce the amount of violence in our society by cutting down on the amount of violence in our TV programs, and this is especially true of crimes of violence committed by juveniles. This is something we can and must do.

I believe that we can cut down further on the amount of violence in our society by taking measures to curb the activities of the several known extremist organizations which are planning the destruction of our cities. This, too, is something that we can and must do.

Finally, I believe that we must move without delay to place some curb on the easy availability of firearms of all kinds and to disarm those whose very possession of firearms constitutes a menace to society. This, too, is something that we can and must do.

It is against this background that I wish to discuss the provisions of the additional gun control legislation proposed by the administration.

Mr. President, to be truly effective, no Federal gun control law can exclude from its provisions controls over the long arms.

These are often referred to as arms of the sportsmen.

But it was not a sportsman who gunned down 15 people from the Texas University Tower just 2 years ago.

It was not a sportsman who murdered John F. Kennedy with a mail-order rifle in Dallas almost 5 years ago.

It was not a sportsman who killed one of the Nation's foremost leaders for civil rights, Dr. Martin Luther King.

And certainly the 1,700 or more Americans who are cut down on our streets and in our homes each year by shotguns and rifles are not the victims of sportsmen but of cold-blooded murderers.

Mr. President, it is just not true that the rifle and shotgun are exclusively the arms of the sportsmen.

The facts bear out the conclusion that the long arms are also the tools of the demented, the sniper, and the criminal.

The gun lobby tells us that the Nation's hunters will be "dreadfully inconvenienced" if controls over the long guns are enacted. They argue that law-abiding sportsmen should not be "lumped together with the criminal" and that controls over long guns would somehow effect just that.

The illogic of these arguments is patent.

No one complains about the "inconvenience" of having to register a new automobile. Why then complain about the inconvenience of registering a firearm which, in the wrong hands, can become a weapon of murder?

And rather than lumping sportsmen together with criminals, effective gun control legislation would protect the sportsmen because its restrictive features would be directed essentially against those socially irresponsible elements who, in the interests of the community, should not possess firearms.

I do not know how, in good conscience, the so-called sportsmen of the National Rifle Association, who run one of the largest unregistered lobbies in this land, can continue to vehemently oppose reasonable controls over rifles and shotguns.

Just last weekend, the president of the National Rifle Association, Harold Glassen, decried the need for additional gun controls in these words:

> Tight gun control laws don't prevent or reduce homicides.
>
> Leading criminologists will tell you that the availability of a weapon has little to do with the commission of a crime. And why single out firearms for controls?

I might answer that last query of Mr. Glassen by pointing out that the gun is used in 60 percent of our murders each year, in 20 percent of our assaults, and in 40 percent of our robberies.

This, in raw numbers, added up to some 109,000 gun crimes committed in this country in 1966.

I would say to Mr. Glassen that these figures speak for themselves, and that is reason enough.

I ask the Treasury Department to study their latest long gun cases, and they found 98 sawed-off shotguns and 14 sawed-off rifles among the 207 guns involved in just 200 recent firearms violations. The Treasury Department told me that the conversion of long arms into concealable weapons was the most compelling reason for controlling rifles and shotguns under Federal firearms regulations.

Law enforcement officials also told the subcommittee that when controls over handguns are initiated, then the criminal element will resort increasingly to long guns with sawed-off barrels.

The long gun with sawed-off barrel is concealable, like the handgun. It has greater power and greater accuracy, especially with a sniper scope affixed.

It is the sniper who sustains rioting in our cities and who makes the task of law enforcement and fire control much more difficult and even impossible in certain circumstances.

Just one sniper, one man on a rooftop with a rifle, in the dark of the night, can keep a squad of men below virtually pinned to the pavement while he fires away with reckless abandon from his concealed position high above the street.

We have learned these lessons rather conclusively from the experiences of Watts, Detroit, and Newark.

Just what are these dreadfully inconvenient long arms controls that the gun lobby believes would be foisted upon America's sportsmen?

First, this bill would prohibit the interstate mail-order sale of rifles and shotguns.

Second, it would prohibit the nonresident, over-the-counter sales of rifles and shotguns.

Third, it would prohibit the sale of any long arms to a juvenile under 18 years of age.

I submit that these controls are not so dreadful as the gun lobby would have us believe.

Certainly it is prudent and reasonable to restrict the sale of firearms to juveniles.

Since 1960, robberies by juveniles have increased 55 percent and aggravated assaults increased 151 percent.

In this same period, the number of persons under 18 years of age arrested for murder increased 45 percent. And on this point let us remember that 30 percent of gun murders involve rifles and shotguns.

We must not only make reasonable efforts to protect society from violence-prone youth, but we must protect youth itself from its own tendencies toward violence.

And, so it seems to me that we must get on with the task of providing effective Federal control over all firearms.

They all are deadly weapons.

They all are abused.

They all must, in the name of good commonsense, be controlled.

I do not believe that it is too much to ask of the Nation's hunters to buy his rifle or shotgun in his State of residence. One does not purchase a quality sporting rifle every 15 minutes. Some inconvenience could well be incurred by a sportsman who lived in close proximity to another State, but I ask my colleagues: How often does one buy a new gun?

Certainly the inconvenience incurred is offset by the fact of saving of human life.

And I maintain that if these controls over rifles and shotguns are enacted, then we are going to ultimately save many human lives.

That is all we hope to do.

That is what we can and must do.

The enactment of these controls will certainly be a step toward the desired goal of reducing violent crime in America.

Mr. President, to move to another area of this bill, the control of ammunition, I am pleased to see such control provided for.

In essence, the controls over the sale of ammunition are similar to the controls over firearms, including the prohibition on the mail-order sale, the sale to minors in the case of firearms ammunition other than for rifles and shotguns, and the sale of rifle and shotgun ammunition to juveniles.

These controls are important. They would serve to complement the controls over ammunition that I just introduced in this body yesterday as part of my Federal Firearms Registration Act.

That bill, as my colleagues know, would prohibit the sale or other transfer of ammunition to any person who did not present evidence of registration of the firearm for which he intended to purchase ammunition.

While I believe that the controls in this administration bill would be useful, I do not believe that they can stand alone. They would be much more effective, as I see it, coupled with the ammunition provisions in my registration proposal.

I believe that the administration has acted in the best interests of the American people in urging the enactment of the stronger gun control legislation it sent to the Congress yesterday. And I am certain that its initiative will have the support of the American people in their overwhelming majority.

I earnestly hope that the Senate will listen to the President's eloquent plea and that it will see fit to approve both the new legislation proposed by the administration and the legislation calling for compulsory Federal registration which I introduced yesterday.

This is the kind of effective protection the American people want.

That this legislation will ultimately become the law of the land I have no doubt.

The only question is whether Congress will act without delay or whether it will postpone action until an aroused public compels it to act.

I want to thank the Senator from Washington particularly for his patience with me and for his help with respect to this legislation.

Mr. MAGNUSON. Mr. President, I cannot let the Senator sit down without saying this, when he talks about so many facets of this problem. As the Senator knows, I am chairman of the Appropriations Subcommittee handling housing. I have often thought it might be a good idea to appropriate *x* number of dollars as a direct grant for any householder who builds a woodshed.

Mr. DODD. That is typical of the Senator from Washington. And while we are talking about building, I add to his statement that we ought to be building more hospitals and fewer prisons. That is what this is all about.

Mr. MAGNUSON. I am talking about the parental problem. Of course, this problem is not as simple as that.

Mr. DODD. I know that, but the observation was on the target, and it was something that needed to be said.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

JOINT ANNUAL REPORT ON FEDERAL STATUTORY SALARY SYSTEMS AND JULY 1968 SALARY ADJUSTMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 327)

The **PRESIDING OFFICER** laid before the Senate the following message from the President of the United States, which, with the accompanying reports, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

I forward herewith the annual comparison of Federal salaries with the salaries paid in private enterprise, as provided by section 5302 of title 5, United States Code.

The report, prepared by the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission, compares the present Federal statutory salary rates with average salary rates paid for the same levels of work in private enterprise as reported in the Bureau of Labor Statistics Bulletin No. 1585, *National Survey of Professional, Administrative, Technical, and Clerical Pay, June 1967.*

In addition, the report develops July 1968 adjustments in statutory salary schedules which the President is directed to make under section 212 of P.L. 90-206, the Federal Salary Act of 1967.

Also transmitted is a copy of an Executive order promulgating the adjustments of statutory salary rates to become effective on the first day of the first pay period beginning on or after July 1, 1968.

Public Law 90-206 provides that comparable adjustments shall be made by administrative action of appropriate officers, in the salary rates of employees of the judicial and legislative branches and those of Agricultural Stabilization and Conservation County Committee employees.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 11, 1968.*

SEA-LEVEL CANAL BETWEEN ATLANTIC AND PACIFIC OCEANS—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15190 to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER** (Mr. YOUNG of Ohio in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of June 10, 1968, p. 16964, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, this is a simple conference report to explain. The House authorized an increase in the Commission appropriation from $17.5 million to $24 million. The Senate amendment deleted the authorized increase. The conferees agreed to authorize the $6.5 million increase in order that the Commission may complete by December 1, 1970, its essential study of the proposed routes for a new sea-level canal through Central America. I am convinced of the need for expediting this investigation and I move the adoption of the conference report.

The **PRESIDING OFFICER.** The question is on agreeing to the conference report.

The report was agreed to.

AUTHORIZATION OF APPROPRIATIONS FOR MARITIME PROGRAMS

The Senate resumed the consideration of the bill (H.R. 15189) to authorize appropriations for certain maritime programs of the Department of Commerce.

Mr. MAGNUSON. Mr. President, after the vote on the amendment of the Senator from Delaware a few minutes ago, if we do build a sea-level canal, I predict that we will hardly ever see an American-flag vessel going through that canal.

I yield back the remainder of my time.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 15189) was read the third time.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, I shall vote against this authorization.

I wish here and now to serve notice that I am not going to be a party to any further sinking of the American merchant marine. It is about half sunk now.

Mr. BREWSTER. Mr. President, I also propose to vote against this maritime authorization. I watched with dismay as the Senate agreed to an amendment drastically cutting the funds available for the U.S. merchant marine, and I want to disassociate myself completely from this action.

After World War II, the United States was the foremost maritime power in all the world. Our shipbuilding capacity was unsurpassed. Our ships were on every ocean around the world.

Today, our yards are last among those of the major maritime powers. Our ships are disappearing from the seas.

I look at the U.S. merchant marine as one of the arms of our military power. We all know that more than 90 percent of the cargo going to Vietnam goes aboard ships.

It is our stated belief, if we follow the act of 1956, that the U.S. merchant marine promotes U.S. commerce. Yet today only 7 percent of all U.S. commerce is carried in ships flying U.S. flags.

I cannot believe that the Congress of the United States truly intends to scuttle our merchant fleet, but today's action by the Senate would indicate that this is the case. I, therefore, feel compelled, even though I am a member of the Maritime Subcommittee of the Committee on Commerce, to vote against the pending measure.

Mr. MAGNUSON. I might say to my friend from Maryland that it is worse than 7 percent. The latest figure is 5.6 percent of all our trade.

Mr. BREWSTER. And the way things are going, it will dwindle to 4 percent, then to 3 percent——

Mr. MAGNUSON. From 4 percent to 3 percent to 2 percent, until, when we get the sea-level canal built, there will be none at all.

Mr. HOLLAND. Mr. President, I regret to hear my two beloved friends from Washington and Maryland make the statement they have just made. I hope they will retract those statements and change their minds as to their attitude on the pending bill.

In the first place, no Senator who voted contrary to the way they voted on the amendment in question intends to scuttle the merchant marine. In my State, for example, the merchant marine is a very important activity. I believe that the largest operator of American-flag vessels has its headquarters in Tampa in my State. Certainly I would be no party to scuttling the merchant marine.

I merely call attention to two facts: First, that seven of the eight objectives covered by this bill were not affected by the amendment of the Senator from Delaware, and most of them are very necessary objectives. I read them into the RECORD, as found on page 2 of the committee report:

> (1) Acquisition, construction, or reconstruction of vessels;
>
> (3) Payment of obligations incurred for operating-differential subsidy;

We owe a great deal of money to these people, and this objective covers that item:

> (4) Expenses necessary for research and development activities (including reimbursement of the vessel operations revolving fund for losses resulting from expenses of experimental ship operations);
>
> (5) Reserve fleet expenses;
>
> (6) Maritime training at the Merchant Marine Academy at Kings Point, N.Y.;
>
> (7) Financial assistance to State marine schools; and
>
> (8) The vessel operations revolving fund.

The only objective that is touched, in part, by the amendment which the Senate passed, and for which I voted, is objective No. 2 of the eight recited on page 2 of the committee report, on the construction differential subsidy.

Mr. President, the reason I voted as I did should appear very clearly in this RECORD, and I want it to appear there.

I voted a short time ago, and I intend to vote again when the bill comes over from the House of Representatives, as I hope it will soon, in a slightly different form, for a $6 billion reduction in expenditures for fiscal 1969. Most of the other Members of the Senate also voted for that bill.

The amendment would simply require the return, in considering this construction differential subsidy, to the amount recommended by the Bureau of the Budget, which was substantially doubled by the report of the committee.

I did not see at all how I could justify a vote for a $6 billion cut in expenditures, and at the same time vote to double the expenditures for the ship construction subsidy.

In addition to that, Mr. President, I have already been through the pains of helping to reduce one bill, which has already passed the Senate, covering a field very dear to me—the field of agricultural appropriations. We cut out of that bill a very large amount. None of what we cut out did we cut out gladly. It was all cut out with regret.

We cut out, in fact, a good deal more than what is involved here in the amount of the reduction effected by the Williams amendment.

I am simply following a course which I adopted when I voted for the $6 billion reduction of expenditures, and which I followed in carrying out the formation of the agriculture appropriation bill and in voting for its approval on the floor of the Senate. I believe that course must be followed by the Senate in general, in all other fields, unless we were just joking when we voted for a $6 billion reduction in expenditures. We cannot reduce expenditures and ignore a substantial item of this kind.

I have only a little more to say. I merely wish to make it clear that I respect and honor the Senator from Washington and the Senator from Maryland. The Senator from Washington, for as long as I have been a Member of the Senate, has had upon his heart and mind the matter of the decline of our maritime strength. I have frequently joined him in the doing of things which would tend to react against the decline. I expect to join him in the future in such matters. But I cannot, in this particular year, take the position such as I would have had to take to approve the recommendations of the committee and reject an amendment which simply would have brought us back to the budgeted amount for this important activity.

Although I have spoken of the Senator from Washington, I do not, at all, decry the similar interest on the part of the Senator from Maryland. But he has been here a shorter time than the Senator from Washington and not in a key position such as the Senator from Washington, who has had leadership in this subject by reason of his long-time chairmanship of the Committee on Commerce, in which he has done a magnificent job. I have approved his work frequently. I have voted with him often. I do not have to mention that to him. I expect to vote with him in the future in this particular field. But I hope that Senators will not, because they are disappointed with the result of the vote on the amendment, forget that there are seven other important objectives covered by the bill and served by it, and which, if the bill was defeated, would be left without any attention for the coming year, because we cannot put them in the other bill, with respect to the independent agencies, which is being formed under the chairmanship of the Senator from Washington, unless an authorization bill be passed. Both Senators know that that is the case.

So my simple reason for making this statement is that I think we should pass the bill. I shall vote to pass it. I am sorry I could not vote against the amendment and feel consistent and conscientious about it. I could not do so in view of what I have done heretofore in this session, and what I think Congress is required to do; namely, to reduce greatly the expenditures of our Government in fiscal 1969, which we are now preparing to serve by our authorizing votes and our appropriation votes.

I hope the bill will pass.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a full page advertisement entitled "The Soviets Are Burying Us At Sea," which has been published in almost every newspaper in the United States.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 28, 1968]

THE SOVIETS ARE BURYING US AT SEA

In 20 years, the United States merchant marine has sunk from the world's greatest to sixth place—and we are sinking faster today than ever before. At the same time, the Soviet Union is building its merchant fleet—passenger ships, freighters, tankers and fishing vessels—faster than any other country. Right now, the Soviet Union with its own ships is able to supply all its far-flung fronts—including North Vietnam and Cuba—for Communist military and economic penetration. It is continuing to build at a rate that will give the Soviet Union the world's most powerful merchant marine within a few short years—unless our country wakes up.

Three years ago, the President of the United States said that he would recommend to the nation a positive maritime policy to stem the disastrous decline of our merchant marine. Not until last week did the Administration deliver any policy recommendations to Congress. And instead of a positive program, the White House has proposed that the United States abandon its historic role as a maritime nation.

In essence, the proposals which Secretary of Transportation Alan Boyd outlined to Congress would have the United States abandon any responsibility for maintaining an American-flag merchant marine beyond bare defense requirements.

What will this mean to you?

Does your work involve imported raw materials or parts?

Is some of the product you help produce sold abroad? If so, you have a particularly vital stake in the American merchant marine. Under the Administration proposals, what we can send abroad or receive from overseas will depend on the ships foreign companies see fit to put in our trade and we will have to pay the freight rates they choose to charge. For want of ships of our own, our ability to compete in world trade can be crippled.

Do you intend to do any traveling by ship? Without American-flag ships you will have no choice but to take your chances with the inferior safety requirements of foreign-flag ships. No other ships in the world maintain the strict safety standards required on U.S. flag ships.

Do you pay taxes? Under the Administration proposals, skills of most of the men who sail and build our ships will go down the drain. Hundreds of thousands of jobs will be lost forever; public welfare roles will increase.

Do you believe America must be able, regardless of cost, to fulfill its responsibilities as leader of the free world? Under the Administration proposal our strength and our posture as a world leader will be gravely impaired. In time of emergency, even our armed forces overseas would have to depend for supplies on the ships we can beg, borrow or buy from foreign governments.

The cost of maintaining an adequate merchant marine under our own flag is relatively modest. The cost of failure to do so is more than our nation can afford. Without a strong merchant marine under our own flag manned by skilled loyal American seamen our country can be crippled economically, the value of the dollar jeopardized, our industries isolated from their markets and their sources of supply—and in an emergency we can be made helpless.

Should American ships be left to disappear from the oceans? We think not.

Should our own government help make the Communist leaders' threat to bury us on the high seas come true? We think not.

We believe that our country can well afford the cost of the limited government assistance necessary to keep the American flag flying on our ships. Every other maritime nation provides such assistance to their ships. We believe that for our country to do otherwise is not only false economy but a cold clear threat to our country's interests. Many Congressional leaders agree. Do you?

(National Maritime Union of America, AFL–CIO, 36 Seventh Avenue, New York, N.Y. 10011, Joseph Curran, President/National Marine Engineers Beneficial Association, AFL–CIO, 17 Battery Place, New York, N.Y. 10004, Jesse M. Calhoun, President/American Radio Association, AFL–CIO, 270 Madison Ave., New York, N.Y. 10016, William R. Steinberg, President/International Longshoremen's Association, AFL–CIO, 17 Battery Place, New York, N.Y. 10004, Thomas W. Gleason, President/International Organization of Masters, Mates and Pilots, AFL–CIO, 39 Broadway, New York, N.Y. 10006, Captain Lloyd W. Sheldon, President/United Steelworkers of America, AFL–CIO, Great Lakes Seamen, Local 5000, 1219 Superior Building, Cleveland, Ohio 44114, Carroll T. Armstrong, President/Industrial Union of Marine and Shipbuilding Workers of America, 1126 Sixteenth Street N.W., Washington, D.C. 20036, John J. Grogan, President.)

Mr. MAGNUSON. Mr. President, my good friend from Florida [Mr. HOLLAND] has been very helpful to the merchant marine, and under trying circumstances. What I have said is not any reflection upon him. It just happens that I disagree with the Bureau of the Budget.

I have been a member of the Committee on Appropriations for a long time, as have many other Senators. Merely because the Bureau of the Budget decides to make some cuts, and even though I might agree with the total amount to be cut, does not mean that I am going to be a "yes man" for the items they want cut.

I think the worst possible thing we could do would be to say to a great country like America, "We are going to build a measly 10 ships, and still keep up with the world." Yet that is what is likely to happen.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I will yield in a moment.

Of course, that is what is likely to happen. We are now down to carrying 5.6 percent of our entire exports and imports. There is no question about what will happen.

This is not a question of dealing with any particular Senator, such as the Senator from Florida, who has done an excellent job. I happen to think that the Bureau of the Budget is wrong. I believe that the administration's suggestion as to what we should do with the merchant marine is so wrong that it will take only a short time for it to go down the drain entirely. The truth is that the American merchant marine cannot compete. If it is to be kept on the seas, it will have to compete with the cheap labor of other countries. Of course, we could build cheap ships; but we would lose all the know-how we have to build ships in the United States. Shipbuilding in this country requires highly skilled labor.

Many of our dry cargo ships are built in Pascagoula, San Diego, and other cities. The Senator from Ohio was kind and considerate enough to retract what he said about the State of Washington. We do not build them there. He was kind about that.

Mr. LAUSCHE. We do not build them in Ohio, either. We do build ships. Ships are also built in Washington. Washington's principal business is the building of naval and military ships.

Mr. MAGNUSON. With respect to the shipbuilding business.

Mr. LAUSCHE. Yes.

Mr. MAGNUSON. Washington's principal business is the building of other vehicles of transportation which go a little above the ships.

This is the whole point. We can talk about reducing the budget by $5 billion or $6 billion. I shall vote to do that. But I surely have a responsibility as a Senator to make some suggestions about where the reductions should be made. I do not have to believe that what the Bureau of the Budget sends to Congress is something sacred and that we should accept what they say as to where cuts should be made.

The Bureau of the Budget knows as much about the merchant marine, I suppose, as my dog. At least, my dog has been on ships. The Bureau of the Budget blinds itself.

I have suggested to the Senator from Delaware on many occasions that if we do not want a merchant marine, we should say so. If we do not want to follow the 1936 act, we should repeal it. Why go through the backdoor?

Ten ships for a country like the United States. Ten ships. Yet we have less than 100 today that will even operate; and they are becoming obsolete. It would be penny-wise and pound-foolish to agree to the proposal of the Bureau of the Budget.

The Senator from Ohio says that the merchant marine operators are given special tax privileges. They surely are given special tax privileges. If they earn more than 10 percent, the excess is recaptured and is returned to the Treasury. But most of them do not earn anywhere near 10 percent.

I am making a plea for the merchant marine. I hope that some decision will be made. Everyone talks about the hour of decision. Let us make up our minds whether we want an American merchant marine or want to turn it over to Russia or Japan or Norway. All of those countries subsidize their ships. The merchant marines of the Scandinavian countries carry an average of 49 percent of what their countries export and import.

We have only to look at Great Britain. If there is a British bottom available, and a British export is carried on a ship that does not fly the British flag, the British shipper will be ostracized the very next day.

This is not a question of someone wanting to spend money. I do not know the answer to the problem. If I had another answer, I would give it. Do Senators think it is any pleasure for me to stand here every year and have an argument with my friend from Delaware [Mr. WILLIAMS] and my friend from Ohio [Mr. LAUSCHE], as if I were the one who had money somewhere to take care of the situation myself? This is no fun. It is no pleasure. If I knew an alternative to what we should do about the American merchant marine, I surely would rather give it than to proceed in this manner. But I do not know of an alternative that will work.

We have listened to much testimony. We have storerooms of testimony on the subject. All of it comes to the same conclusion; namely, that the Secretary of Commerce or someone in the Bureau of the Budget thinks that the merchant marine can be operated in some other way.

Of course, some other industries do not have subsidies. The Senator from Ohio said they do not have subsidies in order to compete. But many of them do. Did we not provide the industries of the United States with a tax credit exemption? Of course we did.

Mr. LAUSCHE. That is what I was going to ask about.

Mr. MAGNUSON. What about agriculture? I favor subsidies for agriculture. I have voted for agriculture bills long before some the Members of the Senate who are here today. I think it is a good idea. I simply do not understand why everyone feels abused when we try to keep the merchant marine alive. There is no alternative to what we are doing.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. Yes; I will yield for a question.

Mr. HOLLAND. I wish to make it clear that I am not abusing the Senator from Washington.

Mr. MAGNUSON. Oh, no.

Mr. HOLLAND. I am trying to please him.

Mr. MAGNUSON. I am pretty hard to abuse. I have a pretty tough skin.

Mr. HOLLAND. It happens that I have voted with the Senator from Washington on almost every other occasion.

Mr. MAGNUSON. I think the Senator from Florida has voted with me 99.44 percent of the time.

Mr. HOLLAND. This time I cannot.

Mr. MAGNUSON. Yes.

Mr. HOLLAND. I want to state two more things for the Record. First, I know that the Senator from Washington is not a "yes man." I do not think any other Member of the Senate considers him a "yes man."

Second, so far as the Senator from Florida is concerned, he knows that the Senator from Washington does not take a selfish position. He does not take a position simply because it may have some relation to his own State. I have seen him take positions otherwise.

Mr. MAGNUSON. Oh, I do on some things.

Mr. HOLLAND. So does the Senator from Florida.

Mr. MAGNUSON. I am here to represent my State, too, but not to get some ships to build.

Mr. HOLLAND. I wish to make it clear that I have no criticism. I want everyone to vote as his own good conscience dictates. But in being animated by his displeasure at the adoption of the amendment, the Senator from Washington is forgetting the seven other objectives of this bill, one of which is a $206 million debt that our country owes to the shipping interests of this Nation who carry the U.S. flag proudly, and he would turn it down by voting against this bill.

Mr. MAGNUSON. I believe they will understand why I voted "no."

Mr. HOLLAND. I wish to make clear that I respect the Senator's view. I want him to vote as his conscience dictates, and I wanted to make clear why I voted as I did.

I am going to stick to the $6 billion objective. I voted for it. I could not in this instance vote to double a budget request in as large an amount as that.

Mr. MAGNUSON. I do not disagree with the Senator. We are presently meeting in connection with a bill calling for a $17 billion appropriation, and some of the items in that bill are much closer to me than perhaps this is. I am going to vote to cut some items because I believe they can stand it. But I do not believe the merchant marine can stand 10 ships a year. I know it cannot. The best estimate of everyone who knows something about the merchant marine is that to keep alive what we have, we should build 40 to 45 ships a year, depending on the mix.

I know one alternative that no other country will allow, but we do. This is part of the balance-of-payments deficit. The people who talk the most about it sometimes forget that we have to start bringing home some American capital and putting it under the American flag.

Three percent of our oil imports come in under foreign flags and are subject to no American tax. At one time, the Standard Oil Co., during a hearing conducted by my committee, admitted it was tax evasion. And they have more tonnage under the Panamanian and Liberian flags than under the U.S. flag.

The Defense Department says perhaps we do not need some of these ships because we have, in the free world, ships under effective control.

In World War II, we found that although the Norwegians and the British were willing to pool ships, and they had a pool, we had to spend $7.5 billion to build a fleet of our own, to take care of our own material. Some of the hastily put together vessels—some of the old buckets now going to Vietnam—are about ready to collapse. A ship built with American money, insured by England, operated by some Greeks, with Italian officers, and an Indian crew, in the Red Sea—that is some effective control. And I can point out one after 100 of them.

We must face up to this situation. Perhaps we should vote to abolish the merchant marine. Then I would not have to stand here and talk about this matter. I do not know what else we can do.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BREWSTER. One alternative that has been suggested by the Department of Defense is that they possess their own merchant marine, which they have asked Congress to create. They realize that they need ships to carry materiel and men to South Vietnam and any other place in the world our military forces are required. So the Department of Defense has come to the Committee on Armed Services and to the Congress, and has asked for money far in excess of this authorization, to build FDL ships, so that there will be a Government-owned merchant marine. I have opposed this vehemently.

Mr. MAGNUSON. They estimate $1.3 billion for what they have asked during the building period.

Mr. BREWSTER. The chairman is correct.

Through all the past wars we have carried successfully the great majority of our men and materiel overseas in ships owned by American private industry. Why this sudden turn by the Department of Defense, by the U.S. Navy? Do they not trust private industry?

Mr. MAGNUSON. When they testified, they suggested that the door be opened to make whatever merchant marine we have a Navy auxiliary, which would cost us more.

I say to the Senator from Maryland—he knows it, and so does the Senator from Florida—that if this was a bill providing for Navy auxiliaries to carry the cargo, and it was in the Defense Department appropriation, it could be double the amount and nobody would say a word—including the Senator from Delaware.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BREWSTER. And the FDL's when constructed, if constructed, will be used only a small part of the time, loaded, sailing the seas of the world, carrying military cargo. We do not know when this cargo will be used or where it will be used. It seems to me that it will be a pure invitation to disaster. If we had a viable, modern, privately-owned merchant marine, it could be used in times of peace to carry the foreign commerce of the United States, and in times of war, to protect the United States.

One further point: If 3 or 4 times the present 5.6 percent of U.S. commerce were carried in U.S. bottoms, we would have no balance-of-payments problem—it would be solved—if a simple 25 to 30 percent of our own commerce went in our own ships, flying our own flag.

Mr. MAGNUSON. It would be solved overnight.

Also, it should be borne in mind that if we should have a problem some place else in the world, we do not have enough ships to handle it. The Russians have built their ships and they are all over the world. I hope Senators will read the article I have put in the Record, entitled "The Soviets Are Burying Us at Sea."

The PRESIDING OFFICER (Mr. McGovern in the chair). The question is on passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. Tydings] is absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Oklahoma [Mr. Harris], the Senator from South Carolina [Mr. Hollings], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], and the Senator from Utah [Mr. Moss] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Oklahoma [Mr. Harris], the Senator from South Carolina [Mr. Hollings], the Senator from Massachusetts [Mr. Kennedy], the Senator from Minnesota [Mr. Mondale], the Senator from Utah [Mr. Moss], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett] would vote "nay."

Mr. KUCHEL. I announce that the Senators from Illinois [Mr. Dirksen and Mr. Percy], the Senator from Wyoming [Mr. Hansen], the Senator from Oregon [Mr. Hatfield] and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Delaware [Mr. Boggs] is detained on official business.

If present and voting, the Senator from Delaware [Mr. Boggs], the Senators from Illinois [Mr. Dirksen and Mr. Percy], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 78, nays 2, as follows:

[No. 184 Leg.]

YEAS—78

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Bible
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—2

Brewster
Magnuson

NOT VOTING—19

Bartlett
Boggs
Clark
Dirksen
Fulbright
Hansen
Harris
Hatfield
Hollings
Kennedy
Long, Mo.
Long, La.
McCarthy
Mondale
Montoya
Moss
Percy
Tower
Tydings

So the bill (H.R. 15189) was passed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 17325.

The PRESIDING OFFICER laid before the Senate H.R. 17325, an act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention, which was read twice by title.

Mr. MANSFIELD. I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 1298.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 1298, authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence, which was read twice by its title.

Mr. MANSFIELD. I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is the intention of the leadership tomorrow to call up the International Grains Arrangement of 1967. There will be some debate on that measure.

CONVEYANCE OF CERTAIN LANDS TO GLENDALE, ARIZ.

Mr. MORSE. Mr. President, I ask unanimous consent that the motion previously entered to reconsider the enactment of S. 974 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 974.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., which was, on page 1, line 6, after "Arizona," insert "upon payment by said city of such amount as he deems appropriate, but in no event less than $35,000, giving due consideration to the public use thereof".

Mr. MORSE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

Mr. MORSE. Mr. President, let me make this brief explanation of the procedure I have just followed.

S. 974 was passed in the Senate during my absence. It violated the Morse formula. It was not understood by the authors of the bill that it violated the Morse formula. When I pointed this out, it was agreed that I should move to reconsider the action of the Senate, which action has been pending, but through the cooperation of my colleagues in the Senate, and particularly the senior Senator from Arizona [Mr. Hayden]—and I thank him very much for demonstrating again his unfailing courtesy and understanding—the House corrected the defect in the bill providing for appropriate payment for the property.

With that amendment on the House side, the bill did not violate the Morse formula, which is acceptable to me. Thus, I followed the course of action which I did.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, It stand in adjournment until 12 noon tomorrow, rather than at 11 a.m., as agreed to yesterday.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR TYDINGS AND SENATOR SCOTT TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Maryland [Mr. Tydings] be recognized for 1 hour up to 1 o'clock tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that the Senator from Pennsylvania [Mr. Scott] may follow the Senator from Maryland, to speak for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BARTLETT HANDICAP BILL REPORTED TO HOUSE OF REPRESENTATIVES

Mr. BYRD of West Virginia. Mr. President, because of illness, the senior Senator from Alaska [Mr. Bartlett], will be absent from the floor of the Senate for at least 10 days. However, he continues to follow closely and participate as much as he can in the activities of Congress.

Yesterday, the House Public Works Committee reported H.R. 6589, the committee version of Senator Bartlett's bill, S. 222, to eliminate architectural barriers from certain public buildings.

I ask unanimous consent that a statement by Senator Bartlett concerning S. 222 be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Statement by Senator Bartlett

For a legislator, there is probably no greater satisfaction than seeing a bill he has worked hard for finally begin to reach fruition. Although not yet a law of the land, the bill which would require accommodation to the special needs of handicapped people in the design and construction of federally financed public buildings is closer to enactment than it ever has been before. My bill, S. 222, passed the Senate last August. The identical bill, H.R. 6589, introduced in the other body by the distinguished gentleman from Florida (Mr. Bennett), was favorably reported by the House Public Works Committee yesterday. I hope that speedy passage by the House will bring the bill to early enactment.

The House Public Works Committee has substantially amended the bill, but I think that those amendments are good. The reported bill would include not just public buildings but also residential buildings which have four or more units. It would require that the Administrator of General Services consult with the Secretary of Health, Educational and Welfare in preparing regulations for nonresidential structures and with the Secretary of Housing and Urban Development in the preparation of regulations related to residential structures affected by the bill's provisions. Waivers are authorized in instances where accommodations to the needs of the handicapped are clearly unnecessary. In addition, the bill reported in the House authorizes surveys and investigations to determine whether the regulations are being complied with.

It gives me great satisfaction that we are at last on the verge of having legislation recognizing the basic need of almost 22 million handicapped people among our population to have reasonable access to public buildings. Delighted as I am, I have no doubt that those handicapped people who will, in due course, benefit from this legislation are much more joyful.

For more than a decade, federal policy has required that special consideration be given to the needs of the handicapped in the planning of new buildings. This policy has lacked the force of law, however. Where it has been applied at all, it has been inconsistently applied; more often, it has been ignored.

It takes more than good intentions to get a wheelchair up a flight of stairs. It takes more than policy guidelines to make a building accessible to the handicapped. It takes law, the force and power of the law. That is why I introduced S. 222.

The forethought and planning in the design and construction of public buildings required by S. 222 and H.R. 6589 is intended simply to reverse the thoughtlessness which has prevailed heretofore.

Enactment of this legislation will assure that all public buildings in the future will be constructed so as to be accessible to the victims of polio, multiple sclerosis, muscular dystrophy and other crippling diseases. Those who suffer from heart disease, arthritis and blindness will also be the beneficiaries of this legislation. In short, my bill, when it becomes law, will aid all the handicapped, encompassing people suffering from impediments of different natures, varying degrees of intensity and varying duration. Those not handicapped today may well be tomorrow. They may be rich; they may be poor; they may be black; they may be white. It does not matter. It is inexcusable now, at this date, to continue to construct buildings that exclude the handicapped from normal participation in society.

My bill requires that the doors of our public buildings be open not just to those members of the public who are able to walk through with ease but also to those for whom a step or a door can pose an insuperable obstacle. The bill just reported by the House committee would accomplish the same thing but would add residential structures to those which would have to be made accessible to the handicapped. Neither bill will cost any money. They require nothing more than forethought and planning.

Simple though S. 222 may be, I am nevertheless convinced that it is important and necessary legislation.

I am happy that my colleagues here in the Senate have already indicated their agreement.

I am happy that it now seems likely that our colleagues in the other body will also agree.

FREE WORLD SHIPS STILL CARRYING CARGO TO NORTH VIETNAM

Mr. BYRD of Virginia. Mr. President, figures obtained by me today show that for the first 5 months of 1968—January through May—61 free world ships carried cargo to North Vietnam.

This figure of 61 for the 5-month period compares with 78 free world ships carrying cargo to North Vietnam for the 12 months of 1967, and 74 for the 12 months of 1966.

Thus, the number of free world ships going into North Vietnam is running at a rate almost double each of the past 2 years.

The figures show that of the 61 free world ships, 49 flew the British flag, again a rate double each of the past 2 years.

Another disturbing fact is that for the first time since 1965, a ship flying the flag of Japan carried cargo to North Vietnam.

It was little more than 2 years ago, in the spring of 1966, that I first began to call to the attention of the Senate the number of free world ships carrying cargo to North Vietnam. After public attention was focused on this, the number dropped substantially in 1966 compared to what it had been in 1965. But now this downward trend has been reversed.

The trend is now sharply upward.

It is significant and disturbing, Mr. President, that just as the shipping trend is sharply upward, so are American casualties.

For the 2 calendar years 1966 and 1967, the United States suffered 106,000 casualties, for an average of 1,000 per week.

But for the first 5 months of 1968, namely, January through May, U.S. casualties totaled 58,812, or an average of 2,700 per week.

Mr. President, the most disturbing fact of all is that one-third of all the casualties the American people have suffered in Vietnam has occurred in the first 5 months of this year, and casualties of the past 2 months are at an all-time high.

Mr. President, from these casualty figures and from the shipping figures that I have cited to the Senate today, one might well be justified in reaching the conclusion that our 525,000 U.S. troops in Vietnam have become the forgotten men.

To me these figures are tragic—one-third of the 175,806 casualties suffered during the entire war have occurred during the past 5 months.

Yes, Mr. President, one-third of all the American casualties suffered in Vietnam have occurred during the past 5 months.

It was during this same 5-month period that 61 free world ships, the largest number of them flying the flag of Great Britain, carried cargo to the North Vietnamese enemy—a rate double that of each of the past 2 years.

Yes, the free world shipping is increasing and American casualties are increasing.

When will our Government demand an end to the free world shipping going into North Vietnam?

When will the Congress demand an end?

And when will the American people demand an end to this trade which is prolonging the war and increasing substantially the number of Americans being killed and wounded?

Today, I sent a telegram to the Chairman of the Export-Import Bank inviting his attention to these shipping figures, particularly the fact that for the first time since 1965, a ship flying the flag of Japan carried cargo to North Vietnam. I have asked him to advise me of what action has been taken or is contemplated by the Bank with reference to the Export-Import Bank Act amendments enacted into law this year.

The time has come for the Government to bring to bear all possible financial and diplomatic pressure on friend and foe alike to shut off free world shipping going to North Vietnam.

I say again that during the past 5 months the American people have suffered one-third of all the American casualties suffered during the entire war. Yes, one-third of all the American casualties suffered during the entire Vietnamese war have occurred during the past 5 months.

I ask unanimous consent to insert at this point in the RECORD a chart entitled "Free World Ships to North Vietnam," showing them by months, January to May, and by the nation under whose flag they fly.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

FREE WORLD SHIPS TO NORTH VIETNAM, 1968

Month	British		Cyprus		Singapore		Italian		Lebanese		Japanese		Total	
	Number	Gross tons and deadweight tons	Number	Gross tons and deadweight tons	Number	Gross tons and deadweight tons	Number	Gross tons and deadweight tons	Number	Gross tons and deadweight tons	Number	Gross tons and deadweight tons	Number	Gross tons and deadweight tons
January (1 tanker)	9	46,896	1	2,137									10	49,033
		65,650		3,100										68,750
February (1 tanker)	7	32,217	1	2,137									8	34,354
		44,100		3,100										47,200
March (1 tanker)	10	46,098			1	3,923	1	8,380					12	58,401
		62,350				4,500		10,000						76,850
April (2 tankers)	10	48,451	1	8,997	1	3,923			1	7,194			13	68,565
		68,550		13,500		4,500				10,200				96,750
May (1 tanker)	13	68,987	3	13,251	1	3,827					1	2,278	18	88,343
		95,250		19,700		6,000						3,700		124,650

UNFAIR RESTRICTIONS ON GI BILL EDUCATIONAL ASSISTANCE

Mr. THURMOND. Mr. President, I have information that the Veterans' Administration is to announce in the near future that veterans receiving GI bill education and training assistance will no longer be allowed to attend a school which has not signed the Statement of Compliance with the 1964 Civil Rights Act. It is my understanding that this action originated with the Justice Department, which has become increasingly arrogant with power and has begun injecting itself into more and more aspects of the lives of Americans.

I object to this further encroachment on the freedom of Americans for three reasons:

First, it is unfair to veterans.

Second, it is unfair to educational institutions.

Third, it is an extension of a pattern of coercion in the use of taxpayers' money.

I shall comment on each of these points in some detail.

First, this policy would be unfair to veterans who are eligible for this educational assistance. The purpose of providing these GI bill funds is to allow young men who have served in the defense of their country to be assisted in getting an education. The interruption of their lives by military service and the sacrifices these men have made for their Nation have led Congress to provide this assistance. By restricting the institutions which they may attend, the Government is restricting the freedom of choice of veterans.

Here we have a situation where a man dons the uniform of his country, often lays his life on the line in service of his country in Vietnam, is awarded certain benefits by the Congress, and then the Government steps in and denies him the right of attending a college or university of his choice just because that institution is trying to preserve its independence—oftentimes the very thing the veteran has fought for in millitary service for his country.

Mr. President, I wish further to make the point that, as provided for by the Congress, the GI benefits are allowances paid directly to the veteran and not to the institutions which he attends. This procedure would certainly indicate the Congress had no intention of trying to dictate to the veteran where he should attend college.

In addition to being unfair to veterans, this policy is unfair to educational institutions in this Nation. Many colleges and universities in America, seeing the rapidly increasing hand of the Federal Government in school affairs, have chosen to remain free of Government controls by refusing to sell their administrative freedom for the Federal dollar. Now these institutions, which have chosen the hard road of financial independence, are being dealt a severe blow by having the Government deny our veterans the right to attend higher educational institutions of their own choice.

The Veterans' Administration Fact Sheet IS–1, January 1968, in its explanation of educational institutions under the heading "GI Bill Education and Training," now states as follows:

> An educational institution approved for training may include any public or private secondary, vocational, correspondence, or business school, junior or teacher's college, normal school, college or university, professional scientific or technical institution, or any other institution which furnished education at the secondary school level or above.

It can readily be seen that nothing is said about restricting these institutions to those which have agreed to conditions for receiving Federal aid. The definition is designed to be inclusive, rather than exclusive. Now, the policy will be to restrict these to certain institutions only.

In addition to being an unfair restriction on veterans' right of choice, this will exert undue pressure on educational institutions. The impact of the withdrawal of veterans from private institutions free of Federal control would be considerable, especially in view of the fact such institutions are already under serious financial strain as their sustenance is entirely outside the Federal bureaucracy.

As of last month 290,678 veterans were attending higher institutions in this country under the benefits set forth in the GI bill. With our large commitment in Vietnam and the rising trend of the size of our Armed Forces, this figure is expected to increase in the next few years.

A brief check at private institutions of higher learning indicates their enrollment of veterans receiving benefits of the GI bill averages 5 percent. Anticipating this figure will increase, one can see that the impact upon those institutions wishing to remain free of Government control will be considerable.

The third point I wish to make is perhaps the most important, because it goes beyond the immediate issue. It is distressing to see Federal assistance distorted from its original purpose by using it as a carrot and stick to coerce acceptance of unrelated and unpopular policies. What we have here is the Government using these funds available to veterans as an enticement to private educational institutions to accept Government regulations. If institutions already have students on the GI bill, the denial of funds to these students is used as a threat to these schools.

Mr. President, I protest this latest example of the use of the taxpayers' money in a coercive manner, and in a manner not authorized by the Congress. While I am opposed to this decision on the part of the Justice Department, I am not surprised by it. This administration is bent on following a policy of centralization of power, and intense use of power, to achieve its own ends, regardless of the acts or intentions of Congress.

GUN CONTROL LEGISLATION

Mr. HRUSKA. Mr. President, once again in recent days America has gone through another shock and an experience of great emotional stress as a result of the assassination of our late colleague, the Senator from New York. It was a senseless act, a cruel one, and a horrible one. The shock and the grief are immeasurable.

It cannot be said that all of the emotion which is expressed and which has been evoked centers around the assassination of the Senator. It is also the result of many similar acts of violence, attention to which was called by various speakers on the floor of the Senate. Certainly the incident of the two marines shot in cold blood in a hamburger stand here in Washington is in point.

The immediate results of this experience that we have been going through are at least two in number. One has been the creation and appointment by the President of the National Commission on Causes and Prevention of Violence. The Commission consists of 10 members, of whom Dr. Milton Eisenhower has been named Chairman. The President did this Senator a great and deeply appreciated honor by asking me to serve on the Commission. He was kind enough to call me at my home and outline the purposes of the Commission, and asked if I could serve on it, to which I readily replied, as any Member of Congress or anyone active in public life would. I responded that these were trying times and if there was any way in which I could be of service, I certainly wanted to be.

We had our first meeting of that Commission yesterday, Mr. President, and another meeting is scheduled for next week. In due time, the program of the Commission will be laid out, and we will pursue our work, with the expectation that something concrete can be done that will be both of immediate and long range use in this very difficult field of determining the causes and ascertaining what can be done to prevent violence.

A second result of this emotional experience the Nation has been going through has been renewed discussion of firearms control laws. The President late yesterday sent to Congress another bill on this subject, which presumably would take the place of title IV in the omnibus crime bill which was approved very recently by the House and the Senate.

It is well to call attention, Mr. President, to the fact that the Senate had already passed a bill when the unfortunate and tragic assassination occurred. That bill had been approved here, as all of us know, with many titles, the fourth of which was a firearms control measure. The House of Representatives approved the Senate bill in very short order.

In recent days also, because of faulty or careless reporting on television and radio and in the newspapers and magazines, there has been reference to this Senator as one who has opposed firearms control bills. That false inaccurate reporting, Mr. President, is very unfortunate. I believe some of it has occurred because of lack of diligence, proper research and reading, and familiarity with the facts. It is not true, and has not been at any time since the subject of legislation in this field was initially discussed, that this Senator has been opposed to firearms control legislation. It is not true that I have opposed a strict and tough firearms control bill. That type of reporting is inaccurate and wholly mistaken.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Nebraska and I disagreed on some details of the bill. I do, however, wish to state that the Senator from Nebraska has approached this problem sincerely, honestly, and faithfully, seeking to procure the adoption of a bill which he, in his opinion, honestly felt would meet the requirements of the present time. Any condemnation of the Senator as being an opponent of a strict firearms bill, thus allowing lawlessness to prevail, is without foundation and wrong.

Mr. HRUSKA. I thank the Senator for those generous comments. I think what he has said will be amply indicated by the RECORD, because, since the inception of these debates, in the first major statement I made on the floor of the Senate on this subject, in March of 1966, again in August of that year, again in May of last year, and in April and May of this year, there has not been any question but that that is the fact.

I read, Mr. President, from the CONGRESSIONAL RECORD of May 1967, in which remarks by this Senator are shown to have included the following statement:

> So far as firearms control legislation is concerned, the issue is not whether we should have such legislation or not. The issue is what kind of legislation we should have. It will be a matter of trying to reconcile the lawful and wholesome use of firearms by twenty to thirty million Americans with the necessity of trying to keep the guns sold in this country out of the hands of the wrong people.

Then, on May 15 of this year, I made on the floor of the Senate the following statement:

> As the sponsor of amendment No. 708 and as one who had been interested in the subject of firearms legislation for a long time, I wish to make clear that the issue is not whether a firearms control bill should be enacted, but what kind of measure should receive approval.
>
> I do not question the need for improved firearms control. In fact, I strongly favor passage of an effective, enforceable, and workable bill for that purpose, a measure which will achieve as much progress as is practicable to help keep firearms out of the hands of the wrong people and to reduce the crime rate. I believe my amendment, No. 708 is such a measure. It is my hope that it will receive approval of the Senate.
>
> Anytime the Senate deals with legislation covering a sizeable objective, there are alternative proposals. Not every proposal will necessarily achieve the desired objective; not every proposal is necessary desirable or sound. This certainly is the case in regard to firearms control legislation. Differences exist only as to what provisions a measure should contain in order to best serve the overall purpose of "keeping guns out of the hands of the wrong people."

Mr. LAUSCHE. Mr. President, will the Senator further yield?

Mr. HRUSKA. I am happy to yield.

Mr. LAUSCHE. The statements just read by the Senator from Nebraska clearly indicate the purpose of Congress in passing a law that would best meet the ends of law and order.

I should like to add that the passage of the arms control law, while needed, does not mean the solution of our problems with respect to lawlessness and disorder.

The Senator from Nebraska speaks from the standpoint of the need to have all the instrumentalities of government and society recognize that in our Nation laws shall not be changed by violence or bullets, but rather by the ballot. The Senator from Nebraska, from the standpoint of all the instrumentalities and components that are needed in our country today to eliminate the shame that has been brought upon us, is an outstanding example of those who are trying to bring all the forces together for the maintenance of law and order.

Mr. HRUSKA. Mr. President, again I express my gratitude to the Senator from Ohio for his most generous remarks.

The administration and the Attorney General have one approach to achieve the goal of firearms control, a goal that would be enforceable, workable, and effective.

The Senator from Nebraska, joined by 21 other Senators, had a different approach, and we expressed it in two bills. One of them would have amended the National Firearms Act of 1934—the Machinegun Act. The other would have amended the Federal Firearms Act of 1938. These existing laws, more than 30 years old, obviously need and are overdue for updating and revision.

So we worked out a bill which found its way into the debate on the omnibus crime bill as amendment No. 708. We debated it thoroughly. We did the best we could with it. We had a fair debate. It was hard hitting, as it should have been, on both sides.

The vote was close. A shift of five votes would have altered the result to a favorable one for amendment No. 708, the so-called Hruska amendment, and it would have become a part of the crime bill. That close it was, as a margin, indicating that, in the judgment of those who sincerely have the same objective, it was something which should have been approved. But my amendment failed and the administration's bill, with some changes, was approved.

With that amendment behind us, we who voted for that point of view, did not sulk. We did not try to resign from the human race. We did not seek to go back in a corner and set up in business for ourselves. We joined forces and voted for title IV as a part of the omnibus crime bill.

I submit, in all respect, that the RECORD does not show that the Senator from Nebraska was at any time against effective firearms control legislation. We who supported amendment No. 708 sincerely felt that it was superior for a number of reasons. I shall not go into them all over again. But one of the best reasons showing the superiority of the amendment was that it called upon the resources, the talents, and the manpower of local law enforcement officials all over America to enforce gun laws and to keep guns out of the hands of the wrong people.

Was it an act of disrespect to the President to challenge his judgment, was it an act of disrespect to the Attorney General to challenge his judgment, on how best to go about the business of firearms control legislation? I do not think so. I think the record of the administration, of the Department of Justice, and of the Attorney General has not been very fortunate with respect to the omnibus crime control bill.

He was unfortunate with respect to title I. The Senate approved the Dirksen block grant amendment, which was vigorously opposed by the administration. But the judgment of the Senate differed from the judgment of the administration.

The same difference of judgment between the Senate and the administration was shown with respect to the wiretapping title. Title III was vigorously resisted by the administration.

Title III is a good bill. It complies with all the guidelines, standards, and requirements of the Supreme Court decisions in the Burger and Katz cases. The Senate by an overwhelming vote adopted the wiretapping title which is in the omnibus crime bill.

The same is true with respect to title II which has to do with the revision of the rules of admissibility of confessions in the Federal courts.

An effort was made to overcome the effect and the impact made by the Supreme Court decisions in the Miranda, Escobedo, and similar cases. The Senate disagreed with the administration and approved title II after some changes.

So the record of the administration, in the judgment of this body, has not been too good. I have no complaints as to the fashion in which amendment No. 708 was treated, debated, and disposed of. It was not the first vote on which I was on the losing side; I am confident in saying that it will not be the last one.

I believe the Senator from Ohio is correct when he says that the passing of the law on gun control will not, of and by itself, prevent violence and murder. The problem is to keep guns out of the hands of the wrong people. The problem is to locate the potential misusers of firearms and to prevent them from getting hold of them.

California has some of the most comprehensive and carefully drawn legislation to control firearms of any State in the Union. In July 1965 the California Legislature made additional amendments to its firearms control law. On that occasion, Gov. Edmund G. "Pat" Brown said, just before he signed the bills:

> The California firearms laws, even before the passage of this new legislation, were among the best in the Nation. These measures strengthen them significantly.

That is the fact. California is the State in which the assassination of Senator Robert Kennedy, allegedly by Sirhan Bishara Sirhan took place. The suspect is an alien. By the law of California, section 12021 of the penal code, aliens are forbidden to possess guns. He had a gun. He apparently broke that law. It carries maximum penalties of 15 years imprisonment and $500 fine.

Another California law provides that the commission of a felony by a person who is armed is a felony punishable separately from the felony itself, and the punishment upon conviction shall be not less than 5 years and not more than 10 years for the first offense. The law provides additional punishment for a second offense.

But another law may have been broken by Mr. Sirhan. A third provision of the California law makes unlawful the carrying of concealed firearms without a license. Sirhan probably did not have a license.

The carrying of a firearm concealed on the person is unlawful and punishable by the law of California. Sirhan allegedly was carrying a concealed weapon that was loaded at the time.

Another section of the California statute provides that if a person in lawful ownership or possession of a gun wishes to give it or sell it to someone, he has the burden of ascertaining whether that purchaser or that donee, as the case may be, is qualified under the California law to own and possess a gun. And that statute was violated.

Yet, we witnessed the commission in Los Angeles of the tragic event which all of us mourn so grievously.

I ask unanimous consent that these sections of the California statute be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. I also ask unanimous consent that a digest of the California firearms control statutes be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HRUSKA. Mr. President, yesterday the senior Senator from Montana [Mr. MANSFIELD], the distinguished Democratic leader of the Senate, spoke to this subject.

I wish to read a portion of his remarks, because again they stress the truth and the spirit of the point that the Senator from Ohio sought to make a short time ago. I quote from Senator MANSFIELD's remarks in the RECORD of June 10:

> Again I want to repeat, so that the issue can be set forth in perspective, that we can pass all the gun laws in the country and still not prevent people from getting shot. Gun laws no matter how stringent are not the answers and are not a cure-all, and we all had better face up to that fact. The answer lies in a sense of responsibility, parental control, more and better trained police, improvement of environmental conditions, obedience to the law, and less protection for the criminal and more protection for the innocent. There is too much lawlessness, disrespect, and irresponsibility today, and as far as guns are concerned every weapon in the country could be seized and confiscated, but we would still have the problem of guns of a crude type which could be manufactured at home, could be used with deadly accuracy, and they could kill.

Mr. President, it is obvious that this is the fact. It is a point that had been belabored in the debate during consideration of the omnibus crime bill; and, of course, the logic of it is very clear.

The President has sent another gun control bill to Congress and has asked for its immediate consideration. It came to the Capitol late yesterday. An attempt was made to secure its approval by the Judiciary Committee of the other body earlier today, with the declared purpose in mind, of having that bill considered in the other body and voted upon immediately.

Mr. President, that bill had not been printed at the time. I doubt that any of the Members of the other body, except perhaps a few on the Judiciary Committee, had read it or knew what was in it. The idea was to have them approve that measure and send it to the Senate summarily and without any proper consideration.

The Judiciary Committee in the other body, refused to become a part and parcel of that procedure. They refused to report it. I believe every credit should be given to them for their wisdom.

Mr. President, 2 years ago, on August 16, 1966, I spoke on the subject of hasty consideration and emotional responses. This was following the horrible massacre in Austin, Tex., when a number of shootings occurred by the man who took possession of a tower, inflicted great damage, and offended every idea of decency and humanity.

I ask unanimous consent that an excerpt from those remarks, dealing with this aspect of the situation, be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

FIREARMS LEGISLATION REQUIRES FAIRNESS, BALANCE, AND JUDGMENT, RATHER THAN EMOTION

Mr. HRUSKA. Mr. President, from time to time an event occurs which so stirs the emotions of the Nation that it results in an unreasoning but nonetheless understandable call for legislative action.

This appears to be the case in the senseless and shocking tragedy in Austin, Tex., on August 1. Stunned by the sudden and abhorrent nature of this bizarre event, there were urgent demands for prompt action on the pending firearms control bills now before the Congress.

Some of these demands came from the highest places in our Government and called for legislative action to "help prevent the wrong persons from obtaining firearms."

The Members of the Senate, no doubt, were as greatly shocked by the tragedy in Austin as anyone else and unquestionably there are among us those who would join in the call for prompt passage of pending firearms control legislation.

But the Senate, Mr. President, has a duty which it has fulfilled in countless past emotion-filled crises—a duty to act with deliberation and care. The wisdom of this policy has been proved repeatedly throughout the history of this body.

No one can contend that any of the pending bills would prevent the wrong person from obtaining firearms. No one that this Senator knows about contends that if the most extreme and comprehensive of the pending bills on this subject had been law at the time of the Austin tragedy, that such law would have had any effect, application, or impact under the circumstances which prevailed and immediately preceded on that lamented occasion.

But, it is said, legislation should be adopted so as to "help prevent the wrong persons from obtaining firearms," and to make firearms less readily available generally.

Both of these goals are commendable. It would be difficult, indeed, to quarrel with either of them as thus simply stated. But obviously not every measure which would operate or tend in their direction would be desirable or sound.

When a specific measure is considered, searching questions assert themselves at once, such as these:

How effective would such a measure be to achieve these two goals?

Has a necessity been shown for embracing the particular firearms affected by the bill?

What harmful interference will be imposed on "right" people, who put firearms to legal, proper, beneficial, and necessary uses?

Will such interference be totally out of proportion to the benefits claimed for such a measure in preventing "wrong" people from getting firearms, and to make such weapons less readily available?

Crimes committeed with firearms are serious. They are a threat to society. No reasonable person can rightly disagree with the objective that firearms—or any other potential tool of the criminal—be kept away from criminal hands, insofar as is practicable and workable to do so.

But the basic question still remains as to how such objective can be reached or even approached without inflicting undue and harmful limitations on those who have rights and necessities to purchase, possess, and use firearms legally, legitimately, and beneficially.

Mr. HRUSKA. Among other things, this was said:

> When a specific measure is considered, searching questions assert themselves at once, such as these:
>
> How effective would such a measure be to achieve these two goals?
>
> Has a necessity been shown for embracing the particular firearms affected by the bill?
>
> What harmful interference will be imposed on "right" people, who put firearms to legal, proper, beneficial, and necessary uses?
>
> Will such interference be totally out of proportion to the benefits claimed for such a measure in preventing "wrong" people from getting firearms, and to make such weapons less readily available?
>
> Crimes committed with firearms are serious. They are a threat to society. No reasonable person can rightly disagree with the objective that firearms—or any other potential tool of the criminal—be kept away from criminal hands, insofar as is practicable and workable to do so.
>
> But the basic question still remains as to how such objective can be reached or even approached without inflicting undue and harmful limitations on those who have rights and necessities to purchase, possess, and use firearms legally, legitimately, and beneficially.

So we have the same situation before us again. I am sure that in due time the new bills will be referred to committee, and they should be, and will be, carefully considered. If a case can be made for a favorable report and action before the Senate and in the other body, that would be very much in order. On the other hand, if that kind of case cannot be made, then other disposition of the bill should be made.

Again, Mr. President, I wish to say that when there are reports and assertions that the Senator from Nebraska is against effective, strong, and strict firearms control legislation, those charges are false, inaccurate, and totally mistaken. The record so shows. And I do believe that there is some responsibility upon those who have made such declarations to make an effort to review the record and reflect it accurately.

Mr. President, I yield the floor.

EXHIBIT 1

SECTIONS OF CALIFORNIA PENAL CODE

12021. Aliens, narcotic addicts forbidden possession of firearms: Any person who is not a citizen of the United States and any persons who has been convicted of a felony under the laws of the United States, of the State of California, or any other state, government, or country, or who is addicted to the use of any narcotic drug, who owns or has in his possession or under his custody or control any pistol, revolver, or other firearm capable of being concealed upon the person is guilty of a public offense, and shall be punishable by imprisonment in the state prison not exceeding 15 years, or in a county jail not exceeding one year or by a fine not exceeding five hundred dollars ($500), or by both.—Stats. 1965, Chap. 931.

12022. Committing felony while armed: Any person who commits or attempts to commit any felony within this State while armed with any of the weapons mentioned in Section 12020 or while armed with any pistol, revolver, or other firearm capable of being concealed upon the person, without having a license or permit to carry such firearm as provided by this chapter, upon conviction of such felony or of an attempt to commit such felony, shall in addition to the punishment prescribed for the crime of which he has been convicted, be punishable by imprisonment in a state prison for not less than five nor more than 10 years. Such additional period of imprisonment shall commence upon the expiration or other termination of the sentence imposed for the crime of which he is convicted and shall not run concurrently with such sentence.

Upon a second conviction under like circumstances the additional period of imprisonment shall be for not less than 10 years nor for more than 15 years, and upon a third conviction under like circumstances the additional period of imprisonment shall be for not less than 15 nor for more than 25 years, such terms or additional imprisonment to run consecutively.

Upon a fourth or subsequent conviction under like circumstances the person so convicted may be imprisoned for life or for a term of not less than 25 years, within the discretion of the court in which the fourth or subsequent conviction was had.—Stats. 1953, Chap. 36.

* * * * *

12025. Carrying certain firearms without a license: Except as otherwise provided in this chapter, any person who carries concealed upon his person or concealed within any vehicle which is under his control or direction any pistol, revolver, or other firearm capable of being concealed upon the person without having a license to carry such firearm as provided in this chapter is guilty of a misdemeanor, and if he has been convicted previously of any felony or of any crime made punishable by this chapter, is guilty of a felony.

Firearms carried openly in belt holsters are not concealed within the meaning of this section, nor are knives which are carried openly in sheaths suspended from the waist of the wearer.—Stats. 1955, Chap. 1520.

* * * * *

12031. Carrying of loaded firearm on person is misdemeanor.—Exceptions: (a) Except as provided in subdivision (b), every person who carries a loaded firearm on his person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited area of unincorporated territory is guilty of a misdemeanor.

(b) Subdivision (a) shall not apply to any of following:

(1) Sheriffs, constables, marshals, policemen, members of the California Highway Patrol, members of the California State Police, and employees of the State Department of Justice listed in Section 817 who are designated as peace officers, whether active or honorable retired, other duly appointed peace officers as defined in Section 817, full-time paid peace officers of other states and the federal government who are carrying out official duties while in California, or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

(2) Guards or messengers of common carriers, banks, and other financial institutions while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds or other thing of value within this state.

(3) Members of the military forces of this state or of the United States engaged in the performance of their duties.

(4) Persons who are using target ranges for the purpose of practice shooting with a firearm, or who are members of shooting clubs while hunting on the premises of such clubs.

(5) Patrol special police officers appointed by the police commission of any city, county, or city and county under the express terms of its charter who also under the express terms of the charter (i) are subject to suspension or dismissal after a hearing on charges duly filed with the commission after a fair and impartial trial, (ii) must be not less than 21 years of age nor more than 40 years of age, (iii) must possess physical qualifications prescribed by the commission, and (iv) are designated by the police commission as the owners of a certain beat or territory as may be fixed from time to time by the police commission.

(6) The carrying of concealable weapons by persons who are authorized to carry such weapons pursuant to Article 3 (commencing with Section 12050) of Chapter 1 of Title 2 of Part 4 of the Penal Code.

(7) Private investigators, private patrol operators, and operators of a private patrol service who are licensed pursuant to Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code, while acting within the course and scope of their employment.

(8) The carrying of weapons by persons who are authorized to carry such weapons pursuant to Section 607f of the Civil Code, while actually engaged in the performance of their duties pursuant to such section.

(c) In order to determine whether or not a firearm is loaded for the purpose of enforcing this section, peace officers are authorized to examine any firearm carried by anyone on his person or in a vehicle while in any public place or on any public street in an incorporated city or prohibited area of an unincorporated territory. Refusal to allow a peace officer to inspect a firearm pursuant to the provisions of this section constitutes probable cause for arrest for violation of this section.

(d) As used in this section "prohibited area" means any place where it is unlawful to discharge a weapon.

(e) A firearm shall be deemed to be loaded for the purposes of this section when there is an unexpended cartridge or shell, consisting of a case which holds a charge of powder and a bullet or shot, in, or attached in any manner to, the firearm, including, but not limited to, in the firing chamber, magazine, or clip thereof attached to the firearm; except that a muzzle-loader firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinder.

(f) Nothing in this section shall prevent any person engaged in any lawful business, including a nonprofit organization, or any officer, employee, or agent authorized by such person for lawful purposes connected with such business, from having a loaded firearm within such person's place of business, or any person in lawful possession of private property from having a loaded firearm on such property.

(g) Nothing in this section shall prevent any person from carrying a loaded firearm in an area within an incorporated city while engaged in hunting, during such time and in such area as the hunting is not prohibited by the city council.

(h) Nothing in this section is intended to preclude the carrying of any loaded firearms, under circumstances where it would otherwise be lawful, by a person who reasonably believes that the person or property of himself or another is in immediate danger and that the carrying of such weapon is necessary for the preservation for such person or property.

(i) Nothing in this section is intended to preclude the carrying of a loaded firearm by any person while engaged in the act of making or attempting to make a lawful arrest.

(j) Nothing in this section shall prevent any person from having a loaded weapon, if it is otherwise lawful, at his place of residence, including any temporary residence or campsite.—Added, Stats, 1967, Chap. 960.

* * * * *

12072. Restrictions on transfer of certain firearms.—Misdemeanor: No person, corporation or dealer shall sell, deliver, or otherwise transfer any pistol, revolver, or other firearm capable of being concealed upon the person to any person whom he has cause to believe to be within any of the classes prohibited by Section 12021 from owning or possessing such firearms, nor to any minor under the age of 18 years. In no event shall any such firearm be delivered to the purchaser within 5 days of the application for the purchase thereof, and when delivered such firearm shall be securely wrapped and shall be unloaded. Where neither party to the transaction holds a dealer's license, no person shall sell or otherwise transfer any such firearm to any other person within this State who is not personally known to the vendor. Any violation of the provisions of this section is a misdemeanor.—Stats. 1965, Chap. 1007.

EXHIBIT 2

DIGEST OF THE PRINCIPAL PROVISIONS OF THE CALIFORNIA STATE FIREARMS LAW

No person who is not a citizen, or who is a drug addict, or who has been convicted of a felony in any foreign or domestic court, may own, possess or have under his custody or control any concealable firearm. A concealable firearm is any pistol, revolver or pellet or rocket gun which has a barrel less than 12 inches in length.

No person who has been involuntarily committed after October 1, 1955, to any public or private mental hospital or sanitarium for a period of thirty days or more shall have in his possession or control any firearm unless there has been issued to such person a certificate by the superintendent of any California state hospital, stating that the applicant is a person who may possess a firearm without endangering others.

A person must have a license to carry a pistol or revolver concealed upon his person or concealed within any vehicle. There is no statutory definition of what constitutes "concealed within a vehicle." This is a matter of court interpretation.

No loaded firearm may be carried openly on one's person or in a vehicle in any public place or on any public street in an incorporated city or prohibited area of an unincorporated territory, unless one is hunting during the time and in such an area where such hunting is not prohibited.

No person may possess a loaded rifle or shotgun in any vehicle or conveyance, or its attachments, on or along any public highway or other way open to the public. A firearm is considered to be loaded when there is an unexpended cartridge or shell attached in any manner to the firearm. This provision includes, but is not limited to, ammunition contained in the firing chamber, magazine, or clip attached to the firearm.

The carrying of firearms and ammunition within the State Capitol, any legislative office, office of the Governor, upon the grounds of the State Capitol or any state college, or the residence of any state legislator is prohibited.

Among the exceptions to the requirement of a license to carry a handgun are the following: (1) members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, public or private, while such members are using concealable firearms upon such target ranges, or while going to or from such ranges; (2) licensed hunters or fishermen while engaged in hunting or fishing, or while going to or returning from such activity; (3) members of any club or organization organized for the purpose of collecting and displaying antique or historical firearms, while such members are displaying such weapons at meeting of such clubs or organizations or while going to and from such meetings, or individuals who collect such firearms not designed to fire, or incapable of firing, fixed ammunition, or other firearms of obsolete ignition type for which ammunition is not readily available and which are generally recognized as collector items, provided such firearms are kept in the trunk of a motor vehicle. (If the vehicle is not equipped with a trunk, a firearm must be kept in a locked container in an area of the vehicle other than the utility or glove compartment.)

Application for a license to carry a concealable firearm is made to the sheriff of a county or head of the police department of any city or county. The written application must contain a description of the weapon or weapons to be carried, such description including the name of the manufacturer, the serial number and the caliber.

A license may be issued for a period of one year from the date of the license upon proof that the applicant is of good moral character and that good cause exists for the issuance of the license.

A period of five days shall elapse between the time of application for the purchase of a concealable firearm and delivery thereof by the seller. Further, no such firearm may be delivered unless the purchaser either is personally known to the seller or presents clear evidence of his identity. When delivered, the firearm must be unloaded and securely wrapped.

Any person, other than a licensed California firearms dealer, who orders by mail a pistol, revolver or firearm capable of being concealed on the person must, at least five days before ordering such weapons, file with the head of the local police (city or county, or city and county) wherein such person maintains his residence or principal place of business, a record in duplicate of such ordering. The local municipality may charge a fee not exceeding $1 for filing such record and shall send the duplicate of such record to the Bureau of Criminal Identification and Investigation at Sacramento. Within 14 days after receipt of such a weapon, the purchaser must forward the serial number and description of the firearm to the Bureau.

Retail dealers in handguns must be licensed, but no license is required for the sale or transfer of firearms between private persons who are not dealers.

A minor may not possess a concealable firearm unless he has the written permission of his parent or guardian or its accompanied by his parent or guardian while he has such firearm in his possession.

No person may sell any firearm to any minor who is at least 16 years of age but not over the age of 18 years without the written consent of a parent or legal guardian of such minor. Further, no person may sell any firearm, air gun or gas-operated gun to any minor under the age of 18 years.

No license or permit is required to purchase, possess or carry a rifle or shotgun.

A person must have a permit from the Chief of the Bureau of Criminal Identification and Investigation in order to possess or transport a machine gun. The term "machine gun" is defined as "any weapon which shoots, or is designed to shoot, automatically or semi-automatically, more than one shot, without manual reloading, by a single function of the trigger, and includes any frame or receiver which can only be used with such weapon."

No person may manufacture, cause to be manufactured, import into the state, keep for sale, offer or expose for sale, or give, lend or possess any shotgun having a barrel or barrels of less than 18 inches in length, or any rifle having a barrel or barrels less than 16 inches in length, or any weapon made from a rifle or shotgun (whether by alteration, modification or otherwise) if such weapon as modified has an overall length of less than 26 inches.

The possession, transportation or sale of any "destructive device" (bomb, grenade, rocket, missile, etc. or weapon of greater than .60 caliber other than a shotgun) is prohibited without a special permit issued by the Chief of the Bureau of Criminal Identification and Investigation, renewable annually at a cost of $10.

ORDER OF BUSINESS

Mr. HRUSKA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection, it is so ordered.

REGULATION OF GUNS

Mr. McGOVERN. Mr. President, in the wake of the tragic assassination of Senator Robert Kennedy, I am asking my constituents whether they are willing to undergo a small amount of inconvenience to help slow the growing use of firearms in violent crime in the United States.

I feel certain my fellow South Dakotans will agree with me that the additional restrictions on purchases of rifles and shotguns now under consideration are not an unreasonable price to pay in the hopes of reducing the horrible misuse of firearms in our country.

I have come to the conclusion that we must spare no effort to restore law and order to America and to put an end to violence. Proper control will not alone end violence but it is one step among others that we need to consider.

I have in the past opposed measures to extend Federal controls to the sale of so-called long guns. My position has reflected what I feel has been the consensus in South Dakota, where firearms for sporting purposes are an important part of our lives and our economy. I have also been influenced by my background as a hunter since early boyhood.

But I have asked South Dakotans to join me in an honest reevaluation of that position, based upon a full understanding of what the proposed legislation would and would not do.

It would not prevent reasonable use and ownership of the firearms. No one other than fugitives from justice, persons under indictment, or individuals who have been convicted of crimes punishable by a prison sentence of more than 1 year, would be prohibited from obtaining rifles and shotguns for the purposes they deem important.

Those who want to purchase firearms through the mails could do so through a licensed dealer. Sales in violation of State law would be prohibited. Dealers would have to be satisfied that the purchaser is a resident of the State and they would have to be supplied with the buyer's name, age, and place of residence.

In exchange for these additional steps in obtaining firearms, studies have indicated that there would be some beneficial results.

We know, for example, that roughly one-fourth of all guns purchased through the mails are ordered by people having criminal records. We know that in Detroit some 90 out of every 100 guns confiscated in criminal cases were purchased in neighboring Ohio, where controls are weak.

We know that in England and West Germany, where strict gun controls have been employed for a number of years, murders with guns occur at an annual rate of only 30 and 68 respectively, compared with some 6,500 in the United States. In a recent year Japan had only 37 firearms murders. On a per capita basis we had 67 times as many.

There is no way of knowing what effect the proposed legislation would have on the Nation's growing rate of crime and violence. I have no doubt that other factors are as important or more important than firearms. The emphasis on and glorification of violence in the form of TV and movie entertainment, for example, fosters the view that force is an acceptable method of achieving what we want. Our reliance on military might for questionable purposes in Vietnam undoubtedly inspires some individuals to pursue a similar standard in their own affairs. By taking steps to assist local and State police agencies in the prompt and effective enforcement of the law we can surely accomplish more to reduce the crime rate than can be achieved through firearms regulations.

But it seems to me that the issue must be placed in perspective. It is reasonable to assume that by making it more difficult for people who intend to use guns in murders, armed robbery, and assault to obtain them, effective firearms control could have prevented some of the 6,500 gun murders, the 43,500 firearms assaults, and the 59,000 armed robberies that were committed in 1966.

I think those of us who represent rural States must respond to reliable indications that some 70 percent of the American people—and 65 percent of the gun owners—want Federal controls of the kind proposed or stronger.

The question is not whether the ownership of firearms for legitimate purposes is going to be eliminated to prevent misuse by a few. No one is suggesting that. The question is whether Americans who do use shotguns and rifles for worthwhile purposes are willing to undergo a little inconvenience to prevent some of the deaths, assaults, and robberies, realizing that the proposed legislation would involve no prohibition on the reasonable use and ownership of sporting firearms.

CONFERENCE ON U.S. TRADE POLICY CRISIS

Mr. JAVITS. Mr. President, I call the attention of the Senate to an important conference which took place in Washington on June 4 and 5 last. I did not call the attention of the Senate to it previously because of the terrible tragedy which overwhelmed us all. It was the first conference of the Coordinating Council of Organizations on International Trade Policy to highlight the crisis facing U.S. trade policy as a result of current pressures in Congress for import quotas and the absence of U.S. proposals for the future direction of trade policy.

The conference was attended by over 500 people from all over the country representing organizations as diverse as the League of Women Voters, the American Association of University Women, the Commerce and Industry Association of New York, the National Retail Merchant Association, the National Farmers Union, the National Grange, and many others. I had the privilege to be the keynote speaker on the eve of the conference. On June 5 the conference was addressed by several members of the President's Cabinet, including Ambassador Roth, Secretary of Commerce Smith, Under Secretary of State Udall, and Secretary Freeman, as well as Members of Congress such as Senator PERCY, Congressmen CURTIS, and HENRY REUSS, reaffirming the reasons for this country's commitment to a policy of trade liberalization.

During the luncheon meeting, former Senator Paul Douglas and Charles P. Taft, general counsel of the Committee for a National Trade Policy, received the well-deserved Cordell Hull Award for their contribution to liberal trade policy. In the afternoon, outstanding experts and representatives of private organizations discussed the major issues facing trade policy today and how private organizations could most effectively stimulate public support for freer trade. Generally speaking, Mr. President, the meeting was a most interesting and important development of the subject.

It was expected that the President would deliver a major speech on trade policy at dinner. In view of the Kennedy tragedy, the President could not attend but his speech was delivered by Ambassador Roth. It was a very significant speech for those who favor a liberal trade policy and confirmed once again the President's personal commitment to this policy which has been so vital to our economy and our relations with the major trading nations of the world.

I ask unanimous consent that the schedule of the conference, a partial list of organizations participating in the coordinating council, and my speech to the conference, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(An Urgent Meeting on the U.S. Trade Policy Crisis, June 4–5, 1968, Washington, D.C.)

Forward to Freer Trade: Policy Initiatives in a Changed World Economy

CONFERENCE EVE, JUNE 4

Registration beginning at 5:00 P.M.

Address at 8:00 P.M. by Senator Jacob K. Javits of New York followed by social hour.

CONFERENCE PROGRAM, JUNE 5

Registration resumed at 8:30 a.m. Morning session 9:00–12:00.

Panel discussion: *Chairman:* Charles P. Taft. "What Should the Administration and Congress Do?" *What pace of trade liberalization best serves the nation's balance-of-payments needs and its overall enlightened self-interest? What must the Administration and Congress do to ensure the consistency and dependability of such a policy?*

Two consecutive panels will discuss the question:

From Congress: Senators Philip A. Hart (Mich.), Charles H. Percy (Ill.), Joseph D. Tydings (Md.); Representatives Henry S. Reuss (Wisc.), Richard Bolling (Mo.), Martha Griffiths (Mich.), Charles Whalen, Jr. (Ohio); and others.

From the Administration: Ambassador William M. Roth and Cabinet officers.

Questions and comments from the audience will be invited in every panel discussion of the day.

Reception, 12:00; luncheon, 12:30

Chairman: Carl J. Gilbert.

Invocation: Rev. Francis B. Sayre, Jr., Dean, Washington National Cathedral.

Presentation of Cordell Hull Award to Paul H. Douglas and Charles P. Taft.

Speaker: Hon. Paul H. Douglas, former Senator from Illinois.

Benediction: Rabbi Richard G. Hirsch, Union of American Hebrew Congregations.

Afternoon session, 2:30–5:00

Panel Discussion (2:30–3:45). *Chairman:* Roy Blough, Prof. of International Business, Columbia Graduate School of Business (formerly member of President's Council of Economic Advisers). "An Independent, Freewheeling Assessment of the Issues." *Nongovernment experts will discuss U.S. trade policy needs, the balance-of-payments issue, and national economic adjustments.*

Panel: Howard S. Piquet, Chief International Economist, Library of Congress; Robert L. McNeill, Director, International Affairs, Washington staff, Ford Motor Company; Robert Schwenger, formerly trade policy specialist at Departments of Agriculture and Labor; Alfred R. McCauley, attorney (formerly trade policy counsel, Ways and Means Committee); Robert S. Eckley, Manager of Business Economics, Caterpillar Tractor Company; Reuben L. Johnson, Director of Legislative Services, National Farmers Union; Harry L. Graham, Legislative Representative, National Grange; Herbert E. Harris II, Legislative Counsel, American Farm Bureau Federation; Stanley Greenspan, Assistant to Director, International Affairs, United Auto Workers; and Sperry Lea, National Planning Association, Canadian-American Committee.

Panel Discussion (4:00–5:00). *Chairman:* Mrs. Bruce B. Benson, President, League of Women Voters of the U.S. "What Should Private Organizations Do?" *How may private organizations most effectively stimulate public support for freer trade and government consistency in pursuit of these policy goals?*

Panel: Gerald H. O'Brien, Executive Vice President, American Importers Association; John R. Vastine, Jr., Washington Office, Emergency Committee for American Trade; Clifford B. O'Hara, Chairman, Committee on Foreign Commerce, American Association of Port Authorities; Mrs. David G. Bradley, Chairman, Foreign Policy Committee, League of Women Voters; Jay H. Cerf, Manager, International Group, U.S. Chamber of Commerce; David J. Steinberg, Secretary and Chief Economist, Committee for a National Trade Policy; Mrs. Alison Bell, American Association of University Women; and Nelson A. Stitt, Executive Director, U.S.-Japan Trade Council.

Reception, 7:00; Dinner, 7:30

Invocation: Rev. L. Maynard Catchings, United Church of Christ.

Speaker: To be announced.

Benediction: Very Rev. Robert Trisco, Catholic University of America.

Partial List of Organizations Participating in Coordinating Council

American Association of Port Authorities, Inc.
American Association of University Women.
American Book Publishers Council, Inc.
American Importers Association.
American Institute for Imported Steel.
American Merchant Marine Institute, Inc.
American Seafood Distributors Association.
American Watch Association, Inc.
Americans for Democratic Action.
Association of Marine Underwriters of the United States.
Atlantic Council, Inc.
Automobile Manufacturers Association.
Buffalo World Trade Association.
California Council for International Trade.
Canned Meat Importers' Association.
Chicago Council on Foreign Relations.
Commerce and Industry Association of New York, Inc.
Committee of American Steamship Lines.
Committee for a National Trade Policy, Inc.
Committee for Economic Development.
Cooperative League of the U.S.A.
Dallas Manufacturers & Wholesalers Association, Inc.
Emergency Committee for American Trade.
Florida Ports and Foreign Trade Council.
Foreign Traders Association of Philadelphia, Inc.
Friends Committee on National Legislation.
Grain and Feed Dealers National Association.
Greater Detroit Board of Commerce.
International Apple Association, Inc.
International Center of New England.
International Cooperative Petroleum Association.
International House (New Orleans).
International Trade Club of Chicago.
International Trade Club of Greater Kansas City, Inc.
League of Women Voters of the United States.
Maine Port Authority.
Maryland Port Authority.
Massachusetts Port Authority.
Meat Importers' Council, Inc.
Miami-Dade County Chamber of Commerce.
Motion Picture Association of America, Inc.
National Council of Catholic Women.
National Council of Jewish Women.
National Customs Brokers & Forwarders Association of America, Inc.
National Education Association.
National Farmers Union.
National Grange.
National Planning Association.
National Retail Merchants Association.
North Atlantic Ports Association, Inc.
Port of Houston.
Port of Los Angeles.
Port of New York Authority.
Port of Seattle.
Portland Chamber of Commerce.
San Francisco Area World Trade Association.
Scrap Industry Trade Policy Council.
Temple of Understanding.
Tobacco Associates, Inc.
Union of American Hebrew Congregations.
United Church of Christ.
United Nations Association of the U.S.A.
United Presbyterian Church in the U.S.A.

United World Federalists.

U.S. Council of the International Chamber of Commerce.

Women's International League for Peace and Freedom.

World Trade Club of New York, Inc.

Young Women's Christian Association.

WHERE IS LEADERSHIP IN U.S. TRADE POLICY?

(Remarks of Senator JACOB K. JAVITS before the Coordinating Council of Organizations on International Trade Policy on the U.S. Trade Policy Crisis, Washington, D.C., June 4, 1968)

This conference may well prove to be a turning point for U.S. trade policies. The Kennedy Round is behind us after a most difficult four years of negotiations. It is almost a year since the President's trade negotiating authority has expired. Tariffs among the industrialized nations are beginning to lose their significance as impediments to international trade and non-tariff barriers among such nations are beginning to appear as the last remaining obstacles to free international trade. Regional trading arrangements in common market or free trade area terms are springing up or are being negotiated almost daily.

The less developed countries are complaining with considerable justification, that they are losing ground in their struggle to increase their share of world trade and that nothing substantial is being done to change the existing trading system. They claim it is working to their disadvantage aided by the revolutionary impact of new technology which develops substitutes and alternates for basic commodities.

And, within the U.S. there is growing fear about our ability to withstand international competition which is giving support to those who would meet that competition by shutting it off by import quotas or other protectionist schemes. Congress, reflecting these fears, has shown more sympathy for restrictive trade legislation in 1967 and 1968 than at any time in recent memory. In the meantime, the people who have a great deal at stake in this, stand by almost apathetically because they have not yet been aroused to the importance of the issue.

It has always been a difficult task to keep our commitment to a policy of trade liberalization and to convince the American people of its great value. But we have kept that commitment over the past 30 years through the leadership of Presidents, of the leaders of Congress, and of labor and trade and industry. In the future, while our approach to trade liberalization may be different from that embodied in the Trade Expansion Act of 1962 or its predecessors, the essential element again will be leadership; this is what is lacking today and without it our commitment to trade liberalization tends to be less convincing than it should.

Last week, the President at last sent to the Congress his long awaited trade message. I cannot find much to quarrel with in the interim trade bill proposed by the Administration—although the downgrading of the U.S. Tariff Commission in adjustment assistance cases is in my judgment a major mistake.

But I do quarrel with that portion of the President's Message which deals with future U.S. trade policy. In that respect, the message is a failure; it is inadequate as an answer to protectionist sentiment in the Congress, or as a means of arousing the American people for the task ahead. It is a failure of leadership! It offers only caretaker legislation and gives no significant clue to what will follow the Kennedy Round.

Equally disturbing is the absence of trade policy leadership by any of the candidates who are contending for the Presidency this year. That 1968 is not the year to propose major legislation is generally accepted. It is an election year with more than the usual crisis issues to occupy the country's attention. But we have every right to expect that candidates for the Presidency will give the American people their proposals as to how they intend to deal with the complex problems of foreign trade during the next four years. Trade policy is among the most significant of these issues, both as a "bread and butter" issue and as a major concern of our foreign policy.

It should be self-evident that continued commitment to trade liberalization is essential for the U.S. Open international trade is essential to America's future—as a world economic power and as the leader of the non-communist world community. We benefit from a policy of trade liberalization through steadily expanding markets for our industries which in turn generate millions of jobs. Imports provide the essential raw materials for our industrial machine, the wherewithal for our trading partners to purchase our exports and a greater choice of goods for millions of our consumers. International competition provides a major incentive to increase our efficiency and our competitiveness which are required to retain markets overseas and to meet import competition at home. A policy of protectionism runs counter to all these needs.

Open international commerce is even more vital to our trading partners than to ourselves; most of them turn out to be also among our most essential political allies. For many of them—Japan, the United Kingdom, Belgium—exports constitute a substantial part of their output. Loss of exports means for them substantial unemployment, stagnation and political unrest. A policy of protectionism is, therefore, utlimately a threat to our national security.

In all honesty, I do not expect that the Presidential candidates will have much to say as to their approach to trade policy questions in the coming months. Therefore, it is up to you, the trade policy group with wide grassroots support, to keep the issue before the American people.

This Conference and members of the Coordinating Council are faced basically with two major responsibilities. The first and foremost is to make the American people fully aware of what is at stake for the United States in a policy of trade liberalization and, equally important, to place before the next President of the United States your recommendations as to the specifics of a new foreign trade policy. Tomorrow's discussions will serve to clarify the issues.

Second, this should be followed up by a major educational effort—through a series of popular pamphlets, discussion programs, and conferences in major cities of the country—that will rally the American people around liberal trade policy. You should also sit down—perhaps at an American Assembly type conference—and draw up a specific program for publication early next year. Above all, make certain that whatever approach you choose, it comes to grips with the major unmet problems facing trade policy: non-tariff barriers, other artificial impediments to fair international competition, the need for adjustment and modernization, and the need to enhance market opportunities for developing countries.

Given these requirements and the current international situation, trade policy will have to be flexible and possess the maximum economic and minimum political goals. Within this context the proposal to establish an Industrial Free Trade Area makes a great deal of sense and deserves careful consideration as one possible U.S. trade initiative.

Such a free trade area could be formed initially between the United States, Canada and the United Kingdom but open to all industrialized nations willing to observe its rules as well as associated developing countries which could be eligible for special trade concessions. All industrialized products and raw materials would be subject to tariff cuts, with the possible exception of a few extremely sensitive and strategic commodities. It would be the aim of the proposal to attain the complete elimination of tariff and non-tariff barriers in 15 to 20 years. Provisions could be made to provide adjustment assistance or modernization loans to firms facing stronger foreign competition.

As Geiger and Lea, authors of one of the papers submitted for the Joint Economic Committee compendium on trade policy issues last year, concluded, the free trade area concept promises to be relevant for the United States in any eventuality. If the next attempt at trade negotiations by the traditional multilateral approach fails, or is insufficiently promising to be attempted, we would be wise to shift to the only other practical approach sanctioned by GATT, the formation of a free trade area of interested industrialized nations. If the next round of trade negotiations is successful, then we would find ourselves so close to free trade that the GATT countries would want to commit themselves to full free trade at a fixed date, to establish rules of competition and undertake other commitments as if they were in a formal free trade area.

I conclude as I began. We have reached a turning point for U.S. trade policy. The going will be tough in the months and years ahead and only full confidence in our competitive strength and wise leadership will ensure that we will continue toward the goal of open international commerce. Whether we will retain our confidence and have wise leadership in this field will depend in large degree on what those directly interested can accomplish tomorrow and in the days ahead.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order entered today, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 23 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 12, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 11, 1968:

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

John W. Townsend, Jr., of Maryland to be Deputy Administrator, Environmental Science Services Administration (vice Werner A. Baum).

IN THE AIR FORCE

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major general

Brig. Gen. Reginald M. Cram, FR5812, (colonel, Regular Air Force, retired) Vermont Air National Guard.

To be brigadier generals

Col. Robert W. Akin, FG838040, Tennessee Air National Guard.

Col. Robert F. King, FG870815, Washington Air National Guard.

Col. Billy J. Shoulders, FG955069, Tennessee Air National Guard.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 11, 1968:

DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Edward E. Archer, to be a Foreign Service officer of class 6, and ending Miss Evelyn A. Wythe, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 14, 1968; and

The nominations beginning Alexander Akalovsky, to be a Foreign Service officer of class 2, a consular officer, and a secretary in the diplomatic service of the United States of America and ending Daniel R. Welter to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 27, 1968.

HOUSE OF REPRESENTATIVES—*Tuesday, June 11, 1968*

The House met at 12 o'clock noon.

The Reverend Walter W. Flaherty, Our Lady of Assumption Church, Green Harbor, Mass., offered the following prayer:

Lord God, Almighty Father, as the Speaker and Members of the House of Representatives again assemble to conduct the legislative business of the Congress may they be guided by the Divine Counselor in their deliberations and judgments. With contrite hearts we humbly confess in our humanity our bafflement by the mysteries and dilemmas, strifes and struggles, tragedies and tribulations of this life, and beg You to give the Members of this House of Representatives the strength and courage to walk worthily in the vocation of responsibility and service to which they have been called. We ask You to hear us and inspire us through Jesus Christ, Your Son, our Lord, who lives and reigns with You in the unity of the Holy Spirit, God forever, and ever. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Bradley, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 13154. An act for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia;

H.R. 13912. An act for the relief of Angeliki Giannakou; and

H.R. 16674. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 15856. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15856) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. MAGNUSON, Mr. STENNIS, Mr. SYMINGTON, Mr. CANNON, Mr. SMITH, Mr. HICKENLOOPER, Mr. CURTIS, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1999. An act to amend the District of Columbia Public Education Act; and

S. 2349. An act to provide for the appointment of additional circuit judges.

The message also announced that the Senate receded from its amendment to a bill of the House (H.R. 4919) entitled "An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) entitled "An act to remove certain limitations on ocean cruises."

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Distribution of Executive Papers referred to in the report of the Archivist of the United States numbered 68.14.

THE REVEREND WALTER W. FLAHERTY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, we have just listened to a beautiful and expressive prayer offered by the Reverend Father Walter W. Flaherty, who is the Acting Chaplain of the House of Representatives today.

Mr. Speaker, Father Flaherty's presence here today in offering prayer in this Chamber and to the Members is a source of great official pleasure to me as well as a personal pleasure to both Mrs. McCormack and myself. The reason for this is that Father Flaherty was one of my secretaries for the period of 7 years, serving me in my office in Washington. So, Mr. Speaker, Father Flaherty is back in familiar territory, but in a different role.

Mr. Speaker, Father Flaherty was ordained to the holy priesthood only a few weeks ago, on May 11, 1968.

During the years he was associated with me as one of my secretaries, he always manifested the atmosphere, temperament, and the feeling that he had a calling and the vocation to the holy priesthood.

Some 3 or 4 years ago a great churchman and a great spiritual leader, Cardinal Cushing, of Boston, established a seminary for delayed vocations. This gave Father Flaherty, then Walter W. Flaherty, one of my secretaries, the opportunity to carry out his ambition and vocation, and he was one of the seminarians in the first class of the Pope John 23d Seminary in Boston.

As I said, Father Flaherty was ordained on May 11, 1968. So I know the Members of the House join with me in my official happiness, and with Mrs. McCormack and myself in our personal happiness, in welcoming my former secretary, Walter Flaherty, today as the Acting Chaplain of the House, now Father Walter W. Flaherty.

And, Walter, or Father Flaherty, or Father Walter, we welcome you back, and we hope you will visit us on many occasions in the future.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, as a member of the Massachusetts congressional delegation, I share the pride and the pleasure of the distinguished Speaker in welcoming to this Chamber his former employee, now Father Walter Flaherty. When Father Flaherty was employed by the Speaker, no one evidenced more kindness or consideration or more courtesy or greater interest to the people who visited the Speaker's office at that time than did Walter Flaherty.

So he comes to the priesthood with a great deal of experience, unusual experience, in that he has met in that busy office on Capitol Hill some of the most important people in the world, and in performing his chores for the Speaker in a most remarkable manner.

I know that this experience has given to him the kind of training, the kind of temper, and the kind of personality that will make for a great priest—and I know Father Walter Flaherty will make a great priest.

Mr. McCORMACK. I thank my friend and colleague from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts [Mr. BURKE].

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to associate myself with the remarks of our distinguished Speaker, and my distinguished colleague from

Massachusetts [Mr. Boland], in expressing our great gratification at the appearance of Father Walter Flaherty here today.

I had the pleasure of attending his first Mass and the reception held in Dorchester, Mass., where thousands of people turned out as a manifestation of their great friendship and admiration for this fine young man. Our prayers go with him, and we hope his work will be fruitful from now on.

Mr. McCORMACK. I thank the gentleman.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the distinguished gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, I, too, wish to welcome Father Flaherty back to the Capitol. Certainly we are all very proud of him.

Being an ex-seminarian, I take particular pride in his accomplishments for I am well aware of the vigorous and extensive training which he has successfully completed and can, therefore, fully appreciate the greatness of his accomplishments.

I left the religious life to enter the political life. Father Flaherty did the reverse: he left the political life to enter the religious life.

The experience which Father Flaherty gained while serving with Speaker McCormack in his office here in Washington will no doubt greatly add to the talents he will bring to his priestly work.

His experience will enable him to better understand the problems which beset those people with whom he may come in contact and will, therefore, enable him to lend greater assistance to these people as they travel the hard and perplexing road of life.

Walter Flaherty is also a pioneer worthy of great praise for he is a member of the first class to be ordained from Pope John XXIII National Seminary for Delayed Vocations—a unique seminary in Weston, Mass., that trains men for the priesthood who have received their call in the 11th hour of their lives.

I am sure that Father Flaherty will continue to cut new trails leading toward the betterment of mankind.

It is a great honor to be identified with him and a great honor for this House to have one of its ex-employees numbered among those called to serve God in the priestly vocation.

I thank our distinguished Speaker for yielding.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to my dear friend from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Speaker, we have reason to be happy today. I can recall some 4 years ago when Walter Flaherty left our midst, and now he has come back as Father Walter Flaherty.

I believe, as the Speaker has said here this afternoon, that the wonderful experience which he has gained here in our midst will stand him in good stead as he preaches the Gospel from the pulpit in the years ahead.

I have been led to say on many occasions when I have heard many members of the clergy speaking on matters of national importance that they had never really been exposed to the realities of the situations as we see them, and as Father Walter Flaherty has experienced them here in Washington.

So I think he can give a fresh and experienced point of view to his parishioners as he preaches to them.

I want to say, too, Mr. Speaker, that with the tragedy and violence, and controversies of recent days and months it is a restful and a beautiful thing to have someone like Father Flaherty come back, in the atmosphere in which he has, and offer the prayer before this Congress here today.

Mr. McCORMACK. I yield to my distinguished colleague, the gentleman from Massachusetts [Mr. Morse].

Mr. MORSE of Massachusetts. I join with the Speaker of the House of Representatives and with other Members who have spoken of the unique privilege that we in the House of Representatives have had today in having the invocation offered by Father Walter W. Flaherty.

Like most Members of the House, I was privileged to work with Father Flaherty when he served in the office of the Speaker of the House so ably in the years before his vocation. I know him well and am proud to know him.

Father Flaherty has brought to his vocation the extraordinary experience, understanding, and education in public affairs which he acquired under the tutelage of the Speaker.

I am confident that that experience, in combination with his theological education, will serve him well, and his parishioners as he does God's work in the years ahead.

Mr. McCORMACK. I know that Father Flaherty will always treasure his being with us today and offering prayer and his associations with the Capitol and with Government and with me in my office. I know he will always treasure the very proper and very fine and very generous remarks about him spoken by the several Members who have participated in expressing their deep friendship and high regard for him. I know I express the sentiments of all Members, without regard to their religious convictions, in hoping that God for countless years will continue to bestow upon Father Flaherty an abundance of His choicest blessings.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT DURING GENERAL DEBATE TODAY

Mr. OLSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Roads may sit during general debate this afternoon.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Montana?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, has this been cleared with the ranking Republican member of the subcommittee and of the full committee and have they agreed to this?

Mr. OLSEN. Yes, it has been cleared.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 16489, TREASURY, POST OFFICE APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. Mahon]?

There was no objection.

SNIPERS SHOULD BE SHOT BY TEAM OF MARKSMEN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, Maj. Gen. Charles L. Southward, the commander of the District of Columbia National Guard testified before a Senate appropriations subcommittee yesterday on the use of the National Guard in the Washington riots.

To protect the city against violence he suggested several changes in the Guard operations in case of future Washington riots.

One proposal was that a team of marksmen be assigned to each unit with orders to shoot any sniper or other persons threatening lives. The last time the Guard was used in Washington no man could load his weapon and fire without clearing the decision with higher authorities. This proposal by General Southward to have marksmen teams available makes sense to me.

During the riots and looting the philosphy of the Government officials was to protect the law violator and show no concern for the property owner and merchant.

Until we start using force on the lawbreakers here in Washington and across the country, we will continue to have looting and burning. It is refreshing to see someone in Washington in authority speak out and say, "Let's get tough here."

FBI DESERVES HEARTY CONGRATULATIONS IN APPREHENSION OF JAMES EARL RAY

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, decent citizens everywhere owe a vote of appreciation to the FBI for the thorough and relentless investigation which resulted in the apprehension of James Earl Ray in London last week.

Starting with nothing more than the dim silhouette of the gunman who killed Martin Luther King, the FBI succeeded in uncovering the phantom figure of Eric Starvo Galt—and then identified Galt as escaped convict James Earl Ray. With miraculous speed, the FBI located the many hiding places used by Ray in Georgia, Alabama, and California, as well as in Canada and Mexico, since his escape from the Missouri State Penitentiary in April 1967. So intense was the heat of this investigation, and so strong was the respect which Ray had for the FBI, that he fled to Europe in the hope of evading detection and arrest.

It is a genuine tribute to the smooth-working relationship which exists between the FBI and British and Canadian authorities that Ray was tracked down in England last Saturday morning. I know that I voice the sentiments of colleagues in both Houses of Congress when I express to J. Edgar Hoover and the men and women of the FBI hardy congratulations on another job well done.

FBI CONGRATULATED ON APPREHENSION OF JAMES EARL RAY

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, the news of the capture of James Earl Ray, suspect in the slaying of Dr. Martin Luther King, in London made headlines on last Saturday, June 8. I would like to take this occasion to congratulate the efficient men and women of the Federal Bureau of Investigation and its Director, J. Edgar Hoover. The excellent working relationship with the British and Canadian authorities has been well demonstrated. The prompt identification of the suspect and his location—in the face of great odds and in spite of countless arduous miles of flight—have come to be expected performance on the part of the FBI. At least to the law-abiding citizens, it is reassuring indeed to know that the FBI, with its quiet competence and dedication to the security of the Nation, is standing by. It is hoped that the desperate but futile flight of suspect James Earl Ray will not only be another victory for the FBI over the criminal but will serve as a deterrent to other would-be assailants.

PERSONAL EXPLANATION

Mr. CHAMBERLAIN. Mr. Speaker, it was necessary for me to be absent on June 6 when rollcalls 170 and 171 were had in the House. I would like the RECORD to show had I been present, I would have voted "yea" on both rollcalls.

PERMISSION FOR SUBCOMMITTEE ON PROCUREMENT, SELECT COMMITTEE ON SMALL BUSINESS, TO SIT DURING GENERAL DEBATE TODAY

Mr. ADDABBO. Mr. Speaker, I ask unanimous consent that the Subcommittee on Procurement of the Select Committee on Small Business may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman inform us whether this has been cleared with the minority side and with the full committee as well?

Mr. ADDABBO. It has been cleared with the full committee and with the gentleman from Utah [Mr. BURTON], a member of the subcommittee.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ACCOUNTS, COMMITTEE ON HOUSE ADMINISTRATION, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING THE NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE TO COMPEL THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF EVIDENCE

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1298) authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

The Clerk read the joint resolution, as follows:

H.J. RES. 1298

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purposes of this joint resolution, the term "Commission" means the Commission created by the President by Executive Order 11412, dated June 10, 1968.

(b) The Commission, or any member of the Commission when so authorized by the Commission, shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Commission. The Commission, or any member or any agent or agency designated by the Commission for such purpose, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place within the jurisdiction of the United States at any designated place of hearing.

(c) In case of contumacy or refusal to obey a subpena issued to any person under subsection (b), any court of the United States within the jurisdiction of which the inquiry is carried on or the person guilty of contumacy or refusal to obey is found or resides, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be treated by said court as a contempt thereof.

(d) Process and papers of the Commission, its member, agent, or agency, may be served either upon the witness in person or by registered mail or by telegraph or by leaving a copy thereof at the residence or principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Commission, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(e) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture (except demotion or removal from office) for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(f) All process of any court to which application may be made under this joint resolution may be served in the judicial district wherein the person required to be served is found or resides.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, assuming that this is the usual request for subpena and other powers to a commission appointed by another allegedly coequal branch of Government, would it be in order, if objection were heard by the Chair, for it to be brought back for more deliberate consideration through the Committee on Rules?

The SPEAKER. The Chair will state that if objection is heard, then the matter will not be considered at this time.

Mr. HALL. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HALL. By what technique would it be brought back to the floor of the House and how soon could this be accomplished under other than an objection to unanimous consent?

The SPEAKER. The Chair is unable to answer that question. There are several methods. The Chair supposes the chairman of the Committee on the Judiciary could confer with the gentleman from Missouri and satisfy the gentleman from Missouri and, assuming the gentleman from Missouri is the only one who might object—I am not saying that the gentleman will—then a unanimous-consent request could again be submitted. Otherwise the resolution would have to be introduced and referred to a committee and committee action taken theron.

Mr. HALL. I thank the distinguished Speaker.

Further reserving the right to object, I would ask the chairman of the Committee on the Judiciary if in this resolution, which has not previously been made available to the Members and which we therefore have not had a chance to study, peruse, or ponder over, or render prudent judgment on, before granting a unanimous-consent request; if there is anything in this resolution submitted by the gentleman from New York that would give even the remotest tacit consent to the approval of the Commission appointed by the Chief Executive?

Mr. CELLER. No; there would not be. This is simply giving the Commission the right of subpena power.

I want to say to the gentleman prior to making my unanimous-consent request I communicated with the ranking Republican member of the committee, the gentleman from Ohio [Mr. McCULLOCH], who offered no objection and approved of it. This was exactly the procedure that was followed in connection with the granting of subpena power to the Warren Commission concerning the assassination of the late lamented President Kennedy. It is exactly the procedure that was followed in connection with the Kerner Commission on civil disorders.

There is no departure whatsover from precedent on that point.

Mr. HALL. Mr. Speaker, would the gentleman from New York, the chairman of the Committee on the Judiciary, assure the Members of the House that the language is identical to the language granting such powers to other commissions?

Mr. CELLER. The language is identical. I have the two resolutions right before me. One was Public Law 90–61 and the other was Public Law 88–202.

Mr. HALL. Therefore, Mr. Speaker, the gentleman from New York is in effect assuring the Members of the House of Representatives that this resolution does not establish a precedent, and indeed that there is precedent therefor in the legislative body for granting all of these powers to Presidentially appointed commissions where we have authorized other and similar commissions in the past?

Mr. CELLER. The gentleman is correct.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object. This is the first time I have seen the resolution, but I note it provides for the payment of witness fees, mileage, and other costs of one kind and another.

Where is it proposed to get the money with which to pay the cost of this brandnew Commission, the second or third such Commission to deal with violence and disorders? Where is it proposed to get the money? The resolution apparently is silent on that point.

Mr. CELLER. That would be a matter for the Committee on Appropriations to make some allowance for the expenditure of these funds. The amount would not be large; it could not be large.

Mr. GROSS. Well, I am not too sure about that. However, the gentleman referred to it as being similar in vein to the Warren Commission in response to a question which the gentleman from Missouri [Mr. HALL] propounded.

This resolution is open ended as to finances. Would the expenses be paid out of the President's contingency funds or one of his contingency funds?

Mr. CELLER. Is it possible that that is so. I will say to the gentleman that those who have been appointed to the Commission are representative of both sides of the aisle, and I do not think there would be any extravagance whatsoever. I am quite sure that it would represent a situation such as was represented with the Warren Commission and with reference to the same situation on the President's Commission on Civil Disorders.

Mr. GROSS. This resolution is entitled "Authorizing the National Commission on the Causes and Prevention of Violence to Compel the Attendance and Testimony of Witnesses and the Production of Evidence."

Is this limited to, and what is meant by "violence?" Is it proposed that this Commission also go into civil disorders, riots, and that sort of thing? What is the purpose of the Commission?

Mr. CELLER. We have a great deal of evidence of violence that has been committed throughout the length and breadth of the land and in my opinion it is incumbent upon the Government itself, the executive branch and the legislative branch of the Government, to address themselves to this violence. It covers, undoubtedly, civil disorders and the widespread use of firearms. I will state further to the gentleman from Iowa that in my opinion the resolution or, rather, the appointment of this Commission was more or less triggered by the dreadful act which we had just this past week involving the assassination of the junior Senator from New York and other acts of violence such as those in connection with the death of Dr. Martin Luther King as well as the two marines to whom the gentleman from Iowa referred the other day. It would be directed toward those acts of violence. I am quite sure that we cannot remain apathetic until we have the root causes of these acts of violence established. If we can ascertain the root causes, then we might get at something in the nature of a cure—not only the prevention of such acts of violence but the cure thereof and what is causing this dreadful scourge of violence that is plaguing the country. I am sure that the gentleman from Iowa has no doubts concerning the fact that these acts of violence are affecting the whole Nation and that something must be done concerning these matters.

Mr. GROSS. I would say to the gentleman that we had a commission, I have forgotten the specific title, headed by the Governor of Illinois. And if I remember correctly it produced—I am sure at a very substantial expense to the taxpayers of this country—a voluminous report on civil disorders and riots, and so on and so forth. Must we create a new commission? Do we not have a Department of Justice? Do we not have agencies of the Government already established and staffed, that can go into these matters? Why, every time we turn around and run into a problem, should we organize a brandnew commission to go into something?

Mr. CELLER. I believe the gentleman from Iowa does well to point out these situations, but in my humble opinion—and it is very humble—the Commission on Civil Disorders was strictly limited to the disorders which sprung from racism and race difficulties. This is a commission that is to look into a situation that is far wider and deeper; namely, violence—and violence encompasses a great deal of evil—much more evil than was involved in the other commission.

Mr. GROSS. Well, I hope that the day will come when the facilities of Government already established will go into these matters. We have committees in Congress that can go into these matters if they were so disposed, rather than creating brandnew commissions at a very substantial cost to the taxpayers. Moreover, it seems that nothing ever happens as a result of these commissions that are so easily established by the President, or by Congress at such a high cost.

Mr. CELLER. I might say to the gentleman from Iowa that, as a result of the work of the Commission on Civil Disorders, and on which my distinguished colleague, the gentleman from Ohio [Mr. McCULLOCH] was a very prominent member, that a number of bills have emanated from the Committee on the Judiciary, and we are very hopeful that the final effect of those measures will be to dissipate the causes or some of the causes referred to in the report of that Commission.

Mr. HAYS. Mr. Speaker, I demand the regular order.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. BLACKBURN. Mr. Speaker, further reserving the right to object——

The SPEAKER. The regular order has been demanded.

Mr. GROSS. What is the regular order?

The SPEAKER. The regular order is: Is there objection to the request of the gentleman from New York?

Mr. BLACKBURN. Mr. Speaker, further reserving the right to object——

The SPEAKER. The gentleman from

Ohio has demanded the regular order, and the regular order is: Is there objection to the request of the gentleman from New York?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 174]

Abernethy
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashbrook
Ayres
Baring
Battin
Bell
Bolton
Bow
Bush
Carter
Cowger
Daddario
Dawson
Derwinski
Diggs
Dingell
Donohue
Dorn
Dulski
Evins, Tenn.
Farbstein
Flynt
Foley
Ford, William D.
Gallagher
Gardner
Gettys
Giaimo
Gilbert
Green, Oreg.
Hagan
Hansen, Idaho
Hardy
Harrison
Hébert
Helstoski
Herlong
Holland
Karsten
Kelly
Kluczynski
Kornegay
Kyros
Long, La.
McMillan
Mailliard
Mayne
Murphy, Ill.
O'Hara, Ill.
O'Neal, Ga.
Pelly
Pool
Price, Tex.
Pucinski
Rees
Resnick
Rivers
Ronan
Rooney, N.Y.
Rostenkowski
Teague, Tex.
Thompson, N.J.
Whalen
Whitten
Wright
Zwach

The SPEAKER pro tempore (Mr. Price of Illinois). On this rollcall 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ADVERTISING IN PROGRAM OF NATIONAL POLITICAL CONVENTION

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 17325) to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I do not intend to object, because I favor the enactment of this legislation—I do so in order that the chairman of the Committee on Ways and Means may give us an explanation of the legislation. I yield to the gentleman from Arkansas for that purpose.

Mr. MILLS. Mr. Speaker, I appreciate the gentleman yielding to me.

The bill was introduced by the gentleman from Wisconsin and myself because of the interest that had been expressed to both of us by the Republican and Democratic National Committees in the matter of defraying the cost of conducting the two conventions this year. Present law denies a deduction for an amount paid or incurred for advertising in a convention program of a political party. This limitation presently applies whether or not the amount paid or incurred might otherwise be deductible as an ordinary and necessary business expense. Thus, the existing section 276(a) of the Internal Revenue Code of 1954 provides in part that:

> No deduction otherwise allowable for income tax purposes shall be allowed for any amount paid or incurred for advertising in a convention program of a political party.

The bill would change that provision so as to allow a deduction for the cost of this advertising under certain limited circumstances. An amount paid or incurred for advertising in a political convention program which is not deductible under this bill is not deductible under any circumstance. The basic limitation of existing law which denies a deduction for indirect contributions to political parties produces this result.

The bill allows a deduction for an amount paid or incurred for advertising in a political convention program only if the convention is one held to nominate candidates for the offices of President and Vice President of the United States. In addition, for the deduction to be available, the proceeds from the convention program must be used solely to defray the costs of conducting the convention—or a subsequent convention of the party held for the same purpose. Finally, under the bill, an amount paid or incurred for advertising in a political convention program is deductible only if the amount is reasonable in light of the business the taxpayer may expect to receive, first, directly as a result of the advertising, or second, as a result of the convention being held in an area where the taxpayer has a principal place of business.

Frankly, Mr. Speaker, there are so many safeguards contained in the bill that I question the necessity of having all of them listed therein. I feel it would have been sufficient had we merely said that these amounts are deductible when so expended, so long as the proceeds from the convention publication are used solely to defray the cost of the convention. But we took additional steps in order to safeguard against any possible abuse.

This legislation, Mr. Speaker, is highly desirable by both of our political parties for use in the upcoming conventions and we felt we should pass it now, because of the necessity of both of our parties proceeding as rapidly as possible in the developing of the publication and the consideration of the advertising that would be in it.

The SPEAKER pro tempore (Mr. Price of Illinois). Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the bill, as follows:

H.R. 17325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 276 of the Internal Revenue Code of 1954 (relating to certain indirect contributions to political parties) is amended by redesignating subsection (c) as (d), and by inserting after subsection (b) the following new subsection:

"(c) Advertising in a Convention Program of a National Political Convention.—Subsection (a) shall not apply to any amount paid or incurred for advertising in a convention program of a political party distributed in connection with a convention held for the purpose of nominating candidates for the offices of President and Vice President of the United States, if the proceeds from such program are used solely to defray the costs of conducting such convention (or a subsequent convention of such party held for such purpose) and the amount paid or incurred for such advertising is reasonable in light of the business the taxpayer may expect to receive—

"(1) directly as a result of such advertising, or

"(2) as a result of the convention being held in an area in which the taxpayer has a principal place of business."

Sec. 2. The amendments made by this Act shall apply with respect to amounts paid or incurred on or after January 1, 1968.

With the following committee amendments:

On page 1, line 3, strike out all down through and including line 8, and insert in lieu thereof:

"That subsection (a) of section 276 of the Internal Revenue Code of 1954 (relating to certain indirect contributions to political parties) shall".

And on page 2, line 15, strike out "amendments made by" and insert in lieu thereof "first section of".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1968

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, the time to be equally divided and controlled by the gentleman from North Carolina [Mr. Jonas] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17734, with Mr. O'HARA of Michigan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas [Mr. MAHON] will be recognized for 1 hour, and the gentleman from North Carolina [Mr. JONAS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I yield myself such time as I may consume.

This is the seventh general appropriation bill that has been before the House this session—two supplementals for the current fiscal year 1968 and five regular bills dealing with fiscal 1969.

BILLS FOR 1969

I believe the Members would be interested to know that on the five bills for fiscal year 1969 we have thus far adopted in the House, we have reduced the new budget obligational authority requests by $5 billion-plus, in consequence of which, according to our best tentative estimates, we have reduced budgeted 1969 expenditures by about $1.125 billion.

Members, of course, are also interested in the timing of the remaining regular annual bills for 1969. The public works appropriation bill, a bill involving some $4.9 billion in new requests, is scheduled to be before the House next week.

The legislative branch appropriation bill is scheduled to be before the House the following week.

The appropriation bill for the Departments of Labor, Health, Education, and Welfare, is also scheduled at this time for the week after next.

There is yet no authorization bill enacted for major portions of the Defense appropriation bill, and it is impossible to tell when this, the largest of all the appropriation bills, will be before the House.

The same can be said of the military construction bill. The authorization bill for military construction is not yet enacted.

It will probably be about 2 weeks before the Transportation appropriation bill will be before the House of Representatives.

The District of Columbia bill must await the authorization of certain revenues before it can properly be presented to the House.

And as you know, the foreign assistance appropriation bill is dependent on an annual authorization bill, which neither House has yet passed.

In addition to those measures, it will be necessary to have a final supplemental for fiscal 1969 before Congress finally adjourns, to take action on various items deferred from the regular bills for lack of authorization, and otherwise.

THE PENDING SUPPLEMENTAL BILL

The bill before us would provide some $6.255 billion in new budget (obligational) authority, and about $2.674 billion through release of reserves established against previously appropriated funds under authority of Public Law 90-218 of the last session. It will be discussed at some length by other members of the committee and of the House as we take up the various chapters.

But in summary, the bill before us is below the President's budget requests by nearly three-quarters of a billion dollars —more precisely, $762.3 million. This is a reduction in fiscal 1968 appropriation requests—not fiscal 1969—and we have been pointing more and more toward fiscal 1969.

The major items in this bill, dollarwise, are for defense, for increased pay costs for military and civilian government workers, and for grants to states for public assistance.

On page 2 of the committee report—and I commend the reading of the committee report to the Members—there is a breakdown of the principal sums included:

In new funds for Southeast Asia military requirements, $3.8 billion, in addition to release of some $2.345 billion of reserves under Public Law 90-218.

For grants to States to meet increased costs of medicaid and other public assistance programs, $1,135 million. That is the second largest item.

For pay increase costs, $1,009 million.

Then, $373 million for increased medicare costs and the unexpectedly larger number of older Americans who are now benefiting from the program.

For military assistance to the Republic of South Korea, $100 million. We have to strengthen the defenses of that country and increase their capacity to deter aggression especially from the Communists to the north.

To cover the costs for fire and flood damage to Federal property, $55.9 million.

For veterans pensions and compensation, $47.5 million.

To pay claims and judgments against the United States for loss or damage to life and property, $16.7 million.

I think the first paragraph on page 3 of the report will be of some interest to you. It is only a few lines and I shall read it:

> The committee is advised that, as of a recent date, the grand total reserves established under Public Law 90-218 aggregate approximately $6.1 billion, against funds available for obligation in fiscal year 1968. The committee bill proposes release of approximately $2.7 billion of this amount.

In other words, last year beyond our regular bills—in what was known as House Joint Resolution 888—we provided for additional reductions in obligational authority for fiscal year 1968. Some of these funds are proposed to be released, as indicated in this portion of the report. But the larger portion of the funds have not been released.

I would say, speaking generally, that the $762.3 million reduction was about the best that the committee could do under all the circumstances. We are aware that the House anticipates voting—probably next week—on a combined expenditure cut and tax bill. We tried, in our general approach to this bill, to keep in mind the necessities of the present budget crisis and the severe reductions in spending which will be necessary if the conference agreement on the tax bill is adopted. Some items could have been increased; additional items could have been included but this would have been out of step with what seems to be the mood of the Congress and the country to hold spending to some more reasonable level at this time of great fiscal stringency.

I believe this is all I will have to say at this time and as the debate progresses in the 2-hour period, other aspects of the pending bill will be presented.

Under leave to extend my remarks, I include excerpts from the report summarizing more precisely and in some greater detail what I have undertaken to highlight:

SCOPE AND SUMMARY OF THE BILL

> The Committee considered requests for new budget (obligational) authority for fiscal year 1968 aggregating $6,716,514,679. In addition, the Committee considered requests for release of funds reserved pursuant to Title II of Public Law 90-218 aggregating $2,976,051,100. Estimates for items pertaining to the Senate are excluded as is customary. The requests are contained in House Documents numbered 254, 255, 274, 315, 316, and 317. The requests for funds for unemployment compensation for returning veterans and Federal employees in House Document 254, for Federal-Aid Highways in House Document 274 and for claims and judgments in House Documents 254 and 258 were handled in separate measures (H.J. Res. 1229 and H.J. Res. 1268) and are excluded from the amounts set forth above. H.J. Res. 1229 was approved on April 12, 1968; H.J. Res. 1268 passed the House on May 9, 1968, and is pending in the Senate.
>
> The Committee bill totals $6,255,318,924 in new budget (obligational) authority and $2,674,902,800 in releases of reserved funds pursuant to Public Law 90-218. The bill has been set up under three titles, title I dealing with the estimates contained in House Documents 254, 255, 274, 315, and 317 including some amounts for pay increases; title II, the increased pay costs contained in House Document 316; and general provisions under title III.
>
> The supplemental appropriations recommended in the accompanying bill are required, in major part, for the conduct of the war in Southeast Asia and for carrying out provisions of legislation enacted during the last session of Congress. The remainder of the amount carried in the bill is primarily for workload and mandatory increases under previously authorized programs.
>
> The following list sets forth some of the more significant programs and amounts recommended therefor in the accompanying bill:
>
> $3.8 billion for Southeast Asia military requirements.
>
> $1,135.0 million for grants to States to meet increased costs of Medicaid and other public assistance programs.
>
> $1,009.0 million for military and civilian pay increases and related costs.
>
> $373.0 million for increased Medicare costs and the unexpectedly larger number of older Americans who are now benefiting from the program.
>
> $100 million for military assistance to the Republic of Korea to help strengthen her defenses and her capacity to deter aggression.

$55.9 million to cover the costs of fire and flood damage to Federal property.

$47.5 million for veterans pensions and compensation.

$16.7 million to pay claims and judgments against the United States for loss or damage to life and property.

Details of the the Committee's recommendations are set out in the several individual chapter explanations.

APPROXIMATE EFFECT ON 1968 BUDGET TOTALS

(In January 1968 Budget)

New budget authority.—All of the amounts of new budget (obligational) authority in the bill—with the exception of the $3.791 billion for the Southeast Asia emergency fund—are encompassed within the total shown for fiscal 1968 in the 1969 budget of last January, either as specific line item amounts or in the general lump-sum contingency provision. Thus, with the one major exception, the 1968 new budget authority totals are not breached. The committee is recommending reductions—aside from $108.9 million in the Southeast Asia item—of $352.3 million. Of this amount, $78.1 million is in title I, and $274.2 million is in title II relating to increased pay costs.

Release of Public Law 90–218 reserves.—In connection with the many provisions for release from reserves established against 1968 funds pursuant to Public Law 90–218 (H.J. Res. 888), the committee considered release estimates of $2,976.1 million, consisting of some $2,629.6 million associated with additional special Vietnam costs and some $346.5 million otherwise. The committee recommends reductions of $301.1 million in such requests for releases—$284.6 million against the special Southeast Asia item (allowing release of $2.345 billion) and a net reduction against such release requests otherwise of $16.6 million (allowing $329.9 million of such releases otherwise).

The committee is advised that, as of a recent date, the grand total reserves established under Public Law 90–218 aggregate approximately $6.1 billion, against funds available for obligation in fiscal year 1968. The committee bill proposes release of approximately $2.7 billion of this amount.

The releases of reserves under Public Law 90–218 involve previously appropriated funds that would not, in the absence of congressional action in this or some other bill, be available for use in fiscal 1968. These funds are, in all instances except perhaps some indeterminate portion of the special Vietnam item, proposed to be released for 1968 expenditures that were encompassed within the fiscal 1968 budget expenditure totals shown in the budget last January.

In summary, the $6.1 billion placed in reserve pursuant to Public Law 90–218, together with the $5.1 billion reduction in obligations made as a result of actions in the regular 1968 bills last session, brings the total reduction in obligations originally budgeted for fiscal year 1968 to some $11.2 billion. Thus the release of some $2.7 billion of reserves proposed in this bill reduces this total to about $8.5 billion.

1968 Budget expenditures.—Generally in respect to estimated budget outlays (expenditures) shown for fiscal 1968 in the 1969 budget, the President indicates (H. Doc. 315 of May 21) that the military situation in Asia calls for increased expenditures of $2.5 billion in fiscal year 1968. Some of this increase stems from accelerated expenditure of available funds, some from the funds provided in this bill for the Emergency Fund, Southeast Asia. The effect of the committee action in reducing both new obligational authority and releases of reserved funds for Southeast Asia will probably result in a decrease in the order of $100 million in the estimated increase in expenditures.

With respect to the probable impact of the amounts recommended in this bill on estimated 1968 budget outlays (expenditures). It is estimated that committee reductions in new budget authority and releases of reserves (other than for the special Southeast Asia costs) will result in 1968 budgeted expenditure reductions of approximately $294 million.

* * * * *

TITLE II—INCREASED PAY COSTS

This title of the bill deals exclusively with additional funds required for increased pay costs authorized by or pursuant to law for military and civilian employees in all three branches of government and the District of Columbia. The specific requests are contained in House Document 316.

Title I of this bill, which deals primarily with additional funds required for program or workload increases, also includes funds for pay increases for those agencies which have both workload and pay increase requirements.

The total estimated cost of pay increases for fiscal year 1968 authorized by or pursuant to law, and dealt with in both titles, amounts to approximately $1,468,100,000. This amount includes $680.2 million for civilian personnel under Public Law 90–206, $635.6 million for military personnel under Public Law 90–207, $135.9 million for wage-board employees, and $16.3 million for civilian personnel under other laws and actions.

Of the $1,468.1 million total estimated cost of pay increases for fiscal year 1968,

$239.4 million is being absorbed through administrative action of the departments and agencies;

$224.3 million is provided in Title I of this Bill by appropriation of NOA and by releases of reserves pursuant to Public Law 90–218;

$784.7 million is provided in Title II by appropriation of NOA, by releases of reserves pursuant to Public Law 90–218 and by transfers between appropriations;

$219.7 million has been cut from the budget requests, requiring further absorption by the departments and agencies.

Additional details concerning increased pay costs will be found in House Document 316.

* * * * *

TITLE III—GENERAL PROVISIONS

Sections 301–303 are technical provisions of language necessary to facilitate the payment of such increases as may be granted to civilian employees under the provisions of Public Law 90–206 and to military personnel under the provisions of Public Law 90–207, to become effective July 1, 1968. These provisions are necessary, in part, to comply with the Anti-Deficiency Act and will permit appropriations to be apportioned on a deficiency basis to the extent necessary to meet such pay increases.

The 1969 Budget did not include, in specific appropriations, the amounts necessary for the July 1 increase even though an estimated overall sum of $1,600,000,000 was included in the Budget totals.

By authorizing deficiency apportionments rather than providing specific amounts for 1969 pay increases at this time, it is expected that considerable amounts can be saved by forcing absorption to the fullest extent possible.

* * * * *

The following table summarizes the budget estimates and amounts recommended in the bill:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL

Chapter No.	Department or activity	Budget estimates	Recommended in the bill	Bill compared with estimates
	TITLE I			
I	Agriculture: (Release of Public Law 90–218 reserves)	($20,510,000)	($18,786,000)	(−$1,724,000)
II	Defense:			
	New budget (obligational) authority	4,095,412,000	3,945,827,000	−149,585,000
	(Release of Public Law 90–218 reserves)	[1] (2,629,600,000)	(2,351,600,000)	(−278,000,000)
III	District of Columbia: New budget (obligational) authority	6,170,800	6,020,800	−150,000
IV	Foreign Operations: New budget (obligational) authority	105,500,000	100,000,000	−5,500,000
V	Independent offices—HUD: New budget (obligational) authority	91,065,000	86,340,000	−4,725,000
VI	Interior:			
	New budget (obligational) authority	47,126,000	44,381,000	−2,745,000
	(Release of Public Law 90–218 reserves)	(25,378,000)	(25,368,000)	(−10,000)
VII	Labor-HEW:			
	New budget (obligational) authority	1,519,268,000	1,508,028,000	−11,240,000
	(Release of Public Law 90–218 reserves)	(62,862,000)	(10,775,000)	(−52,087,000)
VIII	Legislative: New budget (obligational) authority	2,025,160	1,375,000	−650,160
IX	State, Justice, Commerce, and Judiciary:			
	New budget (obligational) authority	27,576,000	16,484,000	−11,092,000
	(Release of Public Law 90–218 reserves)	(681,000)	(1,431,000)	(+750,000)
X	Treasury-Post Office:			
	New budget (obligational) authority	15,354,000	14,089,000	−1,265,000
	(Release of Public Law 90–218 reserves)	(19,421,000)	(19,421,000)	
XI	Claims and judgments: New budget (obligational) authority	16,687,049	16,687,049	
	Total, title I:			
	New budget (obligational) authority	5,926,184,009	5,739,231,849	−186,952,160
	(Release of Public Law 90–218 reserves)	[2] (2,758,452,000)	[2] (2,427,381,000)	(−331,071,000)
	Total, title II:			
	New budget (obligational) authority	790,330,670	516,087,075	−274,243,595
	(Release of Public Law 90–218 reserves)	[2] (217,599,100)	[2] (247,521,800)	(+29,922,700)
	Grand total, titles I and II:			
	New budget (obligational) authority	6,716,514,679	6,255,318,924	−461,195,755
	(Release of Public Law 90–218 reserves)	[2] (2,976,051,100)	[2] (2,674,902,800)	(−301,148,300)

---

[1] Language proposed providing release of indefinite amounts reserved under title II, Public Law 90–218, to offset special Vietnam costs (currently estimated at $2,629,600,000).

[2] Excludes transfers of funds not reserved pursuant to Public Law 90–218.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Let me see if I am accurate in this summation of the cost figures in this legislation.

The committee bill totals $6,255,318,924 to which there is added $2,674,902,800 of reserve funds, for a total of $8,929,221,724.

Is that the correct total of this bill?

Mr. MAHON. Is the gentleman referring to page 5 of the committee report?

Mr. GROSS. I am referring to page 1 of the committee report.

Mr. MAHON. The same figures appear on page 5 also. Yes, the gentleman is ab-

solutely correct. The bill contains new budget obligational authority in the sum of $6.255 billion. But it also makes available, from funds heretofore appropriated, by releasing certain sums which runs the total, overall, to approximately $8.9 billion.

Mr. GROSS. Yes, and that is the total of this bill?

Mr. MAHON. That is actually the total of this bill. In previous Congresses we appropriated, of course, a substantial portion of the amount.

Mr. GROSS. May I ask the gentleman—there is a report that there may be $2 million in this bill—and it is purely hearsay—$2 million to pay for some of the costs of the so-called city that has been established on the Mall—or for expenses in connection therewith. Does the gentleman know of any $2 million in this bill for such purpose? I will say frankly I searched and I could not find a line item to that effect.

Mr. MAHON. I know of no such amount. The committee is seeking to ascertain what additional costs may have arisen. Those studies have not been completed. We do not at the moment know, and will not know until later, what additional costs may have been incurred. But the encampment down near the Lincoln Memorial was not to have been a cost of any kind to the Federal Government. It was, supposedly—I assume by all measurement—financed from sources other than the Federal Government.

It probably would be possible to trace certain expenditures of the District of Columbia and of the Federal Government eventually to this. But we do not have those figures. We know that there is additional police service required there, and other items, but, generally speaking, I do not know of any large amount of money involved.

Mr. GROSS. I would like to ask the gentleman from what source come the funds to pay the costs for the 15,000 troops that were used in Washington early in April. Do we find any of that expense in this bill?

Mr. MAHON. The military people who are on the payroll, regardless of where they may be, are still on the payroll; but there was additional operation and maintenance costs as a result of the lawlessness in Washington. The military services have large sums for operation and maintenance, and while it would not be possible to trace every dime, a reasonably good estimate would be possible. But I do not recall what the estimate would show. It was a considerable expense to bring those forces into Washington for that use.

Mr. GROSS. Yes, there would be quite an increase in the cost as a result of flying them up from Fort Bragg; would there not?

Mr. MAHON. The gentleman is correct.

Mr. GROSS. I am just trying to find out where the costs may be.

Mr. MAHON. Those costs, I will say to the gentleman from Iowa, would be taken from the general costs which are budgeted for operation and maintenance. The operation and maintenance appropriations cover a vast amount of predictable, and some unpredictable expenditures in any 1 given fiscal year.

Mr. GROSS. Was there any representation made to the committee when additional funds were requested for the Department of Defense that it was necessary for any part of those funds to be requested because of the use of Federal troops in Washington, D.C. and elsewhere?

Mr. MAHON. I yield to the gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Chairman, in the bill which is before us now there is an item entitled "Emergency Funds, Southeast Asia." These funds are for the increases that are necessary in that area.

The operation and maintenance charges as a result of the riots in Washington and other places would come out of the regular bill that was previously passed by the House for fiscal year 1968. As far as I know at this time there is no record, at least before our committee, of the total overall cost of these activities to the Department of Defense. Without doubt it cost additional funds, but there are no funds in this bill, so far as I know, for those particular activities.

Mr. GROSS. If the gentleman will yield further, I do not know where to go to get those figures. It would be my hope that the Appropriations Committee, in the regular appropriation bill, if not in this bill, would be able to provide a statement of those costs.

Mr. MAHON. The committee will provide those figures in more detail in connection with the regular defense appropriation bill for 1969. At the moment, informally, I am told that costs of the April civil disturbances—to the Department of Defense—were about $5.2 million, of which $2.2 million is attributed to the Washington, D.C. riots.

Mr. GROSS. I hope the gentleman agrees with me that the public is entitled to know what this sort of thing is costing them.

Mr. MAHON. The gentleman is correct.

Mr. GROSS. May I ask the gentleman one or two other questions? Is there any money, to his knowledge, in this bill to finance a new Senate Office Building, or the purchase of land for a new Senate Office Building?

Mr. MAHON. The items for the other body would not be included in the House version. It would be up to the other body to place those items in the bill when the bill goes to them.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, it is necessary to do a little adding in order to find in one place exactly what is involved in this bill. We are today taking two separate approaches in providing funds for the executive branch of the Government. One is the ordinary and regular way of granting new obligational authority, and the other approach is by releasing funds that were placed in reserve by action of the Congress last year. So it would be a mistake to consider only the new obligational authority in this bill, because of equal effect and importance on the fiscal situation is the release of funds we thought had been reserved and had counted as a savings.

For example, last year in regular bills for fiscal year 1968, Congress made cuts in new obligational authority of $5.1 billion. Then late in the session, as a substitute for the various Bow amendments that had been adopted in this body throughout the session, a compromise was agreed on with the other body, which came to be known as House Joint Resolution 888, under which we placed $6,100 million in reserve and provided that it could not be spent without further affirmative action by the Congress.

It is by adding those two items that we came up with the sum of $11,200 million, which many of us have been claiming throughout this calendar year that had been saved the taxpayers by action taken in Congress last year.

Now, it turns out that we have got to march down the hill, after having marched up the hill last year and arrived at that $11.2 billion cut. And when we get through with this bill today, if it is passed without any changes, we will have eliminated all of those cuts except $2.2 billion. This is so because this bill before us today grants $6.3 billion in new obligational authority and $2.7 billion of funds are being released out of reserves. If we add those two together, we come up with $9 billion. This has to be subtracted from the $11.2 billion referred to previously, and when that is done it develops that we will be coming to the end of the fiscal year having undone all the good work we did last year on cutting the budget, and are down to $2.2 billion in reductions.

Actually, what the administration requested in this bill was $9,692,000,000 in new spending authority, of which $6,700,000,000 was new obligational authority and $2,900,000,000 was requested to be released from the reserves. So we started off in our deliberations under this bill considering requests of $9,692,000,000 in new money to be made available for spending.

The bill contains $8,930,000,000, of which $6,255,000,000 amounts to new obligational authority and $2,674,000,000 amounts to releases from the reserves.

Stating that another way, the committee has reduced new obligational authority requested by $461,000,000 and has reduced the request to release funds from the reserves by $301 million.

This is a combined cut in the two items of $762 million. While that sounds like a large reduction, it actually amounts to less than 1 percent—$762 million is a lot of money, but when compared with $8,930,000,000 it is not as large as it seems at first glance.

I do not know, Mr. Chairman, how we expect to cut $6 billion out of the spending program for next year if we do not do any better job of having our cuts stand up than we are experiencing in connection with this bill.

I know a lot of items in this bill are mandatory. There are some pay increases and some other mandatory increases. But almost every item in a budget is alleged by some to be a mandatory item.

I asked the previous Director of the Bureau of the Budget to list some priorities, to give us some guidelines, and he said, in effect, that every item in the budget is of equal priority, and they are all absolutely essential.

Somebody somewhere along the line

is going to have to use some real courage and to have the determination to stand by and protect these cuts we are making in the regular bills, because it will be ridiculous for us to go ahead and proceed to cut the regular bills, as the chairman indicated has been done by $5 billion so far, and then turn around toward the end of the next fiscal year and restore most of the money previously cut. That is not making real progress.

I hope we will all come to realize, from what is happening in regard to this supplemental bill, the importance of standing a little firmer by the cuts once they are made, instead of restoring them.

Mr. FLOOD. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Washington [Mrs. HANSEN], chairman of a subcommittee.

Mrs. HANSEN of Washington. Mr. Chairman, I should like to point out to the gentleman from North Carolina who just spoke that the items in the Interior bill which are carried here are those items which are customarily paid at the conclusion of work which has been done. The single largest item in the supplemental for our part of the bill is that for firefighting, the amount of which we have no knowledge at the time the regular appropriation bill is passed. Other items also provide for fishing disasters and flood disasters in areas, which also are completely unexpected and were unbudgeted.

I urge support of this bill and will now review chapter VI which relates to the Department of the Interior and related agencies and provides for a total appropriation of $69,749,000. Of this total amount, $44,381,000 represents new obligation authority, and $25,368,000 is to be provided by the release of reserves created pursuant to the enactment of Public Law 90-218.

I shall not dwell at length on the details of funding included in this chapter, but I would like to make a few remarks concerning the largest item of cost in this portion of the bill. I, of course, am referring to funds provided in this bill to cover the cost of fighting forest fires during the past year. Of the total amount provided in the bill, $53,835,000, or a little less than 80 percent of the total funds provided, are for fire fighting and rehabilitation costs resulting from the most severe forest fire period we have experienced in many years.

The bill provides $40,985,000 for the Forest Service in this connection. The national forests and grasslands of the West were threatened in 1967 by fire crises unmatched in recent times. Critical burning conditions coupled with repeated severe dry lightning storms produced disastrous fire situations in Oregon, Washington, and Idaho. This situation required bringing hundreds of supervisory personnel from other regions and organized crews from throughout the West.

The fire control effort in 1967 was the largest in Forest Service history. During the peak of fire activity in August and September, 2,500 fires occurred, burning a total of 105,000 acres. More than 15,000 firefighters led by 1,500 supervisory and specialist personnel were on the fire lines. Thousands of volunteers were employed from local areas. Hundreds of bulldozers, groundtankers, pumps, and many miles of hose were used. The use of aircraft in support of the ground attack was the largest ever. Through November 30, aircraft of all sizes, from large modern jets to small helicopter and reconnaissance planes, delivered thousands of men, 6.5 million gallons of chemical retardants, and tons of equipment and supplies. Job Corpsmen fought many fires and valuable assistance was provided by a 6th Army military task force, Montana and Idaho National Guard and Reserve units. During the period January through November 11,754 fires burned 208,679 acres in national forest protection areas. Of these fires, 4,891 were man caused, a significant reduction from the 5,387 experienced in 1966, and the previous 5-year average of 5,221, especially in light of the severity of the fire season. Though a serious loss, the 1967 burned acreage is well below that of even recent much less severe years. It demonstrates the great savings of valuable resources which can result from a modern, well trained and equipped, fire control organization.

The following table indicates the severity of Forest Service fire losses in 1967 compared with several previous years:

STATISTICAL SUMMARY

Calendar year	Number lightning fires	Number man-caused fires	Total fires	Acres burned
1962	6,301	5,193	11,494	85,457
1963	6,471	6,269	12,740	127,571
1964	4,617	5,132	9,749	183,154
1965	5,243	4,123	9,366	75,765
1966	5,858	5,387	11,245	332,921
Total	28,490	26,104	54,594	804,868
5-year average	5,698	5,221	10,919	160,974
1967 estimate	5,866	5,300	11,800	209,000

The bill provides $9,000,000 for rehabilitation and firefighting costs incurred by the Bureau of Land Management. The total cost involved was $9,300,000, but the cost to the Federal Government in this instance was reduced by the contribution of $300,000 by the State of Alaska as its share of the cost. During the 1967 calendar year fire season for the Bureau of Land Management, 1,187 fires burned approximately 268,000 acres which resulted in substantial fire suppression costs in Alaska, Montana, Idaho, and Oregon. Of special significance was the China Creek fire complex in Idaho which included about 22,000 acres and was declared a disaster area.

Fire suppression and rehabilitation costs incurred by the Bureau of Indian Affairs was $800,000. The 1967 fire season in both the Northwest and the Southwest was the worst in over a decade on Indian lands. Temperature and other weather factors combined to make fuels exceedingly dry and explosive. Although most Indian lands were fortunately spared the unusually severe lightning storms that sparked the disaster fires, control efforts were costly because of the need to maintain emergency standby personnel and equipment during extreme periods, and in providing more intense response to reported fires.

Funds provided in this bill also include $3,050,000 for fire suppression costs of the National Park Service. The most serious fire experienced by the National Park Service occurred at Glacier National Park, Mont., which resulted in firefighting costs of $2,717,000. These fires were caused by dry lightning storms which began on August 11, 1967, involving 30 fires which burned 12,391 acres of forest land.

It is most regrettable and unfortunate that our valuable timber resources are destroyed in this manner, but it is an ever-continuing threat that those responsible for the administration of our national forest lands must face each year. It is encouraging to note the Forest Service experience, that notwithstanding the fact that fires were more extensive this past year, actual loss of timber was less than occurred in previous years when the number of serious fires were fewer.

At this time I wish to commend all those individuals who worked so strenuously and efficiently to contain these fires, frequently at the risk of their lives. From the reports I have received, the coordination was superb and it was due to the efforts of these men that our timber losses were not much more severe. It is because of this constant threat of fire loss that I continually support accelerated research in fire prevention and suppression, and that I continue to insist that our forest-fire crews have a sufficiency of the best equipment available.

There are further items in this bill that I want to commend to the House for support.

These are the items proposed in the Bureau of Indian Affairs for the repayment of flood damage in Alaska during the Chena River flood.

Amounts were reduced because it seemed to the committee that work done here should be done on a family-to-family basis, and that figures given the committee reflected much more than supplemental necessities.

The entire Indian housing problem in Alaska is serious and it is hoped that the $424,000 here will serve as a model for the future through the manner of expenditure demonstrated by the Bureau of Indian Affairs.

There is also $683,000 in the bill for assistance to the Alaskan natives to assist them because of the fishing disaster last summer in Alaska. By disaster I mean that Alaska fish runs were so drastically reduced that native incomes were far below support levels.

As I have pointed out repeatedly to this House, the problem of our fishing resources is a major must for breakthroughs in upgrading it. If this industry and this source of food and income is not to perish, we must accelerate our efforts in the exploration of finding answers in the conservation and fish development field. A large segment of humanity is dependent upon our efforts.

You will note further there is $1 million provided for the Federal Government's share of the prototype desalting plant in California. All of us are seeking answers in this water field, and this can well be an important part of those answers.

In conclusion, I would like to call attention to the members of this committee that every cent in the Interior and related agencies supplemental items is for the well-being of America and will meet problems of preservation of our natural and human resources.

Mr. JONAS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Chairman, a very important and significant part of this second supplemental appropriation bill, 1968, H.R. 17734, now before the House, is the additional new obligational authority in title 1, chapter 2 and title 2 which provides for the Department of Defense—military—a net total of $4,290,842,000.

This amount includes funds to cover the military and civilian pay increases, increases in retired pay, postal rate increases, and defense claims. The largest item is for additional funds for military operations in Southeast Asia.

The supplemental budget estimates for fiscal year 1968 for the Department of Defense, military functions considered by the committee totaled $4,626,811,000. The amount of new obligational authority recommended in this bill represents a decrease of $335,696,000 below the estimate.

The gross amount recommended for the Department of Defense for military and civilian pay increases is $630,007,000. Of this, $470,107,000 is for military pay and $159,900,000 is for civilian pay. These increases were authorized during the last session of Congress in Public Law 90–206, the Federal Salary Act of 1967, and Public Law 90–207, increasing the basic pay for members of the uniformed services.

To offset the total amount of new obligational authority that would otherwise have been needed for pay increases, reserves established pursuant to Public Law 90–218, title 2, are being used. That law required that controllable programs for fiscal year 1968 be reduced below the President's budget, and it provides that amounts unused because of the limitation shall be used only for purposes prescribed by acts of the second session of the 90th Congress. This bill provides that $136,558,000 of such reserves will be released to apply against military and civilian pay, which places the requirement for net new obligational authority in this bill at $493,449,000.

Further releases of Public Law 90–218 reserves are also applied to offset additional Southeast Asia requirements and these will be discussed later.

Funds in the amount of $4,293,000 are provided in the bill because of the postal rate increase which became effective January 1, 1968. There are funds in the bill for an additional $8 million for the appropriation entitled "Claims—Defense," which reflects an additional requirement for fiscal year 1968 for noncontractural claims. This amount is transferred from the appropriation account entitled "Contingencies—Defense" which contained sufficient uncommitted funds; $75 million is included for increased requirements for retired pay and an item of $2 million for higher per diem payments to Reserve personnel as required by a law passed last year, Public Law 90–168, the Reserve Forces Bill of Rights and Vitalization Act.

The largest single item recommended is for additional new obligational authority in the net amount of $3,791,100,000 to support our military operations in Southeast Asia.

Overall, however, the action contained in this bill actually represents a channeling of $6,136,000,000 in additional appropriations for Southeast Asia operations. The total is made up of the $3.79 billion in new obligational authority and $2,345,000,000 as a release of reserves held pursuant to title 2 of Public Law 90–218.

As a result of this legislation the original request of the President for fiscal year 1968 of $20.6 billion in appropriations for Southeast Asia requirements is increased to $26.7 billion.

The additional Southeast Asia requirements in this supplemental appropriation bill are urgently needed for several reasons.

First, the original fiscal year 1968 budget as requested by the President was known to be inadequate when it was before the Congress last year. Further, the increased offensive actions taken by enemy forces has required us to respond with greater manpower and resources. The Tet offensive and the *Pueblo* incident have made it necessary to strengthen our defense posture in these areas and our operational readiness in general.

The additional requirements of $6.1 billion, financed in part by releases from reserves, it is believed will cover the needs for the balance of this fiscal year 1968.

It provides for deployments overseas of additional military personnel and military units and their associated equipment.

Ground combat and combat support units from the Army and Marines as well as Air Force and Marine Corps tactical air units are to go, or have gone, to Vietnam.

A substantial number of aircraft and associated personnel and equipment were deployed to South Korea as a result of the *Pueblo* incident, and continue to be based there.

Army, Navy, and Air Force units from the Reserve Forces have been called to active duty. In total, approximately 39,500 personnel have been included in these Reserve Forces callups. Most of the units called up are intended to help replenish the Army's strategic reserve and the active Air Reserve held in the United States. However, some reservists now on active duty are for deployment to South Vietnam or will help offset deployments of regular units to Vietnam.

The procurement actions provide: equipment, and consumables for U.S. and allied ground forces; aircraft and helicopters to replace losses as well as to meet additional aircraft requirements; increased ammunition consumption for ground, naval, and air units; expediting procurement of items such as electronic countermeasures and surveillance equipment.

There are also funds to provide for higher aircraft maintenance requirements, including spares and repair parts, a greater number of naval, air, and ground equipment overhauls, and transportation requirements which are now of considerably higher tonnages than previously estimated.

Actions are being undertaken to improve base storage facilities in Korea; replace various structures destroyed in Vietnam; and to increase our ammunition production base.

Members of the House of Representatives should recognize that it is exceedingly difficult to ascertain the exact total cost of the Southeast Asia military operations.

Members of the Subcommittee on Defense and the committee staff who have spent long hours and days, and who have followed the budget activities closely over all the months, are confronted with many difficulties.

This has been especially so as regards the current fiscal year.

To date the fiscal year 1968 Defense budget has been subjected to almost 150 official reprograming actions, and additional internal transfers. The use of laws which permit exemption from the apportionment process, and exemption from authorizations and specific appropriations by Congress, and outright budgetary manipulations. This has created a situation which, in my opinion, unnecessarily inhibits the Congress from following the Defense budget in the detail that is necessary.

Recognizing those conditions, the committee has examined this request and the funding requirements as now stated in this bill in our opinion are needed.

In fact, most of the request is already obligated and being used. Our action today therefore is, to some degree, action after the fact.

To set the record straight, congressional action on this bill will authorize actions which the Department of Defense for the most part has already undertaken. The Department's actions were undertaken in accordance with reprograming procedures or pursuant to the provision of certain laws which it felt compelled to use until this bill becomes law.

I believe it would be well to review some of the events of the past year in order to gain a more complete understanding of the contents and significance of this bill now before us.

Just a year ago, June 9, 1967, the Appropriations Committee report on the Department of Defense appropriation bill for fiscal year 1968—Report No. 349—pointed out that the funding request for Southeast Asia was low. It stated:

> The committee is, however, of the opinion that funds over and beyond those carried over from previous years, and those included in the pending bill, will probably be required for fiscal year 1968. The tempo and cost of the war in Southeast Asia are on an upward trend. If additional amounts are subsequently requested, they will of course be given a high priority.

On June 13, 1967, when the fiscal year 1968 bill was being debated here in the House of Representatives, I made the following statement about this problem:

> Although the administration estimated that about $20.6 billion of the budget will

> be required for the war, the question properly asked: Will that be enough? The actual costs could well be running to a magnitude of $25 to $30 billion or more per year. . . . Recent statements by administration spokesmen, including the President, made after our hearings had concluded, indicate to me that the administration may have once again delayed a decision to realistically fund the war effort. . . . the President and the Secretary of Defense should submit such estimated funding needs before action on this bill is completed by the Congress.

From these statements it can be seen that members of the Appropriations Committee were already clearly of the opinion back a year ago that the administration had probably underestimated or understated to the Congress the fiscal year 1968 funding requirements for operations in Southeast Asia.

Furthermore, from such statements, it can be seen committee members called upon the administration 1 year ago to submit the known necessary funding needs to the Congress and to do so prior to the date that the Congress would complete its work on the fiscal year 1968 Defense appropriation bill.

The administration was aware of its understated Defense funding needs and was aware prior to the time the Congress completed action on the fiscal year 1968 Defense budget. On August 17, 1967 the President in his summary review of the 1968 budget described briefly the situation in regard to Defense expenditures and said that we must be prepared for additional expenditures in support of our combat forces. He said at that time changes could "increase defense expenditures in fiscal 1968 by up to $4 billion."

Though the President made that statement August 17, 1967, 6 weeks before the fiscal year 1968 Defense appropriation bill was signed into law, no requests to the Congress were made by the administration for additional new obligational authority to adequately finance Southeast Asia military operations.

By November 1, 1967, because the administration failed to correctly state Defense needs to the Congress, former Secretary of Defense McNamara was forced to notify the Congress that the operation and maintenance accounts for all the services had, on October 27—4 days previously—been exempted by the President from the provisions of section 3679 of the Revised Statutes, as amended—31 U.S.C. 665.

This exemption was a device whereby the Department was able to obligate funds that would normally have to be apportioned in such manner as to assure their coverage of requirements for the entire fiscal year 1968. Still no additional new obligational authority was requested at that time.

In a letter to me of November 25, 1967, Assistant Secretary of Defense Anthony elaborated on the administration's October 27 exemption action. In part he said:

> During the latter part of October, it was ascertained that the amounts in the accounts, as appropriated, were inadequate and accordingly a request was made by the Secretary of Defense to the President for an exemption of these accounts from apportionment. The additional funds required in the Operation and Maintenance accounts are primarily due to expenses being incurred incident to the activities directly related to Vietnam.

It was obvious only 30 days after the 1968 fiscal year bill passed that the Department of Defense was short of funds.

On February 12, 1968, the President sent a proposed "Revisions of Department of Defense Appropriations, 1968"—Document No. 255—to Congress. This revision, as former Secretary McNamara testified on February 14, 1968, was not a request for additional funds but a transfer of funds between accounts. This was 3 months after the civilian and military pay bills were passed, 3 weeks after the *Pueblo* seizure on January 23, 1968, and about 2 weeks after the Tet offensive had been underway. Each of these clearly indicated the need for additional funding.

On March 5, 1968, section 3679, Revised Statutes was again employed when the Director of the Bureau of the Budget notified the Speaker of the House that section 3679 was to be used because funds for the military and civilian pay increases had not been included in the fiscal year 1968 budget. Again no supplemental request.

Finally on March 11, 1968, a supplemental request—House Document No. 274—which included $167.4 million in obligational authority for the Department of Defense, was sent to the Congress. It provided for some civilian pay increases and an $8 million request to cover increased claims. However, it should be noted that no funds were requested at that time to provide increases in military personnel accounts which were required by the military pay bill.

Culminating the delaying and stalling tactics, on May 13, 1968, the Department of Defense resorted to the most unusual and, in my view, the most drastic of actions. The Deputy Secretary of Defense authorized deficiencies to be incurred in the operation and maintenance accounts of the four services for fiscal year 1968 military appropriations under the provisions of a law which dates back over 107 years. In other words, the Department authorized the use of funds in those accounts without specific authorization and specific appropriation by the Congress.

The Deputy Secretary of Defense, Nitze, on that date, May 13, 1968, sent a letter to the Speaker of the House of Representatives in which the Speaker was told "you are hereby notified" of the action. The Speaker was thereby notified that the Deputy Secretary was invoking a provision of a seldom-used law.

It is a law which was originally put on the statute books March 2, 1861, and as far as I have been able to determine this is only the second instance in the past 20 years in which this authority has been invoked. This law reads:

> REVISED STATUTE 3732, AS AMENDED
> (41 U.S.C. 11)
>
> *11. No contracts or purchases unless authorized or under adequate appropriation; report to the Congress.*
>
> (a) No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the Departments of the Army, Navy, and Air Force, for clothing, subsistence, forage, fuel, quarters, transportation, or medical and hospital supplies, which, however, shall not exceed the necessities of the current year.
>
> (b) The Secretary of Defense shall immediately advise the Congress of the exercise of the authority granted in subsection (a) of this section, and shall report quarterly on the estimated obligations incurred pursuant to the authority granted in Subsection (a) of this section. As amended October 15, 1966, Pub. L. 89–687, Title VI, Article 612(e), 80 Stat. 993.

By May 13, therefore, an official in the Department of Defense had authorized deficiencies to be incurred in fiscal year 1968 operation and maintenance appropriations for the Army, the Navy, the Marine Corps, and the Air Force.

In addition to the above cited actions, there were several emergency reprograming actions approved by the cognizant committees of Congress prior to and pending the enactment of this supplemental request which is before the House today. These reprograming actions temporarily diverted resources from previously approved non-Southeast Asia 1968 programs. The funds which were used in this way are to be restored to those programs with passage of this bill.

The main content of the Department of Defense funds requested in the bill now before the House was sent to Congress on May 21 and was among the three communications involving Defense funding which the President addressed to the Congress in the 2 days, May 21 and May 22. Therefore, it was not until May 22 that the total additional estimated fiscal year 1968 Defense funding needs were requested.

The Department of Defense in order to get funds to meet our commitments in Southeast Asia, has stretched out, cut back, changed or canceled other non-Southeast Asia programs vital to our future security.

For an example, the Office of Secretary of Defense required the Army to cut $100 million of fiscal year 1968 funds from R.D.T. & E. programs which had been previously justified to and appropriated by the Congress.

On February 21, 1968, when the Army's Chief of Research and Development was before the subcommittee I said to him that certain of the cuts in programs appeared to have been very arbitrary, just to find some money. To that General Betts replied:

> Indeed we did just have to find some money. What we did was to go through the Army research, development, test and evaluation program totally, studying many possibilities, discussed them with Dr. Foster and his staff, and eventually came up with this distribution of items that made up the $100 million total. (P. 670, pt. I, fiscal year 1969 hearings.)

The Congress realizes the necessity of giving the Department of Defense certain funding flexibility because world events do affect Defense needs. Emergency funds and other fiscal authority therefore has been granted by the Congress to the Department of Defense in order to provide flexibility to meet unbudgeted and unanticipated events, and to permit the executive and legislative branches the time to react to such events. This flexibility is particularly required for emergencies when the Congress is not in session. However, the present administration has used this authority in the broadcast context and even while the Congress was in session.

The Department of Defense and the military services have thousands upon thousands of fiscal officers. The Department of Defense also has been provided with, and has access to, the world's largest concentration of electronics computers, including the most sophisticated.

Huge costs are incurred by the Department when it assembles essential budgetary data. But when fiscal resources are employed for budgetary juggling purposes, just to make ends meet, it can result in an utter waste of time and energy and funds. I know of no tabulation of the Defense resources which have been dissipated in such manner but in my opinion such waste must have been considerable and again adversely reflects on Defense management as practiced in recent years.

Mr. Chairman, I have gone to some length in discussing the actions by the officials in the Department of Defense. The reason I have done so is to point out how desperately the Department of Defense needs these funds. The requirement for additional funds is before us today because the administration has refused to face up to the necessity to make adequate and timely appraisals of the defense needs of our Nation, not only just for our operations in Southeast Asia but for our worldwide commitment now and in the 1970's.

The record shows it has taken the administration many months to request the required additional funds which it had known months ago would be needed. But the administration seems to have used almost every device at its disposal in order to avoid making a full statement of Defense funding needs for fiscal year 1968.

The record points up the financial manipulating that has been going on and draws attention to the quality of the fiscal leadership that is being provided in the Department of Defense. It is in need of improvement.

The record does show the administration needs the additional funds to meet our commitment in Southeast Asia as provided in this bill H.R. 17734.

To me it is clear that the Congress should have long ago been requested to provide these funds in order to provide a better administered Defense program.

The defense of the country should not be based on short-range, patchwork, fiscal planning.

Sound military plans and decisions cannot be based on unsound budget decisions or on indecisions.

Our military forces are performing valiantly and effectively. Our support of this bill will finance the equipment and supplies they require.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I should like to thank the distinguished gentleman for yielding to me.

Mr. Chairman, let me address myself to that part of the bill H.R. 17734 which is really the overwhelming part of the bill, relating to Southeast Asia. As I calculate the amount of money proposed in this bill for military operations in Southeast Asia, it amounts to two-thirds of the total amount of the bill.

The bill itself provides, according to the statement of the distinguished chairman, for approximately $9 billion. That is $8.930 billion, and out of that the amount to be allocated for Southeast Asia is a total of $6.1 billion. That is $3.791 billion for the emergency fund for Southeast Asia, and $2.345 billion to be released from Public Law 90-218 reserves, making a total of $6.1 billion. Therefore, two-thirds of this supplemental appropriation is for the war in Vietnam.

It is regrettable that the real crux of this request is not presented to us as a single proposition, instead of being tied in with requests for supplemental appropriations for other agencies, and for some very important social programs.

Nevertheless, we cannot ignore the proposition that this is basically a bill to appropriate $6 billion for the escalation of the war in Southeast Asia.

I was interested to read at page 737 of the hearings that, although the planned total of military personnel for Vietnam had been understood to be 525,000, it is now the intention of the administration to increase that to 549,000, and, as a matter of fact, to have in place by June 30 in Southeast Asia 517,000.

So it is perfectly clear that our commitment of manpower is increasing at the very time we are engaged in negotiations in Paris.

Mr. Chairman, for 4 years this war has steadily escalated. For 4 years its cost has been underestimated, and for the fourth time in 4 years the administration is before the Congress with a request for supplemental funds.

This happened in 1965, 1966, 1967, and now again in 1968.

Because of the unpopularity of this war, an American President, who was elected 4 years ago by a great landslide, made the decision to withdraw as a candidate for reelection. This act, which he characterized as "taking the quest for peace out of politics," in a very real sense took the continuation of the war out of politics. By removing himself from the political arena as a target for dissatisfaction with the war, the war itself has been insulated from criticism.

But men continue to die, the devastation of those we would save persists, the domestic budget continues to be drained. It is as if the Vietnam war has become a permanent and inevitable fixture in American life, like the interminable, remote warfare predicted in Orwell's 1984.

Although the critics have lately gained a measure of respectability as events bear out their predictions and lipservice is paid to their concerns, the war continues to grow. We have seen the effect of this war on the fragile East-West detente which achieved a beginning in 1963. We have seen how massive American violence, visited on a small nation, has lost us the respect of many of our friends. We have seen the war's divisive effect on our own citizens and the growing scarcity of funds for domestic needs; this at a time when our problems at home reach crisis proportions. And perhaps too few of us have recognized the brutalizing effect of this war on our own consciousness—the subtle implementation of the idea that violence may be viewed as a "solution."

How can one justify raining greater bomb tonnage than was dropped on all theaters during World War II on a nation the size of Vietnam? How can one justify rendering millions of civilians lifeless or homeless? Nothing justifies the demented logic of the statement "we have to destroy the town to save it," which has become the symbolic essence of our presence in Vietnam.

Beginning in the early 1960's the military strategists embraced a theory known as flexible response or limited war. It replaced an older theory of massive retaliation. It was the presumption of this theory that the Pax Americana could be threatened by brush-fire wars in which the threat of massive nuclear retaliation would be neither viable nor credible. Therefore, reasoned the theorists, under the umbrella of the nuclear deterrent, limited wars would be fought for limited objectives, at limited cost. Escalation could be carefully controlled, and force would be applied only to the extent required to put down the brush fires.

This theory held a tragic and fatal flaw—it overlooked the military mind which does not think in terms of political goals—it assumed that the United States could defeat any conceivable foe under any circumstances—it failed to consider what would happen if we faced military stalemate.

The outcome of this policy and of our shortness of vision is Vietnam—a war where issues and realities are obscure, where our allies have virtually no popular following while the adversary has substantial support. Each infusion of force has been parried, and we have responded with new escalations "so that these dead shall not have died in vain." The architects of the flexible response theory failed to consider the political and military consequences of stalemate; an endless series of incremental escalations with the constant assurance that the next increment will turn the tide.

Thus, each year, the scope and cost of the war has increased. Each increment is viewed as limited and tolerable, like the losing poker player who will risk a little more in hope of winning back what he has lost. When the poker chips were Vietnamese peasants, the game was dismal enough, but now in addition the stability of our own society is at stake. There is increasing alienation and unrest among young and old in America. The war has created an economic drain that has seriously jeopardized our international monetary position and forced the administration to accept major reductions in its own domestic programs while burdening its citizens with an additional and regressive tax.

Today, the administration is requesting an additional $6.1 billion for Southeast Asia—$3.8 billion through a supplemental appropriation and $2.3 billion through a transferral of funds pursuant to Public Law 90-218. The additional $6.1

billion represents an increase of more than 25 percent over the $23.7 billion which the Congress already appropriated for military operations in Southeast Asia for fiscal year 1968. The amount by which the administration underestimated 1 year's cost of the Vietnam war is more than three times what we spend to eradicate poverty, and more than twice what we spend on housing and urban development. It is greater than the total estimated cost of a national guaranteed income program.

For the fourth time in 4 years the House, faced with an appropriation request for specific earmarked funds to permit escalation of the Vietnam war, has an opportunity to vote on the administration's policy.

Each year I have urged the House to seize the opportunity—the only effective opportunity to make its views known.

In 1964 I urged a specific strategy for the neutralization of Southeast Asia to avoid the broadening of the developing conflict. But the conflict was broadened. In 1965 I argued against the Americanization of the war and the adoption of the policy of escalation. But the war was Americanized and escalated. In 1966 I tried again to point to the policy choices confronting us. But the choice of continued escalation was made. In 1967 I called again for renewed diplomatic efforts and an end to the bombings in the north. But diplomacy was not our policy and military efforts and the bombings continued and intensified. Throughout it all I urged that we seek a negotiated political settlement. But the pursuit of a pure military victory continued increasingly to dominate our efforts.

Last year I voted against the entire defense appropriation bill because it was so heavily laced with funds for continued escalation of the war. My position was the same this year. Yet, even though more have joined me in this effort through the years, and although the national opposition to the war has clearly intensified, it has had little or no effect on the administration's policy.

Only this morning General Westmoreland for the first time admitted that a military victory could not be achieved in the classical sense.

I would hope that, when the bill is open for amendment under the 5-minute rule, there would be support for an amendment which would strike from this bill the $6.1 billion for Southeast Asia. I understand that the gentleman from New York [Mr. DOW] will offer such an amendment. If that does not prevail, then I intend to offer a motion to recommit to eliminate those funds from the bill if I have the opportunity.

Only through the appropriation process can we have any kind of leverage on foreign policy in the House of Representatives.

If we are concerned with the continuation of this war—if we are concerned with its continuing escalation—if we are concerned with the fact that we have not achieved any semblance of peace so far through negotiations, then it is time to call a halt through the power of the purse which after all is the only way that Members of the House of Representatives can express their opinion on foreign policy.

That is why during the past 4 years I have opposed supplemental appropriation bills for military operations in Southeast Asia. We again have the opportunity. A lot has happened in this country since we last voted on the question of escalation in Southeast Asia, all of us are aware of it—and now is the time to take action.

If the parliamentary situation does not permit a separate vote on this issue, then I am prepared to vote against the entire appropriation since two-thirds of it is earmarked for Vietnam.

Mr. **MAHON**. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BURTON].

Mr. **BURTON** of California. Mr. Chairman, it is regrettable that in addition to the major thrust of this supplemental appropriation bill, which provides funding for escalation of the war in Vietnam, that there is included in the bill additional routine funding of various domestic programs, which domestic programs I, of course, support.

If these domestic program funding items were in a separate bill, as they normally are and should be, I would vote in support of this supplemental bill—but such is not the case.

Mr. Chairman, as I did on May 5, 1965, again on March 1, 1966, and again on March 2, 1967, I must once more rise in opposition to a request for supplemental funds to pursue the war in Vietnam. All that I have said before on these occasions could be repeated and reaffirmed now. It is true now and it was true then, that "we pursue a futile attempt to achieve, by force of arms, solutions to problems which are not primarily military but essentially political, economic, and social."

The cost in lives, in human sacrifice and suffering, in dollars which could be more wisely and humanely spent and in terms of the almost irreparable damage we do the fabric of our own free society, must cause us to reassess the role we have assumed, for whatever reason, in Vietnam.

At a time when this Nation, mourning the tragic death of one of its vital, young leaders, seeks answers to the causes of violence within our society, is it not apparent to all but those who dare not see, that this war bears great responsibility for the amosphere in which we find ourselves? By our conduct, we have affirmed that in the affairs of nations, war and violence are acceptable instruments in solving differences. Is it any wonder that in the affairs of men, resorting to violence becomes more frequent?

Do we not collectively bear some responsibility for demeaning the value of human life by our actions, which in the first 5 months of this year cost 8,342 Americans, 8,645 South Vietnamese and 107,941 Vietcong and North Vietnamese lives? Are we not as a people and as a society brutalized by so gigantic a slaughter of humanity?

The numbers continue to rise. U.S. casualties for the period 1960 through 1964 were 255 fatalities, an average of approximately four per month. In 1965 they rose to 1,365 or about 114 per month. 1966 saw 5,008 deaths, average 417 per month. In 1967 the toll rose to 9,378 averaging 781 per month. Through May of this year, U.S. fatalities totaled 8,342—an average of 1,668 American deaths per month.

Even as we have moved to the conference table the scale of the war we wage continues to escalate, to become more brutal. As negotiations commenced in Paris on May 13, U.S. combat deaths for the period May 12 to June 1 were 1,409 and 8,839 wounded in that same period.

In a war that General Westmoreland just this week said could not be won in the classic military sense, we continue to sacrifice our youth and brutalize our society.

In a decade which opened with hope and promise, we have seen, in large measure, that hope give way to despair and promises remain unfulfilled as more and more of our resources were drained for war.

The efforts to rebuild our cities have been diminished as moneys are spent to destroy cities and the countryside of Vietnam.

The efforts to relieve suffering and the ravages of poverty in our own society have been subjected to curtailment and cutbacks as the drain of dollars for the war has taken its toll.

We can know the direct Defense Department expenditures on the war but the additional costs of this policy are incalculable: 1965 saw $103 million spent on the war, 1966 $5.8 billion, 1967 $20.1 billion, and conservative estimates for 1968 project an expenditure of $28.1 billion, which many believe will be as high as $30 billion.

Troop strength reflects this same escalation. On May 5, 1965, when I voted against the first supplemental appropriation, we had 42,000 men in Vietnam. At the end of 1965 we had 165,000 men committed in Vietnam. There were 389,000 in 1966. There were 486,000 in 1967 and 533,000 as of June 1, 1968.

American wounded figures reflect this same continuing upward spiral; 6,110 wounded in 1965, 30,093 wounded in 1966, 62,004 wounded in 1967, 50,470 wounded during the first 5 months this year.

Yet with this continuing expenditure of money, increasing commitment of troops, the wounding of more and more men, the loss of more and more lives, we continue to sink deeper and deeper into this conflict. Even now as negotiations take place we are asked today to vote more funds for war.

Can we hope that negotiations will be fruitful in the face of this action?

Let us pause and reflect on the course that we pursue, the price we have already paid, and the apparently open-ended commitment we are repeatedly asked to supplement.

Is it not time to say let us disengage?

Is it not time to act in such a way as to deescalate the conflict?

How much more of the lifeblood of this Nation must be shed?

How many more needs of our people must go unmet and promises of a better life go unfulfilled?

How long must we wait before we heed

the voices of men and women of good will who across this Nation call for peace?

It is my conscience and their voice which I respond to today in once again voting against funds to pursue and extend this conflict.

Mr. MAHON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. Dow].

Mr. DOW. Mr. Chairman, the one point I want to make is that those of us who favor medicaid—who favor salary increases for military and Federal employees—but who do not favor the war in Vietnam, are embarrassed by the combination in this bill of appropriations proposed to be made for all of these diverse programs.

I merely want to say that, if I have the opportunity, I will certainly vote for medicaid payments, and for military salary increases and other benefits provided in this bill. But I have some reservations—considerable reservations—about voting to encourage further military activity in Southeast Asia, and for that reason I intend to offer an amendment which will eliminate from the bill those funds provided for Southeast Asia.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, in this bill is the sum of $3,101,000 to cover the additional meat inspection costs incurred during the present fiscal year as a result of the Wholesome Meat Act of 1967, which authorizes the Department to provide technical and financial assistance to increase the quality of State inspection programs and to extend Federal inspection to certain establishments previously exempt from Federal inspection, and to improve surveillance of foreign plants exporting meat to the United States. This will bring to a total for the fiscal year 1968 something, in a rounded-off figure, of $60 million for meat inspection.

On Monday, May 27, I happened to be tuned in to the well-known commentator, Mr. Chet Huntley, who had some very appropriate remarks to make with respect to the so-called Wholesome Meat Act. To begin his remarks on that particular evening Mr. Huntley quoted Dr. Oscar Sussman, doctor of veterinary medicine at Rutgers University, the State university of New Jersey, as follows:

> The "Wholesome Meat Act of 1967" is a fraud. It is an expensive, unproductive extension of Federal and State bureaucracy, an unnecessary and perhaps institutional invasion of States' responsibilities and rights. Most important the Act is misleading to the consuming public, if the objective is to prevent disease transmission and thus promote the public health.

Another quote from Dr. Sussman which Chet Huntley used, was as follows:

> In recent weeks Betty Furness and Ralph Nader, two self-styled protectors of the "public weal" have led a bandwagon of mob psychologists and public relations experts in clobbering one of the major food industries of the U.S. most thoroughly.

Further quoting from Dr. Sussman:

> The worst aspect of the situation caused by Mr. Nader and Miss Furness is that the public has been lulled into a false sense of security. The U.S. housewife now believes "U.S. Inspected" meat and poultry products are free of disease and harmful bacteria. This is false.

Then Mr. Chet Huntley went on to say—

> That's where the deception lies. U.S. inspectors are now descending upon new segments of the meat trade and the public has been sold the false notion that "U.S. Inspected" is a guarantee of cleanliness. What the housewife must know is that anything could happen to a piece of meat after it is inspected. So this whole new inspection program is a farce in an attempt to guarantee cleanliness at only an early stage of meat distribution.
>
> Further, there was no need for the Federal program's extension into new areas. As Dr. Sussman said, there is no evidence of any untoward results from having eaten non-inspected, locally-inspected, or State-inspected meats in this country.

Further quoting Mr. Chet Huntley:

> Now, meat wholesalers in New York and other cities are being thrown out of business because their buildings or equipment cannot meet the arbitrary standards demanded by Federal inspectors whose rules have not even been established. But there they are, forcing small houses out of business.
>
> Here is one of their arbitrary rules: no sawdust on the floors for certain types of establishments. If a side of beef should fall off a hook the Federal inspectors demand that it fall on a greasy floor rather than into harmless sawdust.
>
> In New York, this reporter knows, truck drivers and other employees of the wholesale district are now quitting their jobs to become Federal inspectors and they talk openly of the "fringe benefits". The fringe benefits are monies under the table in return for that misleading inspection stamp.
>
> This is what the Wholesome Meat Act has turned loose on the country, at a cost of millions of dollars.

I certainly would have to agree with the observation relative to the cost of millions of dollars for this program.

The National Observer, under date of Monday, May 20, published a very interesting article entitled "Flimflam and the Federal Man—Tainted Meat and Tainted Evidence," in which they ran a rather extensive inquiry of those meat inspectors that had been asked to hurriedly gather up, within a 24-hour period of time, or 30 hours, all the information they could gather that would goad Congress into moving swiftly on expanding meat inspection as we did last year.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JONAS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. MICHEL. Mr. Chairman, having taken the lead from that article, I used it as a base for a line of interrogation of witnesses in support of this supplemental request. This will be found beginning on page 660 of the hearings on the second supplemental appropriation bill. I will ask later for permission to insert the complete article in these remarks including a devastating memorandum that I should like to refer to now.

It was just completely shocking to members of the subcommittee to find that this kind of memorandum from a public official could be so written. Let me give you just a few excerpts from it. It was supposedly a memorandum conceived by one of the district directors in the Dallas compliance area. He issued a memorandum titled "Special Project Q.Q. & C.—Quick, Quiet, and Confidential." In other words, it meant, get all the information you possibly can quickly, quietly and confidentially, so that we can communicate it to Washington to get to the individual Members of Congress and tell them how drastic a need there is for this legislation.

Quoting from this memorandum:

> Effective immediately, we are to discontinue all other C. & E.S. work and devote full time (plus any overtime necessary to effectively complete this assignment) . . .
>
> The information we will gather at nonfederally inspected (NFI) plants in this effort is to be used at congressional hearings now being held in connection with the proposed amendment (H.R. 6168) to the Meat Inspection Act.

Quoting from another section:

> You are to gain entrance into NFI plants under the guise of (*a*) meeting local inspection personnel to gain cooperation in our normal C. & E.S. work, (*b*) discussing our denaturing and decharacterizing requirements with management, (*c*) etc. This should be done quickly and quietly in such a manner that no one is aware of the real purpose of your visit. This will require a very discreet approach and may tax your imagination.

Then another sentence in that memorandum says:

> Plants selected for this survey will be those in which you would expect to find the most discrepancies. In other words, look for "horrible examples."

In other words, they were to look for "horrible examples."

A further reading from another section of this memorandum is as follows:

> In your reports of plant "surveys" it is suggested you use dramatic, graphic terms with impact, such as cancer eye, pus, manure, disease, excreta, cockroaches, rats, flies, loose paint, cobwebs, . . .

And so it continues.

I found out in the interrogation of the witnesses that instead of just four inspectors being detailed to this work, there were 27 in total. These surveys were to be conducted in 35 States within a 24-hour period. I asked that the record be complete with all the names of the plants that were visited and what they found wrong with those plants to arrive at some of these conclusions.

Our subcommittee felt in all fairness to these plants that have been listed among the 203, that we would not include them in the RECORD at this point until we have had an opportunity to go back and afford them the courtesy and privilege of responding to our inquiry as to just what kind of inspection was made of their particular plant. I have been advised within the last day or two that of the 203 plants that were supposedly investigated, and about which all these scurrilous things were said and repeated without any foundation on the floor of the House, only five violations were noted in all this investigation through 35 States. Bear in mind we are talking about a total of 15,000 processing and meat slaughtering plants throughout the country.

The country and this Congress were indeed flimflammed by this hasty "survey" of a mere handful of plants.

It seems to me this is a very appro-

priate time to bring this out in the open. I would call the attention of all Members particularly to those pages in the hearing record beginning with page 660, and ask you to read for yourselves how this Congress can be flimflammed, as we were, by the executive branch using their snoopers at taxpayers expense to build a case for public consumption.

Mr. Chairman, I place the article and memorandum previously referred to in the Record at this point:

[From the National Observer, May 20, 1968]

TAINTED MEAT AND TAINTED EVIDENCE

WASHINGTON, D.C.—Agents of the Federal Government fanned out across the nation last July under urgent and explicit instructions from Washington to gather examples of horrid conditions in meat-processing plants not under U.S. Government control.

Swiftly and often with calculated deception, the Federal men got what they were ordered to get. Their findings, which were widely accepted as factual and unbiased Government inspection reports, painted a picture of widespread filth in meat handling. These reports were later to be used as undisputed authority for scare stories that frightened the public and helped stampede Congress into passage of a new and tougher Federal meat-inspection law—the Wholesome Meat Act of 1967.

What can now be confirmed is the nasty fact that the "evidence" gathered last July was deliberately biased, that the tainted reports were used to mislead Congress and the public, that they put a lie in the mouth of President Johnson, duped a large number of well-meaning people, including Ralph Nader and Betty Furness, and did a superb con job on much of the nation's press.

FINDINGS CHALLENGED

The stench of the filthy-meat survey began seeping out belatedly early this year when state and industry officials challenged the authenticity of some of the inspectors' findings. An investigation by this newspaper revealed that U.S. inspectors had, indeed, fudged on some facts [The National Observer, Jan. 29, 1968] and that other reports were doctored in Washington to make them sound even more damning than they were [The National Observer, Feb. 12, 1968].

The Observer's inquiry uncovered the fact that a written memorandum with explicit instructions to field inspectors did exist. Officials in Washington admitted as much but refused to release it. After months of determined efforts, including legal action, by this newspaper, the Agriculture Department finally agreed last week to give a copy of the memorandum to The National Observer. The contents of this remarkable document, which the Agriculture Department admits reflects the substance of its orders to field inspectors, are published in full on Page 12.

The memorandum was written by Wilbur F. Michael, officer in charge of the Dallas area compliance and evaluation staff, which is the investigative arm of the USDA's meat-inspection service. It was to serve as a guide for the activities of three field inspectors: John Halverson, based in Dallas; Joseph J. Barrett in Denver; and Matias Ramos in San Antonio.

Entitled "Special Project QQ&C (Quick, Quiet and Confidential)," the memo instructed agents to use guile in entering plants not under Federal supervision, to select plants "in which you would expect to find the most discrepancies," to look for "horrible examples" of unsanitary conditions in those plants, and to describe them "in dramatic, graphic terms with impact, such as cancer-eye, pus, manure, disease, excreta, cockroaches, rats, flies, loose paint, cobwebs, rust, grease, overhead dripping sewer lines, toilet facilities, mice, flour, excess water, chemicals, excess fat, etc., instead of other more acceptable terms."

A sense of urgency was emphasized because, as the memo put it, the information "is to be used at Congressional hearings now being held. . . ." The memo, dated July 27, 1967, which was a Thursday, instructed the agents to get into plants in five states—Texas, Oklahoma, Louisiana, Colorado, and Arkansas—write their reports, and send them directly to Washington. By Wednesday, August 2.

The compliance officers complied—swiftly and predictably.

Out of Oklahoma flew reports of seven inspections by Mr. Barrett. A random, not untypical sample of the report on one plant: "Stagnant water stood in bloody puddles all over the place. The walls were covered with grime grease and mould. One beef carcass had an infected brisket and another had a large knee joint which appeared to be arthritic. A butcher was boning out a beef round which had sour bone and the meat near the bone was greenish colored."

In addition to covering plants in Oklahoma, Mr. Barrett managed in the brief period to hustle through inspections of nine plants in Colorado and file reports of a similar nature on each of them.

REPORTS FROM TEXAS

Out of Texas came reports of five inspections by Mr. Ramos. A random, not untypical sample of the information in one: "Edible meat drums were very dirty, contaminated with rust and the inside showed a very poor job of washing. Some of the lips were broken with meat imbedded in. The paint on all walls is flaking off, some was evident on hanging beef foreshanks. Hair, bruises, and kill dirt was also noticed on these carcasses. Flies were swarming on the back door. Spitting on the floor by an employee was noted."

In addition to covering plants in Texas Mr. Ramos managed to file similar inspection reports on conditions in three plants in Louisiana.

Inspector Halverson sent in reports on inspections in four Arkansas plants. Sample: "Large numbers of flies in processing room. No coverings over the mixers. Knocked down boxes were placed and piled on floor, toilet rooms were in an unsanitary condition; no ventilation in toilets."

A FLOOD OF REPORTS

And so it went. All told, the order from Washington rapidly produced reports of inspections with derogatory comments of one sort or another on 183 plants in 38 states. Nobody made much effort to tell Congress or the public that these were plants specially and hastily selected to prove a point. On the contrary, the implication was floated time and time again that the findings of the "survey" were generally representative of conditions in the 15,000 meat plants not under Federal supervision. Indeed, even the astute and knowledgeable Rep. Thomas S. Foley, Washington Democrat, referred approvingly in Senate hearings to the USDA report as "current and comprehensive." And he was by no means alone in believing this.

The reports themselves, all of which have now been made available to The Observer, vary widely in length and quality. Some are little more than brief, generalized statements. Others run on at some length in a chatty, informal manner with a high content of irrelevancies. One for example, offers the unexpected information that breweries do not knowingly permit females during the menstrual period to enter certain phases of the brewing procedure. "How do I know?" rhetorically asks the writer. "I had a friend who was a salesman for a brewery, and he told me so."

The actual names and locations of the plants inspected have been deleted by the department. While this is standard practice in many regulatory agencies of Government, it imposes a difficult detective job on anyone outside the agency who might have doubts about the accuracy of reports and seeks to check them out independently. Thus they have the aura of anonymous authority, offering no opportunity for the accused or the skeptic to dispute the findings.

Mr. Michael's written instructions, of course, went to only three field inspectors. In a letter accompanying the release of the memo to The National Observer, Rodney E. Leonard, administrator in Washington of the Consumer and Marketing Service, states that the memorandum "was issued by a subordinate field official, and that certain parts of it did not represent the policy or instructions of this Service."

But in an interview here last week, Mr. Leonard acknowledged that the memo did, in fact, reflect the "substance" of instructions telephoned to all field officers from Washington.

"The men were told," he says, "to arrive at the plants unannounced, ask for permission to enter without stating their purpose, and, if admitted, to record their factual observations. We are satisfied that they carried out this mission and accomplished this goal without any improper conduct, without any substantive inaccuracies, and without being underhanded about it."

DIFFERENCES IN STANDARDS

The standards that Marketing Service officials set for judging conduct, inaccuracies, and underhandedness are, of course, their own. But there's ample evidence to conclude that those standards are not widely shared, especially by those people who were being slyly investigated.

It should be noted, first off, that Federal inspectors had no jurisdiction last summer over state-inspected packing plants. (They do now, as a result of the law signed last Dec. 15.) Nonetheless, Mr. Michael's memo clearly directs Federal inspectors "to gain entrance into non-Federally-inspected plants . . . under the guise of (a) meeting local inspection personnel to gain co-operation in our normal C&ES work (b) discussing our denaturing and decharacterizing requirements with management, (c) etc."

The fact that an inspector sometimes could not get into a plant did not deter him from submitting a report anyway. For example, Mr. Barrett reports thus on a locked-up plant in Oklahoma: "The exterior of the premises was filthy and stinking. I moved a meat barrel containing meat scrap and a rat jumped out and nearly knocked my hat off. I noticed that the rat entered the rear of subject plant."

Included in the batch of current reports last summer was one about a Colorado plant that, it developed, had been closed at least nine months earlier. The inspector later explained that he had been told it was all right to include plants he had inspected in the "recent" past. He said his inspection of that particular plant had been made in November 1966, a year before his findings were published in the Congressional Record by an obviously impressed congressman.

The managers of some plants cited in inspectors' reports insisted that they did not even know a Federal inspector had been on their premises. And, in at least one instance, an inspector conceded that he stayed in his car and did not enter a plant that his report later criticized. He said he had been in the plant a week earlier and so knew the conditions there.

During The Observer inquiry last February, it was discovered, too, that field reports from some inspectors had been edited by a ghost in Washington who deleted complimentary passages and thus made reports sound more critical than they really were.

All the reports flowed into Washington just as a House Agriculture subcommittee was completing work on a milder version of what later became the Wholesome Meat Act of 1967. Predictably, the reports began filtering out in a manner calculated to make headlines. News accounts giving stomach-turning details of the "survey" were published and broadcast as gospel. There were, again predictably, cries of outrage by housewives, consumer groups, labor organizations, and editorialists over the fresh evidence of filthy meat. Lost in the furor were protests by many state officials that the reports were grossly exaggerated, misleading, unfair, and that some were outright fabrications.

"Nobody had any idea of the explosive impact these reports were going to have," Mr. Leonard asserted last week. "Our goal was simply to demonstrate that despite all the new state and local meat-inspection laws that had been enacted there was relatively little improvement in actually enforcing those laws."

There is no dispute among people with knowledge of the meat industry that unsanitary conditions do exist. Nor with the contention that the American consumer deserves to be protected against the health dangers that may lurk in filthy meat products. There is a basic philosophical and practical disagreement, however, over whether the meat-inspection job can be done better by a corps of Federal inspectors with Federal powers and authority rather than state and local officials. These arguments, however, have been made rather academic since the passage of the new law. What is not academic, at least in a democratic society, is whether the means adopted to obtain Federal inspection justify that end.

When the House version of the meat-inspection bill came to the floor for debate late in October, the House Agriculture Committee's report carried long excerpts from the quickie July investigation. These excerpts appeared in the "supplemental views" of five committee members, led by Representative Foley, who contended the bill had to be strengthened in view of the bad conditions revealed by the reports.

In the debate on the House floor, speaker after speaker rose to support the bill, citing the fresh Federal reports again and again. The White House, silent up to then on the bill, sent Miss Furness on a speaking tour to plug the Administration's consumer-protection legislation, including the meat-inspection bill. Both she and Mr. Nader, the safety consultant, repeatedly cited the USDA reports as evidence of the need for mandatory Federal meat inspection.

THE HEART OF THE BILL

On Oct. 31, the House passed its meat-inspection bill by a vote of 403 to 28. The heart of that bill provided mainly that Federal matching funds would be made available to the states to encourage them to upgrade their meat-inspection systems.

But by the time a Senate Agriculture subcommittee began hearings on a similar proposal on Nov. 9, Administration leaders and their allies on Capitol Hill decided to push for a much stronger measure. During four days of hearings, witnesses and senators referred to the USDA's July survey no fewer than 35 times. One of the witnesses was Mr. Leonard of the Consumer and Marketing Services, who thoughtfully brought along three staff investigators who had participated in the summer survey. The kindly questioning, mostly by Sen. Walter F. Mondale, Minnesota Democrat, elicited from each of the investigators generalized comments on what they had found. The questioning, for example, of Edward Chizek, a compliance officer brought in from Omaha, went like this:

"Senator Mondale. Now, in your studies and surveys, you found instances of practices that fell substantially below the Federal meat-inspection standards in these intrastate plants; is that correct?

"Mr. Chizek. Yes, sir.

"Senator Mondale. Would you give a few examples, if you will?

"Mr. Chizek. I did not visit any slaughtering plants. These were basically processing plants that I visited in 1967 and so the deficiences there were mainly in the nature of additives and poor sanitation.

"Senator Mondale. Would you give a few examples?

"Mr. Chizek. More specific than that?

"Senator Mondale. Yes.

"Mr. Chizek. This was in the summer months—in July. And some of the screenings were off these buildings, flies were abundantly present, mold and slime present on the ceilings and walls of various coolers, debris and trash lying freely about in some of the operating areas as well as storage areas.

"Employes not being required to wear any type of washable clothing. Equipment left to sit overnight at room temperatures, or perhaps even longer periods without any adequate sanitation procedures—to be used again the following morning."

A TOUGHER PROPOSAL

The bill that emerged Nov. 27 for debate on the Senate floor was tougher than the House-passed version. It required the states to match Federal meat-inspection standards, and enforce them, within two years or face Federal take-over of the state inspection job. Matching funds to help the states improve their own systems were authorized. Involved were all 15,000 plants not then subject to Federal meat-inspection regulations because they weren't engaged in interstate commerce.

As Mr. Michael's memo indicates, inspectors also had been told to get samples of non-Federally inspected meat products on sale in retail food stores. These samples, it has been learned, were sent to USDA meat-inspection laboratories for analysis. A total of only 162 samples collected from around the land were tested. Of these, 39 products met all Federal meat-inspection standards. The other 123 samples were said to show a total of 259 violations of Federal standards due to excessive water, excess nonmeat fillers, and use of various additives such as ascorbate, phosphates, and nitrites in products where they are prohibited by Federal standards.

"A DEEP SENSE OF OUTRAGE"

Senator Mondale in a long speech in the Senate seized on this sampling as a major point in his argument that ". . . The revelations of the last few weeks, and information received in the hearings, have provoked a deep sense of outrage on the part of consumers. . . . Mr. President, well might we insist upon immediate Federalization [of all plants under state control]. . . ."

During Senate debate on the bill, Senator Mondale inserted into the Congressional Record enough of the investigators' reports, set in small type, to cover seven pages. There was little substantive debate; the Senate completed action on the measure in two days.

A joint House-Senate conference committee quickly convened to try to reconcile the milder House version with the stronger Senate bill. What emerged was, essentially, the Senate bill. Both Houses approved the conference version on Dec. 6. Nine days later, President Johnson signed the law.

In the ceremony at the White House, Mr. Johnson read these words taken from one Federal inspectors report: ". . . Beef was being broken on an open dock, by a dirt road, in 95-degree weather. There were flies in the meat. Drums of bones and meat scraps were covered with maggots."

Subsequently, John P. Orcutt, Colorado's commissioner of agriculture, identified the plant that Mr. Johnson had referred to and stated the conditions cited were not so. He said the dock is located adjacent to a paved street—not a dirt road—and that the plant's owner flatly denies there was any truth in the inspector's report. He quotes the owner as stating: "Beef is not broken (cut up) on our dock and never has been. . . . If this so-called inspector saw any meat scraps or bones in drums, he must be a contortionist, as our bone barrels are stored bottom side up." Mr. Orcutt says the plant owner insists the Federal inspector never entered the processing area of the plant and so he couldn't have seen the barrels in use.

A diligent effort to determine precisely how and why the quickie survey came about turns up no definitive answers. It is known, however, that many congressmen were not impressed by the results of an old USDA survey made in 1962. Though it was an extensive and serious study of meat-inspection operations, the facts in it were well-dated by the summer of 1967. This, incidentally, did not discourage publicists, public and private, from dramatically citing those stale findings to marshal support for fresh legislation last year.

The man in the Agriculture Department who initiated the survey was Rodney Leonard.

"Mr. Purcell [Rep. Graham Purcell, the Texas Democrat who is chairman of the House Agriculture subcommittee] asked us to update the old survey made in 1962 showing that many of the non-Federally inspected plants were in bad shape," Mr. Leonard says. "We knew that many states had passed new meat-inspection laws and had strengthened old ones. But we also knew, through our compliance and evaluation activities, that actual enforcement of good sanitation and good meat inspection wasn't much better than it was in 1962."

Mr. Purcell says he may have asked Mr. Leonard to update the old survey at the request of some of the other subcommittee members. "Representative Foley, perhaps, and others," he says. "I personally thought we had a good bill and that additional surveys weren't needed." Indeed, the new survey's timing and effect were peculiarly unsuited for Mr. Purcell's purposes. The furor the survey caused torpedoed the mild meat-inspection bill that emerged from the House subcommittee, which was basically the bill Mr. Purcell himself had introduced.

Mr. Leonard continues: "I told Bob [Dr. Robert K. Somers, chief of the meat-inspection service] to try to make the survey. I did it. I should have been more specific about how to handle it."

Dr. Somers relayed Mr. Leonard's request to Berlin H. Rorem, acting director of the compliance and evaluation staff. It was Mr. Rorem who telephoned the C&E's field offices and got matters rolling.

On July 27, Mr. Michael wrote his memo. When the National Observer called his office last week to talk with him, a reporter was told he was sick at home. Mr. Leonard says Mr. Michael explained recently that he wrote the memo in such explicit form because some of his staff members were new to his office and he wanted to make sure nobody misunderstood what was expected. Mr. Michael has been in the meat-inspection service for more than 20 years.

Mr. Rorem says his memory is dim as to precisely what he said in telephone calls to the C&E's six field offices in Dallas, Kansas City, Chicago, Philadelphia, San Francisco, and Atlanta. He does deny he told anyone to call it "Project Quick, Quiet, and Confidential."

"I certainly didn't tell anyone to look for 'horrible examples,'" Mr. Rorem says. "I didn't have to. Those men are experienced inspectors. They knew where to go, what to look for, and how to write their reports."

It might be added that they also know how to follow orders.

JOE WESTERN.

[U.S. Department of Agriculture, Consumer and Marketing Service, Compliance and Evaluation Staff, Dallas, Tex.]

U.S. GOVERNMENT MEMORANDUM

(Administratively Confidential, Top Priority, Rush Project)

To: All Dallas Area Compliance Officers.
From: Wilbur F. Michael, Officer in Charge.
Subject: Special Project QQ&C (Quick, Quiet and Confidential).
Date: July 27, 1967.

Effective immediately, we are to discontinue all other C&ES work and devote full time (plus any overtime necessary to effectively complete this assignment) to "Project QQ&C." Overtime will not be authorized for travel.

The information we will gather at Non-Federally Inspected (NFI) plants in this effort is to be used at Congressional hearings now being held in connection with the proposed amendment (HR–6168) to the Meat Inspection Act.

For the purpose of this project, the following areas of responsibility are assigned: Barrett—Colorado and Oklahoma; Halverson—Arkansas; and Ramos—Texas and Louisiana.

We have been designated to make this "survey" since our presence in NFI plants would attract less attention than any other USDA personnel, as we are normally in and out of these plants.

This project consists of 3 parts, as follows:

1. You are to gain entrance into NFI plants (slaughter and/or processing) under the guise of (a) meeting local inspection personnel to gain cooperation in our normal C&ES work, (b) discussing our denaturing and decharacterizing requirements with management, (c) etc. This should be done quickly and *quietly in such a manner that no one is aware of the real purpose of your visit*. This will require a very discreet approach and may tax your imagination. Other approaches used to gain entrance to NFI plants are: (1) requesting management's permission to check their freezers for product bearing Federal Marks of Inspection that might be forged or counterfeit, (2) explaining to and showing management how Federal Marks of Inspection must be obliterated before used containers are filled.

The sole purpose of your visit is to observe, and for each plant visited, submit a written report direct to B. H. Rorem, Acting Director, C&ES, USDA, South Agric. Building, Room 2614, Washington, D.C. 20250, (copy to me), *listing any deficiencies noted that indicate a need for tighter inspectional controls*. You are not to limit your observations to the following, but examples of things to be checked are: (a) *Plant Facilities*—window and door screens, drainage, types of floors, ceilings and walls, lighting, welfare facilities, equipment, etc., (b) *Environmental Sanitation*—Availability of sterilizers for equipment used on diseased or contaminated meat, hand washing facilities, cleanliness of employees and their clothing, spitting on floor, cleanliness of equipment (describe *type* of dirt or filth, stipulate amount only if excessive), etc., (c) *Inspection Procedure*—lack of or inadequate ante and post mortem inspection, temperature of cooked product containing pork, labeling controls, etc., (d) *4–D type Animals Held in livestock pens for Slaughter*—Cancer-Eye, downers, deads, cripples, (e) *Plant Operations Procedures*—meat and/or product in contact with floors, contamination of carcasses with manure, pus, dirt, etc., in dressing operation, deceptive packing, etc.

Plants selected for this survey will be those in which you would expect to find the most discrepancies. In other words, look for "horrible examples."

2. In 1963, Dr. M. R. Clarkson prepared a report concerning a comprehensive fall and winter survey made in 1962 by MID of *intrastate* meat packers and processors in 48 states. Their report showed there was widespread use of false or deceptive labels or packing and that much intrastate meat contained diseased tissues and spoiled, putrid, filthy materials.

Please submit a report to me stating what each of the states you are concerned with, has accomplished in the way of corrective measures (as new laws, etc.) since 1963.

3. You are to each collect a minimum of *five* retail samples of NFI produced meat food product. If time permits and you find additional products you feel should be sampled, feel free to do so. It is expected that most of this sampling will need to be done on Saturday and Sunday. This will leave the weekdays through next Wednesday for your survey of NFI plants. Incidentally, all of this work must be completed by Wednesday, August 2, 1967.

The samples are to be air mailed to the Meat Inspected Laboratory, U.S. Court and Customhouse Building, 1114 Market Street, St. Louis, Missouri 63101. You should select product you believe might be violative. Be sure you get labels if available. Labels should be attached to the 6th copy of the MI–322, which will be mailed directly to Rorem. You keep the 7th copy and mail 5th copy directly to me. Original and all other copies should accompany the sample. If hamburger is sampled, be sure it is produced in a meat plant and not ground by the retail store. Purchase and use dry ice you feel necessary to pack with your sample. Contact your nearest MI office for sample mailing containers, bags, etc.

Attached is a specimen copy of MI–422 to be used as a guide in their preparation. Be sure all information shown on the specimen is included. In block #3, show "Non-Inspected–1" for your first sample, "Non-Inspected–2" for your 2nd sample and so on.

Use the attached chart to determine the particular analyses you desire laboratory to do. Desired analyses not printed in blocks on the MI–422 should be written in the "other" blocks.

Also attached for your use is a paper listing "Analysis Which the MI Laboratories are Able to Perform," including species determination and coagulation tests to determine highest temperature attained in cooked products. Suggest this analysis be made on smoked sausage to determine if possible live trichinae have been destroyed.

In your reports of plant "surveys" it is suggested you use dramatic, graphic terms with impact, such as cancer-eye, pus, manure, disease, excreta, cockroaches, rats, flies, loose paint, cobwebs, rust, grease, overhead dripping sewer lines, toilet facilities, mice, flour, excess water, chemicals, excess fat, etc., instead of other more acceptable terms. Of course, you must be factual in your reports. Try to find evidence of contaminants on the meat if possible.

Please keep in daily contact with this office and give us telephone contact points, etc., where you might be reached.

Enclosed are pre-addressed "franks" for the St. Louis Laboratory.

I am to phone Mr. Rorem next Monday to report our progress.

A Hoax Over Meat

There is more involved than an indiscreet Government memo; there is more involved, even, than the problem of adequate meat inspection. What is involved is no less than the proper functioning of the democratic process.

It is now painfully clear, from reporter Joe Western's story beginning on Page One of this newspaper, that the U.S. Department of Agriculture conducted a biased quickie "survey" and prepared doctored reports in a high-pressure effort to push a new meat-inspection law through Congress. If this were not appalling enough, officials now try to justify what they did by saying they already knew that conditions in non-Federally inspected meat plants were poor, and that they were simply complying with congressional requests for fresh "evidence."

In other words, they already knew what was good for the public; the Agriculture Department needed no new studies nor current evidence, but would supply vivid facsimiles of both if that was what Congress wanted. After all, the good end would justify the fraudulent means. Surely none would speak of a hoax.

Yet there is no other word for it. Further, the same thing can happen again, in the Agriculture Department or in any of the other, and powerful, bureaucracies that have been set up to serve, not deceive, the public.

In a democracy, the public should be able to trust its elected and appointed government officials—trust them to tell the truh, and trust them to enact and enforce the laws without bias. If these officials choose to divorce themselves from the public, to lie to the public, they deceive themselves as well by pretending they serve the public interest. They do no such thing.

It is now up to Congress, through its appriate committees, to open a formal investigation into "Special Project Quick, Quiet, and Confidential"—to keep the Federal bureaucracies honest, and to show the people that the lawmakers do not like being taken in by hoaxes.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. JONAS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SCHERLE. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to my friend from Iowa.

Mr. SCHERLE. I appreciate the gentleman's yielding at this time.

The gentleman from Illinois has made an outstanding contribution to the Members of the House in bringing this situation to our attention today.

I should also like to say that the gentleman from Pennsylvania [Mr. GOODLING] and I have written to the Secretary of Agriculture, Mr. Freeman, 2 weeks ago, asking for an explanation of this memo. Up to date we have received nothing. Of course, we are cognizant of the fact that correspondence coming from the Secretary's office is usually pretty slow, and in this instance we do not look for a reply at all.

Mr. MICHEL. May I say to the gentleman, the other Members of the subcommittee were distressed that this kind of thing could go on. I am sorry to say the witnesses before the subcommittee could not really answer forthrightly how this came about, with supposedly no written memorandum ever, just telephone conversations, except for the poor fellow down at the local level whose neck was way out on a limb by having to write this memoradum, or put it in writing.

Mr. SCHERLE. I wonder if perhaps tomorrow, when we get to the "dirty chicken" bill, we will have available from the USDA more information and at that time be cognizant of where the information came from and the reliability of same.

Mr. MICHEL. That is quite possible. I will tell the gentleman that our committee has proposed we have an investigation of the investigation, so that we can come up with all the facts.

Mr. SIKES. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, the Wholesome Meat Act of 1967 was finally passed last year after a good many Members of Congress had changed positions about as many times and to as great an extent as has ever occurred on any bill. While the spokesmen for the processing and packing industry at first had voiced outright opposition and indicated it was unneeded, they then admitted some changes were needed. Later, they admitted that no State was up to Federal standards and they finally, in the main, supported the final bill. Even the majority in the industry said in the end that the bill was needed; that mislabeled products has been sold; and that the consumer's interest had not been properly protected. In spite of this great shift and these admissions, there are a few determined individuals who either want to justify the extreme minority position that they once took in opposition to legislation or who, for financial reasons or otherwise, hope to create kind of a smokescreen behind which they may find an excuse to prevent implementing the act. Under the act, the States have 2 years in which to come up to Federal standards and, with the public spotlight upon many of these processing plants, many of them have decided that it is no longer profitable to risk losing some customers in order to continue to bilk the rest of them by selling them inferior meat products. Members of the House and the consuming public should be aware of these new and desperate attempts to claim that the Wholesome Meat Act of 1967 should not have been implemented. I find that the opposition is largely centered in three areas:

First. Persons who have a financial relationship with the dirty meat peddlers;

Second. Persons who are willing to accept the theory of one Dr. Sussman to the effect that meat inspection is not necessary because diseased and dirty meat and filth can be sterilized and pasteurized well enough that it may not hurt the consumer, and;

Third. Those who avoid the merits but merely say that some of the reports of agriculture inspectors were gathered too quickly, too quietly, and did not record all the good things the inspectors saw.

Let us deal with these three, one at a time. With regard to the agriculture report complained of, it should be kept in mind that those who are complaining because a 1967 quick survey was made are the same ones who complained that other surveys being used were 3 or 4 years old and therefore, they said, outdated. It was as a result of their complaints that the Agriculture Committee of the House requested the Department of Agriculture to make a quick and quiet survey. When the Agriculture Department made a quick survey, it was for a committee of this Congress. The innuendo to the effect that the Department wanted to find something to use as a basis for passing a stronger bill than they had originally proposed is ridiculous on its face because they were not supporting the strengthening Smith-Foley amendment. If their report was to be prejudiced, it surely would have been prejudiced the other way.

Let us consider the extensive quotation from an article by one Dr. Sussman for which I assume he received and I would have expected him to receive reasonable remuneration for writing along the lines that the Nations Business magazine would want. Also, Dr. Sussman happens to have spent a great deal of time as a state veterinarian and of course might not like it because it came to light that such state officials had done a very poor job. Some of them quite properly pointed out that they were operating under inadequate State laws but there were a few who liked it that way and opposed the bill. Dr. Sussman's main theme seems to be that a carcass by carcass inspection program and the ante mortem inspection requirements, which are designed to prevent the use of dead, dying, diseased, and ill animals and to protect those who work with and handle the meat as well as the consumer, is not necessary because such diseased and dirty meat and filth could be pasteurized or exposed to such an extreme heat that it might not hurt the consumer. Meat inspection cost the American consumer less than 50 cents per person a year and I doubt that very many consumers want to give up the right to order medium-rare steak or a particular cut of meat that tastes different to them in order to save the cost of meat inspection. Subjecting meat and meat products to such intense heat might prevent humans from becoming sick from eating the product even when it included filth; but surely we do not have such a shortage of food in this country that we would have to eat that kind of meat or protein product in lieu of steak, roast beef, chicken, or other specific cuts of meat.

In fiscal 1967—about 113,000,000 animals received Federal inspection. The Federal inspectors condemned around 265,000 carcasses in their entirety. More than 10½ million carcasses were held for various abnormalities—carefully checked, trimmed, and/or primal parts condemned and removed before being permitted to go for food. Nearly 4½ million parts were condemned. Close to 20 million livers were condemned because of abcesses, parasites, and so forth. Many thousands of animals that were dead or dying when brought to meat plants were condemned and their handling closely supervised to assure their destruction for food purposes.

Without carcass-by-carcass inspection much or most of what has been listed would have been a part of the food supply for this country's consumers. There is no sampling procedure that will accomplish what carcass-by-carcass inspection will—it gives you a picture of the population, but it cannot tell you what you will or will not find in the way of abnormality or disease in a carcass that you have not looked at.

In Dr. Sussman's view, this was not very important because by his "scientific" approach, if diseased tissue is properly cooked or sterilized—nobody's going to be hurt by it. But, apart from this, there is another point of view that must be considered—that of the public at large. Is the consumer willing to accept something because the scientist expresses that it will not be harmful to health? Is the consumer willing to eat meat from animals that have died, animals affected with cancer, abcesses containing quantities of pus, tuberculosis lesions, systemic infections, and so forth? Does the society of this country have the right to reject such materials from their food supply? I submit that they do—and have—through the medium of the legislative process that produced meat and poultry inspection laws. Call it esthetics or decency or unscientific—the consumer through his elected representatives is saying—we want our meat produced in clean plants and we want the best assurance possible that we are not eating meat from diseased or dead animals. We make no claim that federally inspected meat is sterile. We do make the claim that it is clean, sound, and without visible evidence of disease processes.

Dr. Sussman and those who are quoting him as justification for not having a full meat inspection program are also ignoring the importance of adequate labeling. Inadequate labeling, the inclusion of nonmeat material and inferior substance in processed meats without warning the consumer, the sale and excessive amounts of liquids and chemicals without warning to the consumer and other forms of inadequate and misleading labeling have cost the consumers of this country billions of dollars that they thought they were spending for wholesome meat products. It may very well have been costing close to $1 billion per year for inadequate labeling alone.

Dr. Sussman also says that even if the meat has been properly inspected, the housewife may not handle it properly. Of course, that same thing could be said for the pasteurized meat he proposes. At least the housewife or consumer has some control over that.

One of those persons who has been anxious to quote Dr. Sussman and to even go further is NBC Commentator Chet Huntley. In a broadcast over the NBC network on May 27, he called Betty Furness and Ralph Nader "two self-styled protectors of the public weal" because they joined in advocating the Wholesome Meat Act of 1967. He failed to reveal that his desire to become a self-styled opponent of the Wholesome Meat Act is the position of a person whose relationship to meat is not merely that of a consumer. Betty Furness and Ralph Nader openly proclaimed that they were representing the consumer's point of view, but Mr. Huntley did not reveal on this broadcast his corporate and financial relationship with persons affected by the Wholesome Meat Act.

One of the firms which came under the Federal inspection following passage of the Wholesome Meat Act is Edmund Mayer, Inc., 565 West Street, New York City. According to reports filed with the Secretary of State of Iowa, Chet Huntley is a director in a corporation engaged in the production of beef by the name of Group 21, Inc. Alfred Mayer, of New York City, is listed as president and Ludwig Mayer, of New York City, is a codirector with Mr. Huntley in this corporation. The Mayers are also associated with Edmund Mayer, Inc., which is a wholesale meat firm that avoided Federal inspection prior to the passage of the act.

Robert and Gerald Pearson, of Spencer, Iowa, are also officials or directors of Group 21, Inc., and are officials of the Spencer Packing Co. of Spencer, Iowa. Mr. Huntley has been quoted as saying that some of the Group 21 beef output is sold to the Spencer Packing Co. and it was also stated that beef from the Spencer Packing Co. is sold to the Edmund Mayer, Inc., in New York City.

I am not saying that Chet Huntley should not have any financial interest of any particular kind but I do say that most of his listeners who heard his attack upon the Wholesome Meat Act would not have been aware of his relationship with this segment of the meat industry and were therefore not in a position to properly discount what he was saying or to assume that he might have been exaggerating.

As an example of Mr. Huntley's exaggeration, I quote the following from his broadcast:

> In New York this reporter knows, truck drivers and other employees of the wholesale district (in New York City) are now quitting their jobs to become Federal inspectors and they talk openly of the "fringe benefits." The fringe benefits are monies under the table in return for that misleading (Federal) inspection stamp.

At my request, the Department of Agriculture has reviewed the file on Federal inspectors hired in the New York City area. Since December 15, 1967, when the Wholesome Meat Act became law, the Department informed me they have hired a total of only 21 meat inspectors in the New York City area, five of whom were previously employed in Federally inspected plants, and according to the Department's records, none of these 21 were truck drivers. So it is obvious that truck drivers have not been quitting their jobs to become meat inspectors.

Mr. Huntley's reference to "moneys under the table" is tantamount to an allegation of illegal activity on the part of the Federal inspectors, but he offers no facts to substantiate this serious charge. If some employer is paying his inspectors to permit the sale of unfit meat, it is in the public interest that this illegal activity be uncovered, and is a responsibility of any citizen knowing of it to report it. Since lay inspectors work under the supervision of a professional supervisor and several inspectors see the same animal during the inspection process, buying off inspectors would require cooperation and a conspiracy by several persons. If such a case is known, it is surely Mr. Huntley's responsibility to report it to proper authorities. While one such case was uncovered several years ago, it is obviously a situation that would seldom exist rather than being a common occurrence as one would assume by the editorial comment. I hereby challenge Mr. Huntley to come forth with information on one case of such payments. If he can, it will be an isolated case but I will be as strongly for prosecution as anyone.

I have written to Mr. Julian Goodwin, president of NBC, requesting that I be given the opportunity to reply to Mr. Huntley's editorials, and I have also written to the Federal Communications Commission asking for an investigation and for the answer to several questions involving FCC policy and ethics relating to commentators who editorialize on issues in which the commentator or persons influencing the nature of the editorial comment have a personal or economic interest or which involves the viewpoint of a firm of persons with whom they have a corporate relationship.

If Members of Congress want to join that 2 percent of the population which the polls reveal are opposed to the Wholesome Meat Act of 1967 they, of course, are free to do so, but they surely should have a better excuse than quotations from the articles in the National Observer or by Dr. Sussman or the comments of one Chet Huntley.

Copies of the letters to Mr. Goodwin and the FCC follow:

MEAT INSPECTION

JUNE 4, 1968.

Mr. JULIAN B. GOODWIN,
President, National Broadcasting Co.,
New York, N.Y.

DEAR MR. GOODWIN: On May 27, 1968, an editorial was broadcast over NBC stations by commentator Chet Huntley, a copy of which is enclosed. This editorial presents issues of public importance, and I disagree with the conclusions which he stated in the editorial As the principal promoter of the Wholesome Meat Act of 1967, I believe the editorial makes inaccurate statements, does not present the subject matter fairly, and was a patently biased view.

I also believe that Mr. Huntley's editorial comments on this particular question should have been accompanied by information showing his corporate relationship with Alfred and Ludwig Mayer, who are associated with Edmund Mayer, Inc., 565 West Street, New York City, which operates a wholesale meat plant which was brought within the jurisdiction of the Federal inspection authority under the Wholesome Meat Act of 1967.

I hereby request a reasonable opportunity to present more complete information and contrasting viewpoints, and that such presentation be granted at a comparable time on all the stations which carried the editorial by Mr. Huntley.

Sincerely,

NEAL SMITH,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 6, 1968.

Mr. ROSEL H. HYDE,
Chairman, Federal Communications Commission, Washington, D.C.

DEAR MR. HYDE: I am writing with regard to the policies relating to editorial comments. My questions are prompted by an editorial comment made by Chet Huntley on May 2, 1968, and broadcast by the NBC radio network. This editorial, a copy of which is enclosed, was carried on NBC's "Perspective on the News", and made certain allegations regarding the Wholesome Meat Act of 1967. My office has made some preliminary inquiries regarding this matter with the staff of the Commission's Complaints and Compliance Division, but some questions remain unanswered.

I believe the editorial did not discuss the issue fairly and contained gross misstatements of fact. Mr. Huntley stated that "truck drivers and other employees of the wholesale district (in New York City) are now quitting their jobs to become Federal inspectors and they talk openly of the 'fringe benefits'. The fringe benefits are monies under the table in return for that misleading (Federal) inspection stamp." At my request, the Department of Agriculture has reviewed the file on Federal inspectors hired in the New York City area. Since December 15, 1967, when the Wholesome Meat Act became law, the Department informed me they have hired a total of only 21 meat inspectors in the New York City area, five of whom were previously employed in Federally inspected plants, and according to the Department's records, none of these 21 were truck drivers. So it is obvious that truck drivers have not been quitting their jobs to become meat inspectors.

Mr. Huntley's reference to "monies under the table" is tantamount to an allegation of illegal activity on the part of the Federal inspectors, but he offers no facts to substantiate this serious charge. If some employer is paying his inspectors to permit the sale of unfit meat, it is in the public interest that this illegal activity be uncovered, and is a responsibility of any citizen knowing of it to report it. Since lay inspectors work under the supervision of a professional supervisor and several inspectors see the same animal during the inspection process, buying off inspectors would require cooperation and a conspiracy by several persons. If such a case is known, it is surely Mr. Huntley's responsibility to report it to proper authorities. While one such case was uncovered several years ago, it is obviously a situation that would seldom exist rather than being a common occurrence as one would assume by the editorial comment.

I have written to Mr. Julian B. Goodwin, President of NBC, requesting that I be given the opportunity to reply to Mr. Huntley's editorial. A copy of my letter to Mr. Goodwin is enclosed.

I have established to my satisfaction that Mr. Huntley has a close corporate relationship with Alfred and Ludwig Mayer, both of whom are associated with Edmund Mayer, Inc., 565 West Street, New York City. The Mayer firm operates a wholesale meat plant which, under the provisions of the Wholesome Meat Act, came under the jurisdiction of the Federal meat inspection program on April 1, 1968. According to information filed on March 29, 1968, with the Secretary of State of Iowa, Chet Huntley is a director of Group 21, Inc., a firm engaged in beef production near Royal, Iowa. The President of Group 21 is listed as Alfred Mayer of New York City. Ludwig Mayer, also of New York City, is listed as a director of the firm. I have been advised that the New York City address of Group 21, Inc., is the same as for Edmund Mayer, Inc.

I am also advised that Robert and Gerald Pearson, both of Spencer, Iowa, are officials or directors of both Group 21, Inc., and the Spencer Packing Co., of Spencer, Iowa. The latest information on file with the Iowa Secretary of State lists both Robert and Gerald Pearson among the present directors of Group 21, Inc. In addition, Mr. Huntley has been quoted indirectly as saying that most of the Group 21 beef output will be sold to the Spencer Packing Co. It was also stated that some of the beef slaughtered at the Spencer Packing Co. is sold to the Mayer firm in New York City.

Because most of those who heard the attack on the Wholesome Meat Act would not know that he has such a relationship, and the NBC affiliates which carried his program would probably not be aware of this situation either, I believe Mr. Huntley should have revealed to his listeners in the course of his strong and patently biased May 27 editorial that he has a corporate and personal relationship with persons in the meat industry who have been required to meet the Federal sanitation and operating standards.

This entire situation, together with information that there has previously been some questions raised concerning other broadcasts, causes me to ask the following questions:

(1) What is the F.C.C. policy regarding such situations?

(2) What policy has NBC and other networks established with regard to editorializing by its commentators on public issues in which the commentator or persons influencing the nature of the editorial comment have a personal or an economic interest, or which involves the viewpoint of a firm or persons with whom they have a corporate relationship?

(3) Is there a code of ethics relating to substantiating assumptions used as facts, or using misstatements of fact, upon which conclusions in editorial comments are based?

(4) If there is such a code, how is it enforced, and if there is no such code, is one being developed?

I respectfully request that the Commission make an investigation of the situation referred to in the above letter and use it as one example in answering the above questions.

Sincerely,

NEAL SMITH,
Member of Congress.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, first of all I want to express my appreciation to the gentleman from North Carolina for yielding this time to me.

I take this time merely to bring to the attention of the House what I consider to be an omission in this legislation.

I observed, for example, chapter 2 at page 9 a very, very substantial amount of money for the Department of Defense. Yet I observed that there are no funds whatsoever for funding school constrution in federally impacted school districts.

I do not know whether any of the other Members are in the same position in which this Member finds himself, but two of the school districts located in the congressional district which it is my honor to represent are being deprived of almost $1 million each by reason of the cutback on the part of the Executive of funds ordinarily appropriated and funded for school construction in impacted areas.

It seems to me the Members of the House must recognize why school construction is necessary. It is of course necessary because of the war in Vietnam. The reason we need more military personnel is because of the war in Vietnam. The reason why the children of military personnel need more schools in federally impacted districts is because of the war in Vietnam.

Therefore, Mr. Chairman, it seems to me inappropriate to select this particular field and to say this is not essential spending because it does not have anything to do with the defense of our country; of course it does.

Mr. Chairman, it seems to me that for a military man to have the knowledge that his dependents are being educated properly, that they are being housed satisfactorily is as important to him as any other facet of his military life. Schools are as important as the money which goes to his family by way of allotments or by way of any other grants associated with the military and, therefore, if in this appropriation bill we are going to allocate additional millions of dollars for the Department of Defense, it seems to me perfectly proper that areas that are suffering by reason of the tremendous increase in the military population and who, therefore, are required to construct and staff schools which they ordinarily would not be called upon to construct and maintain, must be assisted.

So, Mr. Chairman, at the appropriate time I shall propose an amendment which will provide some funds—not as much as are needed—but some funds for these areas.

I have been informed for example by the director of school assistance in federally impacted areas that $87 million is required to fund all available school construction applications filed in fiscal year 1967 and that an additional $80 million is necessary to meet applications filed for school construction in fiscal year 1968. But despite this demand for $167 million in funds, Congress appropriated $52.9 million in fiscal year 1967, and appropriations for fiscal year 1968 were $22.9 million.

This total of $75 million was based upon Presidential budgetary requests, but even with this inadequate amount I would point out that none of it is available for federally impacted school districts under the strictures of Public Law 90–218. All appropriations are presently held in reserve until after the close of the current fiscal year with the exception of $24 million. In other words, while there is need and demand for $167 million, only $24 million is available.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. JONAS. Mr. Chairman, I yield 1 additional minute to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, I thank the gentleman for the additional time.

Therefore, Mr. Chairman, while an amendment, it seems to me, would be in order to suggest an amount of $75.8 million, the amendment that I am going to propose would provide only an additional appropriation of $40 million. And while that will not serve the needs it will at least keep this program going.

It seems to me so long as we have the war in Vietnam, as long as we have the increase in military population, this expenditure is part of our costs of national defense, and is essential spending, and therefore should be restored.

Mr. EVANS of Colorado. Mr. Chairman, would the gentleman yield?

Mr. CAHILL. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Mr. Chairman, I would like to associate myself with the comments of the gentleman from New Jersey. However, there is another area I believe we should touch upon and which should be brought into focus, for the same reasons as expressed by the gentleman from New Jersey, and that is the area of Public Law 874 funds for operational expenses of impacted schools. There are school districts in my congressional district that are contemplating triple sessions because of the lack of Public Law 874 operational funds that are being drastically reduced.

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. MAHON. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I rise in support of this bill.

Mr. WOLFF. Mr. Chairman, I am voting today for passage of the supplemental appropriation now before the House. One-half of the funds in this appropriation are for the Department of Defense and, because such appropriations are often misunderstood, I believe there are certain points that should be made.

The chairman has assured us that this appropriation will not provide funds for any manner of escalation of the war in Vietnam. On the contrary, it is clearly understood that there is no approval nor implicit endorsement of escalation contained in this appropriation.

Instead, a vote for this appropriation is consistent with good government by providing legal authorization for funds already committeed and spent. Not to provide these funds would create havoc within the Department of Defense and could endanger supply lines to American servicemen.

As one who has repeatedly expressed his opposition to our policy of concentrating on a military solution in Vietnam, I wish to reiterate my firm belief, based on five trips to Vietnam and extensive study, that final resolution of the war in Vietnam cannot be achieved through military means alone. Thus, my vote for this appropriation is not an endorsement of the U.S. course of military action.

I do believe it is unfortunate that budget requests cannot be more accurate and supplemental appropriations are, in fact, necessary.

Finally, it is my fervent hope that the conversations now going on in Paris will lead to deescalation and peace in Vietnam. We need peace to pursue solutions to the urgent social problems that face us at home and abroad.

We must bend every effort in constructive design to defeat our common enemies of ignorance, hunger, disease, and want. This is our battleground and until we make a major offensive against these problems no amount of military activity will solve the world's problems nor bring about lasting peace.

Mr. BARRETT. Mr. Chairman, the measure before us, the second supplemental appropriation bill, 1968, is being considered in response to a communication from the President of the United States, dated March 11, 1968. The Appropriations Committee is to be commended for its prompt action.

Among the items requested was $20 million to help exterminate the rats that infest the slums. The President requested that these funds be appropriated and remain available until December 31, 1968.

Mr. Chairman, as you may recall, last year there was a proposal before the House to establish a program in the Department of Housing and Urban Development to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination. This proposal, H.R. 11000, failed to obtain a rule when it was presented to the House on July 20, 1967. I doubt that it is necessary for me to dwell on the public reaction that followed. I believe it would suffice to say that the Congress was severely criticized for such action.

On September 19, 1967, the House attempted to rectify what had happened in July by including such a program in the activities of the Department of Health, Education, and Welfare as set forth in the Partnership for Health Amendments of 1967. This program became a part of Public Law 90–174 on December 5, 1967.

The bill H.R. 17734, as reported, providing for appropriations for fiscal years 1967 and 1968 does not provide any funds for this greatly needed program.

The program would be carried out by HEW in cooperation with each State's program under comprehensive health planning and services activities of the Department. The urgent need for this has been fully explained to the Congress on several occasions.

I am informed that many proposed programs have been approved subject to funding. The need to undertake a program of rat extermination is now. We should not let another summer go by without attacking this menace to the health of our people.

The Congress last year worked its will and expressly provided for the expansion of the comprehensive health planning and services to include a program of rat extermination. The committee report on H.R. 17734 in referring to the request for these funds states:

> The committee has deferred action on the funds for program expansion until the regular bill for 1969.

It is unfortunate that the committee feels constrained to put this matter over for the regular HEW appropriations bill for 1969, which will probably not become law until late in the summer. Many of the proposed programs involve local participation. Now would be the time to set the machinery in motion which would not only undertake the extermination of this health menace, but could also place many of our unemployed in a constructive task.

It is hoped that the regular appropriation for HEW will contain the necessary funds for this program and that the bill will shortly be reported to the floor.

Mr. SCHADEBERG. Mr. Chairman, here we go again. We have walked this road every year I have been a Member of this House. I have consistently opposed the weak policies pursued by the administration in its conduct of foreign affairs and in its no-win attitude in the conduct of the war in Vietnam. The policies of gradualism of reacting to enemy buildup and refusing to take the initiative and the no-win policy of asking the men in uniform to do enough to die, but not enough to win—are complete failures; and one would think that responsible men would learn by experience. I introduced legislation last February to have a congressional investigation of the conduct of the war. It is not too late to make such an investigation. Certainly the facts prove beyond a shadow of a doubt that rather than decreasing casualties, we are suffering increasing weekly casualties and deaths of American servicemen, even though we are meeting around the table with the enemy.

This supplemental appropriation bill includes $6 billion for the waging of the war in Vietnam. Though we are opposed to the way the war in Vietnam is being conducted, to deny the appropriation of funds would be to abandon the brave young men in Vietnam, who are sent there by their government, most of whom did not volunteer. If we expect them to lay their lives on the line, we cannot, in justice, refuse to lay the dollars on the line to give them the tools to protect themselves. For Congress to abandon the men at their posts in Vietnam would be as serious a default on my mind as the abandonment of the captain and crew of the U.S.S. *Pueblo*. We cannot in conscience deny them needed support until this House accepts the responsibility for decisions concerning their fate. We have the choice either to supply them with the means of protecting themselves and/or to carry out the commands of the commanding officer of all U.S. forces, the President—or to wrest the authority from the President to continue to wage this war and make such decisions as will make this appropriation unnecessary. Since we are not ready to accept our responsibility in the decisions as to whether or not we should be engaged in war in Vietnam, we have no other choice but to vote for this appropriation.

This supplemental appropriation bill is just another indication of the poverty of leadership by this administration. We will continue to have these supplementals until the administration stops playing politics with the fiscal affairs of this Nation, and squares with the Members of this House and the American people.

Mr. COHELAN. Mr. Chairman, in the consideration of H.R. 17734, the second supplemental appropriation for 1968, I should like to make clear my position on this bill.

It contains several billion dollars for needed expenditures for medicare, medicaid, public assistance, increased Federal salaries, and veterans' benefits. It also provides for $6.5 billion in increased military expenditures in Southeast Asia.

In voting for the bill I do so in the same spirit as the gentleman from Minnesota [Mr. FRASER], when he points out that we are now in the process of seeking a political settlement in Vietnam. I have consistently voiced my objections and my distress over the war since 1965. I continue to oppose any escalation of the war in Vietnam, and my vote for the bill today should not be interpreted by our policy planners nor anyone else as constituting approval of any such policy. The negotiations going on with North Vietnam in Paris, and the statements by important persons in the executive, including General Westmoreland, that our involvement in Southeast Asia cannot result in a simple military victory indicate that the administration may have recognized the inevitability and the necessity of a political settlement. I therefore vote for the bill on the assumption that none of the funds will be used in any way to escalate the war or further compromise our stated objective which is to negotiate a ceasefire and an honorable peace. Like my colleague, Mr. FRASER, I believe we must assume, at least at this time, that under present conditions costs relating to Vietnam are merely to insure that we shall maintain more or less a posture that will help speed the negotiation of an end to the war.

I should also like to express my strong reservations about increased funds for military assistance for Korea and augmentation of our 50,000 troops in Korea. While I am aware of the delicacy of the present situation arising out of the *Pueblo* incident, I cannot accept indefinitely the notion that we must continue to have such a massive military presence in this country which we have done so much to make viable economically and militarily. With 19 Korean divisions trained by us since 1953 the Koreans should surely be able to defend themselves from attack until help comes. If independence and self determination are to become more than empty, incredible words, it would seem that our presence and involvement on so large a scale should be carefully weighed and considered. If we continue on our present course I fear we are going to allow the Government of this small peninsula to further involve us in military operations at a time when we should be taking initiatives to reduce our presence in that part of the world. I will have more to say about Korea and Japan at a future date but I feel strongly that the Korean Government should not interpret our response to the present tension as a reason to expect that we will forever continue to maintain two American divisions in their country.

I am also pleased to note that the Budget Bureau proposed that $284 million of ABM funds be deferred and reprogramed in other defense purposes. For those of us who continue to have doubts about the merits of ABM deployment this was a significant release of funds. Yet the bill before us does not permit the transfer of these funds and I take this opportunity to express in the strongest terms my doubts as to the wisdom of this decision. I hope the Senate will carefully examine this item and permit the transfer.

This bill also calls for $2.8 billion of obligational authority for a variety of worthy activities. Over $1.1 billion alone is for grants to States in order to meet increased costs of various public assistance programs.

There is an additional $1 billion in this bill for various overdue pay increases.

There are additional amounts for increased medicare costs, to meet the demand of an ever-increasing number of older Americans who benefit from the program.

There are several other items of social benefit urgently needed and deserving of support of all who are conscious of these needs.

There is an amendment voted by the committee and later by the whole House calling for full funding of Public Law 874. These funds are urgently needed in fund-starved school districts, including those in my district.

So, in voting for this bill I do so in support of those vital items affecting our old-aged recipients, our children and our cities, and with the understanding that the administration will pursue with vigor and determination negotiations in Paris in the awareness of the reality that a military solution under present conditions is futile. Should we witness further unwarranted escalation in Vietnam, I am prepared to oppose this appropriation when it returns from conference, and to introduce amendments to the basic defense legislation if necessary.

Mr. WALKER. Mr. Chairman, I am very pleased by House inclusion of funds in the supplemental appropriation bill (H.R. 17734) for aid to schools in federally impacted areas. The additional $90,965,000 which this bill authorizes will enable the Federal Government to meet its full commitment to every school district eligible for aid under the terms of

Public Law 874. This is extremely important to school administrators throughout the country who depend on these funds to meet their budget. Many are facing a severe financial crisis at this moment because earlier cutbacks in funds for the program came in the middle of the school year—after teachers had been hired, books purchased and other financial commitments made. If passed by the Senate, the supplemental appropriations bill will provide school districts with the funds they need to meet operating expenses incurred during the school year.

The need for such action is clear and pressing. Total entitlement for all States for 1968 was $486,355,000; of this amount, $395,390,000 was appropriated. This means that most school districts received about 80 cents for every dollar's entitlement. Areas which depend almost entirely on Federal funds for their operating expenses were especially hard hit.

The cumulative effect of the act has been even greater than annual appropriations would indicate. New Mexico's entitlements since the program's inception have totaled more than $70 million. Our entitlement for 1968 was $9,866,761, but unless the supplemental appropriation bill is passed, we will only receive $7,912,906. A lack of nearly $2 million will seriously handicap the State's efforts to provide quality education to all children residing within its boundaries. Many of these children are American Indians—members of a group which has already been denied many of the advantages accepted as commonplace by people in other parts of the country; a good education is of the utmost importance in their struggle for a better life.

Although I strongly support the House action on these funds, I regret that a supplemental appropriation is necessary. If school administrators cannot be assured that needed funds will be forthcoming, they cannot plan to utilize these funds in the most effective manner. Because the Federal presence in many districts places a very real burden on the schools, it is incumbent on us to see that districts receive the total amount to which they are legally entitled. The amount of funds to be made available must be announced well in advance of the school year and adhered to thereafter so that administrators may plan accordingly.

At the present time, there is a great deal of discussion going on over the necessity for budget cuts. And while such a step may be necessary to enable us to combat inflation or to meet foreign commitments, I believe that there are priorities which must be established, and that there are certain projects for which full support is always obligatory. School aid in federally impacted areas is one of these. Federal activities often reduce tax revenues and increase school enrollments to the point where the local district simply is unable to provide the quality education we expect for all of our children through its own resources. We have recognized and accepted this need for aid over the past 18 years. We have admitted to the Federal Government's obligation, and it is not only unfair, but unjust, to provide funds equal to need in such a capricious manner. Such unreliable action puts a great onus on local administrators. It dilutes the quality of the education which the affected youngsters receive. Because we cannot deprive any child of a first-class education, the need for full funding under Public Law 874 is imperative.

The **CHAIRMAN.** Are there any further requests for time?

Mr. MAHON. Mr. Chairman, we have no further requests for time.

The **CHAIRMAN.** There being no further requests for time, the Clerk will read.

The Clerk read as follows:

FEDERAL CROP INSURANCE CORPORATION

ADMINISTRATIVE AND OPERATING EXPENSES

For an additional amount for "Administrative and operating expenses", $281,000, to be derived by transfer from the amount reserved, under the appropriation for "Cropland conversion program", Agricultural Stabilization and Conservation Service, pursuant to Public Law 90–218: *Provided*, That the amount of $4,000 reserved, under the appropriation granted under this head, pursuant to Public Law 90–218, shall be released for increased postage costs.

Mr. FINDLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to raise a question about the Federal Crop Insurance Corporation. I see an amount of $281,000 set aside apparently for administrative and operating expenses of the Federal Crop Insurance Corporation. I was under the impression that this program was some day to get on a self-financing basis with the premiums charged to farmers to be adequate to cover the costs and payments made out of the program, and yet every time we have an appropriation bill it seems to me we have an item for the Federal Crop Insurance Corporation.

I wonder if anybody could shed any light as to why this amount appears in this supplemental bill?

May I put it this way—has the Corporation seen fit to raise premiums charged to farmers so that hopefully some day this can be on a self-financing basis? Or are we simply riding at anchor with the same premiums, and no adjustments in the light of experience in this program?

Mr. NATCHER. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. NATCHER. I would say to the gentleman from Illinois that under the existing law that will not be permitted. There is no provision for it under existing law.

Mr. FINDLEY. It is not possible for the officers of the Corporation to raise the premiums to a level adequate to cover expenses?

Mr. NATCHER. The basic crop insurance law does not permit the inclusion of administrative costs in the premium rates. Therefore, to the extent that administrative expenses are financed from premium income, the reserves of the Corporation are impaired—and future appropriations eventually will be needed to restore such impairments. Since these items in this bill are pay and postage costs associated with administrative costs, they should come from appropriated funds rather than from premium income to prevent further impairment of the Corporation's operating funds.

Mr. FINDLEY. That is a shocker to me and it seems to me we need to do something about it.

Mr. DOW. Mr. Chairman, I make the point of order that a quorum is not present.

The **CHAIRMAN.** The Chair will count.

Seventy Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 175]

Abernethy
Andrews, Ala.
Annunzio
Ashbrook
Ashley
Ayres
Bell
Bolton
Bow
Bush
Carter
Cowger
Daddario
Dawson
Derwinski
Dingell
Donohue
Dorn
Dulski
Everett
Evins, Tenn.
Farbstein
Fisher
Flynt
Foley
Ford, William D.
Gallagher
Gardner
Gettys
Giaimo
Gilbert
Green, Oreg.
Hansen, Idaho
Harrison
Hébert
Helstoski
Herlong
Holifield
Holland
Karsten
Kelly
Kluczynski
Kyros
Long, La.
McMillan
Mayne
Murphy, Ill.
O'Hara, Ill.
O'Neal, Ga.
Pelly
Pool
Price, Tex.
Pucinski
Resnick
Rivers
Ronan
Rooney, N.Y.
Rostenkowski
Skubitz
Taylor
Teague, Tex.
Thompson, N.J.
Udall
Ullman
Vander Jagt
Whitten
Wright
Zwach

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17734, and finding itself without a quorum, he had directed the roll to be called, when 367 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The **CHAIRMAN.** When the Committee rose the Clerk had read through page 8, line 20.

Are there any amendments to be proposed? If not, the Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and maintenance, Air Force", $36,000,000, and, in addition, $6,600,000 to be derived by transfer from amounts available for reserve pursuant to Public Law 90–218 under the appropriation "Operation and maintenance, Air National Guard".

Mr. JOELSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, about 6 or 8 weeks ago we had something before us called the urgent supplemental appropriation. Despite the fact that the word "urgent" was in its title, I understand that it is still languishing in conference.

That particular bill has in it, from the work of the other body, an appropriation of $75 million for a summer day camp program in connection with the antipoverty program. I would urge the conferees please to reschedule a conference, and consider this item favorably.

I have been approached by groups in two of the major cities in my district, clergymen groups composed of priests, ministers, and rabbis, who are willing to operate a day camp program for disadvantaged children through the antipoverty machinery. They have, in fact, gone out and raised a great deal of the money themselves, and are asking only for a relatively small amount.

I was in New York last week on one of those oppressively hot days, and I saw kids there jumping around a fire hydrant, and it occurred to me that this was the type of care they may receive all summer long. They will be in the slums, in the streets, and in trouble. This must not be allowed. There is a program waiting through which they can be constructively taken care of, and we must not abandon them.

I know the Bureau of the Budget has not made a request but we run this House of Representatives, not the Bureau of the Budget, and I would urge that the conferees please consider this item at the earliest possible date.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from North Carolina.

Mr. JONAS. The gentleman from New Jersey is aware of the fact that when the urgent supplemental cleared this body it did not contain any funds for that purpose, the reason being that we did not have any budget request, and had not received any request from the administration for additional funds over and above those provided for this purpose last year. And this item of $75 million, I believe it was, was put in the bill by the Senate.

We have insisted in conference on numerous occasions that conferees of the other body, who are insisting on this being agreed to in conference, get a budget request up here so we will have some justification, otherwise we will have exceeded the budget by that amount.

Mr. JOELSON. I appreciate that, and I mentioned it in my earlier remarks, but I do not believe we have to rely slavishly on the Bureau of the Budget.

Mr. LAIRD. Mr. Chairman, will the gentleman yield to me?

Mr. JOELSON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I happen to have had a discussion with the gentleman from New Jersey last week about this very matter. It is not only the Bureau of the Budget that has not requested funds. The Department of Labor, the Office of Economic Opportunity, and the Department of Health, Education, and Welfare have not even made a request of the Bureau of the Budget for Headstart or for the summer program.

As much as we would like to blame the Bureau of the Budget, sometimes, and use them as a scapegoat, I do not believe that it is fair to accuse the Bureau of the Budget in this case. The Departments that are charged with the responsibility for these programs have not even transmitted a request to the Bureau of the Budget for supplemental appropriations in these areas.

Mr. JOELSON. I believe that is regrettable, but I also believe that the need is clear and evident. The amount of money involved is not a staggering sum, and I would urge the conferees to consider this item favorably, and at the earliest possible moment.

Mr. JONAS. Mr. Chairman, will the gentleman yield further to me?

Mr. JOELSON. I yield further to the gentleman from North Carolina.

Mr. JONAS. We cannot accept statements made on the floor by the very distinguished Member from New Jersey that these funds are urgent; we have to consider the testimony before the Committee.

Mr. JOELSON. I am sure that I can show the gentleman from North Carolina many occasions where this House has gone beyond what the Bureau of the Budget has requested, and has even appropriated items that the Bureau of the Budget has not requested. In fact, we may do so this very afternoon regarding aid to federally impacted areas.

I believe this one of those instances where we should assert our independence.

Mr. JONAS. But the point I am making is that the departments that administer those funds have not indicated that the need exists that the gentleman from New Jersey believes does exist.

So I would say that the gentleman's quarrel is with the departments involved. Apparently they do not recognize this need.

Mr. JOELSON. I would say, Mr. Chairman, that we are living in a dream world indeed if we do not recognize the crying and urgent need which exists.

I yield back the balance of my time.

Mr. MOSHER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall vote against this second 1968 supplemental appropriation bill (H.R. 17734).

I grant the bill contains several items I would willingly support. I might easily justify voting for it. And we all know it will be overwhelmingly approved here today.

But the dominant item in this "mixed bag" that is H.R. 17734 is new obligational authority of $3.8 billion, plus release of $2.345 billion and reprograming of other Department of Defense funds, for a total of $6.2 billion to be added to the price we are paying for our military involvement in Southeast Asia.

Mr. Chairman, my vote against the bill is a gesture of protest against that price we are paying for our Vietnam policy.

On March 2, 1967, I stated my reasons for opposing last year's huge supplemental appropriations to expand the Vietnam war. My statement is in the CONGRESSIONAL RECORD for that day, and now I reaffirm it.

I said then, and today I especially emphasize my conviction that the voting on these supplemental bills here in the House does not adequately reveal the full extent of unhappiness and disbelief of the American people concerning our military action in Vietnam.

Today there probably will be only a handful of us who will make the gesture of voting against this bill; but I suggest we speak for a relatively far, far larger number of patriotic Americans who feel strongly that our Nation's best interests and our true national character have been tragically undermined by the nature of our intervention in Vietnam.

For some 4 years now it has seemed to me that our national leaders have been repeatedly self-deluded in the decisions by which they have expanded our role in the war, and thus they have deluded the American people.

These annual supplemental appropriation bills by which we are asked to catch up with the costs of Vietnam—more men, more weapons, more money, more escalation that only begets escalation by the other side—these bills symbolize for me more clearly than anything else how wrongly optimistic we have repeatedly been in the madness of this war.

Therefore, I repeat, I feel impelled to make this gesture of voting again against a Vietnam supplemental.

Mr. Chairman, the true costs of our Vietnam war are beyond comprehension. There is no way an accurate accounting can be made. But, I suggest this method of appropriating funds, piecemeal, as we do today, tends all the more to gloss over the terrible costs.

Let me only briefly and partially remind us again today of those costs:

First, there are our own casualties, more than 20,000 young Americans already killed in combat, plus thousands upon thousands wounded, many permanently maimed, plus the thousands upon thousands more who are victims of noncombat accidents and illness.

Consider the shattered lives, the disruption of family ties, and blighted careers.

There are also the countless thousands of Vietnamese civilians killed and injured, and their property destroyed.

There are the thousands of our military allies who are casualties in this war which we have chosen to dominate, to say nothing of the tremendous numbers of the enemy whom we have destroyed, and of enemy property destroyed.

Those human costs seem more important than dollars. But just focus for a moment on our money costs, some $70 to $80 million per day, 365 days per year, for the Vietnam war alone, in addition to all of our other billions for regular defense expenditure.

And how do you measure that war cost in terms of lost opportunities, the more productive ways those lives and those dollars might better be invested were it not for the war?

Consider also as costs of our war, the brutalizing effect of it on us as a Nation, the erosion of our moral position, the erosion of our national sanity, the effects of disillusion and cynicism, the tendency to alienate a whole generation of our young people, to shatter their beliefs.

And then, there is our loss of America's credibility throughout the world, the erosion of our influence everywhere, the new worldwide distrust of America's motives, the seeming contradictions between the ideals and principles we always have preached, as compared with our military actions in East Asia.

Mr. Chairman, those are just some of

the costs. And I regret to admit that to be honest with myself, with my colleagues here, and with my constituents in Ohio—to be really honest, I must say it seems to me there is no reason, no need, no goal, no prospect, no hope for our military action in Vietnam which warrants such costs.

Mr. Chairman, there is reason for hope in the negotiations now limping on in Paris. I certainly salute President Johnson for having taken that initiative, to try to deescalate the war, when he was under great pressures to further escalate it.

But let not Paris blind us to the fact that the war in Vietnam continues ferociously, and all the costs I have just enumerated continue to mount.

The war feeds ravenously on itself. This supplemental bill today really represents only the immediate cost in money of our reaction to the enemy's Tet offensive earlier this year, and to the *Pueblo* incident.

Today's bill symbolizes for me the fact that Vietnam seems an endless, bottomless pit into which we wrongly are dumping our resources, bankrupting ourselves in so many, many ways.

That is why I make the protest gesture of voting today against the bill, but even more against what it symbolizes.

Mr. ICHORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and Members of the House, I take this time for the purpose of asking the distinguished gentleman from Texas, the chairman of the Committee on Appropriations, a question, if I may have his attention.

I am quite concerned, Mr. Chairman, that by the passage of this bill we might be undoing some of the economizing that we did last year in the passage of Public Law 90-218.

Public Law 90-218 contained the cuts in appropriations and created a reserve of $6.1 billion.

I observe in this supplemental legislation that you are releasing $2.7 billion.

Now I realize that a great amount of that $2.7 billion is for the pay increases which this body also passed last year. But the pay increases only amount to $1.468 billion, and much of that was absorbed by administrative action.

I ask the gentleman as to exactly how much of this amount of the reserve is being released for the purpose of the pay increases, how much are for purposes that were cut by Public Law 90-218, and how much are new appropriations?

Mr. MAHON. The total new appropriations contained in the bill is $6.255 billion.

As the gentleman knows, the great bulk of the funds requested, as shown on page 2 of the report, is for the military. The next largest categories are for the pay increases and for social security payments.

It is true that some of the funds withheld from obligation in the defense appropriation bill of last year are being released not for the purposes for which they were originally appropriated but for the purpose of meeting additional requirements. These are requirements which were not fully anticipated and thus not provided for in the defense appropriation bill of last year.

Mr. ICHORD. Do I understand the gentleman correctly—that the funds are not being released for the purposes for which they were originally appropriated?

Mr. MAHON. The gentleman is substantially correct—yes.

Mr. ICHORD. Then we are not undoing the action which we took last year in Public Law 90-218.

Mr. MAHON. As to the Defense Department these are for additional requirements which have arisen since that time.

The tremendous additional requirements—helicopter procurement accounts for more than $500 million—had not been anticipated.

The gentleman knows from his experience in the field of defense that the Tet offensive brought about the climate for considerable additional funds.

And the gentleman knows very well, of course, about the cost of calling up the reserves. None of that was budgeted for and requested last year. We are releasing funds that were appropriated last year for other purposes, for the purpose of meeting these urgent requirements.

Mr. ICHORD. I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EMERGENCY FUND, SOUTHEAST ASIA

> For an additional amount for "Emergency Fund, Southeast Asia," $3,791,100,000, and $2,345,000,000 reserved from obligation by the Secretary of Defense in accordance with Public Law 90-218, is hereby made available, pursuant to section 206 of that law, for use in the fiscal year 1968 to offset special Vietnam costs.

AMENDMENT OFFERED BY MR. DOW

Mr. DOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Dow: In chapter II, page 10, strike out lines 10 through 16.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. DOW. Mr. Chairman, the amendment I offer to the supplemental appropriation bill, H.R. 17734, calls for the elimination from the bill of the paragraph entitled "Emergency Funds—Southeast Asia." This paragraph carries an appropriation of $3,791,100,000 for the military situation in Vietnam. The Director of the Bureau of the Budget says these funds "offset unanticipated additional requirements that have arisen in Vietnam." Also, my amendment would eliminate $2,245,000, a transfer proposed from the reserve set aside in accordance with Public Law 90-218. That is the law requiring widespread reductions on a uniform percentage basis in expenses of the executive branch for fiscal 1968. The sum of $2,345,000,000 reserved under the Public Law is likewise intended for Southeast Asia.

Mr. Chairman, objections to the annual supplemental appropriations for Vietnam constitute a sad recurrence. Those objections raised by some of us Congressmen in 1965, in 1966 and in 1967 have gone unheeded. We pointed out the manifest mistakes of American policy in Southeast Asia. Going back in history, we have noted that even before World War II, Vietnam sought to gain her freedom from Western domination. In the same period that Africa, India, Pakistan, and Indonesia, for example, were set free by the colonial powers of Europe, Vietnam suffered a contrary fate. A series of frustrations, and bloody ones at that, prevented her separation from French domination. After years of cruel warfare, the full realization of independence was frustrated by U.S. involvement. We erected there a local government showing all the earmarks of a colonial regime, for it is shot through by corruption, influenced by absentee landlords, continues inequitable taxes, and lies under military domination by those generals who once fought on the side of the French colonial power.

I hardly need to point out the cruel injustice of our grip on Vietnam. Only yesterday, I read a book review in the New York Times which has this to say about the author's description of Quang Ngai Province:

> He further estimates that since the Americans arrived in force, there have been 50,000 Vietnamese civilian war casualties in the Province each year.

Mr. Chairman, in the time allotted, I cannot dwell on the countless proofs of the American mistake and the questionable assessments of the situation by American leaders. They rise up from our press in column after column and day after day.

Secretary McNamara and General Taylor, in a White House statement of October 2, 1963, were quoted, as follows:

> Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965.

On May 31 this year in the New York Times, General Westmoreland is quoted to the effect that South Vietnamese forces had shown more aggressive spirit than in any time in his 4½ years in Vietnam. Yet, 2 inches away in the next column on page 2, the Times Saigon reporter described street fighting in Saigon by saying:

> It was apparent that the Government troops were relying on American helicopter gun ships to drive out the Vietcong rather than attacking their positions.

In a Times editorial again that day, General Westmoreland is quoted as saying:

> The North Vietnamese are strangers to the people of the South.

Yet the Times editorial goes on to this paragraph:

> South Vietnam's Vice President, Nguyen Cao Ky, a Northerner himself, told cheering civil defense cadres only last week: "The entire world admires and reveres Ho Chi Minh and Ho Nguyen Giap. Who are they if not of Vietnamese descent like you and me?"

The Washington Post of May 23 enlarged on General Ky's address, quoting his additional words to the cadres as follows:

> Why are they so popular? Why is the South unable to produce such figures? Isn't it because the entire leadership in the South is only a pack of slavish-minded and corrupt people?

Mr. Chairman, optimistic misreading

of the situation in Vietnam commenced with American leaders as far back as April 17, 1959, when Maj. Gen. Samuel L. Myers, deputy U.S. commander in Vietnam, told a Senate Foreign Relations Committee:

> The Vietminh guerillas were gradually nibbled away until they ceased to be a major menace to the Government.

I believe that the generals of our Army are courageous, devoted, and heroic, but I must say that their dedication had led them to a degree of optimism that extends well beyond the call of duty.

In the meantime, our country is running a deficit close to $30 billion which is the cost of the conflict in Southeast Asia. Our casualties, in spite of predictions of the enemy to collapse, are higher now than ever before. Everyone knows that the Vietcong and North Vietnamese have vastly more firepower, mortars, and missiles in South Vietnam than any they enjoyed before.

At home, racial problems are becoming tenser, the needs of our poor are becoming more apparent, the defections of religious leaders, intellectuals, students, minorities, and many people of good sense from their adherence to the course followed by American society today, are too apparent for us to feel comfortable.

All men of good will sincerely hope for a peaceful outcome for our Paris meeting with the North Vietnamese. Yet, the dark prospect that affairs may take a turn for the worse, is with us still, and remains persistently with us. There is no certainty that escalation is done, nor that peace will happen at Paris.

Mr. Chairman, the only true opportunity available to those of us who cry "Halt" to Vietnam, to make ourselves felt, is the annual occasion when the unanticipated appropriation for Southeast Asia comes to the floor. This is the regular occasion when we can make our protestations tangible. Most certainly, as devoted Americans who are thinking of what is good for America), let us protest again and vote down this Vietnam appropriation.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, at the appropriate time, I shall ask unanimous consent that all Members may be permitted to revise and extend their remarks at this point in the RECORD.

Mr. Chairman, I shall not belabor the issue before us. This is an amendment to strike from the bill all funds for the war in Vietnam which are, according to the witnesses who appeared before the committee, urgently needed.

This amendment does not involve a test as to one's basic views with respect to the war in Vietnam. We have more than 500,000 troops in Vietnam. The question here is that they are entitled to our support as long as they are there, regardless of our views otherwise.

Supplemental estimates for military needs in time of war are no new or recent innovation. Congress enacted many supplemental appropriation bills during World War II. Several large supplemental bills were enacted during the Korean war. The use of supplementals provides for more frequent review and gives Congress better control of the purse.

The pending supplemental was, in fact, anticipated and announced last year.

To refuse to provide the funds to support these more than 500,000 American military personnel would in my judgment be unthinkable.

Our representatives are now meeting in peace negotiations, or in an attempt at peace negotiations, in Paris. If we should adopt this amendment and thus withdraw support of the war in Vietnam, we would undercut our negotiators at the conference in Paris and produce an unthinkable humiliation for the United States and greatly lessen the likelihood of a nonmilitary settlement of the war.

Mr. Chairman, in the circumstances, I ask that the House vote this amendment down.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, I thank the distinguished chairman for yielding.

The reports from the battlefield in Vietnam in recent weeks indicate the fighting has reached a new level of intensity and that we have hit new records both in the numbers of Americans killed and the numbers of American soldiers wounded.

I wonder if the chairman could enlighten the House as to whether or not the increased tempo of the fighting is the result of increased military operations by the U.S. forces in Vietnam or whether this has resulted from increased efforts on the part of the National Liberation Front and on the part of the North Vietnamese Army.

Mr. MAHON. The gentleman has propounded a good question. According to the best information I have, the North Vietnamese are trying desperately to improve their position at the conference table and discredit the position of the United States. The North Vietnamese are striking harder and harder daily and pressing forward with additional infiltration of men and additional supplies. We are compelled to resist this increased tempo of war initiated by North Vietnam.

The escalation is not by the United States but by North Vietnam, in an effort to upset the Paris conference and to humiliate the United States at that conference. That, I believe, is a fair interpretation of the situation. If the North Vietnamese had subsided in their efforts and moved toward a peaceful settlement, that would have been one thing; but, while they agreed to go to the conference table, they are seeking military advantage as the conference proceeds.

This proud Nation of ours just must not do anything other than fully support our men who are under attack. Regardless of one's philosophic views on the war, we just must provide support for the 500,000 men who are in Southeast Asia upholding the honor and integrity of the United States and undertaking to help achieve peace and security for this country and for the other peace-loving nations of the world.

Mr. FRASER. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman from Minnesota.

Mr. FRASER. Would it be the view of the chairman that the United States ought to exercise moderation with respect to the military effort and, except as it may be compelled to respond to increased attacks by the other side, that we should not at this time seek a military victory but instead should seek to maintain a relatively stable situation in order that the peace talks might progress?

Mr. MAHON. Of course, neither of us is authorized to commit our country in this regard, but I would assume that the escalation of the war would not have come about voluntarily by the United States. It is only done I would assume in defense of the U.S. position in Vietnam. If the other side will withdraw or diminish its efforts, then we can consider what action our country should take in these circumstances.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the pending amendment.

I believe the colloquy which has taken place between the distinguished gentleman from Texas [Mr. MAHON] and the gentleman from Minnesota [Mr. FRASER] is interesting. Perhaps we have forgotten some of the simple facts.

The gentleman from New York [Mr. RYAN] also made the same point some time ago that there has recently been an escalation of the war. I believe we ought to realize that the escalation which has taken place has been an escalation on the part of the enemy.

And it was our side, under the leadership of President Johnson, which voluntarily and unilaterally ended the bombing of North Vietnam north of the 19th parallel, on the 31st of March. In spite of the weeks that have gone by since then, and the efforts that have been made in Paris to turn that act of restraint on our part into some basis for a honorable and a decent peace in Vietnam, we have not yet seen a single bit of restraint from the other side. As a matter of fact, there has been, as the gentleman from Texas has already pointed out, increased military activity on the other side.

It is quite true that we have had greater American casualties since the peace talks began than we ever had in any single week before. But that is not because of our restraint. It is because of an intensification of the fighting on the other side.

In fact, information presented to our Committee on Armed Services would suggest that infiltration from North Vietnam has increased two or three or four times as much as before we restrained our bombing of the North. And the numbers of weapons that have been moved into South Vietnam from the north have been very greatly increased.

Certainly this restraint has resulted in the loss of lives of additional American combat troops. If the pending amendment were to be approved, we would be further undercutting the protection of the lives of a half million American men out there.

I do not believe any Member of the House or any American President could vote to do a thing like that.

These funds are designed to pay for unplanned and unexpected military operations, such as our resistance to the Communist Tet offensive last February. Would the gentleman from New York [Mr. Dow] suggest we should not back up the resistance which our troops made to that aggression at that time? Certainly not.

Mr. DOW. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I am glad to yield to the gentleman from New York.

Mr. DOW. It seems to me at a time when we have cut back our bombing in North Vietnam to a point below the 19th parallel, or whatever it is, the claim has been made that nevertheless the intensity of our bombing there has made up for the reduction in the geographic area. In fact, I believe the claim was made that on balance we are flying more missions in some days since the geographic limitation was set than ever before over all North Vietnam.

Mr. STRATTON. If the gentleman will think for just a moment he will realize that just is not true. If one has to stop a runner, let us say, it is much easier if he has a whole mile in which to pick the runner off than if he has only 100 yards left in which to hit him. That is the situation we are in now.

It may well be that there are as many or even more sorties being flown into the relatively limited area north of the DMZ where our combat planes are now permitted to fly. But any military man, I am sure, if he were free to speak his mind, would tell us that we could not possibly restrict these supplies moving in, if we can hit them only within this limited 100 yards, as effectively as we could restrict them if we had the whole distance down from Hanoi in which to try to stop them.

That, of course, is the reason why the enemy has been intensifying the fighting so effectively. He has been able to get more men and weapons into South Vietnam because of our restraint. In spite of our generous gesture, in spite of our restraint, we have not seen a single demonstration of any similar response on the part of Ho Chi Minh. I would hope that the gentleman from New York would address his amendment to Ho Chi Minh. I think that is where it properly belongs. If we can get some restraint on that side, then maybe we can get some meaningful and honorable peace in Paris.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me?

Mr. STRATTON. I will be glad to yield to my colleague from Indiana.

Mr. HALLECK. I think the time has come for somebody to get up here and point out, as is seen in the papers today, that the North Vietnamese and the Viet Cong are setting up mortars in the rice paddies just outside Saigon and are killing hundreds and hundreds of civilians—not enemy soldiers but civilians. Some here seem to think that is all right. But they protest loudly about our use of airplanes. All of us should be concerned on our part to see that we do something about winning this war, or bringing it to an honorable conclusion. I am getting sick and tired of the way this war has been conducted and I say that as one who had nothing to do with getting us in it in the first instance. This is the darnedest way that I ever saw to run a war and try to win it.

As far as the present amendment is concerned, I am against it. I think to pull the rug out from under our boys over there would be the worst thing that could possible happen.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New York.

Mr. WOLFF. I take this opportunity to question the chairman of the committee about this. On page 12 of the report it states "Costs related to the call-up of Reserves, increased deployments to South Vietnam, and revisions in troop deployment otherwise—$400 million" is appropriated. Does that mean that we anticipate the use of this money for an increase over the 500,000-man limit that we now have in Vietnam?

Mr. MAHON. Will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman.

Mr. MAHON. We have in excess of 500,000 men in Vietnam. There is a certain schedule supposed to be achieved by the end of this fiscal year, June 30, and some additional men will be sent to Vietnam according to announcements made some time ago by the President.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I have already yielded to the gentleman from New York [Mr. WOLFF].

Are you through?

Mr. WOLFF. I just wanted to get an answer to the question.

Mr. MAHON. I thought I did answer it. There are additional men being sent to Vietnam as per the announcements which have been made public.

Mr. WOLFF. That does not mean it will be over the estimates that have been made already?

Mr. MAHON. No.

Mr. WOLFF. It does not contemplate any increase over the estimates already made?

Mr. MAHON. The number—549,000—that has already been announced. The gentleman is correct.

Mr. BROWN of California. Mr. Chairman, I rise in support of this amendment. It is a very simple amendment striking six lines from the bill. These lines are worth about $1 billion a line, the total being slightly over $6 billion. I point out to you that this is almost precisely the amount that we are going to be asked to vote on as a reduction in domestic expenditures for this country next week, when the 10-percent surtax package is brought up. I see some connection between these matters. I see us voting here today for a $6 billion increase for Vietnam and we are going to cut our domestic budget next week by that amount. Frankly, I feel that this is a wrong allocation of the resources of this great country and a wrong setting of priorities.

I do not think my view on the Vietnam war is any surprise to the Members of this House. The philosophy which has been so ably enunciated by some of those speaking in opposition to this amendment and in support of the Vietnam war are really not quite to the point, in my opinion, because they are based on the fallacy that we still can win a military victory in Vietnam. They are willing to continue to vote money for the war without being consulted with regard to the mobilization of our Reserves, or the increasing of our troop strength over there, or any other policy matter. They have the illusion that we can continue to add another 25,000 or 50,000 or 100,000 men to the men already there and thereby be able to maintain some sort of bargaining position which will allow us to win a victory for our political position. That is the illusion which has brought us to the point today where we have over 500,000 troops in Vietnam, have spent close to $100 billion there since 1954, have lost 23,000 American lives, all in the hope that one more small step would bring something which we could call victory.

Now, Mr. Chairman, the heart of this problem is the fact that our political position is wrong, and as long as our political position is wrong we can keep pouring as many billions of dollars as we want into the situation over there without winning a military victory.

Mr. Chairman, the political facts of life in Vietnam are still not recognized by this administration, insofar as I can tell by the proclamations and announcements which it has made and is still making. It still clings to the illusion that the corrupt and incompetent military regime in Saigon which we support has the backing of the people of South Vietnam. This is not true and as long as the people do not back their government we can never win a victory for them over the National Liberation Front and the Vietcong. It is true that the Army of South Vietnam has permitted the enemy to set up mortars in the rice paddies around Saigon which are able to bombard the heart of Saigon simply because the 750,000-man Army of South Vietnam is not competent, does not have the motivation, does not have the leadership to protect even its own capital. There is no question about this, and it will never have the capacity to protect its own citizens and its own country.

Mr. Chairman, if you have that type of situation you can continue as we have indefinitely and not achieve victory. We can continue to pour all of these billions of dollars and thousands of men into this bottomless pit and it will not do one bit of good.

Mr. Chairman, what needs to be done is for the President to order the immediate cessation of the bombing of all of North Vietnam. If we are to achieve any results at the Paris peace talks, based upon information from every reliable and responsible source, it is necessary for him to take that step. The only way in which we can produce fruitful negotiations is to stop the bombing of all of

North Vietnam. In that way we may be able to immediately move to the next issue, that of achieving a cease-fire in all of Vietnam.

None of these events are going to take place unless this administration, this Congress and the American people make it clear that we will no longer continue our efforts to force an unpopular dictatorship on the people of Vietnam by military means. Adoption of this amendment to day will be a major step in that direction. I urge its approval.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. LAIRD. Mr. Chairman, I move to strike the last word.

Mr. LAIRD. Mr. Chairman, this debate is getting into a philosophical discussion of the war and the strategy of the war in Southeast Asia.

I would like to remind the Members of the House today that a good portion of the funds provided in this supplemental bill have already been obligated by the Department of Defense. We have been incurring these expenses over and above what has already been allocated since October 27, 1967, and at that time I say we started spending third- and fourth-quarter appropriations for the men that were needed.

Mr. Chairman, in the last session of this Congress when the Defense Appropriation bill was pending on the floor of the House, I reminded the membership at that time that the amount of money appropriated and requested by the Secretary of Defense, Robert McNamara, was at least $5 billion below the amount that would be required for fiscal year 1968. A large portion of the dollars that are made available for expenditure and for obligation in this bill merely will take care of the deficiencies that have been incurred in the war in Southeast Asia.

Mr. Chairman, the question is whether the United States should be weaker in this year 1968 than it was in 1964 before the war was escalated in Vietnam. If we do not make this money available, we will be weaker this year than we were in 1964 as a result of the escalation of the war effort on the part of the Communists in North Vietnam and before we responded to that escalation.

Mr. Chairman, it is my opinion that it is most important to bear in mind that we are not approving or disapproving of the activities with reference to the escalation of the war, but we are merely providing funds required because of the activities in Southeast Asia. All of the money being made available to the operation and maintenance appropriation, is to take care of those deficiencies incurred since October 27, 1967, when the Secretary of Defense notified this Congress that he was going on a deficiency basis.

Mr. Chairman, in 1969 the budget which we had submitted to us by the Department of Defense was already underestimated by at least $5 billion for the next fiscal year, even if the war were to end within the next 60 to 90 days.

That statement will be borne out as we come back here next January and face another supplemental budget request to finance commitments that have already been made as far as Southeast Asia is concerned.

Mr. DOW. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I will be happy to yield to the gentleman as soon as I finish with my statement.

Mr. Chairman, I do want to make clear, however, that in this supplemental bill that we are acting upon today we are talking primarily about our deficiencies in the O. & M. account. We are, to a large extent, really replacing aircraft, ammunition, weapons, and helicopters that have already been destroyed. If we want the United States of America to at least be as strong as it was in 1964, this Congress can take no other action. If we are concerned about the situation in the Middle East, and if we are concerned about the situation in the Mediterranean, at least we have to replace the funds that have already been used.

Mr. DOW. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I am now happy to yield to the gentleman from New York.

Mr. DOW. Mr. Chairman, I would ask, is the gentleman suggesting that the incurrence of obligations by the executive department requires that the Congress should accept those obligations without any questions, and go blindly forward, passing an appropriation without any question whatsoever?

Mr. LAIRD. But when the money has already been spent, because expenditures have actually been made since the 27th of October, when the O. & M. account of the Department of Defense went on a deficiency basis. The expenditures have been made and the money for the third and fourth quarters have already started to be used.

Under the authority which has been given by the Congress to the executive branch this deficiency is currently being accumulated in the Department of Defense. The checks have been made, the checks have been paid, and therefore there is not much one can do.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SIKES. Mr. Chairman, I would hope that we can get to a vote soon, and therefore I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. FINDLEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. SIKES. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DOW].

Mr. DOW. Mr. Chairman, I do not pretend to have such a great understanding of the financial activities of our Government as the gentleman from Wisconsin, who spoke briefly before, but I am greatly surprised that Congress at any time has ever been asked to appropriate money on the basis of a fait accompli, and that the horse is gone, and there is no alternative for us but to go along with something that has apparently been done before by action of the executive department.

Now, I want to make a note in answer to the gentleman from Indiana about the atrocities committed by the Vietcong. Just the other day I read a book review in the New York Times which had this to say about the author's visit to Quang Ngai Province in the northern part of Vietnam.

He estimates that since the Americans arrived in force, there have been 50,000 Vietnamese civilian war casualties in the province.

I do not think by any stretch of the imagination we can blame the other side to such an extent that we are left without guilt ourselves.

Further, I note, that the gentleman from Indiana calls on Ho Chi Minh to yield somewhat in his dealings with us. I think it is a desperate situation when we are depending on Ho Chi Minh to relieve our trouble here. And the Vietnam trouble has become our trouble in many parts of our American body politic. Apparently we feel that Ho Chi Minh owes it to us to help us settle not only the trouble in Vietnam but also the trouble that weighs on many families here at home in America.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, I expressed objection to the limitation mainly because I think it is a little short of shameful that the House of Representatives has taken so little time since the Tonkin resolution to discuss the basic question of policy in Vietnam.

I oppose the gentleman's amendment. I do not think it is the way to get at the question of fundamental policy in Vietnam although I can understand why he would choose this course.

It was not too long ago that Secretary of State Rusk stated that one course open to the Congress in order to bring about a reappraisal in Vietnam was to cut off the money for the war.

That is hardly an appropriate way. I think we have a responsibility, one might say, as a supply sergeant to the military needs, but we also have a tremendous responsibility especially to the men in the field to deal with fundamental policy.

As I say, Congress has not met its responsibility.

There is pending before the House Committee on Foreign Affairs a whole series of bills dealing with basic war policy. There is pending before the House Committee on Rules a resolution which is cosponsored by one-third of the membership of this House. It would call upon the appropriate committees to at long last deal with the fundamental question of war policy.

When will we act?

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, this amendment is an appropriate amendment because it is the only method that the House of Representatives has to deal with the question of policy in Vietnam.

Once a year, when the supplemental appropriation is before us, the House has an opportunity to vote upon policy in Vietnam, the administration having Americanized the war and pursued its objectives without consulting the Congress, except to ask for funds. As long as the funds are voted, the policy continues. Escalation begets escalation.

It is clear from the testimony on May 28 before the Committee on Appropriations that there is a planned increase in troop commitment from 525,000 which the Deputy Secretary of Defense, Mr. Nitze, said was authorized, to 549,000.

The plans now calls for 517,000 to be in place by the end of June. Hearings, page 737.

If we want to affect the policy and if we want to say it is time to call a halt to the escalation of this war and the time to concentrate on the negotiation process in Paris, then let's stop appropriating funds for a war which has reached a dead end and which must be resolved through diplomatic channels.

The fallacy that this war can be won through a pure military victory has been established.

It would be fitting for the House to act today to begin to decisively affect the policy and conduct of the war. So long as the Congress continues to rubberstamp the war through the appropriation process, it is abdicating its responsibility for decisionmaking and rational appraisal of executive policy.

As long as the war may be financed in this fashion, with scarcely a murmur from Congress, the administration will continue to rely on the possibility of military victory. Two days ago, General Westmoreland again reassured us that the enemy is growing weaker while we are gaining. Presumably he was not within earshot of the Vietcong rocket attacks on Saigon. Yesterday he said a military victory in a classic sense could not be achieved.

Let us, through our votes today, draw the line. Let us say to the administration that, with all of the drastic problems here at home, our war effort must struggle along on a paltry $24 billion a year, and not a penny more. This may provide the necessary incentive for a negotiated settlement.

It is ironic that, after voting $6.1 billion for the war in Vietnam today, next week the administration will ask approval of a 10-percent income tax surcharge and a $6 billion deduction in domestic programs.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Eckhardt].

Mr. ECKHARDT. Mr. Chairman, I rise to take this opportunity to ask the distinguished chairman of the committee a question concerning one of the items on page 12.

The distinguished gentleman from Wisconsin [Mr. Laird] had stated that the purpose of the bill was to put our forces in the same position that they were previously.

I would like, in that light, to ask what is meant by "d." on page 12:

> d. General increase in operational readiness—$357,000,000.

Does this mean we would then place ourselves in a stronger position than previously, for more extended operations in Vietnam, or does it mean we would merely replace or restore prior existing readiness?

Mr. MAHON. The gentleman has only a moment, of course. This is to provide the backup resources, such as additional ammunition production facilities required as a result of the escalation of the war by North Vietnam, and the additional demands on us to meet this threat. Additional equipment of various kinds and some specialized research and development are provided for to strengthen the country beyond what was anticipated to be necessary last year when the regular defense bill was before us. I would refer the gentleman to the narrative under "General Strengthening of the Defense Posture," appearing at page 743 of the hearings on the second supplemental bill.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. Fraser].

Mr. FRASER. Mr. Chairman, I asked the chairman of the committee as to who is responsible for the escalation of violence in South Vietnam. It seems to me that this has a bearing on the question of what we should do with this supplemental appropriation for Southeastern Asia.

I have voted against earlier supplemental appropriation bills for Vietnam because I found it the only way I could effectively protest my dislike of and disagreement with the administration policy which led this country to spend over $120 billion in South Vietnam over a period of some 13 or 14 years. Today the Vietcong are shelling the capital city of South Vietnam. This is a clear illustration of the bankruptcy of the United States policy in that country.

At the same time, Mr. Chairman, I have made it clear that I would take a different position whenever the United States decided to seek a political settlement. I think a political settlement must be had. I think if we get one, it is going to be unsatisfactory, but in the process of seeking a political settlement, it would be unwise for the United States to be in a deteriorating military posture. I think when the situation is unstable or deteriorating, you do not get a settlement. You postpone a settlement. It is for that reason that I expect that I will support this supplemental for Vietnam in the hope that this administration has fully appreciated the realities of that war and is prepared to enter into the kind of political settlement which is within our reach.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Lipscomb].

Mr. LIPSCOMB. Mr. Chairman, the money in this bill is vital and necessary—$3.8 billion. I think we have to remember a few things.

First, the budget for fiscal 1968 was originally low in the amount of money authorized for South Vietnam.

Second, the aggressive actions of the enemy has caused an increase in our activities which is demanding more manpower and resources.

Third, there was the *Pueblo* incident.

Fourth, there was the Tet offensive. The President, was required to take actions necessary to protect our boys over in South Vietnam. Therefore, these funds are vitally needed.

As was pointed out a moment ago, the Department of Defense, in operation and maintenance accounts, has been operating on a deficiency ever since October 27, 1967. We need these moneys, and I think it would be the height of foolishness to support an amendment that would take funds away from our needs in South Vietnam at this time.

Therefore, I respectfully ask for a vote against the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Sikes].

Mr. SIKES. Mr. Chairman, we have a very clear-cut issue before us. First, the money which is contained in this bill has been spent or obligated in the war in Vietnam. If we were not to approve this request, it would mark the first refusal by Congress to stand back of the Nation's fighting men. It would mark a repudiation by the Congress of the efforts of every American in uniform throughout the world.

Much more is involved than the combat in Vietnam. It would mark a rejection of the principles for which 23,000 young Americans have died in battle in Vietnam. It would be a signal to Hanoi that we are preparing to abandon Southeast Asia to communism; that Congress now rejects every principle America has stood for in the free world.

These are strong words. I stand on them. We are behind our fighting forces, or we are not. This is war.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Dow].

The question was taken; and on a division (demanded by Mr. Mahon) there were—ayes 4, noes 128.

So the amendment was rejected.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope no one reading the Congressional Record on this last amendment will jump to the conclusion that the division vote denotes enthusiastic endorsement of present policies in Vietnam. There is ample evidence not only within the conversation of Members on the floor here today but also in the newspapers of the utter bankruptcy of what is presently being attempted in Vietnam.

There was never a more dramatic indication of this than the front-page news today of General Westmoreland's farewell statement. Quoting from the New York Times:

> Gen. William C. Westmoreland said today that military victory "in a classic sense" was impossible in Vietnam because of our national policy of not expanding the war.

He also said:

> The only real military hope was to wear the enemy down through a process of attrition.

Is that what we are involved in here today—financing simply more attrition?

I think that is something we ought to

think about. Naturally, we are going to be the supply sergeant here today, as we should be, but I think we ought to look to our own conscience as to our responsibilities under article I of the Constitution, the warmaking authority, a responsibility to the men in uniform getting shot at.

Here is another indication of the bankruptcy of present policies. Did Members happen to note the rate of casualties last week: Exactly two more died in Vietnam than the total membership of the House. In the week before that, it was a slightly larger figure, and the week before that about the same. Last week's total of 3,000 American wounded men contrasted with slightly more than 1,000 wounded on the part of South Vietnam.

Is this the "more of the same" policy we are financing? Do we not have any responsibility as Members of the most representative branch of the Government to deal with the question of fundamental policy and to recognize that what we are now doing is simply not getting the job done?

It is all very well for us to back the men with supplies, but the burden ought to weigh very heavily upon your shoulder, as well as upon mine, because the men are there. They are in uniform by act of Congress. They are equipped by act of Congress. Most of them were called into uniform by act of Congress against their will.

This past week we have paid an eloquent and deserved tribute to one man who was killed by a bullet. We ought to remember that during the past week more than 400 men have been killed by bullets in Vietnam. They are there not of their own choice, or through their own election, but because they were told to be there, to go there.

It is incumbent upon this House to delay no longer in dealing with the question of fundamental policy, to realize that what we are doing there is not getting the job done, and to examine alternatives to the present course of action.

I believe it is disgraceful that we have been "sucked in," so to speak, to this gradualism policy which obviously leads nowhere but to deeper trouble and higher casualty rates.

I would hope that at long last the leadership of this body would see fit to release from the Rules Committee the resolution cosponsored by one-third of the membership of this House, which in turn would direct the appropriate committees to deal immediately with the question of fundamental policy. This gradualism policy is morally irresponsible and militarily self-defeating. The burden for this policy, even though not initiated by the House, nevertheless weighs very heavily upon the shoulders of us all.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 10, line 16, insert:

"Notwithstanding any other provision of law, Executive order, or regulation, no part of the appropriations in this Act shall be available without the express authorization of the Congress granted by statute enacted after the date of the enactment of this Act for any expense incurred in connection with (1) the maintenance of more than 525,000 members of the Armed Forces of the United States within the area designated by Executive Order 11216 (April 24, 1965), (2) an invasion of North Vietnam or any other nation in Southeast Asia by the Armed Forces of the United States, or (3) the use of nuclear weapons in Vietnam."

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MAHON. I make a point of order against the amendment as legislation on an appropriation bill, requiring many additional duties, and further action by the Congress.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. OTTINGER. Mr. Chairman, this appropriation is directly involved with the troops in Vietnam. It represents an escalation from 525,000 to 549,000 men. The restriction that I would place is of the same type frequently placed by the distinguished Committee on Appropriations, itself, on appropriation bills.

I believe the amendment is completely in order.

The CHAIRMAN (Mr. O'HARA of Michigan). The Chair is prepared to rule.

A point of order has been made against the amendment on the ground that it imposes additional duties upon the executive branch and that it constitutes legislation on an appropriation bill.

In the 76th Congress, on January 18, 1940, an amendment was offered by way of limitation on a general appropriation bill that provided:

> That no part of the appropriations made by this paragraph shall be available unless and until Congress hereafter by law provides that monies available for expenditures by the Tennessee Valley Authority shall be withdrawn from the Treasury only pursuant to accountable warrants for advances to the credit of an adequately bonded disbursing officer as determined by the Comptroller General of the United States or certificates of settlement issued by the General Accounting Office.

The limitation offered on that occasion was held by the Chair to be in order. The Chair believes that the amendment offered by the gentleman from New York [Mr. OTTINGER] is similar in form and is an appropriate limitation within the rules of the House and therefore overrules the point of order.

The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. OTTINGER. Mr. Chairman, The amendment I am proposing is designed to assure that the appropriations in the bill before us today are not used for an escalation of the war in Vietnam without congressional sanction. It provides that, absent the express authorization of the Congress, no part of these appropriations shall be used for an increase in U.S. troop strength beyond 525,000; for an invasion of North Vietnam or any other nation in Southeast Asia by U.S. forces; or the use of nuclear weapons in Vietnam.

I was shocked to learn from the hearings just made available to us that the supplemental appropriation we are considering provides for substantial escalation of the Vietnam war. The bill contemplates an increase in U.S. troop strength from the current 525,000 authorized to 549,500. In addition, this appropriation was stated in the hearings to envision stepped up bombing in both North and South Vietnam. Several additional Air Force and Marine Corps fighter/attack squadron have already gone to Vietnam or are earmarked to go in the near future. These are not replacement units, but additions.

According to the testimony of the Deputy Secretary of Defense, some $268 million of this appropriation will be used in the few weeks remaining in this fiscal year to support, and I quote, "the larger B–52 bombing program now projected." The Defense Department has gone on record as stating that higher bombing sortie rates are already in effect.

Mr. Chairman, the $3.9 billion requested for stepped up military activities in Vietnam clearly adds further stress to our economy and our international balance-of-payments situation. It will divert badly needed funds for urgent social needs here at home.

Even more important, this escalation undermines the credibility of the President's attempt to deescalate the war and commence meaningful negotiations toward peace.

On March 31, just a little over 10 weeks ago, the President announced a unilateral deescalation, a restriction of the bombing of North Vietnam, with the avowed purpose of inducing settlement negotiations. He was unequivocal and clear on this, saying:

> So, tonight, in the hope that this action will lead to early talks, I am taking the first step to de-escalate the conflict. We are reducing—substantially reducing—the present level of hostilities. And we are doing so unilaterally, and at once.

The credibility of this statement is called into question, not only by this escalating appropriation, but also by the recent statements of our highest generals reiterating as if on a broken record their so often disproved themes: "We are at a turning point in the war—we see the light at the end of the tunnel—America's military position in Vietnam was never stronger—our troops can start returning within a year—the news media are distorting our military situation—just give us a few more American boys, a little freer hand, and the war will be won on the battlefield." How many times must these shibboleths be disproved in blood before we will turn from them?

Our credibility is further impaired by statements of our Secretary of State rejecting out of hand any settlement involving coalition with the National Liberation Front. The NLF is and always has been the main enemy fighting force in South Vietnam. It is just patently obvious that no settlement effort can be genuine that does not contemplate a role for the NLF. If the NLF is to be excluded from South Vietnam, it can only be by complete military defeat, an objective which even some of the highest generals now admit is beyond our reach on the battlefield.

Our credibility is still further brought in to question by the unwillingness of either our political or military leaders to recognize any deescalation gesture by Hanoi. If every North Vietnamese gesture is to be treated as a defeat showing weakness as cause for greater military pressure, and as negating the need to negotiate, how are we ever to achieve the mutual deescalation which Secretary Rusk says he sees as the most probably avenue for ending the war?

Why did the President bother to change his course, make a unilateral gesture of deescalation, go to the bargaining table, if he is unwilling to follow through with the realistic and fair compromises needed to achieve a settlement on the real facts in Vietnam? Was his gesture a mere sham to quiet the voices of dissent in America? In view of recent actions of his still prevalently hawkish military advisers, the doubt cannot but be raised.

It is long past time that we in Congress began to assert and exercise our responsibility to oversee and guide this Nation's foreign policy. We can no longer give the Pentagon, the Joint Chiefs of Staff, or the White House carte blanche to continue to expand discredited and dangerous policies or to lock us into a situation fraught with the peril of nuclear holocaust and an Asian land war with 600 million Chinese Communists. The amendment I am offering is a first step toward meeting that responsibility.

The game of international "chicken" in which we and the North Vietnamese are engaging in Paris would be ludicrous were it not engaged in at the expense of more than 500 American lives a week. We have seen a mutual escalation of the level of terror in Vietnam while each side jockeys for position in Paris as to which will make the first move toward peace. The North Vietnamese fully share the blame with their inhumane rocket and artillery attacks against the civilian population of Saigon, while we increase the bombing and our troop strength.

If we mean to achieve peace in Vietnam we must be willing to take as much initiative to pursue peace as we have taken to pursue war. There is no question about our obligation to support our fighting men in Vietnam. The committee bill contains funds both for support of existing troops and for escalation. My amendment seeks to eliminate funds for the increment above existing forces only. But this is vital if we are ever to bring this tragic war to an end.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the President as Commander in Chief of the Armed Forces of the United States announced several weeks ago what our strength in Vietnam was and was planned to be.

A short time ago the Deputy Secretary of Defense, Mr. Nitze, appeared before the Committee on Appropriations of the House and outlined the situation which had been outlined before in the press and through the other news media.

Mr. Chairman, I read from page 737 of the hearings as follows:

> The fiscal year 1969 budget and the fiscal year 1968 budget revisions transmitted to the Congress earlier this year are based on the deployment of a total of 525,000 U.S. military personnel in South Vietnam with about 517,000 to be in place by June 30, 1968.

Now, in view of the increasing tempo of the war the President has announced an increase in strength beyond the 525,000.

I continue to read from the hearings:

> The President has now decided to increase the total strength to 549,000—24,500 more than previously planned. One brigade of the 82d Airborne Division and the Marine Corps 27th Regimental Landing Team have already been deployed.

And, Mr. Chairman, other actions have been taken to strengthen our position as the North Vietnamese increase their forces and increase the tempo of the war.

Mr. Chairman, the President's statement of March 31, in which he outlined the program which is now the program of the United States, would be repudiated by the effect of this amendment offered by the gentleman from New York.

I say to you in all candor that it would be most unwise, it would place the President and this country in a very serious position, to undercut our men in Vietnam and to deny them—the men—what the military leaders had told the President they would have to have, and what the President had told them he would send.

Mr. Chairman, we have provided the funds here in order to strengthen, hopefully, our position at the peace conference in Paris. Not to do so would certainly be evidenced as weakness and would place us at a disadvantage. Perhaps we are moving toward some sort of peaceful settlement of the war. Certainly we all desire an honorable and just conclusion of this most difficult conflict.

The proposed action is wholly indefensible and unjustified, and I would appeal to the House to vote down the amendment. I believe that even the further discussion of the weakening of our position in Vietnam as peace talks are going on is damaging to the best interests of our country.

Mr. Chairman, I hope we may have a vote on this issue.

Mr. FRASER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to take only a minute or two to say that in addition to the remarks I made earlier, it is my impression that the President of the United States on March 31 signified a turn in the road with respect to our policy in Vietnam. He signified the desire on the part of our Government to reach a political settlement. I only wanted to add that I have great confidence in the chief negotiator, and in the negotiating team which is in Paris. If I personally had to nominate any single American to represent the United States in the Paris peace talks it would be the Honorable Averell Harriman. However, Mr. Chairman, I want to add this thought: I am not prepared to go along the way we are going indefinitely. What lies at the heart of this matter is the question: What kind of a political settlement is the United States prepared to see take place in South Vietnam? If it is our idea that we are going to win at the negotiating table what we have been unable to win on the battlefield then this war is going to go on and on, and the casualties are going to mount. If, on the other hand, the President has decided that there should be a settlement which will not be satisfactory, but will represent some kind of orderly disposition of that conflict, then this I believe is realistic, and in the best interests of the United States, and the people of South Vietnam.

But I cannot tell, and I do not expect that the President should tell us, what our minimum negotiating terms are. And this leaves me in the dark. It leaves, I am sure, most of us in the dark. This is inevitable. I do not believe we can expect the President to come down, or his representative to come down here and say: "These are our minimum settlement terms." But I am not going to support continued funding of our military activities in Vietnam indefinitely if it should turn out that our settlement expectations or settlement threshold are higher than realism would dictate.

Mr. DOW. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I will be glad to yield to the gentleman from New York.

Mr. DOW. Mr. Chairman, I thank the gentleman from Wisconsin, because I agree heartily with his remarks. All through this Vietnam debate there seems to be one theme running, and that is any opposition or any reluctance to appropriate funds for Vietnam is interpreted as a failure to support the troops in Vietnam, and so we go along appropriating these amounts to support the troops in Vietnam.

I would like to say that those of us who have reservations about Vietnam feel that we are supporting the troops much more wisely by withholding the funds. This country has spent about $30 billion in the past year to support the troops, and it seems to me that to spend another $5 or $6 billion to support them in following the present course would be fallacious. The kind of support that our troops in Vietnam truly need is wise statesmanship, good judgment, willingness to admit mistakes, and other high qualities of the sort that will help us to disengage ourselves from this monstrous error to which our country has committed itself, the worst in American history.

Mr. LAIRD. Mr. Chairman, will the gentleman yield, since he referred to me in his remarks?

Mr. DOW. I do not have control of the time, the gentleman from Minnesota [Mr. FRASER] has control of the time.

Mr. FRASER. I will be happy to yield to the gentleman from Wisconsin in a moment, but first I wish to yield to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, I would like to point out that my amendment does not in any way affect the existing troops in Vietnam, it merely goes to escalation, and the number of troops there be confined to the ones that are there, and to the use of nuclear weaponry without the consent of the Congress. There is nothing involved in here that would undermine our support of our existing troops.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. LAIRD. I would like to say to the gentleman from New York who referred to the remarks I made earlier that I am in agreement with him that we need statesmanship and leadership in this year of 1968.

The point I made, however, was that we have been obligating funds on a deficiency basis since October 27 in the operation and maintenance accounts of the Department of Defense. This bill covers the period until June 30 of this year only.

A major portion of this bill is merely to reimburse the drawdown of those accounts. The obligations have been made. The checks have been written. The Treasury has met the obligations and the payments have been made in the operation and maintenance accounts.

This is not the way to get at the subject matter that the gentleman has referred to, and I would urge him to appear before the Committee on Foreign Affairs of the House of Representatives.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ECKHARDT].

Mr. ECKHARDT. Mr. Chairman, I rise to ask the gentleman from Wisconsin a question with respect to these funds having been committed.

I have now checked the item in the hearings on page 743 with respect to item "d" in the report. There it is stated:

> To meet the higher ammunition requirements, we propose, to increase the overall production base at an estimated fiscal year 1968 cost of $148 million.

The largest item involves the opening of five additional TNT production lines. How is this already committed?

Mr. LAIRD. The gentleman did not listen to my remarks.

I was referring to the operation and maintenance account which went on a deficiency basis on October 27. The gentleman is now referring to the procurement account.

The operation and maintenance account is on a deficiency basis. The procurement account is being used in this bill largely to replace stocks and ammunition already used such as aircraft and helicopters.

The CHAIRMAN. The time of the gentleman from Texas [Mr. ECKHARDT] has expired.

Mr. LAIRD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks so that I may answer in detail the question propounded by the gentleman from Texas.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ECKHARDT. Mr. Chairman, I make the same request to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DOW].

Mr. DOW. Mr. Chairman, in my remarks I will confine myself only to one question addressed to the gentleman from Wisconsin who has just spoken.

I should like to ask the gentleman how in the future this House can prevent an occurrence of this spending in advance of appropriations and obligation in advance of appropriations, so that the occurrence will not be repeated.

Mr. LAIRD. That can be done by changing the basic law.

I call the gentleman's attention to the fact that he has not introduced any amendment which would change the basic law.

Mr. DOW. What is the basic law that you are referring to?

Mr. LAIRD. The basic law is the Budget and Accounting Act which permits the apportionment of funds upon a deficiency basis in certain instances and upon notification of the Speaker of the House and the President of the Senate.

Mr. DOW. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Chairman, I rise in support of this amendment. It is a constructive effort to allow the Congress to take some positive action in terms of participating in the policy determination regarding Vietnam. It would merely take the limits established by the President—the policy purportedly established by the President, and say that these will be the limits which the Congress will approve.

It is not appropriate for Congress to give up its powers to the President, as we have in connection with Vietnam. I think that this amendment provides us the opportunity to correct that situation.

I might say that the Members of this Congress are lagging considerably behind the sentiment of the people of this country. I have campaigned in a dozen States for a candidate for President who proposes that we end the war in Vietnam. I would say that in all of these States the sentiment of the people is substantially ahead of the sentiment of this Congress, and I would urge that some effort be made to catch up by Members of the Congress.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, I would like to point out, first, that this amendment has nothing to do about whether or not we have obligated our maintenance and operations accounts, which was the question raised by the gentleman from Wisconsin. It has nothing to do with the obligation of funds at all. What it has to do with is the use of the funds appropriated to escalate further the level of violence in Vietnam. It puts a restriction on that to the level that was stated by the President in his speech on March 31. It says:

> We genuinely will not, without further consideration by Congress, engage in further escalation.

I urge support of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. HICKS].

Mr. HICKS. Mr. Chairman, under ordinary circumstances I would say that the amendment of the gentleman from New York is an excellent amendment, and it has my sympathy. But I shall vote against it for these reasons:

First, I have every confidence that the President will not use nuclear weapons in Vietnam.

Second, I have every confidence that the President will not invade North Vietnam.

Third, as far as placing a ceiling on the number of our men there, with the peace negotiations going on in Paris at the present time, and with General Westmoreland having said that the North Vietnamese are making a last desperate venture in order that they may win better at the conference table, I feel that we should support the President in the limited numbers that he has expanded the ceiling over there.

For those reasons I shall vote against the amendment, and I urge the House to vote the amendment down.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, the motives of the gentleman from New York may be excellent, but I think the effect of his amendment, if adopted, would be mischievous and detrimental to our best interests. I think it would be against the best interests of our negotiators in Paris. I think it would be against the interests of our troops in the field.

As the chairman of the committee has pointed out, it would be against the best interests of our allies in Asia to tell the Communists, wherever they may be located in Asia, that, "You can be aggressive. We will take no steps to counter any additional invasions that you may make in Asia at this time," and even to tell them, "You can come in with nuclear weapons if you want to. We won't use nuclear weapons."

To give this kind of open door and invitation to additional aggression and additional violence on the other side at this time seems to me to be unthinkable, and I hope the amendment will be overwhelmingly rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON] to close the debate.

Mr. MAHON. Mr. Chairman, I hope the House will overwhelmingly reject the pending amendment. I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. OTTINGER].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL PROVISION

> The amount of the limitation contained in section 606 of the Department of Defense Appropriations Act, 1968, is hereby increased by $2,500,000.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER assumed the chair.

The SPEAKER. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 4, 1968:

H.R. 15364. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes;

H.R. 15822. An act to authorize the Secretary of Agriculture to establish the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, and for other purposes; and

H.R. 15863. An act to amend title 10, United States Code, to change the name of the Army Medical Service to the Army Medical Department.

On June 5, 1968:

H.R. 15348. An act to extend the authority to grant a special thirty-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas.

On June 6, 1968:

H.J. Res. 1292. Joint resolution to authorize the United States Secret Service to furnish protection to major presidential or vice presidential candidates.

On June 7, 1968:

H.R. 14922. An act to amend Public Law 90–60 with respect to judgment funds of the Ute Mountain Tribe.

On June 8, 1968:

H.R. 14672. An act to amend the Act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians; and

H.R. 15224. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

On June 10, 1968:

H.R. 3299. An act to authorize the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation, and for other purposes;

H.R. 15004. An act to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes; and

H.R. 15271. An act to authorize the use of funds arising from a judgment in favor of the Spokane Tribe of Indians.

The SPEAKER. The Committee will resume its sitting.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1968

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose informally to receive the message, the Clerk had read through line 20 on page 10. If there are no amendments to be proposed, the Clerk will read.

The Clerk read as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 17, after line 2 insert:

"OFFICE OF EDUCATION

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For an additional amount for payments to local educational agencies as authorized by Title I of the Act of September 30, 1950 (Public Law 874, Eighty-First Congress), as amended, $53,852,000: *Provided*, That $22,819,000 of this amount shall be for payments under the authority of section 3(a) of that Act, and not to exceed $31,033,000 shall be available for payments under authority of other parts of that Act."

Mr. MAHON. Mr. Chairman, I believe the amendment should be withheld until we get to chapter VII, entitled "Department of Health, Education, and Welfare."

Mr. LAIRD. Mr. Chairman, I do not believe it makes much difference. If the Chairman will facilitate the action of the House, it really does not make much difference. This is also a chapter dealing with the Department of Health, Education, and Welfare.

Mr. MAHON. Mr. Chairman, the chapter to which it is offered is chapter VI on Interior and it should be in chapter VII on Health, Education, and Welfare.

Mr. LAIRD. Mr. Chairman, it is possible to recognize a person at this point for a HEW amendment.

The gentleman from Illinois did not want to lose his place.

The CHAIRMAN. Does the gentleman from Texas wish to make a point of order?

Mr. MAHON. Mr. Chairman, I ask unanimous consent, if the gentleman will agree, that the amendment be considered as an amendment to chapter VII and that the gentleman be recognized.

Mr. MICHEL. Mr. Chairman, I have no objection.

The CHAIRMAN. The Chair will state that the gentleman from Illinois would have to ask unanimous consent to withdraw his amendment, and then resubmit it, if that is what he wishes to do.

Mr. MICHEL. I make that unanimous-consent request, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER VII. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MICHEL. Mr. Chairman, in view of the fact that the amendment has previously been read, I ask unanimous consent it be considered as having been read at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. CAHILL. Mr. Chairman, reserving the right to object, will the gentleman explain to the Committee whether or not his amendment proposes to restore funds for school construction or merely for school maintenance?

Mr. MICHEL. It would be for maintenance.

Mr CAHILL. Only?

Mr. MICHEL. Yes.

Mr. CAHILL. I thank the gentleman. I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MAHON. Mr. Chairman, in the interest of orderly procedure, I ask unanimous consent that the amendment be reported again.

The CHAIRMAN. Without objection, the amendment will be reported.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 17, after line 17, insert:

"OFFICE OF EDUCATION

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For an additional amount for payments to local educational agencies as authorized by Title I of the Act of September 30, 1950 (Public Law 874, Eighty-First Congress), as amended, $53,852,000: *Provided*, That $22,819,000 of this amount shall be for payments under the authority of section 3(a) of that Act, and not to exceed $31,033,000 shall be available for payments under authority of other parts of that Act."

Mr. MICHEL. Mr. Chairman, I have some very mixed emotions about offering this kind of amendment to increase this bill in this amount, for I have only one school district in my congressional district which would qualify for any kind of assistance, and that I believe in the total of some $3,000, because of a little radar station in my district.

I have been critical of this program on many occasions because I believe it has gone far afield and gotten completely out of hand and has been misdirected from its original intent.

Much as I have opposed Federal aid to education programs, I have, in principle supported the proposition of legitimate Federal assistance to impacted areas as payments in lieu of taxes. A Federal installation, that takes property off the local tax roles such as a military base is a legitimate case.

Why, then, would I offer this kind of an amendment to this bill today? It is merely because I understand it is quite conceivable a substitute may be offered to practically double the figure which I propose here this afternoon. As I understand it, the substitute may call for a total of better than $40 million more than my amendment.

What I offer here is a compromise. By the conference report vote some time ago we accepted in this House 98 percent of entitlement for category A and 81 percent of entitlement for everything else. That was on a rollcall vote on a conference report in this House. What I am offering now is something more than that, a good deal more than that. As a matter of fact, I am offering 100 percent of entitlement for all category A schools and 90 percent for all the others.

Let me give you just a few figures in capsule form by way of a very simple comparison. Last year for this program we appropriated $416.2 million, which provided for 90 percent of entitlement across the board, for qualifying schools. Because there were some underestimations made by those charged with the responsibility for making the estimates, that figure actually resulted at the end of the year in only 86 percent of entitlement going to the school. Then, and over and above that, when we passed House Joint Resolution 888, Public Law 90–218, we reduced this another 5 percent. So for all practical purposes, the schools were getting this past year 81 percent of entitlement across the board, and that is all. Under my amendment, by adding this $53,852,000 or a total now of $449,242,000, A category schools, that is where the parents work and live on the base would get 100 percent of entitlement under this amendment and all other schools would get 90 percent. Bear in mind that in the urgent supplemental appropriation bill there was this first figure of $22,819,000 which would provide 100 percent of entitlement to the category A schools, and that is it. However, bear in mind that the budget message which came up to us provided and signaled to all of the schools qualifying in this area that they were only to get 90 percent of entitlement and no more. We really cannot justify any more than that except as I have for category A schools where there is this real bona fide legitimacy, in my opinion.

As I indicated at the very outset of my remarks, I would prefer to get this impacted aid program back on its original track and intended purpose by adding nothing to the bill, but I am just realistic and practical enough to know that the temptation will be too great for too many Members of this House to add something for this program to this bill. I want to keep any increase down to a reasonable and a justifiable figure. That is why I would ask all of you to support my amendment in preference to any substitute that might be offered at a larger figure.

SUBSTITUTE AMENDMENT OFFERED BY MRS. MINK

Mrs. MINK. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mrs. MINK as a substitute for the amendment offered by Mr. MICHEL: On page 17, after line 17, insert the following:

"OFFICE OF EDUCATION

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For an additional amount for payments to local educational agencies for the maintenance and operation of schools as authorized by title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, $90,965,000."

The CHAIRMAN. The gentlewoman from Hawaii is recognized for 5 minutes in support of her amendment.

Mrs. MINK. Mr. Chairman, these are times when sacrifices are required in order to meet our commitments. Today I ask you to consider what are our commitments. We say these words without sometimes hearing ourselves speak. There is no doubt that budget cuts are in order. But I do not believe that it is good government to renege on a lawful, legitimate, longtime commitment and expect the people to understand that some commitments are more lawful and more legitimate than others.

I happen to believe that when we pass a law, it is not good government to refuse to fulfill its promises. If it is the belief of some that this law is bad, let them offer a bill to have it repealed; if it is the belief that this law is inequitable, let them offer a bill to have it modified. But let us not use the power of the purse to do indirectly what we have not yet done. I do not believe that such a practice is conducive to public confidence in the integrity of law. All of us are guilty of uttering pious words about law and order, and about the growing lack of regard for it. I believe that we contribute to this general malaise if we can, without due legislative process, smother a program by withholding funds which the law establishes by formula and which has become the expectation of thousands of school districts all over the country.

My amendment, which I have just offered, will restore all the funds needed to reimburse all of the school districts in accordance to 100 percent of their entitlement under Public Law 874.

For the fiscal year 1968, $486,355,000 is needed to fully fund this program. Only $395,390,000 has been appropriated. The deficiency is $90,965,000, which is the amount that I propose to insert in this supplemental appropriation bill.

In many areas across the country reliance on 874 funds is considerable. This is not a question of budget manipulation. This is a question of the education of our children. Whatever we are required to sacrifice for our commitments abroad, let us not also sacrifice our children's education.

The key word is reliance. In law we honor a contract and we require payment in accordance with proof of reliance. Public Law 874 funds have been paid to school districts in its 17 years of existence in accordance to 100 percent of its entitlement each of the 17 years with only two minor exceptions; the first year, 1951, there was only a 96-percent funding and in 1955, the funding came to 99.5 percent.

Teachers have been hired, budgets approved, and the school year completed on the expectation that Congress would abide by its own law. Many Members have told me that unless they receive these funds, some of their schools next year will be required to close down, some classes will have to be discontinued, and some will have to operate only a 5- or 6-month school year, in order to make up this deficit.

This supplemental appropriations bill which fails to provide funds for Public Law 874 ignores our responsibility to these thousands of children whom the Congress has said are a Federal commitment.

Fifteen thousand children in Hawaii live on military bases and receive their education on base. How much of this cost is borne by the Federal Government? Under Public Law 874 each child receives from the Federal Government only one-half what it cost my State to educate a resident child 2 years previous. The State now makes up the difference.

Let us say the average per pupil cost in Hawaii today is $700. For each child on the military base the Federal Public Law 874 support is not one-half of today's cost of $700; it is but one-half of the cost 2 years ago which was approximately $600. So instead of receiving $350, one-half of today's cost of education, that military child, under the law, receives only $300 Federal support, with the State making up the current difference of $400 for each child living on base.

The failure to appropriate these additional $90 million will further burden the State and local governments and boards of education. For Hawaii, instead of paying the $300, the Federal Government is now saying I will pay only 86 percent of $300 or $258 per military child on base and the State will have to pay not $400 but $442 toward the education of each military child.

School districts do not derive any funds through payment of taxes from the presence of military families who live on base. Our military families buy their food and other necessities on base—no corner grocery store enjoys their business so that it could be said that at least the grocery store pays taxes on account of business with military personnel.

Hawaii's 15,000 children who live on military bases require $10 million of current operating money for their education. That is what 15,000 children in downtown Honolulu require to be educated. Yet, under Public Law 874, the total allotment under both A and B category for Hawaii is only $8,918,912. Without my amendment to provide 100-percent funding, Hawaii's share will drop to $7,135,128, leaving the State a deficit of nearly $3 million for the cost of education of only the on-base military dependent's children without considering at all the off-base federally connected children.

Not one dime of Public Law 874, A and B category, in my State, is spent for off-base children. Simply because the law does not provide enough as it is to pay for the cost of educating the on-base children.

Many school districts may soon be forced to refuse this growing burden, and as Public Law 874 now allows, to relinquish this obligation back to the Federal Government and require the Department of Defense to operate these schools totally with its own funds.

I would hope that this day shall not come. To this end I urge the passage of my amendment.

Mr. PETTIS. Mr. Chairman, I would like to take this opportunity to urge support of the amendment which will add $90,965,000 to the Public Law 874 program for the affected school districts.

Unless this amendment is accepted, California alone will lose an estimated $15 million. Of that amount, the 33d Congressional District will lose approximately $733,000 or 20 percent of its total entitlement—the total entitlement in San Bernardino County for 27 school districts is $3,665,411.

As an example, one of my school districts, the Morongo Unified School District which serves the Marine Corps Base at Twentynine Palms currently has a total enrollment of which 48 percent of its pupil personnel results from Federal activities. Cutting approximately $65,000 from the current appropriation will, of course, detract from the educational efficiency and quality for each individual student. They will have to cut elementary counselors or speech therapists as well as curtail their purchase of goods and materials for classroom instruction—while at the same time increase class sizes. A 20-percent cut in Federal funds will mean raising the local property tax in 1968–69 by approximately 42 cents per $100 assessed valuation in an effort to overcome the reduction in Federal assistance.

And, this is happening all over the country.

I agree that limitations in our Federal spending must be made. However, certainly the education of our young people is not the place to start—especially since there are plenty of other areas wherein nonessential and wasteful spending could first be cut.

Certainly the needs of our children must be met in order to better equip our young people with a more sound foundation as future citizens and leaders. And, I think you will agree that better education and increased skills are the answers to a reduction in our crime rate, a reduction in the number of citizens on welfare, and a reduction in many of the problems our poor people are facing.

The education of our young people must, I sincerely believe, have first priority, and for this reason, this amendment, which would fully fund impacted school districts must, by all means, be passed.

The following list includes those schools in the 33d Congressional District of California which would be cut back 20 percent of their estimated entitlement should this amendment not be approved.

San Bernardino County school districts, estimated entitlement, fiscal year 1967

Needles Unified	$5, 861
Victorville	104, 121
Adelanto	424, 342
Victor Valley Joint High School	159, 095
Wrightwood Joint	7, 464
Upland	58, 412
Ontario	137, 649
Chino Unified	43, 403
Chaffey High School	124, 766
Central	7, 858
Apple Valley	29, 206
Fontana Unified	27, 509
Morongo Unified	330, 418
Hesperia	20, 431
Oro Grande	3, 405
Alta Loma	9, 429
Barstow Junior College	23, 295
Cucamonga	3, 143
Victor Valley Junior College	43, 286
Chaffey Junior College	28, 835
San Bernardino Valley Junior College	223, 131
Yucaipa Unified	29, 649
San Bernardino City	653, 876
Rialto Unified	167, 807
Barstow Unified	804, 278
Colton Unified	119, 207
San Bernardino County	5, 487
Total estimated entitlement	3, 665, 411

I have been informed that the current entitlements for fiscal year 1968 would be approximately the same.

Mr. PIRNIE. Mr. Chairman, will the distinguished gentlewoman yield to me at this point?

Mrs. MINK. I am happy to yield to the gentleman from New York.

Mr. PIRNIE. Mr. Chairman, I rise in support of the amendment offered by my colleague from Hawaii. I do this not only because it is vital to my congressional district, which it is, but also because I am opposed to shortchanging thousands of children in impacted area schools throughout the country. Unless we act now to provide the federally affected school districts with full entitlement under Public Law 874, the quality of education in these areas will be seriously hampered. In my judgment, that is not acceptable.

For several years, impacted area schools have planned their budgets in reliance upon obtaining Public Law 874 funds. They have come to depend on these funds to carry on vital educational programs which have, accordingly, upgraded the educational level of these schools. For example, last fiscal year the impacted area schools in my district received $1,620,711 under this program. This year, with full entitlement these same schools would be getting $1,878,404. However, due to the cuts made by the administration and congressional refusal to appropriate the amount needed for full funding, only $1,502,723 will be received unless this amendment is adopted. This reduction of $395,681 has forced cutbacks which will seriously impair essential educational projects. I think we have an obligation to restore these funds immediately in order that the children in these schools will not be cheated from obtaining the maximum educational services possible.

It may be that in light of experience, Public Law 874 needs amendment or revision. Perhaps some of the student categories now eligible for funding should be eliminated. In this connection, I would wholeheartedly support a thorough review of this law by the House Education and Labor Committee and would welcome the opportunity to present my views to the committee. However, until such time as changes are made, I do not believe we should reduce the funding level of this program merely because we recognize that some adjustments may be required. We must be ever mindful that we are not considering an item which can be deferred this year and funded next without any permanent damage. We are talking about children for whom this year will never come again. What is lost now may never be adequately replaced.

I share the view that we must reduce Government spending and I plan to support the conference report on H.R. 15414, the Revenue and Expenditure Control Act of 1968, when it is considered. However, I do not contemplate that education will be one of the areas affected, nor in my judgment should it be reduced. Other less essential programs should be either greatly reduced or even eliminated, if necessary, before cutting 1 cent from the education budget.

Accordingly, I urge the adoption of this amendment.

Mr. DOW. Mr. Chairman, will the distinguished gentlewoman yield?

Mrs. MINK. I yield to the gentleman from New York.

Mr. DOW. Mr. Chairman, I rise in support of the amendment to H.R. 17734 offered by the gentlewoman from Hawaii.

Some days ago when the appropriation for the Department of Health, Education, and Welfare was before this House, and we were considering whether to accept the conference report on the urgent supplemental bill, H.R. 15399, I sought the vote by this House such that the House would have accepted the provision of the other body for school assistance in federally affected areas in the full amount of $486 million. While narrowly defeated by 10 votes, this full entitlement would have increased the appropriation recommended by the House Appropriations Committee from roughly $21 million to roughly $91 million, just as the gentlewoman seeks to do.

Having a number of school districts in my congressional district that provide education for children of families working for Federal installations, such as West Point Military Academy, Stewart Air Force Base, Castle Point Veteran Hospital and still others, I am more than conscious of the need to fund the school districts in the amounts which they have, in good faith, budgeted for this fiscal year.

Actually, the amounts provided per pupil under the full funding that the gentlewoman recommends comes to $334 for pupils in the most eligible category. Even this figure is about half of the cost of education as it is calculated in a typical New York State school district.

Mr. Chairman, one of the serious shortcomings in some of the recent Federal aid to education legislation, and in aid provided throughout the Office of Economic Opportunity, has been the uncertain and intermittent character of the funding which Congress has provided. It has been hit or miss. All of us have observed Headstart programs that have flourished and then faded because there was no continuity of funding. This intermittent and uncertain character of the funding for any such programs is one of the principal reasons why programs, such as OEO, have floundered, even failed, and have been subject to criticism.

It has been fortunate that most regular educational programs of normal school districts in the United States have, over the years, been able to budget with foresight. By suddenly and unexpectedly reducing the amounts allotted under the normal budgetary cycle to federally affected areas, we are subjecting the established educational function to this same uncertainty and unreliable support that have been a reproach to OEO and like programs.

On the occasion of the vote that would have instructed the House conferees on the recent urgent supplemental appropriation to accept the full funding desired by the other body, the vote was 186 for and only 196, or 10 more votes, opposed. To all intents and purposes, the sentiment in this House is, therefore, not too seriously opposed to funding of the impacted areas in the matter that they expected at the time when they prepared their budgets for the current year.

Mr. Chairman, I strongly urge adoption of the gentlewoman's amendment.

The CHAIRMAN. The time of the gentlewoman from Hawaii has expired.

Mr. LAIRD. Mr. Chairman, I rise in opposition to the substitute amendment offered by the gentlewoman from Hawaii.

Mr. Chairman, I have served on the

Health, Education, and Welfare Appropriations Subcommittee ever since this Department was created. It is true what the gentlewoman from Hawaii has said regarding the payments made under Public Law 874 in each of the years up until last year. Each budget during the Eisenhower administration, during the Truman administration, during the Kennedy administration, and each budget during the Johnson administration, up until last year provided for 100 percent of entitlement for impacted school aid.

But when the budget was submitted to this Congress in January 1967, the President put on notice all school districts throughout the United States that in his budget there would be provided 90 percent of entitlement under the Public Law 874 program.

Now, it is true that partly due to underestimates and partly due to reservations made under Public Law 90-218, only 81 percent of entitlement was actually paid to the school districts during this fiscal year.

The amendment offered by the gentleman from Illinois brings entitlement payment up to the 90 percent that was promised at the time that the school budgets were originally submitted and discussed by the school boards. This is the commitment that was made by the executive branch; this is the commitment that was made by this Congress; it was not the 100-percent commitment referred to by the gentlewoman from Hawaii.

Now, why do I point this out? Because other educational programs in the Elementary and Secondary Education Act and in the National Defense Education Act have been funded at far less than the full authorization. Let us take title I of the Elementary and Secondary Education Act. In that particular title the President's budget, as it was submitted to the Congress, provided half of entitlement. That is all that was provided. To take care of the low-income child, the deprived child, the President provided about half of entitlement.

It seems to me, Mr. Chairman, that when the gentleman from Illinois offers an amendment to pay out not only 100 percent of entitlement under category A, where the child lives and where the parent works on a military or other Government reservation, that when he fulfills the commitment of at least 90 percent entitlement to all districts made by the President of the United States in the budget document submitted to this Congress in January 1967, we are fulfilling completely the commitment that was made by this Congress and the executive branch. And it was known full well by every school board in the United States qualifying under Public Law 874 of this act. Now we are in conference on the urgent supplemental bill, and this has been in conference for a period of the last 6 or 7 weeks. We are in a position very close to agreement on this particular item. If this was offered tomorrow in conference I am sure the Senate would snap it up right now, the offer made by the gentleman from Illinois.

No, Mr. Chairman, I think when we provide every dollar that was in this budget and every dollar that was promised at the time the school districts drew up their budgets that we have met every commitment we have made.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LAIRD. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes so that I may yield to my colleague, the gentleman from Colorado [Mr. EVANS] and I apologize for not being able to yield to him earlier.

Mr. EVANS of Colorado. I thank the gentleman for yielding.

The gentleman from Wisconsin has referred quite often to the notice that the school districts received under category A funds in impacted aid in regard to the cutback in implementation of that portion of the impacted aid program.

I would ask the gentleman in regard to that—what a school district could do when it has a high level of military personnel and other Government personnel who are living off the base and who are living in low-income housing areas of high population density, and where there are a large number of students in a school district that does not have the economic base either through its assessed valuation or its income in that area to be able to do anything in planning in this regard.

We have this situation, and in fact there are some school districts in my congressional district which, in the absence of these funds, have no capacity to plan in any way at all for this.

Mr. LAIRD. I would just like to say to the gentleman that he is amending the wrong section.

If the gentleman is interested in those areas that have low evaluation and low income, he should be amending title I of ESEA where only half of the entitlement is requested. There is where the poor children are given priority in the allocation of funds, and not in this.

Mr. EVANS of Colorado. We are talking about impacted military personnel and Government personnel in these areas.

Mr. LAIRD. If you are worried about the property tax base and the poor economy of the area, that is dealt with by title I of ESEA.

The gentleman is talking about that problem in connection with the wrong program.

Mr. EVANS of Colorado. That is the title to which the gentleman referred or directed his remarks toward military impacted areas and governmental impacted areas.

Mr. LAIRD. This is title I of the Elementary and Secondary Education Act. It goes to the heart of the problem so far as education is concerned in the low income area.

Title I is funded at about 50 percent in the budget that was sent up by the President at the start of this session.

The gentleman asked me how we could fund these schools. If he wants to increase Federal funds for that purpose, ESEA is the place to do that.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, when the general debate is over and we return to the House, I shall ask unanimous consent that all Members may have permission to revise and extend their remarks at this point in the RECORD in regard to this issue of impacted aid so that everybody will have a convenient opportunity to put his views in the RECORD.

We have debated the matter of impacted school aid for many years. I believe that most Members feel the law providing assistance to impacted areas is in some respects bad and needs very considerable revision.

I think that virtually all Members feel that certain impacted aid funds are justly due to many school districts. This is my firm view.

Let me again review just what the situation is.

The school districts have not been misled generally speaking but there are certain factors which must be considered.

In the budget last year, for fiscal 1968, the President asked for $416 million for impacted school aid and Congress provided every penny of that amount. There was a reduction of 5 percent applied against the appropriation under Public Law 90-218 but, I am told, the schools were promptly advised of the total funds they could expect. So, every school district knew what the situation was with respect to the available funds for fiscal 1968.

But a few weeks ago some Members began to receive complaints that the school terms would be cut short if additional impacted aid money was not provided.

I have a letter today from the Department of Health, Education, and Welfare saying:

> This agency has checked, and no school term has been limited as a result of our not having provided the sums asked for in the President's budget.

The President asked for $416 million for this purpose for fiscal 1968. What we did in Public Law 90-218, House Joint Resolution 888, was to provide for a reduction in appropriations, and, therefore, we in Congress provided for a cut, indirectly, in this program of about 5 percent. There is pending in the urgent supplemental bill, now in conference between the House and the Senate—and the conference is, I believe, scheduled to be resumed after the vote on the tax bill—a provision of additional funds for this program. The House, in connection with that supplemental bill agreed on an additional amount of $20.8 million above the 1968 budget. The House voted for that. I voted for that. And other adjustments can be made in the light of all the circumstances.

I would hope that the House would be willing to let us continue to try to work out a settlement of that problem rather than adding $90 million above the budget here, as per the amendment of the gentlewoman from Hawaii, or the $53 million as proposed by the gentleman from Illinois. The $90 million is too high and I would hope that both amendments would be voted down, and that in the conference on the urgent supplemental we seek to arrive at some sort of equitable settlement of this controversial and difficult issue.

I think everyone can have confidence

that some sort of settlement will be worked out, because we have already achieved a meeting of the minds on a minimum of $20.8 million. That amount was, in effect, rejected in the other body when the conference report was considered. I would hope that the Members of the House would give us further opportunity to work this matter out.

The schools have had their regular term. They would like to have additional money for the next term. We have plenty of time to debate this issue and to make a determination as to the dollars. There will be additional dollars, I think I can assure you, for the affected schools. I have three in my own congressional district. So I am not speaking from a lack of information or interest in regard to the proposal. But I would earnestly hope that you would forego action on this today and let us continue to consider the item in the urgent supplemental bill. That will give us further opportunity to work out some sort of settlement on this issue.

Mrs. MINK. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Is it not true that what we are talking about in the supplemental appropriation is reimbursement funds to the school districts for programs that have already been completed in the current school year? We are not talking about money which they are going to be able to plan for in a subsequent year?

Mr. MAHON. I must say that they have been able to get along for the school year which has just ended, or so the Department indicates in this letter, which I shall be glad to make available. They would like to have these additional funds for the forthcoming year, because their cushion has been cut down by the fact that Congress passed Public Law 90-218 and made a reduction of some 5 percent in the full national entitlement. This is the situation that confronts us plus the further fact that there were some other miscalculations which the schools had not anticipated. I hope both amendments will be voted down.

Mr. BOLAND. Mr. Chairman, I move to strike out the requisite number of words.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. BOLAND. Mr. Chairman, I was prepared to support the amendment offered by the gentlewoman from Hawaii [Mrs. MINK]. I was not aware that there would be an amendment offered by the gentleman from Illinois [Mr. MICHEL]. I am aware of what the chairman of the full committee has said, that both amendments ought to be voted down. So I rise to support the amendment offered by the gentleman from Illinois [Mr. MICHEL].

As I understand the amendment, it provides for a 100-percent entitlement in category A and provides for 90-percent entitlement in category B. I believe we have a responsibility and the commitment to provide financial entitlement to school districts in federally impacted areas. Congress has been doing this in varying amounts ever since the enactment of Public Law 874. The crisis in education in school districts that benefit from this law was created by the influx of employees and their families into areas where defense installations so suddenly sprung up.

Acres of land and buildings have been removed from the legitimate tax base in communities where this has occurred. The Congress many years ago moved—and rightly so—to soften the impact of these installations with the passage of Public Laws 875 and 815.

The school budgets of these affected communities have been made up on the basis that the Federal Government would live up to its commitments. Failure to do so would force a reworking of these budgets and incur a real hardship on the areas involved.

I am sure that all of us are aware that such sweeping changes in these budgets and educational programs would constitute a crippling blow to school districts throughout the United States and at a time that demands the best possible educational systems.

If the amendment of the gentleman from Illinois fails, I submit we have failed to live up to our obligation. This failure would create serious problems for many communities.

Local mayors and school committees and school superintendents have a tough enough job in providing good and adequate education without the constant worry of whether or not the Federal Government is to honor its commitments.

It might very well be that there are some inequities and some windfalls in this program, but we ought to face that problem squarely and meet it with changes in the substantive law. This is not the place nor the time to do, through the appropriation process, what should be done by changes in the basic law.

Tables will be placed in the RECORD indicating the impact upon school districts all over the country of the neglect to provide adequate funding under Public Law 874.

Let me cite my own area. Chicopee, Mass., would lose almost $350,000 if this amendment is not adopted. One can imagine the seriousness of this loss to this city. Other communities in my district would face similar serious losses of revenue—Springfield, Wilbraham, Ludlow, Hampden-Wilbraham school district, Granby, South Hadley, and Belchertown.

Schools charged with educating the children of Federal employees and military personnel are caught in a financial squeeze of almost unprecedented severity. Armed Forces personnel, for example, have been sending more and more children to community schools ever since the buildup in military manpower stemming from the Vietnam war.

These military personnel, moreover, contribute little to the community base, because they are often transients living in apartments or on Federal installations. As a result, schools are faced with swelling student populations and shrinking educational budgets.

Mr. Chairman, I think Congress ought to honor its commitments to do what it has the obligation to do under the laws that assist federally impacted communities. To abandon this commitment would, in my judgment, be shortsighted and wrong.

Under the circumstances, Mr. Chairman, I urge the adoption of the amendment of the gentleman from Illinois.

Mr. FLOOD. Mr. Chairman, I move to strike the necessary number of words.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, if the gentleman will yield, I ask unanimous consent that all debate on the amendment and the substitute amendment close at 5:30.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on the amendment and on the substitute for the amendment close at 5:30. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Chairman, a parliamentary inquiry. Did all of that time come out of my 5 minutes? If it did, I will just sit down.

The CHAIRMAN. The gentleman from Pennsylvania yielded for this purpose. He has 1 minute remaining.

Mr. FLOOD. Mr. Chairman, I move that all debate close in 30 minutes. I have lost 5 minutes. Congressman FLOOD wants to talk for 5 minutes.

The CHAIRMAN. The Chair will advise the gentleman from Pennsylvania the unanimous-consent request limiting debate and closing debate at 5:30 has just been agreed to.

Mr. FLOOD. Mr. Chairman, I now make the unanimous-consent request that all debate end in 30 minutes.

Mr. LAIRD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Pennsylvania has the floor, and he has 1 minute remaining, if he cares to use it.

Mr. FLOOD. Mr. Chairman, I yield back the remainder of my time.

Mr. LAIRD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. LAIRD. Is it not true that the gentleman from Pennsylvania was recognized for 5 minutes before the debate limitation was arrived at? I therefore suggest, Mr. Chairman, that the gentleman had been recognized for 5 minutes and is entitled to proceed under the recognition given by the Chair before the unanimous-consent agreement was arrived at.

The CHAIRMAN. The Chair will state that the gentleman from Pennsylvania was recognized for 5 minutes on his pro forma amendment. He then yielded to the chairman of the Committee on Appropriations, the gentleman from Texas, and most of the time was consumed, but the Chair would certainly entertain a unanimous-consent request that the gentleman from Pennsylvania be recognized for 5 minutes at this point.

The Chair hears no such request, and the Chair recognizes the gentleman from Oklahoma [Mr. SMITH] for 1 minute.

Mr. FLOOD. Let us see where I come into this act. I am supposed to know something about parliamentary procedure.

Mr. McCLORY. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania be recognized for 5 minutes and that the 5 minutes be taken out of the time allotted.

Mr. FLOOD. I would not agree to that.

The CHAIRMAN. Unanimous consent has been requested that the gentleman from Pennsylvania be recognized for 5 minutes and that the time be taken from that of other Members who had been observed seeking recognition.

Is there objection to the unanimous-consent request of the gentleman from Illinois?

Mr. FLOOD. Mr. Chairman, I object to that.

The CHAIRMAN. Objection is heard.

The Chair recognizes the first speaker under the limitation of time, the gentleman from Oklahoma [Mr. Smith], for three-quarters of a minute.

Mr. SMITH of Oklahoma. Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Hawaii, the Honorable Patsy Mink, to the second supplemental appropriations bill for 1968.

This amendment would insure 100 percent entitlements to various impacted school districts in our country by the addition of $90,965,000 in funds in all categories of the Public Law 874 program in the affected school districts.

It is of the most compelling urgency that the Congress provide funds necessary to meet the commitments made to these entitled schools. In most areas, these schools have relied on the Federal Government to compensate them for the extra burdens created by the Federal activities in their areas, and they have prepared their budgets accordingly. There is involved then the matter of the Government's word to these severely affected districts.

It is imperative that the Congress recognize this obligation and provide the necessary funds at once. The Office of Education, by direction of the administration, has, without notice to anyone, frozen over $20 million in funds appropriated for that purpose.

The loss of these needed funds will mean increased student-teacher ratios, curtailed programs, lower teacher salaries, and strikes at the heart of needed education for the youngsters of Oklahoma and the Nation at large.

In my own congressional district in Oklahoma, there are three major military installations which of course require educational facilities for the children of military families who live in the surrounding communities. The loss of these funds in these communities means great hardship and a curtailment in educational programs.

Just seven of these schools who have written my office have indicated that the Office of Education has notified them that they will receive only 50 percent of their budgeted entitlements this year, and an additional 30 percent this fall. This means a loss of over $474,792 to these seven schools alone, in greatly needed educational assistance.

None of us I am sure could validly object to the Public Law 874 program. It is simply a compensation to the localities who must support educationally the children of our military personnel who are living in the community, but whose installation upon which they serve does not support the community with taxes.

I believe that it is incumbent upon us to place priority on the education of our youth during this difficult period in our history. This is the one good way to provide for the future reduction in our welfare dependency and to advance our economic development.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. St Germain].

(By unanimous consent, Mr. Tiernan yielded his time to Mr. St Germain.)

Mr. ST GERMAIN. Mr. Chairman, I thank my colleague from Rhode Island.

Mr. Chairman, I had intended once again to offer an amendment to provide the funds necessary to meet full entitlements under Public Law 874, the impacted schools program. However I am now happy to join my colleague the gentlelady of Hawaii in support of her substitute amendment which is identical to mine.

My views on this matter have often been revealed before this body. However, they are best summarized in a letter which I sent to the chairman of the Senate Appropriations Committee, the Honorable Carl Hayden, when this committee was considering amendments to the urgent supplemental appropriations bill for 1968. I would, at this time, like to read part of this letter for it also provides somewhat of a synopsis of the history of the impacted school fund legislation.

> The most often heard argument in support of our nation's involvement in Viet Nam is that this nation must live up to its commitment to the Vietnamese people if its other commitments across the globe are to have any meaning at all.
>
> This commitment, I need not remind you, has cost the lives of thousands of Americans while even more will wear the scars of this war for the rest of their lives.
>
> How, pray tell, can a nation sacrifice the lives of its precious young men based on a commitment to some people thousands of miles from its shores when it fails to live up to the commitment to its own people in the form of legislation enacted by the Congress?
>
> I am speaking in particular, Mr. Chairman, of the commitment made by the Congress to the impacted school districts across the land.
>
> In 1950, after its Education and Labor Committee held hearings throughout the nation, the Congress recognized its responsibilities to communities where its activities imposed special burdens on local school districts and enacted Public Law 874. The Federal Government's commitment to the impacted school districts is clearly spelled out in Public Law 874 and, yet, we have consistently failed to live up to this commitment. Why should this commitment be brushed aside while we wage a war to live up to a commitment made to some people many miles from our shores?
>
> The Congress has authorized, under existing legislation, an expenditure of 486 million dollars in fiscal year 1968 to meet full entitlements for this program. However, when the appropriation bill was considered, this House voted to make available only 416 million dollars. At the time, I said on the House floor that:
>
> "If this figure [416 million dollars] is accepted, we will in effect be telling the school districts that we refuse to fully live up to our commitment and that they will have to water down their educational programs accordingly.
>
> "I regard this as a disgrace and a tragedy—a disgrace because we, the Congress, have failed to live up to our commitment; and a tragedy because our school children shall have to pay for our irresponsibility in the form of watered-down programs."
>
> Unfortunately, my amendment to provide additional funds was rejected and the bill was sent to the Senate. Much to my delight, the other body approved an appropriation of 450 million dollars. However, the House version providing 416 million dollars was subsequently agreed to in conference and later approved by both bodies.
>
> Our commitment was further watered down as a result of economy measures by this Congress and a grand total of only $395,390,000 was made available for this fiscal year.
>
> For the State of Rhode Island, this means that it will receive $2,638,017 instead of $3,289,396 or will experience a reduction of $651,379. This all comes, Mr. Chairman, after the school districts have not only formulated their plans based full entitlements, but have implemented these plans. How can we pull the rug on our own children like this—for it surely is our children who will bear the brunt of our irresponsibility?
>
> The highly-esteemed Senator Fulbright of Arkansas has introduced an amendment to the Supplemental Appropriations Bill passed by the House the third week in February which will provide an additional 91 million dollars for school maintenance and operation in federally affected areas. It is to this amendment that I wish to address myself.
>
> Senator Fulbright has provided this Congress with what will no doubt be the last chance for this Congress to make good on its commitment to the impacted school districts. Let us not allow this opportunity to pass.
>
> Therefore, Mr. Chairman, I plead for your Committee's assistance in making sure that this opportunity does not pass, by approving a recommendation that the Senate appropriate an additional 91 million dollars in support of the impacted areas program.

Mr. Chairman, the Senate Appropriations Committee approved Senator Fulbright's amendment to provide the additional $91 million needed to meet our commitment to the impacted school districts across the land, and the Senate subsequently approved the committee's recommendation.

Since the passage of this legislation by the Senate on March 11, the "urgent" supplemental appropriation bill has reached an impasse in conference.

Mr. Chairman, it is now the month of June and time continues to pass without any significant progress by the conferees while the entitled school districts patiently and hopefully await the outcome of this legislation. I do not know when, how, or if the conferees will ever act on the amendment for additional Public Law 874 funds, but I do know that these funds are needed and are needed now.

I ask the support of my colleagues for this substitute amendment which, if approved, will enable this body to live up to its expressed commitment to the impacted school districts of our Nation.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to my colleague from Rhode Island.

Mr. TIERNAN. I join in the remarks of my distinguished colleague.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I rise in support of the Mink amendment to assure needed funding of our impacted area program.

Literally millions of American schoolchildren will be directly affected by our vote on this amendment.

We cannot afford to default on this important program and this obligation of our Government.

I urge adoption of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, I rise in support of the Mink substitute amendment. I cannot help but feel that these funds are extremely important at this time in our country.

I know that this will have great benefit in my district.

Mr. RUPPE. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Michigan [Mr. RUPPE].

Mr. RUPPE. Mr. Chairman, I fully support the amendment to H.R. 17734 to provide a second supplemental appropriation of $90,965,000 for all categories of the Public Law 874 program for federally affected areas. Previous authorizations have provided funds for only about 80 percent of the entitlements of most school districts now receiving this vital assistance.

The Nation's schools which are affected by extensive Government land holdings do not have an adequate tax base to provide for modern schools and school equipment. The Public Law 874 program was designed to compensate for that loss in tax revenues. This year, the Government has not paid its share. In effect, the Government is delinquent in its school taxes. This measure, H.R. 17734, will mark "paid in full" the Government's school tax bill to federally impacted areas.

Mr. McCLORY. Mr. Chairman, I yield now to the gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. Mr. Chairman, I rise today to support the amendment before the House which would seek to restore 100-percent entitlement in all categories of the Public Law 874 program for the federally impacted school districts.

Eighteen years ago Congress recognized the wisdom and justice of this program which sought to supplement the budgets of school districts which were faced with the task of providing education for a large number of children whose presence in the district was precipitated by Federal employment of the parents.

The Federal Government does not pay State and local taxes on the land occupied by Government installations nor on the operations of Government institutions. This reduces the taxable base of many communities while at the same time these same institutions bring in many children for the community schools to educate. Furthermore, in many cases families whose children attend community schools live on the installation itself, or in a type of housing with a very low real estate tax base, thus denying even further the amount of tax revenues the communities can gather to support the local schools. The increase in military activity accompanying the Vietnam war has accentuated the problem, but the current budget of the administration would reduce the funds directed to this program.

School districts have often complained that one of the problems with Federal funds has been that it is sort of an off-again-on-again sort of thing, and that it is difficult to plan local budgets with the changes involved and with late appropriations. This problem is compounded for those districts affected by military installations as in the middle of the year they learn that the funds that have been expected and planned for will be significantly less.

I have examined closely the cuts in funds to the 11 school districts in my district, and know that these reductions are serious. The effect could well be a significant reduction in the quality of education offered to all the children in these communities.

I have long argued for economy in Government; and in the special financial difficulties in which we now find ourselves as a nation, I know that budget reductions must be made. But I believe that there are many other areas of governmental activity involving much larger sums in which reductions can be made and some of the fat cut out. To tinker with the education of our children by denying a type of aid which we have said is just and proper for nearly two decades, I believe, would in the long run be false economy. Therefore, I urge that we restore the full entitled amount of this vital program for so many affected school districts in our land.

Mr. McCLORY. Mr. Chairman, I rise in support of the substitute amendment offered by the Congresswoman from Hawaii [Mrs. MINK].

The importance of Public Law 874 funds to federally affected schools cannot be ignored and should not be minimized under the guise of partial funding of entitlements. Congress has recognized that thousands of the Nation's school districts cannot meet fully the financial burdens of their educational programs and of constructing additional schools and facilities in areas heavily impacted by Federal activities—without the benefit of Federal financial support. Accordingly under Public Law 874, Congress has undertaken to provide Federal assistance for such purposes. The districts, in turn, have come to rely on such funds and to utilize them to good advantage in keeping pace with the ever-burgeoning demands for education and for school construction and expansion. This is particularly true in the 12th District of Illinois where in only one county—Lake County—entitlements under Public Law 874 for the fiscal year 1967 totaled well over $2 million.

Now, at a time when the activities and programs of the Federal Government have reached an alltime high and school districts are most severely impacted, we are told that the Public Law 874 appropriation must be cut by some $90 million. I have always like to consider myself as one who has shown a sincere concern for reducing Federal expenditures and getting the most for the taxpayer's dollar. However, I believe it to be false economy to drastically cut a program directed toward one of the Nation's most crucial needs—education—when so many other areas exist for exercising fiscal restraint.

The need for improving education and educational facilities has never been more urgent. All about us we see tragic signs of American society's discontent. In such times of crisis we examine our institutions—especially our schools—and ask: "Are they meeting their responsibilities?" The same question has been, and should be, asked of Congress.

Mr. Chairman, I sincerely believe that if we do not provide federally impacted school districts with the funds they so urgently need to provide new and better facilities for the teaching of young minds then we will not meet our responsibilities and the schools most assuredly cannot meet theirs. I urge the House to support the amendment to restore to full funding the entitlements in all categories of the Public Law 874 program so that the Nation's federally affected schools can get on with the vital job of improving the quality of American education.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. KAZEN].

Mr. KAZEN. Mr. Chairman, I rise in vigorous support of the substitute amendment offered by the gentlelady from Hawaii and wish to associate myself with her remarks. Of the multitude of programs which are supported by Federal funds, in my judgment, none is more worthy than aid to schools in impacted areas. I do not think that the Congress can go wrong any time that we put money into education. This is one area where there is no question that we actually reap a profit from every dollar spent. There is no better investment than the one we make in education.

This particular program is geared to help those school districts who through no fault of their own are overtaxed in their facilities by the children of Federal personnel. In my district I have many schools that were hard pressed to end this last school year. Some were able to operate by cutting back on programs and others by borrowing money which they somehow must pay back.

As one of my superintendents very aptly put it not too long ago in a letter which he sent me and I quote:

> We find that we are advised that after our budget is made, our money is obligated, teachers employed, desks bought for the children and the children are here, that the government is going to deprive us of 20% of our money for those federally connected children. If we were a wealthy district, this would be no problem. However, we are not even average in wealth. We are below average. We have recently voted $2 million of bonds and raised our taxes 30 per cent to build buildings for the children in this district. We have raised our maintenance tax for operation.

I commend the gentlelady for sponsoring this substitute amendment and join her in urging its adoption.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, while all of us would like to support the amendment offered by the gentlewoman from Hawaii, I would point out that the amendments now under discussion are limited to funds for operation and maintenance only. There is nothing in these amendments, either the original or the substitute, that will provide any funds for school construction. I propose as soon as this amendment is voted up or down to offer an amendment providing $40 million for school construction. If the amendment offered by the gentleman from Illinois [Mr. MICHEL] providing $50 million is approved, it seems to me then the House could vote funds for school construction and school construction funds, in my judgment, are just as important in many districts of this country as funds for maintenance and operation. Therefore I am going to support the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Hawaii. It will, if approved, provide the funds for the impact program and will meet an outstanding implied commitment by the Government.

Perhaps it will be in order for the legislative committee which handles this subject to review the entire impact program and make such changes as may be appropriate. The important thing is to apply this form of Federal assistance to those districts which are deserving and are bona fide recipients. This is not the time nor the place to consider that issue. The school districts should know well in advance what can be expected under this program. It is manifestly improper and unfair to authorize a certain amount, lead the people to believe the funds will be forthcoming, and then have the amount reduced.

This proposition has been thoroughly debated. It is most important that this amendment be approved.

The CHAIRMAN. The Chair recognizes the gentleman from Alaska [Mr. POLLOCK].

Mr. POLLOCK. Mr. Chairman, I rise in support of the very important substitute amendment offered by the gentlewoman from Hawaii. I am deeply concerned about the status of Federal impact funds needed to provide financial aid to Alaska under the provisions of Public Law 874. For many years the Federal Government has provided aid to school systems having a high incidence of Federal activity, on the premise that such school districts do not receive sufficient tax dollars from Federal activities to cover expenses required to provide an acceptable level of education for the children of persons connected in some way with the Government.

Mr. Chairman, the distinguished members of the Appropriations Committee, the Ways and Means Committee, and others in this Chamber have emphasized the very serious financial crisis now facing the Nation—and that our fiscal situation must be resolved in a responsible manner. This next week we are scheduled to take final action on a $16 billion tax increase/spending reduction program. Should this measure become law, it will force the administration to make a reevaluation of all Federal programs in the harsh light of today's realities.

I am most disturbed that when the administration reassesses national interests and attempts to establish priorities, education does not receive the high status it merits. The action we take today can firmly establish the point that education of the Nation's children is second to none when it comes to priorities. For it is through the challange and stimulation of our children's God-given talents, which is only possible through adequate education, that a bright future can be assured for our children and for our Nation.

The basic principles of our national fabric demand the ability and responsibility of each and every citizen to respond through reason. To shortchange education through budget and fiscal limitations causes a corresponding reduction in the level of education that is possible, and, therefore, endangers the future of the entire American society.

Last year, as an economy measure, the administration decided to reduce the funds of federally impacted school districts by 20 percent. Under this action Alaska would lose some $2.4 million of its very limited 1968 entitlement, one of the largest reductions among all States. Considering that Alaska is the 50th in population and among the highest with the ratio of schoolchildren actually residing on nontaxable governmental installations, such a cut is highly damaging. The reason given for this severe reduction was that Congress was demanding fiscal restraint for all programs during the present financial crisis. The action by the administration indicates that education is a low-priority item. Mr. Chairman, I most vigorously disagree. The education of our children is not a nonessential item—if I may use a double negative. It is essential, and fundamental and paramount. It cannot be reduced or postponed. The order of priorities established by the President is upside down.

Over the opposition of the administration, the other body added a provision to the urgent supplemental appropriations bill which would have restored full funding of almost $91 million for the vital 874 program. Also added were $100 million for other programs. As a compromise measure, the conference report provided a disappointing $21 million for the 874 program—which was an increase of $21 million, since this matter had not been considered in the original urgent supplemental appropriation bill passed by the House. Under the conference compromise, Alaska would have realized a substantial part of its total entitlement. However, it now appears that Alaska's public schools may lose even this sum of money since the other body rejected the conference report which was approved by the House.

Mr. Chairman, if this amendment does not pass the House, the pupil-teacher ratio will go from 25 to 1 to 30 to 1 in the remote areas of Alaska. The State of Alaska has borrowed the money to offset this deficiency during the current school year/fiscal year. Because of the critical financial impact, if this amendment does not pass, Alaska will be forced to delay in the fall opening of some rural schools and in the total closure of others. What are we to do? Must we find some other funds somewhere to send our children elsewhere to school, or force them to seek their education by correspondence courses? I certainly hope not.

Mr. Chairman, I strongly urge that we enact full restoration of entitlements to our schoolchildren. The administration has not yet shown the capability to properly determine priorities when it comes to the education of our children. Today we have the opportunity—possibly the last for this fiscal year—to assure that education receives the status and attention it merits. We simply cannot defer the education of our children. The opportunity will be permanently lost for the unfortunate youths of today who are made to suffer if we are derelict. The school administrations over the country who have obligated themselves in anticipation of these funds for this 1967–68 school year now completed, will be disastrously burdened by the financial impact if we lose faith with them by refusing to appropriate these desperately needed Public Law 874 funds.

Mr. Chairman and my colleagues, I urge you to adopt the substitute amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, it is high time that the House of Representatives quit making a mockery of the educational system of our country. We pass laws to help those school districts that bear the brunt of educating the children of our servicemen and those called to work in the industrial and service installations that support our war effort and then by fatuous reasoning deny them that which we say was their just due.

You can rationalize why the money is not available when they need it, you can confuse the school officials by talking about budgets, entitlements, percentages curtailed and all of the patois of the Congress but they cannot understand why, having been told they will get a certain amount it is not forthcoming when they have to make their own budgets and fix the tax rates for their respective districts. They have a right to question the sincerity of the Federal Government.

We are here dealing with the most sacred thing this country possesses: the children of our country. Let us not "short change" them on their education. A vote for the substitute amendment offered by the gentlewoman from Hawaii keeps faith with the efficient school administrators of our country and the children who will come after us.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. MIZE].

Mr. MIZE. Mr. Chairman, I rise to support the amendment submitted by the gentle lady from Hawaii. The debate has adequately explained the justification for the position outlined in her amendment. If there are abuses in implementation of Public Law 874, let us change the law, but let us not renege on an implied commitment to the school districts in impact areas now.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Chairman, it might interest colleagues to know that in speaking for 45 seconds on this matter, each second I stand here represents $5,000 lost to the city school district of San Diego.

The San Diego Unified District, a portion of which I am honored to represent, relies as heavily on this program as any school system in the Nation. The district's current entitlement is about $6 million of the $13 million allocated to all school systems in San Diego County under the program.

Uncertainty over how much of the entitlement can actually be paid has caused San Diego school administrators to reassess their entire financial picture. In plain fact, this big and highly productive school system is on the brink of a financial crisis—caused in large part by the apparent failure of Congress and the Federal Government to meet commitments so clearly set forth by Public Law 874.

Budget officers in the San Diego system now foresee a fiscal 1969 budget deficit of $2.2 million—despite strenuous efforts to hold all expenses to a minimum. Even though $4.5 million in divisional requests for new programs was rejected by the cost-conscious administrators, that projected deficit still stands out like an indictment against congressional inaction.

Where, then, will additional cuts be made, if they are needed to bring the budget into balance? Our school officials have been thinking about this, and their answers are not very reassuring. According to San Diego Superintendent Ralph Dailard, further reductions would have to be made "in present programs and services and/or in a scaling down—or even elimination—of salary improvements."

Let us think a little about the implications of that course of action. It would amount to economizing at the expense of our most precious asset, our school children. At a time when our most respected leaders are talking about the critical importance of education in building a better America, the San Diego school system, it appears, will not only be denied the wherewithal to carry out improvements—it may also have to cut back drastically on what it already has.

Most of us agree that our school teachers are underpaid in relation to other professionals in our society. Congress demonstrated this concern only recently when it enacted legislation giving the teachers of the District of Columbia a 19-percent increase.

But what if Congress is pinch-penny with impact aid, with a resulting freeze on staff salaries in San Diego and presumably many other school systems?

At the very least, the recruiting problems of the affected school systems would be compounded. And I expect that many veteran teachers would become understandably disillusioned, and perhaps find other teaching jobs or even new careers outside the teaching profession.

The teachers, at least, would have a choice. They could seek greener pastures if they wanted to.

But no such option would be open to the children. In the long run, they are the ones who would suffer the most, if we permit our school systems to deteriorate, even a little, by reneging on our statutory commitment to the more than 4,200 federally impacted school districts. After all, these school systems did not ask the Government to take land and other real estate off their local tax rolls; but they did turn to us for partial compensation for their losses.

Therefore, Mr. Chairman, I also rise in strong support of the substitute amendment which has been offered by the distinguished gentlewoman from Hawaii [Mrs. MINK].

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I rise in support of the substitute amendment offered by the gentlewoman from Hawaii [Mrs. MINK].

As President Johnson has stated in the past:

> The education of our people is a national investment. There is no greater challenge than that of providing our children and youth with the opportunity to develop fully their talents and interests. Education is vital to the achievement of a Great Society and is our major weapon in the war on poverty.

It is difficult to reconcile these admirable and well-accepted views with the current situation wherein Public Law 874 is funded at a level of about 86 percent of entitlement for fiscal year 1968.

William Carey, Executive Assistant Director of the Bureau of the Budget stated in a letter some time ago:

> The reduction in the impacted area program is * * * a reflection of the hard choices which are necessary to meet critical domestic needs in a time of extraordinary requirements for our international commitments.

Yet President Johnson does not find it difficult to dim his enthusiasm for education—and logic—to the point where he will sacrifice $91 million in funds for a well-proven, successful program while he requests about 24 times as much—$2.18 billion—for his fiscal year 1969 poverty program which all too often has turned into an administrative tangle embroiled in local feuds and is, as someone so aptly stated, "mired in the swamp of mediocrity."

Furthermore, it is simply not true that other educational assistance programs will make up for the loss in Public Law 874 funds.

Money under the Elementary and Secondary Education Act of 1965 goes to districts with large numbers of low-income families and must be spent in a specific way for additional programs superimposed on the educational program already being sustained. Public Law 874 funds generally go to entirely different districts—those that have more students than normal due to tax-exempt Federal Government activities in the area. It is one of the few programs which assists the local taxpayer in meeting day-to-day operating costs of the regular school program. Any loss here will mean reductions in basic school programs.

It is significant that Federal control under Public Law 874 has been kept to a minimum, a goal which the Congress has often stated. No other form of Federal assistance has produced so little erosion of local control.

My district is strongly opposed to any reductions in Federal aid to impacted school districts. As one person put it, "The caliber of people brought here by Federal aerospace and electronic activities demands a high level curriculum taught in good schools. We have been making giant strides, and thus far we have been able to provide this curriculum. Loss of Public Law 874 funds would present an enormous crisis to our district. Our taxpayers are already heavily burdened to keep up our schools. We would prefer that less money be spent on the programs of the Great Society and antipoverty programs as a means of economizing."

There is great justification for upgrading the level of education of the disadvantaged who live in areas of poverty. Such an improvement is unquestionably an addition to our national assets.

But we all agree that the objective of education must go beyond bringing the disadvantaged up to a norm. It must also concentrate on the very fertile minds of those whose backgrounds have blessed them with special aptitudes. Here is our source of scientists, technologists, and intellectuals who will be leaders of tomorrow and whose skills can build a better life for all—rich and poor alike.

It is a fact of life that students with these aptitudes are often concentrated in areas of Federal impaction. We cannot afford in this crucial time of technological and ideological competition with the Communist world to cut back on the accelerated educational programs which we now offer talented and superior students. Yet this will be the inevitable result of the President's recommendations regarding Public Law 874.

In addition, the districts receiving Public Law 874 funds are not rich in terms of local tax dollars. Most of them are at the maximum tax rate allowed by law and are bonded to their legal capacity. In almost every case the districts will have to turn to the State for additional help beyond the amount they will receive automatically.

Dollarwise, local schools will take a drubbing if Public Law 874 is not continued at full entitlement.

It cannot be said that the loss of Public Law 874 aid will be offset by application of the Elementary and Secondary Education Act. Since this is a law with nationwide application, its benefits and provisions are now available to all school districts and its application should be nondiscriminatory. But if some school districts are forced to surrender the payments they have received for a Federal impact which has narrowed the local tax base, then those districts are the victims of discrimination. They are prevented from taxing a Federal installation which contributes children who must be educated at partially local expense and they receive no more, probably less, Federal aid. In the sense that local citizens are asked to shoulder what is properly a

Federal responsibility, they are the victims of discrimination.

I strongly support continued full funding of Public Law 874 because the program has been successful and has involved a minimum of Federal regulation; because of the bonafide need the program is designed to meet, and because its maintenance will prevent discrimination between school districts.

Ninety-one million dollars is a small commitment to the education of tomorrow's leaders.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. PETTIS].

Mr. PETTIS. Mr. Chairman, I rise in strong support of the substitute amendment which has been offered by the distinguished gentlewoman from Hawaii.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. PETTIS. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in strong support of the substitute amendment which has been offered by the gentlewoman from Hawaii [Mrs. MINK].

Certainly, each and every one of us is interested in doing whatever is possible and necessary to establish priorities for Federal expenditures. However, our basic commitment in Vietnam has resulted in an overall increase in the impact on Federal institutions, particulary those located on the west coast serving the logistical needs in Southeast Asia and the Pacific theater of operations.

This situation has increased the number of military personnel and the number of school-age dependents, and as a result, the readily recognized responsibility of the Congress, as embraced in the initial passage of Public Law 874 carries with it even greater meaning and demand to the affected school districts.

For this reason, I sincerely believe, and wholeheartedly recommend to my colleagues, that support of this amendment is an absolute essential.

The school boards and their administrators have had a very difficult time in planning their budgets, and I believe it is incumbent upon the Congress to do its part to meet its basic responsibility—to carry out a long-standing commitment to the impacted areas of this country.

Quite frankly, I believe a principle is at stake here, and I want to do my part to see that this principle is upheld. Therefore, I strongly urge the House to support the Mink amendment. While I hope that this amendment will not fail, I do want to go on record as supporting the amendment of the gentleman from Illinois, should the Mink amendment fail.

A continuation of the funding and relief to these areas is an absolute essential to guarantee the budgetary and fiscal commitments of these school districts.

Mr. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. PETTIS. I yield to the gentleman from Utah.

Mr. LLOYD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, in this case of clearly over-riding necessity I consider it proper and essential that I support, in behalf of my congressional district, the substitute amendment of the gentlewoman from Hawaii which adds $90 million to operations and maintenance in school districts in Federally impacted areas.

These are not needs subject to suspicion. These are needs which in my district cannot possibly be met in many school districts of Utah from the local tax base because such tax base is virtually nonexistent where Federal installations have gone into such desert areas as the Dugway Proving Ground in Tooele County and accounted for virtually 100 percent of the public school population.

I have announced support for the $6 billion spending reduction and also the surtax. The spending cuts must be on the basis of priorities. In my judgment the expenditure need represented by this substitute amendment would have my own very high priority.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE of Illinois. Mr. Chairman, I rise in support of my distinguished colleague's amendment to restore funds for the Public Law 874 program in fiscal year 1968 to 100 percent of entitlement in all categories of the program for affected school districts.

The purpose of the amendment, as the lady from Hawaii has indicated, is to add $90,965,000 for the Federal impacted aid program which is designed to help school districts defray increased operation and maintenance costs resulting from Federal activities in the area.

I have had several lengthy discussions and meetings with local school superintendents in my district who are rightfully concerned about the adverse effects and hardships the present situation is working on their districts. They are deeply distressed by the lack of favorable House action the last time this program was considered in the House. They question the sense of priorities we have established, particularly in light of the favorable action taken by the other body on this very question.

It is not often that I beg the indulgence of my colleagues on issues outside the scope of my own committee assignments. But on this issue I feel very strongly. I have seen the program's beneficial effects over the years. It is a sound concept and has done much to assist in the educational advances that have been made. I am aware also of the serious dislocations resulting from the present state of limbo.

On the basis of information furnished me by Mr. J. R. Nichols, superintendent, Mascoutah, Ill., Community Grade School District No. 10, and which I submitted to the distinguished Appropriations Subcommittee on Labor, Health, Education, and Welfare, I am alarmed at the seriousness of the cut in funds for the implementation of this program. The data he has provided on 21 school districts in St. Clair County receiving Public Law 874 funds, Mr. Nichols has computed that the program meets 60 percent of the cost of educating a child living on a military base and 30 percent of the cost of educating a child living away from a military base. In other words, the school districts face a deficit as it is. To further diminish their base of support would only increase their costs to a point that would seriously affect the value of the education their students would receive. I do not think this is the intent of Congress. Instead of being cut, the program needs to be expanded to more adequately meet the actual costs involved in federally affected areas.

I strongly urge my colleagues to vote in favor of this pending amendment.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment offered by my colleague from Hawaii [Mrs. MINK]. The amendment would only do justice to those areas which have been subjected to an impact of need to expand their school programs through no fault or control on their part. We must bear in mind that, had it not been for our national defense activities, the school districts involved would not be in the predicament in which they find themselves. Plain justice, therefore, would demand that Federal assistance be extended to these school districts to the fullest possible extent. The amendment would do this and should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Hawaii. In talking about this I believe it is important to ask, 100 percent of entitlement of what?

In many of the districts that I represent and in many of the school districts which the other gentleman from Washington [Mr. HICKS] represents 100 percent of entitlement does not really equal what it costs to keep the young people in school. When we realize the fact that the total tax base for those areas has been withdrawn. We should be talking about the amount necessary to make up for the withdrawal of that tax base.

Mr. Chairman, we can talk about 100 percent of entitlement and we can talk about 90 percent of entitlement but what we ought to talk about is 100 percent of cost if we are to do anything which is meaningful. Ninety percent of entitlement is just 10 percent less desirable.

Mr. Chairman, the gentleman from Wisconsin certainly confused the facts when he said let us apply NDEA title I funds to this problem. The purpose of ESEA title I funds is remedial and in many instances goes into entirely different districts.

The purpose of the funds under Public Law 874 is to replace the tax base withdrawn by Federal impact and to assure the children of Federal workers and servicemen quality education.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, in the brief time I have, I hope to add some additional comment in support of the amendment offered by the gentlewoman from Hawaii [Mrs. MINK]. Awhile ago we were discussing entitlement of school districts to impacted aid. One of the speakers read a letter which pointed out no school had been closed because of a reduction in Federal assistance and that no school activities had been curtailed. Whoever said that omitted and neglected to say that the funds that were used to carry on these schools in the absence of Federal entitlement had to come out of local funds which are nearly depleted because most of the districts have reached the absolute limit of their tax levies as provided by law.

Mr. Chairman, it was suggested a minute ago by a member of the Appropriations Committee from the other side of the aisle, in speaking against the Mink substitute for the Michel amendment, that school districts had not been mislead because they knew what they were going to get, simply because the President had put them on notice in his message this year and also in January of 1967. It was argued that the federally impacted school districts should have known that they were not going to get all of their entitlement. Now, that is a very shallow argument and hardly worthy of dignifying by an answer. The law provides very clearly in Public Law 81–874 that there is a formula of entitlement, for category A being children who reside on Federal property with a parent employed on Federal property; category B, children who either reside on Federal property or reside with a parent employed on Federal property; and category C, children whose attendance in the school of the local educational agency is a direct result of the activities of the United States. Now, this entitlement is clearly spelled out, and no announcement of the President or anyone else can reduce or change this entitlement. The only way that entitlement can be changed is for the Congress to repeal Public Law 81–874.

So long as children are in a school district they are countable for eligibility and entitlement, and the Congress has no moral right to renege on its longstanding commitment to provide funds by appropriations to conform to the entitlement provided by law under Public Law 81–874.

We hear so much today on all sides about obedience to law and respect for law and order. How, then, can the Congress say that because there are some provisions of Public Law 81–874 that should be modified, that we can use the power of the purse to mutilate this law and render it meaningless? Such a course is not conducive to public confidence. Last week the Congress passed the omnibus crime bill in order to control the disregard for law in this country, yet we contribute this week to the general discomposure or inquietude of the country by our disregard for a statute just as much a part of the law of the land as any Federal criminal statute.

If the law is bad, then it should be repealed or modified, and then there would be no legal commitment to our school districts. Then the school districts could simply refuse to accept children coming into their schools who reside on Federal property, and also those who reside with a parent employed on Federal property. The facts are that school districts have relied on this entitlement. It is a kind of an implied contract between the school districts and the Federal Government. We should not disregard that contract.

The argument has been heard that the Member who supports the restoration of funds for federally impacted areas will be fiscally irresponsible in the face of demands for a $6 billion reduction of expenditures in connection with the surtax increase. The obvious and apparent answer to this contention is that defense funds are in general exempted from expenditure reductions, and certainly most of the children in federally impacted school districts come from Army posts, Air Force bases, Navy and Marine installations, arsenals and depots which are part and parcel of the defense effort and contribute to our national security. Even if this were not so, in the process of expenditure reduction there can be no other responsible or logical approach than to set up a list of priorities, and while national security and national defense should come at the top of the list, in the opinion of many of us the next most important object of governmental expenditures should be in the field of education, which directly or indirectly affects everyone in our entire society and even more importantly, not only this generation but the future of our country.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The Chair recognizes the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I rise in support of the amendment introduced by the gentlewoman from Hawaii to provide full funding for Public Law 874. Approval of this amendment would provide urgently needed and promised money to those school jurisdictions which have a heavy concentration of federally connected children.

In view of the present deficit, my colleagues and I have stressed the need to establish priorities in Federal spending. I feel very strongly that education at all levels should always receive top priority in our Federal budget. It is essential for the social and economic progress of our Nation that our young people receive the finest preparation possible for their role in the future of our democracy.

To meet the various educational needs of all students, school authorities must be free to make long-range plans. Therefore, they must be assured that at some later date those funds which previously have been authorized, will in fact be appropriated. I hope Congress will see that it has an obligation to meet and will appropriate the $90,965,000 needed to bring Public Law 874 up to full funding. I shall continue to work for impacted aid—a vital need in the budgetary consideration of the school districts all across our Nation.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of the appropriation of funds which will assure full entitlement being made available to the schools of our land which are impacted by the expansion of the Federal activities and enlargement of Federal installations in recent years. The Seventh Ohio District, as a result of redistricting, will have the largest number of such impacted school districts next year in the State of Ohio and these school districts will together have the largest entitlement to Federal funds of those in any congressional district in the Buckeye State. These school districts have effectively met the challenge of educating the children of those who are longtime residents of their areas because these longtime residents have generally been willing to tax themselves more heavily than the local tax level of the average Ohio school district. This has benefited the children of those whose assignment or employment at the Federal installations impacts the area, as well as benefiting their own children. As a matter of fact, at least one school district in my Congressional District has undertaken a special program for handicapped children, "Children Having A Potential," which serves the children of Air Force personnel throughout the world. Air Force personnel with children who could benefit from this program are given consideration for assignment to Wright Patterson Air Force Base because of the existence of this CHAP program at an impacted school nearby. If impact funding is not maintained at its full level. Should this specialized program be abandoned by this school or should local residents be asked to tax themselves further in order to maintain this specialized program of so much value to the Air Force.

The failure of our Federal Government to fund impacted school entitlement could clearly have an adverse effect on the morale of the personnel of the armed services. Without such funds, local residents must take up the slack for the benefit of those whose employment has impacted their school—as well as for the benefit of their own children. If they don't take up the slack, then their own children—as well as the children of Armed Forces personnel—become second-class citizens. This should not be.

Mr. SHRIVER. Mr. Chairman, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from Kansas [Mr. SHRIVER].

Mr. SHRIVER. Mr. Chairman, I rise in support of the amendment to provide full funding under Public Law 874 to school districts impacted by Federal activities.

In view of the great emphasis being placed upon education today, it is completely inconsistent to create a crisis for local school districts by providing only 80 percent of the entitlement under this law. These school districts have planned their budgets on the basis of full funding, and the Federal Government has the responsibility to meet its obligations in this regard.

Public Law 874 was created under the concept that where the Federal Government is supplying a national need by putting a Federal installation into a district, the local problem which is thereby created for educating the children of Federal employees should be assisted by providing Federal funds.

For nearly 18 years this has been an effective program and it has been done without any Federal controls of any kind.

I am concerned about the problems our failure to provide full funding will create in some school districts where there is no tax base and you have an Army reservation, or military installation, and the local school district, maybe with no tax base outside of residential property and little or no industry for property taxation purposes. Such school districts undoubtedly will face financial crises unless full funding under Public Law 874 is provided.

In Kansas, we have many school districts which already have planned their budgets on the basis of receiving their full entitlements under this law. There are certain school districts in which the Administration's recommendations for 80-percent funding would cause havoc in the educational program of these particular communities.

Mr. Chairman, we hear a great deal of talk about establishing priorities in spending. We must put our fiscal house in order, and we must meet the needs of our American boys who are fighting in Vietnam; but we cannot ignore or downgrade longstanding and proven domestic programs. That is where priorities must be established. In establishing priorities, it would appear that the Federal Government has a strong obligation to meet its full commitment under Public Law 874, a proven and longstanding program.

If we fail to do this, school districts which receive this support must either eliminate some of the educational services they provide our schoolchildren, or the school district must find other means to raise funds to continue its educational effort.

The latter, of course, would mean imposing upon local taxpayers an increased tax burden to support needed educational efforts which arise as a result of Federal requirements.

I urge the adoption of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. MACHEN].

Mr. MACHEN. Mr. Chairman, I rise in support of the substitute amendment offered by the gentlewoman from Hawaii, and I hope that it will be passed overwhelmingly.

Certainly, with the exception of the conflict in Vietnam, our commitments to education should have the highest priority.

As has been stated so often on the floor, a lot of these programs are long-range programs where commitments are made, and we have to keep those commitments. I sincerely believe there should continue to be this wonderful cooperation between the local, State, and Federal Governments to insure that the education of our youngsters is second to none.

Mr. Chairman, I repeat, I hope that the substitute amendment is adopted wherein the Federal Government will increase the amount for impacted aid.

The CHAIRMAN. The Chair recognizes the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I believe that this is a most important vote that we are being asked to cast today. It is not only a vote in support of the education of our children, but it is a vote, I believe, which expresses our commitment to programs which have been long established in the Government. A vote for the substitute amendment which I have offered honors the commitment which has been kept by the Congress of the United States for the past 17 years of this program, since 1952.

It is admitted that the President has not requested the funds for this particular fiscal year that we are discussing, but neither did the President ask for funds for the previous fiscal year, for 1966, but the Congress saw fit to appropriate 100-percent entitlement during that particular congressional session.

It seems to me that the school administrators have not had the notice that has been mentioned, and in order to assure the continued benefits of this program, and to assure the best possible education for our youngsters, I urge support of my substitute amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Chairman, I rise in support of the proposed amendment to restore $90,965,000 to the supplemental appropriations bill we are considering.

And, I certainly concur with the gentlelady from Hawaii that payment of full entitlement under Public Law 874 to all federally affected school districts is a just debt that should be paid by the Federal Government.

In my statement before the Labor-HEW Subcommittee of the House Committee on Appropriations early last month, I stressed the importance of Public Law 874 funds to schools in my district and my State.

I am very much aware of the pressures on Congress these days to not only hold down spending on domestic programs, but to cut back such spending. I know that the decisions we must make are difficult ones.

In my statement before the Labor-HEW Appropriations Subcommittee, I said:

> My concern is that insufficient money this year, and in recent years, has been appropriated for aid to federally impacted schools under P.L. 874.
>
> Although $416,000,000 was appropriated for Fiscal Year 1968, only $395.390,000 was allocated to the entire program because of the Bureau of the Budget cut-back in funding in December. In the Urgent Supplemental Bill, the House did not add to the funding for impacted aid legislation, but the Senate added approximately $91 million. In conference, it was agreed to raise the appropriation to $416 million, but the Senate refused to accept the compromise, so the bill is still in conference.
>
> The current level of allocation to Montana is $3,228,000. If the amount of $416 million is finally accepted by both the House and the Senate, it will mean an increase of a little over 5 percent or approximately $3,400,000 for my State. If the Senate figure is finally accepted, it will increase the P.L. 874 funding to Montana by about 23 percent, to a total of $3,970,440—an amount which my State badly needs.
>
> Cutbacks in funding for federally impacted schools has a much greater impact, I believe, in a State like Montana than it might for other areas. Our tax base is more limited because of the lack of major industry in the State and the fact that a considerable portion of land in the State is federally owned.
>
> In the Browning Public Schools in Browning, Montana, this cutback in impacted aid funds has created a major problem. Browning is adjacent to the Blackfoot Indian Reservation, with an enrollment in the primary school of 80 percent Indian children and 90 percent in the secondary school. Under the present level of allotment, the Browning schools are receiving approximately $446,000. If the $416 million figure for P.L. 874 is finally accepted by the Congress, these schools will receive approximately $540,000, but if the Senate figure is accepted, the amount to the Browning schools will increase to approximately $563,000. For a small school system with such a high proportion of its students coming from families from which no taxes are derived, $117,000—or even $94,000—would make a substantial difference in the quality of education these schools are able to offer their students. A really good education is of particular importance to these children, if they are to be prepared to take their proper place in today's society. Indian children have many handicaps to overcome, and we must not add the further handicap of an inadequate education.
>
> The number of federally-connected children in our schools in Montana has frequently fluctuated. The most recent figures I have indicate that there are roughly the same number of B category children as A category children in the schools in Great Falls, Montana adjacent to Malmstrom Air Force Base. What also disturbs me about the present situation is that unless the Office of Education is able to fund Public Law 874 at a 100 percent level, many servicemen at Malmstrom Air Force Base, returning from Vietnam, may find an inadequate school situation for their children. I do not believe, Mr. Chairman, that we in Congress can justify short-changing these young men who are fighting for our country. Malmstrom is not in my Congressional District, but I am concerned about the quality of our schools and educational opportunities not only in my District, but in the entire State, because lack of educational opportunities anywhere in the State are going to ultimately have an impact on the entire State.
>
> It is my hope that this Subcommittee will give vigorous support to appropriations permitting full funding of Public Law 874 both for Fiscal Year 1968 and future years.
>
> In recent months, many studies have been made of the causes of unrest and violence in our country. Without exception, these studies have indicated that one of the basic causes of such unrest is lack of adequate education, which, in turn, leads to unemployment—lack of communication skills and knowledge with which to get a job.
>
> We have made phenomenal strides in education in the last decade, particularly in the last few years. It is ironic that such progress has not kept pace with the growing demands on our educational systems, making necessary the expenditure of vast sums on remedial education and "crash programs" to upgrade verbal skills and train people for jobs.
>
> I believe most sincerely that an important key to the solution of our domestic problems in this area lies in the field of public education and that this is one area we cannot fail to support fully.
>
> I am aware that cuts must be made in our domestic spending as long as we must pursue the Vietnam conflict. But, I am convinced that if we are to continue to grow as a Nation, and remain the strong, vital country we have always been, the one place where we cannot economize is in the field of education.
>
> An informed, alert, educated people is the basic strength of our country. Our children are our hope of the future, and the least we can do for them, I believe, is to insure that they have maximum educational opportunities.

Mr. Chairman, I strongly urge my colleagues in the House of Representatives to support the proposed amendment to restore funds for Public Law 874. I believe that we would be derelict in our responsibilities to our Nation's youth if we fail to provide any or all of them with the education they need to meet the demands of today's society.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, it is difficult to reduce Federal spending. But I am sure that all of us realize we must reduce Federal spending.

The President has reserved under Public Law 90–218 5 percent of the money we appropriated in the last session of the Congress for maintenance and operations under impacted aid, so that 81 percent of entitlement is now being paid.

It seems to me the reasonable compromise offered by the gentleman from Illinois should not be taken lightly by the districts that qualify for impacted aid; 90 percent was the only commitment made by this Congress and by the executive branch of the Government to these school districts from one end of the United States to the other. It seems that to go beyond the 90-percent commitment that was made over 1 year ago—and I emphasize which was made a year ago last January—is to go beyond the responsibility that this Congress has for this fiscal year.

I would also remind the Congress that the school year has closed, and the fiscal year is practically over, so these funds contained in the amendment are actually funds that will be spent in 1969 for next school year.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I had intended to yield my time to the gentleman from California [Mr. VAN DEERLIN], but since he was losing $5,000 for every second that he was speaking, I decided I would not do it.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Hawaii to restore 100-percent entitlement in all categories of Public Law 874 for federally impacted school areas.

This is the second time this year I have voted for these funds. I felt this matter was imperative when the urgent supplemental appropriation bill came before the House April 4. As we well recall, our efforts to restore full entitlement fell short by only 10 votes on that occasion. I hope the House has had an opportunity to reconsider its action and will today rectify the situation.

Many of our schools made up their budgets with the understanding that they would receive this entitlement. The prospect that the rules can be changed in the middle of the game, so to speak, places them in a most untenable position. I strongly side with those school administrations who are protesting that this is unfair treatment.

One of the great problems confronting our Nation is that of educational facilities. Public Law 874 was enacted to alleviate such problems when they have been aggravated by the population impact of Federal installations which place an unfair burden on local taxpayers. I have consistently supported Public Law 874 over the years and I believe it absolutely necessary to meet our responsibilities to our impacted school districts.

Certainly the program must be carefully reviewed and evaluated next year to make certain that there are not abuses, but the meat-ax approach Congress has taken to the program this year is most unjust. I urge the House to reconsider the action it took April 4 and to approve full entitlement.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, as we have said a number of times, the commitment that was actually made was back in January, 1967, in the President's budget—and all schools well know it—was 90 percent of entitlement.

What my amendment calls for is 90 percent for category B schools plus 100-percent entitlement for category A schools.

If you bear in mind what the gentleman from Wisconsin [Mr. LAIRD] said, under the provisions of House Joint Resolution 888, Public Law 90–218, the schools are currently getting only 81 percent of entitlement.

What I am offering in my amendment in this $53 million is a 19-percent increase in category A and a 9-percent increase over this year in category B.

It is adequate and sufficient and it will do the job. Furthermore we can get the other body to agree to that figure I am sure. So in conclusion, Mr. Chairman, I would ask to vote down the substitute amendment and adopt my more reasonable approach.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON] to close debate on the pending amendment.

Mr. MAHON. Mr. Chairman, the House is expected to vote next week on a tax bill coupled with a reduction of $6 billion in budget spending for the next fiscal year, 1969.

The funds involved in the pending $90.9 million amendment could only be expanded in the next fiscal year, 1969.

This $90.9 million figure is above the President's 1969 budget. It is not in the budget total which the tax bill conference report seeks to cut by $6 billion. Increases above the budget, such as in the pending amendment, can only add to the problem of effectuating the overall reduction of $6 billion.

There is pending in the urgent supplemental bill a figure lesser than this; $20.8 million which the House has agreed to, is still in conference and can be altered.

Mr. Chairman, I ask that this amendment be voted down by the House so that the matter can be reconsidered and a suitable compromise agreed to in later legislation.

Mr. MORTON. Mr. Chairman, again in the Congress we review the matter of Federal assistance to county public school systems in areas of high Federal employment. There are good reasons for the Congress to take a new look at the whole proposition of aid to school districts based on special criteria, such as the density of Federal employees in the area.

There are those who believe the program results in discrimination against other areas where the need is equally great, but where the situation does not fit established guidelines. I would urge the Congress to review this whole matter and reassess the program for assistance in impacted areas, to make sure we are not robbing Peter to pay Paul, and that in the broadest sense the public is being served equitably through the investment of their own funds.

But, Mr. Chairman, in the meantime, we cannot change horses in midstream. We cannot undercut school systems whose plans and commitments have been made, based on normal expected funds authorized by Public Law 874. Therefore, it seems to me only logical that we must continue the program as a commitment made until a reasonable alternative is presented.

Therefore, Mr. Chairman, I take this time to urge the chairman of the Appropriations Committee and other conferees on the urgent supplemental appropriations bill to accept nothing less than 100 percent payment for both A and B pupils and support a full entitlement of Public Law 874.

Mr. WHITE. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Hawaii, an amendment which I feel is essential to the fulfillment of our obligations to overtaxed school districts of this Nation, an obligation which Congress assumed in a public law intended to relieve a situation which still exists.

One of the great difficulties which school districts have been experiencing is that of meeting the demands of a shifting population. Large influxes of military forces, civilian employees at military bases, and employees at other Government installations, can completely upset the orderly plans for meeting the expenses of education. When a large industry moves into an area, its presence on the tax rolls improves the income of school districts concerned. This is not true with the Government installation.

It is easy to say that the communities were eager enough to get these military and other Government installations. Of course they were. They contribute greatly to the general economy of the area—but let us pin down the subject to the school district. It may take years for this improvement in the general economy to be translated into available school revenues. In the meantime, the schools face increased expenses without a commensurate increase in revenue. This the Congress recognized when it passed Public Law 874.

Our school superintendents must try as best they can to coordinate Federal appropriations with their local and State revenues and try to do the best job possible in meeting their needs. They cannot do this if they must wait until the school year is over to find out whether Congress will appropriate the funds already authorized by law. School administrators were first warned that they would get only 86 percent of the appropriations for both category I and category II of Public Law 874. Then they were told it would be 98 percent of category I and 81 percent of category II. Public Law 874 authorized 100 percent for both categories, and the amendment we proposed today would restore that amount.

The Office of Education estimated today that my district would lose approximately $750,000 in previously anticipated revenues if this proposed amendment is not accepted. Certainly there is ample evidence, all over this Nation, that education is not the place to cut our budgets. If, in desperation, we must make some cuts in educational funds, let us not cut established and successful programs such as this one.

I believe we have an obligation to the schools of America to meet our commitments fully in the financing of Public Law 874, and I urge my colleagues to support this amendment.

Mr. DOWNING. Mr. Chairman, there is an urgent need for full restoration of Public Law 874 funds in my district, and I feel certain that the need is just as great in all districts throughout the country which are heavily impacted by Federal installations.

We welcome the Federal Government in our community, but we lose substantial real estate, personal property, and business license tax revenues which would normally accrue to us.

The localities appropriate more than half of their total budgets to education and are forced to raise local taxes annually in an effort to keep pace with their ever-increasing educational needs. In spite of this, I am not proposing a similar increase in Public Law 874 funds. I am simply advocating that we continue these funds at their previous level in order not to work an undue hardship on these already overburdened taxpayers.

Mr. STEED. Mr. Chairman, the Public Law 874 and 815 programs are accomplishing an invaluable service for our education system, and it is vital that sufficient funds be provided to enable them to continue to function efficiently. The aid they provide to schools in communities with enrollments swollen by the impact of Federal installations is essential. Schools in areas surrounding military bases are especially dependent upon this type of assistance and will suffer unless these additional funds are approved. In this sense the Public Law 874 and 815 programs are certainly defense-related activities.

It was my privilege to serve on the great Committee on Education and Labor during my first term in the House, in the 81st Congress. At that time I was a member of the subcommittee that conducted hearings on the problems of federally impacted areas, and in this capacity became a cosponsor of Public Law 874 and 815 legislation.

Ever since then I have followed the course of this program with deep interest and pride as it has made a mounting contribution toward the future of our country by helping provide ample education in communities that could not otherwise bear the burden of great Federal impact. In 1967 my State had received $126 million under these programs. Without it the children of those associated with Tinker Air Force Base, Fort Sill, Altus Air Force Base, and Clinton-Sherman could not be getting the educational facilities they deserve.

I urge adoption of the Mink amendment and the continuation of these programs at full effect.

Mr. KYROS. Mr. Chairman, the burden and benefits of Federal educational activities are nationwide. The Public Law 874 program, first adopted in 1950, recognized the inequity of forcing local taxpayers to pay the extra costs of educating an increased enrollment of new pupils as a result of expanded Federal activities in local school districts.

The program has been equitable and has worked well up to now. Presently, however, there is a serious problem. This year the House Appropriations Committee did not consider inclusion of additional Federal aid to impacted school areas in the supplemental appropriations bill, because this was not included in the administration's request. This means that Maine's First District would lose 20 percent of an estimated $1,265,000 in automatic formula grants from the Public Law 874 program in 1968.

Unfortunately, school districts which had expected to receive full allocations under this program were advised—after the school year had begun—and after school budgets had been prepared and approved—that they would receive only 80 percent of the amount to which they are entitled. To the Maine Department of Education and school officials of Maine, this means a reduction in revenues of over one-half million dollars. With limited tax resources, it is clear that our Maine school districts, facing increasing costs for 1968, and with already fixed budgets and appropriations, will not be able to educate our children. I cannot imagine a more critical situation. The impact on several Maine communities will be disastrous; over 75 communities will be directly affected.

Unless we approve this amendment to the second supplemental appropriations bill to provide an additional $90,965,000 to restore 100 percent of entitlement in all categories of the Public Law 874 program, Maine will be deprived, and so will the Nation of the funds it needs to provide an adequate education in those school districts, whose enrollments are enlarged as a result of large numbers of Federal workers in the vicinity. I believe the one common denominator in all the challenges facing us is education. Education is the key word when we talk about problems of employment, expanding our economy, revitalizing our institutions and cities, and in communicating problems as well as solving them.

There is no question that reductions can and shall be made in Federal spending. But to slash Federal aid to education in impacted school districts does not consider priorities. Our vital educational programs must not be reduced. Public Law 874 should receive top priority. Unless full assistance for federally impacted areas is made available to our Maine school districts, I have been advised that some schools will be closed. I can think of no way in which our Nation can better demonstrate its concern for our civilian and military personnel and their families, than by restoring full assistance for education in impacted areas.

Mr. POLLOCK. Mr. Chairman, I rise in support of the supplemental appropriation for "education and welfare services" by the Bureau of Indian Affairs. Approximately one-third, or $1,107,000, of the $3,107,000 recommended by the Appropriations Committee for this item is for vital welfare assistance to Alaskan natives.

Under the terms of Alaskan statehood, the Bureau of Indian Affairs is maintaining, on an interim basis, its original responsibilities for the education and welfare of Alaskan natives. These functions will ultimately be transferred to the State of Alaska.

Except for the States of California, Oregon, and Washington, the Bureau of Indian Affairs is still responsible for the education and welfare of all Indians in the Western States who live on nontaxable lands. Thus, this supplemental appropriation to assist Alaskan natives is comparable to action that would be taken in most other Western States under the same circumstances.

This supplemental appropriation would be used by the Bureau of Indian Affairs to provide direct welfare assistance to Alaskan natives as a result of two major disasters late last year.

The Bureau of Indian Affairs will use $683,000 of the supplemental appropriation to augment the income of some 912 Alaskan native families embracing 4,508 people who are almost totally dependent upon the commercial harvest of salmon for cash to meet their basic living needs. Last year the salmon catch was about one-half the average for the preceding 10 years and as a result virtually eliminated the major source of income for these 912 Indian, Eskimo, and Aleut families living in 70 different Alaskan communities.

In addition, $424,000 has been included in this supplemental appropriation for the restoration of native housing damaged in the disastrous Tanana River flood last August. This flood caused damage to some 305 native homes—225 in Fairbanks, 59 in Nenana, and 21 in Minto. The amount recommended by the Appropriations Committee will be used to cover only the costs of the basic necessities and to restore these native homes to their condition prior to the flood.

Mr. Chairman, the distinguished members of the Appropriations Committee have long recognized the urgent need for improving the shocking and disgraceful native housing in Alaska and other Indian communities throughout the Nation and I commend them for their actions.

Mr. Chairman, I respectfully and

wholeheartedly urge that we continue the worthy record established by this Congress and approve the supplemental appropriations to meet the urgent needs of Alaskan natives.

Mr. BOB WILSON. Mr. Chairman, I rise today in support of this amendment to fully fund the impact aid to education program and to urge the House to adopt this measure.

This program for assisting school districts burdened with the responsibility of educating children of federally employed families is the most successful school aid program we have ever had. I have consistently supported the program for two reasons. First, since Federal activities create many of the problems such as overcrowding of schools, the Federal Government has a clear-cut responsibility to assist these school districts. Second, there is very little Federal intervention in the school districts' spending of these funds.

Presently, school districts under this program are receiving only about 86 percent of their full entitlements because the administration refused to fully fund the program. Local school administrators, including those in my area of San Diego, now find themselves out on a dangerous limb because their budgets were prepared on the basis of receiving full entitlements. Unless we meet our obligation today by adopting this amendment, these school districts will be left stranded with two alternatives. Either they can cut back their educational programs or increase local school tax rates. I submit that there are many more areas in our Federal Government where we can economize rather than in the impact aid program. For example, we spend billions of dollars on so-called antipoverty programs which have not been anywhere as effective as local school systems in fighting illiteracy and subsequent poverty.

In April, the House voted to increase the impact aid funding by some $26 million. I supported that proposal then even though I preferred to see the full $91 million approved. My feeling at that time was that by granting a "half-loaf" then, it would give Congress time to try to correct our national fiscal crisis so that the second "half-loaf" could be granted in the supplemental appropriations bill before us today. Now that the time of decision is upon us, I strongly urge that we approve this much needed appropriation for the impact aid program.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Hawaii as a substitute for the amendment offered by the gentleman from Illinois.

The question was taken.

Mrs. MINK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mrs. MINK and Mr. MICHEL.

The Committee divided, and the tellers reported that there were—ayes 112, noes 80.

So the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MICHEL] as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. CAHILL

Mr. CAHILL. Mr. Chairman. I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAHILL: On page 17, after line 17, insert the following:

"OFFICE OF EDUCATION

"GRANTS FOR SCHOOL CONSTRUCTION IN FEDERALLY IMPACTED AREAS

"For an additional amount for grants to local educational agencies for construction of school facilities, as authorized by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress, 20 U.S.C. 631–647), $40,000,000."

And redesignate accordingly.

Mr. CAHILL. Mr. Chairman, I realize the hour is late and I shall try to explain this amendment very briefly. I cannot help but observe, however, that this last vote dramatically demonstrates, at least to me, the wisdom of those Members who have urged the President to announce in advance what cuts he proposes to make of the $6 billion, because it seems to me if we vote a tax bill and then we are told that areas such as this are going to be part of the $6 billion cut, then what we are really doing is kidding ourselves, because we are going to come right back here and restore every nickle that is cut.

This amendment is similar to the previous amendment, except that this provides $40 million for school construction, as distinguished from school maintenance. As an example, I represent a district that has Fort Dix and McGuire Air Force Base. We are marshaling our troops at Fort Dix to send overseas. We are bringing our wounded veterans back to the hospital facilities at Dix and McGuire. This means personnel are being brought in. The school districts are not adequate by way of facilities and they must construct new schools.

In this bill we do not have any money for school construction. The Commissioner has told us that there is needed for current construction programs, $167 million. We are providing only $24 million.

This amendment provides $40 million of the $167 million that is necessary. It is a compromise amendment. It is necessary if we are to provide the schools that will house the teachers and to supply the necessary facilities. It is as essential, in my judgment, as maintenance and operation.

Mr. Chairman, I urge adoption of the amendment.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

This should be known as the amendment to get money to build schools that are not built. This has absolutely no relationship whatsoever to Public Law 874, upon which the Committee has just acted.

Now, you have done pretty well with 874. Do not overplay a scene. Never do that.

There is now in the reserve $49,323,000. Hear that, $49,323,000 in the reserve.

You have three funds for 1968, three funds of $24,772,000.

Furthermore, Mr. Chairman, as contrasted with the maintenance funds of Public Law 874, these funds carry over as construction funds always do. They carry over from one year until the next year.

And furthermore, as different from Public Law 874, the entitlements for 1968 carryover. And you have a total carryover of entitlements of $150 million.

What you are concerned about on construction is an entirely different thing. There is an old phrase about this kind of thing which does not bear repeating in nice company, but I think you know what the situation is.

Does the gentleman from New Jersey wish to have me yield?

Mr. CAHILL. Yes.

Mr. FLOOD. I yield to the gentleman from New Jersey.

Mr. CAHILL. Does the gentleman agree that there are some districts in this country, which have entered into contracts for the construction of school buildings on the basis of grants already committed to them and have now been told that those grants are being deferred?

Mr. FLOOD. But does the gentleman not understand that the carryover of construction is from year to year? All construction under all budget arrangements for all departments is year to year. So this is not true.

Mr. CAHILL. Will the gentleman yield further?

Mr. FLOOD. I yield.

Mr. CAHILL. If a school district has counted on a grant of $800,000 and has entered into a contract to pay for the construction of a school building, where does the school district get the money to pay the contractor?

Mr. FLOOD. The school districts spoken of—and there are not a corporal's guard in the entire United States—may have to do this. This is a 1968 supplemental bill. Imagine the poor broken hearts of the school boards. They will have to wait perhaps two whole weeks. Is that not too bad? Is that not too bad?

Mr. CAHILL. Mr. Chairman, will the gentleman yield further?

Mr. FLOOD. I yield.

Mr. CAHILL. While I have the greatest of respect for the gentleman——

Mr. FLOOD. And I admire my neighbor from New Jersey.

Mr. CAHILL. I will say to the gentleman that in my judgment, in this particular case he is mistaken. If my friend will, as a member of the Appropriations Committee, guarantee that the two school districts in my district will get their money after waiting 2 weeks, I will withdraw the amendment.

Mr. FLOOD. Let me tell you this. You should talk to my subcommittee. I am the chairman of a subcommittee on which there are 11 votes. There are 10 votes against me. I am a peerless leader. I would vote for you in 5 minutes, but the committee will not.

Mr. CAHILL. I believe the gentleman has answered my question, and I will not withdraw the amendment.

Mr. FLOOD. Just wait for 2 weeks.

Mr. Chairman, I yield back the remainder of my time, and of course this amendment should be defeated.

The CHAIRMAN. The question is on

the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

"School assistance in federally affected areas", $500,000; and

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I would like to raise a question on the item on page 20 of the bill, line 4, "School assistance in federally affected areas," $500,000.

Mr. FLOOD. That is a transfer of funds from where the money is to the work incentive programs. This is in the bill and in the report. The gentleman is prodigious in reading the reports. This is a program which we cut back by about $20 million, but we feel it is such an important program that we have not eliminated it, and we do not feel that we should imperil it.

Mr. GROSS. This then is in addition to the millions in Federal funds for so-called impacted schools. Is that right?

Mr. FLOOD. The gentleman has read this bill. It is on page 19 at the top of the page. It is a $10 million program, and the funds are not fresh money. It is a transfer of funds.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For an additional amount for "Administering the public debt", $455,000, and release of $260,000 pursuant to Public Law 90–218.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Does it require a deficiency appropriation to run the Bureau of the Public Debt, may I ask someone on that particular subcommittee?

Mr. STEED. Yes, because they not only have the automatic pay raise they have to take care of but also the workload has increased. They have to pay for most things they use. These are automatic mandatory increases.

Mr. GROSS. They may be mandatory increases but this is because the Bureau of Debt is out of money, or will be out of money?

Mr. STEED. Yes, but this request is made in order for them to finish the year.

Mr. GROSS. Would the gentleman agree that it is entirely fitting that the Bureau of the Public Debt be out of money since every other agency and department of Government apparently is out of money?

We are fast working up to a bankrupt situation in the entire Federal Government, and it is intriguing that even the Bureau of the Public Debt is in here asking for money in a deficiency basis.

Also, Mr. Chairman, while the gentleman from Oklahoma [Mr. STEED] is on his feet let me ask about the Secret Service and the $700,000 which is being sought for that Service. Is that in addition to the $440,000 that was authorized for the Secret Service a few days ago or is it in addition?

Mr. STEED. That is in addition to this amount, because this amount here is needed to pay salary increases and other automatic costs that the present staff must have in order to finish out the year. The $400,000 is to take care of the brandnew activity that we just started last week.

Mr. GROSS. A great many of these items, representing millions of dollars contained in this bill, are for salary increases; is that correct?

Mr. STEED. Most of the Treasury Department appropriation bill, as the gentleman knows, traditionally 80 percent of their total budget goes for salaries because of the large number of people employed in the Post Office and Treasury Departments. So when the Congress granted the pay raise, it imposed a very heavy burden upon the Department in order to meet these pay raise increases.

Mr. GROSS. But, this does not include a single dime for the $1.6 billion pay increase that becomes effective automatically on July 1; is that correct?

Mr. STEED. That is right; there is no provision contained in here for that.

Mr. GROSS. And yet we are going to vote next week on a tax increase bill that contains a proviso purporting to cut spending by $6 billion; is that correct?

Mr. STEED. That is the gentleman's understanding. However, I do not know if the conference report has been filed as yet on that particular matter.

Mr. GROSS. Does the gentleman agree with me that this is about as incongruous a situation as this House could possibly get in, having just voted to add $90 million to $100 million for so-called impacted schools in a $9 billion deficiency appropriation bill here today, and yet be confronted next week with a bill to increase taxes and claim that we are going to cut expenditures by $6 billion?

How nonsensical can you get?

Mr. STEED. The Treasury Department bill for 1969 has already passed the House and we reached a conference agreement today and hope to have it up for consideration of the House next week. That bill, when it becomes law, will have no increase contained therein for salary increases which go into effect next July. If that does go into effect, then we will be confronted with the proposition of an additional deficiency with which to pay these increased salaries.

Mr. GROSS. It is going to be very interesting to look at the record of those who vote for a tax increase next week and compare that with the vote today by which this bill is increased by $100 million.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Clerk will read.

Mr. MAHON. Mr. Chairman, I rise for the purpose of asking unanimous consent that the remainder of the bill be considered as read and that the remainder of the bill be open to amendment at any point.

I would point out, Mr. Chairman, that most of the remainder of the bill is on increased costs that were necessary as a result of pay legislation, and I believe that most Members are familiar with the general requirements.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, reserving the right to object, I would like to ask the distinguished chairman of the Committee on Appropriations the meaning of the language of section 303 on page 61 under "General Provisions."

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. MAHON. This is a provision that was requested in the budget, and it is required. It makes it possible to make the payments which are referred to in section 301.

This provision was carefully screened, and I do not believe the gentleman would have any objection to it. It just enables the departments and agencies to carry out the law, and pay the salary increases at the rates that were approved by the Congress.

The gentleman from California [Mr. LIPSCOMB], looked into this rather deeply, and I believe he could speak very wisely on it if the gentleman from Iowa would yield to the gentleman from California.

Mr. LIPSCOMB. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. LIPSCOMB. Under the pay increase bill we passed last year, there are three increments to the pay increase. The next one is proposed to come due on July 1.

Now, the President in his total budget figures included approximately $1.6 billion for that pay increase, but this has not been included in the individual bill. This particular section, section 303, will permit the administration to make those increases in pay without going according to section 3679 of the Revised Statutes, which means that they can apportion the pay increase as it comes due as of July 1. In other words, the pay increase in the 1969 fiscal year appropriation act.

Mr. GROSS. Does that mean that the Executive order that was issued today, or is proposed to be issued very shortly, providing for a pay increase in the executive branch as well as the pay increases for employees of the legislative branch, is covered by this language?

Mr. LIPSCOMB. It is due any time, if it was issued today, probably that is the one which conforms to a law that we passed last year, but this will permit the administration to administer those pay increases without having them in each and every individual appropriation act. It will have to come eventually with a supplemental bill to cover it, which is estimated to be about $1.6 billion.

Mr. GROSS. That means an automatic pay increase?

Mr. LIPSCOMB. When we passed the pay increase bill last year it was in three increments, that is correct.

Mr. GROSS. I thank the gentleman for his explanation.

Mr. LIPSCOMB. We have made as sure as it is reasonably possible to do so that the administration will have to follow all of the provisions of the budget act, which are contained in section 3679 of the Revised Statutes; that means that they will have to report to Congress what they have done.

Mr. GROSS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. MAHON]?

There was no objection.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. YATES: On page 62, after line 13, insert the following:
>
> "None of the funds in this act shall be available for any expense in connection with licensing the import by any private individual or by any nongovernmental corporation, organization, firm or institution of any surplus military rifles, shotguns, pistols or other firearms, or destructive devices or for the expense of clearance through Customs by any such importers of any such surplus military rifles, shotguns, pistols or other firearms or destructive devices."

Mr. YATES. Mr. Chairman, Members may be surprised that I offer this amendment to an appropriation bill.

Yet any vehicle is proper if it is the only one at hand.

I have been in Congress almost 20 years. In all that time, I have not had an opportunity to vote on a House bill regulating guns, let alone offer an amendment. The bill we considered last week was an omnibus bill. It was considered under a parliamentary situation which precluded the offering of any amendments. The bill had to be accepted or rejected in toto.

The purpose of my amendment today is to ban the importation of surplus military weapons. It would ban the utilization of Federal funds for licensing the import of military surplus rifles, pistols, or other firearms by any private individual or by any nongovernmental organization, firm, or institution, or for any expense of clearance through customs of any such firearms by any such importers. The effect of the amendment would be to stop all importation of foreign manufactured military surplus firearms, whatever their nature. The United States would no longer be "the dumping ground of the castoff surplus military weapons" of any nation. There are compelling reasons why such a ban is desirable.

In the most general sense, the tragic events of the past week serve to underline the urgent need to limit the dissemination throughout society of the instruments of violence. As Senator EDWARD KENNEDY stated on the floor of the Senate less than a month ago:

> Tougher firearms legislation is required . . . in order that 200,000,000 Americans can sleep and walk and work and play with greater peace of mind. That is the question before us, and the results of the way we answer today will be measuerd in lives saved, robberies avoided, injuries prevented and snipers disarmed. If we are really serious about doing something about crime and riots and violence, here is our chance.

I offer the House, through this amendment, yet another chance to achieve the purposes outlined in Senator KENNEDY's speech and urge them not to let that chance pass.

It is not necessary here to recite again the long list of public opinion polls, conducted among gun owners alike, that overwhelmingly endorse stronger gun control legislation. It is not necessary to remind us of the flood of mail now passing into our offices—strong and effective gun control. It is difficult to take seriously the arguments that firearms control laws infringe on the rights of the average citizen when so many average citizens clamor for their passage. The amendment is not offered as a panacea for all the destruction wrought in our society by the indiscriminate use of firearms, but rather as an improvement on existing legislation that is clearly inadequate in the light of the dimensions of the problems we face.

I hardly need remind you that the weapon that killed John F. Kennedy was an Italian military surplus rifle. Evidence before numerous congressional committees showed that during a recent 5-year period there were 50,745 cases where long arms—that is, rifles and shot guns—were used in crimes of violence or other illegal activities. The reluctance on the part of Congress to limit in any way the freedom of responsible sportsmen to purchase weapons for hunting and target shooting is understandable, but the fact remains that those same weapons can be used to perpetrate crimes of all descriptions.

It would be indeed fortunate, for sportsmen and legislators alike, if rifles themselves and weapons "generally recognized as particularly suitable for or already adaptable to sporting purposes" could be relegated to a category that was entirely exclusive of weapons used in crime. That is not, unfortunately, the case. Weapons that kill game or obliterate bulls-eyes are just as efficient as instruments of human destruction, as weapons designed especially for that purpose.

It is also irrefutable that military weaponry, whatever its suitability or adaptability for sporting purposes, is designed for use in warfare against men. When the Congress was formulating its gun control legislation, it would have done well to address itself not only to military weapons adaptable to sport, but also to military weapons adaptable to criminal activity.

The Department of Defense has already made a policy decision that reflects the judgment that it is undesirable to make available to the general public surplus military weaponry of any description. The Department of Defense formerly disposed of its surplus firearms through commercial and other private channels, but has suspended all such sales since 1963. Moreover, the policy in recent months calls for the disposal of all surplus military firearms either through dumping them in the ocean or in some other way destroying them. If the Department of Defense can take such drastic measures to keep military firearms off the open market, the Congress can certainly do no less. It is certainly an anomalous situation when a government bars the sale of its own military surplus firearms and dumps them in the ocean, while at the same time continuing to countenance the importation of foreign manufactured surplus weaponry. There is more than ample precedent, then, for the course of action I propose here today. It is my judgment that the sportsmen and property owners in this Nation can provide for their needs well enough without the availability of imported surplus military firearms.

I urge adoption of my amendment.

Mr. SIKES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have a great deal of respect and admiration for the distinguished gentleman from Illinois [Mr. YATES] who offered the amendment. I count him my very good friend. But I oppose the amendment. I think he is mistaken in his objectives in offering the amendment.

Mr. Chairman, let us look at the facts. There are those who seek gun registration in the United States. There are those who in final analysis want to deprive all individuals of the right to own firearms. If you will think on the language now before us, innocuous as it seems, the language—and I quote from the amendment itself—would require that the weapons covered by the amendment be registered by type and serial number with the Commissioner of Customs, and the names and addresses of the initial retail purchasers——

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SIKES. In just a moment.

Mr. YATES. You are reading the wrong amendment. That is not the amendment under consideration. That is the one I propose to offer next.

Mr. SIKES. Then both of them are bad. I am opposed to both and both should be defeated. They have no place in the orderly consideration of sound legislation.

The Congress has just completed action on a handgun control bill. Both the House and the Senate had opportunities to consider and to adopt language of this type, but neither did so, nor was the language recommended by any committee of Congress.

The question of additional gun controls is still before Congress. We have the President's recommendations. The committees of Congress are considering these and other proposals. Obviously, this is not the time and place to adopt another gun bill. There have been no hearings. We know nothing of the requirements imposed on the departments of Government by this language. We do not know how many additional personnel would be needed. We do not know how much more recordkeeping and paperwork would be required. We know that it would be costly because of the additional requirements, but there are no funds included. In fact this is a supremely useless gesture for it applies to a supplemental bill for fiscal 1968 which ends in less than a month.

May I point out that we do have effective laws which govern the importation of weapons and, as far as I know, there has been no complaint about the operation. Surely there is no requirement for precipitous and poorly considered action at this time.

One final thought: Many of the weapons which the gentleman proposes to bar are good weapons which can be procured by law-abiding sportsmen for less money, and that is what they are seeking.

I would not want to see the House rule out the opportunity for law-abiding citizens to acquire good weapons by this precipitous action. It has been considered by no committee and recommended by no committee of Congress. It is before us late in the day. Should we be swayed by the eloquence of the distinguished sponsor and by prejudice against all weapons because of the terrible things that recently have happened, to adopt this unfortunate amendment?

Mr. YATES. Mr. Chairman, will the gentleman yield in order that I may ask unanimous consent that the Clerk re-read the amendment so we may be sure what the amendment is that is being considered?

Mr. SIKES. I yield to the gentleman from Illinois.

The **CHAIRMAN.** Unanimous consent is being requested that the Clerk re-read the amendment. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk re-read the amendment.

Mr. SIKES. The gentleman is correct. I had quoted from the amendment which will follow. It should be significant, however, that every objection I have raised would prevail against the pending amendment except for my language pertaining to registration. There is no requirement for registration in the language which the gentleman has offered, but every other statement which I made against it holds. My argument in its entirety will hold against the amendment requiring registration of imported weapons which the gentleman from Illinois is prepared to offer next. That language is even more dangerous, for it would set the beginnings of gun registration. This is one step from gun confiscation and denial of the right of the individual to own weapons of any kind.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this amendment relates to the importation of firearms. The President has sent down a further message this week in regard to firearms. I am advised that the Judiciary Committee of the House met this morning for the purpose of considering that message and with the hope of reaching an early decision on an additional bill having to do with firearms. As chairman of the Committee on Appropriations, I regret to be placed in the position of concurring in an action that seems to me premature and which might undercut the present deliberations of the Committee on the Judiciary.

It would seem to me this language ought to be thoroughly probed. Members cannot come to a definite conclusion as to its merit in the next 2 or 3 minutes. I think the subject of the amendment ought to be thoroughly and carefully studied by the Committee on the Judiciary, and by the House, or by the appropriate legislative committee. I think that a committee might very probably incorporate any worthwhile provision of the amendment in legislation dealing with the general subject. We ought to deal with this subject, not in piecemeal, but meet it head on in a well-crucified bill and not in a hastily drawn limitation on an appropriation bill.

I am not arguing for or against the objectives of the gentleman's amendment, but I am arguing against the timeliness of the consideration of this sort of provision in a very limited time period here on the floor, without hearings or deliberate committee consideration.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman over the years and recently has been a very firm advocate of economy and of maintaining a sound balance of payments. It is not true, if this amendment is adopted, it will help the balance of payments of the United States? Does not every little bit help?

Mr. MAHON. Mr. Chairman, an amendment in that respect would be very insignificant, of course. Besides, the main thrust of the amendment is firearms control and registration, not balance of payments. We want to be sure that we take the right action with respect to this matter through the appropriate committee, which in this case would seem to be the Committee on the Judiciary.

Mr. Chairman, I ask for a vote on the amendment.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 60, noes 96.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 62, after line 13, insert the following:

"None of the funds in this Act shall be available for any expense in connection with the clearance through customs or licensing the import by any private individual or by any nongovernmental corporation, organization, firm or institution of any rifles, shotguns, pistols, or other firearms which are not registered by type and serial number with the Commissioner of Customs, and the names and addresses of the initial retail purchasers of which are not subsequently furnished to said Commissioner."

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment.

The **CHAIRMAN.** The gentleman from Texas will state his point of order.

Mr. MAHON. It is legislation on an appropriation bill, requiring additional duties, not otherwise provided by law.

The **CHAIRMAN.** Does the gentleman from Illinois wish to be heard on the point of order?

Mr. YATES. Yes, Mr. Chairman.

I am not quite sure as to the point the chairman of the committee makes. Certainly there are not additional duties imposed on any of the officials of Government here. Such additional duties as may be imposed are those which are usually required in connection with landing passports or information of that kind.

In this case the information which is to be submitted is not by the collector of customs but by the individuals who import the guns.

Insofar as additional duties are concerned, if there are any additional duties, they are not of a kind which would be subject to that rule.

For example, I cite the case that appears in "Hinds' Precedents," volume 4, No. 4002, where the case under consideration was one where an appropriation was limited for payment of the expenses of certain judges unless on an itemized statement. In that case there was a requirement for itemization. In that case the Chair at that time overruled the point of order which was made.

This, I submit, is a similar case, Mr. Chairman, and I suggest that the point of order should be overruled.

The **CHAIRMAN.** Does the gentleman from Texas wish to be heard on the point of order?

Mr. MAHON. Mr. Chairman, as I interpret the amendment the Commissioner of Customs would be required to assume the further responsibility of registration, of keeping the names and addresses of the initial retail purchasers, and so on, as set forth in the latter part of the amendment. It does seem to me that this is legislation on an appropriation bill and that it does require these additional duties not heretofore prescribed by law.

The **CHAIRMAN** (Mr. O'HARA of Michigan). The Chair is prepared to rule on the point of order.

The amendment offered by the gentleman from Illinois speaks of firearms which are to be registered by type and serial number with the Commissioner of Customs. However, the amendment does not purport to establish a system of registration to be maintained by the Commissioner of Customs and it seems to the Chair merely requires that this information be furnished to the Commissioner of Customs along with the names and addresses of the initial retail purchasers.

The Chair therefore would interpret the amendment as not imposing any additional duties of a ministerial sort upon the Commissioner of Customs, but rather upon the importer or holder of the license.

The Chair therefore overrules the point of order.

The gentleman from Illinois is recognized for 5 minutes in support of his amendment.

Mr. YATES. Mr. Chairman, we have heard the gentleman from Florida, my very good friend, for whom I have profound respect, argue to the House about the horrors of gun registration.

What is it about guns that makes them so sacred, so inviolable? Is a gun such a glorious and beautiful thing that to register it would somehow blemish its beauty or detract in any way from its legitimate utility? Granting the fact that most of the more than 50 million guns in the United States are used for sport or personal protection, one wonders nonetheless what it is about them that should make them immune to registration, or how such registration would interfere with their use. Registration is, to be sure, somewhat of a bother, but then so is getting shot, or robbed, or assaulted with a firearm. If I had my choice, I would prefer to be bothered by a little red tape.

But is registration so terrible? Automobiles—even sports cars are registered, and we all know the love lavished on a Porsche, or a Mercedes or an Alpha Romeo by a sports car buff. And what about dogs? Dog lovers register their pets faithfully—and that registration usually involves attaching to the animal's collar a cheap-looking metal tag. Why should a dog have to haul around with him such an unattractive badge of identification? Because society demands a measure of protection. Dogs perform certain positive social functions—they provide companionship, flush and retrieve game and sometimes even track down criminals. But those functions provide for canines no exemption from registration, because some dogs do bite—and some also carry disease which threatens the personal safety of our citizens.

Guns neither carry disease nor bite, but they kill and maim thousands of Americans every year, in addition to the other functions they perform. There is no valid reason why a single gun in this country should be exempt from registration. The choice between avoiding a small inconvenience and taking substantive steps to stem the rising tide of violence by firearms is no choice at all. I shed no tears for the firearms manufacturers or gun lobbies whose prosperity they think—without reason in my opinion—might in some way be diminished by thorough firearms registration measures. But I have sympathy for the thousands of families across our Nation that each year are forced to bear the burden of grief resulting from the unchecked, unlicensed dissemination of firearms throughout our society.

Our refusal to enact meaningful firearms control legislation has the effect of sanctioning violence. In no other civilized nation in the world does the gun enjoy such freedom from reasonable restraints as in the United States so flagrant is its immunity that an editorial columnist in one of the Chicago newspapers has facetiously suggested that the torch in the Statue of Liberty's hand be replaced by a pistol. This is grisly, unfunny suggestion to be sure, but so is the grisly and protected gun.

We took a step last week to curb the hand gun's excesses. We ought to take the same step for all other guns. We ought to be committing outselves to creating the kind of national environment in which such a thought would never occur. The rhetoric that resounds in this Chamber deploring violence is made hollow and meaningless by the reluctance of Congress to take substantive action to restrict the use of the instruments of death and destruction. The amendment I propose today would require the registration by type and serial number of all rifles, shotguns, pistols, and other firearms imported into the United States and the names of the first retail purchaser inscribed. The Department of Commerce estimates that last year alone the United States imported 239,141 rifles, 221,667 shotguns, and 747,013 pistols and revolvers. Imported firearms accounted for more than 40 percent of the total U.S. consumption of guns in 1967, according to the best estimate of the Commerce Department. This amendment would be a major step in the direction of universal registration of firearms and I urge you to support it.

The amendment that I propose today would require the registration by type and serial number of all rifles, shotguns, pistols, and other firearms brought into the United States and the name of the first retail purchaser inscribed with the Collector of Customs. That would give the police an opportunity to act. I point out to you in connection with the death of Senator Kennedy that the criminal or, rather, the alleged criminal who killed him was identified by his family from a picture, but if by some chance he had escaped, leaving the gun behind him, under the laws of the State of California, he would nevertheless have been found, because that gun was registered and the police were able to go to the person whose name they had and find that the person whose name was registered had given the gun to him.

Mr. Chairman, I urge the adoption of my amendment.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is not the time or the place to write legislation on this very important subject of gun control. The matter is now pending before the Committee on the Judiciary. That committee, as I understand it, met today for the purpose of trying to take early action on legislation involving this important subject.

Mr. Chairman, the passage of this amendment might lead some people to believe the Congress had really dealt comprehensively and substantively with gun control legislation, which in my opinion would be erroneous.

The pending amendment says that none of the funds in this act shall be available for examining, licensing, and so forth.

Mr. Chairman, the funds contained in the pending bill are designed to deal with gun importations. There are other funds available, previously appropriated, that could be used. The amendment applies only to this pending supplemental bill, the main thrust of which expires at the end of this month. Therefore, this is unfeasible and not substantial.

Mr. Chairman, in my opinion it would not be wise to pass this sort of temporary legislation which none of us can completely and definitively interpret here on the floor. There are many Members on the floor of the House who are favorable to some sort of more effective action with respect to control of firearms. This matter ought to be given a thorough hearing before the Committee on the Judiciary or any other appropriate legislative committee.

Mr. MAHON. No funds are provided in the pending bill for gun control, but nonetheless the amendment applies only to funds in this bill. Why take that position, since it seems ineffective in the circumstances? To do so might tend to mislead and prevent due consideration of the subject.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman cries again for inaction. When will we act? The gentleman from Florida said that the adoption of this amendment would be the opening wedge. Yes, it would be an opening wedge, an opening wedge for reasonable restraints on the use of the deadly weapons which threaten our society. It is time that Congress took steps to heed the demand of the American people for protection from the growing menace of guns, both pistols and long guns.

Mr. Chairman, the journey of 1,000 miles begins with a single step. This amendment, meager as it is, represents the first step in the direction of adequate gun control.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BATTIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BATTIN. In view of the ruling of the Chair, or the chairman [Mr. MAHON] raising a point of order, I recall that the Chair said that this did not require registration or keeping of books.

In light of the argument made by the gentleman from Illinois in speaking for his amendment, I wonder if it is possible for the Chair to reverse itself, and sustain the point of order?

Mr. YATES. The parliamentary inquiry comes too late, does it not?

The CHAIRMAN. The Chair will state that the Chair is not going to interpret the amendment for the gentleman from Montana. The gentleman from Montana is perfectly capable of doing so.

Mr. McCARTHY. Mr. Chairman, I move to strike the last word.

As we all know, the administration had hoped to bring out the new gun bill today, but unfortunately by a vote of 16 to 16 in the Committee on the Judiciary, the committee declined to report the new Celler bill—the administration's new firearms bill.

Another vote will be taken, as I understand it, on the 20th of this month. In view of that delay it seems to me that since the public is urging action at this time, and we are all aware of it, we are all getting flooded with mail, that this amendment is an opening wedge. It would merely call for the registration of imported weapons. I think we can use the term used by the distinguished gentleman from Florida that it is an "opening wedge," and that it is a small, little opportunity for us in the House to express our sentiments on what I would call today as the overriding issue in the United States.

Mr. Chairman, I urge adoption of the amendment offered by the gentleman from Illinois.

Mr. MAHON. Mr. Chairman, would the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Texas.

Mr. MAHON. I assume the gentleman would agree that there is no money in this pending bill relating to weapons control, and that since the amendment only says that none of the funds in the pending bill shall be used, and so forth, the amendment would not really prohibit the licensing of imported weapons, and so forth, unless funds for the purpose were appropriated in the pending bill.

So, it seems to me the amendment is ineffective. We must not mislead ourselves or the American public. We should leave the resolution of this matter to a more deliberate occasion before we take action.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Illinois.

Mr. YATES. Again, Mr. Chairman, is the cry of delay, delay, leave it to the Committee on the Judiciary. I say, Mr. Chairman, in 20 years the Committee on the Judiciary has not brought us in a bill that would provide gun control legislation.

Second, Mr. Chairman, there are funds in here for the Office of the Collector of Customs; there are funds in here that are made available as a result of the release of funds of the Economy Act of last year. There is action that can be taken in this bill. Do not be misled by the blandishments of my dear friend, the chairman of the committee, but he is not telling the truth when he says that this is not a meaningful gesture. This is a meaningful act. And this House ought to go on record in support of control of guns beyond the proposition adopted last week.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from California.

Mr. COHELAN. Will the gentleman from Illinois remind the House of the testimony, and as to what happened in our committee, where the Commissioner referred to the illicit arms that came into this country from foreign countries in packages, and where the customs service conducted a test on this very question?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Illinois.

Mr. YATES. The customs service recounted to our committee that it had taken a 10-percent sampling of the mail coming back from Vietnam, on mail that was coming through customs, and there were arms, there were rifles, there were shotguns, there were knives, hand grenades, bazookas, all kinds of weapons that were coming through the mail, and which, incidentally, can still be imported, ammunition, rifles, shotguns can still be imported. But that was just a sampling of what happened on 1 day on what was coming back to the United States through customs.

Mr. McCULLOCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was interested in the comments of the gentleman from New York [Mr. McCARTHY]. I would like to ask him whether or not the administration bill about which he was talking, that was introduced yesterday and the print of which was first made available sometime late yesterday afternoon contains a provision for gun legislation.

Mr. McCARTHY. My understanding is that it does not.

Mr. McCULLOCH. I am very glad that the gentleman made that statement because we were talking about gun registration, by the gentleman from Illinois.

Now I could not help but note, being on this side of the aisle, that the statement was made, that there has not been any gun legislation out of the Committee on the Judiciary for 20 years.

Mr. McCARTHY. And there has not been.

Mr. McCULLOCH. Now for those 20 years the party on the gentleman's side of the aisle has been in the majority on that committee.

Furthermore, Mr. Chairman, the bill about which the gentleman from New York is talking, and was in the corridors giving advice this morning—I repeat—came into the House late yesterday. It was before the committee this morning and it was not read either by line or by paragraph or by sentence or by title. The unbelievable procedure was sought to report that bill out with no hearings whatsoever and without even reading the bill.

The Committee on the Judiciary is not acting on important legislation in that careless fashion.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield for me to reply?

Mr. McCULLOCH. I asked the gentleman, does the gentleman know whether or not the Attorney General did know that this supplemental was coming up?

Mr. McCARTHY. Will the gentleman yield for a reply?

Mr. McCULLOCH. I have asked the gentleman a question, did the Attorney General know it?

Mr. McCARTHY. I am not aware of what the Attorney General knew about this. But this bill which I cosponsored today is basically along the same lines as the original Celler bill.

Mr. McCULLOCH. Mr. Chairman, I do not yield further since I only have 2 minutes remaining on this matter.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Chairman, I would like to make this observation.

Essentially, gun legislation goes through the Committee on Ways and Means. These are amendments of the National Firearms Act of 1934 and the Federal Firearms Act of 1938.

The Committee on Ways and Means held extensive public hearings on this legislation back in 1965. The administration witnesses were unable to tell us what the law enforcement had been in this area and they were told to report back after they had made a thorough investigation. There has never been a reporting back to the Committee on Ways and Means.

I might say while on this subject, as I stated on the floor of the House last week, the gun that Oswald received to shoot the President could not have been obtained if these laws were being enforced. Nor could Martin Luther King's assailant have gotten that weapon if the laws on the books were being enforced.

The administration had better get around to trying to enforce the laws that we already have before we are able to understand how we are going to go ahead and tighten up.

Mr. McCULLOCH. Mr. Chairman, I should like to say that we were able to prevent this undue haste in taking action on this legislation in the Committee on the Judiciary this morning. Without any intention to delay the consideration of that legislation after that unfortunate and unjustified speedy action was taken, the distinguished chairman of the Committee on the Judiciary finally declared that the bill would be up for further hearings on the 20th of June.

I would be very pleased if the gentleman from Illinois or people who are interested in approving legislation that will be effective will make that known to the committee.

Mr. MATHIAS of Maryland. Mr. Chairman, in the course of this debate an unfortunate attempt has been made to point a finger of shame or blame at some committee of this House or on one of our national political parties for being dilatory in the passage of gun control legislation over the past 20 years.

I have not been a Member of this House for 20 years and so I cannot testify as to everything that happened here during that entire period. I can, however, testify as to the events that occurred today and which reflect great credit on the gentleman from Ohio [Mr. McCULLOCH]. I refer now to the events that the gentleman mentioned in his remarks but which the gentleman described with a modesty that prevented the House from gaining a clear picture of the role that he himself played.

It is no exaggeration to say that the ranking minority member of the Judiciary Committee, the gentleman from Ohio, by his restraint and his timely action, preserved the opportunity of the 90th Congress to debate and vote on such legislation this year. It was his motion to reconsider the committee vote that kept the subject alive for this year, and as the gentleman from Illinois has said, it is here and now that concerns us tonight.

Mr. CAREY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. I thank the gentleman for yielding.

I asked my good friend, the gentleman from Ohio to yield because I wanted to say to him that over the last 20 years my party did have the majority except for one Congress, the 83d Congress, when the Republicans were in power. We have our sins for having been the majority party and having done nothing about gun control in that period. But you have failed your responsibility as well, because you Republicans did nothing in the 83d Congress. That was your sin and your failure. You had 2 years to take action and you did nothing. And if my memory serves me correctly, the Eisenhower administration made no recommendation for such control.

But why talk of the past. We are here today and both parties have the opportunity to do something today. What will the Republicans do today? How will you vote on the amendment today? You have a responsibility today. How will you vote? You ought to vote for my amendment.

Mr. CAREY. I decline to yield further.

Mr. Chairman, I rise in support of the amendment of the gentleman from Illinois; even though it may be a faltering step, it is a slightly meaningful move in the right direction. The time has come to do something. I think what we ought to call this amendment offered by the gentleman from Illinois is a name that could be shared with his colleague from Illinois [Mr. FINDLEY]. This is nothing more than a domestic Findley amendment. I have sat here and listened to Findley amendments offered one after another that would prevent exports from the United States from falling into the wrong hands, so that they may not be used to kill American soldiers and overthrow free government in the world. If it is right to do that, how much more right is it to take simple precautions to prevent the import of foreign munitions manufacturers from falling into hands in this country that could be used to point the weapons to secure the overthrow of this Government and the killing of public officials and the spread of crime and disorder in this country?

What are we seeking to protect here? Americans or the free import of foreign munitions manufacturers? Why is it wrong to find out where the guns are going in this country? The largest arms cache I have seen lately that has been unearthed by the police was in the hands of such groups as the Revolutionary Action Movement. Are my friends anxious to see that the Revolutionary Action Movement will be able to secure a greater importation of firearms in order to overthrow the Government of this country?

Are we afraid to let guns be registered so that they can go in this country to protect those elements in our society that would do that, and they could get more guns?

I would like this amendment to be called the Yates-Findley amendment, for the amendment would protect American lives, American citizens, from exports of foreign munition manufacturers that are coming in, cargo by cargo, and are falling into wanton hands to be used for any purpose to disrupt the peace, order, and tranquillity of this country. If we are anxious to restore domestic tranquillity in this country, let us begin by doing with these guns what we do about prize cows, prize pigs, and, yes, even the registration of little children by the Public Health Service.

What is wrong with finding out where the guns are going? If we know where they are, we may be able to do something to stop the flow of deadly weapons into hands that should not have them, not those designed for the protection of their own lives, but those who have heinous plans to use these guns abortively and without any regard to our Constitution, to overthrow the Government of the United States.

If you do not care about protecting the citizens from foreign imports and munition importers in this country, for God's sake, find out where the guns are going before you find out, looking up into the gallery, that an importer took away your last chance to vote for gun legislation.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from California.

Mr. CORMAN. Mr. Chairman, I support the Yates amendment, but I would like to set the record straight as to the gun legislation before the House Judiciary Committee.

Gun legislation was for the first time assigned to the Judiciary Committee in the 90th Congress. The chairman, with the cooperation of the minority leader, held hearings in the spring of the first session. We tried for a number of months to arrive at a consensus. Admittedly, we have failed up to this time. It has not been because of a lack of interest or concern on the part of either the Judiciary Committee chairman or the ranking minority member.

It is my sincere hope that our committee will report favorably H.R. 17735 on June 20 with support by a substantial number of members on both sides in that committee, and that we may then bring the bill to the floor promptly so that the American people through their elected representatives will have an opportunity to deal with this difficult matter.

Mr. MAHON. Mr. Chairman, I move that all debate on the bill and all amendment thereto be now closed.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 76, noes 132.

So the amendment was rejected.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment adopted in the Committee of the Whole, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, had directed him to report the bill back to the House with an amendment adopted in the Committee of the Whole, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

Mr. MAHON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 226, nays 133, not voting 74, as follows:

[Roll No. 176]

YEAS—226

Abbitt
Adams
Addabbo
Anderson, Tenn.
Andrews, N. Dak.
Aspinall
Baring
Barrett
Battin
Belcher
Bennett
Berry
Bevill
Biester
Blanton
Blatnik
Boggs
Boland
Brademas
Brasco
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va
Burke. Mass.
Burleson
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Carey
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conte
Corman
Cunningham
Daniels
Davis, Ga.
Delaney
Dellenback
Dent
Dickinson
Diggs
Dole
Dow
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Everett
Fascell
Fisher
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gathings
Gibbons
Gonzalez
Gray
Green, Pa.
Griffiths
Gubser
Gude
Gurney
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Hathaway
Hawkins
Hechler, W. Va.
Henderson
Hicks
Holifield
Hosmer
Howard
Hungate
Ichord
Jacobs
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Keith
Kleppe
Kluczynski
Kupferman
Langen
Leggett
Lennon
Lipscomb
Lloyd
McCarthy
McClory
McCloskey
McCulloch
McDonald, Mich.
McFall
Macdonald, Mass.
Machen
Madden
Mailliard
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Minish
Mink
Minshall
Mize
Montgomery
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Railsback
Randall
Rees
Reid, N.Y.
Reinecke
Rhodes, Ariz
Rhodes, Pa.
Roberts
Rodino
Rogers, Colo.
Rooney, Pa.
Rosenthal
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Schweiker
Schwengel
Scott
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Steed
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Tunney
Udall
Utt
Van Deerlin
Waldie
Walker
Wampler
Watson
Watts
Whalen
White
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wylie
Wyman
Young

NAYS—133

Adair
Albert
Anderson, Ill.
Arends
Ashley
Ashmore
Bates
Betts
Blackburn
Bolling
Bray
Brock
Broomfield
Broyhill, N.C.
Buchanan
Burke, Fla.
Byrnes, Wis.
Cabell
Cahill
Casey
Cederberg
Chamberlain
Clancy
Collier
Conable
Corbett
Cramer
Culver
Curtis
Davis, Wis.
Denney
Devine
Dowdy
Dwyer
Edwards, Ala.
Edwards, La.
Eshleman
Fallon
Findley
Fino
Flood
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Tenn.
Galifianakis
Goodling
Griffin
Gross
Grover
Haley
Hall
Halleck
Harvey
Hays
Heckler, Mass.
Horton
Hull
Hunt
Hutchinson
Irwin
Joelson
Johnson, Pa.
Jonas
Jones, Mo.
Kee
King, N.Y.
Kornegay
Kuykendall
Kyl
Laird
Landrum
Latta
Long, Md.
Lukens
McClure
McDade
McEwen
MacGregor
Mahon
Marsh
Martin
Michel
Miller, Ohio
Mills
Monagan
Moorhead
Morgan
Myers
Nelsen
O'Konski
Passman
Patten
Pool
Pryor
Quie
Quillen
Rarick
Reid, Ill.

Reifel
Reuss
Riegle
Robison
Rogers, Fla.
Roth
Roudebush
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Selden
Shipley
Slack
Smith, Iowa
Stafford
Stanton
Steiger, Wis.
Sullivan
Thomson, Wis.
Tuck
Ullman
Vanik
Vigorito
Waggonner
Watkins
Whalley
Whitener
Wyatt
Yates
Zablocki
Zion

NOT VOTING—74

Abernethy
Andrews, Ala.
Annunzio
Ashbrook
Ayres
Bell
Bingham
Bolton
Bow
Bush
Carter
Celler
Conyers
Cowger
Daddario
Dawson
de la Garza
Derwinski
Dingell
Donohue
Dorn
Erlenborn
Evins, Tenn.
Farbstein
Feighan
Flynt
Foley
Ford, William D.
Gardner
Gettys
Giaimo
Gilbert
Goodell
Green, Oreg.
Hansen, Idaho
Harrison
Hébert
Helstoski
Herlong
Holland
Karsten
Karth
Kelly
King, Calif.
Kirwan
Kyros
Long, La.
McMillan
Mayne
Moore
Murphy, Ill.
O'Hara, Ill.
O'Neal, Ga.
Pelly
Price, Tex.
Pucinski
Purcell
Resnick
Rivers
Ronan
Rooney, N.Y.
Rostenkowski
Scheuer
Smith, N.Y.
Staggers
Teague, Tex.
Thompson, N.J.
Vander Jagt
Whitten
Williams, Pa.
Willis
Wright
Wydler
Zwach

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Celler with Mr. Bow.

Mr. Rivers with Mr. Ayres.

Mr. Purcell with Mr. Harrison.

Mrs. Kelly with Mrs. Bolton.

Mr. Rooney of New York with Mr. Moore.

Mr. Staggers with Mr. Pelly.

Mr. de la Garza with Mr. Bell.

Mr. McMillan with Mr. Carter.

Mr. Dorn with Mr. Ashbrook.

Mrs. Green of Oregon with Mr. Cowger.

Mr. Pucinski with Mr. Gardner.

Mr. Annunzio with Mr. Hansen of Iowa.

Mr. Feighan with Mr. Williams of Pennsylvania.

Mr. Willis with Mr. Vander Jagt.

Mr. O'Hara of Illinois with Mr. Mayne.

Mr. Dingell with Mr. Erlenborn.

Mr. Rostenkowski with Mr. Wydler.

Mr. Evins of Tennessee with Mr. Price of Texas.

Mr. Farbstein with Mr. Smith of New York.

Mr. Gettys with Mr. Zwach.

Mr. Foley with Mr. Goodell.

Mr. Gilbert with Mr. Derwinski.

Mr. Giaimo with Mr. Bush.

Mr. Herlong with Mr. Murphy of Illinois.

Mr. Dawson with Mr. William D. Ford.

Mr. Resnick with Mr. Conyers.

Mr. King of California with Mr. Bingham.

Mr. Abernethy with Mr. Flynt.

Mr. Andrews of Alabama with Mr. Helstoski.

Mr. Scheuer with Mr. Donohue.

Mr. Daddario with Mr. Ronan.

Mr. O'Neal of Georgia with Mr. Long of Louisiana.

Mr. Kirwan with Mr. Kyros.

Mr. Whitten with Mr. Karsten.

Mr. Wright with Mr. Karth.

Mr. Teague of Texas with Mr. Thompson of New Jersey.

Mr. Hébert with Mr. Holland.

Mr. ROBERTS changed his vote from "nay" to "yea."

Mr. RARICK changed his vote from "yea" to "nay."

Mr. WIGGINS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. JONAS. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. JONAS moves to recommit the bill H.R. 17734, to the Committee on Appropriations.

Mr. MAHON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. MAHON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 324, nays 33, answered "present" 3, not voting 73, as follows:

[Roll No. 177]

YEAS—324

Abbitt
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Aspinall
Baring
Barrett
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conte
Corbett
Corman
Cramer
Culver
Cunningham
Daniels
Davis, Ga.
Delaney
Denney
Dent
Devine
Dickinson
Dole
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gibbons
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Kazen
Kee
Keith
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Pool
Price, Ill.
Pryor
Quillen
Railsback
Randall
Rarick
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rhodse, Pa.
Riegle
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion

NAYS—33

Brown, Calif.
Burton, Calif.
Button
Cabell
Collier
Conable
Conyers
Curtis
Davis, Wis.
Dellenback
Dow
Edwards, Calif.
Gross
Hall
Hawkins
Jonas
Jones, Mo.
Kastenmeier
Kupferman
McClure
Michel
Mills
Mosher
O'Konski
Quie
Rees
Reid, Ill.
Reuss
Robison
Rosenthal
Ryan
Schneebeli
Vanik

ANSWERED "PRESENT"—3

Adams
Diggs
Hutchinson

NOT VOTING—73

Abernethy
Andrews, Ala.
Annunzio
Ashbrook
Ayres
Bell
Berry
Bingham
Bolton
Bow
Bush
Carter
Celler
Cowger
Daddario
Dawson
de la Garza
Derwinski
Dingell
Donohue
Dorn
Erlenborn
Evins, Tenn.
Farbstein
Feighan
Flynt
Ford, William D.
Gardner
Gettys
Giaimo
Gilbert
Goodell
Hansen, Idaho
Harrison
Hébert
Helstoski
Herlong
Holland
Karsten
Karth
Kelly
King, Calif.
Kirwan
Kyros
Long, La.
McEwen
McMillan
Mayne
Moore
Murphy, Ill.
O'Hara, Ill.
O'Neal, Ga.
Pelly
Price, Tex.
Pucinski
Purcell
Resnick
Rivers
Ronan
Rooney, N.Y.
Rostenkowski
Scheuer
Smith, N.Y.
Staggers
Teague, Tex.
Thompson, N.J.
Vander Jagt
Whitten
Williams, Pa.
Willis
Wright
Wydler
Zwach

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Adams against.

Mr. William D. Ford for, with Mr. Hutchinson against.

Mr. Ayres for, with Mr. Williams of Pennsylvania against.

Until further notice:

Mr. Celler with Mr. Bow.
Mr. Rivers with Mr. Berry.
Mr. Purcell with Mr. Harrison.
Mrs. Kelly with Mrs. Bolton.
Mr. Rooney of New York with Mr. Moore.
Mr. Staggers with Mr. Pelly.
Mr. de la Garza with Mr. Bell.
Mr. McMillan with Mr. Carter.
Mr. Dorn with Mr. Ashbrook.
Mr. Teague of Texas with Mr. Cowger.
Mr. Pucinski with Mr. Gardner.
Mr. Annunzio with Mr. Hansen of Idaho.
Mr. Feighan with Mr. McEwen.
Mr. Willis with Mr. Vander Jagt.
Mr. O'Hara of Illinois with Mr. Mayne.
Mr. Dingell with Mr. Erlenborn.
Mr. Rostenkowski with Mr. Wydler.
Mr. Evins of Tennessee with Mr. Price of Texas.
Mr. Farbstein with Mr. Smith of New York.
Mr. Gettys with Mr. Zwach.
Mr. Thompson of New Jersey with Mr. Goodell.
Mr. Gilbert with Mr. Derwinski.
Mr. Giaimo with Mr. Bush.
Mr. Herlong with Mr. Murphy of Illinois.
Mr. Dawson with Mr. Holland.
Mr. King of California with Mr. Bingham.
Mr. Abernethy with Mr. Flynt.
Mr. Andrews of Alabama with Mr. Helstoski.
Mr. Scheuer with Mr. Donohue.
Mr. Daddario with Mr. Ronan.
Mr. O'Neal of Georgia with Mr. Long of Louisiana.
Mr. Kirwan with Mr. Kyros.
Mr. Whitten with Mr. Karsten.
Mr. Wright with Mr. Karth.

Mr. ADAMS. Mr. Speaker, I have a live pair with the gentleman from Louisiana [Mr. HÉBERT]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. HUTCHINSON. Mr. Speaker, I have a live pair with the gentleman from Michigan [Mr. WILLIAM D. FORD]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed, the second supplemental appropriation bill, 1968.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

ANNUAL COMPARISON OF FEDERAL SALARIES WITH THE SALARIES PAID IN PRIVATE ENTERPRISE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 327)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

I forward herewith the annual comparison of Federal salaries with the salaries paid in private enterprise, as provided by section 5302 of title 5, United States Code.

The report, prepared by the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission, compares the present Federal statutory salary rates with average salary rates paid for the same levels of work in private enterprise as reported in the Bureau of Labor Statistics Bulletin No. 1585, *National Survey of Professional, Administrative, Technical, and Clerical Pay, June 1967.*

In addition, the report develops July 1968 adjustments in statutory salary schedules which the President is directed to make under section 212 of P.L. 90–206, the Federal Salary Act of 1967.

Also transmitted is a copy of an Executive order promulgating the adjustments of statutory salary rates to become effective on the first day of the first pay period beginning on or after July 1, 1968.

Public Law 90–206 provides that comparable adjustments shall be made by administrative action of appropriate officers, in the salary rates of employees of the judicial and legislative branches and those of Agricultural Stabilization and Conservation County Committee employees.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 11, 1968.*

DIRECTIVE OF THE SPEAKER, U.S. HOUSE OF REPRESENTATIVES, IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1968 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967

The SPEAKER laid before the House the following directive of the Speaker of the U.S. House of Representatives implementing the salary comparability policy in 1968 for officers and employees of the House of Representatives required by section 212 of the Federal Salary Act of 1967:

Directive of the Speaker, U.S. House of Representatives, Implementing the Salary Comparability Policy in 1968 for Officers and Employees of the House of Representatives Required by Section 212 of the Federal Salary Act of 1967

Pursuant to the authority and duty vested in the Speaker of the United States House of Representatives by section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90–206; 5 U.S.C. 5303, note) to implement the salary comparability policy set forth in section 5301 of title 5, United States Code, in the year 1968 for personnel of the House of Representatives, the rates of pay of personnel of the House of Representatives whose pay is disbursed by the Clerk of the House of Representatives are adjusted as follows:

Implementation of Salary Comparability Policy in 1968 for Personnel of the House of Representatives

SECTION 1. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90–206; 2 U.S.C. 60e–14, note; 2 U.S.C. 351–361), the per annum gross rate of compensation (basic compensation plus additional compensation authorized by law) of each employee whose compensation—

(1) is disbursed by the Clerk of the House of Representatives, and

(2) is fixed at a rate of basic compensation plus additional compensation authorized by law,

is increased by an amount equal to the percentage increase in such per annum gross rate of compensation of such employee as provided in the following table of increases in compensation:

Table of increases in per annum gross rates of compensation (basic compensation plus additional compensation authorized by law)

Per annum basic rate of compensation:	*Percent of increase*
Not more than $4,000	5. 85
Not less than $4,005 but not more than $4,500	6
Not less than $4,505 but not more than $5,000	6. 5
Not less than $5,005 but not more than $5,500	7
Not less than $5,505 but not more than $6,000	7. 5
Not less than $6,005 but not more than $6,500	8
Not less than $6,505 but not more than $7,000	8. 5
Not less than $7,005 but not more than $7,500	9
Not less than $7,505 but not more than $8,000	9. 5
Not less than $8,005 but not more than $8,500	10
Not less than $8,505 but not more than $9,000	10. 5
Not less than $9,005 but not more than $9,500	11
Not less than $9,505	11. 5

SEC. 2. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90–206; 2 U.S.C. 60e-14, note; 2 U.S.C. 351–361), the single per annum gross rate of compensation of each officer or employee, except an officer or employee to whom Section 3 or 4 of this directive applies, whose compensation—

(1) is disbursed by the Clerk of the House of Representatives,

(2) is fixed at a single per annum gross rate, and

(3) is increased by section 214(b) of the Federal Salary Act of 1967 (81 Stat. 635; Public Law 90–206; 2 U.S.C. 60e–14(b))

is increased by an amount which is equal to the amount of the increase provided by section 1 of this directive in that per annum gross rate of compensation (basic compensation plus additional compensation provided by law) in effect immediately prior to July 1, 1968, of an employee to whom section 1 applies—

(A) which is equal to, or

(B) if not equal to, is the highest such per annum gross rate of compensation (basic compensation plus additional compensation authorized by law) which is nearest in amount to, the single per annum gross rate of compensation, in effect immediately prior to such date, of the officer or employee whose compensation is referred to in subparagraphs (1), (2), and (3) of this sentence.

SEC. 3. (a) The single per annum gross rate of compensation of the position referred to in House Resolution 904, Eighty-eighth Congress, enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1966 (79 Stat. 281; Public Law 89–91), shall continue in effect until the effective date of the first adjustment, following the effective date of this directive, in the per annum rate of compensation of the officers described in the first sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (79 Stat. 1120; Public Law 89–301; 2 U.S.C. 31).

(b) On and after the effective date of such first adjustment, the single per annum gross rate of compensation of the position referred to in such House Resolution 904 shall be in an amount which bears the same ratio to the per annum rate of compensation of the officers described in the first sentence of such section 601(a) as changed by such first compensation adjustment therein, or as changed by each compensation adjustment therein following such first compensation adjustment, as then currently applicable, as the per annum gross rate of compensation of such position as in effect immediately prior to the applicable adjustment in the per annum rate of compensation of such officers bears to the per annum rate of compensation of such officers as in effect immediately prior to such applicable adjustment.

(c) Subsections (a) and (b) of this section shall be in effect with respect to the position referred to in such House Resolution 904 only so long as such position is held by the incumbent thereof on the effective date of this directive.

SEC. 4. The single per annum gross rate of compensation of each office or position referred to in—

(1) House Resolution 909, Eighty-ninth Congress, enacted into permanent law by chapter VI of the Supplemental Appropriation Act, 1967 (80 Stat. 1064; Public Law 89–697), or

(2) section 214(e) of the Federal Salary Act of 1967 (81 Stat. 636; Public Law 90–206; 2 U.S.C. 74a–2),

shall be a single per annum gross rate equal to the annual rate of basic pay for Level III of the Executive Schedule in section 5314 of title 5, United States Code.

SEC. 5. In order to preserve and continue the pay relationships existing immediately prior to July 1, 1968, between—

(1) positions on the United States Capitol police force and on the United States Capitol telephone exchange, respectively, the compensation for which is disbursed by the Clerk of the House of Representatives, and

(2) positions on such police force and telephone exchange, respectively, the compensation for which is disbursed by the Secretary of the Senate,

the respective single per annum gross rates of compensation of personnel on such police force and telephone exchange, respectively, whose compensation is disbursed by the Clerk of the House of Representatives are increased, subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90–206; 2 U.S.C. 60e—14, note; 2 U.S.C. 351—361), by respective amounts equal to the respective amounts of the increases provided in the year 1968 by the President pro tempore of the Senate, under section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90–206; 5 U.S.C. 5303, note), in corresponding rates of compensation for personnel on such police force and telephone exchange, respectively, whose compensation is disbursed by the Secretary of the Senate.

SEC. 6. The per annum rate of compensation for each compensation step of each compensation level (HS level) of the House Employees Schedule (HS) under the House Employees Position Classification Act (78 Stat. 1079–1084; Public Law 88–652; 2 U.S.C. 291 and following) is increased by an amount equal to the percentage increase in such per annum rate as provided in the following table of increases in the rates of compensation of such schedule:

Table of increases in per annum rates of compensation of the House Employees Schedule

Per annum rate of compensation:	*Percent of insurance*
HS level 1, 2, 3, 4, 5, 6, or 7	5. 85
HS level 8	6. 2
HS level 9	6. 5
HS level 10	7
HS level 11	8
HS level 12	9
HS level 13	10

SEC. 7. Subject to sections 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90–206; 2 U.S.C. 60e–14 note; 2 U.S.C. 351–361), the single per annum rate of compensation in effect immediately prior to July 1, 1968, of each employee whose compensation—

(1) is disbursed by the Clerk of the House of Representatives,

(2) is fixed on the basis of a saved rate, and

(3) is increased by section 214(c) of the Federal Salary Act of 1967 (81 Stat. 636; Public Law 90–206; 2 U.S.C. 293c),

is increased by a percentage which is equal to the percentage provided by section 6 of this directive for increases in the rates of compensation for the compensation steps of that compensation level of the House Employees Schedule in which the position of such employee is placed.

SEC. 8. House Resolution 1015, Ninetieth Congress, adopted January 15, 1968, is amended by striking out "maximum rate authorized by Level 5 of the Executive schedule by Public Law 90–206" and inserting in lieu thereof "annual rate of basic pay for Level V of the Executive Schedule in section 5316 of title 5, United States Code".

SEC. 9. The additional compensation provided by this directive for personnel whose per annum compensation is fixed at a rate of basic compensation plus additional compensation authorized by law shall be considered a part of basic pay for the purposes of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement.

SEC. 10. The provisions of this directive shall become effective on July 1, 1968.

JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives.

The SPEAKER. Without objection, the directive will appear in the Journal of today.

LEGISLATIVE PROGRAM FOR BALANCE OF WEEK

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, I would like to ask the distinguished majority leader if he will advise the House of any changes in the program and what the program is through the balance of this week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. REINECKE. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman from California, House Resolution 1187, which is a travel resolution in connection with the international labor organization conference in Geneva will be called up tomorrow.

In addition, the gentleman from Oklahoma [Mr. STEED] has advised that he will call up the conference report on the Treasury, Post Office Department appropriation bill tomorrow, which will be the first conference report, I believe, on a major appropriation bill for the year.

Two conference reports may be called up from the Committee on Merchant Marine and Fisheries.

Then the bill, H.R. 12639, vessels, passenger, operating differential subsidy and H.R. 15190 with reference to the canal connecting the Pacific and Atlantic Study Commission.

Beyond that the program so far as I know at this time will continue as previously announced, and I thank the gentleman for taking this time so that Members could be advised of the program.

Mr. REINECKE. I thank the gentleman.

FIFTH CONGRESSIONAL DISTRICT OF INDIANA SCHOLARSHIP

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, in these troubled times it is indeed refreshing to hear good and kind things said about people—and I am, of course, referring to our distinguished Speaker's remarks conconcerning Father Flaherty.

It is also good to see some of the fine and decent people in this country honored. Yesterday afternoon I was present when the President of the United States honored many distinguished young scholars of this country. It was an impressive ceremony.

And now, Mr. Speaker, I would like to take a few minutes of the House of Representatives' time to describe the Washington scholarship trip for high school juniors which we have begun in the Fifth Congressional District of Indiana. It is a program by which we are honoring our own scholars.

It seems to me that good government stems from an abiding and eager interest in government on the part of all our citizens—and that this interest should start at an early age.

With this in mind, I initiated the "Fifth District Scholarship Trip to Washington." Through this program I hope to bring the educational advantages of my congressional office closer to students, their families, and the communities in my district. Service groups and civic-minded citizens have been invited to lend their support by sponsoring the students.

And I might add, they responded most enthusiastically.

On Sunday, June 9, the first of three groups arrived at Washington National Airport to begin a 3½-day introduction to "what goes on in Washington." Their schedule is so planned that the students will have the opportunity to actively learn about the executive, legislative, judicial, and administrative processes of our Government. They will meet with Representatives and Senators of both political parties, view sessions of the House and the Senate, speak with a Peace Corps representative, attend a Department of State foreign policy briefing, visit the Supreme Court, and hear the proceedings of a congressional hearing.

We hope and believe that this will be a rare opportunity for the students to get firsthand answers to questions raised in their high school government classes. We hope they will return not only with some answers, but with a continued interest in these processes of government.

Mr. Speaker, I include at this point the names of these specially selected, capable students who are participating in this program which promises to offer an unusual and educational "inside" look at how our Government works:

Tom Cooke, Northwestern High School, Kokomo, Indiana.

Wesley Wright, Oak Hill High School, Converse, Indiana.

Rod Forrer, Pendleton High School, Pendleton, Indiana.

Franklin Wilson, Bluffton High School, Bluffton, Indiana.

Mike Wilburn, Ossian High School, Ossian, Indiana.

Rex Richards, Anderson High School, Anderson, Indiana.

Jan Leatherman, Huntington County Community High School, Huntington, Indiana.

Denise Stohler, Markleville High School, Markleville, Indiana.

Lyn Means, Western High School, Russiaville, Indiana.

Barbara Baumgartner, South Adams High School, Berne, Indiana.

Mary Ann Reynolds, Bellmont High School, Decatur, Indiana.

Barbara Amick, Pendleton High School, Pendleton, Indiana.

EULOGY OF SENATOR ROBERT F. KENNEDY BY REV. JOHN F. FARLEY

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I was privileged to assist at a concelebrated Mass held at Our Lady of Providence Seminary in Warwick, R.I. on Thursday, June 6, at which time a very eloquent eulogy of Senator Robert F. Kennedy was delivered by Rev. John F. Farley.

In his poignant remarks, Father Farley, a member of the faculty at the seminary, quoted the late Senator when he commented upon the assassination of his good friend Dr. Martin Luther King. Senator Robert Kennedy said at that time:

> You can be filled with bitterness, with hatred, with a desire for revenge . . . We can move in that direction . . . Or we can make an effort to understand as Dr. King did—to replace violence—the violence that has spread across our land—with compassion and love.

Robert F. Kennedy certainly had sufficient reason to be bitter but he chose to replace violence with the compassion and love that prevailed throughout his distinguished life.

We can replace violence with compassion and love. Let us, for his sake, choose to do so. Let us in the wise words of Father Farley begin "a people's march against violence and anarchy." To do otherwise would be to disregard the message of love, understanding, and concern for others given to us so eloquently in the form of the life of Robert F. Kennedy.

Let us keep in mind some other words of Robert F. Kennedy:

> This motive must guide us: to tame the savageness of man and make gentle the life of the world.

For the benefit of my colleagues, I include Father Farley's eulogy, which appeared in the June 7 edition of the Providence Visitor, in the Record, as follows:

Seminary Tribute Paid Senator Kennedy

(Note.—The following eulogy was delivered Thursday morning by Rev. John F. Farley, a member of the faculty at Our Lady of Providence Seminary, at a concelebrated Mass held there prior to the seminary graduation exercises.)

Sometime during those eerie hours when our grief-shot nation was waking Dr. Martin Luther King, Senator Robert Francis Kennedy spoke these words:

"A man who dedicated his life to love and to justice lies dead. You may ask: Where is our country going? What are we to do now? . . . There are two ways of answering, I think . . . You can be filled with bitterness, with hatred, with a desire for revenge. . . . We can move in that direction. . . . Or we can make an effort to understand as Dr. King did—to replace violence—the violence that has spread across our land—with compassion and love."

Now, just a few months later, the Senator, himself a man dedicated to like causes, lies dead. Men whose livelihood turns on their tooling of words—the newsman, commentators, and politicians—have filled the airwaves and the papers with the expected shock and condolences and the unanswerable questions. Nothing they've offered seems nearly so appropriate as Senator Kennedy's own reflection. It is one of those rare pieces of advice, because it was not only offered to others but lived by the man himself.

Robert Kennedy was assuredly a man of compassion. He had that deep sympathy, that feeling for others which his martyred brother had; that Christ-like "compassion for the multitude" (Mk. 8:2) which may well be his family's greatest treasure. He made manifest his "effort to understand." A very, very rich man, he became acutely sensitive to the sufferings of the poor. I can still see him, coat slung over his shoulder, trudging behind the mule cart along Atlanta's sun-stung streets in the unscheduled Poor Man's march, a bobbing beacon of white on a sea of black bereavement. And neither he nor the poor he mourned with felt anything out of place with his being right there! Many of his age are disheartened by the Generation Gap that separates them from the nation's youth, even from their own children. In his "effort to understand," he was moving to bridge that gap, as only a man of compassion can. With his deep sense of mission, he often became impatient with the slow pace of legislative response to people's needs. But even there, he could understand; he insisted in the May 1967 interview by Roger Mudd that his fellow Senators were the finest group of men anywhere in public life. He despised brutality and violence. He had a keen awareness of the dangers he faced, even a premonition of what did happen to him. But there was no fear that could keep him from seeking out his brothers whose "joys and hopes," whose "griefs and anxieties" he must share.

He loved his brothers. "He lived in them; he felt with them and for them (the phrase is Newman's); he was anxious about them; he gave them help; and in turn he looked for comfort from them."

It is no gesture toward canonization, but simply to offer one human being's notice of another, when I say that his compassionate effort bears the mark of beatitude. Men who had never heard the words from Matthew 5 could grant that he was "poor in spirit," "meek and merciful," a "promoter of peace," one who did "hunger and thirst for justice," who "suffered persecution in the cause of right."

Back in 1963, Bobby Kennedy borrowed from Romeo and Juliet some lines to speak of his brother's tragic end. I trust he would allow their re-use this heart-aching day in 1968:

"Take him and cut him out in little stars; and he will make the face of heaven so fine, that all the world will be in love with night; and pay no worship to the garish sun." (R. & J. III, 2)

As planned, yesterday evening by our Bishop, this Mass was to be offered for Senator Kennedy's recovery and for the health of our nation. The changed circumstances have not altered the urgency of that second intention. I must resist, I suppose, the temptation to dwell on group or mass-guilt; yet I cannot escape the chilling and terrible fact that men who refused to live by the sword are cut down by it; that we who have prided ourselves for being the promised land, the new Jerusalem for other lands' peoples, must in some measure hear the reproach delivered to the old Jerusalem "You kill the prophets and stone those who are sent to you."

We need something more, I'm afraid, than gun-laws and commissions, however necessary these may be. We need a deep national re-assessment of the place of law and duties and rights. We need a new people's march—a people's moral march against violence and anarchy.

One man's life and death SHOULD influence us (cf. Epistle of today's Mass). But thus far—I wonder! "Let us," as our President pleaded last night, "for God's sake resolve to live under law."

We gather here at this altar, a people who believe in eternal life in God's power to raise man from every dying. We pray in this season of Pentecost to the "Father of the poor" to "heal our wounds . . . to wash the stains of guilt away." (Seq.) May I lay that belief and that prayer on Senator Kennedy's grave as our fragile piece of rosemary, the bittersweet symbol of an undying love and a death-superior compassion.

I wish I could give some comfort to those who loved him most, to his "star-crossed" family. Instead, I must again take something from them—from Jackie's prayer card, the prayer that is in all our hearts:

"Dear God, please take care of your servant, Robert Francis Kennedy; and please, please! take care of this country he loved and served so well."

VETO OF OMNIBUS CRIME CONTROL AND SAFE STREETS ACT URGED

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last week, after the passage of the so-called anticrime bill, Chairman Wayne Aspinall and I requested President Johnson consider a veto of this ill-considered measure.

Today, in furtherance of our request I have prepared the following letter addressed to the President, setting forth a bill of particulars.

Under unanimous consent I place the letter in the Record at this point:

June 11, 1968.

Hon. Lyndon B. Johnson,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: We are writing to urge that you veto the so-called Omnibus Crime Control and Safe Streets Act recently passed by Congress.

This Act will contribute neither to crime control or safe streets. It represents an unreasonable and an unthinking response to a series of problems that require careful, sober thought and good judgment. The Act reflects none of these qualities.

We do not serve the worthy goal of preserving supremacy of the law by enacting bad law. Diluting the constitutional protection of the individual against compulsory self-incrimination, is bad law. The Act blatantly attempts to overturn the recent Supreme Court decisions elucidating this protection and this right. It is interesting to note that under the Military Code of Justice, members of the Armed Services have long been entitled to the rights which this portion of the Act would abolish for the civilian population. For example, Article 31 of the Military Code provides, in part, that no person accused or suspected of an offense may be interrogated without first being informed of the nature of the accusation and being advised that he does not have to make any statement.

This section has been in the code since 1956. It is ironic and perhaps a measure of the time that final enactment of the so-called Omnibus Crime Control and Safe Streets Act would strip away from civilians rights guaranteed to military personnel.

Authorizing wiretapping and bugging in cases not involving the national security, is bad law. You yourself, Mr. President, have previously gone on record opposed to such injudicious government activities. The multitude of violations of privacy which this act would permit cannot be justified. They can only be explained as an example of legislative hysteria. Instead of attempting to legalize invasions of privacy we ought to be seeking ways to "exercise the full reach of our constitutional powers to outlaw electronic bugging and snooping," as you stated in your State of the Union address last year.

The Act, Mr. President, is a defective and perverse effort to cope with some of the most serious problems this Nation has ever faced. But these diverse problems, including organized crime, civil riots and disorders, the excessive traffic in guns, and the need to assist local law enforcement agencies, cannot be effectively dealt with by taking 3 giant steps toward a police state.

Again, we urge you to veto the so-called Omnibus Crime Control and Safe Streets Act.

With every good wish, I am

Sincerely yours,

Henry B. Gonzalez, John Moss, Richard Bolling, Frank Clark, Patsy Mink, Don Fraser, John Conyers, Jeff Cohelan, Jerome Waldie, Robert Leggett, Robert Kastenmeier, Charles Diggs, Phillip Burton, Ed Roybal, Don Edwards, Tom Rees, George Brown, Jr., Wayne Aspinall, William Ryan, Henry Reuss.

TAX RAISERS LED BY TAX DODGER

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, the appointment of Sterling Tucker, executive director of the Washington Urban League, as organizer of the June 19 "Solidarity Day" march by the Poor People's Campaign against the American people is deplorable.

For Sterling Tucker—the leader of the movement to raise taxes—is a tax dodger. He apparently believes in you and me paying taxes, but does not believe in paying taxes himself.

Tucker pleaded "no contest" and was convicted in 1959 of charges of income tax evasion by a Federal court in Cleveland of failure to pay $1,661 in taxes between 1951 and 1954. At that time he was executive director of the Urban League in Canton, Ohio. His sentence was a $500 fine and a 1-year suspended sentence with a 5-year probationary period.

I include several news clippings to follow:

[From the Washington (D.C.) Evening Star, Dec. 24, 1966]

Tucker Gets Income Tax Case Pardon—Johnson Expunges 1959 Conviction for Evasion in Ohio

Sterling Tucker, executive director of the Washington Urban League, has been granted a Christmas Eve pardon of his conviction on charges of income tax evasion, the Justice Department announced yesterday.

Tucker, 42, pleaded no contest and was convicted in 1959 by a Federal court in Cleveland of failure to pay $1661 in taxes during the period between 1951 and 1954. At the time he was executive director of the Urban League in Canton, Ohio.

On Dec. 5, 1959, Tucker was sentenced to pay a $500 fine and given a one-year suspended sentence. He was placed on probation for five years. The fine was paid and Tucker was discharged from probation in 1961.

The petition to President Johnson seeking the pardon bore, as character references, the names of three of Washington's most prominent Negro leaders: District Commissioner John B. Duncan; the Rev. E. Franklin Jackson, Democratic National Committeeman and former president of the Washington NAACP, and Dr. R. Frank Jones, medical director of Freedmen's Hospital.

Dr. Jones was president of the Washington Urban League when Tucker accepted the appointment here in 1956.

* * *

[From the Washington (D.C.) Post, June 8, 1968]

Sterling Tucker: Veteran Crusader for Negro Cause

Sterling Tucker, tapped by the Poor People's Campaign to finish organizing the June 19 "Solidarity Day" march here, is a veteran organizer, noted for his broad access to both white "establishment" and the world of the black militant.

He is a frequent guest at the White House and the District Building.

He was also on the streets during the April riots here with equal access to police headquarters and the SNCC office on U Street nw.

The executive director of the Washington Urban League since 1956, Tucker, 44, has started a number of civil rights and job-opportunity programs through his organization.

He recently undertook a project to help Negro servicemen returning from Vietnam to readjust to civilian life. Another effort currently under way is aimed at setting up neighborhood centers in the ghetto where League workers can assist poor people in legal matters, instruct them in landlord-tenant relations and discuss direct political action.

During last April's rioting, the Urban League set up a "Rumor-Control Center" which handled thousands of telephone calls, dispensed information and attempted to confirm reports of specific developments in the city.

"Rioting is a low and primitive but real form of communication," he says. "This is a way people feel they can get a response from a society that isn't listening."

To reduce the chance of rioting, the Urban League last summer established a 24-hour alert program that employed ghetto youths who roamed the city's toughest police precincts, prevailing on disgruntled street corner crowds to air their grievances through normal channels instead of violence.

The program is under consideration for use again this summer.

By the same token, Tucker was involved in the Poor People's Campaign this spring before its leader the Rev. Ralph David Abernathy, asked him yesterday to be coordinator of the "Solidarity Day" march.

Quietly, League officials have dealt with District and Federal officials in helping to arrange the establishment of Resurrection City near the Lincoln Memorial.

During the heavy rains two weeks ago, when much of the 15-acre encampment was converted to a muddy swamp, League officials, working through D.C. City Councilman J. C. Turner, arranged to have a large contracting company go to the site, survey the situation and recommend remedial action.

Tucker, who came to Washington from Canton, Ohio, in 1956, is a diminutive, energetic man. He was once thought to be on President Johnson's list of possible appointees to Washington's new City Council.

FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, during May there were 18 free world ship arrivals in North Vietnam, an all time record for the past 2 years. Of these 18, 13 were British, 1 Japanese, 3 Cypriot, and 1 from Singapore. This makes 61 free world arrivals in North Vietnam so far this year—or more than double the number during the same period last year. With the prospects for a negotiated settlement so dependent on how the war goes from here on out, this is an intolerable situation.

At no time during the past 2 years was the number of monthly arrivals ever higher than it was in May. In fact, we appear to be rapidly slipping back to the point where we were before Congress began to have some success in prodding the administration to do something about this incredible form of aid and comfort to the enemy.

Furthermore, not only has the total number of arrivals risen, but the number of different flags is on the increase as well. This is particularly disturbing in the case of the appearance of a Japanese-flag ship during May. As such vessels have been absent since mid-1965.

Several weeks ago, when I first read reports indicating that there would be a resumption of this trade, I asked the Secretary of State what steps he was taking in response. In a letter dated May 16, 1968, I was advised that while it was true that a Japanese vessel "may be enroute to Haiphong," the U.S. Government had "made clear to the Japanese Government our concern over the possible reappearance of any Japanese-flag ship in the North Vietnam trade." Unfortunately, however good the intentions, the fact remains that such a vessel succeeded in going to North Vietnam, and we can now only wonder how many will follow her lead.

Mr. Speaker, again in May, British-flag vessels head the list in this intolerable business. Some 49 of the 61 free world arrivals this year have flown the British flag. Excuses may be found and rationalizations may be offered, but the simple fact is that these are British ships. I have repeatedly sought to bring this to the attention of the Congress and the American people, for it is frequently argued that London is somehow not responsible for these ships. In order to clarify this, I asked the Treasury Department to make an inquiry of the relationship of these vessels to British maritime law to the appropriate officials of the Hong Kong Marine Department. At this point in the RECORD I insert my letter to Treasury and the information that was obtained:

APRIL 19, 1968.

Hon. HENRY FOWLER,
Secretary of the Department of the Treasury, Washington, D.C.

DEAR MR. SECRETARY: In the course of my study on the problem of free world shipping to North Vietnam I have been unable to determine the exact procedures through which the Hong Kong shipping companies are able to obtain British registry for their vessels. It does appear, however, that the vessels are actually processed through Hong Kong offices of the British Government, and that some fees or taxes are levied by the British as a consequence of this registration.

As you have advised that you have Treasury representatives in Hong Kong, I would be most grateful if you could have an early inquiry made to determine:

The mechanism of registration of vessels that entitles them to fly the British flag;

The obligations that devolve on the vessels and their owners as a result of accepting British registry;

The fees and/or taxes that must be paid as a consequence of this registry;

Any available information on the disposition of these funds.

If registration forms and other supporting documentation will provide answers to the above questions, copies of such forms would be appreciated.

Thanking you for your courtesy, I am,
Sincerely yours,
CHARLES E. CHAMBERLAIN.

TREASURY DEPARTMENT,
Washington, D.C., May 14, 1968.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives,
Washington, D.C.

DEAR MR. CHAMBERLAIN: The Secretary asked me to obtain through our representative in Hong Kong the information you requested in your letter of April 19 relating to British registry of vessels owned by Hong Kong shipping companies. I am pleased to send you now the enclosed copy of the letter received by Mr. Bach, our Hong Kong representative, from the Acting Director of the Hong Kong Marine Department. Mr. Bach additionally was given to understand that the proceeds from the fees and/or taxes are placed in a general fund for administration of the Colony.

I hope this information is adequate for your purposes. Should you wish to obtain copies of the laws and regulations referred to in the Marine Department's letter, perhaps the British Embassy in Washington would have them available.

Sincerely yours,
MRS. MARGARET W. SCHWARTZ,
Director.

Enclosure.

MARINE DEPARTMENT,
Hong Kong, May 2, 1968.

MORTON BACH, Esq.,
U.S. Treasury Representative,
U.S. Consulate General,
Hong Kong.

DEAR MR. BACH: You enquired concerning the registry of vessels in Hong Kong.

In these respects section 117(1) of the Hong Kong Merchant Shipping Ordinance (Cap. 281 of Laws of Hong Kong Revised Edition 1964) applies the United Kingdom Merchant Shipping Act 1894 to the Colony, and a vessel registered in Hong Kong is also a "British registered" vessel.

1. *Mechanics of Registration:* For the registration of ships in Hong Kong the following requirements apply:—

(a) the ship must be owned wholly by persons of the following description: either (i) British subjects (within the meaning of the British Nationality Act 1948 and with valid British passports); or (ii) Bodies corporate established under and subject to the laws of some part of Her Majesty's dominions, and having their principal place of business in these dominions.

(b) the name of the ship must be approved by Board of Trade, London, in accordance with Section 50 of the Merchant Shipping Act 1906.

(c) the ship must be surveyed in accordance with the Merchant Shipping (Crew Accommodation) Regs. 1961 and M.S. (Tonnage) Regs. 1968, and a Certificate of Survey produced.

(d) the owner(s) has/have to apply for British registry of the ship in accordance with section 8 of the Merchant Shipping Act 1894.

(e) a Declaration of Ownership must be produced in accordance with section 9 of the Merchant Shipping Act 1894.

(f) on the first registry of a ship the following evidence must be produced in addition to the Declaration of Ownership, and in accordance with section 10 of the Merchant Shipping Act 1894:—

(i) Builders Certificate:

(ii) Bill(s) of Sale or documents of sale or transfer prior to registry if the vessel has passed through several owners hands before registry.

(NOTE.—Foreign Bills of Sale must be attested or in some other manner authenticated by a Consular Officer and if in a foreign language, must be accompanied by an official translation.

Foreign registry must be closed free from encumbrances).

(g) A Ship's Carving and Marking Note must be produced, duly certified by an approved Surveyor of Ships, British Consul or Vice-Consul, and/or an Officer of Customs and Excise, all in accordance with section 7 of the Merchant Shipping Act of 1894.

2. *Obligations devolving on owners of vessels where these are registered in Hong Kong:* All Hong Kong registered vessels must comply with Merchant Shipping legislation. Generally speaking this is contained either in our own regulations, or in United Kingdom Acts when the associated regulations are extended to Hong Kong under appropriate Orders-in-Council, i.e.

HONG KONG REGULATIONS

Merchant Shipping (Crew Accommodation) Regulations 1961.

Merchant Shipping (Life Saving Appliances) Regulations (Cap. 281).

Merchant Shipping (Tonnage) Regulations 1968.

UNITED KINGDOM REGULATIONS EXTENDED TO HONG KONG

Merchant Shipping (Fire Appliances) Rules 1965.

Merchant Shipping (Life Savings Appliances) Rules 1965.

Merchant Shipping (Radio) Rules 1965.

Merchant Shipping (Direction Finder) Rules 1965.

Merchant Shipping (Cargo Ship Construction and Survey) Rules 1965.

Merchant Shipping (Dangerous Goods) Rules 1965.

Merchant Shipping (Grain) Rules 1965.

Merchant Shipping (Pilot Ladder) Rules 1965.

Collision Regulations 1965.

Merchant Shipping (Muster) Rules 1965.

Merchant Shipping (Navigational Warnings) 1965.

Load Line Rules.

Oil in Navigable Waters Act—certain sections.

Anchors and Chain Cables Act 1899.

3. *Fees payable upon registration:* The total initial registration fee payable for a 10,000 tons (gross) vessel is about HK$6000, but fees are on a sliding scale being related to gross tonnage.

(It should be noted that fees for various safety surveys and certificates are not included here).

4. *Other requirements:* All Hong Kong registered vessels must be in possession of valid Loadline and SAFCON Certificates. In the majority of cases these are issued on behalf of the Hong Kong Government by one of the recognised Classification Societies i.e., Lloyds Register of Shipping; American Bureau of Shipping; Bureau Veritas; and Det Norske Veritas.

Additionally of course the competency of masters and crews is dealt with under the Merchant Shipping Ordinance (Cap. 281) and briefly a master, first and second mate, first and second engineer must all hold certificates of competency granted in the United Kingdom under the Merchant Shipping Acts, or colonial certificates of competency declared by any Order of Her Majesty in Council to be of the same force as if they had been granted under the M.S.A.'s.

This correspondence shows clearly that a vessel registered in Hong Kong is also a British registered vessel. Whatever loopholes may exist in British maritime law, I am satisfied that they could be closed if there were sufficient determination to do so. At the very least, it would only seem fair to those countries that have agreed to withdraw their flag vessels from this trade.

The North Vietnamese are using the bombing halt to resupply their forces and bolster their economy, while increasing their infiltration of the South—and this with the increasing help of these free world ships. With our casualties now greater than ever before, I simply can not understand why the administration does not take effective action to stop this free world shipping to North Vietnam.

I include at this point a table on free world ship arrivals in North Vietnam, and my correspondence with the State Department:

FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM, 1968

	British	Cypriot	Italian	Singapore	Greek	Lebanese	Japanese	Total
January	9	1						10
February	7	1						8
March	10		1	1				12
April	10			1	1	1		13
May	13	3		1			1	18
Total	49	5	1	3	1	1	1	61

MAY 9, 1968.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: A recent press report indicates that a Tokyo shipping firm is planning to assign one of its vessels to trade with North Vietnam in Mid-May.

I would appreciate any information you may have on this report together with views of the Department concerning the resumption of such trade should it occur.

With my kindest regards, I am,

Sincerely yours,

CHARLES E. CHAMBERLAIN.

DEPARTMENT OF STATE,
Washington, D.C., May 16, 1968.

Hon. CHARLES E. CHAMBERLAIN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CHAMBERLAIN: The Secretary has asked me to reply to your letter of May 9 concerning press reports that a Japanese shipping firm is planning to assign one of its vessels to the North Viet-Nam trade.

We have received information that the *Kotoku Maru,* owned by the Showa Kaiun Company (alternatively Seiwa Kaiun Company) of Tokyo, may be enroute to Haiphong with a cargo of medical supplies and, possibly, dry goods. The Showa Kaiun Company is a small operator with a number of small ships (the *Kotoku Maru* has a capacity of 2,500 gross tons) totalling some 30,000 gross tons. The firm's ships have been involved in trade with Communist countries and the *Kotoku Maru* has been making runs to North Korea. Showa Kaiun is not a member of the Shipowners Association which suspended all shipping operations to North Viet-Nam in April 1965.

We have made clear to the Japanese Government our concern over the possible reappearance of any Japanese flag ship in the North Viet-Nam trade. The Government of Japan is actively looking into the situation. I can assure you that the Department of State's policy continues to be one of enlisting the cooperation of all Free World governments in keeping their ships out of the North Viet-Nam trade.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

A HELPER GETS NO HELP

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, I know all of us are laden with the burdens of life, but I think every now and then when we have a little humorous incident developing in the city, we should all enjoy it—and if some Members have not heard about some activities last Saturday at "Tent City," I would like to share it with them.

Perhaps Members read yesterday's Evening Star, which reported that one James Clark, a hardworking plumber from the District of Columbia, went down to "Insurrection City" and wanted to help them last Saturday, in the hot sun, to put in their sewer system. It developed no one down there wanted to help old James despite repeated pleas over the public address system for volunteers. James went out and had to do it all by himself. Finally, he turned to one man, according to the Washington paper, and said, "You look like a big man. How about helping me dig this ditch or cover it up?" The man said, "Brother, I came down here to get away from shovels." That's right, these people aren't interested in jobs; they only want handouts and others to do the work for them.

If we want to end this debacle and disgrace down there, perhaps we can by installing an employment office on either end of "Insurrection City," require all able-bodied people to work, and then the thought of having to work will force them to leave. I know many of the American people asked the question whether we lost our minds when we permitted the administration to allow this encampment in the first place. Now, with such idiotic developments as happened last Saturday the people will rightly demand an end to this national disgrace.

For the benefit of all Members of the House, I include the complete article.

GETS NO HELP: PLUMBER STRIVES TO AID TENT CITY

(By Chris Wright)

James H. Clark stood shoulder-deep in the freshly dug trench, sighting down the line of black sewer pipe he had just laid between two rows of Resurrection City's plywood shacks.

Clark is not a resident of the poor people's encampment. He is a licensed plumber with his own business in Washington.

Yesterday he was at Resurrection City laying a sewer line so the showers would have drains and not create a quagmire. He was doing the work free, and asked the encampment officials about the possibility of help.

Periodically the public address system would ask for volunteers—for an unspecified task. Clark would look up once in a while, shrug his shoulders and bend back down into the trench.

No volunteers came.

"DON'T WANT TO WORK"

"These people don't want to work," he said.

When the motor of the earth-mover idled, transistor radios could be heard inside nearby shelters. From time to time a group of men would gather around the ditch and watch Clark work.

Once Clark looked directly at a big man who seemed to be a leader and asked him to get some help and begin filling the trench behind them.

The man looked surprised. "Brother, I came down here to get away from shovels," was the reply.

By late afternoon the line was about halfway to the showers. Someone obtained a second earth-moving machine but only began to haphazardly fill the trench. He soon went away.

As Clark worked, he said he has very little use for the Poor People's Campaign, personally. But he feels sorry for the people in the camp—and he likes to see a job, especially one done by Negroes, done right.

HELPED BY COUSIN

"I sure would like to regrade that last section," he said, apologizing for his use of rocks instead of brick to support the pipes. The afternoon sun beat down. He walked off down the trench carrying his red level.

Clark, of 431 10th St. NE, donated his time for the project. He also got his cousin to help, and guaranteed payment for earth-moving machinery, that was supposed to be rented out of campaign funds.

He got started on the pipe-laying on Saturday after a friend called him and disclosed that the tent city was in trouble because of its non-existent sewer system.

No stranger to weekend work—"You can drive down the street and see people sitting on their porches, but I usually find something to do"—he got organized and was digging before the city's residents seemed to realize he was there.

As the day went on his pipeline progressed steadily through the hot, sun-baked clay toward the plywood shower stalls in the center of the camp.

Clark and his helper ignored camp residents who jumped the trench, kicking dirt where they were working.

RAINS FILLS TRENCH

As huge thunderclouds began to blot out the sun at about 6 p.m., Clark looked anxiously at his handiwork and the mostly unfilled trench.

A few big drops fell, making dark spots on his green denim shirt.

"I'm a damn fool," he threw down the shovel in his hand.

"But I've been one—brought up that way." He picked up the shovel and finished bracing the pipe joint.

The rain clouds got darker. "The least they could do is fill up this hole."

He jumped out of the ditch. "Take this shovel and put it in our truck," he told his cousin. "I'm going to do something about this."

Clark strode off between the plywood houses. His cousin disappeared in the other direction.

Time passed. The rain began to fall in sheets across the camp.

The hole began to fill with water. The loosely piled earth on the sides turned to runny mud.

At the other end of the camp three men in yellow rain slickers experimented with one of the earth-moving machines. They didn't know who Clark was.

TRIBUTE TO THE LANCASTER CLEFT PALATE CLINIC

Mr. ESHLEMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ESHLEMAN. Mr. Speaker, I would like to pay tribute to the Lancaster Cleft Palate Clinic in Lancaster, Pa. An article recently appeared in a magazine published by the American Medical Association, Todays Health, which detailed the magnificent work being done by this medical team in my district. The Lancaster Cleft Palate Clinic has become internationally renowned as the leading center of knowledge about treatment of cleft palate victims.

This type of oral defect has been a great crippler throughout the world. Dr. Herbert K. Cooper brought hope and success in treatment of it when he pioneered the team approach for rebuilding cleft palate victims. Dr. Cooper is now the director emeritus of the clinic he founded and his son, Dr. John A. Cooper, now is in charge of the 50 people on the staff of the Lancaster clinic.

Since its origin in 1938, the clinic has treated over 14,000 people who were born with a cleft palate. Patients of all ages are accepted, but great significance is placed on beginning treatment when the patient is an infant. The results are happiest as treatment progresses through childhood and adolescence. All phases of the problem are dealt with including corrective surgery, speech development, and social adjustment. Knowledge concerning methodology and causation factors is continually updated through extensive research work. The outcome of the clinic's effort is the ability of people, who would in the past have been hopeless cripples, to lead a normal life.

While the philosophy of aid to mankind is the Lancaster clinic's obvious contribution to America, another bit of philosophy of this team is also truly commendable. In a letter to me, Dr. Herbert K. Cooper recently summed up this second consideration. He stated:

> We feel it is important to keep our representatives informed of the work we are doing supported in part by tax dollars. We do not feel that the government owes us everything. We think we should show our ability to operate on our own also.

Mr. Speaker, I yield back the balance of my time.

INVESTIGATION NEEDED TO DETERMINE IF FOREIGN DIRECTION IS PROMOTING VIOLENCE AND TERRORISM IN THE UNITED STATES

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I have today asked the U.S. Attorney General to open an investigation into foreign direction of Communist and Arab propaganda activities promoting violence and terrorism among young people in the United States, especially college students.

The political assassination of Senator Robert F. Kennedy was apparently motivated by his support of the State of Israel and opposition to the Communist and Arab line in the Middle East. The accused assassin, Sirhan B. Sirhan, who is not an American citizen, was reportedly active in extremist agitation of Arab and so-called "New Left" student circles at Pasadena State College in California.

The assassination was in obvious conformity with the stated aims of the pro-Communist Arab terrorist organization known as the "El Fatah." This group has advocated the emulation of the Vietcong and the assassination of Israelis and others who dare support Israel. Arab extremists identified with the so-called Arab national liberation front have been trained in Moscow and Peking, and have been endorsed by the Vietcong.

Mr. Speaker, President Nasser of Egypt and other Arab leaders urged Arabs throughout the world to demonstrate their wrath on June 5, the first anniversary of the outbreak of last year's Middle East war, a war caused by the Communist and Arab attempt to liquidate the State of Israel. June 5 was the day Sirhan Sirhan assassinated Senator Kennedy, according to the charges lodged against him.

The Communist aim, Mr. Speaker, is to keep the Middle East issue inflamed to stampede us into making a hasty and unsatisfactory withdrawal from Vietnam, now subject of peace talks in Paris. The Communist aim is to penetrate and dominate the Middle East and Mediterranean. Now it appears that a further step has been taken, escalating the violence and riots mushrooming on the campuses of American universities. It involves the exportation of terrorism. They have moved from the guerrilla tactics of the Arabs against Israel to the assassination of American politicians inside the United States.

I think the time has come, Mr. Speaker, for the Attorney General to ascertain the answers to the following questions:

First. Who finances the Organization of Arab Students in the United States?

Second. What is the group's links with foreign embassies?

Third. What are the connections with Stokely Carmichael, of the Student Non-Violent Coordinating Committee, who recently visited Cairo and Damascus where he discussed Arab revolutionary tactics and methods of cooperation?

Fourth. What are the ties with the so-called New Left?

Fifth. What measures are now contemplated to control foreign agitators, especially those active in radical student movements and other subversive activities?

I am asking for a report from the Attorney General at his earliest convenience.

STOP-AND-FRISK DECISION OF SUPREME COURT

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, on April 30 of this year, I introduced H.R. 16908, a bill to provide for the investigative detention and search of suspicious persons. I was pleased to be joined by the distinguished minority leader and by 11 Republican members of the Judiciary Committee.

Yesterday, the Supreme Court handed down two decisions—Terry against Ohio and Sibron against New York—concerning the very sensitive and extremely critical question of whether stop-and-frisk authority may be exercised by the police under the fourth amendment. By a margin of 8 to 1, the Court vindicated the position taken by the cosponsors of H.R. 16908.

The Court said that a policeman may stop a person upon a reasonable suspicion on less than probable cause that such person is engaged in a crime. And if the policeman reasonably fears for the safety of his own person or of those nearby, he may make a protective search by patting down the outer clothing of such person for dangerous weapons. If any weapons are found, they are admissible in evidence.

Thus, on each of these points the Court embraced the principles of H.R. 16908.

More importantly, the Court said that the basic test of a "stop and frisk" is whether, under the circumstances, the governmental interest for law enforcement outbalanced the individual interest in personal liberty. This is exactly the test set down in H.R. 16908. See section 3028 (2).

The Court's opinions not only endorse the concept of investigative detentions under the Constitution but demonstrate the need for clear guidelines.

This is where H.R. 16908 plays its critical role—in guiding the policeman in this most sensitive area. The Court rightly criticized the simple approach of a State statute that authorized the stop-and-frisk practice without laying down the limitations on such activity.

I believe that the discerning reader of the Court's opinions will find that H.R. 16908 has become vitally necessary.

Statutory guidelines are still lacking.

Policy decisions must be made which only a legislature can make.

We cannot afford to allow the policemen of our country to be forced to make these difficult policy decisions in the dark.

Effective and efficient law enforcement require that we act now.

OCCUPATIONAL HEALTH AND SAFETY ACT OF 1968

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, the two separate accidents in mines that we have all read about in the newspapers are stark reminders of the hazards that still come to workers. They are also urgent reminders of the duty that the Congress has to consider carefully the need to do an effective job of perfecting the provisions—and subsequently passing—the pending Occupational Health and Safety Act of 1968.

Although the mine accidents that we have read about remind us mainly of the need for safety regulations, the health problems of miners are equally important.

"Black lungs," "grinders' rot," "Potter's asthma," "stone mason's phthisis"—these are ancient terms for the progressive crippling lung damage which has afflicted thousands of workers in the dusty trades over the years. The State of Pennsylvania alone is paying more than 16,000 persons $55 million in compensation claims in 1968 for these occupational pneumoconioses.

Among soft coal miners, the death rate from respiratory disease is five times that of the general working population.

Over 3,000 cases of silicosis are reported yearly from exposure to free silica—the major constituent of all rocks, soils, sands, and clays. In Montana some progress has been made in the prevention of silicosis. In 1961, there were some 780 payments being made. Montana's Industrial Accident Board informs me that they are presently compensating 455 victims, and that 20 of these workers are being assisted by industry itself.

Cotton dust, talc, diatomite, carborundum, sugarcane fiber, asbestos, even the dust from moldy silage—each produces its own form of lung damage wherever dust control and worker protection are inadequate.

A recent study of 231 foundries revealed that 1 in 15 of the 3,200 workers were exposed to environmental conditions capable of producing disabling and fatal diseases. On the basis of this study, the U.S. Public Health Service estimates that more than 20,000 workers in this industry are presently working under dangerous conditions.

Three and a half million American workers exposed to asbestors face a dual threat: not only are they subject to the lung-scarring pneumoconiosis of their trade, asbestosis, but they are endangered by lung cancer associated with inhalation of asbestors fibers. Recent studies of insulation workers in two States showed 1 in 5 deaths were from lung cancer, 7 times the expected rate; half of those with 20 years or more in the trade had X-ray evidence of asbestosis; 1 in 10 deaths were caused by mesothelioma, a rare malignancy of the lung or pleura which strikes only 1 in 10,000 in the general working population. The Occupational Safety and Health Act of 1968 would substantially increase the amount of research carried out in this field. I urge all my colleagues to join me in supporting this bill.

CRIME STUDY BY CONGRESS PROPOSED

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, this morning I joined in a breakfast with approximately 50 Members of the House of Representatives who have been joint sponsors of House Resolution 1, which was originally authored by Mr. PEPPER. The resolution would set up a joint commission of the House of Representatives and the other body to address itself to the overriding problem of crime.

Since the assassination of Senator Robert F. Kennedy there has arisen a determined and rising demand for more aggressive action on the part of Government to meet and match the challenge of increasing violent crime. No action could be more calculated to recapture a part of the lost confidence which our Central Government has suffered than a direct response to this demand.

I do not believe that the single act of the President in appointing a new Commission to study violence is a sufficient response to the citizens' appeal. This great representative body should use its mechanism of a select committee to go to the people. Allow the public over the broad expanse of our land to express what they feel and what they want. Our selected members should be ready to weigh their suggestions and measure their assessment of the problem and then indicate to the alert and aware segments of society that they will attract what is appropriate to the Federal jurisdiction and what should be accomplished by local and State governments.

Such a move, Mr. Speaker, is consistent with our tradition. It would establish a meaningful manner for the great partnership between the represented and those who represent them. This select committee and its hearings could provide a great impetus to intelligent appreciation for what our National Government can and will do for this problem. I believe it would give a sense of relief to the many of our constituents who are not convinced we care enough to really bring a vigorous effort to the problem of violence and crime.

Mr. Speaker, I hope that the sentiment of this body will be immediately to respond in support of the measure House Resolution 1, now before the Rules Committee; to encourage its report to the floor and to support passage in this House.

ANTICRIME LEGISLATION

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, last Thursday—June 6, 1968—the House of Representatives concurred in the Senate amendments to the omnibus anticrime bill, H.R. 5034.

Some supporters of anticrime legislation have raised objections that the House of Representatives acted without proper consideration and in too great haste in approving the wiretapping and electronic surveillance provisions contained in the Senate version of the omnibus crime bill, H.R. 5037. The record clearly shows that the objection is not well founded.

Following the publication of the President's Crime Commission's recommendation, in early 1967, for authorization of wiretapping and bugging under court order to combat organized crime, the House minority leader, JERRY FORD, and I, and the minority members of the House Judiciary Committee, introduced a very carefully drawn bill to authorize such electronic surveillance by law enforcement officials. That proposal, H.R. 10037, was submitted in May 1967, only after many hours of study by the House Judiciary Committee legal staff, House legislative counsel, and the various sponsors and then only after lengthy consultation with experts in the field. The principal draftsman was Prof. G. Robert Blakey, of Notre Dame Law School, who was the special consultant to the President's Crime Commission on wiretapping, bugging and organized crime. Professor Blakey assisted the Judiciary Committees of both bodies of the Congress during the entire course of this legislation's consideration.

During this time, the spring of 1967, the House Judiciary Committee was engaged in detailed and thorough hearings of the crime program, including wiretapping and electronic suveillance. The hearings consumed 12 days and we heard from scores of witnesses. The subject of electronic surveillance, its legality under the Constitution and its wisdom as national policy, was discussed by judges, lawyers, professors, prosecutors, and the Attorney General of the United States.

In June of 1967, the Supreme Court decided the now famous Berger case in which they shed new light on the subject of electronic surveillance and set out certain guidelines for constitutional minimum requirements. Again the sponsors and supporters of our bill restudied the problem in this new light, reassessed the issues, and in October 1967, we introduced a refined and improved bill, H.R. 13275, conforming to the suggestions of the Berger decision.

In December of 1967, the Supreme Court again spoke on the subject of electronic surveillance in the Katz case. That opinion made it even clearer that our proposal for court supervised, limited surveillance with the numerous safeguards we had meticulously included was a wise and proper legislative proposal. But because of the opposition by the administration or its spokesmen, our Republican-sponsored proposal was blocked in the House Judiciary Committee.

During all this time, the Senate Judiciary Committee was actively considering legislation similar to our bill. They held 10 days of hearings in the spring of 1967 in the Criminal Laws Subcommittee, hearing from numerous witnesses including some of those who testified before the House Judiciary Committee. The Administrative Procedures Subcommittee also held 10 days of hearings on the administration's electronic surveillance bill which would ban police electronic surveillance but permit the executive branch to do so without court supervision in so-called national security cases.

Between the House and Senate hearings and the Senate Judiciary Committee report on the bill there are available many hundreds of pages of study and analysis of the issues presented by electronic surveillance proposals.

Finally, the Senate Judiciary Committee favorably reported, with strong bipartisan support, legislation very similar to our bill. It was incorporated in the omnibus crime bill as title III.

The bill was the subject of 15 days of consideration on the floor of the Senate including 2 full days and portions of others devoted to electronic surveillance. On May 23, 1968, the Senate firmly rejected an attempt to delete the electronic surveillance provisions—title III—from the bill by the overwhelming margin of 68 to 12.

During the course of this legislation's movement through the 90th Congress, it has been endorsed either specifically or in concept by:

The President's Commission on Law Enforcement and Administration of Justice.

The Judicial Conference of the United States.

The National Association of Attorneys General.

National District Attorneys Association.

Association of Federal Investigators.

All living former U.S. attorneys for the southern district of New York.

The National Council on Crime and Delinquency.

Thus, to say that the House acted precipitously, and without proper consideration is not supported by the record. On the contrary, it was with the utmost cognizance of the issues and with great appreciation for the legislation that the House moved, with proper speed, to embrace the proposal before its declared enemies could finally block it. The war on crime called for and continues to call for prompt and effective action. We responded in this field with dispatch.

MR. BURKE OF MASSACHUSETTS RECEIVES HONORARY DOCTOR OF SCIENCE DEGREE

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, on Sunday, June 2, our distinguished colleague from Massachusetts [Mr. BURKE] received an honorary doctor of science of oratory degree from Curry College, Milton, Mass. Sharing the honors on the same platform was the renowned Negro tenor, Roland Hayes, one of America's outstanding singers.

As the commencement speaker, Congressman BURKE noted that today's graduates face a world today beset by great problems, greater perhaps than at any time since the founding of our Nation. However, Mr. BURKE shares with me the confidence that our youth of today will shoulder the burdens of tomorrow in a manner that will reflect credit and honor on them in the years ahead.

Mr. Speaker, it is a privilege to serve in this legislative body with the distinguished gentleman from Milton, Mass., JAMES A. BURKE. He has compiled with great diligence a progressive record as the New England member of the prestigious Ways and Means Committee. He has made child welfare legislation a special concern of his—in the tradition of my predecessor, the late John E. Fogarty. As a recipient of this honorary degree, JIM BURKE follows in the footsteps of my distinguished Senate colleague from Rhode Island, Hon. CLAIBORNE PELL, and his distinguished Senate colleague from Massachusetts, Honorable EDWARD M. KENNEDY.

Mr. Speaker, it is my great pleasure to place in the RECORD the citation of Curry College in awarding this honorary degree to Congressman JAMES A. BURKE. Also, at this time, I wish to include Mr. BURKE's noteworthy commencement address, two recent articles from the Boston Globe and the Boston Herald, and the 1968 Curry College commencement program:

JAMES ANTHONY BURKE, member of the United States Congress from the 11th District, Commonwealth of Massachusetts, you are completing your tenth year in the service of our government.

A native of Boston, you attended Suffolk University, and soon after began an active life in public service. You were a member of the Massachusetts General Court for ten years, four of which you served as Majority Leader. You were formerly the Registrar of Vital Statistics.

During World War II you accepted the call of your country and became a member of the Counter-Intelligence Corps of the United States Army, serving overseas with the famed 77th Division for 45 months.

In only your second term in office you were the third person in the history of Congress to be elected to the powerful House Ways and Means Committee in such a short period of time. At the end of this present year you will be the fifth ranking member of that 25-man Committee, where you have now served for eight years. You are the only New Englander to have been elected to this Committee by the membership of your own party in caucus. You have been cited for your 100% Roll Call record as well as for your perfect record of attendance at all public hearings and executive sessions of the House Ways and Means Committee, historically one of the busiest Committees in the Congress.

You have also been an outstanding leader in the field of child welfare legislation throughout your political career. In March of this year you received an award from the Northeast Regional Conference of the Child Welfare League of America. Similarly, you were honored this year at the 30th Anniversary meeting of the New England Association of Child Care Personnel. You continue to work tirelessly on behalf of child welfare, and it was through your efforts that the authorization for child welfare appropriations was doubled.

And now, by action of the Curry staff, the Board of Trustees concurring, and by virtue of the authority vested in me by the Board of Higher Education of the Commonwealth of Massachusetts, I confer on you the degree of Doctor of the Science of Oratory, *honoris causa*, and admit you to all of the rights and privileges thereunto pertaining. In token of this action, I present you with this diploma and direct you to be invested with the hood appropriate to your degree.

[SEAL]

JOHN S. HAFER,
President.

The 89th Commencement, Curry College, June 2, 1968.

ADDRESS BY CONGRESSMAN JAMES A. BURKE, COMMENCEMENT DAY SPEAKER AT CURRY COLLEGE, MILTON, MASS., JUNE 2, 1968

President Hafer, reverend clergy, Mr. Hayes, distinguished members of the faculty, graduates and guests.

It is an honor and a pleasure to be with you, also, it is a privilege to share the platform with the gifted and world renowned artist, Mr. Roland Hayes whose magnificent voice has brought so much enjoyment to his fellow men in America and throughout the world.

To the graduates my congratulations for the successful completion of your scholastic endeavors. Graduation day is the climax of your life as a student. May it be for all of you the springboard to a bright future in the careers you pursue. May the memories of campus life be fond and vivid, the friendships enduring and cherished.

Today the world is in a chaotic condition. We find students not only in the free world but everywhere protesting against the so-called "establishment," even those behind the Iron Curtain are joining in the protests and demanding more in the way of recognition.

A climax of some kind seems to be approaching the world over, in resistance to all authority, in tolerated violence, crime and undisciplined behavior. This is not only taking place in the United States but uprisings have erupted in France, West Germany, Spain, Italy, Britain. Communist Eastern Europe is affected, so is Red China and Russia is on the fringes to date and may not escape.

Under fire are institutions of higher learning, unequal incomes related to unequal ability and achievement. Rigid bureaucracies of government, war for whatever reason, ideologies. Just about everything.

Here in America, where we have a free and open society, many persons in high places have expressed deep concern about the lawless methods being used by demonstrators. Justice Abe Fortas of the U.S. Supreme Court criticized activities of students at one of our universities as "totally inexcusable from the point of view of even primitive morality". He added, "The advocacy of civil rights does not require or justify the abandonment of all decency".

The New York Times commented: "Justice Fortas' strong condemnation of some of the current student tactics has been noteworthy, not only because Justices rarely speak out on events that could eventually reach the High Court, but also because he has liberal credentials as one of the Court's most consistent libertarians".

While these activities are taking place on our college campuses throughout the country there is another group in our society who are deeply concerned, the so-called "forgotten man," those members of the middle class who feel overtaxed, overburdened and ignored. There are *millions* of these concerned citizens.

This group is apprehensively watching crime, racial violence, rising taxes, and consumer prices, they are concerned over the value of the dollar and America's gold position, Government spending, rising costs of family expenditures on such vital necessities as medical care and sending the children to college: the Vietnam war and the draft, an apparent disintegration of moral standards and social institutions, and a general loss of confidence in some of the political, religious and educational leaders of our Nation. The public is appalled by the collapse of accepted standards of behavior in many areas.

On the economic front, business has never been better, corporate profits are at their highest peak, unemployment figures are the lowest in the Nation's history and the wages of the workers are steadily climbing to new heights.

However, the cost of the Vietnam war is running close to 30 billion dollars a year and the Nation faces a 22.4 billion dollar deficit for the 1968 fiscal year, with an anticipated 30 billion dollar deficit for 1969. The need for more taxes and expenditure cuts is being debated in Congress at the present time.

Our peace envoys are in Paris attempting to negotiate an honorable and just peace with the Hanoi government. So far, it has been a very exasperating experience for our negotiators with little or no progress. The war continues and the loss of life and casualties remain high. The problem of civil rights is reaching newer and wider dimensions.

It is in this atmosphere that the young graduates face the world today. There are those who are in deep despair facing these overwhelming problems, and yes, there are those who would immediately abdicate their responsibilities and take refuge under the nearest wavering banner.

However, as history has shown in the past, the *youth* of this great and beloved Nation has always risen to the test: They have answered the needs of our country through its most trying ordeals: They have given of their hearts and their minds to the building of the greatest democracy in the history of mankind, and they have always been dedicated to the improvement of our Nation's welfare. Now, as you enter this present day world it is important that you hold to your ideals and with the fresh look of youth proceed bravely so that *you* in *your* time may make a contribution that will be worthy of, and reflect credit upon, *your* generation.

As so well stated, in the inaugural address of the late beloved John Fitzgerald Kennedy on January 20, 1961 and which is so apropos today, "now the trumpet summons us again, not as a call to arms, though arms we need, not as a call to battle, though embattled we are, but a call to bear the burden of a long twilight struggle, year in, and year out, rejoicing in hope, patient in tribulation, a struggle against the common enemies of man: tyranny, poverty, disease, and war itself".

Today, we read about the passing of Helen Keller, "one of the great women of this century." This gentle woman who walked with kings and presidents in her life-long crusade to help the world's handicapped, proved that individuals can overcome human problems, and go on to phenomenal achievements in behalf of their fellow man. I commend to the young lady graduates the reading of the life of this woman who could be truly called "one of God's great noblewomen." Her life was a triumph over darkness.

To the young men of this graduating class, may I commend the reading of Rudyard Kipling and particularly the immortal poem, "If".

The world is looking to *youth* to carry the torch—*yours* to hold it high with *dignity, integrity* and *honor*. I know the tasks you face will be difficult and many.

To help you in carrying the torch it might be well to remember the universal prayer that has been widely acclaimed in this troubled world, a world in need of a better understanding.

"LORD MAKE ME AN INSTRUMENT OF YOUR PEACE

"Where there is hatred, let me sow love
Where there is injury, pardon
Where there is doubt, faith
Where there is despair, hope
Where there is darkness, light
And where there is sadness, joy
Oh Divine Master, grant that I may not so much seek to be consoled as to console
To be understood as to understand
To be loved as to love
For it is in giving that we receive
It is in pardoning that we are pardoned
And it is in dying that we are born to Eternal Life."

[From the Boston Globe, June 3, 1968]

Curry Seniors Told Youth Will Meet Test

U.S. Rep. James A. Burke (D-Milton) on Sunday expressed confidence that the youth of America will shoulder the burdens they will have to face.

In remarks delivered before 114 graduating seniors at the 89th Annual Commencement exercises of Curry College in Milton, Burke said:

"The world is looking to youth to carry the torch—yours to hold it high with dignity, integrity, and honor. I know the tasks you face will be difficult and many.

"History has shown in the past, the youth of this great and beloved nation has always risen to the test; they have answered the needs of our country through its most trying ordeals; they have given of their hearts and their minds to the building of the greatest democracy in the history of mankind, and they have always been dedicated to the improvement of our nation's welfare."

Receiving an honorary degree along with Burke was Roland Hayes, Negro tenor. Also receiving special awards were the president of the college, Dr. John S. Hafer, Gerald Grasso of Weymouth, and Harold Cohen of Westwood, N.J.

[From the Boston Herald, June 3, 1968]

At Curry—114 Get Degrees

With 114 seniors representing 13 states, Curry College, Milton, graduated its largest class yesterday before capacity audience of 1300 at the college's 89th commencement exercise.

Deploring recent militant campus demonstrations, U.S. Rep. James A. Burke, (D-Milton), called on the graduates to remember millions of Americans he termed "forgotten men" who feel overtaxed, overburdened and ignored:

"They are apprehensively watching crime, racial violence, rising taxes and rising consumer prices."

Burke said the public is appalled by "the collapse of accepted social standards of behavior in many areas," and told the graduates he was confident they "will reflect a credit upon your generation."

Curry President John S. Hafer conferred honorary degrees to Rep. Burke, citing his 100 per cent roll call vote and efforts on behalf of child welfare, and to concert tenor Roland Wiltse Hayes, citing his rise from a Georgia plantation cabin to become one of the world's outstanding singers.

The 1968 Curry College Commencement Exercises and Baccalaureate Service, Sunday, June the Second, Milton, Mass.

BACCALAUREATE SERVICE

Little Theater, 9:30 a.m.

Prelude: Five Short Pieces by Samuel Wesley; Prof. Edward H. Hastings, Organist.

Processional: Marche en Rondeau by M. A. Charpentier (Audience please stand).

Call to worship: The Rev. Cecil H. Rose, Chaplain.

Hymn No. 15: "Praise to the Lord, the Almighty."

Responsive reading No. 23, page 519.

Prayer: The Rev. Milton L. Boyle, Jr., Registrar.

Musical selection: "Lord God of Abraham (Elijah)" by Felix Mendelssohn; Donald Tucker, '69, Baritone.

Introduction of the speaker: Dr. Alexander Moissiy, Professor of French and Russian.

Baccalaureate address: The Rev. Theodore Isais, Holy Cross Greek Orthodox Theological School.

Hymn No. 375: "Lead On, O King Eternal."

Benediction: The Rev. Cecil H. Rose.

Recessional: "March in E-Flat" by Robert Schumann.

COMMENCEMENT EXERCISES

Academic quadrangle, 11:00 a.m.

Prelude: Psalm 117 by William Selby, Four Psalms of Joy by George Jackson, Fifth Organ Concerto by G. F. Handel, Prof. Edward H. Hastings, Organist.

Processional: Marche Episcopale by Louis Vierne (Audience please stand).

National anthem: Led by Curry College Concert Choir, Prof. Edward H. Hastings, Director.

Invocation: The Rev. Gilbert Y. Taverner, Parkway Community Methodist Church, Milton.

Greeting: Dr. John Stuart Hafer, President, Curry College.

Valedictory address: Ellen Channon.

Presentation of class gift: John B. Fitzmaurice.

Choral selection: Gaudeamus Igitur, arr. by E. H. Hastings, Curry College Concert Choir, Paul Thistle, '71, Organist.

Commencement address: The Hon. James A. Burke, U.S. Representative, 11th Congressional District.

Presentation of recipients of honorary degrees: Dr. Willard Price Lombard, Chairman, Curry Board of Trustees. (The Hon. James A. Burke, Roland Hayes, distinguished American tenor.)

Conferring of honorary degrees: President Hafer.

Presentation of special awards: President Hafer. The Yankee Chapter, American Ordnance Association—Raytheon Company Award: Recipient—Gerald A. Grasso. The Wall Street Journal Student Achievement Award: Recipient—Harold Charles Cohen.

Presentation of candidates for degrees: Dr. Hiram John Evans, Dean of the College.

Conferring of degrees: President Hafer.

Alma Mater: Led by Curry College Concert Choir: (Audience please stand)

"Alma Mater, let us praise thee!
Clothed in beauty, rare art thou,
Old Traditions cling about thee,
New ideals crown thy brow,
And thine eyes are filled with visions
Truth and mercy meet in thee,
Alma Mater, let us praise thee!
Ah! that we may worthy be!"

Benediction: The Rev. James G. Buckley, the Columban Fathers, Milton.

Recessional: "Con Hoto Maestoso" (Sonata III), by Felix Mendelssohn.

BACHELOR OF ARTS

Edith Maria Alfieri.
Donna Elaine Altieri.
James Hunter Ambler.
Sompong Amornvivat.
John Kelly Bamond.
E. Steve Banis, Jr.
Carol Jane Barker.
Jane Grossman Barr.
Anthony Murray Baxter.
Carl Ekstrom Beck, Jr.
Paul Edward Berger.
Robert C. Bernard.
Kevin Arthur Brennan.
Michael Anthony Bruscell.
Francis Xavier Camorali.
Thomas Anthony Cappucci.
Dee Carroll.
Ellen Channon.*
Arnold Harvey Cohen.
Harold Charles Cohen.*
Richard Francis Connolly.
Robert S. Conti.
Bruce G. Corbett.
Michael Corman.
Daniel Benjamin Danton.
Paul Joseph DiBenedetto.
Theodore E. Dombrowski, Jr.*
Susan A. Driscoll.
John Joseph Feeley, Jr.

**Elected to Who's Who Among Students in American Colleges and Universities.*

Matthew C. Feingold.
John B. Fitzmaurice.
Barbara-Anne Flanagan.
Paul Henry Frazier.
Anne Elizabeth Gallagher.
Kevin Thomas Galligan.
Thomas James Giblin.
Harvey I. Glasser.*
Eric Harvey Golden.*
Robert Peter Gould.
Charles Edward Gray, Jr.
Richard John Grogan.
Jon Emerick Harlor.
Edward J. Hauck III.*
David J. Hoffman.
Mollyne Roberta Honor.*
Glenn Allen Hughs.
Edward Carl Jellson.
Paul Edward Jessoe.
Marc Alan Kamin.
Joseph Daniel Kane.
William Michael Kelleher.*
Gerald P. Kibbe.
Elspeth Gail Kindquist.
Mary R. Klein.
Henry A. Knapp.
Maryann Rose Kotapski.
Joseph Kreplick.
Richard Burt Kurtzman*.
Barry Michael Lake.
Thomas William Lally, Jr.
Lenore Marilyn Levine.
Florence Mainieri L. Lipari.
Philip D. Lipson.
Toby (Rosenblatt) Marxuach.
Nancy Elizabeth Materne.
Paul Barrett McArthur.
Patrick J. McGeogregan.
Robert Emmett McGovern.
H. Keith Metler*.
Jeffrey Ian Miller.
Barry Frank Montgomery.
John E. Montini.
William Henry Morris.
Edmund Francis Noke, Jr.
Kathleen F. O'Connor.
Rocco Edward Palladino.
Carol Marlene Palmer.
Frank Peronace, Jr.
Roy Kevin Publicover.
Donald Victor Purdy.
Andrea Rauseo.
Peter Roppolo.
John Anthony Roselli.
Charlotte Frances Ross.
James Joseph Ryan.
Roderick A. St. Pierre.
George James Sarkes.
Eileen Henre Sarrel.
William Richard Schlieff.
Debra Lynn Schoenberg.
Dennis Victor Scialli.
Carmel Joseph Serge, Jr.
Benjamin Shavitz.
George Benjamin Shure.*
Sandra R. Silvern
Donna A. Skolnick.
Ronald Royster Smith.
Vernon S. Stromberg, Jr.*
James S. Summers.
Dennis I. Tave.
Richard S. Thistlewaite.
Marcia Mae Thomas.
Martin Paul Thorsen.*
Francis Paul Tomaiolo.
Donald Joseph Upton.
Lynn B. Varty.
Robin D. Verner.
Gregory Clark Wallwork.
Mark William Weber.
Maurice Barry Wyman.
Stephen Nicholas Zanni.

BACHELOR OF SCIENCE

S. Joseph Cincotta.
Gerald A. Grasso.
William F. Hughes, Jr.
Douglas Scott Sparrow.
Frank Alan Ward.

Board of Trustees: Richard E. Adams, Lenice Ingram Bacon, Joseph Aloysius Doherty, Leo C. Donahue, Mildred Buchanan Flagg, J. John Fox, Melville Bell Grosvenor, Charles E. Holly, David Russell Hubbard, Richard Augustus Kelley, Richard V. Kiley, Nathaniel Leverone, Willard Price Lombard, Chairman; Kirtley Fletcher Mather, Stewart Graffam Orr, George William Perkins II, Dunbar Lancaster Shanklin, Clarence A. Westhaver.

Board of Consultants: Wilmon Brewer, Frieda M. Drapkin, Joseph Drapkin, Tehyi Hsieh.

Master of Diplomas: Milton Lorimer Boyle, Jr., Registrar.

Chief Marshal: Ralph Kimball Carleton, Professor of Chemistry.

Assistant Faculty Marshals: C. Alan Anderson, Associate Professor of Philosophy; Carlton Condit, Associate Professor of Geology; Robert Laurie Keighton, Associate Professor of Government; Albert Sherring, Associate Professor of Sociology.

Senior Class Marshals: William Michael Kelleher, George Benjamin Shure.

Commencement Committee: C. Alan Anderson, Warren S. Bazirgan, Jr., Chairman; Milton Lorimer Boyle, Jr., Ralph Kimball Carleton, Hiram John Evans, John B. Fitzmaurice, Edward H. Hastings, Mollyne Roberta Honor, Robert Laurie Keighton, Helen Glendyne LeBaron, Paul Barrett McArthur, Cecil H. Rose.

NATIONAL HISPANIC HERITAGE WEEK

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, on behalf of myself and 20 colleagues who have joined with me, I am introducing a resolution today that would authorize the President to proclaim the week which includes September 15 and 16 as "National Hispanic Heritage Week."

The purpose of this resolution is to give the appropriate recognition to the Hispanic influence and the role of Spanish-surnamed persons in the history of our Nation.

The resolution points out that—

> It is in the tradition of our country to recognize, cherish and conserve the many cultural contributions of the people who have helped achieve the greatness of our nation.

Sometimes we tend to forget that seven of our States—Arizona, California, Colorado, Florida, Nevada, New Mexico, and Texas—bear names of Spanish origin, as does the Commonwealth of Puerto Rico. Many of our cities and towns proudly bear Hispanic names, as well.

The most heavy concentrations of Spanish-surnamed citizens are in the five Southwestern States—Arizona, California, Colorado, New Mexico, and Texas—although many citizens of Puerto Rican heritage now live in New York and the surrounding area.

The 1960 census shows that the Spanish-surnamed population in the five Southwestern States had reached 3,465,000 at that time—nearly 3 million of whom were born in the United States. I am sure that the 1970 census will show a substantial increase over this figure. California and Texas each had more than 1.4 million of the total figure shown above.

As you will note from these figures, Mr. Speaker, the Spanish-surnamed population of this Nation is large, and I would add, has never received the recognition due it. For instance, I am advised that the Spanish-surnamed population has contributed a higher proportion of Medal of Honor winners than any similar heritage group. At the same time, it is unfortunate that far too many of our citizens of Spanish surname are not sharing in a proportionate way in the fruits of our great Nation. My own congressional district includes a large part of predominately Spanish-speaking east Los Angeles, which is a part of the poverty area in Los Angeles County.

Congress recognized one of the problem that besets a bilingual culture such as that of the Mexican-American community in the Southwestern States last year when the Elementary and Secondary Education Act was amended to authorize additional funds to aid schools in overcoming the problems of students for whom English is a second language. However, after recognizing the difficulties, we now find that the budget asks for an appropriation of only $5 million of the $30 million that was authorized.

Because of failures such as this to meet the needs of the Spanish-surnamed population, it is necessary to bring out the extent to which our Nation's roots are imbedded in our Hispanic heritage.

Both President Johnson and the late President Kennedy visited majestic Mexico City in order to express the admiration and esteem of the United States and its citizens for the traditions of independent Mexico. There they received welcomes of unexampled enthusiasm and spontaneity from the citizens of the United Mexican States who share with Spanish-American citizens of our own United States the rich cultural, linguistic, social, and religious heritage of la raza.

The joint resolution which I have introduced would recognize this great heritage by authorizing the President to proclaim during each year a National Hispanic Heritage Week. Such a National Hispanic Heritage Week would include the date of the annual observance of the anniversary of Mexican independence, celebrated on the 15th and 16th of September. It would also include the date of the annual observance of Independence Day, September 15, in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, as well as being close to the date of Chile's Independence Day, September 18.

In Mexico, and among Mexican Americans of the United States, the festivities of Mexican Independence Day begin on the evening of September 15 when the President of Mexico repeats the famous independence shout—grito—of the martyred priest, Father Hidalgo y Costilla:

> Mexicanos, viva Mexico.

The Members who have cosponsored this resolution today are Mr. BELL, Mr.

Burton of California, Mr. **Bush**, Mr. **Cohelan**, Mr. **Eckhardt**, Mr. **Edwards** of California, Mr. **Evans** of Colorado, Mr. **Gonzalez**, Mr. **Leggett**, Mr. **Moss**, Mr. **Price** of Texas, Mr. **Roybal**, Mr. **Ryan**, Mr. **Sisk**, Mr. **Steiger** of Arizona, Mr. **Talcott**, Mr. **Teague** of California, Mr. **Udall**, Mr. **Walker**, and Mr. **Wiggins**.

IT TAKES A BIG MAN

Mr. **GALLAGHER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **GALLAGHER**. Mr. Speaker, one of the most fascinating features of modern history is unfolding before us these days, 3,000 miles across the Atlantic Ocean. Both France and General de Gaulle are going through a critical stage, and future success cannot be predicted for either party at this time. Naturally, American interests would not be advanced if France collapsed as a major nation. Nevertheless, I would be less than candid if I did not say that much of the problem there is a direct result of the policies of De Gaulle. Further, we would do well to remember the classical arrogance displayed by General de Gaulle on every occasion when the United States was enmeshed in domestic or international difficulties.

It takes a big man to see the broader, long-range picture, and to see that our national interests will be best served by a stable, prospering France. President Johnson, fortunately, is just such a big man. He has consistently ignored provocation from across the water, and he stands ready to help our sometime ally in any way that is appropriate. Someday, when the history of the times is written, it will be recorded that De Gaulle's difficulties took on an ironic tinge, when compared with the masterful job of national leadership turned in by Lyndon B. Johnson during the period of his country's greatest challenges at home and abroad.

The contrast between these two world leaders is strikingly described in a recent column by Robert G. Spivack. I insert the column in the Record at this point:

The Future of France

(By Robert G. Spivack)

The turmoil in France has caught much of Europe and the West by surprise. Even the Moscow-oriented Communists do not seem to know whether they want a "Red Revolution" at this time, or not.

Unfortunately for France, as she faces the prospect of civil war, she has few friends in the world to whom she can turn, thanks in large part to the special brand of chauvinism-nationalism-racism that bears the label of Gen. deGaulle.

Over the last few years as his anti-Americanism has intensified, Gen. deGaulle—out of the highest patriotic motives—has succeeded in isolating his country from the western democratic nations virtually to a point of no return. He has fired the flames of anti-Americanism along with a bitter campaign against all "Anglo-Saxons" that has been reckless and now, it seems clear, against French interest. The fury with which he denounced U.S. Vietnam policy may have been designed to appease the large Communist element in his country, as well as those die-hard colonialists who still think Vietnam ought to be part of the French empire.

But this effort at internal appeasement has not worked, just as it usually does not work in the case of a nation's external relations.

For Americans it is difficult to think objectively about the fate of France. About the only man who seems able to do so is President Johnson who, despite endless harassment, has never retaliated. Not only has he turned the other cheek but even in the present crisis he has moved to avert a collapse of the franc, has restated our interest in French "stability," and otherwise acted generously.

Johnson's soft response is almost a classic example of killing with kindness. The final irony would be for him to offer deGaulle political asylum down on the ranch until things simmer down.

It will be difficult for other Americans to be so detached. Many will watch France writhe with grim pleasure.

Perhaps if he had followed a different course there would be no crisis in France, but who really can be sure. It's deGaulle's obstinacy, though, that has caused so much anguish in other nations of Europe that suffered most during World War II. His lack of generosity towards British entry into the Common Market has helped reduce her to a third-rate power.

DeGaulle's reckless encouragement of Arab nationalism, probably in the hope of reaping an oil harvest, has proved difficult for Israel.

The list of western grievances is long and it is no answer for de Gaulle to say that Franklin Roosevelt and Winston Churchill did not pay him enough heed during World War II.

But the crisis in France is also a result of the internal policies that deGaulle has followed. The workers, despite the lack of militancy on the part of some of their union leaders, have not fared well under deGaulle during all this long period of French prosperity. Everything has gone up except wages.

Undoubtedly his talk about French "grandeur" and a return to the glories of the past had its appeal. But, in the last analysis, it's not something you can eat or survive on for very long.

So far as the French students are concerned the entire deGaulle era was marked by a pinch-penny approach to education for everyone except the so-called "elite". He was conservative, in the worst sense of the word, that is deGaulle was rigid. There was quite a contrast between his approach to internal affairs, even without a war, and LBJ's Great Society approach.

Now everything is in disarray. DeGaulle, like other men of enormous ego, has built up no one as a possible successor. The Left seems to sense that after deGaulle there could be a deluge. That's about all that holds France together.

THE APPALACHIAN TRAIL

The **SPEAKER**. Under previous order of the House, the gentleman from Massachusetts [Mr. **Philbin**] is recognized for 20 minutes.

Mr. **PHILBIN**. Mr. Speaker, after the splendid record of the 89th Congress and its achievements in enacting vital measures affecting the conservation of our natural resources, there is some considerable concern over the outcome of conservation bills in this 90th Congress, especially in the light of reported plans to adjourn in August for the political conventions.

Of particular concern is the fate of the National Trails System proposal of President Johnson, which has been the subject of Senate and House hearings. This proposal is the result of the great efforts of Senator **Nelson**, who initiated the original Appalachian Trail bill, calling for Federal protection of this famous 2,000-mile footpath from Maine to Georgia.

Early in the second session of the 89th Congress, I was pleased to sponsor the Nelson bill in the House, embodying certain changes recommended by the Bureau of Outdoors Recreation. I did not reintroduce the bill in the current Congress in view of the administration's National Trails proposal, which includes the Appalachian Trail. Others are the Continental Divide Trail, the Pacific Crest Trail, and the Potomac Heritage Trail. In addition, the initial National Trails proposal in March 1966, called for these added trails: the Chisholm Trail, Lewis and Clark Trail, Natchez Trace, North Country Trail, Oregon Trail, and Santa Fe Trail.

Since time is running out on the national trails proposal, I am introducing today, Mr. Speaker, a new national trails bill with the Appalachian Trail as the pilot trail so that we may learn from experience what is involved in setting up other trails throughout the land and how extensive Federal participation will be required to protect these areas.

The Appalachian Trail is ideally suited for this test. It is a trail which already exists and is in everyday use by hiking groups. It represents a harmonious relationship between hiking clubs and landowners who willingly permit the trail to pass through their property. It represents an area where the Federal Government could well step in to help solve in part problems of its own making where landowner resistance to the Appalachian Trail is growing simply because of the threat of Federal condemnation.

The longer Congress debates, the greater the threat to the longstanding friendly cooperation between landowners and the volunteer Appalachian Trail hiking organizations who blaze and clear the trail and maintain it in good hiking condition, some to the point of providing overnight shelters.

In my opinion, Mr. Speaker, there is wide approval and sentiment in this Congress for the concept of Federal protection for the existing Appalachian Trail. In some way, the Appalachian Trail got lost in the myriad of trails proposed for Federal recognition. I think that it is time that the Congress got back on the Appalachian Trail. Adoption of my new Appalachian Trail bill or the amending in committee of pending national trails bills by designating the Appalachian Trail as a pilot trail with others in a study category will be a good step toward protecting and preserving this unique trail.

My interest in and support of conservation legislation is well known, Mr. Speaker, and I take special pride in having been the first Member of Congress to sponsor the Cape Cod National Park proposal in legislation filed in April 1957, not long after the national seashore survey undertaken by the National Park Service.

My sponsorship of the revised Nelson bill in the 89th Congress was prompted by the strong associations in my district with the Appalachian Trail. In fact, the originator and founder of the Appalachian Trail is an old friend and constituent of mine, Mr. Benton MacKaye of Shirley Center, Mass., who was honored in 1966 as the recipient of one of the Nation's highest conservation awards.

Mr. MacKaye was designated by Secretary of the Interior Udall as a recipient of the Department's Conservation Service Award for his outstanding efforts in advancing the conservation cause in the Nation. The award cited his pioneering efforts on behalf of the Appalachian Trail and his many conservation attainments, including his profound influence in nurturing the idea for and the actual establishment of The Wilderness Society in 1935.

It is just about 47 years ago, Mr. Speaker, that Mr. MacKaye in an article published in the Journal of the American Institute of Architects conceived the Appalachian Trail as the longest footpath in the world, a hiking trail which now traverses 2,000 miles of rugged terrain from Mt. Katahdin in Maine to Springer Mountain in northern Georgia.

Mr. MacKay envisioned a foot trail from Maine to Georgia as the fountainhead of a whole system of wild reservations and parks, linked together by short feeder trails. In his article. "An Appalachian Trail: A Project in Regional Planning," Mr. MacKaye suggested that this trail system might serve as a reservoir of primeval and rural environments at their highest levels of quality.

From this, Mr. Speaker, it is apparent that the Nation is indebted to Benton MacKaye not only for the Appalachian Trail, but the entire concept of a nationwide system of trails.

Within 2 years after the MacKaye proposal, the Regional Planning Association endorsed the plan and the first Appalachian Trail Conference was held in Washington in 1925.

However, if it had not been for Mr. MacKaye's enthusiasm, great abilities and continued missionary work, the Appalachian Trail, as it is today, would perhaps never have been realized.

Crossing 14 States, eight national forests, two national parks and crossing six major rivers, the Appalachian Trail is the MacKaye dream come true in what he described as a Thoreau-like "sanctuary and refuge from the scrambles of everyday worldly commercial life" for those seeking contemplation, study, recreation, and education.

Covering a rugged 2,000-mile course from Maine to Georgia, much of this winding trail, in many places located along mountain ridges, is within easy reach of more than one-half the population of the United States. Tens of thousands, young and old alike, hike and camp along the trail each year and the challenge of hiking the whole Appalachian Trail is being met with increasing frequency each year.

The length of the Appalachian Trail in the several States, traveling north to south, is now 279.23 miles in Maine, 153.42 miles in New Hampshire, 133.76 miles in Vermont, 82.69 miles in Massachusetts, 55.75 miles in Connecticut, 158.67 in the New York and New Jersey area, 215.87 miles in Pennsylvania, 37.14 miles in Maryland, 462.28 miles in Virginia, 112.60 miles in Tennessee, 147.79 miles in the North Carolina and Tennessee area, 79.67 miles in North Carolina and 76.44 miles in Georgia.

While most of the Appalachian Trail runs through parks and forests, it is important to note that some 800 miles of the trail go through private lands. In recent years some of this land has been converted into subdivisions, highways, and other incompatible uses. In fact, in some instances parts of the trail no longer exist and the private trail club groups maintaining the trail have found it necessary to relocate the Appalachian Trail. One famous change took place not long ago when the trail was forced to leave a wooded area and relocated along a blacktopped Virginia highway, largely because of the concern of the landowners over the rights to their land in the face of possible Federal acquisition.

Fortunately, the Potomac Appalachian Trail Club and the Appalachian Trail Conference, long known for the confidence and cooperation they have gained from landowners, were able to cope with this particular relocation, but the entire concept of a 2,000-mile footpath is faced with serious problems once it becomes necessary to shift from scenic forests to hard-topped local highways.

Benton MacKaye has seen these dangers and has made his voice and great abilities known in advancing the Appalachian Trail cause. This is the warning he has for preservation of the Appalachian Trail:

> Never for a moment (or for a sentence) forget what the A.T. is. And what it has been for a nigh half century (since 1921). It is a foot trail and nothing else.
>
> The A.T. is the work of thousands of people working over the years. Don't let this work be cancelled. As it would be if some careless sentence (in any trails legislation) enabled the camel's nose to get under the tent.

This grand old man of the outdoors, now approaching 90, is the father of the Appalachian Trail and one of the moving spirits of the Wilderness Society. He is a graduate of Harvard College, class of 1900, and was among the first employees of the U.S. Forest Service. His Federal employment, from which he retired in 1945, saw service with the Labor Department, the Bureau of Indian Affairs, and the Tennessee Valley Authority.

Benton MacKaye is a noted writer and poet, a charter member of the Regional Planning Association, a member of the Society of American Foresters and a fellow of the American Geographical Society. His efforts in regional planning are recognized today as pioneering in the field of conservation planning. His remarkable book, "The New Exploration," first published in 1928 was reprinted without change in 1962 as a classic guide for use and guidance today.

This is what Secretary of the Interior Udall had to say in designating Benton MacKaye as the recipient of the Department's 1966 Conservation Award:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January, 26, 1966.

Mr. BENTON MACKAYE,
Shirley Center, Mass.

DEAR MR. MACKAYE: It is a distinct privilege as well as a great pleasure to present to you the Conservation Service Award of the Department of the Interior.

From the early days of your career when Theodore Roosevelt and Gifford Pinchot began to marshall support for conservation of the nation's forest resources, not only was your foresight added to their vision but the great breadth of your humane insight gave depth and perspective to the growing movement. This was manifest in your proposal for a footpath in the Appalachians from Maine to Georgia, and the Appalachian Trail was born. Your pioneering efforts in broad regional planning produced guidelines for comprehensive conservation planning that were far ahead of others' thinking. "The New Exploration: A Philosophy of Regional Planning," which you wrote and which was first published in 1928 was reprinted without change in 1962, and it remains a classic guideline today.

You foresaw the need and laid the foundations for present-day protection of man's total environment through such programs as Urban Renewal and the Interstate Highway System long before the Nation as a whole awoke to its need. Throughout your career your deep concern for the welfare of man's spirit as well as his physical well-being has been your guiding force.

Typical of your ability to link action with prophecy is the profound influence you had in nurturing the idea for and the actual establishment of The Wilderness Society in 1935. That this Society lives and thrives and continues to serve the people through the preservation of the finest examples of native American environments, from which future generations will gain strength and inspiration, is due in great part to your foresight.

The Nation will be forever in your debt for the good that you have done.

Sincerely yours,
STEWART L. UDALL,
Secretary of the Interior.

The following Interior Department memorandum accompanied this highly coveted conservation award:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., January 5, 1966.

Memorandum To: Secretary of the Interior.
From: Acting Director, National Park Service.
Subject: Conservation Service Award, Mr. Emil Benton MacKaye.

We take pleasure in nominating Mr. Emil Benton MacKaye for the Conservation Service Award of the Department of the Interior. His entire career since receiving his Masters Degree in Forestry from Harvard University has been devoted to good land use planning and the preservation of natural beauty. In 1921 he pioneered the idea of establishing the Appalachian Trail, and he was one of the earliest proponents of the concept of regional planning.

Born in Stamford, Connecticut, in 1879, his career as a conservationist began in the era of President Theodore Roosevelt's awakening of the Nation to the need for protection and wise management of its natural resources. From 1905 to 1918 he worked with the U.S. Forest Service in the days of Gifford Pinchot. His activities then were concerned with not only improving and reclaiming the forests of America, but also in the wider issues of conservation. He believed in and fought for protection of the total environment in the interest of man's welfare. His ideals were carried forward during a two-year (1918–1919) assignment with the Department of Labor as a specialist in colonization on a project for the settlement of returning World War I soldiers to the land. This experience doubtlessly influenced his future interest in regional planning.

In 1921, Benton MacKaye contributed an article to the *Journal of the American Institute of Architects* in which he outlined a plan for "An Appalachian Trail: A Project in Regional Planning." He envisioned an Appalachian footpath from Maine to Georgia as the backbone of a whole system of wild reservations and parks, linked together by feeder trails, to constitute a reservoir of primeval and rural environments at their highest levels of quality. In 1923, the Regional Planning Association of America endorsed the project, and it was off and away. The first Appalachian Trail Conference was held in Washington, D.C., in 1925, and the Trail began to take shape. Benton MacKaye's enthusiasm incited hundreds of volunteers to devote time and energy to the project until it became the 2,000-mile "sanctuary and refuge from the scrambles of everyday worldly commercial life" which, in his words, it is today.

As this project was gaining strength and momentum, Benton MacKaye already was forging ahead into more fundamental conservation fields. In 1925 he contributed, in collaboration with Robert Bruere and Lewis Mumford, an outline of Regional Planning for the *Survey Graphic*. In 1928, his book, "The New Exploration: A Philosophy of Regional Planning," was published by Harcourt, Brace and Company, Inc.

It is indicative of Benton MacKaye's foresight and imaginative ability that this book was reprinted in 1962 (by the Board of Trustees of the University of Illinois). In Lewis Mumford's words, "This book had to wait a whole generation to acquire the readers that would appreciate it. In the field of regional planning it was not merely a pioneer essay of its own time, but it is still ahead of much of the thinking and planning being done in this field today, since too little of that effort displays either the hard logic or the humane insight MacKaye has brought to the subject."

In rapid succession in 1930 MacKaye wrote "The Townless Highway," "New York—A National Peril," and the "Bay Circuit." All of these dealt with problems now being attacked and solved through such programs as the Interstate Highway System and Urban Renewal. Again Benton MacKaye was a pioneer and a prophet.

In 1923 MacKaye had found time to join a small select group in New York which incorporated itself as the "Regional Planning Association of America," which helped lay the foundations for many of the important conservation measures of the Franklin D. Roosevelt Administration in the thirties. Ten years later he moved to Tennessee as a Regional Planner for the Tennessee Valley Authority.

The idea behind the formation of The Wilderness Society was blown into full flame in 1934–1935, and it was largely through Benton MacKaye's love of America's natural beauty and his deep concern for preserving man's heritage of unspoiled nature that this occurred. Fate arranged a meeting of MacKaye, Bob Marshall, and Harvey Broome in Knoxville, Tennessee, in August, 1934, which led Benton MacKaye to draft a set of principles which was the forerunner of a statement that would spark the actual formation of the Society. They were joined in this effort by Harold C. Anderson, Bernard Frank, Aldo Leopold, Ernest Oberholtzer, and Robert Sterling Yard. These eight became the organizers of the Society in January, 1935. MacKaye was its first Vice President when The Wilderness Society was incorporated in 1937. He has continued to be a leading figure in the Society ever since.

Today, in his 86th year, Benton MacKaye continues to be active in his chosen field. He is producing another book ("Gotechniques of North America: View Points of Its Habitability"). Throughout his long and active career his contributions to conservation as a forester, ecologist, regional planner, author, and prophet have been outstanding. It is a privilege to recommend him for the Department of the Interior's Conservation Service Award.

A. C. STRATTON,
Acting Director.

Enclosure.

I concur: with delight.

STANLEY A. CAIN,
Assistant Secretary, Fish and Wildlife and Parks.

The noted Fitchburg, Mass., Sentinel in editorials on October 11 and 12, 1962, had this to say about Benton MacKaye:

MONTACHUSETT'S MAJOR PROPHET

Benton MacKaye is another resident of Montachusett who is at last coming into his own. He is a prophet not without honor now in his own region.

What the few specialists have understood for more than three decades is now becoming the property of the American people; namely, that Benton MacKaye of Shirley Center is a genius of intuitive thinking who in 1928 warned the people against the urban flow, the metropolitan invasion, and who laid down a precise plan to stem the flow, to dam the inexorable movement of business and industry and commercialization and wayside slums—a movement which has now at last caused the concern of millions as they see the ugly continuous sprawl from Boston to Washington.

Benton MacKaye's classic, "The New Exploration," which he wrote largely in our own Montachusett Region, has been issued by the University of Illinois press in a paperback edition, with a history-making introduction for this new edition by famed Lewis Mumford, international authority on regional planning and on the history and culture of cities.

When this classic, now recognized as one of the basic books of all times, was first published in 1928, only 1,500 copies were printed. Most of them went unsold and eventually came to rest at the historic MacKaye cottage in Shirley Center.

Like Thoreau a century or so before him MacKaye could say, "I have a library of more than 1000 books, mostly of my own authorship."

Mr. MacKaye made no money from "The New Exploration," but he did achieve almost instant fame among the few who understood what he was talking about and who realized the implications for the future of his detailed plan to stem the metropolitan flow.

At 83, MacKaye is the gruff, shaggy-headed pioneer in saving our country-sides and our cities, lean and lank as the typical New England Yankee, sparse of words, but using words to cut to the marrow of an issue as surely and cleanly as a surgeon wielding a scalpel.

He enjoys his days at what he calls his "empire," the MacKaye cottage and its environs in Shirley Center, going off now and then to Washington and elsewhere to poke into things and come up with still new ideas that will leave a lasting imprint on American culture.

Lewis Mumford, in his new introduction, comes quickly to the heart of the matter:

"'The New Exploration' is a book that deserves a place on the same shelf that holds Henry Thoreau's 'Walden' and George Perkins Marsh's 'Man and Nature'; and like the first of these books, it has had to wait a whole generation to acquire the readers that would appreciate it.

"In the field of regional planning Benton MacKaye's book was not merely a pioneer essay in its own time, but it is still ahead of much of the thinking and planning being done in this field today, since too little of that effort displays either the hard logic or the humane insight MacKaye has brought to the subject.

"In Benton MacKaye the voice of an older America, a voice with echoes not only of Thoreau, but of Davy Crockett, Audubon and Mark Twain, addresses itself to the problem of how to use the natural and cultural resources we have at hand today without defacing the landscape, polluting the atmosphere, disrupting the complex associations of animal and plant species upon which all higher life depends, and thus in the end destroying the possibilities for further human development.

"That voice was needed in 1928, and because it was not listened to, it is needed even more today. . . .

"Nobody else in our time has pointed out more clearly the terms upon which modern man, and in particular the American people, may occupy the earth and use judiciously all our resources, natural, technical, and urban, without making the land itself uninhabitable and our own life unendurable."

We need not go out of Montachusett to realize how the people and their government have turned a deaf ear to Benton MacKaye's ideas as set forth in his classic book, "The New Exploration," now republished in paperback with an introduction by famed Lewis Mumford.

The book originally appeared in 1928.

At about that time Mr. MacKaye was working on the Governor's Committee on Open Spaces. One of the recommendations he submitted to the governor was for a Wachusett-Watatic greenbelt, including a foot path or trail for hikers that would tie in with the Appalachian Trial.

In 1921 MacKaye had proposed in a magazine article a foot trail that would extend from Maine to Georgia. Here was a brilliant flash of genius which did not have to wait upon popular acceptance for its fulfillment. Within 20 years MacKaye saw the realization of his dream, and he is now known as the granddaddy of the Appalachian Trail.

The Wachusett-Watatic Trial and the greenbelt that MacKaye proposed would have been more than a narrow foot trail. Eventually it would have become, if his ideas had been accepted by the authorities in Massachusetts, an open area, a dam against the sprawling urban masses and messes, a part of a logical system of damming the metropolitan flow.

But the plan was rejected.

It is well to bear in mind this rejection of a far-seeing planner and prophet; for the region is now agitating for a North-South Throughway which would come up through Worcester County from the Connecticut border to the New Hampshire line, via the Montachusett Region.

It is a noble concept; but we should be forewarned by what has happened to the Bay State Circuit which MacKaye planned, but which was rejected by the government and the people who, instead, accepted the idea of Route 128.

MacKaye had proposed, long before the coming of Route 128, a Bay State Circuit which would follow the general course taken by Route 128, connecting the North and South Shores, and by-passing the dense Boston metropolitan area.

His proposal was for two main arteries, one northbound, one southbound, with a broad recreational greenbelt between them and with enforced control or zoning of the environs.

What has happened is that Route 128 has encouraged the worsening of those very conditions which MacKaye's proposal was intended to abate:

An almost continuous spread of commercial and industrial development now complicates traffic flow and mars the idea of a dam against metropolitan flow. As peak hours, especially when the numerous industries spew out their workers. Route 128 becomes a bedlam and a threat to life and limb.

No sooner is the route widened than a still greater enlargement is demanded. The standing joke now is this: The authorities are handing out 25-year pins for Route 128 workers.

Another example of the rejection of MacKaye's ideas over the decades since 1928 is the state proposal for relocation of Route 12. In his essay, "Townless Highways," MacKaye long ago laid down a basic principle of major highway-planning: Main arteries were to avoid the peaks of population (the cities and towns) and stick to the valleys of population.

Believe it or not, modern road-planners now in positions of authority are trying to reverse the idea and bring the highways directly into and through cities and areas of dense population.

As a result you see a plan for new Route 12 cutting through a thickly-settled part of residential Fitchburg. This would not only cause the loss of homes by eminent domain of many longtime property owners, but it would also violate common-sense principles of traffic-flow.

Let Lewis Mumford sum the horrible results of the rejection by the road builders of MacKaye's townless highway proposals:

"They butcher precious agricultural land to provide elaborately wasteful and often unnecessary local interchanges; they thrust expressways into rural areas that should be safeguarded against the haphazard and premature settlement that they actually encourage; they bulldoze their way into the hearts of towns and cities that should be bypassed by a generous margin; and in our bigger metropolitan centers, by wrecking the complex system of public transportation that existed even a generation ago, they destroy the centers of cities, turning potential parks into parking lots, and civic centers into garages, creating bottlenecks and traffic jams . . ."

The July 1964 issue of American Forests magazine carried a moving account of the dedicated work and activities of Benton MacKaye, entitled "The Verdant Prophet," which follows:

[From American Forests magazine, July 1964]

BENTON MACKAYE: THE VERDANT PROPHET

(By E. John Long)

A prophet, they say, is not without honor save in his own country—and, it might be added, he is usually someone who was "discovered" and proclaimed long after his death. But Benton MacKaye is a seer who is honored by his confreres, who is widely respected in his special field, and who, most reassuringly, is very much, quite vigorously, alive at a youthful 85 years.

For those who may not yet know Benton MacKaye, let me introduce him foremost as a forester, but as a very special kind of "forester-naturalist-planner." He evolved early in his forestry career into a conservationist (then a new term), and as a pioneer regional observer. From the outset, MacKaye has been interested in the broad study of trees, soil and water that leads to a means of making or remaking land to be more habitable.

Along the way he may have done some prophesying, not deliberately, he avows, but in the natural course of thinking, planning, and writing.

FATHER OF THE TRAIL

For instance, let us mention a few of the milestones, such as the Appalachian Trail (the mountain footpath that stretches from Maine to Georgia), of which MacKaye is properly the father. He is, too, a cofounder and the honorary president of the Wilderness Society. As the original advocate of the townless highway, MacKaye sparked our national interstate and defense highway system. He drew the earliest map-plan for the Tennessee Valley Authority, and worked with the basic designs of the Rural Electrification Administration. He warned of "a high potential—for human happiness or human misery" in Appalachian America (now know as "Appalachia," the nation's largest economic and rural slum problem). Again he foretold of the "wilderness of industrial civilization" spreading along the coastal area, from Boston to Washington, into a formless mass that others have termed "conurbation" or "megalopolis."

But in mentioning this now, I am perhaps jumping ahead of my story. It is an axiom in most writing that you should know something about a man before writing what he has done, or is doing. When I asked MacKaye to tell me a little about his personal life, he pulled me up short. "Bah," he snorted, "my personal life isn't important. I am interested in ideas, life in general."

SEE "WHO'S WHO"

However, he grumbled something about reading "Who's Who," and also referring to a few remarks that Lewis Mumford wrote about him in the introduction to the 1962 edition of MacKaye's best known book, "The New Exploration," which dates from 1928 and is just as sound today as a philosophy of his work as the day it was published.

So I shall borrow from these sources, and from some of his friends who foregather with MacKaye often in the winter months at the Cosmos Club, in Washington, and in summer at his old house in Shirley Center, which he calls "an indigenous community," west of Boston. Although he never married, make no mistake that this lively verdant prophet is a recluse. Mumford says there is ". . . no one who has a better appreciation of the fine sociabilities of life: a good conversation, a good dinner, or a good theatrical performance; yet I know of no one who is more capable of going without them with so little sense of loss." His batching quarters at Shirley, Mumford adds, "for sheer bareness and seediness would make most monastic cells look palatial."

Let us mention a few more highlights about the man himself, and then move on to what he cherishes most—thinking, planning and writing, just a little ahead of his time. It was his good luck, says MacKaye, that he was in New England at least long enough to be born there. The date was March 6, 1879, at Stamford, Connecticut. As an infant he was whisked off to New York City. Perhaps his next nine years as an alien urban youth may have whetted his innate appetite for knowing more of open spaces, large and small; whether they be the harmony of the wilderness of nature, or the challenging ugliness of the "wilderness of industrial civilization as concentrated in great metropolitan areas." MacKaye admits he was too young to recall, but 6 to 9 are impressible years, and he may have already begun to form certain ideas if not convictions.

RETURN TO NEW ENGLAND

In any event, luck gave him another good turn when the family moved to the quiet and pleasant New England village of Shirley Center, 40 miles west of Boston, which Benton has since called his home. It was an ideal place for hikes into the rural countryside, which, after Humboldt, he called "expeditions," because already it was not enough for him simply to enjoy nature, he wanted to know and do more about it. There were longer trips, too, including a six-week jaunt into the White Mountains of New Hampshire, at 18 years, when he noted local marked trails that may have implanted the idea of an Appalachian Trail.

Harvard University was a natural choice for his education. Here was one of the early Forest Schools of the country. He was graduated from College in 1900, and from the Forest School in 1905. He taught forestry at Harvard off and on between 1906–10.

But MacKaye's thoughts and ideals were beginning to focus more and more toward the expanding possibilities of the U.S. Forest Service, both in Washington and in the field. President Theodore Roosevelt had just backed up the aggressive Gifford Pinchot as the head of the Forestry Bureau, in which MacKaye worked for several years. His activities consisted not only in improving and reclaiming some of the forests of America, but also in the wider issues of "conservation" (Pinchot's pat new label to indicate all natural resources, "the soils and the ores and the waters," as well as trees).

RESOURCES IDEAS POPPING

In fact, all kinds of exploding ideas about resources were popping all over the landscape in those hectic pre-World War I days, when MacKaye conspiciously decided to become a forester-plus. George Perkins Marsh's survey had demonstrated that one civilization after another had been undermined by removal of forest cover—exhausting wood supply, eroding soil, flooding valleys, and changing climatic conditions. These thoughts may seem to be a bit old hat today, but they had to be fought tooth and nail when W. J. McGee and others were drafting the basic reports of the National Conservation Committee, created by President Theodore Roosevelt, back in 1907.

Later on, during the next two years (1918–19), MacKaye became a specialist in colonization with the U.S. Department of Labor. One plan called for the settlement of groups of returning soldiers to the land, but the scheme was dropped. "Social conscience" ideals, however, were being carried forward by Woodrow Wilson, "with the doctrine that basic resources belong to the nation, not voracious private owners"—the work started by Henry David Thoreau. MacKaye's final report to the Department of Labor, on "employment and natural resources," applied imagination to a scheme which, according to Roy Lubove's "Community Planning in the 1920's," surely ranks among the most mature and memorable fruits of the conservation movement.

A BOLD NEW PROPOSAL

While MacKaye envisioned nothing short of a national program of community-building would result, it never materialized. However, he soon prepared a more modest but nevertheless bold proposal—called an Appalachian Trail. This unique project in regional planning was first presented to Clarence S. Stein, when Charles Harris Whitaker (of the future Regional Planning Association of America) introduced them at the Hudson Guild Farm, in the summer of 1921. Stein, chairman of the Committee on Community Planning of the estimable American Institute of Architects, then sponsored MacKaye's "A Project for an Appalachian Trail," published in the *Journal* of the A.I.A., in October, 1921. Although he may not have known it then, MacKaye was on the way to fame. In 1923, the RPAA (Regional Planning Association of America) also endorsed the project.

In essence, the Trail evolved from MacKaye's scouting and walking hikes in the company, many years ago, of his friends Sturgis Pray and Horace Hildreth in the White and Green Mountains of New England. MacKaye's original scheme entailed a series of recreational communities in the entire Appalachians. These would be connected by a walking path that would stretch, at first, from Mt. Washington, N.H., to Mt. Mitchell, N.C., and which later was extended into Georgia. Shelter camps, compared to those already established in New England, would be expanded into cooperative community camps, plus food and farm camps in adjoining valleys, or combined with the community camps.

"SANCTUARY AND REFUGE"

MacKaye hoped that the Trail and its community camps would offer a Thoreau-like "sanctuary and . . . refuge from the scrambles of every-day worldly commercial life," providing a wide range of non-industrial pursuits, contemplation, study, recreation and education. It was not to be a plan for more efficient labor but a plan of escape, although MacKaye grants, at the end of his *Journal* article, "the building and protection of an Appalachian trail, with its various communities, interests and possibilities, would form at least . . . a job for 40,000 souls. This Trail could be made to be, in a very literal sense, a battle against fire and flood—and even against disease." The Trail, MacKaye further estimated, would be accessible to more than half the population of the United States and over one third of Canada. At least 36 metropolitan centers, of more than 100,000 each, could be reached by the Trail within a few hours.

While no scheme was proposed, in the *Journal* article, for organizing or financing the project, MacKaye made some general observations: "Organizing is a matter of detail to be carefully worked out. Financing depends upon local public interest in the various localities affected." The first Appalachian Trail Conference was held in Washington in 1925, and in due course sections of it were completed until it became the 2,000-mile key to Appalachian America. MacKaye incited hundreds of others to participate in laying out and clearing the marked route, achieving, as Mumford so cleverly notes, "by purely voluntary cooperation and love what the empire of the Incas had done in the Andes by compulsory organization."

RIBS ON THE SPINE

As MacKaye originally conceived the Appalachian Trail, it was to be a backbone of a series of wild reservations and parks, and footpath branches of it would be extended in various directions toward centers of population. A trail to Pittsburgh has been recently suggested by Justice Douglas, at the 10th reunion of the hikes along the old C. and O. Canal towpath, as one of the ribs on the main spine of the Trail. He proposed that Cumberland, Md., already on the Trail, be linked with Pittsburgh by blazing a new northwest branch, and that Washington, D.C., be joined to the system by way of the existing C. and O. towpath, now a national monument from Washington to Cumberland.

The proposal, according to the *Washington Post,* might also rekindle interest in a Congressional bill to convert the C. and O. Canal into a full-fledged national historical park, and thus add to it the additional land needed for camping and recreational facilities,—all of which is in hearty endorsement of MacKaye's basic plan to expand the nation's natural playgrounds, in keeping with its growing population and increasing leisure.

Meanwhile, MacKaye has already moved ahead into greener pastures. In May 1925, he helped to outline the "Regional Planning" number of *Survey Graphic* Magazine. Here he added his gift of prophecy to the genius of Robert Bruere in a brilliant survey of problems and hopes of regional planning that, Mumford declares, "may one day take its place as a classic document."

WHAT IS GEOTECHNICS?

Let us get on, however, to the book that, again quoting the discerning Mumford, "deserves a place on the same shelf that holds Henry Thoreau's *Walden* and George Perkins Marsh's *Man and Nature,* and, like the first of these books, it has had to wait a whole generation to acquire the readers that would appreciate it." When this book, MacKaye's *The New Exploration,* appeared in 1928, it was the only American book of a general nature that treated "geotechnics." This was a term coined by Patrick Geddes, a Britisher, and meant the art of modeling and transforming the earth; or, in other words, "the applied science of making the earth more habitable," by emulating nature.

MacKaye himself, in "Geography to Geotechnics" (*The Survey,* 1950-51), distills the gist of geotechnics further: "Nature has a geotechnics of her own, we call it ecology; it consists of ways developed through the ages for making the earth more habitable. That is why ecology is nature's geotechnics—and geotechnics, man's ecology."

All of which at first glance may distract the average reader, unless he keeps firmly in mind that geotechnics is not something cooked up by a computer, but simply a means of using the earth, from dooryard to globe. To which MacKaye has added an important postscript: "In the normal years of yesterday we might stress the dooryard, but, please, Messrs. Geotechnist, Statesman, Citizens all, in the urgent hours of our day—*keey your eye on the globe!"*

THE TOWNLESS HIGHWAY

While *The New Exploration:—a Philosophy of Regional Planning* (Harcourt, Brace and Company, 1928) was slow in getting off the ground, reader-selling, it proved to contain enough solid truth to warrant the publication of a paperback print (University of Illinois, 1962) without a change in the plates! The reprint adds an "Introduction" by Lewis Mumford, a preface by the author, and a valuable appendix on "The Townless Highway," which MacKaye wrote for *The New Republic* in March 12, 1930.

Although there was much writing between "The New Exploration" and "The Townless Highway," let us move along to the latter, because here again MacKaye proved to be a prophet well ahead of his time. The main aims and methods of the townless highway are four: (1) to abolish the motor slum, or road-town, and to develop the rural wayside environment; (2) to stimulate the growth of the distinct community, compactly planned and limited in size, like the old New England village or the modern Radburn, New Jersey; (3) to avoid larger towns and cities by means of highway bypasses around them; and (4) to abolish grade crossings on both the railroad and the motor road, and double-tracking of the highways at distances apart.

So what is so colossal about this, the average teen-ager may say? Well, despite how obvious it seems today, MacKaye's original ideas were bitterly fought by townspeople everywhere, until they finally were tried and found best. It was not long afterward that MacKaye's further extension of the townless highway became "a national system of federal-aided passenger motor roads and defense highways," now being enlarged throughout the nation.

"DAM SITE VERSUS NORM SITE,,

Twenty years later, in "Dam Site vs. Norm Site" (*Scientific Monthly,* October 1950) MacKaye spoke out on watershed management. In response to the President's Water Resources Commission on "how to improve water policy in the field of wilderness," MacKaye pointed out: "Wilderness is two things—*fact and* feeling. It is a fund of knowledge and a spring of influence. It is the ultimate source of health, terrestrial and human. In this article we have been concerned with one form of such health, with only casual reference to the other. But the necessity for conserving both of them must finally be recognized, and on equal terms appraised, if ever water policy, or any other policy, is to be improved in the field of wilderness." Fourteen years later this prophecy is just beginning to be fully recognized.

"THE GREAT SOCIETY"

MacKaye's most recent prophecy fulfillment came, indirectly, from an address made by President Lyndon B. Johnson, at the University of Michigan, May 22. Selecting America's goal as the achievement of "The Great Society," the President said: "The Great Society is a place . . . where the city of man serves not only the needs of the body and the demands of commerce, but the desire for beauty and the hunger for community . . . where man can renew contact with nature.

"Our society will never be great until our cities are great. Today the frontier of imagination and innovation is inside those cities, not beyond their borders . . . once man can no longer walk with beauty, and wonder at nature, his spirit will wither and his sustenance be wasted."

Although the thoughts and ideas of this trenchant speech were no doubt assembled from many sources, the basic concepts were the same as Benton MacKaye first divulged them in "The New Exploration," way back in 1928. In commenting on the resemblance in the *Washington Post,* Irston R. Barnes, chairman of the Audubon Naturalist Society, adds a tribute which epitomizes what the future may still hold for this wise and prophetic naturalist and forester:

"Throughout his life, Benton MacKaye's thoughts have run ahead of his time. It has been able to see in the seed the full flowering of the plant. Had the post-war explosion of cities been guided by his principles, we would have a finer, more habitable country; we would have been spared the cost and ugliness of urban sprawl; and we should have a less burdensome task of rebuilding our cities."

Despite his advanced years, Mr. Speaker, Benton MacKaye is still engaged in the conservation cause and is doing personal writing at his home in Shirley Center. His is indeed a remarkable and active life in the service of the Nation and his fellow man.

After taking a master's degree in forestry at Harvard University, he became a research forester in the infant U.S. Forest Service from 1905 to 1918. In 1918–19, he was a specialist in colonization for the U.S. Department of Labor.

In 1921, he formulated his far-seeing and monumental project for the Appalachian Trail. In 1928 he made a pioneering regional survey of Massachusetts for the Governor's Committee on Open Spaces.

In 1930, he originated the "townless-highway" plan and in 1931–32, he revised highway systems in western Connecticut in accordance with this plan.

In 1933, Mr. MacKaye became a consultant of the Indian Service in a planning study for reservations in South Dakota, New Mexico, and Arizona. He was on the regional planning staff of the Tennessee Valley Authority from 1934 to 1936 and formulated the procedure for carrying out the regional planning features of the TVA Act of 1933. In 1937 he made the plan for developing a series of State parks encircling Boston, known as the bay circuit project.

From 1938 to 1941, he was a consultant of the U.S. Department of Agriculture on flood control policies of the Forest Service. He served on the staff of the Rural Electrification Administration in 1942 and 1943. In 1944–45 he made a study of possible development under the proposed Missouri Valley Authority.

In addition to his noted "The New Exploration," Mr. MacKaye is coauthor with Lewis Mumford of the Encyclopaedia Britannica's article on "Regional Planning." In 1965 the University of Illinois Press published his monumental "Geotechnics of North America: Viewpoints of Its Habitability."

Mr. MacKaye was a cofounder of the Wilderness Society and became its president in 1945. He served as president until 1950 and is now honorary president of the society.

It is most fitting, Mr. Speaker, that my good friend, Benton MacKaye of Shirley Center, Mass., originator of the Appalachian Trail and lifelong worker for conservation and outdoor recreation for the American people, should be officially recognized and commended for his outstanding contribution to these worthy causes.

I propose that our beloved and distinguished former colleague, the Honorable Stewart L. Udall, Secretary of the Interior, formulate and devise some appropriate way, whether by the erection of a suitable plaque or otherwise, at the beginning of the Appalachian Trail on Mount Katahdin and at its end on Springer Mountain, to mark suitably and to honor in a meaningful, enduring manner the wisdom, patriotism, and long-sustained effective efforts of this great son of my district and State.

As I have indicated, Mr. Speaker, the Third District has an historic association with the Appalachian Trail through Mr. Benton MacKaye. In addition, the Third District with its extensive membership in Appalachian Mountain Club of Boston and its active Worcester Chapter, Appalachian Mountain Club, is familiar with the Appalachian Trail, so much so that two former residents, the Reverend Owen F. Allen, who was born in Fitchburg, and Paul S. Macaulay, a former reporter in the Clinton bureau of the Worcester Telegram and Gazette, have had the unique and rewarding experience of having hiked the entire Appalachian Trail.

The Appalachian Mountain Club, which celebrated its 75th anniversary in 1951, is the forerunner of the hiking and trail clubs in America. After its formation by a group of hiking enthusiasts in Boston, the club was faced with the challenge of the White Mountains, then an almost impenetrable wilderness open to a few trappers and timber harvesters. The club mapped the area, cleared short trails leading from resorts, and conceived the idea of the "Long, Long Trail."

It is the Appalachian Mountain Club which blazed and connected these short trails into more extensive routes, as often as not at the expense of their enthusiastic membership.

It is the Appalachian Mountain Club which set up and still operates the famous huts system in the White Mountain National Forest. The AMC huts, which annually attract thousands to this famous summer resort area, are located a day's hike apart and extend from Carter Notch in the east to Lonesome Lake in the west. They are manned by high school and college boys who pack supplies on their backs, cook all the meals, and do general house cleaning for the comfort of hikers tramping through the area.

It is noteworthy that an old and valued friend of mine, Mrs. Louise Brooks Van Everen of Andover, an outdoors leader and life-long Appalachian Trail enthusiast, is a regular user of the AMC huts system.

Mrs. Van Everen, a career woman with an international reputation as a bridal consultant, is a noted mountain climber and her love and affection for the White Mountains of New Hampshire, go back through four generations of mountain climbing Brooks.

Her father, the Rev. Frederick Manning Brooks, her grandfather, Lymna Beecher Brooks, and her father-in-law, Horace Van Everen, like herself, were all members of the Appalachian Mountain Club of Boston.

In fact, it was as a member of this club that she met her late husband, who was also a member. Her children are mountain climbers. Her son, Brooks, met his wife at the same club and today, Mrs. Van Everen takes her grandchildren mountain climbing and hiking along the Appalachian Trail.

Her daughter, Rosalie, now Mrs. Bruce Dodd of Andover, and her four youngsters are all hiking and mountain climbing enthusiasts. One of the Dodd boys, Allison, wrote a composition about mountain climbing with Grandma Van Everen and had difficulty convincing the teacher that his composition was based on actual facts.

Mrs. Van Everen's conception of a real vacation is 3 weeks on the Appalachian Trail with a pack and sleeping bag on her back. It is not unusual for me to receive in the summer or fall, often beyond mid-October when New Hampshire is resplendent in its autumn glory, a postal card from Mrs. Van Everen postmarked Gorham or some other White Mountain community, telling me she is enjoying her mountain climbing and hiking along the beautiful mountain trails.

Like thousands of others, Louise Van Everen has found relaxation and inspiration in the great outdoors and the peaceful retreats in the country and in the hills. Hers is a spiritual experience that is to be envied and I commend and salute her.

The Appalachian Mountain Club also publishes guidebooks and maps on the 1,000 miles of foot trails in the White Moutains and maintains over 100 trails, covering some 335 miles, through volunteer workers.

The Reverend Owen F. Allen, the son of Mr. and Mrs. H. Leonard Allen of Fitchburg, hiked the entire Appalachian Trail in 1960. His interesting account of his experiences appeared in the Boston Sunday Globe of April 8, 1962, as follows:

[From the Boston Sunday Globe, Apr. 8, 1962]

MASSACHUSETTS MINISTER TELLS OF HIS 2000-MILE WALK FROM GEORGIA TO MAINE OVER APPALACHIAN TRAIL

(NOTE.—The famed Appalachian Trail—one of the most spectacular cross-country trails in the world—is not an ancient Indian route but the work of modern Nature lovers. They made great sacrifices completing that trail through volunteer work just 25 years ago—in 1937.

(Only eight or 10 people have so far covered the entire 2000-mile distance on foot.

(One of them is a native of Fitchburg, Rev. Owen F. Allen, who wrote the following account of his trip exclusively for the Boston Globe.)

(By Rev. Owen F. Allen)

Shortly after noon on Sept. 13, 1960, Lochlen Gregory and I left Baxter Peak on Maine's Mt. Katahdin heading for Chimney Pond via the "Knife Edge."

It was the second time for me on Katahdin but for both of us this was a moment of once-in-a-lifetime dimensions because it came at the conclusion of a continuous hike that had brought us 2000 miles over the famous Appalachian Trail from Mt. Springer in Georgia.

We had left there on the seventh of June.

The whole thing actually got started farther back than that.

It was at the dinner table on Thanksgiving in 1959 in Great Barrington, where we were co-pastors of four Methodist churches, that we changed some half-serious plans for a sabbatical year venture over the entire Appalachian Trail into a decision to make the hike next Summer.

A June 6 commencement and Oct. 1 commitments set the time limits available.

Neither of us could be classed as a seasoned backpacker by any stretch of the imagination. We had made short hikes on mountain trails but never an extended trip like this.

Once the decision was made to go we sought all the advice we could get.

We wrote to the Appalachian Trail Conference in Washington for information, pored over catalogs of hiking gear, and wrote for advice to Earl Shaffer of York, Pa., who in 1948 became the first man ever to walk the entire trail in one stretch.

Out of the mass of material available, we selected what we regarded as the lightest and best equipment available.

About $125 each provided packs complete with all necessary gear. We carried about 18 pounds at the lightest and up to about 25 pounds with seven days' food.

The food, almost all of the dehydrated type, we bought at stores which the trail route passed or came near.

A typical day on the trail would generally begin at about 5:45 a.m., daylight time, when we rose, dressed and fired up the one burner gasoline stove to start breakfast cooking.

Various instant hot cereals or sometimes pancakes, along with instant coffee was our morning diet.

By 7:15 we had eaten, packed all our gear, cleaned up the shelter area and were ready to "hit the trail."

We geared our hiking to the nature of the trail and of the terrain, trying to expend our energy as evenly as possible. Where the climbing was steep and the footway poor, we set a slow pace—with good trail and easy grades we went much faster.

With this style we kept the rest stops down to as few as possible.

We tried to take an hour-long, shoes-off, break around the middle of each day, but sometimes circumstances such as the weather or our need for more time to reach a lean-to for the night did not permit it.

Lunch along the trail was usually a light meal of raisins or dates, biscuits or cookies, and often some instant pudding.

Depending on our supply, we ate a few candy bars during the day. There was no need to worry about spoiling our appetites—once we had been on the trail a few weeks, we rarely ever felt completely full.

Where the trail went through a town or passed a store, we feasted—the rest of the time we "rationed" out the food we carried in our packs according to how long it had to last.

On the average, we spent about eleven hours on the trail including stops for rest, food, pictures and just enjoying the view.

Once we reached the night's lean-to, we cooked up hot jello to drink and a hot meal of say, soup and minute rice with lots of margarine and brown sugar.

After writing a few notes on the day's doings, we were ready to crawl into our sleeping bags.

Neither of us suffered a major mishap—a bum knee, some stomach trouble, and the extraction of an abcessed tooth were our worst ailments.

The least trail mileage we covered in one day was 10 miles, the most was 30, but usually it was from 17 to 23 miles. (We could tell from trail guidebooks.)

We first hiked seven days a week but found a Sabbath a necessity and later saved a half day a week for rest.

Wild life is abundant, of course.

We saw deer and grouse from Georgia to Maine, glimpsed a bear and a bobcat, heard whippoorwills and bobwhites galore and a host of others besides.

One eager porcupine in Vermont ruined a polyethelene dish, three mice nested in our raisin box once and we encountered and killed six rattlesnakes, but without doubt dogs were the worst animals we had to deal with.

Laurel, rhododendron and azaleas abound in the southern Appalachians.

While the blazes are pretty much the same, all the way, the character of the trail varies considerably.

In the southern Appalachians it is often graded, having switchbacks, and the footway is good.

Mountain tops there are either heavily wooded or open meadow.

In the Blue Ridge Mountains of Virginia, the Summer growth may be over your head and briers at times completely overgrow the trail.

The summit of Blue Mountain in Pennsylvania is littered with rocks, large and small, which slow down your pace and punish your feet.

In eastern New York State the trail often follows dirt roads for seven miles at a stretch.

New England, particularly the White Mountains, offers some steep scrambles up the rocks and long stretches above the tree line, although steep climbs and descents are scattered liberally throughout the trail.

Several people we met on the way thought the Appalachian Trail began as old Indian trails, but this was not so.

The Indians used mainly valley ways except to cross the ranges; the Appalachian Trail is, with few exceptions, a mountain top route. It even goes out of its way to cross some peaks.

The idea of such a trail as it now exists, a refuge from urbanization, was first conceived by Benton MacKaye of Shirley Center, and suggested publicly in 1921.

Already existing trails in various places were tied into the through-trail, but a tremendous amount of work was done, almost all voluntary, before the project was completed in 1937.

Relocations are still being made from time to time and a chain of lean-tos, spaced a day's hike apart, still have gaps that need closing.

* * * * *

I guess a lot of people regard hikers as did a little 5-year-old boy in Port Clinton, Pa., who saw us coming and ran up to ask, "Hey, what kind of men are you?"

Why did we hike 2000 miles?

I think the heart of the matter lies in the challenge of the trail waiting to be hiked—"from Georgia to Maine." It gets in your blood and urges you on. Our rewards were great, too—the satisfaction of attaining the sought-for goal, and accomplishing what less than a dozen people have done.

Beyond that, our rewards which much shorter trail hikes afford. There is the gain of a new and valuable perspective on our civilization and our ways.

There is a sharpened appreciation of the great luxury of our everyday life—things like running water and electric lights.

And for us, at least, there is a strengthening fresh communion with the Lord of creation.

Who can stand, as we did, at a place like Vermont's Killington Peak at sunset with the mountains rising up on all sides as far as the horizon and not know the truth of the psalmist who said, "I will lift up mine eyes to the hills . . . My help comes from the Lord, who made heaven and earth."

Another Appalachian Trail hiker is Paul S. Macaulay, who worked as reporter in my home town of Clinton for the Worcester Telegram and Gazette. In a series of articles written for the Worcester Telegram in 1966, he wrote movingly of the loneliness and exciting beauty of the Appalachian Trail. Five of his interesting articles and an editorial from the Worcester Telegram follow:

[From the Worcester Sunday Telegram, Aug. 7, 1966]

AMONG MOST POPULAR—WHITE MOUNTAINS IDEAL FOR THE HIKER

(By Paul S. Macaulay)

FRANCONIA, N.H.—After encountering a total of four hikers while crossing Maine, we are in the White Mountains where it is not uncommon to spend a night in a lean-to with a dozen other trampers.

We had just arrived at a shelter on the Carter-Moriah Range when we were joined by nine boys from a Y.M.C.A. camp. This was quite a shock after becoming convinced we were among the last few hikers on earth.

Because of its accessibility and numerous accommodations available, the White Mountains area is probably the most popular range in the country. The mountains, lakes and trails of Western Maine are at least as beautiful as those in New Hampshire, but not as easy to reach.

TRAILS ARE MAINTAINED

The trails in this area are well maintained. There are numerous lean-tos on this and many other area trail systems. After a week on the trail in New Hampshire, we have found only two trees across the path. Fallen timber makes the trail in Maine a proper obstacle course.

Since towns and highways are plentiful, hikers may obtain supplies often enough to keep pack weight down.

Those who wish to carry nearly empty packs and full wallets may use the chain of hostels operated by the Appalachian Mountain Club of Boston. The chain extends from Franconia Notch through the Presidential Range to Carter Notch. All are attractively located and serve fine, hearty meals.

The main attraction of the White Mountains is, of course, the Presidential Range. The principal feature of the range is 6,288-foot Mt. Washington. On its way to Vermont, the Appalachian Trail crosses Washington and takes in most of the other "Presidentials."

In order to go light we left the trail to Tuckerman Ravine at the foot of Mt. Washington where we left some of our equipment. I had spent a night in the ravine two years ago during November and found it very cold and windy. I was surprised to find it almost as unfriendly in mid-summer. There was still a large patch of snow clinging to the head wall of the ravine.

Much of the hiking in this area is above tree line. My wife, who was born in England, tells me that the terrain and plant life above tree line resembles the Scottish highlands. Near some of the higher summits are varieties of plants found nowhere else south of Labrador.

Weather conditions in the Presidentials are considered the "worst in America" by the U.S. Forest Service. Many summer hikers have died of exposure on or near Mt. Washington during severe storms.

Despite these conditions, the summit is a beehive of activity. While we struggled up the rugged slopes, dozens of others rode up the carriage road in their cars or sat comfortably in cog railway cars. Still others were at the Tip Top House buying souvenirs or drinking coffee.

My wife finds this mountain top commercialism particularly obnoxious but I must admit that I thoroughly enjoyed a chocolate ice cream cone after the hard climb.

I wonder what my friend Bill Connors, the fire warden on Mt. Bigelow in Maine, would think of all this. He was disturbed by the appearance this year of a blinking red beacon atop a mountain eight miles from him.

We were pleased this week to chat with an official of the Appalachian Trail conference. As we were descending toward Crawford Notch we stopped to talk with Art Koerber and his wife, of Pittsfield, Mass. He is vice president in charge of the northern third of the 2,050 mile trail.

He was equally surprised to find that I was "the fellow who writes the articles for the Sunday Telegram." Although he lives in Pittsfield, he receives the paper from friends in the Worcester area.

[From the Worcester Telegram, Sept. 4, 1966]

TAKE A CLOSER LOOK—TRAMPER EXTOLS BEAUTIES OF STATE'S BERKSHIRE AREA

(By Paul Macaulay)

Few residents of eastern and central Massachusetts realize that the western part of the Bay State contains an area as beautiful as any region in New England.

To my surprise, for I had never seen the Berkshires before, I found the 83 miles of the Appalachian Trail in my home state as pleasant as any other section of the trail.

During the six days I spent hiking through the state, I met only one group of hikers, and that was in the fairly popular Mt. Greylock area. Yet when hiking down through New Hampshire and Vermont it seemed as though every other tramper I met was from the Bay State.

OVERLOOK HOME BEAUTY

This practice of overlooking the scenic wonders of your own back yard is not limited to Bay Staters, however. My wife's parents, who came here from England 15 years ago, lived 10 miles from Stonehenge and never saw it until they returned to England for a visit recently.

Since I'm a lifelong resident of this state, I feel it my duty to describe the attractions of the trail through the Berkshires.

The trail crosses from Vermont into Massachusetts three miles north of Blackington, near North Adams. The crossing takes place in an open area with excellent views of Mt. Greylock and the surrounding peaks. Frankly though, I was more interested in the view at my feet for the region is covered with blueberry bushes. If one isn't careful, blueberry, raspberry and blackberry bushes can cause extensive delays. With my Scottish blood, I find it difficult not to pick a few berries from each patch.

From the state line the route descends, then crosses Rte. 2 in Blackington before climbing the Greylock range. The ascent up Mt. Prospect, just north of Greylock, involves as much exertion as many of the peaks in the White Mountains.

I'M CURIOSITY PIECE

My guidebook assures me that the summit of Greylock (3,491 Ft.) affords "extraordinary views." However, when I was on top, I could barely see the top of the stone Memorial Tower. Greylock "features" an automobile road and I found many people strolling about the summit. As on other such mountains, I found many nonhikers staring curiously at me, wondering, perhaps, if I had just parachuted onto the mountain from a disabled jet fighter.

The route leads from Greylock south through pleasant woodlands to the towns of Cheshire and Dalton. In this area, as in most of the state, the trail follows old woods roads. I'm sure many of these would afford an interesting days' exploration.

When we passed near Pittsfield, Jo and I had the pleasure of renewing our acquaintance with Art Koerber, an official of the Appalachian Trail Conference, and his wife Sylvia. We had met them high up in the Presidential Range in New Hampshire. I think our second meeting was even more pleasant, since we were treated to an excellent dinner by Mrs. Koerber.

After this enjoyable interlude, I hiked what turned out to be my favorite section in Massachusetts—the 17 miles from Dalton to Upper Goose Pond. Here the trail passes through delightful woodlands, past old orchards, over grassy hilltops and small mountains. The view from Warner Hill is excellent.

MANY CAMPING SITES

In the southern part of the state, the route traverses the Taconic Range, which includes the 2,602-ft. Mt. Everett. Just before reaching Connecticut, the trail passes through Sages Ravine—a lovely boulder-filled gorge through which flows a small stream.

There are numerous camping facilities in the Berkshires area and the trail can be reached by automobile in many places.

In addition to the pleasant woodlands, there are enough respectable sized mountains in the area to keep climbing enthusiasts busy. Those who frequently run off to New Hampshire or Vermont on weekends should definitely take a closer look at the Berkshires.

[From the Worcester Sunday Telegram, Sept. 25, 1966]

A 2,000-MILE TRAIL IS LIKE LONG WILDLIFE SANCTUARY

HAGERSTOWN, MD.—In some ways the Appalachian Trail is like a 2,000 mile—long wildlife sanctuary and my wife Jo and I have gotten great satisfaction from meeting new birds and animals on our way south.

There is one creature, however, which we were hoping not to encounter—the rattlesnake. Rattlers are occasionally seen in Massachusetts and Connecticut but do not become common until New York. They are supposed to be numerous from Pennsylvania southward.

I am not fond of any kind of snake and for the past few weeks I've been keeping a sharp eye on the footway—particularly when passing such places as Rattlesnake Den, Rattlesnake Mountain or Rattlesnake Run.

After I had gotten half way across Pennsylvania without seeing a viper of any kind, I decided it was not necessary to be so vigilant. Naturally, the next thing I did was to step within a few inches of a rattler.

Fortunately for me, he hadn't quite gotten his full growth yet. In fact, he wasn't more than six inches long.

WE EXPECTED TO SEE

This encounter with the "fearsome" rattlesnake nearly completes the list of interesting creatures we expected to see between Maine and Georgia.

Of the large animals, we have met a moose, a bear, and countless deer. I was surprised to see only a few deer in Maine and Vermont. But here in Pennsylvania, as well as in New York and New Jersey, I see half a dozen every day.

This can probably be accounted for, in part, by the nature of the forests in these states. Particularly in Maine, the undergrowth is very dense whereas the woods are much more open in Pennsylvania.

Among the most numerous animals on the trail are racoons and porcupines. Both animals patrol leantos and cabins at night looking for left-over scraps of food. To see them, all you need to do is turn on a flashlight.

Porcupines, which are most numerous in Vermont, are probably among the more stupid of all animals. They are slow moving awkward and ugly. To kill one, you need only walk up to him and tap him on the head with a stick. They seem to rely completely on the quills for protection.

LEAST FUSSY OF ALL

The porcupine is also the least fussy of all animals with his diet. I have heard of them gnaw on an empty tin can for the better part of a night. If nothing else if available, they will munch on the floor board of a leanto in order to get any salt left there by humans.

Neither Jo nor I are very knowledgeable about birds, so we've had to rely on local people for the names of birds along the trail.

Fortunately, we were with two Maine natives the first time we heard a loon's cry. I've never been enthusiastic about bird watching, but this is something I'll always remember. I won't attempt to describe that weird sound since this would have been a difficult task for Jack London or Hemingway. I think it would be worth a trip to Maine just to seek out a remote lake with a pair of loons on it.

Another bird I saw for the first time in Maine was the raven. I had just reached the summit of Mt. Bigelow after climbing for six hours. It had been calm below, but it was very windy on top and a storm was approaching. And riding on the gusts of wind, remaining stationary, was a majestic raven looking as though he controlled the mountain and most of the country around it.

I've also seen many hawks, hundreds of quail and partridges, ducks, wild turkeys (almost as big as the farm raised Thanksgiving variety) and pheasants.

Jo and I have always lived in the "thickly settled" areas of America and seeing all this wild game is a new experience for us. Just to catch a glimpse of a deer as it leaps across the trail is more thrilling than seeing dozens of animals at a city zoo.

[From the Worcester Sunday Telegram, Oct. 2, 1966]

SO MANY MARKERS—POTOMAC RIVER REGION IS RICH IN HISTORY

ELKTON, VA.—South Mountain, which extends from southern Pennsylvania through Maryland to the Potomac River, is as rich in history as any area along the Appalachian Trail. In fact, hikers must use caution not to trip over historical markers.

There is little activity along the mountain now. I found it difficult to visualize busy communities and important events as I walked along the crest of the mountain with only birds for company.

The trail reaches the foot of the ridge, which is South Mountain at Pine Grove Furnace State Park in Pennsylvania.

CHARCOAL AREA

The park is named for a large stone furnace which still stands as a monument to the charcoal iron industry. The 30-foot tall structure burned charcoal, rather than coal, and was used to make iron. This and similar furnaces in the area have probably survived because they are too massive to bother dismantling. * * *

A sale in 1838 also included 35,000 acres of land, a forge, blacksmith and carpenter shops, several brick mansions, grist and saw mills, and 30 log cabins.

A few miles farther south on the trail is an area which combines recent and not so recent history. Bunker Hill Farm is the site of an Indian Massacre in Colonial times. Nearby are the buildings of Camp Michaux which was a prisoner-of-war camp for German submarine crews during World War II.

HISTORICAL TRAIL

After a few more hours of hiking, Caledonia Park is reached. It was the site of an ironworks similar to the one at Pine Grove. The park features an excellent historical trail named for Thaddeus Stevens, who owned the ironworks.

Another day on the trail takes the hiker across the Mason-Dixon line into Maryland. The trail passes within 400 feet of one of the original markers put there in 1765.

The Civil War affected the South Mountain area in Pennsylvania, but it was in Maryland that the Battle of South Mountain was fought.

Actually, there were several battles along the ridge. Although driven off the mountain, the Confederates succeeded in delaying Union troops long enough for Stonewall Jackson to capture Harpers Ferry. Trenches dug by the rebels can still be seen at Crampton Gap.

WAR MEMORIAL

The most impressive feature of Crampton Gap is a 50-foot tall memorial to Civil War correspondents built in the 1890s by newspaperman George Alfred Townsend. The structure looks like a warped Arc de Triomphe and is somewhat cluttered with mythological figures. Some have suggested it is a monument to bad taste.

A few miles south of Crampton Gap, South Mountain dips sharply in deference to the Potomac, which hurries by on its way to the nation's capital. After reaching the river, the Appalachian Trail follows the former towpath of the Chesapeake and Ohio Canal. The canal, now a national monument, is the home of hundreds of water birds which take off whenever an occasional hiker comes along.

The trail then crosses the river on Sandy Hook Bridge, within view of the meeting place of the Potomac and the Shenandoah.

The bridge is only a short distance from Harpers Ferry. My wife, Jo, and I are not usually fond of tourist attractions, but Harpers Ferry is not at all typical. There doesn't seem to have been a building boom there since the early 1800s, and I'm sure the town has looked much the same for the last 100 years.

We visited the town in the afternoon after hiking 20 miles, with my beard and hiking clothes, I was somewhat of an attraction myself. I was probably taken for one of John Brown's men.

Souvenir shops are at a minimum and visitors are free to wander through the streets and among the buildings.

The South Mountain section of the trail is the best I have yet seen for hikers with a historical bent.

[From the Worcester Telegram of Nov. 20, 1966]

MAINE HARDEST TO CROSS—HIKER COMPLETES JOURNEY WITH NATURE'S PERMISSION

(This is the last in a series of 23) articles by Paul S. Macaulay of The Telegram staff, who spent the five months from early June to early November hiking the Appalachian Trail from Maine to Georgia.)

My walk is over. A few days ago I stood on top of Mt. Springer in Georgia. After glancing back toward Mt. Katahdin, 2,050 miles distant, I walked down from the mountain leaving the Appalachian Trail behind.

At one time I didn't expect to get through the state of Maine. I think that the mountains and the wilderness were testing me then. I'm grateful that they saw fit to let me finish the journey. Without their permission it would have been impossible.

It may seem strange of me to endow mountains with human traits, but each mountain worthy of the name has a character. I'm sure of it.

It would be impossible to summarize all my experiences and views on the Appalachian Trail, but I'll say what I have space for.

Since I have always lived in the North, I cannot offer an opinion on which section of the Appalachians is most beautiful. But I will say that New England contains by far the most spectacular scenery.

The most impressive feature of the trail, I would say, is Mahoosuc Notch in Maine. Unfortunately, it will remain unknown to most people since it is reached only by determined hikers.

Most of the other spectacular features etched in memory are located in New England. This area is definitely the most popular. I met 10 times as many hikers in New England as in the other states.

Without hesitating, I'll say that Maine was the most difficult state to traverse. The central and northern portions of the state are true wilderness areas.

Perhaps the state kindest to the hiker is Massachusetts. Where the Appalachian Trail crosses the Massachusetts Turnpike, there is a costly pedestrian overpass for hikers. This is in sharp contrast to Maine where the Kennebec River is a formidable barrier (no bridge).

New York is the only Appalachian Trail state that charges hikers a fee. The "Empire State" extracts a nickle from hikers crossing the Hudson on Bear Mountain Bridge. Empires are becoming more expensive to run these days.

In my introductory article I said I expected this adventure to cost $500. It has turned out to be twice that but I still consider it inexpensive. A two-week vacation in Europe could easily cost as much or more.

Hiking is becoming more popular every year. This isn't surprising in view of its many advantages. It's inexpensive but you can see sights forbidden to people traveling by car. The accommodations (lean-tos) are free, yet they have better locations than the best motels. Friendships made on the trail represent the best advantage of all.

I think I've learned more about America and her people this summer than in all my years of schooling. I've met hikers from all over the country, I've talked to backwoodsmen in Maine, farmers in Pennsylvania, hunters in Virginia. I've learned new things by listening to the owner of a small grocery store in New Hampshire. I've enjoyed the hospitality of such persons as a forest ranger in Erwin, Tenn., and I've been given advice on hiking by a sporting camp owner in the Maine wilderness.

The Appalachian Trail is not a main thoroughfare, but it is one of the shortest routes to adventure and the heart of America.

[From the Worcester Telegram of Oct. 5, 1966]

ALONG THE APPALACHIAN TRAIL

The 2,000-mile hike of Paul S. Macaulay over the length of the Appalachian Trail from Maine to Georgia does much to promote the trial and the Appalachian Mountain Club, which created and maintains it.

In this season of natural beauty and fine hiking weather, Macauley's feat is an added invitation to enjoy various stretches of the Appalachian. And the segment that enters Massachusetts at North Adams is a logical place to begin.

Anyone choosing a jaunt up Mount Greylock in Macauley's footsteps will be impressed by two points especially. First, the trail seems more personal, more a part of the Bay State's heritage. through the knowledge that Macaulay, starting up at Mt. Katahdin in Maine four months ago, walked along the same paths on his way to Virginia, his current location along the way. Published accounts of his adventures also foster this feeling of familiarity.

The second point is that the trail seems to be rather neglected and poorly marked at the start of the Massachusetts segment. The reasons for this are no easily explained. But the fact is that it isn't easy to locate the crossing of Route 2 in North Adams, and it's extremely difficult to follow the path from its course along a side street to its clearly marked route up to the mountain.

If Macauley's feat is going to boost the long footpath as a tourist attraction, somebody had better take care not to confound prospective hikers. A clear marker and sign on Route 2 and visible blazes along the first mile of the trail would certainly improve the tourists' chances of seeing and exploring this famous and historic route.

This can, of course, be attended to. The Appalachian trail is one of the outdoorsman's great joys in this part of the country, and it is pleasant indeed to think that more and more will learn of it and use it.

Early this year, Mr. Speaker, I gave thought to introducing a revised national trails system bill with the designation of the Appalachian Trail as the pilot trail for Federal recognition and protection. I am indebted to Lee McElvain, the hardworking assistant counsel of the House Committee on Interior and Insular Affairs, for assistance, guidance, and help in the drafting of the new bill, which I am introducing today. The text follows:

H.R. 17789

A bill to establish a national system of trails, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Trails Act."

STATEMENT OF POLICY

SEC. 2. (a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and to promote public access to, travel within, and enjoyment and appreciation of the open air, outdoor areas of the Nation, trails should be established (i) primarily, near the urban areas of the Nation and (ii) secondarily, within established scenic areas more remotely located.

(b) The purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation and scenic trails, by designating the Appalachian Trail as the initial component of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

NATIONAL TRAILS SYSTEM

SEC. 3. (a) National recreation trails designed to accommodate various uses may be designated by the Secretary of the Interior after consultation with appropriate Federal agencies, States, local governmental units and public or private organizations upon finding that (i) they are reasonably accessible to urban areas and (ii) they meet the criteria established in Section 4 of this Act and such supplementary criteria as the Secretary of the Interior may prescribe. Subject to the consent of the Federal agency, State or political subdivisions having jurisdiction over the lands involved, such trails shall be located across lands in Federal ownership; across lands donated to and accepted by the United States, for the purpose of establishing such trails; or across lands permanently administered, without expense to the United States for land acquisition, by an agency or political subdivision of a State or States.

(b) National scenic trails shall be authorized by Congress and shall consist of defined extended trail corridors so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of nationally significant scenic, historic, natural, or cultural qualities through which such trails may pass.

(c) Connecting and side trails may be established by the Secretary of the Interior or by the Secretary of Agriculture, when lands administered by him are involved, (i) when they may be provided without expense to the United States for land acquisition; (ii) when they provide additional points of public access to national recreation or scenic trails; or (iii) when by written cooperative agreement appropriate Federal, interstate, State, or local governmental agencies or private organizations or individuals consent to the location of such trails across lands under their control or jurisdiction. Such trails may be appropriately designated and marked as components of a national recreation trail or as components of a national scenic trail.

RECREATION TRAILS

SEC. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide, outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing (i) primarily, recreation trails in or near urban areas and (ii) secondarily, park, forest, and other recreation trails on lands owned or administered by the States. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and their political subdivisions and private interests to establish such trails.

(d) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop recreation trails on park and forest lands within areas administered by them.

(e) Pursuant to section 3(a) of this Act, recreation trails which involve no expense to the United States for land acquisition, may be designated by the Secretary of the Interior as national recreation trails.

SCENIC TRAILS

SEC. 5. (a) National scenic trails shall be established by Act of Congress. The Appalachian Trail, a trail of some two thousand miles, extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia, is hereby established as the initial national scenic trail. The right-of-way for such trail shall comprise the corridor area generally depicted on maps identified as "Nationwide System of Trails, Proposed Appalachian Trail, NST-AT-101—May 1967," which shall be on file and available for public inspection in the office of the Director of the National Park Service. Where practicable, such right-of-way shall include lands protected for it under agreements in effect as of the date of enactment of this Act, to which Federal agencies and States were parties. So as to retain its primeval environment, the Appalachian National Scenic Trail shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture. In all other respects, such trails shall be administered in accordance with the provisions of this Act.

(b) The Secretary of the Interior and the Secretary of Agriculture, where lands administered by him are involved, shall make studies of the feasibility and desirability of designating other trails as national scenic trails. Such studies shall be made (i) in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and (ii) in cooperation with interested interstate, State and local governmental agencies and public and private organizations. When completed, such studies shall be the basis of appropriate proposals for additional national scenic trails which shall be submitted from time to time to the President and to the Congress. Such proposals shall be accompanied by a report, which shall be printed as a House or Senate document, showing among other things:

(1) the proposed route of such trail (including maps and illustrations);

(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural or developmental purposes;

(3) the characteristics which, in the judgment of the Secretary or Secretaries, make the proposed trail worthy of designation as a national scenic trail;

(4) the current and prospective status of land ownership and use along the designated route;

(5) the estimated cost of land acquisition, if any;

(6) the plans for developing and maintaining the trail and cost thereof;

(7) the proposed Federal administering agency (which in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture); and

(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof.

(c) The following routes are hereby authorized for study in accordance with the objectives outlined in paragraph (b) of this section:

(1) Continental Divide Trail, a three-thousand-one-hundred-mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

(2) Pacific Crest Trail, a two-thousand-three-hundred-and-fifty-mile trail extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross.

(3) Potomac Heritage Trail, an eight-hundred-and-twenty-five-mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one-hundred-and-seventy-mile Chesapeake and Ohio Canal towpath.

(4) Chisholm Trail, from San Antonio, Texas, approximately seven hundred miles north through Oklahoma to Abilene, Kansas.

(5) Lewis and Clark Trail, from Saint Louis, Missouri, approximately four thousand six hundred miles to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(6) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(7) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(8) Oregon Trail, from Independence, Missouri approximately two thousand miles to near Fort Vancouver, Washington.

(9) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(10) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(11) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

ADMINISTRATION AND DEVELOPMENT

SEC. 6. (a) By publication in the Federal Register the Secretary of the Interior, or the Secretary of Agriculture, where lands administered by him are involved, is authorized temporarily or permanently to relocate the national scenic trails upon a determination, in his judgment and after consultation with appropriate Federal agencies, States, local governmental units and public or private organizations, that such a revision is necessary to preserve the purposes for which such trail was established: *Provided*, That a substantial permanent relocation of the trail route shall be by Act of Congress. Such Secretary is authorized to relocate recreation and connecting or side trails within the National trails system which involve lands administered by other Federal, interstate, State, or local governmental agencies after consultation with and assistance of such agencies.

Except where such trails are located within components of the national wilderness system, they may provide campsites, shelters, and related-public-use facilities; other uses that will not substantially interfere with the nature and purposes for which the trails are established may be permitted by the Secretary charged with the administration of such trail. Reasonable efforts shall be made to provide sufficient access opportunities and to the extent practicable efforts shall be made to avoid activities incompatible with the purposes for which such trails are established. The use of motorized vehicles along any national scenic trail shall be prohibited and shall not be permitted with the natural and historical areas of the National park system, the national wildlife refuge system, the national wilderness preservation system, and other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: *Provided*, That the Secretary charged with the administration of the trail may, upon application, authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners to have reasonable access to their lands: *Provided* further that lands included in the national trails system by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time. Except to the extent otherwise provided by law, the Federal laws and regulations applicable to Federal lands or areas included in any national recreation or scenic trail shall continue to apply. The Secretary of the Interior and the Secretary of Agriculture shall, in consultation with appropriate governmental agencies and public and private organizations, establish a uniform marker, including thereon an appropriate and distinctive symbol for each trail such as now in use on the Appalachian Trail, for all trails authorized for inclusion in the National trails system. Such markers shall be erected and maintained in accordance with regulations promulgated by the Secretary of the Interior or the Secretary of Agriculture, if he is charged with the administration of such trail. The distinctive AT marker now in use on the Appalachian Trail shall be retained for this initial pilot trail within the National trails system.

(c) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national recreation or scenic trail, the heads of Federal agencies may acquire lands or interests in lands by written cooperative agreement, donation, purchase with donated funds or exchange.

(d) Where the lands included in a national recreation or scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with the administration of such trail, shall cooperate with, and encourage, the states or local governments involved (i) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail corridor or (ii) to acquire such lands or interests therein to be utilized as segments of the national scenic trail. One year after the establishment of a national recreation or scenic trail such Secretary may enter into written cooperative agreements with landowners, States, local governments, private organizations and individuals for the use of lands for trail purposes or may acquire lands or interests therein by donation, purchase with donated funds or exchange.

(e) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way as provided in subsection (c) and subsection (d) of this section and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(f) The appropriate Secretary may utilize condemnation proceedings only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire with donated or appropriated funds only such title as, in his judgment, is reasonably necessary to provide passage across such lands: *Provided*, That such authority shall be limited to the most direct or practicable connecting trail right-of-way not exceeding fifty acres per mile. Money appropriated for Federal purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this subsection.

(g) The Secretary charged with the administration of a national recreation or scenic trail shall cooperate with and encourage the States to operate, develop and maintain portions of such trails which are located outside the boundaries of Federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations or individuals to operate, develop and maintain any portion of a national recreation or scenic trail either within or outside a Federally administered area.

(h) The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national recreation or scenic trail passes, and after consultation with the States, local governments, and organizations concerned, may issue regulations, which may be revised from time to time, governing the use, protection, management, development, and administration of trails of the national trails system. Any person who violates a regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

UTILITY RIGHTS-OF-WAY

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

AUTHORIZING APPROPRIATIONS

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary for the acquisition of lands or interests in land for the purposes of this Act.

There recently came to my attention a colorful illustrated scroll describing the pleasures of hiking the Appalachian Trail. The scroll was designed and printed in color by Mr. Robert Wirth of Baltimore and bears appropriate sketches and photographs depicting typical Appalachian Trail scenes. I cite the text as most appropriate in describing the pleasures and joys of the great outdoors and hiking along the Appalachian Trail:

To have lifted the heavy pack to your shoulders,
To have watched the nuthatch walk down the tree,
To have drunk from the mountain stream,
To have looked curiously at the turtle,
To have rested under the canopy of green,
To have puzzled over the animal tracks,
To have cooked over the hickory fire,
To have heard the staccato sound of the woodpecker,
To have counted the chipmunks,
To have slept at the timbered shelter,
To have laughed at the woodchuck,
To have gazed at the mountains beyond,
To have listened to the shriek of the hawk,
To have photographed the wildflower,
To have walked on and on and on . . .

For some 2000 miles, the longest continuous marked trail in the world runs along the crests and wild lands of the Appalachian Mountain region of the eastern United States. From Georgia to Maine, it proceeds through private and publicly owned land, including eight National forests, two National Parks, and many state parks. For hikers, backpackers and those interested in the outdoors, the Trail provides an experience that serves as a strong counterpoint to an urban oriented society.

A NEW APPROACH TO OUR PRESSING PROBLEMS

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 10 minutes.

Mr. FASCELL. Mr. Speaker, the time has come for the United States to try some new approaches to the solution of our pressing domestic and international problems.

These include: Crime and violence in our streets; rejection of our country's traditional values and ethics by a significant number of our citizens; and the alienation of our various social, racial, and age groups.

Our problems extend also to our relations with peoples and nations beyond our boundaries: to our foreign affairs and the advancement of our foreign policy objectives.

In both areas—domestic and international—human attitudes and motivations are the key factor in the relations between individuals, groups, and nations.

For many years, we have underestimated and underutilized the contribution which our social and behavioral scientists could make to the solution of our problems.

The time has come to correct this situation.

A few days ago, the Congress took a giant step into the present by granting the social sciences equal status with the "hard" sciences in the operations of the National Science Foundation and of the National Science Board.

This legislation, presently awaiting final approval, constitutes the first step in the right direction.

But it is not enough. We must follow through with additional measures which will bring the knowledge, the experience, and the insights of our social and behavioral scientists to bear on the making of national policies.

I am today introducing two bills designed to achieve that objective.

My first bill provides for the convening of a White House Conference on the Social and Behavioral Sciences.

My second bill calls for the establishment, in the Executive Office of the President, of the Office of Social Sciences Adviser to our Chief Executive.

The enactment of these two measures, together with the approval of the 1968 amendments to the National Science Foundation Act, will assist our Government, at the highest level and in a meaningful way, in pursuing the solution of our most urgent domestic and international problems.

THE AGE OF SCIENCE

For decades now, we have been living in the age of science—an age which has been shaped, even dominated, by the hard sciences.

Thanks to the technological achievements of the past 50 years, we have made tremendous strides in many areas of human endeavor.

We have realized wide-reaching revolutions in communications, in transportation, in the generation of power, and in other fields of technology.

But we have lacked comparable progress in the field of human relations, in the art of living at peace with each other, and in achieving man's aspirations for individual fulfillment.

We have built magnificent skyscrapers—but largely ignored the human dimension of a congested, modern-day, urban environment. We have created great factories which produce marvelous products—but failed to cope with the effects of a depersonalized, automated industrial regime.

We have awakened great aspirations, here and abroad—but have not managed to mobilize the human resources necessary to bring them into reality.

We have learned to split the atom and to build the nuclear bomb—but not to weld human emotions and energies to the task of building durable peace.

Time and again, faced with our own failures, we have disparaged the contribution which the social and behavioral sciences could have been making to the solution of our problems, enrichment of our lives, and attainment of our national and international objectives.

I am delighted that we are beginning to remedy that situation.

The 1968 amendments to the National Science Foundation Act will enable our social and behavioral scientists to participate more fully in the search for solutions to our problems.

They will be able to do this in their own right, as equal partners of the "hard" sciences, and through integrated, interdisciplinary approaches sanctioned by the National Science Foundation.

What we need now is a prompt enactment of the two proposals outlined in my two bills.

BEHAVIORAL SCIENCES AND FOREIGN POLICY

Several years ago, as chairman of the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, I was instrumental in initiating several studies of the role which human attitudes and motivations play in the advancement—or obstruction—of our foreign policy objectives.

We learned through those studies that our Government was making little use of the knowledge developed by our social and behavioral scientists, and that the relations between the Federal Establishment and the academic community were in a state of considerable disrepair.

We found, for example, that of our Government's annual $17 billion outlay on research and development, only a minuscule portion was being devoted to research in the social and behavioral sciences—and that funds devoted to foreign policy-oriented research were only a fraction of that smaller whole.

We also discovered that the bulk of research relevant to the advancement of our national interests in the international scene was being conducted by agencies which had no direct responsibility for our foreign policy.

We found, further, that coordination between Government research programs in this field was inadequate; that duplication and research gaps abounded; and that the allocation of our resources, human and financial, bore no relation to any systematic, long-range projection of our national needs and resulting priorities.

Most of our findings on this subject were detailed in three reports—"Ideological Operations and Foreign Policy," House Report 1352, 88th Congress; "Behavioral Sciences and the National Security," House Report 1224, 89th Congress; and "Modern Communications and Foreign Policy," House Report 362, 90th Congress.

REMEDIES PROPOSED

In submitting our reports to the Congress, our subcommittee proposed various remedies.

I am happy to say that some of them became embodied in new programs and undertakings.

In 1964, for example, an interagency Foreign Area Research Coordinating Group--FAR—was established under the chairmanship of a Department of State representative, to serve as a forum for the interchange of information between Government agencies sponsoring research on foreign affairs.

In 1965, the Department of Defense moved to designate a central point for the coordination and clearance of foreign affairs research.

That same year, the Foreign Research Council was established to review research relating to foreign affairs on a Government-wide basis.

Subsequently, funds for social and behavioral sciences research increased and our Government began to pay more attention to the results of such research.

These were small, but encouraging, improvements.

SOCIAL SCIENCES FOUNDATION

In 1966, in an effort to focus more attention on the role which the social and behavioral sciences could play in governmental operations, I introduced three bills:

H.R. 15457, calling for a White House Conference on the Social and Behavioral Sciences;

H.R. 15458, calling for the establishment, in the Executive Office of the President, of the Office of Social Sciences; and

H.R. 15459, calling for the creation of a National Social Sciences Foundation.

Although a Senate subcommittee focused on this last proposal, conducting some very useful and informative hearings on the subject, and although a House Government Operations subcommittee did some equally valuable work in this field, the proposals did not materialize in statutory enactments.

THE 1968 AMENDMENTS TO THE NATIONAL SCIENCE FOUNDATION ACT

This year's amendments to the National Science Foundation Act, long under congressional consideration, do much to promote the objectives which our subcommittee studies and reports have supported.

By granting the social sciences explicit parity with the "hard" sciences in the operations of the Foundation, and of the National Science Board, they at least elevate these vital sciences to the position which they have long deserved to occupy.

I hope that this development and early congressional action on the two bills which I introduced today, will lead to a much more extensive and fruitful cooperation between our Government and our social and behavioral scientists in the solution of national problems.

POULTRY BILL

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I am pleased to call attention to the House that the safe poultry bill will be before us tomorrow.

The loopholes in the Poultry Products Inspection Act of 1957 must be plugged. In most respects the act of 1957 is a good one, but it still allows 1,600,000 pounds of poultry products to go on the market each year without Federal inspection. This is 13 percent of our total production.

This serious deficiency in our present inspection system can be corrected by the enactment of H.R. 16363, a bill identical to the one I introduced on February 27, 1968, H.R. 15622, which was along the lines proposed by the President in his message to Congress on February 16, 1967.

Poultry processing is big business in America. The industry enjoys gross annual sales of almost $3 billion. If we are to protect and expand this market, we must be able to assure the consumer that the poultry products offered for sale are always clean and wholesome.

The intent of H.R. 16363 is similar to the provisions of the Wholesome Meat Act that was passed by Congress last year and became law on December 15, 1967. The proposed legislation would not replace the present Poultry Products Inspection Act of 1957; it would merely amend and improve it.

From previous hearings on the bill, I have learned that unwholesome poultry products can spread 26 different diseases to human beings. Even more alarming is the fact that children in certain States may be exposed to these diseases through the Federal school lunch program. This is one of the loopholes that must be plugged without delay.

H.R. 16363 has measures similar to those in title II of the Federal Meat Inspection Act. The bill would authorize surveillance of the activities where adulteration or misbranding could occur other than in just the processing or slaughtering phase. The persons or firms subject to such supervision would include, among others in commerce, poultry products brokers, renderers, animal-food manufacturers, and dealers in 4–D poultry. The 4–D is a trade term that means dead, dying, disabled, or diseased poultry.

For these reasons, I strongly urge that this bill be passed without further delay.

NEED FOR GUN CONTROL LEGISLATION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 5 minutes.

Mr. FARBSTEIN. Mr. Speaker, the tragic assassination of Senator Robert Kennedy compels me once again to reaffirm my support for legislation to control the traffic in firearms in this country. I have supported such legislation throughout my 12 years in Congress, and I have been grievously disappointed that no significant laws on gun control have been enacted.

I shall vigorously support the President's recommendations to limit the sale of firearms. I further support legislation requiring the registration of all firearms. I do not delude myself into thinking that such a law will end killing—any more than the laws governing the registration of motor cars and the licensing of drivers has ended automobile fatalities. But I am certain that those laws reduce automobile fatalities significantly without in any way impinging on the liberties of Americans. Last year, no less than 6,500 murders were committed in the United States with guns, compared to some 30 in England. I am absolutely persuaded that a substantial proportion of those 6,500 lives could have been saved if we did not, as a nation, make firearms so freely available to whoever takes a whim to use them.

I intend to fight for the rigorous gun control legislation that the President and responsible Members of Congress propose. I believe we must put an end to this savagery. I would hope that all my constituents will notify the majority leader of the Senate, Senator MANSFIELD, and the Speaker of the House, Congressman McCORMACK, that they earnestly favor gun control legislation. I would also ask them to back me in the effort to get this vital legislation enacted into law.

GUN CONTROLS

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. GALLAGHER], is recognized for 30 minutes.

Mr. GALLAGHER. Mr. Speaker, it is about a week since Senator Kennedy was cut down. It is about the time that many will forget the sharp pain they felt when they heard that he had been shot. It is time to add his name to the growing list of men shot down in the political service of their country.

We must build memorials for the dead, but is it not time we built a memorial to the living also? Our Chaplain has prayed that he rest in peace. And he should, he was a good man, and outstanding in every way. Why cannot we act so that the American people might live in peace?

One of the most distressing aspects of the assassination of Senator Kennedy was the calm and professional way that the press and television networks covered the story. They wrote and sounded like people who had been this terrible route before; and indeed they have. They were professional, but yet they still had a little of the old feeling of shock left. How much longer will they still be shocked. Once more? Perhaps two or three times more? I am sure no longer than that. Then the story will just be a story, and the list of names will become a statistic.

If we do not act to control this violence the tragic list of the dead on the podium and ballroom floor will become another dreary rendition, like the list of dead on the highway. Even now our political concepts are changing.

The President has ordered the Secret Service to protect candidates from the derangement of a handful of men. In order to do their job, the Secret Service will have to protect those competing for the Presidency of the United States from most of the people they meet, for who can tell which of the milling throng of well wishers is really the man with the weak mind and the strong gun?

The growth in protection will cause a separation between public officials and the people, and that is something that goes against all of our instincts. The growth in protection will cause all of us to feel that acts against the lives of public men are expected. As psychologists say, people tend to do what is expected of them. Perhaps men with seething hatreds and irrational wishes to do ill will see that violence is indeed the thing that is expected, and it will be done. Thus the virus of violence will cause isolation of public officials and candidates by the police, and the protection in turn will reinforce in disturbed people the tendency to commit violence.

The tragic events of last week hit the people of this country forcefully. Senator Kennedy, Martin Luther King, Jr., and President Kennedy were all people who represented great idealism to many Americans. President Kennedy advocated international peace and understanding, and he was cut down. The Reverend Dr. King preached nonviolence and he was cut down. Senator Kennedy was motivated by a desire to better the lives of those who do not share the affluence of the society in which we live, and he was cut down.

For these men America has mourned. Every time one of them has died a terrible death, the people have demanded that we do something.

Will we listen this time?

Yes, when the great fall the people hear. But, what happens when the nearly great fall, or when the average American falls? Surely there is no national outcry. There is only quiet sobbing by a wife, or mother, or sister, or perhaps the victim was a woman.

Last year 5,600 Americans were shot with firearms. Last year in England 30 people were shot. If their population were equal to ours, that would mean 120 shootings against our 5,600. Last year in France 14 people were shot. If France's population were equal to ours it would mean less than 60 people shot against our 5,600.

The issue, then, is not only one of preserving our democracy against political assassinations. It is also one of protecting our families against the loss of breadwinners, children, and other loved ones.

Through misleading facts and statistics and through a great publicity campaign the Congress has been led to believe that strong gun reform is not needed nor wanted by the people. In fact, the reverse is true.

Allow me to give you an example of the type of misleading statement that is given to the Congress and to the American people in an attempt to justify continued unregulated use of weapons.

In an article entitled "The True Facts on Firearms Legislation—Three Statistical Studies," the National Shooting Sports Foundation, Inc. attempted to explain why strict gun control laws are unnecessary.

The first point they make is to utilize a very impressive-looking set of statistics to "prove" that only 3.4 percent of the 3,243,370 serious crimes committed in the United States during the year 1966 involved guns. The numbers are large and exact, and the figure does look small indeed. However, when the breakdowns are examined carefully a totally different picture is revealed. Of the 3,243,370 crimes, 1,370,300 are burglary. This means that a house is broken into and things are taken. No confrontation with the householder occurs, or else it is not burglary, but robbery. Thus, already half of the crimes already are shown to be of a nature where a gun would not be used in any case. However, when we look at the statistics for robbery we see a different picture. Here 38.9 percent of the crimes are committed with the use of firearms.

Last, one might look at the statistics for homicide. Here the figures are as follows: Firearms, 59.3 percent; knives or cutting instruments, 22.3 percent; personal weapon—hands, feet, and so forth—9.4 percent; blunt objects, 5.4 percent; miscellaneous, 3.6 percent. So, 3.4 percent of serious crimes becomes almost 40 percent for robbery and almost 60 percent for murder. And these are the figures that a gun association tries to use to prove its case.

Next, the National Shooting Sports Foundation, Inc., shows that in States without gun laws and licensing, the crime rates are no higher than in the States that have strict rules. Again, there are tables with all kinds of statistical analyses, and square-root signs and other mathematical formulations. The only thing that is not in their tables is some commonsense. By and large the States with license requirements are the big States with most of the Nation's large urban areas. New York, California, Pennsylvania, and Massachusetts are among the States with requirements. Most of the nonlicense States, on the other hand, are primarily rural. Arizona, Kansas, and Vermont are on this list.

Now we all hear so much about the problems of the cities. We hear of drugs and riots and unsafe streets. We hear also of the better conditions in rural areas, where most city problems do not manifest themselves. Yet, even though all of this is so, we find, by the gun association's own admission, that there is every bit as much crime in the pastoral areas as in the seething ones. How can they explain that?

Their third point is similar to their second. They say:

> As the proportion of the population possessing firearms goes down, crimes rates go up.

Here again, lots of statistics hide the point that in the cities with crime, strict gun control laws hold down the number of guns, so that there is less gun ownership in cities with crimes, hence where there are fewer guns, there is more crime. All that this proves to me is that if there were to be free access to guns in these cities crimes would shoot up, and that if there were to be stricter controls in other areas, the crime rate would go down.

Aside from this sort of statistical mass that proves nothing—nothing favorable to the gun lobby in any case—what do the gun people have to say that might be a legitimate reason not to curb guns?

They have two arguments here. The first is that we should not put gun owners through the trouble of getting a license unless we get even more proof—perhaps that means ever more assassinations—than we have now. In other words, we weigh human lives on one hand, and the convenience of sportsmen, who would not want to bother to register their weapons, on the other. Even for dogs we insist on registration in many places. For cars we insist on registration everywhere. No State says that it is not necessary to register cars because cars kill only a small percentage of those who die. No State says that drivers should not need licenses. We care if people who need glasses drive. Should we not care just as much if people who need to have insane tendencies corrected have guns? Why can we not say that gun owners must go through registration just as car owners do, and that they be checked just as car drivers are? Do we believe that a car is more dangerous than a loaded gun?

The other reason they give is a constitutional and political one. The Constitution, they say, gives everyone the right to bear arms. What the Constitution does, of course, is to say that the right to carry arms is associated with the militia. In the days when the Nation was founded people were expected to defend the country against animals and Indians. Now our danger is from nuclear bombs abroad and madmen at home. I doubt handguns at home would protect us from atomic bombs, and as for madmen—last week's assassination points out that if we have guns freely, the madmen will also.

We must weigh all of these facts carefully, and decide what our clear responsibility, at this session of this Congress, is.

It is my firm belief that we must pass a strong gun bill now. We cannot wait until next year, we cannot wait until another leader of our people joins the mournful list. We cannot wait until another 5,600 or 10,000 Americans die. The people are writing in torrents demanding that we act now.

I will not vote for adjournment of this Congress until and unless we do our duty and end this disgraceful situation.

The omnibus crime bill has made an inroad into mail-order sales of handguns. We need more.

The President in his message of June 6 called the legislation just recently passed a "halfway measure." That it truly is. We have restricted interstate and over-the-counter purchases of handguns, but not long guns. Can we really believe that effective control of long guns and ammunition is not needed? Just consider these facts:

President John F. Kennedy was killed with a rifle; Medgar Evers was killed with a shotgun; Martin Luther King was killed with a rifle; and on one bloody afternoon in Austin, Tex., Charles Whitman killed 16 people and wounded 31.

With a handgun you have to get pretty close to your victim. With a high-powered rifle you can sit in relative safety several hundred yards away and pick him off.

No one could possibly suggest that rifles and shotguns are not as dangerous as handguns. Try to tell that to the women of this Nation who sit in terror behind locked doors at night. Try and tell that to the many little children of this land who have lost their fathers because someone has snuffed out their lives with a rifle or shotgun.

It is necessary that mail-order sales of guns to individuals end. It is necessary that no one be able to buy any gun, long or short, until his record and proof of age are checked out. It is necessary that we end the glaring loopholes in our laws that allow people to buy machineguns and to buy war-surplus weapons that a good machinist could easily put in working order.

Earlier in this Congress the gentleman

from New York [Mr. Celler] and myself proposed bills that would accomplish these things. Instead a much milder bill—title IV of the omnibus crime bill—was passed.

The omnibus bill just is not good enough. It leaves untouched the area that must be controlled so that shootings like those of the Kennedy's and the King's and the three marines senselessly gunned down in a Washington restaurant a few days ago will not be repeated.

The omnibus crime bill provides for training of policemen and for riot control. Other laws provide for programs to end urban unrest and riots through better social justice for minority groups. What provides for saving the Nation from the madman, the criminal, and the man with a terrible temper who gets instant courage with a loaded gun in his hand? There is nothing, and we must change that before more of our best people die. Our goal should be peace in the streets, and the first step is taking guns out of the hands of criminals.

The gun associations say that "Guns do not kill, people kill." This is true. Some accuse those of us working for effective gun laws of being antigun. This is not true. I am not antigun; I am against people who would kill with guns having free access to them.

Certainly a good gun law is going to inconvenience the sportsman. I think, however, that a sportsman is also a family man and also a man who loves his country. I think that almost all sportsmen are willing to put the public good above their own convenience, and to put their responsibility to society above an hour in the courthouse and perhaps a small registration fee.

I wish that I could say that this problem could wait, for that would be more convenient for us in Congress. If we cannot pass this bill and shoulder our responsibilities now that terror has struck again and the people are demanding action, when can we do it?

We have known for a long time that men who live by the sword shall die by it. We have found again, however, that those who have lived by the olive branch are dying by the gun, and this must be stopped.

I appeal to this Congress to pass the strong gun control bill that I introduced in May of 1967, or to pass Mr. Celler's bill, which is identical. We can pass any good bill. To pass no bill, however, is to pass the sentence of death upon an untold number of Americans in the years to come.

We must not adjourn this 90th Congress knowing that we have defaulted in our clear duty. I know that you will agree that adjournment must wait if that is what is necessary so that our gas station owners and businessmen and candidates for the Presidency of the United States might live.

KOREAN LOAN SHARK SITUATION REINFORCES HOUSE VOTE ON TRAVEL RESOLUTION

Mr. MINISH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Speaker, recently the House of Representatives passed a travel resolution authorizing the House Banking and Currency Committee to send eight of its members and two of its employees to investigate the operations of U.S. military credit unions in the European and Pacific commands, with particular emphasis on the organization of such credit unions in those countries hosting U.S. military installations but without credit union facilities for members of the Armed Forces. This subcommittee will also investigate credit and finance problems facing servicemen and fraudulent activities of sharp practice credit extenders in dealing with members of the Armed Forces.

On May 21, the Bayonet, a weekly newspaper published by the 7th Infantry Division Information Office in Korea, ran an article by Sgt. Bill Hoerger, describing a loan shark racket that is being operated outside of Camp Casey, Korea. The article clearly shows why it is necessary for the Banking and Currency Committee to travel to the Pacific command to put a stop to these types of practices and to establish credit unions.

I have also received letters from servicemen stationed in Korea containing the disturbing allegation that some military personnel have apparently assisted these loan sharks in collecting debts in which the interest rate runs as high as 36 percent a month.

Approximately 2 years ago, the Department of Defense issued a directive which provided that lenders must follow certain procedures and fill out certain forms if they lend money to servicemen and then expect assistance from the military in collecting that debt. It would appear that military officials in Korea are ignoring that directive and are, in effect, acting as the official collection agency for the Korean money lenders.

One serviceman who wrote me indicated that he had a great deal of information about the loan sharking going on in Korea but was afraid to make it public because he had been told that it might damage United States–Korean relationships. Mr. Speaker, I do not know what this information is that might be damaging to the relationships but I intend to find out and let me say that I am far more interested in protecting the welfare of our servicemen than I am in keeping silent because of diplomatic considerations.

Of particular concern to me is a portion of Sergeant Hoerger's article which indicates that American servicemen who cannot repay their debts are subjected to physical violence. I am certain that when the subcommittee visits the Pacific commands, the subcommittee will go to Camp Casey to see firsthand the problem that is described by Sergeant Hoerger and that every effort will be made to establish a credit union at this installation so that a serviceman can obtain credit at a reasonable interest rate and not have to worry about intimidation or worse if he should fall behind in his payments.

Mr. Speaker, because of the importance of this matter and the graphic illustration of what is happening to our servicemen in Korea in the area of money lending, I am including a copy of Sergeant Hoerger's article in my remarks:

Bayonetmen Falling Prey to Easy Credit in the "Vill"

(By Sgt. Bill Hoerger)

Camp Casey.—Over one million Won (about $3,700) is borrowed by 7th Infantry Division personnel in the Casey-Hovey area from Korean Nationals every month. Add another million Won for current and back interest, and an $85,000 a year business is the result.

These are the estimated figures of Sgt. 1, C. Harrison L. Richardson of G–5, Civil Affairs Office, 7th Inf. Div. The "open door" policy of G–5 allows Korean Nationals with grievances of all sorts to personally present their problems to the division without having to go through a multitude of red tape. And probably the most outstanding complaint of the Koreans is with regard to unpaid loans by American soldiers.

Bayonetmen, ignorant of existing laws, their personal rights and responsibilities, have been borrowing money from local Korean Nationals, many of whom are "loan sharks." As a consequence, they have fallen into a vicious circle of indebtedness and unimagined trouble.

Commenting on the situation a concerned Sgt. Richardson said, "These men (the borrowers) are blind! They cannot foresee their monetary obligations during a month's span. They do not stop to think about how much they will have to pay back for one of these loans, and they just do not realize the extent of complications that may evolve from such a transaction."

Men have foolishly signed questionable promissory notes and have agreed to usurious interest rates. Korean law requires all individuals loaning money for a profit to obtain a license. Most of the "loan sharks" have no such permit.

In addition, Korean law stipulates that interest charged will not exceed 36 percent per month. Even if a creditor has the necessary license he may still be charging more than the prescribed interest limit.

Although 30 percent per month on a 1,000 won loan doesn't seem exhorbitant, it adds up to an annual interest of 360 percent. So if an individual doesn't pay his loan back promptly he could end up owing three and half times his original loan in a year's time.

Oftentimes men do not stop with just one loan. They discover how easily credit is obtained and may borrow some 12,000 won during the month. It is not unusual for a man to find that he cannot repay all of his debts incurred for the month.

When the "due date" passes on a loan, a new interest charge is often added. Forty percent on the unpaid balance is a frequent figure. Now, the soldier not only owes 1,300 won, but 40 percent of that—or 1,820 won.

Sometimes there is a man who, for a number of reasons, finds it impossible to ever repay all of his village bills. The "loan shark" has an answer to this man's monetary problems: the Black Market. For the mere delivery of a "made in the USA" television set, a GI might have his interest rate cut in half.

Or, for three sets of slightly used OG's, the soldier might be granted the reduction of as much as 1,000 won off his original bill. Just as simple as that—until the actual delivery is made.

Then, who can guarantee that both parties will keep to the illegal transaction? Can the soldier go to the authorities if the "loan shark" doesn't live up to his part of the bargain?

What about the fellow who is going to "outsmart" the Koreans and simply refuse to pay his debts? It takes but a split second for some hired hoodlums to give a hesitant soldier a brutal reminder of his responsibilities.

An honest creditor will go to G-5 and request the military's aid in settling disputes over unpaid bills. The usual reaction is for the office to notify the man's unit, describing the circumstances and leaving it up to the unit commander to decide the outcome. The result is often a disgusted "short-timer" being flagged until his debts to Koreans Nationals are paid in full, for a dishonorable failure to pay just debts is an offense under the Uniform Code of Military Justice for which judicial action may be taken.

A "just this once" Black Market deal; a beating by hired thugs—can all lead to an even worse situation: Subversion. The power of money overcomes the power of common sense. Even though the information provided may seem to be of relative unimportance, a man might betray his country for the mere reduction of imprudent loan made in the village.

The "loan sharks" and "pawn brokers" are not stupid. They know all the angles. And, just as you make a loan for a house or car in the States, you are responsible for your actions when making a loan from a Korean National.

The soldier has created his own dismal situation. He requested the loan. He agreed to the exorbitant interest rates and he signed his name to the contract.

LINCOLN-DICKEY—WHY PAY MORE FOR LESS?

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, although the House has voted to kill the Lincoln-Dickey hydroelectric power project in northern Maine three times in the last 3 years, I have my doubts as to whether or not we have finally heard the last of it. As long as electric rates in New England are high, voices will be crying in the wilderness for a dam at Lincoln-Dickey.

But a dam at Lincoln-Dickey is not the answer to the high cost of electric power in New England. By the time it would be completed in the late 1970's, this dam would cost the taxpayer approximately $277 million. Another $8.5 million for necessary transmission lines, along with other related costs, would boost the total price tag to an estimated $380 million.

The figure of $380 million is the one stated by the Army Corps of Engineers last fall. This still does not take into account the fact that construction costs have been rising an average of about 5 percent a year, so it would be safe to say that the Lincoln-Dickey boondoggle would in the end cost the taxpayer $400 million plus.

As I pointed out in a statement in the CONGRESSIONAL RECORD, volume 113, part 23, page 31468—entitled "Why Pay More for Less?" a pump storage power project is currently under construction at Northfield Mountain in Massachusetts which will cost an estimated $74.35 million and produce 1 million kilowatts annually. The Lincoln-Dickey Dam is designed to produce 723,000 kilowatts a year.

Just recently I learned that the Public Service Co. of New Hampshire, a private company which annually pays about $6 million in State taxes and more than that in Federal taxes, has ordered construction of a nuclear-powered generating plant in Newington, N.H. This facility estimated to cost $150 million would produce in excess of 800,000 kilowatts of electricity, and would be completed in the fall of 1974.

In other words, both the Northfield Mountain pump storage power project and the Newington nuclear generating plant would produce more electricity, at less cost, and sooner than the hydroelectric dam at Lincoln-Dickey. Without even taking the conservation aspect into account, my question still stands: "Why pay more for less?"

RIOTS OR CIVIL WAR NEXT WEDNESDAY?

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, in the Sunday, June 2, issue of the Columbus, Ohio Dispatch, an article authored by Mrs. Alice Widener appeared relating to Wednesday, June 19, and the proposed "demonstrations."

To say the least, if there is any accuracy in this article, it is disconcerting. I am submitting it in the RECORD in order that all Members of Congress and other officials of the U.S. Government may be put on notice concerning the facts set forth by Mrs. Widener:

JUNE 19 A RED LETTER DAY IN DARKEST SENSE OF WORD

(By Alice Widener)

Put a red circle around June 19 on your calendar. That is the day set by the leftist radicals to do unto the United States as they are doing unto France. June 19 is the day that the American radicals have set for the start of a series of demonstrations provocative of violence and led by students, a day marked out for crisis which leftist radicals hope will start a civil war in the United States.

If that war were to break out, it is most unlikely we could retain our present form of government with all its freedoms and opportunities. Unless forces loyal to the United States government put down all illegal activities by demonstrators on June 19, the consequences for our nation could be tragic.

Civil war, fought by mobs in the streets, cannot be won by moderates. If the radicals succeed in their demonstration of June 19 in Washington, D.C., and there is a serious outbreak of violence, then anarchy and chaos created by militants—with students in the vanguard—will spread across our land.

As things stand now, the radical students plan to penetrate where the Poor Peoples March cannot go without detection because of color. Much less easily identifiable, white radical students—having moved into our nation's capital from all regions to act as a vanguard—will seek to "capture" strategic positions in government offices and other areas declared off-limits in Washington by the U.S. Government.

Students will shave their beards and quietly join forces with the Poor Peoples March. They plan to conceal their nefarious connection with it at first. Then, after they have succeeded in a Trojan Horse operation, they will declare they are demonstrating for "peace and freedom" and for all demands set forth by black militants in the Poor Peoples March.

The inhabitants of Resurrection City are now pawns in a deadly game. Perhaps they are unaware of what is planned by the radical left. Perhaps they are not so unaware.

At any rate, they are pawns in a bloody game of chess played by professional insurrectionists, political guerrillas, and ambitious demagogues.

There are, of course, major differences between the American and French situations. Many French essential industries and public utilities are owned by the government and a workers' strike is a strike against the government. This is not the case in our country where railroads, telephone, TV and radio stations, and electric light and power industries are privately owned and workers are well paid.

Basically, however the French—despite their factionalism—enjoy the unifying factor of racial homogeny and do not suffer from the agonizing racial and religious differences that create cleavages among Americans.

For our country, since the Civil War, there never has been a real threat to our government. There is one now.

The first open thrust of that threat will be made in Washington, D.C. on June 19. Since the destiny of nations sometimes rests on imponderables, loyal Americans ought to pray for a torrential rain on that fateful day. When the rains come, they dampen the fires of violence.

GUARANTEED ANNUAL INCOME NAIVE, UNWORKABLE, AND IRRESPONSIBLE

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, a well-known columnist, Henry Hazlitt, wrote an article which appeared in the June 9 issue of the Columbus, Ohio, Dispatch relating to the proposed guaranteed annual income.

All Members of Congress who may ultimately be called upon to consider the philosophy encouraging such legislation should have the benefit of the views of Mr. Hazlitt and I am, therefore, including them for the RECORD:

COUNTRY'S GUARANTEED INCOME PROPOSAL IS NAIVE, UNWORKABLE

(By Henry Hazlitt)

More than 1,000 academic "economists" have signed a statement, sponsored by Profs. John Kenneth Galbraith, Paul A. Samuelson and others, endorsing a "national system of income guarantees" based solely on "need." They confidently assure us that the cost would be "well within the nation's economic and fiscal capacity."

So the problem of poverty, which has plagued the world since the beginning of history, is to be solved overnight by the ridiculously simple device of taking still more money away from those who work for it and turning it over to those who don't.

This idea is blandly put forward in a year when we are already running up the largest budget deficit in the last 22 years. This will be the eighth annual deficit in succession, and the 32nd in the last 38 years. It will be followed by a substantial deficit in fiscal 1969, even assuming that the new $10 billion tax increase is enacted and the proposed $6 billion expenditure cut really put into effect.

The guaranteed income is also being proposed at a time when the nation's combined relief and welfare burden is already the greatest in its history.

For the federal government alone, welfare and relief payments are scheduled to total some $69 billion in fiscal 1969. This is 10 times as great as total federal expenditures for all purposes in the Roosevelt year 1938. If we add the additional net welfare and relief expenditures of the states and localities, the total becomes even more tremendous.

The signers of this guaranteed income indorsement make no attempt to estimate the cost of their proposal. Figures have been rather casually mentioned, ranging from $11-$26 billion a year. Realistic analysis shows that the actual cost would greatly exceed the highest of these figures.

The new proposal comes, let us also remember, at a time when, as a result of past welfare spending, chronic deficits and money printing, the dollar has already lost 64 percent of its purchasing power in 1939.

Living costs rose in April at an annual rate of 4 per cent, the fastest in 17 years. Confidence that the convertibility of the dollar into gold can be maintained is already at a new low.

Would the adoption of a guaranteed income really help the country? Would it in the long run even help the poor?

No doubt at the beginning some would get paper-money incomes higher than they had before. But the ultimate result of the scheme would be a Latin-American type of run-away inflation, total collapse of the purchasing power of the dollar, a demoralization of the working habits of the people and a general increase in impoverishment.

If the head of a family were paid $3,000 or $4,000 a year whether he worked or not, or bothered to look for a job, or whether he spent his guaranteed income on drink, drugs, prostitutes or gambling, he would begin to think himself a fool to work for any less than the guaranteed handout. Millions would simply give up their jobs.

And how many capable of earning more than the guarantee would go on working, and submit to an even more onerous income tax than ever, for the privilege of continuing to support their neighbors in idleness?

It is idle to pretend that a gimmick like the "negative income tax"—which would reduce the guaranteed income by only $1 for say, every $2 of real earnings—would prevent this wholesale erosion of incentives. For those living on the guaranteed income would consider this an exorbitant 50 per cent tax on their actual earnings.

The guaranteed income proposal is naive, utopian, unworkable and irresponsible.

THE IMPORTANCE OF CONTINUING EDUCATION—SANDERS ANSWERS THE CHALLENGE

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, this is the season when millions of young men and women in caps and gowns step up to a podium to accept hard-won diplomas, and then step into the dawn of new careers.

But how quickly, Mr. Speaker, they could lose their grasp on the world around us.

It is no exaggeration to say that our world changes so rapidly that today's well-educated person can quickly become relatively uneducated if he does not continue to master the implications of both social and technological changes.

EDUCATION CONTINUES AFTER GRADUTION

The continuing education of many of today's graduates will be easier because of their association with industries which have added a new dimension to their traditional training and education programs.

One such industry has its headquarters in my district; Sanders Associates, Inc., of Nashua, N.H.

Industry, of course, has long recognized the importance of providing specific technical training which better prepares new employees to perform their tasks, and familiarizes experienced employees with improved equipment and methods.

There is an obvious reason for industry to interest itself in this type of training since there is a direct relationship between the training and later job performance.

But I would like to point out, Mr. Speaker, that today many industries are going beyond this type of training to offer employees opportunities to increase their education at the professional level, and also to expand their personal development.

The reasoning behind this expanded effort by industry is that employees who are well-rounded educationally are better citizens.

And, better citizens help create a fertile climate in which individuals, industry and the community can realize their full potential to enrich life.

The type of wide support for education I refer to is well illustrated by the education programs of Sanders Associates, Inc.

A SPACE-AGE INDUSTRY

Sanders' development and manufacturing programs for the Federal Government range from electronic and antisubmarine warfare systems and ground support systems for battlefield and missile operations to sophisticated radar systems for training men, instantly evaluating the effectiveness of missile systems, and detecting low flying aircraft in forward battlefield areas. They also include new concepts in both electronic countermeasure systems, and a completely new system for air traffic control.

In the expanding commercial electronics markets, Sanders Associates has developed computer display systems which allow instant selection of specific computer information and, if necessary, changing and updating the information while it is displayed.

This equipment is part of Sanders integrated data management systems which are tailored to the varying administrative needs of government and business.

These advanced systems are developed and manufactured in plants in five States: in addition to plants in Nashua and Manchester, N.H., the company has facilities in South Portland, Maine, Bedford, Woburn, and Cambridge, Mass., Plainview, N.Y., and is leasing facilities in Springfield, Va. pending completion of a new plant late this summer at Reston, Va.

EDUCATIONAL PROGRAMS AT SANDERS

Sanders Associates' operations require highly competent employees whose interests and knowledge are constantly expanding. Its success in stimulating employee interest in continuing education is shown by the fact that this year 20 percent of its employees are engaged in formal education courses: almost 1,200 in courses at 47 college level institutions outside the company, 800 in on-premise courses, and 62 in apprentice training.

The 24-man staff of Sanders Associates' Education and Training Department presides over a diversified but carefully balanced education program ranging in support up to the doctorate level.

Under its tuition assistance program, the company prepays the cost of evening courses which are job related or required for a job-related degree.

Recognizing the importance of advanced university-level work to employees in modern industry, Sanders Associates has established its graduate fellowship program under which college gradautes who wish to study for a master of science or doctorate degree may apply for assistance for tuition and other academic fees as well as living expenses, while attending school part time or full time.

The advanced studies certificate program is aptly described by the company as a "mind stretching" program emphasizing continued growth and development of the individual and the company. It is offered at the Nashua, N.H., plant, and includes university-level courses ranging from communications, physical and managerial science, to ideas of man, leading ultimately to the Sanders advanced study certificate.

Other on-premise courses reflect the needs and interest of employees and the company: shorthand, oceanography, symbolic logic, and radar analysis, for example.

SANDERS SUPPORTS OTHER PROGRAMS, TOO

In addition to education programs for employees, the company actively supports educational institutions. During the past year, Sanders Associates has pledged substantial amounts to the Rivier College development fund and to help establish the University of New Hampshire's Merrimac Valley Branch in Manchester, N.H.

Sanders data display systems, donated to Darmouth College, are being used at the college's Kiewit Computation Center in research on the application of computer techniques to problems of the modern world.

Under its scholarship program, children of Sanders Associates' employees are encouraged to apply for financial assistance for higher education. Last month, substantial scholarships were awarded to six high school seniors on the basis of their achievement, promise, and need.

In recognition of the need for financial support of educational institutions by graduates, Sanders recently inaugurated an international matching grants program under which the company matches up to $100 per year, the contributions of its employees to the colleges or universities from which they received a degree.

Mr. Speaker, the understanding of the importance of education today which is shown by Sanders Associates in these programs has a vital collateral effect.

Many of its employees, with company encouragement, take an active interest in the school systems of their communities, as members of school boards, officers of PTAs or simply as concerned citizens.

AN EXAMPLE FOR ALL TO FOLLOW

It seems to me, Mr. Speaker, that Sanders Associates' overall education program contributes far more to society than simply upgrading the skills of its employees. The breadth and depth of those programs lead to more complete individual development.

This means more alert, conscientious citizens—the prime ingredient of a State such as New Hampshire, which is advancing into the latter decades of this century ready to develop the opportunities of the future guided by the successes of the past.

Sanders Associates, as the largest employer in the State with the lowest unemployment rate in the Nation, New Hampshire is setting a commendable example in encouraging responsible citizenship.

It is this awareness that industry has much more to contribute to society than running an efficient production line that gives us cause to believe that we will solve the social problems which loom ahead of us.

A BILL TO PROHIBIT MAILING OF UNSOLICITED CREDIT CARDS

Mr. OTTINGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am introducing today a bill to prohibit the mailing of unsolicited credit cards, and to require that credit cards requested by consumers be sent by registered mail only.

The proliferation of the credit card is a contemporary phenomenon which I find impressive, and a little frightening. Impressive because it has so obviously met a real need in the business community; frightening because of the potential abuses inherent in the operation of the credit card business.

Two months ago I wrote a short letter to the Postmaster General, urging him to adopt regulations which would have the effect of banning unsolicited credit cards from the mail, and of requiring that credit cards for which applications had been filed be sent by registered mail. The Postmaster General replied that he had no authority to do this, but, upon publication of my proposal, a large number of citizens from all over the country, wrote in strong support of the need for this kind of protection. I have had letters from Florida to Connecticut, from California to Massachusetts—all highly favorable. I have not received a single letter in opposition.

The impetus behind my letter was a story told me by a constituent, who had received an unsolicited credit card from one of the major oil companies, sent by third-class mail, with a large inscription in red on the outside: "Credit card enclosed." As I wrote the Postmaster General:

> Little imagination is required to envision the very real possibilities of theft anywhere along the mail-handling process, or the resultant problems attendant upon reestablishing credit when the addressees discover that they have just underwritten the cost of one or more transcontinental trips or other spending sprees on the strength of cards whose existence they had no reason to suspect.

It is no answer to state that no legal liability attaches until the card is actually received and used by the addressee. In the first place, I do not believe that this is always the case—I have been told that holders of all-purpose credit cards have been assessed on occasion for charges made on cards which were deposited in their apartment mailboxes and taken before they picked up their mail. In the second place, and more importantly, I do not feel that the consumer should be put to the burden and inconvenience of proving, before a court and likely with the assistance of an expensive lawyer, that he should not be held responsible for an unknown debt created by an unknown thief.

It is my feeling that barring unsolicited credit cards is a reasonable action. It is of little inconvenience to a company starting a new credit card to mail out a notice to potential subscribers, telling them of the issuance of the cards, and asking whether they care to join. If they do, well and good. If they do not, the matter should end there.

I feel also that it is entirely reasonable to require that credit cards requested by consumers be sent by registered mail. This will have the effect of insuring that no one can be held for any debt arising from the use of a credit card until the card has been demonstrably received by the holder or by an adult in his or her family. There will no doubt be some additional costs associated with this requirement, but they will be slight when compared to the potential costs to the consumer if such a step is not taken.

In introducing this bill, I am happy to acknowledge an indebtedness to my friend and colleague from Minnesota [Mr. KARTH], who introduced similar legislation earlier in this Congress, and whose legislation served as a model for much of my own proposal.

The Miami News of May 6, 1968, carried a short editorial on the subject. I include it at this point in the RECORD:

KNOT IN THE CARDS

> Ever get a credit card through the mail? One with your name neatly embossed on a hard piece of plastic and all ready to go charging through filling stations, stores and other businesses?
>
> You didn't ask for the card. You don't want the card. But there it is. So you try to destroy the darn thing lest it fall into the hands of someone dishonest who might decide to take a free ride on your name. But the plastic is tougher than your hands and you've got blood on your fingers to prove it. So you have to hunt for the scissors to slice the card into harmlessness. Then you have to hunt for someone to sharpen the scissors.
>
> If you've had that experience and inconvenience, then you've got a friend in Rep. Richard L. Ottinger (D-N.Y.) The congressman wants the Post Office department to prohibit the mailing of unsolicited credit cards and to require requested credit cards to be sent by registered mail.
>
> Say yes, Post Office. Please—

The bill reads as follows:

H.R. 17770

A bill to restrict the mailing of credit cards

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chapter 83 of title 18, United States Code, is amended by adding the following new section immediately following section 1734:

"§ 1735. Unsolicited credit cards and similar documents and devices nonmailable

"(a) Except as provided in subsection (b) of this section, every credit card and every other document and device intended or adapted for the purpose of establishing the identity and credit of any person in connection with the purchase or rental on credit of goods or services, or the obtaining of loans, are nonmailable matter and shall not be conveyed in the mails or delivered from any post office or station thereof or by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe.

"(b) This section does not apply to credit cards or other documents or devices described in subsection (a) when mailed:

"(1) by any person other than the issuer or a person acting on behalf of the issuer; or

"(2) in response to an application or request therefor (including replacements of the original credit card, document or device), if the mailing is by registered mail and is restricted to delivery to the addressee only.

"(c) Whoever knowingly deposits or causes to be deposited for mailing or delivery any matter declared by this section to be nonmailable matter except in accordance with subsection (b) of this section shall be fined not more than $10,000 or imprisoned not more than two years, or both."

SEC. 2. The table of contents of chapter 83 of title 18, United States Code, is amended by adding at the end thereof the following:

"§ 1735. Unsolicited credit cards and similar documents and devices nonmailable."

THE TEACHER CORPS—A VITAL PROGRAM THAT GETS RESULTS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, in this time of fiscal crisis, inflation, and talk about the need for a tax increase, the Congress has a responsibility to cut expenditures. I have supported these cuts. Two weeks ago, I voted against the motion to instruct the conferees on the tax bill to reduce expenditures by only $4 billion.

But Congress has an equal responsibility to exercise judgment in where these cuts are to be made. Time and time again, I have urged the administration to establish priorities, determine which programs are the most essential, and stretch out or delay those which are of low priority.

Our needs are too great at home to continue spending $2.3 billion in foreign aid, $4.6 billion in space programs, and $4.7 billion in public works projects under the "pork barrel" bill. How can we justify expenditures of $1 million a day for publicizing Federal programs when many vital programs are barely keeping their heads above water because of a severe lack of funding.

GHETTO SCHOOLS NEED TEACHERS

The Teacher Corps is a case in point. Here is a small program, only $13 million last year, but a program which is directed to an area of critical national need, and is getting results. Like several other programs, it seeks to improve educational opportunities for children in our inner cities and in our areas of rural poverty. But it does more for the money and it does it faster.

I first voted against the Teacher Corps program back in 1965, when it came into existence. It looked then like just another one of the Great Society programs which seemed fine on paper, but of doubtful practicability. Even the National Education Association opposed this program.

But during the past 3 years, a small number of dedicated people have strived to make the Teacher Corps work. Today, there are 1,520 young men and women, together with 350 experienced team leaders, working in 124 school systems. Many of these people will go on to devote their lives to teaching in ghetto and impoverished rural schools after they have completed the 2-year program.

TEACHER CORPS WIN NATIONWIDE SUPPORT

Today the Teacher Corps has won my support. The National Commission on Civil Disorders has asked that the Teacher Corps "be expanded into a major national program." School superintendents, principals, and mayors in major cities and in small towns have applauded the work of the Teacher Corps people that they have selected for their schools and communities. Even the National Education Association has reversed its earlier hostility, and has enthusiastically endorsed this program.

Yet, in spite of this clear record of performance, Teacher Corps programs in schools and communities where tensions are highest may have to be cut back this summer because of insufficient funds. Thousand of young men and women who have sought to work in the very schools and communities where teacher shortages are at the worst will be turned away. Through the Teacher Corps, these men and women could go to work immediately in these schools and communities.

OTHER EDUCATIONAL PROGRAMS DO LESS FOR THE MONEY

Yet while the Teacher Corps is struggling for existence, we are appropriating funds for federally supported teacher fellowships that cost as much, but produce far less. Many of the people on these fellowships don't work for their keep, while Corpsmen, during the 2-year period they are being trained as teachers, are making a real contribution to the school system through tutoring students, aiding fellow teachers, and so forth.

But perhaps more important, the fellowships do little to correct the basic weakness in many programs of teacher training. They may, in fact, perpetrate these weaknesses, for the fellowships pay for students in conventional teacher-training programs. These programs have for years been removed from the problems of the ghettos and the rural poor.

COOPERATION

Contrast this with the Teacher Corps. Universities and school systems, working together, use the Teacher Corps to develop teacher training programs that responds to the needs of the schools where children are missing out on an education. Increasingly, the programs that have been developed for the Teacher Corps are being offered to regular students as well.

Community groups also participate in the development of Teacher Corps programs. Schools use the Teacher Corps to help provide new bridges to communities that are frequently suspicious or hostile.

If the Teacher Corps is forced to retrench this year, perhaps the greatest loss will be in the young people who will be turned away. These are people who seek to serve their communities and their Nation where the need is clearly the greatest. They are not now teachers, but teachers they will become. They see in the Teacher Corps a vehicle through which to serve now and the promise of getting, while serving, the best training ever offered for a tough job.

The Teacher Corps has now little opposition. It was hailed by the majority of the Republicans on the Education and Labor Subcommittee as a program that Republicans "can conscientiously, and even enthusiastically, support." It has been cited as an example to be copied, a program that combines local direction with Federal assistance.

FORWARD FUNDING ESSENTIAL

There are some eight or nine other federally supported teacher training programs. The Teacher Corps is the only one for which funds are appropriated in September or October for training which begins in the previous June or July. Yet forward funding—the appropriation of funds in September or October for programs which begin the following June or July—is particularly important for Teacher Corps. For Teacher Corps programs school systems must vote matching funds, appoint team leaders, and, with the universities, recruit and select their Corps members in advance. Universities must plan their training and designate faculty. They need 3 or 4 months to plan. Local control is impossible without this forward planning time.

This year, school systems in our major cities have worked with their universities to develop Teacher Corps programs. They have recruited and selected their Corps members. They have had to take the chance that funding would be provided. They may have made a mistake.

A GOOD BARGAIN

If the Teacher Corps is funded at last year's level of $13 million, programs will be cut back throughout the United States. Funding at last year's level will not support programs of equal size this year because last year's appropriation cut out forward funding and transferred some of the costs from last year's budget to this year.

If the Teacher Corps has succeeded in doing a critical job more effectively than other programs we are supporting, it is clearly in our Nation's interest to support this program and cut others. At the very least, we should cut the budget request of $31.2 million for the Teacher Corps no more than the across-the-board cuts that will apply to other budget requests.

Life magazine has said, "At those prices, it remains the best bargain in the Federal education program." In these times of fiscal crisis and urban unrest, we are in sore need of a bargain.

CARDINAL CUSHING EULOGIZES SENATOR KENNEDY AS HERO TO NATION'S POOR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on Sunday, June 9, 1968, a requiem memorial mass was celebrated in the cathedral in Boston, Mass., for the late U.S. Senator Robert Francis Kennedy, at which memorial mass, His Eminence, Richard Cardinal Cushing, archbishop of Boston, presided and delivered a touching eulogy. In my remarks I include the text of the eulogy delivered by Cardinal Cushing:

CARDINAL EULOGIZES SENATOR KENNEDY AS HERO TO NATION'S POOR

> Only a few years ago, in circumstances like these today, it was my sad duty to try to put into words the universal grief that we felt on the death of President John Fitzgerald Kennedy.
>
> Today, a melancholy fate summons me once again to test the power of language to express the deepest emotions of the human heart as we commemorate the tragic murder of Sen. Robert Francis Kennedy.
>
> Brothers closely joined in life, now are entwined also in death, both felled by the hand of the assassin. History, which cannot fail to record the glory of their deeds, will take note too of the sad correspondence of their passing.
>
> Like most brothers, they had much in common—a common heritage of faith and courage, a will steeled for accomplishment, and a compelling impulse for public service. They brought to public life, both of them, a new dignity and a new urgency; each added new dimensions to his office, so that, before this nation and the world, they gave promise of a fuller life and better times for all men everywhere.
>
> As their vitality caught the imagination of so many peoples, so too their spirit stirred the forgotten hopes of the poor, the lonely, the oppressed and the deprived. So much of what was greatness, now lies buried beside a hill in Arlington, beneath a flickering flame.

Four and a half years ago Sen. Kennedy committed himself to continue what his brother had so nobly begun; from that moment his boundless energy sought to insure that those ideals they had pursued together should not perish from the earth. Today, as we take time to reflect on his life and character, we can take some measure of what, in that short time, he has meant to America.

If he could speak to us today, Sen. Kennedy would, I think, take his greatest consolation in the knowledge that among heavy hearts, those with a special burden of sadness are the poor. For all of us—but for them especially—he was a hero. No one in our time has related so well to their needs, no one has been so understanding of their aspirations, no one has been so honored among them.

In good times and bad, he could walk among the citizens of our slums, he could penetrate the urban ghetto, and in the surest sense be a man among his people. In him, as in so few, they saw hopes; in him they recognized concern; in him they would not be forgotten. Who can say what it was in his character that gave such confidence to the dispossessed, that made them see in him their brother!

For my part, I think it was both the strength of his convictions and the open sincerity of his heart. He was not one to trifle with the truth; when hard things had to be said, he could say them; when difficult deeds were demanded, he could do them. He had, in his own life, known something of the wounds this world can inflict on the innocent; he knew too how ineffective in the harshness or reality is the balm of soft words. Now that the poor have lost their champion, all of us are impoverished.

We must raise our eyes beyond the boundaries of this nation to the far lands of the earth if we wish to understand the universal mourning of this week.

Not just to Americans, but to millions across the globe a torch that flamed in the night has been extinguished. By some mysterious identification, those who had never even hoped to meet him saw in Sen. Kennedy, bearing the mantle of his martyred brother, some message of hope for all mankind.

To a generation that was weary, he symbolized strength; to those confused, he pointed a way; for those drifting, he set a course; to those heavy with years, he offered his youth; to those despairing, he was a figure of promise. Who can say how many little lamps around the world went out when death won its struggle last week in Los Angeles! The world is mourning a loss that is as wide as the planet itself.

Men in public life, in our country and elsewhere, are men who live on the edge of danger. No one could have been more conscious of this from his own experience than Sen. Kennedy. But danger to him was not an anxiety, it was not a worry; it was, as he often said, "part of a man's life." He was fond of quoting the ancient Greek poet who said: "Men are not made for safe havens."

Valor, we know, is an essential part of greatness; only the brave can prevail. Although he was never reckless of life, he seemed to welcome risk, to be willing to challenge and to conquer it. He knew that the same protection that could guard his life could also be a barrier between himself and his people. He chose not to accept its demands. It was, I think, an act of faith on his part to put himself under the protection of Providence, to do his own best, and to leave the rest to God.

Not many people will mention it, I suppose, but Sen. Kennedy was a devoutly religious man, and the values for which he labored were essentially spiritual ones.

I do not mean that his religion was not related to his life and actions; I mean the opposite; his religion was the inspiration of all that he was and all that he did.

The beads that entwined his dying hand said something of his life; he was a man of prayer. Now that faith has brought him into the Lord's kingdom, he is at rest; he has found the only "safe haven" he has ever sought, and he has won it dearly.

Our hearts and prayers go out to his wife and family, especially to those who are now children of a fallen hero.

We remember too, his stalwart mother and brave father, his brother Ted and his sisters.

We share their sorrow, though we cannot assuage their grief. To the loss already sustained, now a new one is added; only faith assures them that they will meet again in another and better world. We pray for his repose and for their consolation.

TRINITY SQUARE REPERTORY COMPANY

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, I would like to insert into the RECORD three articles concerning the Trinity Square Repertory Company of Providence, R.I. This company has become one of the most adventurous and visionary resident companies in the country. They recently received an invitation to the International Festival at Edinburgh, the only American regional theater to receive such an honor.

Its energy is also indicated by the fact that they have purchased the ANTA Washington Square Theater in New York, and plan to move it to Providence and rebuild it.

The Trinity Square Repertory Company has brought to the Rhode Island school systems, and to the people of Rhode Island, professional repertory theater unequalled anywhere along the entire eastern seaboard. Trinity has instilled into thousands of schoolchildren an enduring appreciation for the arts and the classics through Project Discovery. They have brought to Rhode Islanders an unparalleled cultural expression.

Mr. Speaker, I am sure that my colleagues join me in saluting the players and managers of the Trinity Square Repertory Company and in wishing them the best of luck in all their endeavors.

[From the Boston (Mass.) Record American, May 15, 1968]

HONOR FOR PROVIDENCE TROUPE AND A NEW PLAYHOUSE, TOO

(By Elliot Norton)

In Providence, the Trinity Square Repertory Company has been unusually active and uncommonly successful. Its players have done well enough with an impressive series of plays to get a bid to the International Festival at Edinburgh. Its managers have been bold enough to buy a New York playhouse which they will reconstruct in their home town. Call them dynamic.

The Edinburgh invitation is an honor not received by an other American regional theater: It is a considerable distinction, too for the Festival in Scotland is a considerable event, attracting distinguished practitioners of all the arts from all over the world.

The purchase of the ANTA Washington Square Theater in New York is a bold undertaking and so is the plan to rebuild it in Providence. It took courage to make the purchase from New York University, which was preparing to raze the building, and high imagination to pack it away, tote it over the road and then store it for future reconstruction: the company doesn't even own a site on which to put it up.

GOOD IN PLAY ABOUT OSCAR WILDE

During five pioneering seasons, the Trinity Square Repertory Company has put on some fine productions. The level of their performances, in the opinion of one intermittent observer, has been high. Several shows have been distinguished in the Trinity versions; much of their acting, particularly this season, has been commendable.

Since the players have had no home of their own, they have made do in a reconverted church which seats perhaps 400 and, with larger productions, in the comfortable theater owned by the Rhode Island School of Design.

In the season of '67–'68, they were particularly good in a new play about Oscar Wilde, called "Years of the Locust" and they did nicely, too, in Ibsen's "An Enemy of the People," in the modernized version of Arthur Miller.

It was the Wilde Play which intrigued the directors of the Edinburgh Festival and the success of the Providence version which led them to ask Trinity to come to Scotland for one week beginning Aug. 19, at the Church Hill Theatre, Edinburgh.

An Englishman named Norman Holland is the author of "Years of the Locust" which takes Oscar Wilde to Reading jail and shows with considerable poignancy the humiliations and the hurts he suffered there after the trial which convicted him of a sordid affair with Lord Alfred Douglas.

Although the subject matter is familiar; the play has its own freshness and the author, the Providence director, Adrian Hall, and the actors, especially Richard Kneeland as Wilde, kept it honest avoiding sensationalism.

PORTABLE THEATRE PROVES PROVIDENTIAL

The company bought the ANTA Washington Square Theatre in anticipation of future needs.

The New York playhouse was erected by the American National Theater and Academy (ANTA) in 1964 as a temporary home of the Lincoln Square Repertory Theater, when that troupe was under the direction of Elia Kazan and Robert Whitehead and waiting for the Beaumont Theater to be built in Lincoln Center.

Designed by Jo Mielziner and Eero Saarinen Associates, it was fitted ingeniously into a huge cavity on Washington University's property and so constructed that it could be dismantled when the players should move uptown and the University should need the land for classrooms.

"Man of La Mancha" was the most successful production in the theater. It was still running when New York University announced the playhouse would have to come down in order to make way for a new School of Commerce. The building could be taken apart, or demolished. It could be bought.

For the Trinity Square Company, this was providential. Or you might say Providential. The directors went to New York, examined the theater, which has 1145 steeply banked seats around a thrust stage, contracted to buy it, transport it over the road and then, eventually, to reconstruct it as soon as a suitable site and a proper amount of money for building can be found.

You can count on them to find the proper place at the proper time. They are energetic.

[From the Boston (Mass.) Morning Globe, May 10, 1968]

NEW YORK THEATER RHODE ISLAND-BOUND

(By Kevin Kelly)

The Trinity Square Repertory Company in Providence has purchased the ANTA Washington Square Theater in New York and the 1145-seat building will be dismantled within the next two months and moved to Providence where it will be stored until a permanent site is found for the building.

The acquisition is another step forward in Trinity's phenomenal development as one of the most adventurous, if not visionary, resident companies in the country. A specific date for the theater's re-building has not yet been announced.

Designed by Jo Mielziner and Eero Saarinenn & Associates, the building was erected in 1964 at 40 West Fourth Street by the American National Theater and Academy (ANTA) as a temporary home for the Lincoln Center Repertory Company, then inaugurating its first season. The company now operates at the Vivian Beaumont Theater in the Lincoln Center complex.

After the company moved to the Beaumont, the ANTA Theater booked the highly successful musical, "Man of La Mancha," which ran for 974 performances from November 1965 through March 1968. The musical is now running on Broadway at the Martin Beck Theater.

The Trinity Square Repertory currently is operating in two theaters, the 315-seat playhouse at Broad and Brigham streets, and the 1000-seat auditorium belonging to the Rhode Island School of Design, which the company primarily has used for student performances. On occasion the auditorium has been used for evening performances for adults, with the seating capacity reduced to 400 seats.

It is expected that the ANTA building for which Trinity paid $40,000, will be rebuilt a year from now, on either one of two sites: the present location of the playhouse or, possibly, in Roger Williams park.

[From the Providence (R.I.) Evening Bulletin, May 7, 1968]

TRINITY SQUARE WILL MOVE NEW YORK THEATER TO PROVIDENCE

(By James T. Kaull)

The Trinity Square Repertory Company has purchased the structure of the ANTA Washington Square Theater in New York City and is having it moved here as a permanent home.

The unusual theater, in which the seating arena is almost entirely below grade level, is on land owned by New York University, which wants to build a new School of Commerce there.

Milton Stanzler, chairman of the Foundation for Repertory Theater of Rhode Island, the group that operates the Trinity Square theatrical enterprise, said today that no site in Providence has been chosen yet.

Trinity's decision to buy, move and reconstruct the New York theater removes it from the proposed sports arena-convention center project in downtown Providence. It had been suggested that Trinity Square occupy and pay in part for a 1.8-million-dollar, 1,000-seat theater in the arena-convention center.

Mr. Stanzler said the current project of moving the structure from New York and installing it here would be less expensive.

ANTA stands for American National Theater & Academy, a group founded in 1935. It built the Washington Square theater and opened it in 1964 with Arthur Miller's play "After the Fall," performed by the newly formed Lincoln Center Repertory Company.

Beginning in November, 1965, the theater housed the successful musical, "Man of La Mancha," which has since moved uptown to the Martin Beck Theater because of the necessity to clear the downtown site for NYU's new building.

Mr. Stanzler said the structure, including seats, heating and air-conditioning systems, is being bought for $40,000. It will cost from $5,000 to $10,000 to have it trucked here. Seats already were arriving today.

The structure and equipment will be placed in storage, Mr. Stanzler said.

The big outlay will be from $250,000 to $300,000 to excavate a site and reconstruct the 1,145-seat theater, he added.

Above ground, the only part of the theater that can be seen is a simple, one-story, metal-sided structure that contains the small lobby, offices and stagehouse.

The arena itself was sculptured out of the ground and seats emplaced on a floor that slopes deep into the earth.

Trinity Square will launch a capital funds drive, Mr. Stanzler said.

In the overall plan for Providence's convention center, Trinity Square was to put up at least $800,000 as an initial contribution toward the 1.8-million-dollar cost of the theater portion.

In addition, planners suggested a rental of $40,000 a year for the first 10 years and $60,000 a year for the next 10.

The theater company now has no home that it can permanently call its own. It uses a hall in the Trinity Union Methodist Church as its headquarters, but plays to high school student audiences in the federally backed Project Discovery at the Rhode Island School of Design Auditorium.

ECONOMY MOVE

By comparison with what might have been expected in the convention center proposal, Trinity Square will "come out of this cheaper," Mr. Stanzler said of the ANTA Theater moving project.

Although the theater company looked with some favor on the convention center proposal, some criticism arose in the community from other groups that felt the proposal did not meet the city's long-expressed need for a performing arts center available to all.

[From the Boston (Mass.) Morning Globe, Apr. 17, 1968]

EDINBURGH INVITES RHODE ISLAND PLAYERS

(By Kevin Kelly)

The Trinity Square Repertory Company, which has established itself in Providence, R.I., as one of the best regional theaters in the country, has been invited to participate in the Edinburgh (Scotland) International Festival in August.

Under the direction of Adrian Hall, the company will present the European premiere of Norman Holland's "Years of the Locust," which was given its American premiere in Providence in February.

The two-act play, a harrowing account of the last years in the life of Oscar Wilde, will be performed in Scotland with its original cast, Aug. 19–24, at the Churchill Theater.

After Mr. Holland's play opened at the Trinity Square Playhouse, it received overwhelming acclaim from the critics and the public. According to the company's press representative, Nance Movsesian, it broke all attendance records in the five-year history of the Playhouse. It was presented by arrangement with Joan White, Hy Silverman and Beverly Landau. In addition to a forcefully eloquent performance by Richard Kneeland, as Oscar Wilde, the production had a brilliant piece of scenic design by Eugene Lee, a multi-level set of Reading Gaol in which the entire action of the play takes place.

GUN CONTROL

Mr. MINISH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Speaker, I rise in support of the President's message on gun control.

Last August 2 I introduced the administration's bill to impose effective controls upon all firearms. Today I have introduced a measure to cover rifles and shotguns under the restrictions on handguns contained in the omnibus crime bill passed by the House last week. As I stated then, that mild gun control bill was a step in the right direction. However, it is not enough; more must be done. The evidence in favor of a gun control bill is overwhelming. The President has recommended stronger controls over long guns and ammunition; the National Crime Commission advocated a gun bill which covers all firearms, not merely handguns; the latest Harris survey shows that 71 percent of American citizens favor a strong gun bill. The Congress must act, and it must act now. Legislation has been pending in Congress for many years which would limit the mail-order sale of rifles, shotguns, and ammunition in interstate commerce. Since 1963 America, and the world, has grievously suffered as some of her greatest leaders have been assassinated by means of firearms. President John F. Kennedy, Martin Luther King, Jr., and now Senator Robert F. Kennedy were all cut down in the prime of life by the bullets of a cowardly assassin. And while the assassins fired, Congress dallied. How long must we wait and suffer. The time has come for affirmative action; we must heed the President's warning and act upon his proposal and immediately pass an effective gun control bill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to the following Members (at the request of Mr. ALBERT):

Mr. EVINS of Tennessee, for an indefinite period, on account of illness.

Mr. FLYNT, for today, on account of official business.

Mr. KYROS, for today, June 11, 1968, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PHILBIN, for 30 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. FASCELL, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. REINECKE) to revise and extend their remarks and to include extraneous matter:)

Mr. HALPERN, for 10 minutes, on June 11.

Mr. HALPERN, for 10 minutes, on June 13.

Mr. Quillen, for 30 minutes, on June 12.

Mr. Bray, for 15 minutes, on June 12.

(The following Members (at the request of Mr. Tiernan) to revise and extend their remarks and to include extraneous matter:)

Mr. Farbstein, for 5 minutes, today.

Mr. Gallagher, for 30 minutes, today.

Mr. Carey, for 1 hour, on June 19.

Mr. Boland, for 1 hour, on June 19.

Mr. Smith of Iowa, today, for 40 minutes; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Joelson in two instances and to include extraneous matter.

Mr. Passman and to include a newspaper article.

All Members (at the request of Mr. Mahon) to extend their remarks on the Dow amendment in the Committee of the Whole today.

All Members (at the request of Mr. Mahon) to extend their remarks preceding the vote on the Michel amendment relating to Public Law 874 and the Mink substitute amendment in the Committee of the Whole today.

Mr. Mahon to revise and extend his remarks on H.R. 17734 and to include certain tabular information.

Mr. Smith of Iowa to revise and extend his remarks today during general debate on the second supplemental appropriation bill and to include extraneous matter.

Mr. Mathias of Maryland immediately following the remarks of Mr. McCulloch in debate on the second Yates amendment.

Mr. Pettis to extend his remarks in the body of the Record immediately following the remarks of Mrs. Mink.

(The following Members (at the request of Mr. Reinecke) and to include extraneous matter:)

Mr. Minshall in two instances.
Mr. Bush.
Mr. Schwengel.
Mr. McDonald of Michigan.
Mr. Cederberg.
Mr. Buchanan in three instances.
Mr. Halleck.
Mr. Gubser.
Mr. Quillen in four instances.
Mr. Clancy.
Mr. Roth.
Mr. Morton.
Mr. Scherle.
Mr. Wyman in two instances.
Mr. Scott.
Mr. Bates.
Mr. Snyder in two instances.
Mr. Reid of New York.
Mr. Michel.
Mr. Hunt.
Mr. Kleppe.
Mr. Watson.
Mr. Ashbrook.
Mr. Robison.
Mr. Latta.
Mr. Derwinski.
Mr. Gurney.
Mr. Miller of Ohio.
Mrs. May.
Mr. Eshleman.
Mr. Bob Wilson.

(The following Members (at the request of Mr. Tiernan) and to include extraneous matter:)

Mr. Resnick.
Mr. Podell in two instances.
Mr. Burton of California.
Mr. Teague of Texas in eight instances.
Mr. Rivers in two instances.
Mr. Culver.
Mr. Taylor.
Mr. King of California.
Mr. Brooks.
Mr. Diggs.
Mr. Abbitt.
Mr. Marsh in two instances.
Mr. Henderson in two instances.
Mr. Rarick in eight instances.
Mr. Baring in three instances.
Mrs. Sullivan in three instances.
Mr. Moorhead in two instances.
Mr. Davis of Georgia.
Mr. Stephens.
Mr. Nichols.
Mr. Rogers of Florida in five instances.
Mr. Bingham in four instances.
Mr. Cohelan in two instances.
Mr. Kastenmeier in five instances.
Mr. Galifianakis.
Mr. Gilbert.
Mr. O'Neill of Massachusetts in two instances.
Mr. McCormack.
Mr. Reuss.
Mr. Ryan in two instances.
Mrs. Griffiths.
Mr. Matsunaga.
Mr. St Germain.
Mr. Kornegay.
Mr. Boland in two instances.
Mr. Steed in two instances.
Mr. Albert.
Mr. Carey in two instances.
Mr. Gonzalez in three instances.
Mr. Hagan in two instances.
Mr. Ashley in three instances.
Mr. Brademas in six instances.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a Joint Resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona;

H.R. 13154. An act for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia;

H.R. 13912. An act for the relief of Angeliki Giannakou;

H.R. 16674. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1999. An act to amend the District of Columbia Public Education Act; and

S. 2349. An act to provide for the appointment of additional circuit judges.

ADJOURNMENT

Mr. TIERNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 54 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 12, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1926. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the second annual report of the Commission for the fiscal year ending June 30, 1967, pursuant to the provisions of section 705(d) of the Civil Rights Act of 1964 (H. Doc. No. 326); to the Committee on Education and Labor and ordered to be printed with illustrations.

1927. A letter from the Administrator, Veterans' Administration, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, pursuant to the provisions of 31 U.S.C. 665(i) (2); to the Committee on Appropriations.

1928. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1967 to March 1968, pursuant to the provisions of section 10(d) of the Small Business Act; to the Committee on Banking and Currency.

1929. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lillian I. Anderson; to the Committee on Interior and Insular Affairs.

1930. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Mukleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes; to the Committee on Interior and Insular Affairs.

1931. A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

1932. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases as of April 30, 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1933. A letter from the Chairman of the Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 1251. An act to make certain reclamation project expenses nonreimbursable; with amendment (Rept. No. 1538). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 2276. An act to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations (Rept. No. 1539). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 1213. Resolution providing for the consideration of H.R. 3306, a bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108) (Rept. No. 1540). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1214. Resolution providing for the consideration of H.R. 15087, a bill to authorize the further amendment of the Peace Corps Act (Rept. No. 1541). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1215. Resolution providing for the consideration of S. 1166. An act to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes (Rept. No. 1542). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1187. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva (Rept. No. 1543). Referred to the House Calendar.

Mr. STEED: Committee of conference. H.R. 16489. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1544). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EILBERG:

H.R. 17759. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 17760. A bill to recognize the rights and obligations of the civilian employees of the executive branch of the Government of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of Pennsylvania:

H.R. 17761. A bill to authorize the Secretary of Agriculture to make indemnity payments to honey producers for losses sustained by reason of the application of Government-approved insecticides on adjoining cropland; to the Committee on Agriculture.

By Mr. McCARTHY:

H.R. 17762. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 17763. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 17764. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 17765. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 17766. A bill to establish an Office of Social Sciences in the Executive Office of the President, and for other purposes; to the Committee on Education and Labor.

H.R. 17767. A bill to establish a Commission on a White House Conference on the Social and Behavioral Sciences; to the Committee on Education and Labor.

By Mr. KING of California:

H.R. 17768. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 17769. A bill to amend section 922 of title 18, United States Code, to make the provisions of such section relating to handguns applicable to shotguns and rifles; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 17770. A bill to restrict the mailing of credit cards; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 17771. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 17772. A bill to authorize the Secretary of the Army to convey to the Port of Cascade Locks, Oregon, a certain interest in lands in the State of Oregon for municipal purposes; to the Committee on Armed Services.

By Mr. WYMAN:

H.R. 17773. A bill to amend title 18 of the United States Code to authorize a Federal law enforcement officer to detain and question a person suspected of committing a Federal crime; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 17774. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 17775. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 17776. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 17777. A bill to establish a Joint Committee on Organized Crime; to the Committee on Rules.

By Mr. MATHIAS of Maryland:

H.R. 17778. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. RODINO:

H.R. 17779. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. CLEVELAND (for himself, Mr. STAFFORD, and Mr. SHRIVER):

H.R. 17780. A bill to direct the Secretary of Defense to pay the special pay authorized under section 310 of title 37, United States Code, to certain members of the uniformed services held captive in North Korea; to the Committee on Armed Services.

By Mr. FRASER:

H.R. 17781. A bill to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other purposes; to the Committee on Government Operations.

By Mr. HECHLER of West Virginia:

H.R. 17782. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. HENDERSON (for himself, Mr. HAMILTON, Mr. BRASCO, and Mr. BROYHILL of North Carolina):

H.R. 17783. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 17784. A bill to establish the Capitol Guide and Education Service, and for other purposes; to the Committee on House Administration.

By Mr. MATHIAS of Maryland:

H.R. 17785. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mrs. SULLIVAN (for herself, Mr. SMITH of Iowa, Mrs. HANSEN of Washington, Mr. HICKS, Mr. WIDNALL, Mr. McDADE, Mr. WALDIE, Mr. HAWKINS, Mr. GARMATZ, Mr. CULVER, Mr. CONYERS, Mr. SCHWEIKER, Mrs. HECKLER of Massachusetts, Mr. McFALL, and Mr. HORTON):

H.R. 17786. A bill to amend the Food Stamp Act of 1964, as amended, for the purposes of authorizing appropriations for the fiscal years ending June 30, 1969, June 30, 1970, June 30, 1971, and June 30, 1972, and for other purposes; to the Committee on Agriculture.

By Mr. YOUNG (for himself and Mr. DE LA GARZA):

H.R. 17787. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 17788. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 17789. A bill to establish a national system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of California (for himself, Mr. BELL, Mr. BURTON of California, Mr. BUSH, Mr. COHELAN, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. EVANS of Colorado, Mr. GONZALEZ, Mr. LEGGETT, Mr. MOSS, Mr. PRICE of Texas, Mr. ROYBAL, Mr. RYAN, Mr. SISK, Mr. STEIGER of Arizona, Mr. TALCOTT, Mr. TEAGUE of California, Mr. UDALL, Mr. WALKER, and Mr. WIGGINS):

H.J. Res. 1299. Joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as National Hispanic Heritage Week; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.J. Res. 1300. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970, to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes; to the Committee on Education and Labor.

By Mr. PRICE of Texas:

H.J. Res. 1301. Joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as National Hispanic Heritage Week; to the Committee on the Judiciary.

By Mr. SNYDER (for himself, Mr. Carter, Mr. Nelsen, Mr. Cowger, Mr. Derwinski, Mr. Brotzman, Mr. Dole, Mr. Morton, Mr. Mathias of California, Mr. Pollock, Mr. Meskill, Mr. Skubitz, Mr. Arends, Mr. Bray, Mr. Mailliard, Mr. Harsha, Mr. Poff, Mr. Wampler, Mr. Langen, Mr. Del Clawson, Mr. Gerald R. Ford, Mr. Brock, Mr. Clancy, Mr. King of New York, and Mr. Denney):

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as Salute to Eisenhower Week; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 787. Concurrent resolution to print as a House document the publication entitled "Fascism in Action"; to the Committee on House Administration.

By Mr. STAGGERS:

H. Con. Res. 788. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BROOMFIELD:

H. Con. Res. 789. Concurrent resolution to express the sense of Congress against the persecution of Jews in Poland; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

349. The SPEAKER presented a memorial of the Legislature of the State of New Mexico, relative to welfare payments to nonresidents, which was presented to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 17790. A bill for the relief of Aniello DeSimone; to the Committee on the Judiciary.

H.R. 17791. A bill for the relief of Pietro Genna; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 17792. A bill for the relief of Mrs. Zoe Ioannidou; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 17793. A bill for the relief of Mr. Matteo Scaduto; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 17794. A bill for the relief of Mrs. Rosemarie Huguette Labus, and her daughter, Vivian Labus; to the Committee on the Judiciary.

H.R. 17795. A bill for the relief of Manuel Luis Hilario; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 17796. A bill for the relief of Salvatore Tortorici; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 17797. A bill for the relief of Dina Albins; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 17798. A bill for the relief of George O. Jiries Saleh; to the Committee on the Judiciary.

H.R. 17799. A bill to confer U.S. citizenship posthumously upon James F. Weggener; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 17800. A bill for the relief of Nikolaos Bougiotopoulos; to the Committee on the Judiciary.

H.R. 17801. A bill for the relief of Mr. Serafim Panagopoulos and Mrs. Johanna Panagopoulos; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 17802. A bill for the relief of Giuseppe Cascone and his wife, Giovanna Cascone; to the Committee on the Judiciary.

H.R. 17803. A bill for the relief of Angelo Noto and his wife, Maria Pluchino Noto; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17804. A bill for the relief of Chun Myung Bai; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 17805. A bill for the relief of Diaoniasa Japco; to the Committee on the Judiciary.

H.R. 17806. A bill for the relief of Carla (Chaia) Schieber, Bibi Schieber, Maia Schieber, and Lida Schieber; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 17807. A bill for the relief of Marin Ciceric; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

339. By the SPEAKER: Petition of the board of supervisors, county of San Mateo, Calif., relative to welfare payments to nonresidents; to the Committee on Ways and Means.

340. Also, petition of Mr. Jerry Robert Leon, relative to redress of grievances; to the Committee on Armed Services.

341. Also, petition of John M. Medeiros, North Adams, Mass., relative to redress of grievances; to the Committee on the Judiciary.

342. Also, petition of William Green, Junction City, Oreg., and others, relative to World War I veterans payments; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

HUNGER IN AMERICA

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. PERCY. Mr. President, the first step in resolving any critical problem is to admit its existence and accept some responsibility for its solution. In response to the CBS television program "Hunger in America," State, local, and Federal officials are beginning this process. I ask unanimous consent that two articles from Chicago's American be printed in the Record. These articles tell the story of efforts that have begun to define and deal with hunger and malnutrition in my own State of Illinois.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Untold Number of Children Go Hungry in State

(By Malden Jones)

Springfield, Ill.—Many children are being admitted to Illinois hospitals for treatment of actute malnutrition.

Some are taken to hospitals for treatment of physical injuries suffered because they literally collapsed from hunger.

Others are admitted for treatment of acute cases of pneumonia or dysentery brought on by malnutrition.

Many of these are children who have been declared ineligible for state and federal food aid programs.

Others attend schools which do not accept free federal surplus food for lunches, or who are not served lunch by schools because they are unable to pay 15 or 20 cents for a hot meal.

State officials, hospital authorities, and medical associations in Illinois admit that malnutrition is a serious problem in some areas of the state, particularly in the southern counties.

Edward T. Weaver, director of the Illinois department of children and family services said:

"Government agencies require all sorts of forms for reports on everything from gunshot wounds to rape and venereal diseases, but nobody is interested in hearing about children who are admitted to hospitals suffering from starvation."

Weaver said some children admitted to hospitals for treatment of broken bones may have suffered their injuries because they collapsed from hunger.

NO REPORT REQUIRED

Many of the children treated for dysentery and pneumonia are victims of malnutrition which brings on these two diseases, Weaver said.

He noted that neither doctors nor hospitals are required to report malnutrition although it is diagnosed as the primary or secondary cause of a child's illness.

Weaver said that many of the estimated 27 million undernourished Americans identified recently by testimony before the House committee on labor and education "receive absolutely no aid of any kind from hundreds of aid programs administered at a cost of millions of dollars."

BLAME U.S. AGENCIES

School officials and state agencies lay much of the blame on the United States departments of Agriculture and Health, Education and Welfare, accusing them of "bureaucratic bullheadedness."

Although malnutrition exists in the state, the first step has yet to be taken to attack the problem.

A study by Chicago's American and the Better Government association disclosed that no information exists about the incidence of malnutrition in Illinois.

No medical, public aid, or state agency is required to keep records on malnutrition or associated diseases with it.

PROBERS ARE FRUSTRATED

In the current investigation, probers were frustrated at every turn as they sought to determine the extent of acute hunger which exists among school and pre-school children.

Nor are figures available on the number of children who die in such hospitals from starvation, or from diseases contracted because of malnutrition.

Ray Suddarth, director of the school lunch program in the office of Ray Page, state superintendent of public instruction, said:

"We know there are a lot of hungry kids in this state who could be given a good lunch if we could only send the 20 cents directly to the school rather than to the parents."

In southern Illinois, Suddarth said, "Even though we allow 20 cents for lunch for each child, it doesn't reach him."

Harold O. Swank, state director of public aid, explained:

"This is a HEW [department of health, education, and welfare] situation. That government agency tells us we must pay the money directly to the family, and not to the school district or school.

"I do know some children in Illinois aren't being given lunch because of HEW requirements. And in my opinion the only plan that will work is one that will automatically give a free lunch to every child."

ILLINOIS' SHAME

A man who gets shot or a woman who gets raped on a Chicago street is required to give hospitals and doctors extensive information about the circumstances. But in Illinois, an elementary-school child can be taken to a hospital bloated with hunger and maybe dying of malnutrition, and who cares? No one, it seems.

The appalling fact is that neither doctors nor hospitals are required to report malnutrition, even if it's diagnosed as a primary or secondary cause of a child's illness. The "battered-baby" law—a good one—holds parents responsible for physical abuse of a child. But hunger evidently doesn't count.

A study by Chicago's American and the Better Government association was frustrated by the lack of data, but it did turn up an incidence of malnutrition and related problems—particularly in the downstate counties—of serious proportions. Besides plain hunger, there were cases of dysentery and pneumonia brought on by malnutrition, and of kids who were injured when they fell—because they were too weak from hunger to stand up.

The reason so many of these school children go hungry according to Harold O. Swank, state director of public aid, is that his agency is forced by the United States department of health, education, and welfare to pay relief money directly to recipients. That means money goes to the parents, who presumably don't always have enough left to give to the children. Food stamps are issued downstate, but not to the schools for hot lunches—nor to the children.

Furthermore, many officials interviewed said that powerful lobbies are maintained in Congress and the state legislature by doctors, pharmacists, hospitals, and other service groups to see that the distribution stays just the way it is—handed out directly to families, and not to the schools. Swank says the only way to see that every child is fed is to give a part of the money—20 cents a lunch—directly to the schools.

Then there's the United States department of agriculture, whose head, Orville Freeman, hands unspent money back to the treasury by the millions because he says he doesn't have the "authority" to spend it to feed the hungry.

Three state agencies are concerned deeply with this paradoxical situation in which young people go hungry when there's money to feed them. These agencies are the department of public health, the department of child and family services, and the department of public instruction.

It is clearly necessary that these agencies do two things: First, find out what's going on; and second, do something about it—specifically, take action to get money spent properly so that these kids can eat. If the federal agencies—HEW and agriculture—still stand in the way, the state agencies can, if they wish, make enough noise to be heard in Washington. And they'd better do it.

THE SYSTEMS APPROACH IN SOCIAL LEGISLATION

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, over the past several years, I have become increasingly impressed with the value of the systems approach as a tool to improve the quality of decisionmaking by administrators and legislators at all levels of government. The systems approach is not the millenium. It will not produce instant remedies to all ailments plaguing society, but it can enhance the ability of responsible public servants to make informed, rational, and wise choices among alternative means to desirable and widely shared ends.

My belief in the usefulness of the systems approach is evidenced in the following measures which I have introduced in this Congress: S. 467, to establish a Commission on Public Management; S. 3322, to establish within Congress an Office of Program Analysis and Evaluation; and an amendment added by the Senate to S. 355, the Legislative Reorganization Act now pending in the other body, which would authorize the Legislative References Service to acquire automatic data processing machinery to enhance its ability to accomplish its important mission of meeting the growing information requirements of Congress.

These and other worthy measures to employ the systems approach as a means to better Government decisionmaking are discussed in an informative speech recently delivered by Robert L. Chartrand, information sciences specialist of the Legislative Reference Service of the Library of Congress.

I ask unanimous consent that Mr. Chartrand's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE SYSTEMS APPROACH IN SOCIAL LEGISLATION

(Excerpts from a presentation before the Sixth Management Conference on Marketing in the Defense Industries, sponsored by Boston College and the Boston Chapter of the American Marketing Association, Boston, Mass., May 23, 1968, by Robert L. Chartrand, information sciences specialist, Legislative Reference Service, Library of Congress, Washington, D.C.)

The opportunity to present reflections on the important topic of "The Systems Approach to Social Problems" affords me deep personal satisfaction. Although our civilization is confronted with an array of monumental problems and pressures, we possess the ingenuity and industry to cope with the situation. In a cautionary vein, however, it should be stated that as yet the nation has not marshalled its resources sufficiently to ensure a successful result. Part of the problem, it seems to me, is in man's lessening communication with man.

The United States of America has been the scene of numerous and continuing inventions . . . inventions conceived of by men and in many cases made possible by the power and flexibility of modern technology. In the process of innovation lessons are learned, mistakes are made, and improved procedures evolved. Our shortcoming lies in the ability to impart, in all too many instances, the key information on what has happened to other concerned groups. The result is noted by the late J. Robert Oppenheimer:

"I have been much concerned that in this world of change and scientific growth, we have so largely lost the ability to talk with one another, to increase and enrich our common culture and understanding. And so it is that the public sector of our lives, what we hold and have in common, has suffered, as have the illumination of the arts, the deepening of justice and virtue, and the enabling power of our common discourse. We are less men for this."[1]

The leadership of this nation—in government, industry, and the academic community—is aware of the burgeoning dilemmas caused by the growing size and complexity of our population and its endeavors. Not only has change become a way of life, but the demands on our intellect and emotions have altered. Modern technology has wrought changes in every facet of our existence: the pattern of earning a living, habits of recreation and travel, the ways in which we communicate and interrelate with others, and our intrinsic ability to plan.

Much of the spectacular progress in technological advancement during the past three decades has occurred in the areas of defense, space, and nuclear energy development. Management science became a recognized goal and was accomplished to a greater or lesser extent by many industrial groups. In support of improved management was the sophistication of the so-called "systems approach." A concurrent development took place in the conceptualization and production of automatic data processing (ADP) equipment and related man-machine techniques. These better tools and techniques placed industry in a better position to perform its often unprecedented tasks more effectively. Much success was achieved in these areas of national interest, and many of you here today contributed to the history-making attainments.

Today, we must relate to a new series of challenges. Technology, in addition to its impressive benefits, also has caused new problems. Contemporary America is a land plagued by air and water pollution, transportation inadequacies, severe disarrangements caused by urban renewal and expansion, and other equally vital problems. Solutions must be found which are both realistic and in line with national policies and goals.

The primary objective of this presentation will be to discuss the role of the Federal Congress in matching the technology of our age with the problems to be overcome. Featured will be a review of the legislation past and present and the committee efforts which call out the use of systems technology in alleviating these public problems.

The legislative decision-makers of the 1960 decade are hard pressed to perform all of their duties to the satisfaction of those whom they represent. The member of Congress must fulfill three basic roles:

(1) As a legislator responsible for rendering judgment on international and national issues;

(2) As the prime representative of his district or state, concerned with the welfare and increased prosperity of that entity; and

(3) As an ombudsman of sorts, accessible to each constituent who requires service, no matter how trivial the request.

No Congressman pretends prescience, but in anticipation of certain types of problems he and his colleagues can establish criteria for evaluating the seriousness of a new problem, and they can attempt to characterize the mechanisms which may be sufficient to meet the challenges of the future. As the Congress has become aware of ADP and systems methodology, it has started to discern the potential for applying some of the proven procedures and techniques to the crises which are defying traditional solutions.

---

[1] Oppenheimer, J. Robert. Reflections on science and culture. *In* The Colorado Quarterly, v. X, n. 2, Autumn 1961. p. 117–118.

The alternative approaches available to the Congress in considering legislation which is designed to overcome the non-defense, non-space problems noted earlier could be summarized in this fashion:

(1) Initiation of legislation allowing direct Federal action, or some form of joint effort, through grants-in-aid, such as is provided for in the Scientific Manpower Utilization Act;

(2) Creation of a special organization for the purpose of reviewing the status quo and recommending explicit further action; the suggested National Commission on Public Management is symbolic of this type of mechanism;

(3) Support for a given position, through the holding of a committee hearings or the joint sponsorship of special forums—perhaps at the regional, state, or local level—on a particular topic; and

(4) Indirect encouragement of sub-Federal governmental or private sector groups through personal intervention by Congressional personnel or observations in the public media.

As the Congressman considers these possible avenues of action, he must simultaneously assess his own resources, commitments, and the results of his actions. Here, again, he must rely upon the information provided by his staff and external elements. Oftentimes, he may request that Executive Branch agencies prepare special reports; an example of this might be selected information on a county basis generated by the Office of Economic Opportunity. Also available to him are the range of services provided by the Legislative Reference Service of the Library of Congress, or the special capabilities resident in lobbyist organizations and business or university groups. The demand for information that is timely, accurate, complete and *relevant* is unremitting. How else can the Senator or Representative keep track, even in the most cursory way, of thousands of bills and resolutions, multiple committee and subcommittee assignments, and countless constituent visits, calls, and letters?

The socio-economic problems with which Congress must grapple often are related to the urbanization of our society. No single problem can be solved independently; the complexities of the urban milieu usually prevent such a simple step.

Even minimal rumination about the problems posed in such an urban environment will lead to the thought that positive, enlightened, flexible leadership is an absolute prerequisite if solutions are to be found. Senator Claiborne Pell, in commenting on the transportation problem in his book *Megalopolis Unbound*, underscored the importance of this:

"The important thing, from the public-policy point of view, is that there be some kind of coherent public leadership to coordinate these multiple efforts and encourage the best possible combination of services to assure mobility to all parts of the Megalopolis. At the very least, such comprehensive leadership should assure that alternatives are not denied the public because of conflicts in public policy."[2]

And so we have the dual tasks of public policy formulation and authorization of the expenditure of tax monies which are the responsibility of the Federal lawmaker. How can the systems approach aid him in carrying out these tasks? Can the creation of large, readily accessible data bases provide meaningful support to the harassed member and his staff? Could ADP-oriented models be constructed which would allow him to test in advance some of the alternative courses of action? While these options are only in the discussion stage, for the most part, at the Federal level, there is significant activity elsewhere across the nation as industrial, university, and occasionally government-supported groups experiment with the systems tools and techniques. I believe it would be of interest to mention a few such activities:

(1) "Use of Computers in the Storage and Retrieval of Severance Effect Information," a study by Harold H. Taylor and Milton C. Hallberg of the Institute for Research on Land and Water Resources of the Pennsylvania State University in cooperation with the Pennsylvania Department of Highways and the Bureau of Public Roads (U.S. Department of Commerce).[3] Automatic data processing is an important element of this research effort as it is employed in the correlation of highway severance case data; multi-parameter search of the 1,500 subject cases is featured.

(2) "Systems Analysis Techniques & Concepts for Water Resource Planning & Management," a report by the Technology Planning Center, Inc. for the State of Michigan under a grant from the Urban Renewal Administration (U.S. Department of Housing and Urban Development).[4] Analogies between the Department of Defense systems practices (e.g., modeling and simulation) and water-oriented examples are well chosen and enhance understanding of the technique transfer.

(3) "Concepts of an Urban Management Information System," a report to the City of New Haven, Connecticut, by the Advanced Systems Development Division of the IBM Corporation.[5] This study examines the organization, components, and intra-system lines of action within an urban management information system. Detailed descriptions of system programs, data file characteristics, and user patterns are accompanied by a discussion of the function of ADP, expressed in terms of urban problems and service needs and the delineated problems which must be mastered by management.

(4) "A Computer Based Building Cost Analysis and Design System," a report conducted through financing from the Low-Income Housing Demonstration Program (U.S. Department of Housing and Urban Development) and The North Carolina Fund.[6] The study describes an ADP-supported cost-analysis and design system for low-income housing being developed with the objective of providing dwellings that will meet a given quality standard with a minimum cost outlay.

The Federal government, in addressing many of these problems in the public domain, is working more and more with state and local groups. The Model Cities Program, for example, involves governmental groups at the national, regional, and local levels, and eventually will encompass 150 cities. Action has been undertaken to establish, in a series of phases, a City Demonstration Agency information system capable of collecting, formatting, transmitting, storing, processing, and retrieving selected narrative and statistical data on societal problem areas.

One of the chief concerns of the nation's leadership centers on the problem of overlapping jurisdictions and their acting as an impediment to progress. In many metropolitan areas, special authorities are being established. The Boston area is an excellent example of the progressive action necessary to meet the new problems. Here, the resident not only has a city government, but is "governed" by the Metropolitan District Commission, the Massachusetts Port Authority, the Massachusetts Bay Transportation Authority, and numerous other commissions and boards.

And so we have seen that sub-Federal groups are moving to counter the crises of our times through the imaginative use of technology and the creation of more effective political entities. At the Federal level, also, the concern and awareness are resulting in concrete proposals to alleviate the mounting tide of problems. A nucleus of pending legislation, carefully conceived and of sufficient merit to gain bi-partisan support, is calling for the creation of mechanisms which will examine the status quo and undertake bold "pilot projects" from which the decision-makers can gain useful information about the efficacy of the systems approach. A brief discussion of certain bills and resolutions introduced in the 90th Congress will be important to the fulfillment of the goals of this presentation.

Among the members of Congress most involved in the application of logical (i.e., systems) analysis to social problems is Senator Walter F. Mondale, who has stressed in his "Full Opportunity and Social Accounting Act" that the proposed system of social evaluation would:

(1) Sharpen our quantitative knowledge of social needs.

(2) Allow us to measure more precisely our progress toward our social objectives.

(3) Help us to evaluate efforts at all levels of government.

(4) Help us to determine priorities among competing social programs.

(5) Encourage the development and assessment of alternative courses without waiting until some one solution had belatedly been proven a failure.[7]

Several legislators in the House of Representatives have introduced bills urging the use of "objective, scientific, and empirical analysis"[8] in evaluating all Federal programs and activities. The mechanism in this legislation: an Office of Program Analysis and Evaluation.

Another recommended mechanism, and in this instance designed to perform a different series of functions, is the proposed National Commission on Public Management. Originated by Representative F. Bradford Morse, the objective of the new Commission would be twofold:

(1) to collect and analyze information about the application of systems techniques to nondefense, nonspace, public problems, and

---

[2] Pell, Claiborne. Megalopolis unbound. New York, Frederick A. Praeger, 1966. p. 220.

[3] Taylor, Harold H. *and* Milton C. Hallberg. Use of computers in the storage and retrieval of severance effect information. Institute for Research on Land and Water Resources, The Pennsylvania State University, University Park, Pennsylvania, 1966. 35 p.

[4] Systems analysis techniques & concepts for water resource planning & management. Technology Planning Center, Inc., Ann Arbor, Michigan [no date]. 46 p.

[5] Concept of an urban management information system, a report to the City of New Haven, Connecticut. Advanced Systems Development Division, International Business Machines Corporation, Yorktown Heights, New York [no date]. 46 p.

[6] Cogswell, Arthur R., Werner Hausler *and* C. David Sides, Jr. A computer based building cost analysis and design system. North Carolina Fund Low Income Housing Demonstration Office, Chapel Hill, North Carolina, March 1967. 29 p. plus data forms.

[7] Mondale, Walter F. Some thoughts on 'stumbling into the future.' *In* Remarks of Honorable Fred R. Harris. Congressional Record (Washington), v. 114, January 30, 1968. p. 1375.

[8] U.S. Congress. House. H.R. 12291. A Bill to establish an Office of Program Analysis and Evaluation and a Joint Committee of Congress on Program Analysis and Evaluation. (90th Cong., last sess., August 10, 1967). p. 4.

(2) to develop programs which would use these techniques to solve specific problems.[9]

More than fifty Representatives formally supported this proposal (H.R. 20 and other bills) while in the Senate, more than a dozen members endorsed S. 467, which was introduced by Senator Hugh Scott. It is important to note that the Commission would be a "working" one, with its membership made up of representatives from industry, labor, government, and the universities.

Another approach to the same problem was initiated by Senator Gaylord Nelson, who has concentrated on using systems analysis and systems engineering in effecting optimum utilization of the nation's scientific and engineering manpower in solving public problems. In S. 430, Senator Nelson provides for grants-in aid to the states. Both his and the Morse-Scott proposals underscore the criticality of private and public sector support for the programs and projects which must be undertaken if the nation is to survive and flourish. The merger of the two approaches into a single bill now is being discussed by the principals, since there is total agreement on the vital nature of the legislation and it is not deemed a partisan issue.

Systems methodology and automatic data processing have been identified by Senator Edward M. Kennedy as essential elements of a proposed information service system for states and localities. In S. J. Res. 110, he notes the role of modern technology in expediting the exchange of priority project data, and points out that:

"Scientific advances in computer and information retrieval technology represent a major new capability which may have important applications to the development of a modern intergovernmental information system.[10]

Certain Congressional committees and subcommittees also have reflected an awareness of the role of ADP and systems analysis in their deliberations. The House Subcommittee on Science, Research, and Development has urged the utilization of the innovative techniques and procedures in coping with environmental pollution. Critical comments on the minimal budgetary support for research and development in the new problem areas, including the use of systems technology, appear in the committee documentation of the House Subcommittee on Research and Technical Programs.

It may be seen that the impact of systems technology has been acknowledged by many elements of the nation's legislature. The members continue to seek orientation regarding the new tools and techniques. A number of special seminars and symposia has provided an opportunity for Senators, Representatives, and Congressional staff personnel to learn more about automatic data processing, systems analysis, and related topics. At a recent Brookings Institution seminar entitled "Computer Applications to the Legislative Process," nineteen Representativess from both political parties met to discuss their information needs and the role which ADP and the systems approach might play in the future.

Whether in the Department of Defense environment or in the relatively uncharted areas of urban dilemmas, the resources of the entire nation must be brought to bear. The private sector has impressive experience and a strong interest in applying to public problems of any kind the power of technology. I ask you here today to stretch the horizons of your thinking, to delve into the backlog of your training and project experiences, and to make available to your nation the versatility and freshness of your thinking. Modern technology has helped make this nation great. All of us have benefitted from its contributions. But, the problems of the future often will dwarf the problems with which we are now familiar.

In the volume The Year 2000, an insight into the future is expressed in terms of the need for a more ordered society:

"Greater wealth and improved technology give us a wider range of alternatives; but once an alternative has been chosen, much regulation and imposed order is needed. Thus with geometric increase in the complexity and organization of modern life, corresponding, even if not directly proportional, increases in the scope and complexity of human and organizational controls will become necessary." [11]

The aura and evidences of changes are all about us. Those of us here today share a responsibility for disciplining our plans and day-to-day endeavors to encompass the innovations of our time. The traditional goals of the nation still are paramount: preservation of our national security and continued improvement in the standard of living for all the people. We possess the intellect, the ingenuity, the industry to attain these goals.

DEPLORING TREND TOWARD VIOLENCE IN THE UNITED STATES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. THURMOND. Mr. President, the Senate and the Nation are still in a state of shock resulting from the horrible death of our colleague, Senator Robert F. Kennedy, in Los Angeles, Calif. last week.

I have heard much said and have seen many words written about this tragic event, which is not yet a week past, but few expressions have been sounder than the thoughts contained in an editorial in the News and Courier, Charleston, S.C., on Saturday, June 8, 1968, under the title "For Peace at Home."

Editor Thomas R. Waring suggests that this Nation's leaders have an obligation to openly discourage the militant and often violent protests, marches, and demonstrations we are seeing today in favor of a return to the traditional concept of personal and individual responsibility which made this country great.

There is no doubt in my mind that each of us must assume a personal responsibility to address ourselves to restoration of peace in our land.

Mr. President, I ask unanimous consent that this editorial be entered in the extension of remarks of the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOR PEACE AT HOME

As mourners gathered early yesterday outside St. Patrick's Cathedral in New York City to pay tribute to the murdered Sen. Robert F. Kennedy, some of them were singing what an announcer called "civil rights songs". The announcer noted that Sen. Kennedy himself used to lead the singing of this music, also called "songs of protest", to show his sympathy with the poor, the discontented and the oppressed.

Best known of the songs, we suppose, is "We Shall Overcome"—an old spirtual rewritten with words to suit these turbulent times. The song was sung first in a social protest movement a score of years ago in Columbus Street in Charleston, a few blocks from our publishing plant, during a tobacco workers' strike.

Who is meant by "we"—and whom are "we" to overcome? The origin of this song was religious. The meaning was that faith in the Lord would enable humble men to endure the troubles of mortal life and win spiritual triumph in the end. The song has been transformed to mean that certain citizens by sheer weight of numbers will force their way on other citizens, not to reach heaven, but to gain something for themselves here and now. The implication is that normal democratic processes are not enough to insure justice, and that freedom to pursue happiness should become a guarantee that the pursuit shall be successful.

In Washington, where Sen. Kennedy will be taken for burial today with his brother in Arlington Cemetery, spokesmen from Resurrection City announced a holiday from demonstrating till after the ceremonies. They could do their people and the nation at large great service by packing up and returning home as a gesture of reconciliation.

President Johnson's commission to explore violence need look no further than the shantytown on the Potomac for one of the sources of emotional imbalance in America today.

The Congress, too, is being implored to pass more stringent gun control laws, as though a law can calm the passion in a human breast.

Instead of generating more power plays and louder protests, demonstrations, marches and angry pronouncements, Americans in every walk of life should consider in this period of mourning a peaceful memorial for the Kennedys. Instead of dividing people into classes—the rich, the poor and the "middle class"—leaders of the Republic and their followers should encourage the traditional concept of personal and individual responsibility.

Mobilization of competing classes is bound to breed conflict. Earlier in the history of the country, it was said that every American is a king. In raising public figures to thrones of power, our people have come to expect too much from rulers and from candidates for political office. In their frustration, angry citizens turn to violence in the streets. Out of this violent soil, fertilized by sinister forces that cultivate dissension anywhere in the world, comes the evil fruit of hatred and the bitter taste of death.

In mourning for Robert F. Kennedy, let us pray for an end to hatred of any man or group of men, and a return of understanding and compassion among a great and generous people.

VIETCONG MURDER GERMAN HUMANITARIANS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, few Americans fully realize the humanitarian con-

---

[9] Morse F. Bradford. Private responsibility for public management. *In* Harvard business review, v. 45, n. 2, March/April 1967. p. 7.

[10] U.S. Congress. S.J. Res. 110. A Joint resolution to authorize a study and investigation of information service systems for States and localities to participate more effectively in Federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs. (90th Cong., 1st sess., August 30, 1967). p. 2.

[11] Kahn, Herman *and* Anthony J. Wiener. The Year 2000. New York, The MacMillan Company, 1967. p. 346.

tributions of our free German allies—as fellow free men in the war against tyrannical Communist aggression.

I include the report of the sadistic murder of five German allies from free Germany by the Red Vietcong terrorists as reported in the Bulletin of the German Official Government for May 17, as follows:

VIETCONG MURDER GERMAN DIPLOMAT

Baron Hasso Rüdt von Collenberg, the young first secretary at the German Embassy in Saigon, was found dead with his hands bound in a Saigon street. He had apparently been shot in the head by Vietcong terrorists in one of their attacks on the city. Recently four German doctors were also murdered by the Vietcong while performing humanitarian duties.

TEACHERS IN POLITICS: THE LARGER ROLES

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. YARBOROUGH. Mr. President, as never before in our history teachers are assuming greater roles in the politics of our Nation. I am in favor of this new posture and encourage this activity which I feel can only serve to strengthen us.

On April 5, 1968, Dr. T. M. Stinnett, visiting professor of education in the graduate college of Texas A. & M. University, spoke before the NEA Citizenship Committee teachers-in-politics dinner here in Washington, D.C. Dr. Stinnett's speech, entitled "Teachers in Politics: The Larger Roles," deals with this new role of the Nation's educators, and I commend the reading of this speech to my colleagues.

According to Dr. Stinnett:

NEA and its members must do more than faithfully observe the dictates of its charter to elevate the character and advance the interests of the profession of teaching and to promote the cause of education in the United States. NEA and its members also must concern themselves with the complex and disturbing economic, social, and political issues, as well as the educational problems of our people.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEACHERS IN POLITICS: THE LARGER ROLES

(By T. M. Stinnett, visiting professor of education, in the graduate college, Texas A. & M. University, before the NEA Citizenship Committee teachers-in-politics dinner, Washington, D.C., April 5, 1968)

As one who has had the opportunity to know intimately of the long and arduous struggle of the Citizenship Committee, often in the face of inertia and indifference, to rouse the giant that is the teaching profession to its rights, its responsibilities, and its accountabilities, I would be derelict if I did not congratulate the Committee on its achievements. Its posture today is vastly different from that it enjoyed, or suffered, only a few years ago. The concept, then, all too often, among honest and sincere educators was that its efforts were far-out leftish. And often its proponents were viewed as radicals and as agitators.

I remember vividly, sitting on the stage at one of its clinics. The subject under discussion was the right of teachers to participate in school board elections. A superintendent sitting by me, whispered into my ear, "My board members hope that our teachers would participate and oppose them. This would guarantee their reelection."

This was said as a sneer—a sneer at the presumed impotence of teachers in the political arena. I hope he, and his board members, are now wiser and repentant people. I know they are wiser, because two years after this incident, teachers did oppose the reelection of two board members and soundly defeated them. As for the repentance, I have no knowledge. But I surmise not. Such mindsets don't change easily.

On this occasion and on this subject, I shall speak with a sense of humility. I cannot pretend to speak with expertise on the techniques and processes of political action. I can only seek to identify the areas of great need for the involvement of the teachers of this nation. Besides, the Citizenship Committee has reproduced and widely distributed an elaboration of a series of eight principles, developed by knowledgeable people, dealing with the techniques of political action.

I have the impression that we may continue to exert too much of our efforts in the political arena to establishing firmly the right of teachers to participate. This is understandable in the light of our traditions. But this milestone has been passed. The right is established, as a general rule; except in isolated cases, there is no longer any substantive resistance to the exercising of this right, or any serious argument about it. Therefore, I shall spend little time in rehashing the past, in repeating the old shibboleths and the old arguments. The near-peon status of teachers throughout the most of our history is gone. It is time we were done with that history, and time we turned to the promise of our relatively new posture.

I suggest that our big problem is now what do we do with this right? What are to be its emphases? How can future efforts be channeled toward the ultimate goal of all politics, the welfare of the nation?

Somewhere in the first lecture of this series, I said that NEA: ". . . must do more than faithfully observe the dictates of its charter to elevate the character and advance the interests of the profession of teaching and to promote the cause of education in the United States. It must concern itself with the complex and disturbing economic, social, and political issues, as well as the educational problems of our people. It is no longer enough for the NEA to adopt pious resolutions on the crucial problems of the time; it must become aggressively involved in the solution of those problems."[1]

This dictum applies with equal force to organized teachers everywhere.

If the enthusiastic surge of teachers to exercise this fundamental right, is to concentrate solely upon our own special group interests, if it is to stop this side of the objective of a better America, then we have succeeded only in creating another pressure group.

There is nothing wrong with pressure groups; they are an integral part of a free society. But I want to explore the thesis that there are still larger roles for teachers' political action. Any dynamic movement encounters and conquers a succession of horizons. We must look to the horizons beyond.

The areas to which it seems to me, teachers must address their political action, if the cause of education is to be served and the cause of the nation is to be served, are:

1. The consolidation and strengthening of the emerging movement to make teachers a powerful force in the political life of the nation.
2. The aggressive mobilization of this power to effect the further democratization of our professional associations.
3. The complete dedication of teachers to the larger role of moving this nation forward to the moral grandeur of which it is capable, and which has been its sustaining dream.

I. THE PAROCHIAL CONSIDERATIONS

I will dwell on our parochial interests and the political action to secure them only to the extent of saying that there is a major sweep invitingly before us for action. Stated as a generalization, we must fight to secure legislation that will enable us to become a self-determining, self-propelling profession, in charge of managing and directing our own house. The current and growing turmoil in teaching with the growing resort to sanctions and strikes is, I think, a direct concommitant of our inertias of the past.

The teaching profession must launch an irresistible nation-wide campaign for state legislation vesting in it the powers to determine those to be admitted to practice, the conditions of continued practice, and those to be expelled from practice. Such legislation goes under various names—Professional Practices Acts, Professional Standards Acts, etc. Personally, I like the nomenclature being used in proposed legislation in California—"Professional Responsibilities and Accountabilities Act." Whatever the nomenclature, the purpose is to vest in the teaching profession, by law, the right to set the standards for selection, preparation, licensure, admission to the profession, professional growth requirements, codes of practice, and disciplining of the membership.

This we must do. The greatest single failure, in my opinion, of the teaching profession is that we have only nibbled at, played around the edges of this business of running our own business.

Recently, I was asked to appear before a class of about 50 senior teacher education students at my university. The first question fired at me was: "What is the cause of all these teacher strikes, unrest, and militancy?"

My reply: There is a complex of causes. But the basic one is that your counterparts of past years—the graduating teachers—were indifferent to their professional responsibilities. They assumed that it didn't matter whether they joined with their colleagues to demand better conditions for teachers and for education. If they thought about it at all, they thought this obligation belonged to that nebulous entity called the Public; or that all things would be added unto them just because they were teachers, by benevolent legislatures. Or they thought, let somebody else do it. We are now reaping the whirlwind of that vast withdrawal from reality by teachers; that mass retreat into non-commitment and non-involvement.

And I said to this group of youngsters, I predict that you will go out and do the same thing—gripe about salaries, gripe about being kicked about by local mores, gripe about being ignored in policy making, rather than join with your colleagues to correct these conditions, rather than pay a few dollars in membership dues. And at this point, I add here another observation. Teacher education institutions are doing all too little about orientating their students to professional responsibilities. Some of them are doing absolutely nothing. What other profession would tolerate this neglect?

What we are now beholding is the upsurge of a younger group of teachers who are determined to rectify the adverse effects of the non-involvement of their ancestral colleagues. They are young enough and sensitive enough to today's conditions to know that they shall have to do for themselves what their colleagues of the past depended upon public benevolence to do for them. Other professions learned this reality of life years ago.

Many years ago, I wrote a paraphrase of

---

[1] T. M. Stinnett. "Golden Years Upcoming? Maybe." *The Journal of Teacher Education*, Vol. 18, Fall 1967, pp. 363–78.

Alfred White Northhead's famous dictum. It read as follows:

"In the conditions of modern life, the rule is absolute: The Profession which does not value its freedom, its right to professional status, its right of self determination, is doomed. Not all your heroism, not all your social charm, not all your wit, not all your fragmented and sporadic gains can move back the finger of fate. Today we maintain ourselves in a precarious in-between position, half in and half out of a professional posture. Tomorrow, because of our inertia, the enticing blandishments of quick and easy victories will have moved ahead yet one more step toward submission to a monolithic power. There will then be no appeal from the judgment which will be pronounced on the uncommitted profession."[2]

Eleven states have now enacted professional practices laws; and 18 additional ones have proposed drafts ready for submission to their state legislatures.[3]

Also we must seek state legislation vesting in the profession the rights to participation in policy making and to negotiate professional working conditions.

Presently, there is legislation in about 15 states. There must be spelled out in law in every state the right of teachers to such negotiation and the procedures set forth in such categorical terms that there can be no quibbling over the meaning. Eventually, such negotiation in large measure is actually going to take place at the state level. Especially is this going to be true of salaries and fringe benefits.

Moreover, we must seek state legislation vesting in the profession the right to negotiate the remuneration of its members, including fringe benefits. In fact, I believe the time is coming, and soon, when there will be a nation-wide basic teacher salary schedule, jointly financed by the federal, state, and local governments. But negotiation of the implementation of this basic schedule will remain at the state level. We need to get ready for this development.

Although there are tenure and continuing contract laws in some 45 states, these laws are often vague and ambivalent. Some are permissive only. To me, the frequency and the nature of the mistreatment of teachers throughout this country has been, and is, appalling. No profession can tolerate such arbitrary and unilateral treatment of its members that occur almost daily somewhere, without diminishing its stature and without bemeaning its calling. Here is a prime goal for political action by teachers in the future. Seek simple, clear legislation, spelling out the rights of teachers and spelling out step by step the causes and the due process to be observed in dismissals. While I have supported with all my heart the DuShane Fund for Teachers Rights—and I still support it on a much larger basis—as a companion to it, we must have better legislation so that the number of cases requiring intervention of the professional associations rapidly diminishes.

If we attempt to gain these ends by sitting and waiting for action by others—with the thought that those who sit and wait also serve—that is precisely what we will get—action by others, vesting these powers in other groups than the teaching profession.

II. DEMOCRACY IN PROFESSIONAL ORGANIZATIONS

The second of our purely parochial considerations, to which the political power of teachers must be directed, is the refinement and renewal of the structure of our own professional associations.

I have the feeling, without really knowing it to be a fact, that teachers generally assume that their professional associations are above and beyond the political skirmishing exemplified in governmental affairs. This, I think, arises from the notion that professionalism and politics constitute two separate worlds, and never the twain shall meet. This is not true in any organization.

The drive, to put it in the bluntest possible language, must be for the one voice, one vote, no more, no less, in managing the affairs, in setting policy for our associations—local, state, and national.

Now, I know there is some degree of naivete in assuming that this can be achieved as an absolute in any organization. But it can be approximated to a satisfying degree, by eternal vigilance and extraordinary involvement by the total membership.

What am I trying to say at this point? I am trying to say what you know, and what is rarely discussed openly: that our associations, as a general rule (there are exceptions, of course), tend to be dominated by the shakers and movers, rather than by the rank and file of members.

The selection of officers tend, too often, to be a routinized affair, with the candidates picked by power structures, well in advance of elections. Policy decisions, too often, tend to be made in advance of formal adoption; and those who actually vote the policies, too often, never suspect that they are being manipulated. Above all, the rank and file have too little chance to consider or be heard on the proposed policies.

I believe these are reasons why many of our young teachers are not attracted to leadership roles in our associations. How can this problem be attacked? In three ways.

I suggest the institutionalizing of dissent. The provision that any member of NEA, for example, may attend the annual convention, register for a pre-convention caucus or series of caucuses. For example, a liberal caucus and a moderate caucus. In these caucuses, every member who felt deeply enough to attend and pay his own expenses could be heard and all issues thoroughly discussed. These discussions would, of course, not be binding upon the representative assembly. But they would have great impact upon that body.

Secondly, each caucus could choose reporters to appear before State delegations to explain their adopted positions and seek support for these positions on the floor of the representative assembly. Such positions could get into the deliberations under "New Business."

Thirdly, I have felt for a long time that the NEA Executive Secretary should have a Special Assistant whose sole responsibility would be to study the future, what's coming up on the horizon, read widely for new ideas, talk to informed people in all fields, consult with the members of the teaching profession, and formulate possible courses of action. The formulations could be submitted to the caucuses for discussion, being rejected or endorsed according to their merits.

This Special Assistant should be the youngest, brightest, sharpest scholar that can be found, a person equipped with a sensitive radar, capable of spotting the issues and trends just over the horizon. I suggest this because the Executive Secretary will always be over-burdened handling the daily, unceasing problems of administering this huge organization, with little or no time left to scan the future for portents of things to come.

The same structure could be applied to state, district, and local association conventions. Moreover, these causes could have great influence upon the election of officers.

III. THE LARGER GOALS

Now I speak of the larger goals before teachers as political citizens. These larger goals have to do with the alarming problems before this nation—goals to which teachers can and should address themselves. The indispensible task before this nation is to recapture and to exemplify that moral grandeur which we claim to have been at the core of our being.

In the past, we have sung with great vigor and great emotion: "Thine alabaster cities gleam, undimmed by human tears . . . And crown thy good with brotherhood, from sea to shining sea."

All of us, as Americans—at least the realists among us—know that if these beautiful figures of speech were ever true, they, and the ideals they encompass, are now in disturbing disarray. Clearly, we face but one choice—the resurrection of the dream and the full implementation of its sweep.

This is no easy task. It is one that will require the traveling of the Third Mile. It will require extraordinary courage, forebearance, tolerance, and patience.

I have the dream, that somehow, teachers ought to be, and can be the essential leavening force in this resurrection. This nation is in trouble, and it is not going to be made whole again by milksops or people unwilling to give up their biases for the welfare of the country.

I quote a passage from John Steinbeck's *Travels with Charley*, in which he described an admonition received from a friend before going on the journey across the nation described in his book. This was from a political reporter who reported the 1960 presidential campaign.

"If," he said, "anywhere in your travels you come on a man with guts, marks the place I want to go to see him. I haven't seen anything but cowardice and expediency. This used to be a nation of giants. Where have they gone? You can't defend a nation with a Board of Directors That takes men. Where are they?"

"Must be somewhere," Steinbeck said.

"Well you try to root out a few. We need them. I swear to God the only people in this contry with any guts seem to be Negroes. Mind you," he said, "I don't want to keep Negroes out of the hero business, but I'm damned if I want them to corner the market. You dig me up ten white, able-bodied Americans who aren't afraid to have a conviction, an idea, or an opinion in an unpopular field, and I'll have the major part of a standing army."[4]

It is an odd coincidence that Macaulay's famous letter to Henry Stephens Randall was written almost to the month when NEA was being formed in 1857. The organized teachers of this country have been a prime reason why his gloomy predictions have not as yet eventuated. But they could yet. We need now, of all times, to re-read his warnings. While none of us would embrace his class society concept, we need to ponder his projections.

He wrote—and remember, this was May 1857—

"I have long been convinced that institutions purely democratic must sooner or later, destroy liberty or civilization, or both. . . . Either the poor would plunder the rich, and civilization would perish, or order and property would be saved by a strong military government, and liberty would perish."

Then he predicted we would be all right as long as we had free land. But when we become an urban people, he said: ". . . Then your institutions will be fairly brought to the test. . . . It is quite plain that your government will never be able to restrain a distressed and discontented majority. . . . . There is nothing to stop you. Your constitution is all sail and no anchor."

He concluded with: "As I said before, either civilization or liberty must perish. Either some Caesar or Napoleon will seize the reins of government; or your republic will be as fearfully plundered and laid waste by barbarians in the 20th Century as the Roman Empire was in the fifth—with this difference, that the Huns and vandals who ravaged the Roman Empire came from without, and your Huns and vandals will have been engendered within your own country by your own institutions."[5]

---

[2] T. M. Stinnett, "The Charge to Participants," in *Moving From Ideas to Action* (Report of the 1962 Regional Conference) National Education Association, National Commission on Teacher Education and Professional Standards, Washington, D.C.: The Association, 1962, pp. 178–80.

[3] Roy A. Edelfelt, "Progress in Professional Practices Legislation," *NEA Journal*, February, 1968, pp. 64–65.

[4] John Steinbeck. *Travels with Charley* New York: The Viking Press, 1961, p. 151.

There is something of a vacuum now in national organizational leadership in the direction of social justice. The vacuum has been created, at least in part, by the default of leadership by organized labor.

Don't take my word for that. Listen to Walter Reuther when he accuses organized labor of vegetation and inertia regarding the great social and economic issues of our time. Or listen to A. H. Raskin who wrote:

"Suddenly they are all gone—the pioneers who gave fresh direction to the American labor movement in the first feverish thrust of the New Deal. In the marble palaces they erected as monuments to labor's new found eminence sits a new breed of union civil servants. It is a corps of organization men, bland, faithful, uninspired, drifting into an era of limitless technological change with compass points set in the Great Depression. In a society confident of everything except what reason it has for being, no element is more serene, more complacent, more satisfied of the eternal rectitude of its ancestral policies and practices."[6]

Here, it seems to me, is a void presenting the opportunity of a century for leadership to a profession that truly represents all Americans, of whatever color, creed, or economic and social circumstance.

It is an opportunity for leadership, for constant evolving of just goals, and the opportunity to form a powerful political coalition to these ends.

I think we will miss the boat if we assume that the role of teachers in such a vast movement is that of only of educating the public. Education, of course, is important. But teachers' efforts must go far beyond and present a united, vigorous activist front to move the nation toward its destiny.

What specifically are the larger goals that teachers must, I think, exert every ounce of power to induce acceptance by the people?

Teachers must fight to induce our people to shift from their traditional interests to the great social issue of our time.

Teachers must fight for a shift from obsession with equality of opportunity (which has become something of a sterile cliche) to equality of the human condition.

Teachers must fight for a shift from obsession with property rights and protection of those rights to obsession with the recognition of the rights of persons.[7]

Teachers must lift up their faces and their wills against the ugly facade of racism. Racism, be it black, white, yellow, brown, or whatever, has no place in an open-ended society. No nation on earth, especially this one, as the acknowledged leader of the free peoples of the world, can long exist as an affluent island in a sea of cultural, social, and economic deprivations, among its own people; or in the world, for that matter.

Neither can any of our national groups withdraw unto themselves and operate for their kindred only the semblance of an exclusive country club. And this is just as applicable to any of our minority groups as it is to the majority.

There is an innate dignity about a decent human life, with its God given potential of living in the upper reaches of the human spirit and its aspirations, that ought never to be violated by another living being. That dignity ought to be as sacred to me as is my own; and, if I violate it, I demean my own stature. Again, this is as applicable to minorities as it is to the majority. This is not a one-way street, and those who assume and act as if it were, simply return us to the outmoded paths of the past.

This means the right to full education in the best sense. This means occupational opportunities that are as equal as a just society can make them, in consonance with divergent talents. This means the right to equal protection under the law and equal treatment before the law. This means compensatory education for those neglected children we imperfectly categorize as deprived. Actually, this is not an ethnic problem. It applies almost all across the board, to all races, and cultures, where the birth right of high quality education has been denied them. These are children of our rural areas, where the cruel and still lingering inequalities of local controls wreaked their inadequacy upon their own children. The problem of our ghetto children of all races is that they migrated to the cities and slum schools, as fugitives from slum schools in the first place.

Certainly, this means compensatory reeducation of our teachers who come into the schools from deprived opportunities.

This means a teacher in every classroom with whatever group of children, with a fanatical zeal and the understanding and skills, to make certain that each child has his chance at a decent education.

It is a thing of which we cannot be proud that Indian children, or Latin children, or children of migratory workers are still being short changed.

A teacher in New Mexico told me sometime ago that she had three cultures represented among her children. She knew she was failing to reach the Indians and Latins, and she asked why of one bright lad among the Latins. He said "Because when you touch one of us, you cringe."

In Texas, I keep hearing stories about the sad consequences of some schools mandating that all teaching be in English. One story is that a supervisor overheard an Anglo child conversing on the playground in Spanish with his Latin friends. According to the story, he was immediately summoned to the office and punished. I cannot vouch for the authenticity of this story, but I have heard it repeated many times.

Decentralization of our population

I think, too, this means a steadily escalating migration from our inner cities to suburbia and beyond. I think this means the decentralization of our small industries so that virtually every small town has a sustaining industry. I think this reversal is needed to cure the economic plight of the rural areas. Presently 70 percent of our people occupy 2 percent of our land while 40 percent of our land is occupied by cattle.

There is no lasting solution really to the inner city problems. You solve one and open up 10 more. The partial answer, at least, is to reverse this flow. And federal funds must be heavily involved.

Our real long range answer is to get our people out into the open country into sunlight and fresh air, where they can live in dignity and security and their children can grow up preserving their identity. I know this idea is generally held by the experts to be an impossible dream. But in my view, it must come to pass.

Meaning of the open-ended society

Teachers must lead the fight to persuade our people to embrace the full meaning of the open-ended society—and to thank God that they have the opportunity if they will only seize it. This means convincing our people that we can have the authoritarian society, or we can have the free society. We can't have both. And we can't have a hit-or-miss, off-and-on sometime one and sometime the other.

To do this we must convince our people that fixed goals and diminishing alternatives are marks of the authoritarian society.

To do this we must convince our people that an open-ended society is characterized by a proliferation of alternatives.

To do this we must convince our people that the open-ended society will always be marked by controversy, dissent, and intramural quarrelling—because these are the means by which the majority makes wise decision and determine new and ever-shifting objectives.

To do these things, teachers must themselves reflect a sense of enduring values and exercise an abnormal amount of self restraint.

I have said that this country is in trouble. It is. And it may be in much more critical trouble than we think.

The circumspect thing for me to do here, obviously, is to engage in easy banalities, and leave the disturbing things for others to say. But that would be intellectual dishonesty on my part.

Just here is one of the chief weaknesses in this country today. The voice of reason is being shouted down under the glib guise of the right of dissent. The posture of the moderate is being derided and hooted at and trampled underfoot by the far-left activists. Reason and moderation are being intimidated into silence and inactivity by intellectual lynching parties.

The popular thing for me to do here, I know, is to hold forth the alluring picture that teachers are on the glory road, by virtue of a newly-found activist vigor, by virtue of a newly-found political muscle. It would be pleasing for me to assert that teachers, to paraphrase a statement by Mr. Justice Brandies, are headed for paradise on an escalator called evolution. But the future of teachers cannot be more hopeful than that of the nation itself. And, I repeat, this nation is in trouble. The right of dissent has been blown up, by appealing sophistries, into the right to suppress dissent of those with whom we do not agree. This is not dissent; that is anarchy.

The right of civil disobedience, in the language of Sidney Hook, has been escalated by extremists into the right of uncivil disobedience. The right to peacefully assemble and petition for redress of grievances has been distorted into the right to form mobs for the purpose, wittingly or unwittingly, of forcing redress by violence. It is frightening how easily many Americans are accepting the excuse that this nation began in rebellion. So it did. But we forget that there was then no recourse to the changing of laws or the government by the orderly process of the ballot.

Teachers have a deep responsibility here. If they are to run with the mob, if they are to indulge in the hysteria of unreason, if they are to embrace the current madness of lawlessness then the country is really in trouble—so deep and bitter it may not survive.

In my lifetime I have had two disillusioning, cruel, heartbreaking experiences with mobs. As a young college student, I witnessed the taking of the life of a human being by a mob. As a young college graduate, serving an apprenticeship as a reporter on a city newspaper, I saw the aftermaths of another life taken by a mob. In neither instance was the victim guilty of more than a mild misdemeanor.

Those two incidents burned their bitter message so deeply into my soul as to separate me forever from the vast immorality of mobism and racism, in every minute nuance of the meaning of the words.

The greatest of all possible triumphs of the involvement of teachers in politics, in my view, is for us—all of us—to set our faces, our wills, and our actions against the mob spirit, and for the achievement of human justice through the orderly change in laws that do not serve this end.

---

[5] Walter H. French and Gerald D. Sanders (Eds.) *The Reader's Macaulay*. New York: American Book Company, 1936, pp. 62–65.

[6] A. H. Raskin, "Making Strikes Obsolete," The Atlantic Monthly, Vol. 217:6, (June, 1966), pp. 45–52.

[7] For a fuller discussion of this point, see Laurence K. Frank, "The Need for a New Political Theory," *Daedalus*, Vol. 96:3 (Summer 1967) pp. 809–817.

I know, of course, that in the conditions of today, with the swift flow of events and forces, the chaotic co-mingling of sky-high aspirations and jumbled value judgments, this view is considered old hat by the activists. But I know, too, that this nation must have some anchorages in responsibility and accountability. These anchorages constitute a complex of factors—teachers, ministers, home, church and synagogue, mass media, the enlightened community, and others. These anchorages must reflect and defend some reasonable norms of dissent and behavior. The argument that a relatively small group such as teachers is lost in a vast morass of mass mores and is powerless to affect the national climate tends to deny the basic premise for the very existence of the public schools.

If ever there was a time in the history of this nation when its people could identify without a doubt a cross-roads and choose the direction they must pursue, it is now. I covet for teachers a vital part in blazing the new trail that must be traveled.

Ideologically, that cross-road is marked by the house we live in as a people. It is an old house that must give way to a new and viable structure.

Elias Liberman epitomized this need:

"I am tired of echoes in the old house;
Echoes of ancient hatreds and historic feuds;
Echoes of outworn slogans;
Echoes of pompous fools long dead;
Echoes of statesmen whose folly is more enduring than bronze.

Man's mind reaches past the stars,
Probes into the atom,
Measures waves of ether in the infinite spaces,

His soul trembles at a brother's pain,
Sees light through jungle darkness,
Sings with faith and tenderness the vastness of divinity.
But he still lives in an old house,
An old house full of echoes.

Tear down the rotted board;
Scrap the bat-haunted chambers;
Stop the babbling of simian tongues
Pretending to blabber wisdom.
It's time to build new towers for a new age."

And one of the keys to the building of the new structure is teachers who care, who care about their profession and who care about the destiny of every child who comes to them and who care about the future and who care about their country.

CHARGE OF BIGOTRY TRIGGERS REPLY

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. UTT. Mr. Speaker, it has become popular to ascribe racism to any act by any person in opposition to legislation which in any way appears to favor a minority race.

As so used, the term is derogatory to anyone of the Caucasian race, but those who openly and arrogantly espouse black racism escape castigation. In like manner, discrimination when practiced by a Caucasian is evil, but becomes holy when practiced by blacks, according to liberal thinkers of today.

Mr. Morris Ryskind, in his June 7, 1968, article appearing in the Washington Star, clearly expresses his views on this subject, and effectively delineates the fallacy of supporting or opposing any person on the basis of race, religion, or national origin. I have been a longtime friend and admirer of Mr. Ryskind, not only as a brilliant writer, but as a man of principle and integrity.

The article follows:

CHARGE OF BIGOTRY TRIGGERS REPLY

(By Morrie Ryskind)

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Tom."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ball-player, who earned his place by his ability, and not because someone came around with a quota list and demanded he play left field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—any more than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is Gentile.

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6,000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, Baby! Do you realize how long it would have taken through peaceful channels to get 6,000 black folk hired and through those tests?"

Obviously, those 6,000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from the same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declared, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

WHY I'M FOR ROCKEFELLER

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, the New Republic of June 15, 1968, contains an article by my able and distinguished colleague from Kentucky [Mr. MORTON], which cogently and perceptively states the case for the presidential candidacy of Gov. Nelson Rockefeller. I ask unanimous consent that Senator MORTON's excellent article be printed as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY I'M FOR ROCKEFELLER

(By THRUSTON B. MORTON)

I am deeply concerned whether the leadership of either the Democratic or the Republican parties is sufficiently aware of the tremendous responsibilities they share in 1968. Perhaps as never before, the American people are going to need, demand, the best each party has to offer. As never before, the political power structure should put the public interest before narrow self-interest. But don't bet on it! At this writing, the odds are that the entrenched and too traditional party bosses will choose, or guide the selection of, their party's nominee, and that the coronation ceremonies at each convention this August will reflect more the desires of the pols than the polls.

Far too much depends on the sagacity of our national leadership at this time to permit the choice of a new President to be determined by entrenched party functionaries, for these are unusual times, and they demand unusual foresight and freedom of action.

That is why I have come to the conclusion that Nelson Rockefeller is the only Republican candidate who can win this fall, and who can thereafter unite a divided nation. He is the only tested political leader who can make the tough decisions, with his eyes and his options open. He is, in my opinion, the only Republican who can win other than a Pyrrhic victory.

In political terms, he must redirect the Republican Party from its self-imposed minority status to a role of national responsibility. This would require moving more in the direction of the Republican governors, who occupy 26 statehouses where a substantial majority of our citizens reside, and away from the traditional position of a more or less responsible opposition in the Congress.

In a tumultuous year that has produced a multitude of crises at home and abroad as well as presidential possibilities, it seems appropriate to discuss Governor Rockefeller in relation to the declared and potential candidates in both parties. It is also pertinent to examine the issues to which Governor Rockefeller and all the challengers must address themselves.

All of us at the moment, are in a state of shock over the assassination of Robert Kennedy on the very day of his political triumph in California and South Dakota. We shall never know what greater triumphs he would have achieved. We can only salute him and sorrow what has been lost by this monstrous, mindless act of terror.

The candidacy of Vice President Humphrey, more by circumstance than design, represents the last will and testament of an Administration largely discredited by its pursuance of unrealistic goals abroad, and unfulfilled promises at home. The currently embattled President of France, Charles de Gaulle, has frequently and hypocritically referred to US foreign policy as tempted by a "taste for intervention." The policies which Vice President Humphrey must defend, and logically extend, are premised upon a taste for government intervention into the affairs of every citizen and too many nations. The foreign policy which Mr. Humphrey has helped formulate has led this country down a garden path of overcommitment, such as Vietnam, from which we must now attempt to extricate ourselves. Such outdated policies, for which both political parties share some degree of blame, must be changed. Can a man whose nomination will largely depend upon the support of President Johnson repudiate the foreign adventures of his benefactor?

Just as dated are the old New Deal dogmas of domestic government intervention, based on the illusion that a Great Society can be built from the top down. Such divergent social scholars as Milton Friedman and Daniel Moynihan, and disparate pressure groups as the NAM and ADA, generally agree that the remedy for our urban and racial ills will no longer be found in an increased multiplicity of federal bureaucracies. Rather, a new blending of resources and responsibilities must emerge in which the full initiatives of state and local governments, the private sector, and Washington, can be utilized. Humphrey is product and proponent of an approach to domestic problems that has outlived its usefulness. Can he, in any measurable degree, depart from the populist ideology stretching from Roosevelt to Johnson, and urge a radical realignment of America's diverse strengths to deal effectively with our immense weaknesses?

Governor Rockefeller is committed, by word and deed, to the proposition that a new mix of energies can and must be applied now to pressing social needs. As governor of New York, he has demonstrated that action programs can be originated and carried out at the state level, and that they can be massively as well as soundly financed. No other presidential candidate, of either party, has comparable credentials in this area. Rockefeller is a manager and an innovator with the proven capacity to develop a new set of relationships between the private and public sectors than can cope with present-day realities. One of these realities is that the federal government must continue to play a major role in our social and environmental betterment. The other is that while the level of welfare spending must continue to rise, the greatest increase will come from outside the Washington establishment.

Senator Eugene McCarthy, a modern man for all seasons, appears destined to be rejected by the Democratic big city bosses and party power brokers. They have seen him organize the young and the alienated into orderly and effective campaigners. They don't like what they see. Gene McCarthy is threatening to let light and air into the smoke-filled room and the political operators prefer to work in the dark, out of sight. Senator McCarthy has, almost singlehandedly, forced the heavy hand of the Administration on the issue of Vietnam and opened that national tragedy to the glare of political debate that it demands. For this our nation owes him an unpayable debt. Regardless of the outcome of present and future diplomatic maneuvers, McCarthy has made it possible, if not likely, for the US to change a course destined for disaster.

And that is not all. He has succeeded, I hope lastingly, in turning on our nation's most valuable asset, the young, who had been turned off by the misguided direction of our involvement in Vietnam and its disruptive repercussions here at home. In a sense, he deserves to be elected President. But that, realistically, is not the way the system works. Logistics and organization will win out.

On the Republican side no less than the Democratic, the incredible events of recent months have opened up a new challenge and a new opportunity. These earthshaking events have also raised a number of serious questions, that under different circumstances might have fallen simply within the purview of our party leadership, but now deserve and demand the country's attention. For the answers may well spell not only the future of the Republican Party and our two-party system. They will also have a profound influence on whether we, as a party and as a nation, heal our social wounds or permit them to fester—whether we face the world as it is rather than as it was.

Will the Republican Party continue as the smallest of our three political groupings, trying harder but trailing behind Democrats and Independents? There is only one of the leading contenders in my party who has consistently shown that he can command the support of a great majority of independent voters and siphon off a very substantial percentage of registered Democrats. That man is Nelson Rockefeller. In recent national polls, Governor Rockefeller runs as strong, in two out of three cases stronger, than Richard Nixon. But, even more important, in the big population industrial states Rockefeller has a decisive lead. He runs between 10 and 20 percent ahead of Mr. Nixon against any Democrat with California voters. In the key states of Ohio and Pennsylvania, current private polls show Rockefeller the only Republican who could win. All the primaries have conclusively proven that Dick Nixon has the hearts and votes of an overwhelming percentage of registered Republicans. Such support and unity are valuable and deserved, but while no one can unite Republicans like Richard Nixon, neither can anyone so unite Democrats.

I must add that divisiveness within my own party is not going to be a major factor this year because too many of us still bear the scars of four years ago, and because most are looking to possible victory ahead rather than dwelling on defeats in the past. Governor Rockefeller has made it clear, perhaps at some cost to his early campaign, that he will have no part of the acrimony that tore us apart in 1964. But ducking acrimony does not require ducking the issues and ducking debate. Nelson Rockefeller will not do this, nor will I. But 1968 is a far piece from the last presidential campaign, and I am confident that all the candidates and all Republicans will support whoever emerges on top from the convention in Miami.

Can strict party unity and orthodoxy prevail, however, in an unorthodox age rent with political dissensions? In this uncertain land and time, there is growing disillusionment with both the Republican and Democratic parties. The greatest growth in political clout is developing among those of all ages, of all incomes, of all geographic areas, who cannot pledge blind allegiance to any party. Their accomplishments and their hopes have outdistanced the narrow, party platforms of the past.

This new power center is going to weigh carefully objectives with capabilities, aspirations with possibilities, and their new realism is tempered with confidence in themselves and hope for the future. This mighty but unmeasured mass of Americans will not buy the old terms of inevitability, from poverty at home to "victory" abroad. They are growing accustomed to change; they want it.

If the philosophy of Nelson Rockefeller can be simply summarized, I believe it is adaptability to change. Labels such as liberal and conservative have gone out of style, have lost whatever relevance and meaning they ever had. The Governor of New York understands the desperate need to develop flexible programs to deal with rapidly changing crises in our cities, in our schools, in our environment, and in our very attitudes, which, in the final analysis, will determine if our nation will pull together, or come apart. As governor, Rockefeller has proposed, pushed through a frequently uncooperative legislature, and then wisely administered complex programs in housing and mass transportation that are bigger than those of the federal government. At the same time, he has never let size and complexity override individual initiative and individual welfare.

Rockefeller also understands the complexity of change around the world, and the unfortunate fact that US policies have largely failed to keep pace with this change. We have become locked into foreign policy positions that have too much in common with the circumstances of 1948, and too little with 1968 and the tidal waves that are sure to come. For instance, 20 years ago Nelson Rockefeller foresaw the need for economic assistance to open up the hinterland of Latin America. He warned of political and social upheaval if the United States did not move speedily to develop a sense of partnership with our neighbors to the south.

Will the Republican Party lead the revolution of discontent at home and around the world or fight it? Will we lead the search for accommodation among peoples and nations, or obstruct it? I believe our party has the leadership and the vision to guide the manifest disorders in the cities and in the universities away from violent overthrow and toward peaceful solution. We can if we take a positive approach, talking more about construction and less about condemnation.

Twenty years ago, a Republican leader in the US Senate urged passage of legislation for federally sponsored programs to deal with water pollution, public housing, aid to education, fair employment and health care. "I believe," he said, "the American people feel that with the high production of which we are now capable, there is enough left over to prevent undue hardship and maintain a minimum standard floor under subsistence, education, medical care and housing, to give all a minimum standard of decent living and to all children a fair opportunity to get a start in life."

Sounds like Michael Harrington! But, it was the late Robert Taft. If "Mr. Republican" rejected the notion a generation ago that such programs were "pie in the sky," one can hardly describe massive rebuilding of our ghettos and some form of incentive income supplement as "pie in the sky" today. The Republican Party that Nelson Rockefeller represents has a recorded tradition of charting bold new courses of action, and if we follow the Taft example, we will nominate Rockefeller in August and then elect him.

Here and abroad, there is a crying need for accommodation, between races, between rich and poor, between nations, between ideologies. I remember only too well the shrill cries of fear and obstruction that one year ago echoed in the Senate and from a very vocal minority across the land. We were then considering ratification of a consular treaty with the Soviet Union, the Fiat deal, East-West trade and other calculated and cautious measures to break down the barriers to better understanding between opposing (but decomposing) ideologies. One group was formed calling itself CEASE, or the Committee to End Aid to the Soviet Enemy! Such narrow-minded, simplistic views contribute nothing to a reasoned and rational foreign policy and are counterproductive to our national security and our national interest. Governor Rockefeller has convinced me, and I am sure he will convince his party colleagues and the American people, that he stands for enlightened self-interest in American relations with friend and foe alike.

I am convinced that he believes, as I do, that we are overcommitted and overextended around the world, that we must weigh more carefully the balance of military and economic aid, and that it is imperative that a new Administration immediately reexamine precisely what is and what is not vital to our national security. Nelson Rockefeller would pledge vision not invasion, mobility not mobilization.

The presidential elections of 1968 offer the Republican Party its last best hope to put together a national political coalition built upon the ashes of the once all-powerful New Deal. We can do it this year. We can offer the 12 million young and overwhelmingly responsible Americans, who will vote in a national election for the first time, a candidate and a platform that will command their interest and support. We can offer our bewildered and despairing underclass, black and white, urban and rural, a new sense of participation. We can guarantee them a helping hand to progress, within a framework of equality before the law, and order tempered with understanding.

A century ago, the fledgling Republican Party did promise democracy to the oppressed, offered land to the homeless, education to the illiterate, freedom to the slave. Some called our party revolutionary in those days, but Republicans were proud of it and displayed the adventurous spirit that made America first a continental nation and then a world power.

We can do it again. I deeply believe that the aspirations and the realistic objectives of the great majority of Americans have more in common than not. If we stress progress, if we outline problem-solving, if we accentuate improved human relations, if we put the positive before the punitive, then we can and will elect a Republican President in 1968. Only a fool or a charlatan would promise peace and quiet, order and obedience in a time so fraught with confusion, difficulty and disruption. There are rough days ahead. But whether our society survives and prospers may depend on where we put the emphasis. Governor Rockefeller has demonstrated that he understands the importance of relating human needs to material priorities. Only the Republican Party can give the American people the opportunity to give him their support. The big political question in coming weeks is—will it?

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. SCHERLE. Mr. Speaker, this is the 140th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

THE FACULTY OF AGRICULTURE AT THE UNIVERSITY OF KABUL

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. McGEE. Mr. President, back in the days when I was teaching history at the University of Wyoming, before my election to the Senate, the university began what has become a significant association with the Nation of Afghanistan and with its University of Kabul. This association has grown over the years since it began in 1953. In the current issue of the Wyoming Alumnews, Prof. Robert Pfadt reports:

> The University of Wyoming is developing through a United States Agency for International Development (USAID) assistance program a modern college of agriculture which is shaping the destiny of this emerging nation, Afghanistan, more than did all the conquerors of the past.

The importance of the college is pointed up by the fact that although the economy of Afghanistan is 85-percent agricultural, modern advances is the science of growing crops and raising animals had not reached this remote part of the Asian Continent until recent years.

Mr. President, I share the pride of the University of Wyoming in the work its college of agriculture in particular has been carrying forward for the past 15 years to help Afghanistan increase its food production, develop its educational institutions and improve its people's health and welfare. I ask that Professor Pfadt's article from the May–June issue of the magazine of the University of Wyoming Alumni Association be printed in the Extensions of Remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MODERN AGRICULTURAL METHODS: MORE EFFECTIVE IN AFGHANISTAN THAN ANCIENT CONQUERORS

(By Robert Pfadt, professor of entomology)

HALF WAY AROUND THE WORLD from Wyoming in a rugged Asian country that has witnessed the crossing and plundering of ancient armies—of Darius, the Persian King of Kings; of Greece's Alexander the Great; of the ruthless Mongolian Genghis Khan; and of Babur, the founder of the long-lived Mogul dynasty—the University of Wyoming is developing through a United States Agency for International Development (USAID) assistance program a modern college of agriculture which is shaping the destiny of this emerging nation, Afghanistan, more than did all the conquerors of the past. The economy of the nation is 85 per cent agricultural, but until recently modern advances in growing crops and raising animals had not reached this remote part of the world.

Begun in 1956, the College of Agriculture, or Faculty of Agriculure as it is called by Kabul University, was not much more than a name. It consisted of seven American advisors from Wyoming and three Afghan agriculturists who held no higher than a bachelor of science degree. The Faculty was poorly housed in three rooms of an old building which had no laboratories, no central heating and irregular electrical power.

Although the Faculty is still young and growing, remarkable achievements have been made since those early days. The Afghan staff now consists of 27 members; four hold doctorate degrees, 11 hold master's degrees and 12 faculty assistants hold B.S. degrees. In 1964 the staff moved to a modern building which has well-equipped laboratories and classrooms, faculty offices, central heating and consistent electrical power.

Still the Kabul University calendar reflects the time when all buildings were rough-hewn and unbearably cold in winter. The vacation period is not in summer but in the coldest months of the year, January, February, and March. Another noticeable difference from an American campus is the weekly schedule. Students go to school from Saturday through Thursday morning. Friday is the day off as it is the holy day of the week for the nearly 100 per cent Moslem student party.

Students attending the Faculty of Agriculture study in English, since this language is the medium of professors. The course titles are much the same as those listed by American colleges of agriculture and are taught in much the same way.

Interestingly, not all courses on the campus of Kabul University are taught in the American way. The instruction by both the Afghan and the American pro-faculties sponsored by European universities, naturally, conduct their classes as they have learned to do in Europe. This means that students are not obliged to attend lectures; they have no fixed texts, instead they have access to a library; they are not given regular quizzes but must wait until the end of the school year to take comprehensive examinations. If the student fails, he is allowed to study on his own during the vacation period and take "second chance" examinations at the beginning of the next school year. If he passes he is allowed to continue his studies.

Afghan college students are supported entirely by their government. Tuition is free, students use texts which belong to the Faculty, they are housed gratis in University dormitories, they receive meals free, and they are given a small payment each month to purchase incidentals. In spite of all this subsidization, Afghan students act with a great deal of freedom. They strike and demonstrate to change things they don't like or to get what they consider their due. College students have strong political influence in Afghanistan.

Even though an efficient agriculture is essential to the economy of newly emerging nations such as Afghanistan, the status of the agricultural scientist has remained low in this country, causing difficulty in the recruitment of adequate numbers of students. The source of the Faculty of Agriculture's students has been mainly from the two vocational agriculture high schools of the country. This year a welcome change took place. Applicants for admissions came also from the many lycee high schools in Afghanistan and swelled freshmen numbers. The enrollment in the freshman class of the Faculty of Agriculture jumped from 50 in 1966 to 180 in 1967. Young Afghans are recognizing more and more the importance of a college education. This year enrollment for the whole University increased 15 per cent and reached an all-time high of 3,815.

Students have had a choice of studying three branches of agriculture: plant science, animal science, and a combination curriculum of agricultural economics, education, and extension. To fill other needs of Afghan agriculture, the Faculty initiated two new curricula this year, one in agricultural engineering in cooperation with the Faculty of Engineering, and the other in agricultural education in cooperation with the Faculty of Education. Ten engineering juniors have already chosen the curriculum in agricultural engineering.

Building a college faculty is especially difficult in a country that has only one University from which to draw its members. The Wyoming team started the process of faculty building in 1960 when the first class of 12 students was graduated. Nine were sent under the participant program to American universities, four to Wyoming and five to other institutions, for advanced study. Upon completion of the master's degree, each of them returned and became a faculty member.

From each succeeding graduating class, the Wyoming team has selected top students to do graduate work in leading American universities, including the University of Wyoming. As the years passed some of the better master's degree holders were sent to earn doctorate degrees. To date only two doctoral degrees have been developed in this way. Four others are still working toward this degree. Three of the four Ph.D. holders currently on the staff did their doctoral work in Germany.

Because research is a new concept in Afghanistan, even experienced scientists have found it difficult to conduct successful research. When the Wyoming advisors first came, they had a great deal of enthusiasm for research and great expectations of its benefits. But carefully planned and executed trials of crop varieties, fertilizers, and cultivation methods were rarely completed successfully. Roving livestock—sheep, cattle, donkeys or camels—usually broke into the plots and grazed the crops indiscriminately before results could be recorded. A research farm enclosed by a tight, strong fence was a necessity if the needed agricultural research for Afghanistan was to bear fruit.

After many attempts 50 acres of good farm land were obtained in 1965. Immediately the Wyoming team began to develop the area into an agricultural research farm. With this facility, the Faculty has now begun to do research in earnest and has already completed several significant projects, with published results appearing in a new series of technical bulletins.

Because a thin, flat, whole-wheat bread, called *nan*, is the staple food of Afghans, wheat has proved to be the major subject of research projects. Titles of the first three technical bulletins read: "Fertilizer Trials on Wheat in Afghanistan," "Seeding Rate and Row Spacings on Wheat in Afghanistan," and "Influences of Three Mechanization Schemes Upon Wheat Yields." Research such as this will help to assure sufficient supplies of wheat for the Afghan people and may eventually allow for wheat exportation.

Other universities besides Wyoming assisting Kabul University in faculty development are Teachers College, Columbia University, the Faculty of Education; Indiana University, with administration; and a group of universities including Purdue, Carnegie Tech, and Notre Dame with the Faculty of Engineering. The Wyoming team presently consists of 13 professional advisors, the United States engineering team, 12, and the TCCU team 35.

Not all assistance to Kabul University comes from America. The German University of Bonn is developing the Faculty of Science, while the University of Cologne is helping with the Faculty of Economics. The French Medical College of Lyons is developing the Faculty of Medicine. The USSR has recently assisted in the erection of a polytechnic institute which will train engineers to the master's degree level.

The University of Wyoming's international program, part of a larger effort of USAID, is an important component of the United States' mission to help lesser developed nations increase their food production, develop their educational institutions, and improve their people's health and welfare.

POLICE SUPPORT, YES—UNCONSTITUTIONAL SEARCH AND SEIZURE, NO

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. LEGGETT. Mr. Speaker, on June 6, 1968, the House of Representatives passed H.R. 5037, known as the Omnibus Crime Control and Safe Streets Act of 1968. There are a number of provisions in this bill that are good, and that I have consistently supported; title I, for example, which provides such needed aid and assistance to the local police forces.

However, I cannot support the full bill as enacted. The swift and undeliberate enactment of this measure would seem to be an unthoughtful response to the death of Senator Robert Kennedy. A fitting memorial to Senator Kennedy would be a bill worthy of this champion of equal justice for all, a bill which will in fact deter crime. If Senator Kennedy were alive today I am confident he would not have supported this measure.

Since the bill was assured of enactment, my vote is designed to point up the deficiencies and unconstitutional aspects of this law. I view my action as a call for truly adequate and comprehensive legislation against the rising problem of criminal behavior in the United States, and, therefore, cannot support an act noteworthy for its omission of those features required to adequately deter crime, and noteworthy for those provisions which will undermine the basic rights of all citizens necessary in a democracy.

Title II also tends to extinguish those procedures held basic to a concept of orderly judicial process and determination of guilt by giving judicial officers wide latitude in admitting confessions, without the corresponding directions necessary to a full determination of the truth and/or voluntariness of such dubious confessions.

Enactment of this section gives credence to the false notion that the Supreme Court is responsible for crime in this country. Such notions are not only false, but are an insult to the fundamental propositions of equal justice underlying our Constitution.

Finally, authoritative sources indicate that the provisions of title II may be unconstitutional, as the judicial solutions evolved decade by decade were developed upon basic inarguable constitutional rights. While it is clear that Congress is free to develop legislation regarding judicial procedure, such legislative determinations must be based upon constitutional principles.

Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them, for it is axiomatic that a right guaranteed against infringement by the United States, cannot be extinguished by an act of Congress. To extinguish such a right requires nothing less than an amendment to the Constitution.

The provisions incorporated in title III are equally repugnant to the notions of a free society. While wiretapping is undoubtedly helpful in the apprehension of criminals and investigation criminal activity, it is equally a danger to the privacy of the innocent individual if indiscriminately applied. Title III is deficient in the minimum judicial oversight necessary to insure the intelligent and safe use of a technological development which could open the private lives of citizens to a degree not even dreamed of by George Orwell in 1984.

The firearms control incorporated in title IV is distinguished for its ommissions and loopholes rather than its affirmative provisions.

The right of the citizen to own and use firearms is not challenged, but with this right goes the responsibility to make sure that the use of a potentially lethal weapon is adequately controlled.

Title IV merely attempts to prohibit interstate shipment of handarms and destructive devices. However, numerous categories of persons are exempt from these provisions, "dealers" among them. Under title IV any individual could presumably qualify as a dealer by the payment of a $10 yearly license fee and some intent to deal in firearms.

Second, rifles and shotguns are entirely omitted from these provisions.

Finally, there is no provision for registration of any class of firearms. Intelligent, well-balanced firearms legislation designed to protect the rights of individuals to own long guns and handguns while keeping such weapons out of the hands of criminals and incompetents is urgently needed. Title IV is so thoroughly deficient in this respect that its passage is worse than no bill at all, for it may impede the development of well-written and intelligently debated legislation.

For the above reasons I have found it impossible to support a bill that is potentially a danger to democratic principles but which does not provide meaningful protection against the rising rate of crime in this country.

CONSUMERS UNION HIGHLIGHTS NEED FOR ODOMETER LEGISLATION

HON. WILLIAM PROXMIRE

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. PROXMIRE. Mr. President, the June issue of Consumer Reports, published by Consumers Union, contains a constructive article entitled "How Long Is a Used-Car Mile?" and highlighting the need for a Federal odometer law. As the sponsor of a proposal which would require motor vehicles to be equipped with tamperproof odometers—mileage indicators—I wish to bring this article to the particular attention of Senators.

The article points out that after the implementation of strictly enforced odometer legislation in California prices for most used cars began to fall sharply while prices for low-mileage models re-

mained steady or increased. This was a boon to the California consumer, but not so good for his neighbors in contiguous States. Out-of-State car wholesalers can come into California, buy high-mileage used cars at a very cheap price, roll back the mileage indicator after the car has been transported out of California, and reap a huge profit as a result.

California car dealers want the law repealed. They would prefer to roll back all mileage indicators to zero. As Consumer Reports indicates the dealer philosophy in this instance would have to be considered as "a little knowledge is dangerous. Don't give 'em any." A viable and sensible alternative is a Federal law. If it can work in California, it can work in the country at large. Consequently I sincerely hope that the Committee on Commerce will have an opportunity to take action on my odometer legislation in the near future.

I ask unanimous consent that the text of the Consumer Reports article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW LONG IS A USED-CAR MILE?

The prudent buyer must presume used-car dealers guilty of tampering with the mileage readings on their cars until proved innocent. A "fully reconditioned low-mileage" cream puff must be suspected of being nothing better than a car with its odometer rolled back. For there is no nationally established measurement for the mile on car lots. A used-car mile is hardly a statute mile—it's often a lot longer.

What if odometers did not lie? The prudent shopper would, of course, still have a tedious checklist of inspections and tests to perform before buying a used car (see page 412 of the 1968 Buying Guide Issue). But he *could* learn from the odometer, other things being equal, roughly how much transportation to expect from the vehicle under consideration. Whether a car has gone 25,000 or 50,000 or 75,000 miles can, after all, make a considerable difference. One might predict, for instance, that under the effects of true mileage information, prices would go up for low-mileage cars and down for high-mileage cars.

Such a prediction is proving accurate in California, one of the few states where law has come to the used-car lot. Anyone tampering with an odometer in California commits a crime. The law is being enforced, and, according to *Automotive News*, car leasing and renting companies, which sell thousands of cars on the resale market, are feeling the effects of a sharp drop in prices. The only exceptions are low-mileage models.

Prices start falling steeply, the report states, after a two-year-old car has gone 30,000 miles. Beyond that distance, it loses about $10 of value every 1000 miles.

California is now a bargain paradise for out-of-state car wholesalers. They can buy high-mileage, low-cost California cars and sell them at a good profit in other states, where retail dealers can roll back the odometers. What's good for California thus is not so good for their neighbors.

Across the border in Arizona, the used-car credibility gap has grown so wide that one group of car dealers recently agreed, with the official blessing of the State Attorney General's office, to reset the odometers of all used cars at zero. Dealers put stickers on the car and on the sales contract in which they disavowed any knowledge of the true mileage. But shoppers would have none of it, and as a result the practice is being dropped.

Nevertheless, California car dealers want the odometer law repealed in favor of the Arizona approach. "If [rollbacks to zero] were to become a uniform practice," wrote one industry member, "the emphasis on mileage would soon disappear. Used-car buyers would learn to look at the actual mechanical condition of a car without worrying too much about how much mileage showed on the [odometer]."

In other words, a little knowledge is dangerous. Don't give 'em any.

Motor vehicle regulations are different in each state—but a mile is a mile. What's needed is full, honest and uniform disclosure. The logical solution is a Federal odometer law at least as strong as California's.

CHAIRMAN OF TVA CALLS FOR ATTENTION TO QUALITY IN LIFE

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. JONES of Alabama. Mr. Speaker, I recently had the great privilege of attending the sesquicentennial celebration of Athens and Limestone County in the heart of the north Alabama district which I represent in the Congress.

At the celebration, the main address was delivered by Chairman Aubrey J. Wagner, of the Tennessee Valley Authority Board. In concise terms, Mr. Wagner traced the monumental development and growth of the area, especially that of the last 35 years.

More than that, he excited the progressive and forward looking spirit of the people with his definition of the future potentials and the requirements for achieving them.

Because Mr. Wagner's remarks about the needs for creating those things which make for quality living have significant application to all sections of this Nation, I include his address in my remarks at this point and I commend it to the attention of my colleagues:

REMARKS BY AUBREY J. WAGNER, CHAIRMAN OF TVA BOARD, AT ATHENS-LIMESTONE SESQUICENTENNIAL CELEBRATION, ATHENS, ALA., MAY 11, 1968

It is always a pleasure for me to come to north Alabama. As I have said many times, it is one of the real show places in the Tennessee Valley, And it is always particularly a pleasure for me to come here when Bob Jones is in the area. We have worked toegether for many years on projects and programs for the development of this region.

We in TVA greatly appreciate the opportunity to participate in your sesquicentennial celebration, and I wish very much that weather had permitted it to be at our new Browns Ferry nuclear plant as you had planned.

Anniversary occasions are good times for reflection, and especially, when you reach the age of 150 years. For nearly one-fourth of that period, we in TVA have been working side by side with you in Limestone County, and Athens, and in all north Alabama. And in those 35 years we have worked together we have begun—through extensive cooperative programs in which many of you are personally involved—to sweep away some of the economic problems that beset this area in the 1930's. I think it would be fair to say there has been more progress made in these 35 years than in the whole 115 preceding them, making up the 150 years of your anniversary celebration.

Our newest effort in this area is our Browns Ferry nuclear plant. The plant, I believe, represents a culmination of the efforts of the past. And it stands as a symbol of the future. Some of you will recall, as I do, that in the early 1940's there was great activity at Oak Ridge in east Tennessee and ultimately there was unveiled a plant for enriching uranium, now a facility of the Atomic Energy Commission. Its initial production went to make the first atomic bomb and nuclear energy was introduced to the world as a munition.

I think all of us take much more satisfaction now in the use of atoms for peace. As Wally McDow has said, great potential lies in the use of the atom for purposes of peace, a potential just now beginning to be realized. And the Browns Ferry plant is a powerful expression of that new potential.

I have said that this plant also represents a culmination of the past. And it has been a vigorous past. Just 12 years ago all north Alabama used only 700,000 kilowatts of electric generating capacity. The figure is now about 2 million kilowatts, and in the next decade it will go to 4.5 million kilowatts—more than double in another 10 years.

Since we have been working together here, more than 50,000 jobs in manufacturing have been added in north Alabama and half of those have come in the last decade.

Personal income in north Alabama is up $1 billion since we began this developmental program. I could cite many, many more statistics of growth, but especially for those of you who live in this area, statistics are not needed. Your eyes alone tell you a more dramatic story of growth and progress than figures will provide.

Whenever I fly over this area, I always hope for a clear day so that I can see the new developments on your waterfront and at Huntsville. Each time it seems that something new has been added; either there is an expansion of an existing plant or 600 or 800 acres have been opened up for a new plant. Now there is the new Browns Ferry plant—and in the future I am going to look for further growth in Limestone County along the north bank of the river. This is the kind of evidence that no one can deny.

This new nuclear plant is also a symbol of future. It particularly symbolizes the place of energy—electric energy in our future—and I mean giant electric energy. It is a well-known fact that the nations of this world which have made the most progress are those which have available to their people the largest quantity of electric energy.

And this is a giant plant. When completed it will have cost $392 million—$392 million paid by the people who use electricity in the Tennessee Valley and by borrowings on the strength of this electric system. There is no Federal subsidy in this program. And don't let anyone tell you there is! It is being paid for by the people and the industries in this region.

The plant will have a generating capacity of 3.5 million kilowatts, which is nearly twice as large as any plant of any kind operating anywhere in the world today. It is more than the entire generating capacity of the whole TVA system in 1951. And it is about enough capacity, in this one plant, to serve the requirements of the whole State of Alabama today.

This isn't all we are doing to meet the power needs in this region. At our Paradise plant in west Kentucky, we are adding a third unit which will have 1,150,000 kilowatts of capacity. We are breaking ground for construction of the Cumberland City coal-burning plant in the western part of the Valley, with a capacity of 2,600,000 kilowatts in two units; and we have just bought the reactors for a new two-unit nuclear plant which will generate over 2,000,000 kilowatts.

So, in all we are adding about 9 million more kilowatts in this generating system at the present time. The TVA system capacity is now 18 million kilowatts; by 1974 it will have increased 50 percent to 27 million kilowatts; and our basic planning is aimed at a 50 million kilowatt system in the 1980's. To put these figures in perspective, this whole region in 1933 had a generating capacity of less than one million kilowatts.

These figures are a sign and index of economic growth and of economic strength. But this new plant in north Alabama is a symbol, too, of the place that science is going to play in our future, in the future of this very specific area. This plant and its use of the atom provides a third leg to the very important science triangle here in north Alabama.

We have long had the fertilizer research and development plant at Muscle Shoals. It is *the* most important fertilizer research center in the world, and its results are used worldwide. People come here from all over the nation and around the world to study and confer on matters of fertilizer science and fertilizer technology.

Then the NASA facility at Huntsville gives us prominence in space research. It is one of the most important space research centers in the world.

And now we are adding the atom to these two other fields of science. While Browns Ferry is a production facility, rather than research, it will serve as a basis for acquiring new knowledge, new insights into peaceful uses for the atom. I should add that, along with these three important scientific legs, the growing complex of chemical industries, electro-metallurgic industries and their satellites in north Alabama is one which is repeated few places. These are all reasons why the future of this region is so bright.

We must recognize, however, that a bright future means more than just scientific achievements, or jobs, or economic growth. We must begin to give attention, as are the President and the Congress, to the kind of environment that we are building—the kind of living environment that we are creating for our people. First, all of it must be a physically superior environment. We need clean water. In the Tennessee Valley, we have it—we have more cleaner water than almost any river basin that you can find. And it is cleaner now that it was 35 years ago. But we need to take the steps to insure, as we grow industrially and as our population increases, that we keep it clean.

We are concerned also about clean air; and incidentally the Browns Ferry plant will make an important contribution there. If it were a coal-fired plant, it would burn about 9 million tons of coal a year. It would produce about 1¼ million tons of ash each year and a part of that ash would go into the atmosphere. There would also be discharges of sulfur dioxide in the atmosphere to take care of. The nuclear plant will instead use only about 150 tons of nuclear fuel a year, and there will be no pollutant discharged into the atmosphere.

Across the nation, many people have asked about radio-activity from such a plant. I can put this in understandable terms for you by saying that if, as a member of the public, you sat continuously for one year at a point near the plant where you would get the greatest possible exposure to radiation, and if, during that year, the most adverse possible conditions of plant operation and of weather persisted continuously (an almost inconceivable set of circumstances), you would get, cumulatively, somewhat less radiation than you would get in one complete set of teeth X-rays. The experts have told me that, when I had X-rays several years back for a kidney stone, I got more radiation in that one set of X-rays than I would have gotten under the conditions I just listed. So, this plant is safe, and it will not pollute the atmosphere.

The environment that we are creating must also be a planned environment—its physical development must be planned. Some of you will remember that about three years ago I talked to the Athens-Limestone Chamber of Commerce about planning and the need for it—the need for regional units and for county units to be tied in with the excellent planning organizations that already exist locally in Athens, in Decatur, in Huntsville, and in other cities in the area.

I think it would be a fair question to ask ourselves, as we face the next 150 years, just what we have done in this planning field. Because it is going to take more than nuclear plants and more than industrial plants and more than NASA installations to build this area into the kind of place that we want our children and their children to inherit from us. We must have a physically superior environment. We must also have a culturally superior environment. We must create those things which make for quality living—those things which make it possible for each youngster as he grows up to achieve a sense of personal fulfillment, to feel that he is able to use his life in a way that counts, a way that is self-satisfying to him.

And so, today, we look back on 150 years of development and we look ahead to a bright future. We in TVA would like to feel that we are building Browns Ferry a symbol and as a shining new scientific tool to jointly solve the problems of the future. We must remember though that plants like Browns Ferry are only tools and not the end themselves. The end we seek is to bring peace into the minds and into the hearts of men—all men—and to create for them an environment in which each can experience this sense of personal achievement, personal fulfillment.

CLEMSON UNIVERSITY AND UNIVERSITY OF SOUTH CAROLINA STAND FIRMLY AGAINST STUDENT VIOLENCE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. THURMOND. Mr. President, the June 5, 1968, edition of the Columbia Record, Columbia, S.C., carried an editorial entitled, "Clemson, University of South Carolina Take Firm Stands."

In this very pertinent editorial, the able editor, John A. Montgomery, cites the steps taken at the University of South Carolina and Clemson University to avoid disorder on the campus. Each institution cites the arrangements established for orderly redress of grievances in the machinery of the school's administration. At the same time they have notified the student body that disorder manifested by acts of violence, unlawful use and misappropriation of property, facilities, as well as criminal and public acts which reflect adversely on the good name and reputation of the school will not be tolerated.

Pointing out that the majority of Carolinians, including students, support these regulations, the editor applauds the University of South Carolina and Clemson leaders for their action.

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed in the Extensions of Remarks in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CLEMSON, THE UNIVERSITY OF SOUTH CAROLINA TAKE FIRM STANDS

The University of South Carolina has now joined Clemson University in insisting that the pursuit of truth in the academic marketplace of ideas not be disrupted by violent campus minorities. We applaud both institutions for their clarity of intellectual judgment and resolute determination to keep the states tax-supported universities from becoming centers of senseless, lawless rebellion.

Clemson acted first, on May 28 of 1965, when its board of trustees bluntly rejected interference with the orderly process of learning. Specifically, the Clemson board took note of "the occurrences of disorders on some campuses of colleges and universities in which students, employees and persons not affiliated with the institution have participated.

"These disorders have been manifested by acts of violence, unlawful use and misappropriation of institutional property and facilities, criminal acts and public acts which reflect adversely on the maintenance of discipline and on the good name and reputation of the institution, its student body and faculty."

Taking note of the orderly redress of grievances and the machinery already provided by the school's administration, Clemson positvely and specifically "interdicted" all of the disorderly acts.

More recently, Clemson made it crystal clear that it would not allow "small minority groups" to interrupt or disrupt placement services of business firms recruiting on campus. "Violation of this policy," said Clemson, "may result in severe institutional penalties or penalties assessed by civil authorities."

Within the past week, the University of South Carolina's board followed suit. The University here reaffirmed the authortiy of the school's president to suspend summarily anyone threatening the "security, safety or operation of the university."

Specifically prohibited are "physical obstruction or intereference, interference by noise and actions which offend or outrage normal sensibilities."

Rights of students to protest within lawful and established channels always have been granted to students of the state's public institutions. But, as the policies of both Clemson and USC make abundantly clear, the state of South Carolina just isn't going to abide those rebels who try to take over school buildings, violate the rights and privileges of other students as they dishonor the name of "freedom," obstruct business recruiting on campuses, or otherwise make the pursuit of learning impossible.

The overwhelming mass of Carolinians, students included, support the convictions of the institutions' boards. And should either Clemson or the University confront such rebels, we fully anticipate the chief administrative officials using—quickly—their full disciplinary powers.

THE PLIGHT OF OUR MERCHANT MARINE

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. KEITH. Mr. Speaker, I am sure that many Members of the Congress share with me a sense of alarm at the latest turn of events in our Nation's merchant marine program. After 3 years of delay, sidestepping, and backtracking, the administration has issued its long-awaited call for a new maritime program—but the note sounded was one of retreat.

Secretary of Transportation Boyd has outlined a program this week which would virtually scuttle what is left of America's merchant fleet as well as the shipbuilding capacity which is vital to the national defense. The massive building effort which is so desperately needed to revitalize our fleet and restore its role as a carrier of America's commerce has been forsworn by the administration, and there is now a clear danger that the American merchant marine will be allowed to shrink to a mere token force on the world's oceans.

The announced program would scuttle more than our ships, Mr. Speaker—it would scuttle a policy established more than 30 years ago by the Congress to protect our Nation's commerce and security. The Merchant Marine Act of 1936 declared that it was essential for the United States to have a merchant fleet which could, first, carry a substantial portion of the Nation's commerce, and, second, serve as a naval auxiliary in time of war. Secretary Boyd's message would, in effect, discard these great purposes and degrade the status of the fleet to that of a part-time military shipping service.

Government construction subsidies would be limited to the minimal number of ships required for auxiliary naval service in wartime. The result of such a policy could be to phase out the vital commercial role of our fleet and allow America's trade and supplies for her industries to be transported entirely by the ships of foreign nations. The lifelines of American commerce could end up in the hands of foreigners on whose loyalties we could never depend.

What would be the effect on our shipyards? Secretary Boyd suggests that they will be kept alive by a minimal subsidy program, while the bulk of American ships will be built in foreign yards. This is a plan which the Congress rejected last summer, and which the administration had said it would abandon. Members of the House Merchant Marine and Fisheries Committee have expressed their strong belief that foreign building is unsound economic policy and unsound defense policy.

Economically, foreign building would mean that millions of dollars in business each year would be sent abroad, dealing a serious blow to our balance of payments at a time when we are suffering from a dangerous deficit. It would also mean the exporting of thousands of jobs to foreign yards, adding to our unemployment problems. From the point of view of our defense requirements, we cannot allow the erosion of a modern and vigorous shipbuilding capacity. Foreign building would bring a flight of labor and capital away from the domestic industry and endanger our ability to produce ships during a war emergency.

The Merchant Marine Committees of the House and Senate, Mr. Speaker, will continue to hold hearings on these proposals in the coming weeks, and I am sure that they will soundly reject them as a blueprint for defeat. No great nation can allow the seas around it to become a foreign lake. No great nation can afford to risk economic isolation by allowing its access to world commerce to be controlled by others. I am sure the Congress will act to ensure that we can still depend on the men and ships of the American merchant marine to sustain our Nation's commercial and defense strength around the world.

In connection with the national debate over our merchant marine policy, Mr. Speaker, the Boston Herald-Traveler has recently published an excellent and extensive supplement on the state of American seapower today. Several of these fine articles deal with the issues of our merchant marine and shipbuilding industry which the Congress is now debating. For the interest of all the Members of the House, I include a number of these articles in the RECORD, as follows:

MERCHANT MARINE SOLUTION: A PROGRAM

(By Joseph Curran, President National Maritime Union of America, AFL–CIO)

If we listed all the things that should be done about the American merchant marine and are not being done, we would fill a book. But it can be summed up very simply: we need a program.

We need a program that takes into account all that a strong merchant maritime means to our country and spells out what will be done to assure our country of the American flag shipping and the American shipbuilding capacity the U.S. must have.

We have not had such a program since World War II. We developed a program during that conflict because our life depended on it and because the American seamen and the industry were able to perform miracles. But ever since, our merchant marine has been declining disastrously.

The Soviet Union, meanwhile, has been building her merchant marine at a faster rate than any other country. Now they have passed us and they are headed for being the greatest maritime power in the world within the next few years.

We need a program that takes into account Relations Commerce Committee for the preparation of a report that spells out in clear cold terms what the Soviets have done and what it means. From this report, we can see they hope to use their merchant fleet to practically control the world's trading, drain other countries of their currencies and exert tremendous potential influence on developing nations.

At about the same time that report was issued, we had a report by the U.S. Maritime Administration that—believe it or not—there is now more American-owned vessels tonnage under Liberian and Panamanian flags than there is under our own flag. This should have every American beating at the door of the Maritime Administrator and the Secretary of Defense.

Not only does their report set forth the shameful facts about this American "runaway" fleet—which has grown by over 25 per cent in the last seven years while our American flag fleet has been shrinking—but it goes on to repeat the misguided "effective control" theory, claiming that these foreign flag ships, "are available to the U.S. Navy in an emergency," simply because they are American owned.

At least four times during the Vietnam emergency, when the Defense Department tried to use foreign flag ships to carry military cargoes to our fighting forces, the crews refused to sail and the cargo had to be transferred to U.S. ships after serious delays.

Anybody willing to face facts would find proof in this experience that the claim of "effective control" over any ships under foreign flag with non-citizen crews is a dangerous mistake.

The fostering of the runaway fleet is dangerous in another respect. Year after year, these runaway ships have been one of the biggest factors in the dollar drain that the President says is threatening the economy of the free world. They represent an investment by Americans abroad of more than 6-billion dollars.

Every year they take billions out of the U.S.—in payment for cargoes carried: in wages lost to American citizens and paid to foreign nationals; in taxes not paid by the giant U.S. corporations that own the ships and in maintenance and supplies bought abroad.

If the President is really worried about our unfavorable international balance of payments position, he can set the balance straight and turn it in our favor just by putting a stop to this "runaway flag" device which our Navy and the Maritime Administration seem determined to protect.

Yet we are more and more being placed at the mercy of foreign flag shipping. If it were not for the fact that the World War II ships in our reserve fleet could still be patched together—and American seamen were willing to undergo the risks and hardships of sailing these rustbuckets—we would not have been able to handle the requirements of Vietnam without giving up almost all service under our flag to any other part of the world.

There are many other serious elements in our maritime crisis. Nothing is being done about American flag passenger ships although every other maritime nation—especially the Soviet Union—is building and expanding their operations in this important field.

We have laws that require our passenger ships to be safer than any other ships in the world in the way they are built, operated and manned. Yet other countries dominate this trade out of our ports with ships that are far short of our standards, some of them actual floating firetraps.

We have almost completely ignored the tremendous challenge and opportunity that is right in front of us in the field of fishing. Soviet fishing fleets, combining espionage and research along with floating fish factories, range the world, including the waters right off our shores.

The Soviets know how important this field is in the battle for world leadership. People are multiplying by the billions. The ability of the land to feed the population is dwindling. That means the world is going to have to turn increasingly to the seas for food. A nation's ability to compete in the field of fishing may well decide the ability to survive in the world of tomorrow. But we are lagging far behind.

How long can we continue to maintain our posture as a world leader if we do not have a strong merchant marine under our own flag? One only has to look at a globe to see how dependent on ocean transport our country is. Without ships of our own to carry a substantial portion of our commerce and to back up the armed forces in an emergency, we will be virtually helpless.

In normal times, we will have to pay whatever foreign shipping operators demand, with disasterous effects on our balance of payment. And in an emergency, we will have to beg and pray that the ships we need will be made available to us at any price.

The maritime unions and maritime management are today united as never before in our history in support of a constructive program along the lines to be recommended by the Senate Interstate and Foreign Commerce Committee.

Such legislation is not in the interests only of the industry, it is in the interests of the American people. We ask the American people to get behind their merchant marine before there is no more merchant marine to get behind.

Decisions on U.S. Shipbuilding Needed Now

(By Edwin M. Hood, president, Shipbuilders Council of America)

Nearly three-fourths of the U.S. Navy fleet and a like amount of the nation's merchant marine consists of ships built under World War II crash programs. The efficiency and utility of these vessels are fast approaching a point in time when replacement with new and modern ships can no longer be deferred if realistic consideration is given to the interests of national security and economic well being.

Ascendancy of the Soviet Union as a world power has been accompanied by a spectacular increase in that nation's naval and maritime strength. The United States may today claim title to the world's leading sea power but only marginally, and the Russians are closing the gap. The swing in the pendulum of ocean strength has been accomplished in less than 20 years—since World War II.

The Soviet Navy, with nearly half of its warships built in the past ten years, is second only to the United States. Russia's merchant marine numbered 1,400 large merchant ships, as of the first of 1967, whereas our merchant fleet—even though aided by reactivated, over-aged, reserve fleet ships for Vietnam service—numbered 1,040.

A striking example, of our merchant fleet obsolescence may be seen in the privately owned U.S. flag dry cargo fleet—combination passenger cargo, freighters and dry bulk carriers—which today consists of 663 vessels.

In the absence of an awakened shipbuilding program, and considering only ships of 25 years of age or less, the fleet will consist of a mere 244 ships on January 1, 1972. The Russian merchant fleet today has four times the tonnage and seven times the ships under construction, or on order to the U.S.

On the economic side, the import-export trade of the United States constitutes approximately one fourth of all the world's oceanborne commerce, yet more than 90 per cent of our nations commercial lift is made in foreign flag bottoms. More alarmingly, 66 of the 77 materials recognized as strategic, must be imported to the United States from overseas areas, and 96 per cent of the total volume of these imports arrive in ships flying flags of other nations.

Clearly the nations balance of payments problems are affected by the unhealthy role the U.S. merchant marine plays in international trade. President Johnson has stated with respect to the some seven per cent of foreign water borne trade carried by the American merchant marine "Even at the present level, it earns or conserves about $1 billion of foreign exchange every year, making it a major factor in our balance of payments position."

Decisions are needed now to get on with shipbuilding programs to overcome the inadequacies of previous years. To fail to do so will virtually spell extinction for the nation's merchant marine and diminish the size, stature, and capabilities of our Navy in these most challenging of times.

The nation's private shipyards stand ready to meet the challenges of vigorous shipbuilding programs to off-set the problems of obsolescence in both Navy and merchant ships and to revitalize the nation's position as a sea power second to none.

Merchant Marine Rusting and Obsolete

(By Hastings Keith, U.S. Representative, Republican, of Massachusetts)

The American Merchant Marine, once the backbone of America's defense mission in two World Wars, is now rusting and obsolescent, unfit to support America's military commitments around the world.

During World War II, .our mighty merchant fleet formed a "bridge of ships" to our forces in Europe and Asia, carrying the vital supplies and weapons to our soldiers and our allies in the war against the Axis.

The war was won by America's titanic productive capacity—the ability to turn out assembly-line tanks and planes and weapons by the thousands—and by her huge sea lift capacity which carried this amazing output of supplies to foreign beaches. No enemy could stand up under the tremendous weight of America's supply effort.

I remember Winston Churchill's famous characterization of the American effort which eventually became so overwhelming. "You have to understand these Americans," he said. "At first they do very little.—Then somewhat more.—Then comes the flood." We must remember that it was the American merchant marine which carried the flood of assistance to Europe.

This great defense capacity has dwindled away in the 20 years following the war. Our Merchant fleet is now not adequate for either of the two great purposes envisioned for it by the Congress in the Merchant Marine Act of 1936: (1) to carry a substantial portion of America's foreign trade and (2) to act as a fourth arm of defense. Modern merchant vessels were intended to carry our commercial trade in peacetime, and in wartime would be on call to carry supplies to U.S. forces overseas.

At a time when an expanded merchant marine has been critically necessary to insure continuous supply of military material to our forces in Vietnam, however, we find that 80 per cent of our merchant fleet will reach the end of its economic life within the next five years.

The bulk of supplies going to Vietnam are now being carried in obsolete vessels which are over 20 years old—many only days away from the scrap heap. These are part of the Navy's ancient Reserve Fleet, and many of them are just barely seaworthy.

Why can't our government call on the private merchant marine to provide many more large modern vessels for the carriage of war material? The truth is that it cannot take the few modern ships we have out of the foreign trade without facing the permanent loss of commercial routes to foreign competitors and the resultant loss to our critical balance of payments.

Our fleet is not one-fifth the size it would have to be in order to keep our share of world trade as well as do double duty in a military crisis abroad.

An admiral in the Navy's logistical supply service told me at a recent conference that the U.S. probably would never again have the ability to support a war effort of the size of World War II with its own fleet. And we have seen that even a medium-sized conflict such as Vietnam has strained our ocean transport capacity to the breaking point.

There is no mistaking that this erosion of America's seapower has reached the level of a national emergency. But what has our government done about it? In his Inaugural Address of 1965, President Johnson promised the nation a new maritime policy to upgrade and modernize our merchant marine fleet.

The President seemed to recognize the vital importance of a healthy and growing fleet to America's place in world trade. He also seemed to recognize its crucial defense role as an auxiliary to our Navy in wartime.

While the nation waited, however, our fleet continued to decline, and the government did nothing. Additional numbers of our old and rusting ships dropped out of world trade. America has carried steadily less of her commerce in her own vessels—now down to a shocking seven per cent, the lowest figure since 1921.

America's shipbuilding industry, once the greatest in the world, also continued downhill. We now rank 14th in the world—behind even Spain and Yugoslavia.

Members of the Congress, especially on the House Merchant Marine and Fisheries Committee, of which I am a member, called more and more urgently for the President to deliver on his promises. To this very day, however, he has refused to cooperate with the Congress in framing a new maritime policy.

The Congress has thus moved forward on its own, and has opened public hearings on a sweeping new program to rebuild our seapower. The Chairman of our Merchant Marine Committee has said that "D-Day" is approaching for America's maritime industry, whose survival as an economic and national defense asset of the Nation is threatened.

We still hope for the Administration's cooperation. As the leader in world trade and the key barrier to further expansion by the forces of communism, the United States has a greater and more urgent need for self-sufficiency in maritime requirements than any other free world nation.

On a trip to the Soviet Union in January of 1966, I saw personally the tremendous efforts which the Communists are making to transform Russia into the supreme power on the high seas. The Soviet fleet has increased 10 times since 1950 and is growing by 100 new vessels every year.

This presents an impressive challenge in time of war, but is equally important in time of peace. A strong merchant fleet is a powerful means of carrying American commerce and influence to peoples all around the globe—a means of carrying the peaceful message of American trade and plenty.

Merchant Marine Strained by War

(By Richard Lamere)

The war in Vietnam has put a serious strain on the resources of the American Merchant Marine. Nearly 97 per cent of the supplies and equipment required by the forces in Vietnam today arrive in Southeast Asia by sea. More than 400 ships are in full-time use hauling everything from gasoline to guns and band-aids to bread to the men in the ships, planes and on the ground in Vietnam.

Another 550 cargo ships are hauling to the conflict area on a "part-time" basis. About 60 tankers are needed to support the needs for petroleum products in Southeast Asia. In all, about half of the American flag dry cargo fleet and about one third of the American flag tanker fleet are required to support Americans and our Allies in Vietnam.

Providing the shipping space to carry the masses of cargo required in Vietnam is the job of the Navy operated Military Sea Transportation Service. When the build-up began in 1965, the Military Sea Transportation Service, MSTS in governmentese, controlled a fleet of 176 ships. Today this fleet totals about 570, an increase of nearly 400 ships in three years.

MSTS spokesmen report that almost the entire increase is due to the requirements of Vietnam. Most of the ships in use are owned or operated by private shipping companies under contract to the MSTS. For these services, the government pays about $1.6 million per day to the ship owners and operators.

The number of ships required is the product of two factors, distance and quantity. Vietnam is half-way around the world from Boston. Before the closing of the Suez Canal, which had little permanent effect on the Vietnam support via sea, it made little difference whether a ship headed eastward or south from Boston en route to Southeast Asia.

The difference via Suez or Panama was a matter of a few hours steaming time. Most ships were routed from the East Coast via Panama so the affairs in the Middle East did little to disrupt the supply lines.

The quantities of material required staggers the imagination. MSTS reports that during 1967 its fleet delivered an average of more than one-million measurement tons of material to Vietnam each month. Thus far in 1968 the total remain about the same.

Translated into "understandable" quantities, this means that each day MSTS controlled ships delivered enough dry cargo to Vietnam to bury a football field over 30 feet deep.

Modern conflict requires huge amounts of petroleum products—i.e. fuel for jets, gas for planes and trucks and oil for ships. It takes more than 125 million barrels of fuel annually to keep the jets flying, the trucks moving, and the ships steaming in support of the Vietnam effort. Were this all gasoline, it would be enough to supply the entire state of Massachusetts for three years.

The cargo ships required to get goods to the conflict area have come from three sources. About 100 Navy owned and operated ships are in use. Over 130 have been chartered from private operators. More than 110 now in service were withdrawn from the merchant ship reserve fleet.

The latter group is operated by private contractors who provide the crews and services needed to keep them moving, as directed by the MSTS. Most of the more than 60 tankers hauling petroleum products are privately owned and operated under contract with MSTS.

The crews on the ships are all civilian merchant seamen. Those working in Navy owned ships are hired through Civil Service. Those working for private operators are hired by the operators, usually through union hiring halls. The Maritime labor unions have responded magnificently in recruiting personnel to man the extra ships.

On occasion, ships have been delayed by crew shortages but the number of sailings delayed is small compared with the number of trips. Most of the delays have come during vacation periods or around the Christmas holidays when the men who spend two to three months away from their families going to and from Vietnam take the opportunity to stay home for a few days.

WHY NOT SUBSIDIZE THE MERCHANT MARINE?

(By Paul Hall, president, Seafarers International Union of North America, AFL–CIO)

In assessing the state of the maritime industry, two facts must be kept in mind:

1. This is an exceedingly complex industry.
2. This is a declining industry.

Let's examine, first, the complexities of the industry.

Within its framework are a whole range of diverse interests—the subsidized segment and the unsubsidized; liners and bulk carriers; dry-cargo vessels and tankers; coastwise and intercoastal operations; the Great Lakes fleet; and the inland waterway operations.

Merchant shipping is private enterprise—yet, in a very real sense, it is also an extension of the American government. Maritime is a vital force in our foreign relations; it is a key to our international balance of payments; and it is a necessary adjunct to our military forces in time of trouble—our "fourth arm of defense," is what Congress and the Executive Branch have termed it.

Given this unique status, and given the economic realities of competing with low-cost, low-wage foreign operators, maritime relies to a large degree on the amount of tax dollars that are invested in its operations.

So the merchant marine is largely dependent on a favorable attitude on the part of government—and if that attitude is hostile or neglectful, as has been the case almost without exception since the end of World War II, then maritime's problems are magnified.

Which leads us to the second point: The declining state of the industry:

Every segment of our economy has its normal "ups" and "downs"—but for maritime, there are more "downs" than "ups." In our industry, the pattern of decline has historically been interrupted only in periods of military conflict—we have rocked along from crash program to crash program, and the valleys in between these peaks have been deep and wide.

Those who criticize the maritime industry constantly focus on what they term its "inability" to compete without government assistance and support. But government support of industry is a fact of American life.

Maritime labor generally holds to a course of optimism for this industry—we are less inclined to look backward to yesterday's problems.

My own union is intensifying the work it is doing at all levels of manpower training—from the entry ratings, to upgrading and on to preparing our members to obtain their licenses.

This is our evidence of faith—our belief that maritime does have a future, that it will have a responsibility to this industry to see that the manpower is available as more and more ships become available.

The Seafarers are not alone in stepping up the training tempo—in varying degrees, most, if not all, other unions in this industry are doing the same thing—building bridges into the future.

MARITIME DAY HAS SPECIAL MEANING FOR BOSTON

(By Charles F. Duchein, president, Navy League of the United States)

Boston, the birthplace of American sea power, celebrates Maritime Day with special significance.

Sprinkled with the saltwater of seafaring experience since Colonial days, the expansive maritime view of Bostonians promises to add vitality to the unfolding oceanic renaissance.

What better time to blueprint the building of the World's foremost Merchant fleet than on Maritime Day in Boston?

Where better to talk of burgeoning trade, and the task of carrying that trade for the long-term prosperity than in Boston with maritime minded Bostonians!

Such talk is timely. For vigorous measures to rectify a serious defense weak spot are highlighted by the rapid rise of Russian sea power. The current situation dictates a radical course change, a counter-march, in maritime affairs.

This step-up in maritime program was presaged by Congressional legislation in 1966. That year, the Sea Grant College program launched as part of the historic Marine Engineering and Resource Development Act, provided both modus-operandi and incentives for expanding intellectual effort. The Sea Grant College movement, in the final analysis, will depend upon the great centers of learning to spark its success.

Such recognized universities, as MIT, Harvard, Boston College, Boston University are destined to play a special role in oceanic advancement.

The first step forward is the revitalization of our mercantile fleet. Concurrently, the seaports of yesterday must be given futuristic facilities and a modern profile.

The United States, now a raw material deficient nation, is dependent upon waterborne commerce to bring to our shores from all corners of the earth the many primary products for the swift moving industries of the 20th Century.

Of the 77 strategic materials the nation needs, 66 must be imported. Dependence upon foreign flags can prove suicidal strategically. Alarming is the fact that over 90 per cent of the tonnages of these strategic supplies arrive in ships of other nations.

Rebuilding the American Merchant Marine to a competitive posture should be a primary policy aim.

The father of the Sea Grant College idea, Dr. Athelstan Spillhaus, envisages the future opportunities of the oceans in these terms:

"The ocean will offer us military, recreational, economic, artistic and intellectual outlets of unlimited scope.

"Our Sea Grant Colleges and Universities", he counsels, "must focus on commitment on the sea and seek to impinge all our intellectual disciplines on the mastery, exploitation, and preservation of the sea. We must seek through a welding together of science, art, literature, engineering, medicine, law, public administration and politics to develop a public which will not only homestead our new spaces in the sea but colonize and civilize them through an integrated interdisciplinary education in the Sea Grant Colleges."

These educational incentives of the Sea Grant College Program reenforced by the Russians, with their burgeoning maritime power are now turning our minds toward the frontiers of the sea. Unquestionably, the dynamics of Russian maritime policy, reflected in huge naval and merchant marine construction programs, will accelerate the orientation of our national policy seaward.

The Soviet Union, clear of its century long land-locked confinement, is looking increasingly toward the sea to strengthen her political, economic, and military position.

Senator Warren G. Magnuson, Chairman of the Committee on Commerce, prefaces the Library of Congress treatise, "Soviet Drive for Maritime Power" as follows:

"There is no question that the U.S. Merchant Marine has continued to deteriorate since the publication of the earlier committee print in that revitalization of our fleet has become of even greater necessity."

The U.S.S.R. emerged as one of the fastest growing maritime nations, while the U.S. Merchant Marine continues to decline.

Russia by 1965 had built a largely new and magnificently efficient merchant fleet—80 per cent were built during the decade; in contrast, 70 percent of U.S. ships are over 20 years old.

The dynamic Soviet drive for maritime supremacy serves as a warning, but, the deplorable plight of the American Merchant Marine has yet to become a matter of national concern. Consequently, the program to regain a competitive posture has been slow in coming. To place proper focus on the strategic—sea lift—security relationship, 98 percent of the supplies and logistic support for Vietnam go by sea; and, so does our world trade.

Imagine the decisive competitive advantage in "turn about time", to be gained with a fleet of nuclear powered merchant ships. That the controversial "Savannah" continues to sail the seas, in itself, reassures one that the stage is being set for the U.S. to return, with renewed vitality, to the oceans of the world.

To meet the mounting challenge at sea, I suggest these several measures to gain their special oceanic contribution:

First, establish a major center of oceanic advancement under the aegis of the consortium of Boston universities and colleges. The Center might be named in honor of John Fitzgerald Kennedy. This would provide a long-term tribute to Kennedy's great moment in history—the maritime moment, when he backed down the Communist World in the Cuban Crisis, through imposing with consummate skill a de-facto maritime blockade with the sea power at his disposal.

The scientific and scholarly activity at this Center would stimulate increasing oceanic enquiry; here, sea-oriented studies and ocean research, covering the full spectrum of intellectual disciplines relating to the seas, would serve to advance the American Maritime renaissance.

Second, establish a maritime park in Boston, similar in concept to the land related "industrial parks" situated near leading universities. There maritime-oriented individuals, organizations, and activites could pool research and study resources gaining in creative concepts and innovate ideas that serve the maritime interests of the nation. The maritime park complex, hopefully, would gain the support of all with a "stake in the sea."

The leadership of the Navy League encourages this activity, as a vital center, a pace-setter, for the reorientation of governmental policy toward the oceans. Poised on the threshold of a total oceanic program, the oceanic strategy fostered would move America toward the fulfillment of its maritime destiny.

Third, project a major program of cultural cruises for students, educators, with ships sailing world-wide from the modern Port of Boston. Ideally, these cruises would be part of the international educational program.

RUSSIAN SEAPOWER MODERN AND GROWING

(By Adm. John S. McCain, commander in chief, U.S. Naval Forces, Europe)

Soviet seapower is modern and it is growing. She recognizes the importance of the simple, seemingly innocuous looking merchant ship with its vital cargo.

The USSR, unlike the United States, is almost self sufficient in raw materials. Yet they have one of the most modern merchant fleets in the world, and it is growing rapidly.

If the present shipbuilding trend continues in a few years, Soviet Russia could have the world's largest and most modern Merchant Marine.

Further, there is a very fine line of distinction between the peaceful uses of a merchant ship and its wartime uses. In fact, this line is nearly indistinguishable because the passenger ship, for example, lends itself to wartime transportation of troops. In the Cuban crisis, it was merchant shipping that took the missiles into Cuba and others that took them out.

If we were to control the seas in wartime, then the Soviets would be confined to a limited area of the world. If they gain control of these oceans, then the reverse becomes true. They would control 95 per cent of the entire surface of the earth.

Without materials from overseas, factories would close, businesses would shut down, jobs would be destroyed—we would be an "isolated island" inevitably to lose our freedom and way of life.

These highly competitive efforts of the Soviet leadership represent a form of "war" of design and construction, of manpower and national resources, of money, of planning and organization.

Its roots lie deep in national policy and purpose: first in the realization of how completely seapower is, and will be, involved in the security and political and economic wellbeing of the Soviet nation. Second, it reflects the determination of the Soviets to pay the price that a total dedication to supremacy of the seas demands of a major world power.

Third, it indicates a willingness to marshal resources in developing and refining a seapower program as a prime contribution to the nation's overall progress in the world arena.

The U.S.S.R. currently ranks sixth among the maritime nations in terms of dead weight tonnage, while the United States ranks fifth with about 16 million DWT.

However, the Soviet target for 1980 is a fleet of 20 million dead weight tons and since World War II, the Soviets have acquired more than 1,000 new-built ships. U.S. shipyards now have about 51 merchant ships on order.

The important thing to remember is that the Soviet merchantmen are being seen the world over. During 1965, Soviet merchant ships called at more than 700 ports in 85 countries, nearly 65 percent of which were less developed countries of the Free World.

The Russians also with about 350 submarines possess by far the largest submarine fleet in world history. Forty of these are nuclear powered. The Soviet Union is the only country to mass produce submarines on a war-time basis during times of peace. In addition, they have transferred many of the flags of other Communist governed nations.

Communist China, for instance, now has the fourth largest submarine force in the world with about 30 submarines. Hitler embarked on World War II with only 57 submarines.

What most people do not realize is that the Soviets also possess a completely modern surface fleet. They have over 100 modern destroyers, some 20 cruisers, including missile types. The Soviets are putting both surface-to-air and surface-to-surface missiles on naval ships. The Kynda Class guided missile cruiser has both systems.

The Soviet Mine Force consists of about 300 vessels, most of which are strictly modern and most of their combatant ships, including their submarines, are equipped to lay mines.

If you add to these numbers their small vessels and auxiliaries, you will find that the Soviet Navy is operating about 2,000 ships. They are by far the second most powerful Navy in the world today in terms of physical hardware alone.

In observing operations in the Mediterranean, we have witnessed an ever-improving capability for replenishment at sea. This gives the Soviet Navy the very important capability to stay at sea for longer periods of time far from their home bases. It gives them the same capability that we have been so proud of in our Navy.

The Soviets also have by far the largest and most modern high seas fishing fleet in the world, in excess of 4,000 units. They are extremely proud of that during the last 25 years the Soviet fishery catch quadrupled from 1.4 million (metric) tons in 1940 to over 5.6 million (metric) tons in 1965. Today, Soviet Russia is the fourth largest fishing nation in the world behind Japan, Communist China and Peru.

The new Soviet five-year plan (1966–1970) for the development of the fishing industry provides for a 50 per cent increase over the 1965 fishery landings by 1970.

In that connection, Russia has had trawlers in close to both of our coasts. Often, these trawlers are equipped with more electronic equipment than one would normally attribute to just fishing.

And, of course, Soviet fisheries assistance is being extended to North Vietnam. In May 1965, for example, a North Vietnamese crew arrived in the Black Sea Port of Sevastopol to take deliveries of the first of three freezer trawlers which the Soviets are building for the Hanoi government.

Important also is the fact that the Soviet Oceanographic fleet is the world's largest, over 200 modern ships embarked on a program to discover and exploit all the riches which the oceans are capable of producing.

THE UNITED STATES CANNOT IGNORE THE SEA

(By John A. Culver)

(NOTE.—Culver is author of "Ships of U.S. Merchant Fleet" and a Naval Reserve Commander.)

The great oceans of the world cover 70 per cent of the globe. These oceans are 35 times the size of the United States. The U.S. takes up only 2 per cent of the earth's surface, housing about 6 percent of the earth's people. The U.S. is surrounded by the sea.

We cannot ignore the sea. The U.S. is a maritime nation and must act like one for our survival and the people must realize it for their well being. These oceans are the highways that bring goods to our country and these oceans can be used to bring war to our shores. Sea power is the Navy, Marines, the Coast Guard, our fishing fleet, our oceanography fleet, our merchant fleet and everything and everyone that support them.

The Navy's jobs are many and varied. Its first basic mission is to protect America herself. Another mission is to show America's strength as a nation in far away lands. This strength keeps danger far from our shores, our people and our industry.

The merchant marine's job is carrying the needed materials for our industry and our people. It is the lifeblood of our nation and without it we would be doomed. We depend on the sea to trade.

We need 77 strategic materials to keep our industry going. Foreign flag ships bring many of these strategic and other materials to and from our shores.

Maritime power is the American Merchant ships that carry our own products overseas and carry to us foreign products that we need. This is the part of sea power that keeps us prosperous as a people and strong as a nation.

Much effort is needed to combine America's maritime might. Combined efforts of our maritime strength should surely result in a more powerful nation, both economically and militarily. The general apathy of Americans concerning our merchant marine must be stopped.

The news media must give the people more news and insight of the ventures of our merchant marine as they give the Navy. Joint Navy and Merchant Marine ventures need to be given wide publicity so the public can read and understand the importance of this vital link to total maritime power.

Such joint ventures are: Operation Steel Pike which was a joint merchant marine-navy amphibious landing exercise off the coast of Spain in 1964, and Project Neptune which was a joint venture between the navy and merchant marine to collect oceanography data from a merchant ship on a regular scheduled voyage.

The amphibious forces and the MSTS fleet of the navy need to replace the World War II ships with new 20 knot ships. A conservative replacement program is underway for the auxiliary type ships but not for the MSTS ships; however, the merchant marine has several new ships operational that are new and exceed 20 knots.

The Department of Defense should plan a system where merchant ships could be used as naval auxiliaries as during WW II and start a similar plan for MSTS ship replacement. Such a plan would enhance both fleets and stimulate shipbuilding in the U.S.

The U.S. needs a strong merchant ship building program to prevent losing our vital sea power advantage to the U.S.S.R. The merchant marine must open up the way for Tramp operators to buy ships that are a few years old from the Government subsidized operators and plan for the subsidized operator to go ahead with his new construction. This would greatly increase the rate of building ships.

Such a plan will keep all segments of our merchant marine healthy including shipbuilding and related industries. Unless a plan of action is developed, our tramp fleet will be buried in a few years due to old age and no available replacement tonnage.

The officer corps of the merchant marine should be closely tied to the navy similar to the Merchant Marine-Naval Reserve Program of World War II. Many of Massachusetts' young men that graduate from the Massachusetts Maritime Academy serve in the Navy as well as the merchant marine. The Navy does notice the extreme value of these highly trained officers to serve in the Navy arm of our maritime power. This cohesion of the two major maritime groups molds together our maritime forces and results in better understanding and cooperation.

CONGRESS GRABS FOR FISCAL REINS

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, an article published in the May 18 issue of Business Week outlines how Congress is trying to reassert its role in the budget process. One measure to achieve this objective has been proposed in the other body by the able and distinguished gentleman from Michigan [Mr. BROWN] and many of his colleagues. I have introduced a companion measure in the Senate. I refer to H.R. 11458 and S. 3322, bills to establish in Congress an Office of Program Analysts and Evaluation, and aimed at assisting Congress in establishing budgetary priorities. This proposal, among others, is cited in the Business Week article. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS GRABS FOR FISCAL REINS

The tax-bill battle has given Congress a leg up in its long fight with the executive over who controls spending. A whole new appropriations procedure seems to be shaping up.

With luck, the tax hike-spending cut package that emerged last week from a House-Senate conference committee will end the paralyzing fiscal deadlock. It also could become a landmark in the struggle for power between the White House and Capitol Hill.

The package is the first real attempt by the Congress to shed its traditional approach to taxes and spending and confront the New Economics. And, put simply, it may be the start of a campaign by the legislative branch to take command of fiscal policy by recapturing effective control of the federal budget.

Congress' control over the budget process has slipped away over the years because it has concentrated too much on the minutiae of federal spending and has ignored the relevance of the whole.

THE MAZE

The budget goes up to Capitol Hill in January as a single document which lines up in neatly balanced columns all of the money that the executive branch has requested for the coming fiscal year and all of the expected sources of revenue. But the budget immediately disappears into a legislative maze that defies description—and coordination.

The appropriations process is a masterpiece of complexity. Each of the major agencies has a separate money bill, which must be approved by its own appropriations subcommittee. There are 13 of these units in the House and 16 in the Senate, each a little world unto itself with its own constituent interests.

Until the last bill is passed at the end of the session, there is no way to determine how much money Washington is committed to spend. The total is merely the accidental result of dozens of separate decisions. There is no way to balance what is being done at one agency with what is happening elsewhere in government. And there is no way to relate total spending to total revenues.

This approach was perhaps appropriate in an era when the federal government was small and the chief economic concern was to distribute spending with some semblance of equity. It became ineffective as the government grew too large to be managed in detail, and a positive handicap when, in the era of the new economics, Washington had to determine its total impact on the nation's economy.

Search for change

To have an effective say on the most important economic policy question—how federal expenditures are to be balanced with federal tax actions—Congress has to find a way to reverse its spyglass and view spending as a whole. This is precisely what the emergency fiscal package does, by setting a flat limit on total federal spending and ordering the executive to make the specific cuts that are required.

To some extent, of course, this arrangement undercuts the current basis of Congressional power—the ability to decide the precise dimensions of specific government programs. And there no doubt will be some resistance from those on the Hill and elsewhere with a stake in the traditional system. But there are powerful forces—which cut across the political spectrum—that are working for permanent change.

The most powerful force is clearly the chairman of the House Ways & Means Committee, Wilbur D. Mills (D-Ark.). Mills sees the fiscal emergency that stemmed from the war in Vietnam as a chance to win the beginnings of Congressional control of federal spending not only in fiscal 1969, but in later years via a tightening of the faucet for funds in the pipeline.

SOFT SPOT

Mills points to the pool of unspent appropriations, which he says will be $222-billion at the start of the next fiscal year. This, he says, "can be spent without any further action by the Congress—without Congressional appropriation of a single dollar." It is here, he says, that the opportunity lies for "real reductions and the regaining of necessary control over federal spending."

Representative George H. Mahon, (D-Tex.), chairman of the House Appropriations Committee, sees the same problem from the other side. Programs are created with little regard to how they will be financed, and the pressure on congressmen to vote for them is nearly overwhelming. "Members of Congress who get federal projects for their districts are given testimonial dinners back home," says Mahon, "There are no testimonials for those who do not."

FIRST STEP

Mahon and Mills both are fiscal conservatives. But their complaints deal more with procedure—the Congressional process for taxing and spending—than with the proliferation of Federal spending. Even if Congress were willing to exercise greater control over burgeoning government, they fear it probably would be incapable of doing so. The process does not work that way.

Liberals agree. Says one of them, Representative Al Ullman (D-Ore.), a Ways & Means Committee member: "Spending responsibility has gone downtown and all you have here is frustration." One of the main complaints about the way Congress handles taxing and spending is that the two subjects move through the legislative mill in separate streams and rarely are considered at the same time.

When the fiscal package comes to the floor of the House, probably next week, it will be one of the few times that the House has debated both taxing and spending at one time, in perspective.

GETTING TOO BIG

Congress did not always fragment power over taxing and spending. When the Ways & Means Committee was created in 1802 it had jurisdiction over both the Ways—spending—and the Means—taxes. But as the government grew, the job did too. The House Appropriations Committee was created in 1865. And with the passage of the Budget & Accounting Act of 1921, the present system was pretty much created.

In fiscal 1921, however, the "administrative" budget of the Federal government was only a little more than $5-billion. For fiscal 1969, the comparable figure requested by the Administration exceeded $147-billion. So in terms of sheer size, there is evidence that the proliferation of demands for money and taxes has overwhelmed the machinery to supply them.

Congressional response over the years to this, strictly in procedural terms, has been to divide and redivide responsibility for fiscal policy, especially on the spending side. The result? Here is the opinion of a long-time House staffman: "There is no unity, no cohesion to our appropriations process. The autonomy of our subcommittees is amazing and I don't see any hope of changing it."

BLAMING APPROPRIATIONS

It is in the 13 House appropriations subcommittees that the basic decisions of Federal spending are made. "All of the subcommittees have their little constituencies around town," says one long-time bureaucrat. "Really they are like little fiefs."

The subcommittees are targets for much of the criticism—from both in and out of Congress—about the appropriations process. The main complaints are related: that the system sacrifices consideration of broad fiscal policy for excessive concern with detail; that the system works to diffuse power and responsibility over fiscal policy to an excessive degree.

"We have Balkanized this procedure," says Representative Thomas B. Curtis (R-Mo.). "There is a committee chairmen's protective association. They say to each other 'you leave me alone and I'll leave you alone'."

Representative Richard Bolling (D-Mo.) puts it this way: "The appropriations committees want to keep their chunk of power, their little dung hills. We're idiots to let them do it."

Bolling says congressmen tend to look at fiscal policy in terms of "where the boodle is." And these days, there's more than ever of this "boodle"—federal money for projects back home.

SPENDING URGE

The pressure to spend is hard to resist. An Administration official finishes a telephone conversation and smiles wryly. "That was Senator X. He'd dying to get a new federal building for one of his cities. Yesterday he made a ringing denunciation on the floor of just this sort of project."

Every day every member of Congress is faced with such conflicting demands, and the whole legislative system was designed as a mechanism to help resolve them. But the question that bothers Congress badly is whether the mechanism will stand the strains that are being put on it now.

Turning point?

That's why last week's package from the House-Senate conference committee may be a turning point in the whole approach by Congress to taxing and spending.

The differences dividing Congress appear "concerned with the appropriate size of the budget, the wisdom of our military policy, and the need for Great Society programs," says Joseph A. Pechman, Director of Economic Studies for the Brookings Institution. The fact that the issues are so basic may be pulling Congress along to a more basic consideration of how fiscal policy fits in.

NICE TRY

Congress has tried before to build a system that would permit it to look at taxing and spending in one lump. The legislative Reorganization Act of 1946 contained a provision that was used once, then abandoned, to establish a joint committee on the legislative budget. This joint committee was composed of the members of the House Appropriations and Ways & Means Committees and the Senate Finance and Appropriations

Committees. It was to meet at the beginning of each year to recommend the maximum amount of appropriations for the next fiscal year.

The provision still is in the law, but the joint committee has not met since 1948. For one thing, with more than 100 members, it was simply too large to function with any degree of efficiency: debate of spending and taxing levels in the committee was hardly less cumbersome than debate of the same issues before the full House or Senate.

But the idea ran aground over a provision which required the committee to make its recommendations by Feb. 15 of each year. The late Senator Styles Bridges, who was chairman of the committee, said at its last meeting on Feb. 6, 1948: "It has proved impracticable to determine at such an early date as Feb. 15 an actual picture of necessary appropriations or expenditures for the coming fiscal year."

POWERLESS

The Joint Economic Committee does consider federal fiscal policy as a whole. Each year it holds extensive hearings on the President's Economic Report, which goes to Congress a few days after the budget and contains the specific rationale for the government fiscal stance.

But while the JEC is influential, it is not powerful. It serves as Congress' voice on economic policy and sometimes, by its usually informed questioning, elicits additional information about the Administration's budget plans. But because it has no legislative role, it can't directly figure in Congressional decision-making on taxes or expenditures.

PROGRAM ANALYSIS

Some recent suggestions aim to help congressmen understand precisely what they are voting on when they vote money bills. A freshman congressman Garry E. Brown (R-Mich.) has lined up impressive Republican support for a bill that would provide cost effectiveness analysis of new programs.

He proposes to set up an office of program analysis that would be an arm of Congress. It would help Congress over one of its toughest obstacles, the establishment of budgetary priorities, Brown thinks. "I get awfully tired of legislating in the dark," he says.

Wilbur Mills would like to see a Presidential commission, along the lines of the Hoover Commission, to bring outside experts in to study how Congress can better establish priorities for federal spending.

STRONGER WATCHDOG?

Another proposal is to strengthen the General Accounting Office, Congress watchdog on federal projects. The GAO in the past has also been criticized for expending its energies on trivia. But the current Controller General Elmer B. Staats is a former, long-time official of the Budget Bureau, a first-class civil servant and a man with ideas on how this might change.

The GAO, Staats thinks, would be able to gear up to do the kind of thing that Republican Brown wants. More use of electronic data processing equipment could gather together more detailed breakdowns of program areas which are now spread across many agencies.

That the present system works at all probably is mostly because of two notable characteristics of Congress: its ability to adapt and its inherent flexibility. Much of the process by which spending and taxing levels are meshed is informal. Mills chats with Mahon in the lobby of the House. Appropriations subcommittee chairmen meet agency heads at parties around town. But what bothers many observers is whether this will be enough in coming years. Such informality hardly seems appropriate to the issues and the times.

JAMES A. FARLEY, GENTLEMAN

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ROONEY of New York. Mr. Speaker, Memorial Day is also the birthday of one whose name is a byword in the field of Government service and with the American people, the Honorable James A. Farley. On this May 30, Jim passed another milestone—his 80th birthday. John Quinn, of the New York Daily News, recently reminisced with Jim and put some of his thoughts together in an interesting article which appeared in the May 30 issue of that newspaper entitled "James A. Farley, Gentleman."

Under the permission heretofore granted me by unanimous consent of the House, I include this newspaper article:

JAMES A. FARLEY, GENTLEMAN

(On the eve of his 80th birthday a giant of a man who has walked with president and kings delivers some sage and salty comments on politics and men.)

(By John Quinn)

Fittingly, Memorial Day is also the birthday of James Aloysius Farley, the affable Irish giant—first baseman, star salesman of building supplies and candidates for high office, friend and confidant of Franklin D. Roosevelt, former postmaster general of the United States, politician extraordinary and, at 80, dean of the nation's Democrats.

"Fittingly" because Farley's legendary memory for names and dates, for faces and places, for decisions and their consequences, is still—oh, with maybe lacunae here or there—as green as the Hudson Valley hillsides among which he was born, grew to manhood and began a political career that has spanned nine presidencies and nearly 60 years.

I called the other day to ask how, from the eminence of 80 years, he viewed life and politics in these perilous times.

"Come up to the office and I'll tell you," he said. I did and he did.

The office is large, almost cavernous, and decorated in pure nostalgia. Farley, already bald and looking pretty much like the American eagle, pictured with the rest of Roosevelt's first cabinet in 1933. Farley with Popes, potentates and prime ministers. A bust of Farley by Paul Manship set upon what appeared to be a prototype of the world's first console radio ("It doesn't work, but it makes a good pedestal").

The subject of the sculpture slid his massive frame nimbly from behind his massive mahogany desk to greet me. He was dressed—as ever—in a neatly pressed double-breasted blue suit, with white shirt and blue silk tie. His grip—as ever—was firm, his smile friendly, his voice strong.

In a converation that ranged for two hours over past, present and future, he showed himself to be—as ever—well-informed, reflective, articulate, guardedly opinionated, unaffectedly pious, unrepentantly optimistic.

"I'm for Humphrey," he said (meaning Hubert) because he's the best and most experienced man the Democrats can nominate. "Besides," he added, ever the realist, "he can unite the party and win."

As to the Republican presidential aspirants, he would say only: "I'm a great friend of Nelson Rockefeller's."

The big problems? At home, the cities, of course. Abroad, America's position in the world.

Regarding the latter he was outspoken: "America has responsibilities that we cannot ignore. If we fail to meet them, Communism would rule all Southeast Asia and the Middle East.

"It is tragic that so many lives have been lost in Vietnam, however, and I hope the Paris negotiations will reach a solution that will enable us to withdraw under conditions that will protect those who look to us for assistance."

In any discussion of foreign policy, it is inevitable that Lyndon Johnson's name will arise. When it did, Farley, too, arose to his full 6-feet-2, to declaim: "Johnson will go down in history, like Truman, as one of the greatest Presidents.

"He has never gotten credit for what he did—in the Dominican Republic, for example. No President has ever been more unjustly criticized by press, radio and television. Why, the cartoonists just murder the poor man.

"Of course," he conceded, settling back in his chair, "he doesn't project a very good image. But like him or not, he's the President of the United States, and it's terrible to speak of him the way it's been done."

From the presidency and affairs of state on to the cities and affairs of hate. Internal violence has to be controlled, Farley believes, so that the problems of the cities can be attacked. "I don't care what the provocation, there must be law and order."

While not exonerating the North from the charge of racial prejudice, Farley points out that the big cities are really victims, in many ways, of an inherited ailment.

"In Roosevelt's day, we had programs like the WPA and the PWA and CCC camps (all those under 30 may write for a glossary of terms) for the unemployed. We have almost nothing today for the unskilled unemployed."

Would he care to comment on the leadership that Mayor Lindsay was giving New York City in this time of trial? Well, he really wouldn't, seeing as how "Mr. Lindsay has been able to fulfill so few of his campaign promises."

But mention of Roosevelt led, naturally, to a discussion of FDR's administration ("the first eight years were the greatest eight years in the history of the republic") and Farley's role therein:

"I don't see how people can call me a conservative. There wasn't a single piece of social welfare legislation that Mr. Roosevelt proposed that I didn't support, and that I didn't help push through the Congress."

Why, then, had he balked, in 1940, at Roosevelt's decision to seek a third term: "Because I didn't think the two-term tradition should be broken. Because there were people in the administration who were beginning to think it was theirs forever.

"Finally, because I could see that the burdens of office were affecting Mr. Roosevelt's health."

About his own career as a public official, which began when he defeated Mr. Edward Thompson ("a very distinguished fine old gentleman") for clerk of his home town of Stony Point, N.Y., in 1911, Farley is proud, bemused and grateful.

"It surprised everyone, most of all me," he reminisced of his first victory. "I was a Catholic and a Democrat in an area that was predominantly Protestant and Republican. But I knew a lot of people from playing baseball and going to dances, you know, and I won."

Of his business career, he is similarly proud: "I sold all the brick, lime, mortar and terracotta used in building the Empire State Building. It was the biggest order of its kind ever given up till then, I guess."

He has "great confidence" in the American people and is sure they will surmount their crises, foreign and domestic: "All my life, I have been an optimist. I still am."

He puts great store in truth, and his counsel to young people entering politics ("still the greatest challenge in American life") is "what my mother, Lord have mercy on her, told me when I was a boy:

" 'Jimmy, always tell the truth. It saves a lot of embarrassing explanations.' "

Right, Jim Farley, politician and gentleman. And a very happy birthday to you.

VIEWS OF THE NATIONAL GOVERNORS CONFERENCE ON THE TAX-EXEMPT STATUS OF INDUSTRIAL REVENUE BONDS

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. BROOKE. Mr. President, I would like to place in the RECORD at this time a letter to chairman WILBUR MILLS of the House Ways and Means Committee from Gov. John Volpe, of Massachusetts. Governor Volpe's letter, written on behalf of the National Governors Conference, has reference to the provisions of H.R. 15414 relating to the tax-exempt status of industrial development bonds.

This issue is extremely complex; yet, as the Governor notes, the Congress has taken action without holding adequate public hearings. I believe that in the long run, the continued tax-exempt status of industrial development bonds is undesirable. But I believe that any change in this status should follow an orderly transitional process. Accordingly, I introduced, and the Senate accepted, an amendment which would have postponed removal of the tax-exempt status until January 1, 1969.

Governor Volpe's letter contains a detailed analysis of the problems which he and the Governors Conference foresee if hasty action is taken.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPARTMENT,
Boston, May 28, 1968.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MILLS: I am most appreciative of your cooperation, on rather short notice, in arranging the conference yesterday regarding industrial development financing.

My visit, on behalf of the National Governors' Conference, was prompted by a directive of the Conference Executive Committee which met last Friday.

Our concern, as expressed orally at the meeting yesterday in your office, is primarily focused upon the following specific issues, contained in the conference report on H. 15414:

1. Cities and towns have been authorized by states to utilize tax-exempt bonds in financing industrial development, as well as numerous other public services and facilities. Treasury action, through administrative procedure, assumed congressional prerogative in discontinuing these traditional procedures; and, Congress by compromising with Treasury, instead of reversing the order, seems to be registering approval of a most unusual precedent. The states protest this flagrant violation of rights by Treasury and respectfully request the Congress to restore due process.

2. Industrial development bonds, authorized in many states by constitutional amendment and tested by the state's courts, are under attack by a federal administrator. Congress seems about to validate the arbitrarily chosen May 1 deadline of Treasury without public hearings. The full impact upon the nation's economy of this action; and, the very drastic effect of the proposed legislation on non-industrial municipal bonds, of all sorts, has not been very well researched. The States most earnestly petition Congress to hold immediate hearings prior to passage of *any* proposed controls.

3. The proposed Conference Committee report, in a broad, sweeping stroke, has felled not only industrial development bonds, but also dozens of other unrelated but essential programs of city and state government. Urban renewal, model cities, open space, stream and air clean-up programs, core city employment, rural jobs programs, urban development and port authorities are but a few of the most obvious casualties of this legislation, it is apparent that the Treasury Department is launching its long-awaited campaign to eliminate all tax-exempt bonding procedures. We sincerely trust that Congress will not inadvertently aid this campaign by legislation without hearings.

4. Although most states will agree that the one million dollar ceiling, as proposed, is too low. It is far from evident just what ceiling, if any, can be constitutionally imposed, or what types of regulations and controls should be legislated to restrict industrial development bond use. Workable, acceptable and equitable restrictions may be most necessary to prevent certain abuses. Adoption of untested rules without seeking out the resultant effects through hearings may do great damage to the best financing procedure for industrial development yet devised in this country.

5. The retroactive date of May 1 will also cause tremendous hardships to certain individual companies. On the other hand, other companies who were able to obtain tax-exempt finance prior to the deadline will have perpetuated a long-term competitive advantage. In some cases such an advantage builds a monopoly which could force competing industries out of business, resulting in major job losses for certain regions.

We were pleased to learn of your own personal concerns which seemed to coincide with those of governors who have communicated with us.

Your assurances that corrective legislation would be undertaken at the earliest possible time were reassuring, even though it had been our hope that the conference report on H. 15414 might be the vehicle to make those adjustments.

We trust that Congress, before it adjourns, will initiate hearings on this issue, which is so vital to the States. The Committee of States, composed of state development directors, working with the National Governor's Conference, will begin working immediately upon the draft of a comprehensive, regulatory bill that will provide equitable standards for industrial development bond financing.

We are convinced that the action presently under consideration by Congress will cause such tremendous complications in local and state financing that immediate follow-up adjustments will be imperative. Since you have indicated a similar concern, we trust that open hearings, before your Committee, will be scheduled prior to adjournment of this session of Congress.

In conclusion, may I again express the appreciation of the National Governor's Conference, for the courtesies and consideration extended to their Chairman, to Mr. Charles Schwan of our staff, to Mr. Daniel Goldberg, and to Mr. Theodore Schulenberg, representing the committee of States' Development Directors, in our meeting yesterday. You may expect our continued interest and cooperation in resolving this matter.

Sincerely,

GOVERNOR.

H.R. 17748—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. HATHAWAY. Mr. Speaker, I am today introducing, at the direction of the Select Subcommittee on Labor, a "clean" bill which that subcommittee has ordered prepared and reported to the Committee on Education and Labor, to replace H.R. 14816, the Occupational Safety and Health Act of 1968. I insert, Mr. Speaker, the text of the new bill and a section-by-section analysis to be printed at the conclusion of these remarks.

The subcommittee held extensive hearings during February and March on the original administration bill, H.R. 14816, and we were able, after taking some time to continue other hearings on other very pressing legislation, to complete our executive sessions late on the afternoon of May 29. The subcommittee staff, with the very able assistance of the House legislative counsel's office, has been working since then to perfect the legislative language embodying the changes the subcommittee made in H.R. 14816. This task being completed, the bill is now ready for introduction, and will, hopefully, be considered further by the full committee at its next regularly scheduled executive session on June 11.

The facts which led to the introduction of this bill are, I think, known to most of our colleagues, Mr. Speaker. Over the years, the Congress has from time to time enacted legislation to provide for a safe and healthful working environment for American working people in specific occupations or industries or situations. The Walsh-Healey Act, calling for sale and healthful working conditions for people working on Government contracts, the Longshoremen's and Harbor Workers' Compensation Act, providing for a safety program for workers covered by its provisions, the Federal Coal Mine Safety Act, and, as recently as 1966, the Metal and Nonmetallic Mine Safety Act, are examples of this concern which this Government has felt over occupational safety.

But it remained for President Johnson, in this year's manpower message, delivered on January 23, to call for legislation based on the premise that every American working man and woman is entitled to the safest and most healthful working environment that forethought and planning can provide. The President's message was followed immediately by the submission of a draft bill, and hearings began very shortly. Our subcommittee sat for many days taking testimony from a large number of witnesses, representing the administration, management and labor, and the safety and health professions. Almost all of the witnesses offered criticisms—most of them constructive—of the original bill, and, when we went to executive sessions, we had a wealth of suggestions to draw from.

H.R. 17748 serves the same objectives as H.R. 14816. It still provides for the development of occupational safety and health standards, to cover workers employed by businesses affecting commerce. It still provides for enforcement of those standards, for inspection of working environments, for research, planning grants to the States, programs of training and education, and for procedures whereby the States can preserve their own jurisdiction if they are able and willing to do the job.

There are, however, substantial changes from the original bill, and it is primarily to those changes that I want to direct my remarks today.

Most Members of the House, Mr. Speaker, have seen voluminous mail on their desks in recent weeks, addressed to the provisions of H.R. 14816. Much of the mail has been in support, much—probably more—has been in opposition. Of the opposition mail, most of it has reflected the views presented to the subcommittee by business organizations—notably the views of the U.S. Chamber of Commerce, which has been in the forefront of the opposition.

This opposition has been of two kinds. First, we have had the criticisms of specific provisions of H.R. 14816—opposition to the working of the original bill. Second, we have had opposition to the very concept of legislation of any kind in this area. The only way to "satisfy" the latter type of opposition is, of course, to kill the bill outright, or to adopt such transparent dodges as appointing a commission for further study to prepare proposals which will be further studied, and then submitted back to the Congress for further study. The arguments that there is no need for legislation, that legislation will serve no purpose, and so forth, were not accepted by the subcommittee. We have assumed that there is an occupational safety and health problem of sufficient magnitude to call for Federal action, that legislation will be helpful—that it will not, of course, do the entire job—but that it will help. And that we do have enough facts before us to justify legislation now.

These are points of view between which there is no particular room for a middle position. Either you believe them or you do not. A majority of the members of the Select Subcommittee on Labor believed in these propositions. Hence this bill.

But the specific criticisms were something else again. These could each be taken, in the context of the original bill, considered in detail, further adjusted to fit into the basic concept, and adopted or rejected.

I think it is a tribute to the ingenuity and to the responsibility of the business community and the labor movement that so many of their specific criticisms turned out to be so useful. Even organizations which made it plain that no amendments would make the bill acceptable to them were still constructive enough to come up with proposals which helped make this a better bill—or, from the point of view of those organizations, make this the least of a host of evils.

A consistent specific criticism offered by business organizations, for example, was that the bill as originally introduced, did not afford a meaningful opportunity for interested parties to participate in the process of setting the standards to be promulgated under the bill. "The Secretary of Labor," to paraphrase these arguments, "will be an absolute czar. He can set any standards he wants to, and no interested party will have anything to say about it."

This was not, I am convinced, the intention of the Secretary of Labor, but H.R. 14816 did not, certainly, require him to consult with anyone before setting standards.

Early in the hearings it became obvious to me, and, I think, to most of us that it would be essential to allow for such consultation—in fact, to require it.

After the hearings were completed, and too late to be inserted as part of the hearings, the National Safety Council submitted a statement, which I also insert at the end of these remarks, setting forth its views on standard setting.

The Safety Council emphasized the need for consultation, and recommended strongly the use of "consensus" method standards. The "consensus method" of arriving at standards, as that phrase is commonly used in safety work, involves more than majority decision, and something less than absolute unanimity. It involves the concept that a safety standard should be studied by all interested parties, and should have the preponderant weight of the support of such parties.

Objections by interested parties to the formulation of a consensus standard are to be judged more in terms of the substance of each objection, and the experience of the objector and his importance in the area than simply by their numerical significance. In setting a consensus standard, for example, an objection by one highly expert safety engineer might well, in a given case, carry more than the approbation of six businessmen who are concerned in passing with this standard, but who are better qualified to speak about other standards. If this definition is not rigid, it is because the very concept of consensus rejects rigidity.

In any event, the National Safety Council urged upon the committee the concept of accepting the consensus standards developed by nationally recognized standard-setting organizations. The U.S.A. Standards Institute is perhaps the best-known such organization which operates on the consensus method.

The subcommittee had before it, then, two different, but not diametrically opposed concepts. Consultation, and consensus. We adopted, in effect, both of them.

H.R. 17748 allows the Secretary of Labor to immediately promulgate standards setting organizations, through a consensus method. In these areas, our feeling is, business, labor and the professions have already had the opportunity to consult in full and to find a least common denominator. Such standards, then, can be promulgated forthwith and given the force of law, as soon as the general enforcement authority is available.

In setting other standards, however, the Secretary must appoint advisory committees, to be composed of management and labor representatives, and representatives of the professional health and safety people, and of the State agencies. These committees will have 9 months in which to come up with standards in the area to which their mandate runs. When the advisory committees make their recommendations, the Secretary will publish them in the Federal Register and call a public hearing with at least 30 days opportunity for any interested party to file objections, comments, or criticisms. After the 30-day waiting period, and after the hearing, the Secretary may then promulgate the standards, with such modifications as the comments and suggestions submitted before and during the hearing indicate. There will then ensue a further 30-day period prior to the effective date of the standards. A party aggrieved by the standards promulgated can seek judicial review in the U.S. Court of Appeals for the District of Columbia.

Through either of these routes, therefore—the promulgation of consensus standards, or the advisory committee, we are assured that all interested parties will have had ample opportunity to participate in the process of designing the standards, and to comment on their validity.

A second major area of criticism was that the enforcement provided in H.R. 14816 was procedurally deficient and overly severe. H.R. 17748 represents a basic effort to mitigate the severity of the penalties originally suggested, and to protect all concerned with ample procedural safeguards. It is not the hope or expectation of the sponsors of this legislation that very many businessmen will ever experience the rigors of enforcement or penalty under this act.

The overwhelming majority of the members of the business community, we are convinced, are conscientiously striving to do the best job they can to safeguard their workers' lives and health. Some are motivated by the fact that safety is good business, but many more are motivated, I am convinced, by the simple fact that it is the decent thing to do. The enforcement procedures, the penalty provisions, are meant for the rare offender, the unusually careless employer who does not know what to do or does not want to spend the few dollars needed to do it. Like our laws against crime, the laws against unsafe and unhealthful occupational environments have to be on the books because of the few, not because of the many.

The specific changes made by H.R. 17748 provide for direct judicial review of the imposition of penalties for ordinary violations, and require court action to implement orders directing that a situation of imminent danger of harm to the workers be shut down. In both cases, the aggrieved employer has immediate access to the courts. In cases of shutdowns because of imminent danger if, as I hardly believe will ever happen, there is a capricious or arbitrary shutdown order, the employer may bring suit in the Court of Claims to recover damages. Here, too, the new bill provides an extraordinary remedy for what we know, on the basis of experience, will be an extraordinary event.

A third basic complaint about H.R. 14816 went to the question of Federal-State relations. Under H.R. 14816, the Secretary had the discretionary authority to cede jurisdiction to the State "whenever, in his opinion, the provisions of such State law would reasonable carry out the objectives of this act."

H.R. 17748 includes language taken almost verbatim from the Metal and Nonmetallic Mine Safety Act of 1966. Section 12 of the new bill provides first, that there will be no period of dual jurisdiction. The Secretary's powers of enforcement and the operative effectiveness of the standards set under this act are held in abeyance until July 1, 1970. During that period while the Secretary is engaged in the business of setting—but not enforcing standards, and carrying out research and making planning grants to the States, the State's jurisdiction remains total.

After July 1, 1970, in those areas in which Federal standards have been promulgated, and only in those States where, in respect to such standards, no State plan has been approved, there will be full Federal enforcement powers. However, the State may at any time, with respect to any or all safety issues covered by Federal standards, present a plan to the Secretary of Labor.

The plan must give adequate assurances that the State's standards will be "substantially as effective"—not, I point out, the same as, just "substantially as effective as"—the Federal standards, and that the State agency will have the money, the personnel and the legal authority necessary, and that the State agency will have the right of entry into covered working environments. If the plan meets these requirements, the Secretary of Labor may accept it, and jurisdiction will then remain in State hands, to the extent provided by the plan. The State plan may be as wide as the entire gamut of Federal regulation, or it may address itself to one particular industry, or one occupation, or even to a single hazard.

Where, under H.R. 17748, the Federal Government has not promulgated a standard, State authority remains untouched whether there is a State plan or not.

Finally, H.R. 17748 provides that the operation of approved State plans will remain under continuing review by the Secretary, and, if a State is not abiding by its plan or by its assurance, the Secretary can, after due notice and opportunity for a hearing, withdraw his approval of that plan.

Other amendments to H.R. 14816 are embodied in the clean bill. Federal employees are brought under standards consistent with those set by the Secretary. A standard provision taken from other safety statutes have been inserted, specifically stating what was always the intention of H.R. 14816; namely, that nothing in this act interferes in any way with the existing rights and duties of employers and employees under workmen's compensation laws, State or Federal. The open-end appropriation in H.R. 14816 is replaced by an authorization for $10,000,000 for fiscal year 1969, $20,000,000 for fiscal year 1970, and $22,000,000 for fiscal year 1971.

Other changes will become apparent in the reading of the text of H.R. 17748, but I think these remarks set forth the essential changes which the subcommittee has made in response to the many responsible and constructive criticisms which have been offered with respect to the earlier bill.

One last word, Mr. Speaker. This bill represents, as I indicated at the beginning of these remarks, a fairly substantial gestation period. We had extensive hearings and several executive sessions. The subcommittee deliberations, while never heated, were frequently marked by vigorous differences of opinion.

I cannot predict, on the basis of any commitments known to me, what the attitudes of any member other than myself and the cosponsors will be to this bill, either in the full committee or on the floor. But I do want at this point to pay tribute to the hard work and conscientious work put in on this bill by the members of the subcommittee, and in particular by the gentleman from Wisconsin [Mr. STEIGER], who was most helpful to the subcommittee. He offered many of the amendments which we adopted, either as is, or in modified form. His participation in our deliberations was very constructive. And I believe both the opponents and proponents of this legislation owe him their thanks for his constant attention to the business before the subcommittee.

I cannot, of course, limit my praise to the gentleman from Wisconsin. The gentleman from Michigan [Mr. O'HARA], and our very distinguished subcommittee chairman, the gentleman from Pennsylvania [Mr. HOLLAND], have also given generously of their time in the development of this legislation, and in the cause of occupational safety and health.

Every American worker will be, I believe, in the debt of these unselfish and hard-working Members of this House.

The bill, H.R. 17748, section-by-section analysis, and statement referred to, follow:

H.R. 17748

A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act of 1968".

CONGRESSIONAL FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that personal injuries and illnesses arising out of work situations which result in death or disability impose a substantial burden upon, and are a hindrance to, interstate commerce in terms of lost production, wage loss, medical expenses, and disability compensation payments.

(b) The Congress declares it to be the purpose and policy, through the exercise by Congress of its powers to regulate commerce among the several States and with foreign nations and to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions—

(1) by establishing mandatory occupational safety and health standards applicable to businesses affecting commerce;

(2) by providing for the effective enforcement of such safety and health standards;

(3) by providing for research relating to occupational safety and health;

(4) by providing for training programs to increase and improve personnel engaged in the field of occupational safety and health;

(5) by more clearly delineating the responsibilities of the Federal Government and the States in their activities related to occupational safety and health;

(6) by providing grants to the States to assist them in identifying their needs and responsibilities in the area of occupational safety and health, to develop plans in accordance with the provisions of this Act, and to conduct experimental and demonstration projects in connection therewith; and

(7) by providing for appropriate accident and health reporting procedures which will help achieve the objectives of this Act.

STANDARDS

SEC. 3. (a) For purposes of this section:

(1) The term "occupational safety and health standard" means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, operations or processes, reasonably necessary to provide safe or healthful employment and places of employment.

(2) The term "national consensus standard" means any occupational safety or health standard adopted under a consensus method by a nationally recognized standards producing organization.

(b) Except as provided in section 12(f) of this Act, each employer engaged in a business affecting commerce shall comply with occupational safety and health standards promulgated by the Secretary. Such standards shall be promulgated, modified or revoked by the Secretary by rule in accordance with subsection (c) or (d).

(c) The Secretary may by rule promulgate any occupational safety and health standard which is a national consensus standard. If the nationally recognized standards producing organization which adopted the national consensus standard upon which an occupational safety and health standard promulgated under this subsection was based modifies or revokes such national consensus standard under a consensus method, the Secretary may by rule modify or revoke the standard promulgated by him to the same extent. Section 553 of title 5, United States Code, shall not apply to any rule issued under this subsection.

(d) The Secretary may, by rule, promulgate, modify or revoke any occupational safety and health standard in the following manner:

(1) Whenever the Secretary is of the opinion such a rule should be prescribed, he shall appoint an advisory committee under section 4(b) of this Act, which shall submit to him within two hundred and seventy days from its appointment or within such longer period as may be prescribed by the Secretary, its recommendations regarding the rule to be prescribed, which recommendations shall be published by the Secretary in the Federal Register, either as part of a subsequent notice of hearing or separately.

(2) After the submission of such recommendations, the Secretary shall schedule and give notice of a hearing on the recommendations of the advisory committee and any other relevant subjects and issues. In the event that the advisory committee fails to submit recommendations within two hundred and seventy days from its appointment (or such longer period as the Secretary has prescribed) he may schedule and give notice of a hearing on any proposal relevant to the purpose for which the advisory committee was appointed. In either case, notice of the time and place of any such hearing shall be published in the Federal Register thirty days prior to the hearing and shall contain the recommendations of the advisory committee or the proposal made in absence of such recommendation. Prior to the hearing interested persons shall be afforded an opportunity to submit comments upon the recommendations of the advisory committee or other proposal. Only persons who have submitted such comments shall have a right at such hearing to submit oral or written evidence, data, views, or arguments.

(3) Upon the entire record before him, including the advisory committee recommendations and any evidence, data, views, and arguments submitted in connection with the hearing, the Secretary may issue a rule promulgating, modifying or revoking an occupational safety and health standard. The rule shall not become effective for at least thirty days after publication in the Federal Register.

(4) Any person aggrieved or adversely affected by the action of the Secretary in issuing a rule under paragraph (3) may obtain a review of such action by the United States Court of Appeals for the District of Columbia by filing in such court within thirty days following the publication of such rule a petition praying that the action of the Secretary be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the Secretary shall certify and file in the court the record upon which the action complained of was issued as provided in section 2112 of title 28, United States Code. Findings of fact by the Secretary, if supported by substantial evidence on the record considered as a whole, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence on the record considered as a whole. The court shall have exclusive jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of a proceeding under this subsection shall not, unless specifically ordered by the court, operate as a stay of the Secretary's action in issuing the rule.

(e) This Act shall not apply with respect to employment performed in a workplace within a foreign country or within territory under the jurisdiction of the United States other than the following: a State; Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act; American Samoa; Wake Island; Eniwetok Atoll; Kwajalein Atoll; Johnston Island; and the Canal Zone.

ADMINISTRATION; ADVISORY COMMITTEES

SEC. 4. (a) In carrying out his responsibilities under this Act, the Secretary is authorized to—

(1) use, with the consent of any Federal agency, the services, facilities, and employees of such agency with or without reimbursement, and with the consent of any State or political subdivision thereof, accept and use the services, facilities, and employees of the agencies of such State or subdivision with or without reimbursement; and

(2) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United State Code, except that contracts for such employment may be renewed annually; compensate individuals so employed at rates not in excess of $100 per diem, including traveltime; and allow them while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed.

(b) The Secretary shall appoint advisory committees to recommend occupational safety and health standards under section 3(d)(1) of this Act. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of the employers involved, and of persons similarly qualified to present the viewpoint of the workers involved, as well as one or more representatives of health or safety agencies of the States, one or more representatives of professional organizations of technicians, engineers or physicians specializing in occupational safety or health, and one or more representatives of nationally recognized standards producing organizations. An advisory committee may also include such other persons as the Secretary may appoint who are qualified by knowledge and experience to make a useful contribution to the work of the committee, but the number of persons so appointed to any advisory committee shall not exceed the number appointed to such committee as representatives of State agencies, professional organizations and standards producing organizations. Persons appointed to advisory committees from private life shall be compensated in the same manner as consultants or experts under subsection (a)(2) of this section. The Secretary shall pay to any State which is the employer of a member of the committee who is a representative of the health or safety agency of that State, reimbursement sufficient to cover the actual cost to the State resulting from such representative's membership on the committee.

INSPECTIONS AND INVESTIGATIONS

SEC. 5. (a) In order to carry out the purposes of this Act, the Secretary, upon presenting appropriate credentials to the owner, operator, or agent in charge, is authorized—

(1) to enter upon at reasonable times any factory, plant, establishment, construction site, or other area, workplace, or environment where work is performed by an employee of an employer or on a contract described in section 10(a); and

(2) to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such area, workplace, or environment, and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question any such employee.

(b) For the purpose of carrying out his duties under this Act, the Secretary may delegate his authority under this section to any agency of the Federal Government with or without reimbursement, and, with its consent and with or without reimbursement and under conditions the Secretary may prescribe, to any appropriate State agency or agencies designated by the Governor of the State.

ADMINISTRATIVE ENFORCEMENT

SEC. 6. (a)(1) If, upon inspection or investigation, the Secretary determines that any employer has violated any standard promulgated under section 3 or that any person has violated any regulation prescribed under subsection (b) of this section or any contractual requirement of section 10(a), he shall hold a hearing (in accordance with section 554 of title 5, United States Code, but without regard to subsection (a)(3) of such section), and shall issue such orders, and make such decisions, based upon findings of fact, as are deemed to be necessary to enforce such standard, regulation, or requirement. The Secretary shall give such person the information required by section 554(b) of such title at least 15 days prior to hearing. The Secretary shall have the power to issue orders requiring the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy, failure, or refusal of any person to obey such an order, any district court of the United States or the United States courts of any territory or possession, within the jurisdiction of which the inquiry is carried, on or within the jurisdiction of which such person is found, or resides or transacts business, upon the application by the Secretary, shall have jurisdiction to issue to such person an order requiring such person to appear to produce evidence if, as, and when so ordered, and to give testimony relating to the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(2) If an inspection or investigation discloses (A) that an employer has violated a standard promulgated under section 3 or that any person has violated a contractual requirement of section 10(a) and (B) that such violation may result in imminent harm to the safety or health of workers, the Secretary may (notwithstanding the provisions of paragraph (1) of this subsection) issue an order providing for the immediate cessation of such violation and for any other measures he may deem necessary to correct or remove such violation, including the prohibition of the employment of any persons in locations or under conditions where such violations exist, except to correct or remove the violation. Such order may remain in effect during the pendency of any proceeding under paragraph (1) of this subsection.

(b) Each employer shall make, keep, and preserve, and make available to the Secretary such records concerning the requirements of section 3 of this Act, and shall make reports therefrom to the Secretary, as he may prescribe by regulation as necessary or appropriate for the enforcement of this Act.

JUDICIAL PROCEEDINGS

SEC. 7. (a) The district courts of the United States shall have jurisdiction to enforce (by restraining order, injunction, or otherwise) any order of the Secretary under section 6(a)(1) of this Act. Any person aggrieved by an order issued under section 6(a)(1) may obtain review thereof by such courts based upon the record before the Secretary.

(b)(1) The Secretary shall have power, upon issuance of an order under section 6(a)(2), to petition any United States district court, within any district wherein such violation is alleged to have occurred or wherein the person to whom the order was issued resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition the court shall have jurisdiction to grant to the Secretary such temporary restraining order, injunction, or other appropriate order, as it deems just and proper.

(2) If the Secretary arbitrarily or capriciously issues an order under section 6(a)(2) and the person to whom the order is directed is injured in his business or property by reason of such order, such person may bring an action against the United States in the

Court of Claims in which he may recover the damages he has sustained.

CONFIDENTIALITY OF TRADE SECRETS

Sec. 8. In connection with any proceeding under this Act no witness or any other person shall be required to divulge trade secrets or secret processes.

PENALTIES

Sec. 9. (a) Any employer who violates any standard promulgated under section 3 of this Act or any person who violates any regulation prescribed under section 6(b) or any contractual requirement of section 10(a), may be assessed by the Secretary, pursuant to an order issued under section 6(a)(1) of this Act, a civil penalty of not more than $1,000 for each violation. Each violation shall be a separate offense. When the violation is of a continuing nature, each day during which it continues after a reasonable time specified in an order issued under section 6(a)(1) shall constitute a separate offense except during the time a review of the order under section 6(a)(1) may be taken, or such review is pending, and during the time allowed in the order under section 6(a)(1) for correction. The Secretary may compromise, mitigate, or settle any claim for civil penalties. In assessing the penalty, consideration shall be given to the appropriateness of the penalty to the size of the business of the person charged and the gravity of the violation.

(b) Any person who willfully violates or fails or refuses to comply with any order issued under section 6(a)(1) of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $5,000 or by imprisonment for not more than six months, or by both such fine and imprisonment; except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine of not more than $10,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

(c) Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of inspections or investigatory duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of inspecting or investigating duties under this Act shall be punished by imprisonment for any term of years or for life.

GOVERNMENT CONTRACTS

Sec. 10. (a) Each contract exceeding $2,500 and requiring or involving the employment of any person (1) to which the United States or any agency or instrumentality thereof, or the District of Columbia is a party, (2) which is made for or on behalf of the United States, any agency or instrumentality thereof, or the District of Columbia, or (3) which is financed in whole or in part by loans or grants from, or loans insured or guaranteed by, the United States or any agency or instrumentality of the United States, shall include the requirement that no part of such contract (or any subcontract thereunder) will be performed in any place or under any conditions which do not meet the applicable occupational safety and health standards. The applicable occupational safety and health standards shall be the standards promulgated by the Secretary under section 3 of this Act, except that, to the extent that the contract will be performed in a State in which there is in effect a State plan approved under section 12(d) which provides for the development and enforcement of safety and health standards relating to one or more occupational safety or health issues, the applicable occupational safety and health standards relating to such issues shall be those developed and enforced under the State plan rather than those promulgated by the Secretary under section 3.

(b) In promulgating standards under section 3 of this Act, the Secretary shall to the extent feasible conform such standards to those occupational safety and health standards established under other laws administered by him.

(c) In addition to the remedies otherwise provided in this Act, the Secretary may declare ineligible to receive any contract described in subsection (a) of this section any person or firm, or any firm, corporation, partnership, or association in which such person or firm has a controlling interest, which is found to have disregarded its obligations under this section until such person or firm has satisfied the Secretary that it will comply with the requirements of this section.

(d) In addition to the remedies otherwise provided in this Act, the Secretary may recommend to the appropriate contracting agency that such agency cancel, terminate, suspend, or cause to be canceled, or suspended, any contract made by any contracting agency for the failure of the contractor to comply with an order of the Secretary issued under section 6(a)(1) of this Act for the breach or violation by such employer of the requirements under subsection (a) of this section.

VARIATIONS, TOLERANCES, AND EXEMPTIONS

Sec. 11. The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business. The Secretary shall keep an appropriately indexed record of all variations, tolerances, and exemptions granted under this section, which shall be open for public inspection.

EFFECTIVE DATE: FEDERAL-STATE RELATIONSHIP

Sec. 12. (a)(1) Except as otherwise provided in this section, this Act shall be effective on the first day of the first month after the date of its enactment.

(2) Sections 6, 7, 9, and standards promulgated under section 3 shall not take effect until July 1, 1970. Section 10 shall not apply to contracts entered into before July 1, 1970.

(b) Nothing in this Act shall be deemed to prevent any State agency or court from asserting jurisdiction over any occupational safety or health issue with respect to which no standard is in effect under section 3.

(c) Any State which, at any time, desires to assume responsibility for development and enforcement in such State of occupational safety or health standards relating to any occupational safety or health issue with respect to which a Federal standard has been promulgated under section 3 shall submit a State plan for the development of such standards and their enforcement.

(d) The Secretary shall approve the plan submitted by a State under subsection (c), or any modification thereof, if, in the judgment of the Secretary, such plan—

(1) designates a State agency or agencies as the agency or agencies responsible for administering the plan throughout the State,

(2) provides for the development and enforcement of safety and health standards relating to one or more safety or health issues, which standards are or will be substantially as effective in providing safe and healthful employment and places of employment as the standards promulgated under section 3 which relate to the same issues,

(3) provides for the right of entry and inspection of all workplaces subject to the Act,

(4) contains assurances that such agency or agencies have or will have the legal authority and qualified personnel necessary for the enforcement of such standards,

(5) gives assurances that such State will devote adequate funds to the administration and enforcement of such standards, and

(6) provides that the State agency will make such reports to the Secretary in such form and containing such information, as the Secretary shall from time to time require.

(e) The Secretary shall, on the basis of reports submitted by the State agency and his own inspections, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect

(f) The provisions of section 6, 7, 9, and standards promulgated under section 3 of this Act shall not apply with respect to any occupational safety or health issue in a State in which there is in effect a State plan approved under subsection (d) which provides for the development and enforcement of health and safety standards relating to such issue.

RELATIONSHIP TO OTHER FEDERAL PROGRAMS

Sec. 13. Nothing in this Act shall authorize the Secretary to regulate, or shall apply to, working conditions of employees with respect to whom another Federal agency has statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health. The Secretary shall coordinate, to the greatest extent practicable, the occupational safety and health activities of all Federal agencies.

FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

Sec. 14. (a) It shall be the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated by the Secretary under section 3. The head of each agency shall—

(1) provide safe and healthful places and conditions of employment, consistent with the standards set under section 3;

(2) acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees;

(3) keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action; and

(4) make an annual report to the President with respect to occupational accidents and injuries and the agency's program under this section. Such report shall include any report submitted under section 7902(e)(2) of title 5, United States Code.

(b) The President shall transmit annually to the Senate and House of Representatives a report of the activities of each Federal agency under this section.

RESEARCH AND RELATED ACTIVITIES

Sec. 15. (a)(1) The Secretary of Health, Education, and Welfare, after consultation with the Secretary and with other appropriate Federal departments or agencies, shall conduct (directly or by grants or contracts) research, experiments, and demonstrations relating to occupational safety and health.

(2) The Secretary of Health, Education, and Welfare shall from time to time consult with the Secretary in order to develop specific plans for such research, demonstrations, and experiments as are necessary to produce criteria enabling the Secretary to meet his responsibility for the formulation of safety and health standards under this Act; and the Secretary of Health, Education, and Welfare, on the basis of such research, demonstrations, and experiments and any other information available to him, shall develop such criteria.

(b) The Secretary of Health, Education, and Welfare is authorized to make inspections as provided in section 5 of this Act in order to carry out his functions and responsibilities under this section.

(c) The Secretary of Labor is authorized to enter into contracts, agreements, or other arrangements with appropriate public agencies or private organizations for the purpose of conducting studies related to his responsibilities for establishing and applying occupational safety and health standards under section 3 of this Act. In carrying out his responsibilities under this subsection, the Secretary shall consult with the Secretary of Health, Education, and Welfare in order to avoid any duplication of efforts under this section.

(d) The Secretary, after consultation with the Secretary of Health, Education, and Welfare, and with the appropriate official in each State as duly designated by such State, shall establish such accident and health reporting systems for employers and for the States as he deems necessary to carry out his responsibilities under this Act.

TRAINING AND EMPLOYEE EDUCATION

SEC. 16. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of Labor and with other appropriate Federal departments and agencies, shall conduct (directly or by grants or contracts) educational programs to provide an adequate supply of personnel to carry out the purposes of this Act.

(b) The Secretary is also authorized to conduct (directly or by grants or contracts) short-term training of personnel engaged in work related to his responsibilities under this Act.

(c) The Secretary, in consultation with the Secretary of Health, Education, and Welfare, shall provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions in employments covered by this Act, and to consult with and advise employers as to effective means of preventing occupational injuries and illnesses.

GRANTS TO THE STATES

SEC. 17. (a) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States to assist them (1) in identifying their needs and responsibilities in the area of occupational safety and health, (2) in developing State plans under section 12, or (3) in developing plans for—

(A) establishing systems for the collection of information concerning the nature and frequency of occupational injuries and diseases;

(B) increasing the expertise and enforcement capabilities of their personnel engaged in occupational safety and health programs; or

(C) otherwise improving the administration and enforcement of State occupational safety and health laws, including standards thereunder, consistent with the objectives of this Act.

(b) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States for experimental and demonstration projects consistent with the objectives set forth in subsection (a) of this section.

(c) The Governor of the State shall designate the appropriate State agency, or agencies, for receipt of any grant made by the Secretary under this section.

(d) Any State agency, or agencies, designated by the Governor of the State, desiring a grant under this section shall submit an application therefor to the Secretary.

(e) The Secretary shall review the application, and shall, after consultation with the Secretary of Health, Education, and Welfare, approve or reject such application.

(f) The Federal share for each State grant under this section may be up to 90 per centum of the State's total cost.

(g) Prior to June 30, 1971, the Secretary shall, after consultation with the Secretary of Health, Education, and Welfare, transmit a report to the President and to Congress describing the experience under the program and making any recommendations as he may deem appropriate.

EFFECT ON OTHER LAWS

SEC. 18. (a) Nothing in this Act shall be construed as repealing or modifying in any way any other Federal laws prescribing safety and health requirements.

(b) Nothing in this Act shall be construed or held to supersede or in any manner affect any workmen's compensation law or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under any law with respect to injuries, occupational or other diseases, or death of employees arising out of, or in the course of employment.

AUDITS

SEC. 19. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination of any books, documents, papers, and records of the recipients of any grant under this Act that are pertinent to any such grant.

REPORTS

SEC. 20. Within one hundred and twenty days following the convening of the first session of each Congress, the Secretary and the Secretary of Health, Education, and Welfare shall jointly prepare and submit to the President for transmittal to the Congress a biennial report upon the subject matter of this Act, the progress concerning the achievement of its purposes, the needs and requirements in the field of occupational safety and health, and any other relevant information, and including any recommendations they may deem appropriate.

APPROPRIATIONS

SEC. 21. There are authorized to be appropriated to carry out this Act not to exceed $10,000,000 for the fiscal year ending June 30, 1969, not to exceed $20,000,000 for the fiscal year ending June 30, 1970, and not to exceed $22,000,000 for the fiscal year ending June 30, 1971.

DEFINITIONS

SEC. 22. For the purposes of this Act:

(1) The term "Secretary" means the Secretary of Labor or his duly authorized representative.

(2) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States, or between points in the same State but through a point outside thereof.

(3) The term "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized groups of persons.

(4) The term "employer" means a person engaged in a business affecting commerce who has employees, but does not include the United States or any State or political subdivision of a State.

(5) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

SEPARABILITY

SEC. 23. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION-BY-SECTION ANALYSIS OF H.R. 17748

A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes

SECTION 1—ACT IS ENTITLED "OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968"

SECTION 2—FINDINGS AND PURPOSE

Congress finds that occupational injuries and illnesses impose a substantial burden upon interstate commerce. The purpose of the Act is stated to be the assurance of safe and healthful working conditions by establishing and enforcing safety standards, supporting research, training programs, adequate reporting procedures for accidents and injuries, by providing assistance to the States in conducting research and development in carrying out their responsibilities under the Act, and by clearly delineating Federal and State responsibilities relating to occupational safety and health.

SECTION 3—STANDARDS

Provides that employers shall comply with specific standards to be prescribed by the Secretary of Labor under carefully fashioned procedural safeguards. The bill does not provide a general requirement that employers provide safe and healthful employment in the absence of such standards.

Briefly, the steps which the Secretary of Labor would be required to follow in setting occupational safety and health standards are the following:

1. When the Secretary wishes to promulgate a rule or regulation prescribing an occupational safety or health standard he must first appoint an advisory committee, which shall include among its members: (a) an equal number of persons qualified by experience and affiliation to present (i) the viewpoint of the employers involved, and (ii) of persons similarly qualified to present the viewpoint of the workers involved; (b) one or more representatives of State health or safety agencies; (c) one or more representatives of professional organizations of technicians, engineers and physicians specializing on occupational safety or health; (d) one or more representatives of nationally recognized standards producing organizations; and (e) any other persons as the Secretary may wish to appoint who are qualified by knowledge and experience to make a useful contribution to the work of the committee. (The number appointed in this category not to exceed the number appointed under headings (b), (c), and (d)).

2. Within 270 days (nine months) following its appointment, or within any longer period prescribed by the Secretary, the advisory committee is to submit recommendations to the Secretary regarding the measures to be precsribed.

3. The Secretary must publish the recommendations of the advisory committee in the Federal Register. This may be done in a subsequent notice of hearing, or separately, as where the Secretary does not wish to proceed with rulemaking on the subjects and issues involved.

4. After the submission of the advisory committee's recommendations, the Secretary,

if he wishes to proceed with rule-making shall schedule and give notice of a hearing. The notice must contain the recommendations of the advisory committee and any other relevant subjects and issues of which the Secretary may wish to consider, such as any materials developed from the research programs to be developed under section 15 of the bill, or how any standards to be established are to conform, to the extent feasible, with those promulgated under other laws by him, as provided in section 10(b) of the bill. The notice must be provided at least thirty days before the scheduled hearing. Whenever the advisory committee has not filed recommendations with the Secretary of Labor within 270 days from its appointment, or such longer period as may have been prescribed by the Secretary, the noticed subjects and issues need only be relevant to the purpose for which the advisory committee was appointed.

5. Interested persons would be given an opportunity to submit written data, views, and arguments concerning the noticed recommendations of the advisory committee and any other noticed subjects and issues. Only persons who have submitted comments shall have a right at any hearing to submit oral or written evidence, data, views, or arguments. In the absence of comments requesting a hearing, the Secretary would not be obligated to hold one.

6. The Secretary would formulate any rule or regulation after consideration of the entire record before him. In the event a hearing is held, it would be subject to the procedural requirements of sections 7 and 8 of the Administrative Procedure Act, as codified in 5 U.S.C §§ 556 and 557.

7. Any person adversely affected or aggrieved by a rule of the Secretary may obtain review thereof by the Court of Appeals for the District of Columbia.

The Secretary has an alternative avenue for prescribing occupational safety and health standards. Without regard to the procedural requirements of section 4 of the Administrative Procedure Act, as codified in 5 U.S.C. § 553, or the steps outlined above, the Secretary may apply any standard adopted under a "consensus method" by a nationally recognized standards producing organization. A standard so adopted would be known as an "adopted national consensus standard." In applying a "consensus method," as contemplated by the bill, it is not enough for a standards producing organization to formulate its standards alone. There must be an opportunity for persons outside the organizations having a substantial interest in the application of the standards to comment upon them. In varying circumstances, such persons could include employers, employee organizations, insurers, government agencies, etc. There should be a general concurrence, although not necessarily unanimity, concerning an acceptance of the standards.

The section expressly provides that the Act shall not apply to employment performed in a foreign country or in a territory with United States jurisdiction other than the following: a "State" as defined in section 22, Outer Continental Shelf Lands, American Samoa, Wake Island, Eniwetok Atoll, Kwajalein Atoll, Johnston Island, and the Canal Zone.

SECTION 4—ADMINISTRATION

To assist the Secretary in carrying out his responsiblities under the Act, he is authorized under subsection (a) to use the services, facilities, and employees of Federal and State agencies. The Secretary is further authorized to employ outside experts and consultants.

Subsection (b) deals with the establishment and composition of the advisory committees which would participate in the standards-setting process under section 3 of the bill. (See the analysis of that section for details on the membership of such advisory committees.)

SECTION 5—INSPECTIONS AND INVESTIGATIONS

The Secretary or his designated representative is authorized to make inspections and investigations of the premises subject to the Act. The Secretary is authorized to delegate such authority to another Federal agency or to an appropirate State agency.

SECTION 6—ADMINISTRATIVE ENFORCEMENT

When an inspection or investigation by the Secretary of Labor discloses a violation of the occupational safety or health standards promulgated under section 3, findings and conclusions to that effect must be made under section 6 before any penalties may be assessed under the bill. In addition, findings and conclusions concerning record-keeping violations and violation of Government contract requirements under section 10 must also be made under section 6.

Paragraph (1) of section 6(a) requires that a formal hearing be conducted. Notice of the hearing must be given to the employer at least 15 days before it is held. The Secretary is empowered to issue orders requiring the attendance and testimony of witnesses and the production of evidence in connection with hearings under this section. These orders are judicially enforceable.

The hearing is subject to section 5 of the Administrative Procedure Act as codified in section 554 of title 5, United States Code. The findings and conclusions resulting from the hearing are judicially reviewable.

Paragraph (2) of section 6(a) permits the Secretary to order the immediate cessation of any violation of safety or health standards whenever the violation may result in "imminent harm" to the safety or health of workers. In addition, the Secertary may order such other measures as he may deem necessary to correct or remove the violation, including the prohibition of the employment of any persons in the area where the violation exists except to engage in its correction or removal. The findings of the Secretary under this paragraph would be the subject of a subsequent formal hearing under section 6(a)(1) and, in addition, would be subject to judicial review under section 7.

Subsection (b) of section 6 requires employers to comply with record-keeping and reporting rules to be prescribed by the Secretary of Labor in enforcing the Act.

SECTION 7—JUDICIAL PROCEEDINGS

Subsection (a) vests jurisdiction in the district courts of the United States to enforce any order of the Secretary under section 6(a)(1). Similarly, the subsection gives the district courts jurisdiction to review orders under section 6(a)(1) which are brought by persons aggrieved by such orders. The scope of the court's review would be that described in section 10(e) of the Administrative Procedure Act, as codified in section 704 of title 5, United States Code.

Paragraph (1) of subsection (b) empowers the Secretary of Labor to seek in the district court a restraining order or injunctive relief to enforce an administrative order providing for the cessation of an occupational safety or health violation which may result in "imminent harm." The employer would have similar access to the district courts to review such an administrative order.

Under paragraph (2) of subsection (b), an employer is given a cause of action against the United States in the Court of Claims where the Secretary of Labor's investigators arbitrarily or capriciously issue orders in alleged "imminent harm" situations.

SECTION 8—CONFIDENTIALITY OF TRADE SECRETS

Provides that no one can be required to divulge a trade secret in any proceeding under the Act.

SECTION 9—PENALTIES

Any employer (or in the case of a Government contract, any contractor or subcontractor) may be assessed by the Secretary a civil penalty of up to $1,000 for each violation of the standards set by the Secretary. Each violation is a separate offense. Each day of continuing violation thereafter is a separate offense, except during: (1) a reasonable period specified in the enforcement order for correction of the violation, and (2) the period during which the enforcement order is subject to review, or such review is pending.

The assessment of such penalties will be made pursuant to an order issued by the Secretary under section 6(a)(1) of the Act.

The size of the business and the gravity of the violation must be considered in assessing the penalty.

The Secretary may adjust or otherwise settle any claim for civil penalties.

It would be a misdemeanor to willfully violate an order issued under section 6(a)(1) of the Act, and a felony to use force against a person engaged in enforcement activities under the Act. Varying fines and prison terms commensurate with the seriousness of the offense are provided for.

SECTION 10—GOVERNMENT CONTRACTS

Each contract exceeding $2500 which is federally financed or assisted must contain a requirement that the work to be performed under the contract will be done under safe and healthful conditions which meet the standards set by the Secretary under the Act, or which meet State standards in a State having a plan approved under section 12 applying to the workplace.

The Secretary may declare any person (or business entity in which such person has a controlling interest) who disregards his obligations under the Act ineligible to receive contracts subject to the Act until the person satisfies the Secretary that he will comply with the Act's requirements. In addition, the Secretary may recommend to a contracting agency that a contract be cancelled, terminated, or suspended where a contractor or subcontractor does not comply with an order of the Secretary.

The procedural requirements of section 6 (a)(1) would apply to actions to enforce the contractual requirements of section 10, and to actions bearing upon eligibility for any future contracts subject to the Act. Any such actions would be subject to judicial review, as provided in section 7.

SECTION 11—VARIATIONS, TOLERANCES, AND EXEMPTIONS

Section 11 of the draft bill authorizes the Secretary to make reasonable variations, tolerances, and exemptions to any of the provisions of the draft bill, so long as they are not inconsistent with the purposes of the Act. He is required to keep an indexed record of the tolerances and exemptions open for public inspection.

SECTION 12—EFFECTIVE DATE; FEDERAL-STATE RELATIONSHIP

Subsection (a) provides that the Act becomes effective on the first day of the first month after enactment, except that the enforcement sections (6 and 7), the penalties section (9), and the standards to be set under section 3 will not be effective until July 1, 1970. Also, section 10 will not apply to contracts entered into before July 1, 1970.

Subsection (b) provides that the State may assert jurisdiction over any issue where there is no applicable Federal standard.

Subsections (c) and (d) provide that if a State wishes to develop and enforce its own standards in place of those which have been established by the Secretary under section 3, the State shall submit a plan to the Secretary who shall approve the plan if in his judgment it meets certain criteria set out in the subsection. These criteria are similar to those applicable to State plans prepared under the provisions of the Federal Metal and Nonmetallic Mine Safety Act; i.e., a State agency, or agencies, must be designated as responsible; the State standards will be "substantially as effective" in providing safe and healthful employment as the Federal standards; State must have right of entry and inspection; the State will have the authority and personnel to enforce the State standards; State will have adequate funds; and the State will make necessary reports to the Secretary.

Subsection (e) provides that the Secretary shall make a continuing evaluation of how the State plan is working. If the State is not complying with its plan, the Secretary shall, after notice and opportunity for a hearing, withdraw his approval of the plan.

Subsection (f) provides that the enforcement sections (6 and 7), the penalties section (9), and the standards set under section 3 shall not apply in a plan-approved State.

SECTION 13—RELATIONSHIP TO OTHER FEDERAL PROGRAMS

Section 13 provides that nothing in the Act authorizes the Secretary of Labor to regulate, or applies to, working conditions of employees with respect to whom another Federal agency has statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health. However, the Secretary of Labor is to coordinate, to the greatest extent practicable, the occupational safety and health activities of all Federal agencies.

SECTION 14—FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

Makes the head of each Federal agency responsible for maintaining a comprehensive and effective safety and health program to protect the employees under his jurisdiction. Such programs shall be consistent with the standards set by the Secretary under section 3 of the Act. The Section enumerates various duties of the agency heads in connection with their program responsibilities.

The head of each executive agency must make an annual report to the president, and the President must make an annual report to the Congress on agency activities under this Section.

SECTION 15—RESEARCH AND RELATED ACTIVITIES

Provides that the Secretary of Health, Education, and Welfare is responsible for conducting research, demonstrations, and experiments relating to occupational safety and health after consultation with the Secretary of Labor and other appropriate Federal agencies. The Secretary of HEW may conduct such activities either directly or by grants or contracts.

The Secretary of Health, Education, and Welfare is directed, on the basis of such research, demonstrations, and experiments, to develop criteria which will enable the Secretary of Labor to meet his responsibilities under the bill for formulating occupational safety and health standards. In order to coordinate the responsibility of the Secretary of Health, Education, and Welfare, for developing criteria, with the corresponding responsibility of the Secretary of Labor for formulating occupational safety and health standards, they are directed to consult for the purpose of developing specific plans for the research, demonstrations, and experiments to be undertaken by HEW. For the purpose of carrying out his responsibilities, the Secretary of Health, Education, and Welfare is authorized to make inspections similar to those authorized for the Secretary of Labor under section 5.

The section authorizes the Secretary of Labor to contract or otherwise arrange for the conduct of studies by public or private organizations. It provides for consultation between the two secretaries in order to avoid duplication of efforts.

The Secretary of Labor, after consultation with the Secretary of Health, Education, and Welfare and the States shall establish accident and health reporting systems for employers and the States.

SECTION 16—TRAINING AND EMPLOYEE EDUCATION

The section directs the Secretary of HEW to conduct (directly or by grants or contracts) educational programs to provide an adequate supply of personnel to carry out the purposes of the bill. The Secretary of Labor is authorized to provide, either directly or by grants or contracts, short-term training to up-date the skills of the personnel already engaged in occupational safety and health work.

The Secretary, in consultation with the Secretary of HEW, shall provide programs for education in the field of occupational safety and health for both employers and employees. The Secretary is also directed to consult and advise employers on occupational safety and health matters.

SECTION 17—GRANTS TO THE STATES

The section provides for a three-year grant program for the states to assist them (1) in identifying their needs and responsibilities in the area of occupational safety and health and (2) in developing plans under section 12 and (3) plans for (A) establishing systems for the collection of information on the nature and frequency of occupational injuries and diseases; (B) increasing the expertise and enforcement capabilities of the personnel engaged in occupational safety and health programs; and (C) improving the administration and enforcement of State occupational safety and health laws which are consistent with the objectives of the draft bill. In addition, provision is made for experimental and demonstration programs for three years carrying out the enumerated objectives. The Federal financing of the grant programs may be up to 90 percent of their cost.

State governors are required to designate the appropriate State agency or agencies to receive grants, and the Secretary of Labor reviews applications submitted by these agencies after consultation with the Secretary of Health, Education, and Welfare.

The Secretary of Labor after consultation with the Secretary of Health, Education, and Welfare is require to transmit a report to Congress and the President describing experience under the program and including any appropriate recommendations.

SECTION 18—EFFECT ON OTHER LAWS

Section 18 of the bill provides that nothing in the bill shall be construed as repealing or modifying in any way other Federal occupational safety and health laws; e.g., the McNamara-O'Hara Service Contract Act, the Walsh-Healey Act, the Longshoremen's and Harbor Workers' Compensation Act.

This section also makes it clear that the bill does not alter in any way the rights or liabilities of an employer or his employees under existing state law, common law, or statutory, dealing with compensation for work-connected injury, disease, or death. A similar provision is contained in the Federal Metal and Nonmetallic Mine Safety Act.

SECTION 19—AUDITS

The Comptroller General is given express auditing authority dealing with the grant programs.

SECTION 20—REPORTS

The Secretary of Labor and the Secretary of Health, Education, and Welfare are required to submit, once every two years, a joint report to the President for transmittal to Congress on the progress being made in the field of occupational safety and health and on the needs and requirements in that field. The report may include recommendations.

SECTION 21—APPROPRIATIONS

Authorizes up to $10,000,000 for fiscal year 1969; $20,000,000 for fiscal year 1970; and $22,000,000 for fiscal year 1971.

SECTION 23—SEPARABILITY

This section contains a separability provision.

SECTION 22—DEFINITIONS

This section includes definitions of the terms "Secretary", "commerce", "person", "employer", "employee", and "State".

STATEMENT OF HOWARD PYLE, PRESIDENT, NATIONAL SAFETY COUNCIL, ON OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968

The National Safety Council has been chartered by the Congress of the United States "to further, encourage, and promote methods and procedures leading to increased safety, protection, and health among employees and employers," as well as in all other aspects of American life. 36 U.S.C. 463(1).

For fifty-five years, the National Safety Council's service to safety has been made possible by the cooperation and support of a growing voluntary membership that has probably done more for the safety of the worker on the job than any other association of interests in the world. Today the United States can point with pride to a record of safety for the worker that is characterized by a wide range of very low accident frequency and severity rates.

Although the progress being made is noteworthy, it is undeniable that some employers—government as well as private—are not doing as effective job in occupational safety as can be done.

The President has appealed to the Congress for a Congressional declaration of national policy that, so far as possible, all workers in the United States should be furnished "safe and healthful employment and places of employment." The issue before Congress is how best to achieve these goals.

Already the Administration's Bill, S. 2864 and H.R. 14816, has served a useful purpose by focusing both public and professional attention on occupational safety and health.

In the National Safety Council, we have had intense and fruitful discussions, involving some of the nation's ablest and most innovative safety advocates in industry, labor and other fields of participation and concern.

We have very carefully noted the testimony that has been presented for the consideration of the Congress by associations of employers, of labor, of medicine and other organizations interested in safety. Nearly all of the groups involved include National Safety Council members. Thus, we must undertake to meet our responsibility to the Congress, and to safety, from an environment of divergent views.

There is considerable consensus that the health and safety objectives of the Bill need some attention *now*. If the Congress concurs and its judgment is that legislation should follow the pattern represented by the Occupational Safety and Health Act of 1968, then we respectfully urge that our recommendations be given every possible consideration to more effectively achieve the intent of the Bill.

If the Congress concludes only that more Federal leadership and help to the states is needed at this time, we believe our recommendations will still be pertinent to the nature of the Federal response.

ACCIDENT FACTS

Since much of the statistical material that has been presented to the Congress has been attributed to the National Safety Council, we would like to summarize the record in this regard before submitting our specific legislative views and proposals.

1. *The Total Injury Experience* in 1967 showed the following number of injuries by principal class:

	Deaths	Change from 1966 (percent)	Disabling injuries
Total	112,000	—1	10,700,000
Motor vehicle	53,000	0	1,900,000
Home	28,500	—3	4,300,000
Public	19,500	0	2,400,000
Work	14,200	—2	2,200,000
Nonmotor vehicle	11,200		2,100,000
Motor vehicle	3,000		100,000

The total occupational deaths account for 13 per cent of the total accidental deaths and the total occupational injuries account for 21 per cent of the total of the injuries. If we were to exclude occupational motor vehicle deaths and injuries, which this Bill is not likely to reach effectively, we are now concerning ourselves with 10 per cent of the total accidental deaths and 20 per cent of the total injuries sustained by the American people.

2. The present Bill coverage does not reach all the types of work deaths and injuries that occurred in 1967. For example, National Safety Council data show that the 14,200 deaths and 2.2 million injuries resulting from work activities occurred in the following industry or government groups:

Industry	Deaths	Injuries
Trade	1,300	420,000
Manufacturing	1,900	480,000
Service	1,800	320,000
Government	1,500	280,000
Transportation and public utility	1,700	200,000
Agriculture	2,700	230,000
Construction	2,700	230,000
Mining and quarrying	600	400,000

If we exclude the population of those whose work places are already covered by existing standards issued by other Federal agencies and those excluded under the definition of "employer" in Section 21(d), the number of deaths and injuries to be affected by this bill become less than the 10 per cent and the 20 per cent respectively cited above.

We have a single purpose in providing these facts—to set work injuries in their true national perspective. Unless the Congress and the American people visualize the specific nature of the problem dealt with by the Occupational Safety and Health Act of 1968 and the context of the entire accident situation, the resulting possible misunderstanding, frustration and disappointment may handicap effective action. For the National Safety Council, a single avoidable death or injury is tragic—and should be prevented—whether it occurs at work, at home, on the highway, or in a public place or building.

LEGISLATIVE AND ADMINISTRATIVE RECOMMENDATIONS

Two of the major aspects of the proposed legislation are the *development of regulations* and *their enforcement*. We shall treat each separately.

Development of regulations

We are all familiar with the safety standards that have been developed by nationally recognized standards-producing organizations such as the United States of America Standards Institute and the National Fire Protection Association. Such standards have been voluntarily developed and adopted under the consensus principle.

The consensus principle basically involves two essentials:

1. Securing representation of those groups that would be affected by the standards.

2. A predominant acceptance by such groups.

The consensus principle implies much more than the concept of a simple majority of those represented, but not necessarily unanimity. Standards thus developed are truly national consensus standards. (The U.S. Bureau of Standards has published an excellent guide to the consensus procedures it uses.)

The National Safety Council believes that national consensus standards concerned with safety are an important factor in achieving greater safety effectiveness. We therefore strongly support the voluntary development, promotion, and use of such national consensus standards, and will continue to assist in all ways in the development and subsequent revision of such standards within the limits of the Council charter and funds.

The Council has urged that its members adopt these national consensus standards as criteria that should be met within their own organizations. Further, the Council has consulted with various state departments of labor and has urged that the states use the national consensus standards as a basis for developing regulations governing occupational safety. Unfortunately, most state regulations governing occupational safety are deficient when compared to national consensus standards. The Council believes that for those states that are deficient in this area, the adoption of national consensus standards would significantly upgrade their regulations governing occupational safety.

We strongly recommend that the promulgation of standards be subject to the following conditions:

1. All initial standards promulgated under this Bill shall be limited to existing safety standards developed under the consensus principle by nationally recognized standards producing organizations. By definition, such standards are national consensus standards. (Hereinafter all standards developed under the consensus principle and promulgated into regulations under the provisions of this Bill shall be defined as "adopted national consensus standards.")

2. Insofar as possible all subsequent standards promulgated under this Bill be based on safety performance requirements. Where it is not practicable to define such performance, detailed specifications should be used as examples of methods approved in advance, but the way should be left open for other methods giving equal protection.

3. That there be a provision in these adopted national consensus standards for variation where the need for such variation exists, subject to consideration by adequately composed Boards of Review.

4. That the Secretary of Labor be directed to submit to an Advisory Committee (which we shall discuss in detail later) any and all proposed standards for promulgation under this bill for the Advisory Committee's review and recommendations.

5. Where a situation exists that is not covered by any of the national consensus standards promulgated under the conditions just described, and if the Secretary of Labor deems a standard necessary, the Secretary should be authorized and directed to request the appropriate national standard-producing organization to develop a national consensus standard.

The National Safety Council is aware that the amount of time required to develop a national consensus standard is sometimes extensive. Therefore, the Secretary, in consultation with the Advisory Committee, should be authorized to set a reasonable time limit in his request. If the time limit set by the Secretary is not met, then the Secretary should be authorized, in consultation with the Advisory Committee, to appoint an Ad Hoc group of consultants and representatives from the involved industries and groups to develop a national consensus standard. After consideration is given to the recommendations of the Advisory Committee with respect to such a national consensus standard, the Secretary of Labor shall have the authority to promulgate such a standard into regulations for the purpose of achieving the intent of this Bill.

6. Finally, the Secretary of Labor should be directed to promulgate such national consensus standards into regulations as promptly as feasible and practicable, but if and only if the above conditions are satisfied.

7. The states should be urged by the Secretary of Labor to promulgate appropriate national consensus standards as state occupational safety regulations. If such were accomplished, many states would upgrade the quality of their occupational safety regulations, including their coverage of interstate commerce, and would avoid a set of double standards should the Bill under consideration be enacted into Law.

Enforcement of standards

With respect to the enforcement of the adopted national consensus standards issued under the Bill, the general thrust of the National Safety Council's recommendations is to strengthen and encourage state enforcement.

Federal-State Relationships

Since it is appropriate and accurate to note that there is considerable room for improvement at both Federal and state levels of government with respect to the future of occupational health and safety, every effort must be made to assure an effective Federal-state partnership for progress.

To this end the Bill and the Committee's report should indicate a Congressional intent that the states progressively undertake the enforcement of all the adopted national consensus standards. The report should further indicate that the Secretary should move toward such a goal as expeditiously as feasible.

The adopted national consensus standards should be enforced by the state, within its border, under a state plan which in the determination of the Secretary of Labor complies with the following requirements:

1. A state agrees to enforce the adopted national consensus standards within its border;

2. The state has legal authority under state law to carry out the approved plan;

3. The state's enforcement, including the availability of qualified personnel, will reasonably carry out the intent of the Bill.

Where a state plan includes an agreement by the state to enforce only a portion or portions of the adopted national consensus standard, the Secretary should approve such plan, and the state shall enforce within its border such portion or portions of the adopted national consensus standard if in the opinion of the Secretary such a limited state plan will reasonably tend to carry out the objectives of the Bill. The remainder of the adopted national consensus standards not enforced by the state should be enforced by the Secretary of Labor.

Where a state plan has not been approved by the Secretary and there exists no agreement by the state to enforce a portion or portions of the adopted national consensus standards, all of the adopted national consensus standards shall be enforced by the Secretary of Labor.

Where a state fails to submit any plan by a deadline date, but subsequently submits a plan or further plan, the Secretary within a reasonable period of time will make a determination whether or not he will approve such a plan.

The Secretary of Labor shall retain the authority and right to periodically review performance and activities of approved state plans or approved limited state plans to assure continued compatibility of such plans and their enforcement under the requirements of the Bill. If, after notice, hearing, and reasonable opportunity to assure such compatibility, the Secretary makes a determination that the approved state plan or approved limited state plan no longer warrants approval, he may revoke such approval and undertake Federal enforcement of the adopted national consensus standards within such state.

The Congress should express in the Bill the Congressional intent that, to the extent feasible, the Secretary shall use state services, facilities and qualified employees, with state consent and subject to reimbursement, to carry out the Secretary's responsibilities for enforcing the adopted national consensus standards in the period prior to state assumption of such enforcement under an approved state plan.

Section 12(b) of the present Bill should be deleted since it may create what could become a troublesome and confusing conflict. Hopefully this conflict can be avoided under the Council's recommendation for the state enforcement of the adopted national consensus standards.

In describing the purpose of this proposed legislation, Secretary of Labor Wirtz testified that "What we are talking about is bringing up the laggards to a level of responsibility." The Secretary continuously stressed the role of the states in this program. The National Safety Council believes that these two goals are interrelated and both can best be achieved by a combination of national consensus standards, state adoption of the national consensus standards into state regulations, and general assistance and upgrading of the level of state occupational safety administration.

The Federal planning grants to the states, available for a three-year period, should be designed to enable the states to undertake enforcement of the adopted national consensus standards at the earliest possible time. In addition, such planning grants should be made available to aid the states in planning other occupational safety and health programs not subject to this Bill. Such grants hopefully will enable states to upgrade their own occupational safety programs to that envisioned by the Secretary of Labor.

In addition to the planning, research and demonstration grants already provided for in the Bill, Federal grants (or reimbursement) should be provided to the states for *operational* and *administrative* purposes, under the following conditions:

1. Such operational and administrative grants shall be made to each state with an approved state plan for the purpose of carrying out such plan;

2. Such operational and administrative grants should also be made, under appropriate circumstances, for operation of a state's occupational safety and health program applicable to fields not subject to the Bill, whether or not the state has an approved state plan;

3. Authorization for such grants for operational and administrative purposes should not be limited to the three-year period now applicable for planning grants;

4. The National Safety Council expresses no views as to the specific Federal-state matching ratio, but does urge that the Federal portion be sufficient to serve as an effective incentive to the states to undertake their full role in preventing occupational injuries.

We are submitting for the Committee's review a statistical analysis which cites data available from the States of California and New York. The analysis indicates that the fatality rate in these states, which allegedly have good state standards and good enforcement procedures, is in the order of 30 per cent below the national average. This is an improvement well worth seeking in other states.

General

The National Safety Council urges that the Bill shall authorize the Secretary of Labor, at his option and in consultation with the Secretary of Health, Education, and Welfare to concentrate his efforts in the particular areas of occupational safety and health as he may find to be most in need of improvement. Such intent should be included both in the Bill and the Committee's report. The National Safety Council believes the adoption of this priority concept will produce the most effective results that can be achieved within the framework of this Bill.

For all initial national consensus standards promulgated under this Bill, the National Safety Council urges that the effective date shall be one year after the date of first public notice of promulgation. With respect to revised national consensus standards subsequently promulgated under this Bill, the Secretary should be directed to provide a reasonable period of time between the date of promulgation and their effective date.

Penalties

As a result of discussions with knowledgeable persons, the National Safety Council believes that the present language of the Bill in connection with penalties is more inclusive than intended. It seems reasonable to believe that penalties which might involve "closing the plant" would rarely arise, therefore, the National Safety Council believes that the public interest and the cause of safety would be better served by providing (1) graded penalties dependent on the seriousness of the violations, (2) appropriate procedures for the assessment of penalties.

1. The following seems to be a reasonable classification of violations for this purpose:

a. Disaster potentials.

b. Imminent grave harm.

c. Other violations.

For violations threatening disaster potential, the inspector should be authorized to issue an order requiring correction or cessation of operation either immediately or within a specified reasonable time, with a penalty of $1,000 per day for non-compliance. In such instances, the Department of Labor should be required immediately to seek a court injunction in a Federal District Court, and the Statute should give such proceedings priority over all other matters on the Court's calendar. This process will protect against unfounded or capricious action and, at the same time, ensure the prompt enforcement required by the seriousness of the situation.

Where the violations threaten imminent grave harm but not disaster potential, the penalties for non-compliance with the regulation should be a fine up to $1,000 and a penalty of $1,000 per day should apply for the failure to comply with an order to correct (or to cease operations, if affirmed by a Court).

The penalty for other violations should not exceed $100 for the violation of a regulation, with some question whether any penalty is appropriate at this stage. Non-compliance with an order to correct the violation within a reasonable time should involve a penalty of up to $100 per day.

With respect to all kinds of violations, a series of related violations should be treated as a single violation for purposes of assessment of penalties.

2. In our system of law, persons subject to penalties for alleged violation of law or regulation are entitled to formal charges and an opportunity for appropriate procedure and review, in order that the same individual may not be prosecutor, judge and jury. The National Safety Council believes that such provisions are appropriate here. Penalties should be assessed only after formal charge, and only through judicial proceedings or by an independent hearing officer under the Administrative Procedures Act.

Research and training

The National Safety Council enthusiastically and wholeheartedly endorses the provisions of the Bill for research and related activities, and for training. We hope that generous and appropriate finances will be made available by Congress to support these vital programs.

Advisory committee

We have already referred to the role of an Advisory Committee in connection with standards. We believe that such a committee has a wider role.

The Secreary of Labor, after consultation with the Secretary of Health, Education, and Welfare, should be directed to appoint a permanent, representative, multi-interest Advisory Committee, without regard to civil service laws, to advise, consult with, and make recommendations to him and to the Secretary of Health, Education, and Welfare on matters relating to the activities and programs provided for in the Bill. As stated previously, the Secretary shall be directed to submit to the Advisory Committee for review and recommendations, any and all national consensus standards proposed to be issued by the Secretary under Section 3(a).

The Secretary, as previously stated, should be authorized to appoint Ad Hoc groups of consultants and representatives to advise him and the Advisory Committee on specialized problems and with problems of particular industries.

The Secretary of Labor should also be directed to submit to the Advisory Committee for review and recommendation the proposed criteria that the Secretary establishes for releasing sole or partial jurisdiction of the provisions of this Bill to the states.

Scope of the bill

In connection with the scope and application of the Bill, we have the following observations:

1. The scope of the Bill should encompass:

a. Interstate commerce coverage, and

b. An expanded Walsh-Healy coverage as proposed, as well as contracts financed by loans and grants.

2. The Administration's Bill exempts Federal agencies from coverage in Sections 13 and 21(d). The National Safety Council realizes the difficulty that may arise when one Federal agency is required to administer the safety and health aspects of another Federal agency's operating program for either its own employees or those of its contractors, or for the public at large involved in its program. Nevertheless, the occupational accidents and diseases affecting Federal employees constitute a substantial part of the statistical alarm that has been sounded in this matter. Therefore, pending other arrangements, the National Safety Council believes that the Secretary of Labor should be authorized and directed to:

a. Assess the compatibility of the standards or regulations (and their enforcement) of all other Federal agencies having statutory authority to prescribe or enforce standards or regulations affecting occupational safety and health with the Secretary's standards issued under this Bill, excepting purely military tactical operations and activities.

b. Report such assessment, with any recommendations he may deem appropriate biennially to the President and the Congress.

3. Also excluded from the scope of the Bill are employees of any state or political subdivision of a state. Occupational injuries affecting these employees also contribute to the total occupational safety problem. Congress should make clear its purpose and policy to cover the employees of any state or political subdivision whose activity is financed in whole or in part by loans, grants or contracts from the Federal Government or any agency of the Federal Government.

Finance

The total direct and indirect cost of occupational accidents is estimated by the Council at $6.8 billion per year. (This includes $1.5 billion wage loss, $700 million medical expenses, $800 million insurance administration costs, $800 million fire loss and $3.0 billion in property damage, interference with production and time lost by employees other than the injured person.)

The cost of occupational accidents is obviously high. Therefore the National Safety Council urges the Congress to include in the

Bill specified and adequate appropriation authorizations for each of the various programs in order to assure effective implementation of the intent of the Bill which will help decrease the existing accident costs.

Simply passing a good law is not enough. Unless the Congress stays with the problem, and year-in and year-out appropriates enough funds to carry out the law effectively, we may even have a regression instead of progress. Let me cite a recent example:

The National Safety Council has done all within its power and resources to cooperate with the Congress and the Executive Branch in strenuous efforts to cope with the largest single class of accidents in this country, motor vehicle accidents. In 1966 the Congress passed two fine laws, P.L. 89-563 (motor vehicle safety standards) and P.L. 89-564 (state highway safety). We have been disappointed that Congress circumscribed execution of the fullest promise of the state highway safety law. We are aware, of course, of some of the causative factors involved. But the simple fact is that this failure of Congressional follow-through has handicapped, both in spirit and in fact, the whole state highway safety program. It is not enough for Congress to merely pass a substantive law. It *must* also follow through with sufficient funds to carry it out—especially where Congress expects, and the situation requires, cooperative efforts among Federal, state and local governments.

In connection with related administrative responsibilities, the National Safety Council strongly urges that both the Administration and the Congress strengthen, expand, and finance:

1. The occupational statistics program of the Bureau of Labor Statistics, and

2. The farm safety programs and activities of the U.S. Department of Agriculture. In this connection the Council recommends that farm safety expertise be involved in the implementation of the Act and that special cognizance be given this industry. For example, a statutory requirement to consult the Secretary of Agriculture would be well advised.

CONCLUSION

The Secretary of Labor dwelt at length on the fine occupational safety records of members of the National Safety Council. We wish all employers did as much. Indeed, there is no real substitute for such an effort if we are truly to meet the President's goal.

But good legislation, wisely administered, can further enhance the job of reducing occupational injuries. We believe that the recommendations and procedures we have described with respect to this proposed legislation will help reduce the toll of occupational accidents in our nation.

COMPARISON OF WORK DEATH RATES PER 100,000 EMPLOYED, BY INDUSTRY GROUP—CALIFORNIA, NEW YORK, AND UNITED STATES, 1965 AND 1966 ANNUAL AVERAGES

Industry group	Death rates				Percent difference [4]
	United States [1]	California [2]	New York [3]	California and New York combined	
Manufacturing	10	8.6	10.6	9.7	−3
Trade	8	6.7	8.6	7.7	−4
State and local government	15	8.8	9.2	9.0	−40
Construction	73	44.4	58.5	50.8	−30
Service	12	5.7	7.5	6.7	−44
All industries above	51	9.5	11.1	10.4	−31

[1] National Safety Council estimates.

[2] Rates developed from death totals in "California work injuries, 1966 and 1965;" employment totals in "Employment and Earnings Statistics for States and Areas, 1939-66" (U.S. Department of Labor Bulletin 1370-4).

[3] Rates developed from death totals furnished by New York State Workmen's Compensation Board; employment totals in "Employment and Earnings Statistics for States and Areas, 1939-66" (U.S. Department of Labor Bulletin 1370-4).

[4] This is the percent difference between the California-New York combined rate and the U.S. rate.

SOLVING OUR URBAN AREAS' PROBLEMS

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. President, the distinguished mayor of New York City, Hon. John V. Lindsay, recently made an outstanding speech in Pittsburgh, Pa. Mayor Lindsay's experiences in running our Nation's largest city and his recommendations for solving some of our urban areas' largest problems are most certainly worthy of the attention of the Senate. I ask unanimous consent that the text of his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE CITIES IN 1968

(Address by Hon. John V. Lindsay, mayor of the city of New York, before the Allegheny County Republican Finance Committee, May 21, 1968, Pittsburgh, Pa.)

I chose the title of this address—"The Cities in '68"—because I believe this is a year of decision for the cities: a year in which the voice of the cities will be heard across the land.

This year, we shall determine the future leadership of the United States through the orderly, familiar process of a national election.

And this year, it will be decided—through a mysterious, totally unpredictable process—whether America's cities will again be torn by riots.

Both decisions—one open, the other covert—will be made in the metropolitan areas of this country; that is where almost seventy percent of the voters live, and where the worst kind of violence breeds.

The two decisions I've described are not totally separate; in many ways, they converge. To understand their similarities, I think we have to begin by recognizing that this is the first national election to be held in this country since the riot in Watts.

Watts was of singular importance because there, in the summer of 1965, we first saw the true dimensions of the trouble that has been festering in our major cities for decades. In Watts, we saw that the rioters could not be dismissed as professional troublemakers, juvenile delinquents, or ordinary criminals. We found that many rioters held jobs, lived in fairly comfortable homes, had no police records and were indistinguishable, except by color, from millions of Americans in hundreds of other cities.

We found that the looters were selective in what they took from the stores. The nationally-advertised brands, particularly those that had been heavily promoted on television, were grabbed up first.

We had to be impressed by this unexpected manifestation of brand-loyalty among the poor. We read with compassion about Michael Harrington's "The Other America." But after Watts, we knew the people in the slums have no reason to read about it. They watch the other American every night on television, and they do so, not with compassion, but with growing envy of the good life so lavishly displayed in network programming.

Most chilling of all, the nation learned in Watts that the disorders in the cities could not be attributed simply to resentment or hatred of the police. The rioters in Watts were not in rebellion solely against the absentee-owned stores that overcharged them . . . or the absence of a community hospital . . . or the neglect of the creaky schools . . . or the degradation of the welfare system.

When the rioters chanted "Burn, baby, burn" they directed it at all these things. But make no mistake about it: That cry meant us. It was a threat to Mr. Charley and all of his establishments and institutions. The virulence of the cry probably infected every racial disorder that took place in this country last summer, and the summer before.

In this year's elections, the candidates for the nation's highest office will be required to face up to the issues of violence in the cities.

They will be nominated in the cities, they will do most of their campaigning in the cities and they will win or lose according to the votes of the people who live in and around the cities.

It seems to me that to understand what is happening in our cities, and how the cities are likely to influence the course of political events, we have to understand that our cities were in trouble seventy years ago, long before the migration of the American Negroes from the farms of the South to the cities of the North. Lincoln Steffens wrote his famous book, "The Shame of the Cities", at the turn of the century. In it, he raged against poverty, slums, unemployment, dirty streets, poor transportation. Even then, the "proper" people who made up the white middle class were moving into what, at the time, were considered the suburbs.

In almost all of our major cities, those problems have intensified. To a large degree, that has been the cities' own fault: They haven't had energetic, progressive leadership. They haven't managed their own affairs wisely or efficiently. And, they exhausted their own resources trying to cope almost single-handedly with our most critical domestic problems—problems that the Federal government only recently recognized as the nation's own.

In reacting to the trouble in the streets, we should do so within the framework of a city-wide attack against the dehumanizing conditions of the cities—conditions which often are intolerable in the ghettoes and barrios, but which are a valid, continuing source of resentment for almost everyone who lives and works in the city.

Violence in our cities is not solely a minority protest against discrimination or repression. It feeds upon deeper, more universal hostilities toward the urban environment. We need a total approach to the problems of our cities, one which strives for the rebuilding of the whole city for the benefit of all the people who depend upon it—as a livelihood or a home . . . as a place to grow up amid excitement, or grow old in tranquility.

Based on my experience and observations, the primary rebuilding job does not consist of bulldozers, or contractors, or urban renewal. It consists of rebuilding the confidence of people in their institutions of government.

Over the past decades, we've witnessed an increasing centralization of this country's power in big government, big business, big labor—big institutions of all kinds. We've become a more efficient and richer nation as a result, but we also have taken the power of government further and further away from the people it represents.

In most of our cities, government is a remote, insulated enterprise, difficult to approach and even harder to communicate with. A citizen who tried to find his way unassisted through the myriad baffles and dams of the bureaucracy usually comes to the conclusion that government's chief function is not to serve him, but to perpetuate itself.

That individual, not unlike the hippie who cannot communicate with her parents, or the sophomore who rebels against his university, drifts into an attitude of alienation and despair. He has tried to move the institutional monolith; to make it listen, to act. Having failed, he is likely to seek less formal, and ostensibly more powerful outlets for his grievances and ambitions.

This is the time when the seeds of disorder are sewn.

This summer, we shall see how far this estrangement has progressed into militance.

In New York City, we have not waited for the summer; we have tried to invest in a year-round program of making city government visible—getting it out into the communities where it can be seen, talked to, and maybe pushed around a little. New York is never lacking in irate citizens to handle the pushing.

Visible government applies to the challenge of the cities a modern version of traditional Republican policies. It adheres to the rule that the most important level of government is the local level. It carries out the thesis that the best government is that in which the greatest number of people participate.

Visible government in New York is based on a twinned decentralization of city government. It works in two ways: One strives for the geographic breakdown of the huge apparatus the city operates. The second is administrative: it seeks to give people a voice in government decisions affecting their own communities.

Geographically, we're placing more city services in the neighborhoods. Instead of obliging people to come to us, we're going to them:

We have set up early childhood centers in the neighborhoods to supervise and instruct pre-school children. The centers are especially helpful to working mothers by providing daytime care close to home.

Vest-pocket parks—compact centers of rest and recreation—are being built in congested areas where large land parcels are too expensive to assemble for traditional parks.

We are scattering welfare and manpower training offices throughout the areas where dependency and joblessness are acute. Family planning clinics also are being set up as "satellites" of the central offices.

Medical and health services are being brought to the neighborhoods by family care centers, so that the ill can receive outpatients care near their homes. One objective is to keep people out of the hospitals through preventive medicine, which benefits both the patient and the taxpayers.

We coordinate many of these services through neighborhood offices of the Mayor. In these offices, neighborhood residents walk in, present their problems or complaints to city employees from that neighborhood, and receive fast, direct action upon them.

The geographic decentralization of city offices provides tangible evidence that city government is becoming more deeply engaged with its residents. But that is not enough; we are devoting equal energy to developing the voice of the community:

To grant our citizens a deserved and needed participation in the decision-making process, we are working with community representatives through urban renewal councils, police precinct councils, and youth councils. The City's Planning Commission teams with community planning boards, and the Anti-Poverty Program is administered in large degree through community corporations.

People told us they wanted a voice in the school system, which in New York is an administrative monolith that is almost incapable of adjusting itself to individual desires and needs. In response, we drew up a plan for decentralizing the school system, creating local school boards to give parents a say in the way their schools are run.

The main purpose of these groups is to obtain the community's advice and approval on programs and projects affecting those communities. As those of you who have been active in comparable organizations can attest, the advice is far easier to obtain than is the approval.

To be sure, community participation involves argumentation, recrimination and often delay. But we think it's worth it. For whether we proceed with an urban renewal project or shelve it, the people whose lives it will affect know that their views have been heard and their wishes considered. In the long run, it makes our job easier—and more rewarding.

Everything we are trying to accomplish in New York City—breaking down the bureaucracy into manageable units; striving for government impact on a block-by-block basis; granting people a say in government, and paying attention to their views—all of it is consistent with what the Republican party has espoused throughout its history.

One of our party's fundamental principles has been fiscal responsibility, and New York City is meeting that challenge—despite enormous difficulties—in two ways: First, we are maintaining a rigorous budgetary discipline to control spending. Second, we are developing new revenue sources—local, state and federal—to meet the rising demands upon our limited financial resources.

Since January 1, 1966, we have saved over $173 million through the elimination of positions, restrictions on new employment, economies and program reorientation. We have held the budgetary line against staff expansion in virtually every program area subject to control, and we are investing heavily in computers and modern equipment to increase effectiveness and to lower costs.

For the first time in twenty years, we have completed two fiscal years without having to issue budget notes to cover operating costs at the end of the year. During the same period, we increased the City's reserve funds from an insignificant $54,000 to $8 million.

My Administration inherited a budget gap of almost a half-billion dollars. To handle a deficit of that magnitude, we took the only and most agonizing course open to us: We bit the bullet and proposed a city income tax and earnings tax on commuters employed in the city. We had to win approval of the taxes from a Democratic-controlled City Council. Then we had to gain authorization from the Legislature and the Governor in a year in which all the legislators and the Governor were up for reelection.

We won the fight for the taxes, and it helped us to balance our budget that year and in each subsequent year.

Government can't do the job by itself; it needs the cooperation and support of the private sector if we are to make real progress in our cities. This partnership, one that Pittsburgh has long ago achieved and which is spreading throughout the country, represents another activation of Republican philosophy.

I could cite several examples of how this is working in my city, particularly through the "New York Urban Coalition", but I'll simply describe one aspect of our overall effort:

We organized a Citizens Summer Committee last Spring. One hundred and fifty-five businesses, most of them corporations, raised three-quarters of a million dollars for youth programs during the summer months.

They provided jobs for five-thousand youngsters. They sponsored play streets, buses to take kids to the beaches, bookmobiles, traveling theaters, airplane rides, soap box derby and dozens of other activities.

The committee played a major role in keeping New York cool last summer and it earned the thanks of the entire city. We hope to have an even broader program this year.

The longer I serve as Mayor of New York, the more I realize the importance and relevance the Republican party and urban America have for each other. Leaving aside for the moment other reasons, it's obvious why the cities are politically important to Republicans; that's where we've been losing elections.

In the incredibly close elections of 1960, for example, Republicans carried only one of the country's ten largest cities. We won in only sixteen of the fifty largest cities. Yet outside the cities, we got most of the votes in those states.

If Republicans had done only slightly better in the typical big city that year—in some instances, just ten percent better—we would have carried the entire state.

The first thing we have to do is field candidates who are willing to take on the challenge of going up against the old-line organizations in the cities. We've got to convince the city voter that the Republican party cares about him, and wants to improve the frequently degrading conditions under which he lives.

Second, I think that we must apply Republican principles to programs concerning the metropolitan areas of this country. Traditionally, we have opposed the concentration of more and more authority in government complexes that are less and less responsive to the people they serve. We should be on the side of the individual in his continuing struggle to make government institutions pay attention to human values.

Third, we have to regain the confidence of minority groups—confidence we once held for almost three-quarters of a century. We have to show that the advancement of individual rights and liberties is as strong and viable a Republican policy now as it was a century ago.

Civil rights, however, is not the only issue. We've got to stand for a better quality of life in our metropolitan areas, and that means better housing, new schools, more jobs, efficient transportation: It means the adoption of a party policy that is not directed solely toward the slum, but toward the improvement of life in the entire city—and, by extension, in the communities surrounding the city.

If we Republicans intend to stay in the game of politics, we must plan for extremely high stakes this year. We have to develop answers to the problems affecting the most people. Those problems, today and tomorrow, are in the American metropolis.

In 1932, we lost our role as a majority party because we fell behind the times. This year, we can regain that role by presenting candidates and programs that are not intimidated by the problems of the present, but have the courage to face the future.

Republicans clearly need the cities, but what is not as well recognized is that the cities need the Republican party. That's not simply because the cities should have a choice; it's because the application of basic Republican principles and practices to the crisis of the cities may be essential to their stability and their survival.

Let's rededicate our party to the principle that every American is equal under the law, that every citizen deserves an honest start in his own pursuit of happiness. Let's work as Republicans for what Republicans stand for: The protection, the support, the elevation of the individual in a mass society.

Thomas Wolfe articulated our hopes when he wrote:

> ". . . . To every man his chance—to every man, regardless of his birth, his shining, golden opportunity;
>
> ". . . . To every man the right to live, to work, to be himself, and to become whatever his manhood and his vision can combine to make of him;
>
> "This . . . is the promise of America."

And this, I submit, is the promise of the Republican party.

Thank you.

UNITARIAN UNIVERSALIST ASSOCIATION ENDORSES GOALS OF POOR PEOPLE'S CAMPAIGN

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. EDWARDS of California. Mr. Speaker, in Cleveland, last May 29, 1968, the Unitarian Universalist Association adopted a resolution in support of the Poor People's Campaign. This resolution was adopted by the seventh general assembly of the association by a more than two-thirds vote and reflects the association's deep and continuing concern with correcting the social and economic ills which plague our Nation. Specific goals are mentioned in the resolution—goals of reform in jobs, income, education, housing, hunger, and the judicial system—and to give special note to this resolution, under unanimous consent I place it in the Record at this point.

The resolution follows:

Resolution on the Poor People's Campaign

The Seventh General Assembly of the Unitarian Universalist Association urges support of the Poor People's Campaign of the Southern Christian Leadership Conference and endorses the following legislative goals sought by the Poor People's Campaign:

1. Meaningful jobs at adequate pay scales in both public and private sectors for the unemployed and the under-employed, with the government to be employer of last resort, and effective enforcement of anti-discrimination statutes.
2. A system of income maintenance, including a guaranteed minimum income for all, and family allowances modeled after the Canadian program.
3. Welfare payments brought up to realistical-defined minimum subsistence levels, with punitive and family-disruptive qualifications rescinded.
4. Redoubled efforts at school desegregation and provision of quality education for all Americans from kindergarten through college.
5. A massive program of building and renovation, to provide decent housing, both for the poor and for those on minimum incomes.
6. Adequate medical and dental care for all Americans to be implemented by a program of national health insurance.
7. Reform of the law enforcement and judicial systems to eliminate all forms of discrimination against minority-group persons and those in poverty.
8. Elimination of subsidies to farmers for non-production of crops and increased government distribution of surplus food to the hungry.

Adopted by more than a two-thirds vote.

MINERS RESCUED FROM DEPTHS OF WEST VIRGINIA COAL MINE—MOVING AND DESCRIPTIVE WRITING OF EDITOR JIM COMSTOCK AND CHRISTIAN SCIENCE MONITOR TELL OF FAITH

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1968

Mr. RANDOLPH. Mr. President, on May 6, tragedy struck the tiny community of Hominy Falls, W. Va., when water from an abandoned mine broke through to another mine and trapped 25 coal miners. Fifteen men were rescued and hope faded for the remaining 10 men. In a desperate attempt to drain the flooded mine, large pumps were brought in which began pumping hundreds of thousands of gallons of water from the mine.

In mining accidents, rescue efforts never cease until all men or their bodies have been recovered.

For 10 long days, rescue operations continued around the clock to reach flooded sections of the mine. Hope had been given up, by many, that the men could be found alive. Search teams pushed their way into the depths of the mine as pumps sucked the water out.

West Virginia Hillbilly Editor Jim Comstock told in moving prose of the finding of the lost men, who had survived for 10 days on only the food in their lunch buckets:

> This particular group, headed by Roy Simmons, had come to a place which was wadeable and they waded. Coming out on the other side on the lake, they saw fresh shoe tracks. And a dinner pail. They followed the tracks and they came to a tent made of brattice cloth. . . . Inside the tent, six men huddled, absorbing the bodily heat of the others. It was journey's end.

As the men were recovered from this nightmare, they huddled in a group and thanked God through praise and thanksgiving.

The very talented editor, Mr. Comstock, wrote in the June 8, issue of the West Virginia Hillbilly, of the miraculous happening. There is pathos and power in "The Miracle" column he wrote. It would be worthwhile reading for Members of the Congress, and our citizens generally. An editorial also appeared in the May 20 issue of the Christian Science Monitor, entitled, "Alive and Here With Us." It, too, tells of miracles.

I ask unanimous consent to have these editorials printed in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the West Virginia Hillbilly, June 8, 1968]

The Miracle

A miracle, apparently, is the explanation for the working of the impossible if it were to happen, but doesn't. I base this conclusion on something I overheard at the scene of the recent Hominy Falls tragedy. A newsman was on the phone, reporting the fact that fifteen of the twenty-five trapped coal miners had been brought to safety. Evidently he is asked at the other end of the line about the missing ten. What are their chances? "Oh, only a miracle will save them," he said, and added that they were presumed dead. And they were indeed presumed so. It is just a part of the creed of those who go down into the bowels of the earth to bring forth its bituminous wealth that no man trapped in a mine is presumed dead until the body has been brought forth.

Later, after the ten had been brought out of the mine and were bedded down securely and very, very happily, at the Sacred Heart Hospital in Richwood, I was startled to hear my newsman friend in gentle argument with one of the six. "What do you mean 'miracle,'?" he asked. And the fellow said simply, "God brought us out." The reporter then said, "Yeah, but how about the pumps, didn't they help?" I don't know what the answer to this was. I only know that miracles apparently are miracles before they happen. Afterwards, there is some natural phenomenon behind them.

So I think we should maybe look into the nature of miracles, and evaluate what happened here. First, what is a miracle? I checked in some sources and found many things, but all definitions come down to one thing, and that one thing was said best by the philosopher Hume: "A miracle may be accurately defined a transgression of the law of Nature by a particular volition of the Deity, or by the interposition of some invisible agent."

Hume speaks of the same God that the rescued miner speaks of. More materialistic on such things, I would say, is the magazine Newsweek which, however, came out flatfootedly on the side of miracles. "Meanwhile," says Newsweek, "two miles inside the shaft, foreman John Moore had a miracle on his hands. Somehow, he and five other men had escaped the first onslaught of water that had instantly drowned four co-workers. Then they found a one-in-a-million air pocket along a ledge in the yard-high passageway."

Now, the nature of a miracle is such that it is a one-in-a-million chance, actually not the hand of God at all. Let us then say that a miracle is changing water into wine, or giving sight to a blindman. But not the air pocket. Undoubtedly all flooded mines or caves would have such. Then, how say we, was the miracle? and I answer that the miracle was a multi-faceted thing, and the men's return the least of it. First, there was the fellow Moore and his leadership, a God-given thing to certain men, a thing one is born with. Next, there was the sturdiness of the mountain people themselves, people who are toughened to many adversities, tampered to many winds. The coal miner's lot is a tough one; he doesn't scare at all.

When I think of those six men, crouched and huddled together, giving of their bodily warmth, giving of their spiritual sustence and personal courage, I wonder about those people afar off who wonder and worry about the Appalachian being. I wonder if ten Madison Avenue people could take a jug of water and split three or four jelly sandwiches among them while they crouch under a table inside an airless elevator for ten days and then crawl for two and a half hours through sewers and then come out and hold a prayer meeting or rush up the hill to the nearest telephone to dial it complacently, and then say, "Grandma, I just wanted you to know I am all right." That is guts and fortitude, and all the ingredients of what we call a miracle.

So, we'll say the miracle wasn't so much inside that mine as it was outside. Here there was an obvious, noticeable manifestation of spiritual concepts at their best; here was a systematized, concentrated effort of the ninety-and-nine to save the one. This was the Miracle of Hominy, this utter giving of money and time and effort to demonstrate to the world that as long as there was hope, even after hope flickered out, there was a life to save. All of it, too, was the miracle of contrast to what is going on in an unspiritual way, in an unguided way, on the other side of the world where fighting men were sparing no money, no time, and no effort to destroy human lives. There will always be wars and rumors of wars, we are taught, but thank God, too, there will always be a Hominy Falls and men of valor and courage and determination to save a human life.

Yes, I think that was the Miracle of Hominy Falls, a moment out of time when people cared for others. Three doctors waiting with what they knew to do, a brother waiting to grasp a hand, a wife and mother counting minutes instead of days, this was the manifestation of love that seeped out into the world and for a brief time made a world rejoice. But even as this miracle made for happiness beyond belief, it also cast a dark shadow over the four homes wherein there would be a bitter non-comprehension of the word miracle. Their families had prayed too; their people had kept the vigil too, and their answer was bitter. And their miracle, had they one? Perhaps, yes. The miracle that comes eventually out of the realization that life somehow goes on, and that wounds heal, and memories in time take on the forgetfulness of the bitter and bring forth a sweetness. How pathetically the Associated Press man, Helger Jensen joined the bleak despair of death and the everlasting promise of life: "On the hillside, surrounded by tombstones, Hilda Walkup wept bitterly for her unborn child who would never know its father." That was Thomas Wolfe at his best, but Thomas Wolfe at his best, knew that the child would always know his father. That is one of the miracles that we take for granted.

[From the Christian Science Monitor, May 20, 1968]

ALIVE AND HERE WITH US

Human fortitude is ever an encouragement and an example for the rest of us. And so surely everybody must feel heartened and grateful for the recovery safe and well of six of the 10 men given up for dead several days ago in that coal mine at Hominy Falls, W. Va.

We honor the brave rescue workers who followed through on the creed of the coalfields and did not give up until they had firm evidence of what had happened to the missing men. We join with those others who are now seeking to comfort the families of the four who nevertheless succumbed. But most of all we rejoice at the proof which the rescue offers of the efficacy of men's simple faith in the power of God.

One of the six is a part-time minister. Asked in the hospital after his rescue what his thoughts were during his 10 days of virtual entombment, he answered that he knew in Whom he trusted and that he had decided to leave it to Him to work it out. When he emerged from the shaft, he said: "I made a vow all six of us would be out here to thank the Lord." And true to the vow, the first action of all six was to pause in prayer as they were brought to the surface just before daybreak.

Of course there will be the cynics and the skeptics who will profess not to be impressed by any of this. But the rest of us—a little tired, perhaps, and certainly frustrated and perplexed by the smart catch-phrases of our age—can share in the awe of one of those six burly men (not the part-time minister) who cried out: "Who said miracles don't happen? People say God is dead, but He's alive and here with us!"

SOVIET MENTAL HEALTH THREAT TO THE UNITED STATES OF AMERICA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, when the executive director of the National Committee Against Mental Illness starts praising the Soviet system of psychiatry—beware?

Could it be that the reason Russia has so many successful mental rehabilitations is that the nonrecoverers are lost—either in Siberia or by liquidation.

No, and Gorman cannot say one way or the other either.

It would seem American psychiatrists should have at least one defender on the National Institute.

I include an Evening Star report by Judith Randal for May 18, as follows:

RUSSIANS PRAISED IN MENTAL THERAPY

(By Judith Randal)

BOSTON.—This country could learn much from the Soviet Union about the care of the mentally and emotionally ill.

This was the impression left by a series of papers given here yesterday and Thursday at the annual meeting of the American Psychiatric Association. The speakers were part of a team that visited Russian mental health facilities last spring.

Mike Gorman, executive director of the National Committee against Mental Illness, said:

"The major attraction of the system is that it has removed the economic barrier to good psychiatric care for all its people. In many ways, this is the most shocking failure here in America. Under a predominantly fee-for-service system, only 3 precent of our people can afford psychiatric care."

Gorman and his fellow visitors to the Soviet Union—most, but not all of them psychiatrists—were particularly impressed by the high doctor-patient ratio, the variety of facilities available and the continuity of care for patients ranging from small children to chronically ill or emotionally disturbed adults.

"In America," Gorman said, "the child may be buffeted about between a pediatrician, a child psychiatrist, a clinic welfare agency or what-have-you with very little in the way of mutual consultation and medical follow-up. The Russian system is impressive because it is based upon joint pediatric and psychiatric responsibility for the child."

Mr. Stanley F. Yolles, director of the National Institute of Mental Health, said: "While in the United States . . . (home) visits by psychiatrists are still in the stage of creative innovation, the typical Russian psychiatrist working in a dispensary makes at least 20 such visits a month."

Alcoholism is viewed as a major problem by the Russians and they are tackling it in many ways. These range from an educational campaign using posters and films to individual and group therapy and drugs.

If an alcoholic is picked up on the streets by the police in Russia, the team reported, he is taken to a police station, but is not thrown into a cell. This is because each jail is provided with a special sobering-up unit equipped with beds and manned by a doctor and either a feldsher (corpsman) or nurse.

The American team found that regulated pay for work performed is one of the mainstays of psychiatric therapy whether the patient is alcoholic or otherwise mentally or emotionally impaired.

Those who are day patients at a dispensary work six hours there. The more severely disabled work at home, supplied by the clinic with the necessary raw materials. The setting up of workshops in hospitals and dispensaries dates back more than 40 years.

Dr. Phillip Sirotkin of the National Institute of Mental Health reported that: "All employers are required to take back mental patients at their former salary and occupation level, if adjudged mentally fit. If there is some impairment," he said, "the employer is asked to provide a suitable job, on a full or part-time basis."

In addition, there are said to be special units for the physically and mentally handicapped in many factories.

The Russians, the team agreed, credit this paid work system for the fact that only 10 to 15 percent of their mentally disabled people have to live in mental institutions, Gorman said.

CONGRESSMAN REPORTS ON INDIANA NINTH DISTRICT FARMERS' RESPONSE TO POLL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. HAMILTON. Mr. Speaker, I recently sent to rural residents in the Ninth Congressional District of Indiana a questionnaire on farm issues.

The initial results of that poll show that farmers are greatly concerned about declining profits and increased costs, but it also shows a wide difference of opinion on how to remedy the situation.

This divergence of opinion on the part of the farmers is reflected here in Congress.

It is almost impossible to generalize about the farmer's point of view on a given farm policy question. I suppose the results really show that the Hoosier farmer is an independent fellow who thinks for himself.

Some 14,000 questionnaires were mailed to Ninth District farmers. A tabulation was made on the first 529 returns.

These returns showed:

Farmers about divided on how to handle the agricultural imports. Of the total, 207 favored reducing import quotas to encourage free trade, and 273 favored strengthening import quotas.

A majority felt that a fair practice act, protecting farmers from retaliation by processors for membership in bargaining groups should be enacted.

A substantial majority favored the creation of a strategic reserve, insulated from the marketplace.

Most felt the current feed grain policies should be continued, but were divided on wheat program policies—38.6 percent voting to abolish it, 36.7 percent favoring continuing the marketing certificates as a means of price support, and 16.3 percent wanting to continue the program with either increased or decreased acreage allotments.

Most felt the war in Vietnam would be the most important issue in the coming months. Inflation was the second most-noted concern, and in order, farm prices, tax increases, farm bargaining power, and import-export policies were cited.

The results of the questionnaire and the percentage of the total vote were as follows:

I. Farm income rose from 1960 to 1966, then declined in 1967. What effect did present farm programs have?

1. Minimized the decline in 1967 and generally aided the farmer's income: 192 votes, or 36.7 percent.
2. Had no effect on farm income: 58 votes, or 10.9 percent.
3. Contributed to the market decline in 1967 and depressed farm income even more: 245 votes, or 46.2 percent.

II. Farm policy in the future should:

1. Abolish immediately all government supply and price controls on all commodities: 58 votes, or 10.9 percent.
2. Continue the present policies: 138 votes, or 24.2 percent.
3. Make more use of direct cash payment plans to support farm income: 85 votes, or 16 percent.
4. Slowly remove Government controls on a commodity-by-commodity basis so as to gradually return to a free market farm economy: 233 votes, or 44 percent.

III. Do you favor a strategic reserve bill to help adjust farm supply to market demand so long as safeguards are incorporated to insulate the sale of the reserves from the domestic markets?

1. Yes: 336 votes, or 63.3 percent.
2. No: 154 votes, or 29.1 percent.

IV. In order to give the farmer greater control over prices, do you favor:

1. A "fair practice" law protecting farmers from retaliation by processors—such as being cut off from contract markets for joining a bargaining group: 229 votes, or 42.5 percent.
2. The strengthening and extension of marketing orders to all commodities: 64 votes, or 12.1 percent.
3. The creation of a National Farm Labor Board to supervise and control farmer-processor bargaining on a nationwide commodity-by-commodity basis: 105 votes, or 19.8 percent.
4. No labor legislation for the farmer at all: 105 votes, or 19.8 percent.

V. Department of Agriculture crop and livestock estimates are:

1. Useful in aiding the farmer in marketing his products: 172 votes, or 32.5 percent.
2. Inaccurate: 154 votes, or 29 percent.
3. Should be abolished: 130 votes, or 24.5 percent.
4. No opinion: 56 votes, or 10.6 percent.

VI. In order to maintain and increase farm income do you favor:

1. Gradually reducing all import quotas to encourage free trade in world markets: 207 votes, or 39.1 percent.
2. Continuing and strengthening current import quotas on meat, dairy, and other products: 273 votes, or 51.6 percent.

VII. With respect to feed grain policies, do you favor:

1. Continuation of the current program: 227 votes, or 42.9 percent.
2. Abolishing the current program: 172 votes, or 32.5 percent.
3. Continuing only the acreage diversion aspect of the current program: 108 votes, or 20.4 percent.

VIII. With respect to the wheat program, do you favor:

1. Abolishing the current program altogether: 204 votes, or 38.6 percent.
2. Increasing the wheat acreage allotment: 29 votes, or 5.5 percent.
3. Decreasing the wheat acreage allotment: 57 votes, or 10.8 percent.
4. Continuing the marketing certificates as a means of price support: 194 votes, or 36.7 percent.

IX. Which of the following issues will be the most important to you in the following months? (List choices 1 and 2.)

1. Inflation: 209 votes, or 39.5 percent.
2. The war in Vietnam: 323 votes, or 61 percent.
3. Farm bargaining power legislation: 66 votes, or 12.5 percent.
4. Import-export policy: 28 votes, or 3.4 percent.
5. Farm prices: 207 votes, or 39.1 percent.
6. Tax increase: 108 votes, or 20.4 percent.
7. Other: 6 votes, or 1.1 percent.

CAL POLY IN GUATEMALA

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. TALCOTT. Mr. Speaker, the California State Polytechnic College, San Luis Obispo, Calif., is providing technical assistance to the agricultural-vocational school at Barcenas, Guatemala, under an AID contract.

The Barcenas school provides most of the middle-level agricultural technicians to the Government of Guatemala and private agricultural activities. The curriculum and administrative procedures have recently been improved by its director. School enrollment has been increased from 140 to 250.

In February of this year, a group of California Farm Bureau personnel undertook a farmer-to-farmer tour of Central America. This group visited the Barcenas school and evaluated its performance on the basis of their visit.

Under unanimous consent I place a number of excerpts from letters from the tour group discussing the work of the school in the RECORD at this point. It appears that this is a very productive and beneficial AID contract.

The excerpts follow:

I feel that the staff of the school were very sincere and very enthusiastic. . . . The students seemed to be very interested in what they were doing and had a high morale. . . . The operation seemed to be efficient and well-run. . . . I enjoyed my visit and all my impressions were favorable.

The visit to Barcena was a highlight of the tour. . . . Very definitely a fine program. . . . I would hope it could even be augmented.

Our opinion of the Barcena School in Guatemala has to be based on what met the eye and ear since we had no advance briefing on the school. Mr. Atlee and his team from San Luis seemed a very enthusiastic and dedicated group. From the pictures and slides they showed us we felt that the taxpayer was probably getting more for his money in this project than any we have seen (and we have seen AID programs in many other countries) and this was far superior. . . . The training seemed to be available to all levels of society, requirements included aptitude as well as attitude, it seemed to be more at the grass-roots level and would make a better living for greater numbers of people. There were 500 applicants, of which 125 were accepted in the class for next year. . . . California State Polytechnic College is to be commended for their effort in establishing this program. On the return of this team to San Luis, in our opinion, this program should be carefully studied and evaluated so that it may possibly replace some of the AID programs now in progress.

As our visit to the Barcena School in Guatemala was quite brief, only a couple of hours at most, it is difficult to know just what is being accomplished. . . . However, we saw students working on and repairing different kinds of farm machinery, shelling corn with a tractor powered sheller and doing other farm work. They were learning sanitary dairying in a clean barn, and also hog raising under modern methods. . . . Our reaction was that they were taking care of quite a large number of students with a minimum of expense.

I am not qualified to give a scientific opinion but I will make some favorable comments. We were told that there were 300 agricultural students and that they work on the farm from 6:30 a.m. to 11:30 a.m. and have classes in the afternoon. The Director said that they hoped to soon have the school provide the equivalent to a junior college education. . . . The Director seemed enthusiastic and very hopeful that they could continue to progress. We saw the horses, cattle, pigs, coffee, citrus, etc. I think the principle of having the students put in a half day's work is very good. Besides, I believe that it is especially important in Latin America that people being educated learn that they don't lose face by using their hands. I believe that assistance in agriculture given to any underdeveloped country is most advisable and will do the most good for all the people in the country. . . . We appreciated our visit to the Barcena School and our hospitable reception as well as the musical program of their newly formed marimba band.

Then the next day when we visited Barcena School we were surprised at the work there. . . . We feel they are really doing a fine job. When a native can come to school and learn to farm a better and more profitable way, and even living with other people helps him in finding other ways of doing his work. . . . The food and kitchens, the laundry projects and dormitories were well kept. . . . The efforts the field workers are doing as far as insect and pest controls were worth so much.

We were greeted at the airport by an AID man and invited to Mr. Pfeister's home (I hope this is right). We had a lovely buffet supper and enjoyed talking with the people involved, two of whom knew our son at Cal Poly Pomona. We felt their enthusiam for their work and the country and were graciously treated during our tour of Barcena School. . . . When we left to go into the Highlands I started questioning our driver about how Guatemalans felt about having us there. He was a man of above average intelligence and education and we felt his opinion was worthwhile. His answer was. 'We like having them. Our people want to learn and when we are shown better ways of doing things we will use it.' . . . . We left feeling this was one place foreign aid was well spent, particularly if they do as they said they would—withdraw and turn the program over to Guatemala when they are educated to the point of being able to handle it.

We think you will be pleased to know that one of the highlights of our recent Farmer-to-Farmer trip to Central America was an extremely interesting visit to the Barcena Agricultural School. . . . The AID people from California State Polytechnic College were most courteous and instructive in showing the facilities of the school, and in acquainting our traveling group with the students and their work. . . . The instructors and administrators seem justifiably proud of what is being accomplished, and our appraisal of their work is that it constitutes an excellent and useful service in helping Guatemala stabilize its economy. . . . We felt that more people should know about the project and its accomplishments, and that more information about Barcena be available to our farmers of the United States; the result could be wider interest and support. . . . Mr. Charles Atlee and Mr. Kermit Adams were very helpful in acquainting our group with a fascinating example of international cooperation.

CONSOLIDATED SUPPORT SERVICES FOR FEDERAL AGENCY OFFICES IN THE CLEVELAND, OHIO, AREA

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FEIGHAN. Mr. Speaker, in April of this year, a newly consolidated duplicating and printing support office was opened in the new Federal Office Building, Cleveland, Ohio. It is an example of the efforts expended by the responsible military and civilian members of our Government departments and offices to combine their common support services and resources wherever practical.

The new centralized service is managed by the Navy Publications and Printing Service and is a branch of the Navy Publications and Printing Service Office, Fourth Naval District. The new office will provide both rapid-delivery duplicating and printing services and professional publication and printing management assistance to Federal agency offices in Cleveland, Ohio, area.

Consolidation of the duplicating facilities located in various Federal agency offices in the Cleveland area was recommended by the General Services Administration and was based on a feasibilty study which was made prior to opening the new Federal Office Building. The Navy Publications and Printing Service branch office, Cleveland, the largest operating office proposed for the area consolidation, was authorized to operate as the centralized service area by the Joint Committee on Printing, Congress of the United States.

As was pointed out in the GSA study, the centralized location and management of the duplicating and printing resources of Federal offices which have located in the new Federal Office Building will result in a net requirement for less equipment and manpower. The willing acceptance of recommendations and the cooperation of the offices involved in effecting consolidation are commendable.

On April 5, 1968, I attended the formal opening of this centralized facility as the guest of Mr. Burton C. Haueter, Director of the Fourth Naval District Publications and Printing Service Office, Philadelphia. The branch office was officially opened with a ribbon-cutting by Mr. Paul C. Beach, assistant staff director of the Joint Committee on Printing, and Mr. A. N. Spence, director of the Navy Publications and Printing Service, Washington, D.C. An open house reception was held for the heads of Federal agency offices in the Cleveland area. It was indeed gratifying to witness the communal spirit and interest of those attending.

GOLD AND REVOLUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, gold, or the lack of it or possession of too much of it, seems to attract revolution.

In my remarks, CONGRESSIONAL RECORD, May 28, 1968, page E4729, I raised the question as to whether the French insurrection might be because of De Gaulle's refusal or failure to surrender the French gold to the international bankers.

An interesting report by Norman MacRae appeared in the Sunday Star for June 9, which follows:

FRENCH TROUBLES MAY HELP UNITED STATES TO HOLD GOLD PRICE

(By Norman MacRae)

The troubles in France could have a gilted lining for the United States: they may be an actual support to U.S. policy of keeping the dollar price of gold down. Paradoxically, the eventual beneficiaries of the Paris riots could be the dollar exchange system and the International Monetary Fund.

The story of the battle over gold has been dramatic and probably the one that is least understood in the U.S.; largely because the gap between the U.S. authorities and their European allies has been unprecedentedly wide.

At that famous meeting of central bankers in Washington on March 17, the U.S. really did believe that it could organize a system whereby (a) the major central banks of the world (other than the non-attending Bank of France) could refuse to buy any more gold for their reserves; (b) South Africa therefore could not sell its newly-mined gold to central banks, and would have to sell it on the free market; (c) the free market price of gold could therefore actually fall below the official price of $35 an ounce, thus hitting speculators upon the head.

TRICKY WORDING

When European central bankers returned from this meeting, they were in a state of embarrassment. The U.S. had wanted the communique to say that central banks would not buy any more gold from the market. Instead the communique said merely that "they no longer feel it necessary to buy gold from the market".

The reasons for this ambiguous wording were that (a) some central banks, especially the Swiss one, felt that they were legally obliged to buy any gold offered to them at $35 an ounce; (b) other central banks, even if not under legal obligations, fully intended to buy some new gold too. However, the latter agreed sub rosa to buy any gold required from America at $35 an ounce. Europe believed that South Africa would not need to sell gold anyway, because its balance of payments was likely to be thrust into surplus by a huge inflow of capital (helped by the fact that most people outside the U.S. thought that there was a real chance of the gold price going up).

If central banks bought from the U.S. instead of South Africa, the U.S. gold reserve would fall. Immediately after March 17, there was an expectation among European central bankers that this could happen to a serious extent. If it did, their bet was that the U.S. would meet the situation by "demonetising" gold; i.e. by stopping U.S. sales and purchases of monetary gold, and cutting the dollar's link with the metal altogether.

CHANGES POSSIBLE

All the way through from late March to early May the financial authorities of Europe, apparently with blithe unconcern from the financial authorities of the U.S. therefore awaited what could become a dramatic change in world currently arrangements. It was virtually decided in Europe that the results of any American "demonstration" would be that (a) the countries of the European common market would stick to gold; so that (b) the dollar—to which the British Government decided, more or less formally, in this eventuality to tie sterling—would float down in value against both gold and continental European currencies.

The common market countries would have stuck to gold up to early May because Gaullist France although it could least well afford economically to see its currency upvalue against the dollar and sterling, was determined politically to follow an anti-American line; while Germany, which could better afford to see its currency upvalue against the dollar and sterling, would have been less happy politically to annoy the U.S., but had semi-decided in semi-secret that it must stick by France in the end.

Now, however, no French government could think of affording a gradual upvaluing of the franc against sterling and the dollar. Instead, France is having to fight hard, with all sorts of controls on capital outflow, against a devaluation of the franc. This presumption is therefore that any American demonetisation of gold would now be followed by European demonetisation, so that the gold price then really could fall temporarily below $35 an ounce.

TWO VITAL POINTS

But this fall below $35 is another thing that France, which may have to sell $500 million from its $5 billion holdings of gold during 1968 unless it borrows heavily from the IMF, could not afford either. So it seems likely that any reasonable French government which emerges from the present debacle—whether a Gaullist one or a lefter wing one—will not want to attack the dollar price of gold any more.

These assumptions of an American victory in keeping down the gold price could still be totally destroyed if the sheer weight of private speculative pressure—the rush to get out of paper money after France's crisis—crushed the calculations of governments.

But two points are worth reporting. First, some considerable private holders of gold have tentatively lowered the reserve price at which their agents are ordered to sell stocks on the market; because of considerations akin to those expressed in this article.

Secondly, South Africa is thinking of selling gold again on the free market, thus presumably bringing down the price. Although South Africa's balance of payments has soared into surplus with a huge capital inflow—here the European prognosticators, not the United States ones, have proved right—some advisers in Pretoria are seriously worried that they may now have lost a golden ally in a powerful President de Gaulle. They therefore say that it would be better to use their present balance of payments strength to remove restrictions on capital exports, even if they have to sell some newly-mined gold to pay for this.

POULTRY INSPECTION BILL

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RESNICK. Mr. Speaker, in considering H.R. 16363, the poultry inspection bill, reported to us by the House Committee on Agriculture, it is obvious that the exemption provisions of subsection 15(c)(1) are so broad in scope that the total consumer protection intent of this bill will be substantially impaired.

As reported, this subsection would exempt poultry producers selling off farms, and slaughterers and processors doing less than $15,000 volume per year from all provisions of the poultry inspection bill. Enactment of this provision, as it now stands, will seriously interfere with the administration of the Poultry Products Inspection Act, and the U.S. Department of Agriculture's attempts to assure the safety and wholesomeness of the Nation's poultry supply.

The absence of authority to require recordkeeping, the lack of access to records, and the lack of prescribed sanitary requirements for exempted operations would make it impossible to enforce the conditions of exemption that no unwholesome products be distributed and that substantial amounts of dirty and diseased poultry not be diverted through exempted slaughterers and processors into consumer food supply channels.

The exemption provisions would apply to poultry producers or processors but not to the products they produce or to third parties handling these products. This raises a serious question with respect to the availability of detention authority for misbranded products and the applicability of the poultry inspection law to the third party handling such products.

Producers and processors, in order to determine whether they come within the limits of the exemption, would have to maintain cumulative records of their sales and their wholesale value. This could present a substantial burden to some operators.

This problem would be further compounded by the fact that those exempted from all provisions of the inspection law would not be required to keep records in the first place.

There is a definite need for exemptions for certain small operators in situations where it would be very costly to provide continuous inspection service. But such exemptions can, and should be, provided without impairing protection to the consumer and the efficient administration of the Poultry Products Inspection Act.

COMPENSATION INCREASE FOR VETERANS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, on June 6, 1968, Congress overwhelmingly endorsed an increase in veterans' disability compensation by passing H.R. 16027. It is a pleasure to be part of the team that has regularly voted to increase payments to those disabled veterans and their families who have given so much for our good country.

I believe that the improvements embodied in H.R. 16027 are essential to maintain well-deserved veterans' benefits at a level which reflects the increases in cost of living in America. In addition, I strongly support the provision to increase further the compensation rate for those veterans who are totally disabled as a result of their service to our country.

It is encouraging to note that this legislative proposal is warranted, and its provisions are based upon a social science type survey of the veterans themselves and their needs today. As a result of this study by Presidential commission, Congress has been able to pass a bill responsive to the known needs of the veterans. I firmly believe that this is an excellent legislative technique, and I am glad to vote for the bill.

Congress has provided for an increase of $100 per month in the basic compensation rate payable to the service-connected totally disabled veteran. The survey indicated that the average totally disabled veteran was unable to perform any type of gainful work and relied upon his compensation almost exclusively for his support. In order that the compensation level more closely approximates their loss in earnings resulting from totally disabling injuries, Congress has substantially increased the payment rate to these veterans.

Cost of living increases are provided to all partially disabled veterans by this bill as well. Since the last change in compensation rates in December 1965, the cost of living in America has risen by 6.5 percent according to the Consumer Price Index. These increases are essential to avoid tying veterans to a fixed dollar amount which has an ever-decreasing buying power.

In the bill, Congress has authorized the Administrator of Veterans' Affairs to furnish an invalid lift, or any type of therapeutic or rehabilitative device as well as other medical equipment and supplies, if medically indicated to certain veterans receiving compensation or pensions under the current law.

Mr. Speaker, I believe this bill well deserves the strong support which Congress has given it and our good veterans, and I am glad to be a part of the veteran's team.

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

MEMO

MURDER . . . Last week the nation mourned the death of another national leader brutally murdered at the height of his career. Sen. Robert F. Kennedy, strong contender for presidential nomination was cut down by an assassin's bullet—bringing grief once again to a family forced to relive the nightmare of sudden, violent death in its midst and despair to the millions who believed in him as a political leader. It was a week in which others, too, mourned for their loved ones—Thomas Williams of Washington, a promising Negro high school student shot to death senselessly by a wild-eyed assailant; William King of Orlando, Florida, and Thadeus Lesnick of Fishtail, Montana, two young Marine officers, shot and killed in a Washington hamburger shop by three hoodlums. A Washington paper echoed the question in almost everyone's mind, "Has the world gone mad?"

MINORITY . . . The country has not gone mad, much as these blows to sanity would argue otherwise. It is still composed of a vast, overwhelming majority of peaceful, law-abiding, decent people of every race and creed. It is also true, however, that a lawless minority is growing more numerous and bolder in a general atmosphere of permissiveness. Mass lawbreaking—riots in the streets and violence in the universities—is one side of the coin. Individual crime, including assassination—is its ugliest manifestation.

CRIME . . . The crime figures are truly frightening. Between 1960 and 1967, according to FBI figures, murder increased 35%; rape, 63%; robbery, 86%; aggravated assault, 64%; burglary, 79%; larceny, 79% and auto theft, 100%. In those seven years, our population has increased 10%; crime has increased 88%. There is a murder in the United States every 48 minutes.

FEDERAL LAW . . . Certainly, wherever needed, federal laws must be strengthened or revised. Last week, I voted with the majority of the House to send an omnibus crime bill to the President. It establishes some controls over gun sales; tries to correct the worst results of some recent Supreme Court decisions; sets up wire-tapping rules and procedures and provides funds to aid and strengthen local law enforcement agencies. The legislation will help in the fight against crime, but let no one be misled. The basic answer to crime does not lie in new federal laws.

HOME . . . Any lasting solution depends basically upon the single, solitary, individual citizen. His willingness to obey the law; his acceptance of his responsibility to teach his children that their freedom depends on their willingness to live under the law; his courage in reporting violations and coming to the aid of others; his participation in elections and in government; his endeavors to make sure his community has the best possible police protection; his concern for his fellow man and his efforts to help solve social and economic problems in his community—this is the basic answer to the growing rate of crime. Crime cannot be stopped from Washington. It cannot be stopped with words. It can only be stopped—by action on the part of all Americans—where it takes place, in the thousands of local jurisdictions throughout America.

MEMO NOTE . . . Our mailing list is in the process of being corrected and, if you receive duplicate copies of MEMO for a week or two, please bear with us. Also, we will appreciate your prompt notification whenever any change takes place in your address.

CBS "HUNGER IN AMERICA" PROGRAM IS FILLED WITH COLOSSAL DISTORTIONS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FISHER. Mr. Speaker, it is popular to be concerned about the plight of poor people and to be against hunger just as it is popular to be opposed to sin and to be in favor of motherhood. Every right-thinking American wants to help the poor, particularly those who because of conditions beyond their control are unable to help themselves.

Playing upon the emotions of those who are concerned for the unfortunate, there has arisen in this country what is known as a "poverty cult." Their chief objective is more welfare and in order to advance that objective they exaggerate hunger, pinpoint isolated instances of malnutrition, and discount the magnitude and effectiveness of private charity and public assistance.

We see many evidences of this organized movement. The Poor People's March on Washington is a good example. Composed largely of well fed, able bodied men who should be at home working, the group is spending weeks of idleness in Washington agitating and demanding more welfare.

"HUNGER, U.S.A."

Here is another example: On April 22 a private group from Walter Reuther's United Auto Workers, known as the "Citizens' Board of Inquiry into Hunger and Malnutrition in the United States," released a finding of widespread poverty and inadequate nutrition. It was soon proven to be a conglomeration of unconfirmed and utterly misleading claims and distortions.

Entitled "Hunger, U.S.A.," the much ballyhooed report listed 256 counties in 20 States as "hunger areas" involving "desperate situations."

The chairman of the House Committee on Agriculture, Mr. POAGE contacted every county health officer in the 256 counties and requested the facts. With hardly a single exception, every official who answered reported they were aware of no evidence of hunger and malnutrition in their respective counties, except for malnutrition caused by improper choice of foods.

In other words, the known facts serve to brand the substance of the report as largely unfounded and a deliberate attempt to deceive the American people. It lends itself to the grand design of the poverty cult.

"HUNGER IN AMERICA"

Then came the CBS program entitled "Hunger in America." It was preceded by the Public Broadcast Laboratory's "Hunger—American Style." It is of interest to note the similarity of the titles of these reports: "Hunger—American Style," "Hunger, U.S.A.," and "Hunger in America." Each follows the same propaganda line, and the implications in each have been thoroughly refuted. There is every reason to believe that each presented a deliberately misleading picture of the extent and severity of hunger in America.

The CBS program was branded by Secretary of Agriculture Orville Freeman as "a travesty," and he spoke of "intentional distortions," and "superficialities," misinterpretations and mistakes of fact" in the contents of both broadcasts.

Mr. Freeman asked CBS for equal time to tell the American people the facts. Up to this time his request has not been granted.

A FALSE IMPRESSION CONCERNING SAN ANTONIO

Among other misrepresentations, CBS focused attention on an alleged instance of a dying child in San Antonio, and left the impression that the death of the child was in some way related to the Government's failure to provide needed sustenance.

Mr. Speaker, that left an unfair and false impression of conditions among the low-income people in San Antonio by exaggerating the prevalence of such conditions there. In a sense, it amounted to a gratuitous insult to the people who live there by leaving false impression they are neglectful of the needy—and I resent it.

If one searches long enough there can, of course, be found instances of malnutrition in almost any community, usually due to faulty diets. Knowledgeable people insist this is often due to a preference in the choice of foods rather than to the absence of more nutritious varieties.

Not long ago a nationally known authority, John B. Parrish, professor of economics, University of Illinois, following a study of the facts concluded that 96 percent of all American families have an adequate intake of nutrients. In 1920 he said only 50 percent were so fortunate. So far as I know no one in authority has disputed the correctness of those figures.

The CBS show even suggested that too much money was spent by Bexar County on HemisFair—money the network implied could have been more properly used in San Antonio to feed hungry people. This implication is ridiculous and completely out of place. The same could be said, with equal logic, with regard to every public improvement in every community in America.

The fact is that HemisFair, a truly great exposition, has generated employment for thousands. Every strata of society benefits very directly from such projects. It ill-becomes CBS to insinuate otherwise.

Other implications relating to poverty and starvation featured on the CBS program have been proven to be equally as false and misleading. Both the Secretary of Agriculture and the chairman of the House Committee on Agriculture have nailed that down.

Indeed it would be in the public interest for each of these reports, including the CBS program, to be thoroughly investigated in order to develop the true facts and also expose the motivations of those involved.

Whether a coincidence or otherwise, each of these projects and programs helps stir up more interest in welfare, and the poverty cult is the beneficiary. These welfare crusaders are now organized. Known as the National Welfare Rights Movement, it is designed to put the pressure on Congress to dish out more welfare benefits. This well financed outfit, headed by Dr. George A. Wiley, a former Syracuse University professor, has been mixed up with the Poor People's March. Last year they held a national convention in Washington.

JOBS, POVERTY, AND MORE WELFARE

Mr. Speaker, a strange paradox exists in America today. An editorial writer speaks of the emphasis on poverty, "ghettos" and jobless people, and then points out that there are at present probably more jobs available in this country that remain unfilled than ever before in our history—and he proceeds to document that fact.

The Federal Government spends hundreds of millions of dollars to provide training for unemployed people in order that they may qualify for available work. This service is available to all who really want to work.

In addition, the Congress has for years been extremely generous in providing for the unfortunate. But the poverty cult is never satisfied. Today about 36½ million Americans—nearly one out of five—share in some manner in one of the many Government programs of food distribution. During the current fiscal year the USDA is due to distribute over a billion pounds of food to needy people.

Disturbing reports are coming in some instances this generosity has encouraged able-bodied recipients to avoid work. Easy-to-get welfare checks can be a terrible disservice to these people. Unfortunately, there are those who would prefer a handout to a job. Too many are prone to look upon the right to be paid for idleness as a civil right. That is the philosophy which permeates the poverty cult.

If the poverty cult really wants to do something about poverty, hunger and want, then they should interest themselves in an all-out national crusade in support of planned parenthood; otherwise we find ourselves treating the symptoms rather than the disease.

Eligibility standards for welfare recipients should be clarified and tightened in order to limit such assistance to the really deserving. I fear we are drifting far afield into the foggy environs of the dismal welfare state.

A POLICE CHIEF TALKS ABOUT LAW AND ORDER

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ROGERS of Florida. Mr. Speaker, I have had the pleasure of knowing Mr. William M. Barnes, chief of police, West Palm Beach, Fla., for many years.

He is highly regarded by the citizens of that community who elected him to another 4-year term of office in March of this year.

Recently, Chief Barnes addressed the Downtown Rotary Club of West Palm Beach and gave a very moving statement concerning the status of law and order in our Nation today. I should like to insert the text of that address at this point in the RECORD for the benefit of my colleagues:

LAW AND ORDER

(By William M. Barnes, chief of police, West Palm Beach, Fla.)

The time has arrived in this country when the people are going to have to make a decision. We are either going to have law and order or we are going to have anarchy. We must decide for law and order. Without it, all of the gains of the freest and most prosperous nation on earth will be lost. Without it, we will have fear, hatred, destruction, and anarchy. Without law and order, a determined and violent handful of criminals and extremists can lead the ignorant and disoriented portions of our population into an orgy of crime and violence which will only end in the looting and burning of all of the large cities of this nation. If this sort of mass crime continues it will cripple the very backbone of our society and eventually bring complete chaos and destruction to this great nation.

Because of my great concern and the concern of many other people, I am going to address my few remarks to this aspect of crime today. I would like to concern myself with the relationship between what is being *erroneously called* "civil disobedience" and the threat to our whole social structure and particularly what I will call Law and Order. We have heard from the politicians, the sociologists, the psychologists, the professors, the professional sob sisters, and the clergymen.

It is time that the concerned and interested citizens let their voices be heard. It is time for the law abiding masses in this nation to rise up and tell their leaders in Washington, Tallahassee, Albany, Springfield, and all of the other capitals that "We have had enough." It is time that our Attorney General be told that we will not stand by and see our cities sacked and burned, our laws violated with the air of a Roman Holiday while the criminals involved are excused because they were deprived of a wholesome relationship with their fathers, or that they are the victims of social and economic injustice. It is time that the people of this nation, who want to enjoy the fruits of this nation, be told that to ignore the law and live by violence and blackmail will no longer be tolerated.

How has this situation come about? How has a nation that was conceived with the idea of freedom, equality and liberty for all, allowed itself to degenerate to the state of what we used to observe in the banana republics, where we are afraid to walk our streets, afraid to leave our property unguarded, afraid to send our children to school or college, and where our nation's Capital has to be guarded by soldiers to prevent it from being burned to the ground?

I can assure you that these events did not come into being overnight. If some of today's acts of criminal activity had happened in the days of our forefathers, they would have been immediately halted with whatever force that it took to do so, and all perpetrators prosecuted to the fullest extent of the law.

We have arrived at the unenviable position we are today because we have been witnessing the rights of society piddled away on the cross of the rights of the individual by a too liberal and sick Supreme Court. We have been a witness to the never ending five-to-four decisions wherein the Mirandas, the Escobedos, the Mapps, the Mallorys, and countless other hoodlums have had their individual right to murder, loot, steal, rape, and burn upheld over the right of society to be protected and to be safe. We have fallen heir to the idea that better 10,000 criminals go free than to convict one innocent man. We have sat back and seen honest men toil and sweat and fight poverty by working so that they can be taxed to support a growing population of nonworkers and drones. In a few short words, we have seen the steady, constant erosion of the very foundation of our society by a small minority and we have stood idly by and done nothing while this condition has reached epidemic proportions.

I think that a chain reaction of events and court decisions had a tremendous bearing on the conditions that exist today. If someone had told you tewnty years ago that we would be faced with guerrilla warfare, and the looting and burning of our cities by our own people in the 1960's you would have thought them mad. Yet, these things are taking place today. I feel that some of the factors contributing to the climate and background of our current problems lie in the decisions of the courts concerning the areas of "Search and Seizure," "Preliminary Hearing and Arraignment," "Interrogations and Confessions," and others. Let us take one area, that of Search and Seizure, and briefly highlight some of the decisions that took place and shackled the hands of law enforcement in this vital field.

It is my belief that the dominos started falling in this tragic chain of events back in 1914 when the U.S. Supreme Court handed down its decision in the case of Weeks v. U.S. This decision rejected the firmly established common-law rule on the admissibility of evidence, and substituted for it what has become known as the "exclusionary rule," which is that evidence seized in an illegal manner by Federal officers will no longer be admitted in Federal Court. It had no bearing on state and local officers. The Supreme Court further extended this idea in the case of Byars v. U.S. in 1927 by holding that a search is a Federal search if a Federal officer "had a hand in it." Further extension came in 1930 in the case of Silverthorne Lumber Company v. U.S., which eliminated all evidence from investigative leads which originated as a result of evidence seized illegally and, as a result of this found evidence which otherwise would be unknown to him, the latter evidence will not be admitted. In 1956 in the case of Rea v. U.S., the court further restricted evidence illegally seized by a Federal officer from being introduced in a State Court which is willing to receive it.

In 1960, in the case of Elkins v. U.S., the Supreme Court took the next step toward the Mapp decision by holding five-to-four that evidence obtained by State officers during a search which, if conducted by Federal officers, would have violated the defendant's rights under the Fourth Amendment, is inadmissible over the defendant's timely objection in a Federal criminal trial.

Now it is important to note here that for the first 170 years of this Republic, it was the rule that the Constitution does not forbid a State from accepting in its courts evidence seized illegally by State and local officers. In Wolf v. Colorado in 1949, the court said that each State is free to decide for itself whether to accept such evidence by following the common-law rule of admissibility or to reject it by following the exclusionary rule. After the Supreme Court decision in the Weeks case, the courts of the States showed a slow but steady trend toward acceptance of the Federal pattern. By 1926 we find that 26 States had adopted it.

Now we come to the decision of the Supreme Court in the case of Mapp v. Ohio. In this case the Court decided to place the requirements of State and local officers the same as those for Federal officers regardless of any constitutional provision, law, or decision of your State. It is comforting to note that Justices Harlan and Frankfurter opposed the decision and adhered to the former viewpoint.

This then has been the history of the Supreme Court's crippling decisions in the one area of Search and Seizure. We find now that courts are saying that it is an unreasonable search to look into a narcotics peddler's garbage can in an area underneath the porch of a house after seeing the peddler put something in the can (which turned out to be narcotics). Or that a soiled handkerchief found in a sex pervert's shack (after being pointed out by a child victim who led police to the location and told them where to find it, after it was used to clean the offender after commission of his act), was merely evidentiary material and not an instrument of the crime, fruits of the crime, a weapon or contraband. and was not subject to seizure.

At this point, you might be asking just what does all this have to do with the subject of today's discussion. Well, what I am attempting to do is place this whole concept of ignoring the rights of society and the willful violation of law in, what I think is, its proper perspective.

Now, following a review of the history of Search and Seizure, we have a similar history in the field of "Preliminary Hearing or Arraignment" wherein law enforcement officers have progressively been handcuffed until we have reached the point that about all we can ask a suspect is his name and what lawyer he wishes to have.

"Interrogations and Confessions" is another field that needs no explanation at this time. You are all familiar with the decisions in the cases of Mallory, Waterman, Escobedo, and Miranda that have made a laughing stock of the investigative arm of law enforcement. As a result of these decisions by the Supreme Court, and others equally responsible, we have found the law enforcing function of this great nation virtually shackled when it comes to handling the criminal element of society.

It is my belief that at this crucial time, when law enforcement was receiving one shattering blow after another, the Civil Rights movement in this country embarked on a plan of so-called "civil disobedience" which is nothing more than willfully violating the laws of the nation in the name of bringing about social and economic justice. Law enforcement has been prevented from acting in a vast majority of cases by elected officials, up to the highest in the land, who are so busy wooing the almighty vote they are blind to what is taking place about them.

It is my opinion that a crime is a crime, regardless of whether it is perpetrated by one or one thousand, by black or white, by Protestant, Catholic, or Jew. The law should be enforced fairly and impartially for all. I see no correlation in looting, arson and assault, and the Civil Rights movement. I see no similarity in a call for guerrillas to move against society and kill "whitey" and the obtaining of a job and better housing for the poor members of our society. I see no parallel in the call for insurrection by the black militants of our society and the call for justice and equality in our courts and capitals. I see only a nation being brought to shame and humiliation in the eyes of the world. A nation being blackmailed and brutalized by a mere handful of criminals using the Civil Rights movement to further their dirty motives. It is time for us to stand up and be heard. It is time for the law abiding members of this society, both black and white, to call for an end to this nightmare and demand that our President, our Senators, our Congressmen, our Attorney General, and our police vigorously enforce the laws currently on the books, and return this nation to one of peace and tranquillity where it is safe to walk the streets and safe to own property and safe to pursue the fruits of the toil of our forefathers.

We are witness today to one of the largest criminal blackmails in our history. We are being exposed to a mammoth conspiracy that has the avowed purpose of forcing the Congress of the United States to enact certain legislation, to be determined by these blackmailers, or the country will be brought to its knees by total disruption of services and process in the Nation's Capital. Massive disruption of governmental services and agencies has been threatened by means of "non-violent civil disobedience" whatever that means.

The Nation's Capital, its streets, parkways and public grounds are threatened to be turned into a gigantic slum camping area with pit toilets dug on the lawns and shacks built under the cherry trees. When told that this is prohibited, they retaliate with the cry that they have a right to redress Congress and means will have to be found to take care of these people. And we are told that if the demands are not met and utopia is not found, then stronger methods will have to be undertaken until "we bring this government to its knees."

Former Supreme Court Judge Charles E. Whittaker said these words, "Can anyone reasonably believe that a disorderly society can survive? In all recorded history none ever has. . . . History also shows that in each instance, the first evidence of the society's decay appeared in its toleration of disrespect for, and violation of, its laws. There is no good reason to believe that similar toleration will serve us differently."

Gentlemen, there is only one answer to our problems, Law and Order. Law and Order, and an orderly, legal, and just redress of the ills and wrongs of society. This Nation cannot survive if we continue on the course we are headed. If we are not able to turn the tide of lawlessness, criminality and anarchy, then God help our wonderful Nation.

ANNUAL MEDICAL STAFF DAY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. MURPHY of New York. Mr. Speaker, on Sunday, May 26, Dr. Edward D. Re, the distinguished Assistant Secretary of State for Educational and Cultural Affairs, gave a most inspiring address at the annual Medical Staff Day of the Jewish Hospital and Medical Center of Brooklyn.

In his remarks, Dr. Re, a respected author and educator, took note of the remarkable achievements of the medical staff of the Jewish Hospital in meeting health needs, and related the contributions of America's scientific community to the goal of understanding and cooperation throughout the world.

I believe that Dr. Re's observations in this regard merit our close attention, for they reflect this Nation's determination to advance the cause of close, peaceful relations with the countries of the world.

Science is a key factor in our efforts to realize this worthy objective, for, as Dr. Re pointed out, "the language of science is universal." Science and international cooperation, he emphasized, "have a fortunate compatibility."

Following is the full text of Dr. Re's most informative and incisive address at the Jewish Hospital and Medical Center:

The International Community of Science

(Excerpts from Remarks by Dr. Edward D. Re at the Annual Medical Staff Day of the Jewish Hospital and Medical Center of Brooklyn, May 26, 1968)

My invitation to speak here today suggested that I say something about the contributions of American science to world-wide good-will and understanding. I welcome this suggestion. One of my first concerns in my State Department position is with the international implications of American educational, scientific and cultural activities. For the success of our international activities necessarily depends on the strength of their domestic base.

It is easier to find demonstration groups to send abroad in some fields than in others. In the performing arts, for example, we have pre-formed symphony orchestras, dance companies and other artistic groups to invite into the service of our Cultural Presentations Program. The sciences usually present more of a problem, because a demonstration or performing group must usually be formed. This has of course been done. With the help of the American College of Cardiology, for example, we have sent out teams of doctors and surgeons to demonstrate their advanced techniques of heart surgery in a number of countries.

In both the arts and the sciences, therefore, we recognize that our exchanges—of the people we send out and those we bring in—reflect the productive power and the attractive power of American institutions. By "institutions" I mean educational, scientific and cultural organizations—universities, colleges, research institutes—and I of course include medical schools and hospitals, for their research and for their teaching programs.

The Bureau I head has responsibilities across the board—across both the arts and the sciences, across educational, scientific and cultural activities. I am glad to say that Congress has made it possible for us to assist and support the movement of scholarly and research people to and from our country in a variety of fields. They are carriers of knowledge about what we are doing in this country, about the levels of our achievements and of our aspirations; and they are carriers of the same insights about other countries as well.

So we seek to exchange knowledge and understanding—but professional and *human*—through exchange-of-*persons* programs. We can be proud of the contributions American institutions are making to this process by providing, or facilitating, opportunities for overseas study and research for Americans; and by offering, or assisting, such opportunities here for qualified students and researchers from other lands. The United States has made, and is making, great contributions of knowledge and expertise through *cooperative educational relations* with other countries. And we are gainers as well as givers in doing so.

There is a further point to emphasize: we now have an international community of science. We know that this is so even though no census is being taken. The operations of science today—the scale of research, the widespread communication and assessment of results, the applications of technology—have brought into close association an international community of co-workers. They normally share much the same temper of mind, the same rigid standards of work. In this community men speak the same language, seek the same goals, and have set a pattern of finding ways of reaching rational resolutions of differing views when such arise.

More than ever before science, as has been said, is an engine of change and progress. It drives human history along its imperfectly charted road. It has a preeminence today without precedent in its long history. Scientific research—increasingly organized and subsidized at fundamental theoretical levels—is a major source of the great tidal changes that are taking place in man's relation to the world of nature and to the human scene as we have known them. You who work at this great institution know the kinds and rates of change in the medical field and the implications they have—for us and for all men.

It would be wrong for me to suggest by these remarks that the Bureau I head plays a central role in the medical sciences. We do make some grants each year. But the National Institutes of Health, the National Science Foundation and other agencies of our government have the prime action for the support of American efforts at home, and to a degree overseas. We coordinate all our efforts through an interagency council. Outside of government, many foundations give further support and strength to the medical sciences both at home and abroad.

I would do my own colleagues an injustice, however, if I were to leave my Bureau's contributions to the medical sciences without a brief further comment. Taking Latin America for the year ended last July as an example, 12 medical schools and centers in 8 countries participated in exchanges in the field of medicine and related sciences through our programs. 14 graduate students from Latin America were here. In addition, 8 specialists from the United States lectured in Colombia, Peru, Mexico, and Venezuela; and, in the best two-way tradition, Latin American counterparts in comparable number came to this country.

I cite these examples not so much to give numbers, as to give examples of the *kinds* of exchange grants in this field we can, and do, support.

Perhaps a greater contribution lies in efforts we make to encourage the sense of community along professional lines in this as well as other fields. We do so sometimes by supporting special conferences and seminars and by supporting the work of international organizations like UNESCO, as well as by grants for graduate students, research scholars, teachers, professors and others—both from and to this country. We provide for traffic on the same two-way street for persons prominent in professions, like medicine, to meet informally with counterparts overseas over a period of, usually, a few weeks.

I doubt that your interest in anatomy extends to the anatomy of the State Department. But I would be derelict not to refer to the Office of International Scientific and Technological Affairs of the Department. In so doing I highlight my whole underlying thesis. This office—SCI, in the short-hand language of the Department—has as its principal concern the interactions of science and foreign affairs. The Department is increasingly encouraging scientific exchange and cooperation, because the language of science is universal and therefore a helpful bridge to understanding between peoples, and because the results of science and relating technology benefit all, therefore inviting cooperation and mutual assistance. Science and international cooperation have a fortunate compatibility.

To you of medical science, an empirical fact is perhaps more eloquent than any generality on the state of science as an international community and the importance we attach to it in our foreign affairs. The fact is this: last year U.S. Government delegations participated in more than 600 international conferences, approximately one-fifth of them in fields of science or science-related.

Secretary Rusk has said there is no such thing as a Capitalist potato blight or a Communist wheat rust. This suggests the essence of the international problems with which science concerns itself. Science, like all knowledge, knows no national boundaries. Science is, itself, international.

As other disciplines can find and develop a sense of international community across national lines, akin to that the men and women of science have found, they help the movement toward the goal of our Mutual Educational and Cultural Exchange Act. This legislation authorizes the exchange-of-persons activities in which we are engaged. It does so for the *noble purpose* of assisting, in the language of the Act, "in the development of friendly, and sympathetic, and peaceful relations between the United States and the other countries of the world." This is the goal we are striving to achieve.

FBI DESERVES PRAISE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. WYATT. Mr. Speaker, on the occasion of the capture of James Earl Ray, suspected killer of Martin Luther King, in London, England, this past weekend, congratulations are again in order to the Federal Bureau of Investigation. The successful conclusion to this manhunt—probably the greatest in the history of the FBI—is a tribute to the efficiency and dedication of the professional corp of law-enforcement agents in the FBI. Even more so, this is a landmark case of mutual cooperation among law-enforcement agencies on an international scope.

It is reassuring to know that the talents and techniques of the FBI can track down a fugitive in world flight. Equally gratifying are the mutual respect and willing response afforded to the FBI by its sister police organizations in other countries, particularly the Royal Canadian Mounted Police and New Scotland Yard.

I am proud to have been a member of the FBI and to have worked for J. Edgar Hoover.

AMERICAN'S CREED APPROPRIATE TO GRADUATES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ASHBROOK. Mr. Speaker, at this time each year I join the many people of the 17th District of Ohio in complimenting and congratulating the hundreds of graduating high school students.

Their achievement is too often lost in the furor of press accounts of beatniks, juvenile hedonists, and the lost members of their generation.

The vast majority of young persons are concerned with the problems of finding jobs, providing for themselves and their future families and building a sound basis for their lives within their particular communities.

In joining with others in honoring them I send out a copy of "The American's Creed," by William Tyler Page, which I believe is appropriate. I include at this point a copy of the creed and the letter which I send accompanying it:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR GRADUATE: It gives me great pleasure to extend to you at this time, heartiest congratulations on your completion of your High School education. This is one of the most significant milestones in your life.

The American's Creed is just one more way of expressing the opportunities which you have had and will continue to enjoy as a citizen. May this serve to remind you of your individual responsibility as a member of your community and country.

With all good wishes,
Sincerely,

JOHN M. ASHBROOK,
Representative to Congress.

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its Constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to ———.

JOHN M. ASHBROOK,
Representative to Congress, 17th District of Ohio.

CLYDE M. HUNT, PIONEER BROADCASTING ENGINEER

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BLATNIK. Mr. Speaker, in a very well-stated, but modest article, Lawrence Laurent of the Washington Post writes of the remarkable career of Clyde Hunt, pioneer of the electronic media. His moving account of Mr. Hunt's career brings back nostalgic memories for those of us who recall when radio first came into being and was made so popular by F. D. R.'s "Fireside Chats," and vividly reminds us of the astonishing technological leap we have made in just one man's lifetime—from crystal set to the awesome complexities of ocean-spanning communications satellites.

But apart from these historical reflections, I particularly want to take this opportunity to pay justly deserved tribute to this gifted, but modest, unassuming gentleman and to say how proud we are to have lived just down the street from Clyde and Mary Hunt as neighbors and close friends for almost ten years of two of the finest people we have ever known.

As Clyde Hunt enters upon a well-earned retirement, he leaves us an impressive legacy from which all of us can learn, and I commend the following article to the attention of my colleagues:

CLYDE M. HUNT, PIONEER BROADCASTING ENGINEER, RETIRING AFTER 42 YEARS IN FIELD

(By Lawrence Laurent)

In the minds of many broadcasters in the United States only two kinds of broadcasting engineers exist. The first one is Clyde M. Hunt and the second is all the rest.

Hunt, a broadcasting pioneer with 42 years of experience in radio and television, is retiring, effective July 1. He's 63 years old and has been fighting a collection of serious ailments.

He's the soft-spoken master technician around whom a variety of legends have been built. Few who have known him for several decades have ever heard him raise his voice. He's always been at home in a storm, full of quiet competence and masterfully competent in meeting a crisis.

Arthur Godfrey likes to recall Clyde's preparation for one of President Franklin D. Roosevelt's "Fireside Chats." Five minutes before air time, a remote stopped working. Announcer Robert Trout or (Wells (Ted) Church)—Clyde can't remember which one—broke into a sweat. Assorted presidential aides were in a frenzy. "Old Clyde," Godfrey recalls, "took the whole unit apart, corrected the trouble and put it back together.

"And Mr. Roosevelt went on, as scheduled."

Those with long memories will remember the time when a President couldn't be seen for the forest of microphones. Each network and each station competed to get call letters into photographs and newsreels.

Clyde M. Hunt, with help from Col. Edward Starling, head of the Secret Service, put a stop to such nonsense. Clyde devised "a set of multiples," which is a two microphone setup, to supply the audio signals to all broadcasters.

Protests were loud, but as Clyde recalled yesterday, "We made it stick."

In retirement, Clyde may be able to document the date of his first presidential broadcast. He has a clear recollection of putting President Coolidge on the air for a speech at the U.S. Chamber of Commerce. "In those days," he remembers, "the Chamber was on H Street, where the Veterans Administration is now located."

"I remember the broadcast," Clyde says, "but I can't find any record of it."

The earliest personal presidential broadcast record he can find is of Herbert Hoover in 1928. After that, Hunt was in charge of technical aspects for CBS Radio for Presidents Roosevelt and Truman. During World War II, Hunt traveled—working for all four radio networks—to every state in the Union, to Canada and to Mexico.

Laurence E. Richardson, president of Post-Newsweek Stations, announced Hunt's retirement and noted: "He has been a source of strength to us all with his wise and understanding counsel. This, his kindness, good humor and common sense will be missed the most as he leaves to enjoy a less rigorous life."

Richardson also spelled out a few of the major contributions that Hunt made during his 36 years with CBS and Post-Newsweek Stations. He was in charge of technical aspects of the WTOP 50,000 watt transmitter in Wheaton, Md.; Broadcast House in Washington; Broadcast House in Jacksonville, Fla., the studios of WJXT as well as the 1000 foot WJXT tower.

Hunt worked in television as early as 1930. This was an experimental station, and the only program was a daily, 15-minute news program. "Nobody remembers," Hunt said, "because nobody saw the shows."

Of all the technical advances in broadcasting during Hunt's 42 years, he views the coming of television, itself, as "the greatest thing that ever happened." The next most important thing, he says, was video tape, which "made everything so much more flexible for the viewing public."

Clyde and Mary Hunt were married in 1931, and have one son. Clyde Middleton ("Middy") Hunt Jr. Middy, 26, is in Vietnam with Page Engineers.

One aspect of the Clyde Hunt legend in broadcasting concerns his ability to work continuously without food or sleep. Men who traveled on presidential tours declare that Clyde could go "for days" without ever halting the work and testing of his equipment.

With this in mind, I asked Clyde yesterday, "What are you going to do in retirement?"

His answer: "One thing I'm not going to do is any hard work."

"PLAIN TALK ABOUT HATRED AND VIOLENCE"—AN ARTICLE BY JOHN W. GARDNER, READER'S DIGEST, JUNE 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to insert at this point in the CONGRESSIONAL RECORD a most thoughtful article by John W. Gardner in the current issue of the Reader's Digest.

The article, "Plain Talk About Hatred and Violence," is one of the most valuable contributions to an understanding of the problem of relations between the races in our country I have seen.

Mr. Gardner, as we all know, served with great distinction as Secretary of Health, Education, and Welfare from August 1965 until March 1968.

He now heads the Urban Coalition, a private organization of business, labor, religious, and others leaders whose purpose is to mobilize the Nation to solve the problems of our cities.

Mr. Gardner's article follows:

PLAIN TALK ABOUT HATRED AND VIOLENCE

(By John W. Gardner)

Most white people are neither haters nor practitioners of violence. Nor are most Negroes. The majority of each race earnestly wishes that constructive, non-violent solutions could be found to the racial problems that rack—and may yet wreck—the nation.

But there are whites that hate, and whites who advocate violence. There are Negroes who do the same. And, unfortunately, the whites and Negroes who do *not* hate and destroy too often quietly tolerate those who do.

Those who hate and those who resort to violence—whether they are white or black—cannot resolve the problems that divide this nation. They can only intensify the senseless spasms of emotion and savage action.

There are many levels at which we must seek solutions to the problems which are tearing the nation apart. We must attack hard-core poverty with renewed vigor—through education, job-training, employment, housing and other measures. We must attack discrimination in every form. We must take steps to ensure civil order.

But, at the same time that we are working on such basic problems, we must cope with the upward spiral of mutual fear and corrosive hostility between white and Negro communities.

Hatred and violence used to be chiefly the stock-in-trade of the white racist. Then they became the stock-in-trade of the Negro extremist. Both justified their malevolence with cogent arguments.

But today there is a curious contrast between the two. Negro hatred of whites is often expressed openly. It is frankly defended and widely discussed. In contrast, white hatred of Negroes has gone underground. It is rarely discussed publicly, rarely debated candidly. Indeed, when the President's Commission on Civil Disorders spoke of it openly, many people thought the authors of the report had done an unseemly thing.

Yet the white hatred is there. And everyone who reads this article knows it. The long tradition of white brutality and mistreatment of the Negro has diminished but has not come to an end.

It still excludes Negroes from white neighborhoods, and bars them from many job opportunities. No Negro reaches adulthood without having been through many experiences with whites that bruise his self-respect and diminish his confidence. That is hard for him to understand, living as he does in a society that bases its moral claims on the worth and dignity of the individual.

Such attitudes on the part of whites must come to an end if this nation is to survive as a free society. Each one who adds his bit to the storm of hatred does his share to move us toward a final reconing that no free American will like.

Negro extremists who advocate violence assert that non-violence did not work. It is untrue. The greatest gains for the American Negro came in response to the non-violent campaigns of Martin Luther King, Jr., and (before it turned violent) the Student Nonviolent Coordinating Committee.

It is the fashion now to belittle those gains, but they were great and undeniable. They were registered in historic civil-rights legislation and even more emphatically in social practice. Compare Negro voting patterns today with those prevailing as little as three years ago; or southern school desegregation today with practices of four years ago; or patterns of restaurant and hotel desegregation over the same period; or employment opportunities now and then.

The gains are not enough. They cannot satisfy our conscience. But they were substantial. And they came in response to non-violence.

The violent tactics of the past two years have brought nothing but deepened hostility between the two races and a slowing down of progress in the necessary drive toward social justice.

Many white liberals have now allied themselves with the Negro extremists in the sanctioning of violence. They speak approvingly of past riots as having "dramatized" the problem. They never speak of the negative consequences of the riots, but everyone who observed the session of Congress that followed the riots of 1967 knows that the negative reactions were reality, and diminished the possibility of constructive solutions.

Nor do those who condone violence ever speak of the legacy of bitterness and division that will be left by increasingly harsh outbursts of destructive interaction. What good will it do to dramatize the problem if, in the process, hatreds burn themselves so deep that the wounds permanently cripple our society? Nor do those who condone violence ever face up to the likelihood that the paroxysms of public disorder will lead ultimately to authoritarian countermeasures.

One of the difficulties in halting the interplay of fear and violence is the tendency toward indiscriminate indictment of one race or the other. One man killed Martin Luther King—and Stokely Carmichael indicts the whole white race. A small minority of Negroes loot and burn, and many whites indict the whole Negro race.

Where will it lead? Negro extremists shout slogans of hate. White racists whisper their rage. Each justifies himself by pointing to acts of members of the other race. Hatred triggers violence, violence stirs further hatred, savage acts bring savage responses, hostility begets hostility, and the storm rages on. At some point, the terrifying interplay must have an end.

We must break through the terrible symmetry of action and reaction, assault and counterassault, hatred and responsive hatred. And the only way to do that is to ask the moderates on each side to cope with the haters and the doers of violence *within their own ranks.*

There is no way for the Negro moderate to curb the white extremist, or the white moderate to curb the Negro extremist. If they try, they just give further impetus to the interplay of hostility. That is why moderate whites must curb the haters within their own ranks, and moderate Negroes must curb their own extremists.

To date, the moderates—both Negro and white—have been all too silent. It was predictable. Moderates are alike, whatever their race. They don't want to become involved. They don't want to appear controversial. They don't like trouble.

But, increasingly, the extremists of both races are giving them trouble, whether they like it or not. And it will get worse before it gets better. It's time for the moderates to speak up and assert their strength.

This "revolt of the moderates" must go on day in and day out—in offices, factories, homes and clubs. Those who promote hatred must be called to account. Those who commit or condone destructive acts must feel the full weight of disapproval by their friends and neighbors. Each contributes his little bit to the destruction of this society.

In a curious way, the whites who hate and destroy and the Negroes who hate and destroy are allies moving the rest of us toward a terrible climax. Martin Luther King understood that, and fought against both all his life, by word and deed. And so must all of us who care about the future of this society.

GEORGE W. BALL, U.S. AMBASSADOR TO THE UNITED NATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. RARICK. Mr. Speaker, the news of George Ball's appointment to the U.N. was only surpassed by the news that he would take up guest residence in the White House—usually reserved for the President and his family.

Mr. Ball will be remembered by many for his unconvincing testimony before the Senate Committee on Armed Services, Special Preparedness Subcommittee in 1962 as to censoring military officers and his belief that we are not at war with communism.

See my remarks and enclosures, the CONGRESSIONAL RECORD, volume 113, part 11, pages 15101–15108.

Where are the voices of the fearless newsmen who praise Ball's appointment yet flail the Vietnam war that he, not the American people nor our fighting military men, helped manipulate by doing nothing except resisting American defense efforts against communism?

Mr. Speaker, I include Frank Capell's Herald of Freedom, box 3, Zarephath, N.J., for May 31, as follows:

HON. GEORGE W. BALL

President Johnson's "surprise appointment" of George Wildman Ball to replace Arthur Goldberg as U.S. Ambassador to the United Nations has been confirmed by his "Yes-Man" Senate. Although Sen. Strom Thurmond proved that Ball had lied while being questioned by the Senate Foreign Relations Committee, there were only four other Senators on the floor when he presented his case against Ball, three of whom voted for confirmation. Senators John L. McClellan (D.-Ark.), Robert C. Byrd (D.-W. Va.), and Howard Cannon (D.-Nev.) voted "aye." Senators Strom Thurmond (R.-S.C.) and John Williams (R.-Del.) voted "no." The Establishment marches on, with another "Untouchable" placed in a position of power by a 3-2 Senate vote.

George W. Ball was born in Des Moines, Iowa, December 21, 1909, the son of Amos Ball and the former Edna Wildman. His father had come to the United States from Devonshire, England and became an official of the Standard Oil Company of Indiana. His mother was a former school teacher whose family had moved from Ohio to Iowa after the Civil War. George graduated from Evanston Township High School in 1926 and from Northwestern University with a B.A. degree in 1930 and a J.D. degree in 1933. On September 16, 1932 he married Miss Ruth Murdoch whom he met while on vacation in Paris.

Ball came to Washington, D.C. as the protege of Prof. Herman Oliphant when Oliphant was appointed General Counsel for the Farm Credit Administration in 1933. The Communist Party had an agent in this agency in the form of Philip Reno, officially identified as a member of the Washington, D.C. Communist underground. Oliphant was a radical professor from Columbia University who served on the National Labor Injunction Committee of the American Civil Liberties Union. Serving with him were identified Communist Harry F. Ward and other such radicals as Sidney Hillman, John Dewey, and Rabbi Abba N. Silver.

When Oliphant went over to the Treasury Department General Counsel's office, he took Ball along with him. Ball practiced law in Chicago from 1935 to 1942, becoming a close friend of Adlai Stevenson. At the suggestion of Stevenson, who had gone to Secretary of the Navy Knox, Ball returned to government service in 1942. At this time he accepted an appointment to the staff of the Office of the Lend Lease Administration, soon advancing to the position of Associate General Counsel. At the same time Edward R. Stettinius, Jr. was serving as legal adviser to the Administrator of Lend Lease.

In 1943 Ball became Associate General Counsel for the Foreign Economic Administration which combined the Office of Lend Lease, the Office of Economic Warfare and other agencies concerned with foreign economic affairs. The Foreign Economic Administration had been badly penetrated by Communists; its staff included Virginius Frank Coe, Michael Greenberg and Irving Kaplan, all identified in sworn testimony as Communists and members of espionage groups.

In 1944 Ball was appointed the civilian member of an Air Force Evaluation Board, studying the effects of tactical operations in Europe. Later in the same year he was appointed Director of the U.S. Strategic Bombing Survey, a civilian group established to assess the social, economic and physical effects of the strategic air offensive against Germany. In the spring and summer of 1945 Ball's group interviewed surviving Nazi leaders and it has been reported that some high-ranking Nazi industrialists with good international connections were quickly cleared of any wrongdoing. Working with Ball on this project was John Kenneth Galbraith, the former ambassador and well-known left-wing economist.

Ball returned from Europe to Washington during September, 1945, and for almost a year thereafter served as General Counsel for the French Supply Corp. which was obtaining huge credits in the United States for the "rehabilitation" of France. In July, 1946, Ball became a founding partner in the law firm of Cleary, Gottlieb, Steen and Ball, which firm subsequently established offices in New York, Brussels and Paris, as well as in Washington, D.C. Adlai Stevenson also became a partner in this law firm of international lawyers and registered agents for foreign countries. Among their clients have been the European Coal and Steel Community and the European Atomic Energy Commission.

One of Ball's partners, Leo Gottlieb, has strong tie-ins with the copper industry. Gottlieb is a director in the Anglo-Lautard Nitrate Corp. of 120 Broadway, New York, N.Y. This firm is headed by Harry F. Guggenheim who has interests in most of the world's copper mine syndicates and who is also active in the Guggenheim Foundation. Gottlieb is also a director of the Scientific American, a publication by Gerard Piel, husband of Eleanor Jackson Piel, law partner of identified Communist Frank Donner.

Counsel to Ball's law firm was Grenville Clark, a top conspirator and promoter of "World Rule through World Law." Ball is also a member of this top group of internationalists and active in the top secret Bilderberg group, having attended their meetings including the highly secret one held in Buxton, England in 1958 where much world planning was done.

Ball is also a long-time member of the Council on Foreign Relations (CFR), believed by many to be the actual secret government of the United States as so many of its members are in policy-making positions in the U.S. Government. Ball was a very close personal friend and associate of Adlai Stevenson over a long periods of years. In the 1952 presidential campaign Ball was the National Director of the Volunteers for Stevenson. In the 1956 presidential campaign he was Director of Public Relations for Stevenson and Kefauver, and even in 1960 he supported Stevenson for the presidential nomination. However, when the nomination went to Kennedy, Ball jumped on the bandwagon. He and another lawyer from his firm, John Sharon, prepared a 200-page foreign affairs report for Kennedy. After Kennedy's election he helped organize study groups reporting to the incoming president on economic policy, balance of payments, the gold outflow, foreign aid and commercial policy.

Ball was among the first Kennedy appointees, being appointed Undersecretary of State for Economic Affairs on January 30, 1961. On November 29, 1961, after what has been called the "Thanksgiving Massacre," he moved up to the second highest job in the State Department, Under Secretary of State. The Kennedy appointments were often people he did not know, had never met and were recommendations of important persons operating behind the scenes. Ball was reportedly recommended by Adlai Stevenson and Adam Yarmolinsky. Yarmolinsky was on the "team" which accepted recommendations and "screened" them. Ball passed the screening test as he and Adam were old friends. Yarmolinsky had worked in Ball's law office in Washington, D.C. from 1951 to 1954 when he left to work for the Fund for the Republic.

Ball remained Number Two man in the State Department until he was replaced by Nicholas Katzenbach in 1966. After leaving the State Department Ball became chairman of Lehman Brothers International, Ltd. and on December 27, 1967, his admission as a senior partner of Lehman Brothers was announced. From there he moves to become top U.S. man at the U.N., the real secret government of the U.S. which has been biding its time before showing its hand. Although officials are always careful to "sever" connections with business associates they cannot "sever" the friendships and unofficial associations made over the years.

When Ball was in the State Department one of the problems which came under his jurisdiction was the Congo and the secession of the Province of Katanga. Anti-Communist Moise Tshombe had the "peace-keeping" forces of the U.N., aided and abetted by the United States, unleased against him. Although high-sounding reasons were advanced for the indiscriminate bombing of men, women and children and the desecration of churches and shelling of hospitals by the U.N. forces, it turned out that a group of internationalists had an interest in Katanga for financial gain, and involved with those internationalists had been George W. Ball, now in a position to set U.S. policy in regard to Katanga.

An investigation made by Congressman Donald Bruce disclosed that no less than six high United States and United Nations officials involved in the Katanga incident were directly or indirectly connected with a Swedish-American syndicate engaged in African mining which was interested in the Katanga copper mines. The Union Miniere Copper Mines in Katanga produced ten percent of the world's copper and by shutting down these mines, a shortage could be created which would cause the world price of copper to rise.

The syndicate interested in the Katanga copper mines was the Lio-Lamco Complex. The following information concerning the American personnel who had been affiliated with this complex was supplied by the Securities and Exchange Commission, the Bureau of International Business Operations of the Department of Commerce, the Department of State, and the United Nations. Fowler Hamilton, until the time of his appointment as Administrator of A.I.D., was a Director of IAAC, International African American Corporation, and a Director of Lio, Liberian Iron Ore Limited. Upon his resignation, Mr. Hamilton was replaced as a Director of both LIO and IAAC by his law partner, Melvin C. Steen. Before the resignations of Ball and Hamilton, the firm was known in New York City as Cleary, Gottlieb, Steen and Hamilton; in Washington and Paris, as Cleary, Gottlieb, Steen, and Ball.

George Ball had another business association in the form of a liberal (extremely) newspaper called the Northern Virginia Sun, published in Arlington County, Va. In this venture he was associated with Philip Stern and Clayton Fritchey. Philip Stern worked in the State Department and was the censor who cut all words unfriendly to Communism out of the speeches of top U.S. generals and admirals. When his activities became a major scandal, the Senate held hearings on the "Muzzling of the Military." Stern departed from his job before he could be called as a witness and Ball appeared as the State Department's apologist. He failed miserably to explain satisfactorily why speeches of top military men had been emasculated by the deletion of such phrases as "beat the Communist challenge," "achieve victory," "destroy the virus of communism," and "emerge victorious" and any references unfriendly to Communism.

Frank Kluckhohn, noted journalist, described Ball's appearance before the Senate investigating committee in his book, "Lyndon's Legacy," as follows:

"Trying to find out from Under Secretary Ball about our State Department policies in combatting the Communist menace proved to be like trying to spar with feathers. Ball's interrogators were hard put to get a straight answer out of him and he gave consistently what Senator Thurmond termed 'studiously evasive answers' to almost every question put to him about the State Department's role in the cold war."

When previously called before a House committee and asked to hand over a copy of the so-called "Secret Ball Report" which urged stepped-up U.S. trade with Communist countries, Ball refused to produce it or to answer any questions put to him by the congressmen. So we find that Ball has no respect for congressmen and senators, refusing to answer, answering evasively and, finally in his appearance before being confirmed as U.N. Ambassador, deliberately lying.

The lie concerned the existence of a "secret electronics espionage laboratory" within the State Department. This spy set-up was used to monitor the conversations not only of well-known and highly placed officials but of members of the press, according to an article in the Government Employees' Exchange of May 1, 1968. The article stated that the "bugging room" was built into the State Department when the new State Department addition was finished in 1960 and that every telephone in the State Department Building could be monitored by it. The article stated:

"The use of the 'bugging room' by the Kennedy administration grew especially intensive after the so-called 'Thanksgiving Day Massacre' of 1961 within the State Department . . . As a result of the 'massacre,' George Wildman Ball rose to be Under Secretary of State and Walt Whitman Rostow came over from the White House to become Assistant Secretary of State for Policy Planning. . . . As Under Secretary of State, Mr. Ball assumed control of the 'espionage room' in November 1961. He relinquished control of it to Nicholas de Belleville Katzenbach when the latter succeeded him. . . ."

Mr. Ball's testimony before the Senate Foreign Relations Committee in May 1968 was as follows:

"Question. Is there such a facility in the Department of State?

"Mr. Ball. I am unaware of it. . . . I certainly would have been aware of it had there been such a room, had there been such a device and there was none. There is none."

Senator Thurmond stated on the Senate floor on May 13, 1968:

"Mr. President, I cannot understand why Mr. Ball would make such an emphatic denial. After a careful investigation, I have concluded that such an electronics laboratory does exist at the State Department. I have talked to people who have been physically present in the electronics laboratory. The subcommittee has sworn testimony that telephone conversations actually were monitored through facilities of the electronics laboratory. . . .

"On May 7, the Government Employees Exchange delivered to Representative John Ashbrook a memorandum setting forth an exact physical description of the electronics laboratory, and a history of its use."

The memorandum was placed into the Congressional Record and showed the "secret electronics espionage laboratory" to be located in rooms 3805, 3808, 3809 and 3810 of the New State Department Building, making a total floor space of 1440 square feet. In addition to this, Room 3803 which adjoined the "laboratory" was used as a "lecture and demonstration" room. This whole set-up was completely isolated and protected by a locked door sealing it off entirely. The laboratory was under the personal jurisdiction of John Reilly and Elmer Dewey Hill who perjured themselves in the Otepka Case. The memorandum states:

"In late evening and early morning hours, Mr. Hill allowed CIA officers to enter the 'island.' In later 1962 and in 1963, the White House and the Office of Attorney General requested the facility to carry out certain operations they did not wish the FBI to monitor. Mr. Ball was fully informed of the reasons for the White House decision and he understood the use being made of the facility."

The top conspirator, Ball, is now back in public life in a position to implement the policy of "disengagement" in Vietnam which he drew up while still the Number Two man in the State Department. Ball will not only be the U.S. representative in the United Nations but also an ex-officio member of President Johnson's cabinet. The Allen-Scott Report recently stated:

"With the return of former Undersecretary of State George Ball to the policy-making level of government, the Johnson Administration now is committed to end the bombing of North Vietnam. Congressional friends of the new U.S. ambassador-designate to the United Nations are saying Ball received this flat assurance from President Johnson before agreeing to take the U.N. post. . . . (Ball's) policy in addition to phasing out air attacks against North Vietnam proposed a staged withdrawal of American troops from South Vietnam. . . . The first step in Ball's program, already begun, provides for a systematic cutback of the bombing regardless of what the enemy does."

The N.Y. Times has stated editorially that it regards George Ball as a "fine successor" to Arthur Goldberg, stating that he has a "special qualification that could be of great significance at this juncture." The "special qualification" is that: "During his years as Under Secretary he was, by conviction, the Administration's inner-circle critic on Vietnam policy—the man who marshaled arguments against every successive expansion of the American military involvement."

Ball has recently written a book, "The Discipline of Power," in which he questions U.S. foreign policy. An article in Time magazine of May 3, 1968 states, however: "Despite their differences, (President) Johnson often quietly called on his former Under Secretary of State for counsel, and only recently Ball drafted a secret policy paper for the President on the Pueblo seizure."

Ball seems to be much involved in "secret papers" and "secret meetings." The Bilderbergers are a highly secret group of powerful world-planners. The name was taken from the place of their first meeting in May 1954, the de Bilderberg Hotel in Osterbeek, Netherlands. Thereafter they met every six months and held an emergency secret session at the King & Prince Hotel, St. Simons Island, off the coast of Brunswick, Georgia on February 15, 16, 17, 1957. Although this was called an "unofficial" meeting, protection was furnished by the U.S. Secret Service. Among the international bankers, foundation directors, international cartelists, etc. present were Felix Frankfurter, Kurt Kiesinger, Paul G. Hoffman, Arthur H. Dean, Eugene R. Black, Dean Rusk, McGeorge Bundy, Sen. William Fulbright, Brooks Hays, George F. Kennan, Ralph E. McGill, David Rockefeller and George W. Ball.

Frank Kluckhohn commented on Ball's seeming "ignorance" or "incompetence" in the field of Communist tactics: "Is it ignorance? Most left-wingers in the Administration seem to be, or have been, connected with George Ball, Adlai Stevenson's former law partner. George Ball seems to be at the center of a web." Ball was also at the center of the internationalist web when he joined the international banking house of Lehman Brothers.

Herbert Lehman, former N.Y. State governor and former U.S. senator from New York, was a senior partner in the international banking firm, considered one of the three top investment banking companies in the United States. Lehman Brothers has been investment banker for more than half of the top twenty retailing enterprises in America with a representative on the boards of directors of many other corporations in America. Herbert Lehman had a long history of affiliation with communist-fronts, including the National Council of American-Soviet Friendship and the American Committee to Save the Refugees. He was supported for political office by the Communist-controlled American Labor Party. His niece, Mrs. Helen Buttenweiser was attorney for Alger Hiss and his hostess for several months after his conviction for perjury. The Lehman family has intermarried with other important and wealthy families, including the Morgenthaus, the Loebs and the Lewisohns.

The Chicago Tribune of May 29, 1950 published the pictures of three men, Felix Frankfurter, Henry Morgenthau, Jr. and Herbert Lehman, accompanying a story which stated that a "person with highest State Department connections identified these three figures as the secret government of the United States." While Governor of New York, Lehman vetoed a bill requiring all teachers to take the oath to support the Constitution. As director of the United Nations Relief and Rehabilitation Administration (UNRRA) Lehman saw it turned into a tool for Soviet conquest and used to subjugate the people of Poland. No anti-Communist ever received a penny of UNRRA aid.

Lehman Brothers took in its first partner who was not a member of the family when John M. Hancock, Chairman of the Board of Directors of Lever Brothers, was made a partner. However, he had worked closely with Herbert Lehman. Ball also must have worked closely with the Lehmans to be acceptable as a partner. As U.S. Ambassador to the United Nations will George Ball represent the United States or the international bankers?

OUR INFATUATION WITH VIOLENCE

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. McCARTHY. Mr. Speaker, how many more tragic deaths must this country endure before we halt our blind allegiance to an outworn frontier philosophy, pass sensible gun control legislation, and end the glorification of violence in our country? In television and in films we are constantly bombarded with violence. We see not only simulated murder on television, but horrifyingly enough, the American public has witnessed real murder on television.

We allow our children to watch the most violent programs on TV and in the movies and then wonder why so many young people, reacting to this climate of violence, commit crimes and choose violence as a solution to their problems.

The United Auto Workers Washington Report addressed itself to this problem very pointedly in its September 25, 1967, issue, entitled "Our Infatuation With Violence." The message contained in this publication is so straightforward and pertinent to current happenings that I would like to share it with my colleagues who might have missed it.

The article follows:

OUR INFATUATION WITH VIOLENCE

Does watching real mayhem and live murder in the comfort of our living rooms have any effect upon our daily lives?

Dr. Frederick Wertham—a psychiatrist who's spent his life studying violence of all kinds—says that by the time a kid reaches 14 these days he's seen between 10 and 12 thousand homicides.

"Superman is ruthlessly efficient in carrying on a one-man crusade against crooks and anti-social forces. Never does he appeal to the process of law. Justice is represented as an affair of personal strength alone. Today the dreams of youths and adults alike seem to embody a mounting impatience with the laborious processes of civilized life and a restless eagerness to embrace violent solutions."—*Marshall McLuhan in "The Mechanical Bride."*

Remember reading about the woman who turned on the TV to catch the 6 p.m. news—just in time to see her Marine Corps' son shot to death by a Viet Cong sniper?

Or maybe you had a chance to see the 1962 championship welterweight fight. That was the one Emile Griffith won by stopping Benny "Kid" Perez in the sixth.

It was also the one the ref didn't call in time and Griffith had to keep smashing the Kid's life away while the fans screamed, "Kill um—murder da bum." Maybe your kids remember that the crowd got what it wanted. Thousands of other American youngsters do.

And how many folks will ever forget the look on Lee Harvey Oswald's face when Jack Ruby's .38 caliber slug tore his heart out?

Does watching real mayhem and live murder in the comfort of our living rooms have any effect on our daily lives? What about the fake variety that pours—in a steady stream—out of Hollywood, out of the strange world television producers live in and from the pens of thousands of writers?

Dr. Frederick Wertham—a psychiatrist who's spent his life studying violence of all kinds—says that by the time a kid reaches 14 these days he's seen between ten and twelve thousand homicides. Most have been staged for his entertainment, but a growing number have been for real.

Has it always been like this in America? Most experts think not. Back in the middle 1920's, Leopold and Loeb's calculated-for-kicks murder of a 14-year-old boy outraged the nation. Americans weren't used to this kind of behavior. They formed committees, burned crosses and wrote millions of letters demanding that the two murderers pay fully for the crime of the century.

Newspapers across the country carried the story in minute detail as front page news for weeks and most people talked about little else for months.

But what would happen today if a couple of teenagers knocked off another kid for fun or just to prove they had the guts to do it? If the local papers in most big cities carried the story at all, it'd be on page 46—and it probably wouldn't rate more than a couple of column inches.

"In the last 20 years acts of violence and their acceptance by the American people have increased tremendously", reports Dr. Wertham.

"And the increase of violence among young people—children—has been fantastic. Twenty years ago you never even heard of a boy of twelve murdering his younger sister. But today such events are so commonplace we feel little or nothing when we read that a child of eight has wiped out his whole family with daddy's shotgun."

This kind of sensational violence usually gets coverage—even in today's kill-crazy world—and a lot of researchers say it's contagious. They point out that the combined coverage of radio, television, the papers and national magazines carries the news of a mass murder to almost every nook and cranny in the country.

And it just stands to reason, they argue, that it's going to give a few people an idea. The facts seem to bear them out. Not long after Richard Speck chopped down seven Chicago nurses in as many minutes, a Dallas college student went him one better with a sniping rampage that killed 14 before it ended. And in the month that followed that afternoon's sharpshooting exhibition, a dozen more multiple slayings were recorded.

Most of them made the local news, but didn't get picked up nation-wide. The reason? Mass killings had become as common as rice crispies and news editors decided that people were getting bored.

It seems strange that presumably intelligent, civilized people could sluff off something as inhuman as 14 mass murders in the space of three months. But the fact is that no national voice—millions of voices raised as one—either protested or demanded that something be done to keep it from happening again.

And it's even stranger when we look at what Americans do get upset about. Three years ago a concerned citizens' group launched what became a national movement for laws requiring pet owners to clothe their animals' private parts. About a year ago, after their quest had petered out, the story leaked out that whole thing was a put-on, started by a jokester looking for a cushy job and a chance to laugh privately at some highly gullible people.

It's interesting to recall that so many people were taken in by such a silly crusade. But it's highly important to remember what they were mad about and how seriously they took their mission to rid our society of the evils of exposed kittens and puppies. Yet where was their indignant voice when murder-happy killers stalked the land a few months ago?

Dr. Wertham cites another example of misdirected adult concern. A few months ago, he recalls, a toy manufacturer put some extremely realistic boy and girl dolls on the market. A seething committee of outraged parents—worried about what impact these exact replicas would have on their innocent children—demanded and got the dolls stripped from the department store's shelves.

"These parents were scared out of their minds about what exposure to the human anatomy would do to their children's mind. Yet they barely raise an eyebrow when the kids spend their allowances on comic books chockfull of barely-dressed men and women occupied almost exclusively with all sorts of gruesome and sadistic pastimes," Wertham comments.

"Worse yet—as a token of their parental love at Christmas time—they give these same kids millions of dollars worth of toy guns, whips, tanks, nuclear warheads and mock napalm bombs every year," he adds.

Violence is a commodity these days and it's peddled with the same systematic care given to the sale of all the other things nobody needs. Stop and think about the picture of the world around them children grow up with.

Not so long ago the only murders most kids knew about were Cain's of Abel and David's of Goliath. The worst act of violence they'd heard of was when the walls of Jericho came tumbling down. And these things happened in the remote past; they certainly weren't part of their everyday world.

Today three-year-old babies watch animated characters chase, beat, maim and kill each other on the morning kiddie-cartoon show while they eat their pablum.

Eight or nine-year-olds have seen more slaughter and torture and hate and bigotry on afternoon westerns than the world has known since the Inquisition. Before they reach their teens, they've learned hundreds of different ways to kill or cripple.

There're two reasons why so much of our leisure time is taken up with watching violence. It's easy to find and it's fun to watch. It's easy because selling violence has become a billion dollar business. It's fun because it's more exciting to watch someone get beaten up than it is to build a ferris wheel with an erector set.

There's no doubt in anyone's mind that this decades-long, steady diet of violence has dulled our minds to injury, death and wholesale destruction. We don't often think about the air we breathe because there's so much of it all around us. And, lately anyway, we seem to accept the most inhuman human behavior as though it were the most natural thing in the world.

Is it? Or can we put an end to the fake-kill-mania that makes the genuine thing so much easier to put up with? Dr. Wertham thinks it can be stopped, but not without some drastic changes in our calloused thinking.

One effective way to stop the sale of brutality and butchery would be an aroused citizen effort of the ferocity usually reserved only for crusades against threats to our sexual morality. That might finish off fake violence, but what about the real thing?

Many criminologists, police chiefs and politicians think controlling the sale of guns is an essential first step. U.S. Senator Thomas Dodd (D-Conn.) has already introduced an Administration-backed bill that would keep firearms out of the hands of criminals, kids and the emotionally sick all across the country. Local ordinances don't work very effectively, he says, because anyone who wants to break them has merely to step across the county line and help himself to legal weapons.

So far the Dodd bill has been throttled in committee by lobbyists for the gun industry, gun collectors and hunters. Opponents of the bill vehemently argue that criminals will rob, steal and kill whether they have guns or not, that the bad guys can always get weapons on the black market regardless of what the law says, and that a gun-curb would only make it tough on the law-abiding citizen who wants to protect himself or enjoy his hobby. Tons of mail descend on congressional offices—perhaps more on this than any other issue before Congress.

Sen. Dodd and the President say, on the other hand, guns make it a lot easier to commit crimes and the law would impose no more serious a hardship on legitimate citizens than does the requirement that drivers be licensed.

A lot of people are beginning to side with the President. A recent Louis Harris survey showed between 60 and 70 percent of the citizens polled favor a federal law such as the one proposed in Amendment 90 to Dodd's bill, S. 1.

It's our country, our children's futures and our lives that are at stake. So it's our job to stop the destruct-craze that's sweeping the nation. Even savage animals keep better order than we do.

WHAT THE DODD GUN CONTROL BILL WOULD DO

End the unquestioned sale of weapons to kids, criminals and the emotionally ill.

End over-the-counter sale of hand guns to out-of-staters.

End sale of hand guns to those under 21 and rifles or shotguns to those under 18.

Control sale of mass-destruction weapons like machine guns, anti-tank guns, bazookas and mortars.

WHAT IT WON'T DO

Keep law-abiding hunters, marksmen or collectors from buying the weapons they want.

Keep law-abiding citizens from buying weapons for home defense.

Keep parents from teaching their kids the proper care and use of firearms.

FHA CHIEF: PHILIP N. BROWNSTEIN

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. EDWARDS of California. Mr. Speaker, Mr. Philip N. Brownstein has served long and admirably as Commissioner of the Federal Housing Administration, and I was, therefore, delighted to read Mr. John B. Willmann's account in the Saturday, May 25, 1968, Washington Post of Mr. Brownstein's achievements and ideals, indicating so well the depth of his career of public service. Phil Brownstein is now in the forefront of the Department of Housing and Urban Development's fight to assist the low-income person to break the financial barriers to individual homeownership and to develop exciting, new programs to insure decent housing for all Americans. Knowing the abilities and the mind of Phil Brownstein, I am confident that we will have a meaningful and substantial effort toward this crucially important goal.

I insert this fine article in the CONGRESSIONAL RECORD, as follows:

PHILIP N. BROWNSTEIN

Almost 33 years ago, Philip N. Brownstein decreased the population of Ober, Ind., 2 per cent by leaving his birthplace and coming to Washington.

With the help of a friend, he got a job as an assistant truck driver and mail handler for the then-infant Federal Housing Administration. Today—he often works on Saturdays—Brownstein sits behind a desk in spacious Room 741 of the Lafayette Building, 811 Vermont ave. nw., as the Assistant Secretary for Mortgage Credit of the Department of Housing and Urban Development.

In that presidential-appointment post, Brownstein also serves as Commissioner of the Federal Housing Administration. As of next Wednesday, he will have held the top FHA post longer than any of his 10 predecessors. And he has been the only FHA Chief also to serve as Assistant Secretary of HUD, created in 1965.

Brownstein, whose career has included a law degree from Columbus University here

. . . four years of World War II duty in the Marine Corps . . . and 17 years with the Veterans Administration and its housing programs, now is facing his biggest challenge.

In the year that already has seen an open housing law passed, major civil disorders and property loss, and the FHA–VA interest rate ceiling raised to 6 per cent, the FHA Commissioner views the proposed 1968 housing bill as "the next piece of legislation we need to give added substance to urban life . . . by breaking down the remaining barriers to the fullest private participation in providing housing for those who are economically unable to obtain a decent home in the open market."

Swinging back on his swivel chair this week, Brownstein recalled that the original FHA insurance program for liberal mortgages amortized over 20 years made false prophets of financial experts who feared that many, many of those home loans would be foreclosed.

"Well, the record shows that the foreclosures were truly minimal considering the millions of home loans insured through FHA. At the moment, our portfolio shows only 27,000 repossessed houses that have not been resold. Our largest inventory was 56,000 in 1964."

Besides aiding many middle-class families into home ownership, that original FHA insurance program also helped to establish a new posture within the conventional (non-FHA-insured) mortgage market, where terms recently rose as high as 30 years (before the latest money pinch) on amortization and down payments fell to 10 per cent.

"It's time for us to be bold again and bring FHA insurance to the lower-income levels in the inner city. We already have rent supplements through which the Federal Government pays a portion of an individual's rent to the owner of a housing project—but this program has suffered from lack of adequate funding," said the relaxed Brownstein.

The newest HUD-proposed program would permit Federal payments to the mortgage lender as an interest rate subsidy to reduce the homeowner's monthly mortgage payment.

"This reduction," said Brownstein, "could result in the homeowner making payments on the basis of an interest rate as low as 1 per cent, depending on his income . . . With the proposed approach, families with incomes as low as $3600 a year may be able to afford a home with a $12,000 mortgage."

Besides the new programs to help poor people achieve home ownership and a recent FHA action to keep its own insurance in force in areas where civil disorders prompted some insurance firms to refuse further protection, Brownstein likes to point to another FHA achievement.

"Dramatic progress has been made in speeding up the procedures to enable home sellers to get (or not get) FHA commitments on their houses in five days and to get the credit check on the purchaser done within three days. This is the cycle in 95 per cent of the cases," he added.

However, some area builders still complain that FHA is slow in making its inspections and providing commitments to developers of subdivisions. Often builders moan about the FHA red tape. But the FHA point of view is that procedures must be followed for the protection of home purchasers and that paper work is inevitably a part of any Government program.

Brownstein is part of the Administration-HUD team that is pushing for enactment of a new housing bill this year, regardless of the realization that the Johnson regime is winding up. Recently, HUD Secretary Robert C. Weaver announced his intention to resign toward the end of this year and become a college president in New York City.

Mentioned in housing circles as a possible successor to Weaver for the balance of the four-year Federal cycle or the top HUD spot if another Democratic administration materializes in November, Brownstein remains personally implacable.

"I've been in Washington and in Government too long to look too far ahead," he said. "I didn't seek this job. But now that I have it the work is enough to keep me too busy to fish or read much of anything except reports or housing material. The mortgage money pinch is a full-time worry in itself.

"On the other hand, I'm really excited by a new FHA-supported 221(d)(3) program project that will provide wonderful new housing on an open occupancy basis for about 500 families right here in Washington (on New Hampshire Avenue, just across the District line).

"I am also tremendously heartened by the reactions of the National Association of Home Builders and the local metropolitan affiliates to the new open housing law. I am really hopeful that a financially qualified Negro family can now shop for a new home in any part of this area and get a fair shake. Let's hope that the days of the 'We will sell to you but we dont' think you'll like it out here' are over."

Whatever happens to the housing bill or in the November election, Brownstein likely will remain in Washington, which he unabashedly describes as "still the greatest city in the world."

The Brownsteins, who rented a Hyattsville apartment when he was made FHA Commissioner in 1963, now own a share in Harbor Square and occupy a two-bedroom condominium there. It's a privately development project (no FHA funds) on urban renewal land.

While their married son Michael is pursuing a combined Ph.D-MD degree, the Brownsteins enjoy in-city life.

"We're just like any homeowners anywhere. My wife fusses with her planting boxes on the balcony and I grumble about cars that drive over the edge of our lawn," said the FHA's respected boss.

WE MUST RETURN TO OUR SENSES

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. SIKES. Mr. Speaker, the Orlando Sentinel has editorialized well and effectively on the price which America is paying for coddling lawbreakers. I am pleased to submit it for reprinting in the RECORD, as follows:

[From the Orlando (Fla.) Sentinel, June 6, 1968]

WE MUST RETURN TO OUR SENSES

Painfully, and at extravagant cost, America is paying the price for coddling lawbreakers.

The tragedy that unfolded during the early morning hours Wednesday in the kitchen of a Los Angeles hotel apparently took root in the brain of an insane man, but it was nourished by a year after year erosion of respect for law in this country.

Senator Robert Kennedy and his family are the immediate victims, but all of us are equally punished.

House Speaker John W. McCormack, from the Kennedy family's home state, said it best, we think, of all those who tried to fix the cause for the type of crime that occurred so shockingly in Los Angeles.

"Those who enforce the laws," said Speaker McCormack, "are finding themselves the defendants—instead of the lawbreakers and the defiers of authority."

"We've got to support the police officer," Mr. McCormack pleaded. "We've got to bring back the respect for the man who wears the uniform."

America is facing a wholesale onslaught against authority.

Those who would weaken this nation of laws have had unwitting support from some in high places and from courts, who, in their zeal to right certain wrongs, have hastened the assault on the very fabric of America.

Tradition is dead; change is "in."

Authority is there to be challenged if not subverted or even overthrown, and by force if necessary.

The policeman is a fuzz; the criminal is indulged.

One takes what he wants; he obeys the laws of his choice.

Murder is an everyday happening; assassination of public figures threatens to become commonplace.

Such are the fruits of this strange cult that ensnarls us. It is sparked by conspirators and is fed by the well meaning but easily duped—those who are troubled by an unpopular war, those who feel they are the victims of social injustice, those who are so immature that they know not what they want.

True, it is difficult, perhaps even impossible, to protect against the isolated nut in a crowd. But who is to say that the mad man is not goaded into his insane act by all these examples of lawlessness and disrespect for authority around him.

Crime breeds more crime. Anarchy will bring ruin. We have had enough of both.

DANGERS OF A PROFESSIONAL ARMY

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. COHELAN. Mr. Speaker, proposals have been made to abolish the draft in favor of an all-volunteer military service.

It has been said that an all-volunteer army is more in keeping with democracy and the protection of individual rights than is any system of a draft.

In the past, several well-staffed and qualified groups, including the National Advisory Commission on Selective Service and the Civilian Advisory Panel on Military Manpower Procurement, have carefully considered and uniformly rejected the proposals for an all-volunteer army.

Former Secretary of Defense McNamara would not recommend an all-volunteer army.

The Secretary said:

> I don't believe that kind of army would be best for our Nation. I think it would gradually separate itself from the life of our Nation. It is far better for all of us that we pour through the army, civilians who go into the army and come out of the army and who in a sense civilianize the military service and thereby tie it more closely to the fundamental elements of our National life.

Gus Tyler, in an article in the New Leader, April 24, 1967, cited the dangers to our democracy which would result from the establishment of a professional army. I insert in the RECORD at this time Mr. Tyler's article:

THINKING ALOUD: DANGERS OF A PROFESSIONAL ARMY

(By Gus Tyler) [1]

The volunteer army, for many generations the darling of military establishments around the world, has recently won the heart of some anti-militarists and liberals in the United States. The love affair has blossomed in the hot season of debate over Vietnam. The most ardent words spoken for the volunteer army come from opponents of our Asian involvement who, in their eagerness to halt the draft of reluctant young men, may unintentionally institutionalize a military manpower program that would do serious damage to the objectives of American liberalism for decades to come.

The basic argument for the volunteer army is that it would end the "involuntary servitude" implicit in the draft. The men in uniform would be those who want to be in uniform, fighting a war in which they believe. The present Selective Service System that appears to discriminate against lower income groups, especially Negroes, would be ended. Those who view the fighting in Vietnam or anywhere else as "immoral" would not be called upon to violate their conscience. To these moral, libertarian, and socio-political arguments are added occasional technical points: Modern weaponry calls for skilled technicians requiring long periods of training; by cutting down on military manpower turnover there would be sizable savings in training costs.

The debate over the volunteer army is not new. It began in Europe more than half a century ago when revolutionary Marxists, with a healthy distrust of a professional army officered by a conservative elite, demanded an end to a mercenary military and the institution of universal military service. The debate was renewed in the United States in 1916, when the military brass called for a standing army that could draw additional strength in an emergency from volunteer enlistments. President Wilson, sensitive to the danger of a career army, argued for a system that would draw upon a citizenry trained and accustomed to arms. In the encounter between the military brass and the civilian-minded Commander-in-Chief, the professional soldiers won. The National Defense Act of 1916 set up a blueprint for an enlarged permanent army of volunteers.

In the ensuing years, the argument subsided. From 1948 on, the U.S. lived with a "peacetime" draft. The last time the Selective Service Act was extended, in March 1963, it was without significant protest and debate—indeed, with virtual unanimity. Not until the Vietnam conflict necessitated drafting men on the campuses did the protests against the draft mount and the volunteer army idea reappear—coming this time from those who had been the traditional opponents of a professional army.

The curious irony of this *volte face* is the fact that so many advocates of the professional army are militant opponents of The Establishment. But if the military hierarchy is not a major pillar of that Establishment, then who is? In 1956, in *The Power Elite*, C. Wright Mills placed the military at the apex of the ruling trinity alongside the corporations and the politicians. "The warlords," he wrote, "have been only uneasy, poor relations within the American elite; now they are first cousins; soon they may become elder brothers."

Without any blanket indictment of the top military men in the U.S., among whom have been outstanding statesmen of profound civilian commitment such as George Marshall, it is necessary to caution eternal vigilance vis-à-vis the "warlords." President Eisenhower, in his Farewell Address, warned against the dangers of the military-industrial complex, the close cash nexus between the soldiery and high finance. In President Kennedy's Administration, Senator Fulbright exposed the Rightist infiltration of the Armed Services. By birth, by marriage, by social connections, by future economic prospects, brass tends strongly to turn to gold.

The battle between top civilians and top military in the Pentagon is one of the continuing, unresolved, albeit hushed-over, struggles in Washington. The scales would be dangerously tipped toward the professionals by a volunteer army. Of necessity, those most readily attracted to the military career in the lower echelons are those who have not fit successfully into the civilian society. They give up the options of citizenry to accept the discipline of the uniform—and they do so with an initial measure of hostility for that "outside" world. Of necessity, the soldier is isolated from the vital social struggles of his times: strikes, sit-ins, civil liberties, social legislation, poverty, urban upheaval, or—if you please—even peace movements. To the extent that he is called upon now and then to make contact with these disturbing elements, he does so in an adversary role—to maintain law and order. He develops a police mentality; but more so, since he does not have the policeman's after-hours return to family, friends and social problems.

Because American social struggles, with the exception of the War Between the States, have never reached such crisis proportions that the armed forces have had to be the ultimate social arbiter, the military's potential for oppression has not been tested in the last century. But this does not mean that it never will be. A brief glance at other nations of the modern world, where a natural affluence has not softened social struggles, proves repeatedly that an officer corps with an army of declassés under its command can topple governments and constitutions.

It is argued, in reply, that a draft does not change the professional character of the present Army, since about two-thirds of those now inducted in any one year are volunteers. The truth is, however, that about half of the volunteers are men who enlist only because they feel the hot breath of the draft on their back. After a tour of duty these volunteers, like most of the draftees, return to civilian life, to be replaced by other citizen soldiers.

If the country turned to a volunteer army, attracting men with higher pay, better working conditions and fringe benefits, how many and who would respond? The response would be so weak that it is doubtful whether the needed quota could be met. A Bureau of the Census study reveals that among young men in age bracket 16–19, only 4 percent would rate "equal pay" with civilians as of prime importance in volunteering and only 17 per cent would consider "considerably higher pay" as a real enticement. And the closer the nation moves to full employment, the less attractive these offers become.

Volunteers tend to be young men who are unemployed, denied first class citizenship, discriminated against: those who would rather be "in" with the army than "out" with the—to them—sick society. In sum, the volunteer army would be an army of that "other America," especially Negroes.

At present, about 11 per cent of men drafted are Negroes, an almost exact reflection of Negroes in the military age group of the total population. Perhaps the rate would be higher if so many Negroes were not *rejected* for military service: 50 per cent are turned down, while only 25 per cent of the white potential is rejected. *But when it comes to re-enlistment about 40 per cent of the Negroes opt to continue in the service while only 18 per cent of the whites do so.*

This last figure is crucial in forecasting the nature of a volunteer army. It will be low income and, ultimately, overwhelmingly Negro. These victims of our social order "prefer" the uniform because of socio-economic compulsions—for the three square meals a day, for the relative egalitarianism of the barracks or the foxhole, for the chance to be promoted. (One out of every six sergeants in the Army is Negro.)

While one must respect the motives of the young men who demand a voluntary army, it is not improper to suggest that they briefly introspect to see whether, when they call for an end to "involuntary servitude," they are not indulging in self-righteousness tainted with self-interest. When a young man proposes that a private's pay be doubled or tripled so that "those who want to fight" may do so, he is in effect saying "I do not intend to enlist, because I have a better way of life; but let those who do not have a better way, go do it."

Ending the draft eliminates legal compulsion to enter the military service, but it does not elminate circumstantial compulsion to do so. Both forms of compulsion are disquieting to a free soul. But to liberate the well-to-do from "legal" compulsion while enslaving the poor with "circumstantial" compulsion is hardly in keeping with a democratic ethos.

The argument that a draft is "involuntary servitude" is true only to the extent that any form of legalized social compulsion is a form of greater or lesser servitude. Compulsory education could be so classified. Income and inheritance taxes are indirect ways of making an individual work for the state rather than himself. Keeping a person in quarantine is broadly in the same category.

But again this is no new argument. The first great draft in the United States was imposed by President Lincoln in the Civil War. Tens of thousands of New Yorkers considered it "involuntary servitude." Protestors took to the streets to burn down Negro orphan asylums, and hang Negroes from lamp posts. The riot ran for half a week and was finally quelled when the Great Liberator moved the Third Army of the Potomac to New York City to restore order. The objectors to the temporary "servitude" of the Union Army were quite prepared to let the Negro continue in permanent "servitude" to the slavocracy. Another one of those confusions between self-interest and self-righteousness, between prejudice and principle.

If the draft is "involuntary servitude," then some 14 million Americans under arms in World War II were tossed into this dismal dungeon. As righteous as that cause was—our showdown with world Fascism—we could not have carried through the operation with a volunteer army. The draft was necessary. America had to choose between involuntary "servitude" under Roosevelt and "voluntary" slavery under Hitler.

It should be noted that most advocates of the voluntary army grant that a draft would be admissible in the event our nation is endangered directly. This admission moves the entire debate on to another plane. The draft is no longer rejected on principle as "involuntary servitude." The discussion becomes political and pragmatic; namely, when is the national interest vitally involved.

As an alternative to the draft, it is suggested that young men who serve in the Peace Corps or Teachers Corps be exempt from military service. While "national service" in one of these socially useful projects is commendable, to grant exemption from the military is once more to discriminate against the underprivileged. Who is equipped to teach Nigerians to read, cure the sick, or impart modern knowledge on cleaning out a malarial swamp? Only the better educated and ipso facto the better-to-do. Who is left for the military? The already unfortunate, our brown brothers whom we allegedly are rescuing from the draft.

---

[1] GUS TYLER *was chairman of the recent National Conference on the Draft, sponsored by the American Veterans Committee, Assistant President of the ILGWU, he wrote* The Labor Revolution, *published last month.*

All of the going is not to be interpreted as a defense of the way in which our Selective Service System has been run up to the present. It is filled with inequities, inefficiencies, and plain misuse. It is badly in need of reform. Nor do I mean to imply that there is no room in the military service for volunteers. There always has been and there always will be.

But the American community should be warned against turning a momentary discomfort into a permanent disability. Committing the United States to a professional army would be a vast injustice to the country's minorities; would create a class army with a social elite at the top and the socially dispossessed at the bottom; and would place civilian control over the military establishment in serious jeopardy.

There has been no attempt here to examine in depth the impracticality of a voluntary army; its fabulous costs and its inability, no matter the expenditure, to recruit the needed manpower in a relatively affluent economy. There is more than ample evidence that some who argue for a volunteer army know that the idea must fail and conceive of it as a device for "deescalation." As a tactic, it may be cute. But if this prank is turned into a principle it may ultimately turn the trick against those who value a free society.

A TRIBUTE TO PROJECT HOPE'S BILL WALSH

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FASCELL. Mr. Speaker, one of the most effective people-to-people programs supported by our foreign aid program is Project HOPE—the globe-spanning ship which brings modern American medical know-how and care to the peoples of the developing nations.

The brainchild of Dr. William B. Walsh, Project HOPE has enlisted the services of more than 1,100 volunteers—American doctors, nurses, technicians, and other skilled personnel.

In addition, thousands of private U.S. citizens, in communities throughout our Nation, have contributed to the success of this undertaking through various supporting activities ranging from publicity to fundraising.

In the 7 years since the SS *Hope*'s maiden voyage to Indonesia, more than 120,000 people in foreign lands have received medical treatments from Project HOPE staff; 10,778 major operations have been performed, and more than 2 million people have been benefited through immunization, medical examination, and other services.

This is a remarkable success story—and most of the credit for it goes to Bill Walsh who not only conceived the idea for the SS *Hope* but also has been the guiding light and the director of the project from the start.

The May 20 issue of Modern Medicine pays a fully earned tribute to Project HOPE and to Dr. Walsh. I believe that it will prove of interest to all Members of the Congress.

The article follows:

CONTEMPORARIES: WILLIAM B. WALSH, M.D.

"Project HOPE was my idea, and I am too proud of it to be falsely modest," says Dr. William B. Walsh. "In bringing the project into being, I had the help of thousands, including two Presidents of the United States and the Untied States Navy, so except for the idea, I can claim only a moderate share of the credit. But from the first moment when I thought of such a ship, the HOPE became my vocation and obsession."

The idea for Project HOPE—Health Opportunity for People Everywhere—began when Dr. Walsh served as a medical officer abroad a destroyer in the South Pacific during World War II. Impressed with the squalor and poor hospital conditions of the area, he thought of someday returning with a floating medical school. The dream started to become reality in 1958 when President Eisenhower asked the Washington, D.C., cardiologist to cochair the Committee on Medicine and the Health Professions of the President's new People-to-People Program. Dr. Walsh suggested that a Navy hospital ship be taken out of mothballs and converted into a floating medical center.

After he won approval of the plan, Dr. Walsh decided that its success hinged on support from private American citizens, and he founded The People-to-People Health Foundation, Inc., the parent organization of Project HOPE. On March 15, 1960, the 15,000-ton USS Consolation was chartered to the foundation and rechristened the SS HOPE. Since Dr. Walsh's first call for support, approximately 1,500 United States companies have donated almost $10 million in the form of medical and surgical equipment, drugs and chemicals, medical books, hearing aids, food, and ship's stores.

The primary purpose of Project HOPE is one of teaching and training, says Dr. Walsh, who believes that "going through those remote parts of the world just for the purpose of treatment would be like walking through quicksand." In the seven years since the HOPE's maiden voyage to Indonesia and South Vietnam, HOPE doctors, dentists, nurses, technologists, and other paramedical personnel have trained over 4,000 medical counterparts. More than 120,000 people have been treated, and some 10,778 major operations have been performed. In addition, more than two million people have been benefited through immunization, medical examination, and other services. Project HOPE is currently developing its own department of education, drawing on the experience of personnel who have worked in many cultures. "Thus we can do a better job and perhaps advise others through personal experience," Dr. Walsh explains.

Dr. Walsh thinks that the success of Project HOPE offers many lessons, both for those wanting to help and for countries seeking aid. "We've shown that we can have an impact on an entire nation with a relatively small effort. We have never been in any nation—and the nations we have visited include all political spectrums—in which the hunger for medical knowledge was not almost overwhelming." The coming of HOPE, and its land-based programs which continue when the ship leaves, has enabled people to solve their own problems, which in many cases were so severe that the people were afraid even to try. "When we give new methods and courses, we spark the imagination of the local people who then run with the ball themselves. They learn to trust us and know that we aren't interested in staying or in forcing our will on them. There are many capable people in these countries who need little more than to be told that they are indeed capable."

Project HOPE teaches by example, suggestion, persuasion, and mostly by real humility, explains Dr. Walsh. "We don't want revolutions but rather a revolution of ideas, directed toward improving methods of medical education. We look at problems from the viewpoint of persons in the host country, and we are often overwhelmed by the temerity of the local medical people in even being willing to stay and try and do something about the situation."

Another principle of HOPE, maintains Dr. Walsh, is that no country can be economically healthy without a healthy population. "Population planning, of course, is important, but such planning can only be implemented as part of a total community health education program. Shoving population planning down people's throats is impossible; until they see you want to help the living, they are not about to eliminate those who want to live." Another idea that has had tremendous acceptance, says Dr. Walsh, is the idea that while an exploding population is a danger, a living and morbid population is a greater danger.

One of the problems of the present world population crisis is that nobody has conducted an accurate world census, despite the fact that various agencies put out population figures. The gap between real and imagined population was illustrated last year when HOPE student volunteers in Colombia conducted a census. They were told that the average population in one barrio was about 3,500 people, but the population actually turned out to be 8,000. The local health people were very pleased to get this information, which is so necessary for populaion control, says Dr. Walsh.

Another thing HOPE has done is to spread interdisciplinary techniques, an absolutely essential practice when doctors and technicians are in short supply. In many countries auxiliary medical personnel such as nurses are not accepted by those with more medical education. "But our nurses and technicians are the finest ladies anywhere," maintains Dr. Walsh, "and no group of American women give a better performance."

Before long the local nurses are accepted and people do not look down their noses at lesser qualified persons. And the programs have also taught respect for paramedical fields such as sanitation. "We have shown that a team operation is needed and that education at only the medical level will just multiply the problems," explains Dr. Walsh. "Even more significant, they realize we are helping to train others, so that their lot will be permanently better."

One of the important things HOPE has done, he feels, is to show that the American people care and are definitely willing to help others help themselves. "We have a strange image abroad," he says. "The average man in the poorer districts never sees much benefit from assistance on a government-to-government basis. But the poor recognize treatment immediately; it gives them hope that tomorrow will be better. They are always amazed to find out that our people serve for no pay, and this news spreads throughout the country. In Colombia last year the Senate of the Republic presented a unanimous resolution thanking the people of North America. The politicians had responded to the genuine feelings of the poor.

"People are demonstrating to their own governments how important health care is, and therefore a bigger position of foreign aid should go for health education. People are a country's most important economic commodity, but diseased people can't possibly work an eight-hour day. We saw this in Vietnam in 1961; the crush of persons waiting patiently in long lines literally broke our clinic doors down. But village programs are needed, and unless these types of programs are expanded, we will have other Vietnams. A hungry man has no politics, only a desire to exist; the sick do not have the time or the privilege to be petty. On the other hand, I do not believe there is a single normal human being who isn't interested in bettering himself and his own fellow man."

The great lesson from HOPE, explains Dr. Walsh, who has written two books about the project, is that we now must ask the question "What is public health?" "From my experience on three continents, I am convinced the U.S. approach is wrong. More people in our public health schools should go to the developing countries and see what is and what is not being done; see what the problems really are and see how to apply their solutions in the ghettos of our own country. Some of our better public health schools are research institutes only, and one of my biggest jobs is simply making some of our postgraduate trainees stay in their schools. These physicians have lived and done things and want to learn how to do them better, but instead they are given irrelevant material."

Dr. Walsh thinks we must return to the very fundamentals of public health and educate shortrange health workers who can organize and teach others. "We need help on a person-to-person basis with community involvement," he says. "For example, we teach people how to wash floors. I'm a pragmatic idealist; we don't score 100% all of the time, but we have failed very seldom. These people with whom we have worked remember who taught them; we still get letters from people in Indonesia who want to let us know they are thinking about us. And many officials in the new Indonesian government, such as the present minister of education, are persons who were connected with HOPE in 1960."

The success of HOPE is due in large part to its staff. As of this year, over 1,100 persons have participated in HOPE, and only two persons have ever had to be sent home because of conflicts. People in government have asked Dr. Walsh how HOPE can select people so well. "We don't do things like psychological testing," says Dr. Walsh, "but we do evaluate volunteers by talking to them. Of course we look into their professional skills, but we also look at them as total human beings. What is inside people comes out on HOPE; these people give of themselves under the most amazing circumstances. For example, our doctors and nurses may be working in a dilapidated health project during the day and that night they must be prepared to go to a formal reception. Cultural shock occurs very little. We tell our people that they are guests in another man's house and that they should behave accordingly. If it's 100° and it's the custom to wear ties, our doctors wear ties. We also tell people in the host country that understanding is a two-way street, and that we expect them to know and understand our way of life, too."

This year the full-time HOPE staff consists of 60 nurses, 16 laboratory and X-ray technicians, 9 medical and transcription secretaries, 2 record room librarians, 2 dietitians, 1 nutritionist, 1 community health educator, 1 senior medical officer, and 1 coordinator for each medical specialty. Several full-time physician and dental coordinators work in the local country. HOPE full-time people are supplemented by 30 to 35 two-month rotators, so the total staff amounts to about 150 teachers. With only two exceptions, all full-time HOPE medical personnel have been introduced to HOPE as rotators. The average age of the physician participants is about 45 years—when they are at the height of their ability to give of themselves—and many are full-time department heads in medical schools. Eventually Dr. Walsh hopes to have two more ships like HOPE, thus allowing one ship for South America, one for Africa, and one for Asia.

Dr. Walsh, who received his M.D. degree in 1943 from Georgetown University School of Medicine, Washington, D.C., thinks the M.D. drain to the U.S. from developing nations can be solved by taking the teaching to the home countries. He opposes bringing people here for training unless they are people who have roots in their own country and can be counted on to return. "The only place you can train effectively is on the spot. Then you find out why, for example, the local physicians can only handle three operations per day. But when a man comes here and sees all of our sophisticated equipment he wants it in his own country, even though this equipment affects less than one-tenth of 1% of the total population in his country. This isn't modern medicine."

Our perspective and sense of values are confused on all issues, both at home and abroad, maintains Dr. Walsh. "Why do we need five hospitals here in Washington, D.C., that all can do open-heart surgery? Things like this are foolish and are one of the main reasons why hospital costs are going up so much."

Dr. Walsh, who was assistant professor of internal medicine at Georgetown University, has given up teaching and private practice to devote full time to his job as president of The People-to-People Health Foundation. "This is much more rewarding than practice, and I have met some of the greatest people of our time," he says. The dozens of honors Dr. Walsh has received illustrate what he has enabled others to accomplish, but he himself feels he has received more than he has given. These feelings, he says, are summarized very well by Dr. Dalton Oliver, an ophthalmologist from Baton Rouge, La., who wrote of his experiences in Peru: "Vivid impressions will remain with me the rest of my life. The look on the face of the gnarled old man who came back again and again to shake our hand because our operation had saved him from a life of blindness; the Peruvian Indian who walked 200 miles over the impossible terrain of the Andes to bring his 2-year-old son for an 'American miracle'; little Manual whose life's dream was to come to the United States and be a houseboy; the faces of schoolchildren tasting cow's milk for the first time; the warmhearted gratitude, from the heads of the country to the lowliest Indians. And they want to give us presents. Why we should thank them for giving us back our reason for being alive!"

MARCH ISN'T AIMLESS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. EDWARDS of California. Mr. Speaker, one of the most important messages of the Poor People's Campaign is educating the American public, making affluent society aware of those within its midst who are not so affluent or so fortunate. This might, indeed, be more far-ranging than any other potential factor in its impact, resulting eventually in significant action to do something about unjustice and poverty which prevails as a fact of life for so many. The San Jose Mercury, May 23, 1968, had some wise words along these lines and I therefore would like to insert into the RECORD this very fine comment. The editorial follows:

"MARCH" ISN'T AIMLESS

Despite a surface appearance of aimlessness, noted on the page opposite by Tom Wicker of The New York Times, the Poor People's March on Washington could have vast long-range importance.

It could on the other hand, degenerate into an unruly and politically impotent mob; a very great deal depends on the quality and the continuity of the march's leadership.

So far, as the poor gather on The Mall and make their periodic visits to the Capitol and to the various executive offices of the government the self-discipline has been notable; the untoward incidents have been few and of a minor nature. This is all to the good. If this sort of discipline can be maintained, the Poor People's March can be one of the best educational tools—and motivational devices—ever to confront a Senator or Representative.

It means very little, emotionally, for an American—in or out of Congress—to read that so many millions of persons have incomes below the poverty level; it means not very much more when they read that 10 million Americans experience hunger regularly and that children are literally dying of starvation in a land of plenty.

There is a good deal more urgency conveyed by seeing a hungry child or talking with a person to whom poverty has become a deadening way of life.

Americans by and large are a generous people; they will not ignore indefinitely the needs of their fellow men. If the poor stay visible long enough, Congress will not ignore them any more than the people will ignore them.

For their part, the poor are learning a valuable lesson from this march. They are learning that organization pays off. They are learning—by doing—the art of lobbying their representatives in the seats of power. They are learning that action in one's own behalf—even if that action is confined to lobbying Congress—confers a certain dignity and self-respect.

The poor are learning that they, too, are citizens and that the government is as much theirs as it is any other American's.

This is not to imply that government can wave a magic wand and eliminate poverty overnight. It can't, and in all probability the poor know it quite as well as anyone else; certainly they have been poor, many of them, long enough to have lost whatever illusions they may have cherished once.

This is to imply that government can and should expedite education and social programs that will equip the poor to break the poverty-ignorance-poverty cycle. The longer the poor remain visible, the more clearly Congress must see this task as a high-priority order of business.

HUNGER AND MALNUTRITION IN THE UNITED STATES

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ABBITT. Mr. Speaker, there has been a great deal of public discussion and concern about the finding of the citizens board of inquiry into hunger and malnutrition in the United States which was released in late April.

The 100-page report has been widely disputed by informed organizations and individuals throughout the country and a number of fine articles have been written to show that many of the so-called findings in the report were greatly exaggerated, if not fabricated.

On Sunday, May 26, 1968, the Richmond Times-Dispatch, one of the Nation's most widely respected newspapers, printed a study of the question of hunger in Virginia which from our State alone shows that the so-called findings of the board of inquiry were greatly exaggerated and do not to any recognizable degree indicate the true situation in Virginia.

One of the problems in our present-day society, it seems to me, is that we have far too many of these so-called boards and self-styled social-action groups which are attempting to dramatize and magnify conditions in the United States. It is bad enough when these groups merely magnify that which actually exists but when they attempt to put forth a picture of circumstances which do not exist, they serve only to confuse and frustrate our people.

I believe that the fine articles in the Richmond Times-Dispatch presentation adequately speak for themselves and I wish to have these articles included herewith with my remarks.

The articles follow:

[From the Richmond Times-Dispatch, May 26, 1968]

HUNGER IN VIRGINIA: TIMES-DISPATCH STUDY SHOWS NATIONAL REPORT EXAGGERATED

In late April, 14 Virginia counties were among 256 counties in the United States named "hunger counties" by a social-action citizens' group in Washington.

The group, the Board of Inquiry into Hunger and Malnutrition in the United States, issued a 100-page report in which it said it had found "concrete evidence of chronic hunger and malnutrition in all parts of the United States."

The board had been established by Walter Reuther's Citizens Crusade Against Poverty and had as cochairmen Benjamin E. Mays, president emeritus of Morehouse College, Atlanta, and Leslie W. Dunbar, executive director of The Field Foundation, New York. The other 23 members represented educational, religious, medical and labor union organizations.

"A thousand people who must go without food for days each month would be shocking in a wealthy nation," the board said. "We believe in America the number reaches well into the millions. And we believe that the situation is worsening."

The report recommended a presidential declaration of emergency in the hunger counties and establishment of a free food stamp program keyed to need.

It called for the federal food programs to be removed from administration by the U.S. Department of Agriculture and Congress.

The Virginia counties listed as "hunger counties" were Accomack, Buchanan, Buckingham, Charles City, Cumberland, King and Queen, Nansemond, Northampton, Prince Edward, Richmond, Southampton, Surry, Sussex and Westmoreland.

Reaction among county and state officials was one of immediate denial and disbelief. No one denied that there are families of low income and cases of malnutrition from poor food selection or buying habits, but all contended there is no one starving.

Otis L. Brown, state director of welfare and institutions, was on the Eastern Shore the day after the report came out. Both shore counties were listed. He said those localities, particularly the health and welfare units, were "indignant" about the report. Northampton County supervisors shortly afterwards adopted a resolution of protest.

Richmond County lodged a protest with its congressman, Rep. William L. Scott. A Westmoreland attorney wrote both chairmen of the citizens' board to deny and protest the designation. A welfare superintendent called the designation of her county a "slap in the face." Editorial skepticism blossomed in newspapers.

No official—at either county or state level—reported having seen any evidence of investigating activity by the board in the field although the report had cited nine months of hearings and field trips.

Virginians, officials and citizens alike, wanted to know the source of the report's findings and why one county in a community of counties of similar economy and interests was selected while others were omitted.

To find answers to how the report was prepared and whether hunger could be found on a local level, The Times-Dispatch assigned reporter Dallas Long to investigate. His findings are as follow.

STATISTICS ARE OLD, CRITERIA QUESTIONABLE

(By Dallas Long)

Fourteen Virginia counties, labeled last month as among 256 U. S. "hunger counties" by a citizens' study group, have been victimized by nine-year-old statistics and four criteria of questionable value.

Little or no hunger exists today in at least six Virginia counties—and probably the rest of the state—to the degree that the Citizens' Board of Inquiry into Hunger and Malnutrition in the United States defines as "hunger" or "chronic hunger."

These two major conclusions emerge from a detailed study of the report, "Hunger, USA," by The Times-Dispatch, coupled with a week of conversations with people who work among the poor at the grass-roots level and on-the-spot investigation.

Seldom has a report had such impact at the county level. It named the 14 counties as involving "desperate situations" of "chronic hunger and malnutrition." It called for the president to declare an emergency in each and to ship in food supplies.

It came in a flare of headlines during a much-publicized war on poverty. It came following the assassination of Dr. Martin Luther King Jr., to whom the report is dedicated, and while the poor peoples' march on Washington was being planned.

It came, coincidentally, just after the U.S. Department of Agriculture had announced 47 Virginia counties were eligible for federal food programs and just before it said that food programs would be brought into the counties if the localities did not adopt them voluntarily by May 30.

The reaction to the board's announcement—made in Washington—that Virginians in 14 counties were actually "hungry" was immediate and indignant. Both county and state officials expressed disbelief, including Governor Mills E. Godwin Jr.

News stories from Washington, based on the report, said the board had found concrete evidence of chronic hunger and malnutrition in every part of the United States, as a result of either field trips or hearings.

The report itself said, "We have found concrete evidence of chronic hunger and malnutrition in every part of the United States where we have held hearings or conducted field trips."

A slight variation in wording but a difference of meaning of vast importance.

In Virginia, county supervisors, chairmen, welfare board chairmen and welfare superintendents answered, in effect: we have low-income families, we have families of varying incomes who have poor buying habits and more or less poor nutrition but no one is starving. Our health and welfare programs are taking care of our own.

The Times-Dispatch's study found that this reaction stands up well.

Among the early reaction were questions: How was our county selected? What criteria were used? When did they visit and whom did they contact?

None of these questions was answered in the news stories devoted to the highlights of of the 100-page report. The answers emerge from a reading of the report itself and its footnotes and glossary.

THE HEARINGS

Four hearings were held. None was held in Virginia. According to the report, there were hearings in Hazard, Ky., covering mountain counties of eastern Kentucky, southern West Virginia and southwestern Virginia; San Antonio, Texas, covering also counties of Texas Rio Grande Valley; Columbia, S.C., covering counties of Georgia as well as South Carolina, and Birmingham, Ala., covering also counties of Georgia as well as rural Alabama.

Although the report does not say so, it is understood that some Virginians from the southwestern part of the state were invited to attend the Hazard hearing.

The report says, "Each hearing attracted between 150 and 300 persons with from 24 to 42 witnesses actually being heard in the time available."

This indicates that no more than 150 persons testified at all of the public hearings.

Virginia was not visited on the board's 11 field trips; the nearest was into the slums of Washington.

According to the report the field trips were made into east Kentucky, the San Antonio area, the Navajo reservations of Arizona, the Indian country of South Dakota, the slums of Boston, Washington and New York City, and two each into Mississippi and the migrant labor camps of south Florida.

The report says the field visits were made by a board team, including a physician and/or nutritionist from August, 1967, to February, 1968. It does not comment on the size of the field crews or the duration of each trip.

THE CRITERIA

The board explains that it chose four criteria to designate "hunger" counties and attached "critical levels" to each. These are:

1. The percentage of poor (less than $3,000 annual income) families in the county population. The critical level was set at 40 per cent, twice the national average.

2. The rate of postneonatal deaths—infants dying between the first month and the first year of life—in the county. The critical level was set at 15 per 1,000 live births, twice the national average. (State Health Department records for the five years the board studied—1956–60—show that in Virginia 29 per cent of infant deaths occur in this period, with the remaining 71 per cent during the first month of life.)

3. The percentage of poor on welfare. The critical level was set as lower than 25 per cent.

4. The percentage of poor on federal food stamp or surplus commodities programs. The critical level was set as lower than 25 per cent.

SELECTIONS

The board said that if both of the first two criteria listed above and either or both of the third and fourth were beyond critical levels the county was designated as a "hunger county." Tabular data were included in the report showing the statistics and a map location for each of the 256 counties.

It further explained that if either of the first two criteria and either or both of the third and fourth were beyond the critical level the county was considered to have a "serious hunger problem." Counties in this category were not identified by name or statistics in the report but were shown as a shaded area on a United States map (Page E–1). [Not printed in RECORD.]

In Virginia the map seems to indicate that only some scattered rural sections and the major metropolitan areas, including Richmond, Norfolk, Lynchburg, Roanoke, Fredericksburg and nothern Virginia, escaped either classification.

SIGNIFICANT PROBABILITY

In setting the standards for the study, the report stated:

"The board would postulate that where one finds (1) a high incidence of poverty, and (2) a high postneonatal infant mortality, there is a significant probability that substantial hunger exists. That probability is heightened in those counties where the percentage of participation in any program designed to alleviate this condition—welfare, food stamp, commodity distribution—is extremely low.

"Where income is low, where postneonatal mortality rates are high, and where participation in welfare and food programs is low or nonexistent, it seems safe to suggest that hunger and malnutrition are prevalent. On this basis we have identified hunger counties requiring immediate and emergency attention."

SOURCES

The report listed three reference sources for its charts. These were "County and City Data Book, 1967" by the U.S. Bureau of the Census, "Infant and Perinatal Mortality Rates by Age and Color, United States, for Each State and County, 1951–1955; 1956–1960" by the U.S. Department of Health, Education, and Welfare (1967) and "Food Assistance Program," an unpublished U.S. Department of Agriculture report dated December, 1967.

The 14 Virginia counties, under the board's criteria, do qualify for its designation of "hunger counties." The 14 exceed the board's "hunger" criteria in all four of the categories.

A key point, however, that puts a different complexion on the entire study and affects three of the four criteria is the use by the board of nine-year-old economic statistics—those of the year 1959 as reported in the census of 1960.

These 1959 census figures, which make no reference to family size, were used to compute the number of poor families. These comprise those making less than $3,000 annually, a level decreed some years later by the Office of Economic Opportunity as the "poverty level."

The board did not show the age of its data. Examination of the 1967 census data book show those dates were clearly marked 1959.

It is to their findings using the nine-year-old data that the board attaches such immediacy, saying that the 256 counties they name "involve desperate situations." The board calls on the president to declare a national emergency and institute emergency food programs within these counties.

In response to a reporter's inquiry, a board spokesman acknowledged use of the census figures, saying "They are the only figures available for a national study and accepted by everyone. We could not conduct an entire census."

In Cumberland County, for example, 65.1 per cent of the families in 1959 had incomes of less than $3,000.

A beginning teacher with a bachelor's degree in Cumberland County in 1959 received $2,650. Moreover, teachers in that county in the first three years of their careers were all making $2,950 or less.

In the intervening nine years Cumberland County, along with the rest of the counties and cities, has improved its teacher salary scales. Now the beginning teacher there is making $5,100 per year and those same teachers who were in their first year of teaching in Cumberland in 1959 are making $6,100 in this school year.

In the board's report, however, those latter teachers are still counted in the poverty class statistics. This serves to reduce the county's percentage of poor on welfare and the percentage of poor sharing in the federal food programs, two of the board's criteria.

The Board, in using 1960 census figures, disregards economic changes in these nine years. A study by the University of Virginia Bureau of Population and Economic Research last August shows provisional estimates of personal and per capita income of 1965 compared with 1960. (Personal income in the 14 "hunger" counties is included in the following chart.)

A STATISTICAL LOOK AT VIRGINIA'S 14 "HUNGER COUNTIES"

Counties	Data from Hunger USA				Data compiled from other sources by the Times-Dispatch								
	Percent poor families	Post neonatal mortality rate [1]	Percent poor on welfare	Percent poor on Federal food programs	Population (1960)	Percent nonwhite 1960	Infant deaths 1 day to 1 year 1956–60	Public welfare recipients, 1964	Beginning degree teacher salaries		Total personal income		
									1959–60	1967–68	1960 (x 1,000)	1965 (x 1,000)	Percent increase
Accomack	53.7	24.6	3.8		30,635	38.6	191	634	$2,750	$5,300	$36,133	$47,108	30.5
Buchanan	50.2	15.6	4.5	10.4	36,724		227	837	2,850	5,200	35,323	41,145	16.5
Buckingham	59.1	18.1	1.1		10,877	44.5	50	74	2,650	5,000	9,124	12,573	37.8
Charles City	43.8	16.7	6.2		5,492	75.5	23	149	2,700	5,200	5,820	7,835	34.6
Cumberland	65.1	15.2	2.4		6,360	54.2	32	100	2,650	5,100	5,221	7,684	47.2
King and Queen	48.5	20.1	3.5		5,889	52.1	24	100	2,800	5,000	8,010	9,679	20.8
Northampton	43.8	22.1	4.4		31,366	63.1	190	614	3,300	5,300	33,790	58,170	72.2
Nansemond	56.0	19.9	3.7		16,966	54.1	106	354	2,650	5,000	19,839	23,094	16.4
Prince Edward	49.5	17.0	3.0		14,121	39.9	60	213		5,100	17,137	22,961	34.0
Richmond	43.5	15.4	6.2		6,375	34.7	28	170	2,800	5,200	7,743	11,928	54.0
Southampton	59.3	16.9	3.4		27,195	59.0	178	407	3,100	5,100	34,476	[2] 31,357	[2] —9.0
Surry	55.4	16.0	1.9		6,220	64.7	37	66	2,650	5,000	6,100	9,133	49.7
Sussex	57.6	25.0	3.2		12,441	66.3	91	230	3,000	5,000	12,018	17,206	43.2
Westmoreland	49.3	15.7	6.7		11,042	46.8	54	371	2,800	5,200	12,145	18,347	51.1
Virginia	27.9	8.8			3,966,949	20.6	14,641	69,953	[3] 2,900	[3] 5,200	7,339,000	10,691,000	45.7

[1] Infant death rate per 1,000 live births, age 1 month through 1 year.

[2] Not strictly comparable; Franklin became an independent city after 1960.

[3] Median.

This shows an increase in personal income for the state of 45.7 per cent. The only "hunger" county to show a decrease is Southampton with a—9 per cent. The report says the figures for Southampton are not comparable between the two years as Franklin became an independent city in that interval.

Increases in total personal income in the remaining "hunger" counties range from 16.4 in Northampton to 72.2 in Nansemond.

The census figures naturally do not reflect the impact of industrial development in Virginia, a program pushed particularly during the past six years.

Otis L. Brown, State director of welfare and institutions, had seen in person the Eastern Shore reaction of "indignation" to the report. On learning the 1959 census basis for the selection, he commented, "The economy of the Eastern shore in 1959 and 1968 are two different economies. It is very fortunate that this type of report comes out saying that in 14 counties people are starving."

The percentage of Negroes in the population runs high in all of the 14 counties except Buchanan. The 1959 income statistics do not reflect the more recent development of the integration of labor forces, both men and women, in local industry.

For example, the supply of domestic help in both Cumberland and Westmoreland Counties, as elsewhere, has drastically declined in the past several years as new local industries have employed the women who were formerly domestics at lower wages.

Use of counties as a base without some weighting between rural and urban counties overlook the advantage of country-living where a farmer with $3,000, a garden and his own livestock to slaughter will live better than a person with the same money in an urban area where all food must be purchased.

A Virginia population specialist says that federal census economic figures do not include such "in-kind" payments which a rural employe might receive or a farmer would enjoy from his land.

The board's report inserts a parenthetical comment that in some rural areas $3,000 constitutes a livable income.

INFANT DEATH RATES

One of the major factors the board used in determining the "hunger" counties was the postneonatal mortality rate among infants.

The postneonatal period is that between one month and one year of age. Mortality rates are shown in numbers related to 1,000 live births in a given period. (Chart not printed in RECORD.)

The report calls the postneonatal mortality rate "a nutritionally related phenomenon." It says, "Although nutrition is not the exclusive factor causing death, it is the primary factor added as a cause of death during the postneonatal stage." This "factor added" does not make sense to one state statistician.

The board contends that the odds that the poor infant will die during the second to 12th months is approximately three times that of the non-poor infant.

For its study the report uses a U.S. Health, Education, and Welfare computer study, which shows the mortality rates for each county in the country. They are shown for three categories: the first month of life, the next 11 months, and for the entire first year of age. Rates only are shown; no actual numbers of deaths are included in the federal study.

In an effort to find how many baby deaths the report's rates were concerned with, the State Health Department was requested to supply the numbers for the years 1956 through 1960, the same period of the report.

The Health Department provided mortality figures by counties for the entire first year of life for those years and the state total for the postneonatal period. It does not, however, keep a breakdown by county of this latter and smaller breakdown.

Without going into the mechanics of the computations, the State Health records show—even using the larger totals of the entire first year—that consideration of rates by counties involves statistically small samples.

The 14 "hunger" counties range from 23 infant deaths over the five-year period in Charles City County to 227 in Buchanan County.

A State statistician, in considering the numbers which apply to the board's rates, said the rates become meaningless because of this small sample when compared with a national average.

He indicated that statistical error approaches 50 per cent as number samples become small.

The state health records also show little obvious relation to malnutrition among the infant deaths.

All state infant deaths are classified by 28 causes, ranging from congenital malformations and birth injuries through diseases and including accidents. Nutritional maladjustment is one of these 23 causes. In the latest figures for all of Virginia—the year 1936—nutritional maladjustment is listed as the cause of death for nine children under 1 year among 2,129 from all causes.

Of the nine, one died in the first week, one in the second week, three in the second month and the remaining in the third month.

THOSE ON WELFARE

The board said in its criteria that to exceed its standard at least 25 per cent of a country's poor families would have to be on welfare. The board's source listed 1964 welfare recipients.

More recent figures on poor family numbers would not necessarily show a smaller percentage of poor on welfare in today's economy. The State Welfare Department estimates that in some categories, particularly aid to dependent children, the rate of participation is increasing faster than the rate of population growth.

It is difficult to relate welfare recipients to poor families statistically. In most categories welfare figures are listed by individuals and are reported this way in census reports. A couple receiving old-age assistance would constitute two recipients.

Welfare is a voluntary program. Even if a county would want to improve its statistical ranking it could not force its residents to participate.

Sumner P. Jones, welfare superintendent in New Kent County, made this point: "Virginia believes people should have a freedom of choice in welfare."

He said some people choose to live on less income because of pride or of not wanting to meet eligibility requirements, such as a lien on property in certain programs.

Jones said that when he gets an inquiry or referral from another source, he visits the home, explains the program and requirements and explains that a voluntary application is required. Some apply, some do not, he said.

The report implies there is an "other nation" of hungry and neglected. Jones says that welfare departments operate on the basis that for every case that is being serviced there is another eligible for assistance if he or she cares to apply.

He denies the "other nation" concept in his county. "They know we are here, that we will not turn them down," says Jones, who has no caseworker and does all the field work himself.

He says welfare gets an undeserved poor public image, adding, "Welfare does not take care of the bums. We take care of the kids, the elderly and the disabled, including the blind."

FEDERAL FOOD PROGRAMS

The board held that to exceed its standard 25 per cent or more of the poor would have to be receiving federal commodity distribution or food stamp programs in each county.

This was an automatic "critical level" for 13 of the 14 "hunger" counties because Buchanan County was the only one on the list to have either program and its percentage of the 1959 poor was only 10.4.

The board in its text of the report dwells on specific problems of poverty and malnutrition in Washington, Boston and other cities. The use of counties as a base for selection, however, leaves cities completely out of their map.

Their selection of counties by their four criteria reveals no "hunger" west of the Rocky Mountains and none east of the Mississippi and north of the Mason and Dixon line except one county with an Indian reservation in upper Wisconsin.

The use of counties as a base is commented on by the report which says:

"Use of counties as the basic geographic and statistical unit necessarily overlooks smaller pockets of intense privation indicated by census tracts within those counties. This tends consequently to understate the extent of malnutrition and hunger in urban areas where census tracts of the poorest areas will be averaged with other more affluent census tracts to be found within the same county."

Whatever logic the board used to make its base for study, the results brought glaring publicity to 14 Virginia counties where the "hunger" they allege does not appear to exist. At the same time the well-publicized ghettoes of Watts, Chicago, Washington, New York and other cities evaded the "hunger" classification.

Probe by T-D Fails To Find Hunger as Defined by Board

Despite the claim of the Citizens' Board of Inquiry into Hunger and Malnutrition that "it seems safe to suggest" that hunger and malnutrition are prevalent in 14 Virginia counties, a Times-Dispatch on-the-spot check failed to find hunger as the board defined the word.

Virginia is not Utopia. What was found was: hunger to some degree at times, plenty of low-income families, malnutrition to some degree in all economic brackets, irresponsible parents, some parents—one or both—with a drinking problem, seasonal employment, a need for more industry in some counties and laziness.

It was not difficult to see substandard housing in traveling the back roads, substandard by any reasonable yardstick. A reporter heard of cases of neglect of children by parents of low mentality, low morality and mental disorders. He also heard of poor housing, no plumbing, a distant spring the only water supply. There was also a welfare case-worker who said none of her cases had planted gardens, although ground was available in every case.

But not the grinding, multiday, totally mealless hunger the board implies.

In a sampling of opinion in six counties, 24 persons whose daily work brings them in close contact with the poor were interviewed, together with some of the poor themselves.

Only one family was turned up which fitted the board's own definition of "hunger" or "chronic hunger," "a condition where people are forced to go for days each month without one full meal." This one family was described as a case where both parents have a drinking problem.

The board's definition was further narrowed in the interviews to ask if families were known to them who went even one day without at least one full meal.

This was the question asked of welfare department caseworkers and superintendents who carry part or all of their county's caseload, health department nurses or directors, home extension workers and principals of elementary or combined elementary and high schools.

Four of the six counties—Buckingham, Charles City, Cumberland and King and Queen—were selected at random from the 14 "hunger counties." The other two, King William and New Kent, adjoined two of the "hunger" counties, shared similar geographic and economic areas and were in the board's secondary classification of "having a serious hunger problem."

With the one exception of the family where the parents neglected food for the family to buy alcoholic drink for themselves, the response was uniformly negative to the question using the board's definition of hunger.

"We have plenty of poor families but none is that bad off," said a Negro elementary principal. "There is none in either county in which I work," was the response of a home extension agent. "I have not seen any such family in my 20 years of work," said a public health nurse.

And so the responses went, county by county.

Employment is generally a good indicator of how a county fares. Comments on this factor recurred through the conversations.

King and Queen County, with sawmills the primary employers, is within commuting distance of employment in Tappahannock and West Point.

A King and Queen woman, a rural storekeeper, commented that the sawmills cannot find enough labor. "None are hungry near me and no one buys fatback and beans much these days," she said. She noted that some cut their food short because they have too many time payments to make.

She commented that Negroes now work alongside the whites and get the same wages. She said "most people were amazed" at King and Queen's hunger classification and said she felt it was exaggerated.

J. R. Williams, postmaster and operator of a store at Crouch in King and Queen, said, "There is no trouble getting work." He did not know of any hungry families.

He knew of one family heavily in debt but the man had been discharged for drinking from an industrial job in Tappahannock which paid from $2 to $3 per hour.

Williams said he knew of a family some years ago that ate directly off their table for lack of dishes but operated a Buick car.

In Charles City County, Richard Chamberlin, assistant director of the county's poverty program, said, "People are up in arms over the hunger report."

He said the county has only one employer—a sawmill—but residents commute to Richmond, Hopewell, Williamsburg and Newport News to work.

Chamberlin checked his neighborhood workers for a day before answering the hunger question. He then said none was found who fit the definition. One woman, "quite old and lacking income," was able to fix only one meal a day for herself. Chamberlin said she had been referred to the county public health department and subsequently to the welfare department.

The Rev. Thomas G. Garner, chairman of the county welfare board, was contacted in the temporary absence of welfare workers. He said the county's problem is not hunger but a need to obtain industry to provide a tax base in rural Charles City County.

He said that there is much private charity done in the county by civic groups and private citizens. The bulk of the county welfare budget goes for aid to dependent children and foster care. General relief, the category which provides emergency aid, is a small item in the budget, he said.

This general relief category, a standard item in local welfare budgets, allows welfare departments to give funds or grocery credits for family emergencies such as outdoor workers being out of work due to bad weather or injuries. It is the local hunger fund.

When questioned, each welfare agency said such general relief funds are available to more than meet current requests.

Mrs. Mary Whitt, welfare superintendent and the only caseworker in King William County, said, "There is not a person hungry in this county unless the hunger is self-inflicted." She said the men commute to Richmond, West Point or Williamsburg for employment or work in county sawmills. Women work locally or travel to Richmond suburbs to work as domestics.

"If you want to work, you can find work," Mrs. Whitt said. She added that some persons do not want to pay taxes and will work only as much as will keep them out of any tax bracket.

Mrs. Louise M. Swartz, welfare superintendent for Buckingham County who also carries the full caseload, said she does not know of anyone hungry by the board's definition.

"There is none more kind nor concerned than a rural community. It has a code of ethics about people in need. This is not something everyone understands," she said. "It is different in the country than in town. People who need it can get credit in stores. I don't think this is true in urban communities."

Mrs. Carolina Jones, principal of Lawson Elementary School in King and Queen County, said much the same thing. She noted that organizations and individuals, such as Ruritan clubs and women's clubs, step in and help when needs arise. She has seen hay for horses delivered along with food for the families.

Additional questions were asked of school principals to see if they know of children coming to school without breakfast and if any went without lunch of some sort.

The board's report alleges, ". . . a majority of poor children are forced to pay the full price for school lunches or go without. The school lunch in fact operates for the benefit of the middle class."

This was not what a Times-Dispatch reporter found in 10 schools he visited.

In these 10 schools lunches were bought by 50 to 98 per cent of the student body. The balance brought lunches from home or purchased snacks at the school.

All of the schools give free lunches to those in need, a total of 420 in the 10 schools (with a total enrollment of 5,313) surveyed. The numbers given in individual schools range from three in a King and Queen County school with 247 students to 95 lunches in a Cumberland County school with a student body of 951. These free lunches are financed from the school's lunch program, federal money supplements or both. Those schools with a large percentage of low-income families are called "target" schools.

Last year a target school in Charles City County with 600 students provided 70 lunches daily to needy children at the expense of the school's lunch program. This year it is still giving the 70 lunches, but federal funds now pay for 60 and the lunch program local income provides the remaining 10 .

In all but one of the 10 schools the principal said the free lunches being given are filling their current needs and some additional lunches could be provided if needed. The other school said it could use 15 or more additional free lunches.

Mrs. Jones' Lawson Elementary School in King and Queen, one of the target schools, has benefitted from the federal allotment to aid the lunch program. Able to bring the lunch price down to 15 cents compared with the usual 30 cents, the school finds 97 to 98 per cent of the students able to purchase their lunches. Five families cannot afford to pay and the 17 children are given free lunches.

In addition the school has a free milk program under which the lower three grades get morning milk three days a week and the upper three grades get milk twice each week.

Many patrons in her school are pulpwood workers subject to layoffs in winter weather. Mrs. Jones noted that in February during bad weather some children ate two school lunches, probably because of a shortage of food at home, she said.

The poor were less than anxious to talk with a stranger asking questions about hunger and employment. Some would give a polite but evasive answer such as, "Yes, there is a little work around," or jest about wanting more food than they have.

A Negro elementary principal said that welfare alone is not the answer, that youth need to be given the incentive to get an education for a trade. As often as possible he finds small chores to give those who get free lunches so the youths feel their lunch is being earned.

Another, who said he would bet that the board's report was not a true statement regarding his county, said, "People can get help if they need it."

He added, "Negro children can get all they need today if they have any 'git up and git.' I wish I had had as much opportunity."

Comments on breakfast at home or the lack of it were scattered, but one school, King William High and Elementary School, had recently done a survey among its students.

Mrs. Olivia Lennon's home economics students took the unannounced poll in midweek among the school's 403 students present that day and found that 44 had had no breakfast at all, 206 had eaten a poor breakfast by dietary standards which include five nutritional elements, and 153 had a good breakfast by the same standards.

Of those who ate no breakfast, Mrs. Lennon said the largest number stated they were not hungry, two said there was no one to prepare breakfast for them, and the balance said they did not have enough time to eat.

Starvation Report Denied by 134 Counties

No starvation exists in at least 134 of 256 "hunger counties," according to the chairman of the House Committee on Agriculture, Rep. W. R. Poage, D–Texas.

After the report charging "chronic hunger and malnutrition" was issued by the Citizens' Board of Inquiry into Hunger and Malnutrition in the United States, Poage wrote to public health directors in the 256 "hunger counties" asking if they knew in their county of (1) actual starvation or (2) serious hunger occasioned by inability of the individual to either buy food or receive public assistance.

Replies indicate no case of actual starvation but numerous instances of malnutrition, Poage said last week.

One who replied was Dr. Andres G. Oliver, health director of King and Queen County, who wrote Poage in part:

"We are not aware of one single situation of actual or near starvation among these people and I do not have any personal knowledge of any degree of hunger in this county occasioned by the inability of the individual to either buy food or receive public assistance."

LISTEN TO YOUR LEADER, MR. VICE PRESIDENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ASHBROOK. Mr. Speaker, it was almost if President Johnson had Hubert Humphrey in mind when he made his statement to the American people urging them to cease divisiveness and economic antagonism.

It brought to mind, immediately, the statements of the Vice President during the heat of July and last summer's riots. I have never heard a more irresponsible statement from a high-ranking public official and Mr. Humphrey, as a candidate, should pledge that he will never again indulge in such divisiveness and appeal to people's emotions as he did in this irresponsible speech.

I submit for the Record the pertinent portions of his address to the Conference of the National Association of Counties. These quotations are taken from page 19 of the July 19, 1967, issue of the New York Times. The article was datelined July 18, New Orleans, and is as follows:

Portions of Hubert Humphrey's Speech to Conference of National Association of Counties

Without rent supplements or rent subsidies for the poor he said, "we will have open violence in every major city and county in America. People will not live like animals nor should they live in some of the filthy rotten housing that makes up urban ghettos. I would hate to be stuck on a fourth floor of a tenement with rats nibbling on the kids toes—and they do—with garbage uncollected—and it is—with the streets filthy, with no swimming pools, with little or no recreation." If I were forced to live under such conditions, said Mr. Humphrey, "I think you'd have more trouble than you have had already because I have got enough spark left in me to lead a mighty good revolt under those conditions."

"You have to make a choice whether you want all your low-rent housing to be federally owned, whether you want subsidies so that the poor can own their own homes, or whether you want violence in America. What makes you think that the children of the country club ought to have a swimming pool and the kids in the slums ought not to have one?"

FOREST SERVICE DEVELOPS LOW-COST HOUSE

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. KASTENMEIER. Mr. Speaker, the Forest Products Laboratory of the Department of Agriculture is located in my district at Madison, Wis. Its development of many uses for wood and wood products has repaid its cost to the Federal Treasury many times over.

It now has developed a new system of house construction which gives promises of savings of 10 to 15 percent—or even more—over costs of comparable conventionally built houses.

The Laboratory is a facility of the Forest Service, U.S. Department of Agriculture.

The test of design and cost estimates is being made on a full-size prototype house now nearing completion, according to Dr. H. O. Fleischer, Director of the Laboratory.

He reports that economical construction is being achieved by extensive use of lower grade, 1-inch boards, as well as design of components for walls and roofs, so they can be factory produced and assembled quickly at the building site. Use of component units reduces labor costs.

The five components, designed by L. O. Anderson, who is in charge of housing research, are first, a wall unit markedly different from conventional stud-and-plate framing; second, a roof truss; third, a roof covering combining conventional sheathing with a waterproof new plastic surface; fourth, an exterior wall covering combining conventional sheathing with finish siding; and, fifth, an interior wall covering.

A notable feature of the house is its wall component designed not only for strength and heat insulation but for deadening sound. The sound-deadening element, Anderson explained, is a fiberboard diaphragm with exterior surfaces covered by small shallow holes that trap sound waves. It looks much like an acoustical ceiling tile.

Another innovation is the use of modern waterproof adhesives both in the components and for assembly of the structure. This reduces the number of nails needed. Moreover, the few nails used are hidden by overlaps in roofing and siding to prevent possible rusting and discoloration.

Probably the sharpest departure from conventional light-frame house construction, Anderson says, is in the exterior walls.

Studs are spaced 4 feet apart, in pairs. They are placed broadside on the wall surfaces, instead of edgewise. Gaps are left between studs of each pair, into which the edges of adjoining fiberboard diaphragm sheets can be sandwiched. A mastic adhesive and a minimum number of nails fasten the edges firmly to the studs and in grooves cut into the top and bottom 2-by-4 plates.

The unusual design of the roof truss is also planned to simplify manufacture and whittle construction costs. Covering it is the "plastic-plank" roof component—actually a sandwich of plywood and low-grade lumber, over which is bonded a plastic film of polyvinyl fluoride. This film has an asbestos backing that increases fire resistance.

Each course of roofing is fastened to each truss with a ribbon of mastic and a single nail along the outer edge. This nail is then covered by the lower edge of the next course. Joints between adjoining pieces of a course are sealed with polyvinyl fluoride tape.

The exterior wall covering component consists of low-quality boards to which are glued one or more thin courses of high-quality wood siding. Several variations of design have been developed by Anderson so conventional bevel, tongue-and-groove, or shiplap patterns can be used. As with the roofing, courses of siding overlap to cover nails.

In both roofing and siding, Anderson points out, the main function of the nails is to hold the covering firmly to the framing while the mastic sets.

The component developed for covering interior walls and ceilings consists of gypsum board, to the back of which are bonded low-grade boards. This component is nailed to interior framing. Standard drywall finishing techniques are then used.

Fiberboard used in the exterior walls is a good insulator, but the insulation is improved by a covering of aluminum foil, which reflects heat. It is estimated the wall has an insulating value comparable to finished conventional frame walls with 1½ inches of insulating blanket between the studs.

Construction of the house on the laboratory grounds in an area of several acres to be used as a building research park, is only the first phase of a rigorous experimental program, reports Dr. Fleischer.

The house, with floor area of 1,120 square feet, is "wired" for experiments to determine the efficiency of its walls for both heat and sound insulation, rigidity of the structure as a whole in the extreme weather conditions of Wisconsin, and the durability of the adhesives, nails and other fastenings used to make components and join them together.

Several types of flooring, ranging from conventional oak strips to experimental press-dried material, have been installed to determine serviceablity. Sections of two end walls are closed in only temporarily, so they can be replaced from time to time with other wall construction ideas..

Observations and tests on the house will be made periodically.

WASHINGTON REPORT

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. MINSHALL. Mr. Speaker, under leave to revise and extend my remarks, I wish to place the following newsletter in the Record:

Washington Report, June 1968

(By Congressman William E. Minshall, 23d District, Ohio)

HOUSE PASSES SAFE STREETS LEGISLATION

On June 6th, the day of Senator Kennedy's tragic death from an assassin's bullet, the House voted 368–17 to approve the Senate-amended version of the bill. As this newsletter is written, the measure awaits White House action amid rumors of a Presidential veto. The President has expressed dissatisfaction with the provision banning interstate sale "on a mail-order basis of firearms other than a rifle or shotgun." In approving the conference report the House was given no opportunity to amend any part of the bill. The legislation, however, also overrules Supreme Court decisions on confessions and police line-up identifications, and sanctions court-authorized wire-tapping by certain Federal agencies. With a crime explosion of 88% in the last 7 years, many feel the Safe Street Act must have urgent priority to help restore law and order to our nation . . . *With all the turmoil and sorrow over the terrible Los Angeles tragedy, the thought occurs:* Why hasn't the President's Attorney General arrested Stokely Carmichael and other fanatics who threaten our government, our leaders and our citizens? As I have repeatedly pointed out to Attorney General Clark—and as reported in my August, 1967, newsletter—these hoodlums are breaking laws which have been on our statute books for years. Yet the Attorney General permits them to roam our cities unhindered.

"The whole world is following us with attention," said North Vietnam's negotiator Xuan Thuy as peace talks began in Paris. Global attention is riveted on Hanoi's actions, not only at the conference table, where its polemics are subverting progress, but also in South Vietnam. There Hanoi's stepped-up savage attacks are inflicting record casualties on civilians and military—and enemy infiltration has intensified 10 times over the pre-Paris figure. Talking peace while escalating killing is strictly by the Communist rulebook, as witness the 2 years of negotiations during which 20,000 lives were lost before a settlement was reached in Korea.

. . . *The Citizens' Committee for Peace with Freedom in Vietnam*, headed by ex-U.S. Sen. Paul Douglas (D-Ill.), numbers among its members former President Eisenhower, Dr. James B. Conant, Archbishop Robert E. Lucey and Generals Omar Bradley and Lucius Clay. They caution: (1) U.S. thinks of negotiations as a road to peace but Ho Chi Minh regards them as another way to fight the war; (2) Americans should not be deceived or discouraged by Communist rhetoric; (3) Hanoi hopes to capitalize on U.S. impatience to end the conflict—such impatience, the committee feels, could adversely affect chances of productive peace talks.

Poor Peoples' Campaign is well established in its plywood tent city near the Lincoln Memorial, appears permanent despite discomfort, crowding and vagaries of Washington weather. A small delegation from the Cleveland area called on me, but failed to return at my invitation for a lengthier visit. I had hoped to discuss with them two bills I have introduced to help alleviate poverty problems—H.R. 8881, to create a National Home Ownership Foundation to aid low-income families to finance home purchases, and H.R. 17145 to establish a Commission on Hunger . . . Most of those involved in the Poor Peoples' Campaign appear to be sincere, but a few militants in the group keep the Nation's Capital on the alert for any signs of violence.

The Minshall truth in negotiations bill was passed by the House May 6, now awaits action in the Senate Committee on Armed Services. My legislation would require Defense Department auditors to examine books of military contractors for over-charges. Resulting refunds to the government—and savings to the taxpayers—could run into hundreds of millions of dollars if this measure is enacted.

Vacationers! While my limited supply lasts, my office has available a useful guide for those of you planning a summer camping trip. The 1968 National Park System Directory lists 571 campgrounds—28,115 camping sites in 78 national parks, seasons for each area, and duration of stay permitted.

Watch for Minshall Opinion Poll Results—Thousands of returns have been received and continue to pour into my office daily. They are being data processed and results will be sent to you in a future mailing.

DO NOT LET THE HONEST POOR PEOPLE BE USED BY SPECIAL INTEREST SEEKERS

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BUSH. Mr. Speaker, several weeks ago, along with two other Congressmen, I visited Resurrection City. This was before it was evident that the Poor People's March was rapidly deteriorating into a power struggle at the expense of those honest poor people who made this long and often arduous trip to petition their Government.

During the course of our visit, we were fortunate enough to have the chance to meet and visit with Reverend Abernathy and several of the other leaders.

After my return from the camp, I wrote Reverend Abernathy a letter which I would like to place in the Record at this time.

Congress of the United States,
House of Representatives,
Washington, D.C., May 28, 1968.

Rev. Ralph Abernathy,
Washington, D.C.

Dear Reverend Abernathy: On my recent visit to your encampment I was impressed with the attitudes you expressed concerning law and order and the nature of your legislative program. However, this is not what is quoted in the press nor is this how your people sometimes act when away from the camp.

These forays into the public schools, the demonstrations on Capitol Hill and the incident yesterday in the Department of Agriculture cafeteria are inexcusable. On our visit to your camp, one of my colleagues asked a lieutenant what would happen if your camping permit was not renewed past June 15. He replied that you would stay anyway in violation of the permit. Yet this is a direct contradiction to your desire to obey the law. I was surprised when one leader was quoted in the press as being critical of my visit to the camp. Concerned Members of Congress should see what is going on.

I went to the camp with an open mind, but regretfully I am much more concerned now than before my visit. These incidents and pronouncements are alienating people of good will who want to help poor people. I am most disturbed by the powder keg atmosphere of the whole march. And I can't get over the feeling that there are those on your side now who want to see you fail—both inside and outside of your camp.

You told me that your fundamental concern was jobs. I continue to be troubled by the fact that you are widely quoted as advocating legislative goals in direct conflict with this objective. You are asking for a $2.50 minimum wage, one million federal make-work jobs, and a guaranteed annual income. These goals are counter-productive to permanent employment. Statistics indicate that every time the minimum wage is increased the unemployment rate of teen-agers, particularly non-white teen-agers, rises substantially. As to make-work jobs, I would prefer to see legislation which will put people to work in permanent private industry jobs.

The Human Investment Act would give the private sector tax credits for more efficient job training. Moreover, your people would be guaranteed a job at the end of training.

The Percy-Widnall Ownership Act can help people own decent homes.

The Rural Job Development Act of 1968 would encourage private industry to locate outside the ghettoes, to help the poverty stricken in rural areas find jobs, and to reverse the flow of poor people to the cities.

A National Skill Survey would match up existing jobs with available able-bodied workers.

Technological Education for the Future is a clean new look at vocational education.

I could go on and on down the list. There are so many exciting new ideas which can work if given the chance, but they will never have the chance unless we realize that the present programs are not working. I urge you to set and publicize a termination date for this march, to repudiate those who preach or practice breaking of the law, and to exclude the possibility of violence as a weapon.

I further urge you to appoint from your Committee of One Hundred a top level committee to work for new legislative answers. Explore the alternatives I have suggested.

The people who have authored this legislation would be delighted to discuss it with you and would welcome any constructive criticism and support.

Do not let the honest poor people who have come all this way be used by the special interest seekers within your camp. Accept the challenge of changing the system within the law by shifting the emphasis of this crusade, after your forthcoming major meeting, from camping and demonstrations to seeking new answers. Put all the brainpower you have available towards seeking workable programs.

This Congress will not buy threats. It will not condone violence. It will not accept legislative goals which are financially impossible and which lack inventiveness and stifle the initiative of the individual.

On the other hand, it will consider new approaches. It will protect a citizen's right to peacefully and lawfully petition. And, contrary to some of the statements coming from those around you, the Members of Congress are for the most part vitally interested in the welfare of those honest poor people you represent.

I hope you will consider these suggestions and will favor me with an immediate reply.

Yours very truly,

George Bush,

Member of Congress.

In view of the events of the last few days within the camp, the suggestions contained in this letter seem more relevant than ever. Unless these people can settle upon worthwhile goals the march could deteriorate into a useless exercise in democracy for those among it who are sincerely trying to help the poor.

I have not heard from Reverend Abernathy but I hope he will consider the constructive suggestions I made on May 28.

AMERICA IS TOO GOOD TO DIE

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. ROONEY of New York. Mr. Speaker, our country is presently in a mood of somber reflection. The respected Rabbi David B. Hollander issued some challenges and thoughts for such reflection in an interesting and timely article which appeared in the Friday, May 10, issue of the Day-Jewish Journal entitled "America Is Too Good To Die."

I would like to share this article with you. Under the permission heretofore granted my by unanimous consent of the House, I include the article, as follows:

America Is Too Good to Die

(By Rabbi David B. Hollander)

There is a well known, incisive Jewish saying based on the sequence of three current Sedras, two of which we read on this Sabbath. That saying is: "Achre Mos," after one in dead. "Kedoshi Emor," then will people first speak well of him.

That this is so is sad, but true. It is especially sad when it is applied not only to individuals who have to literally or politically die before their true worth is recognized and appreciated, but to whole movements, societie's ideas and opportunities that are rejected and ridiculed while they are around, and only years after their disappearance do people look back and wish they had appreciated and supported them before it was too late.

Looking at America today, a land which with all its human failings is by far the best country in the world not only economically, but also by the standards of liberty and human rights, one is deeply concerned about the applicability to it of the above observation concerning an appreciation which comes after it is too late. For, we are witnessing the tearing apart of this country by self-seeking, self-deluding, reckless forces from within. Self-styled arrogant "moralists" have been viciously and falsely attacking America, depicting it as a society callous and cruel, the leaders of which (especially Lyndon B. Johnson, and since his declaration against seeking the presidency, it is Dean Rusk and others they are after), delight in war and aggression. The effect of these savage assaults exempting our enemies of any blame, is only beginning to be apparent. Much more serious consequences can be expected for America and for the decent segment of mankind of all races. Seeing that it is possible to so brutally distort and blacken the image of an America that brought freedom and dignity to untold millions, one is haunted by the dreadful possibility that America may die—a victim of these forces. When and if, God forbid, that happens the very people who actively or by silence helped bring about the death of freedom, will discover with aching nostalgia that the America they attacked and derided as decadent racist and hypocritical was really "Kedoshim," a great and noble country, as human societies go. But by that time we may be languishing under some tyranny of the left or the right, or an insane mixture of the two, and our "Kedoshim-Emor," our cry that it was a great country we permitted to disintegrate, will have to be stifled into silent weeping.

One may ask what especially in the current situation is so grim as to justify such dark fears? Perhaps the answer can be found in the reference to the strange death by fire of the two sons of Aaron, mentioned in this Sedra.

We are witnessing these days the fiery internal spiritual death of some of our most promising intellectual youth on the college campus who commit savage, violent acts but claim to do so in the cause of peace and humanity and justice. While no comparison is possible between the fiery incident of the sons of Aaron and our current "priests" in the halls of learning, there is one crucial aspect in the death of the young Kohanim that is disturbingly similar to the flame and fury of the young intellectuals and their pseudoliberal apologists. What is that aspect? Our sages charge the young Kohanim with contempt for their elders' competence as leaders of our people and a desire to take that leadership into their own hands—all with the best of intentions. It is because of this attitude, say our rabbis, that their souls were burned out by a fire from G-d. What is at the center of the gripe of the rebellious youth? Why, in a society like America, where there is full freedom of speech, do they fight with fists instead of ideas? Putting aside the thread facade made up of high noble concepts such as "consicious" and "morality," what they are really after is to take over from their elders at home, on the campus and in government. The sheer fact of age, independent of issues, determines their attitude. An eminent Columbia psychoanalyst commenting on the savage riots at Columbia University stated (see N.Y. Times, May 5, 1968), that "the real goal of the rebelling Columbia University students is the radicalization of the faculty." It is this attitude of contempt for the older people whom they charge with having callously made a mess of 'their' world that explains the foul insults, the booing and stomping of the feet used against L.B.J. and others who endured agonized nights in the heartbreaking decisions of the war in Vietnam, and against their deans and professors whom they did not only insult, demanding "they must go," but some of whom they even locked up as hostages and rifled their files and correspondence.

But beyond this one aspect of similarity, namely, the adoration of the wisdom of youth and the claimed incompetence of the elders, there is a most significant point of difference between the story of the young Kohanim and our current situation. That difference is that when the death by fire occurred, we are told "Vayidom Aharon"—Aaron was silent. It was a conscious and eloquent silence (see Lev. 10:3). It was a silence of meditation of analyzing the causes and above all of adhering to the rules and regulations. "Velo Somusu"—so that there may be no further death." Lev. 10:9). But what a difference in the reaction of the "Aarons," the elders, of our time! Unlike Aaron and Moses and the others who witnessed the tragedy and learned and applied its lesson, we read and hear tributes to and defenses of the rock-throwing "intellectuals" by professors, "liberal" columnists and public officials with an eye on votes. Such noble concepts as idealism and private conscience are ascribed to the youth who do violence to these concepts by acting contrary to them in every detail. No clear, unequivocal condemnation of law breaking and violent arrogance is heard from these quarters. How blind and forgetful are these elders (in the eyes of the youth) whom they defend, they are much more than that when they overlook at this self-same argument of "private conscience" which is "higher" than the law, was used to bring about the rule of Communism and Nazism.

Dr. George Miller of Cornell expressed great fear lest we accept the "very seductive idea that the student violence is justifiable when dictated by private conscience" and he added that "the same justification can be used by Georgia Red Necks, Klu Klux Klanners and Nazis" (N.Y. Times, May 5, 1968).

This is why, the dreadful possibility that America may die, is alas, not mere dark fantasy. The reaction of the "liberals and intellectuals" against the use of the police to get students to leave buildings they occupied and damaged (after they refused to leave peacefully), is a measure of their blindness. What else but the law stands between us and anarchy? Shall we perhaps put our faith in the "law" of "student power"? You say that justice and private conscience are superior to the law, but in whose justice and in whose private conscience shall we place the safety of life itself? Do we not have a greater say in the public law through the democratic process, than in the highly subjective "private conscience?"

The real moral issue is law versus anarchy. Judaism commands that we pray for the rule of law, not because it is perfect, but because without it another "law" takes over when "one man will swallow his fellow man alive" (Ethics of the Fathers). Some believe that to apply the force of law is to further harden the attitude of the rebels. But the method of not applying the law has had an even worse effect. This is true in the case of Germany, where "education" instead of law was used to "eradicate" Nazism. The result of this method is now in the headlines of the rise of Nazism in that country. The UN did not use the law against the Arabs in 1948, who defied it and made war on Israel, but look at the results today. In Judaism, too. there were and are those who said if you insist on the law, you will lose all, drive the people away. But we see today that only that segment of Jewry which stuck to the law, is loyal to Judaism. The lesson, therefore, is that following the tragic death of the young Kohanim, the Torah reinforces the power and authority of the law.

Only then can we hope to still the fires of revolt and death of the spirit and to keep America alive as a refuge and hope for a free world.

EFFECTIVE FIREARMS CONTROL LAW NEEDED

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. TENZER. Mr. Speaker, last week the House of Representatives approved the omnibus crime bill, including a weak firearms control provision. Since January 1965 I have favored more effective gun control legislation.

The tragic events of the past week compounded by the rising crime rate and the other brutal and senseless assassinations of past years have highlighted the immediate need for a strong and effective gun control law.

In addition to the mail-order ban on the sale of handguns, I will support legislation which will include the following:

First. Inclusion of rifles and shotguns in the mail-order ban contained in the 1968 Omnibus Crime Control Act.

Second. That we urge the Governors and legislatures of the 50 States to establish regulations covering the registration of firearms of all types—with Federal authority should the States fail to establish satisfactory standards within a reasonable time fixed by law.

Third. Minimum regulations covering the licensing of all firearms by State and local law-enforcement agencies with Federal authority should the States and local governments fail to establish satisfactory standards.

Fourth. A census of all firearms to be immediately conducted by the States and local governments in cooperation with the Federal Government for the purpose of applying registration and licensing provisions to existing firearms as well as newly purchased firearms.

Mr. Speaker, in the weeks and months ahead, I believe the American public will demonstrate that it is ready to speak out in favor of meaningful and effective firearms control legislation. The signs have already appeared. Groups are organizing in local communities—meetings are being held—endorsements calling for legislation are pouring into offices of legislators in favor of realistic gun controls.

There is need for a national citizens' committee—a citizens' lobby to rally behind such proposed legislation in order to counter the efforts of the National Rifle Association and other groups who lobby against any and all gun control legislation.

Such a national citizens' effort could shed light on the subject of firearms control—educate the people—acquaint them with the true facts and dispel the misunderstanding about gun control. Why should sportsmen or conservationists or gun collectors or people concerned about the protection of their homes oppose proposals such as I have outlined above? They have been told by the National Rifle Association that gun controls mean an end to the constitutional right to bear arms—that it will be impossible to obtain a gun for a legitimate purpose. Nothing can be further from the truth. It is about time that we in the Congress stood up and spoke out as one voice to deny the irresponsible charges of the National Rifle Association. Let us remind our citizens that they also have a constitutional right to own an automobile—but it must be registered and each person must have a license to drive a car.

Let us bring to the forefront of public attention the frightening statistics about guns and their contribution to crime in our Nation.

Let our citizens know that it is estimated that there are 100 million guns of all types in the hands of our 200 million population.

That more than 3 million weapons which spell potential death were sold in 1967 alone.

That more than 6,500 persons were murdered in 1967 where a gun was used as the weapon.

That there were 43,000 aggravated assaults and 60,000 robberies committed with firearms last year.

That each day, 50 lives—more than one every half hour—are destroyed by firearms.

That since 1900, three-quarters of a million people have died in the United States by firearms, more than in all our wars.

That in 1967 alone, assaults with a gun rose 22 percent and one out of every five assaults is committed with a gun.

That firearms are used in 58 percent of all robberies.

That countless thousands have been injured, crippled, and maimed by accidental firing of guns.

That snipers' bullets have killed many and injured thousands.

That snipers have deterred policemen and firemen in the performance of their duties and injured many of them.

That snipers' bullets have killed many and injured countless thousands of innocent people walking in the streets—engaged in peaceful pursuits—riding in passenger trains, or in automobiles.

That the United States has a higher rate of deaths by guns than any nation in the world and that we also have the least amount of gun control.

Is it because the others do not have a National Rifle Association?

If our laxity in passing more effective gun control laws is one reason for the growth of our crime rate then why in the name of sanity do we not pass the necessary laws to control, regulate and license the manufacture, shipment and sale of guns of all types.

Under the strictest of the various gun control bills, it would be relatively simple for a responsible person to apply for a gun permit or be able to register a gun for any legitimate purpose.

Such laws will at least afford us an opportunity to control possession or purchase of a gun—by persons convicted of a crime, by the mentally ill, by persons under age, and by persons under severe emotional strain or stress who seek to purchase a gun and provide an outlet for such emotions.

Is it unduly restrictive to ask those who want to purchase a gun for a legitimate purpose to do so within the state in which they reside, to register the gun and to apply for a license from their local police authority?

Such procedure may result in a short delay, but at the same time, it may result in dramatically reducing the number of guns purchased by criminals, the mentally unstable, those under age and others not entitled to purchase them.

On Long Island, New York, a Committee for Effective Gun Control Legislation has been organized with offices at 381 Sunrise Highway, Lynbrook, New York 11563, with Albert Vorspan of Hewlett as chairman; Joel Robinson, of Woodmere, and James F. Demos, of Baldwin, as vice chairmen; and James N. Fazio, of Island Park, as secretary. At a meeting held over the weekend the following resolution was adopted and approved:

Wheras the assassination of President John F. Kennedy, Medger Evers, Dr. Martin Luther

> King, Senator Robert F. Kennedy, and others have demonstrated the urgent and immediate need for more effective measures to control the irresponsible use of firearms, of all types,
>
> Now be it resolved, the undersigned, urge the Congress of the United States to strengthen existing gun control laws by adopting the strongest possible legislation to control the interstate sale and possession of firearms, including rifles and shotguns, and
>
> Be it further resolved that the undersigned urge the Governors and the legislatures of each of the fifty States to adopt the strongest possible legislation to control the sale and possession of firearms, including rifles and shotguns, and to provide for registration of such weapons.

The committee is inviting residents of Nassau County to join in this effort to obtain effective gun control legislation. It is planning to give wide circulation to petitions including the above resolution.

The petition will include the following legend:

> Authority is hereby given to all persons and organizations, without prior consent, to duplicate this petition and to circulate the same in any part of the United States. Such petitions, obtained in the State of New York, may be mailed to this Committee at the address given. Petitions obtained outside the State of New York may be forwarded to Members of Congress or to the Governors of the respective States.

The committee is also planning to call on the clergymen of all faiths to speak out on the issue and call upon all citizens of good will to help reduce crime in the United States and help carry out the purpose and intent of the petition.

I heartily endorse the efforts and aims of this committee which I will join and help in every possible way within my means and consistent with my position as a Member of Congress. I am asking my constituents to likewise support the effort of the committee.

All of my colleagues who are supporting more effective gun control legislation should join the "peoples lobby" and stimulate and help their constituents who are now calling for passage of such laws.

H.R. 17747, THE HANDICAPPED CHILDREN'S PRESCHOOL ASSISTANCE ACT OF 1968

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, we are entering a new era of educating handicapped children. For years, the pattern of our society was to assume that little could be done other than to offer such children a comfortable home out in the country where they could receive at least minimal care and live out their lives without troubling our society. Recently, we have seen the futility of such a waste of human potential. Handicapped children, through programs of education and training, every day are taking positions where they can make a contribution to the economy of this country, and perhaps more important, where they can develop self-confidence and self-satisfaction.

In recent years, we in the Congress, working with the Kennedy and Johnson administrations, have supported the development and improvement of a number of new programs for handicapped children. Of particular significance has been the development of the new title VI of the Elementary and Secondary Education Act, "Education of Handicapped Children." This program is now in its first year of operation and is assisting the States in developing and improving educational opportunities for these children. The challenge facing title VI and related programs is enormous. The States report that less than two handicapped children out of every five are receiving special education and related services. This means that over 3 million of the approximately 5 million handicapped children in our school-age population are either sitting in classes without proper instruction, or, all too frequently, staying at home with no help whatsoever.

Even when school systems do afford classes and special programs, they very rarely serve the preschool youngsters. We are faced with the situation where a parent may find out in the first weeks or months of his new child's life that the child will have to overcome the barriers imposed by physical, mental, or emotional handicaps. The legislation I propose today is urgently needed to validate preliminary research data which seem to indicate that effective treatment and education services provided in early infancy greatly enhances the ability of a handicapped child to assume a more normal role in society. Instead of being able to receive immediate assistance from our education community, the likelihood is that the child will have to stay at home until he enters school at age 5 to 6. The prime years for development will not be fully utilized.

I am introducing today a bill which I believe will go a long way toward making this situation become obsolete. The Handicapped Children's Pre-School Assistance Act will authorize a program for the development of experimental preschool and early education programs for handicapped children. In addition, there can be developed special programs for the very seriously handicapped child including children who are deaf-blind or suffer from other multiple handicaps. It seems appropriate to note at this time the great contribution made by the late Helen Keller, who certainly was a living testimonial to the fact that even the most seriously impaired persons can benefit from education and training. Under the provisions of this act special programs will be established which will explore a variety of different models to preschool and early education. There will be programs for various types of handicapping conditions, programs designed to meet the special problems of the handicapped child in urban and rural areas and programs which will test out the newest methods for helping these youngsters overcome the barriers that face them.

This is not a crash program of a giant program, although it is likely that such programs could be justified in this area of critical need. It is instead a reasoned attempt to systematically and thoroughly explore the area of preschool education for handicapped children so that appropriate models will be available to the communities that want to develop such programs using other resources. Built into each grant will be a provision for evaluation. A systematic evaluation of these pilot service programs will provide the basis for sound growth in this area.

Mr. Speaker, it is very clear to me today that our Nation needs to take every opportunity to live out its values of compassion and of caring for human life. We need to make every effort to offer a productive life to every American citizen. I urge the Congress to give this program serious consideration and I look forward to its early successful passage.

SPEECH OF SENATOR ROBERT F. KENNEDY BEFORE THE CLEVELAND CITY CLUB, APRIL 5, 1968

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. VANIK. Mr. Speaker, perhaps the most significant statement by the late Senator Robert F. Kennedy on crime and violence was a speech he delivered before the City Club of Cleveland on April 5, 1968, the morning after the brutal assassination of Dr. Martin Luther King, Jr.

Senator Kennedy was visibly shocked but he decided that something should be said. His words reflect his deep thought and concern about the critical problem of violence in America. This vitally significant statement follows:

> SPEECH OF SENATOR ROBERT F. KENNEDY BEFORE THE CLEVELAND CITY CLUB, APRIL 5, 1968
>
> This is a time of shame and sorrow. It is not a delay for politics. I have saved this one opportunity to speak briefly to you about this mindless menace of violence in America which again stains our land and every one of our lives.
>
> It is not the concern of any one race. The victims of the violence are black and white, rich and poor, young and old, famous and unknown. They are, most important of all, human beings whom other human beings loved and needed. No one—no matter where he lives or what he does—can be certain who will suffer from some senseless act of bloodshed. And yet it goes on and on.
>
> Why? What has violence ever accomplished. What has it ever created? No martyr's cause has ever been stilled by his assassin's bullet.
>
> No wrongs have ever been righted by riots and civil disorders. A sniper is only a coward, not a hero; and an uncontrolled, uncontrollable mob is only the voice of madness, not the voice of the people.
>
> Whenever any American's life is taken by another American unnecessarily—whether it is done in the name of the law or in the defiance of law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence—whenever we tear at the fabric of life which another man has painfully and clumsily woven for himself and his children, the whole nation is degraded.
>
> "Among free men," said Abraham Lincoln, "there can be no successful appeal from the ballot to the bullet; and those who take such appeal are sure to lose their case and pay the costs."
>
> Yet we seemingly tolerate a rising level of violence that ignores our common humanity and our claims to civilization alike. We

calmly accept newspaper reports of civilian slaughter in far off lands. We glorify killing on movie and television screens and call it entertainment. We make it easy for men of all shades of sanity to acquire whatever weapons and ammunition they desire.

Too often we honor swagger and bluster and the wielders of forces; too often we excuse those who are willing to build their own lives on the shattered dreams of others. Some Americans who preach nonviolence abroad fail to practice it here at home. Some who accuse others of inciting riots have by their own conduct invited them.

Some look for scapegoats, others look for conspiracies, but this much is clear; violence breeds violence, repression brings retaliation, and only a cleaning of our whole society can remove this sickness from our soul.

For there is another kind of violence, slower but just as deadly, destructive as the shot or the bomb in the night. This is the violence of institutions; indifference and inaction and slow decay. This is the violence that afflicts the poor, that poisons relations between men because their skin has different colors. This is a slow destruction of a child by hunger, and schools without books and homes without heat in the winter.

This is the breaking of a man's spirit by denying him the chance to stand as a father and as a man among other men. And this too afflicts us all. I have not come here to propose a set of specific remedies nor is there a single set. For a broad and adequate outline we know what must be done. "When you teach a man to hate and fear his brother, when you teach that he is a lesser man because of his color or his beliefs or the policies he pursues, when you teach that those who differ from you threaten your freedom or your job or your family, then you also learn to confront others not as fellow citizens but as enemies—to be met not with cooperation but with conquest, to be subjugated and mastered.

We learn, at the last, to look at our brothers as aliens, men with whom we share a city, but not a community, men bound to us in common dwelling, but not in common effort. We learn to share only a common fear—only a common desire to retreat from each other—only a common impulse to meet disagreement with force. For all this there are no final answers.

Yet we know what we must do. It is to achieve true justice among our fellow citizens. The question is now what programs we should seek to enact. The question is whether we can find in our own midst and in our own hearts that leadership of human purpose that will recognize the terrible truths of our existence.

We must admit the vanity of our false distinctions among men and learn to find our own advancement in search for the advancement of all. We must admit in ourselves that our own children's future cannot be built on the misfortunes of anothers. We must recognize that this short life can neither be ennobled or enriched by hatred or revenge.

Our lives on this planet are too short and the work to be done too great to let this spirit flourish any longer in our land. Of course we cannot vanish it with a program, nor with a resolution.

But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

Surely this bond of common faith, this bond of common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men and surely we can begin to work a little harder to bind up the wounds among us and to become n our own hearts brothers and countrymen nce again.

WHY WE SHOULDN'T LICENSE GUNS OR CARS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1968

Mr. ROSENTHAL. Mr. Speaker, the opponents of reasonable gun control laws often express deep fears about abridging citizens' rights. While a good case can be made, I think, for rather complete restrictions on weapons by the private citizen, such laws seem unfeasibly in our country. But to impose no greater restrictions on weapons than we do on autos, seems to me to be a minimum of restraint. Gun control opponents should accept reasonable licensing and registration rules to avoid more sweeping controls, if for no other reasons.

Bill Gold, columnist of the Washington Post, commented on June 7, 1968, on the "reasons" some people give for opposing registration and licensing requirements. His column follows:

A citizen who wishes to own or operate a motor vehicle finds that he must comply with a number of laws and regulations.

The National Rifle Association has for many years blocked attempts to impose similar restrictions on the traffic in guns. After studying the NRA's propaganda with some care, I would now like to apply to autos its "reasons" for opposing restrictive legislation. I suggest that we dispense with auto registration and licensing for these "reasons":

Automobiles do not cause smashups; people who misuse automobiles cause smashups. What we need, therefore, is not legislation aimed at the inanimate object but at those who misuse it. Everybody who causes an auto accident should face a mandatory jail sentence of at least 20 years. That would solve everything.

Titling of new and used cars is a major expense and inconvenience to millions of people, and a violation of their rights to own and enjoy private property.

Some people like to collect and restore old cars, and we must not interfere with their enjoyment of this hobby by requiring a title, a bill of sale, or license tags.

If a dictator were ever to take over this country, the first thing he would do is grab our auto registration lists and confiscate all our cars. Then we would be helpless to overthrow him. Why play into the hands of the Communists?

The skills of American tank crews, plane pilots and others with similarly important functions were first developed when their daddies taught them to drive the family car. To require registration of autos or the licensing of drivers would deny American boys the opportunity to develop these skills, and would therefore mean the end of a trained civilian reserve ready to spring to the defense of the country.

It would serve no purpose to register or license autos, because that would deny the honest citizen the opportunity to own one, whereas the crook could always steal one.

These are the "reasons" that have been advanced for opposing civilized control of the traffic in guns.

Public opinion polls have demonstrated that most Americans are not taken in by such illogic. Most of us are aware that registration and licensing do not mean that a qualified citizen is prevented from buying the regulated item. And we have a right to wonder about propaganda that insults our intelligence by suggesting otherwise.

It is pertinent to wonder, too, about the motivation of an organization that derives millions of dollars worth of revenue each year from advertisements for guns that appear in its magazine.

Most Americans have come to believe that the minor inconvenience of regulation is much preferable to the anarchy of permitting every nut and extremist to play God and decide who shall live and who shall not. But Congress has heeded the National Rifle Association's "reasons," not the public opinion polls.

I would think that by this time the responsibility for this inaction would begin to weigh heavily. I don't think I could live with it.

LIKE IT IS, BABY—III

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article, which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

THE MEN

(By Maurice Hobbs)

Two of the men in Mrs. Smith's life stopped by her house that morning to have breakfast.

One was Leonard Allen Jones, about 35, her "boyfriend" and the father of her 8-month-old son, Allen. The other was Ronald Green, about 30, a friend of Jones'.

They sat with Mrs. Smith and her 11-year-old daughter, Marie, around the kitchen table in her lemon-yellow dining room, eating scrambled eggs, bacon and white bread.

Jones, a heavy-set man, ate quietly, talking little, hunched over the plate. An unskilled worker, he had been without a steady job for a year and a half.

Green, a muscular, athletic-looking Vietnam veteran, was a janitor. He tickled and played with Allen, holding him up on the table as he and Mrs. Smith laughed at the baby, who gurgled with pleasure. Green said he was trying to get Allen to "growl."

The men quickly finished eating after I arrived. I have come again to that decaying duplex near Plymouth Av. to continue my look at what it's like to be poor in Minneapolis.

Jones and Green lit up cigarettes and moved to the back porch, which looks out on a rubbish-strewn yard. Within a few minutes, they had left for the day.

Green was going off to work.

But Jones, like more than a fourth of the Negro men in Minneapolis, had no work to go to. He was going out to . . . no one was sure what.

SOMETHIN' TO DO

"I haul a little stuff, work on a truck sometimes," he explained later. He works occasionally with a friend who has a truck.

He goes "every other week" to the Labor Temple, 117 SE. 4th St., although he is not a union member.

"Some days they have somethin' to do," he said.

Jones moved to Minneapolis from Arkansas in 1956 to take care of his grandmother and uncle. He got a job in maintenance work at the University of Minnesota and held it for almost five years.

Then he quit, Mrs. Smith said, because "him and his foreman couldn't get along."

Jones said he was laid off because there wasn't enough work.

Since then he has worked for a restaurant, a motel, a landscaping service and in a car wash, but only for a few weeks or months at a time. He quit some jobs and the work ran out in others.

"HE LOVES TO DRINK"

"He don't care too much for a job," Mrs. Smith said, "and he loves to drink."

Another problem is his lack of education and training. He completed 6th or 7th grade in Arkansas, Mrs. Smith said, and has had no formal schooling or training since then.

Asked how he spends his time, Jones smiled and said, "I just spend it somewhere."

In a way it sounds like an easier life than the 8-to-5 daily grind, the normal, up-every-morning-and-off-to-work pattern that most middle-class Americans stick with for 40 years, as their fathers did before them.

But how depressing and boring it must be, never finding a steady job or really expecting to any more, yet obliged to keep going through the motions of looking.

"I MIGHT DRINK, TOO"

If I had problems like his, I might drink, too. And given his choice of jobs, I wouldn't be much interested in them, either.

For Jones there is the added pressure of helping his parents, who are on relief. He also helps Mrs. Smith and his son Allen, when he can.

Even Mrs. Smith, whatever her feelings for Jones, thinks less of him, and other men, because they lack the ability to provide a decent home and the creature comforts that go with it.

Mrs. Smith expresses little concern about her children growing up without a father, or about the handicap of illegitimacy that would bother many women. She knows that it doesn't make much difference in the material well-being of her children.

"I can do as much as the average man," she said. "They don't do nothin' but talk and whup, and I can do that."

A WILL IS BROKEN

Her outlook supports one of the major points of the controversial Moynihan report, which was issued three years ago: "At the heart of the deterioration of the fabric of Negro society is the deterioration of the Negro family.

"It was by destroying the Negro family under slavery that white America broke the will of the Negro people," the report said. "Although that will has reasserted itself in our time, it is a resurgence doomed to frustration unless the viability of the Negro family is restored."

The report noted that "many Negro fathers literally cannot support their families," so the mother goes to work.

"This dependence on the mother's income undermines the position of the father and deprives the children of the kind of attention, particularly in school matters, which is now a standard feature of middle-class upbringing."

The report said that the "matriarchal pattern of so many Negro families reinforces itself over the generations. This process begins with education."

NO HURRY TO MARRY

All this, on her own terms, adds up to one of the reasons Mrs. Smith is in no hurry to get married. Allen's father—with no job, few prospects and little money—probably wouldn't be able to support her as well as her monthly welfare grant does.

And unless someone convinces Jones that he can still go back and get the education and training he needs, his prospects will continue to decline. Trying to get him into a job training program also might be difficult.

He hasn't yet tried the state employment service, the antipoverty Northside Citizens Community Center or the various job training programs that might be available to him.

"I ain't been really tryin' none of them," he said.

"He don't want to go there and just sit," Mrs. Smith said.

ADDRESS BY THE HONORABLE EDWARD D. RE, COMMENCEMENT EXERCISES, ST. MARY'S COLLEGE, NOTRE DAME, IND., JUNE 1, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. BRADEMAS. Mr. Speaker, on June 1, 1968, the Honorable Edward D. Re, the distinguished Assistant Secretary of State for Educational and Cultural Affairs, was awarded an honorary doctor of laws degree by St. Mary's College at Notre Dame, Ind.

Secretary Re also delivered the commencement address on this occasion.

Mr. Speaker, under unanimous consent, I insert at this point in the RECORD the text of the honorary degree citation as well as the text of Secretary Re's address, "Educational and Cultural Relations as Foreign Relations":

DR. EDWARD D. RE

Even in an age when outstanding careers are seldom directed toward a single purpose, the experiences of Dr. Edward D. Re are notable for their breadth. This St. John's University graduate, recipient of American and European honorary degrees, University professor, lawyer, author, and governmental administrator has uniquely and significantly contributed in a variety of ways to the welfare of his fellow man.

An honor graduate of St. John's University in 1941, Dr. Re continued his education there and two years later was awarded the Bachelor of Laws degree *summa cum laude*. Completing his legal education in 1950, he received the Doctor of Juridical Science degree from New York University School of Law. As a practicing attorney he has appeared before the bar of the State of New York, the U.S. Supreme Court, the U.S. Tax Court, and the Court of Military Appeals.

This practical law experience was reflected in his classroom when Dr. Re became a faculty member at St. John's University. He gained the rank of full professor of law at St. John's in 1951 and has been an adjunct professor of law at Georgetown University since 1962.

Dr. Re's training qualified him for appointment from 1943 to 1947 in the Judge Advocate General's department of the U.S. Air Force. There he served as a member of the General Court Martial and Defense Council Staff. Today he holds reserve officer rank with the Air Force.

Responding to the request of his home town mayor, Dr. Re accepted an appointment in 1958 to the Board of Education in the city of New York—a responsibility he still carries. He acceded in 1961 to the request of the Holy See to serve as a consultant on narcotic problems to its delegation at the United Nations. He accepted his political party's designation in 1960 as presidential elector.

During the years Dr. Re has authored five books on law, contributed chapters to four other books, and has written numerous articles for professional journals.

In 1961 President Kennedy recognized Dr. Re's outstanding legal background and his record of local and national service by naming him Chairman of the U.S. Foreign Claims Settlement Commission. In this high governmental capacity he served until 1968 when he became Assistant Secretary of State for Educational and Cultural Affairs.

Dr. Re is married to the former Margaret Anne Corcoran. They are the parents of eleven children. Mrs. Re is also a lawyer.

These notable achievements make it little wonder, then, that Dr. Re is listed in Who's Who in America, Who's Who in American Education, and the Directory of American Scholars. Little wonder, then, that Saint Mary's College with both pleasure and respect awards the degree of Doctor of Laws, *honoris causa*, to this distinguished man.

EDUCATIONAL AND CULTURAL RELATIONS AS FOREIGN RELATIONS

(Address by the Honorable Edward D. Re, Assistant Secretary of State for Educational and Cultural Affairs, at the commencement exercises, St. Mary's College, Notre Dame, Ind., June 1, 1968)

One of the great pleasures of heading the Bureau of Educational and Cultural Affairs of the Department of State is that I am more and more frequently invited to visit colleges, universities and communities. This is enabling me to see and observe rather widely across the American academic and social spectrum. I am trying to do so with the fresh eyes of a foreign visitor we might bring to this country under one of our exchange programs. Whether or not I am succeeding, my observations have nevertheless given me a strong impression. This is the widespread voluntary support given by so many citizens in our country to the kind of activities represented by the Bureau of Educational and Cultural Affairs.

St. Mary's, Notre Dame, South Bend—here is an area that provides splendid examples of what I mean. Let me mention just three names—although I could mention many more. There is my friend, Congressman John Brademas, a distinguished and respected member of Congress. I am especially pleased to be here in the district so ably represented by him. You know him at St. Mary's College as a former teacher and now a member of your Board of Trustees. We know Congressman Brademas in Washington as one of the leading architects of nearly all the major education measures enacted during the administrations of both President Kennedy and President Johnson. As Assistant Secretary of State for Educational and Cultural Affairs, I know him as the sponsor in Congress of the International Education Act of 1966. Another name to mention, of course, is Father Hesburgh, for his long leadership in this field. And here I must include his appointment by President Kennedy to our Advisory Commission on International Educational and Cultural Affairs and his effective service on that important commission from 1962 to 1965. A third name would be Dr. George N. Shuster, a former United States member of the Executive Board of UNESCO, and now serving in the administration of Notre Dame.

It is good to feel there are strong supporters of these activities when one goes around the country. I know that there are here.

"SINCE WARS BEGIN IN THE MINDS OF MEN"

My mention of UNESCO—the United Nations Educational, Scientific and Cultural Organization—leads me to the text of what I wish to discuss with you today. It is found in the Constitution of UNESCO, which was adopted in London in 1945. It says:

". . . since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed . . ."

It is as simple, and as true, as that. That document also states:

"That ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war . . ."

And—

"That the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfill in a spirit of mutual assistance and concern."

This, I believe, is an eloquent text. Its purposes are rooted deeply and frankly in the need to prevent war. It was written in the immediate aftermath of the titanic and terrible world war that had just ended. We should be just as concerned today that we continue to work to construct and strengthen the "defences of peace" against wars.

What are the materials out of which we can construct and strengthen the "defences of peace"? Let me ask you, first of all, to look briefly with me over the last 20 or so years. Most of you really cannot do that, unaided, since most of you were just "arriving"—along with the UN and UNESCO, and the World Bank, and the Fulbright program in the mid-1940's. So let me be your guide to some of the general educational trends, in an international sense, during the time of your lives.

EDUCATION: THE FIRST GOAL OF MEN EVERYWHERE

The picture to which I would draw your attention is that *education* has become over these years an acknowledged first goal of men everywhere. The order of magnitude of mankind's strivings toward this goal have made it a new fact of life—and notably, a new fact of *international* life. On the initiative of President Johnson, an International Conference on the World Crisis in Education was held last October in Williamsburg, Virginia. Educators from more than 50 countries came together there. The final report of the conference struck the underlying note of the meeting when it said ". . . education is now a central preoccupation of every nation in the world . . ."

Surely, as I said, this is now a fact of international life. It is therefore, an ingredient out of which international peace and goodwill can be constructed and strengthened.

Cooperative educational relations with other countries can be *cooperative international relations*. This is really what I think our educational and cultural exchange programs of all kinds—binational and multinational, governmental and non-governmental—are all about. Educational and cultural relations are now in fact, foreign relations.

In his message to Congress on International Education, President Johnson expressed the idea in these words: "Education," he said, "lies at the heart of every nation's hopes and purposes. It must be at the heart of our international relations."

Here at St. Mary's foreign students come to your campus, and American students have sophomore and junior year programs, I believe, for overseas study. So it is not necessary for me to tell you, of this graduating class, that educational exchange programs *do* seek to advance knowledge and mutual understanding. This is the Congressionally-authorized purpose of the programs we conduct. In the words of the basic authorizing legislation—the Mutual Educational and Cultural Exchange Act of 1961—the purposes are "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world; to promote international cooperation for educational and cultural advancement; and thus *to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world"* [emphasis added].

The ingredients or raw materials of cooperative *educational* relations include the exchange of students, research scholars, university lecturers, professors, and teachers. Since 1949 we have exchanged nearly 100,000 academic persons under our own State Department programs alone. Increasingly, we are trying to develop exchanges on an institution-to-institution basis—involving colleges, universities, institutions, and other formal educational establishments. This we believe, can provide continuity and cumulative strength, and thus foster greater *engagement* between the academic communities themselves.

Forty-Nine Binational Agreements

The same effort appears in other new program initiatives. We have binational agreements with 49 other governments for administration, in those countries, of our academic exchange programs. The commissions established by these agreements *are* binational—half composed of U.S. nationals resident in the other country, half composed of nationals of that country. And other countries are cooperating in financing such programs. Thirteen now have pledged to share the costs, by varying percentages, through agreements with us.

So there is real substance to the idea of cooperative *educational* relations. These are only some illustrations. There is material here to support and expand the "defences of peace."

There is also real substance to the idea of cooperative *cultural* relations. Here again we have materials to enable us to continue to work to construct and strengthen "the defences of peace".

There are, of course, a myriad of ways to show that this is so: Programs that bring to our country "leaders" in various facets of another nation's life; programs that send out Americans prominent in various professions to meet with their counterparts in other countries for discussions, and seminars; programs that send out American performing artists and arts groups.

Let us never forget the communicating power of the arts. One of my colleagues, Roger L. Stevens, Chairman of the National Council on the Arts, said it eloquently just a few weeks ago. ". . . we shall not," he said, "win the hearts and minds of the world to our side, to our form of government, to our ideals merely by the force of power or the array of wealth, but more by the deeds of our people, the vitality of our collective beliefs, the essence of our culture as it is reflected, criticized, extolled, refined and held up proudly as an example for the world to emulate, if it so wishes. And it will be through the works of our artists, the products of their free creative imaginations, that we shall be known and judged."

SCIENTIFIC RELATIONS

I want to keep a particular trilogy in mind, and the name UNESCO helps me do so. I refer to *educational, scientific,* and *cultural activities*—and the scientific are by no means the least. Cooperative *scientific* relations on an international scale are now an accomplished fact. An international community of science has long been in process of formation. With the universal interest it holds—and the common acceptance of its truths by demonstration, without the difficulties of definition of other disciplines—science has in fact a transnational character. Secretary Rusk has said there is no such thing as a Capitalist potato blight, or a Communist wheat rust. The scientific work that can attack any such scourge in one country can attack it in any other.

The operations of science today—the scale of research, the wide-spread communication and assessment of results, the applications of technology—have brought into close association an international community of co-workers. They normally share much the same temper of mind, the same rigid standards of work. In this community men speak a universal language and seek the same general goals—the kind of truths that can be demonstrated to be true. Scientific research stands today as a major producer of great tidal changes taking place in man's relation to the world of nature and to the human scene.

So here are more of the materials of cooperative international relations—*scientific,* as well as educational and cultural. And we should know that these cooperative relations do also arise within a multinational framework—like UNESCO, or the Organization of American States (OAS), or the Organization for Economic Cooperation and Development (OECD)—as through a unilateral program with another country. The projects which a multinational organization can undertake may enlist forms of cooperation by individual states beyond the reach of any one or two acting by themselves. An example is the agreement of some 50 countries, under UNESCO's aegis, to contribute some $30 million to preserve the Nubian monuments of Abu Simbel. Without this cooperative effort these monuments of antiquity would not stand safely today, as they do, some 200 feet above the Nile River. Instead they would have been lost and permanently covered by the spreading waters backed up by the Aswan Dam.

A more recent example is the establishment of an Inter-American program in education and science—to be carried out cooperatively under the Organization of American States. The program stems from the summit meeting of the Presidents of the hemisphere at Punta del Este, Uruguay, a year ago last April.

I hope you find, as I do, great hope in the fact that men and women can create, and do create, these cooperative relationships. It would be a bleak outlook indeed if one could not believe that men and women are moving, however haltingly or hesitatingly at times, to find that they *do* have commonly-shared enthusiasms and concerns; and to find, also, that they *can* make their lives both more significant *and* more secure by *sharing* their enthusiasms and concerns.

THE EXPLORATIONS OF "INNER SPACE"

In the last analysis, it is what goes on in men's minds—and in women's, most certainly—that makes the great difference. We need to explore this "inner space"—as someone has said—as well as we do "outer space." For we have good reason to believe that the "ultimate deterrent" is in the minds of men and women.

I would hope—as I suppose every Commencement speaker hopes—that the graduating class before him will see the work to be done, and quietly resolve to do it—or to do it better than it has been done. You of a generation that holds high goals—and high enthusiasms—for a better world, can find much work for your many hands in the kinds of relations I have been discussing. You can, of course, do something to enlarge or improve these relations, or you can leave them as they are. I would only suggest that as fine an opportunity may not come your way again as when you have had, at the height of your powers, a first view of a way to help bring about constructive change.

The ancient Greeks tried to define happiness and it came out something like this: the exercise of vital powers along lines of excellence in a life affording them scope and vision.

Such opportunities lie along the two-way road of international educational and cultural interchange. I recommend it to you, for your own education and understanding and also for the similar benefit it can bring to others. As you enter into this kind of international experience, in any of the ways that can be open to you, you will be realizing one of the great privileges of the educated person. This I would define as the *opportunity* to assume and perform a public responsibility, not only for your own sense of creative expression, but also for the personal service you can give to all mankind

THINKING BEYOND ONE'S PRIVILEGES AND OPPORTUNITIES

And I would only add that the educated person today needs to think beyond his privileges and his opportunities. He must also think of the duties imposed upon him by the period of history in which he lives.

Descartes gave us the classic words: "Je pense, donc je suis"—I think, therefore I am. You may know it better perhaps as "Cogito, ergo sum". Today there is literally an imperative within the framework of these words. It could be phrased this way: one must *think*—know how to *think*—in order to *be*.

I suggest this not only in the sense of human survival. I think of it also in the sense of personal fulfillment—in the use of one's highest powers in productive, cooperative, peaceful engagement with men of other cultures, races and countries. This kind of engagement, I believe, is one of our best hopes for our future foreign relations. And one of the best opportunities that we have to develop such foreign relations is through educational and cultural relations. Our experience has demonstrated that they can do much to fortify the minds of men and women against the virus of unreasoned attitudes, and the unnecessary resort to threats and force.

You, who have the privilege of understanding this precious principle, have also the obligation—when need or opportunity arises—to fulfill your own individual commitment, your own personal testament of faith.

AAA OPPOSES LARGER TRUCKS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1968

Mr. McCARTHY. Mr. Speaker, you and my fellow colleagues here in the House have recently been receiving a larger number of letters on an item of legislation which is now before the House Public Works Committee and which is of interest to each of us. I speak of legislation which would permit larger and heavier trucks on our Nation's streets and roads.

The American Automobile Association, with 11 million members across the country, will make some cogent remarks tomorrow when George F. Kachlein, Jr., executive vice president appears before the Roads Subcommittee on which I am privileged to serve.

The three A's, as the organization is known, urges us to set a limit on such bigger and heavier trucks and to "stick with it." I agree for our roads and bridges, Mr. Speaker, are designed for specific weights and expected volumes of traffic. As Mr. Kachlein points out:

> It is easy to change a vehicle dimension, harder to change a road, but almost impossible to change a bridge.

Additionally, I ask all my colleagues to give consideration to the fact that no traffic movement begins or ends on the Interstate System, and to consider the increased costs and anti-safety features of this legislation.

A copy of Mr. Kachlein's statement follows:

STATEMENT OF GEORGE F. KACHLEIN, JR., EXECUTIVE VICE-PRESIDENT, AMERICAN AUTOMOBILE ASSOCIATION, BEFORE THE HOUSE PUBLIC WORKS COMMITTEE ON H.R. 14474 AND SIMILAR BILLS, JUNE 6, 1968

The American Automobile Association with 11 million motorist members opposes H.R. 14474 and other bills which would permit larger and heavier trucks on the Interstate System. These measures would present serious safety hazards to all highway users for the benefit of the operators of only 250,000 heavy trucks which would be able to take advantage of the heavier weights and increased sizes permitted. If enacted, such legislation would bring about substantial increases in cost to the construction of highways and bridges and accelerated depreciation in the expected life of such facilities, accompanied by substantial increases in maintenance costs.

AAA believes that truck combinations are already too large. The passenger car operator and our members in particular, intuitively fear sharing the same highway with such huge trucks.

Our member hates to pass them because he can never be sure of what lies ahead until he moves into the opposing lane of traffic. In rain or slush his windshield is invariably inundated beyond the capability of his wipers, restricting his forward vision and creating uncertainty as to safe passage.

He doesn't like to be followed by them for just as often as not they seem to be climbing up his rear bumper.

He doesn't like to follow them because they block his forward vision and they slow his travel speed on upgrades.

The motorist's intuitive fear of the heavy truck is well-founded. Whenever a truck and car collide it is the occupant of the car who is most likely to suffer injury or death.

A study by the Bureau of Motor Carrier Safety in 1967 showed that almost half of the fatal and injury-producing accidents involving common carriers resulted from collision with an automobile. For every truck driver who died in such accidents, 38 others died.

Mr. Lowell K. Bridwell, Federal Highway Administrator, recently told the Private Truck Council that heavy commercial vehicles comprising 7% of the nation's registered motor vehicles and accounting for 11% of the total vehicle miles traveled were involved in 19% of the highway fatalities..

He noted that studies by the Bureau of Motor Carrier Safety revealed that four out of every ten vehicles selected for inspection in road checks were ruled off the road temporarily. Brake defects were the major problem.

VEHICLE WIDTH

Legislation before the Committee would increase permissible width on the Interstate System from 96 inches to 102 inches, plus additional width necessary for tire bulge due to loads and safety devices.

Using figures of the Industry Advisory Committee, composed of the American Trucking Associations, Incorporated and suppliers, the 102-inch width could mean an over-all width across the tires of 106 inches. This does not include tire chains or flexible fenders. When such items are added we are really talking about an over-all width of 108 inches—a full twelve inches above the present statutory limit.

Don't forget. No traffic movement begins or ends on the Interstate. Other routes must be used as connectors. Sixty percent of the rural road mileage on state Primary systems in 1966 had traffic lanes *less* than twelve feet wide. A twelve-foot lane is the minimum width needed to accommodate a vehicle 102 inches wide.

Despite the glamour of the Interstate highway network, some 88% of our state Primary highways are two-lane, and the bulk of our travel is now and will continue to be over such two-lane roads.

Since the legislation before you would permit a vehicle over 102 inches, it will permit vehicles which are obviously too wide for the traffic lane. This creates a tremendous safety hazard. Over 70,000 miles of state primaries are two-laners with lane widths of *less than* ten feet.

VEHICLES WEIGHTS

Increases in axle weights have had direct and inevitable effect on the life of pavements and on the safety of bridge structures. H.R. 14474 would permit the maximum single axle weight to be increased from 18,000 lbs. to 20,000 lbs. and the tandem axle limit to be increased from 32,000 lbs. to 36,000 lbs.

Only eight out of every one thousand motor vehicles are truck combinations of four or more axles. Yet this small number of trucks places an additional burden on highway and street systems which has caused a substantial increase in the cost of future road construction in order to accommodate their particular needs. The small proportion of vehicle population is also a major factor in maintenance costs of existing highways and streets.

If the weight of trucks and combinations is further increased, existing roads and streets will deteriorate at an accelerated rate. The cost to replace bridges and roads thus prematurely destroyed will become an increasingly heavy tax burden on the operators of 78 million passenger cars and the 14 million light truck owners whose needs do not require these heavy facilities but who bear the major share of the cost of providing and maintaining them.

A pavement evaluation survey conducted by the American Association of State Highway Officials indicates that increasing the axle weights to those permitted under H.R. 14474 would reduce existing pavement life 20% and increase resurfacing costs 30%.

The 1968 Cost Estimate adds $1 billion to the 1965 Cost Estimate to accommodate heavier and more frequent truck loadings than originally forecasted. It is noteworthy that this increased cost was based on existing truck sizes and weights. If sizes and weights are increased, the $1 billion figure will have to be increased.

When a bill similar to H.R. 14474 was considered in the Senate, Senator John Sherman Cooper (R-Ky) requested the Bureau of Public Roads to provide an estimate of the cost if axle limits were moved to 36,000-lb. limit. He was advised that the increased cost for the Federal-aid road system would be more than $3.7 billion. The cost of increasing the weights to a 34,000-lb. maximum was set at $1.8 billion. The 34,000-lb. limit has been passed by the Senate. Total additional cost could reach $4.7 billion, depending upon the weight limit. This includes the cost of new construction as well as the necessary costs of upgrading construction already in place.

BRIDGES

The ability of a specific road network to accommodate trucks of a given size is to a great extent limited by the ability of the bridges to carry the sizes and weights operating over that system. Even the newest of our bridges—those on the Interstate System—have been designed to accommodate vehicles with axle weights no greater than 18,000 lbs. single, 32,000 lbs. tandem. Bridges designed to less than this standard cannot accommodate the 18,000–32,000 lb. loads already encountered without overstresses which reduce the safety margin designed into the bridge.

In testifying before the Senate Public Works Committee on the subject of bridge design, Mr. Frank C. Turner, Director of the Bureau of Public Roads, indicated that increases to a 34,000-lb. tandem axle from the present limit of 32,000 lbs. would overstress Interstate bridges by 32 to 36%. He further indicated that the majority of bridges on our

Primary and Secondary Systems are less than H–15 design. This is a bridge to carry a 15-ton load. Overstress on these bridges, brought about by increases in axle weights, would be much greater than on the Interstate bridges which are designed for heavier loads.

In the same hearings, Mr. John O. Morton, President of AASHO, testified that the current practice is to design highway bridges for the 32,000-lb. axle loading. This limitation applies to our current Interstate bridges.

Mr. Frank Masters, Jr., consulting engineer for the firm of Modeski and Masters, testified before the same Senate committee that the conservative design of many old bridges incorporates a safety factor which has enabled them up to now to carry increased weight and an increased frequency of heavier loads than was forecasted when they were built. However, he noted that "—the bridges which we are designing today are being limited by specifications and standards to structures with capacities slightly in excess of what is expected on the day such spans open."

He goes on to say:

"In fact, the narrowing margins of safety on many older bridges is of such common knowledge within the engineering profession that even the civil engineering exhibit at the Smithsonian Institution comments on it by citing the mammoth modern day traffic loads being handled by bridges designed in an era of horse-drawn wagons."

He also stated:

"Adding significantly to the problem is the growth of freight being carried by the trucking industry in vehicles which are now averaging loads of more than 13 tons as compared to 7½ tons per vehicle carried in 1940."

And one final quotation from Mr. Masters:

"I understand that legislation now before Congress proposes a new standard of axle weights that will, in effect, permit 76,000 lbs. and larger vehicles. This is difficult to comprehend when you consider the fact that almost half the bridges and even fewer highways in the Federal-aid Primary and Secondary Systems are designed for vehicles of 15 tons."

Early this year, the AAA conducted a nationwide survey of state highway departments to determine the loading characteristics of bridges on Defense Requirement Routes. These routes are routes for military movements in a national emergency. For the most part these routes are used today for the great bulk of our long distance truck traffic.

The alarming report by the highway departments of 38 states and the District of Columbia is that more than two-thirds of all these bridges are inadequate for today's heavy truck traffic. Further, nearly half of these bridges are *seriously inadequate*. You will note from the attached tabulation that 67.8% of the bridges were reported to be of a design standard less than the H–20–S–16. This bridge design is one which will accommodate a 32,000-lb. tandem axle loading. It is the current standard for Interstate bridges. However, almost half of the bridges reported in the AAA survey were of H–15 design or less. Such a design accommodates only 30,000 lbs. without experiencing stresses beyond the design limit.

There is no practical way to strengthen a bridge to carry a heavier weight than that for which it was originally designed. And there is no maintenance effort that can be applied to the bridge which would offset overstressing and fatigue of principal bridge members.

Although it is doubtful that immediate bridge failure would result from overstress, even the bridge experts refrain from speculating on what the margin of safety would be for fatigue-weakened bridges.

This unknown quantity makes the safety factor all the more critical, because it is unmeasurable and unpredictable.

In opposing weights proposed in S. 2658, similar to those proposed under H. R. 14474, Mr. Virden E. Staff, Chief Highway Engineer for the State of Illinois, stated:

"S. 2658 will permit vehicles on HS–20 bridges to produce stresses beyond the present design limits . . . on H–15 bridges to produce stresses in the unsafe range . . . on less than H–15 bridges to produce stresses that can be expected to result in failure."

(Note: HS–20 bridges are designed for 40,000 lbs.)

Mr. Ward Goodman, Director of Highways for the State of Arkansas and Chairman of AASHO's Committee on Bridges and Structures, told the Senate Public Works Committee:

"The provisions of S. 2658 will overstress bridge design for H–15 or less to a dangerous extent, even up to 40%."

He noted:

"There are 518,226 highway bridges in use now that were built prior to 1936. They are over 30 years old and practically none of them were designed for loads over the H–15 design load and many are for the equivalent of H–12, H–10, or even less."

EFFECTS OF INCREASING SIZES AND WEIGHTS

Roads and bridges are designed for specific weights and expected volumes of traffic. It is easy to change a vehicle dimension, harder to change a road, but almost impossible to change a bridge. Are we going to destroy the completed sections of the Interstate System for the sake of 250,000 trucks? We must find a top limit on vehicle dimensions and weights and stick to it.

VEHICLE LENGTH

H.R. 14474 fails to provide a maximum length limit. Absence of a length limit or maximum gross weight limit will lead inevitably to longer combinations on our nation's highways. We could have double bottom combinations as well as triple bottoms with vehicles well over 100 feet long. This will turn our Interstate highways into truckways, with highway freight trains making travel so uncomfortable and so hazardous that passenger car operators will be forced off the newer highways onto other roads not frequented by trucks.

Does this sound a little far-fetched? According to a recent article in Commercial Car Journal, triple truck trains have been operated by Western Gillette on an unscheduled basis for the last four years. A vice president of that company confidently predicts that triples will be in regular use by 1970 or 1972 at the latest. The same issue carries a notice that the New York State Thruway Authority and the Massachusetts Turnpike Authority have been approached on the use of triple bottoms. Since the appearance of this issue, the Massachusetts Turnpike Authority has granted this request.

The bill before you contains no provision assuring adequate operating characteristics so as to make such large trucks compatible with today's traffic.

AASHO has recommended that the minimum weight/horsepower ratio be at least one horsepower for every 400 lbs. This should be the absolute minimum and should be specified in the law or by safety standards of the National Highway Safety Bureau.

THE GRANDFATHER CLAUSE

H.R. 14474 contains a "grandfather clause" permitting states which already have higher weights and greater dimensions than contained in the present bill to retain such higher limits. The Federal-Aid Highway Act of 1956 also had such a "grandfather clause."

There may have been some justification for the "grandfather clause" in 1956 because the effects of heavy trucks on our bridges and roads did not appear to be adequately documented. After spending $27 million to find the answers, we now know what these effects are. There is no longer any justification for continuation of the "grandfather clause."

To permit some states to continue with heavier weights and greater sizes than permitted for other states continues the same situation which has led the trucking industry and others to press for increased weights.

The "grandfather clause" in Section 127 of Title 23 should be eliminated. States presently having higher axle weights and heavier gross weights than permitted in Section 127 as presently written should be required to conform to the lower weights within a stipulated time interval.

RECOMMENDATIONS

AAA makes the following recommendations:

1. No upward revision in the present axle weights or gross load limits in Title 23.
2. Width limit be retained at 96 inches.
3. The establishment of a length limit or maximum gross load limit so as to preclude the possibility of extremely long truck combinations.
4. Elimination of the "grandfather clause."
5. Establishment of a weight horsepower ratio of at least 400 to one for all trucks. This should be accomplished either by statute or appropriate safety standard.

CHARGE OF BIGOTRY TRIGGERS REPLY

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. CEDERBERG. Mr. Speaker, in these times when we are faced with charges and countercharges of black and white racism, it is good to see responsible journalism calling for a return to the method of judging a man, not by the color of his skin or his cultural or ethnic heritage, but on the basis of his achievement in a world which values the ability of man to achieve. Morrie Ryskind, syndicated columnist for the Washington Evening Star, brings these ideas forcefully before us as he writes of his views on the type of power which most honestly brings strength and unity in society. I offer his comments to my colleagues for their consideration:

CHARGE OF BIGOTRY TRIGGERS REPLY

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Tom."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ball-player, who earned his place by his ability, and not because someone came around with a quota list and demanded he play left field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—any more than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is Gentile.

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6,000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, Baby! Do you realize how long it would have taken through peaceful channels to get 6,000 black folk hired and through those tests?"

Obviously, those 6,000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from the same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declared, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

FLAG DAY: A TIME TO UNITE

HON. CHARLES A. HALLECK

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. HALLECK. Mr. Speaker, I was tremendously impressed with a presentation today in the Washington Post, written by a fellow Hoosier, Mr. Ralph H. Brown, an Indiana businessman transplanted to the Washington area. I would hope that Mr. Brown's comments might strike a responsive chord in all Americans, but, in any event, I am confident what he writes reflects the feelings of an overwhelming majority of our citizens.

Mr. Brown's words follow:

FLAG DAY: A TIME TO UNITE

Once upon-a-time not so long ago nearly everybody in the neighborhood kept a Flag to be proudly displayed on occasions of American Interest. Streets inhabited by rich and poor alike came alive with red-white and blue colors descriptive of the pride in and gratitude toward those who established, and often with their lives, gave this nation a greatness seemingly beyond the mind of man to achieve. Old Glory is symbolic of the rights of liberty and justice and the blood shed to preserve these gifts which have been bequeathed to those fortunate enough to live in America.

It is indeed sad these days when America is beset by the forces of evil abroad in the world and our finest young men are making the supreme sacrifice that so few of us are willing to display the same pride and gratitude toward the nation as our forefathers did. We seem to be in an era when we equate the display of our flag as unsophisticated "flag waving."

As much of the world looks at America these days, mostly through the tinted glasses of our enemies, we are illustrated as a country beset by riots, burnings, campus captives and the whole gamut of moral bankruptcy. An un-acquainted observer cannot help but think that everybody in America hates his own country. It must seem peculiar that while American youth suffer and die in a strange land for a strange people many Americans carry on as tho America was the enemy. Some returning Vietnam veterans tell us that they often wondered whether the next bomb was coming from a group of flag burners in America or from a Vietcong mortar made in Russia.

Fortunately, the spoilers abroad in this country are a most minute minority. The founders of this greatest heath on earth gave all Americans the precious gift of freedom unheard of in any other land in any other time in world history. We can re-dedicate, hallow and glorify this great country of ours by closing ranks so we can stand revealed to the world as one big family in devotion to our country.

This Friday, June 14th, is Flag Day. Old Glory should wave from every home . . . And, too, we would all feel better if each of us enshrined the meanings and blessings of America in our hearts . . . every day.

LOYAL AMERICAN VOICES TIRE OF OUR BEING "KICKED IN THE TEETH"

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BARING. Mr. Speaker, I recently received the following letter from one of my constituents that I deem worthy of the attention of my colleagues. The letter writer is voicing the thoughts of thousands of Americans when he asks, "How many times do we have to be kicked in the teeth by a two-bit country like North Vietnam before we unleash our full military power and win the damn war?"

The writer points out that "middle America" will make itself heard in the coming elections which the writer tags as "November." He may well be a better prognosticator than any of our so-called polls show.

I commend my colleagues to read the following letter:

SAGE & PINE INSURANCE AGENCY,
INC.,
Carson City, Nev., May 24, 1968.

Congressman WALTER S. BARING,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN BARING: On the 6:00 (Walter Cronkite) news of May 23, 1968, it was announced that our casualties in Viet Nam for the week just past was the second highest in the entire war in Viet Nam. The casualties were 513 for the week with some 1,500 additional American servicemen wounded and something over 400 casualties on the part of the South Vietnamese forces. As my representative in Washington, I am requesting that you do all in your power to have us resume full scale bombing of North Viet Nam immediately. How many times do we have to be "kicked in the teeth" by a two-bit country like North Viet Nam before we unleash our full military power and win the damn war. At this point, it should be perfectly obvious to us that we have "gone the extra mile" to no avail. This, of course, has been the history of our misdoings politically the world over since the end of World War II. At that time it would appear we decided to admit that every other nation in the world was right and these United States were wrong in every instance whereby any sort of a confrontation took place with any other country in the world. I personally believe our Senate and Congress should be deeply ashamed of themselves for allowing our servicemen to become engaged in any sort of a war any place in the world regardless of right or wrong on behalf of the United States and then not back those soldiers to the fullest extent of our military power. I spent five years in the service during World Word II and if we, at that time, had been fighting a limited war the way we did in North Korea and in Viet Nam today, I would have deserted rather than be placed in action under those conditions.

I, for one, am damn proud of the United States and whether we are in Viet Nam rightly or wrongly at this point, the Vietnamese have been taking advantage of us and our bombing pause to resupply their positions in South Viet Nam and to step up the war for propaganda reasons during our talks in Paris. It would seem that we would have learned after the ridiculously long drawn out talks that took place in Pan Mun Jom, Korea. I am also sick to death of hearing various and sundry beatniks, hippies and other duds in the United States saying that there is no way we can win in Viet Nam because Russia and China supply the military equipment and money to North Viet Nam. Now how ridiculous can this be when you and any other halfway informed person in the United States knows that our country's gross product can reach a production point of more than twice as much as the rest of the world combined. Now, how in the world can we possibly say that we are at a loss to win in Viet Nam because of two countries, Russia and China, may be supplying the North Vietnamese. If we were truthful, and especially in Washington, and decided to win this war in Viet Nam, you know perfectly well this would not pose much of a problem and if we unleashed our entire air power on North Viet Nam they would be brought to their knees in a matter of 60 to 90 days.

It would also seem that our actions in Viet Nam are being used in this country purely as a "political football" and that various politicians have utterly no concern whatsoever for the American and allied servicemen who are dieing and being wounded every day in Viet Nam. The extreme liberals in our country and various other "dove factions" certainly make their positions known loud and clear. I believe it is time, and I'm sure it will be reflected in the polls this November, that "middle America" let itself be heard. I'm sure you will find that the great bulk of the American population are proud of the United States and are sick and tired of hearing that we are wrong in our actions of the world over. It is time and far past that some of our Congressmen and Senators stand up and state that they are proud of the United States and that regardless of why we are engaged in this ridiculous war that it is high time we win the damn thing by unleashing our entire military power and the hell with the consequences of China and Russia. We have been pushed around by those two countries in every instance over the past twenty five years and I love this country enough that I think we should tell them just exactly "how the cow eats the cabbage" once and for all and let the chips fall where they may. We certainly have not gained anything by condescending to them in every instance. All we have done is lost our prestige over the entire world.

In any event, I would reiterate my request that you do all in your power to have the United States government unleash its entire military power and bring this ridiculous war to a conclusion.

Very truly yours,

ROBERT M. JACKSON.

CONGRATULATIONS TO GRADUATES

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. McDONALD of Michigan. Mr. Speaker, education has always been a vital factor in the lives of Americans.

Our youth are truly our future, and how well educated they are will in great measure determine the future growth of our Nation.

Today as perhaps never before, education is a matter of the gravest concern, for we are living in times that are not only perilous but also most challenging.

We must encourage our young people to pursue education as long as possible so they may be adequately equipped to deal with a world that is far more demanding than it has ever been.

And so, Mr. Speaker, like many of my colleagues, I try to encourage the youth of my district to continue their learning.

This year I am sending to each of the seniors graduating from high school a certificate of congratulations to mark a great moment in their lives. I am also sending each senior a letter urging a continuing pursuit of education. The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 1968.

DEAR GRADUATE: I know this is a time of rejoicing for you and your family. Years of earnest effort are now culminating in graduation from high school.

The importance of a good education cannot be overestimated. Today's world is far more competitive than it was when your parents finished high school. I hope you will take every advantage offered that will increase your knowledge.

The accompanying certificate is my own way of emphasizing the importance of this day in your life. I hope that in the days and years ahead you will not hesitate to call on me whenever I can be of assistance.

Sincerely yours,

JACK McDONALD,
Member of Congress.

CONGRATULATIONS

It is my pleasure to congratulate you upon your graduation. May this day begin a further achievement in the ideals of citizenship in your community and for your country. I sincerely trust that you will continue your quest for increased knowledge.

JACK McDONALD,
Your Member of Congress.

REAPING A BITTER HARVEST

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. JOELSON. Mr. Speaker, I have asked permission to insert in the CONGRESSIONAL RECORD a most compelling and persuasive editorial which appeared in the Paterson News of June 6 1968. Athough reasonable dissent and discussion are important in a free society, lawlessness and contempt for authority can only lead to dire and bitter consequences.

I think that the following editorial makes this point very strongly:

WE REAP THE HARVEST OF CONTEMPT SEEDS WE SOWED

United States Senator Robert F. Kennedy died this morning. In this country and throughout the world sorrowing peoples had gone to bed last night with hopes and prayers that the morning would bring good news . . . that "Bobby" would recover. But the prayers, the best and abundance of medical skill, his own vitality were to no avail.

From President Johnson down, the world mourns with the senator's wife, their 10 children, his father and mother and other members of the family which has suffered so much tragedy in violent deaths.

All of us in this precious country of ours had better offer up prayers to the Almighty that this land may speedily be delivered of the deadly malady which has spawned the two terrible forays against the Kennedy family and recently took the life of the Rev. Martin Luther King, struck down by the same type of bloodthirsty killer as laid low the Kennedy brothers.

There are now memorials to the late President Kennedy and to Dr. King, and they will stand as everlasting reminders of the roles they played in society.

But of what avail costly and impressive monuments, parks, or public buildings if we in America do not quickly move from the poisonous atmosphere of hate, violence and retribution which has enveloped a land of which we have been so proud.

America is reaping now the horrible harvest which we have sowed with our subscription to lawlessness, to contempt for our established institutions, with our disdain of past glories, with growing leers for our elders, with almost total abandonment of the Ten Commandments.

We have been a nation of cowards in recent years, standing by as we did in the face of a torrential contempt for all the things that have made us a great nation.

Children spit at their parents in a violent rebellion the aim of which is nebulous and aimless.

Protesting advocates of civil rights violate them by hurling rocks at the U.S. Supreme Court to show their contempt for the very law and order which inevitably would be their final salvation.

Young men and women, still in adolescence, riot in universities, seize buildings, vandalize the properties of institutions of learning, shut down the mainstream of education of thousands of innocent students who are caught in the vortex of rebel rioters.

Teachers strike and shut down schools to attain goals which in years gone by they have attained through the American way of conference and negotiation.

Students awakened to this new mode of violence and rejection of decency reflect their contempt of teachers who once were among the most hallowed of our citizens and now are mere common-clay humans.

Parents look away while their growing children become long-hairs, unkempt and disordered members of a new and strange tribe.

Prayer is taken away from the schools because ostensibly it is in violation of personal rights. What an orgy of dissent from the concepts which set the U.S. apart from a seething outside world!

Young men summoned to the country's cause burn their draft cards and gather in groups to defy their country. The American flag passes by in procession and only here and there is there a salute to the proud banner of American democracy.

People must be prodded to doff their hats and salute the flag in reverence and respect.

Emboldened dissenters decry the American capitalistic system and do obeisance to the red flag of Communism.

Instead of paying lip service to the cause of love and respect for this beloved nation as politicians are doing today in hypocritical expressions of sorrow at Sen. Kennedy's tragedy, our American leaders, from Washington, to state capitals, to city halls, to churches and to homes, should start now to campaign for a new deal of inspiration, dedication and respect for America.

Let the students riot in other lands; let revolutionists carry their cause for justice in countries which have never savored the manna of American glories.

The United States became the world's finest land because our goals were decency, respect for God, respect for parenthood and for our elders.

We can restore these symbols of greatness if our leaders will stop their pandering to momentary political power through votes and preach and practise the lesson of a great America.

If we do not do this, there will be more tragedies like Jack and Bobby Kennedy's and Martin Luther King's, may the Lord forbid.

Do it now!

POOR PEOPLE'S MARCH

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. DIGGS. Mr. Speaker, following is an article by Inez Robb on the Poor People's March:

In the United States the unforgivable sin is to be poor. Here is the real reason the affluent society and its press is so annoyed by the Poor People's March on Washington.

Such presumption on the part of these nobodies! There ought to be a law. And there probably will be before this present session of Congress adjourns. Not a law to abolish poverty, of course. Just a neat, compact law to abolish the root cause of poverty—poor people.

The American public is sick and tired of poor people and their dreary, sordid problems. Poor people don't make "fun" reading. Who wants to read about people in sordid tenements who leave the lights on all night in hope of discouraging the rats from attacking the kids?

It's the Jet Set—the Beautiful People—who are the fun people and whose exploits make such fun reading in The New York Times, whose pages are devoted to them, their houses, their jewels, their custom-made threads, their parties, their art collections, etc., etc., etc.

That too, is the swooning literary stock in trade—the backbone—of the society fashion and women's magazines. The linear soap opera, so to speak. The opiate of the climber (or climbing?) classes. Let's have another helping of Ethel Kennedy! Better for that suburban migraine than the pain killer that's stronger than aspirin.

The press has recently had a very succinct quote about this whole bag from Mollie Parnis, a most succesful Seventh Avenue dress manufacturer.

"After all, anybody with $5 million or less is hardly much better than a bum these days," says Miss Parnis.

This is a perceptive and acute diagnosis. And this is also an expert speaking. Miss Parnis is the embodiment of the American dream—a self-made millionaire.

By her own definition, she started from a bum base in the rag biz. She made her way up in a gutsy trade in a gutsy way, and in a gutsy manner achieved membership in the Beautiful People and the Jet Set. She is a fun person who from experience knows a bum when she sees one.

And she has made a succinct statement relevant to our times—a statement that an acquaintance puts in a slightly softer context by saying that "one can't keep clean today on $5 million."

The national revulsion to the poor has been loud and clear since the recent meeting of the General Assembly of the United Presbyterian Church in Minneapolis.

There has been angry muttering over a litany (the politest thing it has been called is "radical") written by Dr. David G. Buttrick of the Pittsburgh Theological Seminary and recited by some 900 ministers and laymen attending the Minneapolis assembly.

The mod, turned-on litany might have gone unchallenged if Dr. Buttrick had not asked God's forgiveness for:

"Pretending to care for the poor, when we do not like poor people and do not want them in our homes."

Dr. Buttrick's unforgivable sin is in blowing the cover on much of society's attitude toward the poor. The stiff-upper-lip attitude of the Establishment—whatever that is—is that the reverend should have had the decency not to spill the beans in public.

If the Beautiful People were holding a be-in in Washington, Congress would be overjoyed at the prospect of all those marvy parties that would be given in connection with such a fun event. Man, would it cooperate!

But the Poor People's March! Hell! They may get out of hand. And destroy property like that fun mob of young, fun people in Southampton, L. I., some years ago who tore up a private home for kicks.

If only the poor would crawl back into the woodwork!

POOR PEOPLE'S MARCH

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. HENDERSON. Mr. Speaker, it is, I believe, significant that a hard-working, industrious member of the Negro race has proved what some white persons had previously suggested—that there are many able-bodied men participating in the Poor People's March on Washington symbolized by Resurrection City, who simply do not want to work.

The Washington Evening Star of June 10 reports that James H. Clark, a licensed plumber who owns his own business here in Washington, went to Resurrection City on Sunday, June 9 to lay a sewerline so the showers would have drains instead of adding to the quagmire already existing in the area because of heavy rains. He did this on his own time, on Sunday, his day off, and without pay or expectation of compensation.

He appealed both directly and indirectly to the residents of Resurrection City for aid, but according to the Star, the only aid he ever received came from his cousin whom he brought with him.

I am inserting the article, here in the CONGRESSIONAL RECORD, as an extension of my remarks and I hope that everyone will read it. All of us want to help people who, through no fault of their own, are destitute, but my constituents are unwilling to pay taxes from the fruits of their labors to support or provide benefits for those who are able to work, but unwilling to work:

[From the Washington Evening Star, June 11, 1968]

TENT CITY VOLUNTEER: PLUMBER GETS NO AID FROM POOR HE HELPS

(By Chris Wright)

James H. Clark stood shoulder-deep in the freshly dug trench, sighting down the line of black sewer pipe he had just laid between two rows of Resurrection City's plywood shacks.

Clark is not a resident of the poor people's encampment. He is a licensed plumber with his own business in Washington.

Yesterday he was at Resurrection City laying a sewer line so the showers would have drains and not create a quagmire. He was doing the work free, and asked the encampment officials about the possibility of help.

Periodically the public address system would ask for volunteers—for an unspecified task. Clark would look up once in a while, shrug his shoulders and bend back down into the trench.

No volunteers came.

"These people don't want to work," he said.

When the motor of the earth-mover idled, transistor radios could be heard inside nearby shelters. From time to time a group of men would gather around the ditch and watch Clark work.

Once Clark looked directly at a big man who seemed to be a leader and asked him to get some help and begin filling the trench behind them.

The man looked surprised. "Brother, I came down here to get away from shovels," was the reply.

By late afternoon the line was about halfway to the showers. Someone obtained a second earth-moving machine but only began to haphazardly fill the trench. He soon went away.

As Clark worked, he said he has very little use for the Poor People's Campaign, personally. But he feels sorry for the people in the camp—and he likes to see a job, especially one done by Negroes, done right.

HELPED BY COUSIN

"I sure would like to regrade that last section," he said, apologizing for his use of rocks instead of brick to support the pipes. The afternoon sun beat down. He walked off down the trench carrying his red level.

Clark, of 431 10th St. NE, donated his time for the project. He also got his cousin to help, and guaranteed payment for earth-moving machinery, that was supposed to be rented out of campaign funds.

He got started on the pipe-laying on Saturday after a friend called him and disclosed that the tent city was in trouble because of its non-existent sewer system.

No stranger to weekend work—"You can drive down the street and see people sitting on their porches, but I usually find something to do"—he got organized and was digging before the city's residents seemed to realize he was there.

As the day went on his pipeline progressed steadily through the hot, sun-baked clay toward the plywood shower stalls in the center of the camp.

Clark and his helper ignored camp residents who jumped the trench, kicking dirt where they were working.

RAIN FILLS TRENCH

As huge thunderclouds began to blot out the sun at about 6 p.m., Clark looked anxiously at his handiwork and the mostly unfilled trench.

A few big drops fell, making dark spots on his green denim shirt.

"I'm a damn fool," he threw down the shovel in his hand.

"But I've been one—brought up that way." He picked up the shovel and finished bracing the pipe joint.

The rain clouds got darker. "The least they could do is fill up this hole."

He jumped out of the ditch. "Take this shovel and put it in our truck," he told his cousin. "I'm going to do something about this."

Clark strode off between the plywood houses. His cousin disappeared in the other direction.

Time passed. The rain began to fall in sheets across the camp.

The hole began to fill with water. The loosely piled earth on the sides turned to runny mud.

At the other end of the camp three men in yellow rain slickers experimented with one of the earth-moving machines. They didn't know who Clark was.

LEGAL ADVICE FOR LAW AND ORDER: LEADERS WHO LEAD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RARICK. Mr. Speaker, Mr. George S. Womack, of Baton Rouge, La., a prominent and well-respected member of our Louisiana Bar Association has dispatched a succinct and well-reasoned "legal paper" stressing his position on the libertine threats against our country and his recommendation to yet save our Republic.

I am fortunate to represent a congressional district which nurtures God-fearing patriotic attorneys such as Mr. Womack and I am proud that I have asked unanimous consent of this House that his statement follow my remarks:

BATON ROUGE, LA.,
June 6, 1968.

Hon. CHARLES MANSHIP, Jr.,
Editor, State Times Newspaper,
Baton Rouge, La.

DEAR SIR: I join the vast majority of the American people in deploring the assassination of Senator Robert Kennedy. However, the indignant pleas from politicans, newsmen and clergy to our citizens to refrain from acts of violence, will continue to fall on deaf ears of those thousands of Americans who seem dedicated to violence and lawlessness.

The cries for passage of the so-called "gun control act" are ridiculous when one considers the fact that if such an act is adopted, it will merely result in the law-abiding citizens losing their guns and means of self defense, while criminals and rioters will either secrete their weapons or steal them from our gun shops during riots. The mere passage of gun control laws cannot dictate to the minds and hearts of those intent on murder, asassination and crime.

It is obvious that the freedom of citizens to have and bear arms is not the underlying cause of the rampant onslaught of crime and lawlesness. What then is the cause?

There are four underlying reasons for this unparalled condition in America:

1. Lack of religion in the family.

2. Failure of the so-called "poor people", white, and black and red, to counsel their off-spring to follow lawful and due process courses of action in attempting to attain their objectives, financial security, civil rights and equal opportunities. To the contrary, it is obvious that such people have been and are actively advising their children to disregard law and order and to actually commit crimes, engage in riots and looting in order to benefit themselves financially and to gain nation-wide notoriety and attention which they believe will benefit their efforts.

3. The complete breakdown of law and order on local levels. This has resulted from a long line of executive statements and actions starting with the Kennedy-Johnson administration and continuing through the Johnson administration, whereby civil disobedience, marches without permits, threatened physical violence, treasonable statements, actual looting and rioting have been allowed, and in some instances, actually encouraged by such administrations. In witness whereof, local police authorities, both state and municipal, have been severely criticized by such administrations and crime commissions set up to investigate the causes and results of riots all over the land for using minimum, effective tactics in bringing rioting, arson and looting under control. Accusations of police brutality have followed each effort by the police to quell mobs and to end rioting, looting and burning in our large cities. The administrations and the commissions referred to above have concurred in such accusations, leaving the police in a confused and bewildered state. If they do not quell the above referred to crimes, entire communities will go up in flames, with looting and death rampant. If they attempt to stop same, the authorities condemn them and actually bring some of the police officers to trial for the mere performance of duty.

4. Perhaps the greatest underlying cause of our present dilemma as concerns lawlessness throughout the land is the obvious attempt of the United States Supreme Court to revamp the criminal laws of the land to their liking and to rule by dictatorship of the Court. As of this date, no one has been able to stem this liberal tide. By a series of unparalleled, disastrous decisions, these nine men who seem to control the destiny of our nation, have undermined law and order enforcement. Any district attorney or criminal judge in the land will tell you that it is practically impossible to secure a conviction of a criminal. This series of unfortunate decisions has wrecked the criminal procedure of all states and has resulted in a log jam of criminal cases. This means it will take years to try them or that the district attorneys will have no alternative but that of dropping most of the charges. The latest fantastic decision rendered by the Supreme Court, in connection with declaring null and void all convictions decreeing capital punishment, in which prospective jurors who professed an opinion against capital punishment were kept off the jury, will result in the release from the death penalty of over 400 convicted murderers, including Speck who was recently convicted of murdering eight nurses.

Thus, it is obvious that the majority of the U.S. Supreme Court have made up their minds that they will determine the criminal process of the land in a manner suitable to them with no regard to the welfare of the vast majority of citizens who are law abiding. All of their decisions are aimed at protecting criminals, not the God fearing and orderly citizens.

What then, can be done concerning these conditions? This is what "you" can do:

1. Emphasize religion and God in the home.

2. Write your Senators and Congressmen, urging them to pass immediate legislation outlawing civil disobedience in any form, whether it be unlawful marches, sitins, loveins, rioting, looting and arson, setting strict penalties for violation thereof. Immediately pass remedial legislation setting aside the ridiculous criminal decisions rendered by the U.S. Supreme Court and at the same time, have Congress advise the said Supreme Court, in no uncertain terms, that it will not allow the Supreme Court to assume dictatorship of the country by Court decree.

3. Vote for a candidate that stands for return to law and order and to positive, deterrent punishment against violators of the law.

The deterrent to crime is the knowledge that punishment follows swiftly for violation thereof. As soon as people found out that they could violate the law in any manner, from looting, rioting and burning to murder, without conviction for such crimes and without capital punishment, the crime wave rose in an almost perpendicular arc. You may rest assured that it will continue to rise at a fantastic rate unless and until law violators can and will be punished as they were when we were a law-abiding nation. Unless this remedial and corrective legislation and action on the part of all of our law makers, President and executive officers is taken immediately, you will witness, in my opinion, the fall of our nation. It is not impossible. It can happen. In your lifetime, you have witnessed the fall of Great Britain and you are watching the fall of France. The first symptoms of the fall of a great nation, such as ours, are the loss of religion, loss of patriotism and the failure of law and order. If these requisites for greatness are lost, and they are rapidly deteriorating now, our nation will fall.

Very truly yours,

GEORGE S. WOMACK.

COMPASSIONATE REPORTING OF THE FUNERAL OF SENATOR ROBERT FRANCIS KENNEDY

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. JOELSON. Mr. Speaker, I wish to call to the attention of my colleagues an article which appeared in the Paterson News of June 7, 1968. It was written by Miss Beverly Fulton. I think it proves that newspaper reporters who are often regarded as hard-boiled, can write with compassion and deep understanding when the occasion warrants.

The article follows:

LAST OF KENNEDY BROTHERS KEEPS VIGIL AT R. F. K.'S BIER

(By Beverly Fulton)

We stood in the pre-dawn heat. Everyone was quiet except for a few who were listening to a radio. More than an hour and a half before the doors of St. Patrick's Cathedral swung open, a line eight blocks long and six persons abreast, waited in the dark to pay their last respects to Senator Robert F. Kennedy.

The sun was rising as we entered the cathedral. The line moved swiftly and as I turned to the center aisle, a tall man stepped in front of me, assisted by another man.

He moved much slower than the rest of the mourners and seemed more deeply in thought. It was not until he turned to whisper something to his friend, that I recognized him as Senator Edward Kennedy, who had kept a constant vigil through the night at his brother's casket.

Sen. Ted Kennedy resembled his brother, the late President Kennedy to such an extent that for a moment it seemed almost as if a ghost had appeared.

His face was ashen and drawn.

He had suffered the same sort of tragedy four years ago, but then he could rely on the strength of his brother Robert to help him bear up.

STANDS ALONE

This morning he stood alone, the sole survivor of the Kennedy boys.

Few mourners noticed him as he slipped into a pew approximately 10 feet from the bier on which the undraped mahogany casket rested. The casket was covered with fingerprints left by thousands of mourners who had already filed through during the first half hour the late senator lay in state.

Six brass candlesticks surrounded the casket at which an honor guard of four family friends knelt and stood.

Many of the older women leaned to kiss the casket. One elderly lady leading a blind Negro youth wept and had to be helped from the bier.

As we left the Cathedral and stepped into the bright morning sun of Fifth Avenue the whole episode inside seemed almost unreal to us, as it was to the thousands still lined outside waiting their turn.

DELAWARE SCHOOLGIRLS TUTOR CUBAN REFUGEE CHILDREN

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ROTH. Mr. Speaker, too often, today, it is the small groups of troublemakers that make the headlines. On the other hand, young people who are helping their fellow men often receive little or no publicity.

Recently, I was happy to learn that two high school students, who reside in my district, received publicity recognizing the outstanding job they are doing in spending their time to help refugee children to learn English. Nobody reflects better the maturity and dedication of the purpose of the majority of our young people than these two Thomas McKean High School students, Cindy Watkins and Janice Johnson, each of whom devoted more than 2 hours a week of their school time helping other young people.

I am happy to insert in the RECORD the newspaper report of their activities which appeared in the Wilmington, Del., News-Journal on May 20, 1968:

Two McKean Seniors Tutor: They Teach and Learn

Since January, two Thomas McKean High School seniors have been spending more than two hours of school time away from their school—teaching and being taught.

The two, Cindy Watkins and Janice Johnson, both 17, were student tutors at the Marbrook Elementary School helping Cuban refugee children to learn English.

In the process, the two teenagers also improved their own ability in Spanish.

Both girls were at the top of their Spanish class at McKean and their teacher, Mrs. Bernice McIntosh, thought they would fit the bill when the call for help came from Marbrook.

According to Randall C. August, assistant director of Marbrook's Title III program, the school found itself with two Cuban children who spoke almost no English.

Both Marbrook and McKean operate on the flexible or modular scheduling system. This system organizes class hours into large blocks of time and provides much more free time for individual study than the familiar 50-minute classes.

Cindy and Janice went to Marbrook twice a week for an hour during their free time. The Cuban youngsters' schedule was arranged to fit their tutors' hours.

"We were afraid that they would resent us or be afraid of us," says Cindy. "But they didn't."

The girls didn't have any set pattern of teaching. They took familiar things like colors or telling time and drilled the two youngsters in these things.

They also took tours of the school, pointing out in English the names of the various rooms and objects.

As the children's English and their teachers' Spanish improved the two teen-age tutors began teaching basic grammar.

Malcolm Baird, McKean's principal, feels the experience the girls had was excellent.

"It's far better for students to go out and help other kids and learn something themselves than for them to just sit in a study hall."

"The experience was great," says Janice. "We certainly learned as much from them as they did from us. It was great."

The two Cuban youngsters did improve their English, according to August, and about a month ago two more Cuban youngsters were sent to the teen-age tutors.

The two seniors will attend the University of Delaware next year.

Cindy, the daughter of Mr. and Mrs. Russell Watkins, 114 Balmore Lane, Highland West, will study elementary education.

Janice, the daughter of Mr. and Mrs. James Johnson, 706 Loper Lane, Sherwood Park, will study home economics.

CITIZENSHIP AND PATRIOTISM

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MARSH. Mr. Speaker, recently the Ruritan Club of Montevideo, Va., sponsored a countywide contest in the public schools of Rockingham County on the subject of patriotism and the need to strengthen the American will, particularly in view of the challenge that we face in South Vietnam.

Students in elementary and secondary schools took part in this program, and prepared and delivered speeches, on which they were judged.

The winners of this contest from both the elementary and secondary schools then were recognized at a program to which the public was invited and in which the local Ruritan Club had the support of local veterans' groups and other organizations.

On that occasion the three high school finalists competed and winners were selected. The first-place winner was Miss Elma Ritchie; the second-place winner was Mr. Steve Saufley; and the third-place winner was Miss Melody Whiteside. Copies of addresses delivered that night by the winners have been made available to me.

I think anyone reading these remarks will be inspired greatly by the spirit and dedication of these young people, which I think reflects most favorably on the youth of our country today.

The addresses follow:

America, Face Yourself

(By Elma E. Ritchie)

We are the citizens of a gigantic nation called the United States. The world looks to our power and wisdom—to us the people—to keep the shadow of the bomb hanging over us only a shadow. *Understand* why we must face our country with our eyes wide open.

The time has come for us as a nation and citizens to awake and start realizing exactly what is happening. It is time we ask ourselves (if we can slow down long enough) *what we are, what is happening to us,* and *what we can do about it.*

No nation that has ever existed on the face of the earth has had the background, the backbone, or the backfire-to-tyranny which has made us rise to power. We do not know what it is like not to live in a have-nation, a democracy founded on ideas of human rights. We have everything, all kinds of opportunities: Education, armed forces, cultural arts, knowledge doubling and tripling, scientific breakthroughs in medicine, elaborate churches and libraries and recreational facilities. All these we have, and more, to make our lives richer, satisfying, and secure.

Science and knowledge rule this era. We think it is fantastic. What has it given us? Firebird cars, hi-fi sets, guitar amplifiers and psychiatrists. As someone said, it has given us DDT for insects and $E=mc^2$ for people.

Americans believe in what is for real, what is individual, we like to say. Yet we buy whatever we see advertised with genuine herd instinct. We believe in self-discovery, we say. Yet we use anything from alcohol and dope to plain old rock'n'roll to get away from ourselves . . . *escapism.*

Americans have adopted another life custom—sow our wild oats during the week then go to church Sunday and pray for a crop failure! The Bible says, "Whatsoever a man sows, that will he also reap." Surely this applies to the nation as well. What have Americans sown and reaped?

Anyone who glances at the newspapers today knows we have our own pile of troubles, to be added to by the outside world before the accumulation ends. We have so many troubles we don't even like to think about them.

For one thing, our freedom has often been turned into a kind of slavery of licentiousness. People use "freedom" to loot and destroy, to take dog-eat-dog advantage under the anthem "it's a free country." We almost thing of freedom in terms of *what we want.*

We cannot seem to govern ourselves. The *U.S. News and World Report* puts it this way:

Our politicians are so busy trying to keep off the toes of big labor, etc., that they do not seem to have time to bother with the public—except on the campaign trail.

Some people even hate the law. They hate the police. We make cops the butt of our jokes. Some of our judges are such philanthropists that we have *criminals* going back into society. Our police forces are undermanned. They are discouraged and often feel as if the law courts are attacking *them* instead of criminals.

Our race riots during the past three years have left 130 people *dead* and 3½ thousand injured. Add to that 700 million dollars property damage. A Senator from Arkansas stated that it is *clear* that nothing less than a *conspiracy* of *vast scope* plays a major role in our riots. Five or six years from now the U.S. may suffer a series of *internal wars!*

We have industrial strife. Labor leaders do not hesitate to close down whole industries even if it cripples the whole country. School teachers and medical nurses walk off the job leaving public institutions in *chaos.*

Our society has lost convictions on moral issues. Under the permissive culture, hard-core pornography which used to be slithered around in weird green paperbacks is common reading today. Some movies poison the minds of whoever watches, especially youngsters. We do not seem to know what is right and what is wrong anymore.

We are fighting an undeclared war, the third biggest in U.S. history. Obviously, we are not winning. Even worse than last January's startling Vietcong offensive which caught Allied forces by surprise—even worse is our lack of national resolve, our lack of *direction.* Our people seem divided against themselves. We are tired of everything. We do not even *expect* to win the war in the foreseeable future. We do not expect anything but another summer of riots and anarchy in the pulse of America, our big cities.

Where is our pride of power? How is it that little North Korea hijacked the U.S. Intelligence Ship *Pueblo* near or on the high seas?

It has happened before . . . great nations have fallen. To be sure, nobody except a few fanatical oddballs and prophets-of-doom ever thought that was what was happening. Nobody believes anything like that could happen to little number one—until the worst really happens, that is.

History *shows* that no disorderly, divided, lawless society can survive. History alone should shake us into recognizing the symptoms of a country's decline. One of the first symptoms of a sick society is the toleration of lawlessness.

What is the root of our troubles? How can a land be so abundantly blessed yet plagued with curses? Americans are losing faith in the ability of our government to lead the nation, much less the world. We are losing direction. We have lost faith in God. We are losing faith in ourselves.

If ever our country needed people who *love* what is left of this "one nation, under God, indivisible, with liberty and justice for all", the time is now. If ever the U.S. needed its citizens to rise up in concern and *outrage* over our growing disorderliness and confusion, the time is *now*! But time is speeding on and our troubles are not lessening. They are assuredly going from bad to worse.

This may shock the rest of the world, but most Americans are not stupid, pampered neurotics. We do not really have to live on pizzas and Alka-Seltzer. Our young people do not have to cheat to pass exams. We do not really have to reap whirlwinds so far as home and happiness is concerned.

Americans, what are you and I going to *do*? First, we are going to *support* and *regard* law and the police as a vital *friend* of society, not as a blundering, brutal, contemptible enemy. In the Old West, citizens themselves established order. Well, today there are whole new frontiers of lawlessness awaiting us!

We are going to end this free, new morality idea which amounts to *no morality*. We are going to fight newsstand filth and lurid movies before they seep through everything like a leaky sewage system.

We are going to make friends with people of other races. In other words, we are going to do what we can to keep our corner bright. And as a nation, we are going to *unite* and win the Vietnam war or *unite* and withdraw, and fight Communism in the most effective way—without napalm.

We are going to return to the basis on which the United States was founded: Responsible freedom, the only genuine freedom. As Milton expressed it:

> "But what more oft in nations grown corrupt,
> And by their vices brought to servitude,
> Than to love bondage more than liberty . . .
> Bondage with ease, more than strenuous liberty."

It is in every American's potential to chose between God-given freedom and revolution, destruction, slavery-to-corruption! We must *not expect* nor *tolerate* any disorderliness and immorality whatsoever.

Talking is easy. Many Americans talk a lot, to say the least. But now is the time to *act*, before it is *too late*.

America, face yourself with your eyes wide open. You will need a good deep breath. You will need every ounce of moral fiber you can muster. For you must enter into a battle with your own minds and consciences. *You must fight to survive.*

OUR DEBT TO PATRIOTISM

(By Steve Saufley)

"Give me liberty or give me death!" These are the words of Patrick Henry, the noblest of the patriots as he expressed his feeling of patriotism in his long remembered speech. But I ask you, what is patriotism? Webster defines it as one's devotion to his country. But what is devotion, devotion is defined as loyalty and loyalty is defined as faithfulness and allegiance. Combine these and you have the precise meaning of patriotism.

Soon after the outbreak of the American Revolution, a band of volunteers from Virginia marched to Boston wearing shirts with "Liberty or Death" on their breast in white letters. These volunteers were known as Morgans riflemen. George Washington met them as he was riding along his lines, when Morgan saluted and said, "From the right bank of the Potomac, General!" So touched was General Washington that he dismounted and with tears in his eyes, went along the ranks shaking hands with each of the men. Thus the true spirit of patriotism filled the heart of our first President.

Our patriotic forefathers loved their country partly because it was *their* country, but mainly because it was a *free* country. They burned with enthusiasm for its *advancement* and *prosperity* because they saw within *these* the true glory of human liberty, human rights, and human nature. They desired to show the world that free men could be prosperous.

We do not realize our true love of our native country until we live in another in which there is no freedom of speech, freedom of the press, and the freedom of religion.

We are ever in debt to our God for allowing us to live in a country with freedom and a spirit of patriotism. As we live our daily lives, let us give our God first place in our lives, then our love for our country, its' leaders, and its' countrymen. Our country's welfare is our second concern and for these who promote it best, performs his duties as a patriot well.

Our men in Viet Nam and in other parts of the world are doing more than their part in preserving patriotism and protecting the rights, privileges, and freedoms of *you* and me as American citizens. Many countries have lost their freedom and we may lose ours, but the fight must continue if we are to sustain these cherished possessions. The cause of freedom, liberty, and patriotism must not be surrendered under any circumstances.

Daniel Webster once said, and I quote, "Let our object be our country, our whole country, and by the blessing of God, may that country itself become a vast and splendid monument, not of oppression and terror, but of wisdom, of peace, and of liberty, upon which the world may gaze with admiration forever." Unquote.

America is serving as a light for those who love their freedom, but are in need and pain. If we, here in America are to continue to be this light, all Americans must be responsible citizens, some more responsible than others by undertaking their roles in their families, communities and their plans for the future.

If we are to have true patriotism we must have the greatest respect for the laws that have and will make possible the dwelling of freemen together in peace and prosperity. If each of us perform our duties and responsibilities as American citizens our love and devotion to our country can withstand any elements that our enemies can put before us. If we are to remain free, we must all sacrifice and have the initiative to obtain and advance the cause of human liberty and patriotism. We can accomplish just this by cooperating with each other not only here in America but around the world.

America is and has been the protection of freedom and therefore may we prove worthy of our responsibility and may we initiate our strength with the wisdom of ourselves and those who have gone before us, so that we may accomplish peace throughout the world.

General Dwight D. Eisenhower once said and I quote, "Our most important project is to improve our spiritual strength and stimulate patriotism in every citizen." End quote.

Let us remember that self-interest and patriotism go hand in hand. We as American citizens must look out for ourselves and our country. Self-interest and patriotism may seem to you as two different ideas, but if you analyze these two ideas you will find that they are closely related and tend to pull in the same direction.

In this complex world, are we as Americans upholding the ideas and ideals of patriotism by rioting and crying for equal rights. Our constitution states that all men are born free and equal, but we must work for the good of ourselves and our country if we are to obtain certain other rights and privileges that we wish. But, must we as American citizens continue to bear the burdens of rising taxes, crime, and poverty? With the National debt rising, I ask you, who will pay it? It will not be you of the older generation, but those of us of the younger generation. Is it the patriotic duty of the younger generation to bear the burdens that generations before us have placed upon us. My answer is yes, and we will expect the challenge of bearing these burdens with the enthusiasm of that our early forefathers. But if we are to solve these problems we must have the understanding, cooperation and guidance of the older generation of the present day.

In conclusion allow me to sum up our debt to patriotism. We owe to the cause of patriotism, our freedom, our rights and privileges as Americans, our constitution, our language, our religious beliefs, our form of government, our leaders, and our lives. Without patriotism we would not have these possessions that we cherish so dearly as we know them today. In the past 192 years ½ million American soldiers alone have died for their country.

Shakespeare once said and I quote, "Had I a dozen sons—each in my love alike—I had rather have eleven die nobly for their country, than one voluptuously surfait out of action." unquote. Yes, In its place gold is good but brave patriotic men are far more valuable than gold.

Let us instill within our hearts the words of Katherine Lee Bates, as she wrote "O beautiful for patriot dream, that sees beyond the years Thine alabaster cities gleam, Undimmed by human tears, America! America! God shed His grace on thee, and crown thy good with brotherhood from sea to shining sea."

CITIZENSHIP AND PATRIOTISM

(By Melody Whiteside, Elkton, Va.)

I need not stand here and define citizenship and patriotism, because everyone knows the definitions. Everyone knows that a good citizen takes an active part in community affairs, votes at election time, and is well informed on the happenings in the national government; and everyone knows or perhaps thinks that patriotism is serving one's country—maybe even giving one's life for the cause of freedom so that others might wake up to a peaceful world. But there is so much more to be said about these topics—so much to be felt. For citizenship and patriotism are words loaded with emotion ready to burst forth with ideals and principles when triggered in the proper attitude.

Taking a look at our world today we find it's turning faster, shrinking smaller, and as if someone were blowing up a giant balloon with the breath of knowledge it's expanding; filling out every crevice and corner with new facts and advancements. Our world has come a long way from the time in ancient Greece where the ideas of citizenship and patriotism were first sparked. Along with this new world, which is actually the old one in the eyes of a new generation, come new ways of accepting these terms. When we compare their definitions in a dictionary published in 1930 to the definitions in a 1968 edition, we find the meanings are essentially the same. From this we can generalize it's not the meanings that have changed, but the people who use them.

With these ideas in mind, I would like to show you how my generation thinks and feels about these terms today. Now, when I speak of my generation I'm including thousands of teen-agers who are running away from well-to-do families to join the "hippy movement." They are doing it simply because they have lost faith in their homes, and they are searching for values which they can't seem to pull out of a comfortable homelife.

When teen-agers are given all of the rights, privileges, and advantages of a successful life it's like having cake and eating it too. These privileges are theirs for the having—they don't even have to ask. When this is the case, teen-agers want to go backwards because there is nothing left to achieve when they push forward. They seek to develop a non-society society with no laws or rules. They are trying not to look ahead, but turn back the clock to primitive man before he found a need for society. They are simply taking that which already is for granted and going out to find their own world to conquer just as their ancestors did.

Yes, this is how citizenship is being viewed by a portion of my generation today. Just as citizenship is being viewed differently, so is patriotism. Ever since World War II patriotism has been gradually drifting away from the we love our country so we'll fight for it. Today some young men fight in the war because it's their duty, and because it is the law. A young American soldier expressed himself on this new acceptance of patriotism by saying this: "I never felt I was fighting for any particular cause. I fought to stay alive. I killed to keep from being killed."

Yet, there are those who fight with a genuine love for their country in their hearts. These are the soldiers who know why they are in Vietnam and are giving their all for their country. But how can we expect these soldiers to keep up their dedication when they hear reports of demonstrations going on in the United States against their serving? It is the prerogative of every citizen to protect their rights, but when demonstration is our only means of contact our boys have to wonder whose country they're really protecting.

J. Edgar Hoover summed it up beautifully when he said, "Do what you can with what you have, wherever you are for God and America. It is the tradition of free men; a tradition which we must carry on to insure the future for those who take up the obligation.

Of course, what would patriotism be without our flag? Our flag is the symbol of the nation itself. Much to my regret, however, there are episodes happening across the United States involving public desecration of the American flag. More than eight states have reported such actions, the most recent occurring at Purdue University where a student unfurled the flag, ripped it apart, and spat upon it. A shocking incident—but I'm happy to say this type of action represents only a tiny minority of my generation.

I will admit, however, that the flag, though not mistreated, is often times ignored. Our flag is ignored for the same reason teen-agers run away from home, draft cards are burnt, demonstrations are everyday occurrences, and we serve our country only because it is the law. That reason is, we have too much too soon and too little too late. Citizenship and patriotism do not mean to my generation what they did to others before, due to the fact that they're pointed out but not stressed—taught but not applied.

My generation isn't perfect, and some of our ways are odd, but we're trying. I would like to say one thing in conclusion, and that is I think you are all good citizens. I say this not because you may take an active part in community affairs, or vote at election time, or that you are well informed about the happenings in the national government, but because you took the time to listen to my generation voice its opinion on the two lifebloods of democracy, citizenship and patriotism.

ROBERT FRANCIS KENNEDY

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. GALIFIANAKIS. Mr. Speaker in the month of August 1964 ROBERT FRANCIS KENNEDY climbed to the podium at the Democratic National Convention in Atlantic City N.J. In a faltering nostalgic voice he paid tribute to the memory of his beloved brother—President John Fitzgerald Kennedy—slain by an assassin's bullet. The words he used were Shakespeare's:

When he shall die
Take him and cut him out in little stars,
And he will make the face of Heaven so fine
That all the world will be in love with night
And pay no worship to the garish sun.

Last Saturday in the month of June 1968—a scant 3½ years later—EDWARD M. KENNEDY stood before a flag-draped coffin at St. Patrick's Cathedral in New York City. In one of the most poignant scenes ever witnessed by man he paid tribute to the memory of his beloved brother—Senator ROBERT FRANCIS KENNEDY—slain by an assassin's bullet. The words he used were his own:

> My brother need not be idealized, or enlarged in death beyond what he was in life . . . to be remembered simply as a good and decent man who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it. . . .

Those of us who remain here to perpetuate the principles of public service are enriched for having shared ROBERT KENNEDY's moment of destiny.

We are humbled that we are asked to remember him only as a "good and decent man."

We are comforted by the tranquility with which his family beheld the spirit of death—in the certain assurance that this man had truly understood life.

And we are inspired by the challenge he left us:

Some men see things as they are and say why.
I dream things that never were and say why not?

RESTORATION OF REASON

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUCHANAN. Mr. Speaker, for too long violence has been tolerated in America. We have witnessed riots, assassinations, and defiance of the law augmented by inflammatory oratory. Now it is time for responsible leadership and responsible citizenship. In light of the turmoil in which we find ourselves I want to commend to my colleagues the following editorial from the Birmingham News of June 6, 1968:

THE TIME IS NOW

"We're not going to accept violence as a way of life in America," Sen. Robert F. Kennedy told campaign crowds in California last week.

On Tuesday, moments after he claimed victory in that primary, violence struck him down.

The Birmingham News believes that this nation faces grave crisis, a crisis not entirely isolated to the murders and attempted murder of public figures.

What is happening does violence not just to individuals but to American's political processes. What is threatened is the murder of the American dream.

This nation prides itself, rightly, in its nearly two centuries-long record of peaceful transition of government through free elections. Events of recent months—of recent years—cast a deepening shadow over that record. It is no longer inconceivable—though still by no means probable—that conditions could arise which would make the holding of a presidential election and the transfer of power to a new administration on schedule questionable.

It seems to *The News* that certain things are absolutely vital at this moment if America is to survive as a nation united:

The President of the United States must, *must*, stand before the nation and tell its people directly, forcefully, that their country now must insist on responsible citizenship. He made a start in the right direction in his televised address to the nation last night. But what is needed is much more than the appointment of another commission, however valuable the work of its distinguished members might be.

Too long have the President and other national leaders permitted the United States government to be bullied by an irresponsible few. Too long have they hesitated to speak out against gross violations of good sense if not of law.

Every citizen in this country, in public office or private life, who can exert any influence in behalf of a restoration of reason has an obligation to his country to do so.

The nation must *insist* on this.

Of course there is dissent; of course there are differences of opinion. There always have been and there always will be. But one of our strengths always has been our political system's ability to record these differences and to adjust to them.

There is machinery for change in America; machinery for peaceful, orderly redress of grievances.

What some people have fostered is not orderly change but the destruction of the very mechanism, our political system, which can effect it.

America must pledge itself to deal honestly with the needs of its citizens. It also must ask that all citizens have faith that the pledge will be honored; that they cease provocative conduct and join in a common rededication to preservation of the constitutional foundations of that faith.

It has been cited so frequently that it is by now a cliche, U.S. Supreme Court Justice Oliver Wendell Holmes' observation that the right of free speech does not carry with it the right to shout "Fire!" in a crowded theater.

Too many people have gone much too far in their attacks on America, however real their grievances. Too many people have remained silent rather than risk, in the emotional climate which has been generated, being misinterpreted.

It is not out of lack of sympathy for those who need assistance or out of lack of commitment to providing it that responsible leaders now should speak up. It is out of first and overriding concern for preserving this nation.

Those truly concerned about America, truly devoted to this nation, will have no difficulty noting the inflammability of the situation and acting to damp rather than fan it.

Those who do the opposite no longer can be treated as if they have no responsibility for their actions and their utterances.

GOV. DANIEL J. EVANS AS REPUBLICAN KEYNOTER

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mrs. MAY. Mr. Speaker, I am very proud that the fine Governor of my State of Washington has been selected to keynote the Republican National Convention. Keynoting a national political convention is always a rare honor, and Gov. Daniel J. Evans will fulfill this honor with the excellent performance we of the State of Washington have come to expect in everything he does.

In my view, the Republican Party has made an exceptionally fine choice in selecting Gov. Dan Evans. I do not have the slightest doubt that this year's keynote speech will provide the country a message it needs to hear in these difficult times.

Under unanimous consent, Mr. Speaker, I include at this point in the RECORD the impressive biography of the

Honorable Daniel J. Evans, outstanding Governor of the State of Washington:

BIOGRAPHY: DANIEL J. EVANS, GOVERNOR OF THE STATE OF WASHINGTON

In his inaugural address in January 1965, Governor Dan Evans summarized his vigorous new administration in the State of Washington when he said, "This is a time of high purpose" and pledged a "search for excellence" in developing the new programs and fresh personnel to carry the state across the threshold into a new era.

Evans, former Republican floor leader in the State House of Representatives for two sessions, was intimately familiar with the problems facing the state—a state which in January of 1965 had fallen short of realizing its industrial and economic potential and, in fact, was in a serious period of unemployment and economic distress.

The first Republican to hold the Governor's office in eight years, Evans was faced with legislature controlled nearly two to one by the opposition party. Nevertheless, he succeeded in obtaining passage of better than two-thirds of his "Blueprint for Progress" legislation, including several measures aimed at immediately bolstering the state's sagging economy.

By reducing or deferring several of the state's business taxes, the way was paved for dramatic expansions in the field of food processing and the aluminum industry, two categories of business which had been operating far below capicities in Washington.

Evans also persuaded industry to underwrite and conduct a $400,000 study on the business methods used by state government. The Council for Reorganization of Washington State Government brought back recommendations which have saved the state millions of dollars annually.

When Evans was inaugurated, the state's general fund stood $32.5 million in the "red". Although many state programs were expanded by the 1965 legislature, the state ended the Governor's first biennium in office with a general fund balance of $115 million. This balance allowed an appropriation of $93 million for capital outlay, for aid to local government, for providing new institutions for the mentally retarded, and for a number of other needed programs which could not have been done otherwise. And after all this, there was still a surplus of $22 million.

The highway construction program has been advanced to meet the heavily increased needs of expanding industry. Key links in such major arteries as Interstate 5 have been speeded up as a result of the Governor's efforts. All stoplights from Oregon to Canada are expected to be eliminated by fall of 1968 and Seattle-Spokane driving time will be cut by two hours. A record number of miles of new freeways (169) have been completed in four years. Not only was the state involved in an active interstate construction program, but considerable other work was done in the state highway program. In the first full fiscal year of the Evans' administration (1965–66), $120 million in highway contracts were awarded, compared to $80 million two years before—a 50 percent increase. This high rate of state highway construction has continued in the two fiscal years since then. In addition, tolls were removed from the Tacoma Narrows, Vancouver Interstate and Longview Columbia River bridges, and $400 million was provided for improving urban area arterials.

The most dramatic expansion, both in terms of population and economic strength in the state's history now is in full development. Unemployment, which stood at 7.0 percent at the beginning of this decade and was over the national average at well over 6.0 percent in 1964 had fallen below the national average to 4.0 percent by the end of 1967 despite huge expansions of the labor force.

Total employment was one million when Evans took office in January, 1965. It had risen to over 1.3 million (a 26 percent increase) by the end of 1967 and all forecasts today show nothing but sharp increases in the next five-year period.

In 1964 Washington lost 14,000 residents. After Evans' inauguration, the figures reversed and 1965 saw a gain of 6,000, 1966, a gain of 124,000, and in 1967 a gain of 75,000.

Total personal income, which had been $8 billion in 1964, reached $10.7 billion by the end of 1967—the highest percentage increase in the nation in 1966 and 1967. The outlook is for total personal income to top $11.7 billion by the end of the Governor's first term in office in 1968.

Per capita income in the state has increased from $2,514 at the end of 1963 to over $3,350; exports and imports have climbed to $1.5 billion (a 50 percent increase for this same period), and total value of agricultural products has now passed the $800 million mark, setting records for the third straight year.

In addition to bringing vigorous growth to his own state, Evans has asserted leadership in regional affairs as well as taking an active part in directing his party.

At the Western Governors' Conference, Evans proposed and obtained approval for the formation of a Western Interstate Nuclear Compact to allow closer cooperation between Western states in the management and encouragement of nuclear industries.

Evans was elected chairman of the Western Governors' Conference for 1968–69.

Evans also was instrumental in bringing together the governors of five Pacific Northwest states—Washington, Oregon, Idaho, Montana, and Wyoming—into the newly-formed Pacific Northwest River Basin Commission, a long step forward in the management of the region's No. 1 resource, water.

At the National Governors' Conference, Evans proposed the possibility of an amendment to the federal Constitution apportioning part of the federal income tax back to the states with no strings attached. The plan now is under study by a special committee headed by Governor Philip Hoff of Vermont.

In his party, Evans also has offered positive leadership. He outlined a progressive program which has resulted in a genuine resurgence of the Republican Party.

Early in 1966 the party published a series of White Papers patterned closely after the principles upon which Evans had based his 1964 campaign and which were the foundation of his administration. In the 1966 elections Republicans won control of the State House of Representatives (55–44) for the first time since 1953. The party also increased its strength in the State Senate, won control of King County (the largest county in the state with about one-third of the voters in the state) and made inroads into courthouses in many other counties.

Evans was chairman of the National Republican Governors' Association's campaign committee for the 1966 elections, which saw the Republicans increase their governorships from 17 to 25—a net gain of eight.

Although the State Senate in the 1967 Legislature was still controlled by the Democrats, Governor Evans was able to get more than two-thirds of his executive-request measures approved . . . and incidentally, he had more requests than any other Governor in the state's history. Some of the significant Evans' programs adopted by the Legislature were model water and air pollution control laws, creation of a new state community affairs and planning agency, direct financial aid to cities, creation of a traffic safety commission to tackle the nation's No. 1 killer—traffic accidents, a new community mental health and mental retardation program, a group of urban affairs bills giving local government greater flexibility in meeting contemporary problems, and a recreational program preserving ocean beaches, creating scenic highways, authorizing open spaces and proposing a $40 million recreation bond issue for voter approval.

Since the legislature adjourned in the spring of 1967, a significant accomplishment of the Governor has been the establishment of the state's Multi-Service Center in the Central Area of Seattle. This center has brought under one roof many services of state government so that they can better serve the residents of the Central Area, including many of the city's economically disadvantaged. In the center's first seven months of operation, jobs were obtained for 950 people and presently an average of 75 people per day (1,500 per month) are visiting the center to obtain one service or another. The center has been so successful that the building space was tripled and the federal government and the City of Seattle have assigned representatives to the center.

In national affairs, Governor Evans is serving as chairman of the Constitutional Revision and Executive Reorganization Committee of the National Governors' Conference. The committee conducted a research project during the past year and developed a long list of guidelines on how states can modernize their constitutions and executive departments. The National Governors' Conference commended the committee for its work, appointed Evans for another year as chairman and directed the committee to develop model state constitutions and executive department organization plans.

Highlight of Evans' emergence as a national figure was his selection as keynote speaker at the 1968 National Republican Convention, which begins August 5 in Miami Beach.

BIOGRAPHY: DANIEL J. EVANS, GOVERNOR OF THE STATE OF WASHINGTON

Born: October 16, 1925, Seattle, Washington.

Educated: Roosevelt High School, Seattle, graduated 1943. University of Washington, Bachelor of Science, Civil Engineering, 1948. University of Washington, Master of Science, Civil Engineering, 1949.

Married: Nancy Ann Bell of Spokane, Washington, June 6, 1959.

Children: Daniel Jackson Evans, Jr. (November 25, 1960); Mark Lawrence Evans (September 20, 1963); and Bruce McKay Evans (August 21, 1966).

Military service: 1943–46, U.S. Naval Reserve, commissioned an ensign, served aboard an aircraft carrier in the Asiatic-Pacific Theater in World War II. 1951–53, recalled to active duty during Korean War, served as operations officer of destroyer with rank of lieutenant, later was aide to Admiral William K. Mendenhall at peace negotiations at Panmunjom.

Professional background: 1949–51, member of structural design team for City of Seattle. 1953–59, assistant manager, Mountain-Pacific Chapter, Associated General Contractors. 1959–64, partner, Gray & Evans structural and civil engineers. Member Tau Beta Pi, national engineering honorary. Chosen "Engineer of the Year", 1965, Washington State Society of Professional Engineers.

Offices: State Representative (43rd District, King County), 1956–64. Voted "Outstanding Freshman Legislator", 1957. Member, Joint Interim Committee on Highway, 1957–63; secretary, 1959–61. Member, Legislative Council, 1963–65. Served as Republican Floor Leader of the House, 1961–65—instrumental in forming coalition in the House in 1963 and became Floor Leader for the voting majority.

Governor, elected November 3, 1964, inaugurated January 13, 1965. Member, Executive Board, National Governors' Conference, 1966–67. Chairman, Western Governors' Conference, 1968–69. Vice-chairman, Western Governors' Conference, 1967–68. Member, Steering Committee, Education Commission of the States, 1967–68. Chairman, Constitutional Revision & Executive Reorganization Committee, National Governors' Conference, 1966-68.

Political activity: Keynote speaker, National Republican Convention, 1968. Delegate to King County Republican convention every year since 1948 (except 1952 when he was on active military duty). Delegate to every state convention since 1956. Permanent chairman, state convention, 1962, Platform chairman, King County convention, 1958. Member, platform committee, state convention, 1958. Chosen, King County's "Republican Man of the Year", 1964. Chairman, campaign committee, National Republican Governors' Association, 1965-66—resulted in net gain of eight Republican governors. Member, policy committee, National Republican Governors' Association, 1967-68. Member, National Republican Coordinating Committee, 1967-68.

Church: United Church of Olympia (Congregational).

Civic affairs, honors and awards: Honorary Doctor of Laws, Whitworth College, 1966. Honorary Doctor of Laws, Seattle Pacific College, 1967. Honorary Doctor of Laws, St. Martin's College, 1968.

Boy Scouts of America: Member, Executive Board, Chief Seattle Council, 1956-64. Member Executive Board, Region 11 (includes Washington, Oregon, Idaho, Montana, Alaska), 1965, Holder of "Silver Beaver" Award, given to Adult Scouters for distinguished service.

Chairman, Washington State Heart Fund, 1963. Member, Executive Board, Seattle-King County Safety Council, 1960-64. Seattle Junior Chamber of Commerce: Vice president, 1955-56, Key Man Award, 1955. Initiated Governor's Festival of Arts which he has continued to sponsor annually, 1965.

Recipient, Human Rights Award, 1967, presented by the Pacific Northwest Chapter, National Association of Intergroup Relations Officials.

Recipient, Special Award for leadership in improving criminal justice, 1968. Presented by National Council on Crime and Delinquency.

PROVIDING FOR AGREEING TO SENATE AMENDMENT TO H.R. 5037, LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. THOMPSON of New Jersey. Mr. Speaker, crime could very well be the most important domestic issue we face today. It threatens all of us, rich and poor, white and black, suburbanite and city dweller. Without a decent respect for personal and property rights, without security in our homes, in our businesses, and on our streets, our society cannot remain orderly or long endure. But our desire to prevent and control crime must not lead us to accept ineffective and offensive crime control measures, merely because such laws are represented as designed to restore law and order. We must approach the problem of crime in the same way we approach all domestic problems, rejecting emotional appeals, and fashioning effective solutions consistent with our political traditions.

The House now has before it the Law Enforcement and Criminal Justice Assistance Act of 1967. I intend to vote for this bill because several sections of it represent a needed step toward making our communities safe. Unfortunately, this bill also contains several mischievous provisions which, in my judgment, will be of little help in fighting crime.

Unhappily, the procedure by which this bill is presented gives Members the choice of approving the entire bill, with its good and bad provisions, or rejecting it. Rejection will defeat those portions of the bill which offer promise that we can begin to combat crime more effectively. I will vote for this bill because the problem of crime must be faced now, but I will do so with grave reservations about several of its provisions.

As originally passed by the House, the crime control bill authorized Federal aid for the improvement of State and local law-enforcement agencies. Funds would have been made available to increase police salaries, to upgrade criminal investigation techniques, and to encourage police-community relations. I believe such aid is essential. Our local law-enforcement agencies bear the primary responsibility for preventing and controlling the crime which threatens us all. Unless these local agencies are strong and effective, our streets and homes will not be secure.

The Senate retained the crucial provisions to aid our local law-enforcement authorities, but added other sections which, in my judgment, stray from the bill's original purpose.

A powder-puff gun control section was added, regulating the interstate sale of handguns. This provision would not have prevented the assassinations of President Kennedy, Dr. King, or of Senator KENNEDY. I devoutly hope it will not serve as an excuse not to enact meaningful gun-control legislation. We must work for stronger legislation, which will prevent weapons from coming into the hands of criminals and lunatics. I am confident such legislation can be designed in such a way as to protect the right of responsible persons, including sportsmen, to own guns.

The Senate also added a provision which permits wiretapping for a wide variety of crimes, and even includes authority for 48-hour "emergency" wiretaps without court consent. If persuasive evidence had been offered that such wiretappings would help prevent muggings, murders, or rapes, then one might conclude that the substantial threat to our right of privacy posed by this broad authority was justifiable. But as the record stands, there is no conclusive evidence that this assault upon privacy is necessary to make our streets safe, or that it would, in fact, do so.

Finally, the Senate added language purporting to change the law relating to the admissibility of confessions and other evidence in Federal criminal trials. These provisions will introduce great uncertainty into the criminal law, and probably infringe on guaranteed constitutional rights. But more to the point, there is no persuasive evidence that they will help prevent crime. A man contemplating a criminal act does not ordinarily read Supreme Court decisions before taking to the street.

Presented with the Senate version of the original bill, the House had few options open. I supported a motion to send the amended bill to a House-Senate conference, so the questionable provisions added by the Senate could be fully debated and, hopefully, modified. Since this motion was defeated. I intend to vote to pass this crime control bill, because I believe the situation is critical, and that we must immediately provide Federal help to our local law-enforcement agencies. But I also intend to support legislation to modify the ineffective provisions of this bill. Our goal should be a bill that Senator KENNEDY could have supported were he spared.

HUNGER IN AMERICA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. EDWARDS of California. Mr. Speaker, I am sure the experience I have had in response to the excellent CBS production called "Hunger in America" has been duplicated by my colleagues. I do not recall another occasion when a television production has produced such heartfelt letters from my constituents. The reaction has been overwhelming. Mr. Speaker, these letters are dramatic and poignant testaments to what some of us in the House of Representatives have been saying for some time. America's priorities are wrong. If we do not get these priorities in proper order there will be further deterioration of morale in our country. It is the shame of America that there are so many people hungry, or so poorly fed that they are prey to the deadening diseases of poverty.

Mr. Speaker, this is no time to reduce spending in the fields of education, health, housing, and jobs. I hope the administration and the agency heads read each one of these letters. The good citizens who wrote them represent the finest tradition of America—concern for their fellow citizens and a demand that this rich country do something to put an end to such inhumanity.

The letters follow:

MAY 21, 1968.

DON EDWARDS:

I have just now finished watching the CBS television special entitled "Hunger in America".

To say that I am shocked is to put my feelings mildly. The way I feel now is the same feeling one has after being a witness to a fatal auto accident.

I can understand that this is the reaction that CBS intended, but never-the-less, I felt that I was there and those children, their bodies and minds racked with the pain of hunger will live in my conscience forever. My two small children sleep now, their small bellies full; content where they lay, while somewhere in the South a 13-year-old boy cowers in a corner of a school, ashamed because he can't afford 25¢ for a school lunch and an expectant mother thinking only of her children, neglects herself only to lose her newborn due to malnutrition.

Where have we, as a Nation, Indivisible, under God, with Liberty and Justice for all, gone so wrong. Is our Government so tied up in its circuitry of bureaucratic procedures that it can't administer legislation to see that 10,000,000 people can eat?

We must rely on your voice in Congress in order that our moral feelings may be sounded across this land. Mr. Edwards, please thunder loudly for Justice.

What does it profit a country to gain the minds of villagers on foreign soil and lose the "Cherubs of Alabama".

Mr. JOHN MALASPINA.

NEWARK, CALIF.

MAY 24, 1968.

DEAR SIR: I am writing to protest the negligent and inhumane manner in which the Congress of the United States has acted in trying to alleviate the blight of poverty. There are thousands of Americans who are starving or suffering from malnutrition daily.

I find it quite appalling that thousands of our citizens are going to bed hungry night after night, thousands of malnourished children are being born and are dying weekly, and thousands of people are suffering from disease because of inadequate medical care in this great and affluent society.

Something must be done and it must be done immediately. You were elected a Member of Congress to represent the views of your constituents. I feel that you must make other Members of Congress aware of the desperate need for initiating some action to alleviate these conditions. You must propose legislation that will stop spending billions of dollars sending rockets into space, but rather meaningful legislation that will alleviate poverty. Such legislation as removing food stamps from the control of the Department of Agriculture and under the control of the Department of Health, Education and Welfare. Also, I believe that people who are poor should not have to pay for these stamps (in most instances they don't have the money) but should be able to get them free.

We must re-establish our priorities and do it immediately.

If we do not take some positive constructive action now, this government will not be living up to its responsibilities.

Mr. ALFONSO GRACE, Jr.

PALO ALTO, CALIF.

MAY 23, 1968.

DEAR MR. EDWARDS: A couple evenings ago, I watched CBS "Hunger in America". It was enlightening and disturbing. I am also addressing a couple questions to Mr. Orville Freeman. I understand future investigations into this problem are to be made. Our country has come up to great challenger of true magnitude. Surely this can not be considered an insurmountable one! Do you feel you and other Congressmen and Senators really know the views of the people you represent? What can the reason be for the Department of Agriculture to turn back money to the Treasury that could be given towards programs in these areas of need? Can not surplus foods and meat be given and still keep prices up and controlled for consumers who afford it? It does not make sense to slaughter good meat animals when people are hungry who could never have afforded it to begin with. They should not be deprived in our land of plenty and supposedly richest nation in all time. There must be a way to contain prices etc. but not turn surplus crops and meats into the ground rather than given out to the qualifying few. Can not some tax break be given.

Pharmaceutical Houses who could supply vitamin supplements to these areas? Is there nothing that can be done in birth control programs, clinics or private agency grants as to planned parenthood to work in the areas? Are we never going to change the cycle with our poverty stricken groups? Only a healthy body and healthy brain makes a being prepared to absorb education.

Then we will see the results and have producing citizens. We must question our priorities in budget and government if we are to live with ourselves.

Mrs. JOANNE HEIDOHRN.

MOUNTAIN VIEW, CALIF.

MAY 24, 1968.

DEAR CONGRESSMAN EDWARDS: Three days ago I happened to watch the CBS special report "Hunger in America". Needless to say, I was shocked and horrified at the plight of 10 million malnourished Americans, most especially the children. Later in the week I read the May 17 issue of Time magazine, who also had a report on poverty. I found that both Time and CBS correlate as to statistics. That two separate forms of news media should correlate so closely seems to rule out propaganda or sensationalism on the part of CBS or Time magazine—two organizations with excellent reputations. I'm a professional Registered Nurse and took my training at a large ghetto hospital in Philadelphia. During my stay in the pediatric area, I saw 3 or 4 babies from deprived families brought in with the "failure to thrive" (starvation) diagnosis. The cost to the state of Pennsylvania to hospitalize these babies for the 2 to 5 months we cared for them was more than enough to feed their families for a year. The sad part was when they recovered they were sent right back to the conditions that brought them to the hospital. Apparently foster homes or chances for adoption are *rare* for Negro or Puerto Rican children. I expect this situation in a ghetto; however, until I saw the CBS report, I had no idea hunger and malnutrition was so rampant—10 million people—good grief! My husband and I like so many other Americans must be so intrenched in our middle class social strata that we are blind to the desperate needs of those in the throes of poverty.

Please, because of your position in the workings of our government, do everything you can to help alleviate the plight of our 10 million fellow Americans. One suggestion CBS made was to remove the food distribution program from the Department of Agriculture to the Department of Health, Education and Welfare. The Department of Agriculture is specifically designed to protect the businessman, namely the farmer, by keeping prices at a high level. I doubt if they are oriented to the needs of the poor and starving who happen to be consumers.

Another thing is a food relief program should not be one that a county voluntarily accept or reject. The leaders of the local government are going to be well fed members of the "establishment" with monetary interests in the business community. A food program may help the poor but the poor are consumers and a food program means less money spent in the local "establishment's" stores. What local government officials fail to realize is a malnourished poor man is going to stay poor. A well fed poor man has the energy and health to work. It also means fewer retarded children, lower hospital welfare costs and a stronger community.

I hope you have read my letter. It's the first time I have ever written to anyone representing me in government. I sincerely hope you give the problem of "Hunger in America" your consideration. The 10 million malnourished in these United States happen to be your fellow Americans also.

Mrs. ILENE J. SMITH.

DUBLIN, CALIF.

MAY 22, 1968.

Mr. EDWARDS:

Last night I saw a television program entitled "Hungry America". It left me angry, sick and very disappointed in my government, country and fellow Americans.

Why in this country (more than any other) are people hungry? *Why* are hogs slaughtered and buried when people are hungry? I know of neighbors and friends who would give food and clothing to the less-fortunate if we knew of an organization that would assure us that these things would reach these people.

I had heard of hungry people in the U.S. but I had never seen the ugly sight of a bulging starving stomach or a little boy humiliated because he had to sit and watch other children eat at school because he didn't have 25c. This little child had peas for breakfast. What can I do? What can *you* do?

My conscience hurts badly because I over extend my budget with things like the *best* furniture, shutters, drapes, etc. when *human beings* are hungry.

I'm overly emotional about this right now but God or somebody help me if I forget about this next week and fall back in my secure little world.

Mrs. PHYLLIS THORNLEY.

FREMONT, CALIF.

MAY 21, 1968.

Congressman DON EDWARDS:

Tonight I saw the CBS program "Hunger in America". Perhaps we all knew it existed—but the shock was overwhelming.

I implore you as my Congressman (and as a human being with power) to do everything in your power to correct the injustice.

When I saw malnutritioned infants in isolettes for as long as eight months, I could not help but think of the $340 it cost me for a 2½ day stay for my recent baby. For the cost of 8 months in the hospital that mother and countless others could have been provided with the needed foods, vitamins, etc. for prenatal care and still have plenty of money left for the baby's proper nourishment in its early years.

How can we afford such extensive medical care and not afford half as much to alleviate the problem altogether. This is not cancer—we know the cure.

The solution is clear—as vivid as the needs; as stark as the faces before you today, in the faces of the poor in Washington. It demands total commitment to justice, to reason and to humanity.

Our hopes are with you as our Representative in Washington.

Mrs. SHERWIN GREENE.

FREMONT, CALIF.

MAY 22, 1968.

DEAR CONGRESSMAN EDWARDS: On May 21, 1968, the Westinghouse Broadcasting Company, presented a one hour special dealing with the hungry people of this nation—all ten million of them.

As the program pointed up these people subsist on very little and what they do eat is just starch, a white diet. Since the 1930's the government has given these people surplus goods—potatoes, lard, beans, rice, etc. with no meat, vegtables or fruit. People were not meant to live on such a diet but they do. A food stamp program was initiated and the program again pointed up the fact that a good many of these people simply cannot get the money together to buy these stamps; thus, the people the program meant to help are out of luck. In our land of plenty, it is unreasonable to feed on this meager unwholesome diet. Most animals have far better than this and we are not discussing animals but men, women and their children.

Children who have gravy and fried bread for breakfast if they are lucky that is and go off to school and watch other children eat lunch while they themselves have no lunch and home again where there may or may not be dinner cannot properly function or grow. How can these children learn? Hunger and sickness and the sameness of each day is what they learn. Without an education of some sort or even an ability to read and write of what usefullness can they be? How will these children earn a living? Will more and more young girls of eleven prostitute themselves for food.

We fight with such a tenacity to live. We have laws against abortion with many feeling each and everyone of us has a right to be born and a chance at life. Yet many babies are dying before they even have this chance. They starve and their mothers, fathers and all too many brothers and sisters are starving. The sickness among these people is great, they are old before their time and who would not be with a hungry belly.

This situation is a national disgrace. We are a rich country with money to fight wars, feed other countries and the like and yet, we allow ten million of our own people to go hungry. There is a need for charity at home. There is a need to let the food produced be put to good use rather than storing, burying, and sending it abroad. There are other needs as well.

What can be done? What can I do?

Miss Linda Taylor.

San Jose, Calif.

Milpitas, Calif.,
May 22, 1968.

Dear Sir: Last evening, our family watched "Hunger in America", presented by CBS TV. We are appalled to realize these conditions are present in the United States. Something must be done to alleviate this hunger.

It has been our opinion that the Agricultural Department's policy of paying land owners to let land lie fallow is ridiculous. After viewing this program, we are convinced it is criminal. To slaughter and bury surplus hogs while children are dying from protein deficiency is evil.

The time has come for Congress to enact effective programs to utilize our surpluses to feed our own hungry and those in other countries.

Instead of paying for unused land, we should use that land to grow *needed* products, such as eggs, meat, fruit, and vegetables. These essential foods must then be distributed to impoverished people.

Children must not suffer from hunger. Whether the father can not find work, is gone, or is just lazy, his family must have adequate food.

A supplemental welfare program to assist those persons who are employed at substandard wages is necessary. This is important to maintain dignity and stability of the family unit. Present welfare programs encourage desertion and dishonesty. We must fortify the man who tries to support his family, but we cannot ignore the children of those who will not work.

We pray that your humanitarian instinct will stir you to action in Congress. We expect observable results.

Mr and Mrs. Carl H. Barnett.

San Jose, Calif.,
May 22, 1968.

Dear Mr. Edwards: Your attention is directed to the program, CBS Reports, "Hunger in America" which was televised on May 21, 1968.

Please inform me as to state's policies and actions in regard to problems of this nature in California. Do our programs find their way to the needy or are they consumed by bureaucracy on the way down?

There is no excuse for hungry Americans in a land that burns crops and kills hogs to keep surpluses from reaching the market in order to stabilize prices.

Your comments will be appreciated.

C. M. Cligny.

May 23, 1968.

Dear Sir: I had occasion to view a television program broadcast by KPIX TV Channel 5 San Francisco on Tuesday May 21st at 10:00 p.m. entitled "Hunger in America". I have never before felt so strong an urge to write a representative in the government. According to figures presented during this telecast 10 million are at the point of starvation including Navajo Indians, who, I thought were under the protection of the U.S. Government.

If you did not see this program I suggest you avail yourself of any re-broadcast scheduled by the C.B.S. Network as the evidence presented is quite startling in this time of prosperity when our government is engaged in spending billions of dollars to feed Nations abroad and people at home are actually dying of starvation.

Factors interviewed on this program indicate that children raised in this environment do not sustain brain growth and are thus more readily to be slow to learn and be drop-outs later in school. This obviously is going to create a neverending cycle. It seems to me any program of "War on Poverty" would be wasted money if we can't first eliminate one of the causes of the poverty. Unless something is done on the federal level to eliminate interference on the local and state level, Americans will continue to starve and be under nourished. The inference drawn from this telecast is that the government would rather not agitate or provoke local politicians in the areas where these conditions exist by providing necessary food or supplements.

Apparently the U.S. Agriculture Department has the authority to feed these people but last year and again this year will return money allocated for this purpose to the Treasury unspent.

I would appreciate any effort or influence you can bring to bear on behalf of these starving Americans. Thank you.

Mr. Donald R. Lessions.

Santa Clara, Calif.

May 21, 1968

Mr. Edwards:

I watched CBS TV's Special Report tonight and so help me, I never dreamed we had that kind of mass malnutrition. (Hunger in America)

As human beings we should solve this problem immediately! We certainly waste enough money on everything else, so that even if the solution involves mass waste we still must have it or we should stop pretending to be better than the lowest animals or even the Nazis!

Thank you.

Mr. Tom Davis.

San Jose, Calif.

May 21, 1968.

Dear Congressman Edwards: My eyes are still full of tears, and my heart is full of sorrow and shame. I just watched a program I hope every American watched called, "America is Hungry". I not only shed tears of pity and shame, but anger also. I'm mad clear through. Oh yes, we live in the "Land of the free", but also in the "Land of the hungry" and the destitute. Imagine! babies dying of starvation while our government buys up property and leaves it bare, when people could be raising life giving food to feed their families. How rotten can you get? I love my country and wouldn't want to live any where else in the world, but I can't help but be ashamed of a country who can spend billions to send rockets to the moon (and who needs it?) when our children are hungry.

Why don't you give us names of needy people, so that we can personally send money to help them buy milk for their children instead of money to help a millionaire be elected to office. How about "CARE packages in our own country, to give a little boy lunch at school, so he won't have to be ashamed in front of the children who are fortunate enough to have a lunch. It's incredible, to think that in the richest country in the world, starvation faces our less fortunate citizens. I was brought up during the depression, so I know a little bit about going without, that couldn't be helped, but this situation can.

Do something about it now!!!

I campaigned for you in your first election, and I've voted for you each time since then. It's up to all Congressmen as to how long they stay in office.

I hope this letter doesn't end up in your secretary's waste basket. For years I've heard, "write to your Congressman".

O.K. I've written. I'm not going to stick my head in the sand any longer, and pretend our American Indians, for instance, are not living a horrible existence, because we know better, don't we?

I'm sure you will be deluged with mail on this subject. I hope and pray to God you are. I believe the people of this country of ours are tired of the way our poor are being ignored. So what if a father is not a good provider. Must the children suffer because of that?

Think of this the next time you sit down to a full course dinner. I know I will, and I know I won't enjoy it.

I intend to vote for you as I have in the past. I believe you are a good, and honorable Congressman, but please do something about this along with the rest of the men in Congress.

Our country can only be as great as you men in government make it.

Louise Quijano.

San Jose, Calif.

P.S.—Let the people know what they can do to help, besides providing jobs. We can't all be in a position to hire people but we can donate funds to needy families—direct. Not through an agency where we don't know where the money is going.

May 22, 1968.

Dear Representative Edwards: I saw a baby die of starvation last night! I have been unable to sleep or swallow anything but the lump in my throat since that time.

If you did not see the CBS Special News Report at 10 p.m., Tuesday, May 21st, please find some means to learn of its content.

Surely if an area that has suffered fire, flood or storm damage can be classified as a Disaster Area and receive immediate Federal assistance, these four areas (and probably others) qualify as Disaster Areas and could receive immediate aid. The word disaster is too mild a term to adequately express hunger for four million Americans.

My family will gladly accept increase to give these people whatever assistance can be given *now*. I beg of you to do whatever is in your power to halt any Foreign Aid or giveaways of any kind, and Space Program spending and to decrease, rather than increase, any Defense spending, so that we may take care of first things first.

Please accept my sincerest wishes for your continued success.

Mrs. R. G. Campbell.

San Jose, Calif.

STATEMENT BY THE HONORABLE W. AVERELL HARRIMAN

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BINGHAM. Mr. Speaker, I should like to call the attention of my colleagues, and other readers of the Record, to a brief and moving statement made in Paris on June 6 by Ambassador W. Averell Harriman on the subject of his friend, Senator Robert F. Kennedy:

Statement by the Honorable W. Averell Harriman, Paris, June 6, 1968

Senator Robert F. Kennedy was one of the most gallant men I have ever known. He was fearless. He faced facts squarely. It was impossible for him not to tell the truth as he saw it. I think that is why some people thought he was ruthless. At times the truth is ruthless. He supported the causes he believed in regardless of the enemies he knew that he would make. But few men have won the deep respect and affection of so many. Negroes and other minorities knew that he had accepted their cause as his own.

If he had been elected President, he would have been a great President. He shared with President Kennedy many of his inspired decisions. He understood the problems of our time, and in some capacity he would have played a major role in forwarding the greatness of our country in which he had such deep faith. Our country has suffered an irreparable loss.

TRADE AGREEMENT WITH CANADA

HON. CECIL R. KING

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KING of California. Mr. Speaker, I am today introducing a bill to amend the Trade Expansion Act of 1962. This bill would provide a basis for expanding trade between the United States and Canada in those product areas in which expanded trade clearly would be of mutual benefit by reason of the predominant supplier relationship which each country enjoys in the other's market.

I am introducing the bill at this time for the consideration of the Committee on Ways and Means in conjunction with the administration's proposed Trade Expansion Act of 1968. As the House is aware, the Committee on Ways and Means is currently holding hearings on tariff and trade matters, including the administration's trade proposals entailed in H.R. 17551, introduced by the gentleman from Arkansas, the Honorable WILBUR D. MILLS, chairman of the Committee on Ways and Means.

One of the features of the administration's trade bill is the extension of the President's trade agreement authority for 2 years, until July 1, 1970. This would permit the President to utilize, if necessary, his remaining basic authority to reduce duties by 50 percent of their level existing on July 1, 1962. Along with this limited extension of the President's trade agreement authority, my proposal would provide the President with the opportunity in a trade agreement with Canada to eliminate duties under carefully prescribed conditions.

As provided in my bill, the President could enter into a trade agreement with Canada and eliminate duties on an article when he determines that, first, approximately three-fourths or more of the imports of such article into the United States are supplied by Canada; and, second, Canada has made a commitment with respect to duties or other import restrictions which is likely to assure comparable access for such an article which is principally supplied to Canada by the United States. The bill would also provide that when the President determines that such action will be mutually advantageous in such a trade agreement with Canada, he may exceed the limitation of the staging of tariff reductions required in section 253 of the Trade Expansion Act. This would avoid the necessity of making tariff reductions in five annual stages if immediate elimination of duties proves to be of mutual advantage to both countries.

The use of this authority, limited by the principal supplier relationship of the two countries would, of course, be subject to the prenegotiation safeguards of the Trade Expansion Act. These safeguard provisions include full and adequate public notice and public hearings, Tariff Commission investigation and advice, advice from all interested parties and from interested agencies in the executive branch, and reservation of articles from negotiation under certain conditions including consideration of national security.

Within the limitation on the use of such authority as would be provided under my proposal, I am firmly convinced it can represent an important step in capitalizing on the strength of our productive capacity in world markets, by developing the free exchange of goods between the United States and Canada. Given an expanded base of trade in the absence of tariffs between the two countries, producers in both countries would be enabled to better compete in export markets.

As a congressional adviser during the Kennedy round, I was impressed with the success achieved in negotiations with Canada to eliminate duties on products principally traded between the two countries. Significant among the categories on which both countries agreed to eliminate duties—or where one country matched the duty-free treatment granted by the other—were softwood lumber, coal, fresh apples, lime, pig and sponge iron, and certain paper products. This was accomplished within the limits of the authority of the Trade Expansion Act. I am informed that at present, about 70 percent of U.S. imports from Canada entered the United States free of duty in 1967, and it is estimated that in the other direction, about 60 percent of Canadian imports from the United States entered Canada free of duty in the same year. The volume of free trade between the two countries will rise further as the duty elimination agreed to in the Kennedy round become effective. I believe it is essential to keep this momentum going. In particular in those areas in which the mutual advantage of free trade between the two countries can be identified by careful study of the predominant supplier relationship that exists between the two countries. The elimination of tariffs in such areas would most likely require little if any economic adjustment. Should such economic adjustment be at all significant, however, the tariff adjustment and adjustment assistance provisions of the Trade Expansion Act would be available to assist in such adjustments in U.S. industries.

While I am convinced of the merits of my proposal, I have no preconceived notions as to all of the areas of trade between the United States and Canada which might be explored as fitting within the criteria of my proposal. This should appropriately be done by the executive branch agencies and the Tariff Commission which have responsibilities under the Trade Expansion Act. However, it has been called to my attention that aircraft and aircraft components and parts may be a likely area for review.

The United States is the world's largest exporter of aircraft and aircraft parts. Exports of aircraft and parts were $2 billion in 1967 while imports were $280 million. Exports of this industry have long played a vital role in our balance of trade and payments. It is essential that we encourage the maintenance of the strong competitive position of this industry in world markets.

Insofar as trade between the two countries is concerned, exports of nonmilitary aircraft to Canada were $111 million in 1967, and exports of aircraft engines, components and parts to Canada totaled another $121 million. Imports of aircraft from Canada were $12 million in 1967, and imports of aircraft engines and parts from Canada are reported at $164 million. Further study would be necessary to identify those product lines in which the elimination of duties would be possible under my proposal.

Mr. Speaker, I am convinced that this country must take every opportunity to capitalize on its strengths in face of ever increasing competition in world markets. A mutual elimination of tariff barriers on those products predominantly traded between the United States and Canada does offer a meaningful way to reduce unnecessary costs and to improve the competitive position of producers in both the United States and Canada.

COLUMNIST TAGS RECENT SUPREME COURT RULING AS GREATEST ESCAPE DEVICE SINCE HACKSAW BLADE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BARING. Mr. Speaker, last week our esteemed Supreme Court came up with another of its decisions further undermining the structure of law and order.

I commend my colleagues to read the following article by Las Vegas Sun columnist, Paul Price, who quite aptly tags the Supreme Court as the "greatest escape device since the hacksaw blade":

> I'm a little confused. Little more than usual, that is.
>
> Do not fault me, however. I have four members of the United States Supreme Court on my side, plus practically all the district attorneys, attorneys general and law enforcement officers of the country.
>
> The Supreme Court, which has become the greatest escape device for criminals since the hacksaw blade, has knocked out the death penalty. By a 5–4 decision, it ruled Tuesday that a death sentence could not be imposed by a jury from which persons opposed to capital punishment were excluded.
>
> As Nevada Atty. Gen. Harvey Dickerson and Dist. Attys. George Franklin and Bill Raggio of Clark and Washoe Counties, respectively, are agreed, this is the end of the noose.

No longer will the state, or the federal government for that matter, be able to hang, gas, shoot or otherwise execute the most rotten, depraved, brain-diseased, vicious criminal that walks the street.

It may not have been the court's design, but that's what it accomplished.

It's elementary.

If you are going to allow on juries citizens who don't hold to hanging or the quick sniff of cyanide then you won't get any death sentences.

Naturally I stand with the minority. You show me a monster who has raped and murdered a three-year-old child, gunned down an entire family in cold blood or chopped his wife to death with a hatchet in savage rage. I will show you a guy who has forfeited his right to exist.

What confused me, however, was the majority reasoning. If it's the law of the state that execution is proper how can the prosecution be expected to place the dissenter in the jury box?

In effect, the potential juror says, "Okay, I don't care if it is the law. I don't agree with it, so I can't be an impartial juror."

In other words, the statutes provide for execution but the citizen objects to the law. So the law is made ineffectual. Does that make sense?

There is no intent here to villify or demean the individual who does not believe in the death penalty. That is his right and privilege, and his opinion and belief are respected as much as the next man.

Some people are squeamish around blood and violence and that's understandable.

Let me proceed a step further, just a lone, ignorant newspaper reporter in the quest of understanding.

So the prospective juror says, "I don't believe in capital punishment." He is excused.

Suppose he claims, "I don't believe in imprisonment. This is not the answer to rehabilitation."

He also is excused.

Does this mean, then, that the defendant—burglar, robber, car thief, child molester, rapist or swindler—is to face something less than jail or prison because one person does not agree with the philosophy of punishment for wrongdoing?

Is it a farfetched argument? Is it fantasy or logic? The premise is the same and if you carry it to the ultimate degree nobody would be punished for anything.

Certainly it borders on the fantastic, but isn't that the doing of the United States Supreme Court?

What is the difference, friend, in opposing capital punishment and opposing long-term imprisonment?

The purists, of course, will claim that the argument is based on technicalities.

Never will I forget the words of our esteemed Nevada Supreme Court Justice, David Zenoff, who once said, "The law is made up of technicalities."

Well, it's some technicality when you can rule a man cannot face full and impartial justice merely because a citizen says, "I can't abide by the law of my state or country."

Frankly, it is all a mishmosh anyhow. Outside of the parallel I have drawn between the murderer and the robber, it is all a mishmosh.

The hard, cold fact of it is that people don't get executed anymore in the United States anyhow. Oh, there may have been a couple in the past 20 months, but I would not hazard against that. Execution is not in style anymore.

Look at California. Scores of men reside in "death row," and it is more obvious with each dawn that they will face a thousand more tomorrows. It's the same across the country. The killers' lives have been saved by technicalities, writs, appeals, delays and, most blatantly, by United States Supreme Court decisions.

The last man to be executed in Nevada whiffed the never-never fumes almost five years ago and any smart attorney will tell you that we never will see another man manacled to a similar fate.

Maybe that is as it should be.

It's my observation that most people don't truly believe in the death penalty. I don't. They react out of fear. So do I.

Fear of what. Fear of leniency, that is what.

The people aren't bloodthirsty. Not really. They would be satisfied if the vicious killer of golden-haired children was to be sentenced to prison "for the remainder of your life."

But it never happens! A life sentence these days is a laugh through the state prison. The killer—the most brutal beast—happily will settle for a life term and pay his attorney a bonus because he knows the golden gate to freedom is only a dream away.

And if he's lucky he cops the second degree and can sneeze his way through a rest cure.

It all is academic now. The sickened murderer cannot be paid in kind with vengeance, which some of us don't feel is such a worthless trifle. The penalty has been lessened in the criminal market.

All we can do now is lock up the enemy of society and toss him in durance vile.

The trick will be to keep him there.

INVISIBLE BONDS OF FRIENDSHIP

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KORNEGAY. Mr. Speaker, our colleague, the gentleman from North Carolina, Congressman Basil L. Whitener, was honored last Saturday night by the Veterans of Foreign Wars at a dinner held at the post home of Absher-Flowers Post 9337, Gastonia, N.C.

The VFW sponsored the Basil L. Whitener Night to honor our colleague for his valuable service to his fellow veterans through his years of public service. Department Commander Conway Newsome, of Goldsboro, N.C., made a special presentation to Basil Whitener in behalf of the Veterans of Foreign Wars. Four past department commanders of the North Carolina Veterans of Foreign Wars organization were in attendance along with 200 other guests. Commander Newsome saluted our colleague in splendid remarks on his life and work as a public official, practicing attorney, and as a combat veteran of World War II. He pointed out that the honoree had been decorated by our Government for "courageous initiative under fire" during his military service and stated that:

> The same courageous initiative is daily displayed by him as he serves our veterans and the people of the Nation in Washington.

Mr. Speaker, there is no finer organization anywhere than the Veterans of Foreign Wars. I am proud of my membership in the organization. As a member of the Committee on Veterans' Affairs in this body I have had many opportunities to observe the splendid effort that the organization consistently makes for a better America. I am proud of their action in honoring my good friend, Basil Whitener.

As a former member of the Committee on Veterans' Affairs and as one of the most distinguished Members of the House of Representatives, Congressman Whitener is constantly concerned about the welfare of his fellow veterans.

I am impressed by the remarks that our colleague made in response to the presentation of the award by Commander Newsome. Those remarks are made a part of the Record at this point:

Invisible Bonds of Friendship

(Remarks of Hon. Basil L. Whitener, Member of Congress, at Basil L. Whitener Night Banquet, Absher-Flowers Post 9337 Home, Gastonia, N.C., June 8, 1968)

Commander Newsome, Commander Mauney, my comrades of Absher-Flowers Post 9337, V.F.W., and friends:

You have paid me a signal honor tonight which I shall always remember with appreciation. This generous act by my comrades of Absher-Flowers Post 9337 means a great deal more to me than I can possibly express.

Those of us who have worn the uniform of our country in time of war have a special affection for one another. The generous remarks that have been made with reference to my military and official service deepens my affection for each of you. You may be sure that I have a reciprocal feeling of appreciation for the military record of each member of this post. I am equally appreciative of the many splendid contributions that you have made to our community, state and nation since you have returned to civilian life.

Out of the crucible of war friendships are molded which transcend any other type of human relation. Old acquaintances and total strangers have this invisible bond of friendship by the mere knowledge that another was his comrade in arms. Those who have not experienced war can neither understand nor appreciate this golden thread which links together the hearts and minds of those who have fought together for the preservation of their nation.

During my public career I have been the recipient of this golden thread of friendship which has linked my fellow veterans with me as we have worked together for a better America. I have felt this invisible bond of frendship for veterans—known and unknown to me—as I have been privileged to serve in positions of honor and trust.

Tonight I renew the pledge that I have often made: I shall not forget my comrades in arms when the occasion for service to them arises. Nor shall I forget that those of us who are here tonight, with family and friends, have a special obligation to the widows and orphans of our comrades who made the supreme sacrifice for our Nation.

Thank you so much, Commander Newsome, and my comrades of the Veterans of Foreign Wars. You have paid me an undeserved honor. Nevertheless, I shall always be grateful to each of you for this wonderful evening in my honor.

As we leave this building tonight let us do so with a renewed sense of dedication to the principles which have made our country the most honored in the history of mankind.

Let us rededicate ourselves to the principles of this great organization of veterans who have served their country on foreign soil and in international waters.

Thank you, again!

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SCHERLE. Mr. Speaker, this is the 141st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

MEMORIAL DAY ADDRESS

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SNYDER. Mr. Speaker, on May 30, Memorial Day, I attended the annual service sponsored jointly by the Simon Kenton Post No. 20, American Legion, and the Ralph Fulton Post, Veterans of Foreign Wars, at Erlanger, Ky.

The address delivered by the Honorable Melvin T. Stubbs, presiding judge, Kenton Circuit Court, first division, was a great inspiration to all those present.

Mr. Speaker, I ask unanimous consent that this address may appear in full in the Extensions of Remarks of today's RECORD for all Members to read. It is a particularly significant speech in view of subsequent events in our Nation.

The speech follows:

MEMORIAL DAY ADDRESS, FOREST LAWN MEMORIAL PARK, ERLANGER, KY., MAY 30, 1968

(Delivered by Judge Melvin T. Stubbs, presiding judge, Kenton Circuit Court, first division, 16th Judicial District of Kentucky)

"Where is the heart that does not keep—
Within its secret core—
Some fond remembrance, hidden deep—
Of friends who are no more."

Here, at this hallowed place, on this Memorial Day, we meet, as is our custom, to commemorate the gift of devotion of those who fought and those who died for Freedom's cause.

What we do here today for our fallen comrades will, one day, be done for us for down through the ages of time the Legions of the Living have been kept close to the Sainted Dead through the living cause for which they died.

This then is a day of memories for the living, for memorial services are built upon remembrances of friends departed. They are the embodiment of thoughts borne in the realm of love and beauty from whence have come the most noble expressions of mankind.

Our very presence here today, at this hour, silently suggests for nobler sentiments than the human tongue can formulate into speech for when recounting the blessings of Freedom and the noble sacrifices which made possible that Freedom a tear is oft times more expressive than is verse and silence more eloquent than is speech.

We assemble here today on this day of memories to offer expressions of our gratitude for the life-giving efforts of those, who in the testing time of life, proved well their courage and devotion and established well their right to our highest tribute as a nation.

We assemble here today as heirs to Freedom, a Freedom purchased by the blood of our sires, a Freedom purchased at Concord, in the April dawn, at Gettysburg, amid the roar of the guns of death, on the high seas, and, in the grey, naked Forest of Argonne. A freedom purchased by our own generation through the blood that flowed on the sands of Omaha Beach, and in the winter's snow at Bastogne, on the Islands of the Pacific, and, on the hills and slopes of Korea. A Freedom being purchased now in the awful sweat and swamps of distant Viet Nam.

Yes, in ages past, on battle fields throughout the far regions of the world, America has given its blood and has shed the flower of its manhood to save the world for Democracy. Today America is again bleeding, this time in the desperate struggle to save Democracy for the world in the face of Communistic conquest.

In this all-out struggle against the forces of Communism our faith in God Almighty, our love of Freedom, our appreciation of Democracy, and our willingness to make sacrifices for the common good, must be our purpose and our shield.

If America is to remain *the last of this Earth's* great Democracies, if it is to be *the final citadel* of human Freedom, if it is to be *the repository* for the finer phases of civilization, it can not be defended by a people lax in their zeal of citizenship nor void in their love of their country.

It cannot be defended by the burners of draft cards, and those who would—in public demonstrations—desecrate the flag of the country which gave them birth and which affords to them the right of lawful dissent. In the name of good conscience, in the name of common sense, yes, in the name of America itself, it must be declared that there is a vast difference between *lawful dissent*—on the one hand—and *actual* treason on the other.

America, in the days and years which lie ahead, will need more than planes and ships, and armies in the field to defend its freedom and perpetuate its way of life. It will need the type of citizenship which has seen this country through the perils of the past, a citizenship deeply appreciative of its heritage and ingrained with a willingness to protect our institutions and our land at all cost.

On this Memorial Day, in the year 1968, as the world is bending under the awful weight of man's struggle for freedom, let us, as Americans, resolve in our minds and in our hearts that wheresoever, whensoever, and howsoever, we are called upon to exit from this life we shall *die* as free men so that those who come after us may *live* as free men.

Oh, America, America, at this fateful hour in your history when your way of life is being sorely tried on far off battlefields and in the streets of your cities, when the character and fate of this nation hang in the awful balance—

Seek ye the *will* of your people to preserve the *freedom* of our nation;

Seek ye the *discipline* of your people to preserve the character of our nation;

Seek ye the *faith* of your people to preserve the soul of our nation;

But seek ye, first, the *Kingdom of God* and *His Righteousness* and all these things shall be added unto you.

THE LATE SENATOR ROBERT F. KENNEDY

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. BARING. Mr. Speaker, a great American has been laid to rest and this Nation is more the poorer. Our Nation has lost a young and dedicated public servant.

Mere words cannot express the shock and horror that affected every man, woman, and child upon learning of the fatal shooting of Senator KENNEDY. No one will ever forget the depth of his feeling about the problems facing our Nation and his determination to do something about it.

There are many words of tribute that can be said—and have been said of Senator KENNEDY. But to me, seven words can best voice the tribute that can be tendered to this great American:

Senator KENNEDY awakened the conscience of America.

To all the Kennedy family, I wish to express my most heartfelt condolences and deepest sympathy.

ROBERT FRANCIS KENNEDY

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 1968

Mr. PODELL. Mr. Speaker, John Donne, the 17th century British clergyman and poet, wrote:

> Any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

As the bell tolled the knell of the departed ROBERT FRANCIS KENNEDY, it did indeed toll for all mankind, for all humanity. That we are all diminished by his untimely passing was visible in the faces of thousands who stopped to pray at his catafalque, in the faces of the thousands of Americans who waited with inexhaustible patience for his funeral cortege to pay their last respects and affection for this valiant spirit. As the world came to a sudden and shocking end for ROBERT KENNEDY, so did it stop momentarily in its orbit so that people throughout the world could pray for his soul and express their sympathy to the family and friends of our distinguished colleague.

Senator ROBERT KENNEDY brought to our Nation an aura of nobility and majesty. He dedicated his efforts and his energies to end the violence in action and the violence in rhetoric, not only in the streets of our cities, but in the lives of our people. He sought for new means to put an end to poverty in a land of plenty; to harness the vast resources deployed for destruction in war to the peaceful pursuits of the world's enrichment.

To those who were lost in the surging, impersonal technology of our times, he gave new directions; to the oppressed, he was a ray of hope; to those who rejected democracy as a viable political and social order, he restored their faith in social justice; to the alienated he brought the promise of reconciliation; to the poor, the homeless, the lonely and rejected, he renewed their faith in the fundamental principles of the democratic way of life; to all of humanity, he brought a fierce and dedicated compassion for an end to the sources of conflict which divide and separate people and the hope of uniting them, so that all would move forward to a fuller and more creative life. All humanity suffers a tragic loss, that so eloquent a voice for social justice and equality has so suddenly been stilled.

In a moving and eloquent eulogy at St. Patrick's Cathedral, Senator EDWARD M. KENNEDY said:

> My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Senator KENNEDY was all of these; and yet more. His life and his work transcended the technology of communication, and those who touched him, or were touched by him, know that they were graced by the touch of an immortal. William Hazlitt once wrote:

> Death strips a man of everything but genius and virtue. It is a sort of natural canonization.

And so it is with Senator ROBERT F. KENNEDY.

There is but little we can say that can bring solace to Senator KENNEDY's bereaved widow and children, to his parents, his brother and his sisters, other than that Senator KENNEDY lived wisely, well and intensely and that his compassionate spirit embraced all of humanity.

Almost four years ago, at the Democratic National Convention, Senator KENNEDY applied with filial reverence to his older brother Juliet's apostrophe to Romeo, words which apply with like poignancy to himself:

> Take him and cut him out in little stars,
> And he will make the face of heaven so fine
> That all the world will be in love with Night
> And pay no worship to the garish Sun.

WAF CELEBRATE 20TH ANNIVERSARY

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RIVERS. Mr. Speaker, on June 12 the women in the Air Force will mark their 20th anniversary of service to this Nation.

For 20 years these women have given outstanding service to the Air Force in a variety of military occupations until today they work in nearly every type of military assignment except those directly associated with actual combat. They have shown they can make a valuable contribution in intelligence, communications, personnel management, logistics, public information, fiscal management, scientific specialties, general administration, and other fields. The Air Force has steadily expanded the career fields in which women can be of service. The WAF officers serve in all career fields, except those involving flying, and enlisted Air Force women serve in 160 career ladders.

Above all, these women have shown they can make a lasting contribution to the mission of the Air Force, and have earned for themselves a permanent place in the service.

The role of women in the Air Force is being expanded. From a strength of 695 officers and 5,100 enlisted women in 1966, the strength has increased to 850 officers and 6,000 enlisted women today and plans are to eventually go to a strength of at least 1,000 officers and 13,700 enlisted women.

Thirty-three of these dedicated Air Force women are today serving in Vietnam.

To the women in the Air Force serving throughout the world, I extend my congratulations on their first 20 years of service, I extend the gratitude of the Nation for their dedication and their professionalism, and I send them best wishes for what I know will be a bright future.

HUNGRIEST PEOPLE FASTERS

HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. PASSMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following from the Monroe, La., Morning World of June 6, 1968:

HUNGRIEST PEOPLE FASTERS

Apparently the hungriest and about the only "starving" people in the United States are those who are fasting or dieting for the purpose of losing weight. The widely publicized claim that 10 million Americans are suffering from "chronic hunger" because they have no food available has been exposed as pure political fraud intended to mislead the people.

When, in late April, the claim was made that 10 million people in this country were suffering from "chronic hunger," people from all sectors of the nation must have been asking, "What part of the country is letting its people starve? We know it isn't happening here." That was the feeling that was revealed throughout the South and it must have been felt in all other sections of the nation as well.

The 10 million figure originated with the Citizens Board of Inquiry into Hunger and Malnutrition in the United States. Even a hungry person would have difficulty trying to digest a name of those proportions. The Citizens Board of Inquiry into Malnutrition in the United States was an ad hoc group headed by Walter Reuther, head of the United Auto Workers Union. Reuther has been calling for "guaranteed living wages" for everyone in the United States who can't find a job or won't accept anything but a particular kind of job. Reuther's contention is that it is "depraving" to accept government "handouts" but that "wages" paid for not working would be "honorable." We fail to make a distinction as far as the matter of honor is concerned.

The Reuther report not only put at 10 million the number "chronically hungry," but listed 256 counties in 20 states as "hunger areas" involving "desperate situations."

This figure has been repeatedly cited by one Democratic presidential candidate, and Ralph Abernathy, who replaced assassinated Martin Luther King as head of the Southern Christian Leadership Conference, quoted the figure to bolster his demand for a guaranteed annual income of as much as $5,000 a year, which is considerably more than the salaries received by some who work and on which they live in fair comfort.

U.S. News and World Report recently pointed out that some 36 million Americans, mostly school children, share in assorted food programs, in some of which breakfast and the noon meal are served, and more than six million receive surplus food packages or help through the food stamp plan.

Those who know best have now debunked the Reuther claim.

Congressman W. R. Poage, D., Tex., chairman of the House Agriculture Committee, wrote the county health officers in the 256 allegedly "hunger-stricken" counties to determine the facts. When replies to half of these inquiries had been received, not a single one of them upheld the Reuther claim.

Random reports from some of these health officers included:

Dr. Linda S. Fagan, health officer, Powell County, Kentucky "I know of no serious hunger in Powell County occasioned by the inability of the individual either to buy food or to receive public assistance. Those persons who have no means of support or are unable to work do receive public assistance in the form of money and food."

Margaret Cotton, registered nurse, acting health officer, Alexander and Pulaski Counties, Illinois—"I feel I can say with truthfulness and confidence that, to my knowledge, there is no one in Alexander or Pulaski County starving to death. To verify this, I called on the two public aid departments and the physicians in this area and they, too, agree that no one is starving."

Dr. Clarence A. Bush, Wibaux County, Montana, health officer: "I will pay $100 to any selected charity if anyone will find in Wibaux County, Mont., or any adjacent county in Montana or North Dakota one individual who has suffered from lack of food. For 25 years I have known almost every resident of this and adjacent communities, and I say no such condition exists or has existed here."

These statements seem to prove conclusively that the 10 million "starvation" figure was manufactured out of the whole cloth for the purpose of providing "grist" for the campaign to give everyone a guaranteed wage.

If everyone were guaranteed a living wage, we are afraid there would not be enough people among us who would have the incentive to work. And, if fewer and fewer people worked, who would earn the money to pay the non-workers? All real income must come from earnings.

THAT SPECIAL GRACE: ROBERT FRANCIS KENNEDY—IN MEMORIAM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MOORHEAD. Mr. Speaker, less than 5 years ago, Ben Bradlee, of the Washington Post, wrote from the heart some memorable words to describe his feelings about his friend, the late President John F. Kennedy. They so aptly expressed how the Nation felt about him that they were later published in a small book called "That Special Grace."

Today, when our thoughts indeed "lie too deep for tears," we have sad occasion in the horrendous assassination of Senator Robert F. Kennedy to think on these words once again, as they apply to all of the Kennedy's—to whom we can only offer mute sympathy and prayers.

Among all of the words uttered or written at this time of great sorrow, loss, and trial, none are more moving, more eloquent, or more fitting than those spoken by the last brother, Senator EDWARD M. KENNEDY, at the funeral mass in St. Patrick's Cathedral last Saturday. Second to this might be the Washington Post editorial, "The Gift of Courage," of June 9.

Robert Kennedy's life truly bore testimony that "the way to do is to be." Under unanimous consent I include both of these tributes at this point in the RECORD, and commend them to the attention of my colleagues:

[From the Washington Post, June 9, 1968]

TEXT OF SENATOR EDWARD M. KENNEDY'S TRIBUTE TODAY IN ST. PATRICK'S CATHEDRAL TO HIS SLAIN BROTHER, SENATOR ROBERT F. KENNEDY

On behalf of Mrs. Robert Kennedy, her children and the parents and sisters of Robert Kennedy, I want to express what we feel to those who mourn with us today in this Cathedral and around the world.

We loved him as a brother and father and as a son. From his parents, and from his older brothers and sisters—Joe and Kathleen, Jack—he received inspiration which he passed on to all of us. He gave us strength in time of trouble, wisdom in time of uncertainty, and sharing in time of happiness. He will always be by our side.

Love is not an easy feeling to put into words. Nor is loyalty or trust or joy. But he was all of these. He loved life completely and he lived it intensely.

WORDS OF FATHER RECALLED

A few years back, Robert Kennedy wrote some words about his own father which expresses the way we in his family feel about him. He said of what his father meant to him:

"What it really all adds up to is love—not love as it is described with such facility in popular magazines, but the kind of love that is affection and respect, order, encouragement, and support. Our awareness of this was an incalculable source of strength, because real love is something unselfish and involves sacrifice and giving, we could not help but profit from it."

And he continued:

"Beneath it all, he has tried to engender a social conscience. There were wrongs which needed attention. There were people who were poor and who needed help. And we have a responsibility to them and to this country. Through no virtues and accomplishments of our own, we have been fortunate enough to be born in the United States under the most comfortable conditions. We, therefore, have a responsibility to others who are less well off."

APPEAL TO JUSTICE, COMPASSION

This is what Robert Kennedy was given. What he leaves to us is what he said, what he did and what he stood for. A speech he made to the young people of South Africa on their Day of Affirmation in 1966 sums it up the best, and I would read it now:

"There is discrimination in this world and slavery and slaughter and starvation. Governments repress their people; millions are trapped in poverty while the nation grows rich; and wealth is lavished on armaments everywhere.

"These are differing evils, but they are the common works of man. They reflect the imperfection of human justice, the inadequacy of human compassion, our lack of sensibility toward the sufferings of our fellows.

"But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

"Surely this bond of common faith, this bond of a common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men. And surely we can begin to work a little harder to bind up the wounds among us and to become in our own hearts brothers and countrymen once again.

OBSOLETE DOGMA AND CHANGE

"The answer is to rely on youth—not a time of life but a state of mind, a temper of the will, a quality of imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. The cruelties and obstacles of this swiftly changing planet will not yield to the obsolete dogmas and outworn slogans. They cannot be moved by those who cling to a present that is already dying, who prefer the illusion of security to the excitement and danger that come with even the most peaceful progress. It is a revolutionary world we live in; and this generation, at home and around the world, has had thrust upon it a greater burden of responsibility than any generation that has ever lived.

"Some believe there is nothing one man or one woman can do against the enormous array of the world's ills. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and the thirty-two-year-old Thomas Jefferson who proclaimed that all men are created equal.

"These men moved the world, and so can we all. Few will have the greatness to bend history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest walls of oppression and resistance.

MORAL COURAGE CALLED RARE

"Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rare commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change. And I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the globe.

"For the fortunate among us, there is the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who enjoy the privilege of education. But that is not the road history has marked out for us. Like it or not, we live in times of danger and uncertainty. But they are also more open to the creative energy of men than any other time in history. All of us will ultimately be judged and as the years pass we will surely judge ourselves, on the effort we have contributed to building a new world society and the extent to which our ideals and goals have shaped that effort.

"A GOOD AND DECENT MAN"

"Our future may lie beyond our vision, but is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine our destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live."

That is the way he lived. And that is what he leaves us. My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Those of us who loved him and who take him to his rest today, pray that what he was to us and what he wished for others will some day come to pass for all the world.

As he said many times, in many parts of this Nation, to those he touched and who sought to touch him:

"Some men see things as they are and say why.

"I dream things that never were and say why not."

[From the Washington Post, June 9, 1968]

THE GIFT OF COURAGE

The great thing about the Kennedys is not just that they have courage but that they give it. And the sad thing, which is also the glory of it, is that they give it in greatest measure in the manner in which they meet trial and tragedy.

President John F. Kennedy, his brother Joseph before him, and Sen. Robert Kennedy—they all had this grace under pressure. It was everywhere in Sen. Edward Kennedy's eulogy to his brother yesterday, full of pride and sorrow, grief and promise. It was in the faces of the children, and the sisters and the mother and the first widow and the second—strained, anguished, composed. It was reflected, in some way, in the faces of the thousands of mourners who had filed past the casket for a day and two nights, touching it as they passed, paying homage, taking strength.

This strength is the special legacy to the Nation of the Kennedy who was President and the Kennedy who wanted to be. It does not matter whether they had all the right answers to all the hard questions. What matters is that they had the courage to ask the hard questions about hate and poverty and violence at home and abroad.

The lesson, laid down by Archbishop Terence C. Cooke in his eulogy yesterday, was for us "to find the courage to take up again the laborious work to which Senator Kennedy devoted all his energies." We must find this courage, the Archbishop said, in "the strength that still lies deep within the soul of America." But we will find it also in the legacy, and in the example, of the Kennedys. For it cannot be doubted that those who remain will take up the work of Robert Kennedy, for all their suffering.

That is the Kennedys' chosen way and it does them no honor to see in it, as some have done, the danger of a dynasty. There is no menace in the pursuit of excellence repeated under a common name. There is no peril in profound religious faith, in sound marriages or good teaching, or fierce family loyalty or a tradition of service by those who by birth could as easily choose a life of ease. If this is dynasty, we would do well to make the most of it, and take the best from it, and the best of it was movingly displayed at the Cathedral yesterday, and at the graveside, in the strength and courage of the Kennedy family.

BEST WISHES TO MR. LEE MORSE

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. STEPHENS. Mr. Speaker, after 4½ years, the House Banking and Currency Committee is losing the valuable counsel of Mr. Lee Morse, a native Georgian who plans to set up a private law practice in Washington and Atlanta.

Mr. Morse, as legal counsel to the Banking and Currency Committee, held one of the most important staff positions ever held by a Georgian on a committee of the House. Prior to his work for the committee, he was employed in Washington by the Securities and Exchange Commission and the Comptroller of the Currency.

Mr. Morse, who received his master's degree in business and his law degree from Emory University, is a member of the Georgia Bar, the Federal Bar, the American Bar, and the District of Columbia Bar.

His service to the House has been commendable, and I wish to offer my sincere best wishes in this young man's future endeavors.

NO ONE KNEW

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. NICHOLS. Mr. Speaker, many of us in the Congress, who are conservation minded, have supported Ducks Unlimited, an organization which is actively working in behalf of increasing the duck population of North America.

In my own State of Alabama, no one has worked harder for conservation than the late Don Drennen, Sr. of Birmingham, Ala., Mr. Drennen was an avid sportsman and hunter, but he was also a conservationist, who spent many hours carrying the conservation program to interested groups throughout Alabama.

Last winter I had the privilege of duck hunting on the Tennessee River flyway in north Alabama with my longtime conservation friend, Dr. Walter B. Jones, former State geologist. Dr. Jones was a great pal and hunting companion of Don Drennen. In Zipp Newman's column appearing in last Sunday's Birmingham News, Dr. Jones paid tribute to this great conservationist.

At this point, in memory of one who enthusiastically pursued wildlife conservation, I am inserting in the RECORD Dr. Jones' eulogy to Don Drennen, Sr.:

NO ONE KNEW

(By Zipp Newman, sports editor emeritus)

No one knew Don Drennen as a hunting companion and conservationist better than Dr. Walter B. Jones, former state geologist and professor at the University of Alabama. Their favorite hunting together was wildfowl.

Here is Dr. Walter B. Jones' tribute to his departed friend:

"Mr. Don Drennen Sr.—Mr. Ducks Unlimited in Alabama—is gone. While living he had wide interests and many talents. It seems to this writer that his truly outstanding accomplishment was his untiring and devoted efforts in behalf of Ducks Unlimited. Mister Don provided films on wildfowl, posters for billboards, all sorts of DU paraphernalia, and attended meetings whenever and wherever regardless of distance or weather. His faith in DU and its program was as solid as the granite in Stone Mountain. His quiet manner and softly spoken words filled the heart and mind of every one in his audiences. No one could doubt his sincerity or his devotion to wildfowl in abundance for future generations. The result has been an annual increase in donations from Alabama.

An ardent wildfowl hunter, Mr. Don wandered all over the Mississippi Flyway, having hunted all the way from our gulf to the Canadian provinces. He had his own shooting places at Boligee and the Swancott area in Madison County. Having been with him on numerous occasions I soon learned that his happiness was in calling rather than shooting. On one occasion he worked so close that black mallards came in so close to him that he was pretty thoroughly splashed with water. That sort of thing highlighted his hunting trips rather than the number of birds which he was able to bag. This man was a true-blue, died-in-the-wool one thousand per cent sportsman.

"At his Boligee place (Thisidu) he raised both mallard ducks and Canada geese. The flocks of both species continue to gain, particularly in the migratory season when wild birds would drop in and mingle with his semi-domesticated birds. In the spring most of the birds would take off for the North country and a lot of his birds would join them. In the last year or so it was difficult to tell which were wild and which were raised on his place. Incidentally, he bought corn by the ton, feeding one to three bushels each morning and evening.

"The birds knew quite well when chow time was due, and they managed to be within earshot of the first mallard hen's feed call. The ducks would rush about, while the geese made a stately, unhurried single-file approach, more often than not finding that the ducks had emptied the till.

"In all of Don Drennen fishing lakes (eight of them) there are special built boxes in which the wood duck nest. It is believed that the wood duck population in this area is the best anywhere in this state.

"Mr. Don had another trait, that of gathering around him a group of people who enthusiastically carried the ball in various regions of our state. He attended all regional meetings. Though staying in the background, all were aware of his presence. Even in his last years when his illness would have grounded most men, Mister Don was there. Naturally, he made many friends. In fact there have been few who had so many to call him friend.

"Now that there is a proposal to dedicate a DU project to his memory, let us, sportsmen and non-sportsmen alike, band together and make it worthy of our departed friend. Because of his efforts, duck and geese are flying. Let us be sure that some of them will be flying from the Don Drennen project."

RED CHINESE SUBVERSION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ASHBROOK. Mr. Speaker, we are all familiar with the role that the Red Chinese regime is playing in Vietnam assisting Ho Chi Minh's "liberation" campaign against South Vietnam. This is but one facet of the Chinese Communist program to sow the seeds of revolution throughout the world. Closer to home there is evidence of efforts by these Chinese revolutionaries to make inroads into areas hitherto outside their fields of endeavor. For instance, on February 23 of this year, Director J. Edgar Hoover commented on Red Chinese efforts in this hemisphere in his testimony before a House Appropriations subcommittee:

COMMUNIST CHINA

The intelligence activities of Red China have also brought about an increase in our work in carrying out our responsibilities in this area and the work can be expected to continue to mount.

The vociferous statements of the leader of Communist China make it abundantly clear that the United States is considered that country's No. 1 enemy. In one such statement, which serves as an outline of aggression, it was predicted that the defeat of the Western countries, and particularly the United States, would come about by first gaining control of surrounding smaller countries. This cannot be dismissed as just an idle threat when it is considered that in July 1967 the Mexican Government reported the arrest of several Mexican citizens who were conspiring to rebel against the Mexican Government with the financial aid of Communist China. Chinese Communist influence has also been evident in other Central and South American countries.

In the North, the New China News Agency, and agency of Communist China, maintains an office in Canada. Although posing as a legitimate newsgathering office, in every country in which it is established, its real function is to serve as a base for Chinese Communist propaganda activities.

In this country, Communist Chinese agents have mounted a concerted effort to obtain highly sensitive data for their homeland. This material goes to Red China by various means. For example, two individuals have been forwarding electronic components, which could be used in a multitude of military equipment, to Communist China through an intermediary in Hong Kong. Other Chinese in the United States have been furnishing strategic information to Communist China through individuals in European countries.

Another tax on our investigative resources stems from the amendment to the Immigration and Nationality Act in the fall of 1965 permitting up to 20,000 Chinese to enter this country each year. Some 17,210 did enter during 1966 and while the vast majority presents no problem, it is well known that in this group lies the potential for Communist China to introduce Chinese Communist agents into the United States.

Two other recent indications of the scope of Red Chinese activities appeared in the New York Times of May 25 and 28. The May 25 item deals with the Red Chinese presence in Tanzania and begins with this statement:

Although the Chinese are rarely seen on the streets here, Chinese communist projects seem everywhere.

The MAY 28 article describes Red Chinese influence in Nagaland near the India-Burma border and states, in part:

Indian intelligence officials suggest that several hundred Nagas have already traveled to China for military training while another large group is reported to be crossing Burma.

From the foregoing it is evident that the internal trouble on the Chinese mainland is not in the least deterring the Red Chinese from spreading their program of subversion throughout various parts of the world.

I include the two above-mentioned articles from the New York Times in the RECORD at this point:

[From the New York Times, May 25, 1968]

CHINESE COMMUNIST PRESENCE IN EAST AFRICAN NATIONS GROWS

(By Lawrence Fellows)

DAR ES SALAAM, TANZANIA, May 24.—Although the Chinese are rarely seen on the streets here, Chinese communist projects seem everywhere.

The technical help and the loans and gifts the Chinese have bestowed on the Tanzanians exceed by far what the Tanzanians are getting from anyone else.

These Chinese have helped set up a joint shipping line with Tanzania, employing two 10,000-ton freighters. Tanzania paid her share with an interest-free loan from Communist China that the Tanzanians must start repaying only in 10 years and then from the profits they make on the line.

These Chinese have just finished building a textile mill at Ubungo, near Dar es Salaam, which Tanzanians are to pay for with another interest-free Chinese loan.

They also provided the Tanzanians with a 50-kilowatt radio transmitter at Mabibo, also near Dar es Salaam, with the same financing arrangement. A police-training camp at Moshi is staffed by the Chinese. They are also running a $15-million farming project at Ruvu. And they are providing loans and grants that the Tanzanians need to resume agricultural and road-building projects suspended when diplomatic relations were broken off with Britain and that source of money dried up.

LAST ENGINEERS ARRIVE

About 150 engineers and technicians from Communist China arrived in Dar es Salaam yesterday. They are the last of a team surveying for a 1,000-mile railway that the Chinese have undertaken to build from here to the Copper Belt in neighboring Zambia.

There were no Government announcement or fanfare about their arrival, but a crowd of Africans stood on the thin white shore that lines the harbor and watched the glistening blue-and-white liner Yao Hua slip into harbor and drop anchor.

It was a curious spectacle: the Chinese stepping into launches one after another, without smiling or speaking, to be carried ashore and driven away in crowded minibuses. The Africans giggled, but seemed not to talk much to one another about this evidence of China's growing presence in black Africa.

For the other foreigners in Dar es Salaam, swilling beers and exchanging alarming tales under paddling overhead fans in crowded bars these sticky nights, there is no more favorite topic of discussion than the Chinese. What do they hope to achieve in Africa? Why have they done so well in Tanzania when they have failed so miserably in so many other places in Africa?

RELATIONS TURN SOUR

After a promising start, China's relations with Ghana and the Central African Republic turned sour. From Burundi the Chinese supported the rebellion in the Congo and eventually got themselves thrown out. Their relations were strained in Kenya and Uganda when they were caught providing funds for the opposition, Dr. H. Kamuzu Banda, President of Malawi, called their hand for having tried to bribe some of his ministers into joining the opposition. In the Congo and Mali the Chinese were well received, but they failed to make any headway in the rest of the continent.

China's big initial success in Africa was in helping to stage a revolution in Zanzibar in 1964. It has never relinquished its hold on the island and has never made a political misjudgment serious enough to jeopardize its influence there.

With the union of Zanzibar and the mainland state of Tanganyika to become the state of Tanzania, even those who thought the islanders had been swallowed up wondered if they would ever be digested. Tanzania's politics have moved erratically but unmistakably to the left ever since.

This enormous, primitive country of more than 360,000 square miles—as big as France and Germany together—has 12 million people, most of whom care little about politics, scratching out no more than a peasant's existence on land that is abundant and that could be as productive as any in Africa. There is remote, scattered mineral wealth in the southern highlands that no one has bothered to exploit.

It is difficult to accept the idea that the Chinese are very interested in anything Tanzania has to offer now, or that the Chinese very badly need Tanzania's reassurance that China is leading a revolutionary force in the world. But Tanzanian Government leaders are easily excited about the continued presence of white governments in southern Africa.

The Tanzanians are receptive to the flow of Chinese weapons, for they can get them nowhere else as easily. A grip in Tanzania, whose vast area touches eight other countries, would give the Chinese a wide periphery in Africa and a base on the western littoral of the Indian Ocean. A project like the railway will give them valid reason to put thousands of people into the mineral-rich heart of the African Copper Belt that runs from Zambia into Katanga Province of the Congo.

MILITARY AID TO REGION

Of enormous potential importance is the military equipment and training that the Chinese provide for the dozen "liberation" movements based in Tanzania.

But not all of the weapons have gone to rebels operating against the white-dominated southern region. The rebellion in the Congo was kept alive by weapons sent by rail from Dar es Salaam to Kigoma. And a convoy of weapons bound for Uganda was stopped by the police in Kenya.

Dr. Banda has accused President Julius K. Nyerere of Tanzania of allowing plots against him to be hatched in Tanzania. Even the Watusis, in their long-bogged down invasion of Rwanda, got their Chinese weapons through Tanzania.

But the railway that the Chinese have undertaken to build is a far more spectacular idea, and they have wasted no time getting the project under way.

The job could be done in 15 months and the construction could begin then. The Chinese have already promised to finance the construction to the extent of $280-million.

The Chinese have also offered to talk about providing diesel locomotives and rolling stock for the railway.

Both President Nyerere and President Kenneth D. Kaunda of Zambia were anxious to get the railway. Mr. Nyerere sees it as a way to open up his southern region to development and to enhance the value of the port of Dar es Salaam. Mr. Kaunda wants the railway so that he need not ship copper out through the white-governed countries of Rhodesia and Portuguese Mozambique.

Mr. Kaunda was at first reluctant to accept the Chinese offer to build the railway, but he changed his mind when he failed to arouse any interest in the project in Britain, France, West Germany or the United States.

All of the nations seemed worried by the big initial investment and the time it would take for the railroad to start turning a profit. The United States offered to pay for a comprehensive transportation survey that would establish the economic facts of the matter, but the Africans were not interested.

President Nyerere was less worried than was President Kaunda about the political implications of bringing in the Chinese. He has always argued that big slices of Communist aid would help offset the old preponderant influence of the West in Africa.

Mr. Nyerere approached Soviet leaders and was turned down. The world bank was also approached, but it advised the Africans to ask instead for help to improve the crude road that is now being used to some extent to truck copper to Dar es Salaam.

Eventually Presidents Nyerere and Kaunda accepted the offer the Chinese had made to Mr. Nyerere when he visited China in 1956.

Several diplomats in this city are frankly puzzled about the intentions of the Chinese. The railway could take seven or eight years to build, they say, terming it an unusually long period for any country to commit herself to a project so sensitive and unsettled a part of Africa.

They feel that the Chinese will inevitably run into frictions that have been met by Britain, the United States, West Germany, Israel, Nigeria and every other country that has made any major contributions in Tanzania.

The Chinese are obviously aiming at the rich heart of Africa, but it is considered a long shot.

[From the New York Times, May 28, 1968]

INDIA REPORTS 200 NAGAS KILLED IN BORDER CLASH

(Dispatch of the Times, London)

NEW DELHI, May 27.—Official Indian sources say that more than 200 Naga insurgents were killed on the Indian-Burmese border by Indian security forces in the last week.

Reports from the restricted area suggest that Indian forces clashed with large groups of Naga underground fighters who were attempting to cross into Burma on their way to Communist China to receive military training and arms. Indian casualties were not announced.

The skirmishes on the Burmese border are regarded as the most serious incidents in the renewed conflict in Nagaland. They follow recent indications that an influential section of the insurgents turned to China for arms. The rebels in Nagaland, which became a full-fledged state of India in 1963; seek independence.

SOME REPORTED IN CHINA

According to official Indian sources, Naga rebels were ambushed and killed in a number of encounters during the week when they attempted to cross into Burma. This was the first major clash on the border since Prime Minister Indira Gandhi ordered increased patrols there six weeks ago.

Indian intelligence officials suggest that several hundred Nagas have already traveled to China for military training while another large group is reported to be crossing Burma.

According to these sources, the Chinese are prepared to assist the Nagas if the insurgents link their struggle with other anti-Indian movements in Assam, Manipur and the Mizo Hills.

The Government has barred foreigners and journalists from the area.

In a recent broadcast to Nagaland, the Peking radio encouraged the Naga struggle warning the insurgents not to be lulled into peace talks with the Indian Government.

Last week, a rebel leader, Khugahto Sukhai, defended the decision to seek aid from China. Mr. Sukhai recently met Mrs. Gandhi at unsuccessful Nagaland peace talks in New Delhi.

Mr. Sukhai justified the decision by citing India's reliance on outside support during her independence struggle.

The mounting tension in Nagaland coincides with serious unrest in the region adjoining Burma. In Assam, a curfew was imposed in one district after 4,000 angry tribesmen demanding a separate hill state attacked the district police headquarters. Tempers flared in Assam after New Delhi had postponed its decision on a plan to reorganize Assam into separate hill and plain states.

To the south, in the hills jutting into Burma, there are signs that the Mizo rebels might mount another offensive against hard-pressed Indian troops. The Mizo underground, which wants an independent hill state, launched a surprise attack on the district headquarters Friday.

MR. LEE MORSE TO LEAVE CAPITOL HILL

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. DAVIS of Georgia. Mr. Speaker, a former resident of Rome, Ga., in my district, is leaving Capitol Hill to set up a private law practice in Washington and Atlanta, and I would like to take this opportunity to commend him on his past services to the House and wish him well in his new pursuits.

Mr. Lee Morse leaves the House Banking and Currency Committee as legal counsel after 4 years of outstanding service there. Prior to that he was employed by the Securities and Exchange Commission and the Comptroller of Currency.

Mr. Morse received a master's degree in business and a bachelor of laws degree from Emory University. He is a member of the Georgia Bar Association, the Federal bar, the American bar, and the District of Columbia bar.

OPPOSITION TO H.R. 5037 IN ITS PRESENT FORM

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. NIX. Mr. Speaker, I am unalterably opposed to H.R. 5037 in its present form.

I direct attention to title II and title III.

The first of these would add two new sections to title XVIII, United States Code. Section 3501 concerns itself with the admissibility of confessions. Section 3502 goes into the admissibility of eyewitnesses testimony in the Federal courts. It is significant to note at this point that title II applies only to Federal courts, not to the State courts.

Mr. Speaker, to any one with even a passing acquaintance with the law, it is obvious that the main purpose of title II is to overrule the decisions of the Miranda and Wade cases as they effect Federal trials. If this body because of hysteria, indifference, or irresponsibility approved H.R. 5037 as written, we would in fact turn the clock backward to the injustices of pre-Mallory and Miranda times and literally make voluntariness the sole test as to the validity of a confession. Thus, there would discard, prompt arraignment, proper warnings, advice as to rights, entitlement to counsel, thus with one stroke the cloak of protection is torn from the accused.

Mr. Speaker, in further opposition to this legislation, I attach hereto the detailed analysis submitted by the great and competent chairman of the Judiciary Committee:

DETAILED ANALYSIS OF TITLE II

Title II of H.R. 5037, as approved by the Senate, would add two new sections to Title 18 U.S.C. (3501, 3502). These sections would modify present law in several principal respects. As described in the following paragraphs, they are vulnerable to serious constitutional and policy objections.

A. CONFESSIONS—THE REPEAL OF MIRANDA

Section 3501(a) of the bill makes voluntariness the sole criterion of the admissibility of a confession in a Federal Court.

According to the provisions of subsections (a) and (b) of Section 3501, the procedure in Federal courts will be as follows:

A preliminary determination of the voluntariness of a confession will be made by the trial judge, outside the presence of the jury. Sec. 3501(a).

In making his preliminary determination, the trial judge will be required to consider all the circumstances surrounding the confession, including the following specified factors, none of which is to be conclusive on the issue of voluntariness, Sec. 3501(b):

Delay between arrest and arraignment of the defendant.

Whether the defendant knew the nature of his offense.

Whether the defendant was aware or advised of his right to silence or that anything he said might be used against him.

Whether the defendant was advised of his right to counsel.

Whether the defendant had the assistance of counsel during his interrogation and confession.

If the trial judge makes a preliminary determination that a confession was voluntary, he must admit the confession in evidence. Sec. 3501(a). The Jury must then hear the relevant evidence on the issue of voluntariness and determine the weight to be accorded the confession. Sec. 3501(a).

Sections 3501 (a) and (b) are squarely in conflict with the Supreme Court's decision in *Miranda* v. *Arizona*, 384 U.S. 436 (1966), and will almost certainly be held unconstitutional. In *Miranda*, the Supreme Court held unequivocally that a confession obtained from a defendant during custodial police interrogation could not constitutionally be used in evidence against the defendant unless the following specific procedural safeguards were followed, based on the defendant's privilege against self-incrimination under the Fifth Amendment:

The defendant must be advised that he has a right to remain silent and that anything he says may be used against him.

The defendant must be advised that he has the right to consult with a lawyer and to have the lawyer with him during the interrogation.

The defendant must be advised that if he cannot afford a lawyer, a lawyer will be appointed for him.

Although the case also held that a suspect could waive these rights, the Court stated that a heavy burden of proof rests on the prosecution to demonstrate that the waiver was knowing and intelligent.

The Court emphasized in *Miranda* that the procedural safeguards established in the case are in addition to the traditional voluntariness test. Since section 3501 specifically dispenses with these safeguards and in lieu thereof establishes voluntariness as the sole test of the admissibility of a confession, the section is obviously contrary to the Constitution.

The Supreme Court made clear in the *Miranda* opinion that its holding was firmly grounded on a constitutional basis that no legislature could overrule. In both the briefs and oral arguments in the case, the Court was specifically requested to withhold decision until legislative bodies had a chance to act upon the issue. The court replied,

"Congress and the States are free to develop their own safeguards for the privilege, so long as they are fully as effective as those described [in the Court's holding] in informing accused persons of their right of silence and in affording a continuous opportunity to exercise it. In any event, however, the issues presented are of constitutional dimensions and must be determined by the courts. The admissibility of a statement in the face of a claim that it was obtained in violation of the defendant's constitutional rights is an issue the resolution of which has long since been undertaken by this Court. . . . Judicial solutions to problems of constitutional dimension have evolved decade by decade. As courts have been presented with the need to enforce constitutional rights, they have found means of doing so. That was our responsibility when *Escobedo* was before us and it our responsibility today. *Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.*" (Emphasis added). 384 U.S., at 490–491.

The Court's invitation in *Miranda* for legislatures to adopt "other fully effective means" to protect suspects in the free exercise of their constitutional rights offers no solace to the proponents of Section 3501. The provisions of that section can hardly be characterized as "other fully effective means," since the means chosen by the section are manifestly less effective than the safeguards announced in *Miranda*.

Moreover, even though Congress has broad general power under the Constitution to enact procedural rules governing the admissibility of evidence in Federal Courts, nothing in the Constitution gives Congress the power to adopt procedural rules that override specific decisions of the Supreme Court interpreting the fundamental requirements of the Constitution. Simply put, Congress has the power only to expand, not to contract or abrogate these basic guarantees.

The fault in the *Miranda* decision, if any, lies not with the Supreme Court, but with the Fifth Amendment itself. In the words of the Fifth Amendment, no person "shall be compelled in any criminal case to be a witness against himself." At the very heart of the privilege against self-incrimination lies one of the fundamental principles of our system of criminal justice, that the Government must produce evidence against an individual by its own independent labors, rather than by the cruel simple expedient of compelling it from his own mouth. *Chambers* v. *Florida*, 309 U.S. 227, 235–238 (1940). As Sir James Fitzjames Stephen commented almost a century ago on the use of interrogation by law enforcement officers.

"There is a great deal of laziness in it. It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil's eyes than to go about in the sun hunting up evidence."[1] Stephen, *A History of the Criminal Law in England*, 442 (1883).

In *Miranda* the Supreme Court breathed life into the privilege as applied to police interrogation. The basic thrust of the Court's decision was to place the poor and inexperienced suspect on an equal footing with the wealthy and most sophisticated suspect by informing all suspects of their constitutional right to silence and assuring them of a continuous opportunity to exercise it.

As Justice Walter Schaefer of the Supreme Court of Illinois, one of our most distinguished jurists, has eloquently stated, the quality of a nation's civilization can be largely measured by the methods it uses in the enforcement of its criminal law. See Schaefer, "Federalism and State Criminal Procedure," 70 Harv. L. Rev. 1, 16 (1956). To allow the Government in the administration of justice to take advantage of the ignorance or indigence of an accused would violate the most elementary principles of our constitutional jurisprudence.

Forty years ago, Justice Brandeis forcefully answered the recurrent argument that the needs of law enforcement outweigh the rights of the individual. In *Olmstead* v. *United States*, he said,

"Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means . . . would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face." 277 U.S. 438, 485 (1928) (dissenting opinion).

---

[1] In the *Miranda* opinion, the Supreme Court actually decided four separate cases—*Miranda* v. *Arizona*, *Vignera* v. *New York*, *Westover* v. *United States*, and *California* v. *Stewart*. See 384 U.S. 436 (1966).

Contrary to the suggestion of the proponents of Title II, it can hardly be said with authority that the *Miranda* decision has seriously hampered law enforcement. Essentially the same warnings required by the Supreme Court in *Miranda* were being used by the FBI fourteen years before the decision in that case. As Chief Justice Warren stated in delivering the opinion of the Court in *Miranda:*

"Over the years the Federal Bureau of Investigation has compiled an exemplary record of effective law enforcement while advising any suspect or arrested person, at the outset of an interview, that he is not required to make a statement, that any statement may be used against him in court, that the individual may obtain the services of an attorney of his own choice and, more recently, that he has a right to free counsel if he is unable to pay . . . [T]he present pattern of warnings and respect for the rights of the individual followed as a practice by the FBI is consistent with the procedure which we delineate today." 384 U.S. at 483–484.

Equally important, each of the two major field studies published to date on the impact of *Miranda* on law enforcement has concluded that the impact has been small and that the decision has had little effect on police practices or the clearance of crime. What is by far the most comprehensive of these studies was conducted by the student editors of the Yale Law Journal and faculty members of the Yale Law School. See "Interrogations in New Haven: The Impact of Miranda," 76 Yale L.J. 1519 (1967). Over a period of three months, the Yale investigators observed every stationhouse interrogation undertaken by the New Haven police force. One of the basic conclusions reached by the study was that interrogation of suspects by police was unnecessary in the overwhelming majority (87%) of the cases observed, since the police had already obtained enough evidence against a suspect at the time of his arrest to assure his conviction. In the typical case, either the police already had enough evidence to convict a suspect without interrogation, or they did not even have enough evidence to arrest him in the first place.

The second major study of the impact of *Miranda* was a statistical survey by two law professors at the University of Pittsburgh Law School. See Seeburger and Wettick, "*Miranda in Pittsburgh—A Statistical Study,*" 29 U. Pittsburgh L.R. 1 (1967). Using files made available by the Pittsburgh Detective Bureau, the authors found that the incidence of confessions declined by almost 20% in the period following the *Miranda* decision. But—and this is the crucial finding of the study—the decline in the incidence of confessions was accompanied by no substantial decline in the arrest rate, the conviction rate, the rate of crime clearance, or the court backlog.

The Yale and Pittsburgh studies point up the crucial defect in many of the studies relied upon by the proponents of Title II to support the provisions of Section 3501. It is not enough to study the impact of *Miranda* on law enforcement by the crude measure of the incidence of confessions. The real impact can be determined only by measuring the effect on convictions and crime clearance. By this scale, the only true scale, the much-ballyhooed deleterious impact of *Miranda* on law enforcement has been extremely small, if not illusory.

Indeed, *Miranda* itself and its three companion cases[1] present graphic examples of the overstatement of the "need" for confessions in law enforcement. In each case, law enforcement officers had developed substantial other evidence against the defendants before conducting the interrogations held invalid by the Supreme Court. Thus, Miranda, Vignera, and Westover had been identified by eye-witnesses. Marked bills from the robbed bank had been found in Westover's car. Articles stolen from several robbery victims had been found in Stewart's home.

The overstatement of the "need" for confessions becomes even more obvious when the subsequent history of the four *Miranda* defendants is considered. Miranda himself was convicted in Arizona in February 1967 on the same two counts of kidnapping and rape with which he was originally charged, and received the same sentence of concurrent prison terms of 20–30 years on each count. Vignera pleaded guilty in New York to an indictment charging a lesser robbery offense, and was sentenced to a prison term of 7½–10 years. Westover was convicted in February 1967 on the same two counts of bank robbery, and received the same sentence of consecutive 15-year prison terms on each count. Stewart has not yet been retried on the original charges of robbery and murder, for which he was convicted and sentenced to death. However, a motion to suppress evidence in the case was denied in November 1967; after several continuances, the trial has been set for May 1968.

One spectre raised by the committee majority must be laid to rest. The suggestion is made that the harmful effect on *Miranda* will be compounded as the lower Federal courts expand its doctrine and extend its interpretation. Nearly two years of judicial experience under *Miranda* in the Federal courts of appeals have proved this suggestion false. The trend of cases to date shows a strong reluctance by the Federal courts to apply the requirements of *Miranda* except in obvious instances of formal custorial interrogation. If anything, the definition of custodial interrogation in *Miranda* as "questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom in any significant way" is receiving a highly restrictive interpretation. See, for example, *O'Toole v. Scarfati,* 386 F. 2d 168 (1st Cir. 1967) (statement to prosecutor by city official given chance to explain deficiencies held admissible); *United States v. Adler,* 380 F. 2d 917 (2nd Cir. 1967) (volunteered statements to FBI agent examining books of suspect's corporation held admissible); *United States v. Gibson,* 4th Cir. (March 1, 1968) (discussion of stolen car by defendant after State police officer asked him to step outside held admissible); *Yates v. United States,* 384 F. 2d 586 (5th Cir. 1968) (statements made to hotel manager holding suspect in conversation pending arrival of FBI held admissible); *United States v. Agy,* 374 F. 2d 94 (6th Cir. 1967) (incriminating reply to question asked by alcohol tax agent held admissible); *United States v. Holmes,* 387 F. 2d 781 (7th Cir. 1968) (statement to Selective Service clerk held admissible); *Frohman v. United States,* 380 F. 2d 832 (8th Cir. 1967) (statement to internal revenue agent making criminal investigation held admissible); *Williams v. United States* 381 F. 2d 20 (9th Cir. 1967) (false statements to border-crossing guards held admissible); *Mares v. United States* 383 F. 2d 811 (10th Cir. 1967) (statements to FBI by suspect free to leave held admissible); *Allen v. United States,* D. C. Cir. (January 25, 1968) (statement made during detention after failure to produce auto registration held admissible).

B. CONFESSIONS—THE REPEAL OF MALLORY

Section 3501(c) of the bill specifies that a confession shall not be inadmissible in evidence in a Federal court solely because of delay between the arrest and arraignment of the defendant.

Subsection (c) is obviously intended to repeal the decision of the Supreme Court in *Mallory* v. *United States,* 354 U.S. 449 (1957). In *Mallory,* the Court held that if an arrested person is not taken before a magistrate or other judicial officer "without unnecessary delay," as required by Rule 5(a) of the Federal Rules of Criminal Procedure, any confession obtained during the period of delay is inadmissible in evidence in a Federal court.

Section 3501(c) will inevitably encourage prolonged incarceration and interrogation of suspects, without opportunity to consult with friends, family, or counsel. Section 3501(c) expands the time limit to six hours during which interrogation may take place. The present District of Columbia Crime Act provides a maximum three-hour period for interrogation after which a person may be released without charge and without an arrest record.

Rules prohibiting unnecessary delay between arrest and arraignment are based on sound law enforcement policy. Prompt arraignment of arrested persons is necessary in a free society which values the fair administration of criminal justice. Prolonged incarceration and interrogation of suspects, without giving them the opportunity to consult with friends, family or counsel, must be condemned. Yet, it is precisely such incarceration and interrogation that are countenanced by the bill. In effect, Section 3501 (c) would leave the "without unnecessary delay" provision of Rule 5(a) of the Federal Rules of Criminal Procedure as a rule without a meaningful remedy.

C. EYEWITNESS TESTIMONY—THE REPEAL OF WADE

Section 3502 of Title II makes eyewitness testimony that a defendant participated in a crime admissible in evidence in any Federal court.

Section 3502 is squarely in conflict with the Supreme Court's decisions in *United States v. Wade,* 388 U.S. 218 (1967), *Gilbert v. California,* 388 U.S. 263 (1967), and *Stovall v. Denno,* 388 U.S. 293 (1967). In *Wade* and *Gilbert,* the Supreme Court held that a pretrial lineup at which a defendant is exhibited to identifying witnesses is a critical stage of a criminal prosecution, and that the defendant is constitutionally entitled to the assistance of counsel at the lineup. In *Stovall,* the Court held that, even though the *Wade* decision was not to be applied retroactively,[2] lineups in pending cases must still satisfy the requirements of the Due Process Clause.

For essentially the same reasons above, Section 3502 will almost certainly be held unconstitutional. The section dispenses with the procedural safeguards established in *Wade* for police lineups and is therefore in clear conflict with the requirements of the

---

[2] Decisions like *Stovall* indicate that, contrary to the suggestions of the proponents of Title II, the Supreme Court is in fact highly sensitive to the problems and needs of law enforcement. In a series of recent constitutional decisions, the Court has moved gradually to a position of almost completely prospective application of new constitutional principles. The Court has explicitly stated that it attaches "overriding significance" to such factors as the reliance by law enforcement officers on the prior law, and the severe burden on law enforcement and administration of justice if the new principles are to be applied retroactively to grant new trials to defendants already convicted under the prior law. See *Linkletter v. Walker,* 381 U.S. 618 (1965); *Tehan v. Shott,* 382 U.S. 406 (1966); *Johnson v. New Jersey,* 384 U.S. 719 (1966); and *Stovall v. Denno,* 388 U.S. 293 (1967).

Constitution announced by the Supreme Court. In addition, Section 3502 does not even attempt to establish effective alternative safeguards for lineups in lieu of the requirements of *Wade*. Instead, the section is a blanket provision making eyewitnesses testimony admissible in all circumstances, whether or not even the most fundamental and time-honored requirements of due process have been met in the identification, let alone the requirements of the right to counsel under the Sixth Amendment.

One expert authority quoted by the Supreme Court has given graphic examples of cases in which grossly unfair lineups were conducted.

"In a Canadian case . . . the defendant had been picked out of a line-up of six men, of which he was the only Oriental. In other cases, a blackhaired suspect was placed in a group of light-haired persons, tall suspects have been made to stand with short non-suspects, and in a case where the perpetrator of a crime was known to be a youth, a suspect under twenty was placed in a line-up with five other persons, all of whom were over forty." Wall, *Eyewitness Identification in Criminal Cases* 53.

In these circumstances, therefore, we believe that precipitous legislative action overruling *Wade* would be not only unconstitutional, but unwise and highly premature as well.

[From the Legislative Reference Service, May 27, 1968]

CONSTITUTIONALITY OF THE NEW TITLE 18 U.S.C. 3501 TO BE ADDED BY H.R. 5037 AS PASSED BY THE SENATE

The new section 3501 to be added to Title 18 U.S.C. by section 701 of Title II of H.R. 5037 deals with admissibility of confessions in criminal prosecutions by the United States or the District of Columbia. It would require the admission into evidence in such prosecutions of any confession which is voluntarily given. It would direct the trial judge, in determining voluntariness, to take into account all the circumstances surrounding the confession including time between arrest and arraignment, whether the defendant knew of the nature of the offense with which he was charged or of which he was suspected, whether defendant was informed or knew that he was not required to make a statement and that any he did make might be used against him, whether the defendant has been advised of his right to assistance of counsel and whether he was without the assistance of counsel when questioned or when giving such confession. Perhaps the most significant provision is that which states:

"The presence or absence of any of the above mentioned factors to be taken into consideration by the judge need not be conclusive on the issue of voluntariness of the confession."

The report of the Senate Committee on the Judiciary, S. Rept. No. 1097, makes it quite clear that the purpose of the proposed legislation is to avoid the results reached by the Supreme Court in *Miranda* v. *Arizona*, 384 U.S. 436 (1966). It would seem that, to the extent that this section permits the courts to admit into evidence confessions obtained in the absence of any one of the safeguards held by the court in *Miranda* to be indispensable to protect the right of an accused not to be compelled to be a witness against himself, the provisions of Title II might well be held unconstitutional. It is axiomatic that a right guaranteed against infringement by the United States, cannot be extinguished by a mere act of Congress. To extinguish such a right requires nothing less than an amendment to the Constitution.

Perhaps the most important fact on which this conclusion of law hinges is that the Court in *Miranda* did hold that each of the safeguards it set forth was indeed a constitutionally indispensable condition to the admissibility of a confession. Because there is some language by the Court inviting alternative action by legislatures, that language, as well as the language of the holding, should be examined carefully to determine whether the provisions of Title II might not be a valid response to the Court's invitation.

Although the opinion of the majority in *Miranda* occupies 60 pages, the Court was good enough to capsulize its holdings:

"Our holdings will be spelled out with some specificity in the pages which follow but briefly stated it is this: the prosecution may not use statements, whether exculpatory or inculpatory, stemming from custodial interrogation of the defendant unless it demonstrates the use of procedural safeguards effective to secure the privilege against self incrimination. By custodial interrogation, we mean questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way. As for the procedural safeguards to be employed, *unless other fully effective means are devised to inform accused persons of their right of silence and to assure a continuous opportunity to exercise it, the following measures are required*. Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed. The defendant may waive effectuation of these rights, provided the waiver is made voluntary, knowingly and intelligently. If, however, he indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking there can be no questioning. Likewise, if the individual is alone and indicates in any manner that he does not wish to be interrogated, the police may not question him. The mere fact that he may have answered some questions or volunteered some statements on his own does not deprive him of the right to refrain from answering any further inquiries until he has consulted with an attorney and thereafter consents to be questioned." 384 U.S. 436, 444–45. [emphasis added]

Later in its opinion the Court expanded on its suggestion in the paragraph above that there might be "Other fully effective means" to safeguard the rights of an accused. It stated:

"We have already pointed out that the Constitution does not require any specific code of procedures for protecting the privilege against self-incrimination during custodial interrogation. *Congress and the States are free to develop their own safeguards for the privilege, so long as they are fully as effective as those described above in informing accused persons of their right of silence and in affording a continuous opportunity to exercise it. In any event, however, the issues presented are of constitutional dimensions and must be determined by the courts. The admissibility of a statement in the face of a claim that it was obtained in violation of the defendant's constitutional rights is an issue the resolution of which has long since been undertaken by this Court.* See *Hopt* v. *Utah*. 110 U.S. 574 (1884). Judicial solutions to problems of constitutional dimension have evolved decade by decade. As courts have been presented with the need to enforce constitutional rights, they have found means of doing so. That was our responsibility when *Escobedo* was before us and it is our responsibility today. *Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them*." 384 U.S. 436, 490–491. [emphasis added]

It would seem quite clear that 18 U.S.C. § 3501, to be added by § 701 of Title II, since it would permit the introduction into evidence of a confession even if the accused were not informed of his right to remain silent, or that any statement he made might be used against him, or that he had a right to counsel, is legislation which would abrogate the constitutional rights found to exist in *Miranda* and would therefore seem to be invalid. Can a statute which, although it requires the courts to consider all of the *Miranda* guidelines, permits them to admit confessions as voluntary in the absence of any of them, be said to provide "other fully effective means" of securing the constitutional rights of accused persons? This is the essential question. Only if it is answered in the affirmative, can the statute satisfy the requirements laid down by *Miranda*.

VINCENT A. DOYLE,
Legislative Attorney.

REMARKS OF ADMINISTRATOR ROBERT C. MOOT, OF THE SMALL BUSINESS ADMINISTRATION

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GALIFIANAKIS. Mr. Speaker, Administrator Robert C. Moot, of the Small Business Administration, addressed an industrial development seminar in Raleigh on Friday, June 7.

Praising President Johnson for his role in bringing about closer cooperation between the private sector and public agencies, Administrator Moot described benefits that can be obtained through economic cooperation—balanced economic growth, equal opportunity in the marketplace, more jobs.

North Carolina is a good example of the good that cooperation can bring. Between 1962 and 1966, North Carolina ranked at the top of all our States in development of new employment in industry. In that period, my State added almost 160,000 jobs to industrial payrolls.

I think Administrator Moot's remarks at the Raleigh seminar are most timely. His words serve to remind us, too, of what lies ahead—of what we must do to continue the momentum of our nearly 8 years of sustained economic growth.

I feel that my colleagues will be interested in Mr. Moot's address, and I insert it in the RECORD at this point:

REMARKS BY ROBERT C. MOOT, ADMINISTRATOR, SMALL BUSINESS ADMINISTRATION, BEFORE THE INDUSTRIAL DEVELOPMENT SEMINAR, RALEIGH, N.C., JUNE 7, 1968

It is a special pleasure for me to join in this program to bring together small business, community growth, and economic and industrial development. Conferences of this nature, which serve as information clearinghouses on participation programs, are very essential to community economic growth.

These too are proper times for businessmen and public agencies not only to discuss together economic and industrial development, but also to work together through America's small business community to achieve it. We must think, plan, and act together if our efforts are to achieve the greatest possible results. SBA today has no higher aim than to help generate greater economic teamwork . . . to help you turn your ideas and your enthusiasm into community development. To do this, we place first emphasis on local initiative, local pride, and local planning.

Such teamwork is not, of course, solely SBA's idea.

President Johnson himself has set the examples. History is bound to place high among the hallmarks of his administration his ceaseless striving to achieve the closer cooperation of the public and private agencies of our society, and to harness their ingenuity and energy in common solutions to our common problems.

The President himself reflects the profound change which his administration has made in the basic attitude and posture of the Federal Government.

No longer are we in the posture of the government trying to take the big lead. We do not think in terms of programs coming down from the top. Our posture is to play the support role—to plug ourselves and our services into programs that come from the bottom up.

I share with you the eloquent words our President expressed to the National Industrial Conference Board more than three years ago:

"For the continuing strength and success of our system—I attach the utmost importance to trying to maintain a respectful partnership between business and labor and their government. . . .

"Our prosperity and our progress, the prestige our free system enjoys throughout the world—all reflect the victory of the enlightened mind . . .

"So I ask you then, as enlightened men of our times, to join as full partners in all the problems of the Nation, the social problems as well as the economic problems. . . ."

His words reflect two great elements of our progress. One is that our country has always excelled at organization and cooperation. Frontier conditions made cooperation a lesson of survival. More and more economic historians observe that our American knack for organization has no equal in any other system.

Second, in our current wave of sustained growth, now in its eighth year, the economy shows more teamwork than it ever has before.

Our Gross National Product, between the first quarter of 1961 and the last quarter of 1967, has climbed 60 percent. Even if we eliminate the rise in average prices, this increase is larger than our own total national product of just thirty years ago.

Total employment has risen by nine million persons, as much as today's combined employment of the New York and Chicago labor markets. In other words, for 87 consecutive months, every working day has seen 5,000 more people going to work than went to work the day before.

Other growth, equally important, cannot go unnoticed:

Our disadvantaged citizens have had significant improvements in job opportunities.

Teenagers at work have risen 38 percent.

Employment of Negroes has risen 17 percent while total employment has increased 13.5 percent.

The growth is still more graphically revealed for us right here in North Carolina. The December issue of Steel magazine ranked the States on their development of new employment in industry, between the years 1962 and 1966. You can be proud that North Carolina ranked at the top.

In the period mentioned North Carolina added 159,832 new jobs to industrial payrolls, either by the attraction of new plants or the expansion of existing industries. North Carolina's total investment in new facilities and new equipment was placed at $2.1 billion.

Obviously this State—like the Nation—has achieved monumental teamwork.

With such abundant proof of your teamwork, you may ask, "How can SBA help North Carolina maintain this momentum?"

Under the Small Business Act of 1953, Congress gave us a mandate to protect and expand free enterprise.

With nearly 15 years of operation behind us, we now translate our mission into five objectives:

First, to help maintain balanced economic growth on a national basis;

Second, to aid in maintaining a healthy competitive environment;

Third, to assure that opportunity in the market place is open to all qualified individuals;

Fourth, to help expand employment, and

Fifth, to help bring about the above four objectives on the State and local levels.

We now pursue these objectives with a variety of tools.

You will have the opportunity later in the day to learn more of our SBA programs and to ask questions, but I want to briefly present to you some of the tools we have, which when fully utilized by your communities, can help you to achieve new progress and prosperity.

Our 502 Program has brought the birth of local development companies in all but one of the States. These local development companies have resulted in some 65,000 jobs in cities and towns all across America.

You know as well as we do how effective the 502 formula is. At Lillington yesterday many of you attended the dedication of the plant built with SBA's 100th 502 loan in North Carolina. The plant says more about the teamwork we are discussing than words ever can.

The 100 jobs that the Lillington Industry Promotion, Inc., will provide—within two years—will bring to 8,399 the total number of jobs our 502 loans have provided in North Carolina. This figure is higher for North Carolina than for any other State.

A word in government that we would like to make synonymous with opportunity for small business is procurement. SBA is promoting the "buy from small business" concept with every Federal agency.

Yet if small business were playing the same relative role in Federal procurement that it now plays in the economy as a whole, Federal purchases from small sources would be $7 billion a year higher than they are today. While the Nation's five million small businesses account for almost 40 percent of the GNP, and provide half of all the jobs, less than 25 percent of the Federal procurement—or about $10.2 out of $49.8 billion in goods and services the Federal agencies buy at the current annual rate.

The procurement of State and local governments is an even larger horizon that small business has only begun to tap on an organized basis. SBA is emphasizing this potential, but the States themselves should take up the challenge of this unlimited opportunity of helping their own small businesses grow . . . helping them to grow with the aid of contracts for goods and services needed within the States.

Although State and local governments are about evenly matched today with the Federal government on the amount of goods and services they buy, the prediction is that by 1975, State and local procurements will reach $75 billion a year, perhaps $10 billion ahead of the Federal total.

You, as businessmen in your communities, should be looking into the purchase lists of Federal, state and local agencies to pinpoint new sales possibilities.

How often historically have small businesses been handicapped in competing for price business locations? The answer is far too often . . . and SBA has a new tool to give the little man the same chance to compete for prime business locations that the big businesses boasting Triple-A credit have. I speak, of course, of the lease guarantee—a program you will hear more about from Mrs. Sara Knight in this morning's panel on Lease Guarantee for Small Business.

You have heard me mention only a few of the tools we employ at SBA. The big ingredient in the overall effectiveness of these tools is you, . . . yes, you . . . you and your community.

Let me firmly emphasize that SBA has no intention of handing you a grand design to dominate your economic destiny. We believe that planning is vital, but we emphasize again that planning must come from your own local initiative, your own determination to take the tools which are available, and shape them to your own productive future.

It has been well said that: "The greatest asset of any nation is the spirit of its people, and the greatest danger that can menace any nation is the breakdown of that spirit—the will to win and the courage to work."

Let us bear in mind that community involvement is the key to community development.

This spirit—this blend of cooperation public and private—has deepened, not hindered, competition in our economy. The closer we work together—Federal agencies, State and local governments, and private interests—the brighter the future will be. Universal experience shows us that no nation can rise above poverty and want without the unremitting toil of all the citizens working in close harmony.

Surely Americans do not forget that small business, the foundation of our economic system, began with the cooperative venture of government and private interest. Yes . . . the first colonies on these shores were small business enterprises—joint-stock companies sponsored by private English capital. Economic rights have been a major part of our heritage since the days in 1776 when the Declaration of Independence was drafted. And that historic document established the state and federal role in these words, "That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

From its beginning, small business has had a continuous and profound influence on our economy. President Lyndon B. Johnson recognized this influence in this Proclamation of Small Business Week, 1968, when he stated, "Throughout the development of our dynamic marketplace, the small businesses of America have been the building blocks of our economic structure. The creative abilities and diversified commercial efforts of small businessmen have fostered the innovative genius that has always been the hallmark of American economic progress."

Frank Threatt, an industrialist from your sister state of South Carolina, is a man who truly exemplifies the kind of creative ability referred to by the President.

This 1968 Small Businessman of the year, who defied the spectre of bankruptcy by starting a steel fabricating shop that literally lifted both the town and himself off poverty's floor, is an inspiration to the whole Nation.

Although small business does not dominate production today as it did 100 years ago—when just about all of the then 300,000 shops and plants were small by our standards of today—it is as vital in terms of human satisfaction and growth dynamics as it ever was.

It is significant that in a total population of more than 200 million, there are more than 5 million small firms. More graphically, this means that every 40th American runs his or her own shop. And it means that roughly every 10th family has its own business. Small business in the aggregate produces more each year now than did the entire economy in 1940.

Just as we see small business as a focal point to the unprecedented prosperity we enjoy today, we also see it as the brightest road to future growth.

Community self-help is the essence of SBA programs. Our programs of financial, management and procurement assistance are aimed at helping your communities bring your own development planning to full function. Our programs can be of little value unless you turn possibilities into probabilities.

By your actions, and by your planning, you will assure yourselves that you have made the fullest and most beneficial use of your available resources, including those of government at every level, and those of the Small Business Administration.

You here today are the leaders of your community—men who reflect Emerson's belief that "nothing great was ever achieved without enthusiasm." Make the enthusiasm that brought you here contagious. Couple your enthusiasm with the abundant resources that are ours as Americans.

The testimony of our State Department to the Congress this year has emphasized that half the personal income in the world now flows into American pockets. With wealth on this scale, your opportunities can be limited only by your own initiative and enterprise. In both, you can count on the energies and services of SBA. We hope you knock at our door often.

THE AMERICAN TRAGEDY: END OF THE GREAT AMERICAN DREAM OF 200 YEARS

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. TAYLOR. Mr. Speaker, I would like to commend to my colleagues the following editorial by Mr. John P. Sholar, editor, Western Carolina Tribune, Hendersville, N.C., appearing in its June 7 issue:

THE AMERICAN TRAGEDY: END OF THE GREAT AMERICAN DREAM OF 200 YEARS

The great American dream, the ideal boys, girls, kids everywhere across this great land (and we need to keep telling ourselves that for the next few hours or so) have tucked under their pillows each night for 200 years or so was dealth a death knell. November 22, 1963 with the assassination of President John Kennedy, but it lingered nonetheless, dying slow and painful death, nurtured poignantly in the breasts of hopeful youth everywhere.

On June 5, 1968 that great American ideal, a boyhood dream of some day, any day and any boy anywhere, becoming President of the United States of America was forever shattered. Now that bright-eyed youth is saying to his numb and horrified dad, "Who wants it; you get shot if you do!"

Now coffee-house pundits and wiseacres and filling-station philosophers are saying "Served 'em right, one more Kennedy to go!"

Gone is the great American ideal of every man a king; Horatio Alger is dead; long die Horatio Alger!

The world conspiracy of Communism is doing a great job of destroying us; their time table, only recently looking put asunder, now goes right back on the track. They've brainwashed two goons to kill a president and his brother, who somehow, against all advice for his safety, plunged into an abyss of hate he must have known he couldn't survive. Why?

Why would a man with untold millions be foolhardy to stick his naked head out, unprotected, to be shot? Why? Because, hate him or no, Robert F. Kennedy was just a boy at heart, he, too, couldn't wash the great American dream from his heart, the great American ideal which brought this great nation from colonial primitive to world glory of Yank Over There, long lines (including the volunteering Kennedys) of millionaires and paupers shoulder-to-shoulder waiting to enlist to prove the once-great American ideal which has swelled the virgin breast of ever American boy and girl before and after Abe Lincoln.

Gone is the dream, the ideal.

What next? If anything at all, a sort of synthesis of existence, a mechanized, computerized modus. "Program it in section TY-12 of the new Arbitron and we'll see what it tells us to do," in which a boy will tell his dad:

"Why stick your neck out with that kooky idea that you can stay in the laundry business and get rich? Get smart, dad, and go to computer school nights, you're only 55."

Offering little hope for those tender souls who still engender the once-great American ideal, the once-great American dream, we can only submit the following:

"We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America . . . Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press of the right of the people peacably to assemble, and to petition the government for a redress of grievances . . ."

"The Lord is my shepherd; I shall not want.
He maketh me to lie down in green pastures: He leadeth me beside the still waters.
He restoreth my soul: He leadeth me in the paths of righteousness for his name's sake.
Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou are with me; Thy rod and Thy staff they comfort me.
Thou preparest a table before me in the presence of mine enemies: Thou anoinest my head with oil; my cup runneth over.
Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever."

EQUALITY OF HOUSING: A GHETTO FOR ALL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RARICK. Mr. Speaker, the Dan Smoot Report for May 27, 1968, Box 9538, Dallas, Tex., "Slums for Everybody" contains an eye opener for every American—especially the liberal who may conscientiously feel he is helping America and not be able to evaluate the true product of the destruction of society.

Nothing is more painful, yet revealing, than the truth—plain old tried experience and results. And should you think the truth is racist—it is racist by their own making.

I include that the Smoot report, "Slums for Everybody," and news clippings from the New York Times for June 10, to be printed in the RECORD, as follow:

[From the Dan Smoot Report]

SLUMS FOR EVERYBODY

In the early 1950's, the federal government spent $36.8 million to convert a 55-acre area of St. Louis (formerly known as the Kerry Patch slum) into a high-rise apartment city for low-income workers.

The project, named Pruitt-Igoe, was originally planned as two separate housing facilities. The Pruitt was to be a complex of 20 buildings, 11-stories high, for Negroes only. The Igoe was to be 13 buildings for whites only.

The National Association for the Advancement of Colored People (NAACP) filed a lawsuit against the St. Louis Housing Authority for fostering segregation. NAACP won the suit; and Pruitt-Igoe was built for integrated occupancy.

The 33 11-story buildings contain 2755 dwelling units. On 4 floors of each building there are "laundry galleries" complete with space for small children to play while mothers do the family wash. There is an abundance of beautified parkways, gardens, open spaces, playgrounds.

When the 55-acre patch of man-made heaven known as Pruitt-Igoe was completed in 1954, it was widely acclaimed a spectaclur accomplishment which proved that lavish spending of tax money could create paradise. Architectural journals extravagantly praised Pruitt-Igoe for the economy, the uniqueness, the beauty of its design. Liberal uplifters and planners of other people's lives pointed to it with triumph. Government planning and spending had converted the ugly old Kerry Patch slum into a showplace where black and white would live together in tax-subsidized bliss.

The St. Louis Housing Authority set rents on a sliding scale: those with the lowest incomes paid the lowest rents; those who earned more paid more; but persons with incomes above a specified level were excluded. The Authority controlled the influx of tenants by reserving a certain percentage of units for each economic level accommodated. Only 10% of the units were available for unemployed persons on relief.

Though the NAACP had won its lawsuit to force integration, Pruitt-Igoe was never integrated. White people stayed away, and the 2,755 dwelling units were quickly taken by Negroes.

All seemed to go well for a while—until the late 1950's when the Housing Authority yielded to pressure, by the overburdened St. Louis Welfare Department, to accept more reliefers as tenants in Pruitt-Igoe.

By 1968, two-thirds of the 10,000 Negroes living in Pruitt-Igoe were on welfare—mostly families of illegitimates, or families deserted by fathers. Pruitt-Igoe had become a cancer in the heart of St. Louis, an indescribable cesspool of filth, fear, obscenity, and crime.

Vandals keep elevators out of order most of the time. Stairs, landings, halls and yards reek of human offal, and are littered with garbage, beer cans, broken wine bottles, assorted trash. Rape, robbery, and assault—in the buildings and on the grounds—are commonplace.

The laundry galleries have been largely taken over by hoodlums who do not live in the project, but who are attracted by the women who reside there. Areas where children were supposed to play while mothers did the laundry are now foul and cluttered dens where men and women drink, gamble, fight, and engage in sexual acts in full view of children or whoever else happens to be around.

Larry Fields, *Globe-Democrat* reporter who wrote a full-page feature on Pruitt-Igoe, called the project a "local and national disgrace." One elderly woman tenant told him she has not dared to go outside her apartment in 3 years. Violence and obscene disorder disturb her continuously, but she is afraid to call the police—afraid the police will be hurt; afraid the hoodlums will discover that she reported them.

Another woman told Mr. Fields:

"It was wonderful when we moved here . . . . We all used to be neighbors, and we all cared about the place. But now, there are so many people who live here like animals.

"They throw bottles out of the windows, and they let their kids run around wild. Just the other day, a group of them set fire in the hallway and were having a barbecue . . . . And then, when they were through, they just left all their dirt behind, the bones and the burnt wood and bottles."[1]

Larry Fields interviewed Dr. Lee Rainwater, professor of sociology and anthropology at Washington University. Dr. Rainwater has a solution for the nation's slum problems. He suggests that the government give all poor people a guaranteed annual income, and lend them enough money to buy their own homes, wherever they please.[1]

Obviously, the lesson of Pruitt-Igoe is lost on Dr. Rainwater. Slums do not make people. It is the other way around. People make slums. Dr. Rainwater's scheme could make a Pruitt-Igoe of every neighborhood in the country.

The open-housing section of the 1968 civil rights bill forces people to sell or rent houses to whoever comes along. The government will take enough money away from you to provide the rent or the purchase money, and to guarantee your new neighbors enough annual income to buy booze, beer, clothes, and food. What will you do about the wild, drunken orgies they stage in the very presence of your families? What will you do about the swarms of illegitimates they will breed and turn loose in your neighborhoods, to roam uncontrolled like animals, littering, vandalizing, stealing, assaulting, robbing, and raping?

Perhaps Dr. Rainwater's scheme should cause us no anxiety, if it were only his scheme; but that is not the case. Rainwater's scheme is, basically, the scheme of powerful politicians like Robert F. Kennedy, Richard Nixon, Eugene McCarthy, Hubert Humphrey, Nelson Rockefeller, Lyndon Johnson. It is the scheme of powerful union bosses like Walter Reuther. It is the scheme of all prominent civil rights leaders. It is essentially the scheme of influential religious organizations like the National Conference of Catholic Charities, the American Jewish Congress, the Council of Jewish Federations and Welfare Funds, the National Council of Churches, the National Board of the Young Women's Christian Association. It is the scheme of the Southern Christian Leadership Conference whose leaders (successors to Martin Luther King) are conducting the poor people's march on Washington; and it is the scheme of President Johnson's National Advisory Commission on Civil Disorders (Riot Commission).

The Riot Commission recommended a guaranteed annual income, plus subsidized housing and a multitude of other benefits, for everyone who chooses not to work and for everyone who works but does not earn enough money ("enough" being a figure not yet specifically defined, but generally considered to be about $5000 a year income for a family of 4).

The Commission condemned the present system of public welfare as designed "to save money instead of people," and as operating "to remind recipients that they are considered untrustworthy, promiscuous, and lazy." The Commission alleged that whites created the slums Negroes live in, that whites ignore or condone horrible living conditions of Negroes, and that middle-class whites are unwilling to tax themselves for adequate help to Negroes—alleged that little has been done for the "ghetto poor" in the United States.

All of which is an outright lie.

From 1935 to the end of 1966, the federal government spent more than $421 billion on programs designed to aid, train, rehabilitate the nation's poor.[2] Most of the money was taken from middle-class whites. The spending not only continues, but increases with accelerating speed every year. From 1960 to the end of 1966, federal spending for welfare and health programs increased 210%, while U.S. population grew 10%.[3] The rate of increase on health and welfare spending during 1967 was vastly greater than the rate of increase during the 1960–66 period.

The federal government alone is now spending about $59 billion a year to help the nation's poor [4]—a sum which does not include the astronomical amounts spent on the poor by city, county, and state governments.

Negroes constitute about 11% of the population, but get 40% of the tax money spent on welfare.

Washington, D.C., is a classic case for study. In 1950, when Washington was ⅔ white, the city's budget was $98 million. Academically, its schools rated with the best in the nation. Crime rates were lower than those of most other cities of comparable size. There were areas where housing was shabby and residents were careless about the appearance of their neighborhood (as in every other city of the world); but there were no vast slum sections where filth, crime, and tax-subsidized idleness were the most conspicuous features of life.

In 1968, the total population of Washington is only 25,000 greater than it was 18 years ago; but now the population is ⅔ Negro; and the city's budget is $450 million—which does not include additional billions of tax money being poured into the city by the federal government for urban renewal, rent supplements, public housing, welfare, poverty war operations, manpower training, freeway construction.

Negroes constitute 92% of the enrollment in District schools, which now rate, academically, among the lowest in the nation. Many of the schools are stews of crime and violence, where the educational process is virtually nonexistent. Yet, the District schools cost more now than they did in 1950 when they were among the best in the nation. For example, the District schools have a greater number of professional staff per 1000 students than the schools of any other city of comparable size.[5]

Negroes get 80% of the "free" medical care at the D.C. General Hospital. The cost to taxpayers of providing this "free" medical service to Negroes in this one hospital in the District is more than $19 million a year. Approximately 90% of all welfare funds in the District goes to Negroes.[5]

In recent years, Congress has appropriated huge amounts of money for playgrounds, swimming pools, recreation projects—primarily for the benefit of Negroes. Job-training programs, poverty programs, and summer-employment programs have been directed almost exclusively for the benefit of Negroes.[5]

The Mayor of Washington is a Negro. More than 55% of all employees of the District government are Negroes (and the percentage would be higher if more Negroes would accept employment). More than 30% of all federal employees in the District are Negroes.[6]

Yet, the Reverend Ralph Abernathy's delegation of "poor people"—on the first day of their march on Washington (April 29)—told the Secretary of Agriculture that Washington is a "slave city," because so little has been done for the poor.[7]

Today, Washington is a hellhole of crime and mob violence. Vast sections of this once-lovely city have been converted into sloughs of filth by the people who live there at taxpayers' expense.

Liberals who control the federal government are financing, with our money, this rape and degradation of the nation's capital.

The answer? The only way to save our country is to stop all unconstitutional spending by the federal government and stop federal court interference and dictation in state and local affairs—thus leaving private individuals and state and local governments the responsibility and the resources to manage their own affairs and to enforce the laws, without regard to race or political affilication.

It can be done, if we will elect a Congress and a President who will do it.

FOOTNOTES

(1) "The Separate World of Pruitt-Igoe," by Larry Fields, St. Louis *Globe-Democrat,* Apr. 27–8, 1968, Sec. C, p. 1.

(2) *Historical Statistics Of The United States, Colonial Times To* 1957, U.S. Department of Commerce, 1960, p. 194; *Statistical Abstract (s) Of The United States,* U.S. Department of Commerce, 1959—p. 266; 1962—pp. 274–5, 1965—p. 282, 1966—p. 281

(3) "Conclusions," editorial, *The Dallas Morning News,* July 25, 1967, p. D2

(4) "Any Answer To Riots?", *U.S. News & World Report,* Apr. 29, 1968, pp. 34–6

(5) "What's Wrong With A 'Poor People's March,'; Interview With Robert C. Byrd, Senator From West Virginia," *U.S. News & World Report,* May 6, 1968, pp. 72–3

(6) "Aftermath of Riots—What Next?", *U.S. News & World Report,* Apr. 22, 1968, pp. 27–30

(7) Article by Charles Conconi, *The* (Wash., D.C.) *Evening Star,* Apr. 29, 1968, pp. A1,6

[From the New York Times, June 10, 1968]

NEGRO YOUTH GROUPS ENLIST AID OF URBAN AMERICA'S TRUSTEES

(By Anthony Ripley)

DETROIT, June 9.—Standing with the serene dignity of a man who knows his own strength and position, Howard (Tree) Henry, 19 years old, black and tall, surveyed the wealthy, white-faced trustees of Urban America, Inc.

He was in the Versailles Ballroom of the Hotel Pontchartrain representing the Twelfth and Oxford Film Maker Corporation.

Twelfth and Oxford had been a fighting street gang with its own ground to protect in North Philadelphia. But two years ago, it began to look at that ground and found it was not much.

"I've been living in this beat-up shack all my life and I'm tired of it," Tree said. "All we have are these old raggedy cars on the street and trash."

FIGHTING TO WORKING

So Twelfth and Oxford turned from fighting to working and has become a corporation. It makes profitable movies, rehabilitates houses and sends its members off to study urban planning, market research and building code inspection.

Tree and members of 11 other youth groups were invited to take part last week in the three-day annual meeting of Urban America. Staff workers felt that the Urban America trustees, most of them wealthy business and foundation leaders, should get a little closer to the urban scene.

The youth groups did more than attend the meeting. They took it over. They allowed the trustees a few formalities but dominated everything else, dispensing with most of the formal agenda and substituting their own.

They had come to get financing and technical help for their slum-based organizations that are becoming increasingly involved in housing rehabilitation, setting up private businesses, neighborhood planning and a wide range of other activities.

They left with written pledges—no one would say for how much—from some trustees and a commitment to study a possible permanent working relationship between Urban America and the youth groups. Leland P. Sillin Jr., a trustee, who is president of the Northeast Utilities Service Company of Hartford, was chosen to head the study group.

A NEW ROLE

For Urban America, it was a new role as a broker to channel funds into slum neighborhoods.

Urban America is a nonprofit corporation with a $1.3-million budget, raised largely from business contributions and foundations.

Though it served as a forum last year for the Urban Coalition, Urban America has no formal connection with the coalition, which is an alliance of business, church, civil rights leaders, labor, civic and education leaders working to advance city programs on local and national levels.

The tone of the annual meeting this year was set by the Rev. Jessie James, the bearded, black leader of Mission Rebels in Action of San Francisco.

He told the trustees his youth group and others were "here for one reason and only one reason: because our community needs your help."

"If you can't help," he said, "tell us who can."

He explained that young black men representing such groups as Thugs United of New Orleans, Sons of Watts, Inc., of Los Angeles and the Real Great Society of New York wanted to avoid red tape and deal directly with corporation and foundation presidents in seeking help.

SIX OF 40 ATTEND

Of the 40 Urban America trustees, six were present for consultation the first day and 15 the second. Other trustees sent representatives.

A total of 22 trustees were listed as having attended the private board meeting.

Mr. James criticized the absences. He argued with John W. Gardner, president of the Urban Coalition, who spoke at a luncheon. Mr. Gardner, former Secretary of Health, Education and Welfare, had refused to get out of bed for a 2 A.M. meeting with the young men, who often argued all night over the agenda for the next day.

Andrew Heiskell, Urban America chairman, who is chairman of Time Inc., said that the businessmen generally came away from such meetings with a much deeper understanding of what was happening in the cities.

[From the New York Times, June 10, 1968]

CITY MAY CHARGE FOR SERVICES PROVIDED TO TAX-FREE GROUPS

(By David Bird)

Budget Director Frederick O'R. Hayes said yesterday that the city was considering a plan to charge tax-exempt institutions for direct services—such as water and garbage collection—that are now free.

He said the charges could add $25-million to $50-million to the city's annual income.

Mr. Hayes, who spoke on the WCBS radio program "Let's Find Out" and in an interview later, said the plan was a "somewhat different approach" to the question of tax-exempt institutions.

The city had been pressing to remove some institutions completely from the tax-exempt rolls, but Mr. Hayes conceded yesterday that this had run into almost immovable opposition.

PLAN IN EARLY STAGE

Mr. Hayes said the new plan, which, he emphasized, is still in the thinking stage, would collect only for direct services provided to a tax-exempt institution.

The charges, he said, would be a "very small percentage" of the taxes that an institution would have to pay if it were not exempt.

This is so, he said, because the bulk of taxes are used for such high-cost items as schools and police and fire protection. These indirect costs would be difficult to determine on an individual basis, Mr. Hayes said, and there is no plan to include them in the charges that would be levied on tax-exempt institutions.

Although Mr. Hayes said he felt there would be considerably less opposition to the present plan than to removing some exemptions entirely, he added that there were still hurdles to be overcome in the fee system.

One of these is that state legislation would probably be needed, especially in the case of water charges, which are controlled by state law.

Mr. Hayes said that about a third of the city's real property was now tax exempt. If this property were taxed on its full value, he said, it would bring about $500-million in additional revenue to the city.

But he said, it would be "unrealistic" to use that figure as a goal because a "substantial portion" of the tax-exempt real estate is owned by the Federal, state and city governments. It has been estimated that nearly half the tax-exempt property in New York City is owned by the city itself.

In addition to the supplying of water and the collection of waste—including sewage as well as garbage—Mr. Hayes said the city might be able to charge for "certain other direct activities."

He declined to specify what these might be.

Although a majority of exempt property is governmental, a growing amount belongs to churches, hospitals, schools, cemeteries and foundations.

[From the New York Times, June 10, 1968]

TAX BILL PASSAGE URGED ON CONGRESS BY CHAMBER PANEL

WASHINGTON, June 9.—A panel of industrialists and financiers sent telegrams to every Congressman today calling passage of the tax increase bill "a matter of extreme urgency."

The special committee, formed recently by the United States Chamber of Commerce, said its members were alarmed by a rising threat of "a national and international financial crisis of serious dimensions."

The telegrams were signed by Winton M. Blount, president of the Chamber, all 16 members of the committee and spokesmen for eight major business associations. The associations are:

The American Bankers Association, American Retail Federation, American Industrial Bankers Association, Mortgage Bankers Association, Manufacturing Chemists Association, National Association of Manufacturers, National Retail Merchants Association and National Association of Food Chains.

BANKER HEADS PANEL

The Chamber group, called the Committee to Consider Problems of the Dollar, is headed by Archie K. Davis, board chairman of the Wachovia Bank and Trust Company, Winston-Salem, N.C.

Among the other members are George Champion, Board chairman, the Chase Manhattan Bank, New York; Martin R. Gainsbrugh, senior vice president, National Industrial Conference Board; Gabriel Hauge, president, Manufacturers Hanover Trust Company, New York; Gerald L. Phillippe, board chairman, General Electric Company, New York; H. I. Romnes, Board chairman, American Telephone & Telegraph Company, New York; and Robert S. Ingersoll, board chairman, Borg-Warner Corporation, Chicago.

The pending Bill would impose a 10 per cent income tax surcharge and order a $6-billion cut in Government spending planned for the fiscal year starting July 1.

GUN CONTROL LEGISLATION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GUBSER. Mr. Speaker, Mr. Melvin K. Cotton, president of Mel Cotton's, Inc., the largest gun dealer in San Jose, Calif., has written a very enlightening letter regarding gun control legislation. As one who has a very definite financial interest in the sale of guns, I think his attitude is commendable and his views worthy of thoughtful consideration. Mr. Cotton's letter follows:

MEL COTTON'S, INC.
San Jose, Calif., June 5, 1968.

Re: Enactment of proper and necessary controls on sale of firearms.

Congressman CHARLES GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: Mel Cotton's, Inc., is the largest gun dealer in San Jose, California, a city of over 400,000 population. A substantial portion of our income is derived from the sale of firearms and ammunition.

The need for restrictive legislation is now more than ever imperative. Attempts at gun legislation in the past have been met with a tremendous amount of resistance from sportsmen and the armaments industry. One problem has been that no distinction was made between sporting weapons and those that are useless to sportsmen. Over 50% of the weapons that we sell in our store have little or no use other than to kill people. This type of weapon should be highly restricted; for example, to use by law enforcement officers only.

Weapons primarily used by sportsmen for hunting and target shooting, whether hand or shoulder weapons, should be required to have serial numbers put on them by the manufacturer and to be registered to the owner, similarly to hand-guns in California. No true sportsman should have any objection to such a law.

The laws restricting weapons should be federally-controlled and should be strictly enforced.

We are sending a copy of this letter to the National Sporting Goods Dealers Association, of which we are a long-standing member, in an attempt to have them further endorse our stand.

In the interests of true sportsmanship and the preservation of life, liberty, and the pursuit of happiness, we feel that all gun dealers should endorse a sensible, stronger, workable gun-control law.

Very truly yours,

MELVIN K. COTTON,
President.

NATIONAL CHARITY CONTEST OF PAINTING AND DECORATING CONTRACTORS OF AMERICA BENEFITS LOCAL COMMUNITIES

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GARMATZ. Mr. Speaker, in view of the sad events of the past week and the many unpleasant and often fatal incidents which have occurred across the country in the past months, our faith in mankind can readily be shaken. Now, I learn of a project which has become an annual affair and I am much encouraged and my belief in the goodness of the majority of our people is greatly increased.

The Painting and Decorating Contractors of America has for the past several years sponsored a national PDCA charity week contest. The contest is based on public works performed by the member chapters.

Last year the Baltimore chapter won first place in the national contest by painting the frigate *Constellation*, a national shrine based in Baltimore. In 1966, they painted the large Kernan Hospital for Crippled Children; and in 1965 the building occupied by the Family and Children's Aid Society was the recipient of their good work.

This year's projects far outstrip the previous ones in size and number. The main project will be the cleaning of the Washington Monument in the center of an old and lovely area of Baltimore. This will be its first cleaning since it was built in 1815. It is estimated that the value of this job to the city of Baltimore will be about $10,000.

Other projects included this year will be:

Paint the exterior of the Peale Museum.

Paint the exterior of the Maryland Historical Society Building.

Paint the exterior of the Druid Hill Avenue YMCA.

Paint the exterior of the Mental Health Association.

All of this work will begin on Monday, June 17, and all is expected to be completed that day, except the work on the Washington Monument. That is expected to take about 5 days.

The Baltimore Chapter of the Painting and Decorating Contractors of America is composed of 43 professional painting and cleaning contractors and suppliers. All will be cooperating in these projects. It is their hope that their efforts will encourage many firms and individual citizens to clean up their places of business or homes.

What I thought was very interesting was the cooperation which the painters and decorators have received from other companies in the city.

It has been found that the best way to clean the monument will be with water under high pressure. In addition to the equipment owned by the members, other items are needed.

The gas and electric company is furnishing additional scaffolding.

The Chesapeake & Potomac Telephone Co. is furnishing rain gear.

The Maryland Petroleum Association is furnishing 500 gallons of gasoline for the compressors which will be used in the cleaning.

The Eager House Restaurant is providing lunches for the several hundred workers.

The Painting and Decorating Contractors of America and all of its participating chapters deserve our highest praise for their activities in behalf of their communities and their efforts are worthy of emulation by all segments of business and by private citizens. These activities should be publicized overseas instead of the unfavorable events which receive such wide publicity.

THE THINK BANK OF TRIANGLE STATIONS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ROBISON. Mr. Speaker, recently I have been asked to join with four of my distinguished colleagues here in the House, Representatives B. F. SISK, J. IRVING WHALLEY, ROBERT N. GIAIMO, and EDWIN D. ESHLEMAN, in a most worthwhile project which I believe will interest other Members of the House.

This is the Think Bank, launched by the enterprising Triangle Publications broadcast group, Triangle Stations. Anne Blair is their Washington correspondent.

Triangle's idea is to utilize the knowledge of local experts in many fields, upon whom they may call for commentary and analysis as befits a fast-breaking news story or special program. These experts and we Members of Congress who are members of the Think Bank are, in effect, contributing editors to the stations.

The "Bank" will include faculty members from local colleges and universities, as well as business leaders and Members of Congress. Such schools as Cornell, Yale, Ithaca, Harpur, Penn State, Franklin and Marshall, Fresno State, and many other equally fine State and private colleges will be represented. Top minds on their faculties in such fields as economics, agriculture, law, medicine, and politics will participate.

Since this concept is already being adopted by other radio and TV stations around the country, I thought it especially fitting to bring this new and imaginative approach to broadcast journalism to the attention of the House.

I trust my colleagues will join me in congratulating Triangle on this fine innovation aimed at enriching program content.

CULVER COMMENDS DUBUQUE SOS CLUB

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. CULVER. Mr. Speaker, I would like to express my strong support and appreciation for the recently formed Support Our Servicemen Club, a club for Dubuque parents and wives of servicemen in Vietnam. This most worthwhile project is providing not only a great deal of comfort to the club members, but is also demonstrating to the servicemen in Vietnam from the Dubuque area the deep appreciation and gratitude felt by the people back home for the sacrifices they are making. It is an idea which, I am sure, other parents and wives of those serving in Vietnam would be interested in.

The club was organized this past February under the sponsorship of the Dubuque County Chapter of the Red Cross in order to enable those with loved ones in the service in Vietnam to share each other's problems and to help each other through these difficult times. However, to this desire to give each other moral support the desire to show their husbands and sons through some token of appreciation their care and concern naturally followed.

Therefore, to demonstrate their support for the men in their community serving in Vietnam the club organized recently its first activity, a "Christmas in July" program. With money raised through financial contributions and a candy sale in downtown Dubuque, the SOS Club will send gift boxes to every serviceman in Vietnam who comes from the Dubuque area, and show, thereby, to the boys in Vietnam that the Dubuque people are thinking of them at all times—not just at Christmas. The gift boxes will include items which are most frequently requested by servicemen writing home, such as canned meat or spread, small cans of fruit, ballpoint pens, stationery, and so on. Local merchants are providing substantial discounts for some of the items to be included in the gift boxes.

Although the club was organized under the auspices of the Dubuque County Chapter of the American Red Cross, its operations are autonomous. The Red Cross does provide a variety of services and has placed its meeting room at the club's disposal. Otherwise, however, the SOS Club is completely independent of the Red Cross; it has its own officers and its own account. The approximately 100 members of SOS meet once each month to discuss their common concerns and to hear speakers on a variety of subjects of interest to them. At their last meeting, Robert Woodward, Jr., vice-president of Telegraph Herald Corp., and general manager of radio station KDTH, who recently returned from a tour of Vietnam, showed slides taken in Southeast Asia.

Instrumental in organizing the group were Mrs. Tom Tully, Mrs. Dwight Lloyd, and Mrs. Thomas Bell, Jr. Mrs. Lloyd and Mrs. Bell are now advisers to the club. Elected as officers were Mrs. Edward Gaulke, president; Mrs. Alvin Maus, secretary; Mrs. Merlin Frieburger, treasurer; Mrs. Richard Chapman, public relations chairman; and Mrs. LaVerne Vondran, chairman of the packing and wrapping committee. Members were also selected to serve on the advisory board of the club. Selected to serve for a period of 6 months were: Mrs. Donald Blakeman, Sandy Blakeman, a representative of the Dubuque Post DAV—yet to be named—Mr. Merlin Frieburger, Mrs. Robert J. Friedman, Mrs. Robert L. Friedman, Mrs. John Galle, Mrs. Curtis Liermoe, Mr. Dwight Lloyd, Mrs. Jeff Sample, and Mrs. LaVerne Vondran.

I commend their efforts and am pleased to bring them to the attention of my colleagues as a valuable program in the service of our country.

HAWAII OBSERVES JUNE 11 AS KING KAMEHAMEHA DAY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MATSUNAGA. Mr. Speaker, June 11 is a very special day in Hawaii. It is a day set aside to honor the memory of one of her greatest sons, King Kamehameha the Great, who, in 1810, united the Hawaiian Islands under one rule.

Kamehameha Day is an official holiday in the 50th State, and as such is the only holiday in the United States which honors a king.

Kamehameha Day also honors the Hawaiian people as they continue to express their joy and their pride in this most unique of holidays and in this most extraordinary of 19th century monarchs.

A brief yet eloquent tribute to Kamehameha the Great appeared in the recent issue of the Punchbowl Homes Newsletter. I found this article, written by Madeline Smith, to be exceptionally noteworthy for the simple yet most profound thoughts which she expressed.

I certainly commend the reading of the article to my colleagues in Congress, and to all those interested in reading more on the history of our Nation's newest State.

The article follows for the CONGRESSIONAL RECORD:

KAMEHAMEHA DAY

(By Madeline Smith)

Hawaii has a heritage of romance, excitement and adventure, that is equal to the history of any other country in the world. Perhaps the best known of the Hawaiian Chiefs is Kamehameha who is honored by the state holiday on June 11th.

Much has been said about his uniting all of the islands under his rule, but enough can never be said about his wise and kindly rule. He gathered about him a council of chiefs who were skilled in matters of government affairs, war, or of the welfare of the people, who advised him in the administration of his kingdom.

Kamehameha's laws were made to protect the commoners as well as the chiefs. There were laws prohibiting murder, wanton destruction or theft of property, robbing the weak, praying to death and also laws to observe the tabus of the gods. For the first time in Hawaii's history old men, women and children could sleep in safety by the roadside should they so choose. He not only ruled his people, but he labored for them, going out with the fishermen, helping to provide food and shelter for all of his people and meting out justice to friend and foe alike.

A truly great man, comparatively uneducated by the standards of today, but were he to live again today, his administration of the affairs of his people would be as modern as tomorrow.

SUPPORT FOR THE PRESIDENT'S COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ALBERT. Mr. Speaker, with the creation of a National Commission on the Causes and Prevention of Violence, President Johnson has taken a significant step to help the Nation come to grips with the causes of the terrible tragedies that have shocked us all.

We need answers to the big question—why? Why has violence become so much a part of our lives in this country, and most important, what can we do to control it.

As the President said yesterday when he addressed the Commission at its first meeting, we need "an understanding and an insight into the kind of violent aberrations which have struck down public figures and private citizens alike."

The President's Commission will help to supply some important answers. Hopefully, the work of this Commission will bring greater understanding of why assassinations and violence occur with such terrible frequency.

I commend the President for his leadership in creating this Commission. Under the unanimous consent previously obtained, I include the President's remarks yesterday to the Commission and the Executive order establishing the Commission:

REMARKS OF THE PRESIDENT TO COMMISSION ON THE CAUSE AND PREVENTION OF VIOLENCE, THE CABINET ROOM

Dr. Eisenhower, Mr. Attorney General, Ladies and Gentleman of the Commission: As I reviewed with you in the Fish Room earlier, I shall shortly, in your presence here, sign the Executive Order creating the Commission and will ask the Congress for authority for support of the Commission.

It is anticipated that there will be, as the order outlines, additional appointees to the Commission, perhaps two, maybe more. The request to the Congress for additional authority will go up this afternoon.

Following the signing of the order, I will make a statement of some 10 or 15 minutes that will give you my views, as well as background, I think, that will be appropriate for you to review in the light of the responsibilities which you are undertaking.

I want to, before I go into the formal statement, again express to Dr. Eisenhower, as I do to each member of this Commission, my deep and lasting gratitude on not only my part but, I think, on the part of the American people for their willingness to assume this responsibility. I am grateful to each of you.

This troubled world will long remember the scar of the past week's violence, but when the week is remembered, let this be remembered, too; that out of anguish came a national resolve to search for the causes and to find the cures for the outbursts of violence which have brought so much heartbreak to our Nation.

Violence has erupted in many parts of the globe, from the streets of newly emerging nations to the old cobblestones of Paris. But it is the episodes of violence in our own country which must command our attention now.

Our inquiry into that violence brings all of us together here this afternoon in the Cabinet Room at the White House. You members of this Commission come here from the church, the university, the Senate and the House, the Judiciary, the ranks of the workingman on the waterfront, and the professions.

My charge to you is simple and direct: I ask you to undertake a penetrating search for the causes and prevention of violence—a search into our national life, our past as well as our present, our traditions as well as our institutions, our culture, our customs and our laws.

I hope your search will yield:

First, an understanding and an insight into the kinds of violent aberrations which have struck down public figures and private citizens alike.

One out of every five Presidents since 1865 has been assassinated—Abraham Lincoln in April 1865, Garfield in July 1881, McKinley in September 1901, and John Fitzgerald Kennedy in November 1963.

In this same period, there have been attempts on the lives of one out of every three of our Presidents, including President Theodore Roosevelt while campaigning in October 1912, President Franklin D. Roosevelt in February 1933, and Harry S. Truman in November 1950. In the attempt on Roosevelt's life, Mayor Anton Cermak of Chicago was killed. In the attack on President Harry Truman, a White House policeman lost his life.

The list of assassinations during the last five years is also long and shocking. Here are some of them:

In 1963: Medgar Evers, ambushed by a sniper; four Negro girls killed in a church bombing; President John F. Kennedy assassinated, 8,500 Americans were murdered that year, also, in America.

In 1964: Three civil rights workers murdered as part of a Ku Klux Klan conspiracy; Lt. Col. Lemuel Penn shot down on a highway, 9,250 Americans were murdered that year in America, also.

In 1965: Mrs. Viola Luizzo. 9,850 Americans were murdered that year in America, too.

In 1966: Malcolm "X". 10,920 Americans were murdered that year.

In 1967: George Lincoln Rockwell. 12,230 Americans were murdered that year.

In 1968: Martin Luther King, Jr. and Senator Robert F. Kennedy.

Just yesterday, the newspapers recorded that a Jordanian grocer was shot to death and police speculate that the killing may have been in revenge for the assassination of Senator Kennedy.

Second, I hope your search will uncover the causes of disrespect for law and order—disrespect for proper authority in the home and disrespect for public officials—and of violent disruptions of public order by individuals and groups.

Third, I hope your studies will lead to practical actions to control or prevent these outbreaks of violence.

Here are some of the questions I hope you will consider:

Is there something in the environment of American society or the structure of American institutions that causes disrespect for the law, that causes contempt for the rights of others, and incidents of violence? If there is, how can we correct it?

Has permissiveness toward extreme behavior in our society encouraged an increase of violence?

Why do some individuals and groups reject the peaceful political and institutional processes of change in favor of violent means?

Are the seeds of violence nurtured through the public's airwaves, the screens of neighborhood theaters, the news media, and other forms of communication from our leaders that reach the family and reach our young? I am asking the heads of the radio and television networks and the Chairman and the members of the Federal Communications Commission to cooperate wholeheartedly with this Commission.

Is violence a contagious phenomenon? To the extent that it is, are there ways we can reduce the contagion?

What is the relationship between mass disruption of public order and the individual acts of volence?

What is the relationship between mental derangement and violence—remembering that half of our hospital beds in America are now occupied by the mentally ill?

Does the democratic process which stresses exchanges of ideas permit less physical contact with masses of people—as a matter of security against the deranged individual and obsessed fanatic?

To the extent we can identify the basic causes of violence and disrespect for the law, what practical steps then can we and should we take to eliminate them?

Can our society any longer tolerate the widespread possession of deadly firearms by private citizens?

What—beyond firm and effective Federal and State gun control laws which are so desperately needed—can be done to give further protection to public leaders and to private citizens?

How can the Government at all levels, the churches, the schools and the parents help to dispel the forces that lead to violence?

These are some of the questions that are on the minds of Americans today. But I will and I must leave to you the task of defining precisely the scope and boundaries of this inquiry. For you will be venturing into uncharted ground.

Some of the questions I have asked and the matters you look into may be beyond the frontiers of man's knowledge. Nevertheless, I urge you to go as far as man's knowledge takes you.

Even where basic causes are beyond the knowledge and control of man, you may still be able to propose actions and laws and institutions which can limit the opportunities for violence by individuals and groups, for as I said to the Nation only last Friday:

"Two million guns were sold in the United States last year. Far too many were bought by the demented, the deranged, the hardened criminal and the convict, the addict and the alcoholic. We cannot expect these irresponsible people to be prudent in their protection of us, but we can expect the Congress to protect us from them . . ."

"I have spoken before of the terrible toll inflicted on our people by firearms: 750,000 Americans dead since the turn of the century. This is far more than have died at the hands of our enemies in all the wars we have fought. . ."

"Each year in this country guns are involved in more than 6,500 murders. This compares with 30 in England, 99 in Canada, 68 in West Germany, and 37 in Japan. 44,000 aggravated assaults are committed with guns in America each year. 50,000 robberies are committed with guns in America each year."

The truths we seek will yield stubbornly to search. But I do want to be sure that search is made, and that search must be started now.

Your work should help us all move toward that day when hatred and violence will have no sway in the affairs of men. Since violence is an international phenomenon, your work will be a service not only to your countrymen, but, I hope, to the world.

The agony of these past days lies heavy on the hearts of all the American people.

But let us now have the will and have the purpose to forge our sorrow into a constructive force for public order and progress, for justice and compassion. This is the spirit that has sustained the Nation, and sustained it in all the years of our history.

This is the spirit, I believe, that can see us emerge from this hour of sorrow—and emerge as a stronger and a more unified people.

EXECUTIVE ORDER ESTABLISHING A NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of the Commission.* (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of: Dr. Milton Eisenhower, *Chairman;* Congressman Hale Boggs; Archbishop Terence J. Cooke; Ambassador Patricia Harris; Senator Philip A. Hart, Judge A. Leon Higginbotham; Eric Hoffer; Senator Roman Hruska; Albert E. Jenner, Jr.; and Congressman William M. McCulloch.

The President from time to time may appoint additional members to the Commission, and may designate additional officers thereof.

SECTION 2. *Functions of the Commission.* The Commission shall investigate and make recommendations with respect to:

(a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;

(b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and

(c) Such other matters as the President may place before the Commission.

SECTION 3. *Compensation of Members of the Commission.* (a) Members of the Commission who are otherwise compensated by the United States for full-time service shall serve without compensation in addition to that received for their full-time service; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law.

(b) Other Members of the Commission shall receive compensation in accordance with law when engaged in the actual performance of duties vested in the Commission. In addition they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703, for persons in the Government service employed intermittently.

SECTION 4. *Staff of the Commission.* (a) The Commission shall have an Executive Director, appointed by the President, who shall receive such compensation as may be directed by the President in accordance with law.

(b) The Commission is authorized to appoint such additional personnel as it deems necessary, to fix their compensation in accordance with law, and to obtain services in accordance with the provisions of 5 U.S.C. 3109.

SECTION 5. *Cooperation by Executive Departments and Agencies.* (a) The Commission, acting through its Chairman, is authorized to request from any executive department or agency any information and assistance deemed necessary to carry out its functions under this Order. Each department or agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

(b) The General Services Administration shall provide administrative services for the Commission.

SECTION 6. *Report and Termination.* The Commission shall present its report and recommendations as soon as practicable, but not later than one year from the date of this Order. The Commission shall terminate thirty days following the submission of its final report or one year from the date of this Order, whichever is earlier.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 10, 1968.*

NEWSLETTER

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SCOTT. Mr. Speaker, each month I prepare a newsletter to constituents in an effort to keep them informed on congressional activities and am inserting a copy of the June issue in the RECORD at this point for the information of my colleagues:

YOUR CONGRESSMAN BILL SCOTT REPORTS

AN IMPORTANT NEW LAW

Last week the House adopted the Senate version of the Omnibus Crime Bill and sent it to the President for approval. The Bill provides:

1. Law enforcement assistance through the States to localities by granting funds for recruitment, education and training of policemen and for research and construction.

2. That confessions in criminal cases are admissible in evidence if voluntarily made and the trial court shall determine if they were made voluntarily. The purpose is to reduce the impact of recent court decisions holding confessions inadmissible where there is a delay in bringing an accused person before a magistrate or if he has not been advised of his constitutional rights. A separate section provides for admission of testimony by an eye witness to a crime. This is a response to a decision holding inadmissible the identification of a suspect in a line-up in the absence of counsel.

3. That interstate shipment of guns or destructive devices is illegal except between federally licensed dealers. Sales are forbidden to minors and felons, among others. Rifles and shotguns are excepted.

4. That any person employed by the government, convicted of feloniously participating in a riot or civil disorder, shall be removed from office, or one not employed by the government at the time of committing the offense shall be barred from employment by the government for a five year period immediately following the date of conviction.

5. That extortion within the District of Columbia is a felony similar to interstate extortion and punishable by up to 20 years imprisonment.

This brief digest of a 134 page bill certainly does not include all of its provisions but if the measure is signed by the President and adequately enforced, it should be helpful in reducing crime. There is no doubt that crime and disorder in the country are among our most important domestic problems. In my opinion there is not only the need for adequate enforcement of existing laws, and an effort to improve environmental conditions which breed crime, but we need the help of our homes, schools and churches to re-establish respect for authority in our nation. We must reverse the trend toward tolerance of criminal activity and remove political considerations from determination of the question of prosecution. I certainly hope that recent events will persuade the Executive Branch of the government to fairly and impartially enforce all existing laws and that the example set by the national government will be followed at state and local levels.

The large majority of law-abiding citizens must let their influence be felt in favor of upholding the law, rather than permitting a small vocal minority to encourage disobedience. The theme of this year's Law Day observance sponsored by the American Bar Association, "Only a lawful society can build a better society", should be taken to heart.

SALEM CHURCH DAM

A hearing has been set on the authorization bill for the Salem Church Dam and Reservoir commencing at 10:00 A.M., on June 20, in the House of Representatives Public Works Committee Room, 2167 Rayburn House Office Building. This proposed dam on the Rappahannock River in Spotsylvania County has been under consideration for a long number of years and I am hopeful that favorable consideration will be given by the Committee.

PASSED BY THE HOUSE

The House of Representatives recently passed a bill to provide increases in the rate of compensation for disabled veterans. Under the proposal totally disabled veterans would receive an additional $100 per month, and partially disabled veterans would receive a cost of living increase of 8% or an addition of from $2 to $17 per month, depending on the degree of disability. The bill also provides for the furnishing of additional mechanical aids, medical equipment and supplies to certain disabled veterans. Recommended by the Veterans' Advisory Commission which held hearings last year throughout the country, the proposal must be acted upon by the Senate and approved by the President before it becomes law.

PUBLICATIONS AVAILABLE

Some of the pamphlets available in the office are listed below. We will be glad to furnish any of them upon request as long as the supply lasts.

How Our Laws Are Made; Vietnam and Asian Continent Maps; Health Insurance for People 65 or Older; Your Social Security; Our American Government. How Does It Function?; Summary of Veterans Legislation, 1st Session, 90th Congress; Our Flag; Nutritive Value of Foods; Your Child from One to Six; Buying Your Home Sewing Machine; Home Laundering, the Equipment and the Job; and Honey, Some Ways to Use It.

PROPOSED CRIMINAL STATISTICS CENTER

The Subcommittee on Census and Statistics of the House Post Office and Civil Service Committee has been holding hearings for several weeks on a proposal to create a National Criminal Statistics Center. This Center would gather and disseminate statistical information on all aspects of law enforcement and criminal justice. The Center was originally suggested by the National Crime Commission and substantially all of the witnesses appearing before the Subcommittee indicated that the information would be valuable in determining causes of crime and for sharing between law enforcement officials at all levels. Some Subcommittee members have expressed concern over the cost of the Center and possible use of the information for other than law enforcement purposes. No legislative action is expected this year. As a member of the Subcommittee I enjoyed the demonstration FBI agents made of their present data bank and was gratified when my name and birthdate were read into the machine and the report came back of no criminal record.

EVENING ENGAGEMENTS FOR THE NEXT MONTH

June 11, Bull Run Lions Club, Loudoun; June 12, Loudoun Valley High School Commencement, Loudoun; June 13, Gala on the Potomac, Fairfax; June 14, Goose Creek Country Club Dinner, Loudoun; June 16, Elks Club Patriotic Observance, Fairfax; June 22, National Assn. of Postal Supervisors, Alexandria; June 24, Businessmen's Dinner, King William; June 28, Disabled American Veterans, Norfolk, and June 29, Dulles Young Republicans, Fairfax.

July 1, Spotsylvania County Dinner, Spotsylvania; July 3, Ruritan Club of Nokesville and Manassas, Prince William; July 4, Manassas Fourth of July Celebration, Prince William; July 9, Fairfax County Republican Committee, Fairfax, and July 10, Sterling Ruritan Club, Loudoun.

AIRCRAFT NOISE ABATEMENT

The House unanimously passed and sent to the Senate a bill to require the Federal Aviation Administration to prescribe rules and regulations for the control and abatement of noise and sonic boom. It would also direct the Administrator to apply these standards of noise abatement to the issuance of certificates authorizing design, production, airworthiness and operation of aircraft as well as standards for airmen and requires the regulations to be consistent with the highest degree of safety. Constituents living in the Alexandria area have expressed concern about the noise from aircraft arriving and departing from National Airport. Therefore it is hoped that in addition to Senate passage of this bill, some way can be found to move some flights from National to Dulles Airport which was not only constructed for jet planes but also has built-in noise abatement features.

SUMMERTIME

It has been nice to speak to so many graduating classes over the last several days. I enjoyed the opportunity of being with the young people as well as adult constituents and hope you will continue to invite me. Summertime is coming, however, and Inez and I are hopeful of having about two weeks in August away from regular office duties and evening functions. I'm sure you understand that even your Congressman needs some relaxation.

QUESTIONNAIRE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the attention of the Members of the House. They are as follows:

[Results in percent]

1. Do you approve of the President's handling of the Vietnam war?

Yes	24
No	76

2. Should the President take unilateral action and order an end to the bombing of North Vietnam with the hope that Communist attacks on the south would cease?

Yes	42
No	58

3. Should the administration seek congressional approval before increasing U.S. troops in Vietnam?

Yes	77
No	23

4. Should the administration insist that the South Vietnamese shoulder a greater share of the war effort before additional U.S. troops are committed?

Yes	91
No	9

5. Would you favor a U.S. "pullout" of Vietnam even though this may mean another Communist takeover?

Yes	26
No	74

6. Do you favor legislation making it a Federal crime for a person, offering his home for sale or rent through a real estate agent, to refuse to sell or rent the same to anyone because of race, color, religion, or national origin?

Yes	27
No	73

7. Do you favor a 10 percent "across-the-board" reduction in all government spending except for Vietnam?

Yes	71
No	29

8. Do you favor President Johnson's proposed 10 percent surtax on private and corporate earnings?

Yes	33
No	67

9. Should the Congress follow the administration's recommendations and pass legislation to expand trade with Eastern European Communist countries?

Yes	39
No	61

10. Do you favor the proposal to have national holidays fall on Monday?

Yes	37
No	63

11. Do you favor legislation making it a crime to travel from one state to another to incite or participate in a riot?

Yes	94
No	6

12. Do you favor the termination of our foreign aid program?

Yes	64
No	36

13. Do you believe the President's poverty program has been successful?

Yes	13
No	87

14. Do you favor the President's recommendation that the wheat and feed grain programs be made permanent?

Yes	16
No	84

NEWSLETTER TO RESIDENTS OF NORTH DAKOTA'S SECOND DISTRICT

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KLEPPE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following comment in my newsletter being mailed to residents of North Dakota's Second Congressional District:

Tax increase and spending cuts. I shall vote against the tax increase-spending cut package now scheduled to come before the House June 12. My reasons for taking this position are twofold:

First, the Administration's proposed 10 per cent, across-the-board surcharge on individual and corporate income taxes discrinmates against low and middle income wage-earners and smaller business enterprises. It represents a retreat from the long-established principle of graduated income taxes. It would fall most heavily upon those least able to bear an additional tax load.

The 10 percent surcharge was added to an excise tax bill on the floor of the Senate. It did not come from the House Ways and Means Committee which has Constitutional responsibility for originating tax legislation. If there is to be a tax increase, it should be channeled through this Committee.

Second, the measure does not spell out where the proposed spending reductions of $6 billion would be made during the new fiscal year beginning June 30. We are being asked, in effect, to "buy a pig in a poke."

If past experience is any criterion—and I think it is—the major reductions would come from education, agriculture and such programs as highways and public works. Some would not represent real savings at all. The current freeze on Interstate Highway funds, a separate trust account collected exclusively from users, is an example of this. The money is there. It can't be spent on anything but highways. Other cuts in the foregoing list would have to be largely restored through supplemental appropriations to meet fixed, statutory commitments.

My fear is that desirable, worthwhile and even essential programs would bear the brunt of the $6 billion spending reduction. The President has at no time indicated he would substantially trim any of the Great Society programs launched by the 89th Congress. I believe that Congress should spell out a specific list of priorities for expenditure cuts.

At the top of the list, I would place foreign aid. Because of prior commitments, it can't be chopped off overnight but it could certainly be cut in half, for a saving of at least $1.5 billion over the next year. Today, 23 years after the end of World War II, the United States still has 300,000 troops in Europe. Most of them could be brought home, along with their dependents, at an annual saving of at least $1 billion. Moreover, such a step would go a long way toward easing the critical U.S. balance of payments deficit. Such programs as space exploration, highway beautification and development of the commercial supersonic transport plane could be stretched out for further savings of at least $1 billion in fiscal 1969.

The number of Federal civilian employees could be reduced by leaving unfilled a substantial number of jobs vacated through retirement, death and resignation. This would save $1 billion or more a year. Since 1960, 550,000 civilian employees have been added to the Federal payroll. The Administration request was for 45,000 more in Fiscal 1969. If we really mean to trim government spending, the mushrooming growth of the Federal establishment itself must be halted.

During Fiscal 1969, interest charges on the national debt will total $16 billion—the second largest item in the budget. If Congress and the Administration adopted a policy of genuine fiscal responsibility, bringing the budget into approximate balance and thereby checking rampant inflation, interest rates would inevitably fall by at least one percentage point. That alone would save the Federal government perhaps $3 billion a year, and the benefits to individual borrowers and local governments would be infinitely greater.

Through these actions, Federal expenditures could be reduced by at least $7.5 billion a year—a figure well over what is proposed—and, more importantly, the cuts could be made without crippling needed services and programs. If such steps were taken *first*—with actual cuts spelled out on a strict priority basis—I would then look with favor on a graduated income tax increase.

Farm bill extension faces doubtful outlook. The House Agriculture Committee, of which I am a Member, recently voted to extend the Food and Agriculture Act of 1965 for one year.

The House Rules Committee has not yet cleared the bill for House action. The Senate is also considering extension of the Act which would otherwise expire in 1969.

I voted for the extension because the farmer must plan ahead. His decision to buy or not to buy an expensive piece of machinery, or to rent or buy additional land, is determined by the outlook for farm prices. Failure to extend the present act would mean an end to wheat certificate payments after 1969. Wheat price supports would drop to 50 per cent of parity—about $1.30 per bushel. For feed grains, there would be no production or acreage diversion payments after 1969.

Unfortunately, there have been attempts to make a political football of a one-year extension of the basic farm law. The following facts should be made clear:

First, the one-year bill was offered in the Committee by Chairman Bob Poage (D.-Tex.). It was approved overwhelmingly, 28 to 5, on a bi-partisan vote.

Second, as Chairman Poage emphasized, it was this or nothing. He said, "We realized that if we had opened the measure up to changes that undoubtedly no bill would have been passed."

Third, the majority party has 2 to 1 control of the Rules Committee. It can report the bill for House action any time the Administration leadership wants to.

Fourth, a key Member of the Rules Committee, Rep. Ray Madden (D.-Ind.) has firmly expressed all-out opposition to any extension of the 1965 farm Act. He said: "I am serving notice that many Members will oppose continuation of this multi-billion dollar boondoggle when we must deal with difficult fiscal and monetary problems, discontent, riots and untold poverty in urban areas where 71% of our population resides."

As for myself, I have said repeatedly I would support an extension of the farm program for more than one year. It will be extremely difficult, however, to get an extension of even one year, in view of the opposition already expressed.

Meanwhile, I believe farmers and their friends should unite to obtain what is possible. It serves no one, least of all the farmer, to pursue a course which may result in no extension whatsoever in the present farm program.

OCCUPATIONAL HEALTH AND SAFETY ACT OF 1968

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BURTON of California. Mr. Speaker, in my district in San Francisco recently a rather remarkable speech was presented to a large group of scientists that forcefully stated the need for the passage of the Occupational Health and Safety Act of 1968.

It was delivered by an Assistant Surgeon General of the U.S. Public Health Service, Dr. Richard Prindle, to the annual convention of the Industrial Medical Association of the United States. I feel that it was sufficiently important to call to the attention of the Members of Congress several of the salient paragraphs of the speech:

> Health officers and physicians cannot afford to approach the potential health hazards of the contemporary environment, and we must include the work environment, as though we were attorneys in a court where the suspect is deemed innocent until guilt is proved beyond reasonable doubt. The size of the population at risk and the possible consequences of failure to control both the known and the suspected hazards are too great to await absolute proof. Strong circumstantial and theoretical evidence requires action. To await positive proof is to court disaster.
>
> The people of this country need and desire the products and the affluence of a prosperous industrial economy. But they also need and increasingly are demanding cleaner air and water; they want safe jobs, safe food, drugs, and clothing. I believe it is clear the people are convinced that an unsafe and unhealthy environment is not a reasonable price to pay for prosperity. I believe the American people feel that a science which can unravel the genetic code, develop artificial hearts and kidneys, and an industry which can transmit clear photographs back to earth from the moon's surface can also clean up the environment and improve the workplace without destroying the American way.
>
> Air and water pollution have held the center of legislative and public attention until now because their gross effects are readily apparent to millions of people. Health authorities have concentrated on air and water because of the size of the populations exposed to their potentially harmful contaminants.
>
> Belated as were the legislative enactments of recent years designed to cope with air and water pollution, with better delivery of health services, even more belated but equally welcome to health workers was the introduction this year of the Occupational Safety and Health Act of 1968. This is clearly one of the most important and needed pieces of health legislation introduced in the last decade.

MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS, 31ST ANNUAL BANQUET

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. McCORMACK. Mr. Speaker, for over three decades, the Massachusetts Committee of Catholics, Protestants, and Jews, has been in existence. This great organization, which is dedicated to the furtherance and strengthening of understanding and of the American spirit and ideals, consists of outstanding citizens of all races, color, and creed. The contribution of this committee has been stimulating and most effective in extending areas of understanding and agreement, and thereby reducing areas of misunderstanding, of tension, and of disagreements.

It is also a most unusual organization in that it functions effectively without paid quarters, or any paid help, with voluntary contributions by its members and supporters.

This most unusual organization, with its high ideals and purposes, constitutes an example for noble-minded persons in other cities and communities of our country to follow.

On the occasion of its yearly banquet, three persons, noted for their nobility of character and their contributions to decency and progress, are selected to be the recipients of the committee's awards.

The annual dinner this year was held the evening of May 16, 1968, at the Statler-Hilton Hotel in Boston, Mass., with over 1,200 persons in attendance.

The annual dinner is a splendid public manifestation of good will and of the American spirit and ideals.

At the recent banquet, Mr. Edward B. Hanify was the toastmaster and Mr. H. D. Hodgkinson was the general chairman.

The recipients of the awards and citations at this year's banquet were: First, Hon. Ramsey Clark, Attorney General of the United States; second, Hon. Sol. M. Linowitz, U.S. Ambassador to the Organization of American States; and third, Hon. John A. Volpe, Governor of the Commonwealth of Massachusetts.

The members of the Massachusetts Committee of Catholics, Protestants, and Jews, are too numerous for me to mention, but all the members are distinguished and honorable gentlemen. However, there is one whom all members recognize as deserving of special commendation, whose dedication to the organization is recognized by everyone, and whose unselfish and untiring work and leadership has played a most important part in its success. I refer to Mr. Ben G. Shapiro, the secretary of the committee since its incorporation.

For 31 years leaders in the Catholic, Protestant, and Jewish faiths have worked together in this committee to improve group relations. It engages in many outstanding activities, too numerous to mention, but among which are—

Good citizenship program of the Boston Park Department;

Tufts University civic education project;

Brandeis University three chapels program;

Human relations center at Boston University;

Massachusetts Department of Education; and, in addition, the committee has distributed many thousands of copies of educational material to schoolteachers and heads of educational institutions throughout the United States. For the last 17 years it has conducted an annual junior good will dinner, bringing together boys of the Boston public and parochial schools, which has created favorable comment by leaders in human relations throughout the country.

The general aims and purposes of this splendid organization are—

First, to sponsor good will work in the general community of Greater Boston;

Second, to serve as a medium through which representative citizens can endorse the basic democratic principle of good will among men of different faiths and different racial origins;

Third, to bring out and emphasize the many fine things which citizens of different faiths have in common;

Fourth, to encourage and support those forces in the community which generate in the individual a respect for the validity and dignity of each other individual's particular religious faith, with no qualifications or reservations based upon racial origins; and

Fifth, the committee is a separate, independent association, not connected with any other local or national organization.

I include herein: First, remarks of Oscar W. Haussermann, chairman, Massachusetts Committee of Catholics, Protestants, and Jews.

Second, remarks by Mr. Edward B. Hanify, toastmaster;

Third, remarks by Mr. Ben G. Shapiro;

Fourth, introduction of Mr. Joseph Wilson by Mr. Edward B. Hanify, of the Jamaica Plain High School, who spoke for the youth of Boston;

Fifth, remarks made by Mr. Joseph Wilson;

Sixth, remarks made by Gov. John A. Volpe, citation recipient;

Seventh, remarks made by Ambassador Sol M. Linowitz, citation recipient;

Eighth, remarks made by Attorney General Ramsey Clark, citation recipient;

Ninth, copy of citation to Gov. John A. Volpe, presented by Sidney R. Rabb, vice chairman, Massachusetts Committee of Catholics, Protestants, and Jews;

Tenth, copy of citation presented to Hon. Sol M. Linowitz by H. D. Hodgkinson, general chairman of the dinner and vice chairman, Massachusetts Committee of Catholics, Protestants, and Jews;

Eleventh, copy of citation presented to Attorney General Ramsey Clark, presented to him by Hon. Erwin N. Griswold, former dean, Harvard Law School, and Solicitor General of the United States; and

Twelfth, remarks made by Edward B. Hanify in announcing television program and his expression of thanks to those who assisted in the arrangements of the dinner.

The material follows:

Introductory Remarks of Chairman Oscar W. Haussermann at the 31st Annual Dinner of the Massachusetts Committee of Catholics, Protestants, and Jews, May 16, 1968

Reverend Clergy; Your Excellency, Governor Volpe; Your Honor; distinguished guests; ladies and gentlemen, this, as you probably know, is the Thirty-first Annual Senior Good Will Dinner of our Massachusetts Committee of Catholics, Protestants and Jews.

My usual assignment at these affairs is to say a few words about the good will work of our Committee and then to present to the gathering its Toastmaster. Tonight I'm leaving to your sui generis Ben Shapiro the outlining of our Committee's achievements and am confining myself to a rehash of what I said four years ago about tonight's Toastmaster when I introduced him as the presiding maestro of our 1964 Dinner.

At that time I pointed out that my distinguished friend, Ed Hanify, was the past President of the National Alumni Association of Holy Cross College, a graduate of the Harvard Law School, a Life Trustee of Tufts, a Trustee of the John F. Kennedy Memorial Library, a past Chairman of a Greater Boston Community Fund Campaign, a member of the Board of Directors of a number of important business corporations, and the recipient of at least five honorary degrees from discerning institutions of learning. I wound up my 1964 remarks by referring to some deathless Hoosier verse of mine, written a few years earlier, which summed Ed up as a scholar, a modern Demosthenes and an enlightened laborer in the Vineyard of the Lord. Tonight, I can assure you that what I said then fits now.

Ladies and gentlemen; your Toastmaster, Mr. Edward B. Hanify.

Remarks by Toastmaster Edward B. Hanify

As this Thirty-first Annual Dinner of the Massachusetts Committee of Catholics, Protestants and Jews reaches its climatic hour, I pause on behalf of the 1200 people assembled in this ballroom to welcome our fellow citizens of the television audience to our midst.

The purpose of this dinner tonight, and as it has been conducted during the last three decades, is simple and forthright.

It has been an effort to preserve the spirit of human brotherhood by bringing to the community, responsible individuals who have given the precept of brotherhood practical and conspicuous exemplification in the life of the nation.

The emphasis of these dinners has not been upon abstruse social theory, but upon personal responsibility and accountability.

All too frequently in our day we deal with trends and movements in contemporary life as if they were as free of human causation as the ebb and flow of the sea. We appear to forget that all the collective forces for good and evil about us are composed of individual good or bad men and women.

There is no responsible brotherhood among men in a society reduced to anarchy by waves of lawlessness. Among nihilists, there is no brotherhood, only the unfettered instincts of the voracious wolf pack on a rampage. The new bigotry, the bigotry of the incendiary, the looter, the forcible trespasser, is a bigotry directed against society itself. Brotherhood in America presupposes an orderly society, preserving a spirit of moderation, discipline and restraint. The recipients of our honors tonight exemplify that spirit.

There is no responsible brotherhood in a society reduced to paralysis of individual will by a massive guilt complex. We have developed a strange and anomalous note in much social commentary. We obscure the accountability of the criminal for his individual acts, and then transfer to the conscientious and law abiding a nebulous, massive, inherited guilt complex for every species of social malaise. This rewards the evil and confuses the good and solves no problem. Men accomplish a constructive work when they plan their own lives with good will in the here and now, not when they conduct endless probes of the alleged deficiencies of their own or someone else's remote ancestors. The recipients of our honors tonight exemplify a spirit of present individual achievement; not the vain backward glance, but the forward look.

The architect of the structure of these dinners is a simple, uncomplicated, forthright man who would rather light a candle than curse the darkness. For thirty-one years he has kept the program of our Committee alive and vital by the force of his own voluntary dedication. His professional staff has been his own good heart. His natural resources are his own dedication and unflagging zeal. He gives his fellow man the benefit of a presumption of a good will equal to his own. His formula is no secret. It works. It needs broader application. I present the Secretary of our Committee, and Commissioner of the Massachusetts Commission Against Discrimination—Mr. Ben G. Shapiro.

Remarks by Ben G. Shapiro, Secretary, Massachusetts Committee of Catholics, Protestants, and Jews, 31st Annual Dinner, May 16, 1968

Gentlemen of the clergy, Governor Volpe, our guests of honor, distinguished guests, ladies, and gentlemen, if one were to say that we are living in tense, tumbled, twisted times, the man should be described as a realist. Headlines shout at us day after day; the television screen screams with the nervous tensions of the world; the radio news reports are exercises in human disorders.

But for every headline of hatred in the world, there are still, and in abundance, the human interest stories of man's humanity for man; for every image on the TV tube, showing us America in disarray, there are the pictures of man showing a love and concern for one another. The next time you read and see the stories of the tornadoes twisting through our mid-country; when the hurricanes whip and lash our own coasts; when the angry, raging rivers swell and attack our fellow Americans; when an earthquake rumbles, roars, and brings human beings to their knees, I ask you to look for the stories and the films that show other human beings rushing to help their neighbors. This is what Americans do in every crisis; this is what the fabric of the American is all about; this is what makes America great—even in the crisis of disaster. This is what makes heroes on battlefields; this is what keeps the humane society of Massachusetts and the Carnegie Foundation still in the business of recognizing the humanity of man for his fellow man.

This, I believe, has a bearing on what is being done in thousands of unspectacular, unpublicized ways by the members of the Massachusetts Committee, Catholics, Protestants and Jews. For all of us who profess, each in our own individual way, a love of God there is the collateral covenant that we love our neighbor. And who is your neighbor, and mine? He is man—of heart and soul, of bone and blood, of skin and sensitivity, of dreams and of dignity. He is man in the image of God.

Love of our fellow man is based on knowledge and respect, and this is derived, in one special way to a commitment to the basic philosophy of our land, phrased in the Constitution of our beloved country. The phrases ring and resound with these, among other words: In order to achieve a more perfect union . . . to establish justice . . . to insure domestic tranquility.

These are not mere words strung together by our forefathers; these are ways of living! We must, in every way, have a more perfect union—in slum and suburb; in city and country. We must thirst and hunger for the sake of justice—justice for all men, regardless of the bank accounts they do or do not have; regardless of the origins of their forebears; regardless of the way in which they pray to their God; regardless of the color of their skin. And we here tonight must reaffirm that we seek and yearn and work for domestic tranquility.

Now, I would like to give you only a brief summary of our activities over the past year. The Massachusetts Committee, Catholics, Protestants and Jews has continued its support of programs in some of our major institutions of learning.

At Boston College we are involved with the Institute of Human Sciences, which is attacking on many fronts and in unified but diverse ways the human problems of society;

At Tufts University, through the Civic Education Center, we are continuing to support its important work;

At Brandeis University, we are assisting the three-chapels program of the Catholic, Protestant and Jewish faiths;

At the Human Relations Center of Boston University, our support of fellowships is sustaining the academic careers of many young men and women who are active in and involved in the works of civil rights.

The playground leadership program that the committee supports is an example of grass-roots democracy in action. At the annual junior good will dinner at Fenway Park with many of the Red Sox players as hosts, we have an example of joys and happiness of brotherhood at work.

The Massachusetts Committee, Catholics, Protestants, and Jews does not build buildings; we are not the surveyors of highways, nor the architects of skyscrapers. But we truly feel that we are involved with, concerned for, in love with, and have the highest hopes for people. For people, and only people, matter.

I thank you for this privilege to speak to you tonight, and to work through this committee with you. I extend my warmest and sincere thanks to all of you who have supported the work of the Massachusetts Committee, Catholics, Protestants, and Jews.

REMARKS OF EDWARD B. HANIFY IN INTRODUCING JOSEPH WILSON

At the Junior Good Will Dinner sponsored by this Committee and the Boston Red Sox at Fenway Park last January, the audience was captivated by the earnestness and eloquence of our next speaker. He was born in Rayford, North Carolina, where he lived on a small farm. When his mother died, the family moved to Boston. At Jamaica Plain High School he is President of the Senior Class. He has been a Captain of the football team in his Junior and Senior years, and was elected to the All-Conference Football Team. He has been a sound scholar and an outstanding athlete and represents the constructive leadership of tomorrow. He speaks to us tonight on behalf of the youth of Boston, Mr. Joseph Wilson.

WHAT BROTHERHOOD MEANS TO ME

(By Joseph Wilson, Jamaica Plain High School)

Where I came from down in North Carolina, there was a farmer who had a beaten-up, battered, small-windowed sedan with a fancy nickel-plated radiator cap. Sometimes we wondered how the car kept going and how it had stayed on the road so long. One day, a small boy asked the farmer how he had kept the car together so long, and the farmer said, "See those letters 'D.B.' under the cap? Those letters mean Dodge Brothers, and all the years I've been driving around this country, I've been blowing my horn and telling anybody who got in the way, 'Just you Dodge, Brothers!, Dodge!' "

It may symbolize the attitude of past generations to say, "We are all brothers, and we can get along together, so now Dodge, Brothers!, Dodge!" If we could be sure that all of us could stay out of the way of the next fellow, who may not believe and worship as we do, or who speaks with a different accent, or derives from a different race, then perhaps all our lives would be simpler, and we could excuse our conduct by denying any obligation to our fellow man, and proceed through life with a "Dodge, Brothers!, Dodge" attitude.

I cannot subscribe to the notion that we can get along together, Christians and Jews, Negroes, Orientals and Whites, by staying in our own narrow grooves and avoiding all communication and association with others. This is not the brotherhood of man to which we are dedicated in this generation. How aptly does my own limited experience justify the partial triumph of brotherhood right in this city.

Born and raised in North Carolina, which is not the most backward of Southern states, I came to Boston four years ago, from a small town school of the South. Complete segregation was the rule and practice. When I entered a Boston Public High School, I found a dedicated and understanding group of teachers, who showed in practice, and not just in preaching, an understanding of the true meaning of brotherhood. I was able to participate in schoolboy sports and get recognition from my teammates and opposition based entirely on competition and performance. In the classroom and in every school activity, it has been my pleasure to work with my fellows and often share in the rewards of scholastic achievement and the sweet taste of athletic victory. Nowhere have I seen a greater exhibition of true brotherhood than within the walls of Jamaica Plain High School and on the athletic fields of the Boston Public Schools.

Mine may seem a limited experience in brotherhood, but if brotherhood is to have any meaning for the mass of the people, it must show itself in individual experiences. Here in Boston, the "Cradle of Liberty," I have seen in my brief four years a greater tolerance and feeling of responsibility for fellow human beings than seemed possible before my arrival. From the Governor, from the Legislature, from the Mayor, from the religious leaders of the community, and from all responsible officials a great new spirit of brotherhood has been conveyed to the people. The people have responded at the voting booths where they cast their votes without regard for race and religion in many notable cases.

You will excuse me for attempting to speak for my generation, but I know that all of us have benefited from the excellent example set by people of your organization. Perhaps I would not be here tonight, speaking so hopefully of our future, but for the examples of brotherhood you have set for all of us. For this, I thank the Massachusetts Committee of Catholics, Protestants and Jews.

REMARKS OF GOV. JOHN A. VOLPE, AT THE 31ST ANNUAL GOOD WILL DINNER OF THE MASSACHUSETTS COMMITTEE OF CATHOLICS, PROTESTANTS, AND JEWS

This is a unique occasion for me. And one which touches me very deeply. I have had a long association with the Massachusetts Committee, Catholics, Protestants and Jews, going back as much as 25 years—to the very infancy of this committee, created through the inspiration of Ben Shapiro.

I served on the executive committee for many years and, since becoming Governor of the Commonwealth, it has been my great privilege to serve as honorary chairman.

Consequently, I have attended many previous Good Will dinners and joined in paying tribute to past recipients of the Massachusetts Committee's Citation given in recognition of contributions to Human Brotherhood.

Now, to be a recipient of the citation myself, I am most proud. It makes my honor all the more meaningful to me that also receiving citations are two outstanding Americans whom I esteem and admire, Ramsey Clark of Texas, Attorney General of the United States, and Sol M. Linowitz of New York, United States Ambassador to the Organization of American States.

If I have made even a small contribution to Human Brotherhood, I shall consider my lifetime to date, in building a business and then serving in public office, to be well worth the effort.

And all of us know that is just what human achievement means—whether it be the achievement of the individual or the nation: it takes unrelenting effort.

We pursue certain ideals, like that propounded in the Declaration of Independence: "That all men are created equal."

We live by a certain faith, like that which has been the enduring motto of the United States: "In God We Trust."

Yet the ideal is seldom attained in human affairs. And our faith is not always as strong as we pray for it to be. However, the effort goes on. At different times it assumes new forms. But always, by fighting the good fight, by pursuing the ideal as a lamp unto our feet—we as Americans have succeeded in making real progress.

Sometimes, when the going is rough—when the gulf between the ideal and the everyday practice of equality—and brotherhood—in our land, is exposed sharply, and harshly to view—as in the new form of urban violence that has erupted—we forget that we really have made progress in America. And through the example of America—in the world. In Massachusetts, in Boston, we are in an old part of America, of the United States, where the extent of our progress can be well observed.

To begin with, the first Protestants—and they were indeed protesting—landed at what is now Provincetown, and then proceeded to Plymouth Rock, in 1620.

It was not until 1788—right after the American Revolution, and the year before George Washington assumed office as President, that the first Catholic church came into being in Boston. Actually it was a house on School Street, near our present City Hall, where the first public mass was said by a priest for a group of French Catholics living here.

And it was not until 1842, that the first synagogue was founded in Boston. And that brings us to within 20 years of the Civil War. It took a war like the American Revolution to bring into existence "on this continent—a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal," as Abraham Lincoln so well said.

And it took the agony of the Civil War to carry the ideal expressed in the Declaration of Independence a step closer to actuality. But out of each struggle we emerged as an American people moving steadily along the difficult road toward true brotherhood and equality, even as we built a mighty land of opportunity such as the world had never seen before.

As a Catholic, in this year of a national election, I think it may be appropriate to point to two other dates in our modern history as exemplifying how we passed one more major milestone of progress in our own generation.

First, we recall the year 1928. That year, for the first time, an American of the Roman

Catholic faith ran for President of the United States. And we saw bigotry and prejudice cast an ugly shadow across the land as Governor Alfred E. Smith became the Democratic candidate.

But, always, we make progress. Just eight years ago, in 1960, John F. Kennedy a native son of Massachusetts, faced the issue, declaring that a new day had come for America. And his campaign, apart from any political considerations—made all Americans feel that we had once again moved closer to the ideal of brotherhood.

Now, in 1968, the question of brotherhood, the quest for brotherhood, is in the context of a violence-torn urban America, and in the context of a fatal gunshot that rang out in Atlanta scarcely more than a month ago, killing the Reverend Martin Luther King Jr. But we will make progress again. We are all aware that this year, 1968, is a year of decision for the American people.

And while the national election will take the form of a contest between the two great political parties, Democratic versus Republican, still, I am convinced, it will be a year when the American people will above all be seeking unity.

As we confront a new kind of world in the making, in the years leading to the Twenty-first Century, I believe that Americans want nothing more than to march forward together—"one nation, indivisible."

Surely if America is to lead the world, as lead we must, we shall have to be a nation united. We have more reason in 1968 to be a united American people, strong at home through unity, because we have much more at stake to be lost, if we permit our country to be weakened by division.

Together, Americans all, and all for America, trusting in God, we cannot fail to move forward into a new age of opportunity, and abundance, in which no man's creed or color will be called into question.

Remarks of Ambassador Sol M. Linowitz, U.S. Representative, Organization of American States, in Accepting the Brotherhood Award Presented by the Massachusetts Committee of Catholics, Protestants, and Jews, Boston, Mass., May 16, 1968

I am deeply grateful for the honor you have conferred on me. Coming as it does from this illustrious Committee, it has great personal significance for me, and I accept it with pride.

I am doubly honored, moreover, that you have seen fit to include me in such distinguished company. The cause of brotherhood and the entire family of man are well served by such gifted men as the Governor of your Commonwealth and the Attorney General of the United States, men who in their personal lives and in their public service do so much to advance, in ways big and little, the principles for which you stand.

Governor Volpe, Attorney General Clark and I share a common cause—the pursuit of peace—the peace that will never be secure anywhere until all men everywhere, in the community of their nation or in the wider community of our world, achieve equal dignity, equal opportunity, equal justice.

Today poverty and despair have no national, racial or religious boundaries. For whether it concerns a Washington riot or a Caracas tinderbox, the misery that goads and torments the under-privileged of the world has much the same root and all too frequently the same result.

The Irish poet, Arthur O'Shaughnessy, once said that "Each age is a dream that is dying or one that is coming to birth." The one that is coming to birth—the one that is with us already—is so changing and dynamic that no one can foretell how it will be to live in its time. We only know that the habits of the past will not suffice for the challenges of tomorrow.

This is not only a time of anxiety and uncertainty, but also a time of paradox—a time when we have learned to achieve most and to fear most. It is a time of unparalleled need and unprecedented plenty, a time when great achievements in science and technology are overshadowed by incredible advances in instruments of destruction. It is a time when we recall the observation of the late Justice Robert Jackson that we "fear not the primitive and ignorant man, but the educated and technically competent, who has it in his power to destroy the earth." It is a time when we can send men aloft to walk the sky, yet recall Santayana's frighteningly timely words that "men have come to power who, having no stomach for the ultimate, burrow themselves downward toward the primitive."

And who are the people of the world with whom we are living at this time of anxiety and paradox? Let's look at them in microcosm. Here they are:

During the next 60 seconds, 200 human beings will be born on this earth. 160 of them will be colored—black, brown, yellow, red. About half will be dead before they are a year old. Of those who survive, approximately half will be dead before they reach their 16th birthday. The survivors who live past 16 will have a life expectancy of about 30 years. They will be hungry, tired, sick most of their lives. Only a few will learn to read or write. They will till the soil, working for their landlords, living in tents or mud huts. They—as their fathers before them—will lie under the open skies waiting, watching, hoping.

If one thing is clear, it is that for these people of our earth—whether in Latin America, Africa or Asia—or Harlem or Boston or Washington—poverty, privation and prejudice are no longer tolerated as a meekly inherited state. The people of this earth know they are no longer condemned to lead lives that are "nasty, brutish and short," that there is more to living than disease, hunger, indignity and despair, and they mean to have their share of what this world has to offer.

What happens to them is directly related to the overriding challenge of our day—the attainment of a lasting peace with justice everywhere. For there is no security for anyone in such a world of injustice and resentment.

We learned more than a hundred years ago that our nation could not live half slave and half free. Neither can the world today. For a quarter of a century, the essential thrust of our foreign policy has recognized that hunger and poverty and ignorance are threats to the peace, and we have tried to do something about it on a scale unmatched in human history. We cannot, of course, try to do the total job ourselves; but we must continue doing what is right and necessary for us to do—our just part to assure that the prisoners of poverty become full partners in progress.

But the job can never be completed, the world can never be made safe while it suffers the ugly evidence of discrimination in too many places—a discrimination as irrational as it is immoral. Unless nations act to heal these wounds, the only beneficiaries will be the cynics and the despoilers of liberty.

Our national belief in the rights of all men cannot be merely a form of rhetoric to be espoused in international forums; it must yet become a way of life for every American. For though this belief is the supreme law of our land—though prejudice is without official sanction—it is no less cruel when it occurs, no less a force that has kept millions of our citizens from attaining lives of fulfillment and purpose. And despite the fact that prejudice is not official, it did not prevent, on a dark yestedray, the violent death of a non-violent man who knew better than most there could be no distinction between the national rights of all Americans and the civil rights of some.

But if we merely continue to talk about the horror of Dr. Martin Luther King's slaying, we will condemn anew the people he tried so valiantly and compassionately to lead from the bondage of poverty and prejudice.

Robert Frost once wrote:

"They cannot scare me with their empty
spaces
Where no human race is;
I have it within me to scare myself
With my own desert places."

What should scare us is that "desert places" of squalor and prejudice still exist in our nation and that we have not searched them out and eliminated them. It is in the desert place of our ghetto school, no less than on some distant battlefield, that the basic struggle for freedom must be fought and won.

To meet the challenge, we need the moral impetus that can come from the human heart; but with it we need more—we need the practice of equality in our business enterprises, in the executive suite no less than in the factory, in the store, in the home, in the school—in every walk of life and in every calling in our land. We need to live the American dream.

I am convinced that a society that can work to send a man to the moon can also work to send individual dignity into the life of every one of its citizens. A society that can work to create and maintain the industrial complex that is the underpinning of our strength can also work to create a domestic social pattern that will allow every man to profit—socially and economically—from its wealth—and still have enough left over to work for the attainment of an international community in which every man can enjoy the blessings of peace, domestic and international.

A little over 23 years ago I stood with a hundred thousand people on Pennsylvania Avenue in Washington, D.C. It was a day of great silence and great sadness. And then down the middle of Pennsylvania Avenue they came—seven white horses, and behind the horses a caisson, and on the caisson the flag draped coffin, and in the coffin the body of a dead American President. And as the procession turned into the White House, I recalled a line from Franklin Roosevelt's last speech: "The only limit to our realization of tomorrow will be our doubt of today."

At this troubled time, there is one guidepost for the future of which we need to remind ourselves as we take new heart and go forward: "The only limit to our realization of tomorrow will be our doubt of today."

Address by Attorney General Ramsey Clark to the Massachusetts Committee, Catholics, Protestants, and Jews, Boston, Mass., May 16, 1968

Mark Twain, noted for his humor but not always in a humorous mood, wrote, "If you find a starving stray dog and give him a home again and make him fat and prosperous, he will not bite you. That is the difference between a dog and a man." But we have some better authority for a vastly different proposition. Throughout history, men of understanding have seen man's basic goodness. The Romans had a phrase, "homo sum, nihul humani a me alienum puto"—"I am a man, nothing human is alien to me." If we would all realize that, it would be difficult to strike out in anger at any fellow man. Thomas Jefferson had the understanding to note at the height of the Revolutionary War that human nature was the same on both sides of the Atlantic. Lincoln found it the same on both sides of the Mason-Dixon line in the Civil War. It is for us to know that human nature is the same on both sides of the street in America today. Will Rogers said, "I never met a man I didn't like." If you really meet a man, you will recognize his human qualities and know him as a human being, a brother.

The Gospel according to St. Mark tells us: "And if a Kingdom be divided against itself, that Kingdom cannot stand. And if a House be divided against itself, that House cannot stand." Our house is divided.

The poor, the young, the minorities are aliens in our house and none more than the poor, young Negro. He is seven times more likely to die in infancy. He and half of his brothers and sisters live in worn out shanties in rural America or dilapidated tenements in central city. His education is a struggle from the beginning. In a nation which in 25 years has increased its college student population from 1½ million to 7 million, his chances of attending college are ⅓ as good as his white brothers and sisters. And six of 10 who make it will attend an all-Negro southern college which, for all its good will and heart, will not give him a sufficient education. His job prospects are poor. In a nation where only 3.2 per cent are unemployed, one fourth of the Negro boys and one-third of the Negro girls cannot find jobs and, for many who do, the job is menial, the pay low, and the chance to advance slim. The poor, young Negro is jammed up against poverty, hunger, ignorance, vice, crime, strangers and fear. Thus is our house divided.

From one part of our house, we hear the cry, "justice." From another comes the cry, "order," but neither is possible without the other.

While we work to remove barriers in this house of ours, we must maintain order under law. Law is the one technique civilization has devised which can effectively preserve freedom for the individual including as its first essential safety of person and property. Our law, our purpose as a people, must have a clear and generous meaning of justice for all.

However difficult our task may be, we must know that we will always live together on this soil. Nothing else is possible. Nor should we be despondent, for our task is also a great opportunity for a great people. We should recognize it, as did President Johnson, as ". . . the glorious opportunity of this generation to end the one huge wrong of the American nation and in so doing to find America for ourselves, with the same immense thrill of discovery which gripped those who first began to realize that here, at last, was a home for freedom."

The Massachusetts Committee of Catholics, Protestants and Jews, at its Thirty-first Annual Dinner, presents this citation and testimonial to Governor John A. Volpe, distinguished American; founder of the John A. Volpe Construction Company in 1933; Lieutenant Commander in the Civil Engineer Corps of the United States Navy in World War II; past president of the Society of American Military Engineers; appointed by Governor Herter in 1953 as Massachusetts Commissioner of Public Works and by President Eisenhower in 1957 as Federal Highway Administrator to launch a new forty billion dollar Federal Interstate Highway Program; former President of the Greater Boston Chamber of Commerce; elected in 1960 to a first, and in 1964 to a second, two-year term, and in 1966 to his present four-year term, as Governor of Massachusetts; chosen by his fellow Governors as Chairman of the National Governors' Conference and as President of the Council of State Governments.

In recognition of his valuable public service within and beyond the confines of our Commonwealth, the Massachusetts Committee of Catholics, Protestants and Jews presents to its fellow member, Governor John A. Volpe, this citation and award.

Dated at Boston, Massachusetts, this sixteenth day of May, 1968.

The Massachusetts Committee of Catholics, Protestants, and Jews, at its Thirty-first Annual Dinner, presents this citation and testimonial to the Honorable Sol M. Linowitz, a native of New Jersey; a Phi Beta Kappa scholar at Hamilton College; a summa cum laude graduate of Cornell Law School and editor of its Law Review; assistant general counsel of the Office of Price Administration in Washington; former United States Navy lieutenant serving in the office of the Secretary of the Navy; former board chairman of the organization now known as the Xerox Corporation and former chief executive officer of Xerox International, Inc.; a member of the board of trustees of various educational institutions; one who has served as chairman of numerous advisory committees and commissions concerned with foreign affairs; and since November 1966 the United States Ambassador to the Organization of American States.

In recognition of his distinguished career as a scholar, lawyer, business executive and diplomat, the Massachusetts Committee of Catholics, Protestants, and Jews presents to Ambassador Linowitz this citation and award.

Dated at Boston, Massachusetts, this sixteenth day of May, 1968.

The Massachusetts Committee of Catholics, Protestants, and Jews, at its Thirty-first Annual Dinner, presents this citation and testimonial to the Honorable Ramsey Clark, a native of Texas; a member, at the age of eighteen, of the United States Marine Corps; recipient of a Bachelor of Arts degree from the University of Texas and of M.A. and J.D. degrees from the University of Chicago; a lawyer whose ten years in private practice in his native State established his qualifications for public service; Assistant Attorney General who for four years served as the head of the Lands Division of the Department of Justice; Deputy Attorney General for two years; and since March 1967 the Attorney General of the United States.

In recognition of his wise and courageous public service in this difficult period of our nation's life, the Massachusetts Committee of Catholics, Protestants and Jews presents to him this citation and award.

Dated at Boston, Massachusetts, this sixteenth day of May, 1968.

ANNOUNCEMENTS AND EXPRESSION OF THANKS

The television part of our program will commence at 9:00 P.M. The audience is kindly requested to remain in their seats until the meeting has been adjourned following the Benediction. This part of the program will be televised on Sunday, May 19 from 10:00 A.M. to 11 A.M. on Channel 7.

We are very grateful to Mr. William M. McCormack, Vice President and General Manager of WNAC–Television for making all this possible over the years. I now would like to express the thanks of the Committee to the press, radio, WNAC–TV, the newspapers of Metropolitan Boston, the air lines who have provided their hostesses who serve as ushers here tonight, and the following individuals who assisted in the arrangement of the dinner:

Mr. Pat Ryan—who assisted in all the arrangements

Mr. Louis Miller—who assisted with reservations

Mr. Isadore Zack—publicity.

Mr. Benjamin Bartzoff—Television and General arrangements

Mr. Jerry Hayes—arrangements for airline hostesses

Mr. Wyman Holmes—who assisted in arrangements for students and colleges

The Boston Edison Company—lighting and decorations

John Donnelly Company—for making the poster which provides the background of our stage tonight

Commissioner McNamara and the Boston Police Department for courtesies extended to our guests of honor.

DEGENERACY OF THE CONGRESS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. TEAGUE of Texas. Mr. Speaker, in a recent edition of the Alexandria Gazette, Mr. Thomas A. Lane wrote an editorial entitled the "Degeneracy of the Congress" which I believe comes to the crux of the problem which faces us in this country today that I think is the largest and most important of all: law and order.

The basis for a sane society is law and the strict obedience thereof. The courts have made a mockery of our laws based on recent rulings of the Supreme Court, and, I, for one, feel that the Congress should assert their position of leadership and rewrite laws to void recent Court decisions.

The editorial mentioned above follows:

DEGENERACY OF CONGRESS

(By Thomas A. Lane)

WASHINGTON.—My topic for this essay is the degeneracy of Congress. I take my text from Sen. Robert P. Griffin of Michigan who said, "Much as I disagree with the Supreme Court's rulings, I really hesitate to tamper with the delicate balance of power between the legislature and the judiciary."

The senator had just joined a majority of his colleagues in rejecting a proposal to limit federal court jurisdiction over confessions which had been found to be voluntary by the highest court of a state. His statement illustrates the combination of ignorance and fear which has reduced a once-great deliberative body to a condition of obsequious servitude.

The ignorance is of law and of constitutional history. The founding fathers did write into the Constitution a prudent division of powers between the legislative, executive and judicial branches of government. And because they knew the propensity of kings and courts to usurp power, they put the ultimate power of decision in the legislature. They gave Congress the power which the Senate refused to exercise on May 21.

The ignorance lies in the senator's implication that the constitutional balance has been preserved. Actually, the balance of power established by the Constitution has been drastically changed by judicial decree, with devastating consequences for our country. It is readily demonstrable that Supreme Court encroachment on the legislative function is the chief cause of the present malaise of our society.

The Constitution created a decentralized organization of government with strictly limited powers confided to the federal level. Without any legislative foundation, the Supreme Court has arrogated to itself and to the Congress a jurisdiction over every phase of individual welfare. It has thus transformed our decentralized government into a highly centralized government. It has done this simply by ruling that the first ten amendments to the Constitution, which were enacted as specific limitations of federal power, are also limitations of state power. In one fell stroke, the Court assumed a control of state sovereignty from which its ken had previously been excluded.

This crass usurpation of legislative power by the Court has been condemned by our leading jurists for two decades and more. On May 21, the Senate was asked to make just a tiny correction of one of the most pernicious consequences of the Court's illegal rulings. It refused. Sen. Griffin spoke for the degree in which his colleagues had lost touch with reality. He was really disavowing his constitutional responsibility as a legislator to make obeissance to nine erring judges.

The senator was afraid. He was afraid of the political blocs which had sought and won and profited from federal usurpation of the powers reserved to the States and to the people. He was afraid of the propaganda with which Liberal advocates had sought to make their usurpations sacrosanct. He would rather endure a tide of lawlessness which flows from these errors than to join the small band of dedicated legislators who were trying to mitigate the damages.

In the guise of protecting individuals from the authority of state governments the Supreme Court has created in the federal apparatus the very jurisdiction over local affairs from which the Constitution deliberately excluded the central government. The Court's rulings on pornography make a mockery of law. They are simply incompetent. They have fostered the reign of criminals in our society.

The Constitution had wisely and prudently reserved these powers to the states. The state courts and legislatures deal daily in local affairs. They are better qualified to make and administer local law. Federal courts had all the work for which they are competent in the limited jurisdiction conferred on the federal government by the Constitution.

The Supreme Court has made a fateful error which weakens the very fabric of our government. Congress condones judicial encroachment which would have been intolerable a generation ago. This is the degeneracy of which I write.

NATIONAL HISPANIC HERITAGE WEEK

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUSH. Mr. Speaker, I wish to express my strong support for this resolution, which authorizes National Hispanic Heritage Week. For the millions of American citizens of Hispanic background, this is but a minor token of our admiration.

It is important that all the people of this country be aware of the culture and history of these fine people who have made such a contribution to our society. It is time that we encourage our Hispano citizens to give what they have by acknowledging their proud and rich culture. For the strength of America lies in its rich diversity, not in conformity. Hispanic culture, with its emphasis upon the sanctity and responsibility of the individual, should make a notable contribution.

It is quite appropriate that Hispanic Heritage Week include September 16 for it was on that day in 1810 that a Mexican parish priest, Father Dolores, led the first uprising against Spain in the New World. And it was on September 15 that five of our sister republics in Central America gained their freedom and independence.

It is the tradition of our country to recognize and conserve the many cultural contributions of the people who have helped this Nation achieve greatness. It is fitting that we recognize this unique and great heritage and, in doing so, pay tribute to the great contribution which our Spanish-surnamed citizens have made in the United States. For instance, they have not only been responsible for the development of many areas of our country but those bearing Spanish surnames have also the distinction of contributing the highest number of Medal of Honor winners to the defense of our Nation. Their total contribution is far reaching and certainly deserves to be both recognized and commended. For these people are a proud, firmly rooted, and law-abiding group who have done so much and still have so much to offer us all.

WHAT THE VOTERS WANT NOW

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BOB WILSON. Mr. Speaker, we from California are very proud of the work our outstanding young colleague Bob Mathias is doing. The current issue of Nation's Business features a study entitled, "What the Voters Want Now," a major portion of which concern Bob's efforts to serve his constituents and to know what they are thinking. Earlier this year I had the opportunity to speak in Bob's district and I know the voters are pleased with his work. I am sure you will be interested in reading about the issues which concern Californians and about the fine job Bob Mathias is doing.

WHAT THE VOTERS WANT NOW—OUTSIDE THE CITIES

To businessmen, Rep. Robert B. (Bob) Mathias says candidly: "The United States has never been in worse fiscal shape."

To high school students, he urges: "You have to have a goal. Get involved. Don't be afraid to try something new."

To a constituent worried about hard-core unemployed, he agrees: It's a tough problem, and it will take government and business cooperation to solve it.

The best barometer of the mood of the nation for any Congressman is his Congressional district—what the people say to him on his trips back home from Washington and what they write.

"I think people express their concern about the things that cause concern," says Mathias, a freshman Republican from California's Eighteenth Congressional District, a lush agricultural region.

"I get 500 letters a week. And I get back to my district at least once a month.

"The war in Viet Nam causes concern. Inflation causes concern. Riots are a big concern today."

When a Congressman goes back home to his district, he has a special interest in reporting to his constituents on issues that are of vital importance to them, local or national. And to explain actions that have been taken or prospects for decisions.

"The fiscal shape of the United States has never been worse," Mathias tells a meeting of the Greater Tulare Chamber of Commerce.

"The economy is really in serious trouble and something has to be done. The President pleads to the public for austerity, but I haven't seen any federal belt-tightening. Just talk about it. There's got to be concrete proposals from him of where government spending will be cut.

"There's a crisis in law and order. It has many facets. One of these is Supreme Court decisions that just make it easier for criminals. I sponsored a bill to legalize supervised wire-tapping because that's the only way to get at organized crime."

But local problems, shaped by geography and resources, are often far closer to home and paramount to those who come to talk with their Congressman.

To Jim Burke, a Ford dealer in Bakersfield and president of the district's largest city Chamber of Commerce, there is a need to attract more industry, diversifying to avoid too much dependence on a single economic factor.

"We've got to let people know what's here, what we can offer," he says. "This is important."

The Eighteenth California Congressional district sprawls across 14,392 square miles of the fabulously productive San Joaquin Valley, blistering hot in the summer, but turned into an agricultural Garden of Eden by irrigation. Here grapes, citrus, melons, cantaloupes, cotton, potatoes, strawberries and a dozen other crops flourish. Eighty per cent of the three counties' economy is tied to agriculture, which produced a whopping $808,895,000 worth of crops in latest available statistics in 1966. Most of the other wealth stems from oil, though the big boom days in drilling have long faded.

Agriculture to California is a $4 billion industry, with production in vegetables, nuts and fruits running close to 40 million tons a year. Tulare and Kern counties rank second and third in production.

HOLD STRONG VIEWS

The Eighteenth District's 600,000 people are tied to the land by heritage, as well as economically, and the perennial battle to produce from the land gives them a strongly independent view.

It's an area embroiled in a highly publicized farm labor union organizing drive, centered at Delano, where Cesar Chavez for nearly four years has concentrated efforts of his National Farm Workers Association.

"I wish someone would tell the truth about Delano," says a housewife bitterly, at a reception for Mr. Mathias. "We've been pictured as a bunch of monsters using slave labor. It's not fair."

The farm labor issue is a vital one for the Eighteenth District and a perpetual worry to growers.

"In all the talk about this situation," says Arnold Kirschenmann, a farmer in the Edison-Arvin area, at a small meeting, "you've got to remember one thing: A grower has got to be protected against strikes in the middle of harvest. He can be wiped out if there's any stoppage."

Kern County is the second largest potato-growing area in the country. It's farmers worry because potato consumption is down.

"I'm sponsoring a potato promotion bill that will let our growers compete against rice," Mr. Mathias tells them. "It will be like the cotton promotion bill and the growers will tax themselves."

On any trip to the district, Rep. Mathias, like most Congressmen, divides his time between "office hours," where constituents come to talk with him, meetings and appearances, some two dozen conferences with individuals and three or four appearances on any typical day.

There's a banker, worried about pending legislation he feels will give favoritism to other financial institutions.

"Let's treat everybody the same way," he urges. "Everybody should have an equal break. That's all anybody wants."

An alfalfa farmer wants information about export-imports and shipping rates.

"It's a tough thing," says Mr. Mathias. "We don't want our exporters hurt, but we can't have a one-way street and close out imports."

A constituent worries about the problems of the cities:

"You can't say it (riots) won't ever happen here in Bakersfield. How can you talk to kids? Where do you find them to talk to them?

"We've got to have some meaningful programs for jobs for the minorities. People want to work. Make-work by the government isn't the answer. There's got to be more business help. Sure, they're just going to have to recognize an employer needs help in training people. A tax write-off might be the answer."

Mathias agrees, but candidly says, "We've got to recognize the fiscal crisis we're in. We just don't have the money to finance everything."

An insurance man wonders what the government is going to do about reinsuring insurance in riot prone areas.

"It hasn't happened here, but it could. And you can't say riots are a general business risk."

WHAT CONSTITUENTS SAY

"People say when you're back in the district, why aren't you in Washington legislating," he likes to explain to groups at which he appears. "When you stay there, they complain because you never come home. It's nice when Congress takes a recess, and you can be back here without worrying."

He likes to run down some of the problems pending in Congress, then adds quickly:

"This is an interesting job. I like it."

At 37, the six foot, four inch, 215 pound Mathias is more than halfway through his first term and running hard for a second. He is as well known outside the district as inside as a former two-time Olympic decathlon champion, Stanford football hero, star of a motion picture about his own life (plus three other movies) and a regular on an old Keenan Wynn television series.

Because of his background, Mathias had a ready-built identity when he took after Harlan Hagen, a veteran of 14 years in Congress who is seeking this year to regain the Eighteenth District seat.

But he tries hard to stand on his post-athletic accomplishments: the successful operator of a boy's camp; a director of a Tulare Savings and Loan Association, a consultant to Sears Roebuck on its sports advisory board.

No stem-winding orator, he talks sincerely about his beliefs, says everybody is entitled to his own view. He is a low-key operator in the mold of a champion athlete or a surgeon (he's the son of a doctor, the brother of another) who has disciplined himself against any wasted motion.

"I voted for the civil rights bill last year," he tells a teacher's meeting at Arvin. "But I voted against it this year for a simple reason. The House sent the Senate a five page bill. The Senate debated 40 days and sent back to the House a bill that ran 50 pages and included legislation on Indian affairs, some gun law and open housing.

"The House was given just one hour to debate this major legislation. I don't think you can legislate emotionally. You need time to debate an issue as strong as open housing, hear all views."

He voted against removing the gold cover backing on U.S. currency.

"I don't think that was a very good idea," he tells a businessman's group.

VIETNAM WAR

Mathias tells the people he meets and talks with that the two weeks before Easter saw sudden, dramatic and major policy change for the country.

"We all need to get in back of the President at this time and hope the negotiations for peace in Viet Nam will be successful.

"But I hope these won't be shooting negotiations like those in Korea, where two thirds of our casualties came in the time we were talking peace.

"One thing I do know, you need a stronger government in Saigon. There's too much corruption there."

At an assembly at Arvin High school, Mathias presents a flag that has flown over the Capitol.

He tells students they should be proud of this flag.

"I think my greatest thrill was when they raised the Stars and Stripes in London in 1948, and in Helsinki in 1952, after I won the decathlon, and I knew I had done something for my country."

He tells them he didn't even know what the decathlon was when his Tulare high school coach suggested he enter the event in a track meet in Los Angeles.

"So don't be afraid to try something new when your teacher or your parents suggest it. There's no telling where it will lead."

Mathias, because of his sports background, has an easy rapport with students.

He tells them it is a saddening thing to see young people looting and rioting, "just a block from the United States Capitol."

To honor students being feted at a public school recognition banquet in Taft, he urges them to "get involved." Be active in something.

"You must have a goal."

A strong believer in priorities in government spending, Mathias tells teachers he believes a top priority should go to education. But, he says, he is for bloc grants to states, letting them apportion the money.

"In my opinion, Washington control of education will lead to uniform mediocrity instead of education excellence."

To a question on open housing, he says the man who owns a house should have a right, too, to sell his property to whom he wishes.

"You can't legislate feelings. You can't legislate the heart," he says. "That's going to take time."

Because the Eighteenth is predominantly agricultural, Mathias emphasizes legislation in this area and the role of the House Agriculture Committee of which he is a member.

"But for you ladies," he tells audiences, "we passed a meat inspection bill, and we've got a poultry inspection bill I think will pass. California already has much stronger standards."

Another pet issue for Mathias is "self-help housing," extending the ceiling under which Farmers Home Administration loans are available at low interest.

"It has worked in Tulare and it's coming to Kern county," he vows.

"Giving people money and houses won't give them the good feeling to get out of poverty. But if you loan money, and expect it to be paid back, that gives self-respect."

PERSONAL PROBLEMS UPPERMOST

Most of those who visit their Congressman have a personal problem involving government.

"Will the Forest Service trade land?"

"Will you forward these papers to the counsel at Hong Kong? We want to bring my brother-in-law here."

"I need my boy to work the farm. Can he get a deferment?"

There's a natural reticence to talk much about big national problems.

"You know they're there," says a man a bit early for an appointment. "You hope somebody's working on them. You know how you feel. Why go around talking about it? That won't solve anything."

The people in the three counties of the Eighteenth—Kern, Tulare, Kings—are a microcosm of a nation that moves with opportunity, many tracing their early days back to Oklahoma and Texas, and other states that saw a great migratory wave to California in the depression days of the Thirties.

They have settled in Bakersfield, the biggest city, Tulare, Visalia, Taft, Porterville, Button Willow, Lemon Grove, Lemoore and dozens of other small towns.

"I figure we're like most folks," says one. "Not any different. We worry about the war—everybody knows some boy who's over there—taxes and the price of groceries going up. The riots are just hard to understand. People talk. I guess most people are upset about something. But I've been upset before. Things work out. You sure have to believe they'll work out."

THE ARNHEITER CASE

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RESNICK. Mr. Speaker, the American people have learned a great deal about the U.S. Navy and how it conducts itself and its affairs as a result of the case involving Lt. Comdr. Marcus A. Arnheiter. We have seen the Navy attempt to twist and squirm its way out of the public spotlight, in order to avoid having its conduct in the Arnheiter case questioned.

We have seen the Navy sacrifice the careers of two promising young officers rather than admit to the possibility of a wrong decision.

We have seen the Navy deliberately release false information to the press, while hiding behind "anonymous sources," in order to avoid answering embarrassing questions.

We have seen the Navy arrogantly flaunt its independence and demonstrate that it does not believe it has to answer to the American people—despite the fact that it is a tax-supported component of the U.S. Government.

Now, the June 12 edition of the Navy Times, a publication which claims that it "is not an official publication of the U.S. Navy," performs one of the most astonishing "Edgar Bergen-Charlie McCarthy" acts displayed in a long time. While parrotting a verbatim rendition of the Navy's view, the Navy Times presents a collection of biased, prejudicial, distorted, and, in many instances, blatantly false information under the veil of "objective journalism."

This publication features a serialized rendition of the Subic Bay transcript—which has repeatedly been called biased and prejudicial by some of the Navy's own officers—and promises more to come in future editions.

Furthermore, in a front-page column which it has the effrontery to label "Editorial Appraisal" this "independent" publication lauds the Navy for exemplary behavior and gives half a dozen reasons why the Navy's "broken record" repetition of "no further inquiry necessary," "no further inquiry necessary" is absolutely correct. It makes no attempt to "appraise" anything. It seeks only to make the facts appear to fit the Navy's previously reached decision.

However, the editorial does serve one useful purpose—it shows just exactly why a court of inquiry is necessary in the Arnheiter case. The editorial makes a point that no useful purpose would be served by a court of inquiry or court martial because the only thing that would come out of any future inquiry would be "the interminable playing of 12 tapes."

This is exactly how the Navy has conducted all "investigations" and "reviews" of the Arnheiter affair—by reading and rereading and by playing and replaying old testimony. The Navy has never attempted to obtain fresh information or to examine and cross-examine witnesses and it has never given Lt. Cmdr. Arnheiter the opportunity to present his case before an open, impartial court of inquiry.

The only hearing that Arnheiter was given was the controversial "Subic Bay" proceeding which has variously been described as "biased," "prejudicial," and "a kangaroo court" by a number of the Navy's own men. At various intervals the Navy has called for a "review" of these proceedings, only to send the reviewer back for another try if he failed to come up with the desired conclusion: That "no further inquiry is necessary."

There are so many "ins and outs" to the Arnheiter case, so many instances where one person's version of an incident is diametrically opposed to another person's view of that same incident, that the only way to resolve the Arnheiter case is to bring everything out into the open. Before an impartial board of inquiry.

Eighty-five of my colleagues have joined me in sending a letter to the Secretary of the Navy requesting that such a board of inquiry be held as soon as possible. We are anxiously awaiting his affirmative reply.

WELFARE AND THE QUALITY OF LIFE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mrs. GRIFFITHS. Mr. Speaker, recently I received a letter from a woman in my district who receives aid to dependent children. In very few words, her letter laid bare the fallacy of our traditional approach to welfare assistance: it cruelly restricts people's opportunity to improve the quality of their lives.

As you know, the Social Security Amendments of 1967 initiate a new approach, at least to ADC. The act establishes a system of financial incentives, work training, employment counseling and placement, and day-care services for children which I earnestly believe will prove more fruitful—both for individuals who receive ADC and for the country as a whole. I insert her letter in the RECORD at this point to share with you the reason for my hope:

DEAR MRS. GRIFFITHS: I am separated, with five children aged 5–14. I received $271 monthly from ADC. When I work, I get $20 more a month, making my check $291 monthly. Out of the $271 I get $270 on an annual basis. When you divide $271 by two, you get $135.50. I don't get the 50 cents; the state deals with dollars only. So, you see, in a twelve month period that adds up to $12. I love to work. I took a leave from my job, and I am to go back the middle of June when school is out. Money-wise it really doesn't pay an ADC mother to work. She can't better herself if the state budgets her income the way they do mine. It is not worth it to make $20 more a month. I believe that is the reason of ADC rolls are so full and will continue to be. The average mother feels, why work? Of course, I feel I have to work. I feel it helps me more ways than financially. It gives one that independent feeling, boosts one's ego, helps you morally also. These things I value very highly, notwithstanding I need the money to provide for my children.

I am attending Henry Ford College part-time. This is my third semester. I would like to go full time, but I can't afford the finance. Due to the circumstances, I am not doing as well as I believe I could do if I did not have the finance and working problems. Could you help me with a loan? Or is there any such thing for the not-so-smart student? In January of this year, new owners took over the company where I worked since February 1965. I was working part-time and going to school. When the new owners took over I was to work full-time and quit school or take a lay-off. I took a lay-off because I felt my education was most important. I could not get unemployment because my going to school was the reason I could not avail myself for work. Although I explained to them that I had been working like that since February 1967 when I started to school and this was agreed with my former boss and that since I had already paid my tuition I wanted to work on part-time until the end of the semester in June. Of course I was turned down. I feel that mothers that have the get-up about themselves to help themselves should be given better consideration. Personally, I don't intend to have to depend on ADC nor anyone else. I want to take care of my family myself.

CHAPTER XIX—UNITED STATES ZIGGED, MOSCOW ZAGGED ON SHEVCHENKO

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. DERWINSKI. Mr. Speaker, on June 1, the District of Columbia proclaimed Ukrainian Day in the Nation's Capital. The occasion was the 50th anniversary of Ukraine's independence. The day was marked by several unique activities, commencing with an assembly at the Shevchenko Monument, a trisectional demonstration, and a banquet at the Washington Hilton Hotel, honoring the Honorable GERALD R. FORD, our minority leader in the House.

The significance of this day cannot really be fully understood unless one reads "The Vulnerable Russians" authored by Dr. Lev. E. Dobriansky of Georgetown University. Background of experience and activity is what is needed to properly view this day in its complete historical perspective.

The work is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. Two chapters are particularly relevant to this commemorative occasion. Excerpts from them will give the reader an indication of the novel nature of the work, particularly from the angle of America's deficient attitude and policy toward Ukraine and the captive non-Russian nations in the U.S.S.R.

The excerpts follow:

CHAPTER XIX—UNITED STATES ZIGGED, MOSCOW ZAGGED ON SHEVCHENKO

"When will we receive our Washington
With a new and righteous law?
And receive him we will some day . . .!"
—SHEVCHENKO.

It is a fact that strong propaganda winds were taken out of Moscow's sails when the U.S. Congress passed in 1960 the Shevchenko resolution. But who's Shevchenko? Don't worry, you'll hear a great deal more about him in the years ahead. In the meantime you can get acquainted with him here and also thank God for congressional leadership in these vital matters. Like the Captive Nations Week Resolution, this, too, is a realistic story of what can be done to reduce Moscow and its puppets to proper size. On this, the record shows that we had certainly zigged, and they zagged, rocked and rolled. If anything, this legislation also demonstrated how weak and vulnerable the Russian totalitarians are when intelligent and intrepid action is directed at their timorous bowels. They can't capitalize on ignorance and blustering blackmail where the facts are known and acted upon, and this applies to the entire spectrum from athletics to space. Let's then, first see how we zigged and later how they zagged on Shevchenko who, as the quote indicates, revered our Washington.

* * * * *

The law, as was passed and approved, reads as follows:

"[86th Congress, H.J. Res. 311, 74 Stat. 884, September 13, 1960]

"JOINT RESOLUTION

"*Whereas* throughout Eastern Europe, in the last century and this, the name and works of Taras Shevchenko brilliantly reflected the aspirations of man for personal liberty and national independence; and

"*Whereas* Shevchenko, the poet laureate of Ukraine, was openly inspired by our great American tradition to fight against the imperialist and colonial occupation of his native land; and

"*Whereas* in many parts of the free world observances of the Shevchenko centennial will be held during 1961 in honor of this immortal champion of liberty; and

"*Whereas* in our moral capacity as free men in an independent Nation it behooves us to symbolize tangibly the inseparable spiritual ties bound in the writings of Shevchenko between our country and the forty million Ukrainian nation; Now, therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) any association or committee organized for such purpose within two years from the date of the enactment of this joint resolution is hereby authorized to place on land owned by the United States in the District of Columbia a statue of the Ukrainian poet and national leader, Taras Shevchenko.

"(b) The authority granted by subsection (a) of this section shall cease to exist, unless within five years after the date of enactment of this joint resolution (1) the erection of the statue is begun, and (2) the association or committee certifies to the Secretary of the Interior the amount of funds available for the purpose of the completion of the statue and the Secretary determines that such funds are adequate for such purpose.

"SEC. 2. The Secretary of the Interior is authorized and directed to select an appropriate site upon which to erect the statue authorized in the first section. The choice of the site and the design and plans for such statue shall be subject to the approval of the Commission of Fine Arts and the National Capital Planning Commission. Such statue shall be erected without expense to the United States."

* * * * *

ASCENT TO PASSAGE

Actually, the background to the passage of H.J. Res. 311 discloses a number of important truths. First, it reveals the pointed meaning of the Shevchenko memorial to the United States and, by implication, to the non-totalitarian Free World in the present mortal conflict with totalitarian Russian imperialism. If Washington refuses to come to Shevchenko's homeland, Shevchenko came to his spiritual homeland. Second, it shows the foresight and clear vision of the many who quickly perceived this meaning and with cooperative dispatch took a hand in the passage of the resolution through many difficult stages. Third, the vigorous support of various groups and individuals throughout the country for the success of this undertaking forms an indispensable part of this background. And, lastly, the long ascent to the passage of H.J. Res. 311 is suggestive not only of the splendid opportunity that has been presented for demonstrating to the world the real-colonialist nature of Moscow, but also of the heavy responsibility that has been placed on the shoulders of those who guided the memorial project.

* * * * *

The substantive history of the Shevchenko bill actually did not commence until March, 1960. Soon after its introduction in March, 1959, Congressman Omar Burleson of Texas, the chairman of the House Administration Committee, indicated the desirability of holding a hearing on the measure and referred it to the Honorable Paul C. Jones, the chairman of the Subcommittee on Library and Memorials. However, the hearing, which had been planned for June of that year, was made contingent on the early receipt of recommendations and reports on the measure from the Commission of Fine Arts and the Department of the Interior. The bill had circulated among a number of executive agencies for almost a year and, as a result, the hearing did not take place until March, 1960.

* * * * *

As it turned out, this was not the only ground for careful consideration. Thanks to the insight and quick perception of the Honorable Roger Ernst, the Assistant Secretary of Interior, and his knowledgeable associates, the historic meaning of Shevchenko in the context of the psycho-political struggle was almost instinctively grasped. The Department finally withdrew any opposition to the measure. Its representatives were particularly impressed by the argument that in the forthcoming 1961 centennial we should not allow the Russians and their colonial puppets to exploit the name and honor of Shevchenko who has rightfully belonged to us. In that period a meeting of the rather awkwardly termed Government Republic Committee for Preparation and Carrying Out of the T. H. Shevchenko Jubilee was held in Kiev under the chairmanship of Academician M. P. Bazhan to hear progress reports on their observance.

* * * * *

Following the hearing, some unfavorable reports appeared in the press. One paper ran a story under the caption *"'Graveyard' of Statuary Here Scored"* and stressed that "Interior Department officials fear that Washington is becoming an overcrowded graveyard of statuary." It quoted Assistant Secretary Ernst as saying, "We have nothing against Shevchenko, but we thought it good time to bring the subject of statues to the attention of Congress." In reality, as we noted above, Mr. Ernst was emphasizing what had already been generally known in Washington; he was recommending a more formal procedure of disposition for such bills. The Department had previously recognized the value of erecting a statue in honor of Shevchenko, and in this first lap in Congress a similar recognition was emerging.

* * * * *

Because of certain unexpected developments concerning the House calendar, the memorial bill was not considered for a vote until later in the month. This seriously complicated the project in connection with the Senate. The complication led to an intensive effort to apprise by every conceivable means the members of the Senate Rules and Administration Committee as to the forthcoming passage of the bill in the House. The authorization for the biography was passed earlier.

* * * * *

The next stage was, of course, the Senate. With talk of adjournment rife in the air, the mentioned complication can now well be appreciated. A further embarrassing difficulty arose in the fact that S.J. Res. 54, an imitative but bare and undescriptive measure failed to be reported out favorably by the Senate Rules Committee. When H.J. Res. 311 reached the committee on June 27, it was clearly evident that in this complicated situation only the most concentrated action could reap full success for the bill. Every means was seized to expedite the measure. There aren't words adequate enough to express public gratitude for the superb cooperation and deep understanding displayed by Mr. Gordon F. Harrison, chief clerk and counsel of the Rules Committee, Senator Kenneth B. Keating of New York, Senator Theodore Francis Green of Rhode Island, and their respective staffs. In this phase, and the subsequent one, their efforts were indispensable and most praiseworthy.

* * * * *

Finally, on August 29 the Senate Rules Committee reported out favorably H.J. Res. 311 in its Report 1930. Two days later, on August 31, the then Senator Lyndon B. Johnson of Texas, who played an instrumental role in the expedition of the bill, moved that it be considered for a vote, and the resolution was passed. On that occasion Senator Javits addressed the Senate with a concise statement containing all the essentials about Shevchenko. In addition to the sustaining support given by the popular Senator of New York, the wholehearted efforts and aid of Senator Everett M. Dirksen of Illinois, Senator Thomas J. Dodd of Connecticut, and their staffs, as well as of Mr. Harry C. Burke, in the Office of Secretary of the Senate, will be long remembered and valued.

* * * * *

EUROPE'S FREEDOM FIGHTER

One of the most significant developments in this story was the publication of the biography, *Europe's Freedom Fighter, Taras Shevchenko* 1814-1861. As indicated above, this was made possible through the efforts of Congressman Lesinski who introduced House Resolution 524 on May 11, 1960. The measure was agreed to on June 7. Congressman Lesinski made a solid contribution in this regard since many Americans are totally unfamiliar with the champion of liberty. In preparing the booklet this writer received the finest cooperation from Mr. John F. Haley, then a staff member of the House Administration Committee.

* * * * *

Early public reactions to both the statute and the booklet were exceedingly favorable. Featured on the first page of *The Evening Star* in Washington was an article titled "Free Man Or Slave? Cold War Warming Up Over Obscure Poet," with a photo of Shevchenko. In it the writer accurately stressed that "As far as the West is concerned, Shevchenko's poetry reflects man's aspirations for liberty and national independence." Shortly, thereafter, another extensive account appeared on the editorial page of *The New York Herald Tribune*. The writer of this article also pointed out the cold war significance of the Shevchenko project. As he put it, "Next year will see a new twist in the East-West Cold War . . ."

* * * * *

MOSCOW AND PUPPETS ZAG

While all this was going on here, Moscow and its Potemkin puppets in Ukraine and elsewhere within the empire were making plans to exploit Shevchenko during the 1961 centennial. Moscow knew all too well the historic symbol of the poet's works for Ukrainians and other subjugated non-Russian peoples in its empire. The legislation in Washington spurred Moscow to decide on a Shevchenko monument in the empire's capital. It was anticipated that the towering Ukrainian patriot would be painted as merely a "revolutionary democrat," an opponent of "Tsarism and serfdom," indeed, as a precursor of the "glorious October Revolution." And, naturally, it would be fitting for all the happy coexisting nations in the empire to honor this former serf, this fighter for the toiling classes. This crass distortion of Shevchenko was actually fed to American readers of the USSR magazine.

* * * * *

Here are a few examples. In *Sovietskaya Kultura*, supposedly a top periodical on culture, an article on "Taras Shevchenko and Champions of the 'Cold War'" lambasts us for our "murky part" in honoring this great poet truthfully. Another in the *Kommunist* the theoretical and political journal of the Central Committee of the Communist Party of the Soviet Union, depicts Congress' work as one of "the most incredible and filthy distortions." The *Literaturna Hazeta* sees it as a "filthy whimsical invention."; Kiev's *Literaturna Hazeta* dubs the American zig as a pack of "lies about the great revolutionary-democratic poet" and in an earlier issue sees it as the work of "real American business synicism"; *Robitnycha Hazeta* depicts Senator Javits as a "reactionary-minded uncle" for his part in this; *Perets'* honors the writer with some juicy, scurrilous epithets—"skunk" will do here; and, as to be expected, *Kommunist Ukrainy* retorts, "Shevchenko was an implacable enemy of Ukrainian bourgeois nationalism . . ."

* * * * *

THE SHEVCHENKO MEMORIAL

The House document on Shevchenko's biography represents the first official Western publication in honor of any Ukranian national hero. For those familiar with this East European figure this is a new and encouraging development. For those who are not, the opportunity now exists to advance our common goal in achieving an understanding between peoples and nations. In fact, as this opportunity continues to unfold itself, there will be little excuse for any intelligent American not to know the history, the people, and the drives of the largest non-Russian captive nation in Eastern Europe. Through Shevchenko, this is easily attainable; through a knowledge of Ukraine, a vivid understanding of the plight in which all other captive non-Russian nations in the USSR have found themselves will come in due course.

* * * * *

It should be kept in mind that the man we Americans have honored by these various deeds was a contemporary of Lincoln. Shevchenko, too, sought emancipation—not only the emancipation of the serf, the oppressed Jews, and deprived women, but also the emancipation of his nation and other non-Russian nations from the scourge of traditional Russian imperio-colonialism. The honor we have paid him has penetrated the very souls of millions of patriots for freedom, not only in Ukraine, but also throughout the Red Empire. How this truth completely escaped the editorial purview of a powerful Washington newspaper and led to a most revealing controversy, showing how a paper might misguide its readers, is the subject of the next chapter in this episode. The pen and ignorance can be as deadly as fire and oil.

WHY?—HOW LONG?

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. SCHWENGEL. Mr. Speaker, last week our Nation was stunned and shocked at the senseless slaying of Senator Robert Kennedy.

Representative of the feelings of the people in Iowa's First District is an editorial which appeared in the Iowa City Press-Citizen on June 5, 1968.

The editorial forthrightly sets forth the challenge facing us and correctly places the responsibility for action on all of us as individuals.

The editorial follows:

WHY?—HOW LONG?

The world stands in grieved incredulity again today, bewildered at a fresh outbreak of political violence in the United States. And Americans must ask themselves: Why? How often must those whose only offense, if it be one, is to offer themselves as a personification of the policies they espouse be subjected to indignity, insult and even murder?

The incredible events of Nov. 22, 1963, and of April 4 this year climaxed irrationally in the shooting of Sen. Robert F. Kennedy early today. The only redeeming aspect of this latest insanity is that Sen. Kennedy may live while President John F. Kennedy and the Rev. Martin Luther King died.

That, however, is but small consolation, for clearly the attempt at Los Angeles as at Dallas and at Memphis was to kill, to silence an American leader. To seek refuge in asserting that such actions are the results of deranged minds may be true, but the acknowledgment of this is but a lame confession of failure at some point in our society.

While we tell ourselves such violence is only isolated aberration, it breaks out so regularly as to remind us that it isn't. When, and more importantly why, did hate or madness or alienation reach such fantastic extremes that assassination and attempted assassination must be reckoned with as a factor in American life and American politics. Above all, we must seek to bring an end to this malevolence.

Unless this violence can be halted along with the unreasoning political invective which is an implicit invitation to such outbreaks, the free, democratic political process that has been our pride and our hope cannot endure. The point of crisis most assuredly has been reached now, if it had not been earlier.

It is manifested not only by assassination and attempted assassination but also by calumny which precludes and meaningful political discourse and by scurrilous attacks on those in public life which make any man hesitant to risk life or reputation or family. The ominous state of the American mood is evidence further by the contagion of raucous disturbances in the guise of establishing a new, more just society but which actually are aimed at preventing rational discussion. It is even demonstrated by the brainless cries to lynch the suspect at the hotel in Los Angeles.

It is wholly proper to be shocked and saddened by the shooting of Sen. Kennedy. It is wholly proper to weep for what this nation has become in a time of national trial.

But this is not enough. The responsibility of us all goes beyond this. Somehow, some way a new resolution must be found to end this frightening canker of violence or the American political system is doomed, and with it, this nation and its goal of freedom, justice, opportunity for all men.

A. BRUCE COBLE

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. ESHLEMAN. Mr. Speaker, a young man from my district, A. Bruce Coble, is now a candidate for president of the U.S. Junior Chamber of Commerce. I am sure that our Nation recognizes the outstanding work this organization has done through the years, and I am certain that if the Jaycees elect Bruce to lead them, we can look forward to pointing with even greater pride to their accomplishments.

Although Bruce is only 33 years old, he has already compiled an impressive record of service to his community, to his profession, and to the Jaycees on their local, State, and National levels. By profession, he is a registered professional engineer with a degree from Pennsylvania State University. Bruce served in the U.S. Air Force and holds the rank of captain in the USAF Reserve. His service to the community includes work in a variety of important civic groups.

In the junior chamber of commerce, Bruce's leadership and dedication has brought numerous honors to himself and the people he has worked with. With Bruce at the helm, the Lancaster Jaycees were named the outstanding local chapter in Pennsylvania in 1964. By 1966, nearly 10,000 Jaycees selected him as their Pennsylvania president and were in turn led to a record-breaking year. One of the prime accomplishments during his tenure as president in Pennsylvania was the introduction of the Amblyopia project as a national concern of the Jaycees. Through this particular effort untold numbers of preschool age boys and girls are prevented from losing their sight to this dreaded eye disease. Last year, A. Bruce Coble was elected a national vice president of the organization in which capacity he has served more than 250,000 Jaycees in the country. His guidance has led to the compilation of a comprehensive administrative guide for State organizations. In addition, the International Metropolitan Chapters Conference he conducted last November won acclaim from all over the world.

I have been associated with Bruce in a number of important endeavors in Pennsylvania and have always felt his potential for leadership was remarkable. I am proud that his record of achievement is such that he can receive consideration for the Jaycee's highest office. A. Bruce Coble is an outstanding young man, and I am hopeful that the National Junior Chamber of Commerce will select him as their next president.

GUN CONTROL LEGISLATION

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. FEIGHAN. Mr. Speaker, the Cleveland Plain Dealer and the Cleveland Press today editorialized on the need for adequate gun control laws. Under leave granted, I include in the RECORD both editorials:

[From the Cleveland (Ohio) Plain Dealer, June 11, 1968]

DEMAND CONGRESS MOVE ON GUNS

Government leaders voice a sad truth when they say nothing but a tremendous outpouring of public demand will move Congress to pass stronger gun control legislation.

Such an outpouring must be directed by individual citizens to individual members of Congress if it is to be effective.

Unfortunately, the voice of a public aroused by the assassinations of three prominent Americans in less than five years is yet to be heard in the right places.

Members of the United States Senate and House of Representatives are influenced by people they hear from and, according to results of past attempts to pass stiff gun control legislation, it is obvious they have been hearing mostly from people opposed to such measures.

An anti-gun-law lobby, lead by the powerful National Rifle Association is well organized. When anti-gun legislation bobs up the lobby can muster thousands of gun owners and users to shoot it down with a heavy salvo of protest mail and telegrams.

When assassinations occur, a tide of mail and telephone calls register individuals' protests against weak gun laws with the Plain Dealer and other newspapers. Pollsters sample the national temper and discover that most Americans want tight federal controls. But from there the protest against inadequate controls goes nowhere. Apparently it does not reach the ears and minds of those who make the laws.

Horrible as it is, the statistic cited by President Johnson to the effect that guns are used in more than 6,500 murders each year in the United States will not make much impression on Congress.

Neither will the President's report of comparatively few murders by gun in countries with strong gun laws. And neither will a sociologist report, published in Sunday's Plain Dealer, that the United States homicide rate of 2.7 per 100,000 population stacks up badly against homicide rates in nations with severe restrictions on fire-arms

What would make an impression on Congress is a decision by the unorganized public to make itself heard. Only when those who want strong gun controls get their message across to their own and other senators and representatives in Washington will action result.

[From the Cleveland (Ohio) Press, June 11, 1968]

SOUND-OFF ON GUN LAWS

Congress has one overriding mandate from the American people in the wake of the assasination of Dr. Martin Luther King and Senator Robert F. Kennedy.

The message from the people is simply this: pass strict legislation to control the sale of guns in this country. Since the shooting of Senator Kennedy last week, this message about gun controls has come to the Press in scores of phone calls and letter upon letter.

This is no local phenomenon. A Gallup

Poll last week showed that Americans believe that the registration of all fire arms is the best way to curb violence in our country.

Other polls have repeatedly shown that four out of five Americans favor stringent controls on fire arms. Yet time after time, Congress has knuckled under to the National Rifle Association and other gun lobbists and kept the sale of guns relatively free.

Part of an Omnibus Crime Bill passed last week by Congress deals with gun controls, but the measure is relatively weak. The bill outlaws interstate mail order sales of hand guns and limits store sales to persons 21 or older who reside in the same state as the dealer. That's as far as it goes. And that is not far enough.

What is needed is what President Johnson called for last week, "a strong and effective gun control law governing the full range of lethal weapons." The President pointed out that each year in the United States guns are involved in 6,500 murders. A shocking statistic but little wonder when you consider that two million guns were sold in this country last year.

The watered-down measure passed by the Congress does nothing about mail order rifles and shotguns. That, of course, is how the gun was purchased that killed President John F. Kennedy.

The people of this country who want to see effective controls put on fire arms, should do no less than the President of the United States has done in appealing to Congress.

If the people inundate their congressmen with letters and telegrams telling them how they feel about our free and easy gun laws perhaps that will put some spine in Congress to pass effective legislation. You know what to tell your representative.

LEGISLATION AIMED AT ORGANIZED CRIME

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. GURNEY. Mr. Speaker, in recent years organized crime has prospered as never before and broadened its influence in Government and legitimate business and unions. Former Attorney General Katzenbach described organized crime as "nothing less than a guerrilla war against society."

The businessman pays higher insurance rates because of the arson committed under the instructions of organized crime; he loses millions in bad debts annually because of fraudulent bankruptcies. Union workers are cheated out of their just wages when the proxies of organized crime take over and corrupt their unions, arrange sweetheart contracts, exploit mammoth pension funds, and intimidate the membership. Organized crime cheats the consumer by its corruption of the free enterprise system. With its gigantic earning power it is able to take over individual businesses, influence prices, and act as unfair competition for honest business and honest labor.

In addition, organized crime is taking $3 in gambling revenues from the urban poor for every $2 that is put into the poverty program by the Nation's taxpayers. The narcotics traffic in this country netted an estimated $350 million for organized crime last year—the precise sum spent for the Headstart program.

Through its gigantic earning power organized crime has become a threat to the American free enterprise system. Receipts from illegal gambling alone have been estimated at up to $50 billion a year. This earning power has created a huge reservoir of wealth. As the President's Crime Commission elaborately documented, the leaders of organized crime have invested many of its funds in wholly legitimate business activity. With its unlimited resources, the crime syndicate has the power not only to acquire and control an individual business establishment, but by massive purchases and sales on the stock market, to manipulate capital values and influence price structures. By careful, methodical infiltration of several segments of a particular industry, organized crime can use its money to create monopolies, and, by coercive methods, to restrain commerce among the States and with foreign nations.

Today I am introducing three bills aimed at organized crime.

The first two bills are antitrust measures designed to prohibit the use of illegally acquired funds or those deliberately unreported for income tax purposes in legitimate concerns. Clearly, the investment of such funds constitutes an act of unfair competition and an unconscionable trade practice against others engaged in that business.

The first bill would outlaw the investment of income derived from specified criminal activities in legitimate business. The activities specified are those typical of syndicate conduct. They include gambling, bribery, extortion, counterfeiting, narcotics traffic, and white slavery. This bill would bring to bear upon organized crime the criminal penalties and civil sanctions currently defined in the Sherman Act. It would give Federal investigators broader and more certain jurisdiction to investigate the activities of syndicated crime and identify its illegal revenue sources.

The second bill would outlaw the investment in legitimate business concerns of income derived by organized crime from other legitimate enterprises if such income has not been reported for Federal income tax purposes. It would furnish the information for investigation of the numerous ramifications of organized crime's infiltration into the many compartments and echelons of American business. In addition, the crime syndicate would be subjected to payment of multiple damages authorized under the Sherman Act.

Jointly these bills would allow organized criminal activities to be attacked before their anticompetitive impact can destroy legitimate business. They would siphon off a large part of organized crime's dollar reservoir, and this could do as much to control this problem as sending a few crime chiefs to the penitentiary for a temporary season.

Mr. Speaker, the third bill that I introduce would establish a joint committee on organized crime. The President's Commission special report points out that little study and research have been done in the field of organized criminal activity. There are no firm figures on the funds available to organized crime—only educated guesses. Estimates by experts of the annual amount of illegal gambling, organized crime's greatest source of revenue, vary from $7 to $50 billion. The disparity between these figures is indicative of the lack of real knowledge about organized crime.

The creation of a joint committee would provide a permanent professional staff to concentrate on the organized crime. As the President's Commission makes clear, investigation and prosecution of organized criminal activity on all levels of Government has seldom proceeded on a continuous, institutionalized basis. A joint committee would remedy this deficiency and alert the American people to the dangers to which they expose our society. It would serve notice on the leaders of organized crime that the U.S. Government means business.

It is way past time for Congress to recognize that organized crime is a national problem of the highest priority and as such deserves the attention of a committee devoting full time to development of information and legislative proposals to control its effects and impact

REMEMBER THE "PUEBLO"

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. HUNT. Mr. Speaker, weeks and months have faded into the past since the capture of the U.S.S. *Pueblo* by North Korea, an incident now obscured by more recent events. Although little official news is in evidence, or even available, today, my good friend and colleague Congressman WILLIAM J. SCHERLE will remind America that this is the 141st day that the ship and her crew have been in North Korean hands.

It is significant, Mr. Speaker, that just yesterday I received a petition signed by more than 500 high school students, sponsored by the Students for a Free America. Mr. Edmond J. Bonnette, president of Students for a Free America, writes:

> We are sending these signatures to show that not everybody has forgotten a ship called "Pueblo." I know it's not necessary to petition you like this to get your attention, but by doing so we have reminded the people that have signed our petitions. We urge you to speak out in our behalf and remind the forgetful American people that our men and ship are still prisoners of the North Korean pirates.

The petition reads:

> We, the undersigned, "students of South Jersey", wish to show our concern over the Pueblo crisis and to emphatically state that even though the news media is no longer actively covering the incident, that we are still interested in what is happening to the American citizens, held prisoners by the Communist government of North Korea. We are asking that more information, if possible, be given about this outright "Act of Piracy".

Although we believe that our government is doing something to bring back, to their families, the crew of the Pueblo, we are asking that if there is anything more that can be done, that you, representatives of the American people, do it.

Mr. Speaker, these are the voices of the responsible youth of our Nation who are concerned for the freedom and future of America. "Remember the *Pueblo"* is a call for leadership, the lack of which is shamefully evident in the failure of prolonged "diplomatic negotiations."

IT IS NO SURPRISE POLICEMEN RESIGN

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. QUILLEN. Mr. Speaker, I have long been concerned about the flagrant violation of law and order running rampant through our streets.

I have also been concerned about the plight of our law-enforcement officers.

Trying to enforce a law within a growing number of often unrealistic groundrules is a difficult thing to do.

An officer in New Jersey, who has resigned, asked this question, "Who ever heard of an army having to bow to the very people they are being paid to control?"

Although this policeman is not from my district or the State in which I live, one of the fine newspapers in my district, the Bristol Virginia-Tennesseean carried an editorial in its issue of Monday, May 27, 1968, which I make available to the readers of the RECORD:

IT'S NO SURPRISE POLICEMEN RESIGN

Lt. Raymond Schreiner was so unhappy with his lot that he resigned after 16 years on the Bayonne, N.J., police force. His reason for quitting: "Lack of respect for policemen," he said.

Trying to enforce the law within a growing number of often unrealistic ground rules also played a part in Schreiner's decision. "Who ever heard of an army having to bow to the very people they are being paid to control?" he wanted to know.

Police work is about the only occupation, aside from the military, that offers little prestige, lousy hours, low pay and an occasional chance to get one's head blown off.

Schreiner performed his job for 16 years under these conditions. To him, it was all part of being a cop. But 16 years of being considered by some a freeloader at the public trough, of being called "flatfoot" and "fuzz" by jeering young punks and of having his intelligence and legitimacy questioned by drunken drivers and wife beaters finally became too much.

Schreiner's resignation points up one often overlooked fact—cops are human, even as you and I. Most are good, some are bad. Most are honest, some are crooked. Some are brave, most overcome their fears in moments of peril and some are cowards.

A policeman sees a side of life that the public seldom, if ever, sees. He works in a world of child beaters, drunks, prostitutes, dope pushers and murderers. On any given day he may be called upon to take a report from a sobbing young rape victim, tell a recent bride that her young husband has been killed in an auto accident, drive the charred body of an infant taken from a burned-out home to the morgue or walk into a dark alley after an armed man who has just robbed the corner grocer of $3.

Occasionally someone—the pregnant woman he rushes to the hospital, the little old lady he helps across the street or the motorist whose disabled car he helps to start—says thanks. Most, however, take his services for granted.

No one can blame Schreiner for hanging up his badge. The job is demanding and sometimes risky, and the rewards are few. It is to be hoped, however, that his action will not trigger a trend. Cops, besides being human, are necessary—especially good ones.

AN ADDRESS IN TRIBUTE TO SENATOR ROBERT F. KENNEDY, COMMUNITY MEMORIAL SERVICE, SOUTH BEND, IND., JUNE 9, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BRADEMAS. Mr. Speaker, last Sunday, June 9, 1968, I had the privilege of participating in a community memorial service in South Bend, Ind., in tribute to Senator Robert F. Kennedy.

With unanimous consent, I insert the text of my address at this point in the RECORD:

ADDRESS OF CONGRESSMAN JOHN BRADEMAS, COMMUNITY MEMORIAL SERVICE, IN TRIBUTE TO SENATOR ROBERT F. KENNEDY, JUNE 9, 1968, SOUTH BEND, IND.

The questions that the people gathering in St. Patrick's Cathedral in New York City yesterday morning were asking were not much different from the questions that you and others were asking in South Bend, Indiana and across the land:

Why should one family suffer so much as the Kennedy's?

What is our country coming to that there are so many assassinations of our public leaders?

Is there some dark strain of violence in the American character that explains this awful phenomenon?

I shall not here try to answer such questions if, indeed, they can be answered.

THE MEANING OF HIS LIFE AND DEATH

What I shall rather do is speak to you about Senator Robert F. Kennedy and about what his life and death should mean to us all.

You remember—as I do—when he came to South Bend only a few weeks ago with his warm-hearted, extraordinary wife . . . the day after Easter . . . and then came again last month on the eve of the Presidential primary election in Indiana.

You recall his quick grin and his wry, self-deprecating humor—and you remember, too, the intensity with which he spoke of America and the promise of our country.

We shall always remember Senator Kennedy's presence among us, but for longer still, I venture to say, we shall recall those qualities of mind and spirit that characterized his life.

One of these qualities, I think, that especially touched those who came to know him—and many who did not—was his profound compassion for the underdog.

Although born to wealth and power, Senator Kennedy spoke out again and again in our predominantly white, middle class society for the impoverished Negro, the migrant worker, the forgotten Indian, the child of the ghetto—for anybody in a jam.

For he believed that in a country of great affluence like ours, in a country with a heritage of freedom and opportunity like ours, poverty and discrimination and hatred were, to use his word, "unacceptable".

And is there any among us to say that he was wrong?

A VOICE FOR REASON AND RECONCILIATION

Once a supporter of a limited American role in Vietnam, he became more and more opposed to the war as America's involvement increased.

And at his death, Robert Kennedy had become an eloquent voice for reason and reconciliation—at home, between blacks and whites and rich and poor, and abroad, among the nations of the world.

Beyond his identification with the disinherited and his dedication to reconciliation, there was, I believe, another quality that distinguished the life of Robert Kennedy as it did the life of his brother, John F. Kennedy.

It is a quality with immense appeal to the young: It was his commitment to action, not just talk, about the problems that afflicted America and the world.

As his biographer, William Shannon, said in this morning's New York Times, Robert Kennedy believed that "The Worst Sin is to do Nothing," that "One Man Can Make a Difference and Every Man Should Try", that "Government is the Worthiest Career", and that "Moral Idealism is a More Powerful Force than Military Weapons".

THE QUESTION IS ALWAYS WHETHER WE WILL ACT

"The question is always", he told a convention of the International Ladies Garment Workers Union in 1965, "the question is always whether we will act—whether we will teach the children and heal the sick; help the weak and venerate the old".

And here I think of the words of the great French writer, Albert Camus, shortly before he died, asking what men should do, and answering: "My conclusion will be simple. It will consist of saying in the very midst of sound and fury of our history: 'Let us rejoice.' Let us rejoice at being faced with cruel truths . . . Let us seek the respite where it is, in the very thick of the battle."

This was the spirit of Robert F. Kennedy—to seek, with courage and compassion, "in the very thick of battle", to reconcile, in justice, man with man and nation with nation.

And this is perhaps why so distinguished a newspaper as *The Times* of London could say this week—I am sure to the surprise of many Americans—that "If American Presidents were elected by the suffrage of all countries, Robert Kennedy would have gone to the White House next January".

Now Robert Kennedy is dead.

You and I live—and we must ask ourselves what is the meaning of his life and death for us.

I will tell you what I think.

FOR ALL OUR PEOPLE

First, I believe that you and I must work to bring all Americans into the fullness of opportunity that, we like to tell ourselves, distinguishes our country from others.

This means that we must seek to make real for all our people—rich and poor, black and white, young and old—the promise of our Declaration of Independence and of our Constitution.

It means a commitment to the search for social justice and, in particular, to working out in some way the enormously difficult problem of the relations between the races.

"America has more money, more power, more skills, more weapons than any other country in the world", said the London *Times* this week.

But Americans have not yet learned to resolve their racial difficulties and to live together.

The playwright Arthur Miller, said in another way: "We are 200 millions now. Either we begin to construct a civilization, which means a common consciousness of social responsibility, or the predator within us will devour us all.

"Because America has been bigger on promises than any other country, she must be bigger by far on deliveries. Maybe we have only one big promise left in the bag, the promise of social justice for every man regardless of his color or condition. . . .

"Between the promise and its denial—there stands the man with the gun. Between the promise and its denial stands a man holding them apart—the American."

That certainly is the kind of profound and optimistic belief in America that Senator Kennedy had.

TO END HATRED AND INTOLERANCE

There is a second meaning to the life and death of Robert Kennedy. It is that you and I must work to end the hatred and intolerance that increasingly poison the air of American life.

Too many "respectable" citizens contribute to the debasement of the dialogue of democracy when they bring to the discussion of political issues on which honorable men can honorably disagree a personal hatred of their opponent, a rancor and a venom which are not the marks of restrained and civilized men.

And toleration of such personal hatreds of public figures is one of the forces that have helped shape a climate in which, in five short years, we have witnessed the death by the assassin's gun of John F. Kennedy, Medgar Evers, Malcolm X, George Lincoln Rockwell, Martin Luther King, Jr. and Robert F. Kennedy.

It is up to you and me to speak out the truth that the path of hatred and violence solves nothing, and that the path of tolerance and peaceful persuasion is the only path for a free people to follow.

TO STOP WAR

There is a third meaning to the life of Robert Kennedy of which I shall here speak. It is that war among the nations of this planet, like violence among citizens of the same country, must be stopped as an instrument of resolving conflict.

In his moving eulogy yesterday morning, his voice choking with emotion, Senator Edward M. Kennedy described his brother's life in simple words. He was, he said, "a good and decent man, who saw wrong and tried to right it, who saw suffering and tried to heal it, saw war and tried to stop it."

THE MESSAGE OF ROBERT F. KENNEDY

What then is the message of Robert F. Kennedy for you and me?

Why, I think it is very clear.

It is what he said in our own State, in Indianapolis, on the 4th of June of this year, in his extemporaneous remarks on the death of Martin Luther King:

"Aeschylus wrote: 'In our sleep, pain that cannot forget falls drop by drop upon the heart and in our own despair, against our will, comes wisdom through the awful grace of God.'

"What we need in the United States . . . is love and wisdom and compassion toward one another, and a feeling of justice toward those who still suffer within our own country, whether they be white or they be black.

"Let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of the world. Let us dedicate ourselves to that, and say a prayer for our country and for our people."

Let us dedicate ourselves to *that,* and say a prayer for our country and for Robert Francis Kennedy.

ANTICRIME LEGISLATION

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. McCLURE. Mr. Speaker, because of the interest aroused among my constituents concerning House passage of H.R. 5037 last week, I am taking this opportunity to explain my position on the bill.

In a much simpler world not too long ago it was assumed that when wrongdoing occurred, the criminal was pursued and captured, and justice was served.

Today, it is a little more complicated. Crime itself has become controversial. Society is frequently blamed for the acts of one man, while the victims and the innocent are told they must shoulder part of the blame. Violence is somehow equated with free speech.

Law-enforcement officers track down the guilty with all the gentility of an Army recruit running an obstacle course. This is because the highest Court in the land has found new meanings for the word "justice." That recent Supreme Court decisions have tied the hands of our police officers and hamstrung the courts is beyond question. Even those who applaud these decisions will admit it is so.

As the crime rate grew, as acts of violence became commonplace, the American people demanded that Congress act. The administration jumped on the anticrime bandwagon with a program that predictably moved the Federal Government closer to control over local law-enforcement agencies. The House responded by removing those controls but added very little else of significance. It remained for the Senate to put real teeth in this measure, and with one exception they did their work commendably well. One of the most significant aspects of the crime bill before us is that Members of the other body, though generally of much more liberal persuasion than the Representatives in the House, searched their consciences and came up with a measure that takes a significant step toward the restoration of law and order.

In many ways I feel a certain kinship to portions of this bill. Last year I introduced two bills dealing with situations resulting from certain Supreme Court decisions. One of them stated that confessions, voluntarily given, cannot be thrown out of a subsequent trial. It is most gratifying to find that this measure contains provisions similar to those found in my bill.

Then, the section disqualifying from Federal service any person convicted of a felony in connection with a civil disturbance was once before the Post Office and Civil Service Committee, of which I am a member. It had my wholehearted endorsement then, as it does now.

Furthermore, by channeling crime-fighting funds through the States, we have eliminated the possibility of Federal control of the Nation's police forces. And that is certainly in keeping with the philosophy I espoused when campaigning for my seat in Congress.

To my mind, there is so much that is laudable in this bill that I find it hard to believe that our collective efforts must necessarily come unstrung through the insertion of a section limiting the acquisition of handguns. There is no basis for the inclusion of such a provision in an otherwise responsible bill. It is a slur against sportsmen and abhorrent to me personally.

Does this mean we will now prevent traffic accidents by banning the automobile? Of course not. Do we aid the private citizen in the protection of his life and property by disarming him? Of course not.

In 1966, only 3 percent of all serious crimes involved the use of firearms. That hardly constitutes a mandate for gun controls. As a matter of fact, I am not certain at all where the mandate does come from. Certainly it is not from the people of Idaho. I have had only four letters supporting the regulation of firearms, but I have had thousands of letters from those who are opposed.

It seemed to me that enactment of this section would only whet the appetite of those who want to restrict the legitimate use of firearms. On the other hand, if the bill had failed to pass, I know only too well the course that the leadership and the chairman of the Judiciary Committee were prepared to follow as far as the President's gun control bill was concerned. At the same time, the gentleman from New York [Mr. CELLER] had also made it clear that should this bill fail, there wouldn't be another opportunity, at least this year, to deal with the Supreme Court.

It was a dilemma unlike any other I have faced since coming to Washington. My ultimate decision was to vote for the bill, though reluctantly. The wave of lawlessness sweeping our country borders on anarchy. It knows no boundaries. Whether in the ghetto—where education and income are limited—or on the college campus—where affluence and intellect abound—violence has become a way of life. I know that many of us now view it as a question of survival for our country and its traditions.

One thought emerges ever so clearly above all others: the rising tide of crime must be stopped now. Except for the restriction on handguns, the crime bill took the first big step toward reducing lawlessness and stabilizing community life.

The overriding issue is the spiraling crime rate, and it is here that Congress must leave no doubt as to where it stands.

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. KASTENMEIER. Mr. Speaker, this body considered and passed a major copyright revision bill—H.R. 2512—last year. Shortly after passage of that bill, the American University, Washington, D.C., held a symposium in April 1967 on automated information systems and copyright law. Its purpose was to develop a dialog among many parties concerned with computers, other new communications media, and the copyright law.

Technical and position papers were presented. From these papers, free discussion of them by invited experts, and subsequent statements by interested parties, a report was prepared by Profs. Lowell H. Hattery and George P. Bush of the American University.

I was pleased to know of this effort, to encourage participation in it, and to now have available to me not only copies of the papers prepared for it, but also the summary and comments of Professors Hattery and Bush on the 2 days of discussion.

Copyright legislation is pending on both sides of the Capitol. The revision bill is now before the Senate, and the Senate-passed bill, S. 2216, to establish a National Commission on New Technological Uses of Copyrighted Works, is before the House. Regardless of the action taken on these bills in this Congress, the matters and issues discussed in this symposium will continue to be of interest and concern to Congress in legislating on copyright and information policies now and in the future.

Accordingly, I include the report on the symposium in the RECORD so as to be readily available to Members and others interested in this subject matter. It is my intention to submit portions of the report on subsequent days. Accordingly, the following material represents only the first installment. A table of contents is provided also to provide you with some indication of the material to be included in subsequent installments.

The material follows:

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

(Report of a symposium at the American University, prepared by Lowell H. Hattery and George P. Bush)

PREFACE

The newer methodologies in printing and the prospects of their effects inevitably conflict with a copyright law which was last revised in 1909. However, during consideration of proposed revision of the law during the past seven years, the computer-electronics-microfilm impact upon copyright concepts was minimal.

The Center for Technology and Administration of The American University sponsored a symposium in 1967 to explore objectively the nature and extent of the problem, varied interests and viewpoints, outlook and alternative courses and options.

Although the symposium and several papers are related specifically to topical issues of copyright revision, there is no doubt that developments in both technology and user methods alter the environment and need for copyright protection continuously. No legislation will "settle" the issues for an extended period. It is in the nature of current shifts in information technology that new opportunities, stresses and accommodations will require continuous review.

Therefore, we believe this collection of selected papers has significant resource value. Symposium papers published elsewhere are cited in the bibliography. Others are summarized but not reproduced in full.

Differences of opinion will be found among the papers. It is one of the values of the collection that different perspectives, arguments and judgments are arrayed.

TABLE OF CONTENTS

1. Copyright Law Revision: History and Prospects, Barbara A. Ringer.
2. Post-Gutenberg Copyright Concepts, Paul G. Zurkowski.
3. Copyright and The Computer: Why The Unauthorized Duplication of Copyrighted Materials for Use as Computer Input Should Constitute Infringement, Arthur J. Greenbaum.
4. Economics, Automation and Copyright, Charles H. Lieb.
5. Electronic Computers: Storage and Retrieval, Mervin E. Muller.
6. Technology and The Copyright Law: The Systems Approach, George V. Eltgroth.
7. Authors' Rights, Irwin Karp.
8. Permissions and Payments in Automated Systems, Harold E. Wigren.
9. A Code for The Unique Identification of Recorded Knowledge and Information, Howard J. Hilton.
10. The Publishers' Rumplestiltskin: Copyright Revision, Kirby B. Westheimer.
11. Summary and Analysis, Lowell H. Hattery and George P. Bush.
12. Conclusions and Recommendations, Lowell H. Hattery and George P. Bush.
13. Selected Bibliography.

COPYRIGHT LAW REVISION: HISTORY AND PROSPECTS

(By Barbara A. Ringer, Assistant Register of Copyrights) *

This paper, which is an outgrowth of the Symposium on Intellectual Property in Automated Systems held under the auspices of the American University in late April 1967, is being written during one of the recurrent crises in the program for general revision of the copyright law. At the time of the Symposium the auguries were good: the bill for general revision [1] had passed the House of Representatives the week before with a majority of 379 votes to 29,[2] and hearings were nearing completion in the Senate.[3] Some problems that many had regarded as insuperable, notably those of jukebox performances and educational uses, appeared on the way to being surmounted at last, and people were beginning to talk of a new copyright statute in terms of when rather than whether.

Writing now, in July 1967, I view the enactment of a revised copyright law in the near future as a probability but by no means a certainty. As the Twentieth Century technological revolution continues relentlessly to reshape and expand the availability and efficiency of methods of communication, new groups arise to challenge the exclusive rights that authors have traditionally been given under the copyright law. Two years ago our most significant problems came from jukebox performances and educational copying, today they come from uses by computers and community antenna television systems, and two years from now there may well be whole new industries whose future will be directly affected by the copyright law. This accelerating process make the enactment of a revised copyright statute in the 90th Congress increasingly difficult, at a time when the 1909 Act is proving increasingly inadequate.

The Federal copyright law now in effect in the United States was adopted in 1909 [4] and has been amended in only a few relatively minor ways.[5] It is essentially a Nineteenth Century copyright law, based on assumptions concerning the creation and dissemination of author's works that have been completely overturned in the past fifty years.[6] A Twentieth-Century copyright statute is long overdue in the United States, and the present need for a revised law that will anticipate the Twenty-First Century is so obvious as to be undeniable.

But we have found again and again that abstract agreement on this need for complete revision gives way to concrete disgreement on particular provisions to appear in the new statute. As time goes on the problems become increasingly complex, the economic and political power of the special interests becomes greater, and the conflicts on particular issues become more intense. Major groups can kill off the entire revision program if their opposition on a particular point is strong enough, and there are issues on which certain groups would prefer the 1909 statute to some of the changes that have been proposed. Copyright law revision demands of any proponent a calm head, a delicate sense of balance, and infinite patience.

It is more instructive than consoling to realize that our problems are not new.[7] The program for general revision of the copyright law actually got underway 43 years ago, in 1924, and produced four distinct legislative efforts before World War II: The Dallinger, Perkins, and Vestal Bills in 1924–1931,[8] the Sirovich Bill in 1932,[9] the Duffy Bill in 1934–1936,[10] and the "Shotwell" Bill in 1939.[11] One of these measures passed the House,[12] and a later one passed the Senate,[13] but in every case the revision program ultimately failed of enactment because of fierce opposition to particular provisions by certain groups. The history of U.S. copyright law revision in the 1920's and 1930's teaches a basic lesson: the need to work out accommodations on the critical issues in an atmosphere of good will and give and take. It is a great deal easier to recognize the validity of this proposition than to put it into practice.

The failure of the earlier efforts at general revision of the copyright law has been blamed on one group or another, and on the face of it there does appear to be quite a bit of blame to go around. At the same time it is important not to forget that the main purpose behind some of the revision bills was to permit U.S. adherence to the International Convention of Berne.[14] There can be little doubt that some of the Congressional opposition to copyright law revision stemmed from basic objections to U.S. acceptance of foreign principles of copyright jurisdiction and to U.S. assumption of the international obligations involved in becoming a member of the Berne Union.

After World War II the proponents of copyright law reform adopted a new approach. It was assumed, on the basis of past experience, that efforts to revise the copyright law in a way that would permit adherence to the Berne Convention would continue to be futile. It was also recognized that the emergence of the United States as a major exporter of cultural materials made our adherence to a multilateral convention essential. Thus, efforts to secure general revision of the copyright law were temporarily deferred in favor of a major program aimed at developing and implementing a new international copyright convention to which the United States could adhere without major changes in our law. These efforts, under the leadership of Register of Copyrights Arthur Fisher, achieved success in 1952 with the signing at Geneva of the Universal Copyright Convention,[15] followed in 1954 by the enactment of revisions to the 1909 statute permitting U.S. adherence to the U.C.C.,[16] and by the coming into force of the Convention in 1955.[17]

Noteworthy as it was, the achievement of bringing the United States into the international copyright community also served to dramatize once more how archaic and inadequate the U.S. copyright statute of 1909 had become. The autumn of 1955, which saw the coming into force of the Universal Copyright Convention and the inauguration of the current program for general revision of the copyright law, marked the end of one epoch and the beginning of another. In August

---

Footnotes at end of article.

1955, Congress authorized the formation of a Panel of Consultants on General Revision of the Copyright Law[18] under the chairmanship of the Register of Copyrights, and the Copyright Office undertook a series of basic studies of the major substantive issues involved in revision. At the same time began what has become a seemingly endless series of meetings and discussions with representatives of virtually every interest group affected by the copyright law. By now these discussions, which have been as valuable as they have been time-consuming, must literally run into the thousands.

Like the ages of man, the present general revision program seems to fall roughly into seven periods:

(1) 1955–1961: study and analysis of issues; publication of studies and comments

(2) 1961–1962: publication of Register's Report and debate of its recommendations

(3) 1962–1964: preliminary drafting; review of draft language; redrafting

(4) 1964–1965: first introduction of bill; further review and redrafting

(5) 1965: publication of Register's Supplementary Report and introduction of redrafted bill; House hearings completed and Senate hearings started.

(6) 1966: Bill considered, redrafted, and reported by House Judiciary Committee; Senate hearings on CATV.

(7) 1967: Bill again considered and reported by House Judiciary Committee; debated and passed with amendments in House; Senate hearings completed.

This dull recital hardly suggests the ups and downs, the fits and starts, the joys and sorrows, and the scars and trophies that general revision encountered over the past twelve years. Arthur Fisher, whose untimely death in late 1960 robbed the revision program of its architect, would not be likely to recognize the edifice that has been built from his original plans, but knowing him I know he would approve of the accomplishment.

The initial study period, which was originally supposed to take three years, actually took about six. The product was worth the time: 34 published studies covering most of what we thought then were the important substantive issues in copyright law revision,[19] a body of comments from members of the Panel of Consultants published with each of the studies and the 1961 Report of the Register of Copyrights on General Revision of the Copyright law.[20] The Register's Report was the first of many major contributions to the general revision program by Abraham L. Kamenstein, Mr. Fisher's successor as Register of Copyrights. The purpose of the Report, as Mr. Kaminstein said in his 1962 Annual Report, "was to furnish a tangible core around which opinions and conclusions could crystallize—to achieve the widest possible agreement on basic principles before proceeding to draft a revised copyright law."[21] The Report attempted to pinpoint the major issues in revision, summarize the present law with respect to each of them, analyze alternative solutions, and present specific recommendations.

The Register's Report succeeded very well in clarifying the issues and in focusing the discussions on them, but some of its most fundamental recommendations proved more controversial than anyone in the Copyright Office had expected. In particular, the Register's proposal for copyright to begin with "public dissemination" and to last for a first term of 28 years, renewable for a second term of 48 years, provoked a flood of opposition; there was strong support for a single Federal copyright system with protection commencing upon the creation of a work and ending 50 years after the author's death.

A series of four meetings of the Panel of Consultants on General Revision was held between September 1961, and March 1962, at which all of the Report's recommendations were discussed in an increasingly tense atmosphere.[22] The heated arguments at these and other meetings actually stalled the revision program for several months and brought it to a genuine crisis in the late summer and fall of 1962. It became apparent that, if the entire project was not to founder, some method for advancing and considering alternative recommendations would have to be found.

In November 1962, the Register announced that the Copyright Office was prepared to change its position on some debatable questions and to draft alternative language on others.[23] He indicated that the Office was prepared to revise its recommendations concerning "public dissemination" and the retention of common law protections, and that "at least one alternative version of our draft bill will adopt the life-plus basis for computing the term—in conjunction with a system of notice, deposit, and registration that we consider essential." The Register also announced that he would send preliminary drafts of statutory language to the members of an expanded Panel of Consultants on General Revision for their comments, and that he would convene another series of meetings on the preliminary draft. The process of preparing draft language for circulation occupied practically all of 1963, and included a total of eight meetings of the Panel of Consultants.[24]

The development of this preliminary draft proved to be a difficult but enormously productive phase of the program. The procedure adopted provided a motive and a forum for detailed, critical scrutiny of the language and substance of a new copyright statute by representatives of nearly all of the groups affected. It also created an atmosphere of cooperative effort that has survived various stresses and strains and has continued to grow in breadth and depth.

The preliminary draft of the general revision bill that had reached completion at the beginning of 1964 was never intended to be a final product. The next six months were devoted to compiling, analyzing, and synthesizing all of the comments received on the draft, to making substantive decisions and changes on the basis of these comments, and to preparing a complete, section-by-section revision of the bill. The draft of the bill that emerged from this process was prepared entirely within the Copyright Office without collaboration or consultation with any private groups or individuals. The introduction of the 1964 draft in July and August of 1964[25] marked the end of the drafting phase of the revision program and the opening of the legislative phase.

Like the preliminary draft on which it was based, the 1964 bill was not intended as a finished product, but as a focal point for further comments and suggestions. In August 1964, a full week of detailed discussions of the bill showed that a great deal of progress had been made, but that still further revisions would be necessary before legislative hearings could profitably begin. During the fall and winter of 1964–1965 the Copyright Office reviewed and analyzed the many oral and written comments on the bill[26] and prepared another complete revision.

At the beginning of the 89th Congress, on February 4, 1965, Senator McClellan and Representative Celler introduced the 1965 general revision bill[27] and the Copyright Office spent the next three months preparing a supplement to the 1961 Register's Report. The Supplementary Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law: 1965 Revision Bill[28] which was published in May 1965, set forth the reasons for changing a number of recommendations in the 1961 report and clarified the meaning of the provisions of the 1965 bill.

Publication of the Supplementary Report coincided with the opening of Congressional hearings on the bill. Between May 26, 1965 and September 2, 1965, 22 days of public hearings were held before Subcommittee No. 3 on Patents, Trademarks, and Copyrights of the House Committee on the Judiciary. A total of 163 witnesses, representing an extraordinarily wide range of public and private interests, appeared before the subcommittee chaired by Representative Robert W. Kastemeier of Wisconsin. The record of the 1965 House hearings[29] which comprises nearly 2,000 pages of printed text, includes not only the oral transcript but also more than 150 written statements. The Senate Judiciary Subcommittee, under the chairmanship of Senator John L. McClellan of Arkansas, held brief hearings on the revision bill in August 1965[30] but delayed a full series pending the conclusion of the intense activity in the House subcommittee.

Several significant factors with respect to the general revision program emerged from the 1965 hearings. Most obvious were the sharp controversies remaining to be settled on some old issues (such as the jukebox exemption, the royalty rate to be paid under the compulsory license for recording music, and the manufacturing requirement with respect to English-language books and periodicals), and on some relatively new issues (such as fair use, and the reproduction of copyrighted works for educational and research purposes, the liability of educational broadcasters and similar transmitters, and the status of community antenna television systems under the copyright law). Less readily apparent, but equally real and significant, was the enormous progress toward general revision that had already been made before the hearings started, and that resulted in a body of testimony remarkably intelligent, constructive, and germane.

Aside from the need to work out further accommodations on several crucial issues, the most serious problem arising from the 1965 hearings was how to organize the massive contents of the record in a way that would overlook no significant comment or suggestion but that still would form a comprehensible basis for decision-making. Working in close collaboration, the Copyright Office and the House Judiciary Committee counsel prepared summaries of every statement that had been made, and then divided the entire corpus of the hearings into 10 general areas: subject matter of copyright, ownership, duration, notice and registration, manufacturing and importation requirements, community antenna systems and other secondary transmissions, jukebox performances, compulsory license for phonorecords, educational copying and fair use, and educational broadcasting and other performing rights. Each subject was then divided into subtopics, under which were listed every issue raised at the hearings.

This "experiment in legislative technique," as it has been called, proved effective. It enabled the House Judiciary Subcommittee, in its deliberations on the bill, to consider each issue in context, to weigh the arguments for and against it, and to arrive at reasoned decisions. Meeting regularly, usually twice a week, from February through September 1966, the subcommittee held 51 executive sessions, all of which were attended by representatives of the Copyright Office. Examining each issue in depth and then redrafting the pertinent section of the bill as they went along, the subcommittee produced an entirely revised bill in an atmosphere of informal, bipartisan discussions that could well serve as a model for similar legislative projects.

The bill, as revised by the subcommittee, was reported unanimously to the full House Judiciary Committee on September 21, 1966, and was reported without amendment by the full Judiciary Committee on October 12, 1966. The House Report,[31] which comprises a total of 279 pages, including 141 pages of explanatory text, is an unusually valuable addition to the legislative history of the general revision bill. It examines virtually every provision of the bill in detail, recording the

---

Footnotes at end of article.

Committee's reasoning behind its decisions on substantive issues and the intention behind its choice of statutory language.

The bill was reported too late in the 89th Congress for further legislative action, and indeed none had been expected in 1966. In the revised forum reported by the House, it was introduced by Senator McClellan and Representative Celler[32] in the 90th Congress, and was considered by the newly-constituted membership of Subcommittee 3, again chaired by Representative Kastenmeier on February 20, 24, and 27, 1967. It was reported to the full Committee on the last of these dates and, after rather heated debates in the full committee on February 28 and March 2, 1967, was again reported to the House.[33] [This time, however, the report included minority views by Representatives Byron G. Rogers of Colorado and Basil L. Whitener of North Carolina, devoted to the jukebox issue, and additional dissent by Mr. Whitener on the bill's treatment of CATV.]

It was becoming increasingly apparent, as the bill moved toward the House floor, that extremely sharp and unreconciled conflicts on the issues of jukebox performances and CATV transmissions remained, and that there was a serious danger that one or both of these issues could defeat the bill. The bill was considered by the House Rules Committee on March 8, 1967, and the rather acrimonious arguments in the Committee action authorizing full debate on the House floor were another danger signal.

Consideration by the House of Representatives of H.R. 2512 started at 10:00 a.m. on Thursday, April 6, 1967[34] a day which, as Roland Young said in the old Katherine Hepburn version of *The Philadelphia Story*, the pages of history teach us is best spent in bed. The difficulties were subtle and interrelated, but underlying the painful charges and countercharges, the endless quorum calls, and the increasingly bitter exchanges was one fundamental lesson: it is a mistake to take a long, complex, technical, and specialized bill to the floor of Congress if the opposing sides on an important economic issue are in sharp and active conflict with each other. We had not one but two unresolved issues of that type: jukeboxes and community antenna systems. The combination was very nearly fatal to the revision program.

When the House finally recessed after 7:00 p.m. on April 6, it was apparent that a rescue operation was essential if an urgently needed legislative reform was not to be delayed for years or even decades to come. Over the next four days, in an atmosphere of intense crisis, several crucial compromises were achieved, and on Tuesday, April 11, an amended bill was passed by the House after mild debate with the extraordinary vote of 379 yeas to 29 nays.[35] Fairly radical changes were made in three areas: there were drastic revisions in the provisions establishing copyright liability for jukebox performances; the provisions dealing with community antenna transmission were dropped entirely (theoretically leaving CATV systems fully liable for copyright infringement); and the exemptions for instructional broadcasting were considerably broadened. On the other hand, the structure and content of the bill itself has remained substantially intact, and the successful achievement of compromise solutions in a febrile and politically-explosive atmosphere indicated to some of us that, despite all the problems, the bill would utimately be enacted.

The Senate Judiciary Subcommittee, which had opened hearings in 1965 and had had a short series of hearings on the CATV problem in 1966,[36] resumed full-scale consideration of the bill, under the joint chairmanship of Senators McClellan and Burdick, on March 15, 1967. Indeed, the Senate hearings were in full swing during the crisis in the House, and for a time the general revision program resembled a two-ring circus in more ways than one. To everyone's surprise the record of the Senate hearings, which lasted 10 days and ended on April 28, 1967, very nearly equals that of the House hearings in size and content. At present the transcript of the Senate hearings is still being printed, and it seems unlikely that the subcommittee will take action on the bill this year.

Of the several areas that emerged as full-blown issues at the Senate hearings, by far the most important is the problem of the use of copyrighted works in automatic information storage and retrieval systems. This issue could well turn out to be the most important issue in the history of the copyright law, but it seems clear that any attempt at a definitive solution as part of the present bill for general revision would not only fail to solve the computer issue but could kill off the revision program itself. Experimentation with the use of copyrighted material in data banks and information transfer devices had hardly begun, and what is needed now is the kind of meaningful study under objective auspices contemplated in S. 2216,[37] a bill introduced by Senator McClellan on August 2, 1967 "to establish a National Commission on New Technological Uses of Copyrighted Works."

It is no exaggeration to say that the chips are down on general revision. The inadequacies of the 1909 Act and the critical importance of a revised statute to all producers and users of intellectual property become more apparent with each new technological development in communications. It is urgent that a general revision statute be enacted without delay. Copyright legislation directed specifically to the problems of computers will be needed eventually, but should be deferred until the necessary studies have been made. The problems now dealt with in the general revision bill are immediate, and their solution cannot await discussion of the computer problems of the future.

FOOTNOTES

*The views expressed in this article are those of the author and do not necessarily reflect official positions of the Copyright Office or of the Library of Congress.

[1] H.R. 2512, 90th Cong., 1st Sess. (1967).

[2] 113 Cong. Rec. H3888 (daily ed., April 11, 1957).

[3] Hearings on S. 597 before the Senate Judiciary Committee Subcommittee on Patents, Trademarks and Copyrights, Mar. 15–17 and 20–21, Apr. 4, 6, 11–12, and 28, 1967.

[4] Act of March 4, 1909, 35 Stat. 1075, 17 U.S.C. (1964).

[5] In 1947, the Copyright Law was codified and enacted into positive law by the Act of July 30, 1947, 61 Stat. 652, as amended by the Act of April 27, 1948, 62 Stat. 202 [increase in registration fees]; the Act of June 25, 1948, 62 Stat. 869 [to conform to Title 28 U.S.C. on the judiciary which was codified and enacted]; the Act of June 3, 1949, 63 Stat. 153 [giving foreign authors the option of submitting an additional copy and catalog card in lieu of the registration fee; extending the period to register for ad interim copyright and the ad interim term and allowing importation of 1500 copies of editions manufactured abroad]; the Act of October 31, 1951, 65 Stat. 710 [technical changes]; the Act of July 17, 1952, 66 Stat. 752 [to recognize recording and performance rights in nondramatic works]; the Act of April 13, 1954, 68 Stat. 52 [technical changes]; the Act of August 31, 1954, 68 Stat. 1030 [to implement ratification of the Universal Copyright Convention]; the Act of March 29, 1956, 70 Stat. 63 [amending 17 U.S.C. § 13 to authorize the Register to accept photographs in lieu of copies in some classes where deposit of copies is impractical]; the Act of September 7, 1957, 71 Stat. 633 [setting a statute of limitations for civil actions]; the Act of September 7, 1962, 76 Stat. 442 [technical amendment to 17 U.S.C. § 8 governing copyright in Government publications]; the Act of October 27, 1965, 79 Stat. 1072 [increase in registration fees]. Pending general revision, two acts have extended the duration of copyright protection for works in renewal copyright—the Act of September 19, 1962, 76 Stat. 555 and the Act of August 28, 1965, 79 Stat. 581.

[6] Knoll, *Our "Model T" Copyright Law*, The Reporter, vol. 34, no. 5 at 39 (Mar. 10, 1966); Finkelstein, *What's Wrong with Our Copyright Laws?*, Variety, vol. 234, no. 5 at 58 (Mar. 25, 1964). *See also* Finkelstein, *Copyright Law—A reappraisal*, 104 U. Pa. L. Rev. 1025 (1956); Colby, *Copyright Formalities and Copyright Revision*, 2 Publishing, Entertainment, Advertising and Allied Fields L. Q. 275 (1962); Goldberg, *Promoting the Progress of Science and the Useful Arts*, 47 Cornell L. Q. 549 (1962); Schulman, *Road to Progress in Revising the Copyright Law*, 9 Bull. Cr. Soc. 433 (1962); Tannenbaum, *The U.S. Copyright Statute: An Analysis of its Major Aspects and Shortcomings*, 10 N.Y.L. Forum 12 (1964); Kaplan, *Unhurried View of Copyright: Proposals and Prospects*, 66 Colum. L. Rev. 831 (1966).

[7] Goldman, *A History of U.S.A. Copyright Law Revision From 1901 to 1954*, Copyright Law Revision Study 1, prepared for the Senate Judiciary Committee Subcommittee on Patents, Trademarks, and Copyrights, 86th Cong., 1st Sess. (Comm. Print 1960). *See also* Studies 2–34.

[8] H.R. 9137, 68th Cong., 1st Sess. (1924); H.R. 11258, S. 4355, 68th Cong., 2d Sess. (1925); H.R. 5841, 69th Cong., 1st Sess. (1925); H.R. 10434, 69th Cong., 1st Sess. (1926); H.R. 1012, 70th Cong., 1st Sess. (1928); H.R. 6690, 71st Cong., 2d Sess. (1929); H.R. 12549, 71st Cong., 2d Sess. (1930); H.R. 139, S. 176, 72d Cong., 1st Sess. (1931). Brief hearings were held in the House on the Dallinger bill in 1924; House hearings in 1925 considered the Perkins bill; and extensive House hearings were held in 1926 on the Vestal bill. The Vestal bill was also the subject of hearings in both the House and Senate in 1930-31; it passed the House, Jan. 13, 1931 but died in the Senate.

[9] H.R. 10364, 72d Cong., 1st Sess. (1932). Throughout extensive hearings, Representative Sirovich introduced various revised versions of his bill: H.R. 10740, H.R. 10976 (reported by the Committee on Patents, Apr. 5, 1931), H.R. 11948, H.R. 12094 [reported by the committee, May 18, 1931], and H.R. 12425.

[10] S. 2465, 74th Cong., 1st Sess. (1935). A revised version, S. 3047, was reported by the Senate Committee on Patents and passed by the Senate, August 7, 1935.

[11] S. 3043, 76th Cong., 3d Sess. (1940).

[12] H.R. 12549, 71st Cong., 2d Sess. (1931).

[13] S. 2465, 74th Cong., 1st Sess. (1935).

[14] Berne Convention concerning the Creation of an International Union for the Protection of Literary and Artistic Works of 1886 and the revisions adopted at Paris in 1896, at Berlin in 1908, at Rome in 1928, at Brussels in 1948, and at Stockholm in 1967. The 1967 Intellectual Property Conference of Stockholm adopted administrative and structural changes that transformed the Union into an organization. For an article analyzing U.S. revision efforts in relation to ability to adhere to the Berne Convention, *see* Solberg, *The International Copyright Union*, 36 Yale L. J. 68 (1926).

[15] *See, e.g.*, Bogsch, The Law of Copyright under the Universal Copyright Convention (1964); Universal Copyright Convention Analyzed (Kupferman and Foner ed. 1955).

[16] Act of August 31, 1954, 68 Stat. 1030.

[17] The 55 nations that have ratified or acceded to the U.C.C. include all the major English-speaking states except Australia.

[18] Legislative Appropriation Act of 1956, 69 Stat. 499 (1955). In approving the annual appropriation for salaries and expenses, of the Copyright Office, Congress authorized

$20,000 to enable the Office to initiate studies. *See also Annual Report of the Librarian of Congress for the Fiscal Year Ending June 30, 1955* at 45 (1956).

[19] In addition to the historical survey of revision efforts, *supra* note 7, the subjects included: Size of the Copyright Industries, The Meaning of "Writings" in the Copyright Clause of the Constitution, The Moral Right of the Author, The Compulsory License Provisions of the U.S. Copyright Law, The Economic Aspects of the Compulsory License, Notice of Copyright, Commercial Use of the Copyright Notice, Use of the Copyright Notice by Libraries, False Use of Copyright Notice, Divisibility of Copyrights, Joint Ownership of Copyrights, Works Made for Hire and on Commission, Fair Use of Copyrighted Works, Photoduplication of Copyrighted Material by Libraries, Limitations on Performing Rights, The Registration of Copyright, the Authority of the Register of Copyrights to Reject Applications for Registration, The Recordation of Copyright Assignments and Licenses, Deposit of Copyrighted Works, The Catalog of Copyright Entries, The Damage Provisions of the Copyright Law, The Operation of the Damage Provisions of the Copyright Law, Remedies other than Damages for Copyright Infringement, Liability of Innocent Infringers of Copyright, The Unauthorized Duplication of Sound Recordings, Copyright in Architectural Works, Copyright in Choreographic Works, Protection of Unpublished Works, Duration of Copyright, Renewal of Copyright, Protection of Works of Foreign Origin, Copyright in Government Publications and Copyright in Territories and Possessions of the U.S.

No separate studies were prepared on several of the issues that subsequently proved to be most important in general revision; the jukebox exemption (which was then regarded as a problem outside the scope of general revision), community antenna television, educational photocopying and broadcasting, and computer uses (some of which had yet not emerged as major issues).

Thirty-three of the studies were grouped in 11 committee prints and published by the Senate Subcommittee on Patents, Trademarks, and Copyrights together with a subject index. They are available in this form from the Government Printing Office. These studies plus others on the Manufacturing Clause were also published in cumulative form in the Arthur Fisher Memorial edition, *Studies on Copyright*, published by Fred B. Rothman and Company and Bobbs-Merrill Company, Inc., in 1963.

[20] Report on Copyright Law Revision, House Committee on the Judiciary, 87th Cong., 1st Sess. (1961).

[21] In *Annual Report of the Librarian of Congress for the Fiscal Year Ending June 30, 1962* at 70.

[22] Copyright Law Revision, Part 2, Discussion and Comments on the Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law, House Committee on the Judiciary, 88th Cong., 1st Sess. (1963).

[23] Kaminstein, The General Revision Program, 10 Bull. Cr. Soc. 81 (1962).

[24] Copyright Law Revision, Parts 3 and 4, House Committee on the Judiciary, 88th Cong., 2d Sess. (1964).

[25] S. 3008, H.R. 11947 and H.R. 12354, 88th Cong., 2d Sess. (1964).

[26] Copyright Law Revision, Part 5, House Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[27] S. 1006, H.R. 4347, 89th Cong., 1st Sess. (1965); *see also* H.R. 5680, H.R. 6831, H.R. 6835, 89th Cong., 1st Sess. (1965) in which the bill was introduced by Representatives St. Onge, Helstoski, and Monagan, respectively.

[28] Copyright Law Revision, Part 6, House Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[29] Hearings on H.R. 4347, H.R. 5680, H.R. 6831, and H.R. 6835, Parts 1–3, Before Subcommittee No. 3 of the House Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[30] Hearings on S. 1006 Before the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Committee on the Judiciary, 89th Cong., 1st Sess. (1965).

[31] H. Rep. No. 2237, 89th Cong., 2d Sess. (1966).

[32] S. 597 and H.R. 2512, 90th Cong., 1st Sess. (1967).

[33] H. Rep. No. 83, 90th Cong., 1st Sess. (1967).

[34] 113 Cong. Rec. H3606–H3647 (daily ed., Apr. 6, 1957).

[35] 113 Cong. Rec. H3888 (daily ed. April 11, 1957).

[36] Hearings on S. 1006 Before the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Judiciary Committee, 89th Cong., 2d Sess. (1966).

[37] S. 2216, 90th Cong., 1st Sess. (1967), as introduced by Senator McClellan, 113 Cong. Rec. S10565 (daily ed., Aug. 2, 1967).

POST-GUTENBERG COPYRIGHT CONCEPTS*

(By Paul G. Zurkowski, legislative assistant to Congressman R. W. KASTENMEIER)

The demands of the information explosion and the capabilities of the proliferating new communications media have carried our civilization into a new publishing era, the Post Gutenberg Era. The vast increases in documented information we have experienced in this century require a more orderly, systematic means for organizing and keeping the information accessible than the Gutenberg technology offers. The new media promise to provide us that means. The full impact of the new era awaits a resolution of a copyright dilemma which marks its beginning.

Nothing in those statements is very startling, but the significant role required of copyright in the new era needs further exposition. The following discussion seeks to define what the Post Gutenberg Era is in terms of copyright, publishing and copying and to suggest some broad concepts where the answers to the copyright dilemma of the Era might reasonably be found.

Simply stated, the dilemma of the Era is in how to utilize the greater copying, storing, manipulating and retrieving capabilities we have today without eroding the incentives to authors and publishers to release their works of authorship to the public generally.

The dilemma is not easily resolved. In every walk of life document copying, regardless of and indifferent to copyright, has increased fantastically. Can we really expect to find a solution when almost every segment of our society, educators, legislators, bankers, and businessmen, industry, scientists, librarians and housewives, has nearly a vested right in copying what it pleases, when it pleases for the simple cost of a xerox copy?

When common practice ignores the law, a lag in social institutions is indicated. Thus, a social invention, of the magnitude of the electrical-mechanical inventions that opened the Era must be developed (1) to bring the law up even with practice and (2) to advance the law ahead of practice to encourage and stimulate the full development of the new media in meeting the increasing challenge of the information explosion.

The answer to the dilemma, the elements of the social invention needed, are to be found, if at all, in the complex of new communications media which have themselves created the lag and the dilemma.

As of this time, the new media seem preoccupied and largely unaware of the fact that Congress and the Copyright Office have been engaged in a massive revision effort that impinges directly on them and their usefulness now and in the future.

Few people seem perplexed by the reticence of the new media to participate actively and directly in the dialogue over the legal concepts needed to facilitate their full utilization in affording the public better selective access to documents.

Yet it is this reticence which goes far to explain why solutions to the dilemma have not been forthcoming.

The new media can no longer avoid participation in the dialogue. They must join in seeking solutions to the real problems they have contributed to making. Solutions to problems that inhibit their use in meeting the demands of the information explosion will vastly enlarge their market.

GUTENBERG COPYRIGHT

Gutenberg's invention made possible the mass production and wide dissemination of ideas in printed form. Indeed, moveable type is the basis for our present copyright concept.

As long as creating a copy or duplicate was costly and essentially involved duplicating the costs of the initial publisher, the threat posed by a copyright infringement law suit, though cumbersome to employ, was sufficient to prevent wholesale copying. A potential infringer knew the copyright owner could afford a law suit that would stop the sale of the competing and infringing work before the infringer's costs could be recovered, much less a profit made.

Thus, in an age when publisher and infringer were tied to the Gutenberg technology the present copyright law served the purpose of protecting the copyright owner. He was quite ready to make the investment in mass production of works of authorship and in making them available and accessible to the public by sale of copies.

POST-GUTENBERG ERA

We obviously are no longer in an age where the Gutenberg technology controls both publisher and copier. Copying no longer involves a great initial investment comparable to that of the initial publisher. Coins in the slot of a machine present in most libraries enables anyone to copy page by page almost anything published today.

Infringement suits against individuals who copy and reduce the market for copyrighted works are much too costly to stem nickle and dime copying. In addition such suits would in many cases have to be directed against a publisher's primary market for hard copy sales.

Thus, our present transition phase is characterized by a predominance of the Gutenberg technology in publishing while copiers enjoy the advantages of xerography, and other new media forms ranging from photo-offset speed printing to microforms and computers. Initial publishing still is primarily in hardcopy, but public access is no longer restricted to sale or loan of hard copy originals.

While copying has proliferated greatly in the recent past, the publishing industry on the whole has not been losing ground because of the greatly increased flow of information in document form. Copying itself is fairly primitive and is used primarily to provide hard copy copies of selected material in more manipuable forms. Meanwhile works of authorship in hard copy originals and duplicates are inundating us. Efforts to use this material effectively are thwarted by considerations of quantity alone.

Various other copying technologies are appearing which not only greatly reduce the cost of copying, but also provide the promise of more rapid access to the original material, thus saving increasingly valuable research time.

At this stage of the Post Gutenberg Era we seem stymied by the proliferation of hardcopy documents and our inability, under existing law, to apply the capabilities of the emerging new media and their storage and retrieval capabilities.

Three changes in existing copyright law

---

*The views expressed in this article are those of the author only.

concepts could be made that would stimulate the application of the new media technologies, continue protection for rights of authors and copyright owners, and provide the means for accounting for copying.

I. Format copyright

Under existing law, whether the Gutenberg documents are copyrighted or in the public domain, there are no economic incentives to convert the contents of documents to forms for public access through the new technologies. What industry or enterprise can undertake the investment in re-editing, re-processing, re-setting and generally reformating and promoting new means for opening this vast hard-copy literature? None; for there is no protection for such efforts under present copyright concepts.

The first of three changes, thus, is a relatively simple one and it already exists in some other countries. Some rights, perhaps in the form of a limited monopoly over the use of materials converted to a particular new format, would be appropriate and could easily be established in law.

This new class of rights would parallel rights in the existing copyright obtained under present law. For example, if the text of the XYZ Journal articles were to be reformated from their original hardcopy format into microfiche, those creating the particular format would be provided the exclusive right for a limited period of time to duplicate the text in that exact format. If a later innovator, believing he had a better, more readable, more accessible and more manipuable format wished to invest in reducing the same documents to what he believed was a better format, he would have the right to do so and the right to the same kind of limited protection as the first to reformat the document, in the case of this example in mirofiche.

The intellectual property in the original text would continue to be in the public domain or protected by the original copyright, whichever is the case. The investment required to convert the text to a new format would be protected by this means. A tremendous incentive would be created to reformat the great body of knowledge contained in Gutenberg documents, some of which are out of print and many of which are in the public domain.

II. Statutory copyright licensing

Obviously, these two rights, present copyright which enables copyright owners to deny copying privileges at any price, reasonable or exorbitant, and the proposed new format copyright must be reconciled. There does not appear to be any constitutional way to compel owners of vested copyrights who are satisfied with Gutenberg technology to license their works for non-Gutenberg publication. There does, however, appear to be a way to encourage owners of vested copyrights to utilize the new media in disseminating their works of authorship and at the same time to provide them protection from the erosion of their rights current copying practices involve.

The problem is illustrated by the experience of a number of microform publishers when confronted by exclusive licensing arrangements with University Microfilms, Inc. A number of years ago, University Microfilms, Inc. began persuading periodical publishers that it was desirable for archival purposes to authorize the making of microfilms of their journals. University Microfilms, Inc., which has since been acquired by Xerox Corporation, has over the years been offering to pay journal publishers a royalty on sales of microfilm copies formated without cost to the journal publishers in return for an exclusive license to do so. Until recently the exclusivity of the University Microfilms arrangement has appeared to be benign and as one generally serving the public interest. This was so because the University Microfilms format (images of pages serially arranged on 35-mm film) was accepted as normal and as affording as convenient access as one could expect from micrographic storage. This is no longer the case.

Formats for micrographic storage, far more sophisticated than 35-mm film, are already in existence as are new non-photographic media. The exclusive licensing feature of the existing University Microfilms contracts has prevented other companies from applying these new technologies to the journal articles.

Obviously there are exclusive property rights that can and should accrue to University Microfilms as a result of their enterprise in reducing, with the permission of the copyright owner, hard copy publications to a particular non-Gutenberg format. Such a right could and would be protected with the suggested new format copyright.

Thus, without something more than a combination of existing copyright and a new format copyright, there remains the serious question whether the challenge of the information explosion can best be met by restricting the application of the new media simply to those with exclusive contracts or to those who can acquire publisher's copyrights by acquiring publishing houses.

Unless steps are taken ownership of copyrights as well as exclusive licensing arrangements may deny new media entry into the field through the denial of access to their stock in trade, intellectual property. A real danger lies in the fact that a finite number of new media companies are already in the process of gathering the exclusive rights to stocks of intellectual property. This, along with their existing property interests in new media, may result in a finite number of companies controlling, as a group, the means by which a democracy arrives at its understanding of truth, its current wisdom. Truth itself cannot be possessed, but the means by which it is reached, that sifting and winnowing of expressions of conflicting ideas, possible only through multiple media affording unrestricted access to a variety of differing views, may soon come into the possession of this finite number of companies.

In the new media and under the awful burden of the information explosion we may soon be limited to the brand of truth that is available to us in one of a limited number of particular media, with little or no chance to test it against other standards. I do not mean to suggest that any of the companies involved are purposefully seeking to establish such control, but there are forces at work, resulting in part from the inapplicability of Gutenberg Copyright concepts to these problems, which are carrying us in that direction.

Thus, in order to assure new media innovators access to the intellectual material to move through their new communications media or pipelines, a concomitant of a format copyright is some form of statutory licensing arrangement.

It is possible to conceive of such a statutory licensing system that would provide the original copyright owner with the same degree of exclusive rights in the intellectual property and the same choice and control of format in which the work is published that he now enjoys, and, at the same time, provide incentives for him to publish it in new formats that would be protected by the suggested new format copyright.

The exclusive rights in existing copyright and the new format copyright would not be co-terminus. The format copyright term would be for a shorter period of time, geared to assuring him adequate inducement to make his works of authorship available to the public and in formats most useful to the public.

Following that period the content of the copyrighted works could be published in new formats upon the payment of a licensing or royalty fee. A separate fee would be payable for the use of the basic copyright as well as for the use of a protected format in which either the original or subsequent copyright owner had an interest.

Licensing fees could be established by law as a fixed percentage of the market price of the copy for each copying privilege. Price would be affected by format and the format's content carrying capability among other things.

III. Unique identification numbering system

The key to copy making on demand is a method of identifying documents and authorized copies.

There is a need for a statutory provision that will be as effective for the Post-Gutenberg Era as the existing copyright concept was for the Gutenberg publishing era.

The creation of a system of unique identification numbers by which all the essential data regarding a copying transaction could be included and automated for accounting purposes offers a reasonable answer to the search for such a statutory system. Computers, instead of being a mortal threat to creators and disseminators of intellectual property, would work to their benefit by providing the means of handling copying accounts. Lower copying costs and quicker access make it possible today to include a royalty payment as well as accounting costs in some copying transactions without exceeding the costs of copying alone only a few months ago. A unique document identification system and time sharing concepts would facilitate centralized accounting procedures and enable information (document copying) centers to organize literature for quick access in the specific format desired.

It is further noted that British book publishers have created a system of unique numbering for all books published in Great Britain. This was found to be necessary because the computer had become engaged in the processing of accounts of ever-increasing numbers of books throughout the country. The numbering system was created to facilitate the marketing of books, down to individual book store sales. It takes no magnificent leap in logic to conclude that a similar system would be very feasible for accounting for the sale of copies, made to order at the point of sale, regardless of format.

It is possible to foresee, under appropriate copyright arrangements, a time when publishing will function on the economic theory of abundance rather than scarcity, and when the publisher will seek to make all materials available as widely as possible through a plurality of media formats. This will permit him to obtain numerous small royalties for use of parts of his works in addition to hardcopy sales of entire volumes.

The object of these three changes is to promote copying rather than to thwart it; to stimulate the application of new media technologies to the information explosion rather than merely tolerating and delaying it.

In seeking to assess the effectiveness of these proposals one needs only to assess their effect on individual copyright owners. Once the copyright owner has acquired some right in the new media, either through mixed-media publishing initially or through subsequent licensing revenues, he will have incentive to promote copying rather than oppose it. Thus, what appears to be repugnant to a copyright owner of Gutenberg copyrights is not only palatable, but desirable to the multi-media copyright owner.

MULTIMEDIA PUBLISHING ERA

The Post Gutenberg Era will itself be replaced by a Multi-Media Publishing Era in which both the publisher and the copier will enjoy and employ the freedom of multimedia formats in making documented information readily accessible to as many users as possible.

In the Multi-Media Era, presumably interest profiles for each of us could be maintained at our request at the future equivalent of our public library. Such an institution could periodically direct to us on a subscription basis copies in our preferred format of those documents of direct interest to us. Illicit copying would be far more expensive in terms of the search time required to locate the document desired and in terms of conforming the pirated copy to our preferred format.

To what extent and when we reach the multi-media era will depend largely on our success in developing the system of incentives required to bridge . . . the present, largely transitional phase, and to develop experience in managing multi-media publishing formats and licensing arrangements. Our experience in this process will certainly better equip us to deal with the problems of this final stage than the Gutenberg Era has equipped us for today's problems. Without the changes in copyright concept suggested here, however, the Gutenberg Era and its copyright concepts will be able to provide little or no basis for evaluating the new Multi-Media Publishing Era toward which we are, nonetheless, rushing.

Society needs the new media technologies to cope with the vastly expanded information explosion, but it also badly needs the participation of these technologies in developing the rules for their use in the present Post Gutenberg Era and the future Multi-Media Era.

TAKING A SECOND LOOK AT VIOLENCE IN FILMS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MICHEL. Mr. Speaker, the repeated acts of violence such as rioting, looting, burning, and assassination together with the dramatic increase in the overall crime rate in recent years have become the Nation's No. 1 domestic problem. The President has appointed a special Commission on Violence made up of outstanding citizens and public servants; however, I am concerned that there are no representatives from the motion picture industry or the television industry on the panel.

It seems to me that the constant stream of violence pouring forth from the movie and television screens must be considered as one of the contributing factors to the violence which has become so much a part of our national life.

An article by the respected drama critic of the Washington Evening Star, Mr. Harry MacArthur, appeared in the Sunday, June 9, edition of the Star discussing the impact of violence in films. Mr. MacArthur makes some rather pointed comments and certainly provides some food for thought for members of the Commission, Members of Congress, and for all Americans, especially parents.

I place the article at this point in the RECORD:

TAKING A SECOND LOOK AT VIOLENCE IN FILMS

(By Harry MacArthur)

Now maybe Hollywood will reexamine its collective conscience about violence in the movies. The tragedy that shook the nation early Wednesday morning must have shaken every thinking movie-maker.

Los Angeles is an insular community. The elopement of a Mickey Rooney to Las Vegas with an unknown model will inspire larger type in a front page banner line out there than the assassination of Sen. Robert F. Kennedy merited here.

Let a cretinous white goon gun down an innocent black high school student on a Washington parking lot with no provocation at all and it passes unnoticed in the movie colony.

When two young Marine officers die because a trio of black transients resent their dress uniforms, the news may trickle through out there. The reaction on the way to the pool is likely to be mild, passing amazement that it isn't safe to walk the streets in the Nation's Capital.

The senseless killing of Sen. Kennedy took place right in the film-makers' front yard, though. It must have prodded many of them into thoughts about violence and their relation to it.

A POLITICAL ACT

The assassination, of course, seems to have been a political act performed on the anniversary of the Arab-Israel war, against a man who believed in our commitment to Israel. And political assassinations have been with us since a cave man used the first club to wrest leadership of the tribe from his nearest rival.

The tragedy in Los Angeles still was part of the climate of violence that seems to have enveloped the world. It is not too soon for those who make our films to pause and consider their possible contributions to the spread of the philosophy: If you want something, take a gun and go get it.

Certainly our screens have been drenched with violence in recent years. Sometimes producers seem to be trying to make, not the best movie or even the most profitable one, but the one that splatters more gore than any other.

The defense argument always is that violence is part of life. The movies merely reflect the times. They are effect, not cause.

It was easier to be lulled by this argument when the motion picture alone was not the culprit. The concern some 15 years ago was over the effect an overdose of television violence might have on the impressionable young.

All they were getting was the ordinary, garden variety of violence of old Western movies, but some parents showed concern. Noted psychologists stepped forward to reassure that this sort of thing merely gave children a vicarious outlet for the violence that has been inside each of us since Cain. Besides, good always triumphed over evil in those old Westerns, thereby providing a lesson in morality.

ANOTHER LESSON

Everybody seems to have forgotten that there was another lesson in those old Westerns that could leave an imprint on childish minds. Somebody was always taking the law into his own hands and forming a posses of vigilantes.

By the Code of the Old West murder was condoned under the proper circumstances. The hero could shoot almost anybody he wanted to shoot as long as he gave his victim a chance to draw and shoot back. Lesson: Take a gun and go get what you want.

Earlier generations seem to have survived this sort of thing just as they survived Grimm's fairy tales. Even when we grew up and inherited a world made a mess by our elders.

Anyhow, we may now be reaping what we sowed 15 years ago. We seem to have a new younger generation weaned on violence and inured to it through constant exposure. The majority of young people have sense enough not to imitate what they see in fiction. Enough of them do not, however, to make that excuse that movies merely mirror the times less than valid.

It was not so long ago that a young delinquent and his 14-year-old girl friend held up a gas station and shot and killed the attendant. They were under the influence, they said, of a movie called "Bonnie and Clyde," which made robbing and killing a carefree lark.

"Bonnie and Clyde" was a well-made movie and its anti-hero and anti-heroine were served retribution by a fusillade of police bullets in the end. This did not, however, make it a highly moral film; it was a picture demonstrating that it is fun to play cops-and-robbers with real bullets.

Movies now come with two distinct kinds of violence—comic and melodramatic. I confess that I have laughed as loudly as millions of others at the exaggerated brutality displayed in "Goldfinger," "Thunderball," "Our Man Flint" and others of their kind.

The Italian-made "Dollar" films—or James Bond out West—added sadism to the blood-letting for laughs. Approached in the right mood, these could be amusing.

A prime example of violence in melodrama was "The Dirty Dozen." The climax of this one had a special group of American GIs raiding a rest and recreation center for high-ranking Nazi officers. They incinerated the lot, along with their girl friends, by trapping them in a bomb shelter, pouring gasoline down the air vents and setting fire to it.

CUMULATIVE EFFECT

Taken singly, these and other films like them would not necessarily be something to deplore. But they can't be taken singly. Moviegoers—the impressionable as well as the stable—get a steady diet of brutality, violence and sadism in what must be eight out of every 10 new movies.

There has to be a cumulative effect that sooner or later makes cruelty and savagery seem as natural in real life as in reel life. Violence has a place in movies, of course. You couldn't make a picture titled "Custer's Last Stand," for instance, without it. But enough is more than enough.

Suppose only one moviegoer—in addition to the young idiots who try to emulate the 1930s goons, Bonnie Parker and Clyde Barrow—had been persuaded to abandon the laws of man for the law of the gun. All of the profits made by all of the producers who cynically employ mayhem and bloodshed for box office lure wouldn't make it a bargain—if his name happened to be Sirhan Bishara Sirhan.

MRS. DORIS LIPSON SASSOWER ELECTED PRESIDENT OF THE NEW YORK WOMEN'S BAR ASSOCIATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. REID of New York. Mr. Speaker, I have recently learned that one of my constituents, Mrs. Doris Lipson Sassower of New Rochelle, N.Y., has been elected president of the New York Women's Bar Association for 1968–69. Mrs. Sassower is the youngest woman ever to hold this position and she adds this honor to a long list of distinguished academic and professional achievements.

In her inaugural address, Mrs. Sassower discussed realistically and with vision the problems facing the woman attorney. In addition, Mrs. Sassower focused on the vital need to aid women of the minority groups to enter the legal profession. Both of these concepts extend far beyond the particular problems of the lawyer and are of great relevance to all professions today.

I think Members will find Mrs. Sassower's address of interest, and I am inserting it in the RECORD at this point:

ADDRESS BY DORIS L. SASSOWER, PRESIDENT, 1968-69, NEW YORK WOMEN'S BAR ASSOCIATION

Madam Chairman, Esteemed Guests, Officers and Members of the New York Women's Bar Association and their Guests, Colleagues and Friends: I salute you all as the new President of the New York Women's Bar Association.

I am delighted to see so many women of high achievement in our profession here today. I am particularly pleased to see on the dais the Honorable Ruth Kessler Toch. One year ago, as many of you will recall, in this same magnificent setting, I had the privilege of presenting to Mrs. Toch, the first woman Solicitor General of the State of New York, the first Florence Allen Award of this Association. This exciting new Award, in memory of Florence Allen, first and only woman to serve as Chief Judge of a federal appellate court, was established in recognition of unique attainment by a woman lawyer. Not being an annual award in conception, the Award is not presented this year. But it is perhaps as much a tribute to her memory, that one who attended law school as I did, on a Florence Allen Scholarship should be installed today as President of this Association. Judge Allen's exemplary dedication to the law and perseverance in adversity have served to inspire and influence many here among us. One of the goals of this administration will be to transmit that wondrous spark which ignited her energies and motivated her in her lifetime to a new generation of women lawyers—a generation freed from the hurdles and handicaps which confronted her but faced with fresh challenges posed by the problems of our time.

Within our midst, as honored old-time members of our Association, are many distinguished women lawyers in the Florence Allen tradition—Retired Commissioner of Correction Hon. Anna Kross, former City Treasurer and now Civil Court Judge Hilda Schwartz, and others, on the dais and in the audience too numerous to name individually. All of them have scaled the heights of success, undeterred by the supposed handicap of sex. The anguished struggles, the personal sacrifices of the pioneer generation of women lawyers—many of whom are with us today—have taken us a long way from the days when women were not only ineligible for membership in bar associations but ineligible for admission to the bar! Call to mind, if you will, the frustration of Lavinia Goodell whose application for admission to the Wisconsin bar in 1875 was rejected out of hand by the learned court on the explicit ground that courtroom discussions are not fit for female ears, and remember too that there are women in this very room who though admitted to the bar were unable to gain admission to membership in our city bar association.

Today, although instances of prejudice and inequity are not uncommon, women are admitted to the bar in every state of the Union, elevated to judicial offices and high posts in government and leading law firms. It would seem that the old patterns of discrimination have yielded. At last, it is possible to say—in theory, if not everywhere in practice—there is no position in the legal profession that cannot be filled by a woman, and that the chief limitations to advancement today are those of self, not sex.

This past year alone saw the following noteworthy events in the news:

Item: A woman, #1 Senior, at Chicago Law School, appointed to clerk for Justice Fortas of the U.S. Supreme Court (who, long previously, had rendered perhaps his most compelling judgment of the "woman lawyer" by marrying one.)

Item: The first woman appointed as a teaching fellow at Harvard Law School.

Item: The first woman appointed to teach a substantive law course at N.Y.U. Law School, and to our own past president, Fannie J. Klein, belongs the happy distinction of having been the first to achieve professorial status at that law school and in the entire state.

Item: The first woman appointed to head the State Department Bureau of Security and Consular Affairs, a rank within the Department equivalent to an Assistant Secretary of State.

Outside the legal world, other ancient barriers were broken when the first woman became a member of the Stock Exchange, and another became the first to teach at West Point.

These notable precedent-shattering women do us all proud. Clearly we have achieved a qualitative victory, but token representation is not enough. One woman law professor in the Empire State, which has at least 10 law schools, is hardly a satisfying statistic. Our goal now must be to achieve a quantitative breakthrough which will give substance to our advances with meaningful numbers.

There is still another new development to be reckoned with among women in the law to which I should like to advert before considering directions for our Association in the coming year.

According to a lively article in the New York Times a few weeks back, entitled "The New Portia: Brainy, Idealistic, But Above All, Just A Girl"—

"There's a new Portia making her presence felt in gradually increasing numbers. Brainy (as women lawyers always had to be) but now fetching as well, she faces life with the definite expectation of reaping personal, as well as professional, rewards.

". . . it is estimated that 3½% of the nation's lawyers are women, but their ranks are multiplying.

". . . Girls are turning in the direction of the law because they are being welcomed . . . (and) it is precisely on the ground of compatibility with feminine goals that college girls are being urged to study law."

Even without the testimony of the New York Times, there is no doubt that more and more women are and will be turning to the law. A sampling I obtained from my own law school, N.Y.U., showed the graduating class of '68 with 50 women out of 360 students, or an approximate 14% female enrollment!

If the New York Times is also right as to Portia's changing face and motivations, and the recent crop of bright and attractive young members of our Association does not refute it, shouldn't our Women's Bar Association involve itself with the change, and rethink its outlook and objectives?

If the "new feminism" has engendered a confidence that marriage and a career and children are possible, not only for college-educated women, but also for women with advanced training in the law, then shouldn't enlightened self-interest, at least, cause our Association to deal directly with the special problems of the new generation of women in the profession? Since many of these problems are also those of other women professionals and working women generally, isn't an association of articulate women lawyers the natural and obvious spokesman to champion the cause of all professional and working women?

I shall refer briefly to the arena of action I envision for our Association—first, expansion of part-time opportunities for married women; second, revision of the tax laws to satisfy the needs of the working women by permitting deduction of home and child care; third, creation of government-aided childcare facilities; fourth, and more specifically for women lawyers, development of a functional framework for on- and off-campus counseling of the increasing numbers of prospective women lawyers; fifth, unification of legal womanpower throughout the city and state with a voice loud and clear enough to be heard in City Hall and Albany as to appointments to judicial and public office; and finally, special assistance to women entering the profession who suffer from the added handicap of being an underprivileged minority group. With nationwide concern over the problems of the disadvantaged, shouldn't an organization of women lawyers provide encouragement to capable women whose color or nationality keep them from entering the legal profession?

These objectives should fast become the rallying point of women's bar associations; many have already become the focus of activity for non-legal women's associations.

I believe the time has come for us to add our strength and talents to this general cause. Perhaps we should consider requesting the Governor, in the name of our organization, to call a special conference to hear and examine the problems of professional and working women, problems, which ignored, can only become more acute!

Many of you undoubtedly read the provocative article entitled "The Second Feminist Wave" in the New York Times Magazine of March 10th, which reveals a women's rights movement now afoot as militant perhaps as that of the most ardent suffragettes. Momentum for needed reforms is gaining. What I am suggesting is that our New York Women's Bar Association be in the vanguard of a similar movement on behalf of women lawyers, and all professional and working women.

Life as a woman lawyer, particularly if she is also a wife and mother, is not easy today, anymore that it was 34 years ago, when this organization was founded. Today women like Beatrice Burstein, here on the dais, member of the judiciary and mother of six children, are still the exception. How long it will be before women who successfully combine the best of both possible worlds, become typical rather than the exception, may well hinge on the extent to which a Women's Bar Association concerns itself with the question via meaningful and relevant action.

The need for an energetic and effective Women's Bar Association remains and will remain until to the words "all men are created equal" can be added "and women."

What I propose for our Association is not a task for one year or for one woman, but an invitation for involvement by all our members, old and young, to achieve our common goals. I have heard it said that "coming together is a beginning, keeping together is progress, working together is success." We have made our beginning. With the enthusiastic support and guidance I count on from all our members, I look forward to a year of increasing progress and success!

In conclusion, I thank you sincerely for the superlative honor you have done me today, and I thank you also for your patience and attention.

WHERE THE SICKNESS LIES

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. WYMAN. Mr. Speaker, Arthur Schlesinger's drooling dirge approaching a curse on Americana because of the tragic assassination of Senator Robert Kennedy by a Jordanian alien, is inexcusable even as a sentimental lamentation. It is, in part at least, outrageous demagogy. It is extremism of graphic precision and should be fair warning to all that even authors of the so-called intellectual left can go off the deep end.

We are all sorry about the tragic loss to the Kennedy family as well as to the Nation. But let us not write off a great Nation and a great people because of the awful acts of two assassins, one the clear product of Communist dialectical materialism, and the other a fanatic on the Middle East conflict. The overwhelming majority of Americans are conscientious, patriotic, loyal, and devoted citizens, who seek law and order and a government of law and not of men, perhaps even more than Arthur Schlesinger whose public pronouncements so often have been divisive in the extreme.

In this connection I am including in the RECORD at this point an interesting editorial from yesterday's Wall Street Journal descriptive of where the real sickness lies in America:

[From the Wall Street Journal, June 10, 1968]

WHERE THE SICKNESS LIES

"The world today is asking a terrible question—a question which every citizen of this Republic should be putting to himself: What sort of people are we, we Americans?

"And the answer which much of the world is bound to return is that we are today the most frightening people on this planet. . . .

"It is almost as if a primal curse had been fixed on our nation. . . ."

The words are those of Arthur M. Schlesinger Jr., but the nonsense they express is all too prevalent these days. It is particularly strange since, as it happens, Robert Kennedy was killed by an alien, an Arab fanatic living here. The assassination was a gruesome act of violence bred of violence—but it was the violence primarily of the Middle East, not the U.S.

That circumstance alone should quash the notion that there is something peculiarly American about the violence of the age. In fact, the fury of World War III could all too easily erupt from the hatreds and enmities of the Middle East. Or it could come from Communist ambitions far more probably than from anything the U.S. does. No nation has a monopoly on violence.

We readily grant—it is obvious—that sicknesses exist within our society. It is something else entirely, and something wildly irrational, to indict the whole people and their political, social and economic institutions.

To his credit, Professor Schlesinger perceives at least one important source of some of the sickness.

In his doctoral commencement address at the City University of New York last week, he vigorously attacked those elements of the intellectual community who have espoused violence and, in effect, totalitarianism. These represent the so-called New Left, which has figured prominently in the violence at various campuses and other disorders.

"Little is more dismaying," he said, "than the way in which some, a few, in the intellectual community have rejected the life of reason, have succumbed to the national susceptibility for hatred and violence, have, indeed, begun themselves to exalt hatred and violence as if primitivism in emotion constituted a higher morality."

In truth, what the people of the New Left preach makes depressing hearing. As Mr. Schlesinger says, they want to clear away what they regard as the "noxious rubbish" of the Bill of Rights. Tolerance they regard as evil because it blunts the force of protest; it is both necessary and right to forcibly suppress views with which they disagree. And violence is the way to strike at the established institutions.

It is difficult to think of anything more philosophically in tune with Hitler and Stalin. It is sad to find educated Americans in revolt against the very institutions that, more nearly than anywhere in the world or in history, have secured human freedom in a framework of order and material abundance.

Yet the New Left acknowledges no clear aims, totalitarian or otherwise. Its exponents profess to believe the experience of feeling and action will produce the insight and the policy; violence will mystically generate policy and program. Plainly, though, the direction can only be (probably through anarchy at first) toward severe regimentation by some kind of political authority.

Now all this could be dismissed as insignificant ranting—Schlesinger calls it full of fakery and fallacy, preposterous and depraved—except that these anti-liberty revolutionaries have already shown how much trouble they can cause. Moreover, their praise of violence in particular has unquestionably helped to poison the general atmosphere, encouraging the depredations of weak, deranged and fanatical minds.

Unfortunately it is not just the intellectuals of the New Left. Those others who denounce the whole American people, implying that somehow all of us collectively murdered Senator Kennedy, Rev. King and President Kennedy; these too make their contribution. For if the society is so bad, should it not be torn down? And what must be the effect of this incessant preachment of collective, even primal, evil? Keep telling a man he is sick for long enough, and he is likely to get sick.

No, it is not yet the vigorous institutions of liberty, the highest attainment of secular man, that have lost their health, nor is it the ordinary citizen. But it is not difficult to see where a good deal of the sickness does lie.

THE NEGRO HERITAGE

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. FRIEDEL. Mr. Speaker, it is a fact that in this historic Chamber of the Congress we hear speeches and addresses marking important dates or events in the histories of many different lands, nations, and peoples. The former national heroes of various countries are eulogized and their achievements are retold regularly each year.

However, we have been remiss in regard to the ancestry of approximately 18 million, or about 11 percent, of our fellow American citizens who are Negro. To remedy that situation it was my pleasure to have cosponsored H.R. 12962, a bill to provide for the establishment of a Commission on Negro History and Culture. The purpose of that bill is as follows:

The Commission shall conduct a study of all proposals to create a better understanding and knowledge of Negro history and culture and shall make a recommendation to the President and to the Congress with respect to the legislative enactments which would be necessary to carry out such proposals. Such study shall include consideration of the following:

First. The steps necessary to unearthing, preserving, and collecting historical materials dealing with Negro history and culture.

Second. What can be done to preserve and catalog existing materials.

Third. Examine the possibilities of the establishment of a museum of Negro history and culture or a center of Negro history and culture.

Fourth. Consider where such a museum or center should be located, whether it should be independent or a part of an existing establishment, and how it should be financed.

Fifth. Consider the methods of disseminating such materials so that the information can be best integrated into the mainstream of American education and life.

It may also be of interest to know that action has already been taken on this measure and that the House Committee on Education and Labor held hearings on March 18, 1968.

In connection with a better appreciation of the Negro heritage, I was pleased to read an excellent letter written to the editor of the Sun of Baltimore, Md., by E. F. Meyerson, which appeared in that well-known and influential newspaper on May 20, 1968.

Believing that this is a matter of considerable national interest in bridging a serious gap in our knowledge of the Negro, I insert this letter, entitled "The Negro Heritage," in the pages of the CONGRESSIONAL RECORD. It is as follows:

THE NEGRO HERITAGE

SIR: I would like to offer the thesis that it will not be the riots and burning which will effectively dispel the inertia so long extant in American black-white attitudes, but rather will it be the current demands of the young Negro men and women for a few historical verities concerning their ethnic and cultural background. These demands should be met. And not only in the colleges but in the high schools as well; for it is submitted that ideas are far more revolutionary than banknotes and that they have always been a far more effective means for bringing about a true revolution in mental attitudes and prejudices.

It is a signal fact of American history—and a sad one—that of the many cultural and ethnic minorities who love this land, who die for it and call it home, the Negro alone has been deprived of his natural heritage. Virtually every national hero or saint, feast or fast day, may be celebrated on these shores, from the Year of the Dragon to the Day of St. Patrick; and rare is the American, no matter how distantly removed from immigrant status or country of origin, who does not know something of his ancestry, the name of his "household gods."

But how many American Negroes ever heard the name of the Mani-Congo (Lord of the Congo) Nzingo Mbemba (baptized Dom Affonso), the great chieftain of 1487, or of his son, who was appointed in Rome itself as his country's first bishop. Yet these were men of great personal dignity and stature, rulers of states as large and larger than many of the European duchies and principalities of the same area—black men who were as well loved or who did as much for the people perhaps as a Medici, or a Bismarck.

Thanks to the research scholar, the historian, the archaeologist, we have at our fingertips a whole series of high civilizations. The ones about which we know most are those that lead in direct chronological sequence through the stages of Greek and

Roman culture, Byzantium and Islam, to our own Middle Ages, Renaissance, Industrial Revolution, Nationalist Movements, and present culture. Africa has been but little noted, yet for over 400 years the history and fortunes of Africans were woven into the very fabric of European and American life.

In the early years of contact (c. 1450) ideas about Africa varied remarkably with time and place and showed a wide range of contrast; but they were generally uniform in one important aspect: they supposed no natural inferiority in Africans, no inherent failure to develop and mature. This was to be the great myth of later years, the myth the white man used to justify his own cupidity, the myth which took shape on the decks of a slaving ship.

In the early days of discovery, men of Europe believed they had found partners and allies and equals in Africa. "Let them go and do business with the King of Timbuktu and Mali," Mr. Ramusio, secretary to the rules of Venice, was urging the merchants of Italy in 1563, ". . . and they will be well received with their ships and their goods, and granted the favours that they ask. . . ."

A few hundred years later, other men in Europe were certain that Africa had never so much as known even the rudiments of political organization, let alone the means of building powerful states and operating complex governments. This too was the myth of later years, a central myth of the white man, used to justify his draining off the wealth of Africa during the last century. This took shape as "colonization."

It is a significant fact of African history that it took over 400 years before Africa collapsed into subjection to Europe. Spanish, Portuguese, French, British flags flew over large areas of the globe from east to west; yet, except for small holdings here and there, Africa remained inviolate until the Nineteenth Century; moreover, foreign domination only endured a scant 100 years. The reasons for this are many and varied within the complex interplay of world history during the past century; but surely no small part of the answer must be found in the Africans themselves.

The history of the children of Africa in the New World can be found in a thousand places: it is one of hope and courage, suffering and survival. It is found in a thousand documents, it is the history of the building of great empires, the North and South Americas, and the smallest excursion into it will show that the Negro brought with him many of the technological elements without which the New World could never have been forged.

In early Brazilian society, Ewbank tells us, the Negroes worked as "carpenters, masons, pavers, printers, sign and ornamental painters, carriage and cabinet workers, fabricators of military ornaments, lampmakers, silversmiths, jewelers, and lithographers." Writing of the late Eighteenth Century, von Eschwege, a Swedish engineer in Brazil, wrote that there "the usability of iron ore and the extraction of iron was learnt from the African Negroes." The equipment used by them included the small furnace and hand-blown bellows that were the traditional equipment of Africa.

Examples could be multiplied infinitely; it should suffice the thinking person to know that no large body of people could merge with another without adding their own culture. Along with their songs and superstitions and gods, Africans brought to these lands their strength and experience, their ancient arts and crafts. They were an active, creative, and noble element in the forging of the New World, as the historian Freyre points out, and their true history offers an outstanding contrast to their history of the last hundred years in the United States, dominated as that has been by myths and attitudes that grew out of the slave era.

Let a history of the African peoples be taught in the schools—equally as we teach the history of France or England or Italy. Let there be modern research into the very early African cities, or the history of the African in South America, which is interesting by contrast; let there be a clear distinction between illusion and reality, between myth and fact.

In time, this knowledge should come to exert a considerable influence over the minds and mental attitudes of the men and women of America, white and black. Indeed, it appears to be the only means by which to bridge the gap between the reputation of a people and their true abilities.

E. F. MEYERSON.

BALTIMORE.

VOLUNTEER FIREMEN

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MARSH. Mr. Speaker, throughout my service in the Congress, I have had an active interest in the recognition of the community service provided, usually at minimal public cost, by the volunteer fire companies and rescue squads of the United States.

As a measure of this recognition, I have sponsored legislation to include these organizations among the groups given priority in the donation or purchase of surplus items under Federal ownership which might be of value to them. It remains my hope that such legislation might be given action.

In the meantime, as a matter of interest to the House, I include an article appearing in the current issue of the Reader's Digest, as follows:

HOW GOOD ARE OUR VOLUNTEER FIREMEN?

(By James Daniel)

(NOTE.—A firsthand report on an amateur elite, the men who sacrifice their time—and sometimes their lives—in the unending battle against fire.)

In my home town of Weston, Conn. (pop. 6700), the fire siren behind Town Hall went off at 2 a.m. recently, and all over town salesmen, lawyers, carpenters, dentists, plumbers, office workers, writers, shopkeepers, construction men and engineers rolled out of bed and into their boots. Within three minutes, some of us were barreling down the road on the big red and gold firetrucks, bells clanging. Others learned of the location of the fire by phone or shortwave radio and converged on the house in cars.

Five minutes after the fire was reported to the dispatcher, by a neighbor who saw flames licking through the roof, our first truck was playing water on the blaze. Others of us were laying additional hose and setting up a portable generator to floodlight the scene. Nine minutes after the first truck arrived, our chief signaled that the fire was out. A $30,000 house had been saved.

At a time when volunteering has about gone out of style, many people are mystified that volunteer fire departments like ours should even exist. To them, the local VFD consists of men whose chief function is to play pool at the firehouse and parade on Memorial Day. Perhaps, too, many remember that fire insurance companies used to complain about volunteer firemen who were sometimes so inept that they did more damage than fire itself.

Today that image is radically changing. According to Percy Bugbee, general manager of the National Fire Protection Association: "The training and equipping of volunteer departments has improved so rapidly that today many compare favorably with the paid departments of larger cities. Without volunteer firemen, it is inconceivable that we could have cut the nation's fire loss per $100 of combustible property from $2.10 at the beginning of the century to 59 cents last year."

In 1966, the United States had 2,396,550 reported fires, totaling a loss of $1.86 billion.[*] Of the 24,000 fire departments which combated these fires, 22,000 depended on volunteers. Indeed, half of this nation's people now live in areas—suburban, small-town and rural—served by volunteer departments, and such departments are increasing at the rate of about a thousand each year. In all, the United States has more than one million volunteer firemen, as opposed to approximately 200,000 who are paid.

The reason for the boom is simple: many communities simply cannot afford paid fire departments. According to *Firemen* magazine, it takes a department of 50 men working three shifts to provide the desired "initial response" of 13 men on any residential call. At the going rate for firemen, this means a salary bill of $300,000 a year before a piece of equipment is bought (a pumper costs $28,000, a tanker $17,000) or a firehouse is built.

Can VFDs do the job? Yes, say the fire-insurance companies who are certainly in the best position to know. According to Kenneth O. Smith, general manager of the New York Fire Insurance Rating Organization, property owners protected by volunteers do *not* automatically pay high fire-insurance rates: "A fire department may be all volunteers, part paid, or fully paid; if it meets our standards of organization, membership, motorized apparatus and equipment, it is approved."

Though insurance costs may vary from state to state according to fire-loss experience, homeowners in a community with no fire department (Class D) generally pay about double the fire-insurance rates of those in a community with ideal fire defenses (Class A). In New York State a frame house in a Class D community pays 49 cents per $100 for fire insurance annually. This drops to 38 cents if an approved fire department is organized, to 36 cents when fire hydrants are introduced, to 27½ cents when other improvements are made, and finally, when everything is done that the insurance companies say should be done, to 24 cents. Thus, aside from the provision of a standard water supply and other features of the fire defenses of the community, the big difference is in the existence of an "approved" fire department—not in whether the firemen are on salary.

How good are amateurs when faced with an emergency? Let me give you a couple of examples:

In February 1967, a truck loaded with 6000 gallons of fuel oil rammed into the once-a-day slow freight chugging through The Plains, Va. Instantly, the crossing area was awash in burning oil. When the first volunteer firemen arrived, the fire was already sweeping up a two-story office building and was going for a lumberyard and church. Additional volunteers from 30 communities were summoned. In half an hour they had sealed the area off with foam, saving the town.

One March night in 1963, a basement bowling alley in Terre Haute, Ind., caught fire. Ordinarily, putting the fire out would have been easy for Terre Haute's crack, paid fire department. But a gale-force wind turned the blaze into a blowtorch so hot that it melted the doors off refrigerators in a display window a block away. By 3 a.m. every Terre Haute fire company was downtown, leaving the flanks of the city dangerously exposed.

---

[*] National Fire Protection Association figures.

By radio, Fire Chief Norman Fesler called on volunteer companies in surrounding communities. A dozen responded from as far as 80 miles away. While some volunteers moved into outlying firehouses (and put out one sizable fire of independent origin), others were stationed on downtown rooftops to put out fires started by flying firebrands. Said Chief Fesler next day, "Without the help of the volunteers we probably would have lost our entire downtown."

Like many American males, I used to wonder just what went on behind those big overhead firehouse doors when the volunteers were not fighting fires. I knew only that in Weston, some of my respected friends and neighbors had regular "meeting nights" or "drill nights." Then two years ago a friend told me that Weston needed volunteers for the daytime hours, when the commuters were at work in New York. As a writer I often worked at home in the daytime. So I signed up as a probationer fireman, ambulance driver and first-aid attendant. (More than 4000 U.S. fire departments also run emergency ambulance services.) For six months—the standard trial period—I attended demonstrations and practice sessions given by our drillmaster or visiting instructors.

I learned such things as how to use oxygen breathing apparatus to enter a burning building, how to lay and repack fire hose, how to position a ladder and raise it effortlessly, how to set up a deluge gun (a giant, swivel-mounted nozzle that can take the full force of two giant pumpers at one time), how to treat the injured At the end of the training, I was given my badge, boots, slicker and helmet.

I was now entitled to attend not only fires but the annual meeting at which the department selected its officers. Until or unless they come under local government control through public financing, most companies, I subsequently learned, run their own affairs without political interference.

Looking back on my experiences as a fireman and first-aid man, I cannot point to an endless succession of thrills. Any firehouse logbook will show a great many more calls reporting "smoke odors" or "child locked in bathroom" than actual fires. But I think I've learned the answer to a question I am frequently asked: "What makes volunteers volunteer?"

Ever since Benjamin Franklin founded the first volunteer fire company in Philadelphia in 1736, undoubtedly part of the motivation has been men's desire to get together and share each other's company. But there is more to it than that—something in each man that pushes him on to give more than is required of him. Since volunteer firemen are inclined to be action types rather than verbalizers, perhaps they can't even explain it themselves. When I asked a young volunteer driver—who had just sacrificed two hours of paid working time to handle two brush-fire calls in one day—why he did it, he just looked at me amazed and said, "Because somebody has to."

Doing what somebody has to—that's about as close as a volunteer fireman will come to baring his soul. But recently, after five volunteer firemen from Ridgefield, N.J., had died helping to put out a fire in nearby Cliffside Park, I visited the Ridgefield firehouse and came across a letter of condolence that put volunteer service in a broader perspective. Wrote the Rev. William Henzlik, once chaplain of the Oak Forest, Ill., volunteer company: "When men give themselves, even to their lifeblood, to protect others, they are in the deepest sense acting out, rather than talking about, the Christian command to be their brother's keeper."

UNTIMELY PASSING OF AN OUTSTANDING NEWSPAPER EDITOR

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. WATSON. Mr. Speaker, one of the most courageous and brilliant newspaper editors in this country, Mr. Robert M. Hitt, Jr., passed away recently in Charleston, S.C.

Mr. Hitt, familiarly known as "Red" to all of us who were priviledged to know him, served as editor of the Charleston Evening Post for a period of 15 years before his untimely death at the age of 53 on June 3.

Mr. Hitt was one of the most versatile men I have ever known. His fame as a journalist spread far beyond his native South Carolina, but I shall always remember him as a public speaker without parallel. He possessed a quality which is rare nowadays—a boundless wit that was always present in even routine conversations. Low Country South Carolina is known for its superb storytellers. But "Red" Hitt just seemed to be able to tell them better than anyone else. As editor of a newspaper in one of the most colorful cities in America, Charleston, "Red" Hitt understood the local color so prevalent in his stories.

He was born in Bamberg, S.C., which is located in my congressional district. As one of Bamberg's most illustrious sons, he was destined to become a newspaperman since his father was the editor of an outstanding weekly newspaper, the Bamberg Herald. In fact, his mother and a sister still reside in Bamberg.

To his dear wife, mother, five children, and two sisters who survive I would like to extend my deepest sympathy.

Mr. Speaker, newspaper editors who were contemporaries of "Red" Hitt have eulogized him more eloquently than I ever could, and as a part of my remarks I include a sample of their editorials, as follows:

[From the Charleston (S.C.) News and Courier, June 5, 1968]

R. M. HITT, JR.

A journalist of nationwide renown, Robert Melvin Hitt Jr. was a justly admired citizen of South Carolina and one of the most popular men of his time in Charleston. Through public speeches and a wide personal acquaintance he had projected a warm personality far beyond the circulation territory of the Charleston Evening Post, which he had served as editor for 15 years.

We first became acquainted with Red Hitt when he was a lanky freshman at The Citadel. At age 16, he already showed promise In applying for appointment as campus correspondent for The News and Courier, he listed among his qualifications an ability to set type, tend a press and write any kind of copy from advertisements to editorials.

These were no idle boasts. He had grown up around a newspaper shop. His father was the late R. M. Hitt, editor of The Bamberg Herald, whom we revered among the solid and able weekly journalists of our state. Although in those days only senior cadets served as campus correspondents, we watched the progress of the boy from Bamberg. Not long after his graduation we offered him a job as a reporter for The News and Courier. Though it paid less than he earned from a government job, he readily accepted because his first interest was newspapering. Mr. Hitt's progress in the craft was rapid. First as sports editor for The News and Courier, then as city editor and managing editor for The Evening Post, he climbed the ladder of desks and in 1953 was appointed editor.

As a member of the American Society of Newspaper Editors, he was respected and liked by colleagues all over the country. Behind the rugged countenance and booming voice that were his trademarks was a gentle and sensitive nature. He was perceptive and sympathetic in dealing with both people and issues. These qualities, with a vivid gift for words. superbly equipped him for the duties of a newspaper editor. He discharged them with admirable style and skill.

Perhaps his most engaging quality was a keen sense of humor, quick but kindly. It spiced his writing and brought welcome wit to social conversations. Who will forget his bass voice and hearty laugh?

Brought up in a Christian home, in which family loyalty and civic obligation were regarded as matters of course, he grew in character and stature with the years. His unexpected death at age 53 has cut short a career that should have had many fruitful years to run. The newspaper profession has suffered a grievous loss. The sorrow of his family, his associates and a vast collection of friends is beyond measure.

[From the Columbia (S.C.) Record. June 5, 1968]

PASSING OF A JOURNALIST STAR

The Fourth Estate lost one of its brightest stars in the death of Robert M. Hitt Jr., editor of The Charleston Evening Post.

"Red," as he was affectionately known to newspapermen throughout the nation, delighted audiences from coast to coast with his wit, wisdom and philosophy. He was twice a featured speaker at conventions of the American Society of Newspaper Editors.

Hitt was a newspaperman's newspaperman. He started his journalistic career in the shop of The Bamberg Herald, where his father was one of South Carolina's outstanding editors. After graduation from The Citadel he went to work with the Charleston newspapers, where he was successively reporter, sports editor, news editor, managing editor and, since 1953, editor of the Evening Post.

Under his editorship the Evening Post doubled its circulation and became South Carolina's largest afternoon daily. He served his area with distinction, and his promotion of his profession ranged far and wide.

He was active in every organization to raise standards and call attention to opportunities of journalism, starting with the South Carolina Scholastic Press Association. He served as president of the South Carolina Press Association, was first president of the South Carolina Associated Press News Council, and conducted seminars and conferences for the newspapermen of this and other states.

He was such a favorite with his fellow journalists in South Carolina that none of their meetings was held without "Red" Hitt as one of the principals.

Faithful to his task until the very end, he was representing his newspaper at a Charleston Safety Council meeting when he collapsed, suffering from a brain hemorrhage. He did not recover consciousness.

His death brings shock and sadness to everyone who knew him. He will always be revered as one of the strongest pillars of South Carolina journalism.

[From the Orangeburg (S.C.) Times and Democrat, June 5, 1968]

ROBERT M. HITT, JR.

In the untimely death of Robert Melvin Hitt, Jr., 53, editor of The Charleston Evening

Post, South Carolina and the newspapers of the state have lost a man who exemplified all that journalism is or should be.

Mr. Hitt, a native of Bamberg and son of a veteran newspaper man, died early Tuesday morning after suffering a cerebral hemorrhage several days ago.

He was a graduate of the Bamberg High School and earned an A.B. degree from the The Citadel in 1935, the military college later granting him an honorary Lld. degree in 1962.

He began his career as a newspaperman with The News and Courier in 1936, becoming sports editor in 1938. In 1943, he was moved over to The Evening Post as news editor, promoted to managing editor in 1945, and held the post of editor from 1953 until his death.

Known to his countless friends as "Red" Hitt, his editorials were sincere, hard-hitting and just. His was a quick and agile mind, one able to see to the root of a matter through the glitter in which it might be presented.

For that reason, "Red" Hitt was in great demand as an after-dinner speaker. He had a slow delivery, almost a drawl, and he had a dry, sometimes cutting but never vicious wit, one that soon had his listeners convulsed with laughter. But he was far from a comedian. He never spoke without delivering a worthwhile message. Those who heard him were both entertained and informed, perhaps enthused, by his words.

He held the high esteem and respect of everyone in the newspaper world as an excellent writer and representative of the "working press" as well as in his editorial achievements.

Married, he was an understanding and devoted father and husband, a worker and vestryman in his church, and endowed in the social graces which made him president of the Country Club of Charleston in 1947, and commodore of the Carolina Yacht Club in 1948.

The Times and Democrat joins the other newspapers in and out of South Carolina in extending sympathy to Mrs. Hitt and their five children and the staff of The Evening Post and The News and Courier, where also he will be sorely missed.

MILITANCY IN POOR PEOPLE'S CAMPAIGN LEADERSHIP

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUCHANAN. Mr. Speaker, the increased militancy of participants in the Poor People's Campaign seems to reflect the pattern of the times. Apparently, anarchy, lawlessness, and violence are becoming the mode of expressing grievances, rather than peaceful assembly, petitioning, and casting a ballot in an election.

As many Members of Congress, myself included, stated, the Poor People's Campaign created a climate for possible violence. It is my profound hope that degeneration into a new wave of rioting and civil disturbances in Washington can yet be avoided.

The campaign is beset with dissension over goals and strategy. Indications are that the militants are gaining control. For example, windows in the Supreme Court Building were smashed by rocks during a demonstration; traffic on a major thoroughfare alongside Resurrection City has been redirected because residents were hurling rocks and cans at passing autos, and leaders of various factions are discounting goals outlined by other factions.

Efforts to force mass arrests are now an announced strategy. Hosea Williams, in charge of demonstrations, said:

> The picnic is over, if the police want to use those clubs we're going to give them a chance.

Washington police have been deliberately taunted and chided by demonstrators since that announcement.

Other statements by campaign leaders and participants as well as increasingly militant demonstrations indicate that the situation is extremely volatile and could explode when hundreds of thousands are expected to pour into Washington for a massive demonstration on June 19.

In a meeting with Attorney General Ramsey Clark, campaign spokesmen made the following statements:

Said James E. Groppi of Milwaukee:

> We didn't come here to play games and if we have to turn this capital upside down, brother, I'm all for it. We won't be placated any more.

Mrs. Lila Mae Brooks of Mississippi waved her finger in Mr. Clark's face and said:

> If we don't get no justice, man, you better be gone from here.

Congress is rightfully concerned about such statements being blatantly shouted before radio and television facilities. But, many Members of Congress are equally concerned by less public statements of campaign leaders.

For instance, the Rev. James Bevel, a leader of the Southern Christian Leadership Conference, made the following statements before congressional staff representatives on Capitol Hill on May 21:

> The wealth must be redistributed and the means of production turned over to the people . . . The police must be re-oriented. The God versus devil philosophy of Judeo-Christian tradition must be eliminated.
>
> Personally, capitalism is intellectually incompatible with me. Why should I compete for things that are mine?

Men like Bevel are not "lobbying" or "petitioning" for the poor—he is calling for the turnabout of the American Government, and judging from his statements a restructuring along Marxist lines.

To petition and lobby are two privileges all Americans enjoy—but militant demonstrations and statements calling for the total restructuring of the American Government is a far cry from lobbying.

I am, therefore, hopeful that current legislation which would provide guidelines for exercising the rights to petition and lobby will gain congressional approval. Specifically, the legislation:

First. Forbids any Federal agency or employee from granting the use of Federal land for any kind of camp-in or sleep-in—along the lines of Resurrection City.

Second. Forbids the renewal of any current authorization for such land usages—meaning that when the Federal permit for Resurrection City expires on the 16th, it cannot be renewed.

Third. Provides for the creation of a 20-member congressional grievance committee to receive grievances and protests from any American or group of Americans, such as the poor people. The committee would be composed of 10 Congressmen and 10 Senators, equally divided between Republicans and Democrats.

It is regrettable that the rights to petition and lobby have been so flagrantly abused that it was necessary for this legislation to be introduced, but the interests of all Americans must be preserved in these trying times. There must be no tyranny of the minority in America.

SUPREME COURT OPINION

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. CAREY. Mr. Speaker, yesterday, the U.S. Supreme Court handed down a momentous decision. On a 6-to-3 ruling the Court upheld the constitutionality of the New York State law which requires public school systems to lend textbooks to students in private and parochial schools.

Under the provisions of the New York law the school districts are directed to lend $15 worth of textbooks each year to each pupil in grades seven through 12 in private schools. The State is currently expending about $25 million a year under the law which became effective September 1, 1966, for the benefit of about 300,000 pupils.

This decision by the Court substantiates the constitutionality of the provisions for the loan of textbooks contained in the Elementary and Secondary Education Act of 1965. As one of the authors of that act, and particularly the textbook provisions, I welcome this clarifying decision by the Court.

Justice White in stating the opinion of the Court addressed the basic issues of the question in stating that the Supreme Court "has long recognized that religious schools pursue two goals—religious instruction and secular education," adding that underlying the Court's decisions and the judgments of State legislatures "has been a recognition that private education has played and is playing a significant and valuable role in raising national levels of knowledge, competence and experience."

Mr. Speaker, I request that the opinion of the Court as delivered by Justice White, and the concurring opinion by Justice Harlan be printed at this point in the RECORD.

[Supreme Court of the United States, No. 660.—October term, 1967]

BOARD OF EDUCATION OF CENTRAL SCHOOL DISTRICT NO. 1, ETC., ET AL., APPELLANTS, *v.* JAMES E. ALLEN, JR., AS COMMISSIONER OF EDUCATION OF NEW YORK, ET AL.

On Appeal From the Court of Appeals of New York.

[June 10, 1968.]

MR. JUSTICE WHITE delivered the opinion of the Court.

A law of the State of New York requires local public school authorities to lend textbooks free of charge to all students in grades seven through 12; students attending private schools are included. This case presents the question whether this statute is a "law respecting the establishment of religion or prohibiting the free exercise thereof," and so in conflict with the First and Fourteenth Amendments to the Constitution, because it authorizes the loan of textbooks to students attending parochial schools. We hold that the law is not in violation of the Constitution.

Until 1965, § 701 of the Educational Law of the State of New York authorized public school boards to designate textbooks for use in the public schools, to purchase such books with public funds, and to rent or sell the books to public school students.[1] In 1965 the Legislature amended § 701, basing the amendments on findings that the "public welfare and safety require that the state and local communities give assistance to educational programs which are important to our national defense and the general welfare of the State."[2] Beginning with the 1966–67 school year, local school boards were required to purchase textbooks and lend them without charge "to all children residing in such district who are enrolled in grades seven to twelve of a public or private school which complies with the compulsory education law." The books now loaned are "text-books which are designated for use in any public, elementary or secondary schools of the state or are approved by any boards of education," and which—according to a 1966 amendment—"a pupil is required to use as a text for a semester or more in a particular class in the school he legally attends."[3]

Appellants, the members of the Board of Education of Central School District No. 1 in Rensselaer and Columbia Counties, brought suit in the New York courts against appellee James Allen.[4] The complaint alleged that § 701 violated both the State and Federal Constitutions; that if appellants, in reliance on their interpretation of the Constitution, failed to lend books to parochial school students within their counties appellee Allen would remove appellants from office; and that to prevent this, appellants were complying with the law and submitting to their constituents a school budget including funds for books to be lent to parochial schools pupils. Appellants therefore sought a declaration that § 701 was invalid, an order barring appellee Allen from removing appellants from office for failing to comply with it, and another order restraining him from apportioning state funds to school districts for the purchase of textbooks to be lent to parochial students. After answer, and upon cross-motions for summary judgment, the trial court held the law unconstitutional under the First and Fourteenth Amendments and entered judgment for appellants, 51 Misc. 2d 297, 273 N.Y.S. 2d 239 (1966). The Appellate Division reversed, ordering the complaint dismissed on the ground that appellant school boards had no standing to attack the validity of a state statute, 27 A.D. 2d 69, 276 N.Y.S. 2d 234 (1966). On appeal, the New York Court of Appeals concluded by a 4–3 vote that appellants did have standing[5] but by a different 4–3 vote held that § 701 was not in violation of either the State or the Federal Constitution, 20 N.Y. 2d 109, 228, N.E. 2d 791, 281 N.Y.S. 2d 799 (1967). The Court of Appeals said that the law's purpose was to benefit all school children, regardless of the type of school they attended, and that only textbooks approved by public school authorities could be loaned. It therefore considered § 701 "completely neutral with respect to religion, merely making available secular textbooks at the request of the individual student and asking no question about what school he attends." Section 701, the Court of Appeals concluded, is not a law which "establishes a religion or constitutes the use of public funds to aid religious schools," 20 N.Y. 2d, at 117; 228 N.E. 2d, at 794, 795; 281 N. Y. S. 2d, at 805. We noted probable jurisdiction. 389 U.S. 1031 (1968).

Everson v. *Board of Education*, 330 U.S. 1 (1947), is the case decided by this Court that is most nearly in point for today's problem. New Jersey reimbursed parents for expenses incurred in busing their children to parochial schools. The Court stated that the Establishment Clause bars a State from passing "laws which aid one religion, aid all religions, or prefer one religion over another," and bars too any "tax in any amount large or small . . . levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion." 330 U.S. at 15–16. Nevertheless, said the Court, the Establishment Clause does not prevent a State from extending the benefits of state laws to all citizens without regard to their religious affiliation and does not prohibit "New Jersey from spending tax-raised funds to pay the bus fares of parochial school pupils as part of a general program under which it pays the fares of pupils attending public and other schools." The statute was held to be valid even though one of its results was that "children are helped to get to church schools" and "some of the children might not be sent to the church schools if the parents were compelled to pay their children's bus fares out of their own pockets." 330 U.S., at 17. As with public provision of police and fire protection, sewage facilities, and streets and sidewalks, payment of bus fares was of some value to the religious school, but was nevertheless not such support of a religious institution as to be a prohibited establishment of religion within the meaning of the First Amendment.

Everson and later cases have shown that the line between state neutrality to religion and state support of religion is not easy to locate. "The constitutional standard is the separation of Church and State. The problem, like many problems in constitutional law, is one of degree." *Zorach* v. *Clauson*, 343 U.S. 306, 314 (1952). See *McGowan* v. *Maryland*, 366 U.S. 420 (1961). Based on *Everson*, *Zorach*, *McGowan*, and other cases, *Abington School District* v. *Schempp*, 374 U.S. 203 (1963), fashioned a test ascribed to by eight Justices for distinguishing between forbidden involvements of the State with religion and those contacts which the Establishment Clause permits:

"The test may be stated as follows: what are the purpose and the primary effect of the enactment? If either is the advancement or inhibition of religion then the enactment exceeds the scope of legislative power as circumscribed by the Constitution. That is to say that to withstand the strictures of the Establishment Clause there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion. *Everson* v. *Board of Education*." 374 U.S., at 222.

This test is not easy to apply, but the citation of *Everson* by the *Schempp* Court to support its general standard made clear how the *Schempp* rule would be applied to the facts of *Everson*. The statute upheld in *Everson* would be considered a law having "a secular legislative purpose and a primary effect that neither advances nor inhibits religion." We reach the same result with respect to the New York law requiring school books to be loaned free of charge to all students in specified grades. The express purpose of § 701 was stated by the New York Legislature to be furtherance of the educational opportunities available to the young. Appellants have shown us nothing about the necessary effects of the statute that is contrary to its stated purpose. The law merely makes available to all children the benefits of a general program to lend school books free of charge. Books are furnished at the request of the pupil and ownership remains, at least technically, in the State. Thus no funds or books are furnished to parochial schools, and the financial benefit is to parents and children, not to schools.[6] Perhaps free books make it more likely that some children choose to attend a sectarian school, but that was true of the state-paid bus fares in *Everson* and does not alone demonstrate an unconstitutional degree of support for a religious institution.

Of course books are different from buses. Most bus rides have no inherent religious significance, while religious books are common. However, the language of § 701 does not authorize the loan of religious books, and the State claims no right to distribute religious literature. Although the books loaned are those required by the parochial school for use in specific courses, each book loaned must be approved by the public school authorities; only secular books may receive approval. The law was construed by the Court of Appeals of New York as "merely making available secular textbooks at the request of the individual student," *supra*, and the record contains no suggestion that religious books have been loaned. Absent evidence we cannot assume that school authorities, who constantly face the same problem in selecting textbooks for use in the public schools, are unable to distinguish between secular and religious books or that they will not honestly discharge their duties under the law. In judging the validity of the statute on this record we must proceed on the assumption that books loaned to students are books that are not unsuitable for use in the public schools because of religious content.

The major reason offered by appellants for distinguishing free textbooks from free bus fares is that books, but not buses, are critical to the teaching process, and in a sectarian school that process is employed to teach religion. However this Court has long recognized that religious schools pursue two goals, religious instruction and secular education. In the leading case of *Pierce* v. *Society of Sisters*, 268 U.S. 510 (1925), the Court held that although it would not question Oregon's power to compel school attendance or require that the attendance be at an institution meeting State-imposed requirements as to quality and nature of curriculum, Oregon had not shown that its interest in secular education required that all children attend publicly operated schools. A premise of this holding was the view that the State's interest in education would be served sufficiently by reliance on the secular teaching that accompanied religious training in the schools maintained by the Society of Sisters. Since *Pierce*, a substantial body of case law has confirmed the power of the States to insist that attendance at private schools, if it is to satisfy state compulsory-attendance laws, be at institutions which provide minimum hours of instruction, employ teachers of specified training, and cover prescribed subjects of instruction.[7] Indeed, the State's interest in assuring that these standards are being met has been considered a sufficient reason for refusing to accept instruction at home as compliance with compulsory education statutes.[8] These cases were a sensible corollary of *Pierce* v. *Society of Sisters*: if the State must satisfy its interest in secular education through the instrument of private schools, it has a proper interest in the manner in which those schools perform their secular educational function. Another corollary was *Cochran* v. *Louisiana State Board of Education*, 281 U.S. 370 (1930), where appellants said that a statute requiring school books to be furnished without charge to all students, whether they attended public or private schools, did not serve as a "public purpose," and so offended the Fourteenth Amendment. Speaking through Chief Justice Hughes, the Court summarized as follows its conclusion that Louisiana's interest in the secular education being provided by private schools made provision of textbooks to students in those

Footnotes at end of article.

schools a properly public concern: "[The State's] interest is education, broadly; its method, comprehensive. Individual interests are aided only as the common interest is safeguarded." 281 U.S., at 375.

Underlying these cases, and underlying also the legislative judgments that have preceded the court decisions, has been a recognition that private education has played and is playing a significant and valuable role in raising national levels of knowledge, competence, and experience. Americans care about the quality of the secular education available to their children. They have considered high quality education to be an indispensable ingredient for achieving the kind of nation, and the kind of citizenry, that they have desired to create. Considering this attitude, the continued willingness to rely on private school systems, including parochial systems, strongly suggests that a wide segment of informed opinion, legislative and otherwise, has found that those schools do an acceptable job of providing secular education to their students.[9] This judgment is further evidence that parochial schools are performing, in addition to their sectarian function, the task of secular education.

Against this background of judgment and experience, unchallenged in the meager record before us in this case, we cannot agree with appellants either that all teaching in a sectarian school is religious or that the processes of secular and religious training are so intertwined that secular textbooks furnished to students by the public are in fact instrumental in the teaching of religion. This case comes to us after summary judgment entered on the pleadings. Nothing in this record supports the proposition that all textbooks, whether they deal with mathematics, physics, foreign languages, history or literature, are used by the parochial schools to teach religion. No evidence has been offered about particular schools, particular courses, particular teachers, or particular books. We are unable to hold, based solely on judicial notice, that this statute results in unconstitutional involvement of the State with religious instruction or that § 701, for this or the other reasons urged, is a law respecting the establishment of religion within the meaning of the First Amendment.

Appellants also contend that § 701 offends the Free Exercise Clause of the First Amendment. However, "it is necessary in a free exercise case for one to show the coercive effect of the enactment as it operates against him in the practice of his religion." *Abington School District* v. *Schempp*, 374 U.S. 203, 223 (1963), and appellants have not contended that the New York law in any way coerces them as individuals in the practice of their religion.

The judgment is affirmed.

FOOTNOTES

[1] New York Sess. Laws 1950, c. 239, § 1. New York Education Law § 703, New York Sess. Laws 1950, c. 239, § 3, permitted the qualified voters of any school district to authorize a special tax for the purpose of making available free textbooks. The 1965 amendments that required free textbooks to be provided for grades seven through 12 amended § 703 so that it now permits local voters to approve free books for grades one through six.

[2] New York Sess. Laws 1965, c. 320, § 1.

[3] New York Education Law § 701 (1967 Supp.):

"1. In the several cities and school districts of the state, boards of education, trustees or such body or officer as perform the functions of such boards, shall designate text-books to be used in the schools under their charge.

"2. A textbook, for the purposes of this section shall mean a book which a pupil is required to use as a text for a semester or more in a particular class in the school he legally attends.

"3. In the several cities and school districts of the state, board of education, trustees or such body or officers as perform the function of such boards shall have the power and duty to purchase and to loan upon individual request, to all children residing in such district who are enrolled in grades seven to twelve of a public or private school which complies with the compulsory education law, text-books. Text-books loaned to children enrolled in grades seven to twelve and said private schools shall be text-books which are designated for use in any public, elementary or secondary schools of the state or are approved by any boards of education, trustees or other school authorities. Such text-books are to be loaned free to such children subject to such rules and regulations as are or may be prescribed by the board of regents and such boards of education, trustees or other school authorities."

The present subdivision (2) was added by amendment in 1966, New York Sess. Laws 1966, c. 795. This suit was filed, and the trial court opinion was rendered, prior to the 1966 amendment.

[4] Intervention was permitted on plaintiffs' side by the Board of Education of Union Free School District No. 3 in Nassau County, which appears here as co-appellant, and on defendants' side by parents of certain students attending private schools, who appear here as co-appellees.

[5] Appellees do not challenge the standing of appellants to press their claim in this Court. Appellants have taken an oath to support the United States Constitution. Believing § 701 to be unconstitutional, they are in the position of having to choose between violating their oath and taking a step—refusal to comply with § 701—that would be likely to bring their expulsion from office and also a reduction in state funds for their school districts. There can be no doubt that appellants thus have a "personal stake in the outcome" of this litigation. *Baker* v. *Carr*, 369 U.S. 186, 204 (1962).

[6] While the record and the state court opinions in this case contained no information about how the books are in fact transferred from the Boards of Education to individual students, both parties suggested in their briefs and on oral argument before this Court that New York permits private schools to submit to boards of education summaries of the requests for textbooks filed by individual students, and also permits private schools to store on their premises the textbooks being loaned by the Board of Education to the students. This interpretation of the State's administrative procedure is supported by an "Opinion of Counsel" made available by the Board of Regents and the State Department of Education to local school superintendents. For purposes of this case we consider the New York statute to permit these procedures. So construing the statute, we find it in conformity with the Constitution, for the books are furnished for the use of individual students and at their request.

It should be noted that the record contains no evidence that any of the private schools in appellants' districts previously provided textbooks for their students. There is some evidence that at least some of the schools did not: intervenor defendants asserted that they had previously purchased all their children's textbooks. And see statement of then Commissioner of Education Keppel: "Nonpublic schools rarely provide free textbooks." 1 Hearings on Elementary and Secondary Education Act of 1965 before General Subcommittee on Education of House Committee on Education and Labor 93 (1965).

[7] This Court has twice suggested the constitutionality of these state regulations. "[T]he State may 'require teaching by instruction and study of all in our history and in the structure and organization of our government, including the guaranties of civil liberty, which tend to inspire patriotism and love of country.'" *West Virginia State Board of Education* v. *Barnett*, 319 U. S. 624, 631 (1943), quoting *Minersville School District* v. *Gobitis*, 310 U. S. 586, 604 (1940) (Stone, J., dissenting). "This Court has said that parents may, in this discharge of their duty under state compulsory education laws, send their children to a religious rather than a public school if the school meets the secular educational requirements which the state has the power to impose." *Everson* v. *Board of Education*, 330 U. S. 1, 18 (1947) (citing *Pierce* v. *Society of Sisters*). A great many state cases have upheld a wide range of private school regulation. *E. g., Meyerkorth* v. *State*, 173 Neb. 889, 115 N. W. 2d 585 (1962), appeal dismissed for want of a substantial federal question, 372 U. S. 705 (1963); *State* v. *Hoyt*, 84 N. H. 38, 146 A. 170 (1929); *People* v. *Donner*, 199, Misc., 643, 99 N. Y. S. 2d 830 (Dom. Rel. Ct. 1950), aff'd mem., 278 App. Div. 705,103 N. Y. S. 2d 757, aff'd mem., 302 N. Y. 857, 100 N. E. 2d 48, appeal dismissed for want of a substantial federal question, 342 U. S. 884 (1951).

New York State regulates private schools extensively, especially as to attendance and curriculum. New York Education Law §§ 3201–3229 (1953). Regents examinations are given to private school students. *Id.*, § 209. The basic requirement is that the instruction given in private schools satisfying the compulsory attendance law be "at least substantially equivalent to the instruction given to minors of like age and attainments at the public schools of the city or district where the minor resides." *Id.*, § 3204(2).

New York requires school attendance of "each minor from seven to sixteen years of age" unless he has completed high school. *Id.*, § 3205.

[8] *E. g., People* v. *Turner*, 121 Cal. App. 2d 861, 263 P. 2d 685 (1953), appeal dismissed for want of a substantial federal question, 347 U.S. 972 (1954).

[9] In 1966 in New York State, almost 900,000 students, or 21.5% of total state enrollment, attended nonpublic schools University of State of New York, Education Statistics New York State, Table I (1968). The comparable statistic for the Nation was at least 10%. United States Bureau of the Census, Statistical Abstract of the United States: 1967, at 111 (1967).

[Supreme Court of the United States,
No. 660.—October Term, 1967]

Board of Education of Central School District No. 1, etc., et al., Appellants, *v.* James E. Allen, Jr., as Commissioner of Education of New York, et al.

On Appeal From the Court of Appeals of New York.

[June 10, 1968]

Mr. Justice Harlan, concurring.

Although I join the opinion and judgment of the Court, I wish to emphasize certain of the principles which I believe to be central to the determination of this case, and which I think are implicit in the Court's decision.

The attitude of government toward religion must, as this Court has frequently observed, be one of neutrality. Neutrality is, however, a coat of many colors. It requires that "government neither engage in nor compel religious practices, that it effect no favoritism among sects or between religion and nonreligion, and that it work deterrence of no religious belief." *Abington School Dist.* v. *Schempp*, 374 U.S. 203, 305 (concurring opinion of Goldberg, J.). Realization of these objectives entails "no simple and clear measure," *id.*, at 306, by which this or any case may readily be decided, but these objectives do suggest the principles which I believe to be applicable in the present circumstances. I would hold that where the contested governmental activity is calculated to achieve nonreligious purposes otherwise within the competence of the State, and where the activity does not involve the State "so significantly and directly in the realm of the sectarian as to give rise to . . . divisive influences and inhibitions of freedom," *id.*, at 307, it is not forbidden by the religious clauses of the First Amendment.

In my opinion, § 701 of the Education Law of New York does not employ religion as its standard for action or inaction, and is not otherwise inconsistent with these principles.

[Supreme Court of the United States, No. 660.—October Term, 1967]

BOARD OF EDUCATION OF CENTRAL SCHOOL DISTRICT NO. 1, ETC., ET AL., APPELLANTS, *v.* JAMES E. ALLEN, JR., AS COMMISSIONER OF EDUCATION OF NEW YORK, ET AL.

On Appeal From the Court of Appeals of New York.

[June 10, 1968]

MR. JUSTICE FORTAS, dissenting.

The majority opinion of the Court upholds the New York statute by ignoring a vital aspect of it. Public funds are used to buy, for students in sectarian schools, textbooks which are selected and prescribed by the sectarian schools themselves. As my Brother DOUGLAS points out, despite the transparent camouflage that the books are furnished to students, the reality is that they are selected and their use is prescribed by the sectarian authorities. The child must use the prescribed book. He cannot use a different book prescribed for use in the public schools. The State cannot choose the book to be used. It is true that the public school boards must "approve" the book selected by the sectarian authorities; but this has no real significance. The purpose of these provisions is to hold out promise that the books will be "secular" (but cf. DOUGLAS, J., dissenting, *ante*, n. 6); but the fact remains that the books are chosen by and for the sectarian schools.

It is misleading to say, as the majority opinion does, that the New York "law merely makes available to all children the benefits of a general program to lend school books free of charge." (*Ante*, p. 6.) This is not a "general" program. It is a specific program to use state funds to buy books prescribed by sectarian schools which, in New York, are primarily Catholic, Jewish, and Lutheran sponsored schools. It could be called a "general" program only if the school books made available to all children were precisely the same—the books selected for and used in the public school. But this program is not one in which all children are treated alike, regardless of where they go to school. This program, in its unconstitutional features, is hand-tailored to satisfy the specific needs of sectarian schools. Children attending such schools are given *special* books—books selected by the sectarian authorities. How can this be other than the use of public money to aid those sectarian establishments?

It is also beside the point, in my opinion, to "assume," as the majority opinion does, that "books loaned to students are books that are not unsuitable for use in the public schools because of religious content." (*Ante*, p. 8.) The point is that the books furnished to students of sectarian schools are selected by the religious authorities and are prescribed by them.

This case is not within the principle of *Everson* v. *Board of Education*, 330 U.S. 1 (1947). Apart from the differences between textbooks and bus rides, the present statute does not call for extending to children attending sectarian schools the same service or facility extended to children in public schools. This statute calls for furnishing special, separate, and particular books, specially, separately, and particularly chosen by religious sects or their representatives for use in their sectarian schools. This is the infirmity, in my opinion. This is the feature that makes it impossible, in my view, to reach any conclusion other than that this statute is an unconstitutional use of public funds to support an establishment of religion.

This is the feature of the present statute that makes it totally inaccurate to suggest, as the majority does here, that furnishing these specially selected books for use in sectarian schools is like "public provision of police and fire protection, sewage facilities, and streets and sidewalks." (*Ante*, p. 5.) These are furnished to all alike. They are not selected on the basis of specification by a religious sect. And patrons of any one sect do not receive services or facilities different from those accorded members of other religions or agnostics or even atheists.

I would reverse the judgment below.

THE REAL BATTLE AGAINST MALNUTRITION IS NOW CENTERED IN THE HEARINGS OF THE HOUSE COMMITTEE ON AGRICULTURE ON BILLS TO EXTEND THE FOOD STAMP PROGRAM

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mrs. SULLIVAN. Mr. Speaker, the airwaves and newspaper columns are full of the subject of malnutrition in the United States, and numerous hearings by congressional committees and ad hoc committees, confrontations with the Secretary of Agriculture, and bitter debates before other forums and discussion groups have featured this important issue.

However, when the House Committee on Agriculture opened 2 days of hearings this morning on the only legislation now pending to meet and solve this problem right now—on bills introduced by nearly one-third of the Members of the House to expand the food stamp program—less than a dozen people were on hand, aside from the working press and Members of Congress. Yet this is where the real battle against malnutrition is now centered. I hope there will be a better turnout tomorrow when Secretary of Agriculture Orville L. Freeman is scheduled to testify.

It was my privilege—or ordeal, depending upon how one looks at it—to testify this morning on behalf of the 121 Members of the House from both parties who have joined me so far in cosponsoring a series of identical bills to remove the $225,000,000 ceiling in existing law for food stamp appropriations for the coming fiscal year, so that the program can expand into the hundreds of counties throughout the country which want this program for their needy but cannot come into it until more funds can be made available.

Many of the members of the Committee on Agriculture felt that I was presenting the committee with some sort of threat or ultimatum to have all of the cosponsors of my bill join in a move to defeat all farm legislation unless new food stamp legislation is approved. I tried to make it clear that the cosponsors of my bill were not subject to any such control by me. They include the chairmen of nine standing committees of the House, the ranking minority members of four standing committees, and numerous other outstanding Members of the House.

The only thing we have in common in sponsoring the bill on food stamps is a belief that the food stamp program should be permitted to expand to many additional localities.

THE 1964 FOOD STAMP—WHEAT-COTTON UNDERSTANDING

But I did say that many of us among the cosponsors come from urban areas where our voters have generally opposed farm subsidies, and yet we have voted for them. And I suggested that it would be very good strategy for the Committee on Agriculture to consider the needs of our people if they want us to vote for farm bills.

If this is a "threat" or "ultimatum"—and it was not—it goes back to the situation in 1964 when a wheat-cotton subsidy bill was passed only after its advocates had stopped blocking or trying to kill the 1964 food stamp bill. So there was some very pertinent legislative history behind my statement on this point.

However, the main point I tried to make is that we have a food stamp program operating now in 1,027 counties throughout the country, and desired by nearly 400 more counties which have formally applied for it, many of which cannot obtain the program until the ceiling on authorized appropriations is eliminated for the coming fiscal year or, at least, very substantially raised above the present limitation in the law of $225,000,000. The Senate-passed bill to raise this figure by only $20,000,000 is completely inadequate.

NEARLY ONE-THIRD OF HOUSE SPONSORING FOOD STAMP BILL

Even if the figure was raised sufficiently to permit all of the counties to come into the program which have already requested it, we would still have about one-half of the counties in the country not included. Yet this is the only program among all of our food programs which can assure adequate, nutritious diets for every family whose income is insufficient to permit it to buy a proper diet. Under the program, the participating families must spend, out of their own money, the amounts they would normally be expected to spend for food for a family of that size and income, and then they receive in return a quantity of food coupons sufficient to enable them to purchase an adequate diet in the regular grocery stores. It is a self-help program and, despite some much-publicized criticisms of it, it works. Certainly, it cannot possibly work better than it does now in meeting the needs of the low-income families, and particularly of the lowest income families, without sufficient funds to assure adequate food purchasing power to those families which do participate.

Following, Mr. Speaker, are the 121 cosponsors of my bills, by States:

Alaska: Mr. POLLOCK.

Arizona: Mr. UDALL.

California: Mr. JOHNSON, Mr. MOSS, Mr. LEGGETT, Mr. BURTON, Mr. COHELAN, Mr. MILLER, Mr. EDWARDS, Mr. SISK, Mr. HOLIFIELD, Mr. CORMAN, Mr. REES, Mr. BROWN, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. VAN DEERLIN, Mr. TUNNEY, Mr. WALDIE, Mr. HAWKINS, and Mr. MCFALL.

Colorado: Mr. ROGERS, Mr. EVANS, and Mr. ASPINALL.

Connecticut: Mr. Daddario, Mr. St. Onge, and Mr. Irwin.

Florida: Mr. Pepper.

Hawaii: Mr. Matsunaga and Mrs. Mink.

Illinois: Mr. Dawson, Mr. O'Hara, Mr. Kluczynski, Mr. Ronan, Mr. Annunzio, Mr. Yates, Mr. Pucinski, Mr. Gray, Mr. Shipley, and Mr. Price.

Indiana: Mr. Brademas and Mr. Jacobs.

Iowa: Mr. Smith and Mr. Culver.

Kentucky: Mr. Perkins.

Maine: Mr. Kyros and Mr. Hathaway.

Maryland: Mr. Garmatz.

Massachusetts: Mr. Boland, Mr. Philbin, Mr. Donohue, Mr. O'Neill and Mrs. Heckler.

Michigan: Mr. Ruppe, Mr. O'Hara, Mr. Diggs, Mr. William D. Ford, Mr. Dingell, Mrs. Griffiths, and Mr. Conyers.

Minnesota: Mr. Karth, Mr. Fraser and Mr. Blatnik.

Montana: Mr. Olsen.

New Jersey: Mr. Helstoski, Mr. Rodino, Mr. Minish, Mrs. Dwyer, Mr. Gallagher, Mr. Daniels, and Mr. Widnall

New Mexico: Mr. Walker.

New York: Mr. Wolff, Mr. Tenzer, Mr. Halpern, Mr. Addabbo, Mr. Rosenthal, Mr. Carey, Mr. Murphy, Mr. Ryan, Mr. Scheuer, Mr. Bingham, Mr. Reid, Mr. Resnick, Mr. Button, Mr. Hanley, Mr. McCarthy, Mr. Dulski, and Mr. Horton.

Ohio: Mr. Feighan and Mr. Vanik.

Pennsylvania: Mr. Barrett, Mr. Nix, Mr. Byrne, Mr. Rhodes, Mr. Flood, Mr. Moorhead, Mr. Rooney, Mr. Saylor, Mr. Morgan, Mr. Fulton, Mr. McDade, and Mr. Schweiker.

Rhode Island: Mr. St Germain and Mr. Tiernan.

South Carolina: Mr. McMillan.

South Dakota: Mr. Reifel.

Tennessee: Mr. Fulton and Mr. Anderson.

Texas: Mr. Patman. Mr. Eckhardt, Mr. Wright, and Mr. Gonzalez.

Washington: Mr. Adams, Mrs. Hansen, and Mr. Hicks.

West Virginia: Mr. Slack, Mr. Hechler, and Mr. Kee.

Wisconsin: Mr. Kastenmeier and Mr. Reuss.

Five identical bills, containing the names of 108 of us from 29 States, were introduced last Thursday. I have today introduced another identical bill with 14 additional sponsors, making a total of 122 of us so far from 31 States. I am still receiving calls in my office from other Members who wish to join as cosponsors, so the number will increase. Mr. Podell, of New York, and Mr. Nedzi, of Michigan, so far are scheduled to be on the seventh bill when it is ready to introduce.

TEXT OF STATEMENT BEFORE COMMITTEE ON AGRICULTURE

Mr. Speaker, following is the text of the statement I presented this morning before the Committee on Agriculture on this matter:

Statement by Congresswoman Leonor K. Sullivan of Missouri, Before House Committee on Agriculture on Various Bills To Increase the Appropriation Authorization for the Food Stamp Program, June 11, 1968

From my name, most people assume I am Irish, but in St. Louis, where I grew up as Leonor Kretzer, they refer to my ethnic origin as Southside Stubborn Dutch—and I guess I must be pretty stubborn to keep coming before this Committee on the food stamp issue. As I recall, we had *battles* here over the issue in 1954, 1955, 1956, 1957, 1958, 1959, 1964 and 1967. Since 1964, however, we have been talking about a *going program*—and, generally, a very successful—if not by any means perfect—program—rather than about theoretical concepts of feeding the hungry. We are *doing* it in more than 1,000 counties; we *can* do it in all of the rest, if you will only unbend and help us.

When I say "you" I refer, of course, to the attitude which has prevailed among more than half of the Members of this Committee for many years. The Food Stamp program originated in legislation handled by this Committee, but you have always treated it like a stepchild, or worse.

I am here today not to plead, but to state very simply that a vast number of the Members of the House of Representatives believe, with me, that this program *must* be allowed to expand—and not just a little bit, but a lot. The $20,000,000 authorization increase, voted by the Senate, is not enough to make a dent on the need. You placed a ceiling on this program for the 1968 and 1969 fiscal years which is much too low, and while it is too late now to do anything about what *could* have been done during the fiscal year ending this month, it is *not* too late to do something about the authorization for the new fiscal year, and for subsequent ones.

I asked last year for an open-end authorization, as I did also in 1964. Both times, you tried instead to kill the program, then reluctantly let it continue on a short string, after the House overruled your efforts to kill it.

ONE HUNDRED AND TWENTY-TWO MEMBERS FROM 31 STATES SPONSORING THIS LEGISLATION

If we have to have another fight, let's have it! But let's make it clear what the issue is going to be: if you won't let us use this method to assure adequate diets for all needy Americans, wherever they live, then many of us from urban areas are simply going to withhold our votes on farm legislation until we *again* make another "deal", as we did in 1964.

There are 107 co-sponsors of the five bills I introduced last Thursday, in anticipation of these hearings, to open up the Food Stamp appropriation authorization to whatever amounts Congress sees fit to appropriate in the four coming fiscal years. Not all of the co-sponsors are from urban areas; not all of them would oppose farm legislation in order to force this legislation through. I do not profess to speak for all of them on that point.

But I do speak for all 108 of us—and for 14 other prominent Members of the House from both parties who will be on the sixth bill I plan to introduce today—in saying we want Congress to be able to appropriate sufficient funds for 1969 and subsequent years to expand the Food Stamp program to all of the areas which want it.

I listed in last Thursday's *Record* the 107 co-sponsors of the five bills introduced that day, including eight chairmen of standing committees and three ranking minority members of .standing committees. In the sixth bill, there will be an additional chairman, Mr. Garmatz of Merchant Marine and Fisheries, and an additional ranking minority member, Mr. Widnall of Banking and Currency. In addition, there are Mr. Neal Smith of Iowa, Mrs. Hansen of Washington, Mr. Hicks of Washington, Mr. McDade of Pennsylvania, Mr. Waldie of California, Mr. Hawkins of California, Mr. Culver of Iowa, Mr. Conyers of Michigan, Mr. Schweiker of Pennsylvania, Mrs. Heckler of Massachusetts, Mr. McFall of California, and Mr. Horton of New York.

So we now have 122 members from 31 states who, so far, have introduced this legislation to take off the arbitrary ceiling you have imposed on this effective program to combat malnutrition. If it takes more members to sway you, I will see what I can do about getting more. Most of us, as a general rule, are reluctant to become co-sponsors of bills which do not come before our own Committees and which we are not thus in a position personally to influence, except through our votes on the Floor, but in this instance, the co-sponsorship list is an amazing one. And it is bi-partisan, urban and rural, liberal and conservative, and includes many who have the Food Stamp plan now operating in their Districts—and many others who do not have it but who want it for their Districts.

SECRETARY FREEMAN IS THE WRONG TARGET

We are tired of having the United States pictured as a nation which worries about hunger in India but closes its eyes to malnutrition at home. In kicking at Secretary Freeman, the critics of our food programs have picked on the wrong person. He has done more than any Secretary of Agriculture in our history to combat malnutrition. He believes in this program and he has had the *courage* seven years ago to start it and the strength ever since, to make it work. I resent attacks upon him which rightfully should be directed to *this Committee*.

I know all of the things said to be *wrong* with the Food Stamp program. But I also know that none of its shortcomings or deficiencies can be corrected as long as this Committee continues to write, or continues to accept in Conference the amendments of the Senate Committee to write, crippling amendments to the Act, and unrealistic ceilings on appropriations.

The irony of the whole thing is that most of us who have been trying so hard to expand this program into additional areas already have it in our own Districts while most of you who opposed it in the past did not have it—and apparently didn't want it for your own areas. Now a majority of you do have it—although in many instances, just rerecently. In other instances, your Districts are having to wait in line for funds to start scheduled projects. So we are trying to get you to agree to let us help you to help your own needy through this excellent program. I believe, however, that there are still 15 of the members of this Committee without a single Food Stamp project in their Districts—almost half of the Committee.

It is never useful for any Member to try to lecture a Committee of the House on its duty, and if I have sounded as if I am attempting to do so, I apologize. I do not mean to lecture you on your duty; instead, I just mean to *point out* that it would be good *strategy* for you to see *our* side of this issue if you want us to see *your side* of agricultural issues.

Thank you.

THE METROPOLITAN WASHINGTON BOARD OF TRADE HOLDS HIGHLY SUCCESSFUL JOB OPPORTUNITY WEEK

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. MACHEN. Mr. Speaker, it was my privilege on May 24 to present greetings to the Job Opportunity Week held annually by the Metropolitan Washington

Board of Trade with participation by businessmen and leaders from Prince Georges County and other adjoining jurisdictions.

I was deeply impressed by this program, held this year from May 20–24, to offer permanent employment to jobseeking seniors of area high schools. There is no question in my mind that this year's program was a great success. It demonstrates an approach to job opportunities by major employers that should be a model for the Nation. This approach by private industry will, in the long run, achieve greater gains and success in job opportunity than programs that offer no incentive but plenty of dole.

Mr. Speaker, in this year's Job Opportunity Week the board of trade with the cooperation of major Washington area employers conducted a highly successful week for June graduates of 98 public and parochial high schools of the District of Columbia and the neighboring jurisdictions in Maryland and Virginia. The program brought together 36 major area employers and 2,051 graduating high school seniors.

The employers conducted 6,605 interviews and of these, 4,049 were invited back to the companies for further interviews. At the conclusion of the program, 279 job offers had already been made.

It is anticipated that many of these remaining students will find jobs in the months to come through their participation in this program. A research committee has been formed to determine the actual hires and results should be known by the end of this summer.

The students invited to participate in Job Opportunity Week were those senior students, male and female, who were in good standing academically, expected to graduate at the conclusion of the academic year and interested in obtaining full-time permanent employment upon graduation within private industry in the Metropolitan Washington area.

The potential participants were screened by the guidance and supervisory personnel in the school systems to exclude those who did not conform to these standards.

In assisting the counselors to work with interested students, the board of trade provided appropriate posters and flyers for distribution at the participating high schools. Promotional material listed the employers as well as some of the job openings available.

In addition, a large supply of employment opportunity manuals was given to each high school. Students had an opportunity to study the manual to determine which companies they were interested in and also the specific types of jobs for which they could qualify and would like to apply.

Students then completed a brief application form indicating first-, second-, and third-choice employers.

An interview was scheduled with the first-choice employer. When this was completed, the student checked with an interview control desk at the armory for scheduling with second-, and third-choice employers.

During the time he or she was at the armory, an ambitious student could complete interviews with as many as four or five employers.

All interviews were held at the District of Columbia National Guard Armory where 80,000 square feet of floor space was converted into a "Job Opportunity Interview Center" for the occasion.

Twenty-seven of the 36 participating employers made provisions for displays depicting the positions available at their respective places of business. These provided applicants with a better idea of the positions for which they were applying.

The students were brought to the interview center in buses after having had interviews scheduled for them in advance with specific employers following consultation with their guidance personnel.

Those firms participating in the program were: American Airlines, Inc.; American Security & Trust Co.; American Telephone & Telegraph Co.: Capitol Cadillac-Oldsmobile Co.; Chesapeake & Potomac Telephone Co.; Drug Fair, Inc.; Evening Star; Fairchild Hiller Corp.; Giant Food, Inc.; Government Employees Insurance Co.; Government Services, Inc.; Grand Union; Hechinger Co.; Hecht Co.; Hospital Council of the National Capital Area, Inc.; International Business Machines; Lansburgh's; Macke Co.; Marriott Corp.; Montgomery Ward & Co.; National Geographic Society; National Savings & Trust Co.; Page Communications-Engineers, Inc.; Peoples Drug Stores, Inc.; Potomac Electric Power Co.; Riggs National Bank; S. Kann Sons Co.; Safeway Stores, Inc.; Savings & Loan Industry of Metropolitan Washington; Sears, Roebuck & Co.; Washington Daily News; Washington Gas Light Co.; Washington Post; Western Electric Co.—Distribution; Western Electric Co.—Installations; Woodward & Lothrop.

This year, 122 different types of beginning positions were offered. Jobseekers had an opportunity to explore employment possibilities with industries such as banking, retail business, food sales and service, drugstores, utilities, and newspapers. Also available were positions with hospitals, the insurance industry, publishing, technological research, and the hotel and catering business.

Many of these positions were available as the result of the severe labor shortage in both skilled and semiskilled areas faced by Washington area employers.

For example, interviews were conducted for the following specific jobs: clerks, craftsmen, food service, retail management, automotive personnel, draftsmen, truck delivery, mechanics, telephone operators, sales personnel, typists, meatcutters, bookkeepers, adjusters, bakers, cashiers, cosmeticians, display personnel, electricians, medical clerks, secretaries, stenographers, account analysts, tellers, installers, medical technicians, keypunch operators, and many more entry level positions.

One of the most vital messages carried to the high school senior applicants was the fact that employment was indeed available to young people with no previous experience who had satisfactorily completed their preparatory academic training in high school.

Then, too, it was very easy for the high school applicant to determine his or her own potential income level in private industry without previous working experience and with only a high school education.

An analysis by the board of trade showed that Job Opportunity Week served several very important purposes:

First. It acquainted students, vocational guidance counselors, and school administrators with the classifications of employment available in private industry in our Capital City area.

Second. It created an understanding of the qualifications needed to enter the private sector of our economy in entry level positions.

Third. It provided students with the actual experience of applying for a job, completing an application, and participating in an actual job interview.

Fourth. It taught the student-applicant self-reliance and created an understanding of the employment process.

Fifth. It motivated and encouraged undergraduates to remain in school and obtain their high school diplomas.

Employer representatives, students, school administrators, and guidance counselors alike regarded Job Opportunity Week as the most practical means yet devised to bring employers with substantial job openings together with the noncollege-bound graduating high school students interested in full-time employment.

Students engaged in Job Opportunity Week were able to take that step up to another level in their development—a responsible and important place in the world of work.

Calling the affair a "huge success," general chairman Edward N. Duplinsky said the employers were "very much impressed" with the quality and appearance of the students. Students, too, expressed their appreciation. Many said "Job Opportunity Week removes the apprehension of applying for a job the first time" and "gives one confidence."

Mr. Speaker, Job Opportunity Week is providing an effective link between our youthful jobseeker and the employer facing critical employment problems in filling entry level positions. The great expansion of the program in the past 4 years and the enthusiastic endorsement of businessmen and educators has led the Metropolitan Washington Board of Trade to call Job Opportunity Week its most productive employment activity. Plans are already in progress for developing the 1969 program.

The Job Opportunity Week—1968 Planning Committee

Chairman, Executive Committee, J. Hillman Zahn, V.P. Public Relations, C & P Telephone Companies.

General Chairman, Edward N. Duplinsky, Personnel Director, The Evening Star.

Assistant General Chairman, Miss Elizabeth A. Plack, Employment Supervisor, Bellcomm Inc.

Coordinator, Henry P. Loss, Staff Director-Community Affairs, Metropolitan Wash. Board of Trade.

Employer Relations Chairman, Leonard M. Leache, General Supervisor-Employment and Placement, Potomac Electric Power Company.

Exhibits Chairman, Fred Thompson, Personnel Director-Washington Store, Woodward & Lothrop.

Public Relations Chairman, Fred W. Langbein, News Service Manager, C & P Telephone Company.

Research Chairman, Lewis B. Rock, Jr., Personnel Director, The Washington Post.

School Relations Chairman, Miss B. Jane Baldwin, Personnel Supervisor, C & P Telephone Company.

Ex-Officio, Dr. Carl McDaniels, Associate Professor School of Education, The George Washington University.

GERMAN-AMERICAN DAY, 1968

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. RARICK. Mr. Speaker, Sunday, June 9, 1968, was proclaimed German-American Day in New Jersey.

The festivities held at Schuetzen Park, North Bergen, N.J., were numerous, varied, and deeply patriotic.

Also attending were representatives of many captive nations—those nations overrun and now occupied by Communist quisling governments.

So that our colleagues might be informed on the sincere struggle undertaken by our fellow Americans of German descent in the cause of peace and toward responsible leadership, I place the resolutions adopted at their national convention in the RECORD followed by "The Policy and Aims of the Federation," "DANK," a proclamation by Governor Hughes of New Jersey, and an article from the New Approach, March 1968:

RESOLUTIONS

(Adopted by the National Convention of the Federation of American Citizens of German Descent, Inc., and the president and vice president of the Deutsch Amerikanischer National Kongress (DANK), March 9 and 10, 1968, North Bergen, N.J.)

Whereas, we officers and members of the Federation are an organization of American Citizens of German Descent, joined in policies, aims and ideals with the Deutsch-Amerikanischer National Kongress (DANK), and

Whereas, we wish to promote domestic and foreign policies most conducive to the good and welfare, the security and honor of these United States, and

Whereas, we see anxiously how the victors of World War II, after dismembering Germany and shortsightedly eliminating that country and Japan as factors in world politics, are degenerating into two hostile blocs already partly at war and threatening to blunder into a third world war, and

Whereas, we regard a partnership between the American and the German people as the best guarantee of peace, security, and prosperity for all concerned, and

Whereas, while we are concerned for truth and justice in all foreign and domestic relations, we are especially prepared by background and interest to recognize and promote just and wise policies in the area of Central and Eastern Europe,

We therefore submit the following resolutions:

That, in both foreign and domestic matters communism should be recognized as the greatest threat to America and the free world and so combatted; and

That, the U.S. should declare that, though it will not prescribe to its form of government, not even a democratic one, for any people, including the Russians, it does consider itself bound by the Atlantic Charter to oppose the extension of Soviet Russian rule to non-Russian peoples, such as the Baltic, Balkan, and East European, and will use all its diplomatic and economic resources to hasten their independence; and

That, the Administration should more explicitly and effectively implement the Congressional Resolution of 1959 which demands "freedom and independence for all the captive nations of the world," among which it enumerates twenty-two, including "Eastern Germany" and North Vietnam; and

That, the Administration, instead of favoring Soviet Russia with treaties like the Consular and the nuclear non-proliferation, which make the U.S. look like a partner of Soviet Russian imperialism, should rather strengthen NATO and give preferences to those nations and organizations which know justice and support the liberation of the captive nations from Soviet Russian imperialism; and

That, the Administration should urgently be cautioned against betraying West European, especially West German and West Berlin interests in the fatuous hope of bribing Moscow into using its good offices to de-escalate the war in Vietnam; and

That, because through the Morgenthau Plan the U.S. became co-responsible for the dismemberment of Germany, it has the moral responsibility of securing the reunification of Germany in its proper boundaries by all diplomatic, economic, and even military means practicable; and

That, in all international disputes and specific matters of foreign policy, the U.S. should side with justice rather than alliance or ideology, with right rather than expediency, and, as Woodrow Wilson proclaimed (Sept. 27, 1918) must know "no standards but the equal rights of the several peoples concerned", to wit:

(1) in the confrontation between Red Russia and Red China, it should diplomatically recognize that China is justified by self-determination in claiming some 500,000 square miles of territory now held by Russia; and

(2) in the Arab-Israeli hostility it should insist that territories and cities like Old Jerusalem may not have their sovereignty settled by conquest, but only by the wishes of the rightful inhabitants; and

(3) in the British-Rhodesian conflict, it should support the Rhodesian right to independence and instead of boycotting Rhodesia should rather boycott the nations that trade with North Vietnam; and

(4) in the Austrian-Italian dispute over South Tyrol, it should ask Italy to grant the South Tyrolese the right of self-determination, either to be autonomous or to rejoin Austria to which they belonged for a thousand years before Versailles and St. Germain severed them; and

(5) in the Czech-Sudeten dispute, it should declare that the Munich Pact realized the demands of self-determination, that the Sudentenland belongs to the three million Sudeten Germans criminally expelled therefrom in 1945 who must have their homes and homelands and the right to determine their sovereignty restored to them; and

(6) regarding the Oder-Neisse territories, it must insist that all of East Prussia, Pomerania, West Prussia, Silesia belong to the nine million East Germans expelled from them in 1945 in one of the greatest mass crimes in history, and must have their homes and homelands restored to them and their right to belong to Germany of which they were a part for many generations; and

That, in the Vietnam war, the U.S. should improve its psychological warfare and elevate its aims by declaring that it hopes not only to prevent the communist takeover of South Vietnam but also wants to liberate the North Vietnamese people from the tyranny of the communists and Ho Chi Minh and to reunite North and South Vietnam in freedom; and

That, in prosecuting the war, the Joint Chiefs of Staff should be entrusted with military strategy rather than politicians in Washington and civilians in the Pentagon; and

That, whatsoever modern weapons were thought right against Nazi Germany should also be thought right against communistic North Vietnam, including certainly those needed to dismantle the Harbor of Haiphong and to destroy all military and governmental installations in Hanoi; and

That, the persistent slandering and defamation of things German on radio, television and other communications media is offensive to Americans of German descent, tends to destroy the friendly relations between the American and the German people, allies in the Cold War, and is also a disgrace for a country which likes to pride itself on brotherhood and fair play, and absence of racial prejudice; and

That, that a German-American Anti-Defamation Council, not to repress just criticism of things German, but to protest slander and libel against things German and a distorted presentation of German faults or wartime crimes without a proper perspective in relation to Allied crimes, is urgently needed and deserves our encouragement and support; and

That, no publication or party in Germany or Austria should be slandered as Neo-Nazi merely because it is patriotically German and insists on an Atlantic Charter peace for Germany with all its implications, such as, reunification, return of all German territory, rejection of collective guilt charges, discontinuance of unilateral war crimes trials, termination of indemnities to victims of Nazism unless the German victims of Morganthauism and Bolshevism are similarly indemnified, and the release of men like Rudolf Hess and Major Walter Reder; and

That, the U.S. Constitution must be so interpreted or if necessary so amended that public prayer will not be forbidden but subversion, pornography, rioting and crime will not only be forbidden but will also be punished so quickly and severely that order and decency will again prevail; and be it further

Resolved, That these resolutions, as adopted by the delegates to the National Convention of the Federation of Americans of German Descent, jointly with D.A.N.K., at North Bergen, New Jersey, March 9–10, 1968, be transmitted to the President of the United States, the Secretary of State, the Chairman of the Committee on Foreign Relations of the United States Senate, and to whom ever else in public life and the press it may and should concern.

Gertrude J. B. Barron, Editor, Voice of the Federation; Chas. F. Gerhard, Legal Council, Federation; Edmund F. Eckhardt, Business Manager of Federation; Prof. Austin J. App, Ph.D., Chairman, Resolutions Committee; Robert Brueckner, President of the Federation; Frederick J. Adam, First Vice-President of the Federation; Walther A. Kallacks, President of DANK; John Hebeling, First Vice-President of DANK.

THE POLICY AND AIMS OF THE FEDERATION TO ALL AMERICAN CITIZENS OF GERMAN DESCENT

The Federation of American Citizens of German Descent, Inc., a nationwide organization, founded in 1945, aims to secure proper recognition and effective representation for the large and loyal American citizen group of German descent.

The Federation is a civic and educational organization. Its many branches hold monthly meetings and sponsor programs to foster good citizenship and to provide our children with an opportunity to learn about the beauty and dignity of their German heritage.

The Federation invites our young people to participate in the affairs of our group. Our varied activities provide ample opportunities for organizational work, writing for our monthly publication, and engaging in our social programs.

The Federation feels that in order to preserve the principles of our Republic, it is absolutely essential that all American citizens, regardless of national origin, participate fully in the public life of their communities.

The Federation functions to cement the existing bonds of friendship between the American and the German people. Because, living in a time when the very survival of the world is endangered, it is imperative that all ethnic groups use their ties to their former homelands to bring about a true brotherhood of man through a better understanding between nations.

The Federation encourages the teaching of the German language in our schools. Also it hopes ~~to~~ achieve a wider appreciation of the ~~extensive~~ contributions that Americans of German ancestry have made to the American Way of Life, both past and present.

The Federation is doing everything in its power to halt the malicious and ill-considered defamation of the character of the German people.

The Federation calls for the return to the German people of all territories taken from them in violation of the basic principles of self-determination that were formulated by President Wilson in his Fourteen Points, and by President Roosevelt and Prime Minister Churchill in the Atlantic Charter. The last was signed by twenty-seven nations, including the Soviet Union. It is a historical fact that with the stroke of a pen 15 million Germans were made homeless and penniless. These people have the right to return to their ancestral homelands.

The Federation calls for free elections in all nations presently behind the Iron Curtain, so that they may return to the community of free nations with a truly representative government of their own.

The Federation prints its monthly paper "The Voice of the Federation" which is designed to analyze current events and give voice to German-American opinion.

The Federation will cooperate sympathetically and wholeheartedly with all civic, social and cultural organizations that obey the laws of God and Country, and respect the Constitution of the United States of America.

The Federation stands for a way of life that is fundamental to all free peoples.

Your help is needed! Join now!

Mail your Application to: 59–17 Palmetto Street, Brooklyn, N.Y. 11227.

DANK—DEUTSCH-AMERIKANISCHER NATIONAL KONGRESS (GERMAN-AMERICAN NATIONAL CONGRESS)

Our foremost aim is to make all German-Americans aware of their civic duties, responsibilities, and privilege. To give the proper representation due to our large and fine citizen group we need the endorsement and the support of all German American societies, organizations, and clubs. D.A.N.K. is a nation-wide organization with 31 branches and members in 47 States.

We wish the Federation and all friends good luck for the German American Day 1968.

DANK Headquarters: 4718 N. Lincoln Ave., Chicago, Ill. 60625.

PROCLAMATION

"Whereas the sixteenth annual German-American Day Festival will be held in North Bergen, New Jersey on June 9, 1968; and

"Whereas, this year's festival honors the Honorable John R. Rarick, Congressman of Louisiana and an outstanding American of German Descent; and

"Whereas, New Jersey has been fortunate to have so many German-American citizens;

"Now, therefore, I, Richard J. Hughes, Governor of the State of New Jersey, do hereby proclaim Sunday, June 9, 1968 as German-American Day in New Jersey, requesting appropriate observance of this anniversary by our schools, churches, civic and patriotic organizations and by the public generally and urging all citizens to become better acquainted with the contributions, past and present, of American citizens of German descent."

Given, under my hand and the Great Seal of the State of New Jersey, this twenty-first day of May in the year of Our Lord one thousand nine hundred and sixty-eight and in the Independence of the United States the one hundred and ninety-first.

RICHARD J. HUGHES,
Governor.

By the Governor:

ROBERT J. BURKHARDT,
Secretary of State.

[From the New Approach, March 1968]

THE TIME: 5 MINUTES TO 12—EUROPE AT THE CROSSROADS

It seems that the West German interpretation of the policy of "relaxation of tensions" became a dialogue between Bonn and Moscow, with the unmistakable direction to end in a new kind of a Rapallo.

On April 16, 1922, a German delegation under the leadership of Walter Rathenau met secretly with a Soviet delegation to prepare an arrangement which later became known as the famous Rapallo agreement. In January, 1968, West German Foreign Minister Brandt participated in a commemoration for Walter Rathenau, held at the strong point of the new left movement—the "free University in West Berlin". Foreign Minister Brandt appealed to the Soviet Union to understand the German plea to better German-Soviet relations. He appealed to the Soviet leaders to recognize the vital national interests of the Germans. He offered a declaration "never to use force in the pursuit of settlement of disputed border questions". Simultaneously, he directed some marginal remarks to the political leaders of the West, trying to assure them that he has not another Rapallo in mind.

Let us now examine the voices of the new German "left" as well as the voices of the "right" radical movement now gaining strength all over Germany. Unmistakably, both are trying to convince the Soviet Union of their genuine intentions not to interfere with Soviet interests throughout East Central Europe. Their publications are full of repetitious statements, assuring the Soviet Union of the willingness to cooperate in any field. Their leaders quite often declare that it is time to end the war of ideas.

A knowledgable observer will note that the S.P.D. partners of the great coalition government in West Germany are spearheading the so-called policy of "relaxation of tensions", which deserves a critical scrutiny if we do not want to agree with the statement of frustrated anti-Communist leaders who call this policy the "new left deal" to sell out Europe.

The arguments of the freedom conscious leaders of Europe are as follows:

(a) The extremists of the "right", supposedly also financed by East European circles, do favor a direct cooperation with the Soviet Union, furthering chauvenistic nationalistic goals remarkably similar to those of the Nazi era.

(b) The "new left" in West Germany, organized in many Communist front organizations, endorses the policy of Soviet domination of Europe, promoting and enforcing a dialogue between Marxist and Western ideas. West German democratic circles not only engage in such a dialogue, giving the "left" extremists recognition and credibility, but also promote the leftist view, extensively offering time on West German radio and television stations. The democratic press seems to go along with this policy, calling for German-Soviet friendship and within it, for a solution to German reunification.

(c) A number of West German government-sponsored institutions and foundations seem to employ specialists and political analysts who all in chorus demand the solution to the German problem in cooperation with Moscow itself.

(d) Polish-German, Czech-German, Hungarian-German, Rumanian-German . . . reconciliation movements are directed in such a way as not to disturb a possible Soviet-West German direct arrangement. East European political analysts are of the opinion that the present course of the German interpretation of the "relaxation of tensions" policy is using the leverage of economic and political European cooperation for the benefit of a future Soviet-German-European deal.

(e) the division of Europe, the result of the three unfortunate agreements of Yalta, Teheran and Potsdam, finds its continuation in its presently attempted Soviet-German detente and is paving the road for a permanent subjugation by the Soviet Union of all East Central European people.

(f) The recent disclosures by Arthur Schlesinger, Jr. (see February, 1968 issue of "The New Approach") confirm that some American political circles endorse the political direction taken up by the S.P.D. coalition partners in West Germany. They prove without any doubt, that this school of thought, responsible for the Three Monstrous Tombstones of Freedom (Yalta-Teheran-Potsdam) do continue their influence in European affairs, endangering fundamental and basic interests of the United States and freedom.

(g) Arthur Schlesinger, Jr., stated in his article ("Foreign Affairs—1966") that East Central Europe should belong to the complete influence sphere of the Soviet Union without any interference on the part of U.S. policy towards Europe. It seems to be a natural consequence that now the policy of "relaxation of tensions", according to the interpretation of those political centers, opens all of Western Europe for Soviet control and domination.

(h) The recent "Berlin dialogue" concerning a possible change of status of West Berlin should be ascertained as the first test project to implement Soviet control and pave the way for other Soviet concepts within the so-called European security arrangement involving all of Europe.

(i) West Germany's coalition partner, S.P.D. Minister Karl Schiller, calls for the building of bridges to close ideological gaps in Europe. The Minister of Economics emphasizes that human problems, insufficient housing, hunger . . . take precedence over ideological differences. He calls for dismantling East-West tensions in divided Berlin, divided Germany and divided Europe. His statements, publicized by West German official press releases, ascertain "a full backing by Washington and Paris".

Let us quote some of his interesting statements: "The American government has constantly encouraged the German Federal Government to continue its policy of detente and improvement of relations with the East European states, including the Soviet Union"—"The Federal Republic of Germany has a mixed—private and public economy. It shows that German businessmen have no reluctance to invest capital and know-how in other lands that also have mixed (or in some cases state run) economies—assuming only that the investment enjoys the universally customary protections of law. German enterprises are open-minded about serving mixed economies abroad.

Professor Schiller expressed the hope that developing nations would "try more and more to accept mixed systems of public and private financing". For knowledgeable observers with experience, such a way is the beginning step to a complete socialized economy. It opens and creates attractive possibilities for Soviet-German economic cooperation. Since the Soviet interests in East Central Europe are secure, confronted with the appeasement policy of the West and now the German policy of detente, the freedom-loving people of the enslaved nations have no other choice but to join the Soviet-European concept. This confirms the statements of Arthur Schlesinger who brutally put aside any freedom aspirations of the now enslaved people and countries behind the iron curtain.

(j) In addition to these facts, a growing number of German-Rapallo-oriented political "wheeler-dealers" are busy preparing the psychological approach to accept a state control over business, industry and politics.

All the above mentioned arguments and points of view of our European friends can be concluded with the following statement: Are you as Americans willing to tolerate that freedom and self-determination of all European people are being sold out before your eyes? Are you not aware that every genuine attempt to reconcile European peoples in peace and freedom is being hampered?

From our own research since 1966, we experienced a tremendous pressure to abandon any genuine Polish-German reconciliation work. We were told that a Polish-German reconciliation hampers arrangements with the Communist government. We were made to understand that the fight for freedom and conciliation of people in Europe, in partnership with the U.S.A., does create political misunderstandings and that we should stop our work, accepting the "inevitable" as Soviet control of East Central Europe and a future Soviet concept of European unification.

It is five minutes to twelve! We know that the overwhelming majority of Europeans continuously wish for a European solution in freedom and in partnership with the United States of America. We know that millions of refugees and expellees do hope for a rebirth of the "old" European idea which had its beginning with the U.S. Marshall Plan and did not have a chance to devlop in full capacity, moving towards economical and political integration, based on the principles of Western civilization. The people of Europe and their freedom aspirations are again neglected, deceived and are dangerously being led on the path to disaster.

The Right to Represent

A furious controversy has erupted between Polish language newspapers in Chicago and Polish regime-oriented publications in Detroit, Michigan. The reason for the controversy is a recent announcement by a group of Polish exiled politicians in Chicago to call for a Polish-German dialogue to iron out Polish-German differences, striving for an understanding based on a recognition of the Oder-Neisse Line.

The regime-sponsored publications opened a campaign against the Chicago exiled politicians, accusing them of being "stooges" of Bonn.

The so-called dialogue involves the disputed question of the Oder-Neisse territory. Since the U.S. Government does not recognize the Oder-Neisse demarkation line as a permanent border line between Germany and Poland, it is obvious that both groups at odds are not in line with the U.S. foreign policy assessment.

For us directly involved, it is a "dialogue" between the thief and the fence. As loyal American citizens who own individual property in the disputed areas, and in organized groups do own the villages, towns and cities, it is time to make American public opinion aware that both groups have no right to discuss those issues against the will of the people involved. As bonafide representatives of Polish-German-Jewish natives of these disputed territories, we as American citizens claim the legal and moral right to be the only representatives who could and would bring about a genuine solution to this problem.

What Others Say—Sixth Switch for Germany

(By Henry J. Taylor)

New Foreign Minister Willy Brandt, a man of tantalizingly tentative convictions, ticked off five recollections among European liberals and historians when he paid West Germany's first official call on the Communist government in East Berlin.

When you see and talk with him, Brandt's bland personality reminds you of a magician who comes on the stage without tables or props. Just a handkerchief hidden in his hand. Then for 20 minutes he keeps pulling unexpected things out of it.

Brandt left Germany during the war and, under an alias, fought in Norway against his fellow-countrymen. And now he seems to be spearhead of a pro-Eastern group in Bonn's new coalition government.

There has always been in German history a visible tendency to seesaw between West and East. Looking down the road, the worrisome question is: Are we in for the Sixth Switch?

The five recollections begin with Frederick the Great, whose ally was Great Britain.

1762. The Prussian ruler served up Princess Sophia (later Catherine the Great) in marriage to Russian Grand Duke Peter. Frederick's diplomatic intrigue failed, and his own aggression led to the Seven Years' War (1756–63).

Frederick was facing certain defeat by the Russian, French, Austrian, Swedish and Saxon coalition. Peter succeeded to the Kremlin throne, however, in 1762. Russia's armies already occupied Berlin, but Frederick made a secret pact with him. Peter commanded Russia's forces to quit the coalition and fight on the side of Prussia. Prussia switched the solidarity with Britain into a long-term Prussian-Russian alliance that excluded England and bore German fruit in the first partition of Poland.

1887. Chancellor Otto von Bismarck always saw Germany's security requirement as being in the East. He made allegiance with Russia his guiding principle. And he regarded his secret "reinsurance treaty" with Moscow, which made Germany secure in the East, his greatest coup.

Building on this base and on the creation of German military power, his program of "Weltpolitik" intimidated France and Italy, threatened the British-American Atlantic interests and set the stage for World War I.

1922. At the Rapallo Conference a war-weary continent was more truly ready, and justifiably hopeful, for a solid peace than ever in our century. After the Bolshevik revolution Allied troops stayed in Russia until September, 1920. Until Rapallo the Allies, their enemies and Bolshevik Russia had never convened. But Reichswehr Minister-General Hans von Seeckt had made a secret deal.

The German delegation at Rapallo literally vanished one evening for a mere three hours. At a nearby hotel, and in a complete somersault, Germany signed a separate and conference-demolishing treaty with Russia that rocked the Western world on Easter Sunday, 1922.

1926. Chancellor Gustav Stresemann confirmed for Germany a British statesman's classic remark that England has no permanent alliances, only permanent interests.

Although famous as a friend of the West, Stresemann suddenly signed a pact with the U. S. S. R. which, in effect, reinstated the Bismarckian conviction.

1939. Hitler shook hands with Stalin. The Nuremberg trials reveal that Hitler's August 14 telegram to Stalin (No. 175) read: "Ideological contradictions have been the sole reason we stood opposed . . . There exist no real conflicts of interest." The evidence is indisputable that throughout the two years until the very hour on Sunday, September 22, 1941, that Germany invaded Russia, Stalin was insisting within the Kremlin that Hitler's intentions toward Russia could be trusted.

Hitler played it very cozy. In fact, a trainload of rubber Stalin bought in Malaya for Germany passed into Germany through Russia only a few hours before Hitler struck.

Willy Brandt? These five recollections certainly do not constitute a forecast of a Sixth Switch. Situations tend to master men rather than men master situations. The future will depend on situations that are utterly indiscernible now.

It is not even true that like calls to like. Our two largest allies in World War II are today our two largest enemies: Russia and China. And we are depending on our three erstwhile enemies to be our military friends: Germany, Italy and Japan.

But seen in this perspective, history does appear as a cemetery of opportunistic ideas—as a storehouse of deceits whose appeal has never been stripped away.

BIGOTRY IN PERSPECTIVE

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1968

Mr. BUCHANAN. Mr. Speaker, in recent years we have heard the term "bigot" to a greater degree than ever before. That there are bigots cannot be denied. But bigotry, like a two-edged sword, can cut in either direction.

I was impressed by a column written by Morrie Ryskind, Pulitzer Prize-winning playwright, which appeared in the Birmingham News on June 6, 1968.

The column follows and I commend it to my colleagues:

Black Power and Bigotry

(By Morrie Ryskind)

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Toms."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ballplayer, who earned his place by his ability, and not because someone came around with a quota list and demanded he play center field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

ONE WHO HELPED

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Mr. Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—anymore than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible non-violent arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is gentile.

GREGORY'S LINE

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, baby! Do you realize how long it would have taken through peaceful channels to get 6000 black folk hired and through those tests?"

Obviously, those 6000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from that same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declares, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

SENATE—*Wednesday, June 12, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace, among Thy manifold gifts to us we rejoice in the sacrament of human friendship and in those who love us and trust us.

Open our eyes, we pray, to simple beauty all around us lest we miss the splendor that is in the commonplace. Open our hearts to the virtues and nobility that even comrades by our side often hide from us, because, alas, we do not try enough to understand them.

Strengthen and refresh us that we may seek Thee eagerly, find Thee surely, and serve Thee faithfully. Keep us at tasks too hard for us that constantly we may be driven to Thee for strength. Set our eyes on far-off goals many of which cannot be reached in our day. Even amid the contentions and confusions of these days keep steady our feet by the assurance that Thou, our God, hast the whole world in Thy hands and that even the gates of hell cannot revoke Thy decree, "Behold I make all things new."

We ask it in the Name that is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, June 11, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the President pro tempore:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

HOUSE BILL REFERRED

The bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from Maryland [Mr. Tydings].

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield to me briefly?

Mr. TYDINGS. I am happy to yield to the distinguished majority leader.

ORDER FOR RECOGNITION OF SENATOR THURMOND

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from South Carolina [Mr. Thurmond] be allowed to proceed for 20 minutes after the conclusion of the remarks by the distinguished Senator from Maryland [Mr. Tydings], in lieu of the time previously allocated to the distinguished Senator from Pennsylvania [Mr. Scott].

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the disposition of the Journal tomorrow, the distinguished Senator from Arizona [Mr. Fannin] be allowed to proceed for 30 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR AIKEN SPEAKS ON LAWLESSNESS

Mr. MANSFIELD. Mr. President, a most interesting and worthwhile article appeared in the U.S. News & World Report of June 17, 1968, headed "A Leading Senator Says Law and Order Must Be Restored." The questions were asked of the dean of the Republicans, the sage of the Senate, the senior Senator from Vermont [Mr. Aiken]. The questions were pertinent; the answers were straightforward and to the point.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Leading Senator Says Law and Order Must Be Restored

(Why is there now more lawlessness in the U.S., a growing disrespect for law and order? Is there any cure?

(A New England Senator—Republican George Aiken of Vermont—long a respected voice in Congress in debates on legal and moral issues, has some answers. Senator Aiken spells them out in this interview with "U.S. News & World Report.")

Question. Senator Aiken, is the No. 1 problem before this country the enforcement of law and order?

Answer. I feel that it is, because foreign affairs cannot be handled properly unless law and order are restored in the United States itself.

Question. And what will this call for?

Answer. It calls primarily for enforcement of existing laws on the federal, State and local levels. We have laws enough to control those activities that ought not to be allowed to exist.

Question. Has any one branch of Government been more lax in enforcing laws than another?

Answer. There is a feeling over the country that the courts have been all too lenient with criminals. In many cases I think that they have.

That does not apply to all courts, however. It probably applies to only a small proportion of them, but the result has aroused much political feeling.

Question. Does crime, when not punished severely, tend to be contagious?

Answer. If any group or any individual is permitted to engage in lawlessness, then others are bound to say: "If they can do it, why can't the rest of us do it?"

Lawlessness tends to be very contagious. Only a small percentage of people in Washington condoned rioting this spring, but, once it started, people ordinarily law-abiding joined in.

Question. How far back does this trouble go? Does it start in the home?

Answer. I think there is less attention to very young people in the home than there used to be. That's partly due to the fact that we've had more working mothers in the last few years.

The home is where discipline and respect for law should start.

Question. Lawlessness can spring, then, from a breakdown in the family unit—

Answer. Yes. I think that what is happening is a natural sequence to breaking up the family—perhaps the wife working in one place, the husband working in another, and the children not being properly looked after.

Question. Is it time now to call a halt to tolerance of crime?

Answer. Now is a little too late. This wave of lawlessness started some time ago. But action is better late than never. This wave of sympathy for criminals, giving them all the breaks, has been more prevalent in the last few years.

Question. Is the need for more money?

Answer. Money alone cannot do this. Money, though, is important. So is legislation. But legislation and money must be backed by public opinion and public willingness to support law enforcement.

Question. Firmer punishment, more certain punishment—

Answer. Fewer releases on technicalities of the criminal element, because in almost every case the criminal then goes out and commits another crime.

Answer. Are you saying that there is need for a change of attitude on the part both of people and of authorities?

Answer. Yes. And there has been too much tendency on the part of the public to look to government to solve all their problems—including their morals. You see that in telegrams and letters urging us to pass laws. Many of these people do not even know to what laws they are referring. But they feel that, if only Congress will pass a law, their troubles will be over.

They could not be further from the truth.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL TRADE COMMISSION

The bill clerk read the nomination of A. Everette MacIntyre, of Virginia, to be a member of the Federal Trade Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION AND COAST GUARD

The bill clerk proceeded to read sundry nominations in the Environmental Science Service Administration and the Coast Guard, which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare; and

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1156 and the succeeding measures in sequence.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Without objection, it is so ordered.

CORRECTION OF CANAL ZONE CODE

The bill (H.R. 13439) to correct and improve the Canal Zone Code, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1177), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to correct typographical errors in the text, headings, and section analyses of the Canal Zone Code, which was enacted in 1962, and to amend the listing in title 18 of the United States Code of the sections that are applicable to the Canal Zone to include additional sections of the Conflict-of-Interest Act.

STATEMENT

This legislation is recommended by the Panama Canal Company.

The Canal Zone Code was completely revised in 1962 and became law by Public Law 87-845. Subsequent to its enactment, it appeared that there were a number of errors therein, chiefly typographical.

The section-by-section analysis of the changes is attached hereto.

The House committee considered the legislation and examined the changes and believes that enactment of this legislation will be helpful in clarifying the intent of a number of sections of the code and, accordingly, recommends its enactment.

GREAT LAKES BASIN COMPACT

The bill (S. 660) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Subsequently, the following proceedings were had on this bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1157, S. 660.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 660) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "given," insert "to the extent and"; in line 4, after the word "to" where it appears the first time, insert "the"; on page 14, after line 7, strike out:

Sec. 2. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treatymaking power or any other power or right of the United States. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which shall cooperate with the agencies of the United States and shall report annually to the Congress and to the President or to any official designated by the President. The consent herein granted does not extend to paragraph B of article II or to paragraphs J and M of article VI of the compact; and consent is granted with respect to paragraph L of article VI of the compact subject to the following conditions: (1) cooperation shall be extended to and carried on with the Government of Canada or any of its subdivisions only through or with the approval of the Department of State; (2) cooperation with an international commission or agency having jurisdiction in the basin shall be extended only through or with the approval of the Department of State; and (3) proposals to

ONE WHO HELPED

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Mr. Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—anymore than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible non-violent arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is gentile.

GREGORY'S LINE

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year: "Henry Ford hired 6000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, baby! Do you realize how long it would have taken through peaceful channels to get 6000 black folk hired and through those tests?"

Obviously, those 6000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from that same speech: "We just got an insane law to say you can't burn an American flag. I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declares, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

SENATE—*Wednesday, June 12, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace, among Thy manifold gifts to us we rejoice in the sacrament of human friendship and in those who love us and trust us.

Open our eyes, we pray, to simple beauty all around us lest we miss the splendor that is in the commonplace. Open our hearts to the virtues and nobility that even comrades by our side often hide from us, because, alas, we do not try enough to understand them.

Strengthen and refresh us that we may seek Thee eagerly, find Thee surely, and serve Thee faithfully. Keep us at tasks too hard for us that constantly we may be driven to Thee for strength. Set our eyes on far-off goals many of which cannot be reached in our day. Even amid the contentions and confusions of these days keep steady our feet by the assurance that Thou, our God, hast the whole world in Thy hands and that even the gates of hell cannot revoke Thy decree, "Behold I make all things new."

We ask it in the Name that is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, June 11, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the President pro tempore:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

HOUSE BILL REFERRED

The bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from Maryland [Mr. TYDINGS].

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield to me briefly?

Mr. TYDINGS. I am happy to yield to the distinguished majority leader.

ORDER FOR RECOGNITION OF SENATOR THURMOND

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from South Carolina [Mr. THURMOND] be allowed to proceed for 20 minutes after the conclusion of the remarks by the distinguished Senator from Maryland [Mr. TYDINGS], in lieu of the time previously allocated to the distinguished Senator from Pennsylvania [Mr. SCOTT].

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the disposition of the Journal tomorrow, the distinguished Senator from Arizona [Mr. FANNIN] be allowed to proceed for 30 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR AIKEN SPEAKS ON LAWLESSNESS

Mr. MANSFIELD. Mr. President, a most interesting and worthwhile article appeared in the U.S. News & World Report of June 17, 1968, headed "A Leading Senator Says Law and Order Must Be Restored." The questions were asked of the dean of the Republicans, the sage of the Senate, the senior Senator from Vermont [Mr. AIKEN]. The questions were pertinent; the answers were straightforward and to the point.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LEADING SENATOR SAYS LAW AND ORDER MUST BE RESTORED

(Why is there now more lawlessness in the U.S., a growing disrespect for law and order? Is there any cure?

(A New England Senator—Republican George Aiken of Vermont—long a respected voice in Congress in debates on legal and moral issues, has some answers. Senator Aiken spells them out in this interview with "U.S. News & World Report.")

Question. Senator Aiken, is the No. 1 problem before this country the enforcement of law and order?

Answer. I feel that it is, because foreign affairs cannot be handled properly unless law and order are restored in the United States itself.

Question. And what will this call for?

Answer. It calls primarily for enforcement of existing laws on the federal, State and local levels. We have laws enough to control those activities that ought not to be allowed to exist.

Question. Has any one branch of Government been more lax in enforcing laws than another?

Answer. There is a feeling over the country that the courts have been all too lenient with criminals. In many cases I think that they have.

That does not apply to all courts, however. It probably applies to only a small proportion of them, but the result has aroused much political feeling.

Question. Does crime, when not punished severely, tend to be contagious?

Answer. If any group or any individual is permitted to engage in lawlessness, then others are bound to say: "If they can do it, why can't the rest of us do it?"

Lawlessness tends to be very contagious. Only a small percentage of people in Washington condoned rioting this spring, but, once it started, people ordinarily law-abiding joined in.

Question. How far back does this trouble go? Does it start in the home?

Answer. I think there is less attention to very young people in the home than there used to be. That's partly due to the fact that we've had more working mothers in the last few years.

The home is where discipline and respect for law should start.

Question. Lawlessness can spring, then, from a breakdown in the family unit—

Answer. Yes. I think that what is happening is a natural sequence to breaking up the family—perhaps the wife working in one place, the husband working in another, and the children not being properly looked after.

Question. Is it time now to call a halt to tolerance of crime?

Answer. Now is a little too late. This wave of lawlessness started some time ago. But action is better late than never. This wave of sympathy for criminals, giving them all the breaks, has been more prevalent in the last few years.

Question. Is the need for more money?

Answer. Money alone cannot do this. Money, though, is important. So is legislation.

But legislation and money must be backed by public opinion and public willingness to support law enforcement.

Question. Firmer punishment, more certain punishment—

Answer. Fewer releases on technicalities of the criminal element, because in almost every case the criminal then goes out and commits another crime.

Answer. Are you saying that there is need for a change of attitude on the part both of people and of authorities?

Answer. Yes. And there has been too much tendency on the part of the public to look to government to solve all their problems—including their morals. You see that in telegrams and letters urging us to pass laws. Many of these people do not even know to what laws they are referring. But they feel that, if only Congress will pass a law, their troubles will be over.

They could not be further from the truth.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL TRADE COMMISSION

The bill clerk read the nomination of A. Everette MacIntyre, of Virginia, to be a member of the Federal Trade Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION AND COAST GUARD

The bill clerk proceeded to read sundry nominations in the Environmental Science Service Administration and the Coast Guard, which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare; and

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1156 and the succeeding measures in sequence.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Without objection, it is so ordered.

CORRECTION OF CANAL ZONE CODE

The bill (H.R. 13439) to correct and improve the Canal Zone Code, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1177), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to correct typographical errors in the text, headings, and section analyses of the Canal Zone Code, which was enacted in 1962, and to amend the listing in title 18 of the United States Code of the sections that are applicable to the Canal Zone to include additional sections of the Conflict-of-Interest Act.

STATEMENT

This legislation is recommended by the Panama Canal Company.

The Canal Zone Code was completely revised in 1962 and became law by Public Law 87-845. Subsequent to its enactment, it appeared that there were a number of errors therein, chiefly typographical.

The section-by-section analysis of the changes is attached hereto.

The House committee considered the legislation and examined the changes and believes that enactment of this legislation will be helpful in clarifying the intent of a number of sections of the code and, accordingly, recommends its enactment.

GREAT LAKES BASIN COMPACT

The bill (S. 660) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Subsequently, the following proceedings were had on this bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1157, S. 660.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 660) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "given," insert "to the extent and"; in line 4, after the word "to" where it appears the first time, insert "the"; on page 14, after line 7, strike out:

SEC. 2. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treatymaking power or any other power or right of the United States. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which shall cooperate with the agencies of the United States and shall report annually to the Congress and to the President or to any official designated by the President. The consent herein granted does not extend to paragraph B of article II or to paragraphs J and M of article VI of the compact; and consent is granted with respect to paragraph L of article VI of the compact subject to the following conditions: (1) cooperation shall be extended to and carried on with the Government of Canada or any of its subdivisions only through or with the approval of the Department of State; (2) cooperation with an international commission or agency having jurisdiction in the basin shall be extended only through or with the approval of the Department of State; and (3) proposals to any such international commission or agency shall be submitted only through the Department of State. The consent herein granted is on condition the recommendations under article VI, paragraphs B, G, and J, shall not be made to any foreign government or subdivision thereof and that recommendations to international bodies or agencies shall be made through the Department of State.

SEC. 3. Nothing in this Act shall be construed to limit in any way or to indicate any intention of Congress to either limit or sanction in any way other relations, working arrangements, or agreements of the participating states with each other or with the Provinces of Ontario and Quebec. The effect of this Act shall be limited solely to the functions and procedures of the Great Lakes Commission.

And, in lieu thereof, insert:

SEC. 2. The consent herein granted does not extend to paragraph B of article II or to paragraphs J, K, and M of article VI of the compact, or to other provisions of article VI of the compact which purport to authorize recommendations to, or cooperation with, any foreign or international governments, political subdivisions, agencies or bodies. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which will cooperate with the agencies of the United States. It shall furnish to the Congress and to the President, or to any official designated by the President, copies of its reports submitted to the party states pursuant to paragraph O of article IV of the compact.

SEC. 3. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of the Great Lakes Basin Committee established under title II of the Water Resources Planning Act, or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treatymaking power or any other power or right of the United States.

So as to make the bill read:

S. 660

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given, to the extent and subject to the conditions hereinafter set forth, to the Great Lakes Basin Compact which has been entered into by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin in the form as follows:

"GREAT LAKES BASIN COMPACT

"The party states solemnly agree:

"ARTICLE I

"The purposes of this compact are, through means of joint or cooperative action:

"1. To promote the orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin (hereinafter called the Basin).

"2. To plan for the welfare and development of the water resources of the Basin as a whole as well as for those portions of the Basin which may have problems of special concern.

"3. To make it possible for the states of the Basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time.

"4. To advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other legitimate uses of the water resources of the Basin.

"5. To establish and maintain an intergovernmental agency to the end that the purposes of this compact may be accomplished more effectively.

"ARTICLE II

"A. This compact shall enter into force and become effective and binding when it has been enacted by the legislatures of any four of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin and thereafter shall enter into force and become effective and binding as to any other of said states when enacted by the legislature thereof.

"B. The Province of Ontario and the Province of Quebec, or either of them, may become states party to this compact by taking such action as their laws and the laws of the Government of Canada may prescribe for adherence thereto. For the purpose of this compact the word 'state' shall be construed to include a Province of Canada.

"ARTICLE III

"The Great Lakes Commission created by Article IV of this compact shall exercise its powers and perform its functions in respect to the Basin which, for the purposes of this compact, shall consist of so much of the following as may be within the party states:

"1. Lakes Erie, Huron, Michigan, Ontario, St. Clair, Superior, and the St. Lawrence River, together with any and all natural or man-made water interconnections between or among them.

"2. All rivers, ponds, lakes, streams, and other watercourses which, in their natural state or in their prevailing conditions, are tributary to Lakes Erie, Huron, Michigan, Ontario, St. Clair, and Superior or any of them or which comprise part of any watershed draining into any of said lakes.

"ARTICLE IV

"A. There is hereby created an agency of the party states to be known as The Great Lakes Commission (hereinafter called the Commission). In that name the Commission may sue and be sued, acquire, hold and convey real and personal property and any interest therein. The Commission shall have a seal with the words 'The Great Lakes Commission' and such other design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Transactions involving real or personal property shall conform to the laws of the state in which the property is located, and the Commission may by by-laws provide for the execution and acknowledgement of all instruments in its behalf.

"B. The Commission shall be composed of not less than three commissioners nor more than five commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law.

"C. Each state delegation shall be entitled to three votes in the Commission. The presence of commissioners from a majority of the party states shall constitute a quorum for the transaction of business at any meeting of the Commission. Actions of the Commission shall be by a majority of the votes cast except that any recommendations made pursuant to Article VI of this compact shall require an affirmative vote of not less than a majority of the votes cast from each of a majority of the states present and voting.

"D. The commissioners of any two or more party states may meet separately to consider problems of particular interest to their states, but no action taken at any such meeting shall be deemed an action of the Commission unless and until the Commission shall specifically approve the same.

"E. In the absence of any commissioner, his vote may be cast by another representative or commissioner of his state provided that said commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"F. The Commission shall elect annually from among its members a chairman and vice-chairman. The Commission shall appoint an Executive Director who shall also act as secretary-treasurer, and who shall be bonded in such amount as the Commission may require. The Executive Director shall serve at the pleasure of the Commission and at such compensation and under such terms and conditions as may be fixed by it. The Executive Director shall be custodian of the records of the Commission with authority to affix the Commission's official seal and to attest to and certify such records or copies thereof.

"G. The Executive Director, subject to the approval of the Commission in such cases as its by-laws may provide, shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions. Subject to the aforesaid approval, the Executive Director may fix their compensation, define their duties, and require bonds of such of them as the Commission may designate.

"H. The Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may borrow, accept, or contract for the services of personnel from any state or government or any subdivision or agency thereof, from any inter-governmental agency, or from any institution, person, firm or corporation; and may accept for any of the Commission's purposes and functions under this compact any and all donations, gifts, and grants of money, equipment, supplies, materials, and services from any state or government or any subdivision or agency thereof or inter-governmental agency or from any institution, person, firm or corporation and may receive and utilize the same.

"I. The Commission may establish and maintain one or more offices for the transacting of its business and for such purposes the Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may acquire, hold and dispose of real and personal property necessary to the performance of its functions.

"J. No tax levied or imposed by any party state or any political subdivision thereof shall be deemed to apply to property, transactions, or income of the Commission.

"K. The Commission may adopt, amend and rescind by-laws, rules and regulations for the conduct of its business.

"L. The organization meeting of the Commission shall be held within six months from the effective date of the compact.

"M. The Commission and its Executive Director shall make available to the party states any information within its possession and shall always provide free access to its records by duly authorized representatives of such party states.

"N. The Commission shall keep a written record of its meetings and proceedings and shall annually make a report thereof to be submitted to the duly designated official of each party state.

"O. The Commission shall make and transmit annually to the legislature and Governor of each party state a report covering the activities of the Commission for the preceding year and embodying such recommendations as may have been adopted by the Commission. The Commission may issue such additional reports as it may deem desirable.

"ARTICLE V

"A. The members of the Commission shall serve without compensation, but the expenses of each commissioner shall be met by the state which he represents in accordance with the law of that state. All other expenses incurred by the Commission in the course of exercising the powers conferred upon it by this compact, unless met in some other manner specifically provided by this compact, shall be paid by the Commission out of its own funds.

"B. The Commission shall submit to the executive head or designated officer of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

"C. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Detailed commission budgets shall be recommended by a majority of the votes cast, and the costs shall be allocated equitably among the party states in accordance with their respective interests.

"D. The Commission shall not pledge the credit of any party state. The Commission may meet any of its obligations in whole or in part with funds available to it under Article IV (H) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligations to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article IV (H) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party states adequate to meet the same.

"E. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under the by-laws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"F. The accounts of the Commission shall be open at any reasonable time for inspection by such agency, representative or representatives of the party states as may be duly constituted for that purpose and by others who may be authorized by the Commission.

"ARTICLE VI

"The Commission shall have power to:

"A. Collect, correlate, interpret, and report on data relating to the water resources and the use thereof in the Basin or any portion thereof.

"B. Recommend methods for the orderly, efficient, and balanced development, use and conservation of the water resources of the Basin or any portion thereof to the party states and to any other governments or agencies having interests in or jurisdiction over the Basin or any portion thereof.

"C. Consider the need for and desirability of public works and improvements relating to the water resources in the Basin or any portion thereof.

"D. Consider means of improving navigation and port facilities in the Basin or any portion thereof.

"E. Consider means of improving and maintaining the fisheries of the Basin or any portion thereof.

"F. Recommend policies relating to water resources including the institution and alteration of flood plain and other zoning laws, ordinances and regulations.

"G. Recommend uniform or other laws, ordinances, or regulations relating to the development, use and conservation of the Basin's water resources to the party states or any of them and to other governments, political subdivisions, agencies or inter-governmental bodies having interests in or jurisdiction sufficient to affect conditions in the Basin or any portion thereof.

"H. Consider and recommend amendments or agreements supplementary to this compact to the party states or any of them, and assist in the formulation and drafting of such amendments or supplementary agreements.

"I. Prepare and publish reports, bulletins, and publications appropriate to this work and fix reasonable sales prices therefor.

"J. With respect to the water resources of the Basin or any portion thereof, recommend agreements between the governments of the United States and Canada.

"K. Recommend mutual arrangements expressed by concurrent or reciprocal legislation on the part of Congress and the Parliament of Canada including but not limited to such agreements and mutual arrangements as are provided for by Article XIII of the Treaty of 1909 Relating to Boundary Waters and Questions Arising Between the United States and Canada. (Treaty Series, No. 548).

"L. Cooperate with the governments of the United States and of Canada, the party states and any public or private agencies or bodies having interests in or jurisdiction sufficient to affect the Basin or any portion thereof.

"M. At the request of the United States, or in the event that a Province shall be a party state, at the request of the Government of Canada, assist in the negotiation and formulation of any treaty or other mutual arrangement or agreement between the United States and Canada with reference to the Basin or any portion thereof.

"N. Make any recommendation and do all things necessary and proper to carry out the powers conferred upon the Commission by this compact, provided that no action of the Commission shall have the force of law in, or be binding upon, any party state.

"ARTICLE VII

"Each party state agrees to consider the action the Commission recommends in respect to:

"A. Stabilization of lake levels.

"B. Measures for combating pollution, beach erosion, floods and shore inundation.

"C. Uniformity in navigation regulations within the constitutional powers of the states.

"D. Proposed navigation aids and improvements.

"E. Uniformity or effective coordinating action in fishing laws and regulations and cooperative action to eradicate destructive and parasitical forces endangering the fisheries, wildlife and other water resources.

"F. Suitable hydroelectric power developments.

"G. Cooperative programs for control of soil and bank erosion for the general improvement of the Basin.

"H. Diversion of waters from and into the Basin.

"I. Other measures the Commission may recommend to the states pursuant to Article VI of this compact.

"ARTICLE VIII

"This compact shall continue in force and remain binding upon each party state until renounced by the act of the legislature of such state, in such form and manner as it may choose and as may be valid and effective to repeal a statute of said state, provided that such renunciation shall not become effective until six months after notice of such action shall have been officially communicated in writing to the executive head of the other party states.

"ARTICLE IX

"It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any state, agency, person or circumstance shall not be affected thereby, provided further that if this compact shall be held contrary to the constitution of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters."

SEC. 2. The consent herein granted does not extend to paragraph B of article II or to paragraphs J, K, and M of article VI of the compact, or to other provisions of article VI of the compact which purport to authorize recommendations to, or cooperation with, any foreign or international governments, political subdivisions, agencies or bodies. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which will cooperate with the agencies of the United States. It shall furnish to the Congress and to the President, or to any official designated by the President, copies of its reports submitted to the party states pursuant to paragraph O of article IV of the compact.

SEC. 3. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency, or officer of the United States Government or of the Great Lakes Basin Committee established under title II of the Water Resources Planning Act, or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treaty-making power or any other power or right of the United States.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1178), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF AMENDMENTS

The purpose of the amendments is to conform the bills to the suggestions received from interested governmental agencies as set forth in the attachments hereto.

PURPOSE

The purpose of the proposed legislation, as amended, is to grant the consent of Congress, with certain exceptions, to the creation of a Great Lakes Commission. The membership of the commission would comprise representatives of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. The commission's powers spelled out in article VI include gathering and publication of information, making recommendations with respect to "the orderly, efficient and balanced development, use and conservation of the water resources of the basin or any portion thereof;" considering the means of improving fisheries and navigation; recommending legislation to the parties to the compact and others; and cooperating with the United States and the State governments and other public bodies.

STATEMENT

Legislation of this nature has been before the Congress for a number of years and was the subject of hearings in the 84th and 85th Congresses. In the 84th Congress, on August

27, 29, and 30, 1956, hearings were held on S. 2688 before a subcommittee of the Foreign Relations Committee of the Senate. As a result of those hearings S. 1416 was introduced in the 85th Congress, reported by the Committee on the Judiciary of the Senate, and passed the Senate. The Senate, including the foregoing, has approved this legislation on two occasions.

On September 21, 1967, Senator Hart introduced a resolution, Senate Concurrent Resolution 45, which was intended to be substituted for S. 660 in reference to congressional consent. Thereafter, on February 7, 1968, representatives of the Great Lakes Commission and interested Government agencies met to discuss Senate Concurrent Resolution 45. At that meeting it was decided that the proper approach was by the way of S. 660, with suggested amendments. An amended bill was prepared and sent to all interested parties for their comments. The present draft of the bill is the result of those suggestions.

The compact, as proposed, has the following history:

The Great Lakes Basin compact was approved and ratified in 1955 by five of the eight Great Lakes States—Illinois, Indiana, Michigan, Minnesota, and Wisconsin. By 1963 the other three States—New York, Ohio, and Pennsylvania—had ratified the compact.

The Great Lakes Commission is the operating entity of the Great Lakes Basin compact, and is wholly supported by the eight member States. This commission has been operating as the advisory and recommendatory agency for the Great Lakes States on regional water resources for more than 11 years. The establishment of this compact and commission has been a pioneer effort in bringing about interstate cooperation and coordination. Indicative of the commission's interests in the whole spectrum of water resources matters are the fields of activity of its five standing committees, entitled, first, "Pollution Control"; second, "Water Resources"; third, "Fisheries and Wildlife"; fourth, "Shoreline Use and Recreation"; and, fifth, "Seaway Navigation, and Commerce." The commission keeps abreast of developments which affect the Great Lakes region, and initiates or responds to actions which occur or which need to be undertaken.

Throughout the past 11 years the commission, with headquarters in Ann Arbor, has been functioning in its advisory and recommendatory capacities, working on the regional approach to the wise use and conservation of the water and related land resources of the Great Lakes Basin. The commission has been a forerunner in recognizing regional problems and getting those problems into action channels before appropriate local, State, or Federal agencies. The commission has contributed significantly toward the recognition and solution of many of the regional water problems, and has been influential in bringing about the present intense effort of all concerned to assure the conservation of our water resources.

The eight States bordering the Great Lakes have recognized the diversity of conditions existing within the broad area of the Great Lakes Basin and the many possible uses and competition for use of the waters in the basin. To achieve the best and fullest use of this invaluable resource, these States have banded together in an interstate compact which has stimulated productive informal discussions of water matters among the States.

The Great Lakes Basin compact, within its role as a consultative and advising agent on water resources matters, has purposes encompassing a broad scope: First, to promote the orderly, integrated, and comprehensive development, use and conservation of the water resources of the Great Lakes Basin; second, to plan for the welfare and development of the water resources of the basin as a whole, as well as for those portions of the basin which may have problems of special concern; third, to make it possible for the States of the basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time; fourth, to advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, and other legitimate uses of the water resources of the basin; and fifth, to establish and maintain an intergovernmental agency to the end that the purposes of this compact may be accomplished more effectively.

The Congress and the Nation as a whole have historically favored the establishment of interstate compacts to assist in meeting the needs and solving the problems of interstate matters. The Constitution of the United States, article I, section 10, clause 3, provides that interstate compacts shall have the consent of Congress.

Senator Hart, in a statement made on the floor of the Senate, has indicated that all of the sponsors of this bill urge adoption by the Congress. It may be noted that in its service to the States the commission renders five important functions. These are (1) to serve as a clearinghouse of information pertaining to the development, use, and conservation of the water resources of the Great Lakes Basin; (2) to undertake, encourage, and assist studies and investigations of the water resources and their use in the Great Lakes Basin; (3) to assist in coordinating the viewpoints of the party States on matters relating to these water resources which require policy determination and execution at the Federal or international levels; (4) to assist, upon request, agencies of the party States and their subdivisions, which administer programs pertaining to the development, use, and conservation of water resources of the basin; and (5) to recommend such new programs, or changes in existing programs, for the development, use, and conservation of the water resources of the basin as may be in the interest of the party States.

To support this program each member State contributes $9,000 annually to the commission.

The bill has the bipartisan support of representatives of the member States in Congress and the support of the administration. In addition to giving consent to Congress to the compact, the bill specifies certain procedures and limitations.

The committee notes the fact that it has on two previous occasions passed legislation similar to S. 660, and believes that consent of the Congress should be given to this compact as was indicated by the former approvals. Since the meeting of February 7, 1968, it would appear that all of the objections which heretofore existed to giving consent to the compact have been resolved.

On the basis of all of the foregoing, the committee in its belief that the legislation is meritorious, recommends that the bill, S. 660, as amended, be considered favorably.

MAURITZ A. STERNER

The Senate proceeded to consider the bill (H.R. 3865) for the relief of Mauritz A. Sterner which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 5, after the word "of" strike out "$25,000" and insert "$50,000".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Subsequently the following proceedings were had on this bill:

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the action taken on Calendar No. 1158, H.R. 3865, an act for the relief of Mauritz A. Sterner, be rescinded and restored to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILL PASSED OVER

The bill (S. 1075) for the relief of Rivercliff Co., Inc., was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

COPYRIGHT PROTECTION

The joint resolution (S.J. Res. 172) extending the duration of copyright protection in certain cases was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 172

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87–668, by Public Law 89–142, or by Public Law 90–141 (or by all or certain of said laws), would expire prior to December 31, 1969, such term is hereby continued until December 31, 1969.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1181), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of this legislation is to continue until December 31, 1969, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as extended by Public Law 87–668, by Public Law 89–442, or Public Law 90–141 (or by all or certain said laws) where such term would otherwise expire prior to December 31, 1969. The joint resolution would provide an interim extension of the renewal term of copyrights pending the enactment by the Congress of a general revision of the copyright laws, including a proposed increase in the length of the copyright term. This resolution would be the fourth such interim extension of copyright. The third extension (Public Law 90–141) will expire on December 31, 1968.

This legislation merely provides for the prolongation of the renewal term of copyright and does not involve creation of a new term of copyright.

STATEMENT

This legislation arises from a study of the U.S. copyright system authorized by the Congress in 1955. After extensive preparatory work, copyright revision bills were introduced in both Houses during the 88th Congress and again in the 89th Congress. In the latter Congress, hearings were commenced on this legislation. At the start of the current Congress, copyright revision bills (S. 597 and H.R. 2512) were again introduced. The House of Representatives on April 11, 1967, passed an amended version of H.R. 2512. This committee's Subcommittee on Patents, Trademarks, and Copyrights has held 17 days of hearings on copyright law revision. These hearings have been concluded. Both the bill passed by the House of Representatives and

S. 597 would increase the copyright term of new works from 28 years, renewable for a second period of 28 years, to a term for the life of the author and for 50 years thereafter. They also provide for a substantial extension of the term of subsisting copyrights.

Because of difficulties which have arisen concerning certain provisions of the revision bill (not relating to the increase in copyright term), and the unavoidable delays resulting from litigation pending in the U.S. Supreme Court relating to the copyright liability of cable television systems, it is apparent that action on the revision bill cannot be completed before the expiration on December 31, 1968, of the temporary extension of copyright terms. In these circumstances, it seems desirable that the terms of expiring copyrights should be extended so that the copyright holders may enjoy the benefit of any increase in term that may be enacted by the Congress. It is the view of the committee that the same considerations that led to the enactment of the previous extensions warrant the approval of this joint resolution.

After a study of the joint resolution, the committee recommends that the legislation be favorably considered.

DR. JUAN DE MOYA

The bill (S. 2490) for the relief of Dr. Juan de Moya was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan de Moya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1182), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE A. SIERRA

The bill (S. 2516) for the relief of Dr. Jose A. Sierra was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose A. Sierra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 1, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1183), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE SALAZAR

The bill (S. 2517) for the relief of Dr. Jose Salazar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Salazar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 17, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1184), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. RAFAEL LUIS BEJAR ARIAS

The bill (S. 2559) for the relief of Dr. Rafael Luis Bejar Arias was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Luis Bejar Arias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 4, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1185), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ROBERTO GARCIA-RIVERA

The bill (S. 2587) for the relief of Dr. Roberto Garcia-Rivera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Roberto Garcia-Rivera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 3, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1186), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ALBERTO M. HERNANDEZ

The bill (S. 2599) for the relief of Dr. Alberto M. Hernandez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto M. Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1187), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE XIRAU

The bill (S. 2609) for the relief of Dr. Jose Xirau was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2609

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Jose Xirau shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 28, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1188), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. AURELIO JULIAN ANDRES JIMENEZ CORTINA

The bill (S. 2651) for the relief of Dr. Aurelio Julian Andres Jimenez Cortina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2651

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Aurelio Julian Andres Jimenez Cortina shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report

(No. 1189), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. CARLOS T. TOLEDO

The bill (S. 2698) for the relief of Dr. Carols T. Toledo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos T. Toledo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 24, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1190), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

PETER RUDOLF GROSS

The bill (S. 2724) for the relief of Peter Rudolf Gross was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Peter Rudolf Gross has resided in the United States and any State since his lawful admission for permanent residence on April 15, 1961, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act. In this case the petition for naturalization may be filed with any court having naturalization jurisdiction.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1191), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JACINTO FELIX DE LA PRESILLA-ELIAS

The bill (S. 2825) for the relief of Dr. Jacinto Felix de la Presilla-Elias was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jacinto Felix de la Presilla-Elias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 24, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1192), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. CARLOS JESUS AGUILAR LIMA

The bill (S. 2826) for the relief of Dr. Carlos Jesus Aguilar Lima was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos Jesus Anguilar Lima shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 14, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1193), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Doctor Carlos Jesus Aguilar Lima as of July 14, 1962, thus enabling him to file a petition for naturalization.

DR. ROGELIO J. BARATA

The bill (S. 2835) for the relief of Dr. Rogelio J. Barata (Rogelio Jose R. Barata y Rivero) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rogelio J. Barata (Rogelio Jose R. Barata y Rivero) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1194), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

ENRIQUE C. SANCHEZ

The bill (S. 2848) for the relief of Enrique C. Sanchez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Enrique C. Sanchez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1195), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

MARGARETE REINHOLD HALLETT

The bill (S. 2859) for the relief of Margarete Reinhold Hallett was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Margarete Reinhold Hallett shall be held and considered to be within the purview of section 319(a) of such Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1196), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization under the provisions of section 319(a) of the Immigration and Nationality Act notwithstanding the death of her U.S. citizen husband.

JAMES T. O'BRIEN

The bill (S. 2897) for the relief of James T. O'Brien was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, James T. O'Brien shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 30, 1927, upon payment of the required visa fee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1197) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization. The bill provides for the payment of the required visa fee.

SUH YOON SUP

The bill (H.R. 2709) for the relief of Suh Yoon Sup was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1198) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by citizens of the United States.

YONG CHIN SAGER

The bill (H.R. 4030) for the relief of Yong Chin Sager was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1199), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the alien adopted son of citizens of the United States.

SANDY KYRIACOULA GEORGOPOULOS AND ANTHONY GEORGOPOULOS

The bill (H.R. 4370) for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1200), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the adjustment of status as immediate relatives of two alien children adopted by citizens of the United States.

DR. JOSE DEL RIO

The bill (H.R. 7042) for the relief of Dr. Jose Del Rio was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1201), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jose Del Rio as of November 17, 1960, thus enabling him to file a petition for naturalization.

GILMER COUNTY, GA.

The bill (H.R. 7431) for the relief of Gilmer County, Ga., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1202), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to pay Gilmer County, Ga., $24,715, in full settlement of its claims against the United States for the Federal share of allowable project costs for the development of Gilmer County Airport which relate to construction work for which the county was not compensated due to the fact that the work was performed prior to the execution of the grant agreement.

STATEMENT

The report on H.R. 7431 from the House of Representatives relates the following:

"The Department of Transportation and the Appalachian Regional Commission in their reports to the committee on the bill have indicated that they have no objection to favorable consideration of the bill if it is amended as recommended by the committee to provide for the payment to Gilmer County, Ga., of the amount of $24,715, which would have been the Federal share of the work performed on the project had it been done after the execution of the grant agreement.

"On June 2, 1966, the county of Gilmer submitted to the Federal Aviation Administration a project application proposing the development of the Gilmer County Airport in accordance with the provisions of the Federal Airport Act. On October 27, 1966, a grant agreement was signed by the FAA and the county of Gilmer providing for the payment of the allowable project costs of the airport project on the following basis: 50 percent from funds appropriated under the Federal Airport Act, 30 percent from funds appropriated under the Appalachian Regional Development Act, and 20 percent by the project sponsor. Between the time the project application was submitted and the time the grant agreement was signed, the Barney Elrod Construction Co. performed certain construction work on the airport. Because of a prohibition contained in the Federal Airport Act against sharing construction costs incurred prior to the execution of such a grant agreement, the Federal Government could not share with the project sponsor, the county of Gilmer, any costs the sponsor incurred as a result of the above-mentioned construction work.

"The Department of Transportation in its report to the committee on the bill stated that the company named in the bill as originally introduced, the Barney Elrod Construction Co., performed valuable work in the development of the Gilmer County Airport. That Department further stated that had the work been performed subsequent to the execution of the grant agreement, the agreement would have made it possible for the Federal Government to absorb the appropriate percentage of the reasonable cost of the work performed. The report further pointed out the need for amendment of the bill as introduced. As has been noted the committee recommended these amendments. First, the amended bill provides that the payment is to be made to the county, which is the project sponsor, and the body to which the Federal Government would pay the money under the grant agreement. Secondly, the amount has been changed so that it equals the Federal share, and not the entire cost for the work performed.

"Following receipt of the report, the committee contacted the Department and the figure stated in the amended bill is the one which is acceptable to it. The Federal Aviation Agency fixed the total cost of the work at $30,893. The 50 percent which was authorized to be made from funds appropriated under the Federal Airport Act came to $15,447. The 30 percent which would have been payable from funds appropriated under the Appalachian Regional Development Act amounts to $9,268. The combined amounts for the 80 percent which would have been borne by the Federal Government comes to $24,715, which is the figure stated in the amended bill.

"The committee has carefully considered the circumstances of this case. As is noted by the Appalachian Regional Commission in its report, this project was developed during the first year of operations under the Appalachian Regional Development Act of 1965. At that time, procedures were still being evolved for handling projects involving the basic grant funds under the Federal Airport Act and supplemental grant funds under the Appalachian Act. The facts supplied to the committee establish that county officials did not fully understand the consequences of the early commencement of work by the contractor on the airport project. The committee is satisfied that but for the delay in execution of the grant agreement that the work would have been paid for as provided in the amended bill. It is inequitable to deny the county payment for the work performed in this manner. In view of this fact and the favorable recommendations of the Department of Transportation and the Appalachian Regional Commission, it is recommended that the amended bill be considered favorably."

The Committee, after consideration of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 7431, be considered favorably.

VICTORINO SEVERO BLANCO

The bill (H.R. 8241) for the relief of Victorino Severo Blanco was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1203), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Victorino Severo Blanco as of August 18, 1961, thus enabling him to file a petition for naturalization.

BILL PASSED OVER

The bill (H.R. 15462) for the relief of Lennart Gordon Longhorne was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The **PRESIDING OFFICER.** The bill will be passed over.

PFC. JOHN PATRICK COLLOPY

The bill (H.R. 15591) for the relief of Pfc. John Patrick Collopy, US51615166, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1205), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant U.S. citizenship posthumously to Pfc. John Patrick Collopy.

REPRODUCTIONS OF U.S. AND FOREIGN POSTAGE STAMPS

The bill (H.R. 15972) to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1206), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances.

STATEMENT

The House, in its favorable consideration of H.R. 15972, relates the following:

"Title 18, section 504 of the United States Code presently constitutes an exception to the general statutes directed against counterfeiting. Paragraph (1) applies to illustrations of revenue and postage stamps and other obligations and securities of the United States and postage and revenue stamps, notes, bonds, and other obligations or securities of any foreign government, bank, or corporation, and permits reproductions of these various items under certain conditions and only for philatelic, numismatic, educational, historical, or newsworthy purposes in articles, books, journals, newspapers, or albums.

"Illustrations of U.S. and foreign postage stamps are permitted at the present time if they meet the following three conditions: (1) The illustrations are in black and white; (2) the illustrations are for philatelic, educational, historical, or newsworthy purposes; and (3) the illustrations appear in articles, books, journals, newspapers, or albums. The illustrations can be the exact size of the genuine stamps. Illustrations of U.S. and foreign postage stamps, except those of canceled foreign stamps, are not permitted in color.

"H.R. 15972 would change the existing provisions to permit colored illustrations of canceled U.S. postage stamps in the exact size of genuine stamps and colored illustrations of uncanceled U.S. and foreign stamps if the size of the illustrations is less than three-fourths or more than 1½ times the size of the genuine stamps.

"In addition, this bill would permit the use of colored illustrations of stamps in public documents relating to stamps printed by the Government Printing Office at the request of the Postmaster General.

"H.R. 15972 is intended to remove a restriction in the law that is no longer timely and permit the publication of postage stamps in their actual colors for newsworthy or philatelic purposes. At present, such publications as newspapers, magazines, and books are confined to black-and-white reproduction of U.S. stamps. This restriction was once believed to serve as a deterrent to stamp counterfeiting. However, stamp counterfeiting has become a highly unprofitable undertaking. The prospective rewards are small, the punishment great; so that stamp counterfeiting is almost nonexistent in the United States.

"U.S. postage stamps are impregnated with an invisible phosphor. When mail is fed into facer-canceling machines, this phosphor glows ultraviolet light, and this activation dispatches the mail to the proper channel in the machine. Unless a counterfeit stamp contained this phosphor, mail carrying the stamp would fall into a reject channel in the machine and immediately attract suspicion. The Post Office Department assured the committee that counterfeiting of U.S. postage stamps has not constituted a problem in law enforcement.

"Enactment of this legislation will offer several positive results which will be significantly beneficial to the U.S. Government. The public interest in stamps can be served by this permission to reproduce color stamps in national magazines as well as in stamp catalogs, and the educational interest will likewise be served in that stamps can be reproduced in color in research books such as encyclopedias. Additionally, the U.S. philatelic program is an increasing source of revenue for the Post Office Department, and a conservative estimate indicates a profit of $550,000 on commemorative stamps each year. In fact, the Post Office Department plans to issue, on the Fourth of July, a series of 10 stamps reproducing historical American flags. The opportunity to illustrate these flags in color in various publications will enhance the interest in stamps.

"In recent years great progress has been made in the production of U.S. postage stamps. The Bureau of Engraving and Printing has done an outstanding job in manufacturing stamps, and some of the Nation's leading artists are presently designing U.S. stamps. Unfortunately, the existing black-and-white reproductions do not do justice to the quality of U.S. stamps and do not fully serve the public interest.

"A public hearing was held on a predecessor bill, H.R. 2622, designed to accomplish the same purpose, and testimony was received from Members of Congress and officials of the Post Office Department and Department of the Treasury. During the course of the hearing various amendments were suggested to H.R. 2622, and, as a consequence, it was decided that a clean bill would be introduced."

LEONARDO SEDA

The Senate proceeded to consider the bill (S. 2610) for the relief of Leonardo Seda which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after "July 29," strike out "1960", and insert "1960 and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."; so as to make the bill read:

S. 2610

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Leonardo Seda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 29, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1208), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

YUNG RAN KIM

The Senate proceeded to consider the bill (S. 2706) for the relief of Yung Ran Kim which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of adopted children, shall be inapplicable in the case of a petition filed in behalf of Yung Ran Kim by Mr. and Mrs. Charles R. Kiner, Junior, citizens of the United States: *Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1209), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of an orphan to be adopted by citizens of the United States, notwithstanding the fact that the prospective adoptive parents have previously had the maximum number of petitions approved. The bill has been amended in accordance with established precedents.

DR. ANGEL SOLAR

The Senate proceeded to consider the bill (S. 2733) for the relief of Dr. Angel Solar which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 6 strike out "May 17, 1963" and insert "May 21, 1963"; so as to make the bill read:

S. 2733

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Angel Solar shall be held to have been lawfully admitted to the United States for permanent residence as of May 21, 1963.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1210), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he was paroled into the United States.

DR. HELDO GOMEZ AND OLGA ENRIQUE GOMEZ

The Senate proceeded to consider the bill (S. 2756) for the relief of Dr. Heldo Gomez and his wife, Olga Enrique Gomez which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Doctor Heldo Gomez and his wife, Olga Enrique Gomez, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 24, 1961, and December 5, 1961, respectively.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1211), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Heldo Gomez and his wife, Olga Enrique Gomez, as of July 24, 1961 and December 5, 1961, respectively, thus enabling them to file petitions for naturalization. The bill has been amended to conform the language to established precedents.

S. SGT. IVAN CLAUS KING

The Senate proceeded to consider the bill (S. 2759) conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That Staff Sergeant Ivan Claus King, a native of Germany, who served honorably in the United States Army from May 12, 1965, until his death on October 2, 1967, shall be held and considered to have been a citizen of the United States at the time of his death.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1212), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended is to confer U.S. citizenship posthumously upon S. Sgt. Ivan Claus King. The bill has been amended in accordance with established precedents

ELOY RENE TUYA HERNANDEZ

The Senate proceeded to consider the bill (S. 2827) for the relief of Eloy Rene Tuya Hernandez, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "July 15, 1960" and insert "July 18, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Eloy Rene Tuya Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 18, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1213), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he was paroled into the United States as a refugee.

GIOVANNA INGUI DALLARA

The Senate proceeded to consider the bill (H.R. 4544) for the relief of Giovanna Ingui Dallara, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "Act" insert a colon and insert "*Provided,* That no brothers or sisters of the said Giovanna Ingui Dallara shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1214), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by citizens of the United States. The bill has been amended in accordance with established precedents.

THEOFANE SPIROU KOUKOS

The Senate proceeded to consider the bill (H.R. 4976) for the relief of Theofane Spirou Koukos, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "Act" insert a colon and "*Provided,* That no brothers or sisters of the said Theofane Spirou Koukos shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1215), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by citizens of the United States. The bill has been amended in accordance with established precedents.

AMIR U. KHAN

The Senate proceeded to consider the bill (H.R. 11287) for the relief of Amir U. Khan, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Amir U. Khan shall be held and considered to have been lawfully admitted to the United States for permanent residence on July 9, 1948, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1216), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to grant the status of permanent residence in the United States to Amir U. Khan as of July 9, 1948, and to enable him to file a petition for naturalization based on his residence and physical presence since that date. The bill has been amended in accordance with established precedents.

POSTHUMOUS CITIZENSHIP FOR PFC. JOHN R. ANELI

The Senate proceeded to consider the bill (H.R. 13301) to confer U.S. citizenship posthumously upon Pfc. John R. Aneli, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, Private First Class John R. Aneli, a native of Italy, who served honorably in the United States Army from August 29, 1966, until his death on August 7, 1967, shall be held and considered to have been a citizen of the United States at the time of his death.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1217), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to confer U.S. citizenship posthumously upon Pfc. John R. Aneli. The bill has been amended in accordance with established precedents.

ERNESTO ALUNDAY

The Senate proceeded to consider the bill (S. 1506) for the relief of Ernesto Alunday, which had been reported from the Committee on the Judiciary, with amendments, in line 7 after the word "parent" insert "or brothers or sisters"; and in line 8, after the word "such" strike out "parentage" and insert "relationship"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 203(a)(1) and 204 of the Immigration and Nationality Act, Ernesto Alunday shall be held and considered to be the natural-born alien son of Teodoro A. Alunday, a citizen of the United States: *Provided,* That no natural parent or brothers or sisters of the beneficiary, by virtue of such relationship, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1218), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to qualify for first preference status as the unmarried son of a citizen of the United States. The bill has been amended in accordance with established precedents.

JUAN ANTONIO LOPEZ

The Senate proceeded to consider bill (S. 2547) for the relief of Juan Antonio Lopez, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" where it appears the first time strike out "the date of his entry into the United States, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available"; and insert "January 2, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Antonio Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 2, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Dr. Juan Antonio Lopez."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1219), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents and to reflect the proper date upon which he was paroled into the United States as a refugee.

MR. LEONEL E. ENRIQUEZ

The Senate proceeded to consider bill (S. 2568) for the relief of Mr. Leonel E. Enriquez, which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the name "Enriquez" insert "and his wife, Mrs. Esther Luisa Marrero de Enriquez"; and in line 7 after "June 2," strike out "1961" and insert "1961 and April 10, 1962, respectively"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mr. Leonel E. Enriquez and his wife, Mrs. Esther Luisa Marrero de Enriquez, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 2, 1961 and April 10, 1962, respectively.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Mr. Leonel E. Enriquez and his wife, Mrs. Esther Luisa Marrero de Enriquez."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1221), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiaries to file petitions for naturalization. The purpose of the amendment is to include the beneficiary of S. 2569.

DR. CESAR BARO ESTAVA

The Senate proceeded to consider the bill (S. 2783) for the relief of Dr. Cesar Baro Estava which had been reported from the Committee on the Judiciary, with an amendment, in line 4, after the name "Baro" strike out "Estava" and insert "Esteva"; so as to make the bill read:

S. 2783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Cesar Baro Esteva shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 9, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Dr. Cesar Baro Esteva".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 1222—explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Cesar Baro Esteva as of September 9, 1961, thus enabling him to file a petition for naturalization. The bill has been amended to correct the spelling of the beneficiary's name.

RICHARD SMITH (NOBORU KAWANO)

The Senate proceeded to consider the bill (S. 3024) for the relief of Richard Smith (Noboru Kawano) which had been reported from the Committee on the Judiciary, with amendments, in line 7, after the word "Sergeant" strike out "and Mrs. Robert E. Smith, citizens" and insert "Robert E. Smith, a citizen"; and in line 9, after the word "Act:" insert "*Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."; so as to make the bill read:

S. 3024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Richard Smith (Noboru Kawano) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petiiton filed in his behalf by Technical Sergeant Robert E. Smith, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That no brothers or sisters of the beneficiary shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1223), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted son of a citizen of the United States. The bill has been amended in accordance with established precedents.

ADMISSION OF CERTAIN INHABITANTS OF THE BONIN ISLANDS

The Senate proceeded to consider the bill (S. 3488) to provide for the admission to the United States of certain inhabitants of the Bonin Islands which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 7, after the word "a" strike out "United States"; and on page 3, after line 4, insert a new section, as follows:

SEC. 4. Except as otherwise specifically provided for in this Act, the definitions contained in section 101 of the Immigration and Nationality Act, as amended (8 U.S.C. 1101), shall apply to the administration of this Act.

So as to make the bill read:

S. 3488

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of any other law, nothing contained in title II of the Immigration and Nationality Act, as amended, except for section 212(a) (9), (10), (11), (12), (13), (23), (27), (28), and (29), section 215, and section 241(a) (1), (6), and (7) of the Act (8 U.S.C. 1151 et seq.) shall limit, restrict, deny, or otherwise affect the entry into the United States or its outlying possessions, as defined in section 101(a) (29) and (38) of the Immigration and Nationality Act (8 U.S.C. 1101(a) (29) and (38)), within two years after the enactment of this Act, or the departure from the United States or its outlying possessions, of not more than 205 inhabitants of the Bonin Islands, and the children described in section 2 of this Act, who present a document of identity and nationality issued by the Military Governor of the Bonin Islands or by a United States consular officer in Japan. This section shall not grant any privileges, rights, benefits, exemptions, or immunities to such inhabitant or child which are not specifically granted by this Act.

SEC. 2. This Act applies to—

(1) natives of the Bonin Islands, or of Japan, who are nationals of Japan and who resided in such islands on November 15, 1967, including an inhabitant temporarily absent from the islands on that date; and

(2) any inhabitant of the Bonin Islands who was born to eligible parents after November 15, 1967, but before two years after the enactment of this Act and continued to reside in the islands or in the United States or its outlying possessions;

and has taken no affirmative steps to acquire another foreign nationality.

SEC. 3. Any person who enters the United States under the provisions of this Act shall, upon completion of the residence and physical presence requirements of section 316(a) of the Immigration and Nationality Act (8 U.S.C. 1427 (a)), be deemed to have been lawfully admitted to the United States for permanent residence as of the date of such entry, for the purpose of petitioning for naturalization.

SEC. 4. Except as otherwise specifically provided for in this Act, the definitions contained in section 101 of the Immigration and Nationality Act, as amended (8 U.S.C. 1101), shall apply to the administration of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1224), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States of not to exceed 205 inhabitants of the Bonin Islands and certain of their children within 2 years after enactment of this act, and to provide such aliens a means whereby they may petition for naturalization upon completion of the residence and physical presence requirements of section 316(a) of the Immigration and Nationality Act.

STANISLAW AND JULIANNA SZYMONIK

The Senate proceeded to consider the bill (H.R. 1879) for the relief of Stanislaw and Julianna Szymonik which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "shall" strike out "be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a)" and, in lieu thereof, insert "not be regarded to be or to have been within the classes of persons whose naturalization is prohibited by section 313"; and in line 9, after the word "Act," strike out "as such class is specified in section 313 (c) of the said Act,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Stanislaw and Julianna Szymonik, lawfully admitted for permanent residence in the United States, shall not be regarded to be or to have been within the classes of persons whose naturalization is prohibited by section 313 of the Immigration and Nationality Act, and that Stanislaw and Julianna Szymonik shall be considered to have met the residence and physical presence requirements of section 316(a) of the said Act, and their petitions for naturalization may be filed with any court having naturalization jurisdiction.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1225), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the provisions of section 313 of the Immigration and Nationality Act in behalf of Stanislaw and Julianna Szymonik, and to provide that they be held to have complied with the residence and physical presence requirements of section 316 of that act, thus permitting them to file petitions for naturalization. The amendments are technical in nature.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I thank the distinguished Senator from Maryland for his patience and courtesy.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Maryland.

Mr. TYDINGS. Mr. President, I ask unanimous consent that I may yield to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. I am grateful to my colleague and friend, the distinguished Senator from Maryland, for yielding to me.

S. 3633—INTRODUCTION OF BILL TO AMEND TITLE 18, UNITED STATES CODE

Mr. DODD. Mr. President, President Johnson, in his deep concern over the assassination of Senator Robert F. Kennedy and his anguish over the continued killings in this country, has sent a firearms bill to Congress, the State Firearms Control Assistance Act of 1968.

At the administration's request, I now introduce this bill and send it to the desk for appropriate reference to committee.

On Monday, because I shared the President's concern over the epidemic of violence that plagues our country, I introduced two bills of my own.

The first was similar to the one I now introduce on behalf of the administration. The second was a measure calling for the compulsory registration of all firearms.

The President's proposed gun bill is virtually the same as title IV, my amendment to H.R. 5037, which passed the Congress on June 6.

There are, however, two significant extensions of coverage in this new bill.

It imposes the following restrictions on rifles and shotguns, paralleling those imposed by title IV on handguns:

First. It prohibits the interstate mail order sale of rifles and shotguns, except between licensed dealers.

Second. It prohibits the over-the-counter sales to nonresidents of rifles and shotguns.

Third. It prohibits the sale of long guns to persons under 18.

There are also provisions to control the shipment and sale of ammunition. These would first, prohibit the interstate mail-order sale of ammunition except between licensed dealers; second, prohibit the sale of handgun ammunition to persons under 21, and the sale of long gun ammunition to persons under 18; and, third, require manufacturers and dealers in ammunition to be licensed, the licensee fee to be set at $10 annually.

There will be those who claim that these restrictions interfere with the constitutionally given right for any and all to possess "hunting" weapons, and that this amendment if enacted would disarm our citizenry, leaving them helpless in the face of possible attack from within or without. They view such legislation as the first step in some sinister conspiracy.

But this amendment is, in fact, an extremely limited measure which takes only a minimal first step toward effective regulation in gun traffic.

The argument that an amendment such as this would "inconvenience" a large segment of the population is so obviously contrived that I think it is worth noting all of the things that this amendment does not do:

It does not prohibit any responsible person from owning a rifle or shotgun.

It does not prohibit any responsible person from using a rifle or shotgun.

It does not prohibit a person from taking his long gun from his State and carrying it with him to another State.

Under this amendment a person can even give a rifle or shotgun to his child if he thinks that wise, whether or not the child is 18 years old.

One of the principal arguments against this amendment will unquestionably be the requirement that a man appear in person at some point in the course of purchasing a rifle or shotgun would "inconvenience" him. This may be true, to a certain extent.

But let us not exaggerate this inconvenience.

First of all, a person will still be able to choose from the same variety of long guns that is available to him now through mail-order catalogs. This is true because the only difference this amendment would make is that he would have to order the long gun through a dealer at whose place of business he will appear at some point before receiving the gun. He can have the catalogs at home, or go look at those at the dealer's shop. In either case, he will have exactly the same variety of choice as he does today.

Registration and control of the purchase of new guns will not give us a 100-percent guarantee that incompetents will not acquire firearms. But it will at least serve to keep firearms out of the hands of many people who should not have them.

As an added safeguard there are the controls over the sale of ammunition. These will further restrict the illicit use of guns, because, for guns to do their damage, there must be ammunition.

The restriction of ammunition sales to those over 21 in the case of handguns, and to those over 18 in the case of rifles and shotguns, is the simplest kind of precaution. It will provide an additional check by limiting the sale of ammunition to those who possess their guns lawfully and are known to be neither felons nor lunatics. But it will cause no inconvenience to the serious sportsman.

I believe that these controls over the sales of ammunition would be more effective if coupled with the provisions governing the sale of ammunition in the gun registration bill which I introduced Monday.

In short, the controls over ammunition in both bills would complement each other.

Mr. President, we know that one of the prime arguments against gun-control legislation is that gun laws do not work, that they are ineffective and meaningless as a deterrent to crimes of violence.

I submit that quite the opposite is true, and this can be demonstrated by massive evidence in the files of the Juvenile Delinquency Subcommittee.

In England for example the murder rate by guns is only one fifty-fifth the rate in this country.

Again, in England firearms were used in 3 percent of the 9,000 robberies in 1966, whereas in the United States robberies in which firearms are used stand at 40 percent of the total, or some 60,000 gun robberies in 1966.

These comparisons are meaningful in light of the fact that England stringently controls access to firearms by its citizens.

Similar low incidences of firearms abuse are the rule in other Western European nations.

I submit that if we acknowledge these facts and then relate them to the presence of gun controls in those countries, then we must conclude that gun controls are indeed effective.

I, of course, recognize that there are other contributing causes to crime in this land and in other nations of the world. But I firmly believe that the presence or absence of gun controls is a significant factor in the number of gun crimes and, therefore, in the general level of violence.

And, of course, the facts on gun crimes in the United States bear out my conviction that the absence of gun controls in the United States is a major factor in our appalling rates for crimes of violence.

It is also highly significant that those areas of the Nation from which the stanchest opposition to gun-control legislation emanates have generally the highest percentages of murder by gun.

In Montana, 72 percent of the murders are by gun.

In Nevada, 67 percent of the murders are by gun.

In Texas, 69 percent of the murders are by gun.

In South Carolina, it is 73 percent and in Nebraska 70 percent.

All of the above States do not have stringent gun controls.

When one contrasts these percentages of murder by gun with States with stringent gun controls, we find the following:

New York, 32 percent.
New Jersey, 39 percent.
Massachusetts, 36 percent.
Rhode Island, 24 percent.

Mr. President, the conclusion is obvious to me.

A State or a nation with strong gun-control laws fares much better than does a State or a nation that has no gun controls.

It is just as simple as that.

Last year, 6,500 Americans were shot down by guns in the hands of murderers. Another 100,000 were the victims of other crimes, ranging from rape and assault to robbery, committed by felons armed with guns.

The assassination of President John F. Kennedy by a mail-order rifle in the hands of an individual with a known political obsession deprived the entire Nation of its President.

The assassination of Dr. Martin Luther King by a rifle in the hands of an escaped felon deprived the Nation of one of its great moral leaders, a symbol and advocate of nonviolence.

The assassination of Robert F. Kennedy by a cheap handgun in the hands of an individual with a strong personal hatred deprived this Nation of an outstanding Senator and an important candidate in a race that symbolizes, more than any other, the very heartbeat of democracy in these United States.

The atmosphere of violence and the obsessional recourse to guns by demented individuals to achieve their goals are, in the end, destructive to all citizens.

In this environment, the availability of firearms to unstable individuals, whether they be children, felons, or lunatics is a continuing affront to the attempt of this Nation to maintain a civilization where life and the pursuit of happiness are everyone's right and expectation.

The opponents of adequate firearms control laws have coined a slogan: Guns do not kill people, people kill people.

This is a deceptive phrase.

The truth is that guns do kill people, and, indeed, it is often the trigger which pulls the finger. This is something that has been established by psychologists.

I made reference yesterday to a study by Dr. Leonard Berkowitz at the University of Wisconsin. It showed that the mere presence of a firearm in the vicinity of an angered person tends to increase such a person's aggressiveness, hostility, and potential for violence.

I add to this conclusion the findings of the Federal Bureau of Investigation that a gun is seven times more deadly than all other weapons used in crime combined.

It is my earnest hope, as I said yesterday, that Congress will heed the plea of the President and will enact both the new legislation which I have introduced today on behalf of the administration, and the legislation providing for the compulsory registration of firearms, which I introduced on Monday.

With this legislation on the books, our country would for the first time have effective controls over the sale and purchase and ownership of firearms.

By providing ourselves with these controls, we shall bring America into the company of other civilized nations, rather than being looked upon by our friends in other countries as a well intentioned but hopelessly anachronistic nation whose popular mentality and gun laws belong to the age of General Custer rather than to the mid-20th century.

Congress knows that the people of this country favor the stringent gun control legislation incorporated in the administration's proposal and in my own proposal for compulsory registration. This has been borne out by every poll that has been taken in recent years.

I therefore appeal to the Congress to give the American people the protective gun legislation which they demand and deserve.

And I appeal to the people of this country not to content themselves with voicing their opinions to occasional pollsters, but to make their opinions, yes, and their demands, known to Members of Congress in an unending torrent of letters and telegrams.

The gun lobby, although it represents only a tiny minority, has often boasted that it can inundate Washington with a million communications on 24 hours notice.

Let those decent law-abiding citizens who want the protection of gun legislation respond to this infamous lobby by flooding Washington with tens of millions of communications.

Let the trade unions and the women's clubs and the civic organizations and clergymen of all denominations join in an active crusade in support of compulsory registration.

The success of the gun lobby over a period of over 30 years constitutes another tragic proof of the dictum that "all that is necessary for the triumph of evil, is for good men to do nothing."

It is time for the people of America to break the grip of the gun lobby and to assert themselves.

Mr. President, I send the bill to the desk, for appropriate reference, and I ask unanimous consent that the entire text of the bill may be printed at the end of my remarks along with a letter of transmittal to the Vice President of the United States from Attorney General Ramsey Clark.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "State Firearms Control Assistance Act of 1968."

FINDINGS AND DECLARATION

SEC. 2. (a) The Congress hereby finds and declares—

(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

(2) that the ease with which any person can acquire firearms (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of such weapons is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the businesses of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

(4) that the acquisition on a mail-order basis of firearms by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

(5) that the sale or other disposition of firearms by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

(6) that there is a causal relationship between the easy availability of firearms and juvenile and youthful criminal behavior, and that firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive firearms (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

SEC. 3. Title 18, United States Code, is amended by inserting after section 917 thereof chapter 44 to read as follows:

"CHAPTER 44.—FIREARMS

"Sec.
"921. Definitions.
"922. Unlawful acts.
"923. Licensing.
"924. Penalties.
"925. Exceptions: Relief from disabilities.
"926. Rules and regulations.
"927. Effect on State law.
"928. Separability clause.

"§ 921. Definitions

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term 'State' shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

"(3) The term 'firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"(4) The term 'destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'indictment' includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(14) The term 'fugitive from justice' means any person who has fled from any State or possession to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

"(15) The term 'antique firearm' means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

"(16) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"(17) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(b) As used in this chapter—

"(1) The term 'firearm' shall not include an antique firearm.

"(2) The term 'destructive device' shall not include—

"(A) a device which is neither designed nor redesigned nor used nor intended for use as a weapon; or

"(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, linethrowing, safety or similar device; or

"(C) any shotgun other than a short-barreled shotgun; or

"(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

"(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of sections 4684 (2), 4685, or 4686 of title 10, United States Code; or

"(F) any other device which the Secretary finds is not likely to be used as a weapon.

"(3) The term 'crime punishable by imprisonment for a term exceeding one year' shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

"§ 922. Unlawful acts

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

"(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

"(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

"(3) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business) any firearm purchased or otherwise obtained by him outside that State.

"(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), a short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity.

"(5) for any person other than a licensed importer, licensed manufacturer, or licensed dealer, to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who the transferor knows or has reasonable cause to believe resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity).

"This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

"(1) any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age and, if the firearm or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifile, to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age.

"(2) any firearm or ammunition to any person in any State where the purchase or possession by such person of such firearm or ammunition would be in violation of any State or local law applicable at the place of sale, delivery or other disposition, unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State or local law.

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located.

"(4) to any person any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity.

"(5) any firearm or ammunition to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearms or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(d) It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers or licensed dealers, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped.

"(e) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(g) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"(h) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"(i) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"(j) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

"(k) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(l) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§ 923 Licensing

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) if a manufacturer—

"(A) of destructive devices and/or ammunition for destructive devices a fee of $1,000 per year;

"(B) of firearms other than destructive devices a fee of $500 per year:

"(C) of ammunition for firearms other than destructive devices a fee of $10 per year.

"(2) If an importer—

"(A) of destructive devices and/or ammunition for destructive devices a fee of $1,000 per year;

"(B) of firearms other than destructive devices and/or ammunition for firearms other than destructive devices a fee of $500 per year.

"(3) If a dealer—

"(A) in destructive devices and/or ammunition for destructive devices a fee of $1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices or ammunition for firearms other than destructive devices a fee of $250 per year;

"(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year.

"(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"(1) the applicant is under twenty-one years of age; or

"(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

"(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"§ 924. Penalties

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm or any ammunition in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"§ 925. Exceptions: relief from disabilities

"(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"(d) The Secretary may authorize a firearm or ammunition to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm or ammunition establishes to the satisfaction of the Secretary that the firearm or ammunition—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"(2) is an unserviceable firearm, other than a machinegun as defined in section

5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm or ammunition:

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm or ammunition for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm or ammunition will be allowed under this subsection.

"§ 926. Rules and regulations

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations. Violation of any provision of this chapter, or rule or regulation promulgated hereunder, shall be grounds for revocation by the Secretary, upon due notice and hearing, of any license issued hereunder.

"§ 927. Effect on State law

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

Sec. 4. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

Sec. 5. Nothing in this title or amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

Sec. 6. The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"43. False personation................ 911"

a chapter reference as follows:

"44. Firearms .... 921"

Sec. 7. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

Sec. 8. The provisions of this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.

The letter, presented by Mr. Dodd, is as follows:

Office of the Attorney General,
Washington, D.C.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: Last week the President wrote to you stating his emphatic concern that Congress not stop with a "halfway measure," or enact a "watered-down version" of a gun control law, but that it "give America the Gun Control Law it needs." The enclosed draft bill would carry out the President's request.

The proposed bill differs from Title IV of H.R. 5037, recently passed by this Congress, in two principal respects. First, it imposes restrictions on rifles and shotguns parallel to those that H.R. 5037 imposes on hand guns. These provisions prohibit mail-order purchases, sales to nonresidents, and sales to juveniles. Second, the proposed bill includes provisions to control the interstate shipment of ammunition and the sale of ammunition to juveniles, matters omitted altogether in H.R. 5037. Additionally, the draft embodies a few minor technical refinements.

By recognizing the Federal responsibility to control the indiscriminate flow of firearms and ammunition across State borders, this bill will give States and local communities the capacity and the incentive to enforce effectively their own gun control laws. Once enacted into law, it will ensure that strong local or State laws are not subverted by a deadly interstate traffic in firearms and ammunition.

The President has repeatedly urged Congress to put an end to "mail order murder," and to arrest the violence in our nation by tightening controls over firearms.

The need for immediate action can no longer be ignored. Each year 6,500 murders, 43,000 aggravated assaults, and 60,000 robberies are committed with firearms. Each day, 50 lives—more than one every half-hour—are destroyed by firearms. Since 1900, three-quarters of a million people have died in the United States by firearms, more than in all our wars. In 1967 alone, assaults with a gun rose 22%. One out of every 5 assaults is committed with a gun. Firearms are used in 58% of all robberies.

Nor is this solely a problem of hand guns. Thirty per cent of the homicides each year with firearms are by rifles or shotguns. Between 1960 and 1966, more than 95% of all law enforcement officers killed in the United States were slain with firearms, and one in four of these officers was slain by a rifle or a shotgun. A recent survey of police departments in some 40 cities over a five year period revealed that during the survey period more than 50,000 rifles and shotguns were confiscated from murderers, robbers, juvenile offenders, and others engaging in unlawful activities. Rifles and shotguns have become the chosen instruments of slaughter for snipers and assassins. Any truly effective firearms legislation simply must cover long guns as well as hand guns.

So also it is clear that controlling the distribution of ammunition is as important as regulating the sale of the firearms which use it. In previous firearms bills, including S. 1592 introduced in the last Congress, the President has urged inclusion of ammunition. With an estimated 50 million firearms now privately owned in the Nation, the control of the ammunition they fire is crucial to controlling the abuse of these weapons.

The people of this country have indicated overwhelmingly that they want immediate Federal controls over all kinds of firearms. We have debated the issue beyond reason. The increasing number of violent crimes committed with firearms and the tragic events of the last few months have made it abundantly clear that Congress must act now to help prevent further violence.

The proposed bill is substantially similar to a number of bills sent to the Congress by the President and considered by both chambers during the past two Congresses. These include S. 1592, H.R. 6628 and H.R. 6783 of the 89th Congress, and S. 1—Amendment 90 and H.R. 5384 of the 90th Congress.

The Senate Commerce Committee held two months of hearings on firearms control in 1963 and 1964. The Senate Juvenile Delinquency Subcommittee held hearings on firearms bills in 1963, and again in 1964, 1965, and 1967. The House Judiciary Committee has held hearings on this matter at length in 1965 and again in 1967.

In light of this extensive background, and at the request of the President, I urge the Congress to give immediate consideration to this extremely important legislation. There must be action now, before the Congress adjourns. While the time is short before adjournment, so also is the time short for the country to move to control the principal weapon of crime—the gun.

Sincerely,

Ramsey Clark,
Attorney General.

Mr. DODD. Mr. President, I ask unanimous consent that the names of the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pastore], the Senator from New York [Mr. Javits], the Senator from Hawaii [Mr. Fong], the Senator from Florida [Mr. Smathers], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Maryland [Mr. Brewster] be added as cosponsors to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. TYDINGS. Mr. President, I ask unanimous consent that my name may be added to the list of cosponsors of the legislation just proposed by the Senator from Connecticut.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, the Senator from Maryland has been a great strength and a strong supporter in this struggle for better gun control legislation. I wish to thank him publicly for his help.

Mr. TYDINGS. I thank the Senator from Connecticut.

Mr. DODD. Mr. President, I ask that the bill lie on the desk throughout the day so that other Senators who wish to do so may add their names as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. Mr. President, the time for the Congress to enact the strongest possible gun control laws is long, long overdue.

America can no longer tolerate the easy access to weapons by immature juveniles, felons, drug addicts, and persons with a record of emotional instability. This Nation can no longer fail to enact legislation—strong and effective, and comprehensive—to control the indiscriminate sale and use of all firearms.

STAGGERING TOLL

The urgency of the need for immediate action cannot be overstated or overemphasized. The toll that guns take annually is a staggering one.

Each year, 6,550 murders, 43,000 aggravated assaults, and 60,000 robberies are committed with firearms. Each year, firearms cause some 19,000 deaths and 100,000 nonfatal injuries.

Each day, it has been estimated that 50 lives—more than one every half-hour—are maimed or destroyed by gunmen.

Incredibly, more than 200,000 have been killed by privately owned firearms since 1900 than have died in all wars in which the United States has been involved. Between 1900 and 1966, guns were responsible for 280,000 murders, 370,000 suicides, and 145,000 deaths by accident—a total of more than three-quarters of a million Americans. In that same period, from the Spanish-American War to Vietnam, American war dead totaled 550,000.

In 1967 alone, 59 percent of all murders were committed with guns—the highest percentage ever recorded; aggravated assaults with a gun rose by 22 percent; and armed robbery increased by 10 percent. One out of every five assaults is committed with a gun, and 58 percent of all robberies involved the use of firearms.

The annual rate of murder by firearms for this country is astronomic when compared to the rates for other civilized nations of the world.

According to Library of Congress figures, the American homicide rate for 1963 was nearly three for every 100,000 population—a rate 55 times the rate for Great Britain, 25 times the rate for Germany, 55 times the rate for Japan, and 90 times the rate for the Netherlands.

During the early 1960's, the average number of firearm homicides per year for Great Britain and Japan was 30—a figure roughly equivalent to the number of firearm murders in our country in 2 days. During the period 1960 to 1963, the Netherlands did not have a single case of murder by firearms.

LAWS INEFFECTIVE

In this country, according to one estimate, some 20,000 laws deal with the manufacture, sale, and use of firearms. But none are effective.

In 41 States and the District of Columbia, one can buy either a rifle or a pistol without a license of any kind; in seven States the law requires a permit to buy a handgun; one State, South Carolina, prohibits the sale of handguns; and two States, Hawaii and New Jersey, now require the registration of all guns by description, serial number, and ownership.

Extremely compelling is the fact that in States which have strong gun control laws, homicides committed with guns are less common than in States with no law or which have ineffective controls. For example: in four States having strong gun control laws, the proportion of murders committed in the last 4 years, according to the FBI report, was well below the national average of 57 percent. In Pennsylvania, firearm murders were 43 percent of the total; in New Jersey, 39 percent; in Massachusetts, 35 percent; in New York, 32 percent. On the other hand, States with minimal controls or no such law had much higher rates: Colorado, 59 percent; Louisiana, 62 percent; Arizona, 66 percent; Montana, 68 percent; Texas, 69 percent; and Nebraska, 70 percent.

Figures for our cities told the same story.

During 1965 hearings of the Judiciary Subcommittee on Juvenile Delinquency, Attorney General Katzenbach pointed out that in Dallas, Tex., and Phoenix, Ariz., where firearms regulations are virtually nonexistent, the percentage of homicides committed by guns in 1963 was 72 percent in Dallas and 65.9 percent in Phoenix.

On the other hand, in cities having strong regulations, the figures were markedly lower: Chicago, 46.4 percent; Los Angeles, 43.5 percent; Detroit, 40 percent; Philadelphia 36 percent; New York, 25 percent.

The only Federal laws concerning firearms—the National Firearms Act of 1934, and the Federal Firearms Act of 1938—have been aptly described by one commentator as "antiquated and impotent legal travesties."

Even where strong State laws and municipal ordinances on firearms exist, these laws and ordinances are violated wholesale because of the total absence of effective Federal laws. It is astonishingly easy for any resident of a city or State having strict gun laws to circumvent the laws and purchase a weapon—by mail-order sale, or by simply travelling to a neighboring State with a weak or no law and buying a firearm over the counter.

In short, strong local and State laws are subverted with the greatest of ease by the deadly interstate traffic in firearms.

No one can make even a rough guess at how many guns are in private hands in this country. Estimates have ranged from a low of 50 million to a high of 200 million.

It is known, however, that each year 2 million domestically manufactured guns and 1 million imported guns are sold. In other words, in the course of each working day, about 10,000 guns reach private hands.

These are rather frightening statistics.

HANDGUN CONTROL VERY INADEQUATE

The Congress has now taken the first step in the right direction. By approving Federal controls on the Interstate sale and distribution of handguns, we have brought under some degree of regulation the traffic in pistols—weapons designed primarily for the purpose of killing or maiming human beings. To this limited extent, we have advanced the safety of our citizens.

Handgun control represents the least the Congress can do to meet the pressing public interest to protect against unrestricted gun traffic in this country, and if just this much firearms regulatory legislation finally becomes law, it will be the first time in 30 years that any such law has been adopted.

But it is not nearly enough.

When the Senate last month debated the handgun-control title of the crime control bill, I strongly urged—as I have ever since strict comprehensive firearms control was first proposed in 1962—that Federal regulation be extended to cover long guns and shotguns. I feel very, very strongly that the handgun section of the anticrime bill falls far short of the strong and effective firearms control legislation so urgently required by the Nation.

Rifles and shotguns are every bit as lethal as handguns. They account for a shocking 30 percent of all gun crimes in this country.

Between 1960 and 1965, more than 95 percent of all law enforcement officers killed in this United States were slain by a rifle or a shotgun.

A recent survey conducted by the Senate Judiciary Subcommittee on Juvenile Delinquency, of which I am a member, showed that during the years 1960 through 1965, according to the police departments of 40 of our major cities, including Honolulu, 805 rifles and shotguns were confiscated from juveniles, 1,210 rifles and shotguns were used to commit murder, 2,908 rifle and shotgun robberies were committed, 4,179 assaults were committed with shotguns and rifles, 23,130 rifles and shotguns were confiscated from persons involved in illegal activities, and 4,478 long guns were seized on illegal weapons charges. A total of 50,745 cases were ones in which long guns were used in crimes of violence or other illegal activities.

According to the FBI Uniform Crime Report for 1966, 1,747 persons were murdered in the United States with rifles and shotguns that year.

In a report dated August 11, 1967, the Director of the Alcohol and Tobacco Tax Division wrote that the strongest argument for including long guns in a firearms control law is the fact that they can be, frequently are, converted into concealable weapons for criminal use.

> We have reviewed 200 recent firearms violation case reports—

He said—

> and found that there were 98 sawed-off shotguns and 14 sawed-off rifles out of a total of 207 guns involved in these cases.

It seems obvious to me that if strict controls are imposed on handguns without imposing similar restrictions on long guns, the criminal element will continue to have ready access to concealable weapons by the simple expedient of purchasing an uncontrolled long gun and converting it into a handgun.

Rifles and shotguns have become the chosen instrument of murder for snipers and assassins.

Our law enforcement authorities across the Nation—including the chiefs of police of our biggest cities—have implored the Congress to enact legislation to control the long gun.

And now the President has once again appealed to the Congress for such legislation.

COSPONSOR ADDITIONAL FIREARMS LEGISLATION

For all the reasons I have cited, and for the overriding reason that the public interest demands it, I have cosponsored legislation to control the sale and distribution of rifles and shotguns—(S. 3604, S. 3605, and S. 3633).

As I have done so repeatedly in the past, I once again join my distinguished colleague from Connecticut [Mr. DODD]—who for so long has ably championed this cause in the Senate—in strongly supporting efforts to pass a long gun control measure.

In addition to this bill, I am also cosponsoring the administration's long gun control measure. Besides providing for long gun regulations, the administration bill would control the interstate shipment of ammunition and its sale to juveniles.

Regulating the interstate flow of ammunition, I am convinced, should be every bit as stringent as firearms controls. These provisions are rightly included in the bill.

While these proposals would go a long way to control the future sale of firearms, there still remains the problem of the millions of weapons which are now extant in the land—possibly many thousands of them in the hands of criminals, drug addicts, juveniles, the mentally unstable, and political extremists.

I am therefore cosponsoring a bill to require the compulsory Federal registration of all firearms. Like all civilized nations of the world, America must make registration of all guns mandatory.

In summary, the bill would provide as follows:

First, it calls for compulsory Federal registration of all firearms under administrative machinery to be set up by the Secretary of the Treasury.

Second, it exempts those States which have or will have laws requiring compulsory registration.

Third, it establishes a nominal registration fee of one dollar to cover the cost of administering the registration program.

Fourth, it provides for a period of 90 days after the law is enacted before it becomes effective. This will make it possible to set up the necessary administrative machinery before registration begins.

Fifth, it provides for a registration period that will commence 90 days after its enactment and will extend for a period of 6 months thereafter.

Sixth, it grants an amnesty from prosecution under this act to all persons who come forward to turn in their firearms before the close of the registration period.

Seventh, it establishes a penalty of a maximum of up to 2 years in prison and $2,000 fine, or both, for those who are found in possession of unregistered firearms after the close of the registration period.

It is evident from this outline that no law-abiding citizen who wishes to have a firearm would be barred from its purchase under this bill, which is patterned after the firearms registration laws of other civilized nations.

Certainly, firearms registration requirements are no more objectionable, and no less necessary, than motor vehicle registration and the licensing of motor vehicle operators.

The bill is clearly an eminently reasonable one which is, at the same time, simple and workable.

BILLS SHOULD HAVE HIGHEST PRIORITY

Mr. President, these proposals—tough, comprehensive, and feasible—are the very bills I have been calling for all these years.

It has long been very evident to me that any truly effective firearms legislation simply must cover long guns as well as hand guns, provide for control of ammunition sales, and require national registration of all weapons.

None of these proposals imposes any inconvenience whatsoever on hunters and sportsmen. They do, however, frustrate the juveniles, the felons, and the fugitives who can today, with impunity and anonimity, buy firearms whenever and in whatever quantity they may desire.

The people of this Nation have given the Congress a very clear mandate for the immediate enactment of precisely the kind of legislation I have today cosponsored.

Two public opinion polls in the last 2 years underline this fact most emphatically.

In September 1966, the Gallup poll reported 68 percent of all Americans favored legislation making a police permit a prerequisite to any firearm purchase. The Harris poll released April 23, 1968, showed that public support of such a regulation had mounted to 71 percent—nearly three out of every four Americans favoring legislation to control the sales of firearms "such as making all persons register all gun purchases no matter where they buy them."

Quite significantly, both polls indicated that most gunowners themselves support Federal firearms control, including registration. Gallup reported 56 percent of all gunowners favored such a law; Harris registered support by a better than 2-to-1 margin, 65 to 31 percent.

The International Association of Chiefs of Police, representing law enforcement officers from across the Nation, have overwhelmingly endorsed a strong and comprehensive law. So have the American Bar Association, the National Association of Citizens Crime Commissions, and the President's Commission on Law Enforcement and Administration of Justice.

These bills, substantially similar to measures introduced in past sessions of Congress, have been the subject of very extensive hearings since 1963. The Senate Commerce Committee held 2 months of hearings on firearms control in 1963 and 1964. The Juvenile Delinquency Subcommittee held lengthy hearings on firearms bills in 1963, and again in 1964, 1965, and 1967.

I call upon the Senate leadership to assign these proposals its highest priority; the Senate should give its immediate consideration to them; the Congress must enact them before we adjourn.

Enactment of any one or even all of these measures would not, of course, prevent all murders for all time; nor would even the most stringent firearms regulations end the incidence of all other crimes.

The senseless killings and assaults by firearms now plaguing the Nation would, however, most assuredly be drastically reduced. Many lives, I am sure, would be saved.

The ethic upon which our Republic was founded is clear in rendering the life or death of any one of its citizens a matter of the greatest significance. Our heritage of the sanctity of human life—the transcendent concern for the individual—permeates the very fabric of our national existence.

Consonant with this ethic, and in keeping with our heritage, these bills should be enacted into law—and it should be done with urgency and with expedition.

ORDER OF BUSINESS

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Arizona.

ORDER PROVIDING FOR INCREASE IN COMPENSATION OF OFFICERS AND EMPLOYEES OF THE SENATE EFFECTIVE JULY 1, 1968

Mr. HAYDEN. Mr. President, acting in my capacity as President pro tempore and under authority vested by section 212 of the Federal Salary Act of 1967, I have on this date signed an order providing for an increase in the compensation of officers and employees of the Senate, effective July 1, 1968. I send to the desk a copy of this order and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE PRESIDENT PRO TEMPORE.

By virtue of the authority vested in me by section 212 of the Federal Salary Act of 1967 (81 Stat. 634), it is hereby

Ordered, That (a) (1) effective July 1, 1968, the annual rate of gross compensation of each officer or employee whose compensation is disbursed by the Secretary of the Senate (i) shall be increased by 5.85 per centum, and (ii) as so increased, shall be adjusted to the nearest multiple of $199. As used in this subsection, the term "officer" does not include a Senator.

(2) No annual rate of gross compensation which is $28,000 or more shall be increased under this subsection, and no annual rate of gross compensation shall be increased under this subsection to an amount in excess of $28,000.

(b) In any case in which the rate of compensation of any officer, employee, or position, or class of officers, employees, or positions, the compensation for which is disbursed by the Secretary of the Senate, or any minimum or maximum rate with respect to such officer, employee, position, or class is referred to in or provided by statute or Senate resolution, such statutory provision or resolution shall be deemed to refer to the rate which an officer or employee subject to the provisions of subsection (a) receiving such rate immediately prior to the effective date of the increase provided by such subsection would be entitled (without regard to such statutory provision or resolution) to receive on and after such date.

(c) The annual rate of gross compensation of each employee in the office of a Senator shall be adjusted, effective on July 1, 1968, to the lowest multiple of $199 which is not lower than the rate such employee was receiving immediately prior thereto, except that the foregoing provisions of this subsection shall not apply in the case of any employee if on or before June 30, 1968, the Senator by whom such employee is employed notifies the disbursing office of the Senate in writing that he does not wish such provisions to apply to such employee. In any case in which, at the expiration of the time within which a Senator may give notice under this subsection, such Senator is deceased, such notice shall be deemed to have been given.

(d) The table contained in section 105(d)

(1) of the Legislative Branch Appropriation Act, 1968, as amended, shall be deemed on and after July 1, 1968, to read as follows:

"$210,940 if the population of his State is less than 3,000,000;

"$224,870 if such population is 3,000,000 but less than 4,000,000;

"$236,810 if such population is 4,000,000 but less than 5,000,000;

"$247,755 if such population is 5,000,000 but less than 7,000,000;

"$259,695 if such population is 7,000,000 but less than 9,000,000;

"$273,625 if such population is 9,000,000 but less than 10,000,000;

"$287,555 if such population is 10,000,000 but less than 11,000,000;

"$301,485 if such population is 11,000,000 but less than 12,000,000;

"$315,415 if such population is 12,000,000 but less than 13,000,000;

"$329,345 if such population is 13,000,000 but less than 15,000,000;

"$343,275 if such population is 15,000,000 but less than 17,000,000;

"$358,200 if such population is 17,000,000 or more.".

(e) The limitation on gross rate per hour per person provided by applicable law on July 1, 1968, with respect to the folding of speeches and pamphlets for the Senate is hereby increased, effective on such date, by 5.85 per centum. The amount of such increase shall be computed to the nearest cent, counting one-half cent and over as a whole cent. The provisions of subsection (a) shall not apply to employees whose compensation is subject to such limitation, or to employees referred to in the last proviso in the second paragraph under the heading "SENATE" in the Second Deficiency Appropriation Act, 1948.

(f) The figure "$188" contained in section 105(a)(1) of the Legislative Branch Appropriation Act, 1968, as amended, shall be deemed on and after July 1, 1968, to refer to the figure "$199".

(g) Except as provided in section 2(b) of this Order, whenever the figures "$1,128", "$6,392", "$11,092", "$11,280", "$14,852", "$15,040", "$16,356", "$16,544", "$18,988", "$23,312", "$24,440", and "$25,568" appear in section 105 of such Act, they shall be deemed on and after July 1, 1968, to refer to the figures "$1,194", "$6,766", "$11,741", "$11,940", "$15,721", "$15,920", "$17,313", "$17,512", "$20,099", "$24,676", "$25,870", and "$27,064", respectively.

(h) The figure "$564" contained in the first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (2 U.S.C. 60j), shall be deemed on and after July 1, 1968, to refer to the figure "$597".

(i) The figure "$6,256" contained in section 5533(c)(1)(A) of title 5, United States Code, insofar as it relates to individuals whose pay is disbursed by the Secretary of the Senate, shall be deemed on and after July 1, 1968, to refer to the figure "$6,622".

SEC. 2. (a) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, the annual rates of gross compensation of the Secretary of the Senate, the Sergeant at Arms, the Secretary for the Majority, the Secretary for the Minority, the Parliamentarian, the Chief Clerk, the Financial Clerk, the Chief Reporter of Debates, the Legislative Counsel, and the four Senior Counsel in the Office of the Legislative Counsel (i) shall be increased to the amounts to which such rates would have been increased and adjusted under subsection (a) of the first section except for the provisions of paragraph (2) thereof, and (ii)(A) such rates, as so increased and adjusted, (B) the annual rates of gross compensation of the seven Reporters of Debates, the Deputy Sergeant at Arms, the Administrative Assistant to the Sergeant at Arms, the Assistant Financial Clerk, and the Director, Recording Studio, and (C) the maximum rates of gross compensation authorized for the present incumbent of the office of Secretary for the Majority and for the Assistant Secretary for the Majority, the Assistant Secretary for the Minority, the Research Assistant to the Majority Leader, the Research Assistant to the Minority Leader, the Assistant to the Majority and the Assistant to the Minority in the Office of the Secretary, the Assistant Parliamentarian, the Legislative Clerk, and the Journal Clerk, shall be increased on the first day of the month following the effective date of such increase in the rate for positions in level V by 5 per centum. Such rates, as increased under clause (ii), shall be adjusted to the nearest multiple of $199.

(b) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, the figures "$20,099", "$24,676", "$25,870", and "$27,064" contained in subsection (g) of the first section shall be deemed on and after the first day of the month following the effective date of such increase to refer to the figures "$21,492", "$26,069", "$27,263", and "$28,457", respectively.

(c) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, each amount contained in the table referred to in subsection (d) of the first section shall be increased on the first day of the month following the effective date of such increase in the rate for positions in level V by $6,965.

CARL HAYDEN,
President pro tempore.

JUNE 12, 1968.

S. 3634—INTRODUCTION OF NATIONAL GUN CRIME PREVENTION ACT OF 1968

Mr. TYDINGS. Mr. President, I am today introducing, for appropriate reference, a bill to assist State and local law enforcement agencies in preventing and solving gun crimes. The bill is entitled the "National Gun Crime Prevention Act of 1968."

Basically, the bill carries out the recommendations of the National Crime Commission report.

The time has arrived to stop talking about effective gun control. The time to act is here. The American people are demanding strong and responsible gun control. During the past 3 days I have received 205 telegrams, 363 telephone calls, and 2,183 letters—2,751 messages in all—which, with only 68 exceptions, all ask for strong gun control.

Mr. President, our mail is not the only evidence that the American people want effective gun control.

The Gallup poll reported on June 8 that:

> The public, gunowners and non-gunowners alike . . . favor a law requiring the registration of all guns, a law banning the sale of all guns through the mails, and strict restrictions on the use of guns by persons under 18 years of age.

According to the Harris poll, 85 percent of the public favors strong gun control legislation.

Law enforcement officials throughout the Nation are demanding—for society's protection and their own—strong gun control. Chief Thomas Reddin, of Los Angeles, said in the aftermath of last week's tragedy, that we must have gun control.

J. Edgar Hoover has written:

> There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premediated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public.

Quinn Tamm, director of the International Association of Chiefs of Police has written:

> Law-abiding citizens and the police are tired of living in a country which is becoming a veritable armed camp, erupting too frequently into violence, bringing death and destruction by firearms to innocent citizens . . . The ease with which any person can acquire firearms . . . is a significant factor in the prevalence of lawlessness and violent crime in the United States.

The Director of the FBI, the President's Commission on Law Enforcement and the Administration of Justice, the International Association of Police Chiefs, the National Council on Crime and Delinquency, the American Bar Association—all of these organizations and many more—as well as 85 percent of the American people are demanding an end to our firearms anarchy.

I ask my colleagues—Can we really afford to wait? Must we endure more tragedies, more weeks like last week before we act?

The bill I am introducing today—the Gun Crime Prevention Act of 1968—will provide, as recommended by the President's Crime Commission, for registration of every firearm in the United States—a simple registration. It will also require a license for the purchase or possession of any firearm and ammunition in the United States.

This legislation is specifically structured to encourage the States to provide these protections for the public, but if the States fail to act, then the Federal Law will protect the public.

This bill will deny a license to purchase or possess firearms and ammunition to anyone convicted of a felony or a misdemeanor involving violence. It will deny firearms to aliens, alcoholics, narcotics addicts, mental incompetence, and juveniles. But it will impose no significant burden on law-abiding gun owners, hunters, hobbyists, and sportsmen.

I ask my colleagues to study the bill closely because, without question, it will be the subject of a propaganda drive of massive misrepresentation throughout the United States by the National Rifle Association.

I might add that my love of hunting and shooting is second to none in this Chamber. My marksmanship is not so expert as that of the distinguished Presiding Officer now in the chair [Mr. TALMADGE]. But I love to shoot. I learned to shoot at my father's knee. My son is learning to shoot at my knee.

My bill represents moderate responsible gun control legislation. It will not,

in any way, injure the law-abiding citizen, the law-abiding sportsman, or the homeowner who wishes to protect his home.

Mr. President, some will call this bill too tough. Certainly, it is the strongest firearms control bill yet introduced in Congress. It is complementary to the bill just introduced by the Senator from Connecticut [Mr. Dodd] and others. But in view of what has happened in our Nation and to our Nation, and in view of what happens every day in this Nation, I do not feel that we can do less.

A brief glance at some of the statistics on gun crime shows the need for this bill:

1. Homicide by gun:

a. 1964: 5,090 gun murders, 55% of the total homicides.

b. 1965: 5,634 gun murders, 57% of the total homicides.

c. 1966: 6,552 gun murders, 60% of the total homicides.

2. Rifle and shotgun murders (about 30% of the annual total):

a. 1964: 1,527 long gun murders.

b. 1965: 1,690 long gun murders.

c. 1966: 1,747 long gun murders.

3. Gun homicide rates in states with strong gun laws vs. states with weak gun laws (four year period 1962–1965—Overall homicide rate per 100,000 population in parenthesis).

STRONG LAW

Pennsylvania: 43.2% of all murders (3.2).
New Jersey: 38.6% of all murders (3.5).
New York: 31.8% of all murders (4.8).
Massachusetts: 35.3% of all murders (2.4).
Rhode Island: 24.0% of all murders (1.4).

WEAK LAW

Florida: 66.0% of all murders.
Arizona: 66.4% of all murders (6.1).
Nevada: 66.9% of all murders (10.6).
Texas: 68.7% of all murders (9.1).
Mississippi: 70.9% of all murders (9.7).
Louisiana: 62.0% of all murders (9.9).

4. Law enforcement officers killed in line of duty:

a. Since 1960, firearms have been the weapon in 96% (322) of all 335 murders of police officers.

b. In 1966, 57 police officers were killed in the line of duty, and 55 of them were killed with firearms.

c. Of the 335 officers killed, 53 were killed in the Northeastern states, 60 in western states, 71 in North Central states, and 151 in southern states. (The most stringent gun control laws exist in Northeasern states, and the weakest in southern states.)

5. Aggravated assault by gun:

a. 1964: 27,700

b. 1965: 34,700

c. 1966: 43,500

During the three years, 1964–66, assaults with a gun increased 36%. Regionally, 11.7% of the aggravated assaults committed in Northeastern states were committed with a gun; 18.5% in Western states; 19.2% in North Central states; and 23.5% in Southern states.

6. Armed robbery by gun:

a. 1964: 42,600

b. 1965: 52,000

c. 1966: 59,300

7. Firearms control in other nations:

a. Britain requires a certificate from local police before a long gun can be purchased.

b. In a recent three-year period in England and Wales, of the 400,000 criminals arrested, only 159 were carrying guns.

c. In England, guns are used in 10% of the homicides; in the United States, 60%.

d. France requires police permits for handguns and military rifle purchases.

e. Sweden requires a need for a gun, and demonstrated knowledge of its use.

f. Germany issues permits only to registered hunters and members of shooting clubs.

g. Japan prohibits entirely private ownership of guns.

h. Canada requires registration of all handguns.

8. Comparative gun fatalities in sixteeen nations:

TOTAL NUMBER AND RATE PER 100,000 POPULATION

Country (Year is the latest for which figures are available)	Homicide		Suicide		Accident	
	Number	Rate	Number	Rate	Number	Rate
United States, 1963	5,126	2.7	9,595	5.1	2,263	1.2
Australia, 1963	61	.56	336	3.1	87	.80
Belgium, 1963	24	.26	64	.69	10	.11
Canada, 1963	99	.52	556	2.9	150	.8
Denmark, 1962	6	.13	59	1.3	15	.32
England and Wales, 1963	24	.05	161	.34	77	.16
France, 1962	584	1.3	777	1.7	265	.56
German Federal Republic, 1962	68	.12	438	.80	93	1.17
Ireland, 1963			7	.25	15	.53
Italy, 1962	351	.70	362	.73	181	.36
Japan, 1962	37	.04	93	.10	90	.09
Netherlands, 1963	3	.03	11	.09	4	.03
New Zealand, 1962	4	.17	39	1.7	6	.26
Scotland, 1963	3	.06	20	.38	13	.25
Sweden, 1963	8	.11	163	2.1	27	.36
Switzerland, 1962					26	.46

Gun homicide rates in States with strong gun laws versus States with weak gun laws show a marked contrast. In those States with strong gun laws, the gun murder rate is substantially lower than in those States with weak laws.

In Pennsylvania, with a relatively strong law, 43.2 percent of all murders are gun murders. In New Jersey, 38.6 percent of all murders are gun murders. In New York, 31.8 percent. In Massachusetts, 35.3 percent. In Rhode Island, 24 percent.

Those are States with at least minimal gun regulations.

Now let us look at those States with no laws or weak laws: Florida, 66 percent of all murders are by gun. Arizona, 66.4 percent. Nevada, 66.9 percent, Texas, 68.7 percent, Mississippi, 70.9 percent, Louisiana, 62 percent.

Mr. President, in these days we think no sacrifice too great for our police officers. We do not hesitate to call them to become sociologists, traffic directors, and community relations counsellors as well as courageous protectors of public order; and yet, since 1960, there have been 335 murders of police officers in this country, and 96 percent were by gun.

In 1966, 57 police officers were killed in the line of duty, and 55 of them were killed with firearms.

These next statistics are very interesting. Of the 335 police officers murdered by gun in the United States since 1960, only 53 police officers were shot down with guns in the Northeastern States, which have highly populated areas but relatively strong gun laws. In the Southern States, with much less population and little gun legislation to speak of, 151 police officers were shot down with guns.

It is interesting to note that some of the most stringent gun control laws exist in the Northeastern States and some of the weakest in the Southern States.

It is interesting to take a look at firearms control in other "civilized" nations of the Western World.

Britain requires a certificate from local police before a handgun or a rifle can be purchased. In a recent 3-year period in England and Wales, of the 400,000 criminals arrested, only 159 were carrying guns.

In England guns are used in 10 percent of the homicides; in the United States, in 60 percent of the homicides.

France requires police permits for handguns and military rifles.

Sweden requires a need for a gun and demonstrated knowledge of its use.

Germany issues permits only to registered hunters and members of shooting clubs.

Japan prohibits entirely private ownership of guns.

Canada requires registration of all handguns.

I have a little chart here, Mr. President, which gives the comparative gun fatalities in 16 nations of the Western World. I would like to read them, because they are illustrative. We will start with the United States and use the United States as a base. The rate is per 100,000 population.

In 1963, the homicide rate—the gun murder rate—in the United States per 100,000 population was 2.7; five times the rate of Australia; 10 times the rate of Belgium; five times the rate of Canada; 20 times the rate of Denmark; 54 times the rate of Great Britain; 23 times the rate of the German Federal Republic; 67 times the rate of Japan; 90 times the rate of the Netherlands.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield.

Mr. HOLLAND. Does the Senator have the figures indicating what percentage or what number of those murders were by handguns and what number by long guns?

Mr. TYDINGS. I have the ratio only for the United States.

Mr. HOLLAND. I mean in the United States.

Mr. TYDINGS. Approximately 30 percent by long guns in the United States and 70 percent by handguns.

Mr. HOLLAND. I thank the Senator.

Mr. TYDINGS. Mr. President, in 1963 there were 5,126 gun murders in the United States.

In Denmark there were six.

In England and Wales there were 24.

In Belgium there were 24.

In Japan there were 37.

There were three in the Netherlands.

There were four in New Zealand.

There were eight in Sweden.

And yet—I repeat—5,126 gun murders in the United States.

Mr. President, the bill I am introducing is called the Gun Crime Prevention Act of 1968. It is complementary to the President's gun sales legislative proposal, introduced by the Senator from Connecticut, and which has been before the Congress every year since I have been in the Senate. But unlike the President's gun sales bill, my proposal applies to possession and the use of firearms. It is designed to take guns out of the hands of the lawless elements of this country and thus help reduce the staggering and tragic gun crime problem we face.

My proposal applies both to firearms and ammunition. It will require the registration, by a simple form, of every firearm now in the United States and all firearms produced in or imported into this country in the future, and the reregistration or transfer each time a firearm changes hands.

Mr. President, that is a basic law-enforcement need—to be able to locate where the firearms are in this country. Fortunately, California was one of those States which had at least registration statute for initial sales. That is how the name of the accused in the assassination of Senator Kennedy, our colleague, was discovered.

Registration is a bare minimum of assistance for police officers.

In addition, my bill will also require a license for the transfer or possession or purchase of any firearm or any ammunition used in a firearm.

It will disqualify from gun ownership, felons, aliens, those convicted of misdemeanors involving violence, drug addicts, alcoholics, the mentally incompetent, and juveniles.

The Gun Crime Prevention Act will not disarm law-abiding citizens who own guns. It will not significantly inconvenience law-abiding hunters, sportsmen, collectors, or other gun fanciers, any more than the obtaining of a license for an automobile owner inconveniences the automobile driver.

It will not nullify any State gun law, and will provide specifically that any State can preempt this legislative proposal by enacting a State law equally as effective for registration and licensing of firearms.

The entire purpose and thrust of this legislation is to encourage and persuade the legislatures across the Nation to provide this minimal assistance to law enforcement.

I might point out, parenthetically, Mr. President, that with the exception of New Jersey, no State in the past several decades has been able to enact any gun legislation which has been opposed by the National Rifle Association and their gun lobby.

If a State does not preempt the field, then the Federal law created by this bill would apply, and would protect from gun crimes the people of that State and visitors to that State.

The bill provides for registration of all firearms within a year from the effective date of the act. It provides that all transfers of firearms will be registered after the effective date of the act. The effective date will be 180 days after enactment of the bill.

Anyone who owns a firearm will be able to register a firearm, and, in fact, every owner will be required to do so. This is to provide a record of the serial number, kind of weapon, and its owner for every firearm in the Nation.

In addition, every person who wishes to keep or use a firearm or ammunition 1 year after the act takes effect will have to apply for a license to do so. To obtain a license, all a person need do is to affirm on a form that he is over 18 years old, is a citizen, is not a felon or under indictment for a felony, has not been convicted of a misdemeanor involving violence, and has never been committed to an institution by a court for drug addiction, alcoholism, or mental incompetence.

In addition, an applicant will have to submit a photograph and fingerprints with his application, so that his identity can be firmly established and his freedom from a criminal record confirmed. But in a State or part of a State where the photograph-fingerprint requirement is impractical—as in a sparsely populated area—the Governor of the State can apply to have either or both of these requirements waived.

The Secretary of the Treasury will administer the act, except where a State enacts as effective a law. In that case, of course, the Federal law will not apply; the State law will preempt. Under the bill, the Secretary may borrow the services of other agencies of Government—such as the Post Office—to administer the act. I contemplate that both registration and licensing under this bill can be conducted through post offices all over the country, because basically all it will require is filling out and signing your name to a form, and, in the case of licensing, supplying a photograph and your fingerprints.

The bill further provides the means for disposing of some of the more than 100 million guns now in private hands in this country, when their owners no longer want them or do not or cannot qualify for a license to possess a firearm under the act. In either case, the bill authorizes the Secretary to buy up and destroy those weapons.

Finally, the bill provides stringent penalties for its violation in order to severely discourage gun possession by felons, addicts, aliens, and juveniles.

The Gun Crime Control Act is a moderate, but effective, measure to meet the nationwide gun crime crisis we face.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the National Crime Commission report, beginning on page 240 with the heading "Limited Effectiveness of Present Laws," and ending, at the end of page 243, with the recommendations of the Commission.

There being no objection, the excerpt from the Crime Commission Report was ordered to be printed in the RECORD, as follows:

LIMITED EFFECTIVENESS OF PRESENT LAWS

At first glance, the combined regulatory machinery established by these firearms laws may appear to provide sufficient control. This appearance is misleading. A 1966 Federal Bureau of Investigation survey of the chief administrators of police departments in 10 large cities discloses that all but one believe that the easy accessibility of firearms is a serious law enforcement problem.

On the Federal level, the statutes do little to control the retail and mail-order sale of handguns, rifles, and shotguns. The provision of the Federal Firearms Act of 1938 prohibiting Federal licensees from transporting firearms into States in violation of State laws requiring a permit to purchase firearms has an extremely limited effect. Only eight States have enacted permit laws. If there are local ordinances within a State, but no State law, the Federal provision does not apply. The prohibition against transport of firearms to, or receipt by, felons or fugitives applies only to direct interstate shipment and does not prevent such persons from buying firearms locally after they have been transported from another State. Despite the Federal laws, therefore, practically anyone—the convicted criminal, the mental incompetent, or the habitual drunkard—can purchase firearms simply by ordering them in those States that have few controls.

Strict controls by one State or city are nullified when a potential criminal can secure a firearm merely by going into a neighboring jurisdiction with lax controls, or none at all. While information is sparse, there are strong indications that mail-order houses and other out-of-State sources provide a substantial number of guns to those who commit crimes. One study by the Massachusetts State Police showed that 87 percent of concealable firearms used during the commission of crimes in Massachusetts in a recent year were obtained from sources outside the State.

In order to prevent criminal use of firearms, the police must have some way of following weapons into the hands of the ultimate consumer. But only in four States do police agencies have a method of determining who owns firearms and where they are located. The requirement that each person register firearms—a tool available to law enforcement in almost every industrial nation in the world—has been compared with the State control of automobiles and drivers. At a time when there were very few automobiles, registration was not thought necessary. When automobiles became so numerous that they posed a serious physical threat to society, comprehensive registration was felt to be essential.

A final failing in the present system of control is the ease with which extremely low-priced, and therefore widely available, surplus weapons are brought into the United States from foreign countries. At the present time it is estimated that at least 1 million such weapons are reaching the civilian market each year. During the recent hearings of the Senate Subcommittee on Juvenile Delinquency, law enforcement officials testified that foreign imports accounted for a significant percentage of the total number of firearms coming into their possession as a result of having been used in the commission of crimes. The figures ranged from a low of 18 percent in Washington, D.C., to a high of 80 percent in Atlanta, Ga.

The limited statutory framework within which the State Department must operate prevents any effective control over the importation of firearms. If the import in question does not involve machineguns, sawed-off shotguns, or the other weapons covered by the 1934 National Firearms Act, each transaction is approved routinely, as long as the dealer is a bona fide businessman engaged in a bona fide business transaction.

PUBLIC OPINION ABOUT FIREARMS CONTROL

Public opinion on the subject of firearms control has been sampled several times in the last few years by the Gallup Poll. According to the 1966 poll, a substantial majority of persons interviewed—67 percent—

said they favored "a law which would require a person to obtain a police permit before he or she could buy a gun." Even when the same question was put to firearms owners, a majority—56 percent—indicated that they favored police permits to purchase guns.

A second question asked by the Gallup Poll was directed to the problem of guns and juveniles. "Which of these three plans would you prefer for the use of guns by persons under the age of 18—forbid their use completely; put strict regulations on their use; or continue as at present with few regulations?" In response, 27 percent of those questioned and 17 percent of firearms owners said they favored completely forbidding the use of guns by persons under 18; 55 percent of all persons and 59 percent of gun owners said they favored strict regulation; and 15 percent of all persons and 22 percent of the gun owners wanted to continue as at present.

On the question of outlawing all handguns except for police use (a question last asked in 1959) 59 percent of the sample were in favor and 35 percent were opposed.

THE CONTROVERSY ABOUT FIREARMS CONTROL

While the majority of the public favors reasonable firearms control, the National Rifle Association and other citizen groups have provided an effective legislative lobby to represent those hunters, gun collectors, and other persons who oppose additional regulation. Many arguments are offered by this opposition.

The most emotional position—one this Commission must reject outright—is that licensing and registration provisions for handguns, rifles, and shotguns would disarm the public and thus render it easy prey for violent criminals, or an invading or subversive enemy. In fact, all proposals for regulation would permit householders and shopkeepers to continue to possess firearms. Licensing and registration for the legitimate firearms owner would merely add a small measure of inconvenience to the presently largely unregulated mail-order and over-the-counter sales of firearms. It is this inconvenience that appears to be the underlying reason for the opposition to more firearms control. Opponents suggest that laws calling for registration would penalize the law-abiding citizen, who would comply—while not touching criminals who would not comply. They thus conclude that such laws do not address themselves to the real problem of firearms misuse.

Those supporting stricter control of firearms agree that many potential criminal offenders will obtain firearms even with additional laws. But they point to the conclusion of the Senate Subcommittee on Juvenile Delinquency, which found that criminals, for the most part, purchase their firearms through the mails or in retail stores, rather than stealing them. One police chief from a large western city told an FBI survey that, after permissive State legislation had preempted local controls, there were "several instances of homicide committed within 30 minutes of the time a short firearm was purchased by a person who would not have been granted a permit to purchase one under the former legislation."

During the first year's operation of a Philadelphia ordinance requiring a permit to obtain a firearm, 73 convicted persons were prohibited from purchasing firearms in the city. Federal Bureau of Investigation statistics demonstrate that a higher proportion of homicides are committed with firearms in those areas where firearms regulations are lax, than in those areas where there are more stringent controls. In Dallas, Tex., and Phoenix, Ariz., firearms regulations are fairly weak. In Dallas in 1963, 72 percent of homicides were committed with firearms; in Phoenix 65.9 percent were committed with firearms. In Chicago, where regulations are more strict, 46.4 percent of the homicides were committed with firearms. In New York City, with the most stringent gun controls of any major city in the United States, only about 25 percent of the homicides are committed with firearms.

Opponents of additional controls contend that firearms are dangerous only if misused and that the appropriate legal remedy is to punish illegal use of firearms—not to hamper ownership. Supporters of control argue that it is not enough to rely on the deterrent effect of punishing the wrongdoer after the act to prevent others from misusing guns. They maintain that firearms should be kept out of the hands of those who intend to use them wrongfully.

Opponents of firearms control legislation also rely upon the Second Amendment's guarantee of "the right to bear arms." The Second Amendment, in its entirety, states:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The U.S. Supreme Court and lower Federal courts have consistently interpreted this Amendment only as a prohibition against Federal interference with State militia and not as a guarantee of an individual's right to keep or carry firearms. The argument that the Second Amendment prohibits State or Federal regulation of citizens ownership of firearms has no validity whatsoever.

COMMISSION RECOMMENDATIONS

Since laws, as they now stand, do not accomplish the purposes of firearms control, the Commission believes that all States and the Federal Government should act to strengthen them. Any legislative scheme should maximize the possibility of keeping firearms out of the hands of potential criminal offenders, while at the same time affording citizens ample opportunity to purchase such weapons for legitimate purposes.

It is appropriate to ban absolutely the sale of those weapons no citizen has a justifiable reason for owning.

The Commission recommends: Federal and State Governments should enact legislation outlawing transportation and private possession of military-type firearms such as bazookas, machine guns, mortars, and antitank guns.

In addition, dangerous or potentially dangerous persons should be prohibited from purchasing firearms.

The Commission recommends: States should enact laws prohibiting certain categories of persons, such as habitual drunkards, drug addicts, mental incompetents, persons with a history of mental disturbance, and persons convicted of certain offenses, from buying, owning, or possessing firearms.

Prevention of crime and apprehension of criminals would be enhanced if each firearm were registered with a governmental jurisdiction. A record of ownership would aid the police in tracing and locating those who have committed or who threaten to commit violent crime. Law enforcement officers should know where each gun is and who owns it.

The Commission recommends: Each State should require the registration of all handguns, rifles, and shotguns. If, after 5 years, some States still have not enacted such laws, Congress should pass a Federal firearms registration act applicable to those States.

Government regulation to prevent those with criminal purposes from purchasing firearms cannot be effective as long as mail-order sales and retail sales to persons living outside the seller's State are not controlled. It is essential, also, to reduce and to regulate the importation into the United States of large numbers of cheap firearms. Since sporting weapons such as rifles and shotguns apparently present less danger of criminal use than do handguns, control over the latter should be more stringent. A truly effective system of regulation requires a meshing of State and Federal action.

The Commission recommends: Each State should require a person to obtain a permit before he can either possess or carry a handgun. Through licensing provisions, Federal law should prohibit mail-order and other interstate sales of handguns and should regulate such sales of rifles and shotguns.

Federal legislation to implement these goals should prohibit the interstate shipment of handguns except between federally licensed importers, manufacturers, and dealers. A Federal licensee should also be prohibited from selling handguns to an individual not living in the State of the seller. The interstate shipment of shotguns and rifles should be delayed a sufficient time for law enforcement authorities in the buyer's hometown to examine his sworn statement concerning age and other factors affecting his eligibility to purchase such a weapon, and the consent of these authorities should be required before the weapon may be shipped. Antique dealers could continue to operate under reasonable regulations. States may also want to prohibit firearms sales to persons under a certain age, such as 18 or 21, or require parental approval for firearms registration in a minor's name.

Mr. TYDINGS. Mr. President, there are those who would call this proposal too tough. But it is not really too tough. It is, in fact, a very moderate bill. It will not deprive any law-abiding citizen of the right to own or use a gun—whether for home protection, hunting, target shooting, collection, or any other legitimate purpose.

It does not outlaw private ownership of firearms, as Japan does. It does not outlaw ownership of handguns, as some have proposed. It would not require citizens to keep their guns in certified gun clubs, as others propose. It would not require a showing of professional need, as advocated by some.

In fact, Mr. President, the bill does not subject firearms even to the stringent regulation to which we subject automobiles and drugs.

Nevertheless, I think that those of us who support rational gun laws must gird ourselves for the campaign of misrepresentation which will certainly begin today. The gun lobby in this Nation—led by their paid hierarchy, the National Rifle Association here in Washington—has, without the slightest apparent twinge of conscience, opposed with a vicious disregard of fact every effective piece of firearms legislation introduced since I have been in the Senate and, I am informed, since long before I arrived here.

We can expect the NRA and its satellites to continue their opposition. But we do not intend to remain passive. I have today demanded that the Internal Revenue Service tell me, as a Senator of the State of Maryland, why an organization with an annual budget of $5.7 million—which spends a large percentage of that budget lobbying against firearms legislation throughout the United States at the Federal, State, county, and city levels—remains untaxed.

I have demanded that the IRS investigate how this organization has urged its members to oppose firearms control legislation, and, whether its agents have spoken to Senators, Congressmen, State legislators, and other Government officials to influence their behavior, and if it has ever mobilized a campaign to oppose gun control, why the Internal Revenue Service has given it such kid glove treatment and a specific tax exemption.

Further, as a member of the Juvenile Delinquency Subcommittee, I intend to press for an immediate investigation of the entire gun lobby—the NRA and other extremist organizations, including the Minutemen, and gun manufacturers and large dealers, importers, and others who support these lobbying efforts.

If this campaign of misrepresentation and disregard of the public interest continues, the public is entitled, at the very least, to know its origins, its motivations, and where the money comes from.

We who support strong gun control legislation do not maintain that regulation will stop crime. It will not prevent all murders. But the statistics are unassailable that good gun laws do reduce gun crimes. We believe that a society which regulates automobiles, of which death is only a byproduct, should regulate guns, of which death is a primary purpose.

The Federal Bureau of Investigation published in its Law Enforcement Bulletin of October 1966, a list of murder percentages by guns, by States, for the 4-year period 1962–65. It is interesting to note that, generally speaking, States have effective or even minimal gun control legislation have the lowest gun murder rates, and that States having little or no protection from guns have the highest gun murder rates.

We who support reasonable firearms control believe that a government which can protect borrowers from unscrupulous money lenders, housewives from deceptive packaging, children from color television radiation, sick people from ineffective drugs, can also protect people from maiming and murder guaranteed by the promiscuous ownership of firearms.

The tragic death of the Senator from New York, Robert F. Kennedy, was indeed a national calamity. It will focus attention on the problem. But we are not talking merely about one isolated instance tragic as it was. Innocent, hard-working busdrivers in my own city of Baltimore and in Washington have been shot down by hoodlums with guns or pistols purchased for a few dollars. Innocent persons on the campus of the University of Texas were slaughtered by a man who bought some guns, went to the top of a tower, and opened fire on the people below.

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am glad to yield.

Mr. MANSFIELD. Following the distinguished Senator's line of thought, I should like to add the fact that two marine lieutenants who had just been graduated from Quantico were shot in a hamburger shop in Washington last week. One of them, 2d Lt. Thaddeus Lesnick, was from Fishtail, Mont.

A Negro boy, a graduate of Wilson High School, also was shot and killed. He, likewise, should be considered along with the others.

I am glad that the Senator from Maryland is emphasizing that this is a problem which is not only confined to great men or great personalities, but includes also the little people, who cannot generate the type of support the others can, but whose needs and considerations are just as great. I feel, and I know certain, that these examples could be multiplied many times over.

If I may, I should like to ask a question of the distinguished Senator.

Mr. TYDINGS. Certainly.

Mr. MANSFIELD. Do I correctly understand the Senator to say that the bill which he is introducing today—I have not seen it; I am looking at some statements concerning it—would provide for the registration of all firearms in the United States?

Mr. TYDINGS. The Senator is correct.

Mr. MANSFIELD. Is it the Senator's contention that that would encourage——

Mr. TYDINGS. This bill would in no way require the turning in of weapons—I hope I correctly judge the import of the Senator's question——

Mr. MANSFIELD. Yes, indeed. Would it also encourage States to provide for such registration, among other things?

Mr. TYDINGS. That is correct. It would be my hope that the States would enact their own registration laws. My bill provides that if a State did act its law will automatically preempt. If a State does not act, the Federal law would apply.

Mr. MANSFIELD. Very well. That is what I was trying to understand.

The Senator may or may not recall that on Monday last I made a speech on the floor of the Senate in which I stated that a number of proposals had been made by the President's Commission on Law Enforcement and Administration of Justice, including the outlawing of the private possession of such military types of firearms as bazookas, machineguns, mortars, and antitank guns; second, prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms.

In my opinion, this has already been done in title IV of the safe streets and crime control bill in the section relating to handguns.

Mr. TYDINGS. One part of the National Crime Commission's recommendations was embodied in title IV. The Senator from Montana brings up a very good point. That is why I included the entirety of the National Crime Commission's recommendations in my own remarks, because my bill is really patterned after and based on the recommendations which the Senator has read and which the Senator has quoted.

Mr. MANSFIELD. The third recommendation underscored the need for State registration of all firearms, and for State permits to possess or carry handguns. My remarks follow:

> These requirements will not stop killing; they may help to discourage it, and personally I would favor them.

Further, I stated:

> I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States have refused to assume theirs.

Is that in accord with the Senator's proposal?

Mr. TYDINGS. That is exactly the philosophy of the proposal. As a matter of fact, we had before us the Senator's speech and his recommendations while we were drafting the proposed legislation. Unfortunately, in the past 30 years the only one gun control law which was able to pass any State legislature—in New Jersey—and that was a far weaker law than we propose, and that was in New Jersey. During that period, all attempts to enact sane gun laws by State legislatures have been vehemently opposed by the National Rifle Association and the gun lobby. So we provide that our bill would take effect only if the State failed to act. The State could act and would thus preempt the field at any time.

Mr. MANSFIELD. I suppose the Senator has in mind California, Michigan, New York, and New Jersey as States which have good gun control laws at present.

Mr. TYDINGS. Yes. So far as registration is concerned, I think they accomplish what we seek.

My bill also requires that an individual must obtain a license in order to possess, purchase, or transfer a firearm. Under the bill, each State will set up its own licensing procedure. But if the State does not do that, then the Federal law will apply. Under this bill, a license will automatically be given to an individual who states truthfully, that he is not a convicted felon, is not under indictment for a felony, has not been convicted of a misdemeanor involving violence, has never been institutionalized, under court order, for alcoholism, drug addiction, or mental incompetency, is over 18 years of age, and is a U.S. citizen.

In addition, fingerprints and a photograph would be required, unless the Governor of a State indicates to the Secretary of the Treasury that obtaining fingerprints or a photograph would not be practicable for residents in his State. For example, if a State is sparsely populated or long distances must be traveled to find people qualified to take fingerprints or to develop photographs, then the Governor could get an exemption for his State from this requirement.

If a license application is submitted containing all this information, and if the information is truthful, then automatically the firearms license would be issued. The Secretary of the Treasury would have no discretion to withhold the license.

Hopefully, the States would move to set up machinery for firearms licensing and for registration. If a State did act, then the Federal law would not apply in that State.

Mr. MANSFIELD. I appreciate the remarks of the distinguished Senator. I assure him that I have followed his statements with great interest.

Mr. TYDINGS. I thank the distinguished majority leader. I hope he will agree that my proposed legislation is basically within the philosophy and meets the objectives set out in the remarks which he made earlier this week.

I should like to re-emphasize the point made by the majority leader, that this is not a problem involving only public officials. This is a problem involving the people of the United States.

After the riots in Detroit, rioters were arrested and guns were confiscated. It was found that a substantial majority—as many as 9 out of ten guns—confiscated could not have had firearms which they could not have purchased under Michigan law. All they did was slip over the State line into Toledo, Ohio, and pick up those "Saturday night specials" for a few dollars and drive back to Detroit.

Last summer, at our hearings on gun control the Governor of New Jersey, after the riots in Newark, pointed out that people who were ineligible to buy a firearm in New Jersey because of a criminal record would hop into their automobiles and drive into other States and purchase all the guns they wanted—indeed, even carloads of them—and drive back to New Jersey.

The entire thrust of this bill is really to protect the average citizen.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to the distinguished Senator from Florida.

Mr. HOLLAND. I have checked only briefly the résumé which the Senator from Maryland has had placed on the desk of each Senator. I have found no reference to what would be done in the case of weapons owned by public bodies and furnished to their police forces, and also weapons owned by the State governments or the Federal Government and made available to their uniformed military bodies. Will the Senator explain for the RECORD what this bill provides in those regards?

Mr. TYDINGS. I certainly will. It is a very important question, Mr. President.

Section 806 of my proposed bill read as follows:

> SEC. 806. EXEMPTIONS.—The provisions of this Act shall not apply to the sale, other transfer, ownership or possession of any firearm or ammunition to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity, or (D) any manufacturer licensed after the enactment of this Act under the provisions of the Federal Firearms Act.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HOLLAND. Do I correctly understand from that recital, which is very informative, that all of the necessarily public ownerships, acquisitions, transfers, and the like, by all public units, whether for military service or for other use, are exempted under the terms of this bill?

Mr. TYDINGS. That is correct. That is the proper interpretation, as we intended it in the bill.

Mr. HOLLAND. I thank the Senator.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the text of the bill be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. I ask unanimous consent that the bill lie on the desk for the remainder of the day so that Senators who wish to cosponsor it may add their names.

The PRESIDING OFFICER. Without objection, the bill will lie on the desk, as requested by the Senator from Maryland.

Mr. TYDINGS. Mr. President, I now introduce on behalf of myself, the senior Senator from Maryland [Mr. BREWSTER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from New York [Mr. JAVITS], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Ohio [Mr. YOUNG], and the Senator from Rhode Island [Mr. PELL], the Gun Crime Prevention Act of 1968 and ask that it be printed at the close of these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3634) to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes, introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HOLLAND. The Senator will recall, of course, that the Senate recently passed title IV of the omnibus crime bill, which applies only to handguns, as I recall—primarily to pistols. What is the difference between the provisions of title IV of the omnibus crime bill, as applied to handguns, and the provisions of the bill which the Senator just introduced, as applied to that same class of weapons?

Mr. TYDINGS. Mr. President, title IV, as enacted by the Senate, forbids the sale of a handgun to anyone not a resident of the State of sale. It also forbids the mail-order purchase or sale of a handgun. It deals only with sale of handguns. My proposal is complementary to it. My proposal would require, first, the registration of all firearms—handguns as well as long guns—in the United States, indicating the type of weapon, its serial number and caliber, and other information as I have described in my remarks.

Second, it would require that any person who wished to possess a firearm would obtain a license by stating that he was not a convicted criminal, was not institutionalized for drug addiction, alcoholism, mental incompetency, was over 18, and was a U.S. citizen. There could be no sale or transfer of a firearm except to a person with a license.

In other words, my bill provides for the registration of all firearms and licensing for purchase or possession, whereas title IV, of the Safe Streets Act, which was passed by the Senate several weeks ago, deals only with the mail-order or interstate sale of handguns. The President's bill is a sales bill. The Gun Crime Prevention Act is basically a possession-and-use bill.

Mr. HOLLAND. I thank the Senator. I understand the Senator to say that, added to the provisions applicable to the sale of handguns included in title IV, the bill now offered by the Senator and his associates would add other restrictions having to do with the registration and the sale by individuals after they had registered a handgun.

Mr. TYDINGS. That is correct. The President's bill is intended to make State gun laws enforceable by preventing their subversion through interstate commerce. The Gun Crime Prevention Act will provide United States citizens protection from gun crimes if the States do not fulfill their responsibilities.

Mr. HOLLAND. In those two particulars, at least, his bill would be supplemental to or would add to, as he stated, the requirements already included in title IV.

Mr. TYDINGS. The Senator is correct.

Mr. HOLLAND. The Senator from Florida is particularly interested in that field, because he believes that there is a much stronger case to be made with reference to handguns than with reference to the long guns. Every State with which I am familiar has some type of legislation with reference to carrying a concealed weapon, which, by the very nature of the possibility of concealment, applies largely to handguns.

The Senator from Florida knows, from the figures already given by the distinguished Senator from Maryland, that of the homicides attributable to gunfire over the years mentioned in his data, approximately 70 percent have been accomplished through the use of handguns and approximately 30 percent through the use of long guns.

The Senator from Florida has no real figures upon which he can rely, but he is familiar with the fact that literally millions of long guns, perhaps hundreds of millions, would represent the numbers of shotguns and rifles and other weapons that would be regarded as long guns which are distributed throughout the country—most of them owned by sportsmen, many of them owned by dwellers in remote spots, many of them a perfectly understandable means of protecting a person or protecting property, or for lawful use in the field of sporting activities.

I have not yet seen a bill—and I hope the Senator has such a bill—that contains reasonable provisions as to those literally hundreds of millions of long guns; because I have not felt that I was safe in relying upon measures simply offered from the floor as substitutes or as amendments, but not approved by committees after long and responsible research, such as was title IV of the omnibus crime bill.

I hope that the Senator's bill, and I am inclined to think it would from having heard it described, may much more adequately deal with this subject matter than has been the case with reference to prior efforts. I hope, and I express the hope here, that such may be the case. However, I recognize there are tremendous difficulties applicable to the field of control of long guns that are not found in the case of the control of short guns. I express the hope that the Senator is effectively dealing with that subject which has great bearing on the whole protection of our people.

Mr. TYDINGS. Mr. President, I believe the point raised by the distinguished Senator from Florida is a very important point. We have been holding hearings in the Subcommittee on Juvenile Delinquency now for 3 years on the question of gun control legislation. We have had, I believe, weeks of hearings, and we have heard scores of witnesses. They have recommended many types of gun legislation.

The point which the Senator makes is that to the farmer, or the sportsman, or the person in rural America, in the West and the South, rifles, shotguns, and the shooting of rabbits, quail, ducks, and other game, is a way of life, and that those persons should not be unnecessarily inconvenienced or deprived of that way of life which harms no one and which is part of their tradition.

In the interests of these law-abiding citizens, I have drafted this legislation so that anyone can comply with the registration and license requirements for firearms with ease, without delay and with great certainty.

I have made sure that no Federal official would have any discretion to deny anyone a firearms license. I have made sure that the entire registration and licensing required by this act can be done by mail when necessary.

The Treasury Department would have no right to arbitrarily deny a license. It would be automatically granted unless the applicant had been convicted of a felony, or a misdemeanor involving violence, or has been institutionalized for alcoholism, drug addiction, mental incompetency, or if he is an alien, or under the age of 18 years. There are issues which are clear cut, and subject to objective proof. There are no subjective standards—no directions which can be exercised to deny any person a firearms license.

We have tried to make the measure very simple and clear cut and without any possibility for abuse. I, having grown up on a farm, and still living there, am very concerned with the point the Senator has raised.

Mr. HOLLAND. Mr. President, I again express the hope that the Senator has offered an effective bill.

I wish to say that in the part of the country from which I come, and in particular, in the small town—and the Senator from Florida happens to live in a small county seat town—it is the custom for this kind of procedure to apply. When a boy reaches the age of 10 to 12 years, he becomes the proud owner of a little .22 rifle. Perhaps he is first supplied with only BB's or caps, and later with more effective ammunition. Later he may become the proud possessor of a .410 single-barreled shotgun. Then, a little further along he possesses something a little larger in the field of shotguns. I am sure the Senator is familiar with this tradition because he comes from a relatively small town in his State, and I am sure he knows this is the situation found in literally millions of American homes.

I would not want to see anything done here by way of passage of a law which would make it completely impossible for normal development of acquaintance with handling of arms by our boys and, as they grow older, our young men, because I think that would be in the nature of a tragedy to our country. It is in the interest of our country for boys and young men to become familiar, in a safe way, with the use of firearms in the progressive method I have indicated.

I hope that the distinguished Senator has a bill which in its original form or by reasonable modification can be adjusted to these reasonable habits of families throughout our Nation from one border to the other.

I simply express again the hope that the distinguished Senator is finally pointing us to a course which can be used effectively so far as crime prevention is concerned and accident prevention is concerned, but at the same time will not disturb too greatly the practices of our Nation which have developed throughout all the years of our national existence.

Mr. TYDINGS. Mr. President, again, the point which the Senator has raised is one to which I have personally given consideration, because I was given a shotgun at a relatively early age and learned to shoot.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. This legislation was drafted with the problem in mind which the Senator has raised. Under the bill, a license for gun ownership could not be given to the son of the family until he reaches the age of 18. This is similar to State laws regarding to age at which a boy may obtain a license to drive a car. But, under the bill, a boy would be able to shoot, his parents would be able to let him shoot at home and on hunting trips, he would be able to learn to shoot and to develop markmanship skills. But he simply would not be able to own firearms until he had reached the age of 18. We drafted the definition the term "transfer" in title II of the bill with this point in mind.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to my colleague from Maryland.

Mr. BREWSTER. Mr. President, I wish to commend my colleague from Maryland on the brilliant leadership, fine presentation, and careful research he has personally done in the field of control of crime and the use of firearms. I am happy to associate myself with his remarks and add my name as a sponsor to the measure he has introduced.

I wish to ask several questions of the distinguished Senator.

The Senator, as a member of the Committee on the Judiciary, and as a brilliant lawyer in his own right, has a thorough knowledge of the Constitution of the United States. I would, therefore, like to ask whether, in his opinion, there is any portion of this bill that in any way contravenes the Bill of Rights of the Constitution.

Mr. TYDINGS. My answer is "No." The second amendment to the Constitution relates to the right of the State militia—not individual citizens—to bear arms. The power of Federal and State Governments to require registration of firearms and licensing has been upheld many times by the courts. There is no contravention of the Bill of Rights in these proposals.

Mr. BREWSTER. The Senator and I, as do many other people in our State of Maryland, enjoy the hunting available there. Therefore, I wish to ask: Is there any portion of this bill that would prevent citizens of our State from hunting, from owning firearms, from using firearms in accordance with law, or that would make it impossible or greatly inconvenient for law-abiding citizens to use and enjoy the proper use of firearms?

Mr. TYDINGS. The answer is "No." The registration procedure and the licensing procedure are extremely simple. There would be no inconvenience. The procedure would be much less difficult than obtaining a driver's license under State law or obtaining certain drug prescriptions. We considered many possible variations of legislation, and we decided to make it very simple, very direct, and very clear cut in order to avoid just such a problem as the Senator raises.

Mr. BREWSTER. Does the proposal set up any new, large, expensive, Federal bureaucracy, or does the provision that allows each State to pass its own laws that then take effect, in lieu of the provisions of the Federal statute, encourage the States to take over responsibility in this area?

Mr. TYDINGS. The Senator's question, in effect, answers itself. The entire thrust of the legislation is based on the remarks made by our distinguished floor leader, the Senator from Montana [Mr. MANSFIELD], last week, when he pointed out that the Crime Commission had recommended that the States should act. This legislation has been devised to encourage the States to adopt their own registration and licensing laws and to supplant the Federal law. Even should the Federal Government have to administer this act in many States, however, the simplicity of the system the act establishes will hold the cost to a minimum.

Unfortunately, for the past 30 years, with the exception of the State of New Jersey, no State has ever adopted strong firearms legislation which the gun lobby or the NRA has opposed. Therefore, I am afraid that the only way we will be able to galvanize State legislatures into action is with such legislation as this which provides for Federal registration and licensing standards which will apply unless the States act.

Mr. BREWSTER. One last question. Other than the prohibited licensing of aliens, anyone convicted of a felony or a misdemeanor involving violence, or anyone institutionalized because of alcoholism, narcotics addiction, or mental incompetence, is there any discretion allowed to the agent of the Secretary of the Treasury under this measure, or must he license everyone who properly applies?

Mr. TYDINGS. There is no discretion. Licensing is mandatory. There is no discretion.

However, of course, if the Secretary finds a false affidavit, that the applicant was in fact, a felon, was convicted of a misdemeanor involving violence, or was institutionalized because of alcoholism, or narcotics addiction, or is a juvenile or an alien then, of course, the applicant will not be licensed.

Mr. BREWSTER. My distinguished colleague is a former U.S. attorney, and he has had a great deal of experience in prosecuting criminals. If this bill is enacted into law, will it not make it easier for all law-enforcement officers to apprehend a criminal where a firearm has been used in committing a crime?

Mr. TYDINGS. There is no question that the Senator is absolutely right. This legislation will be a tremendously effective tool for investigation and, of course, even more important, it will keep guns out of the hands of those who should not have them. Hopefully, because of the purchasing provision, many guns will be turned in and destroyed. Thus, some of the unwanted guns floating around this land of ours today will go out of circulation and not fall into the wrong hands.

Mr. BREWSTER. Again, I congratulate my distinguished colleague.

Mr. TYDINGS. I thank my distinguished colleague from Maryland.

Mr. PELL. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. PELL. I rise merely to congratulate the junior Senator from Maryland on the leadership he has shown in gun control legislation, the leadership he showed before it was as popular as it is at this moment, the leadership he has shown when he was defeated in some of the amendments he earlier offered and supported, and the leadership he has shown when many letters of criticism were coming in against those of us who supported more restrictive amendments, and very few letters of support were being received.

Now we find that the situation is somewhat changed. I am glad that it looks as if the Senator will meet with success.

I have one technical question. I speak as a director of the Fort Ticonderoga Museum, which houses many old guns and firearms. Is there a cutoff date in the bill with regard to the age of weapons?

Mr. TYDINGS. There is no cutoff date. All firearms would have to be registered.

Mr. PELL. I should like to suggest, thinking of the example of Fort Ticonderoga, which has the largest collection of 17th and 18th century cannon in the Western Hemisphere as well as a large collection of equally old shoulder and handguns, that there be, perhaps, a 100-year cutoff date on something of that sort, because I am sure the Senator did not mean to apply his legislation to museum pieces, such as breech-loading guns and things of that sort.

Mr. TYDINGS. I think the Senator's point is well made. It is a point which the sponsors of the bill will definitely receive with sympathy.

Mr. PELL. I thank the Senator. I congratulate him on his perseverance. He was leading in this field when it was not chic. I wish him luck now that he has more popular support and would hope that we would get the bill through to prompt enactment.

Mr. TYDINGS. I thank the distinguished Senator from Rhode Island for his courtesy, and also for his own leadership and help in this vital area.

Mr. President, I ask unanimous consent that a series of articles and editorials published in yesterday's Los Angeles Times, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

S. 3634—THE GUN CRIME PREVENTION ACT

An act to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Gun Crime Prevention Act of 1968".

TITLE I: FINDINGS AND DECLARATIONS

SECTION 101. The Congress hereby finds and declares—

(*a*) That crimes committed with guns threaten the peace and domestic tranquility of the citizens of the United States, and threaten the security and general welfare of this nation, and its people; and

(*b*) That the unregistered and unregulated circulation of firearms in the United States increases the number of crimes committed with firearms; and

(*c*) That firearms crimes—which amounted to more than 6,500 murders, 43,500 firearms assaults, and 60,000 firearms robberies in 1966 alone—have created a substantial burden on interstate commerce; and

(*d*) That fear of firearms crimes discourages citizens from travelling between the states to conduct business or to visit national shrines and monuments, including the nation's capital; and

(*e*) That, in view of the ease with which firearms may be concealed and transported across state lines, individual state action to regulate firearms is made ineffective by lax regulation in other states and, accordingly, national legislation establishing minimum standards for the registration and regulation of firearms is necessary to permit effective state action.

(*f*) That crimes committed with guns have disrupted our national political processes, and threaten the republican form of government within the states as guaranteed by Article IV of the Constitution;

(*g*) That officials of the government of the United States, including four Presidents of the United States, and candidates for national public office have been assassinated by use of firearms, and that the lives of national officials of the Legislative, Executive and Judicial branches, are increasingly threatened by the unregistered and unregulated circulation of firearms in the United States.

TITLE II: DEFINITIONS

SEC. 201. As used in this Act—

(1) The term "person" includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(2) The term "interstate commerce" includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia.

(3) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer.

(4) The term "indictment" includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

(5) The term "ammunition" means any projectile or other device designed to be expelled by any firearm.

(6) The term "Secretary" means the Secretary of the Treasury or his delegate.

(7) The "United States" includes the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(8) The term "State" includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(9) The term "felony" means any crime punishable, under the laws of the United States, a State, or any political subdivision thereof, for a term of imprisonment of one year or more.

(10) The term "misdemeanor" means any crime punishable, under the laws of the United States, a State or any political subdivision thereof, for a term of imprisonment of less than one year.

(11) The term "Owner" means any person who claims lawful title to a firearm.

(12) The term "to transfer" and its forms means to sell, assign, pledge, lease, loan, give away, or otherwise cause the lawful title or rightful possession of a firearm to vest in another. The term "transferor" shall mean a person who transfers, and the term "transferee" shall mean a person in whom the lawful title or rightful possession of a firearm vests when a transferor transfers a flirearm, except that neither the term "transferor" nor "transferee" shall apply to a person who claims lawful title or rightful possession of a firearm as (a) a common carrier licensed pursuant to the law of any state or of the United States engaged in the lawful transportation of such firearm, or (b) a transferee whose possession of such firearm is for a lawful purpose and is occasional, brief, and subject to immediate termination upon the demand of a person who claims legal title or rightful possession.

TITLE III: REGISTRATION

SEC. 301. *Registration of firearms.*—Every firearm shall be registered as prescribed by section 202 or 203 of this Act.

SEC. 302. *Registration of existing or imported firearms.*—Every person owning a firearm in existence in the United States upon the effective date of this Act and every person importing a firearm into the United States subsequent to the effective date of this Act, at the time of importation, shall submit in person or by mail to the Secretary of the Treasury or his designee of a certificate which shall include:

(A) the name, age, address, and social security number, if any, of the person owning or importing, as the case may be, such firearm; and

(B) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm;

Except that registration of firearms existing in the United States upon the effective date of this Act shall be accomplished within one year of such date.

SEC. 303. *Registration of firearms transfers.*—Every transfer of any firearm in the United States shall be registered by submission within five days from the date of such transfer by both the transferor and transferee of certificates in person or by mail to the Secretary of the Treasury or his designee, which shall each include the following information:

(A) the name, age, address, and social security number, if any, of both the transferor and transferee of such firearm.

(B) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm.

SEC. 304. *Reporting lost or stolen firearms.*—The loss or theft of any firearm shall be reported by the person from whose possession it was lost or stolen, within 30 days after such loss or theft is discovered, to the Secretary of the Treasury or his designee. Such report shall include such information as the Secretary by regulation shall prescribe, including without limitation the date and place of the theft or loss.

TITLE IV: LICENSES

SEC. 401. *Firearms and ammunition possession.*—One year from the effective date of this Act, no person shall possess any firearms or ammunition unless he shall have a firearms license issued by the Secretary of the Treasury, or, pursuant to Title VI of this Act, by the official designated by law of the state of which he is a resident.

SEC. 402. *Firearms and ammunition transfers.*—On or after the effective date of this Act, no person shall be transferor or transferee of any firearms or ammunition unless the transferee has and displays in person or by mail, to the transferor a firearms license issued by the Secretary of the Treasury or, pursuant to Title VI of this Act, by the official designated by law of the state of which the transferor is a resident.

SEC. 403. *Application and issuance.*—

(a) The firearms license referred to in sections 401 and 402 of this title shall be issued to an applicant by the Secretary only upon receipt of written application which contains each statement, all information and materials, and otherwise complies with subsection (b) of this section.

(b) Such application shall:

(1) state that—

(i) the applicant is at least 18 years of age.

(ii) he has not been convicted of any felony nor at the time of the application is he under indictment for commission of any felony in a court of the United States or in a court of any state or political subdivision thereof.

(iii) he has not been convicted of any misdemeanor involving actual or attempted physical harm to himself or to another by a court of the United States or a court of any state or political subdivision thereof.

(iv) he has never been committed to an institution by a court of the United States or a court of any state or political subdivision thereof on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent.

(v) he is a citizen of the United States.

(2) be signed by the applicant who shall swear or attest to the truth of all statements, information and material provided therein.

(3) include by a photograph and fingerprints of the applicant. Such photograph and fingerprints shall be obtained in such manner as the Secretary shall by regulation prescribe.

(4) contain such additional information, regarding the applicant, including without limitation, birth date and place, sex, height, weight, eye and hair color, and present and previous residences, as the Secretary shall by regulation prescribe.

SEC. 404. *Return of firearms license.*—Whenever a person has obtained a firearms license under this title and is convicted of any felony or any misdemeanor involving actual or attempted physical harm to himself or to another, or committed to an institution on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent, in or by a court of the United States or in or by a court of any state or political subdivision thereof, or is no longer a citizen of the United States, such person shall return the firearm license to the Secretary; willful failure to do so shall be punishable by a fine of not more than $10,000 or imprisonment for not more than ten years or both. The firearms license of such person may be reclaimed by the Secretary.

SEC. 405. *Wrongful use of firearms license.*—No person shall willfully convey or otherwise furnish to another person any firearms license which may have been issued to himself, or to a third person, as provided in this title, in order to evade or obstruct the provisions of this Act. Violation of this section shall be punishable by a fine of not more than $10,000 or imprisonment for not more than ten years, or both.

TITLE V: ILLEGAL AND UNWANTED FIREARMS

SEC. 501. *Illegal firearms.*—Every firearm, importation of a firearm or transfer of a firearm not registered in accordance with provisions of this Act shall be deemed to be contraband and shall be subject to seizure and forfeiture. All provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture and disposal of firearms, as defined in this act shall, as far as applicable, extend to seizures and forfeitures under this act.

SEC. 502. *Unwanted firearms.*—(a) Any person who owns a firearm required to be registered under the provisions of this Act and who

(1) elects, within a year from the effective date of this Act, not to register the firearm in accordance with Title III of this Act, or

(2) does not obtain a firearms license as provided in Title IV of this Act, or

(3) otherwise desires to dispose of such a firearm may dispose of the firearm at such place as may be designated by the Secretary of the Treasury and receive therefor a reasonable value.

(b) All firearms acquired by the Secretary pursuant to this section shall be destroyed, except that such firearms as are determined by the Secretary to have unique historic or technological value may be preserved for appropriate public purposes.

TITLE VI: STATES RIGHT OF PREEMPTION AND EXEMPTIONS

SEC. 601. *State laws not preempted.*—No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any state or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the state or possession so that the two cannot be reconciled or consistently stand together.

SEC. 602. *States may preempt Federal law.*—

(a) The provisions of Title III of this Act shall not apply to a resident of any state which enacts legislation requiring registration, including at least the information required by that title, of firearms in the possession of such resident; and provides the same penalties as are provided by this Act for violation of that title.

(b) The provisions of Title IV of this Act shall not apply to a resident of any state which enacts legislation requiring licenses as prerequisite to the possession by such resident of firearms or ammunition, provided that such legislation requires at least the same statements, materials and information from any license applicants as are specified by that title, and provides the same penalties as are provided by this Act for violation of that title.

SEC. 603. *Partial exemption for a State.*—The Governor of a State may certify to the Secretary that application of section 403(b)(3) of this Act to residents of that State, or some part thereof, is not practicable and, upon receipt of such certification, the Secretary may grant to such residents exemption from the application of such provision.

TITLE VII: PENALTIES

SEC. 701. (a) Whoever knowingly and willfully makes a false statement on any registration certificate or firearms license application submitted under this Act shall be deemed to have violated the provisions of section 1001 of title 18 of the United States Code.

(b) Whoever possesses, transfers or receives any firearm or ammunition in violation of the provisions of this Act shall be fined not more than $10,000 or imprisoned not more than ten years or both.

(c) Whoever intentionally obliterates, or otherwise defaces or alters the serial number identification of any firearm shall be fined not more than $10,000 or imprisoned not more than ten years or both.

(d) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this Act, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in this Act, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this Act.

TITLE VIII: MISCELLANEOUS

SEC. 801. *Records.*—The Secretary shall establish and maintain records of the information submitted pursuant to this Act.

SEC. 802. *Secretary to cooperate.*—The Secretary shall cooperate with the state and local law enforcement officers in making available to them under appropriate safeguards information gathered as a result of the registration and licensing provisions of this Act and shall undertake to establish reciprocal channels of information with the states to carry out the purposes of this Act.

SEC. 803. *Rules and regulations.*—The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this Act. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

SEC. 804. *Fees.*—The Secretary may prescribe reasonable fees to be paid by registrants under Title III and applicants for licenses under Title IV of this Act to meet the expenses of carrying out the provisions of this Act.

SEC. 805. *Effective date.*—This Act shall be effective 180 days after the date of its enactment.

SEC. 806. *Exemptions.*—The provisions of this Act shall not apply to the sale, other transfer, ownership or possession of any firearm or ammunition to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity, or (D) any manufacturer licensed after the enactment of this Act under the provisions of the Federal Firearms Act.

SEC. 807. *Appropriations.*—There are hereby authorized to be appropriated from the Treasury of the United States such sums, not otherwise appropriated, as may be necessary in addition to the fees collected under Section 804 of this Act to implement this Act.

SEC. 808. *Assistance to Secretary.*—When requested by the Secretary, Federal Departments and agencies, unless such authority is revoked by the President, shall assist the Secretary in the administration of this Act.

SEC. 809. *Separability.*—If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

SEC. 810. *Administration.*—The administration and enforcement of this Act shall be vested in the Secretary of the Treasury.

SEC. 811. *Construction.*—Nothing in this Act shall be construed as modifying or affecting any provision of—

(1) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

(2) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(3) section 1715 of title 18, United States Code, relating to nonmailable firearms.

(4) the Federal Firearms Act (Chapter 44 of title 18, United States Code).

EXHIBIT 2

[From the Los Angeles Times, June 11, 1968]

THE RIGHT TO CONTROL ARMS

Out of their shock and sorrow at the shooting down of yet another national leader, the American people are demanding strict gun control laws as never before.

No member of Congress, no state legislator dare ignore public outrage at the incredible ease with which instruments of violence are obtained and used. Latest opinion polls again show that the people are far ahead of their leaders in favoring strong controls.

The Times calls on President Johnson to veto the woefully inadequate firearms restrictions recently voted by a timid Congress. He should take the lead in a fight for restraints far tougher than any previously introduced.

Surely the tragic assassination of Sen. Robert F. Kennedy will now exert a greater influence upon the Senate and House than even the relentless pressure of the gun lobby.

Or will the National Rifle Assn. and its assorted comrades-in-arms again prevail, as they did after the murders of President Kennedy and Dr. Martin Luther King?

The Times believes that Congress, as a beginning, must do no less than require the registration of every gun in the United States and prohibit all interstate sale of firearms.

Laxness of U.S. gun controls is a national disgrace. The rest of the world can only wonder how a civilized society can tolerate so obvious a threat to its safety.

On the page opposite, the highly restrictive gun regulations imposed in Britain, France and Japan are detailed by Times correspondents. And Canada's much more rational approach is described in a letter in the adjoining column.

The result in all these countries is that the rate of gun-caused deaths is far less than in the United States. So effective are the French restrictions that during all the weeks of recent rioting not a single gun was fired. In Japan no one at all may possess a handgun, except police and military personnel.

It would probably take a generation to achieve anything similar in this country. But we can start now with gun registration, reinforced by prison sentences and heavy fines for those who do not comply. Nothing indeed should prevent any citizen from immediately registering or surrendering a gun to local authorities.

If automobiles, and even bicycles, can be registered, so can firearms. And those who choose to keep arms should pay necessary fees for their registration.

In addition to increasingly frequent assassinations, more than 5,000 Americans are murdered by gunfire every year. That toll will continue unless Congress acts to protect the public.

The people must make certain that their concern is heeded. Effective gun control action should be demanded of their representatives in the Senate and House as well as in state legislatures.

An aroused public can always outshout the gun lobby.

RECREATIONAL HUNTING IN CANADA IS NOT HAMPERED BY STRICT GUN CONTROL

We believe that you would be performing a useful service in bringing to the attention of your readers the nature of the regulations governing the ownership and use of firearms in Canada, and by advocating similar legislation for the United States.

While there are differences in cultural and historical background, visitors from the United States will be much more impressed by the great similarities in social attitudes between the two peoples . . . Canadians find no difficulty in getting along quite well without handguns. In Canada all firearms must be registered and, apart from law enforcement, the military, and the confines of licensed revolver clubs, it is almost impossible to own a handgun or a concealable firearm.

In order to obtain legal possession of a handgun in Canada a permit must be issued and this is not easy to come by, only for cause and on authority of the chief of police of the municipality. The applicant's background is first checked for a criminal record.

In spite of this, the proportion of time, in relation to population, spent by Canadians in recreational hunting probably far exceeds that spent by citizens of the United States in this country. Moreover, a great many U.S. citizens participate in game hunting in Canada. There is absolutely no reason to believe that firearms legislation similar to that of Canada would endanger hunting as a sport.

As geologists, several of whom have worked frequently in central and northern Canada as well as Alaska and elsewhere, we can attest that the occasional need for a gun in very remote areas for physical protection, and the rather common need for one as a source of food, is enormously greater in Canada than in most parts of conterminous United States.

The control of guns does not eliminate armed crimes in Canada, but it could simplify law enforcement, and it could reduce tragic crimes of passion, of accident and of stupidity, or by the mentally incompetent.

Signed by: Donald Carlisle, W. A. Dollase, C. A. Hall, L. S. Hollister, George C. Kennedy, N. G. Lane, C. A. Nelson, G. Oertel, J. L. Rosenfeld, W. W. Aubey, K. D. Watson and G. W. Wetherill, all professors of geology at UCLA.

THE INMATES HAVE FINALLY TAKEN OVER THE ASYLUM

(By Art Buchwald)

To the rest of the world the United States must look like a giant insane asylum where the inmates have taken over. The guards are gone, the doors are open and everyone thinks the other person is sick.

Except for the charity wards where the people are all shoved together on top of each other, the rest of the asylum couldn't look prettier. The buildings are all new and shiny, the equipment is the most modern in the world, the grounds are green and decorated with flowers. To look at it from the outside, you would think it is the ideal spot on the globe.

But inside, the patients are running amuck and no one seems to know what to do about it. Every time a doctor is called in to suggest a remedy for the chaos, the residents of the hospital shout him down. Besides, they believe anyone who is trying to come up with new cures for their sickness must be crazy himself.

The United States is a very special type of insane asylum in that all the inmates are permitted to have guns. These guns are sold right in the hospital or can be ordered by mail because when the hospital was built in 1775 the founders wrote it into the rules. Every time someone wants to change the rules, the gun-loving inmates cry that they only want the guns to kill animals during their recreation periods.

The people who live on the Hill and represent the inmates are afraid to do anything to offend the armed inmates, so they ignore the problem until there's a killing in the hospital, at which time they all express horror that the inmates should be allowed to walk around with guns.

Then they forget about it until the next tragedy comes along.

Despite its beauty and size there have been many injustices committed in the asylum against the patients. For 100 years, the black patients were kept in isolation wards and only permitted out to scrub the floors. They got no treatment from the white doctors until recently when they became violent and insisted that if they were patients in the asylum they wanted the same rights as the other inmates.

The administrators of the asylum have belatedly sought to improve the lot of the black patients, but there has been a reluctance amongst the other inmates to pay the bill, particularly since the asylum is supporting so many other insane asylums around the world.

Up until recently the hospital was a model for all other hospitals. But in the '60s people everywhere have been watching it with horror and despair.

The more affluent the hospital becomes the sicker the patients behave. The remedies prescribed for the illnesses are always given too little and too late. And as in all insane asylums, every person thinks the other patient is the one who should get the treatment.

Nobody knows how many more doctors the patients will shoot, nor how long the asylum will survive before the inmates destroy it once and for all.

FIREARMS CONTROL STRICTER ABROAD

(NOTE.—The United States has the world's most lax gun control laws. It also has more deaths by firearms than any other nation. To illustrate the contrast between our regulations and the tough restraints in other countries, Times correspondents Robert Toth, Don Cook and Don Shannon have filed reports on gun laws in Britain, France and Japan.)

GREAT BRITAIN

Britain has a long history of firearms control—and an enviably small number of deaths by shooting. Only 45 murders involving guns were recorded in Britain and Wales last year as compared to the more than 5,000 such slayings in the United States.

Even its constables don't carry guns. Despite the killing of three unarmed policemen in August 1966 in London, the Police Federation voted against being armed.

On the decision of local chief constables, guns are issued to combat criminals known to be dangerously armed. But police have agreed such decisions are taken only in "most exceptional circumstances," says the Home Office.

Weapon controls for civilians are similarly strict. Restrictions are in three categories:

1—Guns which fire in bursts, i.e., submachine guns, may be possessed only with certificate of approval from the Ministry of Defense. Even police must have such certificates for holding weapons of this kind.

2—Other weapons, including handguns and rifles but not shotguns, are covered by the Firearms Act of 1937, which consolidated bits and pieces of earlier law.

It is an offense to possess such weapons without a certificate issued by the chief constable of one's locality. An applicant must show "good reason" for possession. "Self defense is most unlikely to be considered a good reason," says the Home Office.

Usually an applicant must show he is a member of an established rifle club with known facilities, or has an estate for hunting, or is a farmer who shoots rats and predatory beasts, or a shopkeeper.

Penalty for unauthorized possession is maximum of three years in jail or 200 pounds ($480) fine or both.

In 1965 a total of 220,000 certificates (permits) had been issued for all England and Wales, population about 50 million. There is no reason to expect that the number has increased since then; if anything, there are fewer permits now than before, according to the Home Office.

3—Shotguns were not controlled until the 1967 Criminal Justice Act clause came into force May 1 this year. Although a certificate from a chief constable is needed, the constable must have reason for not giving a permit. The penalty for illegal possession is six months and 200 pounds or both.

Controls on shotguns followed a rise in indictable offenses involving firearms in England and Wales in recent years, increasing from 552 in 1961 to 2,337 in 1967.

Prior to the shotgun law coming into force, a three-month amnesty was held for returning guns that had no certificate. A total of 25,088 were turned in, including 8,847 revolvers and automatics, 4,340 rifles and 9,488 shotguns, whose owners apparently didn't want to apply for permit. Most weapons were usable. There have been three other amnesties since World War II—1946 when 76,000 turned in, 1961 when 70,000 were turned in, and 1965 when 41,000 were returned.

FRANCE

The French style of controlling firearms is devastatingly simple and strict.

Tough weapons laws are the reasons for the rather remarkable phenomenon in the last few weeks of continuing violence without one shot being fired (except grenade launchers by the police).

As far as is known, not a gun was found on any of the several thousand who were rounded up by the police during this period. The only homicide in Paris during the demonstrations and fighting was a death from stabbing.

Personal arms, such as pistols or revolvers (apart from hunting weapons), can be purchased in France only on a police permit.

Two kinds of permits are issued. One is for possession of personal weapons at home or office, if there is a special security problem and the police agree that this kind of added protection is reasonable or desirable.

The other is a permit to carry a weapon—and this is almost impossible to obtain. Such permits are issued only on the final authority of the Minister of the Interior himself, and would apply only in very special cases of private citizens needing personal bodyguards.

Anybody found in possession of a weapon without one or the other of these permits is automatically arrested in France. He is subject to varying degrees of jail sentence depending on the circumstances and/or explanations.

For example, if a gun is found during a road-check of car papers, the motorist would immediately be arrested.

An individual cannot walk into a shop and buy a revolver without first obtaining a police permit. If he should then sell or transfer the weapon to somebody without a permit he would be in violation of the law. Serial numbers and full identity of the weapons is, of course, part of the police files.

Hunting weapons are easier to obtain. But they also are purchasable only with a hunting license, and can be transported only if such a license is in the possession of the person carrying the gun.

JAPAN

Possession of pistols, carbines and other small guns is absolutely prohibited in Japan for anybody except police and military personnel.

Possession of such a small arm carries a maximum penalty of five years imprisonment or 200,000 yen ($555).

National police headquarters claim there are never more than 50 pistols in circulation illegally in Japan because of the vigilant watch kept on this score. Biggest source seems to be U.S. servicemen from Vietnam trying to finance their rest and recreation here.

Rifles and shotguns for hunting or target practice must be licensed with the following requirements placed on the license holder: minimum age of 20 years, mental health certified by a doctor (this requirement was briefly imposed on driver's license applications but dropped because doctors made only a cursory examination and collected their fee); reasonable grounds for possession; if ever imprisoned, at least three years must have elapsed since finishing prison term.

About 800,000 shotguns are licensed in Japan and only 30,000 rifles. Shotgun licenses are issued by chiefs of police stations; rifle licenses by chief of police of a prefecture, a jurisdiction corresponding to a U.S. county.

Shotguns and rifles are licensed only for use in hunting and target shooting areas. Someone who used his weapon to shoot tin cans on the beach or in some other area not authorized for shooting would be subject to a two year sentence or a 50,000 yen ($139) fine.

Nobody in Japan is allowed to possess a knife or sword longer than 15 centimeters (7 inches) unless it is an antique certified by the Cultural Properties Protection Commission. Switch blades longer than six centimeters (three inches) with a switch angle larger than 45 degrees are also banned.

Mr. MANSFIELD. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. MANSFIELD. Mr. President, I want to commend the distinguished Senator from Maryland for making the speech he has just completed and showing the interest which he has demonstrated time and time again in this particular field.

It is my belief that he has done a great deal to remove some of the cobwebs attached to the problem of gun control legislation. He has set forth his views clearly, succinctly, and understandably.

I express the hope that the bill which he has introduced, the others which have been introduced, as well as those which are yet to be introduced, will be taken up in the Committee on the Judiciary as expeditiously as possible, to the end that a bill can be reported, brought to the floor of the Senate, considered, debated, and resolved in this body.

Again, I wish to commend the distinguished Senator from Maryland.

Mr. TYDINGS. I thank the distinguished majority leader.

LONG GUN CONTROL LEGISLATION

Mr. SYMINGTON. Mr. President, we must act now, and with firmness, to insure that other tragedies do not follow in the wake of the present one that has our country deep in sorrow.

We have acted to protect our fellow citizens from the indiscriminate sale of handguns. But that is only a halfway measure; because it is known that criminals and other irresponsible people are resorting more and more to the use of rifles and shotguns to kill and maim. From their standpoint, this is logical because the latter can be used more safely at a long distance.

It is a fact that rifles and shotguns are used in 30 percent of the homicides committed with firearms. Should we be content, therefore, to protect only two-thirds of the people killed every year with firearms? Are we willing to sacrifice the lives of the other 30 percent?

Twenty-five percent of our law enforcement officers who are slain every year are killed with long guns. Can we afford to waste those lives?

Is it not tragic irony that it was the distinguished Senator from Massachusetts, the brother of our late colleague, who commented but a few weeks ago that the measure proposed went only part way along the path of a solution to the problem; and who stated:

> Indeed, it amazes me that we continue to tolerate a system of laws which make it so outrageously easy for any criminal, insane person, drug addict or child to obtain lethal firearms which can be used to rain violence and death on innocent people.

Let us unite now to do that which should have been done long ago: pass the bill to provide effective controls over long guns and ammunition as well as over handguns.

I have been much impressed by the address on this subject delivered this morning by the able Senator from Maryland [Mr. TYDINGS].

ROBERT KENNEDY

Mr. HOLLINGS. Mr. President, Robert Kennedy, dedicated to change, died in transit. When I met him in 1954, he was shy and groping for problems to solve. At death, he groped for solutions. Earlier he challenged labor racketeering, and then, with his brother, developed the New Frontier. Working for civil rights, he acted responsibly—but was chastised for being too fast and too slow. The President's assassination sped civil rights to reality and, still shy, Robert tried not to become a candidate. The crowds, the amenities, the tolerance of bias, and the indulgence of incompetence necessary to politics was his last desire. Perhaps a Kennedy Foundation was the answer. But no, this would only scratch the surface. Moreover, a torch had been lit, and he was its bearer. To solve, he must involve. Against tradition that he respected, he went to New York and became its Senator. And, like the American scene, he changed. He realized the rebuff to change, the rebuff to young ideas, the rebuff to the poor. To him this was unacceptable. Having seen the goal, he raced in that direction. There was not time, as Burns wrote, "to see ourselves as other see us." And "others" saw a different goal—public office at any price. The very divisiveness he sought to heal, he irritated. As well as a solution, Robert became a part of the problem. And, as a man, he will remain controversial.

For me he was an understanding friend, the most moral of men, willing to change for the good, and die for the poor. He had been uncomfortable for a long time. Because of his moral courage to recognize the poor and young whom we have ignored, we shall be uncomfortable until we take heed. For as John Kennedy is remembered for bringing class to public service, Robert Kennedy will be remembered for bringing public service to the classes.

COMMUNICATIONS FAVORING AN EFFECTIVE GUN LAW

Mr. BREWSTER. I thank the distinguished Senator from South Carolina for yielding to me.

Mr. President, I have been deeply worried during the past months about the criminal activity which seems to be sweeping America. Much of this activity has involved the use of firearms.

A few weeks ago in the Senate I supported the strongest possible version of title IV of the crime bill, the amendment of my distinguished colleague, Senator Kennedy, which would have controlled the shipment and sale of long guns as well as handguns. Unfortunately, this amendment did not carry. Today I have joined my colleague and friend from Maryland [Mr. Tydings] as a sponsor of this new, even stronger, proposal, which I hope the Senate will consider promptly and favorably.

In the past several days I have received over 2,000 communications from the people of Maryland on the subject of crime and gun control. The vast majority of these communications—over 99 percent of them—favor constructive action by the Congress in regulating the sale and use of all guns in order to keep them out of the hands of individuals who should not have them. The overwhelming sentiment in my State favors the registration of all firearms and the licensing of all who use them. I concur with this sentiment, and fervently hope that before this Congress adjourns sine die, we may have the satisfaction of seeing a strong gun registration and licensing bill written into law. The public safety requires that this action be taken.

I have selected from the communications I have received a sampling of the opinions of people in Maryland. I ask unanimous consent that these letters be inserted in the Congressional Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Bowie, Md.,
June 5, 1968.

Senator Daniel B. Brewster,
Old Senate Office Building,
Washington, D.C.

Dear Senator Brewster: I hope my letter will be one of the hundreds written to you and all Congressmen by concerned citizens all across this United States, as they have suddenly been shocked by another gun tragedy, which almost ended in instant death for Senator Robert F. Kennedy. I awoke this lovely June day to the news that Kennedy had been shot. I couldn't believe what I was hearing, why were they going back to that horrible November day in Dallas, when suddenly my mind was awakened to the fact that the newsmen were reporting the attempted assassination of Senator Robert F. Kennedy.

Our country has turned to violence, hate, riots and even death for innocent citizens and anyone who has dared speak the truth about this madness, which is filling the once normal minds of its citizens. I cannot understand how we can let this present way of disrespect for human life and law continue. Something must be done immediately to bring about a change or we shall continue to live and die by the gun.

Congress must act swiftly and now on the enactment for a more rigid gun and weapon control. We cannot have guns issued to every person who feels he needs a gun, without any questions asked. It is now made so easy to order any type of firearm from a mail order house, this must be stopped.

I have not come to the solution for this very immense problem, but I do want you to know that I am very aware of what has been done and as a very patriotic and life loving citizen; I will continue to let my feelings be known to you. I hope that as a representative of the people of the state of Maryland, you will find it necessary to support a more rigid gun control law.

Yours Truly,
Mrs. Richard A. Heller.

Chevy Chase, Md.,
June 6, 1968.

Senator Daniel Brewster,
Senate Office Building,
Washington, D.C.

Dear Senator Brewster: In the past four years, I, as a young voting adult, have been represented by various senators and representatives, namely, those from Michigan, Virginia and Maryland. During these past years, I have not been in correspondence with these members of Congress, because I have not felt that strongly about any particular issue that could be controlled by Congress.

However, in the past two months, it has been my unfortunate position to watch seemingly mad men shooting productive citizens with weapons that are easier to buy than, say, a six pack of beer.

I resent this; but not only do I resent it, I loathe it. And the chief reason for this loathing is that men who are in the position to control the sale of these weapons are, it seems, in the hands of a lobby which is not concerned with the general welfare of the people of the United States, but rather for what appears to be their own benefit.

In view of the tragedies of the past few months, I hope that you, as a legislator, will not hinder but rather help America by considering the views of the middle class citizen: that class of people who constitute the majority; bear the financial and social burdens of those who are poorer, weaker, and perhaps, more violent; and consequently, it is the most harassed class, but rarely is it called on to voice *its* hopes and demands.

I, as one of these middle class citizens, suggest a strict gun control law which *bans* the sale of mail-order weapons and establishes a waiting period of a week to ten days for any firearm, during which period the application is processed through the local police department or even through the FBI. If this creates a need for more personnel in these agencies, I suggest an application fee which would pay for their salaries.

As a sidelight, may I also suggest better restrictions on our entertainment media, i.e., television, movies, books and magazines, so that the violence portrayed in these be curtailed. This area needs a guardian since it becomes more evident, to my mind, that the conscience of those in charge of these media is guided by what sells best rather than what is good entertainment. And, unfortunately, what sells best, in too many cases, is violence. And this violence seems to bend the suggestible mind. And then, of course, humans suffer.

I'm terrible sorry, as one of these humans, for the atrocities we have been forced to witness; but as a citizen, I'm angry. And if the way things are and have been done produces this mass insanity, then I'm here to vote for a change. And after that, if a change is not forthcoming, then I'm here to speak up. And after that, I'll act—peaceably—because I am determined; after all, isn't that what America is all about?

Sincerely,
Audrey Rasmussen.

Insurance Co. of America,
Baltimore, Md., June 10, 1968.

Senator Daniel Brewster,
United States Senate,
Washington, D.C.

Dear Senator Brewster: It has been many, many years since I have written to my Congressman; but, I feel that the circumstances are exceptional and it is important that the voices of your constituents back home be heard. I have been told that the Congressmen "listen" to what their constituents say and want to know how they feel about important matters.

I write to you to re-emphasize the tremendous importance, in my opinion, of giving this country a real gun control law with real teeth and real effectiveness. I am not at all satisfied with the very meek law that was recently passed.

Although I write as an individual, I must tell you that from my conversation with scores and scores of people, I know that the reason you do not hear from them is only their own feeling of inadequacy to properly express their strong feelings on the same subject.

We have heard for years of the strong "lobby" which apparently successfully locks the passage of effective firearms control legislation. Knowing your record, I am confident that this lobby cannot possibly reach you and that you are aware of the dire need for strong and affirmative action immediately by both Houses of Congress.

I admit that no one knows that effective legislation would result in the saving of one life, but no one can deny that effective legislation cannot possibly increase the loss of life and to me this is of vital importance.

Pardon me for intruding on your valuable time, but I sincerely believe that this is one of the most important issues facing the nation today.

Cordially,
Bertram A. Frank, C.L.U.,
Senior Vice President and Director of General Agencies.

Accokeek, Md.,
June 6, 1968.

Senator Daniel B. Brewster,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Brewster: As a resident of Maryland and as a constituent, this is written in a time of sorrow and anxiety. The shameful murder of your colleague, Senator Kennedy, was not only a severe shock to everyone but leads one to consider ways and means of dealing with the present unrestricted traffic in firearms.

Since I do not know your voting record with respect to this important matter, I will assume that on this sad Thursday you would welcome still another constituent's opinion as a guide in drafting urgently needed, and long delayed, legislation.

I am a retired army officer, having been a participant in World War II and the Korean conflict. In my youth I grew up in the West with a detailed knowledge of the various calibers of firearms then used in hunting wild game. I also participated in various research studies of the ballistic characteristics of several of these weapons. With this general background I feel qualified to speak on the subject of firearms.

It is my firm conviction that the present unrestrained sale of handguns, rifles and shotguns should be severely curtailed by law at the earliest possible date. I have personally observed far too many killings of human beings not only in wartime but also under accidental circumstances to be complacent about this matter any longer.

The available statistics disclose that approximately 5,600 gun killings occurred in the United States last year compared to 30 or so for England, 20 for France and about 12 in Belgium. These figures surely convey a message that cannot, and should not, be disregarded.

I, and anyone else capable of reading any daily newspaper, know why the sale of lethal weapons continues unabated. The National Rifle Association and weapons manufacturers have so far lobbied most successfully in hobbling any meaningful bill to control the sale and registration of guns. Today there are 99 Senators and some 435 Congressmen in the national legislature. Surely today there can be found a majority among you who will risk a little and sternly rebuke the self-interest of the gun lobby by passing, *now*, the necessary legislation.

To demonstrate the sincerity of my conviction I plan to picket the National Rifle Association headquarters on 16th street, and further, to read the voting record of each and every member of Congress when bills are either debated on the floor, are in committee or in any other stages of consideration. I can assure you that any member of Congress failing his duty will run the risk of early retirement if I read the mood of the country correctly today.

I urge you all, for once, to place the safety, security and general welfare of our beloved country above the self-serving activities of gun manufacturers and their powerful lobby.

Sincerely,

T. W. C. ADAMS,
Major, U.S. Army, retired.

COOPER & AUERBACH ARCHITECTS A.I.A.,
Washington, D.C., June 6, 1968.

Hon. DANIEL B. BREWSTER,
U.S. Senate, Washington, D.C.

DEAR SENATOR BREWSTER: The anxiety which I feel in the community—the mistrust—and my own bewilderment over what prospects the future holds for us causes me to write this letter immediately in the wake of Senator Kennedy's murder.

The conversations I hear as a practitioner, as an assistant professor of architecture, and as a participant and worker in community and civic affairs frankly frightens me. I know you are familiar with the syndromes to which I allude. I am even contributive to these restless times in that I would be willing to defend my family at my home in Chevy Chase or elsewhere in a lawless manner if driven to it. I fleetingly consider arming my home.

I can recall the strong warning made by the late professor of sociology at Yale, James Kennedy, to the effect that our country above all he could name was the most susceptible to totalitarian control because our people would, when threatened, abdicate their basic rights and freedoms in the very effort to preserve them. What seems to concern most considerate men now is whether or not, given the anarchistic climate and the violence attending it, we may not be at that point of dilemma.

I have come, for instance, to the reluctant conclusion that the constitutional right to bear arms needs reconsideration. I was in Italy this past January when *all* guns were collected and put in the hands of the proper authorities, even collectors items. What an improbably simple, strong and resolute way of handling such a threatening matter! And we can't even get a law to control interstate arms sales. This is absolutely preposterous.

I am aware of your helpful voting record on this matter, but as your constituent I want you to do more.

There is only one body of men in this country which can ultimately resolve our basic problems and you are a member of that body. You and the rest of the congress *must* shove aside the politics of pragmatism and regionalism to legislate those strong laws needed to healthfully redirect this country. I, for one, will only vote for those men who do.

Most respectfully,

SEYMOUR AUERBACH.

BETHESDA, MD., *June 4, 1968.*

DEAR SENATOR BREWSTER: This morning's tragedy emphasizes the dichotomy of thought between those who consider guns an instrument for sport and those who would use guns for the taking of human life. It is indeed unfortunate that the safety of the public at large must be jeopardized because the few who would enjoy the sport of shooting and those who profit by the sale of firearms have a strong enough voice to outshout the many who are endangered by the easy accessability of murder weapons.

As long as guns are available to anyone, the chance of their use as tools of destruction is ever present. I therefore suggest that this country adopt a stringent gun law, making the possession of a gun an illegal act.

Respectfully yours,

NANCY WIEDERHORN.

JUNE 5, 1968.

DEAR SENATOR BREWSTER: Upon learning of the shooting of Senator Kennedy, I was filled with a feeling of helplessness: a realization of the power of warped humanity over the life of the country and all its citizens. Modern technology, especially firearms, has made this situation possible. Although recognizing positive accomplishments of technology, we must always evaluate its usefulness to mankind.

The gun in this country is an outmoded product of technology. It is no longer absolutely necessary for people in this country to hunt for their food. Likewise, a gun is only necessary for protection against other guns. The gun has become superfluous, and its uses have become perverted. Certainly the recreational, sporting value of firearms could be replaced by other pastimes and is, therefore, not indispensable.

It seems to me that the arguments of those refusing to pass legislation on gun restriction or aboliton are becoming less convincing and more reactionary with every shot that is fired. The majority of this country deplores both the original and retaliatory violence that it sees about it. Instead of fighting fire with fire, why not take the fire away? The country feels helpless and its representatives must represent it.

I realize that there are many obstacles and vested interests facing gun-control legislation. However, bold, enlightened action is required. The crisis is real and apparent. I ask you as my representative to call on your experience and influence and respond to this crisis. Thank you.

Hopefully,

TIMOTHY W. GROVES.

JUNE 5, 1968.

DEAR SIR: How long does it take to get effective gun legislation? I mean for rifles as well as pistols. Can men any longer be trusted with such dangerous psychological props? The answer again and again is no! Firearms cannot be justified for self-defense. They make each man feel safe, powerful, and perhaps, potent; but the feeling is an illusion because his neighbor may also have a pistol. If this neighbor becomes deranged or blown full of "moral" fervor, he has the means to destroy anyone.

The comparison of our riots to those of Europe should make the necessity for a ban on civilian arms clear. The massive Paris riots, possibly evolving more civilians than ours, killed many fewer people. Why? Because those who were enraged could only push, punch, or throw cobblestones. I am reminded of two little boys who were doing their raving best to kill each other; fortunately they were small and all their flailing did nothing more than use up energy. Their hate spent, they were free to become friends. If one had had a pistol, he, in his rage, probably would have used it; and there would be no more potential friend. I hate to say it, but our population is showing itself to be too immature to bear arms. If no one has a gun, no one needs one. The best way to begin to correct the situation is to pass effective legislation. If necessary, we must amend the Bill of Rights.

The Europeans manage to maintain democracies without arms; it is time we grew up. We must sacrifice our right to bear arms as to the price of law and order. That is the cost and nothing is free. I urge you to pass wider gun controls and to work for their eventual ban.

Sincerely,

W. M. MERRICK THOMAS.

UNITED NATIONS SANCTIONS IN RHODESIA

Mr. THURMOND. Mr. President, just before the holiday weekend, the U.N. Security Council voted unanimously to apply what amounts to almost total sanctions against Rhodesia. This is the most sweeping decision of its kind in the history of the U.N. The Security Council ordered governments to end all exports and imports to and from Rhodesia except medical supplies, books, news, and educational materials. The resolution also cuts off all funds for investment and all remittances except for pensions. It forbids travel on Rhodesian passports, orders an end to all airline service to or from Rhodesia, and emphasizes the need for breaking consular relations.

Mr. President, this is a sad moment in the history of U.S. international affairs. It indicates the lengths to which the left-wing lobby will go in interfering with the sovereign rights of an independent nation. Only a few days before the Security Council voted, former Secretary of State Dean Acheson said that the United States had already joined an international conspiracy to topple the government of Prime Minister Ian Smith. This action last Wednesday confirms Mr. Acheson's charge, for the resolution in the Security Council received the unanimous approval of all members, including the United States. In other words, we took affirmative action to embargo a friendly nation. We should have voted "No" against this outrageous breach of international law. More typically, we might have abstained and allowed the other nations to gang up on the peaceful country. But instead, we voted affirmatively.

My understanding is that the terms of this agreement were organized behind the scenes and that there was virtually no debate before the resolution was passed. The United States, according to word from the U.S. mission to the U.N. in New York, did not explain its vote until after the vote had been taken. There is no excuse whatsoever for our participation in this shameful action.

The U.N. is attempting to perpetrate the myth that Rhodesia is under the control of Great Britain. One might as well proclaim that the U.S. Declaration of Independence was also illegal and that we are still under the control of Great Britain. Of course, when one sees our groveling acceptance of this U.N. resolution, a resolution largely written by Great Britain, it makes one wonder whether we are indeed independent of Great Britain after 192 years.

Nevertheless, Britain can no longer maintain the fiction that Rhodesia is under her control. The Smith government has plainly had defacto control of every section of the country. There have been no riots, no uprisings, no challenges to the elective form of government. Although Rhodesia has emergency measures which are appropriate to a nation under seige, the economy continues to expand, new enterprise has been established, and the population, as far as can be determined, is overwhelmingly in support of the government.

Nor is it true that Rhodesia is a threat to world peace. The government of Rhodesia has never in any way expressed any aggressive indications nor committed any acts violating another nation's sovereignty. It has announced its intentions to live in peace with the world. It has made every effort to obtain that peace. The only way in which Rhodesia is a threat is that her success, the fruit of her hard work, and her relative affluence have made her the target of envy and hatred on the part of African nations which are unable to manage their own affairs successfully. But I do not see how Rhodesia can be made responsible for the greed and frustration of her neighbors.

The question, then, remains: Just how far will the United States go in the campaign to topple a strong and peaceful government? Our only concern in international affairs should be whether the conduct of any other nation affects our own national security. According to this policy, we have said that the goal of the Communists is to dominate the world. We have accordingly taken actions to contain Communist expansionism. We have gone to the aid of free nations who have been threatened by Communist imperialism. We have become greatly concerned about international policies of Communist nations because these policies threaten our own national survival.

None of this applies to Rhodesia. Whether we like the domestic policies of Rhodesia or not, they are matters of purely domestic concern. They are not policies which threaten any other nation or which express hostility to any other nation. They can be of no concern at all to the other nations of the world. They do not affect our continued existence, nor do they raise any danger which will affect our interests. Therefore, there is no excuse whatsoever for us expressing any attitude with regard to Rhodesia's domestic policies.

The U.N. Charter says specifically that the U.N. organization shall not interfere in the domestic matters of any nation. It is a tortured legalism to say that the sanctions are justified because Rhodesia is still Britain and that Britain has asked the U.N. for assistance.

I expect the President soon to issue an Executive order applying the sweeping sanctions under the authority of the U.N. Participation Act. Undoubtedly, this order will be similar to Executive Order No. 11322, issued on January 5, 1967, which has delegated to the Secretaries of State, Commerce, and Treasury the power of regulating exports and imports from Rhodesia. I find it remarkable that the United States should pass on to a much more sweeping regulation of this sort, when the milder Executive order of January 1967 has already gravely endangered our national security.

Last November 22, I pointed out to the Senate that the ban on the importation of Rhodesian chromite, used in the manufacture of stainless steel and other high-grade metallurgical alloys, would result in growing U.S. dependence upon the Soviet Union for this critical material. Since then, it is evident that this dependency is growing more severe.

In the March 1968 edition of the Engineering & Mining Journal, Dr. John M. Warde shows that the Soviets have stepped up both the production and the price of chromite, taking advantage of the embargo on Rhodesian chromite. Dr. Warde says:

> The ore market remained relatively stable until the third quarter (of 1967) when Russian suppliers hiked their 1968 offerings by $6 to $7 a ton, while Turkish dealers raised their prices $2 to $3, according to *Metals Week*. The price rise was in anticipation of a shortage of high-grade metallurgical lump in 1968 because of the Rhodesian sanctions.

According to Dr. Warde, U.S. inventories of imported chromite were actually higher in November 1967 than they were in 1966, but instead of this being a healthy situation, the surplus is actually an indication of problems to come. Dr. Warde says:

> Factors responsible for the comfortable metallurgical ore stock position include: (1) Stepped-up deliveries of Russian ore to the high-priced U.S. market in anticipation of future shortages of high-grade lump ores, owing to the Rhodesian ban; (2) Receipts of preboycott shipments of Rhodesian ore during the first quarter; (3) Purchases from the government stockpile to supplement the limited availability of satisfactory metallurgical ores; (4) A decline in alloy demand owing to a slow-down in the rate of stainless production.

Despite the 1967 decline, according to Dr. Warde, specialists see stainless steel growing at at least twice the rate of raw steel. Thus, we see that at the very moment when there will be a stepped-up demand for stainless steel—a demand, I might add, which will be most significant in the field of military preparedness—the United States is choosing a policy which will make us dependent upon the Soviet Union for this critical material.

As I pointed out in my speech last November 22, the Soviet Union is the other chief supplier for metallurgical grade chromite. By cutting off Rhodesia we are inevitably making ourselves dependent upon our worst enemy: The last domestic chromite mining in the United States was reported in 1961.

The present statistics show that 22 percent of the imported chromite in 1967 came from the Soviet Union, 10 percent came from Turkey, and 13 percent came from Rhodesia, consisting of preboycott shipments. But these statistics do not show the whole picture, because most of the chromite from other countries is not of metallurgical quality. The shipments from the Soviet Union, Turkey, and Rhodesia represent nearly all the chromite used in high-grade alloys. When the figures are thus adjusted, it shows that in 1967, nearly half of our metallurgical grade chromite came from the Soviet Union. With the boycott in total effect in 1968, it can be seen that the Soviet share of our market will rise dramatically.

I ask unanimous consent that the article "Chrome Ore," written by Dr. John M. Warde, and published in the Engineering & Mining Journal of March, 1968, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, the present sanctions against Rhodesia are unjustified, both from the moral viewpoint, and from the viewpoint of international law. Rhodesia has survived them, and probably would continue to survive them. Rhodesia is one of the few nations left in the world with a sense of national integrity. Even if the broader sanctions voted last Wednesday are put into effect, I feel sure that Rhodesia will put up a valiant and courageous fight against their unjust and aggressive intent.

The most disturbing element is the attitude of the United States Government. It is plain that our policy is to destroy Rhodesia and the Smith government—for what reasons, it is hard to tell. Yet any government that supplants the present rule is bound to be anti-American and anticapitalist. Under last year's sanctions, the State Department deliberately chose a policy which would make us dependent upon a hostile government for the critical mineral, chromite. Under the broader sanctions, we see a further determination on the part of the State Department to destroy our friends in Rhodesia, and install what would be inevitably a hostile regime. No matter which way one looks at it, it seems that our State Department wants to make us dependent upon our enemies.

Mr. President, we must reconsider this ill-conceived and misguided policy. It must not be implemented by Executive order. Instead, we ought to recognize Rhodesia, and resume friendly trade and contact. Rhodesia is an enemy to no one, and rightfully deserves a place in the cooperation and competition of free nations.

EXHIBIT 1

CHROME ORE

(By Dr. John M. Warde, Mining and Metals Division, Union Carbide Corp.)

This year should be a good one for the domestic chrome industry if production of stainless and raw steel picks up as many observers predict. However, two problems most likely to plague domestic alloy producers during the year are: (1) Higher chrome ore prices in the face of tightening supplies of good metallurgical lump because of the Rhodesian boycott; and (2) high levels of alloy imports. Looking beyond, prospects are bright for the alloy industry as specialists see stainless growing at least twice the rate of raw steel.

The following developments occurred in the U.S. chrome industry during 1967:

Domestic alloy operations returned to normal in the first quarter after the resolving of labor problems which caused work stoppages in most of Union Carbide's alloy plants during much of the last half of 1966.

Ore consumption slipped from 1966 levels. The cutback was mainly in the refractories sector but chemical use was also off, metallurgical consumption approximated the previous year's rate.

The ore supply picture was further clouded as President Johnson, backing U.N. sanctions against Rhodesia—a major Free World source of high grade lump—issued an Executive Order on Jan. 5, banning all trade in chrome ore and other selected commodities between the U.S. and that country.

Ore imports were at a rate well below 1966 receipts, with the USSR increasing its participation in the U.S. market as the Rhodesian boycott took effect.

Chrome ore depends mainly on the steel industry for its markets. Its largest outlet is in the manufacture of chrome ferroalloys used in the production of stainless and heat resisting steels. Next in importance is the manufacture of refractory brick and specialties—mortars, cements, ramming mixes—used in furnace construction and maintenance, chiefly in steel plants. The balance goes mainly into the production of bichromates, the basic feed stock from which most other chrome chemicals, including chrome plating compounds, are derived. Here is how the U.S. market patterns have developed in recent years:

U.S. CHROME ORE MARKETS[1]

[Percent of total]

Industry	1966	1965	1964
Metallurgical	56	57	54
Refractory	30	29	30
Chemical	14	14	13

[1] Based on USBM statistics.

The ore market remained relatively stable until the third quarter when Russian suppliers hiked their 1968 offerings by $6 to $7 a ton while Turkish dealers raised their prices $2 to $3, according to METALS WEEK. The price rise was in anticipation of a shortage of high grade metallurgical lump in 1968 because of the Rhodesian sanctions. Prices quoted by MW, per long ton delivered U.S. for Russian ore (54%–56% Cr_2O_3 and 4:1 chrome to iron ratio), which were $30.50–$33, respectively, as the year began, rose in August to $36.50–$40 and $34–$36.50, where they remained the rest of the year. The price range for Transvaal ore (44% Cr_2O_3 and no ratio) quoted by MW at $18–$21.50 as the year began, remained essentially unchanged at year's end.

Consumption, imports and stocks in the U.S. during the first 11 months of 1967, according to USBM data:

The alloy industry consumed 771,000 short tons of chrome ore, mainly high grade lump from Russian, Rhodesian and Turkish sources, approximately the quantity used in the same period in 1966. Ferrochrome imports amounted to 56,000 short tons, 33% less than the quantity brought in during the first 11 months of 1966, when U.S. alloy consumers turned to foreign suppliers as a hedge against work stoppages in the domestic industry. Ore inventories in the hands of alloy producers at the end of November stood at 473,000 short tons, 12,000 above that reported for year-end 1966. Factors responsible for the comfortable metallurgical ore stock position include: (1) Stepped up deliveries of Russian ore to the high priced U.S. market in anticipation of future shortages of high grade lump ores owing to the Rhodesian ban; (2) receipts of pre-boycott shipments of Rhodesian ore during the first quarter; (3) purchases from the Government stockpile to supplement the limited availability of satisfactory metallurgical ores; and (4) a decline in alloy demand owing to a slowdown in the rate of stainless production.

Refractories producers consumed 285,000 tons of ore principally Philippine, with lesser quantities of Transvaal ore, representing a 30% reduction from the quantity used during January-November 1966. The declining steel rate and reduced level of the steel industry's furnace construction and maintenance activities were prime reasons for the cutback. The trend to the increased use of magnesite predominating refractories and dolomite in U.S. steelmaking practice was also a factor. Ore inventories at refractories plants as of Nov. 30, were 481,000 short tons, down 17% from the beginning of the year, but still representing a 13-month supply at the 1966 consumption level.

Chemical manufacturers used 163,000 short tons of ore, virtually all from the Transvaal. This was a 10% decrease from the first 11 months of 1966. Ore inventories at chemical plants as of Nov. 30, amounted to 263,000 tons representing an 11% drawdown from the beginning of the year and about a 15-month supply based on usage.

Ore imports, which amounted to 1,129,000 short tons, continued to supply domestic requirements; domestic chrome mining was last reported in 1961. Receipts during the first 11 months of 1967 were 35% below the January-November total for 1966. The principal sources were: South Africa (Transvaal), 38%—mainly chemical but some for refractory and metallurgical use; USSR, 22%—metallurgical; Philippines, 16%—mainly refractory; Turkey, 10%—metallurgical; Rhodesia, 13%—metallurgical (preboycott shipments). The breakdown of 1967 (11 months) ore receipts compared with those of recent years shows the shift in pattern of U.S. imports that has taken place since the Rhodesian problem began late in 1965:

U.S. CHROME ORE IMPORTS

[Percent of total]

	1967 (11 months)	1966	1965	1964
Rhodesia	13	10	22	24
South Africa	38	45	32	31
Turkey	10	10	11	7
Philippines	16	18	18	16
Other free world		1	1	1
Subtotal, free world	77	84	84	79
U.S.S.R.	22	16	16	21
Albania	1			
Subtotal, Communist countries	23	16	16	21
Total percent	100	100	100	100
Millions of short tons	1.02	1.86	1.52	1.43

Stockpile activity. General Services Administration during 1967 contracted for 580,000 tons of metallurgical chromite, including medium and low grade lump ore and concentrates, for future delivery under its long range disposal program. The program under Public Law 88–415, limits disposal of 200,000 tons in any one year. GSA's attempt in August to sell on a negotiated basis 113,000 tons of chemical grade chromite met with no takers.

In the U.S. alloy sector. Union Carbide's Mining & Metals Div. announced installation of a new 25,000-kw electric furnace at its Alloy, W. Va., plant. The new multi-million dollar unit is equipped with modern pollution control equipment designed to produce ferrochrome silicon. The furnace began operation in November.

Vanadium Corp. of America, became the Vancoram Operations of Foote Mineral Co. on Aug. 31, at the same time its Keokuk Electro-Metals Div. became designated as the Kemco Operations of Foote Mineral.

Ore sources. Rhodesia, a major Free World source of high grade metallurgical lump was banned from delivering ore (and chrome ferroalloys) to the U.S. by President Johnson's Executive Order of Jan. 5, under the U.N. Act, which was designed to support the mandatory sanctions resolution passed in the U.N. on Dec. 16, 1966. During the year, the U.K. extended its boycott on Rhodesian goods to include import from any source of ferrochrome made from or even partly containing Rhodesian ore—a provision covered in the U.S. ban. Rhodesia's chrome mining operations continue to produce under decrees issued by the Rhodesian government, which requisitions the output through its official trading company. Where the banned ore is going remains a question, rumor even has Red China a customer for 60,000 tons. Early in the year the U.S. received 147,000 short tons of Rhodesian ore which was shipped prior to the boycott.

South Africa. Transvaal ore continues to be the mainstay of the chemical trade, but shifts in technology have made it of increasing interest in refractory and metallurgical applications. A new and growing use is in foundry sand. Most of the Transvaal ore is friable and typically analyzes 44.5% Cr203, with a chrome to iron ration of 1.6 to 1. South Africa, with the Free World's largest chrome resources, is the world's number two producer after the USSR. Production in 1967 was in excess of 1-million short tons, of which some 200,000 tons were consumed locally, mainly in South Africa's burgeoning ferrochrome industry. The remainder was exported chiefly to the U.S. with lesser quantities to Japan, West Germany, France, the U.K. and elsewhere. U.S. receipts, during the January-November period, totaled 425,000 short tons, the bulk of which was for chemical use but some went to the refractories and metallurgical industries.

Turkey, long time source of metallurgical lump, furnished 108,000 short tons to the U.S. during the first 11 months of 1967. Prospects are for a continued high level of demand for Turkish ore in 1968.

The Republic of the Philippines is the major U.S. source for refractory ore. The Islands' unique Masinloc deposit of high alumina, lumpy chrome ore continues to furnish the bulk of the needs of U.S. refractory brick makers. The Philippines also supply a relatively small but steady output of high grade metallurgical concentrates from the Acoje Mine to the trade. During the first 11 months of 1967, the U.S. imported from the Philippines 182,000 short tons of refractory ore and 4,000 short tons of high grade concentrates.

Iran is reported to have sizable reserves of high grade lump ore, and with the opening of the newly built harbor installations, including a 1,500-tph chrome ore loading facility, at Bandar Abbas in November, the country has a good potential as a prime world source of metallurgical ore. Since the closing of the Suez Canal, however, Iran has been at a transport disadvantage in competing for the U.S. and European markets. No

Iranian ore was reported among U.S. imports during the first 11 months of 1967.

USSR. The world's largest chrome ore producer continued to be the pace setter for the ore market and leading U.S. source of high grade lump. Over 80% of the Soviet chrome exports in recent years have gone to the Free World (mainly to the U.S. and Japan) and prospects are for the USSR to further improve its penetration into Western markets as the Rhodesian boycott goes on. A breakdown of chrome ore exports from the USSR in recent years is as follows:

SOVIET CHROME ORE EXPORTS

[Thousands of metric tons]

	1964	1965	1966
Free world	567	622	771
Communist countries	96	123	149
Total	663	745	920

During the first 11 months of 1967, the USSR supplied 252,000 short tons of chrome ore to the U.S.; most of the ore analyzed above 52% Cr_2O_3.

Albania, second largest chrome ore source in the Communist World, produces about 350,000 mtpy, which is normally sold mainly to Red China and Communist Europe. However, because of the Rhodesian boycott, U.S. alloy producers took 11,000 tons in 1967. The initial shipment of 4,000 short tons arriving in August marked Albania's first recorded commercial shipment of chrome ore to this country. Albania's current Five-Year Plan is reported to include the establishment of a domestic ferrochrome plant.

DEVELOPMENTS

South Africa. U.S. Steel has reportedly invested in two South African firms, Zeerust Chrome Mines Ltd., and Ferralloys Ltd.

Finland. Production at the Kemi Mines is reportedly at a rate of 125,000 to 150,000 tpy of high iron chrome ore. The Outokumpu ferrochrome plant to be erected at Tornio is expected to be ready by the end of 1968.

Malagasy. Reports indicate that work recently started on the road to link the large Malagasy chromite deposits at Andiamena, west of Lake Alatora, with the railhead at Ambatondrazaka. The 52-mile road is being built by the government to enable the Ugine mining subsidiary, Cie. Miniere d'Andiamena—COMINA—to develop these important deposits and start mining early in 1969. Discovered in the mid-1950's the friable Andiamena deposits hold over 5-million tons of low grade (up to 40% Cr_2O_3) chromite. Ugine, which owns a 55% interest in COMINA plans to produce 85,000 tons of low ratio concentrates annually. The government of the Malagasy Republic holds a 20% interest; Pechiney, 10%; and Cie. de Mokta, 5%.

India. The Indian Steel Minister reportedly laid the corner stone of a $65-million ferrochrome plant in Orissa's industrial belt at Jaipur Road. The plant, scheduled for operation in 1968, is said to be designed to produce 10,000 tons of low carbon ferrochrome a year initially, which is to be eventually expanded to 25,000 tons to meet the expected demands of India's alloy steel industry.

Japan. In the aftermath of the devaluation of the pound, Japan has been asked by the Russians for a 16.67% extra payment on all chrome (and manganese) ores delivered after devaluation. The Russians traditionally accepted payment in sterling but new contracts will be in dollars.

Indian Ocean. The Russian survey ship, ACADEMICIAN KURCHATOV, is reported by Tass to have found pure chromite at the bottom of the Indian Ocean. The chromite was stated to have been found in geological rifts where it is thought the earth's mantle is exposed on the seabed.

U.S. CHROME ORE

[Thousand short tons]

	1967[1]	1966	1965
Imports	1,231	1,864	1,518
Production			
Consumption	1,334	1,461	1,582
Metallurgical	841	828	907
Refractory	311	439	457
Chemical	182	194	218
Stocks, end	1,233	1,346	1,094

[1] Estimated

Source: U.S. Bureau of Mines.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

"TOMORROW'S TRANSPORTATION," MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am transmitting today a report on the study of new systems for urban transportation, entitled *Tomorrow's Transportation*.

Undertaken by the Secretary of the Department of Housing and Urban Development in accordance with the Urban Mass Transportation Amendments of 1966, the study has involved research and analytic effort by 17 contractors over a period of 18 months. It has explored areas of transportation research and development to ease the problems of Americans who live in or commute to work in cities.

The report identifies research and development which offers promising prospects for transportation improvements in our cities in the near future. It suggests a longer term program of research and development, concentrated in areas of greatest promise and benefit.

I commend the report for study by the Congress and the concerned Federal, State and local agencies. It provides a good foundation for decisions upon the program of research and development required to develop the needed new systems of transportation for our crowded metropolitan areas.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 12, 1968.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent, now that the periods allocated to designated Senators have ended, that there be a period for the transaction of routine business, with statements limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENCY

Mr. MANSFIELD. Mr. President, this week's Life magazine contains an article entitled "The Presidency," written by Hugh Sidey. The article contains a reference to the Presidency of Lyndon Johnson during the past week. The subhead is: "For God's Sake, Live Under the Law." That is a part of a quotation from a statement by the President in expressing his sorrow during a television speech on the passing of our late beloved and respected colleague, and my friend, when the President said:

> Let us, for God's sake, resolve to live under the law. Let us put an end to violence and to the preaching of violence.

The article states that there was a good deal of similarity, in some respects, between the President and our late departed colleague. Both were strong men and attracted the same strong antagonisms and affections.

Mr. Sidey mentions that in 1964 Robert Kennedy, then the Attorney General, offered to serve as Ambassador to South Vietnam, but that President Johnson thrust the offer aside instantly. The result was that, in the words of the author, "the President was accused of hoarding power."

But the real reason behind the President's action was a regard by the President for Robert Kennedy and a regard for the Nation and for that stricken family.

Also, earlier this year the President—and I can say this from personal knowledge—worried about the security of the candidates in the political race. He also contacted some of us in Congress long before the tragic event at Los Angeles in an effort to secure extra Secret Service protection for all the candidates. He did not meet with much success. However, as soon as the tragedy occurred, he acted immediately. He called in the Members of the leadership and contacted the chairmen and ranking minority members of the appropriate committees, and as a result of their action the President was given, in a resolution and in the Treasury-Post Office appropriation bill, the authority which he needed. He had lacked it, but he acted on his own volition because of the events which had occurred.

It should also be stated that President Johnson—and this would apply to any President, but not so much as to him—receives an extraordinarily large number of threatening letters every year. Many attempts are made—some of them successful—to climb the White House fence. However, none of them has been so successful that those who attempted it could get very far.

When the President received the news of the passing of Robert Kennedy, he called several persons to the White House. I was there early in the morning and also later in the day. The President expressed shock and horror. He put all the services and facilities of the Government at the disposal of the Kennedy family. He did everything he possibly could to bring some surcease into that tragic period. He also discussed the sending of another message to Congress on gun legislation, and his desire that Ambassador and Mrs. Shriver return from Paris for the funeral.

The President—and I have differed with him on occasion, but at least he has given me the courtesy of considering my views on an honest basis—has found himself in a most difficult position, a position which no President, regardless of party, should ever find himself in. He has conducted himself with dignity and understanding.

He, too, has had his tragedies; and he, too, is understanding of what has happened during the past week; because, as the article ends, "To those who watched, what had happened was so far away and yet so close."

Mr. President, I ask unanimous consent that the outstanding article by Mr. Hugh Sidey be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE PRESIDENCY

(By Hugh Sidey)

"FOR GOD'S SAKE, LIVE UNDER THE LAW"

Lyndon Johnson traveled his separate political way from Robert Kennedy and the bitterness that sometimes flared between them was real. But just as real was the President's concern for Kennedy's well-being—strong men both, they attracted the same strong antagonisms and hatreds.

It showed itself first in the dark days of 1964 when Kennedy, about to leave his post as attorney general, volunteered to be ambassador to South Vietnam, which was perilously close to collapse. Johnson thrust the offer aside instantly and he was accused of hoarding power. Maybe there was a little of that in the gesture, but running deeper was the President's fear that something would happen to Bob—and neither this nation nor that tortured family could stand more.

This spring, through the heat of the primary campaigns, Johnson worried about the security of the presidential candidates and particularly about Kennedy. He brooded with friends about the climate of violence in America and the ever-present threat to all national leaders, more than anything to the Presidency. When he was trying to get the crime bill passed, he had an aide quietly sound out congressmen about the possibility of including a provision assigning Secret Service men to the candidates. The response was negative and, since there was no real incident to set off the alarm, the matter dropped. But it rested uneasily in the President's mind.

Meantime he felt, hovering near him, the spectre of danger. Some 12,000 threatening letters came to the White House in a year. A dozen men scaled the eight-foot White House fence and were caught on the grounds. At least one person was taken into custody every day by the Secret Service someplace in the U.S. for threatening the President. The men who were running for the Presidency were bound to attract some of this madness—and particularly Bob Kennedy. Johnson, flying in his jet or with friends in his small study, would talk about the danger as a hinderance to his Presidency. He felt a prisoner within his country. Secrecy was a weapon against warped minds and so there was the odd spectacle of a President moving unannounced from city to city. Last week he went to address the graduating class of Glassboro State College in New Jersey. But the final acceptance of the invitation came so late that his name was not even printed on the commencement program.

The news of the shooting of Robert Kennedy came clacking over the wire into the Situation Room in the White House basement. One of those anonymous men who attend the room to watch the world through the night for the President ripped off the yellow bulletin from the machine and called National Security Aide Walt Rostow, asleep in his suburban home. Even on the most grave national crises Rostow generally waits a few minutes to gather more information before disturbing the President. But on Wednesday morning at 3:31 his call went instantly to the white bedside phone of the President. The muted jangle roused Johnson, now conditioned to wake and expect bad tidings. "Senator Kennedy has been shot," Rostow said simply. "I don't know how seriously." The President wanted more information but Rostow had only the bare details and he suggested that Johnson turn on his TV set just as his own wife Elspeth was doing. Johnson hung up the phone, pushed the remote control TV switch at his bedside, woke Lady Bird and together they watched the triple-screened color set at the foot of the bed.

Lyndon Johnson is never immobilized. But he was in those first minutes absolutely unbelieving. Then, still in bed with the telephone cradled on his shoulder and his eyes on TV, he began to make calls and do things he felt he had to do. First he called Attorney General Ramsey Clark to set the federal investigative machinery in motion. Then calls went to Secret Service Chief James Rowley, back to Clark again, then J. Edgar Hoover. He wanted a Secret Service detail with every candidate who would accept it. The Service was to get agents from wherever they could to fill out the details. The President does not have the legal authority to do this but he told his men never mind about authority. He would get it some way. He was back on the phone to Clark and then to Rowley and to Senators Mike Monroney and Mansfield and Congressman Tom Steed who handle legislation pertaining to the Secret Service. By 4:41 the President's own information network was functioning and he had a full report direct from Good Samaritan Hospital. By 6:35 he was talking with Kennedy's aide, Ted Sorensen, and a few seconds later to Edward Kennedy and then brother-in-law Steven Smith. There was not much to say. He quietly told of his sorrow and asked that it somehow be passed along to Ethel Kennedy. He wanted to do whatever he could to ease the family's pain. But there was nothing much that could ease the pain and he knew it. By now Secret Service agents were on their way to all candidates. Air Force planes were ready to take the oldest Kennedy children—Joe, Kathleen and Bobby from McLean to Los Angeles, and to bring the youngest ones back home from California.

Rufus Youngblood, the Secret Service agent who had thrown himself on top of Johnson in Dallas more than four years before, came by and briefed the President. Disbelief still clung to Johnson. The questions he asked the few staff members around him needed no answers. How can this still happen? How had it gotten that bad? He talked of Dallas, of Martin Luther King's death, of the gunman who had climbed to the University of Texas tower and killed 14 people. "How many times did we try to get that gun legislation through?" he asked, knowing how fat the file on that issue had become, remembering his own harsh words in insisting on the bill, some of the toughest he has ever addressed to Congress. "What does it take to make them see our need?" He called Everett Dirksen and kept calling others.

The misty and melancholy dawn came to the White House. Below the President's bedroom window the signs of tragedy began to gather. The huge television vans lumbered through the gates and spread their electronic ganglia. Reporters and cameramen collected in stunned knots. White House police checked their weapons and watched everyone sharply. Clint Hill, head of the White House Secret Service detail, who had leaped aboard the death car in Dallas and held Jacqueline in her seat in that frantic ride to a hospital, came down the drive under those big elms, his face stricken.

To those who watched, what had happened was so far away and yet so close.

Mr. ALLOTT. Mr. President, many statements have been made about the President asking for Secret Service coverage for the various presidential candidates, so I believe the record for those of us involved, should be made perfectly clear.

I know that the statements made by the majority leader are in entire good faith. I do not know what requests or what contacts went on between the President and the chairman of the Subcommittee on the Departments of the Treasury and Post Office appropriations. As a minority member of that committee, who attended all of the sessions, I can say forthrightly and frankly that this matter was never mentioned in committee and was never mentioned to me in any way, manner, shape, or form, by phone call or otherwise, until May 27, which is the day Secretary Fowler appeared before the subcommittee.

On that day, we did spend a great amount of time in executive session—closed-door session—revising and perfecting the language which was to go into the bill.

As the Senator will recall, it was just a few days after that that the committee marked up the bill. The Senator from New Hampshire [Mr. Cotton], the Senator from New York [Mr. Javits], and I all had a part in perfecting the language, and that language was put into the bill and brought to the floor of the Senate and the bill was passed the next day. As a matter of fact, some Senators who feel very strongly about the 2-day rule on appropriations bills waived their rights in order that the bill could be considered immediately.

So while I cannot say what request was made by the President to the chairman of the subcommittee, I can only say—and I believe we have to say this for the record—that so far as the minority was concerned, the first request was made on May 27, in a closed session, by the Secretary of the Treasury, Mr. Fowler, and that every effort was made—and it was actually accomplished—to expedite the bill.

I thought the Senator would like to know that.

Mr. MANSFIELD. Mr. President, I am glad that the distinguished Senator from Colorado, who was so helpful in getting that particular provision into the bill and having the bill passed so quickly, has clarified the record.

The reference I made was really to what the author of the article said.

Mr. ALLOTT. I know that.

Mr. MANSFIELD. And I am glad that this matter has been straightened out.

Mr. ALLOTT. I thank the Senator for yielding.

GENERAL WESTMORELAND SEES NO "VICTORY"

Mr. GORE. Mr. President, a public statement by General Westmoreland on his departure from Saigon brings into public view a disagreement within the administration, within Congress, and within the country with respect to strategy and tactics in the Vietnam war. General Westmoreland is quoted in a recent press story as follows. Here is a question:

> General, can the war be won militarily?

General Westmoreland:

> Not in a classic military sense.

Then the article goes on to say that General Westmoreland added:

> Because of our national policy of not expanding the war.

Mr. President, what is meant, and what has been under consideration, described in this statement as a "policy of not expanding the war"? The high military command in Vietnam evidently wished to expand the war geographically, strategically, and tactically by both ground and air attacks. Under consideration was, perhaps, an invasion of North Vietnam. Under consideration were other means of expansion—air attacks, hot pursuit, and perhaps others.

After a thorough reassessment, President Johnson—with, I might add, the support of widespread sentiment in Congress—decided against an expansion of the war and announced his decision to seek instead a deescalation of the war and a negotiated peace.

Mr. President, members of the Committee on Foreign Relations, and doubtless other committees, have known for a long while that many military authorities were expressing privately the opinion which General Westmoreland has now expressed publicly.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The time of the Senator has expired.

Mr. GORE. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Indeed, General Westmoreland is known to have expressed such sentiments privately to Members of the Senate.

I raise this matter not in criticism, but to point out that Members of the Senate have had the benefit of such opinions expressed privately for a long while, and many, long ago reached a conclusion similar to that expressed yesterday by General Westmoreland. Let me cite an instance.

On February 16, 1966, I said to the Senate:

> We should accept the fact that total military victory in the normal sense is not achievable in Vietnam short of action which would obliterate the country and solve nothing.

I proceeded to state:

> The current level of our military effort will probably not achieve total victory. Neither, in my opinion, would the presence in Vietnam of twice as many United States soldiers.

Mr. President, those who in 1966 were expressing such an opinion were severely criticized. I will not go into an analysis of the situation. I do not wish to reopen the entire question as the Paris conference is underway. I merely call attention to the fact that General Westmoreland has now publicly expressed opinions similar to those expressed by many Members of the Senate, which opinions have been backed by private assessment of military authorities for a long time.

Mr. President, I invite attention to one other unusual facet of the matter. This article, for the accuracy of which I can not vouch, reports that General Westmoreland has privately expressed sharp disagreement, if not criticism, of President Johnson's policy in three different respects: One, the number of troops; two, the expansion of the war or nonexpansion of the war; and, three, the bombing policy which President Johnson decided upon.

If this article is true, I am a little surprised that General Westmoreland was promoted.

Mr. President, I ask unanimous consent to have printed in the Record the article to which I have referred.

There being no objection, the article was ordered to be printed in the Record, as follows:

GENERAL WESTMORELAND SEES NO "VICTORY"

(By Donald Kirk)

SAIGON.—It was the last question of the last press conference and Gen. William C. Westmoreland looked almost relieved the ordeal was over.

"General," the reporter asked, "can the war be won militarily?"

Westmoreland, departing after four years as commander of the U.S. Military Assistance Command here, gave perhaps the frankest answer of his tour.

"Not in a classic military sense," he said. The one brief phrase admitted all the frustrations and disappointments with which he leaves the most difficult post of his—and perhaps any other American general's—career.

The general explained why the United States cannot win in Vietnam "in a classic sense":

"Because of our national policy of not expanding the war," he said, and in those words he hinted at what some observers regard as the major setback of his tour here—his failure to persuade President Johnson to send in at least 100,000, possibly 200,000, or 300,000, more troops to oppose the steadily increasing Communist infiltration from the north.

Although Westmoreland scrupulously avoided criticizing the administration or discussing politics in any sense, he has privately expressed the view the U.S. should be able to bomb Communist troop concentrations in Cambodia and Laos. And he has also implied, always in private, his disappointment with President Johnson's decision to stop the bombing over the northern part of North Vietnam.

Even if the U.S. had the freedom to attack North Vietnamese troops wherever they were, even if American troop strength here were substantially increased, Westmoreland has said, again privately, that it would take another 18 months to win the war.

For the record today, however, Westmoreland maintained his customary pose of optimism and progress. Even if the U.S. could not win the "classic" victory that every general wants, Westmoreland insisted that "the enemy can be attrited, the price can be raised—and it is being raised to the point that it could be intolerable to the enemy."

The war, he concluded, "may reach a point where it's a question of destroying his country and jeopardizing the future of the country if he continues to pay the price that he is now paying and destined to pay in the future."

The press conference was over and Westmoreland left quickly, shaking hands with reporters and smiling. There was no time to ask what country he meant—North of South Vietnam—or how much of a price he thought the enemy could pay.

Four and a half years after Westmoreland arrived in Vietnam, as deputy commander already marked to succeed Gen. Paul D. Harkins in command, the United States still faced the problem of defeating an enemy apparently willing to meet every American escalation with escalation of its own.

That, at least, was the unspoken inference of all that Westmoreland said in his press conference, starting with a summary of military developments during his tenure.

"I cannot forecast what is going to happen next," Westmoreland said in reply to a question. "It would appear the enemy will continue to bring pressure on Vietnam."

Westmoreland carefully avoided saying the U.S. was on the verge of a "military breakthrough" and he avoided saying just how much or when he thought the United States could really scale down its military commitment.

Instead, he remarked, with purposeful vagueness, that he still thought, as he has said in Washington last fall, that the South Vietnamese army could begin replacing American troops by the end of next year.

Westmoreland flinched at the word "stalemate," a term that generals and administration officials have spurned ever since reporters began using it last year to describe the war.

"I would not say that 'stalemate' is an accurate description of the military situation," said Westmoreland. "Look at the number of arms caches destroyed, the number of people killed. The enemy doesn't have the manpower or resources to take these losses in stride."

A minute or two later, Westmoreland said the matter of defeating North Vietnam "boils down to a matter of resolve—if the enemy wants to continue having his troops chewed up, if he feels time is on his side, he can continue for a long time."

It is the knowledge that the enemy, noted for nothing if not resolve, can "continue for a long time" that disturbs Westmoreland the most as he leaves a job that he, by his own admission, has "not completed."

Whatever historians may write about the war, Westmoreland—in private—has made clear his conviction that it is the politicians at home, not the generals in Vietnam, least of all he, who is responsible for America's failure to win a decisive, "classic" victory.

That was Westmoreland's parting thought, unspoken but implied beyond doubt, as he gave his farewell press conference, pointing at the familiar names on the map, recounting the big operations, the decisive dates, the moments when the enemy escalated and he escalated and he prevented them from "cutting the country in two" in 1966 and "taking the northern two provinces and the central highlands" in 1968.

That was what Westmoreland wanted known—that he, least of all he, was to blame

> for the endless stalemate and war of mutual escalation that is Vietnam.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. MILLER. Mr. President, as a member of the Committee on Armed Services, I wish to make comment in response to the statements made by the distinguished Senator from Tennessee. I have read with great interest the article to which the Senator referred. I think the Senator has put his finger squarely on the key problem that exists when he asked what is meant when General Westmoreland said that our national policy is not to expand the war.

With all respect to my colleague from Tennessee, I must tell him that this is an entirely proper statement for a military officer to make. The military of our country must abide by the national policy established by the Commander in Chief, the President of the United States.

I think that General Westmoreland well stated the national policy because all of us heard the President state on many occasions that he did not intend to widen or expand the war. I think what General Westmoreland did was to point out that within the framework of that policy, we cannot expect a military victory in the classical sense, and by "in the classical sense" is meant the occupation and destruction of government, such as occurred in the case of Germany in World War II.

However, I would point out the following observation.

I think it is common knowledge that our military forces have been fighting a bitter and miserable war for a long time with one hand tied behind their backs; and the longer the war goes on and the more we tie their hands the greater the casualty lists are going to become.

During the last month the casualty list has been the worst since the war began. This has followed from the fact that the North Vietnamese have increased and escalated the flow of troops from the North to the South.

On February 1, at the White House, the President, in awarding a Congressional Medal of Honor, said:

> Let those who would stop the bombing answer this question: What would the North Vietnamese be doing if we stopped the bombing and let them alone. The answer, I think, is clear. The enemy force in the South would be larger. It would be better equipped. The war would be harder. The losses would be greater. The difficulties would be greater. And of one thing you can be sure: It would cost many more American lives.

The President's words have come true.

I think what we, as the Congress, must decide is whether or not we are going to take some action which will let the Chief Executive know whether or not we approve of the conduct of the war policy. I said this several weeks ago during the session we had when the Senator from Arkansas raised the question of whether or not Congress should be consulted more. If at the time of the Gulf of Tonkin resolution I had known that 2 years later the Preparedness Investigating Subcommittee would point out that during 1966, of the thousands and thousands of sorties flown over North Vietnam, less than 1 percent would be directed at key military targets, I would never have voted for the Gulf of Tonkin resolution. I think those of us who voted for it—and practically all of us did—did so on the assumption that the Commander in Chief would take all action necessary to protect the men fighting over there instead of tying their hands behind their backs.

Mr. President, I would like to know whether the leadership will see fit to consult with Congress more than has been the case heretofore; and I hope and pray it will, because I belive that the American people are not going to tolerate a prolongation of this war with these increasing casualties, and they should not do so.

THE INTERNATIONAL GRAINS ARRANGEMENT OF 1967

Mr. LAUSCHE. Mr. President, in all probability, tomorrow we will vote on the International Grains Arrangement of 1967. I am opposed to the ratification of this International Wheat Trade Convention because it would reduce U.S. wheat exports, adversely affect the balance-of-payments position of the United States, and also depress the wheat prices to American farmers.

In the report of the committee it is stated that this convention has been adopted or is recommended for adoption because it assures "access to the markets of importing countries." I do not believe that that statement is correct. The adoption of the convention would not assure, in the manner we anticipate, access to the markets of importing countries. Importing countries of wheat and other foods have prevented American exports from entering their borders through the adoption of certain restrictive measures. They are as follows:

Some countries have one or more price supports. They have import levies against deliveries of food to the shores or borders of their countries. They have direct import controls. They also have export and import subsidies. They have bilateral trade agreements which reduce multilateral access to certain commercial markets. Finally, they have various types of two-price systems and concessional sales.

It was our anticipation that these restrictive provisions adopted in foreign countries against the entry into their borders of foreign food exports would be in a measure ameliorated in the Kennedy round discussion on tariffs. The fact is that the restrictions, as contained in the past are there now.

Thus, I say to Senators, that the statement "assured access to the markets of importing countries" is an overstatement.

There is further given as a premise why this convention should be adopted that it would fix "higher minimum world trading prices for wheat." The convention would not do that.

The fixed world price, under which no exporting nation may sell as fixed by the convention, is 23 cents per bushel more than what the market brings under present conditions.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. The fixing of world prices will not help the American farmer to grow wheat, but will hurt him. Russia is not a member of the convention, nor are any of the Communist wheat-producing nations members. They will not be bound by the world price. They will expand their production and sell it at a price lower than the world market fixed price and, thus, cut into the exports of the United States.

When the price of wheat in the world market is fixed at 23 cents a bushel more than the market in its competitive operation brings, the underdeveloped countries will be further reduced in their ability to buy.

Ultimately, those countries, instead of buying, will come begging the United States, under Public Law 480, to provide them with food through payment of soft currency.

A further premise used as a recommendation for adoption of the convention is the establishment of a multilateral sharing of the world's food burden.

What does that mean?

It means that the exporting nations of wheat and food have agreed to participate with the United States in a greater degree in providing grains and food to the undeveloped and poor nations of the world. That statement as I have just declared it is sound. But, the facts do not support it. The facts are that the grain-producing countries of the world will not provide any more grain than they have in the past to help the poor, hungry nations of the world.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the supply of food to the poor and hungry of the world has been a burden undertaken primarily by the people of the United States. Cries have been made regularly that other large grain-producing and food-producing countries should help carry the burden. It is contended that under this treaty, the grain- and food-producing nations of the world will increase the burden that now is carried solely by the United States. That will not happen under the treaty. The treaty provides that 4.5 million tons of grain shall be provided to the poor nations by the signatories to the treaty which I am discussing.

The U.S. commitment of this 4.5 million tons of grain would be 1.9 million tons or the equivalent of 42 percent.

The other signatory nations would provides 58 percent of the food that is to be given to the undeveloped countries. Now, this, Mr. President, is the pertinent fact with respect to this item. The record discloses unquestionably that not one of the grain- and food-producing nations will, under the treaty, be giving any more than they have given in the past to help the poor.

Examination has been made to ascertain whether Canada, Argentina, France, Germany, or other countries will provide more in the future, under this treaty, than they have in the past.

The cold fact is that they will provide nothing more.

The treaty will not help the American farmer. It will hurt him. It will not induce the grain-producing nations to carry a greater part of the burden of helping the poor. It is not in the interest of the people of the United States. It is not in the interest of the farmers.

For those reasons, I will not support the treaty.

PRIVILEGE OF THE FLOOR

Mr. SPARKMAN. Mr. President, I ask unanimous consent that Mr. Harvey Sherman, senior specialist, Legislative Reference Service of the Library of Congress, be allowed the privilege of the floor during consideration of the International Grains Arrangement of 1967, later today.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

STATEMENT BY AVERELL HARRIMAN ON DEATH OF SENATOR ROBERT F. KENNEDY

Mr. JAVITS. Mr. President, Averell Harriman, now negotiating in Paris, and a former Governor of the State of New York, made a very distinguished statement upon the passing of our beloved colleague, Senator Robert F. Kennedy.

I ask unanimous consent that it be printed in the RECORD, and ask unanimous consent also that in any printing of the consolidated statements made upon this sad event, the statement of Ambassador Harriman may be included.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE W. AVERELL HARRIMAN

Senator Robert F. Kennedy was one of the most gallant men I have ever known. He was fearless. He faced facts squarely. It was impossible for him not to tell the truth as he saw it. I think that is why some people thought he was ruthless. At times the truth is ruthless. He supported the causes he believed in regardless of the enemies he knew that he would make. But few men have won the deep respect and affection of so many. Negroes and other minorities knew that he had accepted their cause as his own.

If he had been elected President, he would have been a great President. He shared with President Kennedy many of his inspired decisions. He understood the problems of our time, and in some capacity he would have played a major role in forwarding the greatness of our country in which he had such deep faith. Our country has suffered an irreparable loss.

PROMPT ACTION NEEDED ON FEDERAL EQUAL EMPLOYMENT OPPORTUNITY COMMISSION BILL

Mr. JAVITS. Mr. President, I wish to address myself to the Senate leadership on a very delicate matter on which I hope they will give me their attention.

The Committee on Labor and Public Welfare, on May 8, 1968, reported a revised version of the bill to give the Federal Equal Employment Opportunity Commission the power to issue cease-and-desist orders, enforceable in the Federal courts, to remedy cases of unlawful, discriminatory employment practices.

Let me point out that this particular measure is not a new one. The original provision was incorporated in the Civil Rights Act of 1964. The bill which we reported was one title of the omnibus civil rights bill the President sent us at the opening of this session of Congress in 1967. It had the endorsement of the administration, many civil rights groups, the labor movement, and representatives of many State civil rights commissions.

Let me point out that 38 of the 50 States now have on their books some form of fair employment laws. This should not really be a controversial bill because it gives the Equal Employment Opportunity Commission the powers now enjoyed by many other Federal agencies, including the National Labor Relations Board and at least 31 State fair employment practice agencies.

The bill was subjected to a good deal of debate in our committee, was finally amended considerably, and reported by the committee. Now it is on the calendar as S. 3465.

I am most disturbed by reports which I have heard, and which were carried in the press, that, because of a threat of a filibuster, the administration may decide—I emphasize the word "may," because I am addressing a plea to the administration—to pass over the bill in this Congress.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. JAVITS. I ask unanimous consent to speak for 3 additional minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. JAVITS. Mr. President, it seems to me that once before, earlier this year, some were ready to give up on important civil rights legislation because of the threat of a filibuster. At that time, the full Senate faced the threat, broke the filibuster, and passed the Civil Rights Act of 1968. In my judgment, this is not the time to run from the threat of a filibuster, not even a filibuster supported by the distinguished minority leader. It is, once again, time to face the threat of those who would not allow the Senate to vote on this issue.

I believe that the threat of a filibuster on S. 3465, even if not empty, is no reason to pass over this important legislation. I believe that this bill has at least as much support as the open housing amendment previously adopted by the Senate this year after cloture was voted. Thus, in contrast to the close division among the members of the Committee on the Judiciary on the civil rights bill enacted earlier this year, S. 3465 was reported out of the Committee on Labor and Public Welfare by a vote of 13 to 2. This bill may have some opposition, but it has overwhelming bipartisan support.

Mr. President, some 38 States now have on their books some form of fair employment law. In at least 31 of those States the agency responsible for administering the fair employment practice law has powers at least as great as those which would be given to the Federal Equal Employment Opportunity Commission under S. 3465. Those 31 States have recognized that there is little point in establishing an administrative agency to administer a fair employment practice law if the agency has no power to implement its own decisions. That, however, is the position in which the Federal Equal Employment Opportunity Commission is placed under existing title VII of the Civil Rights Act of 1964. It restricts the Commission's activities to investigation of charges and negotiation of voluntary settlement agreements. If no voluntary agreement can be negotiated, the burden is placed upon the individual victim of unlawful discriminatory practices to bring his own law suit into Federal courts. In case the individual who has been unlawfully discriminated against is hardly enough to bring his own law suit, the Federal courst must proceed to decide it without having available to them any of the expertise developed by the Commission in this exceedingly complex area.

Mr. President, title VII pays lip service to the idea of equal employment opportunity, but the hard fact is that the compromise worked out in 1964 under which the Equal Employment Opportunity Commission was emasculated, has gone far to destroy the act as an effective tool to end discrimination in employment in this country.

The purpose of S. 3465 is simply to make good the promise of title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission would be given power to hold administrative hearings and issue appropriate cease-and-desist orders only after efforts to achieve voluntary compliance have been exhausted. The Administrative Procedure Act would be applicable at all stages of the proceeding before the Commission and its orders would be reviewable in the Federal Courts of Appeals in the same way other Federal agency orders are. It would allow the Equal Employment Opportunity Commission to play a truly effective role in the fight to end discrimination in employment throughout the Nation.

It is true that under existing title VII a significant amount of progress has been made in the area of voluntary nondiscrimination agreements. The Commission has played an important, if limited, role in promoting public awareness of discriminatory employment policies and the voluntary correction of such policies. But in the last analysis, we cannot leave observance of the mandates of title VII to voluntary choice. So long as Federal law clearly makes it unlawful to follow discriminatory employment policies, there should be an appropriate Federal instrumentality established to enforce the strictures of the law.

Furthermore, although the Commission has had some success in promoting voluntary compliance with the law, the rate of voluntary compliance has actually considerably decreased in recent months, thus indicating that the Commission is more and more facing the type of "hard core case" which will only yield to the compulsion of the law.

Finally, Mr. President, I would point out that of all the recommendations of the President's Commission on Civil Disorders, which I endorse, this would be the least costly. It is all too apparent that because of the present budgetary crisis, as shown in the attitude of the Congress, implementation of most of the Commission's recommendations will not be possible this year, at least. But S. 3465 is one almost no-cost measure which can and should be adopted now. I therefore urge the majority leader to call up this bill as soon as possible, and preferably next week, if he can do it.

In any case, I point, with the hope that it receives the attention which it deserves, to the fact that we should not be intimidated in respect to this bill by threats of a filibuster, any more than we were earlier this year in respect to the fair housing legislation.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF AUTHORIZED DEFICIENCIES IN APPROPRIATIONS, DEPARTMENT OF DEFENSE

A letter from the Deputy Secretary, Department of Defense, reporting authorized deficiencies to be incurred for the necessities of the current year in appropriations in addition to those indicated in his letter of May 13, 1968; to the Committee on Appropriations.

PAYMENT OF JUDGMENT IN FAVOR OF MUCKLESHOOT TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket numbered 98, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

OLDER AMERICANS ACT OF 1965

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve the Older Americans Act of 1965 (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution of the Senate of the State of New Jersey; to the Committee on Finance:

"SENATE RESOLUTION

"Whereas, There is at present pending in the Congress of the United States legislation to impose a mineral severance tax amounting to 5 per cent of the gross income from any domestic mineral property; and

"Whereas, By permitting taxpayers to credit against the payment of this Federal tax the amount paid in State severance taxes, this legislation has the intent of promoting uniform rates among the States and, at the same time, will encourage the imposition of such taxes by the States; and

"Whereas, Such taxes, whether imposed by the States or the Federal Government, erode the competitive position of domestic mineral extractors as against foreign imports, threaten the economic stability of the industry and risk the loss of this industry's current contribution to the national economy; and

"Whereas, The deleterious effects of such taxes have recently been experienced by the State of Minnesota, which, after suffering loss of iron mining operations which moved to Canada to escape this tax, repealed said tax; and

"Whereas, Such a tax, added to the obligations of the domestic mining industry in terms of high wage levels, other State and Federal taxes and compliance with other Federal regulations—all imposing economic burdens which do not affect foreign competitors—would be highly inequitable to the domestic industry and would gravely affect its ability to compete with foreign producers not only in the export market but also in the domestic market; now, therefore,

"Be It Resolved by the Senate of the State of New Jersey: That the health of the mining industry in this country and the best interests of the national economy would be ill served by any Federal legislation imposing a mineral severance tax or encouraging the imposition of any such tax by State Governments; and

"Be It Further Resolved, That this resolution be spread upon the Journal of the Senate, and that copies be sent to the Speaker of the United States House of Representatives, the Vice President of the United States and to each of the members of Congress elected from this State.

"SIDO L. RIDOLFI,
"President of the Senate.

"Attest:

"HENRY H. PATTERSON,
"Secretary of the Senate."

A resolution adopted by the board of supervisors, San Mateo County, Calif.; praying for the enactment of legislation to amend the Social Security Act; to the Committee on Finance.

Memorials from sundry citizens and organizations of the United States, relating to the death of Hon. Robert F. Kennedy; ordered to lie on the table.

MEMORIALS RELATING TO THE LATE SENATOR ROBERT F. KENNEDY

Mr. BYRD of West Virginia. Mr. President, I have before me various memorials received from officials of foreign governments, addressed to the Vice President or to the Senate, expressing deep regret at the recent passing of Senator Robert Kennedy. I ask unanimous consent that they be printed in the RECORD and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The memorials were referred to the Committee on Foreign Relations, as follows:

JUNE 6, 1968.

To the U.S. Senate,
Washington, D.C.:

Our sincere grief over the death of the late lamented Senator Robert Kennedy. I beg to accept our heartfelt condolences.

The PERSONNEL OF THE SCACC.

JUNE 6, 1968.

To the Honorable U.S. Senate,
Washington, D.C.:

The Senate of Nicaragua vividly moved by the death of the Honorable Robert Kennedy shares the sorrow that has afflicted the people of the United States and in particular its Senate of which the illustrious departed has been a member.

Yours truly,
MARIANO ARGUELLO,
President of the Senate of Nicaragua.
PABLO RENER,
Secretary.
EDUARDO RIVAS GASTEALAZORO,
Secretary.

The President,
U.S. Senate,
Washington, D.C.:

The Senate of Chile deeply shocked over the terrible misfortune that has afflicted your agency by the passing of Senator Robert Kennedy expresses its feelings of sorrow and grief and wishes at the same time that his sacrifice may not have been in vain and that it will help call on all the people of this world to live in harmony and lasting peace.

LUIS FERNANDO LUENGO,
Vice President of the Senate,
PELAGIO FIGUEROA TORO,
Secretary of the Senate.

JUNE 6, 1968.

To the U.S. Senate,
Washington, D.C.:

The Legislative Assembly of Costa Rica condemns the act that put an end to the life of the distinguished Senator Robert F. Kennedy, and expresses to the U.S. Senate its profound grief over this deplorable matter.

FERNANDO VOLIO,
President of the Legislative Assembly of Costa Rica.

SAN JOSE, COSTA RICA,
June 6, 1968.

His Excellency HUBERT H. HUMPHREY,
President of the U.S. Senate,
Washington, D.C.:

Having learned of the tragic passing of the illustrious Senator Robert F. Kennedy the people and the Government of Costa Rica are deeply shocked. On behalf of this people and Government I beg Your Excellency to accept our sympathy and to make it known through your intermediary to the Congress of the United States. I also ask you to transmit our repudiation of such an execrable crime which put an end to a valuable life and plunged into sorrow a noble and good people deserving lasting happiness.

JORGE VEGA RODRIGUEZ,
First Vice President, acting on behalf of the Presidency of the Republic.

The Congress of the Republic express heartfelt condolences to the Senate, Government, and people of the United States of America upon the tragic death of the illustrious and distinguished Senator Robert F. Kennedy and regrets such an irreparable loss which constitutes a hard blow to American democracy.

J. GREGORIO PREM B.,
President of the Congress of the Republic of Guatemala.

PORT AU PRINCE, HAITI,
June 6, 1968.

To the PRESIDENT,
U.S. Senate,
Washington, D.C.:

The Legislative Chamber of Haiti is shocked and through me as its spokesman expresses to you its indignation in the face of the crime that has taken the life of one of the Members of your great agency, Senator Robert Kennedy. These acts of violence freely preached and spread are of a persuasive force in an advanced democracy and there is no need for me to comment on it. On behalf of my colleagues of the Legislative Chamber and in my own name I wish to express to the Members of the U.S. Senate my heartfelt sympathies.

ULRICK ST. LOUIS,
President of the Legislative Chamber of Haiti.

SAIGON,
June 8, 1968.

The PRESIDENT,
U.S. Senate:

Deeply moved by the news about the death of Senator Robert Kennedy expressing to you my heartfelt condolences and respects.

PHAN HUY DUC,
President.

BONN, GERMANY,
June 8, 1968.

Hon. HUBERT H. HUMPHREY,
Vice President of the United States of America, U.S. Senate, Washington, D.C.:

On the occasion of the heavy loss suffered by you and the United States of America through the death of Senator Robert Kennedy, I wish to assure you of my deepest sympathy and, at the same time, to express to you my sincere wish that those politically responsible in your country and the American people succeed in a speedy overcoming of the crisis caused by this henious deed, for the benefit of your country and the whole free world.

LUDWIG ERHARD,
Federal Chancellor, Retired.

PRESIDENT OF THE DEMOCRATIC PARTY,
Washington:

The Liberal Party of Honduras expresses through your intermediary to the U.S. people its immense grief over the abominable crime perpetrated against the illustrious person and eminent Senator Robert F. Kennedy. We participate with you in this moment of worldwide sorrow.

CARLOS ROBERTO REINA,
President of the Executive Central Council of the Liberal Party.

MOSCOW, RUSSIA,
June 7, 1968.

To the Senate of the United States of America:

I convey to you my deep sympathy on the occasion of the tragic death of the progressive leader, Senator Robert Kennedy. I hope that the high ideas for which he fought will be carried on by all honest people of America.

WRITER LARIONOVA.

WASHINGTON, D.C.,
June 8, 1968.

THE PRESIDENT OF THE SENATE,
Senate Office Building,
Washington, D.C.:

In these tragic hours of national mourning in which once more the Government and the people of America have been plunged as a result of the death of the young and dynamic Senator Robert F. Kennedy, so cowardly assassinated, I wish to express to you my most heartfelt condolences and those of the officials and employees of the Embassy of Gabon in the United States.

LEONARD A. BADINGA,
Ambassador.

JUNE 6, 1968.

Mr. HUBERT H. HUMPHREY,
President of the Senate and Vice President of the United States of America.

We wish to express our most sincere sympathy on the occasion of the villainous killing of the outstanding leader of the U.S.A., Robert F. Kennedy. The infamous crime to which Robert F. Kennedy fell victim arouses a feeling of indignation in the Soviet people.

I. SPIRIDONOV,
Chairman of the Supreme Soviet of the U.S.S.R.

IU. PALECKIS,
Chairman of the Soviet of Nationalities U.S.S.R.

Honduran University youth deeply moved in face of the loss of the greatest and genuine representative of the ideals and principles of democratic youth, strongly condemn vile assassination. We urge U.S. youth to continue fighting for the ideals which led to the death of such an illustrious leader.

FEDERATION OF UNIVERSITY STUDENTS OF HONDURAS.

On behalf of the Legislative Chambers and myself I express to Your Excellency our deep mourning laid upon us by the regrettable passing of the eminent Democratic Senator Robert Kennedy, requesting that you extend these expressions to his afflicted and distinguished family.

Sincerely,
DR. LUIS ADOLFO SILES SALINAS,
President of the Congress of Bolivia.

The Ecuadorian people deplore the death of Senator Robert Kennedy, the worthy exponent of universal culture and civilization.

DR. GUILLERMO MOLINA DEFRANC,
Minister of Public Health of the Republic of Ecuador.

This association and our people join you in this grievous moment.

MIGUEL MOLINA,
President, Association OAS Ex-Scholarship Students of Honduras.

JUNE 9, 1968.

Mr. HUBERT HUMPHREY,
President, U.S. Senate,
Washington, D.C.:

Workers of Israel shocked and grieved beyond words by untimely death of Robert F. Kennedy at assassins hands. With his death American people and all mankind have lost a man of truth and justice, valiant and dauntless fighter for free society conceived in justice and right of nations to exist in all parts of the world. Please convey profound sympathy and condolence to bereaved family and friends of deceased. We shall always honour and cherish his memory.

Y. MESHEL,
Acting Secretary General, Histadrut General Federation of Labour in Israel.

SAIGON,
June 8, 1968.

The SPEAKER OF THE U.S. SENATE,
Washington, D.C.:

Greatly shocked when learning that Senator Robert Francis Kennedy a world-wide famous fighter for the freedom for Americans and world peoples, especially Vietnamese, was tragically and senselessly assassinated, all members of the Alliance for Freedom and Vietnamese Association of Gratitude to the Allied Armed Forces fighting for Vietnam's freedom, join to me to cable you our deepest feelings of regrets. We respectfully ask you to convey to the American people and to the mournful family of late Senator R. F. Kennedy our sincere condolences.

Engineer NGUYEN DINH CON,
Chairman of Vietnam Alliance for Freedom.

CARACUS, VENEZUELA.

I express to you my deep sorrow for the tragic loss of Senator Kennedy. The shining figure of that institution and the untiring apostle in the struggle for freedom, justice, and peace.

Deputy HUGO BRICENO SALAS.

To the Congress of the United States of America, Capitol, Washington, D.C.:

The Consul of Lebanon representing the Lebanese colony in Puerto Rico expresses through this message of condolence his adherence to the feelings of the North American Government and people for the irreparable loss of he who was an eminent member of American society and politics. Senator Robert F. Kennedy. At the same time we raise up our strong condemnation for the act of barbarism and assassination committed on the person of such an illustrious Senator and bulwark of Democracy on our continent and the whole world.

SALIVE TARTAK,
Honorary Consul of Lebanon in Puerto Rico.

Please accept and transmit to the Senate under your presidency the expression of deep regret and sincere sorrow from this Spanish Parliament upon the tragic death of Senator Robert Fitzgerald [SIC] Kennedy with the strongest protest and rebuke for the vile assassination of which such an illustrious patrician and valiant knight of the ideals of peace and human solidarity to which all we men of good will subscribe was the victim.

Sincerely,
ANTONIO ITURMENDI,
President of the Spanish Parliament.

The death of Senator Robert Kennedy, indefatigable fighter for World Peace, faithful representative of the best value of the North American people and young hope of better days for humanity, has touched us to the very depths of our spirits. Please accept the expressions of the unanimous feeling of regret of this body and the evidence of our personal and heartfelt condolences.

HECTOR VALENZUELA VALDERRAMA,
President of the Chamber of Deputies of Chile.

LIMA, PERU,
June 5, 1968.

Vice President HUMPHREY,
U.S. Senate,
Washington, D.C.:

The attempt on Senator Kennedy has hurt world democracy. I ask you to convey my sympathy to the United States Senate and to the family of Senator Kennedy.

ARMANDO VILLANUEVA DEL CAMPO,
President of the Chamber of Deputies.

JUNE 5, 1968.

The PRESIDENT OF THE SENATE,
Washington, D.C.:

On behalf of the Bolivian Senate I wish to express our concern over the criminal attempt on the Democratic Senator Kennedy wishing him a speedy recovery.

Yours sincerely,
MANFREDO KEMPFF MERCADO,
President of the National Senate.

LIMA, PERU,
June 5, 1968.

HIS EXCELLENCY THE PRESIDENT OF THE SENATE,
Washington, D.C.:

In a session held today on the initiative of Senator Luis Alberto Sanchez with the adhesion of the political parties represented in this Congress the Senate of Peru wishes to express to your high chamber and presidency its protest, rejection and sorrow over the attempt of which has become a victim Senator Robert Kennedy presidential candidate of your republic and great friend of our nation. We ask you to transmit our sympathy to him and his worthy family. This chamber considers this painful event as an affront to the democracy and solidarity of the American peoples.

Yours sincerely,

DAVID AGUILAR CORNEJO,
President of the Senate of Peru.

BRUSSELS, BELGIUM,
June 6, 1968.

To the PRESIDENT OF THE SENATE,
Washington, D.C.:

I have learned with painful grief about the fatal result of the abominable attempt of which Senator Robert Kennedy has become a victim. I bow with emotion while remembering this great citizen taken at the prime of his life from his country whose outstanding servant he was and from the cause of peace of which he was a courageous champion. Please convey to the United States Senate and to the family of Mr. Kennedy my heartfelt sympathies and those of the Senate of Belgium.

PAUL STRUYE,
President of the Senate.

BOGOTÁ, COLOMBIA,
June 5, 1968.

To the U.S. Senate,
Washington, D.C.:

As Democrats and in the name of the Colombian transportation [association?], we decidedly deplore the treacherous attack of which became a victim Doctor Robert Kennedy, a courageous and intelligent person, one of the real Representatives of his country and an outstanding defender of human rights.

Respectfully,

VICTOR LINO FRANCO.

JUNE 5, 1968.

To the U.S. Senate,
Washington, D.C.:

On behalf of the sovereign national Congress of the Republic of Honduras over which I have the honor to preside we deplore the condemnable attempt on Senator Robert Kennedy and pray for the speedy recovery of the illustrious representative of the aspirations of the Democratic world.

MARIO RIVERA LOPEZ.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Appropriations, without amendment:

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 1227).

By Mr. PROXMIRE, from the Committee on Banking and Currency, with amendments:

H.R. 6157. An act to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment (Rept. No. 1228).

By Mr. SCOTT, from the Committee on Commerce, with amendments:

S. 3245. A bill to extend for an additional two years the authorization of appropriations under the State Technical Services Act of 1965 (Rept. No. 1231).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data (Rept. No. 1230).

REPORT OF COMMITTEE ON S. 1974—TO MAKE FOREIGN GENERATED SURPLUS PROPERTY AVAILABLE TO DOMESTIC AGENCIES (S. REPT. NO. 1229)

Mr. GRUENING. Mr. President, I am today, on behalf of the Senate Committee on Government Operations, reporting without amendment, S. 1974, a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to make foreign generated surplus property available to domestic agencies.

The Senate Subcommittee on Foreign Aid Expenditures, of which I am chairman, has been given the responsibility of investigating the Federal surplus property program both at home and abroad.

In the course of carrying out its responsibility, the subcommittee conducted an investigation into and held hearings on the surplus property program of the Agency for International Development. As a result, the subcommittee, in a report approved by the Senate Committee on Government Operations—report No. 1089, April 10, 1968—found that the AID's surplus property program abroad had been grossly mismanaged, that Federal funds had been misspent, and that surplus property, which could be put to good use by health and education agencies in the United States, was lying unused in many foreign countries.

Highlights of the committee report are as follows:

Since 1960, the Agency for International Development has obtained about $400 million in excess equipment and supplies mainly from Department of Defense stocks in the United States and overseas. Over $100 million of this amount had been obtained in advance of known requirements and was sent to private contractors for repair and rehabilitation before being delivered to foreign countries under the economic assistance program.

The subcommittee's investigation of the program has disclosed gross waste and mismanagement resulting from the failure of AID to apply effective controls over contractor operations and over the programing and utilization of excess property in foreign countries.

OVERCHARGES ON REPAIR CONTRACTS

The subcommittee uncovered the fact that AID contractors had overcharged the Government by submitting bills for repair work not actually performed as well as for excessive labor hours. The full amount of such overcharges is difficult to determine because AID did not make sure that the repair contractors maintained adequate records, but partial audits have resulted in claims of over $600,000 for 1966 and 1967 alone. The subcommittee is of the opinion that overpayments to repair contractors since the start of the program far exceed $1 million.

DELIVERY OF DEFECTIVE EQUIPMENT

In addition, the subcommittee investigation disclosed that substantial quantities of equipment have been delivered to recipient countries in defective condition. The equipment, which consisted of trucks, tractors, cranes, bulldozers, electric generators, and other major items, was not operative on arrival in foreign countries or broke down shortly after being put into use. For example, 500 major pieces of defective and broken-down equipment were found in Saigon that had been brought there to relieve the congestion at the port. Port congestion has cost the United States millions of dollars in demurrage and other costs. AID had to contract with a private firm to repair the equipment in Saigon at substantial additional cost even though the items were supposed to have been overhauled before being sent to Vietnam.

Numerous cases of defective equipment were also found in Turkey, Thailand, and other countries.

AID OFFICIALS IGNORED KNOWN PROGRAM DEFICIENCIES

These conditions were known to many middle-echelon personnel of AID and were also disclosed in a number of independent and agency studies. However, they were ignored by top agency officials and no action was taken to correct the situation until the subcommittee initiated its investigation of the program, and brought its findings to the agency's attention.

DEPARTMENT OF DEFENSE SUBSIDIZED AID EXCESS PROPERTY SHIPMENTS

The subcommittee's review of the arrangements AID had worked out with the Department of Defense for the transportation of excess property from the repair shops to foreign countries, most of which was done in vessels operated by the Military Sea Transportation Service, disclosed that AID had been paying the Department of Defense far less than the cost of such services. After this matter was brought to DOD's attention, it admitted that there was no authority or justification for any transportation subsidy and initiated a claim against AID for over $400,000.

AID AGREES WITH SUBCOMMITTEE FINDINGS

Top agency officials testifying before the subcommittee admitted that these serious shortcomings existed in the management of the excess property program. They stated that the fault lies with the agency's policy to acquire the maximum amount of property, to make minimum repairs before shipping the items to foreign countries, and in the agency's failure to employ a sufficient number of trained inspectors to check on contractor's performance. Agency officials outlined the actions now being taken to correct each of these deficiencies which, in the opinion of the subcommittee, should result in a much improved program in the future if these corrective actions are properly carried out.

As a result of its investigation and hearings, the committee recommended:

> Under existing legislation, AID can obtain unlimited quantities of excess property overseas from other Federal agencies. Domestic acquisitions of excess property is limited to $45 million per year, of which only $15 million can be held in inventory at any time. The limitation on domestic excess property is designed to keep AID from making too heavy an inroad on the amount of Federal excess property available to State and local health, education, and civil defense agencies.
>
> The subcommittee asked the Governors of the fifty States for their comments on the desirability of making AID's overseas excess property acquisitions available to State and local agencies before it could be sent to foreign countries. The overwhelming number of replies indicated support for such proposal. Most of the Governors complained that in recent years there had been a decreasing amount of Federal surplus property

available to the States at a time when there was increasing need for such property. Some of the replies indicated concern that under existing legislation foreign communities were given a higher priority in obtaining excess property than our own communities.

The subcommittee believes that a reordering of priorities is now required. There can be little justification for furnishing useful equipment and supplies to towns, villages, and local agencies in foreign countries when such material is desperately needed by local communities and agencies in our own country. This situation can be corrected only by legislative action since testimony received from the executive agencies indicated that they were split on this matter. Such legislation should be given prompt consideration by the Congress.

S. 1974, which I have reported today, carries out these recommendations for needed legislation and I hope that the Senate will act upon it favorably as soon as possible.

The PRESIDING OFFICER. The report will be received and printed, and the bill will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD (for himself, Mr. Magnuson, Mr. Pastore, Mr. Javits, Mr. Fong, Mr. Smathers, Mr. Ribicoff, Mr. Brewster, Mr. Tydings, Mr. Mondale, Mr. Case, Mr. Monroney, Mr. Proxmire, Mr. Williams of New Jersey, Mr. Lausche, Mr. Nelson, Mr. McIntyre, Mr. Griffin, Mr. Pell, Mr. Inouye, Mr. Clark, Mr. Brooke, Mr. Randolph, Mr. Spong, Mr. Percy, Mr. Muskie, Mr. Hartke, and Mr. Scott):

S. 3633. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary; to be referred to the Committee on Commerce when reported from the Committee on the Judiciary, by order of the Senate of June 11, 1968.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Brewster, Mr. Proxmire, Mr. Randolph, Mr. Young of Ohio, Mr. Pell, Mr. Javits, Mr. Smathers, Mr. Mondale, and Mr. Hartke):

S. 3634. An act to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition;and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. Montoya, and Mr. Smathers):

S. 3635. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING:

S. 3636. A bill for the relief of Wai Keung Tsang; to the Committee on the Judiciary.

By Mr. BROOKE (for himself, Mr. Case, Mr. Javits, Mr. Scott, Mr. Fong, and Mr. Hartke):

S. 3637. A bill to provide for the establishment of a national firearms registry; to the Committee on the Judiciary.

(See the remarks of Mr. Brooke when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. Montoya, Mr. Eastland, Mr. Harris, Mr. Long of Missouri, Mr. Mansfield, Mr. McGovern, Mr. Metcalf, Mr. Miller, Mr. Mundt, Mr. Nelson, Mr. Proxmire, and Mr. Yarborough):

S. 3638. A bill to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON (for himself and Mr. Morton):

S.J. Res. 176. Joint resolution to authorize the President to designate the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week;" to the Committee on the Judiciary.

(See the remarks of Mr. Pearson when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HARRIS:

S.J. Res. 177. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day;" to the Committee on the Judiciary.

(See the remarks of Mr. Harris when he introduced the above joint resolution, which appear under a separate heading.)

S. 3635—INTRODUCTION OF BILL TO AMEND THE SMALL BUSINESS ACT

Mr. SPARKMAN. Mr. President, I am today introducing this bill as an amendment to the Small Business Act to enlarge the scope of a certificate of competency which the Small Business Administration has authority to grant small business bidders for Government contracts.

Under the law as it now exists, a certificate of competency is conclusive evidence that a small business bidder for a Government contract has the plant and manpower resources, necessary technical know-how, productive capacity, financial responsibility, and credit rating to perform the prospective contract work concerning which the certificate has been issued. The certificate as now interpreted makes no determination with respect to other factors of bidder responsibility, such as past performance, integrity, ethics, motivation, perseverance, and tenacity. This limitation on the scope of the certificate of competency has caused considerable confusion and difficulty in a number of procurement actions and has greatly restricted the usefulness of the COC. The purpose of this amendment is to enlarge the scope of the certificate to include all elements of responsibility such that when the Small Business Administration has issued a certificate to a small business firm bidding for a Government contract, all questions of whether or not the bidder can and will perform the prospective contract work will have been answered in the affirmative and this determination in the specific case will be conclusively binding on the procuring agency.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3635) to amend the Small Business Act, introduced by Mr. Sparkman (for himself, Mr. Montoya, and Mr. Smathers), was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3638—INTRODUCTION OF BILL RELATING TO MILK INDEMNITY PAYMENTS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico [Mr. Montoya] and other Senators, I introduce, for appropriate reference, a bill relating to milk indemnity payments. I ask unanimous consent that a statement, prepared by Mr. Montoya, relating to the bill, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, introduced by Mr. Byrd of West Virginia (for Mr. Montoya and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement of Mr. Montoya is as follows:

Milk Indemnity Payments

Mr. Montoya. Mr. President, I introduce today on behalf of myself and Senators Eastland, Harris, Long of Missouri, Mansfield, McGovern, Metcalf, Miller, Mundt, Nelson, Proxmire, and Yarborough, a measure which requires our early and prompt attention.

This bill which we are introducing today would extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. Mr. President, the dairy farmers of this country have been plagued for a number of years by a problem which is not of their making and for which the Federal Government must take full responsibility.

The problem which our dairy farmers are facing has been brought about by the use of chemicals approved by the Federal Government to dust crops. Some of these chemicals have been found to contaminate feeds. The contamination passes on into the milk and when the residues of pesticides is found to be of too high a level, the farmers are forced to dump their milk, taking it out of commercial channels. The result has been disastrous to the dairy farmers involved, some of which have had to go into bankruptcy.

Authority was first provided in 1964 to indemnify dairy farmers for their loss. This authority has been extended on several occasions. The present authority expires on June 30, 1968. It is imperative that we move promptly to continue this authority beyond the June 30, 1968, date.

Mr. President, last year when we extended the authority, the U.S. Department of Agriculture in testifying for the bill indicated that steps were being taken to remedy the situation. There had been, at that time, reasonable prospect that the problem would have diminished to a point that further extension of the authority would not have been necessary. However, as the Department testified then, several large producers had their milk removed from the market because of DDT residue. The problem had in fact not been solved. The local dairymen, the State Governments involved, dairy and cotton associations, and the U.S. Department of Agriculture have been cooperating in an effort to rid us of this problem. The problem, however, still continues and it appears that it will continue for the foreseeable years to come.

For the above reasons, I believe it is not only urgent that we act to extend this authority but it should be extended for a sufficient period to permit the Secretary of Agriculture to make the necessary indemnity payments without having to keep coming back to the Congress year after year for the same legislation. If it should develop that the problem is solved prior to the three year extension which we are now seeking—and we all certainly hope that a solution can soon be found—nothing would be lost since the Secretary is authorized to indemnify only those losses which actually occur. If there are no losses, the Secretary indemnifies nothing. However, the authority would be there for him to use in the event a solution is not found—which would seem the most probable occurrence.

Mr. President, with all of us eyeing an early adjournment date, it is doubly urgent that we acquire early action on this measure. Not only do we need to seek the extension of authority but we must also go before the Senate Appropriations Committee and seek the necessary funds to carry this program out in a supplemental appropriation. I, therefore, urge prompt action.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the text of this measure be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90–95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

SENATE JOINT RESOLUTION 176—INTRODUCTION OF JOINT RESOLUTION DESIGNATING SALUTE TO EISENHOWER WEEK

Mr. PEARSON. Mr. President, Dwight D. Eisenhower, former President of the United States, General of the Army, respected world leader, and one of America's truly great men will celebrate his 78th birthday on October 14, 1968.

I believe that it is altogether fitting and proper that the Nation take the opportunity of this occasion to honor and to pay special tribute to this great American and the ideals for which he has stood throughout his long, productive and exemplary life.

Therefore, I introduce today for Senator MORTON and myself a joint resolution authorizing the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

Such a salute to General Eisenhower would be particularly appropriate at this time. His commitment to the cause of world peace serves to remind all of us that this greatest of all of mans' dreams must be pursued with persistence, imagination and dedicated resolve. His personal courage and military leadership serve as an inspiring example to all our men in uniform.

This tribute is especially deserving for a great man who has unselfishly devoted his entire life to the honorable service of his country and to the cause of freedom and peace.

Mr. President, I ask unanimous consent that this joint resolution be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 176) to authorize the President to designate the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week," introduced by Mr. PEARSON, for himself and Mr. MORTON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 176

Whereas Dwight D. Eisenhower, former President of the United States, General of the Army, and world leader, has unselfishly devoted his entire life to the honorable service of his country and the cause of freedom and peace; and

Whereas the dedication of President Eisenhower to world peace serves as an ideal and a goal for men everywhere; and

Whereas his personal courage and military leadership serve as an inspiration for all men of the Armed Forces of the United States; and

Whereas President Eisenhower will celebrate his seventy-eighth birthday on October 14, 1968: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the outstanding service rendered by Dwight D. Eisenhower to his country and the world, the President is hereby authorized and requested to issue a proclamation designating the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week" and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

SENATE JOINT RESOLUTION 177—INTRODUCTION OF JOINT RESOLUTION PROCLAIMING "BIBLE TRANSLATION DAY"

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1968 as "Bible Translation Day."

I am particularly interested in the passage of this resolution because of my admiration and respect for the Summer Institute of Linguistics, which operates a linguistics institute, among other places, at the University of Oklahoma each summer. This joint resolution is the same one which has passed the Senate before. It has the support of the various groups active in Bible translation. I hope that it will be passed again.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 177) to authorize the President to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day," introduced by Mr. HARRIS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 177

Whereas there are over two thousand tribes living generally in out-of-the-way areas of the world in cultural isolation without books or even an alphabet and much less the Bible; and

Whereas the translation of the Bible into these tribal languages requires that an alphabet and a thorough grammatical analysis of the language be produced, and results in an expansion of literacy and an improvement of the cultural base of the language groups affected; and

Whereas this effort has cultural, economic, social, and political significance quite apart; and

Whereas a large group of linguistic scholars trained at the Universities of Oklahoma, North Dakota, Washington, Michigan, Indiana, California, Pennsylvania, Texas, and elsewhere are engaged in this task on a nonsectarian basis with the cooperation of foreign governments and institutions of higher learning, and deserve our encouragement; and

Whereas the first translator of both the Old and New Testaments, Saint Jerome, died on the 30th of September: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day" and inviting the governments of States and communities and the people of the United States to observe such a day with appropriate ceremonies and activities.

SENATE RESOLUTION 303—RESOLUTION TO AUTHORIZE PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "RIOTS, CIVIL AND CRIMINAL DISORDERS"

Mr. McCLELLAN submitted the following resolution (S. Res. 303); which was referred to the Committee on Rules and Administration:

S. RES. 303

Resolved, That there be printed for the use of the Committee On Government Operations one thousand additional copies of Part 8 of the hearings before its Permanent Subcommittee on Investigations during the Ninetieth Congress, second session, entitled "Riots, Civil and Criminal Disorders."

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENT

AMENDMENT NO. 848

Mr. SCOTT. Mr. President, the beginning of conversations between representatives of the United States and North Vietnam in Paris is an encouraging development. Ample previous experience in negotiating with Communists, who hold a strikingly different conception of negotiations from ours, should guard us against the gullible diplomacy which we practiced at Teheran, Yalta, and Potsdam more than two decades ago. Moreover, the prevention, by the employment of U.S. ground, air, and sea power, of a Communist seizure of power by force in South Vietnam should undergird our bargaining position in the Paris discussions and any subsequent negotiations. Despite these hopeful signs, however, we should not be lulled into expecting easy resolution of differences leading to an early settlement of the thorny Vietnam question.

THE WRONG APPROACH

For the past several years, Vietnam has been the center of world attention. American involvement there has been splashed on millions of TV screens, criticized by numerous commentators, and analyzed by proliferating Vietnamese "experts." Vietnam has, for many, become almost a national phobia. This concentration on Vietnam has partly diverted us from giving appropriate attention to our problems at home, but it has also deflected Americans from a rational discussion of the U.S. role in the broader arena of Asia and the western Pacific.

As in some previous wars, opinion has polarized, with some groups advocating complete withdrawal and others urging a clear-cut military victory. Both extremities of opinion have failed to distinguish the war in Vietnam from other major conflicts in which the United States has been engaged in the modern era. The lesson of Vietnam is that Communist-inspired wars of national liberation or, if you will, localized insurgencies or guerrilla wars, are extraordinarily complex and cannot be coped with in the conventional military terms to which we are accustomed. A good breeding ground for Communist-inspired insurgencies is a country whose political and social structures are debilitated or virtually nonexistent in the aftermath of war's devastation, in the case of both Greece and Vietnam in 1945, or because of the total unpreparedness of a country such as Vietnam for self-government because of the selfish monopoly of political power held by her former colonial master, in this case, France. Accordingly, such an unstable political setting bodes ill for involvement by a great power, the United States, which is accustomed to conventional, neat, and quick solutions. Consequently, our difficulties in Vietnam probably will make us wary of future involvements in a similarly complicated environment, at least in the form of our Vietnam involvement.

It is thus absolutely vital that we become better acquainted with the widely different but politically underdeveloped countries of Asia and that we delineate clearly the goals and means of future American policies toward these nations.

On January 25, in this Chamber, I introduced a resolution calling for the establishment of a joint Senate-House committee to evaluate U.S. foreign aid programs. This committee would have three main goals: First, evaluating our past aid programs to see which were the most effective; second, determining the basic goals underlying our assistance and making them precise and relevant to broader U.S. national interests; and, third, setting reasonable but strict criteria for administering and funding of aid programs.

Today I reintroduce that proposal as an amendment to S. 3091, the foreign aid bill now pending in the Senate Committee on Foreign Relations. I send my amendment to the desk for appropriate reference.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 848) was referred to the Committee on Foreign Relations.

Mr. SCOTT. Mr. President, let me elaborate some views as to how such a committee could proceed.

LET US REEXAMINE PROGRAMS

First, there is a pressing need for an objective review of all our experience in foreign aid since World War II. We need to identify the successful programs and the reasons for their success. The Marshall plan is often cited as America's greatest success in the aid field; yet, with the benefit of hindsight, we can now say that its success should have been quite predictable, given the high level of skills and education in Europe. The major problems today in giving aid arise because we are dealing with countries that never have been modernized, and, specifically, industrialized. Such countries lack enough educated leaders to comprise a political and economic elite, their economies are primitive, and, as a consequence, they cannot absorb and effectively use resources supplied through foreign aid.

U.S. aid programs have gone through numerous phases: Marshall plan aid was primarily in long-term loans, the first aid to less-developed countries, under the Point Four program, emphasized technical assistance, then we stressed industrial development, and now agricultural development is seen as the most pressing need.

To some extent, this shift in the emphasis of our aid programs reflects improvements in the advice of our development economists, but it also shows a lack of direction in our aid planning process. It is therefore essential to begin a thorough evaluation of the impact which aid has produced in recipient nations. It is impossible for legislators and aid administrators in the future to establish relevant criteria for allocating aid and judging its success without knowing the results of our past assistance.

WHAT IS THE PURPOSE OF FOREIGN AID?

Second, there is a drastic need to begin asking basic questions about the purpose of our aid programs. Aid extended to Greece and Turkey under the Truman Doctrine and to Western Europe under the Marshall plan was justified as necessary to prevent a Soviet takeover of Europe, the heart of civilization and the main bastion of our own defense. A similar justification was offered for aid to South Korea, Nationalist China on Taiwan, Laos, Vietnam, Thailand, Pakistan, and Iran.

In the context of the period, characterized by the strident expansionism of Stalin's Russia and Mao's China, this was a proper rationale, and, indeed, in the case of those countries looking into the barrel of China's gun, remains a proper rationale for military and related forms of assistance. During the latter part of the 1950's the emphasis of our rationale seemed to shift toward stressing economic assistance. Countries that showed good promise or evidence of economic reforms came into favor with our aid administrators. Yet, throughout the entire period there has been the underlying feeling that basically our aid is to create friends for the United States.

I submit that this type of vagueness is, at the worst, folly, and at the best, self-defeating, as a way to formulate policy. Too often we hear our goals stated in terms like "winning the hearts and minds of the people," "stopping the Chinese aggression," and "rolling back the tide of communism."

These objectives are no longer sufficient. They are too oversimplified for the complex world in which we live. However, their use can be explained in part by the difficulty most Americans have in differentiating among the various and sophisticated forms of assistance and the widely variant situations for which aid is tailored.

Our foreign policy is essentially a means to an end, and confusion of policy naturally follows if we are not sure what goals we have in mind. It is incumbent that the President and his key foreign policy lieutenants formulate from the complexities of international politics sensible goals and articulate them in terms understandable to the mass of Americans. A clearer public understanding of our foreign policy goals and of how foreign aid relates to and seeks to carry out those purposes would result in greater public acceptance of foreign aid as an instrument of U.S. foreign policy.

Designing an aid program should be essentially a two-stage process. First, overall foreign policy goals should be selected, and then individual programs designed to carry out the basic objectives. I am worried that we have not been successful in both stages. From the plethora of White House statements, it is very difficult to identify our primary U.S. foreign policy goals.

I have the impression that during the past decade we have often lost sight of the purposes of our foreign policy. Generally, we seek to influence events abroad so as to create a stable environment in which the United States can survive and devote itself to its domestic goals of life, liberty, and the pursuit of happiness. More specifically, I believe we should strive for three main goals: First, insuring the safety of our people from any external political or military threat; second, protecting the private interests of American citizens including the use of commercial treaties and consular activities—as long as our citizens are not pursuing policies detrimental to our national interest; and third, supporting those countries on whose survival we depend or whose political, economic, and social development would contribute to a more stable and peaceful climate for themselves and their neighbors.

Given a set of foreign policy goals like these, I feel that the United States should give aid to—and only to—those countries that help us fulfill our objectives. It is time to tighten up and see exactly what we are getting for our aid dollars. For too long we have indiscriminately scattered our assistance.

Though it will clearly be difficult to terminate at once all aid to some long-time recipients, we must begin to look at aid in a rational manner. The fact that we have terminated or reduced economic assistance to Nationalist China, the Republic of Korea, and Iran shows that this difficulty can be surmounted. We must, therefore, undertake a thorough examination of our policies.

Would it really matter if we cut off aid to small nations where we have chiefly supported "numerous" monument building projects? Did our aid to Ghana achieve anything?

Will we continue to support both sides of the arms race between India and Pakistan?

Those are crucial questions and it is absolutely essential that we study them in depth before continuing further our aid programs. A Joint Committee on Foreign Aid could analyze our objectives in detail and clarify the vague thinking that presently underlies many of our aid programs.

WE NEED HIGHER STANDARDS

An evaluation of our foreign aid programs could serve a third important purpose: setting rigorous standards for the supervision and administration of aid. For instance, AID recently bought $24,000 worth of a liquid for medical use in Vietnam which turned out to be sea water. The United States was overcharged $250,000 by a Belgian firm. Those are examples of some of the flagrant corruption in our assistance programs. The American taxpayer deserves more vigilance from his Government.

Every year the General Accounting Office finds evidence of poorly planned and badly managed programs and it is time to set rigorous standards to eliminate this disgraceful waste.

Finally, the searching review that I propose should consider the size and scope of the American presence in many countries around the world where we have aid programs. As Vietnam vividly demonstrates when Americans move into a country, we seem to have a proclivity for moving in in a big way with a large complement of personnel and every item of logistical support. Limitation of staffing needs closer attention. Former Ambassador Ellis O. Briggs and others have testified to the American tendency to overstaff our missions abroad. Perhaps in its inquiry the joint committee could consider ways to reduce the governmental aspect of foreign aid and see what other new measures could be developed that would lead to greater activity abroad by the universities, foundations, and other private institutions—with smaller staffs, of course. Such a suggestion was advanced in 1967 by the eminent former Director of the World Bank, Eugene Black.

In sum, I am deeply concerned by the present direction of our foreign aid programs. I am in favor of foreign aid in principle—in fact I have been one of its most consistent supporters—but I am troubled when I see such a poorly administered and disoriented program being paid for by American taxpayers and representing the United States abroad. We need an immediate reevaluation of our aid programs. A joint Senate-House committee could examine our past programs, help delineate our future objectives, and set standards and criteria for shaping our aid policies in the future.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950—AMENDMENT

AMENDMENT NO. 849

UNIFORM ACCOUNTING STANDARDS COULD SAVE MILLIONS

Mr. PROXMIRE. Mr. President, I submit an amendment to S. 3097 calling for uniform cost accounting standards for defense procurement.

Hearings held before the House Banking and Currency Committee on the extension of the Defense Production Act indicate that uniform accounting standards for defense contractors can save taxpayers millions, or even billions of dollars a year in lower procurement costs. According to Vice Adm. Hyman Rickover, who testified before the House committee:

> The lack of uniform accounting standards is the most serious deficiency in government procurement today.

In response to committee questions, Rickover estimated the savings from uniform accounting standards "could easily be $2 billion a year."

Under current procurement regulations, each defense contractor has wide latitude on the use of accounting systems. Regulations do establish some general criteria for cost-type contracts, but widely varying accounting systems are permitted within the criteria. Moreover, the criteria serve only as a suggested guide for fixed-price contracts which constitute the major portion of defense contracts. For these types of contracts, contractors have virtually unlimited flexibility.

Since most defense procurement is negotiated, an accurate representation of contractor costs is crucial to protect the Government. However, the type of accounting system employed can make a substantial difference in estimating contractor costs and profits on any specific contract. Different methods for charging overhead, expenses of intracompany work, depreciation, and so forth can result in wide variances in computing company profits.

An illustration of this point can be found in the case of a Navy and GAO postaudit of a single defense contract. Auditors made seven different reports containing 11 differing estimates of the supplier's actual costs. The range of difference was as much as 50 percent. The conclusion to be drawn is that cost figures or profit estimates are meaningless unless measured by a common accounting standard.

With accounting systems varying from contractor to contractor, Government procurement officials must conduct a tedious examination of the contractor's books in order to determine whether cost estimates are reasonable. It is important, for example, that contractors not charge off an excessive amount of overhead to their Government work. Not only would the Government be overcharged, but the contractor's nondefense business would be subsidized by the taxpayers, thus enabling the contractor to compete unfairly against smaller firms without defense business.

Considering the fact that Government procurement officials are under tremendous pressure to expedite essential defense procurement, it is little wonder that the lack of uniform accounting standards has led to soaring profits on defense contracts. Defense procurement officials simply do not have the time, expertise—and for some, the inclination—to conduct a thorough review of a contractor's accounting system.

Although a Defense Department study attempts to show that profits have been declining on defense contracts, the facts prove otherwise. A GAO study reveals that during 1959–63, the average profit on all. DOD negotiated contracts as a percentage of cost was 7.7 percent. By 1966, the figure has grown to 9.7 percent, or an increase of 26 percent. When one considers that DOD negotiated procurement stood at $35 billion during fiscal year 1967, one can appreciate the enormity of the potential savings. Had profit rates remained at their earlier level, the defense bill for 1967 would have been nearly $700 million less.

Another study by Dr. Murray Weidenbaum, of the University of Washington at St. Louis, compared the rate of return on investment of major defense firms with similar size nondefense firms. During 1962–65, the nondefense firms earned 10.6 percent on their investment, which is close to the average for the entire economy. However, the defense firms earned 17.5 percent on their investment, nearly double the national average.

Despite the clear evidence developed by objective studies, the Department of Defense continues to cling to the belief that defense profits are declining. This is symptomatic of a major managerial myopia and recalls the clear warning given by former President Eisenhower concerning the military-industrial complex. Left to its own devices, it is clear that the Department of Defense will do little to correct the problem.

There is a clear rationale for prescribing uniform accounting standards as an amendment to the Defense Production Act. Section 707 of that act states:

> No person shall discriminate against orders or contracts to which priority is assigned or for which materials or facilities are allocated under Title I of this Act or under any rule, regulation, or order issued thereunder, by charging higher prices or by imposing different terms and conditions for such orders or contracts than for other generally comparable orders or contracts, or in any other manner.

Under this section, defense contractors are prohibited from discriminating against essential defense procurement "by charging higher prices." And yet, the evidence tends to show that such discrimination has in fact, occurred. In any event, it is virtually impossible for the Government to protect itself from being charged higher prices unless it has an accurate estimate of contractor costs and profits; and this is virtually impossible without the application of uniform accounting standards.

The principal objection to the amendment appears to be that the application of uniform standards would be difficult and infeasible and would constitute an unjustified harassment of business. According to this view, there is no single "true" accounting system which measures costs for all business firms. Moreover, any attempt to impose a single standard on all defense contractors would merely add to the cost of the contract and would thus not be in the Government's best interest. These are almost the identical arguments initially applied against truth in lending.

In answer to these objections, the following points should be noted:

First, the amendment would only apply to negotiated defense contracts. It would not apply to the procurement of standard items where an established market and established prices existed;

Second, the amendment would not apply to contracts under $100,000, thus alleviating any burden on the smallest defense contractors;

Third, the amendment would not require uniform standards if the GAO determines that the increased cost to the Government, if any, exceeds the potential benefits. This removes the major objection to the original House bill, which would have made the imposition of uniform standards mandatory.

Mandatory uniform accounting standards failed in the House committee by a vote of 17 to 13. As a compromise, the House bill requires the GAO to develop uniform standards and within 1 year to recommend legislation to implement the standards.

Although the House language is preferable to no language, it is difficult to see why the Congress should legislate on detailed and highly technical accounting standards. By their very nature, such standards are better left to an administrative agency. The GAO, of course, is a highly qualified and competent agency to develop uniform standards and is directly responsible to the Congress. If uniform accounting standards will actually save money, there is no need for additional legislation to effectuate such standards. They ought to be put into effect immediately without further delay.

My amendment would strike a reasonable compromise between the original mandatory House language—which narrowly failed—and the weakened House bill which calls for a study and further implementing legislation. If the GAO determines that uniform standards save money, they could be implemented without delay. If not, GAO would report to Congress with its findings.

Mr. President, I ask unanimous consent that text of my amendment to printed in the Record following my remarks.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 849) was referred to the Committee on Banking and Currency, as follows:

Amendment No. 849

On page 1, line 6, insert the following:

"Sec. 2. Title VII of the Defense Production Act of 1950 is amended by adding at the end thereof the following new section:

" 'Sec. 718. The Comptroller General shall develop uniform accounting standards to be applied to all negotiated prime contract and subcontract defense procurements in excess of $100,000. These uniform accounting standards shall include standards from which an accurate showing of production costs and profits by individual order can be determined. The Comptroller General shall consult with the Director of the Bureau of the Budget in the Development of such uniform accounting standards, and shall promulgate rules and regulations in implementation thereof not later than one year after the date of enactment of this section unless the Comptroller General determines that the cost to the government of implementing such standards exceeds the potential benefits to the government arising from the use of such uniform standards. In the event of such determination, the Comptroller General shall report the basis for such determination to the Congress not later than one year after the date of enactment of this section.' "

NOTICE OF HEARINGS ON DEFENSE PRODUCTION ACT

Mr. SPARKMAN. Mr. President, I wish to announce hearings by the Banking and Currency Committee on amendments to S. 3097, a bill to amend the Defense Production Act of 1950, and for other purposes.

These amendments relate to the development by the Comptroller General of uniform accounting standards for all negotiated defense contracts and subcontracts in excess of $100,000.

The hearings will commence at 10 a.m., on June 18, 1968, in room 5302, New Senate Office Building.

Anyone wishing to testify should contact Mr. Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, telephone 225-3921.

NOTICE OF HEARING ON AIRCRAFT CRASH LITIGATION, S. 3305 AND S. 3306

Mr. TYDINGS. Mr. President, as chairman of the Senate Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a change in the time of the hearing for the consideration of S. 3305 and S. 3306. These bills would improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of certain operations of aircraft.

The hearing will be held on June 13, 1968, at 1:30 p.m., in the District of Columbia hearing room, 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the Record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building, Washington, D.C.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, June 19, 1968, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Morris E. Lasker, of New York, to be U.S. district judge, southern district of New York, vice Richard H. Levet, retired.

Orrin G. Judd, of New York, to be U.S. district judge, eastern district of New York, vice Walter Bruchhausen, retired.

Anthony J. Travia, of New York, to be U.S. district judge, eastern district of New York, vice Matthew T. Abruzzo, retired.

Bernard Newman, of New York, to be judge of the U.S. Customs Court, vice Mary H. Donlon, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

TRIBUTE TO THE CREW OF THE U.S.S. "SCORPION"

Mr. PASTORE. Mr. President, the Navy on June 5, 1968, declared the nuclear attack submarine U.S.S. *Scorpion*, SSN-589, as lost. Lost with the *Scorpion* were 99 brave and courageous men who dedicated themselves to the Nation's and the free world's security. I ask unanimous consent to have printed in the Record at this point the names of these brave men who gave their lives in the line of duty and whose names will forever be part of the tradition and history of the U.S. Navy.

There being no objection, the names were ordered to be printed in the Record, as follows:

Cdr. Francis Atwood Slattery, USN, Commanding Officer.
FTG2(SS) Keith A. M. Allen.
IC2(SU) Thomas Edward Amtower.
MM2(SU) George Gile Annable.
FN(SS) Joseph Anthony Baar, Jr.
RM2(SS) Michael Jon Bailey.
TMC(SS) Walter William Bishop.
IC3(SU) Michael Reid Blake.
MM1(SS) Robert Harold Blocker.
MM1(SS) Kenneth Ray Brocker.
MM1(SS) James Kenneth Brueggeman.
MMC(SS) Robert Eugene Bryan.
Lt. John Patrick Burke.
RMSN(SG) Daniel Paul Burns, Jr.
IC2(SS) Ronald Lee Byers.
MM2(SS) Douglas Leroy Campbell.
MM3(SS) Samuel "J" Cardullo.
MM2(SS) Francis King Carey.
SN(SU) Gary James Carpenter.
MM1(SS) Robert Lee Chandler.
MM2(SS) Mark Helton Christiansen.
SD1(SS) Romeo Constantino.
MM1(SS) Robert James Cowan.
SD1(SS) Joseph Cross.
RMC(SS) Garlin Ray Denney.
FN(SU) Michael Edward Dunn.

ETR2(SU) Richard Philip Englehart.
Lt. George Patrick Farrin.
FTGSN(SU) William Ralph Fennick.
Lt. Robert Walter Flesch.
IC3(SS) Vernon Mark Foli.
Lt.(jg.) James Walter Forrester, Jr.
SN(SU) Ronald Anthony Frank.
CSSN(SS) Michael David Gibson.
IC2(SS) Steven Dean Gleason.
Lt. William Clarke Harwi.
STS2(SS) Michael Edward Henry.
SK1(SS) Larry Leroy Hess.
ET1(SS) Richard Curtis Hogeland.
MM1(SS) John Richard Houge.
EM2(SS) Ralph Robert Huber.
TM2(SS) Harry David Huckelberry.
EM3(SU) John Frank Johnson.
RMC(SS) Robert Johnson.
IC3(SS) Steven Leroy Johnson.
QM2(SS) Julius Johnston, III.
FN(SU) Patrick Charles Kahanek.
TM2(SS) Donald Terry Karmasek.
MMCS(SS) Richard Allen Kerntke.
ETR3(SS) Rodney Joseph Kipp.
MM3(SU) Dennis Charles Knapp.
Lt. Charles Lee Lamberth.
MM1(SS) Max Franklin Lanier.
ET1(SS) John Weichert Livingston.
Lt. Cdr. David Bennett Lloyd.
ETN2(SU) Kenneth Robert Martin.
QMCS(SS) Frank Patsy Mazzuchi.
ET1(SS) Michael Lee McGuire.
TM3(SU) Steven Charles Miksad.
TM3(SU) Joseph Francis Miller, Jr.
MM2(SS) Cecil Frederick Mobley.
QM1(SS) Raymond Dale Morrison.
Lt.(jg.) Michael Anthony Odening.
EMC(SS) Daniel Christopher Petersen.
QM3(SS) Dennis Paul Pferrer.
EM1(SS) Gerald Stanley Pospisil.
IC3(SU) Donald Richard Powell.
MM2(SU) Earl Lester Ray.
CS1(SS) Jorge Louis Santana.
HMC(SS) Lynn Thompson Saville.
ETN2(SS) Richard George Schaffer.
SN(SU) William Newman Schoonover.
SN(SU) Phillip Allan Seifert.
ETC(SS) George Elmer Smith, Jr.
Lt.(jg.) Laughton Douglas Smith.
MM2(SS) Robert Bernard Smith.
ST1(SS) Harold Robert Snapp, Jr.
Lt. Cdr. Daniel Peter Stephens.
ETN2(SS) Joel Candler Stephens.
MM2(SS) David Burton Stone.
EM2(SU) John Phillip Sturgill.
YN3(SG) Richard Norman Summers.
TMSN(SG) John Driscoll Sweeney, Jr.
Lt. John Charles Sweet.
ETN2(SS) James Frank Tindol, III.
CSSN(SU) Johnny Gerald Veerhusen.
TM3(SS) Robert Paul Violetti.
STS3(SS) Ronald James Voss.
FTG1(SS) John Michael Wallace.
MM1(SS) Joel Kurt Watkins.
MMFN(SS) Robert Westley Watson.
MM2(SU) James Edwin Webb.
YNCS(SS) Leo William Weinbeck.
MMC(SS) James Mitchell Wells.
SN(SU) Ronald Richard Williams.
MM3(SU) Robert Alan Willis.
IC1(SS) Virgil Alexander Wright, III.
TM1(SS) Donald Howard Yarbrough.
ETR2(SS) Clarence Otto Young, Jr.

Mr. PASTORE. On June 6, 1968, memorial services were conducted at the Norfolk Naval Base for these brave men. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the message of sympathy I sent on behalf of the Joint Committee on Atomic Energy to those gathered for the service and the prayers and eulogies given by those who conducted the service.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PASTORE. Mr. President, I am sure all of my colleagues and the Nation as a whole joined me and the others present at the memorial service in the expression of the deep sense of grief resulting from this loss and the heartfelt sympathy we feel for the families of these brave men. I sadly recall standing in this Chamber 5 year ago—on April 22, 1963—expressing my grief over the loss of the first nuclear submarine of our Navy, the U.S.S. *Thresher*, SSN-593. I repeat my statement on that occasion:

> The submarine, however, can be replaced. What can't be replaced are the lives of these Americans. These men are irreplaceable.

Immediately upon learning that *Scorpion* was overdue in returning from her important mission I, as chairman of the Joint Committee on Atomic Energy, dispatched a very competent member of the committee staff, Capt. Frank Costagliola, U.S. Navy, to participate in both the search operations and the proceeding of the Navy's Board of Inquiry as an official observer representative of the committee. We want to be assured, as we did in the case of the *Thresher*, that everything possible is done to profit by whatever is learned from this tragedy to preclude a reoccurrence. I can assure you we will give this matter priority attention.

Exhibit 1

Joint Committee on Atomic Energy,
Congress of the United States,
June 6, 1968.

Commander of Submarine Forces,
U.S. Atlantic Fleet,
Norfolk, Va.:

The Joint Committee on Atomic Energy joins in thought those gathered today at the Norfolk Naval Station to honor the brave men who were lost in the *Scorpion* and to convey our heartfelt sympathy to the families and friends of these brave men who bear the great personal burden of this tragedy. In sympathy and sorrow we join all of those gathered today in offering our prayers to Almighty God to grant eternal rest to the heroes in the *Scorpion* who have given their lives in the service of the Nation and the free world.

John O. Pastore,
Chairman.

Invocation at Memorial Service for U.S.S. "Scorpion" SSN-589, David Adams Memorial Chapel, Naval Station, Norfolk, Va., June 6, 1968

(By Capt. J. E. Reaves, Fleet Chaplain, U.S. Atlantic Fleet)

Almighty God, our Father, from whom we come, and unto whom our spirits return: Thou has been our dwelling place in all generations. Thou art our refuge and strength, a very present help in trouble. Grant us thy blessing in this hour, and enable us so to put our trust in Thee that our spirits may grow calm and our hearts be comforted. Lift our eyes beyond the shadows of earth, and help us to see the light of eternity. So may we find grace and strength for this and every time of need; through Jesus Christ our Lord. Amen.

Opening Sentences

(By Capt. J. E. Reaves, fleet chaplain, U.S. Atlantic Fleet)

John 11:25–26: "Jesus said, 'I am the resurrection and the life; he who believes in me, though he die, yet shall he live, and whoever lives and believes in me shall never die.' "

Deuteronomy 33:27a: "The eternal God is your dwelling place, and underneath are the everlasting arms."

Psalm 27:1: "The lord is my light and my salvation; whom shall I fear? The Lord is the stronghold of my life; of whom shall I be afraid?"

Psalm 28:6–7a: "Blessed be the Lord! for he has heard the voice of my supplications. The Lord is my strength and my shield; in him my heart trusts."

"II Corinthians 5:1: "For we know that if the earthly tent we live in is destroyed, we have a building from God, a house not made with hands, eternal in the heavens."

Old Testament Lesson

(By Lt. Comdr. P. L. Toland, staff chaplain, Submarine Flotilla 6)

Psalm 130: "Out of the depths have I cried unto thee, O Lord,

"Lord, hear my voice: let thine ears be attentive to the voice of my supplications.

"If thou, Lord, shouldest mark iniquities, O Lord, who shall stand?

"But there is forgiveness with thee, that thou mayest be feared.

"I wait for the Lord, my soul doth wait, and in his word do I hope.

"My soul waiteth for the Lord more than they that watch for the morning.

"Let Israel hope in the Lord: for the Lord there is mercy, and with him is plenteous redemption.

"And he shall redeem Israel from all his iniquities."

Psalm 23: "The Lord is my shepherd; I shall not want.

"He maketh me to lie down in green pastures: he leadeth me beside the still waters.

"He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake.

"Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me; thy rod and thy staff they comfort me.

"Thou preparest a table before me in the presence of mine enemies: thou anointest my head with oil; my cup runneth over.

"Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever."

New Testament Lesson

(By Capt. David M. Humphreys, Senior Chaplain, Naval Station, Norfolk, Va.)

The Gospel of John, 14:1–3: "You must not let yourselves be distressed—you must hold on to your faith in God and to your faith in me. There are many rooms in my Father's House. If there were not, should I have told you that I am going away to prepare a place for you? It is true that I am going away to prepare a place for you, but it is just as true that I am coming again to welcome you into my own home, so that you may be where I am."

The Second Letter to Corinth, 4:7–5:11: "This priceless treasure we hold, so to speak, in a common earthenware jar—to show that the splendid power of it belongs to God and not to us. We are handicapped on all sides, but we are never frustrated; we are puzzled, but never in despair. We are persecuted, but we never have to stand it alone: we may be knocked down but we are never knocked out! Every day we experience something of the death of the Lord Jesus, so that we may also know the power of the life of Jesus in these bodies of ours. We are always facing death, but this means that you know more and more of life. Our faith is like that mentioned in the scripture:

" 'I believe and therefore did I speak.'

"For we too speak because we believe, and we know for certain that he who raised the Lord Jesus from death shall also by him raise us. We shall all stand together before him.

"We know, for instance, that if our earthly dwelling were taken down, like a tent, we have a permanent house in Heaven, made, not by man, but by God. In this present frame we sigh with deep longing for the Heavenly house, for we do not want to face utter naked-ness when death destroys our present dwelling—these bodies of ours. As long as we are clothed in this temporary dwelling we have a painful longing, not because we want just to get rid of these 'clothes' but because we want to know the full cover of the permanent house that will be ours. We want our transitory life to be absorbed into the life that is eternal.

"Now the power that has planned this experience for us is God, and he has given us his spirit as a guarantee of its truth. This makes us confident, whatever happens. We realize that being 'at home' in the body means that to some extent we are 'away' from the Lord, for we have to live by trusting him without seeing him. We are so sure of this that we would really rather be 'away' from the body and be 'at home' with the Lord.

"It is our aim, therefore, to please him, whether we are 'at home' or 'away.' For every one of us will have to stand without pretense before Christ our judge, and we shall be rewarded for what we did when we lived in our bodies, whether it was good or bad."

The First Letter to Thessalonica, 4:13–5:1: "Now we don't want you, my brothers, to be in any doubt about those who 'fall asleep' in death, or to grieve over them like men who have no hope. After all, if we believe that Jesus died and rose again from death, then we can believe that God will just as surely bring with Jesus all who are 'asleep' in him. Here we have a definite message from the Lord."

MEMORIAL MEDITATION FOR THE OFFICERS AND MEN OF U.S.S. "SCORPION," LOST AT SEA, JUNE 6, 1968

(By Rear Adm. James W. Kelly, chief of chaplains)

Admiral Holmes, Admiral Schade, fellow chaplains, beloved families of *Scorpion's* officers and men, shipmates and friends. The occasion which draws us together here this afternoon is a sad and solemn one. With heavy hearts we are assembled here to share, in a special way, the grief and heartbreak of the bereaved families of ninety-nine officers and men of the United States Navy, lost at sea. We are here to recall to present memory the service and the sacrifice by which the young men of *Scorpion* further enobled the honored traditions of men of all ages who have gone down to the sea in ships, and brought new brilliance to the highest traditions of the naval service.

Because we were shipmates and friends of the gallant men we honor, and because the sorrow and grief you, their beloved families feel, we feel also, there is a stirring, a longing within our souls.

We long to help absorb the impact of your great loss.

We long to pay our highest and most sacred tribute to your precious sons and brothers, husbands and fathers.

We long to rededicate ourselves to the high and the good, the noble and the godly, the patriotic and the heroic aspirations given richer meaning by their lives.

The writers of our Holy Scripture were not seafaring men. They were landsmen who looked at the empty, moving face of the sea and felt the vastness and mystery of creation. The second verse of Genesis mentions "the face of the deep." In Luke, Jesus instructed the disciples to cast their nets into the deep. From beginning to end, the Bible frequently refers to the sea as the deep. A safe, surface voyage was a deliverance from the deep.

The deep was a figure of speech for that which was unknown and unexplorable. For those whom we memorialize today, the deep was not a figure of speech. They literally went down into the sea, down, down into the sea, with skill and confidence. In a relatively unexplored environment, magnificent men and highly developed boats provide one of the great defensive weapon systems of our day. Truly these men are peacemakers, effective deterents of war, because of their mobility while hidden in the depths. And Christ said, "Blessed are the peacemakers."

For the ninety and nine whom we mourn today, there has been no visible deliverance from the deep. Brave wives, brave parents and brave children of brave men cry in anguish. The separation of deployment has lengthened into the separation of death.

Devout women and men have devoutly prayed, yet God does not raise from the depths of the sea ships that have been sunk. But God will not leave his people comfortless. He will teach us again the truths by which we live. He will give us faith to rebuild, and such an attitude to one another that what we build shall endure. If we will but cry to the Lord in our trouble, he will deliver us from our distress—not as we had hoped or expected, but according to His great love and His everlasting mercy.

You have already suffered much. Maybe it will help for you to realize that we see your loved one's sacrifice, as your sacrifice too. No man is an island. No man's strengths are fashioned solely from his own resources. Brave and noble men emulate the images of brave and noble fathers and mothers, brothers and sisters, wives and loved ones. A blend of wholesome example, religious faith, discipline and love pour forth from devoted families to make a man what he is. They have a share in his greatness. And so too do you share heavily in the service and the sacrifice of your loved ones. It is true that any "man's death diminishes us because we are involved in mankind." How much more are you diminished by the loss of a son or husband in whom you have invested so much of yourselves. The contributions of these honored ones are your contributions, and we are eternally in your debt.

There is mystery in death. There is mystery in the sea. Both are in some degree incomprehensible and unfathomed. Timid men may fear to approach any mystery. There is greater safety in the known. But someone must probe the mystery of the sea even at the price of probing the mystery of death.

Such is the heroic mold into which the ninety and nine were cast. They made no claim of heroism. They developed their skills and their teamwork, their friendship and that community called a crew. With pride in service, pride in boat, pride in crew, they faced the mystery of the deep and the business of the pursuit of peace in great waters. Who dares say they failed? Far better, they probe a deeper mystery.

I feel it my solemn responsibility, on such occasions as this, time and again to restate a fundamental fact of the American seaman's life. The supreme sacrifice, when he is called upon to make it, represents a twofold investment: In political principle, yes; but also in eternal truth. It is our faith that ours is a Nation under God. Our lives in our country's service have ultimate, divine implications. In a very real sense each dedicated life is guided and given instruction by the helmsman of the heavens. Longfellow wrote:

> " 'Wouldst thou', so the helmsman answered,
> 'Know the secret of the sea?'
> Only those who brave its dangers,
> Comprehend its mystery."

When we appreciate the ultimate implications of the final sacrifice of those we honor here, our bereavement becomes more bearable, our rededication becomes more resolute, our memorial becomes more meaningful.

The more we explore the mystery of the sea, the more we discover promise, predictability and richness. The latent energy, the unharvested foodstuff, the unmined ore startle the imagination. There is no visible boundary to its promised power.

The personal power of our lost, loved ones cannot be imprisoned within the hull of *Scorpion* nor contained within the depths of the ocean. Resurrection power exceeds death power. Resurrection power is victorious over death and knows not end but eternity.

God's miracle at the Red Sea convinced the ancient Jews that he exercised dominion over the sea and all its mystery. They knew little about the mystery of the sea but much about the mystery of death and even more about the mystery of God's concern for them. The writers of the New Testament had witnessed death's temporary victory at Calvary. They were as lost and despondent as you may feel today. But Calvary and death were not the end and never are. Resurrection power was not argued. For the Christian it was demonstrated in the event of Easter.

There is great promise in the mystery of the sea. There is greater promise in the mystery of death.

But what of memorials? What then is our best memorial? Is it an empty tomb, a stone, a plaque, a monument? These are all impressive. I can look out of my office window and see the Washington Monument, the Lincoln Memorial. I can see Arlington Cemetery just across the street, and its long rows of white stones with a cross or star of David inscribed upon them. These are impressive. But the greatest memorial of all is the one your sons and husbands of *Scorpion* themselves erected. By their service, by their sacrifice they inscribed forever upon our hearts and lives an example of selfless devotion to family, to God and country which will serve always to inspire and challenge us. By seeking to cherish, treasure, and live up to the challenge of their example we will do them appropriate honor and with them create a timeless, living memorial.

May I say this one last personal word. We, the shipmates and friends of your loved ones lost at sea, offer you such strength as we may have in this hour of need. Chaplains and other representatives of the Navy have communicated our concern and support already. I feel the need only to confirm what they have said so well. We offer you such condolence and comfort as we are capable of giving. And we pledge to you that, in partnership with God, who will provide for your loved ones' fulfillment in another world and another life, we here will continue their search for truth, their concern for human liberty, their desire for growing usefulness, and will carry on in the splendid example of selfless service which they set for us. You will remain in our prayers. We pray that God will grant you understanding and peace and the blessing of limitless new resources with which to build a satisfying future.

THE PRAYERS

(By Lt. Comdr. C. L. Seaton, staff chaplain, Submarine Squadron 6)

Almighty God, whose name has always meant strength and redemption, who rules the expanses of the heavens and of the sea, and who has the tenderness and the mercy to heal the broken spirit—hear us now, O God, as we Thy children bow before Thee.

Grant, O Father, that those from among us who have departed may even now wear the crown of life, and that they may be with Thee, and that they may enjoy Thy presence forever. Help us to prize highly and guard carefully those values in which they believed, and for which they lived. Never permit us to forget these men, nor to do aught in this world that would diminish the sacredness of their memory.

O God, Thou who has promised us that you are with us always, enter in a special way into the homes and into the lives of those who mourn. Leave them not without comfort. Fill them with your consolation. Support them with your everlasting arms. Shelter them in the pavilion of your love. Speak to them of things eternal. And bring them with triumph through this hour of sorrow.

And grant to all of us full and complete confidence that neither life nor death shall be able to separate us from the hand of the great God who loves us. Amen.

DR. GODDARD'S RESIGNATION A LOSS TO AMERICAN CONSUMERS

Mr. NELSON. Mr. President, a lot has happened at the Food and Drug Administration since 1966 because of the leadership generated by Dr. James L. Goddard. For the past 2 years, Dr. Goddard has effectively implemented many new and imaginative proposals, while also vigorously administering the on-going programs of this important agency. Because of Dr. Goddard's efforts it can no longer be said that FDA is the sleepy agency it once was. Rather it is an objective and aggressive guardian of the public interest.

Creative administration has brought this about and Dr. Goddard deserves the praise that has been echoed during the past few weeks in response to the news that he has proffered his resignation effective July 1.

Recently, the Milwaukee Journal joined in applauding Dr. Goddard's efforts. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GODDARD A LOSS

In his two years as commissioner of the food and drug administration, Dr. James L. Goddard often put himself in the storm center of controversy. He poured vitality and ideas into a rather lackluster agency with a reputation for excessive chumminess with the industries it was supposed to regulate. He gave it a new image—friend to the consumer.

A man of quick and caustic tongue, Goddard moved in where predecessors feared to tread. If he didn't accomplish miracles, he did shake things up and start some rusty bureaucratic wheels turning. He substantially speeded up FDA's creaky processing of applications to market drugs. He seized drugs from the market after questioning the accuracy of advertised claims. He needled the industry with allegations of inadequate research and excessive promotion costs. He accelerated review of the effectiveness of thousands of drugs already on the market.

In doing these things, Goddard managed to step on a goodly number of well connected toes, a fact that touched off repeated uproars. He also made mistakes, relying sometimes on misinformation or incomplete data. Some of his public statements were poorly phrased or downright tactless. Yet he managed to add drive and direction to an agency deficient in both.

Goddard's resignation, effective July 1, leaves unfinished many of the reforms he began. A first class successor needs to be found, another man of vigor and independent mind who isn't afraid of the heat and is willing to pick up the burden where Goddard left it. Having been awakened from its torpor, the FDA should not be permitted to fall asleep again at the controls.

LAWMAKERS FAIL TO ENDORSE IMPORTANT STEP TOWARD INTERNATIONAL RULE OF LAW

Mr. PROXMIRE. Mr. President, there is without exception, not a single deliberative body now existing or in the history of the world that investigates, debates, discusses, and provides advice and consent on more momentous matters involving international relations than the Senate of the United States.

I say this even though the United Nations provides a forum of expression for most of the world's nations. However, the U.N.'s debate is neither as free-ranging nor as diverse as that of the U.S. Senate. Also, the Senate's function of advice and consent represents a more actively substantial function than any enjoyed by the United Nations. Furthermore, since the United States is the world's most powerful leader, it is a corollary that the deliberations and decisions of the Senate have an impact throughout the world.

However, that impact of leadership and the prudent, always influential exercise of the power of advice and consent residing in the Senate have been conspicuous—by their absence. That leadership and power have been in abeyance—existing, as far as the unratified human rights conventions are concerned, "Through the Looking Glass," where a strange reversal ever takes place. Here the reversal tries to make abdication of leadership responsibility appear as high and prudent virtue, as zeal for protecting the Constitution. But what a tragic reversal. I am sure that if Lewis Carroll were alive today he would be bemused by the reversal device, but would look with shock at its consequences.

What are the consequences? They begin with the fact that our failure to ratify these conventions effectively halts world progress toward ever greater respect for the sacred person of every man.

Further, our failure to endorse these expressions of world human rights is having and will continue to have horrible real-life effects throughout those sad parts of the world where man still practices revolting inhuman practices toward his fellow man. This inaction is not simply something that concerns international lawyers, judges sitting at The Hague, and others whose interest is academic; this inaction is affecting the lives of many of our fellow men whose state is actually worse than animals—men are aware of their degradation. This involves people, not just pieces of paper. This inaction delays the day when all men everywhere will be truly free. This inaction delays the day when all men everywhere will be truly human in the highest sense of that word.

Let the Senate ratify these treaties. Let the Senate no longer appear throughout the world as the silent protector of inhuman mass exploitation of humanity. These are harsh and difficult words to say, Mr. President, but lives are at stake—the dignity of men suffering is at stake. Indeed our own dignity is at stake.

Wise law is the highest expression of any civilization as it embodies in a practical way the fundamental principles upon which that civilization rests. America, from its founding, has legislated in a way that goes far beyond the conventions now before the Senate. Let us act now and declare to the world that we believe in these basic human rights not only for ourselves but for all men. Let us endorse the further perfecting of the international rule of law upon which ultimately depends the survival of mankind.

ROBERT KENNEDY, A MAN NEEDED BY HIS TIMES

Mr. MURPHY. Mr. President, our personal tributes here in the Senate to the late Robert F. Kennedy, although deeply heartfelt, can, by their very nature, be little more than inarticulate echoes of the national grief.

The broader eulogy, in which we share, is mainly being written elsewhere—in tear-filled eyes, on praying lips, and in the footsteps of the tens of thousands of mourners filing past a new grave in Arlington National Cemetery.

At the same time, there is another aspect to our common emotion for although we are joined in sorrow, we cannot help thinking of the enormous spirit of joyful vitality which he inspired and which, despite his death, will live on.

As the personification of this spirit, Robert Kennedy was a man particularly needed by his times.

Misery, suffering, and injustice threaten to overwhelm us.

War and poverty are our constant attendants.

It is hard to smile.

Like all of us, Robert Kennedy experienced great anguish as a result of the trouble and turmoil burdening the family of man and he worked constantly for improvement.

He did not forget, however, that the Almighty has given mankind a potential for happiness, and consequently there could always be found in the actions of Robert Kennedy a dedication to the principle that life is, indeed, worth living.

Where there was apathy, he left involvement.

Where there was despair, he inspired hope.

This, then, is his major legacy.

Call it inspiration.

Call it excitement.

Call it enjoyment, if you will, for this, too, in the most wholesome meaning of the word, was a vital part of the life that Robert Kennedy shared with all of us.

Many tears have been shed in his memory.

We shall honor him most by working for those goals which will make it easier for men to smile.

A PROGRESS REPORT ON CUNA-AID PROGRAMS

Mr. NELSON. Mr. President, in 1962, CUNA International, Inc., working with the Agency for International Development, embarked on a new imaginative program of assistance to underdeveloped nations in Latin America. This effort was expanded in 1965 to include aid to several African countries, and, to date, 15 countries are participating in this joint CUNA AID effort.

In 1967, CUNA International, Inc., forged ahead and achieved remarkable success in its self-help programs. Briefly, they have done three things: mobilized new local capital; provided desperately needed capital and credit; developed the human resources and democratic institutions to foster greater economic expansion.

Certainly, CUNA deserves commendation and praise for their fine efforts.

Recently, Mr. J. Orrin Shipe, managing director, wrote to me explaining CUNA's role in improving the living conditions of some of our underdeveloped neighbors. This letter is most interesting and deserves your attention. Accordingly, I ask unanimous consent that it be reprinted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CUNA INTERNATIONAL, INC.,
May 24, 1968.

DEAR SENATOR NELSON: Under Title IX of the Foreign Assistance Act, CUNA International has a contract with the Agency for International Development (AID) to provide technical assistance for the development of credit unions in twelve Latin American and three African countries.

The enclosed report will tell you we are proud of our progress in helping thousands of poor families achieve greater financial independence and security through the establishment of credit unions in their countries. Although CUNA International has had its own privately financed world extension program in existence since 1953, we believe our contracts with the Agency for International Development have enabled us to bring credit union benefits to thousands of needy families long before it would otherwise have been possible.

Credit Unions can and are playing a vital role in the economic, political and social development of the world's developing countries. Economically, they help develop a new base of capital through which their members can become more productive citizens and through which they help their country's economy become more stable. Politically, they help teach democracy at the grass-roots level by practicing the worldwide credit union philosophy of one-member, one-vote, and by enabling thousands of persons to cast a ballot for the first time in their lives. Socially, they provide their members with the first opportunity to stand on their own legs and, thus, achieve more human dignity.

Every dollar spent in a CUNA/AID contract has generated about twenty dollars of new savings. Savings in these fifteen countries now total nearly fifty million dollars. Equally important, these savings have been turned over in loans so often that more than one hundred forty million dollars in cumulative productive loans have been made and repaid since the CUNA/AID program. These loans have been made for food production, housing, education, to start small businesses, and for other vital purposes. Most of these loans were made to people never previously reached by loans from any legitimate source. Except for the credit union, the loans could not have been made.

I hope you will take a few minutes of your time to review the enclosed progress report and familiarize yourself with the important and unique role credit unions have in our foreign assistance program. Credit unions reach the people who need help most. They teach them to help themselves. They teach them to believe in themselves and, possibly more important, to believe in their fellow man. We sincerely hope we can continue and, if possible, expand our efforts to export this simple but workable idea to those countries and people who so badly need it.

Sincerely,

J. ORRIN SHIPE,
Managing Director.

PRESIDENT JOHNSON'S NEW COMMISSION CAN HELP LEAD AMERICA AWAY FROM VIOLENCE

Mr. YOUNG of Ohio. Mr. President, in the midst of national tragedy and sadness over the assassination of Senator Robert F. Kennedy, President Johnson established a National Commission on the Causes and Prevention of Violence to try to explain the violence which is pervading our society and to suggest means of eradicating this scourge. The members of the Commission are Dr. Milton Eisenhower, Chairman; Congressman HALE BOGGS, Archibishop Terence J. Cooke, Ambassador Patricia Harris, Senator PHILIP A. HART, Judge A. Leon Higginbotham, Eric Hoffer, Senator ROMAN HRUSKA, Albert E. Jenner, Jr., Representative WILLIAM M. MCCULLOCH.

It is obvious that the new Commission, composed of this distinguished group of Americans, is designed not to present a narrow or partisan point of view, but to take a broad look at the entire spectrum of violence in our national life. President Johnson is to be commended for placing this study of violence in a framework of objectivity, with a determination to end this growing danger to our democratic way of life.

The President met with the Commission at its initial meeting on Monday. His charge to them was brief, but comprehensive:

> I ask you to undertake a penetrating search for the causes and prevention of violence—a search into our national life, our past as well as our present, our traditions as well as our institutions, our culture, our customs and our laws.

Every American will rally in support of the new Commission. The threat of violence to the lives and well-being of public officials and public leaders is accompanied by an equally dangerous threat to the existence of all democratic institutions. If the day ever comes when good people are inhibited from speaking out on national issues and engaging in public life because of the dangers of physical harm, then America is in trouble. The forthright action by the President in establishing the new Commission is aimed at seeing to it that such a day never comes.

STUDENT AMERICAN MEDICAL ASSOCIATION FAVORS A DRUG COMPENDIUM AND BETTER DRUG PRICE INFORMATION

Mr. NELSON. Mr. President, a few days ago I received a communication from C. Clement Lucas, Jr., president of the Student American Medical Association. He wrote me that the 1968 house of delegates, during its 18th annual meeting, had taken positive action by passing a resolution which backs important and progressive steps in the drug field.

This viable group of medical students has watched events unfold during the past year which have pointed out astonishing shortcomings in the manufacture and sale of prescription drugs.

These young people have recognized that the simple acts of publishing a drug compendium, with full drug information, and fuller disclosure of drug prices by pharmaceutical companies is a necessary adjunct to the proper practice of medicine.

My first bill to establish a compendium was introduced in January 1967, and after revision, was introduced again a year later.

The issue of drug prices has been the subject of dozens of Monopoly Subcommittee hearings. I am happy this group has recognized that price competition is lacking in prescription drugs and that newer methods have to be sought out to correct this deficiency.

I find it hopeful that the doctors of tomorrow recognize the shortcomings of today. For on tomorrow's generations do we build today's hopes.

Hopefully, the leaders of today's medical teams will pay proper heed to the admonitions of their juniors—soon to be their peers.

I ask unanimous consent that the letter and resolution sent to me by Mr. Lucas be inserted in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

STUDENT AMERICAN
MEDICAL ASSOCIATION
Flossmoor, Ill., June 7, 1968.

Re Resolution 11A to the Senate Committee on Small Business and Subcommittee on Monopoly.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I am happy to forward a copy of a resolution, which may be of interest, as passed by the 1968 House of Delegates of the Student American Medical Association during its 18th Annual Meeting held in Detroit, April 24–27.

The officers and members of the House would be appreciative of your comments with respect to these actions so our work in the future can be benefited from the thinking of the members of your organization.

Thank you for the opportunity to forward the enclosed resolution and should you desire the complete proceedings, which will be available later this year, please direct your request to the Executive Office at the address listed above.

Respectfully submitted,

C. CLEMENT LUCAS, Jr.,
President.

Enclosure.

SAMA RESOLUTION 11A—DRUG PRICES

Whereas there is no widely distributed retail price list of drugs now on the market; and

Whereas busy doctors now often choose between trade name drugs without benefit of readily available information on relative drug prices; and

Whereas discrimination between trade name drugs without consideration of relative price promotes wide variation in those prices due to lack of price competition among drug companies; and

Whereas current legislation is pending (H.R. 15759) which calls for a drug compendium to be formulated by the Department of HEW to be distributed to hospitals, physicians and others who have use for such information; therefore be it

Resolved, That SAMA strongly recommends that the pharmaceutical companies include a suggested retail price in all their drug advertisements; and be it further

Resolved, That SAMA recommends that

the mention of problems involved in drug costs be made in pharmacology courses; and, be it further

Resolved, That copies of this resolution be sent to the HEW Task Force, FDA, the Senate Committee on Small Business, Subcommittee on Monopoly, the AMA, NMA, PMA, MCHR, AHMC and the NPC.

THE $600 INDIVIDUAL INCOME TAX EXEMPTION IS OBSOLETE

Mr. HARTKE. Mr. President, I would like to extend to Representative EDWARD ROYBAL my sincere congratulations for recently introducing H.R. 16398, a measure designed to increase from $600 to $1,200 the personal income tax exemptions for individual taxpayers.

Some time ago I introduced a measure along the same lines, calling for the deduction to be raised from $600 to $1,000. At that time, I stated that the present $600 deduction is unreal and obsolete for its purpose. I also stated that since that figure was adopted, the cost of living has increased by 40 percent. To expect the American taxpayer to provide the basic minimum necessities of life for himself, his wife, and his children with the present $600 deduction is unrealistic and antiquated as crossing the Atlantic Ocean in a sailing vessel.

Again I commend Representative ROYBAL for his efforts on behalf of all the taxpaying citizens of this Nation, and I hope other Members of Congress will join us in achieving our goal of increasing the deduction to at least $1,000.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

EXECUTIVE SESSION—INTERNATIONAL GRAINS ARRANGEMENT OF 1967, EXECUTIVE A, 90TH CONGRESS, SECOND SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider Calendar No. 8, Executive A, 90th Congress, second session.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider Executive A, 90th Congress, second session, which was read the second time, as follows:

EXECUTIVE A INTERNATIONAL GRAINS ARRANGEMENT, 1967

PREAMBLE

The signatories to this Arrangement,

Considering that the International Wheat Agreement of 1949 was revised, renewed or extended in 1953, 1956, 1959, 1962, 1965, 1966 and 1967,

Considering that the substantive economic provisions of the International Wheat Agreement of 1962 expired on 31 July 1967, that the administrative provisions of the same Agreement expire on 31 July 1968 or on an earlier date to be decided by the International Wheat Council and that it is desirable to conclude an Arrangement for a new period.

Considering that the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States of America, and the European Economic Community and its Member States agreed on 30 June 1967 to negotiate an Arrangement on Grains, on as wide a basis as possible, that would contain provisions on wheat trade and food aid, to work diligently for the early conclusion of the negotiation and upon completion of the negotiation to seek acceptance of the Arrangement in conformity with their constitutional and institutional procedures as rapidly as possible.

Considering that these Governments and the European Economic Community and its Member States, in accordance with these prior mutual commitments, shall sign both the Wheat Trade Convention and the Food Aid Convention and that other Governments should have the possibility of joining either one of the Conventions or of joining both Conventions.

Have agreed that this International Grains Arrangement 1967 shall consist of two legal instruments, on the one hand a Wheat Trade Convention, and on the other hand a Food Aid Convention, and that each of these two Conventions, or either of them as appropriate, shall be submitted for signature and ratification, acceptance or approval in conformity with their respective constitutional or institutional procedures, by the Governments concerned and the European Economic Community and its Member States.

WHEAT TRADE CONVENTION

PART I—GENERAL

ARTICLE 1

Objectives

The objectives of this Convention are:

(a) To assure supplies of wheat and wheat flour to importing countries and markets for wheat and wheat flour to exporting countries at equitable and stable prices;

(b) To promote the expansion of the international trade in wheat and wheat flour and to secure the freest possible flow of this trade in the interests of both exporting and importing countries, and thus contribute to the development of countries, the economies of which depend on commercial sales of wheat; and

(c) In general to further international cooperation in connection with world wheat problems, recognizing the relationship of the trade in wheat to the economic stability of markets for other agricultural products.

ARTICLE 2

Definitions

(1) For the purpose of this Convention:

(a) "Balance of commitment" means the amount of wheat which an exporting country is obliged to make available at not greater than the maximum price under Article 5, that is, the amount by which its datum quantity with respect to importing countries exceeds the actual commercial purchases from it by those countries in the crop year at the relevant time;

(b) "Balance of entitlement" means the amount of wheat which an importing country is entitled to purchase at not greater than the maximum price under Article 5, that is, the amount by which its datum quantity with respect to the exporting country or countries concerned, as the context requires, exceeds its actual commercial purchases from those countries in the crop year at the relevant time;

(c) "Bushel" means in the case of wheat sixty pounds avoirdupois or 27.2155 kilogrammes;

(d) "Carrying charges" means the costs incurred for storage, interest and insurance in holding wheat;

(e) "Certified seed wheat" means wheat which has been officially certified according to the custom of the country of origin and which conforms to recognized specification standards for seed wheat in that country;

(f) "c. & f." means cost and freight;

(g) "Council" means the International Wheat Council established by the International Wheat Agreement, 1949 and continued in being by Article 25;

(h) "Country" includes the European Economic Community;

(i) "Crop year" means the period from 1 July to 30 June;

(j) "Datum quantity" means:

(i) In the case of an exporting country the average annual commercial purchases from that country by importing countries as established under Article 15;

(ii) In the case of an importing country the average annual commercial purchases from exporting countries or from a particular exporting country, as the context requires, as established under Article 15;

and includes, where applicable, any adjustment made under paragraph (1) of Article 15;

(k) "Denatured wheat" means wheat which has been denatured so as to render it unfit for human consumption;

(l) "Executive Committee" means the Committee established under Article 30;

(m) "Exporting country" means, as the context requires, either:

(i) the Government of a country listed in Annex A which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(n) "f.a.q." means fair average quality;

(o) "f.o.b." means free on board;

(p) "Grains" means wheat, rye, barley, oats, maize and sorghum;

(q) "Importing country" means, as the context requires, either:

(i) the Government of a country listed in Annex B which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(r) "Marketing costs" means all usual charges incurred in marketing, chartering and forwarding;

(s) "Maximum price" means the maximum prices specified in or determined under Article 6 or 7 or one of those prices, as the context requires;

(t) "Maximum price declaration" means a declaration made in accordance with Article 9;

(u) "Member country" means:

(i) the Government of a country which has ratified, accepted, approved or acceded to this Convention and has not withdrawn therefrom; or

(ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Convention apply;

(v) "Metric tons", or 1,000 kilogrammes, means in the case of wheat 36.74371 bushels;

(w) "Minimum price" means the minimum prices specified in or determined under Article 6 or 7 or one of those prices, as the context requires;

(x) "Price range" means prices between the minimum and maximum prices specified in or determined under Article 6 or 7 including the minimum prices but excluding the maximum prices;

(y) "Prices Review Committee" means the Committee established under Article 31;

(z) (i) "Purchase" means a purchase for import of wheat exported or to be exported from an exporting country or from other than an exporting country, as the case may be, or the quantity of such wheat so purchased, as the context requires;

(ii) "Sale" means a sale for export of wheat imported or to be imported by an importing country or by other than an importing country, as the case may be, or the quantity of such wheat so sold, as the context requires;

(iii) Where reference is made in this Convention to a purchase or sale, it shall be understood to refer not only to purchases or sales concluded between the Governments concerned but also to purchases or sales concluded between private traders and to purchases or sales concluded between a private trader and the Government concerned. In this definition "Government" shall be deemed to include the Government of any territory in respect of which the rights and obligations of any Government ratifying, accepting, approving or acceding to this Convention apply under Article 42;

(aa) "Sub-Committee on Prices" means the Sub-Committee established under Article 31;

(bb) "Territory" in relation to an exporting or importing country includes any territory in respect of which the rights and obligations under this Convention of the Government of that country apply under Article 42;

(cc) "Wheat" includes wheat grain of any description, class, type, grade or quality and, except in Article 6 or where the context otherwise requires, wheat flour.

(2) All calculations of the wheat equivalent of purchases of wheat flour shall be made on the basis of the rate of extraction indicated by the contract between the buyer and the seller. If no such rate is indicated, seventy-two units by weight of wheat flour shall, for the purpose of such calculations, be deemed to be equivalent to one hundred units by weight of wheat grain unless the Council decides otherwise.

ARTICLE 3

Commercial purchases and special transactions

(1) A commercial purchase for the purposes of this Convention is a purchase as defined in Article 2 which conforms to the usual commercial practices in international trade and which does not include those transactions referred to in paragraph (2) of this Article.

(2) A special transaction for the purposes of this Convention is one which, whether or not within the price range, includes features introduced by the Government of a country concerned which do not conform with usual commercial practices. Special transactions include the following:

(a) Sales on credit in which, as a result of government intervention, the interest rate, period of payment, or other related terms do not conform with the commercial rates, periods or terms prevailing in the world market;

(b) Sales in which the funds for the purchase of wheat are obtained under a loan from the Government of the exporting country tied to the purchase of wheat;

(c) Sales for currency of the importing country which is not transferable or convertible into currency or goods for use in the exporting country;

(d) Sales under trade agreements with special payments arrangements which include clearing accounts for settling credit balances bilaterally through the exchange of goods, except where the exporting country and the importing country concerned agree that the sale shall be regarded as commercial;

(e) Barter transactions

(i) which result from the intervention of governments where wheat is exchanged at other than prevailing world prices, or

(ii) which involve sponsorship under a government purchase programme, except where the purchase of wheat results from a barter transaction in which the country of final destination was not named in the original barter contract;

(f) A gift of wheat or a purchase of wheat out of a monetary grant by the exporting country made for that specific purpose;

(g) Any other categories of transactions that include features introduced by the Government of a country concerned which do not conform with usual commercial practices, as the Council may prescribe.

(3) Any question raised by the Executive Secretary or by any exporting or importing country as to whether a transaction is a commercial purchase as defined in paragraph (1) of this Article or a special transaction as defined in paragraph (2) of this Article shall be decided by the Council.

PART II—COMMERCIAL

ARTICLE 4

Commercial purchases and supply commitments

(1) Each member country when exporting wheat undertakes to do so at prices consistent with the price range.

(2) Each member country importing wheat undertakes that the maximum possible share of its total commercial purchases of wheat in any crop year shall be purchased from member countries, except as provided in paragraph (4) below. This share shall be not less than a percentage established by the Council in agreement with the country concerned.

(3) Exporting countries undertake, in association with one another, that wheat from their countries shall be made available for purchase by importing countries in any crop year at prices consistent with the price range in quantities sufficient to satisfy on a regular and continuous basis the commercial requirements of those countries subject to the other provisions of this Convention.

(4) Under extraordinary circumstances a member country may be granted by the Council partial exemption from the commitment contained in paragraph (2) of this Article upon submission of satisfactory supporting evidence to the Council.

(5) Each member country when importing wheat from non-member countries undertakes to do so at prices consistent with the price range.

(6) Prices shall be regarded as consistent with the price range when wheat is being made available or when sales and purchases are taking place:

(a) at or above the maximum prices provided for in Article 6 when such actions are not in conflict with the provisions of Articles 5, 9 and 10, or

(b) at prices consistent with the minimum prices provided for in Article 6 or with the provisions concerning the role of minimum prices as set out in Article 8.

ARTICLE 5

Purchases at the maximum price

(1) If the Council makes a maximum price declaration in respect of an exporting country, that country shall make available for purchase by importing countries at not greater than the maximum price its balance of commitment towards those countries to the extent that the balance of entitlement of any importing country with respect to all exporting countries is not exceeded.

(2) If the Council makes a maximum price declaration in respect of all exporting countries, each importing country shall be entitled, while the declaration is in effect,

(a) to purchase from exporting countries at prices not greater than the maximum price its balance of entitlement with respect to all exporting countries; and

(b) to purchase wheat from any source without being regarded as committing any breach of paragraph (2) of Article 4.

(3) If the Council makes a maximum price declaration in respect of one or more exporting countries, but not all of them, each importing country shall be entitled while the declaration is in effect.

(a) to make purchases under paragraph (1) of this Article from such one or more exporting countries and to purchase the balance of its commercial requirements within the price range from the other exporting countries, and

(b) to purchase wheat from any source without being regarded as committing any breach of paragraph (2) of Article 4 to the extent of its balance of entitlement with respect to such one or more exporting countries as at the effective date of the declaration, provided such balance is not larger than its balance of entitlement with respect to all exporting countries.

(4) Purchases by any importing country from an exporting country in excess of the balance of entitlement of that importing country with respect to all exporting countries shall not reduce the obligation of that exporting country under this Article. Any wheat purchased from an importing country by a second importing country which originated during that crop year from an exporting country shall be deemed to have been purchased from that exporting country by the second importing country provided the balance of entitlement of the second importing country with respect to all exporting countries is not thereby exceeded. Subject to the provisions of Article 19, the preceding sentence shall apply to wheat flour only if the wheat flour originated from the exporting country concerned.

(5) In determining whether it has fulfilled its required percentage under paragraph (2) of Article 4, purchases made by any importing country while a maximum price declaration is in effect, subject to the limitations in paragraphs (2)(b) and (3)(b) of this Article,

(a) shall be taken into account if those purchases were made from any member country, including an exporting country in respect of which the declaration was made, and

(b) shall be entirely disregarded if those purchases were made from a non-member country.

(6) Wheat made available in acordance with the provisions of this Article shall so far as practicable be of types and qualities that would enable the trade in that crop year between the two countries to conform to the usual pattern. Arrangements to give effect to this should be agreed upon as necessary between the countries concerned.

ARTICLE 6

Prices of wheat

(1) The Schedule of minimum and maximum prices, basis f.o.b. Gulf ports, is established for the duration of this Convention as follows:

[U.S. dollars per bushel]

	Minimum price	Maximum price
Canada:		
Manitoba No. 1	1.95½	2.35½
Manitoba No. 3	1.90	2.30
United States of America:		
Dark Northern Spring No. 1, 14 percent	1.83	2.23
Hard Red Winter No. 2 (ordinary)	1.73	2.13
Western White No. 1	1.68	2.08
Soft Red Winter No. 1	1.60	2.00
Argentina: Plate	1.73	2.13
Australia: Fair average quality	1.68	2.08
European Economic Community: Standard	1.50	1.90
Sweden	1.50	1.90
Greece	1.50	1.90
Spain:		
Fine wheat	1.60	2.00
Common wheat	1.50	1.90

(2) The minimum prices and maximum prices for the specified Canadian and US wheats, f.o.b. Pacific north-west ports shall be 6 cents less than the prices in paragraph (1) of this Article.

(3) The minimum and maximum prices for Mexican wheat on sample or description f.o.b. Mexican Pacific ports or at the Mexican

border, whichever is applicable, shall be US dollars 1.55 and 1.95 per bushel respectively.

(4) The minimum prices under this Article may be adjusted in accordance with the provisions of Articles 8 and 31.

(5) The minimum price and maximum price for f.a.q. Australian wheat f.o.b. Australian ports shall be 5 cents below the price equivalent to the c. and f. price in United Kingdom ports of the minimum price and maximum price for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. Gulf ports, specified in paragraph (1) of this Article, computed by using currently prevailing transportation costs.

(6) The minimum prices and maximum prices for Argentine wheat f.o.b Argentine ports, for destinations bordering the Pacific and Indian Oceans shall be the prices equivalent to the c. and f. prices in Yokohama of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. Pacific north-west ports, specified in paragraph (2) of this Article, computed by using currently prevailing transportation costs.

(7) The minimum prices and maximum prices for the specified US wheats, f.o.b. US Atlantic, Great Lakes and Canadian St. Lawrence ports, the specified Canadian wheats, f.o.b. Fort William/Port Arthur, St. Lawrence Argentine wheat, f.o.b. Argentine ports, for destinations other than those specified in paragraph (6) of this Article, shall be the prices equivalent to the c. and f. prices in Antwerp/Rotterdam of the minimum prices and maximum prices specified in paragraph (1) of this Article computed by using currently prevailing transportation costs.

(8) The minimum prices and maximum prices for the European Economic Community standard wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(9) The minimum prices and maximum prices for Swedish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(10) The minimum prices and maximum prices for Greek wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c and f. price at an appropriate port for delivery to the country of destination, of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(11) The minimum prices and maximum prices for Spanish wheat shall be the prices equivalent to the c. and f. price in the country of destination, or the c. and f. price at an appropriate port for delivery to the country of destination of the minimum prices and maximum prices for US Hard Red Winter No. 2 (ordinary) wheat f.o.b. United States, specified in paragraphs (1) and (2) of this Article, computed by using currently prevailing transportation costs and by applying the price adjustments corresponding to the agreed quality differences set forth in the scale of equivalents.

(12) In relation to other wheats of countries referred to in paragraph (1) of this Article, the ways of computing minimum and maximum prices set out in paragraph (2) of the equivalents thereof set out in paragraphs (5) to (11) of this Article shall apply in the same way as they apply to the wheats referred to in those paragraphs.

(13) The Prices Review Committee may in consultation with the Sub-Committee on Prices:

(a) determine the equivalent minimum and maximum prices for wheats at points other than those referred to in paragraphs (1), (2) and (3) and paragraphs (5) to (11) of this Article, and

(b) specify, basis f.o.b. United States Gulf ports, minimum and maximum prices for any description, class, type, grade or quality of wheat other than those specified in paragraphs (1) and (3) of this Article, provided that the difference between the minimum and maximum prices so specified shall be 40 cents per bushel, and in the case of wheat of a country not mentioned in those paragraphs the Committee shall act in accordance with the preceding sub-paragraph if it has not already done so in respect of that wheat.

(14) In the case of any wheat for which minimum and maximum prices have not been specified, the minimum and maximum prices for the time being, basis f.o.b. United States Gulf Ports, shall be derived from the minimum and maximum prices of the description, class, type, grade or quality of wheat specified in paragraphs (1) and (3) or under paragraphs (13(b)) of this Article, which is most closely comparable to such wheat by the addition of an appropriate premium or by the deduction of an appropriate discount. Such premiums or discounts may be fixed and adjusted as necessary by the Prices Review Committee. The Prices Review Committee shall act in accordance with this paragraph at any meeting called under paragraphs (1), (3) or (6) of Article 9.

(15) No minimum or maximum price, basis f.o.b. United States Gulf ports, specified under the provisions of paragraph (13)(b) of this Article, shall respectively be higher than the minimum or maximum price for Manitoba Northern No. 1 wheat specified in paragraph (1) of this Article.

(16) The equivalent minimum and maximum prices referred to in paragraphs (5) to (11) of this Article shall be computed at regular intervals by the Secretariat of the Council with the assistance of the Sub-Committee on Prices, having regard to the costs of ocean transportation which reflect the current method of movement generally employed and on the most comparable basis between the ports concerned.

(17) For the purposes of comparing the price of any wheat quoted in other than United States currency with the minimum and maximum prices or the equivalent thereof computed in accordance with the provisions of this Article, that price shall be converted into United States currency at the prevailing rate of exchange. Any dispute as to the conversion of prices shall be decided by the Prices Review Committee.

(18) The minimum and maximum prices and the equivalents thereof shall exclude such carrying charges and marketing costs as may be agreed between the buyer and the seller, provided that carrying charges shall accrue for the buyer's account only after an agreed date specified in the contract under which the wheat is sold.

(19) Durum wheat and certified seed wheat shall be excluded from the provisions relating to maximum prices and denatured wheat from the provisions relating to minimum prices.

(20) Without prejudice to the operation of Article 8 if any member country represents to the Prices Review Committee that any computation of an equivalent minimum or maximum price under the provisions of paragraphs (5) to (11)) or paragraph (13) of this Article is, in the light of current transportation costs, no longer fair, that Committee shall consider the matter and may in consultation with the Sub-Committee on Prices make such adjustments as it considers desirable.

(21) All decisions of the Prices Review Committee under paragraphs (13), (14), (17) or (20) of this Article shall be binding on all member countries, provided that any member country which considers any such decision is disadvantageous to it may ask the Council to review that decision.

(22) Each country which has one or more wheats listed in this Article shall provide to the Council each crop year a copy of the current official specifications, standards or descriptions for those wheats where they exist. Upon request by the Secretariat, countries which export wheat shall provide to the Council the current official specifications, standards or descriptions of wheats, where they exist, not listed in this Article.

ARTICLE 7

Prices of wheat flour

(1) Commercial purchases of wheat flour will be deemed to be at prices consistent with the prices for wheat specified in or determined under Article 6, unless a statement to the contrary, with supporting information, is received by the Council from any member country, in which case the Council shall, with the assistance of any countries concerned, consider the matter and decide whether the price is so consistent.

(2) If one or more member countries deem that certain practices in the field of international trade have in certain cases distorted the consistency which must exist between the prices for flour and the prices for wheat, and consider that their interests have been seriously hurt by these practices, they may ask for consultations with the member country or member countries concerned.

(3) The Council may in co-operation with member countries carry out studies of the prices of wheat flour in relation to the prices of wheat.

ARTICLE 8

Role of minimum prices

The purpose of the schedule of minimum prices is to contribute to market stability by making it possible to determine when the level of market prices for any wheat is at or approaching the minimum of the range. Since price relationships between types and qualities of wheat fluctuate with competitive circumstances, provision is made for review of and adjustments in minimum prices.

(1) If the Secretariat of the Council in the course of its continuous review of market conditions is of the opinion that a situation has arisen, or threatens imminently to arise, which appears to jeopardize the objectives of this Convention with regard to the minimum price provisions, or if such a situation is called to the attention of the Secretariat of the Council by any member country, the Executive Secretary shall convene a meeting of the Prices Review Committee within two days and concurrently notify all member countries.

(2) The Prices Review Committee shall review the price situation with the view to reaching agreement or action required by member participants to restore price stability and to maintain prices at or above minimum levels and shall notify the Executive Secretary when agreement has been reached and of the action taken to restore market stability.

(3) If after three market days the Prices Review Committee is unable to reach agreement on the action to be taken to restore market stability, the Chairman of the Council shall convene a meeting of the Council

within two days to consider what further measures might be taken. If after not more than three days of review by the Council any member country is exporting or offering wheat below the minimum prices as determined by the Council, the Council shall decide whether provisions of this Convention shall be suspended and if so to what extent.

(4) When any minimum price has been adjusted in accordance with the foregoing, such adjustments shall terminate when the Prices Review Committee or the Council finds that the conditions requiring the adjustments no longer prevail.

ARTICLE 9

Maximum price declarations

(1) The Executive Secretary, who shall keep the prices of wheat under continual review, shall immediately convene a meeting of the Prices Review Committee if he is of the opinion, or the Sub-Committee on Prices or any member country informs him that it is of the opinion that a situation has arisen in which an exporting country is making any wheat available for purchase by importing countries at a price near the maximum price. If the Prices Review Committee decides that such a situation has arisen, the Executive Secretary shall immediately inform all member countries.

(2) As soon as any of its wheat is made available for purchase by importing countries at prices not less than the maximum price, an exporting country shall notify the Council to that effect. On receipt of such notification the Executive Secretary acting on behalf of the Council shall, except as otherwise provided in paragraph (6) of this Article and paragraph (6) of Article 16 make a declaration accordingly, referred to in this Convention as a maximum price declaration. The Executive Secretary shall communicate that maximum price declaration to all member countries as soon as possible after it has been made.

(3) In making a notification under paragraph (2) of this Article, the exporting country shall

(a) if any of the wheats in respect of which the notification is made is not one for which a maximum price is specified in, or has been specified under the provisions of, Article 6, state what it considers the maximum price for the time being, basis f.o.b. United States Gulf ports, for any such wheats to be, and

(b) in the case of all wheats in respect of which the notification is made, state what it computes the maximum prices to be on the date of notification at the points from which those wheats are commonly exported, and the Executive Secretary shall inform all other member countries accordingly. If any member country represents to the Executive Secretary that any of the prices referred to above are not the maximum prices of the wheats concerned, he shall immediately convene a meeting of the Prices Review Commitee which shall decide the maximum prices in respect of which representations have been made in consultation with the Sub-Committee on Prices.

(4) As soon as all of its wheat which has been made available at not less than the maximum price is again made available for purchase by importing countries at prices less than the maximum price, an exporting country shall notify the Council to that effect. Thereupon, the Executive Secretary, acting on behalf of the Council, shall terminate the maximum price declaration in respect of that country by making a further declaration accordingly. He shall communicate such further declaration to all exporting and importing countries as soon as possible after it has been made.

(5) The Council shall in its rules of procedure, prescribe regulations to give effect to paragraphs (2) and (4) of this Article, including regulations determining the effective date of any declaration made under this Article.

(6) If at any time in the opinion of the Executive Secretary an exporting country has failed to make a notification under paragraph (2) or (4) of this Article, or has made an incorrect notification, he shall without prejudice in the latter case to the provisions of paragraph (2) or (4), immediately convene a meeting of the Sub-Committee on Prices. If at any time in the opinion of the Executive Secretary an exporting country has made a notification under paragraph (2) but the facts relating thereto do not warrant a maximum price declaration, he shall not make such a declaration but shall refer the matter to the Sub-Committee at a meeting immediately convened for this purpose. If the Sub-Committee advises either under this paragraph or in accordance with Article 31 that a declaration under paragraph (2) or (4) should be or should not be made or is incorrect, as the case may be, the Prices Review Committee may make or refrain from making a declaration accordingly, or cancel any declaration then in effect, whichever is appropriate, without delay. The Executive Secretary shall communicate any such declaration or cancellation to all member countries as soon as possible.

(7) Any declaration made under this Article shall specify the crop year or crop years to which it relates, and this Convention shall apply accordingly.

(8) If any exporting or importing country considers that a declaration under this Article should be or should not have been made, as the case may be, it may refer the matter to the Council. If the Council finds that the representations of the country concerned are well founded, it shall make or cancel a declaration accordingly.

(9) Any declaration made under paragraphs (2), (4) or (6) of this Article which is cancelled in accordance with this Article shall be regarded as having full force and effect until the date of its cancellation, and such cancellation shall not affect the validity of anything done under the declaration prior to its cancellation.

(10) For the purpose of this Article "wheat" excludes durum wheat and certified seed wheat.

ARTICLE 10

Status of European Economic Community

(1) The European Economic Community which regularly and continuously engages in import and export operations on the international market is listed simultaneously in Annex A and in Annex B of this Convention as an exporting country and as an importing country with all the rights and obligations deriving therefrom.

(2) In regard however to the obligations of the European Economic Community as an exporting country in a situation of a maximum price declaration concerning the wheat of the European Economic Community, the European Economic Community shall make wheat available to importing countries which are members of this Convention at a price which shall not be greater than the maximum price. Moreover, it shall take all useful measures in conformity with the regulations resulting from its common agricultural policy to channel its quantities available for export in an equitable way to importing countries which are members of this Convention.

ARTICLE 11

Adjustment in case of short crop

(1) Any exporting country which fears that it may be prevented by a short crop from carrying out its obligations under this Convention in respect of a particular crop year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of a part or the whole of its obligations for that crop year. An application made to the Council pursuant to this paragraph shall be heard without delay.

(2) The Council shall, in dealing with a request for relief under this Article, review the exporting country's supply situation and the extent to which the exporting country has observed the principle that it should, to the maximum extent feasible, make wheat available for purchase to meet its obligations under this Convention.

(3) The Council shall also, in dealing with a request for relief under this Article, have regard to the importance of the exporting country's maintaining the principle stated in paragraph (2) of this Article.

(4) If the Council finds that the country's representations are well founded, it shall decide to what extent and on what conditions that country shall be relieved of its obligations for the crop year concerned. The Council shall inform the exporting country of its decision.

(5) If the Council decides that the exporting country shall be relieved of the whole or part of its obligations under Article 5 for the crop year concerned, the Council shall increase the commitments as represented by the datum quantities of the other exporting countries to the extent agreed by each of them. If such increases do not offset the relief granted under paragraph (4) of this Article, it shall reduce by the amount necessary the entitlements, as represented by the datum quantities of the importing countries to the extent agreed by each of them.

(6) If the relief granted under paragraph (4) of this Article cannot be entirely offset by measures taken under paragraph (5), the Council shall reduce pro rata the entitlement as represented by the datum quantities of the importing countries, account being taken of any reductions under paragraph (5).

(7) If the commitment as represented by the datum quantity of an exporting country is reduced under paragraph (4) of this Article, the amount of such reduction shall be regarded for the purpose of establishing its datum quantity and that of all other exporting countries in subsequent crop years as having been purchased from that exporting country in the crop year concerned. In the light of the circumstances, the Council shall determine whether any adjustment shall be made, and if so in what manner, for the purpose of establishing the datum quantities of importing countries in such subsequent crop years as a result of the operation of this paragraph.

(8) If the entitlement as represented by the datum quantity of an importing country is reduced under paragraph (5) or (6) of this Article to offset the relief granted to an exporting country under paragraph (4), the amount of such reduction shall be regarded as having been purchased in the crop year concerned from that exporting country for the purposes of establishing the datum quantity of that importing country in subsequent crop years.

ARTICLE 12

Adjustment in case of necessity to safeguard balance of payments or monetary reserves

(1) Any importing country which fears that it may be prevented by the necessity to safeguard its balance of payments or monetary reserves from carrying out its obligations under this Convention in respect of a particular crop year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of a part or the whole of its obligations for that crop year. An application made to the Council pursuant to this paragraph shall be heard without delay.

(2) If an application is made under paragraph (1) of this Article, the Council shall seek and take into account, together with all facts which it considers relevant, the opinion of the International Monetary Fund, as far as the matter concerns a country which is a member of the Fund, on the existence

and extent of the necessity referred to in paragraph (1).

(2) The Council shall, in dealing with a request for relief under this Article, have regard to the importance of the importing country's maintaining the principle that it should to the maximum extent feasible make purchases to meet its obligations under this Convention.

(4) If the Council finds that the representations of the importing country concerned are well founded, it shall decide to what extent and on what conditions that country shall be relieved of its obligations for the crop year concerned. The Council shall inform the importing country of its decision.

ARTICLE 13

Adjustments and additional purchases in case of critical need

(1) If a critical need has arisen or threatens to arise in its territory, an importing country may appeal to the Council for assistance in obtaining supplies of wheat. With a view to relieving the emergency created by the critical need, the Council shall give urgent consideration to the appeal and shall make appropriate recommendations to exporting and importing countries regarding the action to be taken by them.

(2) In deciding what recommendation should be made in respect of an appeal by an importing country under the preceding paragraph, the Council shall have regard to its actual commercial purchases from member countries or to the extent of its obligations under Article 4, as may appear appropriate in the circumstances.

(3) No action taken by an exporting or importing country pursuant to a recommendation made under paragraph (1) of this Article shall affect the datum quantity of any exporting or importing country in subsequent crop years.

ARTICLE 14

Other adjustments

(1) An exporting country may transfer part of its balance of commitment to another exporting country, and an importing country may transfer part of its balance of entitlement to another importing country for a crop year, subject to approval by the Council.

(2) Any importing country may at any time, by written notification to the Council, increase its percentage undertaking referred to in paragraph (2) of Article 4 and such increase shall become effective from the date of receipt of the notification.

(3) Any importing country which considers that its interests in respect of its percentage undertaking under paragraph (2) of Article 4 are seriously prejudiced by the withdrawal from this Convention of any exporting country holding not less than 50 votes may, by written notification to the Council, apply for a reduction in its percentage undertaking. In such a case, the Council shall reduce that importing country's percentage undertaking by the proportion that its maximum annual commercial purchases during the years determined under Article 15 with respect to the withdrawing country bears to its datum quantity with respect to all countries listed in Annex A and shall then further reduce such revised percentage undertaking by subtracting two and one half.

(4) The datum quantity of any country acceding under paragraph 2 of Article 38 shall be offset, if necessary, by appropriate adjustments by way of increase or decrease in the datum quantities of one or more exporting or importing countries, as the case may be. Such adjustments shall not be approved unless each exporting or importing country whose datum quantity is thereby changed has consented.

(5) The Council may at the request of any country delete that country from either Annex to this Convention and transfer it to the other.

ARTICLE 15

Establishment of datum quantities

(1) Datum quantities as defined in Article 2 shall be established for each crop year on the basis of average annual commercial purchases during the first four of the immediate preceding five crop years. In the case of steadily expanding markets where, taking the same period, the average annual commercial purchases are in excess of the average datum quantity figures calculated by the above method, the datum quantities shall be adjusted by the addition of the difference of the two averages. For the purpose of this paragraph a steadily expanding market is a market in which the commercial imports were higher than the datum quantity figures calculated under the first sentence of this paragraph in at least 3 out of the 4 years used in such calculation and the percentage undertaking of such a country is not less than eighty per cent.

(2) Before the beginning of each crop year, the Council shall establish for that crop year the datum quantity of each exporting country with respect to all importing countries and the datum quantity of each importing country with respect to all exporting countries and to each such country, except that in calculating datum quantities exports by or imports from the European Economic Community shall be disregarded.

(3) The datum quantities established in accordance with the preceding paragraph shall be re-established whenever a change in the membership of this Convention occurs, regard being had where appropriate to any conditions of accession prescribed by the Council under Article 38.

ARTICLE 16

Recording and reporting

(1) The Council shall keep separate records for each crop year

(a) for the purposes of the operation of this Convention and in particular of Articles 4 and 5, of all commercial purchases by member countries from other member and non-member countries and of all imports by member countries from other member and non-member countries on terms which render them special transactions, and

(b) of all commercial sales by member countries to non-member countries and of all exports by member countries to non-member countries on terms which render them special transactions.

(2) The records referred to in the preceding paragraph shall be kept so that

(a) records of special transactions are separate from records of commercial transactions and

(b) at all times during a crop year a statement of the balance of commitment of each exporting country with respect to all importing countries and of the balance of entitlement of each importing country with respect to all exporting countries and to each such country is maintained. Statements of such balances shall, at intervals prescribed by the Council, be circulated to all exporting and importing countries.

(3) In order to facilitate the operation of the Prices Review Committee under Article 31 the Council shall keep records of international market prices for wheat and wheat flour and of transportation costs.

(4) In the case of any wheat which reaches the country of final destination after re-sale in, passage through, or transshipment from the ports of, a country other than that in which the wheat originated, member countries shall to the maximum extent possible make available such information as will enable the purchase or transaction to be entered in the records referred to in paragraphs (1) and (2) of this Article is a purchase or transaction between the country of origin and the country of final destination. In the case of a re-sale, the provision of this paragraph shall only apply if the wheat originated in the country of origin during the same crop year.

(5) For the purposes of paragraph (2) of this Article and of paragraph (2) of Article 4, commercial purchases by a member country from another member country entered in the Council's records shall also be entered as against the obligations of each of the two member countries under Articles 4 and 5 respectively, or those obligations as adjusted under other Articles of this Convention, provided that the loading period falls within the crop year and, in relation to obligations under Article 5, that the purchases are by an importing country from an exporting country at prices not in excess of the maximum price. Commercial purchases of wheat flour entered in the Council's records shall also be entered as against the obligations of member countries under the same conditions.

(6) Where a customs union, or a special association status with a customs union, exists between any member country and one or more other countries which permits or obliges wheat to be purchased at prices above the maximum price, any such purchases shall not be regarded as a breach of Article 4 or 5, and shall be entered against the obligations, if any, of the member country or countries concerned. No maximum price declaration shall be made in respect of such purchases from an exporting country, nor shall they in any way affect the obligations of the exporting country concerned to other importing countries under Article 4.

(7) In the case of durum wheat and certified seed wheat, a purchase entered in the Council's records shall also be entered as against the obligations of member countries under the same conditions whether or not the price is above the maximum price.

(8) Provided that the conditions prescribed in paragraph (5) of this Article are satisfied, the Council may authorize purchases to be recorded for a crop year if

(a) the loading period involved is within a reasonable time up to one month, to be decided by the Council before the beginning or after the end of that crop year, and

(b) the two member countries concerned so agree.

(9) For the purpose of this article

(a) member countries shall send to the Executive Secretary such information concerning the quantities of wheat involved in commercial sales and purchases and special transactions as within its competence the Council may require, including,

(i) in relation to special transactions, such detail of the transactions as will enable them to be classified in accordance with Article 3;

(ii) in respect of wheat, such information as may be available as to the type, class, grade and quality, and the quantities relating thereto;

(iii) in respect of flour, such information as may be available to identify the quality of the flour and the quantities relating to each separate quality;

(b) member countries when exporting on a regular basis, and such other member countries as the Council shall decide, shall send to the Executive Secretary such information relating to prices of commercial and, where available, special transactions in such descriptions, classes, types, grades and qualities of wheat and wheat flour as the Council may require.

(c) the Council shall obtain regular information on currently prevailing transportation costs and member countries shall to the extent practicable report such supplementary information as the Council may require.

(10) the Council shall make rules of procedure for the reports and records referred to in this Article. Those rules shall prescribe

the frequency and the manner in which those reports shall be made and shall prescribe the duties of member countries with regard thereto. The Council shall also make provision for the amendment of any records or statements kept by it, including provision for the settlement of any dispute arising in connexion therewith. If any member country repeatedly and unreasonably fails to make reports as required by this Article, the Executive Committee shall arrange consultations with that country to remedy the situation.

ARTICLE 17

Estimates of requirements and availability of wheat

(1) By 1 October in the case of Northern Hemisphere countries and 1 February in the case of Southern Hemisphere countries, each importing country shall notify the Council of its estimate of its commercial requirements of wheat from exporting countries in that crop year. Any importing country may thereafter notify the Council of any changes it may desire to make in its estimate.

(2) By 1 October in the case of Northern Hemisphere countries and 1 February in the case of Southern Hemisphere countries, each exporting country shall notify the Council of its estimate of the wheat it will have available for export in that crop year. Any exporting country may thereafter notify the Council of any changes it may desire to make in its estimate.

(3) All estimates notified to the Council shall be used for the purpose of the administration of this Convention and may only be made available to exporting and importing countries on such conditions as the Council may prescribe. Estimates submitted in accordance with this Article shall in no way be binding.

(4) Exporting and importing countries shall be free to fulfill their obligations under this Convention through private trade channels or otherwise. Nothing in this Convention shall be construed to exempt any private trader from any laws or regulations to which he is otherwise subject.

(5) The Council may, at its discretion, require exporting and importing countries to co-operate together to ensure that an amount of wheat equal to not less than ten per cent of the datum quantities of exporting countries for any crop year shall be available for purchase by importing countries under this Convention after 31 January of that crop year.

ARTICLE 18

Consultations

(1) In order to assist an exporting country in assessing the extent of its commitments if a maximum price declaration should be made and without prejudice to the rights enjoyed by any importing country, an exporting country may consult with an importing country regarding the extent to which the rights of that importing country under Articles 4 and 5 will be taken up in any crop year.

(2) Any exporting or importing country experiencing difficulty in making sales or purchases of wheat under Article 4 may refer the matter to the Council. In such a case the Council, with a view to the satisfactory settlement of the matter, shall consult with any exporting or importing country concerned and may make such recommendations as it considers appropriate.

(3) If an importing country should find difficulty in obtaining its balance of entitlement in a crop year at prices not greater than the maximum price while a maximum price declaration is in effect, it may refer the matter to the Council. In such a case the Council shall investigate the situation and shall consult with exporting countries regarding the manner in which their obligations shall be carried out.

ARTICLE 19

Performance under Articles 4 and 5

(1) The Council shall as soon as practicable after the end of each crop year review the performance of exporting and importing countries in relation to their obligations under Articles 4 and 5 during that crop year.

(2) For the purpose of this review each member country may be permitted in the fulfillment of its obligations a degree of tolerance to be prescribed by the Council for that country on the basis of the extent of those obligations and other relevant factors.

(3) In considering the performance of any importing country in relation to its obligations in the crop year:

(a) the Council shall disregard any exceptional importation of wheat from non-member countries provided that it can be shown to the satisfaction of the Council that such wheat has been or will be used only as feed and that such importation was not at the expense of quantities normally purchased by that importing country from member countries;

(b) the Council shall disregard any importation of denatured wheat from non-member countries.

ARTICLE 20

Defaults under Article 4 or 5

(1) If, on the basis of the review made under Article 19, any country appears to be in default of its obligations under Article 4 or 5, the Council shall decide what action should be taken.

(2) Before reaching a decision under this Article, the Council shall give any exporting or importing country concerned the opportunity to present any facts which it considers relevant.

(3) If the Council finds that an exporting country or an importing country is in default under Article 4 or 5, it may deprive the country concerned of its voting rights for such period as the Council may determine, reduce the other rights of that country to the extent which it considers commensurate with the default, or expel that country from participation in this Convention.

(4) No action taken by the Council under this Article shall in any way reduce the obligation of the country concerned in respect of its financial contributions to the Council unless that country is expelled from participation in this Convention.

ARTICLE 21

Action in cases of serious prejudice

(1) Any exporting or importing country which considers that its interests as a party to this Convention have been seriously prejudiced by actions of any one or more exporting or importing countries affecting the operation of this Convention may bring the matter before the Council. In such a case, the Council shall immediately consult with the countries concerned in order to resolve the matter.

(2) If the matter is not resolved through such consultations, the Council may refer the matter to the Executive Committee or the Prices Review Committee for urgent investigation and report. On receipt of any such report, the Council shall consider the matter further and may make recommendations to the countries concerned.

(3) If, after action has or has not been taken, as the case may be, under paragraph (2) of this Article, the country concerned is not satisfied that the matter has been satisfactorily dealt with, it may apply to the Council for relief. The Council may, if it deems appropriate, relieve that country of part of its obligations for the crop year in question. Two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries shall be required for a decision granting relief.

(4) If no relief is granted by the Council under paragraph (3) of this Article and the country concerned still considers that its interests as a party to this Convention have suffered serious prejudice, it may withdraw from this Convention at the end of the crop year by giving written notice to the Government of the United States of America. If the matter was brought before the Council in one crop year and the Council's consideration of the application for relief was concluded in the subsequent crop year the withdrawal of the country concerned may be effected within thirty days of such conclusion by giving similar notice.

ARTICLE 22

Disputes and complaints

(1) Any dispute concerning the interpretation or application of this Convention other than a dispute under Articles 19 and 20 which is not settled by negotiation shall, at the request of any country party to the dispute, be referred to the Council for decision.

(2) In any case where a dispute has been referred to the Council under paragraph (1) of this Article, a majority of countries, or any countries holding not less than one-third of the total votes, may require the Council, after full discussion, to seek the opinion of the advisory panel referred to in paragraph (3) on the issues in dispute before giving its decision.

(3) (a) Unless the Council unanimously agrees otherwise, the panel shall consist of:

(i) two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting countries;

(ii) two such persons nominated by the importing countries; and

(iii) a chairman selected unanimously by the four persons nominated under (i) and (ii) or, if they fail to agree, by the Chairman of the Council.

(b) Persons from countries whose Governments are parties to this Convention shall be eligible to serve on the advisory panel. Persons appointed to the advisory panel shall act in their personal capacities and without instructions from any Government.

(c) The expenses of the advisory panel shall be paid by the Council.

(4) The opinion of the advisory panel and the reasons therefor shall be submitted to the Council which, after considering all the relevant information, shall decide the dispute.

(5) Any complaint that any exporting or importing country has failed to fulfill its obligations under this Convention shall, at the request of the country making the complaint, be referred to the Council, which shall make a decision on the matter.

(6) Any finding that an exporting or importing country is in breach of this Convention shall specify the nature of the breach and if the breach involves default by that country in its obligations under Article 4 or 5, the extent of such default.

(7) Subject to the provisions of Article 20, if the Council finds that an exporting country or an importing country has committed a breach of this Convention it may deprive the country concerned of its voting rights until it fulfills its obligations or expel that country from participation in this Convention.

ARTICLE 23

Annual review of the world grains situation

(1) (a) In the furtherance of the objectives of this Convention as set forth in Article 1, the Council shall annually review the world grains situation and shall inform member countries of the effects upon the international trade in grains of the facts which emerge from the review, in order that these effects be kept in mind by these countries in determining and administering their internal agricultural and price policies.

(b) The review shall be carried out in the light of information obtainable in relation to national production, stocks, consumption, prices and trade, including both commercial and special transactions, of grains.

(c) Each member country may submit to the Council information which is relevant to the annual review of the world grains situation and is not already available to the Council either directly or through the Food and Agriculture Organization of the United Nations.

(2) In carrying out the annual review, the Council shall consider the means through which the consumption of grains may be increased, and may undertake, in co-operation with member countries, studies of such matters as:

(a) factors affecting the consumption of grains in various countries; and

(b) means of achieving increased consumption, particularly in countries where the possibility of increased consumption is found to exist.

(3) For the purposes of this Article, the Council shall pay due regard to work done by the Food and Agriculture Organization of the United Nations and other intergovernmental organizations, in order in particular to avoid duplication of work, and may, without prejudice to the generality of paragraph (1) of Article 35, make such arrangements regarding co-operation in any of its activities as it considers desirable with such intergovernmental organizations and also with any Governments of Members of the United Nations or the specialized agencies not parties to this Convention which have a substantial interest in the international trade in grains.

(4) Nothing in this Article shall prejudice the complete liberty of action of any member country in the determination and administration of its internal agricultural and price policies.

ARTICLE 24

Guidelines relating to concessional transactions

(1) Member countries undertake to conduct any concessional transactions in grains in such a way as to avoid harmful interference with normal patterns of production and international commercial trade.

(2) To this end member countries shall undertake appropriate measures to ensure that concessional transactions are additional to commercial sales which could reasonably be anticipated in the absence of such transactions. Such measures shall be consistent with the Principles of Surplus Disposal and Guiding Lines recommended by the Food and Agriculture Organization of the United Nations and may provide that a specified level of commercial imports of wheat, agreed with the recipient country, be maintained on a global basis by that country. In establishing or adjusting this level full regard shall be had to the commercial import levels in a representative period and to the economic circumstances of the recipient country, including in particular, its balance of payments situation.

(3) Member countries when engaging in concessional export transactions shall consult with exporting member countries whose commercial sales might be affected by such transactions, to the maximum possible extent before such arrangements are concluded with recipient countries.

(4) The Executive Committee shall furnish an annual report to the Council on developments in concessional transactions in wheat.

PART III—ADMINISTRATION

ARTICE 25

Constitution of the Council

(1) The International Wheat Council, established by the International Wheat Agreement 1949, shall continue in being for the purpose of administering this Convention, with the membership, powers and functions provided in this Convention.

(2) Each member country shall be a voting member of the Council and may be represented at its meeting by one delegate, alternates, and advisers.

(3) Such intergovernmental organizations as the Council may decide to invite to any of its meetings may each have one nonvoting representative in attendance at those meetings.

(4) The Council shall elect a Chairman and Vice-Chairman who shall hold office for one crop year. The Chairman shall have no vote and the Vice-Chairman shall have no vote while acting as Chairman.

ARTICLE 26

Powers and functions of the Council

(1) The Council shall establish its rules of procedure.

(2) The Council shall keep such records as are required by the terms of this Convention and may keep such other records as it considers desirable.

(3) The Council shall publish an annual report and may also publish any other information (including, in particular, its annual review or any part or summary thereof) concerning matters within the scope of this Convention.

(4) In addition to the powers and functions specified in this Convention the Council shall have such other powers and perform such other functions as are necessary to carry out the terms of this Convention.

(5) The Council may, by two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries, delegate the exercise of any of its powers or functions The Council may at any time revoke such delegation by a majority of the votes cast. Subject to the provisions of Article 9, any decision made under any powers or functions delegated by the Council in accordance with this paragraph shall be subject to review by the Council at the request of any exporting or importing country made within a period which the Council shall prescribe. Any decision, in respect of which no request for review has been made within the prescribed period, shall be binding on all member countries.

(6) In order to enable the Council to discharge its functions under this Convention, member countries undertake to make available and supply such statistics and information as are necessary for this purpose.

ARTICLE 27

Votes

(1) The exporting countries shall together hold 1000 votes and the importing countries shall together hold 1000 votes.

(2) At the beginning of the first session of the Council held under this Convention, the exporting countries which have by that date deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application shall divide the votes of the exporting countries among them as they shall decide and the importing countries fulfilling the same condition shall similarly divide their votes.

(3) Any exporting country may authorize any other exporting country, and any importing country may authorize any other importing country, to represent its interests and to exercise its votes at any meeting or meetings of the Council. Satisfactory evidence of such authorization shall be submitted to the Council.

(4) If at any meeting of the Council an importing country or an exporting country is not represented by an accredited delegate and has not authorized another country to exercise its votes in accordance with paragraph (3) of this Article, and if at the date of any meeting any country has forfeited, has been deprived of, or has recovered its votes under any provisions of this Convention, the total votes to be exercised by the exporting countries shall be adjusted to a figure equal to the total of votes to be exercised at that meeting by the importing countries and redistributed among exporting countries in proportion to their votes.

(5) Whenever any country becomes or ceases to be a party to this Convention subsequent to the date of the Council session referred to in paragraph (2) of this Article, the Council shall redistribute the votes of the other exporting or importing countries, as the case may be, proportionally to the number of votes held by each such country or, with respect to exporting countries, as otherwise agreed.

(6) No member country shall have less than one vote and there shall be no fractional votes.

ARTICLE 28

Seat, sessions and quorum

(1) The seat of the Council shall be London unless the Council decides otherwise.

(2) The Council shall meet at least once during each half of each crop year and at such other times as the Chairman may decide, or as otherwise required by this Convention.

(3) The Chairman shall convene a Session of the Council if so requested by (a) five countries or (b) one or more countries holding a total of not less than ten per cent of the total votes or (c) the Executive Committee.

(4) The presence of delegates with a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries prior to any adjustment of votes under Article 27 shall be necessary to constitute a quorum at any meeting of the Council.

ARTICLE 29

Decisions

(1) Except where otherwise specified in this Convention, decisions of the Council shall be by a majority of the votes cast by the exporting countries and a majority of the votes cast by the importing countries, counted separately.

(2) Each member country undertakes to accept as binding all decisions of the Council under the provisions of this Convention.

ARTICLE 30

Executive Committee

(1) The Council shall establish an Executive Committee. The members of the Executive Committee shall be not more than four exporting countries elected annually by the exporting countries and not more than eight importing countries elected annually by the importing countries. The Council shall appoint the Chairman of the Executive Committee and may appoint a Vice-Chairman.

(2) The Executive Committee shall be responsible to and work under the general direction of the Council. It shall have such powers and functions as are expressly assigned to it under this Convention and such other powers and functions as the Council may delegate to it under paragraph (5) of Article 26.

(3) The exporting countries on the Executive Committee shall have the same total number of votes as the importing countries. The votes of the exporting countries on the Executive Committee shall be divided among them as they shall decide, provided that no such exporting country shall have more than forty per cent of the total votes of those exporting countries. The votes of the importing countries on the Executive Committee shall be divided among them as they shall decide, provided that no such importing country shall have more than forty per cent of the total votes of those importing countries.

(4) The Council shall prescribe rules of procedure regarding voting in the Executive Committee and may make such other provision regarding rules of procedure in the Executive Committee as it thinks fit. A decision of the Executive Committee shall require the same majority of votes as this Con-

vention prescribes for the Council when making a decision on a similar matter.

(5) Any exporting or importing country which is not a member of the Executive Committee may participate, without voting, in the discussion of any question before the Executive Committee whenever the latter considers that the interests of that country are affected.

ARTICLE 31

Prices review committee

(1) The Council shall establish a Prices Review Committee consisting of a maximum of 13 members. The members of the Committee shall include the European Economic Community and at least five other importing countries and five other exporting countries chosen annually by the importing and exporting countries respectively. Any additional importing and exporting countries shall be similiarly chosen. The Council shall appoint the Chairman of the Committee and may appoint a Vice-Chairman.

(2) Any member country which is not a member of the Committee may participate in the discussion of any question before the Committee, whenever the latter considers that the interests of that country are directly affected.

(3) The Prices Review Committee shall have such powers and functions as are expressly assigned to it under this Convention and such other powers and functions as the Council may delegate to it under paragraph (5) of Article 26.

(4) The Committee shall reach its conclusions by agreement. Agreement on a matter under discussion by the Committee shall be understood to have been reached if the conclusion is not disputed by any member of the Committee having a direct interest in the matter. A conclusion shall be regarded as disputed if the country challenging the conclusion declares its intention to refer the matter to the Council.

(5) The Committee's conclusions shall be communicated to all member countries.

(6) If the Committee fails to reach agreement, a meeting of the Council shall be convened. All decisions of the Council on issues arising out of the Prices Review Committee shall be by a two-thirds majority of the votes cast by the exporting countries and a two-thirds majority of the votes cast by the importing countries, counted separately.

(7) The Prices Review Committee shall establish a Sub-Committee on Prices, which shall consist of representatives of not more than four exporting countries and not more than four importing countries. Member countries shall have particular regard to the technical qualifications of representatives nominated by them. The Chairman of the Sub-Committee shall be appointed by the Council.

(8) The Sub-Committee on Prices shall assist the Secretariat in keeping market prices for wheat under continuous review and in computing minimum and maximum prices as provided for under this Convention. The Sub-Committee shall give technical advice to the Prices Review Committee and the Council in accordance with the relevant Articles of this Convention, and on such other matters as that Committee or the Council may refer to it. The Sub-Committee shall in particular immediately inform the Executive Secretary whenever in its opinion an exporting country is making any wheat available for purchase by importing countries at a price near the maximum price. The Sub-Committee shall, in the exercise of its functions under this paragraph, take into account any representations made by any member country.

ARTICLE 32

The Secretariat

(1) The Council shall have a Secretariat consisting of an Executive Secretary, who shall be its chief administrative officer, and such staff as may be required for the work of the Council and its Committees.

(2) The Council shall appoint the Executive Secretary who shall be responsible for the performance of the duties revolving upon the Secretariat in the administration of this Convention and for the performance of such other duties as are assigned to him by the Council and its Committees.

(3) The staff shall be appointed by the Executive Secretary in accordance with regulations established by the Council.

(4) It shall be a condition of employment of the Executive Secretary and of the staff that they do not hold or shall cease to hold financial interest in the trade in wheat and that they shall not seek or receive instructions regarding their duties under this Convention from any Government or from any other authority external to the Council.

ARTICLE 33

Privileges and immunities

(1) The Council shall have in the territory of each member country, to the extent consistent with its laws, such legal capacity as may be necessary for the exercise of its functions under this Convention.

(2) The Government of the territory in which the seat of the Council is situated (hereinafter referred to as "the host Government") shall conclude with the Council an international agreement relating to the status, privileges and immunities of the Council, its Executive Secretary and its staff and of representatives of member countries at meetings convened by the Council.

(3) The agreement envisaged in paragraph (2) of this Article shall be independent of the present Convention. It shall however terminate:

(a) by agreement between the host Government and the Council, or

(b) in the event of the seat of the Council being moved from the territory of the host Government, or

(c) in the event of the Council ceasing to exist.

(4) Pending the entry into force of the agreement envisaged in paragraph (2) of this Article, the host Government shall grant exemption from taxation on the assets, income and other property of the Council and on remuneration paid by the Council to its employees other than nationals of the member country in whose territory the seat of the Council is situated.

ARTICLE 34

Finance

(1) The expenses of delegations to the Council and of representatives on its Committees and Sub-Committees shall be met by their respective Governments. The other expenses necessary for the administration of this Convention shall be met by annual contributions from the exporting and importing countries. The contribution of each such country for each crop year shall be in the proportion which the number of its votes bears to the total of the votes of the exporting and importing countries at the beginning of that crop year.

(2) At its first Session after this Convention comes into force, the Council shall approve its budget for the period ending 30 June 1969 and assess the contribution to be paid by each exporting and importing country.

(3) The Council shall, at a Session during the second half of each crop year, approve its budget for the following crop year and assess the contribution to be paid by each exporting and importing country for that crop year.

(4) The initial contribution of any exporting or importing country acceding to this Convention under paragraph (2) of Article 38 shall be assessed by the Council on the basis of the votes to be distributed to it and the period remaining in the current crop year, but the assessments made upon other exporting and importing countries for the current crop year shall not be altered.

(5) Contributions shall be payable immediately upon assessment. Any exporting or importing country failing to pay its contribution within one year of its assessment shall forfeit its voting rights until its contribution is paid, but shall not be relieved of its obligation under this Convention, nor shall it be deprived of any of its rights under this Convention unless the Council so decides.

(6) The Council shall, each crop year, publish an audited statement of its receipts and expenditures in the previous crop year.

(7) The Council shall, prior to its dissolution, provide for the settlement of its liabilities and the disposal of its records and assets.

ARTICLE 35

Co-operation with other intergovernmental organizations

(1) The Council may make whatever arrangements are desirable for consultation and co-operation with the appropriate organs of the United Nations and its specialized agencies and with other intergovernmental organizations.

(2) If the Council finds that any terms of this Convention are materially inconsistent with such requirements as may be laid down by the United Nations or through its appropriate organs and specialized agencies regarding intergovernmental commodity agreements, the inconsistency shall be deemed to be a circumstance affecting adversely the operation of this Convention and the procedure prescribed in paragraphs (3), (4) and (5) of Article 41 shall be applied.

PART IV—FINAL PROVISIONS

ARTICLE 36

Signature

This Convention shall be open for signature in Washington from 15 October 1967 until and including 30 November 1967.

(a) by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States and by the European Economic Community and its Member States provided they sign both this Convention and the Food Aid Convention, and

(b) by other Governments listed in Annexes A and B if they so wish.

ARTICLE 37

Ratification, acceptance or approval

This Convention shall be subject to ratification, acceptance or approval by each signatory in accordance with its respective constitutional or institutional procedures, provided that any Government required to sign the Food Aid Convention as a condition to signature of this Convention also ratifies, accepts or approves the Food Aid Convention. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 17 June 1968 except that the Council may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance or approval by that date.

ARTICLE 38

Accession

(1) This Convention shall be open for accession

(a) by the European Economic Community and its Member States or by any other Government listed in Article 36 (a) provided the Government also accedes to the Food Aid Convention, and

(b) by other Governments listed in Annexes A and B.

Instruments of accession under this paragraph shall be deposited not later than 17 June 1968 except that the Council may grant one or more extensions of time to any Government that has not deposited its instrument of accession by that date.

(2) The Council may by two-thirds of the votes cast by exporting countries and by two-thirds of the votes cast by importing countries approve accession to this Convention by the Government of any Member of the United Nations or its specialized agencies on such conditions as the Council considers appropriate.

(3) If any Government not listed in Annex A or B wishes to apply for accession to this Convention prior to its entry into force, and the Council chooses to receive and act on such application in accordance with the provisions of this Article, the approval and conditions established by the Council shall be as valid under this convention as if that action had been taken by the Council under this Convention after its entry into force.

(4) Accession shall be effected by deposit of an instrument of accession with the Government of the United States of America.

(5) Where, for the purposes of the operation of this Convention, reference is made to countries listed in Annexes A or B, any country the Government of which has acceded to this Convention on conditions prescribed by the Council in accordance with this Article, shall be deemed to be listed in the appropriate Annex.

ARTICLE 39

Provisional application

The European Economic Community and its Member States and any other Government listed in Article 36(a) may deposit with the Government of the United States of America a declaration of provisional application of this Convention provided it also deposits a declaration of provisional application of the Food Aid Convention. Any other Government eligible to sign this Convention or whose application for accession is approved by the Council may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Convention and be provisionally regarded as a party thereto provided that any Government listed in Article 36(a) shall only be regarded as a provisional party to this Convention as long as it provisionally applies the Food Aid Convention.

ARTICLE 40

Entry into force

(1) This Convention shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession as follows:

(a) on 18 June 1968 with respect to all provisions other than Articles 4 to 10 and

(b) on 1 July 1968 with respect to Articles 4 to 10 provided that the European Economic Community and its Member States and all other Governments listed in Article 36(a) have deposited such instruments or a declaration of provisional application by 17 June 1968 and that the Food Aid Convention will enter into force on 1 July 1968.

(2) This Convention shall enter into force for any Government that deposits an instrument of ratification, acceptance, approval or accession after 17 June 1968 on the date of such deposit except that no part of it shall enter into force for such a Government until that part enters into force for other Governments under paragraph (1) or (3) of this Article.

(3) If this Convention does not enter into force in accordance with paragraph (1) of this Article the Governments which have deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession, provided the Food Aid Convention enters into force on the first date that all the provisions of this Convention are in force, or they may take whatever other action they consider the situation requires.

(4) The Council may before this Convention enters into force establish for any country, in agreement with that country, the percentage referred to in paragraph (2) of Article 4 in accordance with that paragraph, and shall at its first session after any part of this Convention comes into force so establish the percentage for any member country for which a percentage has not been established.

ARTICLE 41

Duration, amendment and withdrawal

(1) This Convention shall remain in force until and including 30 June 1971.

(2) The Council shall, at such time as it considers appropriate, communicate to the member countries its recommendations regarding renewal or replacement of this Convention. The Council may invite any Government of a Member of the United Nations or the specialized agencies not party to this Convention which has a substantial interest in the international trade in wheat to participate in any of its discussions under this paragraph.

(3) The Council may recommend an amendment of this Convention to the member countries.

(4) The Council may fix a time within which each member country shall notify the Government of the United States of America whether or not it accepts the amendment. The amendment shall become effective upon its acceptance by exporting countries which hold two-thirds of the votes of the exporting countries and by importing countries which hold two-thirds of the votes of the importing countries.

(5) Any member country which has not notified the Government of the United States of America of its acceptance of an amendment by the date on which such amendment becomes effective may, after giving such written notice of withdrawal to the Government of the United States of America as the Council may require in each case, withdraw from this Convention at the end of the current crop year, but shall not thereby be released from any obligations under this Convention which have not been discharged by the end of that crop year. Any such withdrawing country shall not be bound by the provisions of the amendment occasioning its withdrawal.

(6) Any member country which considers its interests to be seriously prejudiced by the non-participation in this Convention of any Government listed in Article 36(a) may withdraw from this Convention by giving written notice of withdrawal to the Government of the United States of America before 1 July 1968. If an extension of time has been granted by the Council under Article 37 or 38, notice of withdrawal in accordance with this paragraph may be given before the expiry of 14 days after the extension granted.

(7) Any member country which considers its national security to be endangered by the outbreak of hostilities may withdraw from this Convention by giving thirty days' written notice of withdrawal to the Government of the United States of America or may apply in the first instance to the Council for the suspension of any or all of its obligations under this Convention.

(8) Any exporting country which considers its interest to be seriously prejudiced by the withdrawal from this Convention of any importing country holding not less than 50 votes or any importing country which considers its interests to be seriously prejudiced by the withdrawal from this Convention of any exporting country holding not less than 50 votes may withdraw from this Convention by giving written notice of withdrawal to the Government of the United States of America before the expiry of 14 days from the withdrawal of the country which is considered to cause such serious prejudice.

ARTICLE 42

Territorial application

(1) Any Government may, at the time of signature or ratification, acceptance, approval, provisional application of or accession to this Convention, declare that its rights and obligations under this Convention shall not apply in respect of all or any of the non-metropolitan territories for the international relations of which it is responsible.

(2) With the exception of territories in respect of which a declaration has been made in accordance with paragraph (1) of this Article, the rights and obligations of any Government under this Convention shall apply in respect of all non-metropolitan territories for the international relations of which that Government is responsible.

(3) Any Government may, at any time after its ratification, acceptance, approval, provisional application of or accession to this Convention, by notification to the Government of the United States of America, declare that its rights and obligations under this Convention shall apply in respect of all or any of the non-metropolitan territories regarding which it has made a declaration in accordance with paragraph (1) of this Article.

(4) Any Government may, by giving notification of withdrawal to the Government of the United States of America, withdraw from this Convention separately in respect of all or any of the non-metropolitan territories for whose international relations it is responsible.

(5) For the purposes of the establishment of datum quantities under Article 15 and the redistribution of votes under Article 27, any change in the application of this Convention in accordance with this Article shall be regarded as a change in participation in this Convention in such manner as may be appropriate to the circumstances.

ARTICLE 43

Notification by depositary authority

The Government of the United States of America as the depositary authority will notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, provisional application of, and accession to, this Convention, as well as each notification and notice received under Article 41 and each declaration and notification received under Article 42.

ARTICLE 44

Relationship of Preamble to Convention

This Convention includes the Preamble to the International Grains Arrangement 1967.

In witness whereof the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention on the dates appearing opposite their signature.

The texts of this Convention in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

ANNEX A

Argentina
Australia
Canada
European Economic Community
Greece
Mexico
Spain
Sweden
Union of Soviet Socialist Republics
United States of America

Annex B

Afghanistan
Algeria
Austria
Barbados
Bolivia
Brazil
Bulgaria
Ceylon
Chile
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
El Salvador
European Economic Community
Finland
Ghana
Guatemala
Haiti
Iceland
India
Indonesia
Iran
Ireland
Israel
Japan
Kingdom of the Netherlands (with respect to the interests of Netherlands Antilles and Surinam)
Korea, Republic of
Lebanon
Libya
Malaysia
New Zealand
Nigeria
Norway
Pakistan
Panama
Peru
Philippines
Poland
Portugal
Romania
San Marino, Republic of
Saudi Arabia
Sierra Leone
South Africa
Southern Rhodesia
Switzerland
Syrian Arab Republic
Trinidad and Tobago
Tunisia
Turkey
United Arab Republic
United Kingdom
Uruguay
Vatican City
Venezuela
Viet-nam, Republic of
Western Samoa
Yugoslavia

For Afghanistan:
For Algeria:
For Argentina:
A C Alsogaray
29/XI/1967
For Australia:
Keith Waller
27-X-67
For Austria:
For Barbados:
For Bolivia:
For Brazil:
For Bulgaria:
For Canada:
A. Edgar Ritchie
November 2, 1967
For Ceylon:
For Chile:
For Colombia:
For Costa Rica:
For Cuba:
For Czechoslovakia:
For Denmark:
Femming Agerup
Subject to ratification 24 November 1967
For the Dominican Republic:
For Ecuador:
For El Salvador:
For the European Economic Community:
L G Rabot, November 28, 1967
Belgium:
Baron Scheyven
November 17, 1967
France:
Charles Lucet
November 27th 1967
Federal Republic of Germany:
K. H. Knappstein
17 November 1967
Italy:
Egidio Ortona
20 November 1967
Luxembourg:
M Steinmetz
16 November 1967
Kingdom of the Netherlands:
C. Schurmann
Subject to ratification 16 November 1967
For Finland:
Pekka Malinen, November 27, 1967

Finland reserves full freedom to continue the imports of grain in accordance with her traditional trade pattern. Consequently, Finland makes a reservation as to the obligation put forward under paragraphs 2 and 4 of Article 4 of the Wheat Trade Convention.

For Ghana:
For Greece:
Christian Xanthopoulos-Palmas
Subject to ratification November 29, 1967.
For Guatemala:
For Haiti:
For Iceland:
For India:
Braj Kumar Nehru
30.11.1967.
For Indonesia:
For Iran:
For Ireland:
William P. Fay
Subject to ratification. November 29, 1967.
For Israel:
S. Sitton
Subject to ratification. Nov. 29, 1967
For Japan:
T. Shimoda
November 9, 1967
For the Republic of Korea:
Dong Jo Kim
Nov. 30, 1967
For Lebanon:
I Ahdab
Sous réserve de ratification 30 November 1967
For Libya:
For Malaysia:
For Mexico:
Hugo B. Margain
29th November 1967
For the Kingdom of the Netherlands (With respect to the interests of the Netherlands Antilles and Surinam):
For New Zealand:
For Nigeria:
For the Kingdom of Norway:
Arne Gunneng
Subject to ratification November 29, 1967
For Pakistan:
Aftab Ahmad Khan
28th November, 1967
For Panama:
For Peru:
For the Republic of the Philippines:
For Poland:
For Portugal:
Vasco Vieira Garin
Subject to ratification. 27th November 1967
For Romania:
For the Republic of San Marino:
For Saudi Arabia:
Ibrahim Al-Sowayel
November 30th 1967
For Sierra Leone:
For the Republic of South Africa:
H L T Taswell
28 Nov 1967
For Southern Rhodesia:
For Spain:
Merry Del Val
Nov. 28, 1967.
For Sweden:
Hubert deBesche
Subject to ratification of the Riksdag. Nov. 22, 1967
For Switzerland:
F. Schnyder
Sous réserve de ratification 28 November 1967
For the Syrian Arab Republic:
For Trinidad and Tobago:
For Tunisia:
S. Abdellah
24th October 1967
For Turkey:
For the Union of Soviet Socialist Republics:
For the United Arab Republic:
For the United Kingdom of Great Britain and Northern Ireland:
Patrick Dean, November 28, 1967.

At the time of signing the present Agreement I declare in accordance with paragraph (1) of Article 42 thereof, that my signature is in respect of the United Kingdom of Great Britain & Northern Ireland only, & that the rights & obligations of the Government of the United Kingdom under the Agreement shall not apply in respect of any of the non-metropolitan territories for the international relations of which they are responsible.

For the United States of America:
John A. Schnittker
Nov 8, 1967
For Uruguay:
For the Vatican City State:
Luigi Raimondi
Nov. 13, 1967
For Venezuela:
For the Republic of Viet-Nam:
For Western Samoa:
For Yugoslavia:

Food Aid Convention

ARTICLE I

Objective

The objective of this Convention is to carry out a food aid programme with the help of contributions for the benefit of developing countries.

ARTICLE II

International food aid

(1) the countries party to this Convention agree to contribute wheat, coarse grains, or the cash equivalent thereof, as aid to the developing countries, to an amount of 4.5 million metric tons of grain annually. Grains covered by the programme shall be suitable for human consumption and of an acceptable type and quality.

(2) The minimum contribution of each country party to this Convention is fixed as follows:

	Percent	Metric tons (thousands)
United States	42.0	1,890
Canada	11.0	495
Australia	5.0	225
Argentina	.5	23
European Economic Community	23.0	1,035
United Kingdom	5.0	225
Switzerland	.7	32
Sweden	1.2	54
Denmark	.6	27
Norway	.3	14
Finland	.3	14
Japan	5.0	225

Countries acceding to this Convention shall make contributions on such a basis as may be agreed.

(3) The contribution of a country making the whole or part of its contribution to the programme in the form of cash shall be calculated by evaluating the quantity determined for that country (or that portion of the quantity not contributed in grain) at US$1.73 per bushel.

(4) Food aid in the form of grain shall be supplied on the following terms:

(a) sales for the currency of the importing country which is not transferable and is not convertible into currency or goods and services for use by the contributing country.[1]

(b) a gift of grain or a monetary grant used to purchase grain for the importing country.

Grain purchases shall be made from participating countries. In the use of grant funds, special regard shall be had to facilitating grain exports of developing member countries. To this end priority shall be given so that not less than 25 per cent of the cash contribution to purchase grain for food aid or that part of such contribution required to purchase 200,000 metric tons of grain shall be used to purchase grains produced in developing countries. Contributions in the form of grains shall be placed in f.o.b. forward position by donor countries.

(5) Countries party to this Convention may, in respect of their contribution to the food aid programme, specify a recipient country or countries.

ARTICLE III

Food Aid Committee

(1) There shall be established a Food Aid Committee whose membership shall consist of countries listed in Article VI of this Convention and of other countries that accede to this Convention. The Committee shall appoint a Chairman and Vice-Chairman.

(2) The Committee may when appropriate invite representatives of the Secretariats of other international organizations whose membership is limited to Governments that are also Members of the United Nations or its specialized agencies to attend as observers.

(3) The Committee shall:

(a) receive regular reports from contributing countries on the amount, content, channelling and terms of their food aid contributions under this Convention;

(b) keep under review the purchase of grains financed by cash contributions with particular reference to the obligation in the second paragraph of Article II (4) concerning purchase of grain from developing participating countries.

(4) The Committee shall:

(a) examine the way in which the obligations undertaken under the food aid programme have been fulfilled;

(b) exchange information on a regular basis on the functioning of the food aid arrangements under this Convention, in particular, where information is available, on its effects on food production in recipient countries.

The Committee shall report as necessary.

(5) The Committee may at any time make arrangements for an exchange of views, particularly in order to deal with emergency conditions.

(6) For the purposes of paragraphs (4) and (5) of this Article the Committee may receive information from recipient countries and may consult with them.

ARTICLE IV

Administrative provisions

The Food Aid Committee as set up according to the provisions of Article III shall use the services of the Secretariat of the International Wheat Council for the performance of such administrative duties as the Committee may request including the processing and distribution of documentation and reports.

ARTICLE V

Defaults and disputes

In the case of a dispute concerning the interpretation or application of this Convention or of a default in obligations under this Convention, the Food Aid Committee shall meet and take appropriate action.

ARTICLE VI

Signature

This Convention shall be open for signature in Washington from 15 October 1967 until and including 30 November 1967 by the Governments of Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the United States and by the European Economic Community and its Member States, provided they sign both this Convention and the Wheat Trade Convention.

ARTICLE VII

Ratification, acceptance or approval

This Convention shall be subject to ratification, acceptance or approval by each signatory in accordance with its respective constitutional or institutional procedures, provided that it also ratifies, accepts or approves the Wheat Trade Convention. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 1 July 1968 except that the Food Aid Committee may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance or approval by that date.

ARTICLE VIII

Accession

(1) This Convention shall be open for accession by the European Economic Community and its Member States or by any other Government listed in Article VI provided the Government also accedes to the Wheat Trade Convention. Instruments of accession under this paragraph shall be deposited not later than 1 July 1968 except that the Food Aid Committee may grant one or more extensions of time to any Government that has not deposited its instrument of accession by that date.

(2) The Food Aid Committee may approve accession to this Convention by the Government of any Member of the United Nations or its specialized agencies on such conditions as the Food Aid Committee considers appropriate.

(3) If any Government not referred to in Article VI wishes to apply for accession to this Convention prior to its entry into force, the signatories to this Convention may approve accession on such conditions as they consider appropriate. Any such approval and conditions shall be as valid under this Convention as if this action had been taken by the Food Aid Committee after the entry into force of this Convention.

(4) Accession shall be effected by deposit of an instrument of accession with the Government of the United States of America.

ARTICLE IX

Provisional application

The European Economic Community and its Member States and any other Government listed in Article VI may deposit with the Government of the United States of America a declaration of provisional application of this Convention, provided it also deposits a declaration of provisional application of the Wheat Trade Convention. Any other Government whose application for accession is approved may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Convention and be provisionally regarded as a party thereto.

ARTICLE X

Entry into force

(1) This Convention shall enter into force on 1 July 1968 among those Governments that have deposited instruments of ratification, acceptance, approval or accession by that date provided that the European Economic Community and its Member States and all other Governments listed in Article VI have deposited such instruments or a declaration of provisional application by that date and that all the provisions of the Wheat Trade Convention are in force. This Convention shall enter into force for any other Government that deposits an instrument of ratification, acceptance, approval or accession after the Convention enters into force on the date of such deposit.

(2) If this Convention does not enter into force on 1 July 1968 the Governments which by that date have deposited instruments of ratification, acceptance, approval or accession or declarations of provisional application may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval or accession, provided that all the provisions of the Wheat Trade Convention are in force, or they may take whatever other action they consider the situation requires.

ARTICLE XI

Duration

This Convention shall be effective for a three-year period.

ARTICLE XII

Notification by depositary authority

The Government of the United States of America as the depositary authority will notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, provisional application of, and accession to, this Convention.

ARTICLE XIII

Relationship of Preamble to Convention

This Convention includes the Preamble to the International Grains Arrangement 1967.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention on the dates appearing opposite their signatures.

The texts of this Convention in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

For Argentina:
A C Alsogaray
29/XI/1967
For Australia:
Keith Waller
27-X-67
For Canada:
A. Edgar Ritchie
November 2, 1967
For Denmark:
Flemming Agerup
Subject to ratification 24 November 1967
For the European Economic Community:
L G Rabot, November 28 1967
Belgium:
Baron Scheyven
17 November 1967
France:
Charles Lucet
November 27th 1967
Federal Republic of Germany:
K. H. Knappstein
17 November 1967
Italy:
Egidio Ortona
20 November 1967
Luxembourg:
M Steinmetz
16 November 1967

---

[1] Under exceptional circumstances an exception of not more than 10 percent could be granted.

Kingdom of the Netherlands:
C. SCHURMANN
Subject to ratification 16 November 1967

For Finland:
PEKKA MALINEN
November 27, 1967

For Japan:
T. SHIMODA
November 9, 1967
The Government of Japan reserves the acceptance of the provisions of Article II

For the Kingdom of Norway:
ARNE GUNNENG
Subject to ratification November 29, 1967

For Sweden:
HUBERT DEBESCHE
Subject to ratification of the Riksdag. Nov. 22, 1967

For Switzerland:
F. SCHNYDER
Sous réserve de ratification 28 Novembre 1967

For the United Kingdom of Great Britain and Northern Ireland:
PATRICK DEAN
28 November 1967

For the United States of America:
JOHN A. SCHNITTKER
Nov. 8, 1967

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, the arrangement we are considering today consists of two parts—a Wheat Trade Convention and a Food Aid Convention. The Wheat Trade Convention is designed to stabilize the commercial world wheat trade at prices which will reflect the higher production costs which now obtain throughout the world. The Food Aid Convention is designed to implement the Geneva Cereal Agreement under which the principal wheat exporters and importers agreed to provide 4.5 million metric tons of grains annually to needy nations throughout the world.

There has been some controversy with regard to the arrangement we are now considering. The points at issue emerged clearly in the extensive hearings held by an ad hoc subcommittee, of the Committee on Foreign Relations, which was appointed to study and report on the arrangement. The record of the subcommittee's hearings is on every Senator's desk, as is the committee's lengthy report, filed last Thursday, June 6, recommending that the Senate give its advice and consent to ratification of the arrangement.

I shall, therefore, be brief in my comments on the arrangement.

The Wheat Trade Convention—one of the two component parts of the International Grains Arrangement—resembles, and essentially replaces, the last International Wheat Agreement. Under the new convention, exporting nations agree to act as a group to supply a specified share of the wheat requirements of importing nations and to do so within a range of prices established for the major types of wheat. Both signatory exporters and signatory importers agree to buy and sell wheat at prices within the established range. But unlike the situation under the old International Wheat Agreement, signatory importing countries also agree to buy from nonmember exporting countries at prices consistent with those within the range established by the new convention.

The new convention also differs from the old agreement in that it establishes a price range for major export wheat types at U.S. gulf ports instead of basing prices on Canadian export prices for No. 1 Manitoba. The use of U.S. gulf port prices should have several advantages for the United States, which are spelled out in the committee report.

I should add that the new Wheat Trade Convention affirms and continues the principle that concessional shipments are to be in addition to the requirements of the convention so that the many voluntary and public programs which have been established under the auspices of the food-for-peace program will not be jeopardized. I also emphasize that various administration witnesses assured the ad hoc subcommittee during the hearings held on the arrangement that the arrangement in no way impairs the ability of this country to remain competitive. Specifically, the United States maintains and emphasizes its rights to price below the minimums set out in the convention if it is found necessary to do so.

As for the Food Aid Convention, I have already noted that it will provide 4.5 million metric tons—which is the wheat equivalent of 165.3 million bushels—annually to needy nations. Of this total, the United States will provide 42 percent; the European Economic Community 23 percent; Canada 11 percent; Australia, Japan, and the United Kingdom 5 percent each; and other European signatories and Argentina, lesser percentages.

The executive branch has stated that adherence to the Food Aid Convention will also not have any significant effect on the operation of our own food-for-peace program.

There have been, as I have said, some opposition to the arrangement we are considering today. A number of organizations—principally those involved in processing and exporting wheat—have testified against ratification of the arrangement and others have made their opposition known in writing. I would like to note, however, that more organizations have supported ratification than have opposed it including, let me emphasize, the major wheat producing groups and all but one of the major national farm organizations.

Those who do not believe that the arrangement should be ratified have argued that the arrangement falls short of the original goals of our negotiators, that the arrangement does not include a provision guaranteeing increased access to wheat markets by U.S. exporters and that the arrangement does not specifically provide for the management of wheat inventories.

The committee shares these concerns. However, the committee is persuaded that the arrangement's provisions for maintaining the price of wheat within the range specified in the arrangement can materially improve the prospect for a desirable level of prices for U.S. producers and thus insure stability in the world wheat market. The committee is also persuaded that failure to ratify the present arrangement would provide the conditions for a major disruption in the orderly marketing of wheat, a disruption which would be detrimental to our commercial wheat exports and thus detrimental to individual wheat producers—more than half of whose production moves into export markets—and to the country's balance of payments.

As far as the Food Aid Convention is concerned, while the level of contributions is only about half of the original goal of our negotiators, nevertheless the acceptance of an international convention dealing with the problem of the food needs of developing countries is an important first step in realizing the goal of a cooperative, multilateral food aid effort. Such a multilateral effort will, hopefully, relieve the United States of some of the burden it has carried for so long and will also establish a trend leading to a progressively wider sharing of this burden.

Mr. President, the two conventions which comprise the International Grains Arrangement promise important benefits to our wheat farmers, to our economy, and to developing nations. The arrangement is certainly not a perfect document—far from it. But it does provide a framework—a forum and the mechanisms—to enable wheat exporting nations to avert the undesirable consequences of an unrestrained export of surplus wheat into world markets which could threaten the stability of this important market.

The Committee on Foreign Relations believes that ratification of the International Grains Arrangement is in the interests of the United States. I most earnestly hope that the Senate will agree and will act accordingly by giving its advice and consent to ratification.

Mr. CARLSON. Mr. President, as we enter into the discussion on the International Grains Arrangement, I wish to stress the importance of agriculture in world trade.

Agriculture is our biggest business—first in assets, first in number of workers, and first in spending on equipment.

Agriculture is also America's biggest exporter. The shipment of farm products abroad in fiscal year 1967 reached the recordbreaking total of $6.8 billion. Wheat and wheat flour accounted for $1.4 billion or over a fifth of this total. More than a half of the wheat grown in the United States is exported.

In the International Wheat Arrangement, wheat-pricing provisions were negotiated which are of substantial benefit to the farmers of the exporting nations, including the United States. The other exporting countries wanted to increase minimum prices considerably more than were finally agreed to, while the United States favored an increase to about the levels set forth in the agreement.

The Kennedy round phase of the grains negotiations was concluded on June 30, 1967, with the signing of a memorandum of agreement by the Governments of

Argentina, Australia, Canada, Denmark, Finland, Japan, Norway, Sweden, Switzerland, the United Kingdom, the European Community and its six member nations, and the United States. Subsequently, the representatives of 52 governments met at the International Wheat Conference in Rome from July 12 to August 18, 1967, and developed the final text of the International Grains Arrangement.

The new agreement is a significant improvement over previous versions of the International Wheat Agreement.

As Senators know, it provides higher minimum prices, averaging about 20 cents per bushel above the old International Wheat Agreement prices. It also provides higher maximum prices, for times when world market shortages may develop. For stabilizing prices consistent with the new and higher price range, it provides a better mechanism than that which existed under the old IWA.

This last point is very important. We considered it essential, in negotiating this arrangement, to maintain a balance between the interests of our farmers and the interest of our processors and our traders. A higher price range than in the old IWA would be of significant value to the American farmer. But, if it were too rigid, we could have difficulty at times in meeting competition at or around the minimums.

The old IWA lacked precision as to how minimums were to be handled. There was no time limit for discussions regarding adjustments of the minimum, should this appear to be required. There was no precision in the minimum itself. With only one standard minimum price set for a single type of wheat, it was difficult to pin down whether, and to what extent, any major trading wheat was selling at or below the minimum. Extensive analysis and multilateral discussion would have been required simply to identify what the prevailing prices really were. To add to the possible multilateral difficulties and disagreements, importing countries shared with exporting ones the responsibility for maintaining trading prices at or above the minimum. The views of importing countries thus would have equal status in any discussions concerning possible market actions.

In raising the price range, we recognized the possibly somewhat greater need of having available some better kind of adjustment mechanism during the life of the agreement. The new procedures represents a substantial improvement. Different minimums are specified for each of the major trading wheats so that we can know quickly and accurately the relationship of trading prices to the agreement price range. Adjustments of the minimums are provided for, so that any particular wheat which is temporarily in relative competitive difficulty can be assisted. Definite time limits are stipulated for consultations on price adjustments and other consultations relating to management of the price range.

The agreement is also written in a way which permits a country to price below the minimum as a last resort. That fact, and the definite time limit on adjustment consultations, provide very strong incentives for exporters to find quick and constructive measures which will ease the difficulties of any particular wheat which is in relative competitive difficulty.

Finally, the new agreement leaves the maintenance of the price range to exporters alone. Disagreements with importing countries whose particular interests might differ at a given moment will be avoided.

Thus, I believe that this new price range mechanism is a real step forward. It represents a careful balance between the interests of our farmers and of our processors and traders. I believe that the new price range mechanism and level constitute a significant negotiating achievement.

Mr. President, the Committee on Foreign Relations often considers treaties, but it seldom has considered one concerned exclusively with farm commodities such as the pending International Grains Arrangement.

Approval of the IGA is a critical action—critical for the fate of the American wheat farmer and critical to the orderly conduct of our international grain trade.

Without an international treaty, there can only be turmoil in the grain export market. Any thinking person knows that under present world conditions we cannot go through the agony of severe price distortions which result when surpluses and shortages plague the international marketplaces. A couple of years ago, we were in a shortage stage, and the old International Wheat Agreement leveled the impact so that all participating nations were protected. This year and in the foreseeable future we face the other extreme—that of worldwide overproduction.

Under conditions of world overproduction—without an International Grains Arrangement—every major exporting nation could slash its export prices to the point where each would suffer severe financial reverses, and no one would really gain an advantage. Besides, some of the principal free world nations—such as Canada, Australia, and Argentina, are also the world's top export producers of wheat. The lack of an International Grains Arrangement with our allies could cause economic problems which could severely strain existing diplomatic, military, and economic ties with our friends in the community of nations.

The IGA is a pact between nations which is designed to establish a price range—with maximum and minimum levels—for world trade in wheat and a food aid convention in which nations agree to provide food support to less developed countries.

Wheat farmers, themselves, plus the Nation's leading wheat associations and the Department of Agriculture are in favor of enactment of the IGA. With the IGA protecting the minimum price of wheat going into export, the American farmer can receive a more just share in his product returns. A mere 1 cent per bushel gain in our export prices through the help of the International Grains Arrangement, based on annual commercial wheat exports of 350 million bushels, would mean an extra 3.5 million to our wheat farmers and to our foreign exchange earnings as well. Five cents per bushel gain would represent $17.5 million.

The IGA already has been approved by Canada, Australia, Japan, and seven other smaller nations. Under the terms of the IGA, it will become effective among signatory nations on July 1. However, the instruments of ratification need to be deposited with the IGA treaty center by June 17 in order to be finalized by July 1, 1968.

For these most pressing reasons, and in view of the pressing element involved, I strongly urge prompt affirmative action to place this critically needed international agricultural commodities treaty in effective use.

Mr. President, I ask unanimous consent to have printed in the Record the table which appears on page 147 of the hearings.

There being no objection, the table was ordered to be printed in the Record, as follows:

TABLE 1.—ESTIMATED EXPORT PRICE EQUIVALENTS, F.O.B. GULF PORTS OF MAJOR EXPORT WHEATS, 1959–60 TO 1966–67, COMPARED WITH CORRESPONDING IGA MINIMUM PRICES SPECIFIED FOR 1968–69 TO 1970–71

[U.S. dollars per bushel]

A. U.S. WHEATS

August-July	No. 2 Hard Red Winter (ordinary)		No. 2 Soft Red Winter		No. 1 Western White	
	Price	Over (+) or below (−) IGA minimum	Price equivalent	Over (+) or below (−) IGA minimum	Price equivalent	Over (+) or below (−) IGA minimum
1959–60	1.67	−0.06	1.56	−0.03	1.62	−0.06
1960–61	1.69	−.04	1.59	0	1.63	−.05
1961–62	1.71	−.02	1.63	+.04	1.68	0
1962–63	1.75	+.02	1.59	0	1.71	+.03
1963–64	1.80	+.07	1.72	+.13	1.80	+.12
1964–65	1.74	+.01	1.62	+.03	1.66	−.02
1965–66	1.59	−.14	1.61	+.02	1.68	0
1966–67	1.80	+.07	1.75	+.16	1.80	+.12
Averages:						
1959–60 to 1966–67	1.72	−.01	1.63	+.04	1.70	+.02
1961–62 to 1965–66	1.72	−.01	1.62	+.03	1.71	+.03
1962–63 to 1966–67	1.74	+.01	1.66	+.07	1.73	+.05
IGA:						
Minimum	1.73		1.59		1.68	
Maximum	2.13	+.40	1.99	+.40	2.08	+.40

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. CARLSON. I am delighted to yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. I should like the Record to show whether or not it is true that the Senator from Kansas has had long and considerable experience in growing wheat.

Mr. CARLSON. I have been growing wheat for years, not in immense quantities. But my father grew wheat, also, so I believe I am familiar with the growing of wheat.

Mr. SPARKMAN. And the distinguished Senator from Kansas is a wheat grower at the present time?

Mr. CARLSON. Presently, I am growing wheat.

Mr. SPARKMAN. The question I wish to ask is this: As a producer of wheat, naturally interested in the welfare of the wheat farmers and in the maintenance of a strong wheat market, does the Senator believe—after considering this convention, sitting in, I believe, in connection with some of the negotiations in Geneva and in the hearings before our committee—that the proposed arrangement is for the good of the wheat farmers?

Mr. CARLSON. Kansas grows, generally speaking, one-fourth of the winter wheat of this Nation. I would not advocate this International Grains Arrangement if I did not believe that it was in the interest of the wheat growers. As a matter of fact, I know of no wheat growers' organization that is not in favor of it. I do not know of any wheat farmers who are not in favor of it.

Sixty percent of each wheat grower's production depends upon the world market as an outlet, and the price levels are significant. They are great factors in the blend price to be spread over the wheat grower's entire production.

I cannot think of anything at the present time that would be more disastrous to the wheat growers than a proposal which would decrease the price of wheat 20 to 23 cents a bushel. No one is going to contend that farmers are overpaid when it costs $1.35 to $1.45 a bushel to produce it.

Mr. SPARKMAN. I thank the Senator.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation on the pending treaty, the time to begin at 12 o'clock and to be equally divided, with 1 hour and 15 minutes allocated to the distinguished chairman of the committee and 1 hour and 15 minutes allocated to the minority leader, or any Senator to whom they may delegate authority; the vote to take place at 2:30 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, without objection, it is so ordered.

The unanimous-consent agreement subsequently reduced to writing is as follows:

> *Ordered*, That beginning at 12 noon on Thursday, June 13, 1968, debate on the resolution of ratification to the International Grains Arrangement of 1967 (Ex. A, 90th Cong., second sess.) be limited to 2 hours and 30 minutes, with the time to be equally divided and controlled by the Senator from Alabama [Mr. SPARKMAN], and the minority leader, or whomever they may designate, and that the vote on the resolution of ratification occur at 2:30 p.m.

Mr. MILLER. Mr. President, now pending before the Senate is the proposed International Grains Arrangement. It is a treaty consisting of two parts; the Wheat Trade Convention and the Food Aid Convention.

The Wheat Trade Convention, as the committee report points out, essentially replaces the previous International Wheat Agreement of 1962 as extended by agreement in 1965, 1966, and 1967, with expiration scheduled on July 31, 1968. It differs from the previous International Wheat Agreement in that it establishes a minimum-maximum price range for major export wheat types. The minimum price for U.S. No. 2 Hard Red Winter wheat would be $1.73 per bushel f.o.b. gulf ports; the maximum price would be $2.13. The minimum would be about 20 cents per bushel above the level provided under the old International Wheat Agreement.

An article by Norman H. Fischer, staff reporter of the Wall Street Journal, published in that paper on May 27, notes that domestic wheat prices have dropped to near 26-year lows; that a leading grade of ordinary protein hard winter wheat was priced around $1.51 per bushel in Kansas City—down 20 cents from a year ago and down 10 cents in just the last 4 months. Mr. Fischer observes that even after adding shipping costs from Kansas City to gulf ports, an exporter could buy this wheat for 15 cents per bushel under the minimum price of $1.73 under the proposed new Wheat Convention. Under the new Wheat Convention, a foreign buyer would have to pay the $1.73 minimum, and the U.S. Federal Government would pocket the 15 cents per bushel differential.

According to an article appearing in the January 30 issue of the Journal of Commerce, a high USDA official acknowledged that U.S. exporters would be subject to a tax—in the amount of this differential—to be paid to the Commodity Credit Corporation.

The present world price being what it is—some 15 cents per bushel at U.S. gulf ports under the proposed Wheat Trade Convention minimum—it is understandable why some of the proponents might feel that this convention would tend to bolster the low price of wheat. However, as I have pointed out, the differential would not go to the wheat farmer but to the Commodity Credit Corporation. Worse yet—and this is of the greatest importance—a guaranteed increase over the low world market price would assuredly prove an incentive to other countries producing wheat less efficiently than the United States to produce more wheat, with serious implications to our own exports of wheat. Either they will produce more wheat to make up for their own domestic deficit, to avoid paying the higher minimum price, thus reducing the amount we will export to them, or, if their domestic supplies are adequate and they are exporting countries, they will produce more wheat for export to compete with our own exports. The proponents of the treaty have not produced any evidence to rebut this statement. U.S. exports of wheat for the current fiscal year will total approximately 750 million bushels—half our expected domestic crop of 1.5 billion bushels. Accordingly, it can readily be seen how vital it is to maintain and, if anything, increase our wheat exports.

According to Mr. Fischer's article, many grain analysts believe 1968–69 exports could decline to 650 million bushels or less—quite apart from the ratification or rejection of the pending proposed treaty. With U.S. wheat carryover stocks on June 30 of this year forecast at around 545 million bushels—up 120 million bushels from a year ago—analysts expect that the carryover on June 30, 1969, could rise another 100 million bushels just from increased domestic production. This is expected notwithstanding the 13-percent reduction in wheat allotments for the 1968 crop because of favorable weather. As Mr. Fischer points out, a Government advisory group has recommended a 15-percent further reduction for 1969 allotments which would result in harvested acreage of 49 million—down 9 million acres from 1967.

Weighing these prospects, I cannot see any basis for optimism that, in the face of increasing carryover stocks, there will be improvement in domestic prices just because of an increase in the minimum world price under the proposed treaty. And these carryover stocks would be further aggravated by reductions in our exports. With all due respect, the proponents of the treaty have not been able to satisfy me on this point. They say that higher minimum prices will add to farm income and will serve the national interest by improving our balance-of-payments position. But they neglect to point out what I have already pointed out—that the differential will go to the Commodity Credit Corporation and not to the wheat farmer in the form of higher prices; and they overlook the fact that a drop in our exports would have an unfavorable impact on our balance-of-payments position.

If anyone has any doubts over what I have said about the danger to our exports of wheat, they should understand that the Common Market, which levies very high duties on imports of grains from the United States, has announced a policy of self-sufficiency in grain production. They cannot produce nearly as efficiently as we can, but they subsidize their grain farmers heavily and use the import duties on our grains as a source of funds to pay the subsidies. Of course, we argue that this is bad economics and means higher prices for the Common Market consumers, but our arguments have fallen on deaf ears. As pointed out by the Foreign Relations Committee's report on page 3, the United States, during the negotiations on the International Grains Arrangement, had three essential objectives. One of these was assured access to the markets of importing countries—especially the Common Market. But because of its inward-looking, protectionist, uneconomic decision to strive for self-sufficiency, the Common Market rejected our request for assured access. With this rejection went one of the pillars on which the proposed Wheat Trade Convention was to be based. The objective of assured access was to protect our wheat farmers' exports, and the failure of our negotiators to achieve it during the Kennedy round means that the proposed Wheat Trade Convention places our wheat farmers' exports in jeopardy.

Let it be made clear that ratification or rejection of this proposed treaty has nothing to do with the tariff reductions arrived at during the Kennedy round of negotiations. At page 20 of the hearings on the proposed treaty, Ambassador William Roth testified that the proposed treaty is "in effect a self-balancing entity and stands on its own feet. If it were not ratified by the United States, if it did not, in effect, come into being, the Kennedy round itself would be untouched."

The other part of the proposed treaty is the Food Aid Convention. Proponents of the treaty say that this establishes a valuable principle in international cooperation in food aid responsibility to needy nations; that it will substantially benefit hungry nations. However, the principle has long been established by the Food and Agricultural Organization of the United Nations, which for over 20 years has been doing increasingly effective work in helping improve the diets of people in hungry nations through international cooperation. The statement that this Convention will substantially benefit hungry nations completely overlooks the fact that there is nothing in the proposed convention to indicate that contributions under it would be in addition to that already being furnished. Our negotiators did, indeed, seek to increase the overall assistance being given needy nations, but their efforts were unsuccessful. Of the major contributors other than the United States now—Canada, Australia, EEC, United Kingdom, and Japan, only Japan would have to make any substantial changes and these would be in the form of shifts from cash loans to cash grants.

As I have said many times over the past year, the Kennedy round of negotiations represented a sellout of American agriculture. The proposed International Grains Arrangement was proffered as a "plus" for agriculture growing out of the negotiations, but on the basis of the analysis I have presented to the Senate, it appears to be a "minus" and in no way whatsoever an offset against the failures of the Kennedy round insofar as American grain farmers are concerned. Accordingly, I shall vote against ratification.

I ask unanimous consent that the articles from the Wall Street Journal and the Journal of Commerce to which I have referred be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 27, 1968]

Depressed Wheat Prices Spark U.S. Debate Over Whether To Ratify World Grains Pact

(By Norman H. Fischer)

CHICAGO.—Wheat, which struggled out of the price-depressing surplus problem of the early 1960's, may be headed for trouble again.

Wheat prices have tumbled to near 26-year lows as U.S. production continues to outstrip domestic demand and as foreign competition for export markets gets tougher. Now, to muddle the situation even further, comes sharply divided debate on whether to ratify a world wheat trade pact that U.S. negotiators helped draw up.

Government agricultural leaders are urging ratification of the International Grains Arrangement, hammered out at the tail end of the Kennedy Round tariff-cutting talks, when, ironically, it appeared that wheat supplies were in relatively short supply around the world. The U.S. signed the pact, but it must be ratified by a two-thirds Senate vote. The pact first must be approved by a subcommittee of the Senate Foreign Relations Committee, which won't meet again until June, and endorsed by the full committee before it reaches the Senate floor.

Under the new agreement, which becomes effective July 1, world wheat prices would be raised about 20 cents a bushel from the level under the old pact that expired last July. Meanwhile, bigger-than-needed crops have pushed U.S. wheat prices below the new minimums, so, if the pact was operating now, an "inverse" subsidy would be needed to balance the price levels.

A leading grade of ordinary protein hard winter wheat is priced around $1.51 a bushel in Kansas City; that's down 20 cents from a year ago and almost 10 cents since Feb. 1. Even after transporting it to a Gulf of Mexico port, an exporter could buy the wheat for about 15 cents a bushel less than the minimum price called for under the International accord. But, if the U.S. abided by the pact, a foreign buyer would have to pay the minimum, and the Government would collect the difference. Only three months ago the situation was reversed, with the Government paying subsidies when U.S. hard-wheat prices were above world levels.

Promoters of ratification for the International Grain Arrangement argue that formally joining the pact should help boost declining domestic prices, or at least stop their decline. But opponents, including exporters and the American Farm Bureau Federation, think the agreement won't help, and may hurt, prices.

ACREAGE CONTROLS CITED

Exporters note that the U.S. is the only nation producing wheat under acreage controls. Thus, they say, the other 50 countries in the pact will be encouraged by higher prices under the arrangement to grow all the wheat they can while the U.S. is almost sure to cut back acreage for next year's crop. The result: The additional foreign wheat is likely to capture more export markets, either through lower transportation costs or outright undercutting of the agreement's minimums.

In addition, Russia and other Iron Curtain countries aren't expected to be aligned with the pending international pact. They have been selling wheat in world markets cheaply this year, and they threaten to intensify such a competition.

Earlier this year, Government officials said they think wheat exports in the new season starting July 1 could about match the 750 million bushels estimated to be shipped overseas in the current year ending June 30. Exporters and many grain analysts outside of Government, however, believe 1968–69 exports could decline to 650 million bushels or less, depending on weather conditions in other wheat-growing nations where potentially sizable crops could be harvested. Currently, Government publications are beginning to sound the same warnings.

RECORD U.S. CROP SEEN

As debate over the pact heightens Government planners face major price and supply decisions about next year's crop, brought on by the approaching record, or near record, wheat harvest. U.S. wheat carryover stocks on June 30 are forecast at around 545 million bushels, up 120 million bushels from a year earlier. Carryover stock on June 30, 1969, could rise by up to another 100 million bushels, even if exports don't decline by much, analysts say.

The Government will have to decide soon how much to reduce wheat acreage allotments for the 1969 crop in order to halt the forecasted buildup of U.S. supplies. Despite a 13% cut in wheat allotments for the 1968 crop, favorable weather is making for an unexpectedly large prospective harvest. The cut brought the 1968 allotments to 59.3 million acres, but farmers reduced seedings by around 8% to 62.7 million acres.

A Government advisory group has recommended a 15% cut in next year's wheat allotment, which could lead to one of the smallest wheat seedings in several years. Further, there's talk in the trade that the Government may utilize a higher national average yield-per-harvested-acre than previously expected in setting the 1969 acreage limitations.

This could result in a national allotment that would reduce the 1969 harvested acreage to 49 million acres or less. That would be down 9 million acres from the 1967 high and would be among the smallest harvested areas in 15 years. The Government goal is to assure a reduction in the 1969–70 carryover and to firm prices to producers.

Meanwhile, farmers' wheat prices are likely to sag further, and there are some rumors that the Government may increase support prices to offset market declines. However, with the probable change in White House and Agriculture Department administration in January, at least one grain analyst thinks farm prices will have to stand on their own for the time being. Also, there are moves in Congress to reduce funds for Government farm programs.

Agriculture Secretary Freeman, however, is backing one proposal to raise more money for wheat farmers. He wants to amend a bill extending current farm legislation to permit raising the processor-certificate levy above the current 75-cents-a-bushel ceiling according to advances in the parity ratio between farm and industrial income. Millers and bakers, who pay this amount for each bushel they process, naturally oppose the measure, claiming each penny to consumer cost. The extension bill, which also sets the 75-cent rate as a minimum, is before the House for a vote.

[From the Journal of Commerce, Jan. 30, 1968]

Export Tax Seen Likely on U.S. Wheat

WASHINGTON, Jan. 29.—A high administration official indicated today that it is possible that exporters might have to pay a tax to the CCC to keep export prices at or about minimum of new International Grain Arrangement, if it is enacted.

The USDA official said the administration was hopeful that wheat export prices by July 1 would already meet the new international minimum price which on standard type No. 2 hard winter f.o.b. the Gulf would be $1.73 per bushel.

He acknowledged, however, that if it did not, provisions in the Agricultural Act of 1965 gave the Secretary of Agriculture authority to levy such a charge. The proceeds then go into a pool to be divided up among producers taking part in the Administration's wheat program.

The official also said that in a briefing this morning, between Secretary Freeman and Undersecretary John Schnittker and representatives of seven grain export companies, the administration would come up with new suggestions for Grain Reserve Policy when they testified at Senate hearings tomorrow morning.

(At this point, Mr. CANNON assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. LAUSCHE. What is the understanding of the Senator from Iowa respecting the willingness of grain-producing nations to contribute more in the future than they have in the past to help the Government of the United States and the citizens of the United States in providing food for the hungry nations of the world? Under the convention, will these grain and food producing nations be giving more than they have in the past?

Mr. MILLER. Mr. President, I wish to say to the distinguished Senator from Ohio that outside of Japan, from a very careful analysis of the other major contributors—Canada, Australia, the European Economic Community, and the United Kingdom—there will be no noticeable change in the amount of their contributions.

As the Senator well knows, some of these countries to which I have referred for a long time have been making available food aid assistance to one of their former colonies. I would cite Africa, as an example. They could continue to do so and this will fit in with the amount of their contribution under the Food Aid Convention.

When one compares what they are doing now with what they would be obliged to do under the treaty, there would be no increase, except insofar as Japan is concerned and this would amount merely to shifting cash loans into cash grants, and not food.

Mr. LAUSCHE. It is my understanding that in the provision of food to the hungry nations of the world, the convention will not provide any greater help from the nations that are able to give it than those nations have given in the past except that Japan, while not giving food, will be giving either by way of money, with which food can be bought, or otherwise, more than it has in the past.

Mr. MILLER. The Senator's understanding is identical to my understanding.

Mr. LAUSCHE. The premise upon which the recommendation for the adoption of the convention is made, among others, is that it will assure access to the markets of importing countries. I wish to address this question to the Senator from Iowa. Did the negotiators in any way succeed in inducing exporting countries to remove artificial restrictions, other than perhaps tariffs, or are the restrictions that have been in existence still in existence; that is, in the imposition of duties, the imposition or giving of subsidies for production, and the giving of subsidies for transportation or otherwise?

Has there been any relaxation against those barriers which have operated against the ability of the American farmers to export their goods?

Mr. MILLER. I regret to have to respond to the Senator by saying not only did our negotiators fail completely in obtaining any relaxation of these barriers in our exports to those countries or their imports of our grains, but if anything, the situation has become worse.

As I recall, subsidies of $1.50 a bushel are put on some of our grain going into the Common Market and then, the Common Market turns around and subsidizes its inefficient wheat producers, and in order to get the money they use the import duties on U.S. grains.

We said: "For several years the United States has been exporting grains to the Common Market. We would like to continue to have that percentage of your market, and assured access." Of course, if they had achieved this result, then this possibility of reducing our exports under the pending convention would have been covered by that assurance to our farmers.

This was one of the premises upon which the convention was to have been premised, but it was destroyed by our negotiators insofar as the request for access is concerned.

Mr. LAUSCHE. I wish to identify some of the barriers. I am identifying all of the barriers that have been used against the American farmers being able to expand their exports to foreign countries. They are as follows: They are faced with price supports provided by the foreign country to their farmers.

They are faced with import levies which must be paid by the American farmer if he is to get into a foreign nation in the sale of his products. They are faced by direct import controls. Also export and transport subsidies. Also by bilateral trade agreements which reduce multilateral access to certain commercial markets. Finally, by various two-price systems.

My question is: Although the Kennedy round was intended to liberalize international trade, can the Senator state whether any of these restrictions have been eliminated through the negotiations which have been carried on?

Mr. MILLER. In response to the Senator from Ohio, with respect to grains, feed grains, soybeans, and wheat, the answer is that nothing was achieved. To be fair about this, there were some agricultural commodities—fruits of some kinds, and nuts—on which some of the tariff barriers were negotiated. Reciprocally, I might say——

Mr. LAUSCHE. In the main, though, the barriers were not eliminated. They are still there against the export of grains from this country.

Mr. MILLER. That is correct. But I want to be fair, in responding to the Senator, to point out that there were a limited number of rather insignificant agricultural items on which some of the tariff barriers were reciprocally reduced. I mentioned fruits of some kinds and nuts. But the point I made during the hearings on the Kennedy round, when Mr. Roth was present before the committee, was that about 13 percent of the total volume of agricultural exports in the Common Market from the United States found some relaxation of the tariff barriers. But on industrial manufactured items, it was 60 percent.

That is why I said it was a sellout of American agriculture. Sixty percent versus 13 percent shows what a pitiful result we had on agriculture, and still our policy as stated by former Secretary Herter, and then Mr. Roth to follow him, was that in the Kennedy round of negotiations we would stand firm for really meaningful reductions of tariff barriers on agricultural commodities. But we did not get them. We got a few. I want to be fair about that. But, on grains, we got absolutely nothing. The important thing is that the understanding, the expectation, and the premise that we were going to get a substantial reduction on tariff barriers toward our grain exports was the pillar on which this very treaty was premised. That pillar was absolutely thrown away and still we are asked to ratify the treaty.

Mr. LAUSCHE. It is a fact, is it not, that neither Russia nor any of the other Communist satellite countries has signed this Convention?

Mr. MILLER. Let me say that is my understanding. I would defer, however, to the Senator in charge of the bill.

Mr. LAUSCHE. That is a fact.

Mr. MILLER. Or to my colleague from Ohio on that.

Mr. LAUSCHE. The fact is that Russia is not a signatory, nor is Rumania, a great producer of wheat, nor any of the other Communist countries. Now, if we have a fixed price, as established in the convention, what is there to prevent Russia and the other Communist countries from breaking into the market and selling below the price fixed by the convention and, thus, taking from the American farmer the market that he might have in exporting his goods?

Mr. MILLER. Well, let me say to my good friend that I am not sure about the breaking of the convention by the Soviet Union or other Communist countries, but I do know that they are not very——

Mr. LAUSCHE. I did not say breaking the convention. I said breaking into the market and selling below the fixed price.

Mr. MILLER. I think that is what the Senator meant by breaking into the market. They would sell below, in violation of the treaty, and that would be breaking the treaty by selling below.

Mr. LAUSCHE. Russia is not a signatory to the treaty, and therefore it cannot break it.

Mr. MILLER. I thought the Senator was assuming that the Soviet Union might get into the convention, although I am sure it will not. The Senator has put his finger on a very strong possibility. He knows that the Soviet Union and the Communist bloc countries are not efficient wheat producers, but, given the time and the extra 20 cents per bushel to go after—as my colleague from Kansas pointed out, a differential of 1-cent per bushel can make a great amount of difference in income to the farmer—they will have a magnificent incentive to increase their production. They have weather problems, as we do, of course, but their wheat production has been going up, even to the extent that a couple of years ago we were able to persuade the Soviet Union to contribute some relatively small amounts of its surplus wheat for food aid.

The trend is, if anything, upwards in Soviet production, but with another 20 cents per bushel incentive I think it would be an attractive thing not only for the Soviet Union and the other Communist bloc countries, but also for France, Argentina, and other wheat-exporting nations.

Mr. LAUSCHE. If the other nations of the world begin to increase their grain products and take away from us a part of our export market, what will be the inevitable result? Our silos will become filled and the——

Mr. MILLER. The price will be depressed.

Mr. LAUSCHE. The price will be depressed. What about the nations that are begging for food? Will the cost of Public Law 480 be increased?

Mr. MILLER. Of course, that depends upon the taxpayers of this country, through their duly elected representatives. The Senator from Ohio knows that right now food aid is costing the American taxpayers approximately $2 billion a year. Now, whether at a time when we may not have a war on our backs the taxpayers would see fit to support larger amounts, they might very well do so. But here is one thing I think the Senator should understand: We have been giving a great amount of food aid to India and Pakistan. We also have a policy to help them become self-sufficient. It is expected that Pakistan may well become self-sufficient in wheat production within the next year.

Mr. LAUSCHE. Mexican wheat.

Mr. MILLER. It is expected that the Government of India, through its programs, with our assistance, will become self-sufficient in its wheat production within 5 years.

My understanding is that the crop year in India which ended about last month will make India practically self-sufficient in its production for last year. What will happen when those countries become self-sufficient and there is no purpose for our Public Law 480 to export? It will add to our surplus.

Mr. LAUSCHE. Mr. President, when the Kennedy round was initiated, the initiative was to induce the nations of the world to remove trade barriers. The purpose was to establish free trade, believing that all people everywhere, under a free trade policy generally, would be benefited by it.

When the negotiations were had, our country had in mind the elimination of trade barriers. It tried to eliminate them but failed abjectly.

Thus, in my opinion, the real purpose has been identified by the Senator from Iowa, that the great excess of food we are able to produce and export into food importing countries has practically been destroyed by the failure to achieve what was intended when our negotiators first met.

I have great confidence in the word of the Senator from Kansas, and I listened to his argument. I would like to go along with him in this matter, but, frankly, I cannot see my way clear to do so. I concede that the margin of difference in weighing the question is so narrow that one could well come to either conclusion and feel sound in the belief that he was right.

Mr. MILLER. Let me add just one further thought. There have been some very substantial changes in the wheat picture in the last few months. I think perhaps 9 months ago the arguments of the proponents in favor of the Wheat Trade Convention might not have caused as much concern as they do today. When, as I pointed out, there has been a drop of 20 cents a bushel in the domestic price of wheat within a year and 10 cents a bushel within the last 4 months, and a differential of 15 to 20 cents between the world price of wheat and the minimum under this treaty, I think we had better start reviewing the benchmarks and the basis on which this Wheat Trade Convention was originally proposed.

I am in sympathy with the wheat farmers, with the wheat prices as low as they are. Of course, we have practically the same thing in corn. Soybean prices are not good. But I firmly believe those prices will get worse if surpluses pile up. Surpluses will pile up if our exports go down. Then there will be a further cut in wheat acreage allotments. Then the farmers will be squeezed to the extent that they will have to get more Government payments to keep their noses above water. We do not know what the taxpayer will stand for. There is a limit to how far the taxpayers will go.

I think the best guarantee for the future of agriculture in this country is to make sure that our export picture becomes brighter, and not dimmer. I feel certain that under the Convention, the export picture will become bleaker.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. MILLER. I yield.

Mr. SPARKMAN. I have some figures that look very good to me. I would like to ask the Senator about them in connection with his statement.

I have figures here indicating U.S. sales to the Japanese made on June 5, 1968, for 96,000 tons from the west coast. All prices are well above the minimum. For instance, hard winter ordinary, $1.79 a bushel. Hard winter, $1.89 a bushel. Western white, $1.77 a bushel. Dark northern spring, $1.98 a bushel.

Japan also bought 105,000 tons from Canada on that same date, and above the minimum prices.

I do not quite see how those prices jibe with the statement the Senator just made about wheat prices now having gone to such a low level.

Mr. MILLER. What is the date the Senator was referring to?

Mr. SPARKMAN. The sales were made on June 5, 1968.

Mr. MILLER. I do not know the details. I do not know whether that is the date of delivery or when the shipment was made.

Mr. SPARKMAN. No. I gave the date for delivery. The first tender for shipment was from the 15th of August to the 15th of September.

Mr. MILLER. What grade of wheat was it?

Mr. SPARKMAN. Hard Winter Ordinary, $1.79. Hard Winter, 11½ percent protein, $1.86. Western White, $1.77. Dark Northern Spring, $1.98.

Mr. MILLER. Can the Senator tell us whether that was the price delivered?

Mr. SPARKMAN. That is the price at west coast ports.

Mr. MILLER. All I can say to my colleague is that, without having a chance to review those, possibly a difference in the grade of wheat had something to do with it. I know that on May 27 I placed in the RECORD an article from the Wall Street Journal, which is a very reliable publication on this subject, pointing out the drop in the overall wheat prices. We have two colleagues who probably know as much about the price of wheat as anybody in the Senate does.

Mr. SPARKMAN. I am sure they do, and I wish they would discuss it; but I have given the figures for sales actually made for shipments out of the United States. All of them are above the minimum. Also, 105,000 tons were sold by Canada to Japan on the same date, above the minimum.

Mr. MILLER. The minimum price I referred to had to do with Hard Red wheat No. 2.

Mr. SPARKMAN. Perhaps one of our two wheatgrowing colleagues could enlighten us.

Mr. CARLSON. Mr. President, I think the record shows that for the last 5 years wheat sales under the International Wheat Agreement have been above the proposal in the International Wheat Arrangement. So it should not be said that this would put it up. It is selling higher, as proven by the statement of the Senator from Alabama.

Mr. MILLER. I appreciate that statement. Let me say I think, however, within the last year there have been some months when the price has been under the old wheat price. However, my point is that the world price today is considerably under the new minimum price for Hard Red wheat No. 2 provided for under the convention. That is what I was talking about. I was not talking about these prices being above the old International Wheat Agreement price. I have been talking about them under the new one.

Mr. SPARKMAN. Mr. President, I have the report issued by the Department of Agriculture entitled "Wheat Situation, May 1968." It shows the monthly average price, month by month. At gulf ports—and that is where this wheat agreement would operate—it shows that in January the price was $1.69. In February, it was $1.71. In March, it was $1.73. In April, it was $1.68.

That, again, shows the price at gulf ports. That is where the price would be set under this convention. By the way, this is No. 1 Hard Red Winter wheat.

Mr. MILLER. Yes. And the Senator can see from that—I believe he read through April——

Mr. SPARKMAN. I do not have the figures beyond that month.

Mr. MILLER. My understanding is that May will show it substantially lower than those figures. But the point is that these figures the Senator has read, with the exception of one month, are all below the $1.73 minimum provided under the pending convention.

Mr. SPARKMAN. $1.71, one month, and $1.68, one month.

Mr. MILLER. That is 5 cents under.

Mr. SPARKMAN. I do not know what it is in May. But here in June are actual sales that were made, as I said awhile ago, at $1.79, $1.76, $1.77, and $1.78.

Mr. MILLER. I am glad the Senator brought that up. I think it is a matter of trying to reconcile some isolated sales, really. There may be some other things involved.

Mr. SPARKMAN. I do not claim it has kept up, but as the Senator has said, the average over the last 5 years has been above the minimum.

Mr. MILLER. Now, Mr. President, let us make this point very clear: the Senator from Kansas said over the last 5 years the average price had been above the old International Wheat Agreement price. He did not say it had been over the minimum here.

Mr. SPARKMAN. I stand corrected.

Mr. MILLER. That is the crux of my point. If we were considering merely an extension of the old International Wheat Agreement, with just one fixed price, I would not be here today talking about this matter. But we are considering something that would increase that price under the old agreement by 20 cents. That is what gives us deep concern.

Mr. SPARKMAN. I apologize to the Senator from North Dakota for detaining him from his speech, but there is another point I wish to bring up, because I think some of the opposition to this proposal, or the opposition presented to our committee, was based upon the statement the Senator from Iowa made with reference to the Kennedy round negotiations. I want every Senator to know that I am far from satisfied with the Kennedy round, certainly as far as poultry and some of the things that we produce down in my section of the country are concerned. But the Senator stated that the only concessions we obtained were on a few little things like fruit and nuts. I read from the report on the negotiations:

> About 80 percent of the $866 million concessions received by the United States were duty reductions. The remaining concessions consisted of binding of existing rates, mainly free bindings.
>
> Over 50 percent of the concessions received were on raw materials such as oilseeds ($195 million)—

That is not just a little something like fruit and nuts—

> tobacco ($148 million), and tallow ($66 million). Other concessions included meat and edible offals ($58 million), fresh and dried fruits and vegetables, including citrus—

As the Senator pointed out—

> ($70 million), and canned fruits including citrus juices ($87 million).

Here is where those negotiations hit my part of the country, and my State, particularly:

> The United States received few concessions on poultry and vegetable oils.

I submit that $866 million should not be dismissed as just a paltry sum. And, by the way, I think we ought to remember this: We conceded $860 million. In other words, we got $6 million, then we conceded. I am not trying to say that those figures offset one another equitably at all. I am just citing those figures because I think they are significant.

As I said, I was not pleased with the final outcome of the Kennedy round, but I do not believe we ought to belittle the negotiations to the extent of forgetting that, whereas we received $866 million of concessions, we conceded $860 million.

Mr. MILLER. Mr. President, I ask the Senator this question. He says we received $866 million of concessions. I am not quite sure I understand what he means. Does he mean we received some reciprocal lowering of tariff barriers covering $866 million of sales?

Mr. SPARKMAN. No. The very first sentence, I think, makes that clear:

> About 80 percent of the $866 million concessions received by the United States were duty reductions.

Then I read some of the principal items, such as oil seeds, $195 million; tobacco, $148 million; tallow, $66 million; meat and edible offals, $58 million; fresh and dried fruits and vegetables, $70 million; and canned fruits including citrus juices, $87 million.

No other figures are given.

Mr. MILLER. Then what the Senator means, for example, by the figure for oilseeds, $187 million, I believe he read——

Mr. SPARKMAN. No; $195 million.

Mr. MILLER. The Senator means that with respect to $195 million of U.S. exports to those various countries we received some tariff reductions?

Mr. SPARKMAN. Yes.

Mr. MILLER. The tariff reductions did not total $195 million; it was just some tariff reductions with respect to $195 million worth of exports; is that not what the Senator means?

Mr. SPARKMAN. I do not believe that is true. I do not know. Let me read the language. It says:

> Over 50 percent of the concessions received were on raw materials such as oilseeds—

And so forth. But it refers earlier to 80 percent of the $866 million concessions received by the United States.

Mr. MILLER. Mr. President, I believe possibly I can resolve the difference between my friend from Alabama and me. He is apparently reading from the results of the Kennedy round with respect to all countries.

Mr. SPARKMAN. That is correct.

Mr. MILLER. What I had reference to was our guaranteed access to the Common Market.

Mr. SPARKMAN. That may well be.

Mr. MILLER. I think that may be the area of difference between us. When I was talking about the fruits and nuts, I was talking about the Common Market.

Mr. SPARKMAN. The Senator may be correct, but I think it is only fair to consider the whole figure.

Mr. MILLER. That is all right, just so we have the complete picture.

Mr. SPARKMAN. Yes.

Mr. MILLER. But the big thing is the grain exports, and we have no access to the Common Market on our grains. The Senator did not read any guaranteed access from the list he just read with respect to the other countries, and it is that pillar, that objective of a guaranteed access on which this pending treaty was premised.

Then, when that was thrown out the window, the ground rule on which this treaty convention was negotiated was destroyed. That was the point I wished to make.

Mr. President, I yield the floor.

Mr. YOUNG of North Dakota. Mr. President, most of the opposition to this grains arrangement comes from the big exporters and people who stand to gain something by lower prices for wheat.

I would be the last Member of the Senate to argue against a higher world price for cotton, for corn, or for any other American product, industrial or otherwise. That includes the price of wheat. American wheat is selling at far below the domestic prices for wheat in all the major countries of Europe. I shall discuss that subject at length a little later. It is interesting to note that in every major wheat-producing State, every farm organization having a sizable membership backs this agreement. One organization with a relatively small membership in the wheat States is opposing it.

Mr. President, I wish to express my support for the International Grains Arrangement which is now before the Senate.

This arrangement is not all that it should be. Indeed, in many respects it falls far short of the original goals our negotiators sought, when talks began in conjunction with the Kennedy round of trade negotiations.

However, it does represent a far better choice than the situation we would face if we were to reject it and attempt to go it alone in the world wheat market.

There are two major provisions embodied in this agreement—the Wheat Trade Convention and the Food Aid Convention. Since most of the contention and disagreement has arisen over the Wheat Trade Convention, I will devote the bulk of my remarks to that segment.

As I have stated, the Wheat Trade Convention is not all that it should be. Our negotiators sought increased access to the markets of importing countries. Assurance of this was largely denied.

We could hardly be any worse off than we are today. The International Wheat Agreement went a long way toward establishing a stable world price. True, at times the United States and Canada had some controversy or conflict regarding the prices at which they would sell wheat. Canada accused us at times of cutting prices, and we accused Canada at times of cutting prices. But over the long period, the International Wheat Agreement did a reasonably good job of maintaining stable world prices. The International Grains Arrangement will do the same thing.

Some discussion was had, regarding the sharing of responsibility for the control of production to prevent worldwide market gluts. This was not accomplished.

The arrangement does increase the minimum prices for wheat traded under it by about 23 cents per bushel above the old International Wheat Agreement minimums. This fact is basic to our consideration.

This is one of the major reasons why the exporters are opposing the arrangement today. It would provide a little better price for the wheat producers, who are selling wheat at prices that are too low now.

With respect to the controversy that took place a little while ago, the biggest U.S. wheat crop in history is forecast. It is true that wheat prices have tumbled in recent days. Wheat in western North Dakota is selling as low as $1.11 a bushel. This is about 40 percent of the price it sold for after World War II. The producers in North Dakota believe that they are entitled to a little better world price than they would have without any Arrangement at all. This arrangement will provide the farmers of the United States with some small improvement in price assurance, which they badly need at the present time.

The American farmer faces ever-rising costs of production. This has been the case year after year.

Farm debt in this country has doubled in the last 8 years. It now stands at more than $50 billion.

The inflation that has hit our economy in the past few years has meant two things to the farmer—higher operating costs and, in most cases, lower product prices.

In many instances, farm prices are lower today than they were 20 years ago. This is certainly the case with wheat.

The International Grains Arrangement will provide the farmer with some additional price protection, over and above that presently afforded by the low level price support loan of $1.25 per bushel.

The farm level minimums under the arrangement will vary depending on location and class of wheat, but it is estimated that they will run about $1.40 a bushel on a national average.

Wheat is an export crop. Sixty percent or more of the wheat produced in this country must find a market abroad. To make these exports possible in recent years, the Federal Government has maintained an extensive export subsidy program.

The higher world prices proposed in this arrangement will be helpful, in that they will bring American prices and world prices more nearly into line. This means that there may be little—and at times no—export subsidy required to move our wheat into world trade. This will mean a considerable saving to the American taxpayer.

Those opposing the International Grains Arrangement have raised the specter of an export tax. It is true that the Department of Agriculture has the authority to impose an export payment in the event that world wheat prices are higher than those in the United States.

It is also true that Department officials have stated they would make use of the authority, if necessary, to help maintain the terms of the arrangement. Any such payment would be approximately equal to the difference between the world wheat price and the American price.

This is simply the reverse of the export subsidy program. The grain trade has had little objection to the export subsidy payments—except when they felt they were not high enough.

It is a little difficult to understand their current objections, to a mechanism, that would simply continue to assist in the maintenance of price stability in world trade.

The law permitting the use of the export payment, requires that any funds received, be used to offset export subsidies paid during that crop year. If any balance remains after this has been done, it will be distributed to producers who participated in the wheat certificate program. Thus, the argument, that the farmer gains nothing, if we have to use this authority at times, does not stand up.

Much has been said regarding the possible impairment of the U.S. competitive position in the world wheat market, if this arrangement is ratified. Based on information, top officials of the administration gave the Senate Foreign Relations Committee during their review of this document—it is apparent that we have all of the tools necessary to maintain our competitive position, if we are willing to use them.

It has been argued that under the arrangement, the United States is honor bound to respect the negotiated minimum prices. The opponents point out that this will leave other exporting nations free to undercut us and leave this country in a noncompetitive position.

In this respect, the International Grains Arrangement is an improvement over the old International Wheat Agreement under which we have operated since 1949. This pact does contain provisions for negotiating temporary lower price levels and for moving world wheat trade back to prices within the specified trading ranges.

If these procedures are not effective, there is nothing in the arrangement to preclude any exporting nation—including the United States—from pricing below the minimum prices. Our negotiators have made it crystal clear to other nations that the United States is not going to stand idly by and see its markets lost.

Mr. President, I think we should all take note of the effective work done by the Committee on Foreign Relations in considering and reporting the arrangement to the Senate.

The special committee, of which the distinguished Senator from Alabama [Mr. SPARKMAN] was the chairman, spent many hours reviewing the matter and taking testimony from all interested parties. The members of the subcommittee, the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Vermont [Mr. AIKEN], and the Senator from Kansas [Mr. CARLSON], have all studied the subject in great depth.

We owe a special debt of gratitude to the Senator from Kansas [Mr. CARLSON] for his study of the problem and his efforts in behalf of American wheat producers. No one is more knowledgeable on this subject than he. He has worked hard on the preparation of the International Grains Arrangement and for many years on the old International Wheat Agreement.

His keen awareness of the problems of the American wheat producer and the need for some orderly pattern to world wheat trade has always been most helpful to me and many others. The American wheat farmer is deeply indebted to Senator CARLSON.

The wheat farmers will sorely miss him when he leaves the Senate.

I especially commend the distinguished Senator from Alabama [Mr. SPARKMAN] for his work. We have worked together on a quite similar problem involving cotton. Both wheat and cotton are selling below the cost of production to the farmers. Anything we can do, working together, to provide a better world market, more in line with the cost of production, will be of benefit not only to the farmers but also the entire Nation.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. SPARKMAN. Is not the very heart of the arrangement the objective of making an orderly, stable market for wheat? Is not that what we are really striving for?

Mr. YOUNG of North Dakota. The Senator is correct. The two biggest exporting nations are Canada and the United States. We have used the old International Wheat Agreement for years and have worked together to maintain as good world market prices as we could. Without such an agreement, we would have no guidelines at all to follow.

Mr. SPARKMAN. Of course, this new arrangement includes Australia and Argentina and most of the other wheat-producing countries of the world.

Mr. YOUNG of North Dakota. The Senator is correct. While we would naturally like to have a greater share of the European market than we have, we will not be any worse off than we were before, and in many respects we will be better off.

Mr. SPARKMAN. Are we not much better off having stability in the market, regardless of the price, so that we will know what the price will be and can reasonably predict it?

Mr. YOUNG of North Dakota. This is true. Wheat faces greater problems than perhaps any other farm commodity produced in the United States. At least 60 percent of the wheat must be exported, so it is necessary to depend very largely on the export market. Anything we can do to help stabilize the world price and get the world price a little more in line with the cost of production is to our advantage.

Mr. SPARKMAN. To get an orderly market, with reasonably steady exports.

Mr. YOUNG of North Dakota. That is correct.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CARLSON. I believe the Senator from Alabama has raised a very good point. It seems that those who oppose the agreement or arrangement forget that 90 to 95 percent of the wheat that moves in world trade has been going through the International Wheat Agreement.

One would gather from some of the statements made and some of the opposition I have read that once we enter into this International Wheat Arrangement, Canada, Australia, Argentina, and other countries will not have to pay attention to it. As a matter of fact, they also are signatories to it. In addition, the importing countries have already agreed in many instances to this price and think it is fair, because they realize the importance of the world wheat in trade as well as its importance as food.

The distinguished Senator from North Dakota has made a very good point. I know of no other Member of the Senate and I know of no one else in the Nation who is more qualified to speak on this matter than the distinguished Senator from North Dakota.

We like to argue with North Dakota as to whether Kansas raises more wheat than North Dakota, but we are willing to share that honor with North Dakota from time to time.

I do not know of any wheatgrower or any group representing the wheat farmers of this Nation—and I ask the Senator whether he knows of any—opposed to this arrangement.

Mr. YOUNG of North Dakota. No, I do not.

I thank the distinguished Senator from Kansas for his kind comments.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. SPARKMAN. I wish to add a word to what the distinguished Senator from Kansas has said about the Senator from North Dakota.

The Senator from North Dakota represents a wheatgrowing State. But I know of no one to whom I would rather risk the fortunes of cotton. We do not grow much wheat in my State. We grow only a little. But we grow a great deal of cotton.

I consider the Senator from North Dakota to be an all-around farmer representative, because he has been that during the years he has served in the Senate.

Mr. YOUNG of North Dakota. I appreciate the generous comments of the Senator from Alabama.

In further reply to the distinguished Senator from Kansas, I know of no opposition to the arrangement from the wheatgrowers. Most of the opposition—and the most vociferous—is from the big exporters. They are not interested in a higher price to farmers. In fact, they can export low-priced wheat more cheaply. They have less money involved and fewer complications. The lower the prices, the better it is for them. I wish they would not be so selfish and would take the interests of the farmer to heart once in a while.

It is worthy of note, Mr. President, that this arrangement has the support of a broad range of farm organizations and producer groups. The National Grange, the National Farmers Union, the National Farmers Organization, and the Midcontinent Farmers Association have all stated their strong support.

Further support has come from the National Association of Wheat Growers, Western Wheat Associates, Inc., Great Plains Wheat, and similar groups. In my own State, the International Grains Arrangement has the strong backing of the North Dakota Wheat Commission which has devoted great effort to the development and expansion of wheat markets around the world.

Some interests have argued that the Soviet Union could be the big winner if the arrangement is ratified. They point out that Russia could remain outside the pact and undersell member exporting nations. This is not the case. Member importing nations are bound by their commitments to respect the price range set forth in the arrangement even for their purchases from nonmember nations.

Also, it must be recalled that wheat production in the Soviet Union has been very erratic and at times that country has been one of the largest cash wheat markets in the world for exporting nations other than the United States. Their supplies were low a few years ago, and we exported a large amount of wheat to them. Also, they do not deal much in a cash market. Most of their wheat is disposed of through barter arrangements.

Very little has been said of the situation that would exist in the absence of an agreement such as this. I realize that world wheat trade would continue. Beyond that, little is certain.

Since the expiration of the operative provisions of the old International Wheat Agreement almost a year ago, we have seen indications that some nations will resort to price cutting in the absence of any agreement. This could lead to so-called fire sales of wheat.

Since 60 percent of the wheat produced in this country must reach a foreign market, there would be no question but what the United States would have to follow such competition. What would be the result of such a price war? It would simply mean that the American farmer—already hard pressed—would wind up with lower prices, possibly fewer markets, and surely less income.

The March 20, 1968, issue of the Wall Street Journal carried an editorial opposing the International Grains Arrangement. In supporting this opposition, the writer quoted the American Farm Bureau Federation position on the pact.

He stated, that according to the Farm Bureau:

> Refusal to ratify would make clear to the world that the United States intends to seek wheat markets throughout the world, selling at the market price on a competitive basis. This would be a step toward returning wheat to the forum of vigorous trade negotiations and away from international supply management. . . .

For the trader or exporter reading the Wall Street Journal—and they never have been friendly to farmers—this reasoning may make sense. For the farmer, facing American prices for equipment, fuel, fertilizer, and repairs, American tax rates, freight rates, and labor costs it offers small comfort.

This type of thinking asks the American wheat producer to accept his return on the world market—whatever that may be—while paying much higher American prices for everything he needs to produce wheat.

The wheat farmers of North Dakota, Kansas, and Texas would gladly accept the price assurances given wheat producers in European nations. The price support level for the 1967–68 wheat crop in France is $2.50 per bushel. In Germany, price supports are set at $2.57 per bushel; in Italy, $2.59 per bushel; Switzerland, $4.29 per bushel; Norway, $4.17 per bushel; and Sweden, $2.89 per bushel.

The price support loan level in the United States is presently $1.25 per bushel. Farmers who participate in the wheat certificate program, do receive certificate payments—but even with these—the price assurance offered the American farmer is far lower than that afforded European producers.

It is difficult to understand the reasoning of those, who feel the farmer would be better off selling wheat at still lower prices. That, Mr. President, in the final analysis, is the principal advantage this arrangement offers.

I never thought I would see the day when we would be arguing in the Senate for lower world prices for wheat or any other commodity produced in the United States. This is a new day for me.

It would provide producers some slender additional price protection. This accounts for the broad support it has among farm organizations and producer groups most familiar with the problems of wheat producers. It is also the major consideration in my supporting ratification.

The second portion of the International Grains Arrangement—the Food Aid Convention—implements the Geneva Cereals Agreement, under which principal exporting and importing nations agree to provide 4.5 million metric tons of food grains—165.3 million bushels, wheat equivalent—annually to needy nations. The United States will provide 42 percent of this total.

This is a significant step forward in meeting the needs of hungry people throughout the world. Our food-for-peace program has served well in this capacity and will continue to do so. The United States cannot do this task alone, however. Other nations can and should bear a portion of this load. This would be accomplished under the Food Aid Convention.

Mr. President, again I want to say that this agreement is not perfect. It leaves much to be desired. I do feel very strongly, however, that it does provide some badly needed added price assurance for the American producer, and it does continue a basic structure for world wheat trade that has been relatively effective since 1949.

For these reasons, I feel the advantages outweight the disadvantages and I strongly urge that the Senate advise and consent to its ratification.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CARLSON. Mr. President, I wish to commend the distinguished Senator for his statement. However, I have two points I wish to raise. First, there has been considerable discussion on the floor of the Senate and in the press, and there will continue to be, with respect to Russia getting into international exports of wheat. Russia has had problems, but the International Wheat Arrangement has tied up wheat with exporting countries so that the Soviet Union cannot get in with great quantities of wheat. This makes for an orderly arrangement with respect to wheat.

Mr. YOUNG of North Dakota. I agree that that is one of the most important parts of the arrangement.

Mr. CARLSON. I agree fully.

Second, the position of those who oppose the treaty seems to be, "Let us just sell wheat. We do not care what the farmers get for the wheat; just get it on the market; turn it over to the world."

If we adopt that position we will start a wheat price war, which would have an adverse effect on our balance of payments. I could not conceive of anything more difficult than that type situation.

I commend the Senator for his statement.

Mr. YOUNG of North Dakota. The International Grains Arrangement would probably do away with the need for the present export subsidy system most of the time or at least until American prices become higher than they are now. This would result in a great savings to the American taxpayer. I do not see why we should ignore saving the taxpayers a sizable amount of money.

Mr. HART. Mr. President, the International Grains Arrangement appears to me to be in the best interests of the United States.

The International Grains Arrangement will help the wheat producers of this country. More than half of their wheat moves into export markets where it competes with the grain of other producing countries. We need the IGA, now that we are in a period of world overproduction, not only to set up rules and procedures that will prevent wheat price wars but that also will set minimum prices at levels that will give the American wheat producer assurance of a little more income.

The new range of prices in the IGA will be 20 cents a bushel higher than they were under the former International Wheat Agreement. This new, higher minimum should mean higher receipts for our farmers when they sell their wheat.

For instance, for average quality U.S. Hard Winter wheat the new minimum price of $1.73 at the gulf is equivalent to $1.35 or $1.40 a bushel at the farm in the Midwest or Central Great Plains. This is 10 or 15 cents per bushel above the price-support loan. Now all of this makes sense for the American wheat grower, but how about the American consumer? The answer is that any increase in the price of wheat sold into the export market will not have any effect on the domestic price of bread and other bakery products. Under the Food and Agriculture Act of 1965, Congress separated the pricing of wheat used for domestic consumption from that which moves into the export market. So the IGA will have no effect on prices paid by our consumers.

The food aid provisions of the International Grains Arrangement also are praiseworthy.

The IGA provides for a 4.5 million ton annual program of food aid to developing countries. All signatories to the Food Aid Convention will contribute—importing as well as exporting countries. The United States will supply 42 percent of the total; other countries will furnish 58 percent.

We stand to gain in two ways under this food aid program. We will supply some of the grain that importing countries will need in meeting their commitment. At the same time, we will be getting more help from other countries than before in carrying on our battle against world hunger.

The International Grains Arrangement is a sensible approach to some of our most urgent wheat export problems. I support it and I urge that other Senators support it in order that it may become effective on July 1.

Mr. SPARKMAN. Mr. President, I want to make a few remarks regarding the minority report which was filed in connection with the International Grains Arrangement.

The minority views opposing the International Grains Arrangement makes several claims as to its possible harmful effect. Most—indeed all—of these arguments were heard during the course of hearings on the arrangement before the ad hoc subcommittee. We examined many witnesses on the points raised in the minority report. We submitted many of these criticisms to the Department of Agriculture for detailed and careful examination and their responses are printed in the hearings, beginning at page 23.

I should like to answer briefly the criticisms in the minority report of the International Grains Arrangement for the benefit of Senators who may not have had an opportunity to study the hearings and the report in detail.

First, it is charged that implementation of the Wheat Trade Convention would reduce U.S. wheat exports. This point was covered exhaustively in the hearings. We were assured repeatedly that exports will not be reduced. It was admitted that export sales might at times need to be restrained by cooperative action among wheat-exporting countries in order to hold world prices at the minimum levels. But under the new arrangement there is good reason to expect that wheat exporters will share in the world price stabilizing effort, and that the United States will no longer bear a disproportionately large share of the world stocks-holding burden, as we have in years past.

Proponents have not been so bold as to claim that the agreement will increase U.S. export volume, but it is more likely that our exports will rise rather than fall. Indeed, if other exporters do exercise more sales restraint, as there is reason to expect they will, we should see U.S. export volume actually improved by the new arrangement.

A number of witnesses testified that the convention would not reduce wheat exports:

The U.S. Department of Agriculture's response to a question on this point stated that the arrangement will "not interfere with our maintaining a competitive position vis-a-vis other suppliers, so there is no danger that it will interfere with our continuing to secure a fair share of world trade"—see page 29 of the hearings.

Mr. Harry Graham, representing the National Grange stated:

> The arguments that under this kind of an arrangement exports cannot grow is fallacious (see page 108 of the hearings).

Mr. Julius Katz, of the Department of State, stated that—

> There is no substance to the charge sometimes heard that international cooperation in the field of wheat prices has restricted international trade or impeded U.S. wheat exports (see page 113 of the hearings).

He noted that during the past decade world wheat exports have doubled and the U.S. wheat exports, total as well as commercial, have more than held their own—see page 113 of the hearings.

Second, the minority report contends that the convention does not contain firm guarantees of access to markets in wheat-importing countries.

The executive branch did concede during the hearings on the arrangement, of which the convention is a part, that the United States was unable to secure assurances of guaranteed access to wheat markets. Our negotiators tried to get firm access commitments from the EEC and the United Kingdom. However, counterproposals by those countries called on the United States to agree to much higher wheat self-sufficiency rates in the EEC and United Kingdom than is presently the case. This was seen as an import-restricting move, and it was rejected.

Moreover, our negotiators felt that the EEC offer to hold the line on price supports was of little value because of various loopholes in the offer and because the offer was limited to a 3-year period. When our negotiators saw that their demands for access were slowing progress in other sectors of the negotiations, and when it became apparent that no meaningful access assurance was possible, the effort was abandoned. Exporting nations nevertheless believe that other gains made in the negotiations in large measure offset loss of the access demand.

Third, the minority report argues that the convention "could eliminate international competition by setting a price range above the minimum price range in the old International Wheat Agreement," and, should the convention go into effect, "minimum price indicators would most likely be above world market wheat prices."

This contention was thoroughly explored during the ad hoc subcommittee's hearings on the arrangement. The committee's report, summarizing on page 7 the testimony of administration and other witnesses on this point, notes that higher minimums reflect increased wheat production costs and are not out of line with recent trading prices for wheat in the world market, and that setting the minimum closer to actual trading prices would limit downward price fluctuations.

The subcommittee's hearings show clearly what would happen if the price and sales restraint mechanism does not work. Administration spokesmen were asked repeatedly: "Will the United States remain fully competitive in the world wheat market?" The record shows that the United States intends to remain fully competitive and that our membership in the IGA in no way alters our right to do so. We are assured, in other words, that when supply is heavy and world prices press on the minimum, no one exporter shall be disadvantaged. We are assured that all the member exporters understand this, and that all understand that whenever this ceases to be the case, the minimum prices cease to be effective. The obligation to uphold the IGA price range is a collective one. The alternative is the threat of lower world prices, costly price wars, lower export earnings, and lower returns to producers—and these harmful results would affect all exporting countries. This interpretation of the convention—an interpretation that would allow us to price below the minimum if it became necessary for us to do so—is substantiated by a statement by the General Agreement on Tariffs and Trade, which is included in the hearings at page 114.

In summary, it is the position of the United States that unless all exporting member nations cooperate to maintain prices at or above the minimums, or if these nations cannot agree to make appropriate adjustments in those minimums, then the convention recognizes that an aggrieved exporter nation may unilaterally export wheat at competitive prices—even if those prices are lower than the scheduled minimums. Stated another way, the arrangement does not prevent unilateral action—including below-minimum pricing—to protect one's competitive position. Thus, the United States, as an exporter, in no way surrenders its right to compete or its right to a fair share of the world market.

Fourth, the minority opposing the arrangement contends that, if the convention were ratified, the United States would be required to curtail production to force domestic prices above the minimum or to apply an export tax in order to raise export prices above domestic price levels.

The May 1968 Wheat Situation predicts that the 1968 U.S. wheat crop may be about the same size as last year's record 1.5 billion bushels. Acreage, both this year and in 1967, has been higher than in recent years, following poor crops in most of the world's producing areas and sharp reduction in our carryover stocks. U.S. production responds more to our supply outlook than to the minimum price provision of such an arrangement.

The National Advisory Committee on Grains was reported recently to have urged a 15-percent reduction from the current 59.3 million acres for next year; this would mean a harvested acreage of something like 50 million acres in 1969, more nearly in line with the average acreage for the period 1961–65. The United States did increase acreage sharply in 1967 in the face of a reduced carryover and immediately following 2 years of poor overseas production.

With respect to the possibility that an "export tax" may be imposed on exports, should our prices fall below the minimum, the Department of Agriculture has informed the committee that it has authority—under the 1965 Agriculture Act—to require the purchase of certificates to bring the export price of wheat up to the convention's minimum—see page 24 of the hearings.

Fifth, it is argued that the U.S. competitive position would be endangered "if other exporting countries did not comply with the minimum indicators as scrupulously as the United States," and that "experience under the old International Wheat Agreement indicates this would happen."

The position of our negotiators during the Geneva talks—discussed in the hearings at page 114—shows that the United States is willing to cooperate with other exporting nations in following the procedures set out in the convention in order to maintain prices within the schedule. But it also is clear that the United States has made its position known that it would not hesitate to price below the minimum if the procedures in the convention were not adhered to in such a way as to maintain the minimum price level.

The U.S. wheat-export position during the old International Wheat Agreement fared very well indeed. Our wheat exports increased from 300 million bushels in 1949 to some 750 million bushels this year. Our exports for dollars increased from 46 million bushels in 1949 to nearly 300 million bushels in 1966—under the International Wheat Agreement.

Mr. Harry Graham, of the National Grange, testified before the ad hoc subcommittee considering the arrangement that, during the 1966 "wheat war" between Canada and Australia:

> We got into it and we won our battle, too, and we taught some of the other countries in the world who were in this wheat market to stay.

Further, Mr. Graham said:

> I do not think we are going to have trouble with the violation of these floors in the future . . .

Sixth, the minority views state that, since the Wheat Trade Convention establishes minimum prices in terms of U.S. gulf port prices, "minimum prices for ports of other exporting nations could be calculated in a manner to give them a competitive advantage."

The Department of Agriculture responded to a question on this point raised by the subcommittee during the hearings. The Department's reply stated that the gulf position as a basing point was used "simply because the gulf is open to oceangoing vessels at all times during the year and thus provides a more appropriate starting point for the translation of the various minimum prices" than was the Canadian Lakehead position in the old agreement. The Department's statement can be found in the hearings at page 26.

Seventh, the minority report contends that the convention's price schedule "could also quickly induce increased production in other countries less efficient than that of the United States."

Under Secretary Schnittker, in his testimony before the subcommittee, page 17, spoke to this point. He said:

> Importers have recognized the increased costs of production and have accepted the increases in the minimums. They realize that the new levels are generally below prices which they had paid for wheat in recent years. Inasmuch as these past trading prices have not greatly stimulated wheat production, there is no indication that the new minimums will affect internal wheat production policy around the world.

The Under Secretary's view was shared by Mr. C. Allen Tom, who testified on behalf of the National Wheat Associates, and Great Plains Wheat, Inc.—page 154.

In fact, Mr. President, exporters will not increase production—unless justified by growth in the world market—because the arrangement places upon all of them the primary responsibility for maintaining a stable world price. Importers will not raise production because their costs and internal price-support levels are already far higher than the proposed IGA minimums, and to significantly increase production would require further increases in their support levels and internal prices to consumers.

Eighth, the minority report states that the United States "now has a superabundant supply of wheat" and the capacity to expand production, and that "our national goal should be the export of 1 billion bushels of wheat each year."

U.S. carryover of wheat projected for July 1 is about 545 million bushels. A year ago it was 425 million. These carryovers are small compared with the 1.1 billion bushel average for 1960–64. U.S. carryover of wheat reached a record 1.4 billion bushels on July 1, 1961.

Whether or not the 1 billion bushel export goal is a realistic one, in view of the recent good turnout of wheat in India and Pakistan, is open to question. Most of the export potential today appears to be in developing countries, where there is a shortage of foreign exchange. Any great increase in wheat exports to these countries would likely have to involve heavier Public Law 480 shipments.

The United States is currently exporting about 50 percent of its production of wheat. U.S. exports for the current season—through March 31—account for about a third of the total exports of wheat by the five largest exporters, which are the United States, France, Canada, Argentina, and Australia.

Ninth, the minority report claims that the Wheat Trade Convention will bring lower incomes for U.S. producers. This contention is apparently based on the assumption that our exports will be reduced and that the export certificate—if applied—would depress U.S. prices. But, I have already explained that the IGA need have no effect on our export volume. And as far as price is concerned, it is much more likely that the convention will act to strengthen prices rather than depress them.

The basic underpinning for our domestic prices is the loan rate and our internal supply-demand balance. To the extent that the new agreement is made to work, and its price floor is made meaningful, we will have added an important additional measure of underpinning, for as I understand it, the farm-equivalent of the IGA price floor is about $1.38 per bushel, whereas our loan rate is presently only $1.25 per bushel.

Tenth, it is claimed in the minority report that "ratification of the IWTC would establish an unfortunate precedent for future international trade negotiations."

This argument was consistently denied by the administration witnesses who testified before the subcommittee. Furthermore, international commodity agreements must be considered by the Senate, and I have no doubt that each will be considered on its own merits.

Eleventh, the minority report argues that the Wheat Trade Convention "places no limits on the import duties which foreign nations may impose on U.S. wheat" and that the convention "legitimizes the excessively protectionist policies of the EEC and removes any contractual obligation on the Community's part to refrain from increasing import restrictions as it sees fit."

Certainly the rejection of the Wheat Trade Convention would not bring about a solution to the serious problem which the opposition cites. A recent New York Times article reported that as recently as April 30, our negotiators at Geneva called on the General Agreement on Tariffs and Trade to reform the "border taxes" which constitute a major barrier to trade. The subject is under study by a GATT study group, and we can hope that constructive measures will proceed from that study.

Finally, the minority report charges that the Food Aid Convention "does not exceed current levels being provided by the signatory nations."

While the level of contributions under the Food Aid Convention has been criticized as being about half the amount of the original goal of U.S. negotiators, nevertheless it establishes a valuable principle—the principle of international cooperation in food aid to needy nations, the major burden of which in the past 20 years has fallen most heavily on the United States. Multilateral food aid has long been a goal of the United Nations, and the United States has strongly supported the principle.

Contrary to the claim made in the minority report, the arrangement calls for importers and exporters to participate in such efforts on a much larger scale than they have before. In the past, with the exception of the United States, only in emergency situations have a few other countries ever approached the level of food-aid contribution scheduled in the new IGA. The recognition of the need for a broader sharing of food-aid responsibilities among the industrialized countries is one of the important benefits of the new arrangement.

Mr. President, I ask that the resolution of ratification be stated.

The **PRESIDING OFFICER**. Without objection, the International Grains Arrangement will be considered as having passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The bill clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the International Grains Arrangement 1967, open for signature in Washington from October 15 through November 30, 1967.

LEGISLATIVE SESSION

Mr. **SPARKMAN**. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, it is my understanding that after the Journal has been disposed of tomorrow, the distinguished Senator from Arizona [Mr. FANNIN] will be recognized for up to one-half hour. Is that correct?

The **PRESIDING OFFICER**. The Senator is correct.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS ON TOMORROW AND LIMITATION OF STATEMENTS THEREIN

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that after the conclusion of the remarks of the Senator from Arizona [Mr. FANNIN] there be a period for the transaction of routine morning business up to 12 o'clock, and that statements made in connection therewith be limited to 3 minutes.

The **PRESIDING OFFICER**. Is there objection? Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representative by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes that the House receded from its disagreement to the amendments of the Senate numbered 10 and 12 to the bill and concurred therein.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15190) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) to remove certain limitations on ocean cruises.

THE POOR PEOPLE'S CAMPAIGN

Mr. **COOPER**. Mr. President, since May 12, a group of our fellow citizens have been in Washington engaged in the Poor People's Campaign, seeking to bring to the attention of the Congress, the executive branch, and the country their plight and the plight of thousands of others in our country for whom they raise their voices.

Their campaign has been questioned for various reasons. There has been concern that the group or some of its members would adopt methods of demonstration and dissent which go beyond the right of free speech and petition and intrude upon the rights of others—practices which are unlawful and cannot be condoned, if the processes of our free system of government are to be maintained. There has been concern about violence and rioting.

It has caused concern that a stay of long duration would affect adversely the business and activities of those who live and work in Washington—and that it would inhibit the visits of other citizens to the Capital of all the people.

It is my view that such concerns could be largely avoided in the future if the authorities having jurisdiction would set out publicly and in advance the regulations which would govern such assemblies, their duration, and provisions to assure order for the benefit of the people of Washington, its visitors, and the work of the Government.

These authorities are the Congress, the officials of the city of Washington, and the Secretary of the Interior, having jurisdiction respectively over the Capitol Grounds, the city of Washington, and the Park System of the Department of the Interior.

But, Mr. President, I speak today about the importance of the Poor People's Campaign. I do not believe the Congress or the country can afford to ignore its deep significance. It is a symbol, simple but moving, of the poverty in our country.

I have visited Resurrection City twice, once with my wife, and once with a group of Members of the Congress under the leadership of Senator EDWARD BROOKE, a group formed as an informal committee to do what it can to establish communication with Dr. Abernathy and the leaders and the members of the poor people's group, and to urge necessary action by the Congress.

Resurrection City is a living demonstration of the way thousands of our fellow Americans live in our rich and prosperous country. The shacks are uniform, and they represent the uniform lack of adequate and sanitary housing for many of our people. Looking inside those shacks, crowded with people, one sees the actuality of the crowded living conditions of many in our land, without the decencies which most of us take for granted. The village itself, without adequate sanitation, adequate water for drinking, bathing, and the washing of clothes, is typical of many communities in our land and of large sections of our city.

One needs only to see and talk to the people to find that the great majority are without education, without training, without understanding of our Government, except to believe and feel that it does not understand them, and that it is not doing all that it can to help them.

The movement has been largely free

of disorder. Dr. Ralph Abernathy and his colleagues, despite careless remarks, have expressed their faith in nonviolence and are doing their best to provide devoted leadership. Some of the people in this city of poverty express their hope and faith that the Government and the country will understand their living conditions and move quickly toward their betterment.

It would be a serious and tragic matter if this group of people should leave Washington, and return to their communities throughout the Nation without having had the fullest opportunity to present their pleas to their Government, and that they should leave believing they have not been heard.

Some departments of the executive branch and some committees of the Congress have heard representatives of the Poor People's Campaign. I urge those departments of the executive branch, and those committees of the Congress which have not heard these people, to take the initiative, to invite Dr. Abernathy and delegations reasonable in number, to come before them, to describe the conditions in which they live, and to make their proposals for action by our Government.

Throughout the Nation, as in my own State, the living conditions of the majority of the people have improved immensely since World War II. Many have become well-to-do, prosperous, and even rich, and for that we are glad. But there are thousands without decent housing, sufficient food, or proper education and training. This, I believe, is a major cause of their frustration and sense of hopelessness—a cause which is dividing our country.

I know that Congress has done a great deal in past years to assist those who do not have equal opportunity and those against whom discrimination has been practiced. But more must be done. Congress and the Government are beginning to act to help our fellow citizens. The Poor People's Campaign has had its effect, but there are millions of people in our country who do not know how the poor live.

I take no special knowledge of that except for the fact that as a candidate for office over a number of years, and one who has traveled to every section of my State, who has gone year after year through the eastern part of Kentucky which lies in that area known widely as Appalachia, I have seen these conditions as early as 30 years ago.

I served as county judge in my county of Pulaski in eastern Kentucky, on the fringe of Appalachia. It was in the years of the depression that I saw daily, hundreds of people without funds for clothing, food, medical care, or even for the burial of members of their families. In the years that have passed, I have gone year after year through my own county and through the eastern section of Kentucky. I have said many times on the floor of the Senate that while the living conditions of the great majority of the people in that area have improved immensely, there is a group who live worse, who are in a worse condition, who are poor, who are more hopeless than they were during the depression of the 1930's.

There are many causes for that, but I shall not elaborate on them today. Some are a result of their own lack of initiative, and some a result of their unwillingness to work; but, in the main, it is because of their ignorance, their lack of education, their lack of training, their lack of opportunity. This condition, I know, is reflected all over the United States.

I repeat, I believe there are millions of people in this country who have never seen or have any idea of how the poor people of this country live. They would not understand it if they saw it. Much must be done. All that I say today is what I have said earlier, that it would be a tragic matter if the people in the Poor People's Campaign leave Washington with the belief that they have not been heard, that they have not presented their petitions fully to Congress and to Government, petitions which they have the right to make under the Constitution, and which we should hear as a matter of humanity and decency.

That is why I speak today. I make my plea that the least Congress and the executive branch can do for these people who have come to present their petitions, is to hear them.

COMMENDATION OF SENATOR HIRAM FONG'S ADDRESS ON "PEACE—OUR OVERRIDING STAKE IN ASIA"

Mr. CARLSON. Mr. President, in this period of traditional commencement addresses on our Nation's campuses, I wish to call attention to a singularly noteworthy speech delivered by my distinguished friend and colleague, the senior Senator from the State of Hawaii [Mr. Fong].

On June 5, Senator Fong spoke on "Peace: Our Overriding Stake in Asia," a subject of timely importance, discussed by one uniquely qualified for this task.

Senator Fong's message received enthusiastic response and a standing ovation from the audience assembled for the commencement exercises of C. W. Post College and the graduate schools on the Merriweather Campus of Long Island University.

On this occasion, Long Island University conferred on Senator Fong an honorary degree of Doctor of Humane Letters. He was cited for devoted service to the people of Hawaii, for his outstanding accomplishments as statesman and leader, and for his example of determination and self-help.

I ask unanimous consent to have Senator Fong's address printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Peace: Our Overriding Stake in Asia

(Commencement address by Senator Hiram L. Fong, Hawaii, at C. W. Post College and Graduate Schools on Merriweather Campus, Long Island University, Brookville, N.Y., June 5, 1968).

Chairman McGrath, Chancellor Hoxie, Members of the Board of Trustees, Distinguished Guests, Members of the Faculty, Candidates for Degrees, Ladies and Gentlemen, Friends: May I first extend my greetings in the traditional Hawaiian way—Aloha! With that beautiful word I can best express the feelings that flow from my heart, for Aloha conveys friendship, goodwill, understanding, all the warm and human sentiments.

I am delighted to share this memorable day with you and to have the pleasure of delivering the Commencement Address. I want to convey my heartfelt gratitude for the Honorary Degree of Doctor of Humane Letters which your University has bestowed on me. To be associated with you as an honorary alumnus of Long Island University, one of the six largest private universities in America, is for me a high privilege and a cherished distinction.

I must confess that to receive an advanced degree in so pleasant and easy a manner—without going to classes, without study, without examinations, without anxiety—leaves me with some feeling of embarrassment, knowing how hard and how long you have worked for your degrees. I congratulate you on earning your diplomas the hard way.

Here on this beautiful Merriweather Campus, and in the C. W. Post College—named for the distinguished parents of Mrs. Marjorie Merriweather Post—we are witnessing a remarkable resurgence of private higher education. It reflects highest credit on all who have contributed to its growth, and especially its principal beneflactress, Mrs. Post.

Guided by a forward-looking Chancellor and supported by generous friends, Long Island University has launched a "Decade of Destiny"—a ten-year development plan to improve quality as well as to expand in size.

In a time when private higher education is declining all over the Nation, this is both commendable and challenging. I am confident that you, as alumni, will do your part to assure the success of these enterprising plans. For the sake of our national life and future generations of Americans, private universities must strengthen their position in order to fulfill their distinctive role in American education, so indispensable to the preservation of academic freedom and to the advancement of the human mind and spirit.

On this graduation day, I surmise all you young men and women must feel some anxiety and apprehension as you contemplate the turmoil and tumult convulsing our Nation and the world. Perhaps you feel somewhat discouraged and overwhelmed by the enormity of the tasks ahead and by the failure of those preceding you to solve the ills that still plague America today.

To you, I say: "Cheer up. Take heart." Remember, your parents faced enormous difficulties and uncertainties when they were your age. But they made tremendous progress against very persistent obstacles. They did not solve all the problems. They did not create Utopia. But they did make astonishing gains—and you can, too.

When your parents were your age. America and her allies were fighting for the very survival of the Free World in the bloodiest war in history. The forces of Hitler, Mussolini, and Tojo marshaled everything they had in a desparate effort to conquer the major free peoples of the world—and they came perilously close to succeeding.

It was all-out war, climaxed by the V-bombs over Britain and by the kamikaze attacks on U.S. forces in the Pacific, and every American was involved in this epic struggle. No community, no institution escaped the impact of World War II.

Your own University nearly collapsed. From a prewar high of more than 1000, enrollment dropped to a low of 307 in 1943. The full-time faculty dwindled to a mere two dozen. On a single day in 1943, some 200 students received their draft summons. Of the 1300 alumni of your University, 1100 already were in the Armed Forces. Creditors forced the University into reorganization and court-appointed trustees took control from the chartered trustees.

Gradually, the tide turned and, in 1945, America and her allies were victorious both in Europe and in the Pacific, only to face the enormous problems of post-war adjustment. To go from the fever-pitch of all-out mobilization to a peacetime economy was a task of prime magnitude. Defense jobs dropped off sharply, and returning servicemen wondered where they would find employment. True, there were huge pent-up demands for civilian goods, but it took time to re-tool for the civilian market.

Meantime, millions of ex-servicemen took advantage of the GI Bill of Rights, and an army of veterans swarmed into the classrooms. It was this increased enrollment that saved the day for Long Island University, affording the opportunity to recover and to attain its present growth and stature.

In those days, Europe and much of the Asia-Pacific theatre were in ruins. It is to the everlasting credit of your parents' generation that they elected to assist the vanquished in rising from the ashes of defeat to become strong, viable democracies. The significance of this magnanimous and far-sighted decision on the part of your parents' generation cannot be overestimated. Under them, America accepted a new role—that of leader of the Free World.

Twice since World War II, America has gone to the rescue of free peoples under armed attack from outside their borders. So, America helped to save South Korea and now is seeking to help save the fifteen million people of South Vietnam.

But you say, "Three wars in less than 30 years. What a dreadful record." And I say, "Yes, three wars. But your parents' generation did not start any war—not World War II, not Korea, not Vietnam."

And the record shows, your parents' generation routed Nazi and Fascist totalitarianism in Europe; helped transform war-devastated Europe into a prospering community; saved Greece and Turkey from Communism; forestalled Communist expansion in Free Europe through the Atlantic Alliance; helped convert war-shattered Japan into a dynamic democracy which now ranks as the third major industrial power in the world.

With U.S. help, South Korea recovered from war and now experiences stability and economic progress. The Philippine Islands were granted independence and have enjoyed self-government for more than 20 years. Taiwan stands on her own feet economically, obviating the need for more economic aid from the United States. Today, Taiwan is a living showcase of progress. Indonesia has thrown off a massive Communist threat and is now working hard for economic and political recovery. Thailand and Burma have a breathing spell from direct aggression in which to make economic and social progress.

All this under your parents' generation.

Here in the United States, this same generation achieved a remarkable recovery from the upheaval of World War II and the Korean War. They mastered the problem of producing enough food for our own people, with enough left over to feed millions of other people. They managed to provide jobs for 75 million Americans and produced the highest standard of living of any people in all history.

Your parents' generation evidenced a deep social conscience, providing more job security and fringe benefits for workers, more economic security for old people through social security improvements and medicare, more assistance for deprived children through Head Start and antipoverty programs, more safeguards for the freedoms of Americans, particularly in the field of civil rights. In reality, your parents' generation has been a generous and noble one.

Their very successes, however, produced some worrisome by-products. Rising affluence has been accompanied by an alarming rise in crime, drug addiction, rebelliousness and lawlessness, in empty leisure for too many, in tensions and anxieties evidenced by greater mental illness and widespread consumption of tranquilizers.

Inevitably, too, the Vietnam war has caused dislocations and divisiveness. It has diverted much attention and resources from urgent domestic needs and deferred the hour of solution. We are not ignoring our daily problems, but obviously we are not making as much progress as we could if there were no war.

Peace in Vietnam, inflation, hard-core unemployment, shortage of low-income housing, overcrowded cities, polluted water, dirty air, highway safety, the threat of guerrilla warfare—these are problems your parents and I endeavor to cope with today, problems you are inheriting.

There is the missile gap, the dollar gap, the have and have-not gap, the education gap, the culture gap, the generation gap, the credibility gap. Serious as these are, there is another, more pervasive gap—which, for want of a better term, I call the people-to-people gap.

The crowning paradox of our time is that as the world becomes smaller, the gaps among peoples appear to grow larger.

The world is shrinking in so many ways—by speedy transportation, by instantaneous satellite-TV and the "hot line," by burgeoning travel, business, and other direct interchange. Yet the lack of mutual understanding and mutual trust among the world's races and the world's nations persists as the widest and most unfortunate gap.

Within our country's borders and within our cities, despite the unifying factors of rapid communication and transportation, Americans seem to suffer an estrangement, a sense that we are not a united people working toward common goals.

Schisms can be seen in ethnic, economic, and geographic distinctions. White and black rich and poor, urban and suburban. Such differences have long been with us. But how sharp the differences today! And how demanding the cry for swift solution!

We wonder whether our country can endure the forces pulling and tugging at the fabric of our society. We know the status quo simply will not suffice.

My friends, history gives us hope. We have only to recall the manner in which America overcame the many problems that flooded our land when immigrants flocked to our shores. Throughout the growth of our Republic, each wave of immigrants encountered massive problems of assimilating into the culture to which they came. For most—speaking a strange language, eating strange foods, wearing strange clothing, confronted with strange mores, far from home and familiar surroundings—the experience was traumatic and the transition long and arduous. But with persistence, patience, diligence and industry, each group eventually melded into the New World environment and won acceptance as full-fledged Americans.

For those who came from Asia, the transformation from immigrant alien to American was particularly fraught with hardship. Americans almost totally oriented toward Europe were not nearly so ready to welcome aliens from a non-Western culture. But in Hawaii and in the great western regions of the continent, an expanding economy needed hardy laborers, and the poor people of Asia needed jobs. So despite the disparity of cultures, Asians came in large numbers to Hawaii and the West Coast. While for many long years, U.S. law barred Asians from naturalization because of their ethnic origin, their children became Americans by birth on American soil. Eventually, the saga of the European immigrants was matched by the Asians: the so-called "unassimilables" were assimilated.

Today, the Negroes remain the largest minority group still seeking acceptance as full-fledged Americans. Landmark legislation during the past decade has sought to ensure equal rights for them in many fields, and this effort is continuing. Employment and education opportunities have been greatly expanded in recent years. Discrimination in many areas no longer exists, and, where it does, conscientious efforts are being made to wipe it out.

As of today, however, the economic gap is too wide for too many Negroes to feel they are living in a land of opportunity. With jobs at a living wage, with decent housing, with better education, Negroes will be able to attain their rightful place in the sun as full partners on the American team.

With persistence, patience, diligence, industry, responsibility, and good will by all, Negroes and non-Negroes, I am confident full acceptance will come, not only to Negroes but to other minority races as well.

My friends, America's human resources are our greatest assets. With only six per cent of the world's population, America has been able to outdistance all other nations. If we are to maintain that lead through the end of this century, when we will have but four per cent of the world's population, necessity requires that the potential of each and every American, regardless of race, be fully realized. Every person with ideas, skill, labor, know-how, whatever his talents may be, is an asset to our country and has some contribution to make.

Even as a speck of earth adds to the height of a mountain and a drop of water adds to the volume of a river, each contribution, though as small as a speck of earth and as tiny as a drop of water, adds to the height and the volume of human progress.

Turning to our relations with other countries, without question the biggest people-to-people gap for Americans lies in the Asia-Pacific region, where more than one-half of the world's three billion three hundred million people live.

More and more today we hear cries that, once the Vietnam war is over, America should pull out and stay out of that area. We are told America has few ties that bind us with the peoples of Asia, that we have no business exercising leadership there, that we are already overburdened with worldwide responsibilities, and anyway Asia is a remote and alien world apart from ours.

It is a siren song to ignore Asia and to concentrate our attention on areas, such as Europe and the Middle East, where our traditional ties are older and stronger. The way some people sing the lyrics, it is a call to neo-isolationism, which I believe is neither practical nor wise.

It is only natural that Americans, having borne unmatched burdens since World War II, should want to lay down at least some of those burdens, especially at this time of so many urgent needs on the home front. Having contributed more than $127 billion to postwar recovery and economic development in emerging nations and having carried the major burden of assisting South Korea and South Vietnam defend themselves against aggression, Americans are understandably weary. The cost in American lives and in American dollars has been very high, and many question whether the results have been worth the cost.

Understandably, too, Europocentrism still runs deep among Americans. For the foundation of American civilization is deeply rooted in Europe and not in the Asian world. The Atlantic Ocean is a river, but the Pacific is still a vast ocean separating America from Asia.

What is forgotten by many Americans is that we have been deeply involved in Asia from the early days of our Republic.

Our Nation became a Pacific power just before the Civil War, when Commodore Perry opened Japan to the outside world. At the turn of the century, America acquired the Philippines from Spain, Hawaii by annexation, and Alaska by purchase from Russia. Alaska extended U.S. boundaries to within two miles of Asia, and Hawaii extended our borders into the mid-Pacific. America's geographic link is much, much closer to Asia than to Europe.

Advocacy of an open door policy in China and the trade and commerce that flowed from this formed another link in our growing chain of interests in Asia and Pacific affairs.

Our governance of the Philippines, World War II in the Pacific, the U.S. occupation of Japan, and the war in Korea further embedded America's stake in Asia. Vietnam is the latest chapter in a U.S. saga that dates back two centuries.

We have, on occasion, tried withdrawal from Asian affairs, to our subsequent dismay and regret.

In the late 1940's, lack of sufficient American support for free China made much easier the Communist takeover of mainland China. Replacement of the regime in China friendly to the United States by a Communist regime hostile to us was a major calamity. We are still paying a dear price for that costly error—in Korea and Vietnam particularly.

In 1950, the U.S. Secretary of State omitted South Korea from our Nation's defense perimeter in the Pacific. As this had the plain appearance of U.S. withdrawal from Korea, North Korean troops soon moved south, and the United States went to war to prevent a Communist takeover.

Thwarted in conquering South Korea, the Communists turned their attention to Southeast Asia. Tibet was overrun. Forays against India and Pakistan were militarily inconclusive, but showed the probing and expansionist posture of Red China. Some Asian leaders were awakened to the real threat in Asia and this was helpful in strengthening the will to resist Red China's military aggression.

In 1954, Indo-China was partitioned and the French forces pulled out, leaving a power vacuum which the Communists quickly tried to fill. Since then there has been an indecisive struggle to capture Laos and an intensive Communist struggle to take over South Vietnam, a free and independent Nation.

It is plain that withdrawal of the U.S. presence from vital Asian areas on the periphery of China and Korea later proved very costly to us. This experience should warn us against isolationism now.

The United States has sacrificed too much blood and treasure at Pearl Harbor, Leyte Gulf, the Coral Sea, Midway, Guadalcanal, Iwo Jima, Pork Chop Hill, Inchon, Hill 881, Khe Sanh, Dak To, Loc Ninh, Con Thien, to consider retreat into isolationism in the Pacific and Asian area. Whether we like it or not, the repercussions of events in Asia do impact upon us. Were we to abandon our concern for peace and progress in Asia, we would forego the opportunity to influence events there in our national interest and security.

Both Red China and the non-Communist nations of Asia are closely watching to see what America will choose to do.

If America decides to let Free Asia "go-it-alone," this would be an open invitation to Red China to move in. France long ago pulled out of Asia, and Britain has announced its intention to pull out in the next few years. At the present time, only America provides a strong shield for free Asian countries.

So, if America perseveres, Red China's leaders will be forced to reassess their war-of-liberation strategy and to re-think their policies.

While checkmating the aggressor in Vietnam may not persuade Asian Communists to abandon their war-of-liberation policy elsewhere, the cessation of war in South Vietnam will give that beleaguered land, as well as other Southeast Asia nations, the crucial opportunity and the critical time to build up their strength, to institute social reforms, to develop political stability, and to form regional cooperative arrangements.

Leaders of nearly every non-Communist country in Asia are alert to the dangers posed by Red China, support U. S. policy in Southeast Asia, are grateful for the U. S. shield, and are accelerating their progress toward strength and viability.

For years Red China has sought to prove to the world that its way of life is the "wave of the future." But reports of the upheaval and bloodletting in Red China during the Great Proletarian Cultural Revolution last year have shown the Communist "paradise" is far from it. The Bamboo Curtain is splitting, and through the cracks the people on the outside, particularly neighboring nations of Asia, are seeing a far different picture.

Widespread realism in the wake of the Red China Proletarian Cultural Revolution, with the internal and external threats if posed, resulted in a drawing together of Southeast Asia nations for collective security. Five nations—Malaysia, Singapore, the Philippines, Indonesia, and Thailand—founded the Association of Southeast Asia Nations.

Japan initiated several moves aimed at uniting the region in some sort of free trade area. Meanwhile, the Asian Development Bank—to which the United States subscribes millions of dollars—continued its efforts to promote essential economic development in Southeast Asia.

Mounting hope is replacing despair. Confidence is replacing fatalism. Spirit is replacing apathy, as Asians see what some of their brethren—in Taiwan, South Korea, and the Philippines—have accomplished through their own industry and diligence and with assistance, moral, material, and financial, from others.

Once peace is established in Vietnam and threats to other Southeast Asia nations are thereby diminished, a new era of progress and growth can be forecast.

Peace can be the salvation of Asia.

The benefits to flow from peace in Asia, not only to nations rimming the Pacific, but also to nations on the other side of the globe, stagger the mind. One has only to think of the potential for trade, industry, education, jobs and investment, food production, and the potential for enriching the cultures of the world, to realize what a salutary development peace and progress in Asia would be.

The material gain would be matched—perhaps surpassed—by the spiritual gain as men learn to live in amity and concord, in dignity and self-respect, in trust and in faith.

To America a strong, free, healthy, viable Asia is as important as a strong, free, healthy, viable Europe or Latin America, Middle East or Africa.

Self-determination and territorial integrity are fully as justified in Asia as in non-Asian regions.

Peace and justice are as imperative in Asia as in non-Asian areas.

Peace—this is the overriding stake America has in Asia.

Drawn into three major wars in Asia in less than 30 years, America must do everything possible to attain an enduring peace in the Asia-Pacific arena.

Can peace in Asia be achieved through a policy of neoisolationism? Highly unlikely.

If there is to be peace in Asia, America will have to devise policies that promote peace. This means involvement, not isolation.

This does not mean we must be policeman for the world. It does not mean getting involved in every squabble and border incident. It does not mean international paternalism nor colonialism.

It means encouraging self-reliance and self-help. It means helping developing nations with loans and technical assistance. It means helping to eradicate disease and ignorance through health measures and schools. It means building ties of mutual respect and mutual goals. It means encouraging democratic institutions, social reforms, and freedom for all peoples. It means closing the people-to-people gap.

Some of you may already have taken part in promoting people-to-people contacts through your University's program with its sister University, Chung-ang, in Seoul, Korea, and through other international projects—all reflecting your University's motto "Urbi et Orbi," City and World, and your concern with the wider world beyond the campus, city, State and Nation.

I cannot emphasize too strongly that all Americans must turn their eyes toward the emergence of the Asia-Pacific era, for history is being written there on a large and significant scale, and this history affects all of us.

Along with your contemporaries, you who are graduating can, and should, help shape what could well become the Renaissance of the Asian-Pacific world. With the courage and vigor of your generation, you can help spearhead the break-through of a new Asian era.

You will not be alone in this task. Millions of Asians yearn for the dawn of peace and are eager to join hands with you in building the new Asia, in closing the gap that has separated East and West through the centuries. More than my generation or any other in history, you and your peers will know the full meaning of one world.

For if the history of the past 30 years teaches anything, it teaches that the world is very interdependent and that America cannot be guaranteed peace even if we withdraw into Fortress America and ignore all other peoples.

So if peace is what you want for yourselves and your children—and I am certain it is—you and your fellow Americans will have to take positive steps toward a peaceful world, not only in Asia but around the globe. Should you and I, the people of the United States, the leader of the Free World and the strongest nation on earth, falter or abandon the struggle for peace, what hope is there for freedom, liberty, human dignity, human betterment for mankind?

We are the strength, the hope, the promise for billions of human beings on this planet. For ourselves and for them, we must persevere.

In this hour when our will and our spirit are severely tested, perseverance in the cause of peace and humanity will speed the day of peace for all mankind.

An ancient Chinese adage says: "If planning for one year, plant rice. If planning for twenty years, plant trees. If planning for a hundred years, plant men."

You, today's graduates, are tomorrow's planners and planters. Plan for a hundred years. With your fellow men, plant the seeds of peace and reap the harvest.

To all of you, my warmest best wishes, Godspeed, and aloha.

S. 3637—INTRODUCTION OF NATIONAL FIREARMS REGISTRY ACT

Mr. BROOKE. Mr. President, it is with a sense of urgency combined with deep sadness that I rise today to introduce, once again, a bill to provide for national registration of firearms. It was less than a month ago that I introduced similar legislation, commenting at the time that in the course of our labors in the Senate we sometimes have the disquieting sensation that "too little, too late, is always our fate." Never has the tragic truth of this observation been more apparent than it is now.

Gun control legislation is a classic example of the inertia which affects us when great issues linger before us, the subject of frequent and careful review. Needless to say, I admire methodical progress on matters of great concern to our citizens. I welcome full and frank debate, and I welcome the opportunity to participate in such proceedings. But we should not permit unending deliberation to frustrate action entirely. Our respect for the diversity of views and the depth of legitimate considerations in the Congress and the country should not be taken as a mandate for timidity in meeting the questions before us. Surely, after so many terrible consequences of our failure to act decisively, the Senate is prepared to take firm and responsible action. I know the country is prepared for it.

Mr. President, I have no intention of reiterating the points which I made in my previous remarks on this subject, nor in belaboring the observations which have already been made so eloquently by many of my colleagues. But some facts are worth repeating, for they seem not to have been comprehended by those who claim, even now, that legislation which would regulate—not limit, but regulate—the availability of firearms is unnecessary.

Thirty years ago, a nationwide poll revealed that 84 percent of the American people favored registration of firearms. The latest poll, taken in 1967, reveals a similar fact—85 percent of the American people still favor firearms registration.

The outpouring of popular support for such legislation which has been evident in the last few days is another clear indication that the vast majority of Americans are deeply and legitimately concerned. I have received well over 1,000 letters in the last 3 days, all advocating strong gun control measures. Editorial comment in the major newspapers has strongly endorsed more stringent firearms regulations. As the Washington Post so cogently commented:

> The frontier has passed from American life. Americans now live in much too close proximity to each other to leave guns lying around at random for their mutual destruction.

Mr. President, I am appalled at the grimness of a recent tally, which indicated that the number of deaths by firearms in America in this century is 1½ times the number of American deaths in all our wars in the same period of time. We are quick to deplore the rising casualties in the war in Vietnam, and they are deplorable. But is it not equally lamentable that there were more than 5,000 homicides by firearms in this country last year? Is it not cause for concern that in Houston, Tex., alone, there were more than six times as many murders by firearms as in all of Great Britain?

I am sympathetic to the argument advanced by many of my colleagues that gun controls would not prevent those who are determined to commit a crime from doing so. Guns do not make murderers carry out their grim and fatal task. But they do make it easier for them to do so. The availability of firearms in this country, the free and easy manner in which they may be obtained by even the most reckless or unstable of individuals, is a definite and unfortunately increasing threat to the safety of all our people.

Mr. President, the bill which I am introducing today would not make these weapons any less available to legitimate sportsmen or to citizens who, for one reason or another, feel they require the somewhat dubious protection which a loaded weapon provides. Indeed, this bill imposes no regulatory controls at all. The legislation which I propose would, however, make it unlawful for any manufacturer, importer, dealer, or pawnbroker to transfer any firearm to any person unless he forwards to the principal law-enforcement officers of the locality in which the transfer occurs and in which the transferee resides, and to the firearms registry to be established in the Department of the Treasury, a registration statement. No individual could transfer any firearm without also registering with the appropriate law-enforcement officers. And finally, every individual who presently owns a weapon would be required to register it within 1 year of the enactment of this legislation. In short, this bill would provide a comprehensive and current inventory of firearms privately owned in this country.

This does not seem to me to be an unreasonable requirement. With more than 2 million firearms being sold in this country every year, such legislation would provide law-enforcement officials with a reasonably accurate count of who owns guns and where these weapons are located. It would make it possible to provide a check on these weapons and to trace them should they be used for illegitimate purposes. A person who purchases weapons for illegitimate purposes, giving a false name or address, could be more easily traced if the purchase were recorded by the local police. An individual with a police record, or with a history of confinement for mental illness, might reasonably be recognized through such a registration process. A weapon which was stolen could be reported, and could be more easily recovered if detailed information on its characteristics were available to law-enforcement officers. The advantages to legitimate owners of firearms are infinite. The advantages to the general public should be equally obvious.

So long as a sizable portion of the domestic trade in weapons takes place in a nether-land where registration is either inadequate or nonexistent, the effectiveness of any firearms laws will be seriously in question. State and local firearms registration will help, but it will not be sufficient. With a population as mobile as ours, with 20 percent of our urban population changing residence every year, there is a pressing need to create a suitable central depository for firearms registration data, to which State and local law-enforcement agencies would contribute, and would have suitable access.

I believe that prompt consideration and enactment of a National Firearms Registry Act are in the best interests of every American. I believe that the legislation which I am now introducing is an essential complement to the bill which has been introduced today by the Senior Senator from Connecticut with numerous cosponsors, of which I am pleased to be one.

Mr. President, I send the bill to the desk, and ask that it be printed in full at this point in the RECORD.

Finally, Mr. President, I ask that a speech recently delivered by the Lieutenant Governor of Massachusetts, the Honorable Francis W. Sargent, be printed in the RECORD. It is a statement which I heartily endorse, and which I believe will be of interest to all my colleagues.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and the speech will be printed in the RECORD.

The bill (S. 3637) to provide for the establishment of a national firearms registry, introduced by Mr. BROOKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3637

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the National Firearms Registry Act.

SEC. 2. (a) It shall be unlawful for any manufacturer, importer, dealer, or pawnbroker within any State to sell or otherwise transfer any firearm after the effective date of this Act to any person unless such manufacturer, importer, dealer or pawnbroker forwards (1) to the principal law enforcement officer of the locality in which the transaction occurs; (2) to the principal law enforcement officer of the locality in which the transferee resides; and (3) to the firearms registry to be established in the Department of the Treasury by U.S. registered or certified mail (return receipt requested) a registration statement in such form as the Secretary shall prescribe containing the following information:

(A) the name, age, address, and social security number, if any, of the person purchasing or otherwise acquiring such firearm;

(B) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides;

(C) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, or the firearm; and

(D) a true copy of any permit or similar document required pursuant to any statute of the State or published ordinance applicable to the locality in which such person resides.

(b) It shall be unlawful for any person within any State, other than a manufacturer, importer, dealer, or pawnbroker, to receive any firearm obtained by him by purchase, gift, or otherwise, after the date of enactment of this Act, other than by the first purchase of such firearm in good faith for purposes other than resale, unless such transferee forwards to the principal law enforcement officer of the locality in which such transferee resides a registration statement in such form as the Secretary shall prescribe containing the following information:

(A) the name, age, address, and social security number, if any, of the person purchasing or otherwise acquiring such firearm;

(B) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides; and

(C) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm. Any local law enforcement officer designated to receive such a registration statement shall forward a true copy of any such statement received to the firearms registry to be established in the Department of the Treasury by United States registered or certified mail (return receipt requested). The Secretary is authorized to make whatever arrangements he deems necessary, including the dissemination of public information, to effect the policy of this section.

(c) Any person owning or possessing any firearm purchased or otherwise obtained prior to enactment of this Act shall, within one year after enactment of this Act, file with the principal law enforcement officer of the locality in which such person resides a registration statement in such form as the Secretary shall prescribe containing the following information:

(1) the name, age, address, and social security number, if any, of the person owning or possessing such firearm;

(2) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides; and

(3) the name of the manufacturer, the caliber or gage, as appropriate, the model and type, and the serial number identification, if any, of the firearm. Any local law enforcement officer designated to receive such a registration statement shall forward a true copy of any such statement received to the firearms registry to be established in the Department of the Treasury by United States registered or certified mail (return receipt requested). The Secretary is authorized to make whatever arrangements he deems necessary, including the dissemination of public information, to effect the policy of this section.

(d) The provisions of this section shall not apply to the sale, other transfer or ownership of any firearm to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity; nor shall such provisions apply to any transactions between manufacturers. importers, dealers, or pawnbrokers licensed under the enactment of chapter 44 of title 18 of enactment of the United States Code.

SEC. 3. (a) The Secretary shall establish and maintain a register identifying each firearm reported to him pursuant to the first section of this Act. Such registry shall be established in consultation with the Director of the Federal Bureau of Investigation in order to insure coordination between the registry and the National Crime Information Center.

(b) In order to carry out his responsibilities under this section the Secretary is authorized to obtain and use the most modern and efficient automatic data processing equipment for the storage, analysis and retrieval of information contained in the registration statements furnished to the firearms registry to be established pursuant to this Act.

(c) The Secretary is authorized to issue, amend and revoke such regulations as he deems necessary to carry out his functions under this Act.

SEC. 4. (a) Any person who violates the provisions of this Act or any regulation issued thereunder shall be subject to a penalty which, in the case of the first offense shall be an amount not to exceed $100, in the case of the second offense by the same person shall be an amount not to exceed $1,000, and in the case of a subsequent offense by the same person shall be an amount not to exceed $5,000.

(b) Whoever knowingly and willfully makes a false statement on any registration statement required to be forwarded under this Act shall be deemed to have violated the provisions of section 1001 of title 18 of the United States Code.

SEC. 5. Only upon the request of a law enforcement agency of a State, political subdivision thereof, or of a Federal department or agency shall the Secretary furnish information contained in the registry established pursuant to this Act and such information shall be furnished only to the requesting party.

SEC. 6. As used in this Act—

(1) The term "person" includes any individual, corporation, company association, firm, partnership, society, or joint stock company.

(2) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device. Such term shall not include an antique firearms or an unserviceable firearm possessed and held as a curio or museum piece.

(3) The term "destructive device" means (A) any explosive or incendiary (i) bomb, (ii) grenade, (iii) rocket having a propellent charge of more than four ounces (iv) missile, (v) mine, or (vi) similar device; (B) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive, the barrel or barrels of which have a bore of more than seventy-eight one-hundredths inches in diameter; or (C) any combination of parts designed and intended for use in converting any device into a destructive device. The term "destructive device" shall not include (i) any device which is not designed or redesigned or used or intended for use as a weapon, (ii) any device, although originally designed as a weapon, which is redesigned for use or is used as a signaling, pyrotechnic, line throwing, safety, or similar device, (ii) any shotgun or rifle, (iv) any firearm designed for use with black powder, regardless of when manufactured, (v) surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, of 4686 of title 10 of the United States Code, (vi) any device which the Secretary finds is used exclusively by the United States or any department or agency thereof, or (vii) any other device which the Secretary finds is not likely to be used as a weapon.

(4) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution.

(5) The term "manufacturer" means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution.

(6) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, or (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(7) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

(8) The term "antique firearm" means any firearm of a design used before the year 1870 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1870; but not including any weapon designed for use with smokeless powder or using rimfire or conventional center-fire ignition with fixed ammunition.

(9) The term "State" includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(10) The term "Secretary" means the Secretary of the Treasury.

The speech presented by Mr. BROOKE is as follows:

STATEMENT BY LT. GOV. FRANCIS W. SARGENT, CHANNEL 2, "OPINIONS IN CONFLICT" PROGRAM, MAY 14, 1968

Gun control means crime control.

Control—not elimination. I don't pretend that any laws could have saved the lives of President Kennedy or Martin Luther King or that we can have overnight utopia in America by passing new legislation.

I do say that when the richest nation in the world cannot make its streets safe for its people, when you and I are afraid to walk from corner to corner by day or by night in big city or small town, when America is turning into an armed camp—then we have to do more than we're doing.

I said an armed camp. Estimates of how many guns there are in America range from 50 million to 200 million—no one even knows the correct figure! We do know that every year 2 million domestic and 1 million imported guns are sold, meaning 10,000 guns reaching private hands every working day. We do know that in the first four months of this year 23 hundred more gun licenses were issued in Massachusetts than in the same period last year and that applications for licenses in Boston have doubled during that same period. And we do know that this state's eleven hundred gun dealers sold enough guns of all kinds last year to equip 13 infantry divisions—about 56,000 men.

I said an armed camp—and I meant it.

I am not a lawyer, not a gun law expert. I'm an office holder, but I've been a hunter since the age of 16, an ex-Army rifle marksman, an infantry officer, and the owner of a sporting goods store that sells guns along with fishing rods and boats, and I'm urging gun control in America. I am not concerned with the hunter or the target shooter. They don't worry me. They are sensible, law-abiding men. I am concerned with men who are not.

And I am not concerned about Massachusetts gun laws. They are stringent and effective. I wish every state would copy them—because I can drive 30 miles from here to New Hampshire tonight, tell a man behind a counter that I live in Nashua, and walk out with a gun in my pocket, ready to kill a man for twenty dollars in cash and three hours in time.

I think we have to do much better than that.

I recommend these things:

A national law requiring manufacturers and importers to put a serial number on all firearms of any description. There is no such requirement now and many guns have no identifying number.

A national law requiring that serial numbers be recorded when guns are sold so that their ownership can be traced.

A national law forbidding handgun ownership by felons, addicts, mental incompetents and minors lacking parental permission.

Uniform laws in all states requiring a license to carry a handgun.

Stronger penalties including mandatory jail terms against those committing crimes of violence while using or carrying a gun.

My stress has been on handguns because they are concealable and therefore most dangerous.

And I am aware of the argument that criminals can always steal guns. The fact is they don't need to. It's too easy to buy them. Out of 45 hundred and six guns recovered by police from criminals over an 8 year period in Massachusetts, exactly 6 had been stolen. Eighty-seven percent of them had come from Maine, New Hampshire, Vermont—where gun laws are more lenient.

In 1966, guns were used in 6500 murders, 43,000 serious assaults, 50,000 robberies. Three quarters of a million people have been killed in our country since 1900 by privately owned guns—a third again as many as were killed in all our wars.

I've spoken now about five minutes. In that period, in five minutes, 25 serious crimes have been committed in America. While I've been talking, 2 murders, forcible rapes or assaults to kill have happened, 1 robbery has been committed, and more than 5 larcenies have taken place.

Before this hour-long program is over, 2 fatal shootings will have taken place, for there are about 50 of them every day in America.

Would gun control mean crime control? I think the answer is obviously yes.

GUN CONTROL

Mr. RIBICOFF. Mr. President, the assassination of Senator Robert F. Kennedy is tragic evidence that America needs stronger gun control legislation.

In the last 5 years, we have seen a series of shocking demonstrations of why this legislation is necessary.

First, a President was murdered, shot down with a high-powered rifle. Then a great civil rights leader was shot to death, again the victim of a high-powered rifle blast. Now a U.S. Senator—and a candidate for the highest office in the land—has been gunned down.

Since the turn of the century, 750,000 Americans have died as victims of firearms.

I can well understand President Johnson's concern when he said last week:

> What in the name of conscience will it take to pass a truly effective gun control law?

Tougher gun control regulations must be imposed. We have all heard the argument opposing these regulations. "Guns do not kill people," the statement goes, "people kill people." That is true enough. And no gun control legislation, no matter how rigid, will insure that our Nation's leaders—or any of its citizens—will not be shot down by a gunman's bullets.

But gun control legislation will make revolvers, rifles, shotguns, and other weapons less readily available. It is too easy for those of unstable psychology and violent inclination to arm themselves with lethal weapons. It is too easy for hoodlums and criminals to buy guns.

And therefore it becomes easier for people to kill people. We must take steps to regulate the sale of weapons. It is incumbent upon us to act now.

Recently, the Senate adopted legislation barring the interstate mail-order sale of handguns. The House has also approved this measure. It is action in the right direction. But it is not enough by any means.

There are two more steps we must take. And we must take them as soon as possible.

First, we must pass legislation extending the interstate mail order prohibition to long guns—that is, rifles and shotguns. We have already moved to stop the mail order sale on handguns because of the threat such interstate traffic poses. Logic, requires, then, that we apply the same bar to mail-order long gun purchases.

Second, we must pass legislation making it necessary for gun owners to register their guns with designated authorities.

Neither of these measures is unreasonable. Both are now before the Senate in legislation. I am cosponsor of the bill.

For the protection of all our citizens, we must prohibit once and for all the sale of any gun through the mail. Weapons of this nature must be purchased in person. That is fundamental.

We require that automobile owners register their cars with the proper authorities. We require the registration of boats—and many communities even require the registration of bicycles. The minor inconvenience, it seems to me, is far outweighed by the added protection that is afforded to all citizens.

It is, for instance, an inconvenience to register a car too but we have found through experience, that it is in the best interests of the Nation to have a record of each and every automobile on our streets and highways.

The indiscriminate sale of guns must be checked. It is clear there are too many Americans with intent to kill loose in the Nation. To protect the people of this country we need to impose certain restrictions on the sale of guns.

I urge my colleagues in this body—and Members of the House of Representatives as well—to adopt stronger, more realistic measures to supplement the gun control bill we recently passed.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. McGee in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings, page 16956).

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, I wish to make a relatively brief statement on the conference on H.R. 16489, the Post Office and Treasury Departments appropriations bill for fiscal year 1969.

The conference report contains a total of new budget—obligational—authority in the amount of $1,780,653,000. This amount is $179,232,000 under the 1969 budget estimates; $2,853,000 over the House bill; $400,000 under the Senate; and $122,898,000 under the 1968 appropriations made to date. The conference allowance is under the 1968 appropriations as a result of the increase in postal revenues anticipated in 1969 due to the recent postal rate increases.

I wish to point out, however, that the grand totals of titles I, III, and IV, new budget—obligational—authority and title II, authorizations out of the postal fund, amounts to $8,158,477,000. This latter amount is an increase of $612-836,000 over 1968; $179,232,000 under the 1969 estimates: $2,853,000 over the House, and $400,000 under the Senate bill.

TREASURY DEPARTMENT

For the Treasury Department, the conference bill contains new budget—obligational—authority of $1,007,960,000, an increase of $1,310,000 over the House bill, $8,956,000 under the 1969 estimates, $400,000 under the Senate bill, and $86,073,000 over the 1968 appropriations made to date. Major changes in title I occurred in connection with the U.S. Secret Service. The Senate had added authorizing language and funds in the amount of $2 million to the Secret Service, salaries and expenses, appropriation to provide for the extension of protection to major presidential and vice-presidential candidates and to authorize assistance to the Secret Service by other Government agencies in its protective assignments.

Subsequent to the passage of H.R. 16489, the Treasury, Post Office Departments appropriation bill, by the Senate, the House and Senate passed House Joint Resolution 1292, which provides permanent legislation for the protection of candidates, and for assistance to the Secret Service by other Government agencies in its protective assignments. In this connection, I ask unanimous consent to have printed in the Record the text of the letter from the General Counsel of the Treasury to Representative Steed, dated June 10, 1968.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Hon. Tom Steed,
Chairman, Subcommittee on Treasury, Post Office and Executive Office,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: In response to an informal request of your Committee staff, this is to inform you that in my opinion the authorization to the United States Secret

(B) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides; and

(C) the name of the manufacturer, the caliber or gage, as appropriate, the model and the type, and the serial number identification, if any, of the firearm. Any local law enforcement officer designated to receive such a registration statement shall forward a true copy of any such statement received to the firearms registry to be established in the Department of the Treasury by United States registered or certified mail (return receipt requested). The Secretary is authorized to make whatever arrangements he deems necessary, including the dissemination of public information, to effect the policy of this section.

(c) Any person owning or possessing any firearm purchased or otherwise obtained prior to enactment of this Act shall, within one year after enactment of this Act, file with the principal law enforcement officer of the locality in which such person resides a registration statement in such form as the Secretary shall prescribe containing the following information:

(1) the name, age, address, and social security number, if any, of the person owning or possessing such firearm;

(2) the title, name, and official address of the principal law enforcement officer of the locality in which such person resides; and

(3) the name of the manufacturer, the caliber or gage, as appropriate, the model and type, and the serial number identification, if any, of the firearm. Any local law enforcement officer designated to receive such a registration statement shall forward a true copy of any such statement received to the firearms registry to be established in the Department of the Treasury by United States registered or certified mail (return receipt requested). The Secretary is authorized to make whatever arrangements he deems necessary, including the dissemination of public information, to effect the policy of this section.

(d) The provisions of this section shall not apply to the sale, other transfer or ownership of any firearm to or by (A) the United States or any department, independent establishment or agency thereof, (B) any State or any department, independent establishment, agency or any political subdivision thereof, (C) any duly commissioned officer or agent of the United States, a State or any political subdivision thereof, in his official capacity; nor shall such provisions apply to any transactions between manufacturers. importers, dealers, or pawnbrokers licensed under the enactment of chapter 44 of title 18 of enactment of the United States Code.

SEC. 3. (a) The Secretary shall establish and maintain a register identifying each firearm reported to him pursuant to the first section of this Act. Such registry shall be established in consultation with the Director of the Federal Bureau of Investigation in order to insure coordination between the registry and the National Crime Information Center.

(b) In order to carry out his responsibilities under this section the Secretary is authorized to obtain and use the most modern and efficient automatic data processing equipment for the storage, analysis and retrieval of information contained in the registration statements furnished to the firearms registry to be established pursuant to this Act.

(c) The Secretary is authorized to issue, amend and revoke such regulations as he deems necessary to carry out his functions under this Act.

SEC. 4. (a) Any person who violates the provisions of this Act or any regulation issued thereunder shall be subject to a penalty which, in the case of the first offense shall be an amount not to exceed $100, in the case of the second offense by the same person shall be an amount not to exceed $1,000, and in the case of a subsequent offense by the same person shall be an amount not to exceed $5,000.

(b) Whoever knowingly and willfully makes a false statement on any registration statement required to be forwarded under this Act shall be deemed to have violated the provisions of section 1001 of title 18 of the United States Code.

SEC. 5. Only upon the request of a law enforcement agency of a State, political subdivision thereof, or of a Federal department or agency shall the Secretary furnish information contained in the registry established pursuant to this Act and such information shall be furnished only to the requesting party.

SEC. 6. As used in this Act—

(1) The term "person" includes any individual, corporation, company association, firm, partnership, society, or joint stock company.

(2) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device. Such term shall not include an antique firearms or an unserviceable firearm possessed and held as a curio or museum piece.

(3) The term "destructive device" means (A) any explosive or incendiary (i) bomb, (ii) grenade, (iii) rocket having a propellent charge of more than four ounces (iv) missile, (v) mine, or (vi) similar device; (B) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive, the barrel or barrels of which have a bore of more than seventy-eight one-hundredths inches in diameter; or (C) any combination of parts designed and intended for use in converting any device into a destructive device. The term "destructive device" shall not include (i) any device which is not designed or redesigned or used or intended for use as a weapon, (ii) any device, although originally designed as a weapon, which is redesigned for use or is used as a signaling, pyrotechnic, line throwing, safety, or similar device, (ii) any shotgun or rifle, (iv) any firearm designed for use with black powder, regardless of when manufactured, (v) surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, of 4686 of title 10 of the United States Code, (vi) any device which the Secretary finds is used exclusively by the United States or any department or agency thereof, or (vii) any other device which the Secretary finds is not likely to be used as a weapon.

(4) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution.

(5) The term "manufacturer" means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution.

(6) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, or (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms.

(7) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

(8) The term "antique firearm" means any firearm of a design used before the year 1870 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1870; but not including any weapon designed for use with smokeless powder or using rimfire or conventional center-fire ignition with fixed ammunition.

(9) The term "State" includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

(10) The term "Secretary" means the Secretary of the Treasury.

The speech presented by Mr. BROOKE is as follows:

STATEMENT BY LT. GOV. FRANCIS W. SARGENT, CHANNEL 2, "OPINIONS IN CONFLICT" PROGRAM, MAY 14, 1968

Gun control means crime control.

Control—not elimination. I don't pretend that any laws could have saved the lives of President Kennedy or Martin Luther King or that we can have overnight utopia in America by passing new legislation.

I do say that when the richest nation in the world cannot make its streets safe for its people, when you and I are afraid to walk from corner to corner by day or by night in big city or small town, when America is turning into an armed camp—then we have to do more than we're doing.

I said an armed camp. Estimates of how many guns there are in America range from 50 million to 200 million—no one even knows the correct figure! We do know that every year 2 million domestic and 1 million imported guns are sold, meaning 10,000 guns reaching private hands every working day. We do know that in the first four months of this year 23 hundred more gun licenses were issued in Massachusetts than in the same period last year and that applications for licenses in Boston have doubled during that same period. And we do know that this state's eleven hundred gun dealers sold enough guns of all kinds last year to equip 13 infantry divisions—about 56,000 men.

I said an armed camp—and I meant it.

I am not a lawyer, not a gun law expert. I'm an office holder, but I've been a hunter since the age of 16, an ex-Army rifle marksman, an infantry officer, and the owner of a sporting goods store that sells guns along with fishing rods and boats, and I'm urging gun control in America. I am not concerned with the hunter or the target shooter. They don't worry me. They are sensible, law-abiding men. I am concerned with men who are not.

And I am not concerned about Massachusetts gun laws. They are stringent and effective. I wish every state would copy them—because I can drive 30 miles from here to New Hampshire tonight, tell a man behind a counter that I live in Nashua, and walk out with a gun in my pocket, ready to kill a man for twenty dollars in cash and three hours in time.

I think we have to do much better than that.

I recommend these things:

A national law requiring manufacturers and importers to put a serial number on all firearms of any description. There is no such requirement now and many guns have no identifying number.

A national law requiring that serial numbers be recorded when guns are sold so that their ownership can be traced.

A national law forbidding handgun ownership by felons, addicts, mental incompetents and minors lacking parental permission.

Uniform laws in all states requiring a license to carry a handgun.

Stronger penalties including mandatory jail terms against those committing crimes of violence while using or carrying a gun.

My stress has been on handguns because they are concealable and therefore most dangerous.

And I am aware of the argument that criminals can always steal guns. The fact is they don't need to. It's too easy to buy them. Out of 45 hundred and six guns recovered by police from criminals over an 8 year period in Massachusetts, exactly 6 had been stolen. Eighty-seven percent of them had come from Maine, New Hampshire, Vermont—where gun laws are more lenient.

In 1966, guns were used in 6500 murders, 43,000 serious assaults, 50,000 robberies. Three quarters of a million people have been killed in our country since 1900 by privately owned guns—a third again as many as were killed in all our wars.

I've spoken now about five minutes. In that period, in five minutes, 25 serious crimes have been committed in America. While I've been talking, 2 murders, forcible rapes or assaults to kill have happened, 1 robbery has been committed, and more than 5 larcenies have taken place.

Before this hour-long program is over, 2 fatal shootings will have taken place, for there are about 50 of them every day in America.

Would gun control mean crime control? I think the answer is obviously yes.

GUN CONTROL

Mr. RIBICOFF. Mr. President, the assassination of Senator Robert F. Kennedy is tragic evidence that America needs stronger gun control legislation.

In the last 5 years, we have seen a series of shocking demonstrations of why this legislation is necessary.

First, a President was murdered, shot down with a high-powered rifle. Then a great civil rights leader was shot to death, again the victim of a high-powered rifle blast. Now a U.S. Senator—and a candidate for the highest office in the land—has been gunned down.

Since the turn of the century, 750,000 Americans have died as victims of firearms.

I can well understand President Johnson's concern when he said last week:

> What in the name of conscience will it take to pass a truly effective gun control law?

Tougher gun control regulations must be imposed. We have all heard the argument opposing these regulations. "Guns do not kill people," the statement goes, "people kill people." That is true enough. And no gun control legislation, no matter how rigid, will insure that our Nation's leaders—or any of its citizens—will not be shot down by a gunman's bullets.

But gun control legislation will make revolvers, rifles, shotguns, and other weapons less readily available. It is too easy for those of unstable psychology and violent inclination to arm themselves with lethal weapons. It is too easy for hoodlums and criminals to buy guns.

And therefore it becomes easier for people to kill people. We must take steps to regulate the sale of weapons. It is incumbent upon us to act now.

Recently, the Senate adopted legislation barring the interstate mail-order sale of handguns. The House has also approved this measure. It is action in the right direction. But it is not enough by any means.

There are two more steps we must take. And we must take them as soon as possible.

First, we must pass legislation extending the interstate mail order prohibition to long guns—that is, rifles and shotguns. We have already moved to stop the mail order sale on handguns because of the threat such interstate traffic poses. Logic, requires, then, that we apply the same bar to mail-order long gun purchases.

Second, we must pass legislation making it necessary for gun owners to register their guns with designated authorities.

Neither of these measures is unreasonable. Both are now before the Senate in legislation. I am cosponsor of the bill.

For the protection of all our citizens, we must prohibit once and for all the sale of any gun through the mail. Weapons of this nature must be purchased in person. That is fundamental.

We require that automobile owners register their cars with the proper authorities. We require the registration of boats—and many communities even require the registration of bicycles. The minor inconvenience, it seems to me, is far outweighed by the added protection that is afforded to all citizens.

It is, for instance, an inconvenience to register a car too but we have found through experience, that it is in the best interests of the Nation to have a record of each and every automobile on our streets and highways.

The indiscriminate sale of guns must be checked. It is clear there are too many Americans with intent to kill loose in the Nation. To protect the people of this country we need to impose certain restrictions on the sale of guns.

I urge my colleagues in this body—and Members of the House of Representatives as well—to adopt stronger, more realistic measures to supplement the gun control bill we recently passed.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. McGee in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings, page 16956).

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, I wish to make a relatively brief statement on the conference on H.R. 16489, the Post Office and Treasury Departments appropriations bill for fiscal year 1969.

The conference report contains a total of new budget—obligational—authority in the amount of $1,780,653,000. This amount is $179,232,000 under the 1969 budget estimates; $2,853,000 over the House bill; $400,000 under the Senate; and $122,898,000 under the 1968 appropriations made to date. The conference allowance is under the 1968 appropriations as a result of the increase in postal revenues anticipated in 1969 due to the recent postal rate increases.

I wish to point out, however, that the grand totals of titles I, III, and IV, new budget—obligational—authority and title II, authorizations out of the postal fund, amounts to $8,158,477,000. This latter amount is an increase of $612-836,000 over 1968; $179,232,000 under the 1969 estimates: $2,853,000 over the House, and $400,000 under the Senate bill.

TREASURY DEPARTMENT

For the Treasury Department, the conference bill contains new budget—obligational—authority of $1,007,960,-000, an increase of $1,310,000 over the House bill, $8,956,000 under the 1969 estimates, $400,000 under the Senate bill, and $86,073,000 over the 1968 appropriations made to date. Major changes in title I occurred in connection with the U.S. Secret Service. The Senate had added authorizing language and funds in the amount of $2 million to the Secret Service, salaries and expenses, appropriation to provide for the extension of protection to major presidential and vice-presidential candidates and to authorize assistance to the Secret Service by other Government agencies in its protective assignments.

Subsequent to the passage of H.R. 16489, the Treasury, Post Office Departments appropriation bill, by the Senate, the House and Senate passed House Joint Resolution 1292, which provides permanent legislation for the protection of candidates, and for assistance to the Secret Service by other Government agencies in its protective assignments. In this connection, I ask unanimous consent to have printed in the RECORD the text of the letter from the General Counsel of the Treasury to Representative STEED, dated June 10, 1968.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. TOM STEED,
Chairman, Subcommittee on Treasury, Post Office and Executive Office,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to an informal request of your Committee staff, this is to inform you that in my opinion the authorization to the United States Secret

Service to furnish protection to major Presidential and Vice Presidential candidates, and assistance by other Government agencies in its protective responsibilities, which is contained in Sections 1 and 2 of H.J. Res. 1292 (P.L. 90–331), constitutes permanent legislation.

Sincerely yours,

FRED B. SMITH.

Mr. MONRONEY. Mr. President, House Joint Resolution 1292 also appropriates $400,000 for the fiscal year 1968. This was signed by the President and became Public Law 90–331.

In view of the subsequent legislative action, the Senate amendment which authorized such protection and assistance is no longer required. However, additional funds are still needed to carry out these responsibilities for fiscal 1969 and the conferees agreed that $1.6 million be added, of which $500,000 be in the nature of a contingency amount, to be used only if the original estimate of $1.1 million should fall short of meeting the needs for the protection of the candidates. If it is not used for the protection of the candidates, it will remain unused by the Secret Service. In order to accomplish the above, the conferees agreed to strike the Senate amendment, restore the House language, and increase $19.3 million as proposed by the House to $20,900,000. It is the understanding of the conferees that the legislative history of the Senate amendment, which was expressly treated by the Senate as being incorporated into its subsequent consideration of House Joint Resolution 1292, be deemed to be a part of the legislative history of the same provisions as enacted into permanent law in Public Law 90–331.

POST OFFICE DEPARTMENT

The House receded to the Senate on Senate amendment No. 7 which increases the appropriation for "Research, development, and engineering" by $1 million. Thus the Bureau of Research and Engineering is allowed $35 million to advance and accelerate its research and engineering programs in lieu of the $34 million as proposed by the House.

COMMISSION ON OBSCENITY AND PORNOGRAPHY

The conferees agreed to the Senate position in connection with the newly created Commission on Obscenity and Pornography and the full budget estimate was allowed. This action provides the Commission with $643,000 to continue its investigation of the traffic in obscenity and pornography and to determine whether more effective means should be devised to control transmission of such materials. The reporting date of the Commission is extended to July 31, 1970.

BOW AMENDMENT

I am happy to report that the House receded from its disagreement to Senate amendment No. 11 and agreed to the same. Senate amendment 11 struck out, in its entirety, section 502—the Bow amendment—which would have limited aggregate expenditures in the bill to not to exceed $7,461,423,000.

Mr. President, this presentation touches on the very main items of the report. I ask unanimous consent that a table showing the 1968 appropriations, the 1969 budget estimates, the House and Senate action, and the conference action on the bill be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TITLE I—TREASURY DEPARTMENT

[In dollars]

Appropriation title	1968 appropriations	1969 estimates	House bill	Senate bill	Conference action	Conference action compared with—			
						1968 appropriations	1969 estimates	House	Senate
Office of the Secretary	7,015,000	7,780,000	7,688,000	7,668,000	7,668,000	+653,000	−112,000	−20,000	
Bureau of Accounts	34,500,000	42,999,000	42,999,000	42,999,000	42,999,000	+8,499,000			
Government losses in shipment (new item)		500,000	400,000	400,000	400,000	+400,000	−100,000		
Bureau of Customs	89,361,000	98,215,000	97,700,000	97,700,000	97,700,000	+8,339,000	−515,000		
Bureau of Engraving and Printing (air conditioning of building) (new item)		500,000	400,000	400,000	400,000	+400,000	−100,000		
Bureau of the Mint	14,000,000	15,020,000	14,200,000	14,200,000	14,200,000	+200,000	−820,000		
Bureau of Narcotics	6,565,000	8,985,000	8,985,000	8,985,000	8,985,000	+2,420,000			
Bureau of the Public Debt	54,748,000	56,987,000	56,900,000	56,900,000	56,900,000	+2,152,000	−87,000		
Internal Revenue Service:									
Salaries and expenses	19,960,000	21,967,000	21,700,000	21,630,000	21,630,000	+1,670,000	−337,000	−70,000	
Revenue accounting and processing	177,000,000	188,563,000	187,000,000	187,000,000	187,000,000	+10,000,000	−1,563,000		
Compliance	494,800,000	547,551,000	541,500,000	541,500,000	541,500,000	+46,700,000	−6,051,000		
Federal tax lien revolving fund	500,000					−500,000			
Total, Internal Revenue Service	692,260,000	758,081,000	750,200,000	750,130,000	750,130,000	+57,870,000	−7,951,000	−70,000	
Office of the Treasurer	6,588,000	6,878,000	6,878,000	6,878,000	6,878,000	+290,000			
U.S. Secret Service	16,850,000	19,871,000	19,300,000	21,300,000	20,900,000	+4,050,000	+1,029,000	+1,600,000	−400,000
Construction of Secret Service training facilities (new item)		1,000,000	1,000,000	800,000	800,000	+800,000	−200,000	−200,000	
Total title I, Treasury Department, new budget (obligational) authority	921,887,000	1,016,816,000	1,006,650,000	1,008,360,000	1,007,960,000	+86,073,000	−8,856,000	+1,310,000	−400,000

II—POST OFFICE DEPARTMENT

Appropriation title	1968 appropriations	1969 estimates	House bill	Senate bill	Conference action	1968 appropriations	1969 estimates	House	Senate
Administration and regional operation	(103,450,000)	(123,802,000)	(119,000,000	(119,000,000)	(119,000,000)	(+15,550,000)	(−4,802,000)		
Research, development, and engineering	(23,148,000)	(36,386,000)	(34,000,000)	(35,000,000)	(35,000,000)	(+11,852,000)	(−1,386,000)	(+1,000,000)	
Operations	(5,306,500,000)	(5,783,989,000)	(5,720,000,000)	(5,720,000,000)	(5,720,000,000)	(+413,500,000)	(−63,989,000)		
Language—5 percent transfer authority		Includes	Denies	Restores	Denies				
Transportation	(650,000,000)	(713,500,000)	(684,000,000)	(684,000,000)	(684,000,000)	(+34,000,000)	(−29,500,000)		
Building occupancy	(185,724,000)	(216,000,000)	(210,000,000)	(210,000,000)	(210,000,000)	(+24,276,000)	(−6,000,000)		
Supplies and services	(89,276,000)	(110,781,000)	(110,000,000)	(110,000,000)	(110,000,000)	(+20,724,000)	(−781,000)		
Plant and equipment	(195,000,000)	(225,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+5,000,000)	(−25,000,000)		
Postal public buildings	(50,000,000)	(88,252,000)	(50,000,000)	(50,000,000)	(50,000,000)		(−38,252,000)		
Total, authorizations out of postal fund	(6,603,098,000)	(7,297,710,000)	(7,127,000,000)	(7,128,000,000)	(7,128,000,000)	(+524,902,000)	(−169,710,000)	(+1,000,000)	
Less net revenues (as estimated in 1969 budget)	(−5,642,090,000)	(−6,377,824,000)	(−6,377,824,000)	(−6,377,824,000)	(−6,377,824,000)	(−735,734,000)			
Total, title II, Post Office Department, new budget (obligational) authority (indefinite)	[1] 961,008,000	[1] 919,886,000	[1] 749,176,000	[1] 750,176,000	[1] 750,176,000	−210,832,000	−169,710,000	+1,000,000	

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT									
Compensation of the President	150,000	150,000	150,000	150,000	150,000				
The White House Office	3,009,000	3,229,000	3,229,000	3,229,000	3,229,000	+220,000			
Special projects	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000				
Operating expenses, Executive Mansion	708,000	823,000	823,000	823,000	823,000	+115,000			
Bureau of the Budget	9,500,000	10,310,000	10,000,000	10,000,000	10,000,000	+500,000	−310,000		
Council of Economic Advisers	858,000	[2] 1,236,000	880,000	880,000	880,000	+22,000	−356,000		
National Security Council	664,000	664,000	664,000	664,000	664,000				
Emergency fund for the President	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000				
Expenses of management improvement	350,000	350,000	350,000	350,000	350,000				
Total, title III, Executive Office of the President, new budget (obligational) authority	17,739,000	19,262,000	18,596,000	18,596,000	18,596,000	+857,000	−666,000		
TITLE IV—INDEPENDENT AGENCIES									
Administrative Conference of the United States (new item)		250,000	125,000	250,000	250,000	+250,000		+125,000	
Advisory Commission on Intergovernmental Relations	510,000	551,000	551,000	551,000	551,000	+41,000			
Commission on Obscenity and Pornography (new item)		643,000	225,000	643,000	643,000	+643,000		+418,000	
Tax Court of the United States	2,407,000	2,477,000	2,477,000	2,477,000	2,477,000	+70,000			
Total, title IV, independent agencies, new budget (obligational) authority	2,917,000	3,921,000	3,378,000	3,921,000	3,921,000	+1,004,000		+543,000	
TOTAL, TITLES I, II, III, AND IV									
Grand total, titles I, II, III, and IV, new budget (obligational) authority	1,903,551,000	1,959,885,000	1,777,800,000	1,781,053,000	1,780,653,000	−122,898,000	−179,232,000	+2,853,000	−400,000
Consisting of—									
Appropriations (definite)	942,543,000	1,039,999,000	1,028,624,000	1,030,877,000	1,030,477,000	+87,934,000	−9,522,000	+1,853,000	−400,000
Appropriations (indefinite)	961,008,000	919,886,000	749,176,000	750,176,000	750,176,000	−210,832,000	−169,710,000	+1,000,000	
Memoranda—									
Grand total, titles I, III, and IV, new budget (obligational) authority and title II, authorizations out of the postal fund	(7,545,641,000)	(8,337,709,000)	(8,155,624,000)	(8,158,877,000)	(8,158,477,000)	(+612,836,000)	(−179,232,000)	(+2,853,000)	−400,000
TITLE V—GENERAL PROVISIONS									
Language (Bow amendment)[3]			Language[3]	Deletes	Deletes				

---

[1] Indefinite, because it represents the difference between specific appropriations on use of the postal fund and estimated postal revenues.

[2] S. Doc. 80, dated May 24, 1968, revised original budget estimate of $886,000 to $1,236,000.

[3] Language places overall expenditure limitation of not to exceed $7,461,423,000 for fiscal 1969.

Mr. MONRONEY. Mr. President, I hope that the Senate will be willing to accept the conference report.

Mr. CARLSON. Mr. President, I wish to commend the distinguished Senator from Oklahoma for bringing back to the Senate what I believe to be a greatly improved conference report on the appropriations for the Departments of the Treasury and the Post Office. When we realize that the Post Office handles more than 82 billion pieces of mail a year, it is essential that they be provided with the necessary funds with which to operate. I feel that this is an excellent conference report. I heartily recommend its adoption.

Mr. MONRONEY. I thank the Senator from Kansas.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 59 minutes p.m.) the Senate adjourned, in accordance with the previous order, until tomorrow, Thursday, June 13, 1968, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate June 12, 1968:

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

Vern T. Conner, Dixon, Calif., in place of J. R. Kilkenny, retired.

Betty N. Raines, Macdoel, Calif., in place of V. C. Gilmer, retired.

FLORIDA

Rowena S. Eubanks, Bristol, Fla., in place of Alma Shuler, retired.

Ralph H. Finke, Indian Rocks Beach, Fla., in place of F. C. Brandon, retired.

GEORGIA

James D. Tarver, Jr., Wadley, Ga., in place of D. K. Whigham, retired.

ILLINOIS

Myrell E. Conn, Elizabethtown, Ill., in place of W. P. Hall, retired.

INDIANA

Charles E. Peffley, Bridgeton, Ind., in place of C. A. Peffley, deceased.

William S. Gehring, Lawrenceburg, Ind., in place of H. C. Engler, deceased.

Harold E. Renbarger, Wabash, Ind., in place of H. K. Sundheimer, retired.

IOWA

Esther V. Tow, Superior, Iowa, in place of V. G. Olson, retired.

KANSAS

Evelyn J. Rappard, Burlingame, Kans., in place of H. T. Stodard, retired.

KENTUCKY

Paul W. Holman, Glasgow, Ky., in place of Waldo Redman, retired.

Gladys R. Boling, Lackey, Ky., in place of M. M. Staley, retired.

LOUISIANA

Herman H. Nunez, Bell City, La., in place of Ferdinand Nunez, retired.

Louis O. Troxler, New Sarpy, La., in place of L. V. Linden, retired.

MARYLAND

Melvin G. Bussey, Glen Burnie, Md., in place of E. W. Rodgers, retired.

MICHIGAN

Joseph C. Bria, Bessemer, Mich., in place of J. B. Springhetti, retired.

Reuben R. Maki, Wakefield, Mich., in place of J. C. Bedell, retired.

MINNESOTA

Lowell J. DeBus, Welcome, Minn., in place of M. E. Aukofer, retired.

NEW MEXICO

John R. Robertson, Lordsburg, N. Mex., in place of D. A. McGhee, removed.

NEW YORK

Edward J. Dolan, Boonville, N.Y., in place of N. C. Hamblin, retired.

William H. Ferris, Carmel, N.Y., in place of T. M. Townsend, retired.

Michael J. Villani, Port Washington, N.Y., in place of W. R. Cumiskey, retired.

Ralph Vinchiarello, Wassaic, N.Y., in place of G. B. Liner, retired.

OHIO

Mabel M. Tobin, Chatfield, Ohio, in place of H. J. Kalb, retired.

Leonard W. Mueller, Grove City, Ohio, in place of D. R. Wyker, deceased.

Robert W. Weber, Shelby, Ohio, in place of C. W. Swanger, retired.

PENNSYLVANIA

Charles J. Hiler, Camp Hill, Pa., in place of W. A. Putt, retired.

Russel A. Rarig, Jr., Montandon, Pa., in place of J. B. Frederick, retired.

PUERTO RICO

Felix Rivera-Munoz, Naranjito, P.R., in place of Modesta Vega, retired.

TEXAS

Olan H. Wade, Cushing, Tex., in place of E. D. Beck, retired.

Conley C. Bradshaw, Silsbee, Tex., in place of L. A. Yankie, retired.

In the Army

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of 10 U.S.C., sections 3283 through 3294, and 3311:

To be majors

Hatch, Burton G., O709490.
Weil, John D., O1925584.
Wenn, Kenneth L., O1879390.
Zahm, Ronald J., O1935737.

To be captains

Freeman, Carl L., O5405817.
Gillespie, Paul H., Jr., O5704507.
Holsinger, Donald M., O2316902.
Huntley, Jack R., O2313362.
Lanzl, Harold J., O4030920.
McGee, Albert P., O5404039.
Pinson, David L., O4046854.
Regel, Thomas J., O5402620.
Schabacker, Gary W., O5540016.
Scotti, Michael J., Jr., O2320472.
Taylor, John F., O5423397.

To be first lieutenants

Armenta, Hector, O5417075.
Ashley, Kenneth W., O5306525.
Bennett, Thomas B., Jr., O5417034.
Berggren, Tommy H., O5712520.
Blalock, Darrell N., O5311678.
Braswell, Leroy J., MR2318302.
Brossman, Gene F., O2332509.
Calder, Frederick V., O5710783.
Castleman, Jerry D., O5326376.
Chirichigno, Luis G., O2324524.
Dickson, Weldon W., O5320008.
Fournier, Joseph L. A., O5320300.
Ginder, Charles R., O5325091.
Griffith, Luther J., O5202767.
Gumbert, Terrence B., MN5417486.
Heckman, Aldred A., Jr., O5519645.
Hurwitz, Martin R., O5306185.
Hutchinson, Judith A., N2326662.
Keidel, Werner N., O5423505.
Kelleher, Robert M., O2325859.
Kral, Thomas E., MN2309140.
Krohn, John H. E., O2313811.
Malik, James J., Jr., O5413029.
Merkt, Francis D., III, O5402772.
Montes, Juan A., O2325648.
Morhet, John A., O5321597.
Morris, Wayne S., MN2306971.
Page, Bertrand A., II, O5325472.
Peters, Donald L., O5313693.
Reynolds, Mack D., O5021949.
Riley, Melvin E., O5340072.
Riley, Patrick E., O5011078.
Schmalzried, Ronald D., O5535621.
Schmoker, Arthur W., MN2314722.
Sherburne, John R., O5414610.
Spinks, Thomas M., O5327385.
Spohn, David B., O5316530.
Sprouse, James V., Jr., O5313730.
Stober, Robert L., O5515753.
St. Peter, Norman L., O5013573.
Sylvester, Louis A. K., O5318649.
Taylor, John W., Jr., O5418035.
Thomas, Harry M. J., O5319654.
Van Horn, Frederick E., O5419333.
Venuto, Rocco C., O5017538.
Volk, Paul J., Jr., O5209408.
Wayne, Richard S., O5326105.
Weiss, James A., O5534717.
Whelan, Richard W., O5322476.

To be second lieutenants

Bertagnolli, Joseph J., O5713425.
Boyer, Robert F., O5520554.
Chellis, Allen R., O5329057.
Cochran, Frank H., O5421934.
Cuthertson, James, O5327036.
Day, Overton, O5243553.
Glisson, Henry T., O5332521.
Green, Richard S., O5329199.
Haas, Joseph R., O5340365.
Hurt, Robert D., O5422504.
Kent, Elizabeth N., L2331384.
Millikan, Erlend J., O5419805.
Moon, Donald R., O2323546.
Neary, Patrick H., O5328178.
Parker, James C., O5416902.
Peckinpaugh, Dennis, O5338130.
Perry, Eddie L., O5232864.
Schulze, Richard F., O5713665.
Simek, Joseph R., O5713992.
Stamper, Roy R., MN5541129.
Taylor, James A., O2326824.
Thomas Evert S., III., O5230077.
Todd, Albert T., O5332239.
Utecht, Kenneth J., Jr., O5537128.
Wadsworth, John L., O5244648.
Wheatley, Charles F., O5236516.
Yacovelli, Phillip R., O5324646.

The following-named distinguished military students for appointments in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, U.S.C., sections 2106, 3283, 3284, and 3294:

Bardonner, John N., O5220792.
Brown, Thomas L., O5319167.
Ellwood, Robert A., O5017502.
Farmer, Robert C., O5218050.
Iannone, Liberato A., O5017511.
Levi, James S., O5320617.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, U.S.C., sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Andzik, Bernard M.
Arias, Louis A.
Bailey, Alton P.
Begland, Robert R.
Blair, Joseph A.
Brooks, Mack M., Jr.
Brown, Wayne L.
Caggiano, Arthur W.
Callen, Paul J.
Carey, Stephen W.
Carroll, William J.
Chisholm, Roderick G., III
Collins, William
Corley, Lawrence L.
Cully, Michael R.
Dickens, Ralph K., Jr.
Evenson, Michael K.
Everitt, William E., IV
Ewing, Earl P.
Fitzgerald, Michael J.
Gidej, Jaroslaw
Gramlich, Andrew F.
Harpold, Philip A.
Healy, Raymond J.
Hubeck, Stephen J.
Jacqmein, William M.
Jenkins, Richard W.
Karcher, Donald D.
Kraus, Nelson H.
Lansdale, Geoffrey
Lawrence, James W.
Long, John W.
Maciag, John W.
Mackey, John G.
Maize, Craig T.
McAninch, William J.
McAuliffe, John F.
McCormack, Thomas J.
McDade, John H., Jr.
Minney, Elton D.
Molesworth, John R.
Morton, Kenneth B., Jr.
Mountain, Michael B.
Newberry, Dan A.
Pekny, William M.
Polley, James D., IV
Pratt, John B., II
Rhodes, Danny L.
Ritchie, James L., IV
Rivers, Clarence
Runkle, Timothy D.
Russell, Jeffrey W.
Sargent, Kenneth E.
Sherman, Daniel N.
Simons, David D.
Sprinkle, Garland P.
Tamez, Garland P.
Veitch, Douglas S.
Villavaso, Alfred G.
Wallace, Don W.
Wohlfert, Kenneth F.
Zito, Alvin H.

The following-named scholarship student for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, U.S.C., sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Johnson, Alan J.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 12, 1968:

Federal Trade Commission

A. Everette MacIntyre, of Virginia, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1968.

Environmental Science Services Administration

The nominations beginning Hubert W. Keith, Jr., to be captain and ending Jimmy R. Eddlemon to be lieutenant (jg.), which nominations were received by the Senate and appeared in the Congressional Record on May 27, 1968.

U.S. Coast Guard

The nominations beginning Joseph J. O'Connell to be lieutenant and ending James M. Johnson to be chief warrant officer (W–2), which nominations were received by the Senate and appeared in the Congressional Record on May 27, 1968.

HOUSE OF REPRESENTATIVES—*Wednesday, June 12, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O Lord, be gracious unto us; we have waited for Thee; be Thou our arm every morning, our salvation also in the time of trouble.—Isaiah 33: 2.

Eternal Father of our spirits, who hast created us with minds to seek truth, with hearts to feel love, and with wills to choose the right, we bow at the altar of Thy presence praying for the establishment of justice and peace and good will in our Nation and in our world.

Breathe into our hearts and into the hearts of our people the generosity and the genuineness of great and good living. Save us from unwholesome relationships, break down the walls that separate us, and let pettiness pass away as the power of Thy love comes to life within us.

We commend our Nation unto Thee. Make us worthy of the sacrifices which have been built into the foundation of our Republic. Save us from our own folly and from that idolatry which puts another god on the throne of our national life. From lawlessness and anarchy and selfishness, O Lord, deliver us. May real religion, moral manners, public integrity, and private character become the blessing of our country.

Grant that we enter this day with Thee and may the benediction of Thy spirit rest upon us. In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 15189. An act to authorize appropriations for certain maritime programs of the Department of Commerce.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 10932) entitled "An act for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force, retired," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCLELLAN, Mr. HART, and Mr. FONG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15190) entitled "An act to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans."

LEGISLATIVE PROGRAM FOR JULY 3 TO JULY 8, 1968

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time in order to inquire of the distinguished majority leader the plans for the Fourth of July and the House program during that period.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of my distinguished friend, and I am glad he has made this inquiry for the benefit of Members, we plan to adjourn at the close of business on Wednesday, the 3d of July, preceding the 4th of July, until Monday noon following the 4th of July.

Mr. GERALD R. FORD. It is anticipated we will have legislative business on Wednesday, July 3, and also on Monday, July 8?

Mr. ALBERT. Mr. Speaker, the gentleman is correct.

CALL OF THE HOUSE

Mr. MILLS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 178]

Abernethy
Ashbrook
Ayres
Bell
Bolton
Bow
Brock
Carter
Celler
Conyers
Cowger
Daddario
Dawson
Derwinski
Diggs
Donohue
Dorn
Evins, Tenn.
Farbstein
Ford, William D.
Gettys
Gilbert
Hansen, Idaho
Harrison
Hawkins
Hébert
Herlong
Holland
Kelly
Kuykendall
McMillan
Moore
Moorhead
Murphy, Ill.
O'Hara, Ill.
O'Neal, Ga.
Pelly
Pike
Pool
Pucinski
Rarick
Resnick
Rivers
Rogers, Colo.
Rooney, N.Y.
Roybal
Scheuer
Staggers
Teague, Tex.
Thompson, N.J.
Vander Jagt

The SPEAKER. On this rollcall 383 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT DURING GENERAL DEBATE TODAY

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works may be permitted to sit during general debate today. This has been cleared with the ranking minority Member, the gentleman from Florida [Mr. CRAMER].

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CAMP-IN ON FEDERAL PROPERTY SHOULD BE ENDED

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I was extremely pleased when I learned that this House was going to have the fortitude to vote on legislation which would have ended the camp-in on Federal property here. For once this body was going to have an opportunity to stand up and say to these demonstrators, "We will not let you continue to live here at the expense and the embarrassment of the law-abiding taxpayers of this country."

But now I read in this morning's paper that this bill has been put off, and that we will not have an opportunity to vote on this important measure. The permit for this demonstration ends on Sunday, June 16, and these people have already indicated that they have no intention of leaving. They have violated every provision of the permit already. They never intended to follow the provisions agreed to, and their leaders have indicated they do not intend to vacate this Federal land, permit or no permit.

This House is fast becoming notorious for passing legislation under threats of violence and intimidation. Now it is refusing to act because of these same threats. I want the RECORD to show that if H.R. 16981 had come to the floor for a vote today, I would have supported it wholeheartedly.

URBAN AFFAIRS TASK FORCE

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I am pleased to announce the 10th in a series of House Republican urban affairs task force hearings which have included New York City Mayor John Lindsay, executive director of the League of the Cities, Patrick Healey, and Dr. Thomas Matthew, of the National Economic Growth and Reconstruction Organization.

Featured at the 10th hearing will be representatives of the Baltimore Community Investment Corp., a pioneer organization built upon the self-help concept. The Baltimore Community Investment Corp. is an outgrowth of the Council for Equal Business Opportunity which was financed by a Ford Foundation seed grant of $246,000. In 16 months of their existence, the council has loaned $300,000 to Negro businesses.

The Baltimore Community Investment Corp., designed to perpetuate the self-help theme, is financed by stock subscriptions and a Small Business Administration loan. Their total capital assets are $1.8 billion. Representatives of the corporation will discuss the future of Negro self-help organizations and the impact of existing legislation on their future. Additionally, the representatives will describe how technical, in addition to financial, aid is provided Negro-owned businesses.

The Republican urban affairs task force meeting will be in H-219 of the Capitol at 12 noon.

A CLEAR RENOUNCEMENT OF CITIZENSHIP BY ROBERT F. WILLIAMS

Mr. **ROGERS** of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **ROGERS** of Florida. Mr. Speaker, I read with much concern a story which said Robert F. Williams has tired of living in the Communist capitals of the world and is ready to return to the United States.

After leaving the United States some 7 years ago, Williams fled to Cuba, leaving behind him warrants for his arrest or charges of kidnaping. In Havana, Williams earned his keep as a Communist worker by broadcasting propaganda back to the United States, telling those who listened how downtrodden and oppressed the people of America were.

After his stint in Havana, Williams went to Peking to aid the Government of Communist China and worked at producing propaganda materials aimed at our men in Vietnam.

Again, Williams spoke of how the people of the United States were downtrodden and oppressed.

Now Williams is in Tanzania and has reportedly asked for permission to return to the United States. It seems that he has tired of his tour and wants to return to the Nation he publicly rejected.

This man should not be allowed to return to the United States. He has denounced his homeland for the past 7 years. He has aided the Communist propaganda machine in this hemisphere and in the Far East.

I think that his actions over the past 7 years are clear indication that he has renounced his citizenship as an American citizen and should not be allowed to return home.

PERSONAL EXPLANATION

Mr. **DULSKI**. Mr. Speaker, on Monday, during the consideration of H.R. 3400, I was absent on rollcall No. 173. Had I been present I would have voted "yea."

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE OF THE PRESIDENT APPROPRIATIONS, 1969—CONFERENCE REPORT

Mr. **STEED**. Mr. Speaker, I call up the conference report on the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore (Mr. **ALBERT**). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1544)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) "making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 9, and 11; and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"For necessary expenses for the operation of the United States Secret Service, including purchase (not to exceed one hundred and seventy-one for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year, of which one hundred and twenty-nine are for replacement only), and hire of passenger motor vehicles, hire of aircraft, services as authorized by title 5, United States Code, section 3109, and purchase, repair, and cleaning of uniforms; $20,900,000."

And the Senate agree to the same.

The Committee of conference report in disagreement amendments numbered 10 and 12.

Tom Steed,
Otto E. Passman,
J. P. Addabbo,
Jeffrey Cohelan,
Sidney R. Yates,
George Mahon,
Silvio O. Conte,
Howard W. Robison (except as to No. 7),
Charlotte T. Reid (except as to No. 11),
Managers on the Part of the House.
A. S. Mike Monroney,
Ralph W. Yarborough,
Robert C. Byrd,
Carl Hayden,
Daniel Brewster,
Jennings Randolph,
Clifford P. Case,
Karl E. Mundt,
Frank Carlson,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—TREASURY DEPARTMENT

Office of the Secretary

Amendment No. 1: Appropriates $7.668,000 as proposed by the Senate instead of $7,688,000 as proposed by the House.

Bureau of Customs

Amendments Nos. 2 and 3: Insert language limiting acquisition, maintenance, and operation of aircraft to one aircraft as proposed by the Senate.

Internal Revenue Service

Amendment No. 4: Appropriates $21,630,000 for salaries and expenses as proposed by the Senate instead of $21,700,000 as proposed by the House.

U.S. Secret Service

Amendment No. 5: Deletes language proposed by the Senate and restores language proposed by the House with an amendment providing for hire of aircraft, and appropriates $20,900,000 instead of $19,300,000 as proposed by the House and $21,300,000 as proposed by the Senate.

The conferees have deleted the Senate language as being unnecessary in this bill. This is done, however, upon the understanding of the conferees that the legislative history of the Senate amendment, which was expressly treated by the Senate as being incorporated into its subsequent consideration of House Joint Resolution 1292, is to be deemed to be part of the legislative history of the same provisions as enacted into permanent law in Public Law 90-331.

Construction of Secret Service training facilities

Amendment No. 6: Appropriates $800,000 as proposed by the Senate instead of $1,000,000 as proposed by the House.

TITLE II—POST OFFICE DEPARTMENT

Research, development, and engineering

Amendment No. 7: Appropriates $35,000,000 as proposed by the Senate instead of $34,000,000 as proposed by the House.

TITLE IV—INDEPENDENT AGENCIES

Administrative Conference of the United States

Amendment No. 8: Appropriates $250,000 as proposed by the Senate instead of $125,000 as proposed by the House.

Commission on Obscenity and Pornography

Amendment No. 9: Appropriates $643,000 as proposed by the Senate instead of $225,000 as proposed by the House.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

TITLE V—GENERAL PROVISIONS

Amendment No. 11: Deletes House language limiting expenditures. The conferees agreed to delete this provision in anticipation of passage of H.R. 15414.

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

Tom Steed,
Otto E. Passman,
J. P. Addabbo,
Jeffery Cohelan,
Sidney R. Yates,
George Mahon,
Silvio O. Conte,
Howard W. Robison (except as to No. 7),
Charlotte T. Reid (except as to No. 11),
Managers on the Part of the House.

Mr. STEED. Mr. Speaker, on behalf of the subcommittee that handles this bill, I want to say we are happy to be able to bring this conference report to the House at this stage of the session. I believe we can assure the House that this is perhaps the tightest bill affecting these agencies that we have presented in a great many years. Very few changes were made in the House version of the bill by the other body. The bill as it is presented here today in its final form represents about $2.8 million more than the original version approved by the House, but most of this increase is accounted for by the new activity authorized just last week by the Congress which will permit the Secret Service to extend protection to major candidates for the Presidency and the Vice-Presidency. We were able to make the necessary language adjustments in the bill and take into account the amount that is estimated to be necessary to provide the protection. I think we will be accomplishing a very worthwhile purpose by early conclusion of our action on this bill and sending it on to the White House.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am very happy to yield to the gentleman from Oklahoma, my colleague, the majority leader.

Mr. ALBERT. Mr. Speaker, first of all I want to compliment my distinguished colleague. I think his skill and industry as a legislator have been shown during the consideration of this bill, just as they have on many other bills. This is the first regular appropriation bill on which final action will be taken by the House thus far this year and the first that will reach the President's desk. I commend my colleague for this action on behalf of the House.

Mr. Speaker, following the tragedy in Los Angeles, President Johnson took action to protect the lives of presidential candidates with Secret Service guards. He did this—anticipating the approval of the Congress—because action was urgently needed.

Last week, we gave support to the President's emergency action. A resolution was adopted by both Houses—and signed by the President on the same day—to provide authority for the safeguarding of presidential candidates. We also wrote into permanent law the right of the Secret Service to call upon the personnel and facilities of all Government agencies to assist in the protection of our Presidents and presidential candidates. While this had long been the custom, there had been no statutory authority for this action.

Today we act on the conference report of the Treasury-Post Office appropriations bill. This bill provides the necessary appropriations for these additional duties of the Secret Service for the coming year. It will enable them to carry out protection of presidential candidates through the remainder of the 1968 campaign. In light of the shocking and tragic events of recent days, the need for these funds is self-evident.

The need for a clear legal foundation for assistance by other agencies to the Secret Service was equally important. It was not necessary to repeat this authority in the appropriation bill—since it had already been provided in the resolution last week. But the legislative history in both Houses shows an awareness that this authority was badly needed.

Certainly, we want the resources of the Government to be available to protect presidential candidates during the remainder of this presidential campaign. We must be certain that the lives of our Presidents, their wives and widows, and others entitled to Presidential protection are never needlessly jeopardized because of lack of continuous coordination among the agencies which provide vital medical, transportation, communications and intelligence gathering links.

These protective resources are today available to three Americans held in enduring affection—President Truman, President Eisenhower, and Mrs. John F. Kennedy and her children. This is as it should be.

Thus, the Congress acted last week—and acts again today—in a tragic time to insure that future tragedy does not needlessly befall those who have made lasting contributions to American public life.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am happy to yield to our distinguished chairman.

Mr. MAHON. Mr. Speaker, I was pleased to hear the statement of the majority leader in regard to the work of the chairman of the Subcommittee on Treasury and Post Office of the Committee on Appropriations. As chairman of the full committee, I can say from firsthand information that the gentleman from Oklahoma [Mr. Steed] has done an outstanding job in handling this legislation this year. He works in such a way that he has the cooperation of the subcommittee and the full committee and the confidence and support of the House. We do not always take time to express our views in regard to the quality of the work of our friends and colleagues. I am taking this opportunity to thank the gentleman for the good work which he has done this year. This is simply a continuation of the tremendous job which he had done through the years on the Committee on Appropriations, which handles the funds for all of the agencies and departments of this far-flung Federal Government.

Mr. STEED. I thank the gentleman very much.

Mr. HALL. Mr. Speaker, will the gentleman yield to me at this point before he yields to the gentleman from Massachusetts [Mr. Conte]?

Mr. STEED. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's yielding to me at this time, and far be it from me to break up this back scratching. However, I would like to get back to the bill for just a minute.

With reference to title I which has to do with the Treasury Department in amendment No. 1, did you not, or did not the managers on the part of the House, create a typographical error in that the Senate did not increase the appropriation of $7,668,000 as opposed to $7,668,000? The figures appear the same. Has the Senate instead of adding to the figure as it passed the House, cut the figure below the House figure?

Mr. STEED. I think the gentleman misread the figure. It is actually $20,000 less than the figure was when it passed the House.

Mr. HALL. In other words, in this instance this would be another "plus" for the position of the managers on the part of the other body in that they reduced our figure; is that correct?

Mr. STEED. Yes. They eliminated an item that cut out two jobs involving a total of $20,000.

Mr. HALL. Mr. Speaker, I appreciate the gentleman correcting the figures which to me looked identical. But I do see now that the gentleman is correct. I misread the figure as contained in the amendment.

However, as one goes down the statement of the managers on the part of the House, and as I have done in reviewing my homework, I notice that we have in seven instances yielded to the other body and only in three instances maintained the position on the part of the House. That is not necessarily to say that this is all bad, because in the instance to which reference has just been made, but would the gentleman explain to the Members who are interested, the plan, and why we are to pass amendments Nos. 10 and 12 that are in technical disagreement, before we are asked to approve the conference report as a whole?

Mr. CONTE. Mr. Speaker, will the gentleman yield to me for just a moment on that question? Perhaps I might be able to answer some of the questions which are in the minds of the Members of the House if I have the opportunity to explain the manager's views on this bill.

First of all, Mr. Speaker, I would like to join in complimenting the chairman of the subcommittee, the gentleman from Oklahoma [Mr. Steed], and all of the members of the committee for bringing out the Post Office and Treasury Department appropriation bill before the end of the fiscal year. This has been done now for the last several years and it has eliminated the necessity for a continuing resolution with reference to these particular departments. In fact, Mr. Speaker, we have received correspondence and praise from both the Department of the Treasury and the Post Office Department as the result of bringing this bill to the floor of the House before the end of the fiscal year and it has been signed into law before the end of the fiscal year, thereby saving the taxpayers a good deal of money.

Very quickly, Mr. Speaker, the first item, item No. 1, is in the amount of $20,000 less than was contained in the bill which passed the House. This entailed the elimination of two positions. With reference to the Internal Revenue Service the conference report contains the figure of $21,630,000, which is $70,000 below the figure of the House. With respect to the next item, the U.S. Secret Service, the chairman of the subcommittee has already mentioned the fact that that figure is in the amount of $1,600,000. This is in accordance with the resolution passed by the House and the other body and signed by the President making available protection to presidential candidates as well as the President.

After the tragic events of the past few days, I am sure there is unanimous agreement that this action was urgently needed.

Both Houses of Congress acted last Thursday to provide authorization for Secret Service protection of major presidential candidates and authorization for the Secret Service to call on other Federal agencies to assist it in all its protective duties. The President signed it the same day. Now this appropriations bill provides the necessary funds to the Secret Service to carry out this added responsibility during fiscal year 1969.

The authority for assistance to the Secret Service by other agencies has been eliminated from the conference report because that authority has already been written into permanent law by action last Thursday on House Joint Resolution 1292. This was long-overdue recognition that all of the intelligence gathering, scientific, communications, and transportation resources of the Government must be available to protect our Presidents.

Mr. Speaker, it is too late to save the lives of our Presidents who have died in service to our country. It is too late to save the life of our fallen colleague, Robert F. Kennedy. But it is not too late to improve the protection we give our Presidents. It is not too late to protect the lives of candidates who aspire to that high office.

The authorization for that protection was enacted last week. It is our duty to vote funds for these duties today.

The next item is with reference to the construction of Secret Service training facilities in the amount of $800,000 instead of $1 million. This is for the firing range for the Secret Service. As I stated earlier, the House had originally appropriated $1 million for the construction of a firing range, but we went along with a reduction of $200,000. As all of us are aware, the cost of construction has gone up and it is entirely possible that next year we will be back for a supplemental for the firing range to make up this difference.

The next item comes under title II, the Post Office Department, for research, development, and engineering, wherein the House appropriated $34 million but the Senate added $1 million, making a total of $35 million, which was in agreement at the conference.

The House managers felt that this was an item that had been pushed for a long time by the Post Office and Treasury Subcommittee, that we should do more research and development in the Post Office Department, that the Post Office Department still is in the preliminary stages of modernizing and that more should be done toward accomplishing this through research and development. Therefore we went along with this figure.

Mr. HALL. Mr. Speaker, if the gentleman will yield further on that point, is it the opinion of the gentleman from Massachusetts [Mr. CONTE] who has taken over the questions that I have posed, that this half million dollars in research and development for the Post Office Department, which becomes of course a part of the $17.5 billion in our budget for all research and development by the Federal Government, would prevent in the future by private research and test and development such things as the fiasco that Universal Fiberglas and others entered into with the Post Office Department in the production of a so-called and ill-fated three-legged mailster?

Mr. CONTE. I would like to answer the question of the gentleman from Missouri by saying that I certainly hope so.

If the gentleman will recall in reading back through the hearings, I raised havoc with the Post Office Department a few years ago because a great deal of the money was being squandered with outside concerns. One of the things that I harped upon 3 years ago was the development of mud flaps for post office trucks. I might also mention that Dr. Packer, the head of the Post Office's Department of Research is an extremely talented and capable individual who has come to the Post Office from the Xerox Corp. at a huge reduction in salary—he probably makes today one-third of what he was earning at Xerox—in order to take on the responsibility of heading up this research and development department of the Post Office. And, I believe that we are finally on the right track here. Dr. Packer, has the experience, and he has brought in some real topnotch people from all over the country. So, as I say, I am hopeful we can eliminate such things as the gentleman from Missouri has alluded to.

Mr. HALL. Would the gentleman not agree with me that we should be eliminating such things as even higher authority than the Postmaster General, dabbling in this research and development, and the awarding of contracts, if we are to prevent such fiascos as have been repeatedly portrayed in the well of this House before?

Mr. CONTE. I could not agree with the gentleman from Missouri in this, because of the fact that this work has now been elevated to the individual heading up the research and development department, to an Assistant Postmaster General. And under Postmaster General O'Brien he was given a great deal of latitude and functioned quite independently, I would say, from the rest of the Department.

Mr. HALL. The new individual in possession of the authority on the R.D.T. & E. in the Postmaster General's Department——

Mr. CONTE. Is Assistant Postmaster General——

Mr. HALL. Would not exceed the power of the Vice President when it comes to interference with or influencing of the awarding of contracts developed by the research and development?

Mr. CONTE. I am not in position to be able to answer that question.

Mr. HALL. I appreciate the gentleman being so kind as to yield while we go over these problems that have been brought up so amply before us. But the point is that this is a time of economy, and we are being asked even in the Department of Defense, to cut back on research and development, and therefore there is serious question whether we should be adding on, even if the other body thinks so, at this time in view of the problems of the immediate past.

Mr. STEED. If the gentleman will pardon this interruption, I would say that while we have agreed on an increase over the House figure, the new figure we now have is about $1.5 million under the budget for this item. The Senate restored part of the cut we originally made in the House.

Mr. HALL. If the gentleman will yield further, I appreciate that statement, but I would ask how much is it over last year's expenditures? That is the important thing, not what was the request in the budget.

Mr. STEED. This particular program is considerably increased over last year because it has taken about 3 years to get this program to the level we now have it. Certainly we would have been penny-wise and pound-foolish had we started the research and development, and not continued with the normal expansion of what we had started to do in the beginning.

This is just an orderly increase in a program which was started about 3 years ago to provide mechanization for handling our tremendous volume of mail.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I never cease to marvel at some of the useless Rube Goldberg contraptions that have come out of research and development in the Post Office Department, or that the Department has paid for and which have been supplied by private industry.

I still wonder who in the Post Office Department came up with the hair-brained idea that three-wheeled mail trucks would be useable universally across the United States, in all kinds of weather. It is utterly beyond belief that a contract such as that which was awarded to the Universal Fibreglass Co. would come out of the Post Office Department or any other agency of the Government.

Mr. CONTE. Here again I agree with the gentleman. If you go back in the hearings, you will find I certainly voiced my opposition to these things not only on the ground that they were impractical but they were dangerous.

But we must admit that all of these things we are speaking of here today came into existence before Dr. Leo S. Packer came here to head up the Department of Research, Development, and Engineering. This is one of the things that we hope, that by developing this particular section in the Post Office Department, that we can eliminate such gimmicks, as you mentioned.

Mr. GROSS. Right; and whoever has control of the contract can end the contract.

Mr. CONTE. The vehicle to which we referred was very dangerous. A lot of men got hurt, and still are.

There are two more items—under independent agencies — Administrative Conference of the United States which provides $125,000 over what the House provided.

That particular agency had not been in existence. Now it is in existence and fully in operation.

The other addition is with reference to the Commission on Obscenity and Pornography, an increase of $148,000, to bring that up to the full amount requested of $643,000. That is a new agency set up by the Congress in order to study the question of obscenity and pornography in the country. It is headed up by the Dean of the law school of the University of Minnesota. There was a great deal of discussion in conference on amendment No. 11 which was the so-called Bow amendment. It was finally agreed by the managers that the only reason we would recede on this amendment was because of the proposed tax bill and the $6 billion expenditure cut which will be taken up here in the House in the near future.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. CONTE. At this point I yield to the gentleman from North Carolina [Mr. JONAS], my senior member on the committee.

Mr. JONAS. I thank the gentleman for yielding.

Mr. Speaker, I am disappointed over the action of the conferees on the Bow amendment, particularly since this is the first appropriation bill we will complete action on during this session.

This House has expressed itself many times in favor of the Bow amendment and the Bow amendment was unanimously agreed to when this bill was on the floor originally.

The statement of the House managers gives a very strange reason for eliminating the Bow amendment.

They say that the conferees agreed to delete the Bow amendment in anticipation of the passage of the bill, H.R. 15414. That bill was originally scheduled to be taken up this week and has already been postponed. I do not think it is at all certain that H.R. 15415 will pass.

I do not think that we should surrender the Bow amendment in conference in anticipation of something that may never happen.

I am frankly disappointed, as I said, because the Bow amendment was not retained in the bill—or because it was agreed to eliminate it in anticipation of something which, as I said, may never happen.

I would like to read from the RECORD when this bill was before the House the comments of my colleague, the senior ranking member of the committee, the gentleman from Ohio [Mr. BOW], when he said in a colloquy with the distinguished chairman of the subcommittee:

> I will say to the distinguished gentleman—and I will give the Members an opportunity to vote in just a moment—I believe we want to save. The original limitation was higher than this. The gentleman from Oklahoma has provided us with a revised statement from the agencies, and his revised statement estimates spending at $7,461,000,000. That is the amount of the limitation. This simply takes them at their word. It is a reduction, or a savings.

The original Bow amendment would have provided a lower spending limitation than that, but because of the table that was provided by the departments during the course of the debate, the limitation was increased. Now, in face of the fact, as I have said, that there is no assurance——

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Oklahoma.

Mr. STEED. The copy of the proposed Bow amendment that was first given to me had about $400 million more of spending authority in it than the Bow amendment that was finally accepted; did it not?

Mr. JONAS. That is what I just got through saying.

Mr. STEED. I interpreted what you said to be just the opposite.

Mr. JONAS. No, the final Bow amendment that was agreed to provided for a higher limitation on spending than the original Bow proposal. It was agreed to because, as I understand from the RECORD, the gentleman from Oklahoma presented a table from the departments indicating——

Mr. STEED. I still think the figure in the original Bow amendment, a copy of which was provided me, would have permitted the departments to spend about $400 million more than the Bow amendment that was accepted in the committee.

Mr. JONAS. That is correct.

Mr. STEED. The Bow amendment which was accepted was about $400 million less than the figure in the original Bow amendment.

Mr. JONAS. At any rate, the final draft of the Bow amendment was agreed to here on the floor and adopted unanimously.

Mr. STEED. I call the gentleman's attention to the fact that we made the reservation when we accepted the amendment that further study would be made.

Since the Bow amendment is the exact expenditure estimate the departments gave us, from funds appropriated in the bill, it would have no effect on what the departments told us they were going to do anyway. This is one interpretation and was my understanding of the effect of the amendment at the time it was accepted when the bill passed the House.

I am informed that there is another interpretation to which the Bow amendment could lend itself. I am not a legal authority myself, but I understand that some legal authorities contend that the amendment could result in the complete shutdown of the Post Office Department and the Treasury Department as well as the repudiation of over half of the interest on the public debt—which is guaranteed by the Constitution itself. Under either interpretation, the amendment is a phony and has no connection whatsoever with economy in our Government.

Mr. JONAS. Mr. Speaker, I certainly do not interpret it that way. That was not the interpretation the House placed on it. No one raised that question in the debate on the bill when it was first before the House.

Another reason I was disappointed when this amendment was eliminated was because the report of the conferees on the tax bill, which was placed in the RECORD on Monday, makes crystal clear that while a spending limitation of $6 billion is to be made next year, it is not contemplated that the responsibility and the burden of making those cuts should be placed upon the President of the United States. It is equally crystal clear that the conferees expect the House to live up to its obligation to impose as many of those cuts as possible so as not to put all the burden on the President.

For that reason I regret that the conferees agreed to delete the spending limitation that was agreed to here on the floor, and now we are in the position of not imposing any spending limitation whatsoever on this bill.

Mr. STEED. Might I say, Mr. Speaker, in this connection that we have some appropriation bills to which the amendment has been applied and some to which it has not. Last year we had the same situation. The same Members are here now that were here then. After working on this problem, the Congress finally passed an economy bill. It would be my assumption and feeling that if, for some reason or other, the tax bill is not enacted, it would be quite possible for us to do again this year what we did last year by placing a spending limitation on all the appropriation bills, which would then take effect in a uniform way. I am not opposed to economy which was the objective of the Bow amendment. But since the amendment is subject to misinterpretation, the other body was unanimous in deleting the provision. Under these circumstances, I think it was proper for the House conferees to take the attitude that we took.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. STEED. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding further. I want to say that, having objected to the unanimous consent request to consider this conference report the other day before it was printed, I do appreciate having it in advance and having a chance to study it before we consider it and vote on it on the floor today. I have appreciated all the colloquy that has gone on.

I must say I agree with my colleague from North Carolina that it is unfortunate that we have to vote this either up or down, in view of the statement brought back with certain exceptions signed by members of the minority on the part of the House managers.

Having so stated, I wonder if we could have an explanation of those amendments numbered 10 and 12 reported in technical disagreement. I understand, of course, from reading the statement of managers on the part of the House, that we will simply move to recede and concur in the Senate amendment, but before accepting the conference report as a whole, which we have to do according to the rules of the House, I wonder if the distinguished chairman of the subcommittee will explain to us why we are receding.

Mr. STEED. Mr. Speaker, when the Commission on Obscenity and Pornography was before our committee, the date of expiration of the commission was such that they did not have enough time left to accomplish their mission. There had been some delay in getting it started. So we funded it on the basis of the time that was left in the act itself. These two amendments were adopted by the other body to extend the life of the Commission so as to give it the same amount of time that was originally contemplated in the law.

Mr. HALL. In other words, it is more than a unit year appropriation, but it is not open ended, and it states an explicit number of dollars in a certain period of time.

Mr. STEED. Yes. This is a one-time thing. All this does is extend the date so that the Commission, now that it is started, will actually have the same amount of time originally intended. When the Senate extended the time, they provided the budget estimate which I think was justified.

Mr. HALL. Mr. Speaker, I thank the gentleman. Will the gentleman similarly explain amendment No. 12?

Mr. STEED. Mr. Speaker, this deals with the identical thing. It is part of the extension of time of the expiration of the act.

Mr. HALL. Mr. Speaker, I thank the gentleman.

Mr. STEED. Mr. Speaker, I want to explain the deletion by the conferees of one Senate amendment of particular importance. I speak of the authorization for Secret Service protection of major presidential and vice presidential candidates and the authority for the Director of the Secret Service to obtain assistance from other Federal agencies in the performance of its protective duties.

This language was deleted in conference because both Houses on last Thursday, June 6, enacted this authority into permanent law as sections 1 and 2 of House Joint Resolution 1292, which became Public Law 90–331 when it was signed by President Johnson the same day. For this reason, restating the authorization in the appropriation bill would have been superfluous.

I mention this fact so that the record will be clear that we share the feeling of our colleagues in the other body as to the importance of this provision. Indeed, it is the understanding of the conferees that the legislative history of the Senate amendment, which was expressly incorporated by the Senate into its subsequent consideration of House Joint Resolution 1292, shall be deemed to be part of the legislative history of the provisions enacted into permanent law in Public Law 90–331.

We are saddened that the tragic events of this past week have made the necessity of this authorization all too apparent. The ugly violence which stains our political life will, I fervently pray, be soon erased. But until it is, those who aspire to the Presidency must have our protection.

Our attention has also been focused once again on the need for other Federal departments and agencies to assist the Secret Service in its protective functions. This need was stressed vigorously by the Warren Commission. As the number of persons subject to Secret Service protection and the amount of their travel has increased over the years, these protective functions have become a Government-wide responsibility.

The task of protecting our Presidents involves far more than the availability of trained agents. It requires the coordination of all law enforcement agencies for intelligence gathering, the availability of safe transportation facilities and adequate communications to reach remote areas, health and scientific expertise to test food and drinking water, and many other governmental resources. We must never permit the safety of our Presidents—present, past, or future—to be compromised because the resources of the Government were not made available to the fullest extent possible to insure their protection.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I would like to ask the gentleman from Oklahoma what effect the personnel attrition provisions of the conference report on the appropriation bill would have on the quality of the postal service, assuming it is adopted.

Mr. STEED. Of course, the gentleman knows the Post Office Department has a manpower impact from two sources. One is the unprecedented increase in the volume of mail that has been going on for many years, running something like 3 billion additional pieces every year. The other is the increase in the number of drops—which means additional homes, stores, offices, and places to which they must deliver mail. They have had an increase of about 2.5 million drops since 1966. There has been an increase of about 7 billion pieces of mail since then. This has resulted in an add-on of somewhere between 60,000 and 80,000 additional employees.

The Post Office Department employs about 750,000 people at the present time. They have a turnover of about 140,000 people a year. If they are not going to be allowed to fill three of every four vacancies until they get back to the 1966 personnel level, the result would be chaotic. Severe service curtailments most certainly would result and the dollar impact on the Department would be in excess of $650 million.

Mr. VANIK. Mr. Speaker, I thank the gentleman.

Mr. STEED. Mr. Speaker, under leave to extend, I insert the following summary tables:

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, FISCAL YEAR 1969 (H.R. 16489)—CONFERENCE SUMMARY

TITLE I—TREASURY DEPARTMENT

Agency and item	New budget (obligational) authority, fiscal year 1968 (enacted to date)[1]	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conference action	Conference action compared with—			
						New budget (obligational) authority, fiscal year 1968 (enacted to date)	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority recommended in House bill	New budget (obligational authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Office of the Secretary	$7,015,000	$7,780,000	$7,688,000	$7,668,000	$7,668,000	+$653,000	−$112,000	−$20,000	
Bureau of Accounts:									
Salaries and expenses	34,500,000	42,999,000	42,999,000	42,999,000	42,999,000	+8,499,000			
Payment of Government losses in shipment		500,000	400,000	400,000	400,000	+400,000	−100,000		
Bureau of Customs	89,361,000	98,215,000	97,700,000	97,700,000	97,700,000	+8,339,000	−515,000		
Bureau of Engraving and Printing (air conditioning of building)		500,000	400,000	400,000	400,000	+400,000	−100,000		
Bureau of the Mint	14,000,000	15,020,000	14,200,000	14,200,000	14,200,000	+200,000	−820,000		
Bureau of Narcotics	6,565,000	[2] 8,985,000	8,985,000	8,985,000	8,985,000	+2,420,000			
Bureau of the Public Debt	54,748,000	56,987,000	56,900,000	56,900,000	56,900,000	+2,152,000	−87,000		
Internal Revenue Service:									
Salaries and expenses	19,960,000	21,967,000	21,700,000	21,630,000	21,630,000	+1,670,000	−337,000	−70,000	
Revenue accounting and processing	177,000,000	188,563,000	187,000,000	187,000,000	187,000,000	+10,000,000	−1,563,000		
Compliance	494,800,000	547,551,000	541,500,000	541,500,000	541,500,000	+46,700,000	−6,051,000		
Federal tax lien revolving fund	500,000					−500,000			
Total, Internal Revenue Service	692,260,000	758,081,000	750,200,000	750,130,000	750,130,000	+57,870,000	−7,951,000	−70,000	

Office of the Treasurer	6,588,000	6,878,000	6,878,000	6,878,000	6,878,000	+290,000			
U.S. Secret Service	16,850,000	19,871,000	19,300,000	[3] 21,300,000	[3] 20,900,000	+4,050,000	+1,029,000	+1,600,000	−$400,000
Construction of Secret Service training facilities		1,000,000	1,000,000	800,000	800,000	+800,000	−200,000	−200,000	
Total, title I, Treasury Department, new budget (obligational) authority	921,887,000	[2] 1,016,816,000	1,006,650,000	1,008,360,000	1,007,960,000	+86,073,000	−8,856,000	+1,310,000	−400,000
TITLE II—POST OFFICE DEPARTMENT									
Authorizations and limitations on use of the postal fund:									
Administration and regional operation	($103,450,000)	($123,802,000)	($119,000,000)	($119,000,000)	($119,000,000)	(+$15,550,000)	(−$4,802,000)		
Research, development, and engineering	(23,148,000)	(36,386,000)	(34,000,000)	(35,000,000)	(35,000,000)	(+11,852,000)	(−1,386,000)	(+$1,000,000)	
Operations	(5,306,500,000)	(5,783,989,000)	(5,720,000,000)	(5,720,000,000)	(5,720,000,000)	(+413,500,000)	(−63,989,000)		
Transportation	(650,000,000)	(713,500,000)	(684,000,000)	(684,000,000)	(684,000,000)	(+34,000,000)	(−29,500,000)		
Building occupancy	(185,724,000)	(216,000,000)	(210,000,000)	(210,000,000)	(210,000,000)	(+24,276,000)	(−6,000,000)		
Supplies and services	(89,276,000)	(110,781,000)	(110,000,000)	(110,000,000)	(110,000,000)	(+20,724,000)	(−781,000)		
Plant and equipment	(195,000,000)	(225,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+5,000,000)	(−25,000,000)		
Postal public buildings	(50,000,000)	(88,252,000)	(50,000,000)	(50,000,000)	(50,000,000)		(−38,252,000)		
Total, authorizations out of postal fund	(6,603,098,000)	(7,297,710,000)	(7,127,000,000)	(7,128,000,000)	(7,128,000,000)	(+524,902,000)	(−169,710,000)	(+1,000,000)	
Less net revenues (as estimated in 1969 budget)	(−5,642,090,000)	(−6,377,824,000)	(−6,377,824,000)	(−6,377,824,000)	(−6,377,824,000)	(−735,734,000)			
Total, title II, Post Office Department, new budget (obligational) authority (indefinite)	[4] 961,008,000	[4] 919,886,000	[4] 749,176,000	[4] 750,176,000	[4] 750,176,000	−210,832,000	−169,710,000	+1,000,000	
TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT									
Compensation of the President	$150,000	$150,000	$150,000	$150,000	$150,000				
The White House Office	3,009,000	3,229,000	3,229,000	3,229,000	3,229,000	+$220,000			
Special projects	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000				
Operating expenses, Executive Mansion	708,000	823,000	823,000	823,000	823,000	+115,000			
Bureau of the Budget	9,500,000	10,310,000	10,000,000	10,000,000	10,000,000	+500,000	−$310,000		
Council of Economic Advisers	858,000	[5] 1,236,000	880,000	880,000	880,000	+22,000	−356,000		
National Security Council	664,000	664,000	664,000	664,000	664,000				
Emergency fund for the President	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000				
Expenses of management improvement	350,000	350,000	350,000	350,000	350,000				
Total, title III, Executive Office of the President, new budget (obligational) authority	17,739,000	[5] 19,262,000	18,596,000	18,596,000	18,596,000	+857,000	−666,000		
TITLE IV—INDEPENDENT AGENCIES									
Administrative Conference of the United States		$250,000	$125,000	$250,000	$250,000	+$250,000		+$125,000	
Advisory Commission on Intergovernmental Relations	$510,000	551,000	551,000	551,000	551,000	+41,000			
Commission on Obscenity and Pornography		643,000	225,000	643,000	643,000	+643,000		+418,000	
Tax Court of the United States	2,407,000	2,477,000	2,477,000	2,477,000	2,477,000	+70,000			
Total, title IV, independent agencies, new budget (obligational) authority	2,917,000	3,921,000	3,378,000	3,921,000	3,921,000	+1,004,000		+543,000	
TOTAL, TITLES I, II, III, AND IV									
Grand total, titles I, II, III, and IV, new budget (obligational) authority	$1,903,551,000	[2,3] $1,959,885,000	$1,777,800,000	$1,781,053,000	$1,780,653,000	−$122,898,000	−$179,232,000	+$2,853,000	−$400,000
Consisting of—									
Appropriations (definite)	942,543,000	1,039,999,000	1,028,624,000	1,030,877,000	1,030,477,000	+87,934,000	−9,522,000	+1,853,000	−400,000
Appropriations (indefinite)	961,008,000	919,886,000	749,176,000	750,176,000	750,176,000	−210,832,000	−169,710,000	+1,000,000	
Memoranda: Grand total, titles I, III, and IV, new budget (obligational) authority, and title II, authorizations out of the postal fund	(7,545,641,000)	[2,3] (8,337,709,000)	(8,155,624,000)	(8,158,877,000)	(8,158,477,000)	(+612,836,000)	(−179,232,000)	(+2,853,000)	(−400,000)

---

[1] Reserves created pursuant to Public Law 90-218 not reflected. Pending supplementals also not included.

[2] Includes additional amount of $1,300,000 contained in H. Doc. 259.

[3] Additional funds were provided in the Senate bill for Secret Service protection of major candidates for President and Vice President in the amount of $2,000,000. Subsequent to the passage of the Senate bill, H. J. Res. 1292 was enacted into law (Public Law 90-331) which provided $400,000 for this additional protection. The remainder, $1,600,000, is provided in this regular appropriation bill.

[4] Indefinite, because it represents the difference between specific authorizations on use of the postal fund and estimated postal revenues.

[5] Includes $350,000 for Council of Economic Advisers in S. Doc. 80.

Mr. STEED. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. JONAS. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JONAS moves to recommit the conference report on the bill H.R. 16489 to the committee on conference with instructions to the managers on the part of the House to insist on its disagreement to amendment No. 11.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 160, nays 216, not voting 57, as follows:

[Roll No. 179]

YEAS—160

Abbitt
Adair
Anderson, Ill.
Arends
Ashmore
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Bray
Brock
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson
Bush
Byrnes, Wis.
Cederberg
Chamberlain
Clancy
Clawson, Del
Cleveland
Collier
Colmer
Conable
Corbett
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan
Edwards, Ala.
Eshleman
Findley
Flynt
Ford, Gerald R.
Gardner
Gathings
Goodling
Gross

Grover
Gubser
Gurney
Haley
Hall
Halleck
Hammerschmidt
Harsha
Harvey
Hosmer
Hunt
Hutchinson
Ichord
Jonas
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
MacGregor
Mailliard
Marsh
Martin
May
Mayne
Michel
Miller, Ohio
Mize
Montgomery
Mosher
Myers
Nelsen
Nichols
O'Konski
Ottinger
Pettis
Poff
Price, Tex.
Quie
Quillen
Railsback

Randall
Rarick
Reid, Ill.
Reinecke
Rhodes, Ariz.
Riegle
Rogers, Fla.
Roth
Roudebush
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stratton
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Wampler
Watkins
Watson
Whalley
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—216

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Baring
Barrett
Biester
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brinkley
Brooks
Brotzman
Brown, Calif.
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Cabell
Cahill
Carey

Casey
Clausen, Don H.
Cohelan
Conte
Corman
Culver
Daniels
Davis, Ga.
de la Garza
Delaney
Dent
Dingell
Dow
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Fino
Fisher
Flood
Foley
Fountain

Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gude
Hagan
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Hicks
Holifield

Horton
Howard
Hull
Hungate
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
King, Calif.
Kirwan
Kluczynski
Kornegay
Kupferman
Landrum
Leggett
Long, La.
Long, Md.
McCarthy
McCloskey
McDade
McEwen
McFall
Macdonald, Mass.
Machen
Madden
Mahon
Mathias, Calif.
Matsunaga
Meeds
Meskill
Miller, Calif.

Mills
Minish
Mink
Minshall
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Moss
Natcher
Nedzi
Nix
O'Hara, Mich.
Olsen
O'Neill, Mass.
Passman
Patten
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Podell
Pollock
Pool
Price, Ill.
Pryor
Purcell
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Ronan

Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Schweiker
Shipley
Sikes
Slack
Smith, Iowa
Steed
Stephens
Stubblefield
Sullivan
Tenzer
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Watts
Whalen
White
Whitten
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—57

Abernethy
Ashbrook
Ayres
Bell
Bingham
Bolton
Bow
Brasco
Carter
Celler
Clark
Conyers
Cowger
Daddario
Dawson
Derwinski
Diggs
Donohue
Erlenborn
Evins, Tenn.

Farbstein
Ford, William D.
Gettys
Gilbert
Gray
Hansen, Idaho
Harrison
Hawkins
Hébert
Helstoski
Holland
Kelly
Kuykendall
Kyros
McMillan
Mathias, Md.
Moore
Morton
Murphy, Ill.

Murphy, N.Y.
O'Hara, Ill.
O'Neal, Ga.
Patman
Pelly
Pickle
Pucinski
Resnick
Rooney, N.Y.
Scheuer
Sisk
Staggers
Stuckey
Teague, Tex.
Thompson, N.J.
Vander Jagt
Waggonner
Wiggins

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Abernethy for, with Mr. Waggonner against.

Mr. Bow for, with Mr. Mathias of Maryland against.

Mr. Gettys for, with Mr. Celler against.

Mr. McMillan for, with Mrs. Kelly against.

Until further notice:

Mr. Teague of Texas with Mr. Ashbrook.

Mr. Patman with Mr. Carter.

Mr. Evins of Tennessee with Mr. Moore.

Mr. Donohue with Mr. Ayres.

Mr. Clark with Mr. Morton.

Mr. Gilbert with Mr. Pelly.

Mr. Hébert with Mrs. Bolton.

Mr. Rooney of New York with Mr. Harrison.

Mr. Gray with Mr. Kuykendall.

Mr. Murphy of New York with Mr. Bell.

Mr. Daddario with Mr. Cowger.

Mr. Kyros with Mr. Vander Jagt.

Mr. Bingham with Mr. Derwinski.

Mr. Sisk with Mr. Erlenborn.

Mr. Farbstein with Mr. Wiggins.

Mr. Dawson with Mr. Resnick.

Mr. Scheuer with Mr. Pucinski.

Mr. Diggs with Mr. Murphy of Illinois.

Mr. Helstoski with Mr. Conyers.

Mr. Staggers with Mr. Pickle.

Mr. Hawkins with Mr. William D. Ford.

Mr. O'Neal of Georgia with Mr. O'Hara of Illinois.

Mr. Stuckey with Mr. Thompson of New Jersey.

Mr. Holland with Mr. Hansen of Idaho.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the conference report.

Mr. STEED. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 371, nays 10, not voting 52, as follows:

[Roll No. 180]

YEAS—371

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak
Annunzio
Arends
Ashley
Ashmore
Aspinall
Baring
Barrett
Bates
Battin
Belcher
Berry
Bevill
Biester
Blackburn
Blanton
Boggs
Boland
Bolling
Brademas
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cramer
Culver
Cunningham
Daniels
Davis, Ga.
de la Garza
Delaney
Dellenback
Denney
Dent
Devine

Dickinson
Diggs
Dingell
Dole
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Giaimo
Gibbons
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Hicks
Horton
Hosmer
Hull
Hungate
Hunt

Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Myers

Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patten
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Podell
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—10

Bennett
Buchanan
Curtis
Davis, Wis.
Findley
Gross
Hall
Jonas
Lukens
O'Konski

NOT VOTING—52

Ashbrook
Ayres
Bell
Betts
Bingham
Blatnik
Bolton
Bow
Brasco
Carter
Celler
Conyers
Cowger
Daddario
Dawson
Derwinski
Donohue
Erlenborn
Evins, Tenn.
Farbstein
Ford, William D.
Gettys
Gilbert
Hansen, Idaho
Harrison
Hawkins
Hébert
Helstoski
Holifield
Holland
Howard
Kelly
McMillan
Moore
Murphy, Ill.
Murphy, N.Y.
O'Hara, Ill.
O'Neal, Ga.
Patman
Pelly
Pickle
Pucinski
Resnick
Rooney, N.Y.
St Germain
Scheuer
Sisk
Staggers
Stuckey
Thompson, N.J.
Vander Jagt
Waggonner

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Curtis.
Mrs. Kelly with Mrs. Bolton.
Mr. Blatnik with Mr. Cowger.
Mr. Celler with Mr. Bow.
Mr. Bingham with Mr. Moore.
Mr. Donohue with Mr. Harrison.
Mr. Evins of Tennessee with Mr. Ayres.
Mr. Hébert with Mr. Carter.
Mr. Patman with Mr. Ashbrook.
Mr. Sisk with Mr. Betts.
Mr. Murphy of Illinois with Mr. Erlenborn.
Mr. Pucinski with Mr. Derwinski.
Mr. Murphy of New York with Mr. Bell.
Mr. Holifield with Mr. Pelly.
Mr. Brasco with Mr. Vander Jagt.
Mr. Daddario with Mr. Hansen of Idaho.
Mr. Dawson with Mr. Helstoski.
Mr. Farbstein with Mr. Howard.
Mr. Holland with Mr. Conyers.
Mr. Gilbert with Mr. St Germain.
Mr. Hawkins with Mr. Resnick.
Mr. Pryor with Mr. O'Hara of Illinois.
Mr. McMillan with Mr. Gettys.
Mr. Hagan with Mr. Thompson of New Jersey.
Mr. Waggonner with Mr. O'Neal of Georgia.
Mr. Pickle with Mr. Stuckey.
Mr. William D. Ford with Mr. Scheuer.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: Page 16, line 7, strike out "June 30, 1970" and insert "July 31, 1970".

MOTION OFFERED BY MR. STEED

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein.

Mr. GROSS. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. STEED. I yield to the gentleman.

Mr. GROSS. I neglected to ask a question earlier in the consideration of the conference report with respect to the Secret Service and protection for presidential candidates.

Does the gentleman know whether Secret Service protection is now to be afforded to Harold Stassen who says he is a presidential candidate?

Mr. STEED. The joint resolution passed last week provides that candidates to have protection will be those determined by the Secretary of the Treasury after consultation with a committee composed of the Speaker of the House, the minority leader of the House, the majority and minority leaders of the Senate, and one additional member selected by the committee. Whether they have had opportunity to make such designations yet or not, I do not know.

Mr. GROSS. Was a list of candidates submitted to the committee?

Mr. STEED. I understand that quite a few matters in this respect have already been agreed on and the committee probably will meet again from time to time to make determinations on individuals.

Mr. GROSS. Does the gentleman know whether it includes our colleague, the gentleman from Ohio [Mr. HAYS] who says he is a candidate for the Presidency?

Mr. STEED. I will say if he is a candidate and this committee decided he was a major candidate, he would qualify.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma [Mr. STEED].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: On page 16, line 24, insert:

"SEC. 502. Section 5(b) of the Act entitled 'An Act creating a commission to be known as the Commission on Obscenity and Pornography,' approved October 3, 1967 (Public Law 90–100), is amended by striking out 'January 31, 1970' and inserting in lieu thereof 'July 31, 1970'."

MOTION OFFERED BY MR. STEED

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GUN CONTROL

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, on yesterday the President of the United States had occasion to criticize the Congress for its failure to immediately enact into law a gun control bill which he had sent up to the Congress. I thought it might be of interest to the Members to know the procedure that was followed.

The members of the Judiciary Committee were alerted to the fact that there would be a meeting on Tuesday to consider a Federal Magistrates Act. It was not until Tuesday morning when the committee was assembled that the members were notified that the chairman wished the full committee to act forthwith to report to the House a 27-page bill which many of the Members had not yet read.

It seems to me that this is a far cry from what should be the proper legislative procedures, and that the action of the committee certainly does not merit any criticism. The vote merely delayed a vote for 1 week to give the Members the time to study the legislation. I would also point out that the President has had on his desk for the last week a crime bill passed by the Congress which has gun controls in title IV. It would be better to sign that legislation rather than criticize the Congress.

LIMITATION ON OCEAN CRUISES—CONFERENCE REPORT

Mr. GARMATZ. Mr. Speaker, I call up the conference report on the bill (H.R. 12639) to remove certain limitations on ocean cruises, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1534)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) to remove certain limitations on ocean cruises, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: ": *Provided, however,* That no such vessel may cruise for more than seven months of each year to ports which are regularly served by another United States-flag passenger vessel pursuant to an operating-differential subsidy contract".

And the Senate agree to the same.

Edward A. Garmatz,
Thomas N. Downing,
John M. Murphy,
W. S. Mailliard,
Thomas M. Pelly,
Managers on the Part of the House.
Warren G. Magnuson,
E. L. Bartlett,
Daniel B. Brewster,
Norris Cotton,
Robert P. Griffin,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12639) to remove certain limitations on ocean cruises, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: Senate amendment numbered 1 added a proviso to the revision of section 613(b) of the Merchant Marine Act, 1936, contained in the first section of the House bill which reads "That no operator may cruise for more than five months of each year on any essential trade route assigned to another United States-flag steamship company". The House recedes with an amendment which increases the time to seven months, and otherwise clarifies the language of the proviso.

The conferees were unanimous in their concern that the Secretary in administering the cruising authority provided by the Merchant Marine Act, 1936, as amended, should be specially scrupulous in supporting the rights of existing operators so that their services performed with American-flag passenger vessels will not be adversely affected by cruises approved for other operators in areas other than their own existing services.

In this connection, the Managers on the part of the House wish to go on record as concurring with the sentiments expressed in the following paragraph from Senate Report No. 1081, accompanying H.R. 12639.

"* * * the committee is mindful that the competitive impact of increased off-route cruising is as yet unclear and urges that the Secretary of Commerce apply the "substantially adverse affect" test with a realization that the extension of off-route cruising provided by the legislation may well have a competitive impact upon existing operators somewhat different than experienced under the 4-month cruising authority. Careful attention must be paid to the cumulative effect of repeated cruises as the cumulative effect may be substantially adverse while each isolated cruise may appear not of that nature. Off-route cruising must not so affect the operator upon an assigned trade route that he is unable to adequately perform the services required by his contract. Nor should the authority to be conferred by this proposed legislation be allowed to lead to fare cutting that seriously impairs the existing operator's revenue upon his assigned trade route. In all cases the Secretary must carefully balance the clear purpose of this legislation to increase and expand U.S. cruise service with the contractual and economic requirements of those servicing essential trade routes."

Amendment No. 2: Senate amendment numbered 2 struck out section 3 of the House bill which would repeal section 613 of the Merchant Marine Act, 1936, three years from the date of enactment of this Act. The House recedes.

Edward A. Garmatz,
Thomas N. Downing,
John M. Murphy,
W. S. Mailliard,
Thomas M. Pelly,
Managers on the Part of the House.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 1 hour.

Mr. GARMATZ. Mr. Speaker, a last-minute question has been raised concerning certain language in section 613(b). I would like to make the following statement to clarify the language in question.

This amended section 613(b) extends the liberal cruise benefits to any passenger vessel "with respect to which a contract for the payment of an operating-differential subsidy has been entered into under section 603 of this title effective before January 2, 1960." The question is whether a passenger vessel loses its eligibility for these benefits when the existing contract expires and is thereupon renewed or replaced by a new contract. The answer is that it was not the intent of this language to terminate the benefits in such cases, but rather to treat new contracts with operators who held operating differential subsidy contracts on January 2, 1960, as extensions of such contracts for the purposes of section 613(b).

Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. Mailliard].

Mr. MAILLIARD. Mr. Speaker, I thank the gentleman for yielding. I do not think there is any controversy on this conference report. The statement of managers is self-explanatory. I see no reason to take the time of the House.

Mr. GARMATZ. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SEA-LEVEL CANAL BETWEEN ATLANTIC AND PACIFIC OCEANS—CONFERENCE REPORT

Mr. GARMATZ. Mr. Speaker, I call up the conference report on the bill (H.R. 15190) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1535)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15190) to amend sections 3 and 4 of the Act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

Edward A. Garmatz,
John M. Murphy,
W. S. Mailliard,
James R. Grover, Jr.,
Managers on the Part of the House.
Warren G. Magnuson,
E. L. Bartlett,
Norris Cotton,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15190) to amend sections 3 and 4 of the Act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House bill extended the Commission created by the Act of September 22, 1964, which authorizes an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans until December 1, 1970, and increases the authorization to carry out that Act from $17,500,000 to $24,000,000. The Senate amendment proposed to strike out the increased authorization.

The Senate recedes from its amendment.

Edward A. Garmatz,
John M. Murphy,
W. S. Mailliard,
James R. Grover, Jr.,
Managers on the Part of the House.

The SPEAKER pro tempore. The gentleman from Maryland is recognized.

Mr. GARMATZ. Mr. Speaker, are there any questions?

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, will the gentleman explain whether there is a $6.5 million increase?

Mr. GARMATZ. Mr. Speaker, the bill passed the House unanimously with $6.5 million to finish the survey being made there now, mostly in Colombia and Panama. Over half of the $6.5 million will be spent in Colombia.

Mr. GROSS. Mr. Speaker, I thought it was increased by that amount.

Mr. GARMATZ. No. That is the amount.

Mr. GROSS. There was no increase?

Mr. GARMATZ. No. The Senate, in taking action on the bill, took out the $6.5 million but left in the 2 years, the time limit.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. GARMATZ. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT DELEGATES AND ALTERNATES TO ATTEND THE INTERNATIONAL LABOR ORGANIZATION CONFERENCE IN GENEVA

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1187 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1187

Resolved, That the Speaker of the House of Representatives is hereby authorized to appoint a member from the majority and a member from the minority of the Committee on Education and Labor to attend the International Labor Organization Conference in Geneva, Switzerland, between June 5, 1968, and June 27, 1968.

He is further authorized to appoint as alternates a member from the majority and a member from the minority of the said committee.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the aforesaid delegates and alternates from the Committee on Education and Labor of the House of Representatives engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* (1) That no member of said committee shall receive or expend local currencies for subsistence in an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee in any country where counterpart funds are available for this purpose.

That each member of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour on the resolution.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Nebraska [Mr. MARTIN], pending which I yield myself such time as I may consume.

Mr. Speaker, the resolution authorizes the Speaker to appoint one member from the majority and one member from the minority of the Committee on Education and Labor as delegates to the conference, and further authorizes him to appoint as alternates a member from the majority and a member from the minority of the same committee.

The International Labor Organization meets annually. Each member nation is represented by labor, management, and by its government. Over 100 nations are represented and in recent years members of the committees on labor in the House and Senate here have gone as advisers.

Mr. Speaker, I urge the adoption of House Resolution 1187 in order that delegates and alternates may be appointed to attend the ILO Conference and represent the United States, and that they may be authorized the use of counterpart funds.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman from Texas, from the Committee on Rules, yielding.

Does this resolution actually authorize the Speaker to appoint these Members as delegates in fact to the ILO, or does it merely authorize him to appoint them to attend, perhaps as observers in the same capacity that we send observers or congressional consultants to the World Health Organization? A careful reading of the resolution would indicate that they are to attend, but I am not sure they are delegates. I wonder if the Committee on Rules has information the Members do not have?

Mr. YOUNG. Mr. Speaker, I would advise the gentleman I am not positive they will be attending as delegates or as observers. It is my understanding that Members of this body have attended in the past few years this labor organization meeting, which meets annually, and that they will be there either as delegates or observers.

Mr. DENT. Mr. Speaker, will the gentle man yield?

Mr. HALL. Mr. Speaker, I have another question or two.

Mr. DENT. If the gentleman will yield, I will try to clarify this.

Mr. YOUNG. I yield to the gentleman from Pennsylvania.

Mr. DENT. They go as delegates and as alternate delegates, with all rights of delegates. They participate in the debates and the presentation of American positions on matters dealing with international labor, as full-fledged delegates.

I am named as one of the delegates and have not been able to get away yet, and probably will not be able to.

Mr. HALL. I know the distinguished gentleman has attended this meeting in the past, and I appreciate his contribution.

Apropos of the last remark, Mr. Speaker, if the gentleman will yield further, is it not true that already we have some of our Members on the spot in Geneva at the United Nations Organization attending the ILO meeting?

Mr. YOUNG. Mr. Speaker, I will advise the gentleman it is my understanding that Members are already there. So far as they are concerned, the effect of this would be to authorize their reimbursement for cost in accordance with this resolution.

Mr. HALL. I thank the gentleman. I believe my information confirms that.

Is this not a similar type of resolution to one which was programed in the first session of this Congress last year, but was never brought before the Congress? If that be true, did they not go as appointees of the State Department in any event? Is this not really a function of the Department of State for which we appropriate moneys through regular channels? Therefore, why is this resolution necessary?

Mr. DENT. There was a controversy a year ago involving personalities, as I understand it. At that time it became a question in the House of whether to vote or not to vote for this because of certain personalities involved. However, at all times the State Department has sort of been the sponsor of this situation under the law. They have picked up whatever the costs are for transportation and per diem. As I understand it, this is an authorization that they be permitted as Members of Congress to use counterpart funds, no matter who authorizes them. They are restricted in their use of the counterpart funds. I have not been able to get away personally and probably will not go this year, but there are delegates there attending.

Mr. HALL. If the gentleman will yield further, I do appreciate the contribution of my friend from Pennsylvania. I want to say as far as this Member from Missouri is concerned, nothing could be more devoid of being mixed up with personalities than my questions. They are simply directed to the economy of the times and the so-called austerity and belt tightening we are supposed to be going through in our economy. If we indeed appropriate funds to the Department of State for these purposes, I see no reason why it should not continue that way, because I think truly that the State Department delegates are the delegates in fact, although we may be accorded all of the privileges thereof. I wonder if the Committee on Rules before bringing this resolution to the floor had any evidence given to it of the productive or substantive effect that might have been accomplished by the ILO through the years, other than the advice and consent of the Members of Congress and their own edification in these annual pilgrimages.

Mr. YOUNG. Mr. Speaker, there was considerable discussion, as I recall it, before the Committee on Rules by the chairman of the Committee on Education and Labor of the House in which he presented this and supported the request for the rule. Other than that I really do not know that I could address myself to a definition of the "constructive" nature of it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. If this resolution is passed, would it mean that two alternates would be sent over to Switzerland?

Mr. YOUNG. It would mean—if this resolution is passed, it would mean, as it says, that the delegates and alternates would be authorized to go. I am advised by the gentleman here from the Committee on Education and Labor that they are already there.

Mr. GROSS. If there are two or three warm bodies already over there, why authorize two more?

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. Yes. I yield to the gentleman from Pennsylvania.

Mr. DENT. This is the same procedure you have gone through for as many years as I can remember. Insofar as expending moneys is concerned in the so-called tight times that we are living in, there is no American money involved. That is why this resolution is before us, so that they can use counterpart funds that are frozen. They use that to provide transportation and for paying the expenses of per diems. There is no American money involved. Whether this money is used for this purpose or not, there will be the same amount afterward insofar as the U.S. Treasury is concerned, because we are never going to collect that money, anyway.

However, as far as sending new bodies over there, I believe I am the only person named that is not over there at the moment. As I understand it, there are two Republican Members over there and one Democratic Member. I have been unable to go because I felt at this moment I am very much disturbed over the situation that is reflected in our inability to get out at this moment our surtax bill. I have had no knowledge as to when it might come up, and I felt it was my public duty to be here, because I feel very strongly about this bill. However, this is not costing American taxpayers any money.

We ought to start getting the information out to the people that when we travel on counterpart funds, even if the whole Congress traveled for 365 days of the year, we would not be able to spend even the interest on the counterpart funds which we are not going to collect anyway.

Mr. GROSS. Well, I would ask the gentleman from Texas if these counterpart funds are not property of the taxpayers of the United States of America?

Mr. YOUNG. I think that is correct. My answer to that question is that that is correct; but there are certain limitations upon their use.

Mr. GROSS. Then these counterpart funds are not something to be thrown out the window and expended upon junkets of one kind and another?

If this resolution is not passed would these junketeers have to dig down in their pockets and pay for their transportation and their upkeep, or will that be taken care of by the State Department or some other agency of the Government?

Mr. DENT. If we do not pass this resolution, it will come out of the State Department cash funds, because we are talking about blocked counterpart funds. In other words, they are blocked funds and the only way these funds can be expended is for the use of Government officials of the United States. We cannot buy them, they will not accept them in payment of any debt which we might incur in that particular country, and they will never return to the United States.

Mr. GROSS. So, the thing to do is to dig into the counterpart funds and have a good time on them over in a foreign country?

Mr. YOUNG. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Nebraska [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, there has been a great deal of misinformation that has been given to the Members of the House in the last few moments during the course of the colloquy between the gentleman from Missouri [Mr. HALL], the gentleman from Pennsylvania [Mr. DENT], and the gentleman from Texas [Mr. YOUNG].

First of all, as a member of the Committee on Education and Labor for 6 years, I was in attendance at the ILO conference for 1 week 3 years ago.

Mr. Speaker, the first misrepresentation or misinterpretation that I would like to correct is this: Each country is allowed four delegates as its delegation. However, in my opinion the word "delegate" has been misused. At the ILO convention there are about 112 or 115 nations that belong to this organization. The representatives are as follows: One from the State Department, a career man; one from the Department of Labor, one appointed by the U.S. Chamber of Commerce representing management, and the fourth one appointed by the AFL–CIO, representing labor in this country.

Mr. Speaker, the United States has four votes, as does each one of the other nations represented at the ILO. These are the only men who have any votes at the ILO convention which goes on from June 5 to June 27 of this year.

The Members of Congress who would be appointed by the Speaker under the terms of this resolution that we have pending before us at the present time are not delegates, they are not alternates. They are just people who go over there as visitors, one might say. They have no vote, they have no influence, and they have no power in any of the business carried on at this ILO convention.

Mr. Speaker, another fact that I wish to correct: Members who are appointed by the Speaker, providing this resolution passes—and if it does not pass they can still go over there—go over under the auspices of the State Department. The State Department provides these people with counterpart funds. American dollars are not spent as such. The counterpart funds are spent by the State Department just exactly in the same manner as if this resolution is approved today.

The ILO has as many nations in the organization as does the United Nations. In fact, 3 years ago I believe that there were three or four more. The ILO is dominated and controlled by the Communist nations of the world. When I was there 3 years ago the free countries of the world were outvoted in the selection of the President of the ILO for the next term, and the Communist countries elected one of their members.

It is a sounding board, Mr. Speaker, for all of the socialistic and communistic welfare programs and they have all come out of the ILO back there in Geneva.

Consider the minimum wage law—and we have a minimum wage law in this country that was first enacted back in 1936—why, I was told when I was over there that we got our idea originally for this and for medicare and many of the other programs that are being pushed and have been pushed in this country from the ILO convention.

It is interesting to note from the troubles that France is currently having that the minimum wage there is 45 cents an hour, and the Government agreed to raise that minimum wage by 15 cents an hour to 60 cents, and those same conditions, Mr. Speaker, exist in many, many other countries of the world. But they push their ideas on to us, the richest nation in the world, and so we do more in all these welfare and socialistic lines. The germination and the seed for most of these programs comes out of this ILO convention over there in Geneva.

Three years ago the representative of labor of the AFL–CIO from the United States walked out of the meeting when the Communists elected a president to that organization, and refused to sit. As a consequence, the United States lost one vote. None of the people who were over there as representatives of the Congress were allowed to pick up that vote. As a consequence you can see the impotence of sending Members of the Congress over to the ILO, because when we were short a delegate, when the AFL–CIO representative walked out, we could not fill it with anyone else.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Iowa.

Mr. GROSS. Does this organization operate as others do when it meets in Ogadooga, or Timbuctu, by fixing the fees to the club, and we have to conform and put up the money because we are outvoted?

Mr. MARTIN. That is right. And they assess the United States a certain amount of money. And when I was there they wanted to increase the assessment that our country pays into the treasury of the ILO to operate the organization.

Mr. GROSS. If the gentleman will yield further, how do we handle that? Is that handled by these wonderful counterpart funds?

Mr. MARTIN. I doubt that. I imagine it comes out of appropriated funds from Congress.

Mr. GROSS. I am sure that it does.

Mr. MARTIN. There is one other point, Mr. Speaker, that I would like to make: Because of the domination and control of the ILO by the Communist nations, there have been grave doubts voiced both by the AFL–CIO and the U.S. Chamber of Commerce delegates as to whether or not we should continue membership in the organization.

I personally feel—and many others who have been over there in the past feel—that the United States should withdraw from this organization and cease to continue to appropriate funds to continue supporting the ILO.

I would like to see us eventually get completely out of the ILO.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman.

Mr. GROSS. Insofar as this organization is concerned, and other international organizations, that operate on the same basis, the representatives can sit down in some remote part of the world and fix the fees and the dues for that particular club—and insofar as that affects expenditures from the Treasury of the United States they are participating in taxing the American people; is that not about right?

Mr. MARTIN. That is correct; yes.

Mr. GROSS. What a wonderful principle that is.

Mr. MARTIN. Mr. Speaker, there is one other point I would like to make.

Whether or not this resolution is approved today by the House—the ones who are over there and any others who may go—their expenses will be taken care of by the State Department. They will be furnished first-class round trip tickets from Washington to Geneva. The cost of their hotel room or suite, whichever it might be, will be picked up by the State Department. They will be allowed a certain amount of cash each day to cover their meals. In addition to this, Members of Congress are also provided a car and a chauffeur to not only drive around Geneva but around Switzerland or over the border into France or wherever they might go.

Mr. Speaker, I do not think the approval of this resolution is necessary and I hope it is defeated this afternoon.

Mr. YOUNG. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, I have not attended nor planned to attend as yet although I have received a letter stating I was a delegate.

I know there are three Members of the Congress—the Honorable WILLIAM AYRES, the Honorable JOHN ASHBROOK, and the Honorable FRANK THOMPSON who are in attendance.

I remember my colleague, the gentleman from Nebraska was a delegate and I was surprised to hear today how useless his participation was in the conference.

I learned a long time ago that the exchange of views is valuable only if those who attend seriously attempt to exchange views.

This is the first time I have heard it charged that it was a Communist-dominated organization and that by inference the delegates who attended have had a lap of luxury existence while we were there.

I would say if that is true, then I would have believed my colleague who served with me formerly on my committee would have announced it to the House a long time ago and that we should have stopped sending delegates, not only those from the House of Representatives but those from labor and the chamber of commerce and the State Department.

As I understood it, when I was appointed, I understand it was a full participation and so I stated on the floor.

I do know that Members of the Congress are selected and named to committees that work in the functioning of the organizational meetings, and if they so desire they can contribute a great deal to the conference. It is within this conference that there has been the kind of discussion that has been leading eventually to the consideration of some kind of worldwide wage basis.

The American minimum wage preceded the ILO conference, from what I understand, and I do not see any connection between the ILO meeting and the disturbances going on in France at the moment any more than I see any connection between the ILO and the disturbances going on in the United States.

The French have raised or have attempted to raise their minimum wage. We have been raising ours periodically and if the Lord is willing, we will probably raise it again. But the situation appears very peculiar to me although it has been said that the Congress does not act, as such—it reacts only. So today we see another example of reaction. Today there is a feeling prevailing, that everything we do is a waste of money. Maybe it is—I do not know. But I do know this, that certain functions of the Government must be performed.

In its wisdom Congress said that members of the Labor Committee ought to be in attendance when worldwide bodies are meeting dealing with labor problems. We can no more divorce ourselves from the problems of the world in labor than we can divorce ourselves from the problems of the world in peace, armaments, in the use or nonuse of nuclear weapons, or any other area of activity, since this is a world in which we must participate.

I have been known as an isolationist by many because I have opposed so-called worldwide free trade as it is now practiced. I am not an isolationist, only an American. I know that unless we have this kind of conference where we can exchange views, there will always be some misunderstanding as to what this country stands for and what it is. Our minimum wage is by far higher than any maximum wage that I have run into in so-called junkets around the world. But if I had not made those trips, and if we had not spent the frozen moneys held by those countries in counterpart funds, I would never have been able to stand on the floor and give the House the benefits of labor conditions I learned about in which foreign labor operates, enabling them to flood this country with cheap products. Our delegates can, if they do their duty, come back and make a report also as to what is going on. That is what I intended to do. I would have given this House a report on those conditions when I returned. I would have told the House what wages are being paid in other countries and what working conditions prevail. I do not think it is a waste of counterpart funds.

As I said to one of the delegates, this argument today does not dissuade me from going. It is only because I happen to be one who believes that at this moment my presence is needed here on account of the very serious monetary situation we are facing. Otherwise I would go to this conference. I believe I could make a contribution if I went. I believe the Members who do go, if they want to do so, can make a contribution. I do not believe my colleague from Nebraska went over there and lived in luxury, rolling around in some hidden corner drinking high-priced whisky at the expense of our country. I do not believe he goes around Europe in a luxurious style. I have traveled with him. I have gone around the world with him. I know exactly what kind of a man he is.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. I find much of what the gentleman has said that I can agree with. I know the impact that he has had on the bugaboo that we are fighting; namely, the impact of foreign trade since the Reciprocal Trade Expansion Act of 1962 passed ubiquitously through this House. I admire the gentleman for it. But I am not at all sure that he meant to say what he did, and I refer to that statement about four sentences ago; does the gentleman mean that he favors an international worldwide minimum wage patterned after our own, in view of all the bankruptcy in small businesses we have seen since the Fair Labor Standards Act went into effect and escalated?

Mr. DENT. So long as this Nation pursues the mistaken trade philosophy that we can exist or prosper or grow economically in this Nation with a free trade policy, then I say to you that in order to do that, we must participate in any kind of conferences that will bring wages up in other countries to make competition somewhere near fair. If this kind of organization is working toward that end, we do one of two things. We participate and try to get that kind of a base of operation, or we change our mistaken philosophy and practice of opening the markets of this country to cheap labor products from all over the world.

Mr. HALL. I think that expands the gentleman's context of his statement greatly, and I appreciate it. Of course, the corollary effect thereof would be either to put a protective bar up which could be measured as the cost of delivery in the total price of any product that is exported or imported; or else do as Norway did in 1958, and take an across-the-board reduction in the cost of production as requested by that country's union organization to increase employment and export of national products.

Mr. DENT. I thank the gentleman from Missouri. I might say that this House must have accepted that kind of philosophy when they passed the bill that came out of my committee under my sponsorship by an overwhelming vote to tie the import impact to what we consider the minimum wage standards and the fair labor standards of this country.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the gentleman seemed to indicate it is necessary to travel to foreign countries to ascertain their wage scales. The files in the Library of Congress and the Department of Commerce are full of information on wage scales in any foreign country.

Mr. DENT. Mr. Speaker, I agree with the gentleman, that the figures are available but I can't say they are very reliable. The only thing I did say was so long as we pursue this philosophy of allowing open competition, we ought to participate in any kind of conference that will develop some kind of nearly equal wage base in the world.

Mr. MARTIN. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. UTT].

Mr. UTT. Mr. Speaker, I do not need the 3 minutes, but I did understand the gentleman from Pennsylvania to say this is the first time he had heard the charge that ILO was Communist-dominated. It may very well be his first time, but approximately 14 years ago I issued the information and made a report on the ILO and made the very charges of Communist control of the ILO which were made here by the gentleman from Nebraska [Mr. MARTIN], so it is a matter of record.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. UTT. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I would like to clarify the record. I was not here 14 years ago. I do not know whether I regret not being here, but I was not here.

Mr. UTT. That may be very well why the gentleman did not hear it, if he was not here then.

Mr. MARTIN. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, as was brought out earlier in the debate, the House did not take action on such a resolution which was reported out of the committee 1 year ago. Members of the Education and Labor Committee, however, did attend the ILO conference a year ago. As I pointed out, they are in attendance there today, as of this afternoon, and this does not affect their attendance at all—whether this resolution is passed.

Second—and this point was brought out in our hearing in the Rules Committee the other day—someone said we should have representatives of our branch of Government at the ILO convention because other countries do. I did not talk to representatives of all 112 or 115 nations there 3 years ago, but I did talk to a few of them. As far as I could ascertain, the United States was the only nation that had any people in attendance from the legislative branch. So there is no precedent set, there is no condition set by other countries.

Again I reiterate, Mr. Speaker, I feel we should withdraw completely from the ILO because the the type of operation it is and the domination Communist countries have over this organization.

Mr. YOUNG. Mr. Speaker, I yield 5 minutes to the chairman of the committee, the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Speaker, I rise in support of the resolution. It is most important that we adopt this resolution. The question is whether the representatives we have in Geneva are to be representatives of this body or whether they are to be guests of the State Department. That is all this amounts to. I think we want those Members to be official representatives at this great legislative body.

We have sent representatives to this organization for many, many years. An exchange of ideas has taken place. We certainly are better informed, and the representatives of this Chamber make reports. The report on the 1967 conference has been published by the Committee on Education and Labor. The Members can read it. Much good comes from a discussion and exchange of policies that labor is confronted with all over this world.

We should have a firsthand congressional report from such a conference.

I do not know why we would not want to permit Members to go as official representatives of this body. As I see it, that is the only issue involved here. Three Members are presently over there. Unless we adopt this resolution they will remain there and come back, with their expenses paid, yes, as guests of the State Department. I believe we should send our Members as official representatives of this body.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. A question arises with respect to the State Department. If the gentleman, as the chairman of the House Committee on Education and Labor, did not want the three members of his committee to go over as guests of the State Department, why did he authorize their travel prior to the passage of a resolution in the House?

Mr. PERKINS. Let me make this observation to our distinguished friend: the gentleman knows that this resolution has been in for some time. We have tried to get action on the resolution. The Members believed, as I believe, that we would sooner or later get action on the resolution. The Rules Committee took action just yesterday, and I asked the leadership to call it up today, so I believe we have all acted promptly.

It is important that members attend this conference under any auspices; I prefer to see them go as a result of official action by the House.

Mr. MARTIN. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, House Resolution 1187 was introduced by the gentleman from Kentucky on May 27. The dates for the conference are June 5 to June 27. So it was not introduced very many days before the gentlemen left for the conference in Geneva.

In view of the fact that 7 days have already passed, and they are there, and getting along in good shape, and I trust in good health, and have comfortable beds, and three square meals a day, I hope, Mr. Speaker, that the resolution will be defeated.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MARTIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 259, nays 120, not voting 54, as follows:

[Roll No. 181]

YEAS—259

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Aspinall
Barrett
Bates
Bevill
Biester
Blanton
Blatnik
Boggs
Boland
Bolling
Brasco
Bray
Brooks
Brotzman
Brown, Calif.
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Cabell
Cahill
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Corbett
Cramer
Culver
Curtis
Daniels
Davis, Ga.
de la Garza
Delaney
Dellenback
Dent
Derwinski
Dingell
Dorn
Dow
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Findley
Fino
Flood
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Hagan
Halleck
Halpern
Hamilton
Hanley
Hansen, Wash.
Hardy
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Laird
Landrum
Leggett
Long, La.
Long, Md.
McCarthy
McClory
McCloskey
McDade
McFall
Macdonald, Mass
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Michel
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morse, Mass.
Mosher
Moss
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Pollock
Price, Ill.
Pryor
Purcell
Quie
Randall
Rees
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schweiker
Schwengel
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thompson, Ga.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vigorito
Waldie
Walker
Wampler
Watts
Whalen
Whalley
White
Whitener
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyman
Yates
Young
Zablocki
Zwach

NAYS—120

Andrews, Ala.
Andrews, N. Dak.
Baring
Battin
Belcher
Bennett
Berry
Betts
Blackburn
Brinkley
Brock
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Casey
Clawson, Del
Collier
Colmer
Conable
Conte
Cunningham
Davis, Wis.
Denney
Devine
Dickinson
Dole
Dowdy
Duncan
Dwyer
Edwards, Ala.
Fisher
Flynt
Fuqua
Gardner
Goodell
Goodling
Griffin
Gross
Gurney
Haley
Hall
Hammerschmidt
Harsha
Henderson
Herlong
Hull
Hunt
Hutchinson
Jarman
Jones, N.C.
King, N.Y.
Kuykendall
Kyl
Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClure
McCulloch
McDonald, Mich.
McEwen
Martin
Mayne
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Morris, N. Mex.
Morton
Nichols
O'Konski
Pike
Poage
Poff
Pool
Price, Tex.
Quillen
Rarick
Reid, Ill.
Reifel
Reinecke
Roberts
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruppe
Schadeberg
Scherle
Schneebeli
Scott
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Vanik
Watkins
Watson
Whitten
Winn
Wyatt
Wydler
Wylie
Zion

NOT VOTING—54

Ashbrook
Ashley
Ashmore
Ayres
Bell
Bingham
Bolton
Bow
Brademas
Broomfield
Carey
Carter
Celler
Conyers
Corman
Cowger
Daddario
Dawson
Diggs
Donohue
Evins, Tenn.
Farbstein
Ford, William D.
Gettys
Gilbert
Hanna
Hansen, Idaho
Harrison
Hébert
Holland
Howard
Jones, Ala.
Karsten
Kelly
McMillan
Moore
Murphy, Ill.
Murphy, N.Y.
O'Hara, Ill.
O'Neal, Ga.
Pelly
Podell
Pucinski
Railsback
Resnick
Rooney, N.Y.
Rosenthal
Scheuer
Staggers
Stuckey
Tenzer
Thompson, N.J.
Vander Jagt
Waggonner

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hanna with Mr. Moore.
Mr. Staggers with Mr. Harrison.
Mr. Celler with Mr. Bow.
Mr. Rooney of New Jersey with Mr. Carter.
Mrs. Kelly with Mrs. Bolton.
Mr. Evins of Tennessee with Mr. Cowger.
Mr. Murphy of New York with Mr. Broomfield.
Mr. Brademas with Mr. Pelly.
Mr. Ashley with Mr. Ashbrook.
Mr. Murphy of Illinois with Mr. Railsback.
Mr. Corman with Mr. Ayres.
Mr. Karsten with Mr. Vander Jagt.
Mr. Stuckey with Mr. Hansen of Idaho.
Mr. Tenzer with Mr. Bell.
Mr. Waggonner with Mr. Jones of Alabama.
Mr. Resnick with Mr. Diggs.
Mr. Ashmore with Mr. Podell.
Mr. O'Hara of Illinois with Mr. Conyers.
Mr. McMillan with Mr. Pucinski.
Mr. Dawson with Mr. Scheuer.
Mr. Hébert with Mr. O'Neal of Georgia.
Mr. Daddario with Mr. Howard.
Mr. William D. Ford with Mr. Rosenthal.
Mr. Carey with Mr. Thompson of New Jersey.
Mr. Bingham with Mr. Gettys.
Mr. Donohue with Mr. Farbstein.
Mr. Gilbert with Mr. Holland.

Mr. RIEGLE changed his vote from "nay" to "yea."

Mr. DOLE changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

A similar House resolution (H. Res. 459) was laid on tne table.

TOMORROW'S TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am transmitting today a report on the study of new systems for urban transportation, entitled *Tomorrow's Transportation*.

Undertaken by the Secretary of the Department of Housing and Urban Development in accordance with the Urban Mass Transportation Amendments of 1966, the study has involved research and analytic effort by 17 contractors over a period of 18 months. It has explored areas of transportation research and development to ease the problems of Americans who live in or commute to work in cities.

The report identifies research and development which offers promising prospects for transportation improvements in our cities in the near future. It suggests a longer term program of research and development, concentrated in areas of greatest promise and benefit.

I commend the report for study by the Congress and the concerned Federal, State, and local agencies. It provides a good foundation for decisions upon the program of research and development required to develop the needed new systems of transportation for our crowded metropolitan areas.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 12, 1968.*

STATE FIREARMS CONTROL ASSISTANCE ACT

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am today introducing the State Firearms Control Assistance Act that was forwarded to the Congress by the President earlier this week.

Last July, I introduced this bill as it had been prepared by Senator EDWARD KENNEDY and in its original form it contained a ban on the mail-order sale of firearms. The legislation today would strengthen its provisions to include a ban on the sale of rifles and shotguns to out-of-State residents. It also prohibits the sale of such firearms to juveniles and in these three respects would extend to rifles and shotguns restrictions parallel to those that the crime bill applies to pistols and handguns.

It is my hope that the Judiciary Committee will take positive action on this bill at its next meeting. It is essential we enact this vital legislation this session.

EXPORT-IMPORT BANK LOANS

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1204 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1204

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1204 provides an open rule with 1 hour of general debate for consideration of H.R. 16162, the Export-Import Bank loans legislation.

H.R. 16162 would provide the authority for the Export-Import Bank to approve certain loans, guarantees, and insurance in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The bill, as amended, would authorize the Export-Import Bank of the United States to use $500 million of its present statutory lending authority to facilitate through loans, guarantees, and insurance—including coinsurance and reinsurance—those export transactions which, in the judgment of the Board of Directors, offer sufficient likelihood of repayment to justify the Bank's support in order to actively foster the foreign trade and long-term commercial interests of the United States.

Mr. Speaker, I urge the adoption of House Resolution 1204 in order that H.R. 16162 may be considered.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Texas [Mr. YOUNG] has ably stated, House Resolution 1204 makes in order for consideration H.R. 16162 under an open rule with 1 hour of general debate.

The purpose of the bill is to authorize the Export-Import Bank to use up to $500,000,000 of its present statutory lending authority—of $13,500,000,000—to facilitate our increased exports by such assistance as loans, guarantees, and insurance programs. Such assistance is to be made available where the Directors of the Bank believe a particular transaction offers sufficient likelihood of repayment to justify the Bank's support.

This bill supports one of the proposals to improve our balance-of-payments problem by increasing our export business. Last year, U.S. businesses exported about $30 billion worth of products; this contributed a surplus of some $3,500,000,000 to our payment balance. This year the figures are not as hopeful for a large export surplus.

The Export-Import Bank has traditionally not engaged in such export stimulation and support as this bill calls for; it has been more conservative. The bill seeks to move the Bank into this new field while at the same time insuring sufficient safeguards to protect the available lending funds of the Bank.

Under the bill, $500,000,000 of the Bank's existing lending authority would be used to assist our exporting businesses by programs of loans, guarantees, and insurance. Sales of defense items and services would not qualify for this program.

The Bank's current lending ceiling of $13,500,000,000 would not be raised by this new authority; funds would come from those currently available. Only $500,000,000 could be used under the authority contained in the bill; the full amount of the loans plus 25 percent of the Bank's guarantee and insurance liability may not exceed that figure.

The bill also provides that any losses incurred by the Bank up to $100,000,000 will be borne by the Bank. Any losses above that amount will be a charge on the Treasury—backdoor spending—and the bill authorizes to be appropriated to the Secretary of the Treasury such sums as are required to cover losses above $100,000,000.

I shall not object to the rule, although I feel that this is another form of foreign aid. It is high time that we cut out all foreign aid and save the American taxpayers' much-needed dollars.

I have no further requests for time, but I reserve the balance of my time.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16162, with Mr. LANDRUM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 30 minutes and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it has now become abundantly clear that strong measures are required to put our international financial house in oder. The balance-of-payments results for the first quarter of this year show a continuing deterioration in the long-standing surplus in our balance of trade. H.R. 16162, a bill to amend the Export-Import Bank Act of 1945, is directly aimed at improving the trade balance.

I have no doubt we can all agree that the competitive position of the United States in world markets must be strengthened. The recent enactment of legislation to extend the life of Eximbank and to increase its lending authority by $4.5 billion was a substantial and vital step in this direction. But more than a continuation of Eximbank's existing programs is needed. This new legislation will give the Bank the authority it needs to undertake a more venturesome program of export promotion. Heavy competition from abroad and the declining blance of trade require a more aggressive policy of export support than would be justified under Eximbank's existing statute. Many transactions which should be supported because of their potential benefit to the balance of payments and the U.S. commercial interest my not qualify under the "reasonable assurance of repayment" test of the Export-Import Bank Act. The new facility envisaged in H.R. 16162 will allow the Bank on the one hand to adhere to its current criteria under its regular program, while at the same time offering U.S. exporters the kind of coverage available to exporters in a number of our competitor countries. The proposed new facility is the best way to utilize the Bank's ability in the field of export finance without diluting the quality of its regular programs.

From its inception in 1934, Eximbank has authorized more than $25 billion in loans, guarantees, and insurance in support of U.S. exports. The Bank has adhered to the statutory requirement that insofar as possible its loans should offer "reasonable assurance of repayment." While this phrase is not susceptible to precise definition, over three decades of legislative history and literally thousands of decisions by the Bank's Board of Directors have given substance to the standard. The Bank's operations under this standard have resulted in earnings which have permitted the Bank both to pay dividends to the Treasury aggregating over $500 million and to build up a retained income reserve of well over $1 billion. The amount of loans written off by the Bank is remarkably small. All of this has been accomplished despite the fact that today fully 40 percent of Eximbank's exposure is in what the Bank considers to be the riskier markets, and that loans having outstanding balances of over $100 million are in various states of delinquency.

Running an export credit bank according to sound banking principles and providing maximum support to the balance of trade and payments are not always consistent objectives in today's world. The Bank has sometimes had to reject export transactions carrying a higher degree of risk than its Board of Directors felt could be approved under its present statutory authority. Nonetheless such higher risk transactions may offer sufficient commercial benefits and likelihood of repayment to justify U.S. Government support. In addition to direct help to the balance of payments, these benefits may include the maintenance and expansion of exports in markets where economic and political conditions are temporarily unsettled: The further expansion of exports in markets where the Bank's heavy existing commitments inhibit it from taking on sizable new business, the protection of existing export markets against inroads by aggressive foreign competition and the introduction of our exporters into new markets which can provide significant ongoing exports.

The new facility contemplated in H.R. 16162 would allow Eximbank to meet these new challenges. It would set aside $500 million of the $13.5 billion commitment authority recently approved by the Congress for those higher risk loans, guarantees, and insurance which are justified from the point of view of the balance of payments and the commercial interest of the United States, but which involve a higher degree of risk than is warranted under the present statute. The bill would require the Bank to segregate such higher risk transactions from authorizations under its regular programs to insure a clear demarcation between its regular activities and operations under the new program.

The world of export financing becomes increasingly competitive with each passing year. H.R. 16162 will insure that our export support facilities remain fully competitive with those of the other principal trading countries of the world. Several of our trading partners already have programs comparable to the one provided in this bill. Canada and the United Kingdom both have established separate facilities, additional to their regular export financing and insuring facilities and with distinct statutory authority, to promote exports which carry a degree of risk unacceptable for regular coverage but nevertheless deemed to be in the national interest. Despite the higher risks involved, the national interest export facility in the United Kingdom has run at a profit over the years and the one in Canada has never suffered a loss.

We can hope for similar results from this new Eximbank program. The management of the Bank has underscored the fact that in order for export credits to benefit the balance of payments they must be repaid. The new facility is not intended to be used to support bad loans; rather it is for loans with a higher, though acceptable, degree of risk. The loans will in no sense substitute for concessionary AID-type financing, since the terms and interest rates under the new program will be in line with those prevailing under the Bank's regular programs.

For these reasons I urge adoption of H.R. 16162.

For these reasons I want to advise the Members of the House that we should certainly be glad to adopt this bill. It is not a bill to help foreign countries. It is a bill to help the United States of America. Every loan that is made by the Export-Import Bank is made for the purpose of that country to which the loan is made to buy goods and services here in the United States. Every Eximbank loan helps our balance of trade, helps our workers to keep a good job and to keep our country in a prosperous condition.

There is not any agency of our Government that lends more toward the economic prosperity of our Nation than the Export-Import Bank.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I am glad to yield to the gentleman.

Mr. JONAS. I am sure the gentleman from Texas would agree with me that while trade is desirable and it is important to reduce the deficit, we do not want to "buy" exports with weak loans.

Mr. PATMAN. No, no. No soft loans are involved.

Mr. JONAS. I mean, high-risk loans. I wonder if there has been any experience with this sort of loan——

Mr. PATMAN. Canada and the United Kingdom are among our principal competitors and they are doing this very thing. Although you say they are higher risk loans—they are a little higher risk—but acceptable, and will be repaid. They are not so high that they would be bad loans—or soft loans—they are good loans.

Mr. JONAS. Our experience has been good under the present program; is that not true?

Mr. PATMAN. Yes, sir; it has been perfect and the Export-Import Bank recommends this with the conditions that we have here. They are the best bankers we have ever had. We have never had an agency any better than the Export-Import Bank.

Mr. JONAS. I am aware of that. But I cannot quite get the distinction between the language "reasonable assurance of repayment" and "offer sufficient likelihood of repayment to justify the Bank's support."

Mr. PATMAN. Well, it is just a little higher risk—but not enough to be dangerous. That is all that it is—a little higher risk—but not enough to be dangerous.

The Export-Import Bank, the directors and Mr. Linder, the president, in particular, are very careful to carry out the mandate of the Congress. They are not rash in their lending. They lend with the firm expectation of being repaid.

In this instance the Bank wants to segregate $500 million from their capital of $13½ billion and use it for this purpose alone so as not to put it in with the other at all.

Mr. JONAS. I think the record should show how far the Bank intends to go in making loans under this new, more liberalized procedure.

Mr. PATMAN. They made it very plain, my dear sir, that they are not going to have any bad loans or soft loans—although the risk is a little bit higher, it is not enough to be injurious or hurtful to the Bank. We will get a benefit—a benefit in our balance of trade that would justify us running that little additional risk.

Mr. JONAS. There is one other thing that worries me—and that is the open-end or back door into the Treasury.

As I understand, there is no limitation in this authorization on the amount of U.S. liability.

Mr. PATMAN. There is no back-door financing in this measure.

Mr. JONAS. I say there is no limitation on the amount of liability imposed on the taxpayers.

Mr. PATMAN. Oh, yes. You see, the capital stock of the Bank is involved here.

Mr. JONAS. I know; but after——

Mr. PATMAN. They must have good reserves.

Mr. JONAS. I understand; anything beyond that must be made up out of the Treasury; is that not correct?

Mr. PATMAN. Oh, no; there is a limitation here.

Mr. JONAS. What is the limitation?

Mr. PATMAN. They cannot go too far. It is based on the reserves. There is no danger about that.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I rise in support of H.R. 16162, a bill that would authorize the Export-Import Bank of the United States to use $500 million of its present statutory lending authority to facilitate through loans, guarantees, and insurance those export transactions which, in the judgment of the Board of Directors of the Bank offer sufficient likelihood of repayment to justify the Bank's support in order actively to foster foreign trade and long-term commercial interests of the United States.

Mr. Chairman, I am pleased once again to be in the role of a strong supporter of legislation recommended by the Eximbank. In recent months, because of a controversy involving arms credit sales to underdeveloped countries, I have had to take the floor to criticize the policies of the Bank. It, therefore, gives me a great deal of personal pleasure once again to pay tribute to the Export-Import Bank as well as those charged with its stewardship.

H.R. 16162 represents an important segment of the vital program to improve our Nation's balance-of-payments picture. This new authority received prominent attention in President Johnson's message on balance of payments. While I disagreed with the extension of so-called voluntary controls on capital and the imposition of mandatory controls on U.S. direct investments overseas, this portion of the President's recommendations made a great deal of sense and in fact was long overdue. I think that it is now becoming widely recognized that the target of improvement of some $3 billion in our balance of payments for the current year will be impossible to attain. Moreover, in recent months, largely because of inflationary pressures here at home and unconscionable labor management disputes, our balance of trade has seriously deteriorated. In March of this year, we imported more than we exported. While our export picture may and probably will improve during the balance of the year, I think it also becomes clear that we as a nation no longer will be able to finance huge Government sector balance-of-payments deficits with $5 and $6 billion per year trade surpluses.

Contrary to the policies adopted in recent years and more particularly on January 1, 1968, we are going to have to increase rather than decrease our dependence upon the profits of overseas investments. That the mandatory controls professed to be of a temporary nature will become semipermanent is becoming more clear with each passing day, and the business community in this country had better wake up to that fact. In this connection, I was pleased with the frank and candid remarks contained in the Bank for International Settlements' annual report released in Switzerland earlier this week. The BIS said that these controls on U.S. overseas investments represent "a big stride forward on a dangerous path which could lead the world away from the liberal trade and payment practices achieved over the past 15 years or so. The justification for the measures is the Vietnam war. But would the return of peace allow the controls to be dismantled?"

Furthermore, the controls on overseas investments seriously affect our ability to increase our commercial exports, as was clearly brought out in the testimony of private witnesses on the bill that we are considering today.

Mr. Chairman, for those Members of the House who are concerned with our balance-of-payments crisis and the manner in which we can once again become more competitive in the world trading community, I strongly recommend careful reading of the printed hearings on this bill. The 55-page summary analysis commencing on page 28 of the printed hearings regarding the financing tools used by our leading trade competitors is worthy of every Member's careful attention.

Equally enlightening was the testimony of the private witnesses who appeared before our committee. For instance, Mr. Wilfred J. McNeil, director of the Fairchild-Hiller Corp., testified that, while the Export-Import Bank has been on the whole very cooperative, because of the Bank's charter, the Bank has regarded its function as being that of a bank. It has, in essence, waited until the borrower had come to it with a project loan which it requests. Mr. McNeil pointed out that on the other side of the coin virtually all of our foreign trading partners including the Germans, the British, Italians, and French are able to go to their government export guarantee agencies and tell them about such projects in advance and get an advance commitment in principle. With the advance commitment in hand, our trade competitors are able to seek the foreign buyer with virtual assurance of financing for the export.

Furthermore, Mr. McNeil pointed out to the committee that entirely too frequently our exporters find themselves at a distinct disadvantage in terms of being able to offer export financing at terms competitive wtih those being offered by our competitors. Mr. Fred C. Foy, chairman of Koppers Co., testified that France today is offering 13-year terms with a 3-year waiting period at 6½ percent on some of its export financing. The United Kingdom has gone as high as 15-year terms with a 3-year waiting period in financing large commercial contracts for the construction of industrial plants. As Mr. Foy indicated, here in the United States, our own steel industry finances plant expansion with 25- to 30-year bond issues. Mr. Foy suggested that 15-year terms for U.S. exporters seeking financing for large industrial projects, especially in underdeveloped countries, therefore would not be out of line.

Mr. Harold Linder, President of the Export-Import Bank emphasized the importance of President Johnson's announcement accompanying transmission of this bill of the establishment of an Export Expansion Advisory Committee to provide guidance to the Board of Directors of the Export-Import Bank. This Advisory Committee will play a prominent role in determining which applications for export financing might, in its judgment, qualify for possible financing under the new account established by this legislation.

Hopefully, the Export Expansion Advisory Committee will play a far more prominent role in continuing to study ways in which U.S. exports can be more readily financed at competitive rates and terms. While this legislation concerns itself primarily with the assumption of additional risks in export financing, many experts in the field view terms, rates, and other matters connected with export financing as far more important in maintaining a competitive position in the world trading market.

For instance, the rediscount arrangements of other industrialized countries make it possible for the private banks in those countries to offer exporters credits at interest rates and terms substantially below those prevailing in the respective domestic economies. The method by which this is done in other countries is that rediscount rates are established at whatever levels are necessary to permit private banks to offer the exporter the competitive rate so as to obtain the sought-after business. Obviously, to the extent this is done, it constitutes a subsidy of exports. But it is a subsidy available to the exporters of virtually every industrialized country except our own and it is a matter that warrants the most careful attention and study by the Export Expansion Advisory Committee. Furthermore, I would hope that the Export Advisory Committee would carefully review the complaints of the Bankers Association for Foreign Trade in connection with this group's recommendation that export credits be exempted from target ceilings for foreign bank loans under the Federal Reserve voluntary restraint program, where the lender is assured that a bona fide export is involved.

Mr. Chairman, the composition of our exports has radically changed in recent years. No longer are we competing with nations who were primarily concerned with domestic economic recovery following World War II.

As this week's BIS report stated:

> American trade has become very sensitive to the level of economic activity in Western Europe.

Industrial slack in Western Europe in 1957–58, in 1962–63, and again in late 1966 and early 1967 cut deeply into U.S. exports to Europe. This is accounted for by the fact that the United States is a major exporter of investment goods which recently have accounted for one-third of U.S. exports to Europe, and these exports are hit because investment is the volatile element during the economic cycle.

The BIS also pointed out that the United States has become "a residual supplier to Europe." Thus when European demand slackens Europe not only reduces its purchases from us but also exports more aggressively, thus becoming more competitive.

From 1960 to 1967 U.S. commercial exports—excluding AID-financed exports—have soared by $9.6 billion, almost 50 percent. In the meantime, however, our imports have increased faster, from $14.6 billion in 1960–61 to $26.6 billion in 1967—a $12 billion increase, or 80 percent in 8 years.

We must again confront the question: Is this trend temporary, due to fortuitous, unanticipated circumstances, such as the deficit-induced inflation in the United States, labor-management disputes and bountiful agricultural crops abroad in 1966 and 1967? Or is it structural and more permanent, reflecting a reallocation of productive functions around the world, where U.S. products are becoming less needed or too expensive and therefore being displaced by other sources? The BIS report suggests a combination of both.

No longer can we maintain an attitude of indifference toward the manner in which our exports are financed. Our competitors are very aggressive in this regard. I have the utmost confidence that U.S. exporters can maintain the competitive edge which our vast domestic investment in technology, management and educational standards has produced, provided competitive export financing is readily available.

This bill represents the initial stage in a long overdue process of reevaluation of the future of U.S. export financing in an increasingly competitive world trade climate. It would be tragic, even insane, if the United States with its vast capital markets and resources permits itself to be placed in a competitively disadvantageous position with the rest of the world trading community.

Mr. Chairman, I urge support for H.R. 16162.

Some material relating to the above follows:

QUARTERLY TRENDS IN U.S. FOREIGN TRADE, 1958—JANUARY–MARCH 1968

[In millions of dollars, seasonally adjusted]

Period	Exports [1]	Imports	Gross export surplus [2]
1958—I	4,130	3,126	1,004
II	4,080	3,154	926
III	4,080	3,152	928
IV	4,089	3,386	703
1959—I	3,896	3,587	309
II	3,983	3,850	133
III	4,358	3,928	430
IV	4,197	3,828	369
1960—I	4,630	3,890	740
II	4,915	3,907	1,008
III	5,032	3,723	1,309
IV	4,989	3,501	1,488
1961—I	5,085	3,472	1,613
II	4,836	3,500	1,336
III	5,061	3,868	1,193
IV	5,248	3,929	1,319
1962—I	5,150	3,984	1,166
II	5,446	4,118	1,328
III	5,357	4,176	1,190
IV	5,070	4,116	954
1963—I	5,084	4,084	1,000
II	5,663	4,253	1,410
III	5,715	4,408	1,307
IV	5,948	4,406	1,542
1964—I	6,196	4,401	1 795
II	6,238	4,584	1,65
III	6,451	4,720	1,731
IV	6,727	4,893	1,834
1965—I	5,589	4,666	923
II	6,940	5,456	1,484
III	6,920	5,425	1,495
IV	7,090	5,736	1,354
1966—I	7,194	6,021	1,173
II	7,257	6,336	921
III	7,439	6,592	847
IV	7,500	6,661	839
1967—I	7,775	6,688	1,087
II	7,777	6,593	1,184
III	7,775	6,542	1,233
IV	7,688	7,102	586
1968—I	8,013	7,830	183

[1] Export values exclude military grant-aid and include commercially financed shipments and those financed under AID and Public Law 480 programs.

[2] Surplus represents exports, free alongside ship, less imports, valued generally at the foreign market price, as reported by the Bureau of the Census.

Note: Uranium and related materials, not available by month, are excluded from exports prior to 1961 and from imports prior to 1960. These annual values were as follows in millions of dollars: Exports—1958, $6; 1959, $11; and 1960, $8. Imports—1958, $427; and 1959, $422.

INTERNATIONAL SYSTEMS & CONTROLS CORP.,
Washington, D.C., May 20, 1968.

HON. WRIGHT PATMAN,
Chairman, House Banking and Currency Committee, U.S. Congress, Washington, D.C.

DEAR MR. PATMAN: I appreciate the opportunity to submit this written testimony on behalf of House Bill 16162.

In 1964 and 1965 I served in the government as the President's National Export Expansion Coordinator. At the present time I am Vice President and Director of the International Systems & Controls Corporation, which does an estimated 35 million dollars worth of business overseas each year. This business consists of consulting engineering, engineering construction, and the export of capital equipment.

In 1965 I proposed the establishment within the Export-Import Bank of a National Commercial Interest Loan Fund to achieve what I believe to be substantially the same objectives as are sought in H.R. 16162. The substance of this proposal, was also contained in a Bill prepared and submitted in 1965 by Senator Warren G. Magnuson, Chairman of the Interstate and Foreign Commerce Committee of the Senate. During the hearings on Senator Magnuson's Bill various industries—particularly those engaged in the export of capital goods and those engaged in overseas engineering and construction—testified that the establishment of such a Special Fund would make it possible for them to increase substantially their exports to foreign countries.

My experience in private business since January 1966 has made it even more clear how urgent is the establishment of a Special Export Program and Guarantee Fund as proposed by H.R. 16162. Increasingly we find that, even where American firms have superior technology, better products, and better delivery schedules, the critical factor in competing for overseas markets particularly where capital goods are involved—is competitive finance.

I have been convinced for some time that the export program in the United States would fare much better if the Export-Import Bank were more willing to take greater risks to support the efforts of American businessmen. The management of the Export-Import Bank, however, has construed its charter in such a way as to operate with great prudence in selecting transactions which they have been willing to finance. I am pleased, therefore, to see that EXIM has joined in urging the passage of H.R. 16162 which would authorize it to do financing in situations where the risks are higher than normal.

It is an axiom within the business community that if one wants the fruits of new and expanding markets, one must accept the risks of going into them. The private business community has been willing to take these risks, but in the absence of specific legislative authority EXIM has been reluctant to support the private business community in these endeavors. The following are some examples of situations where opportunities exist for American businessmen and for export expansion but in which difficulties with respect to finance have been experienced in the past:

1. There are countries such as Iran in the Middle East, Taiwan in the Far East, Spain and Greece in Europe, Mexico and Venezuela in South America which should be classified as in the intermediate stages of economic development. These countries have moved out of the AID phase; they have developed sufficient revenues and a sufficiently broad economic base so that they have come to represent major opportunities for commercial development and expansion.

As the U.S. has phased out its aid program in these countries, companies from other industrialized countries have moved in supported by liberal commercial credits on terms more favorable than those made available through the EXIM Bank. Perhaps on the theory that the longer the terms the greater the risk. EXIM has been unwilling to match the commercial financing offered by other countries in these burgeoning markets and as a consequence, U.S. business has been increasingly displaced by companies from Western Europe and Japan.

2. From time to time the developing countries in Latin America, Africa, Asia and the Middle East experience balance of payments difficulties. At such times the EXIM Bank takes the position that it is unwise to extend further commercial credits. Nevertheless, it becomes necessary at times to enter the markets of those countries as the strategic time when the market is being developed, or suffer the consequences of being permanently excluded. This is because special commercial advantages accrue to the company and country which initiates certain kinds of projects. Once these projects are started there is a built-in advantage in obtaining the business involved in maintaining and extending the system. Examples are projects involving installation of communication systems, transport systems, power systems, agriculture systems, etc.

Many countries will take extra financial risks for the opportunity of being first to install the initial major thermal power installations, or to install the first modern telephone communication system, because they know that this gives them a major advantage in obtaining all the on-going business involved in extending these systems. The EXIM Bank has been reluctant, in the past, to assume higher than normal risks to make it possible for American businessmen to take advantage of this type of market opportunity.

EXIM has also estabilshed informal ceilings on loans to various countries and has been reluctant to set aside the ceilings to approve additional financing even when it would confer a long-term commercial advantage on the American company and thereby improve the export position of the U.S.A.

3. Even those countries which are recipients of aid from the industrialized countries have a certain quantity of hard currency available to them with which to buy things they need wherever they choose. Such free foreign exchange is mostly derived from their exports or from the support their currencies receive through the bolstering effects of foreign aid. Most developing countries use their free foreign exchange to purchase what they want through world-wide tenders on reasonable commercial terms. EXIM Bank has sometimes refused to provide the commercial credits which would make it possible for U.S. companies to bid on these world-wide tenders on the grounds that the countries by being recipients of aid are thereby poor risks. This denies to U.S. companies the opportunity to recoup some of the dollar exchange which our own aid has generated. The establishment of the Special Fund contemplated in H.R. 16162 should make it possible for U.S. companies to obtain the financing they need to skim off the free foreign exchange expenditures of the developing countries and thereby improve materially our balance of payments position.

While H.R. 16162 does not provide for an Inter-Departmental Advisory Committee to the EXIM Bank with respect to the operations of the Special Fund, my understanding is that The Administration intends to establish such a committee. In the bill submitted by Senator Magnuson in 1965 a Special Advisory Committee was provided for in the legislation. While it is not urgent that there be legislative provision for the Advisory Committee, it is important that the agencies of the government understand that it is intended that the Special Fund be administered by EXIM Bank with the advice and surveillance of a committee, chaired by the Secretary of Commerce and composed of such other departments as: State, Treasury, Interior and Agriculture as appropriate to ensure that the Fund is administered for the purposes contemplated by the legislation. It would also be important to establish the point that all applications to EXIM that are turned down, even in the initial stages, should be subject to review by the Advisory Committee to ensure that the staff at the lower echelon of EXIM are not in effect precluding consideration of certain types of applications for approval under the authority of the Special Fund.

I would like to suggest that consideration be given by the House Banking & Currency Committee to an amendmnt to H.R. 16162 designed to strengthen the rediscounting facilities of the EXIM Bank. In 1966 a rediscounting arrangement was adopted in principle by EXIM but it has never been very effective. The other industrialized countries of the world have well developed rediscounting systems which make it possible for private banks to finance exporters on a competitive basis. The arrangements in the other countries are such that the private banks and exporters are assured an adequate supply of credit not withstanding any credit tightening that may be applied to the domestic economy.

Moreover—and most important—the rediscounting arrangements of the other industrialized countries make it possible for the private banks to offer exporters credits at interest rates substantially below those prevailing in the domestic economy. Thus, in countries where the basic interest rates that prevail in the domestic economy are as high as 7% or 8% exporters are being financed at interest rate of 5¼% and 5½%. At the present time the lowest rates a U.S. company can offer overseas purchasers where EXIM is guaranteeing private bank credit would be 7½% to 8%.

The method by which this is done in other countries is that rediscount rates are established at whatever levels are necessary to permit private banks to offer the exporter a competitive rate so as to obtain the sought-after business. A margin is left to pay the private bank for its services, and the government rediscounting facility charges rates that are, when necessary, below the actual cost of money to the government. To the extent this is done it constitutes a subsidy of exports. But it is a subsidy available to the exporters of every industrialized country except our own.

The President has recently announced changes that liberalize the rediscount facility of EXIM; but none of the announced changes deal with the crucial matter of competitive rates. American exporters will, therefore, continue to be non-competitive with respect to this type of financing.

In my judgment the enactment of H.R. 16162 would be a significant step forward in approving the export performance of the United States. I urge that the committee report on it favorably and that it be enacted by the Congress.

Sincerely yours,

DANIEL L. GOLDY,
Vice President.

U.S. BALANCE OF PAYMENTS BY MAJOR SECTORS

[In billions of dollars]

	1964	1965	1966	1967 [1]
Merchandise exports excluding military	25.3	26.3	29.2	22.6
Less aid-financed exports	−2.8	−2.8	−3.0	−2.4
Merchandise imports	−18.6	−21.5	−25.5	19.7
Commercial balance	3.9	2.0	.7	.5
Tourism:				
Receipts	1.1	1.2	1.5	1.3
Expenditures [2]	−2.2	−2.4	−2.7	−2.6
Balance	−1.1	−1.2	−1.2	−1.3
Transportation:				
Receipts	2.3	2.4	2.6	2.0
Expenditures	−2.5	−2.7	−2.9	−2.3
Balance	−.2	−.3	−.3	−.3
Military:				
Receipts (military sales)	.7	.8	.9	.9
Expenditures	−2.8	−2.9	−3.7	−3.2
Balance	−2.1	−2.1	−2.6	−2.3
Foreign aid				
Receipts [3]	3.6	3.6	3.9	3.3
Expenditures	−4.3	−4.3	−4.3	−3.9
Balance	−.7	−.7	−.8	−.6
Direct investments				
Receipts:				
Income	3.7	4.0	4.0	3.0
Royalties, fees	.8	.9	1.1	.8
Expenditures	−2.4	−3.4	[4] −3.5	−2.0
Balance	2.1	1.5	1.6	1.8

See footnote at end of table.

U.S. BALANCE OF PAYMENTS BY MAJOR SECTORS—Con.

[In billions of dollars]

	1964	1965	1966	1967 [1]
Other private capital:				
Receipts	1.3	1.4	1.6	1.3
Expenditures	−4.1	−.3	−.6	−1.4
Balance	−2.8	1.1	1.0	−.1

[1] 1st ¾'s, 1967.

[2] Excludes transportation expenditures on foreign carriers.

[3] Expenditures on U.S. goods and services.

[4] Includes at least $600,000,000 raised abroad through foreign sale of securities issued by special U.S.-incorporated companies or through long-term loans from foreign banks.

Source: Survey of Current Business, U.S. Department of Commerce, June 1966, December 1966, September 1967, and December 1967, as adapted by International Economic Policy Association, Washington, D.C.

Mr. WOLFF. Mr. Chairman, I rise in support of H.R. 16162, to expand the scope of Government export financing. We need this bill to equip this country's exporters so that they can meet their foreign competition on equal terms.

Mr. Chairman, various well-qualified witnesses have testified before our Committee on Banking and Currency that exporters find difficulty in securing fully adequate financing in connection with their sales. I need not remind my distinguished and knowledgeable colleagues that adequate financing is a vital element in closing any sale, while the lack of financing could well divert a potential order to the competition.

More precisely, Mr. Chairman, it appears that the Government's prime financing agency for exporters, the Export-Import Bank, has been unable to fully meet the needs of our exporters for financing. This is not for lack of resources, for my colleagues will recall the passage 4 months ago of the bill to expand the Eximbank's lending authority.

The current needs of our exporters, our commercial interests abroad, and our balance-of-payments situation call for a reaching out by Eximbank to accommodate those transactions that present unconventional financing requirements but are likely to be repaid.

This gap in our financing facilities would not be so serious if our country were in the supplier position of 1945, when the present Eximbank statute was enacted. The United States was virtually the sole supplier of the world then and we could dictate the terms of repayment. But times have changed, and we are now engaged in a strong and close competition with the Europeans and the Japanese for new markets. The governments of these countries have supported their exporters in this competition with liberal and, in some cases, with subsidized financing facilities. Thanks to these special credit facilities, foreign businessmen have made inroads in our former markets and in the new markets by catering to their special financing needs and by being willing to assume financial risks that Eximbank is prohibited from assuming under its statute.

Mr. Chairman, I believe that enactment of this bill would prove a boon to American businessmen. It would enable them to make sales that now would be lost to other countries. It would enable them to compete on equal terms with the Government-supported credit offered by foreign competitors. It would enable American enterprise to make a significant contribution to the Nation's balance-of-payments problems. Mr. Chairman, I ask favorable consideration of H.R. 16162.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 16162, a bill to permit the Export-Import Bank to increase its financial support to exporters.

I need not dwell on the circumstances that have made this bill necessary. For a decade our Nation's payments abroad have exceeded our trade and other receipts. Living beyond our means in this manner has culminated, predictably, in the events of the last 12 months that have disturbed the foundations of the international financial system and threatened the orderly and fruitful conduct of our economic relations with the rest of the world.

I do not wish to apportion responsibility for our present circumstances. What is more important is that we recognize the situation for what it is and move to correct it in a manner that is both prompt and effective.

In January the President announced a seven-point program to move our international payments into balance. He proposed, on the side of control, constraints, and taxation:

Government controls on overseas investment by American business;

Restraints on lending to foreigners by our banking community;

A deferral of nonessential travel outside the Western Hemisphere; and

A reduction in Government expenditures abroad.

On the positive side, the President proposed:

An increase in our exports;

Reduction in trade barriers; and

Encouragement of investment and tourist travel by foreigners in the United States.

Mr. Chairman, the programs implemented or most widely discussed thus far have necessarily been on the negative or controlling side. A new bureaucracy has sprung up to control the investment decisions of private businessmen. The Federal Reserve is exercising restraints on the foreign lending of our banks. And the proposed tourist tax, although not enacted, has disrupted the travel plans of many Americans.

By contrast, H.R. 16162 gives effect to a positive element in our balance-of-payments program. The bill would liberalize the standards which the Export-Import Bank must now observe in carrying out its export promotion mission. The effect of this bill would be to permit many exporters to benefit from Export-Import Bank financing which they would be denied under present law. Exports would be encouraged with lasting benefits to our balance of payments.

In sum, the character of H.R. 16162 is positive and expansionary. This bill would foster the entrepreneurial spirit of our exporting community. It would create an incentive and not a barrier to action. It would rely on the initiative and energies of private enterprise in a manner consistent with our traditions and history, and not on the intervention of Government.

Mr. Chairman, on these grounds I believe that the bill now before us merits our careful consideration and our favorable endorsement.

Mr. REUSS. Mr. Chairman, I rise in support of H.R. 16162, a bill to enable the Export-Import Bank to support certain U.S. export transactions in order to improve our balance of payments and to foster the long-term commercial interests of the United States.

In supporting the measure before us, I wish to make two points. First, this new export financing facility clearly does not put Eximbank in the aid business. But second, and equally important, although credit and support of exports through this facility will be extended on the same relatively "hard" terms which the Bank applies to its regular program, we expect Eximbank to use both this new facility and its regular programs far more aggressively than in the past in order effectively to meet foreign competition and achieve the objective of increasing U.S. exports.

In testifying before your committee on this bill, the President and Chairman of the Board of Eximbank, Harold Linder, stated that the Bank intended to conform the interest rates and repayment terms under the new facility to those it applies under its regular programs. The committee felt it advisable to write this assurance into the bill to make it crystal clear to all that this program does not involve concessionary financing. We therefore amended section 4 to provide that "the policies of the Bank with respect to terms of repayment, interest rates, fees, and premiums applicable to loans, guarantees, and insurance extended under" Eximbank's existing statutory authority shall apply under this new act.

What do we mean by "hard" or "commercial terms," as contrasted to concessionary financing? Mr. Linder defined the "usual repayment terms" for Eximbank credits as the terms customary in international trade for the goods being sold, unless it is definitely known that longer terms are needed to meet foreign competition. The Bank intends to use this facility primarily for short- and medium-term transactions, that is, where repayment terms would generally not exceed 5 to 7 years, in order to get the most immediate benefit for our balance of payments. By standard interest rate, we mean, today, in the case of direct Eximbank loans to foreign borrowers, 6 percent. In cases where Eximbank guarantees or insures a transaction, the interest rate would be determined by the commercial bank which provides the funds, or by the exporter when he is financing the transaction, and you can be sure that these rates will not be concessionary.

By comparison, concessionary financing involves long terms and low interest rates. For example, the various AID lending programs involve repayment periods ranging from 15 to 40 years, at interest rates from 2 percent to 5½ percent. The Fund for Special Operations of the IDB offers loans at 4 percent, with repayment periods running from 15 to 25 years. The International Development Association of the World Bank lends for

50 years, with a 10-year grace period, and charges only service fees and no interest. Most of these credit facilities are directed toward economic and social development programs and often involve non-self-liquidating projects. For this reason their interest rates are low, their terms are long, they have extended grace periods; and many, unlike Eximbank, require no commitment fee. Thus what we are contrasting is a credit facility in Eximbank offering standard commercial terms, comparable to those offered by the export credit facilities of our foreign industrial competitors, with long-term, low-interest development lending.

I believe it is very clear, therefore, that this legislation is in no way a proposal for a soft-loan window in Eximbank. Certainly in its 35-year history the Bank has never operated a concessionary loan program. In fact, in recent years Eximbank has continually shortened the repayment terms on its direct credits and has instituted various programs to get maximum participation by the private sector, on "hard" terms, in short- and medium-term export financing.

On the other hand, while we have no intention of putting Eximbank into the concessionary lending business, it has become clear that the Bank has tended to operate with an overly conservative view of its lending authority. As the committee report states, we believe that Eximbank can and should take a more aggressive position with respect to all of its programs in order to provide maximum assistance to U.S. exporters. We expect the Bank to continue to extend credit only where sound judgment indicates there is substantial likelihood of repayment, for to extend credit which will not be repaid is of no help to our balance of payments. At the same time we believe there are various steps which the Bank can take, without jeopardizing its reputation as a sound lending institution, which would better assist U.S. exporters in meeting foreign competition and securing foreign markets for U.S. goods.

I hope the Bank will take immediate and visible steps in this direction. If it does, and if we in this body give the Bank the added authority and support along this line embodied in H.R. 16162, I believe we can hope for the significant rise in U.S. exports which is necessary to keep our trade balance in a favorable position.

Mrs. SULLIVAN. Mr. Chairman, in his state of the Union message to the Congress, President Johnson referred to the need for more strenuous efforts to improve this country's balance-of-payments position. The largest component of our balance of payments is our trade balance. While merchandise exports have grown at the rate of about 8 percent per year since 1960, the growth of imports during the same period has been at twice this rate. The result has been a narrowing of our trade surplus and an increase in our payments deficit.

There are various approaches available to redress this situation. Of the alternatives, those which would expand our exports are obviously preferrable to restrictive measures designed to curtail capital outflows or to reduce imports. The legislation before us, to enable the Export-Import Bank to extend its activities beyond those appropriate under its existing statutory charter, is designed to help improve our payments situation through an expansion rather than a contraction of our international trade.

The proposed export expansion facility authorized by H.R. 16162 will permit assistance to export transactions involving a number of countries where political and economic risk factors now preclude Eximbank from offering medium-term guarantees or insurance under its regular operations. Perhaps the outstanding example in this category is Indonesia, which is potentially an important market for U.S. products. It is the fifth largest country in the world, with a population of over 100 million. Nigeria is another country for which the Bank is not currently able to provide export credit support.

There are also instances in which Eximbank's existing commitments are so large in relation to the foreign exchange position and prospects of the borrowing country that the Bank's Board has deemed it prudent to limit new undertakings in support of certain types of export sales. Sometimes our European and Japanese competitors, backed by their governments' credit facilities, are able to continue to make sales in these markets because their existing commitments there are far smaller than Eximbank's. Among the countries where Eximbank feels it is near the limit of the exposure it should take on under its existing authority are the Dominican Republic, Turkey, Bolivia, and Brazil.

In Brazil, for example, the magnitude of demand from government agencies on the national and local level for maintenance and construction equipment is more than the Bank can now provide.

The new facility can also serve to assist transactions involving a number of foreign airlines, some of which are owned by countries which are financially weak and others of which are privately owned and only marginally profitable. Potential sales opportunities in this category exist in Bolivia, Chile, Honduras, Guatemala, and Brazil.

On occasion the proposed fund could be used for direct loans to foreign borrowers in order to assist in financing projects where it is important for the United States to be the initial supplier so as to affect the future development of an important market abroad. This is particularly true for projects involving sophisticated technologies. Possibilities of this type are projects involving the construction of facilities for nuclear powerplants and satellite communications ground stations in countries where the amount of credit required is large in relation to the country's foreign exchange resources, the borrowing entity is not a first-class credit risk, or the level of Eximbank's outstanding commitments is already high.

There are also a number of rapidly developing countries—Korea, Taiwan, Israel, and Iran come immediately to mind—which are no longer heavily dependent on concessionary aid-type assistance but whose current import requirements for capital equipment on normal commercial terms are greater than the Bank can meet under its normal standards. It may nevertheless be desirable to preserve for the United States the benefits of trade relationships which have been established with these countries as a result of previous AID and Export-Import Bank financing. There exists today a considerable volume of medium-term business in such areas, involving railroad rolling stock and other transportation equipment, highway construction equipment, and a variety of industrial machinery, which might be lost to the United States without the proposed facility.

These are the kinds of export problems—and export opportunities—which H.R. 16162 is designed to meet. I believe the Congress should act promptly to give the Administration and the Export-Import Bank the authority it has requested so that we may get on with the business of maintaining and expanding our export markets.

Mr. BARRETT. Mr. Chairman, I rise in support of H.R. 16162, to broaden the scope of export financing programs now available to U.S. exporters through the Export-Import Bank.

Our Nation is facing a persistent balance-of-payments deficit which threatens to undermine the strength of the dollar. Since 1965, the deficit has risen steeply and amounted last year to $4 billion. A substantial expansion in our exports is essential to create the export surplus necessary to swing our international payments into balance.

Enactment of H.R. 16162 would provide a means for reviving our lagging export surplus through a limited relaxation of the Bank's present stringent credit policies. The bill would move the outer limits of Eximbank finance to a point where exports which would now be lost can be retained, and exports not now eligible for Eximbank finance could be won for American exporters. According to the testimony of qualified witnesses, there exists a considerable volume of potentially important export opportunities that cannot be financed without approval by the Congress of the authority provided under H.R. 16162.

To be sure, there may be some slightly greater risk of nonpayment associated with such transactions. The development of any new market necessarily involves an element of additional risk initially. But justifiable risks must be accepted to achieve the large export gains we need. The Export-Import Bank must be enabled to move out aggressively into world markets in support of American exports. The Export-Import Bank must have the authority to exercise, in partnership with American business, the initiative, enterprise, and innovation necessary to win new markets for American producers.

Let me make one point quite clear. This is a program to encourage only exports of a commercial character. It is not a giveaway program. It is not a foreign aid program. It will not involve excessively lengthy maturities or low-interest rates which are the hallmarks of foreign aid. It will support only transactions that bear a clear expectation of repayment and, while additional risks may be involved, such risks cannot be regarded as substantial. The program's purpose and intent, as specified in the bill, is limited to transactions that serve the U.S. balance of payments and commercial interests. And the program will benefit from the expert guidance of the Secretary of Commerce as Chairman of the Export Expansion Advisory Committee.

On these grounds, I urge the House to approve this legislation.

Mr. GONZALEZ. Mr. Chairman, on January 1, President Johnson spoke to the Nation on the critical U.S. balance-of-payments situation. He outlined at that time certain recommendations designed to stem our payments deficit. Among these were specific proposals to improve the U.S. balance of trade, which is the largest single item in our total balance of payments. One of these trade recommendations is embodied in the legislation before us today. H.R. 16162 would allocate $500 million of the Export-Import Bank's present $13.5 billion lending authority to broaden the scope of its export financing activities.

It is already apparent that the U.S. trade surplus will be sharply reduced this year unless we take immediate steps to stimulate our exports. During the first quarter of 1968 the trade surplus fell to an annual rate of $731 million, as compared to $2.3 billion in the previous quarter, and $4.7 billion in the first three quarters of 1967. Moreover, although the 1967 trade surplus was up over the 1966 figure, it was at its second lowest point since 1959.

These are events we cannot ignore. We must do everything possible to protect the international position of the dollar, and the only way to do this is to eliminate our balance-of-payments deficit. The export expansion drive is the most promising and positive approach to the long-range solution of our payments problems. H.R. 16162 is a key element in that drive. The bill proposes to use an existing institution which can respond quickly to the urgent needs of our exporters. The Export-Import Bank is the one agency in our Government dedicated solely to providing appropriate financing for our exports. It has a long history of sound export financing through its loan, guarantee, and insurance programs. During fiscal year 1967 alone, the Bank's total contribution toward a favorable payments balance was over $1.5 billion. The provisions of H.R. 16162 will enable the Bank to make an even greater contribution.

Administration and industry witnesses have testified that there is a clear need for this additional Eximbank authority. Important opportunities for exports may be lost because the transactions in question do not meet the Bank's statutory test of "reasonable assurance of repayment." The proposed facility will allow the Bank to finance sales with a higher degree of risk than that acceptable under the Bank's regular operations, but which offer "sufficient likelihood of repayment" to justify Government support. This will assist U.S. exporters interested in opening up and developing new and growing markets, to the benefit of our trade surplus and overall international payments position. It is anticipated that most cases coming under the new facility will involve short or medium repayment periods and therefore have a favorable near-term direct impact on the balance of payments through the receipt of principal and interest payments.

This is a piece of legislation which promises to provide both immediate and long-term benefits to our national interest. It has been strongly recommended by the Banking and Currency Committee. I therefore urge the prompt passage of H.R. 16162, which serves both the balance of payments and the long-term commercial interests of the United States.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD. When we get back into the House, I expect to ask for consent to also include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 16162

A bill to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) It is the policy of the Congress that the Export-Import Bank of the United States should facilitate through loans, guarantees, and insurance (including coinsurance and reinsurance) those export transactions which, in the judgment of the Board of Directors of the Bank, do not meet the test of reasonable assurance of repayment as provided in section 2(b) (1) of the Export-Import Bank Act of 1945, as amended, but which, in the judgment of the Board of Directors of the Bank, should nevertheless be financed, guaranteed, or insured in order to improve the balance of payments and foster the long-term commercial interests of the United States.

(b) The Bank shall specially designate such loans, guarantees, and insurance on the books of the Bank. In connection with guarantees and insurance, not less than 25 per centum of the related contractual liability of the Bank shall be taken into account for the purpose of applying the limitation imposed by section 7 of the Export-Import Bank of 1945, as amended; but the full amount of the related contractual liability of such guarantees and insurance shall be taken into account for the purpose of applying the limitation in section 2(c) (1) of that Act, concerning the amount of guarantees and insurance the Bank may have outstanding at any one time thereunder. The aggregate amount of loans plus 25 per centum of the contractual liability of guarantees and insurance outstanding at any one time under this Act shall not exceed $500,000,000.

SEC. 2. In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, such losses shall be borne by the Bank up to an aggregate amount not exceeding $100,000,000 and any losses in excess thereof shall be borne by the Secretary of the Treasury. Reimbursement of the Bank by the Secretary of the Treasury on defaulted loans and payments to discharge the Bank's liabilities on guarantees and insurance in excess of the aforesaid $100,000,000 shall be from funds made available pursuant to section 3 of this Act. All guarantees and insurance issued by the Bank shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America.

SEC. 3. There are hereby authorized to be appropriated to the Secretary of the Treasury without fiscal year limitation such amounts as may be required to cover any losses exceeding $100,000,000 incurred by the Bank as a result of loans, guarantees, and insurance extended under this Act.

SEC. 4. Nothing in this Act shall be construed as a limitation on the powers of the Bank under the Export-Import Bank Act of 1945, as amended; and except as provided in this Act all loans, guarantees, and insurance extended hereunder shall be subject to the provisions of said Export-Import Bank Act of 1945, as amended.

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 2, line 1, of the reported bill, strike "do not" and all that follows through "United States" in line 8, and insert "offer sufficient likelihood of repayment to justify the Bank's support in order to actively foster the foreign trade and long-term commercial interest of the United States".

On page 2, line 12, of the reported bill, strike "such".

On page 2, line 13, of the reported bill, after "Bank" insert "made under authority of this Act".

On page 3, line 24, of the reported bill, strike "provided in" through "this Act" in line 1 on page 4, and insert "to the standard of reasonable assurance of repayment required under section 2(b) (1) of that Act".

On page 4, line 5, of the reported bill, after "as amended" insert ", and to the policies of the Bank with respect to terms of repayment, interest rates, fees, and premiums applicable to loans, guarantees, and insurance extended under that Act".

On page 4, line 9, of the reported bill, add the following new section:

"SEC. 5. The Bank shall not extend loans, guarantees, or insurance under this Act in connection with the sale of defense articles or defense services."

The committee amendments were agreed to.

AMENDMENTS OFFERED BY MR. BROWN OF MICHIGAN

Mr. BROWN of Michigan. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. PATMAN. Mr. Chairman, reserving the right to object, I have a statement here which I assume was gotten out by the gentleman from Michigan with reference to these amendments. No. 1 is to strike out "$100,000,000" and insert "$50,000,000." Is that the amendment that the gentleman has in mind?

Mr. **BROWN** of Michigan. Mr. Chairman, the gentleman is correct.

Mr. **PATMAN**. Mr. Chairman, I do not object to their being considered together and withdraw my reservation of objection.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

> Amendments offered by Mr. BROWN of Michigan: On page 3, line 7, strike "$100,000,000" and insert "$50,000,000", and after the word "borne" insert "equally by the Bank and".
>
> On page 3, line 11, strike out "aforesaid $100,000,000" and insert "losses required to be borne by the Bank as above set forth".
>
> On page 3, lines 19 and 20, strike out "exceeding $100,000,000" and insert "in excess of those required to be borne by the Bank as above set forth and".

Mr. BROWN of Michigan. Mr. Chairman, under the bill as presently written the Export-Import Bank will bear 100 percent of the first $100 million of losses under this special program. Losses above $100 million would be paid by the Secretary of the Treasury via the regular appropriations process and the authorization in this regard is unlimited at the present time.

Mr. Chairman, I believe that the Bank should bear 100 percent of a particular amount of loss and should share losses above that figure. However, it is my opinion that this initial amount should be $50 million instead of the $100 million which the bill as originally written would require. Under my amendment the Export-Import Bank would bear 100 percent of this $50 million, but above that the losses would be shared equally with the Secretary of the Treasury, because the Export-Import Bank would have continuing exposure under the bill for losses in excess of $50 million.

Mr. Chairman, as a practical matter, under my amendment losses could amount to $150 million before the Export-Import Bank would exceed the $100 million of exposure which was originally written in the bill. This is true because the Bank bears the first $50 million and above that it bears one of every two dollars of loss. Therefore, under the bill the figure of $100 million in losses could be exceeded as a result of this formula and go as high as $150 million before additional Eximbank money would be involved.

Mr. Chairman, it seems to me that this schedule has these benefits. There will be continuing exposure of the Bank for losses that are incurred without having a fixed limit of its liability. After all, the Bank will be in complete control of the policy with respect to this new loan program and inasmuch as it has this authorization or authority or this discretion, it seems to me it should have continued exposure under that policy. But, at the same time, by sharing the losses in excess of $50 million, the general funds of the Government will be available to share in the losses which I think we should share because, the Export-Import Bank in going into this special program, this added program, is pursuing a national policy which it otherwise would not do if it were functioning in a purely international commercial bank function. In manifesting this national policy it should have some opportunity for reimbursement for the losses which it might incur.

Further, Mr. Chairman, I think another factor should be considered. It has been suggested or alleged by some that apparently in the Senate an amendment will be offered to this bill to strike out all Treasury participation which would mean that the Export-Import Bank would bear 100 percent of all the losses. I do not think that the Export-Import Bank should bear all of these losses. By setting its liability at 50 percent of the losses, I believe a proper compromise would be reached.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Is it not true that the amendment which the gentleman has offered would cut down the lending capacity of the Bank and thereby prevent its full lending capacity?

Mr. BROWN of Michigan. Well, to the extent that the Export-Import Bank had a maximum exposure under this bill of $100 million, removal of this limitation could further commit the reserves of the Bank. The maximum exposure could be any amount, since the Bank would share in the losses above that figure. However, it has been stated to me that there is no expectation that the losses would exceed $100 million.

Mr. BARRETT. Mr. Chairman, will the gentleman yield further?

Mr. BROWN of Michigan. I yield further to the gentleman from Pennsylvania.

Mr. BARRETT. Is it not true, and I am sure that the gentleman will agree, that we held 2 days of hearings on this bill and at no time did any members of the committee have an opportunity to explore the gentleman's amendment?

Mr. BROWN of Michigan. I might suggest to the gentleman——

Mr. BARRETT. It is my recollection that we voted this bill out by a vote of about 30 to 1. Certainly, if we are going to change the lending capacity and the reserve of the Bank, I think the members of the Bank should be entitled to explore this to see what effect this might have on the lending authority of the Bank and upon the Bank itself.

Mr. BROWN of Michigan. If the gentleman was present in the committee meeting the day this bill was reported out, he will recall that I did suggest an amendment of this nature during the committee hearing, and the chairman said, "We believe that you should wait and present this on the floor."

I am doing that which the chairman suggested I do.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. BROWN].

Mr. Chairman, this amendment would seriously interfere with the Bank's reserves and lending power under this bill. The object of this bill is excellent: to help our balance of payments, to help our export trade, to help labor in this country have a job, to help keep our country going, and keep the wheels of industry turning.

Every dollar of these loans is spent for goods and services here in the United States. You could not have a better setup than that.

If we were to adopt the amendment offered by the gentleman from Michigan—and I recall that the gentleman did want to bring this up right at the very time, really, that we were getting ready to bring the bill out. We had 2 days of hearings on it, and it was the wish of the committee that we bring the bill out that day. I asked the gentleman to not insist upon it at that time because it would interfere with reporting the bill that day. I thought so, and I asked the gentleman to hold it for the floor, which he has done. It is perfectly all right for the gentleman to offer the amendment, but the amendment is really destructive to the intent of the legislation. It is really harmful to the legislation. It is harmful to the balance of trade.

I can cite figures here. In 1966, Exim's reserves as percent of exposure were 15 percent. And the next year, 1967, 13 percent, but this year 11 percent. And if the amendment offered by the gentleman from Michigan is adopted it is going to seriously affect these reserves.

Now, we do not know from the Export-Import Bank experts, and I mean the President, Mr. Linder, and their economists the full impact of this amendment. We do know it will be harmful. We do know it will affect the intent of the legislation.

So, Mr. Chairman, I hope the gentleman could see his way clear not to delay this bill. This bill helps the United States of America, and we should pass it as it came out of committee as quickly as possible.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, I concur in everything the gentleman has said. I believe the gentleman is aware, however, of the fact that under the $500 million authorization that is included in this bill the maximum exposure can be distributed, and the likelihood would be it would not be that much.

Furthermore, if you take the sharing provision of my amendment this further reduces the possibility of drawing upon the reserves of the Bank by 50 percent, even more.

So the total exposure under the sharing, the 100 percent the Bank will be required to pay, they will have to pay over $50 million, obviously, and this would impair the reserve of the Bank very substantially.

Mr. PATMAN I cannot dispute what the gentleman has said, but I do know this: That the Export-Import Bank officials look upon this as a very damaging amendment, and they are disappointed because they were not privileged to be heard on it because they could have made a case against it.

This involves a very technical question of reserves, and the gentleman knows this is the most technical question we have involved in banking.

Mr. BROWN of Michigan. Mr. Chairman, if the gentleman will yield further, insofar as the Export-Import Bank is concerned, I talked with a representative of the Bank, and indicated to him my intent to offer this amendment last week when this bill was first scheduled. I have had no communication from the Export-Import Bank indicating to me that they opposed the proposal, or oppose the amendment.

If they are so concerned about this proposal, it seems to me it would have been entirely appropriate for them to contact me and explain to me why they are opposed to it. And that with all the gentleman's discussion and recitation of conclusions of what it will do, I have not heard one particular recitation of how it will jeopardize either the Bank or this program.

Mr. PATMAN. Well, Mr. Linder is the one who really speaks for the Bank and he is the one the gentleman should talk to. Just because the gentleman said he was going to introduce an amendment—I do not think that makes it incumbent upon the members of the Board of the Export-Import Bank to pursue that person and make sure they get their information to him.

I have the feeling that they did enough when they learned about it the first time. I did not know about this amendment until today. The gentleman says he had the amendment when we were about to report the bill out. I am not disputing what he says as I know the gentleman to be truthful.

The CHAIRMAN. The time of the gentleman from Texas [Mr. PATMAN] has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. I note that the gentleman referred to the other body. It has always been our policy, I believe, to let the other body do as they want to and we have ways of adjusting that. I do not think our action should be based on hearsay as to what the other body might do or might not do. I think we ought to legislate on our own, and be convinced that it is a good thing. But I am not convinced that this is a good thing. I am told it is a very harmful thing by the Export-Import Bank. Therefore, I would certainly not want it to be adopted if I could help it and I would not vote for it.

But when the bill passes and goes to the other body and they put in any amendment they want to, then under our parliamentary procedure which is the finest and the best on earth, if there are irreconcilable differences, then each House will select managers and conferees and we will meet halfway in the Capitol here and we will iron out the differences. Then we will know what we are doing. If we were to pass this amendment today here on the spur of the moment, I am sure we would not know what we are doing.

I hope the gentleman will seriously consider not insisting on his amendment because I am afraid it would delay the effectiveness of the bill.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. BROWN of Michigan. If the gentleman could explain to me the elements of the fear that he has expressed, I certainly might reconsider. But I have not had expressed to me any recitation of what this fear consists of. Therefore, I do not feel the gentleman is very convincing in his suggestion that this amendment would jeopardize the bill.

Mr. PATMAN. May I say to the gentleman he has had several weeks to examine this and to determine what he believes it will do. I have only had a few minutes with it, really—I got this less than an hour ago. I never saw it before. All the other Members here on our side are in the same position. So we are not in a position to go into it fully and give the technical objections to it because we have not had time to study it.

I just hope the gentleman will not do something here that is not understood. We do not know the effectiveness of it. We do know that the Export-Import Bank believes it is harmful and destructive to our balance of trade improvement that we are hoping to get.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. WOLFF. Does the gentleman from Texas, the chairman of the committee, feel that this amendment will limit the Bank's ability to make loans in the private sector so as to make the private sector in this country competitive with what is being offered by other countries today?

Mr. PATMAN. That is one of the objects. You see, the United Kingdom and Canada have similar institutions to our Export-Import Bank doing the same things. They are going farther than we are going. We want to go up some in that direction—but not enough to be a risk—not enough to be such a risky loan that it would be called a soft loan. Certainly, not a bad loan. But just a little more risky—one that we can afford to take because it will help our balance-of-payments position and we still know that we will be paid back.

Canada has had little or no losses under their program. The United Kingdom has had practically no losses under its program. So we are just trying to be competitive.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. BROWN of Michigan. The amendment I have offered has nothing to do with the loan policy. They can be as risky as they want. Under my amendment they can be as risky as they could be under the original bill. It has nothing to do with the loan policy. It simply states in the event of loss how it shall be shared.

As I indicated in my remarks earlier, under my amendment $150 million in losses could be incurred under this program before the Export-Import Bank suffered a dollar of drawdown on its reserves above what it is willing to do, as written in the original bill.

Mr. PATMAN. Why should you not want the Eximbank take most of the losses? They have the money to do it. Why just a $50 million cutoff? I cannot see any real reason for that. Perhaps the gentleman can suggest a reason. You see, it is all U.S. money anyway, whether it is in the treasury of the Export-Import Bank or whether it is in the Treasury of the United States.

SUBSTITUTE AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment in the nature of a substitute to the amendment of the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. BROCK as a substitute for the amendment offered by Mr. BROWN of Michigan: On Page 3, line 19, strike out "such amounts as may be required" and insert "$100,000,000".

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. BROCK. Mr. Chairman, the purpose of the amendment is very clear, I believe. I fully support the intention of the gentleman from Michigan. I simply feel that he does not go far enough. Rather than sharing all the losses of the Bank which might be incurred, I think we should put a very specific, hard, and well-defined limit upon the liability which we impose upon the American taxpayer.

Let me think with you just a minute about the illogic of the case that has been presented here today. The chairman of the committee has opposed the gentleman's amendment, saying in effect that this would hamper the operation of the Bank, that this would restrict their loan policy, that this would be a damaging amendment to the operation of the Export-Import Bank.

In the same sentence, in the same context, he says at the same time that these are not high-risk loans. They are just a little bit more risky. Well, if they are just a little bit more risky, then why are you worried about limiting the responsibility of the taxpayers of this country to assume the losses? One or the other ought to apply: Either they are not risky—and we do not have to worry about it—or they are risky and we ought to be very careful about how far we obligate the taxpayers of this Nation.

The way the bill is written today, Eximbank will cover the first $100 million of losses against a potential loss of $2 billion. That means the taxpayers of this country are being given a secondary liability of $1.9 billion.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. You mean a potential liability. That does not mean it will be $2 billion necessarily.

Mr. BROCK. I do not expect it to come about at all.

Mr. PATMAN. You are offering the amendment as a substitute for the amendment of the gentleman from Michigan?

Mr. BROCK. For the second part of his amendment; yes.

Mr. PATMAN. Oh, the second part. I thought you were offering it completely.

Mr. BROCK. No.

Mr. PATMAN. May I invite your attention, my dear friend, to the fact that you are making the Treasury liable in this field when they are not liable in this field. Only the Export-Import Bank is liable for that $100 million. Then if there is any more paid, it will have to be appropriated by the U.S. Congress through the Appropriations Committee of the House and the Senate. Why change that? Is that not a good thing? I think it is a wonderful thing to make it go through the Appropriations Committee, any amount that is paid the Export-Import Bank.

Mr. BROCK. Under the amendment of the gentleman from Michigan, as amended by my amendment, we would still have to go through the appropriations process. There is no change in that whatsoever. The gentleman has missed the point. What we are trying to do, and what I am particularly trying to do, is to limit the dollar liability of the American taxpayer, whether it is by appropriation or not, because when you incur a loss in excess of $100 million, you will have, if you pass the bill as it is written, incurred a liability upon the American people and it must be paid. Of course, any losses must be repaid through the appropriation process, and they will. This Congress is going to meet its obligations, and the gentleman knows that. It seems to me we ought to make it crystal clear that we will accept this additional liability only within the limit of $100 million and not one penny more.

That is not too much to ask in the face of the tax bill that is coming up next week, I think.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, as I understand the substitute amendment offered by the gentleman from Tennessee for my second amendment, it is merely setting $100 million maximum on the authorization which is now open ended under the bill.

Mr. BROCK. That is correct. The bill as written goes to $1.9 billion potential liability to the American taxpayer. We put $100 million in, if my amendment passes. It seems to me this is just plain commonsense when we are running a financial program. I cannot see any argument against it.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. BROCK. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, am I correct also in my understanding, if the gentleman's amendment carries, there still could be $250 million in losses?

Mr. BROCK. Yes. The way it would work, the amendment of the gentleman from Michigan coupled with my amendment, the first $100 million will be borne by the Bank, and after $100 million is borne by the Treasury the rest must be borne by the Bank. After that point, we have no further obligation.

Mr. BLACKBURN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to make a few statements by way of background on this amendment. What we are proposing to do is give the directors of the Export-Import Bank additional latitude in extending loans. What we are debating about today, right now, involving these amendments, is the extent to which the Export-Import Bank itself shall share losses should the judgment of its lending officers prove to be bad. To my way of thinking—and I am very strongly in support of the amendment offered by the gentleman from Michigan, and the amendment of the gentleman from Tennessee—this would give the directors of the Export-Import Bank freedom to make loans which today they are not now making, but it does give them the responsibility of bearing, out of the Bank's surplus, losses which they might sustain by reason of bad business judgment.

I think it is only fair if they are going to incur the additional risk by making, if not soft loans, at least loans which they are not making today, that the Bank's surplus should be responsible to some extent up to the full amount of the loss which we might authorize today.

I very strongly urge Members of the Committee to support the amendment of the gentleman from Michigan as amended by the amendment offered by the gentleman from Tennessee.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I am concerned by some of the language to be found in the report, specifically on page 6, which I think ought to go in the RECORD in consideration of this bill.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I think the gentleman is correct. I think we ought to put the whole report in. It is only a very brief report.

Mr. GROSS. Mr. Chairman, the gentleman can put in the RECORD anything he wants to, but let me put in what I think ought to go in.

On page 6 the report reads as follows:

> The intention of the legislation is to authorize the Bank to foster the foreign trade and long-term commercial interests of the United States by supporting transactions which may involve somewhat greater risks than those traditionally taken by the Bank under its basic charter. This proposed bill in no way is intended to authorize the Bank to make bad loans.

This is unusual language, and let me repeat: "This proposed bill in no way is intended to authorize the Bank to make bad loans."

Continuing the report says:

> **The bill does, however, authorize the Bank, with respect to the $500 million of authorizations permitted by this bill, to relax the criteria of "reasonable assurance of repayment," which it applies to its regular program.**

What are we about to embark on here? Is it proposed to relax the criteria for the making of loans? I heard the gentleman from Texas, [Mr. PATMAN], say it is just a little bit riskier. How far does the gentleman intend to go in the matter of inviting risk?

Mr. PATMAN. Not enough to be dangerous.

Mr. GROSS. How far is that? You have taken the lead, in your committee, in debauching and debasing the currency of the United States. How far do you intend to go here?

Mr. PATMAN. Will the gentleman yield?

Mr. GROSS. I yield.

Mr. PATMAN. Our currency is not debased. It is the best currency in the world. It is better than gold.

Mr. GROSS. I have a bunch of scrap metal in my pocket thanks to you and your committee, in part.

Mr. PATMAN. You ought to be thanking anybody responsible for it. Everybody owes debts and taxes. Anything you purchase you can purchase with this bill, which is legal tender for all debts, public and private, and we have enough debts and taxes.

Mr. GROSS. Let me ask the gentleman a question. Why did you feel called upon to put into your report the language:

> This proposed bill in no way is intended to authorize the Bank to make bad loans.

Mr. PATMAN. I can answer that question, if the gentleman would like.

We have two important competitors, Canada and the United Kingdom. They have done exactly the same thing we propose to do here, to make loans that might be considered a little riskier, but not bad loans, not soft loans. They have not lost any money. We are losing trade by reason of that.

If we want to compete with them and do the same thing, we can furnish the goods and services here in the United States, and help our industry, help our balance of trade, and help everything.

It is really a question of meeting competition. I know the gentleman would like for the United States of America to meet competition from any country on earth.

Mr. GROSS. I simply do not know what to make of this language. Perhaps it is a warning of worse things to come. Therefore, I rise in support of the amendments, and particularly the amendment to put a lid on the open end part of the bill. Yes, I rise in support of any restrictive amendment that will confine this bill and the operation of the Bank of the charter and the making of loans as the charter provides.

I just do not understand why it was necessary in this report to say that we are not now embarking on the making of bad loans. I would have thought every Member of the House could assume that the Export-Import Bank would not make bad loans, and such a statement would be totally unnecessary.

I am further alarmed when I find the Banking and Currency Committee saying in its report that:

> The bill does, however, authorize the Bank . . . to relax the criteria of "reasonable assurance of repayment," which it applies to its regular program.

There ought to be "reasonable assurance of repayment" in every loan made by the U.S. Government and I am completely unable to understand how it is possible to "relax" that requirement unless it is now being proposed to install a soft-loan window in this Bank and start tossing out the dollars without adequate assurance of repayment.

Mr. Chairman, I support the amendments.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to make it quite clear that H.R. 16162 actually is putting the Eximbank into the business of making a type of loan they have not been able to make up until now. All of the loans that have been made by the Eximbank up to the present time have been made with reasonable assurance of repayment. That is, the Congress instructed the Bank to do this.

If we pass this bill, the Bank would no longer have to require reasonable assurance of repayment. Rather, this bill says they can make loans now with sufficient likelihood of repayment. So what we are going to start to do is to make soft loans.

When one of the committee members questioned Mr. Linder during the hearings—and this appears on page 97—one of the committee members said:

> I think what you are coming to us for is an authority which will allow you to do that which you now claim would be prejudicial to the existence of the institution.

Mr. Linder replied:

> That is precisely the reason and that is why I believe it desirable to set up a clear line of demarcation between the regular operations of the Bank and the new facility. If for example, $65 million is the amount that is required to finance U.S. exports to India, and $50 million is all we feel should fall under our regular program, then I would want the extra $15 million to be financed under the new program.

The way this bill is written, in its present form the Bank will sustain the first $100 million in losses. All losses over that, with no ceiling, will be absorbed by the Treasury. I think since this is a new program and is going to be experimental in nature, to some degree, it is necessary that the amendments be adopted to place a ceiling on the losses.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I am happy to yield.

Mr. PATMAN. Is it not a fact that we are just arguing about that first $100 million?

Mr. WILLIAMS of Pennsylvania. No.

Mr. PATMAN. And the amendment provides that instead of letting the Export-Import Bank take the first $100 million out of its money, which is really public money, anyway, that we commence digging into the Treasury right after the first $50 million?

Mr. WILLIAMS of Pennsylvania. You just asked me a question?

Mr. PATMAN. I am asking you if that is not true.

Mr. WILLIAMS of Pennsylvania. Your question——

Mr. PATMAN. In other words, if we leave it right as it is, the Bank will pay the first $100 million. Then, if there is any money to be paid by the Treasury, that is another process. You will then have to offer a bill that will go to the various committees and the money will be appropriated by the Congress through the Appropriations Committee. That is a protection for everybody. Do you not think that is a lot better than to start so quickly, after $50 million, digging into the Treasury of the United States?

Mr. WILLIAMS of Pennsylvania. You asked me a question, and I will give you the answer. You asked me is it not true all we are talking about is $100 million, and I am saying to you, "No"; that is not correct.

If you read page 3 of the act, starting in section 2, it says:

> In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, such losses shall be borne by the Bank up to an aggregate amount not exceeding $100,000,000 and any losses in excess thereof shall be borne by the Secretary of the Treasury.

It has already been very clearly pointed out that the lending authority under this bill can be up to $2 billion. There can be substantial losses occurring above the $100 million figure, which would be the responsibility of the Bank. Any losses above that would be borne by the Treasury.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Georgia.

Mr. BLACKBURN. I would like to address a question to the gentleman from Pennsylvania for clarification. Is it not true that these amendments will merely impose some discipline on the Directors of the Bank in making such soft loans and place some limitations on the exposure of the U.S. Treasury?

Mr. WILLIAMS of Pennsylvania. There is no question about that. All these amendments are designed to do is to limit the losses.

Mr. BLACKBURN. And impose some discipline on the Board of Directors?

Mr. WILLIAMS of Pennsylvania. And, of course, they would impose a discipline to keep losses from going above the allowed amounts.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WILLIAMS] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. May I ask the gentleman this question: He failed to read section 3. You read the part about the Secretary of the Treasury, but you did not read the part in section 3 which shows how they get the money out of the Treasury. It says:

> There are hereby authorized to be appropriated to the Secretary of the Treasury without fiscal year limitation such amounts as may be required to cover any losses exceeding $100,000,000 incurred by the Bank as a result of loans, guarantees, and insurance extended under this Act.

In other words, section 3 will authorize it, but you have to go through the appropriations process in order to get the money. That makes a big difference. You place a burden on the country by changing it from the original act.

Mr. WILLIAMS of Pennsylvania. If I could use a little of my own time for just one moment, what you just read is exactly what I have been saying. It authorizes without any fiscal year limitation, legislation covering losses in excess of $100 million, and that is the purpose toward which the amendment is directed.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Tennessee.

Mr. BROCK. What the chairman of the Committee on Banking and Currency has apparently failed to understand is that the amendment strengthens the appropriations process to be followed. The gentleman from Texas addressed himself to the amount authorized to be appropriated to the Secretary of the Treasury without fiscal year limitation such amounts as may be required to cover any losses exceeding $100 million incurred by the Bank as a result of loans, guarantees, and insurance extended under this act.

What we want to do is to limit the amount of expenditures on the part of the Secretary of the Treasury. But we still require the normal appropriation process under and through the Congress of the United States.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield further, the difference is this: You want to commence digging into the Treasury after the first $50 million has been lost. I think you ought to use the Export-Import Bank—they are Government funds anyway—and not start digging into the Treasury until $100 million has been lost, if at all, and then only after Congress approves it. You are making it harder on the Treasury of the United States, I will state to my friend.

Mr. WILLIAMS of Pennsylvania. The important point we are trying to make here is this: At the present time this bill reads that the Bank would have to sustain losses of $100 million, and there is no ceiling placed upon those losses that can be incurred over that amount by the Treasury. That represents an open end arrangement of losses which is totally impracticable.

Mr. Chairman, I yield back the balance of my time.

Mr. JONAS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from North Carolina will state his parliamentary inquiry.

Mr. JONAS. Is the Brock amendment a substitute for both of the amendments which have been offered and considered en bloc by the gentleman from Michigan [Mr. Brown], or is the contrary situation true?

The CHAIRMAN. As a substitute. The Brock amendment is a substitute for the entire Brown of Michigan amendments.

Mr. JONAS. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. JONAS. If the Brock amendment which has been offered as a substitute is voted up by the Committee, then it would displace the entire Brown of Michigan amendments?

The CHAIRMAN. The gentleman is correct.

Mr. JONAS. I thank the Chairman.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Tennessee [Mr. Brock] for the amendments offered by the gentleman from Michigan [Mr. Brown].

The question was taken; and on a division (demanded by Mr. Brock) there were—ayes 29, noes 31.

Mr. BROCK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Barrett and Mr. Brock.

The Committee again divided, and the tellers reported that there were—ayes 40, noes 38.

So the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. Brown], as amended.

The question was taken; and on a division (demanded by Mr. Patman) there were—ayes 41, noes 39.

So the amendments, as amended, were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Landrum, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, pursuant to House Resolution 1204, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. PATMAN. Mr. Speaker, I demand a separate vote on the Brown of Michigan amendments, as amended.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the Brown of Michigan amendments, as amended, upon which a separate vote has been demanded.

The Clerk read as follows:

On page 3, line 19, strike out "such amounts as may be required" and insert "$100,000,000".

The question was taken.

Mr. BROCK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 218, nays 163, not voting 52, as follows:

[Roll No. 182]

YEAS—218

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashmore
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Bray
Brinkley
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Corbett
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Erlenborn
Esch
Eshleman
Everett
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain
Fulton, Pa.
Galifianakis
Gardner
Gathings
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Hammerschmidt
Harsha
Heckler, Mass.
Henderson
Herlong
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kleppe
Kornegay
Kupferman
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McDonald, Mich.
McEwen
MacGregor
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Morris, N. Mex.
Morton
Mosher
Myers
Natcher
Nelsen
Nichols
O'Konski
Passman
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Walker
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—163

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Barrett
Blanton
Blatnik
Boggs
Boland
Bolling
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Clark
Cohelan
Conte
Corman
Culver
Daniels
Davis, Ga.
de la Garza
Delaney
Dent
Diggs
Dingell
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evana. Colo.
Fascell
Feighan
Flood
Foley
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Giaimo
Gibbons
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Keith
Kirwan
Kluczynski
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McCloskey
McCulloch
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mathias, Md.
Matsunaga
Meeds
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morse, Mass.
Moss
Nedzi
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Price, Ill.
Pryor
Purcell
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Sisk
Smith, Iowa
Staggers
Stanton
Steed
Stephens
Stratton
Sullivan
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—52

Ashbrook
Ayres
Bell
Bingham
Bolton
Bow
Brademas
Broomfield
Button
Carey
Carter
Celler
Conyers
Cowger
Daddario
Dawson
Donohue
Evins, Tenn.
Fallon
Farbstein
Ford, William D.
Garmatz
Gettys
Gilbert
Hansen, Idaho
Harrison
Hébert
Holland
Howard
Karsten
Kelly
King, Calif.
Kuykendall
McMillan
Moore
Murphy, Ill.
Murphy, N.Y.
O'Hara, Ill.
Pelly
Podell
Pucinski
Resnick
Riegle
Rivers
Rooney, N.Y.
Rosenthal
Scheuer
Stuckey
Tenzer
Thompson, N.J.
Vander Jagt
Waggonner

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Bow for, with Mr. Carey against.

Mr. Carter for, with Mr Rooney against.

Mr. Pelly for, with Mr. Donohue against.

Mr. Waggonner for, with Mr. Brademas against.

Mr. Cowger for, with Mr. Bingham against.

Mr. Kuykendall for, with Mr. Celler against.

Mr. Harrison for, with Mrs. Kelly against.

Mr. Broomfield for, with Mr. Podell against.

Mr. Ashbrook for, with Mr. Gilbert against.

Mr. Button for, with Mr. Fallon against.

Mr. Riegle for, with Mr. King of California against.

Mr. Vander Jagt for, with Mr. Daddario against.

Mr. Hansen of Idaho for, with Mr. Garmatz against.

Mr. Moore for, with Mr. Murphy of Illinois against.

Mr. Gettys for, with Mr. Howard against.

Mr. McMillan for, with Mr. Thompson of New Jersey against.

Mr. Rivers for, with Mr. William D. Ford against.

Mr. Hébert for, with Mr. Murphy of New York against.

Mr. Stuckey for, with Mr. Farbstein against.

Mr. Ayres for, with Mr. Rosenthal against.

Mr. Bell for, with Mr. Murphy of Illinois against.

Until further notice:

Mr. Dawson with Mr. Holland.
Mr. Karsten with Mr. Conyers.
Mr. Pucinski with Mr. Resnick.
Mr. Scheuer with Mr. Tenzer.

Mrs. HECKLER of Massachusetts changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD on the bill just passed and include extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

STARS AND STRIPES OUTLINES CHAIRMAN PATMAN'S PLAN FOR EXPANDED MILITARY CREDIT UNION SERVICE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ANNUNZIO**. Mr. Speaker, a recent edition of the Stars and Stripes carried an article entitled "More GI Credit Unions Urged," that graphically spells out the plans that Chairman WRIGHT PATMAN, of the House Banking and Currency Committee, has for extending credit union service to military personnel stationed throughout the world.

The article also cites the outstanding results of the six credit unions that have been established in Germany. These credit unions, which are suboffices of existing U.S. credit unions, came into existence at the urging of Chairman PATMAN and following an investigation by members of the special subcommittee of the House Banking and Currency Committee that visited Europe in 1966 to study military credit conditions.

Recently, this body passed a resolution authorizing the Banking and Currency Committee to conduct further investigations of the credit situation in Europe and in Asia. It is my hope that at the end of this investigation, we will have credit unions throughout the world for our servicemen and that the day of the loan shark operating outside of military installations will be a thing of the past.

Mr. Speaker, no Member of this House has done more to help the servicemen with their credit problems than the gentleman from Texas, Chairman PATMAN. The Stars and Stripes article makes it quite clear just how important Chairman PATMAN's efforts have been. I include it herewith:

MORE GI CREDIT UNIONS URGED

(By Marc Huet)

WASHINGTON.—Rep. Wright Patman (D-Tex.), chairman of the House Committee on Banking and Currency, hopes to be able to send his domestic finance subcommittee and two staff investigators to Europe and the Far East this summer in an effort to prod the Defense Department into taking servicemen out of what he calls "the credit jungle."

Patman plans to have the subcommittee, headed by Rep. Joseph Minish (D-N.J.), visit every major military installation, meet with military and host country officials and iron out problems to establish credit unions in every country where sizable numbers of U.S. troops are stationed. He said defense officials were only paying lip service to efforts to solve the problem.

During this summer's trip Patman also hopes to see the subcommittee continue its investigation of frauds and high-interest credit schemes, mostly for automobile financing, that, he said, are being used against men and women in uniform.

The trip is subject to passage of a House resolution due to come up for a vote this week.

"It is my hope that we will be able to clear the way for establishment of credit unions at every major military installation in the world at the conclusion of this investigation," Patman told the House.

Patman also said he is continuing to push for more on-base credit unions because of "what is being done to our servicemen by loan sharks, con artists, and assorted thieves."

Witnesses before his committee have estimated servicemen pay as much as $50 million a year in excess interest rates. The subcommittee's files contain hundreds of cases of servicemen and women who have been charged rates ranging as high as 60 to 70 per cent a year and victimized in every way possible.

Frauds and deception in the United States, he added, "while shocking, are pale in comparison to those used against servicemen in foreign countries, although many of the overseas frauds are perpetrated by U.S. companies."

The Texas congressman leveled most of his criticism at companies in Europe and in and around military installations in the United States, but he pointed out that the same thing is going on in the Far East.

"After much prodding and letter writing," he noted, the Defense Department authorized credit unions at military installations overseas two years ago, but since then only six official credit unions have been set up, all in West Germany. They are at Wiesbaden, Wuerzberg, Ramstein, Berlin, Fuerth, and Mannheim-Stuttgart.

Although they have been in operation only a few months, Patman said they have performed "beyond the wildest expectations."

Retired Army Brig. Gen. Evert S. Thomas, Jr., executive secretary of the Defense Credit Union Council, wrote Patman April 11 to give him these initial West German results:

"As of 31 March 1968 the suboffices had signed up 4,290 members, received share deposits in the amount of $349,286.75 and made loans in the amount of $2,030,711.

"Your attention is invited to the fact that during the month of March loans were made to pay grades ranging from the lowest ranking enlisted man (E1) to the highest ranking officer (010).

"When the (defense) directive was originally signed for establishing credit unions it was my understanding . . . there would be no conflicts with the local laws in establishing these credit unions," Patman added.

"However, a group of Defense Department lawyers, apparently determined to block (their) establishment . . . decided that the credit unions could not be established unless military bases met all the laws of the host countries. I do not agree with their findings but nevertheless have gone along with their recommendations and attempted to work out agreements with the host countries.

"The military has not taken an active role in working for the credit unions with the host countries as evidenced by the fact that we have received permission for (their) establishment . . . only in Germany."

HANDICAPPED CHILDREN'S EARLY EDUCATION ASSISTANCE ACT

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, of the many unfortunate children we have come to call the "disadvantaged," no child is more deserving of our interest and our assistance than the child who is born with a physical, mental, or emotional handicap. These children begin their struggle to cope with and master the challenges that our society presents with a nervous system that may not allow them to see or hear clearly, to move their muscles at will, to remember accurately, or to reason clearly.

I am introducing the Handicapped Children's Early Education Assistance Act, which will provide the handicapped child with the opportunity for a headstart toward meeting life's challenges. We have seen the contributions which can be made by preschool education for the child whose life has been marked by poverty, but we have had no similar approach to advancing the educational attainment of handicapped children.

The Bureau of Education for the Handicapped reports that less than one-half of the Nation's school districts have special classes for handicapped children, and in the overwhelming number of situations where classes are available, there are no early education programs. Only in the areas of deafness and speech and hearing disorders have we really begun to explore the benefits of preschool programs, and these programs are by no means widespread or long established. I have had the opportunity to witness the effectiveness of such programs, as in my district we are fortunate to have the Mount Carmel Guild program for handicapped children, an outstandingly fine operation.

Studies of child development have shown that early education can accelerate the social and mental development of handicapped children, yet most parents find that while their children may be diagnosed as handicapped at birth or shortly thereafter, they must keep those children at home until they are 5 or 6 years of age. This is a double tragedy, the waste of critical years in the child's life, and the placing on the family of the terrible burden of watching hopelessly as the opportunity slips away for a headstart toward success in school and society.

The National Advisory Committee on Handicapped Children, established by action of the Congress in 1966, specifically recommended the development of model programs of preschool education for handicapped children. In their report submitted January of this year, they affirmed the effectiveness of early education and pointed out:

> Lack of educational attention to preschool handicapped children tends to increase the negative effect of mental and physical disabilities as the child becomes older. Even if all other social and moral arguments were disregarded there are important economic factors to be considered.

The report goes on to point out that the costs to society for institutionalizing a retarded child over his lifetime exceeds $75,000 without taking into effect what he might have earned.

Mr. Speaker, the legislation I propose today will authorize the development and implementation of experimental preschool and early education programs. These programs will be distributed across the Nation in both rural and urban areas, and will be designed to provide models for each area of handicapping condition, the deaf, the hearing impaired and the speech impaired, the visually handicapped, the mentally retarded, the emotionally disturbed, the crippled and other health impaired children who require special education and related services. The programs will facilitate the intellectual, emotional, physical, mental, social and language development of these children. The children's parents will be involved in the development and operation of the programs, and each program will have a demonstration and an evaluation component so that the community and in fact the whole State can understand more about the problems of educating handicapped children and can see the potentialities of such children.

In this day of billion-dollar programs, this is not a giant project in terms of cost. The bill authorizes $1 million the first year and $10 million the second year. With this support, 100 centers can be planned and operated on budgets of approximately $100,000 per year. A 5-year program is proposed, with a year for planning, 3 years for operation, and another year combining operation with the dissemination of evaluation of the project. These centers do represent a giant project in another dimension. They will open the door to preschool education for handicapped children. The models developed will be adopted by communities, and by States. Instead of a randomized process of development where each new program begins from scratch and may fail to profit from the experience of other programs, these programs will systematically disseminate their plans and their progress, and provide for training others who want to begin providing early education opportunities.

In recent years we have seen rapid development in support by Congress for education of the handicapped. We have created the new Bureau of Education for the Handicapped in the U.S. Office of Education. We have added a special title, title VI, "Education for Handicapped Children" to the Elementary and Secondary Education Act, and we have strengthened a number of other programs. The program I am proposing today does not take a back seat in importance to any of these. It will bring us into a new era of educating handicapped children—an era where we will begin with the birth of the child to plan for social, physical and intellectual stimulation which will do everything possible to overcome the deficiencies the child may have, and to give him a maximum chance to live a full life, to fulfill his potentialities, and to make his positive contribution to his country.

ANOTHER ASSASSINATION

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, upon learning that Senator Robert Kennedy died as a result of an assassin's bullet, one immediately thinks back to the assassination of President John F. Kennedy. The shooting of Martin Luther King occurred only a couple of months ago. Whatever you might have thought of any of these individuals, we must ask ourselves: How long are we going to tolerate lawlessness and violence? How long are we going to permit complete disregard for law and order? How long can this Nation survive without a healthy respect for the law?

All citizens must resolve to live by the law and put an end to the atmosphere in this country that lends itself to violence.

We just cannot become a Nation of people who kill those with whom we might disagree. The very foundation of this free country is based on the fact that, as a Nation of free individuals, we have a right to be different, to speak our mind, to pursue our own beliefs. And this is true whether we are liberal or conservative, black or white, big or little. If we ever lose this freedom then we shall become a Nation of animals, and we shall not be worthy of the faith our forefathers had in the future of this country and its people.

Our Constitution seeks to assure that we shall always have a government of laws rather than of men, and we must bend every effort to see that it shall always be that way. Whether it remains so depends on each and every individual citizen of this country.

Now I am not going to fall into the old trap of suggesting that we should all feel guilty because some depraved person pulled the trigger that snuffed out the life of the Senator. But the thing that concerns me is that over the years this country seems to have drifted into a feeling of lack of respect for the law and the rights of others.

Court decisions are showing more and more laxity in dealing with criminals. Stiff sentences are the exception rather than the rule, and appeals many times overturn convictions on mere technicalities and result in known criminals being tured loose on society.

When violence and crime occur, there is a great tendency to look for some way-out excuse in an effort to remove the blame from the person who committed the crime.

We have come to look on riots as something to expect each summer, and the summers get longer and longer each year.

Mr. Speaker, the price of freedom is extremely high. Whether freedom lasts really depends on each individual in this country. Because as individuals we can create an atmosphere of good will for all men, or we can create an atmosphere in which crime and violence are commonplace and accepted.

God help this country if we should choose the wrong path.

POOR PEOPLE'S CAMPAIGN LEADER ATTACKS CONGRESSMEN AND MEMBERS OF THE PRESS

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, like many of our colleagues, some 25 years ago I devoted a great deal of time to fighting fascism in Europe and North Africa.

It is interesting to note that one James Bevel, a top-ranking official in the Poor People's Campaign, took it upon himself to associate me and other Members of Congress with this alien political ideology in a recent address to congressional staff members.

Although I was not present during Bevel's tirade, it is my understanding that several members of the press were in attendance. In fact, it was reported that Bevel was particularly distraught on the day his remarks were made. The truth hurts. It was on that day that I pointed out a significant instance in which prominently identified Communists were involved in the Poor People's Campaign.

However, Bevel's charges against me personally are of no real significance. I struck a nerve, and in the type of arrogant demagoguery which has so characterized those of his ilk, he could only resort to a few incoherent cliches about fascism.

What is significant is the type of man who could castigate Congressmen, public officials throughout the United States, and members of the press corps, by lumping them all together as Fascists.

As most of us are aware, this is the same preacher of so-called nonviolence who served as national director of the

Spring Mobilization Committee to End the War in Vietnam. He was the signer of a public appeal for funds to furnish the DuBois Clubs' "freedom center" clubhouse in Chicago and joined as a coplaintiff with the DuBois Clubs in a suit to restrain the Subversive Activities Control Board from holding hearings on the DCA, or DuBois Clubs of America.

Here's what former Attorney General Nicholas deB. Katzenbach had to say when he petitioned SACB to require the DuBois Clubs to register as a Communist-front organization:

> From its inception, DCA (DuBois Clubs of America) has been and is substantially dominated and controlled by the Communist Party and has been and is primarily operated for the purpose of giving aid and support to the Communist Party.

Mr. Speaker, Bevel's identification with Communist-supported causes is practically endless. His wife, Diane Nash Bevel, made an unauthorized trip to Hanoi, capital of North Vietnam. In addition, the Chicago Defender reported on May 11, 1966, that Bevel told several hundred teenage gang members in Woodlawn, a Chicago suburb, that "we're going to close down Chicago" unless Mayor Daley met their civil rights demands.

Mr. Speaker, we only need to examine the record of Bevel and his fellow revolutionaries to determine the real aim of this ridiculous episode which is taking place in West Potomac Park. In my remarks on the floor on May 21, I carefully detailed what took place in a 2-day secret meeting in Atlanta in which previously identified Communists and SCLC leaders planned the course of the Poor People's Campaign. Although I have been branded as a Fascist for telling the truth, it is sadly ironic that none of the campaign leaders have denied that the meeting took place.

The American people want to know the truth about the leaders of this campaign, and no one, including the professional agitator, James Bevel, is going to stop me from giving it to them.

HON. JOHN J. ROONEY

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, on Monday, June 10, our distinguished colleague, Hon. JOHN J. ROONEY of the 14th District of New York, was awarded the "Grand Official" decoration in the "Order of the Merit of the Republic of Italy" for his tireless efforts to strengthen the bonds of friendship between Italy and the United States.

In responding to the presentation of the award by the Italian Ambassador, His Excellency Egidio Ortona, Mr. ROONEY listed some of the impressive contributions Americans of Italian descent have made to this country. I find these remarks by Mr. ROONEY noteworthy and, by leave granted, include them herein:

> Mr. Ambassador and friends, it is a distinct pleasure to be invited here this afternoon to receive this honor from you in behalf of your distinguished President, Giuseppe Saragat.
>
> It is gratifying indeed for me to be so graciously reminded that my efforts in behalf of the people of Italy have not gone unnoticed.
>
> Your generous praise of these efforts is typical of the response the Italian people extend to Americans everywhere for the help this country has given them.
>
> Your actions here today illustrate the warmth of the friendship and the depth of the understanding existing between the people of this country and of yours. Indeed, your actions make clear why it is always such a pleasure to work with you, Mr. Ambassador, and to work for the people whom you so ably represent.
>
> I am grateful to have had the opportunity to discuss with President Saragat and with President Johnson at the White House ways and means of strengthening the understanding and the bonds of friendship between the people of our two nations.
>
> All my fellow Americans are sincerely grateful to President Saragat not only for his magnificent efforts in strengthening democracy in Europe, but for his ardent efforts to achieve the utmost in cooperation between our two governments. Among his host of friends here in the United States he is considered one of the world's leading statesmen dedicated to the cause of freedom.
>
> For generation after generation we Americans have received countless benefits from the people of Italy. We prize deeply the great gifts of art and music which have come from your master artists.
>
> We are even more grateful for the contributions of the scores of artists of Italian birth or descent. How much would America miss if it had no Caruso, no Toscanini, no Campanini, no Moffo, no Lanza, no Lombardo or no Como.
>
> How drab this Capital City would be if its imposing buildings had been constructed without the compelling influence of the great Italian artists who gave us and the world such a rich heritage of artistic splendor and beauty.
>
> How much less effective our educational system of which we are rightly proud would be without the gifts of such master teachers as Angelo Patri, Edward Mortola and Francis Verdi.
>
> How much poorer America would be if it had not been able to claim as its own the host of capable public servants and eminent statesmen such as the Members of both Houses of Congress who are justly proud of their Italian heritage.
>
> Our advanced position in the realm of science has been achieved because of the contributions made by Enrico Fermi and his fellow scientists of Italian heritage.
>
> Yes, America is richer indeed for the contributions which the sons and daughters of our sister republic have made over this Nation's entire life span. As these great artists and artisians gave of their talents, thousands of today's young citizens of Italian lineage are risking their lives in the swamps and jungles of Vietnam. Many are making the supreme sacrifice in behalf of their country.
>
> These are some of the reasons that Americans hold the people of Italy in such affection and admiration.
>
> I share with them these feelings but I have even more personal reasons.
>
> I was born and reared among Italians, I went to school with Italian-American youth, I played in an Italian-American band where I gained much of my present love for Italian music. I learned to enjoy pasta, linguini clam sauce white and the glories of Italian food to which I owe much of my present girth.
>
> I learned how meaningful is the observance of Columbus Day and I have continuously sought to have it made a national holiday to pay tribute to the "father of our continent."
>
> I learned first hand in my own community of the heartaches and injustices resulting from unfair immigration laws which motivated my efforts to secure just legislation. In this respect I want to express my thanks to so many of you here today for your constant support over the years in the fight for decent immigration laws designed to unite families.
>
> I want to express my deepest appreciation to many of you here and to the many of your colleagues not here for all the help you have given me in support of the legislation most needed by the people for whom you have great concern. It has always been a satisfying and pleasant experience to help people like these who are willing, even anxious to help themselves.
>
> Mr. Ambassador, I accept this honor with great pleasure but with deep humility. I pledge you and your President a continuation of my efforts to strengthen the ties between the people of this country and of yours.

CONGRESSMAN JOE L. EVINS, MEMORIAL DAY SPEAKER AT THE VETERANS' ADMINISTRATION CENTER, MOUNTAIN HOME, JOHNSON CITY, TENN.

The SPEAKER pro tempore. (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Tennessee [Mr. QUILLEN] is recognized for 30 minutes.

Mr. QUILLEN. Mr. Speaker, I was deeply honored to have my friend and colleague, Congressman JOE L. EVINS, in my district on Sunday, May 26, 1968, for the annual Memorial Day Services at the Veterans' Administration facility at Mountain Home, Johnson City, Tenn. He was accompanied by his lovely wife, Ann.

Congressman EVINS gave the principal address and it was so stirring and well received that I would like to make his words available to the readers of the RECORD.

As we all know, he ably represents the Fourth Congressional District in Tennessee and was first elected to the Congress on November 5, 1946.

Congressman EVINS has an enviable public service record. He is chairman of the Subcommittee on Independent Offices Appropriations; a member of the Subcommittee on Public Works Appropriations; a member of the Committee on Appropriations; chairman of the House Select Committee on Small Business; chairman of the Speaker's personnel committee; served on the Committee on Veterans' Affairs, and on the Committee on the Board of Visitors of the U.S. Military Academy. He is also a member of the House Ethics Committee—Standards of Official Conduct.

In my introductory remarks, I not only pointed out my colleague's enviable record of public service, but also his outstanding and courageous work for veterans. I think it is very appropriate I point out again as I did in introducing him that throughout his public career Congressman EVINS has shown a deep concern for veterans and has received awards from veterans organizations in honor of his service to veterans. He served on the Committee on Veterans' Affairs for several years following his election to the Congress. As a member of the Committee on Veterans' Affairs he played an important role in drafting veterans legislation—and as chairman of the Subcommittee on Independent Offices Appropriations he has played an even more important role in regard to appropriations to fund the vast programs of benefits for veterans.

Some 20 agencies plus the Department of Housing and Urban Development are funded in his subcommittee and while some agencies were cut back sharply, the VA was given generous funding.

In this key position, Congressman Evins has played an important role in the development of the greatest veterans assistance program in the history of any nation.

The Congressman served in the European theater in World War II and was elected to Congress as a returning soldier.

Congressman Evins believes that our veterans who fought to preserve freedom and liberty deserve the gratitude of the Nation, and he has worked to assist veterans in receiving the consideration and assistance to which they are entitled.

I would like to share with my colleagues and readers of the Record his outstanding speech, which follows:

Excerpts From Memorial Day Speech by Representative Joe L. Evins, Democrat, of Tennessee

Certainly we want to pay a tribute to the Gold Star Mothers who are with us here today. The Gold Star Mothers have paid the supreme sacrifice for our country. Their sons have given their lives—these mothers have given their sons. There can be no greater sacrifice—no greater devotion to freedom.

Our veterans have come home to a grateful nation that is providing them with excellent facilities and the best hospital and medical care possible. I know this is so because I serve on the Appropriations Committee that provides the funds for all programs of the Veterans Administration—including the hospital and medical care programs—and I want to assure you that ours is the best. It is second to none. I am sure all of you will be interested in knowing that the House recently approved an appropriation for the Veterans' Administration for the next year totaling more for veterans' benefits than $7 billion dollars. This is one of the largest budgets ever in the history of our country—except for a few months immediately following World War II. This appropriation finances the vast veterans' benefit programs of the Veterans' Administration. These include, in addition to the hospital and medical care programs, compensation and pensions, rehabilitation, education, housing and loan programs, research and training, veterans insurance, among others.

The highlights of the full range of benefits which a grateful nation, through the Congress, provides all veterans include: 1. Nearly 5 million veterans or their survivors will receive compensation or pension payments. 2. Over 250,000 veterans will receive guaranteed or direct loan assistance to purchase homes. 3. Nearly 6 million veterans will maintain government life insurance in force—an additional 4 million active-duty servicemen will be insured—a total of 10 million families of veterans and servicemen protected with insurance. 4. Over 730,000 post-Korean Conflict veterans will enter into education or training programs. 5. About 32,000 sons and daughters of deceased and disabled veterans will be provided with assistance in education and training and nearly 13,000 disabled veterans will receive vocational rehabilitation 6. Nearly 900,000 veterans will receive hospital, nursing home or domiciliary care and treatment and there will be upwards of 7 million outpatient visits to veterans hospitals next year 7. Virtually all servicemen will be contacted and apprised of veterans benefits in separation and service centers as they are released from active duty.

The Appropriations Bill recently approved by my Committee and the House provides $5 billion 300 million for veterans benefits—75 percent of the entire appropriation—and $1 billion 420 million for hospital and medical care—21 percent of the budget for the VA. The budget requests of some agencies of government were cut sharply in Committee. However, the programs for veterans were fully and generously funded. I repeat, this nation has the greatest veterans benefits program of any country in the world. And Congress and the country intend to keep it that way.

A substantial appropriation in excess of $50 million is provided annually for repair and maintenance of our vast veterans hospital and domiciliary facilities which have an estimated value of more than $1½ billion. As you may know, arrangements have been made for some needed facility improvements at the hospital here at Mountain Home, including construction of new boiler plant and heating facilities. This has been approved by the Veterans Administration—at an estimated cost of $100,000 for initial construction. I am advised that the preliminary plans for this new plant are nearing completion and that it is expected that a construction contract will be awarded in June.

Besides appropriations for veterans benefits, Congress annually builds up the body of veterans laws with new liberalized benefit legislation. Both the 89th and the 90th Congress have enacted much legislation to increase benefits for veterans. Among several acts passed was a bill providing for increased allowances for veterans' dependents and war orphans. Income limits and pension rates for non-service connected pensions have been increased. Legislation was also passed to provide an average over-all cost-of-living increase of 5.4 percent for all veterans, their widows and children. We have increased the maximum amount of the guarantee on VA-guaranteed home loans from $7,500 to $12,500. Subsistence allowances were increased for disabled veterans. Disability compensations were increased. The new GI Bill of Rights recently approved by the Congress provides benefits for more than 4 million new veterans who were made eligible for benefits by the new law. Some thirty-six thousand veterans are receiving education and training under the provisions of this new bill. Today in our country there are 26 million veterans and some 67 million persons who are members of veterans families. About 40,000 men are being discharged from the service each month. The number of veterans is expected to increase by 517,000 in 1969. And so, my friends, Congress is working constantly and continually to assist our veterans, their families and dependents. We are attempting to bind up the wounds and to care for those who have borne the brunt of battle. However—more than this—it is fitting and appropriate that we pay tribute to our honored dead on this Memorial Day—tribute to the soldiers of freedom whose blood was shed for liberty and freedom and democracy. It is fitting and appropriate that we remember and honor our boys in Vietnam. They are the heroes of freedom of this generation.

And so today we honor our fighting men of all generations and our fighting men in Vietnam. At the same time we should rededicate ourselves to the principles of law and order upon which this Nation is founded. We must learn to live as bravely as brave men have died. We as a Nation must face the challenge of our times—the challenge of the breakdown of law and order—the foundation of our society. We must restore the tradition of law and order—and respect for law and order and justice—throughout our Nation. American men in arms have not fought to preserve chaos—they have fought to preserve a way of life in which all Americans can engage in their individual pursuit of happiness and fulfillment. Our American men in arms have fought to preserve freedom and liberty. And by freedom I do not mean freedom to riot—to burn—to loot—to kill—while policemen look on helplessly bound by orders not to interfere. Liberty is not license for self-indulgence. Freedom is not a hunting license to kill—to burn—to steal. Liberty is not lawlessness—liberty is freedom within a framework of law. Without this framework of law and order, freedom becomes anarchy—and anarchy becomes tyranny through violence. Personal liberty ends when it encroaches upon the rights of others.

The looters—the draft-card burners—the violent demonstrators—are the products of a general laxity of law in our country—a desertion of the traditions, values and moral purposes that made our country great. The looters—the rioters—the draft-card burners—the beatniks—the hippies—the violent demonstrators—are all symptoms of a moral disease. It would take volumes to record the deeds of courage and greatness of our men in arms since our forefathers obtained that cherished dream of liberty, freedom and independence. Tennesseans made their mark as fighters and volunteers. TENNESSEE—the VOLUNTEERS OF TENNESSEE—have fought for freedom around the world.

Our heritage was based on a belief in God and in divine guidance. Our heritage is based on the values that should never change. These human values involve faith, hope and charity. These values involve love of our country and our fellowman. These values involve respect for law and order as the basic framework for progress. These values involve tolerance and understanding—compassion and concern for others. These values involve the recognition of the right of each individual to develop his own God-given talents. These values are the cement of our society—that hold our society together. Without these values we would have chaos or disorder. And so, my friends, on this important occasion, it is appropriate that as we honor our fallen comrades, we rededicate ourselves to these principles and values and to our American way of life. In these crucial times we are challenged from within and without we must remember the words of that great patriot Thomas Paine who said—and I quote—"These are times that try men's souls. The summer soldier and the sunshine patriot will in this crisis, shrink from the service of his country." But the true patriot will prevail.

As this Nation's representatives negotiate for an honorable settlement in Vietnam, we must keep our faith and resolve and determination. We must keep our guard up—we must not expect instant miracles from negotiations with the communists. We have come to expect vacillation and trickery and hard-line bargaining. As we see the silver lining around the black clouds of war, we must not let the promise of peace lure us into a dark surrender—or into a twilight zone of appeasement that will mean surrender, or a costlier war later. Our men who have fought and died in Vietnam have not fought and died for surrender to the Communists. They have fought for freedom—and we must have a settlement that will achieve nothing less than this objective. In cemeteries here—at Gettysburg—at Valley Forge—at Bunker Hill—and at more than 100 other resting places in this Nation and around the world, our fallen heroes testify to this Nation's courage and determination to preserve liberty and freedom. It takes brave men to win wars—and it takes brave men to win the peace. And so, my friend, I want to commend you for your sacrifice and your devotion to God and country.

Spring Mobilization Committee to End the War in Vietnam. He was the signer of a public appeal for funds to furnish the DuBois Clubs' "freedom center" clubhouse in Chicago and joined as a coplaintiff with the DuBois Clubs in a suit to restrain the Subversive Activities Control Board from holding hearings on the DCA, or DuBois Clubs of America.

Here's what former Attorney General Nicholas deB. Katzenbach had to say when he petitioned SACB to require the DuBois Clubs to register as a Communist-front organization:

> From its inception, DCA (DuBois Clubs of America) has been and is substantially dominated and controlled by the Communist Party and has been and is primarily operated for the purpose of giving aid and support to the Communist Party.

Mr. Speaker, Bevel's identification with Communist-supported causes is practically endless. His wife, Diane Nash Bevel, made an unauthorized trip to Hanoi, capital of North Vietnam. In addition, the Chicago Defender reported on May 11, 1966, that Bevel told several hundred teenage gang members in Woodlawn, a Chicago suburb, that "we're going to close down Chicago" unless Mayor Daley met their civil rights demands.

Mr. Speaker, we only need to examine the record of Bevel and his fellow revolutionaries to determine the real aim of this ridiculous episode which is taking place in West Potomac Park. In my remarks on the floor on May 21, I carefully detailed what took place in a 2-day secret meeting in Atlanta in which previously identified Communists and SCLC leaders planned the course of the Poor People's Campaign. Although I have been branded as a Fascist for telling the truth, it is sadly ironic that none of the campaign leaders have denied that the meeting took place.

The American people want to know the truth about the leaders of this campaign, and no one, including the professional agitator, James Bevel, is going to stop me from giving it to them.

HON. JOHN J. ROONEY

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, on Monday, June 10, our distinguished colleague, Hon. John J. Rooney of the 14th District of New York, was awarded the "Grand Official" decoration in the "Order of the Merit of the Republic of Italy" for his tireless efforts to strengthen the bonds of friendship between Italy and the United States.

In responding to the presentation of the award by the Italian Ambassador, His Excellency Egidio Ortona, Mr. Rooney listed some of the impressive contributions Americans of Italian descent have made to this country. I find these remarks by Mr. Rooney noteworthy and, by leave granted, include them herein:

Mr. Ambassador and friends, it is a distinct pleasure to be invited here this afternoon to receive this honor from you in behalf of your distinguished President, Giuseppe Saragat.

It is gratifying indeed for me to be so graciously reminded that my efforts in behalf of the people of Italy have not gone unnoticed.

Your generous praise of these efforts is typical of the response the Italian people extend to Americans everywhere for the help this country has given them.

Your actions here today illustrate the warmth of the friendship and the depth of the understanding existing between the people of this country and of yours. Indeed, your actions make clear why it is always such a pleasure to work with you, Mr. Ambassador, and to work for the people whom you so ably represent.

I am grateful to have had the opportunity to discuss with President Saragat and with President Johnson at the White House ways and means of strengthening the understanding and the bonds of friendship between the people of our two nations.

All my fellow Americans are sincerely grateful to President Saragat not only for his magnificent efforts in strengthening democracy in Europe, but for his ardent efforts to achieve the utmost in cooperation between our two governments. Among his host of friends here in the United States he is considered one of the world's leading statesmen dedicated to the cause of freedom.

For generation after generation we Americans have received countless benefits from the people of Italy. We prize deeply the great gifts of art and music which have come from your master artists.

We are even more grateful for the contributions of the scores of artists of Italian birth or descent. How much would America miss if it had no Caruso, no Toscanini, no Campanini, no Moffo, no Lanza, no Lombardo or no Como.

How drab this Capital City would be if its imposing buildings had been constructed without the compelling influence of the great Italian artists who gave us and the world such a rich heritage of artistic splendor and beauty.

How much less effective our educational system of which we are rightly proud would be without the gifts of such master teachers as Angelo Patri, Edward Mortola and Francis Verdi.

How much poorer America would be if it had not been able to claim as its own the host of capable public servants and eminent statesmen such as the Members of both Houses of Congress who are justly proud of their Italian heritage.

Our advanced position in the realm of science has been achieved because of the contributions made by Enrico Fermi and his fellow scientists of Italian heritage.

Yes, America is richer indeed for the contributions which the sons and daughters of our sister republic have made over this Nation's entire life span. As these great artists and artisians gave of their talents, thousands of today's young citizens of Italian lineage are risking their lives in the swamps and jungles of Vietnam. Many are making the supreme sacrifice in behalf of their country.

These are some of the reasons that Americans hold the people of Italy in such affection and admiration.

I share with them these feelings but I have even more personal reasons.

I was born and reared among Italians, I went to school with Italian-American youth, I played in an Italian-American band where I gained much of my present love for Italian music. I learned to enjoy pasta, linguini clam sauce white and the glories of Italian food to which I owe much of my present girth.

I learned how meaningful is the observance of Columbus Day and I have continuously sought to have it made a national holiday to pay tribute to the "father of our continent."

I learned first hand in my own community of the heartaches and injustices resulting from unfair immigration laws which motivated my efforts to secure just legislation. In this respect I want to express my thanks to so many of you here today for your constant support over the years in the fight for decent immigration laws designed to unite families.

I want to express my deepest appreciation to many of you here and to the many of your colleagues not here for all the help you have given me in support of the legislation most needed by the people for whom you have great concern. It has always been a satisfying and pleasant experience to help people like these who are willing, even anxious to help themselves.

Mr. Ambassador, I accept this honor with great pleasure but with deep humility. I pledge you and your President a continuation of my efforts to strengthen the ties between the people of this country and of yours.

CONGRESSMAN JOE L. EVINS, MEMORIAL DAY SPEAKER AT THE VETERANS' ADMINISTRATION CENTER, MOUNTAIN HOME, JOHNSON CITY, TENN.

The SPEAKER pro tempore. (Mr. Matsunaga). Under previous order of the House, the gentleman from Tennessee [Mr. Quillen] is recognized for 30 minutes.

Mr. QUILLEN. Mr. Speaker, I was deeply honored to have my friend and colleague, Congressman Joe L. Evins, in my district on Sunday, May 26, 1968, for the annual Memorial Day Services at the Veterans' Administration facility at Mountain Home, Johnson City, Tenn. He was accompanied by his lovely wife, Ann.

Congressman Evins gave the principal address and it was so stirring and well received that I would like to make his words available to the readers of the Record.

As we all know, he ably represents the Fourth Congressional District in Tennessee and was first elected to the Congress on November 5, 1946.

Congressman Evins has an enviable public service record. He is chairman of the Subcommittee on Independent Offices Appropriations; a member of the Subcommittee on Public Works Appropriations; a member of the Committee on Appropriations; chairman of the House Select Committee on Small Business; chairman of the Speaker's personnel committee; served on the Committee on Veterans' Affairs, and on the Committee on the Board of Visitors of the U.S. Military Academy. He is also a member of the House Ethics Committee—Standards of Official Conduct.

In my introductory remarks, I not only pointed out my colleague's enviable record of public service, but also his outstanding and courageous work for veterans. I think it is very appropriate I point out again as I did in introducing him that throughout his public career Congressman Evins has shown a deep concern for veterans and has received awards from veterans organizations in honor of his service to veterans. He served on the Committee on Veterans' Affairs for several years following his election to the Congress. As a member of the Committee on Veterans' Affairs he played an important role in drafting veterans legislation—and as chairman of the Subcommittee on Independent Offices Appropriations he has played an even more important role in regard to appropriations to fund the vast programs of benefits for veterans.

Some 20 agencies plus the Department of Housing and Urban Development are funded in his subcommittee and while some agencies were cut back sharply, the VA was given generous funding.

In this key position, Congressman Evins has played an important role in the development of the greatest veterans assistance program in the history of any nation.

The Congressman served in the European theater in World War II and was elected to Congress as a returning soldier.

Congressman Evins believes that our veterans who fought to preserve freedom and liberty deserve the gratitude of the Nation, and he has worked to assist veterans in receiving the consideration and assistance to which they are entitled.

I would like to share with my colleagues and readers of the Record his outstanding speech, which follows:

Excerpts From Memorial Day Speech by Representative Joe L. Evins, Democrat, of Tennessee

Certainly we want to pay a tribute to the Gold Star Mothers who are with us here today. The Gold Star Mothers have paid the supreme sacrifice for our country. Their sons have given their lives—these mothers have given their sons. There can be no greater sacrifice—no greater devotion to freedom.

Our veterans have come home to a grateful nation that is providing them with excellent facilities and the best hospital and medical care possible. I know this is so because I serve on the Appropriations Committee that provides the funds for all programs of the Veterans Administration—including the hospital and medical care programs—and I want to assure you that ours is the best. It is second to none. I am sure all of you will be interested in knowing that the House recently approved an appropriation for the Veterans' Administration for the next year totaling more for veterans' benefits than $7 billion dollars. This is one of the largest budgets ever in the history of our country—except for a few months immediately following World War II. This appropriation finances the vast veterans' benefit programs of the Veterans' Administration. These include, in addition to the hospital and medical care programs, compensation and pensions, rehabilitation, education, housing and loan programs, research and training, veterans insurance, among others.

The highlights of the full range of benefits which a grateful nation, through the Congress, provides all veterans include: 1. Nearly 5 million veterans or their survivors will receive compensation or pension payments. 2. Over 250,000 veterans will receive guaranteed or direct loan assistance to purchase homes. 3. Nearly 6 million veterans will maintain government life insurance in force—an additional 4 million active-duty servicemen will be insured—a total of 10 million families of veterans and servicemen protected with insurance. 4. Over 730,000 post-Korean Conflict veterans will enter into education or training programs. 5. About 32,000 sons and daughters of deceased and disabled veterans will be provided with assistance in education and training and nearly 13,000 disabled veterans will receive vocational rehabilitation 6. Nearly 900,000 veterans will receive hospital, nursing home or domiciliary care and treatment and there will be upwards of 7 million outpatient visits to veterans hospitals next year 7. Virtually all servicemen will be contacted and apprised of veterans benefits in separation and service centers as they are released from active duty.

The Appropriations Bill recently approved by my Committee and the House provides $5 billion 300 million for veterans benefits—75 percent of the entire appropriation—and $1 billion 420 million for hospital and medical care—21 percent of the budget for the VA. The budget requests of some agencies of government were cut sharply in Committee. However, the programs for veterans were fully and generously funded. I repeat, this nation has the greatest veterans benefits program of any country in the world. And Congress and the country intend to keep it that way.

A substantial appropriation in excess of $50 million is provided annually for repair and maintenance of our vast veterans hospital and domiciliary facilities which have an estimated value of more than $1½ billion. As you may know, arrangements have been made for some needed facility improvements at the hospital here at Mountain Home, including construction of new boiler plant and heating facilities. This has been approved by the Veterans Administration—at an estimated cost of $100,000 for initial construction. I am advised that the preliminary plans for this new plant are nearing completion and that it is expected that a construction contract will be awarded in June.

Besides appropriations for veterans benefits, Congress annually builds up the body of veterans laws with new liberalized benefit legislation. Both the 89th and the 90th Congress have enacted much legislation to increase benefits for veterans. Among several acts passed was a bill providing for increased allowances for veterans' dependents and war orphans. Income limits and pension rates for non-service connected pensions have been increased. Legislation was also passed to provide an average over-all cost-of-living increase of 5.4 percent for all veterans, their widows and children. We have increased the maximum amount of the guarantee on VA-guaranteed home loans from $7,500 to $12,500. Subsistence allowances were increased for disabled veterans. Disability compensations were increased. The new GI Bill of Rights recently approved by the Congress provides benefits for more than 4 million new veterans who were made eligible for benefits by the new law. Some thirty-six thousand veterans are receiving education and training under the provisions of this new bill. Today in our country there are 26 million veterans and some 67 million persons who are members of veterans families. About 40,000 men are being discharged from the service each month. The number of veterans is expected to increase by 517,000 in 1969. And so, my friends, Congress is working constantly and continually to assist our veterans, their families and dependents. We are attempting to bind up the wounds and to care for those who have borne the brunt of battle. However—more than this—it is fitting and appropriate that we pay tribute to our honored dead on this Memorial Day—tribute to the soldiers of freedom whose blood was shed for liberty and freedom and democracy. It is fitting and appropriate that we remember and honor our boys in Vietnam. They are the heroes of freedom of this generation.

And so today we honor our fighting men of all generations and our fighting men in Vietnam. At the same time we should rededicate ourselves to the principles of law and order upon which this Nation is founded. We must learn to live as bravely as brave men have died. We as a Nation must face the challenge of our times—the challenge of the breakdown of law and order—the foundation of our society. We must restore the tradition of law and order—and respect for law and order and justice—throughout our Nation. American men in arms have not fought to preserve chaos—they have fought to preserve a way of life in which all Americans can engage in their individual pursuit of happiness and fulfillment. Our American men in arms have fought to preserve freedom and liberty. And by freedom I do not mean freedom to riot—to burn—to loot—to kill—while policemen look on helplessly bound by orders not to interfere. Liberty is not license for self-indulgence. Freedom is not a hunting license to kill—to burn—to steal. Liberty is not lawlessness—liberty is freedom within a framework of law. Without this framework of law and order, freedom becomes anarchy—and anarchy becomes tyranny through violence. Personal liberty ends when it encroaches upon the rights of others.

The looters—the draft-card burners—the violent demonstrators—are the products of a general laxity of law in our country—a desertion of the traditions, values and moral purposes that made our country great. The looters—the rioters—the draft-card burners—the beatniks—the hippies—the violent demonstrators—are all symptoms of a moral disease. It would take volumes to record the deeds of courage and greatness of our men in arms since our forefathers obtained that cherished dream of liberty, freedom and independence. Tennesseans made their mark as fighters and volunteers. TENNESSEE—the VOLUNTEERS OF TENNESSEE—have fought for freedom around the world.

Our heritage was based on a belief in God and in divine guidance. Our heritage is based on the values that should never change. These human values involve faith, hope and charity. These values involve love of our country and our fellowman. These values involve respect for law and order as the basic framework for progress. These values involve tolerance and understanding—compassion and concern for others. These values involve the recognition of the right of each individual to develop his own God-given talents. These values are the cement of our society—that hold our society together. Without these values we would have chaos or disorder. And so, my friends, on this important occasion, it is appropriate that as we honor our fallen comrades, we rededicate ourselves to these principles and values and to our American way of life. In these crucial times we are challenged from within and without we must remember the words of that great patriot Thomas Paine who said—and I quote—"These are times that try men's souls. The summer soldier and the sunshine patriot will in this crisis, shrink from the service of his country." But the true patriot will prevail.

As this Nation's representatives negotiate for an honorable settlement in Vietnam, we must keep our faith and resolve and determination. We must keep our guard up—we must not expect instant miracles from negotiations with the communists. We have come to expect vacillation and trickery and hard-line bargaining. As we see the silver lining around the black clouds of war, we must not let the promise of peace lure us into a dark surrender—or into a twilight zone of appeasement that will mean surrender, or a costlier war later. Our men who have fought and died in Vietnam have not fought and died for surrender to the Communists. They have fought for freedom—and we must have a settlement that will achieve nothing less than this objective. In cemeteries here—at Gettysburg—at Valley Forge—at Bunker Hill—and at more than 100 other resting places in this Nation and around the world, our fallen heroes testify to this Nation's courage and determination to preserve liberty and freedom. It takes brave men to win wars—and it takes brave men to win the peace. And so, my friend, I want to commend you for your sacrifice and your devotion to God and country.

I want to commend you for your service to your country. You have served well—and because of your service and the service of millions of other dedicated Americans, our Nation today is the greatest—most powerful—nation in world history—a nation devoted to the cause of freedom, liberty, democracy and peace. I have confidence that so long as free men maintain these concepts our freedom will prevail and we will preserve, promote and perpetuate our cherished American way of life.

Mr. Speaker, it was a beautiful and inspiring program under the leadership of the center director, George R. Hiskey, who is doing a wonderful job. My congratulations to him, to the members of his staff, to the employees of the facility, and to all connected with this fine veterans' facility, not only for the outstanding work that they are doing but for the continuing promotion of such a patriotic service.

I would like to make the full program also available to readers, as follows:

MEMORIAL DAY, SUNDAY, MAY 26, 1968, 3 P.M., VETERANS' ADMINISTRATION CENTER, MOUNTAIN HOME, JOHNSON CITY, TENN.

PROGRAM

Massing of the colors by color guards of service organizations.

"Duty, Honor, Country": Harold L. Walters. (Narration adapted from an address by General of the Army Douglas MacArthur at the U.S. Military Academy, May 12, 1962. E.T.S.U. Symphonic Band, Kenneth W. Large, conductor; Clay Le Croy, narrator.)

Invocation: Chaplain Harry T. Wright.

"In Solemn Silence" (M. Ippolitof-Ivanof): E.T.S.U. Choral Union, directed by Virgil C. Self.

Recognition of Gold Star Mothers and distinguished visitors: George R. Hiskey, center director.

Address: Congressman JOE L. EVINS.

"America the Beautiful" (Samuel Augustus Ward, arranged by Carmen Dragon): E.T.S.U. Choral Union and Symphonic Band, Kenneth W. Large, conductor.

Decoration of replica of the Tomb of the Unknown Soldier: Congressman JAMES H. QUILLEN.

Salute to the dead.

"Taps."

Benediction: Father Charles V. Lucier.

"Sevenfold Amen": E.T.S.U. Choral Union.

MEMORIAL DAY

The annual Memorial Day Service at Mountain Home will be held May 26, 1968, at 3:00 P.M. Congressman JOE L. EVINS of Smithville, Tennessee, will be the speaker on this occasion. Congressman EVINS is Chairman of the House Sub-Committee on Independent offices appropriations (including the Veterans Administration).

Congressman JAMES H. QUILLEN of the first District will represent ex-servicemen and their families in the symbolic act of placing a wreath on the replica of the Tomb of the Unknown Soldier.

Colors of the various Service Organizations will be massed around the Tomb, with honor guards from the U.S. Marine Corps and the Tennessee National Guard. The graves in our cemetery will be decorated by the Boy Scouts of the Sequoyah Council, who will camp on our grounds.

Music this year will be provided by the East Tennessee State University Band and by the E.T.S.U. Choral Union.

In this critical hour of our history, let's all unite in remembrance of those who died that our country might be great. Join with us in this traditional observance.

THE MEMORIAL DAY TRADITION

Several years ago, Congress recognized by joint resolution that the birthplace of our May 30 observance was at Waterloo, New York, on May 30, 1866. How singularly appropriate that Memorial Day began in a town called Waterloo! For every war—with its long roll of brave young men fallen in the flower of their youth—is a Waterloo for mankind.

We like to think that America has never engaged in an unjust war. Certainly this has been the earnest intent of the American people throughout our history. Memorial Day is traditionally dedicated in mourning for the brave dead, such as those whose graves are decorated here today.

Memorial Day should also be an occasion for solemn dedication and fierce resolve to the proposition that we shall have no more Waterloos of the human spirit, and that we shall seek with all our power to end forever the terrible sacrifice of the young and the brave of each generation Let us look to a future where mankind will know that war itself is a tragic mistake in which both victor and vanquished suffer a dreadful toll.

Mr. Speaker, thousands attended, and thanks again to my friend, the Honorable JOE L. EVINS, for coming down and making the principal address.

THE PUBLIC MUST BE PROTECTED AGAINST ILLEGAL USE OF FIREARMS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the Information Service of the Post Office Department issued a release today setting forth the revision in postal regulations at the same time that Postmaster General W. Marvin Watson was delivering a very important address to the National Press Club in Washington. This release includes the remarks by Postmaster General W. Marvin Watson and his address to the National Press Club, which I insert in the RECORD:

A major revision in postal regulations to prohibit delivery by postmasters of any firearms without prior notification to law enforcement officers was announced today by Postmaster General W. Marvin Watson.

Simultaneously, the postal chief launched a frontal assault on one of the areas which produce "the symptoms of tension in our society," unveiling a comprehensive "Plan of Action" to strengthen equal employment opportunities throughout the postal system.

Concerning the move to tighten restrictions on the mailing of guns, Mr. Watson said, "In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of state and local gun control laws.

"Therefore," Mr. Watson announced in a speech before the National Press Club, "I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: 'Firearms.' If the shipment is not so labeled, it will not be accepted in the mails.

"I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal."

"This regulation will be effective immediately," Mr. Watson said.

The Postmaster General also classified sawed-off shotguns and short-barreled rifles as concealable weapons—thus barring them from the mails unless sent to certain authorized recipients, such as law enforcement officers.

"In this way," he said, "though we are not restricting the shipment of the larger weapons, we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

"This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws."

The Postmaster General said he has sent telegrams to the private express companies urging that they follow the lead of the postal service in doing what they legally can to assist local law enforcement officers in keeping abreast of the traffic in guns.

"The Post Office Department stands ready to assist you in this in any way you desire," his telegram said. "I personally will be available to meet with your representatives."

The Postmaster General quoted a statement by President Johnson that "the key to effective crime control is effective law enforcement—at the local level."

"I fully realize," Mr. Watson said, "that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

"But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tensions in our society but also attacks and can defeat those causes."

He said a society in which social and economic justice has been achieved is "a society that will produce less tension, less sickness, less violence."

In this connection, he said the Post Office Department "will seek to advance even more one of the President's most cherished goals—full equality of opportunity for all Americans."

"Effective at this hour," he announced, "I have ordered the Post Office Department to embark on an extensive program to strengthen our pursuit of equality and justice for all."

Under the new program, postmasters in all 4,859 first class post offices will be designated as deputy equal employment opportunity officers and will be directed to improve the equal opportunity effort in their post offices.

Postmasters will be encouraged to participate in civic affairs and to help eliminate racial or cultural bias from local school systems, housing arrangements and other institutions.

Mr. Watson announced these other moves intended to promote the equal opportunity effort in the post office and the community:

He said that the Post Office Department will hire 23 additional contract compliance examiners who will be responsible for reviewing activities of private companies which do business with the Postal Service. The new Examiners will nearly double the current complement of 26; they will improve post office capacity to help companies meet their responsibilities under President Johnson's directive that government contractors must practice equal opportunity.

Mr. Watson appointed a task force to visit post offices and to make certain that promotion practices are in accord with equal opportunity criteria. The task force will have authority to make on-the-spot changes and to recommend improvements which must be instituted from the national level. The group is a successor to a similar task force which visited 42 major post office in 1965 and helped reform hiring practices.

The Postmaster General ordered the Department to begin a $1.5 million pre-promotion supervisory training program for an estimated 5,000 supervisory candidates of all races and both sexes. Those eligible for the 80-hour, on-the-clock course are persons who have passed supervisory examinations and who stand high on the register for promotion, usually within the top 15 per cent. Never has the Department engaged in pre-promotion training on such a scale. In addition, a booklet of information and instruction is being prepared for distribution to all rank-and-file employees who are interested in taking the supervisory examination.

The next round of examinations will be given nationally in 2,500 post offices from September 7 through November 9. More than 300,000 persons are eligible.

Although he made it clear that every post office will be a part of the new equal opportunity effort, Mr. Watson said that special responsibilities will be required of postmasters of first class offices which are located in the cities and the larger communities of the nation.

These postmasters will have 60 days in which to submit to postal headquarters projected courses of action for their post offices. Thereafter, all such postmasters will be required to report to Headquarters on a quarterly basis, giving statistics and in some cases narrative which will show the status of the local efforts. Among other things, the reports must show minority group hiring promotion, training, separation, incentive awards and similar post office data as well as an indication of what is being done in the community.

The Postmaster General made it clear that he wants more emphasis on recruitment and promotion of minority group members. Post offices will continue to send recruiters into the neighborhoods and to cooperate with groups which offer pre-examination orientation to job candidates.

Similarly, post offices will be required to publicize promotional opportunities fully and to cooperate with employee organizations, community groups or others who are willing to help train employees for the supervisory examinations.

In addition, postmasters who pass over women or minority group people for employment or promotion must justify the action in writing. Reports specifying the reasons for such action must be submitted to postal headquarters.

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON, AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., JUNE 12, 1968

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.

Each of us must do what he can to reverse this dangerous and frightening trend.

And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.

Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."

Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.

Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in any way you desire. I personally will be available to meet with your representatives."

I fully realize that guns do not kill or threaten—men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tension in our society, but also attacks and can defeat those causes.

I think it is self-evident that a society in which social and economic justice has been achieved is a society that will produce less tension, less sickness and less violence. All government agencies are working toward that end. This is particularly applicable to the Post Office Department which is the largest civilian employer among government agencies.

I take particular pride in my association with 711,660 fellow employees. In my 44 days in office, I have traveled some 15,000 miles and seen 30 different postal facilities and I am told that I have met over 8,500 employees. This was done for two purposes—first, to get to know the system and those who make it work; and, second, to search out ways to do the job better and at less cost.

I think both aims have been to some degree achieved. Certainly I am more convinced than ever that the Post Office is an often overlooked cornerstone of democracy—an organization which by its daily delivery of mail affects every home and every business. And I am convinced that our people are doing a good job of delivering over 82 billion pieces of mail this year.

But I am equally convinced that we must give them further assistance, both in modernization of machinery and in modernization of our employee programs. This is particularly important in the Post Office—for, as the largest civilian department of government, everything we do has an effect on the nation as a whole.

Therefore, I have pledged myself to these fine people and to these programs for a better post office. Today, I am pleased to be able to announce a new Plan of Action that will enhance our goal of full equality of opportunity for all.

Effective today, I am ordering an advanced program to aid the disadvantaged—and thus aid our land as well. This is not a hastily conceived program. It is one we have worked on intensively during my six and one half weeks as Postmaster General.

The Plan of Action is designed to pinpoint responsibility for action to carry out the President's program and my own; it is designed to require explanations if qualified minority members are passed over for employment or promotion; it is designed to assure regular and detailed reports on the status of equal employment in every post office and postal installation.

It is direct and specific.

It is a Plan of Action that will work.

It is a Plan of Action which keeps the Post Office Department in the forefront of aiding the less advantaged.

I hope you will clearly understand that we are not suddenly creating equality or social justice.

Rather, we are improving on the very good program we already have—a program which has served as a guidepost for many other government agencies.

What we are doing now is adding to this program and strengthening it. This is in keeping with our postal policies which date back to the last century.

The first Negro lady postmaster in the United States, Minnie M. Cox, was appointed back in 1896 at Indianola, Mississippi. Some years later when elements of that city attempted to make things unpleasant, President Teddy Roosevelt shut down the post office until her safe return was guaranteed.

We have all come a long way since then, both as a government and as a people.

In the post office, we guarantee social and economic justice, not by shutting down post offices, but by opening them up as wide as we can.

To understand what we have done and what we propose to do, six facts are necessary:

First Fact—we are the largest single civilian employer of minority group workers in the world. Our workforce includes over 150,000 minority group members, mostly Negroes, who constitute almost 22 per cent of our total employment.

Second Fact—we employ and recruit not on the basis of race or religion or color, but ability.

Third Fact—our minority group employees are of proven high quality. Minority group members now hold the Postmasterships of the three largest post offices in the United States—in New York, Chicago, and Los Angeles.

Fourth Fact—all the trends in minority group employment in our Department are upward.

In virtually every major city in America, our percentage of minority group employment exceeds the percentage of minority people in the city's population.

Fifth Fact—we insist that those who contract with the Department also provide equal employment opportunity. Our contract compliance program is sternly enforced. So far, enforcement of regulations requiring contractors to follow equal opportunity job policies has resulted in the hiring of 13,000 minority group employees in many fields outside the Post Office. More importantly, it has helped break down long standing patterns of discrimination in numerous key industries.

Sixth Fact—we are now starting new programs to search out talent where it may be hidden, and to find ways of telling members of minority groups that they are wanted and they are welcome in the postal service.

One of the finest of these new programs has a bureaucratic name, but a human intent.

It is called the Concentrated Employment Program.

Translated into English that means we are testing a way of finding postal work for the so-called hard-core unemployable. Right now such a test is being conducted in San Francisco for 200 persons recruited from the ghetto areas.

Another project along this line will begin shortly in Oakland, California, and others will follow.

Under the concentrated employment program, each worker receives two weeks of pre-appointment orientation with a small salary from the Labor Department. When he begins on-the-job training with the Postal Service, the appointee must attend two hours of school each work day outside working hours for a maximum period of one year, or earlier if he passes the Civil Service examination.

We are also providing training in 70 locations for veterans about to be discharged and we are making special efforts to hire recent service veterans.

In addition, our summer employment program is aimed primarily at young people from families with income at the poverty level.

Thus, the door is open.

We should be proud and satisfied.

And to a large degree we are.

But we are not completely satisfied.

We think we can do better.

It is for that reason that I approved this morning our Equal Employment Opportunity Plan of Action.

The Plan has one basic philosophy—that old patterns will not just fade away. They must be attacked.

So we are moving forward aggressively.

Today, I am informing every postal employee that no discrimination of any kind will be tolerated. Together, we will push hard, both where we have already broken through, and where new breakthroughs are needed.

Our new plan of action—based on our philosophy of equality for all people—translates into hard hitting programs which fight discrimination and strike against poverty.

First, I have designated a special high level task force to survey postal installations and assure that equal opportunity fully and truly exists in promotions as well as hiring. These top personnel will travel over the nation and will effectively assure that our plans become fact.

Second, I am intensifying our contract compliance program. We are hiring 23 additional Contract Compliance Examiners to make sure all our contractors are meeting the requirements of President Johnson's Executive Order on contractor employment.

Third, since there is a post office in every city and almost every village, town, and hamlet, it is our responsibility to assure that national leadership in racial justice is also brought home at the local level.

Therefore, I am asking all our post masters to contribute their influence and abilities to improving equal opportunity in their communities. I am also encouraging them to aid as community leaders in helping to eliminate racial or cultural bias from local school systems and housing arrangements.

Postmasters are local leaders. Since elimination of racial, social, and economic injustice is one of our major problems, these are the areas where their leadership can be most helpful.

Since big cities crystallize this problem, I have designated postmasters of all 4,859 first-class post offices as deputy equal employment opportunity officers. They will have special responsibilities, and they will report directly to our Equal Opportunity division in Washington.

We intend to take full advantage of our postmasters' places as leaders in their communities. As a Federal Agency, it is our responsibility to work in accordance with President Johnson's policy of education, jobs and housing for all people without regard to race or any other irrelevant consideration.

Fourth, I have issued an order to begin pre-supervisory training on a large scale to all candidates who are eligible for promotion to postal supervisors. I have also directed that maximum encouragement be given to minority group employees to take the next nationwide supervisory promotion examination. This will be given in the fall, and a special handbook will be provided for all who wish to prepare for a supervisory examination.

I will require all post offices to cooperate with all employee organizations or community groups who are willing to help employees prepare for the supervisory examination.

In the same vein, post offices will also cooperate with groups preparing job seekers for the civil service test leading to postal employment. And we will now step up our efforts to recruit in the neighborhoods—efforts which have been successful in our test programs.

Finally, we will take a number of detailed and quite specific steps to make our Plan of Action a meaningful weapon in the war against poverty and discrimination.

This war is perhaps the most challenging that has ever faced America. I intend to wage it with intensified effort.

For this war touches the very essence of America. As President Johnson said, "We shall either find the means to open employment to all of our workers—to find decent housing for all of our citizens—to provide a good education for all of our American children—or we shall see the American promise spoiled for each of them."

The American promise has for 200 years served as a light pointing the way.

Today I have described two steps to protect that promise and that light.

I have done all that I can within the law to support local and State law enforcement agencies in their effort to control and regulate the possession of firearms, and ban certain lethal weapons from unrestricted passage through the mail. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

And I have taken a number of major steps to assure that the Post Office Department serves the nation, not only as an effective channel of communication, but also as an instrument of social justice.

May I end by promising to you, that this great Department of government will do everything possible to serve the American people and advance the American dream.

GUN CONTROLS

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, today I am introducing gun control legislation which may be temporarily unpopular among sportsmen but which I am firmly convinced is absolutely necessary if we intend to come to grips with the mounting violence and increasing use of deadly weapons in our country.

We are told by opponents of gun control legislation that statistics do not tell the whole story and that restrictions will not prevent the use of deadly weapons for illegal purposes. I simply do not agree with this proposition.

In the 7 years since 1961, FBI figures reveal that 56,333 persons have been murdered in the United States, 33,491 by firearms. These are not just statistics; they are individual human beings whose lives have been taken in the most reprehensible manner known to man.

Nor does this tell the whole story. During last year alone more U.S. citizens were killed or assaulted in American streets or homes than were killed in battle during the entire Korean conflict and, again according to the FBI the situation is getting markedly worse, not better.

J. Edgar Hoover has said:

> Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

I know of no one better qualified to speak on the subject and the facts support his conclusion. Guns are by far the most lethal weapons used in assaults to kill—seven times more deadly than all other weapons combined. Death to the victims results in 21 percent of such attacks where guns are used whereas it occurs in only 3 percent in assaults to kill with all other weapons.

I am fully aware that the provision in my bill which would require the registration of all firearms will provoke a cry of anger and dismay from some, but the time has come to recognize that there are between 50 and 200 million operative firearms in the United States—certainly far more than the number of sportsmen and those interested in having a weapon to defend home and hearth. The exact number of weapons is hard to determine, according to the FBI, because no one has the slightest idea who has them or where they are. We do know that more than a million foreign weapons a year have been coming into the country and that American manufacturers have been producing and selling substantial numbers of weapons of all types for many, many years.

In a country which in the public interest requires individuals to acquire licenses or permits for a multitude of items and activities, I am amazed that in the last 35 years the Congress has made only two efforts to impose controls on firearms. These efforts took place in 1934 and 1938 and both were extremely limited measures which have little effect on the tremendous traffic in deadly weapons.

Mr. Speaker, the situation has become intolerable to the majority of our citizenry and it is imperative that this Congress take steps now to provide measures which, I am convinced, offer some protection from the toll of death and destruction that deadly weapons—firearms—are causing hourly, day by day.

My legislation will prohibit the mail-order sale of rifles and shotguns as well as handguns and will control the interstate shipment of ammunition and the sale of ammunition to juveniles, and will require, within a reasonable period of time, the registration of all firearms of every kind and every type.

Mr. Speaker, the time has come to face facts and have the courage to act accordingly. I urge prompt action in support of this measure.

EULOGY TO SENATOR ROBERT KENNEDY DELIVERED BY MSGR. WILLIAM J. SHANNON

Mr. **HANLEY**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **HANLEY**. Mr. Speaker, last Friday, the Roman Catholic Diocese of Syracuse, N.Y., commemorated the tragic death of Senator Robert Kennedy with a requiem mass at the Cathedral of the Immaculate Conception. Thousands of central New Yorkers of every religious persuasion joined in the solemn tribute to the Senator's memory.

The eulogy during the mass was delivered by Msgr. William J. Shannon, rector of the cathedral. Monsignor Shannon eloquently expressed the sentiments that were in the hearts of all of us. I would like to share those poignant thoughts with my colleagues today, as follows:

EULOGY MASS FOR SENATOR ROBERT F. KENNEDY, JUNE 7, 1968

> When in retrospect you and I combine the trinity of tragedies in the horrible and untimely deaths of President John F. Kennedy, Dr. Martin Luther King and now Senator Robert F. Kennedy, so distraught are we all with grief and wonderment that we look only to God for the answer. Our great country has advanced in science and technology but we have failed somehow to arrive at a satisfactory answer to the enigma of hatred and the violence which is its senseless byproduct. So perhaps we haven't advanced very much at all.
>
> Yet in 1963 within ten minutes of the announcement of the death of the President there were more than 300 people in this Cathedral. Yesterday and today hundreds have come to our Masses. This means that we are appalled and crushed by these atrocities even if we do not solve them. And we are again turning to God in this crisis asking Him not only *why*—but when shall it end and where shall it lead us?
>
> We Catholics speak to God most articulately through the Mass because we believe that it is not only a sacrifice, not only an act of thanksgiving, but as a means of atonement for sin. And we realize that in some mysterious manner, we, through our society, have sinned in all these tragic deaths. So we are here not only to pray for the repose of the soul of Senator Kennedy but each and every one of us is here as a child of Adam knowing that we share in the guilt which made this tragedy possible.
>
> We do not hope to find perfection in the absolute in this life even though Our Lord has counseled us to "be perfect as your heavenly Father is perfect" but certainly by our lives, our example, our laws and our striving for perfection we can become a more powerful leaven in making other men in this country see the light of Christ, the love of Christ, and the peace of Christ. As never before we must now love one another more.
>
> The penalty for the opposite is too great a price to pay. It would be telling us otherwise that men of honor and renown are never free from hatred and are therefore never free from harm. Not only is this contrary to every democratic principle we know . . . it is contrary to every Christian principle we know.
>
> Meanwhile, we shall of course attempt to see these tragic events in the simple spiritual acceptance of God's holy will because we know that from this evil, God, just God that He is, is certain one day to extract the good so mysteriously hidden in its shadows . . . if mankind will let Him show forth His goodness! And we are left to exclaim with St. Paul "How incomprehensible are God's judgments, how unsearchable His ways!"
>
> And so this Mass of Concelebration is offered by our Bishop and his priests as the spiritual gift of the Diocese of Syracuse in this moment of anguish, and it is offered for a number of appropriate intentions. It is offered as we said as an atonement for our sins. It is offered in thanksgiving to God for a great Nation which must become still greater as it strengthens its weaknesses. It is offered for the soul of a great Senator, a great Statesman. It is offered as spiritual balm touching the hearts and souls of the wife and children of that Senator, and the remainder of his grieving family. But in a special way it is offered to beg God to continue to give courage and understanding to a mother who has already given too much.
>
> When we gaze upon Michelangelo's famous Pietá we are reminded of this other mother who today cradles in her arms another dead son. It is her third Stabat Mater. She must suffer no more.
>
> The hearts and souls of priests and people alike are linked with this Mass today as we place it as an infinite gift before the throne of God, knowing that through this and the countless other Masses in our great Nation, God will give to Robert Francis Kennedy eternal rest—and peace at last

CATCHING THE REAL CULPRIT IN FIREARM CRIMES

Mr. **REINECKE**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **REINECKE**. Mr. Speaker, I am introducing today a bill to amend title 18 of the United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce.

My colleagues will assuredly agree that it is past time for this Government to act in safeguarding every American from violence and crime. The shocking assassination of Senator Robert F. Kennedy points to the essence of our Nation's dilemma. We must act against the criminal in this society, not the weapon he uses.

Every patriotic American is outraged at the wave of violence that has engulfed the Nation in recent months. Every law-abiding citizen deserves the assurance that he can walk in safety throughout this land once again. And every peace-loving American deserves protection from violence, not the further restriction of his constitutional rights. Therefore, my bill directs the Government's power of restriction exactly where it belongs—squarely on the shoulders of the criminal.

This bill tackles firearms crime in two ways: First, it provides a stiff penalty under Federal law for all persons convicted of a felony in which a firearm is involved. The minimum mandatory punishment is imprisonment of not less than 10 years. Second, the bill calls for a second offense sentence of at least 25 years' imprisonment, which should, I maintain, sharply reduce repetition of such crimes.

Rather than the firearm, it is the lawless individual himself who must be taken to task for the upsurge of violent crime in America. Reducing crime requires greater safeguarding of our precious constitutional rights, not harsh restriction of those rights, as has been recently proposed.

The vast majority of Americans, law-abiding citizens proud of their national heritage, deserve no blame in this country's trials. I quote Tom Wicker of the New York Times, Sunday, June 9:

> In little more than five years, Medgar Evers, Malcolm X, John F. Kennedy, George Lincoln Rockwell, Martin Luther King, and Robert F. Kennedy have fallen before gunfire; Detroit, Newark, and dozens of American cities, including Washington, have erupted in racial disorder and pillage; the crime rate has risen at a pace alarming to millions.
>
> But Evers was shot by a white segregationist, Malcolm by a black, Rockwell by a Nazi rival, and Dr. King by a person or persons unknown. An authorized commission decided John F. Kennedy was killed by a mental misfit with a grim personal history; and a Christian Arab immigrant, nationalist and fanatic, has been charged with the murder of Robert Kennedy, a defender of Israel.

Mr. Wicker's point is clear. It is not the great majority of Americans, law-abiding and sensible, but a deranged few, who threaten the safety and security of us all, public figures and private citizens alike. We must act now to deal effectively with violent criminals. Not only must they be separated from the rest of society, but stiffened punishments must deter others contemplating armed crime. Crime prevention is our mandate. Isolation and deterrence of criminals is the solution offered by my bill.

I respectfully request your careful consideration of the provisions of this bill, in the light of the facts and issues involved.

PUTTING OUR FISCAL HOUSE IN ORDER

Mr. **OTTINGER**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Speaker, consideration of the administration's tax bill brings into focus the critical nature of our national fiscal situation and the need to select appropriate steps to set our fiscal house in order.

THE CRISIS OF INFLATION

That a crisis exists can hardly be doubted. Inflation is hurting the average American. Prices have been rising at an accelerating rate which has now reached 3.5 percent per year. The cost of living is now increasing at a rate of 4.5 percent. The real income of the average nonagricultural worker has declined steadily, lower in 1966 than in 1965 and again lower in 1967 than in 1968. State, local, and school taxes have been skyrocketing. Soaring interest rates are hurting all individuals and businesses that have to borrow, but particularly the building industry that depends on mortgage financing for its survival. The average American family is feeling a severe pinch. People on pensions or other fixed incomes are in desperate condition.

DEEP IN DEBT

In national terms, our debt could go as high as $29 billion this year and is at a record total level of $353 billion, requiring Federal expenditure for interest alone of more than $13 billion a year. Both public and private sectors are spending beyond their means as never before. It was in protest against this dangerous trend that I voted last year against increasing the debt ceiling to a record level.

With respect to debt, a country is no different than an individual. A nation's expenditures must bear a reasonable relationship to its income and productivity. A country can borrow only to the extent that it can demonstrate growth potential sufficient to repay the debt. When borrowing exceeds a country's productivity growth rate, its currency becomes devalued and inflation occurs.

ECONOMY CRITICAL TO LEADERSHIP

Internationally, we are seeing the effects of our inflation reflected in decreased confidence in the dollar, partially influenced by an artificial world shortage of gold to satisfy monetary and commodity gold needs. The most serious international consequence of our domestic financial crisis is the sharp drop in our favorable balance of international trade, from $7 billion in 1964 to $4.8 billion in 1965, $3.7 billion in 1966, $3.5 billion in 1967 to a present annual rate of less than $2 billion. Our favorable export balance is important to our prosperity and is directly translatable into U.S. jobs.

The U.S. Government has been spending way beyond its means, particularly since the costs of the Vietnam War have mounted. We simply must curb this imbalance if we are to survive. On the soundness of our economy depends our ability to solve our domestic problems, our ability to defend ourselves, and our ability to influence international affairs.

The elements of our fiscal crisis are domestic inflation and international imbalance in our payments, trade, and gold transactions. There are a variety of steps we can take to rectify these problems, the least propitious of which are contained in the administration's tax bill.

CUT NONESSENTIAL SPENDING

The Federal Government today is spending at record rates, as if there were no financial crisis. Even were the administration's tax bill adopted with its proposed $6 billion mandated spending cut—which I recently supported—there would still be projected a $10 billion spending increase in the administration's budget for fiscal 1969.

The best Federal means of curbing inflation is to cut Federal spending. Unless this is done, a Federal tax increase merely transfers money that would have been spent in the private sector to the public sector where it will still be released into the economy. A tax increase may relieve some pressure on interest rates since less borrowing will be required, but unless spending is cut, the money will still be pumped into the economy.

WHERE TO CUT

The difficulty in cutting Federal spending is that no two Congressmen seem able to agree where the cuts should be made. Neither the administration nor Congress has been willing to set priorities on spending or cut nonessential but politically popular programs. Indeed, the administration and Congress have been passing the buck backward and forward to each other in a shameful fashion, spending ever more as they go.

PUBLIC WORKS

Thus, we have the highest "pork-barrel" public works program in the history of the country, the greatest highway expenditures, the largest military construction program devoted mostly to building additions to domestic bases. Public works of this scope are proper to stimulate an economy in time of depression and unemployment. They should be the first to go in a time of inflationary pressure. Rather than cutting in this area, however, the administration, bowing to political pressures, actually released substantial public works and highway funds which it had impounded in March of last year and proposed cuts instead in the school lunch program and other important social efforts.

SPECIAL INTEREST SUBSIDIES, SPACE, SST

Agricultural and other special interest subsidies, most of which go to wealthy farmers and businesses that least need them, are at record levels. The space program eats up some $4.5 billion per year and we are embarked on a supersonic transport plane development program calling in total for better than $5 billion of Federal subsidies. We are spending about $5 billion a year maintaining six divisions of troops and their families in Europe; this is both excessively expensive and directly contributive to our international payments imbalance.

DEFENSE

In all, $75 billion a year now goes to our defense budget, and a frightening proportion of this is poorly spent. Every day there are new revelations of multimillion-dollar overpayments by the military for procurement items. Recent disclosures include Army payment of $18.75 for $1.80 gear clamps, $67.50 for $2.75 couplings by the Navy and $26.60 for a $4 bolt by the Air Force. The defense budget gets no effective review because of a tendency to feel that no amount is too much for the defense of our country—but this certainly is not valid when the money is wasted. In addition, deescalation soon of the Vietnam war is a top priority objective that could result in a paring down of the $30 billion per year devoted to this unfortunate involvement.

"HOOVER COMMISSION" PROPOSED

There is tremendous waste in virtually every Federal department. Program staffs stay long after the rationale for their programs has expired. The Federal personnel roster steadily mounts. It is for this reason that I proposed legislation creating a new "Hoover Commission" to examine carefully all existing programs and agencies, recommend elimination of nonessential activities, and establish national spending priorities.

CUT OF $6 BILLION FEASIBLE

It should not be difficult to cut substantial amounts from the Federal budget without affecting at all essential programs such as those for education, job training, health, and housing. The administration's indication that the $6 billion spending reduction mandated by the current bill will require cuts in these essential areas is both alarming and unnecessary. It would be the height of irresponsibility for the administration to cut these important programs when so many nonessential alternatives are available. The indications that the administration will do so, however, is a valid reason in itself for opposing the measure.

My own actions on spending cuts include votes against a total of $27 billion in pork-barrel and special-interest programs in the 89th Congress, and already $20 billion in this Congress. While I appreciate that my priorities are undoubtedly not shared universally, there certainly exists plenty of expense-cutting room in these areas to bring the budget into reasonable balance, without paying a tragic price in vital social areas.

TAX SURCHARGE UNECONOMIC

The concomitant of balancing the budget by expense cutting is to raise Federal revenues. This can be done economically in a number of areas which I shall discuss, but the administration's proposed 10-percent surcharge is not a sound or effective way to do it.

It is possible, as the administration has done, to show that the average American is making more money than ever before. It is improper to conclude from this, however, that he can readily afford a 10-percent tax increase.

For one thing, as I pointed out earlier, once wages are adjusted for the rise in consumer prices, social security and taxes, nonagricultural earnings have been going down. People on fixed incomes are being hardest hit by inflation. Wage increases have been very uneven, highest in retail, wholesale and service businesses, financial institutions and the construction industry, and interestingly, significantly lower in highly unionized industrial establishments.

Even for those who received the highest wage increases, the going has not been easy. As is the American custom, these people used their increases to buy better housing, cars and appliances on credit, and since then have been hit with higher prices and taxes. The average family is having a difficult time making ends meet.

The best objective evidence of this is the fact that so many of our suburban communities are voting down school budgets. Improved schooling is one of the primary objectives of most families who move to the suburbs. Their rejection of budgets for needed school facilities and services is a good index of the degree of their financial stress.

A 10-percent Federal tax surcharge on personal incomes, therefore, is likely to be the straw that breaks the camel's back for the average family. The cost of living is likely to continue to increase regardless of the tax surcharge—indeed, it may be accelerated by it because labor will try to absorb the tax increase in higher wages and business will compensate by further raising prices. This situation, combined with the burden of the tax, may well cause the bubble to burst, requiring average families to turn back goods bought on time and touching off a sharp economic recession.

The economic dangers of the tax surcharge will be aggravated because the tax bite will not really be felt until the second half of this year when our economic advisers tell us there is likely to be a dropoff in the economy at any rate. In fact, published April economic indicators overwhelmingly indicate that a dropoff has already started.

The combination of the tax surcharge, the $6 billion spending cut and continued price increases plus the financial uncertainty of the average family might well precipitate an economic tailspin. That, at any rate, was the conclusion of the highly respected Joint Economic Committee of Congress in March of this year.

TAX SURCHARGE UNFAIR

Not only would the tax surcharge be economically dangerous, but it would exaggerate existing gross inequities in our tax structure.

At the present time, our tax structure operates with unfair severity on low- and middle-income taxpayers. Thus, those making $5,000 to $15,000 represent one-third of the population and pay two-thirds of the Federal taxes; those earning $10,000 to $15,000 represent 10 percent of the population and pay 20 percent of the taxes.

LOOPHOLES LOSE BILLIONS

To show the inequities by extremes, last year 24 individuals who made more than $1 million in income paid absolutely no taxes at all; more than 1,000 who earned over $50,000 and more than 10,000 who earned over $15,000 paid no taxes through use of legal tax loopholes. The 10-percent surcharge for these people is totally inoperative, of course: 10 percent of zero is zero. But for many more thousands of taxpayers who reduced their taxes substantially, though not to zero, through the use of legal loopholes, the effect of the 10-percent surcharge will be proportionately reduced.

To use another comparison: by reason of the oil depletion allowance loophole, the 10 largest oil companies in the United States, with $7 billion in net income, paid only an 8½-percent average tax rate. By contrast, the poorest taxpayer with adjusted net income of $500—after exemptions and standard deduction—paid 14 percent. The surcharge means an additional 1.4 percent to the lowest taxpayer, while the oil companies will only pay an additional eighty-five one-hundredths of 1 percent.

In all, the Treasury estimates that more than $160 billion per year escapes full taxation through use of legal loopholes. If all these loopholes were plugged, the Treasury estimates additional revenues at $40 billion per year.

MIDDLE INCOMERS DRIVEN INTO DEPENDENCE

Today, middle-income families are being driven into poverty and dependence on Federal programs through operation of our unfair tax system. The 10-percent surcharge will just accentuate the existing inequities and make it harder for the average hard-working family to make ends meet as a result of their own efforts. It will add to the need for Federal subsidies for middle-income housing, for help with college, medical, and other expenses. I do not believe this is right. I think the average family should be able to make a decent living as a result of its labors. I think it is particularly destructive to drive middle-income families to dependence on Federal programs that are costly and often wasteful by taxing these families to a point where they require Federal assistance. On grounds of economy alone, it is much sounder to let the family retain enough money to pay for its own needs.

I do not by any means believe in taxing the wealthy or our businesses to a point where there is no longer a profit incentive for them. The profit motive is the basis of our free economy and the entrepreneur must always be left in a position where he can make a good return on his investment. All I ask is that the person who profits under our system pay his fair share of the costs of government. It just is not right that one famous lady who invests her entire $100 million capital in tax-free bonds should not even have to report her multimillion-dollar income while others from their investments or labors must pay a disproportionate share of their earnings.

NEED TAX REFORM

The need for loophole-plugging tax reform has been well set forth by the chairman of the House Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS]:

> The laws are full of special provisions through which a shrewd or lucky taxpayer can often escape paying anywhere near his full share * * *. If we have a tax system riddled with preferential benefits and falling on only a part of our economy, the heavy tax burden on those that must carry more than their share will limit our whole national program. As I see it, a fair and equitable tax system is not only desirable for itself, but well may be an element in our national survival.

MINIMUM TAX OF 14 PERCENT

My proposal is to subject all presently exempt income to the minimum tax now paid by the poorest taxpayer, 14 percent. The Treasury says this would produce $20 billion a year in additional revenues—twice as much as the proposed surcharge. A group of congressional tax reform supporters even told the administration that they would support the 10-percent surcharge if the surcharge were applied equally to exempt income, but the proposal was rejected out of hand. The administration has never even sent up the tax reform bill the President promised in his state of the Union message a year and a half ago. It seems fundamentally unfair and unsound to add to the burdens of the already overburdened middle-income family while leaving untouched from taxation billions of dollars in the hands of people and concerns much better able to pay.

MIDDLE-INCOME TAX RELIEF

I have proposed going beyond this in tax reform to give needed relief to the middle-income family, and I think it would be economically productive to do so. I have proposed to increase the $600 exemptions for children, the handicapped, and the aged to a more realistic $1,200 per year, to allow working mothers the full deduction of expenses of day care, and to permit head of household treatment for single taxpayers. The costs of these revisions could be readily met by the tax reforms and expense cuts I have advocated above, and they would result in a very real productivity increase in the country besides.

OTHER TAXES—LUXURY, EXCISE, AND EXCESS PROFITS

A surcharge on top of the existing inequitable system is by no means the only way of obtaining needed Federal revenues. The taxes on presently exempt income outlined above is one alternative. Another alternative is to tax luxury items, though this is not very attractive to me because luxury excises do not raise enough money and tend to be discriminatory and unfair. As a choice among evils, however, I would prefer luxury taxes to the surcharge.

Fully justified, I think, is reinstitution of the excess profits tax. We have had such a tax in virtually every other war in which we have been engaged. Recent investigations reveal that unconscionable profits are still being made by many defense contractors, despite the Renegotiation Act. Inadequacies in defense procurement procedures resulting in outrageous profits on defense items are revealed daily. Admiral Rickover's recent disclosures of outrageous 60-percent profits by a major defense contractor because of sloppy Pentagon supervision shocked the Nation. While American boys are sacrificing their lives in Asia, there can be no excuse for businesses making unfair windfalls out of the war.

WAGE AND PRICE CONTROLS

One other device we should consider to control our domestic inflation is wage and price control. Such control has been used in past wartime periods. It is appropriate now, not only because Vietnam war costs are contributing heavily to our inflationary pressures, but also because of the cost-push nature of this inflation. Our present inflation is caused not so much by an excess of demand over supply, particularly in the consumer area, but by a competitive cycle of wage and price increases not reflected in increased productivity. Wage and price controls, as difficult as they are to administer fairly, would be the most appropriate tool for controlling this situation. Organized labor has publicly announced that it would accept such controls. They are fairer and more effective by far than the surcharge or the cruel tax of inflation.

UNPLEASANT ALTERNATIVES

It is easy to argue against all the tax measures and expense cuts I have proposed. All of the programs to be cut have some measure of merit and all the taxes and control measures have some disadvantages. The choice, however, is of unpleasant alternatives—and if we let inflation go rampant, it may well soon become the most unpleasant alternative of all. We simply must pull in our belts somewhere to be able to maintain our strength at home and abroad. We should do so in the fairest and most effective way possible.

BALANCE OF PAYMENTS

Related to our domestic inflation is the current imbalance of international payments. In my view, however, our present balance of payments is not nearly so critical as the international banking community has made it out to be. Indeed, the principal justification given by the administration for the 10-percent tax surcharge seems to be our balance-of-payments situation, as the price demanded by the international banking community for their continued willingness to hold dollars and support our currency. I just do not believe this is justified.

BRING TROOPS HOME FROM EUROPE

In the first place, we have been running a balance-of-payments deficit of about $3.5 billion a year—the excess of dollars paid out abroad over dollar earnings. The entire deficit could be wiped out completely by the single act of bringing our troops and their families home from Europe. These troops cost about $5 billion a year in dollars transferred abroad. Six divisions in Europe hardly seem justified at this point in time for the security of either Europe or the United States. The psychological benefits simply are not worth the cost.

REAL PROBLEM—GOLD SHORTAGE

Even if it were felt justified to maintain our troops and their families in Europe, however, the rate of our deficit relative to our $800 billion gross national product and relatively—in worldwide terms—small inflation, is not sufficient to undermine the international value of the dollar.

The critical nature of our international payments situation is principally caused by the artificial tie of international payments to gold. The world does not produce enough gold to satisfy both monetary and commodity demands for the metal. This insufficiency of gold to meet world demand resulted in the ability of countries which run payments surpluses relative to the United States to put the squeeze on this country by converting their dollars into gold. This is exactly what France, Russia, China, and the Arab States have done.

END MONETARY GOLD STANDARD

I have long recommended, therefore, that we sever our monetary ties to gold altogether. We went half way in this direction by international agreement of all major Western central banks no longer to convert private holdings into gold at $35 per ounce. This will only be a temporary palliative, however, since the major international credit obligations run between countries rather than private holders.

There is no reason, other than psychological feelings of security, to back up international payments with gold. The paper dollar circulates perfectly in the United States without any gold or silver backing. Basically, the value of paper currency or international credits depends on the productivity of the issuing country relative to its outstanding debts. I believe that if we went off the gold standard, all the countries of the world would prefer to hold dollars than any other world currency, despite our current rate of inflation and payments deficit.

The value of currency in relation to dollars would then be set on a free market basis. This worries many international bankers because of the susceptibility of a free floating currency to fluctuations. International contracts become much more difficult because of the uncertainty of the conversion rate at the time of future payments. But this can readily be handled either by contract provisions contemplating this problem or, better still, by international agreement giving to the International Monetary Fund or some other international financial institution the power to set periodic conversion rates which the various participating nations would agree to observe. This would also impose the kind of economic discipline on countries now imposed by the gold tie. Under the threat of our abandoning the gold standard, I do not think such an agreement would be at all difficult to reach.

PENALIZE SPECULATORS: FRANCE, RUSSIA, AND ARAB STATES

One of the attractions of such a move would be that those who have been speculating in gold against the dollar would be hurt. I am told that the price at which gold would circulate might drop as low as $12 an ounce. France, Russia, and the Arab countries which have been hoarding gold to embarrass us would bear the full loss on the gold they have hoarded. What better justice could be meted out?

If, on the other hand, we follow the advice of some of the conservatives in the financial and economic community and devalue the dollar by increasing the price we pay for gold, we would reward these very same hoarders.

ENFORCE WORLD WAR I DEBT AGAINST FRANCE

Another measure we should have taken against France's call on U.S. gold was to assert collection of her World War I debt to us, now amounting to more than $5 billion. Despite possible international banking repercussions, there is no reason to pay France gold for her dollars when she in fact owes us so much, not only represented by this debt, but also by our Marshall plan aid after World War II.

SPECIAL DRAWING RIGHTS

Recent international agreement to issue "paper gold" in the form of special drawing rights—SDR's—against the International Monetary Fund is also merely a palliative. The tie of our currency to gold pegged at the artificial price of $35 per ounce is still maintained. The problem of shortage of gold is only eased, not resolved. And, under the arrangement worked out, France has retained an effective power of veto over issuance of SDR's, so would still be able to wreak havoc with us and the international monetary system.

OTHER BALANCE-OF-PAYMENTS MEASURES

I think, in sum, that if we went off the gold standard, we would see our balance-of-payments crisis quickly diminish, at least in terms of the willingness of other countries to hold dollars. We would still have a long-term payments problem, but we would have a great deal more latitude for correcting it.

There are many lesser steps that we can and should take to reduce our payments deficit besides bringing our troops and their families back from Europe and going off the gold standard.

REDUCE OVERSEAS MISSIONS

One step I consider worth while in any event, would be to reduce the size of our overseas missions. Having served in both our foreign aid agency and the Peace Corps, I have seem many of these missions at first hand. Most have a staggering excess of U.S. personnel, including such frills as U.S. chauffeurs in some places. The size of military missions are frequently far in excess of any military justification. Our Ambassador to Brazil just recently cut his mission staff in half and improved performance. I am convinced that this is one area eminently worth pursuing.

ENCOURAGE EXPORTS

I also favor encouraging exports as a means of improving our trade balance. Almost all other countries do this through various forms of tax incentives, guarantees, and insurance devices which are permissible under the General Agreement on Tariffs and Trade—GATT. Also, encouragement of foreigners to travel here is worthy.

AGAINST TRAVEL AND INVESTMENT RESTRICTIONS

I do not, however, favor the administration proposals for travel restrictions on U.S. residents. I also think the restrictions on foreign investment which have been instituted by the administration are shortsighted and counterproductive. Our foreign investments have always resulted in repatriation of far more dollars than the initial investment drew. Indeed, these investments are one of the principal bases of our favorable trade balance. Restricting them is cutting off our nose to spite our face. Our economic stake in international trade is enormous today and for our future. Restricting this trade will have far-reaching, damaging consequences.

FOREIGN AID

I do not favor reducing foreign aid as seems so popular these days, either. In the first place, our foreign aid has little effect today on our balance of payments. About 95 percent of our foreign aid payments go to purchase goods and services in the United States—creating jobs. Second, I think our investment in helping other nations stand on their own feet and achieve progress under free societies is far more constructive than the consequences of our present reliance on the military. Far better to spend a few billions constructively than $30 billion a year on destruction of the kind we have seen in Vietnam, with, among other tragic consequences, its drastic drain on our balance of payments.

This is not to say that the aid program should be any more sacrosanct than the defense budget or our domestic programs. The administration of foreign aid has been as sloppy and inefficient as in any Federal program. There is plenty of room for streamlining and economizing. We must insist that our foreign aid be based not on wasteful short-term political goals, but on the ability of recipient nations to use the aid efficiently for the betterment of their people and on their willingness to undertake necessary self-help measures.

SUMMARY

In summary, I think our present domestic financial state of affairs is critical. It requires drastic cutting of nonessential spending as the first priority of attack and a concomitant reordering of priorities for Federal spending. I therefore call for an immediate moratorium on new public works projects and highway starts, termination of the agricultural subsidy and major reductions in the space, military construction, and defense budgets. I believe such cuts could readily result in savings of more than $15 billion.

CONGRESSIONAL MEDAL OF HONOR AWARDED TO CAPT. WILLIAM LOREN McGONAGLE

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, on Tuesday, June 11, I was pleased to attend a ceremony in which the Honorable Paul R. Ignatius, Secretary of the Navy, presented the Congressional Medal of Honor to Capt. William Loren McGonagle, U.S. Navy. Captain McGonagle is from my congressional district. He attended high school in Coachella Valley, Calif.; he also attended the University of Redlands, and the University of Southern California. He received his commission as an ensign in the U.S. Naval Reserve upon graduating from the University of Southern California in June 1947.

Following a tour of duty on the staff of the commander, Service Force, U.S. Pacific Fleet, he assumed command of the intelligence ship U.S.S. *Liberty* in April 1966. He was in command of the *Liberty* when she was attacked and damaged by jet aircraft and torpedo boats off the Sinai Peninsula on June 8, 1967. At present, Captain McGonagle is the prospective commanding officer of the ammunition ship *Kilauea*, now under construction.

Captain McGonagle is married to the former Emma Jean Stoneham, of Glendale, Calif. They have three children: Cindy Lou, Sandra Sue, and William Loren McGonagle, Jr. Their official home address is Indio, Calif.

I would like at this time to insert in the CONGRESSIONAL RECORD the full text of the citation to Captain McGonagle depicting his heroic efforts while the U.S.S. *Liberty* was under attack in June 1967. Captain McGonagle is not only a hero in the finest American tradition, he is also a humble and a warm human being.

The text of the citation follows:

The President of the United States in the name of The Congress takes pleasure in presenting the Medal of Honor to: CAPTAIN WILLIAM L. McGONAGLE, UNITED STATES NAVY, for services as set forth in the following citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Commanding Officer, USS *Liberty* (AGTR–5) in the Eastern Mediterranean on 8–9 June 1967. Sailing in international waters, the *Liberty* was attacked without warning by jet fighter aircraft and motor torpedo boats which inflicted many casualties among the crew and caused extreme damage to the ship. Although severely wounded during the first air attack, Captain (then Commander) McGonagle remained at his battle station on the badly damaged bridge and, with full knowledge of the seriousness of his wounds, subordinated his own welfare to the safety and survival of his command. Steadfastly refusing any treatment which would take him away from his post, he calmly continued to exercise firm command of his ship. Despite continuous exposure to fire, he maneuvered his ship, directed its defense, supervised the control of flooding and fire, and saw to the care of the casualties. Captain McGonagle's extraordinary valor under these conditions, inspired the surviving members of the *Liberty's* crew, many of them seriously wounded, to heroic efforts to overcome the battle damage and keep the ship afloat. Subsequent to the attack, although in great pain and weak from the loss of blood, Captain McGonagle remained at his battle station and continued to conn his ship for more than seventeen hours. It was only after rendezvous with a United States destroyer that he relinquished personal control of the *Liberty* and permitted himself to be removed from the bridge. Even then, he refused much needed medical attention until convinced that the seriously wounded among his crew had been treated. Captain McGonagle's superb professionalism, courageous fighting spirit, and valiant leadership saved his ship and many lives. His actions sustain and enhance the finest traditions of the United States Naval Service.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CARTER (at the request of Mr. NATCHER), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROTH (at the request of Mr. REINECKE), for 1 hour, on June 25; and to revise and extend his remarks and include extraneous matter.

Mr. REUSS (at the request of Mr. TIERNAN), for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MADDEN and to include a speech by Senator EDWARD W. BROOKE at Catholic University.

Mr. BETTS and to include an editorial.

Mr. STEED to revise and extend his remarks and insert pertinent statements in the RECORD.

Mr. WIDNALL to revise and extend remarks made in Committee of the Whole and to include extraneous matter.

Mr. JOELSON in four instances.

(The following Members (at the request of Mr. REINECKE) to revise and extend their remarks and to include extraneous matter:)

Mr. GUBSER.
Mr. ASHBROOK in two instances.
Mr. ADAIR in two instances.
Mr. LUKENS.
Mr. CLANCY.
Mr. BROTZMAN.
Mr. SCHERLE.
Mr. ZWACH.
Mr. BURTON of Utah in three instances.
Mr. GURNEY.
Mr. MORSE of Massachusetts.
Mr. WYMAN in two instances.
Mr. BETTS.
Mr. NELSEN.
Mrs. BOLTON.
Mr. SPRINGER.
Mr. JOHNSON of Pennsylvania.
Mr. SNYDER.
Mr. BATTIN.

(The following Members (at the request of Mr. TIERNAN) to revise and extend their remarks and to include extraneous matter:)

Mr. McFALL in two instances.
Mr. JACOBS.
Mr. BROOKS.
Mr. FRASER.
Mr. PODELL in three instances.
Mr. OTTINGER.
Mr. POLANCO-ABREU.
Mr. BURKE of Massachusetts.
Mr. ANNUNZIO in two instances.
Mr. WRIGHT in two instances.
Mr. WOLFF.
Mr. CORMAN in two instances.
Mr. BINGHAM.
Mr. ANDREWS of Alabama in two instances.
Mrs. SULLIVAN in two instances.
Mr. RARICK in four instances.
Mr. GONZALEZ in three instances.
Mr. FLOOD in five instances.
Mr. EILBERG.
Mr. FULTON of Tennessee in two instances.
Mr. RESNICK.
Mr. NICHOLS.
Mr. GALIFIANAKIS in two instances.
Mr. HOWARD.
Mr. PEPPER in two instances.
Mr. GRIFFIN.
Mr. WILLIAM D. FORD.
Mr. MOORHEAD.
Mr. STUCKEY in two instances.

Mr. ROONEY of Pennsylvania in two instances.

Mr. EDWARDS of Louisiana.

Mr. ECKHARDT.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to the enrolled bill of the Senate of the following title:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona;

H.R. 13154. An act for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia;

H.R. 13912. An act for the relief of Angeliki Giannakou;

H.R. 16674. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

ADJOURNMENT

Mr. TIERNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p.m.) the House adjourned until tomorrow, Thursday, June 13, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1934. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period July 1 to December 31, 1967, pursuant to the provisions of section 4 of Public Law 520, 79th Congress; to the Committee on Armed Services.

1935. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

1936. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Georgia: Committee on House Administration. House Concurrent Resolution 785. Concurrent resolution relating to the pay of the U.S. Capitol Police force for duty performed in emergencies; with amendment (Rept. No. 1545). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGER: Committee on Interstate and Foreign Commerce. H.R. 14096. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; with amendment (Rept. No. 1546). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 17808. A bill to provide for the investigation detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 17809. A bill to designate certain lands in the Moosehorn National Wildlife Refuge in Maine as a wilderness; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 17810. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 17811. A bill to amend title 38 of the United States Code, to provide for the rating of certain service-connected disabilities as total for the period during which veterans with such disabilities are entitled to disability insurance benefits under the Social Security Act; to the Committee on Veterans' Affairs.

By Mr. NELSEN:

H.R. 17812. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 17813. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 17814. A bill to authorize the Secretary of the Department within which the Coast Guard is functioning to document temporarily a foreign-built ferry for limited operation in domestic trade; to the Committee on Merchant Marine and Fisheries.

H.R. 17815. A bill to authorize the State of Alaska to operate a foreign-registered ferry vessel between ports of southeastern Alaska and between ports in southeastern Alaska and ports in the State of Washington; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 17816. A bill to amend the Economic Opportunity Act of 1964 with respect to the period of an individual's participation in a work-experience program; to the Committee on Education and Labor.

By Mr. REES:

H.R. 17817. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 17818. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 17819. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 17820. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 17821. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. COLMER:

H.R. 17822. A bill to provide that the elimination of the duty on mahogany lumber shall take effect at once (instead of in five annual stages); to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 17823. A bill to amend chapter 44 of title 18 of the United States Code to provide adequate regulation of certain sales of shotguns and rifles; to the Committee on the Judiciary.

H.R. 17824. A bill to require the registration of firearms; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 17825. A bill to authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission docket No. 314, amended, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GURNEY:

H.R. 17826. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 17827. A bill to authorize the Secretary of the Interior to provide school facilities for the education of dependents of persons engaged in the construction of the third powerplant, Grand Coulee Dam, Columbia Basin reclamation project, Washington, and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee:

H.R. 17828. A bill to amend the Railroad Retirement Act of 1937 to provide for a more equitable apportionment of annuity amounts due members of an annuitant's family in certain cases where the part of the annuity attributable to the annuitant's dependents is not actually being received by them; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS (for himself, Mr. PERKINS, Mr. THOMPSON of New Jersey, Mr. HOLLAND, Mr. DENT, Mr. PUCINSKI, Mr. BRADEMAS, Mr. HAWKINS, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr. AYRES, Mr. GOODELL, Mr. REID of New York, Mr. BELL, Mr. SCHERLE, and Mr. STEIGER of Wisconsin):

H.R. 17829. A bill to authorize preschool and early education program for handicapped children; to the Committee on Education and Labor.

By Mr. DONOHUE:

H.R. 17830. A bill to authorize the acquisition and maintenance of the Goddard Rocket Launching Site in accordance with the act of August 25, 1916, as amended and supplemented; to the Committee on Interior and Insular Affairs.

By Mr. MOORHEAD (for himself, Mr. BUTTON, Mr. CORMAN, Mr. DOW, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. FRASER, Mr. GONZALEZ, Mr. KUPFERMAN, Mr. PODELL, Mr. ROSENTHAL, Mr. ROYBAL, Mr. RYAN, Mr. ST. ONGE, Mr. SCHEUER, and Mr. VAN DEERLIN):

H.R. 17831. A bill authorizing the President of the United States to present a gold medal to the widow of Martin Luther King, Jr.; to the Committee on Banking and Currency.

By Mr. MURPHY of New York:

H.R. 17832. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RARICK:

H.R. 17833. A bill to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale, and slate used as lightweight aggregates as a treatment process considered as mining; to the Committee on Ways and Means.

By Mr. ADAIR (for himself, Mr. STRATTON, Mr. DUNCAN, and Mr. HANLEY):

H.J. Res. 1303. Resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as Salute to Eisenhower Week; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.J. Res. 1304. Joint resolution authorizing the President to proclaim annually the first week in March as National Housing for the Physically Handicapped Week; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.J. Res. 1305. Joint resolution to provide for the issuance of a special postage stamp in commemoration of 100 years of higher education for American women; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.J. Res. 1306. Joint resolution creating a Joint Committee To Investigate Crime; to the Commission on Rules.

MEMORIALS

Under clause 4 of rule XXII,

350. The SPEAKER presented a memorial of the Legislature of the State of California, relative to seizure of American fishing boats off South America, which was presented to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 17834. A bill for the relief of Vladko Jumic; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 17835. A bill for the relief of Demetrios Zamakis; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 17836. A bill for the relief of Lugino Dario; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17837. A bill for the relief of Vittorio Perniciaro, his wife, Marie Francesca Perniciaro, and their daughter, Patrizia Perniciaro; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 17838. A bill for the relief of John T. Jenkins; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 17839. A bill for the relief of Daniela Auerbach; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 17840. A bill for the relief of Djurdjica Kuridza; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 17841. A bill for the relief of Dr. and Mrs. Edward Coligado; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 17842. A bill for the relief of Antonino and Nicolina Mannino; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 17843. A bill for the relief of Sister Isabella (Giovanna D'Aprile); to the Committee on the Judiciary.

H.R. 17844. A bill for the relief of Sister Maurilia (Raffaella Di Lella); to the Committee on the Judiciary.

H.R. 17845. A bill for the relief of Sister Corinna (Emilia Cecere); to the Committee on the Judiciary.

H.R. 17846. A bill for the relief of Sister Adelaide (Carmela Ricciardi); to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 17847. A bill to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lillian I. Anderson; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 17848. A bill for the relief of Orlando D'Amato; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 17849. A bill for the relief of Delia Gayla Avecilla; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ABERNETHY:

343. Petition of Edward Moreland, Marietta, Miss., and others, relative to trading with the enemy; to the Committee on Foreign Affairs.

344. By the SPEAKER: Petition of the board of supervisors, County of Kern, Bakersfield, Calif., relative to elimination of welfare residence requirements; to the Committee on Ways and Means.

345. Also, petition of the board of supervisors of the county of Santa Clara, Calif., relative to welfare payments to nonresidents; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

SUPPORT FOR PRESIDENT JOHNSON'S CREATION OF A COMMISSION TO STUDY CAUSES OF VIOLENCE

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BROOKS. Mr. Speaker, day before yesterday, President Johnson issued an Executive order establishing a Commission on the Causes and Prevention of Violence.

I commend the President for taking this needed action.

This Commission, composed of outstanding Americans, will investigate the causes and prevention of lawlessness and violence in our national life. And who can doubt, in light of recent tragedies, that the insights provided by this Commission are desperately needed?

I have great faith in the wisdom of this Commission, headed by Dr. Milton Eisenhower. It is composed of such outstanding thinkers and leaders as Archbishop Terence J. Cooke, of New York; Philosopher Eric Hoffer; Judge A. Leon Higginbotham; Senators PHIL HART and ROMAN HRUSKA; Congressmen WILLIAM MCCULLOCH and HALE BOGGS; former Republican Congressman Albert E. Jenner; and former Ambassador Patricia Harris.

All Americans join with President Johnson in wishing this Commission well. I ask unanimous consent to insert into the RECORD the text of President Johnson's Executive order establishing this important Commission.

The text of the Executive order follows:

EXECUTIVE ORDER ESTABLISHING A NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE, JUNE 10, 1968

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

ESTABLISHMENT OF THE COMMISSION

SECTION 1. (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of: Dr. Milton Eisenhower, *Chairman*, Congressman Hale Hoggs, Archbishop Terence J. Cooke, Ambassador Patricia Harris, Senator Philip A. Hart, Judge A. Leon Higginbotham, Eric Hoffer, Senator Roman Hruska, Albert E. Jenner, Jr., Congressman William M. McCulloch.

The President from time to time may appoint additional members to the Commission, and may designate additional officers thereof.

FUNCTIONS OF THE COMMISSION

SEC. 2. The Commission shall investigate and make recommendations with respect to:

(a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;

(b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and

(c) Such other matters as the President may place before the Commission.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 3. (a) Members of the Commission who are otherwise compensated by the United States for full-time service shall serve without compensation in addition to that received for their full-time service; but they

Mr. Rooney of Pennsylvania in two instances.

Mr. Edwards of Louisiana.

Mr. Eckhardt.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to the enrolled bill of the Senate of the following title:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona;

H.R. 13154. An act for the relief of Dr. Santiago Jose Manuel Ramon Bienvenido Roig y Garcia;

H.R. 13912. An act for the relief of Angeliki Giannakou;

H.R. 16674. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes;

H.R. 17325. An act to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; and

H.J. Res. 1298. Joint resolution authorizing the National Commission on the Causes and Prevention of Violence to compel the attendance and testimony of witnesses and the production of evidence.

ADJOURNMENT

Mr. TIERNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p.m.) the House adjourned until tomorrow, Thursday, June 13, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1934. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period July 1 to December 31, 1967, pursuant to the provisions of section 4 of Public Law 520, 79th Congress; to the Committee on Armed Services.

1935. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

1936. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Georgia: Committee on House Administration. House Concurrent Resolution 785. Concurrent resolution relating to the pay of the U.S. Capitol Police force for duty performed in emergencies; with amendment (Rept. No. 1545). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGER: Committee on Interstate and Foreign Commerce. H.R. 14096. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; with amendment (Rept. No. 1546). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 17808. A bill to provide for the investigation detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 17809. A bill to designate certain lands in the Moosehorn National Wildlife Refuge in Maine as a wilderness; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 17810. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 17811. A bill to amend title 38 of the United States Code, to provide for the rating of certain service-connected disabilities as total for the period during which veterans with such disabilities are entitled to disability insurance benefits under the Social Security Act; to the Committee on Veterans' Affairs.

By Mr. NELSEN:

H.R. 17812. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 17813. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 17814. A bill to authorize the Secretary of the Department within which the Coast Guard is functioning to document temporarily a foreign-built ferry for limited operation in domestic trade; to the Committee on Merchant Marine and Fisheries.

H.R. 17815. A bill to authorize the State of Alaska to operate a foreign-registered ferry vessel between ports of southeastern Alaska and between ports in southeastern Alaska and ports in the State of Washington; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 17816. A bill to amend the Economic Opportunity Act of 1964 with respect to the period of an individual's participation in a work-experience program; to the Committee on Education and Labor.

By Mr. Rees:

H.R. 17817. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 17818. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 17819. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 17820. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 17821. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. COLMER:

H.R. 17822. A bill to provide that the elimination of the duty on mahogany lumber shall take effect at once (instead of in five annual stages); to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 17823. A bill to amend chapter 44 of title 18 of the United States Code to provide adequate regulation of certain sales of shotguns and rifles; to the Committee on the Judiciary.

H.R. 17824. A bill to require the registration of firearms; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 17825. A bill to authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropriated to pay a judgment in Indian Claims Commission docket No. 314, amended, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GURNEY:

H.R. 17826. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 17827. A bill to authorize the Secretary of the Interior to provide school facilities for the education of dependents of persons engaged in the construction of the third powerplant, Grand Coulee Dam, Columbia Basin reclamation project, Washington, and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee:

H.R. 17828. A bill to amend the Railroad Retirement Act of 1937 to provide for a more equitable apportionment of annuity amounts due members of an annuitant's family in certain cases where the part of the annuity attributable to the annuitant's dependents is not actually being received by them; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS (for himself, Mr. Perkins, Mr. Thompson of New Jersey, Mr. Holland, Mr. Dent, Mr. Pucinski, Mr. Brademas, Mr. Hawkins, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Ayres, Mr. Goodell, Mr. Reid of New York, Mr. Bell, Mr. Scherle, and Mr. Steiger of Wisconsin):

H.R. 17829. A bill to authorize preschool and early education program for handicapped children; to the Committee on Education and Labor.

By Mr. DONOHUE:

H.R. 17830. A bill to authorize the acquisition and maintenance of the Goddard Rocket Launching Site in accordance with the act of August 25, 1916, as amended and supplemented; to the Committee on Interior and Insular Affairs.

By Mr. MOORHEAD (for himself, Mr. BUTTON, Mr. CORMAN, Mr. DOW, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. FRASER, Mr. GONZALEZ, Mr. KUPFERMAN, Mr. PODELL, Mr. ROSENTHAL, Mr. ROYBAL, Mr. RYAN, Mr. ST. ONGE, Mr. SCHEUER, and Mr. VAN DEERLIN):

H.R. 17831. A bill authorizing the President of the United States to present a gold medal to the widow of Martin Luther King, Jr.; to the Committee on Banking and Currency.

By Mr. MURPHY of New York:

H.R. 17832. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RARICK:

H.R. 17833. A bill to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale, and slate used as lightweight aggregates as a treatment process considered as mining; to the Committee on Ways and Means.

By Mr. ADAIR (for himself, Mr. STRATTON, Mr. DUNCAN, and Mr. HANLEY):

H.J. Res. 1303. Resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as Salute to Eisenhower Week; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.J. Res. 1304. Joint resolution authorizing the President to proclaim annually the first week in March as National Housing for the Physically Handicapped Week; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.J. Res. 1305. Joint resolution to provide for the issuance of a special postage stamp in commemoration of 100 years of higher education for American women; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.J. Res. 1306. Joint resolution creating a Joint Committee To Investigate Crime; to the Commission on Rules.

MEMORIALS

Under clause 4 of rule XXII,

350. The SPEAKER presented a memorial of the Legislature of the State of California, relative to seizure of American fishing boats off South America, which was presented to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 17834. A bill for the relief of Vladko Jumic; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 17835. A bill for the relief of Demetrios Zamakis; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 17836. A bill for the relief of Lugino Dario; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17837. A bill for the relief of Vittorio Perniciaro, his wife, Marie Francesca Perniciaro, and their daughter, Patrizia Perniciaro; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 17838. A bill for the relief of John T. Jenkins; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 17839. A bill for the relief of Daniela Auerbach; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 17840. A bill for the relief of Djurdjica Kuridza; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 17841. A bill for the relief of Dr. and Mrs. Edward Coligado; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 17842. A bill for the relief of Antonino and Nicolina Mannino; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 17843. A bill for the relief of Sister Isabella (Giovanna D'Aprile); to the Committee on the Judiciary.

H.R. 17844. A bill for the relief of Sister Maurilia (Raffaella Di Lella); to the Committee on the Judiciary.

H.R. 17845. A bill for the relief of Sister Corinna (Emilia Cecere); to the Committee on the Judiciary.

H.R. 17846. A bill for the relief of Sister Adelaide (Carmela Ricciardi); to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 17847. A bill to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lillian I. Anderson; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 17848. A bill for the relief of Orlando D'Amato; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 17849. A bill for the relief of Delia Gayla Avecilla; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ABERNETHY:

343. Petition of Edward Moreland, Marietta, Miss., and others, relative to trading with the enemy; to the Committee on Foreign Affairs.

344. By the SPEAKER: Petition of the board of supervisors, County of Kern, Bakersfield, Calif., relative to elimination of welfare residence requirements; to the Committee on Ways and Means.

345. Also, petition of the board of supervisors of the county of Santa Clara, Calif., relative to welfare payments to nonresidents; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

SUPPORT FOR PRESIDENT JOHNSON'S CREATION OF A COMMISSION TO STUDY CAUSES OF VIOLENCE

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BROOKS. Mr. Speaker, day before yesterday, President Johnson issued an Executive order establishing a Commission on the Causes and Prevention of Violence.

I commend the President for taking this needed action.

This Commission, composed of outstanding Americans, will investigate the causes and prevention of lawlessness and violence in our national life. And who can doubt, in light of recent tragedies, that the insights provided by this Commission are desperately needed?

I have great faith in the wisdom of this Commission, headed by Dr. Milton Eisenhower. It is composed of such outstanding thinkers and leaders as Archbishop Terence J. Cooke, of New York; Philosopher Eric Hoffer; Judge A. Leon Higginbotham; Senators PHIL HART and ROMAN HRUSKA; Congressmen WILLIAM McCULLOCH and HALE BOGGS; former Republican Congressman Albert E. Jenner; and former Ambassador Patricia Harris.

All Americans join with President Johnson in wishing this Commission well. I ask unanimous consent to insert into the RECORD the text of President Johnson's Executive order establishing this important Commission.

The text of the Executive order follows:

EXECUTIVE ORDER ESTABLISHING A NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE, JUNE 10, 1968

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

ESTABLISHMENT OF THE COMMISSION

SECTION 1. (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of: Dr. Milton Eisenhower, *Chairman*, Congressman Hale Hoggs, Archbishop Terence J. Cooke, Ambassador Patricia Harris, Senator Philip A. Hart, Judge A. Leon Higginbotham, Eric Hoffer, Senator Roman Hruska, Albert E. Jenner, Jr., Congressman William M. McCulloch.

The President from time to time may appoint additional members to the Commission, and may designate additional officers thereof.

FUNCTIONS OF THE COMMISSION

SEC. 2. The Commission shall investigate and make recommendations with respect to:

(a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;

(b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and

(c) Such other matters as the President may place before the Commission.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 3. (a) Members of the Commission who are otherwise compensated by the United States for full-time service shall serve without compensation in addition to that received for their full-time service; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law.

(b) Other Members of the Commission shall receive compensation in accordance with law when engaged in the actual performance of duties vested in the Commission. In addition they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703, for persons in the Government service employed intermittently.

STAFF OF THE COMMISSION

SEC. 4. (a) The Commission shall have an Executive Director, appointed by the President, who shall receive such compensation as may be directed by the President in accordance with law.

(b) The Commission is authorized to appoint such additional personnel as it deems necessary, to fix their compensation in accordance with law, and to obtain services in accordance with the provisions of 5 U.S.C. 3109.

COOPERATION BY EXECUTIVE DEPARTMENTS AND AGENCIES

SEC. 5. (a) The Commission, acting through its Chairman, is authorized to request from any executive department or agency any information and assistance deemed necessary to carry out its functions under this Order. Each department or agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

(b) The General Services Administration shall provide administrative services for the Commission.

REPORT AND TERMINATION

SEC. 6. The Commission shall present its report and recommendations as soon as practicable, but not later than one year from the date of this Order. The Commission shall terminate thirty days following the submission of its final report or one year from the date of this Order, whichever is earlier.

ERIC HOFFER COMMENTS ON THE MIDDLE EAST

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. JAVITS. Mr. President, the longshoreman philosopher and newspaper columnist, Eric Hoffer, recently wrote a penetrating analysis of the situation facing Israel in Middle East and world politics. A number of citizens have brought to my attention this thoughtful column which I believe merits our reading. I ask that it be included herewith as part of my remarks:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ISRAEL, AMERICA'S BEST ALLY, MUST LIVE

(By Eric Hoffer)

The Jews are a peculiar people: things permitted to other nations are forbidden to the Jews.

Other nations drive out thousands, even millions, of people and there is no refugee problem. Russia did it; Poland and Czechoslovakia did it; Turkey drove out a million Greeks, and Algeria a million Frenchmen; Indonesia threw out heaven knows how many Chinese—and no one says a word about refugees.

But in the case of Israel, the displaced Arabs have become eternal refugees. Everyone insists that Israel must take back every single Arab. Arnold Toynbee calls the displacement of the Arabs an atrocity greater than any committed by the Nazis.

Other nations when victorious on the battlefield dictate peace terms. But when Israel is victorious it must sue for peace. Everyone expects the Jews to be the only real Christians in this world.

Other nations when they are defeated survive and recover. But should Israel be defeated it would be destroyed. Had Nasser triumphed last June he would have wiped Israel off the map, and no one would have lifted a finger to save the Jews.

No commitment to the Jews by any government, including our own, is worth the paper it is written on. There is a cry of outrage all over the world when people die in Vietnam or when two Negroes are executed in Rhodesia. But when Hitler slaughtered Jews no one remonstrated with him.

The Swedes, who are ready to break off diplomatic relations with America because of what we do in Vietnam, did not let out a peep when Hitler was slaughtering Jews. They sent Hitler choice iron ore, and ball bearings, and serviced his troop trains to Norway.

The Jews are alone in the world. If Israel survives it will be solely because of Jewish efforts. And Jewish resources.

Yet at this moment Israel is our only reliable and unconditional ally. We can rely more on Israel than Israel can rely on us. And one has only to imagine what would have happened last summer had the Arabs and their Russian backers won the war to realize how vital the survival of Israel is to America and the West in general.

I have a premonition that will not leave me; as it goes with Israel so will it go with all of us. Should Israel perish the holocaust will be upon us.

Israel must live!

I AM YOUR FLAG

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. LUKENS. Mr. Speaker, during the nearly 200-year history of our Nation many deep and stirring expressions have come from its citizens in tribute to our national heritage and our national symbols of freedom.

However, I have read very few which so accurately express the feelings of all dedicated and patriotic Americans as the poem, "I Am Your Flag," written by James R. Howerton, the chief of police of Middletown, Ohio.

This poem, Mr. Speaker, has been widely hailed in the 24th District of Ohio; and I include it in the RECORD so that everyone who respects the American flag can read it and meditate upon its profound and thoughtful message.

The poem follows:

I AM YOUR FLAG

(By James R. Howerton)

I have never transgressed upon foreign soil, except to defend the dignity of man;
I have never flown over concentration camps, except when they were free;
I have never flown over a grave except in humble thankfulness;
I have left my shores with young men eager for battle and returned saddened by death;
I have fallen in battle—been grabbed up by eager hands and carried on;
I have gone into battle with young boys and returned with battle-hardened men.

I have draped the caskets of a million fallen warriors—been folded gently and handed to a weeping mother;
I have been carried in victory; but never in defeat;
I have looked down upon kings and all the great men of my time;
I have been burned, cursed, and spat upon.

Yes, you may be disgraced; but I have lived in so much glory that I can never be disgraced.
I belong to no one and yet I belong to everyone.
For I am a symbol of your heritage of freedom.
And so I shall be as long as there is an America.

A NONPOLITICAL SUPREME COURT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. THURMOND. Mr. President, pertaining to the Supreme Court's self-transformed role in our governmental system, I recommend the following articles to Senators.

Prof. Philip B. Kurland's article entitled "Wanted: A Nonpolitical Supreme Court" appeared in the May issue of Nation's Business and is a most commendable essay on the results of a politically appointed Supreme Court. Mr. Kurland illustrates the error in the way of judicial appointments in that they are based on "political proximity to the Chief Executive." It is obviously apparent that many of the best qualified men who should be candidates for appointment are excluded from consideration to make way for an appointment based on political criteria.

In regard to these judicial appointments, an important point brought to light by Mr. Kurland is that the fault in these appointments "lies not alone with the President, for the Senators who treat lower Federal court appointments as personal prerogatives have been willing to leave appointments to the Supreme Court as the personal prerogative of the Chief Executive." Until the Senate exercises its constitutionally granted role of approving Presidential appointments in a manner that demonstrates a requirement for the best qualified men for the vacated positions, the Court will continue to be filled with men with political allegiances to the President.

Mr. Kurland further emphasized the "judicial activism" of the Court in its recisions which reflect an "egalitarian bent" and "the destruction of federalism in the American system by continued depletion of the power of the States." In these areas the Court is clearly legislating in that its decisions are often not supported by the authorities they cite or, otherwise, there is no authority to support a decision, and as stated simply, "the Court has not been honest in the means it has used to support its judgments."

Above all, stresses Mr. Kurland, the Court's decisions should be such to withstand "public scrutiny." Especially now, when everyone is clamoring about our society's respect for the law, the people "will respect the law only so long as the processes of lawmaking, whether by judiciary or legislature or executive, are worthy of that respect."

An excellent article entitled "Supreme Court Wrong Again on School Ruling," written by James J. Kilpatrick, was published in the June 4, 1968, edition of the Evening Star. The author emphasizes the Court's attempt to change "the law of human nature" in its rulings on school integration cases. Mr. Kilpatrick states that the Court has attempted to "coerce human beings into patterns of social behavior that are unacceptable to them" in their thinking that merely by saying "judgment reversed" they can make members of both the black and white races forget their ties and beliefs in the strength of their own race and perceive of only one race. This will never be accomplished by a decree—whether executive, legislative, or judicial.

Also along the same lines the State newspaper of Columbia, S.C., on June 7, 1968, published an excellent editorial entitled "Belief in the Law." The article discusses the Court's decision on the selection of juries as another "manufacture of law."

Mr. President, I ask unanimous consent that these articles be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

WANTED: A NONPOLITICAL SUPREME COURT

(NOTE.—**A distinguished authority tells what has gone wrong with our Highest Court.**)

Appointments to the U.S. Supreme Court are among the most important tasks assigned to the Presidency. And yet the appointments are generally made with the same bows to political expediency as the appointing of local postmasters.

The fault lies not alone with the President, for the Senators who treat lower federal court appointments as personal prerogatives have been willing to leave appointments to the Supreme Court as the personal prerogative of the Chief Executive. Not since Judge John Parker was rejected more than three decades ago has the Senate blocked a Presidential Supreme Court nomination. So seldom do nonpolitical factors play a part in judicial appointments that the surprise of the matter is that we have a Court which is not worse than it is.

The President ought to put aside politics and patronage and seek out only the best talents to staff the Court. Obviously, there is something wrong with a method that allows a Learned Hand to remain a judge on the Court of Appeals, while appointments are offered to a Frank Murphy, to allow a William H. Hastie to remain on a Court of Appeals but give a Thurgood Marshall a High Court seat. The shame of the matter has been that a long list could be made up of the names of those best qualified to do the task of a Supreme Court Justice who were never appointed because political considerations took precedence.

There have been times when a President acknowledged the appropriate standards, as when President Hoover appointed Benjamin Cardozo to the Court. But these have been rare.

It is somewhat strange that those who so vociferously denounce the advanced age of Congressional committee chairmen are so unconcerned about the septuagenarian and octogenarian attainments of Justices of the Supreme Court. Perhaps these critics do not realize that Justice Hugo Black is 82; that the Chief Justice is 77; William O. Douglas, 69; John Marshall Harlan, 68.

When the "Nine Old Men" reached similar distinction, President Franklin Delano Roosevelt proposed to Congress that a new Justice be added to the Court for each of those over the age of 70, on the ground that aged judges are incapable of performing their jobs.

Roosevelt did not need to succeed with his court-packing bill because time was on his side. During his long tenure he appointed eight Justices to the Court, in addition to elevating Harlan F. Stone to the Chief Justice's chair. So, too, is it likely that the next President, whoever he is, will be called upon to make several appointments to the high tribunal. It seems appropriate, therefore, to look at the appointive process now.

CHOOSING THE "RIGHT" MAN

History demonstrates that Presidents have not infrequently named persons to the Supreme Court because the appointees were expected to express judicial views sympathetic to those of the President. This basis for choice has resulted in disappointments.

Joseph Story was appointed by President James Madison to counteract John Marshall's rampant federalism. Somehow Story's Jeffersonian Republicanism disappeared as soon as he donned his judicial robes, and he quickly became Marshall's strongest and most effective ally.

President Theodore Roosevelt carefully checked with Henry Cabot Lodge about what he thought to be Oliver Wendell Holmes' political predilections before putting him on the Court. After one decision, Roosevelt was purported to have remarked that he could have put a banana on the Court with more backbone than Holmes had shown.

President Wilson's fighting, liberal Attorney General, James C. McReynolds, turned into an archreactionary on the Supreme Court.

If one looks at recent history, he will see that of the eight appointments by FDR, four have generally been lined up on the left: Black, Douglas, Murphy and Rutledge. But the other four have been thought to be on the right: Reed, Frankfurter, Byrnes and Jackson.

Of Eisenhower's appointees, Warren and Brennan would be classified as liberal, but Harlan, Whittaker and Stewart are usually regarded as conservatives.

President Kennedy appointed the left-leaning Goldberg, but he also appointed the more conservative White. Only President Truman's designees were all usually to be found to be on the same side. But Vinson, Minton, Clark and Burton were not on the side which Truman was believed to have espoused.

Life tenure for the federal judiciary frequently dissolves political allegiances.

President Johnson may expect that the ideals of the Great Society—whatever they may be—will be furthered by Justices Fortas and Marshall. But time has not yet borne out that judgment.

THE IRRELEVANCE OF RELEVANCE

The error of the way of Supreme Court appointments lies not only in the choice of individuals because of their political proximity to the Chief Executive. Geography, race, religion and the personal friendship of the President are among other factors that have played, but should not play, a part in the making of a Justice.

Nor will the currently proffered Congressional remedy, a requirement of prior judicial experience, afford a rational criterion. For the fact is that the Supreme Court is like no other judicial body. Some of our best Justices never served in a judicial post before appointment to the Court. Many of our worst Justices did have prior service on a lower court.

What is the Court's function? To whom is it responsible and for what? The disparate answers to these questions have made the Warren Court the most divided—and perhaps the most divisive—Supreme Court in American history.

Clearly if you regard the Court as simply another political branch of the national government, expected to make and effectuate policies that it deems desirable, you will seek the same qualities in Justices as you seek in legislators and executives.

The Court, however, is politically irresponsible. Unlike the President and Congress, it has no constituency on whom it relies for return to office. Judicial life tenure was granted, not because the Court was to be a partisan in the political strife that is endemic in our nation, but rather in order to permit it to be above such political contests. And if that basis is in fact nonexistent, then perhaps the time has come to recognize the political nature of the Court and subject its members to the same controls imposed on other political branches of the government. The conflicting ideologies about the function and responsibility of the Supreme Court have been conveniently labeled "judicial activism," on the one hand, and "judicial restraint," on the other.

Two points should certainly be made about this dichotomy. First, the difference between the two is a difference in degree, not in kind. Second, the contest has been one that has been waged throughout our history.

John Marshall faced President Jefferson over the same issues—and won. Taney's Court confronted President Lincoln over the same issues—and lost, although it took a Civil War and three constitutional amendments to establish the defeat of the Court.

The Roosevelt-Court fight derived from the New Deal's objection that the judiciary was engaged in writing their personal predilections into the Constitution. This, the liberals of that era made quite clear, was not the function of the Supreme Court of the United States. Holmes was their hero because he applied a doctrine of judicial restraint.

Things have changed. The liberals who once shouted about judicial tyranny and the usurpation of power by the Court are now proclaiming both the desirability of acknowledging the prime political role of the Court and its immunity from the exertion of political pressures from other branches of the government.

A simple assertion of the right to eat cake and have it, too.

BEHAVIOR OF AN ACTIVIST COURT

If there is one hallmark of the activist wing of the present Court, it is its conception that in Holmes' language constitutionality does turn on the question whether the law under review "may seem to the judges who pass upon it, excessive, unsuited to its ostensible end, or based upon conceptions of morality with which they disagree." There are now on the books a large number of opinions that adopt this position.

And, in the area of statutory construction, this group tends to regard Congressional legislation as a license to spell out its own notions of what the statute should contain. A statute that is unpalatable to the Court and can not be reconstructed to its liking is in danger of falling afoul the limits of the new Constitution.

The hard core of the activist bloc is made up of Warren, Douglas and Brennan, although the Chief Justice and Brennan—unlike Douglas—are a little queasy about all that pornography, Justice Black was once considered a solid member of this group, but its speedy reconstruction of the U.S. Constitution has tended to leave him far behind.

The success of this bloc in the future will depend largely upon recruitment of Fortas and Marshall, on both of whom the liberals are pinning great hopes.

What then are the general purposes to which the activists are committed? One can discern several major themes in the Court's recent efforts. Foremost is the Court's egalitarian bent. In recent years the Court's emphasis has shifted from the vagaries of the "due process" clause, utilized in the past to support business and individual rights, to the equally amorphous commands of the "equal protection" clause, used largely in support of newly created rights of socially and economically disadvantaged groups.

I do not mean to suggest by this that the Warren Court invented the "equal protection" clause as a device for the creation of new privileges that it espouses. Chief Justice Taft found in it a means of preventing state legislatures from restricting the use of labor injunctions.

There are, however, differences between the use of the "equal protection" clause by the Taft Court and its use by the Warren Court.

The primary difference is in the clientele on whose behalf the clause is invoked.

The second major theme of the Court's work is the destruction of federalism in the American system by continued depletion of the power of the states. There is no novelty in this, except in terms of the rate at which it is traveling. After all, there is a major difference between a car traveling at 30 miles per hour and a car traveling at 100 miles per hour.

It should be conceded, however, that if one looks at the role of the Court in American history, he will discover that the primary function of the Court has been to serve as a centripetal force in American government.

The more interesting aspect of the Court's centralizing tendencies has been its husbanding of greater and greater authority to itself, providing compulsory solutions for complex problems that heretofore had been considered beyond the domain of judicial competence.

On a less abstract level, the activist wing has shown its predilections, not in terms of principles, but rather in terms of parties. Between criminal defendants and prosecutors, its partisanship favors the defendants, except where they are such unpopular persons as James Hoffa.

As between labor and government, it favors government; but as between labor and management, it favors labor. Its choice is for the regulatory agency over the regulated industry, and for the tax collector over the taxpayer.

The Antitrust Division of the Justice Department must also win.

Property rights must fall before claims of civil rights

The major defect of the Court, to my mind, however, lies not in the conclusions it reaches so much as in the way that it reaches them.

As two Yale professors noted in the early days of the Warren Court: "The Court's product has shown an increasing incidence of the sweeping dogmatic statement, the formulation of results accompanied by little or no effort to support them in reason, in sum, of opinions that do not opine and *per curiam* orders that quite frankly fail to build the bridge between the authorities they cite and the results they decree."

This, to me, is the most serious charge leveled against the Court. To put it boldly, it is that the Court has not been honest in the means it has used to support its judgments.

The Court's political irresponsibility may be defended on the ground of the need to maintain its independence. However, since it is freed from any obligation to account directly to the electorate, the Court should be obliged to provide adequate explanation for its actions lest fiat be substituted for reason.

THE COURT AND ANTITRUST LAW

In no single area is the misguided direction of the Court more evident than in its development of antitrust law. Professor Milton Handler, one of our foremost experts on antitrust law, both as a scholar and practitioner, has repeatedly pointed out the Court's failings.

The fact would seem to be that this Court is either incapable or unwilling to express such policies as it purports to rest in deciding cases.

A prime example of the Court's behavior is afforded by its creation of the "doctrine" of "potential competition" as an argument for inhibiting corporate mergers under the Clayton Act. If the "doctrine" were a real one, the Court would be required to have and use a good deal more information about the economics of the problems it purports to resolve than it has yet displayed.

Writing in *The Supreme Court Review*, George and Rosemary Hale have appropriately characterized the Court's decisions:

"The Supreme Court's dislike for corporate mergers reached new heights in . . . United States v. Continental Can Co. . . . and United States v. El Paso Natural Gas Co. [in which] the Court made it pellucidly clear that the proscriptions of Section 7 of the Clayton Act extend to situations in which the parties to the proposed merger might become competitors as well as those in which the parties actually are in competition."

They appropriately concluded: "If, as may be the case, the Court is determined to block all mergers at whatever cost in efficiency—a position that is not wholly without merit on political grounds—then it would be preferable for the Court candidly to say so. Manipulation of the concept of potential competition so that plaintiffs invariably prevail can only lead to confusion."

The same criticism, that the Court places political obectives above legal ones, may be made of almost all its opinions in the area of economic regulation.

Two generations ago, the American legal scene was flooded by observations of the legal realists demonstrating that the rules applied by the judiciary were neither inspired nor revealed but simply created. The cult of the robe came under devastating attack, especially by law professors, for two reasons.

First, because the notion of judges as a priesthood propagating the dogma of a faith was just too absurd to be supported by anyone who made a pretence of commitment to the truth.

And second, perhaps, because the courts of that period had tended to align themselves with the propertied elements of the community: "property" rather than "equality" was the shibboleth of the day.

The Supreme Court is no longer aligned with the propertied classes but is rather in the vanguard of the political forces that would elevate the heretofore disadvantaged. This does not, to me at least, mean that the judicial robe has once again become a magic cloak.

The faithful may, with a fervor not unusual among the newly converted, see the clothes on the naked emperor. I find the exercise of power by the current Supreme Court no less naked than the exercise of power by its predecessor, despite the change in clientele.

If that power is not to be denied it, the Court must justify its use, honestly. If there are reasons for the conclusions that the Court is reaching, they should be good enough reasons to stand public scrutiny.

If they are not good enough to stand public scrutiny, they are not good enough.

Wherein lies the fault for the indiscretions that the Court has committed?

First, of course, the responsibility lies on the Justices who have made the decisions.

Second, on the appointive power that has failed to remove the Court from the political arena.

Third, on the national legislature that, in fact, delegates its role of making law to the executive and judicial branches of the government.

Fourth, on the states which have voluntarily become fiefs of the central government.

Ultimately, however, the responsibility lies with the people of the nation. For, as Adlai Stevenson was wont to observe, we tend to get the kind of government we deserve.

This nation, as we would know it, can survive only so long as its people respect the law. They will respect the law only so long as the processes of lawmaking, whether by judiciary or legislature or executive, are worthy of that respect.

As Justice Frankfurter once said: "Fit legislation and fair adjudication are attainable. The ultimate reliance of society for the fulfillment of both these august functions is to entrust them only to those who are equal to their demands."

[From the Washington (D.C.) Evening Star, June 4, 1968]

SUPREME COURT WRONG AGAIN ON SCHOOL RULING

Fourteen years after its landmark decision in Brown v. Board of Education, the U.S. Supreme Court is still unanimous when it comes to issues of school integration. Last week the court spoke with unanimity once more in virtually rejecting the principle of "freedom of choice."

The phenomenon ought to be marked. Of the nine judges who spoke with one voice in May of 1954, only three remain—Warren, Black and Douglas. Two of them—Reed and Clark—have retired. Four have died. The intervening years have seen a string of replacements—Harlan, Whitaker, Stewart, White, Goldberg, Fortas, Marshall. Yet the unanimity remains. If memory serves, not a single dissenting vote ever has been cast in a decision dealing directly with segregated schools.

It is hard to challenge that record. Yet, with respect, some of us who have followed these cases through the years will continue to believe that in one field of law, at least, the court has been unanimously wrong all the time.

This is not to rehash the old issues of constitutional law. It is a large assumption that the Fourteenth Amendment ever was validly ratified; but assume it. The polestar of constitutional construction, as Mr. Justice Black so recently and so piously observed, is the intention of the framers. In this field, the evidence is overwhelming that the framers of the Fourteenth Amendment never dreamed their handiwork would be construed as the court has construed it. Put that to one side as well.

The law that is violated by the court's rulings and especially by the ruling last week, is a different kind of law—a law of human nature. When it comes to ordinary law, the high court can make its writ run effectively. In matters of tax law, labor law, criminal law, no question about it: The court can work its will. But when the court undertakes to coerce human beings into patterns of social behavior that are unacceptable to them, the court is impotent. Fourteen years after Brown, fewer than 15 per cent of Southern Negro children are in integrated schools.

The issue last week involved the public schools of New Kent County, Virginia. There are not but two schools in this small rural county—the New Kent School on the eastern side, the Watkins School on the west. The total school population, in all grades, amounts to only 1,290 pupils—740 Negro, 550 white.

These are not city-type children. The county seat of New Kent is barely 35 miles from downtown Richmond, but it might be 35 light-years away. New Kent's people, most of them, have been there forever. The 1960 census found only 58 foreign born residents in the entire county. Ninety-nine percent of the people are native-born. There is no industry to speak of. Most of the residents, white and black alike, live as they have lived for generations, quietly on their land.

Three years ago, bowing to the new ordinations, New Kent officials instituted a plan of freedom of choice. All the white children had been going to New Kent School, all the Negro children to Watkins. Henceforth they were free to choose. In three years not a single white child has chosen to go to Watkins; only 115 Negro children last year chose to enroll at New Kent.

To the Supreme Court, the figures proved but one thing: "Freedom of choice" is a sham, a mere device by which the county maintains a dual system of schools. No such freedom is allowed. The court's Draconian suggestion was to draw an arbitrary line north and south across the county. All those on the east would be compelled to go to New Kent, all those on the west to Watkins. Next case.

Is it so simple, really to order the lives of human beings? The court's simplistic demand is that New Kent "convert promptly to a system without a 'white' school and a 'Negro' school, but just schools." Splendid! God, the high court and the Constitution look at New Kent County and do not see black people and white people, but "just people." Admirable.

Alas, this is not what the black people and white people of New Kent perceive. They see themselves as they are; and the great bulk of them want to spend their formative years with their own kind. There is no hatred in this, and no vicious sense of white supremacy. It is the way it is. "Judgment reversed!" says the court. But the court, in its own omnipotent fashion, might as well undertake to reverse the orbit of the earth around the sun.

[From the Columbia (S.C.) State, June 7, 1968]

BELIEF IN THE LAW

Mr. Justice Black put his finger squarely on the trouble. The court, he observed from the bench with excusable asperity, "is making new law." He could have said "again," for the manufacture of law has been the Supreme Court's chief occupation for some years.

Black's comment came as his colleagues ruled 5 to 4 that, in capital cases, trial courts may not exclude routinely from jury duty those persons who oppose capital punishment. To do so, said the court, is to deny the defendant his Sixth Amendment right to an impartial trial.

The presumption here, of course, is that the defendant is entitled to be tried by persons who disapprove of the law, a thing the Sixth Amendment's framers surely never contemplated—and for good reason. Their interest was in impartial juries, and impartiality is what the Constitution commands.

That is all it commands. It does not require juries made up, half and half, of Republicans and Democrats It sets no standards with respect to whether the jury accurately mirrors the community sentiment. It guarantees the right to "a speedy and public trial, by an impartial jury." And the courts have held, since 1820, that impartiality requires the exclusion, in capital cases, of persons who admit to prejudice against the legal punishment.

Now the Supreme Court, which appears to enjoy nothing so much as setting a judicial precedent on its ear, has imposed new standards. Are they standards of impartiality? Of course they aren't. How could a juryman with scruples against capital punishment be impartial in a case where capital punishment might be imposed? He couldn't be.

But just for sake of argument, let us assume the court was correct in holding that defendants in capital causes ought to be tried by persons who are, as practical matter, prejudiced against the prosecution. The court so ruled, in part, because studies show that so-called "death qualified" juries fail to represent a cross-section of the public, 30 to 50 per cent of which is said to oppose the death penalty.

Let us skip the obvious objections: that the framers never heard of Dr. Gallup and were concerned, not with popularity, but with justice. Where does this leave us? Public opinion likewise is divided on, for example, narcotics law enforcement. Some contend that narcotics addiction is a sickness and, therefore, that addicts and even narcotics peddlers (many of whom are addicts) should not be charged with any crime. Is every dope pusher entitled to be tried by those who are persuaded that the case should be dismissed?

And down in Mississippi, is every defendant accused of lynching entitled to have a Klansman in the box?

The court does not say. It does not say because it has embarked on another of its sociological field trips, in which expeditions, matters of law and logic have no place. This is to be regretted, as Justice Black suggests. For the court is engaged in social work precisely at a time when the law is most in need of jurists on the bench.

INVESTIGATIVE DETENTION AND SEARCH OF PERSONS SUSPECTED OF A FEDERAL CRIME

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BROTZMAN. Mr. Speaker, on June 10, 1968, the U.S. Supreme Court, in a rare show of near unanimity, handed down an 8-to-1 decision confirming the right of a law enforcement officer to stop and search suspicious persons for a weapon. I am certain that most of us applaud this action by a Court which too often has coddled the criminal and ignored the dangers faced every day by law enforcement personnel and our citizens.

Chief Justice Earl Warren in writing the Court's opinion summed up the situation facing many law enforcement officers. He said:

> We cannot blind ourselves to the need for enforcement officers to protect themselves and other prospective victims of violence in situations where they lack probable cause for arrest. It would be unreasonable to require that police officers take unnecessary risks in the performance of their duties. American criminals have a long tradition of armed violence, and every year in this country many law enforcement officers are killed in the line of duty.

I find myself in agreement with the Chief Justice. Perhaps we can take this decision as an indication that the Court has finally "seen the handwriting on the wall" and is awakening to America's need to return to a solid foundation of law and order.

Mr. Speaker, today I am introducing legislation which will, in effect, write into the United States Code the guidelines handed down by the Supreme Court in this landmark decision.

My bill provides for the investigative detention and search of persons suspected of involvement in, or to have knowledge of, Federal crimes. Basically it provides authority to a Federal law-enforcement officer to stop and detain a person for no longer than 20 minutes if the officer has reason to suspect that the person is involved in a crime. He may search any detained person for a weapon to the extent necessary to protect the officer and others in the vicinity from bodily harm.

During the period of detention the Federal officer may interrogate the detained person only to the extent to request the person's name and address, an explanation of the person's actions, to relate any material facts relating to the crime in question, and to verify the above responses by readily available information.

The bill does provide authority for the law-enforcement officer to use such force as may be reasonably necessary under the circumstance to stop and detain any person. It also allows evidence obtained during the detention, questioning or search of any person admissible in a court of law provided that such evidence was obtained under the provisions of the bill.

Mr. Speaker, the bill which I am introducing today carefully follows the guidelines handed down by the Supreme Court. I think it is important that the Congress lend its support to this decision by putting its principles into the statutory law of the land. I urge that Congress take favorable action on this measure.

ILL-ADVISED BANK BILL

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial from the Richmond Times-Dispatch dated June 7, 1968, entitled "Ill-Advised Bank Bill."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ILL-ADVISED BANK BILL

For nearly a quarter of a century, the Export-Import Bank has played an important role in fostering world trade by lending money and guaranteeing or insuring commercial loans to finance international commerce. The service it provides has become all the more crucial in recent years in view of our balance-of-payments difficulties.

To make its services more effective in combatting those difficulties, Congress expanded the bank's lending authority last summer, by raising the ceiling on the loans it can make from $9 billion to $13.5 billion. That was a sound move.

But now the administration is asking Congress to permit the bank to liberalize its lending policy so that it can begin to finance much riskier trade ventures than it has been allowed to underwrite in the past. The proposal is contained in a bill (S. 3218) which has already been approved by the Senate Banking and Currency Committee.

The bill would permit the bank to make loans and commitments up to $2 billion to underwrite export transactions which "do not meet the test of reasonable assurance of repayment." In the event of any losses, the taxpayer would pick up the tab. (Although the bill specifies that the bank itself would bear all losses up to $100 million, and the U.S. Treasury would absorb whatever is required over that amount "without fiscal year limitation," the money would still come out of the same pocket. Both the bank and the Treasury derive their funds from the taxpayer.)

Virginia's Senator Harry F. Byrd Jr. has assailed the proposed legislation as unwise. He notes that the requirement that loans and commitments must meet the test of "reasonable assurance of repayment"—which the bill would eliminate—"has been a basic part of the bank's charter since 1945."

Without that requirement, and with a new policy of underwriting very risky ventures, Senator Byrd fears that "hundreds of businesses could spring up overnight to take advantage of this bonanza." "And how," he asks, "would the bank draw the line—unless it drew it along the lines of political pressure?"

While the proposal for liberalization is advanced by the administration and its congressional sponsors as another means of attacking our balance-of-payments problem, Senator Byrd doubts that it would accomplish that objective. The problem, in fact, would be adversely affected by loans that are not repaid.

A better way to attack the balance-of-payments problem, Senator Byrd submits, is to control inflation right here at home. And since government spending is a major cause of inflation, it would hardly be wise to authorize up to $2 billion in additional spending to back up risky trade ventures for which there would not be any "reasonable assurance" of repayment.

However well intended, the proposal to liberalize the bank's lending policies is unsound—especially at a time like this when we are in the midst of a fiscal crisis and face a huge deficit even if taxes are increased and spending is cut. Congress should listen to the gentleman from Virginia and reject S. 3218.

IRAN

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ADAIR. Mr. Speaker, His Imperial Majesty, the Shahanshah of Iran will be visiting this country this week. During the course of this visit he has been invited by President Johnson to meet with him.

Though he has been a visitor to our country on many occasions, the most recent being last August, this is the first visit he will have made since his coronation on his 48th birthday last October. Each of the visits has strengthened the bonds of friendship with the United States and its citizens. His coronation was not only a memorable and historic event for the nation which he governs, but for all nations in which free men strive to achieve individual dignity and a higher standard of living as their rightful heritage. This royal event commemorated a reign of more than a quarter century devoted to national growth marked by increased economic, industrial, social and agrarian reform, and improved interchange of trade with the Western World.

It is not often that a nation, its government, and population, in the brief span of 25 years can realize such multiple effects of enlightened leadership as an unprecedented rise in per capita income; the establishment of new industries; the expansion of exports; the introduction of low-cost housing and urban renewal; the growth of hydroelectric power through new dam construction; the broadening of agricultural production, and increased educational opportunities for the entire population. The image is an unmistakable one, that of a people moving forward to take their place in the forefront of nations.

Iran's past, as we all know, was glorious and the birthplace of many great leaders, from Cyrus the Great and Darius, who brought fame and honor to this great country. It is a nation whose 2,500-year history has produced an almost legendary outpouring of delicate art, rich rugs and miniatures, and glittering mosques.

In 1965–66 the "7,000 Years of Iranian Art" exhibit was shown in many of the important cities throughout the United States and literally millions of Americans flocked to see this beautiful and important show. These were the traditional arts of Iran across an almost unbelievable range of 7,000 years. Varied as the many art forms and artistic expressions were, the preference for certain media, the many recurring themes and the closeness to nature in spite of all stylization, supplied a strongly felt unity without a break or a jarring note. These arts were a brilliant testimony to the vitality and resilience of a nation that—in spite of its more than usual share of invasions, pillage, and other hardships—always rose again to cheer its people and the whole world with the undying beauty of its art.

Iran today is an example of social reform and economic development of the Shah and his people on a contemporary path to the necessary changes needed by all developing countries today. Here the basic reforms needed to solve the typical problems facing these countries have been put to work and have made the country a beacon for all to follow. The Shah has led his people on a far-reaching reform program which in less than a generation has brought his once feudal land far along the road to modern democracy.

Among the recent changes which have taken place in Iran are the following:

More than 2,400,000 farmers today are owners of land they have tilled under the old feudal system which has been liquidated;

Profit-sharing arrangements have been worked out to insure a higher income to urban workers in rapidly expanding industries;

Women have been allowed to vote, under the revised electoral laws which has also resulted in a broader base of better informed voters with a wider choice of candidates. To symbolize the equality of women, there was a double coronation when he placed a crown on the head of his beautiful and talented wife, Empress Farah, the first Shahbanou, or Empress, formally crowned since Iran embraced Islam.

Side by side with the emanicipation of women came an all-out attack on illiteracy. In 1962 the Shah estimated that 80 percent of his people could neither read nor write. It was, he felt, a national disgrace in a nation which had traditionally prized learning so highly that the Prophet Mohammed had once exclaimed:

> If knowledge were to be found only in heaven, the Persians would still strive to attain it.

To help them attain it this side of paradise, the Shah in 1962 created a literacy corps. Young men who graduate from secondary school have the option, when they reach the military conscription age of 21, of serving in the corps rather than the army.

Those who enlist are given 4 months' training and then are transferred to the Ministry of Education which sends them to villages, preferably near their own homes. There they teach for 20 months and then are eligible for discharge. Significantly, in the more than 4 years of the corps' existence, 30 percent of discharged corpsmen have volunteered to continue teaching.

When the corpos began to work, Iran had 17,000 rural schools with some 675,000 pupils. Today more than 1,320,000 students are studying at 22,000 rural schools. By 1969, the Shah has predicted, 50 percent of his people will be able to read and write.

Industry, too, has benefited from the enlightened administration. Primed by $605 million in U.S. aid since 1952, new dams have increased the supply of electrical power, scores of light industrial plants have been established, and the foundations have been laid for a petrochemical industry to utilize waste products from Iran's oilfields.

So successful has the U.S. aid program been that in November 1967, it was terminated by mutual agreement with greatful appreciation by the Government and people of Iran. Marking the close of the U.S. aid program, the President of the United States said, in part:

> Since the dark years following World War II, we have moved from emergency economic support to exciting development efforts which have now paid visible dividends. Careful joint planning has had much to do with the success we mark today.
>
> We cannot depart one area without looking toward another that lies ahead. The similarity of needs and mutuality of purpose that Iran and the United States have long shared do not stop simply because Iran's well-being enables it to shoulder greater burdens. Now is the time when even stronger ties become possible.
>
> We will turn our hands now to new fields of cooperation. Exchanges in science and technology, expanded business relations, continued cooperation in development and common determination to work for peace and security—these are but a few of the ways in which Americans and Iranians will phrase their new plans for cooperation.
>
> I join all of you in marking a past that has been so successful. I ask those of you present to begin planting for a new harvest of friendship, trust and shared hopes.

In commemoration of our support, the Shah of Iran has established the Pahlavi scholarship for American students. This will make it possible for 81 American students to go to Iran to study in their universities and live among their people. It is rare and unusual for a country we have aided to say: "Thanks for your magnificent help to restore our economy so that we are now self-sufficient to carry on our economic and social programs with our own revenue"—the objectives of our foreign aid program.

As a result of these reforms great progress has been made, almost from the start, with the result that Iran today is well on the way to joining the more advanced industrial nations of the world. This is due to wise stabilization of its economy and the Government's utilization of its valuable resources. This model chapter of progress is a lesson for all countries to follow.

The gross national product of the country has risen, prosperity and stability have been gained, and, coupled with its great potential, much foreign capital has been invested in this rapidly growing country. It now is a billion-dollar market.

Having completed its third development, the country is already on schedule for its fourth development plan—1968–72.

The fourth plan, covering the years 1968–72, promises to be the most important era of Iran's modern history. Success in those 5 years should take the country to that pinnacle of development that makes sustained growth possible. Quantitatively, the objectives of the fourth plan are to achieve an 8-percent annual growth of GNP; with sectoral targets of 4-percent annual increase in agriculture, 15 percent in industry, 13 percent of oil, and 16 percent of electricity and gas. Social targets are as follows: educational services for 92 percent of urban and 55 percent of rural school-going children at elementary level, doubling the number of university students, tripling the number of students in vocational schools, adding 14,000 hospital beds, and so on, in a word, the per capita income will rise from about $240 at the beginning of the fourth plan to $320 at the end of the plan.

Nonetheless, it is the qualitative objectives of the plan that are of particular importance:

First, the plan aims at solving the perennial problem of the developing countries, that is, the widening gap between the living standards of the rural areas and the urban centers. Since Iran is at the threshold of a momentous change in the economy and have the benefit of other nations' experience, the plan consciously aims at increasing production and productivity as well as social standards in the rural sector. Rural health and educational programs, agricultural sharing companies, and expanding agricultural services to villages are means to that end.

Second, industry, exclusive of oil, will, at the end of the plan, develop to a point where its total share in the economy will be over 18 percent. This calls for a major effort quantitatively, but more importantly, attention will be paid to diversification and substitution on the one hand and emphasis on export-oriented industries on the other. At the same time that heavy and basic industries are created, petrochemical and aluminum industries and an export gas pipeline will be constructed. Thus, by the end of the fourth plan, the structure of the economy will be modernized to allow a higher share of industry in GNP.

Third, preservation of water for industrial and agricultural as well as for generation of electricity is a major target of the plan. The main shortage in Iran's natural resources is water. Therefore, the construction of dams, both small and large, are of strategic importance in Iran's future and long-range development. But water resources should be preserved in areas that are most suited to development requirements; that is, regions of high development potentially must be selected and water must be preserved for such regional development. The fourth plan will emphasize regional development by way of selecting such poles of development which will create a cluster of activities in selected regions.

Fourth, basis to development and tantamount to growth is power generation and consumption in the country. The fourth plan commits itself to change the profile of the country by nearly doubling the generation capacity of the country; it likewise will establish a telecommunication network, microwave system to insure the communications requirement of a modern nation.

All in all, qualitatively the economy will rise to the level of sustained growth and the society will approach the borderline of conditions of advanced societies.

The Iranian people realize that much of the credit for its advancement, prosperity, and worldwide respect belongs to the leadership of the Shahanshah, and they are quick and eager to acknowledge this and to bestow their respect and affection on him and his family.

The United States recognizes this great leader as a true friend of all the free people of the world and is happy to welcome him once again to our shores. We are grateful to count him and his country among the all to few true friends this Nation has in the troubled world today.

DOLLARS AND SENSE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. THURMOND. Mr. President, the State newspaper of Columbia, S.C., published an excellent editorial on Saturday, June 1, 1968. I recommend it to Senators.

The article, entitled "Dollars and Sense," challenges us to examine our present fiscal policy and to beware of the consequences which may follow our current trend.

The editorial points out that the recent tax-and-trim bill will improve America's financial rating and help to strengthen the free world's monetary system, but that more is needed in the future.

The present administration's economic philosophy, while theoretically prosperous for our country, is, in fact, dangerously inflationary, and is a failure as a political philosophy, the same as the Socialist in Great Britain and the Gaullist in France.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DOLLARS AND SENSE

With a well-prepared answer to an obviously anticipated press conference question, President Johnson casually but sadly capitulated.

Yes, he would sign a bill linking a tax increase with a $6 billion cut in spending. The spending cut was $2 billion more than the President wanted. It would take the wind out of some of his heralded Great Society programs, a bitter decision for him in his last year.

It is a decision he was able to make because he is not running for office; it is a decision he had to make or face the fate of Herbert Hoover.

The international monetary community is watching closely to see if America can reduce its bloated budget and stiffen the backbone of the dollar.

Assuming Congress now sends him this tax-and-trim bill, America's financial rating will be improved and the Free World's monetary system strengthened at a time it needs all the help it can get.

But questions will remain: Is it too little and too late? Has America already gone too far down the road to bankruptcy to turn the tide? Indeed, can even a stronger dollar, by itself, bolster the crumbling monetary base of the Western nations?

These are questions full of foreboding. One only has to scan the news from Western Europe to see why they must be asked.

You can't peddle a French franc in the money markets. The strikes, the government crisis, the rioting in the streets, the general chaos in that country have created such uncertainty that nobody wants the billions of francs being offered.

You don't need a seismograph to see the tremors caused by the fracturing of the franc. The devaluated English pound, for one thing, dipped to a new low.

Future troubles lie ahead for all three currencies—franc, pound, and dollar. Labor's across-the-board demands for higher pay and expensive fringe benefits are a major factor in the picture. Powerful unions in the United States, Great Britain and France are either fighting for large boosts or are girding for all-out attacks on basic industries. Union members are so restive that even those responsible labor bosses who would use restraint seem powerless. The trend is decidedly, dangerously inflationary.

What we are seeing here, among other things, is the partial failure of pet economic theories that government can cool and heat up their economics at will by employing various devices. One problem is that no major government operates in a vacuum; another is that the masses have never seen an economics text.

We are also seeing the failure of political philosophies—Socialist in Great Britain, Johnsonian in America, Gaullist in France.

The mischievous machinations of Charles de Gaulle are perhaps as responsible for all of these monetary problems as any other single factor. Now he is getting his comeuppance. But we can't afford to gloat; we're too involved. Only the Communists can smile.

CONSTRUCTION AND THE ECONOMY

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, my good friend and the newly elected president of the Chamber of Commerce of the United States, Mr. Winton M. Blount, delivered an address to the labor seminar of the Associated General Contractors, on May 20, 1968.

Because I felt Mr. Blount's timely and informative speech, "Construction and the Economy," would be of interest to my colleagues and the American people, I commend his speech to the attention of the House and the readers of the RECORD:

CONSTRUCTION AND THE ECONOMY

It's been a pleasure to be here with you tonight. This is my first occasion to speak since becoming President of the National Chamber, and I'm happy that it is with members of my own industry.

There is one drawback, however. An expert is one who is away from home. Since there are so many familiar faces in the group tonight, I can't be an expert. But this shouldn't be too much of a problem—I don't think there are any experts in the field of construction labor relations anyway.

Nevertheless, I would like to muster up my courage and guide you on a brief tour of this battle scarred area tonight in hope that we may find some promising pathways and directions toward improvements in the future.

The need for construction labor reforms is chronic enough, but it has been aggravated to crisis proportions by the nation's current economic difficulties.

It might be well for us to briefly review the curent economic situation as a background for a discussion of construction industry problems.

1968 is a year of decision for the economy—decisions by business, labor and government.

The President started the year by asking unions and business firms to use "rigorous restraint" in their wage determinations this year. He also asked Congress again to enact his tax surcharge bill, and Congress in turn asked the President to cut his $186 billion budget.

Meanwhile, the economy has continued to pick up pace in the face of serious danger signals, the cost of living has continued to edge up and the balance of payments position is further deteriorated. I submit that the American people are ready for some decisions to be made.

As you well know, during this decade America has enjoyed unprecedented economic expansion and prosperity. Starting from a slack in 1960, the economy climbed at a fairly steady pace through 1964, with prices moving up at about one per cent per year.

An upsurge of military spending in mid-1965 upset this balance and increased the demand on the economy. The labor market got tighter and prices started moving up at the rate of 2 to 3 per cent. The demand eased off in the first six months of 1967, but since then—for the last three quarters—it has moved ahead with tremendous momentum, breaking records left and right, and prices have been climbing at the rate of 4 percent.

The excessive demand which in 1965 initiated acceleration, has created a climate of market power for unions and business, and excessive high wage settlements have created a wage-price spiral which threatens to continue for several years to come.

Higher wages tend to push up prices. Higher prices in turn, reinforce demands for higher wages. And so the spiral can continue on its own momentum even when the demand moderates.

A further complication which arises from inflation is that the prices of our goods in the world market also creep up and hurt our competitiveness in the world market. Imports on the other hand, become more attractive. Exports have fallen off in recent years and our traditional trade surplus of exports over imports has deteriorated, further damaging our balance of payments position.

The current problems are the result of the administration's expansionist spending policies and the resulting huge deficits, which have served to keep demand on the economy high. Certainly, the effect of the Vietnam war must be taken into account, but until very recently, there has been little if any tightening of the belt at home as we poured billions into Southeast Asia, and at the same time without restraint continued to pour additional billions into our domestic economy.

There must be a setting of national priorities. We cannot continue to react to every problem that comes up by just creating another federal program that costs billions of dollars without re-examing all of the other things we are doing and balancing our spending with our income. We must add up our needs and lay that against our income and decide which ones we are willing to pay for and not do the rest. In fact, I think it would be tremendously valuable to have a law that we must have a balanced national budget and that would force the discipline of priorities on the government.

We have been spending as if we had all the money in the world and now the consequences have caught up with us.

The best and most effective start on a course of remedy will be the tax surcharge and an accompanying reduction in spending. The administration should exercise some "rigorous restraint" of its own in this area. We are a nation in a hurry. We want to solve our problems now. But in the light of present circumstances, this is just now possible. The only logical approach is a program of government spending priorities, coupled with continued efforts to involve the private sector to a greater degree in public problem solving.

But as we mentioned before, even if the tax increase and spending serve to dampen the demand factor, the momentum of the wage-price spiral could continue, with its adverse effects, well into the future. Thus, the need for more moderate wage settlements.

But as we near the half-way point of the year, there is no indication that unions are responding to such appeals. George Meany told the AFL-CIO convention in Miami, in effect, to get all they can while they can, because wage-price controls may be on the way. In the face of the current economic situation, this sort of attitude is sheer folly and irresponsibility of the highest order, and both business and labor will be feeling the effect of it for years to come.

Certainly, the building trades unions are showing no restraint.

The fifty-three settlements reported to the AGC this year have averaged 9.8 per cent.

Operating engineers in Kansas City got an increase of $2.90 over 3 years—a 20 per cent increase.

Painters in Cincinnati got $1.55 for 2 years—a 17.5 per cent increase.

Plumbers in Medford, Oregon got $1.75 for 3 years after a 14 day strike—a 10 per cent increase.

Pipefitters in Boston struck to get $2.26 for 3 years—a 15 per cent increase—and so on for all crafts in all sections of the country.

Much of Michigan's construction industry is tied up with strikes. The electricians are asking $10.22 per hour and the iron workers want $10.54. How does $100 per day for an electrician sound to you?

The Michigan trades unions are asking an average increase of 26.2 per cent.

The impact of construction wage-price developments on the rest of the economy is so vital that the Cabinet Committee on Price Stability was prompted two weeks ago to issue a statement of "strong concern" at the acceleration of the inflationary spiral which could result from the negotiations in construction in such cities and states as Detroit, Toledo, Idaho, Oklahoma, Washington, and Wisconsin.

After the Cleveland settlements last year at 40 per cent over a 3-year period, a Cleveland machinery manufacturer said later: "Once the construction industry settlement became known, our offer of 6% and 7% per year over 2 years looked like peanuts. Our men struck us for 41 days before they took the offer."

Cleveland Transit System officials blamed the construction industry for their own high settlement of 8 per cent. They had to raise bus fares a nickle after that contract—a good example of the way wage increases directly affect prices and the public.

In 1967, industry-wide construction settlements exceeded 7 per cent—about one-third larger than the average of 5½ per cent for the entire economy.

The amazing thing is that these increases are coming in the face of the poorest productivity record of any major industry in the nation.

Figures compiled by the Council of Economic Advisers show that output per manhour in the field of contract construction actually declined three-tenths of a per cent during the period from 1959 to 1966. No other industry showed a decline in productivity and most showed gains in the neighborhood of 3 to 5 per cent.

The poor productivity is due to a number of factors, including strikes, work stoppages and slowdowns; featherbedding and work restricting practices, use of overtime to meet schedules, inefficiency of workers who knew they can hop to another job easily, the increased age of craftsmen, and others.

Despite this poor record, construction wages have risen faster than in other industries, even when there was a slack in demand. During the same 1959 to 1966 period, compensation per man hour increased an average of nearly 5 per cent per year, and has been even greater in the past two years.

This pattern of low productivity and high wage increases spreads inflation throughout the economy, pushing up the cost of industrial plants, homes, stores, schools, hospitals, and other buildings.

Construction is characterized by economists as one of the so-called "bottleneck" industries which, because of low productivity and high wages and prices, particularly aggravate inflationary trends.

There has been some urging of federal regulation of these bottleneck industries, and I fear that unless we are successful in bringing construction trade unions under control and holding down wage settlements while at the same time opening the way for technological advances, then we will soon lose our industry to federal controls.

At this point, the idea of bringing wages under control—even if by federal regulation—may sound attractive to some. But I believe this would create far more troubles for the industry than good. The problems we face are so far-reaching and complex, so interrelated with a number of various factors, that they cannot be dealt with by government edict. Controls would cripple rather than liberate the industry.

We would, however, welcome government efforts that would help us solve our own problems, working with the industry to find broad solutions. Government could make worthwhile contributions, for example, by anticipating adverse trends, suggesting various correctives and helping to create enabling machinery.

In seeking solutions, I believe there are three broad areas where we need to concentrate. First, we must strengthen our bargaining position; second, help ease the manpower shortage; and third, increase productivity.

Many of our industry problems stem from the very nature of the construction industry, and from various factors which have given the unions such bargaining leverage that today, collective bargaining in construction is nothing more than a farce.

The industry is tremendously fragmented. Contractors are divided and sub-divided into at least 28 national associations. There are some 19 major unions and numerous lesser ones to deal with.

In years past, contracting was largely a local business, and it was natural for collective bargaining to be conducted on a local scale. In recent decades, strong regional and national trends emerged as companies grew in size and expanded their operations over broad geographical areas. In order to avoid the tangle of local agreements, they have negotiated national contracts.

This background has, as you all well know, produced some of the chronic problems which we are having to deal with today. Here are some of them:

1. Exorbitant settlements emerging from the 8,000 local bargaining situations in the construction industry do not attract public attention, for example, the way the national steelworker negotiations will later this year.

2. There are inevitably cases where strong unions and weak associations result in unusually high settlements, and these settlements tend to set the pattern for subsequent negotiations in other areas.

3. When strikes do occur, it often works no particular hardship on the workers. Construction workers are more individualistic, and more mobile than other crafts, and are more likely to pick up and move to another area or state where they can work until the strike is settled. Or, they may be able to go to work in the same area for a contractor who has a national agreement, or individually negotiated agreement, and is not affected by the strike.

4. Whether they have a national agreement or not, contractors from other areas do not have a long-range stake in the outcome of local negotiations and, they often bring pressure for a quick settlement.

5. Because there is a new bid submitted for each new project, it has always been easy for contractors to pass on the higher labor costs to owners.

6. Owners themselves have tended to take a short-range view of construction strikes, pressuring the contractor to get on with construction rather than hold the line against wage demands.

However, I think owners are now fully aware of the terrific impact high construction costs are having on their operations. They are having to examine plant-expansion projects carefully and build only what is absolutely necessary or add units which economically justify high-cost work. Owners are not going to sit idly by and watch construction costs continue to soar without trying to do something about it.

U.S. Steel closed down its Pittsburgh construction projects last year, although it could have continued because of a national agreement. But isolated action here and there is not enough.

There was much fanfare and publicity recently about negotiation of no-strike pledges by construction unions with two companies that wanted to build plants in the St. Louis area and threatened to go elsewhere. This was a farce and a sham. The union contracts already had no-strike provisions and all they were doing were saying they would abide by the provisions of the contract as long as the companies would agree to pay retroactively—in the event of a local strike—whatever ultimate settlement the local bargaining unit happened to make. This just cut the legs out from under the local AGC bargaining group and it simply is a strike-breaking gimmick. This kind of approach by owners is what has made a major contribution to the uneconomic wage increases in the construction industry. Admittedly, owners building multi-million dollar facilities are in a real bind to complete their facility and start getting their money back. But they must be made to realize the very adverse consequences of such a position and that it is in effect, a major contributor to high and increasing construction costs.

What we need from the owners is coordinated action, a solid front in the face of construction demands and strikes. With this in mind, I intend to look into the possibility of the Chamber of Commerce sponsoring a conference of major contractors with chief engineers from the major corporations, to seek more effective methods for owners to help keep wages in line.

I was happy to hear a report from Bill Dunn that we are presenting a solid front in Detroit, that the unions are astounded by the unity there.

It's time for a showdown. It's time for us to realize how weak we are in our splintered condition, and how difficult it is to resist these demands.

If we are not successful in holding down costs, gentlemen, the construction industry is going to suffer. Some major national corporations have decided to channel all their major building to non-union contractors or to set-up construction divisions of their own, and both of these could become larger trends.

How else can we strengthen our bargaining position?

I believe most of us accept the need for elevating collective bargaining more to state and regional levels, and possibly even to a national level. This is, of course, easier said than done. The AGC has been working to widen the geographical scope of the bargaining situations, but progress has been necessarily slow. Efforts have also been made to achieve simultaneous expiration of dates for all contracts in a given area. This is the case in Michigan, where all but one contract expired at about the same time.

These efforts should continue and could stand careful examination to see if there are ways we can speed up the process.

Certainly, one step in the right direction would be to strengthen the ties between the many associations in the industry. The proposal that the industry form a National Federation of Construction Industry Associations certainly deserves the most serious consideration from all of us, and especially from the association themselves. Our fragmentation is part of our vulnerability.

We also should examine new ways that the national AGC headquarters could prepare local negotiators for the bargaining session. Negotiating kits with proposals and counter proposals which have worked in other areas, statistical information to use in arguments, and other resource material, would be tremendously helpful.

Labor unions use this tactic. When they go into a bargaining session in Montgomery, Alabama, they have information on how the local in Kalamazoo obtained its high settlement, and other information from national headquarters. Some of the unions are using computers in their headquarters to compile and correlate this sort of information.

We might also give renewed consideration to the possibility of providing floating labor experts for assistance to local negotiators who request it. You can just bet that when the unions come into a bargaining session, they have done their homework and in face of the general unpreparedness of the contractors they will win the bargaining.

We also need to get rid of exclusive hiring halls. J. M. Graney, president of the National Constructors Association, has proposed that hiring halls and referral systems be placed under joint administration and located outside union headquarters and employers' offices.

We also need better industry machinery for settling disputes and for controlling the size of wage hikes.

Graney has also proposed two actions in this area:

1. establish a national, joint arbitration board to keep wage settlements within reasonable limits; and

2. strengthen the National Joint Board for the Settlement of Jurisdictional disputes by imposing sanctions for violations of its procedural rules.

The number of jurisdictional disputes and the resultant picket lines which flagrantly violate the union contracts are disgraceful. The cost effect of this tactic on the part of unions is tremendous. It is not unusual on a job to have one jurisdictional dispute after another in some areas of the country. Even though you appeal to the Joint Board you may get work resumed in three or four days or a week, but the damage is already done. There should be stringent and automatic penalties for these disruptions and costly practices.

Jurisdictional disputes are doing as much as high wages to stifle the industry. William J. Cour, chairman of the National Joint Board for the Settlement of Jurisdictional Disputes, bluntly told members of the building trades unions convention in Miami that if they don't cut down the number of jurisdictional work stoppages, they will commit economic suicide.

He said the large industrial construction customers are "getting fed up with work stoppages and picket lines" and threatening to get rid of the contractors and the building trades unions.

Cour pointed out that 15 years ago the Building Trades Department adopted a policy written into the Joint Board's rules forbidding jurisdictional picket lines and directing non-involved crafts to ignore such lines they are set up. But locals continue to violate this policy.

Cour told them most of the jurisdictional problems could be solved if the unions would adhere to the Joint Board's procedural rules. The problem, he said, demands immediate leadership.

Let's hope that this advice will be effective on the union leaders who heard these statements by Cour.

Construction and industry in general need a law which would authorize federal courts to issue injunctions to force unions to honor no-strike, no lockout contract terms. At the present time, an old law, enacted for a different purpose entirely, prevents federal courts from issuing injunctions against unions. And unions have been effective in getting cases in state courts transferred to federal courts.

These are only a few proposals for strengthening our bargaining position. I hope you will come up with more during this seminar. Certainly we need creative thinking in this area.

The tight labor market is another factor which has given the unions added power to make large settlements. Alleviating this problem should be high on the contractors' list.

The AGC held a conference on this last year, and is working with some of its state and local branches to develop training programs. But too few contractors are involved in this area.

In Philadelphia, contractors and labor unions agreed to sponsor a program, financed through a federal grant, to seek out young Negroes, tutor them to pass aptitude tests, and get them into such trades as sheet metal work, carpentry, plumbing, and other building trades.

A similar program was formed in San Francisco by representatives of labor, community, city and federal organizations, but no contractors are participating.

One of the most successful programs is that of the Workers Defense League, which originally started in New York and now has programs in several large cities.

The group has opened an office with a private grant of $32,000 in 1964 and has since placed a number of young Negroes and Puerto Ricans in the New York City building trades apprentice training programs.

The program consists of recruiting young men, tutoring them for four weeks—3 hours a night, four nights a week, plus half a day on Saturday—in such areas as verbal anallogies, math and spatial relations, to pass the tough apprentice entrance test, as well as providing information to help them get by the personnel interviews.

I cite this example to show the difficulty many of the unemployed persons face in getting into some of the higher craft unions. Contractors who get involved in sponsoring these programs stand to benefit from the added manpower supply, and make a positive social contribution.

Now, briefly, the third area where we need to concentrate is in increasing productivity.

Construction is one of the last handicraft industries, and despite progress in development of earth movers, cranes and other machinery, it has largely remained an unmechanized field.

On the other hand, modern times are bringing about an unprecedented demand for new building. The United States will need 20 million new housing units alone in the next ten years. By the year 2000 we will need double the number of buildings that exist today, plus rebuilding the existing ones. The urban populations in Asia, Africa and Latin America are expected to rise five or six times their present numbers by the year 2000. There are those who have serious doubts about the construction industry's ability to meet these demands.

These expected demands, coupled with the high cost of present construction and other factors, have prompted a significant amount of research—something we have not seen much of in construction. Many technical changes are just around the corner. Much of the research is centered around standardization of components, building systems, greater on-site prefabrication, new materials, more use of computers and more effective management. Large material manufacturers and aerospace firms are showing some interest in entrepneural building, slum renovation and construction of entire new cities. Mobile housing manufacturers are making some breakthroughs. These changes should shake us up and we had better be aware of them.

The construction industry must determine not to impede progress or be bypassed by it. We welcome progress. But unfortunately, our unions often do not.

Vested labor interests are opposing the introduction of new materials and methods. Many unions insist on dismantling and reassembling goods that have been preassembled. And the Supreme Court has backed up the case of carpenters who refused to install prefabricated doors. Work limiting quotas are commonplace.

Efforts should continue to obtain legislation strengthening the ban against secondary boycotts and outlawing restrictive measures and featherbedding. Meanwhile, it is important that the highest priority be given to seeking elimination of these factors through negotiation. Unions must be made to realize such tactics are hurting the industry in the long run, and rather than eliminating jobs, technological advances and increased productivity will provide more jobs.

Construction's labor problems while unique in many ways, are but a reflection of labor problems throughout industry.

Despite the fact that labor unions have a strong and established role in our economy, they still have largely not developed mature and responsible attitudes. Labor leaders continue to promote the concept that unions are fighting for the economic under-privileged.

Our body of labor law, developed in an earlier time when labor was the economic underdog, has enabled labor to grow in power and statue until today—it has achieved a position of dominance over management. The ability of industry to withstand strikes is *decreasing* and the ability of unions to withstand strikes is *increasing*.

Guy Farmer, former chairman of the NLRB, was quoted as saying: "Unions today are the most powerful private institution that exists in our society."

The general public, which has had to suffer through an increasing number of strikes in recent years, has a right to expect industrial peace, and certainly it is in the best interest of the economy.

Congress needs to take a serious look at industry-wide collective bargaining today. Sen. Robert P. Griffin of Michigan has introduced legislation to set up a bi-partisan legislative committee to make such a study.

More specifically, legislation is needed to reform the NLRB and remedial legislation is needed to reverse certain of the Board's decisions.

Among the trends which have emerged from Board rulings in recent years is a tendency to give unions a voice in management decision-making; a trend to expand the scope and impact of strikes, through approval of coalition bargaining and other rulings; and a trend to submerge individual rights in favor of the unions.

We do not seek anti-union legislation. It is important to recognize the tremendous good unions have brought about in raising the standard of living, inducing industry to greater efficiencies, stimulating labor-saving innovations, and opening new market opportunities. The unions had better develop some responsibility for the public interest or some drastic changes will be made.

To achieve a more realistic labor policy, some 40 trade associations, including the Chamber of Commerce and the AGC, banded together in a program of labor law reform. These associations enlisted 150 labor law experts from throughout the United States to prepare proposed revisions in our laws and to document the reasons why such revisions are necessary. These laws are not anti-union, but will provide fair treatment for both sides.

Hopefully, their enactment will help us regain a balance of power in negotiations and make collective bargaining the effective tool it was intended to be.

By way of summary, gentleman, the construction industry is not going to solve its problems overnight. It is moving in the right direction, but it must move faster. It must continue efforts to strengthen its bargaining position, ease the manpower shortage, increase productivity and enact labor law reform.

The health of our industry is in jeopardy. Much depends on your efforts, and all our efforts, to solve these problems. The consequences of failure are too serious. We must succeed. I wish you luck in your efforts here.

RHODESIA: DEEPER U.N. MEDDLING

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that an editorial entitled "Rhodesia: Deeper U.N. Meedling" which was published in the Norfolk Ledger-Star of June 8, 1968, be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RHODESIA: DEEPER U.N. MEDDLING

As was the case with all the earlier punitive actions taken by the United Nations against Rhodesia, the latest turning of the sanctions screw will probably not be as effective as the harsh language indicates.

Enforcement will turn on member nations' individual decisions, for one thing; and for another, the Rhodesians have proved themselves adept at adjusting to the various moves against them and finding means to circumvent the barriers.

Even so, the unanimous action by the Security Council—calling for total severance of trade and travel links with the break-away British territory—is the most sweeping yet. And for that very reason it must be considered the greatest lapse of good judgment yet on the part of the U.N. powers that approved the intervention—including the United States.

At either of two levels, the United Nations' attempt to bring down the government of Prime Minister Ian Smith is intrusion into internal national affairs that are beyond any rightful authority of the organization.

At one level, this is a matter strictly between the British home government and a member of the British system which has chosen independence. Whatever Whitehall chooses to do about its rebellious offspring is its own business, unless the action infringes upon some other member of the international community. The mere fact that Prime Minister Wilson wants U.N. chastisement of Rhodesia to help him bring the African territory under British control again is no reason at all for the U.N. to comply.

Considered at another level—which is closer to the reality of the Afro-Asian demands which have plunged the U.N. so deeply into the situation—this is a matter of outside action to change the internal policies of Rhodesia itself. It is the Rhodesian political arrangement, with its system run largely by whites in a predominantly black country, which has brought most of the angry agitation from beyond Rhodesia's borders. Not that Rhodesia doesn't have a timetable for enlargement of the Negro role but it is too slow to suit the African nationalists and others who think all racial problems should be solved immediately.

But the fact is that racial relations all over the world are in various stages of development, and it is the sovereign prerogative of each nation to work out the matter for itself.

It is not the business of the U.N. to police the activities of any of its members in this or any other internal matter.

HOW BLACKIE AUGER KEEPS HIS HEAD ABOVE WATER

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. GALIFIANAKIS. Mr. Speaker, unusual business success stories are of profound interest to everyone. One of the most outstanding examples of such success in recent history is that of Blackie Auger, the Washington restaurateur. Harriet Douty depicted this American success story in the May 19 issue of Potomac magazine.

The article follows, and I commend it to my colleagues:

HOW BLACKIE AUGER KEEPS HIS HEAD ABOVE WATER

(By Harriet Douty)

In the summer of 1946, Ulysses G. (Blackie) Auger and his wife, Lou, came home to Washington, borrowed $2000 on his mother's home and went into the restaurant—actually, noontime hotdog stand—business at 22d and M streets nw., just across from where his present, 1000-person-capacity House of Beef stands today.

Auger, now 47, recalls that he didn't like the business—"it was very depressing". He has retained some of this love-hate feeling about it ever since. His immigrant father had watched "at least 10" restaurants collapse in ventures around Washington during Blackie's youth (failures which Blackie ascribes to his father's desire to do everything instead of "using a system"), yet he had been insistent that his son go into the business himself.

But it took a strike at the Los Angeles *Examiner* in 1946, putting pressman Auger out on the street, to get him behind a hot stove at The Minute Grille.

Today Blackie Auger's assets may be well over $10 million. There are two new Cadillacs in the family every year (license plate UGA on one).

Over the years, he has acquired 21 restaurants and coffee shops, two-and-one-third apartment houses, one-tenth of the Mayflower Hotel (where he had once worked as a busboy), 65 pieces of property (listed on the 1968 tax rolls), plus part interest in around 16 others ventures with close friends D. F. ("Nic") Antonelli (the parking lot magnate), Angelo Puglisi and William Cohen (realtors), and others. He also acquired considerable stock in various Panamanian concerns, and 50 per cent in the Swiss Budget-Rent-a-Car.

This spectacular rise would put Blackie at the head of his Central (Cardozo) High School class—if he hadn't dropped out of it at the age of 17.

Between 1946 and 1958, however, when what is now called Auger Enterprises began to skyrocket, were long years of privation, rooming houses, uncertainties, and Friday afternoon dashes over to Rosslyn to borrow enough money to meet the payroll.

In those days, Lou, a first-generation American of Danish and French stock who was poorer in her childhood than Blackie and perhaps more ambitious, owned one black skirt and one white blouse, her uniform in the restaurant. Today, casually draped in fur, Lou Auger has the natural grace and concern for others that form the basis of good breeding. Today, she asks rhetorically: "What did I need a lot of clothes for? We spent every waking moment in the restaurant."

Sleeping moments were spent there, too. Until 1956, when they moved into their first home, the Augers, like many small shopkeepers, lived above the restaurant. Their bedroom was where the upstairs ladies room is today. Now they live in a twelve-room house on Normanstone Drive, in the wooded area between the Shoreham Hotel and the British Embassy. Their neighbors include former Postmaster General Larry O'Brien and Inter-American Development Bank President Felipe Herrera. John Lindsay, when he served Congress, lived a few doors down.

If the restaurant, with its heavy furnishings, Tiffany lamps, old song sheets, paper money and autographed pictures of Hubert Humphrey and others, is Blackie's domain, Lou holds sway in the home. Everything is white, light, airy, an incongruous setting for the dark, stocky Blackie, who looks like a former prizefighter or football player despite a lifelong disregard for athletics.

Delicate chandeliers hang from the ceiling. Reproduction statuary studs room and lawn. In the study, still Lou's domain since Blackie's one relaxation is gin rummy, the bookshelves are filled with good intentions unrealized—uncreased Book-of-the-Month-Club selections on *The Age of Voltaire*, George F. Kennan's thick *Memoirs*, *The Territorial Imperative*. Tucked between these heavy tomes is an assortment of modern novels that has been carefully inspected by Lou Auger. Lou Auger is in the revision stage of a 560-typewritten page novel she has written about an ambitious young woman who makes good.

The original restaurant. The Minute Grille, was more properly a diner than a restaurant, featuring everything, specializing in nothing and existing on a hand-to-mouth basis for three years. Then the lease was terminated.

With the financial help of Floyd D. Akers, then, as now, president of neighboring Capitol Cadillac-Oldsmobile, Blackie and Lou rented the place across the street—at double the rent for double the seating capacity.

Auger's recollection of this first introduction into the higher realms of Washington big-wheeling financing is revealing. A little of his personal style and more than a little of his life-style are apparent in the anecdote. He still calls longtime business associate Akers "Mister Akers."

When he operated The Minute Grille, "Mr. Aker'd come in every solid single day," Auger now recalls. "I'd take care of him to the best of my ability . . . He eats ketchup on everything. In those days, you'd buy ketchup by the No. 10 can. But I'd run down every day and buy a 28-cent bottle of ketchup . . . every day . . . because Mister Akers would put half the bottle on his 25-cent egg-salad sandwich . . ."

"But, you know," Auger says now, "you're very honored to have a man of this caliber eating in your place every day. Well, Hawkins, I think his name was, owned the land where the Grille was and one day he said 'You have first option to buy for $55,000' and I didn't know what first option meant . . . and I asked Mister Akers what it meant and we got to talking. . . .

"Sometime after that, I found out I couldn't continue the place going on account of health problems and I found out I could buy across the street and I talked to Mister Akers and one day I got into this big chauffered automobile and he just said, 'How much do you have, boy?' . . . I was just 26 years old . . . and I didn't own a suit . . . I had to borrow a coat from a cook in a place down the street and we got into his car to drive to The American Security & Trust and Mister Akers, after three years of my waiting on him every day said, 'What's your name, Blackie?' "

In 1968, Blackie Auger's two family Cadillacs come from Mr. Aker's auto firm.

At the new site across the street, the Grille continued on what Blackie now recalls was still a hand-to-mouth existence until 1953, when he hit on the moneymaker: beef.

The timing was right. Meat, which had been in short supply during the aftermath of the Second World War and Korea, was coming back on the market. From 1953, Blackie specialized in beef. In 1955, he developed the "set" (unchanging) menu, now a feature at many steak houses. The set menu calls for beef, beef, and more beef, and never mind about the vegetables—baked potatoes and peas, plus a salad laced with "Blackie's own" French dressing which tastes little different from the bottled kind.

Blackie bought a cut of beef and sold it barely above cost. His customers, who had been used to poring over menus "as thick as the telephone book' were told, gruffly, "You eat beef or you don't eat nothing." They ate beef. They told their friends about the little restaurant that sold beef cheap.

In 1955, the restaurant, for the first time, was open for supper. Blackie used to stand out on the sidewalk and hustle in people who took one look at the then-small restaurant with its outsized sign and turned up their noses. "Come on in," he would say. "If you don't like it, I'll pick up the tab."

Today, businesmen invade the place at lunch, tourists and suburbanites flock to it in the evening. Blackie still prides himself on giving value for your money, a fact not disputed by more serious restaurateurs who regard Blackie's success with a mixture of envy and disdain. Blackie looks at it this way: "You can get a rug, a tablecloth, a free parking place, a drink, and a steak for under five dollars."

Although this formula may not appeal to the serious diner, it does appeal to thousands of meat-and-potatoes people who like their steak plain and find the startling juxtaposition of objects appealing: the deeply carved Spanish chests next to the Victorian chairs bought at the dismantlement of the Capitol Theater; the mellow Old-Masters-type paintings alongside inexpensive French art; the stained-glass windows from Christ Church, Washington, letting in light to illuminate the Tiffany lampshades brought for $8 apiece when nobody else wanted them. Much of the furnishings are acquired, cheaply, through Blackie and Lou's friendship with "the wreckers," who often give them advance notice of an approaching demolition. One leading gastronome invariably takes his mother-in-law to Blackie's whenever she's in town. "Tourists want to feel that they're in a big city," he reports. "They like the decor at Blackie's, the crowds. Blackie's makes them feel . . . urban." Many would probably be surprised to discover that, gastronomically, Blackie's ranks low on the list of Washington restaurants.

In fact, Blackie is not so much a restaurateur as a manager. "I can go into a restaurant and in three minutes tell someone what he's doing wrong," he states. Although Blackie struggles for words, he sometimes comes up with telling analogies. "Take an artist. He can capture someone's looks in three seconds while it might take someone else three hours and he *still* wouldn't get it right. It just doesn't come natural.

"I'm in the restaurant business because it comes natural," says Blackie (who picked up his nickname in the Army from a group of southern boys who couldn't pronounce Ulysses . . . Hey, you with the black hair. Hey, Blackie!) "I'm offered four restaurants a week, but I'm not interested anymore. Buying old restaurants is like buying someone else's headaches. I only want *new* restaurants in buildings. And they must have parking."

If a restaurant does not pay for itself, Blackie gets rid of it. He recently got rid of the Black Gun, one of his first acquisitions after it developed personnel and equipment problems. As he did also with Pierre's, an old French restaurant at Connecticut and Q streets nw., which Blackie took over in 1966 (along with the Oyster Bay and the DeLuxe) in payment of a debt.

Critics who for years had said, in effect, "Blackie is fine as far as he goes, but I'd like to see him run a *real* resturant," watched with satisfication as the service and food at Pierre's, never up to its elegant decor, deteriorated, then stopped. After two months and with a $125,000 loss, Blackie closed the restaurant, attributing his failure to old equipment, rats and parking difficulties.

Now he concentrates on what he calls "fast-service restaurants," in reality cafeterias doctored up to give the feel of a restaurant. These are often combined with a separate bar, as in the Black Bird, the Black Beret, and the Black Russian, a concept that got him an innovation award at the 1964 Chicago Restaurant Show.

The year 1954 marked the first of 12 expansions at Blackie's House of Beef which have left the original restaurant far behind. It's the foyer today. "There were too many lines," Blackie says, recalling the wait to get seated, to reach the restrooms, to pay the bill. "We had to expand."

Expansion was risky business. To the casual eye, it indicated prosperity; indeed, it was a sign of prosperity of a sort. But much could be wiped away if Cities Services, which owned the property Blackie's stood on, decided it wanted the land for its own use. To feel completely secure, Blackie had to own the land, and this did not happen until 1961, by which time he had put more than $200,000 into the restaurant. "The day before I got the land, my business was worth nothing. The day after, it was worth one million dollars." Today he estimates it is worth $1.5 million, although it is mortgaged at $600,000.

To insure himself a place to move should the lease not be renewed, Blackie bought his first piece of property in 1956, catty-cornered across from the restaurant. He has been buying land ever since. The instinct by which he runs his life dictated that the run-down area bordered by Connecticut Avenue and Georgetown, Pennsylvania Avenue and P Street nw., would be valuable one day. Two-thirds of his property is in that area.

Slum land meant cheaper land. Slum land also meant land that was zoned for two-story private dwellings—a factor that keeps Blackie's land taxes low, which suits him just fine. The combined assessed value—generally 55 per cent of what assessors consider the real value—of Blackie's 45 properties in that area listed on the 1968 tax rolls, amounts to $878,669. "If they think the land's worth $20 a square foot, that keeps my taxes low. But I wouldn't sell the land for $20 a square foot. I wouldn't even sell it for $30 a square foot. But at $40 a square foot, the land would be worth an estimated $3.9 million.

Most of the land is heavily mortgaged. Take, as an example, an M street property Blackie "bought" in 1959 for $149,000. He paid $2000 down and hasn't paid a penny since. He has, however, forked out $90,000 in interest, which is tax deductible. Today, he figures, the land is worth $642,000, so if he sold it tomorrow, he'd make a profit of $403,000.

Blackie calls this procedure "buying by note," or an "Auger-Antonelli deal with no money down," memorialized in an Auger Enterprises corporation, A–A, Inc.

This kind of operation requires good credit and a cash-flow business with enough money coming in to cover taxes and interest. Nick Antonelli gets his from the parking lots. Blackie get his from the restaurants. Blackie's land philosophy is "buy and hold"—hold until the zoning regulations change and the land is ready to be developed. No real developer himself, he's no slum landlord either. "I can't spend my time collecting rents. Anything that takes too much time is a liability." He lets houses sit as they are until "trouble develops with the D.C. code." Then he tears them down. An official at the Licenses and Inspection Department reports: "As far as I know, he's not in the slum business."

For a man in his income bracket, Blackie feels that the only way to make money today is through capital gains tax and depreciation. Land is not depreciable, but the profits from the sale of property used for exchange or business purposes (as opposed to speculative purposes) are taxed at a rate as much as 55 per cent lower than ordinary income. Apartment houses, restaurants, and the like are depreciable. The first Blackie-conceived-and-built apartment house, Embassy Square, at 20th and N streets nw., will be open for rentals this month. Blackie tries to keep an inventory of depreciable items to keep his income low.

Despite this wheeling and dealing, one gets the impression that it's just paper money to him, that despite his statement that he hates the restaurant business, his only real love is the original place, the House of Beef, which he nurtured along.

He still puts in 12 hours a day (to Lou Auger's 6 or 8) at his restaurant office, behind a screen of receptionists and secretaries that makes him about as accessible as an Oriental Potentate. What drives him on? "Just trying to make a living." He expands: "Everybody has their own vicious circle. I build apartment houses to get depreciation to offset the revenue from my restaurants. I probably don't eat any better than most people. I'm just trying to keep my head above water."

Blackie Auger is so busy trying to keep his head above water that he hasn't time to get involved in the civic activities that attract many successful businessmen. "I think most people turn to civic activities when they've organized their lives so much that there's not much left for them to do."

Still, he does his part, through contributions to the Maret school where he has sent his three children to insure them the fine education that he lacks.

(His eldest son, Gregory, now at Denver University, is about to go off to the famous Hotel Restaurant school in Lausanne, Switzerland—"And I never pushed him," says Blackie. "I think that's one thing I didn't like about the restaurant business when I was young . . . my own father and mother always telling me to go into the business. But I've never said a word to my boy.")

This past year, he played a role in the United Giver's Fund but, as a rule, Blackie Auger, uneasy in public, likes to operate from behind the scenes. "Look at it this way. If I get on the City Council, or on the board of my church, I end up with a lot of people hating me. But if I help someone I know get on the Council or the board, then I don't get a lot of people hating me.

"Look at it this way," he repeats. "I feed 5000 Republicans and Democrats a day. How can I get involved?"

JOBS FOR THE UNEMPLOYABLE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. THURMOND. Mr. President, the Columbia, S.C., Record recently published an editorial of significance on unemployment which I would like to call to the attention of Senators.

The editorial, entitled "Jobs for the Unemployable," dated May 27, discusses the unfavorable consequences that can arise from the "nationwide effort to supply gainful occupation to the poor" unless the employment programs are properly administered. As pointed out, the problems which accompany the lowering of job standards in order to provide jobs for unqualified unemployed are often absenteeism which "slows down production, increases expense, and lowers quality," increased turnover of workers, and lack of discipline. The deficiencies of the workers thus result in increased and added expenses to the companies employing such improperly administered programs of employment.

The emphasis of the editorial pointed to more favorable results that can be achieved when employment programs are supplemented by proper training of the employees.

Therefore, the creation of jobs for unemployed because they are merely unemployed is not the right solution, but previously unemployed persons must first be sufficiently trained before given new jobs or additional training should be given these persons upon starting the job in order to qualify them.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOBS FOR THE UNEMPLOYABLE

During the early rush of World War II construction at Fort Jackson, many marginal workers employed for the six-day week did not show up on Saturdays. A council on the problem produced a solution by raising wages. But when the pay was increased, the hard-core unemployable, as they are called today, stayed off the job not only on Saturdays, but on Fridays also.

As a nationwide effort to supply gainful occupation to the poor, the unschooled and the unskilled gains momentum, absenteeism is one of the greatest obstacles. It slows down production, increases expense, and lowers quality.

The Wall Street Journal tells the story of a home appliance plant in the Chicago area which turned to the hiring of "disadvantaged" workers when its traditional manpower pool ran dry.

In order to qualify more applicants, it lowered hiring standards in education, physical fitness and morality, but as slum workers multiplied, turnover in the hourly ranks leaped from an average of 18 per cent to 61 per cent. At one point, the company was losing 8 per cent of its newly hired workers after one day of work and 22 per cent were leaving after the first week. Daily absences jumped from 2 per cent to 8 per cent.

Lack of discipline was another headache. Some men slept on the job, some drank, some either consumed or peddled narcotics, and some engaged in heated arguments or fist fights in wash rooms and parking lots.

Deficiencies of the workers cost the company hundreds of thousands of dollars for scrap, rework and training. Administrative expenses also soared to keep up with absences, turnover and garnisheed earnings.

Many of the difficulties were lessened by changes in employment and training practices. Workers were more thoroughly indoctrinated in their jobs by personalized instruction. A counseling program was established. Regular attendance was stressed. New educational and training opportunities were opened.

Turnover and absenteeism were substantially reduced. Quality of workmanship improved. Performance still did not measure up to the period before "unemployables" were hired, but the work force is becoming increasingly stable and competent.

One of the most effective programs for helping the people of the ghettos is conducted by the Opportunity Industrial Center, which is headed by the Rev. Leon H. Sullivan, a Negro pastor in Philadelphia.

While it offers education, training and orientation, it particularly emphasizes to its clients that they must be regular and punctual in their work and turn in a full day's job every day.

Much has been said about the value of schooling and skill, and these cannot be overrated. But many jobs are looking for people with only the primary requisites of punctuality, diligence, loyalty and honesty. Employment is going begging for men and women who will measure up to these simple qualifications.

BALANCING ORDER WITH LIBERTY

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BETTS. Mr. Speaker, during the past 7 years, crime in this country has increased by 88 percent. And during the last year, crime increased 16 percent. Crime is a serious problem.

In this time of crisis, it is gratifying to hear that the Supreme Court has given its stamp of approval to reasonable tools of law enforcement. Last Monday, the Supreme Court, in an 8-to-1 decision, upheld the power of the police to "stop and frisk" suspicious persons.

Although these decisions might have come as a surprise to some, I proudly point out that the thrust of these decisions was anticipated by the 13 cosponsors of H.R. 16908—all Republicans and led by the ranking Republican member of the Judiciary Committee, the gentleman from Chio [Mr. McCULLOCH], and the minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

The bill which they introduced on April 30, 1968, lays down clear guidelines for law-enforcement officers which pass the test of constitutionality with flying colors.

I hope that the insight that my Republican colleagues showed on April 30, and the Supreme Court showed on June 10 will finally come to the Democratic side of the Judiciary Committee so that we are given a chance to act on H.R. 16908.

There are many fancy theories about the crime problem. But perhaps if we caught more criminals, there just might be less crime.

Mr. Speaker, in today's Washington Post there appeared a timely editorial on this vital issue. The editorial gives a good analysis of the issues inherent in "stop and frisk" practices. I share with the author of this editorial the hope that some day we will find that crime is a small problem so that in the land of the free we will find freedom from fear.

Mr. Speaker, I include this editorial in the RECORD at this point:

BALANCING ORDER WITH LIBERTY

The idea that the Supreme Court is unconcerned about the crime situation in the country and spends its time finding new ways to set criminals free ought to be laid to rest by the decisions Monday involving so-called "stop and frisk" laws. Indeed, the opinions by Chief Justice Warren are clearly designed to help policemen stop crime before it occurs and to protect themselves in the process. Those opinions strike a careful balance between the arguments of those who contend the police need vast new powers to stop people on the street and those who contend that granting such powers would lead the Nation towards a police state. As such, the Court's decisions provide a standard which is unlikely to be fully acceptable to either side but which seems to be a wise answer to the problems that exist today.

The rule the Court has established is that a policeman can stop a suspicious person if the evidence on which the suspicion is based would convince a man of "reasonable caution" to take similar action. Having stopped a person, the policeman can "pat him down" if he has a reason to think the person is carrying a weapon. The Court makes clear that what constitutes sufficient reason for such a "stop and frisk" will be worked out on a case by case basis. But the manner in which the rule was applied to three situations this week indicates it will give the police greater flexibility on the street while providing considerable protection against harassment of innocent persons.

The problem of the "stop and frisk" laws arises because the Constitution bars arrests unless the police have "probable cause" to think a particular person has committed a crime. Since probable cause means more than just suspicion and since any forcible stopping by the police could be considered an arrest, a "stop" based on mere suspicion comes close to being an unconstitutional arrest and a subsequent "frisk" comes close to being an illegal search. By putting some flexibility into this situation, the Court has refused to be caught in a dual trap. If it had said the police need "probable cause" to stop anyone, the patrolman's ability to head off crime would be almost nonexistent. If it had said the Constitution does not apply until a formal arrest is made, the police would have unlimited discretion to stop anyone for any reason. By ruling that a standard of "reasonableness" governs the legality of a stop and that a cursory search only for weapons may follow, the Court can balance the two great interests of society—stopping crime and preserving some of the essentials of personal freedom.

It is unfortunate that the crime situation is so bad that police are forced to think in terms of "stop and frisk" laws. It is, indeed, a gross infringement on personal liberty to be stopped and searched, even minimally, on the street merely because a policeman thinks you may have committed or are about to commit a crime. It is particularly unpleasant to have such power in the hands of the police when it will be applied inevitably to the poor more frequently than to the rich. But, as the Chief Justice points out, the Court cannot stop the harassment of minority groups by some policemen. Its task is to judge the investigative standards the police apply. Its decision that "reasonableness" ought to guide police action in this area is a proper balance between the demands of order and of liberty. Perhaps, some day, we can live in a society where crime is so small a problem that the demands of liberty can be safely elevated.

LANCASTER CLEFT-PALATE CLINIC

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. SCOTT. Mr. President, the Lancaster Cleft-Palate Clinic, in Lancaster, Pa., founded by Dr. H. K. Cooper in 1938, is famous throughout the world as the pioneer in the modern treatment of cleft-palate deformities. Under the direction of the founder's son, Dr. John A. Cooper, the clinic today is the best equipped and most modern of its kind in the world.

The remarkable story of this clinic and its great achievements is told in an article in the May 1968 issue of Today's Health. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NORMAL LIVES FOR "CRIPPLED MOUTH" VICTIMS

(By Jean Carper)

(NOTE.—Each year, in the United States, about 7000 babies are born with cleft palate and "hare lip." Remarkable strides in the management of these defects now enable these infants to grow up to be completely normal in both appearance and speech.)

One out of 700 babies—7000 a year in the United States—comes into the world with a cleft lip like an open wound and a gaping chasm in the roof of the mouth. Unless corrected, those defects will condemn the child to silence or to unintelligible, garbled speech.

Cleft palate has crippled more people than cerebral palsy and polio put together. Yet, while we are fairly knowledgeable about the causes and treatment of these cripplers, our understanding of cleft palate is still clouded by ignorance, superstition, and hopelessness.

For many years, the unfortunates born with "crippled mouth" were thought to be freaks of the parents' genetic strain and only partially salvageable. Perhaps all of us at one time have looked uncomfortably away from a person with "hare lip" or have been shocked when a normal-appearing person opened his mouth to emit only a nasal jumble of sounds.

Today's cleft palate babies, however, face no such dreary future as social misfits. Thanks to remarkable strides in understanding the causes of cleft palate and in treating its victims, the cleft palate baby can, with proper medical treatment, now grow up to be completely normal in appearance and speech.

The miracle of turning the congenitally deformed into normal human beings is accomplished daily at nearly 100 cleft palate clinics throughout the country. As little as 30 years ago, the usual method of treating a cleft palate victim was simply to sew up the palate and lip or turn him over to a succession of specialists at various stages in his life: to a surgeon; then, later, to a speech therapist; then to a dentist. Such efforts were uncoordinated and often were unsuccessful.

Today's cleft palate children are best treated in clinics which depend for their success on a modern team approach—coordinated, long-term treatment by many specialists working together, including plastic surgeons, pediatricians, orthodontists, prosthodontists, audiologists, speech pathologists, sociologists, psychologists, ololaryngologists, and laboratory technicians.

Harold Westlake, Ph.D., professor of communicative disorders at Northwestern University, who also is associated with the University's Cleft Palate Clinic, has this comment: "Fortunately, the team approach has been generally adopted throughout the country, and no matter where a cleft palate victim lives in this country there is somewhere—usually a clinic—within a reasonable distance where he can go for competent treatment."

(Anyone in doubt about where to take a cleft palate victim for treatment can receive information on local facilities from the National Society for Crippled Children and Adults, 2023 West Ogden Avenue, Chicago, Illinois, 60612. Information also can be obtained through the Society's state and local affiliates, listed in phone directories as Easter Seal Societies. There are 1400 Easter Seal affiliates throughout the country.)

The team approach to rebuilding cleft palate victims was pioneered by Dr. H. K. Cooper, an orthodontist and now director emeritus of the Lancaster Cleft Palate Clinic, Lancaster, Pennsylvania. Doctor Cooper founded the clinic in 1938. Today, under the direction of Doctor Cooper's son, Dr. John A. Cooper, the clinic is recognized internationally as the foremost center of knowledge on cleft palate.

Although Doctor Cooper's pioneering inspired dozens of other clinics, Lancaster is still the only clinic in this country which operates full time—five, and sometimes six, days a week. Other clinics, such as the outstanding ones at the University of Illinois, Northwestern University, the University of Florida, the University of North Carolina, The year 1954 marked the first of 12 expansions at Blackie's House of Beef which have left the original restaurant far behind. It's the foyer today. "There were too many lines," Blackie says, recalling the wait to get seated, to reach the restrooms, to pay the bill. "We had to expand."

Expansion was risky business. To the casual eye, it indicated prosperity; indeed, it was a sign of prosperity of a sort. But much could be wiped away if Cities Services, which owned the property Blackie's stood on, decided it wanted the land for its own use. To feel completely secure, Blackie had to own the land, and this did not happen until 1961, by which time he had put more than $200,000 into the restaurant. "The day before I got the land, my business was worth nothing. The day after, it was worth one million dollars." Today he estimates it is worth $1.5 million, although it is mortgaged at $600,000.

To insure himself a place to move should the lease not be renewed, Blackie bought his first piece of property in 1956, catty-cornered across from the restaurant. He has been buying land ever since. The instinct by which he runs his life dictated that the run-down area bordered by Connecticut Avenue and Georgetown, Pennsylvania Avenue and P Street nw., would be valuable one day. Two-thirds of his property is in that area.

Slum land meant cheaper land. Slum land also meant land that was zoned for two-story private dwellings—a factor that keeps Blackie's land taxes low, which suits him just fine. The combined assessed value—generally 55 per cent of what assessors consider the real value—of Blackie's 45 properties in that area listed on the 1968 tax rolls, amounts to $878,669. "If they think the land's worth $20 a square foot, that keeps my taxes low. But I wouldn't sell the land for $20 a square foot. I wouldn't even sell it for $30 a square foot. But at $40 a square foot, the land would be worth an estimated $3.9 million.

Most of the land is heavily mortgaged. Take, as an example, an M street property Blackie "bought" in 1959 for $149,000. He paid $2000 down and hasn't paid a penny since. He has, however, forked out $90,000 in interest, which is tax deductible. Today, he figures, the land is worth $642,000, so if he sold it tomorrow, he'd make a profit of $403,000.

Blackie calls this procedure "buying by note," or an "Auger-Antonelli deal with no money down," memorialized in an Auger Enterprises corporation, A–A, Inc.

This kind of operation requires good credit and a cash-flow business with enough money coming in to cover taxes and interest. Nick Antonelli gets his from the parking lots. Blackie get his from the restaurants. Blackie's land philosophy is "buy and hold"—hold until the zoning regulations change and the land is ready to be developed. No real developer himself, he's no slum landlord either. "I can't spend my time collecting rents. Anything that takes too much time is a liability." He lets houses sit as they are until "trouble develops with the D.C. code." Then he tears them down. An official at the Licenses and Inspection Department reports: "As far as I know, he's not in the slum business."

For a man in his income bracket, Blackie feels that the only way to make money today is through capital gains tax and depreciation. Land is not depreciable, but the profits from the sale of property used for exchange or business purposes (as opposed to speculative purposes) are taxed at a rate as much as 55 per cent lower than ordinary income. Apartment houses, restaurants, and the like are depreciable. The first Blackie-conceived-and-built apartment house, Embassy Square, at 20th and N streets nw., will be open for rentals this month. Blackie tries to keep an inventory of depreciable items to keep his income low.

Despite this wheeling and dealing, one gets the impression that it's just paper money to him, that despite his statement that he hates the restaurant business, his only real love is the original place, the House of Beef, which he nurtured along.

He still puts in 12 hours a day (to Lou Auger's 6 or 8) at his restaurant office, behind a screen of receptionists and secretaries that makes him about as accessible as an Oriental Potentate. What drives him on? "Just trying to make a living." He expands: "Everybody has their own vicious circle. I build apartment houses to get depreciation to offset the revenue from my restaurants. I probably don't eat any better than most people. I'm just trying to keep my head above water."

Blackie Auger is so busy trying to keep his head above water that he hasn't time to get involved in the civic activities that attract many successful businessmen. "I think most people turn to civic activities when they've organized their lives so much that there's not much left for them to do."

Still, he does his part, through contributions to the Maret school where he has sent his three children to insure them the fine education that he lacks.

(His eldest son, Gregory, now at Denver University, is about to go off to the famous Hotel Restaurant school in Lausanne, Switzerland—"And I never pushed him," says Blackie. "I think that's one thing I didn't like about the restaurant business when I was young . . . my own father and mother always telling me to go into the business. But I've never said a word to my boy.")

This past year, he played a role in the United Giver's Fund but, as a rule, Blackie Auger, uneasy in public, likes to operate from behind the scenes. "Look at it this way. If I get on the City Council, or on the board of my church, I end up with a lot of people hating me. But if I help someone I know get on the Council or the board, then I don't get a lot of people hating me.

"Look at it this way," he repeats. "I feed 5000 Republicans and Democrats a day. How can I get involved?"

JOBS FOR THE UNEMPLOYABLE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. THURMOND. Mr. President, the Columbia, S.C., Record recently published an editorial of significance on unemployment which I would like to call to the attention of Senators.

The editorial, entitled "Jobs for the Unemployable," dated May 27, discusses the unfavorable consequences that can arise from the "nationwide effort to supply gainful occupation to the poor" unless the employment programs are properly administered. As pointed out, the problems which accompany the lowering of job standards in order to provide jobs for unqualified unemployed are often absenteeism which "slows down production, increases expense, and lowers quality," increased turnover of workers, and lack of discipline. The deficiencies of the workers thus result in increased and added expenses to the companies employing such improperly administered programs of employment.

The emphasis of the editorial pointed to more favorable results that can be achieved when employment programs are supplemented by proper training of the employees.

Therefore, the creation of jobs for unemployed because they are merely unemployed is not the right solution, but previously unemployed persons must first be sufficiently trained before given new jobs or additional training should be given these persons upon starting the job in order to qualify them.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOBS FOR THE UNEMPLOYABLE

During the early rush of World War II construction at Fort Jackson, many marginal workers employed for the six-day week did not show up on Saturdays. A council on the problem produced a solution by raising wages. But when the pay was increased, the hard-core unemployable, as they are called today, stayed off the job not only on Saturdays, but on Fridays also.

As a nationwide effort to supply gainful occupation to the poor, the unschooled and the unskilled gains momentum, absenteeism is one of the greatest obstacles. It slows down production, increases expense, and lowers quality.

The Wall Street Journal tells the story of a home appliance plant in the Chicago area which turned to the hiring of "disadvantaged" workers when its traditional manpower pool ran dry.

In order to qualify more applicants, it lowered hiring standards in education, physical fitness and morality, but as slum workers multiplied, turnover in the hourly ranks leaped from an average of 18 per cent to 61 per cent. At one point, the company was losing 8 per cent of its newly hired workers after one day of work and 22 per cent were leaving after the first week. Daily absences jumped from 2 per cent to 8 per cent.

Lack of discipline was another headache. Some men slept on the job, some drank, some either consumed or peddled narcotics, and some engaged in heated arguments or fist fights in wash rooms and parking lots.

Deficiencies of the workers cost the company hundreds of thousands of dollars for scrap, rework and training. Administrative expenses also soared to keep up with absences, turnover and garnisheed earnings.

Many of the difficulties were lessened by changes in employment and training practices. Workers were more thoroughly indoctrinated in their jobs by personalized instruction. A counseling program was established. Regular attendance was stressed. New educational and training opportunities were opened.

Turnover and absenteeism were substantially reduced. Quality of workmanship improved. Performance still did not measure up to the period before "unemployables" were hired, but the work force is becoming increasingly stable and competent.

One of the most effective programs for helping the people of the ghettos is conducted by the Opportunity Industrial Center, which is headed by the Rev. Leon H. Sullivan, a Negro pastor in Philadelphia.

While it offers education, training and orientation, it particularly emphasizes to its clients that they must be regular and punctual in their work and turn in a full day's job every day.

Much has been said about the value of schooling and skill, and these cannot be overrated. But many jobs are looking for people with only the primary requisites of punctuality, diligence, loyalty and honesty. Employment is going begging for men and women who will measure up to these simple qualifications.

BALANCING ORDER WITH LIBERTY

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BETTS. Mr. Speaker, during the past 7 years, crime in this country has increased by 88 percent. And during the last year, crime increased 16 percent. Crime is a serious problem.

In this time of crisis, it is gratifying to hear that the Supreme Court has given its stamp of approval to reasonable tools of law enforcement. Last Monday, the Supreme Court, in an 8-to-1 decision, upheld the power of the police to "stop and frisk" suspicious persons.

Although these decisions might have come as a surprise to some, I proudly point out that the thrust of these decisions was anticipated by the 13 cosponsors of H.R. 16908—all Republicans and led by the ranking Republican member of the Judiciary Committee, the gentleman from Chio [Mr. McCulloch], and the minority leader, the gentleman from Michigan [Mr. Gerald R. Ford].

The bill which they introduced on April 30, 1968, lays down clear guidelines for law-enforcement officers which pass the test of constitutionality with flying colors.

I hope that the insight that my Republican colleagues showed on April 30, and the Supreme Court showed on June 10 will finally come to the Democratic side of the Judiciary Committee so that we are given a chance to act on H.R. 16908.

There are many fancy theories about the crime problem. But perhaps if we caught more criminals, there just might be less crime.

Mr. Speaker, in today's Washington Post there appeared a timely editorial on this vital issue. The editorial gives a good analysis of the issues inherent in "stop and frisk" practices. I share with the author of this editorial the hope that some day we will find that crime is a small problem so that in the land of the free we will find freedom from fear.

Mr. Speaker, I include this editorial in the Record at this point:

Balancing Order With Liberty

The idea that the Supreme Court is unconcerned about the crime situation in the country and spends its time finding new ways to set criminals free ought to be laid to rest by the decisions Monday involving so-called "stop and frisk" laws. Indeed, the opinions by Chief Justice Warren are clearly designed to help policemen stop crime before it occurs and to protect themselves in the process. Those opinions strike a careful balance between the arguments of those who contend the police need vast new powers to stop people on the street and those who contend that granting such powers would lead the Nation towards a police state. As such, the Court's decisions provide a standard which is unlikely to be fully acceptable to either side but which seems to be a wise answer to the problems that exist today.

The rule the Court has established is that a policeman can stop a suspicious person if the evidence on which the suspicion is based would convince a man of "reasonable caution" to take similar action. Having stopped a person, the policeman can "pat him down" if he has a reason to think the person is carrying a weapon. The Court makes clear that what constitutes sufficient reason for such a "stop and frisk" will be worked out on a case by case basis. But the manner in which the rule was applied to three situations this week indicates it will give the police greater flexibility on the street while providing considerable protection against harassment of innocent persons.

The problem of the "stop and frisk" laws arises because the Constitution bars arrests unless the police have "probable cause" to think a particular person has committed a crime. Since probable cause means more than just suspicion and since any forcible stopping by the police could be considered an arrest, a "stop" based on mere suspicion comes close to being an unconstitutional arrest and a subsequent "frisk" comes close to being an illegal search. By putting some flexibility into this situation, the Court has refused to be caught in a dual trap. If it had said the police need "probable cause" to stop anyone, the patrolman's ability to head off crime would be almost nonexistent. If it had said the Constitution does not apply until a formal arrest is made, the police would have unlimited discretion to stop anyone for any reason. By ruling that a standard of "reasonableness" governs the legality of a stop and that a cursory search only for weapons may follow, the Court can balance the two great interests of society—stopping crime and preserving some of the essentials of personal freedom.

It is unfortunate that the crime situation is so bad that police are forced to think in terms of "stop and frisk" laws. It is, indeed, a gross infringement on personal liberty to be stopped and searched, even minimally, on the street merely because a policeman thinks you may have committed or are about to commit a crime. It is particularly unpleasant to have such power in the hands of the police when it will be applied inevitably to the poor more frequently than to the rich. But, as the Chief Justice points out, the Court cannot stop the harassment of minority groups by some policemen. Its task is to judge the investigative standards the police apply. Its decision that "reasonableness" ought to guide police action in this area is a proper balance between the demands of order and of liberty. Perhaps, some day, we can live in a society where crime is so small a problem that the demands of liberty can be safely elevated.

LANCASTER CLEFT-PALATE CLINIC

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. SCOTT. Mr. President, the Lancaster Cleft-Palate Clinic, in Lancaster, Pa., founded by Dr. H. K. Cooper in 1938, is famous throughout the world as the pioneer in the modern treatment of cleft-palate deformities. Under the direction of the founder's son, Dr. John A. Cooper, the clinic today is the best equipped and most modern of its kind in the world.

The remarkable story of this clinic and its great achievements is told in an article in the May 1968 issue of Today's Health. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Normal Lives for "Crippled Mouth" Victims

(By Jean Carper)

(Note.—Each year, in the United States, about 7000 babies are born with cleft palate and "hare lip." Remarkable strides in the management of these defects now enable these infants to grow up to be completely normal in both appearance and speech.)

One out of 700 babies—7000 a year in the United States—comes into the world with a cleft lip like an open wound and a gaping chasm in the roof of the mouth. Unless corrected, those defects will condemn the child to silence or to unintelligible, garbled speech.

Cleft palate has crippled more people than cerebral palsy and polio put together. Yet, while we are fairly knowledgeable about the causes and treatment of these cripplers, our understanding of cleft palate is still clouded by ignorance, superstition, and hopelessness.

For many years, the unfortunates born with "crippled mouth" were thought to be freaks of the parents' genetic strain and only partially salvageable. Perhaps all of us at one time have looked uncomfortably away from a person with "hare lip" or have been shocked when a normal-appearing person opened his mouth to emit only a nasal jumble of sounds.

Today's cleft palate babies, however, face no such dreary future as social misfits. Thanks to remarkable strides in understanding the causes of cleft palate and in treating its victims, the cleft palate baby can, with proper medical treatment, now grow up to be completely normal in appearance and speech.

The miracle of turning the congenitally deformed into normal human beings is accomplished daily at nearly 100 cleft palate clinics throughout the country. As little as 30 years ago, the usual method of treating a cleft palate victim was simply to sew up the palate and lip or turn him over to a succession of specialists at various stages in his life: to a surgeon; then, later, to a speech therapist; then to a dentist. Such efforts were uncoordinated and often were unsuccessful.

Today's cleft palate children are best treated in clinics which depend for their success on a modern team approach—coordinated, long-term treatment by many specialists working together, including plastic surgeons, pediatricians, orthodontists, prosthodontists, audiologists, speech pathologists, sociologists, psychologists, ololaryngologists, and laboratory technicians.

Harold Westlake, Ph.D., professor of communicative disorders at Northwestern University, who also is associated with the University's Cleft Palate Clinic, has this comment: "Fortunately, the team approach has been generally adopted throughout the country, and no matter where a cleft palate victim lives in this country there is somewhere—usually a clinic—within a reasonable distance where he can go for competent treatment."

(Anyone in doubt about where to take a cleft palate victim for treatment can receive information on local facilities from the National Society for Crippled Children and Adults, 2023 West Ogden Avenue, Chicago, Illinois, 60612. Information also can be obtained through the Society's state and local affiliates, listed in phone directories as Easter Seal Societies. There are 1400 Easter Seal affiliates throughout the country.)

The team approach to rebuilding cleft palate victims was pioneered by Dr. H. K. Cooper, an orthodontist and now director emeritus of the Lancaster Cleft Palate Clinic, Lancaster, Pennsylvania. Doctor Cooper founded the clinic in 1938. Today, under the direction of Doctor Cooper's son, Dr. John A. Cooper, the clinic is recognized internationally as the foremost center of knowledge on cleft palate.

Although Doctor Cooper's pioneering inspired dozens of other clinics, Lancaster is still the only clinic in this country which operates full time—five, and sometimes six, days a week. Other clinics, such as the outstanding ones at the University of Illinois, Northwestern University, the University of Florida, the University of North Carolina, Johns Hopkins University, and New York University, are in operation part-time, one day or a few days each week.

The Lancaster Clinic now has a staff of 50. In 30 years it has treated more than 14,000 persons who have had the misfortune to be born with cleft palate.

Normally, during the sixth to eighth week of pregnancy, three wedges of tissue—two at the sides and one in front—unite to form the upper jaw and roof of the mouth. If the fusion is incomplete, cleft palates of various types result. For example, a cleft may occur only in the soft palate—the curtain of muscle tissue that you can touch with your tongue at the far back of the roof of the mouth. Or the cleft may run through both the soft palate and the hard tissue in the forward roof of the mouth, known as the hard palate. In severe cases, the three wedges may not meet at all, leaving a Y-shaped cleft palate, often accompanied by a double cleft of the lip. In any cleft abnormality, the baby may or may not have a cleft lip. Sometimes he is born with a cleft lip only and no deformity of the palate.

Although the Lancaster Clinic accepts patients of all ages, the happiest results are achieved when the patient is received as a baby and treatment can continue throughout childhood and adolescence. With the team approach, the group of specialists sees the baby as soon after birth as possible to determine the most effective treatment for the specific child and deformity.

Typical of the Lancaster Clinic's cleft palate babies is Patti, born in Pennsylvania in 1944 with a single cleft in her lip and a gaping hole the size of a silver dollar in the roof of her mouth. Her mother recalls when Patti was first placed in her arms: "I went into shock; it was horrible. I had heard of cleft palate, but didn't know what it was, and that it should happen to my child seemed impossible."

When Patti was nine weeks old, a surgeon meticulously repaired the lip. Later surgery to close the palate was unsuccessful because there was not enough tissue to form a proper palatal arch. However, without an intact palate that could completely shut off the flow of air through the nose, Patti was doomed to the nasal, wheezing, cleft palate speech. (More than three-fourths of our speech sounds depend upon the integrity of the palate for perfect enunciation.)

The only solution for Patti was an artificial palate—a removable 'speech appliance." Resembling an upper plate, the appliance clamps around the teeth and stretches to the back of the mouth, making speech possible. With the help of speech therapy, Patti learned to talk—not only adequately, but admirably. Today, at 23, Patti teaches speech in a high school. The small scar on her upper lip looks as if it could have come from a childhood fall.

Other patients do not seek help at the clinic until they are older—sometimes after a series of unsuccessful operations and years of futile speech therapy. One boy, age 14, who came to the clinic a few weeks ago had undergone 19 operations on his palate and still could not talk. Another child was referred to the clinic after 10 fruitless years of speech therapy; it was discovered that he had a very short palate which was then extended by surgery. Without this operation, 100 years of speech therapy would have been useless.

Sylvia, a dark-haired beauty from New Jersey, came to the clinic at age 21, hardly able to make herself understood. She had received no previous medical attention, for her parents had been told it was hopeless. She was fitted with a speech appliance and, after only eight weeks of speech therapy, achieved nearly perfect speech. Prior to treatment, Sylvia, whose abnormality had tortured her through her formative years, was shy and able to obtain only a menial job in a factory. Today, she is an executive secretary in one of our biggest corporations.

Last year, a woman of 65 arrived at the clinic for her first treatment for cleft palate. Since reading of the clinic in a magazine article 15 years before, she had saved every spare penny for treatment, finally accumulating $400. She and her husband drove nearly 1000 miles to offer their life savings, "if only something could be done." With the help of a speech appliance made at the clinic, she is experiencing for the first time the joy of talking and being understood. The clinic refused to accept the elderly couple's $400.

Usually, the cost of the clinic's specialists is comparable to that of specialists in other medical fields—several thousand dollars to treat one cleft palate patient from birth to age 18. However, through special funds from individuals, organizations, and the state of Pennsylvania, the clinic treats thousands of indigent patients. "We have never turned a patient away for lack of ability to pay for treatment," declares Dr. H. K. Cooper.

Undeniably, much of the credit for progress in cleft palate treatment goes to improved surgical techniques, made possible by new and better anesthesia, suture materials, instruments, and overall medical progress. Previously, it was common in cleft lip cases simply to stitch the flaps of the cleft together in a straight line from nose to lip. The result was what we readily recognize as the repaired "hare lip"—a flat upper lip, slightly askew and lacking the cupid's bow.

Children at the Lancaster Cleft Palate Clinic attest to the fact that today's plastic surgeons can correct "hare lip" so that it is barely noticeable. The old "straight seam" approach has been replaced by the "geometric" method in which surgeons may actually draw a zig-zag design on the baby's lip to guide the suturing. Calipers are used to measure the distance from nostril to the vermillion border of the lip on both the noncleft side and the cleft side, to be certain the points of the lip are in perfect alinement.

Dr. Robert L. Harding, plastic surgeon at the clinic, points out that another tell-tale sign of cleft lip used to be the missing cupid's bow. "In cleft lip babies, the cupid's bow is pulled up into the cleft," he says. "Today, we use our artistic sense to restore both the cupid's bow and the normal pout of the lip."

The pout—the slight upturn of the lip—which we all have, was invariably destroyed by the old-fashioned straight-line closure, giving the lip a flat, artificial look. Today's broken-line repairs lessen skin tension, preserving the pout. Modern techniques produce less scar tissue, although doctors cannot completely, erase the scar. But when the shape of the lip is normal, the small scar is quite insignificant. The operation to close a cleft lip is usually performed when the baby is two or three months old or weighs at least 10 pounds and is in good health.

A child today has astonishingly better chances of success for not only surgical repair of his lip, but also of his palate. For years, early closure of the palate—before the child was four or five—was considered inadvisable. Surgically forcing the palate together in infants sometimes caused growth disturbance in the mid-third of the face—between the bridge of the nose and the upper lip—producing far greater deformities than if the split palate had been left untouched.

As the normal growth process pulled at the bones of the upper jaw, the surgically-closed palate refused to yield, leaving the oral cavity misshapen and filled with grotesquely misplaced teeth. The upper ridge of front teeth and other bony structures sometimes collapsed so that the upper jaw sank inside the lower one. With the midpart of the face underdeveloped, even a normal jaw appeared monstrously prognathic. Youngsters who had their palates stitched as babies often resembled toothless old men or were described, as one woman put it, recalling her cruel childhood nickname, as "dishface."

To avoid such deformities, surgeons held off operations on the palate until the bone formation was well under way—at about age four or five. However, by this age, the child had begun trying to talk, making the only pathetic sounds his damaged palate allowed. Speech pathologists found it difficult to correct these early speech habits, even after the palate was repaired.

Because of surgical progress, plastic surgeons are now able to repair cleft palate in babies without the dire risk of facial malformation later—usually operating to close the palate when the child is about one year old. (Doctor Harding reports he has operated on babies as young as six months.)

Throughout the later critical stages of development, the child is carefully observed and is given supportive dental work or additional plastic surgery to prevent distortion. For example, a prosthesis is sometimes used to expand the dental arches in which the teeth are embedded, keeping them in proper shape. The newest technique is the use of bone grafts—in the alveolar ridge or the hard palate itself—to stabilize the palatal segments.

If the soft palate is still too short to permit proper speech after the initial operation, a secondary operation may be performed to lift up a strip of tissue, called a pharyngeal flap, on the back of the throat and fasten it to the soft palate. In cases where the soft palate is only fractionally short, the surgeon may inject a layer of Teflon under the tissue covering the back of the throat, pushing the throat wall forward to insure the contact with the soft palate, necessary for non-nasal speech.

Doctor Harding does not deny that "there may be some slight tendency to growth interference by early surgery in the mid-third of the face." But anyone who sees his patients—those who now are in their teens—would be unable to detect a growth deformity. Unlike the patients with the sunken faces who were operated on as infants some 40 years ago, today's youngsters appear completely normal. Only the trained eye of a doctor or specialist would be able to detect that there had been a congenital deformity.

Fortunately, there is also new hope for those whose cleft palates were repaired before the recent surgical developments. Although surgeons agree that the chances for success are always best in the first surgery—and thus the first operation is a critical one—subsequent or "secondary" operations on older patients can lessen disfigurement.

According to a recent report by three plastic surgeons of Norfolk, Virginia: "Some revision of the lip scar, a shift of tissue perhaps, or correction of an associated nose deformity can do much to decrease the disfigurement in such cases. An old palate repair may be short, scarred, and immobile or have multiple oral nasal fistulae. Many of these can be greatly helped by additional surgery using the newer techniques, resulting in an improved appearance, better speech, and overall function."

It's preferable to close the palate by surgery, but when this is impossible, speech appliances are unhesitantly used at the clinic at an early age. Previously a youngster had to wait until he was five or six to get a speech appliance—by which time his speech and his personality might have been irreparably damaged. Today, tots of two and a half and three are being fitted with temporary speech appliances to enable them to form words correctly from the very beginning. As the child's mouth grows, he receives new temporary appliances. When fully grown, usually about age 16, he received his "adult" appliance.

Only in rare cases is the child who is given a speech appliance able to instinctively rattle off sounds and words perfectly; for the appliance does more than bridge the palatal gap. Attached to its back tip is a clear plastic bulb, about the size and shape of an unshelled pecan. Individually designed for each wearer, this bulb helps to fill up the space that cannot be closed off by the soft palate.

In normal speech, the uvula and soft palate press against the throat wall in rapid, bent-knee fashion, closing off unwanted nasal sounds. There must be a complete seal between the uvula and the back of the throat wall or a stream of air will escape through the nose, producing a wheezy accompaniment to every word. Thus, youngsters must learn to grip the bulb with their throat muscles, cutting off the air stream. Speech therapy is usually required to learn the correct degree of muscle contraction required to achieve various sounds.

There is no doubt that the appliance affords perfect speech. One little girl, age 11, slipped out her appliance to recite the 23rd Psalm—which contains the difficult *s* and *sh* sounds—with the characteristic wheeze: "Whthe huhLord whis mmy huhshepwhherd . . ." She then replaced the appliance and repeated the words with impeccable diction.

A young woman who was recently hired as a long distance operator called to tell Doctor Cooper the news. "I really fooled them, didn't I, Doc?" she asked. "Without her appliance, she can't talk at all," explained Doctor Cooper.

In the last few years, the clinic has also been making an increasing number of speech prostheses for people whose palates have been destroyed by cancer. "These men and women have cleft palate too, even if they weren't born with it," says Doctor Cooper. "And losing their speech can be a terrifying experience. They need help learning to talk again, too."

When a baby is born with cleft palate, the first step is to treat the mother—who often becomes hysterical and may reject the child. Dr. Veronica Tisza of the Cleft Palate Institute of Tufts University describes the common reaction of mothers who give birth to cleft palate children: "Mothers react with strong feelings of hurt, disappointment, and helpless resentment to the revelation that they have a congenitally deformed child. They are in a state of acute grief because they have lost the perfect baby nurtured in their imagination and received instead a damaged child which they regard as a symbol of their own inadequacy as mothers."

A primary worry is that a child who is physically deficient is also mentally deficient—a fear that is unfounded. Parents of a cleft palate baby often blame each other for "defective genes." More than one husband, unwilling to accept any responsibility, has denied that the baby is his. In cases where the marriage is already unstable, divorce is not an uncommon consequence of the birth of a cleft palate baby.

The first agonizing question for any parent of a cleft palate child is: "What caused it?" In a study of cleft palate families now underway at the Lancaster Clinic, parents of cleft palate children were asked what they thought caused their child's deformity. Amazingly, several said, "punishment for sin."

A little more than 20 years ago, it was believed that cleft palate, like other congenital anomalies, was 100 percent hereditary. That figure has gradually been shaved down through the years, until research now shows that only 10 to 15 percent of all cleft palate births can be genetically traced. Eighty-five to 90 percent—nine out of 10 cleft palate cases—are linked to injury of the fetus during the critical six-to-eight-week development period. Through collection of data on humans and experiments which produce cleft palate in animals—dogs, chickens, mice, pigs—it has been determined that any number of chemicals can derange the enzyme systems, producing the deformity. "There must be thousands of substances that could cause cleft palate in animals," reports Dr. David Coursin, chief of research at Lancaster Clinic. "In humans," he says, "there are many factors that can cause it: x-rays, hormone shots, lack of oxygen to the baby being carried. It's possible, we know from animal experiments, that it could be caused by some dietary deficiency, by injury, the stress of pregnancy, and by many different drugs one might take, for example, cortisone and even aspirin in excess."

To cause deformity, the incident must occur during the six to eight weeks that the palate is forming; at this early stage, few women even realize they are pregnant. Doctor Coursin believes, therefore, that the ultimate prevention of cleft palate lies with basic research. Under a $3.5-million grant from the National Institutes of Health, the largest ever given for such research, the Lancaster Clinic is attempting to unlock the secret of molecular action that causes the abnormal cell growth.

Although the large infusion of research money has expanded Lancaster Clinic's research facilities and projects, the clinic has been discovering and pioneering new methods of handling cleft palate since its inception. It is no idle claim that the clinic is the best equipped of its kind in the world. Not only does the staff have access to the usual tape recorders and x-ray machines, they also have such sophisticated equipment as an "oral manometer," which measures and compares the amount of air expelled through the nose and the mouth when a person speaks; and a "sound spectrograph," which converts the patient's voice into a picture, called a sonogram, enabling him to *see* the wrong sounds he produces.

A cleft palate victim is often unable to hear his own mistakes, for his way of speaking sounds normal to him and the normal method sounds abnormal. Black streaks on the sonogram depict the normal way of saying, "Bessie came and stayed all summer"—a sentence chosen for its difficulty of *s* sounds. Then the machine records a picture of the patient's' rendition of the same sentence. Eventually, through imitation, the patient learns to talk so that his speech picture is nearly identical to the model on the sonogram. Nor is every youngster taught pure Pennsylvanian! Local dialects are preserved. If, for example, a boy comes from the South, the speech therapist uses a sonogram with a picture of what is considered a "normal" Southern accent.

Most remarkable of all the clinic's equipment is the cineradiographic apparatus—essentially a 16-mm. motion picture camera and sound system—that takes x-ray motion pictures. To guard against excessive radiation, the camera photographs not the person directly, but the x-ray image on a special tube which intensifies the light 3600 times. Previously, doctors could observe the vocal process only in fixed position by x-ray. Now, they are able to see it actually functioning—an invaluable aid in diagnosis and treatment—as they observe the movement of the patient's' tongue, throat muscles, palate, and total oral mechanism as he speaks, swallows, breathes.

Through the use of x-ray motion pictures, the clinic staff recently solved a mystery that has long plagued speech therapists. The doctors studied a whole new group of cleft palate sufferers—those who have cleft palate speech although a visual examination of the palate shows no sign of a cleft. It was widely believed—and still is by many—that these youngsters had no physical deformity, but were simply lazy, sloppy talkers who could be cured by speech therapy. "We used to take one look at their palate, find it normal, and let them go," says Doctor Harding.

X-ray motion pictures revealed that these puzzling speakers did indeed have a deformity, now called "velopharyngeal inadequacy." Although their palate is intact, it is partially paralyzed or is too short to make necessary contact with the throat wall during speech. Consequently, air squeezes between the opening and out the nose when they talk, producing the familiar cleft palate sounds. Often, this deformity is not noticeable until after the adenoids and tonsils are removed. Their absence creates an even bigger gap between the soft palate and the throat wall, worsening the nasality.

Doctors at Lancaster have found that in some of these cases speech therapy alone is successful; in others, the palatal muscles need to be strengthened by massage and exercise. Quite often surgery is required to lengthen the soft palate or to raise a pharyngeal flap on the back of the throat. It is certain that there must be thousands of these undetected victims throughout the country. "We have seen more of these youngsters and discovered more about this problem in the last eight years than we learned during the previous 30," commented Doctor Harding.

Years ago, Doctor Cooper tacked on the wall of the clinic this prayer: "Give me the serenity to accept the things I cannot change; the courage to change the things I can, and the wisdom to know the difference." During 30 years of single-minded determination to save cleft palate victims, Doctor Cooper, his staff, and those at other clinics have changed many things, including the very concept of what is possible and impossible in transforming "hopeless" cripples into normal human beings.

TELLING ALL TO A FACELESS AGENCY

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. GURNEY. Mr. Speaker, every 10 years the Federal Government conducts a census of the population of the United States. The justification for this is found in article I of the Constitution. The purpose is to determine the apportionment of the seats in the U.S. House of Representatives. Title 13 of the United States Code empowers the Secretary of Commerce to take the census and ask anything deemed "necessary and proper" of the citizens of the United States.

The 1970 census will contain over 120 questions. All compulsory, many intruding on personal privacy. These questions will include such matters as income, dollar by dollar, from all sources including public assistance, alimony, unemployment and disability insurance, pensions and investment; value of property and amount of rent paid; educational, marital, employment and military history; and with whom bathroom and kitchen facilities are shared. Those who refuse to answer the questions face a 60-day jail sentence and a fine of $100.

Mr. Speaker, today I join Representative JACKSON BETTS in protesting the inclusion of such questions among those answered by individuals on a mandatory basis. The constitutional purpose of the census is to count people. The gathering of a hundred other facts about them is only a secondary objective. With the 1960 census failing to count an estimated 5.7 million people, it can only be expected that the 1970 census will be even less accurate unless the forms are simplified.

The bill that I introduce today will simplify the 1970 census and keep it within the bounds of its constitutional objectives. Mandatory questions would be limited to name and address, relationship to head of household, sex, date of birth, race or color, marital status, and visitors in home at time of census. The response to other questions, not essential to the basic enumeration of population, but deemed useful to Government agencies, might be made on a second form on a voluntary basis, or in some manner that will protect the privacy of the individual. I see no justification for the mandatory requirement that forces citizens to provide such personal information about themselves and their households.

At this point, I enter into the RECORD an editorial from the June 4, 1968, Wall Street Journal which points out quite clearly the necessity for the Congress to act on this matter:

TELLING ALL TO A FACELESS AGENCY

Unless Rep. Jackson Betts of Ohio is successful, you may find yourself faced with a maximum of a $100 fine or 60 days in jail if you refuse to answer more than 100 nosy questions planned for the 1970 census.

As it stands now, the census will contain about 120 questions a citizen must answer, or else. It will be mandatory for each person to provide such information as his income, dollar by dollar, from all sources—including public assistance, alimony, unemployment and disability insurance, pensions and investments.

He must also put down the value of his property or the amount of rent he pays; educational, marital, employment and military history; with whom he shares bathroom and kitchen facilities. And he must take a complete list of household items including dishwashers, television sets, radios, automobiles and second home, if any.

Now, as Rep. Betts observes, the Constitutional purpose of the census is to count people, and he argues that a good deal of information the Census Bureau seeks to pry from citizens in 1970 properly is a matter for either annual sample surveys or for private research organizations.

Last fall he introduced a bill to limit the mandatory questions to seven—name and address; relationship to head of household; sex; date of birth; race or color; marital status, and visitors in home at time of the census. In House and Senate, 28 members are now sponsoring bills to remove the penalty provision from all but those seven items.

To be sure, some people with plenty of time on their hands and who do not regard intimate questions about their incomes or plumbing as an invasion of their privacy, would be happy to answer all 120-odd questions, whether they are mandatory or not.

For those who view so probing and massive a questionnaire as harassing, Rep. Betts sensibly proposes that the Census Bureau, while limiting its mandatory questions to seven, include a separate form marked "voluntary" containing the remaining questions. Thus a citizen could answer these or not, as he chose, without penalty.

But unless Congress acts soon, before you know it 1970—and the insulting demands of a faceless agency—will be here.

WIN FIRST—THEN NEGOTIATE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. THURMOND. Mr. President, the June 4 issue of the State, a newspaper of Columbia, S.C., carries an editorial entitled "Time To Retaliate."

The editor points out how the President's reduction in bombing has created a kind of sanctuary in North Vietnam. On the other hand, the recent attacks against South Vietnamese civilians by the Communists are evidence that there is no such sanctuary south of the 17th parallel.

The editor argues that while our negotiations continue in Paris, the Communists are taking a bloody toll through their aggression against South Vietnamese cities and our Armed Forces. The time has come, he says, for us to demonstrate that there is no doubt about our ability to bring North Vietnam to its knees, and he asks the question:

> Are the lives of the South Vietnamese less valuable than those of the North?

He urges that the President permit our military forces to win the war first, and then negotiate the terms of settlement.

Mr. President, I invite the attention of my colleagues to this thoughtful editorial, and ask unanimous consent that it be printed in the Extensions of Remarks in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME TO RETALIATE

While diplomats tip-toe through the niceties of "negotiation" in Paris, bloody Communist aggression continues to take a heavy toll of military and civilians in South Vietnam.

While Uncle Sam (Uncle Sucker) holds off bombing all but a small area of North Vietnam, Ho Chi Minh dispatches thousands of regular troops and abundant supplies across the border into South Vietnam.

While timorous Americans bleat of our allegedly unwarranted presence in Vietnam, hundreds upon hundreds of young men give their lives in that remote land in order to thwart the spread of Communism and sustain the validity of American commitments to our allies—not only in Southeast Asia but throughout the world.

But perhaps more to the immediate point than any other of the amazing inconsistencies of this war is the continuing and accelerating slaughter of South Vietnamese civilians by the Communists—whether Viet Cong guerrillas or North Vietnamese regulars. Having enlisted sympathy for the plight of North Vietnamese who may have been killed, injured, or threatened by American bombing raids, the Communists are absolutely ruthless in dispensing death and destruction to the civilians of South Vietnam.

But where are the full-page ads denouncing such rank terrorism? How many "peace" rallies are held to urge Ho Chi Minh to call off his butchers? Who are the politicians, the preachers, and the public agitators who are concerned about the preservation of the South Vietnamese against a merciless enemy which has invaded their land.

War analysts who recall the days preceding the French debacle at Dien Bien Phu and France's subsequent withdrawal from Indo-China say that the current onslaughts against the villages, towns, and cities of South Vietnam are aimed at bolstering Communist strength at the conference table.

The United States is caught up in the idiotic business of trying to fight a war on the enemy's terms, on terrain of the enemy's choosing, under restraints to the enemy's liking. The continued sacrifice of life, liberty, and property to the Communist invaders of South Vietnam is both culpable and criminal.

We are in a war. Let us WIN THE WAR and then negotiate the terms of settlement.

If this be true, and if maritial ferocity be the measure of influence in negotiations, let us have a fling at it.

Let the Johnson administration cease the temporizing which resulted from domestic politics and foreign propaganda. Let the full force of American military might—on land, sea, and air—be unleashed against North Vietnam for just one week, or just one day, to show Ho Chi Minh and the world at large exactly what could be done if the United States decided to WIN the war.

There would be howls of anguish from a devasted North Vietnam, cries of horror from pacifists and peaceniks in this and other countries, and outraged denunciations from Soviet Russia and other nations of the Communist bloc.

But there should be no lingering doubts about our ability to bring North Vietnam to its knees in short order, Civilians would die, but civilians are dying now by the hundreds in South Vietnam. Are their lives less valuable than those of Ho Chi Minh's Communist followers in North Vietnam?

RISKY WAY TO STIMULATE TRADE

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial from the Norfolk, Va., Ledger-Star, dated June 11, 1968, entitled "Risky Way To Stimulate Trade."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RISKY WAY TO STIMULATE TRADE

It may seem odd for Virginia's Senator Harry Byrd to oppose a bill to increase U.S. exports, which are so very important to the maritime state he represents. But it isn't odd at all, considering the nature of the particular measure before the Senate.

The plan is to liberalize the lending conditions under which the Export-Import Bank operates. The bank would be authorized to use up to $500,000,000 to finance export transactions which could not otherwise be financed. That is to back deals which other lenders do not consider safe.

The idea is to build up the over-all export traffic, which has been low enough recently to threaten the nation's balance of trade. A larger margin of exports over imports, so the arguments go, would be healthy for the economy and would improve the dangerous balance of payments situation.

On the surface, this would also appear to be good for Virginia and its ports here at Hampton Roads. Most general trade increases offer the prospect of boosting these communities' economies.

However, there is something much larger at stake here, and Senator Byrd has put his finger on it. The loans to be authorized by easing the bank's present requirements of "reasonable assurance of repayment" would be very shaky lending ventures. Why, asks the Virginia Senator, should the bank's money "be diverted to marginal transactions which carry with them a high risk of default?" And when the money is not repaid, this, in actuality, "would adversely affect our balance of payments." the very opposite of the proclaimed objective.

The Export-Import Bank, an operation which has so far kept healthily in the black, is not a foreign aid agency set up to ship things abroad regardless of whether the transactions are sound business or not.

Neither was it meant to be another sinkhole for the taxpayers' dollars which, since the Treasury would pick up the tab for all unpaid loans beyond $100,000,000, is exactly what it could become.

A STRANGE ATTITUDE AT RESURRECTION CITY

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BURTON of Utah. Mr. Speaker, of all the many words that have been written and spoken about the Poor People's Campaign, both pro and con, none is quite so telling as those that appeared in a news story in the Washington Evening Star on Monday, June 10. The article, entitled "Plumber Gets No Aid From Poor He Helps," by Chris Wright, tells of the efforts of a well-meaning volunteer to assist the residents of Resurrection City and their refusal to do any work to help him help them. It has been variously suggested that the plight of many of the poor people now camping out in Washington could be remedied by a simple act, that of going to work. This article would indicate that this is one of the last things some Resurrection City campaigners want to do. The article follows:

PLUMBER GETS NO AID FROM POOR HE HELPS

(By Chris Wright)

James H. Clark stood shoulder-deep in the freshly dug trench, sighting down the line of black sewer pipe he had just laid between two rows of Resurrection City's plywood shacks.

Clark is not a resident of the poor people's encampment. He is a licensed plumber with his own business in Washington.

Yesterday he was at Resurrection City laying a sewer line so the showers would have drains and not create a quagmire. He was doing the work free, and asked the encampment officials about the possibility of help.

Periodically the public address system would ask for volunteers—for an unspecified task. Clark would look up once in a while, shrug his shoulders and bend back down into the trench.

No volunteers came.

"These people don't want to work," he said.

When the motor of the earth-mover idled, transistor radios could be heard inside nearby shelters. From time to time a group of men would gather around the ditch and watch Clark work.

Once Clark looked directly at a big man who seemed to be a leader and asked him to get some help and begin filling the trench behind them.

The man looked surprised. "Brother, I came down here to get away from shovels," was the reply.

By late afternoon the line was about halfway to the showers. Someone obtained a second earth-moving machine but only began to haphazardly fill the trench. He soon went away.

As Clark worked, he said he has very little use for the Poor People's Campaign, personally. But he feels sorry for the people in the camp—and he likes to see a job, especially one done by Negroes, done right.

HELPED BY COUSIN

"I sure would like to regrade that last section," he said, apologizing for his use of rocks instead of brick to support the pipes. The afternoon sun beat down. He walked off down the trench carrying his red level.

Clark, of 431 10th St. NE, donated his time for the project. He also got his cousin to help, and guaranteed payment for earth-moving machinery, that was supposed to be rented out of campaign funds.

He got started on the pipe-laying on Saturday after a friend called him and disclosed that the tent city was in trouble because of its nonexistent sewer system.

No stranger to weekend work—"You can drive down the street and see people sitting on their porches, but I usually find something to do"—he got organized and was digging before the city's residents seemed to realize he was there.

As the day went on his pipeline progressed steadily through the hot, sun-baked clay toward the plywood shower stalls in the center of the camp.

Clark and his helper ignored camp residents who jumped the trench, kicking dirt where they were working.

RAIN FILLS TRENCH

As huge thunderclouds began to blot out the sun at about 6 p.m., Clark looked anxiously at his handiwork and the mostly unfilled trench.

A few big drops fell, making dark spots on his green denim shirt.

"I'm a damn fool," he threw down the shovel in his hand.

"But I've been one—brought up that way." He picked up the shovel and finished bracing the pipe joint.

The rain clouds got darker. "The least they could do is fill up this hole."

He jumped out of the ditch. "Take this shovel and put it in our truck," he told his cousin. "I'm going to do something about this."

Clark strode off between the plywood houses. His cousin disappeared in the other direction.

Time passed. The rain began to fall in sheets across the camp.

The hole began to fill with water. The loosely piled earth on the sides turned to runny mud.

At the other end of the camp three men in yellow rain slickers experimented with one of the earth-moving machines. They didn't know who Clark was.

STATEMENT OF GOVERNOR ROBERTO SÁNCHEZ-VILELLA

HON. SANTIAGO POLANCO-ABREU

RESIDENT COMMISSIONER FROM PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. POLANCO-ABREU. Mr. Speaker, most Puerto Rican people have known poverty at some time during their life and many of them during their entire lives.

It is natural, then, that Puerto Ricans in New York City and surrounding areas with relatively easy access to Washington would want to give a visible endorsement of the Poor People's Campaign. They have coordinated their efforts and will travel to Washington for a single day visit, about 5,000 of them, in an entourage of buses next Saturday, June 15. In a series of activities near and at the Lincoln Memorial, they plan peaceful manifestations of their purpose to call attention to poverty amongst Puerto Ricans.

Puerto Rican people, by their nature, abhore violence, and extreme precaution has been taken to insure that there will be no violence in connection with the visit to Washington. Consequently, it may be expected that the manifestations of this group to call attention to the poverty plight of Puerto Ricans will be peaceful.

In this connection I include a statement made in New York City on June 2, 1968, by the Honorable Roberto Sánchez-Vilella, Governor of the Commonwealth of Puerto Rico:

STATEMENT OF GOVERNOR ROBERTO SÁNCHEZ VILELLA

Some questions have arisen regarding the exact relationship of the Puerto Rican Government to the plans of some Puerto Rican groups in the United States to participate in the Poor Peoples March on Washington. It should, parenthetically, be made clear that the Puerto Rican involvement in the March, while partaking of the general movement, would be a separate undertaking.

The Puerto Rican Government believes in the constitutional prerogative of all people to assemble peacefully and petition for redress of grievances. It has, for decades, waged its own war against poverty with success, and will continue to do so. Moreover, it holds in great esteem the nonviolent ideals of Dr. Martin Luther King, the originator of the Poor Peoples March.

It cannot, however, officially participate in any of the activities of the March and neither can any officers of this government, acting in their official capacity.

TOMATO HARVEST CHANGES DEMONSTRATE HOW SCIENCE AIDS FARMER, CONSUMER

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. McFALL. Mr. Speaker, truly amazing progress is being made in agriculture to meet the ever-increasing problem of obtaining sufficient labor to harvest crops and at the same time reduce the Nation's food bills.

This has come about through the development of new harvesting machines and machine-tolerant crop varieties.

The California tomato industry offers a good example of how engineering and plant-breeding skills can be blended to advantage. Scientists began working on a mechanical tomato harvester about 25 years ago. Focal point of the endeavor was the University of California's Davis campus. It was obvious at the outset, however, that no ordinary tomato would withstand machine handling. So, at the same time, work began on development of a tomato to fit the machine.

By the early 1960's, scientists had the tomato they wanted: a firm, oblong fruit that resisted bruising. Mr. G. C. Hanna, an olericulturist at the university's agricultural college, is credited with perfecting the new strain now planted in most California tomato fields. Simultaneously, engineers were also putting the finishing touches on their mechanical picker, a device that picks up tomato vines, strips off the fruit, and leaves the debris behind.

In 1965, about a fourth of California's processing tomatoes—24.7 percent—were picked by machine. In 1966 the amount climbed to 65.8 percent and in 1967 it was 81.8 percent. The cost of mechanical harvesting runs about $10 per ton, compared to $17 for handpicking.

These developments were of particular importance to the 15th Congressional District covering San Joaquin and Stanislaus Counties, which I represent. Traditionally, San Joaquin County has produced about 25 percent of the State's total acreage of processing tomatoes and Stanislaus County about 5 percent. California's total production consistently has been 60 to 65 percent of the Nation's entire output.

Only a few years ago, it was necessary to bring in tens of thousands of farmworkers from Mexico to augment the work force of harvest hands recruited from States west of the Mississippi. Last year the total number of supplemental workers from Mexico was only 6,175 and would have been less if bad weather had not prevented planting the crop in intervals to enable maximum usage of machines.

Because hand labor is scarce, growers of most handpicked crops are calling for mechanization, and scientists in the USDA's Agricultural Research Service are trying to meet the demand. Beans, peas, cucumbers and potatoes are among vegetables that are being bred for machine-proof qualities at various locations throughout the country. Mechanical harvesters for all these crops are either in use or in the development stage.

In the orchards, progress in mechanical harvesting has been equally dramatic. Throughout the fruitgrowing regions of the country, new and sometimes weird-looking reapers are coming into use. Here are a few examples of what is being done to speed harvest of some of the more important fruit crops:

CITRUS

A machine has been tested that shakes oranges and grapefruit from trees, catches the fruit, and conveys it to baskets. Another machine, available commercially, is the power ladder; it utilizes hand labor, but more efficiently than ever before. This machine is a tricycle-type vehicle with a fixed boom. The worker rides on a platform that moves up and down on the boom; he regulates the vehicle with his feet and has both hands free for picking.

APPLES

Engineers have designed a tractor-pulled vehicle for the picker to ride on. The picked apples are dropped into conveyor systems and carried to boxes without danger of bruising. Picking efficiency was increased 25 percent with the machine. Also, it enables women to do the work.

BLUEBERRIES

A machine is being tested that would enable a worker to triple his picking capacity. The machine has two spindles mounted vertically, each with 160 rubber fingers. As the machine travels along the row, the revolving spindles move through the bushes. Mature blueberries are shaken off the plants and are caught in wooden boxes at the base of the machine.

CHERRIES

Shaker-type mechanical harvesters have proven quite successful and are being used by an increasing number of growers. About 50 million pounds of cherries are harvested annually by machine.

DATES

"Date towers" have been built, featuring catwalks that can be raised the 30 to 50 feet necessary to reach the tops of date-bearing palms. Dates can be harvested in bunches by pickers on the catwalks. Most of the California date crop is now harvested this way.

Most of the improvements in fruit harvesting have been brought about through mechanical genius. However, other lines of attack are being pursued. One ARS researcher, for example, has had some success at making oranges drop from trees by spraying the trees with ascorbic acid. And scientists in Washington are experimenting with a growth retardant that delays maturity of apples and would permit growers in labor-short areas to harvest over a longer period of time.

As the consumer population grows and the food-producing work force diminishes, harvesting researchers will provide valuable tools to help insure a steady flow of products from field to market.

THE POWER OF THE PEN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. RARICK. Mr. Speaker, James L. Knight, a newsman, recently addressed a group of his fellow publishers in New Orleans.

His speech is illustrative of the concern and discontent prevalent among our people today.

The American people are due some answers in plain straight talk. They no longer accept more assurances and see through the hocus pocus of intellectual jargon. Their paycheck deductions and a dollar that continues to buy less and less is genuine education that something is wrong.

I know of no one better qualified than Mr. Knight and his fellow publishers to bring to the American people the answers they are entitled to receive—merely the facts.

And all the newsmen need only start writing their own stories for exchange through their associations. They will be surprised to find that a ready-made distribution system awaits the power in their pen. Two hundred million tongues can overcome any controlled communications system.

Mr. Speaker, I include Mr. Knight's speech:

TALK BY JAMES L. KNIGHT TO PUBLISHERS RECENTLY IN NEW ORLEANS

A song called "Give Me Some Old-Time Religion" may represent what is needed in the U.S. more than any other single factor.

I'm certain that most of us here today are just plain shook-up when we try to comprehend the things that go on around us. Neither do we understand the attitudes of our public officials.

In all segments of our daily life we see things that cause us to draw back in sheer disbelief.

Is there anyone in this room for instance, who wouldn't blow his cool should he learn that his at-school daughter was shacked up with a fellow? Parental displeasure in this famous case, I thought, didn't reflect much concern. Nor did the Barnard College official family when they adopted a policy determined by a Judicial Council—which is a group of students and professors!

Linda, you may recall, had some pretty modern ideas of an ideal relationship with her boy friend. For her expressions and ideals, the power structure of the school set down a rock hard ruling that this young lady should be denied cafeteria privileges for a couple of weeks!

Weren't you baffled a bit when a group of young anarchists took control of five buildings in the Columbia University complex? School officials did nothing to throw the bums out while they watched these toughs desecrate the school. At Northwestern University you witnessed a group of Negroes command the school to agree to provide them with "segregated housing." Imagine a group of white students demanding and imagine them receiving approval of "segregated housing."

Let's take a look at our national image. Do you recall the famous deal that the U.S. made with Castro? We paid over a billion in ransom to effect the release of 1500 Cubans from their own country.

Recently we watched another of our national images smashed when the Pueblo surrendered without a struggle to a bunch of Koreans who mounted their attack from small patrol craft. Wonder what sort of twirling goes on in the graves of our great naval heroes—Perry, Farragut, John Paul Jones.

Are there any in this room today who got much comfort out of LBJ's several recent attempts to deny the American people knowledge of facts concerning our foreign commitments?

Quite a few here had an opportunity to see and hear, at the AP meeting in New York, Horst Faas and Peter Arnett describe conditions in Vietnam. They brutally portrayed the bloody sickening mess that exists in that nightmare spot. 500,000 good U.S. service men were still being pushed around by small bodies of dedicated Viet Cong. While this went on the so-called government of Vietnam was making off with untold millions of U.S. supplies and money.

Horrible as was the picture of the Vietnam situation, it sort of paled in comparison to the mealy mouthings of Secretary of Defense Clark Clifford, who, during a luncheon session, assured each and every one of us that things were going just fine over there.

We are now advised that arrangements are being made to effect the release of the Pueblo crewmen—and that President Peterson of Barnard announced last Thursday that Linda LeClair would be allowed to continue as a student in school. As a footnote—may I observe that President Peterson made the announcement after a sit-in by 35 Barnard students who presented petitions from the student body. Whatever you think of President Peterson is your business—maybe you agree—but I'm troubled that Mr. and Mrs. LeClair haven't made some simple little move of their own with respect to their daughter's attitude.

These executive clinics have served our industry very well over the years. We have a better relationship within the newspaper ranks—and with particular emphasis in the South. There are few—if any—southern publishing plants that couldn't continue functioning if the publisher willed to do so.

Surely most of you realize that while I may appear here as a dragon slayer—you need but to look a bit to the North and you observe our Detroit Free Press has been shut down a little over 6 months. Let me expand that and say that during the last five years the Detroit newspapers have been shut down more than one full year out of the last five.

What's the answer to this problem? I must confess that I don't know. Sometimes I think that maybe if I had been in Detroit, I'd be inclined to try to publish. Well—I'm not there—and we have a competent staff there—so I shall refrain from second guessing.

We all have feelings about governmental, sociological and business problems. I think we all instinctively feel that something is wrong in labor matters. Government rules almost universally favor the unions—but this does not create peace. We watch the railroad unions, the airline unions, the telephone unions, the steel unions, the rubber unions and dozens of others strike nationwide to stop commerce.

No one seems to get excited about the mess—those of who experience a moment of inconvenience sputter a little, but that's about the extent of complaining.

From where I sit there are a couple of things that give me a feeling of dread and insecurity—can it be possible that, in our haste to make a few bucks so we can dash off to the country club for a martini and a round of golf, we are completely oblivious and blinded to realities? Are we so sure that our democratic processes are impervious to erosion that we fail to keep a watch at the gate? Do we dismiss these college rumbles as a thing of the time? Are these "Poor Marches" spontanetous? Are the efforts of the Department of Justice completely innocent of destructive motivation? Are the lies handed out about our international relationships caused by stupidity, or is there something more sinister? Is there any fairness to the American society which approves Negroes demanding and getting segregated quarters when his white brother is denied the same? Is there any reason to be suspicious about a government that permits the dollar to be weakened at a time when fiscal discipline should be hard?

Is it a coincidence that the Reardon report should make its appearance and rule that the courts should deny reporters from commenting on their actions? Is it only a happenstance that the people of this land are denied the truth about our military progress overseas? Never has a nation needed discipline, social, fiscal and governmental more than at this moment—and never have we had so little!

I am reminded of the following quotation of Lenin from John Stormer's book "The Death of a Nation."

"First, we will take Eastern Europe, then the masses of Asia, then we will encircle the United States, which will be the last bastion of capitalism. We will not have to attack. It will fall into our hands like an overripe fruit."

The Communists, you recall, have stated that the conquest of the United States would be achieved by the elimination of religion, the destruction of the family unit and a lack of national fiscal discipline. There are several other elements that they expected to cause unrest. If these are really the agents of our destruction—then let us recognize that we are pretty far down the road.

I conclude by praying that, God willing, we may return to this meeting next year under circumstances that are obviously improved. That we try a little more flag waving and that we have a lot less synthetic mourning for a non synthetic trouble maker. That we obtain some leaders who know the truth and use it.

WHAT CAN WE DO IN THE MIDDLE EAST?

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. FLOOD. Mr. Speaker, serious students of the history and problems of the Panama Canal understand the interaction between that interocean artery with the other great strategic waterway, the Suez Canal. Significant happenings at one make their impact on the other.

The maintenance, operation, sanitation, protection, and defense of these two vital channels of commerce since World War I have emphasized the necessity for both to be controlled by great powers. Only in that way can they be administered on terms of equality for all nations, with tolls that are just and equitable. At the Panama Canal today, it is being efficiently operated on these principles; at the Suez Canal, it has been blocked by Egypt since the Arab-Israel war of June 1967, dislocating world trade between the Atlantic and Indian Oceans, encouraging the construction of supervessels designed to avoid Suez transits throughout the indefinite future, and emphasizing the strategic importance of southern Africa for the defense of Western civilization.

As regards the Suez Canal, the entire region of the Red Sea is geographically significant. Nations have fought for its control over many centuries and the present situation there is one of the gravest peril.

It was, therefore, with the highest interest that I read a most illuminating recent article on the major geopolitical questions involved by Sir John Bagot Glubb, former commander of Jordan's Arab Legion and renowned authority on the Middle Near Eastern area. In dealing with his subject, he shows the disciplined thinking and insight of the able professional military officer.

Because of the value of Sir John's article as regards the Suez Canal area and its implications for the Panama Canal, I include its full text and commend it for reading by all Members of Congress and others concerned with foreign policy questions:

[From American Mercury, summer 1968]

What Can We Do in the Middle East?

(By Lt. Gen. Sir John Glubb, K.C.B., C.M.G., D.S.O., O.B.E., M.C.)

(Note.—Lt. Gen. Sir John Bagot Glubb, K.C.B., C.M.G., D.S.O., O.B.E., M.C., is the father of Jordan's Arab Legion, which he commanded from 1939 to 1956. His experience in the Middle East began in 1926, and he is internationally recognized as a foremost authority on this area. Glubb has authored books on the Mideast and, since his retirement, has travelled and lectured extensively.)

The Arab-Israeli confrontation may be considered from two viewpoints—that of world balance of power, especially between the United States and Russia, and that of a local struggle between Israel and her neighbors. We will commence with the first aspect of the problem.

Egypt occupies a position almost exactly in the center of the three continents of Europe, Asia and Africa, if we omit China, which has always gone her own way. Throughout the five thousand years of recorded history, the greatest empire at any given period has always held Egypt. The reasons for the immense importance of Egypt in the world balance of power are:

(1) The wealthy trade route from India, Africa, Indonesia, China and Australia to Western Europe, passes through Egypt. Thus, any great power in control of Egypt has the economy of Western Europe at its mercy.

(2) A great power firmly established in Egypt can move into Africa, Asia or Europe as it feels inclined and conversely, can prevent its enemies from moving from one continent to another. Egypt has been rightly called "the crossroads of the old world."

Moreover, such movement does not only mean the movement of armed forces in war, but also the spread of propaganda and political influence in peace. Egypt is the ideal base for the extension of political influence into Asia and Africa.

WESTERN INFLUENCE GONE

Twenty years ago, the whole of the Middle East including Egypt was completely associated with the West—the United States, France and Britain. Today the majority of these countries are, to a varying degree, associated with the Soviet government. The influence of the United States and Britain has almost disappeared from this, perhaps the most important strategic area in the world.

Take another example. The North Atlantic Treaty Organization (NATO) was built in order to resist the spread of Russian influence over Europe. The southerly members of NATO include Italy, Greece and Turkey. All three of these countries are surrounded on three sides by sea. When NATO was formed, the Mediterranean was an Anglo-American lake, and the Western Allies were perfectly capable of guarding the shores of Italy, Greece and Turkey. Now Russia has, in the Mediterranean, as many warships as the United States and the position of the southern NATO states is precarious.

NEW SOVIET BASES

Moreover, since June 1967, the Soviet fleet enjoys the use of many of the naval bases and airfields in Arab countries built by Britain and France to defend these countries. Not only so, but the Russians did not seize all the bases and installations by force. On the contrary, Egypt and Syria, out of fear of Israel, have welcomed the Russians as their defenders against Israel and (as they believe) against her sponsor, the United States. These developments have brought about a major change in the world balance of power in favor of the Soviets, of which we have by no means yet seen the full results.

No sooner did the British evacuate Aden than the Russians invited the Republic of South Yemen to send a delegation to Moscow. British aid was quickly replaced by Soviet aid in South Arabia.

At the moment the Suez Canal is blocked by the presence of the Israelis on the East bank, but as soon as it is re-opened we may expect to see Russian warships in Aden and in the Indian Ocean and the Persian Gulf, where lie the world's richest oil deposits, most of them at present being exploited by American oil companies.

Sea power is the key to world power and Soviet fleets are rapidly expanding into the Mediterranean and the Indian Ocean. When the British Empire fleet began to decline, it was assumed that the United States would replace it. Now the Russians seem to be more and more taking over the position once occupied by Britain. One of the most alarming aspects of the present situation is the speed with which Soviet influence has been advancing since June 1967.

SOVIETS STIR UP CONFLICT

There appears now to be no doubt that the "Six-Day War" was contrived by the Russians, who "warned" Egypt of an intended Israeli attack on Syria. Arabs and Israelis alike have since investigated this report and both sides agree that it was fictitious. The only conclusion seems to be that the Soviet government invented this alarm in order to start trouble.

For two hundred years the Russians have fought war after war in order to break through into the Mediterranean, but they have always been foiled by the powers of Western Europe who had no desire to see a Russian fleet off the shores of southern Europe and controlling the trade route through Egypt.

Three years ago, a prominent German diplomat expressed the opinion that Germany had lost both World Wars because she had failed to seize Egypt. "But mark my words," he added, "Russia is not going to make the same mistake. She has her eye on Egypt all right."

In the summer of 1967, with the United States bogged down in Vietnam, Russia saw her chance. Her secret report to President Nasser set her plans moving. The Egyptian army crossed the Suez Canal to "threaten" Israel and thereby prevent her "attacking" Syria.

ARABS ARE WEAK

Every professional officer who had served in the Middle East knew that Egypt could not possibly defeat Israel. The Arabs themselves were aware of the fact and had agreed to avoid a clash with Israel. Presumably Nasser was bluffing or was relying on the active support of Russia, for he did not even inform the other Arab countries what he was going to do. Only Russia seems to have known and sent her warships through the Bosporus to "support" him.

The Russian plan was in two phases:

(1) Phase one was to make the United States come out openly in support of Israel. This was essential to the Soviet plan, as it would sever relations between the Arabs and the United States and make it impossible for America to assume the role of the neutral mediator who might stop the war. The United States innocently fell into the trap, followed by Britain.

(2) Phase two of the Soviet plan was to get the Egyptions defeated and helpless. This the Israelis accomplished and appeared on the banks of the Suez Canal, just as the Russian fleet arrived in Alexandria and Port Said, where it was hailed as the savior of Egypt.

RUSSIANS MOVE IN

With the Egyption army disorganized and demoralized, the Israelis on the Suez Canal and the United States believed to be the ally of Israel, there could only be one outcome. The Russians took charge of the defense of Egypt. Russian officers took over the command and reorganization of the Egyption army. Russian warships lay in the former British naval bases of Alexandria and Port Said.

Like all great plans, the Soviet plan was quite simple. It all went off with exemplary smoothness and before anyone in the West knew what was happening, the world balance of power had swung across in favor of the Soviets. Not a single Russian had been killed or wounded or indeed had fired a shot. Russia had achieved her two-hundred-year-old objective.

ARAB AND ISRAELI INTERESTS

I do not propose to discuss the rights and wrongs of the Arab-Israeli conflict. My intention is to be entirely practical and objective. If any "interests" are considered, they will be in the interests of the United States and Britain.

In June 1967, the Israelis gained a swift and dramatic victory. But unfortunately, victory is a heady wine. To be humble in victory is perhaps the most difficult test of character in life. The Israelis were naturally excited, elated, perhaps even arrogant. For several weeks, they waited for the Arabs to surrender and throw themselves on their mercy. But nothing happened. They deliberately avoided introducing any mediators or asking for outside help to bring the two sides together. The Israelis wished to accept the surrender of their enemies and themselves to dictate the peace terms.

In point of fact, both Egypt and Jordan were badly shaken and seemed for a time to be ready to concede much. I cannot personally avoid the impression that, if the United States had intervened in October or November 1967, peace might have been concluded, but I may be wrong.

Since Christmas, however, the situation has deteriorated. The idea of guerrilla resistance has gained ground among the Arabs, partly as a result of the example of Vietnam. Chinese propaganda has made some progress in Syria. They are still extremely inefficient at guerrilla operations and their efforts have produced little effect. It takes six or seven years to train a civilian population to guerrilla resistance, which involves incredible suffering and the ruin of the countryside.

If, however, all the Arabic-speaking peoples are sufficiently determined, Israel can never achieve peace. It is not yet certain that the Arabs will show sufficient resolution, for ethnically they are many different peoples which share a common religion, culture and language but do not belong to the same stock.

SEARCH FOR VICTORIOUS END

Israel could occupy Amman, Beirut or Damascus, but what then? Wherever they stopped there would still be a battle line in front of them. And, of course, the further they went, the longer would be their communications through hostile country. Moreover, with every military advance the intensity of the hatred opposed to them would increase. Thus if (and here there is an element of doubt) the Arabs are tough enough, vast areas of the Middle East may be laid waste, great numbers of civilians may be killed, but the Israelis will still not achieve peace.

The mistake which the Israelis may be making has been made many times before in history. The northern races, from Russia to Britain and North America, have a centuries-old tradition of standing up and slaughtering one another in pitched battle. They consider this the proper role of the soldier and they look with contempt on an enemy who will not "stand up and fight." But when the great technological military machine has rolled over the country, ostensibly flattening all opposition, the northerners discover that they still have not won.

No enemy leaders come forward to surrender. Nobody cooperates with the victors. Sabotage and assassination increase. In other words, any great power can conquer an Arab country but it is only after victory that the trouble begins.

To win the peace in Asia requires a knowledge of and sympathy with the people. It also needs wisdom, humility, compromise, perhaps even love. "Arabs are sub-human; the only argument they understand is fear," an Israeli said to me.

PEACE ONLY IF IMPOSED BY THE UNITED STATES AND U.S.S.R.

As I have said, I am not taking sides between Israel and the Arabs, but I fervently desire peace in the Middle East. But if peace necessitates sympathy and compromise, it seems unlikely that the Arabs and Israelis are going to get together. It seems to me that things have now gone so far that peace can only be achieved if the United States and Russia agree on what are fair terms and then together exert such pressure on both sides as is necessary to secure acceptance. When such a settlement has been reached, the two powers must guarantee its continued observance.

PEACE MAY NOT COME

If peace is not achieved now, spasmodic fighting may continue for twenty, fifty or a hundred years. In Asia, the U.S. is believed to be a hundred percent on the side of Israel. This may be exaggerated or incorrect but it is universally believed. The longer hostilities continue with Israel militarily dominant, the more Arab countries will call in the Russians. Moreover, the same tendency is already spreading to non-Arab Muslim countries. The CENTO Treaty, designed by the Western powers to hold back the spread of Soviet power, is already shaken. Turkey, one of the stoutest allies of the West, is now almost surrounded by Russia.

Unless peace can be established in the Middle East now, ever-expanding areas of Western Asia and North Africa may despair of the West and throw in their lot unreservedly with Moscow.

SAVE US FROM ALL OUR "SAVIORS"

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. HATHAWAY. Mr. Speaker, the assassination of Robert Kennedy has evoked much comment on causes and cures but none quite as poignantly true as that of my good friend Arthur Hoppe, in the Evening Star, June 10, 1968:

SAVE US FROM ALL OUR "SAVIORS"

The anger grew. As the tiny figures swirled and eddied across the television screen and told their conflicting stories in shock and horror, the anger grew.

That this should happen once again to the Kennedys. That this should happen once again to all of us.

It was an all-encompassing anger. It encompassed the sickness of our society, the unfairness of life, it questioned God.

"I did it for my country," a news announcer quoted the gunman as saying. "I did it because I love my country."

Suddenly the anger focused. It focused not so much on the gunman as on all those like him among us—those who know what is good for the rest of us, those who push and shove and trample and shoot and kill in the righteousness of their own glorious cause.

Save us, dear Lord, from those who would save us.

For no man consciously does evil. Each man must justify to himself what he does. And how easy that is for those who know they serve in a righteous cause.

How easy for the assassin to pull the trigger, for he knows what's good for his country. How easy for the Nazi to strangle a Jew, for he knows he builds a Reich that will last a thousand years. How easy for a Communist to purge a dissenter, for he knows he creates a brave new world.

How easy it is for the Christian or the Moslem to butcher his fellow man, for he is the repository of divine truth. How easy for the Viet Cong terrorist or the Saigon police chief, for each knows he kills to save his nation.

How easy for the Klansman to lynch a black, for he knows he saves the Southern Way of Life. How easy for a Black militant to cry, "Burn, baby, burn," for he knows this will make his people free.

How easy for the radical left to strive to tear down this sorry scheme of things entire, for they know our society is destroying our souls. How easy for the radical right to form secret guerrilla bands, trained to shoot and kill, for they know they must save us all.

How easy it is. How easy it is for the righteous to justify what they do.

So the anger grew. And with it the hatred. I hated. We must somehow save ourselves from these hateful people who would march militantly over us to save our society, our nation, our world.

In my own self-righteousness, I hated more than I can remember ever hating before. In my own self-righteousness, I could gladly have seen them all destroyed. In my own self-righteousness.

And now, in reflection, I am more convinced than ever in what I have long believed:

If I would remake the world, I had better start with me.

FIRST LADY'S CONTINUING EFFORTS TO BEAUTIFY AMERICA

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. WRIGHT. Mr. Speaker, I commend the First Lady for her continued leadership and participation in her nationwide campaign to beautify America.

Mrs. Lyndon Johnson spoke at the annual awards ceremony of the Committee for a More Beautiful Capital at the White House this week, and praised the committee for its work in improving the Nation's Capital. Mrs. Johnson said:

> Your accomplishments are important—to your families and neighbors who are so proud of you—and very much so to me. This is a time when we recognize the power for good that each citizen has.

The First Lady presented awards to Mrs. Sylvia Shugrue and Mrs. Lucille Johnson, members of the committee, for inspiring and guiding students in their beautification projects.

I insert in the RECORD Mrs. Johnson's remarks at this ceremony:

REMARKS OF MRS. LYNDON B. JOHNSON AT THE ANNUAL AWARDS CEREMONY OF THE COMMITTEE FOR A MORE BEAUTIFUL CAPITAL, THE WHITE HOUSE, JUNE 11, 1968

It is a pleasure to welcome all of you here today, for you are the people who have been working day in and day out, with your hands and your hearts, to improve this city—our Nation's Capital.

You are the doers—you do not dream idly nor give up in despair! You are showing all of us how each person can contribute something of positive value.

Your accomplishments are important—to your families and neighbors who are so proud of you—and very much so to me. This is a time when we recognize the power for good that each citizen has.

One entry I recall so well included a line that is a message to us all. This lady wrote, "I made the first move and asked the children to join me and they have."

Yesterday I drove around the city to see some of your accomplishments first hand, and I was delighted with the variety and extent of your efforts.

Some of you have cleared out vacant littered lots to provide much-needed recreation space in your neighborhods. Others have cleaned up and planted their yards and places of business. Even such challenging ones as service stations and a warehouse—have been brightened with shrubs and flowers.

I'm delighted that we are recognizing some 15 filling stations in the District of Columbia which have landscaped their stations and made a real contribution to their neighborhoods. I want to thank a member of my committee, Mr. Adam Rumoshosky with the American Petroleum Institute, who has done much to stimulate oil companies to encourage stations in this effort.

There are 215,000 stations in the nation, and 400 in Washington. They are located in well-traveled spots by the very nature of their business.

I'm delighted that a beginning has been made. One of the winners here has told me that the landscaping has brought forth compliments and more business. Everyone takes an interest in the station's appearance and expresses appreciation for what has been done to make it a real asset to the neighborhood.

At the Twin Oaks Demonstration Center, children have been raising flowers and vegetables, and I am sure no corn ever tasted as good as that which you raised and enjoyed at your corn feast last summer!

A variety of projects have been carried out in the schools, ranging from the topographical map of the new Braille Trail at the Arboretum which the children of Webb School made, to the forcing and planting of bulbs by the children at Logan School.

Today we are presenting individual awards to Mrs. Sylvia Shugrue and Mrs. Lucille Johnson, who have inspired and guided students in their beautification projects. What a difference a determined, enthusiastic teacher, particularly in art and science, makes in creating the desire to get a workable school project underway.

I would also like to take this opportunity to thank the Awards Jury, chaired by Mrs. Ezekiel Stoddard, and the staffs of the D.C. Beautification Office, the Department of Highways and Traffic, the Department of Recreation, and the National Capital Park Service, who have worked with you to improve the city.

I was especially glad to see that your projects carried over into the surrounding neighborhoods—I noticed yards across from some of the schools were spruced up.

What all of you have done to make your neighborhoods, your schools and your businesses more attractive is well worth applauding, and these awards show that you care and we salute you for it.

Nationally, we are on the way to a better environment, and when you set to work in your neighborhood, you are helping to improve the national environment and helping to change national attitudes in a very positive way.

Thank you for all you have done for your hometown—Washington.

SENATOR EDWARD W. BROOKE—CATHOLIC UNIVERSITY COMMENCEMENT

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. MADDEN. Mr. Speaker, on last Sunday Senator EDWARD W. BROOKE, of Massachusetts, delivered the following masterful address to over 1,800 graduates at Catholic University, Washington, D.C.

ATTITUDES AND ASPIRATIONS: PRELUDE TO CHANGE

(Commencement address by Senator EDWARD W. BROOKE, at Catholic University, Washington, D.C.)

We meet at a somber moment. We come together benumbed and grief-stricken, bewildered and anxious. The buoyancy and hope which should mark this occasion are overwhelmed by the depression which envelops our nation. The spirit of reason and humanity which animates this great university, the spirit which has inspired the forward movement of civilization itself, is clouded by the brutality and inhumanity which have once more stricken this land.

Dickens familiar words now seem prophecy: "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair." In the United States of 1968, despair hangs heavy.

The murder of Robert Kennedy brings more than anguish in its wake. It brings many profound questions. How can America continue to sustain the recurrent shocks of violence against its public men and its public order? Can we as a people endure the emotional exhaustion of repeated national tragedies without losing the sensitivity and concern for individual life which is essential to political stability and social progress? How can the violent impulses which threaten the country be curbed and the traditions of non-violent change nourished?

Senator Kennedy's life suggests the only possible answers to the questions raised by his death. His faith in the goal of a compassionate society and his dedication to concrete measures to build such a society reflected the kind of commitment which all Americans must undertake. From this stunning tragedy and those which preceded it, we must derive a new sense of community in America. The passing of great men is our common loss; the burden of great problems is our common lot. Neither is bearable unless we join our hearts and our hands to carry on the mission of this nation.

As we contemplate that mission, and as we mourn for one of its most vigorous proponents, it is easy to be disillusioned. Indeed, it is even fashionable. In our time, as in all the ages past, there abound the synics and pessimists who denounce the brotherhood of the hopeful as foolish, who deride the fraternity of the active as futile. But cynicism and pessimism do not constitute realism. I hope and I trust that you and your peers will have the moral insight to discern the difference.

To be sure there are plausible grounds for the gloomy views of the world which your generation will inherit and which it is called to transform. Riots at home and wars abroad are not a likely basis for optimism. Poverty in every continent, injustice in every nation, social discord in every state, these are grim omens. They must be faced and they must be relieved. Yet those who see only these features of the terrain are as mistaken as those who wallow in a sea of personal euphoria. Both groups are equally deserving of Sir Francis Bacon's trenchant comment:

"They are ill discoverers
That think there is no land,
When they see nothing but sea."

I am convinced that the drastic changes which have shaken the social and physical orders of this planet during the first two thirds of the twentieth century can portend a golden age for mankind. You and your children can inaugurate that era. It is not only that the human race has acquired a growing mastery of the material universe, a mastery which can enable all men to have the material necessities of life. While modern science and technology are by no means unmitigated blessings, they do permit us to face the future with the reasonable expectation that we can, with prudent management, meet the physical needs of all those on earth. Moreover, they hold some promise of correcting the unwanted byproducts which they themselves generate. Thus, it is through research that we have the greatest hope for controlling the environmental pollution which has arisen from application of modern technology; it is through research that we may hope to find cures for the physical and mental traumas which arise from the stresses of modern society; it is through research that we may even be able to find some of the most effective safeguards against the actual use of the destructive technology which defines the nuclear age.

Yet it is not the physical prospects raised by contemporary science which lead me to bet on the future. I believe that the truly encouraging trends for the inhabitants of

Spaceship Earth are social and psychological in nature. The trends to which I refer are running most strongly in this country and they are epitomized by members of your generation. These trends are complex and difficult to describe briefly, but I would suggest that their principal effect is to increase our collective capacity to adapt to social change. Among the young elite of America, those who will bear the major responsibility for guiding this nation through the turbulence which lies ahead, complacency is giving way to concern, apathy to involvement, self-seeking to self-sacrifice. While you have been growing up, a vast shift in social attitudes has been under way in this country. We are becoming, in my considered judgment, a future-oriented society, a nation acutely aware of the past failures and present defects and determined to alleviate them in the years ahead.

When compared with the uncertainty and anxiety which always accompany significant change, "the good old days and the good old ways" have powerful appeal. But if one succumbs uncritically to that appeal, the practical result is to gloss over the shortcomings of the existing social order and to deny the possibility of improving it. One is drawn to resist change on the general assumption that it may not be helpful, rather than to accept or discourage change according to a pragmatic appraisal of its probable effects in comparison with the status quo.

While Americans have been less constrained by tradition than other peoples, I believe that the attitudes now coming to prevail in our society are far more receptive to change than those which dominated in past decades. Furthermore, there is developing a heightened awareness of the inequities which still plague our society and a stronger determination to make the changes necessary to deal with them. I believe that the outcome will be a more responsive and a more responsible community.

This psychological revolution has its parallels in other countries, both in the West and in the East. It is of the utmost consequence to us all that the Soviet Union, as the other power with primary influence on the questions of war and peace, has shown that it too is adaptable to the realities of our time. Until former Premier Khrushchev repudiated the Leninist doctrine of the inevitability of war between capitalist and communist states, the risk of a thermonuclear Armageddon was real and increasing. That risk has not disappeared—far from it—but the shift in Soviet attitudes has made possible a number of constructive innovations in the international political system.

Although the arms race continues, there can be no doubt that the realization that nuclear war would be mutually suicidal has contributed significantly to the possibilities of peaceful accommodation between Moscow and Washington. One may hope that a similar maturity will emerge in China, as the Chinese become more familiar with the awesome implications of the nuclear forces they are developing.

Perhaps the most important result of the altered psychology of Soviet-American relations has been the restraint shown by both countries during the struggle in Vietnam. However brutal and painful the war in Southeast Asia has been, the seeds of global strife which it contains have not been allowed to sprout. While no one can rejoice at what has happened in Vietnam, what has *not* happened is certainly cause for prayerful gratitude. The prudence exhibited by the United States and the Soviet Union can provide us time to identify and develop our mutual interests, and in those mutual interests lies the world's best chance for long-term security and prosperity.

A different kind of psychological environment has evolved on the domestic scene. Here at home the disposition has become not one of caution and restraint, but of rapid and energetic action to promote social change. This activist attitude has come increasingly to the fore in the last decade. It is well-matched to the needs of the nation. The new activism has begun to zero in on the critical requirements of modern America, on the pressing need to improve life in our urban centers, to relieve the lingering injustice from which too many suffer, to provide a decent standard of living for all citizens.

The upwelling of social concern is creating a new ethic for the American people. If I judge the matter correctly, the new ethic will retain the traditional American reverence for the individual personality but it will temper the harshest overtones of our Puritan heritage. That heritage has tended to see individual failure in the economic sphere as a reflection of personal corruption and has tended to discourage community action to assist the disadvantaged members of society.

Mr. Dooley once observed that the Puritans had celebrated Thanksgiving to give thanks for being preserved from the Indians and that we celebrate it to give thanks for being preserved from the Puritans. His conclusion that we have been so preserved was premature, for we have never fully shaken the Puritan suspicion that an individual who could not provide for himself was not quite worth being provided for.

We are at least beginning to understand that the operation of a complex economy often wreaks havoc on the fortunes of individuals. Through no fault of their own, some people have little opportunity to become self-supporting, much less to make a full contribution to society.

If we had not fully appreciated that this was true, the shocking evidence of Resurrection City should be conclusive. The three thousand participants in the Poor People's Campaign have brought the message to the heart of the nation's capital and, I hope, to the heart of the nation. They are raising up the reality of poverty in America, a reality compounded of inadequate education, unemployment, miserable housing, and malnutrition.

Recognition of these facts has brought increasing numbers of Americans to support the principle that society has an obligation to its less fortunate members. As this principle wins wider acceptance, and as America's abundant resources make possible a larger investment in programs to attack the root causes of poverty, the possibilities for effective social reform rise proportionately. Clear, workable solutions to these perennial problems are not yet in hand, but many of the central difficulties have been identified and promising approaches are being explored.

The emergence of this new perspective on poverty is a watershed in our history, but no one can state with confidence exactly what will be required of us, or over how long a period of time, to succor the distress we now perceive. That is why the activist bent of you and your generation is so essential to our country. The task of designing and implementing a sound strategy to cope with these momentous problems is bound to take our best efforts for many years. The nation desperately needs a special breed of tough-minded idealists, men and women who are prepared to enter the long campaign which lies ahead.

Fresh troops are needed in all the fields of social service. We will have to find dedicated and inspired teachers to undertake the difficult burdens of instruction in the ghetto schools. To control the disruptive tendencies of many of our disadvantaged families, competent and credible social workers will be needed. To help map the way out of the cluster of dilemmas which frustrate millions in our center cities, we must train and employ the most capable urban planners in history. In all these fields and others, the challenges of the coming decades will demand a total commitment from those brave enough to accept them.

But a constructive attack on these crucial social ills will require more than individual commitments to specialized pursuits, however worthy those pursuits may be. Each American will have to guide his service by constant reference to the general requirements of a free society. We must have, as Walter Lippmann so eloquently argued a decade ago, a revival of appreciation for a public philosophy in this country, a renewed respect for the public interest. It will not suffice, in a nation whose citizens have developed a hitherto unknown interdependence, for each man to pursue his own desires without regard to the rights and needs of others.

To function as a democratic society America will have to devise new modes and instruments for the voluntary coordination of the manifold activities which engage the energies of her people. This will be the supreme test of representative government, but it will also be the ultimate challenge to all the institutions which comprise the private sector. Business, labor, churches, universities, families, and individuals in every sphere of our national life must learn to act in full consciousness of the implications of their actions for others in the community.

To state this is merely to state the obvious prerequisite of life in a modern nation. Our political, social and economic organization has now grown so complex that each of us survives quite literally at the mercy of dozens of others. By the same token each of us has come to hold a kind of veto power over the happiness and well-being of many of our fellow citizens. All of us are driving down a crowded highway, and the fact of every passenger is linked to the behavior of every other. We must surely learn to guide ourselves, for there is no invisible hand wise or powerful enough to do the job for us.

The odds are good that most of you will be here to greet the next century. Between now and the year 2000, America and the other nations of the world will undergo the most stupendous changes in all their history. No one from my generation can tell yours how to grapple with the future. Personal fulfillment does not come out of a do-it-yourself kit, any more than social progress proceeds from a pat formula set down by the elders of the community.

But I can tell you of my faith that the United States is girding itself to meet the massive transformation of the next three decades. The revolution in social attitudes through which our nation is passing will, I am confident, make us a more sensitive people. I believe it will prepare us to plunge ahead, in good spirit and in the right direction, to remedy our domestic wrongs and to lead the way to a more equitable and more stable international system.

It is not so much the radical innovations of science and technology as the changes in human attitudes and institutions which will shape this future. If we are to build a better world for ourselves and our posterity, we must find our salvation, not in mother nature, but in human nature.

In this perpetual quest you and other Catholic Americans have a very special contribution to make. Not only do you bear living witness to the capacity of a noble institution to adapt to change while retaining its integrity, but you represent a tradition with one of the most sensible and hopeful perspectives on human nature. Your view of man is bright, not bleak. You come equipped with the understanding that, though often flawed, the human personality is capable of mighty deeds.

This is a faith which all Americans need. It is a faith helpful in prosperity and essential in adversity. Without this faith the aspiration of men to be free must perish; with it that aspiration will fuel a surge of human accomplishment that will capture the future and make it our own.

IT IS NOT TOO LATE—YET

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. NICHOLS. Mr. Speaker, Americans throughout this country are deeply concerned about the problems, the tension, and the general troubled atmosphere that prevails today. I know that each of our colleagues has this same impression from his visits to his district, and from the hundreds of letters he receives each week. Our people are worried and disturbed about the situations that exist in America. One of the best expressions of this feeling was included in an editorial in the Birmingham News of Sunday, June 9, 1968. I would like to share this editorial with the House, and insert it in the RECORD at this point:

IT'S NOT TOO LATE—YET

One voice alone will not make the difference, not this voice or any other.

But the chorus of voices swelling up from this land—voices of the famous and the anonymous, of public officials and private citizens, of editorial writers and the "man in the street"—*will be heard.*

The President of the United States cannot fail to hear it. He must not fail to heed it.

The voice—this anguished national voice, full of tears and full of concern for the future of a country which two centuries of blood and love and work built to greatness—demands that the President use all the power and the persuasion of his office to put an end to permissive tolerance of conduct which threatens to reduce the United States of America to ruin.

On May 8, 1963, *Birmingham News* Publisher Clarence B. Hanson Jr. sent a telegram to President John F. Kennedy. It said, in part:

"Birmingham expects that you as President of *all* the people will use your office to encourage maintenance of law and order at *all* times."

Birmingham had just voted to change its form of government and had just elected a new mayor, Albert Boutwell, who had pledged immediate attention "to resolving the difficulties that face us" as soon as the new government's authority—then being challenged in court by the former government—was undisputed.

But Dr. Martin Luther King and other leaders refused to halt street demonstrations to give the new government time and opportunity to act.

Then-Atty. Gen. Robert F. Kennedy said that the demonstrations were ill-timed; that law and court orders must be sustained; that questions of justice should be settled in court, not in the streets. Atty. Gen. Kennedy acknowledged publicly that Mayor Boutwell "already has made clear his intention to resolve the difficulties facing (Birmingham)."

"That is the 'picture' today, Mr. President," Mr. Hanson's telegram said. "But apparently if there is to be order, and respect for law, and proper procedure through the courts as well as sincere white effort to meet this problem cooperatively, you, Sir, must be the one to bring it."

President Kennedy did not act to end the demonstrations, which in time led to violence and which set off a wave of "civil disobedience" which plagues the nation to this day.

In the five years since that telegram was sent, lawlessness and disorder have grown yearly. And the greatest tragedy of all is that Americans have come to shrug their shoulders, to count themselves helpless to do anything about it.

President Kennedy is dead, the victim of an assassin's bullet.

Dr. King is dead, the victim of an assassin's bullet.

And now Robert Kennedy is dead, the victim of an assassin's bullet.

Are assassins to be the determinators of America's future? Is unchecked lawlessness to destroy a system founded on respect for the law? Is license to undermine responsible exercise of rights?

The Birmingham News believes now as it believed five years ago that the President of the United States has the responsibility and the power to act decisively to insure domestic tranquillity.

That action must be more than appointment of a commission to examine the source of flames which already are licking at the national structure. It is good and useful to study the causes of the fire—but it is urgent, in the meantime, to turn the hoses on it.

The murder of Robert Kennedy is only the latest stinging wound to a lacerated national body. How much more must we suffer before someone has guts enough to stand up and say "Stop!" to those who slash and spit in the face of America?

President Lyndon Johnson can begin with those who have massed in Washington to shake their fists at the country.

Tell the leaders of the Poor People's Campaign, Mr. President:

—That the United States *does* care about the poor; *does* pledge itself to programs to give every American a richer share in its material wealth as well as its freedoms.

—That they lie who claim that efforts have not been made, are not being made, will not be made by "white America" to eliminate discrimination, to improve the lot of minorities; who say that conditions for black men in America not only are no better than they used to be but are worse and more hopeless than ever.

Tell them, Sir, that the nation is sympathetic to the legitimate grievances of the poor, but that the nation is tired of the abuse some of the leaders of this campaign heap upon it.

Listen to Rev. James Bevel: "I feel no responsibility to a nation-state. I represent conscious energy, which is a universal phenomena. As a result, I don't get too excited when I see a rag on a stick called a flag."

Tell him, Mr. President, for all the Americans who *do* feel a responsibility to America and who *do* "get excited" by the American flag, that he goes too far.

See Rev. James Groppi, a priest, point his finger at the U.S. attorney general and say: "If we have to turn the capital upside down—brother, I'm all for it."

Listen to the cheers which fill the attorney general's office when a Puerto Rican promises that "we haven't got any money, dad, but we got matches."

Tell them, Mr. President, what you told the American people after the murder of Sen. Kennedy—that unless Americans learn to live under the law, then all we cherish is imperiled, all the hopes of doing something about the problems which face us will evaporate.

Ask then, Sir, if there are no voices of respected, responsible leaders of both races which will speak up for reason and order in our national life.

The people of the United States are in no mood for more of the misconduct of an extremist few—whether they are on college campuses seeking to terrorize an administration into submission or in city streets burning property and looting stores or assaulting citizens.

The people *demand* that the President make it clear that the time for looking the other way is past: That from this day on those who violate the law, however "moral" their motivation, those who sow subversion and disorder, must expect to be dealt with accordingly.

We *cannot* let go unchallenged those who seek to destroy America, who attack the foundations of a system of government which, for all its imperfections, is the best ever devised—and which still has the devoted support of an overwhelming majority of Americans of every race and creed and political persuasion.

If something is not done to check extremism, to rally Americans to a new sense of patriotism and purpose, then this country is in grave trouble.

It is the President's responsibility, and the responsibility of every American who values America, to do *now* whatever can be done to shake the nation to its senses.

The best possible monument to Sen. Kennedy would be the restoration of a climate in which every American could feel safe in his person and his property and his right to hold and responsibly express political views; in which our differences can be aired reasonably and decisions made reasonably and reasonable steps be taken to make a great nation even greater for all its citizens.

It is not too late—yet.

THE FOOD AND AGRICULTURE ACT OF 1968

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. RESNICK. Mr. Speaker, I rise today to put myself on record in favor of the extension of the Food and Agriculture Act of 1965. I hope this does not suggest that I believe this legislation will save rural America. I view the bill as a holding action, as our way of telling the American farmer that we are not forgetting him while we continue to look for other solutions to the ills of the countryside.

Many of my colleagues are threatening to vote against this bill for no reason other than their pique at the Agriculture Committee's indifference to human needs and human problems. I share the concern of these members with the past performance of the committee. As a member of the committee, I know all too well its unconscionable foot dragging on the food stamp bill and its shocking tabling of the Stennis emergency food and medical assistance bill.

Nevertheless, if House Members vote against the food and agriculture bill to punish the Agriculture Committee, they may in fact hurt the very people they wish to help. Our rural areas are already in a sorry condition; they are characterized by high unemployment rates, low incomes, a general lack of opportunities and high rates of outmigration.

But any bad situation can get worse. The defeat of this bill would serve the interests of the farmers enemies; namely the agribusiness complexes who have sufficient capital to operate regardless of Federal programs. The American Farm Bureau Federation which opposes the bill, has already predicted and welcomed the demise of the family farm. The defeat of the bill would be playing into the hands of this gigantic insurance company since it would accelerate the mortality rate for small farmers.

Today's big city ghetto dwellers lived in rural slums before they became residents of city slums. The lack of opportunity and the frustration of these poor people remains the same. The only difference is the population density. It is difficult for a riot to start out in a field but a rock thrown in anger through a store window can be the spark which ignites a whole community in a densely populated area. Our cities have become pressure cookers of discontent and at the root has been our lack of attention to the problems of our rural residents.

Quite apart from this inevitable outmigration, the defeat of this bill would lead to wild fluctuations in food prices. While some, such as the Farm Bureau lobbyists, argue passionately for something called the free market, I for one can see no virtue in unstable prices. An economic free-for-all would merely afford a golden opportunity for the large conglomerate corporations to assume monopoly control of food prices.

For those Members who are annoyed at the conservation coalition may I suggest that there is an alternative to obstructionism. The honorable gentlewoman from Missouri, LEONOR K. SULLIVAN, has introduced a bill to provide a permanent and expanded food stamp program. By joining with Mrs. SULLIVAN in cosponsoring the bill we would be urging the members of the Agricultural Committee to reassess the priorities which they have placed upon legislation concerning products versus legislation concerning people.

Another suggestion might be a little friendly harassment of the bureaucrats within the Agriculture Department who always seem to find numerous reasons why they can't inject as much enthusiasm and flexibility into administering the food stamp, commodity surplus, and FHA housing loan program as they do into tobacco research and cotton subsidy programs.

What I am saying, in short, is that the techniques many of us are proposing to accomplish our goals may be self-defeating. The poor are in Washington today because we have not responded to their needs. Defeating the food and agriculture bill would do little to help them.

FARM PARITY STAYS AT LOW LEVEL

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ZWACH. Mr. Speaker, farm parity remained locked at 73 percent for the month of May, the same as for April, and 1 percent under May 1967.

Rising costs for farmers were again listed as the culprit as farm prices actually edged upward, but farm costs also increased, thereby holding parity to the same low level.

Farm production goods increased by 1 percent from mid-April to mid-May, while the total index of all farm purchases is 3 percent higher than a year ago.

The following table lists the parity price percentages for various agricultural products for April and May 1968:

Parity percentages

Product:	*April*	*May*
Cotton	44	47
Wool	45	46
Wheat	52	52
Barley	71	73
Corn	65	66
Butterfat	76	76
Milk	87	90
Flax	73	73
Oats	78	78
Sorghum	70	70
Soybeans	76	76
Beef	80	80
Chickens	65	67
Eggs	61	63
Hogs	75	73
Lambs	89	90
Turkeys	59	60
Average parity ratio	73	73

ELECTORAL CRISIS LINGERS IN PANAMA

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. FLOOD. Mr. Speaker, in statements to the House on March 28 and May 28, 1968, I discussed at length the perils involved in the May 12 presidential election in Panama.

Dr. Arnulfo Arias, a two-time former President, has now been declared the victor by one of Panama's electoral bodies by more than 40,000 votes, but the dangers inherent in the situation still lurk.

A summary of current conditions in the Isthmian country by James Nelson Goodsell, Latin American correspondent of the Christian Science Monitor in Panama City, follows:

ELECTORAL CRISIS LINGERS IN PANAMA

(By James Nelson Goodsell)

PANAMA CITY.—Panama's electoral crisis is far from over.

Although Dr. Arnulfo Arias, the two-time former President of Panama, has been declared elected by one electoral body, the nation's other electoral group calls the action illegal—and seems determined to tap David Samudio, a former finance minister, as president-elect.

Still, Panama's National Guard, the nation's small but well-trained military force, appears to support Dr. Arias. And this support probably is enough to get him into the presidential chair again.

The big problem in this is the continuing unwillingness of the government of Marco A. Robles to relinquish the presidency to Dr. Arias. In the May 12 election, Mr. Samudio was the government candidate.

Both Dr. Arias and Mr. Samudio claim to be president-elect.

Most independent observers here say there is little doubt that Dr. Arias did in fact win the elections with at least 40,000 more votes than Mr. Samudio. But a pro-Samudio newspaper, El Mundo, this past week ran a full-page editorial summary showing a Samudio win by slightly more than 4,000 votes.

WILL OF THE ELECTORATE?

Thus, the basic split between the Arias and Samudio forces remains. And there is growing dissatisfaction here on the part of many people.

Religious and civic leaders, including some who supported Mr. Samudio in the campaign, have launched an effort to get the "popular will" of the electorate recognized—and thus Dr. Arias accepted as the legitimate winner.

"It is not necessary to point out to citizens the tragic consequences that a failure to recognize the popular will would bring about for the community well-being," the group said in a statement.

The group has indicated that, if its appeal goes unheeded, it may well resort to passive resistance in the fashion of the Rev. Dr. Martin Luther King, Jr., in the United States.

The National Guard apparently wants to avoid the possibility of such resistance which might lead to massive civil unrest in this isthmian nation. And there is a good deal of feeling here that the National Guard's commander, Brig. Gen. Bolivar Vallarino, is working behind the scene in an effort to get the Robles-Samudio forces to accept the Arias victory.

So far, these forces have refused to do so.

ECONOMIC CRISIS LOOMS

In fact, the National Electoral Tribunal, a three-man board appointed by the government, has given every indication of rejecting the Arias victory.

Meanwhile, Panama is facing something of an economic crisis. Business firms in downtown Panama City continue to operate on a business-as-usual basis, but many firm owners say that sales are off significantly.

One merchant who deals in clothing goods said this past week, "I could close my store three days a week and it would not affect my business."

Not all businessmen, however, see things as drastically. But most will say that there has been a slowdown in the past few weeks. In part, it depends on the type of business.

UNPRECEDENTED GROWTH

The tourist business apparently is off sharply. Employee working hours have been shortened in some cases. And in others, there have been layoffs. Taxi drivers are particularly full of complaints.

"There just isn't any business," one of them at a major hotel here said. "I have had very few fares in the past four weeks."

Interestingly, the economic downturn comes at a time when Panama's economy has been enjoying a period of unprecedented growth. The 1967 growth rate is estimated at 9.5 percent, down only slightly from the record 1966 total of 10.7 percent.

And based on per-capita income, which figures in the population increase and other factors, the 1967 figure was up more than 5 percent—double the Alliance for Progress goal of a 2.5 percent increase per year.

As 1968 began, there were forecasts that the growth rate would equal or better the 1967 estimates.

But the election crisis, which was preceded by the effort of opposition forces to unseat President Robles, has left the economy in an uncertain state. There is clearly a slowdown in business activity—as much as 25 to 30 percent in the past four weeks—but there is little capital flight from the country.

As far as long-range investment is concerned, there seems to be little evidence on any slowdown. But these calculations are only now coming in, and it will be several more weeks before it can be determined if a slowdown is taking place here.

HOPES FOR UPTURN HEARD

There is general feeling here that once the current electoral crisis is solved, an economic upturn can be expected. Almost all banking and business forecasts suggest this to be so.

At the same time, forecasters here think the longer there is uncertainty over the country's political future, the more difficult will be the task of regearing the economy.

The one area of business activity which has not fallen back is the retail food industry. Panamanian residents are stockpiling food in their homes in anticipation of any disorder which might come out of the present uncertain political scene.

The United States has officially remained aloof in the current political dilemma. But forces loyal to Mr. Samudio say Dr. Arias has the backing of the United States. The charge is firmly denied by both the United States and Dr. Arias.

The Panama Canal, which is registering record transits at the present time, has not been an issue in recent Panamanian politics.

Neither candidate brought the canal or relations with the United States into the campaign, but there is always a concern in Washington that the volatile nature of Panamanian politics may erupt at any moment and embroil the United States. That remains a possibility.

JUDGE KENNETH L. NASH

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BURKE of Massachusetts. Mr. Speaker, it is my privilege to bring to the attention of the Members of this Congress that today marks a milestone for the Massachusetts judicial system and for Judge Kenneth L. Nash of the Quincy District Court.

The story of Kenneth L. Nash, is, in a strong sense, the story of parliamentary effectiveness in a democracy. Judge Nash may be said to stand out as the symbol of leadership achieved by merit. Kenneth L. Nash, presiding justice of the district court of East Norfolk, Quincy, Mass., has served in both the Massachusetts House and Senate. He has served the people of his Nation, State, and local community with distinction.

In June of 1918, he was appointed associate justice by Gov. Samuel W. McCall. In October of 1933, he was appointed presiding justice of the district court by Gov. Joseph B. Ely. In 1965, he attained the high honor of being appointed chief justice of the district courts by Gov. Endicott Peabody.

Judge Nash will be 80 on July 14—32 days after his 50th anniversary on the bench. He continues to put in a full day at the courthouse in Quincy as he has every day for the past 50 years. He has become an inspiration, a symbol of power and achievements in the Commonwealth of Massachusetts.

In addition to his judicial duties, Judge Nash has also been very active in other fields of endeavor: He played ball as a major league baseball player with the Cleveland Indians and the St. Louis Cardinals. In later years, he coached the Tufts University baseball team for 20 years.

Judge Nash is well endowed with outstanding moral and intellectual qualities necessary for the position of chief justice of the district courts. I hope that God will continue to bless him and his work abundantly.

At this point I would like to bring to the attention of my colleagues an article, entitled "50 Years on Bench," which recently appeared in the Quincy Patriot Ledger:

FIFTY YEARS ON BENCH: JUDGE NASH NEARS MILESTONE

(By Frank Kyper)

QUINCY.—June 12 will be a milestone for the Massachusetts judicial system and for Judge Kenneth L. Nash of the Quincy District Court.

The date will mark the justice's 50th year on the bench—the last four of which have also seen him serve as the first chief justice of the Massachusetts District Courts.

Veterans of the state's judicial system report they cannot remember any other judge who has served on the bench for a full 50 years—especially one who is under 80. Judge Nash was appointed to the Quincy court in 1918, when he was 29.

Just as he has for the past half century, the Weymouth native and resident, who is a bachelor, continues to put in a full day at the courthouse in Quincy. Much of this time is now devoted to continuing the smooth operation of the many district courts scattered throughout the commonwealth.

Judge Nash still remains nearly as trim as he was in his early athletic career. After he was graduated from Brown University, where he was captain of the baseball team, he had a brief session in major league baseball—playing for the Cleveland Indians in 1912 and the St. Louis Cardinals in 1914.

He coached the Milton Academy baseball team in 1918 and the Tufts University team from 1920 to 1941.

Judge Nash also played for the Steel League baseball team at the Fore River shipyard in 1918. Joseph P. Kennedy, father of the late President, was assistant to the general manager at the facility and managed the team.

Baseball remains a passion with the judge, friends say, and he will discuss it for hours on end, at the slightest provocation.

Judge Nash served as the juvenile judge in the court for about the first 10 years following his appointment. The late Judge Kenneth Johnson succeeded him in the juvenile sessions.

The chief justice says the most notable change during his years on the bench has been the increased length of court sessions. He attributes this only partly to the increased number of cases being processed.

He cites Supreme Court decisions and federal requirements that the court must provide a lawyer for every defendant who requests one as contributing factors.

"We never used to know anything about getting an attorney for any man who came into court," he says.

PRISONER'S RIGHTS

In addition to the requirement—and added expense—of providing a lawyer for any defendant requesting one, policemen are now required to inform a prisoner that he does not have to talk unless he wants to, and the requirements for obtaining search warrants are being beefed up.

Both are contributing to the increased work load of court officials, Judge Nash said.

Looking ahead, the chief justice said:

"I'm sure we're going to get new (Supreme Court) decisions, but I don't see how we can go much farther in the protection of individuals."

The increased mobility made possible by the automobile during the period of his half century on the bench was attributed by Judge Nash for the increase of violence and destruction, especially by younger persons.

"When they drive 40 or 50 miles from home, they feel a tremendous freedom which was not available before," Judge Nash said.

"Automobiles are responsible for an awful lot of these crimes, especially the ones these kids commit," he said. The chief justice cited his annual reports, which recorded the increasing numbers of stolen motor vehicle charges which are constantly coming before his courts, especially in their juvenile session.

Parental laxity was blamed for their inability to cope with this increased independence of youths.

"Some parents are ruled by their children," he said.

"There is a right of free press, but it can be abused," the chief justice said in commenting on recent bar association charges of prejudicial pretrial publicity.

"There ought to be a line drawn" before a person's rights are placed in jeopardy, he added. One or two cases have reached the point in the past where the press has made a fair trial impossible, Judge Nash said. This should not be allowed to happen.

BRINKS TRIAL

The Brinks Trial was especially cited by the chief justice. He said he felt the defendants never received completely fair trials as a result of the newspaper publicity given the case from the time the accused were arrested.

Judge Nash's two current "pet projects" are increasing the implementation of the recently-established six-member jury system on the district court level, and increasing his "judicial education" program.

Although the six-member juries have been set up in only about nine district courts in the commonwealth, the chief justice feels they have created a tremendous saving in time, money and work which would otherwise have to be performed on the superior courts level.

Monetary and personnel difficulties have prevented establishment of more of these new sessions in other district courts in the state—including Quincy.

The bulk of the education program occurs when the chief justice and the district courts judges get together to "talk shop" every once in awhile.

"We often discuss methods used to handle different situations which have come up in their courts," Judge Nash said. "In this way, we often standardize court procedures."

"I am also impressed with the good caliber of the judicial personnel sitting on our court benches," he added.

Noting that there were district court judges who are as much as 11 years older than he, Judge Nash said he has no immediate plans for the future.

The chief justice will be 80 on July 14—32 days after his 50th anniversary on the bench.

"There is a great deal of more detail in the district courts than there used to be," he observed. Judge Nash plans to continue keeping these details in line, thus insuring the continued smooth operation of his "grass roots" court system.

EIGHTEEN-YEAR-OLD VOTE

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. FULTON of Tennessee. Mr. Speaker, the vitality, force, and energy of youth has never been so dramatically demonstrated as it is in this Nation today. Never before has the impact of youth been so apparent on the print of our national fabric.

Young America today possesses a fervent desire to participate in the resolution of the vital issues facing this Nation. Yet the large majority of America's young adults are denied one of the basic rights in the process of determining which course America will follow; that path on which the Nation will embark today setting the course of events for the world that our youth will inherit tomorrow. The right to vote should be extended to these young adults.

During my service in the Congress I have favored and sponsored legislation which would lower the Federal voting age requirement to 18. While a member of the senate in the Tennessee General Assembly, I favored such legislation for my own State.

For nearly three decades there has been a growing public sentiment favoring the vote for young Americans. According to the Gallup poll of June 1939 only 17 percent of the public supported this idea. However, the figure has increased until, in March of 1967 the Gallup poll indicated 63 percent favor lowering the voting age.

The reasons for this change in attitude are apparent. It is undeniable that the youth of today are far better educated and more intellectually sophisticated and mature than their fathers or grandfathers at the same age. Improved educational facilities and opportunity combined with the great strides in communications have made this an undisputed fact.

This superior education and heightened sophistication has spawned an increased awareness of the problems not only of their immediate environment but of concerns of national and international scope. With this awareness has grown a tremendous amount of potentially positive energy to set at the tasks which are before us. The Peace Corps and VISTA are just two very good examples of how this energy can be harnessed for constructive endeavor.

Yet there exists today an alienation of youth in America. Call it the "generation gap" if you like or call it what you may, it exists. It manifests itself most dramatically in the student protest movement which has exhibited itself in unbelievable, sometimes violent, often disgusting and frequently disturbing activities. These incidents, involving a relative minority of young Americans, nonetheless, receive the headlines and television coverage.

A much more laudable manifestation of young energy positively applied has been seen in the political campaigns of the late Senator Robert Kennedy and Senator EUGENE MCCARTHY, though such expression is by no means applicable to one political party for I have never seen a more dedicated and conscientious group of young persons than those who worked in behalf of Senator Goldwater in 1964.

The fact of the matter today is that youth wants to participate, it wants to be involved, it wants, as the cliche goes, "a piece of the action." This is certainly understandable in light of what the older generation expects of and requires from each new generation. We demand wisdom and maturity but are not willing to acknowledge it.

The result is frustration and alienation; a dislike for and distrust of "the establishment." Thus a shabby few turn to antisocial and often anti-American activities to express their frustration. While the responsible majority turns to constructive activities, suffering in relative silence this seeming injustice.

The older generations possess one very powerful instrument for change, the vote. If we grow frustrated with our public servants or their policies we can, and often do, vote them out. But this powerful instrument is denied responsible youth leaving them without an effective democratic instrument of protest.

The Senate is currently holding hearings on a bipartisan joint resolution for a constitutional amendment to lower the Federal voting age to 18. It is my hope these hearings will lead to early and positive consideration by that body and that the House will follow suit this year so that the proposition can be submitted to the States for the necessary two-thirds ratification.

In the United States today the 18-year-old can marry, he pays taxes, he can be required to give his life for his country, and he is subject to adult criminal laws but he can have no say in any of these laws which so affect him.

Finally, it might be suggested that if we do give the 18-year-old the vote the voters of the older generations may well pay more attention to and participate more fully in the political arena.

THE ARNHEITER AFFAIR

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. GUBSER. Mr. Speaker, in further pursuit of my announced objective of placing the other side of the Arnheiter story into the CONGRESSIONAL RECORD I submit herewith portions of an editorial appraisal of the affair which appeared in the June 12 issue of Navy Times.

I am deleting the first portion of the appraisal since it deals with the activities of one of my colleagues and draws a conclusion regarding those actions. However, the portion which shall be included herewith is the full substance of the editorial appraisal of the Navy Times after it had viewed the 413-page transcript of the Subic Bay hearings concerning the Arnheiter matter:

EDITORIAL APPRAISAL: THE ARNHEITER AFFAIR

We've read all that material and related documents. They make Arnheiter's demands of a formal court of inquiry or a court-martial questionable. Questionable because he had his hearing. Questionable because:

What would come out of any future inquiry into his relief from command of Vance? First, the interminable playing of 12 tapes (the 10th of the 13 recorded turned out blank).

And then, examination of those who testified.

And what would that produce?

Would Arnheiter change his story? We doubt it. Would any of the others? We doubt it. Would anybody's recollection of events be improved by the passage of two years' time? Peoples' memories of events don't usually improve with aging. They may change a bit, but they don't improve.

The best evidence, the best testimony is in all probability the evidence and the testimony already taken.

That evidence and testimony supports what the case is all about: An officer talked a grand job of leadership, but in the practical test did not show up too well in many peoples' eyes. He was relieved of command. He blamed it on every one in sight.

It was a fairly close case. It had to be a close case. Only a few people commit heinous offenses or create major disasters. Most peoples' records, good and bad, are made up of relatively little things. Did the Navy have to wait until a man proved beyond all doubt that he was not qualified for a command before it exercised its unquestioned right to replace him? No!

And that is the crux of the whole affair.

Yet, as must be true in a close case, we find that people differ.

Capt. Ward W. Witter, who heard and saw the witnesses in 6½ long days of hearings and who studied Arnheiter both on the witness stand and privately, voted for relief and no punishment.

Rear Adm. Thomas S. King voted to add a letter of reprimand.

Vice Adm. Baumberger, after hearing pleas and promises from Arnheiter, voted for another chance at command and in his own Force, under close supervision. In a much-publicized review and in a still later and little-published informal judgment, the admiral showed himself of two minds about the case.

So, you will recall, did Capt. Richard G. Alexander.

Surely all this disproves any contention that the reviews of the case were perfunctory rubber stamps. People pondered. They were troubled. They judged. At least two modified their judgments.

At length, the then Chief of Naval Personnel judged, as Capt. Witter had judged, that the facts created serious doubts about Arnheiter's fitness to stand alone in command.

Vice Adm. B. J. Semmes Jr. had more to go on than the intervening authorities had. He had the officer's performance records in other jobs—from unsat to outstanding and all points between. There was that first passover for lieutenant. There was that divided major command board decision to give Arnheiter a combatant ship in the first place.

Everything since Adm. Semmes decision has been rehash or afterthought. Everything, that is, except Mr. Arnheiter's demonstration of talent in the conduct of public relations.

In the course of the controversy he alleged conspiracies against himself, both among the officers below him and among the admirals above him. He accused various flag officers of various prejudices, religious and professional, reserving his choicest accusations for Adm. Semmes.

He accused Semmes of telling an untruth. This charge was renewed by Resnick. They say the Chief of Naval Personnel wrongly denied, in a letter to the Secretary of the Navy on June 29, 1967, that he had sent a memo to the selection board that was considering Arnheiter for commander in 1966.

We have seen that letter and it mentions, among other things, that it was Arnheiter who first sent documents challenging his relief to the selection board.

But on the point at issue, Semmes simply did not—repeat, did NOT—"send a memo to the selection board." He rendered a judgment holding that Arnheiter's relief was "for cause" and he had that put in the jacket of Arnheiter, which was then in board custody.

And—get this—Semmes said so, in that June 29 letter to the Secretary.

Semmes spoke absolute truth. And he did what a Chief of Naval Personnel should have done in insuring that the most important piece of paper accumulated in Mr. Arnheiter's career was in his file.

From all this sorry affair, Navy Times agonizedly has come to these conclusions:

That the Navy should have released all those documents when Mr. Arnheiter first made the relief controversy public.

And that is the only Navy mistake. The Navy not only had a legal right to relieve Mr. Arnheiter (even this unquestioned fact has been obscured) but, on the record, it had ample professional grounds to relieve him.

MEMORIAL DAY ADDRESS

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I am pleased to insert in the CONGRESSIONAL RECORD the address given by Mr. G. Harold Keatley, on Memorial Day, May 30, 1968, at the cemetery in Fleming, Centre County, Pa.

Mr. Keatley returned to his birthplace, Fleming, Pa., to give the address. He attended the Unionville Borough schools and Bellefonte High School in Centre County. He graduated from Dickinson and George Washington University Law School. He is a member of the District of Columbia bar. After spending a year with the International Committee of the YMCA in China, he served as private secretary to two Governors General of the Philippine Islands, Maj. Gen. Leonard Wood, and Col. Henry L. Stimson. He returned to the United States to serve 4 years as private secretary to Colonel Stimson when he was Secretary of State, and continued in Government employment with the Departments of State and Commerce in the international commercial field. Mr. Keatley's address follows:

Fellow Americans—Why do we gather here today? In a Memorial Day address delivered at Keene, New Hampshire, eighty-four years ago, Justice Oliver Wendell Holmes replied to that question in one brief sentence:

"We pause to become conscious of our national life, ..., to recall what our country has done for each of us, and to ask ourselves what we can do for our country in return."

From time to time we should do just that. To be sure, Memorial Day was kept alive for many decades by those who gathered together to recall the memories and to renew the fellowships of war days. But the purpose stated by Justice Holmes suggests the desirability of continuing Memorial Day into the years when the majority of those who gather no longer share the memories of fellowships formed while bearing arms. So I for one was glad to hear that this community had decided to meet again on this day, not only to honor the memories of those veterans who are no longer with us, to express our appreciation to those who are still among us, but also to give voice to the objectives mentioned by Justice Holmes.

I might ask myself "what am I doing here?" I never have been privileged to serve in the armed forces, have never experienced battle, and have never shared directly in the close bonds of fellowship, of high resolve and of common purpose enjoyed by those who bear arms together. So, I felt particularly honored to have been asked to speak to you today.

I well recall the memories, and I might add, even the thrill, of past Memorial Days of half a century ago when the thinning ranks of the Grand Army of the Republic met in this cemetery to do honor to those of their group who had passed on. I remember vividly some of those veterans, Barney Shipley, George Rumberger, Jack Sinclair, Dr. Russell, and my own grandfather, George P. Hall, who carried in his lung until his eightieth year the bullet he had received at Gettysburg; also John Biddle, who lived by the side of this cemetery, whose account of his imprisonment at Andersonville was published in the History of the 148th Regiment of Pennsylvania Volunteers.

Then too I recall the return of our First World War veterans; the one who did not return—Paul Clancy; and our non-combatant soldier, Harry McElwain, who came back laden with honors for the risks he had taken as a hospital corpsman on fields of battle—wearer of the Distinguished Service Medal, the Croix de Guerre, and a member of the Legion of Valor. We all remember his modesty and the place he made for himself in this community. Sometimes I wonder if our younger generation were even aware of the distinguished service he had rendered.

Before we pause to consider what our national life has been and what it now is, let us survey our principal wars in the past, the objectives for which they were fought, and what the brave men who fought those wars have done for us. We won our liberty in the Revolutionary War; our unity in the Civil War; and World Wars I and II, though fought primarily in the name of freedom and democracy, gave us security from enemies from without, which enabled us to continue to live in freedom and under a democratic form of government.

Subsequent conflicts, such as those which have engaged us in Korea and Viet Nam, are being fought in the interests of our national security. I know that there are those who would say that some of these involvements are not necessary to that security, and that they are but attempts on our part to extend our principles of freedom and democracy to other peoples of the world, some of whom are not ready to receive them, and others of whom may not desire them.

In the larger context we should ask ourselves if we can maintain these principles in our own country alone and assure our security if at the same time rival philosophies and ideologies adverse to religion, individualism and human dignity are permitted to extend themselves throughout the world. We might query whether than to stand alone, might it not be better to become a part of a cohesive free world which stands for the worth of the individual, for religion, for law and order, and for those sterling qualities which melded together have produced the great country which we have become.

But perhaps today the greatest danger is not from beyond our shores. I am impressed in recent years by queries from those who have emigrated to this country who ask, "Do you Americans really appreciate the great country you have? We who have suffered under the bondage of other countries, who have experienced the fear that a knock at the door brings, who were afraid to give expression to honest thought, perhaps know better than you how much you already have." We should ask ourselves whether we are not in danger of losing from within those principles, virtues and strengths for which we have fought.

Let us look at some of the factors which have preceded and have resulted in the decline of other great civilizations:

1 Excessive spending by the civil government;

2. Unwillingness of young men to bear arms in defense of their country;

3. Overindulgence in luxury;

4. Wide-spread sexual immorality and easy divorce which destroy the integrity of family life;

5. The spread of effeminacy—girls looking and acting like men, men looking and acting like girls;

6. Disregard for religion.

Do some of you think I have described our situation today? Perhaps so, but the great English historian, Edward Gibbon, listed those factors as the principal reasons for the decline and fall of the great political force which 1500 years ago was the Roman Empire; a force which had held the civilized world together for 500 years!

But you say it cannot happen here? It has been my lot to live among and to know two highly individualistic peoples, both possessing a wonderful sense of humor—the Chinese and the Cubans. Who would have dreamed them susceptible to the blandishments of the Communistic world? And perhaps they were not, but became the victims of subtle propaganda and ruthless organized force. Today both are controlled by dictatorships which forbid freedom of speech, freedom of the press, and the ordering of one's individual economic and even family life.

You say it couldn't happen here? From the window of our apartment house less than two months ago I watched smoke and flames arise from a corridor which for a distance of almost two miles paralleled within two blocks one of the principal streets of our Nation's Capital. For some hours there was no law and order in the area; fires were set freely; looting took place on every hand; and young people defiantly and arrogantly carried through the streets their stolen gains. From this beautiful hillside it is difficult to envision the 14th Street corridor of Washington looking as a bombed-out city in Europe must have looked during the World War.

While the debt we owe to those who have fought in our wars is monumental and eternal and we give expression to that debt here today, in years to come our growing debt may be to the policemen and firemen who are on the firing line to protect our persons and our property from riot and violence.

You may ask yourselves what you as residents of the Bald Eagle Valley and its rugged countryside can do. Sheltered from the cynicism, pessimism and permissiveness of so much that today prevails in urban life, it may be that it is these country communities, spread across the nation, which will best preserve the standards, traditions, and virtues which have made our country great and whose youth imbued with those ideals will go forth into the great urban centers and into halls of government to act as a leaven of unselfishness and sacrifice in our national life. I know it is heartening for some of us to come back and see the American flag still proudly displayed and to experience the patriotism which is so associated with our country life; and to note the respect and admiration taught in our schools for the courage and wisdom of our forefathers who both on the field of battle and in our communities and legislative halls have fought to preserve and perpetuate those high ideals for which America stands.

"But," you ask, "what can we do? What should we do as individuals?" I began my talk with a quotation from Justice Holmes, a gallant warrior and a gallant gentleman, who throughout his lifetime asked himself those same questions. Thrice wounded in the Civil War, his thought and speech remained colored until the end by the experiences he had had in that war, and what is more important, his principles of self-sacrifice and devotion to country were expressed in action. I know many of you will recall his famous paragraph on the privilege of paying taxes, the price of our civilization; perhaps, not so many of you, the fact that upon his death, after making a bequest to his nephew, his next of kin, and bequests to a few friends, the remainder of his estate, amounting to over $300,000 was left to "the government which gave me the opportunity for service, the United States government."

It is good for us to recall from time to time, as we have done here today, examples of self-sacrifice and patriotism. It is not with the idea that we individually and collectively can literally follow those examples, but there are so many ways, available to all of us, in which we can do our part.

I have thought that one of our greatest individual weaknesses has been our reluctance to become involved. In the situation in which we find ourselves today, I believe that we are in great danger of losing our heritage, or a part of it, unless we become more willing to become involved. How do we become involved? One of the simplest ways, and one which so many neglect, is the exercise of our voting privilege. Another is to inform our representatives in the legislative halls of our state and nation about our thinking on current problems, and still another is to take an active part in the government of our own borough, township and county.

We must not forget our past, yet it doesn't suffice to look only to the past. Change in itself is not necessarily progress, yet we cannot progress without change. And so we must be prepared to show some flexibility and adaptability to ever accelerated change. We should not walk so fast, however, that we leave our souls behind. We must put on the brakes not only to bring to a halt those factors, which, if permitted to continue in operation must inevitably bring about our downfall, but we must actually reverse some of the trends which we have noted.

To reverse some of these trends we must reaffirm our enthusiasm and faith in the principles for which the veterans whom we honor here today have fought. In fighting for our country they learned that life is a profound and passionate thing; they shared the experience which set them apart; they experienced high motives above and beyond themselves.

We, at times, become discouraged as we read current literature, attend the present day cinema and theater and indulge ourselves in the comforts and affluence resulting from our technological development. We ask ourselves whether these unfavorable trends can be reversed. George Santayana, the great Harvard philosopher, has reminded us that "those who cannot remember the past are condemned to repeat it." If we continue to disregard the lessons which the past should have taught us, we may look forward to being required to learn those lessons afresh from new perils and new necessities which will again demand our self-sacrifice and self-denial.

In arranging this ceremony here today, you have taken one step in acknowledging our debt to the past. In our daily lives, in our speech and actions, we should continue to demonstrate that honor, duty and love of country are essential if we are to continue as free men and women. We must point out to the youth of this country that true freedom carries with it duties, obligations and responsibilities, and that the maintenance of a personal code of virtues and a sense of personal responsibility must be perpetuated on an individual basis. Edward Hale, a former Chaplain of the United States Senate, expressed his responsibility in these words, "I am only one, but I am one. I cannot do everything, but I can do something; and what I can do, that I ought to do; and what I ought to do, by the grace of God, I shall do."

RESIDENTS OF PENNSYLVANIA'S FOURTH DISTRICT QUERIED

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. EILBERG. Mr. Speaker, today I have begun to circularize the residents of my constituency, the Fourth Congressional District of Pennsylvania, on some vital questions of our times.

I have unanimous consent to reprint the questions and my letter to my constituents in the CONGRESSIONAL RECORD. When I receive the answers and they are tabulated, I shall then ask leave to share the opinions of my constituents with my colleagues.

The letter and questions follow:

MAY I HAVE YOUR OPINIONS ON THESE VITAL ISSUES?

DEAR FRIEND: Once again, I am asking *your* help to do *my* job better.

Back in the old days, a Congressman represented at tops some 50,000 people and spent perhaps three months a year in Washington. It was a lot easier to visit constituents (perhaps on horseback) and get their opinions.

Today, Congressional Districts have grown to close to the half-million mark and Congressional sessions last a lot longer. (The First Session of the present 90th Congress was in session 340 days.)

Of course, I try to spend as much time as I can in my District Office at the First Federal Building, at Castor and Cottman Aves. There (as in Washington) my door is always open to constituents who need help, have a complaint, wish to express an opinion, or who just want to say "hello."

And then there's the mail, which I prize highly and look forward to. The mail is the Congressmen's lifeline to his district. But only a small percentage writes (I wish more would) and most letters deal with one specific subject.

Therefore, it is only through the means of this questionnaire that I can get the feelings of the folks in the Fourth Congressional District; get to know how you are feeling about the various important issues that govern our lives and fortunes, and even alter them.

Therefore, I am asking you to take a few minutes out of your busy life to complete this questionnaire and share your thoughts with me.

While all years are important, this year is more so because it is a Presidential year. I am more than interested in your views on the candidates. List your preference, and, please, don't forget to give the reason for your choice.

If you need more space, please attach a sheet of paper.

I am looking forward to hearing from you.

Sincerely,

JOSHUA EILBERG.

WHAT'S YOUR OPINION? JUNE 1968

(Please circle the answer (or answers) below which most closely approximate your feelings on the issues or fill in the spaces where that is appropriated.)

1. My choice for President of the United States (in order of preference) is:

A. --

B. --

C. --

D. --

2. My reason(s) for my first choice: ------ --

3. Regardless of my choice above, I think that you, as my Congressman, would be able to work best with the following (in order of preference) to serve the interests of the people of the Fourth Congressional District:

A. --

B. --

C. --

D. --

4. Realizing the importance of the Vietnam war both nationally and internationally, I think the United States should: ------------

A. Continue its present policy toward a negotiated peace while continuing military operations.

B. Continue its present policy toward a negotiated peace but halt all military operations in the interim.

C. Withdraw unconditionally from South Vietnam.

D. Intensify military operations, utilizing all weapons available, including nuclear.

E. (other) ---------------------------------- -- --

(NOTE.—If a dramatic change has occurred in the Vietnam situation between the time of the preparation of this questionnaire and your receiving it, please express your feelings about U.S. commitments in Southeast Asia (and elsewhere in the world) in space "E".)

5. Recognizing the serious threat of inflation, I would prefer my Government to:

A. Impose the 10 percent surcharge asked by the Administration accompanied by a substantial cut in spending demanded by the Congress.

B. Impose new taxes instead.

C. Do nothing.

D. (other) ------------------------------

(NOTE.—If the Congress has acted on the surcharge matter before you received this questionnaire, will you indicate your preference for future action in this field?)

6. I think the present Selective Service System is:

A. Doing a good job and should be continued as it presently operates.

B. Antiquated and in need of a major reevaluation and revision.

C. (other) ------------------------------

7. Concerning gun control legislation, I think:

A. Strict regulations are needed on registration of all arms and mail order sales of weapons.

B. Handguns should be regulated but not rifles and shotguns.

C. Nothing should be done because it would be an infringement on constitutional rights.

D. (other) ------------------------------

8. I think veterans' benefits are:

A. All right the way they are now and nothing should be changed.

B. Too low to be realistic and increases are needed.

C. (other) ------------------------------

9. I think Social Security benefits are:

A. Too low when one considers the high cost of living and the high cost of dying. Increases should be made in pensions, survivors' benefits and death benefits.

B. Satisfactory in their present form.

C. (other) ------------------------------

10. I recognize the importance of the space program:

A. And I think it should continue without interruption.

B. But I think that it should be curtailed until the fiscal picture brightens.

C. But I think the money could be used for a better purpose at this time for programs for people.

D. (other) ------------------------------

11. Mental health is an important problem:

A. But I think it is a province of the states and the Federal Government should not be involved.

B. And requires more and intensive participation by the Federal Government.

C. (other) ------------------------------ -- --

12. As an honest and law-abiding citizen, I am concerned with the rapidly growing crime rate in the Nation:

A. But while law enforcement must be encouraged and aided, personal liberties must not be tampered with through the use of "bugging" and "tapping" devices.

B. And every available weapon must be given to law enforcement agencies, regardless of possible infringement upon personal liberties.

C. But "bugging" and "tapping" devices should be used only in the investigation of matters concerning national security and then only with judicial supervision.

D. (other) ------------------------------ -- --

13. I am concerned with the upheavals in our cities and I would favor combating the situation:

A. By strict, impartial and immediate police action to quell any disturbance, including the shooting of looters and arsonists.

B. By attacking the causes of the disturbances through the creation of new homes, jobs and educational opportunities for the unemployed and underemployed.

C. (other) ---

(Note.—*As soon as the answers are compiled, I'll let you know the collective thinking of the folks in the Fourth Congressional District.*)

Additional comments:

TREE SLAUGHTER ALONG THE HIGHWAYS

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ECKHARDT. Mr. Speaker, Louis Hofferbert writes a perceptive column which appears in the Houston Chronicle. He is especially concerned about our environment and the importance of conserving it. On June 4, 1968, he wrote about a new policy adopted by the U.S. Bureau of Public Roads, which will cause the needless destruction of millions of trees along our highways. I agree that this policy is unnecessary, and I am glad that Mr. Hofferbert has stated the case against it so clearly and so well. The column follows:

[From the Houston Chronicle, June 4, 1968]

TREE SLAUGHTER ALONG THE HIGHWAYS

(By Louis Hofferbert)

Nothing I can remember offhand ever made me quite so mad as a recent order by the U.S. Bureau of Roads now being carried out in Texas and other states to cut down millions of trees along America's highways. It is the most stupid and needless sacrifice of natural beauty our country has seen in many a day.

This order, was given no advance publicity. It was sort of slipped over on the people, perhaps because some bureaucrat figured it might stir up a real stink. I sure hope it does, and I will do my best to help.

The order is for all trees four inches in diameter or larger to be cut if they are within 30 feet of the pavement. It applies to all federal aid roads where the speed limit is 50 miles an hour or higher. The reason is said to be highway safety. That is, to keep some idiot from killing himself by ramming into a tree when he drives so fast he can't stay on the road.

To support this absurdity, a study of 507 fatal single-car accidents is cited. The figures show 13 of the 507 were killed when their cars hit trees. To put this in perspective, remember the 507 is only a tiny fraction of the drivers who have accidents, and an almost invisible fraction of the number who drive. So it is this 13, or about 2.5 percent of an almost invisible fraction of this country's drivers, that is supposed to justify destruction of millions of trees.

Now, I don't want anybody to be killed if it can be helped. But this would not make sense if it guaranteed the 13 drunks or speeders would be saved. And it does not do that, of course. It only makes them find another way to kill themselves.

And they will manage that some way, with or without trees, like the other 494 covered by the study.

The study did not set out the reasons for the 507 accidents. But any safety expert can tell you nearly all single-car accidents are brought on by speed, drinking, illegal passing and other things that are the direct fault of the driver. Very, very few are caused by mechanical failures or things the driver couldn't help.

So it boils down simply to a matter of sacrificing these millions of trees to maybe (remember, it's all maybe) save the lives of a few people who are a constant menace to every moderate, sensible driver on the road.

I hope this idiotic tree-slashing program makes everybody as mad as it makes me, which is plenty. I hope you all write or wire or phone our congressman and senator and ask him to get this senseless destruction stopped in a hurry.

And I hope somebody in Congress gets mad enough not only to demand and end to the tree slaughter, but demand that we be told the name of the bureaucrat who put out such an order in the first place. I think the people of this country have a right to know who is responsible.

What's more, even without knowing who he is, I hope he gets fired so far out of his bureaucratic swivel chair he never finds the way back.

A GOLD MEDAL TO HONOR REV. MARTIN LUTHER KING, JR.

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. MOORHEAD. Mr. Speaker, on April 8, 1968, I introduced a bill, H.R. 16532, to authorize the President of the United States to present a gold medal to the widow of the Reverend Dr. Martin Luther King, Jr.

That bill provided for the coining of duplicates in bronze to be sold by the Treasury Department at a price to cover the cost of manufacture.

I have now redrafted my bill and today I am introducing a new version on behalf of myself and our colleagues Daniel E. Button, James C. Corman, John G. Dow, Bob Eckhardt, Don Edwards, Donald M. Fraser, Henry B. Gonzalez, Theodore R. Kupferman, Bertram L. Podell, Benjamin S. Rosenthal, Edward R. Roybal, William F. Ryan, William L. St. Onge, James H. Scheuer, and Lionel Van Deerlin. This new version provides for the coinage of duplicates in bronze of the same size as the gold medal to be presented to Mrs. King and duplicates in bronze of the one and five-sixteenths size. The bill also authorizes the Secretary of the Treasury to furnish these duplicates to the Reverend Dr. Martin Luther King, Jr., Fund at Morehouse College at cost so that they can provide them to the public to raise money.

While the Government will pay for the cost of the gold medal to be presented to Mrs. King, no cost to the Government will be involved in the production of the bronze duplicates.

Mr. Speaker, I believe that choosing the traditional manner of honoring Dr. King—that is, with a national medal—would be a fine tribute to one of the truly great leaders of our Nation. Martin Luther King was a man who insisted that the way to change our society was through peaceful, nonviolent means. We owe him the respect due those who preach peace when peace is not popular, when violence begins to be the more attractive alternative to silence.

I am pleased to note that Assistant Secretary of the Treasury Robert A. Wallace endorsed this approach to honoring Dr. King in his May 4, 1968 address to the Metropolitan New York Numismatic Convention. I hope that the Committee on Banking and Currency will schedule early hearings on this bill.

A LOADED CENSUS

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. QUILLEN. Mr. Speaker, there is no question about there being a loaded census for 1970 unless the Congress moves speedily to bring the degree of questions into a sensible range.

It is absolutely ridiculous that 120 questions are being proposed for the people of this country to answer. This is just another bureaucratic invasion of privacy that should not be tolerated.

To me, it would appear that the bureaucrats thinking up these questions would be better off by devoting their time to the problem of less spending and to the enforcement of law and order.

I am introducing a bill to remove the penalty provision and bring the questions into proper focus.

The Johnson City Press-Chronicle, on Monday evening, June 3, 1968, speaks out in an editorial on the question of a loaded census which I would like to share with the readers of the Record:

A LOADED CENSUS

Unless Congress puts up a roadblock, the 1970 census will contain more than 120 questions, all of which the individual must answer or else face a fine or jail sentence.

Rep. Jackson E. Betts of Ohio is continuing his campaign to knock out all but a few of these questions. We hope he will be successful.

Like Mr. Betts, we do not see why the people should be required to furnish their government information such as:

(1) income dollar by dollar, from all sources including public assistance, alimony, unemployment and disability insurance, pensions and investments.

(2) the value of property or the amount of rent paid;

(3) educational, marital, employment and military history;

(4) with whom bathroom and kitchen facilities are shared;

(5) a long list of household items possessed, including dishwasher, television, radios, automobiles, and second home;

Mr. Betts emphasizes that the constitutional purpose of the census is to count people and that the gathering of more than 100 other facts about them is a secondary and unnecessary objective. He notes that in 1960 the Census Bureau failed to count 5.7 million Americans and predicts a greater undercount in 1970 unless the forms are simplified and most questions put on a voluntary basis.

To give you an idea of what is coming, consider these specific questions:

Have you been married more than once?

Did your first marriage end because of death of wife or husband?

Where did you live in April, 1962?

What was your major activity in April, 1962?

Place of birth of parents?

What is the value of this (your) property?

What is your rent?

Last year, 1966, did sales of crops, livestock and farm products amount to?

Did you work any time last week?

One hour was set aside in the House of Representatives recently to hear many congressmen concerned with reform not only in the 1970 census, but also in the census of agriculture set for 1969 and the census of business now in progress. Twenty-eight members of the House and Senate are sponsoring bills to remove the penalty provision from all but seven essential population questions. These are: name, address, age, sex, race, head of household, and visitors in home at time of census.

It appears to us that these seven categories cover all information to which the government is entitled. If you agree, tell your congressman.

NEW PROCEDURE WOULD REDUCE HOSPITAL COSTS

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, since medical-care costs cut across the whole spectrum of our society, I think my colleagues will be particularly interested in reading about one of the successful steps that has been taken to minimize the impact of this expense, recently announced by the Melrose-Wakefield Hospital, Melrose, Mass.

This new procedure would reduce hospital costs and lighten the serious burden of overcrowding, and its implications for adoption on a national scale are indeed worthy of careful attention.

A new procedure designed to shorten the hospitalization of patients admitted for minor surgery which could free as many as 645,000 beds annually on a national basis has been announced by the Melrose-Wakefield Hospital.

The plan, introduced at the hospital in December of 1967, and tried on over 200 surgical patients could save patients, if adopted nationally, as much as $133 million annually in hospital and associated costs.

According to Mr. Nellis, general director of the Melrose-Wakefield Hospital Association, the new plan, called surgical day care, will reduce hospital costs for patients, while freeing beds and other hospital facilities for those more seriously ill.

In addition, Mr. Nellis said, nursing workloads will be lightened, meaning those hospitalized for serious ailments will be given more time, as needed, by the nursing staffs.

The new Melrose-Wakefield Hospital procedure calls for patients undergoing minor surgery to report to the hospital for laboratory and other tests on the day of their operation.

Upon completion of the testing, they will be brought to the operating theater, where they will be prepared for surgery.

When surgery has been completed, the patient's condition will be evaluated by his physician. If recovery time beyond a nominal period in the recovery room is required, the patient will be admitted to the hospital. If not, the patient is sent home under the care of his physician with postoperative instructions.

During the first 6 months of the program at the Melrose-Wakefield hospital, a total of $15,000 of projected hospital costs would have been assessed under standard surgical-hospitalization procedures. The combination of presurgical and postoperative procedures saved each patient approximately $66.

Mr. Nellis stated that if the plan were adopted nationally patients and their insurance companies could save over $133 million annually, and free 18,000 hospital beds currently used by patients undergoing minor surgery.

Mr. Nellis said:

> This system is very much in line with modern medical surgical techniques. Surgical patients are now on their feet within hours of surgery. This swift ambulation has been found to aid patient morale and speed healing. We further feel that given the opportunity to recover at home, patients will add another dimension to their state of mind which will further increase recovery speed.

The Melrose-Wakefield Hospital general director stressed the obvious economic gains possible in the freeing of more than a half-million hospital beds annually.

He said:

> This Surgical Day Care, as we call it, could save communities in every part of the nation millions of dollars in hospital building programs. As the national life-expectancy figures rise, and Medicaid and Medicare are used increasingly by our senior citizens, hospital beds will be at a premium.

He pointed out that the freeing of beds by patients undergoing simple surgical procedures would reduce costs to the hospital, to the individual, and to the insurance organization involved which could, he noted, reduce insurance premiums.

He said:

> In population centers, the need for new hospitals or additions to existing buildings could become less pressing, or possibly, unnecessary. At the least, it would free scarce hospital beds for those seriously ill and for those undergoing surgery.

Mr. Nellis emphasized the need for medical approval before the discharge of any patient who had been anesthetized for a surgical procedure.

JIM BATTIN REPORTS

HON. JAMES F. BATTIN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BATTIN. Mr. Speaker, enclosed is my report from Washington for June 14, 1968, which I include in today's Extensions of Remarks:

JIM BATTIN REPORTS FROM WASHINGTON

DEAR FRIENDS: During hearings of the Ways and Means Committee this past week, world trade in farm products had the spotlight. We discussed wheat and meat extensively after hearing testimony from the Department of Agriculture which supported a more liberal trade policy in all goods. Secretary Freeman led the USDA officials and threatened that our agricultural export trade will suffer unless we maintain liberal import quotas on foreign products. *As usual when foreign trade is being discussed between Freeman and Congress, meat imports into the United States came up.*

Mr. Freeman and members of his Department defended the current meat import law—which incidentally hasn't been used since it was enacted in 1964—and discounted the impact that more than a billion pounds of foreign beef has had on our cattle market. They also supported the new International Grains Agreement, even though other testimony showed that the Agreement will mean reduced wheat acreage in the United States next year. *Overall, I would say Freeman and his men did the job they were sent to do, namely to protect the Johnson Administration's trade policies that have contributed heavily to our gold drain.*

Agricultural trade between the U.S. and foreign countries has done nothing to contribute to the gold drain. In fact, our agricultural trade is the only area that has consistently brought cash back to our shores. But, as in all past years of the Freeman Administration, agricultural exports are being placed on the block to gain advantages for other trade items. Since Montana depends greatly on wheat exports to the Orient and since the domestic cattle market means so much to our economy, I am worried—after hearing from Secretary Freeman—that the state is in for trouble this coming year. *In what is sure to be Freeman's last year in office, we may have the worst year yet for farmers.* The Secretary has already completed plans to reduce wheat acreages without any assurance that higher prices will make up the lack of volume. He also is firmly committed to doing nothing about controlling imports of meat. From the testimony submitted by Agriculture officials, it even appears that our Department will defend the import of substandard meats into this country. Consider this in the light of the recent pressure that the Department put on Congress for a strict meat inspection law for American producers.

On wheat exports.—Our farmers are being forced to cut back acreage 10 to 15% from last year's crop. We had a wheat surplus last year and kept prices low. This year when less wheat will be grown, however, we cannot in turn expect prices to rise because the Department of Agriculture also figures that wheat exports will decrease. During the current year when we had a sizable surplus in wheat, U.S. farmers exported 750 million bushels. Next year wheat export could go as low as 650 million bushels. Mr. Freeman admitted that exports will be lower in the coming year, but he refused to be pinned down on the exact amount. This means that wheat producers will experience the same thing as a surplus next year because the domestic market will again be overloaded.

On meat imports.—Although more than a billion pounds of frozen meat was brought into our country last year, the Secretary took pride in the fact that the United States had never imposed quotas under the Meat Import Law of 1964. The wide open policies of meat imports causes several problems, not the least of which is the depression on the U.S cattle market. Besides this, we have meat that is slaughtered and processed under standards that are not as strict as those we require of local producers. Although there is no direct evidence of contaminated meats in the imports, we still have the fact that our producers must put more money into processing meat than their foreign competitors. If rigid standards are required of our producers, how can we justify allowing meat of any lower standards to be brought into our country. Regardless of requirements, agriculture officials have opposed any attempt to require foreign meat processors to label their products. The undisputed fact remains that vast amounts of meat are being brought into our country and are being sold on the meat counters without any identification of where it came from or what standards of cleanliness were used in processing.

Sincerely,

JIM BATTIN.

INDOCTRINATION RATHER THAN EDUCATION?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ASHBROOK. Mr. Speaker, as early as 1962 I introduced legislation designed to curb abuses in some of the testing programs conducted in our schools. At that time and on occasion since then I have pointed out excesses in testing programs, excesses which amounted to "brainpicking."

The information gained can be and is valuable to the person intent on directing the student rather than helping the student find his own way. This direction can influence the vocation, occupation, beliefs, moral standards, and mores of the individual. The danger is in the control of many by a few working subtly.

In a free society the child and the student should be taught to think for himself and not as others would have him think.

As an example of the probing nature of these tests, I submit a recent one which was given junior and senior high school students in Utah. It was titled, Student Attitude Inventory, Utah State University, Department of Sociology:

STUDENT ATTITUDE INVENTORY

Begin by answering the first 10 questions in the Identification Number section of score sheet.

1. Last grade in school completed (Including this year): (1) 8 grades or less, (2) 9th, (3) 10th, (4) 11th, (5) 12th.

2. Your age group: (1) 13 years or less; (2) 14–15; (3) 16–17; (4) 18–19; (5) 20–21; (6) 22–25; (7) 26–30; (8) 30 or over.

3. Sex: (1) Male; (2) Female.

4 Race: (1) Oriental-American; (2) Negro-American; (3) Anglo-American; (4) Spanish-American; (5) Other.

5. At the present time I am living with:
(1) Both my mother and father.
(2) My mother and stepfather.
(3) My father and stepmother.
(4) Mother alone.
(5) Father alone.
(6) Other adult guardian.
(7) Alone.
(8) With friends
(9) Away from home.

6. How many children are in your family:
(1) I am the only child.
(2) 2–3.
(3) 4.
(4) 5.
(5) 6 or more.

7. What category comes closest to the occupation of your father (or whoever earns the living in your family other than your mother).
(1) Clerical, sales or related workers (bookkeeper, secretary, clerks, salesmen, insurance agents, etc.).
(2) Craftsman or foreman (electrician, carpenter, etc.)
(3) Laborer (janitor, unskilled worker, helpers, farm laborer, etc.).
(4) Semi-skilled worker (bus driver, assembly-line worker, etc.).
(5) Farmer (owner, farm operator).
(6) Professional (teacher, doctor, lawyer, engineer, etc.).
(7) Proprietor or manager (public official, merchant, executive, etc.).
(8) Service (policemen, barber, cook, beauty operator).
(9) Other

8. What category comes closest to the occupation of your mother?
(1) Clerical, sales or related workers (bookkeeper, secretary, clerks, salesmen, insurance agents, etc.).
(2) Laborer (janitor, unskilled worker, helpers, farm laborer, etc.).
(3) Craftsman, or foreman (electrician, carpenter, etc.).
(4) Semi-skilled worker (bus driver, assembly-line worker, etc.).
(5) Farmer (owner, farm operator).
(6) Proprietor or manager (public official, merchant, executive, etc.).
(7) Professional (teacher, doctor, lawyer, engineer, etc.).
(8) Service (policemen, barber, cook, beauty operator).
(9) Other.
(0) She doesn't work outside the house.

9. Do you work at a job:
(1) no.
(2) 1 to 5 hours a week.
(3) 6 to 10 hours a week.
(4) 11 to 15 hours a week.
(5) 16 to 20 hours a week.
(6) 21 or over hours a week.

10. What is your religious preference?
(0) None.
(1) Baptist.
(2) Greek Orthodox.
(3) Jewish.
(4) LDS (Mormon).
(5) Lutheran.
(6) Presbyterian.
(7) Roman Catholic.
(8) Other Protestant.
(9) Other.

Go to No. 1 in the General Section on answer sheet. Notice you use Only Odd numbers.

1. Are you enrolled in a regular week day religious training program? (a) Yes, (b) No.

3. Do you participate in your church young people's organizations (such as MYF, MIA, Walther League, Westminister Fellowship, etc.) (a) No, (b) Occassionally, (c) Regularly.

5. Do you attend church? (a) Hardly ever or never, (b) Less than once a month, (c) Once or twice a month, (d) Generally every week.

7. On your last report card what grades did you receive? (a) Mostly A's, (b) Mostly B's, (c) Mostly C's, (d) Mostly below C.

9. How long have you lived in this community? (a) All my life, (b) Last five or more years but not all my life, (c) One to two years, (d) Three to four years.

11. Would you like to live in this community the rest of your life? (a) Definitely not, (b) I don't think so, (c) Wouldn't care much one way or the other, (d) I think so, (e) Definitely yes.

13. Do you feel that you are really a part of this community? (a) Don't feel I really belong, (b) Feel included in some ways but not in others, (c) I feel included in most ways, (d) I feel I'm really a part of the community.

15. In many communities service clubs have programs aimed at worthwhile leisure time activities for young people. Which of the following clubs' activities have you participated in most? (a) Lions Club, (b) Kiwanis Club, (c) Elks Club, (d) Rotary Club, (e) None that I know of.

17. Have you ever been picked up by the police for anything other than a traffic violation? (a) Yes, (b) No.

TRUE-FALSE SECTION

This section deals with differences in feeling about religion. If a statement is True or Mostly True, as applied to you, blacken between the lines in the column headed T(a). If a statement is False or not Usually True, as Applied to you, blacken between the lines in the column F(b).

T	F	19. I sometimes feel disloyal to my parents because I cannot entirely accept their religious beliefs.
T	F	21. My church is to strict.
T	F	23. Education has led me to question some teachings of my church.
T	F	25. It is hard to reconcile science with religion.
T	F	27. Although basically I believe in my religion, my faith often wavers.
T	F	29. I believe in the basic teachings of my church and attend regularly.
T	F	31. I believe firmly in the teachings of my church.
T	F	33. I never doubted the teachings of the church.
T	F	35. I believe that religious faith is better than logic for solving life's important problems.
T	F	37. I believe that our fate in the hereafter depends on how we behave on earth.
T	F	39. I believe God knows our every thought and movement.
T	F	41. I believe God controls everything that happens everywhere.
T	F	43. I think my prayers are answered.
T	F	45. I believe that religion is of little use in present-day society.
T	F	47. I am indifferent to the subject of religion.
T	F	49. I have little use for religion.
T	F	51. Religion has not kept pace with the times.
T	F	53. Religion has too often been used to promote prejudice.
T	F	55. If you are a strong person, you do not need religion.
T	F	57. Promoting a better world is more important to me than religion is.

Read each item carefully and mark on your answer sheet quickly the spaces representing the phrase which best expresses your feeling about the statement. Whenever possible, let your own personal experience determine your answer. Do not spend much time on any item. If in doubt, mark the phrase which seems most nearly to express your present feeling about the statement. Work rapidly. Be sure to answer every item.

[SA stands for strongly agree; A stands for agree; ? stands for undecided; D stands for disagree; SD stands for strongly disagree]

a	b	c	d	e	
SA	A	?	D	SD	59. Home is the most pleasant place in the world.
SA	A	?	D	SD	61. Parents expect too much from their children.
SA	A	?	D	SD	63. One ought to discuss important plans with the members of his family.
SA	A	?	D	SD	65. One cannot find as much understanding at home as elsewhere.
SA	A	?	D	SD	67. One owes his greatest obligation to his family.
SA	A	?	D	SD	69. It is hard to keep a pleasant disposition at home.
SA	A	?	D	SD	71. The joys of family life are much over-rated.
SA	A	?	D	SD	73. One's parents usually treat him fairly and sensibly.
SA	A	?	D	SD	75. One feels most contented at home.
SA	A	?	D	SD	77. Parents are inclined to be too old-fashioned in their ideas.
SA	A	?	D	SD	79. I just can't talk to my parents about personal problems.
SA	A	?	D	SD	81. Members of the family are too curious about one's personal affairs.
SA	A	?	D	SD	83. Parents are too particular about the kind of company one keeps.
SA	A	?	D	SD	85. So far as ideas are concerned, parents and children live in different worlds.

In Thinking About Your Home Community and Law Enforcement

SA	A	?	D	SD	87. No one in this community is going to care much what happens to you, when you get right down to it.
SA	A	?	D	SD	89. Most so-called community issues are really not of much interest to the young people of the community.
SA	A	?	D	SD	91. Police could do more to help people.
SA	A	?	D	SD	93. The police have it in for young people.
SA	A	?	D	SD	95. You must always be on the lookout for policemen who want to do you dirt.
SA	A	?	D	SD	97. Policemen try to trick young people.
SA	A	?	D	SD	99. Policemen are pretty nice guys.
SA	A	?	D	SD	101. Boys like most policemen.
SA	A	?	D	SD	103. Girls like most policemen.

SA A ? D SD 105. You can talk about almost anything with a policeman.
SA A ? D SD 107. I would like to be a policeman.
SA A ? D SD 109. Policemen are dumb.
SA A ? D SD 111. Policemen are always around when they are needed.
SA A ? D SD 113. People in this community are terrible in the way they gossip about young people.
SA A ? D SD 115. This community has very adequate facilities for recreation (things to do) for young people.
SA A ? D SD 117. Policemen enjoy slapping kids.
SA A ? D SD 119. Policemen don't arrest kids whose parents have pull.
SA A ? D SD 121. Policemen don't know how to be friendly to young people.
SA A ? D SD 123. Policemen are a great help to young people.
SA A ? D SD 125. Policemen are just as crooked as the people they arrest.
SA A ? D SD 127. On the whole, policemen are honest.
SA A ? D SD 129. On the whole, policemen do their jobs very well.
SA A ? D SD 131. The juvenile court treats young people as fairly as possible.
SA A ? D SD 133. The juvenile court is wishy-washy in the way they handle offenders.
SA A ? D SD 135. The juvenile court doesn't give young people the benefit of the doubt.
SA A ? D SD 137. The juvenile court judge doesn't understand young people's problems.
SA A ? D SD 139. A juvenile doesn't have as many rights in court as an adult.

Thinking of Schools Now

SA A ? D SD 141. Classrooms are dull places.
SA A ? D SD 143. I enjoy going to class.
SA A ? D SD 145. Some school rules are stupid and unreasonable.
SA A ? D SD 147. Some teachers are unreasonable.
SA A ? D SD 149. I enjoy school.
SA A ? D SD 151. I think school is generally boring.
SA A ? D SD 153. I put study above most other things.
SA A ? D SD 155. A high school education is worth a million dollars to any young person.
SA A ? D SD 157. School develops self-reliance.
SA A ? D SD 159. A school education will help one to be a good citizen.
SA A ? D SD 161. It helps one to get a job if he has a high school diploma.
SA A ? D SD 163. School has its drawbacks, but I like to go.
SA A ? D SD 165. I can learn more working on a job than in high school.
SA A ? D SD 167. My teachers always treat me fairly.
SA A ? D SD 169. I have a lot of fun in school.
SA A ? D SD 171. I would like to be a teacher.
SA A ? D SD 173. The principal helps to smooth out school problems.
SA A ? D SD 175. The principal tends to be very fair and impartial.
SA A ? D SD 177. The counselor is easy to talk to.
SA A ? D SD 179. The school sex education program is worthwhile.
SA A ? D SD 181. The school should provide more classes in sex education.

183. In terms of occupation categories I expect to be:

(a) **Clerical, sales or related worker** (bookkeeper, secretary, clerk, salesmen, insurance agent, etc.).

(b) **Craftsman or foreman** (electrician, carpenter, etc.).

(c) **Laborer** (janitor, unskilled worker, helpers, farm laborer, etc.).

(d) **Semi-skilled worker** (bus driver, assembly-line worker, etc.).

(e) **Farmer** (owner, farm operator).

(2a) **Professional** (teacher, doctor, lawyer, engineer, etc.).

(2b) **Proprietor or manager** (public official, merchant, executive, etc.).

(2c) **Service** (policeman, barber, cook, beauty operator).

(2d) **Other.**

[Choose one of the following]

185. I like or dislike Americans (U.S. white) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

187. I like or dislike Japanese enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

189. I like or dislike Puerto Ricans enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

191. I like or dislike Spanish Americans (Mexicans) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

193. I like or dislike Indians (American) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

195. I like or dislike Indians (India) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

197. I like or dislike someone of a different religion enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

Now that you have done some thinking about several aspects of your life please briefly answer the following:

1. The best thing about my home community is:
2. What my home community needs most is:
3. The best thing about the police is:
4. The worst thing about the police is:
5. The best thing about religion is:
6. The worst thing about religion is:
7. The best thing about our school is:
8. The worst thing about our school is:
9. The best thing about my parents is:
10. The worst thing about my parents is:

CHICAGO TRIBUNE CELEBRATES 122D BIRTHDAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ANNUNZIO. Mr. Speaker, on June 10, 1847, the Chicago Tribune was first published. The baby publication bore little resemblance to what it has become today. The Tribune's first edition was only four pages of news and advertisements printed on a hand press. At the time of its publication, Chicago had only 16,854 residents.

But since its modest beginning, the Tribune has grown to one of the great newspapers of the country. It is not uncommon for the Tribune to run 120 full size news pages including color advertisements and color photos.

From its beginning, the Tribune has always been a hard-hitting paper. One of its earliest editors, Joseph Medill, who took over as editor and publisher in the summer of 1855, set the guideline and tone for the character of the Tribune. He wrote in his editorials and preached to his staff:

> . . . tell the truth fearlessly, criticize whatever is wrong, and denounce whatever is rotten in the administration of State and local affairs.

Medill's philosophy set down more than 100 years ago has been the guideline for the paper ever since.

The Tribune has been the leader in many journalistic areas. It was the only paper to publish in full the famous Lincoln-Douglas debates and many credit the attention that the front-page treatments of the debates received throughout the country with vaulting Lincoln into the national limelight.

During the Civil War the Sunday Tribune began publishing and was one of the few papers to publish on Sunday because, at that time, many clergy thought it was irreligious for a newspaper to be published on Sunday. But because the Tribune was the only major newspaper publishing on Sunday, its accounts of the Civil War became cherished and were highly sought after throughout the country. When the great fire of 1871 swept Chicago, it destroyed the Tribune's printing plant and virtually every piece of equipment and all of the records kept by the paper. But although the fire destroyed the physical plant, it did not destroy the Tribune's dream and the paper rebuilt virtually from scratch.

Mr. Speaker, as a native of Chicago, I salute the Tribune as it begins its 123d year of publication and services to the people of Chicago.

STATEMENT OF THE MISSISSIPPI CATTLEMEN'S ASSOCIATION

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. GRIFFIN. Mr. Speaker, the Mississippi Cattlemen's Association has prepared a most convincing statement outlining the crucial need for legislation to insure the stability of our domestic beef industry.

The statement, provided me by J. Q. DeMoville, president of the association, and David R. Pingrey, executive vice-president, contains a cogent summary of the plight of our Mississippi producers and a just solution to the dilemma confronting our beef industry.

I commend the attention of my colleagues to the statement, which follows:

STATEMENT OF THE MISSISSIPPI CATTLEMEN'S ASSOCIATION IN SUPPORT OF LEGISLATION TO CORRECT INADEQUACIES IN THE MEAT IMPORT LAW OF 1964

This statement detailing inadequacies in the present meat import control law and recommending needed corrections in same is submitted by the Mississippi Cattlemen's Association, a 4,376 paid-member organization headquartered at Macon, Mississippi.

Mississippi's beef cattle industry is cow-calf oriented, and with 1,204,000 breeding age females, we rank ninth nationally in this category. Our primary product is a feeder calf which until recently moved out of our producers' hands into the nation's beef production system through two main avenues of sales. The calves, depending on weight and grade, were sought in approximate equal numbers by grain farmers for feedlot finishing and by grassland cattlemen for additional grazing. At the completion of the latter group's grazing period, many of these grassers went directly to slaughter, filling the need of a major segment of this nation's meat demand, i.e., the essential lean beef ingredient of our vast variety of process meats. Whether these grass cattle went directly to the packer or were purchased for feedlot grain finishing, they were favorably considered by two types of potential purchasers and were known as "two-way cattle." It is an established business rule; the more potential buyers for a product, the stronger price structure that product enjoys, but, unfortunately, today's international meat trade has virtually removed the two-way play previously enjoyed by lean American cattle.

The reason is obvious. These grass cattle going into processed forms of meat require boning of virtually the entire carcass. This process utilizes skilled American laborers who justly demand and receive a fair wage. Unfortunately, there is a segment of American business that cares little for the welfare of American labor or for the investments of independent, tax-paying American cattlemen. They have, therefore, to their advantage incorporated into our processed meat manufacturing system frozen, boneless beef, a product prepared by foreign labor working at a fractional wage scale of its American counterpart, and so deliverable at American ports at a lower price than our domestic, higher quality, more wholesome product.

What this influx of frozen, boneless beef has done to the American "two-way" beef animal is record. What the removal of one entire purchasing segment of Mississippi's feeder calf customers has done to the cattle industry in this state is well known to Production Credit office managers and to bankers with cattle money out.

Mississippi has suffered in another way. Any cattle system centered around production of calves must certainly have as a major byproduct the sale of cows and bulls whose breeding efficiency is sub-standard. These animals are also primarily utilized as some form of process meat, and so obviously the price structure on this class of cattle has also been damaged.

Mississippi cattlemen are aware we cannot embrace isolationist policies and do not suggest the removal of the American market from foreign beef producers. We do, however, suggest a reappraisal of the law under which these beef imports are admitted and the enactment of corrective legislation necessary to insure this nation's future supply of high quality, wholesome meat.

Beef cattle production over the past several years has been a marginal business at best with several severe depressions a matter of record. While the beef import situation cannot be solely blamed for the dreary, current, economic level of the beef cattle business, cerainly it has been an over all depressant with disastrous immediate effects when periods of peak imports coincided with weakening domestic markets. This Association, therefore, respectfully requests and recommends a five-point modification of the 1964 law:

1. We believe using 1959–63 as a base period projects an unreal image for average imports, for 1963 was one of the all time peak beef import years. We, therefore, recommend as more realistic a base period composed of the years 1958–62.

2. We further believe the records show the inclusion of the 10% allowable import margin has in fact simply given foreign producers a 10% larger share of our market than was intended. We believe they programme their exports, brazenly using this allowance originally designed solely as an over-ride, for their convenience.

3. We have observed further, importers make no attempt to regulate their annual flow of beef to coincide with our domestic production peaks and valleys, but rather, jam our ports as it fits their benefit with resulting periodic chaos to the American cattle market. We, therefore, believe an annual allowable import quota embraces too long a time unit and recommend the quota be broken into quarterly periods.

4. The current law includes only fresh, chilled or frozen meat, but our Congressional leaders need only refer to the devious "Colby Cheese" incident of dairy import history to realize we have naively left a vulnerable opening in our meat import quota law. To correct this inadequacy, we urge the inclusion of canned, cooked, and cured meat in our modified meat import quota law.

5. Every American is anxious for the day when our young men in uniform are not only out of combat areas but returned to these United States. Until that time, we urge the very best food possible for these heroic troops and believe any foreign-purchased meat fed to our American boys must logically be charged against the allowable quota.

We believe the time has come when our Congressional leaders must take a stand on this matter. Either our import quota law will be allowed to continue furnishing only token protection for American skilled labor, American beef cattle farmers, and American consumers, or a realistic statute will be placed on the books more favorable to our international balance of payments and our tax payers.

Allow the present meat import situation to continue to the benefit of meat importers, or enact reform legislation to insure continuation in the strengthening of an American beef industry based on hope of reasonable return to investment. On this decision rests the meat selection in the American consumer's future.

A MEMORIAL DAY TRIBUTE

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. CORMAN. Mr. Speaker, in the week that followed our celebration of Memorial Day 1968, we found ourselves once again experiencing a catastrophe of such impact that we must perforce pause to dwell on how we as a nation can rid ourselves of those forces of hate, distrust and fear which pervade our society.

I am drawn to the thoughts of Allen J. Martin, a veteran of World War II, in a speech which he gave in my district commemorating this Memorial Day, and in which he spoke of the urgent need "to create stronger confidence and unity among our own people."

Allen Martin and I both served with the 3d Marine Division during World War II. We landed on Guam and Iwo Jima together. Mr. Martin now resides in La Puente, Calif., and is a charter member of Puente Post No. 1944, having served as its commander during 1954–55. He is also a former commander of the 6th District Veterans of Foreign Wars.

I know Allen Martin and believe that his tribute to those American servicemen who have been killed in our wars has real meaning for each of us today. Mr. Speaker, under unanimous consent I submit Mr. Martin's speech for inclusion in the RECORD, as follow:

MEMORIAL TRIBUTE

We are assembled here today to commemorate our honored dead. This brief moment of retreat from the busy work-a-day world is symbolic of our respect and the spirit of comradeship we have for all the departed brothers and sons and friends who were our nation's defenders.

These honored dead fought the enemies who sought to destroy our freedoms. They helped win the victories. And today we, the living, are everlastingly indebted to them, for we are the inheritors of the high ideals which they defended—and for which many died.

Who were these men? Each of us can identify some of them as personal acquaintances. But here we are not so concerned with the names of individuals, nor of their status in life.

As the author—John Ingalls—declared: "In the democracy of the dead all men at last are equal. There is neither rank or station nor prerogative in the republic of the grave." That is so true. The only thing important to us is that all our honored dead were loyal and brave. They were our flesh and blood. They left their homes and their loved ones to answer our nation's need. They were the Protestants and the Catholics of our land. They were the gentiles and Jews, the white man and the black, the native sons and the foreign born. They were rich, the poor, the educated and the untutored. But all those differences mattered not one whit because, foremost, they were Americans and they fought shoulder to shoulder with us against the common foe.

If names are to clarify anything in the final analysis—these men were the Kellys and the Cohns, the Olsens and the Smiths, the Orgetas and the Betheljowskies. They were our men. They loved life—just as you and I. And so, to the departed heroes we can repeat the words spoken by a Marine Corps chaplain as he stood before a row of flag-draped bodies on an island in the Pacific during World War II. The chaplain said simply: "You men who gave your lives were of all races and religions—but you were our comrades. You served your country well. You shall always be with us. God bless you. Amen."

Our tribute to the honored dead must not be limited to mere words. Deeds will be better payment of the great debt we owe them. These brave men believed in our way of life. They fought and died for their convictions. We must not sell them short. We must carry

SA A ? D SD 105. You can talk about almost anything with a policeman.
SA A ? D SD 107. I would like to be a policeman.
SA A ? D SD 109. Policemen are dumb.
SA A ? D SD 111. Policemen are always around when they are needed.
SA A ? D SD 113. People in this community are terrible in the way they gossip about young people.
SA A ? D SD 115. This community has very adequate facilities for recreation (things to do) for young people.
SA A ? D SD 117. Policemen enjoy slapping kids.
SA A ? D SD 119. Policemen don't arrest kids whose parents have pull.
SA A ? D SD 121. Policemen don't know how to be friendly to young people.
SA A ? D SD 123. Policemen are a great help to young people.
SA A ? D SD 125. Policemen are just as crooked as the people they arrest.
SA A ? D SD 127. On the whole, policemen are honest.
SA A ? D SD 129. On the whole, policemen do their jobs very well.
SA A ? D SD 131. The juvenile court treats young people as fairly as possible.
SA A ? D SD 133. The juvenile court is wishy-washy in the way they handle offenders.
SA A ? D SD 135. The juvenile court doesn't give young people the benefit of the doubt.
SA A ? D SD 137. The juvenile court judge doesn't understand young people's problems.
SA A ? D SD 139. A juvenile doesn't have as many rights in court as an adult.

Thinking of Schools Now

SA A ? D SD 141. Classrooms are dull places.
SA A ? D SD 143. I enjoy going to class.
SA A ? D SD 145. Some school rules are stupid and unreasonable.
SA A ? D SD 147. Some teachers are unreasonable.
SA A ? D SD 149. I enjoy school.
SA A ? D SD 151. I think school is generally boring.
SA A ? D SD 153. I put study above most other things.
SA A ? D SD 155. A high school education is worth a million dollars to any young person.
SA A ? D SD 157. School develops self-reliance.
SA A ? D SD 159. A school education will help one to be a good citizen.
SA A ? D SD 161. It helps one to get a job if he has a high school diploma.
SA A ? D SD 163. School has its drawbacks, but I like to go.
SA A ? D SD 165. I can learn more working on a job than in high school.
SA A ? D SD 167. My teachers always treat me fairly.
SA A ? D SD 169. I have a lot of fun in school.
SA A ? D SD 171. I would like to be a teacher.
SA A ? D SD 173. The principal helps to smooth out school problems.
SA A ? D SD 175. The principal tends to be very fair and impartial.
SA A ? D SD 177. The counselor is easy to talk to.
SA A ? D SD 179. The school sex education program is worthwhile.
SA A ? D SD 181. The school should provide more classes in sex education.

183. In terms of occupation categories I expect to be:

(a) **Clerical, sales or related worker** (bookkeeper, secretary, clerk, salesmen, insurance agent, etc.).

(b) **Craftsman or foreman** (electrician, carpenter, etc.).

(c) **Laborer** (janitor, unskilled worker, helpers, farm laborer, etc.).

(d) **Semi-skilled worker** (bus driver, assembly-line worker, etc.).

(e) **Farmer** (owner, farm operator).

(2a) **Professional** (teacher, doctor, lawyer, engineer, etc.).

(2b) **Proprietor or manager** (public official, merchant, executive, etc.).

(2c) **Service** (policeman, barber, cook, beauty operator).

(2d) **Other.**

[Choose one of the following]

185. I like or dislike Americans (U.S. white) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

187. I like or dislike Japanese enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

189. I like or dislike Puerto Ricans enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

191. I like or dislike Spanish Americans (Mexicans) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

193. I like or dislike Indians (American) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

195. I like or dislike Indians (India) enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

197. I like or dislike someone of a different religion enough that I—

a	b	c	d	e	2a	2b
Would marry into group	Would have as close friends	Would have as next door neighbors	Would work in same office	Would have as speaking acquaintances only	Would have as visitors only to my nation	Would keep out from my nation

Now that you have done some thinking about several aspects of your life please briefly answer the following:

1. The best thing about my home community is:
2. What my home community needs most is:
3. The best thing about the police is:
4. The worst thing about the police is:
5. The best thing about religion is:
6. The worst thing about religion is:
7. The best thing about our school is:
8. The worst thing about our school is:
9. The best thing about my parents is:
10. The worst thing about my parents is:

CHICAGO TRIBUNE CELEBRATES 122D BIRTHDAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ANNUNZIO. Mr. Speaker, on June 10, 1847, the Chicago Tribune was first published. The baby publication bore little resemblance to what it has become today. The Tribune's first edition was only four pages of news and advertisements printed on a hand press. At the time of its publication, Chicago had only 16,854 residents.

But since its modest beginning, the Tribune has grown to one of the great newspapers of the country. It is not uncommon for the Tribune to run 120 full size news pages including color advertisements and color photos.

From its beginning, the Tribune has always been a hard-hitting paper. One of its earliest editors, Joseph Medill, who took over as editor and publisher in the summer of 1855, set the guideline and tone for the character of the Tribune. He wrote in his editorials and preached to his staff:

> . . . tell the truth fearlessly, criticize whatever is wrong, and denounce whatever is rotten in the administration of State and local affairs.

Medill's philosophy set down more than 100 years ago has been the guideline for the paper ever since.

The Tribune has been the leader in many journalistic areas. It was the only paper to publish in full the famous Lincoln-Douglas debates and many credit the attention that the front-page treatments of the debates received throughout the country with vaulting Lincoln into the national limelight.

During the Civil War the Sunday Tribune began publishing and was one of the few papers to publish on Sunday because, at that time, many clergy thought it was irreligious for a newspaper to be published on Sunday. But because the Tribune was the only major newspaper publishing on Sunday, its accounts of the Civil War became cherished and were highly sought after throughout the country. When the great fire of 1871 swept Chicago, it destroyed the Tribune's printing plant and virtually every piece of equipment and all of the records kept by the paper. But although the fire destroyed the physical plant, it did not destroy the Tribune's dream and the paper rebuilt virtually from scratch.

Mr. Speaker, as a native of Chicago, I salute the Tribune as it begins its 123d year of publication and services to the people of Chicago.

STATEMENT OF THE MISSISSIPPI CATTLEMEN'S ASSOCIATION

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. GRIFFIN. Mr. Speaker, the Mississippi Cattlemen's Association has prepared a most convincing statement outlining the crucial need for legislation to insure the stability of our domestic beef industry.

The statement, provided me by J. Q. DeMoville, president of the association, and David R. Pingrey, executive vice-president, contains a cogent summary of the plight of our Mississippi producers and a just solution to the dilemma confronting our beef industry.

I commend the attention of my colleagues to the statement, which follows:

Statement of the Mississippi Cattlemen's Association in Support of Legislation To Correct Inadequacies in the Meat Import Law of 1964

This statement detailing inadequacies in the present meat import control law and recommending needed corrections in same is submitted by the Mississippi Cattlemen's Association, a 4,376 paid-member organization headquartered at Macon, Mississippi.

Mississippi's beef cattle industry is cow-calf oriented, and with 1,204,000 breeding age females, we rank ninth nationally in this category. Our primary product is a feeder calf which until recently moved out of our producers' hands into the nation's beef production system through two main avenues of sales. The calves, depending on weight and grade, were sought in approximate equal numbers by grain farmers for feedlot finishing and by grassland cattlemen for additional grazing. At the completion of the latter group's grazing period, many of these grassers went directly to slaughter, filling the need of a major segment of this nation's meat demand, i.e., the essential lean beef ingredient of our vast variety of process meats. Whether these grass cattle went directly to the packer or were purchased for feedlot grain finishing, they were favorably considered by two types of potential purchasers and were known as "two-way cattle." It is an established business rule; the more potential buyers for a product, the stronger price structure that product enjoys, but, unfortunately, today's international meat trade has virtually removed the two-way play previously enjoyed by lean American cattle.

The reason is obvious. These grass cattle going into processed forms of meat require boning of virtually the entire carcass. This process utilizes skilled American laborers who justly demand and receive a fair wage. Unfortunately, there is a segment of American business that cares little for the welfare of American labor or for the investments of independent, tax-paying American cattlemen. They have, therefore, to their advantage incorporated into our processed meat manufacturing system frozen, boneless beef, a product prepared by foreign labor working at a fractional wage scale of its American counterpart, and so deliverable at American ports at a lower price than our domestic, higher quality, more wholesome product.

What this influx of frozen, boneless beef has done to the American "two-way" beef animal is record. What the removal of one entire purchasing segment of Mississippi's feeder calf customers has done to the cattle industry in this state is well known to Production Credit office managers and to bankers with cattle money out.

Mississippi has suffered in another way. Any cattle system centered around production of calves must certainly have as a major byproduct the sale of cows and bulls whose breeding efficiency is sub-standard. These animals are also primarily utilized as some form of process meat, and so obviously the price structure on this class of cattle has also been damaged.

Mississippi cattlemen are aware we cannot embrace isolationist policies and do not suggest the removal of the American market from foreign beef producers. We do, however, suggest a reappraisal of the law under which these beef imports are admitted and the enactment of corrective legislation necessary to insure this nation's future supply of high quality, wholesome meat.

Beef cattle production over the past several years has been a marginal business at best with several severe depressions a matter of record. While the beef import situation cannot be solely blamed for the dreary, current, economic level of the beef cattle business, cerainly it has been an over all depressant with disastrous immediate effects when periods of peak imports coincided with weakening domestic markets. This Association, therefore, respectfully requests and recommends a five-point modification of the 1964 law:

1. We believe using 1959–63 as a base period projects an unreal image for average imports, for 1963 was one of the all time peak beef import years. We, therefore, recommend as more realistic a base period composed of the years 1958–62.

2. We further believe the records show the inclusion of the 10% allowable import margin has in fact simply given foreign producers a 10% larger share of our market than was intended. We believe they programme their exports, brazenly using this allowance originally designed solely as an over-ride, for their convenience.

3. We have observed further, importers make no attempt to regulate their annual flow of beef to coincide with our domestic production peaks and valleys, but rather, jam our ports as it fits their benefit with resulting periodic chaos to the American cattle market. We, therefore, believe an annual allowable import quota embraces too long a time unit and recommend the quota be broken into quarterly periods.

4. The current law includes only fresh, chilled or frozen meat, but our Congressional leaders need only refer to the devious "Colby Cheese" incident of dairy import history to realize we have naively left a vulnerable opening in our meat import quota law. To correct this inadequacy, we urge the inclusion of canned, cooked, and cured meat in our modified meat import quota law.

5. Every American is anxious for the day when our young men in uniform are not only out of combat areas but returned to these United States. Until that time, we urge the very best food possible for these heroic troops and believe any foreign-purchased meat fed to our American boys must logically be charged against the allowable quota.

We believe the time has come when our Congressional leaders must take a stand on this matter. Either our import quota law will be allowed to continue furnishing only token protection for American skilled labor, American beef cattle farmers, and American consumers, or a realistic statute will be placed on the books more favorable to our international balance of payments and our tax payers.

Allow the present meat import situation to continue to the benefit of meat importers, or enact reform legislation to insure continuation in the strengthening of an American beef industry based on hope of reasonable return to investment. On this decision rests the meat selection in the American consumer's future.

A MEMORIAL DAY TRIBUTE

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. CORMAN. Mr. Speaker, in the week that followed our celebration of Memorial Day 1968, we found ourselves once again experiencing a catastrophe of such impact that we must perforce pause to dwell on how we as a nation can rid ourselves of those forces of hate, distrust and fear which pervade our society.

I am drawn to the thoughts of Allen J. Martin, a veteran of World War II, in a speech which he gave in my district commemorating this Memorial Day, and in which he spoke of the urgent need "to create stronger confidence and unity among our own people."

Allen Martin and I both served with the 3d Marine Division during World War II. We landed on Guam and Iwo Jima together. Mr. Martin now resides in La Puente, Calif., and is a charter member of Puente Post No. 1944, having served as its commander during 1954–55. He is also a former commander of the 6th District Veterans of Foreign Wars.

I know Allen Martin and believe that his tribute to those American servicemen who have been killed in our wars has real meaning for each of us today. Mr. Speaker, under unanimous consent I submit Mr. Martin's speech for inclusion in the Record, as follow:

Memorial Tribute

We are assembled here today to commemorate our honored dead. This brief moment of retreat from the busy work-a-day world is symbolic of our respect and the spirit of comradeship we have for all the departed brothers and sons and friends who were our nation's defenders.

These honored dead fought the enemies who sought to destroy our freedoms. They helped win the victories. And today we, the living, are everlastingly indebted to them, for we are the inheritors of the high ideals which they defended—and for which many died.

Who were these men? Each of us can identify some of them as personal acquaintances. But here we are not so concerned with the names of individuals, nor of their status in life.

As the author—John Ingalls—declared: "In the democracy of the dead all men at last are equal. There is neither rank or station nor prerogative in the republic of the grave." That is so true. The only thing important to us is that all our honored dead were loyal and brave. They were our flesh and blood. They left their homes and their loved ones to answer our nation's need. They were the Protestants and the Catholics of our land. They were the gentiles and Jews, the white man and the black, the native sons and the foreign born. They were rich, the poor, the educated and the untutored. But all those differences mattered not one whit because, foremost, they were Americans and they fought shoulder to shoulder with us against the common foe.

If names are to clarify anything in the final analysis—these men were the Kellys and the Cohns, the Olsens and the Smiths, the Orgetas and the Betheljowskies. They were our men. They loved life—just as you and I. And so, to the departed heroes we can repeat the words spoken by a Marine Corps chaplain as he stood before a row of flag-draped bodies on an island in the Pacific during World War II. The chaplain said simply: "You men who gave your lives were of all races and religions—but you were our comrades. You served your country well. You shall always be with us. God bless you. Amen."

Our tribute to the honored dead must not be limited to mere words. Deeds will be better payment of the great debt we owe them. These brave men believed in our way of life. They fought and died for their convictions. We must not sell them short. We must carry on their struggle with the unconquerable determination, intelligence and readiness to defend our glorious freedom heritage.

In the words of Abraham Lincoln at Gettysburg, "It is for us, the living, to be dedicated to the unfinished work which they who fought so nobly advanced . . . it is for us to resolve that these dead shall not have died in vain." And, in the words of the Veterans of Foreign Wars of the United States: "We honor the dead by helping the living."

Each of us can pledge himself to a sincere, wholehearted crusade to help make more abundantly real for everyone the fundamental ideals of our American way of life. How can we do that?

We the peoples of all nations want peace. So each of us can help make world peace a reality. But we must start right here at home.

First, we must create stronger confidence and unity among our own people. To do that we should create better understanding with our neighbors—especially those who may be different from ourselves. To do that we should rid our minds of petty jealousies, suspicions, fears and hatred. Then we should extend our influence—to counteract those who, for selfish reasons, work against universal harmony.

All that is possible because each of us has a mind and a tongue. With those instruments of decision and expression we can become leaders for a coordinated national and worldwide educational buildup. That educational process can create more perfect justice between men. It can strengthen and extend mutual trust and friendship among all peoples who want to believe in the mighty power of freedom. Only through taking those steps can we prove to ourselves and others that the American way of thinking and living is sincere and best.

Yes, my friends, that campaign can complete the monument honoring our brave departed comrades. But it must be a monument of deeds and achievements. The very foundation stones or our monument must be unity of effort and loyalty to the fundamental American proclamations of human worth and dignity. And inscribed upon the monument we are to make complete through greater service should be our pledge to perpetuate the high ideals for which so many have fought and died—the ideals so important to all freedom loving peoples.

That, my friends, can be the truly noble and positive fulfillment and promise to honor the dead by helping the living. And, now, with that task before us, let us seal our pledge with these few final words of assurance. Let us declare to our departed comrades:

"Fear not that you have died in vain,
  The torch you gave us, we hold high.
The task is ours—the goal unchanged:
  And freedom's light shall never die."

A FORTHRIGHT STATEMENT BY SECRETARY FREEMAN BEFORE HOUSE AGRICULTURE COMMITTEE IN SUPPORT OF BILL SPONSORED BY 122 MEMBERS OF HOUSE TO EXPAND THE FOOD STAMP PROGRAM

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mrs. SULLIVAN. Mr. Speaker, I think all of the Members of the House of Representatives, and particularly the 121 Members from 30 States other than mine who have joined me in sponsoring legislation to expand the food stamp program, will want to read the forthright statement made this morning before the House Committee on Agriculture in support of this legislation by the Honorable Orville L. Freeman, Secretary of Agriculture.

Secretary Freeman initiated this program 7 years ago in an imaginative and courageous use of section 32 funds. His predecessor could have used the same funds in the same manner to institute such a program 14 years ago, when I first proposed a food stamp program.

Under an amendment written by the Senate last year, it is no longer possible to use any section 32 funds for the food stamp program. Only direct appropriations can be used. But the top amount Congress can appropriate for the food stamp program for the coming fiscal year is only $225,000,000, and that is probably not enough even to cover the projects now in operation, because participation in those areas is increasing. So we must amend the basic Food Stamp Act of 1964 to permit higher appropriations, and that is what 122 of us in the House have now proposed in the legislation we have introduced.

I hope many more Members of the House will let me add their names to the cosponsorship list so that we can demonstrate to the Committee on Agriculture the extent of support in the House for expanding this program into all of the 400 additional counties now seeking it, and eventually into every county in the country. At present, 1,027 counties have this program—about one-third of the counties in the United States.

TESTIMONY BY SECRETARY FREEMAN

Mr. Speaker, following is the statement made by Secretary of Agriculture Orville L. Freeman to the Committee on Agriculture this morning, endorsing the bills I introduced for myself and 121 cosponsors:

STATEMENT BY THE HONORABLE ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE, BEFORE THE HOUSE COMMITTEE ON AGRICULTURE, JUNE 12, 1968

Mr. Chairman, Members of the Committee: I welcome the opportunity to meet with the Committee.

Today, I want, once again, to report to the Committee on the status of the Department's consumer food programs. I want to make some general long-range recommendations for consideration by the Committee.

And, I want to specifically discuss the funding of the Food Stamp Program.

This matter cannot be discussed in isolation from the larger issue of hunger and malnutrition in the United States.

I am sure, Mr. Chairman, that Committee members are aware that I have publicly deplored the emotionalism surrounding the recent public debate on this matter. It is an emotionalism that is obscuring both the complexity of the problem and the progress that has been made to provide food assistance to the poor.

But, while I deplore that emotionalism, I want also to say: More needs to be done; the problem of hunger—at times, for some poor families—and of malnutrition—for larger numbers of poor families for longer periods of time—are a present-day fact.

The ultimate goal, the positive commitment, must be: No American—regardless of race, creed, color, or material possessions—should go hungry or suffer from severe malnourishment.

Therefore, before presenting recommendations on food stamp funding, I want to:

Summarize the change in scope, emphasis, and accomplishments in the Department's consumer food programs in the decade of the 1960's—the USDA programs directly concerned with hunger and malnutrition;

Project for the Committee what can be, and should be, done with the Good Stamp Program—if it is to make its maximum contribution to banishing hunger and malnutrition in the years ahead.

I shall conclude by recommending what we can and should do about food stamp funding now.

During the decade of the sixties:

The concept of family food assistance programs has shifted from distributing a few surplus food items to increasing food purchasing power through the use of food stamps; and from supplementing the families' food supply to providing a more nearly adequate diet.

The administration of these food assistance efforts has changed from a passive offering to State and local government—"food is available if you are willing to distribute it"—to active encouragement, and the promise that Federal authority will intervene if necessary to make food available to families.

The concept of child feeding programs has been enlarged from the narrow view of providing a noonday meal service to one that includes school breakfasts and feeding programs outside the school system—with greater emphasis on reaching the poor school and the poor child.

These broader, more positive, concepts—and the more positive Federal direction and leadership and financial support—have resulted in substantive and significant progress.

But, they also demonstrate the scope and depth of the further commitment that must be made if—someday and in the *not* too distant future—it can be truly said that there is no hunger in America.

In child feeding: In 1960:

12.8 million children were eating balanced lunches under the National School Lunch Program. About 1.2 million children were receiving their lunches free or at a special token price;

There was no legislative authority directing that special assistance be provided poor schools that had a large number of poor children in attendance;

There was no way—other than with surplus foods—to help poor schools with a breakfast program or to help them buy some essential lunchroom equipment;

There was no way—except for the Special Milk Program—to extend assistance to feeding operations in non-school situations.

But in the 1968 school year now ending:

19.5 million children ate the Type A school lunch and 2.5 million were poor children who got a free lunch or paid a token price;

A total of $5.0 million was available to help poor schools serve more poor children—under the 1962 amendment to the National School Lunch Act;

Under the Child Nutrition Act, we are building the base for further food services for poor schools and poor children with the $4,250,000 in appropriated funds.

And, this year, new authority has been provided by the Congress to move into nonschool feeding programs.

In needy family feeding: In 1960:

Our only tool for family feeding was the Commodity Distribution Program;

Under it, we were offering five low-value foods—worth, at retail, $2.20 per person per month;

We were reaching 3.5 million needy people in family units—with about a 6 percent national unemployment rate;

About 1,200 counties and areas were distributing food to their needy families;

Of the 1,000 poorest counties, there were commodities distributed in 370.

In contrast, in 1968:

The Food Stamp Program has been added to our kit of tools and Commodity Distribution has been improved and strengthened;

Needy families now being assisted under the Commodity Distribution Program have 16 foods now available, and we have announced the addition of 6 more;

We are now reaching—or shortly will be—6.1 million people in 2,400 counties with commodities or food stamps—with the national unemployment rate now below 4 percent;

All of the 1,000 poorest counties are being, or soon will be included.

Progress was accelerated this past year through the major modifications in these family feeding programs that I announced last July. They were:

For the first time, the Department would offer to pay up to the full local operating costs of the Commodity Distribution Program in any of the 1,000 poorest counties then without a program;

There were 331 counties in this priority or target group.

In food stamp areas—

(a) the minimum purchase requirement was being reduced from $2 per person per month to 50 cents;

(b) the purchase requirement for all new participants was to be cut in half for the first month—allowing the family to make the transition from a credit to a cash basis; and

(c) low-income people were to be hired, in a number of sensitive areas, as program aides—to help reach eligible nonparticipating families and bring them into the program.

And, finally, Department field personnel—spearheaded by Technical Action Panels—community action agencies and other groups, were joining in an intensive outreach effort on USDA food assistance programs.

The results have been dramatic when one considers that we are now down to dealing with the hardest-to-reach people and counties.

We increased food stamp participation by a monthly average of 300,000 people in the same 830 areas that were in operation in June of 1967. And, of course, we reached more people in the new areas that came into the program this fiscal year.

On the commodity side, our offer of financial aid to the poorest counties—together with vigorous leadership—has resulted in the local officials of 277 of our original 331 target counties taking action to accept and agree to operate a commodity or food stamp program for their poor families. An additional 14 counties are in process of making a decision.

In the remaining 40 of the 331 counties, USDA personnel are now undertaking the work to set up local facilities for certifying needy families and handling and distributing the food—preparatory to direct Federal operation. This step was taken reluctantly and only when I was convinced it was the only way to bring food assistance to poor families in these remaining poorest counties.

Even where we do directly inaugurate a program, it is our hope that arrangements can subsequently be worked out for a return to the traditional State-local operating base.

Thus, our commodity operations are helping to fill the gap until these family feeding operations can be replaced with a stamp program.

I want to restate and reinforce my several earlier statements to the Committee that food stamps do provide the most practical and efficient way to meet the food problems of poor families. Stamps provide the low-income family with the means for a wider, more varied diet—a way to adjust food purchases to the varying needs of the family. It incorporates the desirable self-help principle. It utilizes—rather than competes with—the best food distribution system in the world, our commercial marketing complex.

The food stamp approach has strong support and appeal among the State and local officials to whom USDA looks to get the food assistance job done.

Of the 331 target counties, 128 elected to go the food stamp route and 11 more have notified us that they intend to request a program. This election was made even though there was no way to relieve the States or communities of responsibility for local operating costs. This appeal and support can be a real strength as we move to make our food assistance reach all those in need.

It is, then, becoming increasingly clear that the events of the past year have placed new demands upon the Food Stamp Program—demands that must be taken into account when future program funding is discussed and planned.

More poor people are coming in to be certified in counties that have the stamp program, as we refine and improve program provisions.

More counties want the program and they should have it.

And, there are *more* "demands" that *even more* be done to see that *even more* people are reached and that *even more* assistance is provided to those already being reached.

There is room for further improvements in the Food Stamp Program. Some can only be accomplished as experience shows us the way to remove barriers to participation. And, all of them will have an impact on program funding.

But, if we are to eliminate hunger and malnutrition in this country, our tools must be equal to the task. To effectively reach poor families in their homes we need a Food Stamp Program that:

Is operating in every county and independent city in the country;

Has eligibility standards that encompass all financially needy families;

Is readily accessible to all eligible families—with the States and localities providing prudent but prompt certification services and accessible locations at which to purchase coupons;

Makes available to each participating family sufficient total food stamps to enable the family to purchase an adequate diet—with the family's monetary investment related to its basic ability to buy food;

Includes homemaker training and educational services on what makes for a good diet and how to buy and prepare food to meet the nutritional needs of their families.

This is the kind of family food assistance program we need to operate and fund if we are to ever eliminate hunger and severe malnutrition in this country.

It is also clear that we cannot develop, fund or place into nation-wide operation that food stamp goal this fiscal year. But, we must see that the momentum we have built up continues and, in fact, that we accelerate the pace during the next fiscal year. The times and the national need require it.

Substantial additional funding is necessary in fiscal 1969.

We increased the number of operating areas from 838 in June 1967 to *1,027* areas this fiscal year. We need to provide "full-year" financing for these nearly 200 new areas. As well, we want to reach even more of the eligible families by program refinements or better State or local services.

There are *239* project areas—already approved—waiting to begin operations (166 of these areas wanted to open this May or June. But, we had to ask them to postpone their openings because of a shortage of 1968 funds.)

We had 145 areas, as of the close of business, Monday, June 10, that had officially requested the program and are anxious to start the program in 1969.

The designated and waiting-to-be-designated areas now on the books involve 35 States. For example, there are 36 counties in Georgia; 30 counties in South Carolina—to make a State-wide program there; 16 in Louisiana; 18 counties in Arkansas; 2 in Washington—to complete the State-wide program.

In the Midwest, there are 16 counties in Nebraska included; 11 in Minnesota; 11 in Iowa; North Dakota has 13 counties, and Ohio has 12. Massachusetts, which entered the program for the first time, has 7 designated areas waiting to enter. Alaska is on the list with 9 areas for a State-wide program.

And, more requests are being received every day. We would expect to receive at least 100 more requests in the next few months from areas that want to start programs in fiscal 1969.

I can clearly define the kind of nationwide Food Stamp Program to which we need to progressively move. But, it is not possible to precisely forecast the maximum possible pace at which we can proceed to move toward that goal. Nor, can its ultimate cost be predicted.

It is difficult to judge exactly when we can complete the shift to food stamps for the rest of the country.

The level of participation is equally difficult to forecast. We would expect more families to continue to move out of poverty—but there may be temporary periods of increased unemployment in some areas. We do not know when experience will show us improved ways to reach more of the remaining eligible people—through outreach, education and motivation, improved program services, etc.

But, the need to eliminate hunger is clear and consistent with the national interest and our standard of values. This certainty should outweigh the uncertainty over the pace at which this national need can move forward both from a practical and financial standpoint. No artificial barriers should prevent progress toward that goal. Rather, the urgency of the need dictates development, now, of the best legislative basis under which this country can move toward the kind of stamp program that will meet national need.

I strongly urge this Committee to accept the identical bills H.R. 17721 through 17725 introduced by Congresswoman Sullivan and 107 other Members of the House.

These bills provide for a four-year authorization with no specific monetary limitations specified in advance. But, to assist and guide the Congress in its annual funding decisions, the bills require specific rules for an in-depth Congressional review prior to each annual appropriation.

Mrs. Sullivan's bill provides for effective Congressional direction, leadership and program review. But, it will permit the Congress to make its decision each year in the light of the then-current situation. The national need to make a full commitment to eliminate hunger dictates the need for such action.

THE SUPREME COURT VERSUS NATIONAL SECURITY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ASHBROOK. Mr. Speaker, much discussion has taken place recently concerning the part that the Supreme Court has played in weakening our law-enforcement machinery by virtue of some of its dangerously misdirected decisions. Those concerned with the area of internal security are also fully aware that the Courts judgments in the past have been a severe handicap in the administration of this program. The recent Robel decision, for instance, permits the employment of a member of the Communist Party to be engaged in defense work although a basic aim of the CPUSA has been the subversion of our national defenses. Although this decision is almost unbelievable, it is but one of a number of decisions in which the Court has bent over backward to give favoritism to individual rights at the expense of the national security of the country.

On the bright side of the ledger, there is an awakening to the dangerous effect that unbalanced decisions by the Court are playing in our security machinery. Various pieces of legislation have been advanced to both limit the jurisdiction of the Court and to correct some of the decisions now in force. I am hopeful that worthwhile changes will be effected in the near future.

In the area of travel to Communist countries, the Court has also made its presence felt. Here again national security interests have been made subsidiary to other considerations. In the following letter of the State Department concerning the travel of M. Cyrus Eaton to Cuba, it is stated that:

> In light of the Lynd decision and other recent decisions in the courts, however, the Department is essentially without effective means to prevent the unauthorized travel of a citizen to restricted areas so long as he does not use his otherwise valid passport in traveling to or through the restricted area.

Here again is another example of the dangerous effect of a Court decision in the area of national security. Again, legislation has been introduced to correct this impasse, but there remains the basic problem of returning some degree of realism to future Court decisions.

I include the above-mentioned letter from the State Department in the RECORD at this point:

DEPARTMENT OF STATE,
Washington, May 28, 1968.

HON. JOHN M. ASHBROOK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ASHBROOK: The Secretary of State has asked that I reply to your letter of May 22 in which you inquire about the travel of Mr. Cyrus Eaton to Cuba.

The restrictions on the travel of American citizens to Cuba remain in effect in that Cuba continues to be included among the countries for which a United States passport is not valid unless specifically validated for such travel. The Department has announced, however, that henceforth, pursuant to the United States Court of Appeals decision in *Lynd* v. *Rusk,* the Department would not revoke passports for violation of area restrictions. The Court, in that case, held in effect that the Government could not prevent the travel of U.S. citizens to the "restricted areas" although it could prevent U.S. passports from being used for such unauthorized travel.

Passports are specially validated by the Department for travel to a restricted area upon application if the applicant shows that the purpose of his trip justifies an exception to the general restriction. (A copy or relevant portions of the Departmental regulations concerning the restrictions is enclosed.)

You will note that persons in certain professional and occupational categories are given special validations when their travel is directly related to their professional responsibilities. Included are newsmen, doctors and scientists in public health, scholars with post-graduate degrees, and American Red Cross representatives.

Mr. Eaton applied for special passport validation in order to travel to Cuba. Inasmuch as Mr. Eaton did not meet the criteria for special passport validation, his application was denied.

In light of the *Lynd* decision and other recent decisions in the courts, however, the Department is essentially without effective means to prevent the unauthorized travel of a citizen to restricted areas so long as he does not use his otherwise. valid passport in traveling to or through the restricted area. The actual use of a passport to go to a restricted area without special validation for that area might constitute misuse of a passport, proscribed by 18 U.S.C. Section 1544, and might subject the traveler to application of the criminal sanction in that statute.

I hope you will find this information helpful.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

REPORT TO CONSTITUENTS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. WOLFF. Mr. Speaker, regularly I report to my constituents on activities here in Congress and the conditions throughout the country. Under leave to extend my remarks, I wish to include in the RECORD my June report:

JUNE 1968.

DEAR FRIEND AND CONSTITUENT: Once again, as if it were to become a regular if awful way of life, the attention of the entire country, indeed of the world, has been fixed on assassination and its aftermath in the United States.

The tragic and untimely death of Senator Robert F. Kennedy is certainly a source of great sorrow for all Americans. In this regular edition of my Washington Report I would like to discuss with you the circumstances surrounding Senator Kennedy's death, its implications for American society and the broader social problems related to the assassination.

I do not accept the current charge that the United States is a "sick society." However I do believe we are confronted with a "moral pollution" of which Senator Kennedy's death is the most recent example.

Other examples of the problem include the assassination of our beloved late President John F. Kennedy, the assassination earlier this year of the Rev. Dr. Martin Luther King, the civil disorders that have erupted in all parts of the nation in recent years, the violence on scores of American campuses and the increasing incidence of crime in the streets.

I believe that a principle cause of this "moral pollution" gripping our nation is the growing attention garnered by the extremes in our society. The great middle has been too silent and thus opened the door to extremists who sell hate like a product and view violence with satisfaction. The problem is compounded by various polarizations within our society. The rich and poor, the left and right, the young and old constantly find themselves at odds with one another thus causing deep divisions in our society.

Further complicating this situation has been an unfortunate and regrettable loss of faith in the Nation's leadership and an unprecedented loss of faith in the future of our nation. There results a malaise that must be driven from the American psyche if we are to right ourselves and continue to move forward with unity and confidence.

It is important to note in the consideration of unity and in the effort to heal rifts that there is no suggestion that we must have unanimity. On the contrary, as a dissenter myself, I recognize that our society invites, even needs, disagreement. The point is that in a democratic society there is ample room for responsible dissension and protest.

In attacking the problems that have created our domestic malady there are certain specific steps available to us. Certain of these steps are only temporary solutions, but they are needed now to strengthen the effectiveness of our law enforcement officials and to preserve the rights of all. Other steps are more lasting and it would be destructive, in the long run, to ignore these steps.

One immediate step is the recently passed Anti-Crime Bill that provides for direct aid to local police forces to aid them in increasing their effectiveness in the fight against crime. This Bill also contains restrictions on the interstate sale of hand guns.

To this we must add stronger and more effective gun control legislation. It has long been my feeling that the sale, distribution and licensing of hand weapons and long guns would be an important step in reducing crime in this country while lessening violence. I believe we should prohibit all mail order sales of arms and ammunition and require that all guns be licensed. I have worked with Rep. Emanuel Celler, Chairman of the House Judiciary Committee, who is responsible for this legislation, to prepare and secure passage of a strong and workable gun control law.

Such controls would minimize the possibility of irrational, irresponsible individuals possessing weapons without endangering the rights of legitimate sportsmen.

In addition I shall propose separate legislation to prohibit the possession and distribution of switchblades and other deadly knives. The proliferation and easy access to such knives is another extension of violence in our society and it must be stopped.

Also, to minimize the problem created by civil disorders, I have introduced legislation calling for a "National Conference on Law and Order—Now." Such a conference would enable law enforcement officials to learn modern means of effectively controlling disturbances without endangering lives. However, this must be viewed as a temporary step while we look to the day when civil disturbances can be wiped from the American scene.

My proposal for a bi-partisan "Metropolitan Coalition" in Congress, which I discussed in my May newsletter, is designed for just such a long-range attack on our domestic problems. We all must recognize, as Robert Kennedy clearly saw, that it is in the best interests of our nation, and every individual American, for all Americans to enjoy the privileges and opportunities of our society.

To date we have received a good response to the "Metropolitan Coalition" both from Members of Congress and interested private groups. It is my hope that through a concerted attack on metropolitan problems, city and suburban, that we can give all Americans a stake in our society and thus destroy the root causes of unrest. In addition the Coalition assures that areas like our own Nassau County can maintain their autonomy while receiving federal assistance for steady and planned growth.

Another specific, non-legislative step that we should take is for more and more Americans, from the great and powerful middle, to actively and constructively participate in the political process. This would mitigate against the possibility of violent extremists gaining control of public affairs.

It should be made clear that such participation certainly need not be designed to reinforce existing policies nor to reaffirm specific aspects of our society. Actually such participation should include a constant reexamination of policy and reassessment of existing situations. In the long-run this is necessary to the progressive change and growth that is so much a part of our history.

This point relates especially to college students who have many fine ideas for change and substantial reason for questioning the old order. Yet the tactics they have recently resorted to in an effort to bring about change at certain universities is self-defeating. We do need reformers; we do not need revolutionaries.

In the final analysis and ultimately more important than any tangible action we might take, there must be a concerted and deliberate effort by all Americans to live by, and teach to young people, the ideals of liberty, freedom and democracy that are our heritage. Inseparable from this is the belief that we conduct government by the ballot box and not by violence; that our society offers us every opportunity for peaceful change and precludes any resort to violence.

If, in the practice of citizen participation in public affairs, and in the consideration of American government, you would like a copy of the publication, "Our American Government—What Is It? How Does It Function?" please write to me at 1525 L.H.O.B., Washington, D.C., 20515 and I will be happy to send a copy of this booklet to you.

Any consideration of the ideal American society and the standards we should try to live by, I submit, will prove the validity of a statement by Professor John Kennedy Galbraith. He said: "You cannot have liberty without law and order." To this I would add that you cannot have freedom without authority—the very authority that protects that freedom. Nor can you maintain democracy without responsibility.

We can, and I believe we will, drive "moral pollution" from this nation and return ourselves to the progressive optimism of our history. But this can only be done by a recognition of the need for law and order, for respect for the lives and property of others, and the need for moral commitment. Certainly it was to these goals that Senator Kennedy devoted his entire adult life.

The American dream need not, nor need we permit it to, become a nightmare. However if the powerful middle in our society persists in remaining too passive and evidencing an apathy bordering on complete disinterest, our future may just slip from our grasp. The antidote is action.

Motivation is needed and by doing your share you can constructively act to right the wrongs that trouble us all.

The second part of action is, of course, the development of the proper attitude. There is a frame of mind in which violence becomes the norm; either anarchy or totalitarianism ensues from this. The norm, instead, must include an absolute and enduring commitment to responsibility coupled with mutual respect and a recognition of the importance of flexibility.

Abraham Lincoln, if I may paraphrase him in closing, said it all very well: Without public support nothing will succeed; with it nothing will fail.

Sincerely,

Lester L. Wolff,
Member of Congress.

RHODESIAN SANCTIONS ON STRATEGIC CHROME ORE AVAILABILITY AND U.S. BALANCE OF PAYMENTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. RARICK. Mr. Speaker, in a statement to this body in the Record of June 4, 1968, on "Crisis in World Strategy," I stressed how the executive branch of our "General" Government—George Washington's term—was ignoring the Constitution and the Congress in supporting a U.N. resolution escalating warfare against Rhodesia, and quoted two broadcasts by Fulton Lewis III and an address by former Secretary of State Dean Acheson relative thereto.

In the Record of June 5, in order that all Members of the Congress could read the indicated U.N. resolution on Rhodesia, I quoted its full text.

In a sequel broadcast on June 3, 1968, Mr. Lewis discussed some new angles in the Rhodesian situation; namely, how the U.N. economic sanctions against Rhodesia affect our balance of trade, how such sanctions have forced the United States to purchase strategic chrome ore at greatly increased prices from the Soviet Union, and how it has forced Rhodesia to sell this vital ore in other than U.S. markets, including Red China.

It must be stressed that chrome is absolutely indispensable to our country, both industrially and militarily. Yet, without the approval of Congress, the executive branch of our Government joins in sanctions against little, independent, and strategic Rhodesia by coercive means to satisfy the demands of Great Britain and the African bloc in the U.N. organization to destroy Rhodesian independence.

Since the Constitution of the United States vests the power to regulate commerce with foreign nations in Congress, as well as the power to declare war, these are important constitutional questions involved in the Rhodesian situation, which Congress cannot evade, although our State Department ignores them.

The indicated broadcasts by Mr. Lewis, a news release on Nigeria showing British-Soviet involvement, and an address sent to conservatives by Mr. J. Gwynne Evans follow as part of my remarks; and I may say that the people of our country are indebted to Mr. Lewis for his clear, able, and courageous exposé of this perilous situation.

The material follows:

[From the Top of the News, June 3–7, 1968]

Remarks by Fulton Lewis III Broadcast, Monday, June 3, 1968, Washington, D.C.

RHODESIAN CHROME, U.N. FOAM, AND U.S. METTLE

Last week, I discussed in some detail the latest action by the United Nations Security Council regarding the rebellious African nation of Rhodesia. Although there has still been no official comment by Prime Minister Ian Smith, it is generally expected that his government will continue to defy the new and stiffer UN sanctions just as it successfully defied those that were imposed on December 16, 1966. Spokesmen for the Smith regime concede that the UN's action last Wednesday night will make it considerably more difficult for Rhodesia to survive. The key to survival will lie in the fact that many nations will continue to ignore the world organization's mandate. Rhodesia's rich neighbor, South Africa, for instance, has already indicated that it will not cooperate in the new sanctions. It is also anticipated that Portugal will follow suit, in which case Rhodesia will still enjoy trade with and through the Portuguese colony of Mozambique on Africa's eastern coast.

These economic sanctions will have their repercussions elsewhere, however, and some of these will have a significant effect on our own country. By abandoning trade with Rhodesia in accordance with the UN directive, the United States is adding directly to its balance of trade miseries in the world. Before any sanctions went into effect, and trade between the U.S. and Rhodesia was normal, the transactions were running 3 to 1 in our favor. In short, we were selling Rhodesians roughly $30 million a year in goods, whereas we were buying only $10 million annually from them. The immediate effect of the sanctions, then, was to deny American businessmen $30 million a year in foreign sales, while the lack of a Rhodesian market has contributed $20 million annually to our balance of payments deficit.

In addition, though, there is an issue of national security involved in all of this. The story is somewhat complicated, but it goes like this. Red China has had her chromium supply of some 300,000 tons per year cut off by the Soviet Union as the result of the growing feud between those two Communist powers. Rhodesia prides itself in being the owner of the world's largest deposits of top-quality metallurgical-grade chrome ore. The United States, indeed, used to be one of her biggest customers. That trade, of course, came to an abrupt halt on January 5th, 1967, when President Johnson issued his Executive Order banning further U.S.-Rhodesian trade in such important items as this. The net result is that we have now had to turn to the only other major supplier of chrome ore in the world, which happens to be the Soviet Union. Moscow, realizing our dilemma, hastened to exploit the situation by immediately putting American companies on notice that, beginning in January, 1968, the price they would be charged for Soviet chrome ore would be jacked up considerably, by $7 a ton, or an increase of more than 15 percent. We have had no choice but to accede to this blackmail.

Rhodesia, on the other hand (her U.S. chrome markets cut off), has been forced to turn to a bitter enemy, Red China, for a customer. Last year, Peking purchased 60,000 tons of Rhodesian chrome ore—20 percent of the African nation's total output last year.

If the Johnson Administration thinks that our cooperation in the UN's mandatory economic sanctions have hurt Rhodesian industries, it should take another look. The two companies which have been hit the hardest by the Administration's ban on trade are two American companies—Union Carbide and Vanadium Chrome—both of which have wholly-owned subsidiaries in Rhodesia which used to provide them with all the chrome they could use. Now both companies here in the United States have been forced to purchase chrome on the open market, principally from the Soviet Union. Their respective subsidiaries inside Rhodesia have been forced to sell to the other major world Communist power, Red China—all of this because the President is convinced that little Rhodesia is a threat to world peace while the truth of the matter is that the two nations that are benefiting directly from the sanctions—the Soviet Union and Red China—are indeed threats to world peace. Both Communist nations are contributing directly to the war of aggression in Vietnam, and to the American casualty lists which continue to grow as a result of that conflict. And yet, because of the Administration's unbending loyalty to the dictates of the United Nations, we find ourselves again in the wholly inconsistent and illogical position of helping our enemies while we are trying to destroy our friends. Rhodesia, I remind you, is one of the few nations in the world which has offered to send forces to help us out in Vietnam.

Legal experts here in Washington inform me that the latest Security Council mandate will not be binding on this country until some action is taken at the federal level to make it binding. This, in turn, raises still another question. Under our Constitution, should it be the Legislative or Executive Branch that has the power to comply with decrees such as this from the United Nations? As I mentioned before, the President single-handedly ordered compliance with the earlier UN mandate for economic sanctions against Rhodesia in January of 1967, by issuing an executive order, claiming that such a power was warranted under the United Nations Participation Act which was passed by Congress in 1945. The newest Security Council action, however, goes far beyond mere limited economic sanctions. Under the definitions of international law, the new action actually constitutes an act of war against Rhodesia. It is an across-the-board embargo and, as I have mentioned on previous broadcasts, it could ultimately lead to the use of military force. Although the Johnson Administration has not yet indicated just what action the President intends to take regarding this new Security Council ruling, it is generally anticipated that he will again try to command obedience to the UN mandate by issuing an Executive Order, in which case, of course, it would raise some serious Constitutional questions. The Constitution provides very clearly that the Congress, and NOT the President, shall have the power to regulate American trade abroad. More importantly, it states clearly that the Congress shall have the power to declare war.

I have never advocated or supported acts of civil disobedience. Listeners to this broadcast, I am sure, are well aware of this fact. In this instance, however, there are some severe Constitutional questions which are at stake, questions which indeed involve the basic question of whether this country is a sovereign nation or whether it is simply now a pawn of the United Nations. It would seem very proper, in this case, for the Congress to raise this question promptly so that it could be resolved, and if this is not done, the issue could then be brought to the attention of the courts by some dissenting business interests.

DEAN ACHESON ON THE U.N.

On Friday, I read you portions of a statement by former Secretary of State *Dean Acheson* regarding the Rhodesian issue. Unfortunately, because of lack of time, I had to omit some important comments. Since they are significant (they come from a man who is well respected in the liberal community), I want to read them now. The remarks were made by Dean Acheson a week ago at a meeting of the American Bar Association's International Law Division:

"Those of whom I complain are not the peddlers of spurious panaceas of peace, not those who are overimpressed with the role of international law, but those who would impose upon states, in the name of law, their own subjective conceptions of justice. As is so often the case with the righteous, deeply convinced of the righteousness of their cause, their impulse is to snatch the knotted cord from the hand of God and deal out murderous blows. These blows are usually directed against the weak by the strong. This process also furnishes the figleaf of legal responsibility to cover otherwise naked aggression. Such support was given to the actions of the United Nations Security Council in calling for economic sanctions against Rhodesia and to the attacks on the World Court's decision dismissing the complaint in the Southwest Africa case. . . .

"It will surprise some of my fellow citizens . . . to be told that the United States is today engaged in an international conspiracy instigated by Britain and blessed by the United Nations to overthrow the government of a country that has done us no harm and threatens no one. This is barefaced aggression, unprovoked and unjustified by a single legal or moral principle. The charge that Britain brings against the Rhodesians is the one that George III once brought against Americans and sought unsuccessfully to enforce by arms. It is that the colonies felt it necessary, as Mr. Jefferson put it, 'to dissolve the political bonds which [had] connected them with another [people], and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitled them. . . .

"How fortunate were the American colonies in 1776 that there was no United Nations confronting them. I need hardly remind you that our Constitution had nothing to say about adult universal suffrage but did have a few pregnant paragraphs continuing the institution of slavery."

Dean Acheson concluded his comments with these few sentences: "Contemplating the possibilities, I am moved to salute the shade of Senator Tom Connally and thank him for his reservation which, at the time, I regretted, providing that our acceptance of the World Court's jurisdiction should not apply to disputes with regard to matters that are essentially within the domestic jurisdiction of the United States, and, he added, as determined by the United States. One of the troubles of the troubled age in which we live is that too many people are trying to achieve harmony of interest by forcing everyone to harmonize with them. Conscience used to be an inner voice of self-discipline. Now it is a clarion urge to discipline others. The new romantic impulse is to overthrow that wise inhibition in favor of a compulsion to reshape the world to fit all sorts of shared subjectivities. Another thought also occurs. Perhaps if the meek are to inherit the earth they might consider adding a clause to the litany. It could follow the passage, 'From all blindness of heart, from pride, vainglory and hypocrisy, from envy, hatred and malice and all uncharitableness,' and would add, 'and from the United Nations Charter as distorted by professors of international law, Good Lord, deliver us.' "

[From the New York Times, June 10, 1968]

NIGERIANS BATTLE FOR SUPPLY ROUTE—VITAL BIAFRAN PORT AT STAKE—DUTCH ARMS AID ENDED

PORT HARCOURT, NIGERIA, June 8.—Biafran and federal Nigerian troops are fighting along a 40-mile front for control of supply routes to this vital Biafran city near the southern coast.

The federal Nigerians are believed to have been unable to obtain abroad the war material that they formerly received to sustain their civil war with the residents of the former Eastern Region, which proclaimed its independence last year as the Republic of Biafra.

The Dutch Government announced yesterday that it would no longer permit its arms to be sent to Lagos, the federal capital. In the last two months, Czechoslovakia and Italy, which were supplying Nigeria, also made the same decision.

This leaves Britain and the Soviet Union as the remaining arms suppliers to the Lagos regime in its efforts to suppress the rebellion of the breakaway region.

At issue in the year-old dispute is, among other things, the regime's plan to realign Nigeria into 12 federal districts, one of which would encompass the former Eastern Region and its various tribal groups, including the numerous Ibos.

A LONG SUPPLY LINE

The Nigerians have a very long supply line, according to prisoners-of-war held by the Biafrans. Men and supplies go by ship from Lagos to Calabar, in southeastern Biafra, and then go by road 80 miles through Abak to Opobo. They cross the Imo River by barge and go 45 miles by road through Bori to Port Harcourt.

The federal forces have tried only once to come by ship directly to Port Harcourt. Their Soviet-made frigate suddenly appeared from a creek below the main wharf a week ago, with transport ships behind.

But a Biafran gunboat was waiting in ambush position. Rockets and shellfire were exchanged and the Nigerians retreated. Since then, the federal forces have depended on the land route.

The Biafrans believe that the federal troops have taken heavy casualties in the fighting around Port Harcourt. The Biafran troops brought in here after several weeks training have to learn to survive in almost continuous close fighting.

Most of the federal troops are spread out along their supply line or engaged in trying to cut Biafran routes. They are in a loose northern arc around Port Harcourt and seem to have few troops in the suburbs. More of their soldiers are eastward at the Enugu oil field.

BIAFRANS MOVE DOWN

The Biafrans are around the Nigerians at the airport and others have pushed down from the north to take positions 20 to 40 miles east of Port Harcourt. They have retaken the Afam power station.

At the city's airport, Biafran trenches are along one side of the runway and Nigerian Ferret armored cars, machine guns and rocket teams are at one end of the main runway.

A trip there means crossing open fields of brush through sporadic Nigerian mortar and rocket fire, which occurs for about two hours twice a day.

The other day, Nigerian machine guns opened up from 30 yards away at the sound of footsteps along the bush paths, but the firing was so close that it went overhead. The Biafran lieutenant whispered: "The closer you are, the safer. Don't be afraid."

[From the New York Times, June 10, 1968]

LAGOS SAYS PORT IS CLOSED

LAGOS, NIGERIA, June 9.—Military sources said today that Port Harcourt had been cleared of Biafran troops after a battle in the city's prison yard. They said about 300 Biafrans had been killed.

Unofficial sources also said that the Biafrans had been halted in a drive to cut a supply line 25 miles east of Port Harcourt, but that the Biafrans were still in Afam, near a power plant.

TIME TO END SANCTIONS

(An address sent to Conservatives by Mr. J. Gwynne-Evans, June 1, 1968)

The Yeomen of England upheld their old tradition of freedom when they kicked out Mr. Peart, the Minister of Agriculture, as deputy-chairman of the National Ploughman's Committee, because he refused to support the participation of British ploughmen in the Rhodesian World Ploughing Championships. Here there is no sign of the infiltration of "pink" politics.

But the M.C.C. will not play in Rhodesia Are the M.C.C. committee members all Socialists or are they just not sportsmen in the true sense of the word? Why, the Greeks even stopped their wars to compete in sports! Lord Love-a-Duck! It is pretty poor stuff when British sportsmen allow politics to interfere with their sport. It is quite alright of course for Rhodesians to fight and die in a common cause in the last war, but Oh! No! we couldn't play cricket with them now! I am surprised that Sir Alec Douglas Home, President of the M.C.C., allowed himself to be a party to such unsportsmanlike behaviour. I would have expected that his meeting in Salisbury with his old friend Sir Humphrey Gibbs, patron of Rhodesian cricket, would have produced something more akin to sportsmanship than this.

Two and a half years after their inception, it is now clear that sanctions are not going to bring down the Rhodesian Government. Force is ruled out by both Socialists and

Conservatives in Britain, except for a few unhappy individuals who prefer a military solution to one based on peace.

Nor will the new mandatory sanctions of the United Nations succeed in their purpose. Mr. Vorster, Prime Minister of South Africa, has publicly stated recently that South Africa will not allow them to succeed. Great Britain can in no way afford to see South Africa brought down into the dust. Therefore it is necessary for the Conservatives to grasp the nettle with both hands and hammer out without delay a new policy on Rhodesia for Conservatives. They owe it to the electorate of Britain which has turned in large numbers away from Labour policies of all kinds.

Tell the people that it is time to end sanctions now. They will be delighted that some fresh air has invaded the policy of 'six principles (or five)' which ignores so many other important and contrary principles to which I have previously drawn attention. To end sanctions now would encourage the 'Centre Group' in the Rhodesian parliament, of which Mr. Ian Smith is the leader, to prevail over the strong Rightwing who want to follow South African policies in every way. Do you want this? If so, wake up! and take Rhodesia 'off the hook.' Do you want Africans to suffer increasingly from unemployment? Elsbeth Huxley has written that it is no gain to the political advancement of Rhodesia's Africans that they should first starve to death. There is a bad drought here you know, which does not improve matters, especially for Africans in the tribal areas without sufficient capital. (Of course it would be much too unfashionable to suggest that the white man too could be suffering from lack of water on his lands!) At the time of the American revolution and for long afterwards, Liberal opinion in England supported the settlers against the British government. But today fashion has changed.

Do you want the Western World's lifelines round the Cape to be so weakened that Russian and Chinese infiltration and active take-over might result from chaos? Such is not likely to happen in the near future; but if the Labour Party, backed up by the United Nations and aided and abetted by the United States, were to get their will, then it might. If you Conservatives don't want this, then oppose sanctions.

May I remind Conservatives that when in power they consistently opposed repeated attempts by the United Nations to interfere in Rhodesian-British affairs, and always held that Rhodesia was a self-governing territory, administered through the Dominion's Office, and that Britain herself had not got the necessary data regarding Southern Rhodesia with which to comply with reporting requirements under the Charter (viz: Chapter eleven). "No resolution of this Committee or of the Security Council or of the General Assembly can make the status of Southern Rhodesia what it is not", said Britain's representative. On the proposition in 1962 of the United Nations authorizing a study of Southern Rhodesia's status, Britain voted no.

Lord Caradon, in another act of treachery towards the Western World's strategic security in Southern Africa, the imposition of total mandatory sanctions against Rhodesia, did vacate the Chair and handed over the dagger to Mr. Goldberg of the U.S.A. to complete the deed. His intention is clear, but the 'Frankenstein Monster' that his Socialist government has invented may in the long run react to the detriment of Britain, should she displease the Afro-Asians in the near or distant future.

Mr. Harold Wilson's government has come to act in a spiteful, petty and dictatorial manner with all people and with everything connected with Rhodesia. Secret blacklists tyrannical acts of bureaucracy (with no recourse to appeal in law) have become commonplace in the passport world. Respected businessmen, schoolchildren, cripples, people traveling on compassionate grounds (e.g. going to their father's funeral), ordinary men and women traveling around, all come under the penalties of this arbitrary power. Britons and Rhodesians are sick of hearing about it.

The new race laws have undermined the freedom of British people to choose whom they wish to have in their employment or to have as tenants in their houses. It would appear that British citizens must now show 'just cause' or some similar legal concept why they should not employ a black or colored man who presents himself for the position, whereas if the applicant has a white skin they are at liberty to turn him away. This is a first class recipe for raising racial tensions in Britain to the level of distrust and riot that occurs in America since the passing of the civil rights laws. It is a sad commentary on affairs under the Labour government in Britain when the respected septuagenarian Dame Irene Ward, Member for Tynemouth, is escorted out of the House of Commons by the Sergeant-at-arms, for calling the Wilson Administration a "dictatorship".

France has succumbed to left-wing pressure and for the first time has agreed to vote for mandatory sanctions against Rhodesia. Left-wing pressure is very hard in France at the moment, but in Britain the electorate is coming down hard on the side of the Conservatives. Do you Conservatives think it is a good policy for Britain to support the United Nations policy of creating a power vacuum in the key-stone of Southern Africa, namely Rhodesia, by bringing down the government of Mr. Ian Smith? Remember what this would entail. First, economic chaos; second, infiltration by terrorists and starvation riots inside the country; third, the build up of South African forces within Rhodesia to help keep the peace; and finally, if United Nations policy is to succeed, the overthrow of South Africa (and Portuguese territory). Are the Conservatives prepared to accept this as good policy for Britain, economically and strategically? If not then they had better do some hard thinking, because what I have described is what present trends of World policy are now working for.

It is time to call for an end to sanctions.

It will be very difficult to stop this engulfing "Frankenstein Monster" when once it gets its head. Now is the time to stop it.

Go to it Conservatives!

HON. W. S. "BILL" STUCKEY, JR.

HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. EDWARDS of Louisiana. Mr. Speaker, recently, my good friend and colleague, Representative W. S. "Bill" Stuckey, Jr., who represents the Eighth Congressional District of Georgia, was the honored guest at a testimonial dinner.

The dinner was for the purpose of raising funds for the operation of Congressman Stuckey's congressional office and hundreds of residents of his district turned out to honor him on this occasion.

As the introduction—which was made by the sheriff of Lowndes County, Ga., Jewel Futch—points up so well a few of the accomplishments which Representative Stuckey has made for his district while serving in the 90th Congress, I would like to insert this introduction in the Record:

Although Bill's only interest in Congress (or main Interest) has been our 8th Congressional District, he has succeeded in bringing National Attention to our State and our District.

During his almost two years in Congress, Bill has voted in favor of responsible legislative measures which would benefit our country. He supported the Veterans Pension Readjustment Act which provided benefits for our Veterans of Vietnam who had previously been neglected by the people back here at home—the people they had given their lives for just like the fighting men of previous wars.

Bill supported the Social Security Amendments last year which provided for an increase in the benefits of our senior citizens and a liberalization of the amount of money which they could earn and still be entitled to their benefits. This measure helped to bring the social security benefits more in line with the present day cost of living. Also, believing that the bill did not allow our senior citizens enough of an increase in the amount of outside earnings before social security benefits were penalized, Bill has been determined to work even harder to get the bill which he introduced to allow Senior citizens to be able to earn up to 3000 dollars before their social security benefits were penalized passed in Congress. (The bill which passed allows senior citizens to earn up to 1680 dollars before social security benefits are penalized).

Bill's efforts in the area of Crime Control have been untiring. He supported the Crime bill last year, and he supported Anti-Riot legislation which was passed in the House but opposed by the Administration. Now, this year, the Administration woke up and has proposed riot legislation. Bill has persistently called for more law enforcement powers to be restored to local law enforcement officials before we truly face a national crisis of crime running rampant in our streets.

Bill firmly opposed an increase in our taxes. His position, and I believe one which we all agree with, was that a tax increase should be the last resort, and it should not even be considered until federal spending was drastically cut, and it was shown that a tax increase was still needed in order to win the war in Vietnam, and save the lives of our fighting men.

Of course, Bill realized that you don't just go around arbitrarily slashing spending. Some programs need to be eliminated—others don't. Some need to be cut substantially—some don't. It was for this reason that he sponsored a bill last year which when it is passed, will provide for the establishment of a Government Programs Evaluation Commission. The purpose of this commission will be to evaluate present federal programs and let Congress know if these programs are effective and if they should be continued, and to give Congress a better idea of how much federal funds are needed to conduct each of these programs. As Bill has said, Congress presently must rely on the Departments and agencies for this information. And, naturally, since these agencies must justify their existence and spending, Congress cannot be sure that they are objective in their evaluations.

In working to help raise the income level of the people of our District, it was Bill's idea to establish the 8th District Development Council. This council which has received nationwide publicity has been getting organized and set up with a representative from each of the 24 counties and there is no doubt that it is going to be a big step toward attracting industry into our District.

Bill has established an outstanding record in securing and in working toward getting an unprecedented number of grants, loans and contracts for our District. These have included Post Offices, planning assistance grants, FHA loans, SBA loans, EDA loans, etc.

The appropriations for the new Federal Building to built here in Waycross can greatly be attributed to Bills' efforts. He worked hard to get those funds included in the original Independent Offices Appropriations Bill in the House. And, when he learned that these funds had been cut in the Senate Committee, he immediately went to work on the members of the House and Senate Conference Committee to have the funds restored in the Conference Report. And, his efforts were rewarded by the reinstatement of the funds and the ultimate passage of the bill with the funds for Waycross included.

Bill has done an outstanding job in standing firm against the federal government's acquisition of an additional 75,000 acres of the Okefenokee swamp for inclusion in the National Wilderness Act.

Bill has looked out for the interest of the tobacco growers of our District. Last year when the buyers were pulling out of our district, leaving our growers with an excessive amount of unsold tobacco and threatening to have a seriously damaging effect on our tobacco market and thus the economy of our District, Bill wasted no time in coming down to take a first hand look at this situation, and then in calling on the tobacco companies to leave their buyers in the district until our growers could get their tobacco on the market. Bill's action was instrumental in the decision of these companies not to pull all of their buyers out at the originally planned dates, but rather to extend their time.

This man that we are all here to honor has a deep commitment to the young people of our country and of our district. He believes that they should have every opportunity to achieve a fully responsible adult life. When he learned of the Intern program in Washington, he broke from the traditional method used by Congressmen of bringing the sons and daughters of good friends and political supporters to Washington for the summer to participate in this program. Instead, he established an intern selection board, comprised of the four college presidents in our district to make the selection on the basis of academic standing and extracurricular activities.

When it came time for our Congressman to make nominations for appointments to the various Academies, again, he said that this was too important to the young people of our country and to the future of their development to be interferred with by politics. He set up an Academy selection board to screen the applicants and to make the recommendations.

Because of his desire to see every young person in the United States have an opportunity for further education, and because he recognized the financial strain of a college education or vocational education on the parents, Bill has introduced legislation which would allow parents an additional tax exemption while their children were in college or vocational training schools.

Realizing the importance of staying close to home in order to be constantly aware of the needs and the opinions of the people which he represents in the U.S. Congress, Bill has traveled back home more than any single Congressman in the history of our district . . . But, in doing this, he has not let it interfere with any of his duties in Washington. He has made his trips on weekends and during holidays. He hasn't taken a vacation or hardly a day's rest since being in Washington.

Last year, he realized that even though he was coming home almost every weekend, he still wasn't able to see nearly enough of the people who are scattered across this 24 county district (one of the largest geographically, east of the Mississippi). It was then that he called on Norman Dorminy to work part-time for him as his Field Representative. Norman has certain hours each week in Waycross at the Post Office; at the Post Office in Valdosta; the Douglas Post Office; and the Brunswick Post Office. People from the surrounding areas can go in and tell him of problems which their Congressman can help them with or they tell him of their opinions of certain legislation which is pending in the Congress.

Norman relays all of this to Bill in Washington and he is then able to take the necessary action.

In addition to Norman traveling around the district, Bill has a full-time district office in Eastman, which is manned by the capable Mrs. Jackie Cadwell, who is always available to anyone who needs help. And his Washington staff, in addition to being on call 24 hours a day, puts in at least 10 hours a day in the Washington office.

I could go on and on, but I'm going to sit down after just one more thing. We are gathered here this evening in this room and over here on my right is the flag of our great State of Georgia—a flag which has dignity and a flag which we all honor. The most recent act of courage that Bill Stuckey has performed was his defense of our flag before the world. I was in Washington when the incident came up—and, I can tell you, I have never seen a man as indignant and infuriated as Bill was. And I have never seen anybody take such immediate and effective action as he did.

One of our Georgia servicemen from here in the 8th District who is risking his life in Vietnam was ordered to remove his Georgia flag from above his bunk. The young man wrote to his mother and dad, telling them of the incident and telling them that he had refused to remove the flag.

The mother wrote to her Congressman, Bill Stuckey, and he took it from there. Bill let the Pentagon know in no uncertain terms that he would not tolerate such a ridiculous order.

The purpose of the order, as was stated by the boy's commanding officer, was that all flags with the symbol of the Confederate flag must come down, because of the current racial tension in the United States.

On the floor of the Congress, our Congressman said, "I am sure, Mr. Speaker, that our generals in Vietnam have great responsibilities in conducting this war. I am sure that they have a tremendous responsibility for their men. But I am also sure that this responsibility, Mr. Speaker, does not extend to the point of trying to destroy a soldier's faith, pride, and loyalty to his State."

Bill was assured by the Pentagon, as a result of his action, that the soldier had been allowed to return his flag to its position above his bunk and that no such order would ever again be issued.

With this, my friends—and I repeat, I could go on and on—I give you our Congressman, Bill Stuckey.

"CONGRESS MUST ENTER THE COMPUTER AGE"—REMARKS OF CONGRESSMAN WILLIAM S. MOORHEAD, DEMOCRAT, OF PENNSYLVANIA, SEVENTH ANNUAL SPRING SYSTEMS SEMINAR, WASHINGTON CHAPTER, INTERNATIONAL SYSTEMS AND PROCEDURES ASSOCIATION, ROSSLYN, VA., MAY 27, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BRADEMAS. Mr. Speaker, one of the ablest Members of the House of Representatives is our distinguished colleague, the gentleman from Pennsylvania, Congressman William S. Moorhead.

He has been one of the leaders in Congress in generating discussions of ways in which we in Congress can take advantage of the latest technological developments—especially computers and automatic data processing—to enable us to do a more effective job as legislators.

I insert in the Record the text of an excellent address by Congressman Moorhead, "Congress Must Enter the Computer Age," delivered on May 27, 1968, in Rosslyn, Va., at the seventh annual spring systems seminar, Washington chapter, International Systems and Procedures Association:

Congress Must Enter the Computer Age

(Remarks of Congressman William S. Moorhead, Democrat of Pennslyvania, seventh annual spring systems seminar, Washington chapter, International Systems and Procedures Association, Rosslyn, Va., May 27, 1968)

It is very humbling for me, a politician, to talk with you about a field in which all of you are experts.

Of course, you know that an expert is a man who gets to know more and more about less and less until he knows everything about nothing; whereas a politician is one who gets to know less and less about more and more until he knows nothing about everything.

While I am speaking in a political vein, there is a story circulating around Washington—in this election year—about the candidate who asked a computer, "Could a computer ever be President?"

And after a few brief whirls and spins, the machine replied, "I am not now and do not intend to become a candidate for any office. But in the event of a genuine draft, I will serve to the best of my ability."

But seriously—I stand somewhat in awe before you planners, analysts and managers who have the imagination to devise the input and the imagination to use the output of the most glamorous and best-publicized embodiment of the new technology—the electronic computer.

COMPUTER TECHNIQUES CONTRIBUTE TO MANY FIELDS

I say the new technology—because there is no question that we are in an era of change. It is the overriding characteristic of our time.

For example:

At the University of Michigan a graduate student turned in a 160 page dissertation this Spring—all of it printed, revised, edited, footnoted, page-numbered and then reprinted by computer. It was done on a IBM 360 computer and required 4600 punch cards.

The Colorado State Dept. of Education has a computer model simulating Denver and its suburbs to predict how various education changes will affect the economic and social growth of metropolitan Denver—it has already shown the need for long-term commitment to educational programs for disadvantaged students.

Here in Washington within the next few weeks we will witness the institution of Washington Area Law Enforcement System (WALES) with 31 terminals installed in the District, Fairfax, Arlington, and Montgomery Counties—to be tied into the national crime information center at the Justice Department. In the beginning the machine will be programmed just to dispense motor vehicle information, but offers great potential for the future.

In Watergate East, the 13-story apartment-house building recently completed here in Washington, no two floors are alike. Of the

240 apartments, there are 167 floor plans—prohibitively expensive without the aid of the computer in the design process.

Half an hour from where we sit, the U.S. Army Strategy and Tactics Analysis Group (STAG) plays war games to provide the Army with a basis for choosing strategies in land warfare. During a single day their versatile model, "Tartarus" with the aid of the IBM 1401 and 7090 can juggle more factors than all of history's military geniuses combined could have correlated during a lifetime.

These examples show that computers, with their versatility, adaptability, and capability, could be of great service to the Congress of the United States, but the Congress has not yet entered the computer age.

Private industry has entered the computer age. More than 50,000 computers are now operating in the United States, processing information for banks, insurance companies, retail stores, airlines, industrial firms, universities, and as all of you here know, the defense and space agencies and other branches of the government.

The computer is just beginning to make important contributions in the field of medical care; this at a time when our nation is making a larger commitment to medical care and the number of professionally trained medical personnel is declining. We can obviously benefit from the increases in productivity that a computer system can provide, particularly in such areas as medical testing and medical record keeping.

Educators were told at a recent 8-state Conference in Designing Education for the Future that the printed page is rapidly becoming obsolete as a time-consuming, inefficient method of storing information. The computer was hailed as the "library of the future."

Private enterprise has entered the computer age, and so has the executive branch of the federal government.

COMPUTERS IN THE FEDERAL GOVERNMENT

The growth of ADP facilities within the federal community during the past decade has been tremendously significant. In 1956 there were only 90 computers; today there are more than 3,000 computers in use in the various government agencies.

As those of you here—representing the Department of Defense—Department of Health, Education and Welfare—Census Bureau—Internal Revenue Service and other agencies know, PPBS came into its own in the federal management system during President Kennedy's administration, beginning with the imaginative prototype under Secretary McNamara at DOD. This was continued as a Presidential directive for all agencies under President Johnson

STATE LEGISLATURES ENTER THE COMPUTER AGE

Private enterprise has entered the computer age, the executive branch of the federal government has entered the computer age, but most embarrassing to me as a member of the national legislative body is that 15 of the state legislatures have entered the computer age.

I am very proud that my own state of Pennsylvania is leading the pack in computer technology to serve state legislatures and was cited as a model at the recent National Conference of State Legislatures in San Antonio.

The Pennsylvania Legislative Data Processing Center set up shop in Harrisburg in mid-April, 1967 and has already shown great promise.

In the recently-completed Constitutional Convention, one of the great achievements of the Center was to serve the Convention by introducing into the system pertinent data on the four main topics under consideration (Taxation—Judicial and Local Government, Finance and Apportionment) from all 50 state constitutions.

The computer is now able to give the complete, up-to-the-minute status on all bills for members of the General Assembly; they plan next to get into budget and revenue forecasting; bill editing; and conversion of all statutes into readable form. By maintaining an interest profile on each Member, they are also able to provide him with literature or abstracts on matters of priority to him. They envision a legislative retrieval system where there can be a Central Data Bank for statutes and other pertinent data base files of all states, for all states' legislative use.

THE CONGRESS AND THE AGE OF COMPUTERS

Private enterprise, the executive branch, and state legislatures have entered the computer age, but Congress has not really entered the computer age.

Two years ago I spoke before a National Information Retrieval Colloquium in Philadelphia, and said:

"Today except for one small unit which the Library of Congress uses to handle its payroll, the Congress of the United States does not possess one penny's worth of ADP equipment.

"When I tell you this I am expressing my concern for the future of representative government in the United States.

"The future of representative democracy, the future of our constitutional government with its delicate system of checks and balances requires that, in the computer age, the legislative branch of government make full use of computer capability."

Since that date there has been very little progress. The Clerk of the House now has an NCR 500 to handle some of the payroll on the House side of the Capitol. I understand that the Sergeant-at-Arms of the Senate is considering the acquisition of similar computer facilities.

The Legislative Reference Service has designed a computer-centered system which allows entering synoptic information on bills and resolutions introduced in both chambers of the Congress to be relayed via keyboard terminals to a remote computer. The magnetic tape generated by this system may be utilized in the future by the Government Printing Office "Linotron" System in publishing the Digest of Public Bills.

Another effort being considered for initiation which will benefit internal researchers and congressional staff is the placement of selected bibliographic citations, annotated and organized by author and subject on paper tape for eventual transfer to magnetic tape. Bibliographic cards can be printed for distribution to users on the basis of interest profiles. Retrieval of key data will be in the form of regular printouts.

Because of the articulated concern of Members of Congress regarding lack of staff support in this new area, a new position was created two years ago by Congress—that of Information Sciences Specialist—in the Library of Congress's Legislative Reference Service.

This is progress, but I would hardly call it an all out entry into the computer age, and I do believe that Congress should make full use of computer capability.

Writing in the introduction of "Congress Needs Help," commentator David Brinkley said:

"Congress has great power, more than any other branch of the government. But effective use of power or leadership certainly requires change to accommodate to the changes in society. A leadership institution that fails to change will become an interesting and perhaps charming irrelevance, like the founder of the hardware business now grown into a huge corporate enterprise, an elderly gentleman whose oil portrait hangs in the boardroom, who mouths 19th century platitudes, who is ceremoniously honored for his early achievements and always remembered on his birthdays—and otherwise ignored."

Congress has not yet reached this state of honored irrelevance, but it is moving toward it, and unless it makes some changes in itself, it will shortly arrive.

CONGRESS HAS CHANGED AND METHODS MUST CHANGE

The Congress of today is different in many ways from its predecessor bodies.

In the First Congress, the 65 Members of the House of Representatives came from constituencies averaging 33,000 persons. The total work load of that group resulted in 118 public and private acts and resolutions being enacted.

Today's Congressman represents an average of 450,000 constituents, and the number may double in the next 40 years.

When the Congress came into being, there were less than 4 million people concentrated mostly between a narrow 50-mile long coastal strip between the Atlantic Ocean and the Appalachian ridgeline.

Today there are nearly 200,000,000 people spread all across the United States.

In the first session of this 90th Congress, there was a record total of 20,387 bills and resolutions introduced in the two chambers. In the House alone, there were 202 quorum calls, 245 Yeas and Nays calls, hundreds of division, teller and voice votes, and mailbags of letters from constituents which included as many as 5,000 letters daily to many congressional offices.

The demands upon the time and energies of the contemporary Congressman are legion. To be effective he must be creative and decisive. He needs two kinds of information: that which applies to current matters demanding immediate attention and that which applies to issues likely to emerge in the future. How then does he cope?

Increasingly, legislators have cast about for new weapons with which to combat the myriad of problems such as air and water pollution, transportation, health and welfare, urban renewal, slum expansion, conservation, and a number have begun to examine the systems approach now at work in your departments and agencies. Such books as "we propose a modern Congress," by the House Republican Task Force, and "Congress, the first branch of government," published by the American Enterprise Institute for Public Policy Research, are widely read on Capitol Hill.

I am advised that the latest knowledgeable discussion on this subject, "information support for the Congress," is coming out shortly.

Various committees charged with examining problems of broad scope and national importance have started to explore the contributions made thus far in other fields by systems analysis and operations research.

For example, "Federal Research and Development Programs: The Decision-Making Process" was prepared by the Research and Technical Programs Subcommittee of the House Government Operations Committee where I serve. Last Fall, the Subcommittee on Economy in Government of the Joint Economic Committee, where I also serve, convened a series of hearings entitled, "The Planning-Programming-Budgeting System: Progress and Potentials," and Chairman Proxmire said, "It is of the utmost importance that our policymakers be armed with the best possible tools for evaluating the effectiveness of our public programs and expenditures."

Evidence has also been presented before the Joint Committee on the Organization of Congress that the application of systems analysis, operations research and ADP techniques to the problems of Congressmen in their legislative roles merits consideration. One Senator even allowed a consulting firm to analyze his office procedures for handling constituent correspondence. Systems analysis showed that ADP, properly employed, plus some changes in human operations, could result in freeing staff persons for other, more valuable work.

SYSTEMS ANALYSIS AND THE APPROPRIATIONS PROCESS

There is another aspect of legislative activity—the Appropriations process—where systems analysis could play a major role in relieving the work load, and help us arrive at optimum solutions.

The appropriations process is essentially one of allocation of resources or budgeting. Decisions involving cross-agency or cross-program comparisons are impossible under the present appropriations system. However, decisions such as these are precisely the ones that have to be made if savings are to be effected and Congress is to play a meaningful role in the making of national fiscal policy. For example, how much do we spend for education, for defense, for housing—based on our defense needs, and our GNP?

A PPBS system of the sort which I strongly endorse for the Committees of Congress would allow us to determine the policy bases on which the budget was submitted, and the real reason why agency reductions were made by the Bureau of the Budget or the President, prior to submitting the budget to Congress. We simply have no means such as that available in the Executive branch for setting priorities to determine alternative programs affecting the taxpayers dollars.

I believe that the Congress should enter fully into the computer age.

I believe we should change the name of the Legislative Reference Service to the Legislative Research Service, and give it full computer capability.

I believe that the Federal Budget should be put on a computer for ready access to the Congress. This year, the American Enterprise Institute has used ADP to measure and analyze the priorities in the President's 1969 Budget.

A COORDINATED FEDERAL COMPUTER SYSTEM

I believe that we need on the Hill a central read-out facility that could tap the memory banks of all of the other computers in the federal government, not to secure privileged data, but to secure such public factual information as economic statistics, demographic profiles, and figures on such things of daily concern to a Congressman's office as funds allocated to his district, and project and contract awards.

I propose that there be read-out devices or closed circuit television screens in the offices of Senators and Representatives and in committee offices linked to the Legislative Research Office. And that we need a highly selective staff in LRS to provide Members with research and factual information on a range of topics.

An SDI System based on an interest profile which could be matched by computer against abstracts of bills is a great possibility.

The committee is the basic work unit of Congress. I propose that there be systems-trained people on all committees of the Congress; if we cannot initially purchase the hardware for the Congress, we can at least make a beginning with the software, using the existing computer facilities of the Library of Congress and other agencies, perhaps on a "time-sharing basis," as is being done currently in the business world.

I envision a computer system in the Congress which will have remote stations in every Member's office and in every committee office. Think how fabulous it would be to retrieve, by push-button system, the status of current legislation, issues up for vote, histories of committee action in ADP form, appropriation statistics and information, and key research items of value to individual Congressmen.

CONGRESS IS BECOMING AWARE OF THE POSSIBILITIES OF COMPUTERS

An awareness is growing among Congressmen that Congress should really enter the computer age.

This year there were two computer seminars—designed to establish lines of communication between systems technology and the government—held on Capitol Hill. These were sponsored jointly by the Washington Operations Council and the Institute for Management Science, and each seminar attracted about 100 Members and staff.

The Legislative Reference Service held introductory computer seminars for interested staff members, and approximately 60 attended from the Committee and Member offices of the House and Senate.

The Brookings Institute sponsored an evening dinner seminar in January to explore the possible uses of computer technology in the Congress, which 19 Members, representing both parties, attended—and many more expressed an interest for the future.

One large, nationally known corporation has developed a fascinating seminar on the concepts of computers. To date, 35 Members and staff have attended this innovative seminar at the company's Washington Presentation Center, and more are enrolled for future seminars.

The Legislative Reference Service—which has handled 140,000 requests for Members thus far this year—has also completed and made available several studies to aid Members and staff. Some of these are "Automatic Data Processing for the Congress", "Systems Approach, A Tool for the Congress," "Application of ADP in Legal Information Handling," "The Planning-Programming-Budgeting System." More importantly, this has resulted in more face-to-face consultations between LRS, Members of Congress and staff.

These happenings indicate that Congress may be about to enter the computer age.

With your expert knowledge you can help to bring this about.

Even if we do enter the computer age, we must remember that machines cannot make a better world without better people—a truism applicable to every material discovery from the wheel to nuclear power.

The computer, after all, then, is only a tool—an electronic device that is completely subject to human will. It can help us solve problems by providing information that previously was too costly, took too long to process, or was literally beyond human contemplation to obtain. But the choice of problems to be solved, the establishment of priorities and the broad outlook of the attack on these problems are decisions for men, not computers.

Top leadership in the Congress—as in all organizations—will find that while the computer relieves them of minor burdens, it will enormously increase the demands on them to wrestle with the moral and ethical consequences of the policies they choose and implement.

The Congressman of the future will have to be a perpetual student of the techniques of rationalized decision-making, and even more a student of the humanities.

Computers cannot make congressional decisions, but as our world gets more and more complex, Congress will be unable to make rational decisions without computers.

In the jet age, representative democracy cannot keep up using horse and buggy techniques.

With private enterprise, the executive branch and the state legislatures in the computer age Congress must change its ways or it will fail the American people.

Congress must enter the computer age.

WHAT COURSE FOR CAMPAIGNS?

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. ROONEY of Pennsylvania. Mr. Speaker, the assassination of Senator Robert F. Kennedy has prompted countless Americans to question the sanity of presidential campaigning which subjects the best of our leaders to uncontrollable hazards.

Undoubtedly, this subject will be debated at length in the weeks and months ahead as our Nation picks up the pieces of a political campaign marred by a murder and moves toward the November elections.

A prominent journalist in my congressional district, Mr. W. D. Reimert, has produced a thought-provoking editorial on this subject published in the June 9 edition of the Sunday Call-Chronicle newspaper, Allentown, Pa.

I invite my colleagues to read Mr. Reimert's "Thoughts After an Assassination":

THOUGHTS AFTER AN ASSASSINATION

(By W. D. Reimert)

A nation stunned by another assassination was almost too numb for tears last week.

The senseless killing of Dr. Martin Luther King, while just as deplorable, was in a sense more understandable. Dr. King had deliberately gone into enemy territory, where racist feelings ran high. He seemed to have had a premonition of death. The open struggle between white and black has had overtones of violence from the start. And although he was a disciple of non-violence, his appearance throughout the country often triggered violence of the most vicious sort.

In the case of Robert F. Kennedy there was no premonition of death. An idol of the younger generation and the darling of a growing segment of the old, he had moved among them unafraid for weeks, touching their hands, giving them his winsome smile, speaking to them in that hesitant and almost different style of his.

He had just delivered a victory speech, after winning the California primary, before a deliriously happy crowd, when the shots rang out and within a few hours he was no more.

The immediate reaction was, of course, that this simply couldn't have happened again so soon after the killing of Dr. King, so soon for that matter after the assassination of President John F. Kennedy. But it finally sank in that it had, indeed, happened to this youthful father of 10 and scion of one of America's noted families at the moment when his star was in the ascendancy. And then the inquiry began. Why has this happened here?

The answers came by the dozen and most of them were unsatisfactory.

Distinguished psychiatrists took to their typewriters and the airwaves to explain, among other things, that violence is a byproduct of frustration. An imbalanced society has produced dissatisfactions that can only be protested by force.

Historians added their bit. This, they said, has always been a violent society. The pilgrim fathers landed with Bibles in one hand and guns in another. Shooting Indians was one of the pastimes of early settlers. Four presidents have been assassinated. Attempts were made on the lives of four others. The opening of the West was punctuated by gunfire all along the way. The gun was practically the law in those days.

Sociologists pointed to this latest killing as a further sign of a complete breakdown of law and order that can only end in anarchy. Pious pleaders called for more love and less hate.

Most of this confused talk had little relevance to the Kennedy assassination. This was, from all facts presently known, the act of an unbalanced mind.

Assassinations in the United States have not been politically motivated as they usually are abroad, mainly for the purpose of toppling a government. They are usually a purely personal matter perpetrated by the emotionally unstable, and not a reflection of the national mood. They are invariably greeted with shock and dismay.

What is relevant is that while we seek the cause of and an excuse for violence, there has been a failure on a national level to agree in the first place that violence per se is an evil thing without justification. Blame for this can be spread over a wide territory.

Certainly, the liberal-intellectual movement of the post war years shares in the blame. Intellectuals, among whom college and university professors are prominent, have been busy for a couple of decades fostering civil disobedience from draft card burning to rioting on the campus, seizure of personal property, book burning and a variety of other illegal acts.

Surely, clergymen, who for years abdicated their responsibility in social problems and social injustices, get part of the blame, salve their consciences by justifying looting and pillaging and burning on the grounds that if people can't get things they want one way, they have a right to get them any way they can. The prevalence of crime on TV programs and in certain newspapers contributes of course to the public mood.

And, of course, the Supreme Court of the United States, has to shoulder a big part of the responsibility for the growth of violence in this generation. The court's decisions putting the rights of criminals above the rights of citizens to protection under the law, have in effect resulted in a collapse of law enforcement. Increase of crimes has been in direct proportion to fear of courts created in the minds of enforcement officers by court decisions.

Police today go about their duties in a state of constant terror lest they offend the criminal and run afoul of the courts. The result has been to coddle the criminal and to neglect his often tragic victims. There was less violent crime when police could be assured their primary duty was to protect the public.

Even as Sen. Kennedy lay dying, the nation was treated to the spectacle of an official of the Los Angeles police department talking to the television cameras to assure the public that the rights of the senator's assailant would be protected in every possible way. Nothing was said about Kennedy's right to live.

Without a doubt, a climate has been created in which violence survives. Until there is a meeting of the minds on the elemental principle that freedom does not mean the right to break any law we do not like, there can be little hope for peace on the streets and on the campus. And not until the courts reassert the right of citizens to safety under the law can we all sleep peacefully at night.

Of distinct relevance to the Kennedy assassination is the utter insanity of our modern political campaigning.

Not only is it a debilitating thing to the candidate physically and mentally. It is an insult to the intelligence of every thoughtful citizen because on the face of it, it is contrived and meaningless.

How a group of majorettes carrying Nixon balloons or another sporting McCarthy hats can contribute to the intelligent discussion of issues is beyond comprehension. The sight of a candidate greeting supporters with a fixed smile on his face, glassy eyed with weariness, creates only disgust in the mind of the viewer.

Calvin Coolidge once said it should not be necessary for a presidential candidate to campaign—that is in the sense of barnstorming the country.

Since then, TV has entered the scene and communications of the printed media have been speeded up immeasurably. All the campaigning that should be necessary would be a series of programs and debates in which the issues could be aired thoroughly and with dignity.

We need not exhaust our presidential candidates before they can possibly be elected. "Pressing the flesh," LBJ style is unnecessary for such an important thing as choosing a president.

And above all we should not be exposing our great national leaders to the uncontrollable danger of assault by some deranged crank with a revolver or rifle in his hand.

Let Sen. Kennedy's tragic passing bring some sanity back to campaigning—and while we are at it to the national conventions, too.

CONGRESSMAN PAUL ROGERS FAVORS STRONG ANTICRIME BILL

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. SPRINGER. Mr. Speaker, our colleague, the gentleman from Florida, Paul Rogers, for a long time has been working for a tough anticrime bill. Paul Rogers is a lawyer who understands the necessity for that kind of a bill. He succeeded his father, Dwight Rogers, who also served with me on the House Committee on Interstate and Foreign Commerce. In the recent fight to enact the kind of control and antiriot legislation that would be effective, he took a prominent part.

Aldo Beckman of the Chicago Tribune has written an article, which appeared in the Sunday, June 9, 1968 issue, on Paul Rogers and I am sure my friends in the House will want to read it. It follows herewith:

Bold Drive To Thwart Crime Is Representative Rogers' Goal

(By Aldo Beckman)

Washington, June 8.—Rep. Paul Rogers [D., Fla.] was determined that the Congress would adopt a tough anti-crime bill.

He has been one of the most vocal members of the House in urging that tougher methods be employed against the criminal element, and frequently has expressed his shock at the rising crime rate.

It is the Florida democrat who continually reminds the House of the deterioration of law and order in the nation's capital, and he reminds his colleagues of this with every new crime of violence, which are almost daily occurrences here.

GOES INTO ACTION

So Rogers went into action when he learned that Rep. Emanuel Celler [D., N.Y.], the chairman of the powerful house judiciary committee and the man who would head House conferees in any House-Senate conference on the controversial crime bill, had said he would rather see the bill die than accept certain provisions tacked on by the Senate.

He promised the House that he would offer a motion to instruct the House conferees to accept provisions in the Senate-passed bill aimed at offsetting recent Supreme Court decisions.

Adoption of his motion, Rogers promised, would require Celler and his conferees to accept provisions striking at the Supreme court rulings, the very part of the bill which Celler had attacked.

LEADS TO ADOPTION

Rogers' speech was the first effort made to head off the liberal New Yorker, and it triggered a series of moves which ultimately led this week to the House adopting the extremely tough Senate-passed anti-crime bill.

Ironically, Rogers never had a chance to offer his motion because the House refused to send the bill to conference and there were, thus, no conferees to instruct. But he was not unhappy about the chain of events, and, in fact, urged the House to follow the action which it took.

"I planned a two-pronged attack from the beginning," he explained in an interview. "I wanted the House to accept the Senate bill, which it finally did, but if we had lost the vote and the bill had gone to conference. I still had my motion to instruct."

MOVE WAS QUICKER

"I feel that either method would have produced the desired results of a tough bill, but the one we took was quicker and easier," he said.

Rogers, an attorney from West Palm Beach, Fla., said he has been concerned for the last several years about the rising crime rate. * * * adequately enforcing our laws," he said. "I've been concerned about these weighted decisions from the Supreme court. It's vital that we bring our system of law back into balance, so that the rights of society are given the same consideration as the rights of the criminal.

"Unless we begin to do this, we're headed for an unprecedented growth in crime in this country."

He cited statistics from the Federal Bureau of Investigation, showing that crime rose 88 per cent between 1960 and 1967, with the incidents of violent crime rising 72 per cent. "At the same time, our population rose only 10 per cent," he said.

CALLS IT TYPICAL

"This is typical of what is happening all over America, and the trend has got to be stopped," he insisted. "Instead of tying the hands of our police, we need to begin a trend to back them up."

Altho Miami isn't in his district, Rogers enjoys pointing out that since the police chief there announced he was putting police dogs and patrolmen carrying shotguns in high crime areas, the incident rate has dropped in these areas by 62 per cent.

The over-all crime rate in the city has dropped 45 per cent since the chief's announcement, Rogers said.

"This shows what good law enforcement will do," he emphasized.

Rogers was born 47 years ago in Ocilla, Ga., but moved to Florida with his family when he was only 4. His late father, Dwight L., served in the House for 10 years before his death in 1954.

REPLACES HIS FATHER

The junior Rogers was elected to fill the seat of his father and has won handily in every election since.

Altho he had been around politics all his life, Rogers' first try for public office was in the special congressional election in January, 1955.

"I liked politics, but didn't think I should get active in it as long as dad was in congress," Rogers explained.

Altho he has never had any difficulty in getting reelected, Rogers refuses to take his district, which extends from coast to coast in south-central Florida, for granted. He goes home at least once a month, and sometimes oftener.

He and his wife, Rebecca, have one daughter.

WORKS ON COMMITTEES

Much of his time is spent here working on the interstate and foreign commerce and the merchant marine and fisheries committees.

He was author of a sea-grant college bill, aimed at setting up programs to improve oceanography schools, and he was one of the hardest hitting members of the investigating committee which recently looked into charges that a television outlet staged a pot party at Northwestern university, so it could be filmed.

Rogers heads the House health subcommittee, and has pioneered in the investigating of radiation hazards of colored television sets and other household appliances.

THE NEED FOR STRONG GUN CONTROL LEGISLATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. PUCINSKI. Mr. Speaker, a tragic act of violence struck America last week. It is only the latest of a long series of unspeakable acts which have cut down our youngest and most vigorous leaders. Robert F. Kennedy was murdered with a pistol, but so many others were murdered with rifles. Just 2 months ago Martin Luther King, Jr., was gunned down with a rifle. John F. Kennedy was also killed by a rifle. And shortly before he was killed a lurking sniper murdered Medgar Evers—with a shotgun.

The omnibus crime bill sent to the President so recently strikes a long-overdue blow at the unbelievable ease with which handguns are bought and sold in America. But to bring handguns under some control is just a small step. We must control, if only to a small extent, the traffic in rifles, shotguns, and ammunition. Of the four murders by firearms that I related three were killings by rifles or shotguns. Robert Kennedy could as easily have been shot from ambush by a rifleman as by a handgunman. Both types of deadly weapons just must be controlled.

The bill proposed by the President will add rifles, shotguns, and ammunition to handguns as the weapons which must be controlled in some way.

The bill strikes at mail-order sales in interstate shipments of rifles. It was just such a mail-order gun that killed President Kennedy. It stops the flagrant abuse of local firearms laws by residents who cross State lines to buy their weapons and it keeps guns and ammunition out of the hands of the young.

These are minimal steps—but steps that are overdue. Let us act now before we are hurt again.

Mr. Speaker, it is absolutely incredible that we should have seen 6,500 Americans murdered last year in homicides involving the use of a gun. No other civilized nation in the world has as horrible a record of destruction of human beings in peacetime through the use of guns as our own Nation.

England, France, Germany, and all the other nations of the world had only a fraction of homicides during that period. England had only 30 people killed with guns in nonmilitary activity.

President Johnson made the point the other day that since the turn of the century, 750,000 Americans have been killed in homicides involving the use of a gun. This is more than our total losses on the battlefield in all of our wars in this century.

These startling and sickening statistics prove more than anything anyone can say the need for stronger gun control legislation.

I have been furnished information which indicates that there are 40 million guns in this Nation today and the rate of increase is alarming.

In the light of this heavy traffic in arms, we have a right to ask the following questions:

First. What is wrong with requiring that every gun be registered?

This practice is now being followed by almost all reputable gun dealers. In most reputable shops when a citizen comes in to buy a gun or rifle—even it it is for legitimate sport use—the gun dealer registers the gun and fills out an extensive questionnaire on the purchaser of the gun. Those who have raised questions as to how this will effect legitimate sport and hunting fans know that the legitimate purchaser of a gun already registers that weapon under practices being followed throughout the country today.

Second. What is wrong with requiring that a purchaser of a gun—be it a handgun or a rifle—present himself personally to the gun dealer to complete the purchase?

The traffic in mail-order guns is one of the greatest tragedies of our time and I cannot see how any law-abiding citizen or bona fide sportsmen would object to requiring that the purchaser of a gun—a lethal weapon—must present himself personally to complete the transaction. Years ago in rural America when you did not have gun dealers in every community and people had to travel long distances in primitive vehicles—there might have been justification for mail-order traffic in guns. But in modern America I cannot see how we can justify mail-order traffic in guns any longer.

Third. What is wrong with requiring that an owner of a gun advise the authorities whom he has sold his gun to when in fact such a sale is made.

We today have to register our automobiles and when we transfer ownership of an automobile we have to notify the appropriate State authorities of such a transfer. Why then should there be such violent objection to the proposal that when a bona fide owner of a gun disposes of this weapon he notify the proper authorities as to the new owner's identity.

Mr. Speaker, I believe these are three valid and reasonable questions and should be incorporated in any new gun control legislation.

I am encouraged by the fact that legitimate, bona fide, gun owners and gun collectors have said to me that as individuals they have no objections to any one of the three suggestions listed above.

Who then, Mr. Speaker, is opposed to stronger legislation?

Who are the faceless lobbyists who have frustrated the will of this Nation time and time again to deal effectively with this monstrous problem of traffic in guns in America?

Every single survey that I have seen in recent years clearly shows the American people are overwhelmingly in support of stronger gun control legislation. Victor Hugo once said that there is no force greater than an idea whose time has come.

I am convinced that the time for the idea of stronger gun control legislation has not only come, but has been long overdue.

I shall do all in my power to help enact effective gun control legislation in this Congress.

THE U.S. SUPREME COURT AND CRIME CONTROL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. WYMAN. Mr. Speaker, it is more than a fair question to inquire what the Supreme Court is trying to do to criminal law enforcement in this Nation by continuing to hand down decisions that are out of touch with the realities and necessities for public protection against vicious criminals. The latest evidence of the Court's amazing and continuing disregard for the right of the public to such protection is described in an editorial appearing in the Washington Evening Star of June 11, 1968, entitled "Judicial Travesty," which I am including in the RECORD at the conclusion of these remarks.

For the life of me I cannot understand why the Court does not get out of its ivory tower and come down to earth and see how the other half lives in terms of handing down decisions that will allow the police to protect the general public, all without permitting the Star Chamber or police brutality in any way. Requirements that officers must actually witness the commission of a crime to make a valid arrest or that persons caught in the commission of a crime may not at that instant be allowed to confess or tell what they were doing without first being cautioned by the detaining officer not to talk unless a lawyer is present, are worse than sentimental judicial drivel. They prevent trial judges from receiving into evidence, direct and responsible proof of guilt of guilty criminals.

Can it be that those who author these decisions do not realize what they will do to law enforcement in America when they phrase them? They must. Yet despite such awareness why do they continue to destroy the ability of an enlightened democratic society to protect itself against rising crime by responsible and intelligent law enforcement? Why, Mr. Speaker, Why?

Unfortunately, about all that can be done in terms of pragmatic reality is to hope and pray that an aroused people will elect a President this fall who will make the solemn commitment to the American people that he will not appoint to the Supreme Court of the United States any person whose record does not convincingly demonstrate his responsible dedication to reasonable and restained interpretation of the Constitution of the United States, regardless of political affiliations. It has cost this Nation dearly to indulge in appointments of philosophical crusaders to life tenure on the High Court as judicial legislators. This practice must be ended once and for all.

The editorial referred to follows:

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while propely represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. He agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witness were dead or unavailable. This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

BILL MAULDIN WRITES TO JOE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. JACOBS. Mr. Speaker, under unanimous consent, I insert the following in the RECORD:

[From the Reporter, Feb. 12, 1953]

BILL MAULDIN WRITES TO JOE

My kid Andy got a lot of toy guns for Christmas. They sure are making them realistic now. If we get into another big war, all that Ordnance will have to do is ask the young fry to turn in their small arms, then chamber the weapons for standard ammunition, put in real firing pins, and the Singer Company can go right on making sewing machines. We'll have plenty of guns.

Anyway, the other day Andy was sitting in front of the television set with a gold-plated Colt .44 in a holster, a rocket pistol in his belt, a rifle on his lap, and a comic book in his hip pocket. Man, you should have seen the cover on that book. It would have scared you to death. A bunch of wild men wearing U.S. Army uniforms and using knives, fists, and what looked like broken beer bottles were tangling hand to hand with some unidentified villains, who were naturally getting the worst of it. A flying saucer hovered over their heads.

The television show took up where the book jacket left off. It was a space-man moon-shooting program that must have been trying to keep its hold on the lollipop lickers who are still loyal to cowboy stuff, because cattle rustlers in a jeep kept coming in and out of the picture. There was some military stuff from time to time, too.

"I don't wanna be President any more," Andy told me. "I wanna join the Army and be a sojer all my life."

"Don't worry, you can do both," I assured him. "There's no limit to the opportunities open for an ambitious soldier."

"A space cadet can kill a cowboy, but a sojer can kill cowboys *and* space cadets," he said. "I can kill you, too. *Kerspcheouwwwww!*" He can't even whistle yet, but he can purse his mouth and imitate perfectly the sound a ricocheted rifle shot makes on a sound track.

Understand, Joe, *I* didn't give him those weapons. They came from grown-up friends of Andy's who watch television or who notice on drugstore magazine shelves that instead of the innocent, old-fashioned comics with horrible, warty ghouls dragging half-naked ladies around, now there's the steady drip, drip, drip of gore and the gleam of an occasional flying tooth with a bit of jawbone attached when the leading character doesn't want to get his bayonet wet and so uses the horizontal butt stroke instead. These friends assumed, more or less accurately, that this is the trend with the younger set, and so for presents they gave the kid an arsenal.

All *our* parents had to worry about was explaining sex to us. Our parents could answer straight or they could duck the questions and let us get our misinformation elsewhere. Today with our own kids there's this added problem. "Daddy, did you get to kill anybody in the war?" "Are people dead when they're killed?" "I want to kill somebody." "Why do they lie down when they're dead?"

It won't do any good to take the books and the guns away and throw out the television. They'll just go over to a little pal's house and feel that much more adventuresome about it. And you can't duck it and say it's all a lot of make-believe when they'll find out soon enough that there's real shooting going on in the world and more of it brewing.

But I finally hit on the right thing to say. It occurred to me that what puts a lot of the glamour in this battle stuff is that the television and comic-book projectiles travel a more or less one-way street and the badmen always drop dead first. I told Andy that *this* part is sure enough make-believe.

"You mean when I'm a sojer and shoot, he kills me back?" he asked. He thought about it for a while. He decided it didn't seem fair to him. Damned if he was going to play that kind of game. He laid down his guns and I hope he won't pick them up again until he's drafted.

Regards,

BILL.

POST OFFICE DEPARTMENT IMPOSES RESTRICTIONS ON MAILING OF FIREARMS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. DULSKI. Mr. Speaker, the Post Office Department has imposed restrictions today upon the delivery of firearms through the mails.

Postmaster General W. Marvin Watson announced a major revision in postal regulations to prohibit delivery by postmasters of any firearms without prior notification to law enforcement officers.

General Watson also announced that the Department has classified sawed-off shotguns and short-barreled rifles as concealable weapons. This bars the weapons from the mails unless sent to certain authorized recipients such as law enforcement officers.

The Postmaster General said he has asked private express companies to follow the lead of the postal service in doing what they legally can to assist local law enforcement officers in keeping abreast of the traffic in guns.

Mr. Speaker, these are firm administrative actions by the Postmaster General who said he hopes that "Congress acts soon on effective gun control legislation."

He continued:

Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

The Postmaster General also unveiled a comprehensive "plan of action" to strengthen equal employment opportunities throughout the postal system.

The policy directives of the Postmaster General were disclosed in an address to the National Press Club in Washington today. The address follows:

POSTMASTER GENERAL WATSON SPEAKS TO NATIONAL PRESS CLUB

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human

Altho he has never had any difficulty in getting reelected, Rogers refuses to take his district, which extends from coast to coast in south-central Florida, for granted. He goes home at least once a month, and sometimes oftener.

He and his wife, Rebecca, have one daughter.

WORKS ON COMMITTEES

Much of his time is spent here working on the interstate and foreign commerce and the merchant marine and fisheries committees.

He was author of a sea-grant college bill, aimed at setting up programs to improve oceanography schools, and he was one of the hardest hitting members of the investigating committee which recently looked into charges that a television outlet staged a pot party at Northwestern university, so it could be filmed.

Rogers heads the House health subcommittee, and has pioneered in the investigating of radiation hazards of colored television sets and other household appliances.

THE NEED FOR STRONG GUN CONTROL LEGISLATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. PUCINSKI. Mr. Speaker, a tragic act of violence struck America last week. It is only the latest of a long series of unspeakable acts which have cut down our youngest and most vigorous leaders. Robert F. Kennedy was murdered with a pistol, but so many others were murdered with rifles. Just 2 months ago Martin Luther King, Jr., was gunned down with a rifle. John F. Kennedy was also killed by a rifle. And shortly before he was killed a lurking sniper murdered Medgar Evers—with a shotgun.

The omnibus crime bill sent to the President so recently strikes a long-overdue blow at the unbelievable ease with which handguns are bought and sold in America. But to bring handguns under some control is just a small step. We must control, if only to a small extent, the traffic in rifles, shotguns, and ammunition. Of the four murders by firearms that I related three were killings by rifles or shotguns. Robert Kennedy could as easily have been shot from ambush by a rifleman as by a handgunman. Both types of deadly weapons just must be controlled.

The bill proposed by the President will add rifles, shotguns, and ammunition to handguns as the weapons which must be controlled in some way.

The bill strikes at mail-order sales in interstate shipments of rifles. It was just such a mail-order gun that killed President Kennedy. It stops the flagrant abuse of local firearms laws by residents who cross State lines to buy their weapons and it keeps guns and ammunition out of the hands of the young.

These are minimal steps—but steps that are overdue. Let us act now before we are hurt again.

Mr. Speaker, it is absolutely incredible that we should have seen 6,500 Americans murdered last year in homicides involving the use of a gun. No other civilized nation in the world has as horrible a record of destruction of human beings in peacetime through the use of guns as our own Nation.

England, France, Germany, and all the other nations of the world had only a fraction of homicides during that period. England had only 30 people killed with guns in nonmilitary activity.

President Johnson made the point the other day that since the turn of the century, 750,000 Americans have been killed in homicides involving the use of a gun. This is more than our total losses on the battlefield in all of our wars in this century.

These startling and sickening statistics prove more than anything anyone can say the need for stronger gun control legislation.

I have been furnished information which indicates that there are 40 million guns in this Nation today and the rate of increase is alarming.

In the light of this heavy traffic in arms, we have a right to ask the following questions:

First. What is wrong with requiring that every gun be registered?

This practice is now being followed by almost all reputable gun dealers. In most reputable shops when a citizen comes in to buy a gun or rifle—even it it is for legitimate sport use—the gun dealer registers the gun and fills out an extensive questionnaire on the purchaser of the gun. Those who have raised questions as to how this will effect legitimate sport and hunting fans know that the legitimate purchaser of a gun already registers that weapon under practices being followed throughout the country today.

Second. What is wrong with requiring that a purchaser of a gun—be it a handgun or a rifle—present himself personally to the gun dealer to complete the purchase?

The traffic in mail-order guns is one of the greatest tragedies of our time and I cannot see how any law-abiding citizen or bona fide sportsmen would object to requiring that the purchaser of a gun—a lethal weapon—must present himself personally to complete the transaction. Years ago in rural America when you did not have gun dealers in every community and people had to travel long distances in primitive vehicles—there might have been justification for mail-order traffic in guns. But in modern America I cannot see how we can justify mail-order traffic in guns any longer.

Third. What is wrong with requiring that an owner of a gun advise the authorities whom he has sold his gun to when in fact such a sale is made.

We today have to register our automobiles and when we transfer ownership of an automobile we have to notify the appropriate State authorities of such a transfer. Why then should there be such violent objection to the proposal that when a bona fide owner of a gun disposes of this weapon he notify the proper authorities as to the new owner's identity.

Mr. Speaker, I believe these are three valid and reasonable questions and should be incorporated in any new gun control legislation.

I am encouraged by the fact that legitimate, bona fide, gun owners and gun collectors have said to me that as individuals they have no objections to any one of the three suggestions listed above.

Who then, Mr. Speaker, is opposed to stronger legislation?

Who are the faceless lobbyists who have frustrated the will of this Nation time and time again to deal effectively with this monstrous problem of traffic in guns in America?

Every single survey that I have seen in recent years clearly shows the American people are overwhelmingly in support of stronger gun control legislation. Victor Hugo once said that there is no force greater than an idea whose time has come.

I am convinced that the time for the idea of stronger gun control legislation has not only come, but has been long overdue.

I shall do all in my power to help enact effective gun control legislation in this Congress.

THE U.S. SUPREME COURT AND CRIME CONTROL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. WYMAN. Mr. Speaker, it is more than a fair question to inquire what the Supreme Court is trying to do to criminal law enforcement in this Nation by continuing to hand down decisions that are out of touch with the realities and necessities for public protection against vicious criminals. The latest evidence of the Court's amazing and continuing disregard for the right of the public to such protection is described in an editorial appearing in the Washington Evening Star of June 11, 1968, entitled "Judicial Travesty," which I am including in the RECORD at the conclusion of these remarks.

For the life of me I cannot understand why the Court does not get out of its ivory tower and come down to earth and see how the other half lives in terms of handing down decisions that will allow the police to protect the general public, all without permitting the Star Chamber or police brutality in any way. Requirements that officers must actually witness the commission of a crime to make a valid arrest or that persons caught in the commission of a crime may not at that instant be allowed to confess or tell what they were doing without first being cautioned by the detaining officer not to talk unless a lawyer is present, are worse than sentimental judicial drivel. They prevent trial judges from receiving into evidence, direct and responsible proof of guilt of guilty criminals.

Can it be that those who author these decisions do not realize what they will do to law enforcement in America when they phrase them? They must. Yet despite such awareness why do they continue to destroy the ability of an enlightened democratic society to protect itself against rising crime by responsible and intelligent law enforcement? Why, Mr. Speaker, Why?

Unfortunately, about all that can be done in terms of pragmatic reality is to hope and pray that an aroused people will elect a President this fall who will make the solemn commitment to the American people that he will not appoint to the Supreme Court of the United States any person whose record does not convincingly demonstrate his responsible dedication to reasonable and restained interpretation of the Constitution of the United States, regardless of political affiliations. It has cost this Nation dearly to indulge in appointments of philosophical crusaders to life tenure on the High Court as judicial legislators. This practice must be ended once and for all.

The editorial referred to follows:

Judicial Travesty

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while propely represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. He agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witness were dead or unavailable. This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

BILL MAULDIN WRITES TO JOE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. JACOBS. Mr. Speaker, under unanimous consent, I insert the following in the Record:

[From the Reporter, Feb. 12, 1953]

Bill Mauldin Writes to Joe

My kid Andy got a lot of toy guns for Christmas. They sure are making them realistic now. If we get into another big war, all that Ordnance will have to do is ask the young fry to turn in their small arms, then chamber the weapons for standard ammunition, put in real firing pins, and the Singer Company can go right on making sewing machines. We'll have plenty of guns.

Anyway, the other day Andy was sitting in front of the television set with a gold-plated Colt .44 in a holster, a rocket pistol in his belt, a rifle on his lap, and a comic book in his hip pocket. Man, you should have seen the cover on that book. It would have scared you to death. A bunch of wild men wearing U.S. Army uniforms and using knives, fists, and what looked like broken beer bottles were tangling hand to hand with some unidentified villains, who were naturally getting the worst of it. A flying saucer hovered over their heads.

The television show took up where the book jacket left off. It was a space-man moon-shooting program that must have been trying to keep its hold on the lollipop lickers who are still loyal to cowboy stuff, because cattle rustlers in a jeep kept coming in and out of the picture. There was some military stuff from time to time, too.

"I don't wanna be President any more," Andy told me. "I wanna join the Army and be a sojer all my life."

"Don't worry, you can do both," I assured him. "There's no limit to the opportunities open for an ambitious soldier."

"A space cadet can kill a cowboy, but a sojer can kill cowboys *and* space cadets," he said. "I can kill you, too. *Kerspcheouwwwww!*" He can't even whistle yet, but he can purse his mouth and imitate perfectly the sound a ricocheted rifle shot makes on a sound track.

Understand, Joe, *I* didn't give him those weapons. They came from grown-up friends of Andy's who watch television or who notice on drugstore magazine shelves that instead of the innocent, old-fashioned comics with horrible, warty ghouls dragging half-naked ladies around, now there's the steady drip, drip, drip of gore and the gleam of an occasional flying tooth with a bit of jawbone attached when the leading character doesn't want to get his bayonet wet and so uses the horizontal butt stroke instead. These friends assumed, more or less accurately, that this is the trend with the younger set, and so for presents they gave the kid an arsenal.

All *our* parents had to worry about was explaining sex to us. Our parents could answer straight or they could duck the questions and let us get our misinformation elsewhere. Today with our own kids there's this added problem. "Daddy, did you get to kill anybody in the war?" "Are people dead when they're killed?" "I want to kill somebody." "Why do they lie down when they're dead?"

It won't do any good to take the books and the guns away and throw out the television. They'll just go over to a little pal's house and feel that much more adventuresome about it. And you can't duck it and say it's all a lot of make-believe when they'll find out soon enough that there's real shooting going on in the world and more of it brewing.

But I finally hit on the right thing to say. It occurred to me that what puts a lot of the glamour in this battle stuff is that the television and comic-book projectiles travel a more or less one-way street and the badmen always drop dead first. I told Andy that *this* part is sure enough make-believe.

"You mean when I'm a sojer and shoot, he kills me back?" he asked. He thought about it for a while. He decided it didn't seem fair to him. Damned if he was going to play that kind of game. He laid down his guns and I hope he won't pick them up again until he's drafted.

Regards,

Bill.

POST OFFICE DEPARTMENT IMPOSES RESTRICTIONS ON MAILING OF FIREARMS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. DULSKI. Mr. Speaker, the Post Office Department has imposed restrictions today upon the delivery of firearms through the mails.

Postmaster General W. Marvin Watson announced a major revision in postal regulations to prohibit delivery by postmasters of any firearms without prior notification to law enforcement officers.

General Watson also announced that the Department has classified sawed-off shotguns and short-barreled rifles as concealable weapons. This bars the weapons from the mails unless sent to certain authorized recipients such as law enforcement officers.

The Postmaster General said he has asked private express companies to follow the lead of the postal service in doing what they legally can to assist local law enforcement officers in keeping abreast of the traffic in guns.

Mr. Speaker, these are firm administrative actions by the Postmaster General who said he hopes that "Congress acts soon on effective gun control legislation."

He continued:

Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

The Postmaster General also unveiled a comprehensive "plan of action" to strengthen equal employment opportunities throughout the postal system.

The policy directives of the Postmaster General were disclosed in an address to the National Press Club in Washington today. The address follows:

Postmaster General Watson Speaks To National Press Club

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.

Each of us must do what he can to reverse this dangerous and frightening trend.

And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.

Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."

Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.

Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads, quote:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in anyway you desire. I personally will be available to meet with your representatives." Unquote

I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tension in our society, but also attacks and can defeat those causes.

I think it is self-evident that a society in which social and economic justice has been achieved is a society that will produce less tension, less sickness and less violence. All government agencies are working toward that end. This is particularly applicable to the Post Office Department which is the largest civilian employer among government agencies.

I take particular pride in my association with 711,660 fellow employees. In my 44 days in office, I have travelled some 15,000 miles and seen 30 different postal facilities and I am told that I have met over 8,500 employees. This was done for two purposes—first, to get to know the system and those who make it work; and, second, to search out ways to do the job better and at less cost.

I think both aims have been to some degree achieved. Certainly I am more convinced than ever that the Post Office is an often overlooked cornerstone of democracy—an organization which by its daily delivery of mail affects every home and every business. And I am convinced that our people are doing a good job of delivering over 82 billion pieces of mail this year.

But I am equally convinced that we must give them further assistance, both in modernization of machinery and in modernization of our employee programs. This is particularly important in the Post Office—for, as the largest civilian department of government, everything we do has an effect on the nation as a whole.

Therefore, I have pledged myself to these fine people and to these programs for a better post office. Today, I am pleased to be able to announce a new Plan of Action that will enhance our goal of full equality of opportunity for all.

Effective today, I am ordering an advanced program to aid the disadvantaged—and thus aid our land as well. This is not a hastily conceived program. It is one we have worked on intensively during my six and one half weeks as Postmaster General.

The Plan of Action is designed to pinpoint responsibility for action to carry out the President's program and my own; it is designed to require explanations if qualified minority members are passed over for employment or promotion; it is designed to assure regular and detailed reports on the status of equal employment in every post office and postal installation.

It is direct and specific.

It is a Plan of Action that will work.

It is a Plan of Action which keeps the Post Office Department in the forefront of aiding the less advantaged.

I hope you will clearly understand that we are not suddenly creating equality or social justice.

Rather, we are improving on the very good program we already have—a program which has served as a guidepost for many other government agencies.

What we are doing now is adding to this program and strengthening it. This is in keeping with our postal policies which date back to the last century.

The first Negro lady postmaster in the United States, Minnie M. Cox, was appointed back in 1896 at Indianola, Mississippi. Some years later when elements of that city attempted to make things unpleasant, President Teddy Roosevelt shut down the post office until her safe return was guaranteed.

We have all come a long way since then, both as a government and as a people.

In the post office, we guarantee social and economic justice, not by shutting down post offices, but by opening them up as wide as we can.

To understand what we have done and what we propose to do, six facts are necessary:

First Fact—we are the largest civilian employer of minority group workers in the world. Our workforce includes over 150,000 minority group members, mostly Negroes, who constitute almost 22 per cent of our total employment.

Second Fact—we employ and recruit not on the basis of race or religion or color, but ability.

Third Fact—our minority group employees are of proven high quality. Minority group members now hold the Postmasterships of the three largest post offices in the United States—in New York, Chicago, and Los Angeles.

Fourth Fact—all the trends in minority group employment in our Department are upward.

In virtually every major city in America, our percentage of minority group employment exceeds the percentage of minority people in the city's population.

Fifth Fact—we insist that those who contract with the Department also provide equal employment opportunity. Our contract compliance program is sternly enforced. So far, enforcement of regulations requiring contractors to follow equal opportunity job policies has resulted in the hiring of 13,000 minority group employees in many fields outside the Post Office. More importantly, it has helped break down long standing patterns of discrimination in numerous key industries.

Sixth Fact—we are now starting new programs to search out talent where it may be hidden, and to find ways of telling members of minority groups that they are wanted and they are welcome in the postal service.

One of the finest of these new programs has a bureaucratic name, but a human intent.

It is called the Concentrated Employment Program.

Translated into English that means we are testing a way of finding postal work for the so-called hard-core unemployable. Right now such a test is being conducted in San Francisco for 200 persons recruited from the ghetto areas.

Another project along this line will begin shortly in Oakland, California, and others will follow.

Under the concentrated employment program, each worker receives two weeks of pre-appointment orientation with a small salary from the Labor Department. When he begins on-the-job training with the Postal Service, the appointee must attend two hours of school each work day outside working hours for a maximum period of one year, or earlier if he passes the Civil Service examination.

We are also providing training in 70 locations for veterans about to be discharged and we are making special efforts to hire recent service veterans.

In addition, our summer employment program is aimed primarily at young people from families with income at the poverty level.

Thus, the door is open.

We should be proud and satisfied.

And to a large degree we are.

But we are not completely satisfied.

We think we can do better.

It is for that reason that I approved this morning our Equal Employment Opportunity Plan of Action.

The Plan has one basic philosophy—that old patterns will not just fade away. They must be attacked.

So we are moving forward aggressively.

Today, I am informing every postal employee that no discrimination of any kind will be tolerated. Together, we will push hard, both where we have already broken through, and where new breakthroughs are needed.

Our new plan of action—based on our philosophy of equality for all people—translates into hard hitting programs which fight discrimination and strike against poverty.

First, I have designated a special high level task force to survey postal installations and assure that equal opportunity fully and truly exists in promotions as well as hiring. These top personnel will travel over the nation and will effectively assure that our plans become fact.

Second, I am intensifying our contract compliance program. We are hiring 23 additional Contract Compliance Examiners to make sure all our contractors are meeting the requirements of President Johnson's Executive Order on contractor employment.

Third, since there is a post office in every city and almost every village, town, and hamlet, it is our responsibility to assure that national leadership in racial justice is also brought home at the local level.

Therefore, I am asking all our postmasters to contribute their influence and abilities to improving equal opportunity in their communities. I am also encouraging them to aid as community leaders in helping to eliminate racial or cultural bias from local school systems and housing arrangements.

Postmasters are local leaders. Since elimination of racial, social, and economic injustice is one of our major problems, these are the areas where their leadership can be most helpful.

Since big cities crystallize this problem, I have designated postmasters of all 4,859 first-class post offices as deputy equal employment opportunity officers. They will have special responsibilities, and they will report directly to our Equal Opportunity division in Washington.

We intend to take full advantage of our postmaster's places as leaders in their communities. As a Federal Agency, it is our responsibility to work in accordance with President Johnson's policy of education, jobs and housing for all people without regard to race or any other irrelevant consideration.

Fourth, I have issued an order to begin pre-supervisory training on a large scale to all candidates who are eligible for promotion to postal supervisors. I have also directed that maximum encouragement be given to minority group employees to take the next nationwide supervisory promotion examination. This will be given in the fall, and a special handbook will be provided for all who wish to prepare for a supervisory examination.

I will require all post offices to cooperate with all employee organizations or community groups who are willing to help employees prepare for the supervisory examination.

In the same vein, post offices will also cooperate with groups preparing job seekers for the civil service test leading to postal employment. And we will now step up our efforts to recruit in the neighborhoods—efforts which have been successful in our test programs.

Finally, we will take a number of detailed and quite specific steps to make our Plan of Action a meaningful weapon in the war against poverty and discrimination.

This war is perhaps the most challenging that has ever faced America. I intend to wage it with intensified effort.

For this war touches the very essence of America. As President Johnson said, "We shall either find the means to open employment to all of our workers—to find decent housing for all of our citizens—to provide a good education for all of our American children—or we shall see the American promise spoiled for each of them."

The American promise has for 200 years served as a light pointing the way.

Today I have described two steps to protect that promise and that light.

I have done all that I can within the law to support local and State law enforcement agencies in their effort to control and regulate the possession of firearms, and ban certain lethal weapons from unrestricted passage through the mail. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

And I have taken a number of major steps to assure that the Post Office Department serves the nation, not only as an effective channel of communication, but also as an instrument of social justice.

May I end by promising to you, that this great Department of government will do everything possible to serve the American people and advance the American dream.

SENIOR CHRISTIAN ENDEAVOR SOCIETY

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. CLANCY. Mr. Speaker, it has been brought to my attention that the Northbrook United Brethren Church of Cincinnati, Ohio, was the third-place winner in the Christian Endeavor's 1968 Christian youth witness program sponsored by the International Society of Christian Endeavor. The Senior Christian Endeavor Society of the Northbrook United Brethren Church will receive the Albert H. Diebold Award of $100 plus an award plaque.

The program is sponsored annually by the International Society of Christian Endeavor. For the last 12 years the awards have been named in honor of the late Albert X. Diebold, a Christian layman of New York City. Through the financial support of Mr. Diebold and the Diebold Foundation this continuing program has been made possible.

Society winners of the program were required to complete a Christian witness activity. Each activity was evaluated on the basis of group participation, goals established or achieved, its Christian witness to the community, and overall effectiveness in implementing the purpose of the Christian youth witness program.

To receive third-place honors, the Senior Christian Endeavor Society held a youth revival November 24 through 26. The group included approximately 14 high school youth, and the evangelist was Dan Boen, 17-year-old high school senior from Kettering, Ohio.

To make this a successful venture, the young people distributed posters to local stores; sent invitations to other churches; held prayer meetings twice a week in homes; presented skits on their weekly radio program on station WAKW, and made house-to-house visitations in teams.

It is most gratifying for me to be able to represent in Congress such a fine group, and I would especially like to commend the young people on their hard work for and participation in such a worthwhile program. A tremendous amount of time and labor was put into this project by the youth participants and our community can indeed be proud of them.

GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. PODELL. Mr. Speaker, I am happy to call to the attention of our colleagues a report made public by the National Jewish Commission on Law and Public Affairs on the application of the "Guidelines on Discrimination Because of Religion," promulgated by the Federal Equal Employment Opportunity Commission in proceedings before the New York State Commission for Human Rights. The text of the report follows:

The New York State Commission for Human Rights in a precedent setting ruling has held that employers in the state must make reasonable accommodations to the religious needs of the prospective employees who are Sabbath Observers.

This decision was made by the Commission Chairman, Robert J. Mangum, in a case brought by Bernard Rubin, of Brooklyn, a computer programmer who was denied employment by the Metropolitan Life Insurance Company because he would have to leave work early on Friday afternoons during the winter in order to be home before sunset, when the Sabbath begins. In effect, Chairman Mangum adopted the "Guidelines on Discrimination Because of Religion" that were promulgated by the Equal Employment Opportunity Commission (EEOC) of the Federal Government in July, 1967. These provide that the "duty not to discriminate on religious grounds includes an obligation on the part of the employer to make reasonable accommodation to the religious needs of employees and prospective employees where such accommodation can be made without undue hardship on the conduct of the employer's business."

The guidelines also provide that the burden of proving an undue hardship is upon the employer.

In adopting these guidelines for New York State, Chairman Mangum wrote that he deems them "as a good and workable device in attempting to determine whether or not discrimination is involved. It is my opinion that if a guideline can be used throughout the United States it should be a basic minimum throughout New York State. This is true not only because that which is good for the nation as a whole is good for the State, but by its position as first in the field of anti-discrimination and human rights laws the State has indicated that its citizens demand a maximum amount of protection against discrimination."

Applying the Federal yardstick to the refusal to hire Rubin, Mangum found the nature of computer work is such so as to make it an undue hardship to accommodate to the special needs of the job seeker. "The computer is a million-dollar piece of equipment and must be used at all available times, including late evening hours".

However, in a second case against the Metropolitan Life Insurance Company involving a Sabbath Observer, brought by Rochelle Sachs, of the Bronx, Commissioner Francis X. Giaccone held that the refusal to hire a secretary on a full-time basis constituted "probable cause to credit the allegations of the complaint". Commissioner Giaccone based his findings on the principles in the Rubin case.

Mr. Rubin and Miss Sachs were represented before the Commission by Howard I. Rhine on behalf of the National Jewish Commission on Law and Public Affairs (COLPA), which was formed in September of 1965 for the purpose of promoting the interests of the Orthodox Jewish Community in legal and legislative matters. Apart from representing Orthodox groups. COLPA has a specialized membership of 125 lawyers and social scientists who volunteer their services as they are needed. Mr. Rhine, a lawyer with the firm of Greenman, Zimet, Haines, Corbin & Goodkind, in the City, is Chairman of a special COLPA committee of lawyers, including Sidney Kwestel, Julius Berman and Judah Dick, who represent Sabbath Observers without fee. He said that apart from the Rubin and Sachs cases, four other complaints are now before the State Commission and one other case is before the Federal Commission. He estimates that since September of last year approximately 200 complaints alleging job discrimination against Sabbath Observers have come before COLPA. In a number of these, COLPA has worked out a satisfactory arrangement with the employer.

The actions of the New York State Commission were hailed by Mr. Rhine and Dr. Marvin Shick, President of Colpa. In a statement they declared that "The adoption of the Federal guidelines by the State means that tens of thousands of Orthodox Jews and others who live according to the dictates of their religion will be afforded equal opportunity as they strive to make a dignified living and support their families. We regret that Chairman Mangum did not find in Rubin's favor, particularly since many companies ranging from IBM to smaller computer firms have found that accommodation to the religious needs of sabbath observers in computer programs positions involves no hardship whatsoever. We believe that perhaps Chairman Mangum does not fully understand what is involved in programming work and based his decision on an inadequacy of information. It is Colpa's intention to seek to reopen this aspect of the Rubin case and submit affidavits from the many hundreds of sabbath observers employed by other companies in this very capacity. It is also Colpa's hope that the Metropolitan Life Insurance Company and other employers that have discriminated in the past will now voluntarily comply with the new rules."

According to Dr. Shick, a professor of Constitutional Law at Hunter College, Colpa has been intensively involved in problems of sabbath observers since the group was founded two years ago. He said that each year in New York City alone there are thousands of instances of discrimination against sabbath observers, with the job hunter persevering, going from one prospective job to another until he succeeds without making any formal complaint.

Last year Colpa prevailed upon the Federal Equal Employment Opportunity Commission to promulgate the guidelines that are now effective in New York. Earlier this year New Jersey became the first state to adopt and implement them. The success in New York is Colpa's most notable victory. However, Mr. Rhine points out that most of Colpa's work lies ahead. "We must successfully conclude the cases that have been brought, get Human Rights commissions in other states with significant numbers of Orthodox Jews to follow the conduct of New Jersey and New York, and most importantly we must get employers to recognize their obligation and to understand that sabbath observers are responsible employees who deserve and are entitled to equal employment opportunities."

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. KASTENMEIER. Mr. Speaker, the second installment of the report on the American University Symposium on Automated Information Systems and Copyright Law is contained in the following material—"Automated Information Systems and Copyright Law, Part II":

COPYRIGHT AND THE COMPUTER: WHY THE UNAUTHORIZED DUPLICATION OF COPYRIGHTED MATERIALS FOR USE AS COMPUTER INPUT SHOULD CONSTITUTE INFRINGEMENT

(By Arthur J. Greenbaum,* Cowan, Liebowitz and Latman)

The purpose of this paper is to explain why I believe that the conversion of copyrighted works into machine-readable form for use as computer input should be considered copyright infringement.

First some definitions. Computer "input" consists of the material which is available for manipulation or retrieval by the computer. By "conversion into machine readable form" I mean (a) transferring text to punch cards, magnetic tapes, disks, or related information storage vehicles, or directly transferring the information into the computer in some electronic form, so that the printed words can be utilized by the computer, and (b) the further duplication of materials which are already in the machine readable form defined in (a).

The value to the computer user of copyrighted works which have been copied for use as computer input can be considerable. The computer is a remarkable tool that can be used, for example, to disseminate all or part of the copyrighted material throughout the nation or to utilize it within the computer operator's own area or organization in various ways which are not feasible with printed works. This value to the operator can perhaps be measured partly by what it would cost him to accumulate independently the information which he feeds into the computer, costs which the copyright proprietor had to bear. The value of a copyrighted work when utilized with the powerful assistance of a computer may bear no relationship to the value of the work when utilized by a single individual or institution in the usual ways that printed materials are used.

The idea of different values attaching to different types of uses is not new. To cite just one example: an individual might spend $3.50 to buy a printed copy of *My Fair Lady* in order to read it, but he cannot perform the play commercially unless the copyright proprietor's consent is obtained and a substantial royalty paid.

In short, use of a copyrighted work in a computer operation constitutes a different and higher quality of use which cannot be equated with a single or multiple use of a single work in print form. The mere purchase of the printed work for ordinary use was not intended by the publisher to permit use of the material as input in the computer—a truly extraordinary use with possibly devastating consequences to the copyright proprietor. It takes little imagination to foresee the impact on the publishing industry if a printed work, such as, the recently published Random House dictionary, were converted into machine readable form without payment to or editorial control by the publisher for use in a nation-wide computer network with innumerable outlets in libraries, industry, and homes.

The above discussion illustrates that information produced in print form has value to a computer user far over and above the value to the ordinary purchaser or user of a copyrighted work in print form. In view of the possibly enormous value of this copyrighted material to the computer user he naturally wishes to utilize it and should recognize that the copyright proprietor is entitled to compensation. My personal opinion is that the question of the amount of compensation can be best solved as similar problems have been in the past, by having the various interests work out their own solutions in the competitive milieu.

Most people would agree that the copyright proprietor should be compensated for his efforts. In addition to the question of how much the payment should be there is the important question of determining the point in time that this payment should accrue. This question is crucial because its answer determines the control which the copyright proprietor has over each individual work. In many instances, particularly in the case of fact works such as dictionaries, encyclopedias, legal digests, statistical tables, directories, etc., if this control cannot be exercised effectively the proprietor cannot profitably conduct his business and therefore will not produce the work.

In order to protect the copyright proprietors and to provide a fair system, I urge that proprietors be able to control the use of their material at the point that it is converted into machine readable form for use as computer input. In other words, copying of a copyrighted work into machine readable form should constitute copyright infringement. My reasons are as follows:

1. Some computer uses involve the manipulation or scanning of a considerable amount of input derived from copyright works, yet the output may, for example consist only of a solution which appears for a few moments on a screen or of a minute bit of the total copyrighted work. Manipulation or scanning within the computer is not considered by some to be infringement and such limited uses may not be an infringement at the output level either because there is no copying or the copying may be so limited as to constitute a fair use. If the copying into machine readable form is not an infringement, no compensation is available to the copyright proprietor for the use of his work (other than the income from the sale of one copy of the original work), although his potential sales of the printed work could be materially diminished. Such a result hardly seems just in view of the considerable benefit obtained by computer users.

One example of manipulation without output would be the use of a copyrighted book of mathematical computations to determine steel stress. These printed calculations would be converted into computer input with no payment made to the proprietor. The computer user would wish to know if his particular construction was feasible and the answer would be either "yes" or "no." Again the copyright proprietor would receive no payment no matter how adversely sales of the admittedly useful work were affected.

Similarly, copyrighted statistical materials could be manipulated to determine such things as the projected price of a stock on the New York Stock Exchange, production schedules, the length of women's skirts for next season, wage scales, or tomorrow's weather. In each of these instances, and there are innumerable examples, the compiler of the statistics, would receive no compensation for his considerable efforts, except possibly for the sale of the initial copyrighted volume.

In each case of such manipulation of the copyrighted mathematical or statistical data, the copyright proprietor would be reasonably compensated only if it were infringement to convert his work into machine readable form. If this is not the law, then he receives little or nothing for his labors while others benefit.

---

*(C) Copyright Arthur J. Greenbaum, 1967.

The uses to which other forms of fact works can be put provide examples of the extreme importance of properly setting the point at which copyright infringement occurs. For example, the *Encyclopedia Brittanica* can be converted into machine readable form and used as the input of a computer. If this conversion does not constitute infringement at this point no payment need be made to the copyright proprietor or permission obtained. Now if someone in the great public with access to this computer input desires information in the encyclopedia he can retrieve it and have the pertinent material flashed on a screen for him to read and, if desired, the image on the screen can be converted into hard copy, i.e., can be reproduced in print form on paper. Of course, in addition to this one encyclopedia, the computer proprietor might utilize the other nine leading encyclopedias so as to provide better service to the computer users. If the law is that only if the end use is an infringement can the various copyright proprietors object to the use of their works, all of the proprietors may collect exactly nothing because any one use of the input by an individual would very likely be considered a fair use and, therefore, a non-infringing use. Accordingly, each of the encyclopedia publishers would obtain no revenue from and have no control over the use of its copyrighted publication, even though such use could destroy the salability of the work which it produced at enormous expense.

The point of this discussion is that if input does not constitute infringement, and if the manipulation does not constitute infringement, and if the output happens not to be infringement, the copyright proprietor is defenseless. The inevitable result of such a system is that there will be no publication of material which can be "borrowed" in such a way as to destroy or seriously impair the market for the copyrighted work.

2. Unless the conversion of copyrighted materials into machine readable form constitutes infringement, the copyright proprietor also loses potential income from the sale of his own works in machine readable form. The solution of this problem is to hold that the conversion or copying of a work into machine readable form for computer input constitutes infringement.

An illustration of this point is the case of the publisher of a directory listing all United States retailers of drugs and providing twenty characteristics of each retailer, such as location of principal office, number of employees, annual sales, names of the proprietors or principal officers, non-drug products carried, etc. The directory is available in either printed form or in punched cards or tape for use as computer input. It is certainly easy to see that if a competitor also markets the same information, taken free of charge from the original printed work or a duplication of the punched cards or tape, that the original publisher cannot compete because the second comer has avoided the tremendous expense of gathering the information.

The copyright proprietor cannot enjoin such blatant copying or collect damages from the one who copied the materials unless conversion of copyrighted material into machine readable form for eventual use as computer input and the duplication of copyrighted materials already in machine readable form both constitute infringement. As for suing the end user of the copied cards or tapes, his use may be a fair use because the copied data has been integrated into a nation-wide computer network and each end user only utilizes small bits of the information at a time. The result, unless the conversion into machine readable form for use as computer input constitutes infringement, is that the copyright proprietor has no remedy even though his works are being unfairly used to destroy him.

3 Again, unless the conversion of copyrighted materials into machine readable form constitutes infringement, the copyright proprietor may find himself at a disadvantage in using his own works as part of his own computer system since other systems operators could (a) appropriate the printed work by copying it into machine readable form or (b) duplicate the originator's machine readable materials and thereby avoid the expense of independently obtaining the information.

To illustrate this point, consider a publisher of a legal digest which classifies all of the published case reports into a legal classification system and publishes the digest in printed form. It also offers an additional computerized search system to lawyers. The computer input consists of the cases as classified in the digest. A competitor can convert the cases listed in the original publisher's digest into machine readable form for use as input for a competitive computer search service. Now if the use by the lawyer is the sole test of infringement, then no infringement exists (because such use is a "fair use"). It is submitted that such a result is atrocious as a matter of law, good sense, and ethical behavior.

4. If the copyright owner must rely only on computer output as infringement, he will find it most difficult, if not impossible, to police the system. The potential for abuse is enormous because the computer has such widespread application. It is submitted that the only way the copyright proprietor can control the mis-use of his copyrighted materials is to control the input. This involves a reasonably feasible task compared to the impossibility of discovering and checking each bit of output and then trying to determine if it constitutes an infringement or a fair use.

CONCLUSION

As of the writing of this paper (May 1967), the House Copyright Law Revision Bill provides that the conversion of copyrighted material into machine readable form constitutes, subject to the defense of fair use, infringement. I agree with this solution to the problem and hope that the Senate will also agree with the House. If experience indicates that his solution is not in the public interest, then the Bill can be amended to reflect the deficiencies which may appear as time goes by.

My prediction is that the publishers will do an excellent job of handling the new technology and there will be no need to make any major revisions in the future. The publishers will not be able to sit back and do nothing (as predicted by some) because there will always be at least one publisher (or the fear that there will be one) in the vanguard and he will force the others as a matter of competitive necessity to find the best ways to utilize the computer and related devices. No publisher will want to concede the new technology to his competitors.

ECONOMICS, AUTOMATION AND COPYRIGHT

(By Charles H. Lieb, Paskus, Gordon & Hyman)

Most people agree that full use should be made of. the burgeoning computer technology—for education, for information storage and dissemination and for any other purposes that can be found for this modern-day genie. Publishers and authors certainly concur with this. Their function is to generate and to distribute their intellectual work product to all within reach and the broader their reach, the greater their satisfaction.

The perplexing problem, however, is how to accomplish these imaginatively useful purposes and at the same time assure the producers adequate reward and recognition and protection against distortion to encourage them to continue to produce.

My purpose is to discuss the first factor, the reward, and to leave other problems for separate consideration.

REWARD TO AUTHOR AND PUBLISHER

If reward—royalties to author and profit to the publisher—is recognized as a basic factor which influences the production and flow of most intellectual work, we must keep in mind some simple but immutable laws of economics when we consider the rules under which the work is to be stored and used in computers.

A work usually will be published only if it is expected to be profitable.

Publishing profits depend on sales, sales depend on "effective demand," a desire to purchase implemented by the financial ability to purchase.

The effective demand or "the market" varies widely for different kinds of work. What is needed for meaningful discussion is a searching examination of the market for each of the various kinds of publishing upon which computers will draw for their input and the effect of that input upon the relevant market.

In stressing the importance of the market, we must stress at the same time the direct relation between it and the amount of the make-ready cost that precedes publication. Many of those participating in the copyright revision discussions seem not to realize that there is more to publishing than the simple printing of a manuscript. In many areas of publishing, publishers create the publishing concept, seek out and commission the authors to write the work, pay substantial advances to finance their efforts, and actively participate in the shaping and editing of the work. The lead time between concept and publication may be five, six, seven or more years; the investment before the first dollar of return may be and frequently is very substantial.

It does not appear to be fully understood that the make-ready cost of producing a given work is fixed regardless of the number of copies sold. The size of the market in relation to the size of the make-ready investment therefore determines whether the work is accepted for publication.

For the most part the market to which publishing is geared is a market for books in traditional format, to be read in volume form. Another way to say this is to say that a book's price is fixed in the light of the publisher's estimate of the number of copies that will be purchased for reading in volume form. There is, of course, a difference between the number of readers of a book and the number of copies sold because many books are purchased for multi-person use. But this is a factor that the publisher can measure and take into account when he makes his market estimate.

The appropriation of the textual content of a book for computer use may drastically shrink that market. The effect will be different for different kinds of publishing. Computer input of the contents of a general purpose desk dictionary or of a summer novel may have no noticeable consequences, but input of a technical encyclopedia or a textbook may have a devastating effect on the number of copies sold.

An example may be helpful. A publisher believes that a reference book on an advanced subject if acceptably priced will have a worldwide market of 4500 copies. He estimates on the basis of past experience that he will sell 2500 copies to librarians and institutions and the remainder to miscellaneous purchasers. His break-even point may be half of what he hopes to sell. He proceeds to publish, trusting that his market estimate is correct.

Suppose, however, that the copyright statute is changed, as some suggest, to permit computer storage and use of the text of the work at an initial cost to the system no greater than the single copy price of the book. Suppose also that after such a change in statute the 190 libraries making up the Edunet system, instead of purchasing 190 copies, together purchase only one; that the libraries serviced by the New York State library system together purchase only one; that government agencies instead of purchasing 100 or 200 copies as before, also purchase only one, and that industrial institutions with multiple branch libraries follow the same practice.

The publisher now faces a substantially reduced market. What will he do? Can he publish the work? In a classroom marketing exercise the answer would be easy. If he thinks that the systems composing the smaller market will pay more for the work, he will raise the per copy price sufficiently to assure the needed return. Instead of planning to sell 4500 copies at $10 per copy, he may now plan to sell 100 copies at $450 per copy. His return and the author's royalty will be the same. But society will be the loser. The individual desiring to read the work in volume form will be unable to do so. He will have been priced out of the market by a misuse and malfunctioning of the distribution system. This would be undesirable socially, politically and philosophically.

And what of the educational program prepared specifically for computerized instruction systems? If the publisher sells the program to one school district will schools in other districts be free to use it merely by obtaining a printout? Will the publisher then feel impelled to charge the first school district a sufficiently high price to enable him to recoup his entire cost and provide him with a profit? If he does so is it not likely that the district, no matter how much it desires the program, will decide that it cannot afford to pay such a price? These, it seems to me, are not unfair examples of what may flow from the broad computer exemptions from copyright protection so earnestly but misguidedly requested by some of those participating in the copyright revision debate.

Uncontrolled input subject to royalty payment on printout would not seem to be a solution. It would be difficult and expensive to monitor the use of printout and to charge, collect, and pay (how much?) for such use. It might be difficult in the context of free input to determine the parameters of fair use. But even more importantly such a system of uncontrolled input subject to payment on printout would not help the publisher with his pre-publication problem. Certainly he could make no market estimate under conditions as they exist today, with no experience on which to base his judgment and, indeed, with only the barest prototype of a computerized information system market in existence. If because of computer input without arrangement for payment, the publisher is unable to make a reliable pre-publication market estimate, he may lose his ability to publish the very works which the computer system will need.

It may indeed be argued that protection against free input will be more important to the publisher in the years immediately ahead when the marketing experience is being built up, than later when the extent of computer use and its effect on the market for works in their traditional form will be better known.

VARIABLE PRICING SYSTEM

One approach, however, appears to meet all needs. This is to retain copyright protection against unauthorized computer input and to adopt what I will call for the purpose of this paper a variable pricing system, a system under which one price will be paid for the work in traditional format and a higher price for system use. The systems should not feel aggrieved about the price difference. The nature and the value of their use is different and there is no reason, equitably or logically, why their cost should not be different.

We shall have problems, of course, in determining the price to be charged for system use under a variable pricing system. No one need fear, however, that the prices will be unreasonable. Publishing is a competitive business, and no one publisher can monopolize the body of knowledge in any field. If one publisher's price is too high, it will not be long before normal competition brings it down. The price that the systems will be charged may be in the form of a single payment, a series of payments in the nature of royalties, or a combination of both. Possibly the charge may vary from system to system, depending on the size of the system, the number of locations served, the number of uses, and the quantity of information used. But in any case it will be arranged in advance of input and use so that the publisher can estimate his return.

Let me turn to our hypothetical example of the reference book again to see how the variable pricing system might operate. We assumed that in today's market, the publisher estimates a sale of 4500 copies. Now let us look at the same publisher contemplating publication of the same kind of work ten years hence, and let us suppose that during the ten-year interval he has been publishing under the variable pricing system. He may at that future time estimate his market at 1000 copies for sale for traditional use (much below his former break-even point) and 50 copies (perhaps in machine-readable form) for sale to systems. Because of years of experience in publishing for this dual market, pricing has become a routine affair. The probable return from sale for traditional use and from systems is reasonably ascertainable. The work is published, it is circulated in volume form, and it is stored and used in the computer systems. All are satisfied; the reader has his volume, system users have the work available in the systems, and the author and publisher, enjoying their normal return, are encouraged to create and distribute more of their intellectual work product.

Accepting the projection as fact, how then during the transitional period can we make published work accessible for computer use, protect copyright owners against loss of their incentive to publish, and at the same time build the body of experience upon which a variable pricing system can be based?

RECOMMENDATIONS

An approach of gradualism—one which will encourage the parties themselves to work out solutions as best they can and at the same time assure them of government help when needed, would appear to be indicated. Such an approach would encompass the following steps:

1. The prompt enactment of S. 597, the copyright revision bill. Too much time and effort have been spent to permit further delay. Exemptions which would enlarge the rights of computer users should be avoided. No matter how well intended, they may weaken or destroy the incentive to create and publish. It would be a Pyrrhic victory if computers gained free access to works in print only to lose future works which because of lack of economic incentive might never be produced.

2. Publishers and interested computer users should cooperate in experimenting on an informal and ad hoc basis in each of the various segments of publishing that are of mutual interest. First steps have already been taken along these lines. Federal agencies, including not only those that are information producers and users but the Department of Justice and the Federal Trade Commission as well should encourage and assist these efforts. In this manner the necessary body of experience can be acquired in judging the interaction between the needs of advancing computer technologies and those of the producers and publishers of intellectual work.

3. A Study Commission should be established to keep in touch with the experimentation and should from time to time make recommendations to Congress for needed changes in the law. This would assure all interests of a ready forum for redress of inequities as they develop.

This kind of program would permit experimentation by educators, librarians, equipment manufacturers, and others, and at the same time preserve the economic underpinnings of the publishers and authors who produce the material that the educators, librarians, and equipment manufactures need for their experiments.

Some have expressed the fear that publishers will not cooperate in this effort. This is hardly reasonable. Publishers today are offering their cooperation to government and private systems. They do it not only in the public interest but in their own self-interest. It would be a short-sighted industry which would refuse cooperation if the alternative were likely to be unpalatable legislation.

Some have expressed concern about the delays that may result from the need to negotiate with publishers for system rights to particular works. This seems a needless fear for the immediate future. It will be years, we are told, before large amounts of text will be stored in automated systems for general use. Certainly the minor delays that may result from the need to negotiate input agreements are a small price for the preservation in the public interest of the economic viability of authorship and private publishing during this transition period.

There is a kind of unreality to the pleas we hear from some for the right to take copyrighted works preemptively for computer use, I say "unreality" because we live in a society in which much of the published material that the pleaders desire to use is produced and published for a profit incentive which would be destroyed by the taking. In approaching the problem before us, then, we must consider not only the needs of the users but those of the producers. Sound solutions can be found, but only if they satisfy the needs of all.

ELECTRONIC COMPUTERS: STORAGE AND RETRIEVAL

(By Mervin E. Muller, University of Wisconsin)

Following is a brief perspective of a few of the main arteries of a road map to view the use of electronic computers in the storage and processing of intellectual information in the next few years. It may appear somewhat negative, but I want to be sure we recognize that many problems are still in need of answers if computers are to fulfill their promise in this application.

To interpret what follows, the meaning of computer storage and processing of intellectual information must be clear. Intellectual information is in computer storage if it resides on some medium which can be accessed and used (directly manipulated) by the computer. Computer processing of intellectual information implies that the information can be analyzed or compared within the computer for logical relevance. Thus, one can make a distinction between processing information about information (something which computers can do today—for example indexes) and actually processing the information. Thus, one could imagine storage and processing of information separately.

The cost implications of storage and processing of information is a complex topic. I will explain a few of the reasons why it is difficult to determine costs, which will, I hope, be sufficient to justify the real need to question some of the claims made that computers are a threat to authors and publishers.

[Legend: P—possible; M—may be possible; N—not possible]

	Outside of computer (manual)	Within computer	
		Storage	Processing
Index or reference pointers	P	P	P
Access and inventory control	P	P	P
Intellectual information:			
Noncomputer usable	P	N	N
Computer usable	N	M	P

One of the great contributions that John Von Neumann made to the development of digital computers was to recognize and exploit the fact that computer instructions and data in machine sensible form could be treated together. However, for large scale information handling systems involving many users simultaneously executive different functions it now appears to be essential to keep in mind the differences between the storage of information and the processing of instructions or information, especially if all of the intellectual information is desired to be in computer usable form. The reasons for this separation are economic—large files of information are expensive to create and maintain within computer storage if one is to have computer access to the information quickly.

The potential for computers to aid in the storage and processing of large volumes of intellectual information is limited not only by current technology and their economics, but also by social, environmental, legal, and psychological components. I will try to indicate why these components are relevant.

A classical approach to the economic component would be to try to measure the cost per bit or cost per character of information for the storage and processing of the information. This approach is difficult to carry out if multiple users and multiple machine activities can take place simultaneously. Certainly most of the fears of the threat of computers to authors and publishers become real only if multiple users can share a computer for economical use.

Furthermore, a device which provides a low cost per bit or character of information may not be as reliable, or it may require use of the computer's central processor, or it may require greater implementation costs than another device.[1] I have ignored the cost of converting the non-machine created information into machine usable information. Finally, in addition to cost there is need to consider aspects such as space and durability. Historically, since the introduction of digital computers (1951), we have been viewing, in general, an increase in computational and data processing productivity related to an economy of size.

This apparent increase in productivity and capability has encouraged many to consider digital computers as information handling machines. For information handling, the "economy of size" argument may be a deceptive view of the economic component, especially since much intellectual information is not in a computer usable form. However, historically, in general, the curve is correct, although usually as computers got bigger and faster, one tried to do more, with the end result that the total computer installation cost more. To get at the various components of the problem, one needs to look at them collectively and in terms of the functions of the computer, keeping in mind needed distinctions between storage and processing capabilities. This approach can also help one avoid the pitfall of pricing a storage device simply in terms of the cost per bit. While this can be a very technical matter, I will not indulge in technical details but indicate the need to look at the factors together. Surprisingly, this includes a psychological component.

The psychological component which is relevant here includes one's insistence on information availability when it is needed. From the viewpoint of the computer, this could mean to perform either processing or storage in one of three time modes as follows:

1. When convenient for the machine.
2. At pre-specified time points.
3. On demand.

These three time modes of computer operation can be conflicting and can cause a price/performance analysis to be very difficult to derive, if not impossible with today's equipment and knowledge, if simultaneous operations are occurring. Of course, these problems are solvable by at least fair approximations.

To realize the economy of size and increase in computing power, one can imagine many users having access to a facility at the same time. This possibility arises because of fantastic accomplishments in memory speeds during the past 15 years—from 10^{-3} seconds, to 10^{-6} seconds to 10^{-9} seconds; comparable improvements in input or output have been by a factor of 10 to 30 instead of 10^6.

Thus it appears that because of this imbalance many users could have simultaneous access—the concept of time sharing. However, this ignores the time mode of operation or media mode of the intellectual materials. Furthermore, current high speed memories are exceedingly small when compared to the needs of information handling systems (32 to 256) x 48 x 10^3 bits compared to storage currently estimated to be somewhere between 10^9 to 10^{14} bits for a large library.

However, all is not bleak, by the early 1970's we may have nano-second speeds for large and fast access storage, for example: BORAM-Block oriented random access memory; SONIC-Film memory; and laser beam techniques associated with photo disc storage.

With this in mind, let us consider other components of the feasibility and cost aspects. If one could preclude the need to update files of information (insert, delete, modify, send to history) and imagine only adding information—namely books, or images of them—then the economic and technical questions are considerably simplified.

It is important to keep in mind the user interface to the computer, that is, how many other users can be served at the same time, and whether or not there is a single service line or more than one—the size of the information files is also important. The possibility of such services today are summarized below, where Y implies Yes it is possible today, M implies maybe, and N implies No.

USER INTERFACE TO COMPUTER

Mode	Service line					
	Single			Multiple		
	C	T	D	C	T	D
One user at a time	Y	M	M	Y	M	N
Multiple users at a time:						
Single application	N	N	N	Y	M	Y
Multiple applications	N	N	N	Y	M	M

The organization of files influences the ease of use and cost and both depend on the mode of use (C–convenient, T–time initiated, D–demand initiated).

The organization of files of information affects whether or not each item must be examined in order in a serial file or whether one can get directly to the information in a random file, or some compromise between the extremes of serial access and random access, identified here as hierarchical. These implications are summarized below:

FILE ORGANIZATION—ACCESS (READ/WRITE OR BOTH; RANKINGS FROM 1 THROUGH 4

	Ease of use			Cost		
	C	T	D	C	T	D
Serial (with or without useful ordering of data)	1	1	4	1	1	([1])
Random	4	4	3	3	4	4
Block random/serial without block	3	3	2	2	3	3
Hierarchical	2	2	1	4	2	2

[1] Not available.

There are several other important aspects which will be mentioned briefly. One is the question of security of the information, that is, the control of access for reading or writing of information, or both. This in turn depends upon such factors as: (1) mode and number of users, (2) file organization, (3) use of removable or non removable storage, (4) media (digital, analog), graphical, pictorial, audio, and (5) back-up need in case of machine failures.

Other cost factors that need to be taken into account include the number and types of data channels for getting information between various types of storage. They play an important role in determining costs. However, the amount of channel use is usually inversely related to the amount of available computer memory for a specific user's task. Cost of access involves not only channel cost and cost per bit per time interval of storage, but such factors as central processor time, memory size needed, safety/reliability factors, and software cost for level of performance. The cost of handling intellectual information. Also, it is determined on the relative size of main memory and auxiliary memory. This is reflected both in CPU utilization and channel utilization as well as programming complexity.

In summary, the economical use of computers appears to require a number of users and a number of different applications. This type of environment raises many legal questions of access and protection; such as—what can be stored about individuals. The cost aspects include a psychological factor—what is really needed on demand. (Information from poison centers, yes, but prior election results?)

I do not have a simple solution to a complex problem. I have tried to indicate why the determination of costs are complex and why computers today cannot pose a real threat to the publishers or authors. It is my hope that multi-media information systems will be encouraged by the establishment of permissive and flexible legislation which is adaptable and which recognizes the need to encourage research and education.

REFERENCES

A. On Cost of Storage:

1. David C. Evans, *Scientific American*, September 1966, especially page 82.

2. L. C. Hobbs. Proceedings. *Fall Joint Computer Conference, 1963*, especially page 302.

B. Legal and Educational Implications of Proposed Legislation. See May 1967 issue of *Communications of the ACM*.

3. James P. Titus, page 314.

4. A. G. Oettinger, pp. 315–317

5. EDUCOM Resolution, pp. 318–321.

---

[1] David C. Evans, *Scientific American*, September 1966, especially p. 82.

MAN IN A TOUGH JOB

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. NELSEN. Mr. Speaker, today's Wall Street Journal carries an enlightening article by Jonathan Spivak on the difficult conditions with which Commissioner Walter E. Washington must deal. As ranking minority member on the House District Committee, I include it in the RECORD at this point:

MAYOR ON THE SPOT: WORSENING DIFFICULTIES CONFRONT THE NEW HEAD OF CAPITAL GOVERNMENT—WALTER WASHINGTON GETS SOME PRAISE, BUT RACIAL, SOCIAL PROBLEMS PERSIST IN DISTRICT—THE TOURISTS STAY AT HOME

(By Jonathan Spivak)

WASHINGTON.—Gangs of teen-age delinquents demanding protection payments from local merchants; a rash of arson attempts; shopkeepers shot and killed during brazen daylight holdups; insurance cancellations throughout much of the central-city ghetto; mounting fear of trouble as the Poor People's Campaign plans a mass demonstration of public support here on June 19.

This is only a partial catalog of the woes of Walter E. Washington, the capital's first mayor in more than a century and one of the most sorely beset municipal administrators in the nation. After only seven months in office, starting with a period of seeming peace and progress, the mayor and his metropolis are now caught in a web of worsening difficulties.

Washington's April riots, worst in the nation, following the assassination of Martin Luther King, have left a bitter aftermath of heightened racial tensions, economic woes and political problems. How well the Negro mayor handles them may determine both the future of the city and his own political prospects. His Presidential appointment expires in February 1969. Should he appear to hold the key to racial harmony in the capital, he would almost certainly be retained by whoever succeeds President Johnson; if not, another Negro leader will likely get the post.

Amid the mounting pressures, Mr. Washington remains cool and contained. He carefully walks a political tightrope. So far, he satisfies most members of his own race, who form a majority of the district's 850,000 residents, by promising social change. Yet, despite criticism from some white merchants who charge excessive police restraint increased riot damage, he retains the support of most of the white minority because of what they view as his emphasis on law and order. The newspapers and most of the business community back him. By hard work and responsiveness, he preserves amiable relations with key Congressmen, many from the South, and turns aside the "Uncle Tom" complaints of Negro militants.

In private, the mayor is affable, articulate and persuasive. In public, he exudes infectious optimism. "This is where the action is, a great city where everyone has an opportunity; that's what we want, that's what it's all about," he tells a group of high school students, and they chorus approval.

Mr. Washington's achievements win wide praise. During the riots, his nightly television talks helped calm tempers. He rapidly mobilized the business community to provide emergency food and housing to victims, and within a week of the disorders he organized an ambitious spring vacation program to keep 3,500 youngsters occupied and out of trouble. Job training programs for poor youths have been pushed, slum landlords hauled into court for housing code violations, and police-community relations improved.

CALLING FOR HIGHER TAXES

The mayor has filled more than half the 384 vacancies that existed in the police department when he took office and has stepped up police patrols by 20% in high-crime areas. He has spurred salary increases for police, firemen and teachers. With the President's blessing, Mayor Washington is seeking Congressional approval to hire an added 1,000 policemen at a cost of more than $10 million a year. He has proposed major budget increases for health and welfare and has faced up to the district's financial plight by calling for $40 million in increased taxes.

"He ranks with the top few mayors in the country in terms of program understanding, commitment and political ability," maintains Thomas Appleby, who heads the district's urban renewal program.

Nonetheless, an undercurrent of criticism mounts. On the one hand, there are the complaints of the whites who see him as too soft on lawbreakers. On the other, there are charges from the Negro community that the mayor has not moved rapidly enough to attack the district's underlying social and economic ills and has not given strong enough leadership.

"What did he do? He restored order. That's no big deal; so did Daley (Chicago's mayor)," snaps C. Sumner Stone, a leader of Washington's Black United Front who has been critical of the mayor from the start. "There's been no substantial increase in Negro jobs, no substantial economic improvement in the ghetto."

The district's Model Cities slum-rehabilitation program was limping when the mayor inherited it, and it remains bogged down bureaucratically; not before July will detailed objectives be adopted. An ambitious program to develop a new community on surplus Federal land, proclaimed by the President last August, is still in the planning stage. Studies by outside experts on jobs, housing and the like produce little progress. Decentralization of the district government into convenient, quick-responding neighborhood service centers, one of the mayor's first commitments, has not yet begun. A bitter fracas over building new freeways, pitting white business interests against militant Negro home owners, gains intensity while the mayor stalls.

THE CRITICS' VIEW

"He is a gatherer of consensus, moving along lines of least resistance," asserts one critic in the district government. "He likes to keep his options open, postponing decisions until the last minute."

There's no doubt the mayor does tend to be cautious. He prefers to avoid controversy and hesitates to commit himself until he feels assured of strong community support. Thus, he delayed calling in Federal troops until the April riot was already raging, remained silent on post-riot rebuilding plans for weeks while sensing community sentiment and vigorously pushed his anti-crime campaign only when crime appeared to rise dangerously.

Mr. Washington's highly individual style of administration troubles others. His own office is not well organized, and his time is sometimes squandered. He delights in ceremonies and social affairs, arguing the public exposure is essential to personalize his government. Minor problems needing decisions pile up, and frequently the mayor can be reached only on the run. Two confidants, Charles Duncan, the district's chief legal officer, and Julian R. Dugas, director of licenses and inspections, constitute a protective "palace guard"; other subordinates complain of lack of access to the mayor and uncertainty about general policies. Even Deputy Mayor Thomas Fletcher, supposedly the mayor's alter ego, can't count on a quick response from his chief, though both men insist their relationship is smooth.

Mr. Washington tends to bristle at any implication of inaction. He stresses that he labors 16 hours a day and argues that a few months is hardly long enough to attend to fundamental failings that have accummulated for decades. "I've studied cities and worked with cities long enough to know that it takes time," he insists. Many of the steps so far taken, he reasons, should improve the district government's services to citizens in the future.

But Mr. Washington is under pressure to produce performance now. "Since he's taken office, he's raised hopes; now hopes must be fulfilled," says Ruth Bates Harris, his community relations adviser.

"He has a problem of achieving visible change. . . . He's got to do it quickly," insists the Rev. Walter Fauntroy, vice chairman of the city council. If not, the mayor's allies fear support among slum-dwellers will weaken and he will become vulnerable to attack by ambitious local leaders.

BALKY CONGRESSMEN

But the district's serious difficulties and the legal limitations on the mayor's powers impose great obstacles. The cleavage between affluent white businessmen and their allies on Capitol Hill on the one hand and the deprived Negro masses on the other makes speedy solutions to Washington's social ills almost impossible. Congress goes over the district's budget line by line and refuses to allow the mayor authority to transfer funds should emergencies arise. (He's now being challenged on a $100,000 expenditure to renovate the city council chambers.) And conservative lawmakers, who dominate Congress' committees dealing with the district, resist the steadily rising cost of the local government. Democratic Rep. Basil Whitener of North Carolina complains there is "too much emphasis on spending more money, instead of bringing the ship into order."

Whatever long-range plans the mayor may wish to pursue, the immediate issues of crime and civil unrest absorb almost all his energies. "The majority of the people are afraid to visit Washington, and many of its own citizens are leaving the city," warns a full-page newspaper ad sponsored by a local business group. The ad may overstate the case, but this spring's spring tourist influx is far below normal and many local residents are clearly afraid.

During April and May, $40 million worth of visitor business, much of it high school tours, was canceled. Hotel occupancy is off 20% from last spring, and restaurant business is down 15%. Serious crime, though now slackening slightly with the increased police patrols, climbed to a post-riot peak of almost 900 reported incidents a week from the pre-riot rate of 800. Bus drivers fearing violent robbery refused to operate at night until they were allowed to reduce the sums of cash carried for making change.

The mayor acknowledges the urgency of restoring calm. "The important thing now is to keep the city on an even keel," he says. He is acting to try to quell crime and public concern about it, though without great success as yet. Two-thirds of the district's 3,000 police are working a six-day week; forty extra officers have been ordered to help guard buses. Congress is being asked to stiffen penalties against extortion from businessmen and to authorize the arming of volunteer police reserves to strengthen the regular force.

DEMANDS FOR TROOPS

Extensive preparations are under way to prevent violence arising from the Poor People's Campaign. The district's 1,700-member National Guard unit will probably be called up at any sign of real trouble, and extra Federal troops are being stationed at nearby Army bases.

But some Congressmen are demanding that the troops be called in to patrol the city routinely, and many small merchants remain dissatisfied with the mayor's anticrime moves. These shopkeepers, mostly white, assert that during the April riots police and Federal forces deliberately refrained from shooting looters and indeed even stood by and watched stores being emptied, thus sacrificing property and spurring post-riot lawlessness. (Patrick Murphy, the district's public safety director, denies the charge, pointing to the 8,000 arrests made during the five-day outburst.)

"The district government tolerated the creation of great losses. . . . It has a moral obligation to compensate the merchants," insists Milton Hoffman, whose H Street clothing store was damaged.

"The appeasement of the people in the riot situation means they'll do the same damn thing again," declares a leading local businessman.

Meanwhile, rebuilding the city's 20 acres of riot-devasted property is making little progress. Rubble still litters many blocks, and only a handful of damaged stores have reopened. Lack of insurance deters some merchants; others shun the risk involved.

With nearly 300 homes and 1,000 businesses damaged or destroyed, the cost of reconstruction could total $100 million. The mayor has called for a community-wide effort, pooling public and private funds and delegating much of the decision-making to neighborhood citizen groups. He would rely on urban renewal projects to reconstruct commercial property and provide hundreds of new low-income housing units. Negroes would almost certainly be retained by whoever succeeds President Johnson; if not, another Negro leader will likely get the post.

But Negro militants are belligerently demanding sole control over rebuilding policies and assured Negro ownership of restored businesses, even though most of the financing comes from public sources. Otherwise, some threaten a repetition of trouble. "The guys tell me if you build the same way, they will burn them down again," warns Marion Barry, a black power proponent. The mayor and his lieutenants seek to conciliate these conflicts, but a middle ground will be hard to find.

FINDLAY, OHIO: FLAG CITY, U.S.A.

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BETTS. Mr. Speaker, the strong patriotism of residents of my district has rarely been better exhibited than the present project which will make Findlay, Ohio, Flag City, U.S.A., on June 14, 1968.

On Flag Day, 1968, every house in the entire city of Findlay will fly replicas of the flag of the United States. Fourteen thousand small flags have been purchased and distributed for this communitywide display on front lawns, window ledges, or in an appropriate conspicuous manner from all of the city's homes. The John Hancock Chapter, Sons of the American Revolution, are seeing the flags are delivered to each home through the enthusiastic cooperation of the Boy Scout troops, Girl Scout troops, and Campfire Girls of the area.

Appropriate ceremonies will be conducted on June 14 in our Flag City including the dedication of a plaque to the men and women of our Armed Forces at the courthouse of Hancock County. I am pleased to provide a flag especially flown over the U.S. Capitol for this occasion.

The John Hancock Chapter, SAR, under the capable leadership of John B. Cooke, civic and business organizations, and others who have helped make this event possible deserve high praise.

END MAIL-ORDER MURDER

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. McCARTHY. Mr. Speaker, on June 8, 1968, the Buffalo Evening News published an excellent editorial on the need for stronger gun control legislation. I think the Buffalo Evening News should be commended for speaking out on this subject and I would like to share the article with my colleagues.

The editorial follows:

END MAIL-ORDER MURDER

In a message eloquent for its blunt urgency, President Johnson has put it squarely up to Congress to enact a "strong and effective gun control law governing the full range of lethal weapons."

"What in the name of conscience," he wants to know, will it take to convince Congress to close the "brutal loophole in our nation's laws," when "weapons of destruction can be purchased by mail as easily as baskets of fruit or cartons of cigarettes?"

What, indeed, when the annual toll of firearms inflicted on Americans—6500 murders—compares with the 30 in England, 99 in Canada, and 68 in West Germany? Or when some two million guns are sold annually, far too many to the "demented and the deranged, the hardened criminal and the convict, the addict and the alcoholic."

Despite repeated opinion surveys reflecting strong public support for strong gun control legislation, Congress has stalled for years against taking even any mild action to restrict indiscriminate trafficking in weappons.

And now that it has finally passed the first significant controls as part of the omnibus crime-control bill, LBJ quite rightly calls this bill what it is: A halfway measure that is simply not enough.

Since it applies only to interstate sales of handguns, it "leaves the deadly commerce in lethal shotguns and rifles without effective control"—and this, "55 long months after the mail-order murder" of President Kennedy.

To strengthen this half-hearted approach, LBJ seeks adequate curbs that, besides regulating interstate shipment of long guns, would prohibit their sale in one state to the residents of another, and to "persons too young to bear the terrible responsibility" of a gun owner.

This, LBJ correctly says, would not inconvenience legitimate sportsmen. To be sure such a control in itself would not prevent hardened criminals from obtaining weapons. But such a reinforced law would give the states the "proper incentive to shape their own gun control legislation."

The nation has paid too tragic a price already for the incomprehensible pusillanimity of Congress in curbing mail-order traffic in longarms—with 1747 citizens murdered with rifles and shotguns in 1966 alone, with 15 per cent of the purchasers of such weapons having criminal records, and with sniperscope rifles a mounting source of danger in urban disorders.

In an hour of grief, Congress now must take constructive action against lawlessness, as the President says. "The voices of the few must no longer prevail over the interest of the many."

AGRICULTURE AND THE UNDERDEVELOPED WORLD

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. OTTINGER. Mr. Speaker, only for an interim period can shipments from nations with surplus farm capacity such as the United States continue to cover the food deficits of the less-developed countries. There are limits to how long food aid can fill the gap.

The populations of the developing countries are increasing steadily. Within 10 to 15 years, if present trends continue, the food deficit in the less-developed countries will be larger than food aid from other countries can cover. The only permanent solution to the food supply problem is increased farm output in the developing nations themselves.

Fortunately, food production is beginning to rise. Particularly in Asia, the less developed countries stand on the verge of a "green revolution" that could spell an end to the threat of famine.

In 1967, the developing nations set new agricultural records—total farm production increased by 7 to 8 percent over 1966, and per capita output by over 5 percent. In fiscal year 1969, the Agency for International Development proposes a commitment of about $800 million to agriculture to support this trend.

The New York Times of May 21 recommended that Congress not cut heavily into the AID appropriations request so that adequate funds will be available to further this "green revolution." I should like to include a copy of that editorial in the RECORD for the benefit of our colleagues:

THE GREEN REVOLUTION

Some years ago one American aid official in Eastern India was good-naturedly referred to by Bengali bureaucrats as the *pugla sahib*—crazy gentleman—because he kept rushing about the countryside calling for instant revolutionary changes in age-old agricultural practices.

He was one of hundreds of "crazy" Americans who for the past two decades have been devotedly spreading the gospel of modern agriculture—research, credit, fertilizers, pesticides, irrigation, improved seeds—to farmers and their governments in the developing countries. For years such energetic agents of American governmental and private aid organizations have had relatively little to show for their efforts. Modest improvements in food output were overshadowed by massive increases in population—and for that matter still are.

Today, however, there are signs that what William Gaud, head of the Agency for International Development, calls the Green Revolution" has begun to catch on. A panel of development specialists in Washington reported the other day that the underdeveloped world is on the verge of an agricultural revolution that may prove as important to mankind as the Industrial Revolution of the early nineteenth century. If population control made comparable progress, the outlook would indeed be bright.

The optimistic agricultural forecast is based on record crops during the past year in at least a half-dozen developing countries, ranging from Turkey to the Philippines and including all-important India. Immediate credit for the spectacularly increased production of wheat, rice, corn and sorghum is given to new, high-yield seeds developed in research institutes in Mexico and the Philippines, initiated and supported especially by the Rockefeller and Ford Foundations.

To extend the breakthrough that has finally been achieved will require an even greater effort than before. Extensive indigenous research will be required to adapt new varieties to local conditions and to minimize destruction by pests and disease. Additional trained extension workers, more fertilizer, more pesticides, more credit will be necessary, as will new storage, transportation and marketing facilities to transfer larger crops to consumers.

This is why the A.I.D. has been devoting an increasing proportion of its tight budgets to agricultural programs in recent years. This is why it is especially important that Congress not cut heavily into A.I.D.'s modest budget request for the new year. The Green Revolution is one revolution that deserves the wholehearted support of even the most conservative American.

LIKE IT IS, BABY—IV

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article, which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

A MAN DEEP IN DEBT FINDS A COUNSELOR WHO'S GLAD TO HELP HIM—GET IN DEEPER

(By David Nimmer)

Doug is a white 29-year-old North Side resident who got into debt, not really way over his head but certainly enough for him to worry about.

And the harder he struggled to pull himself out of trouble, the worse things seemed to get until he finally ended up seeking financial counseling at the Northside Citizens Community Center.

Doug, a slender young man who has been married for eight years, started having problems with creditors late last summer.

He had outstanding bills of about $3,900, having purchased an automobile, household furniture and a color television set on credit.

His total monthly payments were amounting to $156.50.

Doug was taking home about $100 a week from his job as night manager of a North Side bar. He took on another job of cleaning cooling coils in his basement to try to earn enough to cover the payments.

"But it didn't work," Doug says. "Everything was piling up and I started getting angry calls from two of the creditors.

"I almost had enough money to make the payments, with the second job, but I didn't have the time to handle the bookkeeping."

"IF ONLY I COULD"

Doug says he kept thinking, "Everything would work out better if I could just consolidate all these bills and make only one payment."

One way to consolidate bills is to get a loan, pay off the bills all at once and then make payments on the single debt—if you can qualify for the loan in the first place.

Another possibility is to turn to a debt counseling company. These firms don't lend you any money but—for a fee—they will take charge of your income and spread it among your creditors.

The fee, which is not subject to regulation under state statute or local ordinance, is for the bookkeeping service the counseling firm provides, and for its skill in keeping your creditors happy so they don't hound you.

Doug contacted a counseling firm and signed a contract clearly stating that he was to pay a fee of 17 per cent of his outstanding debt to the company for its service.

The minute Doug signed the contract, he added another creditor—the debt counselor—and he owed this one $664.53, the 17 per cent fee.

But, Doug thought, at least the creditors would be "off my back." He was to pay the counseling firm $35 a week and his creditors would, in turn, receive their payments.

It was tough for Doug to make the payments since he had quit his second job and was taking home only $400 a month.

The firm's counselor figured that Doug and his family needed $296 a month for living expenses, leaving him with only $104 left over each month to pay creditors.

In spite of that limitation, Doug's financial counselor had him paying $140 a month on his debts—$36 more than Doug could afford, according to the counselor's own figures.

"It was awfully tough," says Doug. "I kept finding that we had to cut all sorts of corners, just to make the payments."

THEY CALLED HIS WIFE

For four months Doug paid the counseling firm. Then one day Doug's wife got a call from one of the creditors.

"The next day we got a call from another creditor," Doug recalls, "and they were both bellyaching about the bills not being paid fast enough.

"Man, was I teed off. Here I was paying this company to keep creditors off my back and they weren't doing it . . . I was still being called an S.O.B. by the creditors."

So Doug called the counseling company. A spokesman told Doug not to worry. "Everything will blow over in a couple of days," he said.

"Well, we waited a couple of days," says Doug, "and my wife got several more phone calls from the creditors. Then I decided to hang it up with this debt company and go to Legal Aid."

Doug ended up at the financial counseling service at the North Side center.

The counselors discovered that Doug had paid the debt pooling firm a total of $700 over 20 weeks.

But how much of that $700 had gone to creditors to pay Doug's bills?

DOUG WAS CURIOUS

He asked for a statement from the company and, after several requests he got one.

The company agreed it had received $700 from Doug. It said it had disbursed $616.68 of that money. To whom the money was disbursed was not noted on the statement.

The other $83.32 the company was holding in escrow to be used in eventual payment of its fees.

But Doug was curious. How much of the $616.68 listed as "disbursed" actually went to his four creditors?

After the North Side center called the creditors, it was apparent the company had paid out only $393.50 to the creditors. It kept the rest for fees.

"FEELING I WAS HAD"

"I gave 'em 700 bucks," says Doug "and they paid out less than 400 bucks to the creditors!

"Damn near 50 per cent of the money went for their fees. I get the feeling that I was had by these debt arrangers."

Nothing in the contract Doug signed requires the counseling firm to prorate its fee over the life of the contract. The fee becomes due and payable when the contract is signed.

"That sure isn't made very clear," says Doug. "You think you're getting out of debt and half of what you're paying is in fees."

BRAZILIAN AID IN PERSPECTIVE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. PEPPER. Mr. Speaker, Brazil is one of the largest and most important countries of this hemisphere, and what happens in Brazil is of great interest and concern to the people of the United States. Our U.S. economic assistance programs to Brazil have been designed to strengthen its economic development and its democratic institutions. Despite great difficulties we have had a large measure of success in helping to reduce the inflation rate from 140 percent in 1964 to 25 percent in 1967; in helping to create an overall economic growth rate of 5 percent in real terms compared with only 1.3 percent in 1963; and in helping to restore the international credit of that country, which so recently was in grave difficulties.

It is important to remember, when we hear criticism of our aid programs in countries such as Brazil, that we continue to make progress in our overall political objectives in behalf of international freedom. We also encourage countries such as Brazil to develop economic institutions compatible with growing markets for American technology, trade, and investment.

Recently the distinguished representative of the Miami Herald, Mr. Peter Laine, wrote from Washington on the response of Mr. James Fowler, Deputy U.S. Coordinator of the Alliance for Progress, to criticism of U.S. loans to Brazil. I would like to present this article to my colleagues so that these charges may be considered in the context of the good we are accomplishing in Brazil:

CRITICIZED U.S. LOANS TO BRAZIL DEFENDED

(By Peter Laine)

WASHINGTON.—A key official of the Alliance for Progress Monday defended 11 foreign aid loans to Brazil criticized by the U.S. General Accounting Office.

"Ten of the 11 projects are actually ongoing, successful projects contributing directly and materially to the development of Brazil," said James Fowler, deputy U.S. coordinator of the Alliance.

"Some initial, but not expected, implementation problems have long since been overcome."

On May 16, GAO accused the Agency for International Development of a "significant lack of effective administration" over the 1962–64 projects involving $105 million in U.S. funds.

AID retorted that the GAO review as "not representative" and did not take account of the turburlent conditions in Brazil surrounding the April 1964 revolution.

Fowler agreed with AID that "it is not irrelevant to recall the political turbulence and leftist influence then seeking control of this strategic country and the fact that most of these projects were launched under adverse circumstances in the most depressed underdeveloped area of Brazil."

GAO pointed out that its review was based on 11 of the 18 loans for which funds had been disbursed at the time.

The controversy is particularly significant because Brazil is the largest recipient of U.S. assistance in the hemisphere, and because the foreign aid program in general is under heavy fire from critics in Congress. The GAO is Congress' watchdog over federal spending.

Fowler said that each loan is guaranteed by the Brazilian government and that the U.S. has lost no funds in any of the 11 projects.

Fowler termed "incorrect" a GAO comment that AID had failed to give enough thought to the severe inflation in Brazil. With inflation approaching 140 per cent in the first quarter of 1964 "no precise financial planning was possible," he said.

STRONGER FEDERAL FIREARMS REGULATION NOW

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BINGHAM. Mr. Speaker, in this hour of mourning we need to act swiftly to halt the horrible rollcall of violence barked from the barrels of firearms. The Congress has just passed a gun-control measure in title IV of the Omnibus Safe Streets and Crime Control Act to cover the purchase and sale of handguns but it does not go far enough. In his statement on June 6, 1968, the President reiterated his previous recommendations, made both in his 1967 state of the Union message and in his separate crime messages, for a more effective gun-control law. He has not transmitted a bill to the Congress which would extend the handgun restrictions of title IV to shotguns, rifles, and ammunition.

The President's proposal would place the same restrictions on mail-order purchases of rifles, shotguns, and ammunition as Congress had just put on the mail-order purchase of handguns. It would ban the sale of rifles, shotguns, and ammunition to persons under 18 years of age who are generally too young to accept the heavy responsibility of guns and ammunition. And, it would restrict the over-the-counter sale of rifles and shotguns in one State to residents of another State.

This legislation will not interfere with the purchase of firearms by legitimate hunters and sportsmen. It will, however, encourage the 50 States to enact their own gun-control licensing, and registration laws—to provide a nationwide network of systematic safeguards for all our citizens.

We must act now. We cannot and dare not delay.

I was a cosponsor of the President's original Firearms Control Act, and tried unsuccessfully a year ago to get the House to consider it on the floor as an amendment to the anticrime bill. The firearms control provisions in the crime bill that was finally approved by both Houses and sent to the White House are inadequate. In voting for the final version of the crime bill I expressed the hope that, at an early date, the bill's provisions would be extended to include more effective firearms control. With that in mind I am cosponsoring the President's most recent legislative proposal for stronger Federal regulations that would cover rifles, shotguns, and ammunition, as well as handguns, and I shall press for earliest possible consideration and passage of these measures by the House.

VALUES AND PRINCIPLES

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under unanimous consent I submit an excellent address by Adm. Ben Moreell to the Conference of Allegheny County League of Women Voters, at Pittsburgh, Pa., for inclusion in the CONGRESSIONAL RECORD, as follows:

VALUES AND PRINCIPLES

(Address by Adm. Ben Moreell, CEC, USN, Retired, to the Youth and Government Conference of the Allegheny County League of Women Voters at Pittsburgh, Pa., April 27, 1968)

History records that from time immemorial man has engaged in struggles to be free. Most often he has been on the losing side and, even when he won, his innate indolence and apathy have prevented him from enpoying the fruits of freedom for very long. He usually disregarded the time-tested warning of the great Irish patriot, John Philpot Curran:

"The condition under which God hath given liberty to man is eternal vigilance, which condition if he break, servitude is at once the consequence of his crime and the punishment of his guilt."

BASIC PRINCIPLES AND FREEDOM

An essential part of man's striving for freedom has been his effort to establish a set of values from which he could derive a code of principles to guide his thoughts and actions. It is as though God, having endowed him with life and liberty, decreed that man should erect a beacon by whose constant light he can know when he is off course, and then make appropriate corrections.

Let us look briefly at some of the great pronouncements on life, liberty, values and principles which have guided mankind to proper conduct over the ages.

Some 3500 years ago, Moses led the children of Israel to freedom from slavery in Egypt. God then saw fit to endow them with The Ten Commandments, the brightest star in the firmament of human freedom.

The first four Commandments are essentially religious. They define man's duties to God. The last six define his duties to his neighbor and are primarily secular. These religious and secular rules of human behavior are inter-dependent and mutually sustaining. The basic values are; first, love for our Father in heaven, Supreme Ruler of the universe, Giver of life and Author of liberty; and second, love for one's neighbor, including the neighbor one has never seen. The principles derived from those values are first, obedience to God's code of moral laws and second, devotion to The Golden Rule, that we should do unto others as we would have them do unto us.

Some 1500 years later there came another of the great pronouncements on human liberty, revealed to mankind in the Sermon on the Mount. There Jesus defined His mission in this manner: "Think not that I am come to destroy the law or the prophets; I am not come to destroy but to fulfill." From the context it is clear that by "the law" He meant The Pentateuch, the first five books of the Old Testament, which include the whole of the Hebrew law, *both religious and secular*.

While the moral and ethical principles taught by Jesus are those enunciated by Moses, there are important differences in exposition, emphasis and, in some cases, severity of application. For example, He taught that the rule of law should be tempered with kindness, humility, tolerance and charity. His pronouncement of The Golden Rule and the Beatitudes, as well as His expositions of man's rights and collateral responsibilities, establish the doctrine essential for human freedom, that man's rights are a gift of the Creator; they are not conferred by government or by any other human agency. Man's debt is solely to God and, therefore, he must ultimately account to God for his transgressions. There is no mention of government or the civil law in Jesus' Sermon.

The world was thus endowed with a code of principles destined to exert a profound influence on the development of Western civilization.

In 1215 A.D., there came a titanic struggle for human freedom which culminated when the Barons of Runnemede forced King John to sign a declaration of "liberties, rights and concessions," the Magna Carta. By that agreement, the Barons assumed "for themselves and their heirs . . . in all places forever" the duty to preserve those rights which had been won at such great cost.

The Magna Carta has been called "the first rock upon which the British Constitution was built." It was a long and complex instrument, destined to have a stormy career. But, eventually, as a result of the struggle with the Stuart kings, it was accepted as the fundamental charter of the people's liberties.

It is noteworthy that, in spite of its declared noble intentions, the freedoms guaranteed by the Charter did not filter down to the lower levels of Britain's social order. The Barons were almost the sole beneficiaries. The reason may be that the Charter was completely secular; no attempt had been made to appeal to man's higher nature, his duties to God and to his fellow man. Thus, it differed both in letter and in spirit from The Decalogue and The Sermon on the Mount.

THE NATURE OF LIBERTY

Human liberty is essentially a spiritual value. It embraces the concept that man cannot be made good by force of secular law. "Where the Spirit of the Lord is, there is liberty," wrote St. Paul in his Second Epistle to the Corinthians. And the noted theologian, Dean Inge, wrote, "From within, out of the heart of man, comes all that can exalt or defile him."

There were other differences between the doctrine expounded in the Hebraic-Christian code, and the concepts held by the Barons. The wording of Magna Carta reveals that the Barons thought of rights, not as coming from God but as a concession they would wrest from the King when they had enough power to do so. Thus, they forced him to sign this statement of purpose:

"Wherefore our will is, and we firmly command . . . that the men in our kingdom have and hold the aforesaid liberties, rights and concessions . . . to them and their heirs, of us and our heirs, in all things and places forever."

In 1776 there came our Declaration of Independence, followed by our Constitution, with its Bill of Rights, in 1787. The Declaration adhered to the religious doctrine that "all men are endowed by their Creator with certain unalienable rights." It asserted, further, that the sole purpose for which governments are instituted among men is to make those rights secure.

The basic concept of the Declaration, buttressed by the Constitution, is that government should have a monopoly of force with which to protect the citizens' lives, liberties and livelihoods (that is, their honestly acquired property); to define a system of laws; to invoke a common justice; and to keep the records incident thereto. Other than this, the people would be free to pursue their own interests, provided this would not lead them to trespass on the rights of others. Government would not be empowered to administer the affairs of men; it would dispense justice amongst men who would be free to manage their own affairs.

These were truly revolutionary ideas. Never before had any people established themselves as a nation of sovereign individuals under the rule of God, a benevolent ruler who not only gives us power to disobey Him but also power to deny Him! His only enforcement officer is the individual's own conscience! Never before had the political power, government, been relegated to the status of an agent, with only delegated, narrowly limited and precisely defined authority. Never before had there been established the inviolable right of the individual to the fruits of his only labors, to keep, to trade or to give away, as he may choose. Always it was government that was sovereign, and any right to the products of one's labor, and often even to one's life, was a right granted to the people by the government.

THE AMERICAN CONSTITUTION

Our Constitution was designed to provide a government of laws, not of men. But it was not a perfect instrument. It contained flaws, some of which were noted at the time; others were discerned later. George Mason, delegate from Virginia, and author of the Virginia Declaration of Rights, which served Jefferson as a model for our own Declaration, refused to sign the Constitution because it did not abolish human slavery. Also, he believed it failed to protect individual rights adequately. The latter defect was remedied, in part at least, by the Bill of Rights, the first ten amendments to the Constitution. But the former was not remedied until we had paid for our sin by a bloody fratricidal war. The Nation still suffers grievously from that transgression.

There were other flaws in the Constitution. It left unresolved the matter of equal rights for women; a defect corrected by the 19th Amendment, in 1920. Furthermore, while the Virginia Declaration was specific in asserting the citizen's right to own, use and dispose of his honestly acquired property, our Declaration substituted an ambiguous paraphrase which proclaimed the individual's right to the "pursuit of happiness." With the passage of years, zealous humanists and political opportunists distorted this to mean "the right to happiness—at the expense of others." They attach no importance to the fact that our political forebears merely asserted the right to freely *pursue* happiness, the responsibility for catching up with it remaining with the pursuer.

Later, real or imaginary ambiguities were detected in the wording of the general welfare clauses, the interstate commerce clause and most recently, the provision in the first amendment which prohibits Congress from making any law "respecting an establishment of religion." These alleged deficiencies have been seized upon as vehicles which the Central Government in Washington can use to increase its power.

The Founding Fathers knew that political, economic, technologic and social changes are inevitable and, if the Constitution is to serve as a living code for the conduct of government, it, too, must be susceptible of orderly change. For this reason, they incorporated in the Constitution itself clearly defined procedures for amending it. But these do not include provision for "de facto" amendments by judicial or executive decisions or by judicial, legislative or executive disregard of its clearly stated provisions.

Nevertheless, in spite of the real and imaginary defects, which are, to a large degree but reflections of human frailty, our Constitution stands as a bulwark of individual freedom in these United States, this "last best hope of earth." In 1878, the great British Statesman, Gladstone, stated: "The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man."

THE FRENCH REVOLUTION

While this notable progress toward freedom was being achieved in America, grave events were transpiring in France. They culminated in violent revolution. In 1789, the French Constituent Assembly voted a Declaration of the Rights of Man and the Citizen. It was an important contribution to the history of human liberty. But it contained the seeds of its own destruction.

The political agency envisioned in our Declaration and made operative by our Constitution was designed to end man's control of men. The goal was a society in which each person would be free to govern himself; political intervention would be used only to remove outside interference with this aim and to prevent trespass on the rights of others. The essential disciplines were to come from within a man's own being as he sought to live out the demands of his religion. Our Founders held that individual freedom cannot survive for long unless it is restrained from excesses by internal controls which stem from the moral law.

By contrast, the French revolutionaries tossed both religion and historical experience overboard. Their aim was to establish a completely rational, new society whose object was to emphasize the primacy of the rights of man by denying the existence of God. The result was the reign of terror which ended in the dictatorship of Napoleon.

No doubt George Washington had both America and France in mind when he said in his Farewell Address:

"Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports . . . And let us with caution indulge the supposition that morality can prevail without religion . . . Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle."

Notwithstanding the foregoing, the French Declaration of Rights has a place on the roster of great pronouncements on human liberty. It asserted that the "Public Force," which we call the "political power," is "instituted for the advantage of all," and is not to be used for the benefit of those who control it. Furthermore, although this provision was later to be "more honored in the breach than in the observance," the French Declaration held that private property is "an inviolable and sacred right."

THE WAY TO NATIONAL REDEMPTION

I have dwelt upon these historic pronouncements because, collectively, they constitute a system of values and principles by which we can chart a prudent course for the conduct of economic, cultural, social and governmental affairs.

Some years ago, the late President Lowell of Harvard University remarked: "No society is ever murdered; it commits suicide."

In light of recent world-shaking events—political, economic, military, social and scientific—and our panicky reactions to them, one may well ask, "Is our American society committing suicide? If so, can we reverse course, and what price must we pay to correct past errors?"

Many perceptive students of current affairs believe that we are now on a collision course with national disaster. In recent decades we have tried to abdicate our personal responsibilities in favor of impersonal centralized government. The result has been a marked weakening of the political, economic and social fabrics of our society; a weakening revealed in the impairment of constitutional guarantees of individual rights, a costly war which we dare not win and are afraid to lose, the debauchery of our currency which resulted from unwise fiscal and monetary policies, unilateral surrender of our military and economic defensive strength, and unbridled anarchy in our cities.

We face a crisis of such proportions as to threaten our survival as a constitutional, federated Republic. The basic issue is morally responsible individual freedom, of which freedom of speech, of worship, of assembly, and of enterprise are the major facets.

There is a way ahead which will lead us out of the morass in which we are now mired. But it is not by resort to political legerdemain. It is by beating our way upstream, against the swift-running current of coercive political force, to those moral and spiritual values and principles which guided our forebears in building this nation.

Such an effort will invoke the support of cosmic sanction, for God intended men to be free. "The God Who gave us life gave us liberty at the same time . . ." Jefferson observed. But we will need conviction, courage, tenacity, understanding, humility, tolerance, compassion and, above all, *faith*, to set in motion what William James called, ". . . those tiny invisible, molecular moral forces which work from individual to individual, creeping in through the crannies of the world like so many soft rootlets, or like the capillary oozing of water, but which, if you give them time, will rend the hardest monuments of man's pride."

An appropriate supplement to this discourse is the recent statement by the Episcopal Bishop of Michigan, the Rt. Reverend Richard Emrich. He said:

"There can be no 'Great Society' without great people, and, constitute the social order as we will, its day by day working will always depend upon the character and self-restraint of the people . . .

"We have lost sight of the deep evil in man, and we easily assume that outer improvements will correct inner disease.

"This half-truth can undo a nation. It is the fallacy which says that by moving furniture, or by getting a bigger house, or building a swimming pool we can make a people good, happy, and law-abiding. So we pass laws, but the inner man goes to seed. We conquer space and time, but fail to conquer our own arrogant self-will . . .

"The best rule for parents and young people is to face frankly that the 'Great Society' is in many ways sick and degenerate; for only if we see this, can we save our souls in it . . .

"There is no legislation in Washington, no item in a national budget, no grant to a university that can heal this inner sickness, for its cause is not outer but inner. The healing will come when, one by one in our hearts, we recover gratitude, humility, reverence, spiritual discipline, and the importance of our souls. Outer riches can never supply inner order."

In a free society it is of vital importance that each one formulate his personal standards of values and principles. Each of us begins life with certain inherited physical, mental and moral characteristics, some of which are as unique as one's finger-prints. As we grow older, the variations at birth are expanded by differences in environment, education, training, associations and experiences, and by the influences of our studies, meditations and such Divine guidance as we are able to invoke.

In light of the resulting wide variations in human beings, it follows that the conclusions they may draw from any given set of circumstances will vary widely and there will be differences in the values and principles which they are willing to accept. As we acquire increased knowledge, we will refine, amplify or correct our earlier views. And as we develop keener perception, we will be able to distinguish more precisely between true and false values, between sound principles and expediencies.

In this manner we can reach more valid conclusions by the process of self-improvement. If we accept, without question, alleged principles of right and wrong offered to us by others, we may become victims of gross deceptions.

There are two significant questions one might ask in appraising the worth of proposed values and principles. They are, first, have they worked productively? And second, have they endured, *under fire*, over the ages? It is evident that the great moral precepts of the Judeo-Christian code pass these tests with flying colors, while the doctrines of dictators, although sometimes temporarily successful, have ultimately failed miserably and at tragic cost to the human race!

I urge that you pursue relentlessly your search for truth and understanding. With knowledge born of truth you are sure to find sound principles. The Scripture tells us, "Ye shall know the Truth, and the Truth shall make you free." Thus protected by the armor of righteousness, you can discharge your debt to God and Country. You can restore our free Republic to its former place of respect, yes, even of affection, in the hearts of all peoples everywhere, who love freedom!

I submit for the RECORD from the "U.S. Navy Biographical Dictionary," the biography of this outstanding American, popular Adm. Ben Moreell:

Moreell, Ben. Admiral, Civil Engineer Corps (Retired): b Salt Lake City, Utah, Sept. 14, 1892. After graduation from Washington Univ. in 1913. Ben Moreell was appointed a lieutenant (jg) in the Civil Engineer Corps of the U.S. Navy. Following a brief indoctrination course at the U.S. Naval Academy, he became assistant to the Public Works Officer at the Naval Base, Ponta Delgada, at San Miguel in the Azores, where he remained until May 1919. A month later he was appointed Civil Engineer Member of the Plant Board at Quincy, Mass., and there also served as Plant Engineer of the Destroyer and Submarine Base, Squantum, Mass. From Sept. 1920 until Aug. 1924 he served as principal assistant and Executive Officer to the Engineer in Chief of the Department of Public Works in Haiti; then in succession he saw duty as Assistant Public Works Officer, and later Public Works Officer at the Norfolk Navy Yard at Portsmouth, Va. from Sept. 1924 until Apr. 1926, and as Assistant Design Manager in the Bureau of Yards and Docks, Navy Dept., Washington, D.C. until the summer of 1930.

While assigned to the Bureau of Yards and Docks, in 1929, he wrote *Standards of Design for Concrete*, one of the outstanding and most widely accepted treatises on concrete. In June 1930 he reported as Public Works Officer of the Puget Sound Navy Yard, Bremerton, Washington and of the Thirteenth Naval Dist., HQ at Seattle, Washington. In June 1932, he was sent to France to study European methods of engineering design and construction at the Ecole Nationale des Ponts et Chausées in Paris. Upon his return to the States in June 1933, he became Assistant Design Manager, with personal supervision of planning the Ship Model Testing Basin, later named the David W. Taylor Model Basin, at Carderock, Md., while attached to the Bureau of Yards and Docks.

In May 1935, he was named Project Manager of the Shipbuilding and Repair Facilities, Storage and Submarine Base Section, Bureau of Yards and Docks. In Aug. 1937 he reported as Public Works Officer of the Navy Yard, Pearl Harbor, T.H., and of the Fourteenth Naval Dist., in the rank of commander.

He was returned to the Navy Dept. in Dec. of that year to accept appointment as Chief of the Bureau of Yards and Docks, with the accompanying rank of rear admiral. Then 45 years old, he was one of the youngest naval officers to hold that rank. Six days after he was sworn in for his second term as Chief of the Bureau of Yards and Docks, the Japanese attacked Pearl Harbor and the United States entered WWII. As early as 1937 he had stressed the need for extension of docking and repair facilities on United States possessions in the Pacific and Dec. 1941 saw the formation of the Naval Construction Battalions known as the "Seabees," under his direction. The Seabees, whom Adm. Moreell nicknamed the "Can-do Boys," became famous for their Paul Bunyan-like exploits. Comprised of trained construction men and engineers, the Seabees not only preceded the main forces of assault by laying out roads, manning floating drydocks, and building advance bases, airfields and barracks, but also took part in the actual fighting.

While serving as Chief of the Bureau of Yards and Docks, Moreell was nominated by President Roosevelt for advancement to the rank of vice admiral. Confirmed by the Senate, he was promoted to that rank, effective Feb. 1, 1944, the youngest naval officer with that rank at the time, as well as the first CEC officer to hold the rank of vice admiral. He continued his duty as Chief of the Bureau of Yards and Docks throughout the war period until Nov. 1945, and his nickname as "King Bee of the Seabees" followed him long after the war.

His foresight in urging the construction of two giant graving docks at Pearl Harbor and the transfer of an inactive floating dry dock from New Orleans before the outbreak of war proved invaluable when the first crippled battleships were dry-docked and repaired after the Japanese attack.

Another pre-war accomplishment was his direction of the world's largest integrated construction program in building the shore establishments needed to back up the Fleet, which totaled during the war more than 900 naval bases and stations, including 300 advance bases, some as large as Peoria, Ill. or Columbia, S.C.

This vast network of bases and facilities kept pace with the rapid advance of our armed services during the war. Before the war, practically all Navy construction work was done under the Bureau of Yards and Docks contracts by general contractors and their civilian personnel. But the fate of the construction workers at Wake and Guam strengthened his conviction that the Navy needed men who not only could build, but also could take up arms and defend themselves and their installations. Thus, the Seabees, an organization composed of construction workers, officered by construction experts, and trained in combat, under his direction, grew during the war from an original authorization of 3,300 men on Dec. 28, 1941, to an organization of more than ten thousand officers and 240,000 men, approximately three-quarters of whom were actively engaged overseas.

In Oct. 1945 he was designated Officer in Charge of Petroleum Facilities, fifty-four strike-bound oil refineries and pipe lines which had been seized by the Navy in accordance with Executive Order. In Nov. 1945 he was also designated Chief of the Material Division of the Office of the Assistant Secretary of the Navy, to coordinate all material procurement in the Navy.

In May 1946 he was made Deputy Coal Mines Administrator, in charge of the operation and administration of the bituminous coal mines seized by Government Executive Order 9728. Subsequently, as the Coal Mines Administrator, designated by the Secretary of the Interior, he had complete charge of this activity. On June 11, 1946, his nomination for the rank of admiral was confirmed. He was relieved of all active duty and transferred to the Retired List of the U.S. Navy on Oct. 1, 1946.

RESTORATION OF FUNDS TO THE IMPACTED AREAS SCHOOL AID PROGRAM

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. HOWARD. Mr. Speaker, I would like to express my pleasure over the recent approval by the House of Representatives of the amendment to restore the much-needed funds to the impacted areas school aid program, as included in the supplemental appropriation bill.

This Federal assistance program, familiarly known as Public Law 874, was enacted in 1950 and since that time has provided needed assistance to local school districts burdened by the obligation to provide educational services to the children of families employed by the Federal Government in local communities all over the Nation. Federal payments are made at rates determined by formulas in the legislation, and eligible school districts have a continuing expectation to receive these annual payments.

Had my colleagues in the House of Representatives not voted as they did yesterday, school districts all over the country in these impacted areas would have been in serious trouble. These schools have depended on the authorized Federal aid to meet their operating cost, and would have been severely handicapped without it.

This is certainly a time of financial crisis for our country, and I do believe that certain cuts in Federal expenditures must be made. But I feel, and have stated before, that this program of Federal assistance is an obligation of the Federal Government which should be met, and local school districts entitled to this assistance have had every reason to believe that their entitlements would be met by Federal payments. Fortunately, because of the action taken by the House on Tuesday, and hopefully by the Senate very soon, these school districts can expect to receive their full entitlement of funds as provided for in Public Law 874.

As a former schoolteacher and principal, I strongly feel that education must be one of our first priorities in America. Therein lies the hope and future for our country. We have witnessed, recently, some of the most horrifying and frightening events which have had no comparison in the history of the United States. The prime topic of conversation among legislators and people all across the land is what can be done to prevent further recurrences of the violence we have seen, and what measures can we take to stem the tide of hatred which is seeping over our country. My feeling is that education should be our foremost area of concentration to this end. For this reason I could not have taken any other position than to support the amendment to fund the impacted areas program 100 percent.

In the Third District of New Jersey, which I have the privilege of representing here in Congress, there are three substantially large areas which are affected by this program. The State of New Jersey can now expect to receive $1,951,763 in funds for their impacted area schools, when and if this measure is approved by the Senate and signed by the President. I am hopeful that the Senate will take quick action on this appropriation, since our school boards have been kept in suspense far too long.

SPECIAL STAMP COMMEMORATING 100 YEARS OF HIGHER EDUCATION FOR WOMEN

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mrs. BOLTON. Mr. Speaker, today I am introducing a joint resolution to provide a special stamp commemorating 100 years of higher education for women.

Until the Civil War, higher education for women in the United States was a rarity. Although the first woman's college was chartered in 1839, in Georgia, and two State universities—Iowa and Utah—admitted women from the date of their founding, in 1850, in general, higher education for women was regarded as unnecessary.

Then came the Civil War drain on manpower. Women were needed to take over men's jobs, notably teaching. Public demand opened all State universities and many denominational colleges to women students. Seeking further freedom of intellectual and cultural development, the new women college students began to form their own campus clubs and societies.

In January 1870, four women students at DePauw University—then called Indiana Asbury College—Greencastle, Ind., founded the first chapter of Kappa Alpha Theta. In October 1870, six women students at Monmouth College, Monmouth, Ill., founded the first chapter of Kappa Kappa Gamma. Both groups were chartered in their Greek-letter names. Both included in their purposes opportunity for higher education for women, encouragement of academic excellence, and development of high moral standards.

As the two organizations grew in the number of chapters and alumnae, philanthropy, community service, and leadership training were added to the purposes. Through the years, thousands of members have made outstanding contributions in education, the professions and arts, and in business and industry. Even greater numbers of alumnae of the two groups have given voluntary community service and leadership in hundreds of communities around the world.

Recognition of academic excellence continues over the years. The first two women ever elected to Phi Beta Kappa were members of Kappa Alpha Theta. Kappa Kappa Gamma, to date, has had a total of 1,758 Phi Beta Kappas. In recent times—1963–67—Kappa Alpha Theta had a total of 8,033 members elected to the top scholastic honor societies, including Phi Beta Kappa, Phi Delta Phi, and Alpha Lambda. Both organizations have long records of members elected to Mortar Board, the national campus honor society, established in 1918 to recognize campus service as well as academic achievement. Kappa Mortar Board; and, during the period Kappa Gamma has 1,114 members of 1963–67, Kappa Alpha Theta had 469 Mortar Board members. Since 1963 Kappa Alpha Theta has had 18 Woodrow Wilson Scholarship winners and eight Fulbright awards. Undergraduate and graduate members of both groups have received scholarships and fellowships from a number of sources.

For more than 50 years, both Kappa Kappa Gamma and Kappa Alpha Theta have provided scholarships, fellowships, and aid to education for women. Funds established by the officers in the early 1900's have grown through additional allocations and contributions, all from members. Kappa Kappa Gamma has provided more than a million dollars in aid to education, including nonfraternity women and foreign women students among beneficiaries. Kappa Kappa Gamma Foreign Fellowships, named in honor of Dean Virginia C. Gildersleeve, a Kappa who was the only woman member of the first U.S. delegation to the United Nations in San Francisco, provided the first two Japanese women teachers to come to the United States to study after World War II. Kappa Alpha Theta's foreign fellowship program provided study in the United States for a woman judge of a juvenile court in Holland; a Chilean girl who became a staff member of ILO; an Indian woman who later became a deputy minister of welfare in Delhi State; and a children's dentist from Bolivia who returned home to pioneer in dental clinics. Dr. Chung-Hi Oh, the acknowledged ranking authority on rehabilitation in Korea came to the United States to study under Dr. Howard A. Rusk on a Kappa Kappa Gamma fellowship. Dr. Oh has also participated in world conferences on rehabilitation in Europe and Asia. She is one of 87 women from 25 countries who have held Kappa Kappa Gamma foreign fellowships. The centennial scholarships and fellowships will provide higher education for additional qualified women, to be selected in consultation with academic authorities.

In 1946 Kappa Alpha Theta adopted the Institute of Logopedics, in Wichita, Kans., the world's largest training center for communicatively handicapped children and adults, as a permanent national philanthropy. Since that date, members of Kappa Alpha Theta have given $405,184 to the institute. The Institute of Logopedics is a nonprofit, nonsectarian philanthropy, with a three-part program for training the speech-handicapped, educating logopedists, and research. Kappa Alpha Theta is the institute's largest single contributor. Kappa Alpha Theta has also contributed more than $100,000 to the foster parent plan, and, for this aid to orphan children overseas, became the first organization to receive the Brotherhood of Children Award.

In 1917 Kappa Kappa Gamma began aid to French orphan and refugee children, under the direction of Dorothy Canfield Fisher, a Kappa working overseas who later became a noted author. This project was maintained through the postwar 1920's. During World War II, Kappa sponsored a similar children's project in a workers' residence area near Paris. Kappa alumnae associations also provided 5,000 layettes for Norwegian war babies. Today Kappa alumnae groups have a total of 319 service projects serving the physically handicapped, mentally retarded, emotionally disturbed, socially deprived, and the aged. A number of alumnae associations also give special scholarships in rehabilitation, this in addition to their share in the overall program of scholarships and fellowships.

In 1970, Kappa Alpha Theta and Kappa Kappa Gamma, the two pioneer Greek-letter women's college organizations, will commemorate their 100th anniversaries.

Participating in the two centennials will be 150,000 members, including alumnae groups in 275 cities in the United States and Canada, and collegiate chapters at 90 colleges and universities in the United States and 4 universities in Canada.

In keeping with 100 years of work for higher education for women, both Kappa Kappa Gamma and Kappa Alpha Theta will mark their centennials by giving Centennial Scholarships and Fellowships to qualified women. Funds contributed by members for this purpose already total a quarter of a million dollars.

Kappa Alpha Theta and Kappa Kappa Gamma are asking for the opportunity to sponsor a commemorative stamp in 1970, celebrating the theme of higher education for women. Because of close connection with education, the two organizations are very much aware of the urgent need of more education for young people of the future, and of the responsibility of adults both to help provide more facilities for education and to urge youth to make the best use of educational opportunities.

If the commemorative stamp is granted, members of Kappa Alpha Theta and Kappa Kappa Gamma will give vigorous leadership in promoting the stamp, and the goal of higher education it would represent. The stamp would be publicized in every State, and in the cities where alumnae groups are located, and on the 90 college and university campuses where there are collegiate chapters. First-day cancellations could take place appropriately in post offices in four cities: Columbus, Ohio; Greencastle, Ind.; Evanston, Ill.; and Monmouth, Ill. Working through all channels, the membership would expect to make cancellations and sales of stamps satisfactory and profitable.

Officers of Kappa Alpha Theta and Kappa Kappa Gamma would join in a special memorable event at Washington, to announce the stamp and to honor leaders in government, education, and cultural life.

It is my hope that prompt action will be taken on this proposal.

THE JAPANESE BOYCOTT OF ISRAEL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. **PODELL**. Mr. Speaker, I was astonished to read in the Wall Street Journal of May 13, 1968, of the prospect of seeing American executives pitted against Japanese businessmen, as a result of having major Japanese firms complying with the Arab boycott against Israel.

It was surprising to read that piece of information at the time when major Japanese companies, through their subsidiaries in the United States, circulate letters in this country calling for advocating free trade, and for opposing restrictive trade legislation, while they treat the nation of Israel as a less favored nation than others.

I would like to call the attention of the Government of Japan, and of these Japanese companies to our Government's opposition to foreign pressure aimed at restricting trade with nations friendly to the United States, and to express my hope that these Japanese companies will adhere to free, multilateral and nondiscriminating world trade.

Copies of the Wall Street Journal article and the letters circulated by Sumitomo Metal Industries, Ltd. and by Fuji Iron & Steel Co., Ltd., follow:

[From the Wall Street Journal, May 13, 1968]

Arab-Israel Dispute May End Up Affecting Japanese-United States Trade—American Firms Assail Japan for Observing Arab Boycott—Steel Concern Cancels Order

(By Martin Hollander)

New York.—Unlikely as it seems, the 20-year-old Arab-Israeli struggle is beginning to pit American executives against Japanese businessmen. The result is sure to be a change in Japanese trade—one way or another.

The dispute centers on Japanese companies' observance of the Arab boycott of Israel. Japan is the only major non-Communist industrial nation where most companies observe the boycott and refuse to deal with Israel, and the practice is beginning to rankle American businessmen, both Christians and Jews.

The Anti-Defamation League, a Jewish organization, has long been bothered by the Japanese reaction to the boycott. For years, the organization has been trying on its own to persuade the Japanese to change their policy. Now, evidently wearying of these efforts, Anti-Defamation League officials are seeking the aid of American corporations.

"We wouldn't organize a boycott" against the Japanese companies, says Arnold Forster, general counsel to the Anti-Defamation League. "We wouldn't stimulate one." Nevertheless, there are indications that the Japanese boycott is leading to an American one. A few businessmen have already said they will refuse to deal with Japanese companies that observe the boycott against Israel until that boycott is dropped; others may do so in coming months.

"A THOUSAND PITIES"

Dale Industries Inc., a Detroit maker of metal products, is one of the first companies to act against Japan. It dropped plans to place a sizable order with Kawasaki Steel Corp. after learning that a sister company of Kawasaki had refused to build a tanker for an Israeli company.

Kawasaki Steel responded that it wasn't responsible for its sister company's actions, which "have caused us much trouble." The sister company, Kawasaki Dockyard, also said it was troubled by the matter. It refused the Israeli shipbuilding job "with a thousand pities" because still another Kawasaki company "has a business transaction" with Egypt. Despite all the apologies, though, Kawasaki Dockyard still refuses to build the tanker—and Dale Industries still refuses to buy Japanese steel.

Other American steel buyers may follow. Paul Goodwin, vice president of Eastern Steel & Metal Co. of West Haven, Conn., says American steel distributors are clearly concerned. "We aren't at this point boycotting the Japanese steelmakers who observe the Arab boycott," he says. But if persuasion fails, "I would apply much greater pressure." And he adds, "There are other places to buy steel."

Other American customers of Japan also are concerned. Last weekend a committee of apparel manufacturers flew to Japan to discuss the situation. Late last week some 50 importers of Japanese products protested the boycott to the Japanese consul in New York.

TRADE IS SUBSTANTIAL

Japanese government officials say they are powerless to stop the boycott of Israeli goods, which they say is corporate, not government, policy. "We aren't happy about this situation, but we can't do anything about it," says Hiroshi Ohki, first secretary for economic affairs in the Japanese embassy in Washington. Some American businessmen claim the Japanese government could do something about it, however.

Officials of some Japanese companies say they fear they would lose their Arab business if they trade with Israeli companies. In 1967, Japan sold $410 million of goods to the Arab states of the Middle East and purchased $1.5 billion of goods from them. The sales represent about 4% of Japan's exports. The purchases, mostly oil, account for under 10% of the nation's imports. In the same year, exports to Israel totaled $19.1 million, and imports totaled $21.1 million; nearly all the imports were polished and cut diamonds. Israel's exports to Japan are declining yearly.

Mr. Forster of the Anti-Defamation League says the Japanese boycott of Israeli goods even goes beyond what the Arabs asked. "They overreact. They over-comply," he says. "They refuse to sell a completed commodity to Israel. There's never been anything in the Arab boycott operation to stop the selling of something like kitchen knives to Israel."

The "Principles of the Arab Boycott," as stated by the Arab nations, don't forbid shipping finished products to Israel, "except those which are helpful to the (its) war effort. Nevertheless, one Japanese company once refused to sell dishwashers to an Israeli wholesaler. More recently, Sumitomo Machinery Co., a maker of cranes and machinery, cabled an Israeli company: "We are exporting machinery to Arab. Therefore regret unable entertain enquiries from Israel."

SUMITOMO METAL INDUSTRIES, LTD.,
New York, N.Y., November 17, 1967.

We are asking your help and support in a matter of the greatest importance.

As you know, existing and proposed import quota bills now under consideration in the U.S. Congress would affect up to $12 billion of U.S. imports—nearly 50 per cent of total American imports. Many of these measures could seriously affect your business and ours.

As a purchaser of Japanese steel, you should be particularly concerned with steel import quota bills introduced by Senator Vance Hartke and Representative John Dent. These bills would reduce the amount of allowable imports into the United States and maintain the imported steel supply at a fixed, low level from year to year.

President Johnson, liberal trade Congressmen, and other advocates of the freer trade philosophy have already voiced strong opposition to these measures. We believe that you will also want to make your viewpoint known.

We, therefore, most respectfully suggest that you consider: Making your feelings known to members of the Senate Finance and House Ways and Means Committees—who have primary responsibility in these matters. Contacting your own Congressman or Senator directly, either through a telephone call, telegram, or letter.

We have enclosed for your information: Various points you may wish to include in your appeal. Members of Senate Finance and House Ways and Means Committees. Reprints of recent editorials on import quotas.

As you know, this situation has grave implications. Passage of these quota bills would directly affect all relations between our two countries, have an immediate influence on U.S. international trade, and destroy all of the advances made in the Kennedy Round of tariff negotiations.

We seek your support in this matter of mutual concern and hope you will let us know what steps you are taking.

Yours sincerely,

Y. IKEJIRI.

JAPANESE STEEL INFORMATION CENTER.

DEAR SIR: As you undoubtedly know, the United States Congress has recently been overwhelmed by a large number of so-called "protectionist" measures—in one form or another—primarily aimed at controlling imports through various systems of quotas.

Steel is only one of dozens of commodities which would be controlled through quota measures.

In the interests of protecting domestic industries, Senators and Representatives from virtually every state have identified themselves with at least one of these import-controlling measures. It would seem that a "bandwagon" effect has swept Congress, and we would like to ask that you pause for a moment to consider what is really going on.

It is certainly a sympathetic cause for an industry to call on the government for protection from competition. Wouldn't it be valuable if drug stores, for instance, could call on the government for protection when supermarkets handle competing products? We would be quick to recognize that such a request would not be in the spirit of Free Enterprise, which the United States has pioneered.

Foreign imports—and especially such a basic commodity as steel—are valuable factors in the operation of the free enterprise system. Steel imports have filled market demands when domestic steel fell short; steel imports have kept the costs of domestic steel (and therefore consumer products) from skyrocketing; steel imports have forced the domestic industry to modernize; steel imports have made it possible for foreign countries to purchase U.S. exports, thereby giving the United States a favorable balance of trade (exclusive of military commitments). And U.S. exports account directly or indirectly for some 3.5 million American jobs, according to the U.S. Department of Labor.

Trade is vital to the maintenance of a free world, as well as to the maintenance of a healthy domestic economy.

We have selected a few editorials from leading U.S. publications that will indicate the critical nature of the new wave of protectionism. If you agree that world trade should be maintained with as few controls as possible, *we urge that you write now to your Senators and Representatives calling on them to defeat the protectionist movements now before Congress.*

Sincerely,

JACK P. WHITEHOUSE.

BEVERLY HILLS, CALIF.

Fuji Iron & Steel Co., Ltd.,
New York, N.Y., December 20, 1967.
Mr. Samuel Goodwin,
Eastern Steel & Metal Co.,
West Haven, Conn.

Dear Mr. Goodwin: We want to take this opportunity to express our gratitude for your patronage, which we value so highly.

Today, we are writing to ask your help and support in a matter of the greatest importance.

As you know, various import quota bills have been or are proposed to be introduced in the U.S. Congress would affect up to $12 billion of U.S. imports—nearly 50% of total American imports. Some of these measures could directly and most seriously affect your business and ours.

We are referring to the steel import quota bills introduced by Senator Vance Hartke and Representative John Dent. As a purchaser of Japanese steel, you should be particularly concerned with these bills, because they would reduce, and maintain, the amount of allowable imports of steel into the United States at a fixed, low level from year to year.

Administration leaders, liberal trade Congressmen, and other advocates of the free trade philosophy have already voiced strong opposition to these measures during the Senate Finance Committee hearings in October. We believe that your viewpoints should also be known to the legislators.

Unless you have already done so, therefore, we most respectfully suggest that you make your views known, by telephone calls, telegrams, or letters, to members of the Senate Finance Committee and the House Ways and Means Committee, who have primary responsibility for considering these bills, as well as to your own Senators and Representatives, or any other members of Congress with whom you are personally acquainted.

We have enclosed for your information:

1. Various points you may wish to include in your appeal.
2. List of members of Senate Finance and House Ways and Means Committee, and
3. Reprints of recent editorials on import quotas.

You know that the current surge of protectionist sentiment has grave implications. There is no doubt that the passage of these quota bills would have an immediate, adverse effect upon economic relations between our two countries, and destroy all of the advances made in the Kennedy round of tariff negotiations, which would envision the reduction of the U.S. tariff rate on imported steel by an average of 7 percent.

Although observers seem to be agreed that few quota bills are expected to be acted upon during the remainder of the current session of the Congress, they seem to be equally agreed that pressures will mount next year for enacting at least some of these bills, including the steel quota bill.

We are doing what little we can to counter this unfortunate development, but nothing could be more effective than your personal appeals to the Senators and Congressmen.

We seek your support in this matter of mutual concern and would appreciate anything you can do to help us.

With best wishes,

Yours sincerely,

Tadayuki Ota,
General Manager.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. SCHERLE. Mr. Speaker, this is the 142d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1968

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. KASTENMEIER. Mr. Speaker, the House yesterday considered and passed a supplemental appropriations bill, H.R. 17734, including funds for many governmental activities, the largest share of which however was designated for Vietnam spending. It is interesting to note that while the past Vietnam supplemental appropriation measures were considered capable of standing alone, this year it had to be lumped together with a number of other programs of interest to many Members of Congress. Even in the face of this fact, opposition to the bill increased. This despite the fact that the other programs funded by the bill, such as aid to federally impacted schools, veterans compensation and others merit support and surely would have had mine saved for the inclusion of the Vietnam appropriations in the bill.

I opposed passage of the supplemental because it required an implicit reaffirmation by Congress of the policy of escalation our Nation continues to pursue in Vietnam. I cannot in good conscience support a policy that has failed, that is costing our Nation some of its finest young men, that promises to be even more costly and that generally has lost the support of the people in Vietnam as well as in the United States.

A year ago, in March 1967, Congress faced the same question on a supplemental appropriation for Vietnam. At that time a number of us protested the fact that the money sought was not for the protection of our troops in the field, but would require additional numbers of our soldiers to risk their lives in support of a bad policy. This has been borne out and unless the policy is altered it will be repeated in the months ahead.

The present policy calls for continued intensification of our part of the conflict, imposing increased violence on the country and people of Vietnam, and ever-increasing and saddening American casualties as well.

By the end of December, the United States will have 549,000 men in Vietnam. Continued escalation has not produced a military victory. In fact, it is widely doubted whether victory is attainable in the ordinary sense of the word or whether victory, at the expense of the Vietnam nation, should be our goal. The vastly increased expenditures that have accompanied the buildup are the cause of our domestic and international fiscal problems. They have imposed on the average citizen rising taxes and rising prices as well. Furthermore, escalation will only make eventual disengagement more difficult and continue to drain off billions of dollars that are sorely needed at home.

We had hoped that the initiation of negotiations at last signified a recognition that escalation must cease. We had hoped that the initiation of negotiations would mark a genuine willingness on the part of the administration to reach a compromise settlement and to begin by scaling down hostilities.

Instead, under the guise of "improving our position," hostilities have increased. The past month has been the most costly of the war in terms of American lives lost. The area of bombings may have been circumscribed, but the intensity of bombings has increased.

It is time for the Congress to draw the line. The passage of the supplemental would nearly wipe out any savings to be gained from reductions in domestic programs. It would heighten the imbalance of priorities which puts a debilitating war ahead of urgent domestic needs.

Our policy must be changed if the war is to be ended. Continuing appropriations will only postpone the day the policy will be changed and I do not support it.

POULTRY PRODUCTS INSPECTION ACT

HON. DANIEL J. RONAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. RONAN. Mr. Speaker, I would like to commend the House Committee on Agriculture for its work in reporting to us H.R. 16363, a bill to amend the Poultry Products Inspection Act. I wish also to congratulate the Johnson administration for recommending the legislation.

Hopefully, this bill will provide as effective a mechanism for insuring the safety and wholesomeness of the Nation's poultry supply as the Wholesome Meat Act of 1967 provides for the red meat supply.

However, there is one provision in the bill reported to us by the Committee on Agriculture which contains a serious gap in consumer protection.

Subsection 15(c)(1) provides for exempting certain small poultry slaughtering and processing operations and poultry producers selling direct from their farms. The exemptions would apply to operations doing less than $15,000 in volume of business per year, and would be based on the condition that such exemptions would not permit unwholesome, misbranded, or adulterated poultry to be channeled into the human food supply.

While I recognize the need for exempting certain small operations from inspection, I believe exempting such operations from all the requirements of the bill we are considering today would make it impossible to enforce the conditions of exemption.

Certain small operations—the size of which should be determined by the Secretary of Agriculture in keeping with the basic intent of the inspection law—could be exempted from costly and, in some cases, impractical continuous inspection. But these operations should be subject to all other provisions of the law. It would present no insurmountable problems to the small operators or the Federal or State inspection systems to require minimum sanitation requirements in these operations, recordkeeping, and identification of the producer of the product.

Imposing these requirements is the only means of enforcing the basic conditions of exemption. The Secretary of Agriculture should also be empowered to immediately revoke any operator's exemption if the Secretary determines that the conditions of exemptions are being violated.

THE LOS ANGELES TIMES EDITORIALIZES ON THE RIGHT TO CONTROL ARMS

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. CORMAN. Mr. Speaker, the House will soon address itself to the very complex problem of reasonable control in gun traffic.

The Los Angeles Times on June 11 devoted most of its editorial pages to firearms control. I call to the attention of my colleagues the very thoughtful lead editorial, as well as a letter to the editor from a group of professors at UCLA, and a report on the gun control laws in Great Britain, France, and Japan.

These excerpts from the Times editorial pages follow:

THE RIGHT TO CONTROL ARMS

Out of the shock and sorrow at the shooting down of yet another national leader, the American people are demanding strict gun control laws as never before.

No member of Congress, no state legislator dare ignore public outrage at the incredible ease with which instruments of violence are obtained and used. Latest opinion polls again show that the people are far ahead of their leaders in favoring strong controls.

The Times calls on President Johnson to veto the woefully inadequate firearms restrictions recently voted by a timid Congress. He should take the lead in a fight for restraints far tougher than any previously introduced.

Surely the tragic assassination of Sen. Robert F. Kennedy will now exert a greater influence upon the Senate and House than even the relentless pressure of the gun lobby.

Or will the National Rifle Assn. and its assorted comrades-in-arms again prevail, as they did after the murders of President Kennedy and Dr. Martin Luther King?

The Times believes that Congress, as a beginning, must do no less than require the registration of every gun in the United States and prohibit all interstate sale of firearms.

Laxness of U.S. gun controls is a national disgrace. The rest of the world can only wonder how a civilized society can tolerate so obvious a threat to its safety.

On the page opposite, the highly restrictive gun regulations imposed in Britain, France and Japan are detailed by Times correspondents. And Canada's much more rational approach is described in a letter in the adjoining column.

The result in all these countries is that the rate of gun-caused deaths is far less than in the United States. So effective are the French restrictions that during all the weeks of recent rioting not a single gun was fired. In Japan no one at all may possess a handgun, except police and military personnel.

It would probably take a generation to achieve anything similar in this country. But we can start now with gun registration, reinforced by prison sentences and heavy fines for those who do not comply. Nothing indeed should prevent any citizen from immediately registering or surrendering a gun to local authorities.

If automobiles, and even bicycles, can be registered, so can firearms. And those who choose to keep arms should pay necessary fees for their registration.

In addition to increasingly frequent assassinations, more than 5,000 Americans are murdered by gunfire every year. That toll will continue unless Congress acts to protect the public.

The people must make certain that their concern is heeded. Effective gun control action should be demanded of their representatives in the Senate and House as well as in state legislatures.

An aroused public can always outshout the gun lobby.

LETTERS TO THE TIMES: RECREATIONAL HUNTING IN CANADA IS NOT HAMPERED BY STRICT GUN CONTROL

We believe that you would be performing a useful service in bringing to the attention of your readers the nature of the regulations governing the ownership and use of firearms in Canada, and by advocating similar legislation for the United States.

While there are differences in cultural and historical background, visitors from the United States will be much more impressed by the great similarities in social attitudes between the two peoples . . . Canadians find no difficulty in getting along quite well without handguns. In Canada, all firearms must be registered and, apart from law enforcement, the military, and the confines of licensed revolver clubs, it is almost impossible to own a handgun or a concealable firearm.

In order to obtain legal possession of a handgun in Canada a permit must be issued and this is not easy to come by, only for cause and on authority of the chief of police of the municipality. The applicant's background is first checked for a criminal record.

In spite of this, the proportion of time, in relation to population, spent by Canadians in recreational hunting probably far exceeds that spent by citizens of the United States in this country. Moreover, a great many U.S. citizens participate, in game hunting in Canada. There is absolutely no reason to believe that firearms legislation similar to that of Canada would endanger hunting as a sport.

As geologists, several of whom have worked frequently in central and northern Canada as well as Alaska and elsewhere, we can attest that the occasional need for a gun in very remote areas for physical protection, and the rather common need for one as a source of food, is enormously greater in Canada than in most parts of conterminous United States.

The control of guns does not eliminate armed crime in Canada, but it could simplify law enforcement, and it could reduce tragic crimes of passion, of accident and of stupidity, or by the mentally incompetent.

Signed by: Donald Carlisle, W. A. Dollase, C. A. Hall, L. S. Hollister, George C. Kennedy, N. G. Lane, C. A. Nelson, G. Oertel, J. L. Rosenfeld, W. W. Rubey, K. D. Watson and G. W. Wetherill, all professors of geology at UCLA.

A PROBLEM FOR CIVILIZATION: FIREARMS CONTROL STRICTER ABROAD

(NOTE.—The United States has the world's most lax gun control laws. It also has more deaths by firearms than any other nation. To illustrate the contrast between our regulations and the tough restraints in other countries, Times correspondents Robert Toth, Don Cook and Don Shannon have filed reports on gun laws in Britain, France and Japan.)

GREAT BRITAIN

Britain has a long history of firearms control—and an enviably small number of deaths by shooting. Only 45 murders involving guns were recorded in Britain and Wales last year as compared to the more than 5,000 such slayings in the United States.

Even its constables don't carry guns. Despite the killing of three unarmed policemen in August 1966 in London, the Police Federation voted against being armed.

On the decision of local chief constables, guns are issued to combat criminals known to be dangerously armed. But police have agreed such decisions are taken only in "most exceptional circumstances," says the Home Office.

Weapon controls for civilians are similarly strict. Restrictions are in three categories:

1—Guns which fire in bursts, i.e., submachine guns, may be possessed only with certificate of approval from the Ministry of Defense. Even police must have such certificates for holding weapons of this kind.

2—Other weapons, including handguns and rifles but not shotguns, are covered by the Firearms Act of 1937, which consolidated bits and pieces of earlier law.

It is an offense to possess such weapons without a certificate issued by the chief constable of one's locality. An applicant must show "good reason" for possession. "Self defense is most unlikely to be considered a good reason," says the Home Office.

Usually an applicant must show he is a member of an established rifle club with known facilities, or has an estate for hunting, or is a farmer who shoots rats and predatory beasts, or a shopkeeper.

Penalty for unauthorized possession is maximum of three years in jail or 200 pounds ($480) fine or both.

In 1965 a total of 220,000 certificates (permits) had been issued for all England and Wales, population about 50 million. There is no reason to expect that the number has increased since then; if anything, there are fewer permits now than before, according to the Home Office.

3—Shotguns were not controlled until the 1967 Criminal Justice Act clause came into force May 1 this year. Although a certificate from a chief constanble is needed, the constable must have reason for not giving a permit. The penalty for illegal possession is six months and 200 pounds or both.

Controls on shotguns followed a rise in indictable offenses involving firearms in England and Wales in recent years, increasing from 552 in 1961 to 2,337 in 1967.

Prior to the shotgun law coming into force, a three-month amnesty was held for returning guns that had no certificate. A total of 25,088 were turned in, including 8,847 revolvers and automatics, 4,340 rifles and 9,488 shotguns, whose owners apparently didn't want to apply for permit. Most weapons were usable. There have been three other amnesties since World War II—1946 when 76,000 turned in, 1961 when 70,000 were turned in, and 1965 when 41,000 were returned.

FRANCE

The French style of controlling firearms is devastatingly simple and strict.

Tough weapons laws are the reasons for the rather remarkable phenomenon in the last few weeks of continuous violence without one shot being fired (except grenade launchers by the police).

As far as is known, not a gun was found on any of the several thousand who were rounded up by the police during this period. The only homicide in Paris during the demonstrations and fighting was a death from stabbing.

Personal arms, such as pistols or revolvers (apart from hunting weapons), can be purchased in France only on a police permit.

Two kinds of permits are issued. One is for possession of personal weapons at home or office, if there is a special security problem and the police agree that this kind of added protection is reasonable or desirable.

The other is a permit to carry a weapon—and this is almost impossible to obtain. Such permits are issued only on the final authority of the Minister of the Interior himself, and would apply only in very special cases of private citizens needing personal bodyguards.

Anybody found in possession of a weapon without one or the other of these permits is automatically arrested in France. He is subject to varying degrees of jail sentence depending on the circumstances and/or explanations.

For example, if a gun is found during a road-check of car papers, the motorist would immediately be arrested.

An individual cannot walk into a shop and buy a revolver without first obtaining a police permit. If he should then sell or transfer the weapon to somebody without a permit he would be in violation of the law. Serial numbers and full identity of the weapons is, of course, part of the police files.

Hunting weapons are easier to obtain. But they also are purchasable only with a hunting license, and can be transported only if such a license is in the possession of the person carrying the gun.

JAPAN

Possession of pistols, carbines and other small guns is absolutely prohibited in Japan for anybody except police and military personnel.

Possession of such a small arm carries a maximum penalty of five years imprisonment or 200,000 yen ($555).

National police headquarters claim there are never more than 50 pistols in circulation illegally in Japan because of the vigilant watch kept on this score. Biggest source seems to be U.S. servicemen from Vietnam trying to finance their rest and recreation here.

Rifles and shotguns for hunting or target practice must be licensed with the following requirements placed on the license holder: minimum age of 20 years, mental health certified by a doctor (this requirement was briefly imposed on driver's license applications but dropped because doctors made only a cursory examination and collected their fee); reasonable grounds for possession; if ever imprisoned, at least three years must have elapsed since finishing prison term.

About 800,000 shotguns are licensed in Japan and only 30,000 rifles. Shotgun licenses are issued by chiefs of police stations; rifle licenses by chief of police of a prefecture, a jurisdiction corresponding to a U.S. county.

Shotguns and rifles are licensed only for use in hunting and target shooting areas. Someone who used his weapon to shoot tin cans on the beach or in some other area not authorized for shooting would be subject to a two year sentence or a 50,000 yen ($139) fine.

Nobody in Japan is allowed to possess a knife or sword longer than 15 centimeters (7 inches) unless it is an antique certified by the Cultural Properties Protection Commission. Switch blades longer than six centimeters (three inches) with a switch angle larger than 45 degrees are also banned.

NEED FOR AID TO IMPACTED SCHOOL DISTRICTS

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BURTON of Utah. Mr. Speaker, of all categories of Federal aid to education I believe that which is made available through Public Law 874 is the very best. It recognizes a Federal responsibility to support education for children of persons employed in federally connected capacities, but it leaves to the individual States and the local school districts the determination of how the money can best be spent.

In the State of Utah 27 out of 40 school districts participate in the distribution of funds under this program. We have over 52,000 students involved, or one out of every five students in the 27 districts. There are 297,000 students in the Utah public schools, including those districts which do not receive impacted aid funds. Thus, 17.5 percent of students in Utah schools receive help through this program. You can see how vital it is to our State. If full entitlement is authorized, a total of $6,200,000 will go to Utah schools for the current fiscal year. This is money that Utah education needs and, in fact, has counted on.

The single most difficult problem faced by State government in Utah today is that of providing adequate funds to support the educational needs of our children. We in Utah have always put forth an extraordinary effort in this regard, as evidenced by our high ranking by the National Education Association; but in spite of this there remain needs that go unfilled because of insufficient funds. We need Federal help. We have made good use of that which we have received to date. We think it would be a great mistake to cut back the amount of Federal funds available under this program.

I am pleased that the House has accepted the amendment to increase the appropriation for Public Law 874 by some $91 million, thus allowing the program to be fully funded. To have done otherwise would have shortchanged education in our country, a most shortsighted policy, indeed.

WINNER OF NATIONAL 4-H CLUB'S LAND JUDGING CONTEST FROM GEORGIA'S EIGHTH DISTRICT

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. STUCKEY. Mr. Speaker, when it comes to youth, our Eighth District can be proud of its boys and girls and young men and women.

More than once I have praised the efforts and achievements of the youth of our district. Hardly a month goes by that a student or a group of students from the Eighth District does not win some sort of statewide or national recognition.

Once again I would like to call to the attention of the adults of the Eighth District and the adults throughout the United States the outstanding accomplishment of one of our young people.

The young man is John Braswell, son of Mr. and Mrs. John Braswell, Sr., of Eastman.

John represented Dodge County and the State of Georgia, along with three other boys, Bobby Tankersley of Columbia, Wallace Lamb and Harold Lamb of the Eighth District's Wilcox County, and as a team they placed fourth in the Nation in the National 4-H Club Land Judging Contest held at Oklahoma City, Okla.

John tied with another 4-H member for first place and in accordance with the rules the tie was broken by a draw and John drew second place.

We can all be very proud of John, as there were 33 land judging teams in the competition. They stretched from New Mexico to New Jersey.

A NEW EDUCATIONAL TV STATION IN COCHRAN, GA.

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. STUCKEY. Mr. Speaker, on May 29, a new educational TV station, WDCO, was dedicated in Cochran, Ga., located in my Eighth Congressional District. I would like to take just a minute to praise the efforts of the citizens of the Eighth Congressional District and of Cochran in getting the new station.

Educational TV is probably one of the most important mediums of our communication system today. This is true because the television set probably has more influence on the minds of our children and young people than any other outside influencing factors.

Educational TV not only enables a faster, better, learning process for our youngsters, but many adults, through the use of educational TV can further their educations and continue to broaden their minds with more knowledge of the sciences, history, and other areas that meet their interests.

I do not believe that it is a secret to any of us that education is the key to many and most of the problems which plague our country—poverty, unemployment, crime—all of these, we know can be reduced, if not completely eliminated in the future by means of better education.

Of course, it is also no secret that our schools are overcrowded. Our teachers are too burdened to give our children the individual attention which they need and which is necessary to the learning process.

The use of closed circuit television, is becoming an important aid to our overworked teachers in their classrooms.

In many instances today television and education have become synonymous because of the influence which television has on the minds of its viewers.

Therefore, I feel that educational television is becoming vital to the educational benefits of our American people.

I am most happy that we have been able to get station WDCO in Cochran. The dedication of the new station is truly significant of the fact that Cochran, along with the rest of the Eighth District, is on the move. I am proud to be a part of this move and this progress.

A TRIBUTE TO ROBERT F. KENNEDY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, in the past week of national tragedy and mourning, many friends of Senator Robert F. Kennedy remembered those impressions of him that symbolized the man.

In the Boston Herald Traveler, of June 6, 1968, was an article by George Sullivan. This article was on the sports page of the Herald and that is fitting for George Sullivan knew Bob Kennedy from the days of the Harvard football team.

George Sullivan is the distinguished son of an illustrious father. I knew his father Tim for many years; he was a close, personal friend. Tim Sullivan was one of the most beloved public figures in the city of Cambridge for many years.

George Sullivan has the same sensitivity as his father and his memory of Senator Robert Kennedy is one of the most touching I have read. The article has been acclaimed by the national television and radio system and by the Nation's press. I include it in the RECORD, as follows:

HARVARD STADIUM VISIT RECALLS KENNEDY THE ATHLETE—SENATOR USED TO CHAUFFEUR WATER BOYS

(By George Sullivan)

Harvard Stadium was never as silent as it was yesterday morning.

I know because that is where I went to meditate after receiving news of a tragedy that had occurred nearly 3000 miles away. People retreated to many places to pray and try to comprehend that catastrophe. They went to churches and dark rooms and other places of solitude to be alone and try to cope with this twisted and awful thing.

NOT STRANGE PLACE AT ALL

I went to an empty football field, a seemingly odd place to mourn the fate of a United States Senator and presidential candidate fighting for his life. But for me it was not a strange place at all, for it was in Harvard Stadium that I first knew that man and formed a friendship which I have treasured for nearly 22 of my 34 years. I have known the man as an Attorney General of the United States and as a Senator from New York. But in many ways I prize more the memories of the earlier years, for they are basic to the knowledge of the man who was to rise to such rare and enormous offices.

So let me tell you what kind of an athlete Bob Kennedy was—and what kind of a sports enthusiast he has always been—because the telling of it reveals an insight into the type man he is.

You must understand from the start that my story is basically unflavored by what happened in Los Angeles yesterday. It is written objectively—although with the heaviest of hearts—and without glorification. Such is not needed, because it is compiled from simple facts which speak eloquently enough for themselves and need no embellishment. And so it is the same story I would have told you the day, month or year before yesterday if you had asked me.

Let me also make clear from the beginning that while I am a friend of Bob, I am not an intimate one. But that only makes what I want to tell you all the more significant. That I've been a comparative nobody over the span of this friendship—first as a kid, later as a sports writer—only accentuates the portrait.

I have known the man since I was 12. That was in 1946 when I was a water boy for the Harvard football team on which Robert F. Kennedy '48 was a junior and reserve end.

Dick Harlow's 1946 and 1947 Crimson editions were not typical collegiate football teams as we know them today. World War II had just ended and the team was composed mostly of service veterans just back from overseas. The median age was 23–24 and I believe one of them—Johnny Gorczinski—was approaching 30. And they had a unique maturity a youngster could admire.

The 1946 team sort of adopted me and another water boy, Ted Rattigan, off the field as well as on. We both lived in Cambridge's modest Kerry Corner section within the shadow of Harvard.

On weekends we were the guests of the players at the Harvard Varsity Club. Many of the athletes resided there, and others who roomed instead in the "house" dormitories still used the club as their base of operation.

LEARNED ABOUT POLITICS, TOO

The athletes taught a couple of 12-year-olds how to play pool on those weekends. They also taught us something about politics, too—the favorite topic of conversation outside of football shop talk. An ex-sailor named Kennedy and a former navigator-bombardier named Ken O'Donnell were always discussing and arguing politics and their teammates eagerly joined in.

These were full weekends for a couple of youngsters, and activities were not confined to the Varsity Club. The players often took their two "mascots" around town on their errands and to events like Celtics games. The principle modes of transportation—shared by the players—were a somewhat beat-up black convertible belonging to Kennedy and a war surplus Jeep owned by a student manager. Both invited pneumonia—the convertible's heater always seemed out of order, and the Jeep's canvas top was shredded and did absolutely nothing to keep out snow and rain.

The next session—1947—was much more of the same. There was one change, among others, however, Kennedy—at 5–10, 165—won a starting berth for the season's opener.

In all frankness, despite his enormous popularity among most of his teammates, Bob's promotion wasn't greeted with total joy. A few suggested the Kennedy name had contributed to his choice as a starter. It was a bum rap. Ask anyone who knew how Harlow evaluated football talent. He was a coach influenced by only one thing, and that wasn't anyone's name.

Harvard scored a 52–0 victory over Western Maryland in the opener, and six of those points came on a six-yard O'Donnell-to-Kennedy pass. It proved to be Bob's first and last touchdown for the Crimson.

Despite pinching a neck nerve in that game, Bob had a special collar fitted and practiced the next week. At least he did for a day or two. During a scrimmage he tried to block an opposing back near the sideline—and missed, crashing heavily into an equipment wagon out of bounds. But he scrambled to his feet and returned to his position. Three days later he collapsed. X-rays revealed he'd been practicing on a broken leg.

So Bob's Harvard football career was ended, although he wore No. 86 twice again as he made token appearances against Brown and Yale at season's end.

It is probably presumptuous and unfair to suggest who Bob's closest football friends were at Harvard—the guys who were always needling his non-smoking, non-drinking and clean-living habits. That's impossible to gauge. But I don't think any of them will complain if I top the list with Ken and Cleo O'Donnell, Nick Rodis, Chuck Glynn, Bill Brady and Chuck Roche. They were among the ushers in the wedding party when Bob and Ethel were married in June, 1950.

OUTSTANDING ON DEFENSE

I talked with one by telephone yesterday: Rodis, now athletic director at Brandeis. Besides the need to commiserate, I suppose, I wanted to double check on my assessment on Bob's abilities at Harvard. I didn't want to risk possible miscalculation since I had observed them as a youngster and decided to get the impressions of one of his contemporaries. And the views of Rodis—who headed the State Dept.'s athletic programs for five years until joining Brandeis last summer and who currently along with Stan Musial co-chairs of the Sportsmen For Kennedy committee—coincided precisely with mine.

These are Nick's words:

"Harlow said it all for Bob's football ability when he once told me after practice one day that Bobby was the toughest kid pound for pound—more guts and zip—he had coached since Bobby Green 10 years before. Bob was a tiger and without question earned the starter's job. Because of limited size, he wasn't devastating on offense, although not bad either. But on defense he was outstanding—almost impossible to knock off his feet and tough as nails. So while we might have had better pass-catcher's in '47, Bob still deserved the starter's job because he put the entire game together—defense and offense—in that day of one-platoon football.

"And he did it with heart.

"That heart is also his key as a person and always has been since the day I first bumped into him in his sailor suit in 1946. That bull peddled by some in recent years—the part about him supposedly being cold and ruthless—has always infuriated me. Nothing could be further from the truth. He was a man with a golden heart if there ever was one.

"All the fellows on the team at Harvard knew he was extremely wealthy. But nobody tried to take advantage of him. Yet anyone in trouble always knew he could go to Bobby—and would. He was always the first guy wanting to help and be with you when the chips were down.

"And he has never changed over the years. Never. He is the most considerate man I've ever known. And don't take my word for it. Ask anyone who has ever worked alongside of him—on the football field or anywhere else."

I can vouch for that with many examples, but will restrict myself to one.

My employment as water boy had lasted only one year. In the summer of 1947 an ankle-to-thigh cast was placed on my left leg—to remain there for the better part of two years. So, I could no longer be employed at $1 a day to carry the water buckets and help tote the equipment. Out of sympathy, I guess, my pal Teddy resigned too. From then on we were strictly "mascots"—and settled for those wonderful weekends and being privvy to the team's secret practice session, developing into shutter bugs, becoming the team's "official snapshot photographers" as the players used to say.

USED PLAYERS' ENTRANCE

Our only problem was on game days. We always joined the players as they headed from Dillon Field House across the lawn to the Stadium for pre-game warmups. They'd embrace us among their ranks and march us through the players' entrance into the field.

The problem was, you had to show a ticket to get within the enclosed outer perimeter of Soldiers Field in those days as well as once again to get inside the Stadium itself. We couldn't afford those tickets. So every game morning—pal Teddy would boost me to the top of the 10-foot, spike-topped fence along Soldiers Field and I'd jump—cast and all. We'd often get caught inside before we'd reach the field house and would be ejected—only to repeat the process a second and sometimes third time. But we never missed our "appointment."

The players never knew about these acrobatics—they assumed we had passes, and I guess we were too proud to enlighten them. Bob was the first to find out about it and roasted me for risking breaking my neck. From then on, Bob—his own left leg encased in a smaller cast—insisted on picking us up at my home in his convertible on future game mornings and driving us to the field house. And he did—often driving out to the suburbs after collecting us to pick up his date on route to the Stadium.

I've often thought since that those girls must have been delighted to find two 13-year-old boys along on their dates.

And I've never failed to remind Bob in later years that he was an excellent chauffeur. After all, how many people can claim they had a future Attorney General, brother and advisor of a President, Senator and presidential candidate chauffering him around?

This is only one example, but I could cite others over the years.

And these were the things—among so much that scrambled through my mind yesterday as I stood in an empty stadium.

The sun high above seemed a mockery. It was shining brilliantly.

ADAM YARMOLINSKY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. RARICK. Mr. Speaker, why a committee to investigate violence in America? Why not a committee to investigate "who" created the condition to permit violence? And why?

The American people are far more interested in investigating the Communist influence in Washington governmental circles—the results may answer many questions for the American people.

Who were the 75 young attorneys screened by Adam Yarmolinsky, Ted Sorensen, and Sargent Shriver for high Government posts as unelected "untouchables"? How many remain, and who are they?

Mr. Speaker, I ask that the Herald of Freedom for January 14, 1966, and November 8, 1963, follow:

[From the Zarephath, (N.J.) Herald of Freedom, Jan. 14, 1966]

ADAM YARMOLINSKY REVISITED

At 7:00 P.M. on Monday evening, October 26, 1965 after most of the reporters had left the Pentagon, two days after the President had left for Texas and three days after Congress had adjourned, the Defense Department announced the appointment of Adam Yarmolinsky as Principal Deputy Assistant Secretary of Defense for International Security Affairs. The appointment, made by Secretary Robert Strange McNamara, does not require confirmation by the Senate.

The Defense Department's International Affairs Section is concerned with overseas forces and facilities, planning, arms control, dealing with foreign nations on such programs as training and the sale of weapons, and the important item of counter-insurgency.

In the September 20, 1965 issue of "Tactics" (page 2), edited by Edward Hunter, internationally known authority on psychological warfare and brainwashing, Mr. Hunter pointed out that Raymond A. Loughton had been in the Department of Defense and "was upset over being overruled regarding Adam Yarmolinsky." Mr. Loughton, a highly experienced security man, had been employed in the Defense Department in 1961 and, in his capacity as a security officer, had reviewed the file on Adam Yarmolinsky, which reportedly contained a full F.B.I. field investigation report, a detailed report of Army Intelligence and other data. Loughton was unable to justify giving Adam Yarmolinsky a security clearance and, as an honest security officer refused to do so. His findings were "overruled" and a security clearance was given to Yarmolinsky by none other than Secretary McNamara himself.

In a letter concerning Yarmolinsky, written to the assistant editor of a religious magazine, Mr. John F. McNaughton, who was General Counsel of the Defense Department, wrote on Oct. 14, 1963: "As in the case of all employees of the Department of Defense who have access to classified information, Mr. Yarmolinsky's background was thoroughly investigated by the Federal Bureau of Investigation before he was employed. Mr. Yarmolinsky's record is one of strong and vigorous anticommunist activity.

"There is no evidence that Mr. Yarmolinsky's parents are communists.

"Secretary McNamara has personally reviewed the security file of Mr. Yarmolinsky, as he does in the case of others holding positions of trust and confidence in the Department of Defense. The Secretary has no question about his loyalty to the United States."

Mr. McNaughton, by following the fact that the FBI had thoroughly investigated Adam Yarmolinsky with the statement that his record is one of "vigorous anticommunist activity," creates the impression that this is what the FBI report showed. The truth of the matter is that the FBI reports were such than an honest security officer refused to grant him clearance.

Mr. McNaughton has since been promoted to the position of Assistant Secretary of Defense, and is Yarmolinsky's immediate superior now. Mr. Raymond A. Loughton was not only "upset" over being overruled by McNamara on Yarmolinsky, he actually found his future unattractive and managed to get out of the Defense Department. He went over to the State Department to become a trusted aide of Otto Otepka—that is until the Secretary of State and his subordinates decided to go after Otepka because he, too, was an honest and loyal security officer. Since an honest security officer was not wanted in the State Department any more than he was in the Department of Defense, Mr. Loughton was assigned to an obscure diplomatic outpost. He is now second assistant in the United States consulate at Guadalajara, Mexico.

Adam Yarmolinsky was born in New York City on November 17, 1922. His father, Avraham, was born in Russia and was the son of Bezaleel Yarmolinsky and the former Malka Nemoy. He was born at Haisin, Russia, on January 1, 1890, and came to the United States in 1913. Adam's mother was born in New York City, the daughter of Michael Deutsch and the former Miss Melanie Fisher. She is a writer who is still using her maiden name of Babette Deutsch. Both of Adam's parents are writers and Russian-English translators. They both have a record of affiliation with communists and communist-fronts, covering a period of thirty-five years. They live at 300 W. 108 Street, New York, N.Y.

Adam attended Harvard University, graduating with an A.B. Degree in 1943. While at Harvard he established a record of being an ardent Marxist.

In a book entitled, "The Reuther Memorandum," by William E. Mallett, published by Liberty Lobby of Washington, D.C., we find the following (Page 25): "Adam Yarmolinsky is another Harvard red. While there he was Editor of a very red Marxist publication called 'The Yardling.' He has served as head of the Marxist Club. He has admitted attending meetings of the Young Communist League. His mother, Babette Deutsch, has a long and notorious Communist record, including participation in several violent street demonstrations in New York; his father also has such a record, and he is at least a pro-Communist, according to his own actions and statements. It is Yarmolinsky who was the actual author of the infamous Fulbright Memorandum." (This Memorandum resulted in the censorship and muzzling of the military.)

From 1943 to 1946 Yarmolinsky was in the U.S. Army Air Force and, while in the Army, came under investigation. There is a lengthy U.S. Army Intelligence report on this, the existence of which was established during the Senate Armed Services Committee Hearings on "Military Cold War Education."

Major General Edwin A. Walker, in sworn testimony before the Senate Armed Services Committee stated (Page 1491): "The information I have on Mr. Yarmolinsky, he was questioned during an investigation when he was in the Army. He said, 'They'—the Young Communist League—'believed and I was inclined to believe that a so-called Communist government was a desirable end.'

"This information is available in the Army intelligence report. Yarmolinsky's mother, Babette Deutsch, belongs to many Communist fronts, joined an advertisement last spring to abolish the House Un-American Activities Committee.

"His father, Abraham Yarmolinsky, has had Communist connections on a grant from the Fund for the Republic. Adam Yarmolinsky himself interrogated only the attorneys for accused Communists and wrote a slanted report attacking Federal security operations. As a result he was made eventually executive secretary of the Ford Foundation, from which position he sought to attack and destroy Government security operations.

"Yarmolinsky attended the American Youth Congress in 1941, solicited for the Spanish War Relief, an operation conducted by the Young Communist League. He worked in the law office of George Ball, presently in the State Department, now Under Secretary of State, and Ball in turn was associated with Philip Stern, who as the Deputy Assistant Secretary of State was technically in charge of State Department censorship.

"He was on a team with Ted Sorenson and Sargent Shriver, who screened 75 attorneys selected for high positions in this administration, including Mr. Vance, Counsel for the Defense Department.

"He is known throughout the Defense Department as an operator. He did not indulge in name calling, but his connection with communism has certainly been close, and his activities have aided communism.

"It has been further reported that he was with the Fund for the Republic. He was an editor of a school paper called Yardling, and during an era when he was investigating security and finding that certain areas of the administration were too secure, that there were two people shortly thereafter left, that I believe went through Mexico and to Moscow.

"He declared that current subversion was just popular hysteria. He had admitted attending meetings of YCL, which is the Young Communist League, but denies that he became a member, but attended as a guest.

He collected money for the Spanish War Relief under Communist auspices."

After his Army service, Yarmolinsky went to Yale Law School where he graduated with an L.L.B. in 1948. He became a law clerk for U.S. Court of Appeals Judge Charles E. Clark, 1948–9; then associate in the law firm of Root, Ballantine, Harlan, Bushby and Palmer 1949–50. He then became a law clerk to U.S. Supreme Court Justice Stanley Reed, 1950–51; then an associate in the law firm of Cleary, Gottleib, Friendly and Ball 1951–55. This is the law firm that gave us Fowler Hamilton and George W. Ball; it is also the firm of Grenville Clark, that old one-worlder who thought up the idea of the Fulbright Memorandum which he wrote in a letter of "instruction" to President Kennedy immediately after his election to the Presidency. Yarmolinsky wrote the "instructions" concerning the military in final form for the Memorandum. Clearly, Gottleib, etc. etc. is an international law firm with an office in Paris with three attorney partners there, and another office in Brussels with another partner. None of the partners in the offices in France and Belgium are admitted to the practice of law in those countries.

In 1955 Yarmolinsky became Director of the Washington, D.C. office of the Fund for the Republic and later became Secretary of the Foundation. In 1957 he became Public Affairs Editor for Doubleday & Co., Publishers, and left them in 1959 when for one year he was "consultant" to private foundations.

The publication "Focus" of Stockton, Calif., in their December 1965 issue concerning Yarmolinsky, stated: "Yarmolinsky's first governmental assignment was as a special assistant to McNamara to implement the Fulbright Memo to muzzle the military. He edited the speeches of four-star generals, such as deleting their references to the Communists as 'our enemy.' Later he became one of the authors of the Gesell Report which forced 'commissars' to be appointed at military bases to enforce unmerited promotions upon Negro personnel, etc., merely to demonstrate there was no discrimination in the Army.

"LBJ's Poverty Program received the touch of Adam's heavy hand, so much so that Johnson's strategists had to promise Congressmen that Yarmolinsky would not be connected with it. On loan from McNamara's office, Yarmolinsky went to the White House to formulate the plans that will give the Panama Canal to Panama in spite of the long-term treaty now in force. Last June Yarmolinsky headed a delegation known as 'The Yarmolinsky Group' which went to Santo Domingo to implement the State Department plans to strengthen the rebels."

In the CONGRESSIONAL RECORD, vol. 109, pt. 11, p. 14352, Congressman Hébert, referring to Adam Yarmolinsky, stated "He has what I think is a satanic-like zeal to force these things (integration) upon an unwilling people." . . .

"I want to tell you something about Mr. Yarmolinsky. I would not repeat except I repeat it on good authorities. He was down in Florida and he ordered the troops integrated in certain hotels that the military had rented. He was informed that the Negroes did not want to be integrated. He said he did not give a damn whether they wanted to be integrated or not, that they would be integrated."

Adam Yarmolinsky's program of demoralizing the military was implemented through the Gesell Report and the Fulbright Memorandum. With regard to the Gesell Report Senator Goldwater pointed out in the Congressional Record, vol. 109, pt. 10, p. 13783, that, as a result of the Gesell Report, a team had been traveling around the country in the military bases in an effort to "get commanding officers to act in a way commanding officers have never acted before." He stated they had complete dossiers on business men prepared in the Attorney General's office, using, among other things, income tax returns from the Internal Revenue Service. The purpose was to pressure business men into integration activities, using the dossiers as a threat of federal action against them. On Page 13783 Sen. Goldwater stated: "I have suggested this to the chairman of the Senate Armed Forces Committee, Mr. Russell—that I would give my full support to a complete investigation into Mr. Fitt and Mr. Yarmolinsky and other persons in the Pentagon who are forcing Secretary McNamara—I am convinced against his will—to take this dangerous step."

Why Yarmolinsky should be able to "force" McNamara to do something against his will we do not know. Perhaps it is not really against his will as he is listed as a founding member of the Fund for the Republic (we wonder which one) and founding members donate a thousand dollars a year or more to this left-wing foundation. McNamara is also a sponsor for the occult Temple of Understanding, a spiritual United Nations to be built on the banks of the Potomac.

A study entitled, "Education for Freedom and World Understanding" was published by the U.S. Office of Education at taxpayers' expense (naturally) resulting from a conference held in Washington, D.C., March 26–28, 1962. It was to "educate educators," and was a (not so) subtle pitch for world government. On page 20 of the publication we read: (There should be) "resistance to proposals which would block the importation and circulation of printed matter from Communist or other sources or otherwise restrict access to educational materials on purely ideological grounds." Also—"Special loyalty oaths and disclaimer affidavits (regarding communist membership and activities) should be opposed." Among the conference participants, as shown on page 62, was Adam Yarmolinsky, Special Assistant to the Secretary of Defense.

On March 24, 1945 Yarmolinsky married Miss Harriet Leslie Rypins and they live today at 701 Bulls Neck Road, McLean, Virginia. For mail Yarmolinsky uses Box 438, Route 2, McLean, Virginia. His home telephone is 893–9053. At the Pentagon Building he took the place of Peter Solbert in Office 4E863.

On April 22, 1964 the "Washington Post" reported that Adam Yarmolinsky suffered severe head cuts Monday night in an auto accident on the George Washington Parkway. On June 28, 1965 the "Washington Star" in an article by Betty Beale stated, referring to Secretary of Defense Robert McNamara, "There is no doubt but that he recently saved the life of his assistant, Adam Yarmolinsky, when the latter crashed into a parked car on a Virginia road, cut his throat from ear to ear and lost so much blood he had no blood pressure at all upon arriving at the nearest hospital. Contacted at once, Bob McNamara had two topflight surgeons and quantities of blood rushed from Walter Reed, and he, himself, stayed at the hospital all night in case anything else was needed."

The circumstances of the accident were not made public. Mr. McNamara's devotion to Yarmolinsky obviously goes far beyond the call of duty—one wonders how many others in the Defense Department would cause McNamara to stay up all night worrying about their health. Or was McNamara there just in case Yarmolinsky might want to make a "death-bed" statement?

Another little known activity of Yarmolinsky has been a role he has played in the State Department. There is a Review Board made up of foreign service officers on duty in Washington which reviews important matters involving the foreign service career employees of the State Department. Acting as an "adviser" to this Review Board at their unpublicized meetings at the State Department has been Adam Yarmolinsky.

As a result of his investigations made for the Fund for the Republic regarding the U.S. Loyalty-Security programs, Yarmolinsky was able to get a great deal of information. There were at least fifty cases wherein he had been able to get at the files of the defense attorneys and obtain data concerning actual security risks. Since many of these were communist-type risks (his studies and investigations were sympathetic to them), he could have obtained much information regarding others still in government, prominent people not in government, politicians and foundation people. This information could be used to insure "cooperation" of those involved.

Adam Yarmolinsky had an advisory committee in connection with his "Case Studies in Personnel Security." On this committee was Roger D. Fisher who was with the law firm of Covington & Burling, Washington, D.C. This is Dean Acheson's law firm and the one where identified communist Donald Hiss, brother of Alger, still works. Also on the advisory committee were Leon Lipson of Cleary, Gotleib, Friendly and Ball (a firm Yarmolinsky had been associated with) and Herbert L. Packer, another Washington lawyer. It is interesting to note that the Gesell Report Committee, on which Yarmolinsky was an influence, was headed by Gerhard A. Gesell, also of Dean Acheson's law firm, which has represented communist countries.

Adam Yarmolinsky has been a close associate of W. H. (Ping) Ferry of the Fund for the Republic who is notorious for his attacks on the FBI.

Yarmolinsky has admitted under oath that he looked with favor on a "so-called communist government." His sinister influence has reached into many areas of the Defense Department, the State Department, the Poverty Corps, the U.S. Office of Education, the Panama Canal sell-out, the communist revolution in the Dominican Republic. He has even had his eye on J. Edgar Hoover's job as head of the FBI. Yarmolinsky would change our security systems to allow more like himself to hold key government positions. He would restrict or abolish the House Committee on Un-American Activities. He has done more than any other person to demoralize the military with his civilian commissars.

Yarmolinsky is not an elected official, he is not even an appointed official requiring confirmation. He has been forced upon the American people, his influence changing and undermining a strong America. What is the reason a person with a background which is "dubious" (to put it as kindly as possbile) is selected for such important positions? God save us from him!

[From the Staten Island (N.Y.) Herald of Freedom, Nov. 8, 1963]

IS ADAM YARMOLINSKY A SECURITY RISK?

"In carrying on the activities referred to" (overthrow of existing governments by any available means including force if necessary and setting up Communist totalitarian dictatorships) "Communist organizations are organized on a secret conspiratorial basis and operate to a substantial extent through organizations commonly known as Communist fronts."—from the Internal Security Act of 1950 known as the Communist Control Law.

For over a year now and recently more intensified have been rumors or perhaps deliberately leaked stories (trial balloons) to the effect that Adam Yarmolinsky will soon replace J. Edgar Hoover as head of the FBI. One female Chicago columnist went so far as to say that Mr. Hoover approves of such a successor. This is not true as Mr. Hoover has repeatedly stated that he desires to continue to serve America. No denial has been made by Robert Kennedy, the Attorney General whose dictatorial policies and interference are well known. A champion of "Civil Rights" for Negroes, he overlooks the civil rights of all Americans who are being threatened by the International Communist Conspiracy operating within the United States.

top of the 10-foot, spike-topped fence along Soldiers Field and I'd jump—cast and all. We'd often get caught inside before we'd reach the field house and would be ejected—only to repeat the process a second and sometimes third time. But we never missed our "appointment."

The players never knew about these acrobatics—they assumed we had passes, and I guess we were too proud to enlighten them. Bob was the first to find out about it and roasted me for risking breaking my neck. From then on, Bob—his own left leg encased in a smaller cast—insisted on picking us up at my home in his convertible on future game mornings and driving us to the field house. And he did—often driving out to the suburbs after collecting us to pick up his date on route to the Stadium.

I've often thought since that those girls must have been delighted to find two 13-year-old boys along on their dates.

And I've never failed to remind Bob in later years that he was an excellent chauffeur. After all, how many people can claim they had a future Attorney General, brother and advisor of a President, Senator and presidential candidate chauffering him around?

This is only one example, but I could cite others over the years.

And these were the things—among so much that scrambled through my mind yesterday as I stood in an empty stadium.

The sun high above seemed a mockery. It was shining brilliantly.

ADAM YARMOLINSKY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. RARICK. Mr. Speaker, why a committee to investigate violence in America? Why not a committee to investigate "who" created the condition to permit violence? And why?

The American people are far more interested in investigating the Communist influence in Washington governmental circles—the results may answer many questions for the American people.

Who were the 75 young attorneys screened by Adam Yarmolinsky, Ted Sorensen, and Sargent Shriver for high Government posts as unelected "untouchables"? How many remain, and who are they?

Mr. Speaker, I ask that the Herald of Freedom for January 14, 1966, and November 8, 1963, follow:

[From the Zarephath, (N.J.) Herald of Freedom, Jan. 14, 1966]

ADAM YARMOLINSKY REVISITED

At 7:00 P.M. on Monday evening, October 26, 1965 after most of the reporters had left the Pentagon, two days after the President had left for Texas and three days after Congress had adjourned, the Defense Department announced the appointment of Adam Yarmolinsky as Principal Deputy Assistant Secretary of Defense for International Security Affairs. The appointment, made by Secretary Robert Strange McNamara, does not require confirmation by the Senate.

The Defense Department's International Affairs Section is concerned with overseas forces and facilities, planning, arms control, dealing with foreign nations on such programs as training and the sale of weapons, and the important item of counter-insurgency.

In the September 20, 1965 issue of "Tactics" (page 2), edited by Edward Hunter, internationally known authority on psychological warfare and brainwashing, Mr. Hunter pointed out that Raymond A. Loughton had been in the Department of Defense and "was upset over being overruled regarding Adam Yarmolinsky." Mr. Loughton, a highly experienced security man, had been employed in the Defense Department in 1961 and, in his capacity as a security officer, had reviewed the file on Adam Yarmolinsky, which reportedly contained a full F.B.I. field investigation report, a detailed report of Army Intelligence and other data. Loughton was unable to justify giving Adam Yarmolinsky a security clearance and, as an honest security officer refused to do so. His findings were "overruled" and a security clearance was given to Yarmolinsky by none other than Secretary McNamara himself.

In a letter concerning Yarmolinsky, written to the assistant editor of a religious magazine, Mr. John F. McNaughton, who was General Counsel of the Defense Department, wrote on Oct. 14, 1963: "As in the case of all employees of the Department of Defense who have access to classified information, Mr. Yarmolinsky's background was thoroughly investigated by the Federal Bureau of Investigation before he was employed. Mr. Yarmolinsky's record is one of strong and vigorous anticommunist activity.

"There is no evidence that Mr. Yarmolinsky's parents are communists.

"Secretary McNamara has personally reviewed the security file of Mr. Yarmolinsky, as he does in the case of others holding positions of trust and confidence in the Department of Defense. The Secretary has no question about his loyalty to the United States."

Mr. McNaughton, by following the fact that the FBI had thoroughly investigated Adam Yarmolinsky with the statement that his record is one of "vigorous anticommunist activity," creates the impression that this is what the FBI report showed. The truth of the matter is that the FBI reports were such than an honest security officer refused to grant him clearance.

Mr. McNaughton has since been promoted to the position of Assistant Secretary of Defense, and is Yarmolinsky's immediate superior now. Mr. Raymond A. Loughton was not only "upset" over being overruled by McNamara on Yarmolinsky, he actually found his future unattractive and managed to get out of the Defense Department. He went over to the State Department to become a trusted aide of Otto Otepka—that is until the Secretary of State and his subordinates decided to go after Otepka because he, too, was an honest and loyal security officer. Since an honest security officer was not wanted in the State Department any more than he was in the Department of Defense. Mr. Loughton was assigned to an obscure diplomatic outpost. He is now second assistant in the United States consulate at Guadalajara, Mexico.

Adam Yarmolinsky was born in New York City on November 17, 1922. His father, Avraham, was born in Russia and was the son of Bezaleel Yarmolinsky and the former Malka Nemoy. He was born at Haisin, Russia, on January 1, 1890, and came to the United States in 1913. Adam's mother was born in New York City, the daughter of Michael Deutsch and the former Miss Melanie Fisher. She is a writer who is still using her maiden name of Babette Deutsch. Both of Adam's parents are writers and Russian-English translators. They both have a record of affiliation with communists and communist-fronts, covering a period of thirty-five years. They live at 300 W. 108 Street, New York, N.Y.

Adam attended Harvard University, graduating with an A.B. Degree in 1943. While at Harvard he established a record of being an ardent Marxist.

In a book entitled, "The Reuther Memorandum," by William E. Mallett, published by Liberty Lobby of Washington, D.C., we find the following (Page 25): "Adam Yarmolinsky is another Harvard red. While there he was Editor of a very red Marxist publication called 'The Yardling.' He has served as head of the Marxist Club. He has admitted attending meetings of the Young Communist League. His mother, Babette Deutsch, has a long and notorious Communist record, including participation in several violent street demonstrations in New York; his father also has such a record, and he is at least a pro-Communist, according to his own actions and statements. It is Yarmolinsky who was the actual author of the infamous Fulbright Memorandum." (This Memorandum resulted in the censorship and muzzling of the military.)

From 1943 to 1946 Yarmolinsky was in the U.S. Army Air Force and, while in the Army, came under investigation. There is a lengthy U.S. Army Intelligence report on this, the existence of which was established during the Senate Armed Services Committee Hearings on "Military Cold War Education."

Major General Edwin A. Walker, in sworn testimony before the Senate Armed Services Committee stated (Page 1491): "The information I have on Mr. Yarmolinsky, he was questioned during an investigation when he was in the Army. He said, 'They'—the Young Communist League—'believed and I was inclined to believe that a so-called Communist government was a desirable end.'

"This information is available in the Army intelligence report. Yarmolinsky's mother, Babette Deutsch, belongs to many Communist fronts, joined an advertisement last spring to abolish the House Un-American Activities Committee.

"His father, Abraham Yarmolinsky, has had Communist connections on a grant from the Fund for the Republic. Adam Yarmolinsky himself interrogated only the attorneys for accused Communists and wrote a slanted report attacking Federal security operations. As a result he was made eventually executive secretary of the Ford Foundation, from which position he sought to attack and destroy Government security operations.

"Yarmolinsky attended the American Youth Congress in 1941, solicited for the Spanish War Relief, an operation conducted by the Young Communist League. He worked in the law office of George Ball, presently in the State Department, now Under Secretary of State, and Ball in turn was associated with Philip Stern, who as the Deputy Assistant Secretary of State was technically in charge of State Department censorship.

"He was on a team with Ted Sorenson and Sargent Shriver, who screened 75 attorneys selected for high positions in this administration, including Mr. Vance, Counsel for the Defense Department.

"He is known throughout the Defense Department as an operator. He did not indulge in name calling, but his connection with communism has certainly been close, and his activities have aided communism.

"It has been further reported that he was with the Fund for the Republic. He was an editor of a school paper called Yardling, and during an era when he was investigating security and finding that certain areas of the administration were too secure, that there were two people shortly thereafter left, that I believe went through Mexico and to Moscow.

"He declared that current subversion was just popular hysteria. He had admitted attending meetings of YCL, which is the Young Communist League, but denies that he became a member, but attended as a guest.

He collected money for the Spanish War Relief under Communist auspices."

After his Army service, Yarmolinsky went to Yale Law School where he graduated with an L.L.B. in 1948. He became a law clerk for U.S. Court of Appeals Judge Charles E. Clark, 1948–9; then associate in the law firm of Root, Ballantine, Harlan, Bushby and Palmer 1949–50. He then became a law clerk to U.S. Supreme Court Justice Stanley Reed, 1950–51; then an associate in the law firm of Cleary, Gottleib, Friendly and Ball 1951–55. This is the law firm that gave us Fowler Hamilton and George W. Ball; it is also the firm of Grenville Clark, that old one-worlder who thought up the idea of the Fulbright Memorandum which he wrote in a letter of "instruction" to President Kennedy immediately after his election to the Presidency. Yarmolinsky wrote the "instructions" concerning the military in final form for the Memorandum. Clearly, Gottleib, etc. etc. is an international law firm with an office in Paris with three attorney partners there, and another office in Brussels with another partner. None of the partners in the offices in France and Belgium are admitted to the practice of law in those countries.

In 1955 Yarmolinsky became Director of the Washington, D.C. office of the Fund for the Republic and later became Secretary of the Foundation. In 1957 he became Public Affairs Editor for Doubleday & Co., Publishers, and left them in 1959 when for one year he was "consultant" to private foundations.

The publication "Focus" of Stockton, Calif., in their December 1965 issue concerning Yarmolinsky, stated: "Yarmolinsky's first governmental assignment was as a special assistant to McNamara to implement the Fulbright Memo to muzzle the military. He edited the speeches of four-star generals, such as deleting their references to the Communists as 'our enemy.' Later he became one of the authors of the Gesell Report which forced 'commissars' to be appointed at military bases to enforce unmerited promotions upon Negro personnel, etc., merely to demonstrate there was no discrimination in the Army.

"LBJ's Poverty Program received the touch of Adam's heavy hand, so much so that Johnson's strategists had to promise Congressmen that Yarmolinsky would not be connected with it. On loan from McNamara's office, Yarmolinsky went to the White House to formulate the plans that will give the Panama Canal to Panama in spite of the long-term treaty now in force. Last June Yarmolinsky headed a delegation known as 'The Yarmolinsky Group' which went to Santo Domingo to implement the State Department plans to strengthen the rebels."

In the CONGRESSIONAL RECORD, vol. 109, pt. 11, p. 14352, Congressman Hébert, referring to Adam Yarmolinsky, stated "He has what I think is a satanic-like zeal to force these things (integration) upon an unwilling people." . . .

"I want to tell you something about Mr. Yarmolinsky. I would not repeat except I repeat it on good authorities. He was down in Florida and he ordered the troops integrated in certain hotels that the military had rented. He was informed that the Negroes did not want to be integrated. He said he did not give a damn whether they wanted to be integrated or not, that they would be integrated."

Adam Yarmolinsky's program of demoralizing the military was implemented through the Gesell Report and the Fulbright Memorandum. With regard to the Gesell Report Senator Goldwater pointed out in the Congressional Record, vol. 109, pt. 10, p. 13783, that, as a result of the Gesell Report, a team had been traveling around the country in the military bases in an effort to "get commanding officers to act in a way commanding officers have never acted before." He stated they had complete dossiers on business men prepared in the Attorney General's office, using, among other things, income tax returns from the Internal Revenue Service. The purpose was to pressure business men into integration activities, using the dossiers as a threat of federal action against them. On Page 13783 Sen. Goldwater stated: "I have suggested this to the chairman of the Senate Armed Forces Committee, Mr. Russell—that I would give my full support to a complete investigation into Mr. Fitt and Mr. Yarmolinsky and other persons in the Pentagon who are forcing Secretary McNamara—I am convinced against his will—to take this dangerous step."

Why Yarmolinsky should be able to "force" McNamara to do something against his will we do not know. Perhaps it is not really against his will as he is listed as a founding member of the Fund for the Republic (we wonder which one) and founding members donate a thousand dollars a year or more to this left-wing foundation. McNamara is also a sponsor for the occult Temple of Understanding, a spiritual United Nations to be built on the banks of the Potomac.

A study entitled, "Education for Freedom and World Understanding" was published by the U.S. Office of Education at taxpayers' expense (naturally) resulting from a conference held in Washington, D.C., March 26–28, 1962. It was to "educate educators," and was a (not so) subtle pitch for world government. On page 20 of the publication we read: (There should be) "resistance to proposals which would block the importation and circulation of printed matter from Communist or other sources or otherwise restrict access to educational materials on purely ideological grounds." Also—"Special loyalty oaths and disclaimer affidavits (regarding communist membership and activities) should be opposed." Among the conference participants, as shown on page 62, was Adam Yarmolinsky, Special Assistant to the Secretary of Defense.

On March 24, 1945 Yarmolinsky married Miss Harriet Leslie Rypins and they live today at 701 Bulls Neck Road, McLean, Virginia. For mail Yarmolinsky uses Box 438, Route 2, McLean, Virginia. His home telephone is 893–9053. At the Pentagon Building he took the place of Peter Solbert in Office 4E863.

On April 22, 1964 the "Washington Post" reported that Adam Yarmolinsky suffered severe head cuts Monday night in an auto accident on the George Washington Parkway. On June 28, 1965 the "Washington Star" in an article by Betty Beale stated, referring to Secretary of Defense Robert McNamara, "There is no doubt but that he recently saved the life of his assistant, Adam Yarmolinsky, when the latter crashed into a parked car on a Virginia road, cut his throat from ear to ear and lost so much blood he had no blood pressure at all upon arriving at the nearest hospital. Contacted at once, Bob McNamara had two topflight surgeons and quantities of blood rushed from Walter Reed, and he, himself, stayed at the hospital all night in case anything else was needed."

The circumstances of the accident were not made public. Mr. McNamara's devotion to Yarmolinsky obviously goes far beyond the call of duty—one wonders how many others in the Defense Department would cause McNamara to stay up all night worrying about their health. Or was McNamara there just in case Yarmolinsky might want to make a "death-bed" statement?

Another little known activity of Yarmolinsky has been a role he has played in the State Department. There is a Review Board made up of foreign service officers on duty in Washington which reviews important matters involving the foreign service career employees of the State Department. Acting as an "adviser" to this Review Board at their unpublicized meetings at the State Department has been Adam Yarmolinsky.

As a result of his investigations made for the Fund for the Republic regarding the U.S. Loyalty-Security programs, Yarmolinsky was able to get a great deal of information. There were at least fifty cases wherein he had been able to get at the files of the defense attorneys and obtain data concerning actual security risks. Since many of these were communist-type risks (his studies and investigations were sympathetic to them), he could have obtained much information regarding others still in government, prominent people not in government, politicians and foundation people. This information could be used to insure "cooperation" of those involved.

Adam Yarmolinsky had an advisory committee in connection with his "Case Studies in Personnel Security." On this committee was Roger D. Fisher who was with the law firm of Covington & Burling, Washington, D.C. This is Dean Acheson's law firm and the one where identified communist Donald Hiss, brother of Alger, still works. Also on the advisory committee were Leon Lipson of Cleary, Gotleib, Friendly and Ball (a firm Yarmolinsky had been associated with) and Herbert L. Packer, another Washington lawyer. It is interesting to note that the Gesell Report Committee, on which Yarmolinsky was an influence, was headed by Gerhard A. Gesell, also of Dean Acheson's law firm, which has represented communist countries.

Adam Yarmolinsky has been a close associate of W. H. (Ping) Ferry of the Fund for the Republic who is notorious for his attacks on the FBI.

Yarmolinsky has admitted under oath that he looked with favor on a "so-called communist government." His sinister influence has reached into many areas of the Defense Department, the State Department, the Poverty Corps, the U.S. Office of Education, the Panama Canal sell-out, the communist revolution in the Dominican Republic. He has even had his eye on J. Edgar Hoover's job as head of the FBI. Yarmolinsky would change our security systems to allow more like himself to hold key government positions. He would restrict or abolish the House Committee on Un-American Activities. He has done more than any other person to demoralize the military with his civilian commissars.

Yarmolinsky is not an elected official, he is not even an appointed official requiring confirmation. He has been forced upon the American people, his influence changing and undermining a strong America. What is the reason a person with a background which is "dubious" (to put it as kindly as possbile) is selected for such important positions? God save us from him!

[From the Staten Island (N.Y.) Herald of Freedom, Nov. 8, 1963]

IS ADAM YARMOLINSKY A SECURITY RISK?

"In carrying on the activities referred to" (overthrow of existing governments by any available means including force if necessary and setting up Communist totalitarian dictatorships) "Communist organizations are organized on a secret conspiratorial basis and operate to a substantial extent through organizations commonly known as Communist fronts."—from the Internal Security Act of 1950 known as the Communist Control Law.

For over a year now and recently more intensified have been rumors or perhaps deliberately leaked stories (trial balloons) to the effect that Adam Yarmolinsky will soon replace J. Edgar Hoover as head of the FBI. One female Chicago columnist went so far as to say that Mr. Hoover approves of such a successor. This is not true as Mr. Hoover has repeatedly stated that he desires to continue to serve America. No denial has been made by Robert Kennedy, the Attorney General whose dictatorial policies and interference are well known. A champion of "Civil Rights" for Negroes, he overlooks the civil rights of all Americans who are being threatened by the International Communist Conspiracy operating within the United States.

What constitutes a security risk? Experts state it depends upon the sensitivity of the position and the background of the individual. Graduates of our service academies have been refused commission as officers if even one of their parents is Communistic or has a history of being pro-Communist. Civilians have been dismissed from ordinary defense plant jobs for belonging to the German American Bund. The FBI reports truthfully on the background of U.S. government officials and employees but is not allowed to make its findings public. Thus a department head can set up a loyalty review board of his own selection and approve security risks in spite of derogatory FBI reports.

We believe that there is more than ample evidence available to clearly indicate to any open-minded American that Adam Yarmolinsky should not be permitted to head the FBI, in fact should not be Special Assistant to the Secretary of Defense, in fact should not be employed by our government at all. We present the following information concerning the Yarmolinskys which is publicly known.

Adam's father, Avraham Yarmolinsky, was born in Russia in 1890 and came to the United States in 1913. He was educated in the Neurological Institute of St. Petersburg in Russia, the University of Neuchatel in Switzerland, the City College of New York and Columbia University in New York City. He married Babette Deutsch on April 28, 1921. He taught Russian at C.C.N.Y. and for many years was in charge of the Slavonic Division of the New York Public Library. His interest in the Communist Conspiracy goes back to its early days in the United States when he became affiliated with the John Reed Clubs of the United States, named after one of the founders of the Communist Party U.S.A., whose ashes are now interred in a place of honor inside the Kremlin Wall in Moscow. The Special Committee on Un-American Activities cited the John Reed Clubs as "An organization whose affiliation with the Communist Party is clear beyond dispute."

On May 19, 1930 there appeared an advertisement in the N.Y. Times signed by Avraham Yarmolinsky and many others including a long list of Communists. The ad protested attacks on Communists which they called "red-baiting." The sponsor of the ad was the John Reed Club, an Affiliate of the International Union of Revolutionary Writers. Yarmolinsky's name appears on Page 559 of the Dies Committee Report, Vol. I. The Report states, "All the John Reed Club leaders are engaged in revolutionary activities." (Page 561)

Avraham Yarmolinsky was on the Board of Directors of the American Russian Institute, cited as "A Communist controlled organization which was intimately linked with the Institute of Pacific Relations" by the Senate Judiciary Committee Report #2050, I.P.R., July 2, 1952. The Attorney General of the United States cited it as Communist to the Loyalty Review Board on April 27, 1949.

Avraham Yarmolinsky was an Adviser for the American Pushkin Committee, cited as a Communist front, and became Vice Chairman of their Executive Committee. Serving with him were W. E. B. DuBois, Corliss Lamont, Paul Robeson, Rockwell Kent and others now publicly identified as Communists. Yarmolinsky was a writer and translator of books and poems from Russian into English for the International Publishers, cited by the Special Committee on Un-American Activities as "the official publishing house of the Communist Party in the United States and a medium through extensive Soviet propaganda is subsidized in the United States." It was also cited by the Attorney General of the United States as the Communist Party's Publishing House.

Adam's mother, Babette Deutsch, was born in New York City in 1895 and graduated from Barnard College. She lectured in English at Columbia University and through the years has been an author, poet and translator of books from Russian to English, working with her husband. She has always been known under her maiden name. Her affiliation with Communist causes began long ago and has continued right up to the present.

She was active in the Communist revolutionary John Reed Clubs along with her husband, and was an early foe of Congressional Committees investigating Un-American Activities. (See Page 939, Appendix IX, 1944.)

Babette Deutsch was a member of the Non Partisan Committee for the Re-election of Congressman Vito Marcantonio, cited as a Communist front by the Special Committee on Un-American Activities as shown on Page 130 of the Guide to Subversive Organizations. Her name is listed on Page 1375 of the Committee Report (1944.) On the Committee with her were John Howard Lawson, Maxwell Stewart, Langston Hughes and Louise Thompson who have been identified as Communists.

Mrs. Yarmolinsky was a writer for "Soviet Russia Today," cited as a Communist-controlled publication by the Senate Judiciary Committee (Senate Report #2050, July 2, 1952, Pages 96 and 146.) She was a sponsor for the American Student Union, cited as a "Communist front which was the result of a united front gathering of young Socialists and Communists in 1935. The Young Communist League took credit for the creation of the organization." (from Guide to Subversive Organizations, Page 31.) Sponsors with Babette Deutsch included Anna Louise Strong who now works for the International Communist Conspiracy as an "Open Communist."

Babette Deutsch was a sponsor for and a Committee Member of the Citizens Committee for Harry Bridges, cited as Communist by the Attorney General of the United States to the Loyalty Review Board, April 27, 1949. It was described as a "Communist front formed to oppose the deportation of Harry Bridges, Communist Party member and leader of the disastrous San Francisco General Strike of 1934 which was planned by the Communist Party." (from the Guide to Subversive Organizations 1961 Edition, Page 43.) On the Committee with Mrs. Yarmolinsky were Paul Robeson, Rockwell Kent, John Howard Lawson and other well-known Communists.

Babette Deutsch was a sponsor for the Writers and Artists Committee for Medical Aid to Spain, a cited Communist front as shown in Appendix IX, Page 1765 of the Special Committee on Un-American Activities. On the Committee with her, providing aid for the Communists in Spain were Lankston Hughes, Rockwell Kent, et al.

Mrs. Yarmolinsky worked with her husband translating Russian books for the International Publishers, official publishing house of the Communist Party in the United States. As late as 1961 she openly advocated the obolition of the House Committee on Un-American Activities.

Babette Deutsch was a sponsor for the "Peace Patriots" who were promoting "Universal Total Disarmament" at the Geneva Conference of 1932. (The Peace-Mongers now have succeeded.) Mrs. Yarmolinsky was on the National Committee to Aid the Striking Miners, along with Communists (Rev.) Elliott White (who was a stockholder in the "Daily Worker") and Robert Dunn. She has received awards from "The Nation" and the Ford Foundation.

Son Adam, who would like us to think he is not a chip off the old block, is a graduate of Harvard and while there was Editor of a student paper called "Yardling" described as "left-wing." He has admitted attending meetings of the Young Communist League, cited by the Attorney General of the United States as a "subversive Communist organization which seeks to alter the form of government of the United States by unconstitutional means" to the Loyalty Review Board on September 21, 1948.

A U. S. Army Intelligence Report referred to in sworn testimony before the Senate Armed Services Committee states that Yarmolinsky, while being questioned during an investigation while he was in the United States Army, stated "The Young Communist League believed and I was inclined to believe that a so-called Communist government was a desired end." Sworn testimony and Army Intelligence Reports show Adam Yarmolinsky attended the American Youth Congress in 1941, as shown in hearings before the Armed Services Committee of the Senate "Military Cold War Education," Page 1491.

The American Youth Congress was cited by the Attorney General of the United States as "Communist and Subversive" to the Loyalty Review Board, December 4, 1947. Another U. S. Attorney General previously cited it as follows: "It originated in 1934 and has been controlled by Communists and manipulated by them to influence the thought of American youth." (Congressional Record 9/24/42, Page 7685.)

Adam Yarmolinsky solicited funds for the Spanish War Relief on behalf of the subversive Communist organization, the Young Communist League. This was for aid to the Communists in Spain. (from Senate Armed Services Committee Hearings and U.S. Army Intelligence Reports referred to therein.)

Adam Yarmolinsky had been affiliated with George Ball (who attended the mysterious Bilderberg Conferences and who is a member of the State Department,) but left law practice to work for the Fund for the Republic. In this post he supervised a study of U. S. Loyalty-Security Programs (in which he must have had a deep personal interest.) He recruited certain lawyers to work on a part-time basis. They contacted lawyers who had advised or represented government employees charged with disloyalty or being security risks.

The defense lawyers were asked to provide (and did so) "statements of charges" made against accused security risks, their defense and transcripts of the hearings. The study covered 350 cases and the project cost the Fund for the Republic $192,710.00. The Study was critical of our government's Loyalty and Security Program for getting rid of these security risks.

Adam Yarmolinsky became Secretary of the Fund for the Republic, whose activities have made us wonder what Republic they are working for and why. This collection of left-wingers paid $34,613.00 for a study of a "Community Under Pressure from Right Wing Pressure Groups." Other studies include "Foreign Political Propaganda Restraints," "Alleged Obscene Material Seizures," "Anti-Communism and Employment Policies in Radio and T.V." Grants were made on "Segregation and Other Negro Problems in the South"—$445,000.00 to one group and $118,954.00 to another. The Vice President of the Fund for the Republic, W. H. Ferry, made an irresponsible, unwarranted and vicious public attack on J. Edgar Hoover and the FBI. He will probably be happier with it when it is reorganized and reoriented under his friend Adam.

A. F. Canwell, former Chairman of the Washington State Joint Legislative Committee on Un-American Activities, has referred to Adam Yarmolinsky's parents as two top U.S. Communists. But Secretary of Defense McNamara stated he had reviewed the security file of Adam Yarmolinsky before appointing him and found that "Mr. Yarmolinsky's record is one of strong and active anti-Communist activity." (Human Events 4/21/62, Page 295.) Mr. Yarmolinsky must be doing this work underground, he is keeping it so quiet.

The Director of the House Committee on Un-American Activities, Francis J. McNamara, in a letter to Congressman Walter Rogers of Texas, dated October 15, 1963, stated—and we quote exactly:

"DEAR MR. ROGERS: In response to your request of October 1, a search of the public records, files and publications of this committee has disclosed no information showing Adam Yarmolinsky to have been a member or sponsor of any organization or enterprise which has been cited as subversive by this committee or any other Federal authority. Moreover, there is no reference to his name in any of the published hearings and reports of this committee.

"In response to certain accusations which had been made against him during a Senate hearing, Mr. Yarmolinsky gave a statement to the press which was published on April 5, 1962. According to the account which appeared in the Washington Evening Star (pp. 1 and 3), he acknowledged that he had attended some Young Communist League Meetings—against the advice of his parents—when he was a junior in high school, because he was 'curious.' He was quoted as saying: 'I went to a couple of meetings and saw what it was, and I didn't go again.' His statement said: 'It happens that I have a public record as an anti-Communist * * * My whole public record goes in the opposite direction from these charges.' He added that his record 'includes a 1946 fight against Communist efforts to "move in" on the American Veterans Committee,' which led to his being 'attacked by the Daily Worker, called a Red-baiter and all the rest.'

"With kind regards, I am

"Sincerely yours,

"FRANCIS J. MCNAMARA."

One must wonder why Mr. McNamara did not bring out the facts contained in this report since they are either all in the files of the Committee he works for, or easily available to him. An uninformed person, reading his letter, would come to the conclusion that Adam Yarmolinsky is an anti-Communist. If he were, he would not be working for the Kennedy Administration.

How anyone could examine the history of the Communist-front affiliations of the Yarmolinskys and conclude that Adam is an anti-Communist is beyond understanding. However, one must remember that Alger Hiss, Harry Dexter White, Harold Glasser and other Communist espionage agents were allowed to remain in their jobs and even promoted many years after the FBI had notified all concerned that they were security risks. Maybe they were even known as "anti-Communists" too.

Adam Yarmolinsky, together with Ted Sorenson and Sargent Shriver, screened seventy-five attorneys for high posts in the Kennedy Administration. The young men who work with Yarmolinsky in the Defense Department are known as the "Whiz Kids" and Yarmolinsky's "Commissars." They are responsible for the demoralization of our military service and our no-win policy.

Joseph O. Hanson, Jr., a National Security Affairs Adviser, employed by the U.S.I.A., speaking at the International Arms Control Symposium at the University of Michigan in December 1962, stated, "The emergence of a growing group of disarmament experts in Congress is a deeply significant political phenomenon. Perhaps the most striking is the establishment in the Department of Defense of a permanent office devoted to arms control, accompanied by a doctrine weaving disarmament and arms control factors into the fabric of United States military policy." Yes, now we know what we have suspected for some time: that our present military policy is not to defend the United States.

When charges were made against Adam Yarmolinsky in sworn testimony during the Senate Armed Services Committee Hearings, instead of asking to appear in person to refute the charges under oath, Mr. Yarmolinsky took cover and gave out a statement to the newspapers which don't require sworn affidavits.

If the Senate Internal Security Committee or the Senate Armed Services Committee would question Avraham Yarmolinsky, Babette Deutsch Yarmolinsky and Adam Yarmolinsky under oath, they will find the facts outlined here to be absolutely accurate and they will soon be able to judge which Adam Yarmolinsky is—an anti-Communist or a security risk.

ANOTHER FOOLISH OPINION BY THE SUPREME COURT IN THE FIELD OF CRIMINAL LAW

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 1968

Mr. BURTON of Utah. Mr. Speaker, some days ago I inserted in the CONGRESSIONAL RECORD the text of the decision of the Utah Supreme Court in the case of Dyett against Turner, decided March 22, 1968. The prevailing opinion in that case, written by Associate Justice A. H. Ellett, discussed at length the attitude of the Supreme Court of the United States with respect to certain aspects of the criminal law and, in clear and forceful language, criticized that attitude. I personally was impressed by the opinion and considered it worthy of the attention of my colleagues. My own view is that the Supreme Court has gone too far in its efforts to protect the rights of criminals, with the result that the rights of the rest of us have been placed in jeopardy. The other day the High Court handed down another decision that gives comfort to the criminal—and which should engender outrage on the part of the law-abiding citizen. The Washington Evening Star editorial of yesterday—June 11, 1968—put some of that outrage in words. I wholeheartedly agree with the opinion expressed in the editorial. With decisions like that in the Harrison case, it is little wonder that the Congress, in a time of unprecedented crime and violence in this country, feels called upon to give direction to the Supreme Court. I certainly hope the President signs the crime bill, and that the Supreme Court finally pulls back from its extremist position in the field of criminal law.

The editorial follows:

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while properly represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. He agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witnesses were dead or unavailable." This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

HOUSE OF REPRESENTATIVES—*Thursday, June 13, 1968*

The House met at 12 o'clock noon.

Rev. Charles Spence Hubbard, First United Methodist Church, Wilson, N.C., offered the following prayer:

Our Father, we acknowledge that You are the hope of this world. Be now our hope in this great place of decision. Let it now be a place of prayer. We confess to You our sins—our anxieties and doubts, our follies, and failures. Engrave in our hearts this song of faith: "The Lord is my light and my salvation; whom shall I fear?"

Grant these, Thy servants, the light to know truth from untruth, the clean from the unclean, the enduring from the transient. Help this Congress to lead our bewildered and confused Nation toward common humility and penitence, that we may rededicate ourselves under law and freedom before the Father of us all. In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2709. An act for the relief of Suh Yoon Sup;

H.R. 4030. An act for the relief of Yong Chin Sager;

H.R. 4370. An act for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos;

H.R. 7042. An act for the relief of Dr. Jose Del Rio;

H.R. 7431. An act for the relief of Gilmer County, Ga.;

H.R. 8241. An act for the relief of Victorino Severo Blanco;

H.R. 13439. An act to correct and improve the Canal Zone Code, and for other purposes;

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, US51615166; and

H.R. 15972. An act to permit black and white or color reproductions of United States and foreign postage stamps under certain circumstances, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1879. An act for the relief of Stanislaw and Julianna Szymonik;

H.R. 4544. An act for the relief of Giovanna Ingui Dallara;

H.R. 4976. An act for the relief of Theofane Spirou Koukos;

H.R. 11287. An act for the relief of Amir U. Khan; and

H.R. 13301. An act to confer U.S. citizenship posthumously upon Pfc. John R. Anell.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 660. An act granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes;

S. 1506. An act for the relief of Ernesto Alunday;

S. 2490. An act for the relief of Dr. Juan de Moya;

S. 2516. An act for the relief of Dr. Jose A. Sierra;

S. 2517. An act for the relief of Dr. Jose Salazar;

S. 2547. An act for the relief of Dr. Juan Antonio Lopez;

S. 2559. An act for the relief of Dr. Rafael Luis Bejar Arias;

S. 2568. An act for the relief of Mr. Leonel E. Enriquez and his wife, Mrs. Ether Luisa Marrero de Enriquez;

S. 2587. An act for the relief of Dr. Roberto Garcia-Rivera.

S. 2599. An act for the relief of Dr. Alberto M. Hernandez.

S. 2609. An act for the relief of Dr. Jose Xirau;

S. 2610. An act for the relief of Leonardo Seda;

S. 2651. An act for the relief of Dr. Aurelio Julian Andres Jimenez Cortina;

S. 2698. An act for the relief of Dr. Carlos T. Toledo;

S. 2706. An act for the relief of Yung Ran Kim;

S. 2724. An act for the relief of Peter Rudolph Gross;

S. 2733. An act for the relief of Dr. Angel Solar;

S. 2756. An act for the relief of Dr. Heldo Gomez and his wife, Olga Enrique Gomez;

S. 2759. An act conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King;

S. 2783. An act for the relief of Dr. Cesar Baro Esteva;

S. 2825. An act for the relief of Dr. Jacinto Felix de la Presilla-Elias;

S. 2826. An act for the relief of Dr. Carlos Jesus Aguilar Lima;

S. 2827. An act for the relief of Eloy Rene Tuya Hernandez;

S. 2835. An act for the relief of Dr. Rogelio J. Barata (Rogelio Jose R. Barata y Rivero);

S. 2848. An act for the relief of Enrique C. Sanchez;

S. 2859. An act for the relief of Margarete Reinhold Hallett;

S. 2897. An act for the relief of James T. O'Brien;

S. 3024. An act for the relief of Richard Smith (Noboru Kawano);

S. 3488. An act to provide for the admission to the United States of certain inhabitants of the Bonin Islands; and

S. J. Res. 172. Joint resolution, extending the duration of coypright protection in certain cases.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16489) entitled "An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes."

VISITORS FROM WILSON, N.C.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, we are fortunate—at least I am, as a Member of the Congress—in having with us in the galleries of the House this morning a group of Christian young people with some of their parents, and chaperones, all from the First Methodist Church of Wilson, N.C., in my congressional district. This has been an all-week visit and tour for them in which they are here to see the Federal Government in action and to find out all they can about the way it operates. It is a new and, I hope, informative and thrilling experience for each of them.

While they are enjoying their visit and having fun, I hope their observations of both the House and the Senate in action will also be a meaningful and lasting experience.

They are accompanied by their spiritual adviser, the Reverend Charles S. Hubbard, who honored us with the invocation this morning. Mr. Hubbard has been doing a great job of teaching and preaching, both by word and deed, in the city of Wilson, N.C. He has recently delivered an extremely informative, inspiring and thought-provoking series of sermons entitled: "A Sermon on the Freedom of Man." The series is divided, I believe, into seven parts, the first five of which are as follows:

Part I, "An Introduction"; part II, "Your Freedom and the Welfare State"; part III, "Communism"; part IV, "Weeds in the Garden"; part V, "Freedom and the Race Problem."

When the entire series of seven parts is completed, I hope to make them available to the Members of the House.

In addition to having many mutual friends and to our mutual respect for the spiritual qualities of life, Mr. Hubbard and I both attended the University of North Carolina. I believe he received his A.B. degree the same year I graduated from the University of North Carolina Law School. Mr. Hubbard then attended the Duke University School of Divinity where he prepared himself for the Christian ministry.

It is fitting to note that he recognizes the value of a sound body as well as the necessity for moral and spiritual strength and nourishment. He was a great athlete, having participated in a number of sports. He did some boxing, was captain of the University of North Carolina track team and also won a letter in football. For 23 years he has been a member of the North Carolina Recreation Commission, having served as its chairman for the last 13 years. This commission has as it basic goal the providing of means for physical and moral development of the people of our State. I believe he has two sons who are presently members of the Marine Corps and one more awaiting the same opportunity.

It is significant that these young people and those accompanying them compose a church group, here in an effort to relate themselves to their Government and their Government to them. And for this I commend and salute them. If more of our Christian people—young and older—would seek to do the same thing, they could well be the influence for both justice and order which we so desperately need in these troubled times.

Mr. Speaker, I am extremely proud of these young people, their minister, their parents and all who are helping influence and shape their lives for good. I hope they are proud of their country and our Government, notwithstanding its imperfections, as they see this particular part of it at work.

Mr. Speaker, I am sure I express the sentiment of the Members of this House when I welcome all 47 of these young people and their chaperons into our midst and express the hope that their interest and concern for their country will prompt them to return many more times.

POSTMASTER GENERAL ISSUES GUN REGULATIONS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the action of the Postmaster General in issuing regulations which, in effect, constitute new gun laws is a dangerous precedent. Whether or not his action has merit, it involves the usurpation of the prerogatives of Congress, and in part takes the consideration of firearms legislation out of the hands of Congress, leaving Congres no choice or responsibilities in the matters covered. Obviously, this procedure helps to destroy the concept of separate and coequal branches of Government.

The order requires a mailer of firearms to label packages accordingly. It further provides that the Department shall notify police of the names and addresses of persons receiving firearms through the mail. The order requiring labeling of packages containing firearms is not objectionable. Under longstanding authority, the Department is authorized to inspect contents of all parcel post packages. However, the next step could be a requirement that all packages be labeled with a list of contents. Certainly there is question concerning the Department's authority to notify police of names and addresses of persons receiving firearms. This procedure is justifiable only when recipients are reasonably suspect of engaging in or having engaged in illegal activities. The question of invasion of personal privacy can well be raised in this connection.

We have long had a problem with the usurpation by the U.S. Supreme Court of the lawmaking authority granted to Congress. For agencies of the executive branch of Government to assume similar authority to issue regulations with the effect of law is dangerous indeed. This action is subject to challenge and should be challenged before it gets completely out of hand and before the people, through their elected representatives, are denied a voice in Government.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS UNTIL MIDNIGHT FRIDAY, JUNE 14, TO FILE REPORT ON PUBLIC WORKS-ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1969

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday, June 14, to file a privileged report on the Public Works-Atomic Energy Commission appropriation bill for the fiscal year 1969.

Mr. RHODES of Arizona reserved all points of order.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

THE GUN CRIME PREVENTION ACT OF 1968, H.R. 17879

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today I am introducing in the House the Gun Crime Prevention Act which was introduced in the Senate yesterday by Senator Tydings as S. 3634.

This bill takes necessary steps to control the misuse of firearms and would finally place the United States among the ranks of nearly every other industrialized nation which has strict controls on the use of firearms.

The bill requires registration of every firearm in the United States; it requires reregistration every time a firearm changes hands. In addition, the possessor of a firearm or ammunition must be licensed. Further, it prohibits possession of firearms by felons, aliens, drug addicts, alcoholics, the mentally incompetent, and juveniles.

Mr. Speaker, the argument advanced by the National Rifle Association and others that registration constitutes an "inconvenience" is absurd. We require registration of automobiles and licensing of drivers. We require licenses for dogs. We require fishing licenses, and yet sportsmen do not complain.

In 1966, 6,552 Americans were murdered with guns. This constituted 60 percent of the homicides. It is time that we begin to control carefully the free use of lethal weapons.

There are careful regulations to control virtually every other dangerous instrument and some necessary regulations and licensing requirements on other commodities as well. Is it not ironic that we refuse to require the registration of licensing of the most lethal weapon of all, the firearm?

I urge prompt action and wide support for the Gun Crime Prevention Act.

ORDERLY TRADE IN TEXTILES

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, textile imports continue to increase and threaten the entire textile apparel industry of our country and its 2 million employees. It is imperative that action be taken at this session of Congress to promote orderly world trade in textiles. I urge my colleagues to follow closely the proceedings before the great Ways and Means Committee, and I urge the 196 Members of this House who joined Chairman Mills last year in introducing a bill to promote orderly trade in textiles to make their views known to the committee.

Mr. Speaker, we were highly pleased this morning that our former colleague, Andrew J. Biemiller, director, department of legislation, American Federation of Labor and Congress of Industrial Organizations, in testimony to the Ways and Means Committee made a magnificent statement.

I was particularly pleased to note his call for restraints on textile and apparel imports of all fibers. Mr. Biemiller, referring to textiles said to the committee:

> Agreements with other countries, like the International Cotton Textile Agreement, should be concluded, covering trade in textiles and apparel of wool and man-made fibers. The Cotton Textile Arrangements should be effectively enforced and no erosion permitted in its safeguards against disruption.

FLAG DAY CEREMONIES

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, as chairman of your Flag Day Committee, I would like to announce that your committee is making progress toward a suitable program honoring our great flag.

We have made arrangement for the U.S. Marine Band and the U.S. Air Force "Singing Sergeants" to participate in the program. Representatives of all the services are taking part and the Joint Chiefs of Staff have accepted our invitation to attend.

We will also have as our honored guests servicemen from the Marine Corps, Navy, Army, and Air Force who have received Presidential Unit Citations for their defense of Khesanh and other action in Vietnam.

Your committee is making every effort to prepare a fitting tribute to our Nation's emblem. We urge all of our colleagues to be present promptly at noon Friday, June 14, to take part in this occasion.

MR. LEE MORSE

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, an able young man, who for over 4 years has done yeoman service as chief counsel to the Banking and Currency Committee has announced that he will open law offices here in Washington, D.C. and in Atlanta, Ga., his home State.

Mr. Lee Morse, of whom I speak, came to the committee after serving with the Securities and Exchange Commission and the Comptroller of Currency. Mr. Morse displayed outstanding ability and keen understanding of the many matters which came before the Banking and Currency Committee. In addition, he was of great assistance to me in all phases of the committee jurisdiction, particularly in the fields of supervision of financial institutions, holding companies, small business financing and credit card and credit data legislation.

In his service to the committee he rendered service to the House. While we will miss his wise and able counseling we sincerely wish him every success.

REQUEST FOR PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. BARRETT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I was just informed by a member of the committee that he did object. If we can work out something in the interim, fine, but at the moment I am constrained, at the request of a member of the committee, to request that the gentleman from Pennsylvania not press his request at this time.

Mr. BARRETT. May I say to the gentleman from Michigan, in answer to his statement, that we have spoken with the minority leader and it is agreeable with him, but I will be glad to hold it until such time as the matter can be cleared up.

Mr. Speaker, I withdraw my request.

Mr. GERALD R. FORD. I thank the gentleman.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC HEALTH, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Health of the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO PASS OVER H.R. 16187 ON CALL OF THE PRIVATE CALENDAR, JUNE 18

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the bill H.R. 16187 be passed over and not considered when the Private Calendar is called on June 18.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GUN CONTROL LEGISLATION AND THE FIGHT ON CRIME

Mr. KYL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KYL. Mr. Speaker, it would be too bad if the current enthusiasm for fighting crime were concerned only with the matter of gun control.

This would seem to be an opportune time to broaden the scope of crime fighting.

Mr. Speaker, during the past 7 or 8 years in this city of Washington, D.C., I have seen about 20 homicides and aggravated assaults. In one case a gun was used. In three-fourths of the cases the assailant was drunk. We hear nothing about legislation dealing with reasonable liquor control, in spite of the fact that liquor is involved in far more instances of assaults against a person than is the gun. We know too the involvement of alcoholism in the terrible highway toll where death, though accidental is no less final.

We know that a handgun is used in most of the cases in which a law officer is killed. In the majority of the killings of officers, the assailant was at least accused of law violations and was out of custody at that time because of some leniency on the part of the court.

Mr. Speaker, this is a tremendously broad problem. Criminology is not an exact science nor is sociology or psychology, but with the fire of enthusiasm which we have directed toward fighting crime at this time, it would be indeed too bad if we limited our activities to gun control legislation alone.

CALL OF THE HOUSE

Mr. BOLLING. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 183]

Ashbrook
Ashley
Ayres
Bell
Bingham
Bolton
Bow
Brademas
Carter
Cederberg
Celler
Conyers
Cowger
Daddario
Dawson
Diggs
Evins, Tenn.
Farbstein
Flood
Ford,
  William D.
Gettys
Gilbert
Gubser
Halleck
Hansen, Idaho
Hardy
Harrison
Hawkins
Hébert
Heckler, Mass.
Holland
Howard
Karsten
Kelly
Kyros
McMillan
Minshall
Murphy, Ill.
Murphy, N.Y.
Nelsen
Nichols
O'Hara, Mich.
Pelly
Pepper
Podell
Pool
Reifel
Resnick
Riegle
Rooney, N.Y.
Rosenthal
Scheuer
Stephens
Stuckey
Teague, Tex.
Tenzer
Thompson, N.J.
Vander Jagt
Waggonner

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 373 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WHOLESOME POULTRY PRODUCTS ACT

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1172 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1172

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16363) to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Hawaii is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA] pending which I yield myself 5 minutes.

Mr. Speaker, House Resolution 1172 provides an open rule with 2 hours of general debate for consideration of H.R. 16363, the Wholesome Poultry Products Act.

H.R. 16363 amends the Poultry Products Inspection Act to authorize the establishment of a Federal-State cooperative inspection service for poultry products comparable to that provided under the Federal Meat Inspection Act, as amended in 1967. The bill provides for assistance to the States in the development of trained staffs and in enactment and administration of effective mandatory inspection programs under State control or in joint effort with the Federal Government. Two years are allowed the States in which to implement such a system. If the Secretary of Agriculture has reason to believe that a tardy State will if given additional time meet this requirement, an additional year will be given to complete the installation and effectuation of the system.

The bill extends Federal inspection and regulation to poultry products processed for shipment within the States, where the States do not enforce requirements at least equal to the Federal requirements after the expiration of 2 or 3 years, as the case may be.

Where poultry products processed solely for intrastate commerce endangered the public health, the Federal requirements would, under specified conditions, be applied at any time to those particular establishments which permit insanitary practices.

Mr. Speaker, the Congress of the United States is too often pictured as a body politic yielding to pressures of highly paid lobbyists.

By passage of the Wholesome Poultry Products Act we will have proved the falseness of that picture, for it is well recognized that the American consumer is without any paid lobbyists in Washington.

In spite of this he has had passed for his benefit by this Congress, in this single term, the Federal Meat Inspection Act and the truth in lending bill. Upon passage of the measure now before us, the 90th Congress may well go down in history as the Consumer Protection Congress.

Mr. Speaker, I urge the adoption of House Resolution 1172 in order that H.R. 16363 may be considered.

Mr. LATTA. Mr. Speaker, I agree with what the gentleman from Hawaii said concerning this bill. I want to point out to the Members of the House that last year we passed the meat inspection bill with a lot of publicity. It was said if you voted against that legislation, you would be for dirty meat; if you voted for it, you would be for clean meat, and it put Members in a difficult position.

Now, Mr. Speaker, we hear the same type argument on this bill.

Mr. Speaker, I want to advise the Members of the House that notwithstanding all the publicity on the meat inspection legislation last year and our authorization of over 1,000 meat inspectors, the Department of Agriculture has yet to fill all of the vacancies for meat inspectors.

And, I was amazed to learn from the Subcommittee on Agricultural Appropriations that these so-called meat inspectors are being paid the magnificent sum of about $6,500 a year and receive only 30 days training. I do not believe this is adequate, Mr. Speaker. I do not believe this is what the American people want or thought they were getting in the way of meat inspection.

I hope today that we will hear discussed in this Chamber some of the qualifications for the so-called poultry inspectors called for under this bill, because merely calling an individual an inspector does not make him an inspector.

Mr. Speaker, these individuals should be qualified for these important jobs.

The same individuals who were out front for the meat inspection legislation and who are for this legislation are strangely silent when it comes to demanding qualified men to fill these jobs.

Further, Mr. Speaker, it is my opinion that we need to know something more about the qualifications necessary for these positions if we are going to make this bill work and if the American people are going to get what they think they are getting under this legislation.

I also want to point out that at the time the meat inspection bill was under consideration I raised the question as to whether there were adequate exemptions provided for our little locker plants. I would like to raise the same question today and ask whether there is sufficient exemption for these locker plants in this bill.

Mr. Speaker, it seems to me when we voted for the meat inspection bill we were told there was some exemptions granted for these little local locker plants. But now I find the exemptions are only for the local locker plants located near the borders of the various States.

Today, Mr. Speaker, when this legislation is discussed I would like to have the matter of exemptions for these little locker plants classified.

I note an exemption for the custom slaughterer of poultry but he appears to lose his exemption if he buys or sells any poultry.

Mr. Speaker, I do not know of a locker plant that will not sell a pound or 2 pounds of poultry upon occasion, but as I read this report they will not be qualified for this exemption if they do so. So, let us not give them an exemption on the one hand and take it away from them with the other. In other words, if they have an exemption let us say so and if they do not have an exemption, let us say so. I think it is important that we clear up this matter on this floor today.

The question will also be raised as to whether this $15,000 exemption is adequate.

As I understand it an amendment will be offered to set this exemption at the sum of $100,000. I do not understand how the Committee on Agriculture arrived at an exemption of $15,000 rather than $25,000 or $100,000. However, it is my opinion that the Members of the House should know the reason the committee set the exemption at $15,000 as opposed to $25,000, $50,000 or $100,000. I hope that when the bill comes on for general debate, consideration will be given to this matter and that we will learn the answers to some of these questions.

Mr. MATSUNAGA. Mr. Speaker, having no further requests for time, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PURCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16363) to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from Kentucky [Mr. NATCHER] as Chairman of the Committee of the Whole House on the State of the Union, and asks the gentleman from Wisconsin [Mr. ZABLOCKI] to temporarily assume the chair.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16363, with Mr. ZABLOCKI (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Texas [Mr. PURCELL] will be recognized for 1 hour, and the gentleman from Oklahoma [Mr. BELCHER] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. PURCELL].

Mr. PURCELL. Mr. Chairman, I know of no privilege more meaningful to any Member of Congress than to be able to present legislation for consideration which he feels is truly worth the effort that has gone into obtaining its final form.

H.R. 16363, which clarifies and otherwise amends the Poultry Products Inspection Act, is such a bill. It is responsive to the needs to the American housewife and her family, while responsible in its dealings with the poultry industry. In part, this is a result of the true spirit of cooperation that existed among members of the Agriculture Committee, the administration, various consumer groups, and certainly, the poultry industry itself. Also invaluable, in my opinion, was the experience that all of us recall, gained while attempting to work out final language for the Wholesome Meat Act of 1967, signed into law nearly 7 months ago.

I refer to that legislation because the present bill, while adopting different language where appropriate to deal with the specialized problem that the poultry industry faces, nevertheless has a great many similarities to the red meat bill.

Chief among these similarities is the concept written into the bill broadening the present poultry inspection system by establishing a Federal-State cooperative program whereby the Federal Government would provide both personnel and financial assistance to State agencies in order to improve the quality of State poultry inspection programs.

Like the final version of the Wholesome Meat Act, there are also provisions to provide safeguards to the consumers in a State where there is no intent to adopt high standards of inspection, for the States are only given a limited time to come within the cooperative program; otherwise, the Federal Government takes over all inspection procedures within the State, thus insuring that the same high standards that other States, who are willing to receive Federal assistance, are being put into effect, on a nationwide scale.

We already have a Poultry Products Inspection Act, enacted in 1957, which established a Federal inspection system for poultry and poultry products processed by plants shipping in interstate and foreign commerce. It works well for the products covered, but not for the approximately 1.6 billion pounds that represent 13 percent of all poultry slaughtered under State regulation.

Frankly, Mr. Chairman, the situation relating to State poultry inspection programs can only best be described as "dismal." I say this because only 12 States have mandatory inspection programs; and, of those, only four States carry on programs that can be truly described as "active."

Five States have "voluntary" inspection programs, which means that the individual plant itself must generally make a request that its plant be inspected; in many cases, this involves an additional inspection charge that is added to the processing and slaughter of poultry, and there is a serious question of motivation in coercing the individual producer or processor to come under State inspection.

Change in poultry inspection procedures is clearly needed. Most poultry moving in intrastate commerce receives little or no inspection, yet this product may be intermingled in retail stores with federally inspected products being sold to the public.

Admittedly, it would be unfair to condemn poultry produced without Federal regulation unless we have some gage to use to determine whether or not this poultry actually presents a health hazard to Americans; in this case, evidence was presented to the Subcommittee on Livestock and Grains which strongly indicated that there was good cause to be concerned over nonfederally inspected poultry. Dr. George Mehren of the Department of Agriculture testified, and I quote:

> In January, poultry inspection personnel visited retail outlets to make carcass examinations of inspected and non-inspected poultry. The study of inspected poultry was made in 34 stores in 16 States. There were 470 samples examined consisting of 447 whole poultry carcasses and 23 tray-packed carcasses displayed in cutup form. The primary inspection responsibility is to remove from food channels all carcasses or parts of a carcass which are unwholesome. The errors noted on the federally inspected product concerned ready-to-cook factors rather than errors which would render the carcass unwholesome. For example, feathers on a hock or a heart missing from the giblet pack would be recorded as an error in ready-to-cook factors. This would not affect the wholesomeness of the product to the point of being dangerous to the consumer's health. There were no lesions of disease observed. On the other hand, 316 samples of noninspected carcasses were examined in 37 outlets in the same 16 States where inspected poultry was checked. The samples consisted of 286 whole poultry carcasses and 20 tray-packed carcasses in cutup form. Only 18 percent of the noninspected carcasses appeared satisfactory following gross examination. One out of five should have been condemned as unwholesome. Errors found in the noninspected product but not in the inspected product were gross lesions of disease, septicemia, or toxemia which is symptomatic of disease, failure to remove infectious processes, and contamination of the body cavity with stomach contents or fecal material. Laboratory analyses conducted on both federally inspected and nonfederally inspected products revealed a higher level of bacterial contamination on nonfederally inspected products than on federally inspected products.

Assuming that the evidence that the subcommittee received was accurate, and I have no reason to doubt that it was, clearly we need to take strong, positive steps to remedy the opportunities for fraud, deceit, and just plain carlessness in compromising the health hazards that exist in this critical area of consumer protection.

H.R. 16363 represents such a strong, positive step. Its effect is chiefly to broaden the Federal inspection standards, clarify and amend the standards regulations where experience has shown that change is needed, and help the States to promulgate and enforce regulations for poultry produced within their own borders which are at least "equal to" the Federal standards.

In addition to the Federal-State cooperative provisions of the bill, which I mentioned earlier, the bill broadens coverage to include activities other than slaughtering and processing of poultry only; brokers and renderers, storage and handling all come under the provisions of the act. Prohibited are the slaughter of poultry, the preparation of poultry products, and the labeling, sale, transport, or receipt of poultry except in compliance with the act.

It will be obvious to all who read the bill and the report, Mr. Chairman, that what we are trying to do here is to require sanitation facilities and practices within a broad spectrum of the poultry industry to be such that unwholesome or adulterated poultry will not be able to move in commerce.

With the exception of the provisions which provide for exemptions, the same high standards will be incumbent upon the States as are presently in effect by the Federal Government.

Additionally, the bill:

Clarifies the authority of the Secretary of Agriculture in the matter of labeling and conforms the act with the Federal Meat Inspection Act.

It also establishes recordkeeping requirements comparable to those that presently exist in the Federal Meat Inspection Act, and provides penalties similar to those found in the Meat Inspection Act.

There are many other provisions that the bill contains which I am sure my colleagues will want to read as they examine the report, or the bill; however, I do want to point out that the bill does not change our present inspection procedure affecting imported poultry; no problems regarding the present system were called to the subcommittee's attention, and, accordingly, it was felt that there was no need to change the present methods.

Basically, an administration measure drafted at the request of several Members of Congress, the Subcommittee on Livestock and Grains, and later the full committee, made changes in the bill which would warrant discussion.

One of the faults in the original bill was a provision which allowed States who operate under the proposed Federal-State cooperative inspection programs to market their products in interstate commerce, without further qualification or inspection. This section was stricken by the subcommittee, in order to continue to insure the value of the Federal stamp of approval on inspected products, which has come to be a major factor indicating wholesomeness of food products in America.

Other changes were made, some with reservations on the part of several members of the committee. I speak now of the section added to provide for exemptions from the inspection provisions of this act for intrastate establishments who do up to $15,000 worth "wholesale dressed value" of business per year. Not only, in my personal opinion, is the exemption too broad, it likewise presents an ambiguous test: "Wholesale dressed value" is too nebulous a term.

Another change made that I personally am concerned over is the mention of the word "knowingly" in sections 9(a) and 9(c) of the act, and I know that there are others who feel as I. While the intention behind the inclusion of the term in the bill is well-motivated, it still presents almost impossible problems of enforcement, and in my opinion, presents a problem that should be dealt with further.

No good legislation is prepared in a vacuum, and the members of the committee were fortunate to have the counsel of a number of interested organizations representing consumer groups and industry as well.

Although the individual administrative provisions of the bill were often coordinated with the Department of Agriculture, the wide-reaching consumer aspects of the program we are presenting here today, warranted the interest of the Special Assistant to the President for Consumer Affairs, whose feelings on the bill are probably best expressed in her letter to me of June 11, which I would like included in the RECORD at this point:

THE WHITE HOUSE,
Washington, June 11, 1968.

Hon. GRAHAM PURCELL,
Chairman, Subcommittee on Livestock and Grains, Committee on Agriculture, Longworth House Office Building, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN PURCELL: On behalf of consumers, I am pleased to learn that the Committee on Agriculture is expected to report favorably to the House of Representatives the Wholesome Poultry Products Act (H.R. 16363). The Committee is to be commended for favorable action on a bill which will measurably extend the health protection of American consumers on these significant items in the national diet.

I again wish to commend the Subcommittee for its decisive vote to delete a proposed provision in the Wholesome Poultry Products Act which would have made it possible for non-Federally inspected poultry and poultry products to have been sold in interstate commerce. This would have weakened the Federal inspection program for both meat and poultry, and opened the door to a similar weakening amendment in the recently enacted Wholesome Meat Inspection Act.

Although the overall Wholesome Poultry Products Act reported out favorably by the Committee is a good bill, I am seriously concerned about provisions which leave loopholes in the full protection I believe it is the intent of the Committee to provide for the public.

I strongly oppose inclusion of the word "knowingly" in Sections 9(a) and (c) which define prohibited acts. Prosecution of violations will be seriously hampered because of the difficulty of proving that the law was violated with clear and knowing intent.

The Congress did not stipulate in either the Wholesome Meat Act or the Pure Food and Drug Act that the violation must have been "knowingly" committed, hence it is difficult to understand the rationale for insertion of this weakening provision in the Wholesome Poultry Products Act when it must be assumed the intent of the Congress is to provide the public with the same measure of protection in the Wholesome Poultry Act as in the others.

I am also strongly concerned over the exemption from inspection for wholesomeness of any class of poultry producers who supply poultry or poultry products for the consumer market. These exemptions are allowed in Section 14 of H.R. 16363.

Sincerely,

BETTY FURNESS,
Special Assistant to the President for Consumer Affairs.

In these critical times, when additional Federal expenditures are highly critical, I feel that I should make some mention of the cost involved in this legislation. Our best estimate is that we can expect, following the first full year after enactment of the bill, a cost of approximately $5 million; subsequent years should see the cost rise to about $10 million, assuming that all States choose to participate under the Federal-State cooperative programs of the bill.

While the cost is certainly necessary, I would like to point out that it would be unfair to completely censure the States for their general lack of participation in working toward more adequate poultry inspection. The effectiveness of State programs depends upon resources available to carry out these programs. Recently a number of States have taken action to initiate inspection programs, or initiate improvement on existing programs.

I believe that these efforts to insure the wholesomeness of poultry products should be encouraged, and should receive the cooperation and assistance of the Federal Government if the Nation is to achieve adequate overall protection for the consumer. The bill before us certainly accomplishes this.

This is a good bill, Mr. Chairman. Perhaps this Congress will be criticized for failings, as most Congresses have been, and, I am sure, will continue to be. However, I am sure that few will argue that this has not been a Congress that reached out to extend the protection of the Federal Government to the American consumer.

In this respect, H.R. 16363 represents another milestone. Food products served in America should be safe and wholesome, and that is what we are saying again, in this bill. I highly recommend its passage today.

Thank you, Mr. Chairman.

Mrs. MAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill under consideration is designed to close any existing loopholes in our Nation's poultry inspection system which might allow unwholesome poultry or poultry products to reach the shopping bags of U.S. housewives. Properly administered, this legislation will provide U.S. consumers with the assurance that the poultry they purchase at their neighborhood food market has been prepared under one of the most thorough inspection systems in the world.

As approved by the House Committee on Agriculture, this bill authorizes cooperative arrangements with State and local authorities through which the Federal Government can help develop and encourage effective State poultry inspection programs. The States would have 2 to 3 years to implement poultry inspection systems at least equal to the Federal program or Federal inspection would be extended to cover the intrastate activities within those States failing to do so.

Under the terms of this bill, Federal poultry inspection requirements could, under specified conditions, be applied to establishments dealing only in intrastate commerce if the poultry products processed by those establishments were found to endanger the public health.

This legislation would not replace the present Poultry Products Inspection Act, but would update and improve it with provisions comparable to those incorporated in the Federal Meat Inspection Act last year.

The legislation as originally proposed by the administration and supported by the National Association of State Departments of Agriculture contained a provision—section 5(c)5 of H.R. 15146—permitting poultry processed under State inspection systems which are at least equal to the Federal program to be shipped in interstate commerce with a combined State-Federal legend. Unfortunately, the majority of the committee saw fit to delete this provision.

In my view, this was a logical and sound provision, consistent with the intent of the legislation, and should have been retained in the final version of the bill approved by the committee. If the States are to be required to develop programs at least equal to the Federal program and plants selling only in intrastate commerce are to be required to meet standards equal to those provided in Federal law, then there appears to be no valid reason why the poultry inspected under those State programs should not be permitted to be shipped in interstate commerce as well. If this legislation is enacted and effectively administered as presently written, there can be no qualitative difference between State poultry inspection programs and the Federal programs, so there could be no possible difference between the wholesomeness of poultry inspected under those State programs and poultry inspected by Federal inspectors.

In addition, this provision already has precedent in existing law. Under Public Law 87-718—the Talmadge-Aiken Act—the Secretary of Agriculture is authorized to certify State employees to perform Federal inspection functions under certain conditions. The law provides that in order to avoid duplication of functions, facilities, and personnel, and to attain closer coordination and greater effectiveness and economy in administration of Federal and State laws, the Secretary of Agriculture is authorized to enter into cooperative arrangements with State departments of agriculture and similar State agencies, and to provide that any such State agency which has adequate facilities, personnel, and procedures, may assist the Secretary in the administration and enforcement of Federal regulations.

Mr. Chairman, it is my hope that after this legislation and the Wholesome Meat Act have been in effect for a while, Congress will see fit to reconsider and adopt the provision that both meat and poultry products inspected under federally approved State programs should be permitted to be shipped in interstate commerce.

I should also like to discuss a second point relating to this legislation which I feel is especially important.

Section 14 of the Poultry Products Inspection Act provides that "the Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this act." H.R. 16363 would make no basic change in this authority, but would increase the number of areas to which it could be applied. For example, under this bill, the Secretary of Agriculture could establish standards of identity and fill of container, dietary regulations, color, food additives, and pesticide regulations, and labeling and packaging controls.

The U.S. Food and Drug Administration is provided authority under the Food, Drug, and Cosmetic Act to adopt rules and regulations setting standards for foods other than meat and poultry. In establishing such rules, however, FDA is required to adhere to certain rulemaking procedures providing safeguards for those who would be affected. These safeguards include right of hearing and judicial review, and are incorporated in subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act—21 U.S.C. 371 (e), (f), and (g).

Because of the broader delegation of authority provided for the Secretary of Agriculture in the committee bill, I felt it important that similar safeguards be provided for those who would be affected by the rules and regulations promulgated under this legislation. For this reason I offered the following amendment:

> Regulations promulgated by the Secretary under sections 4(g)(2)(D), 4(h)(10), 4(h)(12), 7(a), (a), 8(b), 11(b), and 14(a) of this Act shall be promulgated and shall be subject to judicial review, pursuant to the provisions of subsections (e), (f) and (g) of section 701 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 371 (e), (f) and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Agriculture as he may designate for that purpose.

After deliberation and discussion, the majority of the committee saw fit not to accept the amendment. In my view, adoption of this or a similar amendment would have provided a more substantial framework for protection of the rights of those affected by administrative rulemaking under this legislation.

Mr. Chairman, as I said, this bill and the Wholesome Meat Act approved last year are designed to close any existing loopholes in our meat and poultry inspection systems which could allow unwholesome meat or poultry to be marketed. However, we must also bear in mind the inescapable fact that a public law is only as good as its administration. This is especially true when the law is of a protective and regulatory nature, such as the legislation before us and the Federal Meat Inspection Act.

The effectiveness of a regulatory law lies not only in the wording of its provisions, but in sound, reasonable and intelligent application and enforcement of those provisions. I know this is not an easy task—it is a demanding one, and requires exceptional skill and judgment.

It has become evident to me that improper administration of our laws often results in enactment of more legislation. This kind of reaction rarely corrects the basic problem, and in many cases only adds to the difficulty. If we could achieve satisfactory administration of the laws already on the books, Congress might not be required to come back to many of the same old problems session after session.

Unfortunately, problems have already

arisen in connection with USDA administration of the Wholesome Meat Act.

The meat inspection program in USDA's Consumer and Marketing Service is composed of three separate divisions and a support administrative staff. The poultry inspection program is composed of the Poultry Inspection Branch with a support administrative staff. Both of these programs are served by a common compliance and evaluation staff. In addition, the nation is divided into five USDA poultry inspection areas and seven meat inspection districts.

Apparently what is occurring is a diffusion of authority and a breakdown in communications that finds inspectors in the field under insufficient central direction and taking arbitrary positions that confuse and disrupt an industry that is making an attempt to comply with the new law.

While I do not believe at this time it is appropriate to go into specific examples of the difficulties which are arising, problems do exist because of this breakdown or lack of adequate administration and there is a definite need for substantial improvement in this area.

Certainly, the Agriculture Department cannot respond overnight to all the new demands placed upon it by the requirements of the Wholesome Meat Act. But the fact remains that changes are necessary to insure proper and equitable implementation of the new law, and the demands will become even heavier and the complexities of administration more serious with the addition of this legislation.

It is my understanding that planning is presently underway for reorganization of the inspection services of the Consumer and Marketing Service, and I hope that this move will result in the coordinated and high quality administration necessary to assure that our meat and poultry inspection systems are truly effective for the U.S. consumer, without unnecessary disruption, hardship or harassment of the meat and poultry industry.

In conclusion, Mr. Chairman, I should like to take this time to clarify one of the effects of this legislation by asking if the distinguished chairman of the Livestock and Feed Grains Subcommittee would answer a question. Would the Secretary have authority under the bill to require processors to slaughter and process poultry received from individual growers as separate lots?

Mr. PURCELL. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to the gentleman from Texas.

Mr. PURCELL. Yes; the Secretary has authority under section 6 of the present act, as amended by the bill, to require the segregation of poultry and poultry products during the slaughter and processing operations, and under section 14 of the act it is provided that the Secretary shall issue such regulations as are necessary to carry out the provisions of the act.

It is the view of the committee that it is important that the various lots of poultry be handled separately, especially in view of the fact that ante mortem inspection of each bird is not required under section 6 and therefore, if any abnormal condition is found in a particular lot it will be important that all other birds in that lot be readily identifiable, and that the source of those birds also be readily identifiable, in order that proper attention may be given to other poultry arriving at the processing establishmen from such sources.

Mrs. MAY. Will the gentleman answer a further question?

If birds in a lot are condemned by inspectors of the Department of Agriculture during the slaughter and processing operations at any one establishment, may information concerning such condemnations and the total number of birds processed in the particular lot be furnished to the grower, whether he be a contract grower or an independent operator, or to any other person who supplied the poultry to the processor?

Mr. PURCELL. Mr. Chairman, will the gentlewoman yield for an answer?

Mrs. MAY. I yield.

Mr. PURCELL. The answer again is: Yes; the Secretary may make provisions for the furnishing of such information to those persons as well as to the poultry processor. Section 9(a)(5) of the act, as amended by section 9 of the bill, restricts the disclosure of trade secrets, and under section 22 of the act, as added by section 17 of the bill, incorporating section 7 of the Federal Trade Commission Act, employees of the Department are prohibited from making public any information obtained by the Department under the act except as provided by the Secretary or as required by a court.

The information regarding the number of birds in a particular lot and information concerning the number of condemnations in that lot and the reason for such condemnations would not constitute trade secrets when supplied to the individual who delivered the lot, and the Secretary should make provisions for furnishing such information to the grower or supplier of the poultry as well as to the processor. Of course, such information would constitute a trade secret otherwise and would be protected against disclosure to those not directly involved with respect to the poultry in question, and there is no intent to change current practice in this regard.

It is the view of the committee that it is important that such information be furnished to the grower or owner of the poultry in order that he may be in a position to take whatever action may be necessary to eradicate any disease or other abnormal conditions in his flock so that poultry subsequently sent to a processing plant from that flock will not be diseased or otherwise so abnormal that condemnations will be necessary. This would play an important part in furthering the objectives of this legislation.

At this point, I would like to read a letter from Secretary of Agriculture Orville Freeman outlining the administrative intent of the U.S. Department of Agriculture with regard to this particular provision of the bill:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 11, 1968.

Hon. GRAHAM PURCELL,
Chairman, Subcommittee on Livestock and Grains, Committee on Agriculture, House of Representatives, Washington, D.C.

DEAR MR. PURCELL: I am writing in answer to the question which has been raised as to what the Department's position would be under H.R. 16363, the Wholesome Poultry Products Act, reported by the Committee on Agriculture, in regard to requiring processors to slaughter and process poultry received from individual growers as separate lots and the furnishing of inspection information relating to the particular lot to the grower whether he be a contract grower or an independent operator.

It is our understanding that the question arises by reason of the fact that it is the view of some members of the Committee that it is important that the various lots of poultry be handled separately. This view is based on the fact that separate antemortem inspection of each bird is not required under section 6. Therefore, if any abnormal condition is found in a particular lot, it will be important that all other birds in that lot be readily identifiable, and that the source of those birds also be readily identifiable in order that proper attention may be given to other poultry arriving at the processing establishment from such source. It is our further understanding that it is felt that it is important where birds in a lot are condemned by inspectors of the Department that information concerning such condemnations and the number of birds processed in the particular lot be furnished to the grower whether he be a contract grower or an independent operator. This is necessary in order that he may be in a position to take whatever action that may be required to eradicate any disease or other abnormal conditions with respect to his flock so that poultry subsequently sent to a processing plant would not be diseased or otherwise subject to condemnation.

There would appear to be merit in the foregoing views. Section 14 of the Poultry Products Inspection Act, as amended by the Bill, provides that the "Secretary shall promulgate such other rules and regulations as are necessary to carry out the provisions of this Act." In view of the foregoing, the Department's position would be that regulations should be issued under the Bill, if enacted, requiring processors subject to the inspection requirements to separately slaughter and process lots of poultry received from individual growers and providing for the furnishing to the grower of information developed on inspection concerning condemnations and the total number of birds processed in the particular lot of the grower.

It is believed that if it is the Committee's view that it is within the intent of the Bill for the indicated action to be taken by the Department thereunder, such intent should be made a matter of record in the legislative history.

Sincerely yours,
ORVILLE L. FREEMAN.

Mrs. MAY. I certainly thank the gentleman from Texas for this clarification. I think it is very important to a number of our poultry producers and growers throughout the country that they have this legislative record made in this respect.

Mr. ZWACH. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I will be glad to yield to the gentleman from Minnesota.

Mr. ZWACH. Mr. Chairman, as a member of the Subcommittee on Grains and Livestock, I want to commend the chairman and the gentlewoman from Washington [Mrs. MAY] for the tremendous contribution she has made to this legislation. I associate myself with her remarks and particularly with regard to the remark she made that when a State meets at least all the requirements of Federal inspection then they ought to have the privilege of shipment in interstate commerce. I think this bill is a very definite discrimination against

States and processors. When States at least meet the requirements of Federal inspection they should be able to ship in interstate commerce. As the gentlewoman has pointed out, I think this is a weakness of this bill and is something that will need to be corrected if at the Federal level we are really concerned about the welfare of Federal, State, and local units of government.

As a member of the subcommittee which heard this bill, I rise in support of the committee's recommendations for H.R. 16363. This bill is an amendment to the original Poultry Inspection Act passed 11 years ago. Under this program, the American public has received a high quality, wholesome poultry product. At this time, almost 87 percent, over 12 billion pounds, of the poultry sold in retail trade is federally inspected.

The public demands and deserves the assurance of receiving wholesome, clean poultry. This bill will provide that assurance.

Farmers receive about $2 billion annually from the sale of poultry. It is vitally important to the future income possibilities of this segment of agriculture that consumers can have confidence in the wholesomeness of poultry.

I also urge my colleagues to accept the very small tolerance granted in this bill of $15,000, exempting from this act the family producer-processor who sells at his farm. Federal requirements for processing facilities as to size of rooms, height of ceiling, et cetera, are financially impractical to these smaller producers. Surely, we must not force small producers out of business or drive all poultry production into corporate hands.

Mrs. MAY. I thank the gentleman.

I now yield to a member of the committee, the gentleman from Mississippi [Mr. Montgomery].

Mr. MONTGOMERY. Mr. Chairman, I thank the gentlewoman from Washington for yielding this time to me and wish to thank her for introducing this important information in her discussion with the gentleman from Texas [Mr. Purcell]. Mrs. May, I speak of the requirement of processors to slaughter and process poultry received from individual growers as separate lots.

The growing of broilers and turkeys is a very competitive and highly technical business. It is necessary for growers to have certain basic information in order that they might adjust their operations to meet changing conditions.

This directive from the Secretary would simply require that the handler of poultry furnish to each grower an official inspection report dealing with the poultry that he has raised. This inspection report shows the quantity of poultry that is rejected by Federal or State inspectors and gives reasons for these condemnations. This is information that is essential for each grower to have. In addition, a grower should be entitled to a proper accounting for all of his poultry that he delivers.

Mr. Chairman, I am happy that, through this directive, growers will be better informed, a proper accounting will be made to each grower for all poultry that is raised by him and inspected for wholesomeness, and the undesirable practice of penalizing good growers by averaging condemnations will be prohibited.

I endorse this bill as one which provides complete protection for the consumer through uniform high inspection standards and one which has broad support within the poultry industry.

I thank the distinguished gentlewoman for yielding.

Mr. HALL. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished gentlewoman from Washington yielding for some additional points of information.

First, I wish to compliment her and the subcommittee, the distinguished chairman from Texas, the distinguished gentlewoman from Washington, and others who had a part to play in bringing this bill to the floor of the House today for debate, not only out of the committee, but to the floor of the House today, in order that we can work our will on this bill, and through all the machinations which obviously are necessary in order to get a bill here on the floor of the House for discussion.

Mr. Chairman, I think this is a needed bill and thus, along with the remarks of the distinguished gentleman from Mississippi, and certainly of the distinguished gentlewoman from Washington [Mrs. May] who is now in the well of the House, they have probably answered my question.

First of all, I come from a great broiler- and turkey-producing territory. We have been vitally concerned with the market and with the production of good food; that is, consumer-nutritious food for which there is adequate return to the producer.

We know about the points raised by the gentleman from Ohio during the discussion of the rule making this bill in order, as to the scarcity of technical and professional personnel. I am well advised concerning the different diseases of fowl and with the problems connected with their production.

Now, this leads to a question which perhaps the gentleman from Mississippi answered, but in view of the charge which has been made with reference to technical and professional personnel on the one hand, vis-a-vis at the other end of the stick—directed toward bootlegging across State lines in order to get "better inspection" by the producer, it has constantly and often been brought to my attention that the union of inspectors or even veterinarians who control the inspectors have different rates of rejections from the same flock and the same brothers, sisters, and cousins of any particular hatch of poults, as in broilers, which is out of all range percentagewise and to the point where accusations have been made that the organization was discriminating against, or prejudiced against, a particular producer for perhaps many reasons.

Is there anything contained in this legislation, or is there anything in the memorandum of agreement—if we may call it that—from the Secretary that would equate and justify the inspection procedures and make it certain that the producer is protected from organizational procedures under such circumstances?

It is my opinion that this is vital to the producer, to the feeder, and to the whole integrated process if we continue in the various States in producing nutritious consumer goods.

May I say to the distinguished gentlewoman from Washington [Mrs. May] and to the distinguished gentleman from Mississippi [Mr. Montgomery], I certainly could not agree more with what has been said about the necessity for objective inspection and decisions thereon.

Mrs. MAY. In our opinion no producer should ever be subjected to regulations that differentiate in one region from another, such conflicting decisions negate the intent of this legislation. However, that portion of the bill to which the gentleman from Mississippi and I were speaking had specifically to do with the fact that oftentimes growers have their poultry products rejected but the individual producer is not told why the lot is rejected.

In my coloquy with the chairman of the subcommittee I intended to spell out that the intent of this legislation and the intent of the Secretary is to deal with this problem and that the individual producer will be given this information and that this is one intent of the legislation.

The overall problem that my colleague from Missouri speaks to is what I tried to emphasize in my supporting remarks today. The good administration of any regulatory law is no better than the men who administer it or who work on its administrative staffs.

We have a problem, as my colleague from Missouri knows. We have put upon the Secretary of Agriculture and his Department a tremendous job with the changing of the Wholesome Meat Act. This, the Poultry Inspection Act, is a fairly moderate one. We have not made as many changes in it. I am assuming, however, that we must have more inspectors because of the passage of this bill. It takes time to train them.

I am perfectly willing to be reasonable and patient. However, I have a feeling that the complaints to which the gentleman from Missouri refers may have been built into the system for a long time. We all call upon the Director of this Department to constantly seek for such improper use of inspection authority on the part of any individual in his Department because that man should not be a part of his inspection staff.

Mr. HALL. Mr. Chairman, if the gentlewoman will yield further, I appreciate her comments. I believe that is exactly right. The error is in the administration and the organization, and oftentimes a little power, especially Federal power, leads to obviation of the public trust, and makes functionaries out of those upon whom it is imposed.

No one wants carcasses served to the public that are not wholesome and nutritious. No one wants lingulism passed by, or lymphoma, or any other problem that we have with these young birds, even when grown under the most exacting circumstances.

But, on the other hand, it would be a paradox if it became a tool of the organization so that rejects from the same brooder house, or the same flock of birds, whatever they may be, were rejected by one inspector at one processing station on a percentage difference greater than 10 or 20 percent over what the same flock was rejected at another station.

I certainly agree that this is a part of the scarcity of trained personnel. It is a part of the lack of guidelines of what the rejects should consist. But any good pathologist would be able to tell anyone of those inspectors at any time about it. And I would hope that in the surveillance and the oversight, and the review by this distinguished committee of agricultural functions that we decry and always play down this as a process of gaining the objectives of whatever the organization might be. I believe it is very important.

Mr. Chairman, I appreciate the gentlewoman from Washington yielding to me.

Mrs. MAY. I thank the gentleman from Missouri for his contribution.

Mr. PURCELL. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I will be glad to yield to my chairman.

Mr. PURCELL. Mr. Chairman, I thank the gentlewoman for yielding.

Just in following up what the distinguished gentleman from Missouri has said, I can only say this as the chairman of the subcommittee having jurisdiction of this piece of legislation: That I can assure the gentleman this committee will do anything it can. We shall try to ascertain where and then why such activity is going on, and we will try to maintain some surveillance to establish and maintain as soon as possible the kind of constructive program that we know the gentleman from Missouri wants.

Certainly the gentlewoman from Washington and I have been working together for a long time toward solutions of the problem.

At this point I just want the RECORD to reflect that the subcommittee itself will take interest in it, and try to follow it up to insure that such activity is not going on, at least with the sanction of our committee.

Mr. HALL. If the gentlewoman will again yield, I certainly appreciate that statement, and I want to say that this subcommittee always has cooperated, and indeed, at the time when the brooder problem was acute, and business was being lost to the European Common Market from southwest Missouri and Arkansas, this subcommittee held hearings on the spot, and we have always thanked them for their cooperation.

Mr. PURCELL. Mr. Chairman, I yield to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I share the belief of my colleagues in the need for an up-to-date poultry inspection program and I want to commend the Johnson administration for recommending such legislation. But I am concerned deeply over a change made in the bill from its original form.

The exemption provisions of subsection 15(c)(1) of the bill reported by the Agriculture Committee would also greatly impair the effectiveness of the proposed law in protecting all the Nation's consumers.

This provision of the reported bill would exempt from inspection poultry producers selling off their farms, as well as slaughterers and processors whose annual volume of business does not exceed $15,000. While these are relatively small-scale operations, their complete exemption from all provisions of the proposed poultry inspection law would open up a serious consumer protection gap.

As the bill was reported, such exemptions would be based on the condition that no unwholesome product would be distributed and that no dirty and diseased poultry would be diverted into human food supply channels. However, the absence of any authority to require recordkeeping, the lack of access to records, the lack of identification of product with the name and address of the producer, and the lack of any prescribed sanitation measures with respect to these small operations would make it impossible to enforce the conditions of exemption. And this lack of authority would not be confined to the State within which the product is produced; such product could also be diverted to exempted operations in other States.

While there is a definite need to exempt certain small poultry operations from very costly and impractical continuous inspection, these exemptions should be provided for without creating wider consumer protection gaps than those with which we were initially concerned.

This could be accomplished by exempting from inspection, reinspection, and labeling requirements, farmers selling poultry directly off their farms provided the product is identified with the name and address of the producer; and exempting slaughterers or processors selling direct to household consumers, restaurants and hotels, or preparing meals for direct sale to consumers.

The Secretary of Agriculture should be permitted to determine and establish a level of production under which exemptions would apply and which will permit the adequate enforcement of conditions of exemptions. The Secretary should also be granted the authority to revoke any such exemption if it is determined that an exempted operation is diverting adulterated or misbranded poultry or poultry products into human food supply channels.

I would like, at this time, to propose the following alternative language for subsection 15(c)(1) which I believe will retain the consumer safeguards initially contained in the proposed amendments to the Poultry Products Inspection Act:

> (c) The provisions of this Act requiring inspection, reinspection and labeling shall not apply to (i) poultry producers with respect to poultry raised and slaughtered on their own farms provided the poultry products are identified with the name and address of the producer and provided that such poultry producers do not engage in buying or selling poultry or poultry products other than those produced from poultry raised on their own farms; nor (ii) to any person who slaughters or processes poultry for sale by him directly to household consumers, restaurants and hotels for use in their own dining rooms or in the preparation of meals for sales direct to consumers provided the poultry products are identified with the name and address of the slaughterer or processor when so sold by him and provided that such person does not otherwise engage in the purchase or sale of poultry products; *Provided further,* That persons operating under the foregoing exemptions (i) and (ii) shall not be so exempted if they slaughter poultry or process poultry products in excess of such amounts as the Secretary determines appropriate to effectuate the purposes of this Act and prescribes by regulation; and That any such exemption may be revoked by the Secretary with respect to any establishment if he determines that the operations of an establishment under the exemption have resulted or will result in the distribution of adulterated or misbranded poultry products or that the operator of the establishment has failed to comply with the conditions of exemption.

Mr. PURCELL. Mr. Chairman, I yield to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, on the first day of the second session of the 90th Congress, I introduced H.R. 14594, a bill to provide for Federal and State cooperation in the inspection of poultry and fish products. I believe this was the first piece of legislation introduced in this Congress dealing with the critical problem of protecting the American family from unwholesome and diseased poultry products.

The purpose of my sponsorship and support of legislation to strengthen the Poultry Products Inspection Act of 1957 is to assure the general public that the poultry and fish products which they buy are wholesome, safe, and edible; and also to protect the industry against the unscrupulous minority with lower standards.

Eighty-seven percent of slaughtered poultry and poultry products already is subject to Federal inspection, but we should have 100-percent inspection of poultry to protect the American housewife and her family.

I congratulate the House Agriculture Committee and other sponsors of legislation to bring about proper standards of poultry inspection. The committee has acted speedily on the problem of adequate inspection of all poultry bought and sold in the United States, and the bill before the House today, H.R. 16363, should be enacted into law as soon as possible.

When I began my study into the field of poultry inspection, the most important problem I found was the lack of Federal-State cooperation, not only in inspection, but in information. The legislation before the House today covers this problem.

In my own State of Florida, one of 12 States in the Union with a mandatory product inspection law, poultry industry leaders sparked a program to provide a proper continuous on-the-line inspection for wholesomeness and this program began in January of this year. The Florida program is now comparable to U.S. inspection. Florida has some very excellent modern poultry processing plants, and I am happy to say three of them are located in Jacksonville—in the Third District of Florida, which I represent.

Poultry producers and processors realize the importance of adequate inspection. The American Poultry and Hatchery Federation has written me:

> You'll find the industry most eager to cooperate in seeing that all poultry offered for sale is slaughtered under sanitary conditions and is in a wholesome condition when offered to the consuming public. We realize, perhaps as much or more than the average person outside the industry, the importance of maintaining the industry record for integrity.

Legislation I introduced has the support of the American consumer and many organizations. The General Federation of Women's Clubs has written me about my proposal:

> You may be assured of our support of this legislation.

My bill covered both poultry and fish and I am hopeful congressional action in the field of fish inspection will follow this important effort today for adequate poultry inspection.

Mr. PURCELL. Mr. Chairman, I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, according to statistics now available, based upon the law of averages, each person in the United States is likely to have a diseased, contaminated, or adulterated poultry product served to them each year.

This is unnecessary and unpardonable in our modern technologically advanced society and this bill takes the long step toward correction of this situation.

This bill with two relatively minor exceptions, which I would prefer did not exist, is parallel to the Wholesome Meat Act of 1967 and it is with great pleasure that I rise in support of H.R. 16363, a bill which I have cosponsored.

Last year Congress passed the Wholesome Meat Act which will help to protect the consumer against impure and unwholesome meat. Today we have another important consumer bill to consider—the Wholesome Poultry Products Act, which applies almost the identical inspection and labeling protection to poultry products that is applied to red meat by the Wholesome Meat Act of 1967.

The present Poultry Products Inspection Act was enacted 11 years ago. However, the 1957 act provides only for Federal inspection of poultry and poultry products processed by plants shipping in interstate and foreign commerce. Poultry which does not move across State lines is subject only to State or local inspection which in most cases is either nonexistent or substantially below Federal inspection standards.

H.R. 16363 would also amend the Poultry Products Inspection Act to authorize the establishment of a Federal-State cooperative inspection service for poultry products, comparable to the one permitted under the Wholesome Meat Act. For those States which prefer to perform the intrastate inspection service, the Secretary of Agriculture would be authorized to cooperate in developing and administering poultry inspection programs that are at least equal to the inspection programs administered by the Federal Government. Such cooperation would be in the form of technical, planning, and financial assistance. States would be allowed 2 years to implement such a system, except that an additional year may be granted if the Secretary has reason to believe that the State will meet these requirements within that period of time.

The bill would also make poultry products which are capable of use as human food subject to ante mortem and post mortem inspection. In addition, H.R. 16363 would clarify the authority of the Secretary regarding labeling. It would also authorize the Secretary to seize and detain for up to 20 days poultry, poultry products, or 4D poultry—that is, dead, dying, diseased, or disabled—if there is reason to believe that the article is adulterated, misbranded, or distributed in violation of the act.

Poultry processing is an industry with nearly $3 billion in annual gross sales and provides approximately $2 billion a year to American farmers. Nearly 87 percent of the 12 billion pounds of poultry consumed in the United States is inspected under Federal law. However, 13 percent—1.6 billion pounds—is subject only to State or local inspection and it is in most cases minimal at best. Only 12 States impose mandatory ante mortem and post mortem inspection, and only five of these States have active inspection programs. Five States provide for voluntary inspection, while the remaining States have no poultry inspection laws.

The American consumer pays for this neglect, which may be in the form of poorer quality or unwholesome poultry. For example, the Department of Agriculture conducted a study in January 1968 of uninspected poultry in 37 retail outlets in 16 States. Approximately 20 percent of the carcasses observed would have been rejected as unwholesome under Federal inspection either because of diseased parts or because it was handled in a way that resulted in parts becoming contaminated. On the other hand, the Department examined federally inspected poultry in 34 retail outlets in the same 16 States and found the poultry to be wholesome. Some defects were observed, but they were confined to ready-to-cook factors—such as a missing chicken gizzard.

In poultry processing plants that are federally inspected, 4 percent—over 400 million pounds—of the poultry is rejected because it is diseased or contaminated. There is every reason to believe that this percentage would be equivalent or higher in uninspected plants. When we apply the same percentage of rejection to the poultry which is not federally inspected, we get an additional 64 million pounds which should be rejected. Yet, this estimate is likely to be on the conservative side, since there is a practice among some poultry producers to send inferior poultry which would face rejection under Federal inspection to plants which are not federally inspected.

The total impact of these statistics indicates that each person in the United States, based on the law of averages, is likely to have a diseased, contaminated, or adulterated poultry product served to him during the year. This is unnecessary and unpardonable in our modern, technologically advanced society.

Therefore, I urge you to support the enactment of the Wholesome Poultry Products Act in order first, to protect consumers from having inferior and mislabeled products pawned off on them; second, to protect producers against market loss by inferior products replacing wholesome poultry products; third, to protect adequately inspected processors from unfair competition; and fourth, to help protect the health of Americans.

Mrs. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. MAYNE].

Mr. MAYNE. Mr. Chairman, I wish to join those who have preceded me in this debate in congratulating the distinguished chairman of the Subcommittee on Livestock and Grain and the distinguished ranking member of the committee on the Republican side, the gentlewoman from Washington [Mrs. MAY], for the excellent work they have done on this bill, and for their great leadership throughout the hearings in the consideration of the bill.

Since Congress passed the Poultry Products Inspection Act in 1957 there has been a revolutionary development of mass production techniques in major segments of the poultry industry. This has been especially true in the broiler industry. The executive vice president of the National Broiler Council testified before the subcommittee that production in this industry took off like a jet after World War II and has been going up ever since. U.S. broiler production went from 310 million birds in 1947 to 2.6 billion birds in 1967. This has been made possible by tremendous technological advances and automation and the creation of giant poultry farms and processing plants.

The typical broiler plant now processes approximately 4,800 birds per hour, with an estimated output of 60 birds per manhour. It achieves this through palletized coop-handling, automatic killing, automatic giblet pumping, automatic skinning, chilling, and wrapping systems; automatic sizing and weighing and icing and box closing, palletized and motorized handling of the finished product, and automatic overhead conveyor systems. Approximately 75 percent of the output of these big modern plants is sold more than 200 miles from the point of slaughter, with the birds being raised in areas of concentrated commercial production far removed from the large cities. This is big business indeed.

Dr. George L. Mehren, Assistant Secretary of the Department, made it clear in his testimony that it is these dynamic changes in the highly automated, mass producing segments of the poultry industry which require the more effective and detailed regulations which are provided for in this bill. He stated:

> In summation, the original Poultry Products Inspection Act requires amendments to effectively regulate the modern, aggressive industry as we know it today and envision it in the future.

However, there are still many smaller poultry growers and processors who are supplying their own local communities in much the same way as they did before World War II. As to them the additional regulatory provisions of this bill are neither necessary nor in the public interest.

For example, many farm wives still raise a few hundred chickens a year, and kill and dress them for sale direct to folks in town or to the local meat market. They do this to provide a little additional spending money for use at Christmas, family birthdays, and in connection with other family projects. And we still have small processors who handle locally grown poultry for sale to local hotels, restaurants, and stores.

It is not these modest operations on such a small scale which have necessitated more detailed and stringent regulation, and clearly Assistant Secretary Mehren was not talking about them when he testified that more effective regulation of a "modern aggressive industry" was needed. But as so often happens, the Department was so interested in taking care of the big problem posed by these revolutionary new developments, that they concentrated on that area and overlooked the impact which this bill would have on small producers and processors who were still operating as they always have and creating no problem whatsoever. And so unfortunately this bill was originally drawn with only the big fellow in mind and with no allowance being made for the little fellow.

In other words, requirements which might well be reasonable, necessary, and economically feasible as far as one of these big modern plants processing approximately 5,000 birds an hour is concerned would be wholly unnecessary and unreasonable when applied to a small farmer or businessman. For example, the bill as originally drawn would prohibit a citizen from slaughtering or processing poultry in any amount no matter how small unless he complied with detailed labeling requirements listing all of the things set out in section 4(h) at page 7 and page 9 of the bill. Even the smallest grower or processor would have to keep detailed records and receive Federal inspectors at his place of business to inspect and copy his records as well as undergo physical inspection of the premises and products. He would have to package and label the poultry in a strictly prescribed manner. He would have to register with the Secretary of Agriculture and could be required to submit detailed reports to the Secretary in order to remain in business.

Now I think it is obvious that such detailed and onerous requirements are unnecessary and would amount to a serious case of overkill insofar as the family farmer and small businessman are concerned. Unlike big businessmen, they would be physically and financially unable to comply with all the reporting, recordkeeping, labeling, packaging, and other requirements of this bill. Rather than submit to all this redtape and expense, the great majority of them would just have to quit the poultry business altogether. Such a development might not occasion much anguish among the owners of the automated superplants who would have that much less competition, nor among the labor unions who find it easier to organize the larger plants. But certainly the family farmer and his wife have enough difficulty today without being denied the chance to supplement their meager income with what can be earned through their own hard work in raising and dressing poultry on the family farm.

And so in order to prevent the family farmer and the small businessman from being driven out of the poultry business altogether, I sponsored an amendment which I am happy to report was accepted both by the subcommittee and the full Committee on Agriculture and which appears at section 14(c) subparagraph 1 at page 33 of the bill. This exempts farmers who do not slaughter more than $15,000 worth of poultry on their own farms during a calendar year from the requirements of this act. Similarly exempted are small businessmen who do not slaughter, process or sell more than $15,000 worth of poultry in the calendar year. This is $15,000 gross volume, not gross profit. I want to make it clear that these exemptions are extremely narrow and are strictly limited by the following very adequate safeguards:

First, the exemption does not apply if any of the poultry moves in interstate commerce.

Second, the exemption does not apply if any of the poultry or poultry products handled by the farmer or small businessman are not sound, healthful, clean, and otherwise fit for human food. So the consumer's protection against unwholesomeness is not diluted in any way or any degree by this amendment.

I hope my colleagues will agree that in this day and age a farmer or businessman who slaughters poultry having a wholesale dressed value of less than $15,000 a year is relatively speaking a very small operator indeed. Because he uses hand methods he is not able to market the product at as low a price as the large automated mass producers, but he is able to sell to local customers who are familiar with the quality and origin of the poultry they are buying, and are willing to pay a somewhat higher price.

Homegrown chickens are therefore apt to have a wholesale dressed value of more than a dollar, probably on the average of about $1.20. Only about 12,500 of such chickens could be handled a year under the $15,000 exemption without coming within the provisions of the act. 12,500 birds is only 2½ hours production in the typical modern broiler plant. They are the ones for whom this act was designed, and they are the ones who can live with it. But through the $15,000 exemption of the Mayne amendment we are making it possible for the small farmer and businessman to remain in the intrastate poultry business.

Mr. HALPERN. Mr. Chairman, the loopholes in the Poultry Products Inspection Act of 1957 must be plugged for it still allows 1,600,000 pounds of poultry products to go on the market each year without Federal inspection. This, my colleagues, represents 13 percent of our total production.

This serious deficiency can be corrected by the enactment of this bill, a measure identical to the one I introduced on February 27, 1968, H.R. 15622.

Poultry processing is a huge business in America. The industry enjoys gross annual sales of almost $3 billion. If we are to protect and expand this market, we must be able to assure the consumer that the poultry products offered for sale are always clean and wholesome.

The intent of H.R. 16363 is similar to the provisions of the Wholesome Meat Act that was passed by Congress last year and became law on December 15, 1967. I want to emphasize that the proposed legislation would not supplant the present Poultry Products Inspection Act of 1957; it would merely amend and improve it.

From previous hearings I have learned that unwholesome poultry products can spread 26 different diseases to human beings. Even more alarming is the fact that children in certain States may be exposed to these diseases through the Federal school lunch program. This is one of the obvious loopholes that must be plugged without delay.

H.R. 16363 has measures similar to those in title II of the Federal Meat Inspection Act. The bill would authorize surveillance of the activities where adulteration or misbranding could occur other than in just the processing or slaughtering phase. Those subject to such supervision would include, among others in commerce, poultry products brokers, renderers, animal-food manufacturers, and dealers in 4–D poultry. The 4–D is a trade term that means dead, dying, disabled, or diseased poultry.

For these reasons, I strongly urge that this bill receive a resounding approval today.

Mr. KYROS. Mr. Chairman, today, Federal poultry inspectors reject about 4 percent of the poultry processed and sold in interstate commerce because it is diseased, contaminated or adulterated.

As President Johnson pointed out in his consumer message to this Congress last January, there is every reason to believe that, under today's conditions, the percentage would be even higher in poultry slaughtering and processing plants operating in intrastate commerce where there is no Federal inspection.

At the present time, only 4 States operate mandatory inspection programs. Poultry slaughtering and processing plants in the remaining States are subject only to general food and health laws.

Last year, American consumers bought 1.6 billion pounds of poultry and poultry products processed under what has been called "minimal" State inspection.

The President recommended the passage of a Wholesome Poultry Products Act to close the existing consumer protection gap, and provide a uniform standard of wholesomeness for the inspection of all poultry—whether Federally or State inspected.

This Congress owes the American consumer no less protection of his poultry supply than that afforded his meat supply. The Wholesome Poultry Products Act (H.R. 16363) now before this Congress will provide that protection. It will provide the Federal and State governments with the machinery to eliminate the potential hazards of diseased and contaminated poultry.

Like the Wholesome Meat Act of 1967, the Wholesome Poultry Products Act will provide for Federal technical and financial assistance to any State wishing to establish and enforce a poultry inspection program at least equal to Federal inspection.

This Congress must act now to close the consumer protection gap in the Nation's poultry supply—with swift and favorable consideration of the Wholesome Poultry Products Act.

Mr. MOSS. Mr. Chairman, the poultry inspection bill, H.R. 16363, which is under consideration here today, goes a long way toward providing consumers the same assurance of the wholesomeness and safety of their poultry as the Wholesome Meat Act provides for their meat supply.

I wish to commend the Johnson administration for recommending legislation in this field.

This poultry inspection bill, however, falls short of the mark, and for two primary reasons:

Subsection 9(a) of the reported bill qualifies the prohibitions against the slaughtering and processing of poultry without the required inspection, and the sale and transportation of adulterated and misbranded poultry, with the term "knowingly." This terminology is foreign and contrary to any legal statute designed to protect the public safety and health. If this legislation is to achieve the desired result, it must be strongly impressed upon the food industry that unfit poultry and poultry products cannot be allowed into human food supply channels, either knowingly or unknowingly. I strongly urge that the term "knowingly" be deleted from subsection 9(a) of the reported bill.

I would also urge that some changes be made in the language of subsection 15 (c)(1) of the reported bill.

While the exemption provisions of the subsection would apply only to those producers selling directly off their farms, and to slaughterers and processors operating at a volume of less than $15,000 per year, the complete exemption of such operators would make it next to impossible to enforce the conditions of exemption; that is, that no unwholesome, adulterated, or misbranded poultry would be diverted into human food supply channels through such exempted operations.

I would strongly recommend that certain small operations in which continuous inspection would be too costly or impractical be exempted from the inspection, reinspection, and labeling requirements of the proposed bill, but that these operations be subject to all other provisions, particularly those pertaining to sanitation requirements, recordkeeping, and identification of the producer or processor of the product.

The Secretary of Agriculture should be permitted to determine the size of the operations which are to be exempted, and he should be empowered to revoke such exemptions should he find that exempted operations are channeling unwholesome, adulterated, or misbranded poultry into the Nation's food supply.

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 16363, a bill that would broaden and strengthen the Poultry Products Inspection Act.

In essence, H.R. 16363 is similar to the Wholesome Meat Act which was approved by Congress last year and became law on December 15, 1967. Now, we must apply the same high standards to poultry products. Under present inspection procedures, only 87 percent of these commercially handled products are being inspected by the Federal Government Products Inspection Act of 1957.

The inspection system developed under the 1957 act is a good one. It has served us well. It has come to be recognized as a model for the world. It is a system which warrants the confidence of the consumer, because it assures that birds or poultry products carrying its mark are wholesome, unadulterated, and honestly labeled.

Yet, this legislation does not provide complete assurance that consumers have access to wholesome poultry because not all poultry sold is inspected adequately, or at all. In fact, more than 1.6 billion pounds of poultry is slaughtered each year without Federal inspection.

H.R. 16363 would not replace the Poultry Products Inspection Act but would amend it to include the necessary improvements.

In previous hearings on the bill, witnesses have testified that unwholesome poultry is capable of carrying 26 different diseases to man. Among those exposed to these diseases are the children who eat food provided by the Federal school lunch program in certain States. This fact alone should be sufficient to prompt Congress to close the loopholes in the Poultry Products Inspection Act.

Since this is exactly what H.R. 16363 is designed to do, I strongly urge that the bill be enacted into law without delay.

Mr. BROWN of California. Mr. Chairman, today, this Congress has the opportunity—and, indeed, the obligation—to improve the protection afforded the Nation's poultry supply. I therefore urge favorable action on H.R. 16363, the poultry inspection bill reported to us by the House Committee on Agriculture.

I wish also to commend the Johnson administration for recommending and supporting the legislation.

I believe this bill can be another landmark in consumer protection, just as was the Wholesome Meat Act of 1967.

However, subsection 9(a) of the bill reported by the Agriculture Committee states that "no person shall knowingly" slaughter or process poultry without the required inspection, or "knowingly" sell or transport adulterated or misbranded poultry or poultry products.

The introduction of the term "knowingly" greatly lessens the intended effect of this legislation, and is contrary to the concepts of most legal statutes designed to protect the public health and safety. It is simply not reasonable to include in a law of this nature the implication that those responsible for the Nation's food supply may be careless so long as there is no intent involved.

Another objection to this terminology—a somewhat more technical consideration, but an equally important one—is the fact that other statutes, such as the Federal Food, Drug, and Cosmetic Act, do not qualify their prohibitions against violative practices. If H.R. 16363 is passed as reported by the committee, successful prosecutions of violations will require proof of intent, while violations of identical provisions of the food and drug law will require only proof that the violation did, in fact, occur.

If we are to pass a law consistent with the basic principles of consumer protection and with other existing consumer protection legislation, the term "knowingly" must be deleted from subsection 9(a) of H.R. 16363.

Mr. PICKLE. Mr. Chairman, I would like to record my support for the Wholesome Poultry Products Act, H.R. 16363, which is being considered by the House today.

I hope to be here to vote for the measure, but a prior speaking engagement may call me away before the vote is taken. Accordingly, I wish to register my support now.

Mr. Chairman, the Wholesome Poultry Products Act is merely an extension of the job we started on the Federal Meat Inspection Act enacted last year. It will create a similar system of Federal-State cooperation for assuring that all poultry products offered for sale to the public are pure and unadulterated.

I commend the sponsors of this bill and the House Agriculture Committee for its untiring efforts.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that the House will very soon and overwhelmingly approve this bill before us, H.R. 16363, the Wholesome Poultry Products Act, which is designed to bring poultry inspection services up to the high standards required for the protection of the health and safety of poultry consumers throughout the country. This bill amends the existing Poultry Products Inspection Act by authorizing the establishment of a Federal-State cooperative inspection service for poultry products comparable to that established under the Federal Meat Inspection Act we recently approved here.

The operating objective of this bill is to insure that the approximate 13 percent of the poultry that is slaughtered, for public consumption, each year in the United States without Federal inspection will be promptly covered by the same requirements that now apply to the 87 percent that is federally inspected.

Through help in the development of trained staffs and the provision of funds by the Federal Government, the States are encouraged to enact and administer effective mandatory inspection programs under State administration or jointly with the Federal Government. Two years are allowed the States in which to implement such a system. If the Secretary has reason to believe a State will meet this requirement, an additional year will be given to complete the installation and employment of the system.

The bill extends Federal inspection and regulation to poultry processed for shipment within the States where the States do not enforce requirements at least equal to the Federal requirements after the specified times above.

Where poultry products processed solely for intrastate commerce endangered the public health, the Federal requirements could, under specified conditions, be applied at any time to those particular establishments.

Mr. Chairman, this legislative proposal is obviously of incalculable benefit to every American consumer, its projection scope is reasonable and it does not visit any extreme or extraordinary hardships or harassments upon any legitimate segment of the poultry industry. By every standard it merits adoption and I urge the House to promptly take such adoption action in the public interest.

Mr. VANIK. Mr. Chairman, I rise in support of the Wholesome Poultry Products Act of 1968, legislation which is of similar nature and importance as the Federal Meat Inspection Act of 1967. This legislation would extend Federal inspection standards to the bulk of poultry presently slaughtered and sold intrastate. At the present time 13 percent of America's poultry production falls in this category, and while this does not sound like much, it amounts to almost 1.6 billion pounds of uninspected meat.

It is imperative that the Federal Government move in this area, because there has been an almost complete failure by the States to provide adequate inspection. There are 12 States which have laws providing for inspection programs, but only four of these—California, North Carolina, Illinois, and Wyoming—have active programs. Some States have voluntary inspection programs but it is reported that only about six plants take advantage of these programs. Some 33 States have general food and health laws, but inspection of poultry processing plants depends upon the resources available for random checks.

There is a clear need to extend inspection. As Agriculture Department witnesses testified before the House Agriculture Committee, a check was run on inspected and uninspected poultry sold in retail outlets in 16 States during this last January. While the entire sample of inspected poultry was found to be sound and fit for human consumption, only 18 percent of the 316 samples of federally uninspected carcasses "appeared satisfactory following gross examination," and 20 percent of them should have been condemned as unwholesome.

Although this legislation and last year's clean meat bill have moved this country a long distance toward the goal of unquestionably clean and sound red meat and poultry, there remain areas in which action should be taken.

I have long advocated that certain meat products should receive clearer quality grading. One item, bacon, varies a great deal in quality, water content, fat content, and—after everything else—meat content. Bacon and similar products should be graded so that the consumer knows what to expect when he buys these very expensive products.

I ran into one other interesting question of meat inspection and labeling while shopping last week. I happened to pick up a tin of Libby's corned beef. I trusted the tin because the name on it was familiar, and trustworthy. I assumed that the contents met American health and sanitary standards. Then I read the fine print. This meat was a product of Paraguay and was "packed under Paraguayan Government Inspection." I ask you, what does that mean?

I have found out from the Department of Agriculture that Paraguayan meat which is shipped to the United States is packed in only three plants which are periodically inspected by the U.S. Department of Agriculture. I believe that if this foreign meat qualifies for entrance to the United States, it should be stated on the label that it meets the standards of the U.S. Department of Agriculture. If this foreign packed meat does not meet U.S. standards that should be clearly stated.

The American consuming public expects, when it sees meat on the market shelf, that that meat is safe, as defined by standards set by the Department of Agriculture. That fact should be stated. The unqualified statement that meat has been inspected by a foreign government, is not adequate information.

Finally, this can of Libby's Paraguayan beef is improperly labeled. It does not meet one of the first provisions of the truth-in-packaging law passed in November of 1966. This tin's label states that it contains eight to 10 medium slices which serve approximately four to five people. The truth-in-packaging law clearly states that "the net quantity of a serving must be stated if the package bears a representation concerning servings." I am calling the attention of the FDA and FTC to the problem of mislabeling of foods prepared and packed in foreign countries.

Mrs. SULLIVAN. Mr. Chairman, the bill now before us carries out an objective I have been seeking to achieve ever since the passage of the Poultry Products Act of 1957—legislation which I initiated more than a dozen years ago with the objective to assure the wholesomeness not only of all poultry sold in interstate commerce, but also of that sold in major consuming areas within the same State in which the poultry is processed. I thought we had solved the problem in 1957, but while the law we passed at that time seemed clear enough to me in its intent and language, I was never able to have its provisions on major consuming areas put into effect.

We have been plagued in St. Louis for many years with unwholesome poultry coming into our city from within Missouri. But each time I tried to have the provisions of the 1957 law put into effect to declare St. Louis a major consuming area so that all poultry sold there would be subject to compulsory Federal inspection, the Department of Agriculture technical people decided that the circumstances were not quite exactly as required by the 1957 act, and the designation was never made.

Yet the Department's technicians insisted that the major consuming area provision of the 1957 act was worthwhile. Hence, in 1962 when President John F. Kennedy, in his first consumer message, discussed the threat to public health and safety from uninspected meat sold only in intrastate commerce, I proposed that we adopt to the meat inspection law the major consuming area concept of the Poultry Products Inspection Act. The Department did not back me up on this, however. When my bill on compulsory Federal inspection of red meats sold in intrastate commerce in major consuming areas was sent by the Committee on Agriculture to the Department for its comments, the Department proposed a different approach to the problem, sending up to Congress a draft of a bill which the administration would support which included the major features of the legislation we finally passed last year known as the Wholesome Meat Act.

Subsequent to the passage of that law, I wrote as follows to Secretary of Agriculture Orville L. Freeman:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 11, 1967.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Washington, D.C.

DEAR ORVILLE: Can I involve you in another issue? I need your help.

If you have had a chance to read the debate in the House on the Meat Inspection bill, you probably noticed my references to the need for getting at the problem of bad poultry processed and sold in intrastate commerce. I am enclosing a copy of my remarks in case you missed them.

Please look them over. And, if you have the hearings of the House Agriculture Committee on the Meat Inspection bill, I hope you will turn to my testimony beginning on page 41 through page 63. It deals more with poultry than with meat.

I am writing to you rather than to the Consumer and Marketing Service people because they know all about this issue already and what I need is some guidance or assistance from you.

I have never been able to understand the need for separate Poultry and Meat Inspection laws. When I started on the poultry problem 11 years ago, my inclination was merely to amend the Meat Inspection law to include poultry. But I was talked out of that by some of the strategists who felt that we could have a better chance of getting help from Members of the Agriculture Committee from poultry-raising areas if they thought that whatever distinctive or unique aspects of poultry, compared to meat, could be taken care of in the legislation.

So for 10 years we have had two separate laws, even though now both are under the same administrative direction. I pleaded with the Agriculture Committee to handle the problem of intrastate inspection for both meat and poultry in the same way—either by adopting the "major consuming area" machinery of the Poultry Act for Meat Inspection or else amending the Poultry Act to conform to whatever setup was devised for Meat Inspection. As you know, the idea did not get very far in this session.

It is my intention to offer new legislation in the second session to provide authority for coverage of poultry in intrastate commerce. I would appreciate help from you on this, specifically:

(1) A draft of a suitable bill which I could introduce;

(2) The initiation by your Department of the kind of study into conditions in the non-inspected poultry plants similar to the surveys made by your meat inspectors into conditions in the uninspected meat packing plants.

The information developed by the meat inspectors was a prime factor in getting Congress to pass H.R. 12144.

In asking for this assistance, I perhaps should point out that I was the first Member of Congress to call for compulsory Federal inspection of poultry and, although it was not a bill with my name on it which became law, I feel I am justified in claiming the credit for its enactment in 1957. So I am not trying to jump on someone else's project. As a matter of fact, some of those who were most active in the fight for the Meat Inspection bill have indicated their desire to join me now in bringing the Poultry Act up to date and meeting the problems of intrastate poultry fitness. We have failed in implementing the machinery of the 1957 Act for intrastate use. If that Act is not practical, then I want something which I could introduce which would solve this problem.

I am sure there must be millions of pounds of poultry sold only in intrastate commerce and I would suspect that most of this comes from plants which could not possibly meet the requirements for Federal inspection.

Sincerely yours,

Leonor K. Sullivan,
Third District, Missouri.

His reply was as follows:

U.S. Department of Agriculture,
December 21, 1967.

Hon. Leonor K. Sullivan,
House of Representatives,

Dear Mrs. Sullivan: I am glad to get your letter of December 11 requesting assistance in developing amendments which would strengthen the Poultry Products Inspection Act. We have been studying this problem for several months and we are concerned that substantial quantities of commercially produced poultry products do not receive adequate inspection to assure wholesomeness.

We have made a careful reexamination of Section 5 of the Poultry Products Inspection Act and efforts have been made several times to use this provision to extend the Federal inspection program where consumers were not receiving adequate protection. We do not believe that this Section of the Act as presently written will produce the desired results. We are in the process of developing amendments that would provide adequate inspection using provisions similar to those contained in the new Wholesome Meat Act.

Just as soon as we have the language available, we will call you. We appreciate your continued interest and look forward to working with you on this matter.

Sincerely yours,

Orville L. Freeman,
Secretary.

Early this year, Secretary Freeman did submit a wholesome poultry bill, which I introduced as H.R. 15149 and which other Members of the House also introduced. H.R. 16363, now before us, represents the gist of that bill, with modifications made by the Committee on Agriculture.

Mr. Chairman, under unanimous consent, I submit the statement I delivered before the Committee on Agriculture during the hearings on this legislation, giving my views on the subject matter of the bill now before us, as follows:

TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN

I am deeply grateful for all of the attention now being given to the serious problem of diseased and unwholesome poultry moving freely onto consumers' dinner tables in intrastate commerce. The bills now before this Subcommittee, and the strong support of the Administration for action in this field, are very encouraging to me, after trying for nine or ten years to stir interest in the problem and having the lonely feeling that no one outside of St. Louis seemed to be overly concerned, or seemed to see any effective solution for it.

It was my feeling eleven years ago that we had solved the problem by providing machinery in the Poultry Products Inspection Act of 1957 to authorize Federal inspection for wholesomeness of every pound of poultry sold in this country, including that processed and sold only within a state.

But the elaborate machinery in the 1957 Act to authorize Federal inspection of the poultry processed and sold within the states has never been put to use. Up until last December, the Department of Agriculture had maintained that the "major consuming area" machinery of the 1957 Act had some value in combatting the problem, but in December the Secretary advised me that the Department had concluded it was not a practical solution and would help me devise a new one based on the provisions of the Wholesome Meat Act of 1967.

The problem of diseased poultry in intrastate commerce is no more and no less serious now than it has been during all of the past eleven years. I am just sorry that we have wasted eleven years without doing much about it. But the fact that there is now such widespread agreement on the need for action is, as I said, very encouraging to me, and I hope we can promptly proceed to pass effective legislation.

CHANGES IN CLIMATE SINCE LAST YEAR—BUT BAD POULTRY SITUATION REMAINS

The printed hearings of this same Subcommittee last year on the Meat Inspection bill contain many pages of documentation on the problem of bad poultry processed and sold within the same state, and on my long efforts to try to have such poultry coming into the St. Louis area from outstate Missouri made subject to compulsory Federal inspection under the 1957 law. The only things different now from the situation when I testified before you last year are:

First, the Congress has enacted a different type of machinery for combatting the equally serious problem of unfit beef, pork, lamb and other red meats being sold in intrastate commerce;

Second, the Department of Agriculture has changed its mind about the practicability of Section 5 of the Poultry Products Inspection Act of 1957 and no longer believes it can be used effectively in dealing with uninspected poultry in intrastate commerce; and

Third, the mood of the Congress and of the public has progressed to the point where the health and safety aspects of this issue of bad food in intrastate commerce are finally being recognized.

When I appeared before you on the Meat Inspection bills last year, I urged that we tackle the problems of bad meat and bad poultry simultaneously, applying the same solutions to both. I suggested that you investigate the usefulness of the "major consuming area" provision of the Poultry Act and if you found it workable, apply the same principle to meat inspection and then insist that the Department put this machinery to use immediately. However, I added, if you found that the Poultry Act machinery for intrastate inspection was not practical, you should recommend that Congress repeal it and replace it with a new approach for both meat and poultry—but the same approach in each case.

I have never seen any value in having separate Meat Inspection and Poultry Inspection laws. My original proposal in 1956, before we enacted the law for compulsory inspection of poultry in interstate commerce, was merely to amend the Meat Inspection law to include poultry. Apparently, that was much too simple a solution, and we proceeded, instead, to enact a separate law just for poultry. And then, last year, we revised the Meat Inspection law to get at the problem of intrastate shipments, but did nothing about the companion problem in unwholesome uninspected poultry.

MORE THAN A SCORE OF POULTRY DISEASES TRANSMISSABLE TO HUMANS

Now, we are finally proceeding to a solution of the poultry problem, and, while we can take some solace in the thought "better late than never," the fact is that it is very late and lots of Americans, including children participating in the School Lunch Program, are the targets of at least 26 diseases which can be transmitted to man from unwholesome poultry. We have known about the dangers to humans from those diseases from poultry for at least a dozen years—since I brought to the attention of Congress in 1956 a report from the Food and Drug Administration which was instrumental in achieving the passage of the 1957 law.

The Wholesome Meat Act passed last year was good legislation, in the form in which it finally became law. I congratulate all of the Members of this Subcommittee who took part in drafting the final version of the bill. Since the poultry program was left untouched, I said at the time that I would ask the Secretary of Agriculture to prepare a draft of legislation which I could introduce this year to bring the Poultry Act into conformance with the Wholesome Meat Act as it relates to intrastate commerce. H.R. 15149 is the result of that request. Except for the title, which I changed, H.R. 15149 is exactly the same, I believe, as the bill introduced by Mr. Purcell, Mr. Dow, Mr. Smith of Iowa, and Mr. Foley, H.R. 15146. On the other hand, I think Mr. Poage's bill, H.R. 15154, depends upon voluntary cooperation by the states, similar to the Meat Inspection bill originally passed by the House last year prior to the development of a much stronger bill in Conference, and would not solve the serious problem of unwholesome poultry sold only in intrastate commerce.

UNFAIR COMPETITION FROM UNINSPECTED PLANTS

A letter I received just the other day from a poultry processor in outstate Missouri comments on one aspect of this problem—the unfair competition to inspected plants from uninspected poultry sold in the state of Missouri. The letter is as follows:

February 12, 1968.

Representative Leonor K. Sullivan,
House of Representatives,
Washington, D.C.

Dear Mrs. Sullivan: It is indeed a pleasure to read of your efforts concerning the federal inspection of all poultry consumed in the U. S. Having been in the broiler industry for quite a number of years in Southeast Missouri, I think I have accumulated quite a bit of knowledge of what you have been trying to get done. I have seen non-inspected poultry being sold in the St. Louis area for a number of years now and it is not only unwholesome, but creates a financial disadvantage to plants such as ours which comply with USDA standards price wise.

We have a non-inspected plant at Cape Girardeau, Missouri that has been selling chickens in our area not only to the public, but also to the college and schools as well. I believe two years is too long to allow these plants to keep supplying unwholesome products to the consumer.

Your efforts to apply the 1957 USDA law of making St. Louis area a major consuming area, should be commended and certainly not forgotten.

Again, let us offer our appreciation for your efforts.

Sincerely,

——— ———.

SCHOOL LUNCH PROGRAMS CAN SERVE UNINSPECTED POULTRY

When I read this letter I could not believe that schools participating in the School Lunch Program could be buying uninspected poultry. It just did not make sense. The poultry furnished by the Department of Agriculture under section 6 of the School Lunch Act is purchased only from Federally inspected plants but I have now learned that the schools themselves are free to purchase uninspected poultry with their own funds, or even with donated Federal funds. This is incomprehensible to me. The whole purpose of the School Lunch Program is to assure the children good, nutritious food. Yet here we have a situation where uninspected plants operating only in intrastate commerce can compete for the subsidized school lunch business with poultry not processed under minimum standards of sanitation or wholesomeness, and this poultry can then be comingled in the school cafeteria with the inspected poultry donated by the Department of Agriculture.

This fact alone calls for prompt action by the Congress to close the loopholes in the Poultry Act, as we did last year in the Meat Inspection Act. In the meantime, I think that this Committee should join me in insisting that the schools participating in the School Lunch Program buy only inspected meats or poultry pending the institution of an effective inspection system which would apply to all poultry.

St. Louis has been plagued repeatedly with bad poultry sent into our city from uninspected plants in Missouri. I am sure every city faces a similar problem. The danger of salmonella and other dread diseases getting into our food supply is real and serious. There is no excuse for this to happen in a country which can produce such an abundance of pure and wholesome food. Why should our school children be fed food which cannot pass minimum standards of wholesomeness or the consumers be deceived into buying it, not knowing it is probably unsafe?

PUBLIC HEALTH AND SAFETY ARE MAIN CONCERN

The major firms in the poultry industry recognized, eleven years ago, that all sales of poultry were suffering from public lack of confidence in the wholesomeness of the products. After first having opposed compulsory Federal inspection, the industry then joined me in helping to pass the 1957 Act. They have never been sorry. But the processors who now comply with the Federal law are put at a great competitive disadvantage by plants operating only in intrastate commerce and thus generally free from any effective inspection or regulation, Federal or state.

Protecting legitimate industry from unfair competition is a proper function of the Congress, but there is a much more important interest involved here even than that of protecting the legitimate processor. That interest is the public health and safety.

I would be pleased and flattered if, because of my long identification with this issue and my sponsorship of the first poultry legislation introduced in the Congress, my bill, H.R. 15149, were approved by this Subcommittee and by the full Committee and reported to the House. But whichever bill is selected as the vehicle for House action, the important thing is that we pass the legislation as soon as possible. After the required waiting period of two years, we can then begin to have effective protection of consumers *in every state* from the dangers to our health and safety represented by more than a billion pounds of poultry being sold each year which you and I would never consent to eat if we knew that it had not been inspected by the Federal government or by state inspection programs at least comparable to the Federal inspection procedures. We are eating such poultry now without realizing it, particularly when we travel. And the children are eating it in the schools. How can we tolerate that?

Mr. PURCELL. Mr. Chairman, I have no further requests for time.

Mrs. MAY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 16363

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Wholesome Poultry Products Act".

Sec. 2. Section 2 of the Poultry Products Inspection Act (71 Stat. 441, as amended; 21 U.S.C. 451) is hereby amended to read:

"Sec. 2. Poultry and poultry products are an important source of the Nation's total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded poultry products impair the effective regulation of poultry products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged poultry products, and result in sundry losses to poultry producers and processors of poultry and poultry products, as well as injury to consumers. It is hereby found that all articles and poultry which are regulated under this Act are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary of Agriculture and cooperation by the States and other jurisdictions as contemplated by this Act are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers."

Sec. 3. Section 3 of said Act (21 U.S.C. 452) is hereby amended to read:

"Sec. 3. It is hereby declared to be the policy of the Congress to provide for the inspection of poultry and poultry products and otherwise regulate the processing and distribution of such articles as hereinafter prescribed to prevent the movement or sale in interstate or foreign commerce of, or the burdening of such commerce by poultry products which are aduterated or misbranded."

Sec. 4. Section 4 of said Act (21 U.S.C. 453) is hereby amended to read: "For purposes of this Act—

"(a) The term 'commerce' means commerce between any State, any territory, or the District of Columbia, and any place outside thereof or within any territory not organized with a legislative body, or the District of Columbia.

"(b) Except as otherwise provided in this Act, the term 'State' means any State of the United States and the Commonwealth of Puerto Rico.

"(c) The term 'territory' means Guam, the Virgin Islands of the United States, American Samoa, and any other territory or possession of the United States, excluding the Canal Zone.

"(d) The term 'United States' means the States, the District of Columbia, and the territories of the United States.

"(e) The term 'poultry' means any domesticated bird, whether live or dead.

"(f) The term 'poultry product' means any poultry carcass, or part thereof; or any product which is made wholly or in part from any poultry carcass or part thereof, excepting products which contain poultry ingredients only in a relatively small proportion or historically have not been considered by consumers as products of the poultry food industry, and which are exempted by the Secretary from definition as a poultry product under such conditions as the Secretary may prescribe to assure that the poultry ingredients in such products are not adulterated and that such products are not represented as poultry products.

"(g) The term 'adulterated' shall apply to any poultry product under one or more of the following circumstances:

"(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such aritcle does not ordinarily render it injurious to health;

"(2) (A) if it bears or contains (by reason of administration of any substance to the live poultry or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Secretary, make such article unfit for human food;

"(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug, and Cosmetic Act;

"(C) if it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act;

"(D) if it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug, and Cosmetic Act: *Provided,* That an article which is not otherwise deemed adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Secretary in official establishments;

"(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

"(4) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

"(5) if it is, in whole or in part, the product of any poultry which has died otherwise than by slaughter;

"(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

"(7) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act; or

"(8) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

"(h) The term 'misbranded' shall apply to any poultry product under one or more of the following circumstances:

"(1) if its labeling is false or misleading in any particular;

"(2) if it is offered for sale under the name of another food;

"(3) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word 'imitation' and immediately thereafter, the name of the food imitated;

"(4) if its container is so made, formed, or filled as to be misleading;

"(5) unless it bears a label showing (A) the name and the place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the product in terms of weight, measure, or numerical count: *Provided*, That under clause (B) of this subparagraph (5), reasonable variations may be permitted, and exemptions as to small packages or articles not in packages or other containers may be established by regulations prescribed by the Secretary;

"(6) if any word, statement, or other information required by or under authority of this Act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

"(7) if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by regulations of the Secretary under section 8 of this Act unless (A) it conforms to such definition and standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

"(8) if it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the Secretary under section 8 of this Act, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

"(9) if it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the Secretary, be designated as spices, flavorings, and colorings without naming each: *Provided*, That to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Secretary;

"(10) if it purports to be or is represented for special dietary uses unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Secretary, after consultation with the Secretary of Health, Education, and Welfare, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;

"(11) if it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: *Provided*, That, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the Secretary; or

"(12) if it fails to bear on its containers, and in the case of nonconsumer packaged carcasses directly thereon, as the Secretary may by regulations prescribe, the official inspection legend and official establishment number of the establishment where the article was processed, and, unrestricted by any of the foregoing, such other information as the Secretary may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

"(i) The term 'Secretary' means the Secretary of Agriculture or his delegate.

"(j) The term 'person' means any indidividual, partnership, corporation, association, or other business unit.

"(k) The term 'inspector' means: (1) an employee or official of the United States Government authorized by the Secretary to inspect poultry and poultry products under the authority of this Act, or (2) any employee or official of the government of any State or territory or the District of Columbia authorized by the Secretary to inspect poultry and poultry products under authority of this Act, under an agreement entered into between the Secretary and the appropriate State or other agency.

"(l) The term 'official mark' means the official inspection legend or any other symbol prescribed by regulations of the Secretary to identify the status of any article or poultry under this Act.

"(m) The term 'official inspection legend' means any symbol prescribed by regulations of the Secretary showing that an article was inspected and passed in accordance with this Act.

"(n) The term 'official certificate' means any certificate prescribed by regulation of the Secretary for issuance by an inspector or other person performing official functions under this Act.

"(o) The term 'official device' means any device prescribed or authorized by the Secretary for use in applying any official mark.

"(p) The term 'official establishment' means any establishment as determined by the Secretary at which inspection of the slaughter of poultry, or the processing of poultry products, is maintained under the authority of this Act.

"(q) The term 'inspection service' means the official Government service within the Department of Agriculture designated by the Secretary as having the responsibility for carrying out the provisions of this Act.

"(r) The term 'container' or 'package' includes any box, can, tin, cloth, plastic, or other receptable, wrapper, or cover.

"(s) The term 'label' means a display of written, printed, or graphic matter upon any article or the immediate container (not including package liners) of any article; and the term 'labeling' means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

"(t) The term 'shipping container' means any container used or intended for use in packaging the product packed in an immediate container.

"(u) The term 'immediate container' includes any consumer package; or any other container in which poultry products, not consumer packaged, are packed.

"(v) The term 'capable of use as human food' shall apply to any carcass, or part or product of a carcass, of any poultry, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans.

"(w) The term 'processed' means slaughtered, canned, salted, stuffed, rendered, boned, cut up, or otherwise manufactured or processed.

"(x) The term 'Federal Food, Drug, and Cosmetic Act' means the Act so entitled, approved June 25, 1938 (52 Stat. 1040), and Acts amendatory thereof or supplementary thereto.

"(y) The terms 'pesticide chemical', 'food additive', 'color additive', and 'raw agricultural commodity' shall have the same meanings for purposes of this Act as under the Federal Food, Drug, and Cosmetic Act.

"(z) The term 'poultry products broker' means any person engaged in the business of buying or selling poultry products on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person.

"(aa) The term 'renderer' means any person engaged in the business of rendering carcases, or parts or products of the carcasses, of poultry, except rendering conducted under inspection or exemption under this Act.

"(bb) The term 'animal food manufacturer' means any person engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts or products of the carcasses, of poultry."

Sec. 5. Section 5 of said Act (21 U.S.C. 454) is herey amended to read:

"Sec. 5. (a) It is the policy of the Congress to protect the consuming public from poultry products that are adulterated or misbranded and to assist in efforts by State and other Government agencies to accomplish this objective. In furtherance of this policy—

"(1) The Secretary is authorized whenever he determines that it would effectuate the purposes of this Act, to cooperate with the appropriate State agency in developing and administering a State poultry product inspection program in any State which has enacted a mandatory State poultry product inspection law that imposes ante-mortem and post-mortem inspection, reinspection and sanitation requirements that are at least equal to those under this Act, with respect to all or certain classes of persons engaged in the State in slaughtering poultry or processing poultry products for use as human food solely for distribution within such State.

"(2) The Secretary is further authorized, whenever he determines that it would effectuate the purposes of this Act, to cooperate with appropriate State agencies in developing and administering State programs under State laws containing authorities at least equal to those provided in section 11 of this Act; and to cooperate with other agencies of the United States in carrying out any provisions of this Act. In carrying out the provisions of this Act, the Secretary may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of any State or Territory or the District of Columbia commissioned by the Secretary for such purpose.

"(3) Cooperation with State agencies under this section may include furnishing to the appropriate State agency (i) advisory assistance in planning and otherwise developing an adequate State program under the State law; and (ii) technical and laboratory assistance and training (including necessary curricular and instructional materials and equipment), and financial and other aid for administration of such a program. The amount to be contributed to any State by the Secretary under this section from Federal funds for any year shall not exceed 50 per centum of the estimated total cost of the cooperative program; and the Federal funds shall be allocated among the States desiring to cooperate on an equitable basis. Such cooperation and payment shall be contingent at all times upon the administration of the State program in a manner which the Secretary, in consultation with the appropriate advisory committee appointed under subparagraph (4), deems adequate to effectuate the purposes of this section.

"(4) The Secretary may appoint advisory committees consisting of such representatives of appropriate State agencies as the Secretary and the State agencies may designate to consult with him concerning State and Federal programs with respect to poultry product inspection and other matters within the scope of this Act, including evaluating State programs for purposes of this Act and obtaining better coordination and more uniformity among the State programs and between the Federal and State programs and adequate protection of consumers.

"(b) The appropriate State agency with which the Secretary may cooperate under this Act shall be a single agency in the State which is primarily responsible for the coordination of the State programs having objectives similar to those under this Act. When the State program includes performance of certain functions by a municipality or other subordinate governmental unit, such unit shall be deemed to be a part of the State agency for purposes of this section.

"(c)(1) If the Secretary has reason to believe, by thirty days prior to the expiration of two years after enactment of the Wholesome Poultry Products Act, that a State has failed to develop or is not enforcing, with respect to all establishments within its jurisdiction (except those that would be exempted from Federal inspection under subparagraph (2) of this paragraph (c)) at which poultry are slaughtered, or poultry products are processed for use as human food, solely for distribution within such State, and the products of such establishments, requirements at least equal to those imposed under sections 1–4, 6–10, and 12–22 of this Act, he shall promptly notify the Governor of the State of this fact. If the Secretary determines, after consultation with the Governor of the State, or representative selected by him, that such requirements have not been developed and activated, he shall promptly after the expiration of such two-year period designate such State as one in which the provisions of said sections of this Act shall apply to operations and transactions wholly within such State: *Provided*, That if the Secretary has reason to believe that the State will activate such requirements within one additional year, he may delay such designation for said period, and not designate the State, if he determines at the end of the year that the State then has such requirements in effective operation. The Secretary shall publish any such designation in the Federal Register and, upon the expiration of thirty days after such publication, the provisions of said sections of this Act shall apply to operations and transactions and to persons engaged therein in the State to the same extent and in the same manner as if such operations and transactions were conducted in or for commerce. However, notwithstanding any other provision of this section, if the Secretary determines that any establishment within a State is producing adulterated poultry products for distribution within such State which would clearly endanger the public health he shall notify the Governor of the State and the appropriate advisory committee provided for by subparagraph (a)(4) of this section of such fact for effective action under State or local law. If the State does not take action to prevent such endangering of the public health within a reasonable time after such notice, as determined by the Secretary, in light of the risk to public health, the Secretary may forthwith designate any such establishment as subject to the provisions of said sections of this Act, and thereupon the establishment and operator thereof shall be subject to such provisions as though engaged in commerce until such time as the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under said sections.

"(2) The provisions of this Act requiring inspection of the slaughter of poultry and the processing of poultry products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only under this paragraph (c).

"(3) Whenever the Secretary determines that any State designated under this paragraph (c) has developed and will enforce State poultry products inspection requirements at least equal to those imposed under the aforesaid sections of this Act, with respect to the operations and transactions within such States which are regulated under subparagraph (1) of this paragraph (c), he shall terminate the designation of such State under this paragraph (c), but this shall not preclude the subsequent redesignation of the State at any time upon thirty days' notice to the Governor and publication in the Federal Register in accordance with this paragraph, and any State may be designated upon such notice and publication, at any time after the period specified in this paragraph whether or not the State has theretofore been designated, upon the Secretary determining that it is not effectively enforcing requirements at least equal to those imposed under said sections.

"(4) The Secretary shall promptly upon enactment of the Wholesome Poultry Products Act, and periodically thereafter, but at least annually, review the requirements, including the enforcement thereof, of the several States not designated under this paragraph (c), with respect to the slaughter, and the processing, storage, handling, and distribution of poultry products, and inspection of such operations, and annually report thereon to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate in the report required in section 27 of the Wholesome Poultry Products Act.

"(d) As used in this section, the term 'State' means any State (including the Commonwealth of Puerto Rico) or organized territory."

SEC. 6. Section 6 of said Act (21 U.S.C. 455) is hereby amended as follows:

(a) Paragraph (a) is amended to read:

"(a) For the purpose of preventing the entry into or flow or movement in commerce of, or the burdening of commerce by, any poultry product which is capable of use as human food and is adulterated, the Secretary shall, where and to the extent considered by him necessary, cause to be made by inspectors ante-mortem inspection of poultry in each official establishment processing poultry or poultry products for commerce or otherwise subject to inspection under this Act."

(b) Paragraph (b) is amended by deleting the phrase "in, or for marketing in a designated city or area" and substituting the phrase "otherwise subject to inspection under this Act"; by inserting the word "and" before the word "reinspection"; and by inserting the phrase "capable of use as human food" after the phrase "poultry products" the first time the latter phrase appears in the paragraph.

(c) Paragraph (c) is amended by deleting the phrase "unwholesome or" and the phrase "not unwholesome and" each time they appear therein; and by inserting the word "other" before the phrase "poultry products".

SEC. 7. In section 7 of said Act (21 U.S.C. 456) paragraph (a) is hereby amended by deleting the phrase "in or for marketing in a designated major consuming area" and substituting the phrase "otherwise subject to inspection under this Act"; by deleting the phrase "in a designated major consuming area" and substituting the phrase "burdensome effect upon commerce"; and by deleting the phrase "unwholesome or".

SEC. 8. Section 8 of said Act (21 U.S.C. 457) is hereby amended to read:

"SEC. 8. (a) All poultry products inspected at any official establishment under the authority of this Act and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, on their shipping containers and immediate containers, and in the case of nonconsumer packaged carcasses directly thereon, as the Secretary may require, the information required under paragraph (h) of section 4 of this Act.

"(b) The Secretary, whenever, he determines such action is necessary for the protection of the public, may prescribe: (1) the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling in marketing and labeling any articles or poultry subject to this Act; (2) definitions and standards of identity or composition or articles subject to this Act and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, and there shall be consultation between the Secretary and the Secretary of Health, Education, and Welfare prior to the issuance of such standards under either Act relating to articles subject to this Act to avoid inconsistency in such standards and possible impairment of the coordinated effective administration of these Acts. There shall also be consultation between the Secretary and an appropriate advisory committee provided for in section 5 of this Act, prior to the issuance of such standards under this Act, to avoid, insofar as feasible, inconsistency between Federal and State standards.

"(c) No article subject to this Act shall be sold or offered for sale by any person in commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Secretary are permitted.

"(d) If the Secretary has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to this Act is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person using or proposing to use the marking, labeling, or container does not accept the determination of the Secretary, such person may request a hearing, but the use of the marking, labeling, or container shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless, within thirty days after receipt of notice of such final determination, the person adversely affected thereby appeals to the United States Court of Appeals for the circuit in which such person has its principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act, 1921 (42 Stat. 162, as amended; 7 U.S.C. 194), shall be applicable to appeals taken under this section."

SEC. 9. Section 9 of said Act (21 U.S.C. 458) is amended to read:

"SEC. 9. (a) No person shall knowingly—

"(1) slaughter any poultry or process any poultry products which are capable of use as human food at any establishment processing any such articles for commerce, except in compliance with the requirements of this Act;

"(2) sell, transport, offer for sale or transportation, or receive for transportation, in commerce (A) any poultry products which are capable of use as human food and are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or (B) any poultry products required to be inspected under this Act unless they have been so inspected and passed;

"(3) do, with respect to any poultry products which are capable of use as human food, any act while they are being transported in commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such products to be adulterated or misbranded;

"(4) sell, transport, offer for sale or transportation, or receive for transportation, in commerce or from an official establishment, any slaughtered poultry from which the blood, feathers, feet, head, or viscera have not been removed in accordance with regulations promulgated by the Secretary, except as may be authorized by regulations of the Secretary;

"(5) use to the own advantage, or reveal other than to the authorized representatives of the United States Government or any State or other government in their official capacity, or as ordered by a court in any judicial proceedings, any information acquired under the authority of this Act concerning any matter which is entitled to protection as a trade secret.

"(b) No brand manufacturer, printer, or other person shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Secretary.

"(c) No person shall—

"(1) forge any official device, mark, or certificate;

"(2) without authorization from the Secretary use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

"(3) contrary to the regulations prescribed by the Secretary, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

"(4) knowingly possess, without promptly notifying the Secretary or his representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any poultry, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

"(5) knowingly make any false statement in any shippers certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Secretary; or

"(6) knowingly represents that any article has been inspected and passed, or exempted, under this Act when, in fact, it has, respectively, not been so inspected and passed, or exempted."

Sec. 10. Section 10 of said Act (21 U.S.C. 459) is hereby amended by deleting the phrase "in or for marketing in a designated major consuming area" and substituting the phrase "otherwise subject to this Act".

Sec. 11. Section 11 of said Act (21 U.S.C. 460) is hereby amended to read:

"(a) Inspection shall not be provided under this Act at any establishment for the slaughter of poultry or the processing of any carcasses or parts or products of poultry, which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in commerce, unless naturally inedible by humans, be denatured or otherwise identified as prescribed by regulations of the Secretary to deter their use for human food. No person shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in commerce, or import, any poultry carcasses or parts or products thereof which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Secretary or are naturally inedible by humans.

"(b) The following classes of persons shall, for such period of time as the Secretary may by regulations prescribe, not to exceed two years unless otherwise directed by the Secretary for good cause shown, keep such records as are properly necessary for the effective enforcement of this Act in order to insure against adulterated or misbranded poultry products for the American consumer; and all persons subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Secretary, afford such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof, to copy all such records, and to take reasonable samples of their inventory upon payment of the fair market value therefor—

"(1) Any person that engages in the business of slaughtering any poultry or processing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any poultry, for commerce, for use as human food or animal food;

"(2) Any person that engages in the business of buying or selling (as poultry products brokers, wholesalers or otherwise), or transporting, in commerce, or storing in or for commerce, or importing, any carcasses, or parts or products of carcasses, of any poultry;

"(3) Any person that engages in business, in or for commerce, as a renderer, or engages in the business of buying, selling, or transporting, in commerce, or importing, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter.

"(c) No person shall engage in business, in or for commerce, as a poultry products broker, renderer, or animal food manufacturer, or engage in business in commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any poultry, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for commerce, or engage in the business of buying, selling, or transporting in commerce, or importing, any dead, dying, disabled or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter, unless when required by regulations of the Secretary, he has registered with the Secretary his name, and the address of each place of business at which, and all trade names under which, he conducts such business.

"(d) No person engaged in the business of buying, selling, or transporting in commerce, or importing, dead, dying, disabled, or diseased poultry or any parts of the carcasses of any poultry that died otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation, in commerce, or import, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter, unless such transaction, transportation or importation is made in accordance with such regulations as the Secretary may prescribe to assure that such poultry, or the unwholesome parts or products thereof, will be prevented from being used for human food.

"(e) The authority conferred on the Secretary by paragraph (b), (c), or (d) of this section with respect to persons engaged in the specified kinds of business in or for commerce may be exercised with respect to persons engaged, in any State or organized territory, in such kinds of business but not in or for commerce, whenever the Secretary determines, after consultation with an appropriate advisory committee provided for in section 5 of this Act, that the State or territory does not have at least equal authority under its laws or such authority is not exercised in a manner to effectuate the purposes of this Act, including the State or territory providing for the Secretary or his representative being afforded access to such places of business and the facilities, inventories, and records thereof, and the taking of reasonable samples, where he determines necessary in carrying out his responsibilities under this Act; and in such case the provisions of paragraph (b), (c), or (d) of this section, respectively, shall apply to such persons to the same extent and in the same manner as if they were engaged in such business in or for commerce and the transactions involved were in commerce."

Sec. 12. Section 12 of said Act (21 U.S.C. 461) is hereby amended as follows:

(a) Paragraph (a) is amended by changing the first sentence to read:

"Any person who violates the provisions of section 9, 10, 11, 14, or 17 of this Act shall be fined not more than $1,000 or imprisoned not more than one year, or both; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in section 4(g)(8) of this Act), such person shall be fined not more than $10,000 or imprisoned not more than three years, or both."

(b) Paragraph (b) is amended by deleting the phrase "not otherwise eligible" and substituting the phrase "otherwise not eligible"; by deleting the word "slaughtered" each time it appears; and by adding the following before the period at the end of the paragraph: "or unless the carrier refuses to furnish on request of a representative of the Secretary the name and address of the person from whom he received such poultry or poultry products, and copies of all documents, if any there be, pertaining to the delivery of the poultry or poultry products to such carrier".

(c) A new paragraph (c) is added to read:

"(c) Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of his official duties under this Act shall be punished as provided under sections 1111 and 1114 of title 18, United States Code."

Sec. 13. Section 14 of said Act (21 U.S.C. 463) is hereby amended by designating the present provisions thereof as paragraph (b); by inserting the word "other" before the word "rules" in said paragraph; and by adding a new paragraph (a) to read:

"(a) The Secretary may by regulations prescribe conditions under which poultry products capable of use as human food, shall be stored or otherwise handled by any person engaged in the business of buying, selling, freezing, storing, or transporting, in or for commerce, or importing, such articles, whenever the Secretary deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited. However, such regulations shall not apply to the storage or handling of such articles at any retail store or other establishment in any State or organized Territory that would be subject to this section only because of purchases in commerce, if the storage and handling of such articles at such establishment is regulated under the laws of the State or Territory in which such establishment is located, in a manner which the Secretary, after consultation with the appropriate advisory committee provided for in section 5 of this Act, determines is adequate to effectuate the purposes of this section."

Sec. 14. Section 15 of said Act (21 U.S.C. 464) is hereby amended as follows:

(a) In paragraph (a), subparagraph (1) is deleted and subparagraphs (2), (3), and (4) are redesignated, respectively, as subparagraphs (1), (2), and (3);

(b) In paragraph (a), in redesignated subparagraph (2) (formerly (3)), the date "July 1, 1960" is deleted and the date "January 1, 1970" is substituted therefor;

(c) Paragraph (b) is redesignated as paragraph (e) and new paragraphs (b), (c), and (d) are added to read:

"(b) The Secretary may, under such sanitary conditions as he may by regulations prescribe, exempt from the inspection requirements of this Act the slaughter of poultry, and the processing of poultry products, by any person in any Territory not organized with a legislative body, solely for distribution within such Territory, when the Secretary determines that it is impracticable to provide such inspection within the limits of funds appropriated for administration of this Act and that such exemption will aid in the effective administration of this Act.

"(c) The provisions of this Act shall not apply to (i) poultry producers with respect to poultry of their own raising on their own farms: *Provided*, That the wholesale dressed value of such poultry which they slaughter on said farms does not exceed $15,000 during the current calendar year: *Provided further*, That such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms: *Provided further*, That none of such poultry moves in commerce (as defined in section 4(a) of this act); nor (ii) to any person who slaughters, processes, or sells poultry the wholesale dressed value of which does not exceed $15,000 during the current calendar year: *Provided*, That none of such poultry moves in commerce (as defined in section 4(a) of this act); nor (iii) to the slaughtering by any person of poultry of his own raising, and the processing by him and transportation in commerce of the poultry products exclusively for use by him and members of his household and his nonpaying guests and employees; nor (iv) to the custom slaughter by any person of poultry delivered by the owner thereof for such slaughter, and the processing by such slaughterer and transportation in commerce of the poultry products exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided*, That such custom slaughterer does not engage in the business of buying or selling any poultry products capable of use as human food.

"(d) The adulteration and misbranding provisions of this Act, other than the requirement of the inspection legend, shall apply to articles which are exempted from inspection or not required to be inspected under this section, except as otherwise specified under paragraph (a).

Sec. 15. Section 16 of said Act (21 U.S.C. 465) is hereby amended to read:

"Sec. 16. The Secretary may limit the entry of poultry products and other materials into any official establishment, under such conditions as he may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act."

Sec. 16. Section 18 of said Act (21 U.S.C. 467) is hereby amended to read:

"Sec. 18. (a) The Secretary may (for such period, or indefinitely, as he deems necessary to effectuate the purposes of this Act) refuse to provide, or withdraw, inspection service under this Act with respect to any establishment if he determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection under this Act because the applicant or recipient of anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State court, within the previous ten years of (1) any felony or more than one misdemeanor under any law based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food or fraud in connection with transactions in food; or (2) any felony, involving fraud, bribery, extortion, or any other act or circumstance indicating a lack of the integrity needed for the conduct of operations affecting the public health. For the purpose of this paragraph a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock or employee in a managerial or executive capacity.

"(b) Upon the withdrawal of inspection service from any official establishment for failure to destroy condemned poultry products as required under section 6 of this Act, or other failure of an official establishment to comply with the requirements as to premises, facilities, or equipment, or the operation thereof, as provided in section 7 of this Act, or the refusal of inspection service to any applicant therefor because of failure to comply with any requirements under section 7, the applicant for, or recipient of, the service shall, upon request, be afforded opportunity for a hearing with respect to the merits or validity of such action; but such withdrawal or refusal shall continue in effect unless otherwise ordered by the Secretary.

"(c) The determination and order of the Secretary when made after opportunity for hearing, with respect to withdrawal or refusal of inspection service under this Act shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the United States Court of Appeals as provided in section 8 of this Act. Judicial review of any such order shall be upon the record upon which the determination and order are based. The provisions of section 204 of the Packers and Stockyards Act of 1921, as amended, shall be applicable to appeals taken under this section."

Sec. 17. Sections 19 through 22 of said Act (21 U.S.C. 468, 469, 451 note) are hereby redesignated as sections 25, 26, 28, and 29, respectively, and new sections 19, 20, 21, 22, 23, 24, and 27 are added to the Act to read, respectively:

"Sec. 19. Whenever any poultry product, or any product exempted from the definition of a poultry product, or any dead, dying, disabled, or diseased poultry is found by any authorized representative of the Secretary upon any premises where it is held for purposes of, or during or after distribution in, commerce or otherwise subject to this Act, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of this Act or of any other Federal law or the laws of any State or Territory, or the District of Columbia, or that it has been or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty days, pending action under section 20 of this Act or notification of any Federal, State, or other governmental authorities having jurisdiction over such article or poultry, and shall not be moved by any person, from the place at which it is located when so detained, until released by such representative. All official marks may be required by such representative to be removed from such article or poultry before it is released unless it appears to the satisfaction of the Secretary that the article or poultry is eligible to retain such marks.

"Sec. 20. (a) Any poultry product, or any dead, dying, disabled, or diseased poultry, that is being transported in commerce or otherwise subject to this Act, or is held for sale in the United States after such transportation, and that (1) is or has been processed, sold, transported, or otherwise distributed or offered or received for distribution in violation of this Act, or (2) is capable of use as human food and is adulterated or misbranded, or (3) in any other way is in violation of this Act, shall be liable to be proceeded against and seized and condemned, at any time, on a libel of information in any United States district court or other proper court as provided in section 21 of this Act within the jurisdiction of which the article or poultry is found. If the article or poultry is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the Treaury of the United States, but the article or poultry shall not be sold contrary to the provisions of this Act, or the laws of the jurisdiction in which it is sold: *Provided*, That upon the execution and delivery of a good and sufficient bond conditioned that the article or poultry shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of the jurisdiction in which disposal is made, the court may direct that such article or poultry be delivered to the owner thereof subject to such supervision by authorized representatives of the Secretary as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or poultry and it is released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article or poultry. The proceedings in such libel cases shall conform, as nearly as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

"(b) The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this Act, or other laws.

"Sec. 21. The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other territories, are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this Act, and shall have jurisdiction in all other kinds of cases arising under this Act, except as provided in section 8(d) or 18 of this Act. All proceedings for the enforcement or to restrain violations of this Act shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States, in any district, may run into any other district in any such proceeding.

"Sec. 22. For the efficient administration and enforcement of this Act, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Federal Trade Commission Act, as amended (38 Stat. 721–723, as amended; 15 U.S.C. 46, 48, 49, and 50) (except paragraphs (c) through (h) of section 6 and the last paragraph of section 9), and the provisions of subsection 409(1) of the Communications Act of 1934 (48 Stat. 1096, as amended; 47 U.S.C. 409(1)), are made applicable to the jurisdiction, powers, and duties of the Secretary in administering and enforcing the provisions of this Act and to any person with respect to whom such authority is exercised. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this Act in any part of the United States, and the powers conferred by said sections 9 and 10 of the Federal Trade Commission Act as amended on the district courts of the United States may be exercised for the purposes of this Act by any court designated in section 21 of this Act.

"Sec. 23. Requirements within the scope of this Act with respect to premises, facilities and operations of any official establishment, which are in addition to, or different than those made under this Act may not be imposed by any State or Territory or the District of Columbia, except that any such jurisdiction may impose record keeping and other requirements within the scope of paragraph (b) of section 11 of this Act, if consistent therewith, with respect to any such establishment. Marking, labeling, packaging, or ingredient requirements in addition to, or different than, those made under this Act may not be imposed by any State or Territory or the District of Columbia with respect to articles prepared at any official establishment in accordance with the requirements under this Act, but any State or Territory or the District of Columbia may, consistent with the requirements under this Act, exercise concurrent jurisdiction with the Secretary over articles required to be inspected under this Act, for the purpose of preventing the distribution for human food purposes of any such articles which are adulterated or misbranded and are outside of such an establishment, or, in the case of imported articles which are not at such an establishment, after their entry into the United States. This Act shall not preclude any State or Territory or the District of Columbia from making requirement or taking other action, consistent with this Act, with respect to any other matters regulated under this Act.

"SEC. 24. (a) Poultry and poultry products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act to the extent of the application or extension thereto of the provisions of this Act, except that the provisions of this Act shall not derogate from any authority conferred by the Federal Food, Drug, and Cosmetic Act prior to enactment of the Wholesome Poultry Products Act.

"(b) The detainer authority conferred by section 19 of this Act shall apply to any authorized representative of the Secretary of Health, Education, and Welfare for purposes of the enforcement of the Federal Food, Drug, and Cosmetic Act with respect to any poultry carcass, or part or product thereof, that is outside any official establishment, and for such purposes the first reference to the Secretary in section 19 shall be deemed to refer to the Secretary of Health, Education, and Welfare.

"SEC. 27. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of poultry subject to this Act, and the preparation, storage, handling, and distribution of poultry parts, poultry products, and inspection of establishments operated in connection therewith, including the operations under and the effectiveness of this Act."

SEC. 18. The heading "Designation" preceding section 5 of said Act is hereby amended to read "Federal and State cooperation"; the heading "Labeling" preceding section 8 of said Act is hereby amended to read "Labeling and containers; standards"; the heading "Records of interstate shipment" preceding section 11 of said Act is hereby amended to read "Articles not intended for human food; record and related requirements for processors of poultry products and related industries engaged in commerce; registration requirements for related industries engaged in commerce; regulation of transactions in commerce in dead, dying, disabled, or diseased poultry and carcasses thereof; authority to regulate comparable intrastate activities"; and the heading "Violations by exempted persons" preceding section 16 of said Act is hereby amended to read "Entry of materials into official establishments."

SEC. 19. If any provisions of this Act or of the amendments made hereby or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the remaining amendments and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 20. This Act shall become effective upon enactment except as provided in paragraphs (a) through (c):

(a) The provisions of subparagraphs (a)(2)(A) and (a)(3) of section 9 of the Poultry Products Inspection Act and the provisions of section 17 of said Act, as amended by sections 9 and 16 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

(b) Section 14 of this Act, amending section 15 of the Poultry Products Inspection Act, shall become effective upon the expiration of sixty days after enactment hereof.

(c) Paragraph 11(d) of the Poultry Products Inspection Act, as added by section 11 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

Mr. PURCELL (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 33, line 3, after "(c)" insert "(1)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 33, line 12, after the words "of this Act)" insert the following: ": *Provided further*, That such producers do not engage in selling dressed poultry or poultry products which are not sound, healthful, clean, and otherwise fit for human food."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 33, line 19, after the words "of this Act)" insert the following: ": *Provided further*, That such persons do not engage in selling dressed poultry or poultry products which are not sound, healthful, clean, and otherwise fit for human food."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 34, after line 10, insert the following:

"(2) In addition to the specific exemptions provided herein the Secretary shall, when he determines that the protection of consumers from adulterated or misbranded poultry products will not be impaired by such action, provide by regulation for further exempting the operation and products of small enterprises (including poultry producers) engaged in slaughtering and/or cutting up poultry for distribution as carcasses or parts thereof, which are subject to the provisions of this Act only under Section 5(c) from such provisions of this Act as he deems appropriate, while still protecting the public from adulterated or misbranded products, under such conditions, including sanitary requirements, as he shall prescribe to effectuate the purposes of this Act: *Provided*, That any such further exemption may be revoked by the Secretary with respect to any establishment if he determines that the operations of an establishment under the exemption have resulted or will result in the distribution of adulterated or misbranded poultry products or that the operator of the establishment has failed to comply with the conditions of exemption."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

On page 35, line 9, strike "paragraph (a)." and insert in lieu thereof "paragraphs (a) and (c).".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. CHAMBERLAIN

Mr. CHAMBERLAIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHAMBERLAIN: On page 33, line 7, strike "$15,000" and insert in lieu thereof "$100,000"; and page 33, line 14 strike "$15,000" and insert in lieu thereof "$100,000".

Mr. CHAMBERLAIN. Mr. Chairman, I am in basic agreement with the purposes of H.R. 16363, which is to make certain the consumer obtains good and wholesome poultry products. I offer this amendment because I share the committee's concern about the potential impact of this legislation on the small producer and processor of wholesome poultry. My amendment would simply modify one of the nine exemptions allowed under this legislation. Specifically, it would raise from $15,000 to $100,000 the annual dollar volume criterion in the small producer-processor amendment in section 14 of the bill. I do this for exactly the same reasons that prompted the committee to add this $15,000 exemption to the administration proposal. I quote from page 14 of the committee's report:

> The committee does not wish to put out of business or to impose Federal regulations on small poultry farmers and processors who are marketing wholesome poultry products.

In seeking to make this bill more practicable and equitable the committee also provided the Secretary of Agriculture with additional discretionary authority to grant individual exemptions to small producers and processors whose annual poultry sales exceed $15,000. In so doing the committee recognized the need for even greater flexibility. I am, however, not optimistic that the Secretary of Agriculture would exercise this authority, for it would clearly be a power to spare some small producers and processors while at the same time perhaps destroying others. I therefore offer this amendment to avoid as far as possible such a situation.

I would point out that my amendment would not exclude any poultry producer or processor from adequate inspection. Nor would not weaken consumer protection. I would point out that the exemption provision to which my amendment applies is already predicated on first, the sale of wholesome poultry products; second, activity within a State; third, a fixed dollar volume for the value of poultry and poultry products processed during the current calendar year and, in the case of poultry producers the poultry actually raised on the producer's farm. In other words, the present exemption language of the bill is already narrowed to those instances when these three—or four in the case of poultry producers—criteria are met. My amendment simply changes the dollar volume critry, and the processing of poultry products, by any person in any Territory not organized with a legislative body, solely for distribution within such Territory, when the Secretary determines that it is impracticable to provide such inspection within the limits of funds appropriated for administration of this Act and that such exemption will aid in the effective administration of this Act.

"(c) The provisions of this Act shall not apply to (i) poultry producers with respect to poultry of their own raising on their own farms: *Provided*, That the wholesale dressed value of such poultry which they slaughter on said farms does not exceed $15,000 during the current calendar year: *Provided further*, That such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms: *Provided further*, That none of such poultry moves in commerce (as defined in section 4(a) of this act); nor (ii) to any person who slaughters, processes, or sells poultry the wholesale dressed value of which does not exceed $15,000 during the current calendar year: *Provided*, That none of such poultry moves in commerce (as defined in section 4(a) of this act); nor (iii) to the slaughtering by any person of poultry of his own raising, and the processing by him and transportation in commerce of the poultry products exclusively for use by him and members of his household and his nonpaying guests and employees; nor (iv) to the custom slaughter by any person of poultry delivered by the owner thereof for such slaughter, and the processing by such slaughterer and transportation in commerce of the poultry products exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided*, That such custom slaughterer does not engage in the business of buying or selling any poultry products capable of use as human food.

"(d) The adulteration and misbranding provisions of this Act, other than the requirement of the inspection legend, shall apply to articles which are exempted from inspection or not required to be inspected under this section, except as otherwise specified under paragraph (a).

Sec. 15. Section 16 of said Act (21 U.S.C. 465) is hereby amended to read:

"Sec. 16. The Secretary may limit the entry of poultry products and other materials into any official establishment, under such conditions as he may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act."

Sec. 16. Section 18 of said Act (21 U.S.C. 467) is hereby amended to read:

"Sec. 18. (a) The Secretary may (for such period, or indefinitely, as he deems necessary to effectuate the purposes of this Act) refuse to provide, or withdraw, inspection service under this Act with respect to any establishment if he determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection under this Act because the applicant or recipient of anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State court, within the previous ten years of (1) any felony or more than one misdemeanor under any law based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food or fraud in connection with transactions in food; or (2) any felony, involving fraud, bribery, extortion, or any other act or circumstance indicating a lack of the integrity needed for the conduct of operations affecting the public health. For the purpose of this paragraph a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock or employee in a managerial or executive capacity.

"(b) Upon the withdrawal of inspection service from any official establishment for failure to destroy condemned poultry products as required under section 6 of this Act, or other failure of an official establishment to comply with the requirements as to premises, facilities, or equipment, or the operation thereof, as provided in section 7 of this Act, or the refusal of inspection service to any applicant therefor because of failure to comply with any requirements under section 7, the applicant for, or recipient of, the service shall, upon request, be afforded opportunity for a hearing with respect to the merits or validity of such action; but such withdrawal or refusal shall continue in effect unless otherwise ordered by the Secretary.

"(c) The determination and order of the Secretary when made after opportunity for hearing, with respect to withdrawal or refusal of inspection service under this Act shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the United States Court of Appeals as provided in section 8 of this Act. Judicial review of any such order shall be upon the record upon which the determination and order are based. The provisions of section 204 of the Packers and Stockyards Act of 1921, as amended, shall be applicable to appeals taken under this section."

Sec. 17. Sections 19 through 22 of said Act (21 U.S.C. 468, 469, 451 note) are hereby redesignated as sections 25, 26, 28, and 29, respectively, and new sections 19, 20, 21, 22, 23, 24, and 27 are added to the Act to read, respectively:

"Sec. 19. Whenever any poultry product, or any product exempted from the definition of a poultry product, or any dead, dying, disabled, or diseased poultry is found by any authorized representative of the Secretary upon any premises where it is held for purposes of, or during or after distribution in, commerce or otherwise subject to this Act, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of this Act or of any other Federal law or the laws of any State or Territory, or the District of Columbia, or that it has been or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty days, pending action under section 20 of this Act or notification of any Federal, State, or other governmental authorities having jurisdiction over such article or poultry, and shall not be moved by any person, from the place at which it is located when so detained, until released by such representative. All official marks may be required by such representative to be removed from such article or poultry before it is released unless it appears to the satisfaction of the Secretary that the article or poultry is eligible to retain such marks.

"Sec. 20. (a) Any poultry product, or any dead, dying, disabled, or diseased poultry, that is being transported in commerce or otherwise subject to this Act, or is held for sale in the United States after such transportation, and that (1) is or has been processed, sold, transported, or otherwise distributed or offered or received for distribution in violation of this Act, or (2) is capable of use as human food and is adulterated or misbranded, or (3) in any other way is in violation of this Act, shall be liable to be proceeded against and seized and condemned, at any time, on a libel of information in any United States district court or other proper court as provided in section 21 of this Act within the jurisdiction of which the article or poultry is found. If the article or poultry is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the Treaury of the United States, but the article or poultry shall not be sold contrary to the provisions of this Act, or the laws of the jurisdiction in which it is sold: *Provided*, That upon the execution and delivery of a good and sufficient bond conditioned that the article or poultry shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of the jurisdiction in which disposal is made, the court may direct that such article or poultry be delivered to the owner thereof subject to such supervision by authorized representatives of the Secretary as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or poultry and it is released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article or poultry. The proceedings in such libel cases shall conform, as nearly as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

"(b) The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this Act, or other laws.

"Sec. 21. The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other territories, are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this Act, and shall have jurisdiction in all other kinds of cases arising under this Act, except as provided in section 8(d) or 18 of this Act. All proceedings for the enforcement or to restrain violations of this Act shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States, in any district, may run into any other district in any such proceeding.

"Sec. 22. For the efficient administration and enforcement of this Act, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Federal Trade Commission Act, as amended (38 Stat. 721–723, as amended; 15 U.S.C. 46, 48, 49, and 50) (except paragraphs (c) through (h) of section 6 and the last paragraph of section 9), and the provisions of subsection 409(1) of the Communications Act of 1934 (48 Stat. 1096, as amended; 47 U.S.C. 409(1)), are made applicable to the jurisdiction, powers, and duties of the Secretary in administering and enforcing the provisions of this Act and to any person with respect to whom such authority is exercised. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this Act in any part of the United States, and the powers conferred by said sections 9 and 10 of the Federal Trade Commission Act as amended on the district courts of the United States may be exercised for the purposes of this Act by any court designated in section 21 of this Act.

"Sec. 23. Requirements within the scope of this Act with respect to premises, facilities and operations of any official establishment, which are in addition to, or different than those made under this Act may not be imposed by any State or Territory or the District of Columbia, except that any such jurisdiction may impose record keeping and other requirements within the scope of paragraph (b) of section 11 of this Act, if consistent therewith, with respect to any such establishment. Marking, labeling, packaging, or ingredient requirements in addition to, or different than, those made under this Act may not be imposed by any State or Territory or the District of Columbia with respect to articles prepared at any official establishment in accordance with the requirements under this Act, but any State or Territory or the District of Columbia may, consistent with the requirements under this Act, exercise concurrent jurisdiction with the Secretary over articles required to be inspected under this Act, for the purpose of preventing the distribution for human food purposes of any such articles which are adulterated or misbranded and are outside of such an establishment, or, in the case of imported articles which are not at such an establishment, after their entry into the United States. This Act shall not preclude any State or Territory or the District of Columbia from making requirement or taking other action, consistent with this Act, with respect to any other matters regulated under this Act.

"Sec. 24. (a) Poultry and poultry products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act to the extent of the application or extension thereto of the provisions of this Act, except that the provisions of this Act shall not derogate from any authority conferred by the Federal Food, Drug, and Cosmetic Act prior to enactment of the Wholesome Poultry Products Act.

"(b) The detainer authority conferred by section 19 of this Act shall apply to any authorized representative of the Secretary of Health, Education, and Welfare for purposes of the enforcement of the Federal Food, Drug, and Cosmetic Act with respect to any poultry carcass, or part or product thereof, that is outside any official establishment, and for such purposes the first reference to the Secretary in section 19 shall be deemed to refer to the Secretary of Health, Education, and Welfare.

"Sec. 27. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of poultry subject to this Act, and the preparation, storage, handling, and distribution of poultry parts, poultry products, and inspection of establishments operated in connection therewith, including the operations under and the effectiveness of this Act."

Sec. 18. The heading "Designation" preceding section 5 of said Act is hereby amended to read "Federal and State cooperation"; the heading "Labeling" preceding section 8 of said Act is hereby amended to read "Labeling and containers; standards"; the heading "Records of interstate shipment" preceding section 11 of said Act is hereby amended to read "Articles not intended for human food; record and related requirements for processors of poultry products and related industries engaged in commerce; registration requirements for related industries engaged in commerce; regulation of transactions in commerce in dead, dying, disabled, or diseased poultry and carcasses thereof; authority to regulate comparable intrastate activities"; and the heading "Violations by exempted persons" preceding section 16 of said Act is hereby amended to read "Entry of materials into official establishments."

Sec. 19. If any provisions of this Act or of the amendments made hereby or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the remaining amendments and of the application of such provision to other persons and circumstances shall not be affected thereby.

Sec. 20. This Act shall become effective upon enactment except as provided in paragraphs (a) through (c):

(a) The provisions of subparagraphs (a)(2)(A) and (a)(3) of section 9 of the Poultry Products Inspection Act and the provisions of section 17 of said Act, as amended by sections 9 and 16 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

(b) Section 14 of this Act, amending section 15 of the Poultry Products Inspection Act, shall become effective upon the expiration of sixty days after enactment hereof.

(c) Paragraph 11(d) of the Poultry Products Inspection Act, as added by section 11 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

Mr. PURCELL (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 33, line 3, after "(c)" insert "(1)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 33, line 12, after the words "of this Act)" insert the following: ": *Provided further*, That such producers do not engage in selling dressed poultry or poultry products which are not sound, healthful, clean, and otherwise fit for human food."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 33, line 19, after the words "of this Act)" insert the following: ": *Provided further*, That such persons do not engage in selling dressed poultry or poultry products which are not sound, healthful, clean, and otherwise fit for human food."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 34, after line 10, insert the following:

"(2) In addition to the specific exemptions provided herein the Secretary shall, when he determines that the protection of consumers from adulterated or misbranded poultry products will not be impaired by such action, provide by regulation for further exempting the operation and products of small enterprises (including poultry producers) engaged in slaughtering and/or cutting up poultry for distribution as carcasses or parts thereof, which are subject to the provisions of this Act only under Section 5(c) from such provisions of this Act as he deems appropriate, while still protecting the public from adulterated or misbranded products, under such conditions, including sanitary requirements, as he shall prescribe to effectuate the purposes of this Act: *Provided*, That any such further exemption may be revoked by the Secretary with respect to any establishment if he determines that the operations of an establishment under the exemption have resulted or will result in the distribution of adulterated or misbranded poultry products or that the operator of the establishment has failed to comply with the conditions of exemption."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

On page 35, line 9, strike "paragraph (a)." and insert in lieu thereof "paragraphs (a) and (c).".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. CHAMBERLAIN

Mr. CHAMBERLAIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Chamberlain: On page 33, line 7, strike "$15,000" and insert in lieu thereof "$100,000"; and page 33, line 14 strike "$15,000" and insert in lieu thereof "$100,000".

Mr. CHAMBERLAIN. Mr. Chairman, I am in basic agreement with the purposes of H.R. 16363, which is to make certain the consumer obtains good and wholesome poultry products. I offer this amendment because I share the committee's concern about the potential impact of this legislation on the small producer and processor of wholesome poultry. My amendment would simply modify one of the nine exemptions allowed under this legislation. Specifically, it would raise from $15,000 to $100,000 the annual dollar volume criterion in the small producer-processor amendment in section 14 of the bill. I do this for exactly the same reasons that prompted the committee to add this $15,000 exemption to the administration proposal. I quote from page 14 of the committee's report:

> The committee does not wish to put out of business or to impose Federal regulations on small poultry farmers and processors who are marketing wholesome poultry products.

In seeking to make this bill more practicable and equitable the committee also provided the Secretary of Agriculture with additional discretionary authority to grant individual exemptions to small producers and processors whose annual poultry sales exceed $15,000. In so doing the committee recognized the need for even greater flexibility. I am, however, not optimistic that the Secretary of Agriculture would exercise this authority, for it would clearly be a power to spare some small producers and processors while at the same time perhaps destroying others. I therefore offer this amendment to avoid as far as possible such a situation.

I would point out that my amendment would not exclude any poultry producer or processor from adequate inspection. Nor would not weaken consumer protection. I would point out that the exemption provision to which my amendment applies is already predicated on first, the sale of wholesome poultry products; second, activity within a State; third, a fixed dollar volume for the value of poultry and poultry products processed during the current calendar year and, in the case of poultry producers the poultry actually raised on the producer's farm. In other words, the present exemption language of the bill is already narrowed to those instances when these three—or four in the case of poultry producers—criteria are met. My amendment simply changes the dollar volume criterion by increasing it to a more reasonable level.

I would also point out, Mr. Chairman, that nothing in this exemption as written into this bill nor my amendment would preclude the several States from inspecting poultry produced or processed by farmers or processors handling less than $100,000 worth of poultry or poultry products each year. I am aware that the argument might be made that most of the States have not acted in this area of poultry inspection. However, H.R. 16363 provides Federal financial assistance—up to 50 percent of the cost of the State program—to those States which choose to implement new and effective poultry inspection programs. Therefore the opportunity remains for greater State participation in this area and continued consumer protection. In essence then, Mr. Chairman, my amendment does not create any loopholes in the committee bill and leaves intact the consumer protection features of this legislation.

Furthermore, I believe it is in the interest of the consumer that such an exemption be adopted. During the course of the hearings the committee received testimony to the effect that small poultry producer-processors were deeply concerned because their operations were such as not to conform with Federal inspection laws concerning the size and design of their buildings.

The point is, as I understand it, these small businessmen do not in any way doubt that they are or can meet Federal health quality standards, but if in order to stay in business under Federal law they are compelled to construct expensive new facilities, this would assuredly drive them out of business. Many of these small operators have been in business for many years and have earned a devoted and discerning clientele, particularly among those who prefer to purchase fresh killed poultry. They are performing a valuable service to the consumer which I am told the big poultry processors cannot do as well or as economically. The loss of these businesses would hardly be in the interest of the consumer.

Mr. Chairman, everyone is, of course, for consumer protection. Many powerful groups have come out in favor of this bill without any exemptions. Some of these have their own reasons for doing this, reasons which have very little to do with consumer protection. Furthermore, I think all of us are aware now of some of the mischief that was unintentionally done in regard to the meat inspection program under the banner of consumer protection. I for one do not want to see a repeat of this kind of situation in regard to poultry and feel that a reasonable exemption for clean and wholesome producer-processors is very much in order. The committee hearings contain a number of pleas for action to permit the survival of these small producer-processors of wholesome poultry. The committee has taken a courageous step in that direction. I would simply contend that my amendment is a more realistic and workable approach than that of burdening the Secretary of Agriculture with a very difficult and potentially highly controversial authority.

Mr. Chairman, it should not be a Federal crime to be a small businessman.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FOLEY. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FOLEY. Mr. Chairman, would the gentleman yield?

Mr. CHAMBERLAIN. I will be glad to yield to the gentleman.

Mr. FOLEY. I would like to ask the gentleman, for the information of the committee, to what he had reference when he said that mischief was done by the meat inspection bill.

Mr. CHAMBERLAIN. Well, I have had several indications that the Meat Inspection Act worked undue hardship on many small meat producers, particularly in the State of Michigan. I cannot say what it may have done in the gentleman's area or perhaps in other areas of the country, but I do know that there have been people who have come all the way from Michigan to Washington to complain about the hardships that this imposed on many people. I had one man come here to tell me that he had four inspectors descend on him in his yard at one time and that he was going out of business and had scheduled an auction sale of his assets because he could not afford to build new buildings that they insisted upon. Still he was apparently meeting the State standards at the time.

Mr. PURCELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this matter of the size of exemptions in any kind of legislation relating to inspection is, in my judgment, one of the most difficult areas to work in. The subcommittee spent many hours—and I do not remember how many—discussing almost every conceivable kind of exemption you can imagine. There is nothing sacred at all, of course, about the specific size of the wholesale dressed value of $15,000 as being exactly the right size, but I do believe that it is merely an equitable way of allowing a truly small poultry farmer not to have to meet all of the regulations and requirements that regular commercial farmers would be meeting. Of course, I hope the committee and this House will reject this amendment.

Maybe, to explain what the exemption entails, we should discuss this amount of $15,000 to be sure everyone realizes what this actually exempts. The term $15,000 of exemption applies to the wholesale value of birds that are processed. It may be some Members have drawn the conclusion from the discussion that we had gone on so far that all poultry growers are affected by this law. A man and wife on a farm, an individual, or even a corporation growing poultry but which does not process or slaughter the poultry for human consumption is not in any way affected by this law. This applies only to the operation of dressing poultry. Therefore, there should not be any concern for the farmer who is a poultry grower or dealers in live poultry who sell their poultry to a processing plant or someone else who processes it. If this exemption is increased from $15,000 a year up to $100,000, then we go from the area of the small processor handling 25,000 to 30,000 chickens a year, which are exempt by the $15,000 standard, or will be when this bill is passed, up to between 150,000- and 200,000-bird flocks being exempt from the regulations that this bill proposes.

Now, Mr. Chairman, I realize it depends upon who is doing the talking and who is being affected. But 150,000 or 200,000 birds being exempt from some kind of inspection in our opinion is more than should be exempt for the health and welfare of the country and to provide the wholesome product that we all say we want. Yet there is no limit upon how many people may be raising fom 150,000 to 200,000 birds in a flock. It is my opinion that we can say we exempt by the bill in its present form a sufficiently large amount of poultry. With the $15,000 exemption we will be assured that the bulk of the poultry sold will be suitable for trade and consumption by Americans from one coast to the other.

I am sorry that everyone in this body could not have heard the testimony that we had in the committee as to why an exemption should be small, middle sized, or large. We felt that almost everyone would be satisfied with the $15,000 wholesale value exemption and felt that it was fair and near the right size and the figure upon which we had the most agreement. We felt that it is as large as it ought to go, and I would hope that this House will defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CHAMBERLAIN].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16363), to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes, pursuant to House Resolution 1172, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KYL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 351, nays 17, not voting 65, as follows:

[Roll No. 184]

YEAS—351

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ahmore
Aspinall
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Bolling
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Casey
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Culver
Cunningham
Curtis
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Findley
Fino
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Giaimo
Gibbons
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Myers
Natcher
Nix
Nedzi
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Perkins
Pettis
Philbin
Pike
Pirnie
Poff
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—17

Brown, Mich.
Burleson
Cabell
Fisher
Gathings
Jones, Mo.
McClure
Miller, Ohio
Morton
Poage
Pollock
Price, Tex.
Rarick
Roberts
Steiger, Ariz.
Taft
Wiggins

NOT VOTING—65

Ashbrook
Ayres
Bell
Bingham
Boland
Bolton
Bow
Brademas
Brown, Calif.
Carter
Cederberg
Celler
Conyers
Cowger
Cramer
Daddario
Dawson
Evins, Tenn.
Farbstein
Flood
Gallagher
Gettys
Gilbert
Hagan
Halleck
Hansen, Idaho
Haneen, Wash.
Hardy
Harrison
Hawkins
Hébert
Holland
Karsten
Kelly
Kyros
McMillan
Madden
Martin
Minshall
Murphy, Ill.
Murphy, N.Y.
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Pelly
Pepper
Pickle
Podell
Reifel
Resnick
Rooney, N.Y.
Rooney, Pa.
Rosenthal
St. Onge
Scheuer
Slack
Stuckey
Teague, Tex.
Tenzer
Thompson ,N.J.
Vander Jagt
Waggonner
Willis

So the bill was passed.

The Clerk announced the following pairs:

Mr. Brademas with Mr. Minshall.
Mr. Murphy of Illinois with Mr. Reifel.
Mrs. Kelly with Mrs. Bolton.
Mr. Hardy with Mr. Ayres.
Mr. Rooney of New York with Mr. Bow.
Mr. Evins of Tennessee with Mr. Carter.
Mr. Flood with Mr. Cederberg.
Mr. Gettys with Mr. Ashbrook.
Mr. Farbstein with Mr. Bell.
Mr. Gallagher with Mr. Cowger.
Mr. McMillan with Mr. Martin.
Mr. Teague of Texas with Mr. Harrison.
Mr. Hagan with Mr. Cramer.
Mr. Madden with Mr. Halleck.
Mr. Hébert with Mr. Widnall.
Mr. O'Hara of Michigan with Mr. Nelsen.
Mr. St. Onge with Mr. Hansen of Idaho.
Mrs. Hansen of Washington with Mr. Pelly.
Mr. Celler with Mr. Vander Jagt.
Mr. Bingham with Mr. Daddario.
Mr. Conyers with Mr. Resnick.
Mr. Boland with Mr. Gilbert.
Mr. Brown of California with Mr. Dawson.
Mr. Hawkins with Mr. Scheuer.
Mr. Kyros with Mr. Murphy of New York.
Mr. Nichols with Mr. Holland.
Mr. Pepper with Mr. Podell.
Mr. Rooney of Pennsylvania with Mr. Pickle.
Mr. Rosenthal with Mr. Thompson of New Jersey.
Mr. Tenzer with Mr. Slack.
Mr. Stuckey with Mr. Willis.
Mr. Waggonner with Mr. Karsten.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed and include extraneous matter.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Texas?

There was no objection.

PERSONAL STATEMENT

Mr. BOLAND. Mr. Speaker, when the vote came on final passage of H.R. 16363, the Wholesome Poultry Products Act, I was in conference at the Department of Housing and Urban Development. During general debate, I stated my position and support of the bill. If I had been present when the roll was called on final passage of the bill, I would have voted "aye."

PEACE CORPS AMENDMENTS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1214 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1214

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15087) to authorize the further amendment of the Peace Corps Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 15087, the Committee on Foreign Affairs shall be discharged from the further consideration of the bill S. 2914, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 15087 as passed by the House.

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio

[Mr. Latta] and pending that I yield myself such time as I may consume.

Mr. Speaker, this resolution provides for 1 hour of general debate and an open rule. It provides in effect that after the bill is adopted its provisions will be substituted for a Senate bill so that the bill can go to conference.

There are supplemental views. I understand from an additional view by the gentleman from Iowa that an amendment will be offered to the bill, but there is no opposition to the rule that I know of.

Therefore, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, as indicated by the gentleman from Missouri [Mr. Bolling], the purpose of the bill is to extend the Peace Corps program for 1 additional year, through fiscal 1969, and to authorize funds for 1969. The amount provided is $112,800,000.

No substantive changes in the enabling legislation are contained in the bill. The authorization for 1969 is $5,300,000 higher than the funds appropriated for 1968.

Currently Peace Corps personnel are working in 57 countries with 3 more to be added during 1969. Some 9,200 new members will be accepted and trained during the coming year. There are some 11,200 members currently serving overseas.

Supplemental views have been filed by eight members. They question the need for some 329 Peace Corps employees—not volunteers overseas—who receive Federal salaries in excess of $12,000, an increase of over 100 percent since 1963. Administrative costs of the program in 1968 are about 26.7 percent, a very high figure.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15087) to authorize the further amendment of the Peace Corps Act.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15087, with Mr. Natcher in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. Morgan] will be recognized for 30 minutes, and the gentleman from Indiana [Mr. Adair] will be recognized for 30 minutes.

The Chair recognize the gentleman from Pennsylvania [Mr. Morgan].

Mr. MORGAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, it is pretty generally agreed that the Peace Corps is a success.

The countries in which the Peace Corps operates like the volunteers, and the demand for their services exceeds the supply.

The American people like the Peace Corps. The number of applicants for service as volunteers is running at about 60,000 a year. From this number the Peace Corps hopes to select 9,200 volunteers to carry out its program for the fiscal year 1969.

It appears that the Peace Corps may be the largest employer of American college graduates except for the armed services.

The average number of volunteers serving overseas is running over 11,000.

The Peace Corps is operating in 57 countries, and the funds authorized in this bill will permit three more countries to be added.

When the Peace Corps began in 1961, there were many of us who worried about the possibility that the presence of our young volunteers in the underdeveloped countries might lead to trouble with some of the governments where they were located.

Actually there has never been a case where the presence of the Peace Corps has created any real problem in our dealings with other countries. On the contrary, the countries where the Peace Corps operates like the volunteers, make them welcome, and appreciate the assistance which they render.

It is true that seven countries have terminated Peace Corps operations.

The Peace Corps has returned to one of these, Ceylon. You may recall that several years ago Ceylon expropriated the property of several U.S. enterprises, and we cut off all foreign aid. The Government of Ceylon requested the Peace Corps to leave at that time.

In none of these seven countries was the performance of the volunteers the cause of the termination of the program.

In all cases, the Peace Corps was the victim of controversies to which it was not a party.

For instance, Mauritania in Africa asked all U.S. personnel to leave at the time of the Arab-Israel war a year ago.

In the case of Guinea, also in Africa, you remember the incident when a Pan-American plane landed in Ghana, where the local police took a group of officials of the Government of Guinea off the plane. The Government of Guinea was annoyed with the United States and kicked the Peace Corps out in retaliation.

The other cases were comparable. In Pakistan, the excuse given by the Government was that they wanted technicians with a higher degree of skill than the Peace Corps could provide. Most people feel that the real difficulty was that Pakistan was annoyed with our policy toward India.

The point is that the Peace Corps has been an asset in our dealings with other nations, and I am sure that the overwhelming majority of the Congress and the American people want it to continue.

This bill authorizes $112,800,000 for the fiscal year 1969—the full amount requested by the Executive.

The fiscal 1968 authorization was $115,700,000 and the appropriation was $107,500,000.

This amount will cover the training and pretraining costs of 9,200 trainees compared to 8,050 trainees in fiscal 1968.

I am sure that it will be argued that we ought to economize on the Peace Corps just as we do on other programs.

If you consider only the money involved, it is easy to cut the Peace Corps authorization.

When you consider what a dollar cut means to the thousands of young Americans who seek to serve as volunteers, a cut is not so easy to make.

The bulk of the Peace Corps budget goes to support volunteers overseas. The only real variable is the number of new people selected. Any substantial cut in funds will mean that fewer new volunteers will be able to enter service.

The Peace Corps constitutes one of the few bright spots in the field of foreign affairs. The undeveloped countries need and desire more volunteers than are currently available.

Thousands of dedicated, qualified Americans are eager to serve in the Peace Corps. There is an important job for them to do.

Under these circumstances, it seems to me that we ought to give these people an opportunity to serve their country.

Mr. Chairman, I strongly support this bill, and hope that it is adopted.

The CHAIRMAN. The Chair now recognizes the gentleman from Indiana [Mr. Adair].

Mr. ADAIR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Bolton] may extend her remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. BOLTON. Mr. Chairman, in its 7 years, the Peace Corps has earned an admirable record for diplomacy and public relations. It has rendered vital assistance to dozens of countries in programs of health, education and community development. With pride I note that from my own State of Ohio there are approximately 500 volunteers serving abroad this year.

The impact of the Peace Corps is well known. New programs in several additional nations are being considered. As the results of Peace Corps efforts have become apparent, the requests for assistance have increased. We can be very proud of the accomplishments of the Peace Corps personnel, many of whom are young and inexperienced.

These volunteers find the work rugged, hours long, and isolation from friends and familiar surroundings harder to live with than they had realized. Most of them rise above the difficulties. They quickly develop hidden talents and creativity and endurance.

Upon completion of their tour of duty, many return to the United States eager for similarly challenging opportunities to serve mankind. Business firms and schools are making great efforts to attract returnees. Their alert thinking and enthusiasm are considered an asset in our own community development.

Occasionally in the past year I have

become aware of incidents and reports which suggest that some of the Peace Corps personnel may be getting sidetracked from the original purpose of the Corps. This I consider unfortunate and costly, both in terms of dollars and reputation. In the Peace Corps, as in all other organizations, there come temptations to slacken efforts and divert energy and resources into other channels. I hope every possible attempt will be made to improve the administration of this remarkable organization.

In the hope that the Peace Corps will continue to live up to its high ideals and its established record, I support this bill.

Mr. ADAIR. Mr. Chairman, I rise in support of the bill this year, as I have in the past. The chairman has pointed out the details and the fact that this bill represents an extension of 1 year for this program.

It will be remembered that last year the authorization request was $115,700,000, and the appropriation figure was $107,500,000. This year the authorization request is $112,800,000.

It is my understanding, Mr. Chairman, that the gentleman from Iowa [Mr. Gross] will have an amendment to reduce that figure.

Although I am strongly in accord with the objectives of the Peace Corps, I should like to invite the attention of the Members to the supplemental views which are made a part of the report with respect to this bill. We have tried to stress in those views certain factors that we find disquieting. First, in spite of the worthy objectives of this organization and the good work that it has done in many countries, we are of the opinion that the program requires continued and closer congressional supervision. We have not been entirely satisfied, Mr. Chairman, with the administration of the program, and hope by our close scrutiny to improve that administration. In the absence of such legislative oversight neither the dollars appropriated nor the volunteers in service will be used to maximum effectiveness.

A second factor to which I invite the attention of the Members is a table in the supplemental views similar to one that we have included in previous years. This table shows the number of employees of the Peace Corps who are receiving salaries in excess of $12,000. We are concerned lest this indicates mounting administrative costs at the expense, perhaps, of the volunteers who do work, as we all know, for relatively small amounts of money.

The Director of the Peace Corps very correctly points out that the increasing number of those receiving over $12,000 is occasioned in part by the fact that there have been salary increases granted to Federal employees. This is of course true. Nevertheless the number has increased greatly. Since 1963 it has risen over 100 percent until now there are 329 people receiving in excess of $12,000 per year.

With those observations, Mr. Chairman, and the hope that the administrative activities of the Corps can be strengthened, I urge the adoption of this bill.

Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Derwinski].

Mr. DERWINSKI. Mr. Chairman, I merely wish to second the remarks made by my distinguished senior colleague on the committee [Mr. Adair] and point out that even though I support the Peace Corps, I believe the supplemental views contain a very objective and necessary critical report of the administration of this program.

I would point out, as we did in our supplemental views, that the administrators of this program are probably slowly choking the high ideals that mark the Peace Corps.

If there is a global program that we have embarked upon and which has received fine comments from observers, it is the Peace Corps. Yet, it seems to me that the greatest problem the Peace Corps faces is the bureaucracy that has developed within itself. The figures do speak for themselves.

I would also point out, Mr. Chairman, that administrative costs have risen in the Peace Corps along with the inability of the administrators to produce host country contributions.

I remind the membership that in 1967 we were told that in a 2-year period they expected to receive almost $10 million in host country contributions. They were able to obtain only $7 million. This is $3 million therefore that has to be added to our budget. It is a sign of lax administration and I hope we will correct this in future years.

To reemphasize, Mr. Chairman, I believe the bill should be passed with a moderate adjustment. Despite inadequate administration, it is a sound program. Most of the volunteers in the field are doing an effective job representing our country.

I would hope that when they return home that they will be less apt to participate in vocal groups which criticize our President and his administration. But here again, I suppose that is an administrative problem. The administrators evidently are not suggesting to the returning Peace Corpsmen that they should not flock helter-skelter into some of the wild-eyed student groups around the country.

But despite the embarrassment that some returning Peace Corpsmen cause our dedicated President and despite their criticism of our hard-working Secretary of State and other figures of this confused administration, I support the Peace Corps with the reservations expressed in the supplemental views.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Taft].

Mr. TAFT. Mr. Chairman, I rise in support of this bill and advocate strongly the continuation of this effort that the United States has been making. I think it is a very fine effort.

In supporting the bill, however, I think it would be remiss not to comment at least briefly upon the hearings that took place before our committee at which Mr. Vaughn appeared. As a result of his appearance the supplementary views somewhat critical of some aspects of the Corps occurred. They occurred, I believe, because, as has already been reflected by the chairman here today, the principal argument that was made for the continuation of the Peace Corps was that it is of great benefit to America through the building up of experience and character of the volunteers.

Well, this may be. But it seems to me in the long run the true justification of the Peace Corps must come and must be related primarily to U.S. foreign policy. To lose sight of that fact, it seems to me, would be a great mistake. I think perhaps the administrator had lost sight of it in his testimony as he appeared before our committee, for indeed that was all—and I mean all—that he talked about. There was no discussion of the real need or progress of the individual country-to-country programs. I think that it was this feeling of a lack of satisfactory information from the agency itself, that led to the supplemental views and the questions that were raised there.

With regard to the effectiveness of the volunteers, Mr. Vaughn, the Director of the program, has written to the members who have signed the supplemental views—and I shall later ask leave to insert in full his letter in the Record. I believe that it should be so inserted so that the entire House will have the information that he wished to put to us.

In particular, in one paragraph of the letter, he states as follows:

> Concerning the effectiveness of the volunteers themselves, I doubt that there is any way to make a valid judgment without visiting them where they work.

Well, this is probably true. He goes on to express the hope that perhaps some of us from the Foreign Affairs Committee might be able to visit the volunteers where they work.

I have a son who is a graduate of the Peace Corps. He served for 2 years in Tanzania. I did visit him out there when he was in that service, and I was very impressed with the work being done by the Corps in that area at that time. I would like to take this opportunity, therefore, to express the hope that the various members of the area subcommittees of the Foreign Affairs Committee of the House would take the opportunity, whenever possible, to visit not only our Peace Corps installations, and observe the programs as they are developing in these countries, but also to examine the foreign aid programs, on the ground and to examine various other aspects of our operations overseas.

I do not say that in any criticism. I say it merely from the point of view of pointing out that I do not think there is enough information on the part of members of the committee or of this Congress about the impact within the countries themselves to make constructive suggestions as to how it might be improved and better related to the overall foreign policy of the United States.

Subject to those comments, I believe that the amount that is being asked for in this bill is entirely appropriate. I think that this is a good program. I think it is a program which has produced some very beneficial results in some areas to U.S. interests and to U.S. foreign policy, as well as to those who have the privilege of serving in the Corps themselves.

The letter referred to follows:

PEACE CORPS,
Washington, D.C., June 10, 1968.

Hon. ROBERT TAFT, Jr.,
House of Representatives.

DEAR BOB: I have read your supplemental views on the Peace Corps contained in the June 5 Report relative to H.R. 15087. Their effect has been depressing.

With regard to your concern for salary levels of Peace Corps employees, it is important to note that the number of Peace Corps Volunteers on June 30, 1963 was 4,379. On April 30, 1968, there were 11,232 Volunteers. While our staff has grown to support this increase, the percentage of our staff at and above the grade level which paid $12,000 in 1963 is now 11%, whereas in 1963 that percentage was 14%.

Concerning your statement "Poor administration is slowly choking the high ideals that marked the inception of the Peace Corps," I suggest that a check with any of the following would convince you that Peace Corps administration is more effective than it has ever been: Bureau of the Budget, General Accounting Office, Inspector General of Foreign Assistance or any United States Ambassador who has observed Peace Corps operations over the past four or five years.

Concerning the effectiveness of the Volunteers themselves, I doubt there is any way to make a valid judgment short of visiting them where they work.

If the time ever comes when you would be free to actually observe the work of these great people, I am sure you would understand the reasons behind Colombia President Lleras awarding the Peace Corps last month the highest honor his country can bestow.

Sincerely,

JACK VAUGHN.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HALL].

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. HALL. Mr. Chairman, I appreciate being yielded this time because, like the writer of the supplemental report, I can be ambivalent about this program, and I think the record will indicate that I have voted both for and against it—against it originally and for it after it proved its objectives were meritorious, in my opinion.

But I am concerned about the fact that our distinguished colleague from Pennsylvania, the chairman of the Committee on Foreign Affairs, my physician colleague, predicted that there would be questions about the need for economy and/or retrenching. I think I would like to make his prediction come true, because I surely believe it, and I stand here wondering, at a time when the number of volunteer trainees is admittedly down, according to the Director of the program, for whatever his statement before the committee was worth; at a time when the number of countries served in this mutual relation by the Peace Corps has decreased; why we should have a great increase in the authorized Peace Corps budget for the next fiscal year, in a time of austerity, cutbacks, tax increases, and rescissions in pipeline funds.

Furthermore, I would like to know why it would not be in order to reduce the amount considerably below what was actually appropriated and used last year. I think retrenchment in expenditures is a pressing national need. I think trimming the fat out of this proposed budget would make a good contribution to a better fiscal situation in our Nation and, as was stated in the supplemental views, at the same time nudge—gently—this agency back to the idea from which it sprung.

Why do I say that?

I say that completely out of the report itself. I say it from reading the fact that the volunteers will be reduced from 627 in Micronesia to 488 this year, while there is some question as to whether they should be in this area, administered by the Department of Interior, in the first place.

I say it because contributions from host countries have not come up to what has been expected, and we should conclude then that these countries are not as enthusiastic in their support as those who are taking part in it.

I shall not question the loyalty or denigration with which volunteers cast aspersion on our Government when they return. I am not informed on this, but I am impressed by the fact that the number of high salaried positions, the administrative overhead of the Peace Corps has, according to the report itself, gone from 146 in 1963 for those who were receiving above $12,000 per annum, to 329 in 1968—which is more than a 100-percent increase. This is unacceptable at a time when we are supposed to be tightening our belts and becoming more and more fiscally responsible.

I did not hear the testimony of, nor do I know about the Director, Mr. Vaughn's success, or failure, but if he has adequately explained why the number of volunteers and trainees is down this year, then certainly we do not need an increased authorization of money for it.

I would simply like to ask the question: Why do we need more funds when the number of youth receiving bigger and bigger administrative salaries in the administration of this program has increased over 100 percent and the number of volunteer trainees is down, and the number of countries serviced is down?

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I am not sure whether the gentleman voted for the several Federal pay bills that have passed this Congress since 1963.

Mr. HALL. Mr. Chairman, I will relieve the gentleman's mind on that. I did not.

Mr. MORGAN. I know the majority of the House did vote for them, with the result that a man who in 1963 was receiving $12,000, on April 30 this year was receiving $14,857.

Mr. HALL. That alone is damning evidence, but the point at issue is—and "volunteer" in the Peace Corps is a name by definition—why should there be an increase of 100 percent of people in the supergrades in the first place if the word "volunteer" means anything?

Mr. ADAIR. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I take this time to direct a question to either the chairman of the committee or the ranking minority member. Is there any hope of having the Peace Corps revise its approach in Micronesia? I notice in the testimony that Mr. Vaughn gave, that he expects to reduce the number of teachers who are teaching English in Micronesia but he expects to keep the same number of employees in an administrative capacity.

If there is any one good purpose the Peace Corps has served in Micronesia it has been to increase the English capacity of the Micronesian children in the various districts. I am rather disconcerted to find that the Peace Corps is going to cut down on the number of teachers, but there is no evidence they are going to cut down on the administrative personnel. In view of the fact that there is administration in the Interior Department to cover administration in the trust territory, I believe the Peace Corps would do a better job if it cut down on its overhead and sent in more teachers.

Mr. MORGAN. Of course, the gentleman knows that 80 percent of the teaching of the English language in this island now is done by Peace Corps volunteers.

Mr. SAYLOR. I realize that.

I notice on page 7, in Mr. Vaughn's testimony, he says it is his decision to concentrate on just certain schools and not cover as many schools in the island.

Mr. MORGAN. That is correct. They cannot find replacements for technical volunteers who are qualified to work in agriculture, or as mechanics. They propose to concentrate the training of teachers in that island and on teaching in secondary schools. They are cutting down on elementary teachers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ADAIR. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MORGAN. On April 30, 1968, the figure for volunteers was 627. On January 1, 1969, it will go down to 527. There has been a slight increase in the funds for the program. It is not all in administrative costs. It is estimated fiscal year 1969 will be $4.1 million, and the 1968 program calls for $3,636,000. So there is a slight increase in the cost of the program.

Mr. Chairman, as to this increase for 1969, the 2-year volunteers who have completed their service will be returning home. This means an increase in the funds required for the program, to pay the travel cost of the returning volunteers and to send their replacements overseas. This is the main reason why there is an increase in the program, to pay travel costs.

Mr. SAYLOR. I have not worried about the increased cost, because I realize there is increased transportation. I am concerned about the fact that they are going to cut down on the one useful purpose they serve; that is, teaching English.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Indiana.

Mr. ADAIR. In addition to what the chairman said, the gentleman from Pennsylvania is aware of the fact that some of us on the Foreign Affairs Com-

mittee have raised a question as to why Peace Corps volunteers are in these Islands at all. We feel that this should be a matter under the jurisdiction of the Department of the Interior. We said that last year, and in our supplemental views we made reference to it again this year.

Mr. SAYLOR. For the record I should like to say that the reason why they are in Micronesia is that the Peace Corps itself came to the Interior Department and asked for permission to send these people there. They made the first request. It was because of that and the follow-up they are there. If there is any fault, it is not with the Interior Department, but it is with the Peace Corps itself.

Mr. ADAIR. If the gentleman will yield further, we hope this is a situation which will be speedily corrected.

Mr. GALLAGHER. Mr. Chairman, I rise in support of the Peace Corps authorization bill which would authorize $112.8 million for Peace Corps operations in fiscal year 1969. The granting of the authorization requested, which I strongly support, would enable the Peace Corps to plan for a small but steady growth. There is a far greater demand for Peace Corps volunteers around the world than the Peace Corps is able to supply.

We are underestimating the usefulness of our volunteers and the hard business sense of their host countries if we think of the Peace Corps only as a band of young crusaders whose chief value to us and their hosts is the good will they promote.

In one way, of course, volunteers are changing the way other people think about the United States. But I suspect that it is not the way most of us assume.

The United States is still the richest and most powerful Nation in the world and so it continues to be envied and feared by many of the world's people. We are deluding ourselves to think this image will change in our lifetime.

But the volunteers have added some new dimensions to the image. They embody proof that we are not afraid of hard work—manual labor—and that we value substance over form. And so they imply that this Nation's progress has something to do with these attitudes. And they also imply, simply by their presence in the remote, hopeless villages of the world, that American ideals are still very much alive, that we care what happens to the people of those villages.

But it is a striking mark of the Peace Corps volunteer's true concern for others that this public relations function alone is not enough.

He is bent not on changing the way men think about the United States but the way they think about themselves.

One very pretty young volunteer described herself as having grown up in a "dream world, the sanest, most sensible middle-class existence you can imagine." She even tried to break the spell by putting in a couple of years at Berkeley. "But still," she said, "when I joined the Peace Corps I didn't have an idea in my head."

What happened overseas? She said: "I was trying to help the people of my village get some improvements from the government—electricity, a road, a school. We would go down to city hall together to call on local officials.

"It was the first time," she said, "that these people had ever set foot in official offices, much less asked anybody for anything. They would hang their heads and let me do the talking. But we kept on going and I kept encouraging them to talk. By the time I left the village, they were visiting the town hall alone."

Will this kind of work bring peace? I cannot answer that, though I am optimistic enough to hope that it will. I think the Peace Corps itself would be even less likely to venture a guess because they are infinitely more realistic today than 7 years ago about the nature of their approach to international relations and their impact overseas.

They would tell you, I think, that what they hope to do is create a climate for peace, or at least a condition for stability, by helping give people this key to command of their own destinies.

The Peace Corps has learned how futile it is to impose values and institutions on foreign cultures. All the volunteer can really do is plant the idea that the individual can make his own choice and that he must assume responsibility for it. The volunteer cannot determine what the choice will be.

Thus through the work of its volunteers, the Peace Corps has defined this objective—changing the concept men have about their own ability to act. And just arriving at that definition is in itself a kind of success.

But how does the Peace Corps prepare a young man or woman from the relatively sheltered and stable existence of our college campuses—where more than three-fourths of Peace Corps volunteers come from—how does it prepare them for this terrific confrontation with other people's self-images? How does it find and train people who can affect other people's attitudes?

First, the Peace Corps has vastly improved its procedures of recruiting, selecting, and training volunteers. All of its campus recruiting is done by former volunteers, most of whom have just returned from overseas service. They can offer an extremely accurate picture of what it is like to live and work abroad.

Its training procedures are also tougher and more relevant to the job overseas than ever before. More of the training programs are now conducted abroad, some in the countries where the volunteers will actually work, others in training camps in Puerto Rico, the Virgin Islands, and Hawaii.

A minimum of 300 hours of language instruction is provided in a 12- to 14-week training program. Some trainees receive as much as 400 hours, studying up to 6, 7, or 8 hours a day. The Peace Corps teaches more than 150 languages—languages that you and I have never even heard the names of. And often the volunteers are required to continue language study after they arrive on the job.

The Peace Corps is also using great numbers of returned volunteers to train new volunteers and to support those serving abroad. Former volunteers are now serving as directors of entire Peace Corps programs in seven foreign countries. Many others serve on the staff of Peace Corps headquarters in Washington and in overseas programs.

And just 7½ years ago, there were no professionals at all in this occupation. Well, perhaps one of the most attractive features of the Peace Corps is that you can only work there 5 years. It is a perpetual springboard, never a sinecure.

And this leads me to my last success story—one that holds more immediate importance for this country than anything else I've said here about the work of the Peace Corps.

The volunteer returns to the United States today with ideas that are vastly different from ours about what development is, what other countries' and other men's problems are, where we might be headed astray in our foreign policy. He is not the same American who went off 2 years ago asking the same questions he now answers with such understanding.

Now, there are more returned Peace Corps volunteers than volunteers serving abroad—over 17,000 here at home. By 1970, there will be 50,000 returned volunteers. What will be the impact of these young people on their—on our—society?

They will inject imagination and new energy into public service and education—these are the most popular career fields for returning volunteers.

They will never again find noninvolvement a comfortable or conscionable position.

The anatomy of our power structure will be no mystery to these volunteers because they have tackled much older and more forbidding power structures in other countries.

They have written new textbooks and curriculum; they have stretched their imaginations to find creative new ways to teach in educational systems that are much less receptive to innovation than our own.

They have promoted and tested new concepts of nonprofessional involvement in public health programs and proved that these concepts work.

They have stirred apathetic communities, where people have never heard of PTA or Rotary or civic pride, to accept responsibility for supporting schools, building roads, and undertaking cleanup campaigns.

The men and women who went abroad with formless ideals understand better how to make commitment a pragmatic, powerful force for improving the quality of life.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. ADAIR. Mr. Chairman, I have no further requests for time.

Mr. MORGAN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 15087

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1968" and "$115,700,000" and substituting "1969" and "$112,800,000", respectively.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 1, line 6, strike out "$112,800,000" and insert "$97,000,000."

Mr. GROSS. Mr. Chairman, I have no desire to take a great deal of time on this amendment for it speaks for itself. It is a 10-percent cut based upon the appropriation of $107.5 million made to the Peace Corps for this fiscal year. I insist the Peace Corps take its place in the line of agencies of the Federal Government for a cut in next year's spending.

Apparently we are going to be confronted next week, if the New York primary election is held as scheduled, with a vote on a 10-percent tax increase and an alleged $6 billion cut in spending. Where this cut is to be made I do not know, but this would be a good place to begin.

I am not going to go over the contents of the report, Mr. Chairman. Others have done that before. I do want to refer to the remarks made by the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN], who indicated in his opening statement that the cut I have proposed might deprive some individuals of becoming Peace Corps volunteers; that it would deprive them of an opportunity to serve their country.

Let me say to the distinguished chairman that I am interested in the taxpayers of this country, as I hope he is. I am not interested in spending the taxpayers' money simply to provide a place for Peace Corps volunteers. Some of the Peace Corps volunteers could very well serve their country by going into the Armed Forces, if they are interested in trips abroad. So I am not impressed with the argument that we ought authorize for appropriation here today $112.8 million simply to provide jobs in foreign countries for a comparatively few individuals.

Mr. Chairman, I would also point out that this is another foreign aid bill. We have already spent in one way or another some $170 billion on foreign aid, and a cutback on all of these programs is long overdue. It is not within the capacity of the American people to police and finance the entire world.

I repeat that we are going to be confronted next week with a vote on a tax increase bill carrying with it a proposal to cut $6 billion, and up to this point there is no evidence that Congress or the executive branch of Government intends to slice off any part of that amount.

Moreover, officials of the Peace Corps estimate they will have some 600 to 700 fewer volunteers on the payrolls in the next fiscal year than they have now. At the same time their tables show that the number of well-paid administrative personnel in the Peace Corps is increasing along with salaries. In other words, the number of chiefs in this tribe is increasing while the number of Indians is decreasing.

Let me point out, too, that unless my amendment is adopted the authorization for the Peace Corps for the fiscal year beginning July 1 will be increased to $112.8 million or $5.3 million more than for the current fiscal year.

Mr. Chairman, this modest cut of $10 million must be made if there is any intention of providing even a semblance of economy in the operation of this Government. I ask that my amendment be adopted.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can certainly agree with the gentleman from Iowa [Mr. GROSS] in part of his approach to this. We are facing a real fiscal problem. But I think we are facing a great many other problems today, also. One of these is the great cry that goes up as to what is happening to the young people; what is happening to the young generation. It would seem to me, instead of worrying about some of those who get the most publicity we ought to take a look at what the young generation is really doing. It has been the young generation that has made the Peace Corps.

As one of those who were in on the initial debate and who introduced the initial bill when the Peace Corps was first organized, we heard many of the same arguments. I think if we will take the time out to look at what the young people, what the young generation is doing, we will see that there is no great generation gap with regard to the question of patriotism or in the desire to do good works and to show the good side of the United States to those people who are interested.

So I hope that we would not cut this. As long as we have young people and young volunteers ready and willing to assume hardships, ready to assume their responsibility in the hardship areas throughout the world, then I think we should give them that opportunity. This is not only an investment where the benefit-cost ratio is the best bargain we can get and not only are we helping people throughout the world and improving our image throughout the world of what America is really like, but it seems to me that if we cut back the Peace Corps at this point when it is proving itself and when it is demonstrating to all those who wish to look at it that youth is ready to accept its responsibilities, then I think we would be falling back on our responsibility.

Now, Mr. Chairman, the gentleman from Iowa [Mr. GROSS] has said that we have many problems. Right now our committee is undergoing a troubling reevaluation as to how deep the cut shall be in foreign aid, because everyone knows there is going to be some cut; everyone knows that there are going to be cuts in everything.

But I would plead with the members of the Committee that we do not make a cut in an investment in the youth of America, but permit them to continue to carry on the work which they have been doing.

I hope, therefore, that this legislation is passed and fully supported. I might say that not one single vote was cast against it in our committee. That is the kind of support that this bill had in our committee.

Mr. Chairman, I do not know what the Committee on Appropriations will do when we finally get around to deciding just where the cuts will be and where such cuts are vital to sustain our economy.

However, it would be my hope that this House will support this committee in bringing forth this Peace Corps bill, where there was not one dissenting vote cast against it in the committee.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I wish to commend the distinguished gentleman from New Jersey for his statement and to say that we should not cut this proposed authorization.

Mr. Chairman, the distinguished gentleman from Iowa [Mr. GROSS] said that this would be a good place to cut. But I think, on the contrary, that it would be a very poor place to cut. Granted that there has not been a very heated debate on this bill, I would think that this measure deserves very strong bipartisan support for the program has proved to be of very substantial value in country after country which have been the recipients of the services provided by the Peace Corps.

Mr. Chairman, in my opinion it would be unwise and certainly unjustified to make such a forced reduction in the number of trainees in the amount that is being requested and I do hope that the amendment is defeated.

Mr. MYERS. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Indiana.

Mr. MYERS. Mr. Chairman, a few weeks ago a friend of mine was in South America and he wrote me to the effect that the Peace Corps was distributing and circulating a questionnaire as to whether the members of the Peace Corps were opposed to the draft and asking them that if they should be drafted, what would be their approach. He said that all of them said that they would not serve under the draft and that they would give up their citizenship if they were forced to do so.

Is the gentleman from New Jersey familiar with that situation or any accusations like that?

Mr. GALLAGHER. I am not familiar with that particular matter, but we have gone through the draft question before as it relates to members of the Peace Corps each year and they are not excused from the draft. Many people who serve in the Peace Corps have also served in the Armed Forces of these United States. And many people who have served in the Armed Forces of the United States are also serving in the Peace Corps. I am told by the gentleman that there are people in the Peace Corps who would not want to go into the Army. It may be true of some people. However, it is my opinion that it would be unfair to tar the Peace Corps with a brush that broad, especially so when some volunteers have already given their lives for their country.

Mr. MONAGAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment which has been offered by the gentleman from Iowa [Mr. GROSS].

Mr. Chairman, in my opinion it is important to remember one fact in connection with this authorization, a fact which has not been stressed or at least I have not heard it stressed and that is this:

We are requesting a lower amount than was authorized for the 1968 fiscal year. The authorization for fiscal year 1968 is $115.7 million, and H.R. 15087 authorizes an appropriation of $112.8 million, so that this committee and the Peace Corps itself have gone through a process of revision and have revised the figure downward by $3 million.

Now, actually, the appropriation for 1968 was $107 million, and the figure that is proposed in this amendment is approximately $10 million below the amount that was appropriated for the fiscal year 1968. It does seem to me that the recommendation of the committee should be followed, and that this is too substantial a cut, and that the House should adopt the committee figure.

I believe that in many ways when we are talking about the Peace Corps we are talking about intangibles. We are not talking about specifics, of commodities that are sent abroad or military aid, or something like that—we are talking, for example, about the image of the United States, and the effect these young volunteers are having among the people of these countries throughout the world, in addition to the purely altruistic work that they are doing in helping the individuals of these countries.

I have seen these volunteers myself. I have seen them in Chile. I have seen them in Senegal. I know the type of persons they are. Their feet are on the ground. They are living among the people of those countries. They are talking the language of the people of those countries.

I can conceive that a time might come that we might desire to reduce this program, and eventually, perhaps, it might be eliminated, but I say that this is not the time to do it.

We are having enough difficulties throughout the world today, and I believe that where we can create a good picture, and where we can leave a good image, that it is important for us to do so.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman from Connecticut not agree that with the Peace Corps estimating it will have 600 or 700 less volunteers in fiscal 1969, that a $10 million cut is modest, especially in view of the administration request for $2.9 billion for foreign aid?

Mr. MONAGAN. We have already cut the amount from $115 million to $112 million. The report shows an estimated increase in volunteers. The Committee on Appropriations itself has made reductions in the past, perhaps it is going to do so again. We can leave that to their judgment.

Mr. GROSS. I would say to the gentleman that the committee is asking for $112.8 million; unless my amendment prevails you will get $5 million more than you got last year for this purpose despite the fact that the number of volunteers will be down.

Mr. MONAGAN. We have already made a reduction of approximately $3 million from $115.7 million to $112.8 million. And we can leave it to the Appropriations Committee to consider what should be done with its $107.5 million appropriation for 1968.

Mr. GROSS. That was the asking last year.

Mr. MONAGAN. I believe that that reduction is enough; that is what I am saying.

Mr. GROSS. And you got $107.5 million.

I would hope the gentleman would agree that a cut of $10 million is most modest, indeed.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I thank the gentleman for yielding.

I am not quite sure where the gentleman gets his figures, but the fiscal year estimate is not down for 1969. It is up to 9,200. The way I read this, it is 8,050 for fiscal year 1968 in the number of volunteers, so that the estimate for the fiscal year is up.

Mr. GROSS. No. No. On page 6——

Mr. GALLAGHER. On page 5——

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HALL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is a most modest amendment. The only question in my mind is whether or not it goes far enough in these times of alleged austerity, cutback, recisions from the pipeline, and decrease in the expenditure budget and tax increases.

In order to straighten out the record, and I am sure we all want it clear, the budgeted amount for this year as I understand it is $115,700,000.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. HALL. Yes, I am glad to yield to the gentleman.

Mr. ADAIR. The gentleman is in error on that. That was the authorization for last year, if my memory serves me correctly. The request this year is $112,800,000—which is the amount of the bill.

Mr. HALL. The gentleman is correct—and had I been allowed to finish my sentence, I would have said that the amount that the Committee on Foreign Affairs is asking this Committee of the Whole House on the State of the Union is for $112,800,000 as the gentleman from Connecticut just recited.

However, I think he did make the statement, which I am sure he will want to correct, that appropriated last year there was $107,000,000 and that the amount requested was $5,000,000 less than that amount—and actually it is $112,800,000, which we are asking to be authorized here today, which is roughly of course $5,000,000 more—not less—than was appropriated last year.

But the point I want to raise in support of the amendment is the fact that the Director of the Peace Corps himself, when he was asked in the hearings on pages 32 and 34, why the actual number of volunteers and trainees this year, was more than 3,000 below the estimate he gave the committee when he testified the year before said, and I quote:

> I attribute that very largely to the lack of qualified applicants.

Where in heaven's name do we expect to get more qualified applicants this year?

That is the question that is before us, whether they are professional, whether they are pedagogical, whether they are technicians, or whatever they may be.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I am sure they do not expect to get them because on page 33 of the hearings, in the table provided by officials of the Peace Corps, they estimate that on June 30, 1968 they will have 11,232 volunteers. And they estimate that on June 30, 1969, they will have 10,562.

In other words, the present number of Peace Corps volunteers will be decreased by 600 or 700 in the coming fiscal year.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. MONAGAN. I would just like to point out that for the fiscal year 1969, it is estimated that there will be at least 60,000 applicants. Of course, it cannot be said how many of those would actually be accepted—but they would anticipate an input of 9,200 trainees.

Mr. GROSS. Yes; but the Peace Corps itself is saying that they expect to have some 600 less on board next year.

Mr. HALL. I think the point is well taken. I think the figures provided by the Peace Corps prove the thing by itself.

For example, let me call your attention to page 95 of the hearings, and I refer to the table entitled "Average Cost Per Volunteer."

From the year 1963 through 1969, the preselection cost of the trainees, quite contrary to some of the statements that have been made on the floor—has made steady progress and has advanced.

It is true that the postselection training costs—including travel and so forth—has gradually declined from about $10,500 per trainee per year down to just over $8,000—and we are to be commended, I am sure, for that, although it seems quite a pile.

But the indirect costs of research and everything else is far too much, and the host country contributions are going down.

Coupled with this, gentlemen of the Committee and Mr. Chairman, and coupled with the fact that salary levels of the Peace Corps employees have more than doubled since 1963, and the number of supergrades so to speak and vacancies—that is at least those receiving salaries from $12,000 up to the salary of a congressional incumbent—has more than doubled and is over 329, convinces me that this amendment is in order.

Mr. Chairman, I solicit support for this amendment and I strongly recommend that the amendment be voted up.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from Iowa in defense of his amendment has referred to both the appropriation and the authorization. Today we are taking up only an authorization bill. The appropriation bill will be before us later on. This is not a $10 million cut in this bill. If I take $112,700,000 and put $97 million under it, it comes out with a cut of over $15 million in the authorization bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Certainly, I yield to the gentleman from Iowa.

Mr. GROSS. Of course, the gentleman knows where that figure comes from. It is a modest 10-percent cut in the figure of $107,500,000 that was appropriated for the Peace Corps for this fiscal year.

Mr. MORGAN. I am not a member of the Appropriations Committee. This is strictly an authorization bill, and I am now quoting authorization figures only. I do not think you ought to base your cuts on an appropriation bill. This is strictly an authorization bill. It is a cut of $15,800,000 in the authorization, not a $10 million cut. We do not know what is going to be the recommendation of the very distinguished Foreign Operations Subcommittee and how much they will recommend for the Peace Corps. I think there should be some flexibility so that they can judge what the appropriation should be. If they are limited to $97 million for fiscal year 1969, they may be prevented from doing justice to the Peace Corps.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Iowa.

Mr. GROSS. What the gentleman apparently wants to indulge in is some horse trading with the Appropriations Committee.

Mr. MORGAN. The gentleman from Pennsylvania is not from a horse State, as is the gentleman from Iowa, and he knows nothing about horses.

Mr. GROSS. Back scratching, or whatever you want to call it, with the Appropriations Committee. I do not know exactly what you are up to.

Mr. MORGAN. I am just saying that this is a cut of $15,700,000 in the authorization, and I do not think an attempt should be made to camouflage it as a $10 million cut. It is a $15,700,000 cut.

Someone said—it may have been the gentleman from Iowa—that some of these boys join the Peace Corps for a glorified trip abroad, or in order to avoid the draft. The Peace Corps Act definitely includes section 23, which states:

> Notwithstanding the provisions of any other law or regulation, service in the Peace Corps as a volunteer shall not in any way exempt such volunteer from performance of obligations or duties under the provisions of the Universal Selective Service Act.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Iowa.

Mr. GROSS. How many have been drafted while they were in the Peace Corps?

Mr. MORGAN. Well, there have been a number of them.

Mr. GROSS. You mean they have been dragged out of the Peace Corps for military service?

Mr. MORGAN. Some have been brought home from the islands we were talking about a little while ago.

Mr. GROSS. From Tanzania, Nigeria——

Mr. MORGAN. They are all subject to the draft. It is up to the officials of the local draft boards.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. The gentleman from Iowa is interested in economy. It would not be economic for a man in Timbuktu to be brought back and drafted into the Army, when they can easily permit him to complete his service in the Peace Corps, and when he comes back he then could go into the service.

Mr. GROSS. Then the gentleman from New Jersey is saying they do not draft them out of the Peace Corps.

Mr. GALLAGHER. That is not what I am saying. If they are overseas, and it would cost the United States a large amount of money to send them there and bring them back, I think it is economic and efficient to defer their draft until their service and tour of duty has been completed and they have returned home. Then they would go into the service.

Mr. MYERS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Indiana.

Mr. MYERS. I think what we are talking about is the type of people we have serving in the Peace Corps.

Mr. GALLAGHER. My friend, if you are going to question the type of people who are serving in the Peace Corps, I do not think you can find anyone more dedicated than those kids.

Mr. MYERS. Mr. Chairman, if the gentleman will yield further, I asked the State Department about this some time ago, and they told me I would have to supply names—which my informant asked me not to do because it would cost him his job. But I seriously question, and I think everyone in this Chamber should seriously question, if a young man would rather give up his citizenship in this great country than serve in the Armed Forces, whether that man should be serving in the Peace Corps.

Mr. GALLAGHER. Mr. Chairman, no one challenges that.

Mr. MORGAN. Mr. Chairman, if the gentleman furnishes the names, I will do my best to bring every one of those people home from the Peace Corps. I assure the gentleman that I will be in direct contact with the Director of the Peace Corps and see if we cannot get those individuals out of the Peace Corps.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The question was taken; and on a division (demanded by Mr. Gross), there were—ayes 29, noes 32.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Natcher, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15087), to authorize the further amendment of the Peace Corps Act, pursuant to House Resolution 1214, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Gross moves to recommit the bill H.R. 15087 to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with the following amendment: On the first page, line 6, strike "$112,800,000" and insert in lieu thereof "$97,000,000."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 179, nays 187, not voting 67, as follows:

[Roll No. 185]

YEAS—179

Abbitt
Abernethy
Adair
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Arends
Ashmore
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blanton
Bray
Brinkley
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Casey
Chamberlain
Clancy
Clawson, Del
Collier
Colmer
Cramer
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Galifianakis
Gardner

Gathings
Goodling
Griffin
Gross
Grover
Gurney
Hagan
Haley
Hall
Hammerschmidt
Harsha
Henderson
Herlong
Hull
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McCloskey
McClure
McDonald, Mich.
McEwen
Marsh
May
Mayne
Miller, Ohio
Mills
Mize
Montgomery
Moore
Morris, N. Mex.
Morton
Myers
O'Konski
O'Neal, Ga.
Pettis
Poage
Poff
Pollock
Pool
Price, Tex.
Purcell
Quie
Quillen
Randall
Rarick
Reid, Ill.
Reinecke
Rhodes, Ariz.
Rivers
Roberts
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Steed
Steiger, Ariz.
Stephens
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Walker
Wampler
Watkins
Watson
Whalley
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wylie
Wyman
Zion

NAYS—187

Adams
Addabbo
Albert
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Barrett
Biester
Blackburn
Blatnik
Boland
Bolling
Brasco
Brooks
Broomfield
Brown, Calif.
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Cahill
Clark
Clausen, Don H.
Cleveland
Cohelan
Conable
Conte
Corbett
Culver
Cunningham
Daniels
Delaney
Dellenback
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Fallon
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
King, Calif.
Kirwan
Kluczynski
Kupferman
Leggett
Long, Md.
McCarthy
McClory
McDade
McFall
MacGregor
Machen
Madden
Mahon
Mailliard
Mathias, Calif.
Matsunaga
Meeds
Meskill
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morse, Mass.
Mosher
Moss
Natcher
Nedzi
Nix
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Perkins
Philbin
Pike
Pirnie
Price, Ill.
Pryor
Pucinski
Railsback
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rostenkowski
Roush
Roybal
Ruppe
Ryan
St Germain
Sandman
Schweiker
Schwengel
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stanton
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Taft
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Watts
Whalen
White
Widnall
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Zablocki
Zwach

NOT VOTING—67

Ashbrook
Ayres
Bell
Bingham
Boggs
Bolton
Bow
Brademas
Carey
Carter
Cederberg
Celler
Conyers
Corman
Cowger
Daddario
Dawson
Evins, Tenn.
Farbstein
Fino
Gettys
Gilbert
Halleck
Hansen, Idaho
Hardy
Harrison
Hawkins
Hébert
Holland
Ichord
Karsten
Kazen
Kelly
Kyros
McCulloch
McMillan
Macdonald, Mass.
Martin
Mathias, Md.
Michel
Minshall
Murphy, Ill.
Murphy, N.Y.
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Passman
Pelly
Pepper
Pickle
Podell
Reifel
Resnick
Rooney, N.Y.
Rooney, Pa.
Rosenthal
St. Onge
Scheuer
Stuckey
Teague, Tex.
Tenzer
Thompson, N.J.
Vander Jagt
Waggonner
Willis
Young

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Waggonner for, with Mrs. Kelly against.

Mr. Passman for, with Mr. Celler against.

Mr. Carter for, with Mr. Pepper against.

Mr. Stuckey for, with Mr. Brademas against.

Mr. Hébert for, with Mrs. Bolton against.

Mr. Bow for, with Mr. Rooney of New York against.

Mr. McMillan for, with Mr. Reifel against.

Mr. Harrison for, with Mr. Boggs against.

Mr. Teague of Texas for, with Mr. St. Onge against.

Mr. Gettys for, with Mr. Bingham against.

Mr. Nichols for, with Mr. Podell against.

Until further notice:

Mr. Corman with Mr. Bell.

Mr. Daddario with Mr. Ayres.

Mr. Evins of Tennessee with Mr. Cowger.

Mr. Hardy with Mr. Halleck.

Mr. Farbstein with Mr. Ashbrook.

Mr. Carey with Mr. Fino.

Mr. Ichord with Mr. Cederberg.

Mr. Kazen with Mr. Pelley.

Mr. Murphy of New York with Mr. Nelsen.

Mr. Pickle with Mr. McCulloch.

Mr. Willis with Mr. Martin.

Mr. Tenzer with Mr. Vander Jagt.

Mr. Young with Mr. Michel.

Mr. Kyros with Mr. Minshall.

Mr. Gilbert with Mr. Mathias of Maryland.

Mr. Conyers with Mr. Holland.

Mr. Dawson with Mr. Scheuer.

Mr. Hawkins with Mr. Resnick.

Mr. Murphy of Illinois with Mr. O'Hara of Michigan.

Mr. O'Hara of Illinois with Mr. Rooney of Pennsylvania.

Mr. Rosenthal with Mr. Thompson of New Jersey.

Mr. Macdonald of Massachusetts with Mr. Karsten.

Mr. **PURCELL** and Mr. **BLANTON** changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **GERALD R. FORD**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 293, nays 61, not voting 79, as follows:

[Roll No. 186]

YEAS—293

Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Denney
Derwinski
Diggs
Dingell
Dole
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa
Jones, Ala.
Karth
Kastenmeier
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyl
Laird
Landrum
Langen
Latta
Leggett
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Mahon
Mailliard
Marsh
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mize
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Natcher
Nedzi
Nix
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Perkins
Pettis
Philbin
Pike
Pirnie
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rees
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vigorito
Waldie
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitener
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Zablocki
Zwach

NAYS—61

Abbitt
Abernethy
Andrews, Ala.
Baring
Bevill
Brinkley
Burleson
Cabell
Casey
Collier
Colmer
Curtis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Everett
Fisher
Flynt
Gardner
Gathings
Griffin

Gross
Gurney
Hagan
Haley
Hall
Harsha
Herlong
Hull
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kuykendall
Lennon
Lipscomb
Long, La.
Montgomery
Morton
O'Konski
O'Neal, Ga.
Passman
Poage
Pool
Price, Tex.
Quillen
Rarick
Reid, Ill.
Reinecke
Rivers
Roberts
Satterfield
Snyder
Tuck
Utt
Walker
Watson
Whitten

NOT VOTING—79

Adair
Addabbo
Ashbrook
Ayres
Bell
Bingham
Bolton
Bow
Brademas
Bray
Carey
Carter
Cederberg
Celler
Conyers
Corman
Cowger
Daddario
Daniels
Dawson
Dellenback
Dent
Evins, Tenn.
Fallon
Farbstein
Fino
Gettys
Gilbert
Halleck
Hansen, Idaho
Hardy
Harrison
Hawkins
Hays
Hébert
Holland
Ichord
Karsten
Kazen
Kelly
Kyros
McCulloch
McMillan
Macdonald, Mass.
Madden
Martin
Mathias, Md.
Michel
Mink
Minshall
Murphy, Ill.
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Pelly
Pepper
Pickle
Podell
Reifel
Resnick
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
St. Onge
Scheuer
Stuckey
Teague, Tex.
Tenzer
Thompson, N.J.
Vander Jagt
Vanik
Waggonner
Willis
Young
Zion

So the bill was passed.

The Clerk announced the following pairs:

Mr. Celler for, with Mr. Waggonner against.

Mrs. Kelly for, with Mr. Stuckey against.

Mr. Pepper for, with Mr. Carter against.

Mrs. Bolton for, with Mr. McMillan against.

Mr. Adair for, with Mr. Teague, Texas against.

Mr. Brademas for, with Mr. Hébert against.

Mr. Rooney, New York, for, with Mr. Nichols against.

Mr. Addabbo for, with Mr. Ichord against.

Until further notice:

Mr. Hardy with Mr. Halleck.
Mr. Carey with Mr. Fino.
Mr. Fallon with Mr. Bow.
Mr. Madden with Mr. Ayres.
Mr. Bingham with Mr. Ashbrook.
Mr. St. Onge with Mr. Vander Jagt.
Mr. Young with Mr. Cowger.
Mr. Daddario with Mr. Bray.
Mr. Dent with Mr. Bell.
Mr. Evins of Tennessee with Mr. Zion.
Mr. Gettys with Mr. Reifel.
Mr. Kazen with Mr. Roudebush.
Mr. Kyros with Mr. Nelsen.
Mrs. Mink with Mr. Pelly.
Mr. Murphy of New York with Mr. Michel.
Mr. Willis with Mr. Martin.
Mr. O'Hara of Illinois with Mr. Harrison.
Mr. Pickle with Mr. McCulloch.
Mr. Podell with Mr. Myers.
Mr. Macdonald of Massachusetts with Mr. Cederberg.
Mr. Rooney of Pennsylvania with Mr. Minshall.
Mr. Vanik with Mr. Mathias of Maryland.
Mr. Corman with Mr. Hansen of Idaho.
Mr. Daniels with Mr. Dellenback.
Mr. Conyers with Mr. Holland.
Mr. Scheuer with Mr. Dawson.
Mr. Resnick with Mr. Hawkins.
Mr. Murphy of Illinois with Mr. Rosenthal.
Mr. Thompson of New Jersey with Mr. Farbstein.
Mr. O'Hara of Michigan with Mr. Tenzer.
Mr. Gilbert with Mr. Karsten.

Mr. DICKINSON changed his vote from "yea" to "nay." The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1214, the Committee on Foreign Affairs is discharged from the further consideration of the bill (S. 2914) to authorize the further amendment of the Peace Corps Act.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. MORGAN

Mr. MORGAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Motion offered by Mr. MORGAN: Strike out all after the enacting clause of S. 2914 and insert in lieu thereof the provisions of H.R. 15087, as passed, as follows:
>
> "That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out '1968' and '$115,700,000' and substituting '1969' and '$112,800,000', respectively."

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 15087) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM FOR BALANCE OF THIS WEEK AND WEEK OF JUNE 17

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have asked for this time in order to ask the majority leader if he will kindly advise as to the program for tomorrow and next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished acting minority leader, as previously announced, there will be appropriate ceremonies commemorating Flag Day tomorrow.

We will ask to go over from tomorrow until Monday.

The program for Monday is as follows:

Monday is Consent Calendar day.

There are six suspensions:

H.R. 6589, to insure that public buildings are designed to be accessible to the physically handicapped;

H.R. 16358, addition to the National Gallery of Art;

H.R. 7329, Guam Elective Governor Act;

S. 450, Virgin Islands Elective Governor Act;

H.R. 15562, farm real estate loans on leased lands in Hawaii; and

House Concurrent Resolution 785, relating to the pay of the Capitol Police for duty performed in emergencies.

Tuesday is Private Calendar day.

Also scheduled for Tuesday are two bills:

H.R. 3306, to grant the Pueblo de Taos Indians in New Mexico trust title to certain lands—open rule, 1 hour of debate; and

S. 1028, Federal employment conditions for former employees of agricultural county committees—open rule, 1 hour of debate.

Wednesday: The public works and Atomic Energy Commission appropriation bill, fiscal year 1969.

Thursday and the balance of the week:

H.R. 15414, Revenue and Expenditure Control Act of 1968—conference report, subject to a rule being granted.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

ADJOURNMENT OVER FROM FRIDAY TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, what has happened to the bill with respect to permits for establishing so-called cities or camps on Government property? Is this bill not programed again next week?

Mr. ALBERT. It had been programed, I will say to the gentleman.

Mr. GROSS. It is not programed for next week?

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. GRAY. I am glad to have the opportunity to announce to the distinguished gentleman from Iowa and to the Members of the House that because of extenuating circumstances downtown in various Government departments, we felt it to be in the best interests of the country to put off this legislation for this week.

There are certain negotiations going on administratively under existing law that we think would take care of the problem. If not, we can certainly bring the legislation back at a future date.

Mr. GROSS. This is one bill that will not be extenuated out of existence, will it?

Mr. GRAY. So far as the chairman of the Subcommittee on Public Buildings and Grounds is concerned, the gentleman addressing you now, sir, I think we need legislation in the event that the negotiations fail administratively.

Mr. GROSS. I agree that the legislation is badly needed. I thank the gentleman.

Mr. GRAY. I thank the gentleman from Iowa for his inquiry.

Mr. GROSS. I will not at this time inquire into the extenuating circumstances, because I can probably read them in the newspapers.

I would like to ask the distinguished majority leader another question. I believe he said the tax package will come up on Wednesday next provided a rule——

Mr. ALBERT. Thursday next.

Mr. GROSS. Thursday next?

Mr. ALBERT. Thursday.

Mr. GROSS. That will be after the New York primary election.

Mr. ALBERT. I understand the Committee on Rules is hearing that matter on Tuesday, which is the date of the New York primary.

Mr. GROSS. Yes, that is on the day of the New York primary, but consideration of the measure on the House floor will come after that primary as scheduled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NATION FACING CRITICAL EMERGENCY BECAUSE OF A LACK OF MERCHANT SHIPS

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I have often warned that this Nation is facing a critical emergency because of a lack of sufficient merchant ships. Other Members of Congress, as well as industry experts, have also voiced similar warnings.

Despite the very real threat of a rapidly expanding Soviet merchant marine, which constitutes a menace to the entire free world, the American merchant marine is continuing on a dangerous course of obsolescence and decline. But for some strange reason, this very real threat and this very dangerous decline is not taken seriously by many of America's leaders and administrators.

I have also repeatedly warned that this Nation cannot depend upon foreign maritime powers to transport goods essential to our national defense and national economy. But these warnings have also fallen on deaf ears.

In light of this disturbing high level indifference, I think it is important to draw attention to an incident which occurred this past week in my home port of Baltimore. A British-flag ship, manned by a Pakistani crew, was loading military cargo for the Far East. The foreign crew walked off the ship—after it was partially loaded—and said they would not sail the vessel into dangerous waters. They also reportedly said they did not want to offend the Chinese Communist friends.

A spokesman for the Military Sea Transportation Service admitted the ship was being used to carry military cargo because no American ships were available. He also said it was not unusual for foreign-flag ships to carry American military cargo. I intend to ask MSTS for a full report on the Baltimore incident.

Mr. Speaker, I would like to add, this is not the first time foreign crewmen have refused to sail ships carrying American military cargo.

How long do we have to tolerate this situation? How long will we refuse to see the danger, and refuse to revitalize the American merchant marine?

In the troubled times in which we live—when international politics and nations are so unstable—it should be obvious we cannot even depend on so-called allies to help us in times of emergency.

I think it is a national disgrace, when the most affluent nation in the world cannot afford to provide enough ships to protect its own vital interests.

Despite these glaring weaknesses, the American merchant marine is still the victim of budgetary strangulation, indifference, and even outright hostility. In spite of incidents like this, which should alarm every thinking American to the need for immediate action, no action is forthcoming.

As a matter of fact, the Senate vote on June 11, which drastically reduced maritime authorizations for fiscal year 1969, and practically destroyed ship construction programs for that period, is difficult to comprehend in view of our desperate need of new merchant ships.

Are our leaders so callous that they are willing to risk America's economic health and national defene by making ruthless cuts in an already meager budget—all for the sake of what they call economy?

Perhaps it will take a few more incidents like the Pakistani walkoff in Baltimore to awaken the American people to a very real emergency which threatens this Nation. Then perhaps those leaders who are now so blind will see the light; perhaps we will get the action we need, and perhaps we will finally get sufficient congressional support to force the implementation of a long-range maritime program to revitalize the obsolete American merchant marine.

I would like to insert related newspaper articles from the Baltimore Sun and the Baltimore News-American into the RECORD. I would like to add that, although these Pakastani crewmen finally agreed to sail the vessel, it was only after assurances they would not have to sail into Vietnamese waters. In other words, we still cannot depend on these foreigners to deliver the goods—especially in an emergency.

The articles follow:

[From the Baltimore Sun, June 12, 1968]

THIRTY-TWO PAKISTANIS PROTEST SHIP MISSION HERE, EXPRESSING FEAR OVER KOREAN DESTINATION, THEY WALK OFF JOB

(By Alan Z. Forman)

Thirty-two Pakistani seamen walked off their ship yesterday to protest the scheduled shipment of United States military equipment to South Korea.

The objection, according to various members of the crew, was based on the fear of sailing in "dangerous waters" and on what they called their country's "friendly relations" with Communist China.

The crew members of the British vessel Avis Ornis stationed themselves at a Dundalk Marine Terminal berth, packed and ready to return to Pakistan at 2:30 P.M., halting the loading of army trucks and jeeps.

REMAIN ADAMANT

Although they return to the ship after discussing the issue with Robert E. Perkins, assistant district director of the Justic Department's Immigration and Naturalization Service, the men remained adamant in their refusal to sail the ship.

This attitude was maintained late into the night as they awaited the arrival here of the Pakistani consul in New York, whose presence the crew requested.

Spokesmen for the crew indicated they might refuse to sail the ship even if the consul advised them to do so.

A CERTAIN AMOUNT

According to William Saunders, the chief officer, the men have been offered "a certain amount" of extra pay to sail the ship. The crew rejected this overture, pending the arrival of the consul from New York.

One crewman, who asked not to be identified, said "if somebody killed me, how can I take the money?" Another seaman said "I don't trust the captain," adding that most of the other men "feel the same way."

With regard to the ship's departure, a sailor said "we are all of one opinion . . . if the consul guarantees our safety, we will go." He did not explain how this could be done, prompting one of the officers to suggest that the men were in fact trying to secure additional money.

"PUEBLO" SEIZURE CITED

Although some of the men alluded to the seizure by North Korea of the U.S.S. Pueblo early this year as a reason for their concern, they also expressed anxiety over the nature of their relations with Communist China.

One sailor said, "it is my Government. I must help it. In Pakistan the Government doesn't worry for you; you worry for Government."

Comparing the situation with the United States involvement in Southeast Asia, another seaman said "American ships must go" to Vietnam but that American seaman "can afford to go to danger places."

[From Baltimore News American, June 12, 1968]

REBEL CREWMEN AGREE TO SAIL FROM PORT

The Pakistani crewmen who yesterday demanded to be flown home rather than carry United States military supplies to Vietnam have agreed to sail from Baltimore tonight.

The 32 rebelling crewmen were promised by the captain of the British freighter S. S. Avis Ornis that the ship would not sail in Vietnamese waters.

That assurance, plus the exhortation of the Pakistan consul general, who flew into Baltimore late yesterday, apparently calmed the crewmen.

The consul general talked with the crew last night after they had been hustled back on the ship by Immigration and Naturalization Service officials.

The crew members had left the ship yesterday afternoon and were milling about the dock with their bags packed, demanding to be flown back to Pakistan.

The ship was almost completely loaded with military equipment—mostly vehicles and construction equipment—for shipment to South Korea and Vietnam, when the crew walked off the vessel, berthed at the Dundalk Marine Terminal.

One Pakistani crewman said his nation is "a friend" of Communist China and the crew does not wish to offend a friendly country. He added that the crewmen fear for their lives and do not wish to enter "dangerous waters." He noted that North Koreans captured an American ship some months ago, an obvious reference to the Pueblo incident.

The English-speaking crew member said the crew will demand to be flown home to Pakistan.

"We are not getting enough money to risk our lives," he said.

Asked whether the crew would sail if a bonus were offered, he replied that "Americans will do anything for money, but not us."

John Kopp, International Longshoremen's Association Atlantic Coast District vice president, who is president of the AFL–CIO Port Coordinating Council in Baltimore, and Thomas Martinez, National Maritime Union port agent and council secretary, have called a special meeting today and will lodge "a very strong protest" with the Defense Department.

They noted that military cargo must by law be shipped aboard American ships whenever available and said, "We have American ships, why put this cargo on foreign ships?"

Rep. Edward A. Garmatz (D., Md.), chairman of the House Merchant Marine and Fisheries Committee, expressed his disgust and said he is "deeply concerned" but not "surprised" at the incident.

Similar incidents have repeatedly occurred at West Coast ports, where American military cargo shipments have been given to foreign ships only to have the foreign crews refuse to carry it.

Rep. Garmatz said he has warned on many occasions that this nation cannot entrust its vital defense shipments to foreign vessels.

"This incident is an excellent example of why we must get administrative action now on a positive maritime program to revitalize an all-American merchant marine," he said.

"Unless this action comes soon, America's defense and America's economic health will depend upon the whims of foreign maritime powers."

He said his committee will investigate the incident. The committee has been attempting to pass legislation to upgrade the American fleet and has been active in seeking enforcement of laws restricting government-sponsored cargoes to U.S. flag ships.

The AFL–CIO Port Coordinating Council is composed of the ILA, NMU, International Organization of Masters, Mates and Pilots, Marine Engineers Beneficial Association, American Radio Association and the Industrial Union of Marine Shipbuilding Workers of America.

CRITICISM OF PRESIDENT JOHNSON UNWARRANTED

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it has been said that it is the tall tree that attracts the lightning rod. In the context of our politics the "tall tree" of Government is the President of the United States. But at no time in the history of our Nation as now has this been as true. Those of us serving on this level of government have been well aware of the intensity of feeling, the undiluted hatred, the outpouring of vituperation that have been registered both publicly as well as privately toward Presidents Harry Truman, John Kennedy, and Lyndon Johnson.

Frustrated and bewildered individuals sometimes show a tendency or manifestation to use public figures, especially Presidents as "pin cushions" into which to prick their frustrations and release their aggressive emotions.

But I truly believe that no President, at least in recent history, has been as much a victim of this American phenomenon as Lyndon B. Johnson. In my opinion, just a comparatively few months ago, President Johnson was as much assassinated as if he had been shot. From the strident cries of the "hippies" and "acid heads," to more supposedly responsible individuals he was literally accused of personally being responsible for everything from the tragedy of Vietnam to crime on the streets, to the "moral decline" of the Nation—even to carbuncles.

Therefore, it is refreshing to see an article written by a penetrating writer in San Antonio, Mr. Manuel Ruiz Ibanez, a highly cultivated citizen, with a complete grasp and command of both English and Spanish. Under unanimous consent I place in the RECORD at this point the following article, which appeared in the San Antonio Sun on June 6, 1968:

PRESIDENT JOHNSON'S CRITICS HAVE FAILED TO OFFER ALTERNATIVES

(By M. Ruiz Ibanez)

> "If you can keep your head when all about you people are losing theirs and blaming it on you.
> If you can fill the unforgiving minute with sixty seconds' worth of distance run,
> Yours is the Earth and everything that's in it, and—which is more—you'll be a Man, my son!"

This extract from Rudyard Kipling's "IF" could very well be applied to the President of the United States, Lyndon B. Johnson, who was bitterly criticized for almost everything he did, until he announced that he would not seek nor accept the nomination to seek re-election.

The fact of the matter is that if anyone objectively assesses his performance as president, he wouldn't be able to find much fault with the great Texan, everything considered.

He has been violently criticized for the U.S. participation in the Vietnam conflict, but even his most violent critics have not been able to come up with a solution to the problem, and it must be remembered that this country's involvement was not his doing, and he repeatedly has voiced willingness to bring the war to an end in an honorable manner.

North Vietnam, however, has stalled at the peace talk table and has insisted on conditions which no country with dignity and self respect would accept. Every cease fire has been used to increase the infiltration of South Vietnam, a maneuver which is being used even now, while peace talks are being held.

If anyone has the solution to such a problem he is committing treason by not coming forth with it. But the fact is there is no easy solution to the complicated entanglement in Southeast Asia, short of getting out at North Vietnam's own terms and handing all of Southeast Asia to the Communists on a silver platter.

He has been harshly criticized and attacked for allegedly not solving the problems of the minorities, but the fact remains that President Johnson has done more to alleviate their problems and upgrade their peoples than all previous presidents put together.

In the case of Mexican-Americans, he has developed and designed a multitude of projects at a cost of hundreds of millions of dollars, and if they haven't been 100 per cent effective it certainly is not his fault.

It is high time that we all recognize the President's good faith and his efforts to better all the people, while realizing that no country in the world, not even the richest, can solve all its problems overnight, especially when communism lurks at every turn.

The leaders of aggression are banking on two things to "bury" us: disunity from within and attrition through a series of fronts and infiltration even in our backyard, such as the case of Cuba, which did not occur in the time of President Johnson.

The day may come when many of us could wish that we had another President Johnson in the White House.

TALCOTT URGES RESTORATION OF CONGRESSIONAL EXPATRIATION AUTHORITY

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the Supreme Court in a 5-to-4 decision in Afroyim against Rusk last year decided that the 14th amendment made American citizenship a right revocable only by voluntary renunciation. Even treason is not sufficient cause to lose U.S. citizenship anymore. This decision reversed Perez against Brownell, which upheld the constitutionality of section 401(e) of the Nationality Act of 1940. This section provided that a U.S. citizen loses his citizenship by voting in "a political election in a foreign state."

I suggest a brief review of the facts of the case. The majority opinion relates that the appellant was born in Poland in 1893, emigrated to the United States in 1921 and became a naturalized American citizen in 1926. In 1950, he went to Israel and voted in an election for the Israeli Knesset, the national legislative body of Israel, in 1951. When he applied for renewal of his U.S. passport in 1960, it was denied on the grounds that he had lost his U.S. citizenship through the operation of section 401(e). The dissenting opinion supplies the additional information that Afroyim voted in various other political elections after 1951.

The slim majority of the Court used some tortured logic to rationalize its amazing opinion. It is ironic that this Court writes:

> In our country, the people are sovereign and the Government cannot sever its relationship to the people by taking away their citizenship. Our Constitution governs us and we must never forget that our Constitution limits the Government to those powers specifically granted or those that are necessary and proper to carry out the specifically granted ones.

Is this the same Court that has consistently enlarged the power of the Federal Government at the expense of State governmental power and individual responsibility?

The narrow majority justifies its interpretation of the 14th amendment by reiterating some selected arguments presented in the Congress during the first years of our history. However, as the dissent so clearly portrays, the legislative evidence is on the side of congressional authority to specify actions which constitute cause for expatriation.

The majority cited arguments against a Federal expatriation law in the late 18th and early 19th centuries. Research discloses that those arguments were based on the belief at that time that persons were citizens of a State first and that Federal citizenship derived therefrom. Consequently, a Federal expatriation law represented a usurpation of State authority—a strong argument against such a law at that time.

Using more recent legislative history, Congress twice in the 2 years before passage of the 14th amendment approved bills including provisions for expatriation of unwilling citizens. In 1864, the Congress passed the Wade-Davis bill concerning establishment of reconstruction governments. Section 14 of that bill declared any person "hereafter holding or exercising any office in the rebel service not a citizen of the United States." The bill did not become law because of a pocket veto, but a subsequent statement by President Lincoln indicated he was not concerned about the constitutionality of section 14. Again, the Congress approved the Enrollment Act of 1865 including a section stating that deserters from the military service "shall be deemed and taken to have voluntarily relinquished and forfeited their rights of citizenship and their rights to become citizens."

The 14th amendment, the Court contends, makes citizenship permanent, revocable only by a voluntary renunciation of it. The basis for the Court's decision is the clause in the 14th amendment:

> All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States.

This clause was not in the amendment as it was originally approved by the House of Representatives. It was sponsored by Senator Howard and added during Senate consideration. During Senate debate in answer to a question, Senator Howard stated:

> I take it for granted that after a man becomes a citizen of the United States under the Constitution he cannot cease to be a citizen, except by expatriation, or the commission of some crime by which his citizenship shall be forfeited.

What plainer language could be used to declare the authority of Congress to define circumstances in which a citizen expatriates himself. The weight of the evidence is plainly on the side of the defendant rather than on the side of the plaintiff. Even if the Court's decision were correct, some governmental agency must be selected to receive voluntary relinquishments of citizenship. The decision ignores this practical problem. Or was the Court reluctant to take this further step into the legislative realm?

The decision poses many problems which are not adequately considered in the opinion. Under the enacted law, a person loses his American citizenship if he is over 18 and serves in the armed forces of a foreign nation. If this section is no longer valid, ponder the untoward international consequences of this situation: An American of Egyptian forebears enlists in the Egyptian Air Force, takes his first opportunity to pirate a plane and bombs Jerusalem. Under the decision, he would still be an American because he did not voluntarily renounce his American citizenship. What are the implications? Would this embroil us in a Middle Eastern war? Should American citizens who fight on the side of the Vietcong, and shoot our servicemen, be entitled to retain their U.S. citizenship? Myriad other situations can pose dilemmas of equal complexity and seriousness.

Is it possible for a nation to operate in the vacuum created by Afroyim against Rusk? I think not. I am introducing a constitutional amendment which clearly states that the Congress shall have the authority, through appropriate legislation to proscribe for the loss of citizenship as well as for the granting of citizenship—expatriation as well as naturalization.

I urge immediate consideration of this subject by the Judiciary Committee and ask for support from interested persons and organizations.

ASSISTANCE TO PARTICIPANTS IN POOR PEOPLE'S CAMPAIGN

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, word reached me a few days ago that the Department of Health, Education, and Welfare had authorized the State of Tennessee and other States to continue welfare checks to persons participating in the Poor People's Campaign.

The Department's letter follows:

[State letter No. 1037]

Department of Health, Education, and Welfare, Social and Rehabilitation Service,
Washington, D.C., May 24, 1968.

Subject: Forwarding of Assistance Payments for Participants in the Poor People's Campaign.

To State agencies administering approved public assistance plans:

We believe that a number of people who have come to Washington to participate in the Poor People's Campaign may be recipients of public assistance from their home States. This letter is to call attention to Federal requirements regarding continuation of assistance to persons temporarily absent from the State.

The Handbook of Public Assistance Administration, Part IV–3654, item 2, reads in part:

"Assistance may not be discontinued for a person who is otherwide eligible simply because he is out of the State, if he is only temporarily absent with intent to return when the purposes of his absence have been accomplished."

Checks should be mailed to the address provided by the recipient if he has been able to furnish one. For persons participating in the Poor People's Campaign who are unable to specify a mailing address in Washington, checks should be addressed to the recipient as follows:

Name of recipient
c/o Southern Christian Leadership Conference
Poor People's Campaign
P.O. Box 1076
Washington, D.C. 20013

Mrs. Kay Shannon, Assistant to Reverend Bernard Lafayette, National Coordinator of the Poor People's Campaign, has assured us that mail addressed as above will be delivered daily at Resurrection City to the addressees.

Sincerely,

Stephen P. Simonds,
Commissioner.

Such an act is just an open invitation for others to come to Washington and desecrate Government property and try further to intimidate the Members of Congress.

I think the welfare checks should be eliminated immediately and all of the marchers ordered to leave Government grounds. We cannot tolerate any longer such acts against our Government.

Washington is the Nation's Capital and belongs to 200 million people in America and everyone should be treated on an equal basis, but when such a group as the poor people's marchers are given a permit to occupy grounds owned by the taxpayers and other groups are denied the same grounds, then I think the President and his whole administration has gone too far. If he continues to roll out the red carpet to such groups he is again extending an open invitation to further violence, further burning, further rioting, and more killing.

TIME FOR THE PEOPLE OF RESURRECTION CITY TO RETURN TO THEIR HOMES

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, the time has come for those in positions of highest authority to suggest, urge, and, if necessary, gently assist the misguided people who are existing in the mud, wallow, and disease of Resurrection City to return to their homes.

I believe I can speak for some of those from South Carolina who I am sure realize by now that they have been exploited by cold, scheming leaders who seek self-aggrandizement at the expense of those whom came to Washington believing that the city's streets were paved with gold which was theirs for the asking.

There is not a community in America from whence these innocent victims have come that will not provide food for the hungry. But, it is time to tell the inhabitants of Ressurrection City that most Americans achieve their material possessions through the dint of honest labor.

Those who promise pie in the sky and hand-outs do not solve the problems of poverty. Statistics prove that employment in the United States has never been higher and unemployment lower.

And the answer to poverty is employment for those who are willing to work; help for those who are hungry and ill through no fault of their own; and assistance for those physically incapacitated or too young to work.

In fact, in May I wrote to the Secretary of Defense suggesting that where public safety necessitated an immediate decision on the part of a field commander to furnish emergency assistance or medical treatment, such help should be forthcoming to alleviate undue suffering.

Mr. Speaker, I am informed that Resurrection City is or could become a serious health hazard. The inhabitants have also become bait for a trap to attempt to blackmail the Congress of the United States.

It is the time to send these people back to the homes of their origin. Now they are succeeding in arousing the increasing ire of the American people.

If Resurrection City continues, by and with the advice and consent of the executive branch of Government, that branch of the Government must bear the full responsibility for the consequences—and those consequences may be disease, destruction, despair, and, finally, the possibility of death and desolation.

GLARING EXAMPLE OF GOVERNMENT BY REGULATION RATHER THAN BY LAWS PASSED BY THE CONGRESS

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, this week I received a letter from Mr. Clyde Skeen, president of Ling-Temco-Vought, Inc., citing another glaring example of Government by regulation rather than by laws passed by the Congress.

The Equal Employment Opportunity Commission proposes to force industry to amend their employee retirement programs so that a sex differential in optional or compulsory retirement ages in pension or retirement plans will not exist.

Now, on the surface this sounds well and good, but when you consider that these retirement and pension programs have been set up to follow procedures established by the social security system, this proposed regulation is utterly ridiculous.

As recent as March of this year, the U.S. Court of Appeals, Second Circuit, upheld the constitutionality of the sex differential in social security. Why, then, can we call it a "differential" on a Government basis and "discrimination" as applied to industry.

As you all know, company retirement and pension programs are subject to review by the Treasury Department for possible discrimination to insure that they will qualify for the purpose of deducting the contributions to these plans. How the Treasury Department can determine that the plans are not discriminatory time after time, and then a Commission rule that the plans are discriminatory simply because women are allowed to retire at an earlier age than men is something I cannot understand.

Ling-Temco-Vought's plan, for example, calls for normal retirement age for women at 62. The plan was designed to integrate with the social security benefits and to meet the requirements of the Treasury Department. If the normal retirement age for women has to be raised from 62 to 65, there is a likelihood that the Treasury Department would rule that they were curtailing benefits for women, and therefore, their plan would no longer qualify because of such a curtailment.

On the reverse side, plans which have been integrated to the fullest extent with social security could not reduce the retirement age for men from 65 to 62 or 60, without becoming disqualified under the Treasury regulations because of discrimination.

To compound the practical problems further, Ling-Temco-Vought, Inc., has an earlier retirement age for women as a result of plans which have been negotiated through collective bargaining, and any change would constitute an unfair labor practice. I am sure most companies with retirement and pension programs would face these same problems and then some.

To me, it is utterly ridiculous that a business could get caught up in the middle of conflicting Government regulations merely because the business has followed the practices, established by the Government itself in the social security system. If it is constitutional for the social security system to set different retirement ages for men and women, why is private industry not allowed to do so in their plans?

It is unthinkable that the intent of Congress could be so distorted by members of a commission or an agency of the Government. Let me remind you that during the debate on title VII of the Civil Rights Act in 1964, Senator Jennings Randolph had the foresight to vision just this action being taken, and sought to clarify it by asking whether or not difference in treatment by sex, including early retirement options for women, could continue if this act were passed. It was pointed out by Senator Hubert Humphrey, the floor manager for the bill, both orally and in writing, that the category of sex was added to the law simply to improve the employment status of women, and that nothing in the hearing or floor debate on the bill suggested that the added provision should be used to take away special privileges or benefits which then existed.

He further stated, and I quote:

> The Congress, in my opinion, would be outraged if the provisions of title VII were used in this fashion.

Well, I, for one, am outraged at this encroachment on the prerogatives of the Congress. I am asking my colleagues to join me in protesting the implementation of regulation 1604.31 by the Equal Employment Opportunity Commission which is scheduled to become effective on July 1.

CRIME ON TV

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, I would be very much amused if it were not so serious with regard to the attitude of the TV media in their recent crusade against violence.

Typical of their attitude was the example last night. On one of the local stations, an outlet for a major network, a commentator piously made his comments on violence and particularly guns, hurling the blame at the National Rifle Association and the Congress. The commentator, Mr. Frank Reynolds, and it is very probable that Mr. Reynolds did not write the comments, stated that the Congress was behind the times, that it had not caught up with the people and that it should quickly pass laws to keep guns from the hands of those other than hunters and sportsmen.

Mr. Speaker, no sooner had Mr. Reynolds' voice faded than the same station immediately placed on the TV screen a program called the "Avengers." At that point I had to leave the house for a dinner engagement, and I asked my 11-year-old son if he intended to watch the program. He assured me that he would. So I urged him to keep in detail the crimes of violence depicted on this program.

When I returned home later on in the evening, my son stated that it was a little hard to keep track as to what I consider violence, but he was sure of one thing, that one man was murdered on the spot by shooting, another man was annihilated by explosion. One man was sent to his Maker by the use of a sickle, but he explained that the man killed by the sickle was a bad guy and that it was all his fault. Two other men he was not sure if they should be classed as dying by violence, because they were, in his opinion, frightened to death by the villains placing a pistol at their foreheads and clicking empty chambers until they died of fright. He told me the violence in this 30-minute epic was very clever and that they almost got away with their dastardly acts had it not been for the superintelligence of the "Avengers."

Mr. Speaker, all this gore, which appeared at 7:30 in the evening following the great editorial against violence by this TV network, was very well sponsored by products known as Arid—I presume this is to keep you dry while you are sweating out this horror—Certs, Anacin—for the headache it would probably give you—Stridex, Macleans toothpaste, Brylcreem, Contac, and Sea and Ski.

In all fairness, Mr. Speaker, I think a comparison should be made between the publications and statements made by the National Rifle Association and the Congress, as the targets of recent TV editorials, with those of the TV industry which incidentally, uses the public airways by permission only.

The National Rifle Association has been depicted as a bloody organization, a giant lobby. I believe that this has come about through the news media molding public opinion in this regard, and certainly not based on any knowledge of the organization.

The typical National Rifle Association member is not a Sirhan Sirhan. I doubt if he ever heard of the organization. On the contrary, the typical member is an ordinary fellow who lives in the city, has an average job, likes to hunt, has probably one shotgun and one rifle, and most likely only gets to hunt a couple times a year, at the most.

Why does he belong to this organization? Mr. Speaker, I will tell you why. For $3 a year he gets an excellent monthly magazine, which to my knowledge has never published an article on how to execute the perfect crime, or any crime for that matter, and has never advocated violence. On the contrary it preaches gun safety, responsible use of firearms, history of firearms and the repair and care of firearms. It is true that this organization, like every other organization, whether it be a trucking association, medical association, or a TV broadcasting association, has alerted its members to legislation which they feel might abrogate their right to peaceably and lawfully enjoy the sport of hunting or the competition of target shooting. That is their only breach of respectability in this country.

As I stated, Mr. Speaker, most of these members "belong" to the National Rifle Association for the purpose of receiving this fine publication. Ninety percent of the members could not tell you the name of one director. Their strength comes from their numbers and the broad spectrum of the citizenship of this Nation, which makes up this membership.

Mr. Speaker, no Member of this Congress advocates murder as a settlement of personal arguments or political disputes. By the same token, I think every Member of this Congress wants to keep firearms away from criminals and incompetents, and most of all, this gentleman wishes to punish those who would use firearms illegally or those who would carry a firearm around on their person in defiance of the law.

Mr. Speaker, all of the Members of this House know of my bill for mandatory sentence for the use of a firearm in the commission of a crime. So I say, let the public judge who is feeding to the mentally warped and to the immature this description of violence and how to commit crimes. Who has the most imprint at the present time on the people of this Nation, but those who control the public airways.

I say to those in the news media, and particularly those of the TV industry, that possibly the Congress is not completely blameless, that perhaps the National Rifle Association is not without fault. But you of this great TV industry must not ignore your part in this problem. And to those sponsors who pay for these programs, you, too, should look at your own house.

Last, but not least, Mr. Speaker, I think the man on the street, the average citizen, must awaken to his responsibility. The citizen must insist and assure that fearless prosecutors must be chosen. They must stand behind their police officers in the performance of their duties. They must see that judges who will mete out proper punishment are selected and kept in office. The court records are opened to the public, and they should determine whether proper penalties are given to those who would carry guns in their coats and shirts as a potential killer.

This is really no time for assessing the blame on each other but to work together for a proper solution within the framework of this great democracy.

ADMINISTRATION GUN BILL

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, enlarging on the remarks made by the gentleman from New York [Mr. RYAN], I also have introduced here in the House the bill introduced in the Senate by Senator TYDINGS, but let me explain a little more about the bill.

A person would register his weapons by obtaining a form at the local post office, filling out an affidavit, affixing a photo and fingerprints, and mailing the form to the Treasury Department. Fines of $10,000 and up to 10 years in prison would be imposed for those failing to register a gun or for false registration or for obliterating the serial number on a gun. It would be illegal to sell ammunition to anyone who did not have a license. I think the gentleman from New York has cited the examples where we register dogs and we register automobiles. I do not see anything wrong about registering a lethal firearm. It would be slightly inconvenient to those who have them, but I have talked with many hunters in the last few days who have strongly endorsed this kind of legislation.

This bill would provide for the registration of every firearm in the United States and require a license for the purchase or possession of any firearm or ammunition in the United States. It would also deny firearms and ammunition to anyone convicted of a felony or crime of violence, to aliens, alcoholics, narcotics addicts, mental incompetents, and juveniles.

The bill would give States a chance to establish registration requirements but if they did not, the Federal Government would step in. Six months after passage of the legislation, all gun purchasers would be required to obtain a license and one year after passage all gun owners would have to register their weapons.

These provisions would not impose penalties on legitimate sportsmen, hunters or hobbyists. They will, however, go a long way toward providing the necessary protection for the majority of our citizens from those persons who should not be in possession of a gun. In addition, as the Washington Post points out in its excellent editorial this morning, it "can greatly diminish the number of crimes committed by persons armed with and emboldened by guns; can lessen the number of killings committed by despondent or demented or drunken persons who find a gun at hand when they are out of rational control; can lower the incidence of political assassination, of suicides and of senseless gun accidents." Statistics from nations who have strong gun control laws bear out the truth of these statements.

NOISE ABATEMENT

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, regretfully, I was ill on Monday and unable to attend the day's session of the House. This prevented my participation in the debate and in the vote on H.R. 3400. Happily, this bill was passed by a unanimous vote, 312 to 0. Could I have been present, naturally I would have voted "aye." But I would have liked to made the point that while the bill was highly desirable and long overdue, I do not feel it went far enough. In my opinion, the bill will be effective in aircraft noise abatement only if concrete provisions for implementation are made. An intensive research and development effort is now needed to make certain that standards established for noise abatement take full advantage of our technological capability.

The bill is, nonetheless a great forward step, and I compliment the House for giving it such overwhelming approval. The fact that there was not a single negative vote underscores the attitude of Congress toward legislation acting to curb plane noise. Let us take this vote as a mandate to proceed with further, and even more meaningful action.

TYPICAL WASHINGTON RUNAROUND ON GRANTING OF ADMINISTRATIVE LEAVE

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, as I pointed out on the floor of the House before, following the death of our beloved Governor, Hon. Lurleen Wallace, the various agencies of the Federal Government, following the usual and customary procedure, announced that administrative leave would be granted any Federal employee desiring to attend the funeral. This was also done shortly before on the occasion of Martin Luther King's funeral. According to the standing rules and policies of the Federal Government, each agency head has the responsibility and right to make this determination for his own agency.

After the leave was announced, an order came from Washington to the various agencies in the State of Alabama rescinding the allowance of administrative leave.

I have made it my business to try to find out why, by whom, and on what authority this was done. It is a frustrating task.

My information is that the order came from a man by the name of Bernard Rosen, who works in the office of Nicholas J. Oganovic, Executive Director, Civil Service Commission, Washington, D.C.

On May 15, I sent the following telegram:

May 15, 1968.

Mr. Nicholas J. Oganovic,
Executive Director, Civil Service Commission,
Washington D.C.:

It is my understanding that the granting of administrative leave to Federal employees is customarily left to the discretion of the head of the agency involved. I am told that the various Federal agencies in Alabama were initially granted administrative leave for the funeral of Governor Wallace, but that this order was later rescinded by order of Mr. Bernard Rosen of your office. I would appreciate an explanation of why this was done and who made the decision or issued the order denying administrative leave to the Alabama citizens who are Federal employees.

Wm. L. Dickinson,
Member of Congress.

Having received no reply in over a week, on May 22, I sent the following telegram:

May 22, 1968.

Mr. Nicholas J. Oganovic,
Executive Director, Civil Service Commission, Washington, D.C.

I have not yet received an acknowledgment from you regarding the telegram I sent to you on May 15th, asking for an explanation as to why Federal employees in the State of Alabama were denied administrative leave to enable them to attend the funeral of Governor Wallace.

My constituents feel very strongly about this matter and are continuing to call on me for an explanation. Your prompt reply would be appreciated.

Wm. L. Dickinson,
Member of Congress.

On May 27, I received the following letter from Mr. Macy, Chairman of the Civil Service Commission:

U.S. Civil Service Commission,
Washington, D.C., May 27, 1968.

Hon. William L. Dickinson,
House of Representatives,
Washington, D.C.

Dear Mr. Dickinson: Reference is made to your teletypes of May 15, 1968, and May 22, 1968, concerning a misunderstanding that apparently developed in connection with the granting of administrative leave to employees for attending funeral services for the late Governor of Alabama, Mrs. Lurleen B. Wallace.

Your understanding is correct that each department and agency head may excuse employees from duty without charge to leave for short periods of time when, in his judgment, the exigencies of the situation so demand or the reasons are sufficiently justifiable. The Civil Service Commission has no authority to direct agency heads to grant or to deny such leave. However, in the absence of a top-level Governmentwide directive to cover some sudden or special occasion, the agencies often call the Commission for general guidance.

Following the death of Governor Wallace, we received inquiries from several agencies about granting employees time off to attend her funeral or memorial services, including a request to close down Federal offices in the State of Alabama. In this particular situation, there was ample precedent. We advised agencies that the Federal Government's business would continue, that annual leave would be appropriate for employees who wished to attend services, and that agencies should adopt a liberal annual leave policy.

This was consistent with the annual leave practice that has prevailed in the past, such as when Governor Donald G. Nutter of Montana died in office in 1962.

Many of the inquiries which we received have asked about the grant of administrative leave to attend memorial services for Dr. Martin Luther King, Jr. Perhaps the nature of the inquiries received by your office concern the same subject. In the aftermath of Dr. King's assassination, we received a flood of inquiries from agency personnel and the news media as to what leave policy would prevail. The situation was unique, with no precedents to serve as guidelines. The single act of violence in Memphis was rapidly spawning violence across the Nation; the entire population was deeply concerned; and the President had declared a day of national mourning.

Against this backdrop, we indicated to agencies that some employees might feel strongly inclined to attend Dr. King's funeral or memorial services, and we saw no objection to agency heads granting administrative leave for brief periods of time for such purpose. We fully expected that, insofar as possible, the Federal Government would continue to perform its work.

I hope this information will be helpful to you.

Sincerely yours,

John W. Macy,
Chairman.

In reading the letter, Mr. Macy admits the Civil Service has no authority to rescind or countermand an agency's order granting administrative leave, but he avoids answering my questions of Who? Why? and How?

On May 29, I replied with the following telegram:

May 29, 1968.

Hon. John W. Macy, Jr.,
Chairman, U.S. Civil Service Commission,
Washington, D.C.:

Thank you for your recent letter in response to my telegrams. However, your letter did not answer the questions that I am being called on to explain to my constituents and the questions I asked of your office. You state that my understanding that each department and agency head may excuse employees from duty without charge to leave for short periods of time is correct. You fail to tell me why employees of various Federal agencies in the State of Alabama were initially told they could have administrative leave to attend funeral services for Governor Wallace and then were later told that the time off would be charged to their annual leave. I have been told by various agency heads in Alabama that they received orders from Washington telling them administrative leave was not to be granted. I have also been told by agency officials here in Washington that they received their orders from Mr. Bernard Rosen. My question is: Why, in this particular case, did the Civil Service Commission intervene to rescind the instructions originally given by those having authority to issue them. Specifically, did Mr. Rosen, or anyone from your office, call anyone to deny or cancel administrative leave and, if so, why and by whose authority? Your prompt response to these specific questions will be greatly appreciated.

William L. Dickinson,
Member of Congress.

The following answer was received from Mr. Macy on June 6:

U.S. Civil Service Commission,
Washington, D.C., June 5, 1968.

Hon. William L. Dickinson,
House of Representatives,
Washington, D.C.

Dear Mr. Dickinson: This relates to your telegram of May 29 concerning administrative leave.

As I indicated in the third paragraph of my May 27 letter to you, we did advise agency heads that annual leave would be appropriate for employees who wished to attend services for Governor Wallace. Although we had no sanction to require adherence to this policy, we definitely felt, for the reasons indicated in my letter, that a uniform position by Federal agencies would be highly desirable.

To this end, when the headquarters of one agency advised us on April 8 that some agencies' field establishments in Alabama were planning for Mrs. Wallace's funeral on April 9 to grant administrative leave and others were not, we telephoned headquarters of the larger agencies and urged them to check with their field establishments to insure they were following headquarters' policy. We also reiterated that annual rather than administrative leave was appropriate in our judgment.

I am advised that the headquarters of several agencies did in fact require some of their field managers to change their plans in order to conform to our advice. Not to have provided this advice would have resulted in large numbers of Federal employees being treated significantly different on this matter.

Sincerely yours,

John W. Macy, Jr.,
Chairman.

This is the typical Washington bureaucrat runaround. Mr. Macy uses a lot of words and talks around the point but he still will not answer my questions:

Who gave the orders, why were they given, and on what authority were they issued countermanding previous orders allowing administrative leave? As I have said, he admits his office has no authority to do so, but they did it.

I also made a similar inquiry of the Department of Health, Education, and Welfare. Their reply is as follows:

Department of Health, Education, and Welfare,
Washington, D.C., May 21, 1968.

Hon. William L. Dickinson,
House of Representatives,
Washington, D.C.

Dear Mr. Dickinson: This is in response to your letter of May 14, 1968, requesting that I advise you why a memorandum issued by Mr. Listerman was countermanded.

The usual practice in this Department is not to grant administrative leave for attendance at memorial services except in the case of a funeral of an immediate relative killed in line of duty in the Armed Forces. Operating agencies are encouraged to follow a liberal policy in granting annual leave to employees who wish to attend funerals. Due to the exceptional circumstances surrounding Dr. King's death and to the fact that the funeral took place subsequent to the national day of mourning ordered by the President, the Department felt that it was appropriate in that instance to grant sufficient administrative leave to permit employees to attend memorial services. This was the practice which we understand was generally followed throughout the Federal Government.

The tragic death of Governor Wallace following so close on that of Dr. King led some officials to conclude erroneously that administrative leave would also be granted for attendance at the funeral or memorial services for the Governor. When this was brought to our attention, operating agencies were informed that the administrative leave, in line with our general policy, would not be granted. This also was the practice generally followed throughout the Federal Government. The Social Security Administration informed its offices accordingly and this was the reason why Mr. Listerman's original memorandum was countermanded.

As noted in the newspaper article furnished with your letter, those employees who wished to take annual leave to attend services were permitted to do so. I regret that the confusion occurred and I want to assure you that no disrespect to the Governor was intended.

Sincerely yours,

KEN V. W. FENDLER,
(For William G. Craig, Deputy assistant Secretary for Personnel and Training).

The fact is, Mr. Speaker, that the replies of both Mr. Macy and the Department of Health, Education, and Welfare make statements which are contrary to the facts as I believe them to be, based on conversations with the Federal employees who got the orders from Washington.

There was no misunderstanding. When the agencies did not know what they should do, some called the agency heads in Washington and were told administrative leave would be granted.

Also, when Mr. Rosen called, he did not say he thought annual leave would "be more appropriate." He said "it would not be allowed," according to my informants in Alabama.

I have also been in touch with Mr. J. E. Bone, president of NFFE Local 95, Montgomery, Ala. He writes as follows:

PRATTVILLE, ALA.,
June 3, 1968.

Hon. WILLIAM L. DICKINSON,
House Office Building,
Washington, D.C.

DEAR MR. DICKINSON: Thank you for your letter of May 29 and the copy of the letter sent to you by the Honorable John W. Macy, Jr., relative to the Commission's authority to grant or deny leave.

If the Commission does not have the authority to grant or deny leave and each department and agency head may excuse employees from duty without charge to leave for short periods of time, why were the department and agency heads told by Mr. Barnard Rosen of Mr. Macy's office that Administrative leave *would not be granted?*

I have no quarrel with the Commission or anyone else about the policy during the King rites; I believe that every pot should sit on its own bottom; however, one thing deeply disturbs me. Mr. Macy stated and I quote, "The single act of violence in Memphis was rapidly spawning violence across the Nation; the entire population was deeply concerned . . . we saw no objection to Agency Heads granting administrative leave for brief periods of time for such purpose . . .".

Am I to understand that, in order for Federal Employees to react as average (or normal) citizens, when their Governor, loved and admired by millions, who did more for the mentally retarded and physically handicapped during her few months as Governor of this State than all who came before her (and I am persuaded will follow) that we must first "spawn violence across the Nation"? If it is unnecessary to "spawn violence", would a chorus of "Selma Bridge is Burning Down" with the "Poor Peoples Leader" suffice?

Mr. Dickinson, it appears that Mr. Barnard Rosen issued orders overriding the Department and Agency Heads without any authority. If so, then Mr. Rosen and/or Mr. Macy should be asked to apologize to the people of this State. If he was acting under some authority other than the written law, then he should state in plain English by whose authority the order was issued, and let that authority "do the honors".

I do not wish to appear argumentative. The members of my local have asked a simple, straight-forward question, "Why?" I believe they are entitled to an answer without evasions and Gobble-degook.

I will appreciate an answer from someone in authority that I can, in good conscience, pass on to my members. Your efforts will be most appreciated.

Very truly yours,

J. E. BONE,
President, NFFE Local 95.

Mr. Speaker, I know that in a way I am "beating a dead horse," so to speak. Since the death and funeral were several weeks ago, in a sense this is true. But there is also a principle involved here. How is it that the Federal officials here in Washington can arbitrarily and arrogantly take unto themselves the power to treat the people of Alabama differently from other people in other States?

Have we reached the point where bureaucrats here in Washington can high-handedly use a double standard in dealing with the people of Alabama and then refuse to even answer a direct question from a Congressman of the United States? Mr. Speaker, I am elected to represent the people of the Second District by a majority vote, just as you and every one of us is elected. I am responsible to them. I answer to them.

Who elects the bureaucrats? No one. Who are they responsible to? Heaven only knows. Many operate in their own little world, exercising control over all but responsible to no one except, ultimately, the President. They deal in truths, half-truths, and innuendo. Trying to get the real facts is often like pulling teeth. If it is this difficult for Members of Congress to deal with them, think of how frustrating it must be for the man on the street that pays their salaries.

Mr. Speaker, the people of Alabama and I are still waiting for a full, direct, truthful answer to my questions.

PERSONAL ANNOUNCEMENT

Mr. MICHEL. Mr. Speaker, I regret that I arrived in the Chamber too late to qualify for voting on the motion to recommit and on final passage of the Peace Corps bill, considered this afternoon, in view of my having been downtown conferring with officials of the General Services Administration in the Pentagon with respect to the disposition of the Hanna City Radar Base in my congressional district. Had I been present on the floor, I would have supported the motion to recommit and would have voted for the bill on final passage.

APPOINTMENT AS MEMBERS OF NATIONAL COMMISSION ON CONSUMER FINANCE

The SPEAKER. Pursuant to the provisions of section 402(a), Public Law 90–321, the Chair appoints as members of the National Commission on Consumer Finance the following members on the part of the House: Mr. PATMAN, Mrs. SULLIVAN, and Mrs. DWYER.

APPOINTMENT OF DELEGATES TO ATTEND INTERNATIONAL LABOR ORGANIZATION CONFERENCE IN GENEVA, SWITZERLAND

The SPEAKER. Pursuant to the provisions of H.R. 1187, 90th Congress, the Chair appoints as delegates to attend the International Labor Organization Conference in Geneva, Switzerland, between June 5, 1968, and June 27, 1968, the following members of the Committee on Education and Labor: Mr. THOMPSON, of New Jersey, and Mr. AYERS, of Ohio; and as alternates to attend said Conference, the following members of the Committee on Education and Labor: Mr. O'HARA, of Michigan and Mr. ASHBROOK, of Ohio.

THE SITUATION OF HUNGARIANS IN TRANSYLVANIA

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 60 minutes.

Mr. HALPERN. Mr. Speaker, in the past 2 years many of my colleagues have joined me in expressing our interest in seeing Communist and national discrimination cease toward national minority groups in Eastern Europe. As a particular example we have dealt with the largest national minority in that region, the 1.75 million Hungarians in Transylvania—Rumania.

In July 1966, 51 of my colleagues joined me in signing a memorandum to Secretary of State Dean Rusk informing him of our estimate of conditions in Rumania and asked him to allow American diplomats to raise these issues with the Rumanian Government. After almost 2 years it is timely to investigate developments in Rumania regarding national minorities especially in the light of developments in Czechoslovakia during the past few months.

Our memorandum to the Secretary of State listed several conditions which, in our opinion, deprived the citizens of Hungarian origin of their human and civil rights. These were:

First. Economic discrimination by refusing jobs to Hungarian graduates in the Hungarian regions of Transylvania, thereby forcibly moving them into purely Rumanian areas, as the state is the only employer, and by denying most Hungarians responsible jobs in industry, agriculture, and government.

No appreciable improvement occurred in these fields. Even Mihai Levente, the Minister of Internal Trade who was a Transylvanian Hungarian Communist was removed on March 29, 1968, by a decree of the States Council shortly after concluding a protocol of goods exchanges with Hungary for 1968. As early as February 7 he was not included into the newly created Economic Council comprising the top 24 Rumanian economic governmental managers. The Council today does not contain any member of national minorities. The reorganization of the counties failed to remedy the general prejudice in favor of Rumanian officials. The new, ethnically purely Hungarian, Hargita County has Ladislau Branis, a Rumanian, as its party secretary and chairman of its People's Council. Only in the mixed nationality Mures County is a Hungarian

Communist the highest official, but not in the purely Hungarian counties of Hargita and Covasna. Such conditions could be repeatedly described at will. Private reports received display no signs of abandoning the conscious dispersement policies by refusing house and apartment licenses to the young Hungarian intelligentsia in the Transylvanian cities, forcing them into jobs outside of the province.

Second. Lack of religious education and the pressure exerted against any citizen continuing to attend church services and rites. Here, some improvements did occur. Bishop Marton Aron of Alba Julia—Gyulafehérvár—is no longer under house arrest, an accomplishment of both Vatican diplomacy and Rumanian anxiousness of improving their image in Western Europe. Pressure against young people steadily attending church continues and church officials complain about existing isolation from their Western counterparts because of negative party and state attitude toward contacts. However, Unitarian ministers are holding a worldwide conference at Cluj—Kolozsvar—and Turda—Torda—in memory of the 400th anniversary of the establishment of their denomination. Priests and ministers are still in prisons, but some were released. The worst fate is experienced by the Greek Uniate Church which remains forbidden.

Third. Denial by police state methods to the Hungarian minority the preservation of its historical, cultural and linguistic traditions, except for showcase exceptions; the gradual, but increasing, closing down of the Hungarian school-sections, libraries, museums, and theaters. In this regard developments were uneven. Police state methods have subsided recently, a consequence of the struggle of the Ceaucescu leadership against Draghici and his holdovers from the days of Stalin. This improvement, limitedly enjoyed by everyone, is not extended to cultural matters as far as the Hungarian minority in Transylvania is concerned.

As to higher education, Hungarian-language courses on college and university level are steadily decreasing. According to the correspondent of the Paris Le Monde of November 11, 1967, the number of graduates in Rumanian literature at the "merged" Rumanian-Hungarian University at Cluj—Kolozsvár—rose from 40 to 218 between 1960–65, in the Hungarian literary department the same numbers are 29 and 39. Today 61 percent of the faculty, the rector, three of the five vice rectors, and seven of the eight deans are Rumanian.

At Turgu Mureş—Marosvásárhely—the College of Medicine and Pharmacology is also being Rumanized. A Rumanian co-rector was appointed—Popa de Popan—and many medical students are attending the institution who are from other parts of Rumania, though there are several other medical colleges in their regions. The faculty is rapidly changing from Hungarian to Rumanian.

There are only two educational institutions of higher learning in all Transylvania at which courses are given in Hungarian only: the College of Dramatic Arts and the Educational College at Turgu Mureş—Marosvásárhely. On the secondary and grade school level the abolition of Hungarian-language sections was slowed down, at the present there are 1,700 classes in Transylvania in Hungarian language, but no schools under Hungarian-language administration.

No reports were received of closing down any more museums or libraries. Textbooks are still composed according to the new Marxist-nationalist lines of the Caucescu leadership and it was a great "advance" that Andras Hegedüs, the Hungarian Prime Minister under Gerö, who called in the Russian troops to Budapest on October 23, 1956, and has in the meantime become a sociologist, was permitted to write an article in Korunk at Cluj (Kolozsvár). This was the first case when a writer from Hungary proper was allowed to publish in a Transylvanian Hungarian-language magazine.

Several other grievances were mentioned in our speeches in 1966. Among them was the cutting up of the ethnically Hungarian area in Southeast Transylvania by the administrative decree of 1960. On February 16, 1968, an administrative reorganization took place in Rumania. The 16 rayons were subdivided into 39 counties. Despite the fanfare of the fall of 1967 by the Rumanian leadership that the reorganization was necessitated by economic, ethnic, and geographic considerations, it had represented only limited improvement to the Hungarians in Transylvania. It did away with one injustice: the detachment of the Trei Scaune—Háromszék—Hungarian-inhabited districts. They now form together with some parts of Ciuc—Csík—the new Covasna—Kovászna—county, probably the smallest county now in Rumania. In return, however, the reorganization destroyed the unity of the Mures-Magyar region by detaching the ethnically mixed, but Hungarian-majority, Mures area from the purely Hungarian regions and added to it districts with ethnically mixed Hungarian-Rumanian-German population around Sigisiora—Segesvár.

Of course, the new reorganization can be used both for good and evil, and more data will be needed before passing a final judgment. However, the fact that the 98-percent Hungarian Hargita county has a Rumanian First Party Secretary does not betray any conscious attempts to restore self-government rights to the Hungarians of the country. The second problem is an economic one. Except for the Mures county area, the economic potential of the two Hungarian-inhabited counties is very small; they form the Appalachia of Rumania because of 20 years of Government neglect.

Only in two fields were improvements visible. One, finally the compulsory visa requirement was removed between Rumania and Hungary earlier this year expediting travel between Hungarians and their fellow nationals in Transylvania. Also, several new Hungarian press products were licensed under the administrative reorganization scheme which calls for a minority daily and weekly in the new counties if the minority exceeds 40 percent. The contents of the press products are still subject to party and national censorship and considerable space is devoted to the translation of Rumanian authors and philosophers.

In summary, the Ceaucescu regime has made some concessions to the Hungarians in Transylvania but it failed to remove the major irritants in the field of cultural, school, and economic policies and regarding self-government. The aim still remains the absorption of the Hungarian minority but in order not to provoke further the opinion of Western politicians and the Hungarian and Soviet Governments, a slowdown has been instituted since 1966. Yet, even today, the conditions under which Hungarians in Transylvania, as ethnic minority, live compares very unfavorably with the rights enjoyed by Hungarian minorities in Yugoslavia and Czechoslovakia though the Hungarian population of those countries is both numerically and percentagewise smaller and does not fully enjoy self-administration either.

Nineteen hundred and sixty-eight is the year of the 20th anniversary of the Human Rights Declaration of the United Nations. People all over the world are taking stock of the accomplishments in the field of human rights and thus it is fitting indeed that the attention of this House, of our administration, and also that of the Rumanian Government, be called to the fact that even today the absolute minimums of civic, human, and political rights of Rumanian citizens, particularly those of Hungarian origin, have not been granted and call for steps which would insure linguistic and economic equality, education in the mother tongue, and self-administration to the Hungarians in Transylvania.

Mr. FINO. Mr. Speaker, I am happy to join my distinguished colleague from New York in exposing the largely unchanged and sorry plight of the Hungarians in Transylvania which we have talked about at length in 1965–66.

Unfortunately, the hope that their situation will improve in the wake of the evolution of the foreign policies of Rumania has not come true to any substantial degree. The intelligentsia is still being dispersed by forcing them to take jobs outside of the province, the Szekely counties of the southeastern part of Transylvania are becoming more and more the Appalachia of the Rumanian state as investments remain low and industry is located in areas other than the counties. The school question is worse than in 1965 as even the two last institutions of college level, the Medical-Pharmacological College at Tirgu-Mures—Maresvasarhely—and the Teachers College are increasingly filled with Rumania courses, faculty and students.

Much hope was expressed last December about the reorganization of the administrative regions, and the creation of counties similar to the pre-1945 period. However, while one injustice, the detachment of the district of Trei Scaune—Haromszek—from the Hungarian-inhabited Mures-Magyar Region was remedied by creating a new county out of them—Covasna—the Magyar Autonomous Region was split up into one Hungarian and one mixed county. And the Hungarian county has now Ladislau

Branis, a Rumanian, as its administrative and party boss.

In religious matters, an improvement was observed in the removal of the house arrest of Bishop Marton Aron but the empty seats had not yet been filled and religious freedom had not yet been restored.

Under such circumstances, we cannot help but raise our voices anew for the realization of human and civil rights of Rumanian citizens and inform the Rumanian Government that only through further progress can they show that their subservience to Stalinist Russia is not now replaced by an adoration of Communist and chauvinist excesses, and that their interest in improving relations with the West is sincere.

Mr. DULSKI. Mr. Speaker, once again we call to the attention of the Members the sorry conditions which still prevail among the Hungarians in Transylvania.

This ethnic group of some 1,750,000 is still being oppressed by their Communist Rumanian masters despite the increasing detachment of the Bucharest regime from the Soviet Union.

After my earlier appeals, there was reason for some hope that there would be changes for the better with regard to these sturdy, freedom-loving people who are rich in culture and historical tradition.

The Bucharest government increasingly has adopted nationalistic slogans and given other signs of encouragement, but the improvements have been minor and in some instances I am told that conditions have worsened.

For instance, the county reorganization turned out to be only marginally better than the old regional one.

We must insist upon the return of the human and civil rights of the population of Rumania, whether Rumanian, Hungarian, German, or Serb.

We must insist that internal oppression shall not be condoned, just because the ruling Communist regime acts somewhat more nationalistic than the model satraps like Ulbricht, Kadar, and Zhivkov.

We must understand that no democracy can be restored without giving people the right of self-government, educational equality of opportunity, and freedom of religion, culture, and assembly.

Mr. KUPFERMAN. Mr. Speaker, my distinguished colleague from New York continues to perform a public service in exposing the largely unchanged and still dire plight of the Hungarians of Transylvania, which was the subject of many speeches and draft resolutions in the Congress during 1965–66.

Unfortunately the hope that their situation would improve in the wake of foreign policy changes by the Rumanian Government did not come true to any substantial degree. I am informed that the intelligentsia is still being dispersed by state pressure to take jobs only outside of the province, or at least outside the Hungarian-inhabited regions of the province. The Szekely countries of southeastern Transylvania which contain over 35 percent of the minority are becoming more and more the Appalachia of the Rumanian state as investments remain low and industry is established in regions outside of the Szekely areas. The school question is worse than in 1965. Even the last two college-level institutions, the Medical-Pharmacological College at Turgu Mures—Marosvasarhely—and the Teachers College in the same city are increasingly filled with Rumanian faculty and students.

Much hope was expressed about the reorganization of the administrative regions which occurred as a result of the February 16, 1968, decree. However, I am informed that no substantial improvement occurred. It is true that the districts detached from the Mures-Magyar autonomous region in December 1960 were now given the status of an independent county—Covasna—but in return, the autonomous region was dissolved and replaced by one purely Hungarian county—Hargita—which, however, has a Rumanian Party Secretary and Council Chairman, and a mixed nationality county—Mures—to which the new reorganization decree added further areas with Rumanian and German population.

In regard to religious freedom, the lifting of the house arrest of Bishop Aron Marton in the wake of Prime Minister Maurer's visit to the Pope is a definite improvement, but isolation of the clergy persists and the Greek Catholic Church remains forbidden.

Under these circumstances we do well in reminding ourselves and the administration that we do not consider the measures of the last year by any means a sufficient solution of the problem which consists of the deprivation of human and civil rights of the Hungarian minority in the province—1.75 million—and in this anniversary year of the universal declaration of human rights we hope that the Rumanian Government will realize the need for positive and broad actions in order to restore equality of rights to the Hungarians of Transylvania.

Mr. JOELSON. Mr. Speaker, again we are discussing an issue which formed an object of great concern to many of us about 2 years ago: the fate of the 1.75 million Hungarians of Transylvania.

In the last 2 years some improvements have been made. The visa requirements for visiting Hungary has been removed, Bishop Aron Marton is no longer under house arrest, the Rumanian Premier visited the Pope.

Unfortunately these are the only positive measures we can record. Another major measure, the territorial reorganization of Transylvania in February of this year, created at least as many problems as it had solved.

Moreover, Rumanian citizens in general have just begun to enjoy any personal freedoms. Not until the end of April could the Rumanian internal situation be distinguished from the Stalinist regime of Ulbricht in East Germany. As a result, the main complaints of the citizenry in general and the Hungarian minority in particular remain unremedied.

The right to maintain and develop their own culture is restricted and the intellectual isolation from Hungary and the West remain largely unchanged. The great achievement in this regard consisted of the publication of an article in the only Hungarian literary journal in Transylvania by the former Stalinist Premier of Hungary in 1956, Andras Hegedüs, who became a sociologist after his fall. The school situation is the same, or in some localities even worse than in 1965. Economic opportunities for graduates are still only available in regions outside of the province, university admissions are still impossible, or require connections and bribes.

Freedom of expression of the minority is still largely nonexistent, in contrast with Czechoslovakia where a full and open debate is conducted on the issues of nationality rights between the Slovaks, Czechs, and Hungarians.

Today we rededicate ourselves to the cause of equal rights to members of minorities everywhere, and we send our best wishes and hopes to a national group which over a thousand years remained a positive factor in European culture. It has defended its Western humanistic and Christian values in the face of many challenges, cultural, military, and ideological.

Mr. HELSTOSKI. Mr. Speaker, next week we have an important visitor from Rumania in Washington, Mr. Alexandru Barladeanu, Deputy Prime Minister and member of the Communist Party presidium in that country. This visit represents to quote Bernard Gwertzman from the Washington Evening Star on June 12, 1968, the sincere desire of Nicolae Ceaucescu to improve relations with the United States.

It is indeed proper to recall the developments in Rumania during the past 2 years, particular with emphasis upon the lot of the 1.75 million Hungarians of Transylvania who formed the subject of so many speeches, resolutions, and the memorandum to Secretary Rusk on the part of many Members of this House in 1965–66.

We have waited for 2 years for signs that the oppression and discrimination will ease and disappear as Rumania's foreign policy becomes more independent and her leadership more self-assured. Unfortunately only minor concessions were granted both to the general population and the Hungarian minority. An austere economic and labor regime is maintained and Rumanian nationalism seemed to be until very recently the only concession to popular demands by the Government. Very recently the question of the rehabilitation of innocently executed and imprisoned Communists represent an attack on the strong, entrenched powers of the state security forces and in this manner helps to relax the police terror which was too long characteristic of the regime in Rumania.

The Hungarian minority's lot did not get appreciably better in these 2 years. We talked of economic discrimination by refusing to allot sufficient investments to the Hungarian counties of the southeastern part of the province or to the districts close to the Hungarian frontier. The situation failed to evolve for the better as of now. The dispersion of the professionals and teachers by job transfers and job offers to recent graduates to provinces outside Transylvania where there are practically no Hungarians is still practiced and forms a sore point in the mind of the Transylvanian Hungarians. There are still no Hungarian schools, and the number of Hungarian sections in Rumanian secondary schools decrease every year and admission to the Cluj (Kolozsvar) Babes-Bolyai University is well nigh impossible for graduates of the Hungarian sections of the high schools unless excellent party connections or bribery is resorted to.

The territorial reorganization failed to realize the hopes set on it by the Transylvanian Hungarians. If you add up the three Hungarian, or relatively Hungarian counties under the new system they comprise about 300 square miles more than the Mures-Magyar autonomous region which they replace. However, the unit is now cut into three, and only one is both of average size and purely Hungarian, Hargita County. Even this county has a Rumanian, Ladislau Branis, as party secretary and chairman of the People's Council. Covasna County is the smallest and economically least feasible county in all Rumania, it should have been attached to Hargita County from where it had been detached in 1960. Mures County is a gradual creation of the Rumanian Communist state in order to detach the Hungarian districts from the purely Hungarian hinterland of Hargita County. In 1960 it received Rumanian districts and now again it received Rumanian and German districts in the southeast in order to reduce the Hungarian population of the new unit to 50 percent. There is no letup in the Rumanization of the cities, the second pilar of the Transylvanian Hungarians.

Under such conditions, it can be said that the abolition of the visa requirements and tentative steps toward the Catholic Church like the lifting of the house arrest of the only Catholic bishop in office, Aron Marton, offer little hope that the rights of the Hungarian minority will be restored in the near future. Thus, we must again protest the deprivation of human and civil rights of these 1.75 million citizens of Rumania and call upon the Government to remedy the complaints and grievances if it is serious about improving relations with the West.

Mr. ANNUNZIO. Mr. Speaker, Baltic States Freedom Day, which is observed annually on June 15, marks the 28th anniversary of a tragic event in the history of Lithuania, Latvia, and Estonia.

Between June 14 and June 17, 1940, the Russians overran these three countries, which had maintained free and independent governments since 1920, and brutally conducted a mass deportation to Siberia causing the death of tens of thousands of innocent people. Today, the Baltic States remain under the domination of Soviet Russia.

In 1922 the United States extended full diplomatic recognition to the Baltic States, and despite Soviet domination, continues to maintain this recognition of their sovereignty. Year after year, our country has reaffirmed her strong and lasting friendship for the people of Lithuania, Latvia, and Estonia, and her profound conviction that the courageous Baltic peoples are entitled to free governments of their own choosing.

The unfortunate plight of the Baltic States has long been a source of deep concern to me. Therefore, during the 89th Congress, I joined with many of my colleagues in cosponsoring and vigorously supporting the passage of House Concurrent Resolution 416. This resolution urged the President of the United States to direct the attention of world opinion to the denial of Baltic self-determination in order that these precious rights might be restored to the Baltic peoples. It is gratifying indeed that the resolution was adopted overwhelmingly by both the House of Representatives and the Senate of the United States.

We, as free men, cannot fully enjoy the exercise of our liberties, while those in the Baltic States are still deprived of the most fundamental human rights. It remains our moral obligation to let these captive peoples know they are not forgotten, that we in the United States shall never be reconciled with their tragic fate, and that we are determined to stress and support the case for Baltic self-determination in every available international forum until Baltic freedom becomes reality.

Mr. Speaker, on this solemn occasion, I join my colleagues in paying tribute to the courageous Baltic peoples, in honoring the memory of the unfortunate victims of Soviet brutality, and in rededicating our Nation to the still unresolved cause of the Baltic nations.

Mr. BROYHILL of Virginia. Mr. Mr. Speaker, it is with pleasure that I am joining my colleagues ably led by the distinguished gentleman from New York in exposing again the oppression practiced by the Communist Rumanian Government against its citizens of Hungarian origin, some 1.75 million strong in Transylvania.

Two years ago, more than three dozen of us submitted draft resolutions on the subject and held over 40 speeches about the plight of the minority. In the past 2 years following our memorandum to Secretary Rusk we hoped that the fate of the Transylvanian Hungarians would be improved and they would be allowed to develop and maintain their national culture and that economic, political, and religious discrimination against them would cease.

It is proper indeed to review the situation at a moment when according to Bernard Gwertzman in yesterday's Evening Star, June 12, 1968, we are expecting during the coming week one of the top five men of the Rumanian regime in town, Alexandru Barladeanu, member of the Rumanian Communist Party Presidium and Deputy Prime Minister. To quote Mr. Gwertzman:

> Barladeanu will be the highest ranking Communist official to visit the United States on a purely bilateral visit since Yugoslav President Josef Broz Tito came in 1963.

At the threshold of this significant event, it is my duty to recall that the major complaints of the Transylvanian Hungarians were never remedied. While Bishop Aron Marton was set free from house arrest and visa requirements with Hungary were abolished, the county reorganization decree created at least as much discrimination as it had removed. While Party Secretary Ceaucescu and the spokesman for the party told us about the consideration of ethnic and geographic conditions in designing the county limits, today, the purely Hungarian county Hargita, the heart of the Szekely area is ruled by Ladislau Branis, a Rumanian Communist official who now, according to recent Rumanian practice is both the party chief and the chief administrative officer. It is true that the Hungarian districts of Trei Scaune—Haromszek—were detached from Brasov where they were assigned in 1960, but they were not reattached to the Szekely area of Hargita County but form a county by themselves. It is interesting to note that this county is the smallest in Rumania and has the least economic potential. The northern part of the Szekely area, already united with mixed and Rumanian districts in 1960 were further expanded to include other Rumanian and German district diluting the still existing absolute Hungarian majority to a relative one.

Economically the counties are still underdeveloped and no effort is made even to exploit their tremendous tourist potentialities in view of the scenic mountains and lakes. Educationally, it is even harder to enter a university today with a graduation certificate from the Hungarian section of a high school than in 1965 and the last two overwhelmingly Hungarian college institutions in In Tirgu Mures are also increasingly mixed both as far as the faculty and the students are concerned.

Under these circumstances, if Mr. Ceaucescu is so much interested to improve relations with us as Mr. Gwertzman relates in the Evening Star, they could at least significantly expand a policy of relaxation toward the Transylvanian Hungarians including observance their own promises of self-administration, equality of rights in the economy and schools and professions, and finally, stop the dispersal of the Hungarian intelligentsia into areas outside Transylvania.

Mr. RODINO. Mr. Speaker, during the last Congress many of us drew special attention to the oppression suffered by the citizens of Rumania, and particularly those of Hungarian origin who have lived in Transylvania for over a thousand years.

For 2 years we have been waiting for positive actions of the Rumanian Government, but largely in vain. Some small concessions were made, but usually in a wider context such as the lifting of the house arrest of Bishop Aron Marton which was part of the Rumanian Government's attempt to gain respectability in Western Europe, and particularly the basically Catholic countries of Italy and France. Also, in order to reduce tensions with Hungary in the wake of the Rumanian pullout from the Budapest Conference of the Communist Parties, visa requirements between the two countries were abolished.

Aside from these concessions, no other

real relaxation of discrimination took place, for even the territorial reorganization took away as much from Transylvanian Hungarians as it had given them.

The school question is more acute than ever, though the discrimination against graduates of Hungarian sections in all but the scientific field has became so inevitable that Hungarian parents today sometimes prefer to send their children to Rumanian secondary schools so they will be able to hold white collar jobs or attend university thereafter. The Babes-Bolyai University, is now about two-thirds Rumanian, according to the French journalist Michel Tatu, writing in Le Monde of November 12, 1967.

Economic underdevelopment of Hungarian areas has not ceased, and the cities are populated increasingly with Rumanians, especially in the wake of industrialization. The capital, which had a Hungarian character even as late as 1956, is now a burgeoning Rumanian city with some Hungarian districts and the Rumanian element prevails overwhelmingly even in the formerly German Brasov and Hungarian Arad.

It is evident that no serious attempt has been made to meet the justified complaints of these people, who are still not permitted as much right as even the diverse nationalities in Yugoslavia enjoy.

Mr. Speaker, we must continue to protest this state of affairs and hope that the Rumanian Government will finally realize that improvement of relations with the Western World will have no valid roots as long as it disregards the human and civil rights of all its citizens—majority and minority nationalities—in an equitable and just manner.

Mr. HOWARD. Mr. Speaker, among the unhappy victims of the last war, the Baltic peoples were the most innocent and helpless. At the very beginning of the war the fate of the three Baltic nations—Estonia, Latvia, and Lithuania—seemed in jeopardy; their independence was threatened by both the Nazi and the Communist dictatorships. But the latter proved the deadlier of the two, for it was the Soviet government which treacherously attacked these countries, overran them, and then annexed all three.

The peoples of these three countries had suffered for more than a century under the czarist Russian regime when toward the end of the First World War, they succeeded in freeing themselves and proclaimed their national independence. They then established their own democratic governments. During the two decades of inter-war years they lived happily under their free institutions and enjoyed peace and prosperity in their homelands. But the outbreak of the Second World War brought tragedy to them once again. Soon they found themselves enslaved by their Soviet overlords. They suffered much throughout the war, but hoped to regain their freedom at the end of it. Unfortunately their friends in the West could not help them in the attainment of their goal; the Soviet authorities were determined that freedom should not return to these peoples. Instead, they have been held under Soviet dictatorship ever since.

Thus, for more than two decades Baltic peoples have been living under Soviet totalitarian tyranny. On the observance of Baltic States Freedom Day we ardently hope that soon they can again attain their national goal, freedom and independence—this time permanently.

Mr. GALLAGHER. Mr. Speaker, today marks the 28th anniversary of the date upon which illegal aggression trampled down the freedom and independence of the Baltic States. Lithuania, Latvia, and Estonia enjoyed the blessings of liberty for two decades before seeing their liberties snuffed out by the armed force of an invading army.

On this day, all Americans recall the fate of these three brave nations. Even more, we remember the cruel and inhuman deportations of Lithuanians, Latvians, and Estonians to Siberia between 1941 and 1949. Over 200,000 human beings were transported to that desolate part of the earth by the government which had placed them in captivity. We note these events and resolve to never again let illegal force be the determinant of man's fate.

The Communist powers tell us, Mr. Speaker, that the United States is the great world criminal, that this Nation breaks the solemn tenets of international law. Not only is this a simple lie, it is also a vastly hypocritical statement. Must we remind the Communist world of the treaty signed with the Baltic States in 1920 in which the Soviet Union renounced "voluntarily and forever" all sovereign rights over the people and territory of the Baltic States? Must we remind them of how this treaty was violated with impunity in June of 1940?

In three dark days, between June 14 and 17, 1940, the Communist world displayed its own conception of how nations "obey" the principles of international law. It is a conception which all men categorically reject.

Our hearts are with the captive peoples of the Baltic States today. We remember their brief period of freedom and look forward to its future rekindling; indeed, we look forward to the day when statements commemorating the captivity of nations are no longer necessary.

Mr. CUNNINGHAM. Mr. Speaker, I join my colleagues in calling attention to the still unsolved problem of the lack of human rights and national self-determination for the Hungarian minority in Rumania, living in the Province of Transylvania.

These 1.75 million people have long been the target of both Communist oppression and national discrimination.

Though events in Rumania lately increased the distance between Rumanian and Soviet policies and in the last few months embryonic signs of internal relaxation have occurred, all but one of the basic grievances of the Hungarians remain. Even in regard to the creation of Covasna County out of the detached districts of the former autonomous region, the improvement has been counterbalanced by the addition of district to the new Mures County which thereby lost its overwhelming Hungarian character.

Economic discrimination is flagrant and the Hungarian counties have been neglected in regard to economic development for 20 years encouraging movement of labor from them into other Rumanian areas making Bucharest a city with a strong Hungarian minority. Religious freedom is still nonexistent, though oppression eased somewhat. The university and the medical college have less Hungarian students and faculty and courses taught in Hungarian than even in 1965 and other universities admit only a few of the minority students. Graduates are consistently discriminated against in job offerings. Dispersal of the intelligentsia still takes place under the guise that no apartments and houses are available to them in the cities or the Hungarian-inhabited areas of the province.

Let us today again call for major improvements in the conditions under which the Hungarians in Transylvania live and call on the administration not to forget these victims of ideological and national prejudice in the year of human rights but work by quiet, effective diplomacy for the betterment of their fate.

Mr. HOWARD. Mr. Speaker, in 1966 I joined with 50 other Members in protesting the suppression of the Hungarian minority in Transylvania by the Rumanian Government. It has come to my attention that there has been little improvement in the situation. The Communist government follows a policy which makes it very difficult for these Hungarian nationals to retain their ethnic identity and cultural traditions. The use of the Hungarian language, for example, is discouraged in government, in the press, and in cultural and literary circles. Similarly the use of Hungarian in schools is being deleted so that students speaking the language are having increased difficulty gaining admission to institutions of higher learning.

There are fewer Hungarians participating in the government in administrative capacities while in economic positions the minority group is consistently frozen out of important posts.

Hungarian intellectuals find themselves suddenly transferred to remote areas of Rumania so that no concentration of creative young men exists to perpetuate their culture. The resettlement policies of the government disperses Hungarians throughout Rumania breaking up compact minority units. Territorial reorganization regroups the minority into districts which have little relevancy and which further the disorientation of the people.

Probably the most disturbing report, however, is that the religious freedom of the minority is being compromised in several ways. The Greek Church is forbidden while the Roman Catholic Church finds itself sorely isolated, with monastic orders banned and many parishes denied priests. The state must appoint new priests to parish positions and this procedure is often drawn out so that it takes years.

This suppression and attempted disintegration of a once proud and autonomous people is appalling to me and to free men everywhere who respect the ancient cultures of the Old World and remember that these are the building blocks that provided a solid foundation for America.

Mr. ADDABBO. Mr. Speaker, it gives me great pleasure to join my distinguished colleague from New York in discussing the situation of the 1.75 million Hungarians in Transylvania.

This ethnic group with a thousand years of rich cultural and political history is still being deprived of many of their civil and human rights by the government both for ideological and national reasons.

The experience of the last 2 years does not fulfill the hopes that many people had in the change of government and the coming of Nicolae Ceaucescu. While the somewhat more independent stance toward the Soviet Union on issues of foreign policy succeeded in creating a better image of Rumania in the Western world, there has been until very recently no equivalent of relaxation in domestic affairs. Labor laws were only made more stringent, and police excesses are only now disappearing as the state security apparatus is coming under criticism for political reasons by the new Party Secretary.

As to the Hungarians the territorial reorganization of February 1968 did not represent a great improvement. The restoration of the detached Szekely districts in 1960 into an independent county is a positive measure, but the county is very small and economically unfeasible and will soon become an economic deficiency area. In return, the Mures-Magyar autonomous region was dissolved and divided into two counties—Hargita and Mures—one of which is purely Hungarian but is administered by Ladislau Branis, a Rumanian Party Secretary and Chairman of the People's Council, and the other one which is only 50 percent Hungarian due to the attachment of district of a mixed Rumanian-German population.

Hungarian sections in the schools are further phased out both because of administrative pressure and the fact that university admission is becoming more and more impossible if the student graduated from the Hungarian section of high school. Cluj University—Babes-Bolyai—has now about two-thirds of Rumanian students and faculty.

The economic neglect of the Hungarian counties of southeastern Transylvania persists, only the city of Turgu Mures—Marosvasarhely—receives sizable industrial investments, the beneficiaries of which are, however, often the Rumanians of Mures and Cluj Counties rather than the Szekelys of Mures and Odorhei—Udvarhely. The poor road conditions and transportation lines have hardly been improved in the last decades, not even the tourist possibilities of these scenic regions were exploited by the Rumania Government.

The minority struggles hard under a regime where life is austere even for the Rumanian citizens, but doubly hard for the Transylvanian Hungarians. Today, when national self-determination is almost a tenet of international law and when even in Communist Czechoslovakia and Yugoslavia earnest and frank efforts are made to solve the inequalities meted out to national minorities, I think it would be high time for the Rumanian Government to undertake broad and major measures to realize the equality of rights for the Hungarians in Transylvania as well as to actualize the rights to personal freedoms guaranteed in the constitution but never implemented by the predecessors of the present government.

Mr. MINISH. Mr. Speaker, I join our able colleague from New York and other distinguished members in reviewing the situation of the Hungarians in Rumania, a subject which was covered 2 years ago in detail by him and over 40 other Members of this House.

In the past 2 years, while moving further away from Russian leadership, the Rumanian Government failed to improve significantly the lot of Hungarian minority. Some small concessions have been made but the major issues of economic discrimination, abolition of further sections in the Rumanian schools where instruction had been at least partially given in Hungarian, and dispersal of the intelligentsia into areas outside of Transylvania by job transfer are still as valid as ever. Even in the newly created purely Hungarian county Hargita, which composes the heart of the former Mures-Magyar autonomous region that had also been abolished this year, the Party Secretary and Council Chairman is a Rumanian, Ladislau Branis.

In view of the absence of any real reforms we must in conscience raise our voices again and request that compliance with the Universal Declaration of the United Nations on Human Rights, the 1947 Peace Treaty and even the 1965 Rumanian Constitution should be achieved by the present government of Rumania, with particular emphasis upon the fate of her nationalities, if the present government is sincere in seeking rapprochement with the West.

Mr. PHILBIN. Mr. Speaker, I deem it a great privilege today to join with my distinguished colleagues in urgently appealing for justice and freedom for the Hungarians in Transylvania and the Hungarian people in every land.

The Members of the House will recall that in 1965 and 1966, some of us deeply interested in these problems urged Secretary Rusk to intensify positive diplomatic intervention to help improve the situation in Transylvania.

Many things have transpired since that time, and there have been great changes taking place in Rumania, involving further detachment from Soviet policies and foreign economic matters, and even in lesser international issues with resulting liberation in some areas of the current regime in that beleaguered nation.

During the past few months, there has been an obvious relaxation of existing police state methods, but we can by no means deduce from this favorable development that there would be necessarily the same hope for the Hungarian minority.

To be sure, vocal Western disapproval and fear of further alienating Hungary and the U.S.S.R. lead to surface concession in some fields, like the restoration of the freedom of the Roman Catholic Bishop Aron Marton, and the administrative reorganization of February 16, 1968.

Unfortunately, the basic conditions of economic discrimination, forced dispersal of the intelligentsia into regions outside of the province, an assignment of meager funds only for the development of the Hungarian-inhabited regions still continue.

In addition, the school problem remains acute and has deteriorated, especially at college and university levels, for the Hungarians in Transylvania, even beyond the 1965 status.

Moreover, religious freedom, as such, is very incomplete and uncertain, and the cultural life of the minority, is still stifled and muffled by an insufficient number of available publications, and the requirement of mandatory publishing of at least half of the translations from the Rumanian literature.

As Rumania proceeds slowly, but apparently steadily, to recover its national identity, its Communist government should be warned in unmistakable terms that return to the community of nontotalitarian nations will not be possible until freedom from persecution and free, cultural, and economic development is assured for minority groups, particularly the numerically largest and historically oldest nationality group: the Hungarians of Transylvania.

I believe that it would be relevant. and just, and in the best interest of American policy, and our well-recognized, worldwide, renowned posture and support of freedom, if our State Department were to present its contemporary views reiterating its interest in and concern for the persecuted, suppressed, and harassed Hungarians of Transylvania.

These people are not unique in the world in the crass denial of personal liberty they have suffered. They are entitled to respect for their human rights, for their age-old traditions, and for the aspiration we share with them for group and nationality identity of a historic people that has made such noteworthy contributions to the culture of many nations, as well as its own.

I think our great Nation has the plain duty to speak out in strong declarative, unmistakable terms on this great, human issue, so that the status of the Transylvanian Hungarians may continue to be improved, hopefully, until they are totally liberated from any suggestion of autocratic, despotic, police-state controls, and permitted to live their own lives under conditions of law and order and respect for the rights and dignity of man.

I want to thank and compliment Dr. Z. Michael Szaz, Executive Director of the Council for Hungarians in Rumania, and the members of his council, for the marked ability and zeal with which they are pursuing their goals.

I feel that their efforts contributed in no small measure to the general improvement in the existing situation affecting the Transylvanian Hungarians and I hope and pray that this improvement will be realized henceforth in even greater measure. These people are worthy and wonderful and richly deserve our interest and assistance and I hope and pray they will rapidly regain the precious blessings they once enjoyed.

Mr. ST. ONGE. Mr. Speaker, it is with

pleasure that I am joining my distinguished colleague from New York in calling the attention of this House and our Government to the continuing deprivation of human and civil rights that is occurring in Communist Rumania, despite the tendency of that government to have different opinion from the Soviet Union on certain issues.

Two years ago, a large number of us in the House exposed the plight of the nearly 2 million Hungarians in Transylvania in speeches, draft resolutions, and a memorandum to Secretary Rusk. We have been waiting ever since for a material improvement of the conditions under which the citizens of Rumania, particularly those of Hungarian nationality, are living.

Next week Deputy Prime Minister and party presidium member Alexandru Barladeanu is arriving in Washington for a visit, which Washington Evening Star columnist Bernard Gwertzman calls the highest bilateral visit between the United States and a Communist country since Tito's visit in 1963. I believe that this is an appropriate occasion when we must review the situation.

Unfortunately, some small bright spots are mixed with heavy black patches as far as the Hungarians of Transylvania are concerned. The question remains unsolved, the Hungarian sections continue to be disbanded, even the last higher educational institutions, like the mixed university at Cluj—Kolozsvar—and the medical and teachers colleges at Tirgu Mures—Marosvasarhely—have Rumanian majorities both among the students and faculty. The administrative unity of the only compact Hungarian bloc—600,000—in southeastern Transylvania was further broken down by the reorganization of the former regions into countries, and the dispersion of the professional and government officials and teachers continues unabated.

The only bright spots are the lifting of the house arrest of Bishop Aron Marton and the abolition of visa requirements with Hungary. Thus, the hopes that foreign policy initiatives of an independent character would result in internal liberalization have not been fulfilled. We must remind ourselves that our commitments at home and abroad have been to the rights and principles expressed in the Universal Declaration of Human Rights of 1948 and to personal freedom. Thus, if the Rumanian Government is sincerely interested in improving relations with us, I would suggest that the best way would be a wide ranging reform of its policies toward its own citizens, and last but not least toward the Hungarian minority in its midst.

GENERAL LEAVE TO EXTEND

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

A NATIONAL EXAMPLE OF SOUND LOCAL LAW ENFORCEMENT: ROCKINGHAM COUNTY, N.H.

The SPEAKER. Under a previous order of the House, the gentleman from New Hampshire [Mr. WYMAN], is recognized for 30 minutes.

Mr. WYMAN. Mr. Speaker, passage of the crime control bill by this Congress last week authorizes substantial additional Federal funding to State and local community law-enforcement agencies. Implicit in such funding is the requirement of approved plans for coordination of local efforts in the continuing fight against crime in the United States.

As other communities seek to provide for the improvement in law enforcement for their residents, I suggest that they take a long, careful look at the proud accomplishments of Rockingham County, N.H., under the able direction of a conscientious and dedicated high sheriff, George Sampson. With this in mind, I want to report to my colleagues the newsstory of Maurice McQuillen, veteran reporter of the New Hampshire Sunday News, appearing in the edition of June 2, 1968. Under the caption "Police, County Sheriffs Team Up," Mr. McQuillen described the accomplishments of this law-enforcement program, as follows:

> For less than 62 cents a year per capita, Rockingham County citizens receive an impressive police protection package from their sheriff's department.
>
> Operating on a modest $80,364 budget, the department has become a model for not only the other nine counties in New Hampshire but also many neighboring States.
>
> Closely cooperating with local police departments in 31 towns and cities, the Rockingham department is providing:
>
> 1. Round-the-clock communications—radio, telephone, and police teletype: since January 1, a total of 1,670 teletype messages have been handled for local authorities. This is the second highest number in the Nation.
> 2. Fast back-up manpower: No longer need a local chief or officer go it alone. Stopping a suspicious auto late at night, investigating a break or prowlers, he has only to call on his radio to get a deputy's patrol car or other neighboring police to stand by in case he needs help.
> 3. Riot squads: A force of 22 men specially trained in crowd control including the sheriff and eight full-time deputies, plus additional part-time deputies and neighboring police, can be mustered quickly, "if hell breaks loose anywhere in the county."
> 4. Central records: "Mug" photos and records on all criminals and suspects ever arrested or investigated in this county.
> 5. Help with local police paper work and legal red tape, the bane of many a small-town law-enforcement officer, is offered by the sheriff's department staff.
> 6. A free police training academy that already has trained 155 law-enforcement officers at the grassroots level in a down-to-earth, easy-to-comprehend course taught by some of the Nation's finest instructors.
>
> Proudly, High Sheriff George Sampson, of Brentwood, boasts that Rockingham County for several years has had a "police protection district" on a cooperative, mutual-aid basis at little cost.
>
> The academy was organized by Deputy Sheriff Donald Herron, of North Hampton, former major in the Maine State police, who retired after a 20-year career, the last 9 of which he was deputy director of the State police academy.
>
> It would cost the State at least $100,000 to duplicate the police training academy he has set up "for free," Deputy Herron insists.
>
> This "fastest growing county in the Nation" became acutely aware in 1966 that, because of its proximity to the larger urban centers south of the State line and the ever-improving highway network, it could expect more and more attention from undesirable characters.
>
> Alarmed because many Rockingham County towns were small rural communities with untrained part-time police chiefs, that the drug problem was increasing and there had been a 20-percent increase in crime in other nearby areas, it was decided to set up the police training academy.
>
> Deputy Herron enlisted the aid of the FBI, the Federal Bureau of Drug Abuse Control, the School of Criminology at Harvard, Northwestern University, many Federal and private agencies and associations. The program included 90 hours of classroom instruction plus firearms instruction on the county range.
>
> One hundred and fifty-five police officers and deputies—including 14 police women—successfully completed the course and were awarded diplomas. They came from all 37 towns and cities in the county. Ninety are now enrolled in an advanced course.
>
> Sheriff Sampson, himself a former small-town police chief (Brentwood) and deputy, is a strong believer in local autonomy with informal cooperation at the grassroots levels between towns and the county. He is dead set against centralized "police state" authority which takes law enforcement out of the hands of the police who are directly accountable to the citizens they serve.
>
> This was his philosophy when he was elected sheriff in 1959 and set about reorganizing the sheriff's department.
>
> Little by little, he persuaded local chiefs it would be a good idea if they could get their towns to give them police radios. His office would handle the dispatching and relaying of calls. Thus, a citizen in any town or city in the county needing a police officer can call the sheriff's office and expect prompt action.
>
> His clerk-dispatchers are three women who run the communications center around the clock. They keep track constantly where local police chiefs or their men can be reached.
>
> Sampson set up a similar communications system with State police and other departments throughout the Nation via the police teletype network. Thus, police of 31 towns in the county are now able to get calls, help, and information from one another, the people they serve, and other law-enforcement officials.
>
> Last year, Sheriff Sampson initiated roving night patrols by his deputies. They are able to provide back-up service to local authorities whenever they radio they would like assistance.
>
> These roving night patrols have come to the aid of many a stranded motorist and accident victim. Ambulances and extra police have been quickly summoned. Local police in neighboring communities help one another in team efforts when conditions warrant.
>
> The sheriff's department stands by with seven vehicles plus a rescue boat and a jeep to assist, as needed, in addition to carrying on normal duties of the sheriff's office.
>
> It turned over to other law-enforcement agencies last year in excess of 200 cases involving drunken driving, reckless driving, and other motor vehicle violations and criminal cases.
>
> Deputies last year made 384 arrests ranging from misdemeanors to felonies as well as 131 arrests on capiases, court orders, and legal processes for the courts. In 1967, stolen property recovered by the deputies totalled $78,465. The sheriff's budget for that year was $76,000.

I have looked further into the background of this splendid, cooperative, constructive law-enforcement effort, in an effort to see how it was established. Sheriff Sampson had long felt the great need of a training school being established in his county for all law-enforcement officers who were qualified to attend. He was deeply concerned over the drug abuse and narcotic problem which was beginning to rear its ugly head in New Hampshire and in Rockingham County back in 1966 and he felt that even in the Granite State there might be an increase in crime, particularly crimes of violence, for which the officers should be trained and prepared to combat. It was a known fact that many of New Hampshire's smaller communities did not have either the money or the facilities to train their police personnel and that they could not travel great distances as many of them had to work 8 hours a day in other endeavors in order to make a living for their families. The organized police departments had no training facilities which were available to other law-enforcement agencies in the county.

With this in mind Sheriff Sampson recruited the capable assistance of Donald M. Herron, a retired Maine State police official, to be director of training for a police training school to be called the Rockingham County Police Training Academy. After much planning, preparation of courses, and securing of instructors, all of the many details that have to be worked out in this type of program were accomplished and the training academy became a reality. Sheriff Sampson sent four of his deputies to Framingham, Mass., where they were trained in expert firearms instruction, by Capt. William Owens, a fully accredited instructor in this field. Two deputies were sent to Washington where they received a fine course and series of lectures on drug abuse and narcotics. Men were detailed to attend special seminars and courses at St. Anselm's College in Manchester. Deputy Christie, hired as night patrol officer, was authorized to continue his law-enforcement education at Northeastern University.

In the spring of 1967, 157 persons started attending classes at the Rockingham County Justice Building. They received 90 hours of classroom instruction and 18 hours of field instruction, including firearms, proper mechanics of arrest and judo. The instructors for this academy, along with Deputy Herron, came from the FBI, the National Auto Theft Bureau, and the Federal Bureau of Drug Abuse Control, as well as lawyers, judges, and the Rockingham County Attorney, Mr. Graper. Included in the school was an entire course on police and press relations in which all officers attending had an opportunity to discuss the various press relation problems with the people who represented every news media coming into Rockingham County. All of the instruction offered at the academy was free to all of those who attended, and with the exception of the director's salary, was at no cost to any of the communities represented.

On January 21, 1968, at the graduation ceremony, 150 police officers received diplomas. These officers were not only thus better equipped to serve in their respective communities, but they were sincerely motivated by a desire to increase their personal efficiency and to become better public servants. Thirty-five courses were taught in the first academy session. A list of these courses follows:

Law of arrest.
Police authority to detain, interrogate, and investigate.
Immunity from arrest.
Rules of evidence.
Continuity of evidence.
Public relations.
Court procedure and the officer in court.
Law enforcement and human relations.
Accident investigation.
Accident records and reporting.
Moral aspects of law.
Enforcement.
Preparation of cases for trial.
Report writing—records and reports.
Search and seizure.
Due process in criminal interrogation.
Interrogations—in custody; interviews.
Confessions (new rules).
Auto theft—interstate.
Transportation and investigation.
Criminal law.
Criminal investigation—crime scenes.
Sex and crime.
Motor vehicle law.
Interviewing a witness.
Disposition of prisoner following arrest.
Patrol techniques.
Narcotics—narcotic investigation.
Surveillances.
Mechanics of arrest—judo.
Complaints and warrants.
First aid.
Portrait parle.
Firearms training—classroom and range.
Civil disturbances.

Requests for more men to attend the present second session of the academy were received with new enthusiasm. The second session, which has been operating for the past 6 weeks, is comprised of dedicated, earnest, responsible law-enforcement officers. A new program, entitled "Law Enforcement and Community Relations," has been added to the curriculum, again at the suggestion of Sheriff Sampson. Included among the teachers in the current session is Robert L. Donigan, general counsel at Northwestern's Traffic Institute. Emphasis is being placed on instruction in courtroom procedures and the proper role of the officer in court. Mock trials are held.

When the present class is graduated this fall, every town in Rockingham County and the city of Portsmouth will have had representatives graduated from the academy. This training has enhanced their police knowledge and techniques and has brought law-enforcement agencies closer together and given them greater ability to communicate in the fields of police knowledge and information.

Sheriff Sampson has insisted that every man who is a member of his department, including the special deputies who are members of the special riot control unit, be graduated from the academy. After the completion of the present session there will be an advanced police training program to be attended by all members of the Rockingham County sheriff's department. In-service training programs are kept current and operational as well.

This academy has proven that training programs such as this can be held at very little cost to the taxpayers and that the law-enforcement agencies and our Federal services are more than pleased to have the opportunity to assist in offering agents and instructors. This not only helps local officers but brings the several law-enforcement agencies together.

Mr. Speaker, I have taken this time to cite this example in Rockingham County, N.H., of what can be done by a forward-looking, intelligent, and constructive law-enforcement program. In this time of crisis in crime, with the public demanding protection through law and order, congratulations are in order to Sheriff George Sampson, Director Donald Herron, and to the fine officers and men of Rockingham County. I am proud to have this opportunity to bring this splendid example to the attention of the Nation to show what can be done to help meet this critically important domestic problem.

THE SECOND AMENDMENT

The SPEAKER. Under a previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 30 minutes.

Mr. WHITENER. Mr. Speaker, in recent years there has been a growing public interest in legislation affecting the right of the people to bear arms. This interest has been heightened by the assassination of President Kennedy and his brother, Senator Robert F. Kennedy.

Because of my direct concern with this matter as a member of the Committee on the Judiciary considering legislation relating to guns and ammunition, I have sought to ascertain some of the historical background of the second amendment to the Constitution.

This amendment provides:

> A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

It appears that the second amendment, since adoption in 1791, has received very little attention from the Federal courts or from legal scholars. This presents something of a problem to the researcher who has a genuine desire to make an in-depth study of the effect of the amendment upon legislation now under consideration.

There is, however, historical data relating to the genesis of the concept of the right of the people to bear arms. This available material deals with the English Bill of Rights and the subsequent adoption by the American colonists of the Bill of Rights which appears in our Constitution. The second amendment was made a part of our Bill of Rights at the insistence of several of the States, including North Carolina, whose people were unwilling to adopt the proposed Constitution if the Bill of Rights was omitted from it.

The English Bill of Rights had great influence upon the writers of our Constitution and is a direct antecedent of the language in the second amendment.

The English Bill of Rights of 1689 was involved in the revolution settlement which saw James II exiled and William of Orange crowned in his stead. The English Bill of Rights set forth the rights of the people, including the right to bear arms.

The people of England, having been oppressed under the rule of James II by the maintenance of a large standing army to further his objective of advancing catholicism in England, rose up in opposition. They had seen that the army was being officered by Catholics to the exclusion of Protestants, many of whom were Catholic recruits from Ireland as James II sought to strengthen the army's allegiance to him.

These oppressive practices resulted in William of Orange being made the ruler of the British Empire. Parliament, responding to the demands of the people, agreed on a Declaration of Rights which later was enacted into the statutes as the English Bill of Rights—Trevelyan, "The English Revolution, 1688–1689."

After enumerating the several grievances against the Crown, the Declaration of Rights in clause 6 recited that King James II "did endeavor to subvert and extirpate the Protestant religion, and the laws of this kingdom."

After stating the complaint of the people the document reasserted the ancient liberties of the people as follows:

> That the subjects which are Protestants, may have arms for their defence suitable to their conditions, and as allowed by law.

When the Continental Congress gathered in Philadelphia in 1776 to prepare the document which would evidence a complete break with Great Britain, the Declaration of Independence was proclaimed. Among the grievances considered by the Continental Congress and set forth by Jefferson we are told that none were of greater moment than those against oppression by military rule. This fear of military power was based upon experience by the Colonies.

In 1768 the royal Governors furthered their military rule by the establishment of a British garrison in Boston to suppress the Colonists. The revolutionary leaders in America immediately commenced to express their outrage through the issuance of pamphlets and other publications and developed ideas which found themselves translated into words in the Declaration of Independence, the Constitution, and, finally the Bill of Rights.

Jefferson, John Dickinson, and James Wilson decried the use of military force as an element in the Crown's "plan of reducing the colonies to slavery."

Samuel Adams, being greatly concerned about the presence of British troops in Boston, said:

> It is a very improbable supposition, that any people can long remain free with a strong military power in the very heart of their country: unless that military power is under the direction of the people—Rossiter, "Seedtime of the Republic," 387 (1953).

One of the immediate causes of the Revolutionary War was the attempted seizure by the British of the colonists' arms at Concord. Thereafter in the declaration of the causes and necessity of taking up arms of July 6, 1775, the Colonists contended that one cause of the war was the requirement that the inhabitants of Boston surrender their arms to the oppressors—"Sources of Our Liberties," 19, Perry edition, 1959.

The American States in their early constitutions were particular in guaranteeing to the people the right to bear arms. Several of the constitutions secured this right to the people as a means of "defense of themselves." This was later carried forward in the Federal Constitution when the authors placed great emphasis upon diffusing military power. The second amendment combined the concept of the establishment of a well-regulated militia and the bearing of arms by the people in defense of themselves.

Almost half a century later the eminent Supreme Court Chief Justice Story reflected the views of the colonists when he recognized that arms bearing by the populace was a crucial ingredient of a free country. He contended that such a right provides a strong check against arbitrary powers in the hands of a few and prevents the establishment of a military dictatorship—2 Story, "Commentaries on the Constitution of the United States," 609, 1855 edition.

A cursory examination of the actions of the states, in adopting constitutions under which the peoples of their jurisdictions would live, shows that there was great concern for the right of the citizen to bear arms. The Pennsylvania Constitutional Convention declared "that the people have a right to bear arms for the defense of themselves and the State."

In Massachusetts, the right was described in terms of "to keep," as well as "to bear," arms.

When the Massachusetts ratifying convention met it became the first State to propose amendments to the draft Constitution. At that convention Samuel Adams brilliantly enunciated his concept that the right to keep arms was a personal one. He proposed an amendment asserting, among other things:

> The Constitution be never construed to authorize Congress to . . . prevent the people of the United States, who are peaceable citizens from keeping their own arms.

The ninth State to ratify the Constitution, New Hampshire, conditioned its approval on the adoption of a bill of rights to be considered by the Congress at its first session. Among these was the provision:

> Twelfth: Congress shall never disarm any citizen unless such as are or have been in Actual Rebellion. (Dumbauld, Bill of Rights and What It Means Today, 11 (1957)).

At the Virginia Convention Patrick Henry expressed alarm that under the proposed Constitution "you are not to have the right of having arms in your own defense."

After much debate James Madison agreed to champion a bill of rights in the first session of Congress. On June 8, 1789, he offered amendments among which was the following:

> The right of the people to keep and bear arms shall not be infringed; a well armed and well regulated militia being the best security of a free country: but no person religiously scrupulous of bearing arms shall be compelled to render military service in person.

While the language finally used in the second amendment to the Constitution varies from that proposed by Madison, it will readily be seen that there is more difference in verbiage than in meaning.

As the Congress considers legislation dealing with the right of the citizen to bear arms it should not be overlooked that the constitutions of 35 States guarantee the right to bear arms—"The Right To Keep and Bear Arms," 12 Marq., L. Rev., 138, 1928.

While there are limitations and some difference in language in all but 13 States, which refer to the "individual," the right is qualified as pertaining collectively to "the people" or "the citizens." Only three States exactly reproduce the terms of the second amendment to the Federal Constitution, but two others repeat the words with additions.

In considering Federal legislation to accomplish the objective of limiting the right of the people to bear arms the constitutional history of our Nation must be considered. One writer has stated:

> Any legislation, Federal or otherwise, that unreasonably infringes upon the purchase, possession, or use by individuals of legitimate firearms must be struck down in its inception as an undue restraint on the right to bear arms. Since an absolute ban on the possession and use of all firearms by the citizens of the United States and the several States would definitely be unconstitutional under the present interpretation of the second amendment, a point must be reached where in the exercise of the police power by the States or Federal Government, a regulation would be held to be an undue restraint on the right to keep and bear arms. Legislation that would in substance if not in form deny the citizen reasonably free access to arms of the type subject to protection would be unconstitutional as an infringement under the second amendment. ("The Right To Keep and Bear Arms," 31 (Albany Law Review 74).)

The same writer states:

> It seems safe to conclude under the Federal and State decisions that today the individual citizen generally has an unqualified right to keep rifles, shot guns, and larger pistols.

He further states:

> It is the irresponsible dealer who is one of the primary causes of weapons falling into the hands of criminals, and it is the dealer and criminal who should be subject to stringent penalties for the unlawful use of weapons, not the people.

In his conclusion of the article the same writer states:

> Although the Federal and State legislatures should regulate firearms, they must respect the right of the people to keep and bear arms for lawful purposes. To deny this right is to infringe upon the guarantees of the State and Federal constitutions and the liberties of the people.

Mr. Speaker, as we approach a decision on the proposal to regulate the sale, possession, and use of firearms in this Congress we must not lose sight of the constitutional provisions which appertain to our decision. It is my hope that there can be effective and constitutional legislation which will meet the problem of crime in our Nation.

I would not want to be involved in the writing and enactment of legislation sim-

ply for the sake of appearing to have done something to meet the intolerable crime situation in our Nation. Whatever we do must be sound and constructive. I urge all of our colleagues to seriously consider the constitutional history of our country. Whatever the results of our deliberations on gun legislation may be, we should studiously avoid destroying the constitutional rights of our citizens as guaranteed by the second amendment.

PRESIDENT JOHNSON'S ELOQUENT ADDRESS TO THE UNITED NATIONS GENERAL ASSEMBLY

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include President Johnson's address at United Nations.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, President Johnson has again made one of his most eloquent and important public statements in commending the United Nations for their approval of the nuclear nonproliferation treaty. The President said this is possibly "the most important step toward peace" in U.N. history.

As the President told the nations of the world,

> It is the most important international agreement in the field of disarmament since the nuclear age began.

In the President's address on the 25th anniversary of the nuclear age, last December, he called upon the nations of the world to speedily agree on a nuclear nonproliferation treaty to halt the dangerous spread of nuclear weapons. Upon this momentous event in the history of nations, the President pledged, "on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war."

It is "the brightest, most inspiring chapter in the long history of man."

I insert into the RECORD President Johnson's remarks to the United Nations General Assembly in New York:

REMARKS OF THE PRESIDENT TO THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK N.Y., JUNE 12, 1968

Mr. President, Mr. Secretary-General, Your Excellencies, Delegates to the General Assembly:

I have asked for the privilege of addressing you this afternoon,

—to acknowledge this momentous event in the history of nations;

—and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago, shortly after the awesome responsibility of leadership was thrust into my hands, I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recalled the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said,

"Let us pray that the tide has turned—that further and far reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations in Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world for their speedy ratification the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race and to achieve nuclear disarmament.

It will insure the equitable sharing of the peaceful uses of nuclear energy—under effective safeguards—for the benefit of all nations.

On behalf of the Government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulations. The questions—and the need—for disarmament are too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek—peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signatures;

—to sign it on behalf of our own government;

—and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty is entered into force—we of the United States will carry out our responsibilities under it—in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear-weapon party: not to transfer nuclear weapons, or control over them, to any recipient whatsoever;

—and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of the developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, agriculture, medicine, industry, and in the desalting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay, and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear-weapon power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic defensive and offensive nuclear weapons systems.

We shall search for an agreement that will not only avoid a costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armageddon. If my faith is well founded, as I believe that it is, then this treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the peaceful use of the atom.

When this treaty comes into force, the growing number of nuclear-power reactors around the world—with their inevitable by-product of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences have—in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, let us press forward.

—to halt and to reverse the build-up of nuclear arsenals;

—to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

In the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear, and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary-General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

To all of the delegates here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes;

And to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

MARTIN LUTHER KING, JR. AND THE LAW

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on April 4, 1968, this Nation sustained the loss of a great national leader when the Reverend Dr. Martin Luther King, Jr., was assassinated. Much has been said about the nature of the loss, the extent of the tragedy.

Out of all the many heartfelt comments some stand out as worthy of special notice.

On May 17, Jack Greenberg, director-counsel of the NAACP Legal Defense and Educational Fund, addressed the fund's institute luncheon. His remarks were entitled "Martin Lurther King, Jr., and the Law." In them he discussed the meaning and purpose of Dr. King's commitment and his unanswering faith in integration and nonviolence.

Concerning civil disobedience, Mr. Greenberg said:

> Dr. King long had proclaimed that if one is in violation of the law in the fulfillment of obligations of conscience, he should gladly pay the penalty as part of his witness against injustice, and, indeed, his commitment to the underlying legal system, which is the ultimate security of justice.

Mr. Speaker, I commend Jack Greenberg's statement honoring Dr. Martin Luther King, Jr. to the attention of my colleagues, as follows:

MARTIN LUTHER KING, JR., AND THE LAW

(By Jack Greenberg)

We could not have our annual commemoration meeting on the occasion of the May 17 Supreme Court decision this year without an appreciation of Dr. Martin Luther King, whose life was taken only one month and thirteen days ago. The striking thing about Martin King, particularly for his lawyers, is that his life helped determine the outer reaches, the full potential, of law in his time, while simultaneously defining its limits and disabilities.

It is no accident that he appeared on the national scene in 1955 in the Montgomery bus boycott, one year after the Supreme Court decision of Brown v. Board of Education. Brown set the stage on which he was to become a leading actor. For, it appears, moral pronouncements against racism, of which the country heard a good many for a century following the Civil War, were not to be taken seriously until after the law first spoke.

From 1955 on, we of the Legal Defense Fund represented him in almost all his legal involvements. The Montgomery bus boycott ultimately was resolved by Supreme Court decision. We were with him in St. Augustine, Florida; Albany, Georgia; Birmingham, Alabama; Selma, Alabama; Chicago; Louisville, and elsewhere.

While he was on the picket line at the head of the march, or in jail, we were in the office, the library and the court room trying to secure his right to protest, to parade, hold mass meetings.

A fortnight before he died a number of us, including Leroy Clark and Melvyn Zaff, of our staff, and an LDF board member, Dean Louis Pollak of Yale Law School, met with him in Atlanta to plan legal strategy for the Poor People's Campaign. Today, working with Dr. Ralph Abernathy, we continue in that task.

Out of this intimate collaboration I learned that Martin King had a deep reverence for the law. The spectacular publicity given to his avowals of the right of civil disobedience was far out of proportion to attention accorded his dedication to lawful process.

Anyone must concede that at some time, and in some circumstances, law morally may be disobeyed. Supreme Court Justice Fortas wrote only last week in the *New York Times* that there was a moral right of civil disobedience against Germany's Nuremburg laws, and, of course, that is correct. Who, today, would say that Negro students were morally wrong to sit at Southern lunch counters in violation of segregation rules.

But that there is a moral right to disobey some law under some conditions does not mean that the right exists to disobey any law under any conditions. Dr. King never asserted that there was. Moreover, he acknowledged the moral duty to pay the penalty if law is disobeyed. He had a profound belief that all rights, if they are to be secured, must be founded in the law. A quotation from his writings illustrates how he viewed the relationship of law and direct action:

"Direct action is not a substitute for work in the courts and the halls of government. Bringing about passage of a new and broad law by a city council, state legislature or the Congress, or pleading cases before the courts of the land, does not eliminate the necessity for bringing about the mass dramatization of injustice in front of a city hall. Indeed, direct action and legal action complement one another; when skillfully employed, each becomes more effective."

Indeed, it is a fact, worth noting, that with one exception, in all the instances in which he was accused of having violated the law he never in fact did so. In each instance, with that exception, in which he was accused of having violated the law, the courts ultimately held that the disobeyed law was unconstitutional or that the accusation and prosecution were illegal.

That exception is instructive. During the Birmingham demonstrations of 1963 the city obtained, without notice, a midnight state court order forbidding the Good Friday and Easter Sunday marches Dr. King had planned. Believing that the injunction was unconstitutional, Dr. King refused to cancel the march and the Birmingham court found him guilty of contempt. The Supreme Court of the United States upheld the contempt citation by a vote of five to four last June.

Dr. King long had proclaimed that if one is in violation of the law in the fulfillment of obligations of conscience, he should gladly pay the penalty as part of his witness against injustice, and, indeed, his commitment to the underlying legal system, which is the ultimate security of justice.

And so, while in view of the nature of the offense, he was not subject to extradition, he voluntarily returned to Alabama to serve the sentence last summer. Dr. King felt that the jail sentence was a small enough price to pay for passage of the Civil Rights Act of 1964 that to a considerable extent was brought into being by the Good Friday and Easter Sunday demonstration.

He was not a dogmatic ideologue, but rather a pragmatic idealist. It is little noted, but the very first public protest in which he engaged, the Montgomery bus boycott, began, not as an effort to integrate buses, but to secure a more fair allocation of seats for Negroes, *within* the system of segregation. Yet, once intimately grappling with the problem, his thinking developed as he learned. He quickly advanced to the position that there could be no solution so long as racial separatism continued.

I recall the Selma demonstrations of 1965. At one stage the question arose whether Dr. King would lead the marchers over the bridge at Selma in violation of a federal court order and an agreement that he would not until after the court resolved the question of his right to march. The demand among his followers to proceed and proceed at once was pressing. It was difficult and perhaps impossible to hold them back. On the other hand, he wanted to give the court an opportunity to see that justice was done, but even he could not keep the pressure for action in abeyance indefinitely.

One night about 2 A.M. I was on the phone in a conference call with him and the Attorney General of the United States in which he was saying that he was being forced to march and could wait no longer, and the Attorney General kept repeating "Dr. King, you promised you would not." As this conversation went back and forth repetitively several times, Dr. King stated the overwhelming fact controlling the event: "But Mr. Attorney General, you have not been a black man in America for 300 years." That ended the exchange.

The fact is, however, that he exercised his leadership not to cross the bridge until after the court permitted it. There followed the triumphant march from Selma to Montgomery, which led to the Voting Act of 1965. That act, as you know, has remade the political map of the South.

One thing about Dr. King, which must not be forgotten, is that in these days of currents and cross-currents in race relations he never abandoned racial integration as a goal, or non-violence as a means for achieving that goal.

I believe that Dr. King made such a deep impact on his times, and all those who knew him, because he maintained, in inspired fashion, this tension between the legal and the moral. He knew that law without justice is tyranny, but he also knew that disorder tears the fabric of society. He was always willing to negotiate. But if negotiation was futile, or if others sought to use it as a cloak for inaction, he was prepared to march.

He had his failures, and to his credit they must be frankly acknowledged, for he did not fear to fail. Who can say what particular identifiable achievement came out of the demonstrations in Albany, Georgia or St. Augustine, Florida? He was at his best, as any moral affirmation is, when confronting some clear evil like a law requiring segregation or forbidding voting, or a simple symbol of wickedness such as Bull Connor, of Birmingham, or Sheriff Jim Clark, of Selma. He had some successes which were minor, only; for example, the Chicago fair housing demonstrations and those in Louisville.

Yet one cannot say that the failures were merely failures. They kept alive the spirit of the march, which is a spirit of non-acquiescence. How could there be an unbroken string of success against so monstrous a foe as racial injustice or poverty? And, one cannot tell when a minor success or a failure becomes after some time, something more important. The Louisville and Chicago fair housing demonstrations surely were building blocks out of which was constructed the Fair Housing Act of 1968, passed on the day following his funeral.

The justice some men seek is the change others fear.

The Poor People's Campaign embodies such justice and change. He began it, but it is being culminated by others who succeeded him. It may yet prove to be the right gesture at the right time, that component that creates a critical mass, which when put together with so many other things going on in this nation will measurably hasten the end of poverty and racism. We hope this will be so. We are doing, as lawyers, whatever we can to assure it.

But we recognize that it may not be so, and I am sure he recognized it also. That did not for a moment, and would not deter him from making the moral gesture. For some time to come the country will be able to continue drawing on the moral capital he left at the time of his death. When that expires, too, it may not be too much to hope, but it is only a hope, that we will need a man like Martin Luther King a little less. Because each of us may by then be slightly better for having learned his lesson, and having lived—only a little—the kind of life he preached.

THE OMNIBUS CRIME CONTROL BILL

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on June 6 the House passed H.R. 5037, the Omnibus Crime Control and Safe Streets Act of 1968, by a vote of 368 to 17.

Under a procedure which precluded any amendment, the Senate bill, which had been changed in major respects from the bill which the House originally passed in 1967, was sent to the President for his signature. The day before on June 5 the House, by a vote of 60 to 318, refused to send the bill to conference where the differences could have been ironed out.

The bill was adopted in great haste under a rule which prevented thorough debate and any effort to modify it. In view of the gravity of the constitutional issues raised by its provisions which would reverse landmark U.S. Supreme Court decisions safeguarding individual rights, I voted against this bill.

H.R. 5037 was adopted in the wave of feeling which gripped the Nation after the assassination of Senator Robert F. Kennedy. From an emotional standpoint, one can appreciate the feelings which led to this hasty action. But the sad truth is that it was an unthinking action—unworthy of the problem it purported to address and it was not the testament so many wished to make to the memory of the late Senator. That some were glad of the opportunity to utilize the national sorrow and push the bill through goes without saying. Those of us who voted against this bill did so with heavy hearts, knowing that many sincere people would fail to understand the importance of this action.

Senator Kennedy himself during the Senate debate was recorded in favor of the amendment which would have entirely stricken out title II and other amendments which would have eliminated the language in title II revising the Miranda decision on confessions, the Mallory decision on prompt arraignment, and also the language overruling the Wade and Stovall cases, since title II represented an attempt by Congress to limit and reverse the decisions of the Supreme Court concerning protection of the rights of individuals accused of crimes.

The Senator also asked that title III be limited and was recorded in favor of the Long amendment to entirely eliminate title III. Title III permits great latitude in the use of wiretapping and other eavesdropping devices and may seriously invade the right to privacy of all American citizens.

And, of course, the late Senator had been in favor of far stronger gun control measures than the Senate legislation included. Perhaps inadequate controls in this area could be worse than no controls at all; they may lull us into thinking that the problem has been properly addressed and tend to forestall further action.

Mr. Speaker, I am not alone in these views. In many quarters similar judgments have been made. Three newspaper editorials have come to my attention which make perceptive and pointed commentaries about this issue: They are the Washington Post, the Boston Globe, and the New York Times—all dated June 7, 1968.

I hope that my colleagues will read these editorials and at least in retrospect reconsider some of the judgments which led them to this unfortunate action. Perhaps there will be the opportunity to make legislative amends.

I have introduced H.R. 17879—the Gun Crime Prevention Act—in the House as Senator TYDINGS has done in the Senate. This is the strongest gun control legislation yet presented to the Congress and would be one opportunity to make such amends.

I hope that my constituents will have a chance to read these viewpoints and to understand the gravity of this problem. I am sure that many of them do already. I think those who do will appreciate having the intelligent reinforcement that these editorials provide.

The editorials follow:

[From the Washington Post, June 7, 1968]

VETO THE CRIME BILL . . .

Yesterday's furious passage of the Senate crime bill by the House of Representatives paid scant respect to Senator Robert Kennedy's memory and rendered no service at all to the principles for which he fought. Shabbiest of all the pretense that enactment of this repressive, punitive, authoritarian measure constituted a tribute to a man who believed deeply that the way to combat crime was to correct the social injustices and deprivations causing it.

Robert Kennedy, despite his absence from the Senate when the crime was under consideration, was recorded in favor of striking from the measure in its entirety Title II—the section of the bill which put Congress in the wholly improper position of reversing constitutional rulings of the Supreme Court—and in favor of narrowing Title III—the section permitting indiscriminate and almost universal electronic eavesdropping. And of course the Senator was long on record as favoring far more effective gun control than the Senate measure provided.

It asks a great deal of the President to call for a veto of the crime bill at a time when demagogues do not scruple to represent support of the Constitution as support for crime. Yet the bill in its constructive features—Title I and Title IV—gives the President only a shadow of the effective crime control devices he requested, while in its other features it grievously impairs American freedom. The country could be best served by rejection of this bill and by subsequent enactment and strengthening of its aid to local police forces and its regulation of the deadly traffic in firearms.

The bill, as sent to the President, is essentially an attack on the Judiciary by the Legislative Branch of the Government. The Executive Branch ought not to share in such a subversion of the tripartite structure of the American Government.

. . . AND TAKE AWAY THE GUNS

The shooting of Robert F. Kennedy and five other innocent persons in Los Angeles was merely the most sensational of numberless shootings that took place in the United States on Tuesday night. Here in Washington, at a Georgetown hamburger shop, two young Marine lieutenants, 20 and 21 years old, were shot dead and a third officer and a young woman were wounded by gunfire at almost the same moment that the tragedy occurred in Los Angeles.

The United States can put a stop to this senseless slaughter—or at least very greatly lessen it. Congress has it within its power to do this simply and effectively, as every other civilized country has done it—by bringing the sordid traffic in guns under control. There were, as President Johnson said yesterday, more than 5000 homicides by firearms in this country during 1967—not to speak of suicides and accidental shootings which brought the year's death toll from guns up to about 18,000. Gun homicides are fewer than 50 a year in England or in Japan.

Thanks to the insensate obstructionism of the National Rifle Association, the gun-control provisions of the current omnibus crime bill are piddling and ineffectual. It is time now to deal with the gun peril in this country definitely, on its own merits and in a distinct piece of legislation, not squeezed casually into a hodge-podge measure of doubtful constitutionality. We applaud most warmly the President's appeal to Congress "to enact a strong and effective gun control law, governing the full range of lethal weapons." But control must go beyond the purchase of firearms. It must govern possession as well.

Regarding pistols and revolvers, the control should be just as rigid as possible. No one ought to be allowed to possess one of these weapons, designed only for the killing or maiming of human beings, unless he is a member of the military, a law-enforcement officer or an individual whose peculiar occupation and circumstances require him, in the judgment of the police, to possess a handgun for self-protection.

In short, private sale of these weapons should be ended. Everyone now possessing a pistol or revolver should be required to turn it in to police authorities by a fixed date—with just compensation, of course. Licensed shooting galleries and clubs may be allowed to keep such guns under stringent controls for target shooting purposes. But unlicensed possession of one of these weapons by anyone should be subject to severe penalties.

Possession of sporting rifles and shotguns should be limited strictly to law-abiding, responsible adults; and every one of these weapons should be registered, along with all sales of ammunition for them. Regulations should be formulated also for the responsible handling of these firearms, requiring that they be kept unloaded and disassembled except when being employed at appropriate places for target shooting or hunting. Better still, perhaps, they should be kept, as in Japan, at gun clubs where they can be obtained by their owners when actually needed for sport.

These measures will not forbid legitimate and reasonable use of guns for lawful purposes. They will, however, make it extremely difficult for criminals, lunatics, children and assassins to acquire guns. And they will reduce the tragic incidence of shootings by infuriated or intoxicated or careless individuals who happen to find a gun handy when they lose control of their minds or their tempers.

The frontier has passed from American life. Americans now live in much too close proximity to each other to leave guns lying around at random for their mutual destruction. The one redeeming benefit that could flow from the Kennedy tragedy in Los Angeles is effective action to save the lives of his fellow Americans. Common sense and a decent respect for the sanctity of human life command the President and Congress to deal with this peril now.

[From the Boston Globe, June 7, 1968]

A SHOCKING MEMORIAL

It will be a shocking memorial to Sen. Robert Kennedy, who fought so hard for justice and believed so ardently in the cause of civil rights, if the Omnibus Crime Control and Safe Streets bill of 1968 actually becomes law.

The Senate passed it May 23 by a vote of 72–4. The House, shaken by Wednesday's violence, passed it by an equally lopsided vote Thursday. But it is monstrous legislation, most of the provisions of which would be at best ineffective and at worst unjust and obstructive.

One reason why the bill was so ardently supported Thursday was that it has in it provisions for controlling guns. But one provision, which both Robert and Edward Kennedy strove in vain to modify, would give us a very weak gun law which would only regulate handguns in interstate commerce and would not touch rifles, shotguns or deadlier military weapons.

A second provision would make it a crime punishable by a $10,000 fine and/or two years for anyone to own a firearm who has been convicted of a felony, received less than an honorable discharge from the armed forces, been judged mentally incompetent, renounced his citizenship or is an illegal alien. Obviously, such a law would go too far since it would, for instance, apply to income tax evaders and people who have broken laws which have nothing to do with violence as well as to dangerous criminals and madmen.

Title II would sweep out the Supreme Court's Miranda, Mallory and Wade civil rights decisions, which guarantee the Sixth Amendment right to counsel. Miranda and Wade were decided on constitutional grounds and therefore cannot be overturned by such legislation.

Title III broadly extends wiretapping powers. Title V bars from Federal employment for five years anyone convicted of a riot-connected felony as determined by heads of Federal agenices, who doubtless would have conflicting standards. Title VI requires the advice and consent of the Senate in the appointment of the director of the FBI, as though he were a Cabinet member or ambassador instead of a department head serving under the Attorney General.

If this sloppy and reactionary legislation would have any effect at all on crime and violence and safety in the streets, it would be to make things worse. The bill is not only an assault on the liberties of all Americans, but is irrelevant to the real problems of the nation as well. It must be vetoed by the President.

[From the New York Times, June 7, 1968]

"Cruel Hoax": Veto Called For

A spectator listening to the debate in the House of Representatives on the so-called "crime-control" bill during the last two days prior to its final passage would have reason to doubt whether the Bill of Rights could get fifty votes if it were up for consideration. The tone and quality of the debate would have dismayed Thomas Jefferson and James Madison if they had had the misfortune to hear it.

Members of the House were more intent on demagoging against crime and putting themselves on record in favor of law and order than they were in analyzing the grave defects of this bill. One of the worst failures in the bill is its feeble provision on gun control. Rifles were used to shoot down President Kennedy and Dr. Martin Luther King Jr. But this bill permits the murderous mail-order traffic in rifles and shotguns to continue. The bill does ban mail-order sale of pistols and revolvers, but it does not even require registration of the ownership of these dangerous weapons with the police.

Registration of weapons is no more of an inconvenience than registering an automobile or obtaining a prescription for a drug. In arguing against registration, the gun lobby constantly points to the Constitution's protection of the right to bear arms. But the Constitution also assures the right to vote; yet to exercise that right every citizen must register. Why should owning a gun be more sacrosanct than the right to vote?

Title II of this bill is an attempt to overrule recent Supreme Court decisions on the admissibility of confessions in Federal courts, methods of arraignment of suspects, and police procedures in the questioning of suspects. Many members of Congress talk as if suspects are presumed to be guilty. Most of Title II is undoubtedly unconstitutional because two of the major decisions Congress attempts to overturn were founded upon provisions of the Bill of Rights and cannot be reversed by a mere statute. In short, this Congressional vaporing will promote confusion and help no one.

Title III would permit the sweeping use of wiretapping and electronic devices for comparatively minor suspected crimes and with inadequate court supervision. Only legislators who have forgotten the history of the long struggle for human liberty could sanction this reckless invasion by the Government of the privacy of the individual.

Except for the financial assistance for local police forces, virtually nothing in this measure is going to assist in combating crime on the streets. Representative Celler of New York has accurately described it as "an illusory bill which was a cruel hoax on people whose fear of crime is a fact of life."

After the House approved it yesterday, President Johnson sent a letter renewing his request for tighter gun controls. We trust the letter is not an indication that the President intends to become a party to this hoax on the crime issue. We urge him to return this monstrous bill to Congress with the veto it deserves.

THE WHOLESOME MEAT ACT

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, on May 24, 1968, I—along with Congressman William J. Scherle, of Iowa—wrote to Secretary of Agriculture Orville L. Freeman, asking him to comment on an article that appeared in the May 20, 1968, issue of the National Observer with respect to an indiscreet Government memo issued preliminary to the adoption of a broadened meat inspection program, the Wholesome Meat Act of 1967. In that letter to Secretary Freeman, we stated as follows:

> We do not question, Mr. Secretary, that unsanitary conditions in one degree or another have existed in the meat industry; hence, Congressman Scherle and I extended our strong support to the Wholesome Meat Act of 1967. The vital issue to be resolved here is whether or not there have been misrepresentations designed to influence legislation and whether or not there has been a resort to unethical means to attain a legislative objective.

Mr. Speaker, Secretary Freeman has replied to this communication under date of June 11, 1968, with a letter that is something less than convincing, both as to the propriety and ethics of such a device. But because this obviously is a matter of judgment—and in order that our colleagues might be afforded the opportunity of making their own decision on this matter—I am, along with Congressman Scherle, submitting to the Congressional Record copy of the pertinent memo, copy of the letter directed to Secretary Freeman, and copy of the Secretary's reply. These items follow:

[Extract from the May 20, 1968, issue of the National Observer]

U.S. Government Memorandum

(U.S. Department of Agriculture, Consumer and Marketing Service, Compliance and Evaluation Staff, 500 South Ervay, Dallas, Tex.)

Administratively confidential; top priority; rush project: July 27, 1967.

To: All Dallas area compliance officers.
From: Wilbur F. Michael, officer in charge.
Subject: Special project (quick, quiet, and confidential).

Effective immediately, we are to discontinue all other C&ES work and devote full time (plus any overtime necessary to effectively complete this assignment) to "Project QQ&C." Overtime will not be authorized for travel.

The information we will gather at Non-Federally Inspected (NFI) plants in this effort is to be used at Congressional hearings now being held in connection with the proposed amendment (HR-6168) to the Meat Inspection Act.

For the purpose of this project, the following areas of responsibility are assigned: Barrett—Colorado and Oklahoma; Halverson—Arkansas; and Ramos—Texas and Louisiana.

We have been designated to make this "survey" since our presence in NFI plants would attract less attention than any other USDA personnel, as we are normally in and out of these plants.

This project consists of 3 parts, as follows:

1. You are to gain entrance into NFI plants (slaughter and/or processing) under the guise of (a) meeting local inspection personnel to gain cooperation in our normal C&ES work, (2) discussing our denaturing and decharacterizing requirements with management, (c) etc. This should be done quickly and *quietly in such a manner that no one is aware of the real purpose of your visit.* This will require a very discreet approach and may tax your imagination. Other approaches used to gain entrance to NFI plants are: (1) requesting management's permission to check their freezers for product bearing Federal Marks of Inspection that might be forged or counterfeit. (2) explaining to and showing management how Federal Marks of Inspection must be obliterated before used containers are filled.

The sole purpose of your visit is to observe, and for each plant visited, submit a written report direct to B. H. Rorem, Acting Director, C&ES, USDA, South Agric. Building, Room 2614, Washington, D.C. 20250, (Copy to me), listing any deficiencies noted that indicate a need for tighter inspectional controls. You are not to limit your observations to the following, but examples of things to be checked are: (a) Plant Facilities—window and door screens, drainage, types of floors, ceilings and walls, lighting, welfare facilities, equipment, etc., (b) Environmental Sanitation—Availability of sterilizers for equipment used on diseased or contaminated meat, hand washing facilities, cleanliness of employees and their clothing, spitting on floor, cleanliness of equipment (describe type of dirt or filth, stipulate amount only if excessive), etc., (c) Inspectional Procedures—lack of or inadequate ante and post mortem inspection, temperaturing of cooked product containing pork, labeling controls, etc., (d) 4-D type Animals Held in livestock pens for Slaughter—Cancer-Eye, downers, deads, cripples, (e) Plant Operations Procedures—meat and/or product in contact with floors contamination of carcasses with manure, pus, dirt, etc., in dressing operation, deceptive packing, etc.

Plants selected for this survey will be those in which you would expect to find the most discrepancies. In other words, look for "horrible examples."

2. In 1963, Dr. M. R. Clarkson prepared a

report concerning a comprehensive fall and winter survey made in 1962 by MID of intrastate meat packers and processors in 48 states. Their report showed there was widespread use of false or deceptive labels or packing and that much intrastate meat contained diseased tissues and spoiled, putrid, filthy materials.

Please submit a report to me stating what each of the states you are concerned with, has accomplished in the way of corrective measures (as new laws, etc.) since 1963.

3. You are to each collect a minimum of five retail samples of NFI produced meat food product. If time permits and you find additional products you feel should be sampled, feel free to do so. It is expected that most of this sampling will need to be done on Saturday and Sunday. This will leave the weekdays through next Wednesday for your survey of NFI plants. Incidentally, all of this work must be completed by Wednesday, August 2, 1967.

The samples are to be air mailed to the Meat Inspection Laboratory, U.S. Court and Customhouse Building, 1114 Market Street, St. Louis, Missouri 63101. You should select product you believe might be violative. Be sure you get labels if available. Labels should be attached to the 6th copy of the MI–422, which will be mailed directly to Rorem. You keep the 7th copy and mail 5th copy directly to me. Original and all other copies should accompany the sample. If hamburger is sampled, be sure it is produced in a meat plant and not ground by the retail store. Purchase and use dry ice you feel necessary to pack with your sample. Contact your nearest MI office for sample mailing containers, bags, etc.

Attached is a specimen copy of MI–422 to be used as a guide in their preparation. Be sure all information shown on the specimen is included. In block #3, show "Non-Inspected–1" for your first sample, "Non-Inspected–2" for your 2nd sample and so on.

Use the attached chart to determine the particular analyses you desire laboratory to do. Desired analyses not printed in blocks on the MI–422 should be written in the "other" blocks.

Also attached for your use is a paper listing "Analysis Which the MI Laboratories are Able to Perform," including species determination and coagulation tests to determine highest temperature attained in cooked products. Suggest this analysis be made on smoked sausage to determine if possible live trichinae have been destroyed.

In your reports of plant "surveys" it is suggested you use dramatic, graphic terms with impact, such as cancer-eye, pus, manure, disease, excreta, cock-roaches, rats, flies, loose paint, cobwebs, rust, grease, overhead dripping sewer lines, toilet facilities, mice, flour, excess water, chemicals, excess fat, etc., instead of other more acceptable terms. Of course, you must be factual in your reports. Try to find evidence of contaminants on the meat if possible.

Please keep in daily contact with this office and give us telephone contact points, etc., where you might be reached.

Enclosed are pre-addressed "franks" for the St. Louis Laboratory.

I am to phone Mr. Rorem next Monday to report our progress.

MAY 24, 1968.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I—along with Congressman William J. Scherle of Iowa—am enclosing for your attention thermo-fax copy of extract from the editorial section of the May 20, 1968, issue of *The National Observer*, which makes reference to an indiscreet Government memo issued preliminary to the adoption of a broadened meat inspection program, the Wholesome Meat Act of 1967.

It is reported that the pertinent memo was issued to uncover glowing examples of unsanitary conditions in meat inspection plants, such evidence to be made part of hearings being conducted by a Congressional Committee on meat-inspection legislation. As per the memo, "Plants selected for this survey will be those in which you would expect to find the most discrepancies. In other words, look for 'horrible examples.' "

Again, as ordered in the memo, inspectors of the Department of Agriculture were "to gain entrance into Non-Federally Inspected plants (slaughter and/or processing) under the guise of (a) meeting local inspection personnel to gain cooperation in our normal C&ES work . . . This should be done quickly and quietly in such a manner that no one is aware of the real purpose of your visit . . . You are not to limit your observations to the following, but examples of things to be checked are: (e) *Plant Operations Procedures*—meat/or product in contact with floors, contamination of carcasses with manure, pus, dirt, etc."

The memo further states: "In your reports of plant 'surveys' it is suggested you use dramatic, graphic terms with impact, such as cancer-eye, pus, manure, disease, excreta, cockroaches, rats, flies, loose paint, cobwebs, rust, grease, overhead dripping sewer lines, toilet facilities, mice, flour, excess water, chemicals, excess fat, etc., instead of other more acceptable terms. Of course, you must be factual in your reports. Try to find evidence of contaminants on the meat if possible."

Mr. Secretary, this editorial appeared in company with a full-blown feature article carried in the same issue of *The National Observer*, and Congressman Scherle and I—both of whom have supported the Wholesome Meat Act—would like to have an explanation of this matter—in the interests of our cattlemen and meat processors in the States of Iowa and Pennsylvania.

We do not question, Mr. Secretary, that unsanitary conditions in one degree or another have existed in the meat industry; hence, Congressman Scherle and I extended our strong support to the Wholesome Meat Act of 1967. The vital issue to be resolved here is whether or not there have been misrepresentations designed to influence legislation and whether or not there has been a resort to unethical means to attain a legislative objective.

Congressman Scherle and I would appreciate, Mr. Secretary, your advising us with respect to the creditability of this feature article appearing in the May 20, 1968, issue of *The National Observer*, making special comment as to (1) whether or not the memo referred to in the pertinent article was issued and, if so, (2) whether or not the memo was implemented in accord with the manner reported in the *Observer*.

Your prompt and thorough response to this inquiry will, indeed, be very much appreciated.

Sincerely yours,

WILLIAM J. SCHERLE,
Seventh District, Iowa.
GEORGE A. GOODLING,
Nineteenth District, Pennsylvania.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 11, 1968.

Hon. GEORGE A. GOODLING,
House of Representatives.

DEAR MR. GOODLING: This will acknowledge your letter of May 24, 1968, from you and Congressman William J. Scherle concerning an article that appeared in the May 20, 1968, issue of The National Observer. We are forwarding a similar reply to Congressman Scherle.

The memorandum referred to in the May 20, 1968, article of The National Observer was issued. Reports on operating conditions of plants observed were made based on instructions in the questioned memorandum and on oral instructions given.

Subcommittee hearings on proposed legislation to clarify and otherwise amend the Meat Inspection Act were held in June and July 1967. During these hearings, a report of a 1962 Departmental survey of nonfederally inspected meat plants received publicity. This survey showed that the majority of plants visited were not producing meat and meat products under conditions of sanitation required of such plants operating under Federal meat inspection.

The Compliance and Evaluation Staff, Consumer and Marketing Service, U.S. Department of Agriculture, was assigned to make the necessary survey. The request made of that Staff called for reports based on exceptions. State and plant officials were not told of the survey since advance notice could change actual operating conditions of plants visited. Instructions issued made no prohibitions against reporting plant conditions observed during visits made before the survey period. Some reports were prepared on this basis.

The memorandum published by The National Observer was an instruction to field representatives and reflected the general substance of instructions telephoned to all field offices of the Compliance and Evaluation Staff. These included advice to arrive at plants unannounced and, if admitted, to record factual observations.

We are satisfied that reports submitted by that Staff were neither false nor misleading, but were based on observations made of actual conditions existing at the time plants were visited. We are satisfied also that personnel of the Compliance and Evaluation Staff carried out their instructions without improper conduct and without being underhanded.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

TIME TO CALL A HALT

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, an editorial in the May 30, 1968, Warrenton Fauquier Democrat, a newspaper published within my congressional district, is entitled "Time To Call a Halt."

The editorial brings to mind the disorder prevalent today in the country and the demands which are made upon our Government officials under the guise of civil rights.

However, this editorial goes even further to say that some of the news media is at fault. It indicates that the whole Nation is fed up with cheap sensationalism and it is time to call a halt. I am setting forth this editorial below in its entirety to share with my colleagues:

TIME TO CALL A HALT

Whether white or black, rich or poor, the erroneous theory that anyone can demand an appointment with a duly elected official is bunk. Such appointments should be requested and at the convenience of the official, whether he is a member of the county board of supervisors, in the state assembly, a governor, congressman, senator or even the President of the United States. Such meetings should be orderly and not overcrowded. No sensible person, either political or otherwise, is going to meet with an ignorant and unruly rabble. Would you as an individual? Of course not.

There was a ruling in the Virginia courts not so long ago when the late Judge Paul of Roanoke refused television in his courtroom. When asked why, he simply retorted that he was not going to be a party to making a ham actor out of every lawyer in the state of Virginia and that was that. The circuit court judge of Fauquier, Loudoun and Rappahannock never allowed pictures to be taken in his court regardless of the publicity which the case might have engendered. For example, the Wallace Simpson divorce case and the tar-and-feathering of Igor Cassini.

This debacle was on the front pages of the newspapers in England and all over Europe. In fact in Berlin, the Nazi party used it as propaganda to illustrate the barbarity of the United States.

Television today is playing up to every buffoon, beatnik, flower boy, racist, arsonist and looter, pacifist and draft dodger, to say nothing about misguided and immature students. Their actions at some points border on treason. It is even reported that some incidents are staged for the television audiences.

Some of the city press is equally blameworthy. If the news media would show common sense and a modicum of restraint, in our opinion these idiots would fade away from the public eye like the morning mist before the sun. In short, the whole nation is fed up to the teeth with this cheap sensationalism both in print and orally.

TALK UP AMERICA

Mr. GROVER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, I am sure you share with me a deep concern for the problems which face our country. But they will not be solved by the criticisms and detractions of certain sociologists and politicians. America is a great country. We should all say so. This is the topic of my weekly radio broadcast which follows:

> The aftermath of the tragic assassination of Senator Kennedy found the Congress—like the nation—in a restless, troubled mood as it went about its legislative chores.
>
> Meanwhile all about the country people in high places are assessing and diagnosing the nation's symptoms and prescribing the cure—
>
> "We are a sick society"—they say—
>
> "We're all guilty"—they say—
>
> We are told racism and hatred are deep in our pores.
>
> They say millions of Americans are starving amid plenty.
>
> "Shame on you America," they say.
>
> "Evil, bigotry, and selfish greed motivates all of us"—they say.
>
> Our system isn't working—
>
> The Congress turns its back on the poor.
>
> The police have no compassion for the underprivileged.
>
> "Yes," we are told America is sick.
>
> "Americans are sick.
>
> "Our public officials are sick.
>
> "Our university presidents are sick."
>
> Well, here's one Congressman who's sick—sick of hearing from seemingly sick people in high places about a sick America.
>
> It's high time we counted our blessings—America isn't sick.
>
> America is healthy, vibrant, and strong.
>
> Sure, we have our problems but nothing that can't be solved. The hungry will be fed—our cities can be made livable.
>
> Let's talk up America and ignore its detractors.
>
> Let's restore confidence in our system—respect for the law and our fine and dedicated police officers.
>
> Our youth can be heard and served without anarchy on the campus.
>
> No, there's nothing wrong in America that faith and constructive thinking won't solve!
>
> Up with America!

DAILY SCENES OF VIOLENCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in my remarks, I include a frank editorial entitled "Daily Scenes of Violence" appearing in the Boston Globe of June 10, 1968, calling upon "the entire communications industry and moviemakers—to take a critical look at both the product and the promotion of its vast output." The editorial also pointedly says:

> It also has to be time for the movie, newspaper industries and advertising agencies responsible for this sadistic outpouring to use some restraint. Otherwise why grieve when the inevitable happens?

The editorial follows:

> DAILY SCENES OF VIOLENCE
>
> A nation grieving has expressed a demand for strong gun control laws as one step to rid the country of its climate of violence Another worthwhile step would be for the entire communications industry and movie makers—to take a critical look at both the product and the promotion of its vast output. There inescapably is a connection between a national indifference to every-day acts of violence and what we all read and see, supposedly as entertainment.
>
> Our children from the time they are old enough to be propped in front of a television set get a constant diet of shoot 'em ups and Indian scalpings, or series on war exploits or after-dark, savage life in seamy sections of a busy city. Even before their TV debut, these same kids have had a whole arsenal of guns and military equipment thrust upon them as toys, and more often from under the Christmas tree—that symbol of the Prince of Peace! Too often comics and comic books do little but reinforce these violent themes.
>
> The adult TV shows too frequently are even worse and usually without any redeeming artistic merit.
>
> The paperbacks with their gory, splash art covers (often, we discover, more graphic than the pallid contents between the covers) scream murder from the store racks. Whole arrays of magazines do likewise.
>
> The movies are another case. Currently 14 Boston movie houses are showing pictures of which endless beatings, whippings, shootings, and knifings are the central actions. And in this connection metropolitan newspapers share the promotional blame.
>
> The presidents of the three commercial television networks probably bear the greatest responsibility and can make the greatest contribution at this period in history.
>
> It also has to be time for the movie, newspaper industries and advertising agencies responsible for this sadistic outpouring to use some restraint. Otherwise why grieve when the inevitable happens?

CONGRESSMAN HORTON OUTLINES STAND ON GUN CONTROL; SUGGESTS STIFFER PENALTIES FOR GUN-RELATED CRIMES

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, the current debate in the Congress and in the country prompts me to set out, for my colleagues and my constituents, my position on gun-control legislation. I have long supported reasonable gun controls at the Federal level and, in response to the wave of crime and violence of emergency proportions that has hit this country, I have broadened my support for proposals in this area.

Before setting out the specifics of my legislative position on this crucial issue, I want to take this opportunity to join my colleagues who have today implored our President to sign the Safe Streets and Crime Control Act that is now on his desk. This bill has now been at the White House awaiting signature for a week—a week which has seen no letup in crimes of violence, in property damage, in loss of life, and in threats to the safety and peace of mind of American citizens. This bill contains many important legal tools which are needed now to broaden the attack on criminals and criminal acts. I want to add my voice to others in this body who supported this legislation, and who now await its enactment, signature, and full enforcement of this measure by the Executive.

The gun-control section of this bill is only one among several firearms control measures that make up my stance on this question. With your permission, I would like to outline the specifics of my position for my colleagues:

1. THE RECORD

Since coming to Congress I have fought for the establishment of Federal controls on interstate sales of handguns, and Federal laws prohibiting traffic in high caliber destructive devices, including automatic weapons. I have supported moves to keep firearms out of the hands of juveniles, drug addicts, alcoholics, mental defectives, and persons with criminal records. The first plank of my legislative program was enacted last week by the Congress as a key segment of the Safe Streets and Crime Control Act. This measure, now on the President's desk, would provide stringent Federal regulation of interstate sales of pistols and handguns. This is a major first step toward effective firearms regulations. I have urged the President to sign this bill without delay so that the Government can begin to enforce this key anticrime provision.

2. FEDERAL CONTROLS

First. Interstate sales: There is one additional area of possible Federal gun regulation which some constituents have urged me to support. That is extending Federal controls on interstate pistol sales to rifles and shotguns. The Senate debated this provision last month, and defeated an amendment which would have included long-gun controls in the Safe Streets and Crime Control Act.

A bill that would accomplish this is now pending before the House Judiciary Committee and its prospects for committee approval are bright. It is possible that with the current wave of crime, assassination and mob violence in America, that we will have to take this additional Federal step, which would help the individual States to enforce their own gun laws. I am presently engaged in carefully studying this new bill, and I will be watching closely for the committee's action on the measure.

Second. Ban on imported weapons: I am now drafting a bill which I will introduce this month which would prohibit the importation or sale of foreign-made firearms. These represent a growing number of guns of all types which turn up in criminal investigations. This bill would help ease the enforcement of administrative controls just announced by the Postmaster General on the mailing of firearms, whereby local police will be notified of gun shipments to persons in their jurisdiction.

Third. Stiffer penalties for gun-related crimes: Firearms legislation, standing alone, will not solve the problem of crime and violence. Without firmer law enforcement, by police and by the courts, even some registered guns will get into the hands of the wrong people. In order to stiffen the consequences of committing a crime with firearms, I am introducing new legislation that would double fines and prison sentences for crimes under title 18 of the United States Code which are committed in whole or in part with the use of firearms of any kind. This law should serve as a model for States, which could help to discourage the possession and use of firearms by criminals by stiffening State criminal penalties for gun-related crimes.

Fourth. Prohibit assaults on Federal officials: On the day Senator Kennedy passed away, I reintroduced a bill which I had first introduced in 1964, during the 88th Congress. This bill would extend to Members of the Senate, the House, and the President's Cabinet, the same protection of Federal law now enjoyed by the President and Vice President. This puts the threat of Federal investigation and prosecution behind a new provision of law punishing the killing of these officials. In addition, my bill makes any attempt to assault or kill a Federal official a crime under title 18, United States Code.

These new bills, and the gun-control laws enacted by Congress already, in addition to those now in committee represent a major and a responsible answer to the wave of mob violence and to the increasing danger of crime on our cities' streets.

3. STATE FIREARMS CONTROLS: PERMITS AND REGISTRATION

The bill we passed last week, affecting interstate sales of guns is within the proper purview of the Congress. Especially since the assassination of Senator Kennedy, many have advocated Federal registration of all firearms, and the issuance of Federal permits for those who own guns. This would create a monumental bureaucracy which would be both inefficient and expensive. To ask the Federal Government, which does not have the major responsibility for law enforcement except in the District of Columbia and U.S. possessions, to keep track of guns and gun owners, overlooks the key responsibility of the States in this area. The placing of this task in the hands of the States is in line with recommendations of the President's Commission on Law Enforcement and the Administration of Justice, issued in 1967.

New York and several other States have already seen fit to pass laws requiring the registration of pistols and the issuance of permits to owners of certain firearms. If we are to register guns, this would properly be a subject of State law, just as is the issuance of registrations and permits for car owners and drivers. By leaving this aspect of gun regulation to the States, it is assured that the necessary records of serial numbers, gun models and individual identification will be in the hands of local law enforcement agencies, where they belong.

My support for these measures is very closely parallel to the recommendations made public last year by the President's Commission on Law Enforcement and the Administration of Justice. I will continue to work to win the enactment of reasonable gun control and other anticrime measures—to help bring about a reversal of the violence and danger which plague our citizens.

MUST THIS LAXITY CONTINUE AT FHA?

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the Federal Housing Administration is once again found to be bogged down in the same type of scandalous mismanagement that has caused so much concern over the years. One would think that the past record as exposed by Senator JOHN WILLIAMS would have resulted in the FHA making a real resolve to protect the public interest. However, we again find that negligence and looseness in the administration have combined with politics in a project in Des Moines, Iowa.

It seems incredible but here are the facts today:

Don Decker, convicted in 1961 on Federal fraud charges involving FHA projects, has been reinstated on the list of those approved to do business with the FHA.

The Democratic national committeeman in Nebraska called on the Justice Department to obtain a Presidential pardon for Decker, and President Johnson responded with the same compassion and understanding that he has displayed for such figures as Lawrence Callanan, the convicted labor racket figure from St. Louis who also had such fine political connections.

Now we read that Don Decker—rehabilitated through the courtesy of President Johnson, the Democratic national committeeman from Nebraska and the hierarchy of the FHA—is again active on a big FHA project in Iowa.

Despite revelations of his background of involvement in fraud on the FHA and construction of a questionable FHA project in Nebraska, a nonprofit organization in Des Moines has given its approval to a low-cost FHA project he will manage. Those involved may be well motivated in wanting low cost homes, but it is easy for them to continue their approval despite Decker's record. Those in this nonprofit organization are taking no personal financial risk, nor is their organization. These projects are 100 percent backed by the Federal Government. If anything goes wrong it is the American taxpayers who pay the price.

I include for insertion in the RECORD at this point two recent articles on the Decker affair from the Des Moines Register:

CHURCH UNIT REFUSES TO FIRE DECKER: MISLED, CITY SAYS—PROBE VOWED

(By James Risser)

Members of the Des Moines City Council charged Monday night that the Federal Housing Administration (FHA) and builder Lloyd E. Clarke have intentionally "misinformed" them about various aspects of the Homes of Oakridge housing project.

Councilman Charles VanderLinden said he has learned that the contract between FHA and the Des Moines Area Council of Churches, project sponsor, has a "Rider B" attachment permitting Clarke to make a profit of up to 10 per cent on the $4-million project, rather than the previously announced 4.48 per cent.

The councilmen vowed a full investigation of the project.

Members reacted with "disappointment" and "frustration" to the Council of Churches' announcement that it has no objection to Clarke's use of controversial Omaha builder Don Decker as his construction manager.

QUITE DISTURBED

Mayor Thomas Urban said he was "quite disturbed" at the Council of Churches' failure to insist that Decker be fired.

Decker's record includes a criminal conviction in a housing fraud case. Troubles also have plagued housing he built in Omaha, Nebr.

The councilmen had expected the church group to announce Decker's dismisal Monday night. They were taken by surprise when Walter W. Selvy, attorney for the housing corporation, read a statement saying the churchmen "are satisfied with their contracts and the personnel involved."

The Register learned that the officers and directors of the housing corporation held a secret meeting Monday and voted unanimously to back Clarke's choice of Decker.

Officers and directors also had met last Thursday, and sources close to the group expressed the belief afterward that Decker would be fired.

Several councilmen said during the meeting, and in interviews afterward, that their main concern is Clarke's plan to use Decker.

But they said they now intend to investigate a number of aspects of the project, including Clarke's profit and the question of why the contractor was not selected through a taking of bids.

VanderLinden said during the meeting that "I have been given a lot of misinformation," citing the Rider B attachment and the use of Decker despite his past record.

He said he will not "be a party" to something on which "I was given misinformation—I feel, on purpose." He said afterward that he believes FHA purposely misled the council on a number of matters.

GROSS AGREES

Councilman Leo Gross said: "I agree, second and underline everything Mr. VanderLinden has said."

Gross said after the meeting: "My quarrel is with the builder (Clarke). I have received substantial information from the builder on such things as the use of Mr. Decker, the amount of profit to be made by the builder, and the inspections to be made of the project."

After The Sunday Register on May 26 detailed Decker's history, Clarke called a press conference to defend Decker as "probably the most skilled man in the north-central part of the United States in building low-cost housing."

Clarke at that time also said the "overhead and profit" provided for him in the FHA contract would be $216,165, "only 4.48 per cent."

He said he has worked for more than three years to get the project going and said his profit, "should it be realized, would be below that which I can obtain otherwise in my private business operations."

VanderLinden said Monday night that the Rider B attachment "in effect gives a maximum profit of 10 per cent."

It provides that when Clarke saves money through such things as receiving a discount for prompt payment of his materials suppliers, he gets to keep one-half of the amount saved—up to 10 per cent of the contract amount, VanderLinden said.

LOT OF MONEY

The councilman said FHA officials told him that any such savings would not go to Clarke but would be "a 100 per cent credit" to the Council of Churches to reduce the cost of the project.

Referring to the fact that the project is partly financed by the federal government, VanderLinden said the 50 per cent savings that could go to Clarke "is a lot of tax money."

Dr. James W. Lenhart, president of the church group's housing corporation, referred to the Rider B as an "incentive provision." He said it is standard on all projects financed under FHA's "221(d)3" low- and moderate-income housing program.

One councilman said later, however, that he does not believe such provisions are used when the builder is selected through competitive bidding procedures.

Of the Council of Churches' defense of Decker, City Councilman Robert L. Scott said he was "disappointed" because the councilmen support the project as "badly needed," but "must face up to our responsibilities" as the city's urban renewal agency."

The 300-unit project is to be built on 16 acres of Oakridge urban renewal land.

Scott said angrily that Clarke "should have hired someone of character."

Councilmen Jens Grothe and Richard Olson also expressed disapproval of the Council of Churches' position.

Monday night's discussion started with Selvy's statement that the church group was unanimous in support of builder Clarke's decisions.

FULL CONFIDENCE

". . . He states that he has full confidence in his ability, with the assistance of Don Decker, to build this project in compliance with all of the requirements and specifications," Selvy said of Clarke.

"He welcomes any inspection as the project progresses, and it will be inspected by the FHA constantly, and before releasing money, and by the architect and by the city to whatever extent they choose."

Selvy's statement blamed the entire controversy on "adverse publicity which has been in The Register and Tribune" and said such publicity "will no doubt make it more difficult for any group to duplicate this kind of a project or build another for a like or similar purpose."

Selvy said representatives of Iowa-Des Moines National Bank, Bankers Life Company, Equitable of Iowa, FHA and the bonding companies involved all attended the housing corporation's meeting.

The City Council delayed for one week, pending further investigation, a request by its Urban Renewal Board that the council demand an explanation from the Council of Churches on what inspection procedures it plans to assure proper construction.

VanderLinden and Scott voted to make an immediate demand for the explanation. The other councilmen voted for the delay, saying that additional time should be taken to investigate the entire project fully.

CONVICTED IN 1961

Decker was convicted in 1961 of making false statements to obtain an FHA-insured loan.

He later was developer of the new town of La Visita, Neb., in which homes were flooded, streets broke up and buyers defaulted on their loans, forcing FHA to take over, repair and try to sell some 300 houses.

Numerous lawsuits have been filed against Decker and his companies and a federal tax lien against him for unpaid personal income taxes of $46,533 was settled two weeks ago.

The board of directors of a proposed 202-unit low-rent housing project in Cedar Rapids recently dropped Decker as the prospective builder after learning of his background. Bids will be solicited.

The Des Moines councilmen had been prepared Monday night to pay half the cost of hiring an architect to inspect the Oakridge project and, upon completion, to certify that it was correctly built, provided the church group got rid of Decker as expected.

The councilmen were visibly angry and disappointed at the unexpected development and one commented afterward that "we and the churchmen have been sold a bill of goods."

Officers of the Des Moines Area Council of Churches Homes, Inc., and of Homes of Oakridge, Inc., are:

Dr. Lenhart, president; Paul Grodt, vice-president; the Rev. John E. Donovan, secretary; Reinhold Carlson, treasurer.

Directors are Ralph Norris, Mrs. Gladys Hurt, Cecil Reed, Dr. Henderson Davis and W. T. Johnson.

FHA ADMITS CLARKE COULD MAKE 10 PERCENT

(By James Risser)

Federal Housing Administration (FHA) officials acknowledged Tuesday that builder Lloyd E. Clarke could make a profit of up to 10 per cent on the Homes of Oakridge housing project.

Lewis DeMarco, deputy director of the Des Moines FHA office, said, however, that Clarke will make that much only if he is able to cut his costs enough so that he can build the project for substantially less than the estimated construction cost.

HALF OF SAVINGS

DeMarco said the "Rider B" provision, calling for Clarke to get half of any amounts he saves during construction, is a "standard" attachment to contracts for such projects, and was agreed to by Clarke and the Des Moines Area Council of Churches, sponsor of the project.

Both DeMarco and Clarke denied that they had misled members of the Des Moines City Council about the profit percentage and other aspects of the project, as charged at Monday night's council meeting.

City Councilman Charles VanderLinden, however, said again Tuesday that FHA officials had told him that any such savings would be a "100 per cent credit" to the Council of Churches to reduce the cost of the project.

The amount of profit to be realized by Clarke came up at Monday's City Council meeting after the councilmen reacted with "disappointment" and "frustration" to the announcement by the churchmen that they will not ask Clarke to fire controversial Omaha builder Don Decker as his construction manager.

The councilmen, who are adamant against Decker's use here, had expected the Council of Churches to announce Decker's dismissal.

FRAUD CASE

Decker's background includes a criminal conviction in a housing fraud case and a number of lawsuits and tax liens filed against him. Troubles have plagued housing he built in the Omaha area.

The councilmen vowed to investigate the matter further and assailed what they called intentional "misinformation" given them about the use of Decker, Clarke's profit, and the question of why the contractor for the project was not selected through a bidding process.

DeMarco said Tuesday that he does not recall whether the "Rider B" provision was discussed during meetings with the city councilmen, but said "we did not intentionally mislead anyone."

Clarke said: "There has been no secret about this. The lending institutions and the Council of Churches and the FHA knew of it. It is written into the law and the regulations, and it is standard procedure."

Clarke said his contract with the Council of Churches provides for him to be paid a profit of $118,888, based on 4.25 per cent of the net direct construction cost of approximately $2.8 million. In addition, he can be paid up to $61,481 on actual "overhead" costs incurred, he said.

The "Rider B" attachment says that when Clarke's actual construction cost is less than FHA estimated, because of such things as lower labor costs or savings on purchase of materials, Clarke gets to keep half of the savings as an "incentive payment."

OPTION OF SPONSOR

The rider also says that Clarke's fees, plus the incentive payments, can not exceed 10 per cent of the total project cost.

DeMarco said the rider is used "at the option of the sponsor and the contractor" on projects built by a non-profit sponsor under FHA's "221(d)3" program for low- and moderate-income housing.

"What we are hoping to do is to save the sponsor some money," said DeMarco.

He said the reason the entire saving does not go to the sponsor is that "you can't induce a contractor to save on the project cost unless he shares in the savings."

DeMarco said he doubts that Clarke will be able to realize a profit of 10 per cent "unless he does a knock-down, drag-out job."

H. R. McBride, FHA director, said that Clarke may realize some additional profit through the rider provision because "Decker has the know-how" in building such projects.

"This is Decker's field," DeMarco added.

DAIRY IMPORT QUOTAS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, this week's Presidential proclamation imposing temporary import quotas on condensed and evaporated milk and cream was certainly needed, even though the action was belated. The same can be said for the Presidential order calling for a Tariff Commission investigation into the need for import quotas on the above-mentioned products plus chocolate milk crumb—used in candy manufacture—butterfat-sugar mixtures in retail packages, and most types of cow's milk cheese.

I wrote the Secretary of Agriculture last January about the alarming increases in nonquota dairy products being imported, and I am happy to see the President and Secretary finally agree with me that many loopholes still exist in the quota system and that foreign suppliers are constantly trying to bypass these quotas through varying evasive tactics.

This latest action was necessary to fulfill the objectives of the import quotas established on dairy products a year ago, as many of us recommended. After working to achieve these quotas, we must not allow them to be circumvented. We must continue to be vigilant of those who would use the United States as a dumping ground for overseas overproduction.

THE CONSERVATION BILL OF RIGHTS

Mr. OTTINGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Speaker, my colleague from New York [Mr. KUPFERMAN] and I have prepared and are introducing today a resolution to amend the Constitution by adding what we have called a conservation bill of rights. Joining us in this resolution are several colleagues from New York—Messrs. SCHEUER, BUTTON, FARBSTEIN, and PODELL; from Pennsylvania, Messrs. SAYLOR, DENT, and EILBERG; from New Hampshire, Mr. CLEVELAND; from New Mexico, Mr. WALKER; and from California, Mr. EDWARDS. This amendment, when adopted, will establish a basic right under the Constitution to things which we have until now taken for granted, but which are threatened by today's technology and increased population pressures, and which we are in real danger of losing.

We are frank to say that such a provision to the Constitution would have been meaningless to those attending the Constitutional Convention in Philadelphia almost 200 years ago. Indeed, this amendment would have been altogether unpersuasive 20 years ago, although the handwriting was then visible on the wall, if one cared to look for it.

Today, such a bill of rights is not only meaningful and persuasive—it is one of the most significant steps that we could take today to provide our children and grandchildren tomorrow with something approaching a sane environment.

Secretary Udall's foreword to the Department of Interior's recent yearbook, "Man: An Endangered Species?" states the problem succinctly and well when he says:

> We have mastered the arts of animal husbandry, we know the life laws of crops and insects, we know how to plan our agricultural output. In effect, we have enhanced the future of everything—except the overall future of the human race. * * * One could contemplate the United States a century from now with equanimity if our growth rates and growth patterns reflected a mature, purposeful national will. Arrogant events and the headlong pace of material progress have left us little time to ask what people are for, or to agree on long-term societal aspirations. We have learned neither how to grow, nor at what pace, and *that* is our failing and our future trouble.
>
> If we are to establish the secure foundations of an equal-opportunity society and master the sensitive arts of building a life-encouraging environment, then at this moment in history we need to realize that:
>
> Bigger is not better; slower may be faster; less may well mean more.

The resolution that we introduce here today will not solve the problem confronting us, but it will move in that direction. We believe that this will be an important move—that it will focus national attention upon the problem in dramatic fashion.

The central thrust of this resolution is to declare, as a matter of constitutional principle, the right of every citizen to an unpolluted environment. To implement this right, the Congress is directed to prepare and maintain an inventory of our existing resources, and to provide for their protection. Actions which adversely affect these resources must be first subjected to a public hearing on their effects.

This somewhat oversimplified summary of the resolution serves to illustrate the scope of concern to which it is directed. It does not and it cannot give any indication as to the serious nature of that problem. For that information we must look elsewhere—virtually anywhere.

To breathe, we need a supply of clean air—yet we live in a country in which close to 10 million vehicles, supplying more than 50 percent of the pollutants in the air, have no real controls built in to inhibit that pollution.

To live, we need a supply of drinkable water—yet we tolerate the pollution of Lake Erie to the extent that it will no longer support marine life, and recognize that it is likely to be only the first of many.

To stay sane, we need at least occasional freedom from the incessant din of what we choose to call the civilized life—yet we are willing to live in an environment in which the air compressor, the power mower, the scream and occasional sonic boom from the passing jet are commonplace and no longer even the subject of vigorous public protest.

Vision is perhaps the most highly prized of the senses—yet we litter our parks with disposable bottles, our roadsides with beer cans and billboards, our countryside with abandoned and rusting automobiles—all in the name of progress.

The miracle is that we tolerate these affronts to our sensibilities without making any serious effort, on a national scale, to estimate what they are costing us. Even in dollar figures, the costs of pollution are astronomical, or would be if we bothered to add up the total figure; and all of these costs cannot be assessed by reference to the dollar. What is the value, for example, to America and to mankind of a Grand Canyon through which the Colorado River continues to flow without benefit of our ability to dam and thus to condemn our waterways? What is the value of a clean, clear Hudson River, the banks of which are not lined by a six-lane expressway, the waters of which are unspanned by unsightly powerlines and transmission towers? Although no precise costs can be assigned to these resources, who among us is prepared to assert that they are therefore without value?

It is time—it is past time—that we take measure of where we are and where we are going. The resolution which we introduce today provides a firm basis on which we may begin to assess the problem confronting us. It requires a continuing inventory of our natural, scenic, esthetic, and historic resources, and directs the Congress to provide for their protection as a matter of national purpose.

As an educational exercise alone—both for the Congress and for the American people—the existence of this inventory would justify congressional action. As a basis for proper protection of these resources, this inventory would serve an even more valuable purpose.

Section 3 of the proposed article requires, in essence, that State and Federal executive and regulatory agencies must provide adequate public notice and hold public hearings before taking steps which will adversely affect resources held in public ownership. It does not and, in our view, should properly not operate to prohibit those agencies from acting. Its only purpose and its only effect is to assure that the public is given an adequate opportunity to discover what actions have been proposed, and to make its views known to the agency which is contemplating action.

I am aware of a temptation to stand before the House for hours, citing chapter and verse on specific instances where, for one reason or another, our resources have been given less than adequate protection or consideration by persons or agencies pursuing ends which are in themselves entirely legitimate, but the cumulative consequences of which are potentially catastrophic. I will resist that temptation, knowing that many of my colleagues are as aware of these cases as I, and that this is not the time for that kind of indictment. It is the place, however, and I hope to be able to stand before this body at a later date, when the amendment which we are introducing today is before it for passage, to cite examples of need for passage of this legislation, and ultimately to vote for its approval.

The longer we wait for that date to arrive, the smaller will be the resources that we are still able to protect.

The text of the joint resolution follows:

ARTICLE —

SECTION 1. The right of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic and esthetic qualities of their environment shall not be abridged.

SEC. 2. The Congress shall, within three years after the enactment of this article, and within every subsequent term of ten years or lesser term as the Congress may determine, and in such manner as they shall by law direct, cause to be made an inventory of the natural, scenic, esthetic and historic resources of the United States with their state of preservation, and to provide for their protection as a matter of national purpose.

SEC. 3. No Federal or State agency, body, or authority shall be authorized to exercise the power of condemnation, or undertake any public work, issue any permit, license, or concession, make any rule, execute any management policy, or other official act which adversely affects the people's heritage of natural resources and natural beauty, on the lands and waters now or hereafter placed in public ownership without first giving reasonable notice to the public and holding a public hearing thereon.

SEC. 4. This article shall take effect on the first day of the first month following its ratification.

CONGRESS IS ENTITLED TO SOME ANSWERS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I am amazed and dismayed at the extent to which each day brings some new revelation about the potentially explosive situation the Poor People's Campaign has thrust into our midst. I feel that the Congress has experienced an absolute famine of information concerning developments that might set frightening precedents that will seriously impede the orderly fulfillment of our responsibilities here in the Nation's Capital.

For example, there has been surrendered to the Department of Interior a frightening amount of decisionmaking in regard to the encampment at Resurrection City. I am told by the Public Works Committee that on only one occasion in this country's history has exclusive occupancy of public lands in the District of Columbia ever been granted to a private organization. That was in the case of the 10-day Boy Scout Jamboree in 1937. Then the two Houses of Congress enacted legislation to make that occupancy possible. Yet, the Department of Interior, by administrative decision in the Park Service, granted a permit to the Poor People's Campaign to construct what has been described by one writer as an instant slum in West Potomac Park. Remember this area is in the shadow of monuments to two of our greatest Americans. Someone agreed to the use of that land for this purpose for more than a month. How did this happen? Since I have not been able to find an answer to my question here in the Capitol I have written to Interior Secretary Udall, asking him to tell me by what authority or under what precedent he or his delegate granted this permission.

There are some other questions I hope Secretary Udall can answer for me and they have been included in a letter I have addressed to him.

For instance, it has been reported that the leaders of the Poor People's Campaign posted a $5,000 bond to cover cost of any possible damage to U.S. property during this encampment. I would like to know how this figure was reached. I have asked Mr. Udall to tell me in what form the bond was presented. Was it cash? If it is a surety bond who is the guarantor? It would not take much of an expert to conclude the amount of the bond will not come close to covering the cost of restoring the West Potomac Park area, as will be attested to by everyone who has seen the deeply rutted area now occupied by the campers.

The permit under which the campers now operate expires next Sunday. News accounts report that an application has been made to extend the permit. I have asked Mr. Udall if he expects to extend the permit and, if so, by what authority. I have also asked him, in the event he does extend the permit, will additional bond be requested and, if so, will it be in a more realistic amount than the original bond?

Another question Congress has a right to expect to be answered is, What happens to the plywood and canvas shanties that comprise Resurrection City when the campers move on? Who will remove them, and at whose expense? There cannot be much salvage value, even though it was reported when the city was being constructed that it contained more than $1 million in building materials. If it becomes the Government's responsibility to raze Resurrection City will the United States lay claim to whatever small salvage value there may be? I have asked Mr. Udall to tell me, if he knows.

If there is no extension of the occupancy permit and West Potomac Park is not vacated, I have asked the Secretary to tell me what action the Interior Department expects to take.

I have asked Secretary Udall to advise me as to how many park policemen there are assigned to Resurrection City, and for an estimate of the cost for providing this protection. I would also like to know how much overtime pay is required to keep that area properly policed. And I hope the Secretary will answer my question as to whether any other Park Police duties are being neglected by reason of assignments at Resurrection City.

Water and electrical service have been installed at the campsite. I do not know who paid for these, so I have asked the Secretary if he knows.

These, Mr. Speaker, are not the only instances in which the Congress has been inadequately informed as to developments in the Poor People's Campaign. It was announced quite some time ago that there would be a huge march on Washington on May 30. Subsequently the march was postponed until June 19 and renamed "Solidarity Day." News reports say that many thousands—different reports carry different totals—but many thousands of marchers are expected to be brought in for that demonstration, all emotionally involved people. And yet, there has been very little planning and organizing to handle this march that I am able to find out about. My inquiries reveal that most of my colleagues here in the Congress, have not been advised of any planning to contain the marchers, although, this could be one of the most explosive events in our history. Bayard Rustin has thrown in the towel as leader. Yet, not until 9 days before the march did another leader agree to take over. I repeat, Mr. Speaker, we of the Congress know entirely too little about developments here that may require extensive and very serious deliberations by this body, and before many more days away.

There is one more reported development about which most of us know very little, and cannot seem to find the answers.

On Tuesday, June 11 radio station WMAL in Washington, in an editorial, reported that "several Congressmen" contacted the Reverend Ralph David Abernathy some 3 weeks ago with an offer to work for some $3.5 billion in Federal spending cuts with the money to be diverted to programs for the poor. Under leave to include extraneous material, a transcript of that editorial follows these remarks. Abernathy is reported as not having yet responded to that offer, and in my opinion it is well that he has not. If he had accepted and brought an end to the campaign at that time, then if the Congressmen who made the offer could not deliver on their commitment there could be real substance to the campaign's threat to turn the country upside down. Some of us have been wondering in what specifics could reductions be made in European military spending, foreign aid, the supersonic transport, and the farm program to enable a $3½ billion relief program for the poor people?

Mr. Speaker, I am not against poor people. I am against the techniques being employed by the present campaign in Washington to dramatize their needs. But I am most of all opposed to this dearth of information provided Congress in regard to the Poor People's Campaign. Only time will reveal how serious the consequences of this campaign may be. Only time will tell the extent to which this body may be required to legislate if the philosophy of nonviolence turns out to be just a slogan, as very well could happen with the loosely run, poorly organized encampment at Resurrection City followed by the huge march on June 19 for which there is no evidence of adequate planning or able leadership.

Mr. Speaker, the Congress has a right to be more fully informed on just what negotiations are going on between the Interior Department and the Poor People's Campaign. We must have all the facts before June 19.

The editorial mentioned above follows:

SPECIFIC DEMANDS

Bayard Rustin's resignation as coordinator of the Poor People's March on June 19 centered on disagreement over the campaign's specific goals. The fact is the Poor People's Campaign has never had a set of articulate, comprehensive goals. Campaign leaders have spoken only in magnificent generality. We have learned that the Rev. Ralph David Abernathy seems no more anxious to answer Congressional proposals.

We can disclose for the first time that several Congressmen contacted Mr. Abernathy secretly some three weeks ago. They pledged to work for a total of $3.5 billion in Federal spending cuts, with the money to be diverted to programs for the poor. The Congressmen proposed cutting such programs as U.S. military spending in Europe, foreign aid, the supersonic transport program, farm subsidies and others.

We wonder why Mr. Abernathy, offered a chance at a $3.5 billion plum for the poor, has not yet answered the proposal.

PERSONAL EXPLANATION

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DELLENBACK. Mr. Speaker, although I was present in the Chamber when most of the roll was called in connection with the passage of H.R. 15087, I was not here at the precise moment my name was called. Accordingly, under the provisions of our rather archaic rule on this point I could not in good conscience qualify and vote on this measure.

Mr. Speaker, had I been entitled to qualify and vote on this measure, I would have voted in favor of H.R. 15087. I would appreciate it if it is possible that this statement appear in the RECORD immediately following the vote on H.R. 15087.

The SPEAKER. The Chair will state to the gentleman that his statement will appear in the RECORD and that no further action is necessary on the part of the gentleman from Oregon or on the part of the Chair.

Mr. DELLENBACK. Thank you, Mr. Speaker.

THE NEED FOR STRONG GUN CONTROL LEGISLATION

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I rise today in support of legislation introduced by the distinguished chairman of the House Judiciary Committee, the Honorable EMANUEL CELLER, to further strengthen the regulation of the sale of firearms and ammunition.

We are told that in every poll since 1938, 85 percent of the American public has favored strong gun legislation. Fear for their very lives provides much of the rationale for this, yet, until very recently, the Congress has ignored the need for strong legislation to regulate the sale and use of firearms.

Since the turn of the century, 800 thousand Americans have been killed by guns—excluding those killed in the wars. Uncontrolled traffic in firearms has resulted in the possession of 50 million guns by private citizens—guns that figure in about 60 percent of all murders in these United States.

It is a sad note indeed to realize that the Congress did not act upon firearms legislation until we had already witnessed the ghastly assassinations of President John F. Kennedy, and Dr. Martin Luther King, and Senator Robert F. Kennedy.

We all bear the burden of guilt for such belated action, but there is no need to be further burdened with the failure to take "adequate" action. If Mr. CELLER's bill, H.R. 17735, presently being considered by his committee, to extend regulations to all firearms, destructive devices, and related ammunition is not enacted, then we will have failed to take adequate action. I, for one, do not wish to be burdened with such a failure.

Mr. Speaker, the need is apparent and the time is now. There have been enough killings. What is needed is "a priori" legislation to prevent further killings not "posterior" legislation that will merely punish those who do kill.

Let us all join in support of Mr. CELLER's bill, H.R. 17735, and give to our citizens the protection they deserve and desire.

WHY ARE PROPER STEPS NOT BEING TAKEN BY GOVERNMENT TO ALERT PUBLIC ON WHAT TO EXPECT ON JUNE 19?

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I have today asked the U.S. Attorney General to determine whether the many institutions, groups, and individuals asked to participate in the June 19 "National Solidarity Day" march here are aware that its national coordinator, Sterling Tucker, has not ruled out the participation of such proviolence agitators as H. Rap Brown, Stokely Carmichael, Harry Bridges, and extreme leftist organizations.

Asked about exclusion of extremists at his recent press conference, Mr. Tucker said, "I have not even thought about it."

It is essential that the Department of Justice immediately determine and make known the answers to the following questions:

First. Bayard Rustin quit as national coordinator of the march with a warning that the tendency of the campaign "could lead to violence." It has now been reliably established that he refused to accept participation of Brown, Carmichael, and the old-time west coast agitator, Harry Bridges, and such groups as the Women's Strike for Peace and Students for Democratic Society whose primary concern is the Vietnam issue. Has the Poor People's Campaign now collapsed to the point that organizers have turned for support to advocates of violence and extremism of the radical left?

Second. Have the many well-meaning and compassionate supporters of the poor been informed that their participation in the march might find them in a situation in which they might not only be harangued along violent, racist lines by Brown and/or Carmichael but caught up in a deliberate riot fomented by thousands of SDS and black power student activists?

Third. Are potential sponsors and participants aware that the Poor People's Campaign is hopelessly snarled in confusion, and that plans and arrangements of Reverend Abernathy, leader of the March, and Mr. Tucker, the coordinator, are undermined by the behind-the-scenes capitulation to violent elements?

Fourth. Can you establish if this capitulation was designed to salvage a failing campaign by turning to funds from extremist sources and inclusion of people who would exploit the plight of the poor?

Fifth. Can you confirm whether the prelates of the Catholic Church in America and a number of important Jewish organizations have already notified Mr. Tucker that, because of the capitulation to extremists, they will not participate on an official basis on June 19?

Sixth. Have the forementioned developments been taken into account by the Department of the Interior and the General Services Administration in the issuance of Federal permits giving virtual control of a portion of the National Capital to an unreliable and unpredictable organization? If so, is the administration prepared to take responsibility for hazards to life and property?

Seventh. Is the administration informing prospective participants of the fact that Mr. Tucker welcomed the so-called peace movement to the March, stating that the call for "an end to violence in national life" included the war in Vietnam and the manufacture of munitions by the U.S. Government?

Eighth. In view of Rap Brown's question, "How many whites did you kill today?" and other exhortations to violence, can the Federal Government collaborate with a demonstration that would include Brown?

Ninth. Is Federal cooperation with the disintegrating leadership to continue despite the apparent "taking over" of the Solidarity Day activities by extremists?

Tenth. Is there any assurance that radical components, such as the SDS and black power fanatics will not transform the stated nonviolent nature of the day by attempting to seize the Pentagon or some other building as was done at Columbia University and elsewhere?

Mr. Speaker, in view of the continuing failure of the administration to preserve law and order, the deterioration in internal security dramatized by the notorious assassination of Senator Kennedy, and the failure of leadership of Reverend Abernathy in the Resurrection City fiasco, why are proper steps not being taken by the Government to alert the public on what to expect here on June 19?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASHBROOK (at the request of Mr. GERALD R. FORD), for period of June 10 to 19, 1968, on account of attendance as representative of the U.S. House of Representatives to the International Labor Organization Conference in Geneva.

Mr. NICHOLS (at the request of Mr. ALBERT), for today, on account of official business.

Mr. PEPPER (at the request of Mr. ALBERT), for today and the balance of the week, on account of official business.

Mr. HALL, for Monday, June 17, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WHITENER (at the request of Mr. MARSH), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. WYMAN (at the request of Mr. REINECKE), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. HALPERN, to extend the time on his special order today, from 10 minutes to 60 minutes.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. SIKES and to include extraneous matter in five instances.

Mr. DORN and to include extraneous matter.

Mr. HAGAN to revise and extend his remarks immediately following rollcall No. 184.

Mr. BOLAND to revise and extend his remarks after passage of H.R. 16326.

Mr. MILLS and to include extraneous matter.

Mr. RANDALL.

Mr. PHILBIN in five instances and to include extraneous matter.

(The following Members (at the request of Mr. REINECKE) and to include extraneous matter:)

Mr. GUBSER.
Mr. RAILSBACK.
Mr. THOMPSON of Georgia.
Mr. ZWACH.
Mr. SMITH of California.
Mr. TEAGUE of California.
Mr. BRAY in three instances.
Mr. FINO.
Mr. SCHERLE in four instances.
Mr. ASHBROOK in two instances.
Mr. KEITH.
Mr. MCCLORY.
Mr. DERWINSKI in three instances.
Mr. LANGEN.
Mr. STEIGER of Wisconsin.
Mr. MORSE of Massachusetts.
Mr. GURNEY in two instances.
Mr. CAHILL.
Mr. HUNT.
Mr. PRICE of Texas.
Mr. CONTE.
Mr. POLLOCK in two instances.
Mr. MICHEL.
Mr. MINSHALL.
Mr. WATSON in two instances.
Mr. TAFT.
Mr. REINECKE.
Mr. CUNNINGHAM in three instances.
Mr. POFF.
Mr. BURKE of Florida.
Mr. MILLER of Ohio.
Mr. LUKENS.
Mr. QUILLEN.

(The following Members (at the request of Mr. MARSH) and to include extraneous matter:)

Mr. DENT in three instances.
Mr. PEPPER in three instances.
Mr. WILLIAM D. FORD.
Mr. CORMAN.
Mr. HAMILTON in 10 instances.
Mr. GALLAGHER.
Mr. OTTINGER in two instances.
Mr. BYRNE of Pennsylvania.
Mr. PICKLE in three instances.
Mr. HOLIFIELD.
Mr. FRASER in three instances.
Mr. WOLFF in three instances.
Mr. RODINO.
Mr. WHITENER in two instances.
Mr. DINGELL.
Mr. LONG of Maryland in two instances.
Mr. FARBSTEIN.
Mr. MOORHEAD.
Mr. RESNICK.
Mr. MATSUNAGA.
Mr. GONZALEZ in three instances.
Mr. HERLONG in two instances.
Mr. IRWIN in four instances.
Mr. HOWARD in three instances.
Mr. NIX in two instances.
Mr. ANNUNZIO.
Mr. RARICK in six instances.
Mr. STUCKEY in two instances.
Mr. FULTON of Tennessee in two instances.
Mr. PURCELL.
Mr. DULSKI in three instances.
Mr. OLSEN.
Mr. ZABLOCKI in two instances.
Mr. RIVERS in two instances.
Mr. DIGGS.
Mr. FLYNT in two instances.
Mr. EDMONDSON.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 660. An act granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes; to the Committee on Foreign Affairs.

S. 1506. An act for the relief of Ernesto Alunday; to the Committee on the Judiciary.

S. 2490. An act for the relief of Dr. Juan de Moya; to the Committee on the Judiciary.

S. 2516. An act for the relief of Dr. Jose A. Sierra; to the Committee of the Judiciary.

S. 2517. An act for the relief of Dr. Jose Salazar; to the Committee on the Judiciary.

S. 2547. An act for the relief of Dr. Juan Antonio Lopez; to the Committee on the Judiciary.

S. 2559. An act for the relief of Dr. Rafael Luis Bejar Arias; to the Committee on the Judiciary.

S. 2568. An act for the relief of Mr. Leonel E. Enriquez and his wife, Mrs. Esther Luisa Marrero de Enriquez; to the Committee on the Judiciary.

S. 2587. An act for the relief of Dr. Roberto Garcia-Rivera; to the Committee on the Judiciary.

S. 2599. An act for the relief of Dr. Alberto M. Hernandez; to the Committee on the Judiciary.

S. 2609. An act for the relief of Dr. Jose Xirau; to the Committee on the Judiciary.

S. 2610. An act for the relief of Leonardo Seda; to the Committee on the Judiciary.

S. 2651. An act for the relief of Dr. Aurelio Julian Andres Jimenez Cortina; to the Committee on the Judiciary.

S. 2698. An act for the relief of Dr. Carlos T. Toledo; to the Committee on the Judiciary.

S. 2706. An act for the relief of Yung Ran Kim; to the Committee on the Judiciary.

S. 2724. An act for the relief of Peter Rudolph Gross; to the Committee on the Judiciary.

S. 2733. An act for the relief of Dr. Angel Solar; to the Committee on the Judiciary.

S. 2756. An act for the relief of Dr. Heldo Gomez and his wife, Olga Enrique Gomez; to the Committee on the Judiciary.

S. 2759. An act conferring U.S. citizenship posthumously upon Staff Sergeant Ivan Claus King; to the Committee on the Judiciary.

S. 2783. An act for the relief of Dr. Cesar Baro Esteva; to the Committee on the Judiciary.

S. 2825. An act for the relief of Dr. Jacinto Felix de la Presilla-Elias; to the Committee on the Judiciary.

S. 2826. An act for the relief of Dr. Carlos Jesus Aguilar Lima; to the Committee on the Judiciary.

S. 2827. An act for the relief of Eloy Rene Tuya Hernandez; to the Committee on the Judiciary.

S. 2835. An act for the relief of Dr. Rogelio J. Barata (Rogelio Jose R. Barata y Rivero); to the Committee on the Judiciary.

S. 2848. An act for the relief of Enrique C. Sanchez; to the Committee on the Judiciary.

S. 2859. An act for the relief of Margarete Reinhold Hallett; to the Committee on the Judiciary.

S. 2897. An act for the relief of James T. O'Brien; to the Committee on the Judiciary.

S. 3024. An act for the relief of Richard Smith (Noboru Kawano); to the Committee on the Judiciary.

S. 3488. An act to provide for the admission to the United States of certain inhabitants of the Bonin Islands; to the Committee on the Judiciary.

S.J. Res. 172. Joint resolution extending the duration of copyright protection in certain cases; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2709. An act for the relief of Suh Yoon Sup;

H.R. 4030. An act for the relief of Yong Chin Sager;

H.R. 4370. An act for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos;

H.R. 7042. An act for the relief of Dr. Jose Del Rio;

H.R. 7431. An act for the relief of Gilmer County, Ga ;

H.R. 8241. An act for the relief of Victorino Severo Blanco;

H.R. 12639. An act to remove certain limitations on ocean cruises;

H.R. 13439. An act to correct and improve the Canal Zone Code, and for other purposes;

H.R. 15190. An act to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans;

H.R. 15591 An act for the relief of Pfc. John Patrick Collopy, US51615166;

H.R. 15972. An act to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances, and for other purposes; and

H.R. 16489. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Friday, June 14, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1937. A letter from the Postmaster General, transmitting a draft of proposed legislation to amend title 39, United States Code, to permit employees of the Post Office Department to accept checks or money orders, to provide penalties for the presentment of bad checks to the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

1938. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the National Firearms Act to impose special (occupational) taxes with respect to engaging in the business of importing, manufacturing, and dealing in destructive devices such as bombs, grenades, rockets, missiles, bazookas, and antitank guns, to impose taxes with respect to the making and the transfer of such weapons, to increase the rates of special (occupational) tax, transfer tax, and making tax imposed by the act, to require registration of all firearms subject to the act, including destructive devices, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1547. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 11190. A bill to make available half the revenues from the excise tax on pistols and revolvers to the States for target ranges and firearms safety training programs, and to make the other half of such revenues available to the Federal aid to wildlife restoration fund; with amendment (Rept. No. 1548). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 17850. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 17851. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 17852. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

H.R. 17853. A bill to require the registration of firearms; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 17854. A bill to authorize the Commission of the District of Columbia to administer a program to provide for the construction of parking facilities in the District of Columbia for Government employees and visitors to the District of Columbia; to the Committee on the District of Columbia.

By Mr. DELANEY:

H.R. 17855. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 17856. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

H.R. 17857. A bill to require the registration of firearms; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17858. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such program; to the Committee on Interstate and Foreign Commerce.

H.R. 17859. A bill to provide for the issuance of a commemorative stamp honoring Dr. Martin Luther King, Jr.; to the Committee on Post Office and Civil Service.

By Mr. McCARTHY:

H.R. 17860. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 17861. A bill to authorize the Commissioner of the District of Columbia to administer a program to provide for the construction of parking facilities in the District of Columbia for Government employees and visitors to the District of Columbia; to the Committee on the District of Columbia.

By Mr. QUILLEN:

H.R. 17862. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RYAN:

H.R. 17863. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 17864. A bill to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 17865. A bill to amend the District of Columbia Public Education Act; to the Committee on Education and Labor.

H.R. 17866. A bill to establish the Capitol Guide Service, and for other purposes; to the Committee on House Administration.

By Mr. DANIELS (for himself, Mr. PERKINS, Mr. THOMPSON of New Jersey, Mr. HOLLAND, Mr. DENT, Mr. PUCINSKI, Mr. BRADEMAS, Mr. O'HARA of Michigan, Mr. CAREY, Mr. HAWKINS, Mr. GIBBONS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, and Mr. BURTON of California):

H.R. 17867. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

By Mr. GRIFFIN:

H.R. 17868. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 17869. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 17870. A bill to amend the National Housing Act to provide for a national program to improve the availability of necessary insurance protection for residential and business properties against fire, crime, and other perils, through the cooperative efforts of the Federal and State Governments and the private property insurance industry, to provide rehabilitation assistance for low-income property owners whose properties do not meet reasonable underwriting standards, to authorize Federal reinsurance with appropriate loss sharing by the States against insurance losses resulting from riots and other civil commotion, and for other purposes; to the Committee on Banking and Currency.

By Mr. KING of New York:

H.R. 17871. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. PERKINS (for himself, Mr. AYRES, Mrs. GREEN of Oregon, Mr. QUIE, Mr. THOMPSON of New Jersey, Mr. GOODELL, Mr. HOLLAND, Mr. ERLENBORN, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS, Mr. BRADEMAS, Mr. O'HARA of Michigan, Mr. CAREY, Mr. HAWKINS, Mr. GIBBONS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr. ESCH, and Mr. STEIGER of Wisconsin):

H.R. 17872. A bill to amend the National School Lunch Act as amended to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced meals to needy children not now being reached; to the Committee on Education and Labor.

H.R. 17873. A bill to amend the National School Lunch Act to clarify responsibilities related to providing free and reduced price lunches and preventing discrimination against children, to revise the program matching requirements, to strengthen the nutrition training and education benefits of the program, and otherwise to strengthen school food service programs for children; to the Committee on Education and Labor.

By Mr. POLLOCK:

H.R. 17874. A bill to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State; to the Committee on Interior and Insular Affairs.

H.R. 17875. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RAILSBACK (for himself, Mr. BIESTER, Mr. ERLENBORN, and Mr. McCLORY):

H.R. 17876. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 17877. A bill to amend chapter 44 of title 3 of the United States Code to provide adequate regulation of certain sales of shotguns and rifles; to the Committee on the Judiciary.

H.R. 17878. A bill to require the registration of firearms; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 17879. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchases and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 1307. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DON H. CLAUSEN:

H.J. Res. 1308. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. EILBERG:

H.J. Res. 1309. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. JACOBS:

H.J. Res. 1310. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. JOHNSON of California:

H.J. Res. 1311. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. KARTH:

H.J. Res. 1312. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mrs. SULLIVAN:

H.J. Res. 1313. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. TALCOTT:

H.J. Res. 1314. Joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to provide by law for the loss of nationality and citizenship; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.J. Res. 1315. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WOLFF:

H.J. Res. 1316. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 1317. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. CASEY:

H.J. Res. 1318. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. GARMATZ:

H.J. Res. 1319. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HERLONG:

H.J. Res. 1320. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. OTTINGER (for himself, Mr. KUPFERMAN, Mr. SAYLOR, Mr. DENT, Mr. SCHEUER, Mr. BUTTON, Mr. CLEVELAND, Mr. FARBSTEIN, Mr. WALKER, Mr. EDWARDS of California, Mr. EILBERG, and Mr. PODELL):

H.J. Res. 1321. Joint resolution proposing an amendment to the Constitution of the United States relating to the conservation of the natural resources and natural beauty of the United States; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.J. Res. 1322. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. STANTON:

H.J. Res. 1323. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WATTS:

H.J. Res. 1324. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

351. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Federal legislation imposing a mineral severance tax, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 17880. A bill for the relief of Kurt Friedrich Link; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17881. A bill for the relief of George Adom; to the Committee on the Judiciary.

H.R. 17882. A bill for the relief of Giovanni Del Vecchio, his wife, Maria Del Vecchio, and their minor children, Antoniella, Domenico, and Carmelina Del Vecchio; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17883. A bill for the relief of Doemico Grano; to the Committee on the Judiciary.

H.R. 17884. A bill for the relief of Gennaro Orlando; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 17885. A bill for the relief of Vincenzo Argiro, his wife, Anna Maria Argiro, and their minor children, Natalino Argiro, Aldo Argiro, and Concetta Argiro; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 17886. A bill for the relief of Bong Soon Lee; to the Committee on the Judiciary.

H.R. 17887. A bill for the relief of Paul Stavropoulos; to the Committee on the Judiciary.

H.R. 17888. A bill for the relief of Giuseppe Talarico; to the Committee on the Judiciary.

H.R. 17889. A bill for the relief of Vincenzo Francisco Taverna; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 17890. A bill for the relief of Ricardo B. Bellosillo; to the Committee on the Judiciary.

H.R. 17891. A bill for the relief of Lorenzo J. de Leon; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 17892. A bill for the relief of Zlata Lipsker; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 17893. A bill for the relief of Ljubica Vanis; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 17894. A bill for the relief of Jane V. R. Bryant; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

346. The SPEAKER presented a petition of the Arizona State Council of the Knights of Columbus, relative to voluntary prayer in public schools, which was referred to the Committee on the Judiciary.

SENATE—*Thursday, June 13, 1968*

The Senate met at 11 a.m., and was called to order by the President pro tempore.

His Beatitude Maximos V Hakim, patriarch of Antioch and of all the East, of Alexandria and of Jerusalem, offered the following prayer:

Eternal Father of all, we thank Thee for granting us the opportunity on this the 25th anniversary of our consecration as a bishop of the holy church to stand here before the Senate of the United States of America.

Accept, O Holy and Immortal One, our abiding gratitude for this land and this mighty Nation. Constantly renew, O God, in her sons and daughters the mighty sense of mission which her Founding Fathers possessed at her establishment. Let her stand forth before the community of nations as an ever brighter beacon of freedom and peace and justice.

Grant, Heavenly Father, Thy blessings on these Thy servants, the Members of this august body, and bestow on them the wisdom which Solomon of old sought and received from Thee so that they with prudence yet with courage may confront and solve the problems which torment a troubled world.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, June 12, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR FANNIN

The PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Arizona [Mr. FANNIN].

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. FANNIN. I am delighted to yield to the distinguished majority leader.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary and the Subcommittee on International Finance of the Committee on Banking and Currency be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

Mr. FANNIN. Mr. President, by request, I object.

The PRESIDENT pro tempore. Objection is heard.

A CALL TO REASON

Mr. FANNIN. Mr. President, today our Nation finds itself tossed upon a sea of emotion. The events of the preceding days have saddened and buffeted all of us to the point that we have become numbed. The tragedies that sweep suddenly from the shadows, when they come in such frequency as we have experienced, have their injuring effects upon our senses and we come almost to expect one catastrophe to follow another.

This is the atmosphere, Mr. President, in which we are asked to legislate and find some solutions to the problems that beset America.

During the period that followed the tragic assassination of Dr. Martin Luther King, Mr. President, I hesitated to speak out. I held back for several reasons: First, I thought our public officials would evidence more control and calmness than it now appears they did; second, many charges and countercharges were flying about, the atmosphere was charged with racial tensions, and it seemed to me that another voice added to the clamor would tend to worsen the situation rather than better it; and, finally, I wished to allow spokesmen from the minority community the opportunity to display their leadership, talent, and reasonableness so they could thereby develop genuine leaders worthy of trust and admiration.

Mr. President, in my own State of Arizona there were responsible leaders of the Negro community who spoke out against lawlessness and violence at the time of Dr. King's death. We were thereby spared some of the tragedies and violence that wracked other parts of the Nation. This is one of the bright spots in an otherwise rather bleak picture so far as my own experience of these troubled times is concerned. For now it appears that some of our vaunted intellectuals—men who by commonly accepted standards should be worthy of respect—have suddenly taken leave of their senses, mounted the nearest hobby horse and collectively ridden off in all directions.

Many things, I suppose, can be laid at the door of sudden grief. Certainly I would not deny a man the right, the privilege, or the duty of grieving for a fallen comrade. I grieve for my colleague and my friend, Senator Kennedy, and for his family, as I grieved for President Kennedy and his family, and indeed for all men everywhere who are suddenly and unjustly cut down in peace and in war. But my grief does not grant a license to utter reckless and irresponsible judgments or advocate actions which may compound the very difficulty they are supposed to combat.

I say I remained silent at the time of Dr. King's death and did not speak out against the senseless actions recommended at that time. There was a sudden outpouring of media sentiment to the effect that this or that piece of legislation should be passed as a memorial to the late reverend doctor. This is a perilous kind of precedent to follow. Edmund Burke, a great English exponent of liberty for the people, noted almost 200 years ago:

> **The people never give up their liberties but under some delusion.**

Mr. President, those words ring true today. Right after Dr. King's death we were entreated to pass the open housing law which would end discrimination in residential housing. Dutifully, the House passed the law on the day after his death. The bill had not been transmitted to the White House, Mr. President, before I heard a Member of Congress on the air saying:

> Passage of this legislation does not begin to touch the real problem . . . We must pass stronger and stricter regulations—

And so forth. Of course, that bill does not correct all those vast catalogs of discriminatory ills so glibly cited over the air—no legislation in the mind of man, much less on paper, can correct all those ills which flesh is heir to. To represent that it will is a sham and a hoax and should be so labeled. I have said it here before and will probably say it again—you cannot legislate morality. It is beyond the power of the Senate to pass a law making men honest, or unprejudiced, or moral, or anything else. Should we then cease to legislate? Of course not. But we do have an obligation to use commonsense, God's gift to every man, and if we feel our emotions have taken hold of the better part of our senses, then let us pause until reason returns.

My point is that we may, under a stormcloud of emotion, be urged to do those things which at a more reasonable time we would refuse to consider. At this time, I think the Senate and this Nation are under such an emotional cloud. We have difficulty separating fact from fiction. We seem to be impelled to do something, even if it is the wrong thing. And we are getting some of the most irrational advice from quarters where we have reason to expect better, and I quote:

> The world today is asking a terrible question—a question which every citizen of this Republic should be putting to himself: What sort of people are we, we Americans?
>
> And the answer which much of the world is bound to return is that we are today the most frightening people on this planet. . .
>
> It is almost as if a primal curse had been fixed on our Nation. . .

Those are the words of Arthur M. Schlesinger, Jr., a would-be chronicler of this present age. I join the Wall Street Journal in labeling these words "nonsense," Mr. President. Let Mr. Schlesinger study his history awhile longer and come back when he has gained sufficient wisdom to put facts in their proper perspective.

Into this same category of "nonsense" go the frothy commentaries of Mr. Howard K. Smith, the Vietnam dove-turned-hawk, who has done everything on camera but fall down in a screaming fit as he flails away at the Senate for not having the wisdom to pass a "meaningful" gun control law before Senator Kennedy was assassinated.

I will return to Mr. Smith in a moment, Mr. President, but may I pause long enough to ask if anyone knows the meaning of "meaningful"? I am convinced that whenever an editorial writer knows little or nothing about a subject he calls it "meaningful." It is almost a sure signal that he does not know what it means. I am trying to ban the word from my vocabulary. It seems to drape across any subject to which it is appended like a wet dishcloth.

Mr. Smith has the advantageous position of being a 20–20 hindsight legislative editorializer but he does not tell us how a "meaningful" gun control law would have prevented the death of Senator Kennedy. He does not need to. He is riding piggyback with Herblock of the Washington Post atop a gigantic tide of grief related to the death of Senator Kennedy, but trying to accomplish a mission that by their own words would not solve the problem. Instead we have meaningless comparisons of gun-related deaths between our Nation and European nations. They quite adroitly leave out a total comparison of overall crime rates between these countries because that would not serve. They fail to notice that crime in general is more prevalent in America than it is in England or in France, because when we begin to explore the reasons behind those statistics we find the courts and liberal-espoused "permissiveness" come under the gun as a probable cause of violence in America—and suddenly that is off limits.

Let us put some perspective on these facts, Mr. President. Of the principal assassinations listed in the World Almanac for 100 years between 1865 and 1965, there were 43 assassination tragedies. There were several people killed in some instances, as when the Bolsheviks murdered the czar's family in cold blood, but there were 43 assassination events listed in that time. Of these 43 events only eight took place in the United States. Yes, that is eight too many. That is slightly over 18 percent. Even in these eight there were significant foreign influences. One would have thought from the public handwringing over the public media for the past few days that everyone that has been involved in a political or religious assassination was an American. We seem to have forgotten such world figures as Trotsky, Archduke Francis Ferdinand, Mahatma Gandhi, Hendrik Verwoerd, Rafael Trujillo, Patrice Lumumba, Nicaraguan President Somoza, Panamanian President Remon, Guatemalan President Castillo Armas, Venezuelan President Chalbaud and Austrian Chancellor Dollfuss, all slain by foreign hands.

H. Rap Brown in one of his gutterside press conferences made the statement that—

> Violence is as American as cherry pie.

Are some of our American editorialists and supposedly learned commentators going to make that nihilist dream come true? The sickness that these people so often refer to does not rest in society but in man himself.

The first political assassination with which most of us are familiar is that of Julius Caesar and it occurred in 44 B.C. Americans have no monopoly on violence. Man is a violent creature and unless held in check by the laws of man and God, his nature is to destroy. Our plight is in this Nation that we have in recent years tended to shackle the law rather than the criminal. This "national guilt" that one of our presidential candidates says we must bear, resides only in the minds of those who must share in the blame for unleashing the criminal on our society, fostering permissiveness in our educational and judicial systems, and engendering a general relaxation of the moral and spiritual standards upon which this Nation has prospered.

Permissiveness leads to the popular cause we have now called "civil disobedience." Somebody has the idea that if you break the law on a large scale that it is not breaking the law it is civil disobedience. Well it is not civil disobedience. Breaking the law is breaking the law—and civil disobedience is really criminal disobedience.

A famed English playwright once said:

> Liberty means responsibility—that is why men dread it.

We have much talk of liberty in America today—many loudly proclaim their "right" to live by the sweat of another man's brow—but we have precious little talk of responsibility. To those who would flaunt their intellectualism in the face of such old-line morality, let me quote the words of one of the most famous intellects to ever be a Member of the Senate. His likeness is one of the five chosen to decorate the reception room just outside this Chamber. Few, I think, will venture to boast their intellectual prowess above his. The man is Daniel Webster, who once said:

> The most important thought I ever had was that of my individual responsibility to God.

Mr. President, individual responsibility is a phrase we hear seldom these days. The President pointed out the other night that 200 million Americans did not kill Robert Kennedy, or John Kennedy, or Martin Luther King. Each was the act of one man, so far as we know, and that man must bear the guilt.

No matter what a Senator's stand may be on more gun legislation, until I see or hear some better reasoning than I have heard to this point I say it is a monstrous nonsequitur that snatches at our constitutionally guaranteed freedoms without returning to us a sufficient guardian for that freedom. We need a pause.

May I say at this point, Mr. President, that I have not made this speech at the behest of the National Rifle Association, nor have I been in contact with them at all. I am embarrassed to see some of our supposedly independent-thinking commentators and legislators follow the lead of the few, like an obedient pack of sheep, in castigating the National Rifle Association. It is a shameful display, creating a convenient whipping boy, and I think those that engage in such a deficient practice should be, and will be, ashamed. The practice lacks reason. Those who will not reason are bigots; those who cannot reason are fools; those who dare not reason are intellectual slaves.

If, when the smoke kindled from these carelessly set emotional torches clears away, we can have a reasonable debate on this matter, and when we have given legislation just passed a chance to exert its force, and possibly found it lacking, then I think we should take up the matter again—not before.

Mr. President, I am concerned for the spirit of America, for I fear that the people of our Nation, like others who have gone before, will cease to have confidence in any government. Those who in past years have preached over and over that government is your sworn enemy must be in the same category as those who now strike out in unreasoning anger at what they call the "system" that denies them their desire. Both are bent on "tearing down." Both are essentially nihilist, holding the the present system must be destroyed before a new one can take its place—even then they have no plan for the new utopia, they only know they do not like this one. Well, I could have some advice for them if they do not like this country, Mr. President, but that can wait for another time.

I suspect that more than a few legislators in this Chamber have come to the same conclusion that I have: That while the NRA is undoubtedly an effective lobby because it has entered into such a comprehensive program of instruction in gun safety and taught thousands of youngsters in the proper use of firearms, the NRA is not what prevents passage of stronger gun laws; rather it is the people—the homeowners, the small retailer, the service station operator—who feel that because we have an Attorney General who ignores the respect due his office and provides a forum for rabble-rousers to revile the United States, who exhibits little interest in protecting victims rather than criminals, who reckons himself opposed to capital punishment, who still is "investigating" the words and deeds of Stokely Carmichael to see if there is a possibility that he may have acted to incite a riot—for all these and more reasons the people feel they have little expectation of the legal protection they have taxed themselves to provide. Does the Nation really wonder why people in the main are opposed to additional laws that make their self-protection even more difficult?

Last week in Washington as a judge was about to sentence a convicted looter in the aftermath of the April riots he made these observations: Here is a man who has four children with one on the way, making a small wage on which he supports his wife and family. During the time he has lived in Washington he has no police record. If he is put in jail, up go the relief roles; if he is let go it is a clear invitation to others to try the same thing.

The judge asked the young man how he happened to get involved in the riots. The man said:

> I was sitting on my porch and these other folks were going by carrying TV sets and clothes and I asked where they were getting them. They said down at the store. I asked if the police weren't stopping them. They said no, so I decided to go and get my share.

At that point the judge asked him if he would have gone and participated in the looting if he had known they were shooting looters.

He replied:

> No sir.

Perhaps it is too much to draw a large lesson from a single experience, but do we really need a Violence Commission to tell us that enforcing the laws will cut down on violence? We are looking for some other answer, but there can be no other answer other than America is built upon respect for law and order.

And what of the charge that these assassinations are a product of American society? Let us just examine that for a moment.

It appears that Senator Kennedy's assassin was a Jordanian immigrant and he shot the Senator for a reason that is not primarily related to domestic affairs, but rather to the international difficulties in the Middle East.

We know too little of Dr. King's assassin to speculate, although there appears to be some elements of conspiracy there.

From testimony developed by the Warren Commission, we know that Lee Oswald's background consisted of a renounced American citizenship, a Russian-born wife, and a period spent behind the Iron Curtain.

George Lincoln Rockwell: Espousing Nazi philosophy, apparently killed by one of his own followers. Hardly as American as "cherry pie."

Malcolm X: Cut down by members of his own sect following a religion that has Mideast trappings.

Medgar Evers: The man charged with his assassination was not convicted of the crime, so beyond that we cannot go.

The assassination attempt on President Truman and the shooting incident in the House of Representatives was carried out by members of a Puerto Rican nationalist group.

The assassination attempt on the then President-elect Roosevelt that killed Mayor Anton Cermak was carried out by Guiseppe Zangara, an Italian immigrant who said he had also tried to kill King Victor Emmanuel.

The assassination attempt on President Theodore Roosevelt was carried out by a demented man who was born in Bavaria.

President McKinley was killed by Leon F. Czolgosz, an anarchist who hated all forms of government.

President Garfield was assassinated by Charles Guiteau, a religious fanatic.

President Lincoln was killed by John Wilkes Booth, a Confederate sympathizer.

Based on this information, one could more easily make a case for tightening up our immigration laws with much stricter regulations. The logic would be as clear or clearer than calling for tighter curbs on guns.

Mr. President, we can see from these that not all, not even a preponderance of crimes of violence that have affected the political life of our Nation, have come from American roots.

I wonder how many know that even on the day Senator Kennedy died, the New York Times carried a small story about testimony given by a New York police detective who had infiltrated one of the revolutionary Negro groups there. This Negro detective testified that Senator Kennedy's name appeared on a list given to him of leaders marked for assassination by the Black Brotherhood Improvement Association. The detective testified that he had become a part of a three-man "terrorist cell" and that sharing the list of targets with Senator Kennedy were Roy Wilkins and Whitney Young.

I sound a call to reason. A call to calmness. I ask for a time in which we all may put our facts back in perspective.

At least, the leaders of opinion can stop the irresponsible words about violence and anarchy. We can begin—and I think it is high time—to assert the claim of law, order, and reason in our society. We can stop coddling the criminal and kicking the victim. We can remind men that the lawful way is the only way to secure equal rights, liberty, and justice for all the people.

Let us tell the hoodlum, the racist, the demogog, and the exponent of anarchy that the great quiet power of this Nation lies in her law-abiding citizens. They are reaching the end of their patience. They are not sick. They are not guilty. It is a time for us to remind ourselves and the Nation that wherever the rule of law prevails, any man, woman, or child can walk the street in peace, in freedom, in dignity. That is the way America was built; that is the way she will be maintained; that is the way in which she will go forward.

In conclusion, I feel that the greatest need today is for a thorough investigation of why existing laws are not being enforced.

PRESIDENT JOHNSON SPEAKS TO UNITED NATIONS ON PREVENTION OF NUCLEAR PERILS

Mr. PASTORE. Mr. President, yesterday at the United Nations, President Lyndon B. Johnson spoke eloquently of the Nuclear Nonproliferation Treaty. He equated this treaty in importance to the birth of the United Nations itself and I share the President's assessment of the value of this treaty to mankind.

Over 2 years ago—on May 17, 1966—the Senate expressed itself on the need for an international agreement to halt the spread of nuclear weapons. It took the form of Senate Resolution 179:

> *Resolved*, That the Senate commends the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons and supports the principle of additional efforts by the President which are appropriate and necessary in the interest of peace for the solution of nuclear proliferation problems.

It was my privilege to introduce that resolution. It was adopted by the Senate by a vote of 84 to 0.

We live in a dangerous and turbulent nuclear world where a misguided hand or a miscalculation in the mind of man could mean the end of civilization as we know it today.

The Limited Test Ban Treaty of 1963 represented a step away from the abyss of nuclear disaster. The Nonproliferation Treaty continues a trend toward sanity and away from horror.

I commend the President for his splendid work in pressing for this treaty while he moves with restraint and determination to seek peace with honor in Vietnam. I ask unanimous consent that the President's statement given before the United Nations on the Nonproliferation Treaty be placed in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address to the General Assembly by President Lyndon B. Johnson

Mr. President, Mr. Secretary General, Your Excellencies, Delegates to the General Assembly:

I have asked for the privilege of addressing you this afternoon to acknowledge this momentous event in the history of nations; and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago—shortly after the awesome responsibility of leadership was thrust into my hands—I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recalled the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said then:

"Let us pray that the tide has turned—that further and more far-reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations at Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world—for their speedy ratification—the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race, and to achieve nuclear disarmament.

It will insure equitable sharing of the peaceful uses of nuclear energy—under effective safeguards—for the benefit of all nations.

On behalf of the government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulation. The quest—and the need—for disarmament is too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek, peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signature; to sign it on behalf of our own government; and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily, so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty has entered into force—we of the United States will carry out our responsibilities under it in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear weapon party; *not* to transfer nuclear weapons, or control over them, to any recipient whatsoever; and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, in agriculture, in medicine, industry and the de-salting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic offensive and defensive nuclear weapons systems.

We shall search for an agreement that will not only avoid another costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armegeddon. And if my faith is well-founded, as I believe that it is, then this Treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the *peaceful* use of the atom.

And, when this treaty comes into force, the growing number of nuclear power reactors around the world—with their inevitable by-product of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, then let us press forward to halt and to reverse the buildup of nuclear arsenals; to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

And in the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

And to all of the delegates that are here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes; and to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LENNART GORDON LANGHORNE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1183, H.R. 15462.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. H.R. 15462, for the relief of Lennart Gordon Langhorne, reported without amendment.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1204), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Lennart Gordon Langhorne as of February 1, 1962, thus enabling him to file a petition for naturalization.

STATEMENT OF FACTS

The beneficiary of the bill is a 25-year-old native and citizen of Denmark, who was admitted to the United States as a student on February 1, 1962. He subsequently departed and reentered this country on five occasions in that status. On September 1, 1964, the beneficiary's status was adjusted to that of a lawful permanent resident. The beneficiary has received a degree in mechanical engineering. He desires to accept a commission in the U.S. Air Force for pilot training, and has completed all ROTC requirements except the 4-week summer camp, for which U.S. citizenship is a prerequisite. The U.S. Air Force has granted him an extension until July 10, 1968, to obtain U.S. citizenship. The beneficiary's parents are lawful resident aliens, and he is married to a U.S. citizen.

REVISION OF POSTAL REGULATIONS RELATING TO SHIPMENT OF FIREARMS

Mr. CARLSON. Mr. President, yesterday, the Postmaster General, W. Marvin Watson, speaking at the National Press Club luncheon, announced that the Post Office Department had issued regulations that all firearms shipped through the mails be clearly labeled with the word "firearms."

The Postmaster General stressed the fact that under existing legislative authority, the Department was authorized to take this action.

I want to commend the Postmaster General and the Post Office Department for taking this step, which I think will be helpful in the control and distribution of firearms.

The Postmaster General's speech was of such national interest that I ask unanimous consent that it be printed in the RECORD, and also a news release.

There being no objection, the speech and news release were ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT NEWS RELEASE

A major revision in postal regulations to prohibit delivery by postmasters of any firearms without prior notification to law enforcement officers was announced today by Postmaster General W. Marvin Watson.

Simultaneously, the postal chief launched a frontal assault on one of the areas which produce "the symptoms of tension in our society," unveiling a comprehensive "Plan of Action" to strengthen equal employment opportunities throughout the postal system.

Concerning the move to tighten restrictions on the mailing of guns, Mr. Watson said, "In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of state and local gun control laws.

"Therefore," Mr. Watson announced in a speech before the National Press Club, "I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: FIREARMS. If the shipment is not so labeled, it will not be accepted in the mails.

"I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal."

"This regulation will be effective immediately," Mr. Watson said.

The Postmaster General also classified sawed-off shotguns and short-barreled rifles as concealable weapons—thus barring them from the mails unless sent to certain authorized recipients, such as law enforcement officers.

"In this way," he said, "though we are not restricting the shipment of the larger weapons, we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

"This will enable local law enforcement authorities, in those many states and local jurisdiction having gun control laws, to take action if there is a violation of their laws."

The Postmaster General said he has sent telegrams to the private express companies urging that they follow the lead of the postal service in doing what they legally can to assist local law enforcement officers in keeping abreast of the traffic in guns.

"The Post Office Department stands ready to assist you in this in any way you desire," his telegram said. "I personally will be available to meet with your representatives."

The Postmaster General quoted a statement by President Johnson that "the key to effective crime control is effective law enforcement—at the local level."

"I fully realize," Mr. Watson said, "that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets."

"But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the smyptoms of tension in our society but also attacks and can defeat those causes."

He said a society in which social and economic justice has been achived is "a society that will produce less tension, less sickness, less violence."

In this connection, he said the Post Office Department "will seek to advance even more one of the President's most cherished goals—full equality of opportunity for all Americans."

"Effective at this hour," he announced, "I have ordered the Post Office Department to embark on an extensive program to strengthen our pursuit of equality and justice for all."

Under the new program, postmasters in all 4,859 first class post offices will be designated as deputy equal employment opportunity officers and will be directed to improve the equal opportunity effort in their post offices.

Postmasters will be encouraged to participate in civic affairs and to help eliminate racial or cultural bias from local school systems, housing arrangements and other institutions.

Mr. Watson announced these other moves intended to promote the equal opportunity effort in the post office and the community:

He said that the Post Office Department will hire 23 additional contract compliance examiners who will be responsible for reviewing activities of private companies which do business with the Postal Service. The new Examiners will nearly double the current complement of 26; they will improve post office capacity to help companies meet their responsibilities under President Johnson's directive that government contractors must practice equal opportunity.

Mr. Watson appointed a task force to visit post offices and to make certain that promotion practices are in accord with equal opportunity criteria. The task force will have authority to make on-the-spot changes and to recommend improvements which must be instituted from the national level. The group is a successor to a similar task force which visited 42 major post offices in 1965 and helped reform hiring practices.

The Postmaster General ordered the Department to begin a $1.5 million pre-promotion supervisory training program for an estimated 5,000 supervisory candidates of all races and both sexes. Those eligible for the 80-hour, on-the-clock course are persons who have passed supervisory examinations and who stand high on the register for promotion, usually within the top 15 per cent. Never has the Department engaged in pre-promotion training on such a scale. In addition, a booklet of information and instruction is being prepared for distribution to all rank-and-file employees who are interested in taking the supervisory examination.

The next round of examinations will be given nationally in 2,500 post offices from September 7 through November 9. More than 300,000 persons are eligible.

Although he made it clear that every post office will be a part of the new equal opportunity effort, Mr. Watson said that special responsibilities will be required of postmasters of first class offices which are located in the cities and the larger communities of the nation.

These postmasters will have 60 days in

which to submit to postal headquarters projected courses of action for their post offices. Thereafter, all such postmasters will be required to report to Headquarters on a quarterly basis, giving statistics and in some cases narrative which will show the status of the local efforts. Among other things, the reports must show minority group hiring, promotion, training, separation, incentive awards and similar post office data as well as indication of what is being done in the community.

The Postmaster General made it clear that he wants more emphasis on recruitment and promotion of minority group members. Post offices will continue to send recruiters into the neighborhoods and to cooperate with groups which offer pre-examination orientation to job candidates.

Similarly, post offices will be required to publicize promotional opportunities fully and to cooperate with employee organizations, community groups or others who are willing to help train employees for the supervisory examinations.

In addition, postmasters who pass over women or minority group people for employment or promotion must justify the action in writing. Reports specifying the reasons for such action must be submitted to postal headquarters.

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., JUNE 12, 1968

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.

Each of us must do what he can to reverse this dangerous and frightening trend.

And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.

Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."

Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.

Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in any way you desire. I personally will be available to meet with your representatives."

I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tension in our society, but also attacks and can defeat those causes.

I think it is self-evident that a society in which social and economic justice has been achieved is a society that will produce less tension, less sickness and less violence. All government agencies are working toward that end. This is particularly applicable to the Post Office Department which is the largest civilian employer among government agencies.

I take particular pride in my association with 711,660 fellow employees. In my 44 days in office, I have travelled some 15,000 miles and seen 30 different postal facilities and I am told that I have met over 8,500 employees. This was done for two purposes—first, to get to know the system and those who make it work; and, second, to search out ways to do the job better and at less cost.

I think both aims have been to some degree achieved. Certainly I am more convinced than ever that the Post Office is an often overlooked cornerstone of democracy—an organization which by its daily delivery of mail affects every home and every business. And I am convinced that our people are doing a good job of delivering over 82 billion pieces of mail this year.

But I am equally convinced that we must give them further assistance, both in modernization of machinery and in modernization of our employee programs. This is particularly important in the Post Office—for, as the largest civilian department of government, everything we do has an effect on the nation as a whole.

Therefore, I have pledged myself to these fine people and to these programs for a better post office. Today, I am pleased to be able to announce a new Plan of Action that will enhance our goal of full equality of opportunity for all.

Effective today, I am ordering an advanced program to aid the disadvantaged—and thus aid our land as well. This is not a hastily conceived program. It is one we have worked on intensively during my six and one half weeks as Postmaster General.

The Plan of Action is designed to pinpoint responsibility for action to carry out the President's program and my own; it is designed to require explanations if qualified minority members are passed over for employment or promotion; it is designed to assure regular and detailed reports on the status of equal employment in every post office and postal installation.

It is direct and specific.

It is a Plan of Action that will work.

It is a Plan of Action which keeps the Post Office Department in the forefront of aiding the less advantaged.

I hope you will clearly understand that we are not suddenly creating equality or social justice.

Rather, we are improving on the very good program we already have—a program which has served as a guidepost for many other government agencies.

What we are doing now is adding to this program and strengthening it. This is in keeping with our postal policies which date back to the last century.

The first Negro lady postmaster in the United States, Minnie M. Cox, was appointed back in 1896 at Indianola, Mississippi. Some years later when elements of that city attempted to make things unpleasant, President Teddy Roosevelt shut down the post office until her safe return was guaranteed.

We have all come a long way since then, both as a government and as a people.

In the post office, we guarantee social and economic justice, not by shutting down post offices, but by opening them up as wide as we can.

To understand what we have done and what we propose to do, six facts are necessary:

First Fact—we are the largest single civilian employer of minority group workers in the world. Our workforce includes over 150,000 minority group members, mostly Negroes, who constitute almost 22 per cent of our total employment.

Second Fact—we employ and recruit not on the basis of race or religion or color, but ability.

Third Fact—our minority group employees are of proven high quality. Minority group members now hold the Postmasterships of the three largest post offices in the United States—in New York, Chicago, and Los Angeles.

Fourth Fact—all the trends in minority group employment in our Department are upward.

In virtually every major city in America, our percentage of minority group employment exceeds the percentage of minority people in the city's population.

Fifth Fact—we insist that those who contract with the Department also provide equal employment opportunity. Our contract compliance program is sternly enforced. So far, enforcement of regulations requiring contractors to follow equal opportunity job policies has resulted in the hiring of 13,000 minority group employees in many fields outside the Post Office. More importantly, it has helped break down long standing patterns of discrimination in numerous key industries.

Sixth Fact—we are now starting new programs to search out talent where it may be hidden, and to find ways of telling members of minority groups that they are wanted and they are welcome in the postal service.

One of the finest of these new programs has a bureaucratic name, but a human intent.

It is called the Concentrated Employment Program.

Translated into English that means we are testing a way of finding postal work for the so-called hard-core unemployable. Right now such a test is being conducted in San Francisco for 200 persons recruited from the ghetto areas.

Another project along this line will begin shortly in Oakland, California, and others will follow.

Under the concentrated employment program, each worker receives two weeks of preappointment orientation with a small salary from the Labor Department. When he begins on-the-job training with the Postal Service, the appointee must attend two hours of school each work day outside working hours for a maximum period of one year, or earlier if he passes the Civil Service examination.

We are also providing training in 70 locations for veterans about to be discharged and we are making special efforts to hire recent service veterans.

In addition, our summer employment program is aimed primarily at young people from families with income at the poverty level.

Thus, the door is open.

We should be proud and satisfied.

And to a large degree we are.

But we are not completely satisfied.

We think we can do better.

It is for that reason that I approved this morning our Equal Employment Opportunity Plan of Action.

The Plan has one basic philosophy—that old patterns will not just fade away. They must be attacked.

So we are moving forward aggressively.

Today, I am informing every postal employee that no discrimination of any kind will be tolerated. Together, we will push hard, both where we have already broken through, and where new breakthroughs are needed.

Our new plan of action—based on our philosophy of equality for all people—translates into hard hitting programs which fight discrimination and strike against poverty.

First, I have designated a special high level task force to survey postal installations and assure that equal opportunity fully and truly exists in promotions as well as hiring. These top personnel will travel over the nation and will effectively assure that our plans become fact.

Second, I am intensifying our contract compliance program. We are hiring 23 additional Contract Compliance Exmainers to make sure all our contractors are meeting the requirements of President Johnson's Executive Order on contractor employment.

Third, since there is a post office in every city and almost every village, town, and hamlet, it is our responsibility to assure that national leadership in racial justice is also brought home at the local level.

Therefore, I am asking all our postmasters to contribute their influence and abilities to improving equal opportunity in their communities. I am also encouraging them to aid as community leaders in helping to eliminate racial or cultural bias from local school systems and housing arrangements.

Postmasters are local leaders. Since elimination of racial, social, and economic injustice is one of our major problems, these are the areas where their leadership can be most helpful.

Since big cities crystallize this problem, I have designated postmasters of all 4,859 first-class post offices as deputy equal employment opportunity officers. They will have special responsibilities, and they will report directly to our Equal Opportunity division in Washington.

We intend to take full advantage of our postmasters' places as leaders in their communities. As a Federal Agency, it is our responsibility to work in accordance with President Johnson's policy of education, jobs and housing for all people without regard to race or any other irrelevant consideration.

Fourth, I have issued an order to begin pre-supervisory training on a large scale to all candidates who are eligible for promotion to postal supervisors. I have also directed that maximum encouragement be given to minority group employees to take the next nationwide supervisory promotion examination. This will be given in the fall, and a special handbook will be provided for all who wish to prepare for a supervisory examination.

I will require all post offices to cooperate with all employee organizations or community groups who are willing to help employees prepare for the supervisory examination.

In the same vein, post offices will also cooperate with groups preparing job seekers for the civil service test leading to postal employment. And we will now step up our efforts to recruit in the neighborhoods—efforts which have been successful in our test programs.

Finally, we will take a number of detailed and quite specific steps to make our Plan of Action a meaningful weapon in the war against poverty and discrimination.

This war is perhaps the most challenging that has ever faced America. I intend to wage it with intensified effort.

For this war touches the very essence of America. As President Johnson said, "We shall either find the means to open employment to all of our workers—to find decent housing for all of our citizens—to provide a good education for all of our American children—or we shall see the American promise spoiled for each of them."

The American promise has for 200 years served as a light pointing the way.

Today I have described two steps to protect that promise and that light.

I have done all that I can within the law to support local and State law enforcement agencies in their effort to control and regulate the possession of firearms, and ban certain lethal weapons from unrestricted passage through the mail. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

And I have taken a number of major steps to assure that the Post Office Department serves the nation, not only as an effective channel of communication, but also as an instrument of social justice.

May I end by promising to you, that this great Department of government will do everything possible to serve the American people and advance the American dream.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. HARTKE. Mr. President, I ask unaninmous consent that the Subcommittee on the Separation of Powers of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, in which it requested the concurrence of the Senate.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, was read twice by its title and placed on the calendar.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Armed Services, with an amendment:

H.R. 16703. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 1232).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3058. A bill to amend the Water Resources Planning Act to revise the authorization of appropriations and administering the provisions of the act, and for other purposes (Rept. No. 1234).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 827. A bill to establish a nationwide system of trails, and for other purposes (Rept. No. 1233).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 17104. An act to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum (Rept. No. 1235).

PREVENTION OR MINIMIZATION OF INJURY TO FISH AND WILDLIFE—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1236)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (H.R. 15979) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of myself and the Senator from Michigan [Mr. Hart].

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Philip Handler, of North Carolina; Harvey Brooks, of Massachusetts; Norman Hackerman, of Texas; Frederick E. Smith, of Michigan; R. H. Bing, of Wisconsin; William A. Fowler, of California; Grover Murray, of Texas; and James G. March, of California, to be members of the National Science Board, National Science Foundation; and

William George Anlyan, of North Carolina; Max Michael, Jr., of Florida; and George William Teuscher, of Illinois, to be members of the Board of Regents, National Library of Medicine, Public Health Service.

By Mr. CLARK, from the Committee on Labor and Public Welfare:

James D. Templeton, of Kentucky, to be an Assistant Director of the Office of Economic Opportunity.

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review.

By Mr. MORSE, from the Committee on Labor and Public Welfare:

Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare.

Mr. INOUYE. Mr. President, from the Committee on Armed Services I report favorably the nominations of 10 general officers in the Army and Marine Corps. I ask that these names be placed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered placed on the Executive Calendar, are as follows:

Lt. Gen. Bruce Palmer, Jr., Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of general while so serving;

Maj. Gen. John Edward Kelly, U.S. Army; Maj. Gen. Richard Giles Stillwell, U.S. Army; Maj. Gen. Walter Thomas Kerwin, Jr., Army of the United States (brigadier general, U.S. Army); and Maj. Gen. Donald Vivian Bennett, Army of the United States (brigadier general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenants general while so serving;

Lt. Gen. Robert Howard York, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general;

Lt. Gen. Berton Everett Spivy, Jr., Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of general while so serving;

Maj. Gen. William Pelham Yarborough, U.S. Army; and Maj. Gen. John Jarvis Tolson, U.S. Army, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenants general while so serving; and

Lt. Gen. Ralph K. Rottet, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list.

Mr. INOUYE. Mr. President, in addition, I report favorably the nominations of 422 officers for promotion to the grade of first lieutenant in the Army. Since these names have already been printed in the Congressional Record, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Thomas Abercrombie, and sundry other officers, for promotion in the Regular Army of the United States.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated June 6, 1968, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COTTON (for himself and Mr. McIntyre):

S. 3639. A bill to authorize the establishment of the Franklin Pierce National Memorial Amphitheater; to the Committee on Interior and Insular Affairs.

By Mr. RIBICOFF (for himself, Mr. Pearson, Mr. Allott, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Boggs, Mr. Brewster, Mr. Brooke, Mr. Byrd of Virginia, Mr. Cannon, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Fulbright, Mr. Griffin, Mr. Gruening, Mr. Hansen, Mr. Harris, Mr. Hatfield, Mr. Hollings, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Lausche, Mr. Long of Missouri, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Percy, Mr. Proxmire, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Smathers, Mr. Smith, Mr. Spong, Mr. Thurmond, Mr. Tydings, and Mr. Yarborough):

S. 3640. A bill to establish a commission to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Moss, Mr. Lausche, and Mr. Murphy):

S. 3641. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general purpose airports, airport terminals, and related facilities, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (by request):

S. 3642. A bill to approve Public Law 9–189 of the Territory of Guam, entitled "An act to add chapter 6, to title XXII, to amend sections 4004, 21000, 21002, 21003, 21201, 21204, 21206, 21208.3 and 21214 of, and to repeal section 21208.2 of, the Government Code of Guam, relative to the Guam Power Authority," and Public Law 9–190 of the Territory of Guam, entitled "An act to add chapter 7 to title XXII of the Government Code of Guam, relative to Guam Power Authority Revenue Bonds."; to the Committee on Interior and Insular Affairs.

By Mr. BROOKE (for himself and Mr. Hart):

S. 3643. A bill to amend title 18, United States Code, to prohibit the sale and delivery of destructive devices, machineguns, short-barreled shotguns, and short-barreled rifles; to the Committee on the Judiciary.

(See the remarks of Mr. Brooke when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 3644. A bill for the relief of Nelson A. Paguyo, M.D., and Ester R. Paguyo, and his wife; to the Committee on the Judiciary.

By Mr. MONRONEY (by request):

S. 3645. A bill to authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes; to the Committee on Commerce.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 3646. A bill for the relief of Au Yeung Keung Keung, Lam Kam Muk, Mui Yuen Cheung, Tsang Yan Wo; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 3647. A bill for the relief of Emilie Favila Seno; to the Committee on the Judiciary.

S. 3648. A bill to authorize the payment of the expense of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Gruening when he introduced the second above bill, which appear under a separate heading.)

S. 3640—INTRODUCTION OF BILL TO ESTABLISH A COMMISSION ON REORGANIZATION AND MANAGEMENT

Mr. RIBICOFF. Mr. President, for myself, Senator Pearson, and 54 other Senators, I introduce the Executive Reorganization and Management Act of 1968. This is a combination of the best features of legislation which Senator Pearson and I have previously sponsored.

Earlier this year the Subcommittee on Executive Reorganization held 7 days of hearings on five different bills relating to the problems of organization, management, and coordination in the executive branch. At the conclusion of the hearings Senator Pearson and I reached agreement on the present legislation.

In brief, the bill establishes a bipartisan eight-man commission to conduct a 2-year study of the executive branch and make recommendations for modernizing and improving its operations. The commission will focus not on the goals of our Government, for these should be determined by the President and Congress, but on how the executive branch functions in carrying out the policies laid down by Congress.

Our measure is patterned after the legislation creating the Hoover Commissions of 1947 and 1953. But it contains one important advance over those laws—it directs the commission to consider criteria and procedures for the establishment of priorities among Federal programs. There is a growing recognition in Congress and throughout the country of the need to evaluate the importance of our many programs and concentrate our efforts where we can achieve the most results for our dollars.

Mr. President, it is time for another Hoover-type Commission. Thirteen years have passed since the Nation had the benefits of its report on the organization and operation of the Federal Government. The American people deserve to know how efficiently and effectively their Government is being run at this crucial time. Our Government, unlike private enterprise, does not have competition to keep it responsive to change and functioning properly. So from time to time it is necessary to convene a group of our most able citizens of both parties to review the structure of government and make recommendations for needed reforms.

This Commission will be above politics. Its purpose is not to look back over what has been done in the past 13 years, it is to look forward to what we must do in the coming decade. This is the task which summons the leaders of a great, free nation.

We must streamline the machinery of government if it is to be capable of solving the problems of today and tomorrow. We cannot find in yesterday's remedies the answer to the troubles which concern us today.

All men of good will can support this effort to modernize our Government. For all of us must realize that we will receive no better quality government than we ourselves provide.

I ask unanimous consent that the text of this bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3640) to establish a commission to study the organization, operation and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy, introduced by Mr. Ribicoff, for himself and other Senators, was received, read twice by its title, referred to the Committeee on Government Operations, and ordered to be printed in the Record, as follows:

S. 3640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Act of 1968".

FINDINGS OF FACT AND DECLARATION OF POLICY

Sec. 2(a) The Congress declares that it is the responsibility of the President, in conformance with policy set forth by Congress, to administer the executive branch effectively and economically, and that it is the joint responsibility of the President and the Congress to provide an executive organization structure which will permit the efficient and economical discharge of the duties imposed upon the President by the Constitution.

(b) The Congress finds that there are more than one hundred and fifty departments, agencies, boards, commissions, bureaus, and other organizations in the executive branch engaged in performing the functions of Government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict, and duplication of effort among them; that the Congress and the President do not have adequate information and techniques to determine the best means of improving the conduct of the public business in so many governmental establishments.

(c) The Congress further finds and declares that in order to promote the efficient management and improved coordination essential to the economical administration of governmental services and to assure that program expenditures and performance are consistent with the policies established by the Congress, a commission to review the organization, operation, and management of the executive branch should be established.

COMMISSION ESTABLISHED

Sec. 3 (a) For the purpose of carrying out the policy set forth in section 2 of this Act, there is hereby established a Commission to be known as the Commission on the Reorganization and Management of the Executive Branch (referred to hereinafter as the "Commission"). The Commission shall be composed of eight members; four appointed by the President of the United States, two from the executive branch of the Government and two from private life; two appointed by the President of the Senate from the membership of the Senate; two appointed by the Speaker of the House of Representatives from the membership of the House. The Commission shall elect a Chairman and a Vice Chairman from among its members.

(b) Five members of the Commission shall constitute a quorum. A vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission appointed from private life shall represent equally the majority and minority parties; with respect to members of the Commission appointed from the House of Representatives and the Senate, there shall be a Representative and a Senator from the majority party and one each from the minority party.

(d) Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem when engaged in the actual performance of duties of the Commission. Members of the Commission who are Members of Congress or officers of the executive branch of the Government shall serve without compensation in addition to that received for their services as Members of Congress or officers of the executive branch. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses actually incurred by them in the performance of the duties of the Commission.

(e) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

(f) Members of the Commission appointed pursuant to this section may continue to serve during the existence of the Commission. Any member of the Commission appointed pursuant to section 3(a) of this Act who, at the time of his appointment is serving as a Member of Congress, may continue to serve as a member of the Commission without regard to whether he continues to hold office as a Member of Congress.

DUTIES OF THE COMMISSION

Sec. 4. (a) It shall be the function of the Commission to—

(1) Analyze and assess the current organization, coordination and management of the executive branch and recommend appropriate actions, modifications, innovations and reorganizaitons to achieve the purposes of this Act,

(2) Consider, evaluate, and make recommendations regarding criteria, systems, and procedures for improved coordination and cooperation among Federal agencies to insure the maximum degree of consistency in governmental actions,

(3) Appraise the current status of administrative management in the executive branch and its individual departments, agencies, bureaus, boards, commissions, independent establishments and other organizations with a view to proposing reforms and new procedures, techniques and facilities which will improve the conduct of Government service; and

(4) Consider, evaluate and make recommendations regarding criteria, systems, and procedures for the: (a) establishment of priorities among Federal programs; (b) consolidation and redirection of those programs; and (c) reduction or elimination of those which are of marginal utility or which are unnecessary.

(b) The Commission shall submit an interim report to the Congress one year after the date of its appointment and at such other times as the Commission may feel necessary or desirable and shall complete its study and investigation no later than two years after the date of its appointment. Within sixty days after the completion of such study and investigation the Commission shall transmit to the Congress a report of its findings and recommendations. Upon the transmission of such report, the Commission shall cease to exist.

POWERS OF THE COMMISSION

Sec. 5. (a) The Commission shall have power to appoint and fix the compensation of the Executive Director and other personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per diem for individuals.

(c) To carry out the provisions of this Act, the Commission, or any duly authorized subcommittee or member thereof, may hold such hearings; act at such times and places; administer such oaths; and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, the chairman of any such subcommittee, or any duly designated member, and may be served by any person designated by such chairman, or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C. title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(d) To enter into contracts or other agreements with Federal agencies, private firms, institutions, and individuals for the conduct of research or surveys.

(e) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestion, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office independent establishment, or instrumentality is authorized and directed to furnish on a nonreimbursable basis such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

APPROPRIATIONS

SEC. 6. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

EXECUTIVE REFORM

Mr. PEARSON. Mr. President, today I join with the distinguished Senator from Connecticut [Mr. RIBICOFF] in introducing a bill to create a Hoover-type Commission on the Reorganization and Management of the Executive Branch.

As my colleague observed, this legislation is the product of extensive hearings recently held by the Subcommittee on Executive Reorganization. It reflects many of the recommendations brought forth in these hearings and is a merger of the best provisions of my original bill (S. 47) and that of my colleague (S. 2116) which formed the basis for the discussions sponsored by the subcommittee.

The new bill, which we hope will be reported favorably by the committee in the near future, calls for the creation of an eight-man bipartisan commission, four appointed by the President, two appointed by the President of the Senate, and two appointed by the Speaker of the House. This composition insures the 50–50 balance between congressional and Executive representation on the panel which should result in the objective review essential for the development of responsible recommendations.

In the 13 years since the last Hoover Commission submitted its report, Federal spending has more than doubled and over 500,000 civilian employees have joined the payroll. Growth, by and of itself is not necessarily undesirable, of course. But we are now confronted with such a mass of duplication and wasted effort, that some clearing of the underbrush is essential. For example, today there are approximately 33 Federal agencies engaged in 296 consumer protection programs. Thirty separate programs are involved in teacher training activities, nine deal with job recruitment, while at least five subsidize on-the-job training projects.

Mr. President, these are critical times. The needs of our citizens are many and urgent. Waste and inefficiency can no longer be tolerated. Good programs will have to be made better and poor programs will have to be eliminated if our Government is to be able to solve the many serious problems this country faces. If we are to fulfill our historic role as agents for effective government, we simply must be given more comprehensive information on how best to restructure the Federal bureaucracy.

The bill introduced today will not solve all the problems of poor management and organization that are crippling the Federal Government. It will not remake the bureaucracy overnight. But it should provide some badly needed guidelines on where and how reorganization might be most effectively undertaken.

Too much time has already passed since the last thorough study of the bureaucracy was made. We must begin a new overhaul today if we are to be equipped to meet the heavy responsibilities of the future.

S. 3641—AIRPORT DEVELOPMENT ACT OF 1968 INTRODUCED—URGENT NEED FOR TRUST FUND CITED

Mr. RANDOLPH. Mr. President, on behalf of myself and Mr. Moss, I have introduced for appropriate reference a bill, the Federal Airport Development Act of 1968.

The dominant features of the measure would establish an airport development trust fund which would be supported by special taxes of 2 percent on domestic air passenger tickets and $2 per passenger in foreign air transportation on flights originating at U.S. airports. Although the trust-funded program would function without general tax revenues, the legislation does not preclude such appropriations. In fact, the measure contemplates continuation of the existing Federal-aid airport program with some expenditure authorizations. But I visualize the FAAP—general treasury financed—as being limited essentially to aid for small economic development airports. The proposed trust-funded program would be for the development of a better air carrier and general purpose airport system.

Congress has been asked to recognize that the existing system of air carrier and public use airports and airport terminal and access facilities within the United States is rapidly becoming inadequate to meet the present and future needs for civil aviation operations.

Congress also should declare that the Federal Government has a responsibility to plan, encourage, and assist in the development of a system of airports adequate to meet our civil aviation, postal service, and national defense needs. There seems to us to be ample evidence that Congress should realize that financial assistance beyond that provided under existing laws is necessary to assure an adequate system of air carrier and public use airports and air terminals and related facilities.

To those ends, we propose that the costs of providing and maintaining such airports and facilities should, insofar as is practicable, be borne in the main by airport operators and the users of such airports. Thus, the base of financing would shift from Treasury general funds to reliance principally on user tax income and trust fund management.

I emphasize that the term "air carrier airport," as used in our proposed legislation, means any air traffic hub or nonhub receiving scheduled service by an air carrier or air carriers certificated by the Civil Aeronautics Board. The term does not contemplate or imply segregation of any public use. Federal-aided airport for air carrier utilization only.

Mr. President, I do not believe in total reliance on annual appropriations from the Treasury general fund for Federal aid to airport development, other than for the small so-called community economic development airfields. And, certainly, I am opposed to levying new aviation user taxes predicated on their use for airports and airways development purposes, only to have them commingled in the Treasury general funds. As was done when highway user taxes were imposed, we should provide that aviation user taxes be deposited in and administered under the trust fund arrangement to serve the purposes for which levied and collected.

The administration has proposed a program predicated on user taxes for airport and airways development, but without a trust fund arrangement. That proposal is in legislative form and is scheduled for consideration in hearings beginning June 18 in the Commerce Committee's Aviation Subcommittee, under the chairmanship of the distinguished senior Senator from Oklahoma [Mr. MONRONEY]. That subcommittee held hearings last fall on the airports and airways problems and issued tentative recommendations that a system of user taxes and a trust fund arrangement be established by law as the core of a program for solution of the critical airports and airways situation.

I believe in the validity of that tentative report issued by the Aviation Subcommittee earlier this year on the basis of its findings during the 1967 hearings. The air carrier industry is almost unanimous, I am told in endorsing most of the recommendations of the subcommittee. Through the Air Transport Association, the scheduled carriers are on the record with their views, as are most other segments of the aviation industry. Spokesmen for the administration likewise are on the record of the general hearings. But now there is to be a round of hearings on specific legislation.

Frankly, Mr. President, I believe the best specific recommendations for a program of airport development through the user tax-trust fund arrangement have been those proposed on behalf of the air carrier industry by Stuart G. Tipton, president of the Air Transport Association. Those recommendations are well represented in the provisions of the measure introduced today, but include provisions also recommended by numerous other competent sources.

It is our feeling that the ideas for legislation embraced in this measure should be available to the Aviation Subcommittee and the full Commerce Committee at the time of the hearings. They merit consideration, as do the administration proposals and numerous cogent and pertinent concepts espoused by the chairmen and members of both the subcommittee and the full committee.

I have confidence that there will emerge from the subcommittee chaired by the able Senator from Oklahoma [Mr. Monroney] and the parent Commerce Committee headed by the distinguished senior Senator from Washington [Mr. Magnuson] a comprehensive legislative solution to the serious airports and airways system problems.

Mr. President, I ask unanimous consent to have printed in the Record at this point a brief outline of the provisions of the proposed Federal Airport Development Act of 1968, introduced today.

There being no objection, the outline was ordered to be printed in the Record, as follows:

Federal Airport Development Act of 1968

Outline of Provisions

1. Establishes an Airport Development Trust Fund administered by the Secretary of Transportation.

2. Fund would be supported by special taxes of 2% on domestic passenger tickets and $2 per passenger in foreign air transportation. While the trust-funded program would function without general tax revenues, it does not preclude such appropriations.

3. Fund would be used:

(a) primarily for contracts of up to 40 years in length by the Secretary of Transportation with local airport sponsors to pay up to 75% of the principal and interest of local airport bonds for airfield and terminal projects; and/or,

(b) to guarantee the full amount of such local bonds; and/or,

(c) to purchase local airport bonds for resale; and,

(d) to make short-term loans for advance planning and land acquisition.

4. Funds would be available to:

(a) all airports served by air carriers;

(b) general aviation airports designed to relieve congestion at major airports.

5. Contemplates continuation and extension of authorization of FAAP program continuance for small economic development airports and for general aviation airports.

6. Tax revenues of $109 million could be realized in FY 1969 and would support issuance of $1,950,000,000 in local airport bonds the first year, if enacted promptly.

7. Congress each year, through appropriation acts covering FY 1969 and the four succeeding fiscal years, would authorize the Secretary of Transportation to make the expenditures to meet the obligations incurred.

The program is proposed as a means of generating large amounts of capital to meet the nation's most immediate major airport construction requirements without any burden on the general taxpayer and without unduly burdening airline passengers. The provision in Sec. 3(b) for federal contracts to pay a portion of local debt service costs is based on Sec. 10 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1410). The trust fund feature is patterned in part on the Highway Trust Fund. (see 23 U.S.C. 120, note)

Mr. LAUSCHE. Mr. President, will the Senate yield for a question?

Mr. RANDOLPH. I yield.

Mr. LAUSCHE. Do I correctly understand that the bill just submitted by the Senator from West Virginia contemplates establishing a trust fund, similar to the trust fund under which highways are built, for the construction of airport expansion and new facilities?

Mr. RANDOLPH. The understanding of the Senator from Ohio is correct.

Mr. LAUSCHE. And what is the tax that would be imposed upon the cost of the ticket?

Mr. RANDOLPH. Two percent on domestic passenger tickets and $2 per passenger on foreign air transportation at airports where the passenger would originate his trip in the United States.

Mr. LAUSCHE. I assume that the Senator anticipates that the future will demand larger airports and more airports, and that instead of paying for their construction out of the general fund, the users of the airports should share the major part of the cost.

Mr. RANDOLPH. The Senator from Ohio is correct.

In the earlier days of our highway program in this country, we had no trust fund. We came, of course, to 1956, when we needed an interstate system, and we went to the trust fund for our road development.

The same situation now exists with respect to airports. Our airports are inadequate and antiquated, and we need a very dynamic program; and I believe the users should pay the major portion of it.

Mr. LAUSCHE. Will the Senator allow me to become a cosponsor of the measure?

Mr. RANDOLPH. I am gratified to have the cosponsorship of the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3641) to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general purpose airports, airport terminals, and related facilities, and for other purposes, introduced by Mr. Randolph (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

S. 3643—INTRODUCTION OF BILL TO PROHIBIT THE SALE AND DELIVERY OF DESTRUCTIVE DEVICES, MACHINEGUNS, SHORT-BARRELED SHOTGUNS, AND SHORT-BARRELED RIFLES

Mr. BROOKE. Mr. President, yesterday I introduced a bill to provide for national registration of firearms. The measure was designed to supplement and strengthen both our existing gun control laws and the recently passed legislation awaiting the signature of the President, as well as the additional legislation I hope we will soon approve.

With the same sense of urgency, I rise today to offer on behalf of myself and Senator Hart a bill to prohibit the sale to private parties of destructive devices, machineguns, short-barreled shotguns, and short-barreled rifles. There is no conceivable reason why such weapons should be sold to private parties. Destructive devices have been defined to include "any explosive, incendiary, or poison gas bombs, grenade, mine, rocket, or similar device; and any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter." They are obviously weapons of war, not suitable for personal use.

At the present time, weapons of this description can be purchased by a private citizen with no significant controls whatsoever, and with no effective provision that the purchase be reported to the appropriate law-enforcement officers.

The omnibus crime control bill, which was recently considered by this body and which is now awaiting the President's signature, provides that destructive devices can be sold to anyone who obtains a sworn statement from his local law-enforcement officer that there is no law against his possession of such weapons, and that there is no reason to believe that the weapon will be used for unlawful purposes. Conceivably an individual could even acquire a nuclear weapon under so broad a provision.

Mr. President, I fail to see any convincing reason for permitting the sale of such weapons to private parties.

Destructive devices have no reasonable use for sport or recreation. They are entirely inappropriate to household protection. They should simply be removed from the market. Therefore, in anticipation that the recently passed title IV will become law, I introduce again today a bill to prohibit the sale of destructive devices to individuals. I hope and believe that when the Senate has had a fuller opportunity to consider the merits of this proposal it will receive the strong endorsement of this body and the House of Representatives.

I sent the bill to the desk and ask that it be printed in full at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3643) to amend title 18, United States Code, to prohibit the sale and delivery of destructive devices, machineguns, short-barreled shotguns, and short-barreled rifles, introduced by Mr. Brooke, for himself and Mr. Hart, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record.

S. 3643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that destructive devices (as defined in title 18, United States Code), machineguns, short-barreled shotguns, and short-barreled rifles are primarily weapons of war which have no appropriate use as instruments of sport, recreation or personal defense; that intrastate commerce in such devices and weapons affects the flow of interstate and foreign commerce in such devices and weapons; and that therefore it is necessary to regulate all commerce in such devices and weapons.

Sec. 2. (a) section 922(b)(4) of title 18, United States Code, is amended to read as follows:

"(4) to any person any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle."

(b) Section 922(b) of such title is amended by adding at the end thereof the following new sentence: "Paragraph (4) of this subsection shall not apply to any research organization designated by the Secretary."

Sec. 3. The amendments made by this Act

shall become effective 30 days after the date of its enactment.

S. 3645—INTRODUCTION OF BILL TO BE KNOWN AS THE AIRPORT DEVELOPMENT ACT OF 1968—NOTICE OF HEARINGS

Mr. MONRONEY. Mr. President, I introduce, by request and for appropriate reference, a bill to authorize the Secretary of Transportation to plan and provide financial assistance for airport development and other purposes. I ask unanimous consent that there be printed in the RECORD at this point a letter from Secretary of Transportation Alan S. Boyd to the Vice President transmitting this proposed bill, together with a section-by-section analysis of the provisions contained in the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and section-by-section analysis will be printed in the RECORD.

The bill (S. 3645) to authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes, introduced by Mr. MONRONEY, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and section-by-section analysis, presented by Mr. MONRONEY, are as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill "To authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes", together with a section-by-section analysis.

This proposed bill would chart a new course for Federal assistance to airport development. It would authorize direct loans for development of airports which are potentially viable but for which loans in the private market cannot be obtained on reasonable terms. The loans outstanding at any one time would be limited to $1,000,000,000.

To assist development of airports served by local service carriers receiving operating subsidy from the Civil Aeronautics Board, the bill would authorize grants up to 50 percent of the cost of projects attributable to service by the subsidized carrier. As a condition to a grant, the Secretary would have to find, after consultation with the Board, that the cost of the project did not exceed the value of the service to be provided.

All of the proposed Federal assistance would be available only for development projects related to landing areas and safety facilities. It would not be available for terminal, hangar, parking, and other passenger service or industrial purposes.

The bill would require the Secretary to prepare, within two years, and revise at least every two years thereafter, a plan for the National Airport System. The plan must set forth for at least a ten-year period the type and estimated cost of all airport development required to meet the needs for airport facilities in locations served by air carriers, for the national defense and postal service, and for the economic development objectives of the States and their subdivisions.

The growth in aviation activity, both air carrier and general aviation, will continue to create a demand for expanded airport facilities. The Federal Government has a substantial interest in the orderly development of our Nation's airports, but this Federal interest should not be considered overriding. Our civil airports are owned and operated by State and local governments or by private individuals. They are used by privately-owned common carriers, by private corporations, and by private individuals. They are financed largely by these users and by the communities served. The interests and responsibilities of these groups must be recognized in our policies and our planning.

The aviation industry has reached a new stage of maturity. The evidence is clear that Federal grant assistance is no longer required at most airports. With few exceptions, the direct users of an airport are financially capable of bearing the full costs of development and operation. Certainly, the unsubsidized airlines are capable as a regulated industry, of bearing the full costs of their operations. Today, less than 2 percent of the expenses of the scheduled airlines are attributable to airport landing fees.

Very few general aviation airports charge any landing fee at all. The impact of a modest fee sufficient to develop and support these airports would be negligible in most cases.

A reasonable system of charges should provide communities sufficient revenues to attract private financing of needed airport development. There are, however, special cases where Federal financial assistance must be continued and the proposed bill would do this.

The Bureau of the Budget has advised that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

ALAN S. BOYD.

SECTION-BY-SECTION ANALYSIS OF A BILL TO AUTHORIZE THE SECRETARY OF TRANSPORTATION TO PLAN AND PROVIDE FINANCIAL ASSISTANCE FOR AIRPORT DEVELOPMENT, AND OTHER PURPOSES

Section 1. *Short Title.* This section cites the Act as the "Airport Development Act of 1968".

Section 2. *Declaration of Purpose.* This section sets forth the finding of Congress that, while most airport development can be accomplished through private financing, there is a need for more extensive planning for future airport facilities and the provision of Federal financial assistance where private capital is not available on reasonable terms.

Section 3. *Airport Loans.* This section authorizes the Secretary to purchase securities or make loans for projects for the construction of landing areas and other facilities and interests in land necessary to the operation of aircraft. The loans are subject to certain findings, the most important of which, is that the project cannot be financed on reasonable terms without Federal assistance. It is contemplated that loans would be made for all or part of the project costs, depending upon whether private financing or grants were available for any part of the costs. Securities purchased or loans made could not exceed 30 years maturity, and would bear interest at current Treasury rates. Total loans outstanding could not exceed $1 billion.

Section 4. *Grants to Airports Served by Local Service Carriers.* This section authorizes the Secretary to make grants for airport development at those airports at which the only certificated service is provided by airlines receiving operating subsidy from the Civil Aeronautics Board. Grants may be made only for projects attributable to the operations of the certificated carrier, and only where the Secretary finds, after consultation with the Board, that the cost of the project does not substantially exceed the value of the service to be provided by the carrier. The Federal share may not exceed 50 percent of the project cost. The total grant authorization is $100 million. If the demand exceeds funds available, the Secretary must apportion funds, taking into consideration the relative effect of each project on the air transportation service available to the locality served, and the need to develop a balanced airport system.

Section 5. *Advances of Funds.* This section authorizes the Secretary to advance funds to an airport eligible for assistance under sections 3 or 4 for the purpose of preparing plans and specifications, and taking other actions preliminary to construction, including the acquisition of land and interests therein.

Section 6. *National Airport System Planning.* This section directs the Secretary to prepare, periodically revise, and report progress on a plan for the National Airport System which extends for at least ten years; includes all types of development required for cargo, passenger, and aircraft handling; and covers all airport development needed in locations served by air carriers, for the special needs of national defense and the postal service, and to carry out the economic development objectives of State and local governments.

Section 7. *Separate Fund.* This section establishes a separate fund in the Treasury for the purpose of financing the loan program authorized by section 3. The initial capitalization of the fund will be made by appropriations. The Federal National Mortgage Association Charter Act is amended to authorize the Secretary to establish trusts with the FNMA for the resale of obligations acquired under the loan program. All expenses associated with the administration of section 3 will be paid from the fund.

Section 8. *Definitions.* This section defines the terms "landing areas", "public agency", and "Secretary" for the purpose of their use in the Act.

Section 9. *Appropriations.* This section authorizes appropriations necessary to carry out the Act.

Section 10. *Effective Date.* The Act is to become effective July 1, 1969.

Mr. MONRONEY. Mr. President, the bill would authorize direct loans for landing area and safety facility development in an amount not to exceed $1 billion. In addition there would be authorized $100 million for 50-percent matching grants at those airports served exclusively by local service carriers.

The need for a new Federal airport assistance program is unquestioned and is amply documented not only by the Secretary's letter, but also by the interim report issued by the Aviation Subcommittee of the Committee on Commerce last January. I introduce this bill so that it can be considered, along with other proposals for airport development during the hearings I have scheduled for Tuesday, June 18.

S. 3648—INTRODUCTION OF BILL TO AUTHORIZE THE PAYMENT OF EXPENSES OF TRANSPORTING BODIES OF FEDERAL EMPLOYEES FROM ALASKA AND HAWAII TO THEIR FORMER HOMES

Mr. GRUENING. Mr. President, I introduce, for appropriate reference, a bill to authorize the payment of the expenses of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes.

This bill is introduced at the request of the Secretary of Transportation. The Secretary has indicated in his request to the President of the Senate that up until the time that Alaska and Hawaii became States, the act of July 8, 1940—now codified in title 5 of the United States Code at section 5742—authorized payment of the expenses of preparing and transporting to his former home or place of interment the remains of a Federal employee who died while performing official duties in Alaska or Hawaii, and the expenses of transporting his family and household effects to his former home. However, the change in political status of Alaska and Hawaii from territories to States had the effect of canceling the authority, because the authorizing provisions contained the geographical description of "a Territory or possession of the United States," and, therefore, excluded Alaska and Hawaii when they became States. The purpose of this proposed legislation is to restore applicability to employees dying in those two States.

I ask unanimous consent that the letter dated May 13, 1968, to the President of the Senate from the Secretary of Transportation be printed in the RECORD at this point, as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection the letter will be printed in the RECORD.

The bill (S. 3648) to authorize the payment of the expense of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes introduced by Mr. GRUENING, was received, read twice by its title and referred to the Committee on Government Operations.

The letter, presented by Mr. GRUENING, is as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 13, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill "To authorize the payment of the expenses of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes."

It is recommended that it be enacted by the Congress.

Up until the time that Alaska and Hawaii became States, the Act of July 8, 1940 (now codified in Title 5 of the United States Code as section 5742) authorized payment of the expenses of preparing and transporting to his former home or place of interment the remains of a Federal employee who died while performing official duties in Alaska and Hawaii, and the expenses of transporting his family and household effects to his former home. However, the change in political status of Alaska and Hawaii from Territories to States had the effect of canceling the authority, because the authorizing provisions contained the geographical description of "a Territory or possession of the United States", and, therefore, excluded Alaska and Hawaii when they became States. The purpose of this proposal is to restore applicability to employees dying in those two States.

The authority to pay a third category of expenses, transportation of the remains of dependents of employees stationed in Alaska or Hawaii to their former home, was added to the 1940 Act by section 7(b) of the Act of July 15, 1954. This authority was not affected when Alaska and Hawaii became States, because the 1954 amendment contained the geographical description of "a place outside the continental United States or in Alaska". Thus, since enactment of the Act of July 15, 1954, we have had the inconsistent situation where the remains of a dependent of an employee stationed in Alaska or Hawaii can be returned at Government expense, but the remains of the employee cannot be.

This bill is motivated by geography not political status. It does not involve special legislative treatment for Alaska and Hawaii. It does involve recognition of geographical factors which the conferring of political status could not change and which pose special problems in the recruitment of personnel for the conduct of federal activities in these areas.

As evidence of the very practical distinctions posed by the geographic location of Hawaii and Alaska, which the Congress continues to recognize in other statutes, section 5722 of Title 5, United States Code (originally enacted as section 7 of the Administrative Expenses Act of 1946), may be cited. This section provides that an employee cannot be sent to posts outside the continental limits of the United States (including Hawaii and Alaska) at Government expense unless he signs an agreement to remain there for at least twelve months (the Federal Aviation Administration usually requires a two-year tour in Alaska and Hawaii). If the employee breaches this agreement, he is indebted to the Government for the cost of transportation to the post of assignment. Further, this section requires an agency to return the employee, his family, and his effects to his actual place of residence after not less than one nor more than three years of service (unless the employee agrees to an extended tour). Finally, the section permits an agency to return an employee and his family to his place of residence prior to the expiration of the original agreement if his separation is for reasons beyond the control of the employee.

The Comptroller General has construed this latter provision to permit the return of dependents of a deceased employee since death was, obviously, beyond the control of the employee (40 Comp. Gen. 196). In the same opinion, however, the Comptroller held that the section did not authorize the return of the employee's remains. He reasoned that the Act of July 8, 1940, which related to return of remains of employees (but upon statehood became inapplicable to Alaska and Hawaii) was exclusive authority and, therefore, that the Administrative Expenses Act of 1946 applied only to living persons. It is this decision which motivates the amendment enclosed herewith.

As the law now stands, if an employee of the Federal Aviation Administration, for example, should serve two years in Alaska or Hawaii, that agency would be obligated by statute and contract to return the employee, his dependents, and his effects to his place of residence in one of the other 49 states. However, should the same employee die after completion of two years service in Alaska or Hawaii but before commencing travel to his place of residence, the agency could not return his remains, although it could return his dependents and his household effects. Finally, and to complete the inconsistency, if a dependent of an employee dies at any time during the employee's service in Alaska or Hawaii, the agency could return the dependent's remains. For these reasons, we earnestly recommend Congress' early and favorable consideration of this corrective legislation.

The Bureau of the Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

ALAN S. BOYD.

SENATE CONCURRENT RESOLUTION 75—CONCURRENT RESOLUTION TO AUTHORIZE ACCEPTANCE FOR THE NATIONAL STATUARY HALL COLLECTION OF STATUES OF FATHER DAMIEN AND KING KAMEHAMEHA I, PRESENTED BY THE STATE OF HAWAII

Mr. INOUYE (for himself and Mr. FONG) submitted the following concurrent resolution (S. Con. Res. 75); which was referred to the Committee on Rules and Administration:

S. CON. RES. 75

Resolved by the Senate (the House of Representatives concurring), That the statues of Father Damien and King Kamehameha I, presented by the State of Hawaii for the National Statuary Hall collection, are accepted in the name of the United States, and that the appreciation of the Congress is expressed to the State for the contribution of the statues of two of its most eminent personages, illustrious for their historic renown and distinguished civic services.

SEC. 2. The State of Hawaii is hereby authorized to place temporarily in the Rotunda of the Capitol the statues of Father Damien and King Kamehameha I referred to in the first section of this concurrent resolution, and to hold ceremonies in the Rotunda on said occasion. The Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

SEC. 3. (a) The proceedings authorized by section 2 of this concurrent resolution to be held in the Rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such document shall be prepared under the direction of the Joint Committee on Printing.

(b) There shall be printed five thousand additional copies of such document, which shall be bound in such style as the Joint Committee on Printing shall direct, of which one hundred and three copies shall be for the use of the Senate and two thousand eight hundred and fifty-eight copies shall be for the use of the Members of the Senate from the State of Hawaii, and four hundred and thirty-nine copies shall be for the use of the House of Representatives and one thousand six hundred copies shall be for the use of the Members of the House of Representatives from the State of Hawaii.

SEC. 4. A copy of this concurrent resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Hawaii.

SENATE RESOLUTION 304—RESOLUTION TO AUTHORIZE PRINTING OF TRIBUTE BY SENATOR EDWARD M. KENNEDY TO HIS BROTHER, THE LATE SENATOR ROBERT F. KENNEDY, AS A SENATE DOCUMENT

Mr. PELL. Mr. President, the senior Senator from Massachusetts gave an immensely moving, powerful, and poignant eulogy at the funeral in St. Patrick's Cathedral of his brother, Senator Robert Kennedy. While all of us there were in the depths of grief, these clear, wonderful words gave to each of us a sense of true direction as to how our Nation can and should be moving.

Accordingly, I submit a resolution ordering that the tribute be printed as a Senate document.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 304) was referred to the Committee on Rules and Administration, as follows:

S. RES. 304

Resolved, That the tribute paid by Senator Edward M. Kennedy to his brother the late Senator Robert F. Kennedy, at Saint Patrick's Cathedral, New York City, on Saturday, June 8, 1968, be printed as a Senate document.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nevada [Mr. BIBLE] be added as a cosponsor of the bill (S. 3227) to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets Nos. 88, 330, and 330-A, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing the name of the Senator from Oklahoma [Mr. HARRIS] be added as a cosponsor of the bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor of the concurrent resolution (S. Con. Res. 74) relating to the 28th International Congress on Alcohol and Alcoholism.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HIGHER EDUCATION AMENDMENTS OF 1968—AMENDMENT

AMENDMENT NO. 850—AMENDMENT TO ENABLE VOLUNTEERS TO SERVE IN DISADVANTAGED SCHOOLS

Mr. NELSON. Mr. President, today I submit an amendment to the Higher Education Amendments Act of 1968 to add a volunteer teaching assistant component to the Teachers Corps program enabling college graduates to serve as volunteers for 1 or 2 years in our Nation's poverty classrooms.

The regular Teachers Corps program provides 2 years of service and graduate study toward the master's degree for those seeking careers in poverty teaching.

The amendment I offer today would expand the program to include volunteers who would serve in schools and communities full time.

They would have the same 2 to 3 months of preservice training as Teachers Corps interns.

They would serve with established Teachers Corps intern teams under the guidance of an experienced teacher from the local schools.

They would provide the same instructional assistance to teachers that regular Teachers Corps interns do, in small group instruction and remedial work in language and math.

They could actively encourage community participation in the schools—under the direction of the team leader—as well as carry on the work of extending the educational work of the school into the community through tutorial centers, home visits and work with parents of preschool children.

They would be free from the graduate study, which takes up 25 percent of the time of present Teachers Corps interns, and could devote all of their energy and time for work in the school and community.

They would be paid $75 a week, as are regular Teachers Corps interns, with 90 percent from Federal funds.

But they would be local employees, serving only at the request of the local schools systems, and subject to the control of the local school system as are regular Teachers Corps interns.

THE NEED

The National Education Association estimates we need 348,000 new teachers next fall to achieve quality staffing. Meanwhile the number of graduates from teacher education institutions numbers only about 180,000. Only 75 percent of these are expected to go into teaching at all. And only 13 percent, according to a recent survey want to teach in inner city schools.

The practical results of such figures can be seen in Chicago where the Teachers' Union estimated last fall that 300 to 700 classrooms were without regular full-time teachers. In Detroit elementary school classrooms of between 35 and 40 pupils are common. And teacher attrition in large city schools runs over 30 percent annually in some cases.

These statistics are symbolic of our national crisis in education. The children of the poor are being denied the chance for a decent education because of this crisis.

Americans have always looked to their schools as institutions of great hope. So failure of the schools is particularly bitter. Is it any surprise that many of the young rioters in the streets last April were very young men still in school or just out of it? For them failure in the world has been failure in school.

If a sense of hope and possibility is to be restored to these young men, to their parents and to their communities, then the schools must begin to show real improvement and very soon.

But if the teacher is the key to the learning situation and the hard statistics of teacher supply are as cruel as they seem to be, what can be done?

It seems to be that the immediate answer must lie in the area of a wiser use of existing staff and in providing the harassed professionals with a great deal of well trained help. I suggest that the college young people of this Nation can make a very significant difference in our schools serving as volunteer teaching assistants.

THE TEACHING STAFF

This concept rests on the growing recognition within the teaching profession of the need to expand the teaching staff and on the successes during the past 2 years of the Teacher Corps' efforts to train and use interns as instructional aides in the schools.

I am not an expert on school staffing by any means. But educators whom I have consulted and respect, such as Prof. Lindley Stiles of the Northwestern University, formerly head of the School of Education at the University of Wisconsin, says that the volunteer teaching assistant concept is timely and workable.

In a number of schools, most of them suburban, newer staffing patterns are already well established. I ask permission to have printed in the RECORD at the close of my remarks an article written by two educators from Temple City, Calif., from the January 1968 issue of the Phi Delta Kappan, that explains in detail the kind of staffing patterns that are emerging.

The regular Teacher Corps' intern program fits into this developing pattern. In a number of schools the Teacher Corps has represented the first opportunity, the first supply of trained manpower, available to a principal to put these ideas into effect.

The 2 to 3 months of preservice training is adequate to teach bright college graduates the diagnostic and instructional skills needed to be of real use in teaching individuals and small groups under professional supervision.

AN UNTAPPED SUPPLY

The need for teachers, then, could not be more serious. And the pattern for using able teaching assistants has been developed. But where will the people come from to fill the jobs?

I submit that there is a large, perhaps even sufficient supply of able dedicated people to fill the ranks of teaching assistants right now on our college campuses.

The headlines over the disruptions at Columbia University in recent weeks make it easy to forget that only 10 years ago we were wringing our hands over a generation of college students more interested in panty raids than social protest. Indeed, the aroused social conscience and practical, insistent idealism of this generation of young people is our greatest asset and best hope during this time of anxiety for the Nation.

Their response to ventures like the Peace Corps has been remarkable. But while we train teachers in the Peace Corps for the slums of South America we have no equivalent program for volunteer service in the poverty area schools of our own Nation.

VISTA volunteers are precluded from regular classroom assignments. But the Teachers Corps provides a format in which the issue of Federal control need not be troublesome. For Teachers Corps members are employees of, are paid by, and can be fired by the local school system.

The Teachers Corps intern program is quite small. And not terribly well publicized. But it is now anticipated that by June 30 there will be 10,000 applications on hand for the approximately 1,100 positions available this summer.

Many college students who are reluctant to make the kind of commitment to a career in teaching that accepting a tuition-paid master's degree at Federal expense implies would be eager to volunteer for a year, or 2 years of service before going on to other careers.

It could even be argued that during this time of great national trial it is the duty of those who are most favored in this Nation, those who are graduating from college, to give a year of their lives in service to the Nation and to those who are most in need. With the help of a few months of intensive instruction the language skills of college graduates can be sharpened into useful teaching instruments for use in well-supervised tutoring situations.

If we are to make an effective attack on the problem of teacher supply in rural and urban poverty schools, then I believe we must tap the potential resource of recent college graduates—now emerging from our colleges at the rate of well over 500,000 a year.

Clearly the Teachers Corps volunteer program could never absorb more than a fraction of the number needed. But the program could serve as a very useful model for local programs, as the Teachers Corps intern program is now serving as a new model for training programs for career teachers of the disadvantaged.

During this tight budget year we hopefully can think in terms of a pilot project. In this legislation I propose raising the authorization for the Teachers Corps program for next year from $56 million to $65 million, and then authorizing $86 million for fiscal year 1971 and $100 million for the years 1972, 1973, and 1974. It is not my intent to reduce the size of the regular Teachers Corps intern program at all.

The legislation also includes a provision to raise the salary of interns in the second year to 85 percent of the beginning salary of a starting teacher in the school system in which they serve. The schools would be responsible for the difference between the current Federal share—90 percent of $75 a week plus $15 for each dependent—and the 85 percent figure. Teachers Corps interns salary was established last year by the other body in their rewriting of title V of the Higher Education Act to conform with other Federal stipends paid graduate students. However, stipends are tax free, whereas Teachers Corps salaries are taxable. So in a number of cities with relatively high costs of living Teachers Corps interns are living on less than $60 a week take-home pay. This is not acceptable for 2 years.

It is my thought that during the second year of their service these people are entitled to a modest raise in recognition of the hardship of the very low pay in the first year and of the increased value of their services in the second year. The raise, of course, would be only for the interns and not for the volunteers. I would be very interested in the comments or suggestions of any Senator regarding this or any other approach to the pay situation.

I ask unanimous consent that the text of the amendment, together with a summary of its provisions, a section-by-section analysis, and an article be printed in the Record at the close of my remarks.

The **ACTING PRESIDENT** pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment, summary, section-by-section analysis, and article will be printed in the Record.

The amendment (No. 850) was referred to the Committee on Labor and Public Welfare, as follows:

Amendment No. 850

On page 83, insert the following below line 23:

"Sec. 504. (a) Section 511(a) of the Higher Education Act of 1965 is amended by striking out 'and' at the end of clause (1), by striking out the period at the end of clause (2) and inserting in lieu thereof '; and', and by adding the following new clause:

"'(3) attracting and training inexperienced teaching assistants who will be made available to local educational agencies for full-time instructional assistance in schools and communities served by Teacher Corps teams.'

"(b) Section 511(b) of such Act is amended by striking out '$56,000,000 for fiscal June 30, 1970, respectively; and there are further authorized to be appropriated such sums for the fiscal year ending June 30, 1971' and inserting in lieu thereof '$65,000,000 for the fiscal year ending June 30, 1970, $86,000,000 for the fiscal year ending June 30, 1971, and $100,000,000 each for the fiscal year ending June 3, 1972, and for the fiscal year ending June 30, 1973, respectively; and there are further authorized to be appropriated such sums for the fiscal year ending June 30 1974'.

"(c) Clause (3) of section 513(a) of such Act is amended by striking out the word 'who' after 'and a number of teacher-interns' and inserting in lieu thereof 'or teaching assistants, or both; any such teacher-interns'. Such clause (3) is further amended by adding at the end thereof 'any such teaching assistants shall be afforded opportunities by the local educational agency for school-related community work;'.

"(d) Clause (2) of section 514 of such Act is amended to read as follows:

"'(2) a teacher-intern or a teaching assistant shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the teacher-intern or teaching assistant is assigned, or $75 per week plus $15 per week for each dependent, whichever is less; but, if it would be greater, a teacher-intern shall be compensated during the second year of service at a rate which is equal to 85 per centum of the lowest rate paid by such agency for teaching full-time in the school system and grade to which the teacher-intern is assigned.'

"(e) Clause (4) of section 513(a) of such Act is amended by striking out 'but not in excess of 90 per centum thereof, except that, in exceptional cases, the Commissioner may provide more than 90 per centum of such compensation during the first year of any agency's participation in the program' and inserting in lieu thereof 'but, except in unusual cases, the Commissioner may not provide in excess of 90 per centum of such compensation and, in the case of teacher-interns in the second year of service, the Federal share of such compensation shall be equal to 90 per centum of $75 per week'."

The summary, section-by-section analysis, and article, presented by Mr. Nelson, are as follows:

A Summary of the Teacher Corps Volunteer Teaching Assistant Program

The Concept: That the youth of this nation is eager to serve where needed in this time of crisis. That dedicated college graduates, who do not specifically intend to make their careers in education, will be willing to serve for one or two years at low pay in the nation's poverty schools and communities where staff help is desperately short.

How does this differ from the regular Teacher Corps?

Teacher Corps Interns are committed to and training for careers in education. During their two years of service they spend about 25% of their time in graduate study. The Volunteer Teaching Assistants would work full time in school and community. Their duties would be very similar, including small group instruction and remedial reading and math work with slower learners in school and a variety of education related work with children and parents in the community.

How would they be trained?

In university pre-service programs of two to three months in length that have proven over two years to be successful in preparing Teacher Corps Interns for teaching roles in the school.

How would they be supervised?

Teaching Assistant Volunteers would serve as members of regular Teacher Corps teams under the leadership of the experienced teacher who is the team leader.

How would they be paid?

They would be paid at the same rate as Teacher Corps Interns in the first year: $75 a week. This is approximately what VISTA Volunteers are paid in major cities.

Can the schools use them effectively?

As graduate schools have for years used teaching assistants to relieve the pressure on professors, public schools are beginning to use classroom instructors with less than full teacher status to improve the effectiveness of the professional teachers. The Teacher Corps intern program is based on this role. The Volunteer Teaching Assistant program would fit in very well, according to leading educators.

What would the cost be?

A regular Teacher Corps intern costs about $8,100 a year. Because of savings in tuition and team leader costs, the Teaching Assistant program would cost about $5,800.

Section-by-Section Analysis of Proposed Amendments to S. 3098, the Higher Education Amendments of 1968, by Senator Gaylord Nelson To Amend and Expand the Teachers Corps To Provide for a Volunteer Teaching Assistant Program

Sec. of S. 3098, the Higher Education Amendments of 1968—

(a) Provides for the recruitment and training of volunteer teaching assistants to work full time in schools and communities. Regular Teacher Corps interns spend approximately one-fourth of their time in graduate study.

(b) Extends the Teacher Corps' authorization through June 1974, as the Higher Education Amendments extend other programs, and raises the authorization from $56 million for fiscal year 1970 to $65 million and provides $86 million for 1971 and $100 million for 1972, 1973 and 1974. The $100 million figure would provide for a Teacher Corps of approximately 7,500 interns and 7,500 teaching assistants.

(c) Specifics that Volunteer Teaching Assistants can be provided to local education agencies asking for them, and provides that teaching assistant interns shall be provided opportunity to carry on school related community work.

(d) and (e) relate to pay. They provide that a volunteer teaching assistant shall be paid at the same rate as an intern is now paid, that is $75 a week, plus $15 for each dependent or the beginning salary of a teacher in his school, whichever is less. It provides, however, that in the second year of his service a teacher intern shall be paid 85% of the salary of a beginning teacher (if this is more than $75 a week). The Federal share would be 90% of $75 a week, with the local school providing the difference between the

Federal share and 85% of a beginning teacher's salary. The pay increase in the second year reflects (1) the increased responsibility assumed by second year interns in the schools, (2) the difficulty of living on take home pay of as little as $60 a week for two years ($75 minus taxes and deductions) and (3) a distinction between the intern and volunteer teaching assistant programs.

[From the Phi Beta Kappan, January 1968]

TOWARD A DIFFERENTIATED TEACHING STAFF

(By M. John Rand and Fenwick English)

(NOTE.—The single salary schedule and the assumptions of homogeneous teacher roles which support it constitute a school tradition carefully built over the past 30 or 40 years. Mr. Rand and Mr. English think it is time to change this tradition. Mr. Rand (1622, University of Southern California Chapter) is superintendent of the Unified School District, Temple City, Calif. Mr. English (3332, University of Southern California Chapter) is director of the Differentiated Staffing Project for the same district.)

The acute shortage of teachers and the growing movement toward teacher professionalization are placing unbearable strains upon the present organizational structure in education. The shortage is worst in the nation's largest metropolitan areas, where organizational structures are most rigid and inner-city children in greatest need of good education. In suburban districts there is growing constituent dissatisfaction. Taxpayers are balking at increasing education costs without some proof that the pudding will be better.

Rising militancy and mass "resignations" last fall are signs that teachers are dissatisfied with their roles as mere implementers of administrative decision. Their demands are certainly more inclusive than simply a raise in pay. Teachers are telling us something we should have known or predicted long ago. When a group of people increase their technical competence close to that of the top members of the hierarchy, lines of authority become blurred. The subordinate position begins to rest more upon arbitrary and traditional distinctions than upon competence to perform the job.

Teachers are demanding inclusion in the decision-making process in education. As Corwin says,[1] professionalism is associated positively with militancy. Rather than arouse hostility in administrators and lay boards, it should be welcomed as one sign that the teaching profession is coming of age.

Increasing teacher specialization and competence mean that roles within the present educational structure are in the process of change. Teachers are recognizing that to break out of the ceilings imposed by the single salary schedule they must reexamine the assumptions which support it. The increasing need for high specialization and advanced training means that some teachers should be paid between $20,000 and $25,000 per year, as are specialists in other fields. So long as we have the single salary schedule, however, no one will get this amount. The money simply cannot be raised without a complete (and in the short run completely impossible) overhaul of tax structures, school financing, and public value systems.

Hence the dissolution of the single salary schedule is a must if the teaching profession is to advance. Teachers will generally admit that not all of them possess the same abilities or strengths. They reject the onus of "merit pay," however, as "unprofessional" or otherwise undesirable. Merit pay plans offer the advantage of dissolving the single salary schedule, but ordinarily make no distinction in job responsibilities of teachers. Added pay is for "merit," not for added responsibility. As long as teaching is considered an art, one man's "superior" teacher is another's "average" teacher. Judgment of teaching "excellence" must be based on careful research just beginning to emerge at some universities. We have a long way to go before we can specify on the basis of empirical evidence what teaching excellence consists of. Hence we do not have the foundation for merit pay.

The Temple City plan approaches the problem from a different perspective. Teachers are not treated the same. They may receive additional remuneration for increased professional responsibilities, which means change in their roles as teachers. These new responsibilities imply increased training and time on the job, and implicit in the concept of advancement is professional competence as a teacher, however it is measured. Teachers are not chosen to be paid more simply for continuing to perform their same functions; they are paid more for assuming increased responsibilities in the instructional program. They are selected on the basis of their experience and qualifications for the job by a professional panel and are retained only as they are able to perform adequately in their capacities. The Temple City Differentiated Staffing Plan, almost wholly designed by teachers, offers a way for teachers to receive remuneration of $20,000 per year by differentiating teaching roles and systematically enlarging their authority and decision-making powers to shape the instructional program.

The Temple City plan is not a brand new idea. Aspects of the plan have been espoused by Myron Lieberman,[2] J. Lloyd Trump,[3] and Robert Bush and Dwight Allen [4] at Stanford University. Allen was instrumental in developing the Temple City project, funded by the Charles F. Kettering Foundation of Denver, Colorado, for an 18-month study. The TEPS program of the NEA has also been active in proposing differentiated roles for professional personnel. The strength of the Temple City concept of differentiated staffing resides in a high degree of staff participation in its development. Indeed, the process of development is every bit as important as the product, i.e., an acceptable organizational design to implement the ideas of the professional staff.

The original model of differentiated staffing was developed by Allen and presented to the California State Board of Education in April of 1966. Later it was altered in the work done by Temple City teachers. At the present, this model is undergoing further revision as a result of financial studies and further staff feedback. A brief sketch of the job descriptions follows.

TEACHING RESEARCH ASSOCIATE

The teaching research associate (TRA) is the "self-renewal" unit of the organization. His primary function is to introduce new concepts and ideas into the schools. He is well versed in research methodology and evaluation of instruction. The TRA may conduct field studies, but his major purpose is to translate research into instructional probes at the school level. The TRA functions in the present structure as a classroom teacher, as do all of the other personnel in the differentiated staffing plan, although in a limited capacity. In this way he does not lose sight of the receivers of his efforts. The TRA represents the apex of professional advancement for the aspiring teacher.

The teaching research associate meets all of Rogers'[5] criteria for initiating planned change in education. These are: (1) base the topics investigated on felt needs of practitioners; (2) create an educational structure to facilitate change; (3) raise the practitioners' ability to utilize the research results. Part of the TRA's responsibilities are implied in the third criterion mentioned by Rogers. Much of his liaison work with staff and current research will be to increase the sophistication level of teachers and help them use it in practice and evaluate its effectiveness.

TEACHING CURRICULUM ASSOCIATE

The teaching curriculum associate (TCA) also must possess knowledge of research methodology, except that his knowledge is more applicable to curriculum theory, construction, and evaluation. In addition, the TCA would be adept at modifying national curriculum studies to meet local needs and local teacher proclivities.

The TCA also works at raising the level of teacher specialization in specific subject areas. He is more of a communications specialist than the TRA. However, due to the overlap in some functions, and because it is difficult to separate research from curriculum and instructional improvement studies, these two functions will probably be combined into one position: the Teaching Research-Curriculum Associate.

THE SENIOR TEACHER

The senior teacher is primarily responsible for the application of curriculum and instructional innovations to the classroom. The senior teacher is an acknowledged master practitioner, a learning engineer, a skilled diagnostician of the learning process. He is the teacher's teacher.

The senior teacher as an instructional advisor heads a subject group and represents this area on the school academic senate. He shares with the school principal the selection, performance, and evaluation of his colleagues in that subject specialty. In a team teaching situation, the senior teacher would function as a team leader. At least one-half of this teacher's day would be with students.

THE STAFF TEACHER

In a sense, all teachers in the differentiated staffing plan are staff teachers. A full-time staff teacher spends his school hours with students. He performs the same professional functions as most teachers in typical school districts. In a differentiated staffing plan the staff teacher is relieved of semi-professional and clerical duties by employment of the following assistants:

THE ACADEMIC ASSISTANT

The academic assistant is a skilled paraprofessional, or a teacher intern (associate teacher) from a nearby college or university. He works with students and may instruct in special or skilled areas. He may also maintain physical materials, grade papers, and supervise resource center activities or student study.

THE EDUCATIONAL TECHNICIAN

The educational technician assumes many of the clerical and housekeeping tasks that consume so much professional time in the present organization. The technician keeps records, duplicates material types, supervises student movement on campus, takes attendance, etc. The technician has little, if any, instructional responsibilities.

THE ACADEMIC SENATE

Teachers are formally involved in school decision making through the organization of an academic senate on each campus. One of the responsibilities of senior teachers is to represent the staff in the establishment of school policies relating to the educational program and its improvement.

---

[1] Ronald G. Corwin, "Militant Professionalism, Initiative and Compliance in Public Education," *Sociology of Education,* Vol 38, pp. 310–31, Summer 1965.

[2] Myron Lieberman, *The Future of Public Education.* Chicago: University of Chicago Press, 1960.

[3] J. Lloyd Trump and Dorsey Baynham, *Guide to Better Schools.* Chicago: Rand McNally, 1961.

[4] Dwight Allen and Robert Bush, *A New Design for High School Education.* New York: McGraw-Hill, 1964.

[5] Everett M. Rogers, "Developing a Strategy for Planned Change," paper presented at a Symposium on the Application of System Analysis and Management Techniques to Educational Planning in California, Orange, California, June, 1967.

THE SCHOOL MANAGER

In addition, the principal's role is differentiated by establishing a position called school manager. The school manager assumes responsibility for most of the business functions of school operation and thus relieves the principal for attention to the instructional program. It is hoped that eventually the principal will also refurbish his image as a teacher by assuming some direct teaching responsibilities with students. Most principals would find this impossible now, since they too are overburdened with paperwork and administrivia.

This combination of teacher specialists and administrator generalists would provide the school with the best judgments of all the professionals occupied with shaping a dynamic instructional program. School leadership is clearly enhanced with teachers exercising judgment as to how the instructional program should be improved. The principal's role is strengthened, since he can count on the specialized expertise of his senior teachers in the hiring and evaluation of the instructional staff. Teachers are intimately involved in professionalizing and disciplining their own ranks through the academic senate. This is crucial for full-fledged maturity; effective professional regulation can only occur when teachers assume responsibility for each other's performance. Administrators should welcome this desire for more responsibilities and assist their staffs in learning how to develop and exercise the leadership concomitants to fulfill this important professional role.

A discussion of differentiated staffing would not be complete without mentioning some of the problems the district has encountered in studying this concept. Differentiated staffing challenges a basic assumption inherent in the organizational structure of education. The myth that all teachers are equal exercises a powerful influence upon our thinking. The present organizational structure which assumes that one teacher can be all things to all students is a barrier of the first magnitude, especially at the elementary level.

One way of avoiding change and protecting oneself is for the teacher to shut his door and isolate himself with his 30 children. The position of the teacher in his classroom fortress is easier and more secure without the scrutiny of his colleagues. To differentiate teacher roles is contrary to the standard organizational pattern of elementary education for the last 100 years. When teachers perform different functions and assume new responsibilities they cannot be with children all day long. They must have time during the school day to plan with colleagues and conduct studies or meet with individual students. This implies some type of flexible scheduling, plus dual use of instructional models and resource facilities. This in turn means that teachers must delegate to paraprofessionals many nonprofessional responsibilities that do not demand a high degree of skill and training.

We have found a greater resistance at the elementary level to concepts of differentiated staffing than at the secondary. Some teachers fear that team teaching, use of paraprofessionals, resource centers, and flexible scheduling will permanently "damage" their children. They fail to recall that the present organizational structure established in 1870 at the Quincy Grammar School was organized for administrative convenience and that critics pointed out even then that it rather callously ignored the needs of continuous educational progress for each individual student.

Also we noted that a greater proportion of women than men object to teachers assuming a professional disciplinary role with their colleagues. This is especially true at the primary level, where a traditionally protective environment shields both students and teachers from decision making and colleague interaction.

At the secondary level, the idea of differentiated staffing was received more warmly. Here more teachers are men and the tradition of subject area specialization and leadership through department chairmen has been well established. However, some teachers at the secondary level are just as immobilized in their six-period day, self-contained classrooms as their elementary counterparts.

Some administrators will be uncomfortable in sharing the decisionmaking process with their staffs. Fear of losing status is an important consideration when proposing new roles for teachers. One must remember that almost all other roles in a school district hinge upon that of the teacher. If the teacher base is expanded upward, a shift is required in functions all the way to the superintendent. This means that in the Temple City plan teachers (teaching research associates) will sit with principals in an academic coordinating council headed by the superintendent. This district-wide group plans and anticipates district movement. Teachers (teaching curriculum associates) will also be a part of the curriculum coordinating council headed by the assistant superintendent. This group articulates curriculum development through the grades. Teacher specialists form an integral part of the decision-making machinery with the administrators of the district.

The Temple City plan of differentiated staffing offers a way to emancipate the teacher. It changes and enlarges the roles of teachers, increases their autonomy and decision-making powers, offers career advancement, and places them in a position to assume a regulatory function of their own profession. From the point of the administrator it enhances the leadership potential of his staff and builds in some guarantee that the instructional program will indeed remain vital and strong in all areas. A board of education and community should be encouraged when their teachers are willing to assume a corporate responsibility for the quality of education in their schools. The fact that teachers are disciplining themselves, are constantly in the self-renewal process, and have the freedom to rise as teachers to the top of their abilities and willingness to work means that the collective human resources which lie fallow in every organization are more fully tapped. In the short time our project has been operative we have been amazed at the talent which has emerged from our staff.

The most difficult barrier of all is not physical or financial but the subtle limitations in our vision, attitudes, and expectations, conditioned by one organizational structure for over 100 years. The validity of this structure may have been eroded, but its form has been firmly implanted in our psyches. The ability to rise above our own conditioning and previous expectancy levels is the most difficult problem, for solutions cannot be devised until problems are accurately perceived. Perception is limited when assumptions cannot be questioned. Our inability to see that some of our frustrations stem from traditional assumptions is a tragic dilemma. Differentiated staffing is a concept which challenges a whole host of notions about how American education should be organized and operated. At the moment it may be heresy; in a decade it may be practice.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 13, 1968, he presented to the President of the United States the enrolled bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

PRESIDENT JOHNSON ADDRESSES THE UNITED NATIONS

Mr. PELL. Mr. President, yesterday afternoon, President Johnson addressed the General Assembly of the United Nations. He congratulated the world body for its approval of the treaty to halt the spread of nuclear weapons.

In his remarks, the President said:

> Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have wrtiten a testament to reason—and to the will of mankind to endure.

The action by the General Assembly caps a movement that was started by President Johnson 4½ years ago, when he offered a new initiative for peace through our negotiators at the Geneva disarmament talks. The President made it clear yesterday that we still have much to do before the world can rest easy from the fear of nuclear war, but yesterday's action was a major step forward.

I ask unanimous consent that the President's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT TO THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK, N.Y.

Mr. President, Mr. Secretary-General, Your Excellencies, Delegates to the General Assembly: I have asked for the privilege of addressing you this afternoon, to acknowledge this momentous event in the history of nations; and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago, shortly after the awesome responsibility of leadership was thrust into my hands, I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recall the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said,

"Let us pray that the tide has turned—that further and far reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations in Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world for their speedy ratification the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race and to achieve nuclear disarmament.

It will insure the equitable sharing of the peaceful uses of nuclear energy—under effective safeguards—for the benefit of all nations.

On behalf of the Government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulations. The questions—and the need—for disarmament is too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek—peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signature; to sign it on behalf of our own government; and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty is entered into force—we of the United States will carry out our responsibilities under it—in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear-weapon party: not to transfer nuclear weapons, or control over them, to any recipient whatsoever; and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of the developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, agriculture, medicine, industry, and in the desalting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay, and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear-weapon power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic defensive and offensive nuclear weapons systems.

We shall search for an agreement that will not only avoid a costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armageddon. If my faith is well founded, as I believe that it is, then this treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the peaceful use of the atom.

When this treaty comes into force, the growing number of nuclear-power reactors around the world—with their inevitable byproduct of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences have—in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, let us press forward to halt and to reverse the build-up of nuclear arsenals; to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

In the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear, and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary-General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

To all of the delegates here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes; and to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

THE FOUR HORSEMEN OF THE NEW APOCALYPSE: CRIME, POVERTY, ANARCHY, AND INDIFFERENCE—SPEECH BY SENATOR GORDON ALLOTT

Mr. DOMINICK. Mr. President, on Friday, June 7, I was privileged to be in Sterling, Colo., with my esteemed colleague, Gordon Allott, attending the State convention of the American Legion. The Sterling Post had done a fine job as host and the convention was in full swing although decidedly muted over the tragic death of Senator Robert Kennedy.

Both Senator Allott and I emphasized the need to develop solutions to the pressing crime and violence problems, and then my distinguished and able friend delivered a prepared address on the subject which is not only a thoughtful analysis of the problems but with his usual constructive attitude suggests some practical solutions. His use of the phrase "The Four Horsemen of the New Apocalypse: Crime, Poverty, Anarchy, and Indifference," is particularly appropriate to the scene we face today.

Mr. President, I ask unanimous consent that Senator Allott's complete statement be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Statement by Senator Allott

I want to thank each of you for the honor of addressing this year's American Legion Convention here in Sterling. As a fellow member of the Legion, I am conscious of our common military sacrifice to this great country. I am also aware of the bond which continues to reflect our deep commitment and concern for the future of the United States. Any citizen would feel a great sense of responsibility in coming before this distinguished assembly to speak his mind on the critical issues as he sees them at this moment in history. As a citizen, and a member of the Legion and the United States Senate, I am deeply aware of that responsibility.

But I feel a sense of duty to each of you to "Tell it like it is" from my own point of view.

The incredible changes which time has wrought during these past few months, indeed, within the last 48 hours, have altered, perhaps forever, the political and social scene of this country. Those impatient forces which have been waiting in the wings have suddenly been thrust onto the very center stage of the American drama. And you and I as participants in that great American drama are suddenly asking ourselves questions which never occurred to us before. The answers to those questions may well determine whether the American drama ends in triumph or tragedy.

Every American citizen today seems animated and buffeted by a deep awareness of the crisis in this country. There is a crisis in the cities; a crisis on the American campus; a crisis in poverty; indeed, for many, there is a crisis in the very fabric of the American system of government. It is rather odd that we use so freely the word "crisis" without really understanding what it means.

I think the Chinese found an interesting approach in their understanding of the word. In their language the ideogram "crisis" is derived from two ideograms meaning "danger" and "opportunity". For the Chinese a crisis occurs when one is immobilized because he cannot make a decision in a time of opportunity.

I wonder, using this definition, if all citizens at any moment are not facing a crisis in their country. But more than this, I am sure you would agree with me that this is undoubtedly the most critical moment we as Americans have ever faced. We are faced with danger. But we are also afforded the opportunity for decision. It is about this challenge which I should like to talk briefly today.

You know, in what now seems almost time and age, many of us grew up on the dazzling spectacle of the Four Horsemen of Notre Dame. I can still recall Bill Stern calling out their names: Miller, Stuhldreher, Crowley, and Layden. Their image and impact upon our time was almost as great as the Four Horsemen of the Apocalypse whom they came to replace. You all remember those men. But you also remember the Four Horsemen of Scripture etched vividly and dramatically in *Revelations*. Those Four Horsemen were: War, Strife, Famine, and Pestilence.

I submit that this generation is facing another spectacle of Four Horsemen.

These Four Horsemen are not so colorful as those who brought cheers to the stadium at South Bend, but they are equally as ominous as those that hauled the New Testament. I call them the Four Horsemen of the New Apocalypse: *Crime, Poverty, Anarchy and Indifference.*

These horsemen of crisis ride roughshod over the land today without abatement. Their destructive powers present each of us with the greatest moment of challenge this country has ever known. Where America goes and how it shall live will be determined by what is done with these Horsemen of the New Apocalypse.

To me, the First Horseman of the New

Apocalypse appears to be the haunting specter of crime in the United States.

Statistics give some bare but dramatic testimony to its existence. For instance, at a time when the nation's population increased by 10% over the last seven years crime was increasing by 88%.

One out of every forty-seven people who walk our city streets today will be the victim of a major crime this year. There is no end in sight. As Mr. J. Edgar Hoover stated in his appearance before the House Appropriations Committee this year:

"The crime problem confronting the nation today is more intense than at any time in our history."

When you stop to consider the sickening statistic that only one crime in eight results in conviction and punishment, is it any wonder that the man who violates the law is encouraged to try again?

55% of the 18,000 federal offenders released to society in 1963 were re-arrested for major crimes within 30 months of their release from prison. The FBI reported that in 1966 alone 41,733 repeaters were arrested and that over one-half of these criminals had been the recipients of leniency in the form of parole probation, suspended sentence or conditional release on one or more occasions.

Consider the case of a 19-year-old alleged housebreaker who was arrested by Washington, D.C. police in May of 1967. A review of his record revealed that he was, at the time of his arrest last year, free on bond in six unrelated criminal cases which had occurred during the previous 10 months. These other six charges against this 19-year-old man ranged from armed robbery to larceny from the mails.

I repeat, is it any wonder that this man tried again?

Then there was the young hoodlum, who already at the age of 17, had what law enforcement officers described as an "awesome history of arrests for crimes of violence since the age of 13", who in 1963 viciously assaulted and robbed the wife of a former Congressman. He threatened to kill his victim, but was caught and sentenced to an eight year prison term as a youthful offender. Then about a year and a half ago, shortly after he was released after serving just part of that eight year sentence, this same man, now age 20 was arrested for the vicious rape and knife-point robbery of a 42-year-old woman. At the time of that attack he was being sought for an additional assault on a young mother, and was a suspect in several other assault cases in the area.

Through a series of maneuvers and delays, for which our nation's courts have now become world famous, this man has still not been tried for these latest charges.

In the period of a few years we have seen riots and lawlessness erupt within our communities. This violence tends to rend forever the fabric of our national life and irretrievably polarize various segments of our society.

Two weeks ago last night the Senate passed the Safe Streets and Crime Control Act of 1968. I voted for that measure. I did so because of a deep concern that our law enforcement personnel must be given every dollar which they need to help in their battle against crime. By means of this bill the Senate tried to straighten out some of the legal quicksand which the Supreme Court has made out of our Constitution. But more than this, I think the Senate acted wisely and expressed the concern of each of you when it committed Federal assistance to a program of cooperation with local law enforcement agencies. That commitment is in the form of financial assistance to these embattled agencies. In a short time that financial assistance will begin to cost the Federal Government one billion dollars per year.

This is the cost of crime today. But that cost is expressed only in terms of dollars. We can never measure the heartache and suffering which it has sown in our land. Crime is not just Mr. Hoover's problem. It is not just the problem of the policeman on the beat in downtown Denver late at night. It is not just the problem of the State Highway Trooper who stops a speeding car on the lonely stretches of Highway 36 not knowing whether he is encountering a drunk or an escaped killer. Crime is your problem. It is my problem. It is time that we did something besides talk about it because all the words in the world will not blow it away. Crime stares each of us and our families right square in the face and so far the grim Horseman of Crime wears a mocking smile of contentment.

Who can vanquish this force? The citizen on the street corner helping his fellow man. The citizen in the jury box insisting that the rights of both the innocent and the victim are being properly protected. The citizen in the polling place whose vote demands a change from the present state of chaos to an atmosphere of respect for law and order. If the journey of a thousand miles begins with a first step, it is clear that the time has now caught up with us when that first step must be taken.

More laws will not change the direction the whirlwind is taking us. As Jefferson once observed, "The execution of the laws is more important than the making of them". If the Horseman of Crime is to be cast into the dust of time it will take the demands of each of us to insure the proper execution of the laws by removing those who refuse to do their duty and replacing them with those who can. Only you can make the difference.

The Second Horseman of the New Apocalypse seems to me to be Poverty. Here I am not speaking of classifying the poor as Negro, Spanish-American, Indian, or Anglo. What I am talking about, however, is the fact that the poor have been exploited far too long for political or other purposes. We know that the resentment and frustration of the poor will soon know no bounds. At a time of rising expectation these members of our society were the most hopeful and optimistic. But false promises have only made the reality of their emptiness all the more tragic. It is simply irresponsible to promise for an indefinite period virtually unlimited increases in Federal spending. As one candidate for the Presidency has observed, "One thing worse than not keeping a promise is making a promise that cannot be kept."

The hopes of the poor are not served by ambitious Members in Congress who insist on introducing one welfare bill after another. Their efforts at political chicanery insure piling program upon program until it makes a crazy patchwork pattern of no comprehensible design. In fiscal year 1968, for example, a total of $24.6 billion in Federal aid was appropriated for the poor. Much of this money was matched and increased by local and state funds, but let's face it—too little of it went to the poor. Because of the confused administration of these programs, too much of the money went to social workers, to politicians, and to bureaucrats. Too much of that money is spent simply in trying to deal with the many other agencies which have concurrent jurisdiction in the particular area.

It's hard to justify an expenditure, for example, of $300,000 of your money to teach farm workers and others how to form picket lines and boycott stores. It is equally difficult to justify spending $2.4 million for Public Relations in the Office of Economic Opportunity to counter some of the justified criticism brought against it by aroused and concerned citizens.

But, if you are indignant, as well you should be, think of those who wait day after day in the ghetto for some material reality to the illusive promises which continue to flow their way—promises of opulence without obligation. While they wait, life continues to disintegrate, bitterness rots their ambition, and moral strength is sapped by disenchantment. In Washington, the failure of welfare programs, brings only requests for newer and bigger ones to be piled on top of the failures in the Federal Bureaucracy. There is no end to new justifications for continued failure. There is no end to imaginative excuses to escape reality while the grim Horseman of Poverty wears a mocking smile of contentment.

The exploitation of the terrified, confused people of mud-soaked Resurrection City, U.S.A., is perhaps the final achievement of the Horseman of Poverty. He knows its end. (He also senses the outrage and indifference which its failure will proclaim among those American citizens who say with silent, smugness, "I told you so.") But, as the commercial tells us, "The Beat goes on" and the disintegration among the poor continues.

Somehow, if at all, the Horseman of Poverty will only be vanquished by people caring about people; by the helping hand of mutual regard and concern which stretches across races and ghettos; and by people realizing that dollars alone cannot destroy poverty. That effort can only be achieved where there is a will to achieve which corresponds to the opportunity echoed in the phrase of Mike Todd, "I was broke, but never poor."

In the final moment of truth, if the grim specter of poverty is to be unhorsed at this critical hour it will require the combined efforts of all of us and not merely Federal dollars alone. And, in addition, it will call for concrete examples of self-help among all of those able to work.

The Third Horseman of my vision of the New Apocalypse which threatens to ravage our land is Anarchy. The bitterness and hate which is so rife in this country today has once again found expression in the madness of an assassin. For most of us, however, there must be a pervading sense of unreality about this whole atmosphere which threatens to engulf us.

You and I, through education, dedication to public service, commitment to business and profession, and fidelity to family and country, have sought to add a measure of decency to the country which was entrusted to us by preceding generations. But today we recognize as never before the truth in Aldous Huxley's statement that "the thin precarious crust of decency is all that separates any civilization, however impressive, from the hells of anarchy or systematic tyranny which lie in wait beneath the surface". The grim Horseman of Anarchy knows that when any generation tires or becomes incapable of creating that "thin precarious crust of decency" it will be his turn to range unchallenged through a land empty of promise and hope. The birth—or death—of freedom in America today lies silently waiting in the balance.

Abroad we are shocked to witness the total immobilization of French society created by students, workers and the Communist Party. The students have continued their demonstrations this week as in previous weeks in Belgrade, London, Rome, Prague, and most of the other European capitals. At home we have been torn apart from within by student demonstrations from East to West. And fluttering about these student demonstrations like moths attracted to light are those socialistic prophets of the New Left who are in a violent hurry to get your pot in order to cook your goose. Our cities are rocked by black anger and white fright which mirrors the joys, the frustrations, and the bewilderment of the uptight life in urban America.

These contradictory emotions have once again erupted in riots this spring, creating a Never-Summer Range of heartache within our land. I was in Washington on April fourth, fifth, and sixth when the riots blew up in our great Capital. It has always been a beautiful city, and you cannot realize how heartsick it makes me, and it made hundreds of thousands of others of all races, to see this beautiful city, the symbol of our great love of freedom in this country, going up in smoke and flames. Every American was made sick by the spectacle of people gleefully looting the stores and carrying out television sets and holding them up, laughingly, to the camera, while the police who had been ordered to do nothing stood by and watched. Too often, the forgotten American was that small merchant who lost his life's savings and an entire lifetime of work in the looting and burning that took place.

It seems inconceivable to me that our Attorney General who was given complete responsibility by President Johnson in February of this year for the peace and safety in our streets fails to realize the essential nature and explosive destruction of a riot. Potentially, death is as much present in every riot as it is in an armed robbery. But the firebrands like Stokely Carmichael continue to sweep through our cities breeding their hate and violence without so much as a slap on the wrist by the Chief Law Enforcement Officer of the country. For an Administration that has suddenly discovered that priorities should exist in fiscal matters, it seems incredible to me that they are incapable or unwilling to reorient this country's domestic and social priorities as well. Perhaps they are immobilized by the truth of H.L. Mencken's statement, "Injustice is relatively easy to bear; what stings is justice."

Well, I say, it is a time for equal enforcement of the laws for all Americans. It is a time for justice to sting wherever there is continued injustice.

While the riots continue and exploitation of the poor continues to gut creative effort, our nation's colleges and universities are beginning to erupt in violence across the land. Despite the apologies from those liberal thinkers who have both feet planted so firmly in the air, there is a deep unrest in our academic world which speaks of an even more frightening violent sense of confusion. Do not ask the father who is helping his son to get a college education what the university life means today. He knows that while his boy is getting a liberal education, the father is getting an education in liberality. But here in Colorado we have seen what happens when firm reasonable effort is exerted to control and correct these academic abuses. We have seen these student malcontents lose their appeal with their contemporaries and return quickly underneath the moss-covered rocks from which they came. Recently, J. Edgar Hoover characterized these New Left malcontents in his testimony before the House Appropriations Committee this way:

"The mood of this movement, which is best typified by its primary spokesman, the Students for a Democratic Society, is a mood of disillusionment, pessimism, and alienation. At the center of the movement is an almost passionate desire to destroy, to alienate, to tear down. If anything definite can be said about the Students for a Democratic Society it is that it can be called anarchistic."

How we meet the challenge in this crisis—this moment of decision in the midst of opportunity—will determine whether the Horseman of Anarchy continues to ravage our Republic. Whether we can inspire and sacrifice in our individual capacity as citizens—whether the academic community can bring back the heartbeat of humanism in its curriculum—and whether our political leaders are capable of honesty and dedication to the American dream—these are the questions which only time and each of us can determine. We have seen the savage violence of the alternative which assassins provide. (It seems to me that this is a time to wrest freedom from the anarchy which threatens to consume it. This is a time to assure that freedom is forever etched in the American Dream.)

The last Horseman of the New Apocalypse is Indifference. The latter needs less explanation than the other three. But he is nonetheless waiting in the wings to open the floodgates of chaos in this land. If our citizens, knowing of the present challenge, remain somehow aloof and uncommitted at this critical hour the eventual triumph of indifference shall be assured.

As members of this great and patriotic organization, you have known and continuously seek to reaffirm your belief in this great political experiment which washed ashore two hundred years ago. Each of us, however, must guard against standing mute and uncommitted any longer. Concerned America has too long been buttoned up in a little starched coat of patriotic indifference. Too often patriotism has been more pretense than passion. It has become fossilized by a feeling of complacency reinforced by the happy conviction that we are not as other men.

We know the Harpies are calling our young men and women to the shores of rocky desolation and destruction. We must shake ourselves free from phlegmatic patriotism if we are to assure this country's existence. Vague incantations of patriotism which never felt the warmth of the heart will not save us now.

If our sense of patriotism is challenged and the need for law and order is clearly defined then I am sure we would agree with Lincoln "there is no grievance that is a fit object of redress by mob law." Can we not transform, however, our sense of patriotism and reverence for law and order by agreeing through commitment in our daily lives with these words of Lincoln:

"Let reverence for the laws be breathed by every American Mother to the lisping babe that prattles on her lap. Let it be taught in schools, in seminaries, and in colleges. Let it be written in primers, spelling books and in almanacs. Let it be preached from the pulpit, proclaimed in legislative halls, and enforced in our courts of justice. And, in short, let it become the *political religion* of the Nation, and let the old and the young, the rich and poor, the grave and the gay, of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars."

Too often, I believe, our young people see patriotism as a callous indifference rather than a committed concern to the future of our country. It's up to us to breathe some fire and meaning into this word "patriotism" if it is to become a virtue rather than a comfortable pretense.

Today, as at every moment in our history, we stand on the hinge of history. Certainly, we are bolted to the collective wisdom and pretense of the past from which we cannot escape. Yet, we are capable of swinging towards that kind of future which we may wish for ourselves, our families, and our country. It seems to me now more important than ever that we must remain sensitive to the legitimate needs of our citizens. Sensitivity to these legitimate needs will keep indifference from rusting the hinge of initiative so desperately needed at this moment in our country. And, sensitiveness to the needs and promises of some of our citizens will insure the fulfillment of the American promise for all her citizens.

This hinge of history, about which I speak, also carries with it the opportunity to bolt out, once and for all, the Four Horsemen of the New Apocalypse: Crime, Poverty, Anarchy and Indifference.

Clearly, we are in a true moment of crisis in the sense that I have offered today—that is, that we hang suspended between danger and opportunity. The danger is clear. The opportunity is clear. But, the decision this country is about to take is not clear. The choice is yours, and mine, and our willingness to assume the burden of patriotism will determine the answer to the question: "Which way America?"

NEED FOR NATIONAL SYSTEM OF GUN CONTROL IS EVIDENT—ASSASSINATIONS, SMUGGLING OF PISTOLS INTO ATLANTA PRISON CITED

Mr. RANDOLPH. Mr. President, the United States needs strong and effective gun control laws governing the full range of lethal weapons. The hour is overdue for the people of our Nation and for the Congress to realistically face this critical issue and to act affirmatively.

Today's press reports that Harold W. Glassen, of Michigan, president of the National Rifle Association, charges that Americans "are behaving like children in the emotional aftermath of the Kennedy slaying, and are reacting as the German people did in the 1930's to the Nazi propaganda mill." And he is alleged to have accused gun-control proponents of "a syndicated attempt to deceive the public into abrogating the constitutional right to keep and bear arms."

The National Rifle Association executive's charges, allegations, and castigations are unimpressive. It is not indulging in "syndication" or "deception" to make the efforts necessary to keep assassins like those of Dr. Martin Luther King, Jr., and Senator Robert F. Kennedy from coming easily into possession of the firearms used in their murderous attacks.

Incidentally, Mr. President, the press also reports today that a prison spokesman revealed in Atlanta that two guns were smuggled through a visitors' restroom pipeline to four convicts who held 21 hostages in Atlanta Federal Penitentiary for 28 hours until their grievances were published. Arrested by the FBI and charged with taking the .22 caliber and .32 caliber pistols into the prison was the 25-year-old alleged fiancee of one of the four inmates. This, of course, is another classic example of guns in the hands of the wrong people.

There is no logical reason for such persons to be permitted to purchase and hold guns without some type of effective check. Gun tragedies continue to mount and people continue to be wantonly killed, injured, robbed, and threatened at gunpoint.

The need for a national system of gun control is evident. We cannot ignore the facts. Each year 6,500 murders are committed with firearms; 43,000 aggravated assaults and 60,000 robberies are committed with firearms. Each day 50 lives are snuffed out by firearms. Since the turn of the century more persons have died in civilian life from firearms than in all our wars.

Probably no other civilized nation has as little control as the United States over the sale and holding of firearms. Countries throughout the world have effective registration systems while ours is a patchwork which largely depends on the degree of effectiveness of laws of the States and their subdivisions.

We are not in the days of the "Old

West"—the frontier days. Ours is a fast moving and changing and complex society. There are constant temptations, frustrations, pressures, and antagonisms. Many persons are not competent to have possession of firearms, but we cannot keep firearms from them unless we have a system of controls. Guns cannot be kept out of criminal hands unless there are regulations governing the purchase of ownership of firearms and/or their registration. Every citizen will agree that criminals, addicts, and mental incompetents must be precluded from possessing guns. The question is how to achieve this objective. It is not being accomplished adequately under present laws.

Those who advocate stricter gun controls do not contend that this will be the cureall for murders and crimes of violence. Just as the problem of crime in the United States has many fronts, the solutions and the attacks on crime must come from many sides. But we do know that countries with far more rigid firearms laws witness substantially fewer crimes of violence. That law-enforcement officers at all levels emphasize that the availability of guns and the lack of effective controls are critical elements in the upward trend in crime. Responsible gun control laws will significantly aid our law-enforcement officers and will save thousands of lives.

The argument is made that the criminal will find ways to obtain a gun. This may happen in some cases. No system of laws gives assurance of absolute control. The point is, however, that effective gun controls will reduce the chances of a criminal procuring firearms.

I am a cosponsor of so-called gun control measures which recently have been introduced in the Senate. These proposals encompass varying degrees of firearms control. None of the proposals is pointed toward penalizing the law-abiding citizen. The worthy common objective of these measures is to provide protection for the public. They are in the public interest. I would like to have pointed out wherein any of these proposed measures will disarm any law-abiding citizen. Will they prevent any law-abiding citizen from purchasing a firearm? No. Whether there is a system of compulsory registration or registration and permit-issuance, a person with a record of good citizenship will be able to purchase and own firearms for the protection of home and property and for sporting purposes, such as hunting and target shooting. There is no provision here to deny the right of the law-abiding and competent citizen to have firearms. I think this point must be fully understood and I think this point must be stressed. Additionally, we are not seeking to override any States which have effective gun control laws. State laws that are as strong as the Federal law will not be set aside.

Mr. President, last week, Congress took the final step in approving a limited gun control measure, prohibiting the mail-order sale of handguns to non-State residents and containing other provisions with regard to all firearms. I supported that measure and I supported the unsuccessful amendment to extend the mail order restrictions to rifles and shotguns. This first step was meaningful, but it was not enough. There must be an augmentation of the legislation approved by the Senate in mid-May and by the House of Representatives last week.

Mr. President, the public wants responsible and effective gun control laws. Congress must act resolutely in fulfilling a critical need. Commonsense and the public interest demand affirmative action.

THE MUSICAL TOUR OF SAMMAMISH HIGH SCHOOL STUDENTS

Mr. MAGNUSON. Mr. President, recently I discussed the proposed musical tour of a group of Sammamish High School students from my State and the problems they faced in securing the needed funds for their 3-week tour of Denmark, Norway, Sweden, Holland, and Germany.

I am most pleased to report that these 108 students departed by bus for Vancouver, B.C., on June 6. There they boarded a plane for their first performances in Scandinavia. The cost of this tour was about $68,000, and although the drive for funds fell some $8,000 short, I am most pleased that all students made the trip and, hopefully, those who appreciate the importance of exchanges of our youth as I do will make up the deficit before their return.

Significantly, Mr. President, the date of the students' departure was June 6, and they paid moving tribute to the death of Senator Robert F. Kennedy prior to departure.

Dave Suffia, writing in the Seattle Times, put it thusly:

> The strains of the Lord's Prayer lifted in the Sammamish High School gymnasium today in tribute to Senator Robert F. Kennedy as 108 students paused before leaving on a tour of Northern Europe.
>
> The students left for a three-week musical tour of Denmark, Norway, Sweden, Holland, and Germany.
>
> The hymn was recorded to be sent to Senator Kennedy's family.

Mr. President, in this period when much of the world is watching the United States, the visit of these 108 young people from my State to the five mentioned European countries can have an immeasurable effect toward understanding.

I commend the students, their individual teachers, their school district, and the thousands who have made contributions so that the trip might be possible.

RESOLUTIONS ADOPTED BY NATIONAL SCHOOL BOARDS ASSOCIATION

Mr. MORSE. Mr. President, the National School Boards Association in its 1968 delegate assembly, March 30 to April 2, 1968, adopted a series of resolutions and a statement of beliefs and policies.

It is my view that this statement and the resolutions are of high significance. I therefore wish to bring them to the attention of the Senate, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the statement and resolutions were ordered to be printed in the RECORD, as follows:

BELIEFS AND POLICIES OF THE NATIONAL SCHOOL BOARDS ASSOCIATION (AS ADOPTED BY NSBA DELEGATE ASSEMBLY, MARCH 30–APRIL 2, 1968)

INTRODUCTORY STATEMENT

The public school boards of America, united in their several state school boards associations, and federated into the National School Boards Association, believe the "education is the bulwark of freedom" and that our universal system of free public education is literally the nation's first line of defense and the greatest constructive force in the possession of the American people for the preservation of their freedoms and the advancement of the democratic way of life.

They hold that public schools will keep America strong and free if America's public will keep the schools free and strong; and, firm in this conviction, have agreed upon a statement of these policies with regard to public education.

I. CONTROL AND SUPPORT OF PUBLIC SCHOOLS

Public schools are the responsibility of the states. Local school boards are created by state action and share with state education agencies the task of providing educational services to children and adults. It is the task of both state and local agencies to seek equality of educational opportunity for all and to distribute the costs equitably. In order that these goals may be achieved, the National School Boards Association supports the following principles:

a. The retention of local and state controls depends upon the imagination and positive spirit with which local and state agencies deal with the problems and needs of the people in their jurisdiction.

b. School district organization should be unified to encompass grades one through twelve and also kindergartens and junior colleges in communities which desire them.

c. In order to discharge the responsibility of providing good educational opportunities, local school boards must control the funds used to operate the schools. They should, therefore, possess fiscal independence.

d. The American tradition of the separation of church and state should be vigorously safeguarded. To this end the Association advocates that funds raised by general taxation for educational purposes should be administered by public officials and should not be used to support any privately operated schools. The Association recognizes and upholds the right of any group to establish and maintain schools financed by its own supporters with such governmental supervision as will assure a minimum standard of instruction and adherence to the Constitution and Laws of the United States.

e. Concerted efforts must be made by each state to equalize the financial support of public education to the end that every taxpayer, individual, and corporation shall contribute its just proportionate share.

f. Local districts should contribute a required minimum amount of financial support to the schools before they are eligible to receive additional funds from state or other sources.

g. Financial support from each state to its local school districts should be designed to equalize educational opportunities and to sustain a steadily improving minimum foundation of education.

h. Funds from federal or other sources outside the state, intended for the assistance of public education, should be administered by the state educators agency through local school boards in accordance with state policy and without restrictions other than simple accounting of receipts and disbursements.

i. NSBA recognizes that the retention of state and local control of education will depend upon strong and effective state and local public school agencies. Therefore, NSBA strongly recommends and supports the strengthening of such agencies in each state.

j. Local school boards play a significant role in shaping the programs in the local community under the provisions of Acts of Congress Programs dealing with education which may be operative in the community should be established and operate within the framework of the public school's authority, and should be designed to maintain high professional standards and to avoid the proliferation of educational systems in the community.

II. RESPONSIBILITIES OF LOCAL SCHOOL BOARDS

The National School Boards Association believes that the responsibilities of local school boards include: a legal responsibility for the control of public schools as the only agencies in their communities with this responsibility; a civic responsibility as the controlling agencies providing a basically essential service to the life of the communities; a social responsibility toward all who look to the schools as centers of growth and development for children, youth, and adults; an economic responsibility since there is a direct relationship between good schools and business prosperity; a moral and ethical responsibility to function courageously and impartially to assure the greatest good to the greatest number at all times. In the strong conviction that the American system of public school education will best meet the needs of the citizenry if all local school boards throughout the United States recognize and meet their full responsibilities, the Association supports the following principles:

a. School boards should function in a nonpartisan, broadly representative, team-spirited manner. Every member of a school board should represent open-mindedly the entire school district, and, in consequence, must let his consideration for the entire district take precedence over every form of partisanship and special interest—political, racial, religious, geographic, economic, social, civic, or other.

b. School boards should adopt clearly defined written policies, based on a thorough understanding of the educational process. In formulating the policies they should consult individuals and groups affected by the policies, and, since changing conditions bring changing needs, should periodically review policies. They should recognize that while school boards are policy making bodies, they properly delegate the execution of policy to employed professional administrators.

c. School boards should recognize that public schools belong to all the people, are supported by the people, and are designed to carry out the wishes of the people for the education of children, youth and adults. They should conduct board business in open session and endeavor by every possible means to inform the public concerning the schools.

d. School boards should enlist citizen groups to assist and counsel them, making certain that three principles are followed: (1) citizen groups should be broadly representative; (2) recommendations should be based on research and facts; (3) recommendations should be submitted to school boards which alone have the authority to act upon them.

e. School boards should plan and maintain a flexible program for the future, based on surveys and studies of population trends, possible economic changes, changing community attitudes, developments in education, and all factors which could affect their school systems.

f. School boards should work to maintain and improve the professional status of the teaching profession, and encourage young people of high caliber to enter the teaching profession.

g. School boards should employ professional and nonprofessional personnel with competence and personal qualifications which command community respect. Appropriate to the importance of their role in the communities, all personnel should be adequately compensated to assure their economic security and their working conditions should permit them to effectively exercise their skills and duties.

h. School boards, concerned with a steady erosion in the effectiveness of state and local governments, should recognize and respond to their opportunities and responsibilities to reverse this trend as it affects public education. These opportunities and responsibilities include: a maximum utilization of all existing powers and resources of local school boards to develop a public education system equal to the demands of this complex age; the support of the enactment of legislation to extend those powers and resources as may be required to meet that objective; the development of a satisfactory method of utilizing the knowledge and experience of professional personnel in the formation of educational policies; and the support of appropriate measures to strengthen state education agencies.

i. School boards should become an integral part of the planning and development of local community programs which affect the welfare of their communities and the environment within which children are reared.

III. THE EDUCATIONAL PROGRAM

The National School Boards Association believes that public schools exist for the purpose of providing the best possible education for children, youth, and adults. It believes that our schools should develop responsible American citizens, self-reliant and independent persons equipped with the knowledge and skills essential to functioning at whatever level of activity individual talents permit, and with characters imbued with the highest moral and spiritual values. The NSBA urges each local school board to exercise its legal responsibilities, prerogatives, and discretion in the fullest measure to design, initiate, and operate educational programs which will adequately serve national needs, state goals, and local expectations in an era of rapid technological and social change. To this end, the National School Boards Association advocates that:

a. Curricular offerings should be broad enough to make available to each student an educational opportunity which takes into consideration his needs, ability, and cultural and socio-economic background.

b. Adequate student counseling and guidance services should be provided.

c. Local school boards must accept a leadership role in removing the barriers which prevent educationally deprived children, irrespective of their race, ethnic backgrounds, or socio-economic status, from full access to the educational opportunities provided at public expense.

d. Every effort should be made to facilitate, and encourage the completion by all students of at least a high school or other appropriate twelve-year program.

e. Factual materials relating to both sides of controversial issues of local, state, national, and international importance should be presented in classrooms, unless such presentation is forbidded by law. School administrators and teaching personnel should be required to exert their most conscientious efforts to present such facts objectively and impartially and local school boards should establish policies which will protect such efforts against unjust reprisal.

f. Students should be systematically informed, appropriate to their age levels, about the free public school system as one of the important institutions of our society and about the basic principles upon which this institution is founded.

g. All attempts to infringe upon the authority of school boards in the selection and adoption of textbooks and other instructional materials shall be resisted. However, school boards should be encouraged to give members of their staffs opportunities to indicate the needed and desirable instructional materials.

h. Facilities and programs for teaching adults the skills and cultural subjects they desire should be provided by local school boards.

i. Public school facilities should be used as community centers for the integration of the American community and the encouragement of family participation in wholesome character building activities conducive to good citizenship. The Association should urge state associations to initiate legislation whenever necessary to authorize the wider use of public school facilities for community purposes under provisions giving local boards authority to determine, regulate, and maintain such programs.

j. Constant evaluation of the effectiveness of our educational system should be vigorously encouraged at all levels. An assessment program conducted on a national level is one means of studying the state of American education. Any such study should be so administered and interpreted as to recognize the concern of local school boards of the danger inherent in using the results of any single national assessment as the basis for decision on the national level in the allocation of resources for meeting specific educational needs.

IV. RELATIONSHIPS WITH STATE SCHOOL BOARD ASSOCIATIONS

The National School Boards Association is committed to the principles of working with member state and territorial associations to strengthen the effectiveness of local boards through education, collective action, and self help. The Association, therefore, supports the following principles:

a. School board members should be encouraged to attend meetings sponsored by the Association and state and territorial associations. The expense of supporting school board associations and attending meetings should be recognized as a legitimate charge against district funds.

b. The Association recognizes that it is the right and duty of each individual state to express to its representatives in the Congress of the United States its own position with regard to educational issues regardless of any stand which may have been adopted by the Delegate Assembly of the Association.

V. RELATIONSHIPS WITH OTHER GROUPS

Professional personnel

The National School Boards Association believes that it is a fundamental principle of democracy that policy decisions are made only by those who are directly accountable to the electorate. It is the prime obligation of education to provide the opportunity for each student to achieve his greatest potential. These premises merge and coincide in the public school system, a governmental process and an educational function.

School boards should recognize the great contributions to overall planning that can come from the knowledge and experience of classroom teachers, administrators, and other professional personnel and should give careful consideration to plans, suggestions, and recommendations of these professional people in the area of teaching conditions, needs, and personnel problems.

In determining general policies relating to the operation of the schools, handling of personnel problems, and the general welfare of all professional personnel, each local school board should set up satisfactory procedures for communication with all professional personnel. Such procedures should recognize that the function of the professional practice of teaching requires that individual teachers have and exercise full freedom of association, expression, organization, and designation of representatives of their own choosing for the purpose of conferring with school boards concerning the terms and conditions of their employment.

Strikes, sanctions, boycotts, or other concerted actions which interfere with the orderly functioning of the public school system are improper procedures to be used by public school employees. These conflicts in employee-employer relations can be avoided or minimized if school boards and teacher organizations each respect the legitimate role of the other and recognize that neither has any legal or moral right to engage in acts or practices which jeopardize the right of students to receive an education.

Non-professional personnel

School boards should establish and use free channels of communications with non-professional as well as with professional personnel so that decisions affecting their interest and welfare may be made only after careful board consideration has been given to their views, recommendations, needs, and grievances.

Other groups

In order to provide an improved school system, the National School Boards Association and state associations of school boards, while maintaining complete independence, should support other groups working to achieve the same goals. The Association, therefore, advocates that full and active cooperation be maintained with all lay and professional groups which are sincerely working for the advancement of public education.

VI. NATIONAL LEGISLATION

Public education in the United States has been reserved by the Federal Constitution as a state function. The several states have, in turn, delegated the authority for local determination of educational programs to lay boards of education. By this means of involving citizens' interest in and responsibility for the local schools, the heritage of free public education has been preserved and extended by succeeding generations.

There are nation-wide concerns in education which transcend the boundaries of local school districts and the state. Among these concerns are the needs of national defense, the continued growth of the national economy, the elimination of widespread disparity in educational opportunities for all children, and the intelligent participation in the democratic process by all citizens. As it has in other areas of national concern, the Congress has enacted legislation designed to promote the national interests in education.

NSBA recognizes that this federal involvement in supporting state and local educational programs is now an established practice. In order, therefore, to safeguard the basic principle of local autonomy for public schools, NSBA believes that local, state and federal relationships should be encompassed within the following:

a. The organization of a committee on education composed of representatives of agencies which have an important role in the establishment of public educational policy. The committee would concern itself with nationwide goals in education and would transmit its findings and suggestions to the President and Congress, as well as to the state legislatures and the general public.

b. The U.S. Office of Education serving the functions of (1) a clearing house for national education information; (2) appraising the educational scene and reporting its findings to interested agencies; (3) entering into educational research programs with qualified profit and nonprofit organizations and with safeguards against Federal control of curriculum in American Schools; (4) offering consultative services to the states; (5) coordinating international educational activities in which the U.S. Government is interested; and (6) coordinating educational programs of all federal agencies.

c. The support of a continuation of legislation which provides money to local school districts, through state education agencies, in cases where the local tax base is reduced as a result of the U.S. ownership of property and/or student attendance resulting from U.S. Governmental operations, installations or tax-exempt public housing projects.

d. The principle that federal funds appropriated for public educational purposes should:

1. Include as a first priority, substantial federal financial support to locally-controlled public school programs for economically or culturally deprived children, wherever they may be educated;
2. Insure equitable methods of distribution to local public school districts uniformly applied throughout the United States;
3. Include funds in the form of general aid;
4. Include funds for public school construction; and
5. Be administered without federal control, through the United States Office of Education and the appropriate state agency in accordance with the state policy.

e. The concept that the Federal Government should adopt a plan of revenue sharing and transfer of funds to the states for distribution to local governments.

RESOLUTIONS ADOPTED BY THE NSBA DELEGATE ASSEMBLY—DETROIT, MICH.

In a smooth-running series of three business meetings, Delegate Assembly members at NSBA's 28th Annual Convention passed 25 Resolutions that covered a wide range of topics important in today's education scene. Here is the complete text of the Resolutions as passed in final form:

1. COPYRIGHT LAW REVISION

The National School Boards Association is concerned with proposed limitations on the use of copyrighted materials, particularly those restricting individualized uses of new educational technology by students. NSBA recommends that, with the exception of the following three aspects of the proposed bill, the basic revision of the copyright law, as passed by the U.S. House of Representatives, be approved by Congress. The Association further recommends that a National Study Commission, broadly representative of the public interest, be appointed to specifically study and make recommendations on these three aspects: (1) individual uses of new technologies by students; (2) uses of computers; and (3) duration of copyright. In addition, NSBA recommends that during the period of the National Commission's study, a moratorium should be granted which would give local public school systems a limited copyright exemption pertaining to nonprofit educational uses and the utilization of information retrieval systems.

2. EDUCATION OF THE HANDICAPPED

The National School Boards Association recommends that the new USOE Bureau for the Education of the Handicapped provide for utilization of persons who have local school board experience to serve as consultants in formulating the operating policies that will govern its programs. NSBA recommends that additional funds be appropriated to meet the needs of and to provide adequate facilities for the physical, emotional or mentally retarded handicapped.

3. MANPOWER DEVELOPMENT AND TRAINING

The National School Boards Association supports the basic objectives of the Manpower Development and Training Act. NSBA recommends that administration of the classroom portion of the program remain under the supervision of the U.S. Office of Education. The Association further recommends that local school boards encourage involvement of their school districts in this program.

4. VOCATIONAL AND TECHNICAL EDUCATION

The National School Boards Association recommends that the Vocational Education Act of 1963 be amended to provide increased authorizations and appropriations for the training and education necessary to meet labor force demands. These increased authorizations and appropriations should be channeled through a single state grant which includes all funding needed for such programs, both those with direct responsibility for vocational education as well as those having implications for vocational education. The funds from the single state grant should be allocated to local public school districts to provide a total program of vocational education based upon locally determined needs.

The National School Boards Association recommends that the single vocational education grant be administered by the state in accordance with a master State Vocational Education Plan. Such a master State Vocational Education Plan should be developed in a manner which will provide local school districts with maximum flexibility for keeping vocational education courses current with changing labor requirements, providing vocational training for non-college bound students, and implementing programs such as the comprehensive high school. The Association urges the states to make use of this Act through the public school facilities in order that every person will have access to that degree of skill training required to make him an employable citizen. State educational agencies and large city school boards must provide lifetime occupational education opportunities, beginning at the earliest appropriate age, through the public school facilities.

5. EDUCATIONAL AND INSTRUCTIONAL TV

The National School Boards Association encourages the judicious use of all worthwhile media and methods in the educational process. Educational and instructional TV should be viewed as additional tools of great potential worth to the teacher and student in striving to keep pace with the rapidly expanding responsibilities of education. The National School Boards Association urges state and local school boards to study the applicability of these media to their local needs; to seek sources of funding for these purposes; and to seek reservation of an adequate number of channels for public educational purposes.

6. MID-DECADE CENSUS

The National School Boards Association supports the proposal for a complete mid-decade census enumeration of population, employment and housing in the year 1975 and every ten years thereafter in order to provide a nationwide census every five years.

7. COMPREHENSIVE URBAN PLANNING

The National School Boards Association offers its services to assist in research done by Congressional educational committees and governmental agencies in the development of plans and programs affecting the educational systems of the metropolitan areas of the United States.

NSBA further recommends that local school districts collectively be consulted in the development by federal, state, inter-state and municipal planning bodies, as well as their respective agencies, of any projected plans affecting the educational system or systems within a particular metropolitan area.

The National School Boards Association also recommends the inclusion within all Federal legislation and administration regulations of provisions to insure that planning costs incurred by local school districts are included as a reimbursable cost in the administration of such programs.

8. VOLUNTARY COUNCIL OF GOVERNMENTS

The National School Boards Association recommends that every effort feasibly possible be made to insure the appointment on each Voluntary Council of Governments' governing board of elected or appointed local school board members representing each major school district within the geographic area encompassed by the Voluntary Council of Governments.

9. SCHOOL CURRICULA

Contributions made by all ethnic and racial groups to our nation's growth and development should be included in all school curricula. The National School Boards Association affirms that each school district has the responsibility to adopt a curriculum program designed to portray a realistic picture of the contributions made by all ethnic and racial groups in the development of our nation.

NSBA further recommends that the intent of this policy be reviewed by the curriculum council within a local school district as it prepares for the selection of educational materials.

10. CORPORATION OF PUBLIC BROADCASTING

The National School Boards Association recommends that the 15-man board of directors of the Corporation of Public Broadcasting include leaders in the field of education and that at least three directors be persons who are nationally recognized for their contributions to education and who have had experience serving presently or formerly as members of local boards of education.

11. COMMUNITY JUNIOR COLLEGES

The National School Boards Association recognizes the Community Junior College movement as a vital and integral part of public education which is rapidly growing throughout the nation. The concept and philosophy of the Community Junior College must be recognized and understood by all concerned with public school education. The increase in the demand for people with professional abilities and occupational skills and the increase in the number of people wanting such abilities and skills, renders the need for continuous study, planning and retraining as an obvious necessity. The Community Junior College provides a means of meeting these demands. The establishment of control of the Community Junior College in a manner that the Community Junior College will relate to community needs therefore is a fundamental necessity. In the gerat majority of states this can best be accomplished by the maintenance of independent community junior college districts.

12. PRESERVICE AND INSERVICE TRAINING GRANTS

The National School Boards Association recommends that the Education Professions Act of 1967 be amended to allow interested local school boards, state school boards associations and NSBA to obtain preservice and inservice training grants to improve boardsmanship under this Act.

13. ADVANCE FUNDING OF FEDERAL PROGRAMS

The National School Boards Association highly commends the Congress for enacting the advance funding concept. NSBA feels that it provides a practical solution to problems caused by an incompatibility in the timing of federal payments to local school districts. The Association strongly recommends that Congress implement this concept of advance funding of school programs by the passage during 1968 of an adequate level of appropriations which cover both the 1969 and 1970 fiscal years. This timely action by Congress will insure that local school boards can receive by January 1969, and each year thereafter, a firm commitment as to the amount of federal funds they will receive for the school year which will commence the following September.

14. FINANCIAL ASSISTANCE FOR ELEMENTARY AND SECONDARY EDUCATION

The National School Boards Association believes that the primary importance which American citizens attach to elementary and secondary education is accurately reflected by their broad public support during recent years of rapid increases in local and state taxation rates for the support of public schools. NSBA further believes that the unprecedented financial needs of public schools in general and the big cities with special crises situations in particular, demand vastly increased federal funds for education.

The Association recommends that Congress substantially enlarge the amount of federal funds allocated for elementary and secondary education purposes, including the assignment of a higher national priority. To achieve this objective, NSBA stands ready to support, if necessary, an appropriate increase in existing federal tax rates for the support of education.

The National School Boards Association specifically recommends that ESEA Title I allocations to local school districts be drastically increased so that fiscal year 1970 allocations are twice the fiscal year 1968 figure.

15. STATE SCHOOL SUPPORT LAWS

Recognizing that only through proper financing of education can democracy survive, modern industry thrive and public education provide an optimal educational opportunity for all:

A. The National School Boards Association urges state school board associations to initiate and support, in cooperation with other responsible state-wide groups, continuous study and action programs to improve state laws related to the twofold task of raising and distributing tax revenue for public education. The solutions evolved should reflect concern for:

1. Programs designed to meet the educational needs of all public school children;

2. State aid formulas which compensate for such factors as:

(a) the disparity among school districts in resources available for public education;

(b) the disparity among school districts in the cost of providing comparable programs;

(c) the higher cost of educating those children with exceptional needs of all kinds wherever found;

3. Achievement of an appropriate intergovernmental sharing of the cost of public education based on need, effort and resources;

4. Development of an equitable, efficient tax system which balances the progressive and regressive factors in the various methods of taxation, in order to provide adequate revenue for education without inequitable tax burdens.

B. The National School Boards Association Delegate Assembly requests the National School Boards Association Board of Directors to seek funds and devise means to assist state school board associations in their leadership role by:

1. Developing and facilitating the exchange of research, information and ideas;

2. Conducting at the national level educational finance studies of the problems enumerated above;

3. Enlisting the aid of other nation-wide organizations in seeking viable solutions to the problems of financing education;

4. Recommending further action based on these studies to the 1969 National School Boards Association Delegate Assembly.

16. ADULT BASIC EDUCATION

The National School Boards Association supports the basic objectives of the Adult Education Act. Federal support of adult basic education is appropriate because of the mobility of the "students" and their direct importance to the national economy. NSBA recommends that the Adult Education Act be administered through the public school system and that adult basic education be defined as education for persons who have not completed high school.

17. SCHOOL CONSTRUCTION

The National School Boards Association believes the primary responsibility for construction of public school facilities lies with state and local school districts; however, since school construction needs in many parts of the country exceed available financial resources and result in a significant deterrent to the effective implementation of educational programs under federal, state and local impetus, NSBA recommends that federal funds be authorized and appropriated for such capital expenditures when military spending at the present level is reduced, with the stipulation that the planning and location of these physical facilities remain a local and state decision. Consistent with state law, title to these facilities should be held by local public school districts.

NSBA further recommends that such funding encourage the design and development of multipurpose school buildings to achieve greater community involvement in education, even higher building usage, and a longer useful lifespan for these facilities.

In expectation of significantly increased appropriations for capital expenditures in the future, the Association urges that allocation of additional ESEA Title I funds be authorized for capital expenditures now. NSBA further recommends that the Elementary and Secondary Education Act be amended to provide advance planning assistance to local school districts for long range planning of future school construction and modernization and the advance acquisition of future school sites.

18. JUDICIAL DETERMINATION OF FEDERAL AID TO PRIVATE SCHOOLS

The National School Boards Association has serious concern about the uncertainties of utilizing public funds for non-public school purposes. NSBA therefore strongly urges Congress to establish the means whereby the constitutional question of utilizing public funds for non-public educational programs can be resolved.

19. TEACHERS FOR EDUCATIONALLY DEPRIVED CHILDREN

The National School Boards Association is deeply concerned with the great problems of educationally deprived children. It urges colleges and universities and federal, state and local educational agencies to take all feasible steps to accomplish such objectives as providing student loans for prospective teachers of these children, making available special teacher-training programs in institutions of higher learning, and offering suitable inducements to attract teachers of educationally deprived children.

20. PUBLIC HOUSING AMENDMENT TO THE FEDERALLY-AFFECTED AREAS PROGRAM

The National School Boards Association recommends that the Federally-Affected Areas Program be amended to provide an annual payment of $1,000 per low-rent public housing unit to the local school districts which have tax-exempt public housing dwelling units within their boundaries. The Association recommends that these payments, in lieu of local property taxes, be based on the number of low-rent public housing dwelling units which were occupied during a major portion of the preceding year and that they be in addition to existing federal, state and local financial support for local public education. These unrestricted additional funds should be allocated to local school districts in a manner which will enable them to provide new or improved educational services for any of the persons residing within their disadvantaged areas.

NSBA further recommends that the P. L. 815 and 874 programs be continued on a permanent, fully funded basis.

21. RECIPROCITY OF TEACHER CERTIFICATION AMONG STATES

The National School Boards Association urges the chief state school officers to study the feasibility of reciprocity of teacher certification and its merits and disadvantages to individual states.

22. EXTENSION OF THE YEARS OF EDUCATION

The National School Boards Association recommends that local school districts conduct pilot programs of early childhood education, with provisions for evaluation, follow-up and appropriate involvement of other community agencies, and, further, that local school districts experiment with various organizational patterns of education in an effort to embrace all organized public efforts in education within a cohesive whole.

NSBA further urges state departments of education to study and consider the best ways to organize, administer and finance a system of public schools extending two years below the traditional first grade and two years beyond the traditional twelfth grade, as appropriate to their individual states.

23. SCHOOL BOARD REPRESENTATION ON NATIONAL ADVISORY BODIES

The National School Boards Association recommends that the federal government provide for representation by members of local boards of education on national advisory bodies which directly or indirectly involve public elementary and secondary schools.

NSBA further urges that provisions be made for substantial participation and involvement by local boards of education in the formulation of national guidelines and regulations which affect the local public schools.

24. U.S. OFFICE OF EDUCATION—REGIONAL OFFICES

The National School Boards Association recommends that there be a clear delineation of the channels of communication, the decision-making authority and the appeals procedure as they pertain to relationships between and among the U.S. Office of Education, its regional offices, the state departments of education and local boards of education.

NSBA further recommends that, wherever possible, educational functions and authority be vested in state departments of education.

25. SUMMER YOUTH PROGRAMS

The National School Boards Association strongly advocates the use of public school facilities during summer months, when the schools are not in regular session, to make school playgrounds and gymnasiums, shops, swimming pools and other school facilities available to the young people who need constructive opportunities for education, play and recreation.

NSBA recommends that local school districts and other public and private agencies cooperate with the President's Council on Youth Opportunity in its effort to provide jobs, education, training and recreation.

NSBA further recommends that other public and private agencies join with local citizens to provide additional funds for these summer programs.

"WHO OWNS THE GAME?"—PART II

Mr. HANSEN. Mr. President, last month the Conservation News printed part I of an article entitled "Who Owns the Game?" written by Ernest Swift. This publication is a weekly newsletter, presented as an educational feature of the National Wildlife Federation of Washington, D.C.

The article asked some important questions about the role of the Federal Government in the jurisdiction over resident game and fish within the boundaries of the lands owned by the Federal Government.

The issue of who has the authority to regulate these resident species of wildlife has become a growing controversy between the States and the Federal Government.

Presently pending before Congress are two bills, S. 2951 and S. 3212, which would clarify this jurisdictional responsibility.

Part I of the Conservation News article was printed in the RECORD at my request on May 27, 1968, on page 15103.

I now ask unanimous consent that part II of the three-part article entitled "Who Owns the Game?" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO OWNS THE GAME?—PART II

In the first part of this three-part series (Ed. Note: See May 15, 1968 issue), we briefly discussed the following questions:

1. Can the Federal government, as a landowner, now assume (in the face of tradition and previous legal opinions and decisions) jurisdiction over resident game and fish within the boundaries of the lands owned by the Federal government in the several states?

2. If this assumption is given legal status by the U.S. Supreme Court in review of the pending case of the State of New Mexico vs. the U.S. Department of the Interior, will it eventually lead to all landowners, private or otherwise, being given title to the game and fish residing on their lands as is now the prevailing doctrine in Europe?

3. What powers would the States have left with which to carry on recreational and other types of resource programs which are subsidiary to the management of fish and wildlife?

4. What would be the impact on the present tourist business which has been developed on the traditions of public ownership of wildlife and, in many states, public ownership of water?

History records a long discussion of these matters. A convention to protect the fur seal on the high seas was called in 1911, and a treaty was signed by the United States, Great Britain, Japan and Russia. Similar treaties have followed, some of them rather recently, to provide protection for whales, halibut, salmon and other deep sea life.

An early U.S. Supreme Court case—Lacoste vs. Department of Conservation of the State of Louisiana, states: "By right of ownership, and in the exercise of police powers, a state may regulate the taking of wild animals within its borders, their subsequent use, and the property rights that may be acquired in them."

One of the first, if not the first, attempts by the Federal government to control wildlife within the boundaries of the U.S. was the passage of the Weeks-McLean Act of 1913. This Act declared: "All migratory game and insectivorous birds to be within the custody and protection of the government of the United States and forbade their destruction or capture contrary to regulations prescribed by the Secretary of Agriculture." This Act was declared unconstitutional by the U.S. Supreme Court as an invasion of the rights of the States.

As a result there followed the Convention of 1916 between the United States and Great Britain providing for the protection by the U.S. and Canada of migratory game birds, migratory insectivorous and migratory nongame birds. This treaty was carried out as in the case of oceanic fishing under the powers of the U.S. Constitution.

In 1918, with the Treaty duly signed, the U.S. Congress proceeded to pass the Migratory Bird Treaty Act which authorized the Secretary of Agriculture, subject to the approval of the President, to promulgate regulations for the protection of all migratory birds covered by the Convention. Mexico signed a similar treaty in 1936.

Again the authority of the Federal government was challenged in the case of Missouri vs. Holland but, on the basis of the Constitutional Treaty powers, the U.S. Supreme Court confirmed the Migratory Bird Treaty Act of 1918.

In 1919 a movement was started by H. S. Graves, Chief of the U.S. Forest Service, along with F. E. Olmsted and Gifford Pinchot, to bring about, under the jurisdiction of the Federal government, the control of timber cutting on private lands. This led to a bitter fight, with forest industry on one side and the Forest Service and some private backers on the other. The proposal never became law, and there were members of the Forest Service who were not in sympathy with the idea. This caused some deep rifts within the Service. However, it ultimately brought about vastly better forest fire protection through the Clark-McNary Act and improved forest management as a result thereof. Although this incident is not closely allied with game management, it shows a trend of thinking that has periodically cropped up.

Hunt vs. United States (1928), more commonly known as the Kiabab Case, involved the killing of deer by the Forest Service on the Grand Canyon National Forest Game Preserve which in reality was an overlay of the Kiabab National Forest. The issue was the destruction of the natural reproduction and forage plants as well as thousands of deer dying from insufficient forage. Deer were ordered killed under the direction of the Secretary of Agriculture, and Arizona officials threatened the arrest and prosecution of anyone killing, possessing or transporting deer. Three persons were arrested. In a suit by the Federal government the lower court found in favor of the Secretary of Agriculture. In an appeal, the U.S. Supreme Court in essence ruled that the Federal government could protect its own property from destructive overbrowsing by deer, but it did not say that there could be a general open season to licensed hunters to kill deer in violation of the State's laws. This meant that only regular employees of the government could participate in the killing; and also that deer shipped beyond the boundaries of the refuge should be marked so as to show that they had been killed under the authority of the U.S. officials within the limits of the reserve.

To some people all this may sound like legal and technical niceties but, nevertheless, it preserved the integrity of the state in the general management of game, the issuance of hunting licenses, etc. Crop and tree damage still is something of a moot question even at the state level on private lands. Some states pay for crop damage by wildlife, and some state courts have gone so far as to say that when there is no recourse the landowner can protect his property from wildlife damage.

Nor can the Federal government gain much comfort from citing the Pisgah National Forest Case in North Carolina. When that National Forest was established, the State of North Carolina ceded all rights and title to the land, as well as complete jurisdiction of the wildlife to the Federal government.

Presumably on the basis of the Court's decision in the Pisgah case and during the general era of expanding government activity along with the CCC camps, the then Secretary of Agriculture, Henry Wallace, attempted to impose similar regulations on all national forests under general order G–20–A. This caused a general uprising among the states and was one of the main reasons which caused the states to forget petty differences and combine their strength in the International Association of Game, Fish and Conservation Commissioners. Seth Gordon, then President of the International led the fight, and a good one it was.

The order was subsequently withdrawn and for the time being Federal powers, so far as an imposition of the state's rights to manage their own wildlife resources, was dropped. But it has never completely died. (Part III of this series will discuss the variety of attitudes now apparent and their effect on conservation programs in general.)

ERNEST SWIFT.

AID ASSISTANCE TO BRAZIL

Mr. McINTYRE. Mr. President, I believe we are all pleased when we learn that U.S. assistance to foreign countries is directly and materially contributing to their development.

That U.S. assistance is contributing to the advancement of the people of Brazil is most gratifying to learn. I read this in Mr. James Fowler's defense of the AID program there.

Brazil has been one of the largest recipients of U.S. assistance. Our program there is a most important program—assistance to the largest country in South America, and one who has contributed to the cause of democracy in two world wars and in the Dominican crisis. One only has to see the military cemeteries in Italy near Monte Cassino to realize the number of Brazilian boys who gave their lives fighting for our cause which they made theirs.

Mr. President, I ask unanimous consent to have printed in the RECORD the dispatch in the Baltimore Sun of May 26, 1968, by Nathan Miller, reporting on Mr. Fowler's assertions that our aid is helping Brazil, in the hope that this will present a balanced picture of the situation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AID OFFICIAL DENIES CHARGE OF FUNDS WASTED IN BRAZIL

(By Nathan Miller)

WASHINGTON, May 25.—The embattled Agency for International Development today defended its program in Brazil against charges by the Government Accounting Office that more than $100,000,000 in funds had been fumbled away.

James Fowler, deputy United States coordinator cf the Alliance for Progress, said the GAO report conveys "the obviously inaccurate impression" that the AID program in Brazil is "inefficient, ineffective and wasteful.

"The facts are otherwise," he contended in a statement.

INADEQUATE STUDIES CITED

Surveying eleven development projects—about one sixth of the loan commitments to Brazil from 1963 to 1966—the GAO accused AID of ignoring the effect of Brazil's severe inflation and of failing to make adequate technical and economic studies before making the commitments.

The watchdog agency's report was issued amid clear signs that the Administration's $2,500,000,000 foreign aid bill is in deep trouble in Congress with cuts approaching the billion-dollar level in prospect.

Some observers warn that the possibility of defeat for the program in the House cannot be overlooked.

LOANS GUARANTEED

Fowler said ten of the eleven criticized projects are still continuing and are contributing "directly and materially to the development of Brazil.

"Some initial, but not unexpected, implementation problems have long since been overcome."

He also emphasized that each project is on a loan, not a grant basis, with every loan guaranteed by the Brazilian Government. There has been no loss of United States funds in any of them, he added.

While Fowler acknowledged that there have been problems with a synthetic rubber plant built in poverty-stricken northeast Brazil with $3,400,000 in AID funds that was bitterly criticized by the GAO, he said the Brazilian Government is meeting the principal and interest payments on the loan.

NO MARKET STUDY

The GAO had pointed out that AID had lent the plant an additional $1,100,000 to get it into production without a market study to determine whether the product could be sold.

Several American correspondents based in Brazil had written of the problems facing the project long before it attracted the interest of congressional investigators, but their reports were brushed off by AID officials.

"This loan was a calculated risk among others taken in 1962 to show United States faith in the future of Brazil under the prevailing volatile circumstances then prevailing in this particularly depressed area," Fowler contended.

REFORMS MADE

He said that AID's participation represented only 10 per cent of the total financing involved.

Referring to a malaria eradication program that came under fire by the GAO, the official said that following the start of it "certain operational deficiencies became apparent" and AID suspended disbursements until satisfactory reforms were made.

"A current appraisal of this program indicates it is now working well and a sharp reduction in the incidence of malaria has been achieved," Fowler added.

"About half of Brazil's population which lives in malarious areas is now protected and it is anticipated that all malarious areas will be under spraying coverage by the end of 1968," it was stated.

CONGRESSIONAL DELAY THREATENS NEEDED CONSERVATION MEASURES

Mr. METCALF. Mr. President, two recent editorials have come to my attention urging congressional action on the conservation and water resource projects which we have started and on which time is running out as we draw closer to the adjournment of the 90th Congress.

The first, published in the Sacramento Bee of May 29, concerns the proposed Redwood National Park and expresses concisely the fears of most conservationists—that delay on the part of Congress to act on the pending legislation setting the boundaries of the proposed park would allow another timbering season to pass, and with it many of the park quality redwoods within this proposed boundary.

The second, published in the Christian Science Monitor of May 10, reflects concern over the delay in the authorization of President Johnson's proposed National Water Commission. I favor, as does this editor, the formation of such a commission to undertake an organized and thorough study of the use of the Nation's water resources. In many parts of the country, problems of pollution and drought are critical and require immediate attention if further economic losses are to be avoided.

Mr. President, I ask unanimous consent that these two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Sacramento (Calif.) Bee, May 29, 1968]

ADVANCES ARE MADE FOR CONSERVATION

The victories scored by conservationists in Congress recently—while not final by any means—are highly significant and satisfying. They pave the way for ultimate success in providing the nation with some of the most important additions to the national parks and beaches program in this century.

Foremost among them is the proposed national redwoods park which by all odds should be the No. 1 priority in any conservationist's campaign. The House Interior Committee completed hearings on the redwoods legislation with promising hopes a bill can be agreed upon in Congress this year.

Then the House followed this with a convincing 336 to 13 vote approving legislation to double the amount of parks and recreation money to be available to the federal government during the next five years. The money would come from the federal offshore tidelands oil revenue.

This is of extreme importance in connection with the redwoods bill. Whatever size park is arranged and whatever manner of land or state property exchanges are made the wherewithal to finance the park is of first necessity.

With an economy-minded Congress being pressured to cut in so many areas, there was fear the redwoods park would go by the boards this year. And each timbering season that goes by leaves fewer and fewer prime redwoods for a national park worthy of the name.

Time rapidly is running out in the fight to set up such a redwoods park in Northern California. It therefore is necessary to continue the appeal to the Congress to continue the action it has started.

The tidelands oil measure not only would help start the redwoods park but it also would provide other benefits to California where outdoor recreation is one of the most important products. Such needed expansion projects as at Pt. Reyes National Seashore and the Whiskeytown-Shasta Recreation Area would get some added financial help.

There may yet be a day for celebration by conservationists if the Congress does not relent.

[From the Christian Science Monitor, May 10, 1968]

WATER HUSBANDRY

Events point to the timeliness of President Johnson's recommendation to Congress this spring that a National Water Commission be formed. This marks the third year he has proposed the commission, to undertake a five-year study of interbasin transfers of water, reduction of water pollution, and technological advances such as desalting and water modification.

A recent report by the National Audubon Society shows the Great Lakes states still lagging in antipollution measures. Details are appalling: five feet of sludge coating the bottom of Grand Calumet River flowing into Lake Michigan, most of Lake Erie wholly unsafe for swimming, wildlife destroyed by oil wastes.

In New England, conservationists are urging Massachusetts legislators to protect 300,000 acres of swamp and marshland from improper development. Not only are such areas vital to the ecology of nature, but they reduce flooding like that which occurred in the region in March.

Southern Florida is in the midst of a drought, as it was in 1967 and 1965. With much of the region's water diverted by flood control channels to use by growers and the Miami district, the Everglades is drying up—threatening to wipe out the subtropical wildlife and to cause a water shortage for the human population.

Hangup for the National Water Commission bill appears to be the disagreement of Colorado River basin states to the Central Arizona Project. But such interstate disputes, further roiled by the views of conservationists, argue the more strongly for an objective study of the economic and social implications of the use of America's valuable water resources.

SCIENCE EDUCATION

Mr. MORSE. Mr. President, my attention was called recently to an article published in the February 1968 issue of the publication of the National Science Teachers' Association, the Science Teacher. In it are to be found many valuable insights incorporated in articles written by the discipline.

The particular article which I feel warrants the consideration of Senators is entitled "Productivity Interaction: Basis for Science Education, in the 21st Century." It was written by Donald W. Stotler, who is supervisor of science in the Portland public schools. Mr. Stotler has set forth, I think, many of the considerations which have a wider implication than the audience to which they were originially addressed. These are considerations which are of concern to legislators and to the public.

I was particularly impressed by the manner in which the author has given recognition to the importance in our society of incorporating into science and education, the values which traditionally we have associated with the liberal arts. The ethical questions that are raised demand answers and the mechanism provided may very well serve to carry such answers into the hearts and minds of the children.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Productivity Interaction: Basis for Science Education in the 21st Century

(By Donald W. Stotler)

When we consider science education in the 21st century, it is well to contemplate five "explosions" and five "implosions" now under way as a result of science.

FIVE "EXPLOSIONS"

1. *Population*. Is the fittest organism necessarily the one that is becoming dominant the fastest? The histories of such organisms as dinosaurs and foraminifera give us a firm "no." Those organisms most fit to survive are apparently those most nearly organized for reorganization. This criterion hardly describes mankind at the present, but this could be changed.

2. *Knowledge*. The knowledge explosion demands that a way be devised for all mankind to continuously renew its knowledge, making education a life-long pursuit for each human being.

3. *Transportation*. The variety of travel and the accessibility of all locations is fast increasing while the cost is decreasing. This requires a shift from present schooling to learning centers open year round as families migrate in pursuit of cultural variety.

4. *Communication*. This explosion heralds the possibility that by the 21st century each person will have facilities available to carry on a meaningful dialogue with any other person. Educational continuity can be provided to learners, wherever they travel, by a computerized learning network among all learning centers.

5. *Materials*. Already much industry thrives on the manufacture and distribution of materials that aren't necessary for survival. The day is approaching when almost anyone can obtain almost anything with a minimum of effort. What will we do when we really don't *have* to do anything? The importance of recreation, education, and research will increase vastly. All institutions will probably be redirected into these three functions.

FIVE "IMPLOSIONS"

1. *Disciplines*. It is the nature of science that its problems first became divided into parts for purposes of more manageable research. However, as research progresses, the need arises to relate the parts. Therefore, in science's earlier stages it was to be expected that new disciplines—such as physics, chemistry, and biology—would first explode in variety and seem distinct. Quite as naturally there is now an implosion of fields, such as geophysics and biochemistry. This makes education as unified pursuit more and more feasible.

2. *Methods*. While there are many methods for approaching problems, the measuring and testing approach of science is being applied to more and more phenomena. While all phenomena may not yield to this approach, the full press is on and many more successes will be forthcoming. This also helps unify the educational pursuit.

3. *Nations*. Businesses and industries are forming more and more international combines. Research in some areas is becoming so expensive that several nations are cooperating to make it possible. All this has educational significance because it becomes less profitable to destroy by warfare another country's resources to the extent which it also destroys some of your own research resources and materials. The increased hordes of people engaged in international travel also make it more difficult to wage war—especially the modern unwarned attack. All this gives education the greater edge in the "race between education and catastrophe."

4. *Institutions*. If loose bricks in a barrel were rolled along the floor, the result would be considerably more abrasive than if their edges were removed. If these bricks had different labels, each for a separate institution such as school, library, park, youth center, and community center, they would give an idea of how our present institutions have become too rigid and abrasive in their functions. The implosion toward multipurpose functions is already being manifested, however, in educational parks and in combines of school, public library, and community center. This sort of development is parallel to the shopping center in the enterprise world.

5. *Values*. As more people learn their science by "sciencing" at their level, they will acquire without need of lecture the values intrinsic to science method, such as honest reporting and idea sharing. They will acquire these values for the same reason that scientists have acquired them. They are pragmatically sound—they work to the advantage of the individual and the total enterprise.

Humaneness is another such value, though far less clearly defined. Under what conditions is it humane to induce cancer into a monkey on the premise that the findings, although fatal to the monkey, may help man conquer cancer? There is a need for a Golden Rule for humaneness. The fact that the idea of "treating other people as you would be treated" arose independently in several different cultures attests pragmatically to its usefulness in the human arena. "Reverence for life" extends the idea to the treating of all life as you would be treated. However, what of such factors as water and air pollution?

A Golden Rule involving the whole environment is needed. Since the observer-observed interaction lies at the heart of modern relativity theory, it may offer a clue. Since productivity in ideas and materials is perhaps the emerging value as we look to the 21st century, it should also be considered. Productivity in this sense is the process of creating new alternatives.

In these terms we may postulate a new Golden Rule—the *productivity interaction*. It states that *at each decision point the observer acts in such a way that both he and the observed are more productive*. An illustration would be a camper who left the campsite a better place than he found it. He would have been renewed and made more productive by the camp experience, and in the process he would have made the campsite a more productive site for others.

INSTITUTIONAL RECOMBINATION

If something like the productivity interaction is to be implemented by the time the 21st century begins, all observers must be provided continuous, convenient lifelong opportunities to self-educate and increase in productivity—all this while being a mobile part of a highly mobile population. Moreover, for the observer to succeed in the productivity interaction, the environment—especially man's institutions—must be highly flexible and subject to productive change. In a sense the observer can only be free to the extent that the observed is free; man's freedom consists, in the words of Robert Frost, of "lying loose in the harness."

My model of institutional recombination would involve four institutions, all directed toward recreation, education, and research: the community center, cultural center, research center, and vocational center. Although the community center is focal, it will be considered last.

1. *Cultural center*. The purpose of these centers would be to give anyone from the populace who has a special interest in a field, whether science, art, or history, the tools and facilities to try to interest all the rest of the populace in his field. In science a good example is the Oregon Museum of Science and Industry, which has a membership of 12,000, provides inservice credit experiences for 4,000 teachers and classes for 4,900 students a year, and is headquarters for many science- and technology-related groups. It is a participation center for learners of all ages and also provides many field services.

2. *Research center*. Most colleges and universities already devote more than half their funds to research. Moreover research is now being applied in virtually all areas of education. In our recombination, the time spent on formal instruction would slowly diminish, while the opportunities for work experience and internship opportunities with researchers for learners of all ages would increase. Science fair exhibits would tend to be replaced with proposals for research with judges evaluating them as if they were scientists' proposals for funding. Winners would be able to carry out their research with funding. Also just as the many hands and eyes of amateur bird watchers have systematically fed useful data to professionals, so would the amateur operate in all areas of needed observation.

3. *Vocational center*. The obsolescence rate for jobs is so fast that vocational training in separate schools is becoming out of the question. The proposed vocational center would not offer vocational education but rather serve as a clearinghouse. As the 40-hour week approaches a 20-hour week, the worker might still be employed for 40 hours but spend half of that time (1) in a learning center helping with his own or other learners' education or (2) arranging field trips and job experience explorations for learners to his place of work. The vocational center would keep the two-way traffic unsnarled between learning centers and employment centers. This is the productivity interaction in action, for while the employee is educating himself to greater productivity, he is enhancing his enterprise and the general environment.

4. *Community center.* This center would itself be a combination of five formerly separate institutions: (1) public park, (2) public library, (3) public schools, (4) youth center, and (5) community center. It would need to be open year round and probably all hours day and night in order to service highly migratory learners of all ages whenever they might choose to participate.

The community center would be leisurely and aesthetic. It would offer *primary* education (corresponding to the present public school years) to about 200 youth and *secondary* education (all other learning from birth till death) for those people who live or are employed in the geographic area from which these 200 youth are drawn.

The main way that secondary education would be maintained is through serving as consultants to those gaining their primary education. To keep the ratio at any one time at about one adult to each five youth, the center would be easily accessible as to distance and varied means of transportation and offer challenging experiences relating to all phases of life.

Those gaining primary education need not attend on successive days, but rather attend a minimum number of days which they are free to select in consultation with their parents. This time gap complication would be further accentuated by the fact that learners often attend several different centers per year as they and their parents migrate for reasons of cultural variety and to develop the skill of maintaining education continuity while moving through new environments. Continuity would be maintained with the aid of an international, combined computer-television hook-up. Learners, which includes everyone, could carry on conversations with the computer or other people using their own voices. The experimental basis for this is being developed even now.

Before the learner leaves one center, the nearest center in the vicinity of his next destination would be selected. When he arrives, a positively oriented record of what he *can do* would be available to regular staff members and volunteer consultants alike. It would also recommend for him an environmental situation that would maintain learning continuity with his last situation. The learner could alter this situation, since self-learning under mature guidance directed toward the productivity interaction would be the basic curriculum.

CALIFORNIA: THE LIVING FRONTIER

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a partial text of remarks I made before the Friends of the Bancroft Library of the University of California, at Berkeley, on Sunday, May 19, 1968.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

CALIFORNIA: THE LIVING FRONTIER

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the Friends of Bancroft Library, University of California at Berkeley, May 19, 1968)

Frontiers are said to be ever-vanishing, continually tamed, consumed and sudivided. It is rare they are self-perpetuating But a frontier which continually moves ahead remains eternally new—no longer a barrier but an aiming point for new achievement.

This is the evolution of California. From her rough beginnings as a wild and wooly outpost of the nether slope of the United States, she has become a leading and progressive force in our own American civilization and throughout the world.

Millard Fillmore was President when our State came into the Union. His early biographer has recounted Fillmore's act with an apology: "In the absence of social restraint no community stood in greater need of a firm and regular government strictly enforced."

In her early struggles, it seemed impossible that California would ever be tamed. For the details we need look no further. Herbert Howe Bancroft's "History of the Western States" described these rough beginnings in trenchant strokes. But Herbert Bancroft also had vision, and he loved California. Her history became his life's work. For more than 20 years, he and an army of assistants scoured America and Europe to accumulate documents, shedding light on the State's past. Although some have criticized his unorthodox methodology, his careful detail on every aspect of early California history established his 39 volume work as a great landmark for succeeding generations of historians.

Bancroft wanted to tell history as it was, and to make it live in the minds of future Californians. Weaving a tapestry of adventure and conquest, exploits and dreams, he breathed life into our heritage, and to the transformation of the California frontier.

He laid bare the roots of California civilization. His collection, representing the finest of its kind in the world has become available in this Library to the scrutiny of research now and in the years to come.

He was not alone in this work. Among his contemporaries were Charles Christian Kuchel, my great uncle, and his colleague, Emil Dresel, who captured the towns and mining camps of the early days. Their lithograph prints have always been a great joy to all my family and a means of keeping fresh the early spirit of our State. The largest and finest collection of Kuchel-Dresel prints is now included in the Bancroft Collection. This Library tells the story of a tremendous growth, perhaps unequaled in any other time in human remembrance. I am joyously proud that these prints have taken their place in the telling of this great and moving episode in the early days of our state.

A library is a very special institution—a free community where all opinions and commentary are welcome. Through the interdependence of ideas and events, it is more than a link to the past. It represents an entire chain from the past to our own age and on beyond us. Today, we need more than ever to know where we've been, as we plunge at ever-increasing speed into the even more complicated times ahead. A library is a builder of perspective, a treasury of continuity, and a springboard into the days and years to come.

The spirit carried across the prairies and around the horn found in California fertile soil for growth and invention. Vision was in the land—in the mighty mountains. Vision was coursing through the rivers and valleys, and pushing forth from the earth. This vision was of a community growing toward a boundless horizon. The capacity to move forward has become our hallmark.

One American philosopher has compared a changing society to a tree. To the youth who has known a mighty oak all his life, it seems permanent and immutable. But the older man, remembering the oak in its own youth, sees constant change. He sees movement from the least rustling of the wind in its leaves and branches. A healthy society, like the oak, is an arena of constant movement. To the youth, the solid oak is a measure of majesty, a challenge. To the mature man, it is a wonder of growth whose conservation is a prime goal of life.

A growing society must move—it cannot remain rigid, lest it perish. Failure to meet new conditions has been the downfall of empires from the ancient Babylon to the cloud kingdom of Oaxaca in neighboring Mexico. Nowhere in western civilization has the ability to grow with the times been more evident than here in California.

From the wild and wooly beginnings in the days of a doubtful Millard Fillmore, we have become the nation's most populous state. We enjoy high industrial productivity alongside high incomes. Were we an independent republic, as some of our forebears proposed, our gross national product would be the fourth largest in the free world, rivaled only by Japan on the Pacific Basin.

To a large extent, our growth has been sustained by an insistence on keeping alive the frontier tradition—now removed from the mine and the wheatfields to the electron, to the laser beam and to outer space. The genius of California has been to transfer the lessons of earlier physical struggles to the infinite horizons of the human mind. Each advance in science has enriched our lives and sustained our high standard of living. The citizens of Alameda County, where the secrets of the atom were first unveiled, were historically the first recipients of nuclear-generated power. The high development of the aerospace industry has brought expanding employment and new business to communities throughout the state. This is the direct result of close partnership between the academic world and the industrial community. To us, the continuation of this growth relationship is essential.

As a matter of fact, I doubt that we could stop it, even if we wished to, unless we abandoned education, and burned all the books. The academic community, spurred on by industry, has produced thousands of profoundly qualified men of science, who have, at a constantly accelerating pace, uncovered more of nature's secrets. There has been far more material advance during the years which span this Library, than in many centuries before. Scientific discoveries have come so fast that they have outrun man's capacity to cope with them.

The moral behavior of the human race has not kept pace with its ingenuity. The new technology of power furnishes a prime example. Nuclear energy can be used either for good or for evil, to uplift or to obliterate mankind. It is being used today to create vast quantities of electricity, and to cure long-dread diseases. It is also available in a moment's notice to serve the cause of wholesale death.

We need to improve our understanding of humanity around us, at the same time that men of science bring our human race new powers. We must proceed with deliberate wisdom to turn the marvelous discoveries of nature to the benefit of mankind.

How can a library help us to understand and cope with scientific advance?

The library represents the fund of knowledge, and culture, the fund of humanity which is there for the asking, the passive pool of water to which the thirsty may turn and partake. It is not the force of propaganda, it is not an activist dogma.

It contains the lessons of history, both good and bad. We should use it more. Our quest must be to apply man's enormous discoveries for man's good rather than his downfall. If we fail to profit from the lessons of history as portrayed in Bancroft and in libraries around the world, technology will then become the master, if not the destroyer, of this planet.

Today, we celebrate one-hundred years of a great historical Library in a great University. We celebrate the primacy given learning in the history of our state. This is as it should be. But we must not allow this occasion to signify complacency of self-congratulations. We look back to the past. But we know, too, that the past is prologue. The job of sustaining a widening horizon of public information has merely begun. But the task of learning how to be better, rather than how to be richer, assumes a newer importance in the nuclear age.

There is a challenging frontier ahead. The high technology of our State's industrial plant is dependent on a steady flow of trained and self-reliant citizens. Our advanced space, aeronautics, and electronics industries cannot function without trained staff. Even though we invest more money in research and development than all of Western Europe combined, even though we have a system of higher education that is the envy of the entire world, we are still unable to meet all of our needs for alert, educated human beings.

We are still dependent today, as in the past, on a flow of trained people coming to California. But our plant has grown apace. So has the level of our technology. We have surpassed the sophistication of other industrial systems. The sources of the high knowledge we require are shrinking. By the end of the 1970's we will need, in addition to those we will be able to train in California, an estimated five million skilled workers and technicians.

Where are we going to get these people? They will not be so readily available in other parts of the United States. We are going to have to find them here in our state. In my view, this is correct—not merely for our economy, but for the health of our society.

For those who possess the advantages of education, there is opportunity. There is a growing stream of information to help us understand our changing world. Data is no longer a mere luxury but a necessity, as our daily problems become more complex. But what of our urban poor who cannot use these tools? What of the frustration of youth in the Mexican barrio, in Hunter's Point or Watts to whom many meanings of our modern society are lost?

There is a growing gap between those able to increase their understanding fast enough to keep pace with the changing world and those condemned to increasing exclusion from the world of knowledge. If we are to find the technicians of tomorrow, we ought to seek no farther than those who have been cruelly disenfranchised in the communications revolution. Prudent economics suggests this course, a sense of responsible democracy demands it.

By helping young men and women to help themselves through learning, we can provide a large portion of the brain power we will need for California's future—we can also repair a tragic wound in our body politic.

If we are to continue the rate of growth and move toward our continually expanding frontier, we will ever be dependent on the power of knowledge. Its self-sustaining virtues must reinforce the girders of a sound society. We are taking some action now in the United States Senate, even under our present tight financial restrictions, to move in this direction.

Last year, I joined with a group of my distinguished colleagues from the southwestern states in introducing a bill, now law, to provide federal support to state and local education programs taught in the native tongue of Spanish-speaking Americans. The Bilingual Education Act recognizes a historical fact. Since the Treaty of Guadalupe Hidalgo, one hundred and two years ago, which brought the Territory of California into the United States, there has been a native Spanish-speaking culture in our nation existing side-by-side with that of English. Indeed, the first Constitution of California provided for official proceedings of the legislative branch and the courts to be in Spanish as well as English. This Law recognizes that the transfer from another tongue to English poses a major educational hurdle. By providing for initial academic training in the mother tongue, we hope to be able to smooth the path for hundred of thousands of native Spanish-speaking citizens in our country to richer and more abundant lives.

In a related effort, I introduced late last year, together with my distinguished colleague from Indiana, the so-called "Cooperative Education Act" to provide support for college work-study programs. This is a program of student self-help. It provides a means for a student to space his learning experience by alternating periods of work and study. It allows him to earn the funds to finance his education. But, more important, it provides many invaluable insights into the problems of work experience that enrich his academic effort and provide an important link between the classroom and productive later life. I am hopeful that this bill will soon become law. The cooperative education idea has already proved enormously valuable in community colleges in California and throughout the nation. Lately we have found that it can provide a vital social bridge for students who need to be brought into the mainstream of American life.

The President of Wilberforce University, in Ohio, the nation's oldest Negro university, recently testified that cooperative education programs have reinvigorated and given new hope to Negro students seeking to move out of racial isolation. In the past, Negro college students in the border states have confined their goals to so-called "prestige" employment in the ministery or teaching. Today, by virtue of the alternation between work experience and a periodic return to academic institutions, there are new possibilities for students who would otherwise hesitate to vault in one jump the hurdles of segregation. There is a new desire and opportunity to become engineers, accountants, and businessmen. The student body at Wilberforce has tripled. The capability of these long-established Negro institutions to provide a meaningful bridge to modern society has greatly expanded.

These are efforts to expand the horizon of knowledge and put it into greater public service. A public response is needed if we are to keep alive the vision of democratic political life we cherish for California, and beyond that, for the nation.

As a legislator, I know full well the risks of writing law in a society dependent on free interaction of human forces. Law must respond to public need and find a public response. This in turn requires understanding.

Emerson wrote:

"The wise know that foolish legislation is a rope of sand which perishes in the twisting; that the state must follow and not lead the character and progress of the citizen; the strongest usurper is quickly got rid of; and they only who build on ideas, build for eternity."

The law follows the will of the people. So must it be written lest we lose our sense of balance. Our ability to grow, and, finally, our freedom. It is clear now that we must provide equal opportunity in our society—not only as a matter of right but of survival.

The Bancroft Collection and the work of this Library have kept alive the memory of the frontiers we have passed. Our growth depends upon a continuing response to the ever-expanding range of problems presented to us. We, all of us, student, teacher, public servant and citizen must join forces to this end.

One of the most inspiring of the early professors of this University, the great geologist Joseph Le Conte, traced out 70 years ago the trail we must follow. He envisioned this University as worthy of a broad challenge. I paraphrase him now: Let our institutions ever remain thoroughly human, distinctly growing, and forever Californian and free.

OPERATION HELP

Mr. McINTYRE. Mr. President, although the Nation's attention is centered on the Poor People's Campaign and Resurrection City here in Washington, I think it would be both nearsighted and unfortunate if we were to overlook programs which have been created so that these people will come to have a more meaningful and productive role in our Nation.

One such program is Operation Help, an antipoverty program sponsored by the Hillsboro County Community Action Referral Service in Milford, N.H.

Under the directorship of Gale F. Hennessey, Operation Help has since January 1967, handled over 1,000 individual cases providing a variety of services for low-income families in an area which encompasses the second largest city in my State and 29 other towns.

The success of Operation Help is outlined in an article in the Office of Economic Opportunity Bulletin, "Rural Communities of May 1968." In fact, this program has met with such acclaim from all sectors of the community and the State that several other community action programs in New Hampshire are following in the footsteps of Operation Help in establishing similar programs. If this should succeed—and I strongly hope that it does—then, as the article concludes:

> 1968 will be a productive year for the State of New Hampshire.

However, not only will 1968 be a productive year for New Hampshire in its efforts to eliminate poverty, but also these programs will illustrate the results which can be achieved when all sections of the community, State, and Nation join together to combat poverty.

I ask unanimous consent that the article on Operation Help be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"OPERATION HELP" FIGHTS NEW HAMPSHIRE POVERTY

The Hillsboro County Community Action Referral Service, known as Operation Help, is a pretty good example of what's happening in the fight against poverty in New Hampshire.

Approximately 15 months ago, the CAP in Hillsboro County was a simple referral agency. Today it is a multifaceted organization not only referring the poor to the existing agencies that can help them, but accompanying them to those agencies and following up each case to a satisfactory conclusion.

The Hillsboro Community Action Committee launched 'Operation Help' in January 1967. The immediate goal was to effectively serve the more than 6,000 low-income families in an area that includes Nashua, the State's second largest city, and 29 towns varying in population from 8,000 to less than 40.

'Operation Help' has 11 workers—Director Gale Hennessey, three referral agents trained in social work, psychology, or field experience, a secretary, and six low-income specially trained neighborhood aides.

The main office is in Milford, the geographic and population center of the county. There is a field office in Nashua and office space in 27 of the 29 little towns throughout the county.

EVERYONE COOPERATES

Local governments, organizations and private individuals in all the towns, whatever the size, have extended the fullest cooperation and have set aside office space for the referral agents in a variety of places such as town halls, selectmen's offices, fire stations, Grange Halls, libraries, and even the basement of a private home.

The referral agents make their rounds to the 27 towns, holding office hours in the morning, and saving the afternoon for personal visits to the families in their homes. Experience has shown them that the personal visit is the ultimate in outreach, in that it demonstrates genuine concern to help solve problems.

Support for the program has come from public and private welfare agencies and organizations. The American Legion, New Hampshire Department of Welfare, Community Council, Heart Association, Crippled Children, Goodwill Industries, Lions Club, and the Children's Aid Society are among the many who participate in the project.

In its first year, 'Operation Help' handled 1,048 individual cases, and, according to Director Gale Hennessey, found some assistance for every case brought to its attention.

WHAT ARE THE PROBLEMS

Problems range from adoption, alcoholism, need for surplus food, dental care, home management, and tutoring, to the maze of difficulties resulting from substandard housing.

Many of the families are one-time welfare recipients who for some reason are no longer eligible. No one is turned away. Even though the program is aimed at low-income families, middle-income folk seeking information on such subjects as employment, clinics, Medicare and Social Security, victims of moral, emotional or intellectual poverty, come to 'OH' for assistance.

Not everything is day to day routine. By cooperating with a summer camping program established by the State Technical Assistance Office, 'OH' recruited more than 40 needy youngsters from the county and secured through private contributions the money necessary for two weeks of summer camp for them. More than 20 business and fraternal organizations contributed funds.

'OH' has passed the 100 mark in recruiting youngsters for the various Neighborhood Youth Corps programs and has enrolled them in both the Hillsboro County and Manchester Neighborhood Youth Corps.

The program has received wide acclaim in New Hampshire—so much so, several other CAPs in New Hampshire are following its lead in establishing similar programs. If they succeed, 1968 will be a productive year for the State of New Hampshire.

USDA FIGHTS MALNUTRITION WITH NEW, HIGH-PROTEIN FOODS

Mr. METCALF. Mr. President, hunger and malnutrition are major problems in many parts of the world. But while the effects of hunger can be easily detected, the results of malnutrition cannot.

Over an extended period of time, malnutrition retards man's physical and mental development and lowers his resistance to disease. Because much of this is caused by protein deficiencies, scientists in the U.S. Department of Agriculture's Agricultural Research Service are developing better ways to grow high-protein crops and to fortify foods during processing.

Breeding high-protein varieties of cereal crops is a prime objective: these foods are the major source of protein for humans.

ARS and Montana State University scientists are working with new wheat varieties that combine high yield with high protein content. In other studies, ARS scientists are attempting to cross a wild oat species with cultivated domestic varieties. The wild species has a high protein content, high kernel weight, and high disease resistance—all traits that scientists are trying to breed into commercial varieties.

Other efforts are being directed toward converting vegetable proteins into appetizing food mixtures. Through this research, ARS develops new formulas for nutritious food blends, as well as new processes for fortifying cereal grains with lysine and other essential amino acids.

CSM, a new formulated food blend composed primarily of corn, soybeans, and milk, can be used in soups, beverages, gruels, and porridges. It has a pleasing flavor, is rich in protein, stores well, and may be easily prepared.

Wheat is the chief cereal component of another high-protein food blend made from low-cost byproducts of the milling industry. Since wheat can be grown in most parts of the world, it is hoped that developing nations will use this new formula in making food blends from wheat grown on their own land.

A process for making soy flour by hand has also been developed by ARS for use in countries where mechanical processing capabilities are limited. The soy flour, about 40 percent protein and 20 percent fat, can be used as an ingredient in beverages, soups, and various cooked dishes.

Tempeh, a traditional Indonesian dish made by fermenting soybeans, is both tasty and nutritious. ARS scientists have made it even more versatile by developing a simple and uniform process for making it not only from soybeans but also from wheat and rice. Whether deep-fried, baked, or used in a soup, these tempehs provide good sources of energy. They are easy to transport and store and can be made in the home.

While developing these and other new foods, ARS scientists have been busy testing new ways to enrich or fortify more conventional dishes. A good example is Wurld wheat, which is made by stripping off the outer layers of bran to produce a white, whole-kernel food. Wurld wheat is especially well adapted to enrichment with such soluble nutrients as lysine.

Likewise, two of the world's most important oilseed crops—cottonseed and peanuts—look promising as a means for boosting the protein content of breads and pastries. Advanced research with both of these crops has produced edible flours with protein qualities essentially equivalent to those of the original oilseeds.

But, despite these advances, it is estimated that the world's protein deficit in 1970 will be about 12 percent of total world needs. We must continue, then, to look for new ways of finding protein and to make more efficient use of sources we already have.

THE POOR PEOPLE'S GOALS

Mr. BROOKE. Mr. President, I ask unanimous consent to have printed in the Record a list of the goals of the Poor People's Campaign as it appeared in the Washington Post this morning.

The members of the campaign are requesting specific actions on the part of both Congress and the administration; they have asked the assistance of the affected departments and agencies in achieving passage of legislation.

I believe that this list of goals will prove a useful focus for all Members of Congress concerned with the elimination of poverty and hunger in America and anxious to secure the right of all Americans to full participation in our society.

There being no objection, the list was ordered to be printed in the Record, as follows:

Text of Demands To Combat Poverty

(Note.—The Poor People's Campaign yesterday issued a full listing of its demands for action by Federal agencies and Congress to combat poverty. The listing specifies those demands that it believes should be met immediately and those that should be acted on during the 1969 fiscal year, which begins July 1. The leaders indicated they would consider ending the Campaign if the demands marked with asterisks were met and some progress was made on the remainder.)

I. FEDERAL AGENCIES

Department of Agriculture—Immediate

1. Action on food programs, including specifically:

* a. Food program in all 1000 neediest counties which will have full participation of the poor.

* b. Issuance of free food stamps to no-income and extremely low-income families, a scaling down of food stamp prices generally and an equitable distribution of amounts of food based on need rather than income.

* c. Emergency distribution of supplementary food in those counties among the 256 hunger counties, cited by the Citizens Board of Inquiry, whose present food programs fail to reach substantial numbers of the poor.

* d. Immediate expansion of the quantity of commodities distributed and substantial improvement of the quality and variety of food given under the Commodity Distribution Program to insure a balanced and nutritious diet to recipients.

* e. Substantial increase in the number of free and reduced price school lunches to needy children.

2. The Department should prepare specific guidelines and a timetable for implementation to be agreed upon by Poor People's Campaign representatives for ending discrimination in key farm programs, particularly Stabilization and Conservation Service, Farmers Home Administration and Federal Extension Service.

For Fiscal Year 1969

1. Request and strongly fight for appropriations under the Food Stamp and Commodity Distribution Programs sufficient to provide food for the 10.7 million persons determined by the Department to have seriously inadequate diets.

2. Establish a continuing structure for involvement of the poor in planning and evaluating programs affecting them.

3. Double the request for and fight for appropriations for increased cooperatives among rural Mexican-American, Indian and Negro poor and establish a specific timetable and guidelines for establishing cooperatives among these groups.

4. Devise a plan to revise the present acreage diversion policy and to provide more equitable distribution of funds to aid poor farmers.

Office of Economic Opportunity—Immediate

* 1. OEO should immediately devise a plan whereby a specific number of promising subprofessionals at local levels can be brought up to the local, regional and national OEO staffs: OEO should establish a program analogous to the Federal Management Intern Program for poor people and subprofessionals

who have demonstrated skill in working with the poor. OEO should commit a specific percentage of consultant slots to the poor.

*2. OEO, in consultation with a delegation of representatives from the Poor People's Campaign, should devise specific guidelines for citizen participation and a simple appeals procedure and forum for all variety of complaints.

3. OEO should immediately establish a stronger rural development staff and program with a technical assistance staff for rural areas which lack trained professional personnel to institute and design programs. Such staffs should be available to come into communities and help the poor start programs and train local people to run them.

*4. OEO should fight for the supplemental appropriation bill for summer jobs and Head Start.

5. OEO should fight for the full requested funding of its program for the coming fiscal year without any further eroding of the rights of the poor.

For Fiscal Year 1969

1. OEO should set up a permanent "ombudsman" for the poor for continuous policing of its programs by those affected.

2. OEO must devise a budget for the following fiscal year (FY 1970) adequate to wage a serious battle against poverty rather than the present inadequate scrimmage.

Health, Education and Welfare—Immediate

1. HEW should endorse and fight for legislation pending in this session of Congress that would relieve some of the worst aspects of the welfare system. It should fight particularly for the repeal of the "freeze" and compulsory work requirements of the 1967 Amendments to the Social Security Act, for mandatory provisions for support of families with unemployed fathers, and a Federal national minimum standard of welfare benefits.

*2. HEW should act now to end by administrative decision state "man-in-the-house" rules and require states to continue to make full assistance payments during appeals from decisions to reduce or terminate payments.

*3. In the light of the recent Supreme Court decision, HEW should abolish freedom-of-choice desegregation plans and adopt clear guidelines in consultation with representatives of the Poor People's Campaign which would require and result in the eradication of the dual school systems in the southern states by the fall of 1968.

4. HEW should devise a specific plan whereby school districts receiving Federal funds are required to provide for participation of poor people in the design, development, operation and evaluation of education programs. To enable such participation to be effective, school districts must be required to make per-pupil expenditure and pupil achievement data available to local citizens. If legislation is needed to do any of this, then the administration should propose it in the Congress.

*5. HEW must come up with a specific action program for bringing adequate and essential health services to the poor and for radically reducing the level of deaths among poor infants and their mothers.

For Fiscal Year 1969

1. HEW should devise a comprehensive and specific plan and timetable for abolishing northern school segregation.

2. HEW should devise a structure for specific numbers of the poor to participate in decision-making on programs which affect their interests.

3. HEW should implement more experimental income maintenance programs in rural areas and on Indian reservations.

Department of Labor—Immediate

*1. The Secretary of Labor should endorse and fight for passage of a job bill this session of Congress which will substantially increase employment opportunities for the poor in both private and public sectors, such as the Clark Emergency Employment Act.

*2. The Secretary must revise the operational guidelines and structure of the existing programs of the Department, in consultation with the poor, to insure full participation of the poor in the decision-making process as well as in employment opportunities at all levels, particularly manpower training, the Concentrated Employment Program and the Employment Service. Specific numbers of the poor to be agreed upon should participate in program planning and implementation.

For Fiscal Year 1969

1. The Department should establish a plan and timetable for vigorous enforcement of fair employment regulations. In particular, ways should be found for employment of specific numbers of poor and the minority groups in employment service commissions in each state.

2. More vigorous contract compliance should be implemented to end discrimination.

3. Devise a comprehensive jobs package to eradicate unemployment.

Department of Justice

*1. Greatly increase numbers of school suits against northern school districts.

2. Greatly increase number of employment suits to end discrimination.

**Housing and Urban Development—Immediate*

1. Devise a specific structure and guidelines for inclusion of specific percentages of poor people in the planning process of programs designed to help them, particularly model cities.

*2. Specifically fight for passage of the pending housing bill in this session of Congress and insure that a majority of houses to be built under this legislation shall be for low-income groups. HUD must also support the amendment to the bill which requires that poor people be employed in the planning and construction of low-income housing to the greatest extent feasible. HUD must design machinery that will bring poor people and contractors together in the business of supplying housing.

3. Devise guidelines which will relocate persons who have been displaced for urban renewal programs until adequate housing is secured.

4. Devise a specific recruitment program for Mexican-Americans in policymaking decisions both in the Southwest and in Washington.

For Fiscal Year 1969

1. Draw up a plan for establishment of new communities with housing and job opportunities for the poor in rural areas.

2. Devise specific guidelines for enforcement of the new Fair Housing Act of 1968 in consultation with representatives from the Poor People's Campaign.

Department of State

*Establish an interagency committee consisting of representatives of the poor and the Departments of State, Justice and Interior to study the question of legal ownership of the disputed lands under the Treaty of Guadalupe-Hidalgo.

Department of Interior

*1. Devise a model school system for Indian children in the communities where they live, with full community control and full Federal responsibility for provision of adequate resources for such a system.

*2. Devise a specific plan for creating jobs and housing on Indian reservations, and adequate assistance for Indians wishing to relocate in the cities.

LEGISLATIVE PRIORITIES

*1. Passage of a jobs bill (the Clark Emergency Employment Bill) providing for employment in private and public sectors.

*2. Passage of the pending housing bill.

*3. Repeal of the "freeze" and compulsory work requirements of the 1967 Social Security Act enactment of mandatory provision for support of families with unemployed fathers and of a Federal minimum standard of welfare.

4. Passage of the collective-bargaining legislation for farm workers.

5. Maintain level of appropriations requested for school lunch and breakfast programs, poverty program, Elementary and Secondary Education Act, and other social programs which affect the poor.

6. Take adequate legislative steps to supplement the ability of the Secretary of Agriculture to provide food for every hungry person by greatly increasing the appropriation for the food stamp and commodity programs, and retention of the Javits Amendment on Section 32 to free $227 million for food programs this fiscal year.

For Fiscal Year 1969

1. Pass legislation providing a guaranteed annual income as a matter of right for those who cannot or should not work.

2. Pass legislation adequate to insure that every American citizen will have a decent job at decent wages and a decent house at reasonable cost.

HUMAN RIGHTS YEAR DECLARED FOR DISTRICT BY MAYOR WASHINGTON

Mr. PROXMIRE. Mr. President, as a member of the Subcommittee on the District of Columbia Appropriations, it is very gratifying to see that the Mayor of Washington, Hon. Walter E. Washington, has declared 1968 as Human Rights Year in the District.

In his proclamation of May 1, 1968, the Mayor adds his own and the District of Columbia's support for the principles embodied in the Universal Declaration of Human Rights of the United Nations and in the human rights conventions, which, tragically, remain unratified by the U.S. Senate.

In the proclamation, the Mayor calls for the citizens of the District to become involved in furthering the cause of the rights of all men "in order that each of us may grow in our understanding of the inherent dignity and the equal and inalienable rights of each member of the human family."

Mr. President, these words of the distinguished Mayor of the Nation's Capital are as welcome as they are inspiring. I trust that the Senate will take due notice of these words of a man whose own life is an example of respect for the rights of all men under the rule of law. I hope that his voice added to those of many other outstanding Americans will bring the Senate to swift ratification of all the Human Rights Conventions.

Mr. President, I ask unanimous consent that the text of Mayor Washington's statement and proclamation be printed in the RECORD.

There being no objection, the statement and proclamation are ordered to be printed in the RECORD, as follows:

STATEMENT BY MAYOR WALTER E. WASHINGTON, PROCLAMATION OF HUMAN RIGHTS YEAR IN THE DISTRICT OF COLUMBIA

We are gathered here to proclaim this to be human rights year in the District of Columbia.

Ambassador Harriman, Chairman of the President's Commission for the observance of human rights year, recently wrote me urging my cooperation in carrying out in the District of Columbia the human rights year program launched by the President in his proclamation of October 11, 1967. The marvelous cooperation of our citizens and community leaders in recent weeks in dealing with the problems facing this city have held out great promise that we can move together to make ours a much better community.

Yet recent events have shown that our city, our country, and our world have a long way to go to fulfill the United Nation's universal declaration of human rights. Yesterday, in marking the tragic death of Senator Kennedy, I said:

"The death of Senator Robert Francis Kennedy is a tragic loss to the people of the Nation's Capital.

Senator Kennedy demonstrated a deep concern for the people of this community. Let us now rededicate ourselves to his concerns for justice, peace and a good life for all."

Here was a man who passionately fought for the principles to which we dedicate ourselves today. Yet, perhaps because of his devotion to this worthiest of causes, he was denied the most precious right of all, the right to live.

The President has eloquently decried the violence in our land which tears at the fabric of our society. Democracy rests on nonviolence. Democracy requires that important issues be debated, and that the people be allowed to exercise a choice as to who will govern them.

I would hope that all the agencies of the District Government, as well as all the people of this city in their churches, schools, and homes, will respond to the tragedy of these days by striving honestly to understand our city's very real human problems, and, in dedication to an orderly process of change, commit ourselves to the eradication of injustice and human misery.

"HUMAN RIGHTS YEAR" 1968, BY THE COMMISSIONER OF THE DISTRICT OF COLUMBIA

A PROCLAMATION

Whereas, people in many parts of the world will be observing this year; and

Whereas, the Universal Declaration of Human Rights gives voice to the aspirations of all peoples for equality under God and for their rights and responsibilities in self-governing societies; and

Whereas, the Universal Declaration of Human Rights reflects many of the provisions of the first ten amendments to the Constitution of the United States, which are known as the Bill of Rights:

Now, therefore, I, the Commissioner of the District of Columbia, do hereby proclaim 1968, as "Human Rights Year," and urge our citizens to observe this year by studying the Universal Declaration of Human Rights of the United Nations in order that each of us may grow in our understanding of the inherent dignity and the equal and inalienable rights of each member of the human family.

We further urge, that in gratitude for the liberties we enjoy, we work to advance universal freedom and justice and stand ready to uphold the rights of others which are inextricably linked with our own.

IRRIGATION MOVES INTO THE 21ST CENTURY

Mr. MUNDT. Mr. President, the availability of sufficient water over the years has been crucial in such agriculture States as South Dakota. Time was when the farmers of South Dakota and the rest of the country were forced to depend entirely on the vagaries of nature. Not so any longer.

Modern technology, developed as a result of research in such fields as weather modification, the various methods of impounding water, and advancements in irrigation, has changed the picture.

Now underway in South Dakota is a space age symposium on irrigation. Technicians from various government agencies are gathering together to present the latest in scientific advances in this important field.

One of the most informative addresses was delivered by Floyd E. Dominy, Commissioner of Reclamation. Because of its wide application and the storehouse of facts it contains, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

IRRIGATION MOVES INTO THE 21ST CENTURY

(Address by Commissioner of Reclamation Floyd E. Dominy, Department of the Interior, Before the Symposium on "Space Age Irrigation," Huron, South Dakota, June 13, 1968)

At 4 minutes and 15 seconds after 10 o'clock on the morning of November 20, 1967, an event occurred which has deep significance in our lives today and tomorrow. At that moment in history, the Census Bureau recorded the arrival of our Nation's newest citizen, bringing the population of the United States to 200 million.

This milestone in our Nation's growth is of particular importance to those of us in public service today. We—and I include particularly the younger crop of civil and civic servants from whom future leadership must come—must not only meet the immediate needs of 200 million Americans, we must also look to the future in solving the many complex problems arising from the soaring population.

These problems are not purely a matter of food and water supply. They relate to our total way of life, the high standard of living we enjoy and the increasing amount of leisure time resulting from reduced work hours and increased longevity. Modern science and technology have been good to us, but every benefit brings a balancing problem.

The implications of future national growth are incisive and the inherent problems are challenging. We must look ahead and plan for the needs of perhaps as many as 400 million people by the turn of the century. This could mean as many as an additional 13 persons per square mile right here in South Dakota.

Here in South Dakota, in one of the great States of the Missouri River Basin, I need not, perhaps, emphasize the importance of planning nor stress what development of water resources can mean to a region. In a little over two decades since we began construction on the Missouri River Basin Project, the Bureau of Reclamation has constructed 30 major dams. These hold more than 10 million acre-feet of water for irrigation and to otherwise meet the social and economic needs throughout the vast Basin lands.

We have built 2,000 miles of irrigation canals and laterals to bring water to thirsty lands. In 1967, Reclamation irrigation developments on the Missouri River Basin Project brought water to 338,000 acres of farm lands. The gross value of the crops grown on these lands in 1967 totaled $32 million.

These achievements have served as catalysts for economic and social growth in the Basin States. Irrigation has provided increases of aggregate incomes for the region, as well as markets for the goods and services from other areas of the country. Irrigation has stabilized and enhanced the productivity of natural and human resources in the Basin. But South Dakota has thus far enjoyed very little of the real fruits of this labor. You have three major reservoir storage projects on the main stem of the Missouri, but you are just now on the verge of significant development that is bringing water to the land and to the cities and towns.

The Bureau has completed or is in the process of completing feasibility reports for ten areas which could increase irrigation within the State by nearly 400 percent. These areas have about 560,000 irrigable acres.

The largest irrigation development under consideration in South Dakota and the one which is of primary interest to the participants in this symposium, is, of course, the Oahe Unit of the Missouri River Basin Project. We have completed feasibility reports for the 495,000-acre Unit as well as a supplemental report on an initial stage of 190,000 acres. I am hopeful that authorizing legislation will be favorably considered by the 90th Congress before it adjourns or, if not, certainly early in the next Congress next year.

The broad outlines of the initial stage of the Oahe Unit are necessarily based on the engineering concepts of planning, design, and operation technology as we know them today. However, the paradox of long-range planning is that we must consider irrigation developments such as Oahe in terms of their functional adequacy over an extended period, as long as 100 years from now. This is the essential precept of Reclamation water resources engineering. Our basic premise also requires that the beneficiaries of our developments, who must repay the costs of construction, are assured that the project works built today will perform satisfactorily and economically well into the 21st century.

This challenge of planning irrigation developments today for tomorrow's use is central to your deliberations at this Symposium on Space Age Irrigation.

The many technical innovations that are resulting from the extra-territorial research of the Space Age are opening new frontiers for other areas of research and development. Space Age research is becoming increasingly valuable in land and water resources development. It is giving us a new perspective of our planet. In particular, radar and infrared devices and other technological tools which scientists call remote-sensing devices are providing new insight into our planetary resources.

As one example, astronauts from the Gemini space capsule, using cameras as remote-sensing devices, were able to obtain photographs which were unprecedented in detail and scope. Such unique views of the earth included the photographs of the waters off the Persian Gulf, where the apparent ocean depths to about 120 feet were delineated, and the photographs of the mouth of the Colorado River which showed the heavy sediment buildup of the delta.

As a scientist of the Department of the Interior recently said of future satellite investigations, "We are on the brink of discoveries and developments that fire the imagination. They may well prove to be more significant to coming generations than the voyages of Columbus."

In the Bureau of Reclamation, we are extending our horizons in Space Age technology and in developing the expertise needed to utilize such new techniques and the instruments as they become available in the future. As part of the Department of the Interior's Earth Resources Observation Satellite Program, known as the EROS program, we have established in our Chief Engineer's office in Denver, a committee of engineers to study applications of remote-sensing techniques to our work and to recommend these techniques for use in our water resources developments.

The future information for these applications will come from the EROS satellite of the National Aeronautics and Space Administration. The satellite will be designed and orbited for the sole purpose of obtaining resource data.

A wide array of known problem areas may

be opened to us for study and solution as the remote-sensing techniques are developed and become available to us. These techniques may prove invaluable in improving snow survey forecasting of seasonal runoff from snowpacks and storms for reservoir operations. By better evaluation of the factors affecting runoff, we should improve the operation of many water resources projects throughout the West. Valuable input to research in this area is being contributed by your own State University.

We expect that with these new techniques we may also obtain detailed and more accurate temperature and evaporation surveys of lakes and thus determine the effect of evaporation reduction measures. Other potential benefits stemming from remote-sensing techniques include obtaining more accurate data on cropping patterns, density of vegetative cover, soil moisture conditions, reservoir and canal seepage, and other data pertaining to evaluation of water storage, transportation and management on irrigation projects.

In considering these new techniques for water conservation and use in the next century and the many variables in technological development which may affect the future, we can expect that certain fundamentals of irrigated agriculture operations which are basic today will remain essential a hundred years from now.

One vital area of management which is fundamental to successful operations is recognition of the importance of proper use of water in irrigation. Thus, in Reclamation, the objective of our research program in this area is to assure that the right amount of water gets to the crops at the right time.

The farm system of the future, as I envisage it, will take full advantage of the sensing equipment now in use in our water use study. Soil moisture-sensing devices would be installed at selected sites in the field to determine when water is needed and how much should be applied. Electronic controls will activate the values controlling water for the system. The electronic controls will deliver water in sequence, and shut down the system when the moisture levels are restored. The extension of these control systems will reach back progressively to open or close gates at the storage reservoirs.

The automated system might be for sprinkler irrigation, which is developing very rapidly in the Western United States, or for surface or root zone application. The Agricultural Research Service is giving particular attention to development of automated on-farm systems as is your State University.

Another important aspect of the irrigation projects of the future which will facilitate flexibility of service to the farmer is the extensive use of pipe in irrigation distribution systems. Many, if not most of the smaller laterals of the future will be in pipe. We may expect that as much as 90 percent of future distribution systems will be in pipe.

Some advantages are obvious. First of all, covered systems should reduce the annual toll of unwary youngsters who drown in open ditches. Pipe is water tight, and there are virtually no losses of water in its conveyance to the land. Pipe eliminates the need for chemicals now used to control the growth of weeds along open ditches. Pipelines can take the direct and shortest route rather than following contours as required by open ditches. Pipe also eliminates many miles of project roads and thus reduces the acreage of land in road right-of-way and the cost of road maintenance. Such systems will reduce right-of-way requirements and permit many more acres to be put to productive purposes. As farm operations can be carried on over pipelines, it is possible to eliminate farm severance, thus increasing the efficiency of farm operations. With closed conduit conveyance systems, there are other tangible and intangible benefits such as removing hazards to human and animal life. They will help preserve the environment and minimize pollution from drainage water which can carry pesticides and herbicides back into the systems.

So strongly do I feel about the importance of conserving water in its transit to irrigated lands that I have established a Bureau-wide policy that our project planners must consider fully the lining or placing in pipe of all constructed waterways for the conveyance and distribution of project water supplies. When the recommendations do not call for lining or pipe, the planners must fully justify their position.

Because of these many advantages of pipe, we are now carrying out extensive research in the use of pipe on today's and tomorrow's Reclamation projects. Our research embraces all facets of closed conduits including pipe manufactured of promising new materials. One new type is a reinforced plastic mortar pressure pipe, a product of Space Age research and development. We have installed a half-mile test section of the pipe in California; tests conducted on the pipe so far offer singular promise for its future usefulness in Reclamation project development.

A vital part of irrigation development is drainage, particularly subsurface drainage which controls the water table beneath the surface of the irrigated land. Pipe will continue to be essential in the subsurface drainage of irrigated land. The Oahe Unit sharply points up this need. The Unit's lands lie on an old lake bed formed during the recession of a glacier and will require extensive subsurface drainage for successful irrigated agriculture. Under the initial phase of the Unit's development some 3,000 miles of pipe drains would be required. More than 3,000 miles of drain pipe would be installed under the ultimate phase of the Unit's development. New materials and techniques for installing the required drainage system are being explored.

Although pipe facilities will be essential to the automated farm distribution system of the future, it is obvious that many of the main canals or arteries—the conveyance features which bring the water from the storage system to the distribution system—will, because of their size, continue to be open channels. Future mass movement of water in interbasin exchanges and of conveyance of water over great distances will particularly rely on open channel features. Efficient mass transfer of water through open channel systems requires automatic and remote control of the channel structures to control water flow, another coming feature of the pushbutton era.

The bold concept of mass transfer of water from areas of surplus to areas of need, which may well characterize 21st century water resource development, is typified in our current studies of the proposed importation of surplus water of the Mississippi to west Texas and eastern New Mexico. As estimated by Texas and New Mexico State agencies, water needs to primary delivery points total about 16 million acre-feet for projected conditions by the year 2020. The sizable water deliveries and great distances contemplated are indicative of the challenging opportunities for new automatic controls for mass movement of water.

We have a group of engineers in our Denver office carrying out research and adaptations of new devices in automatic controls of open channels for these and other large projects of the future. We expect this research will be particularly useful in movement of water over long distances on the Oahe Unit and on the Garrison Diversion Unit in North Dakota.

The open channel main canals of individual irrigation systems of the future will be fully lined and fully equipped with automatic or remote controls. On many of our present-day projects we now have single automatic controls on check structures, pumping plants, diversion dams, and bifurcation works. One more recent innovation is installation of an extensive remotely controlled canal system on the Coachella Canal in California. We expect that the systems of the future will be more sophisticated and responsive to demand and changing requirements.

Similarly, the storage systems of the future will have a network of sensing devices at the source of water supply and a reporting system which would channel information on snowpack, precipitation, streamflow, and other meteorological and hydrological data into a center which would serve all water user interests in a river basin or a tributary basin. Our research in weather modification, one phase of which is to obtain greater snowfall in the high mountains, will be geared in with this system as well.

Information from this center on watershed conditions and forecasts of weather conditions would be made available to the project's operating headquarters. The headquarters would be equipped with computers to process the data and reduce it to information that could be used for the most efficient use and operation of the project. The immediate availability of such information would permit operations which would not only avoid wasting water, but also give an early warning of excessive flows which could result in damaging floods.

But none of these computerized, push-button systems will replace the human element. The increasing complexities of water resources management and the technological innovations will call for professional managers of a high degree of competency, dedication, and vision.

The most pervasive need will be creative managers, men of vision and imagination who recognize the need for and are willing to call upon interdisciplinary technology to improve efficiency and economy in the enterprises which they direct. These administrators must be particularly sensitive to the changing needs of project development and the relationship of their undertakings to national aspirations and resource objectives. I believe forums such as this symposium serve an important function in reminding us of this need for managerial expertise in irrigation development for the future.

There is another human element involved in any look into the future. That is the challenge that is already with us from our decaying inner cities and the mounting problems of the poor and untrained who continue to flock to the metropolitan centers.

The strength of a country is measured not so much by the number of smokestacks as by the opportunities for and achievement of its people. The big cities and their industrial might did not, alone, make America great. The initial impetus was in the use of our natural resources, the opening of new land, new farms, an opportunity for people to take roots and get a real stake in their country.

That trend, unfortunately, is changing. Now the pattern is for little farms to become big ones and the small farming communities are becoming ghost towns. We are faced now with demands for millions and billions of dollars for urban renewal and to care for the poor and untrained who have flocked to the cities in the desperate hope of improving their lot. The danger is that instead of halting the decay of our inner cities, this influx may hasten their deterioration into ghettos such as the immigrants to this country fled Europe to escape.

Reclamation, by its purpose and the very nature of its operation, as well as by legal limitation of the size of land ownerships which we serve, has consistently created new wealth productivity, new farming and employment opportunities, new openings in the service and food processing industries.

The transition from dryfarm to irrigated agriculture on the Columbia Basin Project in Washington State, for example, has meant an increase from about 600 farms in 1948 to 2,500 farms in 1963. The number of small businesses increased from 970 to 1,828 in the same period and the population supported on the project increased from 25,000 to 72,000.

Wouldn't it be worthwhile to consider the expediting of Reclamation work to continue to create such opportunities? Wouldn't it be worthwhile to bring to fruition, the idea of a string of satellite cities and towns strung through the area to be irrigated by the Garrison Diversion, the Oahe, and the Midstate Project in Nebraska, to name but a few to be constructed in the next several years?

Every Reclamation project has created new job opportunities, population has increased, and urban and rural economies have been benefited by the new wealth productivity.

Consequently, as we look ahead into the 21st century we must consider not only the push-button operations of a mechanized society but the human element as well. There is a challenge in this future for the ambitious, the mentally alert and the skilled who are needed to become the leaders of tomorrow. But there is also a golden opportunity to extend a helping hand to the thousands who are losing themselves in the despair of entrapment in the decaying core our our inner cities.

To find opportunities for them elsewhere will be a service to them and to the national and community leaders who are striving desperately against the tidal wave of untrained poor as they seek to rebuild the cities into attractive, law abiding, economically stable communities.

REGULATION OF INTERSTATE TRAFFIC IN LONG GUNS

Mr. McINTYRE. Mr. President, as one of the few Members of the Senate who supported the strengthening provisions of title IV of the omnibus crime control bill last month, providing controls over the interstate sales of rifles and shotguns, I am pleased to be able to cosponsor the bill introduced by the Senator from Connecticut [Mr. Dodd], the proposal of President Johnson to regulate interstate traffic in long guns and ammunition.

Someone once said that America's strange lack of controls over deadly weapons prevents us from being called a truly civilized society. John Fitzgerald Kennedy, Martin Luther King, and Robert F. Kennedy's tragic murders all bear witness to the truth of that statement. So indeed do the assassinations of Malcolm X and George Lincoln Rockwell. So too do the staggering statistics of policemen shot in the line of duty, storekeepers killed during robberies, and innocent bystanders killed by wild shots.

My position in the past on these matters has been consistent. I have supported all of those measures designed to so regulate interstate traffic in firearms that the individual States would be able to enforce their own laws. I have opposed suggestions—none of which ever were represented by legislation before Congress—which would give the National Government a greater role in firearms regulation through registration.

I believe that the time has long been overdue for a reexamination of my past position on even tighter national controls. In many ways, the brutal murder of our former colleague from New York last week has brought this issue into a new perspective. At this time, I find myself thinking that perhaps the only possible solution can come about from a combination of the controls over interstate sales contemplated by President Johnson's proposal, plus some system—preferably administered by the States—for the registration of firearms and the issuance of permits for their use.

We can no longer delude ourselves into thinking of this as a purely local problem. The murders which took place in Dallas, in Memphis, and Los Angeles were not only crimes against the people of those cities, they were crimes against the entire civilized world. The Federal Government now has a clear obligation to act, and I want to make it clear that I may be counted on the side of those who would rather take action to protect our citizens from murder by firearms than on the side of those who feel that doing nothing will somehow provide the better solution.

In short, Mr. President, when I try to balance the misinformed and demagogic arguments for inaction against the continuing killings every day of American citizens, I have had enough. It is time to face up to our responsibilities and pass the sort of laws which we all know are needed.

DEATH OF ROBERT M. HITT

Mr. HOLLINGS. Mr. President, on June 3, Charleston and the entire State of South Carolina suffered a great loss in the death of Robert M. Hitt, Jr., editor of the Charleston Evening Post.

Robert Hitt, better known as "Red," began his newspaper career at the age of 5 on the Bamberg Herald which was owned by his father. He was an alumnus of my alma mater, The Citadel, South Carolina's military college. Although his achievements in the field of journalism are legendary, he will live in the minds of all who knew him not as a journalist but as a great man.

He was a man of great warmth, great humor, great personal integrity, and courage. His reputation was widespread as a man who enjoyed a laugh and laughing with others. Although he never refrained from expressing a view, his view was always based on logic and commonsense and expressed with compassion. He was always ready to be a friend and consequently his friends were legion. He was a warm, thoughtful human being and he will be missed.

I ask unanimous consent that several editorials concerning Mr. Hitt be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Columbia (S.C.) State, June 5, 1968]

FINAL DEADLINE

From the time he labored as a gangling, red-headed lad in his father's newspaper shop at Bamberg, Robert Melvin Hitt Jr. was destined for a life in journalism.

Newspapering tugged at him through high school and at The Citadel, where his facile pen began attracting attention both on and off the campus. But newspaper jobs were scarce when he was graduated in 1935, and it was a year later before he signed on with the *News and Courier* at Charleston as a cub reporter.

From there on out, "Red" Hitt was in his own briar patch—whether reporting, editing, or writing delightful columns such as those he turned out (while sports editor) under the heading "Hitt's Runs and Errors."

He really hit his stride when he became editor of the *Charleston Evening Post*, enlarging his interests and influence in civic affairs while continuing to make friends for himself and for the Charleston newspapers. His unfailing good humor, his *basso profundo* voice (it was likened to the sound of distant thunder) and his profound knowledge of newspapering brought him recognition in both state and national journalistic circles.

But that deep bass voice was stilled last week when he fell victim to a brain hemorrhage. Early Tuesday morning he died, leaving not only a bereaved family but also hosts of sorrowing friends in newspaper shops across the length and breadth of the land.

They, including those of *The State*, will remember "Red" Hitt not so much as the competent craftsman but as the lovable individual who never met a stranger nor made an enemy.

[From the Orangeburg (S.C.) Times & Democrat, June 5, 1968]

ROBERT M. HITT JR.

In the untimely death of Robert Melvin Hitt Jr., 54, editor of The Charleston Evening Post, South Carolina and the newspapers of the state have lost a man who exemplified all that journalism is or should be.

Mr. Hitt, a native of Bamberg and son of a veteran newspaper man, died early Tuesday morning after suffering a cerebral hemorrhage several days ago.

He was a graduate of the Bamberg High School and earned an A.B. degree from The Citadel in 1935, the military college later granting him an honorary Lld. degree in 1962.

He began his career as a newspaperman with The News and Courier in 1936, becoming sports editor in 1938. In 1943, he was moved over to The Evening Post as news editor, promoted to managing editor in 1945, and held the post of editor from 1953 until his death.

Known to his countless friends as "Red" Hitt, his editorials were sincere, hard-hitting and just. His was a quick and agile mind, one able to see to the root of a matter through the glitter in which it might be presented.

For that reason, "Red" Hitt was in great demand as an after-dinner speaker. He had a slow delivery, almost a drawl, and he had a dry, sometimes cutting but never vicious wit, one that soon had his listeners convulsed with laughter. But he was far from a comedian. He never spoke without delivering a worthwhile message. Those who heard him were both entertained and informed, perhaps enthused, by his words.

He held the high esteem and respect of everyone in the newspaper world as an excellent writer and representative of the "working press" as well as in his editorial achievements.

Married, he was an understanding and devoted father and husband, a worker and vestryman in his church, and endowed in the social graces which made him president of the Country Club of Charleston in 1947, and commodore of the Carolina Yacht Club in 1948.

The Times and Democrat joins the other newspapers in and out of South Carolina in extending sympathy to Mrs. Hitt and their five children and the staff of The Evening Post and The News and Courier, where also he will be sorely missed.

[From the Greenville (S.C.) News, June 5, 1968]

R. M. "RED" HITT, THE MAN WHO

Seldom has the South Carolina press suffered such a severe blow as was dealt it by the untimely death of Robert M. Hitt, Jr., editor of the Charleston Evening Post.

At age 53, Mr. Hitt was at the height of his great intellectual powers and his ability to sway others with the charm of his unique personality. The loss is shared by the whole state, by the cause of good citizenship, better government and more pleasant communities.

Because of his highly developed and perfectly-timed sense of humor and his ability to win a crowd instantly and hold it as long as it suited him, Mr. Hitt was much in demand as an after-dinner speaker. He had a nationwide reputation.

"Red" Hitt was the "man who:" Was relentless in his search for the truth in the news, but used compassion in printing it.

Was forthright in his editorial expressions, but always constructive and never critical for the sake of mere criticism.

Was possessed of the sharpest natural wit we ever enjoyed off the professional stage, and used its keen edge to good effect. But he never hurled barbs that hurt, and he preferred to be the butt of his own jokes.

Was known by thousands over the country, admired by all who ever encountered him, had hundreds of friends in professional journalism organizations, but never changed basically from the son of a country newspaper editor who started work in a printing shop as a boy.

Rose to heights in his career and in community life, but never lost the enthusiasm of The Citadel cadet he was more than 30 years ago. He served many organizations, but never pushed for personal recognition.

Could render the report of the nominating committee and evoke more laughter than the "speaker of the evening," while in the next moment pointing out in his deep, rumbling voice the easy solution to a serious problem.

Trained many young journalists, speaking to them in their classes and working with them in his offices, and left a lasting impression on them.

Could discipline a reporter, or a subordinate editor, in a manner he would never forget—without hurting his feelings.

Could receive through connections in his church, which he loved and served, money to buy a gift for a resident of an old ladies' home—and choose a bottle of wine and deliver it with a personal visit.

Was not content merely to write about community problems, but involved himself in their solutions.

Mr. Hitt was all of these things, and more, the devoted husband and father of a fine family and an active churchman. But his greatest contribution, and the most important to him, was, first to better newspapers and, second, receiving and returning the love of his friends.

We pass this way but once, and to encounter just one "Red" Hitt along the way is to be highly privileged.

[From the Charleston (S.C.) Evening Post, June 5, 1968]

RED LEFT US TOO SOON

(By Warren Koon)

It might have been 10 years ago and Red Hitt was already an accomplished and established speaker, one whose wit and tuba-note voice commanded after dinner delivery invitations.

But this was the time when he and I had been invited to a West Ashley function for civic improvement. The request for him to speak had come from the club chairman who felt both of us had something to say to uplift the ideals of the club and the area.

When Red and I arrived at the appointed site, on time, we met the chairman and went into the hall. About six or seven people were sitting in an area designed to seat 200 or so, waiting expectantly.

The program was delayed about 15 minutes while Red regaled the host with stories. Some he made up, some were hilarious versions of incidents of nonfiction. With Red, one could never be sure.

Finally, the red-faced chairman spoke, explaining to the audience, which was unnecessary, about the poor attendance while apologizing to Red. He introduced Red with still another apology for poor attendance.

"No apology necessary," Red said, his voice resounding as if he was addressing a joint session of the congress. "Gather around closer, gentlemen. I've spoken to as few as three people and as many as a thousand. It doesn't make any difference. I'm going to tell you all I know on the subject.

The six or seven relaxed, laughed and for an hour, Red talked to them in his deep, brotherly tone, fascinating the few as he did the multitudes. It is one of the things I will remember always about Red Hitt.

Others have written down the facts of his career. I remember other things better. I knew Red Hitt (Some of us liked to call him Melvin, his middle name) for 17 years. The first time I met him was in 1951 when I was editing, for a brief time a twice-weekly newspaper in the upstate. I was the editor and the reportorial staff, as well as photographer and editorial writer.

Fortunately, that year, my paper won three prizes for news coverage and makeup in the annual awards presentations to the state's weekly papers. Red Hitt was the master of ceremonies at the banquet and the third time I went up for an award, Red Hitt told the audience, "This guy either is related to the judges or has something on the ball."

That same night, in elbow-to-elbow conversation in the middle of the cocktail party following the banquet, Red Hitt wondered if I would like to work for him. He was then managing editor of the Evening Post. I came down to Charleston to discuss a job, decided against it but took one on the telephone from Red Hitt and Ernest Cutts four years later, in early 1955. It was and is an association never severed.

I remember most Red's deliberate misuse of the English language, a language he knew as well as Webster in reality. He used mispronunciations and slang for effect, almost as a trademark. One of his best, delivered resonately in genteel company, was about dinner: "No," he would say, "I ain't et yet."

He punctuated sentences with words like "aghast", delivered with a long, sheep-baa "A" as in "aaa-ghast", and other innovations to force his audience into rapt attention. He joked about his speech "file" by pretending boredom at an invitation he had accepted and saying, resignedly, "Guess I'll pull out Speech No. 138 from the file. That's my 'Freedom of The Press' talk, first delivered in 1945."

Red played golf with a painful religious fervor, a game he had to learn in tortuous steps. For some 10 years, he joined us at the Golf Writers of America tournament in Myrtle Beach, forging friendships with sportswriters from every part of the country. As a matter of fact, almost the first words my friends always said upon the annual greeting were, "Where's Red?"

He was a gifted individual who felt it his duty to circulate in all groups often telling me "the editor of the Evening Post should make friends for himself and the paper." His flamboyance was matched by a deep understanding of any situation, from international crises to a petty misunderstanding among reporters. He usually brought a Solomon solution to each of them.

We played together, we talked and rode places together, as he did with many employes and superiors. It didn't make much difference to Red, because he enjoyed the company of almost any type.

On the golf course, we was an expert needler but the needled loved him for it.

Despite the verbiage of the full-blown, factual accomplishments of his life, I remember Red as a human being who was a virtuoso in capturing people to his side. He left us much too soon, which explains in a few words how much I thought of him.

STRIKES IN THE MICHIGAN CONSTRUCTION INDUSTRY

Mr. GRIFFIN. Mr. President, the current recordbreaking Detroit newspaper strike, now in its eighth month, has already inflicted incalculable harm on thousands of workers, many Detroit area businesses and the public at large.

Mr. President, this newspaper strike is more than enough for one city to withstand. But Detroit and much of Michigan is also faced with another strike of far-reaching proportions.

On Tuesday, April 30, 1968, strikes by carpenters, bricklayers and operating engineers idled some 45,000 Detroit area construction workers. In addition, approximately 20,000 out-State Michigan workers are also idled. These strikes are now in their fifth week.

Mr. President, I would not advocate that any group—whether labor or management—be denied the right to assert its demands and put forth its proposals in the course of collective bargaining. But, unfortunately, too often these days, parties embroiled in labor disputes are ignoring the public's interest.

In a statement dated May 2, 1968, the President's Cabinet Committee on Price Stability expressed grave concern that wage increases in the construction industry might be negotiated this year which would seriously imperil efforts to maintain price stability.

This Committee, which includes the Secretaries of Treasury, Commerce, and Labor, the Director of the Bureau of the Budget and the Chairman of the Council of Economic Advisers, stated:

> The size of construction settlements has been accelerating since 1964 and has consistently exceeded settlements in the rest of the economy. Construction settlements last year exceeded 7 percent, about a third larger than the all-economy average of 5½ percent. And many current wage demands go far beyond last year's large settlements. They threaten to harm the economy seriously and to raise sharply the cost of homes, factories, stores, schools, hospitals and other public construction. The Committee foresees no productivity gain that can begin to offset such large wage increases.

The demands made by the building trades unions in the current Detroit and outstate Michigan negotiations provide evidence that the Committee's concern is well founded.

According to reports, demands made by the various unions range from three to 10 times greater than the 6-percent offer generally made by the various employers. The percentage increases demanded, which range from 18 to 59 percent, are in sharp contrast to the old anti-inflation guidepost of 3.2 percent.

The impact which wage increases of such proportions may have can be illustrated by a few examples. It has been estimated that if all of the union's most recent wage demands were granted, the price of a home which sells now for $10,000 would be increased to about $11,250. And the price of a $20,000 home would be increased to about $22,000.

Even higher increases in the construction cost of public housing could be expected because it has been established by the Department of Labor that wage costs represent a higher percentage of the total costs of public housing as compared to private housing.

The current strikes have virtually shut down the construction of homes, apartments, stores and shopping centers in Michigan's Wayne, Oakland, Macomb, and Washtenaw Counties and in other areas.

The effects of such a complete shutdown on the economy of Detroit—and the State of Michigan—are obvious. Just as real—and as dangerous—are other potential effects of these strikes.

The inflationary potential of wage increases which are not offset by corresponding productivity gains is great. Wage-price developments in the important construction sector of our economy can quickly spread inflation throughout the economy by raising costs elsewhere and by intensifying demands in other industries.

Certainly, Detroit—and Michigan—are major factors in the national economy. The results of the current strikes will obviously have a significant impact on the national pattern for settlement of contract negotiations this year.

In fact, the significance of the current strikes may be even greater than would normally be expected. The Federal Mediation and Conciliation Board reports that out of a total number of 82 current construction strikes in our country, 41—or 50 percent—are located in the State of Michigan.

The question is thus squarely before the parties to the current building trade strikes in the State of Michigan—will the settlements precipitate another upward spiral of costs and prices in our economy in these critical times—or will the settlements fairly reflect the needs of the public as well as the parties?

I join with the Cabinet Committee, the large number of prospective homeowners, and the public at large in urging the parties to "exercise the most rigorous restraint in these wage and price determinations this year."

Particularly in view of the clear and present danger of runaway inflation, I call upon the parties to exercise economic statesmanship and settle their dispute promptly on a basis that recognizes the overriding public interest.

A PLEA FOR MODERATION

Mr. HOLLINGS. Mr. President, my hometown newspaper, the Charleston News & Courier, publishes a daily column entitled "Doing the Charleston," written by Mr. Frank Gilbreth under the pseudonym of Ashley Cooper. On June 6, Mr. Gilbreth, who I am sure is well known to the Members of this body, authored a column concerning the death of Senator Robert F. Kennedy.

It was not an easy column to write. It required great courage, for in part Mr. Gilbreth was being critical of members of his own profession. Second, while everyone abhors the assassination of Senator Kennedy, not many are willing to delve into some of the underlying causes. I think the last paragraph of the column is particularly pertinent, in that Mr. Gilbreth calls for the one thing essential to the subsiding of political hatred in this country—moderation. I ask unanimous consent that the entire article be printed in the RECORD, together with a biography of Mr. Gilbreth, so that all Senators may become better acquainted with this talented journalist.

There being no objection, the article and biography were ordered to be printed in the RECORD, as follows:

DOING THE CHARLESTON

(By Ashley Cooper)

Is it only a coincidence that the four big assassinations or assassination-attempts in U.S. modern history have all been against liberals?

Certainly that question is something for all of us to ponder. The four targets were President Franklin D. Roosevelt, (Mayor Cermak of Chicago was killed), President Kennedy, Dr. Martin Luther King and Sen. Robert Kennedy. (A case could also be made for Huey Long and President Truman.)

What causes some mentally-disturbed, pathetic wretch to get a gun and decide to kill a public figure?

The answer must be that, somehow or other, the wretch has taken literally—and believed every single bit—the abuse that he has heard or read against certain public figures.

All information media—plus irresponsible word-of-mouth hatemongers—must share part of the blame for the credence of abuse. Certainly the accepted editorial technique in newspapers around the world is to overstate alleged faults of the "enemy."

What the "conservative press" said about Franklin Roosevelt scarcely bears repeating. But today, the very newspapers which once vilified Roosevelt now say that he really wasn't so bad after all, particularly when measured by such villains as Bobby Kennedy and Adam Clayton Powell.

Bobby Kennedy and Dr. Spock have been the main targets lately of those who think Eisenhower was a communist and that Earl Warren should be impeached.

Bobby wanted to stop the war in Vietnam—a viewpoint that some people think is not only un-American but un-Christian. He also wanted social legislation to help the underprivileged—and some people fear that they will personally suffer if others are helped.

Insofar as one segment of the press is concerned, Bobby was a ruthless, a self-seeking, a rat-toothed traitor. Yes, this segment argued, the guy wanted to sell out his country in the Vietnam situation. He made believe that he liked Negroes, so as to get their vote. Although he was 42 years old, he had the nerve to wear his hair on the long side, solely to capture the youth vote. Although he was rich as Croesus, he pretended that his social conscience caused his heart to bleed for poor people. Just a few months ago, he "blackmailed" President Johnson, by indicating that if Johnson didn't change his position on Vietnam, Bobby would run for President himself. Then, opportunistically, he finally entered the race after Johnson had pulled out. And, finally, he tried to bludgeon McCarthy into getting out of the race. Ruthless!

So that's the kind of stuff that some information media have been preaching, and it's no wonder that there are some nuts who think that it is their patriotic duty to become martyrs, and simply eliminate "traitors" like Bobby and his brother Jack.

The opposite side of the Bobby coin, of course, is that here is a rich man's son who, instead of becoming a leech on society like Tommy Manville, decided to dedicate his life to public service, which is the service of his country.

Which viewpoint do you believe? Must we always see our public figures as all good or all bad? Isn't there something in between?

We fall into the same trap, too, in thinking of foreign nations. They're either slit-eyed yellow-bellied, sneak-attacking, near-sighted, industrial-copycatting torturers, as the Japanese were pictured 25 years ago. Or they're our brave Japanese allies, now standing as a bulwark against communism in Asia, as we picture them today.

Whereas Russia, of course, has gone the opposite route from brave ally to sneaky torturer, in those 25 years.

Yes, this is a plea for moderation. Why stir up hate against a public figure, when the man who's doing the stirring probably has some doubt in his heart whether history will prove him right. If some writers really and truly believe what they have said about certain public figures, those writers themselves should feel duty-bound to become assassins, in the name of patriotism.

BIOGRAPHY OF FRANK B. GILBRETH

Frank B. Gilbreth, born in Plainfield, New Jersey, March 17, 1911. He attended St. John's College in Annapolis, Maryland and graduated from the University of Michigan in 1933 serving as Editor of the college newspaper, *The Michigan Daily.*

He worked as a reporter for the *New York Herald Tribune* under the late Stanley Walker, famous City Editor. He worked as a reporter in Charleston from 1934 to 1936, then in Raleigh, North Carolina where he was in charge of the Associated Press Bureau. He joined the Naval Reserve as a Lt/JG in 1942 shortly after the attack at Pearl Harbor. He participated in three invasions in the Philippines, was awarded two air medals and the Bronze Star and was promoted to Lt. Commander.

In 1947 Gilbreth returned to Charleston as Assistant Managing Editor of the *News and Courier.* He became Assistant Publisher in 1965 and Vice President of the *News and Courier* and *Charleston Evening Post.* He has served on the Board of Directors of the United Fund and Chairman of the Advisory Committee of the YWCA.

In 1949 he and his sister, Ernestine Gilbreth Carey, collaborated in writing *Cheaper by the Dozen,* a story about their childhood in the "efficiency household" of their parents. The parents were Frank B. Gilberth, a time study expert, who originated "Motion Study" at the turn of the century and Lillian M. Gilbreth who became a prominent educator and management consultant. There were a dozen Gilbreth children and Frank and Ernestine wrote humorously about the timesaving efficiency methods utilized by the parents in rearing the brood. The book became an immediate success, heading the best seller list, and going through 39 printings. *Belles on Their Toes,* a sequel was also a best seller. Both were made into movies by Twentieth Century Fox.

Additional books by Frank Gilbreth: *I'm a Lucky Guy—Held's Angels—Innside Nantucket—Of Whales and Women—How to be a Father—Loblolly—He's My Boy.*

For years he has written the Ashley Cooper Column, "Doing the Charleston" for the *News and Courier.* He compiled the dictionary of Charlestonese, a comic dictionary of the Charleston accent and wrote a dictionary of Bostonese for *Life Magazine* at the time John F. Kennedy and Henry Cabot Lodge were campaigning for the Presidency and Vice Presidency respectfully. More than 100,000 copies of the Charleston dictionary have been sold and all profits were donated to the Good Cheer Fund, a Christmas charity of the newspaper.

He married Elizabeth Cauthen of Charleston in 1934. They had one child, Betsy. After his first wife died he married Mary Manigault of Charleston in 1955. They have two children, Edward and Rebecca.

VIETNAM

Mr. CASE. Mr. President, the June issue of the Ripon Forum includes a great editorial by the senior Senator from Kentucky [Mr. COOPER] entitled "Vietnam: The Talks and the Lessons." As one who derives much benefit from his perceptive and judicious contributions to the deliberations of the Senate and of the Committee on Foreign Relations, I commend this statement of his to the scrutiny of Senators, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Vietnam: The Talks and the Lessons

(By John Sherman Cooper)

(NOTE.—Senator COOPER of Kentucky is a member of the Senate Foreign Relations Committee, a former Ambassador to India, delegate to the United Nations, and adviser to Secretary of State Dean Acheson.)

Last month's report of casualties, the greatest we and our North Vietnamese opponents has suffered to date, bitterly contrasts with the hopes that lie in the discussions now under way in Paris. This paradox of continued war in Vietnam, with its casualties and cost, while the world watches and hopes for peace to come about in Paris, is what we must expect for the months to come. The process of negotiation will very likely be long, complicated and frustrating, like the three negotiations we have previously conducted with Asian Communists in Korea, Indo-China and Laos. In each negotiation, in the end, hostilities did cease and a political settlement was achieved. Assuming that a cessation of bombing is agreed to and negotiations begin, we have reason to expect that there will be a solution to the war in Vietnam. The important question is whether the peace will be durable and in what ways our future foreign policy will be affected by the outcome of negotiations.

The Korean talks began on July 10, 1951, and did not end until two years later on July 27, 1953. Fifteen open sessions were held in Geneva and 575 meetings in Panmunjom, and hundreds of unrecorded private meetings. That portion of the Geneva Conference concerning Indo-China began on April 26, 1954, and ended on the 21st of July 1954, after over 30 meetings. The Laos conference began on May 16, 1961, ending over a year later after 87 meetings were held. I think it is clear from these three conferences that we cannot expect a speedy resolution of the issues that we are now being discussed by the negotiators from the United States and North Vietnam. The leaders and the people of this country must be aware of what the issues are and what we can achieve through negotiations.

If the opening statements of both Xuan Thuy, the leader of the North Vietnamese delegation, and Mr. Averell Harriman are carefully examined, we can see in outline the basic problems that are at issue. Both the statements of North Vietnam and the United States I believe to be consistent expressions of the respective viewpoints. The manner of expression and rhetoric are of course different, reflecting ideological and cultural differences. But it is vital to understand what the essential differences are in order to come to a solution.

First, the historical perspectives and philosophical understandings of the purposes of the conflict held by the two parties—the U.S. and North Vietnam—are at odds. To the North Vietnamese, the United States is aggressing on the soil of Vietnam. As they view it, the Vietnamese are not attacking American soil. They are not launching attacks on Hawaii and California. The North Vietnamese dismiss the United States' contention that it is because of the aggression on South Vietnam by North Vietnam that the United States has had to bring its troops to safeguard the freedom of South Vietnam in accord with its commitment to the Saigon government. The North Vietnamese expressed their view on May 13 in the following way:

"In fact, Vietnam is a unified country of some thousand year old history, the Vietnamese are a diligent people who deeply love freedom and peace and are endowed with a tradition of heroic and undaunted struggle against foreign aggression. Vietnam is one, the Vietnamese nation is one. It is the United States that has, from the other shore of the Pacific, brought its expeditionary troops to South Vietnam to invade it and prevent the re-unification of Vietnam. The Vietnamese people are thus forced to struggle against U.S. aggression for national salvation."

Mr. Harriman stated the objectives of the United States Administration:

"Our objective in Vietnam can be stated succinctly and simply—to preserve the right of the South Vietnamese people to determine their own future without outside interference or coercion . . . North Vietnamese military and subversive forces have no right to be in South Vietnam."

This is the basic difference: North Vietnam does not recognize the existence of two separate Vietnams. The United States does not recognize on its part the claim of North Vietnam that the division of Vietnam is without legality. In essence, what the negotiations will decide is whether there will be in time a unified Vietnam or whether there will continue to be a divided Vietnam. The issues of de-escalation of hostilities, such international peace-keeping arrangements as may be set up and such political and economic agreements as may be made for the future will be shaped and conditioned by how the basic issue of whether there shall be one Vietnam or two Vietnams is finally resolved. Whether a settlement of the war in Vietnam will be lasting will depend upon how the United States decides to exercise its role of world leadership.

SELF-IMPOSED LIMITS

And it is upon the nature of our world leadership—our foreign policy after the Vietnamese settlement—that I would like to focus my attention. The agonizing and bitter experience of Vietnam has had disturbing effects upon the United States and people throughout the world. We have learned that having more power—more military force and economic strength—than any other nation in the world cannot of itself shape the world as we would like to have it. This inability is largely due to the principles and traditions of the kind of nation we have become—a nation that believes in the rule of law and the settlement of disputes through reason—a nation that is reluctant to use violent means except in an act of self-defense. We have discovered in Vietnam that despite all our might, our power is limited. We have discovered that the limitation of power is largely self-imposed. We have come to recognize that, unless the United States is directly threatened by an enemy whose objective is the destruction of the United States, we will not use our power in ways that would assure military victory through all-out war that would lead to the complete destruction of the enemy. Therefore, the first lesson we have learned from Vietnam is the limitation of our great power.

MORE TROOPS NEEDED?

The implications of involvement in conflicts anywhere in the world cannot be isolated to that area. The implications of action even in the most remote corners of the globe can affect our relations with other countries in serious and damaging ways. Actions taken 11,000 miles away can, as we are so painfully aware, affect the domestic affairs and tranquility of our own country. So a second lesson we have learned from Vietnam is that acts of intervention—particularly military intervention—must be considered in the light of our overall domestic and international priorities. Clearly, one effect of our tragic involvement in Vietnam has been that we have failed to consider with a balanced perspective the problems that most demand our attention. Because of Vietnam, the problems of our cities, of our minority groups, of education and health, not to mention important security alliances, have not received the attention they deserve. Of this need to reassess our national priorities we have become aware—hopefully not too late.

Of course, troubled conditions in Southeast Asia and in other regions of the world could confront the United States with new dilemmas of the kind we faced in Vietnam. Already, in Thailand and Laos and Cambodia there are serious problems of insurgency. And for the past few years, the American military presence and/or influence in these countries' affairs has grown, largely as a result of the war in Vietnam. The United States will be faced, and I believe in the very near future, with the necessity to make decisions whether to send more troops, more military equipment and more economic aid, so that these countries may meet the challenges made by insurgent groups supported by outside forces. In Thailand, for example, in 1960 after 10 years of assistance, the U.S. had only 500 advisors; in 1962, 8,000; in 1965, 25,000—we now have 47,000 men based in Thailand. It is my hope that new decisions to send additional troops will not be made without careful attention to our national priorities and with full consultation with the Congress and the full awareness of the people of the United States.

A third lesson we have learned from Vietnam is that unless the government of a nation we are trying to help has the will and capacity to meet the aspirations of its people and their demands for greater justice, no amount of military assistance to these governments will be able to achieve the goal of creating a strong and stable country. There are many responsible leaders who have maintained that our security was never importantly threatened in Vietnam, and that no matter what the outcome of the conflict between the governments of Hanoi and Saigon, American security interests would not have suffered. On the other hand, there are many who believed with the Administration and continue to believe that American security is very much involved in the outcome of the struggle in Vietnam. We are all aware of the gradual and almost imperceptible way in which the United States became more deeply involved in Vietnam. In the early stages of our involvement, United States security interests were not importantly involved. Because of the growing scale of our involvement—an involvement whose larger implications we did not conceive of—our security interests in time became an issue of overwhelming importance.

In view of the problem that such involvements as Vietnam create, the Tonkin Gulf hearings held by the Senate during the past year served a constructive purpose. What the Senate Foreign Relations Committee was attempting to do in its hearings was not to place blame; rather it attempted to discover if orderly and workable decision-making procedures could be identified and institutionalized, so that those who have the responsibility to make basic decisions concerning the security of the United States can have the time, the understanding and the full knowledge of the facts of a situation required to make a fully deliberate and rational decision as to whether involvement is in the overall interests of the United States. The need for effective decision-making procedures is the fourth lesson we have learned from Vietnam.

CREATIVE DIPLOMACY

Finally, I believe it has become clear that we have placed too much stress upon the use of military force as a means to organize the peace. It will, of course, continue to be necessary to maintain our pre-eminent military strength. In the future, there will undoubtedly be occasions when the forces of the United States will have no other recourse but to fight in order to defend its basic security interests. We must find new ways usefully to assist the creative and positive social and political forces in the emerging nations. A greater emphasis on creative diplomacy than is now the case—on international organizations, on economic assistance and on the interchange of the business, trade, technical and cultural activities of nations—would do more, in my view, to promote durable peace than a continued reliance and emphasis on military security arrangements so dominant during the past ten years. So this is a fifth lesson of Vietnam: that we must make greater efforts to use peaceful means of organizing the peace than we have in the past. We must do so without weakening our ability to defend ourselves if necessary. The two objectives are not incompatible, but the two objectives must be used with wisdom and a full understanding of the purposes and inherent capabilities of the two approaches.

The war in Vietnam has shaken the foundations. It has been a bitter experience, full of loss and tragedy, yet it offers the United States and the world a great opportunity. Because neither the United States nor its opponent has been able to impose its will through force, the nations and peoples involved have been forced to ask where we have failed and what we must do in order to succeed. I have always had confidence in the purposes of our nation, and I continue to believe these purposes are just. Our failure in Vietnam has not been one of our national integrity. Let us be grateful rather than despondent, for the harsh and bitter experience of Vietnam has given the people and leaders of the United States the opportunity to reexamine our principles, to reorder our priorities with reason and justice, and as a result, I believe we will be able to unite and strengthen our country and reestablish our position of moral leadership in the world.

EAST EUROPEAN TRADE OPPORTUNITIES

Mr. MONDALE. Mr. President, the international trade concerns of the United States are many and varied. Much of the talk in Congress centers on balance-of-payments concerns and protectionist measures. I think it important that Congress this year not overlook the crucial importance of East-West trade opportunities both in the interest of a response to the events in Eastern Europe and a response to American trade difficulties.

An editorial and an article appearing in the Washington Post recently discuss the failure of the United States to respond to changes in Eastern Europe and to take advantage of increased trade opportunities. I ask unanimous consent that an editorial entitled "Return to Glassboro" from the Washington Post of June 8, 1968, and an article entitled "United States Blind to Red Trade Opportunity" from the Washington Post of June 10, 1968, be inserted in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 8, 1968]

RETURN TO GLASSBORO

The President's return to Glassboro, where he met with Premier Kosygin a year ago, was more than an exercise in nostalgia. It allowed him to restate his major interest in cooperation with the Soviet Union—an interest he has tried earnestly to spare from the inroads of Vietnam. One does not have to accept Mr. Johnson's self-professed "optimism" about the Soviet-American outlook in order to appreciate his efforts to improve it. Perhaps next year Glassboro could invite Mr. Kosygin to give the commencement address.

Mr. Johnson's review centered on Executive initiatives. Yet obviously, a substantial range of American policy requires a congressional mandate and it is here that American performance has been noticeably remiss. A case in point is East-West trade. Not only has Congress sewn in restrictions, centering on Vietnam; it has refused the President selective authority to halt tariff discrimination.

So dispirited is the Administration, however, that it has not even resubmitted its request for that authority. Instead, it is standing by, albeit helpfully, while Senator Mondale tries to pilot through a "sense of Congress" resolution favoring East-West trade. The resolution has the useful but limited purpose of keeping the issue alive—chiefly by whetting appetites for prospective trading profits—until Congress's Vietnam fever subsides.

It is to be regretted that Mr. Johnson, at Glassboro, did not address himself to East Europe, particularly Czechoslovakia. The omission will tend to confirm a harmful and widespread impression that, to cooperate with the Soviet Union, the United States is refraining from support of the new liberal regime in Prague. To explain its feeble response to the Czech transformation, the Administration has gotten into the habit of pointing with a helpless shrug at Congress. It would do better to show more of an enterprising spirit toward East Europe on its own.

[From the Washington Post, June 10, 1968]

UNITED STATES BLIND TO RED TRADE OPPORTUNITY

(By Murray Seeger)

President Johnson's recent trade message to Congress was more notable for what it didn't contain than for what it did say.

On the positive side, Mr. Johnson refused to be stampeded by the heavy protectionist mood of Congress and rejected requests for new taxes on foreign imports.

But, on the negative side, he bowed to the cold political facts of today and made no new bid to loosen the chains that bind American trade relations with eastern Europe and the Soviet Union.

For 20 years, the United States and the trading nations of Western Europe have been watching the Iron Curtain for the appearance of cracks big enough to accommodate commercial trading.

Those rents are now there for all to see except those members of Congress whose reaction to Communism is as automatic as the fire house dog's response to an alarm.

At first there was only Yugoslavia and Titoism. Now there is Rumania and Czechoslovakia and a new era of national Communism. Opportunities for restoring normal commercial relations between east and west are developing rapidly for those prepared for change.

But the biggest trading nation of all—the United States—is not ready. Instead of moving forward to a new era, this country is moving sideways and backward, guided by Congressmen more concerned about short range politics than long range national interests.

The attitude of Congress has been to tie the President's hands so that he cannot negotiate and deal with the Eastern bloc countries the way he would like to.

In a landmark speech on Oct. 7, 1966, Mr. Johnson said: "Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement . . . we seek healthy economic and cultural relations with the Communist states."

The record since that date has been one of erecting road administration can use their power only with Yugoslavia and Poland. Goods from other Eastern nations must enter the American market on a high tariff schedule written in 1930.

The President in 1966 extended the power of the Export-Import Bank to guarantee commercial credits to Poland, Hungary, Bulgaria and Czechoslovakia in addition to Yugoslavia.

But early this year Congress wrote a law barring bank credits to any nation supplying goods to North Vietnam. Only Yugoslavia has passed that test.

As a result individual American businessmen seeking trade opportunities in Eastern Europe find that the countries cannot sell enough goods in this country to earn dollars and that they cannot get the kind of loan guarantees routinely given for overseas deals in other countries.

Trade between American companies and eastern Europe is growing despite the handicaps imposed by Congress. The administration is encouraging the companies to move into the newly opened markets, but the effort is risky and limited.

The businessman who does business with the curtain countries runs the risk of being attacked by such right wing groups as the Young Americans for Freedom who forced the Firestone Tire and Rubber Co. to back out of a deal in Romania and embargoed by the International Longshoremen's Assn. The YAF and ILA have little in common except a knee-jerk reaction to anything labeled communism.

Sen. Walter F. Mondale (D-Minn.) has moved into this subject with a resolution to put Congress on record in favor of peaceful East-West trade and a bill that would grant special tariff concessions to Czechoslovakia.

In the present mood of Congress neither item is likely to be passed. Mondale, however, has been able to air the subject through his power as a subcommittee chairman to call hearings.

The majority of Congress still sees Communism as a monolithic power directed from Moscow bent on destruction of the free world. In this Neanderthalic view, ordinary commercial trade is equated with foreign aid.

In dealing with Communist nations, according to this argument, the goods purchased from us would enable the Soviets and their allies to devote a larger portion of their economies to building war machines.

This argument is foolish—the Soviets have become a formidable world power without much trade from the West and will continue to devote the resources it chooses to maintain its strength.

In the meantime, the failure of Communist economics to satisfy the desires of the Eastern European nations becomes more apparent every day. The desire to catch up with the western consumer economies is one of the most compelling forces in the Communist nations.

The United States should be in a position to encourage these instincts and to promote the concept of nationalism which is breaking up the old satellite system. This would best serve our security interests by reducing the threat of Communist expansion in Europe, improve our trade and balance of payments accounts and provides more demands for the economy and jobs for American workers.

PRINCIPLES OF GOOD CITIZENSHIP

Mr. ERVIN. Mr. President, recently I received a copy of a winning essay by a high school student in Asheville, N.C., who won the award for the 1968 essay contest sponsored by the Asheville Civitan Club. The winning essay was written by Stanford Kent Clontz and entitled, "Principles of Good Citizenship Which Must Be Exemplified in My Life as a Youth of Today and an Adult of Tomorrow."

I found this essay particularly interesting against the background of the recent student rebellion with its apparent confusion about the meaning and value of principles and responsibility. It is very reassuring to have such a young member of the present student generation express so wisely the need for youth to uphold the intangibles of our democracy which seem to have been lost in the rebellion on the campuses. In his essay, this high school student tells his generation that the intangibles which hold our society together begin with the principles of good citizenship which a youth must cherish if he expects to survive as an adult.

I ask unanimous consent that the entire essay be printed at this point in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

PRINCIPLES OF GOOD CITIZENSHIP WHICH MUST BE EXEMPLIFIED IN MY LIFE AS A YOUTH OF TODAY AND AN ADULT OF TOMORROW

(Presented to Asheville Civitan Club by Stanford Kent Clontz, Clyde A. Erwin High School, Asheville, N.C.)

An individual's most prized possessions are often the intangibles. Citizenship in the United States of America falls into this category. The colonists who established this great democracy obtained their citizenship through bloodshed. Many immigrants have later secured theirs through years of hardship and perseverance. I did nothing of this nature to earn my citizenship; it is my birthright. I have an obligation, however, to preserve this valuable heritage for my posterity. There are certain principles of good citizenship that I must observe as a youth of today and continue to cherish as an adult of tomorrow. Preeminent among these are respect for other people, appreciation of the American way of life, and personal involvement in democracy.

My high school is an excellent place for me to exercise respect for others. It is necessary for me to respect their private property, as well as the school property that belongs to all of us. I must regard their rights and privileges and obey the rules that are intended to protect them. Class discussions offer me an opportunity to show consideration for the opinions of other students. This attitude that I cultivate in high school will be demonstrated as I mature. As an adult, I shall be expected to obey our nation's laws, which are made for the protection of all Americans. There will be many times when I shall disagree with my neighbor on political issues; yet I shall be expected to respect his opinions.

Not only must I respect the rights of my fellow students, but I must also recognize and appreciate the authority of the administration and teachers. The inability of some citizens to accept authority has become one of the most serious problems of our nation. In a democracy, the acceptance of authority has to be acquired through self-discipline. Co-operation with school officials will enable me later to respect the positions of my governmental leaders, even though I reserve the right to disagree with their policies.

While I am obtaining an education at the expense of the taxpayers of this country, I must develop an appreciation of the American way of life. A person who does not appreciate the sacrifices that have been made throughout history in defense of freedom cannot possibly be a citizen with determination to carry out the tasks of the future. Each generation must struggle to preserve our democracy. This preservation is not accomplished through demonstrations and protests, but rather through understanding of and adherence to democratic processes.

An appreciation of the American way of life is of special importance today, since there are certain factions who wish to eliminate the free enterprise system, constitutional government, and many of the principles upon which our country was founded. An example of this destructive tendency is the "guaranteed income" proposal that has gained national attention in recent months. This is a plan that the federal government guarantee every family a certain income and pay the difference between the family's earnings and the established income. The supporters of the proposal are offering no way to encourage the underprivileged to become productive citizens, but are merely advocating a dole that would discourage individual initiative. This plan is very similar to the doctrines of Karl Marx, who said, "From each according to his ability; to each according to his need." Fortunately, Congress and many state legislatures are now considering vocational training and other more constructive methods of creating better economic conditions. No specific legislation has been introduced to establish the "guaranteed income," and it is highly improbable that any such legislation will be enacted during this session of Congress. The proponents of this idea, however, are making a determined effort to gain support for it. Such proposals as this should cause all Americans to attempt to find methods to solve our social problems without resorting to socialism.

We are also faced with some very radical citizens who are attempting to overthrow constitutional government. During the summer of 1967, our nation witnessed a vast amount of destruction by people who have not learned the principles of good citizenship. Those who engaged in this anarchy could have written letters to their public officials, circulated petitions in favor of their proposals, and challenged in court laws that they thought violated their constitutional rights. Instead, they decided to follow a few irresponsible rabble rousers who encouraged them to express their grievances through burning and looting. Since there are those who advocate anarchy, civil disobedience, and mob rule, I must learn today what I can do to protect law and order, absolute necessities in a civilized society.

Before I reach adulthood, I must become involved in democracy so that I can sensibly and beneficially exercise my rights and responsibilities as a mature citizen. Since such privileges as voting, holding public office, and serving on juries are reserved for adults, it is impossible for high school students to participate extensively in public affairs. However, I must become involved in the democratic processes in my school and in youth organizations to be qualified to accept the greater responsibilities I shall later assume. As a youth of today, I can become informed about public issues, discuss these issues with other interested people, and attend such functions as political rallies, where I can learn more about the American political system.

Because there are ways for young Americans to become involved in democracy, we must seriously consider the necessity of citizens engaging more actively in public affairs. One of the biggest problems with the American political system is that since many people erroneously believe all politicians are deceitful, the respectable person is often hesitant to take an active part in political affairs. The fanatic is active in politics because he can use the political arena to display his intolerance of the ideas of others. However, the rational person who could offer constructive ideas is often timid about becoming involved in a political controversy. The corruptionist is always watching political developments, waiting for an opportunity to make personal gains at the expense of his countrymen, while the honest person often avoids politics because he considers such activity to be below his own moral standards. I can help to correct this situation by participating in activities sponsored by my political party, as well as in church and civic functions.

Today I am preparing, along with my peers, to face the responsibilities that will be ours tomorrow. The problems that face us today will not disappear. They will have to be solved. Many of them will become more complex. The future will bring new problems. As an adult, I shall have the responsibility to help solve them. I shall be expected to do my part in creating a better society. The knowledge and training I receive and the attitudes I develop in my school and community activities today will prepare me for my duties of tomorrow. I can uphold and exemplify the principles of good citizenship by maintaining respect for others; by understanding, appreciating, and attempting to preserve the American way of life; and by participating enthusiastically in the democratic government of the United States.

THE CASE FOR SENTENCE REVIEW

Mr. HRUSKA. Mr. President, it has been almost a year since the Senate unanimously passed and sent to the House of Representatives S. 1540, to provide for the appellate review of sentences. The bill is pending in the House Judiciary Committee; however, no action on it has yet been taken. It is my sincere hope that the House will consider the bill this session.

Since 1960, I have introduced a number of bills on this subject. During the interval between the time I first introduced such measure and Senate passage, much thought, change, and revision were given to the bill by judges, the Judicial Conference, the American Bar Association, legal scholars, and others.

Although my bill on sentencing does not receive the attention as do my bills for the control of firearms, nevertheless, in the total consideration of crime and rehabilitation, it is an important measure. This importance was recently pointed up in an article written by Thomas R. Brooks entitled "The Case for Sentence Review," which appeared in the June 1968 issue of the Kiwanis magazine.

The article points out the American Prison Association has "concluded that disparity in sentencing is an important cause of mass rioting." This should not be unexpected when situations exist, such as those described by Mr. Brooks. He relates that an inmate of a penal institution—"married, with a fine family and no past record—serving a 20-year sentence for embezzlement" was incarcerated in the "same penitentiary with a previously convicted embezzler who is serving only 117 days for stealing $24,000 to cover gambling debts." Other examples of such disparity are mentioned in the article, and they point up that, on occasion, judges do make mistakes in sentencing.

It is not the intent of my bill to solve, at one step, all of the problems in the determination of proper sentences, but to provide an additional significant tool for improving the sentencing process. As the article so clearly states:

> Regularized opportunity for sentence review would offset the element of happenstance in our judicial system.

Mr. President, the principle of appellate review of sentences is supported by the Department of Justice, the Judicial Conference of the United States, and the American Bar Association.

Many of the reasons for such broad-

based support are explained excellently in Mr. Brooks' article, and I recommend it for reading by all Members of the Congress.

Mr. President, I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CASE FOR SENTENCE REVIEW

(By Thomas R. Brooks)

As everyone knows, the Constitution of the United States guarantees certain rights to every person accused of a crime. To "establish justice" we go to great lengths to protect these rights of the individual before and during his trial. Yet, as US Circuit Court of Appeals Judge Simon E. Sobeloff points out, "the mantle of protection suddenly falls away when the defendant stands in the dock convicted and awaiting sentence. The law then sharply changes its attitude from anxious solicitude to almost complete indifference, and leaves the defendant's fate in the hands of a single man, the trial judge."

What happens in this moment of truth for the guilty defendant is sometimes a shameful miscarriage of justice. Compare, for example, the sentences imposed on two men convicted of the same crime at the same time in the same city—but in two different federal courtrooms.

Frank Romero was asked to rise before sentence was passed upon him. As the judge looked at the wiry, compact figure before him, he reviewed the facts of the case with compassion. Romero had been found guilty of cashing a government check that did not belong to him. At the time he was out of work and financially hard pressed. His only prior police record consisted of a drunk charge and a non-support charge. The judge gave Romero thirty days.

In front of a different judge Richard Harris was also convicted of cashing a government check that wasn't his. Far from being a hardened criminal, Harris too had been out of work and needed money for his sick wife's doctor's bills. Yet he was sentenced to fifteen years in a federal penitentiary.

Such disparity in sentencing is a national disgrace. Yet no matter how harsh or unfair the sentence may be, there is usually no appeal. American appellate courts in the federal system and in most states cannot as a practicality modify a trial judge's sentence unless it is unlawful—that is, if it exceeds statutory maximums. (Only once in its 179-year history has the US Supreme Court struck down a jail sentence under the Eighth Amendment's bar on "cruel and unusual punishments." In 1910 it found unduly harsh a sentence of a heavy fine and fifteen years for filing false entries in the public record.)

A defendant may appeal his conviction on many grounds and the appellate courts will review the trial record painstakingly to assure that all findings of fact are supported by hard evidence. But, "it is shocking that the United States is the only country in the free world where not only can a single man sentence without explaining why, but also there is no regular channel for review of his work," concludes the American Bar Association's Advisory Committee on Sentencing and Review.

University of Virginia law professor Peter W. Low, the committee's reporter, adds: "We vest in the sentencing judge an enormous discretion—sentences may range from five years to life. But we typically do not justify it. We don't even tell the defendant *why* he is getting ten years instead of twenty or five." An evasion of income taxes, a common white-collar crime, may draw a sentence of one hour in the custody of a US marshal or five years in the penitentiary and a $10,000 fine, depending entirely upon the judge's mood or whim—and he doesn't have to jusitify his decision.

Most judges do an excellent job, but they are human. They have emotions and prejudices and they respond to external pressures. Some are rigid authoritarians who "throw the book" at all criminals; others do so only for particularly distasteful crimes, such as drug peddling or sex offenses. Still others are apt to be excessively lenient.

A recent study in the Detroit Recorder's Court (sample cases were taken equally from the decisions of ten judges) revealed that over a twenty-month period one judge imposed prison terms upon 79 per cent of the defendants he sentenced for one crime, while another imposed prison sentences on 30 per cent of his defendants for the same crime. One judge consistently imposed prison sentences that were twice as long as those of the most lenient judge. Those who imposed the most severe sentences for certain crimes were most liberal in sentencing for other offenses.

Since judges vary so in their sentencing practices, lawyers often "shop around" for one known to be "soft" on their client's particular crime. This mires courts in endless, costly delays as lawyers jockey for favored judges, and in isolated cases they may even bribe court clerks for the "right" assignment on behalf of their client. Besides interfering with the orderly scheduling of cases, the practice clearly subverts justice.

Admittedly, it is difficult to feel sympathetic toward men convicted of reprehensible crimes. Most people would agree with the judge who felt that a 51-year-old man convicted on fourteen counts based on possession and sale of marijuana and heroin deserved a stiff penalty. When, however, the judge piled sentence upon sentence for a total of fifty-two years—the man was a first offender—this was too much for the Tenth Circuit Court of Appeals. The court opined that the sentence was "greater than should have been imposed," but regretfully noted that it was "powerless" to reduce it.

A man given such a term is going to be embittered. His bitterness can infect an entire prison population, nullifying the reform purpose of sentencing and causing serious disciplinary problems in the correctional institution.

Baltimore Supreme Bench Judge J. Gilbert Prendergast reported meeting two prisoners serving time for participating jointly in the same armed robbery. Tried by different judges, one was given five years, the other twenty. "The first inmate," Judge Prendergast said, "is a model prisoner, the other a real headache for the superintendent and guards." The American Prison Association study of prison riots has concluded that disparity in sentencing is an important cause of mass prison rioting.

How would you feel if you were James Franklyn—married, with a fine family and no past record—and were serving a twenty-year sentence for embezzlement in the same penitentiary with a previously convicted embezzler who is serving only 117 days for stealing $24,000 to cover gambing debts?

Or consider Jack Anderson, a debt-ridden young Californian who robbed a bank of $5000 at gunpoint and then turned himself in and pleaded guilty at his trial. Although he had never before been in trouble and the average sentence for bank robbery at the time was less than thirteen years, he was sentenced to forty years in prison. Another young man who robbed a bank of a similar amount was serving ninety-eight days.

Such astonishing inequities in the the dispensation of justice are not the result solely of the sentencing practices of our judges, of course. The federal criminal code, according to Director of the Bureau of Prisons Myrl E. Alexander, is "so inconsistent in its penalty structure as to be almost incoherent." For example, armed robbery of a bank is punishable by a fine, probation, or any term of imprisonment from one day to twenty-five years; but robbery of a post office at gunpoint, even if the haul is just a 6-cent stamp, presents the sentencing judge with a single choice: probation or twenty-five years.

State laws are equally irrational. In California, for instance, a boy who breaks into a car and rifles the glove compartment can get up to fifteen years; for stealing the car he gets no more than ten years. A person convicted of first-degree murder in Colorado need serve only ten years before becoming eligible for parole; convicted of second- or third-degree murder, he may be forced to serve fifteen years.

What is needed, say reform advocates, is a rational sentencing structure that frees judges from having to adhere to the widely—and wildly—differing sentence requirements as spelled out in the lawbooks. Penal codes have recently been revised or are being revised in eighteen states. Most jurisdictions considering reform are moving in the direction suggested by the American Law Institute's Model Penal Code, which would classify all serious crimes into three degrees of felony carrying fixed maximum sentences of five years, ten years, and life.

Penal reform is no guarantee against miscarriage of justice in sentencing, however. Inordinately lengthy sentences may be imposed under even the best of criminal codes. Thus the Bar Association's Advisory Committee has recommended the automatic review of a sentence whenever the trial itself comes under review by a higher state or federal court.

Thirteen states and all US Military courts already provide statutory authority to review some or all sentences, and a bill has been introduced in Congress by Nebraska's Senator Roman Hruska to adopt this procedure for federal courts. This bill carries the support of the Department of Justice and the Judicial Conference of the United States. Under the proposals of the Advisory Committee and the Hruska bill, judges also would be required to state their reasons for giving a sentence, thus providing a basis for effective and sensible review by a higher court should the sentence be appealed.

Basically, there are two ways of handling sentence review—by means of relatively informal special courts and judicial panels or through the regular appellate courts, where hearings take place in a courtroom and where there is a greater reliance on legal briefs. Either method can be tailored to fit the legal practices and traditions of the different states that do not yet have sentence review. The important thing is to establish sentence review as a right.

There are two major objections to the review of sentences. The first is a matter of principle. Argues one judge, "Sentencing is a discretionary matter involving judgment and not a question of law." The appellate courts, he claims, should handle only questions of law.

Professor Peter Low of the Bar Association's Advisory Committee and other proponents of sentence review disagree strongly. "Lawbooks are full of instances where appellate courts have reviewed the exercise of discretion by a trial judge," Low points out, citing as examples the amount of damages awarded in civil suits and the punishment in contempt cases. "Both involve judgment, and are not wholly matters of law. The appellate courts don't hesitate to intervene there when a judge goes wrong. No more and no less is needed where sentencing is involved."

The other objection arises from the fear that appellate courts or judges on appeal panels may be inundated by irresponsible appeals. "What's a convict got to lose by appealing his sentence?" opponents of sentence review ask.

The fact is that higher courts in those states with sentence review statutes have not been flooded with appeals. In Massachusetts, where sentence review has been in effect for twenty-five years, a three-judge panel has heard an average of three hundred appeals a year and sat only fifteen days a year from 1960 to 1965—not an unduly excessive workload. In states that don't now have review, appeals may run higher in the first year after it is adopted. In Connecticut, for example, there were 275 applications for review in 1958, the first year; in 1959 there were only sixty-five.

Moreover, Paul C. Reardon, associate justice of the Massachusetts Supreme Judicial Court, noted "a leveling effect on sentences generally." Reversals are now less frequent in Massachusetts than in the past. Judges take greater care in imposing sentences, and as a result make fewer errors in judgment. The Bar Association's Advisory Committee, in fact, believes that sentence review may actually lessen the present appeals load. It is estimated that as much as 40 to 50 per cent of appellate court time is spent in reviewing convictions that would not have been appealed in the first place had a reasonable sentence been pronounced.

Judge Stanley A. Weigel, who has served the U.S. District Court for the Northern District of California since 1962, sums up the problem: "No matter how carefully he studies the pre-sentence reports, the defendant before him, and the sentencing alternatives open to him, no judge is immune from making an occasional—and serious—mistake. Every judge, therefore, either because of excessive harshness or undue leniency, at some time makes an inadvertent contribution to unjustified disparity in sentencing." Regularized opportunity for sentence review would offset that element of happenstance in our judicial system.

Supreme Court Justice Potter Stewart expressed the case for sentence review succinctly when he declared, "Justice is measured in many ways, but to a convicted criminal its surest measure lies in the fairness of the sentence he receives."

LETTER FROM PFC. ROBERT E. MENTZER, JR., KILLED IN ACTION

Mr. BREWSTER. Mr. President, I would like to place in the RECORD a letter from Pfc. Robert E. Mentzer, Jr., to his family. Private first class Mentzer entrusted the letter to a friend, and it was only to be given to his family in the event of his death. Private first class Mentzer served in the 1st Battalion, 7th Marine Regiment, 1st Marine Division. He was killed in action in Vietnam. Private Mentzer's pride in his country and the patriotism which he expressed in his letter are exemplary, and are worthy of the attention and recognition of this body.

Mr. President, I ask unanimous consent that Private Mentzer's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 15, 1968.

HI FAMILY:

Well it's a sunny day today, warm and bright. It's hard to write this letter but somewhere, sometime we will all be together again, in a much better and cleaner world with no hate or wars among peoples. But if I was to do it all over again I would do the same things. It's the way I am and I'm proud to serve my country. So don't cry because in a few short years we will all be together again, one big happy family. And remember where ever you go and what ever you three do I'll always be with you.

I remember when Dad you said, that there's no reason to weep, or mourn when somebody who loves dies because he or she goes to a better place. If you three can remember that I'd feel like a man. I would feel like a person who really had a purpose in life. And when you think of me remember only the good times.

All my love and God Bless you Three,

BOBBY.

S. 1035—EMPLOYEE PRIVACY AND TWENTIETH CENTURY WITCHCRAFT: THE LIE DETECTOR

Mr. ERVIN. Mr. President, this morning the House Post Office and Civil Service Subcommittee began hearings on S. 1035, a bill to protect the constitutional rights of employees of the executive branch of the Government and to prohibit unwarranted governmental invasions of their privacy.

Mr. John Macy, Chairman of the Civil Service Commission, told the House today what he tried to tell the Senate for 2 years, that there is no need for this legislation; that the Civil Service Commission and the departments and agencies can protect employees.

As this body overwhelmingly indicated when it passed S. 1035 by a vote of 79 to 4 on September 13, there is an urgent need for this bill, not next year, but today. Many injustices will remain even after this measure is enacted, but we should start by ending the specific practices prohibited in S. 1035.

Mr. President, it is clearly the duty of Congress to protect the liberties of these American citizens from the tyrannies of the executive branch. Members of the Senate fulfilled their responsibility without yielding to the blandishments of the administration and the sometimes illegal lobbying of representatives of individual agencies.

We can only hope now that Members of the other body will see that there is an opportunity to vote on S. 1035 before Congress adjourns.

One section of that bill makes it illegal to require or request, or attempt to require or request, any civilian employee or any person applying for employment in the executive branch "to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters." The Senate amended this to make certain exceptions for the two security agencies.

Last November, I explained the necessity for such a law in comments before the Greensboro, N.C., Bar Association. In view of Mr. Macy's testimony before the House today on this subject, I ask unanimous consent to have printed in the RECORD at this point the text of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TWENTIETH CENTURY WITCHCRAFT: THE LIE DETECTOR

(Address by U.S. Senator SAM J. ERVIN, Jr., before the Greensboro, N.C., Bar Association, November 16, 1967)

I want to discuss with you tonight the constitutionality of the Federal Government's use of the polygraph on American citizens.

Throughout human history, from the dawn of civilization, men have sought to distinguish the real from the unreal, fact from fiction, truth from lies. As Cicero wrote "Our minds possess by nature an insatiable desire to know the truth."

It is to this end that men and societies have applied vast resources of intellect and strength to developing institutions and devices for divining the truth.

As lawyers, we are well aware of the ancient function of the jury to find the facts, to distinguish truth from untruth. And we know the dangers to a client's liberty of false evidence. We have seen the daily invention of new ingenious scientific and laboratory methods of judicial proof. So we are familiar with the laws of probability.

As citizens and as members of a profession which has a duty and obligation to pursue the truth and to facilitate other men's search for it, we have a special interest in some of the ways Federal officials seek truth.

The poet Keats said:

"Beauty is truth, truth beauty,
That is all—
Ye know on earth, and all ye need to know."

But man's search for truth is not always beautiful. In some agencies of the Federal Government, and elsewhere, man's desire to know all the truth from employees and applicants can be downright ugly.

I want to read you some typical complaints from law-abiding Americans who have encountered this device.

Received from an applicant at the National Security Agency:

"When I graduated from college in 1965, I applied at National Security Agency. I went to 2 days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.

"About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the District line in Maryland. I talked with the polygraph operator, a young man around 25 years of age. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are—

" 'When was the first time you had sexual relations with a woman?'

" 'How many times have you had sexual intercourse?'

" 'Have you ever engaged in homosexual activities?'

" 'Have you ever engaged in sexual activities with an animal?'

" 'When was the first time you had intercourse with your wife?'

" 'Did you have intercourse with her before you were married? How many times?'

"He also asked questions about my parents, Communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kind of questions.

"When I was finished, I felt as though I had been in a 15 round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for

a job with the Government, especially where they make you take one of these tests."

Received from a Foreign Service Officer:

"I am now a Foreign Service Officer with the State Department and have been most favorably impressed with the Department's security measures.

"However, some years ago I was considered for employment by the CIA and in this connection had to take a polygraph test. I have never experienced a more humiliating situation, nor one which so totally violated both the legal and moral rights of the individual. In particular, I objected to the manner in which the person administering the test posed questions, drew subjective inferences and put my own moral beliefs up for justification. Suffice it to say that after a short time I was not a 'cooperative' subject, and the administrator said he couldn't make any sense from the polygraph and called in his superior, the 'deputy chief.'

"The deputy chief began in patronizing, reassuring tones to convince me that all he wanted was that I tell the truth. I then made a statement to the effect that I had gone to a Quaker school in Philadelphia, that I had been brought up at home and in school with certain moral beliefs and principles, that I had come to Washington from my University at the invitation of the CIA to apply for a position, not to have my statements of a personal and serious nature questioned not only as to their truth but by implication as to their correctness, and that I strongly objected to the way this test was being administered.

"The deputy chief gave me a wise smile and leaning forward said, 'Would you prefer that we used the thumb screws?'(!) I was shocked at this type of reasoning, and responded that I hardly thought it was a question of either polygraph or the thumb screws.

"This incident almost ended the deep desire I had for service in the American government, but fortunately I turned to the Foreign Service. But if it happened to me it must have happened and be happening to hundreds of other applicants for various Federal positions."

Received from the wife of an applicant at General Services Administration:

Her husband applied to the General Services Administration for a position as Operating Engineer. General Services Administration advised him that there was such a position open in the Public Building Services of the National Security Agency at Fort Meade, Maryland. During an interview at the National Security Agency he was advised that the position required security clearance and was called upon to furnish normal security type information about himself. He provided all papers and information required.

Her husband was then directed to report to the National Security Agency for a polygraph test.

Many questions were asked of him before the polygraph was applied. The questions were of such a nature that he became angry, incised and emotionally upset. He was in this state when the polygraph was actually applied.

None of the questions asked were concerned with his loyalty to the United States, his religious beliefs or political affiliation. A number of questions asked pertained to his sex habits. Mr. ——— told his wife following the test that he felt too humiliated and so degraded by the questions and the manner in which they were placed by the operator that he didn't care whether or not he secured the position. He told his wife that if truth in answering the questions was the criteria he was fully confident he did pass the test. The polygraph operator told him at the time of testing that he, the operator, would determine the outcome of the test.

In an attempt to be 100% sure that an applicant or employee is not lying, officials of some agencies strap him to a lie-detector machine—a polygraph. They hook up wires and tubes to him which are supposed to register his respiration, blood pressure and pulse rate. Electrodes are attached to his hand to measure the 'galvanic skin response'—the flow of electric current across his skin as sweating increases. When the subject is asked a series of questions, his physiological responses are recorded on a moving sheet of graph paper by three pens. This explains the name of this instrument, since "polygraph" was the Greek word for "many writings."

USE OF POLYGRAPHS INCREASING

This is no minor problem, for the use of the polygraph is increasing. From an investigative tool in law enforcement work, its use has been extended for other purposes into private and public employment. Although it was developed in 1921, only in the last 15 years have employers come to rely on the polygraph to test the honesty of employees already on the payroll. When labor unions began complaining that a man's failure to pass a polygraph was not a just cause for dismissal, many employers began using polygraphs to screen applicants instead, on the ground that these people had no way of challenging the instrument or the findings.

According to a recent estimate, approximately 3,000 polygraph operators are giving between two hundred thousand (200,000) and three hundred thousand (300,000) tests yearly in the United States.

In the Federal Government alone, a House Government Operations Subcommittee, under the chairmanship of John Moss, found that 19 agencies gave 19,000 lie-detector tests in 1963. These figures did not include around 9,000 tests administered by the Central Intelligence Agency and the National Securtiy Agency.

Proponents of polygraphs justify their use because of some findings and assumptions that: lying leads to conflict; conflict causes fear and anxiety; this emotional and mental state causes physical changes that can be accurately recorded and measured by the polygraph; and the operator by studying these reactions, can tell whether the subject is being deceptive or truthful.

The truth of the matter is, as the House Government Operations Committee recently reported:

"There is no 'lie detector,' neither machine nor human. People have been deceived by a myth that a metal box can detect truth or falsehood."

NORTH CAROLINA RULING

The Supreme Court of North Carolina in *State* v. *Foye*, 254 N. C. 704 (1961) listed a number of reasons for failure of the courts in this country to accept lie-detector evidence as a reliable and accurate means of ascertaining truth or deception. It found these were overwhelming obstacles to acceptance of the polygraph, the court said, "notwithstanding its recognized utility in the field of discovery and investigation for uncovering clues and obtaining confessions."

In an article in the American Bar Association Journal several years ago, Professors Inbau and Reid defended the use of the polygraph. They frankly admitted, however, that only about 20 per cent of the individuals who hold themselves out as examiners possess the training and skill required for competency in this field.

The attempt to transfer this investigative aid of law enforcement to the field of job suitability screening raises serious due process questions.

In standard criminal investigation, the polygraph examiner sets up a control question, in which he measures the subject's "guilt" response to a pecadillo, usually from childhood. This establishes a level of susceptibility against which can be measured the subject's response to the question at issue, which is the commission of a specific crime. In job suitability screening, there is no question at issue. All the questions are control questions and, thus, the examiner is measuring general sensitivity rather than specific guilt.

This is one reason the polygraph is an inappropriate tool for general suitability appraisal. Job applicants who fail the polygraph test may not be more "guilty" than those who pass, but only more sensitive. "Nervous" responses are more likely to be given by sensitive introspective, vigorously honest persons. There is no correlation between these personality traits and the probability that the applicant might be corruptive. Some unreliable applicants might also give a "nervous" response, others not.

The whole process smacks of twentieth century witchcraft. Does the flesh of the applicant burn when a hot iron is applied to it? When tightly bound and thrown into a pond, does the applicant sink or float? When strapped in a chair with electrodes and other gadgets attached, does the rate of respiration and blood pressure of the applicant rise? Does the salt of his pores induce increased electrical conductivity? Are we reduced to alchemy as a technique of screening applicants for highly sensitive positions in the Federal bureaucracy?

The burden of proof should be on those who assert the efficacy of polygraph in predicting the behavior of prospective government employees.

There have been practically no efforts to compile this proof. Congressional hearings and reports as well as the professional literature on the subject show that there are neither statistics nor facts to prove the value of the polygraph in personnel work.

Nevertheless, even more sophisticated devices are being planned. For instance, we recently discovered that under government research contract, primarily through the Defense Department funds, private companies have developed a lie detector in the form of an innocent looking office chair—"a wiggle seat." This, of course, is to get aorund all of those opponents who say an applicant's body and mind react when all those electrodes are attached to him.

An article in the Science News Letter describes this device: "When an individual is seated in the chair, the forces exerted by the pumping action of his heart are sensed, changed from mechanical to electrical energy, then broadcast to remote recording instruments. An individual weighing less than 140 pounds will not generate a satisfactory signal. Since the chair so closely resembles an ordinary chair, the heart data can be obtained without the conscious knowledge of the subject."

A commercial brochure on the chair proclaims: "Nothing intrudes on the serenity of the setting. The patient does not see, much less 'wear' an electrode—straps and wires are prominent only by their absence. He or she remains fully clothed throughout the brief examination. . . . Mere hand contact with the arm electrodes is sufficient to obtain a good record. . . . A microphone in the dorsal position senses vibro- and phono-cardiographic information."

While the medical uses of such instruments can be of great value, their potential for denial of basic rights to unsuspecting applicants and employees cannot be overestimated.

Legislatures in six states and several city councils have already outlawed lie detectors in the employment relations; in some instances, unions have forced their elimination through collective bargaining.

FBI Director Hoover, fortunately for our security, does not use them for personnel work.

The Warren Commission report stated:

". . . In evaluating the polygraph, due consideration must be given to the fact that a physiological response may be caused by factors other than deception, such as fear, anxiety, neurosis, dislike and other emotions. There are no valid statistics as to the reliability of the polygraph. . . ."

Why then, do administrators have such blind faith in these devices? In my opinion, it is directly related to the role of science and technology in our society—to the cult of "the expert." There is an increasing belief that anything scientific must be more reliable and rational than the judgment of men. Unfortunately, this is true not only of officials who favor the lie-detector machine, it is also true of the average person who is subjected to it. Officials have admitted that its greatest use is in scaring the individual into admitting his transgressions.

There is a growing belief that the machine can bridge that credibility gap which must exist wherever fallible men choose between truth and untruth.

But I submit that this gap is a risk which must be taken in a free society. We cannot afford to dismiss the human element in decision-making where basic liberties are at stake.

There are workable alternatives to lie detectors. At the disposal of the Federal Government is a great investigative apparatus for checking references, background and qualification of applicants. Vast sums are spent training personnel specialists how to evaluate an individual's understanding of his role in an organization or agency.

Which brings me to the second point I want to make about the polygraphs.

Even if they could be proved 100% reliable and valid, there is no necessity for these infringements of freedom and invasions of privacy; but even if there were a necessity for them, I believe every citizen should answer with William Pitt:

"Necessity is the plea for every infringement of human liberty. It is the argument of tyrants; it is the creed of slaves."

Why should an applicant or employee have to describe his religious beliefs and practices? As long as his record shows that his conduct is socially and legally acceptable, why should he have to tell a prospective Federal employer about his sexual attitudes and conduct; or whether he loved his mother; or whether he fights with his wife?

Is there not a part of his personality, of his private life, which can and should be immune from governmental trespass?

By questionable means, we are perhaps seeking truthful answers to questions which should not be asked. I think we should ask ourselves whether, by sanctioning these privacy invasions, we are not trifling with the great constitutional truths which buttress our society. I believe we are.

Regrettably, it would appear that we have come far from the nature of the truths which we once thought important; but in the case of the polygraph, we have come not very far at all from the ancient methods of seeking the truth. It is not too far from the ancient trial of ordeal by fire or water to the concept of the "wiggle seat." Nor is there much difference between the polygraph and the old deception test used by the Indians. They thought that fear inhibited the secretion of saliva. To test his credibility, an accused was given rice to chew. If he could spit it out he was considered innocent; but if it stuck to his gums he was judged guilty.

What do polygraph techniques do to the concepts underlying the Fourth and Fifth Amendments? To the principles that there shall be no search and seizure without warrant, and that no man should be compelled to incriminate himself? Is there anything more destructive to our system of government than attempting to seize a man's innermost thoughts; compelling him to confess his beliefs, his religious practices, his every sin; requiring him to bare his soul to a machine in order to hold a job?

Hardened criminals are safeguarded in this area of the law, yet an applicant for Federal employment is not.

In the employment process, however, it is to the First Amendment that this twentieth century witchcraft does the most violence. That Amendment guarantees a citizen freedom from interference with his freedom of expression in his thoughts and beliefs. And it includes not only his right to express them but his right to keep silent about them. This is a crucial issue in a free society.

To condition a citizen's employment and his future job prospects on his submission to the pumping of his mind, his thoughts, and beliefs about personal matters unrelated to his duties, is to exercise a form of tyranny and control over his mind which is alien to a society of free men. It is to force conformity of his thought, speech and action to whatever subjective standards for conduct and thought might be held by a polygraph operator, or his company, or an agency official. It is to weaken the fabric of our entire society.

I submit that the Constitution can and does protect us from such incursions on our liberties.

EMPLOYMENT AS A PRIVILEGE

To say that employment is a privilege is to avoid the issue. For, as the Supreme Court has said, it does not matter whether or not there is a constitutional right to employment. The means and procedures employed by government should not be arbitrary.

CONSENT

Nor does it help to reply that a person "consents" to such an invasion of his liberty. Where the full force of government is behind the request, where he knows that great computer and data systems of government will retain forever his refusal to reply, or his answers to the queries, there is no free consent.

CONFIDENTIALITY OF RECORDS

Proponents argue that the records are confidential. It is no secret that his employment records, with all of the medical and security data, follow a man throughout his career. They are officially transmitted through the subterranean passages of our complex bureaucracy.

It was to prevent the practice of such tyrannies on Federal employees that I introduced my bill, S. 1035.

This bill is premised on the belief that just because he goes to work for government, the individual does not surrender his basic rights and liberties as a citizen. Nor does he surrender his right to a proper respect by his government for his privacy and other rights. S. 1035 is designed to prohibit unwarranted governmental invasions of employee privacy and is sponsored by 55 members of the Senate. I am happy to report that it was approved by the Senate on September 13 by a vote of 79 to 4.

Section (f) of S. 1035 makes it unlawful for any officer of any Executive department or agency to require or request, or attempt to require or request, any civilian employee serving in the department or agency, or any person applying for employment in the Executive branch of the United States Government "to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters."

This measure is now pending in a Subcommittee of the House Post Office and Civil Service Committee under the Chairmanship of Congressman David Henderson. I am hopeful that the Congress will enact it promptly

It is time we put a rein on the Federal Government's use of twentieth century witchcraft to find the truth. It is time the Federal Government was told what truths it should be seeking.

Mr. ERVIN. Mr. President, I also ask unanimous consent to have printed in the Record three editorials in support of S. 1035, which appeared in the Wall Street Journal, the Charleston, S.C., News & Courier, and the New Orleans, La., Times Picayune.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Charleston (S.C.) News & Courier, June 2, 1968]

Civil Servants' Rights

As citizens of a free country, civil service workers have a right to freedom from harassment for unofficial reasons. We commend what we see reported as a "one-man crusade" undertaken by Sen. Sam Ervin (D–NC) against illegal and immoral pressures on federal workers.

Sen. Ervin says public employes are asked embarrassing questions for obscure reasons and plied with threats for failure to participate in savings bonds drives, community chest fund raisings and similar undertakings.

In our own area we have seen the check-off system applied to soldiers, sailors and airmen when fund campaigns roll around. Some commands seem to attack the fund raising problem in the same manner as generals planning a campaign against an enemy. Organization is inevitable if a campaign is to succeed, we do not doubt, but neither brass hats nor bureaucrats should get away with orders to subordinates on how much to give to charity.

[From the Wall Street Journal, May 15, 1968]

Even Criminals Have It Better

Although Senator Sam Ervin's "bill of rights" for Government employes, designed to protect them from violations of the rights and privacy enjoyed by other citizens, passed the Senate almost eight months ago, the House shows few signs of taking the measure up.

Now there might be some excuse for this House inaction if offending Federal agencies, seeing the handwriting on the wall represented by the North Carolina Democrat's bill, had begun to improve those personnel practices the measure proposes to correct. However, many employes plainly still are at the mercy of what Senator Ervin terms callous decisions and techniques.

For example, the bill would prohibit the coercion of Federal employes in U.S. Savings Bond campaigns and charity drives. No sooner had the Senate passed it than a new flood of complaints reached the Senate Constitutional Rights subcommittee from employes and servicemen; they said they were being high-pressured into bond-buying and charity contributions.

The bill also prohibits requests or requirements that employes back the nomination or election of anyone to public office through personal endeavor, financial contributions or any other thing of value. No sooner had it been passed than there was a new crop of complaints from employes that they were being intimidated by superiors to buy tickets to political dinners and similar functions.

Also, bureaucratic snooping in the form of psychiatric examinations, questions on employes' sex lives, religious beliefs and other personal matters unrelated to job requirements or performance is continuing.

More is at stake, as Senator Ervin observes, "than a correction of a few Civil Service practices affecting employe rights." The question is whether law will govern the basic rights of almost three million citizens and their families, or whether they must continue to depend on a tangled, conflicting mass of administrative rules, orders and oral policy decisions.

Noting that at present Federal employes get fair treatment only at the discretion of supervisors, President Francis Speth of the American Federation of Government Employes observes that "due process is accorded as a matter of right to criminals whereas it is not so accorded" to Federal workers. When even criminals have it better, the Senate-passed "bill of rights" deserves something more than a House committee pigeonhole.

[From the New Orleans (La.) Times-Picayune, May 27, 1968]

"Big Brother" in Personal Lives

Agreement by the House Civil Service and Manpower Subcommittee to open hearings on a bill passed last year by the Senate to eliminate unwarranted federal meddling into the private lives of government employes and job applicants is welcome news. Less so is a report of proposed legislation that allegedly would require "big brother" clearances for employes of private firms with federal contracts.

Sen. Sam Ervin (D-N.C.), sort of a one-man crusader in the field, and his Subcommittee on Constitutional Rights, gathered reams of testimony about federal investigators' snooping into personal matters totally irrelevant to national security or the work of an agency.

Some examples cited before committeemen seem to betray a prurient interest into the sex life of personnel or applicants, while others are downright ridiculous. One question the Air Force assertedly poses to determine if some of its unskilled employes might qualify as carpenters, painters, plumbers or mechanics is: "Who is the composer of 'Madam Butterfly'?" Now really!

Then there were reports of investigators' quizzing secretarial aspirants on whether they believe in the second coming of Christ, what they dream about and things even more personal and embarrassing. One prober asked a neighbor of a man seeking a federal job how the applicant treated his adopted children and it turned out neither the neighbor nor the youngsters knew they were adopted.

The committeemen heard other reports of subtle threats that the personnel files would list as unpatriotic those (including some war veterans) who refused to join in savings bond drivers. Seems a strong "bill of rights" for federal employes—and maybe now for workers of firms under government contract—is needed to protect the freedom of the individual and right of privacy.

THE WORLD MAY BE JUST A LITTLE BIT SAFER TODAY

Mr. MOSS. Mr. President, the road to world peace is not a six-lane superhighway without stop lights or detours. It is a torturous, difficult path, with many setbacks and roadblocks. But if we are to achieve world peace we must patiently overcome every obstacle, and we must persist in our course despite temporary setbacks. At the same time, we can take renewed inspiration from each landmark we pass.

Yesterday, a significant landmark was passed on the road to peace. The General Assembly of the United Nations gave its approval to the Treaty on Nonproliferation of Nuclear Weapons.

The idea of nonproliferation is not a perfect solution to the problem of nuclear war. But this is not a perfect world, and people and nations are not perfect. The treaty is a good idea. It represents the best work of reasonable men of good will. It is a step toward peace in a world which shakes too much with heavy steps toward war.

President Johnson went to the United Nations yesterday to address the world body after the favorable vote on the treaty. He reviewed the history of the treaty, which he, himself, initiated 4 years ago, and noted the many problems that still lie before us in the quest for peace.

But he ended on an appropriately optimistic note:

> My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

I believe we can all share the President's feeling of achievement and hope.

FIREARMS CONTROL

Mr. TYDINGS. Mr. President, I have had occasion to speak in the past few days about firearms control and the National Rifle Association.

Yesterday, Mr. Harold W. Glassen, president of the National Rifle Association, held a press conference. In the interest of fairness, I ask unanimous consent that Mr. Glassen's statements be printed in the Record. They do not require comment; they stand on their own.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Harold W. Glassen, President of the National Rifle Association

I am Harold W. Glassen, President of the National Rifle Association.

Today, we are witnessing an almost unbelievable phenomenon in America.

We see Americans behaving like children, parroting nonsense, accepting unproved theory as fact, and reacting as the German people did in the 1930's as the Goebels propaganda mill drilled lies into their subconsciousness and dictated their every move.

We are witnessing the strange and masochistic spectacle of tens of thousands of normally proud and level-headed Americans begging the federal government to take from them by force of law one of their basic civil rights, the right to keep and bear arms.

We are seeing a mass attempt—a syndicated attempt—to deceive the American population into believing it should abrogate the Second Amendment to the Constitution.

We read every day, in ediorials and editorially-slanted news stories, that not only do Americans not have the right to keep and bear arms, but that they should be aggressive in demanding that Congress strike down this right forever. We read it until we can't see straight.

We read in the Christian Science Monitor that what this newspaper calls gun control laws have the editorial backing of 93 percent of all newspaper circulation. I believe this, for that's practically all I see splashed across the front pages.

We read the Washington Post editorial page demanding that the American people write their Congressman in support of such gun laws—and laying out a form letter to guide them on what to say.

Well, speaking personally and for substantially all of our one million members of the NRA, I'm getting angry at this treatment. I'm sick of being called a spokesman for what the press calls "nation's most powerful lobby"—a "powerful lobby" that is constantly attacked in all but 7 percent of our national newspaper circulation.

Our newspapers today are embroiled in a struggle in which they contend that the First Amendment to the Constitution should not be infringed. They are involved in a dispute with the Courts concerning the reporting of court trials, and whether such reporting may have an effect on the outcome of such trials.

I call upon these newspapers, who are defending their civil rights under the Constitution, to give fair treatment in reporting our struggle to protect the civil rights of all Americans under the Constitution.

I want the American people to know that there are two sides to this gun control story. I want Congress to know as it makes the final decision on gun control legislation that there are millions upon millions of American hunters and sportsmen and farmers and housewives and workers and businessmen who do not want their rights trampled and thrown aside. I want them to know that there are millions of Americans who won't stand by mutely while a few metropolitan newspapers shove an undesirable and restrictive law down their throats and lay the groundwork for the ultimate move to prohibit completely private ownership of arms in the United States.

For make no mistake about it—there is a step-by-step move afoot to accomplish the ultimate deprivation of the American right to keep and bear arms.

We were told five years ago that the gun control legislation then being proposed would not interfere with the rights of sportsmen and other private citizens to keep and bear arms for legitimate pursuits.

We have been assured, time and time again by those in high places that legislation to impose restrictions on mail order sales of firearms was the final objective, and that there would not be a subsequent attempt to add further restrictions.

We have been told that there was no intention to propose a requirement for national registration of firearms.

And we were accused of misrepresentation when we warned that registration was a possibility, and of being downright irresponsible when we suggested that some of those same people in high places were considering registration of firearms seriously.

We were told that the recommendation of the President's Crime Commission to establish a system of national registration would not be adopted. Well, who's right now?

The National Rifle Association voiced the suspicion that control of interstate sales of firearms might be only the "first step" toward such measures as registration. And we were right.

Several bills have been introduced in the last few days to accomplish national registration of firearms, and pressure is being applied on Congress to rush this measure through to completion. This is the "second step" which we feared.

Now, today, we saw the "third step" instituted in the form of a bill in the Senate to require a license for the purchase or ownership of firearms.

Do we have to say more? Do we have any reason to believe there will not be a fourth and final step in what appears plainly a plan to disarm American citizens? Do we have any reason to trust those who have assured us that their aims fell short of this mark?

I don't think so, and I warn the American people that if Congress is lured into accepting this reassurance, the ultimate is inevitable, and there will no longer be private ownership of guns in the near future.

The pattern is clear. Only yesterday, one of the most militant of the anti-gun spokesmen, James V. Bennett, President of the National Council for a Responsible Firearms Policy, let the cat out of the bag, and called for the end of private gun ownership in America.

Mr. Bennett is quoted by the Associated Press as preferring a law as tight as that in Japan, where all firearms are denied to anyone except law enforcement officials and a few other closely screened individuals.

What is to prevent this from happening? Where, in the proposal advanced today to require licensing, is there protection for the American citizen's right to possess a firearm? Although I have not studied the language of the proposal, I am informed that it is so vaguely worded that the standards under which licensing would operate leave much to the discretion of their administrators. It is my understanding that the wording of the standards is not spelled out in any fashion that would be acceptable to me or to any other sportsman.

The National Rifle Association has fought long and hard for practical and sensible gun laws aimed in the right direction—toward the criminal, the juvenile, the mental misfit, the dope addict, the habitual drunkard. NRA does not want these people to have guns.

But we would not, at the same time, deny the right to those who do not fall into these categories, and we would clearly define these categories so as to include only those who should be included. We would protect the rights of millions of Americans who are perfectly capable of using a gun safely, and who prefer to exercise their right to own one.

If those who support registration and licensing for all firearms also believed in those rights they would aim their restrictions in the direction of misuse of firearms, and not take the "shotgun" approach to complete prohibition for all.

We are asked to believe that the peoples of other nations are better off because they have extremely restrictive gun laws and, in some cases, absolute prohibition of private gun ownership. We are also told that such laws work, and dry up the supplies of guns. We deny this, and maintain that only legitimate citizens would suffer from such laws, and that criminals would pay no attention to them.

Scripps-Howard recently reported, for instance, that in Great Britain, where practically no one owns a gun, an amnesty was declared in 1961, and again in 1965, during which those who possessed guns illegally could turn them in without being prosecuted. In 1961, some 70,000 guns were turned in; four years later, more than 40,000 were turned in. That's approximately 110,000 guns held illegally in a nation which prohibits private gun ownership, except under certain conditions!

Once again, I warn the American people that that is where we're headed if the laws now in Congress should pass. Legitimate gun ownership would be a thing of the past, and only criminals would have guns.

POSTMASTER GENERAL W. MARVIN WATSON'S ELOQUENT ADDRESS AT THE NATIONAL PRESS CLUB

Mr. **DODD**. Mr. President, I rise to salute Mr. W. Marvin Watson, Postmaster General of the United States, for the eloquent address, on a number of important current issues, which he gave at the National Press Club yesterday.

While Mr. Watson's cogent remarks are important in their entirety, I am especially heartened by the section which deals with the control of firearms.

In Mr. Watson's own words:

> . . . if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.
>
> I am here today to tell you that the Post Office Department intends to carry out its responsibility.
>
> In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.
>
> Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."
>
> If the shipment is not so labeled it will not be accepted in the mails.
>
> I have also ordered that all postmasters shall not make delivery of any firearms without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.
>
> This regulation will be effective immediately.
>
> I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agencies.
>
> In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.
>
> This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.
>
> . . . I fully realize that guns do not kill or threaten . . . men do.
>
> I fully realize that neither these new regulations nor, indeed; any laws will of themselves solve the problem of sick minds or violence in our streets.
>
> But it is a beginning.

I applaud the Postmaster General for taking this important first step, for it demonstrates quite clearly that the executive branch of the Government is joining the legislative branch in attempting to effect a responsible firearms policy.

Mr. President, I ask unanimous consent that Mr. Watson's entire address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON, AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., JUNE 12, 1968

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.

Each of us must do what he can to reverse this dangerous and frightening trend.

And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.

Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."

Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.

Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearms without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads, quote:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in any way you desire. I personally will be available to meet with your representatives." Unquote

I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tension in our society, but also attacks and can defeat those causes.

I think it is self-evident that a society in which social and economic justice has been achieved is a society that will produce less tension, less sickness and less violence. All government agencies are working toward that end. This is particularly applicable to the Post Office Department which is the largest civilian employer among government agencies.

I take particular pride in my association with 711,660 fellow employees. In my 44 days in office, I have travelled some 15,000 miles and seen 30 different postal facilities and I am told that I have met over 8,500 employees. This was done for two purposes—first, to get to know the system and those who make it work; and, second, to search out ways to do the job better and at less cost.

I think both aims have been to some degree achieved. Certainly I am more convinced than ever that the Post Office is an often overlooked cornerstone of democracy—an organization which by its daily delivery of mail affects every home and every business. And I am convinced that our people are doing a good job of delivering over 82 billion pieces of mail this year.

But I am equally convinced that we must give them further assistance, both in modernization of machinery and in modernization of our employee programs. This is particularly important in the Post Office—for, as the largest civilian department of government, everything we do has an effect on the nation as a whole.

Therefore, I have pledged myself to these fine people and to these programs for a better post office. Today, I am pleased to be able to announce a new Plan of Action that will enhance our goal of full equality of opportunity for all.

Effective today, I am ordering an advanced program to aid the disadvantaged—and thus aid our land as well. This is not a hastily conceived program. It is one we have worked on intensively during my six and one half weeks as Postmaster General.

The Plan of Action is designed to pinpoint responsibility for action to carry out the President's program and my own; it is designed to require explanations if qualified minority members are passed over for employment or promotion; it is designed to assure regular and detailed reports on the status of equal employment in every post office and postal installation.

It is direct and specific.

It is a Plan of Action that will work.

It is a Plan of Action which keeps the Post Office Department in the forefront of aiding the less advantaged.

I hope you will clearly understand that we are not suddenly creating equality or social justice.

Rather, we are improving on the very good program we already have—a program which has served as a guidepost for many other government agencies.

What we are doing now is adding to this program and strengthening it. This is in keeping with our postal policies which date back to the last century.

The first Negro lady postmaster in the United States, Minnie M. Cox, was appointed back in 1896 at Indianola, Mississippi. Some years later when elements of that city attempted to make things unpleasant, President Teddy Roosevelt shut down the post office until her safe return was guaranteed.

We have all come a long way since then, both as a government and as a people.

In the post office, we guarantee social and economic justice, not by shutting down post offices, but by opening them up as wide as we can.

To understand what we have done and what we propose to do, six facts are necessary:

First fact.—we are the largest single civilian employer of minority group workers in the world. Our workforce includes over 150,000 minority group members, mostly Negroes, who constitute almost 22 per cent of our total employment.

Second fact.—we employ and recruit not on the basis of race or religion or color, but ability.

Third fact.—our minority group employees are of proven high quality. Minority group members now hold the Postmasterships of the three largest post offices in the United States—in New York, Chicago, and Los Angeles.

Fourth fact.—all the trends in minority group employment in our Department are upward.

In virtually every major city in America, our percentage of minority group employment exceeds the percentage of minority people in the city's population.

Fifth fact.—we insist that those who contract with the Department also provide equal employment opportunity. Our contract compliance program is sternly enforced. So far, enforcement of regulations requiring contractors to follow equal opportunity job policies has resulted in the hiring of 13,000 minority group employees in many fields outside the Post Office. More importantly, it has helped break down long standing patterns of discrimination in numerous key industries.

Sixth fact—we are now starting new programs to search out talent where it may be hidden, and to find ways of telling members of minority groups that they are wanted and they are welcome in the postal service.

One of the finest of these new programs has a bureaucratic name, but a human intent.

It is called the Concentrated Employment Program.

Translated into English that means we are testing a way of finding postal work for the so-called hard-core unemployable. Right now such a test is being conducted in San Francisco for 200 persons recruited from the ghetto areas.

Another project along this line will begin shortly in Oakland, California, and others will follow.

Under the concentrated employment program, each worker receives two weeks of preappointment orientation with a small salary from the Labor Department. When he begins on-the-job training with the Postal Service, the appointee must attend two hours of school each work day outside working hours for a maximum period of one year, or earlier if he passes the Civil Service examination.

We are also providing training in 70 locations for veterans about to be discharged and we are making special efforts to hire recent service veterans.

In addition, our summer employment program is aimed primarily at young people from families with income at the poverty level.

Thus, the door is open.

We should be proud and satisfied.

And to a large degree we are.

But we are not completely satisfied.

We think we can do better.

It is for that reason that I approved this morning our Equal Employment Opportunity Plan of Action.

The Plan has one basic philosophy—that old patterns will not just fade away. They must be attacked.

So we are moving forward aggressively.

Today, I am informing every postal employee that no discrimination of any kind will be tolerated. Together, we will push hard, both where we have already broken through, and where new breakthroughs are needed.

Our new plan of action—based on our philosophy of equality for all people—translates into hard hitting programs which fight discrimination and strike against poverty.

First, I have designated a special high level task force to survey postal installations and assure that equal opportunity fully and truly exists in promotions as well as hiring. These top personnel will travel over the nation and will effectively assure that our plans become fact.

Second, I am intensifying our contract compliance program. We are hiring 23 additional Contract Compliance Examiners to make sure all our contractors are meeting the requirements of President Johnson's Executive Order on contractor employment.

Third, since there is a post office in every city and almost every village, town, and hamlet, it is our responsibility to assure that national leadership in racial justice is also brought home at the local level.

Therefore, I am asking all our postmasters to contribute their influence and abilities to improving equal opportunity in their communities. I am also encouraging them to aid as community leaders in helping to eliminate racial or cultural bias from local school systems and housing arrangements.

Postmasters are local leaders. Since elimination of racial, social, and economic injustice is one of our major problems, these are the areas where their leadership can be most helpful.

Since big cities crystallize this problem, I have designated postmasters of all 4,859 first-class post offices as deputy equal employment opportunity officers. They will have special responsibilities, and they will report directly to our Equal Opportunity division in Washington.

We intend to take full advantage of our postmasters' places as leaders in their communities. As a Federal Agency, it is our responsibility to work in accordance with President Johnson's policy of education, jobs and housing for all people without regard to race or any other irrelevant consideration.

Fourth, I have issued an order to begin pre-supervisory training on a large scale to all candidates who are eligible for promotion to postal supervisors. I have also directed that maximum encouragement be given to minority group employees to take the next nationwide supervisory promotion examination. This will be given in the fall, and a special handbook will be provided for all who wish to prepare for a supervisory examination.

I will require all post offices to cooperate with all employee organizations or community groups who are willing to help employees prepare for the supervisory examination.

In the same vein, post offices will also cooperate with groups preparing job seekers for the civil service test leading to postal employment. And we will now step up our efforts to recruit in the neighborhoods—efforts which have been successful in our test programs.

Finally, we will take a number of detailed and quite specific steps to make our Plan of Action a meaningful weapon in the war against poverty and discrimination.

This war is perhaps the most challenging that has ever faced America. I intend to wage it with intensified effort.

For this war touches the very essence of America. As President Johnson said, "We shall either find the means to open employment to all of our workers—to find decent housing for all of our citizens—to provide a good education for all of our American children—or we shall see the American promise spoiled for each of them."

The American promise has for 200 years served as a light pointing the way.

Today I have described two steps to protect that promise and that light.

I have done all that I can within the law to support local and State law enforcement agencies in their effort to control and regulate the possession of firearms, and ban certain lethal weapons from unrestricted passage through the mail. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

And I have taken a number of major steps to assure that the Post Office Department serves the nation, not only as an effective channel of communication, but also as an instrument of social justice.

May I end by promising to you, that this great Department of government will do everything possible to serve the American people and advance the American dream.

SENATOR GRUENING RECEIVES HONORARY DOCTOR OF HUMANITIES DEGREE

Mr. McGOVERN. Mr. President, our good friend and colleague from Alaska

[Mr. GRUENING] has received the honorary degree of doctor of humanities from Wilmington College in Ohio. The citation accompanying the degree highlights some of the contributions he has made to date to our society, correctly affirming that ERNEST mixes successfully the wisdom of maturity with "the boundless energy of youthful idealism."

Perhaps more than any previous time in our Nation's history this mixture is needed because the solutions of pre-1960 are not necessarily those for today and tomorrow.

The Wilmington College citation observes that ERNEST GRUENING by caring about his fellow man not only in Alaska but all over the world provides proof that "one man's impact on society can be significant." Indeed, he is "an activist unwilling to bypass the challenges of a restless society" who "fights for equality for all Americans" because he believes "every person has the right to quality of life."

The Senator from Alaska [Mr. GRUENING] is honored for his work on behalf of the humanities, self-determination in Vietnam, the solving of the population explosion, and for being a "public servant in every sense."

I am pleased to bring to the attention of the Senate this honor accorded our colleague by Wilmington College, a private coeducational college of liberal arts established in 1863 by the Society of Friends. The president of the college is Dr. James M. Read, former Deputy U.N. High Commissioner for Refugees in Geneva. The college is nationally known for its work-study program.

Mr. President, I ask unanimous consent that the full text of the citation be printed in the RECORD at the conclusion of my remarks.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

WILMINGTON COLLEGE,
Wilmington, Ohio.

ERNEST GRUENING

Ernest Gruening of Alaska brings great credit to his state and his nation and to the Senate of the United States, in which he serves.

Son of a distinguished ophthalmologist and otologist, he graduated from Harvard College and from the Harvard Medical School. From there he moved on to a career as newspaper and magazine editor, author, government official, Governor of Alaska and "general practitioner" in the public service.

Born February 6, 1887, he fills the pages of his life with the humane concern for his fellow man which has brought him respect and honor from the Government of Mexico and such distinguished Americans as John F. Kennedy, who observed that "his keen mind and vast knowledge of Alaskan and international affairs are greatly needed in the United States Senate".

An activist unwilling to bypass the challenges of a restless society, he fights for equality for all Americans. Believing that every person has the right to quality of life, he has focused worldwide attention on the problems of an exploding population.

Aware that others have the right to self-determination, as history teaches, he raised his voice in opposition to the conflict in Viet Nam before most citizens were aware of the nuances of that struggle.

Strengthened by his own knowledge of the value of the humanities, he pioneered in the Senate of the United States legislation for the creation of the National Council on the Humanities and the National Endowment for the Humanities.

Public servant in every sense, he mixes successfully the wisdom of maturity with the boundless energy of youthful idealism.

A conscience for mankind, he exemplifies the good of mankind, providing proof that, by caring, one man's impact on society can be significant.

Wilmington College is happy to confer upon Senator Gruening the honorary degree of Doctor of Humanities.

Office of the President,
JUNE 9, 1968.

COST TO THE DISTRICT OF COLUMBIA FOR POOR PEOPLE'S CAMPAIGN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a letter addressed to me under date of June 11 by Mr. D. P. Herman, Budget Office, District of Columbia, containing an estimate of the cost to the District of Columbia for the Poor People's Campaign through June 1, 1968.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., June 11, 1968.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BYRD: The estimated costs to the District of Columbia for the Poor People's Campaign thru June 1, 1968, is as follows:

Agency or department	Total costs week ending June 1	Prior reported costs	Total costs through June 1, 1968
General Administration		$100	$100
Metropolitan Washington Council of Governments		1,217	1,217
Corporation Counsel	$183	3,161	3,344
Metropolitan Police	20,030	47,521	67,551
Fire Department	2,524	4,160	6,684
District of Columbia Bail Agency	11		11
Corrections	85	31	116
Licenses and Inspections	62	275	337
National Park Service, National Capital Region	5,091	6,984	12,075
Public Health	12,838	15,925	28,763
Public Welfare	109	505	614
Highways and Traffic	526	1,599	2,125
Motor Vehicles	10	2	12
Sanitary Engineering	1,398	2,423	3,821
Washington Aqueduct Division	112	475	587
Grand total	42,979	[1] 84,378	127,357

[1] This is $584 greater than reported earlier—$50 telephone for Police Department, $534 for pay increases for National Park Service Police.

No attempt has been made to pro-rate the cost of the Executive Office or the City Council for the Poor People's Campaign.

This is the second report relative to the cost of the Poor People's Campaign. Similar reports will be submitted weekly to you. Further, a final report following the Poor People's Campaign will be prepared for you and for other levels of authority.

If this Office can say or do more concerning any of this please let me know.

Sincerely yours,

D. P. HERMAN,
Budget Officer, D.C.

CRIME AND THE MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert the following news stories in the RECORD:

From the Washington Evening Star of June 11, 1968:

An article entitled "Student Association Pledges Support for June 19 Rally";

A story entitled "Riot Cases Appraisal: Judge Cites 'Lack of Fear' "; and

An editorial entitled "Judicial Travesty."

From the Washington Evening Star of June 12, 1968:

An article entitled "Poor People Clarify Demands"; and

A story entitled "Sounds of Discontent Mount at Tent City; More Leaving."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Evening Star, June 11, 1968]

STUDENT ASSOCIATION PLEDGES SUPPORT FOR JUNE 19 RALLY

The National Student Association today called for a "new youth commitment" to fight poverty in America and pledged massive support for the Poor People's June 19 demonstration here, predicting that "at least 25,000" students will be on hand.

The statement issued by seven student leaders came as the first major announcement of support for the Southern Christian Leadership Conference's climactic one-day protest.

With only eight days remaining, SCLC still was struggling to maintain cohesion within the Poor People's Campaign.

Bayard Rustin, architect of the 1963 March on Washington and a leading figure for many years in the civil rights movement, stepped down as national coordinator of the June 19 protest late last week in a dispute with SCLC over policy and authority. Sterling Tucker, head of the Washington Urban League, then took the post, conceding he faced enormous problems in meeting the march date.

TELEPHONE CAMPAIGN

"We support the Poor People's March and urge students to join the mobilization on Washington on June 19 . . .," NSA's statement said, adding that a marathon telephone campaign was underway to turn out the students.

The statement was signed by: Sam Brown, youth coordinator for Sen. Eugene McCarthy; Edward Schwartz, president of NSA; David Bush, chairman of Campus Young Democrats; Richard Gilbert, youth campus campaign staff for Vice President Hubert H. Humphrey; Robert Harris, youth coordinator for Gov. Nelson Rockefeller; Mrs. Susan Oliver, a staff member of the former Kennedy Youth Action Committee, and Craig Tregillus, a staff member of the Campus Americans for Democratic Action.

The student leaders emphasized, however, that they were not speaking as representatives of the presidential candidates.

More than 100 names, identified as student body presidents of various colleges, were on the statement also.

The statement said members of the national group, which claims a membership of 2 million, will keep their collective eye on candidates for office at "every level of government" this summer and fall.

STUDENT POWER

Those who oppose measures to alleviate poverty, they said, will "feel the full brunt of student power against them . . ."

The NSA statement was issued because the statement said, of widespread indifference to proposals of the President's riot commission, because of "cries for law and order without corresponding demands for justice and equality within our cities," and because of the assassinations of Dr. Martin Luther King Jr. and Sen. Robert F. Kennedy.

These factors, the statement added, "have made it clear to us that efforts to achieve change in this country have reached a critical stage."

The Rev. Ralph David Abernathy yesterday told campaigners in Resurrection City that today would bring an announcement of new and "more meaningful" plans of action.

And last night at a rally at the Vermont Avenue Baptist Church, Abernathy, appearing more tired than at any time in recent weeks, said, "We're not going to let anyone run us out of Resurrection City—we are staying, permit or no permit."

PERMIT TO EXPIRE

The federal permit permitting SCLC to occupy the campsite along the Reflecting Pool—which again today had been churned into a vast bog by the rain—expires June 16.

Abernathy said at one point yesterday that he has been going through the formality of applying for an extension.

As problems of leadership, logistics and objectives continued to plague SCLC, the Rev. James Bevel, a top campaign aide, told the group of 500 to 600 at the rally, "we've got about 500 people at Resurrection City. . . ."

This was the lowest population estimate yet to come from an SCLC official. Abernathy yesterday said vaguely that there were "more than 500" in the campsite.

Highest estimates have been from 2,200 to 2,400, but the steady battering by rain and other problems have steadily reduced the population.

SCLC has refused to concede that the campaign is in trouble. "We ain't going no place on the 16th." Bevel reiterated last night, "not because we're mean but because we can't afford to leave this nation in the hands of some sick pathological killers . . . We can't let them make sick decisions about nothing."

RIFT CONTINUES

Abernathy, alluding to the permit date in response to a question said, "I am sure this country would not seek to run out poor people. It would only infuriate those forces that would take to violence. . . ."

The ethnic factionalism that has been a consistent problem also continues in evidence.

Rudolfo Corky Gonzales, one of the leaders of the Mexican-American group—which still has not moved into the campsite—said yesterday that unless some of SCLC's "vague" objectives are spelled out, "we may have to do something on our own."

Gonzales also noted that of the original Spanish-speaking contingent of about 450, only some 150 still were in town. The Indian contingent has shrunk from about 100 to 40 as many have left for Washington state to demonstrate in a fishing rights controversy there.

Reies Lopez Tijerina, also one of the top leaders of the Mexican-American group, said Secretary of State Dean Rusk has agreed to meet Thursday with a delegation to discuss grievances focusing on the 1848 Treaty of Guadalupe Hidalgo with Mexico.

The Tijerina forces claim that Spanish-speaking citizens have been illegally deprived of land owned in the Southwest through centuries-old Spanish land grants.

Tijerina also said he would announce later today a schedule of demonstrations, apparently continuing to operate autonomously.

The Rev. Jesse Jackson, speaking at the meeting last night, alluded to the factional disputes.

"We have had a difficult time getting established. The administration of the city has not been easy. . . . Rather than see Resurrection City as a mud hole in Washington, you must see it as an idea in history whose time has come and it will not be denied."

[From the Evening Star, June 11, 1968]

RIOT CASES APPRAISAL: JUDGE CITES "LACK OF FEAR"

(By Donald Hirzel)

A judge in the Court of General Sessions said yesterday that April rioting here resulted from an "apparent breakdown, lack of respect, or lack of fear of officers of the law."

Judge Alfred Burka also said individuals tend to obey that law but the public apparently has come to accept group violation of the law.

In speaking of the lack of fear on the part of rioters, Burka said: "It seems that the public has come to believe that what is done in a group is all right, although the same act committed by an individual would be punished."

He made the comments while conducting the second group sentencing of persons arrested during the riot. The first was conducted last week.

Yesterday, one man was sentenced to a straight jail term with work release and eight others were given suspended sentences.

DIDN'T EXPECT ARREST

As in the group sentencing last week, most of the defendants said they had no thought of being arrested, and the few who did were willing to take their chances because everybody else was looting.

Burka asked each of the defendants if he would have gone on the street if he thought he might be arrested or shot, and all said that under those circumstances they would have stayed home. Yesterday's responses were the same as those expressed last week.

Also, as in last week's cases, the defendants held jobs (one was a student) and lacked serious arrest records.

The man receiving a 36-day jail term with work release, which means he will work during the day and spend his nights in jail, was Edgar Winston, 36, of the 700 block of Somerset Street NW. He pleaded guilty to attempted burglary 2 (looting) and petty larceny.

He was arrested on April 4, the first night of rioting, released the next day and then rearrested for a curfew violation.

OTHERS GIVEN SENTENCES

Others sentenced were: Phillip S. Miller, 25, of the 5000 block of 10th Street NE, who received a suspended 360-day sentence for unlawful entry and petit larceny. He was placed on probation for two years.

Stanley B. Roberts, 21, of the 200 block of Oakwood Street SE received a suspended 360-day term for receiving stolen property and was placed on probation for two years.

Richard O'Neal, 36, of the 1100 block of G Street NE, received a suspended 720-day sentence for unlawful entry and attempted petit larceny, placed on probation for two years.

William B. Thomas, 19 of the 1100 block of K Street NE received a suspended 720-day sentence for unlawful entry and attempted petit larceny. He was placed on probation for two years.

George Daniel, 27, of the 4100 block of New Hampshire Ave. NW, received a suspended 360-day term for attempted burglary 2 and petit larceny and was fined $100 to be paid within a year. He was placed on unsupervised probation for one year.

Reginald Pitt, 18, of the 5500 block of 8th Street NW, a high school student, was given a suspended 360-day jail term and placed on probation for two years for attempted burglary 2 and petit larceny.

Robert Spearman, 50, of the 1200 block of Bolbrook Terrace NE, received a suspended 180-day sentence and placed on unsupervised probation for unlawful entry. An earlier charge of burglary 2 was dismissed.

Charles M. Little Jr., 32, of the 1900 block of T Street SE, was given a suspended 180-day jail term and placed on probation for one year after pleading guilty to petit larceny.

[From the Evening Star, June 11, 1968]

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while properly represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. He agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witnesses were dead or unavailable." This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

[From the Washington (D.C.) Evening Star, June 12, 1968]

POOR PEOPLE CLARIFY DEMANDS

(By James Welsh)

A scaled-down list of demands, with action on food programs given top priority, was announced today by leaders of the Poor People's Campaign.

Clarification of the demands, together with the efforts of the Urban League's Sterling Tucker in trying to mobilize the June 19 "Solidarity Day" march here, represent an attempt to put new life and purpose into the sagging campaign.

PROTEST IS FIRST STEP

From here on, said the Rev. Ralph David Abernathy, head of the Southern Christian Leadership Conference, the thrust of the campaign "will be to bring a great deal of system into the demonstrations."

The first step, in line with SCLC's emphasis on combatting hunger among the nation's poor, will be to lead residents of Resurrection City in concerted demonstrations at the Agriculture Department beginning today.

Abernathy appeared at a press briefing, along with the Rev. Andrew Young of the SCLC, and Marian Wright, chief lobbyist for the Poor People's Campaign.

From an originally broad list of nearly 100 generalized demands, Miss Wright ticked off 20 demands, most of which she said could be achieved by administrative decision, and three major pieces of legislation, as priority items.

MAJOR DEMANDS

Then, of the 20 administrative demands, she listed 15 as those the SCLC most wants to see achieved by June 19. They concern the Departments of Agriculture, Labor, Health, Education and Welfare, and Housing and Urban Development, and the Office of Economic Opportunity.

The three major legislative demands are these:

1. Passage of the jobs bill sponsored by Sen. Joseph S. Clark, D-Pa., to provide 2.4 million jobs in both the public and private sectors of the economy over the next four years. Chances for this bill have appeared slim.

2. Passage of the administration's omnibus housing bill, originally aimed at wiping out substandard housing in the nation by providing 6 million new housing units over the next 10 years. The Senate has passed a version of this bill, to provide 1.2 million new or rehabilitated housing units for lower-income families over the next three years. Final congressional action on this measure appears promising.

3. Repeal of the "freeze" and compulsory work requirements of the 1967 Social Security Act amendments pertaining to welfare families. Chances of repeal are not promising.

Abernathy said the Poor People's Campaign goals will be to achieve the administrative demands for the June 19 march, then to concentrate on the legislative demands.

"We will move, agency by agency, to get some achievements by June 19," he said. "On that day we will have our march, with no civil disobedience. Then we will move on to our legislative priorities."

SCLC leaders appear confident they will receive at least a one-week extension of their permit to occupy Resurrection City. The current permit expires this Sunday, three days before the Solidarity Day march.

Meanwhile, Tucker, march coordinator, also held a press conference, during which he expressed the belief the march "will provide for Americans what may be the last chance" for a nonviolent demonstration against poverty.

He announced approval of Bishop Paul Moore and the Rev. Channing Phillips as co-chairmen of the Solidarity Day March. He said he is negotiating with Mayor John V. Lindsay of New York for the designation of up to 1,200 policemen and firemen as marshals for the march, in line with what was done for the March on Washington in 1963.

Tucker also announced that a public meeting in support of the campaign will be held this evening at 8 o'clock at Turner Memorial Methodist Church, 600 I St. NW.

As before, Tucker declined to speculate on the number of people he expects to come to Washington for the march. He said he expects to have an estimate by Friday.

No speakers have been lined up yet for the June 19 program, Tucker said. Preliminary plans call for assembly of the marchers, beginning at 5 a.m. on the grounds of the Washington Monument and the Sylvan Theater, with professional entertainment to take place from 10 a.m. to noon.

Following that, he said, the demonstrators will move down Independence Avenue to the Lincoln Memorial for a "very serious program" of speeches and prayer, with the events to conclude by 4:30 p.m. and demonstrators going home after that.

SUCCESSOR TO RUSTIN

Tucker is a replacement for Bayard Rustin, veteran civil rights leader, whom Abernathy had designated as coordinator for the march in May. Last week, following publicized differences between Rustin and SCLC leaders, Rustin announced he was bowing out from the June 19 effort.

Rustin had stipulated his own list of demands, very much a curtailed version of the nearly 100 demands SCLC leaders had presented to the administration and Congress in late May.

CHURCH SUPPORT URGED

The Greater Washington Council of Churches has urged more than 800 clergymen of the metropolitan area to support Tucker and the objectives of the campaign.

A letter to the ministers from Dr. Charles L. Warren, executive director of the church council, pledged the council to join the 350 local ministers of the Negro Baptist Ministers' Conference and their congregations in support of the campaign. The Negro group went on record backing the "Solidarity Day" earlier this week.

Warren told the clergy in his letter: "The Poor People's Campaign thus far has made a significant impact upon our government officials and the nation. The need now is for every American to identify with the poor in eliminating the indecencies that beset a large segment of the American people."

Today, in their press briefing, SCLC leaders conceded there had been confusion and also diffusion of purpose in their efforts in Washington so far.

"We will be trying for more purpose in our demonstrations, and will attempt to have them linked more to our demands," Miss Wright said.

The young lobbyist added: "The big issue in this campaign is going to be food."

For a nation with surplus food commodities to allow millions of people to go hungry is "a disgrace," she said, adding that correction of the problem could be achieved by mostly new administrative policies within the Department of Agriculture.

PRIORITY DEMANDS

The newly announced priority demands are as follows:

Department of Agriculture

1. Food programs in all 1,000 neediest counties which will have full participation of the poor.

2. Issuance of free food stamps to no-income and extremely low-income families, a scaling down of food stamp prices generally and an equitable distribution on amounts of food based on need rather than income.

3. Emergency distribution of supplementary food in those counties among the 256 hunger counties cited by the Citizens Board of Inquiry whose present food programs fail to reach a substantial number of poor.

4. Immediate expansion of the quantity of commodities distributed and substantial improvement of the quality and variety of the food given under the Commodity Distribution Program to ensure a balanced and nutritious diet to recipients.

5. Substantial increase in the number of free and reduced price school lunches for needy children.

Office of Economic Opportunity

1. Establishment of a plan whereby a specific number of promising sub-professionals at local levels can be brought up to the local, regional and national OEO staff. OEO should establish a program analogous to the Federal Management Intern program for poor people and subprofessionals who have demonstrated skill in working for the poor, SCLC said.

2. Specific guidelines for citizen participation and simple appeals procedure and forum for all variety of complaints.

3. Passage of the supplemental appropriations bill for summer jobs and the Head Start program, to cost $100 million.

Health, Education, and Welfare

1. An end to state "man-in-the-house" rules.

2. Abolition of freedom-of-choice school desegregation plans.

3. A specific action program for bringing adequate and essential health services to the poor and for radically reducing the level of death among poor infants and their mothers.

Labor Department

1. Endorsement of a jobs bill this session of Congress.

2. Review of operational guidelines, in consultation with the poor, to ensure full participation of the poor in the decisionmaking processes as well as in employment opportunities at all levels.

Housing and Urban Development

1. Guidelines for inclusion of specific percentages of poor people in the planning process of programs designed to help them, particularly Model Cities.

2. Endorsement of the pending administration housing bill in this session of Congress.

Justice Department

1. Greatly increased numbers of school suits against Northern school districts.

2. Greatly increased numbers of employment suits to end discrimination.

State Department

1. Establishment of an interagency committee consisting of representatives of the poor and the Departments of State, Justice and Interior to study the question of legal ownership of lands under the Treaty of Guadalupe-Hidalgo.

Interior Department

1. Establishment of a Model School system for Indian children in the communities where they live.

2. Establishment of a plan for creating jobs and housing on Indian reservations.

Legislative priorities

1. Passage of the Clark emergency employment bill for employment in private and public sectors.

2. Passage of the administration's pending housing bill.

3. Repeal of the "freeze" and compulsory work requirements of the 1967 Social Security Act amendments for welfare families.

SOUNDS OF DISCONTENT MOUNT AT TENT CITY—MORE LEAVING

Sounds of discontent mounted in Resurrection City again last night as drenching rains soaked the shanties of the Poor People's Campaign encampment and churned up new expanses of mud.

Complaints of several campaigners announcing departures this morning had a familiar ring:

Lack of leadership, disrespectful treatment by camp marshals, poor and monotonous food, and a general falling off of purpose in the campaign as a whole.

FIGHTS BREAK OUT

There was a report of robberies in the tents. A number of fights breaking out in the camp last night brought an "emergency message" over the tent city intercom at one point pleading for peace. A pay incentive was offered to encourage work.

And in Milwaukee, United Press International quoted the Rev. James Groppi, the white militant priest, as calling Resurrection City a "tactical error."

He said the demonstrators' major confrontation has been "with Mother Nature—mud, food and survival." He said it would have been better to house campaign delegates within Washington's black community, because "we're going to need the black community in Washington."

Groppi said he would like to see "a little more dramatic confrontation with the (governmental) structure. Right now, there is very little action." He added he thought it would come, however: "Half of the battle of the revolution is learning how to wait."

One member of the group leaving camp, John Duehart from Oregon, who a few days ago had been describing the "new social order" the march hoped to achieve, said last night, "I've had so much I'm boiling over with it."

He complained that marshals and leaders didn't care "what the average person thinks."

Percy White of Raleigh, N.C., who said his duties at camp revolved around food distribution and taking care of personal problems among marchers from the Deep South, charged that marshals had their pick of tinned food while others had to make do with sandwiches and cornflakes.

White said workers like himself got no help from the marshals and other "special people." He said efforts to improve cooperation between citizens and marshals had failed, because as soon as top leaders left the camp, marshals assumed a dictatorial manner.

Another complaint is that the Southern Christian Leadership Conference is not providing help for those arrested during a protest at the Longworth House Office Building.

DENIAL OF HELP CHARGED

Two of those arrested, Peter Collins of New York, and Don W. Penn of Washington, both charged with unlawful assembly, said SCLC had provided no legal help and no support of any kind, although they were going to trial "for SCLC," as they put it.

Complainers were unanimous in support of the top leaders, the Rev. Ralph David Abernathy and the Rev. James Bevel, but felt things had broken down in the leadership rank below these men.

Others in a crowd entering the discussion by those leaving dismissed the complaints as nit picking.

But in the "emergency message to the citizens of Resurrection City" at 12:45 a.m., the unidentified spokesman said over the loudspeakers that a "shakeup of the security forces" would be the subject of a special meeting of the city council today.

DOZEN TENTS ENTERED

One sore spot is a robbery-vandalism raid reported on Monday night when about a dozen tents alongside the Reflecting Pool were broken into and portable radios, clocks and other effects of residents who had gone to a rally were stolen.

Campaign leader Hosea Williams announced yesterday that pay would be available for the able-bodied who would pitch in to help lay down walkways in the camp.

Williams indicated that normally work at camp was regarded as a "tax payment," since no other taxes are assessed. But he said some residents have been complaining of having no pocket money and that the pay incentive would be offered.

Work calls apparently have brought little response from some camp residents. A volunteer plumber contributing his skill laying a sewer line Monday made repeated unsuccessful requests for help from the demonstrators.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair, with the understanding that the recess will not extend beyond 12 o'clock noon today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

At 11 o'clock and 39 minutes a.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 11 o'clock and 55 minutes a.m., when called to order by the Acting President pro tempore.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTROL OVER SONIC BOOMS FROM SUPERSONIC TRANSPORTS

Mr. CASE. Mr. President, advocates of the supersonic transport—SST—hope these planes will be in commercial service in 3 years or less.

Yet while these aircraft, flying faster than the speed of sound, will provide incredibly rapid travel, they also will drag sonic booms continuously in their wakes. The boom apparently will be at least as noisy and certainly more destructive than a thunderclap.

In one recent incident, an F-105 Thunderchief jet is reported to have broken the sound barrier over the Air Force Academy in Colorado. According to newspaper stories, the resultant boom shattered 300 windows and injured 15 persons with flying glass.

Initial tests indicate that sonic booms can also crack plaster, loosen nails, shake bric-a-brac from walls, and damage geological formations. In addition, they may hold danger for weak buildings and mountains laden with snow and ice.

Of course, the boom—which proponents of the SST describe as a "20th-century sound"—will be an affront to the eardrums. In tests made in Oklahoma City in 1964, 27 percent of the residents of that community said they could not tolerate eight booms a day, even though the times of the tests were known in advance and there always was the assurance that ultimately the experimentation would end. According to a Government report, acceptance of the boom in Oklahoma City fell from 90 percent during the early weeks of the program to around 75 percent in the final weeks, seemingly bearing out the National Academy of Science's view "that public annoyance—with the boom—tends to cumulate over time, even among those people whose basic attitudes toward the SST are favorable."

In the Oklahoma City program, no tests were made at night, leaving unanswered the important question as to how sonic booms affect sleeping people. Also, it is uncertain how the boom will affect persons with physical ailments such as heart disease and surgeons in the midst of delicate operations. This is certainly not the extent of the questions to be answered.

Despite this almost total lack of information, the 1,200-mile-an-hour Anglo-French SST, the Concorde, may be ready for commercial service by 1971. Although there have been delays in development, the 1,800-mile-an-hour American SST may be in commercial use by 1974 or 1975. Seventy-four Concordes already are on order and it is estimated that the American SST fleet will number from 200 to 1,200 planes.

But the crucial question as to whether overland flights at supersonic speeds will be banned remains unanswered. While the Federal Aviation Administration, chief developer of the U.S. SST, apparently has authority to impose such a ban, it has not done so. Indeed, its position on the subject has been ambivalent.

For example, in a letter to me last October 6, Maj. Gen. J. C. Maxwell, head of the SST project for FAA, stated:

> We realize that the sonic boom may prohibit overland operations of the SST unless the boom is held within acceptable limits. Government agencies and the SST manufacturers have and are conducting extensive research to lessen the effects of the sonic boom and to determine sonic boom acceptability. Until such tests are completed and criteria are established, we cannot say whether the SST—or any civil supersonic transport—will be permitted to operate supersonically over populated land areas.

And in a letter to me dated October 27, 1967, General Maxwell's office said:

> Although we have conducted many tests on the effects of sonic boom, as of now we do not know if supersonic commercial flights will be permissible over populated areas. It is for this reason that the decisions on the SST program have been based on the assumption that the SST will be restricted to flight routes over the oceans and other unpopulated areas.

However, General Maxwell also has been quoted as saying:

> The public will have to learn to accept sonic boom to a degree.

These statements are hardly reassuring to millions of Americans who will have to live with the sonic booms if the FAA decides, for example, that permitting overland flights at supersonic speeds is vital to the economic feasibility of the project. Many, I'm sure, wonder whether the FAA would consign us to a Dr. Strangelove world in which we all would have to "learn to love the boom."

Restricting supersonic flights to "unpopulated areas" or over "the oceans" would not be satisfactory. The National Park Service has cited a number of instances in which sonic booms were suspected of having caused damage to archeological artifacts or geologic formations. For example, the Park Service believes that a sonic boom caused much of an overhanging cliff to fall and demolish a prehistoric cliff dwelling in Canyon del Muerto, in the Canyon de Chelly National Monument, Ariz., in August, 1966. In another instance in 1966, according to the Park Service, approximately 10 to 15 tons of dirt and rock were found to have fallen from one of the formations near the bottom of the Navajo Loop Trail in Bryce Canyon National Park, Utah. In this case, "three exceptionally sharp" sonic booms are suspected, the Park Service stated.

Last autumn, the Wilderness Society, concerned that sonic booms would shatter the "silence and peace" of wilderness areas, urged that commercial and private aircraft creating such blasts be prohibited over all land areas. Some critics of the SST program have raised a question why even overwater flights of supersonically operated SST's should be permitted. This is a further area where the effects of the boom have been wholly unexplored.

While the FAA ties its decision on over land supersonic flights to the outcome of further research into lessening the boom, a recent National Academy of Sciences report concludes that no "dramatic" reductions in sonic boom intensities are on the technological horizon, and that much more research remains to be done. In a letter to me last August 18, the U.S. Air Force stated categorically:

> At the present time, there is no known method of dissipating the pressure wave that is produced when an aircraft exceeds the speed of sound.

Yes in 3 years or less the commercial supersonic age may come crashing into our lives with no protection for the public.

The question of protecting the public, and how best to do it, must be decided before, not after, the SST's begin adding to an already noisy environment. As Interior Secretary Udall stated in January 1967:

> I think that we are going to make a serious mistake if we don't appraise this (the sonic boom) in advance. I would hate to see us do what we have with so many other decisions that have been made, to go booming ahead . . . and then find out later that we have caused a serious deterioration in the overall-environment.

Sweden, Switzerland, and West Germany have taken, or are in the process of taking, steps to curb supersonic flights over their countries. In my judgment the United States should show no less foresight and should move promptly and effectively to deal with this problem in advance of its occurrence.

In order to bring about such a result, I have introduced legislation (S. 3399) which, first, bans all nonmilitary flights at supersonic speeds over the United States and its territories and possessions indefinitely; second, provides for a comprehensive, 2-year investigation of the sonic boom and its effects by the FAA in consultation with seven other departments and agencies; and, third, leaves it up to Congress to determine whether to continue the prohibition against supersonic overflights.

The issue of supersonic overflights is too important to be left to a single appointed Federal official, or a single Federal agency. In a matter affecting most, if not all, of the Nation, Congress—and Congress alone—must make the final decision. Congress has a duty to see to it that scientific advances, no matter how desirable or spectacular, do not create more problems than they solve.

At this stage, at least, I believe that only those directly concerned with development of the American SST and perhaps the relatively small percentage who will use it would consider the supersonic transport an unqualified good. Even in the administration there is no unanimity of support for the project. Secretary Udall, for example, has established a special committee of distinguished scientists to advise him on the effects of the intrusion on the environment of the sonic boom.

And in a little-noticed report issued last December by an Independent Study Board established by the Commerce Department, the following appeared:

> The supersonic transport plan, unless the sonic boom problem can be solved, will potentially provide benefits to a small percentage of the total population and earn profits for some firms, but at the expense of transferring to the general public heavy costs of further deterioration in environmental quality.

The report went on to say:

> Regional and national objectives can best be served if a major effort is made to shift the emphasis in science and technology programs away from mere technical feasibility toward social priorities.

Amen. We want technological and physical progress, but we want it on acceptable terms. This point cannot be stressed too greatly. Faster airplanes, large airports, more freeways and new high-rise buildings, among other things, are desirable or not depending upon their consistency with sound planning and environmental goals that are in the public's interest.

I hope the Senate Aviation Subcommittee, which has jurisdiction in the field of aircraft noise, including sonic boom, will schedule hearings on my bill before the end of this congressional session. With the commercial supersonic age and its "20th-century sound" almost upon us, it is not only timely to do so, it is urgent.

Mr. President, the response to my bill has been wide and overwhelmingly favorable. Among the many letters I have received is one from Dr. DeWitt Stetten, Jr., dean of the Rutgers Medical School at New Brunswick, N.J. I ask unanimous consent that the letter and several articles and editorials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RUTGERS, THE STATE UNIVERSITY,
New Brunswick, N.J., May 13, 1968.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: As a dues paying member of the Citizens League Against the Sonic Boom, and as the Dean of Rutgers Medical School, I am particularly proud and pleased that it should have been a Senator from New Jersey who introduced Bill S. 3399, "Regulation of Sonic Booms."

The devastating effect of sonic booms was first brought to my attention when I visited Oklahoma City some years ago during a period when the effects of repeated sonic boom were being tested on that population. Every morning and every evening a military supersonic plane flew over the city, shattering windows, morale, sleep, and conversation. After one month of this exposure it is my understanding that the population was found not to have accommodated to this additional stress.

A couple of years ago, at a meeting of the National Research Council, I listened to a report from the chairman of its Committee on Pollution, Dr. Athelstan Spilhaus, then of the engineering faculty of the University of Minnesota. This committee concerned itself chiefly with the reduction of pollution by chemical and radioactive agents which were already in our atmosphere, our soil and our water supply. I raised the question from the floor at that time as to whether sonic booms could not be construed as a pollutant of our environment and one against which there was yet time to legislate. I was assured from the podium that commercial supersonic aviation was definitely on its way and there was nothing that this august body could do about it.

I am very happy to learn from your recent actions that there is something to be done to spare us this additional trauma in what are already trauma-filled times. I agree absolutely with the press release from your office dated Sunday, April 28, 1968, and hope that you will be successful in converting S. 3399 into the law of the land.

Very truly yours,
DEWITT STETTEN, Jr., M.D., Ph. D.,
Dean.

[From the New York Times, May 16, 1968]

BANNING SONIC BOOMS

Senator Clifford Case introduced an important little bill the other day to ban sonic booms by aircraft flying over the United States pending further study of their effects. While technical and budgetary difficulties have slowed development of an American supersonic aircraft, the British and French are progressing with their joint-venture model. It is important to have some protection on the law books before the booms come crashing down on the nation's ears.

Sonic booms are conceded to be highly disruptive sounds, more annoying to some people than to others. They follow an aircraft as waves follow an ocean steamer, in a wide, rippling wake. Continuing tests reveal that booms might crack plaster, break windows and have harmful effects on people with certain physical ailments. Extensive testing in Oklahoma City some years ago showed that a significant portion of the population could not tolerate multiple booms.

Developers of the American S.S.T. say they "assume" it will fly at supersonic speed only over water but this is too important an issue to be left to anyone's assumption. Senator Case's bill deserves public hearings and positive Congressional action.

[From the Newark (N.J.) News, Apr. 30, 1968]

WHOSE SKIES?

The National Academy of Sciences has concluded there is little hope that design changes can bring much reduction in sonic booms from airliners. The Federal Aviation Administration's contribution to the subject is that "the public will have to learn to accept sonic boom to a degree."

These complacent assumptions that the public must submit to noise and nuisance in the name of progress are challenged by Sen. Case, who has introduced a bill banning commercial supersonic flights over the United States until Congress specifically authorizes them.

The supersonic transport will enhance airline profits by utilizing fewer planes to carry more passengers, and it will get travelers to their destinations faster. For these benefits, to be enjoyed by a minority, many more millions on the ground may have to pay in shattered nerves, cracked plaster and broken windows.

Sen. Case also raises questions about the effect of the boom on persons with heart ailments, on surgeons performing delicate operations, on mountains laden with snow or loose rocks and on ancient geological formations. His idea is that before these monsters are let loose somebody ought to find out how much damage they may cause.

His intervention springs from the old-fashioned notion that in every conflict of interest the comfort and convenience of the majority ought to be given first consideration. His conclusion is that in a matter so profoundly affecting the quality of human life Congress, not an administrative agency, should make the decision. Only those who insist that every scientific achievement is an unqualified good will disagree.

[From the Newark (N.J.) News, June 4, 1968]

Sonic Boom

Civilians who have suffered, or are apprehensive about, the effects of sonic booms from aircraft have gotten little sympathy from the aviation industry or the government. The National Academy of Sciences recently concluded there is scant hope that design changes can bring much relief and the Federal Aviation Agency complacently observes that "the public will have to learn to accept sonic boom to a degree."

The public will, therefore, take ironic cognizance of what happened at Colorado Springs. A low-flying F–105 Thunderchief, one of four jets from McConnell Air Force Base in Kansas, shattered more than 200 windows at the Air Force Academy. A dozen officers and civilians were cut by flying glass, the latest victims of scientific progress. Now the Air Force knows how the rest of us feel about the fallout from supersonic flight.

The incident could help generate support for Sen. Case's bill that would ban commercial supersonic flights over the United States until, after investigating their impact on human health, Congress specifically authorizes them. Even so, the bill's prospect remain dim as long as so many believe it's perfectly all right to subordinate the health and safety of the many on the ground to the convenience of a few in the air.

[From the Record, Hackensack (N.J.) June 4, 1968]

SST Reporting

Sen. Case was saying the other day that Congress ought to investigate the planning for the supersonic transport plane (SST), and it is hard to think of a better place to start than the Air Force Academy. There seems to be a question whether the sonic boom which goes clattering across the countryside under a plane in supersonic flight might be a bit of an inconvenience.

Well, an F–105 Thunderchief went through the sonic barrier in a pass over the academy one day last week. Four buildings were damaged. Windows were shattered. Fifteen persons were cut by flying glass. The damage was estimated at $50,000.

That was one little old sonic boom. Congress could start its investigation—and end it—right here. We taxpayers are ponying up the money for the research and development on the SST.

Who needs it?

[From the Trenton (N.J.) Evening Times, June 11, 1968]

Noise and Health

Big-city is doubly polluted—by fumes and dirt, and by noise. The latter kind of pollution will be the subject of a two-day National Conference on Noise as a Public Health Hazard, opening in Washington Thursday, June 13.

As the name of the conference suggests, noise can be injurious as well as merely annoying. Exposure to certain kinds of noise is said to produce hearing loss, damage to the nervous system, and interference with the depth of sleep.

One issue which belongs on the agenda of any such conference is the effect on people of the artificial thunderclaps caused by aircraft breaking the sound barrier.

New Jersey's Senator Clifford P. Case has introduced a bill to ban overland flights at supersonic speeds by nonmilitary planes "until all aspects of the sonic boom have been investigated and Congress has decided whether such flights should be permitted."

Sonic booms have caused cracked plaster, tumbling bric-a-brac and broken windows—most recently, ironically, at the U.S. Air Force Academy. "Yet to be answered," said Senator Case, "are such questions as the effect of the boom on persons with heart ailments, on surgeons in the midst of delicate operations, on sleeping people, on weak buildings, on mountains laden with snow or loose rocks and on ancient geological formations."

Senator Case's effort is extremely worthwhile, and the National Conference on Noise as a Public Health Hazard would perform a useful service by strongly endorsing it.

[From the Camden (N.J.) Courier-Post, May 17, 1968]

Put Up With Sonic Boom?

Sonic booms may get louder and more frequent as jet aircraft progress sweeps the United States—unless someone puts a stop to them.

New Jersey's Sen. Clifford Case is for doing that. He thinks something can be done about the supersonic noise, that we don't have to put up with it, and that people needn't necessarily accept such disadvantages just to gain the benefits of progress.

Case has introduced legislation calling for a federal ban on supersonic jet airline flights over the U.S. until Congress decides whether sonic booms are safe. The measure would ban the supersonic flights and provide for a two-year program of intensive scientific investigation into all aspects of the boom.

Case's determination to do something about it is timely, for already six major U.S. airline companies have ordered a total of 38 of the supersonic jets, which are capable of flying 1,200 miles an hour.

Congress should be aware, Case believes, of the penalties we may have to pay for permitting supersonic airliners, trailed by their thunderous sonic booms, to fly overland, particularly over heavily populated areas.

It isn't a narrow matter. The sonic boom which moves in the trail of a plane flying faster than the speed of sound radiates across an area of up to 80 miles wide, Case notes. Tests have shown that as many as 20 million persons may be boomed by a cross-country supersonic flight. And in addition to the affront to the ears, this means cracked plaster, broken windows, and tumbling bric-a-brac.

Unknown factors involve effects upon persons with heart ailments, on surgeons in the midst of delicate operations, on sleeping people, on weak buildings, on mountains laden with snow or loose rocks, and on ancient geological formations.

Maybe there isn't much hope that design changes can bring much reduction in sonic booms. Some experts even say the public will have to learn to accept sonic booms to a degree.

But this isn't necessarily so—even in the name of progress—and Case is challenging the notion. Millions of people on the ground needn't be inconvenienced just so a few people in the air can travel faster.

[From Business Week, Nov. 4, 1967]

A Little Less Noise, Please

The U.S. is now committed to support the supersonic transport—a 1,800-mph airplane to compete with the British-French Concorde. Last month the Senate soundly defeated a move to delay the Administration-backed SST, which Boeing will build.

But a government policy decision, though it may be right in its general conclusion, can fail to meet the test of public benefit through its execution. This could turn out to be so with the SST, because the government is being gingerly and indecisive in handling the stickiest issue of all: sonic boom. The supersonic planes will be a noisy nuisance—even dangerous—to anyone in their 50-mile wide wake of continuous, thunderous sound.

Boeing and the airlines say the SST will be profitable even if the plane is banned from flying supersonically over populated areas. But, as Senator William Proxmire points out, there will be a tremendous buildup of economic pressure to fly the SST everywhere, even if there is a land ban initially. Boeing estimates that by 1990, if there is a ban on flight over land, it will lose sales totaling $28-billion.

The airlines face economic pressures, too. They are planning a relatively small surcharge for SST flights. If the SST is restricted, however, they would probably raise fares to recoup higher operating costs. This would cut into passenger demand, reducing the number and profitability of SST flights.

It is hard to avoid concern that once the SST is built, Boeing and the airlines will feel they have a big foot in the door to unlimited SST flight. Boeing has sought to romanticize sonic boom by calling it a "20th Century sound." But the plain fact is that, even though the noise may not be lethal, it will make 20th Century life even more intolerable than it already is.

This is the time for the Federal Aviation Agency decisively to ban the boom. It should make clear to Boeing and the airlines that the SST boom will not be permitted over populated areas and that their plans should be made knowing that the plane will fly over water routes only. The FAA will have to hold forcefully to this position in years to come. The public needs stronger protection against sonic boom.

[From the New York Times, Aug. 3, 1967]

Supersonic Noise Pollution

The latest discoveries about sonic boom—"le bang" as the French term it expressively—provide scant comfort for enthusiasts of supersonic commercial air transports. In the new United States Government study, for example, the data indicate that this type of noise pollution is extremely hard for people to get used to. Even after hearing many sonic booms, people tend to resent them. And in France, the shock wave of a supersonic flight has been indicted as the factor behind the collapse of an old Breton farmhouse in which three people were killed and a fourth seriously injured.

Further research will undoubtedly turn up additional useful information, but by now the results of several years' investigation of this phenomenon are beginning to fall into a pattern. In a world where everyone was healthy and vigorous, where all buildings were relatively new and well constructed, sonic booms would be just one more source of annoyance and frayed nerves among the many such "blessings" modern civilization and technology have produced. But in the real world—where any large community has many sick and infirm people and many old and poorly constructed buildings—sonic booms, especially if repeated frequently, pose appreciable hazards to the more fragile human beings and structures.

In the case of military planes required for national defense, that cost is probably bearable. But there is no such justification for sonic booms to serve the relative handful of people who are in such a hurry that they must fly at 2,000 miles an hour rather than at a "mere" subsonic 600 miles an hour. Using the criterion of the greatest good for the greatest number, the case for prohibiting regular commercial supersonic flights over populated areas seems overwhelming until some effective cure for "le bang" is discovered. And for those who believe people on ships also have rights, the wisdom of allowing such regular flights even over the oceans will seem questionable at best.

[From the Washington Post, Mar. 16, 1968]

THE BIG QUESTION: WHOM TO BOOM?

(By David Hoffman)

To fly or not to fly supersonic transports over the U.S. mainland is a question of importance to Congressmen, conservationists, insomniacs and airplane builders. It is, moreover, a question that can be answered now.

Instead of answering that question—Should a subsonic speed limit be posted across the whole of the Nation?—the Johnson Administration is ducking it. Not until the SST is a *fait accompli* and flying will the Administration decide whom to boom—shipboard passengers or Americans at home.

Behind the Administration's decision is a harsh but simple fact: At this point, the citizens of no U.S. city would vote to subject themselves to repetitive sonic booms, nor would any representative jury of scientists and public servants vote to expose perhaps 150 million Americans to the noise that domestic SST fleets are certain to generate.

In noise test after noise test sponsored by the Federal Aviation Administration, one conclusion keeps emerging: To the recipient, a sonic boom is a boom is a boom. Human guinea pigs care not whether the noise resembles a rifle shot or a thunder clap.

Since the intensity and not the quality of a boom determines its noxiousness, we can now give a cross-section of America a real test of SST noise.

FAA knows, roughly, the intensity (if not the precise pitch and chord structure) of an SST's predicted boom. By varying the speed, weight and altitude of Century-series fighters, the Air Force could lay down any number of SST-strength booms or louder booms, or softer booms. But on whom?

We know the number of SSTs the Boeing Co. expects to build—about 1200 if the airplane is allowed to fly overland at supersonic speeds. From that we can calculate SST flight frequency along a given airway in some future year.

We know that at least one such airway must be constructed atop the Great Circle route between New York and Los Angeles. Underneath that airway lies Peoria, Ill., which might be called the "typical en route city."

We know airlines must keep their SST fleets airborne day and night in order to keep the cash flowing. Thus we can predict the number of nighttime booms to be inflicted on a sleeping city.

Ground rules for a realistic test to determine the intensity for an "acceptable" SST boom immediately become clear—with one exception. No one must warn the Peorians of the forthcoming experiment.

As previous tests have proven, a warning would stimulate crank complainers, such as the Oklahoma lady who claimed a boom broke her brassiere strap.

Though simple to construct, cheap to conduct and sociologically desirable, such a realistic noise test is politically out of the question.

Within two years, however, Pan American World Airways should receive the first of eight supersonic Concords it ordered five years ago. As matters now stand, Pan Am is free to fly that airplane, supersonically, day and night, at any altitude, between New York and Los Angeles.

How much to disturb Americans is obviously a political question, one that seemingly should be answered by Congress or the Administration. Yet as matters now stand, Where Pan Am operates its Concord fleet will be determined by public relations and the marketplace.

Each agency of the Federal Government steadfastly maintains that under existing law it now lacks power to control aircraft noise, including the sonic boom. To cure such alleged impotence, the Department of Transportation has sponsored a bill giving itself authority to set and enforce noise standards.

For most of two sessions, the bill has languished on Capitol Hill even as British and French engineers cut the metal for the two Concord prototypes, assembled their aircraft and rolled them from the factory.

Forty-one world airlines have ordered 194 SSTs to date, and many of the lines operate primarily overland. No Congressman has yet tasted the luxury of a two-hour flight from New York to Los Angeles, nor have subcontractors tooled up to produce SST components.

In short, from this point on, pressure to permit overland supersonic flights will build, not lessen. The one-year slippage in our SST's production timetable affords time to decide how loud a boom, if any, Americans should be asked to tolerate. If that decision is postponed another chance to exert human control over technology may be lost through happenstance.

EXECUTIVE SESSION—INTERNATIONAL GRAINS ARRANGEMENT OF 1967, EXECUTIVE A, 90TH CONGRESS, SECOND SESSION

The ACTING PRESIDENT pro tempore. Under the order of yesterday, the Senate will now go into executive session and, as in Committee of the Whole, consider the International Grains Arrangement of 1967 (Ex. A, 90th Cong., second session).

The question is on agreeing to the resolution of ratification. On this question, debate is limited to 2½ hours, to be equally divided and controlled by the Senator from Alabama [Mr. SPARKMAN] and the minority leader, or any Senators they may designate. The vote will take place at 2:30 p.m.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally against both sides.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 5 minutes or more to the distinguished Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, I support the approval of the International Grains Arrangement of 1967.

I have a particular interest in the extension of the wheat agreement and also the new part of this arrangement, since in 1949 it was my privilege to propose the first International Wheat Agreement, before the Congress of Nations, assembled in Washington, D.C. That has been renewed from time to time for a period of years, and now the time has come when the President has asked that the International Wheat Arrangement again be approved by Congress, and included this time is the Food Aid Convention, which I think makes the whole thing much more desirable.

There is opposition to renewing the International Wheat Agreement part of this arrangement. The international traders are very much opposed to it, and at least one farm organization, I believe, is opposing it rather strenuously. However, I believe that most of the wheat organizations—virtually all of them—are supporting it, as are the wheatgrowers in general; and I note that many Senators from the wheat States are strongly supporting approval of this arrangement.

I know that our international traders perform a very useful function in world trade. They do build business. They make money at it, too. And they would make more, perhaps, if they were not handicapped by any rules and regulations. Some of them seem to think that so far as American agriculture is concerned, the law of supply and demand should be all that is needed to govern the production and distribution of our commodities. I cannot go along with that theory.

When it comes to deciding what we are going to do in this respect, and it appears that the wheatgrowers in overwhelming majority feel that this arrangement will be to their advantage, I have no difficulty in making up my mind to support their position, because American agriculture needs all the support it can get. Since the wheatgrowers are in favor of this arrangement, or renewing it for another term of years, then I am going to support them; and I recommend that the Senate approve the International Grains Arrangement of 1967.

I thank the Senator from Montana for yielding time to me.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Who yields time?

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I yield 10 minutes to the distinguished Senator from Louisiana [Mr. ELLENDER].

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, I am very sorry that I was unable to be in the Chamber all of the time this measure was being debated.

This agreement is no radical departure from the past. The so-called wheat agreements have been on the statute books since 1949. To say the least, it has helped the importing as well as the exporting countries considerably. It has been extremely helpful in stabilizing wheat prices. I do not know of any substantial opposition that was engendered in the past when it came to adoption of the wheat agreements the many times they were before the Senate.

The proposal before the Senate today does not differ materially from the old wheat agreements. One difference is that the minimum and maximum prices included in the convention are based on U.S. gulf port prices rather than Canadian prices. In contrast to the older wheat agreements, we find that the minimum price would be about 20 cents higher per bushel than the last wheat agreement we had on the statute books. The second difference is that importing countries also agree to buy from nonmember countries within the price range established by the convention.

The arrangement will doubtless stave off cutthroat competition. The countries which produce wheat for export, as well as those that buy wheat, will be assured of all the wheat they need. The prices are more or less fixed, and this, as I said, will doubtless do much to stabilize world wheat prices.

Another feature of the convention—its second part—is that cooperation from other wheat-exporting countries is assured in assisting us to help those nations short of food.

Two years ago, in the case of India, the United States furnished about 80 percent of the requirements for that country. The second part of the convention envisions bringing in countries which produce wheat for export so that they can assist the United States in providing food to help the countries which lack it.

Under this arrangement, the countries have already agreed to furnish a certain amount of wheat, and a certain amount of grain. As I understand it, from the promises made by countries which produce an excess of corn and other feed grains, as well as wheat, they have agreed to furnish about 57 percent of the amount of food necessary to assist nations short on food. So, the United States, instead of putting up 80 percent of the grain necessary for India, will probably put up not more than 40 percent to 42 percent.

It is my belief that this arrangement should be adopted if for no other reason than its second provision. In the past we have provided millions of tons of food we had in excess of our requirements. As a matter of fact, we carried the whole burden.

The purpose of the second portion of the arrangement is to interest other countries which produce above their domestic requirements to assist us in making food available to countries in need of it.

For that reason alone, it would seem to me it would be a good idea to adopt the arrangement. The continuation of the original wheat agreements, in my opinion, is necessary because if we do not have some kind of understanding with the countries of the world which overproduce wheat, we will find ourselves engaged in a cutthroat, competitive war.

It strikes me that it would be detrimental to the wheat growers of the United States should that occur.

I am very hopeful that the Senate will adopt this arrangement.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Page 3 of the report states that the United States has three objectives with respect to grains. The third one is the establishment of a multilateral sharing of the world's food aid burden.

Mr. ELLENDER. That is the second portion I have been talking about.

Mr. LAUSCHE. The Senator from Louisiana and the Senator from Ohio are in accord, then, that the other grain-producing and food-producing nations of the world should begin to share a greater part of the burden in feeding the poorer countries.

Mr. ELLENDER. That is correct. As I said, that is the objective of the second portion of the convention.

Mr. LAUSCHE. Yes. But why I am disturbed by what has been done is the fact that this convention does not bring aid to the United States, so that the burden of the United States in providing the cost of food will be lessened.

Is it the Senator's understanding that the nations who will participate in the next 3 years will be giving more than they gave in the past?

Mr. ELLENDER. In the past, they gave little or nothing. Two years ago, as I just said, in the case of India, we furnished about 80 percent of the wheat grain that was delivered to India, in order to relieve starvation there. Under this convention, the promises which have already been made by the signers of the convention, as I said, are for contributions in the aggregate of about 56 percent or 57 percent of the amount necessary.

Mr. LAUSCHE. I believe it is 58 percent.

Mr. ELLENDER. One of the objections I had at first—and my good friend from Alabama [Mr. SPARKMAN] will recall it—was that I thought the 42 or 43 percent that we were going to furnish was a little high. I thought if we would furnish one-third of the requirements, it should be satisfactory. But, somehow, we could not get the other countries to furnish more than 56 to 57 percent, as I said.

Mr. LAUSCHE. But the facts are that the other countries which will provide 58 percent will be giving no more than they have in the past.

Mr. ELLENDER. They will be giving more.

Mr. LAUSCHE. Japan is the only one.

Mr. ELLENDER. That is right.

Mr. LAUSCHE. Japan will give more, but not in food. It will provide money.

Mr. ELLENDER. I was going to say that, in addition to the food requirements, many countries will probably furnish cash to buy food. But, as I view the second portion of this convention, it is going to make it possible for us to get assistance from many other countries to help in feeding the underprivileged.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. MORSE. Mr. President, I yield myself 10 minutes. I wish to speak in favor of approving the International Grains Arrangement.

I make this statement as one who is impressed by the fact that real experts on the subject—the organizations of wheatgrowers of this Nation, and several other farm organizations as well—are giving their strong support. When their leaders say that this arrangement is good, both for our country's wheatgrowers and for the country as a whole, I am impressed.

As a member of the Foreign Relations Committee, I have followed the hearings on this agreement very closely. I attended some of them. I want to say I am impressed by the agricultural authorities in the Senate who support this agreement. Let me mention a few of them. During my years in the Senate, I have followed closely the advice of the Senator from Kansas [Mr. CARLSON], the Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. YOUNG], and the chairman of the Senate Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], whom the Senate has just heard speak in support of this agreement. Earlier, Senators CARLSON, AIKEN, and YOUNG of North Dakota had spoken in support of the agreement.

I have heard nothing yet in this debate that in any way answers the strong argument that these agricultural leaders in the Senate have made for this agreement.

Last week, I met with the board of directors of the Oregon Wheat League. the same evening I sat at Dufur, Oreg., and listened to the members of the Oregon Wheat League and other agricultural leaders. There was unanimity among them in support of the agreement.

The support for this arrangement, however, is not unanimous. I have recently received two telegrams from my State in opposition to the agreement. The first I received from Gerald E. Tucker, Board of Trade Building, Portland, Oreg. The second was from Thomas F. Hunt, president of the Pacific Northwest Grain Export Association, Portland, Oreg.

I ask unanimous consent that those two telegrams be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. I also received a supporting telegram from Kenneth D. Naden, National Council of Farmer Cooperatives. I ask unanimous consent that it and other supporting messages and telegrams be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. Mr. President, at the hearings on this arrangement that we held not long ago, a statement was made by Mr. Allen Tom, a farmer from Oregon who came here as official spokesman for the National Association of Wheat Growers, Western Wheat Associates, and Great Plains Wheat, Inc., the three big associations of wheatgrowers in the United States.

This farmer had some practical remarks, which I would like to quote:

> I want to point out that the wheat growers believe in farm programs. We think that the

Agricultural Act of 1965 is the best program that has ever been devised that fits into a modern economic structure. And the International Grains Arrangement, as far as we are concerned, is just another part of our overall farm program package.

Now, as far as I can see, the days are gone where people simply trade with each other. The days are gone when trade is determined by simple comparative advantages. This was brought out in Geneva. Managed markets are the rule today, and I can think of hardly a nation that refrains from imposing controls and trade restrictions. We do. And the IGA, I think, will be a harmonizer as far as world trade is concerned.

Also, I am impressed by the food aid provisions of the new International Grains Arrangement.

For the first time ever, on a regular and continuing basis, developed countries—importing and exporting alike—under the arrangement will be committed to a 4.5-million-ton annual program of food aid to developing countries. This will be carried out under the arrangement's Food Aid Convention.

A Food Aid Committee, with representatives from the contributing countries would be established, with the primary function of reviewing overall functions of the convention—especially its effects on food production in the recipient countries.

The United States will supply 42 percent—about 1.9 million tons of the food aid. The European Common Market's share is 23 percent—about 1 million tons. Canada will supply about 11 percent; Australia, the United Kingdom, and Japan will supply about 5 percent each.

Contributions can be in the form of wheat, coarse grains suitable for human consumption, or the cash equivalent.

I want to stress the cash equivalent, because this arrangement, for the first time, will bring into a contributing status a good many countries which are not grain producers but which, under the agreement, recognize that they, too, have a responsibility to come to the assistance of solving the grain problem that confronts the world.

Contributing countries may specify the recipients of their donations, or they may channel them through an international organization such as the world food program of the United Nations.

In my judgment, this represents a practical approach toward getting nations to share in meeting world hunger problems.

That is one of the strongest features of this arrangement, and those of us who recognize it and who have been working in the Senate for this kind of international cooperation have an opportunity today to vote for the principle we have been talking about so often in the Senate.

I want to say something about the cost factor that is involved insofar as our wheatgrowers are concerned. The record in our hearing on this matter sets forth the fact that wheatgrowers in our country today are receiving less per bushel for wheat than they received in 1936. We know what has happened to the cost of production of wheat. We know, for example, that mechanical combines cost all the way from three to five times as much as they did in 1936. We know that is true of all the other expensive machinery that is necessary to equip an efficient wheat-producing ranch. That is why there is great resentment in the Wheat Belt of the country on the part of the producers of wheat, for they feel they are receiving sorry and shoddy treatment as far as the agricultural program of this country is concerned.

I need not remind the Senate again this afternoon of the relationship of bread to life. We had better listen to the food experts. We had better take note of what their testimony is. Their great concern is whether this Nation will be able to produce enough wheat to meet the food needs of our population in the years 2000 to 2025. That is just tomorrow in terms of historic time.

Furthermore, we talk a great deal about peace. One of the greatest weapons for peace that we have is food. Mr. President, instead of talking about reduction of food production in the United States, we ought to see to it that every acre of land that is tillable for the production of food is tilled and used for food production as one of the great instrumentalities for promoting peace around the world.

Food, Mr. President, happens to be one of the greatest weapons that we can use in bringing about that long awaited day of peace in the world.

So it is pointed out in the hearings; it was pointed out by the Senator from Kansas [Mr. Carlson] in his able argument in support of the arrangement; and it was pointed out by the wheat producers at the meeting which I attended last week, that this will result in 20 cents, and probably 23 cents per bushel more for the wheat producers than they are now receiving for wheat.

Mr. President, because of these features of the arrangement, because of the record made in our hearings, and because of the recognized expertise of Senators Frank Carlson, George Aiken, Milt Young, and Allen Ellender, all of whom support this arrangement, I submit that the overwhelming proof is in support of the arrangement, and I hope the Senate will approve it today.

Exhibit 1

Portland, Oreg.
June 7, 1968.

Senator Wayne Morse,
Senate Office Building
Washington, D.C.:

Respectfully request reconsideration of your stand on the IGA it is my feeling it will not stabilize or strengthen world wheat prices nor broaden food assistance efforts. It will not eliminate barrier to U.S. exports in Western Europe which was the chief target of negotiations. Two successive bumper world crops present a grave risk to U.S. exports in the absence of significant production controls. Outside United States there are not provisions assuring others will cooperate in controlling production especially Soviet Union which produces not less than a fourth of the world wheat. Wheat acreage sharply increasing around world while U.S. wheat producers face second successive acreage cut. It is reported to me that Ambassador Roth conceded IGA is a balanced agreement not related to other Kennedy round agreements and can be judged on its own merits. I feel it is not in the best interest of Oregonians.

Gerald E. Tucker,

Pacific Northwest Grain
Export Association,
Portland, Oreg., June 7, 1968.

Senate Wayne Morse,
Senate Office Building,
Washington, D.C.:

Majority of membership of this association strongly oppose ratification of international grains agreement for following reasons:

1. IGA will not reduce or avoid barriers to U.S. exports in Western Europe which were chief target of negotiations.
2. Effort to raise prices now above levels which have produced two successive bumper world crops poses grave risk to U.S. exports in absence of any significant production controls outside United States.
3. IGA has no provisions assuring others will cooperate in controlling burgeoning production. Instead wheat producers face second successive acreage cut. Soviet Union which produces fourth to third of world wheat is not bound by IGA minimum price or food requirements so free to undercut cooperators.
4. IGA provides strong precedent for similar agreements sought by less developed countries which would undercut U.S. cotton oilseed and oilseed products exports.
5. Ambassador Roth has conceded IGA is a balanced agreement not related to other Kennedy round agreements and therefore can be judged on its own merits.
6. Senate Rejection would not end prospects for price stabilization but would indicate United States will not support incentive price arrangements without assured cooperation from other producers.

Respectfully request your support and urge use your influence to oppose ratification.

Thomas F. Hunt,
President.

Exhibit 2

Washington, D.C.,
June 3, 1968.

Hon. Wayne Morse,
U.S. Senate, Washington, D.C.:

We reiterate our appeal of January 28th that you support ratification of the International Grains Arrangement. Disorderly international marketing in wheat trade threatens opportunity for long range harmonization of national farm policies which is essential to health growth in world agricultural trade. Expanded trade opportunities are vital to U.S. farm exports and favorable trade balance. Food aid convention portion of IGA is also of great significance in building a strong multilateral world food aid program with benefits to U.S. in allowing us to deal with our own farm policy problems with more assurance of what will happen on the international scene.

Kenneth D. Naden,
National Council of Farmer Cooperative.

Pendleton, Oreg.,
May 17, 1968.

Senator Wayne Morse,
Senate Office Building, Washington, D.C.:

Tried contact you Washington, D.C., office copy of wire to Ad Hoc Committee for your information.

Oregon Wheat Commission in full support of Senate ratification on International Grains Arrangement, Oregon Wheat Growers League also urges early ratification of agreement, as does National Associate of Wheat Growers. This treaty benefits U.S. producers and entire Nation by improving balance of payments through increased volume of world agriculture, trade will assist level of world wheat prices thereby lowering government subsidy costs will help prevent world price wars by providing guidelines for range of maximum and minimum prices in world price wars by providing guidelines for range of maximum and minimum prices in world wheat trade without International Grains Arrangements, U.S. very vulnerable to chaotic conditions developing when over 60 percent of U.S. wheat exported. Wheat growers urge favorable report of Ad Hoc Committee to help stabilize U.S. wheat industry.

FLOYD ROOT,
Chairman, Oregon Wheat Commission.

PENDLETON GRAIN GROWERS, INC.,
Pendleton, Oreg., May 17, 1968.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We believe the International Grains arrangement is a sound and constructive program in the world's trade and use of wheat under today's conditions.

Past agreements have contributed to reasonable stability of world prices and have encouraged cooperation between world producers and consumers. This is of significant importance to our wheat producers who are so heavily dependent on export markets for wheat.

We urge favorable action on the new International Grains arrangement.

Sincerely,

JAMES HILL, Jr.,
Secretary.

NORTH PACIFIC GRAIN GROWERS, INC.,
Portland, Oreg., May 21, 1968.

Hon. WAYNE L. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Following thorough consideration our Board of Directors recommends prompt ratification of the International Grains Arrangement. We contend that the U.S. must maintain a leading role in stabilizing and supporting international wheat prices. The I.G.A. should prove to be a useful tool in raising international prices to the ultimate benefit of the U.S. wheat producer as well as the U.S. taxpayer.

The Food Aid section of the Agreement represents a significant step in assuring that more well-developed nations in the world accept their responsibility in feeding and assisting under-developed countries. The U.S. has shouldered more than her share of this burden since World War II. The Food Aid section of the I.G.A. should provide a framework within which all countries can accept their proper share of responsibility and interdependence.

We recommend prompt ratification so the pact will go into operation coincident with the expiration of the International Wheat Agreement on July 31st. This will preserve order in international commerce and demonstrate good faith on the part of the United States.

Sincerely,

WILLIAM L. BELL,
President.

Mr. **DIRKSEN**. Mr. President, I yield 15 minutes to the distinguished Senator from Indiana.

Mr. **HARTKE**. Mr. President, I am opposed to the International Grain Arrangement. It does not help the American farmer, including the Indiana soft wheat farmer, nor does it help the American economy, the American balance of payments, nor the international economy as a whole. In the absence of effective sanctions, it will encourage foreign producers to increase production and further flood the international markets. Those nations with storage facilities, mainly the United States of America, will be forced to bail out the international market by keeping American wheat in storage at the expense of the American taxpayer.

The prices of American wheat are not going to be affected by an international price, primarily because they are largely shaped by our domestic foreign policy and our Public Law 480 program. This agreement does not affect those prices, nor will it increase American sales abroad. In fact, those sales will probably decrease.

I am not satisfied with the provisions of the International Grain Agreement as presently outlined. It seems to me to present a case of voting between the lesser of two evils: First, an agreement which bypasses the original negotiation intention to break down the nontariff barriers; or, second, no agreement at all.

I have spoken out on many occasions as to my desire to see these nontariff barriers broken down—the so-called viable import quotas, weight restrictions, and others. Yet for all the work of our negotiators, and especially in this case where they pursuaded the buyers to pay a higher price for wheat, this has not even begun.

Another problem with the agreement is the burden that it places, with higher prices, on the lesser developed nations. True, for the first time we have an agreement that the other nations—producing nations—will help us in food aid. However, once these nations have precious dollars to spare to buy wheat they buy at a higher price.

Wheat is a big business in Indiana and we want to sell as much on the world market as we produce. Let me show by example what a big business it is:

In Indiana, the production of soft wheat in 1965 was more than 36 million bushels; in 1966, more than 44 million bushels; in 1967, more than 48 million bushels, for a total dollar value of almost $63 million.

We have the usual guarantees by the administration that "if the agreement works as it should all will be better in the long run."

Mr. President, we have heard this before. In the United States-Canadian automotive agreement we heard this and our favorable balance of trade in the automotive industry has been cut in half. Someone benefited, but it was not the U.S. automotive workers.

Mr. President, I have before me a news release published by an organization called Lerch & Co., Inc., saying that the Indiana farmers' drive to boost exports is in danger.

Under a Washington dateline, they quote from a statement made by Ambassador William Roth, in which he asked that the American selling price system for benzenoid chemicals be eliminated.

I also see, after reading through the news release, that this corporation or agent, whoever they may be, who say they are authorized to be a lobbyist, do have a great interest, but not in America, because it shows Lerch & Co., Inc., 1522 K Street NW., Washington, D.C., is registered with the Department of Justice under the provisions of 22 United States Code, sections 611 et seq. as an agent of the Swiss Union of Commerce and Industry.

So I can understand why they are so interested in this international agreement. But their interest has nothing whatsoever to do with America.

At least three sets of economic factors argue against ratification of the Wheat Trade Convention:

First, the proposed minimum price is not economically feasible. It will likely be an incentive for production. It can be maintained only at a high cost for the United States.

Second, price stabilization is said to be a central objective of the Wheat Trade Convention. It will not be a satisfactory price-stabilizing device.

Third, there will likely be incentives for participants to avoid the minimum price provisions. The Wheat Trade Convention has no sanctions to thwart such avoidance.

1. MINIMUM PRICE: INFEASIBLE

The level of the minimum wheat price is critical to the United States. A minimum price at the proper level below the long-run average can prevent disastrously low prices in response to extraordinarily high production. To be an effective tool the minimum must be at the threshold of disaster, else it can become a price guarantee and a production incentive. Of course, no one can say with certainty whether any given price level will in the future draw out more wheat. However, a look at past relationships helps gage future prospects.

Unmistakably, the proposed minimum price is above recent wheat price levels. It exceeds the 1956–67 average price, the average price under the 1959 International Wheat Agreement, and the average price under the 1962 International Wheat Agreement. To be sure, there have been times in the past couple decades when price has exceeded the proposed minimum. In 1963–64 and in 1966–67 the annual average price was the highest in recent history—7 cents above the proposed level.

In this context, even the minimum appears to be high. At no time in recent history has an annual average price approached the midpoint of the proposed price range.

Price levels within the range encompassed by the proposal have been an incentive to production. While prices have not often exceeded the proposed minimum, in each of the two times they have moved appreciably over that level world wheat acreage has increased substantially in the following year. This follows a longer run pattern of increase in world wheat area in response to price increases. Wheat area also declines in response to price decreases.

Wheat prices since 1963–64 have elicited a world wheat acreage well above the level of the 1950's and early 1960's. World area devoted to wheat production since 1963–64 has the capacity to produce sufficient supplies to drive the price well below the proposed minimum. Wheat production in 1965–66 and 1967–68 had this impact even though some exporting countries were replenishing stocks which had been depleted by previous poor crops. With favorable weather and improved cultural practices, much greater output can be expected from the present world area devoted to wheat.

Weather is a critical factor in estimating future supply response. Obviously, future weather is only conjecture. However, it is instructive to note that the high level of production in the last 2 years has been produced in spite of a 1966–67 weather record of drought in South America, a wet planting season in Western Europe, and a late frost in the United States. The near-record 1967–68 crop survived unfavorable weather in the U.S.S.R. and drought in Australia and Canada.

Technology and cultural practices are other critical factors in estimating supply response. They have fostered the output record of the past 2 years. But their role is just beginning. Improved wheat strains, more fertilizer, and other improved cultural practices are only starting their sweep of the lesser developed countries. Virtually every country has a program of varietal improvement, cultural improvement, and fertilizer intensification. Results of such programs no doubt will be seen in the next few years. Experts say their impact will be profound. The Mexican record is a vivid example. Had the 1967 average yield attained in Mexico prevailed throughout all South America, the area would have produced 107 percent more wheat. Had the Mexican average yield prevailed in Asia, it would have produced 159 percent more wheat. Had the Mexican average yield prevailed in Africa, the continent would have produced 196 percent more wheat. These three areas combined would have added more than 80 million tons to the 1967–68 world wheat supply had they attained the average rate of production of Mexico. Experts now have little doubt that such can be achieved, given the incentive to produce. Higher world prices are surely in the direction of such an incentive. Just as surely, such production would generate another burdensome wheat surplus.

Given the incentive for both wheat area and yield implied by the proposed price minimum, it is doubtful that the minimum can be maintained without supply control measures of acreage restriction or wheat stockpiling. The Wheat Convention has no provisions for these measures. In the past, the United States has borne the cost of supply control through both acreage restriction and stockpiling. From 1953 through 1964 U.S. acreage trended downward, primarily because of acreage controls. Meanwhile, wheat acreage of other major wheat exporters increased. The United States was also protecting the market by stockpiling wheat during this period. By 1962, U.S. stocks amounted to 71 percent of the stockpile of major wheat exporters. In response to favorable trade brought on by extremely unfavorable weather in major wheat producing areas in 1963-64 and again in 1965–66, plus aggressive sales and food aid disposal, the U.S. share of the exporters' stockpile declined to about a third in 1966–67. It is expected to again increase by the end of the 1967–68 crop year.

In this connection, it is interesting to reflect on the International Wheat Council's summary of the world wheat situation of the past two decades. The council defines three phases. The first, including the post World War II period of 1945–51, was characterized by low production and supplies, and favorable export prices. The second phase was highlighted by the "embarrassing surpluses" developed from 1952 to 1961. Canada and the United States kept the pressure on wheat prices from becoming disastrous by accumulating a $500 to $1,000 million stockpile in the late 1950's. Only the United States made serious efforts to curtail production. The third phase included a marked expansion in commercial trade, chiefly through the impetus of huge purchases by the U.S.S.R. in 1963–64 and 1965–66, and purchases by mainland China at the rate of 5 million tons per year. The Council also notes that production control and supply management in the United States contributed substantially to price strength in this period.

The International Wheat Council concluded in 1966 that the underlying tendency toward imbalance of supply and demand may still be present. Recent USDA projections of world grain production reinforce the likelihood of imbalance. These projections forecast plentiful supplies and "excess" U.S. grain acres in the foreseeable future. The council concluded that the prospect of burdensome wheat surpluses may not be realized because, "firstly, it is an important aim of wheat policy in the United States, where a substantial part of the earlier surplus was held, to avoid the accumulation of heavy stocks on this scale again, and a reflection of this policy is to be seen in the recent decision to reduce the allotted acreage for the 1968 crop by 13 percent." Once again the United States is expected to pay the cost of maintaining world wheat prices. In the absence of any alternative price-maintenance provisions in the wheat convention, there is no reason to expect the future to be different. Hence, the price of U.S. admission to the IGA is likely to be the cost of restricting wheat acreage and/or maintaining surplus world wheat stocks.

The cost of wheat price maintenance probably will accrue primarily to the domestic wheat economy. But a charge may also be exacted from the feed grain economy. There are two bases for such a possibility. The wheat convention may set a precedent for a similar feed grain arrangement. Despite lack of U.S. enthusiasm, there are indications that a preliminary accord for a "feed grains arrangement" discussion was reached in the closing hours of the wheat negotiations. But perhaps of greater importance for the domestic feed grain economy is the possibility of substitution of feed grain on idle wheat acres. If the United States chooses to maintain wheat prices through wheat acreage restriction, as policy now appears to be pointed, there will be pressure to shift wheat land into feed grain. Such a possibility would at best be an uneconomic utilization of land resources, and at worst require an additional cost in further restrictions on present feed grain producers and/or the maintenance of substantial stocks of surplus feed grains.

In fact, it has been reported to us that Indiana should go out of the wheat production business in its entirety and should devote its wheat acres to feed grain production. In other words, Indiana wheat farmers are supposed to end their existence as such.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. HARTKE. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HARTKE. Mr. President, I shall now discuss the unsuitability of the International Grain Arrangement as a price stabilizing device.

2. UNSUITABILITY AS A PRICE STABILIZING DEVICE

International Wheat Agreements have in the past been ratified by Congress on the grounds that they were devices to stabilize world wheat prices. The central purpose of the IGA is said to be price stabilization. In assessing its suitability for this objective, it is instructive to first consider the basis of price stabilizing schemes.

Agreements among seller and buyer nations are sometimes made to set minimum and maximum commodity prices. These agreements are usually made in regard to commodities which normally have widely fluctuating prices from one year to the next. Such wide fluctuations are often due to erratic supply shifts—such as those attributable to weather—in relation to a relatively fixed demand. One effect of the fluctuations is that in some years suppliers must sell at extremely low prices. In other years buyers must pay extremely high prices. This price behavior is accompanied by equal fluctuations in the economic well-being of buyers and sellers. Since the fluctuations are largely unpredictable, they make planning difficult because the proportion of available resources to be earned from or devoted to the commodity is uncertain. Consequently, it may be in the best interests of both the buyer and the seller to stabilize prices. Stabilization is often achieved by negotiating a minimum price below which buyers agree to not pay in the years of burdensome supply and a maximum price above which sellers agree to not charge in years of short supply.

In this scheme, it is obvious that the price level around which year-to-year prices fluctuate must be near the midpoint between the negotiated minimum and maximum. If the maximum is too low, such that it is invoked for a greater volume than the minimum, it operates to the detriment of the sellers as a price depressant, and may discourage production to the extent that it depresses the average price level below the long-run equilibrium. If the minimum is too high, such that it is invoked for a greater volume than the maximum, it operates to the detriment of buyers as a price lifter, and may stimulate production to the extent that it raises the average price level above the long-run equilibrium. Hence, if the maximum is too low the agreement will fail under pressure from exporters. If the minimum is too high, it will fail under pressure from exporters.

It has been shown in the previous section that the proposed minimum price is above past price levels. There is little basis for belief that price levels in the near future would be higher. Thus, the proposed minimum is at or above the equilibrium price. It is hard to envision how this can lead to a workable arrangement. If prices can be stable, under the agreement, it will likely be due to efforts to maintain the minimum rather than to dampening of fluctuations about the equilibrium level.

This possibility has further implications for allocation of economic resources. In a true price-stabilizing scheme, the free movement of prices allocates the flow of wheat at all times except when it trades at the maximum or minimum. If the commodity consistently trades at the minimum, a scheme of market shares and allocation must be provided to guide its flow in order to prevent inequities among wheat exporters. Without such an allocation, flows are likely to be capricious and arbitrary with respect to needs and resources. Suffice it to say, the wheat convention has no such mechanism.

3. NO SANCTIONS AT THE MAXIMUM AND MINIMUM

In a price stabilizing mechanism, the primary burden of maintaining both the maximum and minimum price is on the seller. In a short crop year, when demand presses against supply, sellers must resist the temptation to accept more than the agreed maximum price. The temptation may come from someone outside the agreement or from a buyer within the agreement who chooses to bypass the accord to obtain greater supply. In a surplus crop year, when supply presses against demand, sellers must resist the temptation to sell below the minimum to clear their stocks. Since other sellers are undercutting the minimum price outside the agreement, and since buyers both within and without the agreement would presumably increase their purchases at a lower price, this temptation may be difficult to resist—particularly for a country in need of foreign exchange. The proposed IGA has no sanctions to enforce price compliance under these conditions.

There may also be problems with respect to delivery at the maximum and minimum. When the maximum price is reached, sellers may be inclined not to deliver to buyers in the agreement if they can sell for a higher price outside the accord. When the minimum price is reached, buyers may be inclined not to accept delivery from sellers in the agreement if they can buy at a lower price outside the accord. The proposed IGA has no sanctions to enforce delivery or acceptance under these conditions.

Absence of price and delivery sanctions would not likely be a problem in a price stabilizing scheme where the maximum and minimum were seldom reached and where parties to the accord realized benefits of price stabilization. If the price range does not equitably bound the equilibrium price level, it will be difficult to realize stabilization benefits for all participants. As such, sanctions would be necessary if the IGA were to be workable. Without sanctions there will likely be noncompliance. If noncompliance can be tolerated, it is reasonable to ask: Why be constrained as a party to the agreement?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FOOD AID CONVENTION

Mr. HARTKE. Mr. President, the food aid portion of the IGA is built on a generally acceptable premise: assistance to lesser developed countries. Subscriptions of food aid to the convention potentially add 1.874 million metric ton of food aid to lesser developed countries. Subscriptions of the United States and Canada must be subtracted from the total subscription since these two countries already contribute more than their IGA commitment. Unfortunately, the Food Aid Convention is a worthy leanto on an unsound structure. Since it is one part of the total IGA, it must be evaluated from the perspective of the total impact of the IGA on the lesser developed countries. The basic issue, of course, is assistance to peoples who are beginning their journey toward economic development.

In total, the effect of the IGA will be to encumber the less developed countries by increasing the total cost of their wheat imports. It is difficult to precisely gage the added cost, because it will depend on productivity gains in specific countries, shifts among crops, food aid outside the IGA, and so on. Some idea of the magnitude of the increased cost can be gained by calculating costs which would have prevailed in the last couple of years had the proposed IGA been in effect.

In 1966–67, lesser developed countries imported 25.9 million metric ton of wheat—table 1. Had the IGA been in effect and had it been successful in raising price by the increase in the minimum, the dollar cost of commercial imports would have been $79.34 million higher. In addition, the cost of imports under assistance programs of exporting governments would have been raised by $115.62 million excluding donations. Total evaluation of imports would have been raised by $194.96 million.

Clearly, some Government-assisted exports in addition to food donations should not be classified as claimants on domestic resources. Perhaps, all sales for local currency and some of the credit sales should not be so classified. Probably all barter sales do represent claims on domestic resources. In all likelihood, then, the increased cost of wheat imports to lesser developed countries under Government-assisted programs would have been between $15.19 million and $66.67 million. Adding commercial imports, total cost to lesser developed countries of a 23-cents-a-bushel increase in wheat price in 1966–67 would have been between $99.53 million and $146.01 million. The additional 1.874 million tons of Food Aid Convention wheat, even if it were pure donation, would hardly be a bargain. It would have "cost" between $1.37 and $2.12 per bushel.

Suppose now that the proposed wheat convention had been operating in 1966–67, but had not achieved full "success." Suppose the price level had increased only 10 cents per bushel. Such a development would have increased the cost of commercial imports to lesser developed countries by $39.50 million—table 1. The total cost of imports would have been increased between $41.11 million and $63.50 million—again depending on assumptions of the real cost of Government-assisted exports. Assuming the 1.874 million tons of Food Aid Convention wheat was a net donation, it would have "cost" between $0.60 and $0.92 per bushel. Even at this minimal degree of wheat convention achievement on price level, the food aid would have been something less than charity.

For further reflection, these computations may also be reviewed for 1965–66—table 1. At the 23-cents-per-bushel level of success, the IGA would have cost the lesser developed countries between $49.80 million and $96.22 million. At the more limited 10-cents-per-bushel price rise, the cost to the lesser developed countries would have been between $21.65 million and $41.89 million. Again, the IGA would have been something less than a gift to developing nations.

If shipments to mainland China are excluded from the computation, the results are as shown in table 2. The difference in values between the computations with mainland China included is due to the omission of Canada's credit sales to China. There is little reason to consider these as other than commercial exports under a peculiar credit arrangement.

One more computation of the cost of the proposed IGA to the lesser developed countries' may be instructive. The International wheat council projects total annual exports to lesser developed countries' in the next few years to be at the rate of 31 million tons—table 3. During both the 1956–57, 1960–61, 1961–62, 1965–66 periods government-assisted exports accounted for 66 percent of total export to lesser developed countries. During 1965–67 donations accounted for 15 percent of Government assistance. Since Public Law 480 sales for local currency are due to be eliminated, it is likely that most world food aid will be in the form of donations or credit sales. If total donations and assistance in the next few years run at the rate of the recent past, the projected 31 million tons of wheat imports would consist of 10.5 million tons commercial, 17.4 million tons credit assistance, and 3.1 million tons donations. A 10-cent-per-bushel price rise would cost the lesser developed countries $38.7 million on commercial imports and $63.8 million on credit assisted imports, for a total of $102.5 million. If the IGA achieved a full 23-cent-per-bushel price increase, the cost to importing lesser developed countries would be $89 million on commercial and $146.8 million on credit assisted imports, for a total of $235.8 million.

Obviously, some assumptions must be made to apply the conjectured impact of these cost possibilities. The most critical are: First, commercial sales to lesser developed countries at the higher price under the proposed IGA are the same as they would be under a lower price. In fact, commercial sales to lesser developed countries may decline if price increases significantly, since a greater burden would be placed on foreign exchange reserves. Second, Government assistance remains unchanged at the higher price. In fact, exporters view "food aid" as a place to dump wheat stocks accumulated to drain surpluses produced at a higher price, food aid may increase. Alternatively: Any net increase in food aid under the IGA does not shrink commercial markets, but increases the net transfer of wheat to lesser developed countries.

Despite the fact that food aid under the IGA is meant to be nondisruptive of commercial transactions, it appears reasonable to expect that increased food aid may substitute for some sales. This has happened in the past. For example, it has been estimated that there was an elasticity of response between Public Law 480 shipments and commercial wheat exports to India during 1952–63 of .65. Increased Public Law 480 shipments were associated with decreased commercial imports.

Even if lesser developed countries food substituted food aid for commercial imports, they would find the IGA a costly development. In the extreme, suppose that the new food aid subscriptions entirely substituted for commercial wheat imports. Suppose further that the 1.874 million tons was entirely a donation. In this case, commercial imports projected by the International Wheat Council would fall to 8.6 million tons, donations would rise to 5 million tons, and credit assistance would remain at 17.4 million tons.

The assumed 1.874 million ton decline in commercial imports would save the lesser developed countries $115.1 million—1956–67 price level assumed. A 10 cents-per-bushel price rise would generate an increase in cost of commercial imports of $31.6 million, and an increase in cost of assisted imports of $63.8 million. The total cost decrease could be $19.7 million. A 23 cents-per-bushel price rise would generate a commercial import cost increase of $72.6 million. Coupled with the $146.8 million cost increase on credit assisted imports, the wheat bill could rise by $104.3 million. The 1.874 million tons of assumed donations would then actually "cost" $1.52 per bushel. Thus, even under the extreme assumption of proposed food aid being entirely a donation substituting directly for commercial imports, cost of wheat imports to lesser developed countries would likely increase.

Mr. President, in summary, this agreement is not in the best interests of the United States. It really is not in the best interests of the less-developed nations, and I am sorry to report that it appears that our negotiators at Geneva are more interested in propaganda victories than they are in producing a convention or an agreement which could be real progress in the field of international free trade.

Mr. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, this International Grains Arrangement has had a rather strange and interesting path through the subcommittee through the main committee meetings, and finally reaching the floor, as it has. The fact of the matter is that the subcommittee appointed to look into this matter split three to three on the question of voting this treaty to the main committee. Then, by some means last week, when the full committee meeting was held, with perhaps a quorum—I was on the subcommittee, but I did not attend the full committee meeting that day—for some reason the subcommittee members who were there said they would now report the treaty favorably to the full committee, and the full committee, as I understand it, by voice vote, recommended it to the floor of the Senate.

I am not so sure what the reason is for the precipitate action in connection with this treaty, but I personally have come to the conclusion that it is a treaty which in the long run will not be for the best interest of the grain producers of this country.

Four of us on the committee joined in the preparation and filing of minority views on the Wheat Trade Convention. These minority views are not printed in the same document as the majority views or the so-called committee report because permission to print the minority views was not obtained until after the committee report had been filed.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the minority views on the Wheat Trade Convention as filed and ordered printed on June 11, 1968.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

MINORITY VIEWS ON THE WHEAT TRADE CONVENTION

In our opinion the Wheat Trade Convention, a part of the International Grains Arrangement of 1967, should not be ratified. The WTC is, in a sense, a restrictive cartel and would result in (1) a reduction in U.S. wheat exports; (2) lower, not higher, incomes for U.S. wheat producers; and (3) an unfortunate precedent for future international trade negotiations.

Implementation of the Wheat Trade Convention would reduce U.S. wheat exports.—There are no trade expansion features in the WTC. During the Kennedy round negotiations, advocates of an international commodity agreement for wheat often gave assurances that such an agreement would contain share of the market guarantees which would provide access for the United States at a percent of the market equal to our current share. There are no such assurances in this agreement.

Instead, the agreement could eliminate international competition for wheat markets by setting a price range with minimum price indicators approximately 23 cents above the minimum price in the old International Wheat Agreement. If the WTC went into effect, minimum price indicators would most likely be above world market wheat prices.

If the Wheat Trade Convention were ratified, the U.S. Government apparently would be required to do one of two things in order to comply with the minimum price indicators:

(1) Drastically curtail U.S. wheat production in an effort to force domestic prices above the minimum.

(2) Apply an export tax to raise U.S. export prices above domestic levels.

If the United States should attempt to implement the minimum price provisions, we would be in danger of losing competitive advantages in the world wheat market and restricting the volume of exports. This would be especially true if other exporting countries did not comply with the minimum indicators as scrupulously as the United States. Experience under the old International Wheat Agreement indicates that this would happen. It also should be noted that the WTC establishes minimum price indicators in terms of U.S. gulf port prices. The minimum prices for the ports of other exporting nations would be computed and could be calculated in a manner to give them a competitive advantage.

A world wheat price artificially determined in this manner could also quickly induce increased production of wheat in other countries even when that production is less efficient than that of the United States. This would not only apply to such wheat exporting countries as Canada, Australia, and Argentina. It could also stimulate production in such countries as Mexico, Spain, Greece, and Turkey. We know from sad experience in the United States that increasing guaranteed support prices is a powerful stimulus to expanded production of agricultural commodities.

The United States now has a superabundant supply of wheat, and our farmers have the capacity to expand production still further. The WTC would tie the hands of American exporters at a time when our national goal should be the export of 1 billion bushels of wheat each year.

Achievement of this export goal would make a material contribution to an improvement in the U.S. balance of payments. The reduction in U.S. exports which would be brought about by the WTC would aggravate our balance-of-payments position.

The Wheat Trade Convention would result in lower, not higher, incomes for U.S. wheat producers.—Domestic demand for wheat is relatively inelastic. If export markets are reduced, wheat growers will sell less wheat, not more.

Fewer bushels of U.S. wheat sold in the export market mean more wheat thrown back on our domestic market. This would depress prices to U.S. farmers. The WTC would mean lower—not higher—wheat prices to our farmers.

Ratification of the WTC would establish an unfortunate precedent for future international trade negotiations.—Political allocation of markets and international supply-management are contrary to the interests of this Nation. The problems which they create have been demonstrated by the operation of the International Coffee Agreement.

The Wheat Trade Convention places no limits on the import duties which foreign nations may impose on U.S. wheat. On the contrary, by treating wheat separately by special convention, it legitimizes the excessively protectionist policies of the European Economic Community and removes any contractual obligation on the Community's part to refrain from increasing import restrictrictions as it sees fit.

We believe that the Wheat Trade Convention is an attempt to becloud the fact that the agricultural trade objectives of the Kennedy round of international trade and tariff negotiations, as set forth by the Congress in the Trade Expansion Act of 1962, have not been achieved. It has been argued that the advantages to be gained from the companion Food Aid Convention would justify selling out U.S. farmers and exporters by ratifying the WTC. We reject this contention. Food aid which would be provided under the FAC does not exceed current levels being provided by the signatory nations. For the United States the FAC contains a $200 million price tag. This amount has been included in the 1969 budget of the Department of Agriculture and is specified on page 1698 of the report of the Committee on Appropriations on the USDA appropriation bill.

We believe that the Senate's refusal to ratify the Wheat Trade Convention will make clear to the world that the United States intends vigorously to pursue expanded wheat markets throughout the world. This is what U.S. wheat farmers want. This is what the U.S. wheat trade wants. This is the best route to expanding world trade, not only for wheat but for all commodities.

BOURKE B. HICKENLOOPER.
JOHN J. WILLIAMS.
FRANK J. LAUSCHE.
THOMAS J. DODD.

Mr. HICKENLOOPER. Mr. President, it has been said here repeatedly by various proponents of the International Grains Arrangement that the major wheat producer associations support this arrangement and the Wheat Trade Convention.

I respectfully submit that the largest farm organization of all, which has more wheat producer members than any other organization, is strongly opposed to this arrangement and convention. The American Farm Bureau Federation has more wheat producer members than any other organization, throughout the United States, and the American Farm Bureau Federation, and its member State federations in all the States including the great wheat States of Kansas, Nebraska, Colorado, North and South Dakota, are all very strongly opposed to this being approved by the Senate.

While some smaller farm groups may have been sold a bill of goods by the administration, even these groups indicate very great disappointment with its content, for it is a mighty poor showing for American agriculture from the Kennedy round. These smaller groups appear to be in support of the arrangement and the convention only because they believe the agreements may be better than nothilng at all.

Mr. President, the American Farm Bureau Federation, the Greater North Dakota Association, and the many other organizations and individuals opposed to this International Grains Arrangement and the Wheat Trade Convention—and I concur in this belief—believe that the arrangement and the convention are in fact worse than nothing.

The Greater North Dakota Association testified in opposition to this Wheat Trade Convention.

The Greater North Dakota Association is composed of 3,500 North Dakota farmers and businessmen. Vernon C. Lee, manager of the agricultural department of the association and a partner in an 800-acre family farm, testified on behalf of the association's agricultural committee, made up of farmers and agribusiness-leaders from all over North Dakota.

It is not true that more organizations support this convention than oppose it. The convention is opposed by the American Farm Bureau Federation, by the Greater North Dakota Association, by the the Grain and Feed Dealers National Association, by the National Grain Trade Council, by the North American Export Grain Association, by the U.S. Chamber of Commerce, by the International Economic Policy Association, by the National Soybean Processors Association, by the Water Transport Association, by the American Cotton Shippers Association, and by many other local associations and individuals.

I believe these organizations and individuals, and others who have testified or otherwise indicated opposition to or concern about the treaty before the Senate, are correct in their conclusion that approval of this International Grains Arrangement, including the Wheat Trade Convention, would definitely not be in the best interests of American agriculture, and would not be in our national interests in either the short run or long term.

Perhaps the most telling arguments against the International Grains Arrangement and the Wheat Trade Convention are contained in the majority report of the Senate Foreign Relations Committee.

The majority report itself rebuts the contention of proponents that it is but an extension of the previous International Wheat Agreement. On page 5 of the report, the majority admits:

> Under the new convention, exporting nations *as a group* agree to supply specified percentages of the wheat requirements of importing nations within a range of prices established for the major types of wheat constituting the bulk of that grain moving in international trade.

Other statements in the majority report's summary of the provisions of the Wheat Trade Convention make it even more clear that this is not just simply an extension of the previous and expired International Wheat Agreement, but is really a new animal.

As the majority report itself points out, the convention provides clear supply management regulation on a worldwide basis, an international committee determining just how much our farmers can produce for export purposes.

On page 3, the majority report states:

> Although the arrangement does not contain specific provisions for supply-management and export sales restraint, the new consultative procedures provide an opportunity for exporting nations to reach agreement on the means for withholding supplies from the market to maintain an acceptable price level, and a sharing of the burden of sales restraint.

The administration contends, as stated in the majority report on page 7, that the United States has the right, under the arrangement and convention, "to price wheat below minimums set out in the convention if it is found, as a last resort, to be necessary to do so," in order to remain competitive.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. DIRKSEN. I yield 5 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 additional minutes.

Mr. HICKENLOOPER. Mr. President, the United States would be bound by this agreement, it would have not any opportunity to withdraw except on giving notice in protest to Wheat Council decisions, it would continue to be bound by those decisions to the end of the crop year, it has no other "right" to not abide by the convention and the Council's decisions, as I understand this highly technical convention, except in the same sense that a person has a right to breach a contract or commit a crime if that person is prepared to accept the legal and moral consequences of his action. If we are entering the treaty in the sense that we can violate it, then what good is it and why enter it? Mr. President, I do not think we should enter any treaty unless we are convinced it is in our national interests, and once entering it we should be prepared to abide by it until such time as it is terminated by mutual consent of parties or is renegotiated. We certainly do not want our word treated as lightly as is that of the Soviet Union; our credibility gap at home and abroad is already too great

Mr. President, I ask unanimous consent to have printed in the RECORD the following items:

A memorandum on the subject, "Summary of the International Grains Arrangement and the Reasons Why It Is Disadvantageous to the United States."

An editorial entitled, "Time To Renegotiate," published in the Journal of Commerce, New York, N.Y., issue of May 1, 1968.

An editorial entitled "Export Tax Seen Likely on U.S. Wheat," published in the Journal of Commerce of January 30, 1968.

An article entitled "Fears of Export Duties Spur Wheat Downturn," published in the Journal of Commerce of January 31, 1968.

An article entitled "World Wheat Supply Is Facing Cloudy Outlook," published in the Journal of Commerce of May 21, 1968.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE INTERNATIONAL GRAINS ARRANGEMENT AND THE REASONS WHY IT IS DISADVANTAGEOUS TO THE UNITED STATES

The International Grains Arrangement is in two parts; a Wheat Trade Convention and a Food Aid Convention.

The Wheat Trade Convention provides for an increase in the minimum prices over those in the International Wheat Agreement by approximately $.23 per bushel; for fixed differentials for the different classes and qualities of wheat; and for the shifting of the base for price comparison from Fort William-Port Arthur to U.S. Gulf ports. The Food Aid Convention provides that the participating countries shall contribute annually a total of 4.5 million metric tons of grain or a cash equivalent to developing countries of their choice.

The Grains Arrangement would be disadvantageous to the United States for the following reasons:

1. The Food Aid Convention establishes a useful precedent but is not in any way compensatory for the disadvantages to the United States in the Wheat Trade Convention. Its benefits have been overstated. No new contributions would be required from the United States or Canada, which together account for more than half the total commitment.

Since the commitment could be met in grains or cash, many other countries could fulfill their food aid obligations without increasing their total aid commitments. For example, the EEC countries could shift some of the grant aid they are now supplying African countries in such a fashion as to have it counted as a cash grant in response to their commitment under the Food Aid Convention. Finally, the food aid benefits less developed countries would receive would be substantially offset by the higher prices they will have to pay for commercial purchases as a result of the Wheat Trade Convention.

2. Despite repeated statements by Administration spokesmen that improvement of prospects for agricultural trade was indispensable to a successful Kennedy Round negotiation, this agreement would not remove any of the impediments to commercial grain trade. It would not require the Common Market or the U.K. to alter protectionist policies. It would not guarantee access for U.S. wheat or food grains in any market. It would do nothing to remove barriers or guarantee access.

3. Higher minimum wheat prices would encourage new investments in wheat production abroad and thus new competition for U.S. wheat exports. Higher minimum prices also would retard the growth of wheat consumption in less developed countries where prices influence purchases. It would certainly make it difficult for the United States to move these countries from concessional to commercial sales. It would reduce, not improve, prospects for the United States expanding its commercial wheat sales.

4. The price range under IWA straddled the long-term equilibrium price. It was intended to stabilize prices—or such was the theory. The new agreement is an attempt to keep prices *above* long-term equilibrium at all times. (See *Economic Report of the President*, February 1968, page 193, last paragraph.)

5. U.S. sales could suffer from competition from nonmembers (for example, the Soviet Union) not bound to observe the new minimum price. Importing countries have not yet agreed to the share of their total requirements to be purchased within the agreement. As much as 20% of their needs may be reserved for purchases outside the agreement. If the Soviet Union elects not to become a member, it would be able to undersell signatory countries in at least 20% of world markets.

6. There is no adequate machinery provided to assure that importing or exporting countries would abide by the provisions of the agreement. Past experience does not make one expect that in times of difficulty they would in fact do so.

7. The proposed arrangement imposes no obligation on other exporting countries to cooperate in limiting the buildup of surplus production. In the absence of such an agreement and adequate machinery to enforce it, the United States would likely become the residual supplier, building and maintaining surpluses, and becoming increasingly reliant on concessional sales while others make cash sales.

8. The proposed agreement in itself would not improve producer prices. If it were implemented now our government would be required to impose an export tax to prevent wheat trading in this country below the new minimum from entering export markets.

[From the Journal of Commerce, May 1, 1968]

TIME TO RENEGOTIATE

A vigorous controversy has developed in the Senate Foreign Relations Committee over ratification of the International Grains Agreement, which is proposed as a means of raising wheat prices in world markets, the income realized by American farmers and of generally bettering the U.S. national balance of payments position.

The U.S. Department of Agriculture, some wheat growers, the Farmers Union and the National Grange are the main backers of ratification. They maintain the new agreement is a great improvement over the International Wheat Agreement, first ratified by the Senate in 1949 and then prolonged by short-term extensions, the most recent having been made in 1966.

The new agreement provides for higher minimum and maximum prices than the IWA. In terms of the minimum prices, it is about 20 cents higher per bushel. Maximum prices would be at 40 cents above the minima for each type of wheat. The price relationships were agreed upon in the cereals phase of the Kennedy Round negotiations in Geneva.

A key feature of the new agreement is provision for a new Prices Review Committee which would convene whenever one price or more threatens to drop below the minimum of the IGA range. This committee would have the authority to make adjustments. It would have to agree in all cases, or minimum prices would not be fully effective. Thus provision has also been made for a certain amount of flexibility. USDA is apparently convinced that it is sufficient.

But, as our readers are well aware, not everyone else in the trade feels likewise. The American Farm Bureau Federation, which includes a great many wheat growers in its membership, and a formidable array of grain and feed dealers oppose the whole proposition, and we think for good reason.

The higher prices sought via IGA would be achieved at considerable cost. Wheat consumption in less-developed countries would be restricted. Wheat production in other higher-cost countries would be stimulated. Neither of these developments offer any real prospect for increasing U.S. commercial sales of wheat.

Ironically enough, even U.S. wheat producers would probably not benefit from the higher prices, for it is already widely assumed that exporters would be assessed export taxes designed to keep the prices above the lower U.S. level. If so, they would be unable to pass the higher (supported) world price back to the producers.

In terms of wheat it is plain that the United States did not get from the Geneva negotiations what it had hoped to get, namely, better access to the hard currency markets.

The crux of the matter is that the United States has the machinery for limiting production and for storing large quantities of grain for the purpose of withholding it from the market, but most other countries do not. Hence, this country could find itself losing valuable export markets to European farmers, or perhaps even to those of the Ukraine (the Soviet Union is not presently in the agreement).

If other countries seriously want to develop an international agreement to limit production and increase prices, it is only right that the U.S. should have better guarantees of an improved share of the important hard currency markets. U.S. agricultural efficiency is still increasing at a startling rate—far faster than the productivity rates abroad. Consequently, foreigners would have much to gain from U.S. production restraint.

The traditional advantage of the U.S. in world markets is keyed directly to this efficiency in production. Whatever the arguments for higher prices may be, the limitations on production necessary to achieve them would not be in our best interest. As John A. Creedy, president of the Water Transport Association, said recently before the Senate Foreign Relations Committee, there is an expanding cycle of growth and efficiency which underlies much of this country's outstanding economic performance. "High volume makes possible lower costs which, in turn, produce increased efficiency and competitive superiority leading, in turn, to still higher volume, with economic benefit for all." This is sound doctrine.

If we depart from it, we should get very substantial benefits in terms of better access to presently restricted markets than we have so far achieved. This is an issue that should be sent back to the negotiating table.

[From the Journal of Commerce, Jan. 30, 1968]

EXPORT TAX SEEN LIKELY ON U.S. WHEAT

WASHINGTON, January 29.—A high administration official indicated today that it is possible that exporters might have to pay a tax to the CCC to keep export prices at or about minimum of new International Grain Arrangement, if it is enacted.

The USDA official said the administration was hopeful that wheat export prices by July 1 would already meet the new international minimum price which on standard type No. 2 hard winter wheat f.o.b. the Gulf would be $1.73 per bushel.

He acknowledged, however, that if it did not, provisions in the Agricultural Act of 1965 gave the Secretary of Agriculture authority to levy such a charge. The proceeds then go into a pool to be divided up among producers taking part in the Administration's wheat program.

The official also said that in a briefing this morning, between Secretary Freeman and Undersecretary John Schnittker and representatives of seven grain export companies, the administration would come up with new suggestions for Grain Reserve Policy when they testified at Senate hearings tomorrow morning.

[From the Journal of Commerce, Jan. 31, 1968]

FEARS OF EXPORT DUTIES SPUR WHEAT DOWNTURN

CHICAGO, January 30.—All grains and soybeans closed fractionally lower on the Chicago Board of Trade, except rye, which finished unchanged in dull trading.

Wheat was ⅝c to ¾c lower; corn unchanged to ¾c lower; soybeans ¼c to ⅞c lower; and oats unchanged to ⅜c lower.

Wheat retreated on liquidation in part attributed to fears over the announcement of a USDA official that U.S. exporters may be required to pay a tax to maintain export prices at the minimum level of the international grains agreement, in the event that this agreement receives congressional approval. Additional downward pressure stemmed from the continued belief that more than ample supplies will be available throughout the crop year.

Declines in wheat were braked by hedge lifting by brokers with export connections, presumably against a sale of about 5.2 million bushels of hard winter wheat to Pakistan, and a small tonnage to the United Kingdom.

Corn gave ground on selling partially ascribed to market indifference to war news and to the larger rate of this year's export business as compared with a year ago. Continued congestion of country and terminal facilities was also a depressant. The market was accorded some support on buying at low points by brokers with milling connections and by exporters.

Soybeans weakened on hedge selling and commission house liquidation on a disappointing weekly export inspection figure. A lack luster performance by end products was also discouraging to longs. Moderate offsetting support developed at low points on the feeling that impoundings under the government loan will soon begin to exert upward price tendencies, particularly if a grain reserves bill is passed. Japan and Holland bought a combined total of 600,000 bushels.

[From the Journal of Commerce, May 21, 1968]

WORLD WHEAT SUPPLIERS FACING CLOUDY OUTLOOK

LONDON, May 20.—The world's four major wheat suppliers, the United States, Canada, Australia and Argentina, are having a gloomy time at present competing in a contracting, inelastic market which is heavily-overhung with two years of crop surpluses.

At the same time, they are preparing to raise their export prices to around a new minimum level of $1.73 a bushel at Gulf ports in time for the start of the International Wheat Agreement (IWA) year on July 1.

HUGE SUPPLY

Superficially, at least, this move seems one of economic madness, considering there is an awkward surplus due largely to the improved Soviet harvest last year and the growing self-sufficiency of such massive and traditional importers as India and Pakistan.

It seems even more rash when one remembers that the IWA, which took a year of tough negotiating to achieve, is legally non-binding as it has only been ratified by three countries. Coupled with this is the unpleasant fact that bread wheat has a fairly inelastic demand, and it is difficult to see how even the most massive promotional campaign could induce people, a large proportion of whom live in under-developed countries, to suddenly and significantly increase their bread consumption.

PRICE TEST DUE

The pressing and fundamental question is, can the big four exporters succeed in raising current prices, which on the giant Chicago market, for example, are at a 26-year low, to around the IWA level?

British trade sources answer the question with a heavily-qualified "Yes." Grain broking circles certainly do not expect to pay "anything like IWA prices" for commercial wheat shipments after July 1 because the "stuff is running out of the exporters' ears." But they all concede that the governments of the big four decide on some method of withdrawing and stockpiling a large quantity of the supplies in the not-unreasonable hope that natural demand will force prices up. This market manipulation would cost the governments dearly but it could be as stunningly effective as some of America's Commodity Credit Corporation ventures which have saved the day for farmers before.

But while the mechanics of a stockpiling arrangement are relatively simply to devise, it is far from clear if the four governments could hang together for long enough to make it work. (And here opinion is sharply divided on whether they will or will not.) For without solidarity, prices could plummet overnight. France, with its highly subsidized (but less acceptable) soft-wheat surplus, will be watching and waiting in the wings.

The IWA was concluded at last year's Kennedy Round negotiations when an impending world famine was predicted following the very 1965–66 world crop and the serious failure of the Indian crop. The leading exporters strenuously campaigned at the time for a much higher minimum wheat export price as being the only practical way in which to increase production to meet the danger.

But the 1967–68 world harvest of some 302 million tons (excluding China) and sharply reduced imports by India, Pakistan and Eastern Europe have thrown the predictions way off beam, with world carryover stocks held by the eight major exporters (America, Australia, Argentina, Canada, France, Italy, Spain and Sweden) currently estimated at around 40 million tons.

SEEN LESS ALARMING

This surplus may seem daunting but when viewed against the massive 60 million ton surplus accumulated by the end of 1961 it seems slightly less alarming considering that world trade (including both aid and normal commercial shipments) will probably take around 48 million tons this year.

But the future outlook is not that promising. The 1967–68 harvest showed a fall of about 30 million tons over the previous record season due to smaller, drought-inflicted harvests in Russia, Canada and Australia, but tentative indications for the 1968–69 harvest suggest that it should be "fairly good."

The International Wheat Council has stated in one of its recent reviews that, despite the smaller, climatically-hit 1967–68 crop, the world is now entering a long spell of mounting wheat surpluses. It expects these, however, to create more confidence and price stability by eliminating the worst aspects of speculation and assuring importers of adequate stocks. (But price stability is also dependent on how evenly distributed the crops are among the major producers and the state of their stocks.)

But market sources are quick to point out that this surplus trend can only be aggravated by the increasing use of high-yielding, disease-resistant wheat strains in developing nations coupled with growing fertilizer production. This can only make these countries more self-sufficient and able to meet the demands of their exploding populations.

It is, of course, true that China's wheat needs may reach the Australian Wheat Board forecast of six million tons annually in the near future and that countries like Japan will increase their wheat intake by a sizable and growing amount. Certainly climatic factors will always play their part in the supply and demand equation with a poor Russian harvest, for example, greatly boosting demand in any one year.

But climatic factors apart, it does seem that the major exporters will have to develop some method of controlling production in normal years at the same time as adjusting carryover stocks. Otherwise, they may find themselves plagued with awesome surpluses again and rock-bottom prices.

Mr. HICKENLOOPER. Mr. President, I think that one of the outstanding deficiencies in the treaty was the fact that it was announced—even as shown in the committee report—there were three objectives when we entered into the so-called feed grains treaty negotiations.

The three objectives are as follows:

(1) Assured access to the markets of importing countries;

(2) Higher minimum world trading prices for wheat; and

(3) Establishment of a multilateral sharing of the world's food aid burden.

Mr. President, as to the first objective, "Assured access to the markets of importing countries," that was entirely abandoned in this treaty. We have no guarantee of assurance in the treaty of access on a fair, competitive basis to the world market. We are left out, as "orphans of the storm" somewhat, and subject to the whims, if necessary, of the Common Market. We have seen what has happened in some of the European countries so far as our agricultural products are concerned.

As to the second objective, "Higher minimum world trading prices for wheat," I find no reliable guarantee that we will get higher minimum world trading prices for wheat. On the other hand, we recognize that it may go down. Certainly, it has been pointed out that if the Iron Curtain countries think they can have an advantage over a higher world level price for some period of time, they can flood the market and drive it way down by increasing their own wheat products. The Iron Curtain countries are not parties to this treaty at all.

As to the third objective, "Establishment of a multilateral sharing of the world's food aid burden," we are doing part of that now. We are doing it now without the treaty. Yet, this treaty would bind us on two uncertain principles for at least a 3-year period.

I do not believe that we should bind ourselves by a treaty to a situation which may do a great disservice to our farmers.

I think it has been pointed out before that one of the troubles of cotton in this country, one which has been causing distress in the whole cotton situation, was when we held such a high support price for cotton that we piled it up in our warehouses and the cotton producers went to Mexico and Central America and increased their cotton acreage and flooded the world markets with cotton, which left us holding the bag.

That same thing could easily happen under this treaty because there is no guarantee against it. That is one of the reasons why I am against the treaty.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. The Senator just got through discussing the three premises under which it was recommended that this treaty be adopted. The first one——

Mr. HICKENLOOPER. Three objectives.

Mr. LAUSCHE. Three objectives, that is right.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. DIRKSEN. Mr. President, I yield 5 additional minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. LAUSCHE. The first objective is, "assured access to the markets of importing countries."

Mr. HICKENLOOPER. That is correct.

Mr. LAUSCHE. That was the goal at which we were aiming.

Mr. HICKENLOOPER. The Senator is correct.

Mr. LAUSCHE. May I ask whether, in the negotiations, our Government at all succeeded in insisting on the adoption of provisions that would induce the importing European countries to, first, quit getting price supports; second, to quit imposing levies on food imports; third, to quit imposing import controls; fourth, to quit subsidizing transportation costs; fifth, to quit making bilateral trade agreements excluding other nations from exporting into those importing countries; and, sixth, various kinds of two-price systems.

We were told that the barriers would be broken down so that the American farmers' surplus products could be shipped into those countries.

What has been the actual result concerning the attainment of what was promised?

Mr. HICKENLOOPER. So far as I could read and understand from the testimony, and everything else, we got no results along those lines.

Mr. LAUSCHE. That is what the objective was, to establish a free market——

Mr. HICKENLOOPER. The first objective was not attained, and the committee report so states. That is one of the fundamental weaknesses of the treaty. I cannot support a treaty that gave us no reliable and assured access on a competitive basis to world markets. Now we are at the sufferance of Europe, as I view it and see it.

Mr. LAUSCHE. Is there any question about the statement that our aim was to get the European countries especially to break down the artificial barriers against the United States exporting its products of food to those countries?

Mr. HICKENLOOPER. Those were a part of the details, which were the objectives in our negotiations; namely, to break down those artificial barriers, such as our currency barriers, import barriers, various taxes at ports of entry, and various other things of that kind. We did not accomplish that, as I view it.

Mr. LAUSCHE. Now, objective No. 2, "Higher minimum world trading prices for wheat." May I ask, how can we explain the fixing of artificial prices in the face of the fact that our Nation is practically giving away food to the hungry nations of the world. By fixing prices at 23 cents above the market price of today, how are we helping the hungry people of the world?

Mr. HICKENLOOPER. Well, I do not know that we are. We probably are not, except as we continue to give away food.

Mr. LAUSCHE. The less the hungry people are able to buy because of the fixed 23 cents a bushel as of today, is it not a fact that the more the price is increased, the more the U.S. taxpayer will have to give away?

Mr. HICKENLOOPER. That is what I say—the hungry people will probably have to get more by way of gifts instead of purchases.

Mr. LAUSCHE. Who will be the probable donor?

Mr. HICKENLOOPER. If history gives us any lesson, it will be the United States.

In the first place, I do not know how this treaty is going to establish a guaranteed minimum or higher world trade price. It points to it, and it has the figures in there to fix it, but, at the same time, the treaty itself recognizes that world prices may go lower, and it authorizes us and other export countries to lower the price of wheat to meet competition. So it recognizes the fact that the so-called minimum price may not, and in my opinion will not, be sustained.

Mr. LAUSCHE. The Senator from Iowa mentioned what the Iron Curtain countries and what Russia may do, and, I may add, what China may do. Are any of those countries contemplated signatories to the convention?

Mr. HICKENLOOPER. As far as I know, none of those countries is. None of the Iron Curtain countries is a signatory to the convention or treaty, and I do not think any one of them intends to be. I have no evidence that any one of them is clamoring to get its signature on it.

Mr. LAUSCHE. What will happen if, let us say, Russia, under favorable circumstances, and with increased effort, becomes an exporter and if Rumania, a grain-producing nation, begins to export, and they want to seize the market or get a part of it? What will happen to the U.S. farmers' market?

Mr. HICKENLOOPER. That will depress the market and the price will be driven down. The United States could suffer from competition from nonmembers, for example, the Soviet Union, who are not bound to observe the new minimum price. Importing countries have not agreed to the share of their total requirements to be purchased under the agreement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. Mr. President, I yield myself 1 more minute.

As much as 20 percent of the needs of the importing countries may be reserved for purchases outside of the agreement. If the Soviet Union elects not to become a member—and, as far as I know, it does not intend to become a member—it would be able to undersell signatory countries in at least 20 percent of the world markets.

Meanwhile, we bind ourselves and subject ourselves to depressed market conditions and depressed prices.

I know that many farmers look to this agreement hopefully. I assure Senators that I am just as much for farmers getting the best possible price they can get as anyone is, because they have been put upon for too long in this country, but I sincerely believe this treaty is going to be a disservice to the grain farmers of the country in the long run. That is why I am against it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. I yield myself 1 more minute.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. Item No. 3, the purpose was to establish a multilateral sharing of the world's food aid burden. Have any of the nations increased their share of providing aid to the poor?

Mr. HICKENLOOPER. I do not think they have, and we have already, outside of this treaty, voted $200 million for the world food aid program. That is outside of the treaty and has nothing to do with the treaty.

Mr. LAUSCHE. There can be no documentation, as far as I have been informed, that any of the nations that are grain-producing and food-producing have, as a consequence of this treaty, promised to give more grain than they have given in the past.

Mr. HICKENLOOPER. As far as I know, that is correct.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I yield the Senator from Iowa [Mr. MILLER] 5 minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. MILLER. Mr. President, yesterday, during my colloquy with the Senator from Alabama [Mr. SPARKMAN], who is managing the bill, we had some discussion about the point that I had made in my statement that present world prices were substantially under the minimum price that would be established by the pending treaty. My colleague from Alabama read into the record a number of sales transactions with Japan, all of which were substantially above the minimum price. I asked my colleague from Alabama at the time whether or not they were prices delivered in Japan or f.o.b. prices here in the United States, and I believe that the response was that they were f.o.b. prices in the United States.

Since that time I have had an opportunity to look into this question, and I must advise my colleague from Alabama, with all due respect, that the figures he gave yesterday are prices delivered in Japan—c.i.f. prices, cost-insurance-freight—and that those prices would therefore be about 23 to 24 cents above the f.o.b. price here in the United States. That is the price we are talking about.

I have here the Grain Market News for May 31, 1968, published by the Grain Division of the United States Department of Agriculture, which sets forth, on page 2, the transaction prices on May 29 of this year. It shows that the gulf price for No. 1 Hard Winter wheat, which would be approximately 1 cent above the gulf price for No. 2 Hard Winter wheat, was $1.62. This is 11 cents below the minimum price under the treaty that is pending.

I may say further I am advised that from May 29, the date of this transaction, through June 5 the price had dropped to $1.54, which is 19 cents below the minimum under this treaty, which is exactly the point I was making in my statement yesterday.

I have in my hand a message from Kansas City, dated June 12, under the Reuters News dateline, which reads as follows:

> The Agriculture Department's Commodity Office here today bought a further 835,000 bushels of No. 2 or better grade hard winter wheat from U.S. traders for export donation to Tunisia. The purchase—

Which was made on June 12—

> was made from 1.54⅜ dollars to 1.54⅝ dollars per bushel f.o.b. Gulf ports for June 20 to July 20 shipment—

Nineteen cents under the minimum that would be established under this treaty.

I have another news release which reads:

> According to the Southwestern Miller—

Which is one of the leading trade papers in the wheat trade—

> this morning—

Which would be today—

> the value of hard winter wheat at the Gulf on June 12 was $1.53⅜ delivered Gulf on No. 1 hard winter wheat and $1.33⅛ on soft red winter wheat delivered Gulf.

I think it would be tragic if this treaty were ratified on the basis of figures, which I am sure were honestly given, but which is, nevertheless, misinformation that the manager of the bill gave the Senate yesterday.

The point I am reemphasizing is that present world prices are about 19 cents per bushel under the minimum that would be established if the Senate ratified the treaty.

What would happen to this 19 cents?

It would not go into the farmers' pockets. Our exporters would buy it at the price of 19 cents under the newly established minimum price. Then a buyer overseas would have to pay the minimum price, and what would happen to the 19-cent differential? Would it go into the wheat farmer's pocket? It would not. It would go to the Commodity Credit Corporation.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MILLER. I would like to make one further point.

We have this anomaly: That if the pending agreement were now a matter of law, we would have the purchase, on June 12, by the Department of Agriculture's Commodity Credit Corporation of 845,000 bushels of No. 2 wheat at 19 cents under the minimum price, for export to Tunisia; and the Commodity Credit Corporation would have to turn around and pay a tax to itself of 19 cents.

That is the point I wanted to make; and as I say, while I know the Senator from Alabama made this statement with the utmost good intentions, his figures were for wheat delivered in Japan, and not f.o.b. gulf ports.

I ask unanimous consent to have printed in the RECORD an extract from the Grain Market News of May 31, 1968, as designated, showing export prices for wheat and other grains as of May 29, 1968.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

GRAINS—EXPORT PRICES BASIS PROMPT OR 30-DAY SHIPMENT, MAY 29, 1968

[All prices per bushel except grain sorghum per hundredweight f.o.b. vessel]

Port markets	Wheat [1]		Corn No. 2 yellow	Soybeans No. 2 yellow	Barley or grain sorghum [2]
	Class	Price			
Duluth	No. 1 Heavy Northern Spring, 14 percent protein.	$1.72			
Baltimore	No. 2 Soft Red Winter	1.50	$1.23		$1.24
Gulf	No. 1 Hard Winter:				
	Ordinary protein	1.62	1.22	$2.80	2.20
	14 percent protein	1.65			
Pacific Northwest	No. 2 Western White	1.62			1.20

[1] The export payment rate for wheat on May 29, was 0 cent per bushel for Spring wheat from Duluth, 0 cent for Soft Red Winter from Baltimore, 0 cent for Hard Winter from the gulf, and 0 cent for White wheat, 3 cents for Hard Winter, and 16 cents for Spring wheat from the west coast.

[2] No. 3 barley at Baltimore, and No. 2 barley in the Pacific Northwest; No. 2 yellow grain sorghum at Houston or Galveston.

Source: Grain Market News, U.S. Department of Agriculture, vol. 16, No. 22.

The PRESIDING OFFICER. Who yields time?

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, it is hard for me to understand way so much of the opposition to this grains arrangement comes, not from the wheat producers, but from producers of one or two other commodities who have little or no interest in wheat.

Of course, the major opposition comes from the grain trade, the exporters, who stand to make more money if wheat is at a lower price. They will have less money involved in trade transactions, and their commission is the same whether wheat is 50 cents a bushel or $2 a bushel.

Mr. President, the Republican Party has been interested in saving money. I hope it will keep up that interest. These farm programs have cost too much money, and we should find ways of reducing the cost.

In fiscal year 1967, the export subsidy for wheat averaged 25 cents a bushel, or $107.7 million. If this grains arrangement raises the world price of wheat by 23 cents a bushel, as we expect it will, then last year hardly any export subsidy would have been necessary; and the Federal Government would have saved about $100 million on export subsidies alone.

For the life of me, I cannot understand why anyone would object to obtaining a higher world price for any American farm commodity or industrial product. I can understand the exporters' viewpoint, however. If the price of wheat in the United States is lower than the world market, of course, the exporter would have to make what is called an inverse payment to the Commodity Credit Corporation. That money would go to pay the cost of export subsidies, and any money left would be divided among the farmers. So the farmers themselves do benefit from it. It tends, too, to put a little higher floor under domestic prices. Here, again, is the chief objection of some who just do not want any minimum price for farm commodities.

From the standpoint of people who do not want any price support program, or any program at all, I think it is perfectly logical that they would oppose it. Mr. President, I ask unanimous consent to have printed in the RECORD figures from the report of the President of the Commodity Credit Corporation for 1967, showing the export payments recorded under the commodity credit program in fiscal year 1967.

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

Export payments recorded under the commodity report program in the fiscal year 1967 were as follows:

	Millions
Wheat	$96.2
Rice	22.0
Wheat products	11.5
Flaxseed	2.3
Linseed oil	2.6
Tobacco	33.1

Mr. YOUNG of North Dakota. Mr. President, I should like to state further that the export differential for wheat export under Public Law 480, or the food-for-peace program, in 1967, was $43.2 million. Not all of this would have been saved with a higher world market, but a substantial part of it would have been saved.

Mr. President, I certainly hope that this arrangement will be approved. It is much the same as the International Wheat Agreement which has worked very well over a long period of years. It has been the guideline which the United States and Canada, the biggest wheat exporters in the world, have been using all these years. Canada, Australia, New Zealand, and the United States probably represent more than 80 percent of all the wheat exports in the world. So when those countries are all for it, if they can agree on something like this, I do not see why there should be any objection from responsible sources here in the United States.

The argument which was advanced by the Senator from Indiana [Mr. HARTKE] that this agreement is not in the interest of the developing countries was based on an untenable economic sophistry which collapses under close scrutiny.

First of all, most of the developing countries are not commercial markets—they are relief recipients or purchasers under long-term credit arrangements payable in soft currency.

Second, the development of strong economies in these countries depends upon the stability of agricultural prices and the profitability of the operation. Anything which can stabilize world wheat prices at a profitable level is to the advantage of the developing nations.

Third, the farm organizations of the developing countries of Mexico, Tunis, Niger, India, Pakistan, Greece, and South Africa are all members of the International Federation of Agricultural Producers which was one of the vigorous sponsors of this treaty.

The PRESIDING OFFICER. Who yields time?

Mr. SPARKMAN. Mr. President, I understand it was the purpose of the Senator from Delaware [Mr. WILLIAMS], who is controlling minority time, to yield at this time to the Senator from Ohio [Mr. LAUSCHE]. But I do not see either of them in the Chamber.

Mr. WILLIAMS of Delaware. Mr. President, I am here.

Mr. SPARKMAN. I am sorry; I was looking for the Senator in this chair.

Does the Senator from Delaware wish to yield to the Senator from Ohio at this time?

Mr. WILLIAMS of Delaware. No; he has not requested me to yield to him at this time.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I have been asked what will happen if the Senate does not give its advice and consent to the International Grains Arrangement. My answer is that there will be no grains arrangement and we face being plunged into a costly race for wheat markets.

Here are the benefits we will lose if the grains arrangement is not ratified:

First, importing countries agree to purchase at least 80 percent of their wheat requirements from member exporting countries. Without ratification, importers will be free to buy all their wheat from nonmember countries.

Second, importing countries agree that to the extent they make purchases from nonmember exporting countries, they will do so at prices no lower than those provided in the agreement. We would lose that feature, too, which prevents costly price competition from nonmember exporting countries.

Third, other importing and exporting countries have agreed to put up 2.4 million tons of grain or its equivalent in cash annually to help feed the needy of the world. To the extent that this takes their grain surpluses off the world market, it will open up an opportunity for us to sell more wheat commercially. That is another advantage we will lose.

The creation of a broad international effort to feed the needy countries is a move that we have already strongly encouraged in the past in this body.

Fourth, the grains arrangement gives us the opportunity to work with other countries to hold world wheat prices at a level about 15 to 20 cents a bushel above the current $1.25 support rate. Current market prices indicate that without such cooperation, prices are likely to remain at an extremely low level this season. They will be at that level because there is more wheat available in the world than the markets can absorb.

Without the active cooperation of exporting countries in holding supplies off markets, there is absolutely no possibility of reaching the price promise of the International Grains Arrangement. Exporters will scramble for markets using whatever competitive device they can mount. It happens that the principal competitive device available to each of us is price cutting. And, that is what I predict will occur.

We stand to gain about 15 to 20 cents a bushel more for our wheat farmers if we ratify the grains arrangement than if we enter into costly competition. That to me is the major reason why I urge this body to give its advice and consent to this important action.

To those who say we will lose our competitive position in the world if we participate in the arrangement, let me add that I have today talked with Secretary Freeman who assures me that our wheat export target for 1968–69 is 750 million bushels. That is the clearest evidence I can give you that we will remain as competitive in the future as we have been in the past.

I sincerely hope that the Senate will approve the International Grains Arrangement.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Iowa.

The **PRESIDING OFFICER.** The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, in response to the Senator from Kansas, I am sure that Secretary Freeman does indeed have a target of grain exports, as the Senator has said. However, an article published in the Wall Street Journal—a very important newspaper—which I had printed in the Record yesterday, reports that analysts—those who are unencumbered by Federal policies—expect that upward of 100 million bushels will be the amount of the drop in our exports this coming year.

So while it may be laudatory to expect to export 750 million bushels of wheat, the grain analysts, who are independent in their views, warn us that our exports could drop as much as 100 million bushels. I think that we must take that into account.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from Kansas.

The **PRESIDING OFFICER.** The Senator from Kansas is recognized for 1 minute.

Mr. CARLSON. Mr. President, I have a high regard for the Wall Street Journal. I read it every day. But the Wall Street Journal does not sell wheat. The Secretary of Agriculture sells wheat through the commodity credit agency and agreements. I would rather take the word of the Secretary of Agriculture with respect to this arrangement than the word of the Wall Street Journal.

Mr. MILLER. Mr. President, of course, the Secretary of Agriculture sells wheat for export through the Commodity Credit Corporation. He knows, as well as anybody else, that we have all been supporting him in his efforts to do this. However, the fact that the Secretary wants the United States to reach a wheat export target of 750 million bushels does not mean that we will achieve that target.

When the Wall Street Journal reports the opinion of independent analysts that, in their judgments, our export market will drop 100 bushels, we ought to take that into account.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from North Dakota.

The **PRESIDING OFFICER.** The Senator from North Dakota is recognized for 1 minute.

Mr. YOUNG of North Dakota. Mr. President, I think there is substance to what the Secretary of Agriculture said despite the Wall Street Journal, which is no great farm publication.

If the grains arrangement is not ratified, the price of wheat could drop to $1 a bushel or less. It is almost down $1 a bushel in the western part of my State now. If wheat were to drop less than $1 a bushel, we could maybe export 100 million bushels more. However, who wants produce to export wheat for that price?

The farmers of the Nation are concerned about a decent price for themselves, not high profits for the exporters.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Iowa.

The **PRESIDING OFFICER.** The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, the Senator from North Dakota knows that certainly nobody from the Midwestern area of our Nation wants to see farm prices go down as far as they have. If anything, they have got to go up. We have been trying to attain that objective. Unfortunately, prices have been going down. As I said yesterday, one reason why the price of wheat is down is the very large carryover of stocks that will be upon us at the end of this fiscal year. Even though grain acreage allotments have been cut back this year, still, because of better weather conditions, there will be an aggravation of that carryover next year.

The Senator from North Dakota probably knows better than any other Member of the Senate what surpluses do to grain prices. That is one reason why grain prices are down. The point I make is that if those surpluses are aggravated because of a drop in our exports, the prices will go down still further. That is what will happen if we lose some of our export market. Under the treaty, incentives are provided for other grain-producing countries to increase their production and compete with us in our export trade. That is the whole point.

There is an honest difference of opinion between those who favor the treaty and those who oppose it. Both sides want to have better prices. But I have not had anybody who favors the treaty satisfy me that if it is ratified with the higher minimum world prices, the United States will not suffer a drop in its exports.

The Secretary of Agriculture may say, "Yes, we are going to shoot for exports of 750 million bushels." That is fine. But no one has satisfied me that other countries will not have an incentive to produce more wheat.

France has told us that the Common Market is going to become self-sufficient in wheat production, so our export market there may be destroyed. If we had guaranteed access to the EEC for our wheat, that would be fine. But we do not.

Mr. YOUNG of North Dakota. The best proof that the treaty will be beneficial to wheat producers is the fact wheat producers favor this grains arrangement. Every wheat-producing organization in the major wheat-producing areas favors the arrangement. Let me name a few of them:

The National Grange, the National Farmers Union, the National Farmers Organization, the Mid-Continent Farmers Association, the National Association of Wheat Growers, the Western Wheat Associates, Great Plains Wheat.

In my own State of North Dakota, the Wheat Commission finds no opposition to the arrangement whatever among the wheat producers. The opposition comes from other places.

I know that the Farm Bureau is opposed to the arrangement, but it does not have substantial membership in the major wheat-producing areas of the Nation.

Mr. MILLER. Mr. President, may I have an additional minute?

Mr. DIRKSEN. I yield an additional minute to the Senator from Iowa.

Mr. MILLER. I well understand that many, perhaps most, of the major wheat-producer representatives are for the arrangement. But that is no reason for me to swallow the statement that it is going to improve wheat prices. I want a good response based not upon a statement that so-and-so says this and so-and-so says that, and that this organization says something. I should like to find someone who will tear to pieces the argument that our exports will be adversely affected by the treaty. I wish it could be torn to pieces.

It is my point that the International Grains Arrangement will increase the world price of wheat by 19 cents. If so, Argentina, Canada, France, and other wheat-producing countries will have an incentive to produce more wheat. That will mean more competition in the world markets. Where will our export market go?

The **PRESIDING OFFICER**. The time of the Senator from Iowa has expired.

Mr. YOUNG of North Dakota. Mr. President, may I be yielded 1 minute?

Mr. DIRKSEN. I yield 1 minute to the Senator from North Dakota.

Mr. YOUNG of North Dakota. The price support for wheat in France is over $2.50 a bushel. This arrangement will not affect the price to farmers in France or encourge them to produce more one iota.

Mr. MILLER. It may not affect the price to farmers in France directly, but the Government of France will have that much less subsidy to pay, if it can export wheat at that figure. That would mean that they could even increase their subsidy to their farmers. They have told us that they are going to become self-sufficient in grain production. This is why we asked for guaranteed access to their market. And without the guaranteed access, where do our exports go?

Mr. YOUNG of North Dakota. The Senator said this would encourage increased production in France. Their price is already a dollar a bushel over the price this arrangement would provide.

Mr. MILLER. Yes. And give France the 19-cent difference, and they could even increase that amount of the subsidy; and they are going to do it, if they are going to achieve self-sufficiency, even though it is uneconomic and could be disastrous to their consumers. That is their objective.

Mr. SPARKMAN. Mr. President, I yield myself 1 minute.

I mentioned yesterday that the accumulation of wheat in many of the world's exporter countries threatens the export market, and makes more imperative the approval of the International Grains Arrangement. An article published in the Economist of June 8 describes the present situation in Canada.

It notes that Canada's two best customers, Russia and China, who at the peak bought 7 million tons of wheat—two-thirds of Canada's 1966 exports—expect to buy only about half that amount this year. It reports that Canada is now meeting fierce competition from the United States and Australia, and that the United States has "grabbed a large chunk of Canada's share in the Japanese market."

Mr. President, the information in this article, together with the outlook for good wheat production this year, appear to me to be a good indication that, unless we approve the arrangement, we may see in the very near future a general price war in the wheat export market. The arrangement, it seems to me, is our best assurance of averting such a catastrophe. It will provide a forum where exporters can get together and try to hold the line on prices. Without the arrangement, however, there is little doubt in my mind that wheat farmers will be in for very tough sledding.

Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Economist, June 8, 1968]

Political Corn: Wheat, 17 Million Unsold Tons of It Spilling Out of Every Available Store, Has Become a Major Issue in the Canadian Elections

The accumulation of stocks of wheat in Canada is without precedent. The autumn and winter were so dry, with dust blizzards across the high wind country, that for a time it seemed that politicians could look forward to a rotten harvest to solve their difficulties. But, in the nick of time, the spring rains drifted across the western plains and soaked the land sufficiently to get this year's crop sown. Farmers now confidently predict that next season's crop will be every bit as good as the one harvested this season. And that is what has caused the indigestion.

Mr. Stanfield's Conservative party has got its word in first, promising all sorts of farm subsidies that would encourage farmers to grow even more wheat; this is more or less inevitable if it is to have any hope of holding the prairie provinces, for long the main bastion of its support, M. Trudeau's Liberals got belatedly in to the act this week. But when this year's harvest is in, Canada's wheat stocks are expected to be higher than at any time for the past decade. Every available foot of regular storage space in the country is already full of unsold wheat.

Canada's two best customers, Russia and China, who at the peak bought 7 million tons (or nearly two-thirds of Canada's 1966 wheat exports) expect to buy only half that amount this year. In other markets, Canada is now meeting fierce competition from Australia and the United States. Australia has started producing the high-quality hard wheat in which Canada for long had a world near-monopoly; and is shipping it cheaply in bulk to Europe. In a determined effort to reduce stocks, the United States has been cutting prices; and has grabbed a large chunk of Canada's share in the Japanese market. In consequence, Canada has borne the brunt of this year's 8 million ton drop in world wheat exports.

The search for an alternative crop to wheat has been going on in Canada for generations. The country is already producing all the coarse grains, vegetables and oil seeds it can sell or consume. Grain farms cannot be converted to livestock farms over night; in fact, they cannot be converted at all, for the fierce winters over most of the farmland rules out both a beef industry and a dairy industry. Besides, the shortage of farm labour has led to a rush of western farmers to get out of milk production. Even if a switch to beef production were practical, costs would make it unattractive.

Politically, it has been more than awkward for the government to admit its inability to find enough foreign markets for Canada's wheat. Ottawa has protested to Washington about price cutting by the United States to get rid of its own surplus. Beyond that, there was little it could do. Unlike the United States's subsidised farmers. Canadian farmers are not insulated from the world market price. Giving the wheat away to an underfed world is a course that Canada could not afford; some of the gifts would be at the expense of commercial exports, and Canada needs every support to its current balance of payments that it can get. Paying the farmers not to grow wheat, as Washington does to the tune of $1 billion a year, is out of the question too; not just for budgetary reasons, but also because the superb wheat growing land of western Canada is good for nothing else.

So Canadians go on behaving as if nothing had happened. This year, farmers have sown about 29 million acres—only marginally less than last year's plantings, themselves nearly a record. The sowing has gone on without a word of discouragement for any officials of the farm organisations or the government's wheat agencies. Yields go up all the time, as farmers abandon the old practice of leaving a third to half of their land under summer fallow, and start to use weed-killers, fertilisers, and new machinery that encourages more intensive farming. In ten years, the use of fertilisers on the prairies has grown from almost nothing to around 3 million tons a year.

Everybody seems to assume that something in the way of new export markets is bound to turn up. But the chances of another massive run on world wheat stocks like the one sparked off during 1965–66 by India's drought and Russia's crop failure, are not high. India is planting very much higher-yielding strains of wheat and improving its irrigation system. Russia seems at last to understand how to organise large-scale wheat-harvesting operations on the American pattern; a knack that is crucial to the success of the crops in the virgin lands, where the Russians have only three weeks to complete their harvesting before the frosts.

One bright spot for M. Trudeau is that spring sowing in China was interrupted this year by the cultural revolution. The Chinese have been buying gold recently, perhaps in the expectation of having to use it later in the year to buy wheat. China is now importing wheat as a matter of routine into the wheat-eating northern parts of the country, in order to have an exportable surplus of rice to sell to south-east Asia. But it is not importing on a big enough scale to shift stocks.

One day some brave Canadian government will try to discourage the farmers from producing so much of the stuff. But M. Trudeau's proposals for bolstering farm incomes, and extending special credits to help farmers compete in world markets, are not really moves in this direction. And it is expecting to much of the Conservatives that they should be any more ready to grasp the nettle.

Mr. SPARKMAN. Mr. President, there was considerable discussion here yesterday about the relation between minimum prices in the International Grains Arrangement and recent history of U.S. export prices of wheat from the gulf ports. I have a table, prepared by the Foreign Agricultural Service of the Department of Agriculture which shows that for the 5-year period, 1962–67, the average free-on-board price of No. 2 Hard Winter Ordinary wheat at gulf ports was $1.75 a bushel; this compares with the IGA minimum for that type of wheat—from gulf ports—of $1.73 a bushel. An important point to remember is that there are many different kinds of wheat, and you have to know which kind you are speaking of. The one that is basic is the No. 2 Hard Winter Ordinary wheat.

I believe that examination of this table will convince Senators that the contention that the International Grains Arrangement is a device to set an "artificial" price for wheat moving in export trade—as the minority view charges—is not accurate. As I said on the floor of the Senate yesterday, the minimums in the new arrangement merely recognize that the trading price of wheat in recent years has risen above what they were when the minimums were set in the old International Wheat Agreement of 1962.

Mr. President, I ask unanimous consent that the table be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

AVERAGE EXPORT PRICES FOR U.S. WHEAT AND NEW IGA MINIMUMS

[In U.S. dollars per bushel]

	No. 2 Hard Winter Ordinary			No. 2 Soft Red Winter			No. 1 Western White	
	F.o.b. gulf	IGA minimum [1]	No. 1 f.o.b. west coast	IGA minimum [2]	F.o.b. east coast	IGA minimum [3]	F.o.b. west coast	IGA minimum [4]
1962-63	1.75	1.73	1.69	1.68	1.60	1.61	1.65	1.62
1963-64	1.80	1.73	1.73	1.68	1.73	1.61	1.73	1.62
1964-65	1.74	1.73	1.66	1.68	1.64	1.61	1.61	1.62
1965-66	1.62	1.73	1.53	1.68	1.60	1.61	1.60	1.62
1966-67	1.83	1.73	1.81	1.68	1.75	1.61	1.74	1.62
5-year average	1.75	1.73	1.68	1.68	1.66	1.61	1.67	1.62
3-year average	1.73	1.73	1.67	1.68	1.66	1.61	1.65	1.62
2-year average	1.73	1.73	1.67	1.68	1.68	1.61	1.67	1.62

[1] Art. 6, sec. (1).

[2] Art. 6, secs. (1) and (2); i.e., gulf minimum of $1.73 less 6 cents for west coast. Also added 1 cent for No. 1.

[3] Art. 6, sec. (1). Also added 2 cents for east coast shipping and subtracted 1 cent for No. 2.

[4] Art. 6, sec. (1) and (2); i.e., gulf minimum of $1.68 less 6 cents for west coast.

Note: All prices arranged on IWA marketing year (August/July).

Source: World Grain Statistics, 1965 and 1966, IWC; 1 Review of World Wheat Situation, 1965-66, IWC, and Grain Market News.

The **PRESIDING OFFICER** (Mr. SPONG in the chair). Who yields time?

Mr. DIRKSEN. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. Mr. President, I wish to make it clear that I thoroughly agree with the figures that were just placed in the RECORD by the Senator from Alabama covering a 5-year period.

But the point I made yesterday, and the point I repeat today—and this certainly has not been rebutted and it could not be rebutted, because it is based upon official USDA figures—is that the gulf price of No. 2 wheat is all the way from 15 to 19 cents under the minimum that will be provided by the treaty.

We must look at modern history and current history, not ancient history. What is going to happen now is that, with these low world prices, the incentives to produce on the part of Canada, Argentina, and other wheat-producing countries are going to be added to. That is going to have a bad effect upon the exports of U.S.-produced wheat.

I know of no one who can rebut this statement. I wish someone could. But all indications are for a drop in our exports.

The **PRESIDING OFFICER.** The time of the Senator has expired. Who yields time?

Mr. DIRKSEN. I yield 1 additional minute to the Senator from Iowa.

Mr. MILLER. As I pointed out yesterday, under Public Law 480, with Pakistan rapidly becoming self-sufficient, with India's food situation greatly improved, with their target to become self-sufficient within 5 years—which is very much attainable—where are we going to find our markets for exports? I do not know. If anything, looking down the road, our exports are likely to decline substantially; and this means large carryovers of wheat stocks and further depression of wheat prices. I do not want to see this happen. That is why I cannot support the treaty.

Mr. JAVITS. Mr. President, the Senate is faced with a difficult decision with respect to the International Grains Arrangement of 1967. We are not faced with a black-and-white situation. The agreement leaves much to be desired and I have serious questions about it.

When the Kennedy round negotiations began we rightly made the decision that the reduction of barriers with respect to agricultural trade should be made an integral part of the trade negotiations, having equal importance in the negotiations with industrial commodities.

The Kennedy round with respect to industrial commodities was very successful. But as far as grains are concerned the negotiations fell far short of our objectives. Hence this agreement probably will not expand our wheat exports; or result in increased incomes for our wheatgrowers. Nor is the food aid provision of the agreement likely to provide developing nations with more food and they will probably have to pay more for their commercially acquired wheat. Also, the administration spokesmen admit that the agreement failed to give us assurances of access for our wheat into the EEC and the United Kingdom; and the U.S.S.R. and the East European countries have not joined the agreement and this could cause problems. Agreements have also been made that the agreement establishes an undesirable precedent for future trade negotiations and that if we ratify this agreement we imply our approval of the existing and costly farm price-support program and that this agreement runs counter to a policy of trade liberalization. Others say that the higher minimum price for wheat will induce increased production abroad which will compete against our wheat exports.

Notwithstanding these arguments, the agreement has merit. It will stabilize export prices and assure greater stability of income for wheatgrowers. This is particularly important at present when we are faced with abundant wheat supplies and declining wheat export prices which could hurt our balance of payments. The agreement should prevent their decline below the established minimum price. The consultative mechanism embodied in the agreement should ensure that members do not sell below the agreed minimum price for any considerable period. If they do so we can take steps to protect our competitive position. Under Secretary of Agriculture Schnittker told the Senate Foreign Relations Committee that—

> If consultations with respect to prices are going to be ironed out, no country should or can be precluded from maintaining its competitive position.

Under Secretary Schnittker further assured the committee that—

> We believe that under this new arrangement we maintain every right to price our wheats competitively, hopefully at levels within the range, that is above the minimum, but if necessary because of price cutting around the world, we are determined, and we are allowed under the agreement to price our wheats competitively even at prices under the proposed minimums.

Of greatest and decisive importance is the fact that without this agreement, imperfect as it is, there probably would have been no Kennedy round agreement and that, I am sure the Senate would agree, would have been contrary to our national interest. The consequences of failure to agree on substantial reductions of trade barriers would have been disasterous to the world economy and international economic cooperation and it was this realization which brought about agreement in the final hours of these negotiations. To reject this agreement now would certainly not contribute to negotiations now under way on nontariff barriers nor to future trade negotiations.

Our participation in agreements to stabilize wheat prices goes back to 16 years so we are not breaking new ground here. Insofar as it contains a multilateral agreement to provide food aid to developing nations, it spreads the burden on a more equitable basis and therefore represents an improvement over previous agreements. It also covers 85 to 90 percent of all world wheat trade as opposed to 55 to 60 percent before. This should contribute to its viability. The new minimum price is 20 cents above the previous minimum. This reflects both higher prices prevailing during the past 5 years and higher demand. Whether the higher minimum price will hurt our exports remains to be seen. The consultative mechanism in the agreement should prevent members selling below our prices. If it does not, the Department of Agriculture advises us that we have the right under the agreement to protect ourselves. It should also be kept in mind that our competitive wheat posture in the world wheat markets is dominated by the export payment policy. We have been assured that the Agriculture Department is determined to maintain its present aggressive measures to keep U.S. export volume up.

This is not the first nor the last commodity agreement that the Senate will be asked to consider. We already adhere to agreements involving sugar, coffee, and cotton textiles. I have consistently favored freer international competition in agriculture and supported efforts over the past years to free our domestic agriculture from rigid Government controls. Unfortunately, most advanced nations do have extensive agriculture controls and I do not really believe this agreement will affect domestic or international agricultural policy. I hope we will have a more direct opportunity to change our present Government subsidy programs when the 1965 Agriculture Act comes before us later this year or early in 1969 for renewal.

The real issue before us in this highly complex agreement is: Which is worse—not having any agreement or having this one? I believe that, on balance, not having any agreement would be worse.

With these considerations in mind, I will vote for the agreement and believe that the agreement should be given a chance to work. If, within a reasonable amount of time, it does not, the United States should quickly take measures to protect its competitive position. Not only grain exports are at stake here, but our balance-of-payments position and our ability to maintain our responsibilities abroad through trade surpluses.

I also urge that we take steps to improve the agreement by undertaking new efforts to obtain access to the EEC and the United Kingdom; to improve the policing and consultative mechanism to protect our interests; and to increase the food aid contributions of other exporting nations so that the overall food aid going to developing nations be substantially above the 4.5 million tons agreed to under this agreement.

I support our policy of trade liberalization, yet I will vote for this agreement because—on balance—it helps our trade position abroad. Agricultural trade is entirely different from trade in industrial products inasmuch as there is still a heavy Government involvement in all phases of agriculture. I am looking forward to the day when this will no longer be necessary. I am confident in our ability to compete in world markets whether in industrial or agricultural products. Under existing circumstances, we have to do the best we can, and this agreement, on balance, will be helpful to us.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD—I believe it is informative and interesting, and it has been referred to several times—a list of the principal organizations and individuals endorsing this agreement, and a list of the principal organizations and persons who appeared before our committee in opposition to it.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

FOR RATIFICATION OF THE INTERNATIONAL GRAINS ARRANGEMENT

May 21, 1968: Idaho State Wheat Growers Association.

May 21, 1968: Idaho Wheat Commission.

May 20, 1968: The Colorado Association of Wheat Growers.

May 20, 1968: The Colorado Wheat Administrative Committee.

May 18, 1968: Washington Association of Wheat Growers.

May 17, 1968: Western Wheat Associates USA Inc. (testified).

May 17, 1968: Oregon Wheat Commission.

May 17, 1968: Pendleton (Oregon) Grain Growers, Inc.

May 17, 1968: National Association of Wheat Growers (testified).

May 17, 1968: Oregon Wheat Growers League.

May 17, 1968: Kansas Association of Wheat Growers.

April 1, 1968: Washington State Grange Executive Committee.

February 27, 1968: Ohio Council of Churches.

February 21, 1968: Colorado State Grange.

January 29, 1968: National Council of Farmer Cooperatives.

January 26, 1968: National Grange (testified).

January 26, 1968: Midcontinent Farmers Association (testified).

January 25, 1968: Great Plains Wheat Inc. (testified).

January 25, 1968: Seventh Day Adventist Welfare Services Inc.

January 25, 1968: National Farmers Organization (Corning, Iowa) (testified).

January 25, 1968: Nebraska Wheat Growers Association.

January 25, 1968: National Farmers Union (testified).

AGAINST RATIFICATION OF THE INTERNATIONAL GRAINS ARRANGEMENT

May 17, 1968: American Farm Bureau Federation (testified).

May 8, 1968: Lacy and Company (Mobile, Alabama).

April 10, 1968: Alabama State Docks Department.

April 4, 1968: American Cotton Shippers Association.

March 26, 1968: Water Transport Association.

March 25, 1968: National Soybean Processors Association.

March 21, 1968: Cargill Incorporated.

May 21, 1968: Greater North Dakota Association (testified).

March 16, 1968: North Dakota Wheat Producers, Inc.

March 12, 1968: Chamber of Commerce of the United States (testified).

February 27, 1968: Bunge Corporation.

February 27, 1968: International Economic Policy Association (testified).

February 26, 1968: National Grain Trade Council (testified).

February 21, 1968: Grain and Feed Dealers National Association (testified).

October 17, 1967: Cook & Co., Inc. (testified).

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Montana.

Mr. MANSFIELD. Mr. President, the greatest tribute that can be placed before the Senate on behalf of this legislation is the fact that the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], the dean of the Republicans in this body and the ranking member of that committee, the Senator from Vermont [Mr. AIKEN], two of the most outstanding and knowledgeable Senators from the wheat States, the distinguished Senator from Kansas [Mr. CARLSON] and the distinguished Senator from North Dakota [Mr. YOUNG], have all expressed to the Senate their support of this measure and the reasons therefor.

I would like to point out that there was a good deal of testimony taken on this legislation and, furthermore, that a good many farm organizations were contacted and, with one exception, their testimony favored the pending legislation overwhelmingly.

I think if Senators want to see the granaries of this country multiply and become overfilled, the way to do it is to vote against the convention now before us. If, on the other hand, Senators want to give the family-size rancher a decent, if minimum, livelihood, the way to help him is to vote for the convention and not vote against it. To say it simply: if the Senate does vote against the convention, in my opinion, the scarecrow prices can go down further.

The family-type wheat rancher is leaving the soil and coming to the cities, adding to the population congestion which is causing us so much trouble and difficulty today.

In the list of organizations which came out in favor of this legislation, I would cite the National Association of Wheat Growers, from which I have had a communication containing its full support without qualification of the pending convention. Then, there is the Farmers Union, the National Grange, the National Farmers Organization, and other groups up and down the country.

To the best of my knowledge, only one farm organization is against this proposal, and to the best of my knowledge, in my State of Montana, only one individual has written in against it.

Mr. President, I would point out that agriculture is America's biggest exporter. The shipment of farm products abroad in fiscal year 1967 reached the record breaking total of $6.8 billion. Wheat and wheat flour accounted for $1.4 billion, or over one-fifth of the total; and more than a half of the wheat grown in the United States was exported. So we are discussing today something of great importance, not only to our farmers, but also to the economy of this country in the form of the balance of payments.

I would like to state also that this matter was discussed at the Geneva meeting on trade and tariffs and that practically every industry with the exception of chemical products of various kinds and agriculture received a pretty fair deal.

Agriculture needs assistance and the way to help agriculture, at least in part, is to approve the convention now before us.

At Geneva the United States had three objectives. We sought improved market opportunities or trade opportunities in markets, or at a minimum, an assurance of prevailing conditions of access; second, we sought a higher minimum for world wheat trading prices, and that is what this convention would accomplish; and third, we sought to establish the principle and the fact, as the distinguished chairman of the Committee on Agriculture and Forestry has pointed out, of a multilateral sharing of the world's food aid responsibilities.

I believe the Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry, indicated that on the basis of and as an effect of this convention there would be a drop of somewhere on the order of from 60 percent to 40 percent or 42 percent of wheat shipments to India.

I urge approval of the convention. It means a great deal to the wheat ranchers, it means a great deal to the economy of the country, it would provide a better basis for multilateral aid and assistance, and furthermore, it would be beneficial in our balance-of-payments strucure.

Mr. HANSEN. Mr. President, will the Senator yield briefly?

Mr. SPARKMAN. I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I rise to speak against Senate ratification of the international grains arrangement of

1967, because I believe the disadvantages of this proposal would far outweigh any advantages to the United States and to its wheat producers.

I am not an expert on the intricacies of international trade or the grain market. But an examination of this issue reveals some basic flaws which have even been acknowledged directly or indirectly by proponents of the arrangement, as well as opponents, and which should influence Senate rejection of these conventions.

The administration and the Department of Agriculture have contended that the agreements will increase farm income, improve our balance of payments and export situations, and fight world hunger.

When we dangle the promise of increased prices in front of a bedraggled U.S. agricultural industry which recently saw the parity ratio at the lowest point in 35 years, we had better be doubly certain that promise will be kept.

There are few, if any, indications that the Wheat Trade Convention would bear out the contentions of those who support it. In fact, it is likely that should the arrangement be ratified, it would cause lower prices to U.S. wheat producers; a reduction in U.S. wheat exports, and thus a worsened balance-of-payments situation; and even less assistance in the fight against world hunger.

Supporters have contended that the United States will indeed sell less wheat than before, but under the minimum pricing mechanism in the arrangement, we would get more for it.

But there is nothing in the arrangement which precludes participating countries from pricing below the schedule of minimum prices and the program will obviously not be effective unless the participants live up to its conditions.

Experience under the old International Wheat Agreement indicates some other countries are less scrupulous than the United States in abiding by these kinds of conditions.

The arrangement, then, is little more than "a gentleman's agreement" which can be violated by any country, should world market conditions cause price fluctuations. Additionally, the pricing mechanism is likely to encourage wheat production in other countries—even those less efficient than the United States—thus weakening the competitive position of the United States.

Mr. President, the failures of the supply-management concept, as envisioned in this arrangement, are graphically illustrated by the shambles of our own domestic farm program. There can be no question but what this program has failed to achieve its goal of economic justice for the farmer.

This failure is reflected in the fact that farm population has declined an incredible 30 percent in just the past 7 years. It is reflected in the fact that farm debt has more than doubled in recent years. It is reflected in the fact that programs to reduce production of wheat and corn have, instead, resulted in increased production.

The wheat farmers of the United States would be best served by programs to expand exports and develop new markets. This arrangement contains no trade expansion features. It would limit exports, thus throwing more wheat back on the domestic market. That, of course, means even lower prices for farmers than they are now getting.

It has been argued that the International Food Aid Convention in the arrangement would aid in the fight against world hunger. But the food aid provided under this agreement does not exceed current levels already being provided by the signatory nations, even though it means an expenditure of $200 million by the United States.

I do not believe the grains arrangement is in the best interests of this country, and I hope the Senate will reject ratification.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, we have a most important decision to make today. We have before us an issue in which the lines are clearly drawn. The issue concerns ratification of the International Grains Arrangement of 1967.

On the one side we have the international traders, who insist that in the long run this will be bad for the wheatgrowers of the country and reduce their income: on the other side we have virtually all of the wheat producers in this country who say this proposal will be good for them and in the long run will be exceptionally good for the wheatgrowers of the United States.

Mr. President, I admit, as I said before, that international traders perform an important function. They contribute materially to our national economy. They import agricultural products and other goods from other countries to the United States, and they export; but they carry on this business and they would like to handle it on their own terms and without much government regulation. It is a very profitable businesss.

Mr. President, if we abandon the wheatgrowers today, what section of our agriculture will come next? Will it be cotton, then soybeans, and then pork and beef producers? I ask this question because they are not going to be satisfied with taking over one crop, wheat, on their own terms.

Only last Monday the President saved the dairy industry of the United States from almost certain disaster when he invoked section 22 of the Agriculture Act and established temporary quotas on imported milk. The importers had gone to such extremes that in a short time they would have ruined the dairy industry of the United States.

The common market countries subsidize their production of milk at 39 cents a hundred pounds more than we do, and then they contribute approximately 25 percent of the price for dumping the processed products on the United States. American producers cannot compete with them. As I said, every dairyman in the United States owes the President a tremendous vote of thanks because he certainly saved them from disaster.

Mr. President, traders are important, but is not American agriculture even more important?

We must decide today: Are we going to support the farmers of America, or are we just going to support them for the benefit of international traders, exporters, and importers?

The issue is as simple as that.

If Senators wish to support the wheatgrowers, who are almost unanimous in their desire for this International Grains Arrangement, they will vote for this arrangement.

Mr. DODD. Mr. President, the proposed ratification of the International Grains Arrangement of 1967 is a matter that troubles me deeply.

There are experts who have argued in favor of the arrangement and there are experts who have argued against it. There are organizations that favor it and organizations that oppose it.

Clearly this is a matter on which men of intelligence and good will and integrity can hold diametrically opposed viewpoints.

Ordinarily, when the pros and cons are more or less evenly balanced on an issue, I make it a policy to give the administration the benefit of the doubt. However, long experience has taught me that no administration is omniscient or infallible, and that the best-intentioned negotiators sometimes enter into agreements which do not truly reflect the national interest.

In the case of the International Grains Arrangement, I have sought to weigh the opposing arguments as carefully as possible. I have examined the record of the hearings and I have also sought to obtain the advice of international economists whose opinion I respect.

It was with great reluctance that I arrived at the conclusion that the International Grains Arrangement is not in the national interest and the Senate should refuse ratification.

In the remarks that follow, I wish to add a few of my own thoughts to the minority views which I signed.

The majority report argues that the arrangement will benefit American wheatgrowers by establishing a higher minimum price; that it will make for stability in the world wheat market; that it would in no way impair the ability of this country to remain competitive; and that it would if anything have a beneficial effect on our balance-of-payments position.

The facts of the situation, as well as the opinions of some of the experts who testified, compel me to the opposite conclusion.

I believe that adherence to the proposed arrangement would be bad for the American wheat farmer, bad for the U.S. balance of payments, bad for our already seriously imbalanced budget, and bad for the hungry peoples of the world.

The arrangement will be bad for the wheatgrower because it will increase the minimum world price of wheat by about 23 cents a bushel above the minimum established by the International Wheat Agreement, thus forcing the efficient U.S. grower to hold a protective umbrella over higher cost producers in foreign countries.

While the higher price should theoretically result in higher returns to the U.S. growers, disinterested agricultural economists and many of those engaged in the growing and marketing of wheat testified that the higher price per bushel can be more than nullified by the loss of sales that is likely to ensue from the enforcement of the higher price.

It stands to reason that higher wheat prices will tend to increase production in countries that are a party to the agreement and countries that are not a party to the agreement.

It stands to reason that some of this increased production is bound to find its way into the world market, so that our share of this market will inevitably contract.

There is all the more reason to be fearful because first, the agreement does not include a provision which would guarantee increased access to wheat markets by U.S. exporters; second, it does not establish quotas for the exporting countries; and, third, it does not provide for the management of wheat surpluses.

If our commercial wheat exports decline, this will, as the minority views point out, mean more wheat thrown on our domestic market which, in turn, would depress the price paid to U.S. farmers.

A growing surplus in this country would inevitably result in further restrictions on acreage, while the nations that compete with us in the international wheat market would be expanding their own acreage.

On this point I think it pertinent to point out that, while our own wheat acreage has been more or less stationary for the past 10 years, Australian wheat acreage has doubled and wheat acreage in Canada has risen from 22 to 30 million.

Our balance-of-payments position would automatically be aggravated by the contraction of our wheat export markets. It would be further aggravated because the United States, prevented from competing in terms of price by the International Wheat Arrangement, will be forced to compete by extending very generous credit terms to match the credit terms offered by some of our competitors. This will worsen our balance-of-payments position. Sales made for cash or short term credit improve our balance-of-payments position. But sales made on long-term credit instead of for cash will inevitably aggravate our balance of payments.

The arrangement will place an additional burden on our budget if we endeavor to maintain food assistance to the needy countries on the same scale as in recent years.

By pushing up the cost of wheat by 23 cents a bushel, we will be raising the cost of wheat to the U.S. Government in carrying out its program of foreign assistance. It is true that the cost must ultimately be borne by the country buying the wheat. But since the U.S. Government pays the producers cash and then finances the sale on a long-term basis, there will be an immediate adverse impact on either our budget or the size of our food asistance program.

The arrangement will be detrimental to the poor and hungry people of the world whose diet depends in large part upon wheat.

It is strange that at a time when there is so much concern about hunger and the plight of those who suffer from it, the wheat-exporting countries of the world should be proposing a cartel to raise the price of an essential foodstuff.

It is argued in the majority report that:

> All major exporters understood the need to share the burden of inventory management as well as export restraint.

In view of the fact that the participating nations stubbornly refuse to agree to American proposals for inventory management, I am afraid that I can place little confidence in their understanding or in their willingness to exercise restraint if necessary.

It is also argued that, if competitive conditions change so that we find our own interests prejudiced, we can ask for an adjustment in the schedule of minimum prices by the Prices Review Committee. In view of the fact that the Prices Review Committee must consent unanimously to any change in price schedule, so that the voice of a single member could frustrate the request made by any other member, I find little consolation in this argument.

Finally, it is argued that if we fail to obtain satisfaction from a request to the Prices Review Committee, "the convention does not preclude an exporting country from pricing below the schedule of minimum prices."

I do not think much of this argument. An agreement which gives any signatory power the right to depart from its terms if it finds them inconvenient, is certainly not much of an agreement.

Moreover, I think the record will show that we tend to be much more fastidious about violating agreements or opting out of them than do other nations. Unless the International Grains Arrangement proved itself to be utterly disastrous, my conviction is that we would be prepared to suffer very serious inconveniences before accepting the onus of disrupting the arrangement.

It is true that the arrangement is accompanied by the Food Aid Convention under which the developed countries have pledged to give assistance in the form of food to the needy countries of the world.

In the sense that we were able to persuade at least some other nations to increase their contributions of grain to needy nations, the Food Aid Convention represents progress. Nevertheless, it must be noted that the level of the contributions agreed to represents only half of the original goal of the U.S. negotiators, and that the total increase of food aid resulting from the convention will, therefore, be limited.

I must say frankly that I am disappointed that we were not able to persuade other nations to do more.

I also believe that our negotiators were overly generous in agreeing that the United States should provide 42 percent of all the food aid made available under the convention; and I find their excessive generosity all the more disturbing because of our acute balance-of-payments problem.

I think that it is our duty to do what we can to help hungry people in other parts of the world. But I also think it is our duty to bring pressure to bear on other nations to pick up a larger share of the burden which we have carried for so many years in the post war period.

The unpublicized negotiations in Geneva, in my opinion, constituted a totally unsatisfactory vehicle for such an effort.

It is my belief that we should raise the question of the need for an international food aid agreement at the United Nations; that we should set forth for the record all that we have done since the close of World War II; and that, using the glare of publicity that attends U.N. sessions as a frank instrument of embarrassment and political pressure, we should seek to get other nations to increase their contributions, both in terms of metric tons of grain contributed and in terms of their percentage of the total contribution.

Let us by all means continue to be generous. But let us insist that others bear an equitable share of the burden of generosity.

For the reasons stated here, I believe that the International Grains Arrangement is not in the national interest and I shall, with reluctance, vote against it.

Mr. SPARKMAN. Mr. President, I yield the remainder of my time to the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, it was my privilege to say a few words earlier today concerning this convention. I may therefore be repeating what I said then, but I think it is important to emphasize that the International Grains Arrangement is no radical departure from the past. It is only a continuation of the International Wheat Agreements that the Senate has been approving since 1949.

The countries which agreed to the convention are those which produce in excess of their requirements as well as those which are importers. The convention would make it possible, under its terms, to raise the price of wheat about 20 to 23 cents per bushel in contrast to what the old wheat agreements held.

Mr. President, unless something of this nature is passed, I predict that because of the excess wheat now on hand, not only in this country, but also in other large wheat producing countries, severe cutthroat competition will result. Certainly we do not want that to happen, because those who will suffer will be the wheatgrowers—the farmers.

It strikes me that we should do all we can to protect the wheat farmers of this country.

The convention fixes the minimum and the maximum price at which wheat is to be sold and purchased by countries which export wheat and those which do not produce enough.

Another good feature of the new convention is that the wheat will be priced according to U.S. grades. That is in the convention.

There is a second feature of the convention which never appeared in any of the old wheat agreements; namely, the provision which makes it possible for us to obtain assistance from wheat and grain exporting countries to carry part of the enormous load of feeding many people in countries unable to produce sufficient grain and food for themselves.

Mr. President, for the past 4 or 5 years, the United States has been carrying the load of contributing food to the underprivileged and undernourished countries of the world.

Two years ago, the United States furnished about 80 percent of the grain and wheat requirements of India. We had a hard time obtaining some assistance from other than a handful of countries.

Today, we have promises from those who will sign this convention that they will furnish around 58 percent of the amount of grain that will be needed to help India and other countries which are deficient in food production.

I think that in itself is a good reason why the Senate should adopt the convention.

Japan, which does not produce wheat to any extent, has agreed to furnish its just proportion, by way of money, in order to provide food for India and other countries that cannot produce sufficient food for their own needs.

I cannot, for the life of me, understand why there should be any opposition to the convention. It certainly would not be harmful to our country. It seems to me that approval of the convention would aid our country and our farmers. With the enormous amount of wheat we now have on hand, if the convention should fail, it will mean that we will have severe competition—yes, cutthroat competition—without any price regulation whatever. This would be harmful to our farmers. We would be selling wheat at a price per bushel far less than prevailing prices. This would hurt our balance of payments.

As I said, let us take advantage of the second part of the convention and get the countries well able to assist us in carrying the load to feed the underprivileged and the hungry from Pakistan, India, and other parts of the world. This is a new feature and one well worth trying.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Is it not true that at this moment there is pending a substantial contract with Japan which will be most beneficial to the American wheat rancher?

Mr. ELLENDER. The Senator is correct.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The hour of 2:30 having arrived, the Senate will now proceed to vote on the resolution of ratification of Executive A, 90th Congress, second session, the International Grains Arrangement of 1967. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. DODD. Mr. President, on this vote I have a pair with the Senator from Tennessee [Mr. GORE] and the Senator from Texas [Mr. YARBOROUGH]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

Mr. PELL. Mr. President, on this vote I have a pair with the Senator from Alaska [Mr. BARTLETT] and the Senator from Minnesota [Mr. MCCARTHY]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Illinois [Mr. PERCY] would each vote "nay."

The yeas and nays resulted—yeas 62, nays 21, as follows:

[No. 185 Ex.]

YEAS—62

Aiken
Bayh
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Clark
Cooper
Eastland
Ellender
Ervin
Griffin
Gruening
Harris
Hart
Hatfield
Hayden
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Sparkman
Spong
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—21

Allott
Baker
Case
Cotton
Curtis
Dirksen
Dominick
Fannin
Fong
Hansen
Hartke
Hickenlooper
Hollings
Hruska
Lausche
Miller
Murphy
Pastore
Smith
Thurmond
Williams, Del.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Dodd, against.
Pell, against.

NOT VOTING—14

Anderson
Bartlett
Bennett
Church
Fulbright
Gore
Kennedy
Long, Mo.
McCarthy
Montoya
Morton
Percy
Smathers
Yarborough

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the ratification of this arrangement.

The PRESIDING OFFICER. Without objection it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 20.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill S. 20, to provide for a comprehensive review of national water resource problems and programs, and for other purposes, which were, on page 1, strike out all after line 7 over through and including line 4, page 2, and insert:

> (b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, or shall be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay.

On page 2, line 13, strike out "by law (5 U.S.C. 73b-2)" and insert "by 5 U.S.C. sec. 5703";

On page 2, line 17, strike out "President" and insert "Commission";

On page 2, line 17, strike out all after "rate" down through and including "Schedule." in line 19, and insert "determined by the U.S. Civil Service Commissioners".

On page 3, line 18, strike out all after "comment." down through and including "reports." in line 21, and insert "The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports.";

On page 4, line 12, strike out "the Classification Act of 1949 as amended, and insert "5 U.S.C. ch. 52,";

On page 4, line 14, strike out all after "Commission" down through and including "amended" in line 18.

On page 4, line 18, strike out all after "by" down through and including "55a)" in line 19, and insert "5 U.S.C., sec. 3109";

On page 6, line 24, strike out "(5 U.S.C. 46e)" and insert "(5 U.S.C., sec. 5514)"; and

On page 7, line 8, strike out "such sums as are required" and insert "not to exceed $5,000,000".

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. BIBLE, Mr. CHURCH, Mr. GRUENING, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1205, House Joint Resolution 1268.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 1268) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported without amendment, by the Committee on Appropriations.

The PRESIDING OFFICER. The Senate will be in order. If attachés wish to remain on the floor, they will be quiet and stay in the rear of the Chamber.

The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, the resolution provides $400 million for Federal-aid highways, to be derived from the highway trust fund. In addition, the resolution provides an appropriation of $50,980,863 for the payment of claims and judgments. This later item of $50,980,863 has previously passed both Houses and has been agreed to in conference in connection with another suplemental bill, which is still in conference.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PASTORE. Mr. President, the $400 million is liquidating cash to cover estimated reimbursements to the States during the remainder of fiscal year 1968. The need for the $400 million is due to the releases of additional funds to the States during fiscal year 1967 after restrictions, which were previously placed on such funds, were eliminated.

The highway program operates under contract authorizations granted in an authorization act, and the funds required and recommended are to liquidate obligations made pursuant to law. The regular annual appropriation contained in the regular bill is in the amount of $3,770,872,000, and with this additional $400 million, a total of $4,170,872,000 will be provided for fiscal year 1968.

After the proposed expenditures have been made from the funds provided, there will be a balance of $930 million in the highway trust fund at the end of fiscal year 1968.

Mr. STENNIS. Mr. President, will the Senator yield to permit me to make a request for order? This matter is of the utmost importance to every Senator.

The PRESIDING OFFICER. The Chair has announced twice that attachés who wishing to remain in the Chamber will remain silent.

The Chamber will be cleared if we do not have order. Senators who are in the Chamber are asked to be seated.

Mr. PASTORE. Mr. President, this matter came to our attention at the behest of the Secretary of Transportation, who pointed out that in may States contracts have been entered into, work has been done, and payment cannot be made because these funds need to be replenished, by appropriation from the trust fund.

Many States, of course, cannot borrow money. Unless we pass the joint resolution as an emergency measure, I am afraid that contractors in many States will go unpaid because the States cannot borrow. That will create a serious situation.

That is all there is to the proposal. I recommend the passage of the joint resolution.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. STENNIS. As I understand, the joint resolution as it has been reported by the Committee on Appropriations is identical with the joint resolution as passed by the House. If it is passed by the Senate, it will, of course, go to the President. Is that correct?

Mr. PASTORE. That is absolutely correct.

Mr. STENNIS. The funds provided by the joint resolution are to pay outstanding vouchers which has already accrued totaling approximately $250 million. Is that statement approximately correct?

Mr. PASTORE. That is correct. A balance of $400 million is needed to complete the program this year.

Mr. STENNIS. Those sums are distributed among the States. Does the Senator have a list of the States that are affected and the amounts which would be provided them?

Mr. PASTORE. I have such a list. Does the Senator wish me to read the entire list of States?

Mr. STENNIS. I have a list. Either I can read it or the Senator from Rhode Island can read it.

Mr. PASTORE. I would prefer that the Senator from Mississippi read it.

Mr. STENNIS. I thank the Senator for yielding to me. Would he desire that I read it now?

Mr. PASTORE. If the Senator wishes to do so. I think we ought to place the list in the RECORD. Every Senator understands that every State is in a pinch with respect to these payments. This is trust money, dedicated for this purpose. It is necessary that we appropriate it in order that it can be expended. The contracts have been consummated, and the money is due and should be paid. This is a simple proposal. If we do not act on it now, we shall have to do so tomorrow.

Mr. STENNIS. I think the Senator from Rhode Island for yielding to me. I shall be glad to read the names of the major States affected. My interest in the matter is simply this. My State happens not to be affected. However, I have been entrusted with the chairmanship of the Subcommittee on Appropriations that handles these funds. The point was raised last year, according to correspondence which I have. The deficit was anticipated, and the point was made that the money would be needed and should have been included in the bill last year. But it was carried over in the expectation that the funds would be provided in the January supplemental appropriation bill.

There is no controversy about the funds. However, my plea is: Let us not amend the bill so that we will have to go to conference, especially with amendments that are controversial. I do not know whether such amendments will be offered on the floor of the Senate; they were offered in committee, and the committee rejected them. Payments on Federal aid construction vouchers have been withheld through June 1968. That ties up the program.

I shall read the list:

Alabama, $4.2 million; Alaska, $2.4 million; Arizona, $4.2 million; Arkansas, $2.9 million; California, $19.1 million; Colorado, $2.9 million; Connecticut, $3.4 million; Delaware, $1.1 million; Georgia, $4 million; Hawaii, $500,000; Idaho, $4.6 million; Illinois, $9.9 million; Indiana, $800,000; Iowa, $1.2 million; Kentucky, $3.7 million; Louisiana, $6.6 million.

I shall omit States which are owed less than $500,000.

Massachusetts, $8.1 million; Michigan, $10.7 million; Minnesota, $4.4 million; Missouri, $5.5 million; Montana, $2.4 million; Nevada, $2.1 million; New Jersey, $7.6 million; New Mexico, $10.3 million; New York, $15.2 million; North Carolina, $3.5 million; Ohio, $16.8 million; Oklahoma, $2.9 million; Oregon, $3.2 million; Pennsylvania, $19 million; South Carolina, $3.4 million; South Dakota, $3.6 million; Texas, $12.5 million; Utah, $3.2 million; Virginia, $5.4 million; Washington, $3.8 million; West Virginia, $1.6 million; Wyoming, $1 million; District of Columbia, $4 million; Puerto Rico, $500,000.

I thank the Senator from Rhode Island.

Mr. PASTORE. I yield the floor.

Mr. JAVITS. Mr. President, I hope that Senators will not walk out of the Chamber thinking that this is an ordinary supplemental appropriation bill that the Committee on Appropriations has smoothed over in conference, and that it has agreed upon an amount and expects the Senate to pass it without amendment, so that we may get on with the business of the Senate.

Mr. President, this particular appropriation is the last chance to do something about funds for summer employment, for which we had a $75 million special supplemental appropriation last year and upon which, with a rare display of stubbornness from them, we cannot get any budget estimate from the administration. The administration bears very heavy responsibility for what may occur here. We find an absolutely brick-wall attitude on the part of the House conferees on the previous urgent supplemental bill, to which the Senate, in a display, in my judgment, of wisdom and statesmanship, added the $75 million for summer jobs. Notwithstanding the testimony of the Secretary of Labor that the $75 million is eminently justified, you cannot move the White House and you cannot move the other body.

So, what they have done, Mr. President, is to make an end run around the conferees on the previous supplemental. This bill is one part of that end run, since it contains the claims money originally in that other bill.

Another part is contained in the second supplemental, and will be considered by the committee probably in a few days or a week or so. It may take 2 or 3 weeks to get to the floor and be signed into law.

Senators may recall that two amendments were added in this situation. One was for summer employment and the other was for full-year Headstart—$75 million and $25 million, respectively.

I am proposing today to move on the summer employment aspect. It is my understanding that a similar motion will not be made on the part of the Senator from Pennsylvania [Mr. CLARK], who originally sponsored the Headstart supplemental, until the second supplemental. And I wish to explain that immediately, because that is a very important point.

The summer employment will have flown out the window in the next 2 or 3 weeks. This is June. We are heading to the end of June, and it takes a little time to mount a program. If we get the summer employment money by mid July or the end of July, it gets pretty meaningless. Hence, I believe that if anything constructive is to happen in this matter, it must happen now.

The end run I have described deals, naturally, with matters which the Members of the House want very urgently, such as the $400 million in highway funds. The $400 million in highway funds is not in that particular conference, but the House Members want it very badly. Many House Members also want impacted school aid money. So, very pleasantly and comfortably, they put it on the second supplemental—and not in a reduced amount, but in the full amount of $90 million. There is plenty money for that in their view. But $100 million, for which the Senate voted, cannot be found for summer employment and Headstart.

Mr. President, I do not propose, even if I am the only one—I hope I am not—to accept such intolerance from the other body as completely to disregard us, to bypass us, to trade on the individual sectional interests of individual Members of the Senate in order to cheat the Senate of its judgment, which is just as good as that of the House. So, as this is something which takes eternal vigilance, here I am on this matter, which seems to be off the mainstream of the bill, but which is very much on the target, proposing to lay before the Senate the opportunity to get some cooperative consideration—which we give all the time—from the other body.

Even that would not be sufficient reason for me to take this position, probably. We are all accustomed to the gyrations of the parliamentary process; and there are many men of good will, such as the distinguished Senator from Rhode Island, who would like to get this bill passed and over with, and the Senator from West Virginia, who supported me and Senator CLARK in our previous fight, and cannot, they feel, do so now. So I was very reluctant to some to this position.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. May I finish the thought, and then I will be happy to yield. If the Senator insists, I will yield at this time.

Mr. PASTORE. No; I do not insist.

Mr. JAVITS. What brought me to this, Mr. President, is this—and we discussed it in the committee, and the members of the committee have been very generous about this matter. Indeed, the Senator from Florida [Mr. HOLLAND], who does not agree with me about the need for the $100 million, and who is chairman of the conference, has stood by me in this deadlocked conference. I wish to say that in his presence.

What concerns me very deeply, Mr. President, is that there is a very divisive and a very serious situation in the country. Both the Senate and the House have turned their faces sternly against riots and violence and civil disobedience, and we know the concerns which Members have expressed in connection with the Poor People's Campaign which is in the Capital, encamped near the Lincoln Memorial.

It seems to me, Mr. President, that if we really want to govern with intelligence, we must yield to some demands which are just; and inasmuch as the demands are minimal, humane, and necessary—the Senate felt that way—it is the path of statesmanship to do our utmost to satisfy at least these minimal demands which I am deeply convinced—and I believe many others are deeply convinced—would go far to persuade the poor themselves that this is a government of justice and not of resentment.

I have cataloged in my mind the measures which, in my judgment, are required for that purpose. The first is the summer employment matter. I will give the details in a few minutes of the awful bulge in unemployment of Negro youth in this country—a shocking set of facts and figures which can be used and is used by every rabble-rouser and every Stokely Carmichael to feed the flames of dissension and insurrection.

The second is the Headstart item, which again is small.

The third is a $75 million item for starvation, which was at one time Senator STENNIS' own bill, with which we have never been able to get anywhere.

The fourth is the $20 million item for rat control.

The entire package, Mr. President, can be compressed within $150 or $200 million, even if every amount were granted in full. It is this package, in my judgment, which can go farthest toward making the poor and the oppressed and the depressed in this country have a feeling that we are a government of justice and that where there is injustice, we respond.

Yet, as I said a moment ago, I face this absolutely brickwall attitude with respect to one of these items—to wit, the appropriation for summer jobs.

I yield to the Senator from Rhode Island.

Mr. PASTORE. First, I should like the Senator from New York to understand that he does not stand alone. I agree implicitly with everything he has said, and he has said it very dramatically, eloquently, and truthfully.

I believe it is a crying shame that in a society of affluence such as we enjoy in this great land, we must have millions of hungry mouths, people who are not being fed properly.

Here we are, with Resurrection City right down at the end of the street, and I have heard many arguments pro and con. But I agree with the argument that was made so effectively by the Senator from New York before our committee, when he said that if we could only get around to doing some little things, perhaps we could get to the very core of some of these evils that plague our society today.

I have sat in our committee room and listened to Sargent Shriver hour after hour. He pointed out how effective this summer employment program is, to take the youths off the street and give them some honest work and receive some respectable pay. And it has worked out admirably.

But it is not so much the substance of the program that we talk about today, Mr. President, as it is the mechanics involved.

First of all, I think I explained how this came to our attention. This may be an end run. I do not know. However, I think the whole movement was initiated by the Secretary of Transportation who felt that, after all, he had an obligation. The money has run out, the money must be paid, and it can only be used for that purpose.

The question arises, "Do we care more about roads than people? I think the Senator from New York has a valid argument when he makes that statement. The items he talks about now are contained in the previous supplemental bill. That bill was submitted to the Congress by the President on February 8. The House began hearings on February 13, they reported a bill on February 19, it passed the House on February 20, the Senate began to hold hearings on February 28, we reported the bill and passed it on March 11. It was sent to conference on March 18 and that is where it is now. That is where these two items are now, stymied in conference.

Now, I wish to say to the Senator from New York, if he advances his amendment I shall vote for it. Then, we will go to conference and it will die all over again, as the other bill is stymied. I know that.

I cannot leave my soul and convictions on the floor of the Senate today and then go home and sleep, because this is something I innately believe in. I am going to vote for it if the Senator advances it.

However, I have been told by Members of the House that if we add any amendments not even the $400 million will pass. Perhaps they will do what they have said they will do, and maybe they will not.

The matter the Senator contends for is contained in a bill already in conference, and he is one of the conferees. We have not been able to shake the House off of dead center. That is where the matter stands now.

If the proposal is added here, it will go to conference again and it will be before the same conferees. So instead of one stymie there will be two stymies; and instead of one death there will be two deaths. That is the chance we take this afternoon.

As far as the Senator from New York is concerned, if he presents his amendment of $75 million for summer jobs to get idle hands at work, I shall vote for it. What the Senate will do is the responsibility and the conscience of the Senate.

Mr. JAVITS. Mr. President, I am grateful to the Senator from Rhode Island, who with his typical skill and eloquence has set the matter before the Senate clearly.

I would feel that I have insulted my own conscience if I let this opportunity go by. I shall explain why. Unless we give the Senate the opportunity to say to the other body, "You want this $400 million in highways funds, we want something done about summer jobs, we are not going to take no for an answer," we will not get what we want.

Mr. President, you will not get what you want without an approach of that kind, especially in view of the attitude of the House, which, with all respect, has a disquieting note of discrimination in its vote for impacted school areas of $90 million. They would have settled for less in conference. Then, they hold out stubbornly against this summer jobs item as though, all of a sudden, there is no more money left.

It seems to me that it would be proper for the Senate to adopt this amendment again to this particular bill and let the matter go to another conference.

Now, I said that the time element is the difference between the Headstart item and this item. We checked the matter out with the Department of Labor, although I am not in any way injecting them. They are not as a contending party in respect to this amendment. However, we are advised they would find it almost impossible to spend this money if it is not received until mid-July or late July. This is about the time when the second supplemental is due to become available. Job levels peak and become stable by the end of June. To get the money late in July would mean that one-half or more of the program term would be gone. And it would be out of the question for the Department "short fund" by authorizing higher initial program levels on the expectation that more money would be coming in in the second supplemental in the final weeks.

So I am compelled to act now, if I am going to act at all in a seasonable manner.

Mr. President, there is a shocking disparity between the unemployment rates for nonwhites, who are the primary persons affected in this appropriation, and for whites. It is something that is ready made ammunition for every agitator. Here it is. The unemployment rate for nonwhite males 16 to 17 years of age went from 22.5 percent in 1966 to 28.9 percent in 1967, while the unemployment rate for all teenagers was less than one-half of that, or about 11 percent.

In addition, the disparity between unemployment rates of nonwhite teenagers and white teenagers has increased in recent years, from 1.8 to 1 in 1960, to about 2.5 to 1 in 1967. This can be seen visually in every slum and ghetto in America. There can be seen idle hands ready to turn to any riot or violence because we have not provided something for them to do.

The only other point I would like to make before introducing my amendment is what I consider to be a very serious indictment of the administration in terms of its choice of priorities in this matter. I have supported the administration time and again. I just supported them on the wheat agreement, although politically it would have been very desirable for me to vote no because I believe in a liberalized trade policy. I do not say this in any political sense.

It escapes me why it was possible for the President to support $75 million last summer and why it is impossible this summer, when the whole country has just experienced the aftermath of the assassination of Martin Luther King, Jr., and when we have had still another, the tragic assassination of Robert F. Kennedy, my own New York colleague. And yet the assumption is made that this summer is not going to be like last summer, that it is going to be a halcyon beauty of a summer and we do not have to make a special effort, as we did last summer, as inadequate as it was, to get the kids off the streets.

The administration became worried about its position in this matter, so by a feat of legerdemain, which has been denounced by newspapers from coast to coast, they scrounged and cut down programs, such as the Neighborhood Youth Corps, the in- and out-of-school program, from which they took $15 million. Then they cut the hours of work these young people would do this summer, and they cut the number of weeks they would work this summer. So they came up with a program which would technically give the same number of jobs as were given last summer, but with these costs. The Secretary of Labor testified in the last few weeks before the Committee on Labor and Public Welfare, of which I am a member, that the efficacy of the program was diminished by the percentage by which they reduced hours and weeks, to wit, 32 percent. In other words, it would be that much less effective.

If you want to restore to the permanent programs what has been taken from them, then restore these hours and wages. It would take $52.1 million rather than $75 million which the Senate voted, and for which I contended.

Mr. CLARK. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CLARK. Has the Senator proposed his amendment?

Mr. JAVITS. Not yet.

Mr. CLARK. I hope we can get the yeas and nays to vote on it as soon as he proposes it.

Mr. JAVITS. I will request them.

Mr. President, to resume, it will take $52.1 million just to restore the program, in terms of compensation and hours worked, to what it was last year without any additional slots whatever. I am very much minded to feel that the only fair and honest way in which to proceed with this matter in the Senate, having given it that figure which I just have, is to proceed with the same amount which the Senate voted before, as representing at least a slight increase and a slight recognition of what further problems we face this summer and the urgent need for this kind of summer jobs.

The Senator from Rhode Island [Mr. PASTORE] has testified most eloquently to the fact that the efficacy of these summer jobs in terms of what I have been talking about—in other words, in terms of tranquillity in our country—is just not to be duplicated in any other way.

I really feel that to be an effective legislator, on occasion we have to stand up, as the saying goes, and be counted. We are told time and time again by our conservative friends—who are just as vital to the legislative process as any liberal—that we have to "bite the bullet," that we have to be brave, and that we have to stand up to major decisions.

I feel deeply convinced that we will be voting this afternoon upon an issue which will involve directly the tranquillity of every major city in the United States. As a measurable addition to our ability to assure this tranquillity in our cities, I shall "bite the bullet" and hope that a majority of the Senate will do so also.

We are not going to win this fight with such stubbornness on the part of the other body, and the ineptitude on the part of the administration, unless we take a bold course with the same determination they have, especially when it comes to such a succulent package as the $400 million in highway funds, about which we have been enlightened, and which affects many States.

Mr. President, they will burn, they will riot, and they will loot at a cost of a great deal more than these highway funds. Mr. President, you and I know, and so does the rest of the Senate, that the highway funds, if they are not in here, will be in the second supplemental. The House Members will not deprive themselves of highway funds, impacted school funds, or the Farmers Home Administration funds.

Somehow or other—I repeat, somehow or other—the poor and the oppressed are always the last in line. They have to get the short end. Well, the Senate does not think so. I shall give the Senate this afternoon an opportunity to reaffirm that. I voted to report the bill with these other items in it, but I feel they must yield to the supervening dangers which we face in the poor sections of the cities of our Nation this summer. I do not feel that I shall have done my duty unless I do this.

Mr. President, I, therefore, send the amendment to the desk and ask that it be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 3, line 6, insert at the end thereof the following:

CHAPTER III

DEPARTMENT OF LABOR

Manpower Administration

Manpower Development and Training Activities

For an additional amount to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended, $75,000,000.

Mr. RANDOLPH. Mr. President, I rise in opposition to the amendment submitted by the Senator from New York [Mr. JAVITS]. It has been given the attention of the Members of this——

Mr. JAVITS. Mr. President, will the Senator from West Virginia yield to me momentarily?

Mr. RANDOLPH. I yield.

Mr. JAVITS. Mr. President, after consulting with the Senator in charge of the bill, and without in any way binding him, I modify my amendment to make it read $52,100,000 which will restore the program precisely to what it was in the year 1967.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. RANDOLPH. Mr. President, with reference to the proposed amendment to House Joint Resolution 1268 submitted by the Senator from New York, [Mr. JAVITS], on June 12 the Senator from Kentucky [Mr. COOPER], the ranking minority member of the Committee on Public Works, and I wrote to Senator JAVITS urging him to withhold his efforts to amend the highway supplemental appropriations bill, now pending before the Senate, and suggesting that he direct his thoroughly laudatory efforts to a more appropriate vehicle, H.R. 17734, the second supplemental of 1968, which the House of Representatives passed on June 11 and which was received in the Senate on June 12. In that letter we described the critical condition facing several of the States as a result of the failure of the Federal Government to meet its obligations to the States. I ask unanimous consent to have our letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C., June 11, 1968.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR JACK: We are writing to you as a result of our deep concern regarding the impending crisis in the Federal aid highway construction program. It appears that this program is in conflict with the thoroughly laudatory objectives you are seeking in the effort to gain additional appropriations for programs under the administration of the Office of Economic Opportunity, and we are writing in the hopes that we might achieve some resolution of the problem which will serve your objectives as well as those of the highway program.

As you know, H.J. Res. 1268, the Supplemental Appropriations Bill of 1968, which would appropriate $400 million for reimbursement of the States for Federal aid highway construction work was passed by the House of Representatives on May 9, 1968, when it became evident that several of the States would soon be faced with critical financial problems in fulfilling their commitments to highway contractors. This condition has now been reached by several of the States, which have had to defer payments to the contractors or borrow funds in order to meet their payments, and several other States will be faced with the same problem before the end of this month.

For example, as of June 11 the State of Pennsylvania had $48 million in outstanding billings which it has been unable to meet from appropriated highway funds; the State of South Dakota has exhausted its current cash reserve and was forced to suspend payments on May 30, with $4,250,000 in outstanding billings, with a projection of $9,500,000 by June 30, five contractors having quit work and twelve more having given notice to quit as of June 15; the State of Nebraska will exhaust its current cash reserve as of June 14, with outstanding billings by June 30 of $5 million; the States of Montana and Colorado will have exhausted their cash reserves as of June 20, and the State of Colorado will have borrowed $15 million from other funds by the end of this month; the State of West Virginia has also deferred payments to contractors, will have exhausted its cash reserve by June 20, will have outstanding billings of $20 million by June 30, and has had to cash bonds in order to meet the payments. As mentioned above, a number of other States will be faced with similar crises in the near future.

Therefore, because of the urgency of meeting State obligations to highway contractors on a day-to-day basis, and because of the responsibility of the Committee on Public Works for the effective administration of the Federal aid highway construction program, we take this unusual measure in asking that you reconsider your efforts to amend the Highway Supplemental Appropriations Bill and seek another vehicle for your purpose.

As you know, we also are deeply committed to the economic opportunity programs and to the advancement of the broad social and economic goals with which you are so closely identified. In this regard, the amendments which you have authored might be attached to H.R. 17734, the Second Supplemental Appropriations Bill, which is being considered by the House of Representatives today. Presumably it will be referred to the Senate Appropriations Committee before the end of this week. We respectfully urge you to consider this bill as a more appropriate vehicle for your amendments, and we assure you of our cooperation in gaining Senate adoption of your amendments to the Second Supplemental if you see the merit in our proposal in releasing the Highway Supplemental Appropriations bill for early Senate action without amendment.

With warmest personal regards.

Truly,

JENNINGS RANDOLPH,
Chairman.
JOHN SHERMAN COOPER.

Mr. RANDOLPH. Mr. President, as noted in our letter to Senator JAVITS, the States of Pennsylvania, South Dakota, Nebraska, Montana, Colorado, and West Virginia have had to defer payments to contractors or borrow from other funds in order to meet their obligations.

Since yesterday, I have received additional information from the American Association of State Highway Officials indicating the critical conditions existing in additional States. For example, the State of Utah has had to borrow $10 million to pay bills thus far; the State of Connecticut is currently borrowing from bond funds at a rate which will amount to $8,250,000 by June 30; the State of Washington has borrowed $25 million, which will last only through June 25; the State of Kentucky is borrowing from bond funds at a rate which will amount to $10 million by June 30; the State of Vermont is currently borrowing from its general fund, but may have to go to the money market in the near future; the State of Louisiana has borrowed $23 million and has spent $20 million in paying contractors only at the rate of 40 cents on the dollar since May, and will need an additional $15 million between now and July 1. In addition several States are losing interest on invested funds, Ohio at the rate of $150,000 per month, North Carolina at the rate of $25,000 per month and Iowa at the rate of $140,000 per month.

Lest there be confusion on this point, I emphasize that the apportionment of new funds to the States which will be authorized on July 1 will not relieve—and I underscore it—this situation which I have set forth. For this apportionment merely authorizes the States to enter into new obligations, and will provide no money for reimbursing the States for obligations already incurred.

This is the condition which has been created as a result of the inability of the Congress to enact House Joint Resolution 1268 and it is daily growing worse.

I would point out, with all respect to my friend from New York, that the amendments he is now again proposing are in the urgent supplemental appropriations bill for 1968 which has been in conference between the Senate and the House since April 23. I would also point out that I voted in support of those amendments, as well as other amendments—I think the Senator has made mention of that fact this afternoon—as I have voted in support of the appropriations for all of the equal opportunity programs to which the Senator from New York is committed.

Therefore, when I urge, as I now do, that the Senate reject the amendment proposed by the Senator from New York, I do so not because I oppose these programs, but because I know that he is engaged in a futile gesture which can result only in further impediments to the ability of the States to liquidate their obligations and will add to the already difficult burden of the States and the highway construction industry.

If the Senate does not pass House Joint Resolution 1278 without encumbrances so that it can be sent immediately to the President, the financial condition of the States will steadily worsen and will soon result in shutting down many highway construction projects for lack of funds and creating unemployment and hardship for the families of highway construction workers. I do not believe that this is the condition which the Senator from New York is striving to achieve, but this will be the result of his actions if he is successful.

I therefore again urge this body to reject the proposed amendments.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. Is it not true that this money is due under an act passed, and signed by the President on September 13, 1966 authorizing for the various States larger participation in the highway trust fund than all that has been paid them up to date, plus the $400 million?

Mr. RANDOLPH. The Senator from Florida is correct in making that statement.

Mr. HOLLAND. In other words, this is a payment of an obligation, authorized by the Congress, by our Federal Government formally to each of the States and the other participants, such as Puerto Rico and the District of Columbia, a year and a half ago, and on which contracts have been entered into, and as to which, even if we pay this $400 million, as I trust we will, we will still have some unpaid balance left over on that authorization of a year and a half ago?

Mr. RANDOLPH. Yes. We must remember—and I know the Senator from Florida is cognizant of this fact—that these moneys are not from the general fund. They are moneys that have been committed by the users of our highways to the trust fund for the specific purpose of paying for the Federal-aid highway programs. These funds are to fulfill the Federal obligation to make payment.

Mr. HOLLAND. If the Senator will yield for one more question, is it not true that in both the Interstate System, wherein the Federal Government pays the larger proportion, and the three ordinary systems, the Federal Government is simply in a joint venture with the States and is in the position of being a partner with them in the construction of this much-needed Federal aid highway and Interstate Highway System?

Mr. RANDOLPH. The Senator is correct. The ABC involves a 50-50 matching. The Interstate System is 90-10. But it is trust-fund money we are talking about, not money from the general fund.

Mr. HOLLAND. If the Senator will yield for one more question, and is it the interest and hope and effort of the distinguished Senator from West Virginia and the distinguished Senator from Rhode Island, and of the Appropriations Committee that, in the first instance, we honor an obligation made a year and a half ago, and, in the second instance, we honor an obligation in which in many instances the other partner to the obligation has gone ahead and done its full part, and more, and is now having to pay out interest because the Federal Government has failed to do its part?

Mr. RANDOLPH. Yes. The Senator from Florida calls attention to the situation which I have set forth in my remarks. That is the situation. It is imperative that we release the funds.

Mr. HOLLAND. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. I yield.

Mr. STENNIS. The Senator has made a very clear and very convincing statement as to the picture presented, as I understand it. Senators have come into the Chamber since we started this debate. We are talking about the fund now due to the States. When we say it is due to them, we do not mean that they are entitled to a certain apportionment. We mean they have gone ahead and made contracts and the work has been done and the vouchers are there, in many instances at least, and are unpaid and cannot be paid for until the work is finished.

Mr. RANDOLPH. The Senator from Mississippi is correct. The States are really paying out money which should have been paid by the Federal Government. They have been advancing money which they should not have had to advance.

Mr. STENNIS. And some of them had to borrow money, as the Senator from West Virginia has said.

In the Senator's plea, he is not opposed to the amendment in substance, but he is pleading for the passage of the joint resolution promptly so this matter can be taken care of?

Mr. RANDOLPH. That is correct. I pointed out that I have previously voted for the amendments proposed by the Senator from New York, and there are other Senators who voted for the proposal of the Senator from New York who, I hope, realistically, will not support him this afternoon.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. COTTON. It has been said that this money has been paid out on the part of the States and is to be reimbursed by the Federal Government. That is not a quite strong enough statement, is it? Actually, the money has been collected by the Federal Government from highway users in special taxes and is held only for the use of the States. It is not a question of our having to pay the States or giving the States the money. It is a question of releasing funds to conform with the law and to permit the States to fulfill their obligations.

Mr. RANDOLPH. The Senator is correct. He states the case much more succinctly than I. I endorse exactly the statement he has made.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my colleague, the ranking Republican member of the committee.

Mr. COOPER. Mr. President, I shall vote against the amendment of my friend the Senator from New York, and I would like to explain, to him particularly, my reasons. I hope that he might withdraw his amendment.

I am a member of the Senate Public Works Committee and happen to be the ranking Republican member, but I think he knows if there were not particular reasons which direct otherwise in this case, I would be with him, no matter if it is a matter involving the Public Works Committee because I supported and voted for the amendment he proposed earlier, and again when the Senate overruled the conference report.

I point out that this supplemental appropriation bill differs in its character from the usual appropriation bill that comes to the Senate. Most appropriation bills are prospective, providing funds for work and programs that involve the future. In such cases, it would not make any great difference if the appropriation bills were amended. But this appropriation bill is to pay obligations which have been incurred and which the Congress, by prior agreement, agreed to pay.

As Senators know, the Federal-aid highway program involves an unusual arrangement, under which Congress authorizes for a period of 2 years amounts which are then apportioned to the States, which the States can then spend on their highways—promising that when the States spend their money and when the Federal share of 50 percent or 90 percent is due, as the case may be, Congress will pay the States.

It is a contract in obligation. The money is provided from the highway trust fund and none of the funds in the bill could be used for any of the program which the Senator from New York fights so hard. The States have performed their contract. These amounts are due the States. By refusal to pass this resolution, the Congress would in effect either be delaying or breaking a contract of the United States. That is the first reason I shall have to vote against the amendment of the Senator from New York.

The second reason is that I am sure there will be other bills before the Senate, in which this peculiar situation will not be present, and to which the Senator can, if he desires—and many of us will join with him—offer his amendment.

My third reason is that I think honestly that to attack the amendment would be a futile effort. I say to my friend, "You have made your fight and continue to make it in conference; we have joined with you; we will stay with you when your proposal has any possibility of being acted favorably upon." The amendment which you sponsored, for which we all voted, which is in conference now, is still a vehicle for action. It would be useless to engage in another conference upon the same matter which is now before the House of Representatives.

I argue and talk about many things; and we can talk as friends and as brothers. I must say I believe this is an effort which will not accomplish anything. We want to help the people, but I do not believe we should assume that if we do not act upon this amendment there will be riots all over this land.

Here in the city of Washington now is a group of our fellow citizens—500 at times, 2,500 at other times—are pressing their petitions for help. It was said that riots would result if they came here. They came, and there has been little disorder. They have engaged in their proceedings, I believe, in a very orderly way; I support them and I am hopeful they will succeed. But I cannot believe that if we do not act at a specific time, riots and lawlessness will break out in this country.

I am in sympathy with the Senator's position. I voted for his appropriation, as I have for almost every appropriation of this kind, not only this year but for many years, as the Senator knows. But I believe his effort will accomplish nothing, and so I would hope he could wait until a time when his fine effort, from his good heart, would more likely be fruitful.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. I would love to wait, but

the situation will not wait. There will be absolutely no point to making these funds available in 2 or 3 weeks, let alone 3 or 4; and hence the Senator's advice, which I value as coming from a friend, is not of much use to me.

As to the futility of the gesture, I am not predicting riots and violence, and I would join with all my colleagues in the effort to avoid them, or if they come, to meet them as we should, in terms of avoiding anarchy in this country. But I would be less than fair if I did not describe to the Senate things which I believe represent elementary justice, and which, if denied, are used to incite people in the United States, under color of reasonableness. This is one of those items.

Finally, as to the futility of the gesture in the face of the position of the House of Representatives: That is precisely why I offer the amendment to this bill, because they want this $400 million. That is why I have described this as an end run—precisely because they want it. This is the only way we are ever going to get any consideration of our views, by tacking it on just such a bill, which they want, rather than one which they do not want. Our failure to do that, heretofore, is apparently why we are deadlocked in conference now.

Mr. MUNDT. Mr. President, first I congratulate the distinguished Senator from West Virginia on his very thorough-going, business-like presentation, and the logical manner in which he has presented to the Senate the issue which confronts us; and I congratulate also my distinguished friend from Kentucky for the arguments he has just advanced. I associate myself completely with both of them, and certainly hope we do not sabotage this urgent highway construction appropriation by adding extraneous amendments to it at this time.

I find myself in precisely the same position as the Senator from New York, because, just as he has been arguing and seeking Senate support for appropriations for the Headstart program and the summer job program. I have been doing precisely the same thing for a $25 million item for the Farmers Home Administration. The Senate has gone along with the arguments of both of us in each case. We both serve on the conference committee. We have stood as firm as the Rock of Gibraltar through conference after conference after conference. This is the longest sustained conference at which I have ever served as a conferee. We have met time after time after time, without progress toward breaking the deadlock.

The House has remained obdurate. Mr. President, I have found, in these matters, that you cannot just take; you have to give once in a while. This is a give-and-take proposition. Our colleagues on both sides of the aisles have stood with us in vote after vote on the floor of the Senate. There has been no division among us at all. Republicans or Democrats, we have stood as a block on the conference committee. But the House of Representatives has simply refused to accept this particular appropriation at this time.

And, as the Senator from Rhode Island has pointed out, we will be taking the matter back to conference with the same identical conferees. We would be in no better position to have it there on two pieces of paper than to have it there on one piece of paper.

I submit to my good friend from New York that to now have another vote would weaken our case. I join the Senator from Kentucky in urging him not to press for a rollcall vote; in fact, I would recommend he not press for even a voice vote, because I think both the Senator's cause and mine, and the causes in which we are both interested, would thus be weakened. Obviously, I believe, the vote would not be as overwhelmingly in support of us today as it was before. In fact today, we might very well lose. In the prior vote, we had a great mandate to take to the House conferees. We went to conference under instructions by an overwhelming rollcall vote of the Senate—I think there were only two or three dissenting votes; I have forgotten the exact figure, but it was an overwhelming vote—to stand fast before the House conferees. And another conference will be held under that mandate if we do not now disturb it.

I believe we are certainly in a better position, from the standpoint of the people the Senator wants to help, primarily because we have a mandate now from our fellow Senators to go before the conference committee for a substantially larger amount than the $52 million he now is seeking. To reduce the amount in this fashion, to me, would be a confession of failure. If I were a House conferee, knowing the Senate conferees had been mandated originally for $75 million, and, after the House had held fast, the amount was reduced to only $52 million, I would be inclined to stick around a little longer and expect another retreat by the Senate.

Mr. President, I do not think we should retreat. I think we should stand for all and not for part; and I think we can go to the conference committee this time with much stronger appeal, because some of the problems that have torn the conference apart have been resolved. The sticky issue of impacted aid has been taken back for a vote of the Members of the House of Representatives, as we urged them to do, and the membership of the House supported the position of the Senate. That was one of the things that held it up.

Basically and fundamentally, the position of the House is not one of being against poor people, against colored people, or against anything except inflation and deficit spending, and it is their position that this would twist the budget too far beyond the budget figure suggestions of the administration, if we were to add to it in this fashion now, right at the same era of history when we are thinking about voting a tax increase and a mandatory reduction in spending.

Finally, I believe we would be in a weaker position in conference by writing on now, even in the lesser amount, this pint-sized reiteration of what we have previously asked for in king-size dimensions, and received from the Senate a mandate to try to procure. By doing so, we would make this specific appropriation stand out like a wart on a pickle.

The first item we have discussed is the people's funds, which have been collected from them for highway construction. Those funds have been held in trust, and are being returned to the people from whom they were taken. The other item involves claims and judgments which have been adjudicated by the courts, over which the Appropriations Committee and Congress have no control.

So we would have in the bill only those two items which have been rightfully determined by the march of events, and the only item that would then be in conference would be this one, which we would slap back at them in a weaker form, confessing, for some reason which I cannot understand, that we were all wrong when we asked for the larger amount, but are right now.

Since this is appropriated money, brought in from the outside and added to the budgetary figure, I believe we could expect the same reaction on the part of the Members of the House of Representatives whether we stand for $52 million, $75 million, or $100 million.

There is one other thing I would ask my friend to bear in mind. This is not a 4-week delay or a 3-week delay.

We have been working all day today working on another supplemental appropriation bill which has already come over from the House. We are holding hearings, and I presume that we are about halfway through.

I would be very much surprised if we do not have it marked up for presentation to the Senate some time next week. It is a "conglomerate," to use a Wall Street phrase. It contains a great many items. It deals with many problems. That is the logical bill in which to deal with the problem of summer jobs.

The Senator would lose here today in my opinion and thus prejudice chances of later success. However, he would get the support later of those who have supported him in the past. We should not be stubborn enough to say to the House, "We will sock you again and make you like it," because it would be an exercise in futility. It will not do any good, and the cause of everybody will lose. The Senator's cause will lose. My cause loses. The farmers will lose. And the poor old Indians, who have lost now for 2 centuries in this country, will lose again. Their money always seems to get lost in the shuffle.

Why not approach this matter reasonably? I think the Senator has made a good case. I think he could win this matter in the second supplemental. The Senator's arguments are sound. He has persuaded me that they are sound. However, I think that if he tries to push the matter at this time, it will be a lost cause.

I would sincerely recommend to my fellow conferee—and I will stick with him in the conference—that having made his case and having alerted the country and the Senate to his cause, he present it next week in conference or in the second supplemental and either withdraw it now or not press for a rollcall vote today.

We will have lost nothing, because we will still be before the conference. The amount of money the Senator originally thought was correct was an over-all mandate from the Senate. Let us not march down the hill now.

Mr. CLARK. Mr. President, I support the amendment of the Senator from New York. Also, I commend the Senator from Rhode Island [Mr. Pastore] for his humanity and compassion and his understanding of an issue which clearly is human rights against property rights.

I commend him also for his willingness to espouse the cause which was started in this country many years ago by our late, great President, Franklin Roosevelt, who always put human rights before property rights. What we are faced with today is human rights— compassion—as against property rights—money.

Mr. President, if I may say so, I think that there has been a good deal of sophistry in the debate today.

There is no question, on this vote, of honoring or not honoring an obligation. I am as much interested as is any other Member of the Senate in getting my share of the highway funds for the Commonwealth of Pennsylvania.

There is not a contractor in the Commonwealth who has not written or called me and explained that unless the bill passes, and passes promptly, he will have to stop his highway construction and lay off his laborers. Some of them will have to go into bankruptcy. They should not be forced to do that.

Pennsylvania needs the highways as badly as North Dakota or South Dakota needs them.

I want to see that highway money come to my State. But I do not want to pay so high a price for it that youngsters and little children will not be able to bring their share of a minimum wage home to their families this summer in order to ease the grinding poverty and the hunger in which they will be imprisoned if we are unable to persuade the other body to yield in its stubborn resistance and refusal to give to the youngsters of this country their just dues, as we gave them last year.

I regret that the administration of my party has not been willing to put the same amount of support behind the bill for summer jobs this year that it did last year.

It must be perfectly obvious to anyone who studies the problem that the effort of the administration to squeeze out of other appropriations enough money to provide summer jobs for this year, as was done last year, is already a failure. The money is not there. The kids are not going to get work because the summer jobs will not be available for long enough.

I shall not make the argument that this action may result in riots. I think that is, in many ways, a contemptible argument, and I shall not make it. I support the amendment as a matter of compassion and simple justice.

I regret that members of the Committee on Public Works feel that it is necessary for them to oppose the amendment because, they say, the House is so stubborn, and the heart of the House is so cold and is made so much of steel and so little of blood, that the House will not yield to make the jobs available for the youngsters who need them.

I say again that I would hope that some members of the Committee on Public Works would think better and would follow their consciences. I say again that I am just as eager to get highway funds for Pennsylvania as my friend from Kentucky [Mr. Cooper] is interested in getting them for his State. I honor him for his position in that regard.

But I believe it is quite clear and it is most unfortunate, that this is a part of the system of the Senate, a system of which I think it is perhaps only candid for me to say I have not been a strong advocate of for many years.

We have, on the one hand, the Committee on Labor and Public Welfare. I am proud indeed to be chairman of the Subcommittee on Employment, Manpower, and Poverty, a subcommittee which, in my opinion, is doing what needs to be done, and with a sense of compassion, in connection with employment, poverty, and manpower. On the other hand, we have the Committee on Public Works, which has as its first obligation, perhaps, to see that highway construction is not curtailed. Of course the highway trust fund is important. But to provide funds for summer jobs does not seem to be as important in the eyes of some as to spend $30 billion a year for the war in Vietnam or $82 billion a year for military appropriations all over the world. It does not seem to be as important as keeping 3,400,000 men under arms and another 1,000,000 civilian employees to service them.

But highways come ahead of people. It is because of this that I feel compelled to vote for the amendment, knowing full well that it will not, probably, be a popular vote in my State.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CLARK. Not at this time; I shall yield later.

I feel compelled to support the amendment. We have here a situation of an irresistible force meeting an immovable object. The Committee on Appropriations feels one way, while a minority member of the committee, the Senator from New York [Mr. Javits], and perhaps one or two other Senators supporting him, feels another way.

The Committee on Public Works feels that it must put its weight behind the highway program. Yet the money needed for the summer jobs will come too late to put food in the mouths of the children and the mouths of their families. This is unfortunate.

The other body apparently has no understanding of or compassion for the needs of youngsters who are so desperately in need of summer jobs, and who were taken care of last year. So we have an irresistible force meeting an immovable object. What will happen? I have no illusions about what will happen on this vote. It is suggested that we give way because the other body has a heart of cold stone. We are asked to put property rights ahead of human rights, and to put human rights out of our mind, knowing full well that if we do not act at this time, summer will be upon us and, as the Senator from New York has so well said, the summer jobs will not be available and cannot be administered if we wait until the second supplemental appropriation bill reaches us.

I was strongly tempted to propose on this bill the amendments which the Senator from New York and I had in mind with respect to the Headstart program, but I concluded that we can wait on that; because when the second supplemental comes along, it will still be time to restore the funds for Headstart for next year. But there is not time for these summer jobs, and therefore we have to do it now or we will not do it at all.

I do not agree that if the amendment is agreed to it will mean the death of the highway program, because I believe the Members of the House want that highway money an awful lot more than they want to take the money away from the youngsters of this country. I am not a conferee. I am glad I am not. But my view is, speaking of human nature, that when the position is put, "We want to give you the highway money, but we want to take care of the youngsters, too; and do you not see it that way; will you not go along with both," that kind of appeal would be fruitful and would in the end prevail. I do not believe that the House is so insensitive to human misery—and that is what it is, Mr. President—that they will fail to yield if we for a second time bring before them the needs of these people.

Mr. President, let us see what will happen if the Javits amendment does not prevail. The need this year, most will admit, for summer jobs, for some kind of amelioration of the frightening poverty in which so many of our American families live in the slums of this land—rural as well as urban slums—is greater than it was last year. Yet, less money will be available because of the economies which have been forced on the country by the acceleration of the war in Vietnam, the escalation of the military-industrial complex's view with respect to research and development, and the expansion of our military power all over the world. So we have this situation confronting us, in which there is not enough money available this year to do what we did for the kids of America last year.

Last summer, about $600 million went into summer programs for youth, including portions of full-year programs which applied to the summer months. This year, the comparable figure is $560 million. But even that figure is illusory, for it includes programs such as title I of the Elementary and Secondary Education Act and College Work Study which do not zero in on the geographic areas or the youth populations which most need attention.

The heart of the summer program last year was the $75 million summer supplemental which was requested by the Administration. This year, the President has decided not to request such funds and is instead trying to squeeze out limited summer funds by cutting back and closing down valuable full-year programs, including Headstart, the Job Corps, and neighborhood health services. Not only does this raise major problems and resentment across the country as these important full-year programs are closed down, but it has not resulted in producing adequate summer funds. In the key area of summer Neighborhood Youth Corps funds, $52 million less than the amount available last year will be available this year. Moreover, the summer Neighborhood Youth Corps is being reduced from 12 weeks to 10 weeks in an effort to economize further.

In my own Commonwealth of Pennsylvania we have a classic example of the impact of this cutback. I do not think this cutback decision is correct. We have kept the same number of slots open, but have cut the number of hours in which these youngsters get minimum wages by 32 percent. So, in effect, these youngsters are bringing home for their families' support only two-thirds of what they were able to bring home last year. On the surface, there are as many job slots, but it is only paying 67 percent of what it paid before, and that is at a minimum wage, which in many metropolitan areas is inadequate to provide adequate nutrition, adequate food, adequate health, and adequate shelter for the individuals involved.

So I say, Mr. President, I want this highway money as much as anybody here; but I do not believe we will have to choose between the highway money and the needs of the young people of this country. But, if we do have to choose, I am on the side of human beings, I am on the side of human rights, and I would regretfully put the property rights of the highways in a second order of priority.

Accordingly, Mr. President, I hope that the amendment proposed by the Senator from New York will be agreed to.

I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I regret that the Senator from Pennsylvania has referred to the Senator from Kentucky, the ranking minority member on the Committee on Public Works, and myself, as chairman of that committee, and other members of the committee, as being pressured into the position we take this afternoon on this matter.

I believe the Senator from Pennsylvania knows that I am as sensitive in my heart and also I have supported with my vote these proposals over and over again. I do not believe there is time for argument between us as to our desire, both of us, to serve the needs—human needs, resource needs—of our Nation. I believe each Senator will arrive at his own determination in this matter. There is no need to arouse the emotions on a matter of this kind. For myself, I say, in good grace, in good humor, and in good conscience, that I believe each man will make a decision based upon his own obligation and responsibility in this matter.

As a member of the Committee on Labor and Public Welfare, and as a stanch advocate of the welfare legislation reported by that committee in the past 9 years during which I have been a member, I have no problem of conscience or divided loyalties on this issue. I have previously indicated to the Senator from New York a more appropriate vehicle for his amendment.

But regarding the function and responsibilities of the Committee on Public Works, I would point out that this committee authorized the Appalachian legislation and the Public Works and Economic Development Act, both of which measures were directed at creating job opportunities for the unemployed in distressed areas—permanent job opportunities, not just summer jobs. The legislation reported by the Committee on Public Works, especially in recent years, bears the stamp of the commitment of all our members to the development of human resources as well as our natural resources.

Mr. CLARK. Mr. President, I thank the Senator from West Virginia for his pertinent comments. I certainly did not intend to wound his feelings.

I do say that if ever there was a matter in which emotion was appropriate, this is one, and I, personally, feel very deeply in this matter.

Mr. HOLLAND. Mr. President, I am glad the Senator from New York is still in the Chamber. I wish to say to him that I appreciate and honor his sense of conviction, and I generally appreciate and honor his perseverence. But I believe that in this matter he has come to a place where further perseverence ceases to be a virtue; because it seems to me that, having this matter already in conference with the other body, along with a rather substantial vote on the part of the Senate, and having the full amount of his claim in conference, he is now presenting a course which, if successful, would put a smaller amount in another conference and backed, I am sure, by a smaller vote than was true in the other case.

Aside from that, I wish to say that I have had the invidious distinction of serving on both committees which have passed upon the so-called urgent supplemental bill. I am now serving, not by my own wish, as chairman of that conference committee.

I believe that the Senator from New York correctly stated the situation when he said that the Senate conferees have stood by him completely in the conference, and we have had three conference meetings with conferees of the other body. It is a fact that the Senate conferees, who were of varying opinions when the matter was presented on the floor of the Senate, have, pursuant to their duty as conferees, tried to carry out the Senate wish and the Senate determination and decision, and have stood by the Senator from New York in that conference. I am sure we shall continue to do so. We stood by him in a proposal for a compromise settlement he offered the other day, which I thought would probably be accepted by conferees of the other body, and I hoped would be accepted, but it was not accepted.

Mr. President, all I can say is that proceeding further in this persevering way will only weaken the case of the distinguished Senator from New York.

In recognition of the fact that other people have different opinions from our opinions, I should state for the RECORD substantially what I understand to be the attitude of the House of Representatives and of the administration in this matter. The Senate passed by a unanimous vote last fall—and I believe the Senator from New York did not happen to be here that day but he stated since he would have voted for it—House Joint Resolution 888 which made severe cutbacks in expenditures for 1968.

There was a provision in that bill that any increase in the amounts that were cut back could not exceed the amounts of the appropriation of last year. It so happens with reference to this appropriation for the OEO there was no cutback, but the entire appropriation was recognized by the administration.

I am sorry my friend, the Senator from Pennsylvania, is not here. I think he should know, if he does not know already, and I hope he will read this statement in the RECORD, that his administration has not run out on him but, instead, has insisted on carrying out the directions given by the Congress last year; and, as I said, the Senate gave the directive by a unanimous vote. Therefore, there can be no reflection on what the administration has done in this case.

The appropriation was not cut, and there has been no item to come in, and if it came in, it would have come in in violation of House Joint Resolution 888.

I have already brought out the point in colloquy with the distinguished Senator from West Virginia that what we are being asked to do here is to appropriate out of a trust fund from taxes paid by all people who use the highways. That money, even when paid to the States, will not fulfill the authorization which we made in 1966 governing the amounts which they were entitled to receive in fiscal year 1968.

The Senate will find in the wording of title I of the act before us, after referring to the appropriation of $400 million out of the highway trust fund, these words: "which sum is part of the amount authorized to be appropriated for the fiscal year 1967."

So we are simply being asked here to fulfill a commitment made long ago to States which have proceeded upon the faith of that commitment and now have the full right, and not only legal right but also moral right, to expect payment out of this highway fund, which is a trust fund and not belonging to the United States in the fullest sense, but serving for the construction of the Federal aid highways.

We are now being asked to appropriate from that fund alone, to carry out in part an obligation we made a year ago.

I yield to the Senator from West Virginia.

Mr. RANDOLPH. In essence, it is to pay bills for work done.

Mr. HOLLAND. The Senator is correct. The list we were shown yesterday, when we marked up the bill in the Committee on Appropriations, was to the effect that 22 States are now in perilous positions.

They either are having to stop contracts or to refrain from letting contracts. The list placed in the RECORD by the Senator from Mississippi shows all States except two, of which my State happens to be one, I am happy to say, are in the position of having vouchers not paid by the Federal Government, after the States drew on these vouchers which we told them a year and a half ago they should have the right to draw upon.

Adverting to that list placed in the Record by the Senator from Mississippi, I note the State ably represented by the Senator from New York, as of June 7, had vouchers which were outstanding and unpaid, reflecting the fact that the trust fund owed the State of New York amounts to $15.2 million. With respect to the State of Pennsylvania, I notice that as of June 7, there were vouchers outstanding and unpaid, drawn by the State of Pennsylvania against the fund in the amount of $19 million.

Mr. President, the real fact and the honest question is: Are we going to honor the obligations we ourselves set up a year and a half ago under which the States have proceeded in good faith and which the States have carried to their own hurt and in many instances are not being paid? If my State were so involved, it would be very adversely affected, because our constitution does not permit us to borrow. Other States are in that difficult position now.

It seems to me we should recognize this obligation. I do not believe any Senator would be heard to say we should not. Since this is not an obligation from the general fund but from the trust fund created for the benefit and support of the Federal aid to highways program, and since the States have proceeded on the strength of what we agreed on a year and a half ago and which was approved by the President, it is now payday and past payday in the case of most of the States in the Union.

I hope the distinguished Senator will not insist on his amendment. I have not asked for the yeas and nays. I wanted to leave him complete freedom to act as he sees fit. It seems to me he will greatly weaken his position by insisting on a vote on the amendment. If he insists on a vote on the amendment, I am going to ask for the yeas and nays. However, I hope I shall not be forced to take that course because it seems to me the Senator has shown beyond peradventure his conviction to the cause of the summer training program. He has that conviction represented to the tune of $75 million in a conference now going on in which he has had the full support of the Senate conferees, regardless of their opinion and vote on the floor of the Senate.

He will continue to have that support.

I hope the distinguished Senator will not insist on this course because it may be that it will bring disaster upon his cause and it certainly cannot strengthen his cause because he has already reduced the amount he has in conference under the other bill.

My feeling is that the time has come for a vote and I hope my distinguished friend will not insist upon the vote upon his amendment.

I yield the floor.

Mr. ALLOTT. Mr. President, since I was attending a meeting of the Committee on Appropriations and was, therefore, absent from the Senate floor during part of the discussion, I feel it obligatory to say a few words about this matter. First of all, the Senator from Pennsylvania [Mr. Clark] said a while ago that this is a matter of human rights versus property rights. Well, it is not a matter of human rights versus property rights at all. The implications would be that the amendment sponsored by the Senator from New York [Mr. Javits] is the human rights and, therefore, the highway program is property rights.

As I view it, the highway program is individual rights. Each and every individual in the country has paid that money into the trust fund and, as the distinguished Senator from Florida has just pointed out so ably, States committed themselves to contracts and obligations which they cannot now fulfill.

There is another aspect of this reference to human rights. In my State, as in other States, we cannot go into debt according to our State constitution. Human rights are also deeply involved in this thing—that is, there will be many people out of work in Colorado unless we do something about this. I called the attention of the committee yesterday to the fact that the Senator from New York had appeared before the Appropriations Committee, together with other Senators, in behalf of this particular proposal that he is offering now, which he has reduced to $52.1 million.

I do not think there is anyone in the Senate who could even suggest with the slightest innuendo that the Senator from New York has not been, together with the Senator from Rhode Island [Mr. Pastore], who spoke in the same respect before I returned to the Chamber, the strongest supporters—fighters, I would say—for these programs.

I feel that I can speak here because I joined in rejecting the conference report by a vote of 54 to 24—2 to 1. I joined my friend from New York wholeheartedly in that, and made some remarks on the floor at that time.

This does mean jobs, as it means an obligation that we have to keep. I associate myself with the distinguished Senator from South Dakota, who, I think, said it so very, very well, that we now have this pending in the conference committee. No one could possibly believe or think that those who support the amendment have not done so with all the vigor they have. Frankly, I believe very strongly that it is a weakening of their position rather than a strengthening of it. If the amendment should be adopted and go to the conference committee and we end up in another stalemate, and then we have the supplemental downstairs and we add it to that one and that ends up in another stalemate, where do we go?

I would say that I consider this rather futile as a way to accomplish the particular legislation that he has in mind. Certainly, so far as accomplishing the particular two items we want to take care of here is concerned—that is, first taking care of the commitments that the States have already made with respect to their highway trust funds, pursuant to our direction and, second, paying the judgments, included in which are Indian judgments which have already been adjudicated against the United States of America, I hope that whatever course of action the distinguished Senator from New York sees fit to take, he will know that he has done everything possible to achieve his goal. Not just in a negative way, not just by voting, but he has pushed it in committee, he has pushed it in this Chamber, he has done it everywhere a man could humanly do it; namely, trying to procure additional funds in the two areas of manpower and Headstart that he desires so very much.

It would be my sincere hope that he would see fit to withdraw the amendment, knowing fully well that we are all appreciative of his feelings, in order to accomplish the two purposes for which the bill has come to the Senate.

For these reasons, Mr. President, I feel that I have to make my position clear, having supported him in the other matter; but because this is so vital, so critical, and so serious to so many States, if the matter comes to a vote, I shall, reluctantly, have to vote against him, because I think the immediate need on this matter is also great. It does mean jobs, it does mean work, it does mean employment, as well as other things which he has felt also involve the human factor.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, the reason I asked for a quorum call was to bring Members of the Senate into the Chamber in order to hear the discussion, because, on the Record, if one were not here, it seems like a routine deficiency appropriation, and the question could be asked, "What is this all about?"

I think the debate has developed a very interesting analysis of what it is all about. May I point out, first, as to the money, because the argument has been made here that I am weakening my own position by reducing the amount to $52 million, that time has reduced the amount we can request. In other words, the program was put on a 12-week basis last year. Even if we passed this bill now, we cannot do better than an 11-week basis. What is the use in having the Senate vote for $75 million when, on the premise on which it voted, we now need only $52 million? That answers that argument.

Again, the voices of the turtle: "Wait. We will put it on the second supplemental." Mr. President, the situation will not wait, because it will take 2 to 4 weeks to get the second supplemental bill. And when we got to conference on the second supplemental, it would even appeal to me, in logic, to drop it because we could not use the money by then and why encumber the second supplemental bill? In addition, the second supplemental will have many items in it relating to Vietnam and many other purposes. It will be a difficult conference. Often times it does not come until the last day of the session. So, willy-nilly, though I appreciate the advice being given me by those who oppose my amendment, it is not designed to promote the objective which I had in mind and which the Senate had in mind when it voted as it did.

As to the argument regarding roads versus people, I do not even want to get into it; but it is a fact that the States can help themselves by borrowing money or advancing money on their own. But here we are dealing with young people looking for summer jobs, who are going to be on the streets, with idle hands, unable to help themselves or their families. That is a lot different from 50 sovereign States.

One thing which absolutely damns every argument made here today, and which has not been mentioned, except by me, is the fact that the other body, in an act of supreme arrogance—and that is the only way you can characterize it—voted to put $90 million for impacted school aid into the second supplemental—the whole business. Talk about the budget. They tore it up and threw it into the waste basket. Talk about the resolution in December of last year. They did the same thing. The President has not asked for it, except $20 million.

This indicates the viciousness of the denial of paltry sums which are required to do something about the serious summer situation.

I do not object to paying money to the school districts. I do not object to that, but I do object to the order of priorities. Take care of the road situation. Take care of the claimants. I do not know how poor or rich the claimants are, but I know how poor are the people affected by the job situation, and the fact is that that situation cannot wait.

So what is happening is an issue which can be voted on. If we take the deadlocked conference and go down the list, we find every single item that the other body wanted taken care of one way or another, in the second supplemental bill, or in bills already passed, or in this bill—every single item except funds for summer jobs and funds for Headstart. They are the very ones being carved out. How we can, in good conscience, allow that to be done escapes me.

Finally, what I think is really endemic in this situation is that the Members of the other body who are handling the conference and who are dealing with appropriations just do not think we have our hearts in this. They think if they take care of impacted schools in the second supplemental, and roads in this bill, and veterans' unemployment, which bill has passed, and vocational rehabilitation, which is also in the conference, and some money in grants to States for public assistance, we will just forget about it. That is what is at stake, and that is what this vote is all about. The time to deal with it is when we have a measure that they want; otherwise they will not vote for it.

If we vote this way today, nothing whatever will be done on summer jobs. If I am staking my political reputation on that statement, I will stake it. Nothing will be done about it. I pray it will be. I will pray every night that I am proved wrong, but I do not think I will be proved wrong.

That is what is at stake in a matter to which the Senate committed itself—either that or do nothing. The only way to do something is when the other body has a measure in this body which it wants.

When we rejected the conference report we tacked on the package with impacted schools, Headstart, Farmers Home Administration, and summer job funds. Many Members of the Senate wanted one, and were not so sure about the other, et cetera. Hence, the Senate turned down the conference report. Now it is being unscrambled. On this vote we will see who wants summer job funds and what they are willing to give up for them.

Mr. President, since I know that is the issue, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President——

Mr. JAVITS. Mr. President, I just did not want to lose recognition.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. I asked for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. JAVITS. I yield now to the Senator from New Jersey [Mr. CASE].

Mr. CASE. Mr. President, I support the Senator from New York completely. I think this issue is an illustration of something that is increasingly coming to be true. I support the impacted areas school aid bill, but that program is not designed to help disadvantaged people—who are relatively few in number—for whom the Javits amendment is intended. That bill is not even for the relief of schoolchildren; it is for the relief of people who pay taxes, because the money provided for in the impacted school measure will go from the Federal Treasury into the school districts and is money which the school districts already were obliged to pay. I am not against that. It is all right. But that is a bill for the great majority of the American people.

The same thing is true of the highway bill. The great majority of the American people are road users and they want to have money for roads. But what we are doing here is pegging out a bill for the relief of a minority who are disadvantaged, not for the comfortable majority.

It is easy enough to say "No" to this. Senators will not lose one vote in relation to the votes they will gain. But the real test in the Senate and in the Congress of the United States—and it is a test that increasingly confronts us in this whole country of ours—is whether we are going to allow the comfortable majority to rest in its affluence, without taking care of the disadvantaged minority. That is the issue we face on this vote, and I support the Senator from New York.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from New Jersey. I have always felt that he spoke the conscience of our country in the Senate. What he has just said, it seems to me, bears out that conviction, and ought to be emblazoned upon the mind of every American.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should like to express my commendation of what the Senator from New Jersey has just said. I think he has put his finger upon the issue involved in this vote. It is a question of whether the Senate is going to vote its conscience or vote to ignore the children of this country.

As a very perceptive Senator on this side of the aisle walked by a minute or two ago, he whispered to me, "Senator, what is the issue here, roads or kids?"

I said, "Yes." And that is the issue, Mr. President: roads or kids.

Mr. HOLLAND. Mr. President, I am ready to vote, but if we are not going to vote, I should like to make a motion to lay on the table.

Mr. JAVITS. Mr. President, I think the Senator had better make his motion, because I wish to discuss this matter a little further.

Mr. HOLLAND. Mr. President, I regret to have to do this, but there are several Senators who have——

The PRESIDING OFFICER. The Chair reminds the Senator from Florida that a motion to table is not debatable.

Mr. HOLLAND. I have not made a motion to table as yet. When I make the motion, I realize it will not be debatable. I simply wish to explain my situation.

Several Senators have compulsory reasons requiring them to leave the Senate very shortly. They have waited here all afternoon for the opportunity to vote on this particular issue.

We feel, and I for one feel very deeply, that the faith and credit of the United States is involved in this matter—a faith pledged in 1966, when we authorized the apportionment out of the highway fund for the various States of various sums, only a portion of which is represented in this $400 million.

Mr. President, I move to lay on the table the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida to lay on the table the amendment of the Senator from New York [Mr. JAVITS]. This motion is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). Mr. President, on this vote I have a pair with the Senator from Massachusetts [Mr. BROOKE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. Metcalf], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senator from Florida [Mr. Smathers], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] and the Senator from Massachusetts [Mr. Kennedy] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett], the Senator from Michigan [Mr. Griffin], the Senator from Kentucky [Mr. Morton], and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from Nebraska [Mr. Curtis] and the Senator from Massachusetts [Mr. Brooke] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. Curtis] would vote "yea."

The pair of the Senator from Massachusetts [Mr. Brooke] has been previously announced.

On this vote, the Senator from Illinois [Mr. Percy] is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Utah would vote "yea."

The result was announced—yeas 44, nays 32, as follows:

[No. 186 Leg.]

YEAS—44

Allott
Baker
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cooper
Cotton
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Hansen
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Long, La.
McClellan
McGovern
McIntyre
Miller
Monroney
Moss
Mundt
Murphy
Pearson
Randolph
Russell
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—32

Aiken
Bayh
Brewster
Burdick
Case
Clark
Dirksen
Gruening
Harris
Hart
Hartke
Hatfield
Inouye
Jackson
Javits
Kuchel
Magnuson
Mansfield
McGee
Mondale
Morse
Nelson
Pastore
Pell
Prouty
Proxmire
Ribicoff
Scott
Spong
Tydings
Williams, N.J.
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Carlson, for.

NOT VOTING—22

Anderson
Bartlett
Bennett
Brooke
Cannon
Church
Curtis
Dodd
Fulbright
Gore
Griffin
Kennedy
Lausche
Long, Mo.
McCarthy
Metcalf
Montoya
Morton
Muskie
Percy
Smathers
Yarborough

So the motion to lay on the table was agreed to.

Mr. McGOVERN. Mr. President, the State of South Dakota has a special concern in regard to House Joint Resolution 1268.

The South Dakota constitution includes an antidebt provision which makes it literally impossible for State funds to fill the gap in payments to highway contractors while this supplemental appropriation is pending.

The Honorable Nils Boe, Governor of South Dakota, has written me, outlining the difficult circumstances in which the State and the highway construction industry find themselves. I ask unanimous consent that his letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

State of South Dakota,
Pierre, S. Dak., June 7, 1968.

Hon. George S. McGovern,
U.S. Senator,
Washington, D.C.

Dear George: I appreciate your letter under date of June 4 in which you advise the circumstances relating to the approval of the supplemental authorization for fiscal 1968 for Federal highway road projects in the various states.

It, indeed, would be presumptious for me to try to recommend what procedure could be taken to secure Senate authorization of the supplemental funds necessary to continue highway operations for the balance of the year. It would certainly appear to me, however, that somewhere logic could be instilled in the minds of the individual recalcitrant senators to the end that they would recognize the tremendous economic setback and hardship that is being caused in so many of the states as well as the financial liability that is being created in many of our respective states, including South Dakota, for failure to maintain the schedule of payments required under our contracts.

I am sure you appreciate that our contractors have and are finding it necessary, in order to continue operations, to borrow funds at the present money market—with interest rates ranging from seven to eight percent. Presumably any such interest that is necessarily incurred by contractors as a result of delays in the payment of our contractual obligations will be the basis of legal action against the State. This, indeed, can mount into a considerable sum of money.

I am very concerned with the statement that has been made by the Federal Highway Administrator to the effect that, even though a "tie-up" of funding for the balance of 1968 continues until the commencement of the new fiscal year, July 1, expenditures will thereupon be automatically authorized upon the commencement of the new fiscal year. We are faced with the inescapable fact, however, that if this becomes a reality the 400-million dollars supplemental authorization will be, undoubtedly, lost which will prevent us from balancing our books and will in effect then cause us to spend next year's money this year if we are to keep abreast with present obligations.

Mention has been made with respect to a possible application for a hardship payment, due to our constitutional prohibition against incurring indebtedness in excess of $100,000. I would most certainly be happy to pursue this course, however, I must call attention to the fact that at the present time highway funds for fiscal 1968 are still frozen pursuant to an executive order of the President made last year.

The amount due and owing to the state of South Dakota and which is still under the existing "freeze order" is in the sum of $3,108,188.20. Each state has a proportionate amount still remaining frozen. In view of the dilemma which apparently continues to exist in the Senate to secure further authorization of funds to finish operations for fiscal year 1968, it would appear that the President through the urging of Congress might, at least, "unfreeze" the 3-million dollars plus which is owed to South Dakota and similar proportionate amounts to other states.

I cannot urge sufficiently the urgency of this matter which, I feel, will have ever and ever greater repercussions.

I appreciate your interest and can only ask that this matter be brought to the attention of the entire body for I am sure there are many members of the Senate who probably even as yet are unaware of the problems existing throughout our country with relation thereto.

If there is any assistance that either the Highway Department or I can give to you in endeavoring to secure the continuation of the funds which have been obligated and promised by the Bureau of Roads in connection with our highway projects, you may be assured of our fullest and most prompt assistance and cooperation.

With best regards, I remain,
Sincerely,

Nils A. Boe,
Governor.

Mr. MOSS. Mr. President, it is absolutely essential that the joint resolution be passed today. We must release $400 million from the highway trust fund to finance estimated expenditures for the Federal aid highway program for the remainder of the fiscal year. It is impossible to have an effective and efficient highway program if the States do not have enough money to pay contract authorizations.

Once a highway job is started, the contractor must receive progress payments regularly if he is to be able to pay his bills—pay his subcontractors, buy materials, meet his payrolls, keep the job going. A roadbuilding job cannot be bounced around like a yo-yo, it has to be kept moving ahead at a steady pace.

There is no shortage of revenues in the highway trust fund. The money is available to be allocated. It is only because Congress does not act that there is any problem.

Mr. President, for the last 18 months the Nation's highway programs have been on a start-and-stop basis. State highway commissions have awarded contracts in good faith, only to have the funds frozen for several months because of the economy drive, and now to have them stopped simply because we in Congress cannot put our house in order.

The State of Utah had to borrow $10 million recently to meet its commitments to highway contractors—commitments which the Federal Government authorized the State to make, and on which the Federal Government promised to pay its pro rata share. The State has to pay interest on the money it borrowed, of course, and this means an unnecessary and excessive cost. This is not only unfair; it is unsound financial policy; it is very poor business.

Mr. President, we must settle our differences on this appropriations joint resolution today, and pass it without further delay.

The **PRESIDING OFFICER.** The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 1268) was ordered to a third reading, read the third time and passed.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL 12 NOON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon, Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL- OR STATE-CHARTERED CREDIT UNIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1206.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6157) to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana. Without objection, it is so ordered.

The Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment, strike out all after the enacting clause and insert:

That subsections (b) and (c) of section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), are amended to read as follows:

"(b)(1) Notwithstanding subsection (a) of this section or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency shall, upon the written request of an employee of the agency to whom a payment for wages or salary is to be made, authorize a disbursing officer to make the payment in the form of one, two, or three checks (the number of checks and the amount of each, if more than one, to be designated by such employee) by sending to each financial organization designated by such employee a check that is drawn in favor of the organization and is for credit to the checking account of such employee or is for the deposit of savings or purchase of shares for such employee: Provided, That the agency shall not be reimbursed for the cost of sending one check requested by such employee but shall be reimbursed for the additional cost of sending any additional check requested by such employee by the financial organization to which such check is sent. For the purposes of the foregoing proviso, the check for which the agency shall not be reimbursed shall be the check in the largest amount.

"(2) If more than one employee to whom a payment is to be made designates the same financial organization, the head of an agency may, upon the written request of such employee and under regulations to be prescribed by the Secretary of the Treasury, authorize a disbursing officer to make the payment by sending to the organization a check that is drawn in favor of the organization for the total amount designated by those employees and by specifying the amount to be credited to the account of each of those employees.

"(3) In this subsection, the term 'agency' means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative (except the Senate and House of Representatives), or judicial branch of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia; and the term 'financial organization' means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

"(c) Payment by the United States in the form of more than one check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the employee requesting payment."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1228), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 6157 is to permit Federal employees to save through the payroll savings plan. The bill would permit Federal employees to have up to two payroll deductions for deposit with commercial banks, savings banks, credit unions, or savings and loan associations. The bill would also permit the remainder of an employee's check to be deposited in a checking account or other savings account. The Government would be reimbursed for the additional cost of providing the payroll deductions by the financial institution receiving the deduction. The system would be administered pursuant to regulations prescribed by the Secretary of the Treasury.

HISTORY OF LEGISLATION

A payroll deduction bill applicable only to Federal credit unions (S. 1084) was introduced by Senator John Sparkman on February 27, 1967. The bill was referred to the Committee on Banking and Currency, and hearings were held before the Subcommittee on Financial Institutions on July 11, 1967. The committee expanded the bill by authorizing payroll deductions for other depository-type financial institutions such as commercial banks, savings banks, and savings and loan associations. The committee also permitted payroll savings deductions for two depository institutions instead of one. The committee reported the bill as amended on October 9, 1967 and the bill passed the Senate on October 11.

The House Committee on Banking and Currency held hearings on November 3 on H.R. 6157, a payroll deduction bill which applied only to Federal credit unions. The House committee reported the bill on November 7, 1967 and it passed the House on February 5, 1968. It was referred to the Senate Committee on Banking and Currency on February 6. On June 11, 1968, the Senate committee considered H.R. 6157 in executive session and approved an amendment deleting the House language and substituting the provisions of the previously passed Senate bill (S. 1084). As amended, H.R. 6157 would thus authorize payroll deductions for all depository-type financial institutions. Because of the unique problems of the House-Senate payroll system, an additional amendment was approved removing House and Senate employees from the scope of the bill.

BACKGROUND

Under present law, the head of each department has authority to authorize payroll allotments "for such purposes as such department head deems appropriate" (5 U.S.C. 3075). Under this authority, payroll deductions have been authorized for savings bonds, contributions to the Combined Federal Campaign, union dues, and in the case of military personnel, payments for credit union shares. However, there is no uniform system for payroll deductions which applies to all Federal employees, and in the case of most civilian employees, deductions through the payroll savings plan are not permitted except for Federal savings bonds. Under the bill recommended by the committee, the Federal Government would be required to make payroll savings deductions for deposit in banks, savings banks, savings and loan associations, and credit unions upon the written request of a Federal employee.

The bill recommended by the committee also authorizes payroll deductions for deposit in two savings institutions. In other words, an employee might have one deduction for deposit in his savings account at a savings and loan association and another deduction for deposit with a credit union. The remainder of his check might still be sent to his checking account at a commercial bank or for deposit with another savings institution. The Government would be reimbursed for the cost of the two deductions, but the remainder of the check could be deposited with a financial institution without charge. In order to avoid disputes over which financial institution would provide reimbursement, the bill provides that if an employee elected to have his check sent to two or three financial institutions the check in the largest amount would not require reimbursement while the remaining checks would. In effect, the smaller checks would be considered to be the deductions and the larger check would be considered to be the employee's basic pay.

NEED FOR LEGISLATION

The committee believes that payroll deductions are an effective and efficient way of encouraging additional savings and will benefit our economy. The bill should facilitate the flow of funds to financial institutions, thereby easing credit conditions and removing some of the upward pressure on interest rates. To the extent the bill encourages greater thrift, it would remove funds from the direct spending stream thereby helping to reduce inflationary pressures. Promoting greater saving can be a most effective and painless way of fighting inflation.

The committee also believes that payroll deductions will benefit the Federal Government as an employer. Many progressive employers in business and industry have payroll savings plans and these have come to be recognized as a sound employment practice. The encouragement of regular saving assures a source of funds for employees to meet emergencies or to finance large purchases. This should result in fewer employees who overextend themselves and get into financial trouble. This in turn should lead to a more productive and stable work force and fewer complaints to the Federal Government from creditors concerning Federal employees in financial difficulty.

Finally, the committee believes the bill will benefit the Federal employee. It will make it easier and more convenient for the average employee to save on a regular basis. As previously mentioned, it will tend to assure a ready source of funds and reduce financial problems. It will particularly benefit employees of moderate income, who, when financial trouble strikes, are often forced to borrow at high interest rates.

The committee is mindful of the Treasury argument that payroll deductions for other forms of savings might undercut Treasury bond sales to Federal employees. Although such a possibility exists, the committee does not believe it is likely. Many private employers authorize deductions for both Federal savings bonds and other forms of savings.

For example, 80 percent of the employees of Lockheed Aircraft have credit union payroll deductions, but 99 percent have savings bond deductions.

The committee also recognizes the argument that additional deductions complicate Federal payroll operations. However, in view of the benefits to be derived by encouraging saving, and in view of the computerized nature of most Federal payroll systems, and in view of the fact that the Government would be reimbursed for the additional cost of providing the deductions, the committee feels the bill would not represent any significant burden on the Federal Government.

With respect to cost, the committee understands the Civil Service Commission has already established a standard service charge of 2 cents per individual deduction exclusive of any postage cost. The committee expects such a charge should be adequate to cover all additional costs associated with payroll savings deductions authorized under the bill.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6157) was passed.

The title was amended, so as to read: "An act to amend section 3620 of the Revised Statutes with respect to payroll deductions for Federal employees."

STANDARD REFERENCE DATA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1208.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 6279) to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana. Without objection, it is so ordered.

The Senate proceeded to consider the bill which had been reported from the Committee on Commerce, with amendments on page 4, line 11, after "30", strike out "1968" and insert "1969"; and in line 13, after the word "year", strike out "1968" and insert "1969".

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6279) was passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1230), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF AMENDMENTS

The purpose of the amendments is to make appropriations authorized by the act available for use in fiscal year 1969.

PURPOSE OF THE BILL

The purpose of the bill, H.R. 6279, is to provide a more appropriate and effective legal framework for the National Standard Reference Data System which is administered by the National Bureau of Standards of the Department of Commerce. It would strengthen and clarify the authority of the Secretary of Commerce to provide for the collection, evaluation, and dissemination of reliable reference data on the physical and chemical properties of materials widely used in science and industry.

APPROPRIATIONS UNDER THE STATE TECHNICAL SERVICES ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1209.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3245) to extend for an additional 2 years the authorization of appropriations under the State Technical Services Act of 1965.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana. Without objection, it is so ordered.

The Senate proceeded to consider the bill (S. 3245) which had been reported from the Committee on Commerce, with an amendment, on page 1, line 6, after the word "following:", strike out " '; $7,000,000 for the fiscal year ending June 30, 1969; and such amounts as may be necessary for the fiscal year ending June 30, 1970.' " and insert " '$7,000,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971.' "; so as to make the bill read:

S. 3245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the State Technical Services Act of 1965 (15 U.S.C. 1360; 79 Stat. 682) is amended by striking the period at the end of subsection (a) and inserting the following: "$7,000,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1231), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

S. 3245 amends the State Technical Services Act of 1965 by extending the period of authorization of appropriations an additional 2 years. The bill would authorize appropriations of $7 million for the fiscal year ending June 30, 1969, and such amounts as may be necessary for the fiscal year ending June 30, 1970. The bill would permit continuance of the matching grants program to the States in furtherance of the present cooperative effort to promote the wider diffusion and more effective application of the findings of science and technology throughout American commerce and industry. The technical-services program would continue to draw upon the resources of universities, nonprofit research organizations, and State and local agencies, in locally planned and administered technical services designed to place these findings usefully in the hands of local businesses and enterprises.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 3245) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965."

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, By Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 2709. An act for the relief of Suh Yoon Sup;

H.R. 4030. An act for the relief of Yong Chin Sager;

H.R. 4370. An act for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos;

H.R. 7042. An act for the relief of Dr. Jose Del Rio;

H.R. 7431. An act for the relief of Gilmer County, Ga.;

H.R. 8241. An act for the relief of Victorino Severo Blanco;

H.R. 12639. An act to remove certain limitations on ocean cruises;

H.R. 13439. An act to correct and improve the Canal Zone Code, and for other purposes;

H.R. 15190. An act to amend sections 3 and 4 of the Act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans;

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, US51615166;

H.R. 15972. An act to permit black and white or color reproductions of United States and foreign postage stamps under certain circumstances, and for other purposes; and

H.R. 16489. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes.

EXTENSION OF AUTHORITY OF EXPORT-IMPORT BANK IN ORDER TO IMPROVE THE BALANCE OF PAYMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1082, S. 3218. I do this so that the bill may be the pending business on Monday next.

The **PRESIDING OFFICER.** The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that at the conclusion of routine morning business on Monday, June 17, 1968, debate on the pending bill be limited to not to exceed one-half hour on each amendment, to be divided between the proponent of the amendment and the Senator from Maine [Mr. Muskie]; that the time on the bill be limited to not to exceed 2 hours, to be divided and controlled by the Senator from Maine [Mr. Muskie] and the minority leader [Mr. Dirksen], in accordance with the usual form.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(The unanimous-consent agreement reduced to writing is as follows:)

Ordered, That, effective on Monday, June 17, 1968, at the conclusion of routine morning business, during the further consideration of the bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to not to exceed one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to not to exceed two hours, to be equally divided and controlled, respectively, by the Senator from Maine [Mr. Muskie] and the minority leader: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

GUN CONTROL LEGISLATION

Mr. **MAGNUSON.** Mr. President, in a recent article in the New Yorker magazine tracing the history of gun control legislation in Congress, a Senate advocate of strong gun control legislation was quoted as saying, "As things now stand, I can't see how any Western Senator could possibly support the bill."

And, said the author, "None of them has."

Yesterday, Mr. President, I became a cosponsor of the administration's gun control bill, introduced by the senior Senator from Connecticut [Mr. Dodd]. That bill would extend to rifles, shotguns, and ammunition the restrictions which we recently approved on the sale of handguns. It would eliminate direct mail order sales and sales to nonresidents and juveniles under 18.

In addition, I am prepared to support effective measures to require the registration and licensing of all firearms, by State and local action if possible, by Federal action if necessary.

Last night, I had a call from a good friend, the editor of a Washington State sportsman's publication—a publication which has long fought against gun control legislation. "You have turned your back on us," he said, "You have changed." "Yes," I said, "I have changed some of my views." "Well, then," he said, "we are going to have to oppose your reelection in November."

I said I was sorry about that. We had seen eye to eye on so many issues over the years. We had fought together many good fights for the conservation of our fish and wildlife resources, to preserve Washington as one of the few remaining natural paradises for hunters and fishermen. But, of course, it was his privilege to endorse or to condemn any candidate he chose.

He asked me what had brought me to this decision. And, although he was deeply disturbed, he had the courtesy to hear me out. And today, I would like to tell you, as I told him, why I have made this decision.

I know of no one whose conscience has not been deeply troubled by the violence and terror surging through the streets of every city and every State. Not just last week, not just last month—but a steadily evolving pattern of disorder has made it seem as if the voice of sanity and of civil order in our country have been drowned out by the sound of gunfire in the streets.

I am not talking primarily about the terrible decimation of some of our finest leaders. I am talking about the brutal, sudden death that each day, each hour greets ordinary citizens and their families—a high school student standing on a street corner; two young marines stopping for a cup of coffee after an evening with their girl friends; a young wife hurrying home having stayed out later than she had planned to finish the family shopping.

Yes, I am thinking of President Kennedy and Senator Kennedy, Martin Luther King, Jr., and Medgar Evers. But I am also thinking of the 16 dead and the 31 wounded boys and girls, and passers-by, struck down by a deranged student firing from the tower of the University of Texas—and all of these were felled by rifle or shotgun fire. In 1966, there was a major gun crime committed every 5 minutes.

Of course, no gun law—even a law stringent beyond the bounds of constitutionality—could eradicate assassinations, murder, robbery, assault. But a sound gun control law is one sane and rational measure which can be of great help in restoring the balance which now finds the rate of gun murders in this country 25 times that of Germany, 55 times that of Great Britain, and 90 times the rate for the Netherlands.

There is another balance at stake. For what we are really asked to do by the opponents of gun control legislation is to balance the reasonable fear of wives and children against the convenience of the hunter.

For the talk of a dark plot to confiscate the guns of law-abiding hunters and sportsmen is nonsense. Is J. Edgar Hoover, an outspoken and fervent advocate of strong gun laws, any less a defender of liberty than the most patriotic rifleman in the country?

No, what we are asking owners of firearms to do is no more than they now do uncomplainingly with their automobiles, their children's bicycles, even their dogs. I often go duck hunting with a good friend who has two shotguns and two good hunting dogs. His dogs are licensed—his guns are not. Is his liberty infringed if he must do for a lethal weapon what he now must do for his dogs?

He will also have to buy his weapons from a licensed dealer in his State—a dealer who will be able to see that he is a grown man, a law-abiding citizen of his community, and not an escaped convict or a deranged teenager.

Of course, there are legitimate and necessary reasons for law-abiding citizens to possess guns. This legislation will protect such citizens, just as the car owner is protected through registration against misappropriation or theft.

This legislation will not disarm anyone with a right to a gun. It will make it just a little bit more difficult for the young or the insane to lay their hands on a lethal weapon upon receiving their first impulse to commit mayhem. It will enable police officials with somewhat greater efficiency to trace murder weapons. It should prevent the petty criminal, if not the organized gangster, who cannot buy a gun over the counter from a licensed dealer, from buying one by mail. And it might stop the adolescent with a sudden urge to feel like a man by having some fun with a gun.

In Dallas, Tex., where guns are freely obtainable by anyone, the percentage of homicides committed by gun in 1963 was 72 percent; while in New York, which we think of as a center of crime, the Sullivan law, one of the strongest local gun laws, has kept the rate of murder by gun at 25 percent. Among the country's 10 largest cities, New York had the fifth lowest assault rate, the third lowest murder rate, and the lowest robbery rate. Perhaps, more important, the New York law makes it possible for police officials to make arrests for the illegal possession of pistols and revolvers before those weapons can be used.

Again, as J. Edgar Hoover has said:

> Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

Is it not time we gave this basic support to our law enforcement officers?

I have pledged to the Senate that when the gun legislation is referred to the Commerce Committee, I will do all within my power to see that legislation is reported out without delay. And I will also do all that I can to see that that legislation while reasonable and practical is fully adequate to the need.

I know what tomorrow's mail will bring. I am ready for the angry and intemperate letters, many of them from old friends and colleagues—from many I have hunted with, from men who have long thought of me, as I have, as one of them. But for me, this has become a matter of deep conscience.

The inconvenience will be so insignificant; the contribution to the law and order of our society, so great.

THE PROPOSED ABM SYSTEM

Mr. COOPER. Mr. President, I rise today to bring before the Senate an issue whose costs and consequences for our defense and security and for our foreign policy are of the greatest importance.

I speak of the proposed ABM system. The ostensible purpose of the proposed Sentinel ABM system, as it is now called, would be to construct a defense against a possible Chinese ICBM attack. The total cost for the development, construction and deployment of this so-called thin system is estimated to be from $5 to $7 billion, although its final costs would most certainly be much higher. The request for fiscal year 1969 totals $1,195.6 million. This amount is contained in two bills: S. 3293, the military procurement research and development bill, and H.R. 16703, the military construction bill, and I understand that the AEC bill contains $324,500,000 for Sentinel warhead research.

I ask unanimous consent that a table showing the amounts contained in these bills for the ABM system be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. Mr. President, I have been informed today that the Committee on Appropriations has approved and will report to the Senate a bill in which funds will be recommended for appropriation to commence the deployment of the Sentinel ABM system, for site acquisition and construction, in the amount of $227,300,000.

The controversy pro and con about the merits of this system has raged for several years. Several committees in the Senate have studied the issue thoroughly. The Armed Services Committee, the Joint Atomic Energy Committee, and the Foreign Relations Committee, subcommittee under the able leadership of the Senator from Tennessee [Mr. GORE], have conducted detailed hearings, both public and executive. The hearings before these committees have produced a very useful record. In addition, Congress, has had the benefit of the testimony of former Secretary of Defense McNamara on several occasions, and there has been much discussion in newspapers, magazines, and scientific journals, particularly during the past 6 months.

I ask unanimous consent to have printed at the conclusion of my remarks one of the useful and informative articles that has been recently published in the March issue of Scientific American; the testimony of former Secretary of Defense McNamara before the Committee on Armed Services, in the early part of this year; and an annotated bibliography of the most important works discussing the ABM system, which has been prepared by the Library of Congress.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. COOPER. But there is still a necessity to have a full public debate of the ABM issue on the floor of the Senate. I recall that several years ago, when appropriations were recommended—I believe it was for the Nike X system—the Senator from South Carolina invoked the rule to close the door, and there was a very full and informative debate on that issue.

In April, when the military procurement appropriation bill was before the Senate, a bill which included for certain phases of the ABM system, a unanimous-consent agreement was obtained which limited debate on an amendment to 1 hour. As a result, the debate on this most important venture the ABM was limited to 1 hour for each amendment.

This limitation prevented the full discussion of the issues that was required and many desired. But I believe the ABM issue is of such importance—its purposes and its consequences—that we should have a full debate in the Senate upon it. We should first consider the feasibility, necessity, and the consequences of constructing an ABM system, before approving appropriations which would lead step by step to its installation.

Mr. President, my interest in this subject was stimulated several years ago when we had the important debate on the Nike X behind closed doors, and later by hearings that were held in the Committee on Foreign Relations by the able Senator from Tennessee [Mr. GORE]. Since that time, I have read the testimonies and the statements by former Secretary of Defense McNamara and other administration officials, and I have read, as much as possible, on the subject. I do not claim to be a technical expert, and such judgments as I have made have been based upon my own reading and the results of discussion with others concerned with the issue.

The ABM issue is not a new one. Two previous ABM systems, the Nike-Zeus and Nike X, planned by the United States, were never deployed because it was judged by the administration and Congress at the time—and history has proven that these judgments were correct—that if such systems were built, they would have been obsolete before completion and therefore obviously not worth the cost. In 1959, President Eisenhower, for example, stopped the Nike-Zeus deployment on grounds very similar to those that now apply to the Sentinel system. Although these systems were not built, technological development and research for ABM systems have continued and the state of the art has progressed.

I shall not go into great detail this afternoon to describe the Sentinel system, but I should like to place in the RECORD a very helpful description of the system which was provided by Dr. John S. Foster, Jr., Director of Defense Research and Engineering, which he testified last year before the Committee on Foreign Relations, on Monday, February 6, 1967.

I ask unanimous consent that his statement be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 3.)

Mr. COOPER. I know that Dr. Foster has made other more detailed statements, and he has testified several times and at length before the Committee on Armed Services and the Committee on Appropriations. This is a simple statement explaining the system. I shall read just a few paragraphs:

> The next important development in defense effectiveness came with the introduction of "area defense" in the period 1964–65. I would like to define the term "area defense."
>
> The detection sensor is the perimeter acquisition radar (PAR) which detects ballistic missiles at long ranges. The PAR radar tracks the incoming missile and predicts its future path. To intercept the incoming missile, we employ the Spartan missile which is a long-range interceptor developed from the old Nike-Zeus. Once the PAR radar has predicted the future path of the missile a Spartan missile is fired so as to intercept it. This interceptor intercepts the incoming missile well above the atmosphere. Because of its long range the Spartan can intercept incoming missiles directed at targets several hundred miles from the Spartan battery location. The Spartan missile is guided by a missile site radar (MSR) which is associated with each battery.
>
> With the introduction of Spartan, the Zeus interceptor was no longer required—in effect, the Spartan replaced the Zeus.
>
> Comparatively few Spartan batteries can defend the whole United States from simple attacks.
>
> You will note I said "simple attacks." It is still possible for a sophisticated opponent to confuse the defense and make the firepower demands on Spartan too high. In this case, terminal defense Sprints must be relied upon if we are to furnish a defense. The Spartan thus functions in two ways. It can provide a very effective defense over extended areas against simple threats. Against not so simple threats, it provides a defense in depth and is complementary to Sprint. In any case it forces the enemy, if he wishes to penetrate, to pay the price demanded by a sophisticated penetration aids program.
>
> You will note that I have described a flexible set of building blocks consisting of PAR and MSR radars and two types of interceptor missiles, Spartan and Sprint. We also have a very large, sophisticated radar called TACMAR, designed specifically against sophisticated attacks. They can be put together in various ways to provide varying levels of defense against different threats.
>
> For example, if we wished to defend the United States against a large Soviet attack, we would provide an overlay of an area defense such as I have described. As I mentioned earlier, however, it would be necessary to depend primarily on terminal Sprint defense, including TACMARs, at selected cities. A selected city defense (including the area component) would cost about $10 or $20 billion depending on the number of cities defended.
>
> As a matter of technical judgment, I believe that these larger deployments carry with them technical risks. The likelihood of large and sophisticated attacks with the deployment of significant U.S. defenses increases the

> technical uncertainty of the defensive system. Even with an ABM deployment we would have to expect that in an all-out exchange, dozens of their warheads would likely explode in our cities.

Mr. President, although untested and unproven as a complete system—and I know that the various components: the two radars PAR, and MSR, and the two missiles Spartan and Sprint have not been tested as a coordinated fully developed system and cannot be fully tested because of the Nuclear Test Ban Treaty—and even though some components have yet to be translated from theory to practical operation, the immediate production of its elements and the deployment of the Sentinel ABM system have been urged by its proponents as necessary because, in theory, it would provide a defense against a possible Chinese attack. It is argued that we should be prepared to spend whatever money is required to gain the additional measure of security that might be supplied by such a defense.

If it can be demonstrated that this defense system is necessary for the security of the United States, I would be certain that every one of us would be willing to vote for any sum of money that would provide that security. However, I would hope that this matter would be fully and fairly debated before we go further with the provision of funds for the deployment of a Sentinel system. I contend that we have not reached the point where we have the available information which would prove with any reasonable assurance that such a system is necessary or that it would provide any additional security to our country than is available now through nuclear deterrence.

The assertion that the Sentinel ABM system would strengthen our defenses is not at all certain. Nor do the facts make it clear that there is a need to deploy the Sentinel system now or that deployment now or in the future would enhance our security in the period between 1972–75 as is claimed.

First, let us examine the "threat" against which the Sentinel ABM system is designed—the threat of Communist China.

The Chinese have not yet successfully fired or deployed an ICBM. It is believed that they have exploded about seven nuclear devices. It is known they are engaged in surface-to-surface firing. However, there is no evidence they have been able to fire or deploy an intercontinental ballistic missile.

A year ago it was thought that an ICBM would be fired in late 1967 or 1968, and would be in production by 1971 or 1972. The cultural revolution has caused such turmoil within China that it is apparent that the original estimate of successful firing and production had to be extended. It is still estimated that Communist China has the capability of producing a number of ICBM's by the mid-1970's.

If the present plans of the administration—the immediate deployment of the Sentinel ABM system—should proceed according to schedule, supported by the appropriations recommended and to be provided by the bills I have noted, it is estimated that the ABM system could be installed in our country by 1974.

Comparing the capabilities of China to successfully fire and develop an effective ICBM system with the capability of the United States to install a thin system if it should be determined necessary, I can see no reason for the Congress to approve this year the deployment of an ABM system and start on the road to larger systems, with all the unfortunate consequences such action can entail.

I know that in the testimony of former Secretary McNamara before the Committee on Armed Services this year—which I referred to earlier—he did say that our intelligence would indicate that the Chinese had this capability. However, at other points in his testimony, he concluded that the missiles would be primitive and inaccurate, and by 1975 they would not be able to produce a large number of these missiles.

We must ask as reasonable persons if it is likely that Communist China would assure its own destruction by a nuclear attack on the United States—armed with a vast array of nuclear weapons.

Some advocates assert that the Soviets are building an ABM system and that we must begin the construction of an ABM system to match or surpass their efforts. Is the reason compelling some to urge the deployment of the Sentinel ABM system that it could be a "building block" leading toward the development of an extensive and heavier ABM system to defend the United States against an attack by the Soviet Union?

Will it be argued that the deployment of a "thin" ABM system against attack from China would itself provide some measure of protection against a possible Soviet nuclear attack and even greater assurance of American nuclear superiority in the event of a Soviet attack? These arguments can be challenged.

Both the United States and the Soviet Union have the nuclear capability many times over to destroy each other and we have been assured again and again by our Secretary of Defense and our military authorities that the United States has the capability to destroy the Soviet Union even after a first strike by the Soviet Union.

Former Secretary McNamara has termed this the "assured destruction capability of the United States," and that assuming a first strike on the United States, that our own weapons systems have that element of "survivability," which is the term he has used to express the view that we would have the nuclear systems inviolate required to strike back and destroy the Soviet Union.

This testimony, which I shall place in the RECORD, provides the number of missiles which the United States possesses and the estimate of the Soviet missile strength. There are additional tables that show the consequences of a first strike by the Soviet Union upon the United States, and of our response upon the Soviet Union. These tables include an estimate of the damage that would be inflicted, the loss of life, and productive capacity. These tables, and the testimony of Secretary McNamara, argue that either the attainment of nuclear parity by the Soviet Union, which I believe to be unlikely, or the installation of ABM systems here in the United States directed at the Soviet Union, would not alter the capability of either country to destroy each other. That capability, of course, is the deterrent. We have believed, thus far, that if there were any intention on the part of either to strike at each other, the deterrent or what has been called the balance of terror, has prevented any possible intentions from being carried out.

As I shall note later, the installation of the ABM systems could upset this deterrent. Instead of achieving greater security for the United States, it could lead to greater danger. If the Soviets achieve parity with the United States, which is unlikely, the assured ability to destroy each other remains. An ABM defense system—"thin" or "heavy"—designed for protection against the Soviet Union would not alter this ability to completely destroy each other. It would, in fact, only accelerate the arms race. More offensive missiles or more defensive missiles would lead only to a multiplication of the destruction capabilities of the United States and the Soviet Union. There does not seem to be any good reason to add more destructive power to the existing ability to destroy each other and, for all practical purposes, all civilized life.

We know that the Soviets have built a primitive ABM system near Leningrad. Intelligence indicates that the Tallin system is an antiaircraft system for use against high-flying bombers and reconnaissance aircraft. According to recent intelligence estimates—this, again, is a statement by Secretary McNamara—construction of the so-called galosh system surrounding Moscow which was begun in 1960 has not been completed and is not being pursued according to schedule. It has not been extended to other cities in the Soviet Union. Of course, we do not know whether the Soviets are reconsidering its usefulness or considering more fruitful negotiations with the United States to limit the deployment of ABM systems.

In my view, the balance sheet comes down to the following:

First. There is no present threat to American security from a Chinese ICBM attack. According to the consensus of the intelligence community, the Chinese will not have a capability to launch an ICBM attack until the mid-1970's, and reckless as some consider the Communist Chinese to be, it is difficult to believe that they would invite the certain destruction of their country by a nuclear attack upon the United States.

Second. The destructive capabilities of the United States and the Soviet Union will not be altered by a thin or heavy ABM system.

Third. Our surveillance and intelligence capabilities are of such magnitude and quality that the United States has the capability of providing information of new situations in China or the Soviet Union which would require greater effort to develop and deploy additional offensive or defensive weapons.

Fourth. When the proposed Sentinel ABM system's technical characteristics are examined, one must conclude that the planned system would not provide the assurance of protection to justify its cost. The history of progress in missile technology is that offensive technology will always outdistance defensive efforts. Had Nike-Zeus been deployed, for example, it would have been obsolete before completion. The Sentinel system now planned for deployment may become quickly obsolete. It is not designed to defend against MIRV—missile with multiple warheads and independently targeted—which the United States, and we can assume the Soviets, are developing, or whether they are reconsidering its usefulness.

Again, as pointed in the testimony of both Dr. Foster and Secretary McNamara, the value and effectiveness of the ABM system is diminished as the number of objects coming in is increased. Assuming that the Soviet Union or, some time in the future, the Communist Chinese could develop a MIRV system with a number of missiles which can be released and independently find their targets, this thin system would have little value.

Fifth. The Sentinel cannot be fully tested as a complete system. That is not to say, however, that research and development, including the building of prototypes, will not go forward, for the amendments I will propose would not strike from the bills funds for continued research and development. The advancement of the state of the art will not be restricted. It would be perfected, and available, if the Congress should determine on better evidence than is now available that an ABM system is feasible and necessary for the security of the United States.

It has been effectively argued on the Senate floor that some of the elements have not yet been thoroughly tested or in some cases even built. The technical reliability of all its components is not yet known. Certainly, extension of research for another year would give an opportunity for perfection of the art.

Finally, I come to another matter which I think is very important:

Sixth. Since the Glassboro Conference in May 1967 when the President and Secretary McNamara informed Premier Kosygin that the U.S. Government desired to work with the Soviet Union to limit mutually the development of strategic nuclear weapons, including ABM systems, efforts to work out an agreement with the Soviets have continued. The Vietnam war—and other factors—have stood in the way of a favorable conclusion, but our effort to halt the nuclear arms race should continue as long as there is any possibility of bringing about a limitation. I believe that a decision by the Congress to begin the deployment of the thin system would only make agreement more difficult.

I should like to quote from President Johnson's address to the United Nations General Assembly yesterday, on the occasion of the nuclear proliferation pact ceremony.

He said in part:

> We desire—yes, we urgently desire—to begin early discussion on the limitation of strategic offensive and defensive weapons systems.
>
> We shall search for an agreement that will not only avoid another costly and futile escalation of the arms race, but will de-escalate it.
>
> I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms ràce. I believe that it can give the world time—very precious time—to protect itself against Armageddon.

It has been noted by Secretary McNamara, and our intelligence, that the Soviet Union is not proceeding with dispatch to complete installation of an ABM system around Moscow, and that it has not extended it to any other city. If we now begin to deploy an antiballistic missile system, in the light of past behavior, then, the Soviet Union will respond, and we will respond to their response, and we will have entered again a new phase of the nuclear arms race.

In the light of these conclusions, it is my intention to introduce amendments to the military procurement appropriations bill, and H.R. 16703, the military construction bill, to strike from these bills funds to be used for the deployment of the ABM system. My amendment would not, and I repeat, would not, strike funds for continuing research and development upon such systems.

The United States cannot afford at this time to spend money on a system costing $5 to $7 billion, which may be extended to a heavier system costing $40 billion or more, unless it is essential to our security. We have found it necessary to commit ourselves to an expenditure reduction of $6 billion. We believe it necessary to raise the taxes of our people and we have found it necessary to cut needed and essential domestic programs. In view of our difficulties, and in view of our priorities, I do not believe the deployment of the Sentinel can be justified at the present time.

There are other questions concerning the proposed Sentinel ABM system that should be addressed by the Congress and the people of this country. We must ask the question. If we build the ABM, what response will this bring from the Soviet Union—the only great nuclear power other than the United States? In the light of past experience, there will be a radical response—an escalation of the nuclear arms race—offensive and defensive. We must ask, How much of our national energy will be devoted to meeting the actions and counteractions produced by our decisions to go ahead with such a system? Will such a system contribute to strengthening the security of our country, or will it increase the danger of a nuclear catastrophe?

I do not believe that the deployment of an ABM system at this time is in our country's best interests. I do not believe it offers any advantage to the United States, military, political or moral. My discussion today is not detailed. I have wanted to present some issues for the Senate's consideration, discussion, and debate, and, hopefully, to raise questions which can be discussed later and should be discussed thoroughly when the first bill on that subject comes before the Senate, providing for funds to be used in the deployment of that system. It is my intention to further elaborate these issues and others when the bills are before the Senate for action.

We have hopefully learned a hard lesson from Vietnam. We did not rigorously consider the implications of our increasing involvement in Vietnam when it might have been possible to extricate ourselves with relatively small loss and at a time and in such a way that might have furthered the opportunity for self-determination and peace in South Vietnam. We dare not fail to look at the implications of the deployment of the ABM and to ask, if taken, whether it would lead to more dangerous involvements and consequences.

EXHIBIT 1

MISSILE DEFENSE FUNDING LEGISLATION—FISCAL YEAR 1969 DEFENSE APPROPRIATIONS

[In millions of dollars]

Activity	Military procurement authorization bill[1]	Military construction authorization bill[2]	Military construction appropriation bill	Defense appropriation bill
Procurement:				
Production base support				
Ground support equipment				
Spartan components				
Total	342.7			342.7
Construction: Site acquisition and construction		227.3	227.3	
Operations and maintenance				39.0
Military personnel				5.7
Total, Sentinel deployment	342.7	227.3	227.3	387.4
Sentinel R. & D.	312.9			312.9
Total, Sentinel	655.6			700.3
Other ABM R. & D.:				
Nike-X				
Defender	268.0			268.0
Total ABM program	923.6	227.3	227.3	968.3

[1] S. 3295, passed Apr. 19.

[2] H.R. 16703.

MISSILE DEFENSE FUNDING REQUESTS—FISCAL YEAR 1969 DEFENSE APPROPRIATIONS

[In millions of dollars]

Procurement:	
Production base support	137.2
Ground support equipment	199.2
Spartan components	6.3
Total	342.7
Construction: Site acquisition and construction	[1] 227.3
Operations and maintenance	39.0
Military personnel	5.7
Total, Sentinel deployment	614.7
Sentinel R. & D	312.9
Total, Sentinel	927.6
Other ABM R. & D.:	
Nike-X	165.0
Defender	103.0
Total	268.0
Total, ABM request [2]	1,195.6

[1] Does not include $36,000,000 to be carried over from fiscal year 1968 appropriation for construction planning.

[2] In addition, AEC appropriation will reportedly include $324,500,000 for Sentinel.

EXHIBIT 2

[From the Scientific American, March 1968]

ANTI-BALLISTIC-MISSILE SYSTEMS

(By Richard L. Garwin and Hans A. Bethe)

(NOTE.—The U.S. is now building a "light" ABM system. The authors argue that offensive tactics and cheap penetration aids could nullify the effectiveness of this system and any other visualized so far.)

Last September, Secretary of Defense McNamara announced that the U.S. would build "a relatively light and reliable Chinese-oriented ABM system." With this statement he apparently ended a long and complex debate on the merits of any kind of anti-ballistic-missile system in an age of intercontinental ballistic missiles carrying multimegaton thermonuclear warheads. Secretary McNamara added that the U.S. would "begin actual production of such a system at the end of this year," meaning the end of 1967.

As two physicists who have been concerned for many years with the development and deployment of modern nuclear weapons we wish to offer some comments on this important matter. On examining the capabilities of ABM systems of various types, and on considering the stratagems available to a determined enemy who sought to nullify the effectiveness of such a system, we have come to the conclusion that the "light" system described by Secretary McNamara will add little, if anything, to the influences that should restrain China indefinitely from an attack on the U.S. First among these factors is China's certain knowledge that, in McNamara's words, "we have the power not only to destroy completely her entire nuclear offensive forces but to devastate her society as well."

An even more pertinent argument against the proposed ABM system, in our view, is that it will nourish the illusion that an effective defense against ballistic missiles is possible and will lead almost inevitably to demands that the light system, the estimated cost of which exceeds $5 billion, be expanded into a heavy system that could cost upward of $40 billion. The folly of undertaking to build such a system was vigorously stated by Secretary McNamara. "It is important to understand," he said, "that none of the [ABM] systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. . . . Let me make it very clear that the [cost] in itself is not the problem: the penetrability of the proposed shield is the problem."

In our view the penetrability of the light, Chinese-oriented shield is also a problem. It does not seem credible to us that, even if the Chinese succumbed to the "insane and suicidal" impulse to launch a nuclear attack on the U.S. within the next decade, they would also be foolish enough to have built complex and expensive missiles and nuclear warheads peculiarly vulnerable to the light ABM system now presumably under construction (a system whose characteristics and capabilities have been well publicized). In the area of strategic weapons a common understanding of the major elements and technical possibilities is essential to an informed and reasoned choice by the people, through their government, of a proper course of action. In this article we shall outline in general terms, using nonsecret information, the techniques an enemy could employ at no great cost to reduce the effectiveness of an ABM system even more elaborate than the one the Chinese will face. First, however, let us describe that system.

Known as the Sentinel System, it will provide for long-range interception by Spartan antimissile missiles and short-range interception by Sprint antimissile missiles. Both types of missile will be armed with thermonuclear warheads for the purpose of destroying or inactivating the attacker's thermonuclear weapons, which will be borne through the atmosphere and to their targets by reentry vehicles (RV's). The Spartan missiles, whose range is a few hundred kilometers, will be fired when an attacker's reentry vehicles are first detected rising above the horizon by perimeter acquisition radar (PAR).

If the attacker is using his available propulsion to deliver maximum payload, his reentry vehicles will follow a normal minimum-energy trajectory, and they will first be sighted by one of the PAR's when they are about 4,000 kilometers, or about 10 minutes, away. If the attacker chooses to launch his rockets with less than maximum payload, he can put them either in a lofted trajectory or in a depressed one. The lofted trajectory has certain advantages against a terminal defense system. The most extreme example of a depressed trajectory is the path followed by a low-orbit satellite. On such a trajectory a reentry vehicle could remain below an altitude of 160 kilometers and would not be visible to the horizon-search radar until it was some 1,400 kilometers, or about three minutes, away. This is FOBS: the fractional-orbit bombardment system, which allows intercontinental ballistic missiles to deliver perhaps 50 to 75 percent of their normal payload.

In the Sentinel system Spartans will be launched when PAR has sighted an incoming missile; they will be capable of intercepting the missile at a distance of several hundred kilometers. To provide a light shield for the entire U.S. about half a dozen PAR units will be deployed along the northern border of the country to detect missiles approaching from the general direction of the North Pole. Each PAR will be linked to several "farms" of long-range Spartan missiles, which can be hundreds of kilometers away. Next to each Spartan farm will be a farm of Sprint missiles together with missilesite radar (MSR), whose function is to help guide both the Spartans and the shorter-range Sprints to their targets. The task of the Sprints is to provide terminal protection for the important Spartans and MSR's. The PAR's will also be protected by Sprints and thus will require MSR's nearby.

Whereas the Spartans are expected to intercept an enemy missile well above the upper atmosphere, the Sprints are designed to be effective within the atmosphere, at altitudes below 35 kilometers. The explosion of an ABM missile's thermonuclear warhead will produce a huge flux of X-rays, neutrons and other particles, and within the atmosphere a powerful blast wave as well. We shall describe later how X-rays, particles and blast can incapacitate a reentry vehicle.

Before we consider in detail the capabilities and limitations of ABM systems, one of us (Garwin) will briefly summarize the present strategic position of the U.S. The primary fact is that the U.S. and the U.S.S.R. can annihilate each other as viable civilizations within a day and perhaps within an hour. Each can at will inflict on the other more than 120 million immediate deaths, to which must be added deaths that will be caused by fire, fallout, disease and starvation. In addition more than 75 percent of the productive capacity of each country would be destroyed, regardless of who strikes first. At present, therefore, each of the two countries has an assured destruction capability with respect to the other. It is usually assumed that a nation faced with the assured destruction of 30 percent of its population and productive capacity will be deterred from destroying another nation, no matter how serious the grievance. Assured destruction is therefore not a very flexible political or military tool. It serves only to preserve a nation from complete destruction. More conventional military forces are needed to fill the more conventional military role.

Assured destruction was not possible until the advent of thermonuclear weapons in the middle 1950's At first, when one had to depend on aircraft to deliver such weapons, destruction was not really assured because a strategic air force is subject to surprise attack, to problems of command and control and to attrition by the air defenses of the other side. All of this was changed by the development of the intercontinental ballistic missile and also, although to a lesser extent, by modifications of our B-52 force that would enable it to penetrate enemy defenses at low altitude. There is no doubt today that the U.S.S.R. and the U.S. have achieved mutual assured destruction.

The U.S. has 1,000 Minuteman missiles in hardened "silos" and 54 much larger Titan II missiles. In addition we have 656 Polaris missiles in 41 submarines and nearly 700 long-range bombers. The Minutemen alone could survive a surprise attack and achieve assured destruction of the attacker. In his recent annual report the Secretary of Defense estimated that as of October, 1967, the U.S.S.R. had some 720 intercontinental ballistic missiles, about 30 submarine-launched ballistic missiles (excluding many that are airborne rather than ballistic) and about 155 long-range bombers. This force provides assured destruction of the U.S.

Secretary McNamara has also stated that U.S. forces can deliver more than 2,000 thermonuclear weapons with an average yield of one megaton, and that fewer than 400 such weapons would be needed for assured destruction of a third of the U.S.S.R.'s population and three-fourths of its industry. The U.S.S.R. would need somewhat fewer weapons to achieve the same results against the U.S.

It is worth remembering that intercontinental missiles and nuclear weapons are not the only means of mass destruction. They are, however, among the most reliable, as they were even when they were first made in the 1940's and 1950's One might build a strategic force somewhat differently today, but the U.S. and the U.S.S.R. have no incentive for doing so. In fact, the chief virtue of assured destruction may be that it removes the need to race—there is no reward for getting ahead. One really should not worry too much about new means for delivering nuclear weapons (such as bombs in orbit or fractional-orbit systems) or about advances in chemical or biological warfare. A single thermonuclear assured-destruction force can deter such novel kinds of attack as well.

Now, as Secretary McNamara stated in his September speech, our defense experts reckoned conservatively six to 10 years ago, when our present strategic-force levels were planned. The result is that we have right now many more missiles than we need for assured destruction of the U.S.S.R. If war comes, therefore, the U.S. will use the excess force in a "damage-limiting" role, which means firing the excess at those elements of the Russian strategic force that would do the most damage to the U.S. Inasmuch as the U.S.S.R. has achieved the level of assured destruction, this action will not preserve the U.S., but it should reduce the damage, perhaps sparing a small city here or there or reducing somewhat the forces the U.S.S.R. can use against our allies. To the extent that this damage-limiting use of our forces reduces the damage done to the U.S.S.R. it may slightly reduce the deterrent effect resulting from assured destruction. It must be clear that only surplus forces will be used in this way. It should be said, however, that the exact level of casualties and industrial damage required to destroy a nation as a viable society has been the subject of surprisingly little research or even argument.

One can conceive of three threats to the present rather comforting situation of mutual assured destruction. The first would be an effective counterforce system: a system that would enable the U.S. (or the U.S.S.R.) to incapacitate the other side's strategic forces before they could be used. The second would be an effective ballistic-missile defense combined with an effective antiaircraft system. The third would be a transition from a bipolar world, in which the U.S. and the U.S.S.R. alone possess overwhelming power, to a multipolar world including, for instance, China. Such threats are of course more worrisome in combination than individually.

American and Russian defense planners are constantly evaluating less-than-perfect intelligence to see if any or all of these threats are developing. For purposes of discussion let us ask what responses a White side might make to various moves made by a Black side. Assume that Black has threatened to negate White's capability of assured destruction by doing one of the following things: (1) it has procured more intercontinental missiles, (2) it has installed some missile defense or (3) it has built up a large operational force of missiles each of which can attack several targets, using "multiple independently targetable reentry vehicles" (MIRV's).

White's goal is to maintain assured destruction. He is now worried that Black may be able to reduce to a dangerous level the number of White warheads that will reach their target. White's simplest response to all three threats—but not necessarily the most effective or the cheapest—is to provide himself with more launch vehicles. In addition, in order to meet the first and third threats White will try to make his launchers more difficult to destroy by one or more of the following means: by making them mobile (for example by placing them in submarines or on railroad cars), by further hardening their permanent sites or by defending them with an ABM system.

Another possibility that is less often discussed would be for White to arrange to fire the bulk of his warheads on "evaluation of threat." In other words, White could fire his land-based ballistic missiles when some fraction of them had already been destroyed by enemy warheads, or when an overwhelming attack is about to destroy them. To implement such a capability responsibly requires excellent communications, and the decision to fire would have to be made within minutes, leading to the execution of a prearranged firing plan. As a complete alternative to hardening and mobility, this fire-now-or-never capability would lead to tension and even, in the event of an accident, to catastrophe. Still, as a supplemental capability to ease fears of effective counterforce action, it may have some merit.

White's response to the second threat—an increase in Black's ABM defenses—might be limited to deploying more launchers, with the simple goal of saturating and exhausting Black's defenses. But White would also want to consider the cost and effectiveness of the following: penetration aids, concentrating on undefended or lightly defended targets, maneuvering reentry vehicles or multiple reentry vehicles. The last refers to several reentry vehicles carried by the same missile; the defense would have to destroy all of them to avoid damage. Finally, White could reopen the question of whether he should seek assured destruction solely by means of missiles. For example, he might reexamine the effectiveness of low-altitude bombers or be might turn his attention to chemical or biological weapons. It does not much matter how assured destruction is achieved. The important thing, as Secretary McNamara has emphasized, is that the other side find it credible. ("The point is that a potential aggressor must himself believe that our assured destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwavering.")

It is clear that White has many options, and that he will choose those that are most reliable or those that are cheapest for a given level of assured destruction. Although relative costs do depend on the level of destruction required, the important technical conclusion is that for conventional levels of assured destruction it is considerably cheaper for White to provide more offensive capability than it is for Black to defend his people and industry against a concerted strike.

As an aside, it might be mentioned that scientists newly engaged in the evaluation of military systems often have trouble grasping that large systems of the type created by or for the military are divided quite rigidly into several chronological stages, namely, in reverse order: operation, deployment, development and research. An operational system is not threatened by a system that is still in development; the threat is not real until the new system is in fact deployed, shaken down and fully operative. This is particularly true for an ABM system, which is obliged to operate against large numbers of relatively independent intercontinental ballistic missiles. It is equally true, however, for counterforce reentry vehicles, which can be ignored unless they are built by the hundreds or thousands. The same goes for MIRV's, a development of the multiple reentry vehicle in which each reentry vehicle is independently directed to a separate target. One must distinguish clearly between the *possibility* of development and the development itself, and similarly between development and actual operation. One must refrain from attributing to a specific defense system, such as Sentinel, those capabilities that *might* be obtained by further development of a different system.

It follows that the Sentinel light ABM system, to be built now and to be operational in the early 1970's against a possible Chinese intercontinental ballistic missile threat, will have to reckon with a missile force unlike either the Russian or the American force, both of which were, after all, built when there was no ballistic-missile defense The Chinese will probably build even their first operational intercontinental ballistic missiles so that they will have a chance to penetrate. Moreover, we believe it is well within China's capabilities to do a good job at this without intensive testing or tremendous sacrifice in payload.

Temporarily leaving aside penetration aids, there are two pure strategies for attack against a ballistic-missile defense. The first is an all-warhead attack in which one uses large booster rockets to transport many small (that is, fractional-megaton) warheads. These warheads are separated at some instant between the time the missile leaves the atmosphere and the time of reentry. The warheads from one missile can all be directed against the same large target (such as a city); these multiple reentry vehicles (MRV's) are purely a penetration aid. Alternatively each of the reentry vehicles can be given an independent boost to a different target, thus making them into MIRV's. MIRV is not a penetration aid but is rather a counterforce weapon: if each of the reentry vehicles has very high accuracy, then it is conceivable that each of them may destroy an enemy missile silo. The Titan II liquid-fuel rocket, designed more than 10 years ago, could carry 20 or more thermonuclear weapons. If these were employed simply as MRV's, the 54 Titans could provide more than 1,000 reentry vehicles for the defense to deal with.

Since the Spartan interceptors will each cost $1 million to $2 million, including their thermonuclear warheads, it is reasonable to believe thermonuclear warheads can be delivered for less than it will cost the defender to intercept them. The attacker can make a further relative saving by concentrating his strike so that most of the interceptors, all bought and paid for, have nothing to shoot at. This is a high-reliability penetration strategy open to any country that can afford to spend a reasonable fraction of the amount its opponent can spend for defense.

The second pure strategy for attack against an ABM defense is to precede the actual attack with an all-decoy attack or to mix real warheads with decoys. This can be achieved rather cheaply by firing large rockets from unhardened sites to send light, unguided decoys more or less in the direction of plausible city targets. If the ABM defense is an area defense like the Sentinel system, it must fire against these threatening objects at very long range before they reenter the atmosphere, where because of their lightness they would behave differently from real warheads. Several hundred to several thousand such decoys launched by a few large vehicles could readily exhaust a Sentinel-like system. The attack with real warheads would then follow.

The key point is that since the putative Chinese intercontinental-ballistic-missile force is still in the early research and development stage, it can and will be designed to deal with the Sentinel system, whose interceptors and sensors are nearing production and are rather well publicized. It is much easier to design a missile force to counter a defense that is already being deployed than to design one for any of the possible defense systems that might or might not be deployed sometime in the future.

One of us (Bethe) will now describe (1) the physical mechanisms by which an ABM missile can destroy or damage an incoming warhead and (2) some of the penetration aids available to an attacker who is determined to have his warheads reach their targets.

Much study has been given to the possibility of using conventional explosives rather than a thermonuclear explosive in the warhead of a defensive missile. The answer is that the "kill" radius of a conventional explosive is much too small to be practical in a likely tactical engagement. We shall consider here only the more important effects of the defensive thermonuclear weapon: the emission of neutrons, the emission of X rays and, when the weapon is exploded in the atmosphere, blast.

Neutrons have the ability to penetrate matter of any kind. Those released by defensive weapons could penetrate the heat shield and outer jacket of an offensive warhead and enter the fissile material itself, causing the atoms to fission and generating large amounts of heat. If sufficient heat is generated, the fissile material will melt and lose its carefully designed shape. Thereafter it can no longer be detonated.

The kill radius for neutrons depends on the design of the offensive weapon and the yield, or energy release, of the defensive weapon. The miss distance, or distance of closest approach between the defensive and the offensive missiles, can be made small enough to achieve a kill by the neutron mechanism. This is particularly true if the defensive missile and radar have high performance and the interception is made no more than a few tens of kilometers from the ABM launch site. The neutron-kill mechanism is therefore practical for the short-range defense of a city or other important target. It is highly desirable that the yield of the defensive warhead be kept low to minimize the effects of blast and heat on the city being defended.

The attacker can, of course, attempt to shield the fissile material in the offensive warhead from neutron damage, but the mass of shielding needed is substantial. Witness the massive shield required to keep neutrons from escaping from nuclear reactors. The size of the reentry vehicle will enable the defense to make a rough estimate of the amount of shielding that can be carried and thus to estimate the intensity of neutrons required to melt the warhead's fissile material.

Let us consider next the effect of X rays. These rays carry off most of the energy emitted by nuclear weapons, especially those in the megaton range. If sufficient X-ray energy falls on a reentry vehicle, it will cause the surface layer of the vehicle's heat shield to evaporate. This in itself may not be too damaging, but the vapor leaves the surface at high velocity in a very brief time and the recoil sets up a powerful shock wave in the heat shield. The shock may destroy the heat shield material or the underlying structure.

X rays are particularly effective above the upper atmosphere, where they can travel to their target without being absorbed by air molecules. The defense can therefore use megaton weapons without endangering the population below; it is protected by the intervening atmosphere. The kill radius can then be many kilometers. This reduces the accuracy required of the defensive missile and allows successful interception at ranges of hundreds of kilometers from the ABM launch site. Thus X rays make possible an area defense and provide the key to the Sentinel system.

On the other hand, the reentry vehicle can be hardened against X-ray damage to a considerable extent. And in general the defender will not know if the vehicle has been damaged until it reenters the atmosphere. If it has been severely damaged, it may break up or burn up. If this does not happen, however, the defender is helpless unless he has also constructed an effective terminal, or short-range, defense system.

The third kill mechanism—blast—can operate only in the atmosphere and requires little comment. Ordinarily when an offensive warhead reenters the atmosphere it is decelerated by a force that, at maximum, is on the order of 100 *g*. (One *g* is the acceleration due to the earth's gravity.) The increased atmospheric density reached within a shock wave from a nuclear explosion in air can produce a deceleration several times greater. But just as one can shield against neutrons and X rays one can shield against blast by designing the reentry vehicle to have great structural strength. Moreover, the defense, not knowing the detailed design of the reentry vehicle, has little way of knowing if it has destroyed a given vehicle by blast until the warhead either goes off or fails to do so.

The main difficulty for the defense is the fact that in all probability the offensive reentry vehicle will not arrive as a single object that can be tracked and fired on but will be accompanied by many other objects deliberately placed there by the offense. These objects come under the heading of penetration aids. We shall discuss only a few of the many types of such aids. They include fragments of the booster rocket, decoys, fine metal wires called chaff, electronic countermeasures and blackout mechanisms of several kinds.

The last stage of the booster that has propelled the offensive missile may disintegrate into fragments or it can be fragmented deliberately. Some of the pieces will have a radar cross section comparable to or larger than the cross section of the reentry vehicle itself. The defensive radar therefore has the task of discriminating between a mass of debris and the warhead. Although various means of discrimination are effective to some extent, radar and data processing must be specifically set up for this purpose. In any case the radar must deal with tens of objects for each genuine target, and this imposes considerable complexity on the system.

There is, of course, an easy way to discriminate among such objects: let the whole swarm reenter the atmosphere. The lighter booster fragments will soon be slowed down, whereas the heavier reentry vehicle will continue to fall with essentially undiminished speed. If a swarm of objects is allowed to reenter, however, one must abandon the concept of area defense and construct a terminal defense system. If a nation insists on retaining a pure area defense, it must be prepared to shoot at every threatening object. Not only is this extremely costly but also it can quickly exhaust the supply of antimissile missiles.

Instead of relying on the accidental targets provided by booster fragments, the offense will almost certainly want to employ decoys that closely imitate the radar reflectivity of the reentry vehicle. One cheap and simple decoy is a balloon with the same shape as the reentry vehicle. It can be made of thin plastic covered with metal in the form of foil, strips or wire mesh. A considerable number of such balloons can be carried uninflated by a single offensive missile and released when the missile has risen above the atmosphere.

The chief difficulty with balloons is putting them on a "credible" trajectory, that is, a trajectory aimed at a city or some other plausible target. Nonetheless, if the defending force employs an area defense and really seeks to protect the entire country, it must try to intercept every suspicious object, including balloon decoys. The defense may, however, decide not to shoot at incoming objects that seem to be directed against nonvital targets; thus it may choose to limit possible damage to the country rather than to avoid all damage. The offense could then take the option of directing live warheads against points on the outskirts of cities, where a nuclear explosion would still produce radioactivity and possibly severe fallout over densely populated regions. Worse, the possibility that reentry vehicles can be built to maneuver makes it dangerous to ignore objects even 100 kilometers off target.

Balloon decoys, even more than booster fragments, will be rapidly slowed by the atmosphere and will tend to burn up when they reenter it. Here again a terminal ABM system has a far better chance than an area defense system to discriminate between decoys and warheads. One possibility for an area system is "active" discrimination. If a defensive nuclear missile is exploded somewhere in the cloud of balloon decoys traveling with a reentry vehicle, the balloons will either be destroyed by radiation from the explosion or will be blown far off course. The reentry vehicle presumably will survive. If the remaining set of objects is examined by radar, the reentry vehicle may stand out clearly. It can then be killed by a second interceptor shot. Such a shoot-look-shoot tactic may be effective, but it obviously places severe demands on the ABM missiles and the radar tracking system. Moreover, it can be countered by the use of small, dense decoys within the balloon swarms.

Moreover, it may be possible to develop decoys that are as resistant to X rays as the reentry vehicle and also are simple and compact. Their radar reflectivity could be made to simulate that of a reentry vehicle over a wide range of frequencies. The decoys could also be made to reenter the atmosphere—at least down to a fairly low altitude—in a way that closely mimicked an actual reentry vehicle. The design of such decoys, however, would require considerable experimentation and development.

Another way to confuse the defensive radar is to scatter the fine metal wires of chaff. If such wires are cut to about half the wavelength of the defensive radar, each wire will act as a reflecting dipole with a radar cross section approximately equal to the wavelength squared divided by 2π. The actual length of the wires is not critical; a wire of a given length is also effective against radar of shorter wavelength. Assuming that the radar wavelength is one meter and that one-mil copper wire is cut to half-meter lengths, one can easily calculate that 100 million chaff wires will weigh only 200 kilograms (440 pounds).

The chaff wires could be dispersed over a large volume of space; the chaff could be so dense and provide such large radar reflection that the reentry vehicle could not be seen against the background noise. The defense would then not know where in the large reflecting cloud the reentry vehicle is concealed. The defense would be induced to spend several interceptors to cover the entire cloud, with no certainty, even so, that the hidden reentry vehicle will be killed. How much of the chaff would survive the defense nuclear explosion is another difficult question. The main problem for the attacker is to develop a way to disperse chaff more or less uniformly.

An active alternative to the use of chaff is to equip some decoys with electronic devices that generate radio noise at frequencies selected to jam the defensive radar. There are many variations on such electronic countermeasures, among them the use of jammers on the reentry vehicles themselves.

The last of the penetration aids that will be mentioned here is the radar blackout caused by the large number of free electrons released by a nuclear explosion. These electrons, except for a few, are removed from atoms or molecules of air, which thereby become ions. There are two main causes for the formation of ions: the fireball of the explosion, which produces ions because of its high temperature, and the radioactive debris of the explosion, which releases beta rays (high-energy electrons) that ionize the air they traverse. The second mechanism is important only at high altitude.

The electrons in an ionized cloud of gas have the property of bending and absorbing electromagnetic waves, particularly those of low frequency. Attenuation can reach such high values that the defensive radar is prevented from seeing any object behind the ionized cloud (unlike chaff, which confuses the radar only at the chaff range and not beyond).

Blackout is a severe problem for an area defense designed to intercept missiles above the upper atmosphere. The problem is aggravated because area-defense radar is likely to employ low-frequency (long) waves, which are the most suitable for detecting enemy missiles at long range. In some recent popular articles long-wave radar has been hailed as the cure for the problems of the ABM missile. It is not. Even though it increases the capability of the radar in some ways, it makes the system more vulnerable to blackout.

Blackout can be caused in two ways: by the defensive nuclear explosions themselves and by deliberate explosions set off at high altitude by the attacker. Although the former are unavoidable, the defense has the choice of setting them off at altitudes and in locations that will cause the minimum blackout of its radar. The offense can sacrifice a few early missiles to cause blackout at strategic locations. In what follows we shall assume for purposes of discussion that the radar wavelength is one meter. Translation to other wavelengths is not difficult.

In order to totally reflect the one-meter waves from our hypothetical radar it is necessary for the attacker to create an ionized cloud containing 10^9 electrons per cubic centimeter. Much smaller electron densities, however, will suffice for considerable attenuation. For the benefit of technically minded readers, the equation for attenuation in decibels per kilometer is

$$\alpha=\frac{4.34}{3\times10^5}\,\frac{\omega_p^2}{\omega^2+\gamma^2}\,\gamma_e.$$

Here ω_p is the plasma frequency for the given electron density, ω is the radar frequency in radians per second and γ_e is the frequency of collisions of an electron with atoms of air. At normal temperatures, this frequency ν_e is the number 2×10^{11} multiplied by the density of the air (ρ) compared with sea-level density (ρ_0), or $\gamma_e=2\times10^{11}\,\rho/\rho_0$. At altitudes above 30 kilometers, where an area-defense system will have to make most of its interceptions, the density of air is less than .01 of the density at sea level. Under these conditions the electron collision frequency γ_e is less than the value of $\omega=(2\pi\times3\times10^8)$ and therefore can be neglected in the denominator of the equation. Using that equation, we can then specify the number of electrons, N_e, needed to attenuate one-meter radar waves by a factor of more than one decible per kilometer: $N_e>350\rho_0/\rho$. At an altitude of 30 kilometers, where ρ_0/ρ is about 100, N_e is about 3×10^4, and at 60 kilometers N_e is still only about 3×10^6. Thus the electron densities needed for the substantial attenuation of a radar signal are well under the 10^9 electrons per cubic centimeter required for total reflection. The ionized cloud created by the fireball of a nuclear explosion is typically 10 kilometers thick; if the attenuation is one decibel per kilometer, such a cloud would produce a total attenuation of 10 decibels. This implies a tenfold reduction of the outgoing radar signal and another tenfold reduction of the reflected signal, which amounts to effective blackout.

The temperature of the fireball created by a nuclear explosion in the atmosphere is initially hundreds of thousands of degrees centigrade. It quickly cools by radiation to about 5,000 degrees C. Thereafter cooling is produced primarily by the cold air entrained by the fireball as it rises slowly through the atmosphere, a process that takes several minutes.

When air is heated to 5,000 degrees C., it is strongly ionized. To produce a radar attenuation of one decibel per kilometer at an altitude of 90 kilometers the fireball temperature need be only 3,000 degrees, and at 50 kilometers a temperature of 2,000 degrees will suffice. Ionization may be enhanced by the presence in the fireball of iron, uranium and other metals, which are normally present in the debris of nuclear explosion.

The size of the fireball can easily be estimated. Its diameter is about one kilometer for a one-megaton explosion at sea level. For other altitudes and yields there is a simple scaling law: the fireball diameter is equal to $(Y\rho_0/\rho)^{1/3}$, where Y is the yield in megatons. Thus a fireball one kilometer in diameter can be produced at an altitude of 30 kilometers (where $\rho_0/\rho=100$) by an explosion of only 10 kilotons. At an altitude of 50 kilometers (where $\rho_0/\rho=1{,}000$), a one-megaton explosion will produce a fireball 10 kilometers in diameter. At still higher altitudes matters become complicated because the density of the atmosphere falls off so sharply and the mechanisms of heating the atmosphere changes. Nevertheless, fireballs of very large diameter can be expected when megaton weapons are exploded above 100 kilometers. These could well black out areas of the sky measured in thousands of square kilometers.

For explosions at very high altitudes (between 100 and 200 kilometers) other phenomena become significant. Collisions between electrons and air molecules are now unimportant. The condition for blackout is simply that there be more than 10^9 electrons per cubic centimeter.

At the same time very little mass of air is available to cool the fireball. If the air is at first fully ionized by the explosion, the air molecules will be dissociated into atoms. The atomic ions combine very slowly with electrons. When the density is low enough, as it is at high altitude, the recombination can take place only by radiation. The radiative recombination constant (call it C_R) is about 10^{-12} cubic centimeter per second. When the initial electron density is well above 10^9 per cubic centimeter, the number of electrons remaining after time t is roughly equal to $1/C_Rt$. Thus if the initial electron density is 10^{12} per cubic centimeter, the density will remain above 10^9 for 1,000 seconds, or some 17 minutes. The conclusion is that nuclear explosions at very high altitude can produce long-lasting blackouts over large areas.

The second of the two mechanisms for producing an ionized cloud, the beta rays issuing from the radioactive debris of a nuclear explosion, can be even more effective than the fireball mechanism. If the debris is at high altitude, the beta rays will follow the lines of force in the earth's magnetic field, with about half of the beta rays going immediately down into the atmosphere and the other half traveling out into space before returning earthward. These beta rays have an average energy of about 500,000 electron volts, and when they strike the atmosphere, they ionize air molecules. Beta rays of average energy penetrate to an altitude of about 60 kilometers; some of the more energetic rays go down to about 50 kilometers. At these levels, then, a high-altitude explosion will give rise to sustained ionization as long as the debris of the explosion stays in the vicinity.

One can show that blackout will occur if $y\times t^{-1.2}>10^{-2}$, where t is the time after the explosion in seconds and y is the fission yield deposited per unit horizontal area of the debris cloud, measured in tons of TNT equivalent per square kilometer. The factor $t^{-1.2}$ expresses the rate of decay of the radioactive debris. If the attacker wishes to cause a blackout lasting five minutes ($t=300$), he can achieve it with a debris level y equal to 10 tons of fission yield per square kilometer. This could be attained by spreading one megaton of fission products over a circular area about 400 kilometers in diameter at an altitude of, say, 60 kilometers. Very little could be seen by an area-defense radar attempting to look out from under such a blackout disk. Whether or not such a disk could actually be produced is another question. Terminal defense would not, of course, be greatly disturbed by a beta ray blackout.

The foregoing discussion has concentrated mainly on the penetration aids that can be devised against an area-defense system. By this we do not mean to suggest that a terminal-defense system can be effective, and we certainly do not wish to imply that we favor the development and deployment of such a system.

Terminal defense has a vulnerability all its own. Since it defends only a small area, it can easily be bypassed. Suppose that the 20 largest American cities were provided with terminal defense. It would be easy for an enemy to attack the 21st largest city and as many other undefended cities as he chose. Although the population per target would be less than if the largest cities were attacked, casualties would still be heavy. Alternatively the offense could concentrate on just a few of the 20 largest cities and exhaust their supply of antimissile missiles, which could readily be done by the use of multiple warheads even without decoys.

It was pointed out by Charles M. Herzfeld in *The Bulletin of the Atomic Scientists* a few years ago that a judicious employment of ABM defenses could equalize the risks of living in cities of various sizes. Suppose New York, with a population of about 10 million, were defended well enough to require 50 enemy warheads to penetrate the defenses, plus a few more to destroy the city. If cities of 200,000 inhabitants were left undefended, it would be equally "attractive" for an enemy to attack New York and penetrate its defenses as to attack an undefended city.

Even if such a "logical" pattern of ABM defense were to be seriously proposed, it is hard to believe that people in the undefended cities would accept their statistical security. To satisfy everyone would require a terminal system of enormous extent. The highest cost estimate made in public discussions, $50 billion, cannot be far wrong.

Although such a massive system would afford some protection against the U.S.S.R.'s present armament, it is virtually certain that the Russians would react to the deployment of the system. It would be easy for them to increase the number of their offensive warheads and thereby raise the level of expected damage back to the one now estimated. In his recent forecast of defense needs for the next five years, Secretary McNamara estimated the relative cost of ABM defenses and the cost of countermeasures that the offense can take. He finds invariably that the offense, by spending considerably less money than the defense, can restore casualties and destruction to the original level before defenses were installed. Since the offense is likely to be "conservative," it is our belief that the actual casualty figures in a nuclear exchange, after both sides had deployed ABM systems and simultaneously increased offensive forces, would be worse than these estimates suggest.

Any such massive escalation of offensive and defensive armaments could hardly be accomplished in a democracy without strong social and psychological effects. The nation would think more of war, prepare more for war, hate the potential enemy and thereby make war more likely. The policy of both the U.S. and the U.S.S.R. in the past decade has been to reduce tensions to provide more understanding, and to devise weapon systems that make war less likely. It seems to us that this should remain our policy.

Statement by Secretary of Defense Robert S. McNamara

* * * * *

Before I discuss the analytical basis for these conclusions and our specific program proposals, I would first like to present the latest estimates of the strategic threat.

B. THE SIZE AND CHARACTER OF THE THREAT

Each year in presenting our projections of the strategic nuclear threat to the United States, I have cautioned that while we have reasonably high confidence in our estimates for the closer-in period, our estimates for the more distant years are subject to considerable uncertainty. This is still the case with regard to our current projections. The estimates through 1969 are reasonably firm. Beyond that point they become progressively less firm, especially where they deal with the period beyond the production and deployment leadtimes of the weapons systems involved.

1. *The Soviet strategic offensive-defensive forces*

Summarized in the following table are the Soviet strategic offensive forces estimated for October 1, 1967. The programmed U.S. forces for those same dates are shown for comparison:

UNITED STATES VERSUS SOVIET INTERCONTINENTAL STRATEGIC NUCLEAR FORCES

	Oct. 1, 1967	
	United States [1]	U.S.S.R.
ICBM launchers [2]	1,054	720
SLBM launchers [3]	656	30
Total, intercontinental missile launchers	1,710	750
Intercontinental bombers [4]	697	155
Total force loadings, approximate number of warheads	4,500	1,000

[1] These are mid-1967 figures.

[2] Excludes ICBM test range launchers which could have some operational capability against the United States. Soviets also have MR/IRBM's capable of striking Eurasian targets.

[3] In addition to the SLBM's on nuclear-powered submarines the Soviets also have SLBM's on diesel-powered submarines whose primary targets are believed to be strategic land targets in Eurasia. The Soviets also have submarine-launched cruise missiles whose primary targets we believe to be naval and merchant vessels.

[4] In addition to the intercontinental bombers, the Soviets have a force of medium bombers/tankers capable of striking Eurasian targets.

a. Intercontinental Ballistic Missiles

Over the past year, the Soviets have continued their build-up of hardened and dispersed land-based missiles. We estimate that as of 1 October 1967 they had a total of 720 ICBM launchers operational compared to 340 a year earlier. We believe the Soviet ICBM force will continue to grow over the next few years, but at a considerably slower rate than in the recent past.

As you may recall, I announced last November thaat the Soviets were intensively testing what we believe to be a Fractional Orbit Bombardment System (FOBS). Such a system—which is really an ICBM of different trajectory—could be launched on a very low trajectory across the northern approaches of the United States, thus reducing the possibility of timely detection by the Ballistic Missile Early Warning System (BMEWS); or, alternatively, around the southern approaches which are not covered by BMEWS. In either event, the weapon would not have a very high order of accuracy and would have to pay a heavy penalty in payload. It would, therefore, be useful primarily against soft targets. Although years ago we considered and rejected such a system for our own use, the Soviets may believe it to be useful in a surprise nuclear strike against our bomber bases or as a penetration tactic against ABM systems. Later, in my discussion of the defensive programs, I will touch on some of the measures we have taken in anticipation of that type of threat.

b. Antiballistic Missile Defense

Last year I noted that in addition to the GALOSH system around Moscow, the Soviets were deploying another type of defensive system elsewhere in the Soviet Union. I cautioned, however that the weight of the evidence at the time suggested that this system was not intended primarily for antiballistic missile defense. Now, I can tell you that the majority of our intelligence community no longer believes that this so-called "Tallinn" system (which is being deployed across the northwestern approaches to the Soviet Union and in several other places) has any significant ABM capability. This system is apparently designed for use within the atmosphere, most likely against an aero-dynamic rather than a ballistic missile threat.

Although construction of the Galosh ABM system around Moscow is proceeding at a moderate pace, no effort has been made during the last year to expand that system or extend it to other cities. It is the consensus of the intelligence community that this system could provide a limited defense of the Moscow area but that it could be seriously degraded by sophisticated penetration aids. Nevertheless, knowing what we do about past Soviet predilections for defensive systems, we must, for the time being, plan our forces on the assumption that they will have deployed some sort of an ABM system around their major cities by the early 1970s.

2. *Red Chinese nuclear threat*

Our current estimates of the Red Chinese nuclear threat are essentially the same as those I presented here last year. The Chinese have the technical and industrial capabilities required for the deployment of ballistic missiles and we believe that they are making an intensive effort to develop a medium range missile. We estimate that the first of these missiles could be deployed as early as 1967–68 and that by the mid-1970s, they could have a modest force operational.

With regard to ICBMs, we continue to believe that the Chinese nuclear weapons and ballistic missile development programs are being pursued with a high priority. However, it is now clear that they failed to conduct either a space or a long-range ballistic missile launching before the end of 1967, as we thought possible last year. We still believe such a launching could be made on relatively short notice. In any event, our estimate last year that it appeared unlikely the Chinese could achieve an IOC with an ICBM before the early 1970s, or deploy a significant number of operational ICBMs before the mid-1970s, still holds. And, of course, those ICBMs would not have a very high degree of reliability, speed of response or protection against attack.

The Red Chinese also have several types of aircraft which could carry nuclear weapons, but most of them have a limited operational radius and none have an intercontinental radius. It is highly unlikely on the basis of cost alone that they would undertake the development, production and deployment of an intercontinental bomber force. If they chose to do so, it would take them a decade or more before they could deploy such a force.

C. CAPABILITIES OF THE PROPOSED U.S. FORCES FOR "ASSURED DESTRUCTION"

As I noted earlier, the only true measure of the effectiveness of our "Assured Destruction" forces is their ability, even after absorbing a well-coordinated surprise first strike, to inflict unacceptable damage on the attacker. In this next portion of my Statement, I would like to examine with you our latest analyses of how well our strategic forces can be expected to accomplish that mission: first, against the "highest expected threat" projected in the latest National Intelligence Estimates and, second, against a Greater-Than-Expected Threat.[1]

1. *Capability against the "highest expected threat" in the NIE*

Even if the Soviet strategic forces by 1972 reach the higher end of the range of estimates projected in the latest NIEs and even if they were to assign their entire available missile force to attacks on our strategic forces (reserving only refire missiles and bomber-delivered weapons for urban targets), about one-half of our forces programmed for 1972 would survive and remain effective. If the Soviets expand the Moscow ABM defense and deploy the same or a similar system around other cities at the highest rate projected in the latest NIEs, about three-quarters of our surviving weapons would detonate over their targets. The destructive potential of such a U.S. retaliatory attack is illustrated by the following table:

SOVIET POPULATION AND INDUSTRY DESTROYED

[Assumed 1972 total population of 247,000,000; urban population of 116,000,000]

	Total population fatalities		Industrial capacity destroyed (percent)
	Millions	Percent	
1 megaton equivalent delivered warheads:			
100	37	15	59
200	52	21	72
400	74	30	76
800	96	39	77
1,200	109	44	77
1,600	116	47	77

Even if the Soviets deploy a substantial number of ABM interceptors by 1972, our strategic missile forces alone could still destroy more than two-fifths of their total population (more than 100 million people), and over three-quarters of their industrial capacity. As the foregoing table demonstrates, beyond 400 one-megaton equivalents optimally delivered, further increments would not meaningfully change the amount of damage inflicted because we would be bringing smaller and smaller cities under attack.

These results, of course, reflect the decisions we have taken in recent years to enhance the future capabilities of our "Assured Destruction" forces, including:

1. The production and deployment of the POSEIDON missile with MIRVs.
2. The production and deployment of improved missile penetration aids.
3. The increase in the proportion of MINUTEMAN IIIs (with MIRVs and a new improved third stage) in the planned force.
4. The initiation of development of new small reentry vehicles in order to increase substantially the number of warheads (or penetration aids) which can be carried by a single missile.
5. The development and production of SRAMs for our strategic bombers.

These and other measures will not only enhance the survivability of our strategic missile forces but will also greatly increase the number of weapons which we could place over the Soviet Union in 1972. As I stated earlier, numbers of weapons will be much more important in the future than gross megatonnage. Our calculations show that, even if the Soviets deploy a substantial number of ABMs by 1972, our offensive forces (after absorbing a surprise attack) would still be able to inflict about the same percent fatalities on the Soviet population in a second strike in 1972 as they could have in 1966.

Indeed, if the Soviet offensive-defensive threat does not increase beyond the highest level now projected through 1972 in the latest National Intelligence Estimates, we will have more "Assured Destruction" capability than we will probably need. However, I have repeatedly cautioned that our "Assured Destruction" capability is of such crucial importance to our security that we must be prepared to cope with Soviet strategic threats which are greater than those projected in the latest intelligence estimates. Accordingly, we must continually reexamine the various actions, beyond those which now seem probable, by which the Soviets might seek to strengthen their strategic forces and take appropriate steps in a timely manner to hedge against them.

---

[1] The "highest expected threat" is actually composed of the upper range of NIE projections for *each* element of the Soviets' strategic forces. In many cases, these represent alternatives and it is highly unlikely that all elements would ever reach the top end of the quantitative range simultaneously. Therefore, the "highest expected threat" is really a greater threat than that projected in the NIE.

2. Capability against "greater-than-expected threats"

As was the case last year, the most severe threat we must consider in planning our "Assured Destruction" forces is a Soviet deployment of a substantial hard target kill capability in the form of highly accurate small ICBMs or MIRVed large ICBMs, together with an extensive, effective ABM defense. A large Soviet ICBM force with a substantial hard target kill capability might be able to destroy a large number of our Minuteman missiles in their silos. An extensive, effective Soviet ABM defense might then be able to intercept and destroy a large part of our residual missile warheads, including those carried by submarine-launched missiles. In combination, therefore, these two actions could conceivably seriously degrade our "Assured Destruction" capability.

Again, I want to remind you that both of these threats are quantitatively far greater than those projected in the latest intelligence estimates. Moreover, we believe that the accuracy of Soviet ICBMs is still substantially inferior to that of our own missiles. Nevertheless, even though such a threat is extremely unlikely, we have taken account of the possibility in our longer range force planning.

Our calculations show that against either one of the Soviet Greater-Than-Expected Threats, the offensive or the defensive threat, the presently programmed forces could still perform their missions through the mid-1970s.

Against the massive and highly unlikely combined Greater-Than-Expected Offensive and Defensive Threats, these same forces with POSEIDON missiles carrying a full load of warheads and with bomber penetration aids (options which we could exercise in FY 1970) could still destroy in a second strike (depending upon how we target our forces) about 18 to 25 percent of the population and two-thirds to three-quarters of the industrial capacity of the Soviet Union, even after absorbing a surprise attack. The prospect of having to absorb losses of this magnitude from a U.S. retaliatory strike should, in itself, pose a very substantial deterrent to the Soviet Union. Nevertheless, for the purpose of planning our forces so far ahead, this level of damage may become too low for complete confidence in our deterrent. Accordingly, prudence dictates that we act now to place ourselves in a position to strengthen our "Assured Destruction" capabilities in the unlikely event that both of the Greater-Than-Expected Threats actually begin to emerge.

Fortunately, we have a large number of additional options from which we can draw to strengthen those capabilities by the mid-1970s. We can convert the entire force to Minuteman III, increase the number of warheads each Minuteman missile could carry, emplace the entire Minuteman III force in superhard silos, and/or protect the Minuteman force with an ABM defense.

There are, of course, still other options available, such as the construction and deployment of more Poseidon submarines and the development and production of a new land-based missile. Although a new land-based ICBM does not appear to offer any particular advantage over the Minuteman III in superhard silos, I believe we should keep that option open by starting development now of a silo which could be used for either the Minuteman III or a new ICBM. The options of defending Minuteman with the ABM and of constructing more Poseidon submarines will continue to be available for some time into the future and neither requires a commitment at this time.

As I noted in previous years, under certain circumstances there may be some advantage in maintaining a mixed offensive force of missiles and a limited number of bombers. By having a capability to attack some cities with missiles only, and others with bombers only, we can force the Soviet Union to maintain defenses against both. But to do this, we do not need either a very large bomber force or a new bomber. The present program provides for a mixed force of missiles and bombers into the latter part of the 1970s, and the options open to us will permit extending the life of the bomber force and increasing its capability, and/or the addition of a new bomber, should threats greater than that projected by the NIE develop.

Against the Greater-Than-Expected Threat, any bomber force ought to be equipped with improved penetration aids to cope with the kind of anti-bomber defense systems postulated in this threat. We have no evidence the Soviets are actually deploying such systems, although they are developing new high performance fighter aircraft. Nevertheless, we should keep the options open to upgrade our presently programmed bomber force and to deploy a new bomber if one should eventually be required. But the pacing items at the present time are the penetration aids, particularly those needed to counter the improved interceptors the Soviets may deploy in the future, and these are the programs which should receive our first attention regardless of which option we may ultimately choose to exercise.

Again, may I remind you that all of these missile and bomber options are directly related to the combined Greater-Than-Expected Threat, and until we have some evidence that this threat is actually beginning to emerge, we need not and should not decide to deploy any of these systems. Instead, we should carefully time our actions on all of them in step with the development of the threat, keeping in mind the various development, production and deployment leadtimes involved.

D. CAPABILITIES OF THE PROPOSED FORCES FOR DAMAGE LIMITATION

There are two major issues this year in the Damage Limitation portion of the Strategic Forces Program. The first concerns the deployment of an anti-ballistic missile defense and, the second, the future size and composition of the anti-bomber defense forces.

1. Anti-ballistic missile defense

Last year I presented to you in considerable detail our analysis of the anti-ballistic missile defense issue. I described the three major purposes for which we might want to deploy an ABM system, the kinds of radars and missiles which would be involved, the technical uncertainties which still remained to be resolved, and the costs and benefits of some of the alternative deployments. With regard to the three purposes, I concluded that:

1. The deployment of an ABM defense for MINUTEMAN might offer a partial substitute for the further expansion of our offensive forces in the event the Greater-Than-Expected Soviet threat began to emerge.

2. The deployment of an austere ABM defense against a Red Chinese ICBM threat might offer a high degree of protection to the entire Nation, at least through the 1970s.

3. The deployment of an ABM defense for the protection of our cities against the kind of heavy, sophisticated missile attack the Soviets could launch in the 1970s would almost surely cause them to react by increasing the capabilities of their offensive forces, thus leaving us in essentially the same position we were before.

Further study of this issue during the last year has served to confirm these conclusions. Since I have already touched on the first purpose in connection with the analysis of our "Assured Destruction" capabilities against the Greater-Than-Expected Soviet threat, I will limit my discussion at this point to the other two purposes.

a. Defense Against the Red Chinese Nuclear Threat

As I noted earlier, there is mounting evidence that the Red Chinese are devoting very substantial resources to the development of both nuclear warheads and missile delivery systems. Within a period of 39 months, they detonated seven nuclear devices. The first, in October 1964, was an all U-235 fission test with a low yield; the second, in May 1965, was a similar test with a low-intermediate yield. In May 1966 they detonated their first device involving thermonuclear material. Then, in October 1966, they tested their first missile-delivered device with a low yield fission warhead, thus demonstrating sufficient engineering skill to conduct a missile-warhead systems test. In December 1966, they detonated their second device involving thermonuclear material. In June 1967, they detonated a device with a yield of a few megatons dropped from an airplane. Finally, last December, they detonated another device, but this test was apparently a partial failure.

These seven nuclear tests, taken together with their continuing work on surface-to-surface missiles, lead us to believe that they are moving ahead with the development of an ICBM. Indeed, if their programs proceed at the present pace, they could have a modest force of ICBMs by the mid-1970s.

In the light of this progress in nuclear weapons and missile delivery systems, it seemed both prudent and feasible to us last September to initiate the deployment of an austere Chinese-oriented ABM defense. We knew from our continuing study of this system that it could be deployed at an investment cost of about $5 billion, and could be highly effective against the kind of threat a Chinese force might pose in the 1970s.

As presently defined, the Sentinel ABM system (i.e., the system specifically designed against the Chinest threat) would consist of Perimeter Acquisition Radars (PARs), Missile Site Radars (MSRs), long range Spartan area defense missiles and, later, some Sprint local defense missiles for certain special purposes. The effectiveness of this deployment in reducing U.S. fatalities from a Red Chinese attack in the 1970s is shown in the table following:

U.S. FATALITIES FROM A CHINESE FIRST STRIKE, 1970's

[In millions]

	Number of Chinese ICBM's		
	X	2.5X	7.5X
U.S. fatalities:			
Without Sentinel	7	11	15
With Sentinel	(1)	(1)	1

[1] Fewer than 1,000,000 U.S. dead with some probability of no deaths.

It is apparent from the foregoing table that the Sentinel system, facing a relatively "primitive" attack, could probably hold U.S. fatalities below one million. Obviously, if and when the Chinese ICBM force grows, quantitatively and qualitatively, beyond the levels shown in the foregoing table, additions and improvements would probably have to be made in the Sentinel system. We believe, however, that for relatively modest additional outlays the system could be improved so as to limit the Chinese damage potential to low levels into the mid-1980s. The Sentinel system would also have a number of other advantages. It would provide an additional indication to the people of Asia that we intend to support them against nuclear blackmail from China, and thus help to convince the non-nuclear countries that acquisition of their own nuclear weapons is not required for their security. Furthermore, this initial deployment would serve as a foundation to which we could add a defense for our Minuteman force if that later becomes desirable. Finally, it could protect our population against the improbable, but possible, accidental launch of a few ICBMs by any one of the nuclear powers.

b. Deployment of Nike-X for Defense of Our Cities Against Soviet Attack.

Nothing has occurred during the last year to change my conviction that the deployment of the Nike-X system for the defense of our cities against a Soviet attack would, under present circumstances, be a futile waste of our resources. I believe it is clear from my earlier discussion of the trends in the nature of the threat, as evaluated by our intelligence community, that the Soviets are determined to maintain a nuclear deterrent against the United States. If this is true, as I believe it is, any attempt on our part to reduce their "Assured Destruction" capability below what they might consider necessary to deter us would simply cause them to respond with an offsetting increase in their offensive forces. It is precisely this process of action and reaction upon which the arms race feeds, at great cost to both sides and benefit to neither. This point is illustrated in the table on the following page which is based on nuclear strike capabilities as they might be viewed by the potential adversaries.

NUMBERS OF FATALITIES IN AN ALL-OUT STRATEGIC EXCHANGE, MID-1970's[1]

[In millions]

U.S. program	Soviet response	Soviets strike first against military and city targets; United States retaliates against cities		United States strikes first at military targets; Soviets retaliate against U.S. cities; Uni'ed States retaliates against Soviet cities	
		U.S. fatalities	Soviet fatalities	U.S. fatalities	Soviet fatalities
No ABM	None	120	120	120	80
Sentinel	None	100	120	90	80
	Pen-Aids	120	120	110	80
Posture A	None	40	120	10	80
	MIRV, Pen-Aids	110	120	60	80
	Plus 100 mobile ICBM's	110	120	90	80
Posture B	None	20	120	10	80
	MIRV, Pen-Aids	70	120	40	80
	Plus 550 mobile ICBM's	100	120	90	80

[1] At fatality levels approximating 100,000,000 or more, differences of 10,000,000 to 20,000,000 in the calculated results are less than the margin of error in the estimates.

"Posture A" is a light defense against a Soviet missile attack on our cities. It consists of an area defense of the entire continental United States, providing redundant (overlapping) coverage of key target areas, and, in addition, a relatively low-density Sprint defense of 25 cities to provide some protection against those warheads which get through the area defense. "Posture B" is a heavier defense with the same area coverage, but with much greater sophistication in its electronics and a higher-density Sprint defense for 52 cities.

Postures A and B would also require some improvement in our defense against manned bomber attack in order to preclude the Soviets from undercutting the ABM defense; we would also want to expand and improve our anti-submarine warfare forces to help defend against Soviet missile-launching submarines. The "current" estimates of the investment cost of the total "Damage Limiting" package are at least $13 billion for Posture A and at least $22 billion for Posture B. On the basis of past experience, however, actual costs would more likely be $40 billion by the time the system had been completed.

Cost, however, is not the problem. If we could actually build and deploy a genuinely impenetrable shield over the United States, we would be willing to spend $40 billion. But, if after spending these tens of billions of dollars, we could still expect to find ourselves in a position where a Soviet attack could inflict unacceptable damage on our population because of their response to our defensive efforts, I do not see how we would have really improved our security or freedom of action. And neither can I see how the Soviets will have improved their security and freedom of action if after all their additional expenditures for offensive and defensive systems, we can still inflict unacceptable damage on them, even after absorbing their first strike. For this reason we have come to the conclusion that both sides would be far better off if we can reach an agreement on the limitation of all strategic nuclear forces, including ABMs.

In any event, there is no point whatever in our responding to a massive ABM deployment on their part with a massive ABM deployment of our own. Instead, we should act realistically and further strengthen our offensive forces, if and when necessary, to preserve our "Assured Destruction" capability.

* * * * *

E. STRATEGIC OFFENSIVE FORCES

The force structure proposed for the FY 1969–73 period is shown on a classified table provided to the Committee.

1. Missile forces

In overall terms the missile forces we are proposing for the FY 1969–73 period are essentially the same as those I discussed last year—1,000 Minuteman, 496 Poseidon and 160 Polaris, plus 54 Titan IIs. Within these overall numbers, however, we are proposing some changes in mix and payload.

a. Minuteman

Last year I told you that in order to increase the capability of our offensive forces against a possible strong Soviet ABM defense, we proposed to increase the number of Minuteman IIIs in the force. I also pointed out that by FY 1973–74 it would probably become necessary to replace the earliest Minuteman II missiles, and that we could then add more Minuteman IIIs if that should appear desirable.

Although the Soviet ABM deployment is not moving forward as fast as anticipated last year, we now believe it would be desirable to increase the number of Minuteman IIIs. And, as I indicated earlier, we have included funds in the FY 1969 Budget for the development of dual-purpose super-hard silos for the Minuteman or a new land-based ICBM. Because the development program for the Minuteman III is taking longer than we had planned, and because we want to pursue a more efficient overall Minuteman modernization schedule, initial deployment of the Minuteman III will slip some months behind the schedule envisioned last year. The phase out of Minuteman I will be slowed down to compensate for the slip in the Minuteman III program.

b. Titan II

Although the Titan II will decline in importance as the Minuteman III and the Poseidon are deployed, it may be advisable to retain the present force of 54 missiles on launchers. Its heavy payload would be useful against large soft targets which are not defended by ABMs. On the basis of a recent review of the Titan II follow-on test program, we now believe that four tests per year, instead of six, will be enough to ensure that the missiles in the force are operationally reliable. Thus, with the procurement of a small number of missiles in FY 1969–70, we can maintain the present force of 54 Titan missiles on launchers throughout the program period, instead of allowing it to decline after FY 1970 as we planned last year.

c. Polaris-Poseidon

The Polaris-Poseidon program is essentially the same as the one I presented here last year. Thirty-one of the 41 Polaris submarines, all of which have now become operational, will be refitted with the Poseidon missile. The other ten (five 598–Class and five 608–Class) cannot be refitted without replacing the center section of their hulls. The cost would be about equal to that of a new submarine, and even then they would not be as good as the other 31. Accordingly, these submarines will continue to carry the Polaris missile. The five 598–Class ships, which originally carried the A–1, have already been refitted with the A–3. The five 608–Class ships, which now carry the A–2, will be refitted with the A–3 during their second overhaul. The proposed FY 1969 shipbuilding and conversion program includes funds for six Poseidon conversions and advance procurement for nine more.

d. New Strategic Missile Systems

Last year I told you that we are making a comprehensive study of new strategic missile systems. This study was completed last summer, and on the basis of its findings we have included $56 million in the FY 1969 Budget for advanced ICBM technology.

* * * * *

b. Manned Interceptors

The ultimate U.S. manned interceptor force will consist of modified F–106Xs (supported by C–130s which would be used to move ground crews and equipment to the dispersal recycle bases), plus an Air National Guard F–102 squadron in Hawaii. This squadron, together with the search radars, will continue to provide a local air defense capability for that remote state. We plan to start the phase-down of the interceptor forces in FY 1969.

c. Surface-to-Air Missiles

On the basis of our present plans, all of the Bomarc force would be phased out when the full F–106X force becomes operational. Most of the Hercules and all of the Hawks, however, will be retained.

2. Missile and space defense

The decision to deploy a Chinese-oriented ABM defense system will undoubtedly have an important impact on other strategic defensive programs. For example, we already know that the Perimeter Acquisition Radar (PAR) planned for the Sentinel system could also be made to handle some of the long-range acquisition and tracking functions presently performed by the three BMEWS sites. Conversely, the over-the-Horizon (back-scatter) radars planned for the anti-bomber defense could also be used to provide limited detection and tracking of ballistic missiles launched from submarines. Moreover, in order to provide a backup for BMEWS, we have already deployed several Over-the-Horizon (forward-scatter) radar transmitters and receivers, and we have under active development for a number of years a satellite-borne missile warning system which now appears to be capable of providing earlier warning than BMEWS. (The forward-scatter OTH and the satellite-borne missile warning system are two of the measures I alluded to in my earlier discussion of the Soviet FOBS.) Clearly, the time has come when we must systematically examine all of these warning systems in relation to one another, with a view to eliminating unnecessary redundancy and ensuring that the remaining systems are truly integrated into a workable whole. Accordingly, I have recently asked the Joint Chiefs of Staff to establish a Joint Continental Defense System Integration Planning Staff to study this entire problem in depth, including the function of all defensive systems in a wartime environment.

a. Missile Warning

Pending the completion of the aforementioned study, we are not proposing any changes in the BMEWS program. However, we are making certain changes in the siting of the Over-the-Horizon (forward-scatter) radar program. These radars have demonstrated a very high order of capability. Although originally designed to detect ICBM launches (including FOBS), these radars have demonstrated a good capability to detect smaller ballistic missiles.

As I indicated earlier, we are developing a back-scatter OTH radar for use in the anti-bomber defense. In this system, echo signals from the target are returned directly to the transmitter, thereby eliminating the need for separate receiver stations. It is also more effective than the forward-scatter system in locating and tracking vehicles moving through and below the ionosphere, for example, aircraft or SLBMs. We presently plan to begin installing the first back-scatter OTH radar in the near future. While the chief function of this radar will be research and development, we hope that it will also provide some useful operational data. It will also give us an opportunity to test the back-scatter system in the ICBM warning role.

b. Anti-Ballistic Missile Defense (Sentinel)

As previously mentioned, the Sentinel system will consist of PAR and MSR radars and Spartan and Sprint missiles.

The PAR is a low frequency phased-array radar used for long-range surveillance, acquisition and tracking. The presently planned characteristics of this radar place its design well within the "state-of-the-art", and for this reason the first PAR can be installed directly at its tactical site rather than at a field test site. Its performance can be simulated by an ARPA Altair radar already at Kwajalein, for purposes of the full systems tests.

The MSR is a phased-array radar used to control the Sprint and Spartan interceptors. It can perform much the same functions as the larger MAR, which is not required in a limited deployment, but on a smaller scale. The MSR was tested at the contractor's plant before being sent to Kwajalein, where it is currently being installed for the full systems tests. The MAR, which is the most sophisticated component of the Nike–X system, will remain in an R&D status. A Tacmar (a smaller version of the MAR) will be installed at Kwajalein for final design and testing.

The Spartan missile, as presently designed, will have three stages and utilize an advanced warhead, and should be able to intercept objects at ranges in excess of several hundred miles and at exoatmospheric altitudes. However, we now plan to make some further improvements in the Spartan to enhance its capability against a Fobs. The Spartan will also be included in the full systems tests planned at Kwajalein.

The Sprint missile is designed to attack incoming warheads after the atmosphere has helped to separate out the accompanying decoys, chaff, etc. The missile is capable of climbing thousands of feet in a few seconds to make intercepts between 5 000 and 100,000 feet at ranges between 15–25 miles. It uses a "pop-up" launch technique in which the missile is ejected from its tube by the generation of gas pressure on the piston upon which it rests. Actual ignition does not take place until after the missile has left the tube. This technique conserves propellant, allows the missile to "get away" sooner and reduces the missile size. Initial flight tests are currently being conducted at the White Sands Missile Range, and beginning in early 1969 the missile will be tested at Kwajalein, where the overall systems tests against actual ICBMs fired from Vanderberg Air Base will be conducted.

Although, as stated earlier, ABM systems to protect population centers against large sophisticated attacks do not appear practical, we will continue to explore new technical approaches to this objective. The Nike–X development program will be used for this purpose. In addition, we will continue to support a number of other ABM related programs, particularly ARPA's Project Defender.

In total, the FY 1969 Budget request includes about $1,232 million for ABM defense: $651 million for the deployment of Sentinel (in addition to $229 million in FY 1968); $313 million for Sentinel development; $165 million for ABM advanced development (Nike–X); and $103 million for Defender. In addition, the AEC's FY 1969 budget includes funds for ABM warhead development and production.

c. Anti-Satellite Defense

As described in previous years, we have a capability to intercept and destroy hostile satellites within certain ranges. This capability will be maintained throughout the program period.

Spasur and Spacetrack are our satellite tracking and identification systems in the Norad Spadat system. The Spasur system is designed to give a warning when a new space object passes through its field, and the Spacetrack system detects, tracks and computes the orbits of objects in space. Both systems are tied to the North American Air Defense Command.

One of the projects that the Joint Continental Defense Systems Integration Planning Staff will undertake is the development of a master plan for the evolution of these two systems. The ever-growing population of space objects and "junk" that must be identified and tracked means that we will have to make major improvements in these systems in the near future. In the case of the Spacetrack system, we have included funds in the FY 1969 Budget for the modification of the data processing and communications equipment at existing sites and for some new construction at these sites. Any further improvements or expansion will be delayed pending a full study of the requirements for electro-optical sites in addition to the camera and radar sites, the links with the Sentinel system, the need for a separate data processing center, etc.

G. CIVIL DEFENSE

The Civil Defense program proposed for FY 1969 contemplates no important change in basic objectives from those which I discussed last year. However, we have held the FY 1969 program to the lowest possible sustaining rate, pending the end of the Vietnam conflict.

The major objective of the Civil Defense program since 1961 has been the establishment of a comprehensive nation-wide shelter system to help protect our population from radiological fallout in the event of a nuclear attack. Most of this shelter is inherent in existing buildings but needs to be identified, marked and stocked with survival supplies before it can be considered truly useful. By the end of the current fiscal year we expect to have identified about 170 million spaces with a standard protection factor of 40 or more, of which about 101 million will have been marked and 55 million stocked with an average 14 days of supplies. Total shelter capacity should continue to grow in the future as a result of the continuing survey and design assistance efforts being conducted as part of the Civil Defense program. In total, we can probably expect an additional 55 million spaces from these sources over the next five years.

Deployment of an Anti-Ballistic-Missile System: Issues—Selected Annotated Bibliography

(By Nancy T. Gamarra, analyst in national security, Foreign Affairs Division, June 10, 1968, the Library of Congress Legislative Reference Service)

PERIODICALS AND SPEECHES

Address by Honorable Robert S. McNamara, Secretary of Defense, before United Press International Editors and Publishers, San Francisco, California, September 18, 1967. Department of Defense news release no. 868–67, Sept. 18, 1967. 25 p. Speech in which Secretary McNamara announced U.S. decision to deploy a thin ABM system and outlined reasons for this decision.

Ashworth, George W. Sea-missile key to U.S. defense? Christian Science Monitor, July 22, 1967: 11. Discusses the concept of a seaborne ABM intercept system.

Baldwin, Hanson W. Military concern on lack of missile defense grows. New York Times, May 21, 1967: 1, 16. "The continuing development by the Soviet Union and Communist China of strategic missile systems is causing mounting concern among top military officers in the Pentagon."

Beecher, William. Soviet reported stressing multiple-warhead missile. New York Times, Sept. 10, 1967: 1, 18. It is reported that the Soviet Union is developing multiple warheads for its missiles that "could increase severalfold its ability to hit a number of targets in the United States simultaneously."

Bird, David. Nuclear scientists disagree on missile defense. New York Times, Nov. 15, 1967: 24. Nuclear scientists disagree on whether an anti-ballistic missile system will halt or escalate arms race.

Bottome, Edgar M. Mythology of the A.B.M. Commonweal, Oct. 20, 1967: 74–76. Author argues that deployment of an ABM system by the United States will not add to nation's security because it will result in further escalation of the arms race between the United States and the Soviet Union.

Brennan, D. G. New thoughts on missile defense. Bulletin of the atomic scientists, June 1967: 10–15. ". . . there are important possibilities in which BMD [Ballistic Missile Defense] could play a constructive role, possibilities that support the traditional arms control objective of mitigating the consequences of war if it occurs, without conflicting with the objectives of reducing the likelihood of war and reducing the burdens of the arms race. These possibilities have not been much discussed in the arms control community, quarters which have tended to be surprisingly hostile to any suggestion of deploying BMD."

Brown, Neville. Unreason in strategy. New scientist, Oct. 1967: 746–747. "It can be shown that there is little evidence for the idea that national strategic and defense planning is governed by reason. Many recent defense undertakings, including anti-missile missiles, are based on ignorance and prejudice."

Bussey, Donald S. Deployment of the anti-ballistic missile (ABM): the pros and cons. Legislative Reference Service, Library of Congress, April 19, 1967. 43 p. Discusses ABM and the risk of nuclear war; ABM and damage limitation; and ABM and foreign policy.

Critics claim "thin" ABM not enough. Armed forces management, Oct. 1967: 21. The Joint Chiefs of Staff "is willing to accept the 'thin' nationwide deployment only if it is a first step toward providing protection to the 25 most heavily populated cities in this country."

Crosby, Col. H. Ashton. The case for anti-ballistic missiles. United States Naval Institute proceedings, July 1967: 2T–31. The author does not believe that the arguments which have been raised against deployment of an ABM system are valid and states his objections to these arguments.

Finney, John W. X-ray missile to be key in defense against China. New York Times, Nov. 16, 1967: 1, 22. The Atomic Energy Commission is reported to be "making significant progress in developing a radically new nuclear X-ray warhead that would be a vital element in the Sentinel ballistic missile defense system being erected against Communist China."

Finney, John W. G.O.P. group says 'thin' missile net could split NATO. New York times, Nov. 6, 1967: 1, 16. The U.S. decision to deploy an ABM system could rupture NATO and drive Europeans into position of "defensive neutrality."

FOBS, ABM and arms control. Survival, Jan 1968: 10–11. "At the root of much of the criticism of ballistic missile defence for the United States has been the fear of a new strategic arms race. The recent announcement of the probable Soviet development of a 'fractional orbital bombardment system' (FOBS) has increased this fear, and the . . . article analyzes some of the arguments being used in the debate in the United States."

Frank, Lewis A. The ABM debate. Military review, May 1967: 45–52. "On balance, it would seem that the U.S. deployment of at least a light or anti-Chinese ABM system is justified by both the technical progress recently achieved in the design of such systems, by the need to know more about its performance utilizing the actual hardware, and by the necessity to provide active defenses against the growing Soviet and the emergent Chinese nuclear threats to be expected within the coming decade."

Gilpatric, Roswell L. The brink of another arms race? New York times magazine, Jan. 15, 1967. Because of the Soviet offensive and defensive buildup the United States is faced with the possibility of a stepped-up arms race with the Soviet Union.

Johnston, Lt. Douglas M., Jr. ABM: the high cost of living. United States Naval Institute proceedings, Oct. 1967: 26–38. "Mankind's most basic, and most frequently threatened, right—the right to live—is menaced today as never before. A defensive system against enemy nuclear missiles will be enormously expensive and it will not bar our doors completely: but it will raise the price of admission."

Hamilton, Thomas J. U.S. says Nike net will spur atom pact. New York times, Sept. 20, 1967: 1, 18. U.S. officials at the Geneva Disarmament Conference claim that the "decision to establish an anti-ballistic missile network against Chinese Communist attack should improve the prospects for the proposed treaty to prevent the spread of nuclear weapons."

Kleiman, Robert. MIRV and the offensive missile race. New York times, Oct. 9, 1967: 46. "Pressure from Congress and the Joint Chiefs of Staff for a heavy antiballistic-missile (ABM) system oriented to defense against Soviet attack reflects an old military weakness: preparing to fight the last year."

Lall, Betty Goetz. Congress debates the ABM. Bulletin of the atomic scientists, Sept. 1967: 28–33. "On the ABM question . . . the pattern of Congressional interest shows some usual and unusual aspects . . . They (Congressmen) are pondering many of the consequences of a decision to deploy or not to deploy. There is no panic and little oratory. They do not pretend to have pat solutions to the problem and clearly most would like to be confronted with a case of successful diplomacy to avoid a commitment to deploy."

Lyons, Thomas C., Jr. Anti-missile defense systems. Editorial research reports, vol. 1, no. 7, Feb. 15, 1967: 123–139. Article discusses the following topics: Current Debate on Anti-Missile Systems; Development of the Missile Competition; and American Missiles and National Security.

Martin, Laurence W. Ballistic missile defense and Europe. Bulletin of the atomic scientists, May 1967: 42–46. "West Europeans have two interests in the prospects for ABM. Being deeply affected by the state of U.S.–U.S.S.R. relations, United States' allies have a direct interest in all the arguments concerning the wisdom of ABM from a strictly U.S. point of view . . . As Europeans, however, they also perceive certain special implications for themselves."

The missile defense question: is LBJ right?: a background report. Washington, D.C. Republican National Committee, Feb. 20, 1967. 55 p. "Great responsibilities rest on those who must make the decisions regarding our defense against a nuclear threat. It is in an effort to help these persons, by providing them with available information, that the material in this booklet has been assembled."

Missile defense: LBJ's bid to curb arms race gains support. Science March 31, 1967: 1651–1654. ". . . President Johnson's proposal that U.S. and Soviet negotiators seek an agreement to refrain from, or limit, deployment of antimissile missiles thus far has considerable bipartisan support on Capitol Hill."

Morris, John D. Senators call Nike plan a step to full defense. New York Times, Sept. 17, 1967: 2. "The Administration's decision to deploy a limited missile defense around the country was viewed by some Senators . . . as the first step toward establishment of a full-scale system that would cost $7-billion to $15-billion."

Norman, Lloyd. Nike–X: big chip in the deadly gamble of nuclear exchange. Army, March 1967: 25–33. ". . . the shifting balance of nuclear killing power between the United States and the Soviet Union sets off a series of moves and countermoves in the ancient game of offense-versus-defense. The game is played on no simple checkerboard, but on one that resembles the tangled maze of wiring in an electronic game with its interplaying factors of psychology, military power, international politics, and national doctrines. . ."

Pay, Rex. U.S. ABM would imperil test ban treaty. Technology week, March 20, 1967: 14–15. "A decision by the United States to deploy an operational anti-ballistic missile (ABM) system would probably require the resumption of atmospheric nuclear testing by this country, according to some high-level weapons experts."

Rabinowoitch, Eugene *and* Ruth Adams, *eds.* Debate the antiballistic missile. Chicago, Illinois, Bulletin of the atomic scientists, 1967. 172 p. (Collection of articles on ABM.) "The layman must respect the creative intelligence which went into the development of the ABM system; but this appreciation is entirely apart from the process and privilege of decisionmaking, which need not remain behind closed doors. The subject is one of the most important questions before this nation. ABM is an open-ended armament program, of incalculable importance for our future and for the future of the world."

Rodberg, Leonard S. ABM—some arms control issues. Bulletin of the atomic scientists, June 1967: 16–20. "The deployment of ABM systems will not only postpone the day when we can look elsewhere than to nuclear weapons for the key to national power, but it will also place greater emphasis upon the possibility of nuclear war, the role of nuclear weapons in providing a defense, and the value to a country of nuclear independence."

Schmidt, Dana Adams. Kosygin is cool to missiles curb. New York times, Feb. 10, 1967: 1, 6. Soviet Premier Kosygin is reported to have said that defensive ABM systems were less dangerous to mankind than offensive systems.

Strategic defense: what the ABM deployment means. Armed forces management, April 1968: 71–74. Outlines the reasons for the Defense Department's decision to deploy an ABM system and the limitations and drawbacks of ABM deployment.

Thurmond, Senator Strom. ABM: lessening the threat of nuclear blackmail. Data, Oct. 1967: 10–11. Argues that the United States "will not be as susceptible to nuclear blackmail or Soviet miscalculation" since the decision has been made to deploy a U.S. ABM system.

U.S. missile plans criticized in Bonn. New York Times, Oct. 28, 1967: 11. A West German official says that U.S. plans to deploy an ABM system would erode the Western Alliance.

Weisner, Jerome B. The case against an antiballistic missile system. Look, Nov. 28, 1967: 25–27. Author does not believe that a "really effective antimissile system is remotely possible for either the U.S. or the Russians."

Weisner, Jerome B. The cold war is dead, but the arms race rumbles on. Bulletin of the atomic scientists, June 1967: 6–9. ". . . If the ABM systems are built, there will certainly be further large increases in military expenditures for new and more sophisticated weapons as both sides jockey to maintain a credible deterrent to try to protect their citizens from the horrors of nuclear war."

Young, Elizabeth. ABM: no alternative to politics. Bulletin of the atomic scientists, June 1967: 47–49. "The only reason for U.S. deployment [of an ABM system] seems to be the fact that the Soviet government is deploying it—and the U.S. government cannot refuse to give their people a defense that the Soviets have." But the author argues that sophisticated military power can no longer solve the world's disagreements.

Young, Oran R. Active defense and international order. Bulletin of the Atomic Scientists, May 1967: 35–42. Author "analyzes the consequences that would result from alternative patterns of ABM deployment."

CONGRESSIONAL DOCUMENTS

U.S. *Congress. Joint Committee on Atomic Energy*. Hearings: Scope, Magnitude and Implications of the United States Antiballistic Missile Program. 90th Congress, 1st session, 1967. 153 p. Hearings "review the plans and programs relating to our ABM program in the context of three recent developments": the Soviet offensive buildup, the Soviet defensive buildup, and the emergence of China as a nuclear power.

Testimony is given by Dr. John S. Foster, Jr., Director of Defense Research and Engineering; Alice Langley Hsieh, Rand Corp.; Dr. Philip E. Mosely, Professor of International Relations and Director of the European Institute, Columbia University; Paul H. Nitze, Deputy Secretary of Defense; and Thomas Wolfe, Rand Corp., and member of the Sino-Soviet Institute, George Washington University.

U.S. *Congress. Senate. Committee on Appropriations. Subcommittee on Department of Defense;* and *Committee on Armed Services*. Hearings on Military Authorizations and Defense Appropriations for Fiscal Year 1968. 90th Congress, 1st Session, 1967. Part I.

Testimony of Secretary of Defense McNamara, pp. 44–61; 231–241; 260–269. Testimony of Gen. Earle G. Wheeler, Chairman of Joint Chiefs of Staff, pp. 249–252.

U.S. *Congress. Senate. Committee on Armed Services*. Statement by Secretary of Defense Robert S. McNamara on the Fiscal Year 1969–73 Defense Program and 1969 Defense Budget. Prepared January 22, 1968, pp. 41–69, 74–75.

Statement of Defense Department policy with respect to the deployment of an ABM system.

EXHIBIT 3

STATEMENT OF DR. JOHN S. FOSTER, JR., DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING

I am pleased to be here today. I understand that you have requested a discussion of the technical status of the U.S. ballistic missile defense program.

In discussing the general subject, let me first say that every system we have ever seriously considered for deployment involves the use of radars to detect and track the incoming targets, and the use of these same or different radars to guide ground-to-air interceptor missiles to the vicinity of the targets. There a command from the ground causes the interceptor warhead to detonate and destroy the target. It is clear that such a defense system does not provide a shield which makes a nation impervious to attack, since the interceptors can always be avoided or outnumbered—provided always that the enemy is willing to pay the price in decreased fatalities or increased cost to his offensive effort.

In reviewing the history of ballistic missile defense over the past 10 years, it seems there has always been controversy over its value or lack of value. Of course, if the defense had been a true shield, there would have been no controversy, and we would have made a deployment decision long ago.

The first controversy arose around the question, "Could a bullet hit a bullet?" This phase passed, first when calculations showed the feasibility of such an intercept and later and most definitely when successful intercepts of actual ICBM targets fired from Vandenberg Air Force Base were accomplished by the old Nike-Zeus system in 1962–63. We had 10 out of 14 successful intercepts.

After this "simple" problem was solved, it was realized that the offense would replace the relatively easy-to-intercept single warhead with clouds of objects, or take other deceptive measures. Examples of these objects were decoys designed to look like warheads to the radar, and chaff designed to conceal the warhead in a cloud of light objects. Against those more sophisticated targets there was a necessity for the defense to discriminate among them so as to know which objects to take under fire. Hence many objects might have to be tracked and observed simultaneously. Also, it might be necessary for the defense to wait for atmospheric reentry of the targets and rely on slowdown and burnup of the lighter objects before this discrimination could be accomplished.

The old Nike-Zeus system, when confronted with these more sophisticated targets, had two fatal defects. One was that it used what are now considered to be old-fashioned mechanical radars, which had to be mechanically slewed or pointed at each target in turn—a matter of seconds. One practically had to have a radar for each target. And the Zeus missile could not be delayed in firing until atmospheric reentry of the targets took place, because it was too slow. Hence discrimination could not be aided by atmospheric filtering.

Because of these defects, the Nike X concept was born. First, the mechanical radars of Nike-Zeus were replaced by phased array radars, which by varying the electrical phase of the power over the face of a fixed antenna array could change the direction of the radar beam in a matter of microseconds. This imparted a capability of tracking many objects simultaneously, and thus removed one of the Zeus defects. Second, a very high-performance, short-range-interceptor missile, the Sprint, was introduced. It was smaller, cheaper, and had much higher acceleration than Zeus, and thus could afford to wait until reentry of the targets before being committed to fire. Atmospheric filtering was now feasible and the remaining targets could be attacked with the high firepower Sprints.

The old Zeus interceptor was retained in the system for long-range attacks on simple targets. We now had two interceptors—the Zeus and the Sprint.

The Nike X development, initiated in 1963, was thus much more effective than the old Zeus system. It must be noted, however, that it was essentially a "terminal defense" system. The Sprint could only defend cities or selected sites. Hence, since it is obviously impractical to deploy terminal defenses at every small city or village in the United States, it was subject to bypass attack. An enemy could always target the undefended cities and obtain high casualties. This option was available even to unsophisticated opponents. The sophisticated opponent, by concentrating his firepower, could overwhelm the defense at any selected defended site. The value of ballistic missile defense was therefore questioned.

The next important development in defense effectiveness came with the introduction of "area defense" in the period 1964–65. I would like to define the term "area defense."

The detection sensor is the perimeter acquisition radar (PAR) which detects ballistic missiles at long ranges. The PAR radar tracks the incoming missile and predicts its future path. To intercept the incoming missile, we employ the Spartan missile which is a long-range interceptor developed from the old Nike-Zeus. Once the PAR radar has predicted the future path of the missile a Spartan missile is fired so as to intercept it. This interceptor intercepts the incoming missile well above the atmosphere. Because of its long range the Spartan can intercept incoming missiles directed at targets several hundred miles from the Spartan battery location. The Spartan missile is guided by a missile site radar (MSR) which is associated with each battery.

With the introduction of Spartan, the Zeus interceptor was no longer required—in effect, the Spartan replaced the Zeus.

Comparatively few Spartan batteries can defend the whole United States from simple attacks.

You will note I said "simple attacks." It is still possible for a sophisticated opponent to confuse the defense and make the firepower demands on Spartan too high. In this case, terminal defense Sprints must be relied upon if we are to furnish a defense. The Spartan thus functions in two ways. It can provide a very effective defense over extended areas against simple threats. Against not so simple threats, it provides a defense in depth and is complementary to Sprint. In any case it forces the enemy, if he wishes to penetrate, to pay the price demanded by a sophisticated penetration aids program.

You will note that I have described a flexible set of building blocks consisting of PAR and MSR radars and two types of interceptor missiles, Spartan and Sprint. We also have a very large, sophisticated radar called TACMAR, designed specifically against sophisticated attacks. They can be put together in various ways to provide varying levels of defense against different threats.

For example, if we wished to defend the United States against a large Soviet attack, we would provide an overlay of an area defense such as I have described. As I mentioned earlier, however, it would be necessary to depend primarily on terminal Sprint defense, including TACMARs, at selected cities. A selected city defense (including the area component) would cost about $10 or $20 billion depending on the number of cities defended.

As a matter of technical judgment, I believe that these larger deployments carry with them technical risks. The likelihood of large and sophisticated attacks with the deployment of significant U.S. defenses increases the technical uncertainty of the defensive system. Even with an ABM deployment we would have to expect that in an all-out exchange, dozens of their warheads would likely explode in our cities.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. I congratulate the Senator for his remarks today, for the following reasons: First, he is not accepting as sacrosanct a decision which has been taken by alleged authorities in the executive branch. One of the most significant developments in recent months here in the Senate, in my judgment is that we are no longer willing to accept blindly even what the Senate Committee on Armed Services brings in with respect to fundamental issues of national security. This is a big step forward. There is too much involved, in peace, security, and competing financial considerations, to justify any continuance of what was almost a tradition of accepting anything proposed by the administration and approved by the Armed Services Committee.

Second, the Senator is taking nothing for granted. It appears to many of us that the "thin" ABM was agreed to give partial satisfaction to those power elements of the Military Establishment—and their champions in Congress and elsewhere—who wanted a full scale heavy ABM system directed against the U.S.S.R.

Next, he challenges some of the intelligence assumptions upon which all of this is based. As the Senator has said, our intelligence experts have changed some of their own earlier estimates. He points out the danger of being leapfrogged technologically on an important and costly security system which, once launched, we might have to continue for a long time, without being able to change direction or take full advantage of subsequent technological breakthroughs.

It was well for our colleague to have dealt with this subject as thoughtfully as he has today. I shall study his suggestions concerning appropriations cuts on deployment items with a view to seeing whether I can join with him in his proposed amendments. I appreciate his having laid it out to stimulate my thinking and, I hope, the thinking of other Senators.

Mr. COOPER. I thank the Senator. It was my purpose to present my views that I arrived at on the basis of the study I have been able to make. I know the intellectual powers and the judgment with which the Senator from New York will study this matter. Whatever conclusion he comes to I know will be based on judgment, reason, and facts, and not just on emotional feelings, as strongly as they appeal to all of us to want to do everything possible to protect the security of the United States. The question is, Will it protect the security of the United States?

The more I have read the testimony of those who have testified in favor of the system, the more I found that there are so many contradictions. All the proponents admit that the installation of the system will lead to a greater pressure to produce more defensive weapons which can cope with any system which could be installed.

Mr. JAVITS. I thank the Senator.

Mr. CASE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE. I, too, commend the Senator and, in my case, join with him at least as far as he has reached his own determination in opposition to the antiballistic missile system, both the large system which is not being immediately projected and the so-called thin system.

It seems to me the Senator has pointed out many things that needed to be said, and he has correctly posed the issue as this: Will what is proposed add to or lessen the security of the United States? Will it increase or decrease the possible destruction of human life?

In this connection I would put to the Senator a specific argument by, I think, the chairman of the Joint Chiefs of Staff in some testimony I have read or heard, to the general effect that an antiballistic missile system might save the lives of some 30 million to 60 million Americans, and would it not be worth putting into effect for that reason, even if hundreds of millions of people were killed? This is not a precise statement of the argument, but it is the substance of it.

There is, I know, in the Senator's mind, a very specific answer to this argument. He has answered it already, in fact, in the way he has made his statement, but I wonder if he would comment on that specific point.

Mr. COOPER. I did not discuss in detail, in the limited time I had, every phase of the system and the arguments for it and the arguments against it. For that reason, I had said I would place in the Record the testimony of former Secretary McNamara on this subject. It is not too long. It gives very concisely the facts as far as we understand them on the question which the Senator has raised. It is one which we have discussed, and one which has bothered me and to which I have given much thought.

I think the testimony is clear that the installation of a heavy ABM system to try to meet a Soviet attack would do little to save human life, because, if the Soviet Union made a first strike, with or without an ABM system, millions and millions of our people would be destroyed.

I do not think it would have any effect at all upon the ABM system.

There is, however, a table in this testimony which deals with estimated U.S. fatalities from a possible Chinese first strike. It is stated that if seven or eight Chinese intercontinental ballistic missiles were launched against the United States, without a Sentinel system, 15 million American lives would be lost; and that with the Sentinel system, the loss of life might be held down to 1 million. That is, in my view, the strongest argument and the only argument for the installation of this system.

But against that, there is certainly some elementary reasoning. By 1974 or 1975, when the Chinese might be able to fire seven or eight intercontinental ballistic missiles at the United States, knowing that the United States has today 1,710 missiles and, of course, will be producing more; and realizing the effectiveness of those missiles, which number will be tripled or, perhaps multiplied by 10, when MIRV is introduced.

I do not know how irresponsible we think the Chinese are; but it would be hard for me to believe that they would fire 10 missiles at the United States, knowing they would as a result be literally wiped off the face of the earth.

Then, if we have installed this ABM system, and the Soviet Union begins to worry about our installation of the system, it would, in turn, of course, install one. We would then respond and install a heavier one, and nothing would be accomplished as far as our protection against the Soviet Union or their protection against us is concerned, except a multiplication of arms.

Mr. CASE. And the point, of course, as the Senator has just pointed out, is that the risk of the loss of life will be much greater, in total, because we will not be dealing with a static situation, one which we can keep within our control, which will stop developing when we build our light system.

Therefore, it is not only a question of possibly saving 15 million American lives, or whatever the number from a Chinese first strike, but of the danger to 200 million Americans and hundreds of millions of others in other countries, which will be so much greater from the accelerated development in numbers and types of missiles all over the world, and particularly vis-a-vis the Soviet Union.

Mr. COOPER. I think so. There again, I refer to Secretary McNamara, who was speaking to the committee upon the basis of hard intelligence.

He admitted that after this so-called thin system is installed, one which he believed would be sufficient or effective in the middle 1970's, then the Chinese could improve their intercontintental ballistic missiles, and then the United States would have to extend its thin system and make it a heavier system even to keep up with the growing destructive capabilities of the Chinese. Of course, that would inexorably move into the complete system which it is said by some would protect us against a Soviet attack.

Mr. CASE. One further question, if the Senator will yield.

Mr. COOPER. Yes.

Mr. CASE. Is it not the Senator's understanding, as it is mine, that the top scientific advisers to the executive department for the last several administrations have unanimously agreed in advising against the deployment of either a full or a light antiballistic missile system?

Mr. COOPER. I have been so informed, and I have heard at least one of those advisers say that all those who had been the principal scientific advisers of President Eisenhower, President Kennedy, and President Johnson had advised against taking this step of deploying an antiballistic missile system. I am sure that is the Senator's information also.

Mr. CASE. That has been my experience also. In fact, two of them have spoken to me in those terms.

I thank the Senator from Kentucky. I commend him for his statement, and wholeheartedly join him in it.

Mr. COOPER. Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, during the past few days we have been hearing an increasing number of rumors about the methods that would be employed by the President to effect a $6 billion reduction in the fiscal year 1969 budget. This reduction is the required trade off that the Congress imposed last month in return for enacting legislation to authorize a 10-percent surtax.

Recently, I heard from a good authority that there is an unannounced administrative policy decision to take the bulk of the $6 billion cut out of expenditures for defense. Moreover, it is well known that military authorities in the Pentagon are now reviewing their requirements in an effort to reduce the budget. In this regard, it has come to my attention that large hardware items are particularly vulnerable for reduction, and that the Army's Sentinel project—the "thin" ABM defense—is a certain target.

In that connection, today's issue of the Washington Post carries a column by Evans and Novak entitled "ABM Project Due To Bear Brunt of Cuts, Sparing Great Society." We are all familiar with the administration's policy of "leaking" news on controversial subjects to the newspapers as trial balloons to sample public opinion. This is an apparent case, and I think that it is important to flush the issue out of the conjecture stage and into the open for a clear scrutiny.

I ask unanimous consent to have printed in the Record the article entitled "ABM Project Due To Bear Brunt of Cuts, Sparing Great Society," written by Rowland Evans and Robert Novak, and published in the Washington Post of June 13, 1968.

There being no objection, the article was ordered to be printed in the Record, as follows:

ABM Project Due To Bear Brunt of Cuts, Sparing Great Society

(By Rowland Evans and Robert Novak)

A still undisclosed scheme to eliminate all new money for the embryonic anti-ballistic missile (ABM) system is the first dramatic step of President Johnson's grand strategy for complying with congressional economy strictures without cutting into Great Society spending.

The opening wedge of that strategy is an amendment to the Defense Appropriations bill that Sen. Philip A. Hart of Michigan plans to offer, eliminating the entire $1.2-billion appropriation for the ABM Sentinel project. That would result in an estimated half-billion-dollar cut in spending for the new fiscal year (starting July 1).

What makes this a significant move in the tortuous game of budget-cutting between Congress and the White House is the origin of the ABM ripper amendment. It was scarcely Phil Hart's own idea. Rather, the White House asked Hart, a dependable Administration wheelhorse, to put in the amendment when the defense money bill reaches the Senate floor in late June.

Moreover, the President's effective postponement of the Sentinel ABM program is but one part of his undeclared policy to take the bulk of the 6-billion reduction in expenditures out of defense. Because of this decision, word has been passing in the highest levels of the Administration that Great Society and other social welfare programs will not be further reduced to make up the $6 billion.

From the moment that Mr. Johnson announced on June 1 that he would most reluctantly accept the congressional mandate for $6 billion in spending cuts to get $10 billion in higher taxes, his top budgetary experts have been looking around for ways to insulate the Great Society. Examining and discarding numerous gimmicks to circumvent the congressional edict, they glumly decided that the congressional order to cut $6 billion was ironclad.

From that conclusion flowed the unannounced policy decision to cut into an already pared-down Pentagon budget to satisfy congressional demands.

Of the $4 billion in spending reductions that the President originally insisted would be the maximum he would accept, $2 billion was to have come out of the Pentagon—a figure, it was then said, that could go no higher. Now, however, the defense cut will be at least $3 billion and possibly more. The rest of the spending cut will come out of foreign aid, space, and other non-social welfare items, according to present plans.

Consequently, Pentagon staffers have been working overtime in recent days to find additional sources for reducing their budget. There are not many. For instance, a further reduction of U.S. troops in Europe, while winning hurrahs on Capitol Hill, wouldn't make much impact on the current spending budget.

That leaves big hardware items: the manned orbiting laboratory and, more important, the Sentinel project, which always has had more than its share of enemies inside the Pentagon. But Mr. Johnson did not wait for the Pentagon's considered judgment. Instead, he decided on the Hart ploy.

Hart tried to keep his proposal a secret, at least until the Senate Appropriations Committee finished work on the defense money bill—perhaps today. Whether he then planned to surface it overtly as a White House proposal or to disguise it as his own, is not known.

In any event, Hart and the White House have one hard argument on their side: The Chinese intercontinental missile, which the Sentinel is supposed to guard against, is now some nine months overdue.

Furthermore, all the elements of political gamesmanship will be on Mr. Johnson's side. He will be asking the economy-minded Congress to cut an item put into the budget partly because of pressure from conservatives in the House. If Congress refused, he could still impound the funds and point to congressional refusal to cut spending when it really counted.

Nor is there much of a popular constituency today lobbying for anti-missile systems, whatever their importance to the country's survival may be. The pressure, rather, is for no further cuts in Great Society spending, and that is what Mr. Johnson also is bent on avoiding.

Mr. THURMOND. Mr. President, my colleagues will note that the Evans and Novak article predicts that an amendment eliminating the entire $1.2 billion for the Sentinel antiballistic missile project will be introduced. Today the distinguished Senator from Kentucky has stated that he expected to offer such an amendment. I have also heard it rumored that the distinguished Senator from Michigan [Mr. Hart] might offer such an amendment. This possibility reminds me of Senate action taken on April 18 when S. 3293—appropriations for procurement of missiles, aircraft, naval vessels, tracked combat vehicles, and research and development—was acted upon. My colleagues will remember two separate attempts to block work on the Sentinel system.

The first attempt was an amendment to drop $342.7 million for the Sentinel from the Army's procurement funds. This was rejected by a 17-to-41 rollcall vote. The second attempt was an amendment to prohibit deployment of an ABM system until the Secretary of Defense certified that it was practicable and that its cost was known with reasonable accuracy. This amendment was defeated by a very close vote of 28 to 31.

It is apparent from the action of last April, that many of my colleagues were, at that time, ready to delay the deployment of the Sentinel system sacrificing the prompt installation of this sorely needed vital defense system on the altar of economy. In my opinion, the climate of protest now so evident in the Nation's Capital might serve to influence even more Senators to vote against the ABM when the defense appropriations bill comes up for approval. In an effort to emphasize the importance of the Sentinel system, and to forestall any precipitous action that might result in an impetus wave of economy, I should like to discuss the need for ABM defense of this country in some detail.

The U.S. ABM system has been under development for more than 10 years. It was only through the pressure of the Congress that the administration finally dropped the foot-dragging policy that had caused delay after delay in the authorization of the deployment of the antiballistic missile defense system. Senators will recall this long and tortuous fight from the following summary:

Mid-1950's. Each year Congress provided funds for ABM research and development. By 1967, a total of $2.8 billion had been spent on Nike-Zeus and Nike-X.

1963. In the first secret session of the Senate since World War II, Senators were briefed on our strategic posture and were warned that the Soviets had a prototype ABM system. The Senate Armed Services Committee added an amendment to the annual procurement bill, authorizing appropriation of $196 million to begin procurement of ABM parts. At the instigation of the administration, this amendment was struck on a rollcall vote—58 to 16.

1966. At the insistence of the Senate Armed Services Committee, Congress approved $167.9 million for ABM procurement. Secretary McNamara had not asked for these funds and did not use them.

November 10, 1966. McNamara announced that the Soviets had begun deployment of an ABM system around Moscow.

January 1967. President Johnson stated that no deployment of a U.S. ABM system would be made until completion of the arms control negotiations with Russia. Secretary McNamara's military posture report to the Congress contained a lengthy argument against deployment of a complete, Russian-oriented ABM system. He stated that it would be wasteful and ineffective, and it would disturb the strategic balance. Two days later, Gen. Earle Wheeler, Chairman of the Joint Chiefs of Staff, disagreed with the Secretary of Defense, and recommended "a measure of defense" for the country.

1967. Congress approved the following amounts for the fiscal year 1968 military budget:

[In millions]

ABM procurement	$297.6
ABM R and D	421.3
ABM construction	64.0

June 17, 1967. Red China detonated its first hydrogen bomb. Public pressure for immediate installation of ABM defense mounted.

September 18, 1967. Secretary McNamara announced the decision to deploy a "thin" ABM defense system—the Sentinel—oriented against the Communist Chinese threat that would exist by the mid-1970's. He justified this step on the grounds that the Chinese might "miscalculate," but failed to admit that the most dangerous threat to our security would be a similar miscalculation by the Soviet Union.

At this point, Mr. President, I should like to document the history of ABM development by placing in the Record a speech given by Dr. Finn Larsen, Principal Deputy Director, Defense Research and Engineering, Department of Defense, at Millsaps College, Jackson, Miss., on January 10, 1968. I ask unanimous consent that this address, entitled "The Deployment of Nike Sentinel," be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Deployment of Nike-Sentinel

(Address by Dr. Finn Larsen)

On September 18 the Secretary of Defense announced that a decision had been made to deploy throughout the United States an Anti-Ballistic Missile System. In light of the interest that this decision has engendered I welcome the opportunity to speak to you on this subject.

The original need to provide a defense against ballistic missiles came in the 1940's with the introduction of the German V–2 short-range ballistic rocket, and the experience subsequent to World War II with this class of weapon confirmed the importance of a defense. By the middle 50's the potential threat to the United States had become serious because of the extension of missile ranges to intercontinental distances. The threat presented by the ICBM is unique because of the ICBM's speed and thermonuclear warhead. Traveling at four miles a second, an ICBM can reach this country in 30 minutes compared to the hours previously required by enemy bombers. For almost a decade the ICBM was considered by many to be a weapon against which defense was impossible.

Every ABM system we have ever seriously considered for deployment involves the use of radars to detect and track the incoming targets, and the use of these same or different radars to guide ground-to-air interceptor missiles in the vicinity of the targets. At the point of nearest approach to the ICBM, a command from the ground causes the intercepting warhead to detonate and destroy the target. It is clear that such a defense system does not provide a shield which makes a nation impervious to attack, since the interceptors can many times be outnumbered—provided always that the enemy is willing to pay the price of decreased fatalities or increased cost to his offensive effort.

In reviewing the history of ballistic missile defense over the past ten years, it seems there has always been controversy over its value or lack of that value. Of course, if the anti-missile defense had been an invulnerable shield, there would have been no controversy, and we would have made a deployment decision long ago.

The first controversy arose around the question "could a bullet hit a bullet?" This phase passed, first when calculations showed the feasibility of such an intercept and later and most definitely when successful intercepts of actual ICBM targets fired from Vandenberg AFB were accomplished by the old Nike Zeus system in 1962–63. We had 10 out of 14 successful intercepts.

About the time this "simple" problem was solved, it was realized that the offense would replace the relatively easy-to-intercept single warhead with clouds of objects, or take other deceptive measures. Examples of these objects were decoys designed to look like warheads to the radar, and chaff designed to conceal the warhead in a cloud of radar-reflecting objects. Against these more sophisticated targets it was necessary to discriminate among them to know which objects were incoming warheads. Therefore many objects had to be tracked and observed simultaneously. If high altitude discrimination was unsuccessful, it was necessary for the defense to wait for the targets to reenter the atmosphere and to rely on slow-down or burn-up of the lighter objects before the discrimination could be accomplished.

The old Nike-Zeus system, when confronted with these more sophisticated targets, had two major defects. One was that it used, what are now considered to be old-fashioned, mechanical radars, which had to be mechanically slewed or pointed at each target in turn—a matter of seconds. A radar for each target was almost a necessity. The second defect was that the Zeus missile launching could not be delayed until atmospheric reentry of the targets took place, because it accelerated too slowly to possibly reach its incoming target in time. Hence discrimination could not be aided by atmospheric filtering.

At about the time these defects were recognized, three developments were reaching the point where their application might overcome shortcomings in the Zeus system. First, by the early 1960's phased array radar technology, with its instantaneous electronic beam steering, was demonstrating that it could overcome the low traffic handling capacity of the mechanically slewed radars. One radar could now track hundreds of objects in space simultaneously. Second, new, large computers provided vastly improved data processing technology which enable an ABM system to handle the increased information provided by the improved radars. And, lastly, a small, very high acceleration missile was conceived which, because of its speed, need not be launched until enemy objects had penetrated the atmosphere and the atmosphere had filtered the heavy objects, like warheads, from the lighter objects such as decoys, chaff, etc. This new missile was named SPRINT, and the new concept was called Nike-X. In January of 1963 the Secretary of Defense directed the Army to pursue Nike-X as its highest priority development effort.

In spite of these quite significant developments, it was not yet time to deploy an ABM system, for at best what we had was a terminal defense, one which could only defend the city or installation near which it was deployed. It was not until the introduction of a long range missile called Spartan that an area defense became possible. With a high yield warhead and the ability to reach hundreds of miles into space, Spartan missiles may be deployed at relatively few (15–20) locations in the United States and still protect the entire country. With the addition of the Spartan, we had all the ingredients necessary to assemble an effective defense against a limited ballistic missile threat: PARs (Perimeter Acquisition Radars) to provide long range acquisition and tracking of the threat cloud and perform simple discrimination functions; MSRs (Missile Site Radars) to track targets, track and guide defensive missiles, and provide limited surveillance and discrimination; long range Spartan missiles to attack the threat cloud outside the atmosphere; short range Sprint missiles to attack the enemy warhead within the atmosphere; and the data processing technology required to tie the hardware together into an effective system.

I stated that these ingredients could provide a defense against a "limited ballistic missile threat." This phrase needs explanation. To explain requires that we examine our offensive capability, for the military planner must consider the offensive and defensive capabilities together. An increase or decrease in one invariably permits or requires a variation in the other, the sum of which may result in a reaction from a potential enemy such that the threat picture changes—and the planner must start over again.

The cornerstone of our strategic policy is to deter deliberate nuclear attack upon the United States, or its allies, by maintaining a highly reliable ability to inflict an unacceptable degree of damage upon an aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after absorbing a surprise first strike

We call this our "assured destruction capability," and it will remain such as long as we maintain both the equipment (missiles, bombers, submarines, etc.) and the *will* to use it. This latter, of course, determines the credibility of our assured destruction without which we become a strategic "paper tiger."

Let us take a look at our strategic posture vis-a-vis that of the second most powerful nation on the earth today, the Soviet Union. Our forces are immense: 1000 Minuteman missiles; 656 missile launchers carried aboard Polaris submarines; and about 600 long-range bombers, approximately 40% of which are always on alert. Our alert forces alone carry more than 2200 weapons, averaging more than one megaton each, and only 400 one-megaton weapons are sufficient to destroy over one-third of the population of the Soviet Union and one-half her industry. These forces are more than those required to absorb a surprise attack by the Soviet Union and still inflict damage on the Soviet Union such that she is no longer viable in any meaningful twentieth-century sense. That ability is called "second strike" capability.

What are the relative Soviet situations? They are in essentially the same position. Although we have a substantial nuclear superiority over the Soviet Union, by a factor of about four to one, they also possess a "second strike" capability for precisely the same reason that we possess one. The result is that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation. Surely, this is the strongest possible motive for each to avoid a nuclear war.

What then might be the effect on this "balance" of deploying an ABM system by either protagonist? At current prices and with today's state-of-the-art, it costs approximately the same in money and other resources for the offense to re-establish the balance as it costs the defender to install his ABM system. Either can do this by one of several means: increase the number of bombers and missiles, provide them with penetration aids, increase the hardness of ICBM silos, disperse the silos, or improve the mobility of nuclear forces, to cite but a few. The net result would be that both protagonists would spend a great deal of money without improving their relative positions. In this fashion the Soviet Union and the United States influence one another's strategic plans. It is this action-reaction phenomenon that can initiate an arms race.

Were it technically feasible to develop an impenetrable ABM system, the foregoing would no longer be true; but the inescapable fact is that no ABM system in the foreseeable future will prove 100% effective against a determined, sophisticated attack. For these reasons this nation has decided against deploying an ABM system to counter the Soviet nuclear threat. We have chosen, rather, to propose a strategic arms-limitation agreement. I am sure you will agree that both nations—the world, in fact—would benefit from such agreement, first to limit, then reduce, strategic nuclear forces. I think we may be confident that, if agreement is not possible, both the United States and the Soviet Union, will maintain their assured destruction capabilities.

We have, however, announced a decision to deploy an ABM system and, at the same time stated that we cannot protect our cities from a Soviet ballistic missile attack. What is the purpose of our light ABM system called Sentinel? The primary objective is that of achieving protection against nuclear capability of Communist China. China detonated a nuclear device in October 1964 and has since detonated six more. We have evidence that they are devoting substantial resources to the development of missile delivery systems. It is likely they will have an initial ICBM capability in the early 1970's and a modest force in being in the mid-1970's. These weapons will be crude, similar to our first ICBM's.

Further, the Chinese-oriented ABM depolyment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack, which means that at modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force.

We cannot be sure why the Red Chinese wish to develop an ICBM system but the development may be for two reasons: the international prestige that goes with the possession of a nuclear capability and, more importantly to provide a basis for threatening her neighbors. Of course, this is only conjecture since, although we have some ability to monitor China's development effort from the technological point of view, it is impossible for us to determine the intent behind their effort. The Communist Chinese effort has been followed for several years and we waited as long as was prudent before deciding to deploy our Sentinel system. The determining factors were the lead times involved. We estimated as accurately as possible the date the Chinese would have an operational ICBM, and then backed off from that date the time it would take to have our Sentinel system in operation. By placing Sentinel in production early this year, the operational dates will coincide.

You may wonder why we deploy an ABM system to counter the Red Chinese threat when we discarded it as a rational course of action with respect to the Soviet Union. The answer is that only the passage of time will provide us with proof of Chinese intent, and military planners must be conservative, and secondly, we can provide an effective defense against any Chinese attack possible in the 1970's.

The United States now possesses and will continue to possess for as far as we can see into the future an overwhelming strategic superiority over Communist China, and the Chinese know that fact. However, it is conceivable that Chinese leaders at some future time might risk destruction by attempting nuclear blackmail against the United States in order to gain concessions, perhaps in Southeast Asia. If we had no defense, they might gamble that we would never accept the destruction of one of our cities in exchange for concessions so far removed geographically.

Although we know that the Chinese Communist leaders understand the devastation which the use of nuclear weapons by China could bring home to the Chinese mainland, we have no reason to believe that they will be any less cautious than the leaders of other nations with nuclear weapons, hostile action by Red China is not totally inconceivable. We can deploy, for a cost we can well afford (approximately 5 billion dollars), an ABM system which, against the Chinese threat, will remain effective with foreseeable improvements at least until the 1980's. We have decided to deploy that system.

Moreover there are other benefits to be derived from the deployment of Sentinel. By deterring Communist China from nuclear blackmail, we hope to discourage nuclear weapon proliferation among the present non-nuclear nations of Asia. A second benefit I have already mentioned—the option of providing additional protection of our Minuteman sites, even against a Soviet attack, which will improve our assured destruction capability. And, lastly, Sentinel is reliable enough to add protection for our population in the unlikely event of an accidental launch of an ICBM by any power.

The deployment of a system such as Sentinel can lead to mistaken attitudes about our military posture. One possible attitude is an inclination to treat Sentinel as a cure for all our military problems. This should certainly not be the case. Sentinel provides a defense against a narrow portion of a very broad threat spectrum, and then only in a unique set of circumstances. It is a strategic nuclear weapon and, by no means, can Sentinel serve as a substitute for conventional forces to deal with the far more likely type of threat to the security of the free world. In cautioning against this danger last fall when he announced the decision to deploy Sentinel, Secretary McNamara noted that "The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That . . . would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side."

A second potential danger stems from the possibility of forgetting the purpose for which Sentinel has been designed: to counter an emerging Communist Chinese threat. It will be quite easy to fall into this trap with a system such as Sentinel because it consists of a flexible set of building blocks—the two types of radars and two types of interceptor missiles—which can be assembled in various combinations and numbers of provide varying levels of defense against different related threats. Now that we have a system that will work, there will be pressure to expand Sentinel, by adding more and more radars and missiles, into a heavy Soviet-oriented ABM system.

This we must not do. I remind you of the action-reaction phenomenon. It can only result in a great deal of expenditure by both the United States and the Soviet Union with, in the final analysis, no improvement in the relative strategic position of either.

There is a third dangerous concept which is of particular interest to me in my position as Deputy Director for Defense, Research and Engineering and that is the danger of thinking that we can allow a relaxation in research and development in the broad field of defense against ballistic missiles because we are about to deploy an operational system. To date this nation has spent approximately four billion dollars on ABM Research and Development. Our current level of effort runs to approximately one-half billion dollars a year in R & D alone. We intend to maintain this level of effort. We cannot afford the luxury of imagining that we have reached some sort of ABM technological plateau. We cannot afford to become complacent—I believe we will never develop an impenetrable ABM shield regardless of the sophistication of the attack and the dedication of the attacker; or, and vitally important, until we can reach an enforceable agreement with the rest of the community of nations to outlaw nuclear weapons entirely.

I have talked about the history of ballistic missile defense and the rationale behind the decision to deploy Sentinel. I would like to address a few points frequently raised by the detractors, the people who feel we should not deploy the Sentinel. Their reasons are nunumerous, for example some believe that the system is either too expensive in terms of the benefit to be derived; others that the interceptor warheads exploding overhead will cause casualties; still others, that the system is provocative to the Russians, for example.

One question frequently asked is: "How do you know if the system will work, since there's no way to test it without violating the ban on atmospheric nuclear testing?" The warheads for both the Spartan and Sprint missiles can be tested quite adequately underground. It is not necessary that they be tested in or above the atmosphere. The remainder of the system will be tested at Kawjalein Atoll in the Pacific where sites are under construction and where we have been conducting similar missile and radar tests for research and development purposes for some years.

The claim has been made that our own population will suffer casualties from the Spartan and Sprint warheads detonated overhead. There are three effects to consider: Flash, blast and radioactivity. When the warhead explodes there will be a bright flash of light. Most of the population underneath would scarcely notice it. If anyone were looking in that part of the sky, there is a possibility that the flash could temporarily blind him, but there would be no serious aftereffects.

Because the high yield bursts take place above the atmosphere, there would be little or no blast. The effect would be like a sonic boom.

There would be no significant fallout from the radiation emitted at the time of the explosion. If dozens of defensive bursts occurred, they would deposit radioactivity in the atmosphere. There would be no harmful short term effect and the long term effect would be negligible—very similar to that experienced from our test series in 1962.

Although the Sprint warhead would explode in atmosphere, it would not cause ground damage because of its low yield.

Another point that arises from time to time is whether we *really* expect the Soviets to believe that the Sentinel system is not aimed at them, and if they do not believe it, is it not an escalatory move on our part? Frankly this is difficult to assess. We have no positive assurance that they believe the system is designed to protect us against Chinese missiles. We hope that they believe us and we are counting on their sophisticated knowledge and their years of experience in the field. It should be quite obvious to the Soviets from the technical design of the system and the deployment plans that will be made public that the system is Communist Chinese-oriented and not Soviet-oriented.

A question that may have been raised in your minds is: "If Red China continues to progress at her current rate in strategic weaponry, how effective will Sentinel be in the 1980's and later?" First, let me say that we will have maintained our superiority through that or any time period. Nevertheless, the point is a good one because the technical gap will have narrowed. As the Chinese Communists improve their technology and increase their forces in number, we may expect them to have developed their own "second strike" capability; and the dangerous period of possible irrationality will have passed. The result then may be a U.S.-Chinese impasse similar to that existing today between ourselves and the Soviet Union.

In closing, I would like to make two significant points. First is that we in the Department of Defense earnestly believe that an enforceable strategic arms-limitation agreement is a desirable first step toward the eventual abolition of nuclear weapons. To quote Secretary McNamara: "What the world requires in its 22d year of the Atomic Age is not a new race toward armament.

"What the world requires in its 22d year of the Atomic Age is a new race toward reasonableness."

Secondly, the decision to deploy the Communist Chinese-oriented Sentinel system is not another lap in the race toward armament, but rather a protective umbrella which enables us to get on with the race toward reasonableness.

Mr. THURMOND. Mr. President, while Doctor Larsen's historical account of the development of the Sentinel system is very good, I am not in agreement with some of his philosophy concerning Soviet and Red Chinese reactions to its installation.

An excellent refutation of the philosophy that antimissile systems spur the arms race appeared in a feature article of the November 1967 issue of Air Force magazine. The article entitled "The Case for the Defense," was written by Mr. J. S. Butz, technical editor of Air Force. He pointed out that, whether we like it or not, both offensive and defensive technologies are advancing. Mr. Butz warned that we should not be trapped in an "all-offense" posture and that the path to security required a technologically advanced, balanced offensive-defensive posture.

Mr. President, I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Case for the Defense

(By J. S. Butz, Jr.)

The proposal by Secretary of Defense Robert S. McNamara that the U.S. produce and deploy a so-called "thin" antiballistic missile (ABM) defense system has provoked a crossfire of pro and anti arguments. Very little of the discussion has succeeded in hitting the real target, which is the proper relationship between strategic offensive and defensive capabilities in a U.S. strategy that aims at deterring all-out nuclear war under conditions favorable to U.S. interests.

No military problem has ever captured the attention of the United States—and the world—as has the problem of defending against nuclear missiles. The Vietnamese War has been a strong diversion, but there is much evidence that more people are concerned about the consequences of nuclear war than about any other problem mankind has ever faced.

Sadly, the potential threat is far better understood than are the alternatives, either for removing the threat or for living with it. Part of the problem is that nuclear strategy discussions tend to become complicated. Partly this is due, in Mr. McNamara's words, to the "psychologically unpleasant" aspect of the problem. People simply don't like to think about the "unthinkable." But mostly the lack of understanding stems from the fact that only bits and pieces of the range of alternatives in nuclear strategy are debated publicly.

After reviewing the commentary triggered by the action on a thin defense, one can only conclude that the public is ill-informed on several vital strategic factors. The extent of misinformation is serious. It is almost totally blocking public awareness of what lies ahead for the United States in the next twenty years.

For example: It is widely argued that installing any kind of a U.S. ballistic missile defense system—thin or thick—will generate a new arms race. Unfortunately, the opinion has become so widespread that there is a solid scientist/civilian administrator front holding the line against a missile defense on the grounds that it would lead to a new arms race. The adversary is pictured, not as the Soviet Union or Red China, but as a mythical and ill-defined U.S. "military-industrial complex."

The truth is that the United States and the Soviet Union have long been heavily engaged in the most rapid, expensive, and potentially most dangerous arms race in recorded history. Somehow, as the accusations fly over the "illogic" of the ABM, this central fact of our time is ignored.

Nothing short of an agreement on total disarmament can stop this race. It will churn on even if defensive missiles are never emplaced, even if the nuclear proliferation treaty is signed tomorrow. Nothing being done today by our government, the Soviet government, or any other government can head off this race.

The race centers on offensive weaponry, and it is being forced by the apparently unstemmable revolution in science and technology that is making every weapon obsolete before it can be deployed. There is no secret about the pace that technology is forcing. Long-range missiles have been operational for only ten years; yet the first generation (Atlas and Titan) has been retired, the second generation (Minuteman I, II, and Polaris) is in service, development is well under way on the third generation (Minuteman III and Poseidon), and the fourth generation is well in the planning stage.

Officially, the need for most current improvements in these offensive systems is laid at the door of the Russians with their development of a missile defense. Somehow the idea has spread that our current offensive missiles in their silos and submarines are going to last a long time if the status quo can be maintained.

Two developments in offensive technology negate this idea. Massive changes in pace and direction must soon be made. The existing systems must be replaced almost entirely in the next decade if the U.S. strategic missile forces are to remain safe.

The first development is a three-way combination of guidance and mapping improvements and development of the cluster or multiple warhead. Satellite mapping has made it possible for the first time to locate targets with an accuracy of a few hundred yards. Today's guidance systems almost match this precision, while ten years ago they had an error of more than one mile after a flight of 5,000 miles. With current accuracy a small nuclear weapon can be used to knock out a missile buried in a hardened silo. When a series of such weapons is clustered in a single missile, it becomes possible for a relatively small offensive force to destroy large numbers of hardened missiles. Since Soviet ICBMs have heavy payloads, they stand to reap big benefits from this technology.

The eventual development of this situation comes as no surprise to the technical and military communities. Dr. Ralph Lapp warned in congressional testimony in 1960 that hard-target accuracy was inevitable. By 1962, scientists predicted in the open literature that such a capability would be here before the end of this decade.

The counteraction for improvements in guidance accuracy also have been discussed for years. One either builds harder silos, installs defensive missiles to protect the silos, or moves the offensive missiles out onto mobile carriers. The Air Force has asked that the fourth generation of ICBMs be mobile and has explained its requests to DoD and the Congress.

Satellite reconnaissance is the second technical development that will force multibillion dollar changes in offensive systems. It has been established through high-altitude aircraft experiments, as well as satellite flights, that several instruments operating simultaneously in the visible, infrared, and radio portions of the electromagnetic spectrum can show variations in the surface radiation patterns of land and sea well enough to reveal a great deal of what is going on underneath.

For example, certain underground rivers and tunnels can be spotted, and large bodies, such as schools of fish or submarines, can be "seen" under the water to a depth of more than 200 feet.

When this equipment reaches operational use in satellites, and it undoubtedly will in the 1970s, much of the submarine's protection will be gone. The only answer will be to build a new fleet of undersea boats which can operate at greater depths than those of today.

CASE FOR THE DEFENSE

The cause of misunderstanding on nuclear war strategy and the relative merits of offensive and defensive weapons can be traced back to one point on which there seems to be universal agreement. This crucial fact is that no foolproof, airtight defense against missiles is possible with today's technology or with foreseeable technology.

Two basic lines of thought have grown out of this situation. One is that only a perfect defense is worthwhile in nuclear war, because even if only ten percent of the attacking warheads reach their targets they will wreak unacceptable devastation. According to this theory, it is most logical to put all resources in the offensive forces.

US nuclear policy has been built on this idea, and the objective, according to Mr. McNamara, has been to create an "actual assured destruction capability" that is "credible." That is, the US has built a force of offensive missiles so large there is no doubt it could withstand a first strike by any enemy, or combination of enemies, and still deliver such a blow to the aggressor that "his society is no longer viable in any meaningful, twentieth-century sense."

In this "all-offense" concept the only credible deterrence to nuclear aggression lies in the threat of an overwhelming counterattack. A US ABM is considered a destabilizing force because it degrades the enemy's offense to some extent and forces him to install more attack missiles. And in any arms race, to gain a nuclear advantage the offense is in the favorable position because ICBMs are cheaper than an improved defense.

Opposition to a ballistic missile defense over the years has been voiced by such scientific policy advisers as Doctors Killian, Kistiakowsky, Wiesner, Hornig, York, Brown, and Foster—men who have served in the top science posts in the DoD and White House. The theory has been that a missile defense is of no real importance against nuclear powers at any stage of development, China included. The fact that the Soviets started installation of a defense system more than a year ago also is of no consequence. This, the anti-anti school holds, is simply a costly Russian mistake. In this theory the only viable deterrent to the use of nuclear weapons is the threat of an overwhelming counterattack.

The ultimate objective of this policy is to work for and maintain a balanced nuclear deterrence between the great nuclear powers while seeking disarmament through negotiation.

A second nuclear strategy concept has developed which is in direct opposition to the one espoused by the United States until the decision last month to deploy a thin defense. In this second theory, missile defense has several beneficial roles, and it is a stabilizing rather than a destabilizing force.

The top US military authorities, a significant percentage of the US scientific community, and apparently the key men in the Soviet Union are exponents of this theory.

For the past two years, according to Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, the JCS has recommended unanimously that the US deploy a missile defense that is stronger than the thin system now proposed by the Administration but less dense than the so-called "thick" defense whose price-tag is $40 billion, spread over a ten-year period.

General Wheeler has been specific in presenting the reasons for the JCS view to the Congress. The Joint Chiefs fear that failure of the US to field an ABM will lead to Soviet and Allied belief that we are interested only in the offensive, that is, first strike, or that our technology is deficient, or that we will not pay to maintain strategic superiority. If the Russians are in sole possession of the ABM, it is considered possible that they may come to believe that their defense system coupled with a nuclear attack on the United States would limit damage to them to an acceptable level. While this acceptable damage level is an unknown, if it is ever reached our forces will no longer deter and the first principle of our security policy would be gone.

The JCS also believe that some form of ABM is needed to reduce the chances that a new nuclear power, such as China, could destroy several US cities at will with an unsophisticated missile force. Such a thin ABM also would provide a high probability that any missile launched by accident could be stopped.

Finally, the JCS believe that damage to US cities by a nuclear strike could be reduced in a meaningful way with an ABM system. General Wheeler, last February, stated that despite the mass destruction, "one nation will probably survive in a nuclear exchange. The thirty, forty, or fifty million American lives that could be saved by Nike-X, therefore, are meaningful, we believe, in every sense of the word."

Significant support for the JCS view exists in the US science community. All scientists do not accept the "all-offense" theory. In congressional hearings this year, Dr. Michael M. May, Director of the Lawrence Radiation Laboratory, strongly backed the deployment of an ABM. In an exchange with Sen. Joseph S. Clark (D.-Pa.), Dr. May said that from the standpoint of deterrence it might make sense to put available funds into the offense rather than build an ABM. But, he added, "let me take up the question of what if war actually occurs; what if deterrence fails? In that case, even an imperfectly effective ballistic missile [defense] system with shelters will certainly save some tens of millions of lives. . . ." Senator Clark replied, "So what you are saying is, instead of having fifty million Americans killed you have only ten million Americans killed. . . . To me this is just nonsense." Dr. May disagreed completely, saying, "Not to me."

Soviet opposition to the all-offense theory has been repeatedly voiced by Russian military writers. Maj. Gen. N. Talensky was typical in writing in 1964, "It is said that the . . . situation cannot be stable where both sides simultaneously strive for deterrence through rocket power and the creation of defensive antimissile systems. I cannot agree. . . . Powerful deterrent forces and an effective antimissile defense system, when taken together, substantially increase the stability of mutual deterrence."

A number of US sources also have reported strong Russian favor for the missile defense concept. Richard B. Foster, Director of the Strategic Studies Center at Stanford Research Institute, wrote in 1966 that "the favorable Soviet attitude toward BMD [ballistic missile defense] was evidenced at the last three Pugwash Conferences. When Western spokesmen attempted to persuade the Soviet delegates that there were good reasons to refrain from developing BMD, the USSR representatives at first failed to understand the arguments. At the third conference they informed the Western delegates that it was too late; the USSR was going ahead with its BMD program."

Professor Freeman J. Dyson, a nuclear weapons expert and student of the Soviets, has said that it is "totally naive to suppose that any Soviet leader could be persuaded to forgo 'defense' for the sake of preserving 'deterrence.' Attempts from our side to prespressure the Soviet government into abandoning deployment of ABMs would almost certainly backfire."

In view of such reports from outside the government, it is curious that insiders could convince themselves in November 1966 that the Russians could be talked into a ban on missile defenses, long after deployment of their BMD had begun. At any rate the talks failed and the US belatedly is following the Soviet lead.

To sum up, military men generally believe it is incorrect to put emphasis on casualties when the central objective is to avoid all casualties by deterring war. The aim should be to develop a war-winning capability with a balanced offensive/defensive force ready for combined operations that will minimize our damage while maximizing the enemy's. Possession of a combined force, war-winning capability is considered the best deterrence to enemy action. If the US went for the 100 percent offensive force, there is no way it could limit the damage inflicted by the enemy except by a first strike.

THE FUTURE OF THE ABM

Most commentators opposing the ABM have echoed Mr. McNamara and warned that the greatest danger in installing the thin system is that there will be a temptation to seek more protection and to expand it into a heavy defense. And, according to the Defense Secretary, this temptation will lead to a "senseless spiral upwards of nuclear arms," in which huge sums would be spent, with neither side buying more protection for its people and both running the risk of having more megatons of explosive strike its soil.

To anyone who questions the logic of the "all-offense" theory, there is a greater concern for the future. This worry involves the pace of technology and the major improvements in weapon systems that will be forced in the next decade. Defensive systems face innovations just as revolutionary as the ones previously described for offensive missiles.

Briefly, the two most important components in the ABM—the radar and the kill mechanism—apparently are in a period of accelerating improvement with no end in sight. The first major upgrading in radar was the ability to track hundreds of objects rather than a single warhead. The early Nike-Zeus radar was mechanically slewed and required seconds to look at each target. It proved many important technical points and knocked down ten out of fourteen ICBM warheads during 1962–1963 tests, but it was at a serious disadvantage against mass attacks with decoys supporting the warheads. This limitation was relieved with the Nike-X phased-array radar, which can sweep the entire sky with its electronically steered beams in microseconds. Future developments are aimed at higher frequency devices which will reduce the radar blackout time following the detonation of large nuclear weapons in the upper atmosphere. Another objective is to improve multispectral methods of sorting warheads from decoys.

Nuclear weapon development is in its most revolutionary period. For several years both the US and USSR have been working on pure fusion weapons, often called neutron or N-bombs. S. T. Cohen, of the RAND Corp., last June wrote of the fact that these weapons use nuclear processes which emit no radioactivity and shower forth neutrons of a "unique nature" with sufficiently high energy to permit "new domains of utilization." One of the practical results of this new technology is that designers can improve the capacity of nuclear weapons to stop ICBM warheads. Another effect of the new technology, according to Mr. Cohen, is that the cost of nuclear weapons will drop sharply.

Very large warheads also are being investigated for the ABM system because it was found that the original US scaling theory was inaccurate and that very large weapons probably produce 1,000 times more neutrons than was estimated a few years ago. As the effectiveness of the defensive warheads is increased, a system can approach the point where each defense weapon can take out more than one ICBM warhead.

One of the stickiest technical facts that must be faced in the next 10 years is that space operations can materially increase the effectiveness of an ABM system. The optimum vantage point for observing and tracking an ICBM strike is out in space where the launch can be seen and the entire thirty-minute flight followed. Observing from space is a substantial improvement over the current system of sitting in the target area and picking up the warheads in their terminal dives. Present-day moving target indicators and other tracking equipment could handle the observation-from-space task admirably, and undoubtedly improvements can be made.

Space operations offer the additional possibility of attacking an ICBM strike along its entire route, during the boost and midcourse phases as well as the terminal. Defensive warheads positioned in space could be brought down on command to form a "minefield" before the attacker. Many other schemes are possible.

Without doubt, talk of a spaceborne component of the ABM system will bring immediate and loud objections from anyone who embraces the "all-offensive" theory or from anyone who is concerned about an expansion of the thin defense and fears the cost of space operations. Still, there is no escaping the fact that rapid, constant change, in military systems as well as in everything else, is a part of our life. Technology is forcing it.

One of the great expectations is that the technical revolution will lead to stronger defenses. Somewhere in the unforeseeable future, a decade or so ahead, if man is persistent enough, he should be able to build a defense that will all but neutralize the nuclear offense.

Effectively, man has two roads for seeking a way out of the nuclear dilemma. The first is with science and technology—the areas that started the trouble in the first place. The second is through negotiations to see if national governments can talk themselves out of their ancient antagonisms and current fears. Both of these efforts are vital to building a world safe from nuclear catastrophe. Perhaps neither could ever do the job alone.

It is difficult to see how peace would be served for the US and USSR to seek a *status quo* and wait for China, and possibly other nations, to creep ahead with the development of an "assured-destruction capability" with the power to annihilate all whom they consider to be an enemy.

In any event, it is impossible to see what purpose is served by leaving the impression that the US is helping to precipitate an arms race by belatedly okaying a thin ABM system while the Soviets are already beyond that stage and at work on a heavy model. Mr. McNamara, in his announcement, fueled critics of the military to overflowing by leaving the impression that he was being pushed into approving the thin system and would never alter his opposition to a further expansion of the defenses.

At this stage in the technical revolution it would seem mandatory for the Secretary of Defense to make it clear that we are far from the end of the line in strategic arms, and that the fifth and sixth generations of long-range missiles and a heavier defense may be necessary in the next decade. No one would expect the Secretary to present a long shopping list of exotic new space and weapon systems. But he should at least create a climate in which all new systems are not viewed as part of a vast military-industrial plot. Such a climate is necessary to public acceptance of the thin ABM for what it is, a necessary step in the twenty-year-old US-USSR arms race that cannot be terminated without a near-miracle in negotiation or a technical breakthrough comparable to the first atomic weapon.

Mr. THURMOND. Mr. President, recently the Senate Preparedness Investigating Subcommittee held hearings on offensive and defensive strategic weapons and weapon delivery systems. The results of these hearings are not yet available, but I can assure Senators that the need for antimissile defense was carefully explored. I should hope that any Senator who might be inclined to delay the deployment of the Sentinel system would, before he votes on the defense appropriation, contact the Senate Preparedness Subcommittee and obtain a copy of the hearings showing the hazards that such a delay would involve.

Mr. President, in concluding my comments in defense of the Sentinel system, I should like to summarize. I have pointed out the grave consequences of any delay in the deployment of the Sentinel system. I have reviewed the history and the threat against which the ABM defends. I have presented the case for this defense and have cited the Preparedness Investigating Subcommittee hearings on strategic offensive and defensive weapons systems as the authority for continuing with the Sentinel deployment. I urge the Senators to familiarize themselves with this entire problem before taking any precipitate action in reducing defense appropriations when the money bill comes before the Senate.

It has been estimated that if an all-out war should occur, an antiballistic missile system could save from 80 million to 100 million lives. Taking into consideration the tremendous jeopardy that could result to our Nation because of the loss of millions of lives as well as the loss of hundreds of millions of dollars worth of property, it would seem the part of prudence not to delay in going forward with an antiballistic missile system. Military experts believe we should go forward without delay. In fact, they further advise that we go further with the full system, not merely with a thin system, with which the Department of Defense is now proceeding. However, the thin system will lay the base to proceed later with a complete system that would be a defense against the missiles of the Soviet Union.

PERSONAL PRIVILEGE

Mr. DODD. Mr. President, I do not like to detain the staff or other Senators, but I believe this matter is so important that I must do so for a little while tonight.

This morning, Drew Pearson and Jack Anderson made their latest attack against me, and it appeared in many of the morning newspapers across the country.

Pearson's vendetta against me began when I first entered the House of Representatives approximately 14 years ago, and this morning's column is the 123d which he has written condemning me. He has accused me of almost every imaginable impropriety and wrong and now he has gone even further by saying that even in the area in which I have fought the hardest, and to which I have dedicated much of my senatorial career, I am not honest and, in fact, have been working against the public interest.

Pearson's lying attacks upon me no longer hurt me. I believe I am beyond that point. They no longer anger me. But the charge of this morning appalled me and amazed me, because it was so incredible, so totally inaccurate, so blatantly false.

While all of his charges against me have been untrue, the falsity of many of them has been difficult for me to prove, because, unfortunately, there has not always been sufficient evidence and documentary proof of the truth. With respect to this morning's charges, however, I am in possession of overwhelming proof that Pearson is what all knowledgeable Americans know him to be—an unmitigated and scandalous liar.

Today, Pearson and Anderson and their lying, thieving jackals charge that I, while pretending to vigorously work toward curbing violence among the young people of our country, have actually been working in the opposite direction—specifically, by suppressing a Senate Juvenile Delinquency Subcommittee study of the impact of television crime and violence on our young people. I quote what he wrote:

> These (television) studies, written more than six years ago, were suppressed, ironically, by the same Senator Tom Dodd (D-Conn.) who introduced the gun control bill to curb violence.

He goes on to quote from a series of memorandums written by members of the staff to me about the substance of these studies, and claims that all of these, as well as the study itself, were suppressed.

Pearson claims that my motive was my desire not to embarrass the powerful television networks.

Mr. President, all these charges are completely false and an incredible distortion of history. Here is the real truth and the real proof. Fortunately, I have it. As chairman of the Subcommittee on Juvenile Delinquency, I have been concerned with violence since 1961. For the first 3 years, I dedicated myself to the problem of violence on television and its potential effect on the public and on young people.

From 1963 on, I have been interested in stronger gun control legislation.

Between 1961 and 1963 I did conduct—and the record will establish that I did—an intensive investigation of crime and violence on television.

During this period we held many days of hearings. The hearing record is here. It is voluminous. Many, many witnesses appeared. The foremost experts in psychiatry and criminology and in the television industry.

In all, we heard from 56 witnesses, and on my desk are the records, which I hope every Member of the Senate will read. They were printed and released to the public and to the press in the usual way. Finally, on October 27, 1964, with the approval of the majority of the subcommittee, I made a public and thorough and comprehensive report on crime and violence on television and its impact on our young people.

We released 10,000 copies of that report. It was released to the public. I do not know how it could have been done better.

That this unforgivable liar can claim that I suppressed this investigation, in the face of these facts and documentary proof, is utterly beyond my comprehension. I try to be a gentleman. I want to be. But so many lies have been told about me, and so many people have believed them, that my patience is broken.

But Pearson himself is beyond comprehension in the depths to which he will sink and the outrageous lengths to which he will go to assassinate the characters of those whom he hates. He hates me. I do not hate him. I am sorry for him; but I feel it is incumbent upon me, for myself, for my family, and for my friends that the record be written straight.

The crowning proof of this morning's lies by Pearson and Anderson is Drew Pearson himself in an article which he wrote just 13 days after the release of this subcommittee report.

In that column of November 9, 1964, he praised me for releasing this report and uncovering the truth about the violent nature of the television network programs.

I would think that it would behoove irresponsible and lying columnists such as Anderson and Pearson to at least remember what they have written and said in the past. But when a person starts to lie, he gets in trouble because he cannot remember the lies he told.

And I have always felt that it was inevitable that Pearson and Anderson who lie to the degree that they do, would sooner or later get caught up in their lies.

I want to briefly quote from this 1964 Pearson column:

> The current report by Senator Tom Dodd (D-Conn.) on juvenile delinquency shows that some of the networks are serving just as brazen a crime diet as ever. And since the people of California have set a precedent that individual Americans cannot see entertainment they pay for, it might be well for the rest of the country to diagnose carefully what it is getting free.
>
> The Senate Juvenile Delinquency Committee dug into the secret files of the American Broadcasting Company to get its inter-office memos, some of them pertaining to "The Untouchables." This is a show originally watched over a five-year period by 5,500,000 children a week. (It is no longer on the ABC network.)

Ironically, these are some of the very memos which Pearson claims in this morning's column were suppressed by me.

Let me quote from another Pearson column, which appeared on August 19, 1964.

> For various reasons, it looks as if television is going to be up against the congressional gun this year.
>
> Sharpshooter No. 1 is Sen. Tom Dodd (D-Conn.), who blames television for our scandalous juvenile delinquency increase. He is supported by Sen. Ken Keating (R-N.Y.). In tough language they have warned the networks that there's been absolutely no change in the diet of crime and sex being dished out to the public—especially by NBC and ABC.

This highly important television study, which Pearson, Anderson, and their jackals and thieves would have the American public believe I suppressed, resulted in many significant findings. I want to briefly review some of the more important ones for the RECORD.

First. Normal people who view violence on film exhibit twice as much violence thereafter as persons not exposed to such presentation. This was proven by scientific experimentation.

Second. Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.

Third. Children can be taught to perform aggressive acts by being exposed to such acts on television.

Fourth. Continuous exposure of the young to programs containing violence, crime, and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the normal way of life.

Fifth. Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons.

In this report I was highly critical of the television industry and I warned the industry that it had to cut the amount of violence and crime on its programs or face congressional intervention.

I have often repeated this criticism, and as recently as last Tuesday, on the floor of the Senate, I described the results of this important study.

Nothing means more to me, there is nothing closer to my heart, nothing to which I have dedicated more time than my campaign, and, persistent efforts to investigate the causes of violence in our society, particularly among our young people. This was the reason for my efforts to see that we have strict gun control legislation enacted. This was the reason for the television study. It brought me a lot of trouble. But that never bothered me.

However, Pearson lied again this morning when he challenged my sincerity in this regard and impugned my integrity with respect to this most important aspect of my career in the Senate. But this is just another example of the countless lies, misrepresentations, and distortions made by this man and his associates against me. I shall have more to say about the subject. It may take a few days, but I am preparing to do it.

Drew Pearson is a liar. He is a monster. Someday the American people will recognize it. Those associated with him are thieves, liars, and monsters. Someday the American people will recognize it. His business is lying. He is a devil.

It appalled me that he was honored as a Big Brother; a molester of children who had the records of his arrest destroyed. What is his strange power in this Government?

I said on another occasion he is the Rasputin of our society, and he is. I do not know what his influence is.

I know he had the affrontery to call me and ask me to vote against Mr. Bress as U.S. attorney for the District of Columbia. One of my colleagues brought the memorandum to me and asked me not to say who gave it to him. I told him I must know and he said, "It is Pearson."

I have been learning more about Pearson and Anderson and their lying and thieving associates than perhaps any other man in this body. I am going to put it in the Record.

They should be put away. They prey on the frailties of human nature, and they get evil things done.

Mr. President, this is not the last thing I am going to have to say on this subject. I am, as I said, at the breaking point in my patience and I am going to tell all I know about them. It is going to shock the Senate, it is going to shock this country, and it is going to shock the world. I have some pretty good evidence.

He has caused more men to destroy themselves than perhaps any other man in my time. He is not going to cause me to do so. He will ruin you, Mr. President (Mr. Long of Louisiana in the chair), and every Member of the Senate if you do not serve his purpose. He is the Devil's own slave. He does not know honor. He does not know truth. He is a monster and his jackals are just as bad.

Mr. President, I am sorry for this delay.

I ask unanimous consent to have printed in the Record two articles written by Drew Pearson.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[Nov. 9, 1964]

Washington Merry-Go-Round

(By Drew Pearson)

Washington.—Now that California has elected a song-and-dance man to the Senate and simultaneously killed the right of its people to see pay-as-you-go television, it should be up to the TV networks to improve the quality of their programs.

However, the current report by Sen. Tom Dodd (D-Conn.) on juvenile delinquency shows that some of the networks are serving just as brazen a crime diet as ever. And since the people of California have set a precedent that individual Americans cannot see entertainment they pay for, it might be well for the rest of the country to diagnose carefully what it is getting free.

The Senate Juvenile Delinquency Committee dug into the secret files of the American Broadcasting Company to get its inter-office memos, some of them pertaining to "The Untouchables." This is a show originally watched over a five-year period by 5,500,000 children a week. [It is no longer on the ABC network.]

Here is one ABC inter-office memo describing the blood-and-guts proposed for these viewers:

"Opens right up . . . a running gunfight between two cars of mobsters who crash, then continue the fight in the streets. Three killed. Six injured. Three killed are innocent bystanders . . .

"There's a good action scene where the mail truck is held up and the driver killed.

"Colbeck suspicions it was Courtney and beats it out of Joe's henchman. Courtney is trapped in an alley and beaten unconscious and tossed in the river. . .

"Colbeck pressures a police lieutenant who owes him a favor to pick up (Courtney's) gal and deliver her to a spot on the bridge where Colbeck's men will shoot her dead."

On one occasion, ABC program people advised ABC president Tom Moore that there is a tendency of recent episodes to become "talky" and as a result much of the action and suspense is lost. Moore then wrote producer Quinn Martin:

"I hope you will give careful attention to maintaining this action and suspense in future episodes. As you know, there has been a softening of the ratings, which may or may not be the result of this talkiness, but certainly we should watch it carefully"

Martin is known in the trade as a "blood-and-guts" producer. Regarding another show, "A Killer Called Paddy-O," Martin wrote this memo marked "personal and confidential.":

"I wish we could come up with a different device than running a man down with a car, as we have done this now in three different shows.

"I like the idea of sadism, but I hope we can come up with another approach for it."

In another confidential wire regarding "The Untouchables," Moore advised: "There is no change in original concept of production values of 'Untouchables.' Quinn Martin has replaced Norman Retchin . . . for just cause in our opinion . . . No more violence than that already seen is contemplated. There will be no reduction in action however.

"We have absolute confidence in Quinn Martin and the Desilu organization to deliver the quality and prestige hours such as the original programs."

Retchin had been fired because he argued: "I go for character. Let the violence come honestly out of that character . . . It now develops that Martin wants to concentrate on the slam-bang stuff and that isn't my cup of tea."

Note.—Though "The Untouchables" was filmed some time ago, it is now being widely exhibited [on local channels] as reruns. Furthermore, the Senate Juvenile Delinquency Committee reports: "Conditions do not appear to have changed appreciably at ABC. Quinn Martin, who wrote of his affection for sadism and is known for his affinity for violence, is as busy as ever turning out shows for the network." The committee noted that CBS had improved its programs.

[From the Los Angeles Times, Aug. 19, 1964]

Congressional Guns Aimed at TV

(By Drew Pearson)

For various reasons, it looks as if television is going to be up against the congressional gun this year.

Sharpshooter No. 1 is Sen. Tom Dodd (D-Conn.), who blames television for our scandalous juvenile delinquency increase. He is supported by Sen. Ken Keating (R-N.Y.). In tough language they have warned the networks that there's been absolutely no change in the diet of crime and sex being dished out to the public—especially by NBC and ABC.

Sharpshooters No. 2 are Reps. Manny Celler (N.Y.), and Henry Reuss (Wis.), with Sen. Phil Hart (Mich.), all Democrats, who want to probe CBS's acquisition of 80% of the New York Yankees. They wonder how other ball clubs will be able to get TV publicity when the Yankees are owned by one of the major TV networks.

Sharpshooter No. 3 is Sen. Barry Goldwater, who claims the networks have been unfair to him.

Sharpshooters No. 4 are Rep. Don Edwards (D-Cal.) and Sen. Bill Proxmire (D-Wis.), who point to the hookup between defense industries and the TV industry.

This may be the most important criticism of all. For here the congressional shooters point out that not merely a few ball games, but the question of the military budget and, indirectly, of peace and war, is at stake.

The possibility that CBS might favor the Yanks on TV would affect box office receipts or who would play in the World Series. But it would not affect the fate of nations.

The close link between TV stations and big defense industries, however, could. It becomes extremely important, therefore, to know how much these defense-owned stations are influencing the public's mind regarding bigger defense budgets, continuation of obsolete weapons, intensifying the cold war, criticizing the policy of co-existence; failure to criticize cost-plus contracts, Pentagon inefficiencies, or any number of every-day problems which link public information with war and peace.

Even if the TV stations owned by defense industries lean over backward to be fair and impartial—as it is assumed CBS will do regarding baseball—no TV station should be in the embarrassing conflict-of-interest position where it has to make these decisions.

Yet the National Broadcasting Co. is wholly owned by RCA, one of the top defense contractors. General Electric, the No. 3 defense contractor, owns the most powerful radio and TV complex in central Nork York. Westinghouse, a major contractor, owns a sizable TV-radio network of its own—and, incidentally, does an excellent public service job. General Tire and Rubber, which manufactures the Polaris missile, owns some of the major TV and radio stations in the nation.

It will be interesting to see what the probers of links between TV and baseball also do about links between TV and defense contractors.

Mr. DODD. Mr. President, I also ask unanimous consent to have printed in the Record—and I think I deserve to have it printed in the Record—excerpts from the television and juvenile delinquency report of the Subcommittee To Investigate Juvenile Delinquency of which 10,000 copies were distributed across this land.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

[88th Cong., second sess., Senate]

Television and Juvenile Delinquency—A Part of the Investigation of Juvenile Delinquency in the United States

(Interim report of the Subcommittee To Investigate Juvenile Delinquency, pursuant to S. Res. 274, 88th Cong., second sess.)

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY IN THE UNITED STATES, 88TH CONGRESS

Thomas J. Dodd, Connecticut, Chairman; Sam J. Ervin, North Carolina; Philip A. Hart, Michigan; Birch Bayh, Indiana; Quentin N. Burdick, North Dakota; Hiram L. Fong, Hawaii; Roman L. Hruska, Nebraska; Kenneth B. Keating, New York; and Carl L. Perian, staff director.

(Mr. Dodd, from the Subcommittee To Investigate Juvenile Delinquency in the United States, submitted the following interim report:)

* * * * *

At the outset of its investigation, the subcommittee set four major goals for itself, all of them interrelated. These goals were to determine:

1. If there is excessive crime, violence, and brutality on television;
2. The nature and extent of the impact of programs emphasizing crime and violence on youth;
3. Who or what is responsible for bringing programs of this nature to the television screen;
4. What steps can be taken to cope with any problems posed for society by such programming.

A. Factors which brought about the investigation

The Committee on the Judiciary is authorized by the Senate (S. Res. 48, 87th Cong., 1st Sess.) to "examine, investigate and to make a complete study of any and all matters pertaining to juvenile delinquency in the United States" including, among other things, "the extent and character" of such delinquency and "its causes and contributing factors;". The Subcommittee To Investigate Juvenile Delinquency was created to carry out this study and related inquiries. Very early in its existence, the subcommittee became aware of the need to look rather closely at the relationship between television and the mind, attitudes, and actions of the child viewer.

A key factor in the decision to investigate the role of television as it may relate to delinquency was mounting public concern expressed through complaints calling attention to the crime, brutality, violence, and suggestive sex portrayed on many television programs. These complaints came from both individuals and organizations. Parents, in particular, were concerned with the effect that programs of this nature might have on their children.

A second consideration was the availability to the subcommittee of statistics revealing a substantial increase in the number of programs stressing violence, crime, and other antisocial behavior between 1954 and 1961 when the current investigation was begun. The subcommittee had made a prior study of the mass media field in 1954 and, as a part of that study, had carefully monitored television to determine the extent to which crime and violence were portrayed. A companion staff study in 1961 revealed the substantial increase in programs to which such behavior was common.

A third factor which served to inspire this investigation was information from reliable public sources to the effect that the television industry was not doing the fully adequate job of self-policing it had promised at the time of the 1954 inquiry. The National Association of Broadcasters (NAB) had set up television and radio codes of practice designed, among other things, to set and enforce standards which would substantially reduce programs containing crime, violence, and other types of antisocial behavior. The allegation was made that these standards were not being effectively enforced.

A fourth reason for the investigation was the development of new findings by qualified media research scholars which supported the thesis that televised crime and violence had adverse effects on the attitudes and behavior of many young viewers. While some people, particularly those who spoke for the broadcasting industry, maintained that there was no relationship between televised crime and violence and delinquency, it seemed clear to the subcommittee that the research evidence to the contrary was very substantial.

B. Subcommittee concern for freedom of speech and press

In conducting its investigation, the subcommittee was aware that any legislative scrutiny touching on the function of a mass medium was treading on highly sensitive ground. It was equally aware of that provision of the first amendment of the Constitution which holds that "Congress shall make no law * * * abridging the freedom of speech, or of the press." This awareness has made itself felt in the structuring of the investigation and in the manner in which it has been implemented.

Thus, the subcommittee chairman, Mr. Dodd, opened the first of the scheduled hearings in June 1961, with a statement to the effect that there was no inherent conflict between the public interest the investigation was designed to serve on one hand and all media on the other. He said:

the preservation of freedom of expression for

"We must realize that whatever the medium we attempt to evaluate—be it newspaper, the radio, television, or any other medium, we are dealing with the fundamental question in our democratic society of freedom of speech. I am confident that whatever the results of this inquiry may be, we can find solutions which simultaneously safeguard our children and our constitutional liberties."

The right of the Congress to study the relationship between television programming and delinquency is as clearcut as is the right of the Federal Communications Commission to require radio or television broadcasters to establish an over-all programming policy consistent with the public interest, convenience, and necessity in order to qualify for a license or for a renewal thereof. The law setting forth this latter authority has been on the books for more than 30 years. That same law, as amended in 1934, prohibits the Federal Government from exercising the "power of censorship" over radio and television and from promulgating any regulation of condition "which shall interfere with the right of free speech by means of radio (and television) communication."

The Congress of the United States, which enacted this legislation, is certainly bound by its own enactment. And the subcommittee has acted and will continue to act accordingly For to advocate censoring the content of any program or programs—regardless of what that content may be--is to propose a remedy far worse than the disease it is intended to cure. Since the early days of the American Republic, censorship has been viewed as inconsistent with democracy except under wartime conditions and, even then, it has generally been applied with the voluntary cooperation of the mass media and only in areas directly affecting the national security.

But censorship, which pertains to examination of specific material prior to its release with a view to determining whether it should or should not be published, is not at issue here. Further, liberty of expressions is not license. Television stations operate over channels which are owned by the public and which must, by law, be utilized in the public interest. In this respect, television, like radio, differs from the newspaper which, while bound by certain other legal and ethical restraints, does not utilize public property to transmit its message. Clearly, then, the nature and quality of televised programs must be viewed as relevant criteria of how well the broadcaster is serving the public interest.

And if Government is precluded by law from censorship of the air waves, it nevertheless has the legal right to examine the programs which make a fetish of obscenity, profanity, indecency, or which serve to incite to riot or to induce the commission of a crime. The authority for such examination is, in part, written into the United States Code and, in part, recognized in judicial decision. (See secs. 1304, 1343, and 1464 of title 18 of the United States Code.)

The Supreme Court has made it clear that a radio or television station can effectively meet the public interest test provided by law only if it provides effective service to the community. Thus, in NBC v. United States, 391 U.S. 190, the Court held that—

"an important element of public interest and convenience affecting the issue of a license is the ability of the licensee to render the best practical service to the community reached by broadcasts * * *. The Commission's (Federal Communications Commission) licensing function cannot be discharged, therefore, merely by finding that there are no technological objections to the granting of a license.

It is one of the ironies of the age in which we live that the National Association of Broadcasters, which is most sensitive to any trend toward increased Government regulation, went on record 30 years ago recognizing the right of the Government to examine and evaluate broadcast programming. In Congressional testimony which led to enactment of the Federal Communications Act of 1934, the NAB said, in part:

"It is the manifest duty of the licensing authority in passing upon applications for licenses or the renewal thereof, to determine whether or not the applicant is rendering or can render an adequate public service. Such service necessarily includes broadcasting of a considerable proportion of programs devoted to education, religion, labor, agricultural, and similar activities concerned with human betterment.

In the subcommittee's view, a broadcaster whose programming services contain violence, crime, brutality, and allied antisocial content to an excessive degree raises a serious question as to whether the test of community service is being adequately met. If such excessiveness can be shown to be linked to the development of adverse attitudes, habits, or actions among juvenile viewers, it would seem clear that the public interest test is not being met.

C. Organization of the balance of the report

The balance of this report is organized into four basic sections. The first examines evidence attesting to the nature and extent of violence, crime, and related types of programming on television. In so doing, it draws upon staff monitoring studies conducted in 1954, 1961, and 1964. It also draws upon testimony given by experts during public hearings.

The second section concerns itself with an examination of the evidence as to the impact of televised crime and violence on juvenile viewers. It sets forth the results of recent research studies and summarizes the testimony of specialists with long experience in the mass media research, psychiatric, and juvenile delinquency control fields. The particular concern is with whether televised crime and violence can be linked, directly or indirectly, with the inception of delinquent behavior in viewers.

The third section examines the processes and methods by which decisions on program content are reached with particular emphasis on the relationship between the networks, the show producers, the individual stations (licensees) and the National Association of Broadcasters' codes. The final segment deals with specific proposals for resolving some of the problems revealed by the investigation to date.

II. EXTENT AND NATURE OF VIOLENCE AND CRIME IN TELEVISION PROGRAMMING

Television's impact on all aspects of American life has been a very significant one and its influence is likely to grow. This new medium has contributed much of lasting value to the well-being of the Nation and will continue to do so. Its function in the field of public affairs programming has been particularly noteworthy and its use as an educational tool in the public schools and universities has been steadily expanding.

The subcommittee's inquiry into the relationship between televised crime and violence and juvenile delinquency can be viewed realistically only within this impressive over-all framework defining television's present and potential role in the American society. Perspective is important in any evaluation involving the mass media. The subcommittee's chairman emphasized that importance when he opened the most recent hearing in July 1964. He said:

"We approach this inquiry with what I hope is a proper regard for the achievements of the television industry and a proper respect for the tremendous task it faces in providing television fare for the American people 18 hours a day, 7 days a week, 52 weeks of the year. We are particularly mindful of the magnificent contribution television has made and is making in the field of public events programming * * * I offer my most sincere and unequivocal congratulations and praise to the television and radio media as a whole for what I feel has been a magnificent achievement, an achievement made all the more impressive by the fact that frequently public service programs are produced at a great financial loss to the producers.

Yet, in the subcommittee's view the many beneficial effects television has had and is having are sorely compromised by the adverse effects on society of the all-too-heavy diet of crime, violence, and brutality which continues to be fed daily to millions of American children.

A. The overall violence picture

The extent to which violence and crime are currently portrayed on the Nation's television screens is clearly excessive. And in the face of repeated warnings from officials directly concerned with coping with juvenile delinquency and from competent researchers that this kind of television fare can be harmful to the young viewer, the television industry generally has shown little disposition to substantially reduce the degree of violence to which it exposes the American public.

If anything, the broadcasting industry appears to have recently added a new dimension to the kinds of violence and criminality paraded across the television screen. This new trend has drawn the criticism of some of the Nation's most respected critics. A columnist for the Chicago Tribune put the matter succinctly when he wrote.

"Television in 1963 has become something of a blur to me. It's hard to tell one sick drama from another * * *. There were stories about impotence, incest, homosexuality, adultery, euthanasia, matricide, and I'm too embarrassed to go on with the list.

The New York Herald Tribune, commenting on a variety of "new" televised dramas at about the same time, expressed similar sentiments. Wrote the Herald Tribune critic:

"This is merely a random list that doesn't attempt to total the fear, prejudice, hatred, and violence witnessed every night on television dramas, westerns, and movies. Such fare may be one man's meat, but it must also be poison for many men, women, and children. If this spiritually corrosive outpouring reflects our society, we're sick. If it reflects our amusement, we're sick, sick, sick."

The subcommittee sees good reason for this concern but its view of the problem presented has been the long-range one. It has carefully observed the nature and extent of crime, violence, and related antisocial behavior appearing in television programming for a decade. In hearings conducted in 1961–1962, it urged the television industry to reduce its commitment to such programming and assurances were given that such reduction would take place. One network, the Columbia Broadcasting System, has made a significant reduction in this type of programming as of the printing of this report. Yet, generally speaking, violence and crime continue their rampant march across the Nation's television screens.

Industry spokesmen have pointed to the adoption and updating of their Television Code of Good Practice which is administered by the National Association of Broadcasters. They claim this reflects their concern with healthy programming. But the only tooth in the code is the threat that the so-called seal of good practice will be withdrawn from radio and television stations which do not conform to the code's provisions. The code does contain a number of sections dealing with crime, violence, and brutality. But association with the code is only voluntary. A very substantial number of radio and television stations does not subscribe to it. Of greater significance is the fact that on only one occasion has the television seal been suspended by the NAB and that was in the commercial area, when 19 members were suspended and an additional 16 resigned. However, in all cases restitution was effected. *Of greatest importance is the fact that the seal has never been withdrawn because of an infringement of the code with regard to program content.*[1]

A recent administrator of the code has stated publicly that it is not being realistically enforced and is breached with impunity. The subcommittee is convinced that this is indeed the fact of the matter though it is certainly in complete sympathy with both the code's provisions and its stated objectives. The failure of the code to effectively limit televised crime and violence is documented in detail by subcommittee staff monitoring studies.

B. Results of the monitoring studies

Staff studies were conducted in 1954, 1961, and 1964. They were carried through in keeping with precise standards and techniques developed in conjunction with a highly qualified research consultant, Dr. Ralph J. Garry, educational psychologist, Boston University. Monitors concerned themselves with a broad range of program attributes including the extent to which characterizations portrayed violence and criminal behavior, the extent and nature of violent acts, and the manner in which the law was presented in terms of its capacity to deal with crime. The monitors also focused on special effects such as camera, lighting, music, and locale usage in terms of their contribution to the portrayal of crime, violence, and brutality.

The subcommittee drew upon the National Association of Broadcasters' Television Code for standards of morality and good taste by which to evaluate the acceptability of program materials. Thus, study monitors determined the degree to which the observed programs fostered respect for the sanctity of the home and marriage, encouraged adherence to the law and avoidance of criminal behavior, and exposed such characteristics as greed and cruelty as unworthy. Conversely, the monitors were concerned with the extent to which televised programs emphasized divorce and illicit sex relations and behavior such as murder, sexual assault, and narcotics addiction.

1. The 1954–61 Comparisons

The initial (1954) survey was launched because of the mounting concern of parents and educators over the amount of time devoted to shows containing crime, brutality, sadism, and sex. Whereas research evidence linking excessive violence to adverse effects on child viewers was less conclusive in 1954 than it is today, the subcommittee found itself confronted with increasing public indignation at television's alleged breach of morality and good taste.

In 1954, shows featuring violence and crime accounted for 16 per cent of all programming during the prime viewing hours 7:00 to 9:30 p.m. These were programs of the crime-detective, western and action-adventure types. During the monitoring week (September 13 to 19 inclusive), 22.3 per cent of the programs between 4:00 and 10:00 p.m., were of these types.[2] Children were a very substantial part of the total viewing audience during this timespan in 1954 as they are today.

The 1954 survey also provided statistics for a random sample of shows (4:00 to 10:00 p.m. inclusive) selected for certain representative cities. Thus, programs featuring crime and violence accounted for 26 per cent of the televised fare in Denver, Colo., on September 14. Comparable statistics for Atlanta, Ga., and Seattle, Wash., were 16 per cent and 11 per cent respectively.

If the 1954 findings suggested the need for the subcommittee to take a closer look at television programming as it relates to delinquency, the 1961 monitoring reports were shocking by comparison. The 1961 monitoring "week" (as before, this was an average week based on 4 months of viewing) May 9 to 15 inclusive, showed that the percentage of shows featuring crime and violence in the 4:00 to 10:00 p.m., time period had jumped by more than one-third, from 22.3 to 34.2 percent. For the prime time period, 7:00 to 10:00 p.m., inclusive, the increase was even more striking—an increase of some 200 percent (from 16.6 percent in 1954 to 50.6 percent in 1961).

Equally distressing increases over 1954 were registered in 1961 for the sampled cities of Atlanta, Seattle, and Denver. For the 7:00 to 10:00 p.m. time slot, the figures revealed a 30-percent increase for Denver, a 300-percent hike for Atlanta, and a 600-percent jump for Seattle. In addition, the subcommittee in 1961 made a survey of such key cities as New York, Chicago, Washington, and Los Angeles. For the 7:00 to 10:00 p.m. prime period, the percentage of total programming devoted to crime-violence themes in each of these cities was 44 percent or greater.

The 1961 study not only found that the degree of violence in prime time programming had substantially increased; it also found that criminal and other undesirable behavior was being depicted on dramatic programs to a greater degree than was positive, moral or desirable behavior. Taking into consideration all of the programs monitored, it was estimated that on the average violence was shown about four times as frequently as was protective, helpful or socially acceptable behavior.

This striking increase in the amount of televised violence beamed at audiences including large numbers of children was a key factor in convincing the subcommittee to hold its 1961–1962 hearings. The development of new research evidence which strengthened the premise that there was a relationship between excessive televised violence and adverse behavior in juveniles was also a significant factor in the subcommittee's decision.

It was during the 1961–62 hearings that representatives of the television industry committed themselves to bringing about an improvement in the programming situation. When, long after the hearings had closed, the subcommittee continued to receive complaints from distressed teachers, parents, and others relating to television programming, the decision was taken to monitor a third time with a view to precisely assessing whether the promised improvement had indeed occurred. It was also decided to hold additional hearings so that broadcasting industry representatives would have an opportunity to present their point of view.

2. Results of the 1964 Monitoring Study

The 1964 study employed the same standards as the studies conducted in 1954 and 1961 and yielded significant comparable statistics. The one overriding revelation: That the extent to which violence and related activities are depicted on television today has not changed substantially from what it was in 1961 and remains considerably greater than it was a decade ago. Further, violence and other antisocial behavior are, to an overwhelming degree, televised during time periods in which the children's audience is a large one.

Monitoring of all networks during the week of January 5 to 11, 1964, revealed a perceptible decline in the extent to which one network (CBS) featured acts of violence. Notwithstanding this decline, the overall pattern of network programming was one which revealed a heavy concentration on violence and brutality during the prime time period 7:00 to 10:00 p.m. In the great majority of homes, schoolchildren are among the viewers in this time span.

---

[1] This was the situation as of September, 24, 1964. It was verified in a letter to the subcommittee from Howard H. Bell, director, the code authority, NAB.

[2] While the subcommittee monitors viewed television programs over a 4-month period, a single "average" week was used for comparison purposes. This would insure that the week used was actually representative of the entire schedule for the particular season monitored.

Because it wished to be certain that it had not selected an unusually "violent" week of programming for monitoring purposes, the subcommittee remonitored the succeeding week, January 12 to 18 inclusive. This confirmed the findings of the preceding week. The number of acts of violence and antisocial behavior was almost identical with that for the first week during the 7:00 to 10:000 p.m. prime time period.

The fact that there has been no substantial overall decline in the extent to which crime and violence are featured in television programming between 1961 and 1964 is underscored by specific statistics for four major cities: Washington, D.C., New York, Los Angeles, and Chicago. These statistics, which cover both major network and other programming in the area involved, actually show a slight increase in the percentage of programs featuring violence in New York City and in Chicago, a slight decline in Washington, and a somewhat more substantial drop in Los Angeles. The comparative statistics are set out in the table below:

COMPARISON OF FINDINGS FOR 1961 AND 1964, PERCENTAGE OF PROGRAMS FEATURING VIOLENCE IN 4 KEY CITIES, 7 TO 10 P.M. TIMESPAN

City	1961 percentage	1964 percentage
Washington, D.C	50.6	48.8
New York	44.5	46.4
Chicago	49.4	50.5
Los Angeles	50.0	41.4
4-city average	48.6	46.8

These statistics do not indicate any significant improvement. Further, when the analysis is confined to the programming of the three major networks for roughly the same time period, the percentage of films shown in prime time featuring violence and related antisocial behavior is substantially higher than the four-city average noted above for two of the networks. Again, CBS shows a substantial reduction when compared to the average. Thus, 55.3 per cent of the ABC schedule was devoted to programs in which violence was emphasized. The comparable statistics for NBC and CBS were 55.1 and 26.5, respectively.

3. The Effects of Syndication

A development of the past decade which today plays an important role in increasing the exposure of children to programs stressing crime, violence, and brutality is the practice known as syndication. A network or network-controlled organization engaged in this practice leases many dramatic programs produced under network auspices to individual stations or other networks after these programs have had a "first run" telecast via the originating network's outlets. The syndicated program is rerun by the leasee station at its convenience with the syndicator generally receiving a share of the profits made thereby.

As part of its 1964 survey, the subcommittee made a point of determining the extent to which syndicated films featuring crime and violence were being rerun during hours when substantial child audiences were before the Nation's television sets. In so doing, it focused on the cities of Los Angeles, New York, and Washington, D.C., and on the 1963–1964 television season. The subcommittee found that 50 per cent or more of each major network's syndicated programs featuring violence and in which each had a profit-sharing interest were telecast during the prime time in the three cities. Eighty five per cent of the American Broadcasting Co.'s syndicated and profit-sharing shows were telecast in prime time. The comparable statistics for NBC and CBS were 70 and 50 per cent, respectively.

Review of the syndicated films thus broadcast revealed that some of the most violent shows which were "first run" during the 1961–1962 season are today being shown during earlier broadcasting hours than they were originally and that there has been little or no editing of objectionable content. This, in turn, means that these programs have been made available to a children's audience which is larger and includes more of the very young than ever before.

In their appearance before the subcommittee in July 1964, spokesmen for the three major networks were asked whether they felt they had a responsibility to keep such syndicated films from being rerun at earlier hours when more children were watching television. Their common response: The responsibility was exclusively that of the leasing stations which set their own times of release and which had ample opportunity to review the films prior to using them. In the subcommittee's view, the syndication practice today unnecessarily exposes many children to crime and violence and, in so doing, represents a serious problem. However, the crux of the problem lies less in scheduling than in the continued production and marketing of a high proportion of programs which feature excessive violence and crime.

III. THE IMPACT OF TELEVISION PROGRAMS FEATURING CRIME AND VIOLENCE ON YOUNG PEOPLE

A primary objective of the subcommittee's investigation has been to determine (a) if there is a relationship between televised crime and violence and juvenile delinquency and (b) the nature and significance of that relationship if it exists. There is no question but that programs featuring crime, violence, and brutality account for a substantial proportion of total programming available to the public during the prime time period which runs from about 7:00 to 11:30 p.m. (See sec. II).

However, it is one thing to present shows which stress a high degree of antisocial activity, quite another to measure the size and age level of the exposed audience and still another to evaluate the impact on that audience. Because the subcommittee is basically concerned with all aspects of juvenile delinquency, its focus in the television study has been specifically on the impact upon the young. This is not, however, to suggest that a diet of televised violence is a recommended prescription for adults or that subcommittee members accept the premise that older people may not be adversely influenced by that diet.

A. Size of the juvenile television audience

In 1963, 91 out of every hundred families owned at least 1 television set. This means that the percentage of American families with television was greater than that with automobiles or bathtubs. It is thus not too surprising to find that American families spend on the average between 5 and 6 hours each day in front of the television set.

But what does this mean in terms of child viewers?

It means that children under 12, on the average, spend more time watching television than they do in either school or church. It means that each day more than 25 million children 12 and under look at the television set. Yet, the more pertinent question in terms of the subcommittee's interest is: What is the size of the juvenile audience during the prime time period? A high proportion of this period is devoted to crime-detective, action-adventure and western programs which feature violence and brutality. Some pertinent statistics follow.

More than 20 million children, 17 and under, watch network television during this prime time period.

At 8:00 p.m., on any given night, 17 million children under 12 will be viewers. At 7:00 p.m., the figure is roughly 18 million.

Programs such as "The Untouchables," which stress crime and violence, may draw anywhere from 5 to 8 million juvenile viewers at any given time.

The American public purchased some 7 million new TV sets in 1963. As of January 1964, an estimated 62 million sets were operating in 51.8 million American homes. More than 17 percent (17.4) of the homes with television had two or more sets. The purchase trend, like that of the population generally, continues upward. This means that the number of juvenile viewers of prime time programs is certain to increase. And that, in turn, suggests that the number of children exposed to violence, crime, and brutality will also increase unless there is a dramatic change in commercial programming content.

B. General conclusions relating to the effect of televised violence and crime on the young

No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior. Nor does the subcommittee hold this view. Delinquency is the complex product of many factors, social, psychological, and economic. The broken home, poverty, suppression of the individual's drive for recognition, educational shortcomings, mental defectiveness, the crime and violence content of the mass media—all of these are factors which must be considered in the quest for understanding the underlying causes of delinquency in our society.

Furthermore, it is important to point out the fact that no two cases of juvenile delinquency are the product of precisely the same amalgam of forces functioning in precisely the same way. The relative significance of causative factors may be as different as the personalities exposed to those factors. Thus, social and/or economic forces may furnish the primary explanation of one juvenile delinquency case whereas that explanation may be found in individual psychology or in the interplay of the mass media and that psychology in another.

Yet, it is clear that television, whose impact on the public mind is equal to or greater than that of any other medium, is a factor in molding the character, attitudes, and behavior patterns of America's young people. Further, it is the subcommittee's view that the excessive amount of televised crime, violence, and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior.

1. Basic Findings Relating to Television's Role in Influencing the Young

The subcommittee has carefully reviewed the research evidence submitted to it by expert witnesses and has, in addition, sought to evaluate other research in this country and abroad which is relevant. From this review, the subcommittee has drawn certain conclusions as to the role of excessive televised crime, violence, and brutality in adversely affecting the viewer. These conclusions are briefly set out below. More specific evidence in support of the cited findings appears in section III–C of this report.

(a) Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.

(b) Filmed violence has been shown to stimulate aggressive actions among normal viewers as well as among the emotionally disturbed. This applies to adults as well as to children but the effect is most pronounced on the latter. Experiments have shown that normal persons who see a violent film subsequently exhibit nearly twice as much violence as persons who have not seen such a film. When the experiments involved the infliction of pain on other human beings, men who had seen a violent film did not hesitate to inflict excessive pain on other men or even upon women and vice versa.

(c) Children can learn to perform aggressive acts by exposure to such acts on television.

(d) The observation of violence and aggressive behavior on television is more likely to bring about hostile behavior in the young viewer than it is to "drain off" aggressive inclinations.

(e) Children are adversely affected by isolated scenes or sequences of violence and brutality and this adverse effect is not necessarily washed away or purged by a "moral" ending in which "good" triumphs over "evil." Thus, a given western or crime-detective program may close with the victory of the forces of law and order but, in the minds of the young viewers, this often fails to compensate for the impact left by scenes earlier in the program stressing violence and brutality.

(f) Continuous exposure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewer's acceptance of excessive violence as the "normal" way of life.

(g) Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons.

C. Evidence supporting the conclusion that excessive crime, violence, and brutality on television adversely affect the young.

The evidence that televised violence and brutality have a specific impact on the behavior and attitudes of the young falls into three broad classifications: (1) The views of experts such as psychiatrists, psychologists, government officials and caseworkers directly concerned with juvenile delinquency problems; (2) Specific research findings based upon studies conducted in university and institutional environments; (3) testimony of representatives of the television industry and related organizations. These three kinds of evidence are summarized consecutively here.

1. The Views of the Experts

Dr. Frederic Wertham, the noted psychiatrist who has devoted much of his life to the problems of children, perhaps comes as close as any specialist to reflecting the views of those child health experts who deplore the impact of televised crime and violence on children. He has said:

"I am convinced that the moving visual image on the movie or TV screen, complete with sound, has a much greater impact on most children than the images they conceive in their own mind's eye from reading a story or having one read aloud to them. My conviction is based on interviews with the children, their daydreams, drawings, play and games. 'Live action' on the screen, particularly cruel or horrifying, works directly on the child. Identification with a character may be almost overpowering. When reading a violent story in book form, a child is protected by the limits of his own imagination, to which, in even the grisliest fairy story, something is left. On the screen, violence and horror are spelled out * * * . Seeing the same or similar plot on the screen is a more complete and more potent experience. Whether they completely understand it or not, they have a vivid visual image of it."

Msgr. Joseph E. Schieder, National Director of the Catholic Youth Organization, gave testimony before the subcommittee in which he cited specific examples in support of Dr. Wertham's argument that televised crime and brutality had an adverse effect on the young. Monsignor Schieder went further in linking television specifically to the growth of juvenile delinquency across the Nation. He said bluntly:

I, for one, do not hesitate to echo the sentiments of the Attorney General of the United States, as reported recently, that the portrayal of crime and violence is "a major factor" governing the appalling increase of juvenile delinquency. The subcommittee is particularly impressed with testimony such as that of Monsignor Schieder because of his long and direct association with young people and their problems.

The view that there is a specific link between televised crime programs and antisocial juvenile behavior is further supported by the responses of child guidance clinics throughout the Nation to a recent questionnaire. The questionnaire, distributed by a private, nonprofit organization specifically concerned with improving the fare on television and radio, went to some 127 members of the American Association of Psychiatric Clinics for Children. A substantial majority of the respondents stated that they believed that televised crime programs contributed to delinquence or to antisocial behavior of children.

Government officials directly concerned with the broadcasting function or with the problem posed for society by juvenile delinquency were in agreement that televised crime, brutality, and violence had an adverse impact on children though some were more forceful in their views than others. James V. Bennett, former Director of the U.S. Bureau of Prisons, which is responsible for Federal correctional institutions, including those for juvenile offenders, told the subcommittee:

"There is today a sufficient body of sound professional and competent opinion based on research evidence that exposure to the viewing of crime, mayhem, and conflict as a means of entertainment has a deleterious emotional impact on youth and creates the risk of triggering delinquent behavior."

In the subcommittee's 1961–1962 hearings, the Secretary of Health, Education and Welfare, then the Honorable Abraham Ribicoff, made the point that there were many influences at work in bringing on delinquent behavior, but that he believed children exposed to a steady diet of TV violence could not help but be adversely affected. The Department of Health, Education, and Welfare houses the Children's Bureau and supports considerable research in the delinquency field. The Secretary said specifically that he did not think it possible that—

"a child, any child, could be exposed for hours, and day after day, to a uniform fare of lowest standard behavior, violence, antisocial aggression, frequent ridicule of law-enforcement agents, and just plain mental and physical brutality—and not be affected.

During the same hearings, Newton B. Minow, then Chairman of the Federal Communications Commission, charged by law with regulation of television and radio, told the subcommittee that the Commission had received complaints about crime and violence on television, particularly relating to programs broadcast during hours when children made up a large part of the audience. Mr. Minow stressed the view that television was failing to meet its responsibility to children and that children could be adversely affected because of this. He said:

"Children will watch anything. And when a broadcaster uses crime and violence and other shoddy devices to monopolize a child's attention, it's worse than taking candy from a baby—it is taking precious time from the process of growing up. Young minds take things literally, and the effect of television upon young minds has been amply testified to by experts here and in your hearings a few years ago."

Mr. Minow gave one dramatic example of the impact of televised crime and violence on the very young. He told of receiving a letter from a mother of six children. She reported that when her 4-year-old was told that his grandfather had died, the youngster asked "Who shot him?" The subcommittee is aware of the fact that Mr. Minow's successor as FCC Chairman, E. William Henry, has very recently reiterated his predecessor's concern with improving television programming for children.

2. The Research Findings

The prevailing view among qualified independent researchers concerned with the mass media and with the juvenile delinquency problem in particular is acceptance of the thesis that excessive televised crime, violence, and brutality have an adverse effect upon many child viewers. Generally speaking, the research people are somewhat more cautious than are the professionals who must cope with the delinquency problem directly, but there is growing agreement that television represents a contributing factor in inciting delinquent behavior in many cases.

The only witnesses testifying before the subcommittee who did not accept the thesis was some kind of relationship between televised crime and violence on one hand and adverse reactions in the child audience on the other were among those representing the broadcasting industry. And even here, all witnesses with a direct stake in the television field did not oppose the suggestion that there was some sort of relationship. As will be pointed up in the next segment of this report, some television industry spokesmen admit the possibility of such a relationship. Further, the industry generally must be commended for its current support of independent research designed to investigate that possibility. (See sec. V.)

The researchers' case, as it existed prior to the publication of new findings during the past year, is perhaps best summarized by the words of Dr. Peter P. Lejins, professor of sociology at the University of Maryland and consultant to the National Council on Crime and Delinquency. Dr. Lejins, who was charged by the NCCD with determining the impact of crime, violence, and horror programs on the youthful mind, told the subcommittee:

"A careful purusal of the results of several major investigations—the most monumental of which are those of the U.S. Senate Subcommittee To Investigate Juvenile Delinquency (1954), the earlier Payne Fund studies, and the recent study of the issue in Great Britain supported by the Nufield Foundation—showed that there is actually a considerable amount of very cautiously stated opinion on the part of the researchers and clinicians to the effect that crime, violence, and horror shows do exercise a strong negative influence well deserving of further research.

A noted British researcher, Dr. Hilde T. Himmelweit, has taken an even stronger position in some respects than did Dr. Lejins. Coauthor of the classic work "Television and the Child" (Oxford University Press, 1958) and a participant in the studies sponsored by the Nufield Foundation referred to by Dr. Lejins, Dr. Himmelweit recently summarized conclusions as to research bearing on the television-child viewer relationship in the United States and Britain. In her summary, she took the position that—

"Televised violence portrayed continuously by a large number of programs had a definite impact on the children exposed to it.

"Such programming was likely to have a particularly strong effect on younger children and on those "who are specially concerned with the whole question of aggression and guilt."

Television viewers "have an inconvenient way of responding to isolated incidents rather than to overall themes" and this is the case whether the views and values involved are worthwhile or damaging.

Recent research conducted under the auspices of the U.S. Department of Justice at two juvenile correctional institutions—the Ashland Youth Center and the National Training School—establishes a relationship between televised violence and delinquent behavior. One study revealed that 95 per cent of the inmates in these institutions had spent as much as 3 to 5 hours viewing television at home and close to 50 percent preferred crime and detective stories. With few exceptions, the most popular programs among these delinquents were "The Untouchables," "Thriller," "Route 66," "Rebel," and "Have Gun, Will Travel." As of early 1964, each of these programs was still being televised. Generally speaking, they were being shown during prime time and to a substantial juvenile audience.

However, the most significant finding of this study was that roughly one-fourth of the youngsters in these two juvenile institutions (26 per cent at Ashland; 23 per cent at the National Training School) stated that televised crime and violence had in some way shaped their attitudes or were responsible for their conflict with the law. As one inmate put it succinctly, "I saw a housebreaking scene on TV and I tried it and got caught."

While this is obviously an oversimplification of the causal relationship, at a minimum it illustrates the fact that the techniques of crime can be learned from seeing them portrayed. The degree to which the program actually motivated the behavior is yet to be determined.

Early in 1964, a report on a major research breakthrough was made public by the Scientific American, one of the Nation's most respected and influential scientific journals. The author of the report, Dr. Leonard Berkowitz, is professor of psychology at the University of Wisconsin and an internationally known expert in the field of social psychology. Dr. Berkowitz had just completed carefully controlled experiments as to the impact of filmed violence using college students as subjects. The work had been made possible by a National Science Foundation grant.

Citing his own studies as well as others conducted in the United States and in Canada, Dr. Berkowitz drew the highly significant conclusion that, given the "appropriate conditions, motion picture or television violence can stimulate aggressive actions by normal people as well as by those who are emotionally disturbed." He also suggested that "observation of aggression" is "more likely to induce hostile behavior than to drain off aggressive inclinations." This view is now accepted by the majority of researchers actively studying the impact of filmed or televised violence on aggressive behavior.

The fact that Dr. Berkowitz's findings were arrived at by using young adults as subjects lends strong support to the assertion that juveniles in general and young children in particular are even more likely to be adversely affected. (This is so because younger people generally have more plastic minds and are more readily open to suggestion.)

That televised violence does indeed have a direct and adverse effect on very young children has been dramatically demonstrated by Dr. Albert Bandura, professor of psychology at Stanford University. Dr. Bandura supplemented his testimony before the Subcommittee with a film depicting a research experiment directed to defining the impact of televised violence on preschool children. This research strongly supported the conclusion that there exists a relationship between filmed aggressive behavior portrayed by adults and aggressive behavior of the young child. It also contradicts the argument that only extraordinarily aggressive children are adversely influenced by televised violence.

Dr. Bandura's experiment employed three matched groups of preschool children, 3 to 5 years old, drawn from the Stanford University nursery. All of the children were considered normal in the usual sense of that term. One group was exposed to a real-life adult model committing aggression against a large Bobo doll. The second was exposed to the identical situation on film. And the third served as a control group, being unexposed to the violence either in real life or on film.

Following the exposure to the violence, all the children (including the control group) were given access to a large variety of toys, aggressive and nonaggressive, and to a Bobo doll which was a replica of the one used in the adult aggression. The nonaggressive toys included a tea set, crayons and coloring paper, dolls, animals, trucks, etc. The aggressive toys included a mallet, pegboard set, guns and a tetherball.

Eighty percent of the children exposed to the adult violence in real life or on film proceeded to duplicate that violence against the doll, hammering it with the mallet, kicking and punching it, and calling it names as the adult had done. None of the "control" children engaged in this violent activity. The Subcommittee was particularly interested in data which indicated that children who had viewed the film were more violent than were those who had been exposed to the real-life model. As Dr. Bandura put it—

"Children who viewed the filmed aggression engaged in considerably more aggressive gunplay than children who observed the real-life aggressive models."

Dr. Bandura's findings testifying to the fact that young children imitated televised (filmed) aggression—aggression expressed by both word and deed—were further confirmed by the results of a questionnaire subsequently sent to a large number of parents. The latter had been asked to observe their children after exposure to certain programs on television. Ninety percent of the respondents stated that their children imitated mannerisms and repeated verbalizations, and, in many cases, their behavior was so violent that the parents had to express disapproval in order to stop it.

Dr. Wilbur L. Schramm, director of the Institute of Communication Research at Stanford University and one of the Nation's foremost students of the mass media, also testified to the premise that televised crime and violence have adverse effects on the young mind. Dr. Schramm, whose books are among standard texts used in universities throughout the country, told the Subcommittee that "the conclusions of present research" are that "a great deal of violence on television makes it statistically more probable that there will be violence among the viewers of these programs."

Dr. Schramm made it clear that he believed that excessive televised crime and violence represented a threat to the Nation's children. He stated:

"I feel that we are taking a needless chance with our children's welfare by permitting them to see such a parade of violence across our picture tubes. It is a chance we need not take. It is a danger to which we need not expose our children any more than we need expose them to tetanus, or bacteria from unpasteurized milk."

In the Subcommittee's view, the available research evidence is adequate to justify the conclusion that excessive crime, violence, and brutality as portrayed on television can and often do have an adverse impact on the young viewer. More specifically, it seems clear that such television programming can, and in many cases does contribute to the development of antisocial attitudes and behavior in the young.

3. Views of Broadcasting Industry Representatives

Testifying before the Subcommittee in 1962, top broadcasting industry executives generally took the position that the research evidence did not prove that television program content was a factor in breeding delinquent behavior. Thus, LeRoy Collins, until recently president of the National Association of Broadcasters, stated that the "weight of sociological opinion" does not justify the conclusion that televised crime and violence cause "delinquency or criminal tendencies." In general, representatives of the three major networks supported this assertion.

However, Mr. Collins and several witnesses concerned with program production did suggest that there was too much violence and crime being televised. Mr. Collins said flatly that there was no justification "for the use of violence merely for the sake of violence" and that to do so is "offensive to simple good taste, seriously downgrades the television art, and should be eliminated."

Mr. Maurice Unger, executive vice president in charge of production for the independent ZIV-United Artists, Inc., supported the Collins view in this respect. He termed the excessive violence on television "undesirable and unnecessary" and charged that it was "lowering the quality standards of television entertainment."

Unlike Mr. Collins, major network representatives staunchly defended their programming policies on the ground that they were giving the public what it wanted. They based their conclusions as to what the public wanted on the various rating services. In light of the questions raised as to the accuracy and efficiency of most of these services both by other congressional investigations and by competent testimony before the Subcommittee, the Subcommittee concluded that network assessments of what the public wants were open to question.

Some people associated with television in 1961–62 actually took the position that violence served a good purpose. Thus, one California producer of a television series with a very large children's audience told the Subcommittee:

"As a matter of fact, I believe that a certain amount of violence, as it is portrayed on 'Cheyenne' has a good moral effect. The winning of the West was a victory for law and order. Such violence that is shown occurred because law and order were absent. With the coming of the sheriffs and the marshals and the growth of their influence, the West became a respectable part of our community."

The Subcommittee disagrees with the views that the excessive violence which characterizes the program referred to above and others like it is either morally good or necessary to paint an adequate picture of American historical development. Further, the research evidence already cited makes it clear that "good" outcome does not generally compensate for violence and brutality indulged in along the way to achieving that outcome in the minds of young viewers.

But there were differences of opinion within the television industry in 1961–62 as to the effect of excessive violence on the young even as there are today. Thus, a Cleveland, Ohio station (WEWS) executive definitely tied a popular crime-detective program in with the commission of a crime by a gang of local juveniles. In a letter to ABC in New York, the Cleveland official advised of his desire to drop "The Untouchables" program locally as the result of a newspaper story reporting the rounding up of a juvenile gang styling itself "The Untouchables." That letter is part of the hearing record.

The gang was charged with "assault to kill" a Cleveland resident. Its 17-year old leader termed himself the "Second Al Capone." The influence of the television program on the gang tends to be substantiated by factors above and beyond the name adopted by that gang. Thus, gang members reportedly phoned the widow of Eliot Ness, the former Cleveland safety director who is the hero of the program. They taunted Mrs. Ness, bragging that they were "The Cleveland Untouchables."

Network Views Shift in 1964

When executives of the three major networks appeared before the Subcommittee in July 1964 a subtle but significant shift in the prevailing view was apparent. The executives were as insistent as ever in defending their programing policies but were now prepared to admit, in very general terms, that there was some kind of relationship between televised violence and crime and the molding of children's attitudes and behavior. None, however, was prepared to admit that his network engaged in programing which featured excessive crime and violence.

Asked by the Subcommittee chairman whether televised violence might possibly have contributed to the Nation's increased crime rate, ABC Vice President Thomas Moore replied:

"I believe that there is always the possibility that any kind of matter that is presented to a public could have some influence on an individual, of course it could. Ours is a very powerful medium. And I think that we are all well aware of the dangers that are in our medium and we are conscious of the responsibility that we must exercise."

Mr. Morris Rittenberg, president of NBC Films, expressed his agreement with a Subcommittee contention that "There are some shows that should not be shown to very young children or teenagers—certainly not desirable to show them;" and James T. Aubrey, president of CBS, the only network to show any significant decline in programed violence during the 1964 Subcommittee monitoring period, not only agreed that there was a connection between televised crime and violence and child viewer behavior, but pointed out that his network had established new policies designed to more carefully police itself in this respect. In particular, he noted that CBS had established an office of social research under a leading communications exeprt to carry out studies on the effects of violence and crime.

The Subcommittee is pleased with this evolution in network official thinking as to the impact of excessive crime and violence on the young. The change is good for the television industry and it will be good for the public. The Subcommittee is particularly pleased with the observed decline in crime-violence programming on the CBS network and commends CBS both for this and for what appears to be an improvement in its self-policing.

Yet, we are moved to reiterate that the overall programming picture leaves much to be desired. Violence, crime, brutality, and related antisocial behavior continue to dominate the dramatic presentations which appear on the Nation's television screens. And the Nation's children continue to be exposed to this damaging fare in ever increasing numbers.

IV. EFFECT OF TELEVISION CODES AND NETWORK POLICY ON PROGRAMMING OF VIOLENCE

The National Association of Broadcaster's Code of Good Practice, as pointed out in section II, is the major device through which the broadcasting industry functions to guide programming in the direction of morality and good taste. In addition, each of the three major networks has either a formal code or set of standards designed to achieve the same end. Each also has a division or department charged with policing program content to see that it conforms to network standards.[3]

The current (April, 1964) NAB Code contains a number of injunctions relating to excessive violence, crime, and brutality as do the individual network standards documents. The most important of the code's restrictions in this connection fall under section IV entitled "General Program Standards." Subsection 13 of this basic section reads:

"Criminality shall be presented as undesirable and unsympathetic. The condoning of crime and the treatment of the commission of crime in a frivolous, cynical, or callous manner is unacceptable."

A second pertinent subsection (25) states:

"The use of horror for its own sake will be eliminated; the use of visual or aural effects which would shock or alarm the viewer and the detailed presentation of brutality or physical agony by sight or by sound are not permissible."

Other sections specify that law and law enforcement shall be portrayed with respect and dignity, and that the same sort of treatment be given marriage and the family. Still others are designed to prevent the presentation of murder for revenge as justifiably motivated and to bar the detailed telecasting of techniques of crime.

The Subcommittee believes the NAB Code to be well conceived. It commends the industry for establishing the Code as its central authority and for updating its content as often as it has. The Subcommittee has always maintained the position that the broadcasting industry ought to accept primary responsibility for policing the good taste and moral content of its programs.

Yet, the Subcommittee's monitoring of television programming, in 1964 as in 1961, reveals that the NAB Code is violated with impunity. It further shows that there are numerous violations of every section of the Code which in any way impinges on violence, crime, and brutality. Finally, there has been no substantial overall change in the degree of violation between 1961 and 1964.

The NAB Code is drawn up so that it appears to be the proverbial "mailed fist." But its impact has been that of the velvet glove. The industry's claim that this code is an effective vehicle cannot be substantiated in light of the evidence of chronic violation. Network programming policies which deliberately call for the insertion of violence, crime, and brutality are hardly conducive to building respect for any central authority within the industry. And local outlets particularly those owned by and affiliated with the networks find themselves with no realistic option but to accept network programming, much of which features this excessive crime and violence.

Subcommittee examination of witnesses and pertinent network correspondence confirms the role network policy plays in fostering violence in programming to which a very large children's audience is regularly exposed. In any disagreement with the NAB Code Authority, network spokesmen have made it clear that the network has the final word. Further, the Subcommittee is convinced that the various internal "continuity acceptance" departments have a very limited influence on program content. Though a spokesman for a major network has claimed that the department within his organization had a "veto" on program content, more persuasive evidence supports the contrary view. For neither the network "policing" agencies nor the central NAB Code have served to substantially reduce the extent to which crime and violence hold sway on the Nation's television screens.

The manner in which programming policies of the major networks have operated to foster crime and violence is best illustrated by specific example.

A. Policy and practice at the American Broadcasting Co.

The preoccupation with crime and violence at top echelons of the ABC network is well demonstrated by a review of correspondence and testimony relating to the production of "The Untouchables." This program played to exceptionally large children's audiences for most of its 5-year network run and, as of the 1963–64 season, was being rerun in many areas. In some cases it was being shown twice a week.

In this case, ABC officials required the independent producer (Desilu Studios) of the series to inject an "adequate" diet of violence into scripts. In so doing, these officials did not hesitate to override the objections of sponsor representatives to the inclusion of excessive violence. Individual producers who failed to comply with the network recipe for violence have, upon occasion, been fired.

In a memorandum from ABC official, Mr. Peter Peterson, to Mr. Thomas Moore, vice president of ABC–TV, several new story lines for the series were discussed. The script summaries were written in such a fashion as to make it obvious that much of the projected action either initiated crime and violence or was the result of same. One summary well illustrates the point. Entitled "Syndicate Sanctuary," it reads:

"Action: Judge is deliberately run down by a gangster and killed at the opening of the script. A G-man is trapped and tortured. Gangsters are trapped in an abandoned mine as they are about to kill a witness to a murder. Mine finally caves in on them as another gangster fires at one of the G-men who surrounded the thugs. There's a chase through the streets and the final scene as the 'untouchables' storm the jail."

This summary leaves no question as to the fact that the term "action"—as employed by key people in the television industry—is often a synonym for "violence." This assumption is further documented by the give-and-take between witnesses and Subcommittee members during the hearings and by quotations taken from files subpenaed from the networks. One such quote from the Peterson-Moore correspondence comments on a specific script summary as follows:

"Not as much action as some, but sufficient to keep the average bloodthirsty viewer fairly happy."

A former producer of "The Untouchables" at Desilu Studios, one Mr. Norman Retchin, was discharged after he refused to add what ABC officials felt was an adequate amount of violence to one of the filmed episodes. In a letter of Retchin's superior, Mr. Quinn Martin, an ABC official warned:

"We have been advised that two of the recent episodes of the 'The Untouchables,' 'Mexican Stake-out,' and 'Ain't We Got Fun,' lacked some of the dynamic excitement of the earlier episodes. Our program people who evaluate the scripts advise us that there is a tendency of the recent episodes to become 'talky' and as a result, much of the action and suspense is lost. I hope that you will give careful attention to maintaining this action and suspense in future episodes. As you know, there has been a softening in the ratings, which may or may not be the result of this talkiness, but certainly we should watch it carefully."

Mr. Retchin subsequently told the Subcommittee staff that he had refused to add violence to the "Ain't We Got Fun" episode referred to above and was thereupon discharged. Writing to Mr. Ted Jardine, an advertising representative of a sponsoring company, Mr. Retchin explained his conflict with ABC policy as follows:

"I think you had better know that I am no longer producing 'The Untouchables'. I have had a basic disagreement in policy with Quinn Martin as to how the show should go and because I cannot see eye to eye I am leaving.

"Here is the conflict: the toughest job I have producing is getting good scripts out of the writers. I have always insisted we hire top people. Even with these people, many of whom come out of New York to work for us, it takes a real effort. But the result has been worth it. We now have four fine shows.

"But now Martin, for some reason is panicking. He feels that it isn't worth the effort to go for these quality writers. He wants to get out a batch of scripts fast: to do this, he has hired some slick, quick Hollywood TV writers who will turn in a shooting script full of plot and violence and damn little character. I go for character. Let the violence come honestly out of that character. Especially in an hour long show where just plot and violence cannot sustain."

---

[3] The ABC Standards Department is titled "Continuity Acceptance." The comparable organizations for CBS and NBC are "Program Practices" and "Broadcast Standards" respectively.

The aforementioned Mr. Martin is known in the television industry as a "blood and guts producer." Mr. Retchin, on the other hand is charged with producing "talky" shows, in which violence and crime are kept within reasonable perspective (by more objective standards). Mr. Martin's reputation as one who sees violence for the sake of violence as a "successful" ingredient of dramatic television programs comes out in a note written to an "Untouchables" script writer after Mr. Retchin's release. Mr. Martin wrote:

"On page 31, I wish we could come up with a different device than running the man down with a car, as we have done this now in three different shows. I like the idea of sadism, but I hope we can come up with another approach to it."

The record shows that programs created under Mr. Martin's executive producership were frequently criticized by ABC's continuity acceptance officials. It also shows that higher authorities at ABC issued specific instructions to creative personnel to disregard continuity acceptance recommendations insofar as "The Untouchables" was concerned. Further, material depicting violence was industriously sought from film libraries and other sources for inclusion in the series. An ABC interoffice memorandum entitled "Gangsters and Violence" makes this clear. It reads:

"The following material was called in and run on Movieolas by librarians for possible exciting shots of gangsters, action, and violence:

"Desilu: Man-prison riot and break; woman-prison riot; 1933 police raid on Esco Creamery—very good gun battle.

"Fox: Good material of machine gunning 10-gallon milk cans.

"Paramount: Four takes of barbershop bombing—interior and exterior.

"Desilu: Automobile off pier (1936)—'Day and Night'; one cut reel of police and gangsters—automobile chases, some accidents in reel.

"In accordance with your request, spectacular accidents and violence scenes of the 1930–36 years have been requested from all known sources of stock footages. You will be advised as material arrives."

The evidence reveals that pressures for violence on "The Untouchables" shows were often generated by ABC officials in the face of objections from their continuity acceptance department and sometimes in disregard of sponsor complaints. Thus, Executive Producer Martin warned Mr. Retchin at one point that he had better inject more violence ("action") into certain scenes of a projected script before "you send it out or we are going to get clobbered." Elsewhere Mr. Martin reports on the McCann-Erickson Agency's objections to a scene in an episode entitled "The White Slavers" in which a group of Mexican girls being imported to Chicago for use as prostitutes are machine-gunned by gangsters when it is found that they cannot get them across the border.

Mr. Martin's instruction to his subordinate reads:

"Page 40: This scene is the roughest I have ever seen and I don't know if we can get away with it, but let's leave it in. Have a feeling you may have to kill the girls off the camera."

Mr. Martin's references to an unidentified source who might "clobber" the producers and his implications that a decision on "killing the girls off camera" would be made by other sources both point to ABC network officials as the sources in question. Mr. Jerry Thorpe, who succeeded Mr. Martin as executive producer for the series, testified before the Subcommittee that he was under pressure from ABC's Mr. Thomas Moore to "maintain the 'quality' of the previous 'Untouchables' shows to a certain degree." The record shows that Mr. Moore's pressure in many cases overrode ABC's own continuity acceptance people who objected both to the quality and degree of violence which found its way into many episodes in the series.

The history of the ABC series "Bus Stop" first introduced in the 1961–62 season, but being rerun in 1964, adds substantially to the evidence that network policy demanded a focusing on excessive violence, crime, and brutality. It was this buildup of evidence which caused the chairman of the Subcommittee to characterize the ABC policy the "Treyz trend." Mr. Oliver Treyz then president of ABC, is generally associated with the "violence policy." "Bus Stop" was inaugurated after ABC representatives had assured the Subcommittee that the immediate future would see a decrease in violence, eccentric sex, and portrayal of unwholesome behavior generally.

Shortly after its inception, "Bus Stop" was playing to a weekly audience which included 1.5 million children 13 years of age and under. One "Bus Stop" episode was so brutal and sex-ridden that advance complaints were registered by sponsors, the ABC continuity people and the NAB Code authorities alike. Yet, that episode titled "A Lion Walks Among Us," was televised to the mass public.

"Bus Stop" was launched with an intensive publicity campaign spearheaded by instructions from the top of the ABC organization. This is substantiated by a memorandum prepared by Mr. Roy Huggins, an ABC official in which the Treyz policy directive is discussed. Mr. Huggings wrote:

"Ollie (Treyz) and you told us about 'Bus Stop' priority several weeks ago and as a result this program is receiving No. 1 attention from press information both in New York and Hollywood as well as from publicity departments at owned stations. And we are riding herd on the affiliates as well."

"A Lion Walks Among Us" is geared to a theme which features murder and suicide as corrective measures for past mistakes of the characters. As previously noted there is a clause in the NAB Code which specifically forbids this type of programming. That such programming is indeed offensive to public taste and potentially damaging to child viewers, is a view shared by many directly connected in one way or another with the "Bus Stop" series. But these views did not keep ABC from televising the episode in question.

ABC's West Coast Continuity Acceptance Department objected to "A Lion Walks Among Us" on several grounds. It objected to certain scenes, to certain lines of dialog, to the attitudes of the characters in the play, and to the kind of knife used in one of the scenes. Apparently little editing took place before the episode was released for public viewing, again attesting to the relatively weak position which continuity acceptance plays within the total power structure of a network organization.

The fact that editing did not "correct" the basic problem posed by the episode is well supported by a letter from a San Antonio, Texas man who was an early sponsor of the series. The letter written by Mr. Louis Stumberg to ABC executive Thomas Moore after public release of the episode reads as follows:

"I called Mr. Jim Brown of KONO–TV here in San Antonio, after viewing your program 'Bus Stop' Sunday evening. He suggested that I write you of the reactions which I gave him.

"Frankly, I think that the film is vulgar, dirty, in extremely poor taste and ending up with scripture quotation after such filth was the crowning blow.

"I am sending a letter today to my agency, Fuller, Smith, & Ross, to cancel all our advertising with any and all ABC stations—radio and television—until further notice. I see no reason to subsidize a network, even though my contribution may be extremely small, that puts forth such (shows) as 'Bus Stop.'"

The network's penchant for disregarding the NAB television code is well documented by an exchange between Mr. Robert Swezey, former director of the code authority and former ABC President Treyz. Shortly before the screening of "A Lion Walks Among Us," Mr. Swezey wired Treyz as follows:

"Our office has been receiving a number of inquiries concerning acceptability on their code provisions of 'Bus Stop' episode for next Sunday. We have also been notified that several ABC stations have refused to carry it after preview, and that advertisers have withdrawn their sponsorship. Our request for an opportunity to view the episode was turned down by your New York office today. We have therefore no first-hand information concerning the program content but can only assume from the information which comes to us from a number of subscribers that its compliance with code standards is highly questionable. Assume that broadcast of the episode in its present form will probably have considerable unfavorable reaction. Suggest your careful review of the episode and reconsideration of its suitability for family Sunday evening viewing. Would like to work out with you some method of mutual cooperation in these situations in the future."

Mr. Treyz's reply said ABC would be glad to meet with Mr. Swezey "at any time to clarify for you any questions you may have with respect to our decisions." But it also made clear that any decisions relating to program content would be made by ABC and not by the code authority. Rejecting the authority's proposal to withdraw the episode in the form in which it was shortly to be screened, Mr. Treyz said in part:

"The program had been approved for telecast by our continuity acceptance department after serious deliberation * * * to do otherwise (than reject the NAB proposal) would have opened the door to possible prior censorship considerations of program content as well as a delegation of responsibility for broadcast matters to someone other than the ABC television network or its affiliated stations. As voluntary subscribers to the NAB Code, the ABC television network, through its continuity acceptance department, has the responsibility of interpreting, applying, and seeing to it that broadcast matter conforms to the code."

In the Subcommittee view, conditions do not appear to have changed appreciably at ABC since the days of the "Treyz trend" (1960–62). Quinn Martin, the senior producer who wrote of his affection for sadism and is known for his affinity for violence, is as busy as ever turning out shows for the network. And, at least early in 1964, he continued to have the support of top ABC management in fending off the "policing" of continuity acceptance. In a letter to a member of the production staff of "The Fugitive" series, of which he is executive producer, in February 1964, Mr. Martin, in effect told the staff member not to allow himself to be pushed around by continuity acceptance. He wrote:

"With regard to continuity acceptance, fight for what you believe in and if you ever get hung up on something you feel is important, call me into the fray. Otherwise, just use your usual good judgement."

That Mr. Martin had access to top management in the event he wished to dispute the "standards" people and that various other producers sometimes choose to disregard continuity acceptance dictates is supported by a letter written to Martin in July 1963, by Edgar J. Scherick, vice president in charge of TV network programming. The letter states:

"The continuity acceptance department has indicated to us that a few producers have erroneously assumed that they need not discuss modifications of material reviewed by continuity acceptance since no objection had been made by a member of the program department or Mr. Moore at the time of their viewing. The purpose of this letter is to correct this misunderstanding and to advise you that our silence is not indicative of approval in the continuity acceptance area. I do not intend that, from a program point of view, should there be a reasonable disagreement with the continuity acceptance people, you do not have appeal to the program department and management.

Boiled down to essentials, this letter makes it clear that ABC's top management has the last word on program content and that producers down the line may appeal to the top whatever the dictums of "Continuity Acceptance." This significant point is further demonstrated by the internal "history" of an episode of the 1963–64 series "Breaking Point." In a commentary to the producer of the series (Bing Crosby Productions) dated July 17, 1963, on the first draft of a script entitled "The Bull Roarer," ABC continuity acceptance editor, Dorothy Brown, requested 13 major and a number of minor modifications before screening.

The Subcommittee staff viewed "The Bull Roarer" film against the final shooting script. Eleven of the thirteen major modifications requested had not been made. Further, the final product contained material from three pages of the final shooting script which the continuity acceptance department had termed "entirely unacceptable."

B. Policy and practice at the Columbia Broadcasting System

Though CBS is the only one of the three major networks shown by the Subcommittee's 1964 monitoring study to have demonstrated a significant decline in the televising of crime and violence, there remains considerable room for improvement. All too many CBS dramatic shows continue to violate various sections of the NAB Code. This point was made by the Subcommittee chairman when he commended CBS officials for the network's improvement during the most recent hearing.

CBS, like the other networks has been plagued during the 1963–64 season by an almost constant tug of war between its policing division (program practices) which seeks to limit violence and crime and the producers of several key shows which play to a very sizable children's audience and who appear to thrive on violence and brutality. The Subcommittee takes comfort in the fact that the program practices people seem to be winning more battles these days than they did a few years ago. But they are not winning enough.

Like ABC, CBS as recently as a few years ago actively pursued a policy calling for substantial violence, brutality and sex in prime time programs playing to audiences regularly including large numbers of children. Witnesses before the Subcommittee and subpenaed correspondence revealed CBS policy hand at work in such popular programs as "Malibu Run" and "Route 66." The latter ran continuously on a first-run basis for 4 years. At the height of its popularity it attracted an audience of more than 12 million, one-fourth of them young children and teenagers.

The evolution of "Route 66" is particularly relevant both because of its focus on violence and sex and because of the network's role in developing that focus. Shortly before the series' inception, network officials became concerned because it was not "pulling" as effectively as it should. Mr. James T. Aubrey, Jr., CBS network president, is reported to have issued what became known among producers as the Aubrey dictum of "broads, bosoms and fun." In testimony before the Subcommittee in 1962, Mr. Aubrey admits to asking for more "glamor" and "romantic interest" but denies authorship of the dictum in the specific sense.

Yet memorandums prepared by people concerned with the show's production refer to the "broads, bosoms, and fun," dictum. One such memorandum says, "you remember Jim Aubrey saying, 'put a sexy dame in each picture and make a 77 Sunset Strip if that is what is necessary, but give me sex and action.' " A letter written by a west coast CBS official to his superior criticizes several CBS programs as being a "a far cry from Mr. Aubrey's dictum of 'broads, bosoms, and fun.' "

Mr. Aubrey's concern with the initial reaction to "Route 66" was such that he met with the show's producers to discuss the matter in November, 1960. The Aubrey dictum reportedly went into effect after this meeting. Whether Mr. Aubrey did or did not use these precise words to describe what he wanted done is less pertinent than the fact that the show thereafter began to feature excessive violence and sex.

The same west coast official who wrote the above letter of criticism was apparently pleased with the spirit of cooperation evidenced by "Route 66" producers after the Aubrey meeting. He wrote regarding an episode in early January, 1961, that:

"I must acknowledge that 'Baby Doll' has more than a generous share of bosom amply displayed to a point where program practices is screaming in anguish, and (she) wears over a pair of very spiked heels the tightest pair of slacks ever to be entered by womenkind without mechanical assistance."

Implicit in this letter is the fact that top level policy, once again, is overriding the protests of the continuity acceptance people.

The excessive degree to which "Route 66" featured sex as a basic theme from the very beginning is underscored by an analysis of the program made by Dancer, Fitzgerald & Sample, a New York advertising firm. Said the firm:

"Numerous recent stories have included an almost standard character in the shapely form of a sexpot—usually young—whose aim in life is to stir the libido of (a) the villain; (b) Buz; (c) male viewers just everywhere. This tight-pants type, with variations has turned up in 'Three Sides,' 'Layout at Glen Canyon,' 'The Beryllium Eater,' 'The Quick and the Dead,' 'The Clover Throne,' and 'Fly Away Home.' In some of the episodes the part was well handled; in 'Layout' and 'Quick and the Dead,' it was an embarrassing and gratuitous display."

It is the Subcommittee's view that the problem posed by excessive concentration on sex is more than just embarrassing and gratuitous. In a program such as "Route 66" which is viewed by a very large children's audience, the impact on the moral standards and sensitivities of many viewers may well be a devastating one.

CBS like NBC, has not hesitated to make it clear to "outside" influences that it is boss when it comes to setting policy for program content even when such content violates good taste and established moral principle. A CBS internal memorandum made available to the Subcommittee testifies to this. Involving a film entitled "Most Victorious, Most Vanquished," the memorandum reports that "the Chevrolet people"—the sponsors—had complained to the network about one action sequence in the film. The memorandum cites the CBS response to the complaint as follows—"They were given a very curt answer: 'We approved the picture; evidently we think it's all right.' "

The kind of policy thinking which dominated the production of "Route 66" and other "blood-and-thunder" programs back in 1960–61 has not been dethroned at CBS in 1963–64. The program practices division, which seeks to abide by the requirements of the NAB television code, is making itself felt but only to a limited degree. The Code continues to be violated with distressing regularity.

In its preparations for its most recent hearing, that of July 30, 1964, the Subcommittee staff reviewed episodes taken from two of the network's "veteran" shows which were playing to substantial children's audiences: "Gunsmoke" and "The Alfred Hitchcock Hour." The five episodes used at the Subcommittee hearings, according to the American Research Bureau reports, had been witnessed "first-run" by 26.5 million children including teenagers. During the regular season, "Gunsmoke" was seen by a child audience averaging about 5.5 million. The comparable statistic for the Hitchcock show is lower but still substantial.

One of the "Gunsmoke" episodes reviewed was entitled "Dry Well." Among other things, this episode included physical abuse, torture, and almost inhuman insensitivity to suffering on the part of one character. Among the characterizations portrayed were those of a fiendish old man, a killer, an unfaithful wife and an amoral son. In short, just about every canon of the television code relating to crime and violence was either overlooked or stretched considerably. The response of a top network spokesman when questioned about this episode:

"I don't believe that we should subject the American people as a whole to childish themes in the entertainment we put on just because children happen to be up at 10:00 viewing them. I consider this an adult western; I consider this an adult theme."

Apparently, CBS policymakers are inclined to explain away excessive violence and amorality with the use of that single, simple word: "adult". But perhaps the most reliable commentary on the general nature of the "Gunsmoke" program comes from those engaged in its production. In a memorandum of May, 1963, one member of the production staff wrote another, in part:

"Here is the third draft of 'Owney Tupper Had a Daughter." It is offbeat for 'Gunsmoke' inasmuch as there is only a modicum of violence."

In short, according to the people who produce the show, large-scale violence is a regular ingredient.

The "Alfred Hitchcock Hour," which has now moved to another network has been a veritable seedbed of violence, horror, and criminality. Its producers have violated the television code with what seems reckless abandon. As one critic pointed out in the Chicago Tribune in March, 1964:

"Hitchcock in recent years has moved into gruesome horror shows, shows that reveal far too much of the techniques of crime, and frequently seem in violation of the TV code.

Analysis of network correspondence reveals that the CBS "program practices" division took substantial exception to Hitchcock scripts at least nine times during a period of less than 9 months in 1963. It further shows that exceptions were taken to five different scripts during this period. Commenting on a script entitled "The Cadaver" on October 1, 1963, program practices urged modification of 11 different scenes or sequences. In the Subcommittee's view, this particular episode went on the air containing few of the substantive changes requested and in direct violation of the NAB Code on several grounds.

The reduction in crime and violence on CBS–TV programming revealed by the Subcommittee's 1964 monitoring study notwithstanding, it seems clear that CBS still has a way to go before it can be said that it is fully meeting its obligations to the NAB Code and to the viewing public.

C. Policy and practice at the National Broadcasting Co.

Immediately prior to the Subcommittee's 1961–62 hearings, the National Broadcasting Company like the American Broadcasting Company and the Columbia Broadcasting System, clearly pursued a deliberate policy of emphasizing sex, violence and brutality on its dramatic shows. That policy was the product of what several producers referred to as the "Kintner edict." This was apparently the counterpart of the Treyz trend at ABC, and the Aubrey dictum at CBS. The edict was attributed, by people associated with NBC, to Mr. Robert Kintner, president of NBC. The NBC policy was well demonstrated by the development of two dramatic series screened in 1960–61, entitled, respectively, "Whispering Smith" and "Man and the Challenge."

Insofar as "Whispering Smith" was concerned, an independent testing organization conducted an advance audience reaction test of what was known as the "Hemp Reeger" episode. The testing organization exposed 262 men, women, and children to the episode in a home environment and then questioned them about it. Among the findings were the following:

"The sexual implications of the show were disliked by men and children as well as by women. Nearly all (97 percent) of the people felt there was too much emphasis on sex * * *. Three-quarters of the people (men, women and children) felt that this show was unsuitable for children."

Despite this finding, the "Hemp Reeger" episode was televised. When asked about the network's decision to release the episode, Mr. Walter Scott, the NBC–TV network executive vice president, told the Subcommittee that the test had been "experimental" and that his staff had concluded that it was invalid. In the absence of any evidence of a second test under network auspices, it is difficult to escape the conclusion that the network was simply disregarding survey findings which it had no desire to accept.

In its study of NBC network files, the Subcommittee found considerable documentation relating to the program "Man and the Challenge." This particular program was, apparently, one which was finally televised containing less crime, violence, and brutality than top network officials had hoped it would.

Following the introduction of evidence that NBC executives sought to dictate the nature of the "Man and the Challenge" program, representatives of the production company for the series were asked in open hearing what the "Kintner edict" was. According to one of these witnesses, A. Frank Reel, the "edict" was a "reference to a statement that there should be sex and violence in the show or we could not get the Saturday 8:30 time period." In short, if the "Kintner edict" were to be disobeyed by the independent producers, their show would not be in a choice, prime time period geared to a very substantial children's audience.

Another witness, Mr. Ivan Tors, a producer of the "Man and the Challenge" show, was questioned as to where the instructions to interject sex and violence came from. Mr. Tors responded that Mr. Joseph Daly, an official with an advertising firm which represented a show sponsor (Chemstrand), had given him some insight into the matter. "Mr. Daly," Tors said, told him that instructions came "from Mr. Levy, but Mr. Levy at that time received instructions from Mr. Kintner. Again, I have no firsthand knowledge about whose suggestion it was. I know only that I was told to put sex and violence in my show." (*Subcommittee Note.*—Mr. Levy was then program director of the NBC television network.)

The Subcommittee is convinced, on the basis of its 1964 monitoring, its review of subpenaed correspondence, and the testimony of network officials, that, whatever the fate of the "Kintner edict" per se, the policy which it enunciated was still very much alive during the 1963–64 season. One measure of the persistence of that policy: During the last half of 1963, the complaints and criticism relating to horror, violence, sex, and improper language by the NBC Broadcast Standards Department to those responsible for network programming almost doubled over what they had been in the period immediately preceding for a show that was having rating difficulties. Broadcast Standards is the NBC department charged with seeing to it that network shows meet with good taste and moral standards of both the NAB Code and the network's own regulations.

The Subcommittee staff's study of evidence concerning key shows playing to very large child audiences during the past season (1963–64) supports the view that broadcast standards admonitions as to the use of crime, violence and brutality, had about as much impact as pebbles tossed against a reinforced concrete wall. Those charged with producing dramatic shows for NBC paid lip-service to broadcast standards and they must have had the direct support of top management.

"The Lieutenant," an "action adventure" series playing to an audience including millions of children during the 1963–64 season, is not atypical of the NBC penchant for violence. In a memorandum commenting on an episode entitled "O'Rourke" on November 7, 1963, the broadcast standards unit urged that a fight sequence (consuming seven scenes) be substantially shortened and that there should be "as few blows as possible." The sequence, as it stood, "may not be acceptable," warned Broadcast Standards, urging that violence be held "to a minimum on all NBC shows." Nine other changes were also urged on the producers of the show.

In reviewing film of the episode, the Subcommittee found that the sequence complained of endured for 2 full minutes. During this time, there were 25 blows struck, including kicks to the groin, the stomach, and kidneys and two attempts to stomp on one participant's face. There were also four karate-type rabbit punches.

"The Virginian," a series which NBC bills as a "family type" show and which weekly reaches a very large children's audience has had its share of complaints from the broadcast standards department. One episode, about which there were several substantial complaints, was entitled "Man of Violence." In just this one show there were 13 individual killings, 9 by shooting, 2 by knives and gun butts, 1 by torture, and 1 by smothering. In addition, there were five fights with fists, guns, knives and rope, and three assaults by guns, fists, and rocks. There were also four threats by gun.

In commenting on this particular show, the Subcommittee chairman noted that it was first televised early in the evening on Christmas 1963 (7:30 pm). It was seen by an estimated 10 million children, including teenagers. Mr. Walter Scott, the top NBC executive who testified before the Subcommittee in July, 1964, was asked for his view of the episode His response: " * * * I did not find it objectionable * * * I think there were scenes of physical violence within the program. But I would not call the program a violent program."

The television code, as already noted, prohibits the detailed portraying of the techniques of crime. In a program appearing on the "Dupont Show of the Week" during the 1963–64 season, an episode entitled "A Ride With Terror," this provision is clearly violated. In the episode, two hoodlums terrorize a subway car full of people and fatally attack an old man. The Subcommittee chairman described the scene of the attack on the old man as follows during the July 1964 hearing:

"Here we have a detailed scene on how to mug a man, when the old gentleman was mugged in detail while one of the young thugs had him by the throat with a knife at his throat, and the other went through his pockets, and then finally brutally struck him down after having mugged him and robbed him. There may be some techniques that were not shown here that I do not know about. But it seems to me if you wanted a thorough lesson on how to mug a human being, you certainly got it on that show * * *."

Asked whether he saw any connection between "A Ride With Terror" and some of the violence and crime which has actually taken place on New York subways, the NBC executive testifying said:

"Incidents occurred in subways both before and after this show * * * I think that this was an unusual social document * * * Although it was dramatized, this was a report on the kind of thing that had happened in the subways."

The Subcommittee chairman made the point that a representative of the New York Transit Authority had objected to the show. The executive admitted that this had happened and that a "disclaimer" had been requested. The request was turned down by the network.

One NBC program which in the Subcommittee's judgment, violated a number of tenets of the NAB Code, was an episode entitled "The Weakling," which was among the early entries in the "Espionage" series introduced for the 1963–64 season. An NBC official testified that "we do not have a great deal of audience" for the "Espionage" series. But American Research Bureau reports that more than a million children viewed the program on the average.

A broadcast standards department memorandum of July 12, 1963, calls for more than a dozen specific revisions. It particularly requests a major overhaul of a sequence in which the "hero" is exposed to torture in detail. Specifically, in reference to the torture scenes, the memo says: "The above, if necessary at all, should be as brief as possible, off camera, suggestions only, etc."

As actually screened, the torture sequences were among the most brutal to be imposed on the television audience during the 1963–64 season. A subcommittee staff member pointed out during the July 1964, hearing that—

"At the end of the torture of these four men, the scene ended with close shots of one man bleeding from the mouth, another bleeding from the nostrils, a third staring painfully at the camera, and the fourth thrashing at the window of the torture chamber. An oxyacetylene torch was employed to burn the 'hero's body during the torture scene, the torch being applied on camera in the face of broadcast standards urging that this and related depictions should be off camera if 'necessary at all.' "

Other program episodes playing to substantial child audiences about which broadcasting standards complained during the past year, included "Bonanza" and "Kraft Theatre." (The episode in question: "The Legacy" and "The Name of the Game," respectively). In both cases, it did not seem to the subcommittee that most of the objections raised were complied with. In the subcommittee's view, then, NBC had continued during 1963–64 to contribute all too substantially to the violence, crime, and horror trend which monopolizes so much of the television fare to which the Nation's children are regularly exposed.

V. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

The subcommittee finds, on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee does not believe that television is either the sole or most significant cause of juvenile delinquency. We are also well aware of the many worthwhile and enduring contributions the medium has made to American life. And we are greatly impressed by television's achievements in the public affairs areas and by its potential for good in both the education and entertainment fields.

Yet, it seems clear that television has been functioning as what one informed critic has termed "a school for violence." Writing recently in the New York Times, that critic, a practicing psychiatrist who has made an intensive study of the impact of television upon children, had this to say:

"Whether crime and violence programs arouse a lust for violence, reinforce it when it is present, show a way to carry it out, teach the best method to get away with it, or merely blunt the child's (and adult's) awareness of its wrongness, television has become a school for violence * * * *. We are training not only a peace corps but also a violence corps. I do not advocate that violence should be entirely eliminated from TV. But it should be presented as a fact of life, not as life itself. We want to show younger people how the other half lives; but that does not mean we have to overload their imagination with images of how the other half dies."

The Subcommittee is well aware that there is an ever-present conflict within television—as within any creative medium—between those who write and produce dramatic shows and those charged with seeing to it that the standards of good taste and morality are adhered to. The subcommittee is equally aware of the need to foster true creativity in all the arts and of the fact that violence in one form or another is to be found to some degree in all of them.

The pertinent point is simply that all too many television shows harp on and underscore crime and violence. All too often, televised violence is presented for its own sake; not because it is essential to adequate development of a sound plot or realistic characterization. In short, televised crime and violence have often been an end in themselves, rather than a means to an end.

Subcommittee members do not object to portrayal of violence to that degree truly consistent with bona fide dramatic needs. Our objection is to such portrayal which far exceeds any reasonable standard and which has been shown, both by testimony and careful monitoring, to dominate network prime time programing to the virtual exclusion of shows specifically designed to meet the needs of children.

The current edition of the National Association of Broadcasters television code, in a section entitled "Responsibility Toward Children," states:

The education of children involves giving them a sense of the world at large. It is not enough that only those programs which are intended for viewing by children shall be suitable to the young and immature. In addition, those programs which might be reasonably expected to hold the attention of children and which are broadcast during times of the day when children may be normally expected to constitute a substantial part of the audience should be presented with due regard for their effect on children. Such subjects as violence and sex shall be presented without due emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution to human problems and the inevitable retribution should be made clear.

The subcommittee is fully in accord with this provision of the NAB code. The problem lies in the fact that, in practice, the television industry is not. The NAB code is well conceived but poorly enforced. In their chronic violation of it, the broadcasters render a patent disservice to the children and society of today. They also help pave the way for what may well be an even more distressing tomorrow. Ill effects, particularly where those affected are children, are not easily confined to one generation.

A. Network responsibility for crime and violence policy

The subcommittee is satisfied that primary responsibility for the prevailing policy, which features excessive crime and violence, rests with the three major networks. For it is clear that the networks have the key voice in determining programing content throughout the Nation. In theory and in law, this responsibility is supposed to be exercised primarily by the individual licensee. This was the intent of the legislation under which the Federal Communications Commission functions.

But, in this connection, the gap between theory and practice has been a wide one. Realistically speaking, the great majority of individual stations do not have the power to substantially affect the nature and content of programs aired during prime time. This conclusion is fully supported by a report issued by the House Committee on Interstate and Foreign Commerce in May 1963. Based on a study conducted over a 3-year period by the Federal Communications Commission and drawing upon the testimony of some 200 witnesses from all phases of broadcasting, the report states:

"Overall, network television program responsibility follows no discernible pattern. As network television is presently operated it is difficult to say who is responsible for what in network entertainment programing. However, it is entirely clear that the notion that actual responsibility for network programs is exercised at the station level is unreal. Licensee affiliates have, as a practical matter, delegated responsibility for program creation, production and selection to networks. Networks, in turn, have redelegated a major part of that responsibility to advertisers. Hollywood film producers, talent agents, and others. The result, at best, has been a concentration of program control in a central source—the network. This situation may involve a diffusion of control which verges on irresponsibility."

In its 1961–62 hearings and again in 1964 the subcommittee has aired specific evidence of network policy which deliberately determined the production, airing and marketing of programs featuring crime, violence and brutality. That evidence took the form of testimony by independent producers and others forced to introduce excessive brutality into new programs by network fiat. It took the form of subpenaed correspondence in which directives relating to crime and violence were clearly spelled out. It took the form of monitoring reports on the broadcasting of specific shows containing scenes of brutality and violence contrary to the requests of network reviewers charged with maintaining standards of morality and good taste.

A former administrator of the television code has stated that the code lacks teeth and that it is impossible to enforce it. And top executives of the three networks have themselves told the subcommittee that the "last word" in determining whether a code request or complaint was to be complied with rested with the networks.

The practice of syndication which has grown up over the past decade has intensified the violence trend. The networks lease or sell (they generally lease) reruns of shows produced by or for them and initially screened on network outlets. These reruns are made available to local stations, which it is claimed, are free to show them whenever they wish. The networks generally retain a substantial financial interest in the leased films and receive a specified percentage of the profits. The subcommittee's review of the syndication field reveals (see sec. 11) that a large majority of the syndicated films screened during the 1963–64 season featured excessive violence, and, further, were aired during prime time before large juvenile audiences.

Networks, like individual stations, do have their economic problems, their internal stresses, and their need to realize a profit on their investment. Broadcasters, though operating in an area of direct concern to the public, are entitled to a fair return on what they spend. But the dollar is not the only end of broadcasting. Further, no broadcaster has the legal right to make that dollar at the expense of good taste and the best interests of the community. The law under which television licenses are granted and renewed still requires recipients to serve the public interest, convenience, and necessity.

B Recommendations for resolving problems posed by televised crime and violence

The Subcommittee sets out below five basic recommendations or principles of action which it urges be implemented as soon as possible. It further urges close cooperation in applying these principles among the television industry, the Federal Communications Commission and other individuals and organizations with a stake in resolving the problems posed.

1. The networks should work together to develop a plan for devoting specific prime time hours each week to good children's programs of a cultural and educational nature. These programs should be staggered, as between networks, so that each evening of the week is covered and so that no one network bears the brunt of the scheduling problems presented.

Very few programs at the network level are geared specifically to meeting the moral, cultural, and educational needs of children, these despite the National Association of Broadcasters' code admonition that—"television and all who participate are jointly accountable to the American public for respect for the special needs of children, for community responsibility, and for the advancement of education and culture. * * *"

Further, even fewer good children's programs are presented either in the late afternoon or early evening hours when juvenile audiences are particularly large.

There are, of course, some good children's programs but these do not generally appear during prime viewing hours. Among such are NBC's "Watch Mr. Wizard," ABC's "Discovery 64" and CBS' "Captain Kangaroo." All three generally are telecast in the morning, the first two being aired only once each week. The last, which is a combined entertainment and educational show, is telecast 6 days a week.

Yet, in our view, the networks do not now have an effective and positive approach to children's programing. And it is a fact that the responsibility of broadcasters as defined by law and regulation requires positive implementation as well as the avoidance of programing which is detrimental to society. Because the overwhelming majority of local stations are dependent upon network programing to fill prime time periods daily, these stations can effectively meet the needs of children only if the networks take the initiative in making adequate programs available.

The proposal that the networks pool their efforts in planning and scheduling regular children's programs is designed both to foster top quality resulting from a sharing of experience and ideas and to spread the impact of any economic burden that may accrue. The subcommittee wishes to point out that it is possible for the networks to cooperate in this specific case without running afoul of antitrust legislation. The Attorney General of the United States has stated that the Department of Justice would give prompt and sympathetic consideration to approving any plan which the networks may devise involving a combined effort to improve children's programs. Further, the Federal Communications Commission is on record in support of joint planning in the common interest of children.

2. The Federal Communications Commission and the broadcasting industry should come to an early agreement on revision of section IV of the FCC licensing application and renewal form so that realistic standards for programing in the public interest are laid out. Such standards should include provi-

sions bearing directly on programing for children.

One factor which has contributed significantly to the heavy diet of violence and crime currently televised to the juvenile audience is a lack of precise standards for evaluating whether or not a broadcaster's programing meets the public interest test. It is this test which the Federal Communications Commission must, by law, apply in determining eligibility for a broadcasting license or for renewal of same.

We reiterate that law and judicial decision make it clear that the Commission is obligated to determine if a broadcaster applicant has established and/ or carried through programing policies consistent with the needs of his home community. The law is equally clear in forbidding the FCC to exercise censorship over program content—that is, to determine in advance of presentation whether something should or should not be broadcast. We reaffirm our concurrence with the premise that censorship is abhorrent to democracy and certainly not a valid approach to improving broadcasting content.

Yet, a review of the overall content and balance of the broadcaster's programing after the fact is clearly a legal requirement for determing whether or not a license should be renewed. The National Association of Broadcasters (sec. I) is on record in support of the FCC's right and obligation to make this review. Yet, the FCC today utilizes standards for making this determination which, by its own admission, are inadequate.

For almost 4 years, the FCC and the broadcasting industry have been "discussing" the need for revising and spelling out these standards through revision of part IV of the licensing application. Section IV is entitled "Statement of Program Service of Broadcast Applicant." During the years of negotiation relating to revision, no fewer than five distinct drafts have been introduced, one as recently as June 1964. The industry has registered objections to each of the four preceding drafts, one such objection being constantly put forward holding that the more detailed report requirements imposed by the drafts would create a costly and time-consuming burden for the licensee.

The argument has also been made by some that the spelling out of adequate programing standards would do little to improve program content because the networks, which are not subject to licensing, play the dominant role in determining the nature and content of local programing during prime time. In the subcommittee view, establishment of realistic programing standards which are precise, when combined with other steps outlined below, would bring about a significant improvement in the overall content of programs to which children are exposed. We assume that the networks would find it practical to accept the programing standards which their local outlets are required to meet.

The subcommittee urges the broadcasting industry and the Federal Communications Commission to forthwith work out their differences so that the licensing application can be revised to reflect a realistic, up-to-date approach to evaluating programing of the individual applicant for a new or renewed license. The negotiations have dragged on for far too long. It is further urged that the standards ultimately incorporated for evaluation purposes be such as to (a) determine the extent to which the broadcaster airs programs specifically designed for children and (b) deter undue emphasis on the programing of crime, violence, and brutality.

The subcommittee wishes to see these programing standards defined by voluntary cooperation of the parties directly involved in the spirit of free discussion and in full awareness of the complexity of the issue. But complexity is not and never has been a legitimate excuse for failure to resolve a problem when the public interest requires its solution. We may well be moved to seek a legislative remedy if the above-noted discussions do not soon bear fruit.

3. The National Association of Broadcasters' television code should be revised to provide more effective sanctions for use against violators and the broadcasters themselves should give serious thought to supporting legislation which would make adherence to the code mandatory.

The subcommittee holds that the preferred route to better television programing in general and to reduction of televised violence in particular is that of self-regulation. It wishes to commend LeRoy Collins, until recently president of the National Association of Broadcasters, for his efforts to enforce the association's code designed to maintain high programing standards. The subcommittee is favorably impressed with the code's provisions concerned with eliminating excessive violence and crime. Yet, as pointed out in section II, the code has not brought about any substantial reduction in televised crime and violence. It has failed to induce the networks to develop more and better children's programs. Its violation is chronic if only because it cannot be realistically enforced. Almost one-third of the Nation's television stations are not even formal subscribers. And, whereas the three major networks do subscribe, they pay very little attention to the code's provisions relating to violence and brutality.

A former code administrator, Mr. Robert Swezey, has stated that:

> It is virtually impossible for us to maintain industry standards in any practical sense. The public is still being victimized by the poor programing and shoddy practices of a large element of the industry which has no interest in standards and no compulsion to observe them.

We are convinced that what Mr. Swezey has said about standards in general is particularly appropriate to those aspects of the code which apply to violence and crime on television.

Therefore, we recommend that the broadcasting industry—the networks and local stations alike—adopt a more realistic approach to self-regulation and make use of the legislative process to strengthen its capacity for self-policing. Specifically, the subcommittee has under consideration an amendment to the Federal Communications Act which would require every broadcaster to belong to the National Association of Broadcasters and to subscribe to its codes. We urge the industry to give serious consideration and support to such a proposal. Such amendment would also give the NAB the power to enforce code provisions and the industry would, in turn, have the right of appeal to the Federal Communications Commission.

There is sound precedent for this proposal in the Securities and Exchange Act. That law provides for the formation of associations of securities dealers with authority, under the general surveillance of the Securities and Exchange Commission, to devise and enforce codes of good practice to which association members must conform. The National Association of Securities Dealers, to which the great majority of dealers belong, is the product of this legislative authority. The dealers themselves sit in judgment of their fellows charged with evading the association code. Enforcement proceedings are initiated by the association itself, usually on the complaint of members or of the general public. Enforcement penalties range from simple "censure" to expulsion from the association. A NASD member penalized by the association has the ultimate right of appeal to the Commission and to the courts.

We realize that the securities industry is not the broadcasting industry nor are its problems identical. We do not suggest that the specific rules, practices, and procedures which guide the NASD are necessarily suitable to broadcasting. But the precedent is certainly worth careful study. It has been tested by time and has worked most effectively. And it does leave enforcement primarily in the hands of private enterprise. The subcommittee stresses that the kind of law it envisions would leave the initiative both for policing program content and for enforcement in the hands of the television industry—not the Government. Under such a law, the Federal Communications Commission and the judiciary would be the courts of last resort.

4. A system should be developed whereby community leaders and groups can be encouraged to express their views on (a) the kind of programs to which they wish their children to be exposed and (b) how well existing programs are meeting sound standards, including those relating to crime and violence.

The subcommittee is deeply concerned by the lack of a mechanism for permitting the public to regularly express itself as to program content at the community level. The Federal Communications Act, as interpreted by the Supreme Court, provides that a broadcaster can effectively meet the public interest test for a license only if he gives adequate service to his community. Adequate service presupposes balanced programing, including a healthy diet for young viewers. This is not the diet children get today in the majority of communities.

It is our view that the broadcasting industry ought to support establishment of a policy whereby local stations seek regularly to make the public aware of its rights and of the broadcaster's legal duties in regard to programing. The Chairman of the Federal Communications Commission has proposed that each television licensee be required to broadcast some sort of standard announcement once every 2 weeks inviting the public to write and comment on programing as well as to inspect a copy of the licensing application the station has filed with the FCC. The subcommittee is pleased that some stations have adopted this practice at least in part.

However, we should like to see several additional steps taken. First, we propose that the announcement be broadcast once daily during the prime time period and that it point up the station's desire to know what kind of programing the public wants in the children's field. Secondly, the subcommittee holds that television stations ought to be required to conduct an annual statistically valid poll to determine the home community's attitudes toward programing in general and toward programs directed to the juvenile viewer in particular. Such a poll ought to reach civic leaders representative of a broad cross section of organized groups including business, labor, education, agriculture, the various religious groups, and public officials.

The subcommittee does not believe that existing rating services represent an effective means of determining a specific community's desire or needs in the juvenile programing field. Nor does it feel that the broadcaster is free of responsibility to provide sound juvenile programing simply because the community has not demanded it of him. We therefore support the promulgation of a new Federal Communications Commission rule which makes it mandatory for licensees to carry out the two basic proposals herewith cited. We reiterate our view that major responsibility for enforcement of this or any rule of this type ought to lie, in the first instance, with the broadcasting industry itself, subject to FCC review.

5. A coordinated, large-scale research attack should be launched to develop more precise information as to the impact of television on juvenile behavior and as to the interaction of television and other forces affecting such behavior.

Though qualified researchers have conclusively demonstrated that televised violence can inculcate antisocial attitudes and motivate delinquent behavior in young viewers, much remains to be learned about the relationship between television and human behavior. For example, we need to know more about the specific process through which televised crime and violence adversely affect children in a non-laboratory environment. The precise manner in which televised violence interacts with other environmental forces in bringing on antisocial behavior requires further investigation. And there is the need to explore and define improved standards for the development of children's programs. Additional knowledge relating to these and other "gap" areas is essential if the Nation is to achieve the kind of sound and balanced television programing consistent with the needs of our young people and of society as a whole.

The subcommittee is pleased to note that the broadcasting industry, other private organizations, the universities, and the Government have taken preliminary steps to implement a research attack on the television-delinquency relationship. In December 1963, the Joint Committee for Research on Television and Children awarded planning grants of $250 each to 25 social scientists to work up detailed research designs directed to assessing the influence of television on children. The joint committee's work is financed by the three major networks, the National Association of Broadcasters, the Foundation for Character Education and the Ford Foundation. The Department of Health, Education, and Welfare is represented on the committee and is cooperating in research planning.

The subcommittee feels that this research program is off to a promising start but that it is neither moving as rapidly as the problem warrants nor does its current approach and financial support seem adequate to the problem posed. More specifically, the subcommittee wishes to make the following observations which it hopes the joint committee and its supporters will see fit to adopt as the research program develops.

A sound foundation for the kind of research approach which is required has been laid by studies conducted over the past decade both in this country and abroad. The findings of this research were made available to the subcommittee and are briefly reviewed in this report. It is hoped that the joint committee will keep these findings firmly in mind as the guidelines for its research effort are hammered into shape.

It is hoped that joint committee grants will shortly be made available to foreign as well as domestic researchers, and, in particular, to social scientists abroad who have pioneered many studies of the impact of television on children. The subcommittee notes that 24 of the 25 planning grants have been awarded to people in the United States, the 25th going to a Canadian.

Social scientists testifying before the subcommittee generally agreed that one of the greatest research lacks is information on the cumulative effects of television viewing over a number of years on attitudes, character, and behavior. It is hoped that joint committee grantees and others will find the means for looking into this matter in depth. It is particularly urged that long-term studies to this end be conducted in the clinical (actual) environment.

The subcommittee strongly recommends the adoption of a policy whereby all results of research sponsored be made generally and readily available to the public at the earliest possible time.

Finally, we wish to reiterate our concern for the need to develop more effective tools for measuring and evaluating audience attitudes and responses. Such tools are not only a prerequisite to effective behavioral research but also to determining how well the broadcaster is meeting the needs of his community. Existing rating devices are clearly no substitute for the precise kind of measurement which the study of TV's impact on the young mind requires.

C. Legislation to assure quality programing under consideration

The subcommittee has under consideration several legislation proposals designed to encourage network initiative in the development of improved programing in addition to the legislation discussed in subsection B–3 of this report. It is not, however, the subcommittee's view that local stations are completely free of blame for the current domination of programing of violence crime, and brutality. Some stations have flouted their duty to act in the public interest—a duty that is part and parcel of the licensing requirement. Others have sought to evade their responsibilities to the community simply by pointing their finger at forces which they say are beyond their control.

We are not introducing legislation at this time. This is an interim report and our investigation is continuing. Further, it is our earnest hope that the broadcasting industry will heed our recommendations and will immediately take realistic steps to improve its programing and to substantially reduce the violence and crime which today is fed the Nation's children as an all-too-steady diet. Effective self-policing is the desirable approach to this problem which poses so clear a threat both to our present and our future.

But the patience of Congress, though considerable, is not endless. The public's demand for concrete results grows more intense and indeed it should.

If and when we recommend specific legislation, we will do so in full awareness of the fact that no Government agency has the right to control the content of specific programs and that freedom of speech and press are basic constitutional guarantees which must not be violated. However, we will also continue to bear in mind that the broadcasting industry operates over channels which belong to the people and which must, we insist, be used to serve the public interest.

Mr. DODD. Mr. President, there are several other documents, all having to do with the same material, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Boston (Mass.) Globe, Oct. 27, 1964]

TV ORDERED TO CLEAN UP—OR ELSE

WASHINGTON, October 27.—A Senate subcommittee today warned the television industry to cut the amount of violence and crime on its programs or face possible Congressional intervention.

In an interim report, the Senate Subcommittee on Juvenile Delinquency prodded the industry to "substantially reduce the violence and crime which today is fed the nation's children as an all too steady diet."

"Effective self-policing is the desirable approach to this problem which poses so clear a threat to both our present and our future," the report said. "But the patience of Congress, though considerable, is not endless."

STUDIES PROPOSALS

The subcommittee said it had under consideration several legislative proposals designed to spur the networks into better programming. The report said no legislation would be introduced at this time, but the investigation was continuing.

The Senate group found "that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers."

Chairman Thomas J. Dodd, (D-Conn.), said the National Association of Broadcasters' (NAB) code "is violated with impunity."

"There has been no substantial over-all change in the degree of violation between 1961 and 1964," he said.

"The NAB code is drawn up so that it appears to be the proverbial 'mailed fist'. But its impact has been that of the velvet glove.

"The industry's claim that this code is an effective vehicle cannot be substantiated in light of the evidence of chronic violation.

"Network programming policies which deliberately call for insertion of violence, crime and brutality are hardly conducive to building respect for any central authority within the industry."

IMPOSSIBLE TO ENFORCE

The report added: "The NAB code lacks teeth. It is impossible to enforce. The networks themselves admit that they have the last word in programming and the content thereof."

Sen. Dodd said in the entire history of the code, the seal of approval had never been lifted for violating the standards of program content.

"Yet our hearings show that the code itself has been broken hundreds of times but is generally ignored," Mr. Dodd added.

The subcommittee recommended self-policing proposals to the industry which included joint development by the networks of prime time programming specifically designed for young audiences; a revision of the NAB code to provide more effective use of sanctions against violators; a system to allow a community to express its views on local programming; a large-scale program to delve deeper on the impact of television on juvenile behavior.

[From the St. Louis (Mo.) Post-Dispatch, Oct. 27, 1964]

TV INDUSTRY WARNED TO CUT VIOLENCE OR FACE FEDERAL ACTION—EFFECT ON YOUTH CITED—SENATE GROUP SAYS CODE IS VIOLATED WITH IMPUNITY

WASHINGTON, October 27.—A Senate subcommittee today warned the television industry to cut the amount of violence and crime on its programs or face possible congressional intervention.

In an interim report, the Senate subcommittee on juvenile delinquency prodded the industry to "substantially reduce the violence and crime which today is fed the nation's children as an all too steady diet."

"Effective self-policing is the desirable approach to this problem which poses so clear a threat to both our present and our future," the report said. "But the patience of Congress, though considerable, is not endless."

The subcommittee said it had under consideration several legislative proposals designed to spur the networks into better programming. The report said that no legislation would be introduced at this time, but the investigation was continuing.

The Senate group found "that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers."

The investigation began in 1954. At that time, and again after the 1961–62 season, the industry asked for a chance at self-regulation through its "code of good practice." The subcommittee reported that it still did not find any reduction of violence and crime.

Chairman Thomas J. Dodd (Dem.), Connecticut, said that the National Association of Broadcasters code is violated with impunity.

"There has been no substantial over-all change in the degree of violation between 1961 and 1964," he said.

"The NAB code is drawn up so that it appears to be the proverbial 'mailed fist.' But its impact has been that of the velvet glove.

"The industry's claim that this code is an effective vehicle cannot be substantiated in light of the evidence of chronic violation.

"Network programming policies which deliberately call for insertion of violence, crime and brutality are hardly conducive to building respect for any central authority within the industry."

The report continued: "The NAB code lacks teeth. It is impossible to enforce. The networks themselves admit that they have the last word in programming and the content thereof."

Dodd said in the entire history of the code, the seal of approval had never been lifted for violating the standards of program content.

"Yet our hearings show that the code itself has been broken hundreds of times but is generally ignored," he said.

The subcommittee recommended self-policing proposals to the industry which included joint development by the networks of prime time programming specifically designed for young audiences; a revision of the NAB code to provide more effective use of sanctions against violators; a system to allow a community to express its views on local programming; a large-scale program to delve deeper on the impact of television on juvenile behavior.

[From the Los Angeles (Calif.) Times, Oct. 28, 1964]

TV INDUSTRY WARNED TO CUT CRIME SHOWS

WASHINGTON.—The television industry was warned Tuesday that it must reduce the crime and violence that children see on its programs or Congress may step in.

The warning came in an interim majority report of the Senate subcommittee on juvenile delinquency, which has studied the problem for a decade. It reported no noticeable results of an industry promise to police its own program content.

"Effective self-policing is the desirable approach to this problem, which poses so clear a threat to both our present and our future," the report said.

The subcommittee, headed by Sen. Thomas J. Dodd (D-Conn.) found after an exhaustive study that "a relationship has been conclusively established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

Among other things, it proposed that television stations be required to poll the public annually to determine what viewers think of the suitability of their programs.

(Portions of the report were disclosed Monday morning in the Times.)

[From the Washington (D.C.) Daily News, Oct. 27, 1964]

THE WORLD TODAY

THE ARTS

A Senate sub-committee which found a relationship between televised crime and juvenile delinquency said it is considering legislation to spur better programming among the networks. It said the TV industry must cut down on violence.

[From the Christian Science Monitor, Dec. 2, 1964]

TV CRIME AND OUR CHILDREN

The television industry has again come under the scrutinizing eye of a Senate investigating committee.

The aim: to find some relationship between televised crime and the rise in juvenile delinquency.

Sen. Thomas J. Dodd (D) of Connecticut, chairman of the Senate subcommittee to investigate juvenile delinquency in the United States, says there is such a link. Based on findings during three years of investigations, the subcommittee concludes that the rise of violence and crime on television has been a definite factor in the rise of juvenile delinquency. And the subcommittee places the primary blame at the feet of the three major television networks.

All three networks say they have "no comment" on the report. In testimony before the subcommittee, spokesmen for the television interests maintained there was no relationship between TV and crime among youths. The subcommittee admits that many factors are involved. But the report contends there exists "very substantial" evidence to show a clear relationship "between televised crime and violence and antisocial attitudes and behavior among juvenile viewers."

The subcommittee's study began in 1961. The evidence for the report goes back to 1954 in some cases. The methods it used included: public hearings airing the various views of interested groups; monitoring techniques to document the extent of crime and violence appearing on television; and review of expert evidence concerning the effects of television on the viewers.

Remedies proposed include stronger codes of practice, greater enforcement of the codes, and tighter licensing practices.

The Dodd report specifically rules out censorship of programs on any ground, saying that such a remedy would be "far worse than the disease it is intended to cure." But it also adds that "liberty of expression is not license."

Since television stations operate on publicly owned channels, the report says the government has a clear interest in seeing that the broadcaster is "serving the public interest."

Democrats serving with Senator Dodd on the subcommittee were: Sens. Sam J. Ervin of North Carolina, Philip A. Hart of Michigan, Birch Bayh of Indiana, and Quentin N. Burdick of North Dakota. Republican members were: Hiram L. Fong of Hawaii, Roman L. Hruska of Nebraska, and Kenneth B. Keating of New York.

Senators Hruska and Keating had not approved the report when it was released Oct. 27.

This page presents excerpts from the subcommittee's report.

EXCERPTS FROM SENATE REPORT

I. Extent of the problem

The extent to which violence and crime are currently portrayed on the nation's television screens is clearly excessive. And in the face of repeated warnings from officials directly concerned with coping with juvenile delinquency and from competent researchers that this kind of television fare can be harmful to the young viewer, the television industry generally has shown little disposition to substantially reduce the degree of violence to which it exposes the American public.

If anything, the broadcasting industry appears to have recently added a new dimension to the kinds of violence and criminality paraded across the television screen. . . .

The subcommittee sees good reason for this concern but its view of the problem presented has been the long-range one. It has carefully observed the nature and extent of crime, violence, and related antisocial behavior appearing in television programing for a decade. In hearings conducted in 1961–62, it urged the television industry to reduce its commitment to such programing, and assurances were given that such reduction would take place. One network, the Columbia Broadcasting System, has made a significant reduction in this type of programing as of the printing of this report. Yet, generally speaking, violence and crime continue their rampant march across the nation's television screen. . . .

Industry spokesmen have pointed to the adoption and updating of their Television Code of Good Practice, which is administered by the National Association of Broadcasters. They claim this reflects their concern with healthy programing. But the only tooth in the code is the threat that the so-called seal of good practice will be withdrawn from radio and television stations which do not conform to the code's provisions. The code does contain a number of sections dealing with crime, violence, and brutality. But association with the code is only voluntary. A very substantial number of radio and television stations do not subscribe to it. Of greater significance is the fact that on only one occasion has the television seal been suspended by the NAE, and that was in the commercial area, when 19 members were suspended and an additional 16 resigned. However, in all cases restitution was effected. Of greatest importance is the fact that the seal has never been withdrawn because of an infringement of the code with regard to program content.

A recent administrator of the code has stated publicly that it is not being realistically enforced and is breached with impunity. The subcommittee is convinced that this is indeed the fact of the matter, though it is certainly in complete sympathy with both the code's provisions and its stated objectives. The failure of the code to effectively limit televised crime and violence is documented in detail by subcommittee staff monitoring studies.

Results of Studies

Staff studies were conducted in 1954, 1961, and 1964. They were carried through in keeping with precise standards and techniques developed in conjunction with a highly qualified research consultant, Dr. Ralph J. Garry, educational psychologist, Boston University. Monitors concerned themselves with a broad range of program attributes, including the extent to which characterizations portrayed violence and criminal behavior, the extent and nature of violent acts, and the manner in which the law was presented in terms of its capacity to deal with crime. . . .

In 1954, shows featuring violence and crime accounted for 16 percent of all programing during the prime viewing hours 7 to 9:30 p.m. These were programs of the crime-detective, western, and action-adventure types. During the monitoring week (Sept. 13 to 19 inclusive), 22.3 percent of the programs between 4 and 10 p.m. were of these types. Children were a very substantial part of the total viewing audience during this time span in 1954, as they are today. . . .

The 1961 monitoring "week" (as before, this was an average week based on 4 months of viewing), May 9 to 15 inclusive, showed that the percentage of shows featuring crime and violence in the 4-to-10 p.m. time period has jumped by more than one-third, from 22.3 to 34.2 percent. For the prime time period, 7 to 10 p.m., inclusive, the increase was even more striking—an increase of some 200 percent (from 16.6 percent in 1954 to 50.6 percent in 1961). . . .

The 1964 study employed the same standards as the studies conducted in 1954 and 1961 and yielded significant comparable statistics. The one overriding revelation: That the extent to which violence and related activities are depicted on television today has not changed substantially from what it was in 1961 and remains considerably greater than it was a decade ago. Further, violence and other antisocial behavior are, to an overwhelming degree, televised during time periods in which the children's audience is a large one.

Monitoring of all networks during the week of Jan. 5 to 11, 1964, revealed a perceptible decline in the extent to which one network (CBS) featured acts of violence. Notwithstanding this decline, the over-all pattern of network programing was one which revealed a heavy concentration on violence and brutality during the prime time period 7 to 10 p.m. In the great majority of homes, school children are among the viewers in this time span. . . .

Thus, 55.3 percent of the ABC schedule was devoted to programs in which violence

was emphasized. The comparable statistics for NBC and CBS were 55.1 and 26.5, respectively.

II. TV's impact on young

In 1963, 91 out of every hundred families owned at least one television set. This means that the percentage of American families with television was greater than that with automobiles or bathtubs. It is thus not too surprising to find that American families spend on the average between 5 and 6 hours each day in front of the television set.

But what does this mean in terms of child viewers?

It means that children under 12, on the average, spend more time watching television than they do in either school or church. It means that each day more than 25 million children 12 and under look at the television set. Yet, the more pertinent question in terms of the subcommittee's interest is: What is the size of the juvenile audience during the prime-time period? A high proportion of this period is devoted to crime-detective, action-adventure, and western programs which feature violence and brutality. Some pertinent statistics follow.

More than 20 million children, 17 and under, watch network television during this prime time period.

At 8 p.m., on any given night, 17 million children under 12 will be viewers. At 7 p.m., the figure is roughly 18 million. . . .

The purchase trend, like that of the population generally, continues upward. This means that the number of juvenile viewers of prime time programs is certain to increase. And that, in turn, suggests that the number of children exposed to violence, crime, and brutality will also increase unless there is a dramatic change in commercial programing content.

No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior. Nor does the subcommittee hold this view. Delinquency is the complex product of many factors, social, psychological, and economic. . . .

Yet, it is clear that television, whose impact on the public mind is equal to or greater than that of any other medium, is a factor in molding the character, attitudes, and behavior patterns of America's young people. Further, it is the subcommittee's view that the excessive amount of televised crime, violence, and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior.

Findings Relating to TV's Role

The subcommittee has carefully reviewed the research evidence submitted to it by expert witnesses and has, in addition, sought to evaluate other research in this country and abroad which is relevant. From this review, the subcommittee has drawn certain conclusions as to the role of excessive televised crime, violence, and brutality in adversely affecting the viewer. These conclusions are briefly set out below. . . .

A. Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.

B. Filmed violence has been shown to stimulate aggressive actions among normal viewers as well as among the emotionally disturbed. This applies to adults as well as to children, but the effect is most pronounced on the latter. Experiments have shown that normal persons who see a violent film subsequently exhibit nearly twice as much violence as persons who have not seen such a film. When the experiments involved the infliction of pain on other human beings, men who had seen a violent film did not hesitate to inflict excessive pain on other men or even upon women or vice versa.

C. Children can learn to perform aggressive acts by exposure to such acts on television.

D. The observation of violence and aggressive behavior on television is more likely to bring about hostile behavior in the young viewer than it is to "drain off" aggressive inclinations.

E. Children are adversely affected by isolated scenes or sequences of violence and brutality, and this adverse effect is not necessarily washed away or purged by a "moral" ending in which "good" triumphs over "evil." Thus, a given western or crime-detective program may close with the victory of the forces of law and order, but, in the minds of the young viewers, this often fails to compensate for the impact left by scenes earlier in the program stressing violence and brutality.

F. Continuous exposure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the "normal" way of life.

G. Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons. . . .

Broadcasting-Industry Views

Testifying before the subcommittee in 1962, top broadcasting-industry executives generally took the position that the research evidence did not prove that television program content was a factor in breeding delinquent behavior. Thus, LeRoy F. Collins, until recently president of the National Association of Broadcasters, stated that the "weight of sociological opinion" does not justify the conclusion that televised crime and violence cause "delinquency or criminal tendencies." In general, representatives of the three major networks supported this assertion.

However, Mr. Collins and several witnesses concerned with program production did suggest that there was too much violence and crime being televised. Mr. Collins said flatly that there was no justification "for the use of violence merely for the sake of violence" and that to do so is "offensive to simple good taste, seriously downgrades the television art, and should be eliminated."

Unlike Mr. Collins, major network representatives staunchly defended their programing policies on the ground that they were giving the public what it wanted. They based their conclusions as to what the public wanted on the various rating services. In light of the questions raised as to the accuracy and efficiency of most of these services both by other congressional investigations and by competent testimony before the subcommittee, the subcommittee concluded that network assessments of "what the public wants" were open to question.

Some people associated with television in 1961–62 actually took the position that violence served a good purpose.

III. Network policies

Policy and Practice at the American Broadcasting Company:

The preoccupation with crime and violence at top echelons of the ABC network is well demonstrated by a review of correspondence and testimony relating to the production of "The Untouchables." This program played to exceptionally large children's audiences for most of its five-year network run and, as of the 1963–64 season, was being rerun in many areas. In some cases it was being shown twice a week. . . .

Policy and Practice at the Columbia Broadcasting System:

Though CBS is the only one of the three major networks shown by the subcommittee's 1964 monitoring study to have demonstrated a significant decline in the televising of crime and violence, there remains considerable room for improvement. All too many CBS dramatic shows continue to violate various sections of the NAB code. This point was made by the subcommittee chairman when he commended CBS officials for the network's improvement during the most recent hearing. . . .

Like ABC, CBS as recently as a few years ago actively pursued a policy calling for substantial violence, brutality, and sex in prime time programs playing to audiences regularly including large numbers of children. Witnesses before the subcommittee and subpoenaed correspondence revealed CBS policy hand at work in such popular programs as "Malibu Run" and "Route 66." The latter ran continuously on a first-run basis for four years. At the height of its popularity it attracted an audience of more than 12 million, one-fourth of them young childen and teen-agers. . . .

Policy and Practice at the National Broadcasting Company:

Immediately prior to the subcommittee's 1961–62 hearings, the National Broadcasting Company, like the American Broadcasting Company and the Columbia Broadcasting System, clearly pursued a deliberate policy of emphasizing sex, violence, and brutality on its dramatic shows. . . .

One measure of the persistence of that policy: During the last half of 1963, the complaints and criticism relating to horror, violence, sex, and improper language by the NBC Broadcast Standards Department to those responsible for network programing almost doubled over what they had been in the period immediately preceding for a show that was having rating difficulties. . . .

IV. Recommendations

The subcommittee finds, on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee does not believe that television is either the sole or most significant cause of juvenile delinquency. We are also well aware of the many worthwhile and enduring contributions the medium has made to American life. And we are greatly impressed by television's achievements in the public affairs areas and by its potential for good in both the education and entertainment fields.

Yet, it seems clear that television has been functioning as what one informed critic has termed "a school for violence."

. . . The current edition of the National Association of Broadcasters television code, in a section entitled "Responsibility Toward Children," states:

"The education of children involves giving them a sense of the world at large. It is not enough that only those programs which are intended for viewing by children shall be suitable to the young and immature. In addition, those programs which might be reasonably expected to hold the attention of children and which are broadcast during times of day when children may be normally expected to constitute a substantial part of the audience should be presented with due regard for their effect on children. Such subjects as violence and sex shall be presented without due emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution to human problems and the inevitable retribution should be made clear."

Network Responsibility

The subcommittee is fully in accord with this provision of the NAB code. The problem lies in the fact that, in practice, the television industry is not. The NAB code is well conceived but poorly enforced. In their chronic violation of it, the broadcasters render a patent disservice to the children and society of today. They also help pave the way for what may well be an even more distressing tomorrow. Ill effects, particularly where those affected are children, are not easily confined to one generation.

The subcommittee is satisfied that primary responsibility for the prevailing policy, which features excessive crime and violence, rests with the three major networks. For it is clear that the networks have the key voice in determining programing content throughout the nation. In theory and in law, this responsibility is supposed to be exercised primarily by the individual licensee. This was the intent of the legislation under which the Federal Communications Commission functions.

But, in this connection, the gap between theory and practice has been a wide one. Realistically speaking, the great majority of individual stations do not have the power to substantially affect the nature and content of programs aired during prime time. This conclusion is fully supported by a report issued by the House Committee on Interstate and Foreign Commerce in May 1963. . . .

Five Recommendations

Networks, like individual stations, do have their economic problems, their internal stresses, and their need to realize a profit on their investment. Broadcasters, though operating in an area of direct concern to the public, are entitled to a fair return on what they spend. But the dollar is not the only end of broadcasting. Further, no broadcaster has the legal right to make that dollar at the expense of good taste and the best interests of the community. The law under which television licenses are granted and renewed still requires recipients to serve the public interest, convenience, and necessity.

The subcommittee sets out below five basic recommendations or principles of action which it urges be implemented as soon as possible. It further urges close cooperation in applying these principles among the television industry, the Federal Communications Commission, and other individuals and organizations with a stake in resolving the problems posed.

1. The networks should work together to develop a plan for devoting specific prime time hours each week to good children's programs of a cultural and educational nature. These programs should be staggered, as between networks, so that each evening of the week is covered and so that no one network bears the brunt of the scheduling problems presented.

2. The Federal Communications Commission and the broadcasting industry should come to an early agreement on revision of Section IV of the FCC licensing application and renewal form so that realistic standards for programing in the public interest are laid out. Such standards should include provisions bearing directly on programing for children.

3. The National Association of Broadcasters' Television Code should be revised to provide more effective sanctions for use against violators, and the broadcasters themselves should give serious thought to supporting legislation which would make adherence to the code mandatory.

4. A system should be developed whereby community leaders and groups can be encouraged to express their views on (a) the kinds of programs to which they wish their children to be exposed and (b) how well existing programs are meeting sound standards including those relating to crime and violence.

5. A coordinated, large-scale research attack should be launched to develop more precise information as to the impact of television on juvenile behavior and as to the interaction of television and other forces affecting such behavior.

Conclusion on Legislative Proposals

We are not introducing legislation at this time. This is an interim report and our investigation is continuing. Further, it is our earnest hope that the broadcasting industry will heed our recommendations and will immediately take realistic steps to improve its programing and to substantially reduce the violence and crime which today is fed the nation's children as an all-too-steady diet. Effective self-policing is the desirable approach to this problem which poses so clear a threat both to our present and our future.

But the patience of Congress, though considerable, is not endless. The public's demand for concrete results grows more intense, and indeed it should.

If and when we recommend specific legislation, we will do so in full awareness of the fact that no government agency has the right to control the content of specific programs and that freedom of speech and press are basic constitutional guarantees which must not be violated. However, we will also continue to bear in mind that the broadcasting industry operates over channels which belong to the people and which must, we insist, be used to serve the public interest.

[From the Newark (N.J.) Star-Ledger, Aug. 1, 1964]

TV Violence

A U.S. Senator says it's a crime the way the television industry plays up violence, gangsters and immorality to "make a buck."

This isn't the first time that broadcasters have been criticized for excessive violence and crime content of their programs. They've been officially chided before but only one network has taken steps to cut down on this kind of dramatic material.

Sen. Thomas J. Dodd (D-Conn.) used rough language in demanding that the television industry clean up the programs.

"You don't care, and if you don't start caring, the American people are going to make you start caring," *Sen. Dodd told television executives summoned before his Senate subcommittee on juvenile delinquency.*

There is, as anyone who watches television can attest, a good deal of violence, crime and at times, some sadistic touches designed for dramatic shock value. The potential danger is that these programs are available to wide audiences that include a sizeable segment of youngsters.

Parents can keep their children away from movies that they feel are too adult or have too much violence. This alternative is not always available where TV is concerned. All that is needed is a flick of the wrist and a youngster is exposed to a wide range of raw human emotions blatantly displayed. It's rough stuff and TV could do with a lot less of it.

[From the Wall Street Journal, Oct. 24, 1964]

What's News—Worldwide

TV crime and violence in children's programs must be reduced or Congress may intercede, an interim majority report of the Senate delinquency subcommittee said. The panel said television industry efforts at self-policing hadn't been effective. It added that it didn't regard "existing rating services" as an effective measure of a community's "desires or needs" in juvenile programing.

[From the Washington (D.C.) Post, Oct. 28, 1964]

Policing TV Crime

The television industry was warned yesterday that it must reduce the crime and violence that children see on TV or Congress may step in.

The warning came in an interim majority report of the Senate Subcommittee on Juvenile Delinquency. It reported no noticeable results of an industry promise to police its own program content.

Among other things, the Subcommittee proposed that TV stations be required to poll the public annually to determine what viewers think is suitable for programing.

[Hartford (Conn.) Courant, Oct. 28, 1964]

The Senate Reports on Juvenile Delinquency

A Congressional committee that releases a report on a popular subject just one week before election opens itself to the charge of political propaganda. A report just released by the Senate subcommittee on juvenile delinquency again charges that juvenile delinquency is linked to T.V. violence. Yet the subcommittee hastens to hedge on this warmed-over hash by saying that no serious student of juvenile delinquency contends that television is the sole cause. It is, rather one of a great many components that might generally be described as the culture in which our children live.

In many ways a Senate subcommittee holding hearings on this subject is mildly ridiculous. For half a century experts have been studying the problem, and most of their findings are readily available. For example, more than three decades ago Dr. Sheldon Glueck and his wife started their life-long study of this subject with the publication of *The Individual Delinquent*. This has been followed by other monumental volumes that say just about all there is to say on the subject.

For this reason among many there is a quality of opera bouffe about a group of Senators sitting seriously with their best profiles to the television camera, producing from time to time rather ordinary observations on juvenile delinquency. It takes no senatorial subcommittee to reveal that ours is a culture of violence; that the child has a toy pistol put in his hands when he begins to toddle, and that his whole play life up to and through adolescence, deals with instruments of violence. Strangely enough most children pass through these experiences shielded by a magic garment that the Senate subcommittee has not yet noted: This is the magic garment of parental love and affection, and the security of a good home.

[From the Washington (D.C.) Evening Star, Nov. 1, 1964]

Another Warning to TV

Since 1956, the Senate Judiciary subcommittee on juvenile delinquency has been intermittently looking into the adverse influence of television and films on youngsters. Along the way, Chairman Dodd has built up an impressive amount of testimony supporting the view that something must be done.

Back in 1961, for example, the National Council on Crime and Delinquency warned of excessive emphasis on violence and sex and urged the Federal Communications Commission to use broader penalties against those violating the codes.

Now the subcommittee has issued a report based on hearings and monitoring of programs this year, and the findings are not good. The television industry, it says, is continuing to beam a "clearly excessive" amount of crime and violence. It relates this to juvenile delinquency. Only one network, CBS, was found to have cut back its area of gore and gunplay in the past three years—and even there, the violations of the television industry's code persist, according to the report.

The National Association of Broadcasters' code could not be more explicit. It contains eight sections dealing with television's "Responsibility Toward Children" alone, plus repeated prohibitions and warnings elsewhere. Among them: "The use of horror for its own sake will be eliminated; the use of visual or aural effects which would shock or alarm the viewer, and the detailed presentation of brutality of physical agony by sight or sound are not permissible."

Those who link TV crime with actual crime as a cause-and-effect process are met with a standard argument by certain spokesmen for the industry: No connection is proved. Yet these industry spokesmen, in speaking to advertisers, do not hesitate to cite the pulling power of television.

Well, you cannot have it both ways. Either television is a compelling persuader, or it is not. Any parent who has ever been begged by his children to buy breakfast food or toys advertised on this medium is surely aware that television is a powerful force, for good or evil. What children watch, they imitate. That assumption lies behind the N.A.B.'s own prohibitions.

The Senate panel urges the television industry to reform its ways on its own, without new laws.

"But the patience of Congress, though considerable, is not endless," the subcommittee warns. "The public's demand for concrete results grows more intense and indeed it should."

[From the Washington (D.C.) Post, Nov. 2, 1964]

School for Violence

There can be no doubt that television is one of the most potent of educational instruments. It is effective in conveying not only precept, but example as well. We see nothing startling, therefore, in the conclusion reached after prolonged study by the Senate Subcommittee on Juvenile Delinquency that TV has taught young people in the United States—along with a lot of other lessons—a great deal about how to commit violence against their fellow-citizens. Any habitué of TV sees a lot of violence committed before his very eyes.

Violence is a fact of life. It cannot, therefore, be wholly excluded from screens that aim, in some degree, to mirror life. But even without an exhaustive study of TV fare, one can hardly escape an impression that a good deal of what is shown is senselessly brutal and sometimes even sadistically cruel. TV is not along among media of communication, of course, in pandering to an unhappy human appetite for this kind of titillation. But TV's presentation of it is so graphic and effective as to give it special, and perhaps dangerous impact.

It would be foolish to say that TV makes hoodlums or of itself leads youngsters to commit crime. Some of its serials, however, make criminal conduct seem easy and feasible; sometimes they seem to hold human life very cheap indeed and to show the taking of it as a quick and simple matter for anyone in possession of a gun; and often they show scenes which might well stimulate warped minds to brutal behavior. It is not foolish, we think, to suppose that some TV fare has an unfortunate influence on warped and sick adolescents.

"No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior," the Subcommittee report declares. And it goes on to say that "continuous explosure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the 'normal' way of life." This strikes us as a judicious and considered observation. It is much more than time for the television industry to give it serious consideration and purge itself of excesses which have dangerous implications for the community.

[From the Los Angeles (Calif.) Herald-Examiner, Oct. 29, 1964]

TV Getting It in Neck Because of Young Viewers

Television, which has done so much to please its youthful customers, is the target of a double-barreled attack by congressmen and doctors who consider the medium dangerous for small fry.

A bunch of senators the other day warned the industry to knock off all the violence on the home screens, suggesting the incidence of juvenile delinquency is connected to events flashed on the tube.

And a couple of Air Force pediatricians have discovered something called "The Tired Child Syndrome," which they maintain is caused directly by watching too much television.

In seasons gone by, it has been easy to find plenty of gore and shoot-em-up scenes on television but this year the most "violence" you'll find is in the prat falls of the comedians. The number of shows with actual life-and-death situations in them is below 10 per cent of the whole offering. Perhaps delinquency does begin in the home but not necessarily before the TV set.

As for the kids suffering from too much TV viewing, well, there's not much argument there. The doctors found the sufferers, who complained of headaches, loss of appetite, chronic fatigue and even vomiting, were watching an average of three to six hours each weekday and six to 10 hours on weekends.

The doctors got the parents of their patients to help the kids to kick the video habit by cutting off their viewing completely. Most of the youngsters recovered full health but the strain was too much for some of the parents, particularly fathers, who couldn't give up their evenings in front of the monster. Soon the children drifted back to their old habits and are ill again.

[From the Los Angeles (Calif.) Herald-Examiner, Nov. 3, 1964]

Live From District of Columbia

Suggestion for a TV documentary:

How about a visual presentation of the congressional report that links televised crime and violence to the rise in juvenile delinquency?

The report, to be released soon, has been compiled by the Senate subcommittee on Juvenile Delinquency under chairmanship of the able Sen. Thomas J. Dodd, D-Conn.

It says: "No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior, nor does the subcommittee hold this view."

However, it also observes that: "A relationship has clearly been established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

And it is emphasized that: "The excess amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior."

Such a TV documentary would make a pretty good show—and would be a fine public service.

Investigators Continue Investigating While TV, Film Violence, Immorality Increase

"Time-wasting 'investigations' " of violence and immorality on movie and television screens have gone on for nine years, declared William H. Mooring, Catholic Press columnist, "and we stand just where we did when they began. Except that youthful crime and brutal realism on films and TV have increased."

The Senate Subcommittee on Juvenile Delinquency, under the late Estes Kefauver "clearly established partial causal relationships between rising juvenile crime rates and violence and immorality on the screen," said the veteran movie-TV critic.

"Taking up where Kefauver left off, the subcommittee under Senator Thomas Dodd (D., Conn.), now reaches the same, unsurprising conclusion!

"If the networks do not clean up their shows (especially of brutality and violence) the subcommittee warns it will move to recommend legislation. This the late Estes Kefauver threatened in 1956. Since then both movies and TV, in alleged pursuit of dramatic honesty and realism, have stepped up cruelty, viciousness and flagrant immorality until one wonders how much further they can go even if they try!"

Like a "tired old man shuffling off one foot on to the other," he said, "the subcommittee has changed its stance. It now bears down upon TV where, in 1955, Kefauver was mainly after theater movies and salacious film ads."

"As far back as June 16, 1955, in documented testimony I laid before the Kefauver subcommittee in Los Angeles, I stressed that as to their effect upon the behavior of old or young, theater films and home TV must be viewed as a single, powerful influence.

"The Dodd report deplores that ABC has not changed appreciably from its 'Treyz trend' of 1960–62. CBS is praised mildly for cutting back a bit on 'violence' but a 'sexy' tendency is charged against the regime of CBS executive James Aubrey.

"NBC is slapped because of an alleged 1960 edict by its president Robert Kintner to step up sex, violence and brutality, an effect which, the report complains, 'still is much alive.'

"In its 1956 interim report, the subcommittee, in fact, supported most of my arguments. No more conclusive action resulted, of course. Investigation has continued ever since, no doubt at considerable public expense.

"In show business, it would seem, promises and pledges come before performance, but not before profits! In national political circles, talk still comes easier than action."

[From the Washington (D.C.) Evening Star, Oct. 27, 1964]

Subcommittee Report

Yesterday's Senate Juvenile Delinquency Subcommittee's report, which puts the blame for the continued violence on TV directly on the top executives of the three television networks, should make a point of the relationship between the ratings, the content of shows, and job security in the upper brass echelons. Frequently, the subcommittee found, network officials not only ignore the broadcasters code and viewer complaints, but even ignore complaints from sponsors and other advertisers.

[From the New York Times, Oct. 26, 1964]

Delinquency Tied to Violence on TV—Senate Group Asserts Tests Show a "Conclusive" Link

Washington, October 25.—A still-secret report charges there is a conclusive link between crime and violence in television shows and juvenile delinquency.

The report has been signed by a majority of the Senate Subcommittee on Juvenile Delinquency headed by Senator Thomas J. Dodd, Democrat of Connecticut, it will be released shortly.

In its summary, based on years of study and public hearings, the subcommittee reported it found "on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

In another section of the report, the subcommittee said that in its view "the excess amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior."

At the opening of the latest hearings in July, Mr. Dodd said that despite the reduction of TV violence predicted by network officials in 1961 and 1962, he found very little improvement except with the Columbia Broadcasting System.

[From the New York Times, Oct. 26, 1964]

LINKING TV VIOLENCE TO YOUTH VIOLENCE

WASHINGTON.—A still-secret report charges there is a conclusive link between crime and violence in television shows and juvenile delinquency, it was learned yesterday.

The report has been signed by a majority of the Senate subcommittee on juvenile delinquency headed by Sen. Thomas J. Dodd, D., Conn. It will be released shortly.

In its summary, based on years of study and public hearings, the subcommittee reported it found "on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

In another section of the report, the subcommittee said in its view "the excessive amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior."

At the opening of the latest hearings in July, Sen. Dodd said that despite the reduction of violence predicted by network officials in 1961 and 1962, he found very little improvement except with Columbia Broadcasting System. In addition, the Senator said he found that most of the violent shows from the 1961–'62 season have been syndicated and reshown on independent networks and stations.

"No serious student of juvenile delinquency contends that television is the sole cause of delinquency behavior," the report said. "Nor does the subcommittee hold this view."

The subcommittee acknowledged that "delinquency is the complex product of many factors, social, psychological, and economic."

At the same time, the report said: "It is clear that television whose impact on the public mind is equal to or greater than that of any other medium, is a factor in molding the character, attitudes and behavior patterns of America's young people."

The group concluded that television violence tends to reinforce aggressive attitudes and drives in juveniles where they already exist, and stimulates aggressive actions among both the normal and the emotionally disturbed, adult and juvenile.

"When the experiments involved the infliction of pain on other human beings, men who had seen a violent film did not hesitate to inflict excessive pain on other men or even upon women and vice versa," the report added.

According to the subcommittee, children are adversely affected by isolated scenes or sequences of violence and brutality. This adverse effect is not purged by an ending where good triumphs over evil.

"Thus, a given Western or crime-detective program may close with the victory of the forces and law and order but, in the minds of the young viewers, this often fails to compensate for the impact left by the scenes earlier in the program stressing, violence and brutality."

The subcommittee also said that children can learn to perform aggressive acts by watching such acts on their sets; that viewing such incidents is more likely to bring about hostile behavior in the young than drain aggressive inclinations; that filmed violence can release hostility and aggressive behavior in those already under stress; and that continuous exposure to violence, crime and brutality tends to have "a cumulative effect which can build up aggressive tendencies and the viewer's acceptance of excessive violence as the 'normal' way of life."

[From the Bridgeport (Conn.) Post, Oct. 28, 1964]

TV IS RAPPED IN NEW REPORT BY DODD UNIT

(By Carey Cronan)

WASHINGTON.—Television networks were charged by the Senate Committee on Juvenile Delinquency headed by Senator Thomas J. Dodd, D-Conn., with being "the key voice in determining programming content throughout the nation" and with fostering programs that stressed crime and violence and suggestive scenes.

The report cited what it called the "Kintner edict," a directive from Robert E. Kintner, president of NBC–TV, which furthered the much-criticized programs. "The subcommittee is convinced, on the basis of its 1964 monitoring, its review of subpoenaed correspondence, and the testimony of officials that, whatever the fate of the 'Kintner edict' per se, the policy which it enunciated was still very much alive during the 1963–64 season."

The report said that protests over "horror, violence, sex and improper language by the NBC Broadcast Standards department to those responsible for network programming almost doubled over what they had been in the period immediately preceding for a show that was having rating difficulties."

QUOTES MEMO

The document added that television "key people" usually associated "action" with "violence" and it cited one memorandum from ABC's Peter Peterson's correspondence with Thomas More, vice president of ABC–TV, commenting that a script did not show as much action as some "but sufficient to keep the average bloodthirsty viewer fairly happy."

Dr. Wilbur L. Scramm of Stanford university was quoted as testifying: "We are taking a needless chance with our children's welfare by permitting them to see such a parade of violence across our picture tubes. It is a chance we need not take, it is a danger to which we need not expose our children any more than we need expose them to tetanus, or bacteria from unpasteurized milk."

The report said there was plenty of evidence that television programming "does contribute to the development of antisocial attitudes and behavior in the young."

PHRASES NOTED

The Dodd report noted such phrases in network reports as "very good gun battle" . . . "good material of machinegunning" . . . "I don't know if we can get away with it, but let's leave it in." . . . "I think the film is vulgar, dirty, in extremely poor taste and ending up with a Scripture quotation after such filth was the crowning blow . . ."

The report added: "Mr. James T. Aubrey, Jr., CBS network president, is reported to have issued what became known among producers as the Aubrey dictum of 'broads, bosoms and fun.' In testimony before the Subcommittee in 1962 Mr. Aubrey admits to asking for more 'glamor' and 'romantic interest' but denies authorship of the dictum in the specific sense."

Comment by a station official on one program pointed that the heroine of one show "wears over a pair of very spiked heels the tightest pair of slacks ever to be entered by womankind without mechanical assistance."

Another report stated: "If you wanted a thorough lesson on how to mug a human being, you certainly got it on that show."

FINDS ADVERSE EFFECT

The Subcommittee believes that television programs featuring excessive violence can and do adversely affect children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers . . . too many television shows harp on and underscore crime and violence . . . have often been an end in themselves rather than a means to an end."

The probe showed that independent producers and others were "forced to introduce excessive brutality into new programs by network fiat."

The report called on the networks to work together to program so-called adult shows at times when children are not ordinarily viewers.

Warning that the patience of Congress is not endless and "the public's demand for concrete results grows more intense" the report added: "If and when we recommend specific legislation, we will do so in full awareness of the fact that no Government agency has the right to control the content of specific programs and that freedom of speech and press are basic Constitutional guarantees, which must not be violated. However we will also continue to bear in mind that the broadcasting industry operates over channels which belong to the people and which must, we insist, be used to serve the public interest."

[From Variety, New York (N.Y.), Oct. 28, 1964]

SOLON WARNS ANEW THAT TV CLEAN UP "SEX AND VIOLENCE" BEFORE GOVERNMENT ACTS

WASHINGTON, October 27.—Thomas Dodd (D.-Conn.) clubbed the TV networks Monday (26) for cluttering the airways with sex and violence and warned Congress will act if the webs refuse to clean up their programming.

A premature release of the Senate Juvenile Delinquency subcommittee's TV report cited CBS for some improvements but slapped all three webs for policies featuring "excessive" crime and violence.

Though not recommending legislation for the moment, the subcommittee warned it would act if voluntary efforts by the nets don't bring a curb on blood-and-guts programming.

The industry has heard, but barely reacted, to such warnings since 1954 when the late Sen. Estes Kefauver (D.-Tenn.) probed morality on the tube. In an effort to ally this apathy, the subcommittee said its patience, "though considerable, is not endless."

The report covers the span from 1954 to the hearings initiated by Dodd in 1961 and wrapped up earlier this year.

Its release was not expected prior to the election for several reasons, among them Sen. Dodd's bid for reelection in Connecticut. A leak of the report, however, prompted its general release.

The sometimes-sensational hearings preceding the report caused several shakeups in network quarters, among them the resignation of ABC prexy Ollie Treyz.

The report is pegged to the assertion that a relationship has been "conclusively" established between TV violence and juvenile delinquency.

Averring the tube has served as a "school of violence," the subcommittee proposed five recommendations for a voluntary clean up of kid video.

The subcommittee called for:

1. A joint plan by the webs for prime time cultural and educational programs for juves offered at staggered times during the week. This could be accomplished without violating antitrust laws, the subcommittee said.

2. A revision of FCC's programming form with more specifics by applicants on how they will uphold their public interest responsibilities, particularly with kid programming.

3. Effective sanctions in NAB's codes and perhaps a revision of NAB along the pattern of the National Assn. of Securities Dealers.

The subcommittee said broadcasters should give "serious thought" to make code membership "mandatory."

4. More effective dialog between the public and stations. Two steps were recommended to implement this suggestion. First, stations would broadcast daily during prime time a reminder of their interest in public response to their children's programming. Second, stations "ought to be required" to annually conduct a poll of viewers toward their regular and children's programming.

5. Expanded research on the impact of television on children.

The subcommittee reviewed the programing policies and practices of each web and expressed particular pleasure with none of them. Much of the documentation came in subpoenaed interoffice correspondence.

ABC'S "PREOCCUPATION"

It noted cryptically the "preoccupation with crime and violence at top echelons" of ABC.

Rapping both "The Untouchables" and the "Bus Stop" seg, "A Lion Walks Among Us," the subcommittee swatted ABC for continually rejecting the blue-pencil advice of its own censors and for violating the NAB codes.

The subcommittee noted conditions at ABC have not changed "appreciably" since the 1960–62 era of the "Treyz trend."

Though noting CBS was the only web to significantly cut back on violent programing, the subcommittee said "there remains considerable room for improvement."

Like the other webs, CBS was "plagued" last year by a continuing battle between producers and its policing division, the subcommittee said.

"BROADS, BOSOMS, AND FUN"

Despite the off-handed praise, the report said the "broads, bosoms and fun" dictum of CBS–TV prexy James Aubrey "has not been dethroned at CBS . . . the code continues to be violated with distressing regularity," the subcommittee averred.

Drubbed for its "penchant for violence" was NBC. The subcommittee coupled the "Treyz trend" and "Aubrey dictum" with the "Kintner edict," an alleged demand in 1960–61 by NBC prexy Robert Kintner for sex, violence and brutality.

The subcommittee said whatever the actual fate of the "edict," the policy was "still very much alive" in last year's NBC schedule.

Concluding, the subcommittee said, "NBC had continued during 1963–64 to contribute all too substantially to the violence, crime and horror trend which monopolizes so much of the television fare to which the nation's children are regularly exposed."

Besides clouting the networks for the primary responsibility in violent program fare, the subcommittee also rebuked the rating services and program syndicators.

The subcommittee said "a large majority" of the syndicated films screened in 1963—64 "featured excessive violence" and were aired during prime time to largely juve audiences.

[From the Washington (D.C.) Star, Oct. 26, 1964]

Violence on TV, Delinquency Linked in Senators' Report

"Violence, crime, brutality and related antisocial behavior continue to dominate the dramatic presentations which appear on the nation's television screens," according to a report by the Senate Juvenile Delinquency subcommittee.

The report said there is impressive evidence that violence on television is directly related to juvenile delinquency.

"The excessive amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior," the report said.

EXECUTIVES BLAMED

The report, not yet released by the committee, puts the blame for the continued violence on TV directly on the top executives of the three television networks.

Only the Columbia Broadcasting System has shown "any significant decline in programmed violence" between 1961 and 1964, according to the report. But, it continued:

"There remains considerable room for improvement. All too many CBS dramatic shows continue to violate various sections of the National Association of Broadcasters code."

At the American Broadcasting Co., the report said, the company's top echelons have a "preoccupation with crime and violence."

"KINTNER EDICT"

In 1962, the report said, the subcommittee found that the National Broadcasting Co. "clearly pursued a deliberate policy of emphasizing sex, violence and brutality on its dramatic shows." This was termed the "Kintner edict," after NBC president Robert Kintner.

"The subcommittee is convinced," the report added, "on the basis of its 1964 monitoring, its review of subpoenaed correspondence and the testimony of network officials, that, whatever the fate of the 'Kintner edict' per se, the policy which it enunciated was still very much alive during the 1963–64 season."

Six of the eight members of the subcommittee headed by Sen. Thomas J. Dodd, D-Conn., have signed the report. They are Dodd and Sens. Sam J. Ervin, D-N.C.; Philip A. Hart, D–Mich.; Birch Bayh, D-Ind.; Quentin N. Burdick, D-N.D., and Hiram L. Fong, R-Hawaii. Two others, Roman L. Hruska, R-Neb., and Kenneth B. Keating, R-N.Y., have been busy in the campaign and have not finished reviewing the 80-page report.

Drawing on testimony and research covering a period of more than three years, the report cites specific instances of top-level involvement in decisions to add crime and violence to television shows.

One letter obtained by the subcommittee quotes a West Coast CBS official as referring to "Mr. Aubrey's dictum of 'broads, bosoms and fun.'" James T. Aubrey, president of CBS, denied in testimony before the subcommittee that he had used those words, but "admits to asking for more 'glamor' and 'romantic interest,'" the report said.

Aubrey, according to the report, had a conference with producers of "Route 66" and this resulted in a memo from the West Coast official praising a subsequent show:

"I must acknowledge that 'Baby Doll' has more than a generous share of bosom amply displayed to a point where Program Practices is screaming in anguish and (she) wears over a pair of very spiked heels, the tightest pair of slacks ever to be entered by woman-kind without mechanical assistance."

DEVASTATING PROBLEM

"It is the subcommittee's view that the problem posed by excessive concentration on sex is more than just embarrassing and gratuitous," the report said. "In a program such as 'Route 66,' which is viewed by a very large children's audience, the impact on the moral standards and sensitivities of many viewers may well be a devastating one."

ABC, the report said, had its counterpart of the "Kintener Edicit" and the "Aubrey Dictum" in the "Treyz Trend," named for Oliver Treyz, former president of the network.

Frequently, the subcommittee found, network officials not only ignore the broadcasters code and viewer complaints, but even ignore complaints from sponsors and other advertisers.

An advertising agency complained to ABC about a scene in an "Untouchables" script entitled "The White Slavers" in which "a group of Mexican girls being imported to Chicago for use as prostitutes are machine-gunned by gangsters when it is found that they cannot get them across the border."

[From the New York Post, July 28, 1964]

On The Air

(By Bob Williams)

Officials of the three networks and their film-syndication subsidiaries have been called for testimony in Washington Thursday before Chairman Dodd (D-Conn.) of the Senate subcommittee on Juvenile Delinquency. Dodd, who for years has been warring against excessive "sex and violence" on TV, is expected to ask what happened to the series he found objectionable in previous 1961 and 1962 hearings. What happened is that many of them were sold into syndication for the usual reruns on local channels.

[From the Washington Post, Dec. 7, 1964]

Everyone Has Alibi For No Kid Shows

(By Hal Humphrey)

HOLLYWOOD.—Everyone from J. Edgar Hoover to Ed Sullivan has condemned TV for not putting better children's programs on the air.

The Senate Juvenile Delinquency Subcommittee's recent TV report has even called for all three networks to put juvenile cultural and educational programs on prime time at staggered times during the week.

No more is likely to come of this than resulted from former FCC chairman Newton Minow's plea for better kids' shows a few years ago.

Cyril W. Plattes, vice president and director of marketing for General Mills, Inc., can tell you why. His firm has participating sponsorship of four daytime kids' shows besides such nighttime fare as "The Patty Duke Show," "Mr. Ed," "Johnny Quest" and "The Munsters."

"We at General Mills do care about educating children but at the same time we have to compete with the other shows. I believe the networks made a solid effort to go along with Minow, and they put on some fine shows, but they couldn't get a rating with them," says Plattes.

General Mills has a show going into its second season now which Plattes believes embodies the happy solution of entertaining and informing the child at the same time. It is a cartoon series called "Tennessee Tuxedo" on CBS–TV Saturday mornings.

The title role is played by an adventuresome penguin who before the half-hour is over is told how a telescope works, how to dig for gold or why gushers gush. These tidbits of knowledge are about as prominent as a raisin in a big piece of cake. It goes down when you swallow the cake, but you hardly notice it.

Plattes insists that General Mills feels a responsibility to its kid audiences beyond entertaining them for the sake of selling cereal. Of course, as he also points out, if the latter weren't accomplished, there would be no General Mills-sponsored shows.

Networks also claim they are not calloused to their responsibility for adding to our kids' cultural enrichment. They can list an imposing number of educational shows that have been beamed over the past dozen years. Unfortunately, compared to the total number of programs, this list is also the size of a raisin.

Both Plattes and the networks say the greatest failure is not theirs, but must be put on parents, enough of whom do not guide their kids into watching the better things.

"I can't blame a mother for using TV as a baby-sitter. She has all kinds of problems to face every day. But if a program is not watched, it can't survive, can it?" asks Plattes.

And the networks will tell Senator Dodd and his juvenile delinquency committee they cannot afford to put children's shows on a prime-time evening hour. A low-rated show early in the prime-time, says the networks, wipes out the whole evening. The old "Firestone Hour" ultimately was booted off by all three networks through this reasoning.

As long as blame for this failure is being passed around, some of it must go to the creators of kids' shows. Most of them get too patronizing and forget that the young audiences they are aiming at are more sophisticated than most adults realize.

"Children are not children so long any more, and we do not always allow for this," observes cereal-seller Plattes.

He knows, because not only do kids quit eating cereal at a younger age today, they also quit swallowing dull lectures on things they already know from having watched "Popeye the Sailor Man."

[From the New York Herald Tribune, Oct. 13, 1964]

THE SOFT ONE-TWO PUNCH

(By Richard Doan)

And now kiddies, is there anything you want to know about the inner workings of the nasty old television business? The chicanery, the power struggles, the group-thinking routines, the character assassination, the easy morals, the cynical motives? Then pop down to any bookshop and pick up a couple of the latest hardcovers. TV has been exposed again, in lavender, with all the trimmings calculated to lure lip-smacking readers.

Both of the tomes, it should be noted for future references, are authored by losers, combatants in the TV area who met defeats in different ways, and promptly and consequently went forth to spread their hurt on paper. The similarities end there.

One of the books is a novel entitled *The Chameleons* (Dodd, Mead; $6.50). The author is David Levy, ousted programming boss of the NBC–TV network who now lives in Beverly Hills and is keeping his hands in TV by producing an ABC comedy series called *The Addams Family*. The other work is a non-fiction dubbed *Only You, Dick Darling! Or, how to write one television script and make $50,000,000*. (Sloane; $5.95.) It is characterized as "a true-life adventure by Merle Miller and Evan Rhodes." Actually it's Miller's story; he seems to have shared the byline with his pal Rhodes as some sort of gesture of gratitude. Miller is a working novelist of some repute (*A Day in Late September, A Gay and Melancholy Sound, That Winter, The Sure Thing* and others) who was engaged to write the pilot script for a proposed CBS hour-long dramatic series titled *Calhoun,* starring Jackie Cooper and Barbara Stanwyck. The show never saw the light of TV screens.

The fact that the two volumes hit the stalls almost simultaneously is, of course coincidental.

On the other hand, try as they did, they threw a soft one-two punch, devastatingly funny in Miller's case to be sure, but unlikely to unleash any severe repercussions. The trouble—if it's trouble they're after—is that there is really nothing illegal about the machinations described by the two writers. And informed citizens long ago came to know that the people who run radio and TV are no Boy Scouts. These two accounts, then, may add to the damning evidence, but they'll have to be added to a list of indictments as long as your arm.

Still, there is a certain textbook value in the works at hand. *The Chameleons* is dirtied up with some amateur sex writing, but it's nothing you can't skip over. It's just thrown in for the non-textbook readers. (It's rumored the publisher shipped the originally sexless manuscript back to the author with directions to sex it up quickly. It was a mistake. Having the hero lusting with his reluctant wife on page 2 only revealed what a naive soul Levy is as a bawdy litterateur. Probably the nicest compliment paid Levy since the book appeared was the observation of one of his former TV counterparts that "You can tell how much David has played around. None!")

Now Miller, an old pro at sexing-'em-up—Paragraph 2 on Page 1 of *The Sure Thing* begins, "Laurie edged her nude body up to a sitting position . . ."—Miller bothered with not Word One on sex in *Dick Daring*. (Or if he did it was mighty incidental.) This is not to say that he doesn't know how to juice a book up. With names, say. Big Names like James T. Aubrey jr., president of CBS–TV and boy wonder of all things video. And David Susskind, and Harry Truman, and Barry Goldwater (who got involved in an Ira Hayes story Miller was writing for TV in Arizona).

And people like Dick Dorso, Aubrey's pal and the United Artists TV whiz who unwittingly contributed the title for Miller's sharp-eyed inside story.

Dorso was telling Miller how the script he was going to do had to pass muster with five very bored men in a projection room. "These five men have seen hundreds of pilots, maybe thousands," Dorso counseled; "and they would much rather say *no* than yes. If they say yes, they're committed. They're in trouble. They've made a decision. Their ulcers start acting up." Miller never did find out *who* the five bored men were. Dorso went on:

"In the first 30 seconds the pilot should go like this, 'Fifty thousand murderous Berbers are headed toward Cairo, and only you, Dick Daring, can stop them.' Dick Daring, that's our hero, and in this case Jackie Cooper, county agent. 'Only *you*, Dick Daring, can stop them.' "

Cooper was to portray a county agricultural agent in New Mexico, a friend of the farmer. "I pictured Jackie Cooper, unarmed, wearing a Stetson and khaki pants, driving a dusty pickup straight through a howling, murderous mob of Berbers," says Miller.

"Are you with me so far?" asked Dorso.

"I said I was with him,' Miller reported. And he was with Dorso and producer Robert Alan Aurthur and Jackie Cooper and Aubrey and Mike Dann (described as CBS's vice-president in charge of public pronouncements) and sundry other people, and he made trips to New Mexico and Hollywood, and rewrote and rewrote and rewrote (once to inject "a *friendly* lynch mob" scene reportedly ordered by Aubrey), and months passed. And the whole thing fell through. Aubrey decided he didn't love the show, after all. And Miller took what was left of his $10,000 fee and went back to his glass house in the woods outside Brewster, up in Putnam County, and, with the aid of his trusty diary, turned out a 350-page piece that warms over every moment of the ordeal, as well as some assorted other ordeals.

Don't think it isn't fun. Miller is a handy one with the sarcasm. But don't expect to discover any white knight in the story save Sir Merle.

On the other hand, Miller has chronicled no momentous, or even unusual, event. Pilots get knocked in the head, by the dozens, every year. This one just happened to be our boy's brainchild. And as a guy who makes his living chanking out words, the author was able to capitalize on his sad disillusionment. Now he'll go on to other literary concerns, maybe never to darken Aubrey's doorway again, but undoubtedly not permanently injured by it, either.

Levy's case is something else. Unlike Miller, the Outsider, who popped in and out of the TV gamble in a few months, Levy is an Insider, a man whose whole career has been carved out in the broadcasting jungle, long as an ad agency executive, later as self-described "architect" of NBC's TV programming. Insiders shouldn't write exposes—at least until they're checking out. David Levy is a deeply wounded man. He feels he was the scapegoat for NBC's involvement in Sen. Thomas J. Dodd's famous "sex and violence" hearings, which also, incidentally, cost ABC-TV president Oliver Treyz his job, too. But Treyz has held his peace.

Levy's story deals with a fictional fourth network, called Federal Broadcasting, and the hero, naturally, is a fellow who bears a resemblance to Levy when he was NBC's programming chief. The book contains the standard disclaimer—the characters, places, incidents and situations . . . are imaginery, etc—but it is *some* coincidence, for example, that the Big Boss at NBC is Gen. David Sarnoff, while the board chairman of Levy's dream network is Admiral James H. Otis. Knowing readers have no trouble recognizing NBC's Bob Kintner in Levy's Joe Gratton, "inscrutable" president of Federal. Then there's Henry Hillman, "pious but headline-hunting amoral U.S. Senator who launches an investigation into the morality of the mass media." The characters, the plot, the action, all of it has a deadly familiar ring to attuned ears.

Strangely, in the world of *The Chameleons*, Levy's hero isn't shoved from the fold. The powers-that-be relent, see they need him, not only beg him to stay on, but give him Gratton's (Kintner's) job! Gratton is put under him.

What is Levy saying? Is this his manner of telling NBC how wrong they were about him? Is this his way of wish-fulfilling the outcome that never was and never will be? Or did he just want to spill the gory details, then give the whole thing a happy Hollywood ending? (The movies are reportedly interested.)

All we can say with certainty is that, of the two works in question, Miller's is far more delectable. But nobody on the Inside is going to let on, if he can help it, that either of these raps is anything to bat a CBS Eye at. Or to ruffle a peacock's feathers.

[From the New York World Telegram & Sun, Dec. 19, 1964]

THE TRUTH ABOUT TV—HOW IT COULD BE CHANGED

(By Richard K. Shull)

In the office of a Madison Ave. ad agency is a large full-color chart—a graphic picture of the new shows expected to be available next season to attract millions of viewers to sit through thousands of commercials during the evening hours.

Ninety new (and the word is used advisedly) situation comedies will be available.

A dozen Westerns.

More science-fiction tales.

More night-time serials, a la "Peyton Place."

Four more military situation comedies.

And at least five series based on successful movies.

If this list fails to make your saliva flow or your heart palpitate with expectation, don't feel badly. There are others who concur.

Sylvester L. (Pat) Weaver Jr., an ex-advertising man and president of NBC until 1958, says of commercial TV:

VALUES AND LIMITATIONS

"It is there, turned on, hour after hour, observed or not observed, but present. It has values, powerful and good. And it has limitations, severe and built-in.

"Some have tried, as I did, to build a schedule with heavy accent on coverage of the real world, showing in prime time at night programs rising from our cultural heritage, informational programs, and great theater; but, basically, these commercially supported programs are usually superficial and constantly interrupted.

"Esthetically, advertising is difficult to handle in combination with the more rewarding arts, and interruptions by commercials are at best upsetting and at worst sickening."

Weaver's remarks, of course, may be prejudiced. He's now president of Subscription TV, a California pay-TV company, and he's in negotiation with various cable-TV and master antenna-TV companies around the country in hope of making pay-TV nationwide service vying for viewers in competition with commercial television.

FCC VIEW

But, Federal Communications Commission Chairman E. William Henry has on such outside or competitive interests.

He said, "The advertising supported system sets certain boundaries on the medium's ability to provide diversity.

"The main problem in commercial television is a lack of diversity. The majority of the programs are aimed at getting a mass audience. They have got to appeal to the masses, but not 100 percent of the time.

"The FCC will have before it soon the problem of how to let additional sources programming into the field," Henry said, referring to future FCC action on petitions for over-the-air pay-TV systems, expansion of educational TV to more areas, and the allocation of more ultra-high frequency channels throughout the land.

If the intimation by Weaver and Henry are true; that commercial television is fulfilling its destiny with "The Beverly Hillbillies" and 1001 variations on theme, then the meat for the discriminating viewer may have to come from elsewhere.

MORE CHANNELS

Carl Perian, the criminologist who is staff director for the Senate subcommittee on juvenile delinquency, said:

"I agree with some of the more creative people, like Pat Weaver. He says the way to diversity is through the spread of more channels.

"Weaver feels by giving a broader base to television, there will be more quality programming. That wouldn't necessarily reduce violence on television, but it would dilute it. Selective people in the audience would at least have the opportunity to go for the better offerings."

Weaver put his theory in practice last summer by launching three-channel direct-wire pay-TV circuits in Los Angeles and San Francisco.

His three channels offered a mixture of sports normally blacked-out in the areas, recent movies, and cultural items for minority tastes.

On Nov. 3, Weaver's pay system was put out of business when California voters baloted 2–1 against the pay-TV system in a referendum. Opponents of Weaver's system convinced a majority of voters that pay-TV eventually would wipe out free commercial TV.

"LIKE BOOK-BURNING"

"The California stand on Pay-TV was like book-burning," declared outspoken producer Herbert Brodkin, whose principal income is from shows he produces for the commercial networks.

Producer David Susskind took the attitude that the California vote didn't make a whole lot of difference because "pay-TV isn't going to be.

"It will be Pat Weaver's frustration. It ain't gonna happen because there ain't no half-billion dollars to bankroll it. There is no group with a big enough kitty to make it happen.

"Pay-TV is a great theory, but it needs $500 million to get off the ground. Grown men should stop theorizing about it.

"If one more pay-TV executive calls me to do the greatest show ever for $2124, I'll scream. When I did 'The Power and the Glory' for CBS it cost $400,000 and I would have liked to have doubled that.

"You cannot make pay-TV work with spit and good intentions," Susskind said.

WILL FIGHT VOTE

Weaver, of course, is continuing to pursue his dream. He'll fight the decision of the California voters, but meanwhile he's pushing ahead with plans for pay-TV in other parts of the country.

Weaver envisions a future in which all television will be directly wired into the homes with color pictures, stereophonic sound, and home videotape recorders so shows may be captured and held for later replay.

This sort of talk is too heady and too distant for some men who still hold hope for a reformation and change of attitude among today's commercial broadcasters.

Producer Brodkin would like to see the Academy of Television Arts and Sciences—the outfit which passes out the Emmys—become a virile conscience dedicated to upgrading the industry.

"The Academy holds dances and passes out trophies. It should be a fighting organization. It should be an industry association which would go into the abuses of commercials, which would fight the censorship of networks, which is terrible, which would fight the blacklisting of artists which still is going on, which would fight for good drama on TV.

QUALITY MISSING

"And the academy ought to be fighting now for minority representation in the craft unions.

"Name me one person on the academy board, except Rod Serling, who ever did a show of quality? The officers ought to be the best people in their fields.

"I can't understand why Serling, who says he has withdrawn from television, still is president of the academy," Brodkin snorted.

Of course, he's now talking as an outsider. He quit the academy last spring, contending the manner in which the Emmys were to be awarded was unfair. Since then, Serling led the academy to change its system. In the future, Emmys will not be awarded competitively, but only for excellence.

"I don't care for the new system either," Brodkin said. "How can you have a jury when all the best people are the nominees?"

WORK FROM WITHIN

While Brodkin chooses to fight by first refusing to participate in an organization; then attempting to reform it, there is one outfit in the country which persists on working to reform TV from within.

This group, under the clumsy initialed title of NAFBRAT—National Association For Better Radio And Television—refuses to be driven from its sets by anything, no matter how grisly or puerile.

The NAFBRAT philosophy is to aim its barbs at television's most sensitive area, the sponsor.

If its members don't care for a particular show, they write directly to the sponsors and briefly say so, mentioning also an intention to let their dissatisfaction carry over to the sponsors' products.

NAFBRAT's complaints also are registered with the FCC and to the local station license-holder.

The organization now in its 16th year, disclaims any desire to be a national censor or keeper of the morals.

DUAL OBJECTIVE

Its founder and president, Mrs. Clara Logan of Los Angeles, claims a two-fold objective—to restrain avaricious broadcasters from violating the bounds of good taste in their pursuit of money and to goad an apathetic public to demand better television.

Her battle cry is a quotation from George Bernard Shaw:

"Get what you like or you will learn to like what you get."

Among the directors of her organizations are such notables as former FCC Chairman Newton Minow, cartoonist Al Capp, James V. Bennett, director of the Federal Bureau of Prisons, and psychiatrist-author Dr. Fredric Wertham.

The television networks have displayed a monumental indifference to Mrs. Logan and her organization.

On another front, Peter Frievalds, a criminologist on the staff of the Senate subcommittee on juvenile delinquency, has hope the committee's report, issued in October after a 10-year probe, will have some effect on future commercial TV.

LINK CRIME, TV

The report of the subcommittee, headed by Sen. Thomas J. Dodd (D. Conn.) charges a direct link between the crime and violence displayed on TV and the rise in delinquency in the nation.

"After our hearings in 1960, there was a tendency to dismiss us rather lightly," Frievalds said. "But now there is a trend of public pressure. One way to get action is the public—individuals—protesting to the networks. The reaction now is that the public doesn't want violence.

"It's immature to hope for a rapid change, but maybe there will be a gradual change," Frievalds said.

He said so far the committee's activities regarding TV have centered on "violence, the negative shows. Maybe the next step is to look at the gray area," he said, referring to the endless hours of shallow comedy and superficial adventure which offer no thought, good or bad, for a viewer to absorb.

Frank Orme, executive director of NAFBRAT, contends there still is much to be done before sensational, unmotivated violence is eliminated from the regular TV diet.

Orme points out that although the networks are shifting away from violence, the local stations are boosting it more than ever through old movies and reruns of network shows produced in lustier earlier days.

[From Youth Program Service, January–February 1965]

Discuss Television and Juvenile Delinquency

Does TV violence influence youth? According to the Senate's Subcommitee to Investigate Juvenile Delinquency, it does. Here is the summary of its most recent report on television and juvenile delinquency:

The subcommittee finds, on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee does not believe that television is either the sole or most significant cause of juvenile delinquency. We are also well aware of the many worthwhile and enduring contributions the medium has made to American life. And we are greatly impressed by television's achievements in the public affairs areas and by its potential for good in both the education and entertainment fields.

Yet, it seems clear that television has been functioning as what one informed critic has termed "a school of violence." Writing recently in the New York Times, that critic, a practicing psychiatrist who has made an intensive study of the impact of television upon children, had this to say:

"Whether crime and violence programs arouse a lust for violence, reinforce it when it is present, show a way to carry it out, teach the best method to get away with it, or merely blunt the child's (and adult's) awareness of its wrongness, television has become a school for violence . . . We are training not only a peace corps but also a violence corps. I do not advocate that violence should be entirely eliminated from TV.

But it should be presented as a fact of life, not as life itself. We want to show younger people how the other half lives; but that does not mean we have to overload their imagination with images of how the other half dies."

The subcommittee is well aware that there is an ever-present conflict within television—as within any creative medium—between those who write and produce dramatic shows and those charged with seeing to it that the standards of good taste and morality are adhered to. The subcommittee is equally aware of the need to foster true creativity in all the arts and of the fact that violence in one form or another is to be found to some degree in all of them.

The pertinent point is simply that all too many television shows harp on and underscore crime and violence. All too often, televised violence is presented for its own sake; not because it is essential to adequate development of a sound plot or realistic characterization. In short, televised crime and violence have often been an end in themselves, rather than a means to an end.

Subcommittee members do not object to portrayal of violence to that degree truly consistent with bona fide dramatic needs. Our objection is to such portrayal which far exceeds any reasonable standard and which has been shown, both by testimony and careful monitoring to dominate network prime time programing to the virtual exclusion of shows specifically designed to meet the needs of children.

The current edition of the National Association of Broadcasters television code, in a section entitled "Responsibility Toward Children," states:

> The education of children involves giving them a sense of the world at large. It is not enough that only those programs which are intended for viewing by children shall be suitable to the young and immature. In addition, those programs which might be reasonably expected to hold the attention of children and which are broadcast during times of the day when children may be normally expected to constitute a substantial part of the audience should be presented with due regard for their effect on children. Such subjects as violence and sex shall be presented without due emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution of human problems and the inevitable retribution should be made clear.

The subcommittee is fully in accord with this provision of the NAB code. The problem lies in the fact that, in practice, the television industry is not. The NAB code is well conceived but poorly enforced. In their chronic violation of it, the broadcasters render a patent disservice to the children and society of today. They also help pave the way for what may well be an even more distressing tomorrow. Ill effects, particularly where those affected are children, are not easily confined to one generation.

DISCUSSION QUESTIONS

1. Does television violence influence youth?
2. How much time do we spend watching TV?
3. Have we become "accustomed" to TV violence?
4. Will letters of protest to network and sponsor help?
5. What is the National Association of Broadcasters? What is the NAB code? Is it effective?
6. Is some sort of censorship desirable?
7. What is the quality of TV programs presently directed toward children?
8. How can we influence our families in regard to TV viewing?

BIBLIOGRAPHY

Television and Juvenile Delinquency Interim Report of the Subcommittee to Investigate Juvenile Delinquency. 88th Congress, 2nd Session.

Hearings before the Subcommittee to Investigate Juvenile Delinquency. Part 10: Effects on Young People of Violence and Crime Portrayed on Television. 87th Congress.

(Both of the above are available from the subcommittee to Investigate Juvenile Delinquency, U.S. Senate, Washington 25, D.C.)

[From the Indianapolis Times, Dec. 16, 1964]

WHAT HAPPENED TO QUALITY ON TV?

(By Richard K. Shull)

"Starting as many situation comedies as the networks did this year is like all the cars in the country going to three gas stations. We're running out of gas."

That explanation, offered by a network programing vice president, Mort Werner of NBC, is as good as any in explaining what happened to quality on television.

A scan across the TV dial almost any evening will find dozens of stereotyped characters treading their way toward some vague destiny, marching in time either to the cackle of the laughing machine or to the intrusive throb of dramatic background music.

There was a time when TV's artistry inspired other media. The movie business and the Broadway stage snapped up such items as "The Miracle Worker," "All The Way Home" and "No Time for Sergeants."

TV's most recent contribution to the movies was Yogi Bear.

What happened?

"The ABC network led the way with violence and sensationalism. The others picked it up," criminologist Peter Frievalds said. He's a staff member of the Senate Subcommittee on Juvenile Delinquency.

Carl Perian, also a criminologist, and staff director for the subcommittee, pointed out:

"The three men who operate the TV networks (Presidents Robert Kintner of NBC, James C. Aubrey of CBS and Thomas More of ABC) all grew up at ABC where they had the pulp magazine concept of programing—sex and violence.

"When we issued the subcommittee report (October, 1964) and said 50 per cent of the TV shows are devoted to crime and violence, that didn't mean the others were necessarily good," Perian said.

"We are concerned with juvenile delinquency. The fact that pap isn't harmful, but doesn't make a contribution, isn't our business," Perian said.

As Chairman E. William Henry of the Federal Communications Commission sees it, "The main problem with television is a lack of diversity. The majority of the programs in prime hours are aimed at getting mass audience.

"Whether it's 'Bonanza,' 'Lucy' or 'Burke's Law,' they're all catering to basically the same taste. Some say that's because of all the mass-goods advertisers on TV. On all networks, the idea is to get the kids to watch without scaring the adults away," Henry said.

And that brings up the matter of three little words which control most prime time television—"cost per thou."

That's a television trade expression for cost-per-thousand which, translated means the cost of a show to the advertiser per 1000 viewers delivered.

The larger the audience, the lower the cost-per-thousand becomes. When the sponsor is selling soap, cigarettes, deodorants and such, everyone is a potential customer and the advertiser isn't too concerned with the quality of his audience, merely its size.

This concern by the mass-goods advertiser with sheer volume of viewers gives rise to TV's pathological zeal for high ratings.

And the networks apparently are convinced the children in this child-worshipping nation are the key to big audience.

The kiddies either directly control the dials, or indulgent parents gravitate to shows they consider harmless—situation comedy—while the children are present.

"The reason situation comedies have drawn so much attention," said Michael Dann, the CBS programing vice president, is that they're popular with the whole family. Situation comedies are the big hits every year. Story forms rarely ever become major hits.

"We don't program for the kids in the early evening. We program for the entire family," Dann said. "There's no question we try to cater to the majority. Even so, we try to create an appetite for better things.

"The bad always outweighs the good in any media.

"In entertainment, no matter what TV does, it's there to make money. But people are just as critical of our loftiest efforts as they are of 'The Beverly Hillbillies'," Dann said.

To the contrary, advertising man Charles E. (Bud) Barry, head of television for Young & Rubicam Advertising, said:

"You writers don't seem to grasp the importance that the public is conditioned to advertiser-supported television. TV doesn't go above the average intellect's reach.

"There's no doubt, 7:30–8:30 p.m. is programed with kids in mind. Adults don't move in until 8:30," Barry said.

Werner of NBC said, "By nature, a kid audience is there in the early evening. We don't deliberately try to drive away the adult audience."

Since these gentlemen concur that the kiddies either control or have a large voice in early evening TV, you might wonder why the networks don't try to offer young minds something more intellectually rewarding than "The Munsters."

Perian said, "I don't believe it's possible for a network to build uplifting shows for children. The networks like it when their opponents program good kid shows or public affairs shows, because they can get bigger ratings against them.

"For example, the other two networks push hard against 'CBS Reports' because it's so vulnerable on ratings," Perian said.

Producer-packager Keefe Brasselle, who describes himself as "brutally candid," states it another way:

"People make the decision for what goes on TV. If the nation is backsliding in culture, it's because the public is boss.

"I give them what they want. The public is not an ignoramus, but if it wants cartoons, I'll make cartoons. I don't claim to be a brilliant man. I'm a showman."

Brasselle's offerings on television this season include "Baileys of Balboa," "The Cara Williams Show" and "The Reporter."

[From the Indianapolis Times, Dec. 20, 1964]

SHOULD GOVERNMENT TRY TO UPGRADE TV?

(By Richard K. Shull)

More than a year has passed since television experienced its greatest hours during those four incredibly grim days of November, 1963.

Indelible images hurtled one after another into America's living room as the whole theory of a nation under law was tested.

And ironically, television's finest hours also recorded the end of an era in which the industry had been badgered and cajoled to do better, in which the White House itself was the font of culture for the nation.

As part of the New Frontier program, President Kennedy appointed a Chicago lawyer, Newton M. Minow, as chairman of the Federal Communications Commission.

Minow's strategy for upgrading television was to operate from the lecture podium, to give the industry a raised eyebrow of disdain and embarrass the broadcasters into doing better.

His first public utterance drew a bellow of protest from the entire industry. Some broadcasters still turn florid and quiver at the mention of Minow's name.

Minow was invited to address a convention of the National Association of Broadcasters on May 9, 1961. The usual role for an FCC chairman at such a convention is to praise the technical advances of the industry, adulate the statesmanlike activities of some of the members and sit down.

Minow gave them a ripper—his "vast wasteland" speech:

"I invite you to sit down in front of your television set when your station goes on the air and stay there without a book, magazine, newspaper, profit and loss sheet or rating book to distract you—and keep your eyes glued to that set until the station signs off. I can assure you that you will observe a vast wasteland," he told them.

Minow hammered away at his theme for two years, then resigned to go into private industry.

President Kennedy appointed E. William Henry, a Memphis lawyer, to replace Minow. Although Henry is outspoken about the broadcast industry, he hasn't spread his remarks about as frequently or as loudly as Minow did.

Ironically, after President Kennedy was murdered, the man who succeeded him in the White House was a broadcaster, through family controlled interests.

(The Texas TV empire owned by President Johnson's wife and daughters has been placed in the trust of two family acquaintances for the duration of the President's tenure in the White House.)

Was there a cultural renaissance in this country which died along with John Kennedy? Has commercial TV sagged into a cultural slump since his passing?

That depends on who is answering the questions.

"John Kennedy had the élan of making intellect and good taste respectable. He made them fashionable. Before John Kennedy, egghead was a term of derision," said producer David Susskind.

"Is it over? Not entirely. That's not a thought that can be erased. He initiated a new interest in culture. It's an idea whose time has arrived," Susskind said.

Ad man Charles E. (Bud) Barry feels there is a cultural backslide.

"I think John Kennedy was the first man of our times who had an air about him—like Franklin Roosevelt when he broke the depression.

"John Kennedy said Pablo Casals belonged in the White House. So he got him there. Lyndon Johnson will make the country go. But he's not culture-minded."

Mort Werner, NBC's programing vice president, contends any feeling of cultural letdown is "a delayed reaction" to the assassination.

"I think there was a delayed, shocked reaction when we lost John Kennedy. But, no, I don't think that has anything to do with the quality of television."

Concurring with him is Mike Dann, his CBS counterpart, who said, "Television's crisis cannot be linked to the loss of a president or costs, it has to be linked to a lack of good writers."

Ed Scherick, the ABC network programing vice president, sees it another way:

"A light went out when the presidency was handed back to an older generation. In terms of a leader, Lyndon Johnson is not as an exciting a man as John Kennedy.

"But, this country is in a cultural boom . . . theater, books, music . . . and not the least share of credit goes to television," Scherick said.

Had John Kennedy lived and continued his raised eyebrow technique of urging higher level TV for the nation, would our 21-inch world be a better place today?

"Of course the President can influence the nation's taste," replied E. William Henry, FCC chairman. "The same if the President said everyone should drink milk, they'd drink milk."

The prospect for the next four years is that President Johnson, because of his personal ties to the industry, will do his best to pretend TV doesn't exist, let alone comment on it.

"So far, his policy has been strictly hands off," said Robert E. Lee, veteran member of the Federal Communications Commission, referring to the President's attitude on the FCC.

In the year since he took office, President Johnson was forced once to act regarding the FCC.

The term of Commissioner Frederick W. Ford expired. Ford originally was appointed by President Eisenhower. President Johnson reappointed Ford.

Chairman Henry sees educational television as a prime factor in the future of all TV.

"Educational television is making great strides. Its total impact will be far less than commercial television, but its steady growth is good. I think educational television will upgrade all of television."

Henry also would like to see the FCC take a strong role in making public affairs shows actually get to the people.

He pointed out that although the networks are programing more public affairs shows, local stations don't necessarily carry them, frequently substituting something more lucrative which can be sold to local sponsors, such as an old Western, cartoon shows, etc.

"The stations have a responsibility to clear (agree to carry) network public service shows, and to create local public service shows," Henry said.

"If you don't do that, they're not serving the public. I'm not saying what should be put on. They have 360 degrees in which to turn. I'm not trying to dictate. But if they don't get into the area of public service regularly, they don't deserve licenses.

"If there are only two television outlets—New York and Los Angeles—we might as well throw a national switch and be done with it," Henry said.

The broadcasters themselves vociferously resist any attempt at outside interference with the affairs of their domain.

President Kennedy suffered his biggest Congressional defeat when he attempted to get legislation to strengthen the Federal Communications Commission.

This defeat was a testimonial to (1) the power of the broadcast lobby in Washington, and (2) the sympathy broadcasters receive from members of Congress who are directly involved in broadcasting through personal or family ownership or investment in broadcasting companies.

The broadcasters contend they are capable of self-policing through the National Association of Broadcasters, of which a majority of station license holders are members.

The NAB has a code to which members subscribe which essentially proclaims that all broadcasters will do good and think wholesome.

Gene Gleason, press representative for the Senate Subcommittee on Juvenile Delinquency, said the committee's long investigation and its blistering report against broadcasting which was released in October all was conducted on the basis of the broadcaster's ability to police themselves.

"We used the broadcasters' own criteria," Gleason said. "We have never gone beyond their own code. There never was a value judgment made by the subcommittee, except as it was measured by the NAB code.

"All we did was take their code and then looked at their shows. We reported the disparity.

"There is nothing more effective for an industry than self-regulation. The best regulation is self-regulation—if they will just do it," Gleason concluded.

Mr. DODD. Mr. President, finally, let me say that when I denounce him I am really not hateful about him. He is sick. I understand that he went back to my grammar school days trying to find something I did wrong, where I came from.

In all my life I do not believe there has ever been a man who has been subjected to more investigation and more scandal than I. I do not lament my fate. But I regret it. I think that many of my colleagues believe that.

Thus, it is not for me that I speak. It is for you. When he suggests that I am in some way responsible for the violence in this land, let me remind him that his hateful comments and columns written about Senator Robert F. Kennedy, our late deceased friend, and beloved colleague, probably had something to do with Senator Kennedy's assassination.

His evil hatred will go on until it is stopped. We cannot get peace and decency in this country because a vast number of our people do not know us individually and have no opportunity to do so. They believe what they read in the newspapers about us. This evil has got to stop. There has got to be more integrity in journalism. Most of it is honest and responsible. But that segment of it which is so dishonorable, so dishonest, so lying, and so false, has got to be stopped.

What has been the result?

Today, the life of every man in public life is in jeopardy.

Why?

Because people have been lying about us as if we are all thieves and rascals, and that everyone in politics is dishonorable. I know that is not true. I am sure that the President of the United States knows that is not true. I am sure that the Senator from Kentucky [Mr. COOPER], now in the Chamber, knows that is not true. But, the American people have been led to believe that it is true.

That is one of the reasons why we are having this terrible wave of assassinations. Pearson bears a terrible burden. I hope that God will be good to him. I want Him to be. He has lied about me. He has lied about my wife. He has lied about my children. He has lied about my friends.

Thus, this is a personal plea, Mr. President, that I make, and I hope that my colleagues will understand why I do so.

For 2 long years, I have remained silent, on the advice of others. I intend to do that no longer. I want the record written every time a false attack is made upon me. I should have spoken every time before. I know it now. But there were those who told me not to do so.

So, Mr. President, let us all hope and pray that there will be an end to this calumny and hate now so prevalent in the world and that honor and integrity will replace them.

That is the purpose for which I speak.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. DODD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 25 minutes p.m.) the Senate adjourned until Monday, June 17, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 13, 1968:

IN THE AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of lieutenant general

Lt. Gen. William K. Martin, FR1697 (major general, Regular Air Force) U.S. Air Force.

The following-named officer to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10 of the United States Code:

To the grade of lieutenant general

Maj. Gen. Gordon M. Graham, FR7761, Regular Air Force.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. William Raymond Peers, O21366, Army of tne United States (brigadier general, U.S. Army).

EXTENSIONS OF REMARKS

WHY RELIABILITY LAW IS NEEDED

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, June 13, 1968

Mr. METCALF. Mr. President, the Committee on Commerce is conducting field hearings on the proposed Electric Power Reliability Act, S. 1934. This proposed legislation, introduced last June by the Senator from Maine [Mr. MUSKIE] and cosponsored by myself and 15 other Senators, resulted from an extensive study by the Federal Power Commission after the severe Northeast blackout of November 1965. Field hearings in Seattle, Las Vegas, and Salt Lake City, following the hearings here last summer, have clearly emphasized the need for this legislation. However, the bill has tremendous obstacles to overcome in the opposition of the large and wealthy investor owned utilities.

The National Rural Electric Cooperative Association and its constituent members, together with the American Public Power Association, continue as the only major organizations in the utility industry which support the Electric Power Reliability Act.

During the April field hearings in Salt Lake City, testimony was presented by Mr. Fred Simonton, executive director of the Mid-West Electric Consumers Association, and by Mr. William C. Wise, counsel for Mid-West. I believe their statements contain some of the best arguments yet presented in favor of the Reliability Act.

Mr. President, I ask unanimous consent that the text of these two statements be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF FRED G. SIMONTON, EXECUTIVE DIRECTOR MID-WEST ELECTRIC CONSUMERS ASSOCIATION, INC., BEFORE SENATE COMMITTEE ON COMMERCE, SALT LAKE CITY, UTAH

My name is Fred G. Simonton, I am Executive Director of Mid-West Electric Consumers Association, with headquarters in Denver, Colorado.

Mid-West Electric Consumers Association is a regional organization representing 264 rural electric cooperatives, municipal systems, and public power districts engaged in the business of furnishing electric service in the Missouri River Basin. As a service association, our sole purpose is to further the interest of the electric consumers in the Basin. Our members are located in the states of Colorado, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wyoming and Kansas.

The Electric Power Reliability Act which was introduced in the Congress in 1967, is in our opinion, one of the most far-reaching legislative proposals which has been considered in recent years. It has been given careful attention by our Association.

Early in 1967, at the direction of the Board of Directors of Mid-West, a special study committee was established to examine S. 1934, and related bills. The Committee members are: *James Grahl*, General Manager, Basin Electric Power Cooperative, Bismarck, North Dakota; *V. T. Hanlon*, Manager, East River Electric Power Cooperative, Madison, South Dakota; *Arie Verrips*, General Manager, Missouri Basin Municipal Power Agency, Sioux Center, Iowa; *Charles Ham*, Manager, Wheatbelt Public Power District, Sidney, Nebraska; and *James McNear*, Director, Highline Rural Electric Cooperative, Sterling, Colorado. *James Grahl* served as Chairman of the Committee. *Ex Officio* members of this Special Study Committee were *Dennis Lindberg*, President of Mid-West Electric Consumers Association and President of the Missouri Basin Systems Group, Odebolt, Iowa; *Robert Marritz*, Executive Director and Staff Counsel, Missouri Basin Systems Group, Denver, Colorado; and me.

The Committee made several recommendations to the full Board of Directors of Mid-West Electric Consumers Association, which is made up of four directors from each of the nine states represented in our Association.

The recommendations were:

(1) Mid-West Electric Consumers Association should testify in favor of the purposes and objectives of the Electric Power Reliability Act. The Moss version of the bill (H.R. 12322) seemed to our Committee to be the best version, although important modifications are recommended.

The bill should give the regional councils advisory roles rather than making them a part of the regulatory process, as now provided by the bill. The language of the bill should be modified so that the regional transmission plans recommended to the Federal Power Commission by the regional councils would be advisory and for the approval of the Commission. However, the Commission should have the authority to study alternative lines and to finally certify those lines most in the public interest.

A power system's independent request for FPC certification of a transmission line should be treated by the Commission without prejudice although the proposed line may not correspond to the plan approved by the regional council.

A utility should be required to explain to the Federal Power Commission why its proposed line does not correspond to the regional plan, but its request should otherwise be handled under the same procedures as requests for certification for lines which do correspond to the regional plan. Otherwise, the rural electric cooperatives and public power systems will be at a disadvantage because they would be outvoted on the regional councils.

(2) To make the above provision workable, the Moss bill should be amended to provide that the Federal Power Commission establish a qualified staff of engineers to make studies and develop its own plans for transmission in the various regions as necessary. This would give FPC the technical competence needed to be independent of the proposals of the regional industry councils. This kind of provision also seems important because the Federal Power Commission is the only protection that most of the electric consumers in the country have.

As the protector of the consumer interests, the Commission should conduct its own studies with its own personnel to reach conclusions of its own.

(3) The Federal Power Commission should be empowered to require establishment of open connections between power systems which FPC can order closed in emergencies to provide assistance to systems experiencing an outage.

The public cannot be expected to tolerate an outage in one village or rural area when a neighboring power system has the capability of providing emergency power.

The Board of Directors of Mid-West Electric Consumers Association was authorized at our 10th Annual Meeting, December 6–8, 1967 to determine the position of Mid-West on the Electric Power Reliability legislation on the basis of the recommendations of our special Study Committee.

Consequently, at its regular quarterly Board Meeting, April 2 and 3, 1968, the following resolution was adopted unanimously:

RESOLUTION ON ELECTRIC POWER RELIABILITY ACT

Whereas there have been introduced into the 90th Congress several versions of a bill to amend the Federal Power Act, generally referred to as the Electric Power Reliability Act, which would grant to the Federal Power Commission broad new authority "to facilitate the provisions of reliable, abundant, and economical power supply."

Now, therefore, be it resolved that we endorse the principles and objectives of the Electric Power Reliability Act, as most clearly enunciated in H.R. 12322 introduced by Congressman Moss of California; and

Be it further resolved that we believe the legislation would more adequately protect consumer-owned electric systems if the bill were strengthened in certain respects, such as by giving the FPC greater regulatory authority over the "regional councils"; the power to execute an independent study of a proposed regional plan when objections are voiced by members of a "regional council"; and the power to require establishment of open connections between power systems for use in emergencies to avoid outages; and

Be it further resolved that a representative of Mid-West Electric Consumers Association appear at one of the upcoming regional field hearings to present testimony for this Association to this effect.

Consistent with the changes we have suggested above, our Attorney, Mr. William Wise, Washington, D.C., is prepared to supplement our testimony before this Committee with suggested amendments to the Electric Power Reliability Act.

As the policy and legislative association of the members of the Missouri Basin Systems Group, which is our regional coordination group and pool of 125 consumer-owned systems in the Mid-West, including the United States Bureau of Reclamation, we recognize the clear purpose of the proposed Electric Power Reliability bill which is as Congressman Moss emphasized, "not merely to prevent more cascading power failures, but to further the national policy, adopted in 1935, of assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and with due regard to the proper utilization and conservation of natural resources."

We call the Committee's attention to the fact that our Association and the American Public Power Association were the only witnesses to appear in support of Appropriations for the Federal Power Commission for the fiscal year 1968 before the Senate Sub-Committee on Independent Offices. We are concerned that as presently constituted, the Federal Power Commission, if assigned the additional responsibilities it would have under the Electric Power Reliability Act, would have to depend far too greatly on the recommendations developed by regional councils which are likely to be controlled by the private power companies.

In our opinion, it is not equipped at present to do an adequate job to protect the public interest if it is assigned the additional responsibilities it would have under the Electric Power Reliability Act. To do this job properly, the Federal Power Commission should be authorized and directed to develop a staff which is professional enough to become expert on the needs for EHV transmission in all regions of the country.

We are very much aware that many of the private power companies are opposing the Electric Power Reliability Act. We have witnessed the urgent gathering together of the companies in "coordinating councils" or "regional councils". These companies have protested that they have achieved a high level of reliability without regulation despite regular, wide-spread outages. We have little criticism of the efforts to coordinate power supply in the various regions, especially when the consumer-owned systems have been a part of these efforts. But we are seriously concerned with inter-regional and national transmission grids that will be constructed. Today we have heard a great deal about regional interconnections, but the control and operation of extra high voltage lines of 500 kv, 750 kv—even one million volt lines raises questions which are vital to the continued existence of the small, consumer-owned systems.

They claim the industry can solve the problems of interconnections and long-range planning for the nation's electric power needs. Indeed, only yesterday, a group of power suppliers met in New York City to sign an agreement establishing what they chose to call the "National Electric Reliability Council."

It is clear that this group is suggesting that it is responsible for and capable of assuring electric reliability in the nation.

But the facts are, Senator Moss, that this group has deliberately excluded from its deliberations and from membership the Missouri Basin Systems Group, the coordinating planning agency and the operating power pool in our region for 125 consumer-owned and public power systems.

At this juncture, Senator Moss, I ask your permission to have put into the record certain documents pertaining to the National Electric Reliability Council and its actions relative to the Missouri Basin Systems Group. (1) A letter, dated April 5, 1968, from 320 Park Avenue, New York, New York, and signed by Floyd L. Goss, A. Gruhl, W. B. McGuire, J. R. Welsh, G. O. Wessenauer and J. Lee Rice, Jr., Chairman.

(2) A draft copy of Agreement, dated March 27, 1968, and sent to: Carolinas-Virginia Power Pool, East Central Area Reliability Group, Florida Power Corporation, Mid-America Interpool Network, Mid-Atlantic Area Coordinating Group, Mid-Continent Area Power Planners. Northeast Power Coordinating Council, Southwest Power Pool, The Southern Company, Tennessee Valley Authority, Texas Interconnected System and Western Systems Coordinating Council.

(3) A copy of the telegram to J. Lee Rice, Jr., Chairman of the Board, Allegheny Power System, Inc., from Robert Marritz, Executive Director and Staff Counsel, Missouri Basin Systems Group, Denver, Colorado, dated April 23, 1968.

(4) The statement issued to the news media April 24, 1968, by Mid-West Electric Consumers Association.

At the very time the Senate Committee on Commerce is seeking information on the proposed Electric Power Reliability Act, some of the largest power systems in the nation are meeting in the Board Room of the Allegheny Power System, Inc., to form what amounts to a private club which is sole judge of whether a system or an entire regional power pool is worthy of admission to what purports to be a national power reliability group.

In our view, this suggests that the purpose of the meeting is to marshal forces against the Electric Power Reliability Act, now under consideration.

Our Association protests most vigorously the intentional exclusion of the Systems Group from the National Electric Reliability Council, and will protest its exclusion from any national group that purports to concern itself with the reliability of electric service in this nation.

As I have stated previously, the Missouri Basin Systems Group includes the United States Bureau of Reclamation, which markets nearly 2 million kilowatts of Federal power over the only region-wide transmission system in the Missouri Basin. The Missouri Basin Systems Group also includes Basin Electric Power Cooperative which operates the nation's largest lignite burning generating plant, serving its 106 member rural electric cooperatives in eight states.

In a telegram to several Senators, high Administration officials (including Secretary Udall and Chairman of the FPC, Lee White), I suggested that "it is not enough for this self-appointed group of giant companies to call itself a 'reliability council'."

If this group is sincere in its efforts to prevent the massive blackouts experienced in the recent past, and accomplish the objectives set forth by Congressman Moss, it would seek to coordinate with all groups.

As documented by Robert Marritz' telegram to Mr. Rice, the deliberate exclusion of the Missouri Basin Systems Group, members of which were the key element in establishing the national East-West intertie last year—raises a question about the real purpose of their proposed organization.

The deliberate exclusion of most municipal systems, rural electric cooperatives and the Missouri Basin Systems Group, suggests to us, all the more need for national legislation which, through responsible and informed regulation, would require objective and fair planning of the rapidly expanding national electric power grid.

We are apprehensive, Senator Moss, after the experience of this week, that giant power companies are not truly interested in coordination of all power systems for the purpose of electrical reliability.

They appear to be building moats around their ancient baronies, refusing to recognize that smaller electric systems need to avail themselves of the economies to be gained from the technology of large-scale generating units and extra-high-voltage transmission.

In conclusion, we support the legislation under consideration and respectfully urge that electric reliability legislation protect the small consumer-owned electric systems and respect their desire to have a meaningful voice in determining their destiny.

We believe that the way in which a national electric grid is built and the manner in which it will be operated will be of vital importance to every segment of the nation.

We believe that the public interest will be served if the voice of the consumer-owned systems is heard at the planning tables.

We appreciate very much the opportunity you have given us to appear before the Committee to present our views.

STATEMENT OF WILLIAM C. WISE, COUNSEL, MID-WEST ELECTRIC CONSUMERS ASSOCIATION, BEFORE THE SENATE COMMERCE COMMITTEE, SALT LAKE CITY, UTAH, APRIL 26, 1968

Mr. Chairman and Members of the Committee: My name is William C. Wise. I am counsel to Mid-West Electric Consumers Association. As indicated by Mr. Simonton, I shall discuss a few specific provisions of the originally proposed Electric Power Reliability Act of 1967, which we feel require modification if the public interest is to be fully served by its enactment into law.

At the outset, I wish to emphasize that we strongly urge the passage of the Act with but a few amendments. It is our feeling that the Federal Power Commission is be be highly commended for proposing legislation with the objectives of the proposed Act. The technical characteristics of electric systems today are such as to require the fullest possible coordination among such systems if electric consumers are to receive reliable service. The massive blackouts occurring in the East in late 1965 and 1967, as well as the several smaller, but still sizeable, power failures which have plagued various parts of the nation since that time, underline the need for corrective action which will assure coordination between all electric systems regardless of size or ownership. Investor-owned, publicly-owned and cooperatively-owned systems must be properly coordinated with each other if the maximum reliability of service is to be attained. While much worthwhile coordination within the industry is voluntarily taking place at the present time, it falls far short of the complete coordination between all segments of the electric industry which is so sorely needed to provide maximum reliability of service. Since power failures lack respect for state lines, it is obvious that the required degree of coordination will be effected only if Congress bestows upon the Federal Power Commission the necessary authority and provides it with a sufficient staff to enable it to vigilantly oversee such coordination.

Although Mid-West enthusiastically endorses the passage of an electric power reliability act along the lines of the act prepared by the Federal Power Commission, which has been introduced in the Senate as S. 1934 and in the House as H.R. 10721, it would respectfully suggest the following changes are necessary to protect the public interest.

1. Section 401(b) lists various actions by which the policy of the Federal Power Act is intended to be furthered by the Reliability Act. One reads: "by respecting the territorial integrity of utility service to the extent consistent with the public interest;".

We suggest the deletion of this language. Our concern over this language arises from the fact that somewhat similar language has been seized upon in some state to stop rural electric cooperatives from building necessary generating plants and transmission lines on the theory that a power company had generation facilities in the general area.

2. In the second sentence of Section 404(a), the words "direct or indirect" should be deleted and the words "or of its facilities" should be added following the word "ownership".

It is essential that each electric system, regardless of its size or regardless of whether it operates only distribution facilities, be permitted to participate directly in the activities of a regional council. It is not clear what was intended by the use of the word "indirect" in Section 404(a), but it might be interpreted to mean that small electric systems might only be represented through larger generating systems from which it purchases power at wholesale

The changes suggested above in respect of Section 404(a) have been adopted in the so-called Moss bill, which was introduced in the House by Congressman Moss of California as H.R. 12322. Many of our suggested changes have been adopted in the Moss bill as we shall point out as we proceed.

3. In Section 404(b), we would suggest the insertion of the following words at the end of the first sentence: ", which statement shall provide for representation of all segments of the industry."

We deem it most important that the act should make certain that the organization of the regional council afford fair representation to all segments of the electric industry.

4. Sections 404(c) and 404(d) provide for immunity from Section 4 of the Clayton Act (15 U.S.C.) in certain circumstances, and the title of Section 4 includes the words "antitrust immunity." We feel that all provisions for antitrust immunity should be deleted. It does not seem to us that any action which might be taken by a regional council which is not harmful to consumers would constitute a violation of the Clayton Act. As a representative of consumers, Mid-West favors much stronger enforcement of the antitrust laws rather than any granting of immunity from such laws.

The Moss bill deletes the antitrust immunity provisions.

5. It is felt that Section 404(b) should provide that copies of the filing of any plan by a regional council should be published in the Federal Register and that the plan should be available for public inspection. The Moss bill carries out this suggestion.

6. It is, also, felt that Section 404 should provide for amendments to plans which have been filed. The Moss bill provides for such amendments in a Subsection (g) which it adds to Section 404.

Our members would feel better if the Commission were given more authority under Section 404. As it is now, the Commission may modify or set aside a plan suggested by a regional council if it is not consistent with the objectives of the Act, but there is no authority on the part of the Commission to develop a plan of its own if a regional council fails to submit a desirable plan. Section 404(d) should grant such authority to the Commission.

Certain members of Mid-West feel that the council should be advisory in nature only and that the final plan should be developed by the Commission with the advice of the regional council. One of our good farmer members describes the proposed procedure of having the industry devise the plan as "putting the fox in charge of the hen house."

Our members are also concerned that under Section 404, the small municipal electric systems and the rural electric cooperatives may not have any real voice in the workings of the regional council. It is important that some procedure be evolved which will assure the small systems such a voice. It is suggested that it might be more appropriate to have a Federal Power Commission Staff member serve as the chairman of a regional council rather than having the council select a chairman from among its own membership.

7. It is our feeling that Section 408 requires strengthening. We should do this by substituting the word "shall" for "may" and the word "govern" for the word "criterion". These changes have been made in the Moss bill. This section is of great importance, in our opinion.

8. Section 411 authorizes the Commission, after hearing, if it finds that no undue burden will be placed upon a person engaged in the generation or transmission of electric energy, to establish physical connection of its transmission facilities with the facilities of one or more other persons engaged in the generation, transmission or sale of electric energy and to sell energy or exchange energy with such persons. From the standpoint of municipalities, cooperatives and the ultimate consumers, it is essential that the Commission also be authorized to order persons in such circumstances to wheel energy for such other persons.

An addition should be made to Section 411 to make certain that that section does not take away any of the rights granted to preference customers under the various Federal power marketing statutes. The Moss bill takes care of both of these points.

The Moss bill also contains several other changes which we have not suggested. However, we endorse each of such changes contained in that bill.

As a general rule, cooperatives and small municipalities have found it most difficult to participate in the voluntary regional groups which the investor-owned companies have set up. There has been instance after instance in which participation by the consumer-owned groups has been refused. At the present time, there is a most patent effort being made by the industry to head off the enactment of an Electric Power Reliability Act. All kinds of voluntary councils are being set up. However, there is no indication that the public interest is being given any major consideration by these councils. Most recently, an attempt has been made to set up a National Electric Reliability Council. As a matter of fact, that group is meeting in New York City today to put the finishing touches on the organization of the National Council.

We have in the Missouri Basin a group known as Missouri Basin Systems Group (M.B.S.G.) which works closely with Mid-West. The M.B.S.G. is a regional coordination group and pool of 125 consumer-owned systems, including the United States Bureau of Reclamation. Originally, M.B.S.G. was invited to participate in a meeting in Los Angeles concerning formation of a National Reliability Council, held on February 19 of this year. Since that meeting, M.B.S.G. has not been informed of the activities of the group, nor been permitted to participate in its meetings. M.B.S.G. expressly requested permission to attend the meeting being held in New York City today and was expressly told that it was not to attend. This National Council is obviously being set up to create the impression that there is no need for the enactment of an Electric Power Reliability Act. The extent to which cooperatives and small municipalities would be permitted to operate in such a council is clearly reflected in the denial of M.B.S.G.'s request to attend the meeting. We are attaching to our testimony a letter from Robert M. Marritz, Executive Director and Staff Counsel of M.B.S.G., to the chairman of the meeting which was held in Los Angeles, and a copy of a telegram from Mr. Marritz to the chairman of the New York meeting. This letter and telegram tells the story of the denial of the request of M.B.S.G. to attend the New York meeting. We are also attaching to our testimony a copy of the wire from the General Manager of the National Rural Electric Cooperative Association to the chairman of the New York meeting. This wire evidences the concern of the cooperatives throughout the nation of not being permitted to participate fully in any reliability councils which are set up. I am also attaching a draft of a proposed agreement to set up the proposed National Electric Reliability Council. It seems to us that the Record should contain this material.

In conclusion, we thank this Committee for holding these hearings throughout the country and permitting us to testify. We ask the Committee to give consideration to our suggestions and urge it and the Congress to enact a strong Electric Power Reliability Act.

"THE BUSINESSMAN AND THE GHETTO"—ADDRESS OF CONGRESSMAN PHIL M. LANDRUM

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MILLS. Mr. Speaker, on June 6, the gentleman from the Ninth District of Georgia, the Honorable PHIL M. LANDRUM, was the guest speaker before the American Petroleum Institute and bankers in Atlanta, Ga.

Congressman LANDRUM has been an outstanding leader in the last two decades in legislation to improve the lot of the working man and to alleviate the plight of the poor and underprivileged of this country. In his remarks in Atlanta, which I have read with approbation, the gentleman from Georgia [Mr. LANDRUM] again shows the way for business leaders to involve themselves in aiding us in the legislative field to continue the fight to make a better America.

I recommend that all Members carefully read the text of Mr. LANDRUM's talk which follows:

THE BUSINESSMAN AND THE GHETTO

(By PHIL M. LANDRUM, Member of Congress)

You realize, of course, that your convention is breaking into the commencement season when we politicians traditionally wrap ourselves in academic robes and challenge fresh young faces to create a better world—tomorrow. . . .

But if you will pardon my saying so, I don't think I am likely to forget which audience I am addressing today—somehow with thickening waistlines and balding heads, you don't look quite the same.

And I'm absolutely sure none of us will consider the topic of discussion, "The Businessman and the Ghetto," tomorrow's problem. It is today's explosion.

I suppose that before the riots of the last few summers there still may have been a few monk-like businessmen laboring under the illusion that the business of business is only business, but it is inconceivable that such a belief could exist anywhere anymore. Business is an integral part of the community.

The present community-business crisis has been building up for a long time. Some of us recognized a number of years ago that something was happening to the social and economic mobility that used to be the basis for the American dream of individual success. Perhaps this dream may never have been as real as we believed it—for Horatio Alger got ahead by luck as well as by pluck—but the dream was fulfilled for enough people to create hope in others.

The important difference in recent years is that technological development has seemingly left behind from one-fifth to one-sixth of our population, and the process of urbanization has stacked these unfortunates one on top of another—creating a major economic and social problem. The Greek philosopher Euripides when he said that poverty possesses this disease: through want it teaches man evil. For too many years too many Americans ignored what was happening. As in the Prometheus myth, we, in a land of plenty, were eating our own livers and congratulating ourselves on a good meal.

I suspect that one of the things that tended to blind so many well-meaning Americans was their own experience—their own experience with opportunity. As I stated before the House during the debate on Economic Opportunity in 1964: "When we were boys and when our forefathers were boys, poverty could be dealt with on an individual or small group basis. The family could pick up and move to a new frontier. Land opened and opportunities were available. Not much education and training were required. But down through the years we have reached a state of civilization and of sophistication in this country where that is no longer possible. The frontiers such as existed for our forebears and for us as young men simply do not exist any more."

Earlier in 1964, one of America's leading businessmen, Thomas Nichols, Chairman of the Executive Committee of Olin Mathieson, testified before our subcommittee that: "opportunity, as I am sure you all appreciate, is the very breath of a free society. When opportunity threatens to be displaced by dark pockets of despair, a society is forewarned that it is past the summit of achievement and is headed down the steep slopes of decline."

The testimony by Mr. Nichols and others and my own observations and intuitions convinced me in 1964 that something had to be done—quickly—and I felt that the Federal government would have to take the major initiative—to in essense, prime the pump.

There is no doubt in my mind that the Economic Opportunity Act has since played an important role in focusing attention on the problems of those trapped in poverty. We did not expect it to solve everything in a few months or even years. The untangling of the web of ignorance, poverty, and poor housing which cause high levels of mental and physical illness, is a slow job.

But most importantly, action by the Federal government alone can not eliminate poverty—even if the Viet Nam War ends tomorrow. The providing of economic opportunity is primarily the responsibility of the private sector. Permanent help for the poor can only come when they are incorporated into our economy—and the only people who can incorporate them into the economy are businessmen.

In the last few weeks, I have often felt that many business leaders ought to be with us in the capital as we undergo the siege of the Poor People Marchers. These people are not just talking to us—they are talking to you too. There are many of us who are not happy to see the marchers camp by the Reflecting Pool—we consider is a sad day for America. For while under our Constitution all people have a right to petition the government, we know that the marchers must learn the hard fact that a place in the American economy and society is not something Congress can give them. No one can give it to them.

The only thing that America can and must give is an opening into the economic structure—which the poor Negro, white, Mexican-American, Indian—must then walk through on the basis of his own ability and determination—his own individual power.

I believe the poor will exert themselves if they believe the opportunities are real. "Our healing gift to the weak is the capacity for self-help," says America's longshoreman philosopher, Eric Hoffer. "We must learn how to impart to them the technical, social, and political skills which would enable them to get bread, human dignity, freedom and strength by their own efforts."

One of the best ways to help people help themselves is to offer jobs with opportunity for advancement. There is an enormous need for business to offer more jobs to those in ghetto areas—and if ghetto dwellers do not have necessary skills—employers must provide training opportunities combined with jobs—otherwise the poor can not afford the luxury of learning.

Most ghetto dwellers do want training if it means a real future. While welfare handouts may keep body and soul together, let no one mistake the fact that they are demoralizing to recipients. I agree with Eric Hoffer when he says that "there is little doubt that the frustration engendered by unemployment is due more to a corrosive sense of worthlessness than to economic hardship. Unemployment pay, however adequate, cannot mitigate it . . . The individual's most vital need is to prove his worth."

Tremendous potential may be released by training and by job opportunities, as America has learned through experience. It was, after all, the downtrodden from the Old World who built this country.

In addition to jobs and training, there is a tremendous need in the ghetto for financial credit. Slum families need credit and financial guidance to keep them from being victimized by high interest loan companies and retailers. Credit is also needed by ghetto residents wanting to start and expand businesses, and, again, this credit will, in most instances, need to be accompanied by managerial and financial guidance.

Long term, low interest credit must be available for home owners in ghetto areas to renovate their property and to finance the building of new housing to be rented at levels that can be afforded by slum families.

Some of you may have seen the article in the May issue of Kiwanis Magazine telling about how a New York businessman, Frederick Richmond, developed a project to buy and renovate an entire block of row houses—sharply upgrading the community. Richmond is quoted as saying that he believes slum renewal could be developed into a $50 billion market if private industry responds.

There are hopeful signs that businesses across the Nation are beginning to respond to the challenge of the ghetto and are anxious for the public to recognize their efforts to help the poor.

As early as 1964, I heard Virgil Martin, President of the Carson-Piri-Scott Co., the large retail merchandising company in Chicago, tell our Subcommittee on the War on Poverty about the "Double E Program" his firm initiated in cooperation with the Chicago school system and the Ford Foundation. Double E stands for employment and education and the program is designed specifically for high school drop outs. Youngsters work three days and go to school three days a week for 40 weeks.

Almost daily now news items report encouraging developments. A recent magazine advertisement put out by the Institute of Life Insurance cited a number of examples of projects already underway, and an article in the paper noted that American Telephone and Telegraph has been hiring and training ghetto Negroes who previously would have been passed over. A few days ago the Westinghouse Electric Company announced that it had just formed a subsidiary company to operate in the urban-renewal field to "meet urgent low-income housing needs . . . and at the same time provide a profit incentive."

In Baltimore a committee of 100 Negro and white leaders is forming a company to provide risk capital for Negro businessmen.

I was delighted recently when I received a letter from a Georgia banker describing an experiment in Savannah, Georgia, which his bank has promoted.

Business, professional, and educational leaders—black and white—are working on this "Savannah Plan" which promises to upgrade the physical environment of the ghetto, create more community spirit, and bring new economic opportunity to residents.

The first phase of the plan was carried out Sunday, May 19, when "Spring Cleaning" was held in two areas of the town. Teams of student volunteers from Savannah State College, which is predominately Negro, Armstrong State College, which is predominately white, and grade school children in ghetto areas, loaded trucks with junk and trash that cluttered slum communities. The trucks had been loaned by businesses.

There will soon be similar clean-ups in other areas of Savannah. Then there will be an effort to develop short and long range plans for the improvement of existing housing, new housing, job training, and job opportunities.

The bank is establishing a community development corporation into which it will put $1 million in capital. This corporation will provide funds for home ownership as well as equity capital for new small businesses. The corporation will offer down-payment money in the form of second mortgages so that first mortgage financing can be obtained. The bank itself has dedicated an initial $10 million for long term first-mortgage home financing for low income groups. Discussing the plan, the president of the bank reminded me that Carl Stokes, the Negro mayor of Cleveland, recently raised once again the familiar but pertinent question: "how can people pull themselves up by their boot straps if they don't have any boots?"

"In the concept of the Savannah Plan," said the banker, "we're going to provide the boots."

I applaud this attitude and approach because it implies a true involvement—and not an attitude of tokenism for the sake of public relations. It is this commitment, exercised on a large scale, that may enable us to meet the massive, and very immediate, challenge of the ghetto. It is too late for small "good works" and demonstration projects. A taste of hope, and the TV picture of affluent America have created rising expectations. We can not display a feast and say: "you can't eat because you aren't a producer—and we won't give you a chance to produce because you are ignorant, dirty, and don't fit into our culture."

We know this, but we also know that this problem is not something that government alone can correct—or should attempt to do by itself. Ultimately, business must incorporate into the economic picture those who are now left out—so that they become both producers and consumers.

I believe in the ingenuity of American business, and I am confident that business can find many ways to provide opportunity for ghetto dwellers while still maintaining successful business operations. And in most instances, I believe, this can be done without government handouts in the form of tax credits and other financial incentives.

Government can create a climate conducive to business becoming involved in ghetto problems—but business must have the will to accept the challenge.

And furthermore, I do not think that business has any choice in whether it accepts the challenge—for our free enterprise system and democracy are on trial.

This is an opportune moment for businessmen to stop talking about government encroachment and to start working for the improvement of our society and increased social justice. There are signs that a new political era may be opening—an era in which new coalitions may arise to replace existing power blocs. The main feature of this new era will be the common desire of ghetto residents, Southerners, businessmen, suburbanites, liberals and conservatives for decentralization of government. The keynote will be increased private and community control of institutions and programs. As responsible community leaders, businessmen must play an important role in seeing that communities do not forfeit this opportunity by failing to measure up to the needs of the public.

The response must be positive and imaginative. It will not, for instance, be enough just to call for better police protection. Of course it is imperative that we have law and order. Of course the rioters and looters must be prevented from destroying property and injuring people, but the problems we face will not go away under the mailed fists of improved police weaponry; neither will they go away through increased welfare payments. These only feed the growth of the cancer of poverty that grows in our otherwise healthy economy.

The cancer can be eliminated only by the economy which created it and allowed it to grow. The surgical instrument will be opportunity—real opportunity.

Through its business policies and community leadership the American business community can give renewed hope to millions—and hope, my friends, is all you need to give a man.

PROVIDING JOBS FOR THE POOR

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Thursday, June 13, 1968

Mr. BROOKE. Mr. President, perhaps the single most critical objective of the majority of our underprivileged citizens is the acquisition of a decent job. In order to attain this goal, a great number of barriers must be overcome. The potential employee must be taught a marketable skill. He or she must acquire confidence, develop ability in interpersonal relationships, and learn essentials of grooming and deportment.

An exceptionally informative article regarding the efforts of one Job Corps center in the Hough area of Cleveland appeared in a recent issue of Ebony magazine. The center is sponsored by Alpha Kappa Alpha sorority, and is operated under the skilled and sensitive administration of Dr. Zelma George. It has brought hope and confidence into the lives of hundreds of young women in the city which it serves. I believe the methods and accomplishments of this center are worthy of special consideration, and I ask that the article be printed in full in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Miracle on Ansel Road: AKA Sorority Offers Girls a Second Chance for Success at Cleveland Job Corps Center

(By Phyl Garland)

On Ansel Road, at the edge of Cleveland's seamy Hough area, there sits a six-story brick building, its smoke-darkened facade turned toward the more pleasant, tree-lined avenues of the city's Rockefeller Park. Few features distinguish this edifice from its equally unimposing neighbors, except the fact that it houses more than 300 young women who have volunteered to undertake the challenging journey from the cultural and economic ghettos that have held them captive to a more fulfilling way of life on the other side of poverty.

This is the Cleveland Job Corps Center for Women, one of 93 rural and 31 urban centers set up since 1964 by the federal Office of Economic Opportunity. It is part of a novel experiment in rehabilitation, a project designed to recoup the wasted resources of young men and women who might not have been able to make it in a society inclined to overlook their humanity and to ignore their needs. These are the unemployed between the ages of 16 and 22—the disillusioned high school dropouts, youngsters seeking to escape from the isolated capsules of Appalachia, Mexicans and Indians who defy the artificial limitations set on their worlds, and, for the most part, members of that vast, faceless army of young blacks who otherwise might be condemned to spend the rest of their lives drifting through a city's slum.

There is something special about that place on Cleveland's Ansel Road. Like all the other urban centers, it is operated by a private business or organization under federal contract. But, unlike the others, it is the only center operated by a Negro organization, Alpha Kappa Alpha sorority. AKA, as it is widely known, has taken its place beside some of the nation's largest and most lucrative corporations as a federal contractor for a professionally staffed and thoroughly integrated Job Corps center. This is the latest and most ambitious social service project initiated by this group of privileged, college-educated black women who set up public health clinics in the cotton fields of Mississippi as far back as 1935. But above and beyond all fraternal ties, their Cleveland project is a dramatic demonstration of what the middle-class Negro can do to help those who have not been so fortunate.

Since Feb. 15, 1965, when AKA was granted one of the first three women's Job Corps contracts, the sorority has proved its concern through tangible accomplishments. The Cleveland center, operated under a $2,089,000 appropriation, claims the highest job placement rate of any similar center in the country. It is one of but three to be headed by a woman (the other two being operated by the YWCA) and the only one headed by a black woman. Its ability to hold new enrollees and to guide them toward definite goals as contributing and well-rounded citizens also is considered exceptional.

Part of this success might be due to the genuine concern of all those involved in the center's operation. Beyond their professional qualifications, they have more than a nodding acquaintance with the circumstances that have led their young charges down difficult roads. To them the problems are not purely academic, but very real and very human ones. Then, too, they are driven by the dedication and inspiration of the remarkable woman who serves as the center's executive director, Dr. Zelma George, a walking institution who has managed to squeeze into one lifetime a number of successful careers as sociologist, college dean, globe-trotting lecturer, consultant on international affairs, opera singer, UN delegate, housewife and humanitarian. This unusual combination of the staff's commitment and its director's finesse have been welded into a powerful force that is daily reshaping human lives.

"For the most part these are girls whose prospects in life would have been extremely poor," explains Edward Spisak, director of vocational milieu and the man responsible for the center's educational program. "The only jobs most of them might have found would have been day work or baby-sitting or, of course, existence on the relief rolls." Spisak, who formerly served as a training consultant for industrial firms, states the basic theme of the center's entire program, namely, that skills are not enough. "Our girls need so much more than that," he notes, "for their self-concepts have been so negative. They have been brain-washed by the stereotypes attached to the poor and have come to believe many of the things said about them, including that they're slow and dull. Actually, as many of them dropped out of school because they were too bright to get along within the system, as those who found it difficult to keep up. But most of their lives they have experienced nothing but disapproval. It is our aim here to alter their patterns of thinking, to lead them toward self-motivation. Our program is only a start for everybody.

No portrait could be painted of a typical Job Corps enrollee, since each is an individual, but national statistics provide some indication of the factors that led them to dead-ends in their previous lives. Of the 165,000 young people who have passed through the program during its first three years, six out of 10 come from broken homes and 63 per cent from homes where the head of the household was unemployed. Most have grown up living in substandard housing, have not seen a doctor or dentist in 10 years—if ever—and have not been able to find employment that paid them more than a pittance. About the girls at the Cleveland center a few finer details might be drawn. Contrary to the commonly voiced opinion that the Women's Job Corps consists mainly of the girls who have "made a mistake," only 10 per cent had children before joining the program, including those who are married. For those with such responsibilities, arrangements were made through local child care and welfare agencies before the girls were accepted.

The average grade completed in school is 10.2, with about 30 per cent being high school graduates. Of this latter minority few were adequately prepared to cope with the working world or to accept what little it was willing to offer them. Many of these girls came from the South where their total education was merely makeshift, but just as many were casually passed through the school systems of urban ghettos, emerging with nothing more than a third grade reading level. Almost without exception, they were trapped in a sort of personal limbo and were seeking a workable way out of their dilemmas.

For Fannie Smith, a brooding but bright young woman from Racine, Wis., life after graduation from high school was just a matter of "not being what I thought it would be." She hoped to become a writer and learned about life while standing up for her principles in civil rights demonstrations. But she never thought about going to college until her senior year, and then it was too late. The only route left was to take a job working in a factory. "It was two years of misery, of working on a job I almost hated while the bills piled up," she recalls. "For fun, there was nothing but local gossip, or going home to watch TV, or being surrounded by people who didn't care about the society they're in, people who just lived for the weekend. I realized that I didn't want to be nothing but a machine for eight hours a day. I didn't want only business, but it is inconceivable that such a belief could exist anywhere anymore. Business is an integral part of the community.

The present community-business crisis has been building up for a long time. Some of us recognized a number of years ago that something was happening to the social and economic mobility that used to be the basis for the American dream of individual success. Perhaps this dream may never have been as real as we believed it—for Horatio Alger got ahead by luck as well as by pluck—but the dream was fulfilled for enough people to create hope in others.

The important difference in recent years is that technological development has seemingly left behind from one-fifth to one-sixth of our population, and the process of urbanization has stacked these unfortunates one on top of another—creating a major economic and social problem. The Greek philosopher Euripides when he said that poverty possesses this disease: through want it teaches man evil. For too many years too many Americans ignored what was happening. As in the Prometheus myth, we, in a land of plenty, were eating our own livers and congratulating ourselves on a good meal.

I suspect that one of the things that tended to blind so many well-meaning Americans was their own experience—their own experience with opportunity. As I stated before the House during the debate on Economic Opportunity in 1964: "When we were boys and when our forefathers were boys, poverty could be dealt with on an individual or small group basis. The family could pick up and move to a new frontier. Land opened and opportunities were available. Not much education and training were required. But down through the years we have reached a state of civilization and of sophistication in this country where that is no longer possible. The frontiers such as existed for our forebears and for us as young men simply do not exist any more."

Earlier in 1964, one of America's leading businessmen, Thomas Nichols, Chairman of the Executive Committee of Olin Mathieson, testified before our subcommittee that: "opportunity, as I am sure you all appreciate, is the very breath of a free society. When opportunity threatens to be displaced by dark pockets of despair, a society is forewarned that it is past the summit of achievement and is headed down the steep slopes of decline."

The testimony by Mr. Nichols and others and my own observations and intuitions convinced me in 1964 that something had to be done—quickly—and I felt that the Federal government would have to take the major initiative—to in essense, prime the pump.

There is no doubt in my mind that the Economic Opportunity Act has since played an important role in focusing attention on the problems of those trapped in poverty. We did not expect it to solve everything in a few months or even years. The untangling of the web of ignorance, poverty, and poor housing which cause high levels of mental and physical illness, is a slow job.

But most importantly, action by the Federal government alone can not eliminate poverty—even if the Viet Nam War ends tomorrow. The providing of economic opportunity is primarily the responsibility of the private sector. Permanent help for the poor can only come when they are incorporated into our economy—and the only people who can incorporate them into the economy are businessmen.

In the last few weeks, I have often felt that many business leaders ought to be with us in the capital as we undergo the siege of the Poor People Marchers. These people are not just talking to us—they are talking to you too. There are many of us who are not happy to see the marchers camp by the Reflecting Pool—we consider is a sad day for America. For while under our Constitution all people have a right to petition the government, we know that the marchers must learn the hard fact that a place in the American economy and society is not something Congress can give them. No one can give it to them.

The only thing that America can and must give is an opening into the economic structure—which the poor Negro, white, Mexican-American, Indian—must then walk through on the basis of his own ability and determination—his own individual power.

I believe the poor will exert themselves if they believe the opportunities are real. "Our healing gift to the weak is the capacity for self-help," says America's longshoreman philosopher, Eric Hoffer. "We must learn how to impart to them the technical, social, and political skills which would enable them to get bread, human dignity, freedom and strength by their own efforts."

One of the best ways to help people help themselves is to offer jobs with opportunity for advancement. There is an enormous need for business to offer more jobs to those in ghetto areas—and if ghetto dwellers do not have necessary skills—employers must provide training opportunities combined with jobs—otherwise the poor can not afford the luxury of learning.

Most ghetto dwellers do want training if it means a real future. While welfare handouts may keep body and soul together, let no one mistake the fact that they are demoralizing to recipients. I agree with Eric Hoffer when he says that "there is little doubt that the frustration engendered by unemployment is due more to a corrosive sense of worthlessness than to economic hardship. Unemployment pay, however adequate, cannot mitigate it . . . The individual's most vital need is to prove his worth."

Tremendous potential may be released by training and by job opportunities, as America has learned through experience. It was, after all, the downtrodden from the Old World who built this country.

In addition to jobs and training, there is a tremendous need in the ghetto for financial credit. Slum families need credit and financial guidance to keep them from being victimized by high interest loan companies and retailers. Credit is also needed by ghetto residents wanting to start and expand businesses, and, again, this credit will, in most instances, need to be accompanied by managerial and financial guidance.

Long term, low interest credit must be available for home owners in ghetto areas to renovate their property and to finance the building of new housing to be rented at levels that can be afforded by slum families.

Some of you may have seen the article in the May issue of Kiwanis Magazine telling about how a New York businessman, Frederick Richmond, developed a project to buy and renovate an entire block of row houses—sharply upgrading the community. Richmond is quoted as saying that he believes slum renewal could be developed into a $50 billion market if private industry responds.

There are hopeful signs that businesses across the Nation are beginning to respond to the challenge of the ghetto and are anxious for the public to recognize their efforts to help the poor.

As early as 1964, I heard Virgil Martin, President of the Carson-Piri-Scott Co., the large retail merchandising company in Chicago, tell our Subcommittee on the War on Poverty about the "Double E Program" his firm initiated in cooperation with the Chicago school system and the Ford Foundation. Double E stands for employment and education and the program is designed specifically for high school drop outs. Youngsters work three days and go to school three days a week for 40 weeks.

Almost daily now news items report encouraging developments. A recent magazine advertisement put out by the Institute of Life Insurance cited a number of examples of projects already underway, and an article in the paper noted that American Telephone and Telegraph has been hiring and training ghetto Negroes who previously would have been passed over. A few days ago the Westinghouse Electric Company announced that it had just formed a subsidiary company to operate in the urban-renewal field to "meet urgent low-income housing needs . . . and at the same time provide a profit incentive."

In Baltimore a committee of 100 Negro and white leaders is forming a company to provide risk capital for Negro businessmen.

I was delighted recently when I received a letter from a Georgia banker describing an experiment in Savannah, Georgia, which his bank has promoted.

Business, professional, and educational leaders—black and white—are working on this "Savannah Plan" which promises to upgrade the physical environment of the ghetto, create more community spirit, and bring new economic opportunity to residents.

The first phase of the plan was carried out Sunday, May 19, when "Spring Cleaning" was held in two areas of the town. Teams of student volunteers from Savannah State College, which is predominately Negro, Armstrong State College, which is predominately white, and grade school children in ghetto areas, loaded trucks with junk and trash that cluttered slum communities. The trucks had been loaned by businesses.

There will soon be similar clean-ups in other areas of Savannah. Then there will be an effort to develop short and long range plans for the improvement of existing housing, new housing, job training, and job opportunities.

The bank is establishing a community development corporation into which it will put $1 million in capital. This corporation will provide funds for home ownership as well as equity capital for new small businesses. The corporation will offer down-payment money in the form of second mortgages so that first mortgage financing can be obtained. The bank itself has dedicated an initial $10 million for long term first-mortgage home financing for low income groups. Discussing the plan, the president of the bank reminded me that Carl Stokes, the Negro mayor of Cleveland, recently raised once again the familiar but pertinent question: "how can people pull themselves up by their boot straps if they don't have any boots?"

"In the concept of the Savannah Plan," said the banker, "we're going to provide the boots."

I applaud this attitude and approach because it implies a true involvement—and not an attitude of tokenism for the sake of public relations. It is this commitment, exercised on a large scale, that may enable us to meet the massive, and very immediate, challenge of the ghetto. It is too late for small "good works" and demonstration projects. A taste of hope, and the TV picture of affluent America have created rising expectations. We can not display a feast and say: "you can't eat because you aren't a producer—and we won't give you a chance to produce because you are ignorant, dirty, and don't fit into our culture."

We know this, but we also know that this problem is not something that government alone can correct—or should attempt to do by itself. Ultimately, business must incorporate into the economic picture those who are now left out—so that they become both producers and consumers.

I believe in the ingenuity of American business, and I am confident that business can find many ways to provide opportunity for ghetto dwellers while still maintaining successful business operations. And in most instances, I believe, this can be done without government handouts in the form of tax credits and other financial incentives.

Government can create a climate conducive to business becoming involved in ghetto problems—but business must have the will to accept the challenge.

And furthermore, I do not think that business has any choice in whether it accepts the challenge—for our free enterprise system and democracy are on trial.

This is an opportune moment for businessmen to stop talking about government encroachment and to start working for the improvement of our society and increased social justice. There are signs that a new political era may be opening—an era in which new coalitions may arise to replace existing power blocs. The main feature of this new era will be the common desire of ghetto residents, Southerners, businessmen, suburbanites, liberals and conservatives for decentralization of government. The keynote will be increased private and community control of institutions and programs. As responsible community leaders, businessmen must play an important role in seeing that communities do not forfeit this opportunity by failing to measure up to the needs of the public.

The response must be positive and imaginative. It will not, for instance, be enough just to call for better police protection. Of course it is imperative that we have law and order. Of course the rioters and looters must be prevented from destroying property and injuring people, but the problems we face will not go away under the mailed fists of improved police weaponry; neither will they go away through increased welfare payments. These only feed the growth of the cancer of poverty that grows in our otherwise healthy economy.

The cancer can be eliminated only by the economy which created it and allowed it to grow. The surgical instrument will be opportunity—real opportunity.

Through its business policies and community leadership the American business community can give renewed hope to millions—and hope, my friends, is all you need to give a man.

PROVIDING JOBS FOR THE POOR

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Thursday, June 13, 1968

Mr. BROOKE. Mr. President, perhaps the single most critical objective of the majority of our underprivileged citizens is the acquisition of a decent job. In order to attain this goal, a great number of barriers must be overcome. The potential employee must be taught a marketable skill. He or she must acquire confidence, develop ability in interpersonal relationships, and learn essentials of grooming and deportment.

An exceptionally informative article regarding the efforts of one Job Corps center in the Hough area of Cleveland appeared in a recent issue of Ebony magazine. The center is sponsored by Alpha Kappa Alpha sorority, and is operated under the skilled and sensitive administration of Dr. Zelma George. It has brought hope and confidence into the lives of hundreds of young women in the city which it serves. I believe the methods and accomplishments of this center are worthy of special consideration, and I ask that the article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MIRACLE ON ANSEL ROAD: AKA SORORITY OFFERS GIRLS A SECOND CHANCE FOR SUCCESS AT CLEVELAND JOB CORPS CENTER

(By Phyl Garland)

On Ansel Road, at the edge of Cleveland's seamy Hough area, there sits a six-story brick building, its smoke-darkened facade turned toward the more pleasant, tree-lined avenues of the city's Rockefeller Park. Few features distinguish this edifice from its equally unimposing neighbors, except the fact that it houses more than 300 young women who have volunteered to undertake the challenging journey from the cultural and economic ghettos that have held them captive to a more fulfilling way of life on the other side of poverty.

This is the Cleveland Job Corps Center for Women, one of 93 rural and 31 urban centers set up since 1964 by the federal Office of Economic Opportunity. It is part of a novel experiment in rehabilitation, a project designed to recoup the wasted resources of young men and women who might not have been able to make it in a society inclined to overlook their humanity and to ignore their needs. These are the unemployed between the ages of 16 and 22—the disillusioned high school dropouts, youngsters seeking to escape from the isolated capsules of Appalachia, Mexicans and Indians who defy the artificial limitations set on their worlds, and, for the most part, members of that vast, faceless army of young blacks who otherwise might be condemned to spend the rest of their lives drifting through a city's slum.

There is something special about that place on Cleveland's Ansel Road. Like all the other urban centers, it is operated by a private business or organization under federal contract. But, unlike the others, it is the only center operated by a Negro organization, Alpha Kappa Alpha sorority. AKA, as it is widely known, has taken its place beside some of the nation's largest and most lucrative corporations as a federal contractor for a professionally staffed and thoroughly integrated Job Corps center. This is the latest and most ambitious social service project initiated by this group of privileged, college-educated black women who set up public health clinics in the cotton fields of Mississippi as far back as 1935. But above and beyond all fraternal ties, their Cleveland project is a dramatic demonstration of what the middle-class Negro can do to help those who have not been so fortunate.

Since Feb. 15, 1965, when AKA was granted one of the first three women's Job Corps contracts, the sorority has proved its concern through tangible accomplishments. The Cleveland center, operated under a $2,089,000 appropriation, claims the highest job placement rate of any similar center in the country. It is one of but three to be headed by a woman (the other two being operated by the YWCA) and the only one headed by a black woman. Its ability to hold new enrollees and to guide them toward definite goals as contributing and well-rounded citizens also is considered exceptional.

Part of this success might be due to the genuine concern of all those involved in the center's operation. Beyond their professional qualifications, they have more than a nodding acquaintance with the circumstances that have led their young charges down difficult roads. To them the problems are not purely academic, but very real and very human ones. Then, too, they are driven by the dedication and inspiration of the remarkable woman who serves as the center's executive director, Dr. Zelma George, a walking institution who has managed to squeeze into one lifetime a number of successful careers as sociologist, college dean, globe-trotting lecturer, consultant on international affairs, opera singer, UN delegate, housewife and humanitarian. This unusual combination of the staff's commitment and its director's finesse have been welded into a powerful force that is daily reshaping human lives.

"For the most part these are girls whose prospects in life would have been extremely poor," explains Edward Spisak, director of vocational milieu and the man responsible for the center's educational program. "The only jobs most of them might have found would have been day work or baby-sitting or, of course, existence on the relief rolls." Spisak, who formerly served as a training consultant for industrial firms, states the basic theme of the center's entire program, namely, that skills are not enough. "Our girls need so much more than that," he notes, "for their self-concepts have been so negative. They have been brain-washed by the stereotypes attached to the poor and have come to believe many of the things said about them, including that they're slow and dull. Actually, as many of them dropped out of school because they were too bright to get along within the system, as those who found it difficult to keep up. But most of their lives they have experienced nothing but disapproval. It is our aim here to alter their patterns of thinking, to lead them toward self-motivation. Our program is only a start for everybody.

No portrait could be painted of a typical Job Corps enrollee, since each is an individual, but national statistics provide some indication of the factors that led them to dead-ends in their previous lives. Of the 165,000 young people who have passed through the program during its first three years, six out of 10 come from broken homes and 63 per cent from homes where the head of the household was unemployed. Most have grown up living in substandard housing, have not seen a doctor or dentist in 10 years—if ever—and have not been able to find employment that paid them more than a pittance. About the girls at the Cleveland center a few finer details might be drawn. Contrary to the commonly voiced opinion that the Women's Job Corps consists mainly of the girls who have "made a mistake," only 10 per cent had children before joining the program, including those who are married. For those with such responsibilities, arrangements were made through local child care and welfare agencies before the girls were accepted.

The average grade completed in school is 10.2, with about 30 per cent being high school graduates. Of this latter minority few were adequately prepared to cope with the working world or to accept what little it was willing to offer them. Many of these girls came from the South where their total education was merely makeshift, but just as many were casually passed through the school systems of urban ghettos, emerging with nothing more than a third grade reading level. Almost without exception, they were trapped in a sort of personal limbo and were seeking a workable way out of their dilemmas.

For Fannie Smith, a brooding but bright young woman from Racine, Wis., life after graduation from high school was just a matter of "not being what I thought it would be." She hoped to become a writer and learned about life while standing up for her principles in civil rights demonstrations. But she never thought about going to college until her senior year, and then it was too late. The only route left was to take a job working in a factory. "It was two years of misery, of working on a job I almost hated while the bills piled up," she recalls. "For fun, there was nothing but local gossip, or going home to watch TV, or being surrounded by people who didn't care about the society they're in, people who just lived for the weekend. I realized that I didn't want to be nothing but a machine for eight hours a day. I didn't want to rent my life out." Part of Fannie's dissatisfaction was relieved when she was laid off from her factory job and could not find another. But then the bills continued to pile up, even after the unemployment checks had run out. She realized, "That was no life either." When she enrolled in the Job Corps and was sent to the Cleveland center, other problems ensued. The discipline of meeting curfews, attending classes in fundamental mathematics, of being forced out of a shell into social situations, was difficult to accept. But eventually she did so, knowing that "there was nothing to go back to except people in a rut." And she understands that "it's just a matter of adjustment." Now she is president of the Student Council while crusading on the side. Eventually she hopes to pursue her greater dream of becoming a writer.

The hope that motivates girls like Fannie lies in the graduates who *did* make it or, at least, are well on their way. Beverly Smith, a 21-year-old high school graduate from Clairton, Pa., found herself in a position similar to that of Fannie's, except that she lacked a definite goal. "Yes, I'd graduated from high school in a commercial course," she recalls, "but I didn't seem to have enough skills to get a job and nobody would give me a chance to get experience. I never thought about college because I didn't think I was college material." As a frantic retreat from unemployment and ennui, Beverly enrolled in the Job Corps. She whizzed through her courses with such ease that she was encouraged to continue her education. Today she is a junior in business education at Central State University in Ohio and is quick to admit: "I guess the people at the center thought I had something I didn't think I had." Yet she believes that the benefits of her experience in Cleveland can not be limited to her present academic pursuits. "I met different kinds of people from all over the country," says Beverely, "and I learned to accept people for what they really were. This was the greatest thing that happened to me."

Negro girls have not been the only ones to reap a rich harvest from the Cleveland experience. One of the lesser acclaimed aspects of "the Miracle on Ansel Road" is that this institution has drawn and held the interest of many whites who were somewhat traumatized on their initial encounter with a microcosmic society in which blacks were the prevailing power structure. A very few have left upon arrival, unable to adjust to such a drastic change. Others have stayed on, realizing that this chance for a better way of life was more important than personal prejudices. Far more have come to accept their black associates as simply human beings with common needs. Such is the case of Kentuckian Celia Lawson, who grew up in the heart of Appalachia, just a stone's throw from the state line between Kentucky and Tennessee. The daughter of a coal miner, Celia quit school at the age of 14, yet still she was able to pass her General Educational Development Test (GED) and to acquire the equivalent of a high school diploma after less than a year at the Cleveland center. In the rural area of Kentucky where she lived, there was no work to be found and she soon acknowledged: "I made a mistake, but I was too proud to admit it." Before enrolling in the Job Corps, Celia never had known a Negro. She met her first one on the bus that took her away from her home. Immediately, she understood an idea that had been planted in her mind long before by her father: "You can't live alone in this world, and if you want to get along with people, you will." The idea proved helpful, for on the bus that carried her to the Cleveland center, the driver was a Negro. Upon arrival, she realized that there were more Negroes than whites, and her resident counselor, the person who would be her advisor on all matters involving dormitory living, also was a Negro. Her roommate was a Negro girl from Chicago. "In the beginning, the girls might have been a bit distant," Celia remembers, "for these things work both ways. But after a couple of weeks, we were like sisters. Prejudice is just a matter of not knowing about others."

Staff members at the center emphasize that the changing of girls' attitudes toward themselves and others is an important as the matter of acquiring skills for a job. Without a positive approach to the world about her, the girl will not be able to get along. Thus begins the process of reshaping a human being.

The process begins with the new enrollee being tested to determine her aptitudes and interests. Frequently, the girl is not aware of the employment possibilities at hand or, occasionally, she might be so uninformed as to express a desire to become a psychiatrist though she has but a ninth grade education. It is a matter of leading her toward a realistic evaluation of her goals and potentialities.

First of all, the shortcomings of her previous education must be remedied, and she is subjected to intensive courses that will improve her reading ability and knowledge of basic math. Since the pupil to teacher ratio is as low as 10 to one, and the method of instruction is somewhat tutorial, with students being allowed to advance at their own pace, the average youngster is able to gain one and a half grade reading level for every 10 months spent in the Job Corps, and almost two grade levels in mathematics and vocational training. Through a course entitled "The World of Work," she is introduced to the types of jobs available and, later, to the finer details of the way in which she must conduct herself within the working world.

While enrolled in the Job Corps, a girl is considered an employe of the federal government and is paid for undergoing training and rehabilitation. Like male enrollees, she receives $30 a month. Each month during her stay, an additional $50 is set aside by the government to be paid to her on termination as a readjustment allowance. This way she can get her second start with a little nestegg. If she happens to have a child at home or a family that is dependent, an allotment can be deducted monthly for that purpose. Along with a $200-a-year clothing allowance, girls are supplied with government surplus clothing for their everyday needs and all the surplus material they want with which to design and make other garments in a supervised sewing room in the center. Quite often, they make the clothing they will wear when they approach their goal—on-the-job training in the field in which they have been trained, and its follow-up, a permanent job.

The self-confidence that enables a girl to seek something she has been taught to regard as beyond her reach does not come through mere chance. The magic that makes the Cleveland center work—even in competition with bigger and richer concerns—is one part "know how," but probably just as much a thing called "heart" or plain old "soul." This genuine concern is evident in the attitude of all staff-members, like Mrs. Glyndora Turner, who mans the fifth floor sewing center and has encouraged more than one girl to make clothing not only for herself but for a child back home. For Mrs. Hazel T. Palmer, the psychologist who serves as director of avocational milieu, it is a matter of understanding girls who believe they are "bad" or are accustomed to being considered in the wrong. "We have no problem with fighting," says the smiling and soft-spoken Mrs. Palmer, "but now and then we might have a bit of bodily contact." There are the resident counselors who note: "The girls take such pride in their rooms. Though they live three to a room, most of them have never had a bed to themselves."

Above this network of personnel concern towers the commanding figure of the executive director herself, Dr. Zelma George, who manages to persuade, convince and cajole staff and friends into helping her achieve the impossible—but only where the benefit of others is concerned. To her job she brings a formidable raft of talents polished at some of the country's finest universities where she studied and earned degrees, including a Ph. D. in sociology from New York University.

When she assumed directorship of the Cleveland Job Corps center more than two years ago, even the U.S. Congress couldn't understand why a woman who had lectured around the world and served as everything, from a probation officer, to a UN delegate would want to work with underprivileged girls. But she has chosen to do so and in that role employs a variety of techniques.

Speaking as a sociologist, she points to the reason for the existence of the Job Corps, saying: "These youngsters represent the casualties from our school systems. It is our objective to put ourselves out of business by making these sources aware of their failing in order that they might try to correct them."

She summons the fervor of an orator in defense of the program: "When taxpayers start complaining about the cost per girl (about $6,900 a year for complete rehabilitation treatment) they should consider what it would cost them if the person never was able to work and had to be supported, and also what they would lose through the person's non-productivity." On this front, she is capable of defying any authority without a single tremor. Last year she stood toe-to-toe with the entire House Education and Labor Committee when she testified on behalf of the Job Corps. Questioned about the program's cost, she snapped: "I don't know how to put a price on the rehabilitation of a human being."

One not to be content with things simply because they are the way they are, Dr. George envisions a more extensive Job Corps program. She is interested in seeing her girls have more contact with college students in order that they might be inspired to go further, but has no intention of arranging contacts with "people that the girls know wouldn't speak to them on the street."

More immediately, her sight is focused on acquiring a larger and better equipped building for the Cleveland center so that the girls will not have to rely on nearby community recreational facilities, as they must now. The need for it and the program in general is expressed by one of a group of prominent Cleveland citizens whom Dr. George calls her mentors. Louis B. Seltzer, former editor of the Cleveland Press, remarks: "It's strange how a country as materially successful as this one can be so neglectful in its handling of human beings. Partially it's because those who do not live in our troubled urban areas build nests around themselves and only get excited when there's an explosion. Otherwise, it's academic to them. But if we are to succeed, we must help our young people before they get off on tangents. We must find a way to do things for those so urgently in need."

HARDSHIPS OF THE MARRIED MILITARY PERSONNEL

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, one of the most touching and eloquent letters I have ever received came from the family of a serviceman who is, to put it mildly, virtually living in poverty to serve his country. The wording of the letter describes far better than I could the terrible plight facing thousands of young married servicemen who choose to take the courageous route of serving their Nation, instead the cowardly role of dissent.

For the benefit of the Nation and my colleagues, I want to set the full text of the letter out in the RECORD. While I recognize that this Congress in its first session made some improvements in the pay of military personnel, it is obvious that we must do more. Following is the text of the letter:

> We hear much about the government poverty plan, and draft card burners, but we hear little, if anything, about the poverty of our married servicemen, who are willing to serve their country, some even sacrificing their lives. For a married serviceman to live on base in Government quarters, he must have over 4 years of active duty.
>
> Thousands of our young married couples in service are forced to live off base where they have to pay their own rent, heat, light, gas, etc. When the wife is expecting a baby, and is not able to work to supplement her husband's income, it becomes a tragic thing. As an example of this situation, I state the following of a young airman and his expectant wife, who are stationed in upper Michigan where the temperatures drop to 40 degrees below zero. Their expenses are as follows:
>
> Rent, $80.00 a month; fuel to heat the house, $40.00; telephone, $6.00; lights, $16.00; traveling expenses, $40.00. This comes to a total of $162.00 a month.
>
> For an airman first class plus his wife, their monthly income is $202.00 minus income tax. This leaves less than $40.00 a month for food, clothing, car insurance and many other every-day living expenses. Furthermore, whenever this young airman is on standby, the Air Force calls him collect.
>
> Not only as a concerned parent and grandparent to be, but concerned for the thousands of other young married service couples, I say it is a shame and disgrace for a country to spend so much money on poverty plans, and yet neglect our servicemen who are willing to fight for our country.
>
> The average citizen does not realize that the American serviceman on the average is greatly underpaid.

Mr. Speaker, I am withholding the name of the author of the letter to protect the couple from embarrasment, but I commend the text to the membership of this entire body. It is my hope that we will give more attention to the needs of those who are willing to serve, willing to fight, willing to earn their way, rather than those for whom welfare, handouts, and indolence has become a way of life. The man who is willing to die for his country has earned our attention and our consideration; I urge that we give it to him.

NEGRO RESEARCH MATERIALS IN PHILADELPHIA

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 13, 1968

Mr. SCOTT. Mr. President, the kind of information contained in an article published in the Philadelphia City Archives News Letter of February 1968, deserves as wide dissemination among the public as possible. Therefore, I ask unanimous consent that the article, "Negro Research Materials in Philadelphia" be printed following my remarks.

Our history books do a credible job of recording what white Americans have contributed to society as we know it today. But most of them overlook the achievements of the Negro American. Throughout our country, Negroes are asking for realistic and thorough recognition of their role in history.

I have sponsored a bill to establish a Commission on Negro History and Culture, S. 2979. It would encourage the dissemination of existing data on the role of the Negro in history and would stimulate original research.

I am pleased to point to the city of Philadelphia as a good place to begin.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGRO RESEARCH MATERIALS IN PHILADELPHIA

(By Maxwell Whiteman)

(Maxwell Whiteman is the Historian and Archivist of the Union League of Philadelphia. He is well known for his work in many aspects of Philadelphia history. A few words are in order about his special competence in the particular subject which he discusses in this article. He published his important A Century of Fiction By American Negroes in 1955. He has contributed articles to numerous journals on the subject of Negro history over the years and he has been instructing teachers in the Philadelphia school system on Negro history for their use in their own teaching.)

The sources for the study of Negro history are to be found in every major library, historical society and university and public archives in Philadelphia. This brief guide is limited to manuscript materials, documents, and newspapers and is focused upon the Philadelphia Negro. A number of major collections such as those at the Historical Society of Pennsylvania are readily accessible under the subject headings of Slavery, Africa, Anti-Slavery, Abolition and Negro. In most instances, the materials for Negro history must be mined from general collections, but very few collections are catalogued in sufficient detail and data on outstanding Philadelphia Negroes is not easily found from the catalogues and indexes. Material on such men as James Forten, William Whipper, Robert Purves, Octavius Catto or other 19th century notables requires searching in a massive body of records in a number of institutions. The study of the origins of the present-day civil rights movement also requires the examination and culling of many collections to reconstruct the history of a century of conflict. In this sense the requirements in researching in Negro history do not differ from those in many fields.

If we are to use early Negro leaders as examples of "free men of color" hammering out their own ideas, their own programs, and their own destiny against a background of adversity, we must comprehend the precise conditions in which they lived. Problems confronting the investigator of the Philadelphia Negro are to determine population, areas of residence, mobility, voting habits, reactions to slavery, colonization, mutual aid movements, and a variety of similar problems that comprise the dramatic history of Negro life in Philadelphia. Fortunately, many of these can be solved in part from existing sources. The carefully organized collections of the City Archives, located at City Hall, are basic sources for the Federal period and without which no dimensional picture of the early Philadelphia Negro is possible. Three categories of tax records contribute much to our knowledge and their value manifests itself to the researcher at first sight. The first group, catalogued under the title of County Tax Assessment Ledger (1779–1854), but particularly those for the period prior to 1818, awaits the exploration of its 174 volumes. Similar in value, although less extensive, are the 10 volumes, Enumeration of Taxables. Lists of slaves are co-mingled with the names of taxables, and race and occupation designations make clear the value of these volumes for the years (1821, 1828, 1835) for which they exist. The third group of related records are the Poor Tax Registers (1819–1847) in 56 volumes with their use facilitated by indexes. The two volumes of Constable Returns (1775, 1780), although unindexed, are a key to the old City wards, a foundation for the study of householders' names and occupations and a guide in determining the "free people of colour" in the pre-City Directories era. These sources can be used to determine the colored population, slave and free, prior to the first census of 1790. The early City Directories beginning with 1785 are a useful supplement to this research. Many, although not all, of the directories indicate with some type of symbol those persons identified as Negroes. Census records are an indispensable supplement to the tax records in the Archives.

Horace Binney, as Judge of Elections, in 1815 ruled that a free black native of Pennsylvania who paid the same tax as the rest of the population was entitled to vote and there was no dissent to this decision. Election Returns which survive for this period (1820–1858), incomplete as they are, provide information concerning the first Negro voters in Philadelphia. The returns are broken down by ward so that valuable demographic and political data can be ascertained. However, the Negro's right to vote in Pennsylvania was shortlived, since the Pennsylvania Constitution of 1838 rescinded the franchise for its black citizens, the same year that Congregation Mikveh Israel of Philadelphia petitioned Congress to abolish slavery in the nation's capital. Reverend Samuel Williams of the African Methodist Episcopal Church bitterly recalled his rejection from the polls as a factor that motivated his sailing for Liberia. The Public Documents Section of the Free Library of Philadelphia contains what is undoubtedly the finest collection of statutory sources, and legislative material affecting the Negro is best obtained there. The earliest and more obscure volumes of this type are available at the Historical Society of Pennsylvania and the Library Company of Philadelphia as well as at the Bar Association Law Library.

The papers of the Pennsylvania Society for Promoting the Abolition of Slavery, begun in 1774 under the leadership of Benjamin Franklin, are a significant collection. The catalogue title at the H.S.P. is somewhat misleading as the collection, which comprises more than 50,000 items, encompasses a broader aspect of Negro affairs than the title indicates. This collection is a fundamental source for any study of slavery, manumission, fugitive slaves and the underground railroad. The door to the study of Asiatic slavery is flung open. Slaves from Java, Batavia and other islands of the Pacific brought to Philadelphia on American vessels present an aspect which has received scant attention in comparison to the overwhelming context of African slavery. Hardly a thread of Negro life is untouched in this collection. Education and the many schools founded by and for Negroes, mutual aid and self-improvement societies, and their social life and inner life can be gleaned from these papers.

William Still, author of the monumental The Underground Railroad is represented in a series of journals and letters at the Historical Society which contain the kernel for a needed monograph about this man who zealously worked for the right to admit

Negroes to public accommodations following the Civil War. Again and again the names of Forten, Whipper, Burleigh, Gibbons, Gloucester, Shad and others appear, many of them involved in the Negro Convention Movement (1828–1835) which sought to challenge the views of the Colonization Society, whose own papers are at Lincoln University and whose pamphlets are at the H.S.P. and the Library Company of Philadelphia.

Hundreds of Quaker journals, account books, diaries and personal correspondence among the almost seven million items in the collections of the H.S.P. are a fruitful field for investigation of items of local Negro history. The American Negro Historical Society papers (1790–1901) at the H.S.P. are a direct source, covering the broad spectrum of Negro activities ranging from notes on Benjamin Banneker, astronomer, clock-maker and publisher of almanacs to the first Negro baseball clubs among its 3,000 items presented to the H.S.P. by Leon Gardiner. It is particularly rich in ephemera not found in most Negro collections elsewhere. The manuscript collections of the American Philosophical Society provide useful information on the anti-slavery movement in unexpected places such as the papers of Robert Hare, the early Philadelphia chemist, or J. Peter Lesley, geologist, and other active participants in the movement. The Library Company of Philadelphia has similar but no less important collections. The McCallister papers, the Granville Sharp, Dillwyn, Emlen, and Belknap letters all concern themselves with slavery. Samuel George Morton, 19th century anthropologist and craniologist, left behind notes concerning the Negro which cast light on attitudes in that era. The magnificent Rush collection at the Library Company provides information on the Yellow Fever epidemic of 1793 and introduces the student to the controversy concerning the role of the Negro in that epidemic described by Richard Allen and Absalom Jones. Also at the Library Company is an outstanding pamphlet collection concerning the Philadelphia ante-bellum Negro, his Civil War activities, the Freedman's Bureau and those aspects of municipal reform and human rights that are relevant. Corresponding material can be found at the library of the University of Pennsylvania and the H.S.P. and all three hold that comprehensive collection of pamphlets issued by the Union League of Philadelphia between 1863 and 1865 germane to the anti-slavery mood and the recruitment of colored troops. Often overlooked are the Stephen Girard papers at Girard College relative to data on the slave trade and the Negro in the 1793 Yellow Fever epidemic, and the records of the Society of Friends (*Arch Street*) concerning educational work among Negroes, and the Friends' Freedman's Association (1836–1935).

Negron church papers which began with Richard Allen and Absalom Jones are certainly one of the most fruitful unexhausted sources. The dramatic schism of color that brought about the A.M.E. Church and laid the foundations for black Protestantism has not been sufficiently explored as a social movement and its relationship to present day civil rights movements should be investigated. Although the story of Richard Allen is well known, a re-evaluation of his life, church activities, and broad involvement in the history of black people is in order. Records of the Philadelphia Conference are important to determine changes within the Methodist Episcopal Church that brought its leaders into the anti-slavery and abolitionist movement even though they originally advocated separation of the races. The records of the Presbyterian Historical Society were relied on considerably by Andrew E. Murray in his recently published Presbyterianism and the Negro. Most locally-based church historical societies and seminaries contain material that can be put to similar use, but the richest sources are in the Negro church records.

The 20th century Philadelphia Negro is not well represented in local institutional archives. The increase in northern urban Negro population has been rapid and its vast output of written and printed matter generally has not been systematically collected although the embryonic urban archives at Temple University may be the institution to do it. Useful sources are the Race Relations Committee of the Society of Friends, the NAACP, the National Urban League (*successor to the Armstrong Association dating back to World War I*), the documentary archives of the Philadelphia Fellowship Commission, and the archival material of the City's Commission on Human Relations as well as the physical, economic and social surveys conducted by the WPA in the 1930's and held by the Philadelphia City Archives.

No study of local Negro history could be complete without recourse to the many files of anti-slavery, abolitionist, and Negro-sponsored newspapers. These sources are the most fertile for determining the reactions of the Negroes themselves to issues. It must be noted that many of the local papers edited and published by Negroes are not included in the collections of Philadelphia institutions. A real service would be to locate copies of W. H. McLean's Afro-American, W. W. Rourk's Colored World (1915–1916), Astwood's Defender (1897–1909) and James S. Stemon's Pilot (1907–1908). Fortunately, a complete set of the Philadelphia Tribune and Weekly Tribune founded by Chris J. Perry in 1886 and continued to the present by E. Washington Rhodes does exist. The Philadelphia edition of the Afro-American complements the Tribune, and the short-lived Independent Advocate (1891–1894) and the Philadelphia Independent founded in 1931 are also valuable. Garrison's Liberator contains a wealth of Philadelphia material and the Colonization Herald (1835–1865) is of equal value. Nor can the Pennsylvania Free Man (1836–1854) involving Lundy, John Greenleaf Whittier, C. C. Burleigh and others be ignored. The Free Library of Philadelphia, the H.S.P., and the Library Company contain good collections of most of the above mentioned. It is obvious then, that much primary source material exists and has existed in useful form for a period of time within City institutions and similar institutions elsewhere. The challenge presented is to use it properly.

PRAISE FOR THE PRESIDENT'S POSITION ON NUCLEAR NONPROLIFERATION

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. OLSEN. Mr. Speaker, yesterday, in a stirring address to the United Nations, President Johnson emphasized America's determination to cooperate fully in trying to end the spread of nuclear weapons around the world.

I commend the President for his wise statesmanship. For it is certainly in the Nation's interest—and in the interest of world peace—to seek to find ways to end the threat imposed by these terrible weapons systems.

We must, in the President's words, "use the incredible force of the atom for peace, and not for war."

The President made clear that under the terms of the nonproliferation treaty the United States will vigorously pursue further negotiations to effectively end the nuclear arms race and reduce the stockpiling of nuclear weapons.

The American people will enthusiastically support such efforts. All of us pray that the day may be at hand when the world will no longer live under the threat imposed by nuclear arsenals.

President Johnson's leadership in this effort is an enduring contribution to world peace.

SUCCESS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RAILSBACK. Mr. Speaker, every day we read in the newspapers of the total number of American fighting men who have been killed in Vietnam for that day. We have been hearing these numbers for so many months now that we have a tendency to think of them in terms of numbers, rather than individual persons. Who are these men that are dying for their country? What kind of men are they, and what are their thoughts?

Recently a young man from the 19th Congressional District of Illinois was killed by enemy mortar in Vietnam. He had been there only 2 months. His name was Pfc. Ricky L. Doye.

What type of a man was Doye? He had graduated from Annawan High School, Annawan, Ill., last year, where he had been an outstanding student. He was considered one of the best all-around athletes in the history of the school. He was all-conference in basketball and football, and outstanding in track, especially in the discus events. The members of the faculty also said that Doye was one of the most popular students ever to graduate from the school.

Private First Class Doye had a deep sense of obligation to serve his country early in his life. During his junior year in high school, he wrote a theme for his English class on his ideas about what success is and means. Mr. Speaker, I insert in the RECORD, at this point, the text of that theme, entitled "Success."

SUCCESS

(By Ricky L. Doye)

Success to me is to prove yourself worthy. One success that can never be beat is to have fought for your country in time of war. There you have proven that you can do your part when you are needed. Just serving in the armed forces is, to me, considered success.

Other people have other ideas of success, such as just raising your family up so they have a decent chance to have a good life. Get a college education. Go into the profession you want to be in. Dedicate your life to an effort which is important for the world and for yourself. Joining the peace corps. This is one of the highest forms of success there is. To give up a few years of your life is a costly price to pay just for eleven cents an hour and to live in poor living conditions.

Success is many things but most of all it is what you think it is. Have you succeeded in your life? Only you know for sure.

Mr. Speaker, I sincerely hope that the war in Vietnam will be ended soon, because our country cannot afford to lose many more men of the caliber of Pfc. Ricky L. Doye. Young men like this are the hope and future of our great Nation.

SLUGGISH ARKANSAS TURNS INTO RIVER OF THE FUTURE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. EDMONDSON. Mr. Speaker, Miss Inez Robb, long one of the country's most able and distinguished newspaper writers, devoted her feature column to the Arkansas River project not long ago.

In her article, Miss Robb tells the story of the Arkansas River project in the finest journalistic style. Not only does she report its development from the Army Corps of Engineers recommendation in 1943 to its present status of scheduled completion in 1970, but she captures the real importance that the Arkansas River—once it becomes navigable—will be to the States it directly touches, and to the entire Nation.

Miss Robb has caught the true impact that the project—giving Oklahoma access to the Mississippi, the Gulf of Mexico, and the Atlantic Ocean—will have. She describes how the project will alter the future and change "dusty Arkansas and land-locked Oklahoma communities into ports" and bring a great boom to the dwindling economies of these areas.

The Arkansas River project will indeed have great effect economically and socially on this area, and will be a dream come true for the more than 8 million people that inhabit the States that encompass the 450-mile navigable waterway. The project is indeed a "pretty impressive transformation" that is a great credit to 20th century man.

The complete text of Miss Robb's article, as it appeared in the Memphis Commercial Appeal, follows:

SLUGGISH ARKANSAS TURNS INTO RIVER OF THE FUTURE

(By Inez Robb)

TULSA, OKLA., May 25.—If ever there was a discouraged-looking river it's the Arkansas as it sluggishly flows through Tulsa, one of the most beautiful cities on this continent.

No pelucid stream this. Its yellow-brown water hugs the bottom of the river and seldom flows from bank to bank except in flood time. A river, one might say, without ambition or git-up-and-go. Or enough water to float a canoe.

Yet early in the 1970's the old Arkansas, plus the help of three other streams, will transform Tulsa into a port city with ready access to the mighty Mississippi, the Gulf of Mexico and the Atlantic Ocean.

Look at your map of the United States to understand the miracle that man is working through the 1.2-billion-dollar Arkansas River Project destined to transform dusty Arkansas and land-locked Oklahoma communities into ports along the 450-mile man-made inland water route to the gulf and the sea.

It is now estimated that in the early '70s the Arkansas River Project will carry more tonnage than the Missouri River, and that this city will send more water-bound freight on its way than either St. Louis or Kansas City.

If the whole concept seems fantastic, impossible, miraculous and incredible, it is. When completed, it will be the largest inland water project in the United States: A dream literally coming true—a dream as certain to remake this whole area as another dream, the Tennessee Valley Authority, has remade the states within its compass.

This old dream began to take on the color of reality when the Army Corps of Engineers, after many studies of the project, finally recommended it in 1943. Three years later Congress atuhorized an initial appropriation of 55 million dollars.

But the project did not really get started until 1955. It is now 70 per cent finished. Little Rock will toss its hat in the air and celebrate that fact in the autumn. In the summer of 1970 the whole 450-mile stretch will be completed from near Yancopin, Ark., where the Arkansas empties into the Mississippi to Catoosa, Okla.

This village, nine miles east of Tulsa, is being developed by Tulsa County as its port and terminal. The county has earmarked an initial 17.5 million dollars to develop the port, plus industrial development of 6,600 acres close by. This city of 300,000 is thinking big.

But it has taken big thinking to drive through this project that embraces a difference of 420 feet in elevation from the Mississippi to Tulsa, and that includes 19 locks and dams to lift water and future navigation into Oklahoma.

The economic and social effects of this vast inland water route are expected to be felt through an eight-state area with a present population of eight million persons. Indeed, business leaders here believe it will transform the economy of the whole area. The predictions are dizzying. But no more so than the project itself.

With the possible exception of Playboy magazine, it is difficult to pick up any publication today that doesn't chart the transformation of the world, in the 21st Century, into a 50-carat paradise via technology.

However, in the past few days I have suddenly realized that man is overlooking some pretty impressive transformations here, now and under his nose.

What hath 20th Century man wrought!

ALASKA STATEHOOD ACT

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. POLLOCK. Mr. Speaker, today I am introducing a bill to extend the period in which the State of Alaska, under the terms of the Alaska Statehood Act, will have to select certain lands now in Federal ownership.

In 1964, Congress extended the original deadline. That extension expires January 3, 1969.

In the meantime, the Secretary of the Interior, acting on behalf of the Alaskan natives, froze all State land selections.

Mr. Speaker, my bill will provide the needed time for the many problems arising from the native land claims to be fairly and equitably resolved and also permit the State and the Federal Governments to make an orderly transfer of landownership and management responsibilities. I ask that my bill be referred to the appropriate committee for early consideration.

LEADERS LIST GOALS FOR POOR

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DIGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

LEADERS LIST GOALS FOR POOR

(By Willard Clopton Jr.)

Leaders of the Poor People's Campaign yesterday issued a "basic" list of 49 demands for Federal action, and indicated they would consider ending their protest here if immediate action is taken on 22 of the items.

Major emphasis was placed on changes in Federal food programs, which were asked in four of the demands. Others concerned expanded Federal action to provide jobs, education, health services and welfare benefits.

The listing is a trimmed-down version of the original set of more than 100 demands, and represents an effort to sharpen the focus on the Campaign's underlying goal of alleviating poverty.

The summary is also intended as a blueprint for official action to deal with the marchers' specific grievances.

Campaign spokesmen have often complained that newsmen were too much concerned with the protest's visible aspects, such as conditions at Resurrection City, activities of demonstrators and rivalry among the various factions taking part in the crusade.

NEWSMEN BRIEFED

In presenting the shortened list the leaders acknowledged that they have been at fault for not keeping news media informed on their day-to-day negotiations with representatives of the Government.

The summary was issued after a three-hour press briefing Tuesday night, conducted by the Rev. Ralph David Abernathy, president of the Southern Christian Leadership Conference; the Rev. Andrew Young, the SCLC's executive vice president, and Marian Wright, an attorney serving as liaison between the Campaign and Federal officials.

The basic list consists of 41 demands for administrative action by Federal agencies and congressional passage of eight bills. The 22 key demands are made up of 19 administrative and three legislative items.

FOOD PROGRAMS STRESSED

Four of the 22 concern Federal Food programs, reflecting Mr. Abernathy's view that hunger is the most critical single issue of the Campaign.

The others call for fundamental changes in Federal programs to provide jobs, education, health services and welfare benefits to the poor and for greater emphasis on involving the poor in decisionmaking.

Three of the 22 deal with demands of the Campaign's Indian and Mexican-American contingents.

The three demands upon Congress include passage of a bill to create 2.4 million jobs over a four-year period; another to generate $5.5 billion in new housing, and for repeal of new welfare amendments that would require mothers on relief to work and that would freeze Federal welfare contributions at the Jan. 1, 1968 level.

The housing bill is considered to have a good chance of passage this session and the jobs proposal may be acted on next year. Repeal of the welfare amendments is viewed as doubtful, but a plan to delay imposition of the freeze for one year is pending.

Mr. Abernathy said his strategy is to push hard for the administrative changes between now and Sunday's "Solidarity Day" demonstration and then to concentrate on the legislative demands.

He said efforts this week would focus on the Departments of Agriculture, Labor, Housing and Urban Development; Health, Education and Welfare, and the Office of Economic Opportunity.

Most of the agencies have already received the demands and several have made partial concessions. Yesterday, Campaign officials began issuing a series of analyses of each agency's responses and began with those of Agriculture and HEW.

Agriculture was praised for starting food programs in a number of the Nation's neediest counties and for increasing the amount of commodities distributed to the poor.

The Department was chided on several points, however, including its failure to provide free food stamps for those most in need.

HEW Secretary Wilbur J. Cohen was hailed for taking steps to provide greater health services for the poor and call for a Federal welfare program to eliminate regional variations in the amount of relief payments.

The Campaign critique noted, however, that Cohen had given only verbal endorsement for the national welfare plan and complained of what it called "the weaknesses and indefiniteness" of many of his assurances.

WATSON TAKES ACTION ON GUN CONTROL

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. NIX. Mr. Speaker, yesterday the Postmaster General of the United States, Marvin Watson, issued regulations in the wake of the killing of last week requiring that mailed shipments of firearms be labeled as such and local police officials notified that the addressee is receiving firearms. This will give police officials in States where there are firearms laws the chance to enforce State law. It is ironic that the Federal Government, up until yesterday's announcement by General Watson, has helped to violate State firearm statutes.

This action is long overdue. I am glad that something is finally being done. The action of Marvin Watson shows, I think, why the President of the United States needed Mr. Watson in the White House. It also shows, I think, great strength of character to stand up to the National Rifle Association, one of the strongest lobbying groups in the United States. For years they have managed to frustrate the will of the American people that firearms be regulated. Not even the assassination of the President of the United States, John F. Kennedy, caused them to reexamine their own policy in promoting the sale of firearms.

The United States, Mr. Speaker, is fast becoming an armed camp. In 1966, firearms were used in more than 109,000 crimes of violence, 6,552 killings, 43,500 aggravated assaults, and 59,680 robberies. There are 100 million firearms in the hands of American citizens. On top of that, we all know that gun sales have increased during the past year.

I believe that the hour is late, that if we do not regulate and register firearm sales, if the United States continues to be an armed camp, that the trouble of this spring will in time overwhelm us. With 100 million weapons unaccounted for in a nation whose total population is only 200 million—that is one out of two Americans is already armed—we have a serious problem. We have 60 million households in the United States and we could send 40 million arms abroad and still leave a gun in every household. At one time our national goal was a car in every garage. Now we have a gun in every home. Marvin Watson and the President of the United States see the evil. I wish the Congress did, particularly the other day.

News articles follow:

POSTMASTERS TO TELL POLICE OF MAILED GUNS

The Post Office today announced it will notify local police chiefs before delivering any guns in their communities.

The announcement came as tough new bills regulating firearms in the United States were introduced in the Senate.

Postmaster General W. Marvin Watson said he has ordered "that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community."

Watson said he also has "issued regulations that all firearms shipped through the mails be clearly labeled with the words 'firearms.' "

[From the Washington (D.C.) Evening Star, June 13, 1968]

RIFLE ASSOCIATION CHALLENGING NEW GUN-MAILING REGULATION

The National Rifle Association is questioning the legality of a Post Office Department move to curb mail-order guns.

Postmaster General W. Marvin Watson yesterday announced new postal rules under which packages containing guns will not be accepted for mailing unless clearly labeled "Firearms."

Further, he said, delivery of firearms will be held up until the chief law enforcement officer of the community to which the package is addressed is notified.

TYPES TO BE BANNED

Watson also said sawed-off shotguns and short-barreled rifles will be banned from the mails under "concealed weapons" regulations unless addressed to authorized law enforcement or military personnel.

"I don't think this will solve the problem," said Harold Gardenswartz, a New Mexico sporting goods executive. "I think people who commit crimes steal guns."

Police Chief Donald I. McNamara of Portland, Ore., said the only use he could see for the regulations is that they would provide police with descriptions and serial number of guns, helping owners recover those that are lost or stolen.

Miami Police Chief Walter Headley said that if a gun is not bought in his city "there's nothing I can do to make him register it."

DOUBTS ANYTHING NEW

Harold M. Goodman, largest gun dealer in St. Louis, said he was in favor of regulations, but didn't think Watson had come up with anything new.

A postal department spokesman said Watson's ban, which goes into effect immediately, will apply to guns "26 inches in length or which have the characteristics of a concealed weapon."

Pistols were not included because they have been banned from the mails for years, the spokesman said.

The NRA questioned whether Watson had the authority to hold up mail delivery of guns, particularly to states that have no laws restricting the purchase of firearms. Most states don't.

Watson also urged private express companies to follow the department's lead.

Such firms are free to deliver pistols now. But they would be restricted from selling handguns across state lines under a section of the omnibus crime control bill which was passed quickly after the assassination of Sen. Robert F. Kennedy and awaits presidential action.

President Johnson has not indicated whether he will sign the bill now before him. But he has said it should have included an interstate sales ban on shoulder weapons as well as pistols and the administration already has introduced a new bill.

Ten senators, headed by Maryland Democrat Joseph D. Tydings, introduced a still stricter measure yesterday that would go far beyond what Johnson has called for. It would provide for registration and licensing of all firearms.

Tydings called the NRA a lobby and said it should be taxed. And he criticized Maryland Gov. Spiro T. Agnew's appointment of a former NRA officer as his representative on a panel studying state gun legislation as "unconscionable."

Sen. Edward W. Brooke, R-Mass., reintroduced his bill to establish a firearms registry in the Treasury Department in which all firearms would have to be registered.

Meanwhile, 20 House Democrats urged the President yesterday to veto the crime bill, saying its passage was an act of "legislative hysteria" which would take "three giant steps to a police state."

In a letter to the President, the group took particular issue with a section of the bill intended to overturn Supreme Court decisions safeguarding individual rights. It also attacked provisions that would authorize wiretapping and electronic eavesdropping under certain conditions.

D. LOUIS TONTI: MAN IN MOTION

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HOWARD. Mr. Speaker, on Wednesday I had the pleasure of attending the opening of the new Garden State Arts Center on the Garden State Parkway at Telegraph Hill Park, in Monmouth County, N.J. Mr. D. Louis Tonti, the executive director of the New Jersey Highway Authority and longtime personal friend of mine, is the man responsible for bringing this fine new cultural facility to the people of New Jersey. In commending Mr. Tonti for his energetic personal commitment, both professionally and as a private citizen, to the future of the State, the Asbury Park Press has printed in its June 8 issue a justly complimentary article telling of Mr. Tonti's accomplishments.

At this time I insert this article into the CONGRESSIONAL RECORD:

D. LOUIS TONTI: MAN IN MOTION

(By Frank W. Harbour)

HOLMDEL TOWNSHIP.—The Garden State Arts Center, which may find a place among the top cultural and entertainment facilities in the nation, had its genesis in a small village on the Adriatic in Italy.

The $6.75 million center, which opens for its first season Wednesday evening, is the proudest accomplishment of D. Louis Tonti, executive director of the New Jersey Highway Authority, which operates the Garden State Parkway.

It will bring some of the biggest names in classical and popular music to the Shore and it will bring them to a spot once planned for 24 tennis courts and two swimming pools—a spot which for awhile was called by some "Tonti's Folly" when the son of Italian immigrants changed those plans.

"You have to understand my parents to understand how the Arts Center came to be," says Mr. Tonti, a man who could be New Jersey's next governor if all the pieces fall into place.

"In Northern Italy, people love good music. My parents, who lived in Ricione, were poor but they managed to go to the opera in nearby Rimini.

"When they came to this county—my mother was 17 and my father 25—and settled in Hoboken, they were still poor, but they made 'pilgrimages' twice a year to the Metropolitan Opera in New York. In the Depression days, standing room was $1.

"As a child, if that was too much, my mother would sometimes stay home and let me and my dad go. In high school I managed to go by saving my movie money."

In 1962, when Mr. Tonti and the Authority commissioners decided it was time to implement bond issue requirements for Garden State Parkway recreational facilities, the director shied away from tennis courts and swimming pools. Because of his parents, he wanted something better.

"The Arts Center will provide a cultural heritage for our children. It will provide it for families which haven't been able to afford it.

"In the 18th century we established political democracy; in the 19th industrial democracy, and in the 20th we must establish cultural democracy if we are to grow up completely."

Almost as an afterthought, Mr. Tonti, who has gained a national reputation for efficiency and cost cutting (his much-copied mechanical toll collector system alone has saved several million dollars) notes:

"Besides, tennis courts and pools would not pay for themselves. The Arts Center will."

Advanced sales already have put nearly a million dollars in the Authority till—triple the amount predicted.

And in the Tonti scheme, the poor and the disadvantaged will not be forgotten. Nor will be any school children, the "impressionable ones."

Special concerts, classical and pops, will be provided for them, complete with nature trail tours over a 75-acre tract at Telegraph Hill Park.

Lou Tonti, described by his wife, Doris, as "old world," is a stickler for formality in the Parkway's Woodbridge executive offices. With the exception of twice monthly "brainstorming" sessions, Madison avenue suit with jacket on is the style.

Yet if you find him at home, a 59-acre plot off Holland road, here, on a Saturday or Sunday, he's likely to be barefooted (sandals sometimes) and in loose and comfortable sports clothes.

He'll serve a rare Italian wine—which "you can't import but have to bring over." He talks with gusto, but when you talk, he stops—and listens intently—a trademark.

For helping to build super highways in his parents' native land, the 50-year-old Mr. Tonti has twice been knighted by the President of Italy. "The medallions are in a drawer somewhere—they don't help you over here, but in Italy they can get you the best seat in the best restaurant."

The word "Italian"—often Mr. Tonti notes it has come back "guinea"—is a source of pride to the executive director, an only child, but at times in the past the use of it by others has been a source of hurt.

"The last time I cried as an adult was 29 years ago," he recalls. "I was recommended for a promotion in a large business machines firm, a promotion which would have led to an executive position. I didn't get it. I learned finally from close associates that I was approved all the way to the top executive committee, but lost it because I was Italian, a "guinea."

"I walked home crying that day. I was 21."

The experience left a deep impression on Lou Tonti—perhaps even a deep scar—but developed an empathy with minority groups.

Many years later, as the youngest director of a toll road in the United States, at 36, it enabled him to calm the fears of some 300 Negro families who were to be displaced from their East Orange homes to make way for a new Parkway interchange.

At a school auditorium meeting, which had gotten out of hand, the director stopped a speaker attempting to convince homeowners that they would be discriminated against.

He told them in a quiet voice how he had cried at the age of 21. He told them that new housing, and good housing, would be found for every family.

Later, as one of the last families moved, the director of an authority with $365 million in holdings, took time out from a work week which averages nearly 60 hours, to obtain an ambulance to help move a woman confined to a wheel chair.

The word "Italian" no longer holds Mr. Tonti back. In fact, with changing times, he concedes it might put him into the governor's chair.

The D in D. Louis Tonti is for Divo. "Besides my old high school buddies, only my wife and Gov. Meyner and Gov. Hughes call me 'Divo'—to everybody else I'm 'Lou'."

A lifelong Democrat, never far from the political scene, Mr. Tonti was pushed in 1966 by state Democratic leaders to run for the U.S. Senate.

He was "interested," but decided not to go against Republican Clifford P. Case.

He admits at present, with the candor of few politicians, that he may become a gubernatorial candidate—but also notes that his "independent way of doing things" makes a lot of political leaders nervous.

"I don't want to decide anything until after the presidential election," he said, "but a good many people are urging me to run, and I'll have to decide after November. If Bob Meyner goes, then I would be reluctant to run."

If the executive director does seek political office, he has nothing behind him but a history of defeat, a fact which doesn't seem to bother him.

In 1950 and in '52 he lost contests for the state Assembly, and in 1953 was defeated in a bid for Borough Council in Hasbrouck Heights.

But the Democrat rolled up enough votes in the ill-fated attempts to throw "moral victory parties" in staunchly Republican (Bergen) county.

Former Gov. Meyner was one of Mr. Tonti's first political friends. He first campaigned for him in 1948 when Meyner was a country lawyer running for Congress. Meyner appointed Tonti to the authority in 1954.

In those days, the authority's executive's office was in Shrewsbury. Mr. Tonti lived in Paramus, 63 miles away, too far to drive when he worked late at night.

He installed a sofa bed in his office, and often "slept over."

The sofa, which has become a vignette in the Tonti story, was used for several years. It was given away, to a needy family, only a few weeks ago.

"I'm 18 miles from the (Woodbridge) office now, and it's easier to get home."

Mrs. Tonti and the three children, Priscilla Ann, 23; Sherwin 16, and Bennett, 13, raise their eyebrows at such a statement.

Known as a man who relentlessly drives himself from one challenge to another, and will create them if they don't exist, the parkway executive expends his "spare" energy on projects unrelated to the parkway, and on speeches (he says about 10 a month—his wife puts the figure at double that, and his daughter, who thinks dad works much too hard, nods in agreement).

Among other things, Mr. Tonti last year helped establish the statewide "Friends of Libraries" organization, now with 11,000 members, and as first president of the group got the Legislature to double state aid to municipal libraries.

A chain-smoker when there is a problem and almost a nonsmoker when there is not (an average of two packs a day is the norm) Mr. Tonti's most trying "extracurricular" project has been the Bayshore Community Hospital.

In the talking stage since 1958, and with a number of citizens' groups floundering over the problem of financing, the hospital's trustees in 1964 asked Mr. Tonti to lend a hand.

At first he consented to become fund drive chairman, then president.

Unable at the time to obtain Hill-Burton federal funds, Mr. Tonti proposed a unique method of financing for the 162-bed $6 million structure: the sale of 40-year tax exempt bonds with a commitment that after the bonds were retired the county would take over the private institution as a public facility.

After a 13-month-long discussion with the state Health Facilities Planning Council, financing approval finally was granted by the agency in March, and groundbreaking for the hospital, to be built on a 17-acre tract here, is expected to take place this year.

Meanwhile, Hill-Burton priorities have been updated, and the hospital probably will receive federal funds in fiscal 1968, or in 1969.

Mr. Tonti's aggressiveness was not always so apparent, but even as a neophyte government official he became known as a "quick-study" and tough, though friendly and outgoing person.

He learned how and why not to be afraid of big-shot—and how to keep his cool in the face of fire—politicians his first year as authority director—a year he almost died from an ulcer attack.

In his words:

"I'd been director for only two months. A powerful political leader called me, said he had just left Gov. Meyner's office, and proceeded to instruct me how a certain matter dealing with the parkway should be handled.

"I couldn't in good conscience do it. I thought about it for two days, and called the governor. I told him of the conversation, that I could see I was going to cause him trouble, and offered my resignation.

"Bob Meyner laughed. He said I had just learned my first real lesson in politics—that the political leader had been in his office, but parkway matters had not even been discussed. It's the old political trick which starts with 'I just left the governor's office . . . and you can forget it.' "

Subsequently, Mr. Tonti issued a directive—still very much in force—warning authority employes not to seek help from politicians in getting promotions.

"It would be a strike against them, not in their favor," he noted.

The "powerful political leader" told Gov. Meyner later: "That Tonti is a tough one, he's going places."

The director, since 1955 when a five-year bout with ulcers led to a gastronomy, has learned to "tell off people instead of holding it in" when necessary—but he admits that often he does it when they aren't around.

"I shut the door, stand there by myself, and tell them off until I get it out of my system."

Firing an inefficient employe—the authority's work force totals about 1,000—was something Mr. Tonti once could not do without "feeling guilty" and getting ulcer attacks. "I just had to learn to do it and say 'to hell with it,' a piece of advice that came from a doctor."

Mr. Tonti admits that poverty during his childhood made him aggressive, but he holds nothing but contempt for any young person whose aggressiveness is destructive.

The director said so, bluntly, to a graduating class at Monmouth Regional High School last year.

"I was angry," he recalls.

The anger and straight talk resulted in a Freedoms Foundation award.

"The right of dissent does not include flag desecration and draft card burning. We do not strengthen our rights when we, as a society, permit them to be misused. I think we could use more flag wavers, more patriots, more squares—more people who believe in our old-fashioned values and principles."

Mr. Tonti has proposed that every student who receives a diploma also be presented with an American flag.

As for the Parkway's future, planning is not at a dead-end.

"While helping turnpike engineers in Italy, I have learned much from them," Mr. Tonti noted, "particularly in the area of using air space rights, where they are quite advanced."

To increase the Authority's income, studies are now being conducted to select locations along the 173-mile highway for buildings which would be constructed over the Parkway, in its air space, the director revealed.

Urban areas, such as Newark and Irvington, where land is at a premium, will have priority, but the studies will project the needs and possibilities in many areas over a 25-year period.

"We foresee the construction of office buildings, apartments and any other type of income-producing structure."

The Authority is also studying the possibility of operating express bus routes and heliports from key Parkway collection points to the Newark-New York area and directly to Shore resorts.

The state-owned Telegraph Hill Park now totals 360 acres. Another 60 acres will be purchased this year, Mr. Tonti said and when the Holmdel Nike base is abandoned that 33-acre tract will be added.

As to the recently authorized study on possible reduction of Parkway tolls, Mr. Tonti commented:

"Politicians are always promising reductions, but don't count on it. It would not be in the public interest. The Parkway's surplus ($8.2 million in 1967) is small compared to its needs."

He noted that there are a number of inequities insofar as toll collection points are concerned and predicted that they would be corrected rather than tolls being reduced.

Some ramp tolls will be eliminated, in some counties, and replaced by new tolls at other locations in the same or in other counties.

Monmouth County, with its continuing population explosion, is among those likely to see more tolls.

Future Parkway improvements include plans for a new bridge over Great Egg Harbor Bay in Atlantic County, the proposed Garden State Thruway, which if built will run parallel to the Parkway, and widening of a 41-mile Parkway stretch, mostly in Monmouth and Ocean counties, from Sayreville to Lakewood.

In 1955, the first full year of operation, the Parkway took in $9.5 million, with 37 million cars using the road.

This year, it is anticipated that more than 135 million cars will travel the Parkway, with the revenue estimated at $42 million—and about $9 million of that will be surplus. The Authority's capital assets presently total $483 million.

Mr. Tonti is prouder, however, of the fact that the Parkway is conceded to be the safest toll road in the nation. In accidents, its fatality rate averages just over one death per 100 million miles of travel. The national fatality rate is 5½ times higher.

A World War II veteran, Mr. Tonti, with night classes, completed a bachelor of science degree in business administration, then received a law degree from Rutgers University ("the law degree was not for law practice but I figured it would help in the business world") on the GI Bill of Rights.

Before the war, he had attended the Massachusetts Institute of Technology for two years. Part of his tuition was paid by a merit scholarship, the rest by delivering newspapers (The New York Times) and waiting on tables.

He was class president at Rutgers Law School.

Before his appointment as assistant Authority director in 1954, he worked for Curtis-Wright Corp., Public Service Coordinated Transport, and the Ferber Corp., Englewood, where he was assistant to the president.

His present salary as Authority is $28,500 plus annual expenses of $3,500. He holds tenure.

Mr. Tonti's only hobby is work. The intensity of that keeps his weight down, although he keeps promising himself he's going to take up bicycle riding and jogging.

He also keeps promising his family that he's going to quit the grind of the Authority for private industry if not political life, "when the Parkway programs are completed," but the first such promise came in 1957 and little heed is paid them these days.

While Mr. Tonti was a student at Emerson High School in Union City, one of his math teachers visited the Tonti home to tell his parents: "Your boy is studying too much, he's getting thin."

He was five feet six, and just over a hundred pounds.

Lou Tonti, who many call The Dynamo, still hasn't gotten fat.

BRONX LEGION COMMANDER LASHES 16 CONGRESSMEN

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. FINO. Mr. Speaker, tomorrow being Flag Day, June 14, I think it appropriate to bring to the attention of the Members of this House the following statement by Francis Robinson, Bronx American Legion commander. As Commander Robinson notes, patriotism is not yet dead—nor will it ever be. The statement follows:

BRONX LEGION COMMANDER LASHES 16 CONGRESSMEN—FRANCIS J. ROBINSON, COMMANDER, THE WILLIAM E. IRWIN, JR. POST NO. 774, BRONX, N.Y.

As we approach National Flag Day on June 14th, 1968, how can we foster and perpetuate love and loyalty to our American Flag among our school children, having in mind that sixteen elected Congressmen on June 20, 1967, voted against a bill making it a federal crime to desecrate an American Flag. The National Mandated Policy of The American Legion, is not to get envolved in politics. I am one Legionnaire, also a member of The National Committee For Responsible Patriotism, who will dedicate his life and time to campaign to ferret out all Benedict Arnold influence in Washington, I sincerely urge all Patriotic Loyal American Voters not to send back to Washington anyone who has lost his respect for the American Flag. "God bless America."

FRANCIS J. ROBINSON, *Commander*.

LEATHERNECK MAGAZINE FEATURES STORY ON INDIANAPOLIS MARINE CORPS RESERVE UNIT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. BRAY. Mr. Speaker, "the reservist is twice the citizen," said Sir Winston Churchill, and in its 38 years of existence, the Indianapolis Marine Corps Reserve unit is an excellent example of a dedicated body of men who fulfill the dual role of citizen and member of their country's Armed Forces.

The March 1968 issue of Leatherneck, the Marine Corps magazine, ran a special article on the Indianapolis Marine Reservists which is a fitting tribute to these men.

The article follows:

HOOSIER RESERVISTS

(NOTE.—In their 38 years of existence, they have run the gamut from infantry battalion to artillery battery. Now, for the second time, they're serving as a Reserve communications unit.)

(By Sgt. John Martin)

Marines of Indianapolis had three uniforms in 1930—the one they put on, the one they wore, and the one they took off.

Drilling without benefit of Marine Corps funds during their first six years, the reservists trained without pay, bought their own uniforms, and put up money from their own pockets to help maintain the Navy armory in which they met.

The "teenage" Marine Corps Reserve consisted of two branches on its 14th birthday. The Fleet Marine Corps Reserve (FMCR) corresponded to the Class II or Organized Reserve of today while the Volunteer Marine Corps Reserve (VMCR) served as a backlog of strength to allow for vacancies in the FMCR. The volunteers, such as the ones at Indianapolis, however, could be assigned to the FMCR only at their request.

But just as Indiana battled for statehood prior to 1816, the Marines wanted to rise to the status of full-fledged reservists. Ever since John Philip Sousa's band and a Marine honor guard had stormed Indianapolis in 1923, Marine spirit had run high in the capital city.

Leading the campaign was a Shell Oil dealer named Bill Smith. He kept up the pressure on Headquarters, Marine Corps and the Great Lakes Naval Training Center until, in 1936, the Commandant directed Smith to ". . . organize and command the 16th Battalion, USMCR."

The reservists of Indianapolis today can look back on a checkerboard history. In their 38 years of service they've been an infantry battalion, a couple different kinds of artillery batteries, a headquarters unit, and now, for the second time in their history, a communications outfit.

The state nickname, "Hoosier," may come from a blending of the pioneer greeting, "Who's h'yer?" And, anyone asking this at the Indianapolis Reserve Training Center would find answers from "jacks of all trades" among the old salts who have experienced the many redesignations. 1st Sgt Bill Moore and MSgt Bill Moore will testify to this. Although their identical names often provoke a friendly rivalry (each man insisting the other is old enough to be his father) the two work well together. Currently, they instruct the younger reservists in the aspects of communication work. A retraining program in communications was necessary after Indianapolis became the Communications Support Company, 12th Communications Battalion, on February 1, 1967.

With communications work going on inside the Center, memories and traditions outside testify to the past. Out front, there is an old artillery piece, manned today only by neighborhood children. Next to the flagpole is a ship's bell and, around back, there is an indoor range.

The present job of the company allows only a recreational use for the pistol range and now one-half of the building is used as a repair shack for the Communications Platoon.

Two members of this group are Sgts Timothy E. and David R. Doyle. Timothy is younger but David is the family "boot" since he came into the Corps six months after his brother. Upon completion of his six months active duty training, David extended for Ground Radio Repair School and Tim returned to active duty to join him. David took second place in scholastic honors and Tim graduated third.

The Doyle brothers were well placed in their MOS because electrical know-how is a part of their everyday lives. David is a computer service representative for RCA, and Tim works as an electrical aircraft maintenance engineer for the Allison Division of General Motors.

Like all brothers, the two may have their minor disagreements in their youth. "However," says Tim, "since we joined the Corps and went through school together, we know each other's capabilities better and work together real well."

Communications Platoon is one side of a triangle which includes Wire Platoon and Radio Platoon.

LCpl. O. Smith Kenton, a motor transport man, says the platoons work well together. "As far as cooperation and work goes at Indianapolis," he said, "I don't think you can beat it."

The reservists proved their combined worth at summer training when they participated in Operation Golden Slipper at Camp Pendleton, Calif.

"What we didn't already know," said Capt Daniel B. Corts, commanding officer, "we found out soon at summer camp." Capt Corts, a research psychologist for the Department of the Army, recently took the helm of the Communications Support Co., following the transfer of the former commander, Capt Calvin R. Dyer.

In his personal observations of the summer training, Capt Dyer said, "We set in wires, laid in radio/relay stations, and put up switchboards."

He told us that the reservists were working with the Fourth Marine Division Headquarters Nucleus, Communications Cadre, to see how well the regulars and reservists could coordinate in a large-scale exercise.

"I was pleased with summer camp," said Capt Dyer. "Our people are intelligent and have a lot of potential. They were very responsive to a military situation and, for the limited amount of time we have on weekends, they do their job well. With time on active duty, they could do real well."

The limited weekend training time encompasses an unlimited amount of subjects for the three platoons. WO Patrick F. Lawley, Jr., runs Wire Platoon through classes on the fundamentals of construction frames, wire plans, maintenance of the equipment, reel units, telephones, and field wires. Lawley is well qualified for his slot. As a civilian, he works as an exchange repairman for Indiana Bell Telephone.

The past year has required a lot of retraining to meet the needs of a Communication Support Company. "The men took the Marine Corps Institute courses on message center operation," said GySgt Albert E. Shockey, Communications Platoon leader, "and a lot of our men are being school-trained after boot camp."

SSgt Dale E. Liebrandt described one way retraining was being achieved. "The one-third of the Marines who already have communications experience are teaching the other two-thirds what they need to know. It's worked pretty well," he noted.

Capt. Robert E. Clemmons runs the Radio Platoon and plans lectures on communication publications, message format, nets and frequencies, and radio frequency spectrum. LCpl Vernon S. Moeller took time from studying a book on frequency sequence to tell us, "My civilian experience has helped me in my Marine Corps job." The young Marine worked as a draftsman for Western Electric during the summer.

All platoons combine for a class when 1stLt James D. Richard, communications watch officer, takes the podium. Most of the time, he teaches elementary school students the correct spelling of the Three R's. But, on Reserve weekends, he has the opportunity to pass along a little Vietnam scoop to the troops.

Although the lieutenant draws material for his classes from Marine Corps training manuals, he backs it up with his own experiences from a tour of active duty in Vietnam. He spent a year there as an aerial observer.

Overseeing the activities of the Training Center is Maj Wesley E. Rhine, the Inspector-Instructor. The major takes a keen interest in the Reserve training, often making personal observations during a drill weekend. 1stSgt Theodore P. Gaizat supervises the work of the administrative section.

The reservists aren't the only Marines with whom the I–I deals. Nearby Ft. Benjamin Harrison, an Army post, hosts two schools which Marines attend. The Defense Information School and the Data Processing Department of the Army Adjutant General School. The records of these Marines are maintained by the I-I staff during the length of the courses.

HM1 Gary L. Bodeman is the I-I corpsman and cares for the incidental medicinal needs of the reservists. While "Thanks, Doc," is a phrase generally used by Marines in payment for a corpsman's work, a reservist might be bewildered as to what to say to one of Doc's colleagues, Lt. Cmdr. Fran Foltz. A Navy Reserve nurse, she attends the drills to gain points for her retirement and because she likes working with Marines.

"She's the best nurse I've ever worked with," Doc Bodeman said, "and she's an excellent person."

The Indiana Reserve Center is located next to an athletic field and playground in the midst of a residential district. Down the street is an amusement park.

Sports activity in the area ranges from excellent pheasant hunting to a night at the baseball stadium, watching the local team, to the annual Memorial Day Indianapolis 500-mile race. The I-I staff maintains a boat, motor, and car top carrier which can be checked out by any reservist. In addition, there's a woodworking shop and, for those who want to use the indoor range, .22 caliber rifles are available.

The town is strangely reminiscent of Washington, D.C., having a multitude of monuments and memorials that rival the Nation's Capital. There's the President Harrison Memorial Home, the James Whitcomb Riley home and scenic drive, Garfield Park, the Soldiers and Sailors Monument and the Indiana World War Memorial Plaza. For all-around entertainment and things to do, Indianapolis is nearly second to Disneyland.

Universities and colleges abound in the area. Such places as Marian College, Butler University, Indiana University, DePaul University, and the Indiana College of Business and Technology are available to the Marine who wants to get ahead.

Sgt. John P. Beeck, a member of Communications Platoon, agrees that Indianapolis is a great town for Marines, especially as far as the people who live there are concerned. "I'm a salesman," he said, "and I find that many of my customers are interested in Marine Corps training."

And it's a "red carpet" reception at Indianapolis, not only from the people but from the Reserve Center, itself. Pfc. William G. Olson looked lost the day he returned from his six-months, active-duty training and reported to the Training Center. But, after 1st Sgt Gaizat ushered him into Maj. Rhine's office for a "welcome aboard" he was all smiles. "I received a real good reception here," he concluded.

While at Camp Pendleton, Pfc. Olson completed a four-week Field Radio Operators Course. With this under his belt, he anticipated no trouble in adjusting to his new assignment at Indianapolis. And, of course, he's been issued his three uniforms—greens, tropicals, and utilities—which he wears with the same pride as his 1930 counterpart.

THE WORK OF USIA

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. JOELSON. Mr. Speaker, I am pleased to insert a series of four articles written by William Ringle of the Gannett News Service about the U.S. Information Agency. I think these articles give a good account of the vitally important work being done under the leadership of USIA Director Leonard H. Marks. The articles follow:

U.S. Radio Curtails Red Propaganda

WASHINGTON.—Had you been an African or a Thailander listening to the news crackle in over the Voice of America last July 17, you would have heard this:

"Street gangs invaded Plainfield, N.J., about 27 kilometers, or 17 miles, southwest of Newark. They set fires, smashed windows and looted stores before police and heavy rain drove them off.

"Nine persons were injured, including a fireman seriously burned. At least 10 persons were arrested. It was the second night of disorder in Plainfield."

Other parts of the same story expanded on the ugly riots then erupting in a number of places.

An American hearing this might have complained (as many have over the past 20 years): "There are enough good things going on in the United States. Why spend the taxpayers' money to give ourselves a black eye overseas?"

The Agency ultimately responsible for such broadcasts, the VOA's parent, the U.S. Information Agency, has been following a "tell it like it is" news policy for many years and has no intention of changing.

"If we don't broadcast the events which cast an unfavorable light on the United States," says USIA Director Leonard H. Marks, "you can be sure the Russians, and the Cubans, and the Egyptians and those who don't agree with us, will.

"And they'll do it with distortion and emphasis which is misplaced. And so the world will hear from them, not the truth, but their version of what happened, which will obviously be far worse for us than the truth.

"So I want them to hear it from me, and I want them to hear it truthfully.

"And when they hear unfavorable events from the Voice of America—much as I hate to broadcast them—then they'll believe the good things about the United States.

"And when we broadcast the unfavorable events, we put them in context.

"Sure, we'll talk about the riots in New Jersey . . . But we'll also talk about the progress which the Negro has made in this country . . .

"And we'll talk about how a Negro was appointed by the President of the United States to the Supreme Court, how a Negro sits in the cabinet, how the people of Cleveland and Gary elected their mayors, both Negroes, how the people of Mississippi elected a Negro sheriff.

"And we'll talk about Negroes in business, and in professional life, and all the progress which has been made towards integrating society on a democratic principle.

"And they'll believe us. Because that's the truth.

"If we fail to broadcast the riot story, they won't believe things that we tell them."

Marks' notion that America's opponents are looking over the USIA's shoulder, waiting to pounce on any mistake, is based on experience.

Only last month, for example, a Soviet literary magazine, evidently smarting under U.S. reports to Russia about the recent trial of four Soviet dissidents—accused the VOA of remaining silent about the jailing in Newark of Negro poet and playwright LeRoi Jones.

"That was false, we did broadcast that," says George R. Splane, who oversees the VOA's newsroom.

"These (criticisms) are a tribute to our effectiveness," says Splane. "Usually such criticisms, though, are directed by Radio Peking or Radio Moscow at our commentaries."

Another such tribute to the effectiveness of the big slick-paper Russian-language magazine, "America", which the USIA distributes in the USSR, was paid this month.

"Trud," the newspaper of the Soviet government-controlled trade unions, accused the magazine—which is popular with Russian youth—of lying, being a "distorted mirror" of U.S. reality, and of failing to show enough of the bad side of U.S. life.

But on the home front, for its 20th birthday this year, the USIA seems to be getting little but good wishes.

One of the sponsors of the legislation which created it, Sen. Karl E. Mundt, R-S.D., is pleased at the way his brainchild has matured.

"I'm convinced that had we not had this agency, or something of a similar nature, that in this day of war, the lasting peace which seems so distant would not even be in sight," he says.

Even the Republican Coordinating Committee, which includes shades of opinion ranging from Barry Goldwater to Nelson Rockefeller, recently scolded the Democrats for not spending enough on the USIA.

Crusty Rep. John J. Rooney, D-N.Y., who oversees the USIA's budget requests, complains of the agency's being "engaged in so many boondoggles" and says his Appropriations Subcommittee has been "hoodwinked year after year."

But when it comes right down to it, his committee winds up giving the USIA very nearly what it wants. It will spend about $187,036,000 in the current fiscal year and is asking for $193,709,000 in the upcoming one.

In fact, that budget might well be hit as too low by no less a person than former President Dwight D. Eisenhower. Marks recalls that shortly after he was appointed he talked with Ike, who thought $1 billion would be a reasonable USIA budget.

The only crack in this otherwise solid euphoria was attributed last month to GOP presidential candidate Richard M. Nixon by Washington Star columnist Betty Beale.

She said Nixon declared that if he were President he would reduce State Department and USIA personnel by 50 per cent.

Asked for elaboration, Nixon aides insisted he'd been misquoted and had merely called for cutting all U.S. overseas personnel in half (although how this would not result in a commensurate USIA cut, they couldn't say).

All this is a far cry from the days when Sen. Joseph McCarthy's "junketeering gumshoes," Roy Cohn and David Schine were sniping at the USIA and when USIA critics abounded.

But even with the relative easing of East-West tensions and the fulminations inside the Communist world, the USIA continues to have some problems.

U.S. Spreads the Word Many Ways

WASHINGTON.—A nagging paradox of the cold war is that an American can, apparently, give his country's propaganda effort a lift by forking out 75 cents for the Russian magazine, "Soviet Life" at his newsstand.

This Gilbert-and-Sullivan-type irony stems from a U.S.-Soviet treaty by which each nation concedes to the other the right to sell a magazine within its borders.

The U.S. publication, "America Illustrated," is by all accounts a great hit in Moscow.

Tirelessly, officials at the U.S. Information Agency, which publishes "America Illustrated," repeat a story from the Swedish "Svenska Dagbladet." That newspaper's Moscow correspondent reported seeing a long line at a newsstand and joining it "to see what sensational item could be on sale." It was "America Illustrated."

Yet, despite the popularity of "America Illustrated," each month about 11,000 copies (at times this figure has soared to 34,000) of the 62,000 sent to Russia are returned unsold. Under terms of the treaty, 62,000 copies of "Soviet Life" come to the U.S. monthly, too.

"Soviet Life" is something less than a sensation in the U.S. Leonard H. Marks, director of the USIA, and "America Illustrated" editor John K. Jacobs figure the returns of "America Illustrated" are kept roughly equal to those of "Soviet Life." So, if "Soviet Life" ever sells its entire issue, "America Illustrated" is expected to do likewise.

Does this mean a good way to help get "America Illustrated" circulated would be for Americans to buy "Soviet Life?" an interviewer asked Marks.

"You said that, I didn't," Marks smiled.

What really rankles Congress is that the USSR, although reportedly it won't even let "America Illustrated" reach maximum possible readership, sends, to be sold on U.S. newsstands, still another magazine not even covered by the agreement, "Sputnik," which looks like a cross between "Reader's Digest" and "Coronet."

"What value is a cultural exchange agreement if it's not honored?" asks Rep. Glenard P. Lipscomb, R-Calif., a member of the House Appropriations subcommittee that oversees the USIA budget.

"Why do we have such an agreement if the Soviet Union can distribute a magazine in this country without working through the agreement?"

"It's a good question and it has bothered me terribly," said Marks. "We keep living in hope that the Russians will live up to the terms of the treaty."

The State Department has been dragging fruitlessly through negotiations for years.

"America Illustrated" is only one of a bewildering variety of ways the United States tells its story to the world.

The agency also translates all sorts of books into a kind of basic English, employing a vocabulary of about 3,000 words. There are short wave radio broadcasts, through the Voice of America, plus television and radio tapes sent to local stations for rebroadcast. There are entire movies distributed through local theaters.

A daily wireless file to our embassies abroad of 10,000 to 15,000 words (not a large output—the Associated Press' daily Washington file alone averages 15,000) is mostly news, but also includes speeches by the President, secretary of state or other prominent officers, texts of bills and laws, and commentary.

This not only keeps embassies informed, but supplies the grist from which their press officers can supply local newspapers, radio and television stations and government ministries with news.

"We use every device for communicating with people that civilization has ever discovered," Marks said. "From traveling troubadours in primitive societies where illiteracy is the rule to orbiting satellites—we'll use anything that technology has devised.

"I'm currently considering micro-fiche—the reduction of the primitive word to the absolute miniature."

With this, Marks whips from his wallet a film about two inches square on which, he says, the entire Bible is printed.

In a recent exhaustive assessment of the USIA's job, the Republican Coordinating Committee, which encompasses every spectrum of the party, suggested "It may sometimes be more effective to engage a professional storyteller to convey our message in Indian villages than to hand out Washington press releases in the provincial capital."

The GOP group also touched on another long-time dispute.

Noting that "Communist news services, which are given away, obtain a near monopoly in areas where audiences are least sophisticated and most impressionable," the committee said that "some acceptable arrangement needs urgently to be developed" whereby America's private news wire services (such as Associated Press or United Press International) "whose charges exceed the resources of poorer countries" could be provided to news outlets overseas.

For years both AP and UPI have resisted this.

"The reason we do not service the Voice of America is that we do not want the AP report used for propaganda purposes," said Wes Gallagher, the AP's general manager. "We feel that it would jeopardize the AP in the eyes of foreign nations."

Said UPI vice president and editor Roger Tatarian: "The UPI does not feel that the USIA or any other government agency should get into the news distribution business."

The AP does allow the Voice of America to buy its service as a check on other news. The UPI allows the use of its news over the VOA, but won't permit the government to disseminate it to newspapers or radio stations overseas.

In addition to UPI, the Voice subscribes to Reuters, the British news agency, and to Agence France Presse, the French agency.

Besides their other sources, both the Voice and the USIA have their own reporters, who cover New York, the White House, Congress and the United Nations, as well as crews in Munich, Bangkok, Africa, Athens, Beirut, Tokyo and New Delhi.

Our Secret Weapon: English

WASHINGTON.—Chances are you've never even heard of what's been called "the most important institution" and the "most valuable instrument" of the United States' effort to inform the world.

Its an outfit bearing the unprepossessing name "bi-national center." The "most important" and "most valuable labels were applied by Leonard H. Marks, director of the United States Information Agency.

And the bi-national center plays a major role in what experts—ranging from Republican policymakers to the late Edward R. Murrow—agree must be the U.S.'s big effort in the East-West battle of words: The exploitation of English.

Last year more than 300,000 persons paid to learn English at bi-national centers, which are operated locally and jointly by nationals of the countries in which they're located and by Americans who live in those countries.

"I made a trip through Latin America last year," Marks said. "I went to Lima. There a bi-national center has 12,000 students studying English. Classes start at 7 a.m. and run until midnight.

"Everywhere in Latin America I found this was happening. People come in and pay a tuition. I believe if you pay for something you're more likely to pursue it seriously than when it's given away.

"People are finding they can't study in science—that they can't really know what's happening in advanced technology unless they understand English."

In a study of the USIA the Republican Coordinating Committee complained that "interest in English gives us a great advantage which is not being adequately exploited. The USIA is unable to handle even the large numbers of people who come to U.S. libraries and bi-national centers so eager to learn our language that they willingly pay for lessons.

"The Soviets would be quick to exploit a similar advantage if they had it. However, their programs to teach Russian abroad have been such a failure that in some places they have actually gone over to teaching English."

One of the most successful efforts to capitalize on the interest in English is the Voice of America's programs in "Special English" which are broadcast seven times daily.

These newscasts, plus a 15-minute feature, are written entirely in a special style, limited to a 1,200-word vocabulary and read at a pace of 90 words a minute (commercial radio announcers usually hit 150).

A staff of eight, headed by former New York Journal-American sports writer Harold Berman, toils to render news and features into Special English for broadcast.

That the programs have wide audiences was evidenced by the more than 200,000 listeners who answered an offer for a dictionary of Special English with definitions also rendered in the 1,200 words.

Also meshing into the English effort is the "Ladder Series" of books published by the New American Library under a contract with the USIA. These are written in successively more difficult vocabularies and range over the entire spectrum of fiction, politics, history and science.

The 133 bi-national centers are "in many respects the heart of the agency's overseas operation," according to the USIA's advisory committee of editors and other private communication experts.

A few centers are even self-supporting. But on an average about 72 cents is raised locally for every dollar the U.S. puts in.

Usually the U.S. contribution is in the form of paying the U.S. employe's salary, providing books or underwriting seminars.

A yardstick of local support is that for the past two years Congress has made about $330,000 available for no-interest, long-term loans to improve the buildings or other physical facilities of the centers. In every case the locally raised funds exceeded the U.S. share.

"If we (the USIA) charged for these English lessons, we probably couldn't get it as easily and there might be some criticism," says Marks. "But this bi-national center acts as an intermediary and its local. It's an illustration of cooperation between two countries for the benefit of both."

U.S. VOICE IS GETTING THROUGH

WASHINGTON.—Is anybody listening to America's efforts to reach the world?

"I'm satisfied that our operations are adequate and are fulfilling our mission," says Leonard H. Marks, director of the U.S. Information Agency.

How does the USIA know the U.S. taxpayer is getting his money's worth?

In an open society, Marks says, the USIA resorts to ordinary polling techniques. For example, in the Middle East the USIA sold its Arabic magazine "Al Hayat" for many years.

"In some of these Arab countries, with the government's consent, we could go and ask subscribers: 'What do you read? Do you find it valuable? Is this format acceptable?—the usual questions that a magazine would ask.

"We found it wasn't reaching the audience—it wasn't as effective as it had been when we started it. So we abandoned it.

"In a closed society we are very, very restricted. In Eastern Europe, for example, everything is regulated by treaty. So, what we must do is rely on our own officers—their evaluation in talking with people, government officials, and others whom they come into contact with.

"As far as China is concerned you have a very difficult situation. You don't have the normal opportunities for communication, such as the publication of a pamphlet, the distribution of a book, and so we have to rely upon radio.

"We do know that China jams our programs, but no jamming effort has ever been 100 per cent successful.

"Russia and Eastern Europe abandoned jamming. They found that it didn't work. With the exception of Bulgaria, every country in Eastern Europe today can hear our programs.

"We do know that some people in China listen and that our programs are heard regularly. One of the best members of that audience is Chen Yi, the foreign minister.

"A group of Japanese parliamentarians called upon him about a year ago. And it was reported in one of the leading Japanese newspapers that they asked him how he knew what world affairs were and what the views of other people might be on any particular topic.

"He said that he regularly listened to the BBC and the Voice of America."

Marks concedes that Russia and China are broadcasting more hours in crucial areas of Southeast Asia and Africa than the United States is. But he argues that hours don't measure content, and that "there is no magic in broadcasting a program unless you have listeners."

In addition, Marks said, the current friction between China and Russia has led each to broadcast more programs. But each is designed to offset the other.

Marks also points out that the short-wave-hour statistics fail to reflect the U.S. system of presenting taped programs to local radio stations for rebroadcast, incorporated into the regular schedule.

"It's a mark of respect for the excellence of the program and of the relationship with the United States that they use these. To my knowledge the Chinese and the Russians do not attempt this."

This shift from shortwave to locally broadcast tapes has been undertaken because Marks says he's found that the transistor radio "has revolutionized listening habits. Anywhere you go in the most remote village you'll find inexpensive transistor sets available. So I've tried to place more programs on local stations and not emphasize short wave."

Marks, a Washington lawyer for broadcasters before he took over his present job, is alert to new developments in both programming and equipment.

Now he is considering electronic video recording. It's like a record-player attachment for a television set. By inserting a $7 one-inch cartridge of film the viewer can see a one-hour program projected on his set. It's to be marketed in the U.S. next year, Marks said.

"I find that today there is less reliance on the printed medium—pamphlets and books. We're going to continue to use books, but not to the extent as before, because as you develop electronic media you can reach larger populations as effectively, or more effectively, at less cost."

Other innovations:

The "new sound" on the Voice of America (essentially a music-and-news format); a new magazine, "Dialogue," designed to reach the intellectual; and an Arabic edition of "Topic," another magazine now appearing in English and French.

Marks' big dream, which he hasn't yet transmitted to Congress, would be a "Showcase of America" in every major capital.

This would be "one location where we would display our commercial products, we would have our library, where you could come and see television programs; where you could hear the Voice of America played back to you—where you would have a little bit of America, culturally, scientifically and from a business standpoint."

EQUAL-TIME PROVISION

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. NIX. Mr. Speaker, Mr. Peter Duncan, a brilliant editor for station WCAU–TV, in Philadelphia, Pa., has devoted several editorials to the subject of the equal-time provisions of the Federal Communications Act.

As you remember, section 315 of the Federal Communications Act was suspended by congressional action during the 1960 campaign. It was the four-part debate between John F. Kennedy and Richard Nixon that changed the nature of that campaign. John Kennedy won that election in no small part because the American people had the chance to compare the two candidates. They made the right choice.

These three editorials set out the case for the suspension of this provision so that the major candidates may debate during this campaign. I also think, as Robert Kennedy stated to Walter Cronkite in an interview after the Nebraska campaign, the main reason for the outrageous expenses of political campaigns was the high cost of television. The American people are losing control of campaigning. Persons of average income cannot afford to campaign. But where debates are possible, the advantage that wealthy candidates have will be neutralized.

The suspension of this provision during this campaign will have an important effect on the campaign. There is no reason to allow splinter party candidates and publicity seekers equal time with the candidates of both major parties.

The editorials for the nights of May 31, June 1, and June 3, 1968, by Peter Duncan are included in the RECORD:

[Broadcast on WCAU–TV, Philadelphia, Pa., May 31, 1968]

SUSPEND SECTION 315—PART I

It happened first in the city of Chicago on September 26, 1960.

Two men seeking the highest office of the land went before television cameras in a CBS studio and for one hour, more than 115 million Americans watched and listened to the first Presidential debate.

It began a new era in campaigning. In the 1800's, campaigners used to head out on horseback. They talked to as many people as they possibly could. They shook hands and kissed the babies, so some traditions have carried over.

Penny papers of the day printed what they wanted to about each candidate. And as people do today, they talked about the candidates. So when Election Day rolled around, most people had never seen the candidates, many had picked up a variety of information and misinformation and yet on Election Day, they voted.

Today, ideas, positions and theories of the candidates can be flashed across the country in an instant, and the very best way for us to *compare* those ideas, positions and theories is to see the major candidates in a face-to-face confrontation. This allows each viewer the opportunity to see what has been called "the living image of the presidential candidate—how he looks, what he believes, what is his idea of America's future and its place in the world and how he will exercise the power of the presidency."

But at the moment, television is held back in its quest to bring the debates to you by a section of the Communications Act of 1934—Section 315. It requires broadcasters to give equal time to all candidates to all parties running for the same office. For all practical purposes, this prohibits broadcast of face to face meetings. For example, in the 1960 election, there were 14 people running for President, representing such parties as the Tax Cut Party, the Prohibition Party and the Vegetarian Party, that's in addition to the two major candidates.

CBS has long supported revisions of Section 315. Congress is now working on a proposal to at least suspend Section 315 for the Presidential and Vice-Presidential campaigns this year.

Congress did suspend Section 315 in the 1960 campaign. This is why the American people had the benefit of the Presidential television debates in that year.

With the Congressional waiver of Section 315, voters across the country could expect the same benefit in 1968. The Senate has already approved a proposal to suspend Section 315 for the Presidential and Vice-Presidential campaigns this year.

We urge the House to take the same action now. In a representative government, WCAU-TV believes that the public is entitled to see and hear directly from those seeking political office. The suspension of Section 315 will give you that chance.

We urge you to take a moment tonight to write to your Congressman in Washington urging him to support suspension of Section 315. Such action would truly be in the public interest.

Tomorrow night at 6:25 we'll discuss specific public benefits that came out of the 1960 debates; we feel you're entitled to the same benefits in 1968.

[Broadcast on WCAU-TV, Philadelphia, Pa., June 1, 1968]

SUSPEND SECTION 315—PART II

Last night, WCAU-TV called for suspension of Section 315 of the Communications Act. This is the "equal time" clause. It makes it mandatory for broadcasters to give equal time to all candidates of all parties running for the same office. It becomes almost impossible. For example, in the 1960 election, sixteen men ran for President representing every party from the Vegetarian Party to the Greenback Party.

The public would have been deprived of its right to see the two major candidates (one of whom would become President) face each other in a historic series of debates. Congress acted in the public interest when it suspended Section 315 for that election campaign and for the first time in history, two men running for the highest office in the land came face to face before an audience of over 115 million Americans. WCAU-TV is asking Congress to give you that same right in 1968 as we approach another Presidential election.

As we said, over 115 million people saw the first of four televised debates. For once, you were able to see and hear two points of view at the same time. There is more believability in seeing the face-to-face unrehearsed exchange than there is in watching a carefully prepared partisan political program. Slogans, torchlight parades, songsters, appeals to a political emotional reaction were swept away as two men faced each other in a quiet studio. But much more important, they faced you.

Most political programs do more poorly in ratings than the programs they replace. But the debates drew a bigger audience.

The debates gave the public an opportunity to judge the character of the candidates by catching them in the act of being alive and of responding to a situation.

Early in the campaign of 1960, observers indicated a comparative lack of enthusiasm. After the debates, enthusiasm picked up, and on Election Day, more voters went to the polls than ever before in our nation's history.

WCAU-TV urges Congress to suspend Section 315 in 1968 as it did in 1960. A proposal calling for that has already passed the Senate. We now urge swift House action on this proposal.

Because of the suspension of Section 315 would benefit you as a member of the voting public, WCAU-TV urges you to write a card or letter to your Congressman in Washington.

A Congressman's task is to serve his people. Let him know tonight of your concern. Ask him to give his active support to the proposal to suspend Section 315, so that you can see the candidates together and form your own opinion.

[Broadcast on WCAU-TV, Philadelphia, Pa., June 3, 1968]

SUSPEND SECTION 315—PART III

On the evening of September 26th in 1960, many of you were sitting in front of a television set. By being there, you were taking part in the most striking innovation in political campaigns in our country's history. You were watching the first of four presidential debates in that 1960 campaign.

WCAU-TV firmly believes that it is your right as voters to be informed and to have that information readily accessible. The face-to-face discussion of issues by the two major candidates of 1960 reached more people at one time than ever before in political history.

Such a meeting is more than desirable: it is necessary.

In 1960, in addition to the two major candidates, fourteen other men ran for President. If Section 315 of the Communications Act had not been suspended, you never would have seen the debates; that is because under Section 315, if one candidate appears, a broadcaster must provide equal time to all other candidates for the same office.

Each one of us should be concerned about who will lead this country. But that concern (which is ultimately defined in the polling booth) should be based on direct information.

The most effective way to become informed is to watch the men actually campaigning for the office. In a television debate, you can see and hear varying points of view at the same time as candidates discuss the questions which shape our future.

You have a voice in this if you make use of it. Perhaps you've never taken the time to write to your congressman. A letter now from people all over the Delaware Valley could show area congressmen that the people back home want to be better informed in this crucial election year.

The Senate has already passed a proposal to suspend Section 315 for the Presidential and Vice Presidential campaign. It is now up to the House. The proposal is sitting in the House Commerce Committee; at the moment it is not even on the calendar for discussion.

Write to your congressman tonight. Let him know that you want it discussed. Let him know that you want him to actively support suspension of Section 315. Write to your congressman care of Washington, 25, D.C. If you don't know your congressman, call your local League of Women Voters.

You have a voice in this; make use of it.

VFW OPPOSE DECISION OF THE NATIONAL PARK SERVICE

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. WHITENER. Mr. Speaker, all of us are familiar with and appreciate the magnificent record of patriotic service which the Veterans of Foreign Wars has rendered to the people of the United States. This fine organization strongly supports the fundamental principles upon which this Nation was founded and which have enabled the country to become the leader among the free nations of the world.

As a combat veteran of World War II, I am proud of my membership in the VFW. I always welcome communications from the Veterans of Foreign Wars posts in my congressional district. I find the views expressed by the members of the Veterans of Foreign Wars always to be in the best interest of the Nation.

Under date of June 7, 1968, I was pleased to receive a letter from the commander of Barb-Hammond-Smith Post No. 1957 of the Veterans of Foreign Wars at Hickory, N.C., transmitting a resolution adopted by the Post on May 6, 1968, with reference to certain decisions which have been made recently by the National Park Service.

I share the opposition expressed by the membership of the Barb-Hammond-Smith Post No. 1957 to decisions of the National Park Service permitting the use of public lands as a camping ground for demonstrators. I want to commend the Post for the sound recommendations made in the resolution of May 6, 1968.

I feel that the Members of the House will be interested in the recommendations of the Barb-Hammond-Smith Post No. 1957 of the Veterans of Foreign Wars at Hickory, N.C., with respect to the National Park Service, and I insert the letter and resolution I have received from the Post in the Extensions of Remarks:

VETERANS OF FOREIGN WARS,
Hickory, N.C., June 7, 1968.

Congressman BASIL WHITENER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WHITENER: On May 6, 1968 the members of Veterans of Foreign Wars of the United States, Barb-Hammond-Smith, Post 1957, Hickory, North Carolina, voted unanimously on the following resolution:

"Whereas, the National Park Service, in whose trust our National Parks and Shrines has been placed, did issue permit and did allow the so-called Poor Peoples March Campaign to utilize our public lands and Shrines in our National Capital in Washington, D.C., in such a manner as to defile and desecrate our public property and National Shrines, and

"Whereas, said use of the public properties and Shrines have caused embarrassment to our National Government and the citizens of this Country, both at home and abroad, and

"Whereas, the continued use of said properties encourages and promotes disrespect for law and order, peace and challenges the right to have and hold in sacred trust either public or private properties, therefore.

"Be it resolved, that we the 1,011 members of Barb-Hammond-Smith Post 1957, Veterans of Foreign Wars, Hickory, North Carolina, hereby protest such use of public lands, parks and Shrines now and in the future; petition against the extension of the permit allowing the present desecration and against the issuance of permits for such use in the future or any and all public lands, parks, and Shrines; and petition for the removal of any and all persons encamped upon public property and our National Shrines in our Capital, and

"Be it further resolved, that no public funds be used for the demolition or removal of the so-called Resurrection City, but instead that individuals, organizations and corporations responsible for the defiling and desecration of these public properties and Shrines be held privately, personally and legally responsible for any and all cost for said demolition and removal of the so-called Resurrection City and for the restoration of public lands, properties, parks and Shrines to a condition equal to that prior to the abusive entry upon said properties; and

"Be it further resolved, that the President of the United States, the Senators and Congressmen be entreated to take such actions as is necessary to prevent further abuse and desecration to our public lands, properties, parks, institutions and Shrines from any and all persons who would in any manner abuse, defile or desecrate them."

We do hope that you will adhere to this resolution and take immediate action.

Very truly yours,

JAMES L. HICKS,
Post Commander.

"DEMONSTRATE" THE AMERICAN WAY

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HUNT. Mr. Speaker, while the attention of the Nation is focused upon the poor, I take this opportunity to share with my colleagues the heartfelt comments of one of my constituents who once knew what it was to be poor and is now proud of having earned the right to be an American. There is unmistakably the underlying feeling of deprivation of hard-earned gains as against those who now claim a "right" of the fruits of other's labor because of their professed deprivation. Money will never buy the spirit nor the hope that is here so simply expressed:

BELLMAWR, N.J.
May 24, 1968.

Congressman JOHN E. HUNT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HUNT: Hello, I am the wife of an average working man, I suppose we could be classed middle class. We became middle class by first being poor, very poor.

What I am about to say is what nearly every person in our class would say if they knew how or where to say it. If it were possible to take a national poll, this is what you would hear.

We are depressed, feel let down and forgotten. Why? Because we are the people who care deeply. We try to show how very much we care by the way we live, by working hard all our lives, sick or well, we pay our taxes, our bills, obey our laws legal and moral, buy bonds, paint our homes, clean our streets, poison our rodents, make our clothes, limit our number of children, support our churches, our charities, fight in the armed forces when needed, and on and on. We do these things because we want to be among the vast number who earn the right to be Americans.

What can we do to be heard? Don't tell us to organize, protest or demonstrate for that is exactly what we do all our lives. We demonstrate the American way by the way we live our lives, this is the way we want it all over our land. We know about hunger, we know how it is not to have shoes to wear or money for needed medical care. But inch by painful inch we did something about it. We worked hard, did without all but bare necessities and often even those, to better our standard of living. It took years, buckets of tears and set backs by the score. All these things we do gratefully and with much pride for we earn the right to be good Americans—this is freedom to us.

Can't you see why we are depressed and feel deprived? We see our school system being torn apart. we see our government rewarding people for illegal and immoral actions. We see deeds granted to people for protests and demonstrations of an irresponsible nature. We see cities burned and know we have to pay to rebuild them. We see our salaries being absorbed more and more by constant increases in taxes and costs. We see unreasonable demands being made and satisfied at our expense. These demands are made by people who don't care about our land—if they did they would live as we do—give to this land. not take. We find ourselves nearing the time that we will be working solely for people who won't. We hear this insane excuse—they are deprived—oh no, we are the deprived ones.

Many times we are unhappy about things, such as the seven years my husband spent in the Army, in Germany and Japan during (World) War Two—the hardships were unspeakable—we endured them knowing our way of life is the best in the world. Now we see all the things our wars have been fought against are taking place right here and being allowed. We meet every crisis and it isn't easy. Some laws we like, some we don't but we obey them all, for we want a system for all the people and all the people for the system. We still feel anything unearned is of little value—this includes being an American—you have to earn it, not just inherit it. Won't any inherited treasure dwindle and fade if you don't take care of it and add to it?

We spend our entire lives doing our full-time daily share to earn the right to be good Americans. We ask something in return. We ask that the due respect for our local and Federal governments be restored. We ask for the pride. the hard-earned pride, in our Capital. We ask for law and order in our schools and on our streets. We pay a very costly price for these things and we want them.

We want our President, whichever one is in office, honored and respected. The majority of the nation elect him and we want him respected.

Is it fair for us to pay the high cost for the damage these irresponsible people cause? Each time you grant a deed thru a demonstration you encourage another—there will be no end.

Our daily prayer and hope is that our Government will hear our plea and remember us. We are the deprived ones. Perhaps there is little you can do, but you can do a little more than I and each little bit will help to be a step forward toward giving our land back to the people who feel it a great honor to work for it—the people who put so very much in and ask so little out.

Most Sincere and still hopeful,

Mrs. R. M. SKAGGS.

ZION-BENTON NEWS SEES AMERICA PIONEERING EQUALITY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. McCLORY. Mr. Speaker, there are many who are maligning our country today because of the racial inequality which exists in our land. Much of the criticism comes from countries overseas which have little or no concept of the magnitude of the problem with which we are dealing in the United States.

It is well for us to recall the great steps which have already been taken and the progress which has already been achieved. Indeed, we are doing something tangible about the problem.

An editorial in the Zion-Benton News, entitled "Pioneering Equality," provides significant support for the work which is being carried on in this Nation during these difficult days.

I call to the attention of my colleagues this timely and penetrating editorial which reads as follows:

PIONEERING EQUALITY

If your glasses fog up a bit as you read these lines it may be because the writer is just a bit steamed up by all the oratory and hand-wringing of recent days. It's time for the politicians and loud-mouthed self-appointed critics of United States' citizens to shut up.

This is a pioneering country, and the fact is that for more than a hundred years we've been pioneering in the field of race relations. In recent days violence flared in 125 cities in the United States. But it was not racial violence. Whites did not confront blacks. The fact is that a herd of teenagers and a few adult criminals went on a spree in a lot of cities, and a permissive society tolerated it. And by tolerating it, the authorities encouraged it. Maybe that permissiveness was part of the experimentation that is essential in pioneering. It certainly isn't the way we would have handled the situation but it is the way some men of unquestionable motive and integrity chose to handle it.

In any event, let the critics of the United States, particularly foreign critics be silent, and quickly. Is there a country in the world where the black man has the freedom, the opportunity, or the worldly goods that the Negro in America enjoys? You know there isn't. Britain closes its doors to such immigrants. The hip set in France tolerates them as tourists and pets. Black students from Africa have recorded, repeatedly, the insults and isolation the USSR affords. And some of those GI's who ran off to Sweden to avoid Viet Nam were Negro. They've come back from Sweden to face the medicine—court martial and prison and discharge. Why? Because, they say, the Swedes didn't accept the Negro in that Socialist society.

So we are having problems. Difficult as it may be for those of us who live in small communities like this one to understand, they are very real and very disheartening problems. But America is working at resolving them, and already we are a hundred years ahead of most of the nations of the world. You haven't heard any of those "world opinion" nations inviting American Negroes to immigrate to their countries have you? And you won't.

The pioneering will go on, as it must. And when America has learned how to handle the problem, then some other nations of the world will copy the formula and the

Negro will be accepted and incorporated into their national society. But not until America has shown the way. You can bet on it.

INMATES HAVE TAKEN OVER

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. TEAGUE of California. Mr. Speaker, I call to the attention of my colleagues the following excellent article by Art Buchwald:

INMATES HAVE TAKEN OVER

(By Art Buchwald)

WASHINGTON.—To the rest of the world, the United States must look like a giant insane asylum where the inmates have taken over. The guards are gone, the doors are open and everyone thinks the other person is sick.

Except for the charity wards where the people are all shoved together on top of each other, the rest of the asylum couldn't look prettier. The buildings are all new and shiny, the equipment is the most modern in the world, the grounds are green and decorated with flowers. To look at it from the outside you would think it is the ideal spot on the globe.

But inside, the patients are running amuck and no one seems to know what to do about it. Every time a doctor is called in to suggest a remedy for the chaos, the residents of the hospital shout him down. Besides, they believe anyone who is trying to come up with new cures for their sickness must be crazy himself.

The United States is a very special type of insane asylum, in that all the inmates are permitted to have guns. These guns are sold right in the hospital or can be ordered by mail because when the hospital was built in 1775 the founders wrote it into the rules. Every time someone wants to change the rules, the gun-loving inmates cry that they only want the guns to kill animals during their recreation periods.

The people who live on the Hill and represent the inmates are afraid to do anything to offend the armed inmates, so they ignore the problem until there's a killing in the hospital, at which time they all express horror that the inmates should be allowed to walk around with guns.

Then they forget about it until the next tragedy comes along.

Despite its beauty and size, there have been many injustices committed in the asylum against the patients. For 100 years, the black patients were kept in isolation wards and only permitted out to scrub the floors. They got no treatment from the white doctors until recently, when they became violent and insisted that if they were patients in the asylum, they wanted the same rights as the other inmates.

The administrators of the asylum have belatedly sought to improve the lot of the black patients, but there has been a reluctance amongst the other inmates to pay the bill, particularly since the asylum is supporting so many other insane asylums around the world.

Up until recently the hospital was a model for all other hospitals. But in the '60s people everywhere have been watching it with horror and despair.

The more affluent the hospital becomes, the sicker the patients behave. The remedies prescribed for the illnesses are always given too little and too late. And as in all insane asylums, every person thinks the other patient is the one who should get the treatment.

Nobody knows how many doctors the patients will shoot, nor how long the asylum will survive before the inmates destroy it once and for all.

COMMIES AND DISCONTENT

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SMITH of California. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[Editorial from the Pasadena (Calif.) Independent-Star-News, June 6, 1968]

COMMIES AND DISCONTENT

For some peculiar reason many Americans in positions of authority, even serious investigators, refuse to admit that communism is even faintly connected with the unrest that shakes this nation today. The following quotation is dramatic evidence that these scoffers are wrong:

"Communists are playing a significant role in the current disorders on U.S. college campuses and have made major contributions to the black ghetto rebellions over the past several years."

Who was speaking? Daniel Rubin, national organizing secretary of the U.S. Communist Party.

Rubin, a 36-year-old graduate of Swarthmore College and the University of Pennsylvania Law School, granted an exclusive interview to Martin Arundel of the North American Newspaper Alliance. His comments were interesting if for no other reason than to prove the naivete of anyone who believes that civil unrest and anarchistic demonstrations are completely spontaneous.

Rubin said, for example, "Our party members have been extremely active in building support among the black and white masses for campus and ghetto protest demonstrations of all types."

He noted that dues-paying members of the Communist Party youth section were "active" in campus protest demonstrations at all campuses of the University of California, Wisconsin, Michigan, Ohio University, Columbia, Duke, Harvard, Yale, Kansas and "just about all the others."

Rubin was a little sad, however, "Don't get me wrong. The United States is not on the brink of revolution. Much as we'd like to emulate our French comrades, the present situation in this country isn't even close to paralleling the one in France, so we Communists don't believe we are about to really rock the American establishment."

That sadness can be taken with a grain of salt. Statements of Communist bosses about the party's activities are usually self-serving, as any authority on Communist tactics can attest. The statements are inflated for internal party consumption when the bosses want to impress the faithful. The statements are played down when law enforcement officials or the normally slumbering citizenry shows an interest. It wouldn't do to arouse the public to the threat.

Rubin's reference to "French comrades" is pertinent because he strongly regrets the lack of Communist control of U.S. labor unions, as is the case in France. "We Marxists are convinced that revolutions are made only by the organized and well-disciplined working class."

Toward this end, Rubin says, "Our party is having its most success in recruiting new members in the industrial plants." U.S. Communists have not wielded any influence in the leadership of American unions since the late 1940s when nine allegedly Red-dominated unions were expelled from the old CIO. There is, happily, no hard evidence that the Communists are making any great comeback in the unions.

Despite Rubin's statement, the U.S. Communist Party is having its greatest success in utilizing members to infiltrate well-meaning, but easily misguided groups. An organization which has worthwhile goals, but suffers from tunnel vision is easily taken over by Communists moving in from the sides. Many of the so-called peace demonstrations have provided ample evidence to substantiate this fact. Their original purpose may have been to register protest against U.S. involvement in Vietnam, but they finally broke down into vitriolic attacks on the United States and the free enterprise system.

At the point these attacks started, the leadership of these demonstrations had either fallen into the hands of "organized and well-disciplined" Communist Party members or had been left in care of intellectually-blinded dupes too blind to realize that they were being used for purposes other than they intended.

The Communist Party, USA, is no bogey man. It is a living, breathing organization dedicated to the overthrow of the United States government. It is using the U.S. Constitution and other tools of democracy as weapons to achieve this aim.

It is small, but uses the megaphone of discord to amplify its effectiveness. Public apathy and official blindness to the threat help solidify the Communist Party's power base.

Outright fear and placing the blame for everything on the laps of the Communists will not defeat communism. But knowledge of the threat and concerted action to solve our problems within the confines of American principle will.

ADDRESS BY THE HON. JACK MILLER

HON. A. S. HERLONG, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HERLONG. Mr. Speaker, I recently attended and participated in the convention of the Florida Bar Association in Miami, Fla. There was an excellent program at the convention and many fine speakers.

An address to the junior bar section which was given on Saturday, May 25, 1968, on the subject of the problems of the riots in our cities was so outstanding and so apropos that I have asked the author, Senator JACK MILLER of Iowa, for permission to insert it in the RECORD.

I commend it to each of you:

ADDRESS BY U.S. SENATOR JACK MILLER (IOWA)

The problem of riots in our cities is one of the most serious and troublesome of our time. Because it represents the antithesis of an orderly and peaceful society, it is repugnant to the concept of our Republic. There are many theories being advanced on how to prevent riots or, if they occur, how to stop them. I do not claim to have all of the answers, although I have some strongly-held ideas. Of one thing I am especially convinced—riots, whether they represent a "revolution of rising expectations," a so-called "evolution of political action," a psychologically satisfying form of expression, a conspiracy, material deprivation or moral depravity—riots must go.

Former Vice President Nixon has said that law and order must come first. Governor

Rockefeller has said that there will be no law and order unless there is justice first. And Attorney General Ramsey Clark says that there must be both, which is another way of saying that we must have both the chicken and the egg. Actually, these generalities are not very meaningful when one is faced with the hard realities of a specific situation—with a rioter throwing a brick through a window, a looter running off with some merchandise, an underemployed head of a household, an undernourished child falling behind in school. The rioter or looter may have a good job—possibly even a federal government job—and the only way to deter him is his realization that criminal action will be punished swiftly and severely. The underemployed may have been deprived of a decent education and the opoprtunity to acquire a skill, and the answer to his situation is not law and order, but justice in the form of assistance to help him better his position. Law and order is not what the undernourished child needs, but justice in the form of adequate food. Specific situations require law enforcement. Others require action to secure social justice. Both are needed for an orderly and peaceful society.

It is too easy to fall back on the Boston Tea Party for authority to take the law into one's own hands to secure what one believes to be justice. The situation then was not comparable to what it is today, when representative government gives people the opportunity to determine their destiny. It is true that there have been some serious defects in our government involving especially the right to vote and to have that vote mean something. That is what the Voting Rights Act of 1965 was all about; and also the reapportionment cases involving the national House of Representatives and the state legislatures. Improvements in our system of government—indeed, the system itself—were calculated to enable the objectives of social justice to be achieved without resort to the law of the jungle. We may deplore the fact that some improvements took a long time in coming, but the fact is that they have arrived.

Meanwhile, other action has been and is being taken to extend to all of our citizens an equal opportunity for life, liberty and the pursuit of happiness. This is being done at the federal, state and local levels, through the churches, foundations, and other voluntary agencies. Unfortunately, political rather than moral considerations have been behind too many of these activities. It is well-known that many of the frustrations besetting the poor and underprivileged have resulted from politically-generated hopes and expectations of "overnight" prosperity—hopes that were doomed to disappointment, but, for an election or two, secured the desired political results.

Not so well known—except, perhaps, among lawyers and law enforcement officials—is the fact that political decisions have hampered law enforcement officers in carrying out their job of enforcing the law to protect the innocent. This is not to say that I subscribe to Mayor Daley's prescription to shoot to kill arsonists and to shoot to maim looters. Nor do I subscribe to the U.S. Attorney General's response that "human rights are more important than property rights." If Ramsey Clark's policy is to be our guide, armed robbery would supposedly be combatted by lassos and water pistols. Nor do I believe it is a response to the Daley formula that this would be counterproductive of more violence—because I don't think it would be. Rather, it would have been better if the Mayor had publicly warned long ago that arsonists and looters are subject to being shot and had directed his policemen to shoot to maim only if necessary to apprehend or to protect themselves. But if would-be criminals get the idea that burning and looting will merely be "watched" by policemen, or that the punishment for their crimes will consist of a little inconvenience and a rap on the knuckles, the law of the jungle will prevail.

During the recent hearings on the Detroit riots of last summer, it was brought out that there were 4,260 adult arrests made during the riots—3,230 on felony charges and 1,030 for misdemeanors. Of the 1,030 misdemeanor cases, there have been 173 acquittals, 125 dismissals, and 642 convictions. Of the 3,230 felony cases, there have been 666 convictions—only 2 by trial and the rest on guilty pleas—but most of the guilty pleas were not to the felony charge but to a reduced charge—a misdemeanor. The shocking facts are that almost all of these convicted persons received suspended sentences or sentences of 5–7 days, with credit for time served up to arraignment. Only 22 were sentenced to serve time after the date of sentencing—2 received 1½ to 2½ years, 1 received a term of 1 to 15 years, and 19 received 30 days to 1 year. With only 22 out of over 1,300 convictions resulting in more than a slap on the wrist, one can only wonder how there can be any effective deterrence from rioting, burning, and looting in Detroit.

In the April 16 issue of Look Magazine, the late Dr. Martin Luther King wrote: "I think we have come to the point where there is no longer a choice now between nonviolence and riots. It must be militant, massive non-violence, or riots."

There are, of course, some un-American individuals who want riots. But the overwhelming number of our citizens—and they are the ones who count—abhor riots. Must they face "militant, massive non-violence" as the only alternative? And just what is that alternative?

Dr. King explained: "We need to put pressure on Congress to get things done. We will do this with First Amendment activity. If Congress is unresponsive, we'll have to escalate in order to keep the issue alive and before it. This action may take on disruptive dimensions, but not violent in the sense of destroying life or property; it will be militant non-violence."

But the question immediately arises whether First Amendment activity extends to "disruptive dimensions"; whether it is enough that life or property not be destroyed to avoid responsibilities regarding the rights of others; and whether there isn't something inconsistent, misleading, and semantical in the concept of "militant, massive non-violence".

On Monday of this week, the Supreme Court handed down its decision in *Amalgamated Food Employees Union* v. *Logan Valley Plaza, Inc.* With Justice Harlan dissenting, the Court held that peaceful picketing of a business located within a shopping center cannot be enjoined on the ground that it constitutes an unconsented invasion of the property rights of the owners of the land on which the center is located. In the course of its opinion, the Court noted that picketing can be subject to controls that would not be constitutionally permissible in the case of pure speech. On the other hand, it said that no case decided by the Supreme Court can be found to support the proposition that the non-speech aspects of peaceful picketing are so great as to render the provisions of the First Amendment inapplicable to it altogether. This admits of some trade-off in favor of First Amendment rights, but note the caveat that picketing must be "peaceful."

The Court premised its decision on the fact that "The picketing was peaceful at all times and unaccompanied by either threats or violence." And to further emphasize the point, it footnoted the fact that a portion of the injunction not challenged by the appeal enjoined the pickets from blocking access to the business premises (another way of putting it would be preventing the picketing from "disruptive dimensions"), and from making any threats or using any violence against customers, employees, and suppliers.

The Court referred to its 1966 decision in *Adderley* v. *Florida* that where property is not ordinarily open to the public, access to it for the purpose of exercising First Amendment rights may be denied altogether; and to other decisions that First Amendment rights may be regulated to prevent interference with the use to which property is ordinarily put by the state, to prohibit picketing from obstructing or unreasonably interfering with the free ingress or egress to and from public property, and to prevent interference with the normal use of public property by other members of the public with equal rights of access to it. Escalation of First Amendment activity to these points of "disruptive dimensions" is clearly not permitted.

It is significant, I believe, that the Court thought it important to point out in the *Logan Valley Plaza* case that the picketing was unaccompanied by threats.

Although "freedom of speech" and the right "peaceably to assemble, and to petition the Government for a redress of grievances" are separate categories, they are First Amendment rights, and the principles governing picketing would be applicable to demonstrations, marches, and so-called "campaigns." Thus, if threats of violence accompany picketing, it no longer becomes "peaceful" and is not protected by the First Amendment. It would seem that this would hold in the case of Mr. Abernathy and his organization of protestors in Washington, because just last Wednesday he warned in two speeches that more violence is in store for the nation if their campaign's so-called "nonviolent protest" is ignored.

Numerous similar threats have been made by other self-proclaimed "non-violent fighting people" associated with the campaign.

However, the U.S. Supreme Court, as long ago as 1944, said: "Only the gravest abuses, endangering paramount interests, give occasion for permissible limitation [on the right to free assembly]. It is therefore in our tradition to allow the widest room for discussion, the narrowest range for its restriction, particularly when this right is exercised in conjunction with peaceable assembly." It announced the rule of "clear and present danger to the public welfare" as the test for curbing freedoms secured by the First Amendment, and indicated a policy of "narrowest range of restriction" particularly with respect to peaceable assembly.

Whether the threats of more violence made by Mr. Abernathy and others have transformed a peaceable assembly of his group into the status of an unpeaceable assembly constituting a clear and present danger to the public welfare would seem doubtful at the moment. All of the surrounding circumstances would have to be considered. But no one should be so euphoric as to think that this cannot happen. And all the fine words about "non-violence" and "peaceful demonstration" uttered in self-interest by Mr. Abernathy and others will not alter the substance—anymore than has the label of "peaceful picketing" avoided injunction when the circumstances failed to match the label.

Another point to consider is that of "massive non-violence." A large number of state supreme courts have held that the mere number of pickets may itself constitute intimidation, although no acts of violence are committed, where large numbers of pickets are so disposed as to constitute a show of force or an act of intimidation. Whether such a "disposition" exists is a question of fact and circumstance, but it is common knowledge that "mass picketing" is not usually associated with peacefulness.

The conclusion seems inescapable that, unless we wish to close our eyes to reality, "militant, massive non-violence" is not compatible with an orderly and peaceful society. It is no more acceptable as a means of attaining certain goals than is mass picketing, picketing accompanied by threats, or picketing reaching "disruptive dimensions." And no one should be misled into thinking that it is the only alternative to riots; that its failure as a means of attaining certain goals, no matter how legitimate the goals, justifies a Pavlovian participation in riots. The real alternative must be truly peaceable petition and assembly, an equal opportunity to vote, and the intelligent exercise of the voting privilege.

There has, of course, been much criticism of some of the courts—especially the U.S. Supreme Court—for decisions hamstringing law enforcement officers and, in the mind of many people, tending to favor the accused and in some cases the confessed criminal over the innocent. This criticism has not been lost on the Senate, which earlier this week approved action by its Judiciary Committee calculated to reverse the *Mallory* and *Miranda* decisions. This came during consideration of the Crime Control Bill passed on Thursday. As you know, in *Mallory* the Court reversed a conviction of a rapist because of a seven-hour delay between his arrest and arraignment—even though the police could not locate a committing magistrate during the night. This was in 1957. Eight years later, the Court of Appeals for the District of Columbia, basing its decision on the Mallory rule, held that a five-minute interview before arraignment vitiated the voluntariness of a confession to manslaughter. The Senate Judiciary Committee proposed that a confession not be made inadmissible solely because of delay in arraignment if such confession is found by the trial judge to have been made voluntarily and if the weight to be given the confession is left to the jury. By a vote of 58–26, the Senate rejected an amendment striking this from the bill. Later, on a voice vote, the Senate added a six-hour time limit.

In *Miranda*, by a 5-4 decision, the Supreme Court overturned its long-standing "totality of circumstances" test in determining the admissibility of incriminating statements and evidence derived by leads therefrom and held that the prosecution must sustain the burden of proving that a fourfold warning of his rights must be given a suspect in custody before he is questioned, namely: that he has a right to remain silent; that anything he says may be used against him; that he has the right to have an attorney present during all questioning; and that, if indigent, he has the right to a lawyer without charge. Also, the prosecution must prove that a suspect voluntarily waived these rights by some affirmative statement and that such waiver continued in force during the entire questioning period. The Senate Judiciary Committee proposed that all of the facts and circumstances be considered by the trial judge in determining whether a statement was voluntarily made; and if he concludes that it was voluntary, then all of the facts and circumstances are to be considered by the jury in determining its weight. By a vote of 55-29, the Senate rejected an amendment striking this from the bill.

The Senate refused to go along with the Judiciary Committee's proposal to take jurisdiction away from the Supreme Court in appeals from the highest court of a state on the question of voluntariness of confessions and other statements, but, I believe, served warning on the Court that this action will follow if the Court persists in its *Mallory* and *Miranda* rules. I might add that the hearings report of the Senate Judiciary Committee contains overwhelming evidence showing that these decisions have reduced the number of confessions and prosecutions in felony cases and increased the number of acquittals and pleas to lesser offenses. Concurrently, of course, the crime rate has continued to climb.

The economics of the riot problem merits our attention. In studies of the Detroit riots by Wayne State University and by the Urban League, it was found that 80 percent of the Detroit rioters were making from $115 to $125 per week. This might cause one to conclude that economics is relatively unimportant. But there is ample evidence to support a conclusion that better educational opportunities, job-training, and decent-paying jobs—and not underemployment jobs—are just as important as the complaint over discrimination and indignities. Grievances over discrimination and indignity could encourage participation in a riot among the 80 percent. But economic problems could trigger off a riot among the 20 percent. And with inflation and high interest rates steadily growing worse, we should not be surprised if economic unrest grows more virulent among the poor and underprivileged on whom increases in the cost of living have the most severe impact.

Just how severe cost of living inflation has been is not very clear to many people, but it can be dramatized by taking the annual amount of this inflation ($25 billion last year), allocating it among the states on the basis of personal income, and showing the equivalent impact in terms of sales tax. This amounted to nearly a 7% sales tax in Michigan, an 8% sales tax in Illinois, and an 11% sales tax in Maryland and Pennsylvania, and a 14% sales tax in New Jersey. The situation is even worse this year. With this kind of an impact on the disadvantaged sector of our society, cost of living inflation could not help but be a factor in the riots in Detroit, Newark, Chicago, and Baltimore. (Incidentally, the sales tax equivalent for Florida's share of inflation in both 1966 and 1967 was 7%.)

Lurking behind the violence which has descended on our cities, our college campuses, and our streets is a moral sickness. This received lucid comment last month in an address on civil disobedience by the U.S. Solicitor General, whom most of us know as the former dean of the Harvard Law School, Erwin Griswold. "The utter indefensibility of violent opposition to law," he said, "is that it proceeds on the foolhardy and immoral principle that might makes right. Rousseau rejected this approach as a viable political alternative. . . . To permit factions that resort to force when they feel—however correctly—that a particular law or policy is wrong would be to renounce our own experience and that of the Founders. . . . No mob has ever protected any liberty, even its own. While the First Amendment embodies a distrust of the collective conscience of the majority in areas of fundamental liberty, it no more intended to leave the limits of freedom to the judgment of coercive dissenters. Civil government cannot let any group ride roughshod over others simply because their "conscience tell them to do so." He quoted from Justice Frankfurter: "Law alone saves a society from being rent by internecine strife or ruled by mere brute power however disguised."

This discerning criticism of civil disobedience applies also to the riots on some of our campuses. Only last Thursday Justice Fortas condemned some of the activities of protesting students at Columbia University as "totally inexcusable from the point of view of even primitive morality." He recognized that where a particular law relates to a subject of basic importance that civil disobedience for purposes of testing that law is permissible. But, he said, "You don't engage in civil disobedience because you don't like the food served in the cafeteria."

To most of us, these statements represent basic philosophy. But, of one thing we can be sure, this basic philosophy will be overcome by the philosophy of permissiveness and violence if punishment for the transgressors is not swift, sure, and severe. Slaps on the wrist for looters and rioters, amnesty to students who rifle University files, probation for students who deprive their fellow students of their classroom instruction, "visits" with faculty members who encourage and, in some cases actually participate in violence which tramples on the rights of others—these will not deter the sickness—especially when rigor mortis has already set in the warped minds of some individuals whose only objective is to "make a mess".

In all of the attention that has been focused on the Bill of Rights, there are too many of our fellow citizens who forget that the Bill of Rights is also a bill of responsibilities.

The right to vote has a correlative responsibility to do one's political homework, to vote intelligently, to know whom and what one is voting for, to not vote superficially for the candidate who promises the most, but, rather, for the candidate who makes responsible promises and matches those promises with deeds.

The right to equal educational opportunities has a correlative responsibility to work hard in school, to develop one's God-given talents, to seek advancement on merit, to not become a "dropout"; and this responsibility falls on both student and parent.

The right to receive the benefits of tax-supported Federal programs has a correlative responsibility to pay one's taxes and to pay them on time, to shun the relief rolls as something to be avoided if at all possible rather than a source of something for nothing.

The right to equal employment opportunities has a correlative responsibility to develop one's talents, to acquire skills, to work hard and honorably, to be considerate of one's fellow employees and one's employer, and to seek advancement on merit.

Finally, the enjoyment of all of our rights as a citizen carries with it the responsibility to wholeheartedly join with one's fellow citizens in uplifting one's community, in exerting one's influence toward respect for the rights of others; to not look the other way to avoid trouble when the community's good name is being harmed.

Like the members of my own Iowa bar, each of you is dedicated to laws that are just and to justice under those laws. I hope that what I have had to say may contribute to this dedication—for there is no profession which has a greater responsibility for securing to our fellow citizens the blessing of life, liberty, and happiness.

CITIZENS COMMITTEE ON HUNGER AND MALNUTRITION

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. PRICE of Texas. Mr. Speaker, Mr. V. L. Hutchison, mayor of Paducah, Tex., presented a very interesting declaration concerning the Citizens Committee on Hunger and Malnutrition.

I insert the following in the CONGRESSIONAL RECORD, because I think it will be of interest to all who read it:

CITY OF PADUCAH,
Paducah, Tex., May 14, 1968.

Hon. BOB PRICE,
Member of Congress,
U.S. House of Representatives
Washington, D.C.

DEAR BOB: The recent news release from Washington by the "Citizens Committee on Hunger and Malnutrition" which named

Cottle, Motley and Foard Counties as areas having chronic hunger and malnutrition and that conditions were "shocking", "unbelievable" and other derogatory adjectives certainly has done this area harm and injustice, especially in our efforts to attract new people for available jobs and industry to create more jobs for which our Chambers of Commerce and Industrial Organizations have been working so hard over the past few years.

This "Committee" supposedly arrived at these conclusions by field trips, on-the-spot investigations and other means. The results were released to Associated Press and appeared in at least three daily newspapers and one Nationally circulated Magazine in this area.

An inquiry to the Welfare Department, County and City Officials, Church Groups and Interested Citizens as well as the City and County Health Officers revealed that none of these people knew anything about such a survey being conducted in this area. I have arrived at the conclusion that "no survey" was made in this area and it might be reasonable to assume that the same might be true throughout the entire United States.

The news release is in fact, a complete misrepresentation, a black eye and an unjust and unfair report of conditions as far as Paducah and Cottle County is concerned and can only add additional bad publicity to an area which has been struggling to bring back people and Industry.

There has been considerable publicity given to the stand we have taken against such irresponsible news releases by so-called informed committees, in newspapers throughout this area. A letter to another Congressman in this area by myself and the County Judge, has not, to this date, been given the courtesy of an acknowledgement.

I am attaching a photocopy of this letter as well as a proclamation which will appear in our local newspaper this week which was issued only for the purpose of showing the absurdity of the above allegations.

It is my sincere wish and hope that the contents herein be made public by every means available to you in an effort to counteract the damage which has been done to ourselves and our neighboring areas.

As you are vitally interested in the Panhandle Area of Texas as well as our Nation as a whole, I ask that you examine how you would feel personally, had this incident happened in your own home town. It may be a laughing matter to some of the outsiders, but this is still home and it is serious to us.

Any help you may give such as getting to the source of this matter and asking for the full truth of the situation will certainly be appreciated.

Very truly yours,

V. L. HUTCHISON,
Mayor.

MAY 6, 1968.

Congressman GRAHAM PURCELL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PURCELL: Released from Washington by wire services the news carried by at least three daily newspapers and one national Magazine in this area by authority of the so-called "Citizens Board of Inquiry into Hunger and Malnutrition" lists Cottle, Foard and Motley Counties as three of the 20 Counties in Texas where chronic hunger and malnutrition exists. I think that this statement is an outrage and an insult as well as a black eye and a complete misrepresentation in every way.

In the first place, tell me how such an inquiry and by whom conducted, that could obtain such facts without the knowledge of the County Officials (who administer the welfare program here), the City Officials, the City and County Health Officers, the Churches and other interested citizens). Anyone who is unable to work can, and rest assured that they are, given attention immediately. There is plenty of work available for anyone else who wants to work and earn their keep.

Recently we had approval from the District Office of the OEO in Crowell for five (5) persons to be employed by the City under the "Operation Mainstream" program and we were three weeks finding the personnel to fill these jobs and the unemployment office and every other means were used to find them. It is also conservatively estimated that 60 to 75 employees are needed in this County for farm work and last week a private contractor, paying top wages, took a whole week in trying to find employees to man machines working here, and finally had to import some of these from outside this area.

I have talked to the County Health Officer, who has been in practice in this County for 40 years, and first and last has seen most every person in the area and he has informed me, and asked that he be quoted, that he has not seen any cases of malnutrition. Personally, I do not believe that any such "inquiry" was conducted in Cottle County and I feel pretty sure that the same would apply to Motley and Foard Counties. It is reasonable to assume then, that the same might be true for the rest of the United States?

Sincerely hope that this information might be put into the hands of the entire news media and believe that it is high time that such irresponsible and unfounded statements stop coming out of Washington by so-called authoritative sources.

It is very hard for me to swallow an incident such as this, in a locality which has suffered economically due to the loss of population, but, by the same token have donated over $750.000 to such things as Churches, Hospitals etc. in the last 15 years in our Community in spite of the drain from Washington and I certainly do not believe that there is any chronic hunger and malnutrition here.

Respectfully submitted,

V. L. HUTCHISON,
Mayor, City of Paducah, Tex.

PADUCAH, TEX., *May 6, 1968.*

Congressman GRAHAM B. PURCELL,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: Recently a story was released from Washington relating the so-called fact that the "Citizens Board of Inquiry into Hunger and Malnutrition" listed Cottle, Foard and Motley as three of twenty Counties in Texas where Hunger and Malnutrition exists. Speaking for Cottle County, Congressman, I will say that this is as far from the truth that a person can get. As Administrator for the Cottle County Welfare Program, I am in position to know that if one person in Cottle County is hungry or in needy in any way, it is because of his own doing and the percent is very small. We have an adequate Health and Food Program in Cottle County that reaches every one that has to have help. We take care of our own and tend to our own business and can do without uninformed misrepresentations.

The Texas Unemployment Commission here in Paducah, Texas, has numerous openings for jobs and we do not have the people to fill them. Every able bodied man and woman that wants a job can get one.

Congressman, I do not believe that such an inquiry was ever made here in Cottle County. As I am County Judge, I would be the logical one to contact in reference to any of this type information and not one person has asked my opinion about these things. We, here in Cottle County, are proud of our County and proud that we can stand on our own feet and tend to our business without the help of an outsider. It is true that we are losing population but it is also true that we are constantly progressing with the times and taking care of our problems as they appear.

This misrepresentation of facts is a low blow to the Citizens of Cottle County and to the City and County Governments.

Congressman Purcell, you have been in Cottle County and I am sure you know the true facts concerning us in regard to our people. If you have the opportunity to enlighten the "Citizens Board of Inquiry" in regard to Cottle County, I am sure the "Citizens of Cottle County" would be grateful.

Thanks for your time and consideration.

ROY N. PARKS,
County Judge, Cottle County.

PROCLAMATION

Whereas, it has been determined, without question, by the Citizens Board of Inquiry Into Hunger and Malnutrition in Washington, D.C., by alleged "field trips" and "on the spot" investigations (although none in any capacity admits having seen them) that the people of Cottle County, Texas and surrounding area are the tragic victims of chronic hunger and malnutrition and that many of them go to bed every night without enough to eat, and,

Whereas, it has been further determined by the above Board that conditions are shocking and unbelievable, and that our newborn infants and yet unborn babies are very likely to be victims of disease, malformation, mental retardation and even death, due to these "shocking and unbelievable" conditions which exist here, and,

Whereas, the public officials, welfare departments, churches, schools and interested citizens have sit idly by and watched these conditions develop into unbelievable Proportions which have indeed shocked and amazed our "friends" of fifteen hundred miles away almost to the point of calling for another Board of Inquiry to inquire into the already formed Board of Inquiry for findings which may inquire into the committees of our elected officials such as the Department of Agriculture and Welfare Department and,

Whereas, we have so messed up the affairs of our City and County that WE are "out of debt" and we are forced to operate on the unheard of basis of "pay-as-you-go" which is against all the principles of good management and direction of our "Welfare Society" and that this situation could be remedied very quickly by placing all our assets in the hands of the aforementioned, surrendering all our rights, title and interest to things which we have, so long ago, past the point of knowing how to take care of, and let these "Informed Committees" manage and redistribute, in order to fill in the wide gaps left by our inabilities, and,

Whereas, all the efforts of our Chambers of Commerce, Industrial Foundations, Civic Organizations and Public Officials, trying to bring new people into available jobs and Industry which might create new jobs, into an area where they . . . to live . . . and breathe, have been dealt an almost death blow, by the unfair, unfounded, and untrue publicity attached to this Washington News Release, and,

Whereas, with present trends, the day is fast approaching when all our decisions will be made, our assets be managed and distribution of same be assigned by "boards of inquiry", "executive orders" and "edicts" issued by these so-called "fact finders of unimpeachable sources" of a thousand miles away because they are so much more on top of our local conditions and situations than those of us who live in them, and,

Whereas, we believe that it is the Patriotic duty and grave concern of all of us to try to rectify this "SHOCKING" situation and assuage the anguish and grief of the "informed" and that it would be in keeping with the wishes of our so-called "friends" that a day be set aside, in this area, wherein all of our people could enjoy one good, wholesome, nutritious and balanced meal and go to bed one night without hunger pangs, the pain of our beltbuckles rubbing our backbones and our stomachs believing that our throats have been cut, now, therefore,

I, V. L. Hutchison, Mayor of the City of Paducah, Texas, do hereby proclaim that Wednesday, May 22, 1968, a "day of feast" and "eat-in", "a time of gorging"—"lay-off-dieting" and provide for and prepare a meal, which to the very best of our ability, would provide the necessary proteins, carbohydrates, vitamins, and minerals of a nutritious value, which might in some way, be deemed satisfactory to those far-away people who are so "concerned, shocked, amazed and disbelieving". I call upon all of our people to take a part in seeing to the fact that *no-one* goes to bed *hungry* on this night.

In witness whereof, I have hereunto set my signature and seal of office this the 16th day of May 1968.

V. L. HUTCHISON,
Mayor, City of Paducah.

MISS MARY SWITZER—DILIGENT DISCIPLE OF WORK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, it is a pleasure to find on the editorial page of today's Wall Street Journal a well-deserved tribute to Miss Mary Switzer. Mary Switzer is the exceptionally able leader of HEW's Social and Rehabilitation Service. As a part of my remarks I include the Journal's feature story on her work:

WELFARE'S DILIGENT DISCIPLE OF WORK

(By Jonathan Spivak)

WASHINGTON.—"My life with rehabilitation has been a continuing renewal of acts of faith by myself and thousands of others who have joined in writing the rehabilitation story," Mary Switzer likes to tell her audiences.

For 17 years, this doughty, determined New Englander managed and merchandised the most politically popular social welfare program in Washington—the Vocational Rehabilitation Administration. Each year, VRA statistics show a mounting number of the mentally and physically disabled (175,000 in 1967) turned into self-supporting, tax-paying citizens. During Miss Switzer's sway, VRA's annual appropriations increased fifteenfold to $345 million and its domain steadily expanded, to encompass not only the medically disabled but those with educational and emotional difficulties.

Now, at age 68, Miss Switzer has assumed a far larger and more frustrating assignment, as head of the Health, Education and Welfare Department's newly organized Social and Rehabilitation Service. She is seeking to stem the inexorable expansion of the relief rolls, now at 8.3 million, and make the much castigated public welfare system palatable to the politicians who appropriate the money and to the taxpayers who ultimately pay the bill.

Of course, Miss Switzer is not alone in her efforts to recast relief into a fruitful social force, unifying families, diminishing dependency and enabling the unemployed to gain and hold jobs. She was picked for her present post by former HEW Secretary John Gardner, who was sold on spreading the rehabilitation philosophy throughout HEW's welfare activities; the department's current chief, Wilbur Cohen, is also an enthusiastic supporter.

MORAL CRUSADER

More moral crusader than welfare bureaucrat, Miss Switzer conceives of work as the salvation of the public assistance system. Eventually, she would like to transfer aged, blind and disabled public welfare recipients, who are largely unable to work, to the Social Security rolls. Those remaining, unemployed fathers and mothers and their families, would be expected to take jobs, receiving welfare only as a supplement.

"I've done and my family has done housework, the lowest kind of labor," she declares. "Somehow we've gotten away from the idea that people ought to try." Indeed, her greatest thrill in nearly half a century of Federal service was attaining civil service grade 6 as a young Treasury Department aide and earning the munificent sum of $2,300 a year (she now makes more than that a month). The conclusion, of course, is clear—others, by dint of dedication and hard work, should similarly elevate themselves. "When I look at the people in VRA we've given an opportunity to remold their lives, I just think we have to take the position that a human being living in America today wants to be a part of the mainstream of life."

Unquestionably public welfare can benefit from an injection of Miss Switzer's inspiration. The system is bogged down in dreary details, endless record keeping, useless eligibility investigations and immensely complex financial formulas. But the belief that VRA knowhow alone can solve public welfare's woes seems wishful thinking. The differences are too drastic.

The plight of VRA's afflicted clientele catches at the heartstrings; its success stories supply stirring human interest yarns. A polio-stricken mother, paralyzed in arms and legs, raises two daughters, cares for her husband and becomes a local church leader; an aspiring young commercial artist, injured in an automobile accident and bedridden for two years, successfully resumes his career and then repays VRA for the cost of his care.

In contrast, public welfare's constituency, increasingly the Negro slum dwellers, has no appeal to the affluent: Its problems are unpleasant—illegitimacy, unemployment and other social ills—and politicians gain no votes by pushing the program. Welfare recipients are usually publicized only when they are arrested for fraud or other law violations.

VRA is able to pick the people it succors, concentrating on those who are easiest to rehabilitate, so the statistics are bound to look good. Public welfare must accept all applicants meeting eligibility standards, and the relief rolls are clogged with individuals who can't qualify for other, more exclusive Federal aid. Lack of education and motivation make their rehabilitation a formidable task.

VRA is liberally financed; 75% of the cost is paid by Congress, and states often overmatch the rest because of its popularity. Public welfare is in constant financial straits; relief grants invariably fall short of recipient needs, and local legislators quarrel over cost increases to meet its less liberal matching requirements.

VRA counselors, unfettered by legislative restrictions, can do almost anything that promises to help their clients, from buying them hearing aids and orthopedic appliances to enrolling them in college courses. Welfare case-workers, deeply involved in eligibility determinations, seldom have much time left to do something positive for their clients.

INNOVATIONS VERSUS STATUS QUO

Veteran welfare officials look on Miss Switzer as an intruder who naively underestimates the problems of making relief recipients self-supporting. Her emphasis on work offends them, because their main goals is raising grants. Her disdain for bureaucratic details bothers them, because they want to be told precisely what to do. She seeks to popularize public assistance programs, while they accept attack as inevitable. She eagerly envisions innovation, while they rigorously resist change.

Indeed, so far Miss Switzer and her new Social and Rehabilitation Service (an amalgam of existing HEW welfare agencies) have been unable to alter the grim public assistance picture. The number of families receiving aid continues to rise at a rate of about 20,000 a month and total welfare grants creep upward toward a record $5.5 billion a year. Her problems will probably pyramid.

Antipoverty and welfare rights organizations are arousing a new militancy among the impoverished. Many experts believe the rolls are increasing largely because more eligible poor are claiming public assistance benefits, not because there is more poverty. Some activists even seek to destroy the existing public assistance system, which they view as demeaning and destructive, by loading up the rolls until taxpayers revolt. Others are attempting to organize relief clients into militant political action groups determining their own destinies.

State welfare officials, busy battling Congressional restrictions on Federal aid to unemployed fathers and children in broken homes, have had little time to absorb Miss Switzer's rehabilitation philosophy, and are worried that administrative changes will suddenly be made without their concurrence.

Furthermore, many of the nation's 3,000 local welfare agencies are unwilling to emphasize rehabilitation because it costs more money, at least at the outset. No amount of Federal reorganization can compel them, nor compensate for their shortages of skilled welfare workers.

Many of the measures Miss Switzer would institute could even accelerate welfare's cost climb. She wants to decentralize welfare offices into local neighborhoods to furnish more convenient services, and contract with nongovernmental agencies to meet relief clients' needs. She seeks to simplify procedures for obtaining assistance, and establish safeguards to assure that aid is not arbitrarily terminated.

DELAYED PROGRAMS

Another drawback: Not for years will the results be seen of the work training program adopted last year by Congress as the major means of reducing the welfare rolls. The endeavor was to have started in April, but Congress refused to appropriate the supplementary funds required. Referral arrangements must still be worked out between local welfare agencies and the Labor Department's Manpower Administration, which will furnish the training. Existing work programs for welfare recipients, particularly in Kentucky and West Virginia, may be cut back before the new one (called WIN, for Work Incentive) gets under way, leaving many of the poor in the lurch.

Day care facilities for the children of welfare mothers who want to work are in short supply, and Federal financial aid is insufficient to stir much action by the states. Even if the money were available, lack of space and of trained personnel would be immense obstacles.

One might think Miss Switzer, confronted with such difficulties, would join the growing chorus of critics who want to abandon the welfare program entirely. Their solution is a simpler system that would satisfy the economic needs of the poor without red tape and without rehabilitation—namely a guaranteed annual income. The exact method doesn't matter, whether negative income tax, family allowance or some other means; it's the principle that's important—automatic payments to the poor.

But Miss Switzer's puritan principles prevail. "I'm absolutely personally unalterably opposed to the guaranteed annual income. I just don't see in America that we ought to accept the fact that we have to support a large number of the younger population."

Thus, for the first time in decades, the nation's public assistance program is headed by a diligent disciple of work. Yet if ultimately Miss Switzer fails, the stage will probably be set for the development she most detests—adoption of a guaranteed annual income.

ACTION ON CRIME LEGISLATION

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. POFF. Mr. Speaker, I quote herewith two important statements concerning law enforcement pronounced today by the distinguished minority leaders of the House and Senate:

STATEMENT BY SENATOR DIRKSEN

In 1976, it will be 200 years that this good land became a new nation. It began with but three million people. Today it exceeds 200 million. The basic law under which it was launched as a Republic not only created a structure of government but also recited the purposes for which the Constitution was ordained. Among those purposes was the establishment of justice and the insurance of domestic tranquillity.

Save for the long civil strife more than a century ago, the refinement and expansion of justice has gone forward and domestic tranquillity has been preserved.

During most of those two centuries authority has been respected, the laws have been generally obeyed and enforced, human life has been protected and safeguarded, a feeling of security has prevailed, and the right of private property has been upheld. Ours has been a good history.

But, in our time, something has happened.

Authority is challenged. The burning of draft cards, the seizure of school administration offices, the riotous rupture of peace in the cities—all are challenges to authority.

The law has been flouted. Riots in cities large and small, the ghastly increase in serious crime, all these attest to disobedience to law and the inadequacy of enforcement.

The sanctity of human life is so callously disdained. A young President is shot down. A young Senator is shot down. A non-violent Christian crusader is shot down. Each year there are thousands of murders and homicides.

Private property rights are ignored by the robber, the looter and the arsonist.

Too much of the language of today is uncouth and un-American. "Burn baby, burn!" becomes a slogan. "Get guns!" becomes an arrogant war cry.

A brooding insecurity arouses the fears of the citizenry.

The flag is deliberately desecrated at home and abroad. There is doubt that we really are "One nation, under God, indivisible."

The nation has paid a terrible price in lives, in peace of mind, in haunting fear and insecurity, in property damage, in prestige and a tarnished image abroad.

Whatever the cause—be it in the homes, the schools, the courts, in public stewardship or some other field—both the problem and the remedy are reasonably clear.

What does it take?

The law must be obeyed and enforced. No disorderly society can long survive. "There is no grievance," said Abraham Lincoln, "that is a fit object of redress by mob law."

A sacred regard for human life must be restored. Fear seems to be the only universal passion. Even the hardened criminal fears swift, certain, speedy punishment. Mandatory sentences written in the law might help to stem the crime tide.

Respect for authority must be restored. Without it, we may find ourselves on the road to disaster.

The hateful language of destruction which comes so readily to the tongue should be discouraged at every turn.

The flag is the embodiment of the principles of this Republic. The very Republic suffers by its desecration.

Finally, the time has come to rethink our history. It should have emphasis in every school, church and forum in the land. The legacy which is ours came from those who were here before us. Into this land they built their skills and talents, their hopes and dreams, their tears and sacrifices. Today, we are the trustees of America. Upon us is a two-fold duty. The one is to those who came before us and gave us this land for our inheritance. The other is to those who shall come after us.

Perhaps three words can state the whole case: dedication, discipline, duty.

STATEMENT BY REPRESENTATIVE FORD

One full week ago, meeting in the shadow of violence and tragedy, the House passed and sent to the President the Law Enforcement Assistance and Criminal Justice Act of 1968.

The House vote was 368 to 17.

The Senate vote was 72 to 4.

These overwhelming majorities reflected the massive demand of an aroused America that crime must be stopped. People must feel safe to walk in their own neighborhoods, sleep in their own homes, work in their own stores. The law must be upheld and lawbreakers must be punished.

But a week has passed and President Johnson has not signed this comprehensive crime bill into law. What is he waiting for?

Immediately, the President clouded this life-and-death legislation by attacking its gun control provisions, incidentally authored by Senate Democrats, and utterly ignoring the nine other urgently-needed sections of the omnibus bill, many of which bear a Republican stamp.

The major gun control provisions Congress already has approved still await the President's signature, along with other long-overdue, anticrime provisions.

What is the President waiting for?

Instead of taking prompt and constructive action, he appointed another study commission. Even if he intends to veto the crime bill, he should do so without delay so we can re-enact it over his veto.

A whole week has been lost. Projecting the FBI Crime Index statistics over an average week, more than 70,000 major crimes occur in this country; some 246 murders, 530 rapes, 3400 robberies and over 5000 aggravated assaults have ticked off the crime clock since Congress did its duty a week ago today.

What is the President waiting for?

Besides the gun control sections, the Crime Bill on the President's desk contains these important provisions:

1. Block grants of Federal funds to assist State governments in the war on crime—sponsored by Sen. Dirksen in the Senate and Rep. Cahill in the House—urged by virtually all State Governors of both parties over the opposition of the President and the Attorney General.

2. Federal prohibition of all private electronic eavesdropping and wire-tapping, along with carefully defined permission for such surveillance by enforcement officers under court authorization and supervision. This was introduced in the House by Rep. McCulloch, Rep. Poff, and other minority members of the Judiciary Committee and the Republican Task Force on Crime. The President's own Crime Commission made these recommendations. He has opposed them. These are major weapons in the fight against organized crime, espionage and subversion.

3. Authorization for a National Institute of Law Enforcement and Criminal Justice, first proposed in the January 1967 Republican State of the Union message by Senator Dirksen and me, and incorporated in the bill by Rep. McClory.

4. Amendments authored by Sen. Scott, Sen. Allott and Rep. Railsback to modify and clarify recent Supreme Court decisions on the admissability of confessions and other evidence.

5. Provisions for "community service officers" proposed by Sen. Percy and Rep. Goodell to improve relations between police and citizens. An overall application of Rep. Broyhill's amendment to recent appropriation bills concerning Federal civil servants who are convicted of crimes related to riots. Sen. Murphy's amendment requiring future Directors of the FBI to be confirmed by the Senate. An amendment by Sen. Hruska to help states fight organized crime.

All these matters are awaiting final approval at the White House.

What is the President waiting for?

THE POSTMASTER GENERAL DESERVES COMMENDATION FOR HIS ACTION IN GUN CONTROL

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MATSUNAGA. Mr. Speaker, in the wake of the tragic act of violence which struck our Nation last week, the people of Hawaii and of other States in the Union are becoming increasingly concerned about crime and gun controls.

Many of my constituents, in writing me of their shock and sorrow over the acts of lawlessness in our land, urge that Congress adopt stronger measures to supplement the gun control bill passed last week. Although it was my belief, too, that the gun control provisions of that bill was weaker than I personally would have wanted, I voted for its passage as a step in the right direction. I am convinced that other measures are also needed to stem the growing tide of violence threatening our Nation and its people. Unfortunately, the legislative process in a democracy such as ours grinds slowly and tries the patience of our concerned citizens.

It is heartening, therefore, to find that in the executive branch of our Governmen, wherein more immediate and direct action can be taken there are those with the initiative and courage to take forceful and positive action to meet national exigencies, as was taken yesterday by the Postmaster General of the United States to impose restrictions on the mailing of firearms.

In a major address delivered at the National Press Club in Washington, Postmaster General W. Marvin Watson announced that he has issued regulations, effective immediately, that all firearms shipped through the mails be clearly labeled as firearms. He also ordered that all postmasters should not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This positive administrative action on the part of the Postmaster General is to be highly commended. I commend also the comprehensive plan of action that he described in his address which would strengthen equal employment opportunities throughout the postal system.

I join with other Americans in expressing appreciation to the Postmaster General for his efforts to make "this Nation a finer, freer place where the human spirit can flourish and all men reach their full potential."

As a cosponsor of the President's stricter gun-control measure, to supplement the provisions of the bill passed last week, I call upon my colleagues to join in the movement to expedite legislation designed to halt the rising rate of violence and lawlessness. Let us by our actions prove that Congress, too, can rise to the occasion and move with dispatch when the national interest demands it.

PRESIDENT JOHNSON TRIES TO FIND RESPONSIBLE ANSWERS TO CAUSES OF VIOLENCE

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HOWARD. Mr. Speaker, I wish to go on record to voice my complete support and confidence in the President's Commission To Investigate the Causes of Violence in America.

This Commission, composed of distinguished Americans, will try to penetrate into the heart of why lawlessness and violence have been on the rise across the country.

The answers, hopefully, will provide a major step toward solving this problem. Obviously, the psychological implications of violence represent a formidable challenge to human understanding. But I think the Commission is in the position to make an important contribution to overall understanding of what causes and produces these terrible tragedies.

It goes without saying that America can—and must—bring lawlessness and violence under control. But we must do so not only by greater law enforcement, but by greater wisdom into the causes of why violence and tragedy erupts. This is the task of the President's Commisssion.

I think all of us in Congress are united in wishing this Commission well. We eagerly await its findings and its recommendations on this urgent matter.

I wish to call to the attention of my colleagues the remarks of President Johnson to the Commission, as follows:

REMARKS OF THE PRESIDENT TO THE COMMISSION ON THE CAUSE AND PREVENTION OF VIOLENCE, THE CABINET ROOM, JUNE 10, 1968

Dr. Eisenhower, Mr. Attorney General, Ladies and Gentlemen of the Commission, as I reviewed with you in the Fish Room earlier, I shall shortly, in your presence here, sign the Executive Order creating the Commission and will ask Congress for authority for support of the Commission.

It is anticipated that there will be, as the order outlines, additional appointees to the Commission, perhaps, two, maybe more. The request to the Congress for additional authority will go up this afternoon.

Following the signing of the order, I will make a statement of some 10 or 15 minutes that will give you my views, as well as background, I think, that will be appropriate for you to review in the light of the responsibilities which you are undertaking.

I want to, before I go into the formal statement, again express to Dr. Eisenhower, as I do to each member of this Commission, my deep and lasting gratitude on not only my part but, I think, on the part of the American people for their willingness to assume this responsibility. I am grateful to each of you.

This troubled world will long remember the scar of past week's violence, but when the week is remembered, let this be remembered, too: that out of anguish came a national resolve to search for the causes and to find the cures for the outbursts of violence which have brought so much heartbreak to our Nation.

Violence has erupted in many parts of the globe, from the streets of newly emerging nations to the old cobblestones of Paris. But it is the episodes of violence in our own country which must command our attention now.

Our inquiry into that violence brings all of us together here this afternoon in the Cabinet Room at the White House. You members of this Commission come here from the church, the university, the Senate and the House, the Judiciary, the ranks of the workingman on the waterfront, and the professions.

My charge to you is simple and direct: I ask you to undertake a penetrating search for the causes and prevention of violence—a search into our national life, our past as well as our present, our traditions as well as our institutions, our culture, our customs and our laws.

I hope your search will yield:

First, an understanding and an insight into the kinds of violent aberrations which have struck down public figures and private citizens alike.

One out of every five Presidents since 1865 has been assassinated—Abraham Lincoln in April 1865, Garfield in July 1881, McKinley in September 1901, and John Fitzgerald Kennedy in November 1963.

In this same period, there have been attempts on the lives of one out of every three of our Presidents, including President Theodore Roosevelt while campaigning in October 1912, President Franklin D. Roosevelt in February 1933, and Harry S. Truman in November 1950. In the attempt on Roosevelt's life, Mayor Anton Cermak of Chicago was killed. In the attack on President Harry Truman, a White House policeman lost his life.

The list of assassinations during the last five years is also long and shocking. Here are some of them:

In 1963: Medgar Evers, ambushed by a sniper; four Negro girls killed in a church bombing; President John F. Kennedy assassinated. 8,500 Americans were murdered that year, also, in America.

In 1964: Three civil rights workers murdered as part of a Ku Klux Klan conspiracy; Lt. Col. Lemuel Penn shot down on a highway. 9,250 Americans were murdered that year in America, also.

In 1965: Mrs. Viola Luizzo. 9,850 Americans were murdered that year in America, too.

In 1966: Malcolm "X". 10,920 Americans were murdered that year.

In 1967: George Lincoln Rockwell. 12,230 Americans were murdered that year.

In 1968: Martin Luther King, Jr. and Senator Robert F. Kennedy.

Just yesterday, the newspapers recorded that a Jordanian grocer was shot to death and police speculate that the killing may have been in revenge for the assassination of Senator Kennedy.

Second, I hope your search will uncover the causes of disrespect for law and order—disrespect for proper authority in the home and disrespect for public officials—and of violent disruptions of public order by individuals and groups.

Third, I hope your studies will lead to practical actions to control or prevent these outbreaks of violence.

Here are some of the questions I hope you will consider:

Is there something in the environment of American society or the structure of American institutions that causes disrespect for the law, that causes contempt for the rights of others, and incidents of violence? If there is, how can we correct it?

Has permissiveness toward extreme behavior in our society encouraged an increase of violence?

Why do some individuals and groups reject the peaceful political and institutional processes of change in favor of violent means?

Are the seeds of violence nurtured through the public's airwaves, the screens of neighborhood theaters, the news media, and other forms of communication from our leaders that reach the family and reach our young? I am asking the heads of the radio and television networks and the Chairman and the members of the Federal Communications Commission to cooperate wholeheartedly with this Commission.

Is violence a contagious phenomenon? To the extent that it is, are there ways we can reduce the contagion?

What is the relationship between mass disruption of public order and the individual acts of violence?

What is the relationship between mental derangement and violence—remembering that half of our hospital beds in America are now occupied by the mentally ill?

Does the democratic process which stresses exchanges of ideas permit less physical contact with masses of people—as a matter of security against the deranged individual and obsessed fanatic?

To the extent we can identify the basic causes of violence and disrespect for the law, what practical steps then can we and should we take to eliminate them?

Can our society any longer tolerate the widespread possession of deadly firearms by private citizens?

What—beyond firm and effective Federal and State gun control laws which are so desperately needed—can be done to give further protection to public leaders and to private citizens?

How can the Government at all levels, the churches, the schools and the parents help to dispel the forces that lead to violence?

These are some of the questions that are on the minds of Americans today. But I will and I must leave to you the task of defining precisely the scope and boundaries of this inquiry. For you will be venturing into uncharted ground.

Some of the questions I have asked and the matters you look into may be beyond the frontiers of man's knowledge. Nevertheless, I urge you to go as far as man's knowledge takes you.

Even where basic causes are beyond the knowledge and control of man, you may still be able to propose actions and laws and institutions which can limit the opportunities for violence by individuals and groups, for as I said to the Nation only last Friday:

"Two million guns were sold in the United States last year. Far too many were bought by the demented, the deranged, the hardened criminal and the convict, the addict and the alcoholic. We cannot expect these irresponsible people to be prudent in their protection of us, but we can expect the Congress to protect us from them . . .

"I have spoken before of the terrible toll inflicted on our people by firearms: 750,000 Americans dead since the turn of the century. This is far more than have died at the hands of our enemies in all the wars we have fought . . .

"Each year in this country guns are involved in more than 6,500 murders. This compares with 30 in England, 99 in Canada, 68 in West Germany, and 37 in Japan. 44,000 aggravated assaults are committed with guns in America each year. 50,000 robberies are committed with guns in America each year."

The truths we seek will yield stubbornly to search. But I do want to be sure that search is made, and that search must be started now.

Your work should help us all move toward that day when hatred and violence will have no sway in the affairs of men. Since violence is an international phenomenon, your work will be a service not only to your countrymen, but, I hope, to the world.

The agony of these past days lies heavy on the hearts of all the American people.

But let us now have the will and have the purpose to forge our sorrow into a constructive force for public order and progress, for justice and compassion. This is the spirit that has sustained the Nation, and sustained it in all the years of our history.

This is the spirit, I believe, that can see us emerge from this hour of sorrow—and emerge as a stronger and a more unified people.

INDIANAPOLIS CHAPTER OF PAINTING AND DECORATING CONTRACTORS OF AMERICA AND MEMBERS OF PAINTERS LOCAL NO. 47 PLAN ANNUAL CHARITY PROJECT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. BRAY. Mr. Speaker, the National Painting and Decorating Contractors of America have again this year designated the week of June 15 to June 22 as National Painting and Decorating Week. On June 22, a group of public-spirited Indianapolis citizens will observe this with their annual charity project, part of the national competition within the association, that will contribute much to the improvement of the city of Indianapolis.

The Indianapolis Chapter of the Painting and Decorating Contractors of America, members of the Painters Local No. 47, and distributors of paint and wall covering products, have selected the Fletcher Place Community Center, 410 South College Avenue, as the project. This will be nothing less than a complete redecorating job, inside and out, in a 4-hour period. The services of approximately 100 men, 350 gallons of paint, and the equipment of 16 painting contractors, all donated, and having an estimated value of $5,800, will be utilized. The Honorable Richard Lugar, mayor of Indianapolis, will apply the first brush of paint.

Last year, the project was painting the exterior of six buildings at the Camp Belzer Boy Scout facilities. All involved in these projects are to be heartily commended for their public spirit, their sense of community betterment, and the major part they play in making their community a more attractive place in which to live. They set examples that could well be followed all over the country.

RESURRECTION CITY: A SQUALOROUS SHANTYTOWN

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. WATSON. Mr. Speaker, just recently a prominent newspaper editor, Mr. Dean Livingston of Orangeburg, S.C., visited Washington for a few days. During his stay in the Nation's Capital, Mr. Livingston made a side trip to Resurrection City. He enjoys a very fine reputation for objectivity and fairness. In addition, he is widely recognized for his efforts in behalf of racial harmony. Therefore, I thought his observations about Resurrection City would make worthwhile reading for all Americans. His story is included as a part of my remarks as follows:

RESURRECTION CITY: A SQUALOROUS SHANTYTOWN

(By Dean B. Livingston)

WASHINGTON.—Resurrection City is an ugly, disorganized shantytown with no purpose for its squalorous existence.

It is everything every decent American—black or white—stands against. Resurrection City is nothing but a haven for misfits who want something for nothing.

Its mission of serving as a symbol of protest for the poor people of America is a farce. About the only elements of society being protested against at Resurrection City are the use of soap and water to clean the body and the rules of morality among young men and women.

This writer went to the so-called village of protest to seek some answers. It didn't take many questions asked, most of the answers were open to the naked eye.

It's hard to describe in words what has happened to what before was one of America's most beautiful sights—the property between the great monuments to Washington and Lincoln.

And it's equally repugnant to realize that the capital city of the United States is allowing Resurrection City to exist.

Many Americans look to Abe Lincoln as the "Great Emancipator." A Washington taxidriver remarked to this writer that he is at least happy over the fact that Mr. Lincoln sits with his back to the stormy protest village.

Dirty, ugly, unsanitary and a list of other adjectives describe the general overall appearance of Resurrection City. But it's hard to use adjectives for the beings who populate the living memorial to the late Rev. Dr. Martin Luther King.

The worst of Resurrection City's population are the long-haired, dirty, sore-faced whites—the kind you know of their presence by their radiating odors.

They are the workers of this lazy man's haven. Cleaning toilets, emptying garbage cans and other such chores occupy the time of these misfits of society.

One step above are the long-haired intellectuals—the "brains" of Resurrection City. They sit behind the small desks and engineer the forms: unemployment compensation, etc. Most of them are in their late teens and early 20s.

The whites are there. They look busy. But most of the black have left. Few Negroes remain to inhabit the dismal protest camp.

The Negroes who are there could hardly be described as protestors. This writer had a brief encounter with one. He asked for press credentials. Upon re-reading "the Times and Democrat, Orangeburg S.C." about three times, he shouted "this ain't no place for you."

His face bore scars of having been well trimmed by a switchblade knife. Around his neck hanging from a string were small ornaments. He was barebreasted.

This extremely militant Negro didn't accept the fact that Resurrection City is on property owned by the taxpayers of this nation.

He objected in vain to this writer's photographing of a section of Resurrection City which is off the tourist path. He didn't want the empty, dirty shacks revealed to the outside world.

The leaders of the so-called protest are trying to disguise the fact that their village is rapidly becoming nothing but a hangout for white and black misfits.

They do not want the outside world to know that Resurrection City is about one step over a pig sty in living conditions. They do not want it known that Resurrection City has become a haven for criminals, dope addicts and youths looking for a great fling between the two sexes.

The real tragedy of it all, however, is that there are some sincere Negroes who are here thinking there is a real purpose in their presence.

One told this writer: "God led me here just as he led Moses to the "Promised Land."

But over his left shoulder this poor man could see the plush, late model automobiles of many of his fellow protestors. And straight ahead he could see spacious mobile homes of his leaders.

At the entrance to Resurrection City there is a sales stand for Negro artwork. The paintings and drawings are of professional quality. The enterprise of the city ends there, however.

Beyond that everybody does a lot of nothing. Over the loudspeakers come forth recordings of well-known Negro singers.

Otherwise it is a place that can be likened to areas of larger cities where boy goes to meet girl to exist in a society of no rules.

There is no semblance of a protest against what some call the plight of the poor in America.

Resurrection City is not drawing sympathy from the Congress. It is creating hostility. It is also creating hostility from Negroes and whites in Washington who work for their existence in society.

THE "PUEBLO": FORGOTTEN?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SCHERLE. Mr. Speaker, Kenneth R. De Leon of West Lebanon, N.Y., has written a poem about the crew of the intelligence ship U.S.S. *Pueblo*, which was hijacked in international waters January 23 by North Korea.

This poem is a reflection of what the 83 *Pueblo* crewmen must be thinking as they sit in North Korean prisons waiting and hoping. I commend the poem to my colleagues:

FORGOTTEN

(By Kenneth R. De Leon)

Beyond distant horizons, far from our shores,
Is the Pueblo and her crew of eighty and more.
Forgotten by their country, they sit and wait.
To hear the word that decides their Fate.

In fantasy they dream of the Eagle's wild scream.
But, that is all they have—a dream.
No longer does he spread pinions and talons bare,
As he flies the sky to dare.

This positive administrative action on the part of the Postmaster General is to be highly commended. I commend also the comprehensive plan of action that he described in his address which would strengthen equal employment opportunities throughout the postal system.

I join with other Americans in expressing appreciation to the Postmaster General for his efforts to make "this Nation a finer, freer place where the human spirit can flourish and all men reach their full potential."

As a cosponsor of the President's stricter gun-control measure, to supplement the provisions of the bill passed last week, I call upon my colleagues to join in the movement to expedite legislation designed to halt the rising rate of violence and lawlessness. Let us by our actions prove that Congress, too, can rise to the occasion and move with dispatch when the national interest demands it.

PRESIDENT JOHNSON TRIES TO FIND RESPONSIBLE ANSWERS TO CAUSES OF VIOLENCE

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HOWARD. Mr. Speaker, I wish to go on record to voice my complete support and confidence in the President's Commission To Investigate the Causes of Violence in America.

This Commission, composed of distinguished Americans, will try to penetrate into the heart of why lawlessness and violence have been on the rise across the country.

The answers, hopefully, will provide a major step toward solving this problem. Obviously, the psychological implications of violence represent a formidable challenge to human understanding. But I think the Commission is in the position to make an important contribution to overall understanding of what causes and produces these terrible tragedies.

It goes without saying that America can—and must—bring lawlessness and violence under control. But we must do so not only by greater law enforcement, but by greater wisdom into the causes of why violence and tragedy erupts. This is the task of the President's Commisssion.

I think all of us in Congress are united in wishing this Commission well. We eagerly await its findings and its recommendations on this urgent matter.

I wish to call to the attention of my colleagues the remarks of President Johnson to the Commission, as follows:

REMARKS OF THE PRESIDENT TO THE COMMISSION ON THE CAUSE AND PREVENTION OF VIOLENCE, THE CABINET ROOM, JUNE 10, 1968

Dr. Eisenhower, Mr. Attorney General, Ladies and Gentlemen of the Commission, as I reviewed with you in the Fish Room earlier, I shall shortly, in your presence here, sign the Executive Order creating the Commission and will ask Congress for authority for support of the Commission.

It is anticipated that there will be, as the order outlines, additional appointees to the Commission, perhaps, two, maybe more. The request to the Congress for additional authority will go up this afternoon.

Following the signing of the order, I will make a statement of some 10 or 15 minutes that will give you my views, as well as background, I think, that will be appropriate for you to review in the light of the responsibilities which you are undertaking.

I want to, before I go into the formal statement, again express to Dr. Eisenhower, as I do to each member of this Commission, my deep and lasting gratitude on not only my part but, I think, on the part of the American people for their willingness to assume this responsibility. I am grateful to each of you.

This troubled world will long remember the scar of past week's violence, but when the week is remembered, let this be remembered, too: that out of anguish came a national resolve to search for the causes and to find the cures for the outbursts of violence which have brought so much heartbreak to our Nation.

Violence has erupted in many parts of the globe, from the streets of newly emerging nations to the old cobblestones of Paris. But it is the episodes of violence in our own country which must command our attention now.

Our inquiry into that violence brings all of us together here this afternoon in the Cabinet Room at the White House. You members of this Commission come here from the church, the university, the Senate and the House, the Judiciary, the ranks of the workingman on the waterfront, and the professions.

My charge to you is simple and direct: I ask you to undertake a penetrating search for the causes and prevention of violence—a search into our national life, our past as well as our present, our traditions as well as our institutions, our culture, our customs and our laws.

I hope your search will yield:

First, an understanding and an insight into the kinds of violent aberrations which have struck down public figures and private citizens alike.

One out of every five Presidents since 1865 has been assassinated—Abraham Lincoln in April 1865, Garfield in July 1881, McKinley in September 1901, and John Fitzgerald Kennedy in November 1963.

In this same period, there have been attempts on the lives of one out of every three of our Presidents, including President Theodore Roosevelt while campaigning in October 1912, President Franklin D. Roosevelt in February 1933, and Harry S. Truman in November 1950. In the attempt on Roosevelt's life, Mayor Anton Cermak of Chicago was killed. In the attack on President Harry Truman, a White House policeman lost his life.

The list of assassinations during the last five years is also long and shocking. Here are some of them:

In 1963: Medgar Evers, ambushed by a sniper; four Negro girls killed in a church bombing; President John F. Kennedy assassinated. 8,500 Americans were murdered that year, also, in America.

In 1964: Three civil rights workers murdered as part of a Ku Klux Klan conspiracy; Lt. Col. Lemuel Penn shot down on a highway. 9,250 Americans were murdered that year in America, also.

In 1965: Mrs. Viola Luizzo. 9,850 Americans were murdered that year in America, too.

In 1966: Malcolm "X". 10,920 Americans were murdered that year.

In 1967: George Lincoln Rockwell. 12,230 Americans were murdered that year.

In 1968: Martin Luther King, Jr. and Senator Robert F. Kennedy.

Just yesterday, the newspapers recorded that a Jordanian grocer was shot to death and police speculate that the killing may have been in revenge for the assassination of Senator Kennedy.

Second, I hope your search will uncover the causes of disrespect for law and order—disrespect for proper authority in the home and disrespect for public officials—and of violent disruptions of public order by individuals and groups.

Third, I hope your studies will lead to practical actions to control or prevent these outbreaks of violence.

Here are some of the questions I hope you will consider:

Is there something in the environment of American society or the structure of American institutions that causes disrespect for the law, that causes contempt for the rights of others, and incidents of violence? If there is, how can we correct it?

Has permissiveness toward extreme behavior in our society encouraged an increase of violence?

Why do some individuals and groups reject the peaceful political and institutional processes of change in favor of violent means?

Are the seeds of violence nurtured through the public's airwaves, the screens of neighborhood theaters, the news media, and other forms of communication from our leaders that reach the family and reach our young? I am asking the heads of the radio and television networks and the Chairman and the members of the Federal Communications Commission to cooperate wholeheartedly with this Commission.

Is violence a contagious phenomenon? To the extent that it is, are there ways we can reduce the contagion?

What is the relationship between mass disruption of public order and the individual acts of violence?

What is the relationship between mental derangement and violence—remembering that half of our hospital beds in America are now occupied by the mentally ill?

Does the democratic process which stresses exchanges of ideas permit less physical contact with masses of people—as a matter of security against the deranged individual and obsessed fanatic?

To the extent we can identify the basic causes of violence and disrespect for the law, what practical steps then can we and should we take to eliminate them?

Can our society any longer tolerate the widespread possession of deadly firearms by private citizens?

What—beyond firm and effective Federal and State gun control laws which are so desperately needed—can be done to give further protection to public leaders and to private citizens?

How can the Government at all levels, the churches, the schools and the parents help to dispel the forces that lead to violence?

These are some of the questions that are on the minds of Americans today. But I will and I must leave to you the task of defining precisely the scope and boundaries of this inquiry. For you will be venturing into uncharted ground.

Some of the questions I have asked and the matters you look into may be beyond the frontiers of man's knowledge. Nevertheless, I urge you to go as far as man's knowledge takes you.

Even where basic causes are beyond the knowledge and control of man, you may still be able to propose actions and laws and institutions which can limit the opportunities for violence by individuals and groups, for as I said to the Nation only last Friday:

"Two million guns were sold in the United States last year. Far too many were bought by the demented, the deranged, the hardened criminal and the convict, the addict and the alcoholic. We cannot expect these irresponsible people to be prudent in their protection of us, but we can expect the Congress to protect us from them . . .

"I have spoken before of the terrible toll inflicted on our people by firearms: 750,000 Americans dead since the turn of the century. This is far more than have died at the hands of our enemies in all the wars we have fought . . .

"Each year in this country guns are involved in more than 6,500 murders. This compares with 30 in England, 99 in Canada, 68 in West Germany, and 37 in Japan. 44,000 aggravated assaults are committed with guns in America each year. 50,000 robberies are committed with guns in America each year."

The truths we seek will yield stubbornly to search. But I do want to be sure that search is made, and that search must be started now.

Your work should help us all move toward that day when hatred and violence will have no sway in the affairs of men. Since violence is an international phenomenon, your work will be a service not only to your countrymen, but, I hope, to the world.

The agony of these past days lies heavy on the hearts of all the American people.

But let us now have the will and have the purpose to forge our sorrow into a constructive force for public order and progress, for justice and compassion. This is the spirit that has sustained the Nation, and sustained it in all the years of our history.

This is the spirit, I believe, that can see us emerge from this hour of sorrow—and emerge as a stronger and a more unified people.

INDIANAPOLIS CHAPTER OF PAINTING AND DECORATING CONTRACTORS OF AMERICA AND MEMBERS OF PAINTERS LOCAL NO. 47 PLAN ANNUAL CHARITY PROJECT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. BRAY. Mr. Speaker, the National Painting and Decorating Contractors of America have again this year designated the week of June 15 to June 22 as National Painting and Decorating Week. On June 22, a group of public-spirited Indianapolis citizens will observe this with their annual charity project, part of the national competition within the association, that will contribute much to the improvement of the city of Indianapolis.

The Indianapolis Chapter of the Painting and Decorating Contractors of America, members of the Painters Local No. 47, and distributors of paint and wall covering products, have selected the Fletcher Place Community Center, 410 South College Avenue, as the project. This will be nothing less than a complete redecorating job, inside and out, in a 4-hour period. The services of approximately 100 men, 350 gallons of paint, and the equipment of 16 painting contractors, all donated, and having an estimated value of $5,800, will be utilized. The Honorable Richard Lugar, mayor of Indianapolis, will apply the first brush of paint.

Last year, the project was painting the exterior of six buildings at the Camp Belzer Boy Scout facilities. All involved in these projects are to be heartily commended for their public spirit, their sense of community betterment, and the major part they play in making their community a more attractive place in which to live. They set examples that could well be followed all over the country.

RESURRECTION CITY: A SQUALOROUS SHANTYTOWN

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. WATSON. Mr. Speaker, just recently a prominent newspaper editor, Mr. Dean Livingston of Orangeburg, S.C., visited Washington for a few days. During his stay in the Nation's Capital, Mr. Livingston made a side trip to Resurrection City. He enjoys a very fine reputation for objectivity and fairness. In addition, he is widely recognized for his efforts in behalf of racial harmony. Therefore, I thought his observations about Resurrection City would make worthwhile reading for all Americans. His story is included as a part of my remarks as follows:

RESURRECTION CITY: A SQUALOROUS SHANTYTOWN

(By Dean B. Livingston)

WASHINGTON.—Resurrection City is an ugly, disorganized shantytown with no purpose for its squalorous existence.

It is everything every decent American—black or white—stands against. Resurrection City is nothing but a haven for misfits who want something for nothing.

Its mission of serving as a symbol of protest for the poor people of America is a farce. About the only elements of society being protested against at Resurrection City are the use of soap and water to clean the body and the rules of morality among young men and women.

This writer went to the so-called village of protest to seek some answers. It didn't take many questions asked, most of the answers were open to the naked eye.

It's hard to describe in words what has happened to what before was one of America's most beautiful sights—the property between the great monuments to Washington and Lincoln.

And it's equally repugnant to realize that the capital city of the United States is allowing Resurrection City to exist.

Many Americans look to Abe Lincoln as the "Great Emancipator." A Washington taxidriver remarked to this writer that he is at least happy over the fact that Mr. Lincoln sits with his back to the stormy protest village.

Dirty, ugly, unsanitary and a list of other adjectives describe the general overall appearance of Resurrection City. But it's hard to use adjectives for the beings who populate the living memorial to the late Rev. Dr. Martin Luther King.

The worst of Resurrection City's population are the long-haired, dirty, sore-faced whites—the kind you know of their presence by their radiating odors.

They are the workers of this lazy man's haven. Cleaning toilets, emptying garbage cans and other such chores occupy the time of these misfits of society.

One step above are the long-haired intellectuals—the "brains" of Resurrection City. They sit behind the small desks and engineer the forms: unemployment compensation, etc. Most of them are in their late teens and early 20s.

The whites are there. They look busy. But most of the black have left. Few Negroes remain to inhabit the dismal protest camp.

The Negroes who are there could hardly be described as protestors. This writer had a brief encounter with one. He asked for press credentials. Upon re-reading "the Times and Democrat, Orangeburg S.C." about three times, he shouted "this ain't no place for you."

His face bore scars of having been well trimmed by a switchblade knife. Around his neck hanging from a string were small ornaments. He was barebreasted.

This extremely militant Negro didn't accept the fact that Resurrection City is on property owned by the taxpayers of this nation.

He objected in vain to this writer's photographing of a section of Resurrection City which is off the tourist path. He didn't want the empty, dirty shacks revealed to the outside world.

The leaders of the so-called protest are trying to disguise the fact that their village is rapidly becoming nothing but a hangout for white and black misfits.

They do not want the outside world to know that Resurrection City is about one step over a pig sty in living conditions. They do not want it known that Resurrection City has become a haven for criminals, dope addicts and youths looking for a great fling between the two sexes.

The real tragedy of it all, however, is that there are some sincere Negroes who are here thinking there is a real purpose in their presence.

One told this writer: "God led me here just as he led Moses to the "Promised Land."

But over his left shoulder this poor man could see the plush, late model automobiles of many of his fellow protestors. And straight ahead he could see spacious mobile homes of his leaders.

At the entrance to Resurrection City there is a sales stand for Negro artwork. The paintings and drawings are of professional quality. The enterprise of the city ends there, however.

Beyond that everybody does a lot of nothing. Over the loudspeakers come forth recordings of well-known Negro singers.

Otherwise it is a place that can be likened to areas of larger cities where boy goes to meet girl to exist in a society of no rules.

There is no semblance of a protest against what some call the plight of the poor in America.

Resurrection City is not drawing sympathy from the Congress. It is creating hostility. It is also creating hostility from Negroes and whites in Washington who work for their existence in society.

THE "PUEBLO": FORGOTTEN?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SCHERLE. Mr. Speaker, Kenneth R. De Leon of West Lebanon, N.Y., has written a poem about the crew of the intelligence ship U.S.S. *Pueblo*, which was hijacked in international waters January 23 by North Korea.

This poem is a reflection of what the 83 *Pueblo* crewmen must be thinking as they sit in North Korean prisons waiting and hoping. I commend the poem to my colleagues:

FORGOTTEN

(By Kenneth R. De Leon)

Beyond distant horizons, far from our shores,
Is the Pueblo and her crew of eighty and more.
Forgotten by their country, they sit and wait.
To hear the word that decides their Fate.

In fantasy they dream of the Eagle's wild scream.
But, that is all they have—a dream.
No longer does he spread pinions and talons bare,
As he flies the sky to dare.

Men have pulled his talons, stilled his rage.
And cowardly locked him in a cage.
From where he gazes across the sea.
Watching those who served you and me.

So the Pueblo and her crew, just sit and wait.
Knowing that the hour is late.
For quaking politicians speak of other things
And leave them to their Fate.

PRESIDENT JOHNSON TALKS TO YOUNG PEOPLE ABOUT THE FUTURE

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. BYRNE of Pennsylvania. Mr. Speaker, earlier this week, President Johnson spoke to the graduates of the Capitol Page School. I had the pleasure of being present on the occasion. I am very proud to note that one of the graduates was John Leonard, from my district in Philadelphia, who has served as a page, under my sponsorship, during the last 2 years. John is a brilliant young man who was chosen to serve as a page to Speaker McCormack during the past year. Eighteen members of John's fine family were present at the ceremony—including the 12 handsome Leonard children and the proud parents.

The President, in his remarks, talked about the hard problems facing the Nation during these times. He said:

> As we meet here in the East Room of the White House this morning, a very critical time in our Nation's history, we Americans are facing exceedingly difficult questions about our country, about order, about lawlessness, about violence, and about progress.

The President reviewed his own long experience in public life, and then told the pages:

> I hope that you will choose a career of public service. It is a vocation that I highly recommend for those who seek deep, personal satisfaction and who seek self-fulfillment.

The President stressed the important distinction between simply complaining about what is wrong with America and coming up with constructive solutions to what is wrong.

His speech to these young people was a reaffirmation of his faith in the future of America, and his confidence in the ability of our young people to lead the Nation in the years ahead.

The President's remarks were very inspiring and they are particularly pertinent in this difficult period we are going through. For the benefit of those who may not have seen the speech, I insert the text of the President's remarks in the Record, as follows:

Remarks of the President to Capitol Page School Graduates, the East Room, June 11, 1968

Dr. DeKeyser, Members of Congress, Distinguished Guests, Pages and members of the Pages' Families:

I am sorry that I have had to delay you, but I have been out to the hospital to visit with General Eisenhower and Justice Douglas, Senator Russell and dozens of our fighting men who have contributed themselves, their bodies, their arms and their legs, to preserving our independence and giving us this glorious free land of ours where we have more liberty than any people in all the world and where we have more prosperity and more of the good things in life than any other people anywhere because of

Men like General Eisenhower, who served in uniform for many years;

Men like Justice Douglas;

And Senator Russell, who has been Chairman of the Armed Services Committee throughout that period;

Boys from all the States of the Union, with smiles on their faces, with their chins up and their chests out, most of them wounded severely. Some have lost an arm, some a leg, but all of them are proud of their service and welcoming the opportunity, and some of them, I am sad to say, were even saying they hoped that they could go back, because they do so much want to contribute their part to whatever their obligations as citizens happen to be.

So you young men who are here graduating this morning have completed your work at a very unique institution of learning. Next January, so shall I.

I never had the privilege of being a Page in the Congress. I was a temporary Page in the State Legislature when I was a little boy. I was a Doorkeeper in the Congress more than 35 years ago. But after 37 years in public service, next January I am going to graduate and, I hope, go back to the classroom.

I hope that most of you young men will choose some kind of a public career, too.

All my life I have said that I wanted to be a teacher or a preacher or a public servant. A little part of my life I have spent teaching; a good part of my life I have spent in the public service.

I hope that you will choose a career of public service. It is a vocation that I highly recommend for those who seek deep, personal satisfaction and who seek self-fulfillment.

You young fellows have had an insider's view of the best legislative body in all the world. Congress, I think, offers a classic example of how different kinds of people, from different sections of the country, with different colors and different educations and different backgrounds, under different, conflicting pressures, can get together and work together for the common good of all.

As we meet here in the East Room of the White House this morning, a very critical time in our Nation's history, we Americans are facing exceedingly difficult questions about our country, about order, about lawlessness, about violence, and about progress. I think it is important and I think it is crucial that we make some vital distinctions and that we try to answer some of these questions that are being raised.

For instance, we must distinguish between the twisted logic of a political assassin and the inherent decency of the vast majority of the people. We must distinguish between those who outrightly reject our entire social and political system and hate it, and who want to destroy it, and those who are trying to use positive forces to improve, to change, and to reshape our society.

We must distinguish between compassionate understanding of our fellow citizens' problems and blind permissiveness, between the sometimes heedless impatience of youth and the need to readjust, and we do need to readjust some outworn values and change some of our traditional beliefs.

Now, this is a very difficult period. But with understanding and with perspective, we are going to see it through. There are no short cuts. There are no overnight miracles.

I think most of our people understand this. We have gone through many sad moments since that terrible day in November 1963, but our Nation pulled itself together. We united for a period. We were strong. We faced the problems that came. We had a period where we provided more solutions than any time in our history.

Now the time has come again where I hope most of our people understand. I hope they have the endurance. I hope they have the wisdom to work with—not against—those who want to progress and to move forward.

I hope you young men will devote your energies in the years ahead to fulfillment of our promise as a great nation.

Mr. Rayburn, who was quite a hero among the Pages and among the Congress for more than half a century, used to say that any mule can kick a barn down; it takes a good carpenter to build one.

The easiest thing in the world you can do is find what's wrong with this room—the rug is not the right color, the lights are too bright, the windows are too many, the shades are too long. You can kick it down, but I hope that before you do that, you will ask yourself the question:

"Is what I say and what I do going to build my country, going to make it stronger and going to make it more united; or is it going to divide it?"

Is it going to create suspicions? Is it going to produce hate? What is going to be the effect? What are the consequences of your act?

You have been a very fortunate lot. This is a great country. The problems that we have are problems that they have in Germany, in the streets of Paris, in Italy, in Latin America, in Canada, and all over the world. The question is—not the problem—but the question:

How do we deal with those problems? What do we do about it?

If we sit and do nothing, we can expect no rewards. But you young men are not going to be satisfied with the status quo. You are not going to be satisfied to stand still. You must not be.

There has never been a period in our national history when the need was greater for new ideas and new solutions to old problems—problems we have neglected for a century. We are faced with that.

In the Congress at this moment you have $78 billion worth of requests to deal with social problems—problems that the Commission on Civil Disorders, recognized, problems that the Crime Commission pointed out, problems we outlined yesterday to the Eisenhower Commission on Violence, problems we reviewed with the Leadership this morning.

We have a lot of sick people in this country, but the country is not sick. The country was never stronger, was never richer, never more powerful, never had as many boys and girls in school or young men and women in college, never had more resources being applied to education and health and poverty.

But that doesn't mean that we have answers to those problems. Just as we need good doctors when we have a shortage of doctors, just as we must have good pilots when we have a shortage of helicopter pilots, we have a shortage of outstanding young men and women who are needed in the City Halls and the court houses, the Congresses and the State Houses, the Presidency, and the Cabinet itself.

I am going back home and I am going to try to help produce some of those. I may even produce some Republican public servants. It is not important, really, what party they belong to. What is important is what they stand for, what they do about it and whether they put on the uniform like the men who protect our independence.

The 4th of July is coming up very soon. We will have many 4th of July speeches about how great our land is and how much we appreciate our freedom, our liberty, and our independence that was won for us.

Let's show them how much we appreciate it. Let's do something about it. Let's build a stronger nation. Let's try to heal the wounds, instead of deepening the divisions.

Men in public life sometimes see the divisiveness and can't do anything about it. On March 31st I thought this country was divided. I didn't know how much I contributed to that divisiveness. I hoped I didn't contribute anything. I never tried to say any mean things or hateful things.

But I felt in the atmosphere that perhaps if I did not indicate that I had any personal ambition whatever, that it might somehow contribute to improving the political atmosphere and the divisions among us. This might make me better able to unite the Nation, to lead them, and ask them to stand up and rally around us instead of going off in all different directions, and it might say to the world that we were genuinely interested more in peace than in anything else.

It took a few days, but we did, finally, as a result of that proposal, go to the conference table. Ambassador Harriman, Ambassador Vance and Secretary Rusk are, every day in every way, trying to find an answer.

You have to have more than a desire—you have to have strength. You have to have more than a hope—you have to have judgment. We are trying every way we know how to bring peace in the world. We need all the help we can get—in private life, if that is where you need to go.

I hope those of you who have this training will go into public service. There can be no more worthy, no more honorable calling. You can have no better experience for that than the experience you have had.

I congratulate you for listening to this speech which I assume will be your final speech as students. You have listened to a lot of speeches. If you were in the Senate you have heard some longer ones than the one I have made. If you were in the House maybe they have been under the five-minute rule.

In any event, I congratulate you and I salute you. I express the hope that some day some of you will be standing where I am, trying to heal and to build and to lead a nation that is worthy of the very best we can produce.

Thank you very much.

BACK TO AFRICA MOVEMENT SEEN AS ANSWER TO RACIAL PROBLEMS

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SNYDER. Mr. Speaker, I include with this extension of my remarks an article from the Valley News, a daily Lebanon, N.H., newspaper serving the upper Connecticut River Valley. The article appeared on Saturday, March 9, 1968.

I think it is interesting to note what these gentlemen and the group they represent have to say in regard to the actual orientation of our country and the orientation of Africa and what they believe to be the cause of some of the Negro problems in this country.

This is the first time that I have really heard of the movement mentioned and thought the matter would be of interest to Members of the Congress.

The article from the Valley News is as follows:

BACK TO AFRICA MOVEMENT SEEN AS ANSWER TO RACIAL PROBLEMS

(By Gary Ebbels)

A pair of Negroes from Chicago, who say they represent two and a half million American Negroes, is touring the Upper Valley this weekend in search of support for their "Peace Movement of Ethiopia", a back-to-Africa move.

The two, A. B. Baker and James Hemphill, believe that if the United States sent its black citizens to Africa to live that it would alleviate the dangers of another summer of riots in the cities.

"The Negro could very easily have everything in Africa that he's fighting for here," said Baker.

Hemphill and Baker say there is a bill in congress, currently being studied by the Foreign Relations Committee, for the voluntary resettlement of American Negroes in Africa. Congress was originally petitioned, Baker said, in 1939 to pass legislation that would enable Negroes to head for their homeland.

NEVER CAME UP

But it has never come up for a vote although the Peace Movement of Ethiopia is pushing for it to be decided this year.

Baker said the back to Africa alternative will preserve both races. "If we don't have this I'll lose my heritage and you'll lose yours," he said to the white reporter interviewing him. "I'm proud of my black skin and I don't want to see a mongrel race."

Baker said the United States is a white oriented country and that Africa is a black oriented nation.

"In this country," he said, "if a factory has only one job opening and a white man and a Negro apply for it, the white man will probably get it. In Africa if I own a factory and there's only one opening, the Negro would get it."

MAKE FOR LAZINESS

Looking toward the self-respect of the American Negro, Baker commented that Negroes in this country have fallen into poverty because of their inability to get jobs and that this "begins to make the Negro lazy because he doesn't work."

Baker said in Africa the Negro would be able to support himself and gain self-respect.

Hemphill noted that the government, in some way, is going to pay many dollars because of the summer riots, be it in ammunition, poverty programs or simply rebuilding. He indicated the money would be best spent by sending the Negroes, who want to go, back to Africa.

"This is to be voluntary," Hemphill added.

Baker said he thinks enough Negroes would go to Africa to live, given the opportunity, that black militants "would have trouble rabble rousing through another long, hot summer."

OFFER OF LAND

According to literature carried by the pair, Liberia has offered land to Black Americans who head for Africa.

Baker is a skilled laborer in the employ of the City of Chicago. Hemphill works for a railroad company in a variety of capacities, mostly as a laborer.

Baker noted that the Black Muslims have come up with an idea that there should be a couple of states in the United States for Negroes. "This is no good," he said. "We'd be surrounded by a white nation.

"If we can go back to Africa we can have everything that Negroes are striving for in this country."

Baker and Hemphill are touring the Upper Valley with Laurence C. Smith, a white candidate for the office of vice president who is running in the New Hampshire primary.

LACK AUDIENCES

Baker and Hemphill arrived here Wednesday. Thursday afternoon they addressed students at Plymouth State College, Friday afternoon they talked to students in the Cornish Public School system and Friday night Smith had arranged for them to speak at Dartmouth.

Sunday they were scheduled to address the residents of Cornish at a public meeting.

Smith said he had experienced trouble getting the two Negroes speaking engagements at nearby colleges.

He said he tried Colby Junior College in New London, after Negro comedian Dick Gregory had spoken Feb. 11, and had been unsuccessful.

Until Friday Smith thought he was going to be unsuccessful at Dartmouth. "They told me they had March 6, 7 and 8 open," Smith said. "So I said fine, the boys will be here Wednesday and we'll set something up."

But Smith said he never heard from Dartmouth again and that it was not until Friday when he personally went to the Hanover campus that arrangements were made for Friday night.

Baker and Hemphill say they are not "Segregationists," but, rather, "Separationists."

They say they think a lot of Negroes in this country are Separationists. They estimate there are thirty million Negroes in America and they have two and a half million as members of their organization which has been in existence since 1932.

The Peace Movement of Ethiopia is supported through private donations and a few fund raising events. The group financed the pair on their trip to the Upper Valley.

SUPREME COURT AND LAWLESSNESS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MICHEL. Mr. Speaker, once again the news is filled with accounts of various Supreme Court decisions and in that regard I noticed an editorial from the Peoria Journal Star of June 6, 1968, entitled "Supreme Court and Lawlessness." I include the editorial at this point in the RECORD:

SUPREME COURT AND LAWLESSNESS

(By C. L. Dancey)

When several people, including Sen. Kennedy, were shot at his campaign headquarters, the TV cameras were there to picture the shock, the atmosphere of tragedy, and the hysteria.

What Americans need to realize is that similar events are taking place literally thousands of times each year—with no cameras present to record them.

More Americans died last year of gunshot wounds suffered here at home, than died on the battlefields of Vietnam. (Some accidental, however.)

More Americans were grievously injured by the acts of criminals here at home last year than on the battlefields of Vietnam.

There are those who only get concerned when a celebrity is the victim of violence.

We share that concern, but we have been equally concerned, and we continue to be concerned that this exists as a part of a larger picture, and that these "headline" tragedies are but a part of the similar tragedies that strike at "little people" every day in the land.

As Robert Kennedy lay in a pool of his own blood on the floor of the Ambassador Hotel, so have a staggering number of little neighborhood shopkeepers lain in pools of their own blood on the floors of their establishments. . . . four in a matter of a couple of weeks in the capital at Washington D.C., alone.

In the same manner have bus drivers lain in their own blood on the floors of their buses, taxi drivers in their seats, and citizens of all walks of life, and all colors and creeds, have been bloodied, blinded and killed.

In the midst of this rampant violence and lawlessness, the Supreme Court of the United States set free a score of killers as a means, not of justice in the cases involved nor a measure of the decisive evidence against them, but as a means of "teaching police a lesson!"

Just the same week as Sen. Kennedy was shot, the Supreme Court set aside the execution of a killer by tortuous philosophic reasoning unrelated to his guilt or innocence!

They decided that if prospective jurors indicated that they were prejudiced and reluctant to perform the duties the law prescribes, and would tend to shrink from that duty under law where capital punishment is concerned these unfit jurors would be given that task anyway—and they cancelled the execution because admittedly prejudiced jurors were not accepted! The court says it wasn't evident that they were too prejudiced!

This is the same country in which we have had a host of firebrands loudly and publicly proclaim the right to "bring about change" and enforce their political or social beliefs by violence and by defiance of the law, of democratic institutions, and of systems designed to resolve internal differences without such violence.

This doctrine has been condoned.

In the wake of the shooting at Kennedy headquarters, perhaps the most obvious thing was the clear fear, and "walking on eggs" conduct of police and broadcasters, lest a careless word make it impossible to successfully prosecute the assassin.

This is what we have come to in our legal philosophy and processes!

When an error by a patrolman or a network legman may set a killer free, regardless of the evidence against him, we have adopted a completely absurd philosophy of priorities of importance in our system of criminal justice.

When police nab an assassin or "suspect" under these conditions, and are afraid to question him because of the Supreme Court's extreme rules concerning interrogation, even though there might be accomplices or a conspiracy which endangers the lives of others—we have carried things to a point of suicidal absurdity in the field of criminal justice and law enforcement!

One has to be blind as a bat, or willfully so, to deny that there is a direct connection with this hoity-toity approach to lawbreakers, from muggers to murderers, and the epidemic increase in common crime, the simultaneous increase in political violence, and the simultaneous blossoming of the exploitative politics of passion and hysteria which clearly "turns on" the mentally unbalanced who are always with us.

This is not the last "celebrity" instance of violence, if this climate continues and some sense of reality and responsibility to enforce a different climate does not come.

And sooner or later, a "celebrity" incident will then come, under conditions so plain as to produce a massive reaction in which all other issues will fade to nothing before the tidal wave of ungodly repression!

Let's have responsible, and sane performance before it comes to that.

THE LOSS OF NUCLEAR SUBMARINE "SCORPION"

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HOLIFIELD. Mr. Speaker, yesterday the chairman of the Joint Committee on Atomic Energy, Senator PASTORE, paid tribute to the brave men lost in the nuclear submarine *Scorpion*. In memoriam Senator PASTORE included in the RECORD the names of the 99 brave men who were lost with *Scorpion*. These names are printed starting on page 16918 of the CONGRESSIONAL RECORD.

It is indeed unfortunate that we must have such tragedies to make us think of how much we owe to those who man our nuclear submarine fleet for our security. All we can offer the men who manned *Scorpion* and those who sailed in the nuclear submarine *Thresher*, when she was lost on April 10, 1963, is our prayers; and, all we can offer the families of these brave men is our sympathy.

We can though help those that are continuing to man this first line of defense and those that will follow by giving them the best and the most advanced nuclear submarines this Nation is capable of building. As expressed in a recent Joint Committee on Atomic Energy hearing print on the subject of naval nuclear propulsion; we apparently are not doing all we should and all that the competition demands to advance the design of our new submarines. I would like to quote an excerpt from the foreword of these hearings, which are entitled "Naval Nuclear Propulsion Program—1967–68" and which were released on February 26, 1968:

> The Joint Committee is disturbed by the apparent lack of attention of the Department of Defense to moving forward aggressively with the development of improved types of nuclear attack submarines. Further, in view of the rapidly expanding and improving Soviet nuclear submarine capability, the committee considers the Defense Department plan to limit future construction to only four more nuclear submarines (two for fiscal year 1969 and two for fiscal year 1970) and then to terminate the nuclear submarine building program is most questionable.
>
> * * * * *
>
> Based on the classified testimony received, the Joint Committee is extremely concerned that unless immediate and major improvements are made by the Department of Defense in their treatment of the nuclear submarine program, the United States may find itself unable to counter the rapidly increasing Soviet submarine threat.

I understand that today the Armed Services Committee, under the able leadership of Congressman MENDEL RIVERS, is exploring in executive hearing what positive steps can be taken to move forward more aggressively in this area.

The Joint Committee on Atomic Energy also plans to continue its exploration of what can be done to move ahead faster in advancing the design of our new nuclear submarines. The committee this year added funding for accelerating design and development of an advanced submarine to the AEC authorization bill. I have recently met with Department of Defense officials, and frankly was disappointed in the lack of progress in this area.

We in the Congress have a grave responsibility to insure that we maintain leadership in this vital area of our defense.

Returning to the *Scorpion*—the Joint Committee is actively participating in the inquiry concerning the loss of *Scorpion*. We have an official observer from the staff of the committee present at all of the Board's sessions in Norfolk. We did the same thing at the time the *Thresher* was lost.

We must learn all we can about the circumstances surrounding the loss of *Scorpion* so that any corrective action which is indicated is taken in our nuclear submarine fleet. Our purpose in participating in the Board of Inquiry sessions through the presence of an official observer is aimed at getting first-hand information on these matters.

I was most pleased to note that the Board of Inquiry established by the Navy to look into the loss of *Scorpion* is headed by Vice Adm. Bernard L. Austin, U.S. Navy, retired. The Joint Committee on Atomic Energy got to know Admiral Austin during the inquiry concerning the loss of the *Thresher* in 1963 and 1964. The admiral also headed up the *Thresher* inquiry. The committee holds him in the highest esteem. The fact that he is heading up the study gives us a great deal of assurance that every fact obtainable will be obtained. This Nation is indeed fortunate to have available at such trying times as this the dedicated services of outstanding professional military officers as Admiral Austin. I offer him and his group every best wish for success in the critical job before them. At the conclusion of my remarks I would like to include the list of members of the Navy's *Scorpion* court of inquiry, and background information.

I would also like to include in the RECORD the principal statements which have been issued by the Navy since the *Scorpion* was found to be overdue on its return from its last military mission.

The material follows:

NAVY COURT OF INQUIRY CONCERNING THE LOSS OF "SCORPION"

Admiral Bernard L. Austin;

Rear Admiral Charles D. Nace, commander of submarine flotilla two, New London, Conn.;

Captain Thomas J. Mariarity, Atlantic fleet, cruiser-destroyer force, Newport, R.I.;

Captain Dean A. Horn, U.S. naval shipyard, Portsmouth, N.H.;

Captain Harold G. Rich, fleet air wing three, Brunswick, Maine;

Captain Earnest R. Barrett, skipper of the nuclear polaris submarine Ethan Allen; and

Commander A. J. Martin Atkins, skipper of the nuclear polaris submarine Daniel Webster.

NORFOLK, VA., May 28.—An all-out air and sea search is underway for the overdue nuclear submarine Scorpion. Vice Admiral Arnold Schade, Commander Submarine Force, U.S. Atlantic Fleet, is at sea in the nuclear submarine Pargo and is in overall charge of the search effort. Pargo and the nuclear submarines Greenling and Skate are searching from the continental shelf westward toward Norfolk.

A second search group consisting of three submarines and a submarine rescue ship is working its way eastward from Norfolk under the direction of the commanding officer of the nuclear submarine Lapon.

Another search group of three destroyers is working farther out at sea under Admiral Platte, Commander Cruiser Destroyer Flotilla TWO. Seven other surface ships are enroute to join this force which will follow Scorpion's projected track back toward the Azores. Rear Admiral Larry Bernard, with the Submarine Rescue Vessel Petrel and two submarines, is enroute to join them.

The submarine rescue vessel Kittiwake is enroute from Rota, Spain to the last known position of Scorpion. An oil slick, reported to be near the sub's track several days ago, is being investigated by a nuclear submarine and a submarine rescue ship.

In addition, 14 other surface ships and submarines are underway from various locations and are converging on different parts of Scorpions projected track. Some 16 planes from the Azores, Bermuda and Norfolk are joining in the search and more are being added to this effort.

At this time, a total of 40 submarines and surface ships are involved in the search effort for Scorpion.

NORFOLK, VA., May 30.—Knowledge of the planned track of the overdue submarine USS Scorpion permits a highly concentrated effort to be carried out effectively by a group of five destroyers, five submarines, the Navy Oiler USS Waccamaw and the experimental navigation ship USS Compass Island.

These ships, aided by Navy, Coast Guard and Air Force aircraft, are continuing to search eastward along the Scorpion track from their present position about 400 miles east of Norfolk.

Because of this 12 destroyers which have been assisting in the search effort have been detached to return to their regularly assigned operations. They are USS Charles F. Adams, USS Beale, USS Josephus Daniels, USS Furer, USS Eugene A. Greene, USS John King, USS Koelsch, USS Luce, USS New, USS Hugh Purvis, USS Sarsfield and the USS Talbot.

The 12 ships that have been released have completed their assigned search responsibilities in the shallower coastal waters.

NORFOLK, VA., May 31.—Vice Admiral Arnold Schade, commander submarine force, U.S. Atlantic Fleet, said this morning the search for the *Scorpion* continues with every effort being made to locate the missing submarine. A submerged metallic object located some seventy miles east northeast of Cape Henry was detected by the nuclear submarine USS Pargo late Thursday afternoon. The submarine rescue vessel Sunbird has joined Pargo on the scene and Navy divers will investigate the hulk. The metallic object, measuring approximately two hundred fifty feet long and forty-five feet high, corresponds roughly to the measurements of Scorpion. There are no hulks registered in that area. The hulk is submerged in one hundred eighty feet of water.

Another search is being concentrated three hundred sixty miles south of San Miguel Island in the Azores near the Cruiser and Irving Banks. Near these sea mounts, the ocean varies in depth from eighty feet to more than twelve thousand feet.

In his remarks, Admiral Schade said the link Perry deep diver and the advanced diving system mark four are now enroute to the Azores. The deep diver is a self-propelled manueverable vehicle capable of carrying four men and exploring the ocean bottom down to fourteen hundred feet. The A–D–S mark four is a platform with a chamber which can be lowered to sea bottom. Exploratory dives can be made from this platform.

Meanwhile, eleven Navy ships, assisted by aircraft, are continuing a concentrated search along the *Scorpion* track twenty-four hundred miles eastward from Norfolk to the Azores.

NORFOLK, VA., May 31.—A spokesman at Atlantic Fleet Headquarters has announced that Navy divers inspected visually the metallic object located in one hundred eighty feet of water some seventy miles east north east of Cape Henry and have tentatively identified the hulk as a World War Two submarine, probably German. There is no possibility that this submarine is the nuclear submarine *Scorpion* because of its shape and the fact that a gunmount is located forward of the conning tower. Nuclear attack submarines are very streamlined in shape and U.S. submarines no longer carry external weapons. The divers are from the submarine rescue ship USS *Sunbird* and further details may be available when they reach the surface.

NORFOLK, VA., June 1.—Navy divers from the submarine rescue ship *Sunbird* returned to the surface late Friday afternoon after inspecting a sunken World War Two submarine in one hundred eighty feet of water seventy miles off the Virginia coast. The divers were unable to discover any name or hull number or to bring up a portion of the ship. While under water, they described the submarine as having a deck gun forward of the conning tower, and probably German. *Sunbird,* with the divers embarked, departed the area in company with the nuclear submarine *Pargo* to pursue the search further in the shallow waters of the Continental Shelf.

Meanwhile, a search continues in the area of the Cruiser and Irving Banks, three hundred sixty miles south of San Miguel Island in the Azores. The deep submersibles, the Link Perry Deep-Diver and the advanced diving system Mark Four are now enroute to the Azores. The Deep-Diver can explore the ocean floor to a depth of fourteen hundred feet. The A–D–S Mark Four can be lowered to a depth of one thousand feet.

The search along the twenty four hundred mile track of the *Scorpion* from Norfolk to the Azores continued throughout the night. Eleven ships are sweeping a fifty mile wide track, while aircraft from Bermuda, the Azores and the east coast are searching a track one hundred miles wide.

NORFOLK, VA., June 1.—There have been no significant developments in the continuing search for the nuclear submarine Scorpion. The submarine rescue ship Kittiwake and the nuclear submarine Gato have commenced searching in the vicinity of the Cruiser and Irving Banks near the Azores. They are being assisted by patrol aircraft based in the Azores. No oil slicks or debris, not previously investigated, have been found on the scene.

A surface group of five destroyers and a fleet oiler are searching the Scorpion's projected track, and Saturday, were 1200 miles east of Norfolk, Virginia. They are continuing their movement toward Scorpion's last known position. The surface group is being followed at a 12 hour interval by a group of five submarines. An air search effort has been expanded to include an additional 100 mile area to the south of the track in the eastern Atlantic and one hundred miles to the north in the western Atlantic to take into account the set and drift of the Gulf Stream and other currents.

Twenty-nine aircraft are continuing the air search for the Scorpion. Included are two Air Force and one Coast Guard C–130's out of Bermuda, and an Air Force C–130 photo mapping flight. Based at Forbes Air Force Base, Wichita, Kansas, the mapping plane stopped at Norfolk and left for the Azores this morning. It will start high altitude photography near daylight Sunday.

NORFOLK, VA., June 2.—At noon today, the search for the missing submarine Scorpion continued.

The nuclear submarine Lapon was detached this morning from the group of submarines conducting a search eastward along Scorpion's projected track across the Atlantic. Lapon will be replaced by the nuclear submarine Sturgeon, which got underway from her homeport of New London, Connecticut, today.

The French submarine Requin has arrived in the area of the Marcala bank about 400 miles southwest of the Azores and has commenced a search of that area.

The salvage ship Preserver is scheduled to arrive in the Azores late this afternoon. She will be followed by the salvage ship Hoist, scheduled to arrive in the Azores early tomorrow morning.

Meanwhile, the MSTS research ship USNS Mizar, was underway from Norfolk at 10 this morning proceeding toward the Azores to join in the search.

The submarine rescue ship Kittiwake and the nuclear submarine Gato continue their search in the vicinity of the Cruiser and Irving banks.

On the coastal shelf fifty miles east of Cape Charles, Virginia, the submarine rescue ship Sunbird and the nuclear submarine Pargo are still investigating a non-metallic sunken object detected by Pargo last night.

In the air, shore-based aircraft from the east coast, Bermuda and the Azores are continuing search operations in over 300 thousand square miles of the Atlantic.

NORFOLK, VA., June 2.—Aircraft, surface ships and submarines are continuing the search for Scorpion across the Atlantic Ocean. Late this afternoon, Navy divers from the submarine rescue ship Sunbird identified the previously reported uncharted sunken object off the Virginia coast as a barnacle-encrusted old merchant hull. Sunbird and the nuclear submarine Pargo are continuing their probe elsewhere along the Continental Shelf.

In the eastern Atlantic search area, the USNS cargo ship Norwalk has been diverted from her routine westward ocean transit to assist the search operations south of the Azores. Norwalk will join the salvage ship Preserver, the submarine rescue ship Kittiwake and the nuclear submarine Gato already searching in that area. The salvage ship Hoist will arrive tomorrow morning, and the USNS Mizar research ship will arrive next Sunday. Meanwhile, the French submarine Requin continues her search along the Marcala bank also south of the Azores.

A force of five destroyers and an oiler are proceeding eastward at thirteen knots along Scorpion's projected track across the Atlantic while a group of five submarines are following 100 miles behind. At 8 p.m. this evening the surface group was located 1,500 miles east of Norfolk.

In the air, shore based aircraft from the east coast, Bermuda and the Azores are continuing the search over an ocean area of some 300,000 square miles.

NORFOLK, VA., June 2.—USS Scorpion search units are investigating a non-metallic object 50 miles east of Cape Charles, Virginia. The fact that it is not metallic eliminates any possibility that it is the Scorpion. The object is in 250 feet of water and is being inspected by divers from the submarine rescue ship Sunbird. The object was detected by the nuclear submarine Pargo last night.

Meanwhile, a force of five destroyers and an oiler are proceeding at 11 knots along the submarines projected track across the Atlantic toward the Azores. At eight o'clock this morning they were located some 13 hundred and 50 miles east of Norfolk. A group of submarines is searching the same track 12 hours behind the surface group. In the air, 29 Navy, Air Force and Coast Guard aircraft are patrolling a 24 hundred mile long and 50 mile wide corridor.

At the eastern end of the projected track, the submarine rescue ship Kittiwake and the nuclear submarine Gato are continuing search operations near the Cruiser and Irving Banks, 365 miles south of the Azores.

The salvage ship Preserver is scheduled to arrive at Terciera Azores Sunday afternoon and will load the deep diver with its associated equipment.

The salvage ship Hoist is due to arrive at Terciera on Monday morning and will commence loading the A-D-S Mark Four. Each ship will also be equipped with side scanning sonar.

Approximately 72 hours after loading, both ships will join the search units at Cruiser and Irving Banks, but the sophisticated equipment aboard will not be used until units narrow the search to a specific locality.

NORFOLK, VA., June 3.—As the search for the missing submarine Scorpion continues in its seventh day there are no significant developments. The nuclear submarine Lapon, which has been detached from the search is scheduled to arrive in Norfolk at five o'clock this afternoon. She is being replaced by the nuclear submarine Sturgeon, homeported in New London, Connecticut. Sturgeon is now en route to join the submarine group sweeping the Scorpion's projected track across the Atlantic.

At eight o'clock this morning, the force of five destroyers was proceeding eastward at 13 knots, some 16 hundred miles from Norfolk, with submarines trailing one hundred miles behind.

The French submarine Requin is continuing its search of the Marsala Bank, while the salvage ships Preserver and Hoist are now in Terciera in the Azores and have commenced loading the submersibles Deep Diver and A-D-S Mark Four. This sophisticated equipment will be used only when the search for Scorpion narrows to a specific locality.

The refrigerator ship Hyades, which has been transiting the Scorpion's track, has been detached to assume her normal operations with the Sixth Fleet in the Mediterranean. There are now 22 ships and 27 aircraft continuing the search for Scorpion.

INFORMATION FURNISHED IN REPLY TO QUERIES, JUNE 5, 1968

Following the loss of USS *Thresher* the maximum operating depth of all nuclear submarines was limited. (The "design depth" and actual operating depths are classified). These special depth restrictions have been modified or lifted from each submarine on an individual basis as a list of safety improvements permitting greater depths has been accomplished.

Scorpion began her first regular overhaul at the Charleston Naval Shipyard in June 1963, two months after the loss of *Thresher*. At this time the submarine safety improvement program (Subsafe) was still under development, but certain changes, later incorporated into that program had already been provided the shipyard. These changes involved improved materials, fabrication procedures, inspection techniques and quality exceptance criteria.

Under this program *Scorpion's* sea water piping systems were inspected, and repaired where necessary, to insure piping system integrity and the pressure hull was examined, using approved test techniques, to insure or assure structural integrity for submerged operations. Inspections, tests, and trials were completed in the shipyard and at sea before *Scorpion* returned to service in early May 1964.

Scorpion's overhaul schedule was completed before the entire subsafe program could be applied. After her overhaul, and at the time she was lost, *Scorpion* was restricted to a depth which would have been safe had no improvements at all been made.

Scorpion was refueled at the Norfolk Naval Shipyard during the period February 1 to October 6, 1967. While she was in dry dock her hull again was examined and its integrity verified. Further improvements were scheduled for her overhaul in March 1969. Restrictions on her operating depths continued as before.

At the conclusion of her sea trial following the 1967 yard period, the ship reported 7 discrepancies. Five of these were corrected before she returned to the fleet. Two, scarred deck linoleum and a minor hydraulic oil leak were not corrected. Neither of these problems related to the safety or the operation of the ship.

Scorpion had submitted routine reports of minor mechanical problems on four pieces of equipment prior to her homeward transit. These items were elements of the torpedo fire control system, one of several telescoping antennas, a radio direction finder used only on the surface and an indicator in her engineering plant. Other alternate equipment was available to substitute for capabilities normally provided by the inoperative items. Neither tactical capability nor safety was diminished.

STATEMENT ISSUED TO THE PRESS BY ADM. THOMAS H. MOORER, CHIEF OF NAVAL OPERATIONS, JUNE 5, 1968

As Chief of Naval Operations, it is my sad duty to declare that the United States Ship *Scorpion* and her 99 men are presumed lost, though our search efforts will continue.

Scorpion has been overdue since 1:00 p.m. on May 27th, the date she was scheduled to arrive in her homeport in Norfolk, Virginia, and has not been heard from since the evening of May 21st, at which time she was operating normally while returning home.

As you know, from the very accurate and complete reporting of her plight by newsmen over the past ten days, one of the most extensive air and surface searches ever conducted has been made along *Scorpion's* route. In addition, a wide area on either side of her track has been under continuous search from the air. As a result of this exhaustive coverage, we have determined that *Scorpion* is not on the surface in a disabled condition.

I would emphasize here that we will continue to investigate every possible clue to the location of *Scorpion*, searching the surface for debris that could be associated with the ship and the bottom for possible wreckage.

As a matter of priority, our major effort has been centered in areas along the Continental Shelf and near the Azores where the depths of the water would permit rescue and salvage. We have searched with aircraft, surface ships and submarines. The thoroughness of this effort is attested to by the fact that during the search we have discovered a previously unchartered submarine wreck as well as a wreck of a merchant ship.

Now, because of the lack of any evidence of *Scorpion's* presence on the surface or waters which permit rescue, we must conclude that she was lost in the depths of the Atlantic. This conclusion is further based on the fact that we have had no signals in the form of sonar or radio transmissions, flares, or messenger buoys, nor have we observed any debris specifically identifiable with *Scorpion*. These facts compel us to conclude that she is not in a location where recovery of the crew could be effected or salvage conducted.

With these harsh, unbending facts I can only ask that you join with me in paying tribute to the men of *Scorpion*, to their families, and to their service.

It is with the deepest sense of personal loss and admiration, that I salute their patriotism and dedication.

Their families, the wives and children of *Scorpion's* men, have shared acceptance of the sea's challenge with their husbands and fathers just as we in the Navy, and indeed all Americans, now share so deeply the loss those families have sustained. Their sacrifice, their burdens, their pride, and their grief, belong to every American.

ASSASSINATION REFLECTS AMERICA'S WORLD ROLE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. ZWACH. Mr. Speaker, I am inserting an editorial from the Brainerd Daily Dispatch, edited by Floyd Emerson.

The editorial casts some additional thoughts on the assassination of Senator Robert Kennedy. The question Mr. Emerson raises provokes another question as to the ability of our society to turn out a "refined" product from our greatly publicized "American melting pot". I commend it to your reading.

ASSASSINATION REFLECTS AMERICA'S WORLD ROLE

Many foreign observers are blaming the American social system and moral standards for the assassinations of U.S. political leaders.

Possibly there may be some truth in their charge but Americans could also blame the outside world as well. There have been foreign angles in at least two of the tragedies.

The accused assassin of Senator Robert Kennedy is a Jordanian who sought revenge for the senator's support of Israel while there were Cuban and Russian overtones in the assassination of President John Kennedy.

The civil rights assassinations of Negro leaders are more clearly American in origin but even there, racial unrest is a world problem with nearly every white or black nation involved in the problem in one way or another.

Possibly America's trouble is a reflection of world disorder rather than of any domestic social disease. As a world leader, America naturally reflects unrest in all parts of the world. Rome was in such a position during its ascendency. London had such a role at the height of the British Empire.

All groups and all nations now are represented in America, not only as immigrants but as visitors in one capacity or another. All seek American support in their own national problems.

Senator Kennedy was shot by a man who apparently had an overwhelming hatred for Israel and brooded about Kennedy's support of proposals to provide arms for the Jewish state.

He may have been influenced by the American fondness for depicting gun violence on television and on the screen and by the availability of guns in America, but his underlying motive seemed to be connected with the Middle East turmoil rather than with any American issue.

Americans can accept the blame which might be attached to their glorification of gunplay but the assassination of Senator Kennedy does not seem to reflect any American desire to eliminate political leaders through violence.

INTEROCEANIC CANAL PROBLEM: DECEPTIVE PROPAGANDA EXPOSED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RARICK. Mr. Speaker, in connection with the interoceanic canal situation, particularly the current drive for a so-called sea-level canal across the American Isthmus, which came to the surface in the enactment of Public Law 88–609, 88th Congress, approved September 22, 1964, I have noted from time to time in published writings that there are some in our country's Capital City who are not bamboozled by the deceptive tactics and propaganda on this subject with which the Nation has been deluged.

In the long view of limited States' interest and involvement in Isthmian Canal matters, the great volume of propaganda favoring surrender of the Canal Zone to Panama and construction of a new canal of only sea-level design is nothing new, for the history of the Panama Canal is a record of crises with decisions made by a very small minority in preference to prevailing mass opinion. It was that way in 1902 during the so-called "battle of the routes," ending in the choice for the Panama site; in 1906 in the "battle of the levels" over type of canal, with the decision for the high level lake and lock type; and in 1946–48, when opposition by Secretary Forrestal and other informed leaders blocked the sea-level drive at that time.

Now the United States faces a situation in which there is a combination of a "battle of the routes" and a "battle of the levels," which, if not understood, serves to confuse the people of our country because of deceptive propaganda. Two writers who are not deceived are Henry R. Myers, a physicist, and Richard B. O'Keeffe, a research analyst.

In letters to the editor of the Washington Evening Star they undertook to remove some of the cobwebs and dust of confusion that have accumulated over the vital canal question.

The indicated letters follow:

PANAMA CANAL

SIR: The Star is to be congratulated for keeping before the public the vital issue of United States isthmian canal problems (William F. Buckley's column of May 17, "Foreign Policy for Conservatives," and Henry R. Myers' letter of May 28).

The Myers letter raises very significant questions regarding the possibilities of nuclear excavation for a new isthmian canal. It should temper the enthusiasm of officialdom for such glib solutions (as the nuclear-excavated sea-level canal) to immensely complex political-economic questions. His (Myers') type of scrutiny should, analogously, be applied to the whole concept of the need for and the alleged superiority of a sea-level isthmian canal. There are many schemes floating around nowadays which are in fact the wish-fulfillment of interest groups.

Mr. Buckley's proposal for the internationalization of the Panama Canal, on the other hand, raises more problems than the projected policy would resolve. The following questions arise on this matter: Does Mr. Buckley seriously propose that an organization as financially and morally insolvent as the United Nations Secretariat could operate, maintain and improve this great U.S. interoceanic waterway? The phrase "open to all shipping" generates the question: Under the control of the UNO would South African and-or Rhodesian shipping be permitted to transit the Panama Canal? The Suez Canal?

There appears to be a lamentable confusion of canal provenance in the Buckley proposal. Neither the intrinsic juridical structure nor the operational data of the two canal systems are the same. These dissimilarities have long been apparent. The late Secretary of State John Foster Dulles was quoted by The Star (August 29, 1956):

"The secretary told a news conference in Washington yesterday the United States has all the rights in the Canal Zone which it would possess if it were the sovereign—to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, powers or authority.

"Mr. Dulles got into the Panama question with a statement declaring the situations pertaining to the Suez Canal and the Panama Canal are 'totally dissimilar in two vital respects.' He said that the Suez Canal was internationalized by the Treaty of 1888 while the United States has rights of sovereignty over the Panama Canal."

It remains vital to our security interests to preserve these distinctions. Finally, a prerequisite for the improvement and continued impartial operation of the Panama Canal is the demythologizing of certain canal proposals. Dr. Myers' letter is a positive contribution to such realism. Mr. Buckley's proposal is, unfortunately, only a compounding of confusion.—RICHARD B. O'KEEFFE.

NUCLEAR EXCAVATION

SIR: It is difficult to understand the optimism of Representative Holifield and The Star's April 18 editorial concerning the economic feasibility of nuclear excavation of a sea-level canal in Central America. The non-failure of recent experiments is largely irrelevant to the question except for the fact that failure would have indicated nuclear excavation to be less useful than had been believed and perhaps not feasible at all.

The recent detonations were in the low kiloton range; and the Atomic Energy Commission does not yet have data on the cratering characteristics of megaton explosions. Excavation of a sea level canal requires multi-megaton detonations, the largest being at least 35 megatons, and it is conceivable that much larger yields will be required. Even if a project's safety were to be certified, it is not likely that megaton explosions would be permitted as close to a major city as would probably be necessary in Panama. There is little reason to believe the Panamanians will be any more tolerant.

In addition the AEC does not know whether slopes created by nuclear detonations bill be stable in the exceedingly moist environment of the jungles of Central America. This remains a major uncertainty. If the slopes turn out not to be stable, the remedies will be of considerable expense.

Furthermore, there are intangibles never taken into account by advocates of nuclear excavation. There include the cost of the disruption of the economies of Panama City and Colon, the cost of the ecological damage resulting from the mixing of the Atlantic and Pacific Oceans and the cost of disrupting in an irreversible manner the lives of 30,000 primitive Indians. (These factors should also be taken into account in calculating the cost of conventional excavation.)

Likewise, if conventional excavation techniques were employed, intangible benefits might accrue. With conventional construction there could be significantly more participation by local workers thus making it possible to upgrade appreciably the average level of work skills. Since conventional excavation would mean the considerable quantities of chemcial explosives and earth-moving machinery would be required, it is conceivable that the procurement of these would provide a positive stimulus to the U.S. economy. In fact, since construction of a canal would in any case involve little net gold flow, the whole question of the meaning of cost is most complex.

There exists no better testimony to the well-founded skepticism concerning the utility of nuclear explosives for excavation purposes than the lethargic attitude exhibited by most governments toward modification of the Limited Test Ban Treaty.—HENRY R. MYERS.

END CAMP-IN NOW

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. GURNEY. Mr. Speaker, the Johnson administration has again given in to the threats of Abernathy and his insurrection army. Although the permit for the camp out on the Potomac Park area expires June 16, the administration has issued a march permit for the 19th and is considering extending the camp-out permit for another period.

I call upon President Johnson and Vice President HUMPHREY and Secretary of the Interior Udall to end this farce now before real trouble erupts and we have a holocaust in Washington as we did a few weeks ago.

This is no longer a march of the poor. This is organized harassment of the U.S. Government and particularly the Congress.

If indeed there were ever any numbers of poor, most of these have now drifted home. The movement has been taken over by the militant blacks and whites. Abernathy no longer has control.

Incidents of violence occur with regularity.

Two visiting Marine officers were murdered in cold blood by people who came to participate in the march.

Rocks have been thrown through the windows of the Supreme Court.

Innocent citizens driving on public streets by the encampment have been stoned.

Visitors to the camp out for the purpose of aid and succor have been threatened and roughed up. Demonstration sieges have been made at the Departments of Justice and Agriculture. Individual Members of Congress have been picketed and coerced.

The attitude of the militants now in charge is expressed by one of the most militant, the Rev. James Groppi of Milwaukee who said:

> We didn't come here to play games. If we have to turn this Capital upside down, brother, I'm all for it.

The cost to the park department for extra policing of this area has come to at least $62,000.

No one has been able to estimate the damage done to the park area itself, but it will run well into a big figure.

Mr. Speaker, the President, Vice President, and Secretary of Interior are re-

sponsible for permitting this unlawful abuse of park property, this outrageous harassment of Congress and the Government, this dangerous live bomb in our midst.

It is way past time for prompt, stern action to order this dangerous rabble to disperse, and if they do not, to forcibly eject them.

PREPARATION FOR THE DAYS AHEAD

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. CONTE. Mr. Speaker, under leave to extend my remarks I am delighted to place in the CONGRESSIONAL RECORD a recent commencement address given by Mr. Kenneth Frank Preston to the 41st graduating class of Brookside School in Great Barrington, Mass.

Mr. Preston, an outstanding public servant, is retiring this year as superintendent of schools in Great Barrington. He has served the best interests of his community, particularly the youth, for nearly half a century. His message of idealism and patriotism is of particular importance in our challenging era. It is therefore fitting that upon his well-deserved retirement his remarks be included in the RECORD:

PREPARATION FOR THE DAYS AHEAD

Dr. and Mrs. Altaraz, friends of the Brookside School, parents and especially the boys of the Graduating Class. I greet you this morning on this very important and momentous occasion. You are soon to receive diplomas stating that you have graduated from the Brookside School. I am sure that your memories of Brookside throughout your stay here have been very pleasant ones—some that you will cherish throughout your entire life. Dr. Altaraz, with whom I have been associated for many years as mutual educators and school administrators, has asked me to give the commencement address.

If I were to take a text for the address, I would turn to one of the greatest books in the world. I refer, naturally, to the Holy Bible, the text St. Luke, Chapter II, verses 33–35:

33. "No man, when he hath lighted a candle putteth it in a secret place, neither under a bushel, but on a candlestick, that they which come in, may see the light.

34. The light of the body is the eye: therefore when thine eye is single, thy whole body is full of light; but when thine eye is evil, thy body is full of darkness.

35. Take heed therefore that the light that is in thee be not darkness."

The reason that I have chosen these beautiful words from the Holy Scripture is that the advice therein is so appropriate to the situation we find ourselves in the world today. There seems to be within the United States and the world in general, two divisions of people. One camp consists of those that think and act for good and the other camp thinks and acts for evil.

As you leave these halls of learning and go out in this world—either to college or to earn your living there is no doubt in my mind that you will associate yourselves with one group or the other. I plead with you that you always try your best to be helpful to your fellow man. Take it from your speaker this morning, who for forty-eight years has worked with young people, the road will not be easy. Temptations will lie ahead to stray from the right path. I like to think of the story where a boy is walking along the road in territory unknown to him. He comes to a fork in the road where he has to make a choice. He reads two signs. The road to the right reads straight; the road to the left reads crooked. The right road looks as far as the eye can see in proper easy position to walk ahead. The left road seems to have many crooks and bends in it. Although I am talking to you in parabolic language, I feel quite sure you understand and see through its meaning. My friends, take the road to the right. With dauntless courage and unwavering fortitude as you travel along its way, this road will bring you health, wealth, success, happiness, the approbation of your fellow men and an inward sense of physical, mental and moral satisfaction.

But what happens if you take the road to the left—the one with the sign which is marked crooked. In the long run, you will reap nothing but unhappiness, shame, remorse, poor health, hatred and many other evil things.

Now that I have discoursed on good and evil and set your mind in a frame that is making you think, let us now get down to specifics existing in the outside world today.

1. How will you stand on the turmoil that is existing on the racial question in America?

2. How will you stand on either obeying or breaking the laws? This is commonly called juvenile delinquency. Crimes—minor and severe are increasing daily in the United States. My advice—obey the laws of the land. Be a good loyal citizen.

3. How will you stand on the drug abuse problem? Don't start on any drugs when illness strikes unless prescribed by a reliable physician. Thousands of young people in this world are ruining their health and their lives by experimenting with these dangerous drugs. God gave us bodies to live in. They are a part of His wonderful creation. It is unnecessary to dope them with drugs.

4. How do you stand on physical fitness? Do you believe in the old adage "A sound mind in a sound body"? As a nation I admit your elders have set a very bad example. We ride in cars to work and to places for pleasure and amusement. There is not enough of the populace that either walk or enjoy walking. But this simple exercise increases the circulation and keeps the heart strong. In other words, exercise which is one of the few things that is free in life and costs you nothing except time, builds up a strong body.

5. How will you stand on loyalty to this beloved country of ours? What a blessing God has given the United States to be a free nation. In times of trouble and need will you defend her by joining the various branches of military service? Or will you listen to the voice of the Devil and be one of the draft dodgers and draft card burners?

6. Will you have compassion for others who need your help? This is the old theory, but still true today, that the strong should help the weak.

And so I could go on and on with questions similar to these, but I have cited these few in these brief moments that I have the pleasure to be with you this Sunday morning.

I feel sure with the training that started in childhood in your home and with the educational and moral training that you have received here at Brookside, that all of you are going to set your light which is the eye on good things and not be like the candle which was hidden under the bushel and the eye that is evil and produces the body that is full of evil. Take heed therefore, that the light that is in thee be not darkness. And young people, the reward will be great and comforting. Follow the pattern that great men in America have used in the past. Or as the poet expressed it:

"Lives of great men all remind us
That we can make our lives sublime
And departing leave behind us
Footprints on the sands of Time".

Good luck and many years of happiness—full speed ahead!

M. JASON GOULD

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks I would like to include an editorial which recently appeared in the East Side News, a publication with wide circulation throughout my congressional district. The editorial, written by my good friend, Abe E. Eisenstein, is a tribute to one of our noted Eastsiders on the occasion of his 70th birthday:

HAPPY 70TH BIRTHDAY M. JASON GOULD

(By Abe E. Eisenstein)

Seventy years young on Wednesday, June 12. The noted East Sider (181 Henry Street, Podell Building) P.S. 20 Alumni Hall of Fame, and prominent attorney (280 Broadway), M. Jason Gould was a former settlement house worker, veteran of both World Wars, fighting partisan for the rights of minorities, and one who has been interested in communal work, especially in youth, in Judaism, and in the field of education.

He is an alert and active citizen of the Lower East Side and elsewhere, a deep thinker in applied philosophy of living and doing, and a noted member of the Bar for over 45 years.

Son of the late Joshua and Anna (Jasonowski) Gould, M. Jason Gould was born in Bialystok, then Russian-Poland, and was brought here on Independence Day by his parents when he was seven years old.

As a boy and youth, Mr. Gould was a member of the University Settlement and the old Jacob A. Riis House. He was a gymnasium teacher at the Educational Alliance 40 years ago.

Mr. Gould was graduated from the old P.S. 20 in January 1912 (recipient 1961 Award in recognition of notable achievement and service to the community), and from De Witt Clinton High School, where he founded The Career Guidance Program, in June 1951. He was a vice-president of Clinton's general Alumni Association and still is secretary-treasurer of its Class of 1915. In 1962, he received the De Witt Clinton H.S. Award and, in 1965, its highest award, The De Witt Clinton Plaque.

While attending C.C.N.Y., from which he was graduated in June 1919, with an A.B. degree, Mr. Gould served as president of his class in his sophomore and senior years. He was founder, first editor-in-chief and business manager of the colleges senior year book, "The Microcosm." He has established scholarship prizes at City College and De Witt Clinton High School.

Mr. Gould is a director of The City College Club, secretary and historian of the Class of 1919, and adjutant of its American Legion Post No. 717.

He was granted a special scholarship at Columbia University Law School by the then Dean Harlan F. Stone, later 12th Chief Justice of The United States Supreme Court. He was graduated in June 1922 and was awarded an L.L.B. degree.

As charter member (organizer) and long time former secretary-treasurer of the P.S. 20

Alumni Association, an executive board member, Mr. Gould is active in fund raising movements to provide scholarships for needy students who seek to further their educational career.

We join with friends everywhere—to salute and congratulate you—Counselor M. Jason Gould—on your 70th birthday. Many happy returns of the day that you may continue your work in helping youth and others.

ALL IN THE FAMILY

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, the most recent Time magazine, of June 14, contains the story of the Dunfey family of Lowell, Mass., my own hometown. From a single hotdog stand to a whole chain of hotels, motels, and restaurants, the Dunfey family has worked together to create an "American success story" such as those which have run through our entire history, helping to build our Nation economically, and becoming an American tradition and continuing dream. It can still happen today, and I am proud to be able to call the attention of my colleagues to this living proof of the opportunity and the private initiative, imagination, and energy which still flourishes in this land.

The story follows:

MANAGEMENT: ALL IN THE FAMILY

For spirited executive meetings, few companies can match New England's innkeeping Dunfey group. Twice a month in a second-floor room of Lamie's Tavern, the only place in Hampton, N.H., with a liquor license, gathers the company's top management team: Board Chairman Catherine Dunfey, 73, and Sons John 44, president of the family firm, Gerald, 32, Walter, 36, Robert, 40, and William, 42. With a portfolio of some 30 subsidiaries in such varied fields as real estate, insurance, and turkey farming to consider, the agenda often runs right through lunch, dinner and a midnight snack.

By the time the meetings have run their course, most of the family's decisions are unanimous. And, says Vice President Bob Dunfey, "When there have been mistakes, no one says 'I told you so.'" One reason may be that there have been few mistakes. Since they acquired Lamie's Tavern, their first acquisition, in 1954, Ma Dunfey and her boys have increased sales from $500,000 to $10 million. Along the way, they have spread a string of nine motor inns and hotels through five New England states, grown from a mom-and-sons outfit to a company employing nearly 1,000 people. Next year they expect to reach $12 million in annual sales and expand their chain to some 2,000 rooms, thus surpassing ITT-owned Sheraton Hotel Corp. as New England's biggest innkeeper.

Born the sons of Leroy Dunfey, a Lowell, Mass. storekeeper and smalltime Irish politician who died in 1952, the five innkeeping Dunfeys (three other brothers set off on their own, and four sisters all became nuns) first set up business in the resort town of Hampton Beach. Beginning with a single hot-dog stand, the boys wheeled and dealt themselves in and out of restaurants, real estate and a bank before taking over the Lamie Tavern and a hotel-keeping career. Since then, their projects, all overseen by Ma Dunfey, have ranged from acquisition of the 800-room Eastland Hotel in Portland, Me., New England's third biggest hotel, to a $3,850,000 franchised Howard Johnson Motor Lodge now abuilding directly over the Massachusetts Turnpike.

Though the Dunfeys often operate under franchises, President John Dunfey says that the family's chief asset is its effort "to keep the personal involvement in the business that we had when we had just a hot-dog stand." To keep up "the spirit and warmth of the old Yankee taverns," the Dunfey inns lure travelers with such country titles as "Cracker Barrel Lounge."

Before long, Dunfey inns will have another feature. In August, when the entire 13-member clan jets to Dublin for a reunion on the ould sod, the family plans to recruit local barmaid talent to staff "Dunfey's Taverns," being set up in the family establishments.

TWO OUTSTANDING RECOGNITIONS FOR RONALD GALL

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. JOELSON. Mr. Speaker, I was pleased to learn that my able and distinguished constituent, Ronald S. Gall, has received two outstanding honors. On May 13, 1968, he was commended by the Chief of Naval Personnel for his great contributions in the fields of public information and recruiting. On the same day, he was selected as the winner of the 1968 Harry Lever Award of the International Aviation-Space Writers Association.

Ronald, who is a resident of Wayne, N.J., is corporate director for public relations of the Curtiss-Wright Corp. His citation from the Navy, which was signed by Vice Adm. Charles K. Duncan, read:

> For eight years you have supported the sponsorship of a Navy recruiting program by the Curtiss-Wright Corporation. This support is a noteworthy example of the selfless devotion to one's country so eloquently expressed in the words of the English statesman, William E. Gladstone, "of the whole sum of human life no small part is that which consists of a man's relations to his country, and his feelings concerning it."
>
> You can take pride in the fact that through your tireless efforts and continuing support of the Navy's recruitment program, the Navy is able to obtain the many thousands of high calibre young men and women so vital to the performance of the Navy's global mission. Your continuing contribution to the United States Navy and this nation is significant and sincerely appreciated.

During the annual awards banquet of the International Aviation-Space Writers Association, Mr. Gall received his award after selection by a panel of outstanding judges. Gall, long-time corporate director of Curtiss-Wright, is regarded as the dean of aero-space public relations executives. He has been affiliated with the industry for over 38 years.

His wife, Helen Ward Gall, is an attorney and counselor from New Jersey and a nationally known writer on nature subjects. Her works have appeared in every wildlife magazine of consequence printed in this country.

Prominent in civic affairs, Gall is a member of the Hamilton Club of Paterson, the board of trustees of the Paterson General Hospital and of Children's Haven. He is also a member of the Apple Ridge Country Club of Mahwah, N.J.

In public life he is a member of the New Jersey State Resource Development Council of the Department of Conservation and Economic Development and member emeritus of the Wayne Township Historical Commission.

FEDERAL CROP INSURANCE

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. PURCELL. Mr. Speaker, during the last 20 years the Federal Crop Insurance Corporation, an agency of the U.S. Department of Agriculture, has paid its insured Texas farmers nearly $30 million in loss payments when weather disaster reduced their crops to total or heavy loss. This amount is only slightly higher than the total amount of premiums Texas farmers have paid over these years for their all-risk FCIC protection.

Nationally, over the same two decades, the Federal Crop Insurance Corporation has managed to pay all its losses out of premium income with a slight leeway to spare—paying out an average of 95 cents in loss payments for every premium dollar received. In anything as risky as farming and as unpredictable as weather, some years naturally will be rougher than others, some States will get high loss payments and some will get low loss payments in any given year. Not knowing whether the future will produce a profit or dismal loss is why farmers need crop insurance, and why Congress established this program 30 years ago.

In the past 6 years FCIC doubled its scope nationally as costs of farming increased to make farming an ever-riskier business financially, and today a third of a million farmers in 39 States carry three-quarters of a billion dollars in FCIC all-risk protection on 25 separate crops.

In Texas, nearly 7,500 farmers in 66 counties carry more than $25½ million in Federal crop insurance on one or more of three crops: cotton, grain sorghum, and wheat.

Last year in Texas, FCIC paid 2,647 losses totalling $2,283,000. Three-fourths of this was on cotton losses. Four others in the last 20 have been higher loss payment years: $4¼ million in 1952; over $3½ million in 1953; nearly $3 million in 1955; and over $2½ million in 1951. Average Texas total yearly loss payment to insureds over the last 20 years has been nearly $1½ million.

Drought, over the last quarter-century, has been the principal cause—46.5-percent—of loss for which FCIC has paid Texas policyholders. Insects accounted for 20.6 percent of losses paid, excess moisture accounted for 10 percent; and a dozen other minor loss causes accounted for the remainder.

FCIC officials report a marked increase in use of the FCIC "collateral assignment" by policyholders in obtaining additional bank loans for operating costs or expansion. Increasingly, they say, FCIC protection not only is a lifesaver in preventing foreclosure, bankruptcy, heavy debt, or at least the loss of vital operating funds when crop disaster occurs—but it also helps stabilize a farmer's credit through normal years.

WHY BLAME EVERYONE?

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SIKES. Mr. Speaker, the Panama City News-Herald, a leader in the field of constructive and able newspapers, has editorialized in a sound vein on the guilt complex which seems to affect our Nation. It will bear most careful reading. I contratulate Published Lawrence Gibb on the sentiment which the editorial expresses, and I include it in the RECORD:

> WHY BLAME EVERYONE?
>
> Sen. Robert Kennedy's death has set of a wave of emotional hysteria in this country the likes of which never has been seen before.
>
> Americans are criticizing and self-degrading themselves in a manner never seen before. Our way of life is being described on a wholesale basis as "a sick society, one of violence." Worst of all, many of our national leaders are espousing this same phraseology.
>
> Numerous high ranking public officials, including none other than President Lyndon B. Johnson, are screaming for stringent gun control laws.
>
> We submit that such action is unwarranted and doing a great disservice to America. Communists, anarchists, peaceniks, beatniks and other such trash are having themselves a ball—all at America's expense.
>
> Like everyone else, we are saddened at the death of Sen. Kennedy and deplore the means by which he died. However, we cannot understand how anyone can construe the event to be a national disgrace—not by any stretch of the imagination. Nor can we understand Americans, individually or collectively assuming the burden of responsibility for Sen. Kennedy's unfortunate death.
>
> The national television networks, which in our opinion have contributed more to cause the current unrest in this nation than any other single source, have raised so many side issues in the death of Sen. Kennedy that the record should be set straight.
>
> Sen. Kennedy was shot to death by an Arab extremist who comes from a part of the world where violence and assassination is an every day affair. As a matter of fact, the word assassin is derived from the Arabic language.
>
> America has no monopoly on crime, murder, assassination and civil disorder. It is a matter of record that an assassin's gun fired the shot that started World War I in Europe and witness now what is taking place in France.
>
> Gun control laws, insofar as curbing crime, are about as effective as the prohibition farce in this country following the First World War.
>
> We have but to look to the south of us to prove this point. The most stringent of gun control laws can be found in most of the Latin American republics. In some of them it is against the law to even own a gun and sale of ammunition to the civil populace is forbidden. Yet political assassination is rampant in these countries and a high percentage of their male populations pack concealed weapons.
>
> As has been stated so many times before, there are no measures to stop assassination so long as the assassin is willing to give his life in the attempt on his victim.
>
> Our hearts go out to the tragedy-ridden Kennedy family, but misfortune is not restricted to them alone. We can think of at least two families right here in Bay County who have suffered a series of tragedies in recent years.
>
> No conspiracy ever has been proven in the deaths of either Sen. Robert F. Kennedy or his brother, President John F. Kennedy. The late President Kennedy was assassinated on Nov. 22, 1963, and his assassin also was an extremist, and American but a communist militant who had defected to Russia.
>
> So long as there are extremists and mentally ill people in this country there will be political assassinations. This is indeed unfortunate but it is a fact of life—one from which there is no escape or solution.
>
> What we are saying is this: Why blame everyone for something over which they have no control?
>
> Why do people like President Johnson propose new laws when they are not enforcing the ones already on the books?
>
> Why deride America at a time when it needs friends and not unwarranted criticism?
>
> Why put the guilt on the entire nation when the double assassinations were the work of two individual extremists? Their actions reflect in no way the feelings of the people of this country. Most of us deplore crime period and are law abiding citizens.

ROUND TOP, TEX., POST OFFICE DEDICATION

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. PICKLE. Mr. Speaker, recently, dedication ceremonies were held in my State to mark the completion of a new postal facility at Round Top, Tex. These ceremonies were, perhaps, typical of such activities with notable exception, for at Round Top we have managed to link the traditional charm and history that is associated with a small, historical community with the progress and spirit that has helped build this country.

In an era of our history where fundamental determination and the heritage of our past seems to be slipping from the lives of many of our citizens, I feel it is particularly significant to take note of this event.

Through the innovation of our Post Office Department and the residents of Round Top, the new facility will be able to make a unique contribution to the remarkable history of Round Top since it was designed to be an asset to the historical charm of this community while providing the most modern efficient postal service possible.

Round Top played a vital role in the development of Texas. As early as 1823, people were traveling through Round Rock to go from the Brazos River settlements to the growing Colorado River settlements.

According to J. G. Banik, a Round Top resident and researcher of the community's history, early mail to Texas was routed from the birthplace of Texas independence at Old Washington-on-the-Brazos.

Mr. Banik, who spoke at the dedication, went on to report:

> The first mail in Texas was carried by the stage coaches, and stagecoach stops were the first post offices. By the early 1840's three routes of travel converged upon this area from the north and east. One came from Old Washington-on-the-Brazos and another stage coach route came here from Houston and Brenham, by the way of Winedale. These two stage coach routes stopped at the house-with-the-round-top about one and one-half miles northeast of town on what is now known as the Zuehlke's place, and across Cummin's Creek at Townsend's. The other route coming from San Felipe and Industry stopped at the Nassau Plantation and at Townsend's.
>
> John Rice Jones II, who lived on the Fairyland Farm on Jones Creek about five miles from here, was the first Postmaster General of Texas. He was postmaster general of Texas under the provisional government of Henry Smith, served under the government of David G. Burnet, and finally under the constitutional government of Mirabeau B. Lamar. With the postmaster general living here, every major stagecoach stop had a post office. Thus, Nassau, Winedale, and the house-with-the-round-top had post offices to the north and east, and Warrenton, Waldeck, Walhalla, and Nechanitz had post offices to the south and west.
>
> When Texas joined the United States in 1845, the first United States post offices were opened on May 22, 1846. The post office at the-house-with-the-round-top opened as a United States post office on December 28, 1846, with Henry A. Robertson as the first postmaster.
>
> On June 15, 1848, L. H. W. Johnson was appointed postmaster. On July 19 of the same year, the post office was moved from the-house-with-the-round-top to Schultz's store, which was here in this little town. On Nov. 30, 1848. John Shults became postmaster, and the name of the post office was changed from Schultz's Store to Round Top.
>
> Other early postmasters were Joseph Shults, Dr. Calvin R. Ranklin, Edward L. Henkel, Aurelius J. Ledbetter, and William Hodge. During the Civil War William Hodge and Hamilton Ledbetter served as postmasters.
>
> Herman Hellmuth became the first United States postmaster after the Civil War. Other postmasters were Emile Kellner, Louis Schlottman, Miss Hannah Zapp, Robert Zapp, Alexander von Rosenberg, Walter R. Schultze, Alexander von Rosenberg, Ernest Fricke, Edgar Fricke, Lee H. Krause, Mrs. Mildred Smith, and our present postmaster, Clarence Wagner. Mr. Albert Blume, Mrs. Lydia Fricke, and Mrs. Dorothy Etzel served as acting postmasters.
>
> The post offices at Nechanitz, Waldeck, Walhalla, and Winedale were later abandoned. The Groos Family served as postmasters at Nassau until Feb. 26, 1887, when the Nassau post office was moved to Shelby in Austin County.
>
> We, here, at Round Top, have always believed that the past must blend with the present to form a progressive and worthwhile future.

I am very much inclined to agree with the sentiment of that last statement, for it was this spirit that has help build this country to the great Nation it is today.

Mr. Speaker, Postmaster Clarence Wagner is carrying on in an exemplary manner the efficient and pleasant service of the Round Top post office. This little community has a great heritage, and the dedication of this new post office adds stability and growth and color to an already colorful and delightful community.

POSITIVE AND RESPONSIBLE ACTION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. ASHBROOK. Mr. Speaker, the Philadelphia Inquirer of June 12 carried a column by Eddie Adams from Cam Ranh Bay, Vietnam, which points up the many attempts to lend assistance to disadvantaged areas of our cities in contrast to the "burn, baby, burn," policies of extremist elements. Barry P. Wright, a Negro Seabee of Chicago, has formed a group, "Negro Veterans From Vietnam," whose goal will be to "unite and go home and help the people, to extend his hand to those who need help, to be constructive." With but a month to go before his departure for the States, Seabee Wright has interested 2,170 other servicemen through his personal appeals.

It is encouraging to learn of efforts such as this directed at building a safe and peaceful future for the less fortunate. It is hoped that projects of this type will be given ample publicity and that private interests will assist in bringing to fruition such positive and wholesome endeavors.

I place the column entitled "Negro Seabee Forms Group To Redeem Ghettos," from the Philadelphia Inquirer of June 12 in the Record at this point:

"Build, Not Burn": Negro Seabee Forms Group To Redeem Ghettos

(By Eddie Adams)

Cam Ranh Bay, Vietnam.—What is going to happen to the civil rights movement when thousands of Negro fighting men return to the United States from Vietnam?

One possible answer is that militancy will take on a more violent meaning than ever. But another answer, given by a Negro sailor in Vietnam with different ideas, is, "It's not always in your fist. We build, not burn."

Perhaps Seabee Barry P. Wright, 24, of Chicago, developed his ideas through his construction work as a heavy equipment operator at this giant port installation on the South China Sea coast.

But Wright has a more practical explanation: "It's our homes that are burning. It's our loved ones that are getting killed. It's our neighborhoods that are unsafe. So where are you going to get by being militant?"

To get his point across to other Negro servicemen, Wright has formed a group he calls Negro Veterans From Vietnam. He says: "We are asking the Negro serviceman, who shared equally in fear and death in Vietnam, to unite and go home and help the people, to extend his hand to those who need help, to be constructive."

Wright spreads his ideas through a mimeographed letter passed out to troops—black and white—and through personal appeals. He reports 2,170 members.

Wright says the organization has representatives in Pleiku, Saigon, Qui Nhon, Cat Lo and Nha Trang. Since he is scheduled to leave Vietnam next month, Wright has his parents coordinating things back in the states. He has distributed cards asking servicemen when they are due to return home and when they get out of service. These are stamped with his parents' address in Chicago.

"We'll break up into squads and go into the ghettos just like we break up into squads and go into the hills here," Wright says. "I'm going to devote all of my time to this group when I return home.

"The first thing I'm going to do is buy an old tractor-trailer rig with the money I saved and begin classes on trucking and driving. This won't cost the students one cent."

Not everyone at Cam Ranh Bay has taken to Wright's new organization cheerfully. Recently, he said, two members of the base security force burned a five-foot cross in protest.

"Well, some of the fellows got pretty excited over it, jumping and threatening and wanting to raise hell all over the base," he said. "I told them that everything we stood for would be lost and we all got calmed down and decided to find out who did it and turn them in to the base commander. Which we did, and the two were court-martialed.

"I spoke in their defense at the court-martial. I told the commander that the Negroes at the base forgave these two and he asked me whether I was forgiving them myself. I said I was a spokesman and we had 1900 people at Cam Ranh behind me.

"Those boys got a light sentence and one came up to me and apologized that he did not realize what he was doing. So now the matter is finished."

THE BALTIC STATES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DERWINSKI. Mr. Speaker, this week nationwide observances are being held to commemorate the illegal seizure of the Baltic States by the Soviet dictatorship. The primary purpose of this commemorative week is to remind citizens of the United States of the illegal Soviet control of Lithuania, Latvia, and Estonia and the never-ceasing efforts that will continue until legitimate freedom is restored to the Baltic peoples.

May I remind the Members, Mr. Speaker, that even our vacillating State Department has not formally approved the Soviet Union's seizure of the Baltic States although implementation by the Johnson administration of the Consular Convention could be used by the Soviet Union as a vehicle for maneuvering a U.S. consulate into that area, which would then be tantamount to recognition of the seizure.

We must recognize that permanent peace and freedom will not come to this troubled world unless the peoples of the Baltic States and all of the other captive nations of communism are permitted to select governments of their own choosing, in conformity with their historical traditions and just national aspirations. Therefore, I am pleased to note that numerous House Members are making special note of this week commemorating the tragic seizure of the Baltic States by Stalin. May I digress and point out that we must reappraise the present foreign policy of appeasing the Soviet Union and instead develop an imaginative diplomatic offensive against the Russian dictatorship. Unfortunately, the Johnson administration is frantically pursuing coexistence with Eastern European Communist governments despite their involvement against us in Vietnam.

On June 16, 1940, the Soviet Union seized the three Baltic nations, and a year later, on June 13, 1941, thousands of government, business, and religious leaders of these lands were seized and shipped to slave labor camps in Siberia.

The peoples of the three Baltic States were victims of the Stalin-Hitler deal in the early days of World War II, and their illegal incorporation into the U.S.S.R. remains one of the major unresolved world problems.

The failure of the United Nations to investigate the basic denial of fundamental human rights of the Baltic peoples indicates the paralysis that the Soviet Union and other Communist states have caused in the international organization, since the United Nations should be working to protect the right of all peoples to self-determination and freedom to pursue their own economic, social, cultural, and religious development.

Mr. Speaker, the United States, as the moral as well as military leader of the free world, recognizes its responsibility to bring about a world of complete peace and true freedom. May I reemphasize that we will not have complete peace and true freedom until all the peoples now subject to Communist control are given an opportunity to pursue their own legitimate national goals. It is especially important that we recognize the legal and moral basis on which the Baltic peoples ask for their independence.

The leaders in exile of the Baltic States are maintaining very effective and practical programs, working to restore freedom to their homelands. Wherever peoples of the Baltic States have reconregated in the free world, they zealously, progressively, and effectively are working to restore freedom to their homelands. A special point that they emphasize, in addition to the natural demand to place the Baltic States question on the UN agenda, is to appeal to the conscience of the world by their activities to recognize the strong moral, legal, and political cause that is theirs.

VITAMIN AND FOOD SUPPLEMENTS

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. POLLOCK. Mr. Speaker, today I am introducing a bill which would amend the Food, Drug, and Cosmetic Act to include a definition of food supplements. My bill would also limit the authority of the Secretary of Health, Education, and Welfare in administering the act as it relates to the potency, number, combination, amount, or variety of any synthetic or natural vitamin, mineral, substance, or ingredient of any food supplement that is not intrinsically injurious to health in the recommended amounts.

Mr. Speaker, I respectfully urge that my bill be referred to the appropriate committee for early consideration.

WHO KILLED OLD GLORY?

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. BURKE of Florida. Mr. Speaker, on June 20, last year, the U.S. House of Representatives passed H.R. 10480 by a vote of 387 to 16. This bill, in case you may have forgotten, is the flag desecration bill which makes it a crime punishable by fine or imprisonment for any person found guilty of contempt of any flag of the United States by publicly mutilating, defacing, defiling, burning, or trampling upon it.

As of today the U.S. Senate as a body has failed to take a vote on the flag bill.

Following the tragic death by assassination of Senator Robert Kennedy many people asked what is wrong with our Nation? Others merely shrugged their shoulders and accused our Nation of being sick, and charged that you and I, and the other citizens of our country are members of a sick society.

I do not believe this, nor do I feel that all Americans should be charged with the sickness that has motivated the minority, who because of permissiveness has found it convenient to object to every facet of our Nation, preaching anarchy and yet, hiding behind our Constitution for protection.

I mention these facts to you, because I cannot but wonder if our country is not also the target of the assassin's bullet. The assassin being the hater, the greedy, the divider, the unpatriotic, the protestor, the criminal, the corrupter, the lazy, the lackadaisical, and the "I do not care's" which make up a part of our society.

June 14 is Flag Day.

Our flag has a great heritage. It is the emblem of justice and of freedom and it is the symbol of a nation of boundless courage and opportunity for those who wish to work in the pursuit of happiness.

Yet we need only to pick up a newspaper, or to see or hear a newscast to be aware that in our country today there are those who would and do abuse, insult and desecrate our flag.

Some go so far as to publicly burn it in defiance and in disgust of our heritage and our principles.

Is assassination of our American way of life taking place?

In my opinion, yes. Why then should we stand by and wait until the American dream is murdered by the traitors who claim protection under the Constitution; the very Constitution they wish to destroy.

To most Americans, whether it be we who wore the uniform of our country, or not, the flag of our great Nation means pride in ourselves, pride in our heritage, pride in our future, and pride in our country.

Thus, to defile or desecrate our flag is in fact to stab the heart of our Republic.

In the minds of many of these current young revolutionaries, our flag stands for the past, a past which they do not comprehend and want to change. Old Glory, the proud and haughty symbol of sweat, toil, and freedom for all, just would not fit in the scheme of things for the minority that is today attempting to overthrow our democracy.

These groups have shown their disdain for our symbol of love and freedom by destroying our flag. They have done this through actual burnings, and tramplings of the flag.

You wonder just how sick can some people become when they resort to destruction of our Nation's flag, but after some thought, the matter is plain to understand. These people are intent on destroying all of the past. This means changing our way of life, our institutions, our morals, our political structure, and our flag.

For those of our detractors today who protest our American way of life then I would remind them of the need to become aware of the greatness of our Nation. Let them if they will consider the vast spiritual and moral commitments that we have made to insure freedom at home and around the world.

I ask them to compare our way of life with the way of life under communism and socialistic countries, by experience, rather than by what they think or perhaps what they have been taught.

I ask them if communism is so great then why is force its principal, dominating factor in its control over the masses? I ask then, why are those that have defected from our country so anxious to return to this country, and why are people throughout the world anxious to come to America?

Henry Ward Beecher once wrote of the flag:

> A thoughtful mind when it sees a nation's flag, sees not the flag only, but the nation itself; and whatever may be its symbols, its insignia, he reads chiefly in the Flag the government's principles, the truth, the history which belongs to the nation, which sets it forth.

We are the land of the free and the home of the brave and we shall overcome. We shall overcome the pestilence of lawlessness that has tried to engulf our land.

Patriotism and pride in our country will keep the assassin from destroying our Nation if we remain alert to the dangers that confront us today.

Fortunately, the protesters of today are only a small part of our Nation's citizens. But there are times when a well organized minority will succeed if we in this country do not remain vigilant and aware of the motives behind many of today's protests.

Let us then, show the world that we are a great people living in a great Nation. Let us prove to the protesters at home and to the world that we are proud of our flag and the heritage that is ours and to those here at home that would hold us up to ridicule by desecrating our flag, let us demand that they be held accountable for their actions and punished accordingly.

To those abroad, let us say, "We hold our hands and hearts out in the name of freedom and justice, but at the same time don't tread on me."

The strength of our country cannot be maintained if respect in the symbol of our country is not maintained. Therefore, let us once again rally around the flag because to do so will be to rededicate ourselves to the great principles for which our country stands.

If our flag is worth dying for, then it is worth living for. Action must be completed to help protect it from desecration and defiling by those who in my opinion are deliberately insulting and stabbing at the vital organs of America.

FIREARMS SHIPPED THROUGH THE POST OFFICE

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. FULTON of Tennessee. Mr. Speaker, Postmaster General W. Marvin Watson has taken very positive administrative steps to help in the control of shipment of firearms to irresponsible individuals.

In a speech before the National Press Club yesterday, June 12, Postmaster General Watson announced that he has issued regulations that all firearms shipped through the mails be clearly labeled as firearms and that local post offices, upon receipt of these parcels, shall not forward them to the addressee until the local chief law enforcement official has been notified.

I place the remarks of Postmaster General Watson in the RECORD at this point:

> One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.
>
> Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.
>
> Each of us must do what he can to reverse this dangerous and frightening trend.
>
> And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.
>
> Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."
>
> Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.
>
> Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.
>
> I am here today to tell you that the Post Office Department intends to carry out its responsibility.
>
> In accordance with our duty, I have concluded that shipments of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "FIREARMS."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads, quote:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in any way you desire. I personally will be available to meet with your representatives." Unquote

I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

Mr. Speaker, this is a very positive and reasonable step forward. It in no way abridges a responsible individual's right to purchase and keep a gun and I commend the Postmaster General for his action.

SAN FERNANDO VALLEY, CALIF., FIRMS GROW

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. CORMAN. Mr. Speaker, the technological growth and knowledge gained by San Fernando Valley, Calif., firms receiving Government assistance in research and development, and in fulfilling Government contract requirements continue to benefit those who live and work in this area, which I serve in the House of Representatives.

Employment at Lockheed-California's Burbank and Van Nuys plants is expected to increase more than 40 percent by 1971 as a result of production demands for: First, 375 Cheyenne helicopters under a $21.4 million Army contract; and second, 144 L–1011 commercial planes valued at $2.16 billion—the largest combined aircraft order in history.

The L–1011 airliner, to be produced at Burbank, will involve more than 200 subcontractors in 45 States. A 50-airplane purchase by a British firm will result in an immediate favorable balance of payments to the United States of approximately $390 million. The airplane will be powered by Rolls-Royce turbofan engines and will be unique in its spaciousness—60 percent wider than today's four-engine transports.

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. KASTENMEIER. Mr. Speaker, the third installment of the report on the American University Symposium on Automated Information Systems and Copyright Law is contained in the following material—"Automated Information Systems and Copyright Law, Part III":

TECHNOLOGY AND THE COPYRIGHT LAW: THE SYSTEMS APPROACH

(By George V. Eltgroth, General Electric Co.)

The problems which have been etched into stark visibility by the reaction between the application of the proposed revision of the copyright law and the growth patterns of data processing arise from the fact that modern technology has dissolved the tie that once inseparably bound information to its more or less perishable carrier. Three circumstances arising therefrom stand as a threat to further growth of the publishing industry in the non-entertainment field:

1. Unlimited parallel access to works.

2. The durability of modern information carriers.

3. The ease of information entry into a new carrier.

In the past, the book on the library shelf was the broadest access interface to a published work. But suppose 5,000 people want to consult a book. Obviously, they can't all even get into a single library room, and if they were there, they couldn't look at the book over each other's shoulder. If they waited in line and consulted the book one by one, the book would be worn out long before it reached the last reader. So the simple physical problems of individual access in a reasonable time and the attrition of wear fixed the size of the initial and replacement market.

Modern communication technology can readily bring 5,000 wire channels to the library, make individual pages available to one or many readers, each at his own pace, and the information carrier serving the purpose of the book will be as sound at the end of 5,000 consultations as at the beginning. In the era preceding the flowering of this new technology, the publisher sold paper, glue and binder thread with value added through the affixed intelligence in a process requiring such a large initial capital investment as to make any attempt at reproduction of a substantial portion of the individual work uneconomic to the small scale user. Reproduction with systems requiring small start-up investment, such as photostating at from 20¢ to 50¢ per page would bring the cost of a 300 page reproduced book to $60 or $150. Reproduction costs are still on their way down at $.03 per life size page, bringing the reproduction of a 300 page book to $9. Considering the cost of time and acquisition, even the reproduction of an entire book is not unreasonable.

There are further facts, however, which bear consideration, growing out of the nature of the work and the nature of its use. In this aspect, works may be regarded as members of the following classes representing the predominant mode of utilization:

1. The inviolate integral work
2. The sector divisible work
3. The entry divisible work

The entertainment oriented work, such as the novel or play, represents a good example of the inviolate integral work, losing its value when all of the work is not present. If the beginning is missing one would not recognize the characters and their relationships.

If the end is missing, one does not know how the plot comes out. If the middle is missing, there is no connection between the characters and the denouement. In the event of reproduction, there would be either full reproduction or no reproduction, so that the cost hurdle is at its highest, being the total page count multiplied by the per page reproduction cost. Furthermore, access at the moment of desire is not essential. A day, or even several days, of delay can be tolerated. There is no real-time access pressure, recourse to the book-shop, library or publisher is practical. The Reproduction Impediment is at its maximum. As a rough measure of this Reproduction Impediment (R) we might take:

$$R = n \times c \times \frac{t}{v}$$

n=page count of portion of work needed (here, the entire work).
c=reproduction cost per page.
t=permitted access waiting time.
v=value loss per unit waiting time.

Educational and reference works, such as encyclopedias, and scientific journals are good examples of the sector divisible work. Here, the portion of interest might be from 1% to 10%, and the acceptable access waiting time becomes from several hours to a day. This is the type of activity in which the scholar or researcher is engaged, moving at an orderly, but not particularly brisk pace, and not rigidly linked to the completion of a function in real time or within a closely interlinked general time frame, involving the actions of many others as conditions precedent or conditions subsequent. Thus, the Reproduction Impediment declines to between 1% and 10% of that in the case of the integral work.

Lastly, there is the directly operational work, such as compilations of tables, addresses, or other look-up activities followed by immediate utilization, all of the above being representative of the class of entry divisible works. As examples, we might have the typist, addressing an order, or the computer, human or machine, performing a computation needing a value from a trigonometric table or a steam table.

The amount of the work to be reproduced is a miniscule, the need is immediate and the value of access waiting time is very high. All these combine to reduce the Reproduction Impediment to, perhaps, 0.01% of that for the integral work. Here there is almost instinctive and immediate resort to reproduction.

It is evident that none of the above classes is or can be sharply defined. Indeed, in a given environment at a given time a work may serve in one capacity or another, and the works themselves may center in different regions of this spectrum of major characteristics.

The foregoing has expressed, in somewhat abstract terms, the problems of time and availability. It comes more clearly into focus when we consider the probable conduct of the researcher who has a need for information embraced in 5 or 10 pages of a reference work (on which he may wish to enter supplemental notes relevant to his individual project). His buy-or-copy decision is made after an unconscious comparison of the relative merits of availability in ½ hr. to 1½ hrs. at a cost of $0.30 to $0.60 following a few words to his secretary or assistant, or availability in two or more days at $15.00 following the ceremony of filling out a battery of procurement forms and launching them on their functional trajectory. As a further impediment, the operation of the reproducing machine is probably carried in general overhead, while the book purchase will require an account and project number that he may not have at hand. The nature of his decision is almost fore-ordained. This is the point to which modern hard copy reproduction methods have brought us, still requiring dispersion of a given work on a scale so that there will be a copy of it within, say, 20 miles of each individual wishing to make reference to it, rather than one copy for each such person. It is the first step away from the book-on-the-library shelf and, if the reading library reduced the potential market by a factor of ten, the reproducing library worked a further tenfold reduction.

Beyond this, technology has advanced even further along three different, but mutually cooperative lines: the achievement of tremendously greater density of information entry on the gross carrier, bringing reproduction costs of the reduced copy down to less than $.10 per 100 pages of $0.01 per page, at the same time permitting the accumulation of very large data stores in volumes of modest proportion; the ready bond dissolution and re-bonding of information to either single-use or reusable carriers in which the incremental cost of the equipment required to make entries over that required for the perception or reproduction of entries in reconstituted size is negligible; and, thirdly, the complete independence of information from commitment to a dedicated carrier conferring upon it mobility at the speed of light over chosen pathways leading to requesting users.

One now foresees practical data stores of massive information content and reasonable physical dimensions serving even more remotely dispersed potential users, raising the possibility through what might be called a communicating library, of a further tenfold, or even hundredfold reduction in the numeric count of the market served by the publishers through shipment of blocks of paper sheets secured to each other along one edge. At this point, the sale of paper as a device to compensate and encourage the activity of the reference or technical author or editorial group as at present becomes an unworkable algorithm unless shielded from the impact of alternative solutions.

One must further take account of the burgeoning expansion of the gross (although not, perhaps, the net) information store, exponentially manifolding the problem of retrieving relevant data, especially when new interdisciplinary linkages are involved. The dynamics of such a situation make it inevitable that the rules prevailing at the time of, and governing, storage, will be different from those existing at the time of, and governing, retrieval. Only at least a moderately educable intelligence, now within the grasp of machine achievement can extend the powers of man in penetrating this luxuriating jungle of raw data.

It is fundamental in examining reactions, be they chemical, social or intellectual, that the greater the surface of the interface through which the reacting agencies can act, the more rapid the reaction, hence the quiet burning of liquid gasoline in contrast to its explosive combustion when dispersed as vapor or droplets in air. Our social objective should be to achieve the broadest possible interaction area between the minds, the problems, and the data pent up within the social structure, in essentially real time, that is, with a time of availability so short that the data resulting from the query generated by a nascent thought is available within a time interval so short that the query generated response influences the development and formation of that nascent thought before it has attained that level of fixation requiring further work to dissolve and reshape its fixed structure. For this, it is submitted that the ephemeral, a real time display has the essential attributes of communication as an agency of the mind-problem-data interaction, not at the same time creating permanent reference works for the more thoughtful, contemplative processes. Freedom of the ephemeral display would thus seem the recommended avenue of compromise between the progressive social needs and the legitimate claims of publisher and author.

Under the foregoing view, introduction of a work into the data processing system would not be an action violating the constraint of the copyright law. Hard copy would presumably be desired only where more extended periods of study are demanded, and in this case, if the burden of preparing and sending or storing of the hard copy were acceptable, certainly, the further burden of the clearinghouse approach to compensation should be acceptable. The functional and rate structuring of the clearinghouse would necessarily be such as to accommodate the very real and different problems of widely different situations. It is hard to imagine that the same rates should be applicable in each of the following instances:

(a) Yesterday's newspaper.

(b) The current issue of an encyclopedia.

(c) An encyclopedia issue ten years old.

(d) An entry in a table of sines and cosines.

Two final, but fundamental points are worthy of the most careful consideration on the basis of the copyright law revision as now present in draft form. First, it has been tacitly accepted that until now, the copyright has not extended protection to the ideas themselves. According to the present proposal, the copyright owner has the exclusive right to make derivative works and copies. This includes all expressions in any tangible medium. A monopoly of this extent can scarcely be distinguished, save by the skilled theologian, from a monopoly on the ideas themselves. It is evident that some restraint is needed.

Until now, the copyright has not extended the power of monopoly to products deriving from the copyrighted work, that is, the home built from a set of copyrighted plans, the television receiver built from schematic diagrams appearing in a copyrighted manual. The new proposal, particularly in its definition of copies and derivative works runs to structures shaped by and thus embodying the information content of the copyrighted work. It is on this premise that one finds the assertion that the reading of a copyrighted work into a data processing system constitutes an infringement the claim being made that there is simply a translation into another medium or structure. The rationale, however, would extend the copyright monopoly to utilitarian products and thwart entirely the policy of free competition to which the nation has, thus far, been committed. For example, we now have machine tool controls capable of producing the most intricate objects from a series of numbers or other symbols, such sequence, according to the present draft of the copyright revision, being subject to copyright protection. Under the draft law, the product of such a machine tool, so controlled, is a copy, constituting an infringement, unless licensed by the copyright owner. Given such a product in commerce, however, a competitor could not offer competition effective in supplying the same thing by making a copy of the product, for this would be copyright infringe. According to the United States Supreme Court in the decisions of Sears v. Stiffel, 376 US 225; and Compco v. Daybright, 376 US 234; the right to compete in this manner is firmly established, and it is submitted that it cannot and should not be eliminated as a secondary effect of any revision of the copyright law.

AUTHOR'S RIGHTS

(By Irwin Karp, Authors League of America)

Ray Bradbury's *Fahrenheit 451* describes a society in which books have been banned and firemen no longer put out fires. Instead, their task is to burn books hidden away by the few lawbreakers who cling to antiquated customs. Bradbury's Chief Fireman explains the new Society's philosophy of communication: "Cram them (the public) full of noncombustible data, chock them so damned full of 'facts' they feel stuffed, but absolutely 'brilliant' with information . . . they'll be happy . . . Don't give them any slippery stuff like philosophy or sociology to tie things up with. That way lies melancholy."

And in Bradbury's "new society" a respectable electronic medium—television—communicates all knowledge and entertainment in the best McLuhanian tradition.

One more note from the world of fiction, by way of Professor Commager's *Saturday Review* article "On the Way to 1984." Professor Commager reminds us that:

"George Orwell's Oceania had a vast and efficient information agency; its name was the Ministry of Truth and its purpose was to make every citizen of Oceania think the right thoughts. 'The past is whatever the records agree upon,' was its motto and it wrote, or rewrote, the records."

We are discussing permissions and payments for the use of books and other intellectual property in automated systems of communication. In other words, what kind of permission will be required, what type of consideration will be paid when storage and retrieval systems ingest the information and cultural output of our society, manipulate it and disseminate it by wire and satellite through display and hard-copy print-out to millions of users. Naturally, these questions concern authors. But I believe the new media pose questions of equally great concern to all of us, authors and readers, who value independent, intellectual and artistic creativity and freedom of expression, and who realize the importance of preserving institutions and procedures that permit that creativity and free expression to survive.

What place will books and authors have in an automated, storage-and-retrieval system of communications? Is the Bradbury-Orwell nightmare just a nightmare? Is it unrealistic to be concerned that the technological explosion may threaten loss of individual creativity and freedom of expression? Or, as they so often have in the past, do the prophecies of the novelists hold more than a glimmer of reality? I suggest that in seeking to identify the various computer-copyright problems, and in considering solutions, we will be compelled to consider these dark premonitions.

What will be the dimensions of the automated systems? I borrow some quotations from Professor Julius J. Marke's "Copyright and Intellectual Property":

"In the university of the future, as it is visualized at M.I.T., the library will be the central facility of an information-transfer network that will extend throughout the academic community."

* * * * * *

"We believe that the total library holdings of all of our 58 campuses (State University of New York) can one day be made available to every faculty member and to every student on every campus (through the communication sciences)."

* * * * *

"You must imagine, at the eventual heart of things to come, linked or integrated systems of networks of computers, capable of storing faithful simulacra of the entire treasure of the accumulated knowledge and artistic production of past ages, and of taking into the store new intelligence of all sorts as produced. The systems will have a prodigious capacity for manipulating the store in useful ways, for selecting portions of it upon call and transmitting them at any distance, where they will be converted as desired to forms, directly or indirectly cognizable . . ."

Discussing the role of the "library" of the future, Professor Marke notes that its "collection remains intact because the computer, in essence, assumes the role of a duplicating rather than a circulating library. One copy of a book fed into such a system can service all simultaneous demands for it; of course, this substitution for additional copies will vitally affect the publishers' traditional market."

Dr. James Miller, in an article on EDUCOM (Science, October 28, 1966) points out that the kind of computerized communications network EDUCOM is considering could disseminate information "throughout the country or the world."

In considering the impact of the new media on authors and communication, and the possible arrangements for permissions and payment, it must be remembered that there are different and quite distinct categories of authors, books and readers. I believe that much of the confusion derives from the fact that some of the problem-solvers are trying to fit all of the bodies of literary and intellectual creativity onto the same sized (computerized) bed. This may make for a superficial neatness; but to allow for a uniform fit, a lot of heads and feet would have to be cut off.

Thus, much of the stress in the copyright-computer discussion has been placed on the need for rapid transmission and manipulation of current scientific and technical information—a considerable portion of which is not even copyrighted. But the new computerized communications systems also will be able to accommodate novels, poetry, and history, sociology, economics and political commentary and criticism. And some of the proposed solutions for computer-copyright problems take no account of the distinctions between the various scientific, literary and artistic disciplines, or the social implications, and dangers, involved in attempting to deal in an undiscriminating manner with the problems of communication in these disparate areas.

Before getting to the deeper implications, I would like to mention one of the more intriguing consequences of automated systems, foreseen by Professor Marke. He says:

"As to the authors' incentive to create, it is possible that information-system operators will make their own contracts with the authors and ask them to prepare their works especially for dissemination through the computer. Most of the materials will probably be developed through team effort, a method of researching and writing that will change the author's psychological need to identify with his work and to promote his professional image."

I am not sure whether he foresees this erosion of individual creativity hopefully, regretfully, or apprehensively. Like a good researcher should, he has kept his tone muted and his sympathies well veiled. So it is not clear whether he anticipates the submergence of individual authorship and identity as a blessing or a disaster.

But I think some of us, probably including Professor Marke, would feel that in many areas of cultural and intellectual activity—in fiction, poetry, drama and music, in biography, history and social commentary and criticism—it is essential to preserve individual creativity and expression. Many works of aesthetic and social value cannot be created by "teams," or by authors working for hire, as employees of national information systems.

What then should the author, the publisher, the scientist, the scholar, the librarian, the teacher and the administrator be concerned with, as they consider the problems of permissions and payments for the use of intellectual property in automated systems?

I have heard some members of the scientific community express their concern that copyright should not hamper the use of storage and retrieval systems in classifying, manipulating and disseminating current scientific and technological information. But I sincerely believe that there is no real "copyright" problem in this area, particularly since most spokesmen for the scientific community have repeatedly affirmed that the creators should be paid for such uses. This type of information—and these systems of dissemination—are obviously going to become more and more compatible and interdependent. The basic need is study and experimentation in creating licensing systems suitable to the materials and the medium.

Similarly, I submit there has been great over-emphasis on the "copyright problem" in the area of computer assisted instruction. It is becoming apparent that the materials for successful instructional programs will have to be specially created, and carefully tailored for the new systems. They cannot be provided by gouging out exceptions to the protection of existing works. Indeed, such exceptions could have devastating effects on the development of these new materials.

I believe that ultimately the most important social consequences and problems arising from the use of intellectual material in automated systems will involve neither current scientific data, nor materials for computer-assisted instruction programs. Rather, I believe, the problem areas will be literature, the arts, political and economic analysis and criticism, economics, biography—in other words, the many disciplines in which creative work has been done by individuals, and protected by copyright.

In these areas, I submit that all of us should recognize certain basic criteria, in approaching the problems of permissions and payments for the use of such intellectual property in automated information systems: *first*, that authors—free lance authors as distinguished from members of a team or establishment—be enabled to receive adequate compensation for their creative work and talent; *second*, that they be enabled to preserve the integrity of their work, and their own integrity and identity; *third*, that society preserve institutions and procedures of communication which assure that individuals will be able to create, that their works will have real and unrestrained access to the public, and that the public will have a meaningful right to know of them, choose among them, and read them.

I am not suggesting that we destroy the computers, deny them access to literature and art, or turn back the tide of progress. But to recognize that new machines and technologies have great potential is not to assume that their every demand and appetite must be satisfied, or satisfied in precisely the way their creators and managers demand. The gasoline engine was a marvelous and revolutionary invention, the epitome of progress. The automobile could go everywhere that roads could be built and roads could be built everywhere. So the roads were built everywhere and the automobile went everywhere; and as a result cities strangle in traffic, we die a little quicker from air pollution, and we set about at great cost to reinvent the railroad. We must be careful not to destroy institutions of publication that would also have to be reinvented if we wish to preserve freedom of creation, communication and discussion.

Our experience with the automobile and other great technological developments, like the factory, the oil refinery and the jet plane, which have also polluted the air and water, bring us slowly to recognize that progress does not always lie in allowing the machine to have its head and its untrammeled way; and that those who manufacture and manage the machines are not always the wisest judges of their best social uses or after-effects.

Books should go into computerized storage and retrieval systems; they should be communicated by national information grids. But in deciding when and how, on what terms and conditions, I think we must consider carefully all of the social consequences—not merely rapidity of access, or cost-saving to the systems operator. I do not believe we have enough knowledge to fully recognize all of the problems, no less to formulate final solutions, which is the reason why the Authors League urged, before the Senate Committee considering the Copyright Revision Bill, the appointment of a study panel to conduct an exploration in depth.

However, I do believe that some of the potential problems can be foreseen. Foremost among these is the computer's impact on publishing institutions that now help insure freedom of creativity, expression and communication.

As Dr. Miller, Professor Marke, and other commentators have stated, the new communication networks are likely to be national in scope. It seems obvious there will be centralization: not thousands of systems, not hundreds, but more likely a comparative few, perhaps a very few, serving the entire country. This would pose for authors the obvious problem of finding new methods of compensation—the traditional royalty on the few copies purchased by the few systems (one copy serving the needs of an entire system and innumerable users) would be meaningless. Obviously, new methods could only be developed if the Copyright Act continued to secure for the author the exclusion rights to use his work by whatever means technology makes available—printing press, records, radio, television, or computer.

However, even if authors could negotiate new arrangements for compensation, this would not eliminate other serious problems that would arise if information transmission systems, operating under copyright exemptions or compulsory license provisions, displaced or severely restricted the institution of trade publishing.

Trade publishing does more than furnish the free lance author with an economic return for his labors. It also performs two other vital social functions. *First*, it gives access to the public for innumerable works of social, literary and artistic value. *Second*, it is one of the few remaining media of communication which provides true freedom of expression for a great diversity of viewpoints, some highly controversial and unpopular. Much more than broadcasting, motion pictures, even the daily press, trade publishing, as now constituted, is the great bastion of freedom of the press in the United States.

As to the first function: trade publishing does more than simply communicate the author's work in a particular physical form (packaged in individual copies) for which the new electronic networks might substitute other forms. To "publish", in both its dictionary sense and in the practical sense, means to "make a book publicly known, to announce it to the public"—in other words, to hold the book before the public by advertisement, by review, by display in book stores, by making it available in physical form and thus to attract public interest and attention to the work.

Dr. Surrency, testifying on behalf of the Joint Libraries Committee in the Senate Copyright hearings, recognized the importance of this function: "Libraries," he said, "in a sense are salesmen of the published work . . . all libraries have an interest in promoting literary works . . . ." But as valuable as the libraries' contribution may be, for most works in the fields of literature and history, biography and social sciences, it is in and through the process of trade publication that the book becomes known, that the public becomes attracted to it. Those who view the copyright-computer problem from the viewpoint of the scientist and researcher sometimes overlook this factor. A scientist working in a given field actively searches for material related to his problem; for him, the computer is a tool to find what he is constantly seeking.

But for the independently created work of literary or social value—the novel or social commentary on a controversial issue there is not a ready audience seeking to find the work. On the contrary, what the author needs desperately is the process of publication, the process by which his work is brought to the attention of an audience, the process which helps create an audience.

The material which Ralph Nader presented in Unsafe at any Speed could be stored and disseminated in a computerized information network; it is likely that much of the data was thus available and that scientists had "quick access" to it. But all of that information, stored and available, could not produce the interest, excitement and stimulus for social change that the *publication* of Nader's book did. Indeed, if the book were made available only through an information grid, it would have probably attracted as little attention as did the data *before* it was brought to the public attention through the trade publication of the book.

It cannot be over-emphasized that trade publishing provides this access to the public for a great diversity of works and viewpoints. Even its most caustic critics must admit that were profit the only motive, trade publishers would publish only a few of the novels, none of the poetry, less of the biography, and other social commentary and criticism they now issue. If profit were their only motive, trade publishers would stick to cook books, bibles and text books. Trade publishers publish books they expect to lose money, books that they do not agree with, books that they know will be unpopular because they feel that the author has said something that should be brought to a public audience.

In performing this function, trade publishing also fulfill a second, and perhaps even more vital, public service. It is without doubt one of the remaining guarantors of free speech and press in this country. Trade publishing contains a diversity of editorial viewpoints and the courage and tolerance to communicate to the public a great range of ideas and expression, often unpopular, frequently controversial, sometimes bitterly resisted by the majority. It is unrealistic to assume that national information systems would tolerate, no less actively sponsor or promote, the number of controversial and dissenting works issued regularly by trade publishers. And it would be equally unrealistic to ignore the fact that trade publishing derives the strength to perform both of these functions from the fact that it is privately operated for profit and that its opportunity to earn profits depends completely and entirely on the protection afforded authors by the Copyright Act.

If national computerized information systems were to displace or substantially injure the present process of trade publishing, a substitute would have to be found. Indeed, if such nationalized systems do develop, it would become all the more essential to preserve a system of independent publishers providing, as trade publishers now do, the opportunity for independent authors to reach the public, and freedom of expression. Without this essential safeguard, the information networks would become the primary method of publication as well as communication, and freedom of creativity and expression would be severely restricted.

All of these factors must be taken into account in determining what types of permission for use should be developed with respect to "automated system", and what types of compensation (and freedom to negotiate compensation) authors and publishers should have. Instant access by the computer to certain types of works for certain purposes may be socially desirable. But it is equally in the social interest to preserve for authors and publishers of certain types of work the freedom to first publish and disseminate their works in one medium before making them available to the other media, such as the computer-communications networks. An analogy, perhaps rough, but illustrative, is the arrangement which developed *voluntarily* between hardcover book publishers and paperback publishers. The paperback book was also the result of a technological revolution in communication which made available to millions of Americans, quickly, and at low prices, all manner of literary and artistic works. Yet paperback publishing has functioned in a way that is compatible with conventional trade publishing. Of course, similar, voluntary arrangements between copyright owners and users have accompanied previous technological revolutions (motion pictures, radio and television) that created new methods of bringing copyrighted literary, dramatic and musical works to the public.

One of the most ironic aspects of the copyright-computer debate, is that the development of storage and retrieval and information systems obviously pose problems for society, for freedom of expression, for creativity which are of far greater importance than any—if there are any—created by the present Copyright Act or the Revision Bill.

A minor example is the view expressed by some advocates (including public employees) of computer-copyright-exemptions that these computerized systems should not have to pay for the right to use copyrighted works, or should not be put to the cost of acquiring permissions. The cost of using copyrighted material will be a drop in the ocean compared to the billions to be spent on building, installing and maintaining these systems. To my knowledge, not one of the public servants or representatives of private industry (including computer manufacturers) who have argued so strenuously for copyright exemption "in the public interest" has yet applied the same logic and principles to advocate, as such logic and principles dictate, that computer manufacturers be subjected to price fixing or compulsory patent licensing; or that those who operate the systems be deprived of the right to bargain freely for their services.

And there are other problems also of vital concern to a society whose very existence depends on freedom of creativity and expression. For example: who will control the information networks; who will be responsible for their operation? Obviously, technology is bringing into being one of the greatest and perhaps the most potent of all public utilities. This one will not merely carry and sell water or electricity. It will collect into itself, manipulate, transmit and sell the entire knowledge of our society. It seems evident that one of the paramount questions, which deserves prompt and thorough study, is how such a powerful instrumentality will be organized and controlled. But many who should be concerned by this problem seem to find it more comfortable to debate the far less significant question of whether this burgeoning giant should be free to appropriate the works of authors and publishers.

There is also the serious question of how access to the vast collections of knowledge in the large storage and retrieval systems will be assured to all who seek to use them, and to the smaller and less affluent systems that will try to compete with them. Here again, some of the computer-copyright debaters who purport to see copyright as a threat to access, carry on their arguments in the shadow of far greater threats to freedom of access to information.

The Copyright Act imposes only limited restrictions on uses of the work an author creates, and no restrictions on the use of the ideas and information he sets forth in it. Moreover, once a book is published—an act which copyright encourages and is designed to encourage—all of the information and ideas it contains are placed before the public and are thereafter available for inspection, selection and use. And it can never be withdrawn by the author.

By contrast, unpublished material stored in a computerized information system, will never be available to the public—only to those who subscribe to the system; and then only on a piecemeal basis. It can never be inspected in full as can a published book. Moreover, the dissemination of information in a system can be controlled by its administrators and it can be withdrawn or suppressed. Far more urgent than any compulsory licensing plan allowing computers to make use of *published* copyrighted works, are safeguards assuring that other systems, publishers and the public will have access to undisclosed information locked into such information systems.

Indeed, as computerized information systems grow, they may increasingly displace the trade publisher as the employer or patron of authors who will do their writing for input in the storage system rather than book publication. In the end the great irony may be that unless the Copyright Act preserves the rights of authors and publishers vis-a-vis the "computer", we may yet evolve into a Bradburyian society, one without books—not because books are burned, but because it would be too uneconomical and risky to publish them. Without adequate copyright protection, it would be far more sensible, safe and profitable to deposit works of authorship directly into an information system, dole it out piecemeal, and never expose the whole of it (by publication) for copyright-exempt copying by other "computer" systems.

I doubt that this will give us the freedoms of creativity and speech, and the concomitant freedoms to read and to make independent enquiry, which are now made possible by the institutions of free-lance authorship and private publishing, institutions which exist. by virtue of the protection granted works of authorship by the Copyright Act.

PERMISSIONS AND PAYMENTS IN AUTOMATED SYSTEMS

(By Harold E. Wigren, National Education Association)

INTRODUCTION

There are many points of issue which might be discussed at a conference of this nature regarding education's concerns in the revision of the copyright law, but I want to zero in on what has become the most fundamental issue of all—the need for teachers and learners to be able to use the new educational technology in their teaching and learning. Because this also is the major issue being discussed at this conference, it is appropriate that I give most of my time to this aspect.

The only precise and specific provision in the new copyright bill that has to do with the newer educational media and technology (computers, dial access, information retrieval systems) is Section 110(2)(D). Other provisions apply because of their broad language but this particular section is the one which is most disturbing, annoying, and intolerable for education to live with in order to do its job.

THE CHANGING CHARACTER OF TEACHING AND ITS RELATION TO THE PROPOSED COPYRIGHT BILL

During the past several years there has been a perceptible change in the nature and character of teaching and learning in the classrooms of America, and in the way materials of instruction are utilized. There is decreasing emphasis on the teaching of "a class" and more on the teaching of small groups and the "individual child." Much of school work is on an individualized basis, and teachers want and need materials available for individual children whether presented by the teachers themselves or in a tutorial situation over a listening center or over an audio or video-retrieval system. Increasingly, there is a trend toward having the student take more and more responsibility for his own learning and toward the student instructing himself. No longer do we consider the teacher as the mediator of all learning. With the gigantic problems facing education today—with increasing enrollments and the explosion of knowledge—teaching is no longer a "stuffing" operation (a "teacher instructing" the pupils) but an endeavor in which students are provided an opportunity through use of materials to discover, make generalizations on their own, and to think critically. The growing emphasis today is on self-directed, informal, unsystematic *learning* activities, rather than "systematic, instructional *teaching* activities."

Consequently, we in education are greatly concerned that Section 110(2)(D) rules out individualized and independent uses of materials. Dial or remote access and computer assisted instruction and language laboratories are only aspects of the broader topic of individualized instruction at all educational levels today. We must be equally (or even more) concerned with *student* uses of books and instructional materials as we are with *teacher* uses of these materials.

Record players and tape recorders with sets of earphones are becoming common in elementary, secondary, and college and university settings. Increasingly, students are *not* being moved to where the materials and equipment are, but rather the recorded messages are being moved to where the learners are. One of the most rapidly growing developments is the audio-remote-access system, sometimes known as dial-access. A few video-remote-access systems have also appeared. The proposed Copyright Law makes use of such modern information delivery systems for copyrighted materials illegal because the transmission is controlled by students, rather than by the teacher, on the basis that use by individual students substitutes for purchase of copies. In most instances no copying is done, and there is no substance whatever to the argument that this affects sales. In fact, the opposite is true. The provisions of S. 597 will require us to use horse-and-buggy methods of performance and display with new technological developments. Let me again point out that in most instances we are not talking about *copying* but merely the manner in which copyrighted material, which has been *purchased* for the purpose of being performed or displayed, *can be* performed or displayed in the process of teaching and learning.

EDUCATION'S NEEDS

The needs of education are summarized in the following statements:

1. That the new copyright law support, rather than thwart, the use of the new technology in the schools.
2. That we not freeze the new technology before we have the opportunity to know what patterns of uses will evolve eventually.
3. That *students* be enabled to use the new technology as freely as *teachers*, inasmuch as this is the direction in which education is moving. Section 110(2)(D) has an internal inconsistency. When the teacher uses the materials, no clearance is necessary but when the same materials are used by pupils, then clearances *are* necessary! Section 110(2)(D) makes no inhibition if controlled by the teacher, but only if controlled by the student. In other words, if the *teacher* pushes the button, copyrighted materials are allowable. If the *pupil* pushes the button, they are not allowable.
4. That materials be readily accessible without unnecessary delays or cumbersome clearance procedures. Improved access is imperative.
5. That teachers have reasonable certainty that a given use of a copyrighted work is permissable. Under-the-table uses must be eliminated.
6. That teachers who innocently infringe the law be protected.
7. That teachers be allowed to teach as creatively as they know how.
8. That the doctrine of fair use be extended to the use of computers and automated systems.
9. That the "not for profit" principle as now embodied in the copyright law be endorsed.

COMPUTER USES

Our position concerning computer uses is summarized in the following statements:

1. Computer input is not a "use" at all. It is no different from arranging books on the shelf of a library for subsequent use. Therefore, input should be exempt from copyright.
2. A computer program (i.e., the instruction to the computer as distinguished from the substantative data stored in the computer) should not be subject to copyright. The set of instructions or set of commands to the computer must not be copyrightable. Copyright should not embrace the process or scheme embodied in the program but must be limited to a prohibition against the program's improper duplication.
3. Computer output may or may not be fair use or other exempted use. When *not* fair use, we *expect to pay* and to have the materials subject to clearances. For this we eventually will need some organized means of access and/or payment.
4. The Ad Hoc Committee (of Educational Organizations and Institutions) on Copyright Law Revision says, "Study first, legislate later." We propose a statutory Federal Study Commission be created under the copyright act with a charge to make recommendations within a specific period (i.e., 3 or 5 years). The real difference between our point of view and that of the publishers is what happens in the interim. We say input is *not* an infringement; they say input *is* an infringement. Some type of statutory procedure is urgently needed for the periodic reassessment of the copyright questions generated by the computer.
5. The basic difficulty we have with Section 110(2) is that its practical effect is to destroy any exemption for computer-assisted instruction. It prevents individualization—use of the computer by school children at their own speeds—which is the essence of Computer Assisted Instruction (CAI) and its primary advantage. The restriction to use in a classroom runs contrary to the healthy trend of modern education to eliminate the confining limitations imposed by classroom walls.
6. The language of 110(2)(D) completely destroys the ability of the nation's schools to use computers.

CLEARINGHOUSE OR STATUTORY LICENSING SYSTEMS

Educators have certain fears regarding a clearinghouse:

1. It will tend to erode fair use.
2. It will not be mandatory on all copyright owners.
3. It will be subject to escalating fees.
4. It will not cover all types of materials.
5. It would be difficult to administer.
6. The only plans we've heard discussed thus far exclude representation of user interests in the control of the systems.

To be acceptable a clearinghouse must meet several criteria:

1. It must be over and above fair use—not in lieu of fair use.
2. It must be mandatory on all copyright proprietors.
3. It must cover all types of materials.
4. It must be free from "administrivia."

Let's have a law first, then work out a system of clearances and royalty payments on those uses which are over and above fair and exempted (110(1)) uses in the law. Do first things first.

It doesn't matter what the present law permits or does not permit. The thing that does matter is what the new law *should permit.*

A CODE FOR THE UNIQUE IDENTIFICATION OF RECORDED KNOWLEDGE AND INFORMATION*

(By Howard J. Hilton, the Pennsylvania State University)

A universal code for the identification of recorded knowledge and information can perform an essential function both in new systems for the storage and retrieval of information and in the traditional field of library science. The problems presented by the flood of publications and the cost of providing essential information to those who need it demand a solution which will

1. eliminate delay, uncertainty, and frustration encountered by libraries, organizations, and individuals in obtaining material cited in books, journals, reports, bibliographies or in indexes of various types;
2. reduce costs to libraries and information services for acquisition, shelving, storage, handling, reproduction and distribution of books, journals, and reports;
3. provide adequate compensation to those engaged in the production and distribution of works providing knowledge and information;
4. establish a means of identifying knowledge and information designed to promote compatibility among automatic data processing and other types of information systems for exchanging information throughout the world; and
5. support the efforts of libraries, educational institutions, professional societies, government, business, research organizations, and individuals seeking specific items of knowledge and information by providing the means for improved indexing, citing, storage and retrieval of recorded knowledge and information.

Although knowledge and information are synonymous terms for a substantial amount of material, neither is all inclusive. Knowledge covers the realm of ideas and implies organized, synthesized and analyzed information. Information covers the other end of the spectrum of single, isolated facts but also includes reports, data, or pictures such as astronomical observations. Information can be anything that provides a clue to man's behavior such as notes, letters, records, and even fingerprints or that helps to describe the physical and social environment. Together these terms include everything which can be reduced to a written or pictorial record.

If a code is to contribute to the solution of problems created by the increasing complexity of society and the resulting information explosion, it must do more than uniquely identify recorded knowledge and information. It must identify those individuals and organizations having right to compensation for reproduction of material and for its use in information storage and retrieval systems.

In addition it should provide information about the material which would help researchers decide from the identification number alone, whether they wish it retrieved for perusal. This is important in a retrieval system that may produce citations in the thousands in response to a given query. The

---

*To be cited as **7HIL95–NTC2A^{-3}**

additional information is helpful to librarians in organizing and searching material to meet special needs.

If the code were to be universally accepted and administered by an international public-private corporation, this would have great significance for study, research, communication, business, government and for international relations. Identical material would bear the same identification number in libraries of all types or in electronic data processing systems. This is in contrast to the present situation in which identical works may be identified by the call number of the Library of Congress or in the case of microcopy by the Library of Congress card number, by some other subject classification, by accession number, by some bibliographic abbreviation, or by some source identification number as employed by the Government Printing Office. Since the effectiveness of such a system depends upon the centralized maintenance of source and copyright owner identification numbers, some institution has to be created or entrusted with this task and also with the function of maintaining a complete file of all material for which code numbers have been assigned except classified government material or documents and manuscripts of limited distribution. A public-private corporation would seem to offer the most satisfactory and flexible arrangement.

An international public-private corporation serves both to project and to protect the public interest and the political interests of the member states. At the same time, it does not subordinate the interests of authors, publishers, professional groups and others with vital economic interests in knowledge and information to an international bureaucracy run by governments and serving only political ends. A corporation having obligations to its stockholders, both governments and individuals, would be in a better position to achieve an economic balance among interested groups than would an existing international organization. Its revenue would come from the sale of microfiche and from the fees collected for the reproduction of microfiche. A portion of the fees collected would be paid to the publisher or copyright holder for every microfiche reproduction made of a microfiche bearing the holder's number.

With this system national and international exchange and use of information would be facilitated. Libraries could supplement their book collection with microfiche, so that a researcher requesting a number of citations in an article would only have to wait a few moments at a libary desk while the numbers of the citations are tapped out on a keyboard of a microfiche storage console. The microfiche instantly appear, or the machine automatically orders those that are not in the collection. The researcher looks at the microfiche in a reader, selects and copies those desired for further study and as an addition to his own collection. The machine which copies the microfiche automatically records the code number on a tape. When it is full, the tape is taken to a computer service center where the entries are cumulated. The computer draws checks in favor of publishers indicating on each check the number of microfiche reproduced for each author. The library receives one bill for reproduction and copyright payments. If the reproducing machines are coin operated by the visitors to the library, then there is no charge to the library account.

The code number serves as a short citation, an accounting device, a filing number for individuals as well as for libraries and institutions with large collections, and as a common language permitting computers in different countries to identify and to communicate with each other about material contained in their programs. A short citation is important to research. When coupled with the prompt availability of microfiche copy much of the time and effort now spent in locating material can be devoted to improving the quality and to increasing the contribution of research. Imagine for example the problem of locating the citations under present research conditions of such works as *The State of the Library Art* edited by Ralph Shaw, Schumpeter's *History of Economic Analysis*, or D'Arcy Thompson's book *On Growth and Form*. With code number citations and the availability of microfiche in a central file such material could be at hand for research in any part of the globe. A code number citation is a help to authors as well as those interested in following an author's thought to his conclusions. Most writers hate to devote valuable time to the obvious, and references to well known journals, and those not so well known, fall into this category. As a result the different abbreviations used for some journals would fill a page. Such abbreviations followed by a code number, or the code number by itself, would improve use of citations and rapid retrieval by the reader. The use of microfiche would also facilitate the checking of quotations and would assure the accuracy of citations at the time of publication. With development of citation indexing, citations would occupy a more important role as a search device.

The heart of a system for providing compensation for the reproduction and use of literary material is the method of maintaining accounts. If much manual effort is involved, the system quickly becomes one of spending dimes to collect pennies. A system such as the one outlined here would spend mills to collect nickels for those having the right to compensation for the reproduction and use of their product. Although a nickel may not sound impressive, it represents a return, without additional cost, on the use of material now represented by library lending. With the expanding use of material and greater efficiency derived from new information systems, the nickels can be expected to be multiplied by many orders of magnitude.

There are three important aspects to copyright: the moral rights of the author to protect his name and reputation in the use of his work; the right of the author and publisher to compensation both for the use of a work and for access to it; and, finally there is the right of all the people to access to knowledge and information that has been made available to some of the people through publication. It is in the area of access and compensation that many of the daily violations of copyright law occur. It is not that people are unwilling to pay in money for access to published material provided by inexpensive copying devices, but they are unwilling to pay in time, trouble, and energy demanded by the existing permissions procedures which are really designed to protect the moral rights of authors and to assure adequate compensation for further published use of material. In the interest of maintaining the sanctity of the law and of promoting the public interest, it is time to distinguish between compensation for published use and compensation for access. A universal code number facilitates this by permitting the development of accounting techniques that impose the minimum requirements on users and provide accurate accounting of the compensation due publishers and authors.

Because a universal code uniquely identifies all knowledge and information in accordance with certain principles, it can be used as a means of ordering both large and small collections. This is particularly true if the material is reduced to microfiche meeting accepted international standards. The use of such microfiche identified by a universal code would be of immense value to libraries. It would greatly reduce the proportion of the total expenditure of libraries and information services devoted to the administrative costs of acquisition, shelving, storage, handling, reproduction, and distribution of the knowledge and information contained in books, journals, and reports. By providing book numbers as well as microfiche numbers, a universal code would reduce the costs of ordering and following up on new material in form of hard copy. With the availability of microfiche, the costs of locating and obtaining out-of-print material would be replaced by the much lower costs of ordering microfiche. Since all microfiche would be identified by the universal code, the cataloging costs would be largely eliminated. The shelving, storage, handling, and reproduction costs of microfiche is much less than for books.

Circulation would be replaced to a considerable extent by the copying of microfiche by library users. The low cost of microfiche and the elimination of the home or office storage problem would encourage readers to add to their own collection anything that they felt worth reading. The code number would provide both libraries and readers with different fields of information by which the microfiche could be filed. The reduction of administrative costs and of personnel required to collect and shelve books would permit libraries to devote more time and effort to their primary function of searching and organizing material to meet the specific needs of their clientele.

With a universal code number, which publishing companies could in most cases assign, changes could be introduced into the production and distribution of knowledge and information that would tap additional sources of revenue for authors and publishers. By including the code number on each page of a book or magazine, publishers could improve permissions procedures and arrangements for compensation for reproduction of hard copy. Companies which set type by tape could sell copies of the tape to information services and receive continuing return according to the frequency of reference and use of the material in an information system. Publishers can include microfiche copies of their books and periodicals as part of the original sale to libraries and information services and receive reimbursement for copies made.

While making material more readily available for research, a universal code and accounting system could be used to help select the wheat from the chaff. The search techniques for achieving this are under constant study, but the lack of comparibility in identifying the material in the data base of different systems complicates the task. Not only would the code introduce uniformity in identifying the material in the data base, but it would also provide a wealth of material on frequency of use, in what locations, and in some cases the search path leading to use. The universal code suggested in this study is designed to organize and to identify material, so computers, as well as humans, can reduce the margin for error in identifying specific items of knowledge and information.

The HUC, as it is termed here to distinguish it from other possible codes, is structured to provide a maximum of information in a minimum number of alpha-numeric characters. It is designed to assure that, given a source and publisher number and a coding manual, different persons throughout the world would all assign the same number to an identical document. Since most material would have a source number, the HUC number could be readily applied, either by the source or a publisher, to documents and publications without the time consuming requirement of a central source query.

The HUC is a compressible code. It is divided into two parts. Taken together, they can identify 12 fields of information. The first part, consisting of the first 5 fields, serves, in most cases, to provide unique identification of a work or item of information. The exceptional cases are sources with large daily output. The second provides supplementary but useful information such as subject classification, language, document or patent numbers, copyright status, person or organization to whom copyright fees should be paid, distribution status and other items of information. The HUC in its entirety comprises 35 characters, but it is a variable length code which under present circumstances would never use all characters available. Some of the characters are a reserve to cover needs extending into the next couple of centuries. In most cases the citation or identification number would consist of 12 to 18 characters.

The 12 fields of the code are as follows:

1. Type of material—1 digit.
2. Source—5 letters and 5 digits.
3. Year and date, by month and day, or edition—4 letters.
4. Form and availability of material from publisher—1 digit.
5. Unit identification number, microfiche, etc.—3 letters.
6. Copyright status or security classification—1 digit.
7. Publisher or payee—3 letters and 2 digits.
8. Original language or by major groups—1 letter.
9. Translated language, if any—1 letter.
10. Status of material (revision, amendment, reprint)—1 digit.
11. Subject or document identification code number—1 digit.
12. Subject classification or document numbers—2 letters and 4 digits.

The HUC number actually used to identify a specific work or item of information would range from a minimum of 8 characters to a theoretical maximum of 35. The flexibility of the code is achieved by alternating letters and digits, so that computers can be programmed to search by the location of letters or digits in the code. The variable length of the code is an important consideration when code numbers up to the billions have to be recorded and when daily citations and references are taken into account.

The letters are supplemented by 9 symbols, asterisk, dagger, double dagger, section, parallels, paragraph, and capital delta, sigma, and omega. These are used to provide a single character for the days of the month, for the additional letters required to transliterate Cyrillic and other alphabets, and for double letter equivalents from 0 to 999. The equivalent of these symbols in the American Standard Code for Information Interchange (ASCII) would be as follows:

*=asterisk.
(=dagger.
)=double dagger.
%=section.
!=parallels.
?=paragraph.
@=capital delta.
{=capital sigma.
}=capital omega.

The equivalences of the letters and symbols to numbers up to 1,000 and to the characters in the Cyrillic alphabet are given in Appendix A. The use of a letter for each day of the month greatly increases the efficiency of the third field of the code. The possibility of using 1 or 2 letters to equate to numerals from 0 to 999 means that the twelfth field of the code can carry the Universal Decimal Classification or the Dewey Decimal to four decimal places and can identify individually up to 10 million documents in a single series.

(NOTE.—The above extract constitutes the first six pages of the completed document as described in the Bibliography.)

THE PUBLISHERS' RUMPELSTILTSKIN: COPYRIGHT REVISION*

(By Kirby B. Westheimer)

During the time that John F. Kennedy was still the junior Senator from Massachusetts, he was riding one day on the New York Central Railroad. The conductor came by and asked for his ticket. Kennedy foraged through his pockets and briefcase, but unsuccessfully. Moments turned to minutes, and the patient conductor began to wonder if he did not recognize his attractive young passenger. Finally, the conductor suggested, "Senator Kennedy, there's no need for you to worry, sir. If you can't find your ticket, we'll trust you to mail us the money later."

It was with some chagrin that the young Kennedy looked up at the conductor and said, "The problem, dear man, is not where is my ticket. The problem is, where am I going?"

This is also the basic problem of the publishers in the Sixties—what direction to take in an era when technology appears to erode rights and revenues, earnings, markets and importance. Technology includes microform, photocopying, broadcasting and other non-book media. The copyright problems posed by these media perplex publishers because they exclude the business they know so well, the book business.

The purpose of this paper is to suggest specific steps to be taken by book publishers to control non-book media and the new technologies.

ROLE OF PUBLISHERS

The new non-book technologies seem to benefit students, industry, and the consumer, but they are a bewilderment to most publishers. Reprography, microform (encompassing microfiche, microfilm and aperture cards with microchips), and computers in their myriad applications are a few of the new media that threaten the publishers, basically because the publishers do not control them. This is one of the major problems of copyright revision. Who is to control the new non-book technologies, the publishers or others?

Publishers are in the book business, non-book technology threatens them, and copyright revision is called on to protect them. Control of the new technologies has been abdicated to copyright revision, the publishers' Rumpelstiltskin. A change in the laws is sought to legislate the publishers out of predicaments that the publishers never envisioned, much like Rumpelstiltskin who became responsible for the salvation of his mistress. The story of Rumpelstiltskin is a pleasant fable, however, while the publishers are completely in earnest about copyright revision.

The copyright laws must be changed, but laws alone cannot solve the publishers' copyright problems.

Rarely has a more articulate or engaging group convened to argue its cause than the copyright counsels. But attorneys are not publishers, and legal definitions cannot resolve marketing and managerial problems. The law cannot define the publishers' business policy for them. Publishers must do it for themselves.

Will publishers be successful in demonstrating their own capability to harness the new technologies? As they begin their inquiry into the copyright problems that confront them, they might ask of each if it is a problem at all and if so, if it is a legal, marketing or business policy problem.

FORMATION OF PUBLISHER POLICY

For instance, the textbook publishers might inquire if demand publishing on Xerox and other machines reduces textbook markets. It is a reasonable question to ask because there is the constant specter of its occurrence. It would seem that the cost characteristics of reprography are so punishing that it is more economical to buy than to reproduce on-site anything other than a few pages. For instance, if the publishers knew which pages were most useful to teachers and students, they could provide copies at a fraction of the cost of in-school duplication. Does this situation resemble a copyright problem or a problem for market research?

Simon & Shuster's Associated Educational Services has developed a simple and absolutely powerful concept in Papertexts. Teachers can literally create their own anthologies and textbooks by ordering from the dozens of printed selections available to them. It is more economical to buy these learning materials from Simon & Shuster than to violate the copyright laws. This is one publisher's response to the needs of his market. Such action clears a wide swath in the harvest of similar copyright problems.

This does not dispose of the problem of reprography for publishers, but places one copyright problem in context and illustrates one way that a publisher is meeting the needs of his market. There are also other answers. They come to light as copyright problems are defined in terms that admit rational analysis.

The copyright problems of the textbook publisher cannot be equated with those of the periodical publisher, the tradebook publisher, the newsletter publisher, the newspaper publisher, the electronics company that just acquired a publishing concern, the scientific publisher, the children's publisher, or the music publisher. No one problem affects them. No one solution will help them. *Each copyright problem must be defined in terms which permit analysis, understanding, the development of alternate courses of action, and reasoned decisions.*

The need for educators and their publishers to learn how to program instructional materials for the computer is an obligation largely unassumed. Who then is to create the "computer texts?" Computer companies and outsiders to the world of formal education must inquire into scholastic problems to discover ways to utilize the computer to solve them. The well developed problem-solving capabilities of the electronic, industrial and communications interests threaten the publishers far more than computer technology and copyright weaknesses.

Computer programs for computer-aided instruction can be included in the price of the computer itself, sold outright, leased, or charged for each time students use that particular program at the time of output. The publishing companies can create instructional programs for computers or the computer companies will do it for themselves. Is this a problem of copyright or initiative?

Publishers can as easily seek out the computer manufacturers for joint ventures and associations as wait for them to initiate such moves. Harcourt Brace & World and RCA have reached an agreement regarding "computer texts" developed by the publisher for the electronics equipment of RCA. The assumption cannot be made, however, that the computer is always appropriate for student use. It has its place, although as yet undefined, along with the other tools of learning. Nothing currently proves that the computer in schools is anything more than an elaborate and expensive toy or as effective as a motivated student, a well-written book, an empathic teacher, an exciting course of study, a sequence of programmed instruction, an educational film, television program, instructional tape or other learning materials. However, the publishers could determine the role of the computer and "computer texts" in association with computer manufacturers and in cooperative efforts with the schools.

It is predictable that non-book technology will force publishers to take a more expensive view of their business. Even now, many are calling themselves "multi-media" companies and distributing filmstrips, study prints, kits of instructional materials, and other non-book items which (while not exactly representative of the new technologies) are not traditional hard and soft cover items either.

We can expect the unusually capable copyright counsels to win their battle for the preservation of the concept and legality of copyright. We can expect the industrial, electronics and communications companies to take an ever-increasing share of the publishers' traditional markets. Can we also expect that publishers will cooperate in the formation of their own systems of permissions and payments to make immediately available copyrighted materials for which there are recognized and felt needs?

---

* Copyright (C) 1967 Learning Development Corporation. All rights reserved.

THE CLEARING HOUSE CONCEPT

Publishers, their authors, students, teachers and the public would benefit significantly if there were non-exclusive clearing houses. One is desperately needed for the textbook publishers, another for the publishers of periodicals and journals, and a third for the publishers of trade books. Administrative costs could be significantly reduced by combining all three clearing houses.

The notion of a copyright clearing house is certainly not new. It has been suggested, studied, researched and recommended by some of the most brilliant minds in publishing as well as those deeply concerned with copyright law. Why then is there no copyright clearing house?

Several factors have retarded its formation. Namely:

1. Uncertainty about the legality of copyright clearing houses.
2. Problems of organization and administration.
3. Problems of collection and distribution of license fees.

These are difficult problems to be sure, but similar problems are encountered in every business. There is nothing unique or insurmountable about them. The non-exclusivity of licensing should largely eliminate the question of legality. Sound business management can resolve problems of organization, administration, collection and distribution of fees. The biggest stumbling block in the creation of a copyright clearing house has always been the definition of what a copyright clearing house should do and how it should be done.

Unfortunately, a clearing house has been envisioned as solving most, if not all, copyright dilemmas with a single solution. As has been pointed out, there is no one copyright problem. There are many distinct problems, and the clearing house is a generally recognized solution to permission and payment systems. Publishers can solve many of their problems independently. For a clearing system to be successful, they must cooperate.

Experienced publishers know that there is no easy way to establish a copyright clearing house. Had the intense and intelligent discussions to date about clearing houses approached the subject as a business rather than a confederation of interests, however, progress might have been made by now. A copyright clearing house must be a business for the profit of authors and publishers. If it is not conceived of as such, it will fail before it has ever been born. And this is exactly what has happened.

No single publisher, with the possible exception of the few giants of the field, could afford to support an effective clearing house alone. In fact, because significant trial litigations will quite probably be necessary to establish the right of the clearing house to license and the obligation of copyright users to pay licensing fees, no single publisher would want to bring his clients to court. No single publisher wants to lose his markets in the hopes of saving them. Yet, a clearing house is clearly a necessity for many publishers whose markets are threatened by the easy access of the new republishing technologies.

There are four requisites to establish a clearing house to license the use of copyright materials in computers, information storage and retrieval systems, microcameras and photocopying machines:

1. The cooperation and support of a significant number of publishers who grant the clearing house non-exclusive rights to represent them in licensing for the uses cited above.
2. A realistic attitude toward the length of time and investment required to establish the clearing house and make it profitable.
3. Outstanding legal guidance to work within the structure of the law, establish the legal position of the clearing house, and prosecute violators of the various licensing systems.
4. A plan of action to make the clearing house effective and profitable.

The cooperation and support of a significant number of publishers is essential. A copyright clearing house can become a reality only when publishers allow the clearing house to represent them on a non-exclusive basis. It is also imperative that the clearing house be organized *not* as a committee, investigating group, government agency or trade association. It must be organized as a business for the benefit of the publisher-stockholders, who deposit their copyrights as a part of the initial capitalization. The balance of the capitalization would take the form of a cash investment to be regarded as the publisher's advance against license fees.

A realistic attitude toward the length of time and investment required to establish a profitable copyright clearing house must be taken for granted. The first two to four years of operations may turn no profit at all because expenses of collection may equal or exceed total licensing fees. Yet, without these two to four years, there will never be a profit because no licensing system will have been established. The return on investment will be substantial because of the fixed nature of the investment and the practically limitless use that will be made of copyrighted works, once restrictions are lifted.

Legal guidance for the clearing house has already been offered by the copyright attorneys, so it appears that a plan of action is all that is needed.

We believe that a blanket licensing system for an ever-expanding catalog of copyrighted materials provides a practical solution for most works of most publishers. Considering the textbook publishers and their academic markets, we would permit unlimited use of copyrighted materials within and between school districts. Usage would be monitored and fees collected according to actual use on the basis of regular random samples. The fees would be set at a rate consistent with the value derived so as to encourage maximum use. Costs of administration would be reduced through the use of the new technologies, in particular computer accounting systems.

Sampling techniques would be determined in a two-year test in several major school systems. During this period, the nuclear group of publishers—stockholder founders of the clearing house would give completely free access to their works without charge through the clearing house. Teachers and students would be encouraged to make whatever use served their best interests without regard to existing copyright laws or payments. On the basis of research results, random sampling techniques would be established, fees determined and collected for future use. Similar research would be conducted in non-textbook markets.

Publishers would be able to establish a profit-making system for permissions and payments through their clearing house. In addition they would be able to offer a feasible alternative to any less than satisfactory solutions proposed by the National Study Commission that will investigate copyright revision.

The National Study Commission is welcome, needed, and promises some useful solutions. Publishers, however, will have lost the initiative of organizing their own clearing house as soon as the Commission announces that it will study the clearing problem and begins to do so. This announcement is inevitable. It is possible that the publishers want the National Study Commission to organize a clearing house for them, but surely the Commission would welcome independent research and development. After all, it is research and development that have catapulted most of the industrial, electronics and communications companies to the positions of prominence they enjoy today. The publishers can do at least as much for themselves, if they want to.

IN THE LAST ANALYSIS

Publishers are in far greater control of their destinies than it might seem. They can resolve a large number of the problems posed by the present copyright law through their own problem-solving capabilities and innovative management. A major challenge confronts them now: Who is to take the initiative for a comprehensive system of permissions and payments, especially in the formal school markets? It is now time that the publishers cooperate and support such a clearing house that represents their interests. If they do not, the government will surely define their interests for them, and the publishers will lose still more control of their own revenues, earnings, markets, and importance. We propose to organize and administer a copyright clearing house based on a system of equitable license fees that will profit the stockholder-publishers and their authors, the intellectual community and the public.

THE SHAHANSHAH OF IRAN

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. ZABLOCKI. Mr. Speaker, the Shahanshah of Iran has arrived in our country on a private visit for several days, and we are delighted to welcome him here.

He is, without doubt, one of the outstanding leaders in the Middle East. He has demonstrated this leadership during the troubled years of the post-World War II period working for his people, for peace and freedom.

He has provided his country with stable leadership.

He has preserved and strengthened Iran's independence and sovereignty.

He has moved his nation along the road of economic development and progress.

And, through his personal stature and influence, and Iran's membership in the Central Treaty Organization—CENTO—he has played an important part in the security posture of the Near East and in regional economic and technical cooperation.

Mr. Speaker, I have had the opportunity to travel through Iran and to see the changes which have taken place in that country during the past two decades.

I have had, also, the opportunity to discuss developments in that area, and the policies of the governments concerned, with leaders in other parts of the world.

In both respects—from the standpoint of his domestic achievements and of his international endeavors—the Shah of Iran, Mohammed Reza Pahlavi, is held in high esteem both in the Near East and in the more distant parts of the free world.

In welcoming the Shah to the United

States, I would like to express the hope that the many years of constructive, fruitful cooperation which have united our countries, may continue to yield dividends of friendship and collaboration in the interest of world peace for many years to come.

RELIEF CHECKS TO AWOL

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. QUILLEN. Mr. Speaker, the action of the Department of Health, Education, and Welfare here in Washington in authorizing welfare checks to persons participating in the Poor People's Campaign is unbelievable. Certainly it is a "relief" for marchers who are AWOL from their respective States.

It is time that the administration in the White House gets down to the serious task of using "backbone" instead of a "plush red carpet."

I would like to make available to the readers of the RECORD an editorial which appeared in the Nashville Banner on Monday afternoon, June 10, 1968, as follows:

> RELIEF CHECKS TO AWOL: THE HEW HAS SPOKEN
>
> "Come and get it" was yesteryear's mealtime order at the festal spread; and everyone knew what it meant. Today—welfarewise—it's "We'll send it to you." The Washington office has spoken.
>
> What it said, in instructions last week to Welfare Commissioners of every state, was that checks should be mailed to members of that clientele participating in the Capital City's "poverty" demonstration. Matter not the difficulty of confirming whereabouts of these absentees . . . nor the circumstances of families left behind . . . the checks must go out. The financial welfare of gadflies on the Abernathy & Co. circuit has been made the seek-and-find responsibility of the Tennessee office, et cetera, and the taxpayers.
>
> By the exchange of correspondence between the commissioner of HEW's social and rehabilitation service and the "national coordinator" of the Poor People's Campaign, it was stressed that any inconvenience occasioned by AWOL status on the part of these Tent City inhabitants should be resolved in favor of the latter. Wherever they go, and however long they may stay, the check is to follow.
>
> A Washington, D.C. post office box has been established for them. But conceivably it might require a Special Delivery task force for members on picket duty or demonstrating at the various government points chosen as harassment targets.
>
> HEW Secretary Wilbur Cohen has assured Abernathy & Co. of compliance with these demands "to the fullest extent possible" within the availability of resources and statutory authority. Somebody should be checking on that statutory authority—particularly where the departure from normal "welfare" methods and delivery impose on regulations involving state-level responsibility.
>
> What happens, for example, in cases where such welfare checks—designed to aid families with dependent children—involve instances in which parent or parents may be camping in Washington, but with those dependent children still in Tennessee and other states?
>
> That isn't the only question involved with an instruction calculated to bring chaos out of order. Nor should it be necessary to recall that these people are not away from home, and participating in the Washington hootenanny, by the doings of the state and the taxpayers.
>
> That the HEW officials elect to overhaul the regulations in the Abernathy & Co. interest, leaves another question hanging:
>
> Who ordains a regulation against scofflawism and surrender to its arrogent demands, in the taxpayer and law and order interest?

OPPOSITION TO ARBITRARY AUTHORITY IN H.R. 15387

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. OTTINGER. Mr. Speaker, unfortunately, as so often happens, H.R. 15387, which was passed on May 20, combined provisions which I considered good with those I considered bad.

If this bill had just contained section 2, making it a Federal crime to harm a postal employee, I would have supported it.

Unfortunately, the bill also gives the Postmaster General arbitrary authority to dismiss or discipline postal employees, without the protections of even the present weak Civil Service Commission procedures, for acts that are vaguely described. These provisions place postal employees in jeopardy at the hands of an arbitrary postmaster.

The language to which I objected reads:

> The Postmaster General may take appropriate disciplinary action, including, when circumstances warrant, suspension from duty without pay, reduction in pay, demotion, or removal from the service, against any employee who forcibly assaults, resists, *opposes*, *impedes*, intimidates, or *interferes* with any other employee while such other employee is engaged in the performance of his official duties or on account of the performance by such other employee in his official duties. (Emphasis added.)

This means that a postmaster can dismiss or discipline an employee without a hearing by merely finding that by some action he has interfered with or impeded another employee during the course of performance of official duties.

The Civil Service Commission itself opposed this provision saying:

> The Civil Service Commission opposes this provision and recommends that it be deleted. The Postmaster General, like every head of a department or agency, has the inherent authority to remove or otherwise discipline an employee who engages in misconduct, including misconduct of the type described. Furthermore, section 01.3 of Executive Order 9830 places a positive responsibility on the head of each agency to remove, demote, or reassign to another position any employee in the competitive service whose conduct or capacity is such that his removal, demotion, or reassignment will promote the efficiency of the service. Thus the Postmaster General and every other department and agency head is already empowered and obligated to take disciplinary action when such action is warranted.

I agree with the Commission that true misconduct is already subject to disciplinary action under proper employee protections and that this provision is both arbitrary and unnecessary. It is for this reason that I felt impelled to oppose the bill.

THE TIME HAS COME TO ACT ON THE WHOLESOME FISH AND FISHERY PRODUCTS BILL

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. PEPPER. Mr. Speaker, I wish to call to your attention, and the attention of the Members of this House to a matter of utmost importance to the American consumer. The matter to which I refer is the need to protect the American public from unsafe and unwholesome fish and fishery products. Evidence now at hand shows that unsafe and unwholesome fish are reaching the American public.

I was one of the first of many Members of this House to realize that legislation was needed to insure that unwholesome and unsafe fish and fisheries products did not reach the American public. I responded to this public need by introducing the Fishery Products Protection Act of 1967 in the first session of this Congress. A companion bill of the same title was introduced in the Senate by Senator PHILIP A. HART.

Hearings were held on these bills before the Merchant Marine and Fisheries Committee of this House and before the Commerce Committee of the Senate. It became clear at these hearings that there was widespread recognition of the need for such legislation. It also became clear that the bills needed to be strengthened.

The gentleman from West Virginia [Mr. STAGGERS], and I consequently introduced a rewritten and strengthened bill in the House under the title "The Wholesome Fish and Fishery Products of 1968." This same bill was introduced in the Senate by Senators HART and MAGNUSON. Hearings were held recently on this bill before the Senate Commerce Committee. These hearings again demonstrated the great need for such legislation.

The House bill, H.R. 15155, was referred to the Committee on Interstate and Foreign Commerce but as yet no hearings have been scheduled. Now that this committee has finished its hearings on the Manpower Health Act, I think hearings should be promptly scheduled on the Wholesome Fish and Fishery Products Act of 1968.

I realize that some members of the fishing industry believe this legislation would place a considerable burden on the fishing industry. I have considered this closely and am convinced that the legislation will benefit the fishing industry much more than it will burden it. The safeguards in this bill should restore the faith of the American consumer in the wholesomeness of the fish he receives and thus do much to insure the growth of the fishing industry.

Mr. Speaker, last year we passed the Wholesome Meat Act and the companion poultry bill appears to be proceeding rapidly toward enactment. As the "Consumer Congress" we should finish the job in this area and take prompt action on the Wholesome Fish and Fishery Products Act of 1968 so that the public will be properly protected in this area.

A NEW LOOK AT THE SEA

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. KEITH. Mr. Speaker, last month, the American Assembly in New York sponsored a 2-day study session on "Uses of the Sea," which brought together prominent scientists, businessmen, lawyers, and Government officials for a long-range look at our Nation's policies of ocean development. As a member of the Oceanography Subcommittee of the House Merchant Marine and Fisheries Committee, I was invited, among other congressional and executive officials, to attend the conference. While I was unable to be present personally, oceanographers who participated in the proceedings have reported to me on the success of the conference in focusing attention on the problems of ocean resource development in the coming years.

An editorial in the New Bedford Standard-Times has summarized some of the conclusions of the American Assembly conference, and has pointed out the importance of giving priority attention to the problems and conflicts of ocean use before they arise. I would like to include this editorial in the RECORD, because I feel that the Congress must be ready to help establish guidelines for national policy in this new and promising field of the future:

A NEW LOOK AT THE SEA

The American Assembly, an affiliate of Columbia University, was established by Dwight D. Eisenhower in 1950. Through nonpartisan meetings of men and women of eminence and competence, and the publication of authoritative books, the assembly seeks to provide information, stimulate discussion and evoke independent conclusions in matters of vital public interest.

Its latest session, held May 2–5, was devoted to "Uses of the Sea" and more than 70 participated from the worlds of science and engineering, business, law, government, communications, the clergy and other pursuits. Among these was Dr. Paul M. Fye, director of the Woods Hole Oceanographic Institution, a discussion leader.

The session's concluding statement, with which the participants generally agreed, suggested that:

The multiplicity of government agencies and the dispersion of activities continue to complicate the problem of policy formulation and create a danger that important aspects may be neglected.

The importance of the international dimension in ocean affairs requires improved formulation of United States policy for the oceans;

Growth of international cooperation on and in the seas will strengthen the world economy and build the peace . . . Americans should begin thinking about the oceans as a major concern, somewhere in the scale which includes outer space, urban problems, transportation, public health, foreign aid and the world population explosion;

There should be early international agreement on a new regime for the deep sea that would encourage exploration and exploitation and prevent the deployment of weapons of mass destruction designed for use on the ocean floor;

Over the next decade, the primary interest will be in the harvest of food and in minerals. The development of living resources from the sea should receive a high priority in private and public planning for marine exploitation.

These are the bare bones of the three-day discussion, the full proceeding of which will be published this fall by Prentice-Hall, Inc., under the title "Uses of the Seas," a document that ought to be read and implemented by the appropriate sectors of government and business.

The American Assembly meeting has provided a sound and thoughtful guidepost for the development of the nation's marine science program at a time when it is much needed.

HON. HARRY R. SHEPPARD HONORED

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SIKES. Mr. Speaker, on June 12 the Navy League honored an outstanding American and a former colleague of ours in the House of Representatives. The Honorable Harry R. Sheppard was presented the Robert M. Thompson award for outstanding civilian leadership. This award is presented only to distinguished civilians who have been effectively mindful of the importance of seapower to our country's destiny. Those of us who served with Harry Sheppard are well aware of his tremendous contribution as a Member of this body to furthering, not only seapower, but the national security of this country. Under unanimous consent to extend my remarks, I am including the citation given to Mr. Sheppard in connection with this award:

THE ROBERT M. THOMPSON AWARD FOR OUTSTANDING CIVILIAN LEADERSHIP, 1968

Robert M. Thompson, courageous "Father of the Navy League," related with patriotic urgency the telling story of sea power. His clarion message has echoed and re-echoed as a mindful symbol, demanding our constant vigilance.

Pursuant to the Thompson tradition, the Navy League is honored to present this award to a distinguished civilian and former public servant who has always been effectively mindful of sea power's importance to our country's destiny.

THE HONORABLE HARRY R. SHEPPARD

Congressman Sheppard was an elected Member of the House of Representatives from California for 28 years. During many of those years, he was Chairman of the five-man Navy Subcommittee of the Appropriations Committee of the House of Representatives which Subcommittee reviewed the annual Budget requests of the Navy and Marine Corps. When this Subcommittee was discontinued he, as a senior member of the House Appropriations Committee, continued to exercise great responsibility for Navy and Marine Corps appropriation requests. He visited almost every Navy and Marine Corps installation and gave unstintingly of his time, experience, and great ability.

When the annual Budget requests went to the floor of the House, he acted as the advocate for the Navy and the Marine Corps. In this connection he was fondly known as Mr. Navy.

The development of a modern Navy and Marine Corps was due to no small extent to the courage, the resourcefulness and the unremitting efforts of this fine gentleman. Known to and loved by countless Navy and Marine Corps personnel of all ranks, Congressman Sheppard made a tremendous personal contribution to the furthering of the importance of sea power.

It is with deep appreciation that the Navy League of the United States honors Congressman Sheppard and itself with his selection to receive the Robert M. Thompson Award.

RURAL-URBAN COOPERATION ON LEGISLATION MUST BE A TWO-WAY STREET—ADDRESS BY CONGRESSWOMAN SULLIVAN AT NATIONAL FARMERS UNION CONVENTION

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mrs. SULLIVAN. Mr. Speaker, many of the Members have mentioned to me the reports they have heard of an "explosion" in the House Committee on Agriculture Tuesday during my testimony on new food stamp legislation when I stated that many of us from urban areas will have to withhold support on farm legislation until we can see some cooperation from the committee on the food stamp bill. This was publicized as a "threat" on my part.

Mr. Speaker, there was no threat. It was a statement of the legislative situation. The Committee on Agriculture has a 14-year history of general hostility to the idea of food stamps, although it has on several occasions in that period of time reluctantly voted out food stamp bills after it was made clear that otherwise certain farm bills would not get through the House.

Even then, in reporting the food stamp bills of 1964 and 1967, the committee both times added crippling amendments which would have destroyed the program—amendments which had to be defeated on the House floor in order to permit the program to continue to operate. So that is the long legislative history on which my statements before the committee on Tuesday were based.

This year, I have had a bill in since March 12 to permit expansion of the program. No action was taken or scheduled by the committee until after the Senate had passed a very inadequate bill adding only $20,000,000 to the ceiling on appropriations—a stopgap measure for the coming fiscal year only, and one which would not permit expansion of the program to most of the counties now seeking it.

When it was announced that the committee would soon take up the inadequate Senate-passed bill, I then prepared new legislation with 121 cosponsors from 30 States other than mine—including 10 chairmen of standing committees of the House—to take the arbitrary ceilings off the amount of appropriations which Congress can vote for the food stamp program. Additional Members have since agreed to join as cosponsors of this legislation, and I plan to introduce another identical bill early next week, with these additional cosponsors.

Mr. Speaker, I have always supported legislation to help our farmers to stay on the farm, and to farm profitably, and to get a good return. The Speaker honored me several years ago by appointing me to the National Commission on Food Marketing, where I joined in recommendations for further strengthening the bargaining power of agriculture in obtaining fair prices. Although I am a consumer-oriented Member from an urban area, I have never favored policies which would lower food prices to consumers by ruining farmers. Adequate supplies of food can be assured for our consumers at fair prices only if the farmer is encouraged to stay on the farm and produce food.

But, as I told the National Farmers Union at their convention in Minneapolis on March 18, a few days after I introduced the first of my new series of food stamp bills in this session, those Members of Congress who support good legislation for farmers desperately need the help and assistance of Members from urban areas, and this cooperation must be a two-way street. I think, in view of the reports of the hearing Tuesday before the Committee on Agriculture in which I talked about this issue, it might be of interest to the Members to read my views on urban-rural cooperation as outlined to one of the great farm organizations in the Nation—and one, I might add, which agrees with me, rather than with a majority of the Members of the House Committee on Agriculture, on the importance of expanding the food stamp program.

The address referred to is as follows:

ADDRESS BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF ST. LOUIS, MO., CHAIRMAN, SUBCOMMITTEE ON CONSUMER AFFAIRS, U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON BANKING AND CURRENCY, AT 66TH ANNUAL CONVENTION OF THE NATIONAL FARMERS UNION, LEAMINGTON HOTEL, MINNEAPOLIS, MINN., MONDAY, MARCH 18, 1968

A few weeks ago I was in Dallas, Texas, addressing the annual convention of the National Rural Electric Cooperative Association. Out of the thousands of members of that organization in the huge auditorium, there was not a single constituent of mine in the entire audience. Now I am appearing before another large convention group, and, again, I am sure there is not a constituent of mine from urban St. Louis in the audience. From the standpoint of the political science of survival in the House of Representatives of the United States Congress, this would not appear to be the most advantageous use of my time and energy. The Supreme Court of the United States has been making something of a shambles of the Congressional redistricting law of Missouri, as it has been doing in other states as well, and, as of this month, it finally appears definite that, for the next election only, an outlying area of St. Louis Suburbia never before in my District, and which was put in it and then taken out, has now been placed in it once again. So, by rights, I should be spending every free moment campaigning in that new area of my District so that the voters there will at least know who I am when they see my name on the ballot in their polling places for the very first time at the next election.

But even though the first duty of a Member of the House of Representatives, from a practical political standpoint, is supposed to be to get himself or herself re-elected every two years in order to retain seniority on Committees where the real work of the House is accomplished, there is always the question of what you *do* with that seniority, and what you do with your opportunities in the Congress, once you *are* re-elected. Thus, weighing my immediate problem in becoming better acquainted with the many new constituents in my District in the next election against the other obligation I have, to them and to all of my constituents, to try to perform my work in the Congress to the best of my ability, now and in the future, I decided to go to Dallas several weeks ago to meet with the people from the REA co-ops and to come here today to meet with you members of the National Farmers Union.

NEED FOR COOPERATION ON FARM AND URBAN LEGISLATION

I have made these long journeys because I am deeply concerned, as I know you are, over the traditional cleavage in the Congress between the Members who represent predominantly rural areas and those like myself who represent heavily concentrated urban areas. The apparent antagonism of interests between the two groups—and I use the word "apparent" because, fundamentally, the differences are not as real as they would appear to be—has caused tremendous difficulties in the past for city people and rural dwellers alike. And anything you and I can do to bring our interests closer together will help my people and all of you, too.

Up to now, the urban and rural Congressmen have needed each other desperately in order to accomplish anything worthwhile for either group of constituents. No farm legislation which passed the Congress in the past 35 years could have been enacted into law without the firm support of a majority of the Members of Congress representing urban areas. Similarly, none of the legislation we have needed for the salvation of our cities could have been enacted without at least some help from Congressmen who represent rural areas. In the future, we in the cities will probably be less dependent upon the help of Congressmen from rural areas in order to accomplish our needs on legislation, and you in the rural areas are probably going to be even more dependent upon us than you have been up to now for the accomplishment of your legislative objectives. This is the inevitable consequence of redistricting based on equal population and geographical distribution.

Of all of the organizations in this country composed largely of people who live and work outside of the cities, I think the National Farmers Union and the organization of REA co-ops first understood the inter-dependence of rural and urban citizens, and the importance of our working together. You have acted on that knowledge over a long period of time—long before the trend to one-man-one-vote representation began to make itself felt. I am well aware of how much help and support you have given to the need for reconciling the apparent divergence of interests of those in the cities and those who live out in the country. That is why I went to the Dallas meeting and that is why I am here. I have an extremely high regard for both organizations; you have both had extremely intelligent leadership and a deep appreciation for the practical realities of political decision-making in a democracy. Therefore, I know we can continue to work together—because we have done it so often in the past.

BACKGROUND OF FOOD STAMP PROGRAM

Let me give you as one illustration of that fact the work we did together on one of the programs of government closest to my heart—the Food Stamp Program.

Many of you know this background, I am sure, but I want to acknowledge it publicly at your convention. I was first elected to Congress in 1952. I took my seat in January of 1953, a few weeks before President Eisenhower was sworn into office and brought with him to office a Secretary of Agriculture who, in his unsuccessful mission to try to liquidate what were then our huge surpluses of foodstuffs, almost succeeded instead in the liquidation of the family farm. We all have our own reasons for looking back on the regime of Ezra Taft Benson with other than warm feelings of nostalgia, but I remember those years so vividly and so sorrowfully because of the stubborn refusal of the Department under Mr. Benson to show any concern whatsoever for the nutritional deficiencies in the diets of the millions of poor people in this country. In those days we grew far more food than we could eat, or give away, or store. Much of it rotted in the fields, because it was uneconomic to harvest it. Much of that which was harvested could be sold only to the government, where it sometimes rotted in warehouses. The storage capacity was inadequate, and a lot of surplus food never got into storage; it just deteriorated wherever it was dumped.

We began having a recession in our cities late in 1953 and early in 1954, and in my city of St. Louis we had hungry people. At the same time, Congress was considering new legislation seeking to bolster the incomes of farmers by diverting land from production, and giving away food all over the world. It was in this period in my first term in the Congress that I proposed that we feed our own hungry people in an intelligent manner with some of the vast amount of food we were giving away or destroying, and I urged that we use the regular channels of trade—the corner grocery store—to supplement the diets of the hungry people in our cities through a Food Stamp Program.

When I first proposed this idea—a modification of one which we had tried in an experimental manner for a short period beginning immediately before World War II—Secretary Benson denounced the proposal with such vehemence that the Members of his Party then in control of the House Committee on Agriculture quickly threw it into the legislative garbage can. And from then on, until last year, a period of 13 years, I could never get a single Republican vote for the plan in the House Committee on Agriculture. Not one.

In the meantime, many things had happened to prove that the Food Stamp Plan not only made sense but was the most effective means we could devise to accomplish the *dual purpose* of increasing food consumption in this country, and thus helping all farmers, while at the same time making sure that *all* of our citizens could eat properly in a country which had the capacity to produce such a vast abundance of food that to many people like Mr. Benson this abundance represented a curse rather than a blessing.

FARMERS UNION AMONG VERY FIRST ALLIES OF FOOD STAMP DRIVE

But while the Republican Secretary of Agriculture and the Republican Members of the House Committee on Agriculture were opposing and blocking and denouncing the Food Stamp Plan, a dozen years or more ago, I began to pick up some wonderful and effective allies in my crusade for this program. And one of my first allies—one of the very first I welcomed to that battle—was the National Farmers Union. For a long time it was the *only* organization of farmers which saw merit in this plan for helping *both* the farmers and the nation's low-income families. When I started working on this idea, by the way, the Farm Bureau wasn't the only group to oppose it. Even the social workers were against it at first. Now, however, nearly everyone who has studied the program recognizes that in areas where it is administered properly—and that, I believe, is in most of the areas where it now is in operation—this plan can guarantee that no matter how poor a family might be, and no matter how much it might lack in the other necessities of life, it can at least *eat* decently and properly. However, in 1954, and for some years thereafter, a lot of people thought this was a silly idea. But not the Farmers Union. You had no difficulty from the very beginning in understanding and appreciating the long-range significance and value of a Food Stamp Program. And I am happy to say that the NFU worked hard, and effectively, from the very start, to help me pass the necessary legislation in 1959 and 1964 and 1967 and to get the necessary funds each year since 1961 to initiate and expand the program. I shall always be grateful to your leaders and to the members of this organization for joining me in what I think has been one of the most useful programs of government in the most elemental field of the public interest and concern—that is, the proper feeding of children, and the proper nutrition of all of our people, regardless of income.

COMBATING LACK OF URBAN KNOWLEDGE OF FARM PROBLEMS

Because you took an interest long ago in an issue which was so close to my heart and which was so important to my constituents, I made it a point to try to become more familiar with the issues which were of vital survival importance to your members. This was long before I ever served on the National Commission on Food Marketing in 1964–66—this was back in the Eisenhower years when our newspapers in the cities were denouncing every form of Federal assistance to the farmer and were clamoring for a completely free market in farm prices, as Secretary Benson had proposed. In those years, many of my constituents wrote to me denouncing every one of my votes on farm legislation—all they could see in any form of price support or farm assistance was a case of higher food prices to the consumers. It is not easy, believe me, to explain to a voter in a crowded city, whose children may never have seen a cow, that the price of food to the city consumer would soar out of sight if the family farmer could not make a living and had to abandon his acreage. It is extremely hard to explain to consumers the gyrations of food prices in the grocery stores in terms of something that happened on the farms not merely many months previously, but perhaps in the previous year. City people are just not aware of how low some farm and food prices have fallen at any given time because farmers had overplanted one year in order to try to break even after a crop disaster the previous year. There is such a long lag between the events on the farms which cause substantial changes in agricultural prices and the time when those changes actually show up in the grocery stores that consumers lose track of the relationship of the cause to the effect. Frankly, they tend to regard very *low* prices resulting from market oversupply as the *normal* price for a particular commodity, such as chicken, and occasionally beef, and many of the vegetables, and they complain bitterly when those prices go to the other extreme because of seasonal or disaster circumstances.

A Member of Congress from an urban area takes a long time to learn very much about the rather sophisticated mechanics of agricultural economics, if he learns it at all; and when he does learn it sufficiently to recognize the importance of trying to achieve some stability in farm prices, and in farm income, and votes for legislation to carry out those objectives, he then has the extremely difficult political assignment of trying to explain his actions to his voters. The voters *never* feel food prices are anything but too high. So it takes some courage for us to vote for things we know are good for the country if our own constituents are not yet educated to these realities. Generally, the liberal Members of the House from urban areas have supported these concepts and have made possible the enactment of the kind of legislation which you people have found so essential to the continuation of the family farm.

IT HAS NOT BEEN A TWO-WAY STREET IN CONGRESS ON URBAN-RURAL COOPERATION

But it hasn't always been a two-way street on legislative issues; the Congressmen from the rural areas who always depend upon our votes to help them help *their* constituents are frequently reluctant, if not completely negative, about the legislation which we need for the salvation of our problem-ridden cities. And this causes real resentment among all the city Congressmen. In that connection, the intelligent leadership of the National Farmers Union has served you well, by working for good legislation to benefit all citizens. I consider the National Farmers Union to be a great force for enlightened political self-interest by recognizing, on nearly all issues with which I am familiar, the close interrelationship of the well-being of those who live in the country and those of us who live in the cities.

FARMERS UNION SUPPORT FOR CONSUMER CREDIT PROTECTION ACT

For instance, the National Farmers Union was the only organization composed entirely of farmers which took the trouble to come before my Subcommittee on Consumer Affairs in the House Committee on Banking and Currency last August, during our two weeks of hearings on the Consumer Credit Protection Act, to testify in favor of the need for truth in lending legislation. There happens to be a provision in that bill which is extremely important to farmers. For we include in the requirement for full and complete disclosure of all terms in consumer credit transactions not only the loans or purchases consumers make for personal, family, or household purposes, but we also cover loans or purchases primarily for agricultural purposes as well. I might say that the farm implement people were not exactly happy with that at all, and suggested we take it out of the bill, since commercial or business credit is exempt, but we refused to do so, and one of the reasons why we refused to do so was the excellent testimony given to us by your assistant legislative representative in Washington, Blue Carstenson. So farmers have an even greater stake in the passage of this legislation than any other group, because you must, of necessity, utilize credit frequently in connection with the operation of your farms.

If Blue Carstenson, or Clyde Ellis from the REA co-ops, who also testified, had come before us and said they were only interested in this legislation because of its help to the farmer, or in the section applying to farmers, I don't think we would have paid them nearly as much attention. But they placed their support for this important legislation on the premise that this was good for the entire economy, it was good for all consumers, it was good for the honest, decent merchant or banker, and that the only people who could legitimately oppose the passage of a strong truth in lending and consumer credit protection bill were those unscrupulous operators who victimize the public in the use of credit.

But sending a witness to a Congressional hearing—no matter how able and articulate the witness may be or how many facts he may have at his fingertips to share with the Committee Members—and passing resolutions in conventions—helpful as those resolutions might be—are not enough to achieve the passage of any worthwhile legislation. It takes personal involvement by the individual citizen, and that is what we frequently lack. One of the most effective devices used by the National Farmers Union in support of farm legislation in which you are interested as an organization is the "fly-in" technique you utilize to send groups of your members from particular areas of the country to visit with their own Congressmen and Senators in Washington. I have had some of your delegations come in to see me in my office in Washington to try to enlist my support on a particular farm measure. If I happen to be in the office at the time and not in my Committee or over on the House floor, and if I have a moment, I am always glad to say hello and to promise to look into the matter before it comes before us for a vote, but as I tell your delegates on those occasions, their task is to convince their own Members of Congress to convince the rest of us.

RURAL AREA CONGRESSMEN HELPED MAKE 89TH CONGRESS OUTSTANDING

Of course, that means you must elect the kind of Representatives to the Congress who are on the right side of these issues to begin with, and who are able and persuasive and who are also—and this is very important—knowledgeable enough about our problems, and sympathetic enough about the issues which confront the cities, to listen to us when we are trying to explain why we need money for housing or pollution control or job training or any one of the scores of programs we are trying to get through Congress in order to make our cities fit to live in, or to keep them from becoming unfit to live in.

The previous Congress, the 89th, was one of the best Congresses we have ever had. One of the reasons it was such a good Congress was that so many of the new Members of the House of Representatives in that Congress from rural areas came to Washington with a determination to try to make this a better country for everyone. These were the Congressmen whose crucial votes made possible the passage of "Medicare" under the Social Security Act. They generally voted with the urban Representatives in support of bitterly contested consumer legislation. They joined with us to forge a new kind of political coalition between the urban liberals and the rural realists, to counteract the influence of those who, for so many years in the previous Congresses had succeeded in blocking every kind of forward-looking legislation.

I didn't come here to make a political speech and I am not going to put this matter in partisan terms, although I think everyone here remembers that the 89th Congress had a very hefty working majority of Democrats, much bigger than now. But whether a Congressman is a Democrat or a Republican, his effectiveness should be tested by the people in his home District not on partisan considerations but according to his ability to see the greater needs of this country and to vote for things which will aid the entire economy. This is a test which you people have to give to your own Members of Congress, and to your candidates for Congress, in your home Districts. No one from Washington or St. Louis can do this testing for you. We can give opinions—but it's up to you to decide whether you want to be represented by Members of Congress who will work with the urban Members and join us in fighting for things which help all Americas, or whether you are willing to have your Congressmen vote "no" on everything except on a few issues where the local sentiment is so overwhelmingly in favor that they don't dare vote it down.

INDIVIDUAL CITIZEN HAS A GREAT RESPONSIBILITY

Along those same lines, you have got to make local sentiment more articulate. The NFU "fly-ins" are useful. Your people create a good impression when they come to Washington and walk through the corridors of the House and Senate office buildings and meet and talk with individual Members of Congress. They generally come well briefed on the issues and with a friendly open spirit which all of us admire and appreciate. However, only a comparatively few of your people can come to Washington to lobby in person. But every one of you—and every farmer who belongs to your organization, and every wife of every farmer who belongs to your organization—can sit down and write to your own Congressman and Senators and put in your letters to your own Members of Congress the things which you think *should* be done, and the things which you think should *not* be done. You do not have to write a book. As a matter of fact, if a constituent puts too much about too many subjects into his letter, the Congressman can't begin to answer it because it would take a volume to cover each of the points. Base your letters on your own knowledge and experience. You have all had experience, for instance, in buying on credit. The House passed a good, strong bill on consumer credit protection. But at this moment, we do not know what the situation is going to be in Conference Committee when we meet to work out the differences between a very weak bill passed by the Senate last July and the very strong bill we passed in the House in February. At this point, it's important that all citizens who use credit—and farmers use a great deal of credit, as I well know—should let their United States Senators know why they want a truth in lending bill which has *teeth* in it and which covers *all* types of consumer credit transactions, from department store or mail order revolving credit on up to and including first mortgages.

Let me give another example of what I am referring to. Every woman in this country today, and most men and children also, use products which are officially described by the laws of the United States as being cosmetics. I wonder how many of you know that the products you buy in your drug store or in the grocery store or at the mail order house or department store which come under the general heading of cosmetics have *never* had to be tested to be sure they are safe to use. I have been trying since 1954 to require that every consumer product of this nature which is to be offered for sale to the public must be tested and proved safe before it can be put on the market. When I talk about this issue, people are amazed to hear that we have no such law on the books. We have had such a law on the books for 30 years as it relates to drugs of all kinds. We have had such a law on the books for 10 years as it relates to food additives.

LACK OF PRE-TESTING REQUIREMENT FOR COSMETICS

But any manufacturer can sell any cosmetic item—from lipsticks to vanishing cream, shaving cream, deodorant, hair dressing, hair sprays, fingernail polish, hand lotion—you can't begin to image all the products which are covered under the general heading of cosmetics—and these products can be sold freely without anybody having had to test those products ahead of time and make sure they are safe. If the government should eventually discover that an unsafe cosmetic product is being sold, it can *then* move to take that product off the market, but it must be able to prove in court that the product is harmful. And this is sometimes difficult to prove. I was amazed to learn recently—we are always learning new things in this field of legislation and law—that a brand of cinnamon flavored toothpicks was removed from the market as a *dangerous cosmetic*. The Food and Drug Administration discovered that it contained a flavoring ingredient which was harmful. Children had been buying these cinnamon-flavored toothpicks to hold in their mouths because they liked the taste. As much as I have studied the Food, Drug, and Cosmetic Act, I had never before been aware of the fact that a toothpick is regarded as a cosmetic. In any event, that product should never have been placed on sale for children or anyone else to buy if it was not safe to use. There are numerous hair dyes which are terribly unsafe. There are other products in the cosmetic line which cause allergic reactions from mild to severe.

My point in raising this issue is that I have never had much success in getting through my legislation to tighten the law on unsafe cosmetics because most people just aren't aware of the problem. Since the people aren't aware of the problem, their Congressmen aren't much concerned about it. That's how simple the explanation is for the fact that nothing has been done to correct this situation.

There are many similar problems from the consumer standpoint. Therefore, one of your most important assignments as citizens—almost as important as voting itself—is to look around you and discover the things in your own environment which need correction. Sometimes you learn about these things just by accident. If you are typical Americans, as I know you are, you find any number of things each day to complain about, and undoubtedly you do complain about them to somebody—the wife to her husband; the husband to the wife, the kids to the parents, and vice versa; the shopper to the storekeeper; the worker to his boss. We all do a lot of complaining and, thank heavens we live in a society where you lose neither your life nor your freedom for complaining about things as they are. But it's my feeling that most people aren't directing their complaint to those who can do something about correcting them.

MEMBERS OF CONGRESS READ CONSTITUENTS' LETTERS

Believe me, I am not here today to promote the writing of letters to Congresswoman Leonor K. Sullivan. I have more letters coming into my office each day than I can read. But I'll tell you a little secret: I read every single letter which comes to my office from my *own* District in Missouri, or from any place in the St. Louis area. I also read every letter which comes in to me from other parts of the country which deals with the legislation in which I am directly involved through my Committee assignments. And I also read every letter which comes to me from people who have information they can give me about consumer issues. And then, to the extent that I can do so, I read the rest of the letters, too. This is a chore. But it is also one of the most useful things a Member of Congress can do. We get most of our ideas for legislation out of the mail we receive from our own District or from other citizens, but, as I said, we chiefly pay attention to that which comes to us from our own voters.

When a constituent asks us a question—a question about a government program—and we can't answer that question, we *get* the answer! If the answer we receive from the government agency handling the program is not a satisfactory answer—and it often is not—then there are many ways we can pursue the subject until we get the answers we need; or, we *change* the law so that the answers finally make sense. Every one of you can praticipate in this exciting activity of making government work for the benefit of the public. And often, as I said, it takes nothing more than a letter to a Member of Congress or to an appropriate government official at the Federal, state, or local level. But you really have to get involved, *personally*.

FARM PROSPERITY AND URBAN EMPLOYMENT DIRECTLY RELATED

It's important for you to broaden your outlook to be able to see the problems encountered by the other groups in our society. The farmer's prosperity is a chancy thing, at best, but the farmer has never been prosperous in this country—never—when the rank and file of the population has suffered from large scale unemployment and from economic distress. I think you people realize that. Many of us in Congress from city districts also recognize the reverse of it, which is that if the farmer is in financial distress, the prosperity of the workers in the cities is also going to suffer. This has been our experience as far back as any of us here can remember.

Just as it is up to us who represent urban areas in the Congress to educate our own constituents to the importance of our supporting legislation to help the farmer, you farmers have got to educate *your* Congressmen to support the things which help us in the cities. As I said, we need each other right now and we need each other rather desperately. But, as time goes on—and I am repeating what I said earlier—the urban Members of Congress are going to need less and less help from Members representing rural areas and your Congressmen are going to need our help more and more. By that time, unless present trends are reversed, it's very likely that more and more farmers will be our constituents in the cities. On the other hand, it's also very likely that our cities will be moving out farther and farther into your farmlands. So, we will really have in fact the mutuality of interests that I have been talking about today.

Therefore, whether it is a case of your scratching our backs so that we can return the favor, or whether it is a case instead of recognizing our mutual interdependence and the good sense of working together on the things which will help this country and everyone in it, your active participation in the major political issues as citizens is urgently needed. I know that the officers of your organization have always believed in this and have tried to stimulate the interest of the members of the National Farmers Union in political activity, and in an awareness of the legislative issues which affect all of us in so many different ways.

COURAGE TO PUT FORWARD NEW IDEAS

I've heard it said in jest—or perhaps it wasn't only in jest—that our mutual good friend in whose home town we are now meeting today, and who is here with us at this convention, the Vice President of the United States, Hubert Humphrey, has more solutions than there are problems. No public figure has been more deeply involved in more good causes over a longer period of time than Hubert Humphrey, and he has always sparkled with ideas for making this a better country for all—for farmers, for whom he worked so hard in the Senate Committee on Agriculture, and for urban dwellers, too. Dozens of "solutions" which Hubert Humphrey used to offer as a Senator for problems which other Members of the Senate had not yet recognized to be problems were later written solidly into the laws of this land, and they are good laws.

So never hesitate to voice a new idea, no matter how much hooting it may inspire at first among your friends and acquaintances, if you think it is something which can help our country and our people. As great a man as was Franklin D. Roosevelt, and as much as he accomplished, he was way behind *our* times today, in his proposals for improving America. The revolutionary ideas of the FDR New Deal are now old hat—everyone takes them for granted. But some of the laws proposed and signed into law by President Johnson, with almost unanimous public support, would have made Franklin D. Roosevelt's opposition cry out in anguish and dismay.

We have got to keep going forward into new paths for harnessing the enormously complex forces which our technology and research are constantly uncovering. But every good program of government starts with some restless citizen's perhaps half-thought-out, workers were against it at first. Now, however, nearly everyone who has studied the program recognizes that in areas where it is administered properly—and that, I believe, is in most of the areas where it now is in operation—this plan can guarantee that no matter how poor a family might be, and no matter how much it might lack in the other necessities of life, it can at least *eat* decently and properly. However, in 1954, and for some years thereafter, a lot of people thought this was a silly idea. But not the Farmers Union. You had no difficulty from the very beginning in understanding and appreciating the long-range significance and value of a Food Stamp Program. And I am happy to say that the NFU worked hard, and effectively, from the very start, to help me pass the necessary legislation in 1959 and 1964 and 1967 and to get the necessary funds each year since 1961 to initiate and expand the program. I shall always be grateful to your leaders and to the members of this organization for joining me in what I think has been one of the most useful programs of government in the most elemental field of the public interest and concern—that is, the proper feeding of children, and the proper nutrition of all of our people, regardless of income.

COMBATING LACK OF URBAN KNOWLEDGE OF FARM PROBLEMS

Because you took an interest long ago in an issue which was so close to my heart and which was so important to my constituents, I made it a point to try to become more familiar with the issues which were of vital survival importance to your members. This was long before I ever served on the National Commission on Food Marketing in 1964–66—this was back in the Eisenhower years when our newspapers in the cities were denouncing every form of Federal assistance to the farmer and were clamoring for a completely free market in farm prices, as Secretary Benson had proposed. In those years, many of my constituents wrote to me denouncing every one of my votes on farm legislation—all they could see in any form of price support or farm assistance was a case of higher food prices to the consumers. It is not easy, believe me, to explain to a voter in a crowded city, whose children may never have seen a cow, that the price of food to the city consumer would soar out of sight if the family farmer could not make a living and had to abandon his acreage. It is extremely hard to explain to consumers the gyrations of food prices in the grocery stores in terms of something that happened on the farms not merely many months previously, but perhaps in the previous year. City people are just not aware of how low some farm and food prices have fallen at any given time because farmers had overplanted one year in order to try to break even after a crop disaster the previous year. There is such a long lag between the events on the farms which cause substantial changes in agricultural prices and the time when those changes actually show up in the grocery stores that consumers lose track of the relationship of the cause to the effect. Frankly, they tend to regard very *low* prices resulting from market oversupply as the *normal* price for a particular commodity, such as chicken, and occasionally beef, and many of the vegetables, and they complain bitterly when those prices go to the other extreme because of seasonal or disaster circumstances.

A Member of Congress from an urban area takes a long time to learn very much about the rather sophisticated mechanics of agricultural economics, if he learns it at all; and when he does learn it sufficiently to recognize the importance of trying to achieve some stability in farm prices, and in farm income, and votes for legislation to carry out those objectives, he then has the extremely difficult political assignment of trying to explain his actions to his voters. The voters *never* feel food prices are anything but too high. So it takes some courage for us to vote for things we know are good for the country if our own constituents are not yet educated to these realities. Generally, the liberal Members of the House from urban areas have supported these concepts and have made possible the enactment of the kind of legislation which you people have found so essential to the continuation of the family farm.

IT HAS NOT BEEN A TWO-WAY STREET IN CONGRESS ON URBAN-RURAL COOPERATION

But it hasn't always been a two-way street on legislative issues; the Congressmen from the rural areas who always depend upon our votes to help them help *their* constituents are frequently reluctant, if not completely negative, about the legislation which we need for the salvation of our problem-ridden cities. And this causes real resentment among all the city Congressmen. In that connection, the intelligent leadership of the National Farmers Union has served you well, by working for good legislation to benefit all citizens. I consider the National Farmers Union to be a great force for enlightened political self-interest by recognizing, on nearly all issues with which I am familiar, the close interrelationship of the well-being of those who live in the country and those of us who live in the cities.

FARMERS UNION SUPPORT FOR CONSUMER CREDIT PROTECTION ACT

For instance, the National Farmers Union was the only organization composed entirely of farmers which took the trouble to come before my Subcommittee on Consumer Affairs in the House Committee on Banking and Currency last August, during our two weeks of hearings on the Consumer Credit Protection Act, to testify in favor of the need for truth in lending legislation. There happens to be a provision in that bill which is extremely important to farmers. For we include in the requirement for full and complete disclosure of all terms in consumer credit transactions not only the loans or purchases consumers make for personal, family, or household purposes, but we also cover loans or purchases primarily for agricultural purposes as well. I might say that the farm implement people were not exactly happy with that at all, and suggested we take it out of the bill, since commercial or business credit is exempt, but we refused to do so, and one of the reasons why we refused to do so was the excellent testimony given to us by your assistant legislative representative in Washington, Blue Carstenson. So farmers have an even greater stake in the passage of this legislation than any other group, because you must, of necessity, utilize credit frequently in connection with the operation of your farms.

If Blue Carstenson, or Clyde Ellis from the REA co-ops, who also testified, had come before us and said they were only interested in this legislation because of its help to the farmer, or in the section applying to farmers, I don't think we would have paid them nearly as much attention. But they placed their support for this important legislation on the premise that this was good for the entire economy, it was good for all consumers, it was good for the honest, decent merchant or banker, and that the only people who could legitimately oppose the passage of a strong truth in lending and consumer credit protection bill were those unscrupulous operators who victimize the public in the use of credit.

But sending a witness to a Congressional hearing—no matter how able and articulate the witness may be or how many facts he may have at his fingertips to share with the Committee Members—and passing resolutions in conventions—helpful as those resolutions might be—are not enough to achieve the passage of any worthwhile legislation. It takes personal involvement by the individual citizen, and that is what we frequently lack. One of the most effective devices used by the National Farmers Union in support of farm legislation in which you are interested as an organization is the "fly-in" technique you utilize to send groups of your members from particular areas of the country to visit with their own Congressmen and Senators in Washington. I have had some of your delegations come in to see me in my office in Washington to try to enlist my support on a particular farm measure. If I happen to be in the office at the time and not in my Committee or over on the House floor, and if I have a moment, I am always glad to say hello and to promise to look into the matter before it comes before us for a vote, but as I tell your delegates on those occasions, their task is to convince their own Members of Congress to convince the rest of us.

RURAL AREA CONGRESSMEN HELPED MAKE 89TH CONGRESS OUTSTANDING

Of course, that means you must elect the kind of Representatives to the Congress who are on the right side of these issues to begin with, and who are able and persuasive and who are also—and this is very important—knowledgeable enough about our problems, and sympathetic enough about the issues which confront the cities, to listen to us when we are trying to explain why we need money for housing or pollution control or job training or any one of the scores of programs we are trying to get through Congress in order to make our cities fit to live in, or to keep them from becoming unfit to live in.

The previous Congress, the 89th, was one of the best Congresses we have ever had. One of the reasons it was such a good Congress was that so many of the new Members of the House of Representatives in that Congress from rural areas came to Washington with a determination to try to make this a better country for everyone. These were the Congressmen whose crucial votes made possible the passage of "Medicare" under the Social Security Act. They generally voted with the urban Representatives in support of bitterly contested consumer legislation. They joined with us to forge a new kind of political coalition between the urban liberals and the rural realists, to counteract the influence of those who, for so many years in the previous Congresses had succeeded in blocking every kind of forward-looking legislation.

I didn't come here to make a political speech and I am not going to put this matter in partisan terms, although I think everyone here remembers that the 89th Congress had a very hefty working majority of Democrats, much bigger than now. But whether a Congressman is a Democrat or a Republican, his effectiveness should be tested by the people in his home District not on partisan considerations but according to his ability to see the greater needs of this country and to vote for things which will aid the entire economy. This is a test which you people have to give to your own Members of Congress, and to your candidates for Congress, in your home Districts. No one from Washington or St. Louis can do this testing for you. We can give opinions—but it's up to you to decide whether you want to be represented by Members of Congress who will work with the urban Members and join us in fighting for things which help all Americas, or whether you are willing to have your Congressmen vote "no" on everything except on a few issues where the local sentiment is so overwhelmingly in favor that they don't dare vote it down.

INDIVIDUAL CITIZEN HAS A GREAT RESPONSIBILITY

Along those same lines, you have got to make local sentiment more articulate. The NFU "fly-ins" are useful. Your people create a good impression when they come to Washington and walk through the corridors of the House and Senate office buildings and meet and talk with individual Members of Congress. They generally come well briefed on the issues and with a friendly open spirit which all of us admire and appreciate. However, only a comparatively few of your people can come to Washington to lobby in person. But every one of you—and every farmer who belongs to your organization, and every wife of every farmer who belongs to your organization—can sit down and write to your own Congressman and Senators and put in your letters to your own Members of Congress the things which you think *should* be done, and the things which you think should *not* be done. You do not have to write a book. As a matter of fact, if a constituent puts too much about too many subjects into his letter, the Congressman can't begin to answer it because it would take a volume to cover each of the points. Base your letters on your own knowledge and experience. You have all had experience, for instance, in buying on credit. The House passed a good, strong bill on consumer credit protection. But at this moment, we do not know what the situation is going to be in Conference Committee when we meet to work out the differences between a very weak bill passed by the Senate last July and the very strong bill we passed in the House in February. At this point, it's important that all citizens who use credit—and farmers use a great deal of credit, as I well know—should let their United States Senators know why they want a truth in lending bill which has *teeth* in it and which covers *all* types of consumer credit transactions, from department store or mail order revolving credit on up to and including first mortgages.

Let me give another example of what I am referring to. Every woman in this country today, and most men and children also, use products which are officially described by the laws of the United States as being cosmetics. I wonder how many of you know that the products you buy in your drug store or in the grocery store or at the mail order house or department store which come under the general heading of cosmetics have *never* had to be tested to be sure they are safe to use. I have been trying since 1954 to require that every consumer product of this nature which is to be offered for sale to the public must be tested and proved safe before it can be put on the market. When I talk about this issue, people are amazed to hear that we have no such law on the books. We have had such a law on the books for 30 years as it relates to drugs of all kinds. We have had such a law on the books for 10 years as it relates to food additives.

LACK OF PRE-TESTING REQUIREMENT FOR COSMETICS

But any manufacturer can sell any cosmetic item—from lipsticks to vanishing cream, shaving cream, deodorant, hair dressing, hair sprays, fingernail polish, hand lotion—you can't begin to image all the products which are covered under the general heading of cosmetics—and these products can be sold freely without anybody having had to test those products ahead of time and make sure they are safe. If the government should eventually discover that an unsafe cosmetic product is being sold, it can *then* move to take that product off the market, but it must be able to prove in court that the product is harmful. And this is sometimes difficult to prove. I was amazed to learn recently—we are always learning new things in this field of legislation and law—that a brand of cinnamon flavored toothpicks was removed from the market as a *dangerous cosmetic*. The Food and Drug Administration discovered that it contained a flavoring ingredient which was harmful. Children had been buying these cinnamon-flavored toothpicks to hold in their mouths because they liked the taste. As much as I have studied the Food, Drug, and Cosmetic Act, I had never before been aware of the fact that a toothpick is regarded as a cosmetic. In any event, that product should never have been placed on sale for children or anyone else to buy if it was not safe to use. There are numerous hair dyes which are terribly unsafe. There are other products in the cosmetic line which cause allergic reactions from mild to severe.

My point in raising this issue is that I have never had much success in getting through my legislation to tighten the law on unsafe cosmetics because most people just aren't aware of the problem. Since the people aren't aware of the problem, their Congressmen aren't much concerned about it. That's how simple the explanation is for the fact that nothing has been done to correct this situation.

There are many similar problems from the consumer standpoint. Therefore, one of your most important assignments as citizens—almost as important as voting itself—is to look around you and discover the things in your own environment which need correction. Sometimes you learn about these things just by accident. If you are typical Americans, as I know you are, you find any number of things each day to complain about, and undoubtedly you do complain about them to somebody—the wife to her husband; the husband to the wife, the kids to the parents, and vice versa; the shopper to the storekeeper; the worker to his boss. We all do a lot of complaining and, thank heavens we live in a society where you lose neither your life nor your freedom for complaining about things as they are. But it's my feeling that most people aren't directing their complaint to those who can do something about correcting them.

MEMBERS OF CONGRESS READ CONSTITUENTS' LETTERS

Believe me, I am not here today to promote the writing of letters to Congresswoman Leonor K. Sullivan. I have more letters coming into my office each day than I can read. But I'll tell you a little secret: I read every single letter which comes to my office from my *own* District in Missouri, or from any place in the St. Louis area. I also read every letter which comes in to me from other parts of the country which deals with the legislation in which I am directly involved through my Committee assignments. And I also read every letter which comes to me from people who have information they can give me about consumer issues. And then, to the extent that I can do so, I read the rest of the letters, too. This is a chore. But it is also one of the most useful things a Member of Congress can do. We get most of our ideas for legislation out of the mail we receive from our own District or from other citizens, but, as I said, we chiefly pay attention to that which comes to us from our own voters.

When a constituent asks us a question—a question about a government program—and we can't answer that question, we *get* the answer! If the answer we receive from the government agency handling the program is not a satisfactory answer—and it often is not—then there are many ways we can pursue the subject until we get the answers we need; or, we *change* the law so that the answers finally make sense. Every one of you can praticipate in this exciting activity of making government work for the benefit of the public. And often, as I said, it takes nothing more than a letter to a Member of Congress or to an appropriate government official at the Federal, state, or local level. But you really have to get involved, *personally*.

FARM PROSPERITY AND URBAN EMPLOYMENT DIRECTLY RELATED

It's important for you to broaden your outlook to be able to see the problems encountered by the other groups in our society. The farmer's prosperity is a chancy thing, at best, but the farmer has never been prosperous in this country—never—when the rank and file of the population has suffered from large scale unemployment and from economic distress. I think you people realize that. Many of us in Congress from city districts also recognize the reverse of it, which is that if the farmer is in financial distress, the prosperity of the workers in the cities is also going to suffer. This has been our experience as far back as any of us here can remember.

Just as it is up to us who represent urban areas in the Congress to educate our own constituents to the importance of our supporting legislation to help the farmer, you farmers have got to educate *your* Congressmen to support the things which help us in the cities. As I said, we need each other right now and we need each other rather desperately. But, as time goes on—and I am repeating what I said earlier—the urban Members of Congress are going to need less and less help from Members representing rural areas and your Congressmen are going to need our help more and more. By that time, unless present trends are reversed, it's very likely that more and more farmers will be our constituents in the cities. On the other hand, it's also very likely that our cities will be moving out farther and farther into your farmlands. So, we will really have in fact the mutuality of interests that I have been talking about today.

Therefore, whether it is a case of your scratching our backs so that we can return the favor, or whether it is a case instead of recognizing our mutual interdependence and the good sense of working together on the things which will help this country and everyone in it, your active participation in the major political issues as citizens is urgently needed. I know that the officers of your organization have always believed in this and have tried to stimulate the interest of the members of the National Farmers Union in political activity, and in an awareness of the legislative issues which affect all of us in so many different ways.

COURAGE TO PUT FORWARD NEW IDEAS

I've heard it said in jest—or perhaps it wasn't only in jest—that our mutual good friend in whose home town we are now meeting today, and who is here with us at this convention, the Vice President of the United States, Hubert Humphrey, has more solutions than there are problems. No public figure has been more deeply involved in more good causes over a longer period of time than Hubert Humphrey, and he has always sparkled with ideas for making this a better country for all—for farmers, for whom he worked so hard in the Senate Committee on Agriculture, and for urban dwellers, too. Dozens of "solutions" which Hubert Humphrey used to offer as a Senator for problems which other Members of the Senate had not yet recognized to be problems were later written solidly into the laws of this land, and they are good laws.

So never hesitate to voice a new idea, no matter how much hooting it may inspire at first among your friends and acquaintances, if you think it is something which can help our country and our people. As great a man as was Franklin D. Roosevelt, and as much as he accomplished, he was way behind *our* times today, in his proposals for improving America. The revolutionary ideas of the FDR New Deal are now old hat—everyone takes them for granted. But some of the laws proposed and signed into law by President Johnson, with almost unanimous public support, would have made Franklin D. Roosevelt's opposition cry out in anguish and dismay.

We have got to keep going forward into new paths for harnessing the enormously complex forces which our technology and research are constantly uncovering. But every good program of government starts with some restless citizen's perhaps half-thought-out, or even half-baked, idea. The brains the good Lord gave all of us to use contain more of value to this country than all the gold ever mined; all we need is the courage to voice an idea which comes to us but which may sound unorthodox at first.

Put your good minds to work on the problems you encounter, and you will often come up with solutions which the rest of us can help you perfect and put to work. Very often, these solutions can be made to work only through the combined action of all of us—through government. That's what governments are for—Federal, state, and local. More and more in this century, we are finding that to solve our biggest problems, the biggest form of our government, the Federal government, is required to participate. It's there for you to influence, to inspire, to help direct. Just remember that although you may not know everything there is to know about electricity, you know that when you touch a certain button on your farm equipment, you can send instantly coursing into action a great dynamic force equal to the power of hundreds of horses. Similarly when you, as a citizen, touch the right activator in our machinery of self-government, you can literally move mountains and change the course of mankind. Don't be afraid to "start something" in political action. There are enough safeguards in our system of government to prevent hasty action; in fact the safeguards are so powerful that frequently it takes a tremendous push to get the machinery off dead center. Lend your weight in that direction.

COURAGEOUS GEORGIA SERVICEMEN

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. STUCKEY. Mr. Speaker, Sgt. Donald Gibson, the young man who recently courageously stood up for the right to display the flag of his State of Georgia is not the only serviceman or the only Georgian who displays his State flag with pride. He is joined by many, many others of our fighting men.

The following is typical of many letters which I receive from our Georgia men fighting for their country:

DEAR MR. STUCKEY: I am serving in Vietnam at the present time, and I have a request to make of you sir. I live in the 8th District, County of Pierce.

Please excuse the writing. It's hard for me to think. I just got off guard. I would like to have a flag of the State of Georgia, and if I could get one, I would be glad to pay for it. I am proud to serve in the United States army and most of all proud of being a Georgian.

JERRY L. SLOAN,
U. S. Forces,
Republic of Vietnam.

I value this letter. My reply to Specialist Sloan follows:

DEAR SPECIALIST SLOAN: I want to thank you for your letter of March 19 and to say how proud I am to be your fellow Georgian and to commend you on your patriotic attitude as you serve your country in the United States Army.

I am enclosing a copy of a letter that I have written to Honorable Ben T. Fortson, Secretary of State for Georgia with regard to your request for a Georgia Flag and asked that if it is possible to provide you with one. If I can ever be of assistance to you, please do not hestitate to let me know.

W. S. (BILL) STUCKEY, JR.

Flags of the State of Georgia are obtained from the secretary of state. I am always happy to assist our fighting men in obtaining these flags.

THE TAX THAT CHEATS ALMOST EVERYONE

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. ULLMAN. Mr. Speaker, no other part of our tax system is so continually and thoroughly in disgrace as the local property tax. Its inequities and idiosyncrasies have been described and damned by scholars and State and local officials for decades.

But the property tax is still with us. It produces nearly half of our combined State and local tax revenue. Due to this key role in the State-local revenue picture it is imperative that we give attention to cleaning it up.

In 1963 the Advisory Commission on Intergovernmental Relations, on which I have the honor of representing this House, along with the distinguished gentleman from North Carolina [Mr. FOUNTAIN], and the gentlewoman from New Jersey [Mrs. DWYER], issued a comprehensive report on the property tax and submitted a sizable list of legislative recommendations for the consideration of the various States. Some States have acted upon some of the recommendations made by the Commission; notable among them are Tennessee, California, and New Jersey.

Despite these gains progress is agonizingly slow and it is time the American public sat up and took notice about the property tax situation. A call to action has just been sounded through a very striking article in the June issue of the Reader's Digest. In this article Mr. James Nathan Miller summarizes the situation over the country and gives practical suggestions to homeowners in pressing for reform of the property tax. I am pleased to see my own State held up as a model in the Digest article. We have made many improvements, including the establishment of countywide assessment, the requirement of professional qualifications by the State tax department and a State mandated 100 percent assessment ratio. Despite all of these improvements we can still do more.

Mr. Speaker, under unanimous consent I place at this point in the RECORD the text of Mr. Miller's article from the Reader's Digest:

THE TAX THAT CHEATS ALMOST EVERYONE

(By James Nathan Miller)

(NOTE.—Considered a national disgrace by fiscal experts, the local property-tax system is too often wasteful, inefficient and unfair. Here's how this basic levy works—and what you can do to avoid being overcharged.)

Last year Americans paid an estimated $27 billion in a tax whose administration is generally regarded by fiscal authorities as disgraceful. This is the local property tax—the levy on your house and land. It is the most vivid and costly example of the waste, inefficiency and inequity that plague local governments.

Nobody knows how many billions of dollars the tax collects wrongly in overcharges and loses unnecessarily in undercharges. But a recent statement by the Committee for Economic Development, based on the Census Bureau's 1962 study, *Taxable Property Values*, gives a hint: In more than two thirds of the assessing areas studied, the top-paying quarter of homeowners paid twice as much in property taxes, on the average, as the lowest-paying quarter—*on property of equal value*. In extreme cases, howeowners were paying ten or more times as much as others owning like properties.

A Vermont legislative committee investigating the property tax gave a group of assessors pictures and descriptions of four typical houses and requested appraisal on them. Reported the committee: "There seemed to be no definite pattern. The range of assessments on one house ran from $2000 to $35,000."

Guessing or Assessing? Recently I got a firsthand look at how ineptly the assessment process works when I spent a morning driving through a large Massachusetts town. My guide was a bank vice president, and he had brought along from his office two key statistics on each house that we looked at: its *actual* value, as represented by its sale price, and the *assessed* value the tax appraiser had put on it before it was sold. Three houses we looked at summed up the whole story.

The first represented an extremely accurate assessment—a six-room Cape Cod house that had recently been sold for $21,500, at which time it had an assessed value of $10,700. In other words, the assessor had guessed that, for tax purposes, the house was worth 49.8 percent of what it subsequently sold for.

What's so accurate about that? To understand, you should realize that assessments are merely a sort of scale model of your town's values, and like any model they can be scaled to any size. As one tax man explains, "So long as all properties are assessed alike, it is exactly the same to have a 100-percent level of assessment and a $3 tax rate as to have a 50-percent level and a $6 tax rate." In this particular Massachusetts town the "assessment ratio" was set at 50 percent of value; the assessor's 49.8-percent estimate was thus less than a percentage point off the bull's-eye, a remarkably accurate appraisal.

Yet such accuracy is rare indeed in the United States today. Witness two other houses we saw that day: One had been assessed at only *41.6* percent of its value ($16,000 assessment, $38,500 sale price); the other at a huge *68.6* percent ($18,200 assessment, $25,500 sale price).

What did these wide assessment disparities mean in terms of the fairness of each owner's tax? The first houseowner paid almost exactly what he should have. But the second got off with a $243 *under*payment, while the third was *over*charged $356. In fact, the $38,500 house actually incurred $112 less in taxes than the $25,500 one!

The appraisal of these three houses is typical of the way the majority of appraisers are valuing the other 67 million parcels of real property from coast to coast. The Census Bureau's 1962 sales-versus-assessment analysis covered 1356 assessment areas containing 75 percent of the population, with every state represented. The results were startling. While about one of seven areas was shown to be doing a good job, one fifth of the areas had extremely poor assessment standards. In fact, fewer than a third of the areas achieved acceptable standards of equity.

Low Pay, Low Performance. How did things get this way? It's the old, sad story of local government today: fractionalized into tiny, inefficient units, incapable of paying for the skills it needs. For, to find a property's true value—"the price in the open market on a sale between a willing and knowledgeable seller and buyer"—is a very high skill. Banks and title companies pay their field appraisers (who do precisely the same job that local assessors are supposed to do) $10,000 to $15,000 a year.

Yet only a small fraction of our assessing districts can afford such talent. We have 15,000 districts—six or seven times as many as are needed—and the men who run them were paid an average 1966 salary of $6848. And in many districts the job pays far less than this. Part-time township assessors in Illinois, for instance, often make only a few hundred dollars a year.

As if all this weren't enough to assure mediocre performance, state laws add the final guarantee: they make more than half the assessing posts in the country elective rather than appointive, and in almost all districts they demand *no professional qualifications for holding the office*. In the words of the Advisory Commission on Intergovernmental Relations, "Local governments seem willing to elect as assessor any resident who is old enough to vote and does not have a criminal record, and to pay him less than the school janitor."

The predictable results:

Ignorance of the Law. Many assessors are unaware of, or ignore, the most fundamental fact about the property tax: it is an *ad valorem levy*—that is, a tax on the value of a property, not on the wealth of the owner. Says Charles Barr, the competent assessor for Lisle Township, a Chicago suburb, "In many districts the property tax is run like the income tax; the assessor looks at the property, figures what you can afford to pay, and sets the value accordingly."

This "hit them for what they're worth" technique is particularly tough on industries, and for many national companies the payment of exorbitant local taxes is regarded as a normal cost of business. When it was discovered three years ago that the assessors of three of California's largest counties were taking bribes from national companies to lower their appraisals, the subsequent investigation showed that many companies were paying merely to bring their taxes down to the proper levels.

Political Appraisals. The fact that about half our assessors are elected throws the whole business into politics. Three years ago private appraisers in Elizabeth, N.J., found that houses on one side of a street were assessed at $10,000 while identical houses on the other side were assessed at $15,000—the only difference being that the street had once been the dividing line between two election wards.

In resort areas it's a not uncommon practice to overvalue the houses of summer residents and undervalue those of year-rounders—"presumably on the theory," said the Vermont report, "that the owners don't vote and therefore can't complain as effectively as can residents." Says Lyman Ziegler, technical director of the Massachusetts Taypayers Foundation, "We constantly get complaints from summer residents on Cape Cod and the islands that they are being overassessed in relation to the local people."

Prospects for Reform. Many experts think there are such fundamenal inequities in the very concept of the property tax (the main one being that it is regressive, hitting the poor relatively harder than the rich) that even if it were well-administered it should be abolished. But certainly abolition won't come soon. For the property tax is the oldest, biggest and most flexible source of money that local governments have, supplying seven out of eight locally collected dollars and paying half the bill for local schools. Moreover, not even its severest critics have been able to think of a decent substitute. So, reform is the crucial problem. This breaks down into two questions, one short-range and one long-range:

What can you do about your assessment now? First, find out what your community's assessment ratio is. Most local taxpayers have no idea. All they know is that their assessments, being far lower than their property values, *seem* to be a great bargain. Thus if your house is assessed at 50 percent of value the chances are you're delighted—even though you may live in a community whose assessment ratio is 25 percent and you are therefore paying double taxes. It is a good idea to verify the official ratio by checking some of your neighbors' assessments and by requesting the ratio from your state tax department.

Once you know the ratio, then estimate the value of your own house as realistically as you can (local real-estate dealers can help), and figure how close the assessor's figure comes to the fractional-assessment bull's-eye. Remember that even good assessing districts may have a range of error as wide as 15 percent. And remember, too, that your estimate is probably an inexperienced one, which adds another element of error.

If you're convinced you are being overassessed, first discuss it with the assessor. If you get no satisfaction from him, look into the appeal procedure in your state. Often you'll find it so outrageously overweighted in the assessor's favor that to make an appeal would require hiring a lawyer and spending more time and money than would be justified by any but the grossest overassessment. In the last six years, however, new laws and court decisions have made appeals far easier in about a dozen states, and your state may be one of these.

How can we get long-term reform of the basic system? It can't be done piecemeal at the local level. Only state legislatures can pass the kind of laws needed to give us decently sized assessing districts, professionally qualified assessors and responsible supervision. Oregon probably provides the best model. Under its law, the only local assessing districts are the 36 counties, and they do their assessing under the strict supervision of a professionally competent state property-tax department. If a county assessor can't pass a state examination he is not allowed to appraise properties; he must hire a qualified appraiser. He is also required to post his assessment ratio. (This requirement will soon become unnecessary, as all Oregon counties are now shifting to a state-mandated 100-percent ratio.) If the property-tax department finds a county falling below par, it can send in its own men for reappraisals and bill the county for costs. The appeal process is quick and efficient, with state appeal boards making annual visits to each county, holding informal hearings at which property owners can testify without a lawyer, and rendering prompt judgments.

Hope is growing that other states will follow Oregon's first-rate example. Several (including California, New Jersey and Maryland) have recently adopted important reforms; and a growing number of local districts, prodded by the increasing threat of "taxpayer revolts" as their property taxes have doubled or tripled in the last 20 years, have hired professional appraising firms to conduct sweeping revaluations. The entire city of Cleveland is now being professionally reappraised, at a cost of $2,900,000.

But all of this activity really amounts to no more than the first stirrings of the necessary reform. For until we truly clean up the mess, the question will become more urgent every year: How much longer will taxpayers continue to pay for the rising costs of essential government services through a taxing system that is widely recognized as a national disgrace?

CRIME AND VIOLENCE

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RHODES of Arizona. Mr. Speaker, the two tragic assassinations which struck down public leaders in recent days has focused the attention of the Nation on the alarming incidence of crime and violence which threatens the strength and solidarity of American society. In these acts of violence, the Nation and the world has lost two men who had the quality of leadership at a time when leadership is a scarce commodity. And, these horrible tragedies, together with the rioting on the streets of our cities, and a quantum of violent crime unprecedented in our history, provoke us all to examine ways in which our system can meet the challenge of lawlessness. Together with the large number of my constituents who have expressed their grave concern over this situation, I wish to speak out on the questions it raises.

At the outset, Mr. Speaker, I would like to make it quite clear that I emphatically do not agree with those who would have us believe that America is a "sick" society. The violence and lawlessness are symptoms, not of the disease of our society, but of those of its members who, for any number of reasons, have found themselves encouraged to rebel against law and against life. It is only by fully appreciating the complexity of these illnesses that we can hope to find a cure.

Too often, the frustrations and torment of those of our citizens who have been promised much, but given little, manifest themselves in crime and rebellion. Certainly, any cure to the disease of lawlessness will include as a primary element securing to the disadvantaged of our citizens the equality of opportunity envisioned by our Founding Fathers as fundamental to citizenship in our Republic.

Nonetheless, while we all work urgently to assist all our people to find opportunities for self-advancement, we must make it manifestly clear that crime will not be tolerated as an alternative to lawful means of achievement. And, we must make it quite clear that we are not impressed by those who have us believe that their acts of crime and violence are simply expressions of social grievance. Looters and rioters must be stringently dealt with by our legal system. They must be well taught that the means for redress of grievances, be they real or imagined, do not lie at the end of an assassin's gun, and that there will be no sanction of crime and violence or of civil disorder which clothes itself in claims of civil disobedience.

Poverty and disease is to be redressed by all of us working together in our public and private roles, and not by rioting on the streets. Through increased programs for educational opportunity, and through manpower and job training programs such as the Human Investment Act which I cosponsored with many of my colleagues in the Congress, we have been trying most ardently to deal with the serious social problems confronting us. We have tried to aid those in our urban ghettos to find new and better homes, by proposing legislation such as the urban homeownership program, and urging its success. In sum, Mr. Speaker, the Congress, the States, and most of our citizens have been addressing themselves to our social diseases, and have been working with great vigor to find new cures.

We must not let all our efforts be in vain because they are threatened by the spread of crime and violence. It is, for these reasons, most tragic, and quite ironic, that while concerned Americans have been striving to stem this tide of violence, the Supreme Court has made it easier for criminals to disobey the law without fear of legal redress. The Omnibus Crime and Safe Streets Act, recently passed by the Congress, embodies, in part, our efforts to remove some of the shackles placed by the court on our law-enforcement officials. Our ultimate success in curing the ills of our society will rest, in large part, on preserving the lawful means of change incorporated in our Constitution, and in punishing with the full strength of the law those who stray outside it.

The growing rate of violent crime, and the assassinations of Dr. King and Senator Kennedy have caused much concern over the ease which many members of our society, bent on homicide, can get weapons with which to carry out their evil intent. There have been various proposals to correct this situation. Certainly, it would be patently unfair to penalize the law-abiding citizens, who use weapons for lawful purposes, because of the criminal few who abuse such a privilege. The use of firearms for sport, and for the constitutionally guaranteed right of the people to be protected against abuses of power and threats to their persons and property, are valid and lawful uses. To abridge unduly the right to bear arms would threaten one of our basic safeguards against oppression.

The gun-control provisions included in the Crime Act, which placed restrictions on the sale and possession of handguns, evinces an attempt to balance the right to bear arms afforded to those who do not abuse the right, with the objective of making weapons unavailable to those who would use them as implements of crime and violence. Any additional legislation proposed in this area must be assessed and evaluated in light of the conflicting demands involved, and we must do our best to strike a just balance between them.

In summary, Mr. Speaker, I wish to say to my constituents, and to all concerned citizens, that we in the Congress share with them the sense of urgency dictated by the violence and tragedy which the Nation has suffered. We are all working diligently to help our people to make poverty, inequality, and crime mere relics of the past. America is not a sick society—it will not become one as long as it continues to strive vigorously to rid itself of those ills which may threaten its health.

LET US ABOLISH THE FCC

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DINGELL. Mr. Speaker, Commissioner Robert T. Bartley, of the Federal Communications Commission, on May 23, 1968, spoke to a meeting of the Illinois Broadcasters Association at Quincy, Ill. I found Commissioner Bartley's comments and recommendations of great interest and would like to afford my colleagues in the House of Representatives an opportunity to be familiar with the Commissioner's views. Therefore, I include the text of Commissioner Bartley's speech at this point in the RECORD:

LET'S ABOLISH THE FCC

(Address by Commissioner Robert T. Bartley, Federal Communications Commission, before the Illinois Broadcasters Association, Quincy, Ill., May 23, 1968)

I once read an interesting book entitled "Let's Start Over Again" by Vash Young. The family home burned to the ground with all their earthly possessions. They had lost everything. Everything? Well, not quite. They discovered they had friends they didn't know they had. They discovered a lot of the worldly possessions they had lost was a batch of burdensome junk. The friends they discovered they had, the health they enjoyed, the challenge to build their future happiness on more solid values lead them to look back on that devastating fire as a blessing in disguise.

There are enough intelligentsia who believe the FCC is doing a lousy job—there are enough legislators who allege the FCC is not serving the public interest; there are enough government executives who charge the FCC with not understanding the national interest; there are enough public safety, industrial, marine, aviation and other users of radio who are certain we don't know what we're doing to retard the Gross National Product; there are enough newspapers who don't like television competition—ergo—they don't like the FCC.

The regulated communications carriers think they would do a better job without the FCC looking over their shoulders. Losers in comparative hearings are convinced we are corrupt. Winners in comparative hearings turn on us as soon as they become profitable—they want us to keep hands-off—except they want us to protect them from CATV—and as for CATV, since this is a mixed audience, I wont mention what they think—and finally—although I'm sure I've left out someone—finally, we've got the citizens—"citizens radio," that is—against us.

It has become customary when one leaves one of our independent commissions to write the President telling him that everything is all wrong, and, of course, releases it to the press—or he writes a learned article ripping his former agency apart—or he writes a book about how it *should* be done or he quietly joins a firm, an association, or company which had business before his agency—quietly, but "quietly" only for a while—for he soon emerges as a vigorous critic of his *former* organization.

Having been in public life as either a government executive or in broadcasting for over 36 years, I believe it is more becoming—and I am sure it is more effective—for one to give vent to his views while still in office. And this I have not failed to do over the years through dissent after dissent after dissent. Happily, on occasion, I have had the satisfaction of finding my dissents become majority opinions and finally, established policy.

Today, I have neither the time nor inclination to catalogue the changes I have helped bring about, but at least I have tried to do so through persistent reasoning with my fellow members rather than through publicity. There may be a better way because I still find it necessary to differ with a majority's opinion more often than I like.

But today, I do suggest "Let's Abolish the FCC." I say this now instead of four years from now when my present term expires. If we abolish the FCC, the salaries of the Commissioners will not have to be paid. But don't feel too sorry about that because I'm sure each of them could do better elsewhere.

The central fact of life which leads me to suggest a reorganization of our telecommunications regulatory structure is that the Congress refuses to implement its delegations of responsibility with adequate resources in manpower and money.

For example, in the last two decades—1947 to 1967—we have seen a vast expansion of communications facilities and FCC regulatory responsibilities. During this period Television and Land Mobile services have grown from infancy to maturity. The transistor has changed traditional communications methods with consequent new policy challenges. To name a few—the first ocean telephone cable—microwave—common carrier and private systems—satellite communications—computer communications—and a little time consuming matter presently called CATV.

But the FCC's manpower, as authorized by Congress, instead of keeping pace with the expansion—steadily decreased until 1955, and did not even reach the 1947 level again until 1963. And, in 1967, we had only 71 more employees than in 1947. And many of these were consumed by new management procedures and techniques imposed upon the Commission.

By abolishing the FCC, however, the communications problems facing the people through their government will still be with us. Order, instead of chaos, in frequency allocation and assignment will still be required. Communications monopoly will still need to be regulated. So the work of the staff of the FCC will continue. The Congress will be required to legislate additional agencies of some nature to perform the day-to-day administration of the existing policy guidance it has given the FCC.

No great changes have been made in the law for nigh 40 years. The only significant changes in the Communications Act of 1934 have been to add in 1937 Part II of Title III relating to radio equipment and radio operators on board ships; in 1956, Part III of Title III relating to radio installations on vessels carrying Passengers for Hire; in 1962, Part IV of Title III relating to Grants for Educational Television Broadcasting Facilities; and, the Communications Satellite Act of 1962. However, the laws governing procedures which must now be followed are extremely complex and a far cry from the Acts of 1927 or 1934.

This undue process is a lawyer's paradise—long drawn out pleadings on pleadings on pleadings in behalf of a client seeking a benefit while the public awaits a service. New processes are needed which emphasize the public benefit not the private privilege.

The FCC is so bogged down by undue process that we are hard pressed to keep pace with the state of the communications art. These cumbersome procedures were not required in the Radio Act of 1927 or the Communications Act of 1934—and as new and vigorous agencies, they got things done—some losing parties didn't like it but the public benefited. The Radio Commission and the FCC brought order out of chaos in the broadcast structure, and the interstate users of communications got the benefit of the first effective regulation in this field.

I believe there would be a more responsible administration of the differing functions now administered by the FCC if they were the responsibilities of separate agencies. I think they would each fare better in their appeals for manpower and money; they would each be able to concentrate more and become more expertise in their more specialized field; the members could give greater guidance to their staffs on policy planning and in supervision.

Another significant advantage would be that criticism—both constructive and otherwise—would be directed to specific areas and thus not involve an entire agency responsible for many other problems. Radio and television are sitting ducks for unjust criticism by competitive media—newspapers; nonprofit foundations (or sometimes their output sounds like "anti-profit" foundations). Ergo, since it licenses the private and competitive radio and television stations, the FCC reaps its full share of adverse publicity. But it is the whole FCC which is damned—this includes our Common Carrier, our Safety and Special and our Field Bureaus. Now, this criticism reaches the ears of Congress and, I believe, adversely affects the appropriations we have available to stay ahead of the dynamic growth and change taking place.

So, Let's Abolish the FCC; Let's burn down the old house with all its junk—Let's Start over again!

In urging change, however, I will try to bear in mind one of my favorite "Rayburnisms"—"Any jackass can kick down a barn; but it takes a carpenter to build one."

First, let us face a few fundamentals. The Congress, especially in the field of communications, must not surrender its constitutional responsibilities for the regulation of commerce. Nor should the President surrender his responsibilities as Commander-in-Chief and over Foreign Affairs. So we must accept, without arguing interminably and unproductively, a dichotomy of control over the radio spectrum.

How to provide the mechanism for effective management control over the radio spectrum in light of this divided or concurrent jurisdiction—the Congress, on the one hand and the President on the other hand—requires a delicate balance.

Fortunately for 40 years, we have been able to provide for defense and non-Government essential spectrum requirements without a court confrontation over the Congressional power versus Presidential power. I attribute this success, in no small degree, to the fact that, until comparatively recently, requirements could be met with fairly narrow band allocations. But with the advent of television, wide band microwave (terrestrial and satellite) and space probe requirements, a more effective management tool is required than now exists.

For a long time, effective management of the spectrum allocated to Federal Government use lagged far behind FCC's administration of the non-Government sector. This was so because FCC could deny requests for spectrum space for uses which is found not essential or to individual applicants if it found that a grant would not be in the public interest. On the other hand the IRAC which recommended assignments to the President was composed of the users themselves so it was a "management" of "You scratch my back and I'll scratch yours".

In March 1951, many of the telecommunications problems we have today were forecast in the Stewart Report to President Truman.[1] The recommendations were partially implemented by President Truman and a feeble start was made toward management of the Government use of the spectrum. The job of Telecommunications Advisor to the President was never given adequate resources to do very much and later the job was downgraded by President Eisenhower.

Members of Congress began to stir, bills were introduced, hearings were held and I had my first real opportunity to make suggestions. On July 12, 1954, Broadcasting Magazine reported on my suggestions as "Bartley's Strong Medicine," reporting that I conceded my "plan can be expected to draw roars of criticism from many segments of government and industry" . . . FCC is helpless to dip into these reservoirs of used and unused channels since they are controlled by White House mandate at the request of Federal and military agencies. Supported by Congressional fiat, the Commission might consist of two persons to be named by the President; one by the Vice President to represent the Senate; one by the Speaker of the House, and one by the FCC Chairman. It would be charged with a fast and thorough investigation of the television allocation problem.

On July 8, 1958, the Senate passed a resolution providing for a Commission with the make-up exactly as I had proposed but limited the investigation to be made to that portion of the spectrum used by Government. The House Committee proposed a broadening of the study to be made to include non-government use and the whole thing went down the drain.

However, the Executive Branch got the message. Subsequently on November 4, 1958, it did what comes naturally—it established another Special Advisory Committee on Telecommunication which became known as the "Cooley" Report.[2] The Committee was unanimous in recommending the immediate establishment of a three-man board within the Executive Branch "in order to provide the President with the means of discharging his responsibilities in connection with National telecommunication resources, including the Government use of the radio frequency spectrum." But that was where unanimity ended. In the absence of Presidential action, a House Committee held hearings in June of 1959.[3]

Thus on June 8, 1959, I had another opportunity to express my views to a Congressional Committee as one of about 20 Panel members. I endorsed the Cooley Committee recommendations with the following statement:

"I have been in the communications field for about 25 years, and I have studied all of the studies. So I have reached a final conclusion. And having read the various resolutions and the bills, I am in a position to endorse H.R. 7057. That is not a qualified endorsement, but it is a wholehearted endorsement.

"I believe that if this statute had been on the books for the past few years this committee would not have this problem in its lap. It is quite significant and important that the bill provides that a continuing board shall report directly to the President. That, in my opinion, is its most valuable provision.

"It places a permanent, full-time board at its only effective level.

"The Communications Act of 1934 centralized theretofore scattered authorities into a single agency, the Federal Communications Commission, with the objective of making available an efficient communications service, and what many people do not realize, the Commission has as one of its prime objectives, and I quote: 'For the purpose of the national defense.'

"Dr. Kear mentioned the word 'confidence.' While I am reasonably confident of representations by the users that a proposed use is essential to the national defense, and I act accordingly, I can tell you that I would be a lot more comfortable and a lot more confident if the request had cleared a board with the authority to say 'No.'

"Another provision of the Communications Act of 1934 would be immeasurably implemented through the enactment of H.R. 7057. I refer to section 303(g) of the Communications Act of 1934, which provides that the Commission shall, and I quote: 'Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest.'

"An awareness of the direction research and development is taking is necessary in any long-range planning, but in the rapidly changing field of electronics it is particularly critical.

"In this area of a single natural resource, with the President responsible for the national defense and international affairs, and with the Congress solely responsible for commerce, as was pointed out in the previous Stewart report, there is no neat solution for the divided responsibilities.

"This becomes especially so when we are dealing with communications, a mass media of communication to the public.

"I think that the Cooley Committee hit upon the best available solution at this time.

"Just one other word with respect to Governor Hoegh's reference to having a temporary rather than permanent group, I think that this is where Mr. Doerfer and I have to disagree. I think it must be a permanent group.

"I think too many study groups come up with solutions that are beyond accomplishment. If the group has to face the practical application of its findings, I think you will have a better solution."

There were very few others though who endorsed the Bill. Nearly all the users with a vested interest in the spectrum opposed it. The Bureau of the Budget opposed it; Broadcasters opposed it; even then-Chairman Doerfer opposed it. They all recommended further study, so another noble effort flopped.

President Kennedy did, however, take significant action. He established the position of Director of Telecommunications Management making the essential delegation of Presidential authority to the DTM but the Congress has failed from the beginning to provide adequate financing and the DTM has had to depend too much on the expertise of the users. Though he is making some progress, he can never be fully effective until he has sufficient funds at his disposal to run his own shop.

So much for the Government use of the spectrum and its management.

What can be done to achieve more effective management of the spectrum on the non-Government side.

As mentioned earlier, the functions now imposed on the FCC and the problems it faces will still be with us.

To administer these functions and to cope with the problems, I propose that:

In lieu of the FCC, we establish two independent agencies and, additionally, that Congress establish a new authority for Frequency Allocations.

The Independent Agencies would be one for Broadcasting and one for Common Carrier Regulation. It is not possible, in my opinion, for Congress to legislate in these areas of commerce with sufficiently specific legislation nor to legislate with enough speed to revise the law that their implementation should be entrusted to one man. Certainly, in the area where freedom of speech is involved or a mass communications medium is subject to regulation, Congress must guard against Executive Branch interference. This can best be done through establishment of a Federal Broadcast Commission. It should be composed of five commissioners appointed by the President, by and with the advice and consent of the Senate. Not more than three members of the Commission shall be members of the same political party. An appointee with no political party affiliation or affiliated with a third party shall be, for the purposes of this section, counted as a member of the same party as the President making the appointment.

---

[1] "Telecommunications—A Program for Progress." A Report by the President's Communications Policy Board.

[2] Report of Special Advisory Committee on Telecommunication—December 29, 1958.

[3] Allocation of Radio Spectrum between Federal Government Users and Non-Federal Government Users.

The Commissioners first appointed under this Act should continue in office for the terms of 3, 6, 9, 12 and 15 years, and except for those appointees to the 3 and 6 year terms no member may be reappointed for an additional term. Commissioners not eligible for reappointment shall receive for life 80 per cent per annum of their salary at the time of retirement. No Commissioner receiving retirement pay shall engage in any business relating to broadcasting. The Chairman of the Commission should be elected by its membership.

A similar Commission should be established to regulate common carrier rates and services in the domestic and international telecommunications service. This could be known as the Telecommunications Common Carrier Commission.

The provisions of the Communications Act of 1934, as amended, relating to these two functions of the FCC should be transferred to the respective new agencies.

What then, happens to the FCC's responsibilities over the Safety and Special Radio Services? Well, here it seems to me is a function which can well be delegated to an administrator, and, since so much of that bureau's work relates to mobile radio, this bureau should be transferred to the new Department of Transportation. I believe that this would result in a more efficient use of the spectrum between government and nongovernment requirements, to meet the needs of both government and nongovernment mobile use and point-to-point communication service used in transportation, for example, pipe lines.

And finally, in the all important area of spectrum allocation for nongovernment use, I think there should be created *within the Legislative Branch* a new office known as Telecommunications Resources Authority. The Director would be solely responsible to Congress just as the Comptroller General—the Director to be appointed by the President with the advice and consent of the Senate. He should be appointed for a term of fifteen years. Here again, I believe he should not be eligible for reappointment; that he should receive a pension under the same conditions as the Commissioners above described. The frequency allocation and treaty responsibilities of the FCC would be transferred to this authority.

More specifically, this means transfer of the Chief Engineer's Office of the FCC, and the monitoring stations of the FCC which provide radio propagation monitoring, trace interference, and provide triangulation fixes for lost planes or ships. In addition, the FCC laboratory and the Boulder laboratory, formerly known as Central Radio Propagation Labs, should be transferred from the Department of Commerce to this new authority. It will be essential that the Director be provided with ample funds to establish a highly-qualified staff of scientists, engineers, econometricians, and sociologists to advise him in the exercise of his responsibilities.

It would be his responsibility to assess the requirements for spectrum space and provide for such use as he determines is in the national interest for Broadcast, Common Carrier, Safety and Special Radio Services and other nongovernment claimants. Present allocations would remain in effect until revised by the Director. Within 60 days of publication of an allocation Order by the Director, the Congress may, by majority vote of both Houses, reject the plan.

This completes the program I propose.

While these are rather specific recommendations I am still open to constructive criticism, refinements, or compromises if the main objectives can be obtained. Briefly summarized these are:

A more effective management of our telecommunications resources in the national interest.

Avoidance of encroachment of the Executive Branch over the field of commerce.

Avoidance of encroachment by the Legislative Branch over the field of Defense and Foreign affairs.

THE FAIR INTERNATIONAL TRADE BILL

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DENT. Mr. Speaker, the following is a statement which I presented to the House Committee on Ways and Means during its recent hearings on tariff and trade proposals. I submit it for consideration by the whole House:

THE FAIR INTERNATIONAL TRADE BILL

My friends, my approach to our foreign trade policy has been guided by the effect of imports on labor, particularly on employment. I have had occasion to hold extensive hearings in my position of Chairman of the General Subcommittee on Labor of the House Committee on Education and Labor, on the subject of the effect of imports on employment. The latest of these hearings was completed less than two years ago.

I have been deeply impressed as a result of these hearings by the weak competitive position of a great part of American industry facing imports from low-wage paying areas of the world.

Oh, I know what the arguments are. I have heard them, read them and know them by heart. If our industries cannot compete they are inefficient. They should improve their productivity or go into some other line of production or go out of business. Not once have these intellectual highbinders who make such pronouncements shown that what they call our inefficiency actually consists of a lower output per man-hour, man-day or man-year than that of our foreign competitors. They ignore such facts completely while vastly preferring theoretical mish-mash that means nothing.

Steel is a good example of imputed inefficiency. Yet our output of steel per man per year is the highest in the world. Imports nevertheless are taking an ever increasing share of our domestic market.

Does that mean that our vulnerability reflects inefficiency in steel production? Does it mean that our steel producers have stood still or gone backward in point of productivity? No, it does not. We not only still outproduce our competitors per man per year, but in 1966 produced 57.4% more raw steel than in 1958 (Statistical Abstract of the United States, 1967, Table 1158, p. 771), with an increase of only 8.1% in employment (Business Statistics, Biennial Supplement to the Survey of Current Business, 1967, p. 70). This increase in output which was seven times as high as the increase in employment does not spell technological stagnation. It represents an increase of 43% in productivity; and that does not spell inefficiency.

Yet in spite of this improvement in productivity steel imports began climbing in 1958 and have risen almost steadily up to the present time. Exports, on the other hand, have declined. Imports which stood at 1.1 million tons in 1957 rose to more than 11 million tons in 1967 and in 1968 have reached yet higher levels. Exports on the other hand headed in the other direction, falling from 5.3 million tons in 1957 to less than 2 million tons in 1967. These exports, moreover, consisted in very substantial part, of AID shipments. The trend of imports has continued upwards in 1968.

The steel industry would need a substantial reduction in cost of production if it were to meet import competition. Yet a reduction of 10% in the cost would call for the displacement of some 200,000 steelworkers if the total increase in efficiency were to take place in the steel mills.

This is no joke. Let me tell you how serious it is. We have the classical case of the coal industry as an exhibit of what increased efficiency means in terms of worker-displacement. In 1950 the coal industry found itself on the verge of destruction if it could not find a means of becoming competitive with petroleum fuel and natural gas. Residual fuel oil was being imported at a low price. Gas was also relatively cheap for certain uses.

The coal industry roused itself and succeeded in saving itself over a period of ten to twelve years. It developed coal extracting machines of monstrous proportions. The industry has made a come-back and even became competitive in foreign markets. This is to say it greatly increased its efficiency—not by driving the miners to swing their picks at a quicker pace or shoveling at double time. No! Modern industrial efficiency is not that simple. Efficiency was gained by displacing two out of every three miners by installing machinery that could dig coal as no miner wielding a pick could possibly do.

Coal-mining employment fell from 480,000 in 1950 to 142,000 in 1966.

This was real industrial efficiency. The result? It was what has gone by the name of Appalachia. Hundreds of thousands of destitute displaced workers, with no hope of a decent income and therefore dependent for governmental handouts if they were not to starve!

Why should we insist on creating still more Appalachias by allowing imports to force drastic worker-displacement in the steel industry and in other industries that are equally beset by imports?

My friends, not all industries could do what the coal industry did, even if they tried. The technology is not always available. Also, in other industries the foreign competing industries often have access to advanced technology equal to our access.

We read editorials in the big press that rely on the word "protectionism" as a hideous hobgoblin for scaring the daylights out of the public as if the public could be scared like children by these bankrupt tactics. The editorial writers have not had a new thought in thirty years on the subject of tariffs and trade. Their minds are locked tight as a miser's purse against new ideas and new developments. They are the modern reactionaries who yearn to go back to the beautiful world of Adam Smith. It is nearly 200 years since he wrote "The Wealth of Nations", a book much used in our colleges in the past as basic economics. The antiquity of Smith's theory is not of itself an indictment; but I do believe that economically and politically the world has changed somewhat since the days of knee breeches and powdered wigs.

The editorialists continue their diatribes notwithstanding the fact that American industry bears cost burdens that foreign industries do not carry in the same degree. The most important of these are wage levels unheard of anywhere else in the world but Canada. Mind you, my friends, we need a high and broadly extended consumer income to sustain our mass production; so I am not complaining about high wages. I am stating it as a fact of competition that cannot be brushed aside as if it had no meaning. It is saturated with meaning. Competitively, hardly anything is more meaningful than cost of production.

If it is true, as it is, that our industries generally outproduce their foreign counterparts in terms of output per man-hour it is safe to say that our competitive weakness does not derive from relative inefficiency. If in spite of our higher productivity we still cannot compete it is not because we are inefficient but because we are no longer far enough in the lead in point of superior productivity to offset the lower foreign wages. In order to compete we must increase the lead we already have. This is the prescription—not relative inefficiency.

Again using steel as an example, we find that while our steel industry still leads the world in output per man-hour and is therefore the most efficient, our productivity lead is insufficient to overcome the wage gap.

Let us take a look at this wage gap. Hourly labor costs in this country in 1966 in the production of steel were $4.63. Outside of Canada, which has the highest wages and nearest to our level, the West German level was $1.87, the Italian, $1.76, the French, $1.53 while the level in Japan, was only $1.10. Japan is our severest competitor in steel as in many other products.

My friends, with a wage level well over double that of Europe and four times as high as that of our principal competitor we would have to be from two to four times as productive per man-hour as our competitors.

We do not enjoy such a lead. Moreover, despite the investment of some $6 billion in modernization by the steel industry in the past three or four years, we are not about to gain that kind of a lead, even if we should sacrifice the jobs of some 200,000 workers and added that list to our already overloaded poverty burden.

My friends, it must be obvious that the thrust of our trade policy is counterproductive to our domestic policy of war on poverty. Yet raucous screams go up when we undertake to lay a moderating hand on imports. I think we cannot afford to let imports overrun our industries with nothing more to halt the rising import trade than the lowly remains of our tariff. We know that adjustment assistance which was the great but empty promise in the Trade Expansion Act of 1962 offers no remedy.

After all it is the productive processes and the taxes derived from them that maintain our government. This means that all the programs of welfare, war on poverty, urban improvement, medical care and similar sources of expenditures are charges on production. There is no other source. If we lay heavy cost burdens on our industries we must know that we make them more vulnerable to import competition; and, further, we must recognize this vulnerability as our responsibility.

My friends, it is indeed our responsibility to see to it that industry and the workers manning the machinery and processes of production are protected against competitive handicaps we lay on them. I think that the establishment of ceilings on imports is the least we can do. That is why I introduced legislation to that effect last week and give it my full support.

There is a long and growing list of industries beside steel that face impossible import competition: glass, footwear, consumer electronics, light hardware, our fisheries, our dwindling merchant marine, textiles, petroleum, meat, vegetables, and much else.

The factors that I have mentioned in connection with steel import competition apply equally to these other products.

The most damaging of all the fictions promoted by the big press but attributable to official sources is the deceptive trade figures that show this country as enjoying a bulging export surplus.

So far as private competitive trade is concerned, my friends, we have been in a deficit trade position now for several years. The Department of Commerce regularly pads our export statistics by including in them the shipments of our AID "sales" abroad, Food for Peace shipments and similar noncommercial transactions that do not represent competitive exports. On the other hand they show our imports on their foreign value, not on their landed value which would show what they actually cost us.

I am sure that after we make a new assessment of our trade balance, which went against us in March 1968 even on the basis of official statistics by $158 million, we will recognize the need for bringing imports under reasonable control.

FOUR MARYLANDERS, ON DUTY IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Michael G. Sakellaris, Sp4c. John W. Graser, Sp4c. James L. Bates, and Sp4c. Frank M. Proctor, four fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memory by including the following article in the RECORD:

FOUR MARYLANDERS, ON DUTY IN VIETNAM

Four more Maryland soldiers, including a paratrooper from Baltimore, have died in Vietnam, the Defense Department announced yesterday.

The soldiers, all of whom held the rank Spec. 4.C., were Michael G. Sakellaris, son of Mr. and Mrs. George D. Sakellaris, of 3207 Echodale avenue, Baltimore; John W. Graser, son of Mr. and Mrs. William S. Graser, of 29 Taney Apartments, Frederick; James L. Bates, son of Mr. and Mrs. James R. Bates, of 2 North Chapel road, Bowie and Frank M. Proctor, son of Mrs. Mary A. Proctor, of 6528 Bock road, Oxon Hill.

GRENADE WOUNDS

Specialist Sakellaris, who would have been 19 tomorrow, died Saturday of wounds he received when a grenade exploded in the personnel carrier in which he was riding.

Specialist Sakellaris was a radio operator in the 501st Signal Battalion of the 101st Airborne Division. He had left for Vietnam duty at the end of last November.

Born in Baltimore, Specialist Sakellaris attended Poly before enlisting in the Army in July, 1966.

PLANNED FOR COLLEGE

While in the Army, Specialist Sakellaris completed high school. He planned to attend college when he finished his Army duty.

His sister, Sophie Sakellaris, said yesterday that he wrote little about his experiences in Vietnam in his long letters to his family.

In addition to his parents and his sister, Specialist Sakellaris is survived by two brothers, James G. Sakellaris, of Baltimore, and John G. Sakellaris, who lives at home.

SINCE JANUARY

Specialist Graser, who was 19, had previously been missing in action in Vietnam. Yesterday the Defense Department listed him as having been killed in action.

Specialist Graser, who had been on duty in Vietnam since January, was assigned at the time of his death to Company C, 1st Battalion, 7th Cavalry, 1st Cavalry Division.

Specialist Bates was also declared killed in action yesterday by the Defense Department. He had previously been missing in action.

In addition to his parents, Specialist Graser is survived by three brothers.

He was a 1967 graduate of Governor Thomas Johnson High School, and he had entered the Army June 30, 1967.

LIKE IT IS, BABY—V

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article, which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

A WOMAN

(By Maurice Hobbs)

Mrs. Smith likes to fish and she loves her two children.

Those were two subjects—along with the weather, of course—which we could talk about easily and without strain. They have the same reference points for both of us and I didn't have to probe for details.

In our sometimes awkward search for common ground, we were even delighted to discover that we share the same feelings about going to the dentist. It's painful.

We were sitting at a kitchen table in the grimy, lemon-yellow dining room of her home—a drab duplex on the Near North Side of Minneapolis—continuing our talks about what it's like to be poor in this city.

In between the easier topics, we talked about her deeper concerns, the problems of a woman living with little money, little of a lot of things. One of her major concerns, of course, is Allen, her 8-month-old son.

Dressed in a diaper, plastic pants and T-shirt, he was trying to walk under the table between us, from her knees to mine. He clutched at her skirt for support and then, his pudgy baby legs bending under his weight, he waddled across the intervening distance and grabbed at my trousers with his fat little hands.

He tumbled, and she picked him up. He reached for her cigarette pack, which went into his mouth, and was taken away. He grabbed her pack of paper matches, which he gnawed on until she took them and gave him his bottle.

HAPPY WITH HIS TOYS

Then she sat him on the red and black couch in the corner. He tugged at the stuffing leaking from the seams while she collected a rubber dog, a worn top, a naked pink rubber doll and a used golf ball and placed them around him. He sat playing happily while we talked.

"I loves to fish," she said. Her problem was in getting to where the fish are, since she has no car of her own.

"I goes with anybody who's got a car," she said. She likes to fish in rivers or lakes near Buffalo, Long Lake, Hastings or Elk River, or near the Ford Dam.

She uses a casting or spinning rod, with live bait or dough balls, but she doesn't cast much. "I just fish tight line," she said.

She's caught fish where others have failed, and did it again last month when she and her aunt went to Elk River. Mrs. Smith caught all three fish. But like anyone who fishes, she wasn't giving away any secrets about her methods.

SIZE OF A PROBLEM

The conversation was interrupted several times to retrieve Allen's golf ball when it rolled away from him. Finally she put it away and tried to distract him with his top, which he couldn't operate because he wasn't strong enough yet, and which kept dropping off the couch, making him cry, until she put him on the floor where he could get it himself.

As she watched him with a smile, perhaps she was thinking about how small his problems were compared to hers. Whenever she tried to explain these problems, she would begin by mentioning the $252 that the citizens give her every month in the form of an Aid to Families With Dependent Children grant.

It's not enough, she said. Last month she spent $105 on rent, $25 on an overdue bill from the gas company, $60 on other bills (including paying back what she borrowed after the money ran out the month before) and $54 on a telephone company bill run up by her sister in long-distance calls. That left $8 for food and other expenses.

Last summer, when she was trying to pay off another back bill from the gas company, she asked her social worker for help.

THAT LA-DE-DA TONE

She said she got this reply: "Well, you got to make out for yourself. We can't help you." There was a la-de-da tone in her voice when she mimicked the social worker. (The welfare department did help out later, giving her an extra $99 so she could pay off part of the bill that way. The remaining $61 came out of her monthly check.)

Nor does AFDC help much with the furniture. Mrs. Smith pointed to the red and black couch that Allen was leaning against, gnawing on a rubber dog, and she pointed to its mate sitting in the living room. Both were rotting away. She bought them second-hand for $35. Mrs. Smith thinks the welfare department ought to help her buy better furniture.

"They got to be really tore up badder than that," she said. "They got to be on the floor before they get you something."

An AFDC mother can buy good furniture, clothes, a car or anything else she can pay for on her grant, of course. The size of the grant is based on a "budget" of basic needs, and the money is hers to do with as she wants. If she does not care for her children properly or is habitually wasting the money, the welfare department can go through a complicated legal process and pay her check to someone else who would be expected to see that the money is used wisely.

THE EXISTING PATTERN

Some AFDC mothers are able to manage their finances well enough so that they can pay monthly installments on purchases. But others fall behind. Once they get behind, the grant allows little flexibility to enable them to catch up. They may then go to loan companies, get involved in credit arrangements they can't handle, and fall further behind.

The fact that this pattern exists for some AFDC women makes some stores reluctant to extend credit to any woman living on the grant.

One AFDC woman interviewed for this series had accounts at a number of major stores in the Twin Cities. When her husband died in 1956 she hadn't closed the accounts. Through careful management and with the help of a Social Security check and her grown-up children, she has purchased a color television set, a glass-topped coffee table, a stereo set, a small electric broiler for her kitchen and other luxuries. Her house needs repairs which she can't afford because they would require payments larger than she could meet. And the second floor of her home is as grim and depressing as Mrs. Smith's home. But she has been able to acquire some of the creature comforts Mrs. Smith lacks.

BEGAN WITH NOTHING

Mrs. Smith hasn't been able to do as well, partly because she began with nothing when she started living on AFDC.

When she bought the table and chair set in her kitchen she paid $50 for it in amounts of a dollar or two or three at a time, whenever the money was available. She bought the set from a secondhand store, and didn't get the best kind.

"They was new chairs," she said, "but they wasn't the stout kind." When she, weighing 215 pounds, sat down on them, "the legs would all spraddle out."

She also needs repairs on her refrigerator. The freezer unit door is broken.

"I have to turn the meat over to freeze it all around," she said.

The welfare department, she believes, ought to help her fix the refrigerator. But the social worker told her she'd have to get it fixed herself.

Mrs. Smith doesn't have any idea what that would cost, but she expects it would be more than she could afford. She's thinking of buying another used refrigerator instead, which might cost more, but which she could pay for in small amounts.

Another secondhand appliance, the television set, presents similar problems. A friend gave her the big set in her living room. She bought a new tube for it and the thing worked fine for a few hours. Then it quit permanently.

The little set, which rests on top of the big one, was bought second-hand a couple of years ago for $49, and it's dying.

Mrs. Smith's rent is $105 a month, or about 42 per cent of her income. Budget experts recommend that the average family spend no more than 25 per cent of its income for housing.

She guesses that she spends about $40 a month on food for herself and her two children. The U.S. Department of Agriculture's "economy food plan" of 1966 allows for 75 cents a day per person. According to this plan, issued before the latest spirals of inflation, Mrs. Smith's monthly outlay for food should be at least $65.

Mrs. Smith has thought of taking a job to increase her income, but she is discouraged by the fact that any amount she earned would be deducted from her AFDC check.

A LITTLE TO KEEP

She would, however, be allowed to keep a small amount to pay for such necessary work expenses as transportation, clothes and babysitters.

She did work in a Fanny Farmer candymaking operation and as a hotel maid for short periods between 1957 and 1962, and she's also done some babysitting for her relatives. But she has never held a job for long.

She began training once at the Twin Cities Opportunities Industrialization Center, which offers free classes in academic and vocational subjects. She was going to be a key punch operator.

"I ain't went but a week," she said. "I didn't have nobody to keep my baby." She quit shortly before Allen was born. She plans to go back, and hopes to get a job, but not before the children are older. Pregnant now with another child, she couldn't get a job that would last. And the new child probably will delay her job-hunting even longer.

With only a grade school education and little other training, she is not a prospect for any job that would pay well enough to make her want to leave the security of the monthly grant, small as that grant may be.

So Mrs. Smith spends her time pretty much at home, raising her children, or with her relatives in family-style entertainments. She has little use for even normal feminine diversions such as the beauty parlor.

"I went to a beauty parlor once," she said, "but I didn't stay too long. Instead of paying out that money, I do my own hair." Her sister cuts it for her.

"Those social workers ain't gonna pay you no way to get your hair fixed."

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. SCHERLE. Mr. Speaker, this is the 143d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

TO HALT THE SPREAD OF NUCLEAR WEAPONS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. PEPPER. Mr. Speaker, one of the first foreign policy initiatives undertaken by President Johnson when he assumed the office of the Presidency was to make a substantial and genuine effort to halt the spread of nuclear weapons throughout the world. That effort has been successful.

Yesterday, the General Assembly of the United Nations gave its approval to a treaty for the nonproliferation of nuclear weapons.

Immediately after the vote, the President went to New York and addressed the United Nations. In his remarks, he described the treaty as "the most important international agreement in the field of disarmament since the nuclear age began."

Much more remains to be done before the people of the world can come out from under the cloud of concern over global peace, but yesterday's action was a hopeful sign that we are headed in the right direction. I insert the President's remarks in the RECORD:

REMARKS OF THE PRESIDENT TO THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK, N.Y.

Mr. President, Mr. Secretary-General, Your Excellencies, Delegates to the General Assembly:

I have asked for the privilege of addressing you this afternoon, to acknowledge this momentous event in the history of nations; and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago, shortly after the awesome responsibility of leadership was thrust into my hands, I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recalled the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said,

"Let us pray that the tide has turned—that further and far reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations in Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world for their speedy ratification the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race and to achieve nuclear disarmament.

It will insure the equitable sharing of the peaceful uses of nuclear energy—under effective safeguards—for the benefit of all nations.

On behalf of the Government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulations. The questions—and the need—for disarmament is too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek—peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signature; to sign it on behalf of our own government; and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty is entered into force—we of the United States will carry out our responsibilities under it—in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear-weapon party: not to transfer nuclear weapons, or control over them, to any recipient whatsoever; and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of the developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, agriculture, medicine, industry, and in the desalting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay, and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear-weapon power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic defensive and offensive nuclear weapons systems.

We shall search for an agreement that will not only avoid a costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armageddon. If my faith is well founded, as I believe that it is, then this treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the peaceful use of the atom.

When this treaty comes into force, the growing number of nuclear-power reactors around the world—with their inevitable byproduct of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences have—in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, let us press forward to halt and to reverse the build-up of nuclear arsenals; to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

In the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear, and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary-General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

To all of the delegates here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes; and to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

Thank you.

HUMAN RESOURCES CENTER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. WOLFF. Mr. Speaker, it is a constant source of pride to me that the Human Resources Center, Albertson, N.Y., a national leader in preparing handicapped persons to live normal lives, is located in my congressional district.

The Center, under the able leadership of Henry Viscardi, Jr., has helped thousands of individuals, as well as providing an example for similar efforts throughout the country.

Now, in an important extension of his fine work, Mr. Viscardi has assumed the directorship of the INA Mend Institute to be located at the Human Resources Center.

This institute will study the problems of handicapped workers and, in addition, consider possible means to reducing fatigue and accidents among all members of the labor force.

Such a study should be an invaluable aid in the larger goal of providing handicapped workers with the skills and motivation to assume active roles in the labor force. Furthermore, any consideration of the problems of fatigue and accidents among all members of the labor force should help to ease the problem of work days lost to injuries even while increasing regular output.

I am very pleased that such an important project is being handled in the private sector and especially pleased that this study in being conducted in New York's Third Congressional District.

STEEL IMPORT PROBLEM

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DENT. Mr. Speaker, the seriousness of the steel import problem in the United States has reached such proportion that action must be taken in the very near future if we are to save this basic American industry and the mainstay of our economy.

I present today a copy of a resolution passed by the board of directors of the Pittsburgh Steel Co., on May 27, 1968, signed by all members of the board. This resolution shows that in 1967 approximately 85,000 American steelworkers lost their jobs because of importation of 11.5 million tons of foreign steel.

PITTSBURGH STEEL CO.

(Certified Copy of Preambles and Resolution Adopted at a Meeting of the Board of Directors Held May 27, 1968.)

Whereas, A flood of foreign produced steel—11.5 million tons in 1967 alone—is flowing into the United States at a steadily accelerating rate; and

Whereas, The volume of such imports in 1967 approximated the output of 85,000 American steelworkers; and

Whereas, These imports created a deficit in the U. S. balance of payments of more than $1 billion; and

Whereas, Increasing dependence on foreign sources of steel is a threat to our national security;

Now, therefore, be it resolved, That Pittsburgh Steel Company is in full support of the American steel industry's recommendation that the U. S. Congress enact a bill which would set up a system of quotas limiting the quantities of pig iron and steel that can be brought into the country.

I, R. McL. Hillman, Secretary of Pittsburgh Steel Company, a Pennsylvania corporation, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a meeting of the Board of Directors duly called and held on May 27, 1968, and at which a quorum was present and voted, and that the foregoing resolution has not been amended or modified and remains in full force and effect on the date hereof.

In witness whereof, I have hereunto set my hand and affixed the seal of said Company this 29th day of May, 1968.

R. McL. HILLMAN,
Secretary.

J. K. Beeson, C. A. Breuer, H. B. Collamore, Charles Denby, D. C. Duvall, A. D. Hannah, R. McL. Hillman, G. M. Lothrop, R. M. Marshall, A. R. Marshall, Jr., H. S. Krusen, D. G. Sisterson.

Mr. Speaker, in terms of balance of payments the United States lost $1 billion, which incidentally is one-tenth of the amount of new taxes demanded by our Government at this time. We are to get this $1 million new taxes without the aid of 85,000 unemployed steelworkers due to imported steel products alone.

For 11 years I tried to awaken the Congress to this serious matter, not alone in steel but in every line of competitive goods that has been the backbone of this national economy.

As I speak before you another great industry with a major base in my State is feeling a heavy weight of unrestricted competition from imports. I speak of the footwear, particularly leather-type shoes and slippers that have increased by 47.4 percent in the first 4 months of 1968. The first 4 months of 1968 we imported 69,123,000 pairs of shoes; this was 30.5 percent of the entire U.S. consumption in these 4 months. When you add canvas and rubber footwear the total amounts to 86,814,000 pairs over the same 4-month period. Total imports in April were 46 percent over a year ago, nonrubber 43 percent, and rubber canvas 46 percent.

I only use this example to show this Congress that no production facility in the United States is safe from import damage. The whole gamut of production from capital goods through the whole line of consumer goods shows the same devastating impact of imports. Damage is best measured by the static unemployment that is the basic seat of our unrest and domestic turmoil.

While we point with great pride to our high rate of employment we ignore the fact that the growth factor in consumption and goods is far ahead of the growth factor in job opportunities among American workers. The loss of direct jobs in these two industries alone multiplied by the nonproductive jobs created by production we find that approximately 500,000 workers have lost jobs and by the loss of their earned income have in turn deprived other workers of job opportunities.

A double standard in trade policies has been overlooked by the President's advisers, the Japanese Trade Council, and other import propagandists. This Nation which refuses to protect free enterprise and free labor jealously guards its national interest by maintaining a heavy import duty against those products where the Government itself has a state because of its tax and subsidy programs. A list of heavily protected items includes whisky, tobacco, wheat, cotton, and other directly subsidized or federally taxed products. Why then, Mr. Speaker, does this Government and this Congress fail to give the same consideration to the taxpaying worker and the job-producing industry. They appear to be at the mercy of the amateurish trade negotiators who came away from Geneva minus their shirts and only modesty saved their pants.

I make this statement in a full belief that I am right, although I pray I am wrong.

Mr. Speaker, we will never wipe out the resurrection cities beachheading all of the United States unless we reevaluate our trade policy.

Not one single presidential candidate has made a statement or raised the issue of this sinister threat to our Nation's well-being. Those of us in public life are either ignorant of the facts, fear public opinion, or even sincerely believe that free trade is a panacea of all the world's troubles. They appear to be afraid to take this moldy, wornout, archaic free trade theory out of the dark cupboard of ignorance and shake it out in the fresh air of truth and let the people know the facts and the figures that point up the dangers to all of us.

It appears to me that candidates are acting in the same manner that American parents a generation ago did when rather than face their neighbors with the truth they would rather hide their mentally retarded children in the attic and by so doing deprived the children any chance of recovery or betterment and warped their own souls and blighted their lives.

Mr. Speaker, we are a mature people but we are afraid to prove it. While I had an unsuccessful candidacy for the U.S. Senate, I had one issue that I brought to the people: I talking freely and openly without restraint on the dangers of our import policy. I believe that the people of Pennsylvania overwhelmingly believed what I said, for while I lost the nomination I lost it against tremendous odds—the Democratic organization, which I faithfully belonged to all of my political life and organized labor which I served all my public life. Both supported my opponent whose record is almost identical to mine except in the area of our trade policy.

I am not a political expert, nor can I see into the future, but I have a deep conviction that in the face of the political issues, as I see them, any candidate for the Presidency who espouses the cause of a frank and open review of our trade policy will win this election in November.

This is the first time in our modern history, that I can remember, both labor and management are joined together in an effort to awaken the Congress and the people on the issue of trade.

Mr. Speaker, I intend to take, with the permission of the House, the opportunity to present weekly the facts and statements as I know them to be and what our committee hearings proved them to be to the floor of this House. I can do no less, I wish I could do more.

NUTLEY, N.J., VOLUNTEER FIRST AID SQUAD CELEBRATES ITS 15TH ANNIVERSARY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RODINO. Mr. Speaker, in these times of turbulence and turmoil, when the Nation is beset by crime, violence, and social unrest, it is most gratifying to have the opportunity to pay tribute to the vast numbers of Americans engaged in voluntary services to their communities. The Nutley, N.J., Volunteer First Aid Squad, which is now celebrating its 15th anniversary, is an outstanding example of thousands of such units across our Nation. The unsung heroes—both men and women—who comprise these units give unstintingly of their time and energies in coming to the aid of their fellow citizens. Available around the clock on a few moments' call, their ready response often spells the difference between life and death to those who are suddenly stricken.

Mr. Speaker, I would like to call the attention of my colleagues to an article recounting the history of the Nutley Volunteer First Aid Squad, which has served its community with selfless dedication and courage for so many years, and which I know will continue the same fine tradition in the future. The account appeared in the June 6, 1968, issue of the Nutley Sun, and I place it in the RECORD at this point:

RESCUE UNIT HAS GROWN MUCH SINCE 1953—REPORT REVIEWS HISTORY OF SQUAD

(By Barbara Kraatz)

Prior to 1953 all emergency first aid care to the people of Nutley was supplied by the police. In that year, Jess Booth, then a member of the Police Reserves, after having ridden on numerous emergency calls, realized the need for and thought of the idea of forming a First Aid Squad. With this idea in mind, he asked Walter Eckhardt and David Marshall what they thought of it. All agreed it was an excellent idea.

A First Aid Squad in the Town of Nutley would provide the townspeople with quality service by highly trained and experienced first aiders, and relieve as much as possible the pressure on the Police Department, by providing an efficient first aid and ambulance transportation service manned by trained volunteers; and alleviating the need for the Police Department of adding personnel to maintain an ambulance crew; thus saving our taxpayers many dollars.

After attending a district meeting of the New Jersey State First Aid Council to find out all the particulars, Jess Wally and Dave formulated their plans and presented them to Mayor Chenoweth, pointing out the great benefits to be derived for the Town of Nutley.

The Mayor liked the idea, gave it his full support, and agreed to take it before the Town Commission for official approval. The idea won the approval of the Town Commission, and after three readings in the Nutley Sun for the townspeople, the Nutley Volunteer First Aid and Rescue Squad, as it was then known was born on March 3, 1953.

NOW IN AREA POOL

Later that year to conform to state statutes, and after becoming a member of the New Jersey State First Aid Council, the name was shortened to the "Nutley First Aid Squad." Being a member of the New Jersey State First Aid Council, we are part of a Disaster Mobilization Unit.

Should a disaster occur in the Town of Nutley we can, with a single call, get immediate help from squads in the surrounding areas; or as many squads as are needed from the State of New Jersey. Through this unit we can also arrange a transportation relay with participating squads to transport a patient as far as is necessary.

GROWS TO 11 VOLUNTEERS

The three men were able to interest eight others in joining the squad. This partially solved their first problem; that of membership. They now had a total of eleven members—the original three, and Don McDouall, Jack Traylor, Florence Traylor, Christine Booth, Barbara Rademacher, Dr. Nathan Lambert, Arthur Thun and Everett Vautin.

The infant squad had additional problems; second on the list was obtaining an ambulance. The police had a new 1953 Buick ambulance and an old 1940 model which, due to a recent accident, was no longer usable.

The latter vehicle was taken over by the new Squad and rebuilt. Local druggists donated the necessary first aid kits and supplies. Local realtors donated a modern stair chair carrier. Spin splints, stretchers and an inhalator were given to the Squad by an anonymous donor.

The Squad's first meeting was held in the courtroom above the fire house on Chestnut St. and for that first year, all business and training meetings were held in the fire house on High St. or on Park Ave. The ambulance was housed in the Fire Department bay on Warren St.

FIRST CALL IN MARCH 1953

Now, with an equipped ambulance, and a place to keep it, the Squad was ready to answer any calls that came in; and their first call was received on March 27, 1953. The crew on duty sat across from the police desk as we were and are police dispatched.

(Note: In the event of an emergency, a person should call the police at 667-3300, who in turn contact us, and we will be there in a matter of minutes). The Squad classifies calls as follows: Emergency; Transportation (taking a patient to or from home or a hospital) and Service (assistance in moving a disabled patient).

The Squad was governed by a Captain, Jess Booth, and a Secretary, Dave Marshall. The Nutley Ambulance Association, Inc., was also formed, with Don McDouall, President, to take care of the financial aspects of the organization.

A Ladies' Auxiliary consisting of wives of squad members and interested residents, was organized to handle the Squad mailing for the Fund Drive, to make cravats and supplies, and to assist in any way possible.

NIGHTS ONLY IN BEGINNING

In those first years, the police handled all emergency calls during the weekday hours and the squad, from 6 p.m. to 6 a.m. on weekdays and 24 hours on Saturdays, Sundays and Holidays, with the eleven members riding three or four times a week.

By the end of 1953, the Squad was allowed the use of the Red Cross headquarters for business and training meetings. In 1955 Jess Booth moved out of town, and Don McDouall took over the Captaincy. Under McDouall, negotiations were started with Mayor Chenoweth to obtain a piece of land for a headquarters, or occupation of a part of the Public Safety Building.

In 1957, the new Captain, Sidney Teitel, completed negotiations, and space 80' by 40' in the old Town Garage under the Fire Department on Chestnut St. was allotted to the First Aid Squad. Here the Squad members established their headquarters; consisting of a meeting room, an office and a bay to park two rigs; the police rig and ours. In the event of a double emergency, the Squad or the Police (depending on the day or night situation), used both rigs.

FUND DRIVE FOR AMBULANCE

In 1955 the Squad conducted a town-wide Fund Drive for a new ambulance, through a mail campaign by the Ladies' Auxiliary. They raised $7,000, but a new rig would cost $9,000. The Town Fathers appropriated the additional $2,000. needed to buy a new 1955 Cadillac Meads and Miller ambulance to replace the 1940 rebuilt model.

Four years later the 1953 Buick was replaced with a 1959 Cadillac Eureka. The squad then expanded their coverage to three and one-half days during the week, with the Police covering the remaining one and one-half days.

On the morning of August 22, 1960, what was thought to be a routine maternity call came into headquarters. With Police Officer Harry Austin driving the rig, Mrs. Margaret Davey and Lt. Sonny DeGregoris responded.

On a race with the stork to Columbus Hospital in Newark, in the Soho Hospital area of Belleville the two First Aid crew members became amateur obstetricians and assisted in the birth of an 8 lb., 2 oz. boy, the fifth child of Mrs. Flossie Lamarr. Since that time, we have assisted with the birth of seven children; three boys and four girls—the last birth having occurred on February 29 of this year.

FIRST RIG REPLACED IN 1961

In 1961, due to the increase in the number of calls and in anticipation of 24-hour coverage, a new 1961 Cadillac S&S was purchased to replace the 1955 Cadillac Ambulance. This 1961 rig participated in a ceremony unique to Volunteer First Aid Squads.

On September 17 at 2 p.m. at its headquarters the new ambulance was blessed by clergymen of Town—Rabbi Hyman Danzig from Temple B'nai Israel, Rev. John M. Golding, assistant at St. Mary's Roman Catholic Church (a participating Squad member) and Ven. Welles R. Bliss, rector of Grace Episcopal Church, also a member.

In 1962 it was agreed upon by the membership to become incorporated. After approval by the Town Commission, we became known as "The Nutley Volunteer First Aid Squad, Inc." The elected offices of Captain, Secretary, Treasurer, and a Board of Trustees and two elected trustees, were instituted as well as the appointed office of First Lieutenant.

SEARCH FOR HEADQUARTERS SITE

Due to expansion of the Squad, we needed a building of our own. A committee was formed in 1962 with Robert Bain as Chairman, Robert Peschel as Co-Chairman, and "Wally" Eckhardt, Father Golding and Father Bliss as members. Their job was to investigate a possible site for a new building.

A NEW BUILDING

The building was renovated into our present Headquarters—a bay for three rigs, an office, large and small meeting rooms, and facilities for the duty crew, including a kitchen, lounge area, and a large recreation room, equipped through donations from benevolent townspeople with a ping-pong table, shuffle board, and a television set.

BUILDING DEDICATED IN 1964

The first meeting in the new headquarters was held on June 2, 1964. Dedication of the new building was June 14, with townspeople sharing with the Squad in the celebration.

In 1963, the old 1959 Eureka was traded in for a new Cadillac S & S ambulance, and in 1966 the '62 S & S was traded in for a new Cadillac S & S. The following year, with money donated by the Women's Club of Nutley (Night and Day Divisions) a Ford station wagon was purchased and equipped mainly for service and transportation calls, and for use as a third rig in an emergency. These are the three vehicles in constant use at the present time.

Three years ago, the Ladies' Auxiliary disbanded, but this year, due to an interest in the Squad by the wives and a husband of Squad members and other residents, the Auxiliary was revived to provide many services necessary to efficient operation.

Our annual house-to-house Fund Drive, (just completed last week) was started in 1962. We are very thankful for the generous support given to us each year by the people of Nutley, for without your support we could not operate. We are a volunteer organization, dependent wholly on your donations. We would also like to give a special vote of thanks to the owners of the Shop-Rite Supermarket, Mr. Vincent LoCurcio and Mr. Thomas Infusion, who for the past three years have contributed 2 percent of all register receipt tapes turned over to the Squad during the last full week in May.

A few years ago, we also presented to Frank Orechio, editor of the Nutley Sun, an award in appreciation of the coverage given us in this paper.

Since our beginning fifteen years ago, the Nutley Volunteer First Aid Squad has seen many members come and go with the exception of one charter member, Walter Eckhardt of Hetherington Road. "Wally" can tell many stories about the Squad, and how it has been a long, hard grind to achieve recognition in the heart of our fellow townspeople and "Wally" has gained an effectionate spot in our hearts through the years.

Today, we have a membership of approximately 50, or 83 per cent of our quota, since we still need more volunteers for the daytime hours. We are Nutley citizens, who like yourself, work five or possibly six days a week, but who somehow find the time to volunteer our services to the people of our town who may need help when they are sick or injured. We may ride on a Day Crew—from 6 a.m. to 6 p.m.—or a Night Crew—from 6 p.m. to 6 a.m.—with the night crews alternating consecutively on weekends for a 24-hour tour of duty. A crew consists of a Crew Chief and three other members; one being a woman. Since 1961, we have had three women Crew Chiefs.

ALL TRAINED IN FIRST AID

Every member is required to complete a Standard and Advanced American Red Cross First Aid Course, which consists of 16 weeks of 2-hour classes. The first Tuesday of each month is our Business meeting, and the second and third Tuesdays are our training meetings of 2 hours.

In addition, we attend seminars and conferences on First Aid given by our New Jersey State First Aid Council and Districts, and by hospitals in the surrounding communities. This intensive training is needed, as can be readily seen by the increase of calls from 218 in 1953 to around 2,000 a year since 1964; by the continuous advancements in the care of the sick and injured, and particularly so that any member can give the specific care that is needed in any situation with the utmost confidence and assurance.

Besides our regular duty hours, we are all on call 24 hours a day for any emergency that may arise. At any time of the day or night, a squad member may pick up his phone and hear only 3 words—Signal 30—Emergency. To All Nutley First Aiders—Signal 30—Emergency is unquestioned. When the call is received, it is a time to think and act, not talk. It means that somewhere in Nutley someone needs help—and fast. Work or play is forgotten and the squad member reports to Headquarters immediately for further instructions, as every second is precious in the saving of a life.

AVERAGE 2,000 CALLS A YEAR

The Nutley Volunteer First Aid Squad has come a long way in its 15 years of existence—from its make-shift headquarters in the Police Department to our present building; from eleven to fifty members; from one old rig to three modern fully equipped rigs; from part-time service to full 24-hour service; from the Crew Chief having to call each of his crew to a 24-hour call service; from 218 calls that first year to around 2,000 calls a year; etc.

We have approximately 50 members now, who contribute more than 33,000 hours of service each year. Last year, the members of the Squad served a total of 33,517.3 hours, drove the three ambulances 20,000 miles, and rendered assistance on 1,894 calls. Total calls for its 15 years of existence number around 19,000.

Last year in all but one of the out-of-town competitions that we entered, your Nutley Squad received the trophy for the "best-equipped Rig." We are quite proud of the Squad's accomplishments in—competition, in our headquarters, and especially in our complete and efficient emergency coverage for our Town at all times. However, we could not be proud of anything if it were not for the initial efforts of the original members, the complete cooperation of the Police Department, and most of all, the faith, understanding and generosity of the people of Nutley. For these things, we the members of the 1968 Nutley Volunteer First Aid Squad, Inc., are most grateful.

BIGOTRY AND HATE OVERCOME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RARICK. Mr. Speaker, in these times of violence many overlook the damage that can be inflicted by explosive words—in some instances as serious as an assassin's bullet.

I found of interest the treatment given this "play on fear words" like bigotry, hate, racist, by Mr. Morrie Ryskind and Mr. Jim Murray and include their colums, as follows:

[From the Washington (D.C.) Evening Star, June 7, 1968]

CHARGE OF BIGOTRY TRIGGERS REPLY

(By Morrie Ryskind)

In a number of letters from blacks—Negroes is an offensive term to them—I'm accused of racism. Here is a composite: "You didn't like Dr. King, and you disapprove of Dr. Abernathy, Rap Brown, Stokely Carmichael and anyone else who advocates black power. Though you are a member of a minority group yourself, you show no sympathy for other minorities seeking their place in the sun. You want only Uncle Tom."

Well, though I'm Jewish, I do not hold that every Jew is, ipso facto, a noble human being. There are Jewish hoodlums, thieves and chiselers, as in every other group. And I don't think that being a member of a "minority" entitles them to any special privileges.

The black power I admire is that shown by Willie Mays, my favorite ball-player, who earned his place by his ability, and not because someone came around with a quota list and demanded he play left field because he was colored and his race had suffered indignities. You'd have to root for Willie even if he were white.

Similarly, I go for Hank Aaron of the Atlanta Braves, whom it's always a pleasure to watch. But I still retain my fondness for Babe Ruth, who was white. And I didn't root for Sandy Koufax just because he was a fellow-religionist.

Archie Moore stands high as a boxer in my book—but even higher as a man. He was chosen as "Mr. San Diego" last year by a community grateful to him for taking colored youngsters off the streets and teaching them that earning your way is a far more satisfactory life than looting. Don't call him Uncle Tom, incidentally, to his face. He still has a punch.

I also admire George Schuyler, the famous colored writer it has been my privilege to know for over 30 years. No man has more consistently preached the now-derided "American Way." And if you think I've been rough on the blackmail of "black power," you ought to read Schuyler on it.

I didn't like the methods of Bugsy Siegel—who was Jewish—any more than those of Dutch Schultz and the Capones—who weren't. Nor do those tactics appeal to me more when they are employed by blacks.

In Washington, for example, colored gangs have suggested to white storekeepers that they might protect themselves against possible arson and looting by displaying a lithograph of Dr. King in their windows. The cost is only $50; and for an additional $30 a month, they will provide all-year protection . . . The late Mr. Schultz made a pretty penny by offering similar insurance against "accident" to New York merchants.

I didn't like the Rosenbergs—who were Jewish—spying on us for Russia. Nor did I like the clandestine activities of Alger Hiss—who is Gentile.

By the same token, I think little of Dick Gregory's talk to the graduating class of Yale early this year. "Henry Ford hired 6,000 niggers (sic) in two days. Why do you think he hired them? The fire got too close to the Ford plant. Don't scorch the Mustangs, Baby! Do you realize how long it would have taken through peaceful channels to get 6,000 black folk hired and through those tests?"

Obviously, those 6,000 must have included many totally unversed in the know-how required to work even on an Edsel. But that doesn't matter, apparently.

And more from the same speech: "We just got an insane law to say you can't burn an American flag, I say, what in the . . . is an American flag but a . . . rag like all the other flags all over the world? I'm not interested in rags."

Dr. Abernathy talks with God—he says—but when he speaks with us mortals, he sounds just like Gregory. "We will raise hell!" he declared, unless Congress gives him what he demands.

I think sadly of Oscar Joel Bryant, the young Negro policeman recently slain here in Los Angeles, shot down by black gunmen while he was trying to prevent a Negro shop from being looted. And it is my belief that the young hero died for America, and that he did more for his country and his race than all the Abernathys, Carmichaels and Gregorys put together.

And if that's bigotry, make the most of it.

[From the Los Angeles (Calif.) Times, June 6, 1968]

THE VIOLENT STATES OF AMERICA: A NATION IN SURGERY

(By Jim Murray)

LAKE TAHOE.—I was going to write to you about fun and games today—a golf match on a sylvan lake, a track meet in a municipal amphitheater.

But once again America the Beautiful has taken a bullet to the groin. The country is in surgery. The Violent States of America. One bullet is mightier than one million votes.

It's not a Demoracy, it's a Lunacy. A country that shrinks from punishing its criminals, disciplining its children, locking up its mad. It's like an animal that disregards its senses. It's a lamb defending the lion's right to eat it.

Democracy is in the cross-hairs. The Assassination Party wins elections without going in a primary. The President of the United States is chosen in a hardware store, a mail order catalogue. We blame Dallas, but it's no good. It happens everywhere. Memphis. Los Angeles. The United States.

We quarantine the good, the reliable, the honest. We keep a 24-hour watch on the trustworthy, but get a habeas corpus to let anarchy loose.

Freedom is being gunned down. The "right" murder is the ultimate right in this country. Sloth is a virtue. Patriotism is a sin. Conservation is an anachronism. God is over 30 years old. To be young is the only religion—as if it were a hard-won virtue. "Decency" is dirty feet, a scorn for work. "Love" is something you need penicillin for. "Love" is handing a flower to a naked young man with vermin in his hair while your mother sits home with a broken heart. You "love" strangers, not parents.

I will be severely criticized, even ridiculed for crying out. "Lousy sportswriter, what does he know?" I can hear it said. "Who does he think he is, Paul Harvey?" "Fulton J. Murray," still others will sneer. This is the 20th Century, they will say, not Disneyland. Well, it's getting to look more like the Cave Man Era every day from this seat. Americans who have a podium should use it today.

I like people with curtains on the window, not people with "pads." The next guy that calls money "bread" should be paid off in whole wheat. I'm sick of being told I should try to "understand" evil. Should a canary "understand" a cat?

These are some of the things, it seems to me, that has put blood on the walls of America. The next funeral procession will be for the Republic itself. The American Dream will be rolling up Pennsylvania Ave. behind the roll of drums. It will be buried in Arlington. The Constitution was never conceived as a shield for degeneracy. You start out burning the flag and you end up burning Detroit. You do away with the death penalty for everyone but presidential candidates—and Presidents. The national symbol is not the eagle, it's the catafalque.

The point of the country is Fear. The rebellion is against good. Men of God become men of the Mob. The National Anthem is a scream in the night. Americans can't walk in their own parks, get on their own buses. They have to cage themselves.

"Get off your knees, America!" people cry, but it is ignored. Bare your teeth, they say. Threaten to fight back. The lion bares his teeth and the jackals slink away. A cowering animal invites attack. But America is not listening.

A young, vigorous country is immobilized by bumper stickers, slogans, neurotic students with their feet on desks they couldn't make, pulling down universities they wouldn't know how to rebuild.

It all begins with that, the deification of drifters, wastrels, poltroons—insolent guests at the gracious table of democracy overturning it on their dismayed hosts. . . .

Who is going to repair America?

GREEKS INTEND TO KEEP PROMISES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DERWINSKI. Mr. Speaker, an up-to-date report on governmental statistics in Greece was presented by the noted international columnist of the Copley Press, Mr. Dumitru Danielopol, on June 9 in the Aurora, Ill., Beacon News.

At a time when the Soviet maneuvers against Israel continue and internal complications face Belgium, Italy, and France, the stability of the Greek Government should be carefully considered.

Mr. Danielopol gives a vigorous presentation of the current picture in Greece:

GREEKS INTEND TO KEEP PROMISES

(By Dumitru Danielopol)

ATHENS.—"We are honest people and we intend to keep our promises," said Prime Minister George Papandopoulos.

The tough-looking, 49-year-old career officer who doffed his uniform to take up the top job of Greece was answering my questions about the new constitution scheduled for a national plebiscite Sept. 1. It is the prelude to the reinstatement of parliamentary democracy.

"Please assure your readers," he said, "that we mean what we say."

At 8 o'clock on a sunny spring morning, the Prime Minister was already at work in the office in the old Royal Palace, where I had interviewed two previous Greek prime ministers in the last two years.

This premier wears an air of assurance and a disarming smile. He looks and acts like a man who knows what has to be done and is confident that his government can do it. These qualities were missing when I spoke to the well-intentioned Stephanos Stephanopoulos in 1966 and to scholarly, judicial Constantine Kollias in 1967.

Before he got involved in politics, Papandopoulos had a brilliant military career.

He went into battle in 1940 two months after graduation from artillery school when Mussolini attacked Greece. He subsequently fought the Germans, joined the Greek resistance during the Nazi occupation and commanded an artillery battery war fight against Communist guerrillas.

He subsequently became a member of the Intelligence Bureau of the Army General Staff, attended the Higher War College, the Naval Academy and the Armed Forces School of Special Weapons.

Col. Papandopoulos was a minister to the prime minister's office on April 21, 1967, when together with other military men he executed a "coup d'etat" to save Greece from political chaos and a possible Communist takeover.

When I interviewed Prime Minister Stephanopoulos in July 1966, Greece had the jitters. Its parliamentary democracy was a farce. A capricious and irresponsible Parliament was toppling governments at a tip of a hat. No major reform was possible.

"Every time the government tried to bring in a much-needed reform," said Iulios Evlambios, the Deputy Minister of Coordination, "it was immediately attacked by the opposition press and called a 'scandal.'

"It was impossible for the government to work at all."

Corruption was rampant and communism was showing its ugly head again. After 5 years of civil war in the late '40s the Greeks were not anxious to see it happen again.

On April 21, 1967, the military set about to reverse the trend.

"It was the zero hour to save the country from joining the so-called democracies of the East forever," insists Evlambios.

When I visited Greece in 1967 one month after the coup, the jitters were giving way to a feeling of relief. The Communist threat had been averted.

But there was anxiety too.

Could the military regime stay in power?

Attacked by some of their allies, by the liberals, the conservatives, and the Communists alike, the military men were called fascists, tyrants, hangmen, murderers and every other dirty name under the sun.

American support was less than enthusiastic.

"It's easier today to be a Communist than a non-Communist," complained George Christopoulos, Under Secretary for Foreign Affairs. "It's even rougher if you happen to be an anti-Communist."

The military government insisted it had the approval of the people.

"Go talk to the people of Greece," said Prime Minister Kollias last May. "Find out for yourself."

I did.

From all appearances, the Greek people were satisfied with the new regime. "Police state" charges simply did not stand up.

Twelve months later the atmosphere has changed again.

Anxiety had been replaced by a feeling of confidence. The military has stood firm against all odds and have carried out a vast number of welcome and long overdue reforms.

Even such severe critics as Paris' Le Monde admitted recently that the balance sheet for the year show "a number of positive results" both internally—in the economic and social fields—and on an international level.

King Constantine's appeal to the people to overthrow the regime last December fell on deaf ears. The Greeks seem reasonably satisfied with what they have and are not ready for new adventures.

Why today's trouble in France, the Communist gains in Italy and the Soviet penetration in the Eastern Mediterranean and the Middle East, the Greek military regime looks like a good bet.

The general consensus here is that in a free election the colonels turned politicians will be elected with an overwhelming majority.

They are pro-Greek, pro-American, pro-NATO, and anti-Communist.

That's a pretty good platform.

LETTER FROM WASHINGTON

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. IRWIN. Mr. Speaker, I should like to bring to the attention of my colleagues another excellent article by Richard Rovere.

In the current issue of the New Yorker, Mr. Rovere reflects on the assassination of Robert F. Kennedy and generally on the welfare and safety of our Nation's leaders and political candidates. I think that Mr. Rovere's remarks are particularly valuable at this time when so many Americans are asking why it happens. While Mr. Rovere's answer is not definitive, his sober remarks help to put the matter into perspective:

LETTER FROM WASHINGTON

JUNE 9.

Robert F. Kennedy, who opposed the war in Vietnam and proposed to escalate the war on poverty, was, it would appear, assassinated because he supported the Middle Eastern policy of the President he hoped to replace—a policy that is not a major, or even a minor, cause of divisiveness in this country today. Although the indicted assailant spent his adolescence here and must have been exposed to much of the worst of our commercialized popular culture, which exploits violence as it does anything else that is easily exploitable, he spent what Drs. Freud and Spock and the Roman Catholic Church assure us are the truly formative years in a part of the world where violence, organized and otherwise, has been a commonplace of life throughout much of recorded history—a part of the world, indeed, that gave our language the very word "assassin" and that, almost a millennium ago, institutionalized political and religious murder in a secret society that terrorized the Levant and parts of Europe for centuries. In this there is no vindication for our American ways. The Senator was shot in the Ambassador Hotel, Los Angeles, California, U.S.A., in the near presence of local police and other security agents. The murder weapon was no scimitar; it was an ugly little pistol of native manufacture and—if we are to credit preliminary reports released to the press by authorities in California—easily procured, thanks to the laxity of our nation's laws and those of most of the states. To the best of our present knowledge, no Arab zealot had anything to do with the killing of John F. Kennedy or Martin Luther King or Medgar Evers or Malcolm X or Mrs. Viola Liuzzo. But the extinction of an American leader by a Jordanian nationalist does seem to suggest that we cannot altogether explain our latest loss or our plight as a people by pointing to the iniquity of the war in Vietnam or by berating ourselves for letting our children play with guns and be spellbound by shoot-outs on television. It is entirely possible—it might even have been likely—that if Senator Kennedy had not been mortally wounded on June 5th, apparently for reasons having no connection with Vietnam or our domestic arrangements, he would sooner or later have been murderously assaulted by some native son inflamed by some hatred or injustice for which there would be no one to blame but ourselves. But it is every bit as possible that Sirhan Bishara Sirhan would have been moved to commit the act he is charged with if we had never intervened in Vietnam, if poverty and bigotry had been wiped out long ago, and if our popular entertainment dealt with nothing but love and gentleness and brotherhood.

Kennedy, it seems reasonable now to say, was assassinated because he sought an office of great authority and worldwide prestige and had declared his intention of continuing American friendship for and support of the State of Israel. To put it another way, he is dead today because the United States is a global power that perceives—or misperceives—a national interest in the outcome of conflicts in almost every part of the world. Thus, it becomes necessary for Americans to confront the fact that, given our ways of conducting our political affairs, our leaders are frequently at the mercy not only of the fanatics and maniacs we ourselves spawn in great profusion but also of haters and potential killers in almost every other country on earth. The mere existence of our power and of our alliances on every continent provides an almost infinite number of motivations for others to intervene in our affairs, as we are intervening in theirs. Some would no doubt argue that this is merely another way of establishing our collective guilt or our guilt as a nation. A case can certainly be made for connecting the capacity for destruction we have created for ourselves with a disposition to violence and a casual resort to it in conflicts among ourselves. But if the case against the young Jordanian is what it appears to be, he was motivated not by the malign exercise of our power but by our refusal to exercise it in behalf of the cause he espouses—or, more accurately, since we *have* sold arms to Jordan and other Arab countries, by our failure to equip his side with the quantity of power necessary for the total destruction of its enemy. A foreign policy looked upon as peaceful and benign by every American and by most of the world's people would not lack fanatical enemies. An effective policy of global reconciliation and disarmament would no more appease the Sirhans of this world than the mixed bag of policies we now pursue.

Since we are unlikely either to resolve our internal discords or to get out of the power business in the foreseeable future, the question raised by all the recent assassinations is whether we can go on choosing our political leaders by the means that are now generally regarded as traditional and are held by some to be essential to the maintenances of democracy. Senator Kennedy believed that there could be no such thing as democratic politics if candidates seeking the public favor could not freely move among the masses of the people wherever they might be encountered. This is the common view among politicians of both parties, and it has been frequently reasserted in the last few days—most strongly by Governor Rockefeller, who said, shortly after Robert Kennedy died, that he had no intention of avoiding crowds or of having any more protection than he has had in the past. It is an attractive as well as a courageous position to take, and it may be sound as political philosophy. It is certainly true that any politician who abandoned the practice of mingling at close quarters with his constituents, actual or potential, would be denying himself the enormous advantage of demonstrating his personal rapport with them and also the value of what he might learn from and about them in such encounters. In 1968, this has seemed particularly true. Senators Kennedy and McCarthy, on the Democratic side, and Governor Rockefeller, on the Republican side, mounted their respective campaigns as certifiable underdogs. It was essential to the strategy of each that he convince the ultimate nominators—the Convention delegates—that people in large numbers would welcome his presence and applaud his views. The surest, if not the only, known way of doing this is to hold open gatherings, to encourage the crowds to swell, and to allow the candidate to fraternize as much as possible with those who have troubled to join him. Moreover, when the dangers of this practice were pointed out to Senator Kennedy and others, they were able to reply that neither John F. Kennedy nor Martin Luther King had been killed while mingling with large numbers of people. Some politicians, one of them being President Johnson, have insisted that they are never safer—in the sense of immunity from assassination, if not in the sense of immunity from bruises and broken toes—than when they are in the midst of large crowds. And it can also be pointed out that Senator Kennedy was shot not while consorting with a crowd but—after several weeks of consorting with many and after having received the news that his techniques had prevailed in California—while he was seeking to avoid one.

Yet the question is not really whether one kind of exposure is more dangerous than another; it is, rather, whether our leaders are serving us or their principles well by so frenquently tempting death. It is true that John F. Kennedy and Martin Luther King were shot by snipers, and that no increase in the number of bodyguards is likely to afford protection against a killer armed with a telescopic sight. But the late President would in all probability be alive today if the people on the Dallas streets had seen him through a bubbletop, and it might well have occurred to someone in the entourage of Martin Luther King, who ordinarily had more physical protection than most of our Presidential candidates, that it was imprudent for their leader to silhouette himself on a lighted motel balcony in the city of Memphis on the night of April 4th. In any case, whether or not democracy could survive the abandonment or radical reform of some of the present methods of seeking political support, it seems quite clear that it will have less hope of surviving if the acceptance of national leadership involves a high risk of death. Democracy is unquestionably diminished when there are restraints on the liberty of any citizen to go anywhere he chooses, either alone and unprotected or in the company of others. But it suffered some diminution in this country long ago; the historical fact is that nearly all our Presidents have accepted such restraints, as have most leaders of nations for as long as nations have existed. And it now seems incontestable that democracy was vastly more diminished by the death of Robert Kennedy than it would have been had he lived with more caution and more protection. He spoke for millions who are now, at least temporarily, voiceless.

The idea that democracy requires the risks our leaders run seems peculiarly American. Few presidents and prime ministers in other countries feel called upon to take so many chances. Some of them might well feel that they could afford more exposure than their American counterparts, for in no other civilized country are lethal weapons so numerous or so easily come by as they are here. Still, foreign leaders less often feel compelled to be in close and dangerous proximity with crowds that may include individuals who wish them dead, and when the need to do so seems unavoidable they have tighter (though often less visible) security. When President Eisenhower went to meet Nikita Khrushchev in Geneva in 1955, the Swiss and other Europeans—including, of course, the Russians—professed to think that the Americans were ridiculously obsessed with security, and so it seemed when one observed six or seven Secret Service men jogging along beside the President's car as it moved through the streets of Geneva. However, the Swiss and others could afford to regard this as excessive because they had already put into effect security measures of a severeness unknown in this country. The Russians had no joggers; they simply had an enormous delegation consisting largely of strong-arm men. When President de Gaulle played host to the heads of government of this country, the United Kingdom, and the Soviet Union in 1960—for the summit conference that never took place—his police took the precaution of rounding up hundreds of persons suspected of being capable of attempting assassination and providing them with a holiday in the South of France. No such procedure would be tolerated in this country, and even if it were, a Lee Harvey Oswald or a Sirhan Bishara Sirhan might escape the dragnet. But if we are to preserve civil liberties and at the same time preserve our leaders, either our leaders will have to change their ways or their followers will have to insist that they accept more security. There can be no certain protection against determined assassins, but a bubbletop on the Presidential limousine would have spared President Kennedy, and a bodyguard of seven or eight men might have spared Senator Kennedy.

Addressing himself to this unpleasant subject a couple of nights ago, Senator Javits gave it as his opinion that the time may have come when we can no longer get along without a national police force. He was aware, he said, that the idea was abhorrent to most Americans and particularly to those of a liberal cast of mind. But he observed that other countries had managed to maintain freedom while giving broad powers of enforcement to a national police, and he did not think that the only protection from tyranny was the preservation of our tradition of local police authority. It is difficult, for example, to see how our scandalous traffic in firearms could be stopped except by a national agency. Thanks to the exertions of the National Rifle Association, Congress is still reluctant to end this traffic, but if its mood changed tomorrow and the toughest possible bill were enacted, it provisions could not and would not be enforced by our constables, sheriffs, and local police; they would lack the means and, in many parts of the country, the will to deal with a problem that might be comparable to disarming a large and hostile military force. Our technology has burdened us with many other problems that seem insoluble by means of anything short of a national police agency. One we may shortly have to face is that of the manufacture of small and not so small nuclear weapons by non-governmental organizations, and even by individuals; to tackle it with any success would require keeping track of fissionable materials all over the country. In view of our failure, even with a national agency, to do much about the circulation of narcotics, the prospect is in any case appalling, but it would be quite hopeless—as perhaps it already is— to entrust it to police responsible to thousands of local authorities.

There is an understandable tendency in this bitter and grieving city to say that there is no hope for the United States unless it quickly remakes itself in the ways that Robert Kennedy wished it to and unless it immediately equips itself with the foreign policies he urged upon it. Hope may lie where he said it lay. But the fullest and speediest realization of all his dreams would not greatly reduce the vulnerability of many of our finest spirits to the acts of deranged and desperate fanatics. If we are ever to be led to the New Jerusalem, we must do what we can to keep alive those who know the way.

The mortatorium on "politics" agreed to by all the leading candidates is not likely to endure for more than a few days. It is in no one's interest that it should. A President must be chosen in November, and unless the contenders find some way of addressing themselves to the electorate at an early date, there will be little hope in either party of challenging the front-runners, or even of negotiating any sort of policy compromises with them. It may even now be too late for this. Most people here have for some time been persuaded that neither Humphrey nor Nixon could be denied nomination. Many think that Kennedy's death has made their strength even greater than it was a week ago. In the view of a large number of Republicans, it was only the possibility of Kennedy's nomination that gave Nelson Rockefeller any kind of appeal to Republican leaders, and a big part of Kennedy's strength reflected the view of many Democratic politicians that he could run powerfully against Rockfeller. Among those who were drawn to Kennedy primarily because of his and their opposition to the war, there is a movement to transfer—or, in some cases, retransfer—their support to Senator McCarthy. But, what, more than two months ago, made Kennedy seem a more hopeful candidate than McCarthy was his acceptability among such Party leaders as Jesse Unruh, of California, and Mayor Richard Daley, of Chicago. It now seems reasonable to assume that they would be more comfortable with Humphrey as the nominee than with McCarthy. The Kennedy supporters who now are moved to throw their support to McCarthy will be doing so with very little hope of wresting the nomination from Humphrey but with some expectation that anti-war sentiment could be mobilized to wring concessions on foreign policy and on Cabinet appointments. Kennedy and McCarthy, it is being pointed out, had a combined vote of eighty-eight per cent in California, and when any politician hears a figure like that he is likely to listen to reason. A similar aim is no doubt being sought by those Republicans who continue to support Rockefeller—though they, of course, can hardly lead from such strength.

The first Convention—that of the Republicans, in Miami—will get under way just two months from now. In the past, at about this stage of the Presidential year, the handicappers have become very self-assured; in the past, they have, as a rule, had good reasons to. The primaries are over. Most delegations are committed. It is hardly conceivable that any new candidates would be so foolhardy as to declare this late in the proceedings. But in 1968, two months seems a very long time indeed, and very few people are confident enough to look even two days ahead. Most are now conditioned to expect the unexpected and to acknowledge the existence of many impulses in American life—some of them terrifying, some of them heartening, nearly all of them incalculable as to force and meaning. Moreover, there is a widespread awareness—which the latest assassination will surely increase—that we are not and never again can be in full control of our destiny. We cannot determine the course of the war in Vietnam or the course of the talks in Paris; what the Convention delegates do in August and what the voters do in November may be governed by what armies in Asia and diplomats in Europe do or fail to do in the meanwhile. But on this melancholy weekend the strongest possibility that anyone can foresee is the nomination by the Democrats of the Vice-President and by the Republicans of the last Republican holder of that office.

RICHARD H. ROVERE.

NEW AIRPORT AT COCHRAN, GA.

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. STUCKEY. Mr. Speaker, a new airport has been dedicated in my Eighth Congressional District. This airport is located in Cochran, Ga. I would like to take just a minute to discuss the importance of this new facility to the continued progress of Georgia and the Eighth District.

Today, air transportation is this country's seventh largest and by far its fastest growing industry. During the next 12 years, it is anticipated that the business of transporting people by air will triple in size on a worldwide basis; 747 Superjets will be introduced next year, capable of carrying 490 passengers faster, higher, more comfortably, more economically, and with greater safety than any existing aircarft.

A new medium-haul aircraft will be the Airbus, a high-capacity, three-jet cousin of the Superjet. Due in 1971, the Airbus like the Superjet, will fly at just uuder the speed of sound. It will carry 250 passengers, and its direct operating costs, again like the Superjet, will be about one-fourth less per passenger mile than the costs of today's jet aircraft.

For long hauls there will be the supersonic transport which should be flying commercially in 1976. It will carry about 300 passengers at 1,780 miles per hour, almost three times the speed of sound at cruise altitudes. From engines on to engines off, this would put London about 2 hours and 50 minutes from New York.

There will be sweeping changes in the operation of air transportation. Some advances of this kind are already very close to operational status. The Superjets, for instance, will introduce pushbutton navigation, by which self-contained inertial guidance system will navigate planes to their destinations without any outside communication or control.

The airport is an important part of our program of community development. We know by reports of the Bureau of the Census that a community with an airport such as ours has an increased volume of retail and wholesale trade.

We also know that an adequate airport is a strong factor in the decisions of industry to build new plants in a community, and we know that the availability of a modern airport is necessary to keep our area industrial establishments which have contributed so much to the prosperity of our area.

Our airports can provide airborne agricultural services to mechanized farms. They can even become the center for a large, planned, industrial development area.

Of course, an airport by itself is no guarantee of local prosperity. But, local prosperity without one is unlikely now or in the foreseeable future.

We have faith in that future and we intend to make the most of it, as Georgians always have.

In that spirit we have built a new airport in Cochran, we have worked for funds to expand and modernize the airports in Douglas and Jekyll Island, Ga., and we will continue to work for new airports and for the expansion of present airports in our Eighth District.

OEO EFFORTS CUT VIOLENCE, DIRECTOR SAYS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, an excellent example of the impact of the war on poverty programs is described in an article which appeared in the May 27 issue of the Washington Star, entitled "OEO Efforts Cut Violence, Director Says."

During recent hearings before the House Appropriations Subcommittee, the newly appointed Acting Director of the Nation's antipoverty effort tells of his agency's plans to spend $35 million on summer educational and recreational programs in addition to helping youngsters find jobs.

Mr. Speaker, I think that all of my colleagues know the importance of having summer programs to keep the many thousands of young people's energies exerted in productive and useful ways. Because I think it worthy of my colleagues' attention, I insert the article at this point in the RECORD, and commend the initiative and dynamic planning of Mr. Bertrand Harding. I am very pleased to see that Bert Harding has made such a strong case for continuing the OEO's war on poverty programs.

OEO EFFORTS CUT VIOLENCE, DIRECTOR SAYS

The head of the federal antipoverty agency says summer programs for the poor may not prevent riots but they go a long way toward reducing any violence.

Bertrand M. Harding, acting director of the Office of Economic Opportunity, told a House Appropriations subcommittee his agency plans to spend $35 million on summer recreational and educational programs in addition to helping youngsters find jobs.

"I am completely confident that programs which provide these young people jobs in the summer, which provide them an opportunity for recreation, for education improvement, take them off the streets, give them something productive and useful to do, contribute to peace in our ctles," Harding said.

"Obviously, they do not do the whole job. We have had riots in cities with large summer programs, and I guess it is not within my wisdom to judge how many riots did not occur because of the programs or how much worse the riots that did occur would have been but for these programs, but it is certainly my judgment that they have contributed to opportunities for the youth and a reduction in the violence."

Harding testified before the subcommittee April 5, the day after rioting broke out in several cities across the nation in the wake of the assassination of Dr. Martin Luther King Jr. His testimony was made public today.

Chairman Daniel J. Flood, D-Pa., pressed Harding on the subject of rioting, saying the U.S. had spent much more on these antipoverty programs last summer and the nation had worse disturbance.

Harding replied: "You have to judge what might have occurred if we had had no programs."

He said neither he or his predecessor—Ambassador to France Sargent Shriver—viewed the antipoverty program as an antiriot program. He said they thought of the summer programs as an opportunity for poor children—"a positive program, an opportunity to productively develop these kids during their off-period in the summer.

"But it does, in my judgment and certainly in the judgment of the administration, make an important contribution to tranquility in the cities."

OEO is seeking a 1969 appropriation of $2.1 billion, an increase of $400 million over the current year.

SP4C. JOHN P. EDWARDS DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. LONG of Maryland. Mr. Speaker, Sp4c. John P. Edwards, a fine young man from Maryland, was killed recently in Vietnam.

I wish to commend his bravery and honor his memory by including the following article in the RECORD:

SP4C. EDWARDS DEAD IN VIETNAM

A 19-year-old soldier from East Baltimore who volunteered for duty in Vietnam was killed in action near Saigon Monday, the Defense Department reported yesterday.

He was Spec. 4 John P. Edwards, son of Mr. and Mrs. John B. Edwards of 3022 McElderry street.

Ralph Edwards, a brother of the young soldier, said yesterday that Specialist Edwards had apparently been in steady combat in the Saigon area since he arrived in Vietnam in mid-March.

A "BEAUTIFUL COUNTRY"

He had been wounded once, although it was not serious, Mr. Edwards said. In letters home, he had said little about the fighting, but had termed Vietnam a "beautiful" country, his brother related.

Specialist Edwards enlisted in the Army at the age of 17 after dropping out of the ninth grade at Hampstead Hill Junior High School.

"He wanted to serve his hitch," Mr. Edwards said. Following training at Fort Bragg, N.C., he was sent to Germany, but after a year there, he volunteered for duty in Vietnam.

"SOMETHING FOR HIS COUNTRY"

"He said he wanted to be doing something for his country," the soldier's brother said. Specialist Edwards was one of ten children. Four of his brothers have completed military service, two in the Army and two in the Navy.

Besides his brother Ralph and his parents, Specialist Edwards is survived by seven other brothers, Randolph, Archie, Richard, Dale, Michael, Robert and Dennis Edwards, and a sister, Jacqueline Edwards.

PITTSBURGH COMPANY AND THE CITY'S BUSINESS & JOB DEVELOPMENT CORP. SHOW WAY TO EMPLOY THE JOBLESS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MOORHEAD. Mr. Speaker, there has been a great deal of discussion recently of the role that private enterprise can play in solving the problem of hard-core unemployment in American cities.

I am proud that efforts in this direction are already underway in my home city of Pittsburgh. The Westinghouse Electric Corp., in cooperation with the federally assisted Business & Job Development Corp., has announced plans to build an electric personnel carrier plant on a site close to Homewood-Brushton, an area of the city where the unemployment rate is unfortunately high.

The plant will employ between 60 and 75 persons who live in the Homewood-Brushton area, beginning early this fall. Production of electric vehicles for use in moving from one area of a large plant to another will begin in November. The jobs will pay between $3 and $3.15 an hour.

As an example of what enlightened industry can do to meet the problems of our cities, I insert an article from the Pittsburgh Press on the Westinghouse-BJDC project at this point in the RECORD:

HOMEWOOD SHOWN NEW PLANT PRODUCT

Westinghouse Electric Corp. today said its new plant near the Homewood-Brushton area will start producing electric personnel carriers before the end of the year.

Speaking before 100 civic, political and business leaders of the community at a breakfast meeting in the Homewood-Brushton YMCA, Donald C. Burnham, president of Westinghouse Electric Corp., said construction of the new plant should go under way in mid-July and be completed late this year.

It will be built on a site at Washington Blvd. and Frankstown Ave.

He said the plant will provide close-by employment for 60 to 75 people in the Homewood-Brushton area, most of them in the category of the "hard-core unemployed."

This was the first announcement by Westinghouse of the type of product to be produced at the plant, first to be built by a major industrial firm in the City near a hard-core area.

Mr. Burnham said the plant will do three important things:

Provide jobs for the hard-core unemployed.

Produce a quality product for customers.

Make a profit for the company.

Mr. Burnham said he expects the force—at all levels—"to be predominantly black."

James A. Jordon, a Westinghouse executive, chairman of the board of the Business and Job Development Corp. (BJD), praised his company for its "enlightened thinking" concerning the hard-core.

BJD's President Forrest "Bud" Parr stated the plant's estimated value would be $1 million and that Westinghouse has taken a 20-year lease on the land and building which BJD will own.

C. E. Price, general manager, repair division of Westinghouse, said the product is a small electrical vehicle used by foremen and maintenance personnel to move from one section of any plant to another.

He said Westinghouse will launch a training program for future workers about three months prior to actual production, expected to begin in November.

"Average hourly salary . . . will be about $3 or $3.15 an hour," Mr. Price asserted.

Mr. Price also stated trainees will be paid and those who wish, if qualified, may later transfer to other Westinghouse plants.

Westinghouse and the City last month announced plans to place the plant in the area, along with a new industrial park which would be located adjacent to this site in the Silver Lake area along Washington Blvd.

ANTINEWS LOBBY AT WORK NOW

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RARICK. Mr. Speaker, we, in America, have watched the anticivil rights movement, the antiprivate ownership of property movement, the antiparent control in education, and now the antigun movement.

One might wonder when the "anti's" will have taken enough. But then fairness and equity are not the goal—full centralized control is the ultimate of socialized "progress."

Responsible communications people should take notice that the "anti's" are now after censorship over freedom of press and speech. Press and freedom are no more and no less prohibited from Federal control by the Federal system than other rights that have gone down the drain of tyranny such as, religion, money, education, homeownership, business operation, union seniority, and soon even the English language.

And news folks who awaken to defend the right of speaking out can expect to be labeled racist, bigot, and extremist.

I can hear the "anti" cry now—against the big newspaper, radio, and TV lobby—they must be placed under control for the common good.

I insert Mrs. Edith Kermit Roosevelt's column for May 26 in the RECORD, as follows:

[From the Philadelphia (Pa.) Sunday Bulletin, May 26, 1968]

BETWEEN THE LINES—THE INTEGRITY OF INFORMATION: RIOT COMMISSION WANTS RACIAL NEWS CLEARED

(By Edith Kermit Roosevelt)

WASHINGTON.—The Constitution guarantees freedom of the press. But tactics which could in effect destroy this fundamental provision have been recommended as a result of the riots and racial disorders in U.S. cities.

For example, the report of the National Advisory Commission on Civil Disorders flatly stated that "the failings of the (communications) media must be corrected." At the commission's request, the Justice Department's Community Relations Service conducted a survey of experiences with press "guidelines" for riot coverage in 11 U.S. cities.

In a sweeping indictment of the press, the report of the National Advisory Commission on Civil Disorders declared:

"Slights and indignities are part of the Negro's life, and many come from what he now calls 'the white press'—a press that repeatedly, if unconsciously, reflects the biases, the paternalism, and the indifference of white America."

URGES INSTITUTE

The report urged the establishment of a "privately funded" Institute of Urban Communications to implement the commission's recommendations for "correcting" alleged deficiences in reporting on race relations and urban problems. The non-profit organization would recruit, train and place journalists on news staffs, as well as hold communications media "publicly accountable" for praise or blame in their reporting of racial news.

The Institute of Urban Communications, it seems to me, would be just one more in the long list of non-profit or tax-exempt "think factories" staffed by well-known figures who gravitate between government posts and private organizations, usually with government connections. The commission report made these revealing remarks:

"Pressure from the Federal Government for action along the lines proposed would be suspect, probably by the press and local officials. But the Institute would undertake the task of 'stimulating' community action in line with the commission's recommendations without arousing local hostility or suspicion."

PSYCHOLOGICAL WARFARE?

This is precisely a psychological warfare technique. The technical term for it is "gray," a designation for an organization in the private sector that conducts all or most of its business with government.

The commission's recommendations include the creation of a "Central Information Center" to serve during disturbances as "a nerve center for reliable police and official government information." The word "reliable" here is a code word meaning "conformity" to Washington policy. Obviously, the effect of this center would be to cut the press off from the local police and create a dependence on a central source for information news managed by Washington during disorders.

ASKS NEWS MONITORING

The commission significantly urged that editors monitor their news production, "taking note of how certain stories and language will affect black readers or viewers." Traditionally, news has been the source of impartial information furnished to all Americans, irrespective of race, creed or color, letting the chips fall where they may. Under this new "sociological" approach, news would be used to shape attitudes.

No greater break with the principles under which our news media have been operating can be imagined. What this must mean is news presented in accordance with a predetermined slant. This has nothing to do with the merits of the issue but does vitally involve the integrity of information.

All this, of course, is what traditionally has been regarded as editorial opinion, that has to be attributed to a knowledgeable source, and opportunity given for contrary views. Subtly, wittingly or unwittingly, we are outflanking the First Amendment that guarantees freedom of the press.

DR. EARLE B. JEWELL: "YOU CAN IF YOU WANT TO"

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MINSHALL. Mr. Speaker, for more than 40 years the ministry of a remarkable clergyman, Dr. Earle B. Jewell, renewed and sustained the faith of countless men and women fortunate to know him. Although I have never had the privilege of meeting Dr. Jewell, I know the impact his inspired endeavors have had upon the lives of friends of mine.

Dr. Jewell continues to prove "how forcible are right words" to an even wider audience than the congregations he so nobly served during his years in the pulpit. His recent book, "You Can If You Want To," reflects the steadfast moral principles, the deep insight into human nature, and the wise application of eternal truths to modern living, which have made him a beloved shepherd to so many. I strongly commend it to my colleagues in the House. Regardless of your own religious convictions, I believe you will find it thought-provoking and timely and, in the words of one reader, former President Eisenhower, "a piece of work that cannot fail to be helpful to America."

Under leave to extend my remarks, I include an article from the Taney County Republican of May 9, 1968:

EISENHOWER COMMENDS EARLE B. JEWELL'S BOOK

"I trust that the book will have a wide circulation and that it will serve as a stimulant to renew our faith and to strengthen our acceptance of moral values."

This is the comment of former President Dwight D. Eisenhower on the new book "You Can If You Want To!" by Earle B. Jewell who is well known at the School of the Ozarks and in this area generally.

Dr. Jewell served for 41 years as a priest in the Episcopal Church not only as a small parish in northern Minnesota but also in one of the nation's largest parishes in Kansas City.

Gen. Eisenhower's letter to Dr. Jewell follows:

INDIO, CALIF.,
April 23, 1968.

DEAR DR. JEWELL: While I have not been able to complete reading of your book, I have found so much in it that is helpful—not, to say inspiring—that I wanted to drop you a note at once. I trust the book will have a wide circulation and that it will serve as a stimulant to renew our faith and to strengthen our acceptance of moral values.

Not only do I hope to finish its reading very soon, but thereafter I expect to keep it by my desk almost as a reference work.

In addition, of course, I must thank you for the inscription you placed in my copy and congratulate you on a piece of work that cannot fail to be helpful to America.

With best wishes.

Sincerely,

DWIGHT D. EISENHOWER.

A copy of the letter was received by Jack Kirtley, owner of the Village Book Store, Hollister.

In a foreward in the book Dr. R. M. Good, president emeritus of the School of the Ozarks, says of Dr. Jewell:

"I never knew any man who so completely expresses his faith, his opinions and his unchangeable beliefs in spite of what the rich, the poor, the learned and unlearned, the critics or the congregation think."

In his preface Dr. Jewell says:

"I acknowledge my debt to many people who encouraged me to prepare this book.

Especially to Mr. Elmer C. Rhoden who "built a fire" within me through his advice and personal desire that such a book should be written.

"I am appreciative for the time and help given me by Dr. R. M. Good of the School of the Ozarks; Prof. and Mrs. Leland S. Reid of the School of the Ozarks, who read the manuscript, made helpful suggestions and constantly offered sound directions.

"To the people of Christ Church, Red Wing, Minn., and to the people of St. Andrew's Church, Kansas City, Mo. I say: 'God bless you for the tolerance and charity and patience you gave me during the years I was privileged to be your servant in the Church.'

"All of you made this book a reality."

Headings for the 10 chapters of the book are:

You Can If You Want To!
You Can Believe If You Want To!
You Can Pray If You Want To!
You Can Change If You Want To!
You Can Have Fellowship If You Want To!
You Can Be Free If You Want To!
You Can Be Generous If You Want To!
You Can Avoid Extremes If You Want To!
You Can Have Happiness If You Want To!
You Can Choose Right If You Want To!

WEST POINT COMMENCEMENT ADDRESS OF GEN. HAROLD K. JOHNSON

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RIVERS. Mr. Speaker, on June 5, 1968, the Chief of Staff of the Army, Gen. Harold K. Johnson, gave the address at the graduation of the class of 1968 at the U.S. Military Academy.

General Johnson's moving address was such a wonderful combination of a realistic look at the world in which we live and an inspiring message for the young that I felt I had to bring it to the attention of my colleagues in the House.

Plato said, "There shall be war and rumor of war until the end of time." Recognizing the sad truth of this statement, this sad truth of human nature, General Johnson told the graduating class:

We live in a real world, not a dream world. Dreams have no limits; the real world has practical limits, or, at least, limitations. Above all, we must distinguish between the world of our dreams and aspirations and the tough, cruel demanding world of reality where advantage, gain and privilege are accompanied by work, sweat, tears, and accountability for our actions.

Against that backdrop of reality—of recognition that the unpleasant does not go away by being ignored and that achievements are the fruits of labor, not wishes—I would give you this thought to remember: You are about to become a part of an institution on which the very life of the Nation depends. You are about to become a part of a profession whose task it is not only to prepare for war but to be prepared for public unwillingness to face some of the unpleasant facts of the world in which we live. People have always detested war, yet war has been a constant specter among us. Men cry continually for peace, yet there is no peace. Why is this? How can we face these facts sanely as soldiers and as a people?

One of the first cold, hard facts we have to remember is that victory in war is neither a permanent nor an absolute thing. Victory simply indicates that the immediate objectives of that particular struggle have been achieved. Victory carries no guarantee of lasting peace. Woodrow Wilson said that World War I was fough to make the world safe for democracy. It achieved that end—for a brief period. He said that World War I was a war to end all wars. There he erred. Absolutes cannot be sifted from the ashes of any war. World War II was fought to free the world from the unscrupulous greed and ambitions of the Axis powers. Victory removed that threat—for a while. But a new threat, secretly kept cooking on a back burner by an ally of expedience, was bubbling over before the ink was dry on the treaties that signalled victory.

If peace is ever attained, even on a relatively permanent basis, it will be achieved in the hearts of men—not on the battlefield. Fundamentally, every bomb we drop, every shell we fire, every trigger we squeeze is an admission that we have failed as peace-loving people. But as long as we have neighbors in the world community who believe that their selfish aims justify any means, respectable nations must stand ever ready to protect themselves. This is the reality of which I spoke.

Elsewhere in the speech General Johnson pays tribute to the great tradition of the long gray line and to the great courage of the American soldier. I urge all Members to read his remarks. The speech follows:

THINK ON THESE THINGS

(Address by Gen. Harold K. Johnson, Chief of Staff, U.S. Army, at the graduation ceremony, class of 1968, U.S. Military Academy, West Point, N.Y. June 5, 1968)

This is the day you have been working toward for four busy and strenuous years. It is a day you will never forget, yet one you will never quite clearly remember. Some people say they can recall everything about their graduation except what the speaker had to say. For me it was quite the opposite. Many things that happened on that June day back in 1933 I have forgotten, but I shall never forget General Douglas MacArthur as he stood before us and described the perils of the then current wave of pacifism. These two sentences particularly stuck with me:

"Pacific habits do not insure peace nor immunity from national insult or aggression. Any nation that would keep its self-respect must keep alive its martial ardor and be prepared to defend itself."

I pondered a long time about what I, who stand in the dimming twilight of my active service, could say to you who are the most recent marchers to join the Long Gray Line. I would that my thoughts might stay with you as General MacArthur's have stayed with me. Then the realization came that similar conditions surround our two widely separated graduations. It occurred that, except for the great passage of time, not much has really changed. It is sobering to recall how much has happened and yet how little has changed since that day when I listened to General MacArthur at Trophy Point. Men cried for peace then; men cry for peace now.

We live in a real world, not a dream world. Dreams have no limits; the real world has practical limits, or, at least, limitations. Above all, we must distinguish between the world of our dreams and aspirations and the tough, cruel demanding world of reality where advantage, gain, and privilege are accompanied by work, sweat, tears, and accountability for our actions.

Against that backdrop of reality—of recognition that the unpleasant does not go away by being ignored and that achievements are the fruits of labor, not wishes—I would give you this thought to remember: You are about to become a part of an institution on which the very life of the Nation depends. You are about to become a part of a profession whose task it is not only to prepare for war but to be prepared for public unwillingness to face some of the unpleasant facts of the world in which we live. People have always detested war, yet war has been a constant specter among us. Men cry continually for peace, yet there is no peace. Why is this? How can we face these facts sanely as soldiers and as a people?

One of the first cold, hard facts we have to remember is that victory in war is neither a permanent nor an absolute thing. Victory simply indicates that the immediate objectives of that particular struggle have been achieved. Victory carries no guarantee of lasting peace. Woodrow Wilson said that World War I was fought to make the world safe for democracy. It achieved that end—for a brief period. He said that World War I was a war to end all wars. There he erred. Absolutes cannot be sifted from the ashes of any war. World War II was fought to free the world from the unscrupulous greed and ambitions of the Axis powers. Victory removed that threat—for a while. But a new threat, secretly kept cooking on a back burner by an ally of expedience, was bubbling over before the ink was dry on the treaties that signalled victory.

If peace is ever attained, even on a relatively permanent basis, it will be achieved in the hearts of men—not on the battlefield. Fundamentally, every bomb we drop, every shell we fire, every trigger we squeeze is an admission that we have failed as peace-loving people. But as long as we have neighbors in the world community who believe that their selfish aims justify any means, respectable nations must stand ever ready to protect themselves. This is the reality of which I spoke.

It has been well said that evil is aggressive. To me that thought has a corollary. Aggression is evil. At least there appears to be an almost undefinable link between the two—aggression and evil.

Because of this, I believe that we must guard against aggression in much the same manner that a righteous person struggles against evil—that is by fully realizing that the suppression of one evil leads to a confrontation with the next in line. Victory over evil can never be absolute until the heart of man has changed. Victory over aggression will never be realized on a permanent basis until the men who rule nations—and the men who support them—undergo a sort of spiritual transfiguration that will make them realize once and for all that nothing permanent can be gained by blowing up a neighbor's home and riddling the occupants with bullets.

We Americans fight to maintain, to restore, or to create a climate of stability or an environment of order within which government under law can function effectively. We fight to maintain order where it exists. We restore it where it has been taken away by force. We create order where it has never existed.

I believe this thought is fundamental to our national military philosophy. We seek, first of all, to deter war and then, when deterence fails, to win any kind of war that may be forced upon us without destroying the institutions of our civilization in the process. In order for deterrence to be credible, we must have a proper mix and balance of military forces that are visible, ready, and capable. Toward these ends we have strategic forces here at home and we have forces deployed in every quarter of the globe. To strengthen our world-wide forces, we have entered into collective security agreements with other members of the Free World, pledging ourselves to join with them in the common defense. The Army plays a major role in all of these efforts and as a result—and contrary to its almost isolated status when I was first commissioned—the Army is an active, day-to-day partner of all of the elements of the government as an instrument of national policy. Our officers and men are soldiers, diplomats, and nation-builders—sometimes filling one of these roles at a time—often handling them at one and the same time.

There is one notable difference in the Army of today that will have an effect on your careers. The ever-increasing destructiveness of military weapons and the broad areas of military technology and industry which produce military hardware have resulted in a vast civil participation and interest in the development of military equipment and ideas. The sharp demarcation which, early in my career, tended to separate the military from the civilian element of our society has all but disappeared. Progressively, there has developed a cohesive government-industry-military working team on which you must be prepared to spend a great deal of your career.

Your role in this respect becomes doubly important when you remember that the Army is a cross section of our great country. We represent its people because we are its people. We are its servants because the Constitution says that is the way it should be. We are the servants of the people also because the people are the Army's conscience—and this conscience tells us that it would be wrong to do anything other than serve our people. Because we are of, by, and for the people, we are dedicated to strengthening the security of this Nation . . . pledged to preserve its freedom . . . pledged to preserve the blessings of liberty for its people of today and tomorrow.

But, as I hinted earlier, your role in relationship with the people you serve will not always be an easy one. I believe some words spoken by General Marshall to the graduating class of 1951 bear repeating in this context. He said:

"You will often be misunderstood. You will frequently find the democratic processes of this country difficult to assimilate in a military pattern. But never forget that this is a democracy and you are the servants of the people, and whatever complications that may arise, you have a duty to your country which involves not only the final sacrifice if necessary, but a generous understanding of the role of an officer in the army of a great democracy."

Since coming to West Point you have lived by the code, "Duty-Honor-Country". It has become a part of you. In a few minutes you will raise your right hand and take an oath which, though couched in different terms, carries the same general thought and transforms this code into a legal responsibility. You will swear to support and defend the Constitution of the United States against all enemies, foreign and domestic. You will promise to discharge your duties to the best of your abilities. And you will acknowledge that you assume these obligations freely. I would add the thought that you accept them because you would not want to do less.

The gleaming history of the Long Gray Line is too well known for me to embellish it further. But just to indicate how brightly it still gleams and how strongly it influences those who make it—as well as those who love those who make it—I want to read from a letter I received from a staunch young lady. She came back to these grounds just a few months ago—not in joy but to accompany her fallen husband to his final resting place. She wrote to me:

"In one of his first letters to me, he said he wanted to make me and his country proud of him. . . . Even though his death was a tragic loss to our son . . . and me, I have and I always will feel pride and honor because of his dedication to freedom and his country. . . .

"His burial at West Point was the most beautiful, reassuring, and fulfilling moment of my life. When the band played 'Onward Christian Soldiers' and the 'Alma Mater', strength rose within me. I loved my husband very deeply, but my loss is a contribution to what our nation stands for.

"God bless our country!"

Not only can you take pride in the courage and the dedication of the countless men who have endowed these halls and fields with immortal honor and glory. You will have further cause for pride. Soon you will be leading American soldiers, and from them you will learn that West Point has no monopoly on courage and loyalty and dedication. The American soldier today, as always, possesses more than his share of these qualities—enough, in fact, to infect those whom he loves most. As just a single indication of this, let me read the words of yet another brave young lady whose pride in her soldier husband shines through her tears:

"In losing his life he has given hope to many. My husband has written that he only regrets that he had but one life to give for his country. He may have used some one else's words but he used his own life."

Yes, you can take pride in the men from West Point who have gone before you. And you can also take great pride in the men you lead. Now, what about yourselves? You have already taken your place in the ranks.

You are facing forward, ready for the command to march. You cannot turn back. You will need every ounce of strength and enthusiasm your youth possesses. You will need all the knowledge and skill you have gained here and all that you can absorb in future training and schooling. You will need friends and family to share your joys and your sorrows and to lend you a hand when you falter. But be sure of this. Times will come when you will need a strength, an assurance, and a faith beyond anything mortal man can lend you. The time will surely come when you will need to remember—literally and figuratively—the old soldier's injunction, "If your knees knock, kneel on them."

God is the soldier's refuge. Though each of us may approach Him in his own way, there are a few words with which I would charge you as a bare minimum for spiritual sustenance. They were written by Paul, a Christian, but they apply equally to men of all faiths. I read and leave them with you:

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, think on these things."

Congratulations . . . goodbye . . . and good luck!

SUGARCANE FARMERS FACE ACREAGE REDUCTION

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. GURNEY. Mr. Speaker, today our Florida and Louisiana sugarcane farmers and processors are faced with a desperate situation. They are faced with a drastic and disastrous cane acreage reduction. This reduction will be on top of two reductions already imposed since 1964 which aggregated approximately 15 percent. Unless these two States, which comprise the mainland cane sugar area, are granted the right to sell more sugar, cane acreage could be reduced to 40 percent below normal for some farmers.

All other domestic sugar-producing areas are operating today completely without acreage restrictions. Prospects for these drastic restrictions on the Louisiana and Florida sugar industries come at a time when foreign producers are allowed to increase their sugar sales to the United States and all other domestic sugar areas are producing and selling sugar without restrictions.

If the impending, additional cane acreage cuts are imposed upon Louisiana and Florida, many cane farmers and some processors will be forced out of business. Their cane sugar crops, planted at substantial costs, represents at least a 3-year investment. There are no substitute crops they can grow or process. Their expensive, highly specialized machinery and equipment has no other use.

For many years, Puerto Rico has been unable to produce enough sugar to fill its annual sugar marketing quota. A logical solution to the Louisiana and Florida problem would be congressional action to allow the mainland cane sugar area to fill a portion of the unused Puerto Rican quota, enough at least to prevent our farmers from having to take another drastic acreage cut.

Mr. Speaker, today I introduce legislation to make this excess portion of the Puerto Rican quota available to the mainland sugar areas which so desperately need it. The Secretary of Agriculture has already alloted a portion of the 1968 Puerto Rican excess to foreign countries. The Florida and Louisiana growers desperately need the remainder of that allotment to prevent a drastic curtailment of their acreage this year. My resolution would correct this situation in 1968 and provide for the allocation of the excess in the remaining years.

At present, the Sugar Act provides that the unused Puerto Rican quota must be allocated to the Philippines and Western Hemisphere countries. In 1967, the Philippines could not use its share of the Puerto Rican deficit, so it all went to Western Hemisphere countries. Most of these Western Hemisphere countries had already been granted, by the 1965 Sugar Act Amendment, the right to greatly increase their sugar sales to the United States. In all probability, with the size of the Puerto Rican deficit tending to become larger each year, these foreign countries would still receive an additional quota each year even if a portion of the deficit went to help Florida and Louisiana.

Granting the mainland cane sugar area the right to fill part of the unused Puerto Rican deficit will not harm any domestic sugar-producing area or the cane sugar refiners. Puerto Rico will not lose any quota. The Republic of the Philippines cannot properly complain of my proposal because that nation is not producing more than its existing quota of sugar, and, therefore, under the act as presently written, is unable to participate in the deficits of other areas to which she is now entitled. Beet sugar will not suffer increased competition from cane refined sugar, and cane sugar refiners will produce the same amount of refined sugar. We will simply use less foreign raw sugar and more Florida and Louisiana raw sugar.

In addition, increased marketing rights for Florida and Louisiana sugar would contribute to the national interest. Our balance-of-payments position would be improved since less dollars would be sent abroad to buy foreign sugar. The framers of the Sugar Act gave preference to the countries of the Western Hemisphere. This bill would not take from any foreign country any portion of its basic quota. There is no valid ground for complaint of the legislation which is so essential in protection of the welfare of the farmers and processors of Florida and Louisiana.

DEPRIVATION OF HUMAN RIGHTS

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. LUKENS. Mr. Speaker, today we are hearing much about real and alleged deficiencies existing in this country. We hear the self-appointed critics denouncing our system of government and the adequacy of the rights of the citizens and minorities in our land.

The same critics seldom apply these critical outbursts to the very real and tragic deprivation of human rights in the countries of Eastern Europe under Communist rule.

For example, let us speak of Rumania which, during the last few years gained some "elbow room freedom" on minor foreign issues from the Soviet Union. Looking more closely for real gains in human rights, one can see that communism, whether national or international, has not significantly changed its spots.

Several years ago, Members of this body and the Senate were shocked by the revelation of the appalling conditions of the Transylvanian Hungarians who were the twofold object of Communist persecution, first as Christians, and second, for being a member of an unreliable nationality group within the Communist Rumanian state.

One would hope that with the evolution of some personal freedoms in Rumania, minority freedoms, particularly religious freedoms would have been at least partially restored. Unfortunately, most of the deficiencies, abuses, deprivations, and discrimination still exists, mention of such finding its way into the world press only occasionally—Le Monde, November 11–13, 1967.

Mr. Speaker, I consider it intolerable that little or no relief is found for the largest national minority group in Europe—1.75 million. And, at this time, when in such countries as Communist Czechoslovakia a sincere and real attempt is being made to reduce national discrimination and to restore minimal human rights of the citizens and national minorities. Let us press courageously and outspokenly for such relief for these deserving minorities.

WAITING FOR ACTION BY THE JUSTICE DEPARTMENT, AGAIN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. ASHBROOK. Mr. Speaker, many Members of both the House and the Senate are watching the Department of Justice for any sign of action against, or even in relation to, the often-quoted charges of perjury against three former State Department employees.

It has been nearly 5 years—so nearly 5 years that the statute of limitations is about to run out—since these men gave false testimony before the Senate Internal Security Subcommittee.

It seems that although the circumstances and the testimony are certainly common knowledge and that the Justice Department has been advised of this, there needed to be an "order" issued by the Senate subcommittee before which the false testimony was given.

This "order" has now been given in the form of a resolution passed by the Senate Judiciary Committee and follows closely a request for action by Justice from committee member STROM THURMOND.

The exchange of letters and the resolution are contained in a recent article in the June 12 issue of the Government Employees' Exchange which I submit for the RECORD.

It is at best odd that while the Department of Justice can jump thither and yon through its use of amicus curiae function, in the past 5 years it apparently has had neither the time nor the inclination to investigate the serious charges of perjury against three Federal employees.

The article follows:

> Following an exchange of letters between Senator Strom Thurmond and Assistant Attorney General Fred M. Vinson, Jr., in which the latter, by implication, denied Senator Thurmond's request to institute possible perjury charges against David I. Belisle, John F. Reilly, and Elmer Dewey Hill, who testified under oath before the Senate Internal Security Subcommittee and "gave statements which were subsequently shown to be false," Mr. Thurmond, on June 5, disclosed that the Senate Judiciary Committee adopted a resolution calling for their prosecution for perjury.
>
> The three men mentioned by Mr. Thurmond figure prominently in the Case of Otto F. Otepka who was stripped of his functions as the Department of State's top Security Officer in 1963 when he testified, with the approval of his superiors, before the Senate Internal Security Subcommittee. Mr. Thurmond's request that the Department of Justice prosecute the three men on the perjury charge was made in a letter to Attorney General Ramsey Clark on May 14. The South Carolina Senator received a reply to his re-

quest from Mr. Vinson bearing a May 24 date.

As interpreted by a member of the Senator's staff, the letter to him said that the Department could act on the request only if it came from a congressional committee.

The resolution passed by the Senate Judiciary Committee, introduced by Senator Thurmond, is as follows:

"Resolved, by the Committee on the Judiciary of the Senate of the United States, that testimony given before the Subcommittee on Internal Security, by John R. Reilly, David I. Belisle, and Elmer D. Hill, with regard to the Otepka case, shall be referred to the Department of Justice for a determination with respect to whether any prosecution is warranted." It was signed by Senator James O. Eastland, the Committee's Chairman.

Mr. Thurmond asked the Attorney General to review the testimony, citing specific instances of apparent contradictions. A reply sent by Assistant Attorney General Fred M. Vinson, Jr., said that the Justice Department was waiting for a request from the committee before which the testimony was given. Senator Thurmond said that Vinson's letter appears to imply that there is "some statute or some regulation of the Department of Justice which inhibits prosecution in a case of perjury before a committee of the Congress unless that committee has acted to bring the instance of possible perjury to the attention of the Department of Justice."

"I know of no such statute or regulation," Mr. Thurmond said.

Senator Thurmond brought the charges against the three May 13 regarding the confirmation of George Ball as Ambassador to the United Nations. At the time of testimony by the State Department officers, Mr. Ball was Under Secretary of State.

The text of the letters to Attorney General Clark and Assistant Attorney General Vinson's reply with the Senator's responses follow:

MAY 14, 1968.

DEAR GENERAL CLARK: On July 9, July 29, and August 6, 1963, three U.S. State Department officers, David I. Belisle, John F. Reilly, and Elmer Dewey Hill, testified under oath before the Senate Internal Security Subcommittee and gave statements which were subsequently shown to be false. Although I was not a member of the Subcommittee at the time, Senator Dodd and I discussed the matter on the Senate Floor on November 5, 1963.

On the next day, the three witnesses submitted so-called amplifying statements in an attempt to correct their false testimony. These statements were entered into the record under oath, and were subsequently shown to be false. Further testimony by at least one of the three witnesses was also shown to be false.

It is my understanding that this testimony has already been referred to the Department of Justice for examination leading to prosecution for perjury. In the past, the Department has been evasive in response to inquiries about this matter. Since the five-year statute of limitations will run out in only a few weeks' time, I am asking that you give the perjury question the most urgent personal attention.

Yesterday, I discussed this matter in great detail on the Senate Floor. I cited specific excerpts from the testimony in question, excerpts which pinpointed the falsehoods and contradictions. It is my belief that this testimony indicates not only deception, but also the intent to deceive. I ask you to examine these excerpts, and to examine them in context, in order to see whether you do not agree. The question of perjury before a committee of the Congress of the United States is a grave matter, and I am sure the Department of Justice is anxious to enforce the law as Congress intended. Please inform me of what steps you intend to take before the statute of limitations runs out.

Enclosed you will find yesterday's Congressional Record, with my speech beginning on page 12952; a copy of Part 10 of the Senate Internal Security Subcommittee hearings on State Department Security—1963-65; and a copy of Part II of the Senate Internal Security Subcommittee Report on State Department Security, with special reference to pages 35-63.

With best wishes,

Sincerely,

STROM THURMOND.

MAY 24, 1968.

DEAR SENATOR: This is in response to your letter of May 14, 1968, concerning testimony of Messrs. David I. Belisle, John F. Reilly, and Elmer Dewey Hill before the Senate Internal Security Subcommittee.

Instances of possible perjury before a committee of Congress are brought to the attention of the Department of Justice for review and prosecutive determination by direct referral from the Congressional committee before which the testimony was given. Having searched our files, I can advise you that there has been no such referral by the Senate Internal Security Subcommittee of the testimony of Messrs. Belisle, Reilly and Hill to this Department.

Sincerely,

FRED M. VINSON, JR.,
Assistant Attorney General.

MAY 29, 1968.

DEAR MR. VINSON: Your letter of May 24 appears to imply that there is some statute or some regulation of the Department of Justice which inhibits prosecution on a case of perjury before a committee of the Congress unless that committee has acted to bring the instance of possible perjury to the attention of the Department of Justice. I know of no such statute or regulation and, if there is one, I ask that you cite it for me. I do not believe the prosecutive discretion of the Department should be hampered in any such way; and if it is the case that you cannot consider for prosecution for possible perjury the matter of testimony given before the Senate Internal Security Subcommittee by Messrs. David I. Belisle, John F. Reilly, and Elmer Dewey Hill, even though the Committee has stated in a published report that these men lied under oath, I think the law or regulation which prevents you from acting should be changed.

With best wishes,

Sincerely,

STROM THURMOND.

LEGISLATION BY INTIMIDATION MUST END

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MILLER of Ohio. Mr. Speaker, legislation by intimidation must end. Citizens from throughout the Nation are looking to Congress to end the potentially dangerous and precedent-setting poor people's encampment. But what our citizens do not realize is that Congress has had its hands tied.

The House agenda for this week called for debate yesterday on H.R. 16981, which would limit the use of demonstration purposes of any federally owned property in the District of Columbia. But somehow, without explanation, this bill has been sidetracked.

Now it appears too late for any congressional action before the Sunday expiration date of the present permit issued by the Interior Department.

Some of my colleagues have suggested a 1-week extension of the present permit. This, they say, is because the poverty marchers plan their march for next Wednesday, June 19, 3 days after the permit expires. Originally, this march was to be held on May 30. If an extension is granted, what is to prevent the group from scheduling a march for the 4th of July? Then, if we are to follow this same line of reasoning, I suppose some of my colleagues would ask for an extension of the permit until after that date. Conceivably, an endless succession of extensions could be requested. And at the same time I can see an evergrowing list of hastily conceived demands in an attempt to pressure the Congress. Morning press reports say the last has been "trimmed" to 49 demands, with 22 of them listed as priority items.

It is interesting, too, that leaders of the Poor People's Campaign say that if these basic 22 demands are met they will "consider" leaving. The tone of that would indicate they do not intend to abide by the present term of their permit. The original application by the Southern Christian Leadership Conference to the National Park Service requested the expiration date be set at 8 p.m., Sunday, June 16. That is what they received.

It appears that they now have no intention of leaving by the 16th. This is an apparent breach of faith by campaign leaders. Any group, any individual is entitled and welcome on Capitol Hill to present his or their opinions or grievances. But an encampment of this sort on Federal land should never have been permitted to be set up in the first place.

We in Congress are aware of the plight of the poor and are doing all we can to help alleviate this problem. But let me ask you, what is the Poor People's March doing to help the poor? These are the facts: Since the demonstration started, the District of Columbia has lost approximately $40 million in tourist trade. In April and May alone, the District lost $2 million in sales tax because of the reluctance of tourists to come to Washington. This loss will undoubtedly hurt many of the low-income workers and underprivileged residents in and around the Capitol City. Thus, ironically, many are being hurt more than helped by this demonstration.

There was a time when Americans took pride in their Nation's Capital. They brought their children here to admire it—the Capitol, the White House, the Lincoln Memorial.

I have received many letters and phone calls from the constituents of my district asking me whether it is safe to come to Washington. Many groups, such as high school senior classes, have stayed away due to the situation that exists. Hotel trade is off as much as 50 percent in some cases.

It is for these reasons that I say let us end this encampment. Let us make

Washington once again the showcase of our Nation, a city which all our citizens will be anxious and proud to visit; a capital in which the normal legislative process can function without a threat of intimidation.

THE NAVY DEPARTMENT SUMMARY OF THE ARNHEITER CASE

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. GUBSER. Mr. Speaker, today I received a copy of a "Summary of Salient Matters With Respect to the Case of Lt. Comdr. Marcus Aurelius Arnheiter." which represents the Navy's point of view regarding the subject.

Recently, I announced my intention to place material in the RECORD which reflects the other side of the story. In keeping with that intention, I submit the above-mentioned report without comment:

SUMMARY OF SALIENT MATTERS WITH RESPECT TO THE CASE OF LT. COMDR. MARCUS AURELIUS ARNHEITER, U.S. NAVY

SUMMARY

LCdr Marcus Aurelius Arnheiter was ordered to command of USS *Vance;* was relieved by proper authority after numerous reports of irregularities in command, which were confirmed by a subsequent investigation; has had his appeal denied by the Secretary of the Navy; and has continued to seek another hearing, presumably in the hopes of being restored to another command.

On December 22, 1965, LCdr Arnheiter relieved LCdr Ross W. Wright as Commanding Officer, USS *Vance*. On detachment, LCdr Wright was commended by his squadron commander for the high performance of *Vance*. There is ample documented evidence that *Vance* under LCdr Wright's command had enjoyed a high reputation among the DERs of Escort Squadron Five. Morale was high. Her disciplinary record was superior to that of most ships of her class. She had received the Engineering "E" Award. *Vance* was then considered by the other commanding officers of the squadron as the ship to beat if they were to win the coveted squadron "E" as the outstanding ship. *Vance* was fully qualified for wartime operations. In fact, official reports of extensive inspections conducted shortly before and also shortly after LCdr Arnheiter's assumption of command show *Vance* to be in the excellent category and ready for deployment for operations in Southeast Asia.

On December 29, 1965, *Vance* proceeded to Southeast Asia on a regularly scheduled deployment with the Seventh Fleet. On January 20, 1966, she reported for duty on the Market Time (coastal surveillance) patrol off the coast of Vietnam. While operating in the Western Pacific, she was under the immediate administrative command of Commander, Escort Squadron Seven, Cdr D. F. Milligan, USN. After a few weeks, Cdr Milligan began to receive disturbing reports of unusual practices in *Vance*. (Discussed further on pages 2 and 6.) He received a telephone call from Commander Escort Squadron Five in Pearl Harbor, advising him of information concerning such practices within *Vance* which had been received through letters to the families of *Vance* personnel back in Pearl Harbor. Commander Escort Squadron Five recommended that Cdr Milligan look into these matters. Cdr Milligan also received oral reports from the commanding officers of destroyers returning from the coast of Vietnam and from a Destroyer Division Commander that *Vance* was engaged in some unusual operations while in Market Time and in fact had become a nuisance to some of the destroyers conducting regularly assigned ashore bombardment.

Concurrently, Rear Admiral N. G. Ward, Commander Naval Forces Vietnam, in Saigon, who commanded the Market Time forces, had become concerned about the strange operations of *Vance* and sent his staff operations officer to board *Vance* and talk to Lcdr Arnheiter to insure that he was aware of his operating instructions and also that he understood them. Also during this period, in the conduct of his regular duties, the squadron chaplain on the staff of Commander Escort Squadron Seven, an officer with several years previous Army enlisted combat training, rode the various ships to provide religious services and moral guidance. He was aboard *Vance* for two weeks and, before leaving, advised Lcdr Arnheiter of what he believed to be the low morale among the officers and enlisted men that he found in *Vance*. Upon returning to the flagship, the squadron chaplain further reported his findings to Cdr Milligan. Shortly thereafter, and without knowing about the chaplain's report, another officer from Cdr Milligan's staff was aboard *Vance* for several days on official business, and upon his return to the flagship he also reported to Cdr Milligan on the low state of morale among the ship's company in *Vance*.

On March 29, at Subic Bay, P.I., Cdr Milligan expressed his concern to Radm D. G. Irvine, who was the Flotilla Commander for the destroyer type ships in the area. Radm Irvine was in the process of being relieved by Radm T. S. King and both Admirals were present when Cdr Milligan expressed his concern. Radm Irvine was confronted with the necessity of deciding whether or not to exercise his inherent power to relieve Lcdr Arnheiter of command or to request his detachment by the Bureau of Naval Personnel. *Vance* was due to arrive in Manila for a short period of rest and recreation, but was to return directly to Market Time operations at the end of the visit. In fact the ship did so return on April 13. Under the circumstances, and in view of the inherent difficulties of conducting an investigation of a commanding officer aboard his own ship, it was decided that Lcdr Arnheiter should be relieved of command in order that a proper investigation could subsequently be made in *Vance*. A telegraphic request for orders was made through Commander Cruiser-Destroyer Force back in San Diego to the Bureau of Naval Personnel, as provided for in regulations. On March 30, after due consideration of the available information, and there being no requirement to conduct an investigation prior to relief, the Bureau of Naval Personnel issued telegraphic orders directing Cdr Milligan to relieve Lcdr Arnheiter, who in turn was assigned to temporary duty on a destroyer tender at Subic Bay in order that an investigation could be held.

On the evening of March 31, Cdr. Milligan arrived aboard *Vance* at Manila and relieved LCdr. Arnheiter. Upon coming aboard, he informed LCdr. Arnheiter that it was thought that he had engaged in certain irregular practices and that some of his established policies in the ship were definitely seriously detrimental to her morale and effectiveness; but Cdr. Milligan did not discuss any of the details with LCdr. Arnheiter at that time. LCdr. Arnheiter remained aboard *Vance* that night and departed from the ship at 9 o'clock the next morning, April 1, for Subic Bay. Cdr. Milligan collected voluntary statements from all persons aboard the ship having information on the alleged irregular practices. Upon arrival of *Vance* in Subic Bay on April 4, he turned these statements over to the regularly appointed investigating officer, who had concurrently been duly appointed by Admiral King to conduct a due process, fact-finding investigation into the entire matter, in accordance with the Manual of the Judge Advocate General of the Navy. The investigating officer, Capt. Ward C. Witter, USN, who was commander of a destroyer squadron in the area, read the statements obtained by Cdr. Milligan and then passed them to LCdr. Arnheiter and his counsel, an officer lawyer, a legal specialist in the Navy.

The investigative hearing commenced in Subic Bay on April 6, and continued for 6½ days. The testimony of all witnesses was taken under oath and recorded verbatim. LCdr. Arnheiter and his lawyer counsel were present throughout the proceedings and exercised the opportunity to cross-examine all witnesses and to introduce such evidence as they chose. The investigative officer's report was completed on April 27. The record of proceedings consists of 413 pages of single-spaced testimony. Based on a careful review of this extensive investigation, RAdm. King recommended that LCdr. Arnheiter be issued a letter of reprimand and that his detachment be held "for cause," as distinguished from a routine detachment, in his official records in the Navy Department. RAdm. King's letter recommending this course of action was sent to the Bureau of Naval Personnel via Commander Cruiser-Destroyer Force, U.S. Pacific Fleet, Rear Admiral W. H. Baumberger.

After first affording Lcdr Arnheiter the opportunity to comment on the investigation report and Radm King's letter, Radm Baumberger reviewed the investigative report, Lcdr Arnheiter's rebuttal, and attached both to the detachment for cause letter; he recommended at that time that the detachment not be "for cause," that Lcdr Arnheiter not be returned to *Vance*, but that he be given command of another ship in *his Force*. Radm Baumberger based his recommendation on his feeling at that time that Lcdr Arnheiter had in fact come to realize his transgressions, his mistakes, his failure in command. Recognizing that Lcdr Arnheiter had much to offer if his talents were properly channeled, Radm Baumberger felt that he might be able to guide and influence him through a successful command tour. (Later, after many long discussions with Lcdr Arnheiter concerning his case and from statements made by Lcdr Arnheiter to Radm Baumberger it became evident to him that Lcdr Arnheiter had not recognized, and seemingly could not recognize, his own shortcomings in command and it would not be in the best interest of the Navy to assign him to another command.)

The papers were received in the Bureau of Naval Personnel on September 1. Also on September 1 Radm Baumberger's legal officer came to the Bureau of Naval Personnel to brief Vadm Semmes concerning Radm Baumberger's views on the case. After having heard this briefing together with a briefing from his own Staff and after an extensive personal review of the entire matter, Vadm Semmes was of the opinion that Lcdr Arnheiter had indeed exercised bad judgment and lack of integrity in so many important matters that his detachment from USS *Vance* should be held as being "for cause."

Lcdr Arnheiter's first communication with the Department concerning his case was a letter dated August 29, 1966, and received on about September 2, 1966, addressed to the President of the selection board for promotions to commander, meeting at that time. On September 9, the Chief of Naval Personnel approved Lcdr Arnheiter's detachment as being "for cause" and it routinely was so entered in his record. The record was among those before the selection board. He also regularly endorsed Lcdr Arnheiter's letter of August 29 and delivered it to the selection board. At that time, the issue remained as to whether Lcdr Arnheiter should be reassigned to another command at sea. In view of Commander Cruiser-Destroyer Force, U.S. Pacific Fleet's recommendations for another command within his force, the Chief of

Naval Personnel considered it essential to have the recommendations of the Commander-in-Chief, U.S. Pacific Fleet (Admiral Roy E. Johnson) on this matter, and he requested the Commander-in-Chief to review the record and send an endorsement for attachment to the JAG Manual Investigation report as a separate matter. On November 1, at the request of the Commander-in-Chief, U.S. Pacific Fleet, Commander Cruiser-Destroyer Force, U.S. Pacific Fleet endorsed the JAG Manual Investigation Report as a matter separate and distinct from the detachment for cause letter and reiterated his previous position. On January 20, 1967, the Commander-in-Chief, U.S. Pacific Fleet endorsed the JAG Manual Investigation Report, expressed the opinion that the relief was properly one "for cause," and recommended against Lcdr Arnheiter's being "assigned again to command any ship or unit." On January 26, 1967, the investigation report was found by the Judge Advocate General to be legal. The report of the selection board dated September 26, 1966 did not include the name of Lcdr Arnheiter among those selected as best fitted for promotion.

On February 23, 1967, Lcdr Arnheiter filed general court-martial charges of mutiny and conspiracy against Lieutenants Ray S. Hardy, Jr., (Executive Officer, USS *Vance*), and William T. Generous, Jr., (Operations Officer, USS *Vance*), and requested a court of inquiry. The Commander-in-Chief, U.S. Pacific Fleet dismissed the charges as to Lt Generous and the Chief of Naval Operations dismissed them as to Lt Hardy, since Lcdr Arnheiter offered no evidence not already considered. (Change of duty stations required different authorities to act.)

On May 11, 1967, Lcdr Arnheiter filed a request for redress from the decision on his relief being recorded "for cause." This appeal was submitted to the Secretary of the Navy via the chain of command and was endorsed by each commander in succession. On June 15, 1967, Lcdr Arnheiter preferred another set of general court-martial charges against Lt Generous and requested the Secretary of the Navy to convene a court of inquiry and defer the routine release of Lt Generous to inactive duty, which was pending at that time. Since it was not necessary for Lt Generous to remain on active duty if a court of inquiry were subsequently convened, the Secretary of the Navy directed that the release of Lt Generous proceed as scheduled. On July 31, 1967, the Judge Advocate General completed his review of the appeal by Lcdr Arnheiter and determined that it was without merit. However, in the meantime, Lcdr Arnheiter orally requested that the Secretary not act on his case until he could submit new evidence.

On September 1, Lcdr Arnheiter submitted a letter to the Secretary of the Navy submitting what was called "new evidence." Subsequently, while the Secretary was still considering the matter, Lcdr Arnheiter suggested that Captain Richard G. Alexander, USN, be permitted to be present at any briefing of the Secretary on the case. The Secretary agreed to discuss the matter with Captain Alexander, and on November 7, 1967, such discussion was held. At the same time, Captain Alexander left with the Secretary a 27-page statement of his views in the case. On the same date, without advising the Secretary, the Chief of Naval Operations, nor any other responsible official, Captain Alexander distributed copies of the statement to members of Congress and others, and it was widely publicized in the press. On November 24, 1967, after an exhaustive review of the entire file, the Secretary of the Navy denied Lcdr Arnheiter's various appeals for a court of inquiry and request for redress. The depth of the Secretary's review and his reasons for denying the appeals are covered in detail in his letter to Representative Resnick of January 23, 1968, which has been publicly released together with the Chief of Naval Operations' letter of December 30, 1967, to the Chairman of the House Armed Services Committee (copies appended).

BASIC POINTS IN THE ARNHEITER DECISION

Aside from the conclusion that Lcdr Arnheiter had been treated properly from a procedural point of view, i.e., that his relief was proper under the circumstances, the investigation was adequate, that the review was thorough, there are certain substantive conclusions which are supported by a preponderance of the evidence. These fall generally into three areas:

I. Lt. Comdr. Arnheiter lacked reliability and predictability in command

(a) His violation of his operating instructions in conducting bombardments, without having been assigned such missions, and without knowing at the time whether U.S. or friendly forces were in the vicinity.

(b) His boarding of a foreign merchant ship without first obtaining authority from his operational senior, as required by his instructions.

(c) His seeking and creating of pretexts for departure from his assigned "Market Time" primary mission, i.e., inspection of junks in a sea area extending 40 miles offshore, in order to conduct other missions, such as gunfire support, close inshore, and by covering up his true position by sending false position reports.

(d) There is strong evidence that he utilized the "scout" boat and the ship's motor whaleboat as "bait" in an effort to draw fire from the shore, so that *Vance* could return the fire, in violation of policy and with unwarranted hazard to the personnel in the boats.

Incidents such as those described above caused sufficient concern to the Commander of the "Market Time" forces that he sent a staff officer to *Vance* to ensure that Lcdr Arnheiter was aware of and understood his operating instructions and the nature of his assigned mission.

While the Secretary, of course, did not view lightly those aspects of the case which reflected adversely on Lcdr Arnheiter's judgment, leadership and integrity as later discussed, the Secretary viewed the evidence of Lcdr Arnheiter's propensity to deviate from his assigned mission with particular concern. Reflection on the Cuban missile crisis will serve to illustrate the potentially disastrous consequences to our Nation which could result if an officer in command is not scrupulous in following his instructions. The Secretary concluded that the very serious questions raised in this area with respect to Lcdr Arnheiter could not be resolved in his favor.

II. Lt. Comdr. Arnheiter was lacking in integrity

(a) His knowing submission of false position reports.

(b) His knowing submission of a false list of critical spare parts.

(c) His signing of a knowingly fraudulent survey report and involving subordinates in co-signing the reports.

(d) His introduction of alcoholic beverages into the wardroom in violation of Navy Regulations.

(e) His reduction of the in-port watch below that required by Fleet regulations to permit maximum attendance at a social function.

(f) His insisting on obtaining items from the Ship's Store on credit, even when told by his Supply Officer that this was against regulations.

(g) His encouraging of his officers to pilfer material: e.g., to siphon gas from official cars assigned to *Vance*, such gas to be used for the "scout" boat, and to take a silver candelabra from the officers' club in Guam.

(h) His suggesting to two of his officers, and recommending phraseology for, a citation nominating himself for a Silver Star Medal. The citation described Lcdr Arnheiter's actions in exaggerated terms.

Lcdr Arnheiter argues that many of the foregoing derelictions are minor in nature, and as to the rightness of his motives in many of the above. For example, the fraudulent survey was of candy from the ship's store, so that it could be given to hungry children. There was no reason for the survey, since he could have purchased the candy from the store. Despite the motives, the fact remains that, in the aggregate, these and other incidents of a similar nature demonstrate that Lcdr Arnheiter ignored Naval rules and regulations when it suited his purpose to do so, while at the same time he insisted on literal compliance with his own desires by his officers and men. Such actions by a commanding officer violates one of the fundamental principles stated in law and regulation that a commanding officer in the Naval service is required to show in himself a good example of virtue, honor, patriotism and subordination. To the contrary, the evidence is strong that in involving his officers in his own acts of deceit and violations of regulations, they felt that he was depriving them of dignity.

III. Lt. Comdr. Arnheiter's judgment and leadership were faulty

(a) His conduct of the so-called "character guidance" program, which many of his officers and crew believed, and not unreasonably, to be compulsory, denominational, religious services.

(b) His continuation of the childish method of correction of his officers, i.e., the "boner box" system of fines—after he became aware of the strong adverse reaction of the officers.

(c) His firing of weapons without any necessity in close proximity of junks which were being inspected. This frightened, if not unduly jeopardized the lives of, the Vietnamese and his own people.

(d) His expenditure of the crew's welfare funds for the purchase of a speedboat, on which he then mounted a machine gun and which he used for non-recreational purposes as a so-called "scout" boat.

(e) His holding of "public mast" against alleged offenders, at which time they were brought before the entire crew, without prior notice or preliminary investigation, contrary to usual procedure. There is evidence that the offenders, because of natural extreme nervousness at such an ordeal, were unable to say anything in their own behalf.

(f) His unwarranted endangering of his personnel by towing at high speed at night the ship's motor whaleboat and the "scout" boat, with men embarked.

(g) His conduct of a self-initiated "coastal orientation" of Vietcong-controlled territory, close to shore, with limited maneuverability because only one main engine was in operation.

Lcdr. Arnheiter's principal contentions concerning his relief for cause, and in his demands for further inquiry, are that *Vance* was a woefully lax ship which needed drastic measures by Lcdr. Arnheiter to make it fit for forthcoming operations, and that his relief was caused by a conspiracy of dissident junior officers. Neither the record of investigation nor other material since submitted by Lcdr Arnheiter bears out these contentions. The evidence shows that *Vance* had been a fine ship and had completed a previous Market Time employment in an outstanding manner. The evidence also shows that many members of the crew felt they had become the laughing stock of the Fleet under Lcdr. Arnheiter's command. As to the "conspiracy" the most that can be said in this regard is that Lcdr. Arnheiter's failure in leadership cost him the willing support of all of the officers and many of the enlisted men of the USS *Vance*. Other than Lcdr. Arnheiter's bare allegations there is no substantial evidence whatsoever of any concert of action to undermine Lcdr. Arnheiter's authority and position. Further, it was the distinct impression of the investigating officer that it was only through the efforts of the ship's officers that the morale of the crew remained as high as it did.

DISCUSSION

This case involves the attributes and position of the commanding officer of a ship of the United States Navy. Command of a ship of the Navy is a high privilege, not the right of any person. The position, by law, of a commanding officer of a ship of the Navy is unique, reflecting the special hazards associated with operations at sea and the unceasing responsibility of the commanding officer for the safety of his ship and her crew. For this reason, by statute and by U.S. Navy Regulations, all commanding officers "are required to show in themselves a good example of virtue, honor, patriotism and subordination." Because of his absolute responsibility for a valuable ship, for her officers and enlisted men, and for his official actions which are directly attributable to the Government of which he is an officer, and because of the extraordinary authority which accompanies these responsibilities, the commanding officers of our ships are carefully chosen and are duly observed by their responsible seniors. For the same reasons, should any commanding officer appear to be lacking in essential qualifications, particularly in that cardinal attribute—judgment, prompt action by responsible seniors is a duty. A ship, her people, and possibly the national interest in the international scene are involved.

Fortunately, we have more officers in the Navy who are qualified and seek command at sea than we have ships to command. Accordingly, the Navy can be selective and there is no necessity for accepting less than high performance from our commanding officers.

In this instance receipt of information of irregular practices within USS *Vance* and her operations in the combat area shook the confidence of Lcdr Arnheiter's immediate seniors in his ability as a commanding officer. Under the existing circumstances the correct thing was done—it was requested he be detached on temporary duty to permit an investigation to determine the full nature and extent of his irregular actions as a commanding officer. On completion of the investigation the logical options available were (1) to return him to command of *Vance*, (2) order him to command of another DER or (3) order him to other than a command assignment. The findings of the investigation indicated bad judgment and lack of integrity on his part and accordingly he was not ordered to return to a command. On review of the letter of recommendation submitted by his responsible senior, including the investigation record, the Chief of Naval Personnel, in Washington, held the detachment from *Vance* to be "for cause" and so placed the letter and decision in Lcdr Arnheiter's official record in the Bureau of Naval Personnel.

The action taken by the Navy in this case is essentially no different than that which would be taken in the case of unsatisfactory performance by a corporate or appointed civil executive in civil life. In fact, Lcdr Arnheiter's seniors would have been derelict in their duties had they not acted firmly. The public has a right to expect such responsible action. As previously stated, no commanding officer has a right to his command and must expect to be relieved of his command if he fails to meet the public trust in his proper performance of duty. There can be no other rule.

REBUILD THE WOODSHED

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. DERWINSKI. Mr. Speaker, there has been a great deal of editorial commentary on television of statements after the murder of Senator Robert Kennedy and much of it went beyond direct commentary into the virtues and life of the distinguished Senator from New York.

One of the most penetrating, practical, and legitimate editorials I have seen appeared in the Monday, June 10 Hammond Times. I insert into the RECORD the very obvious commentary which very effectively speaks for itself:

REBUILD THE WOODSHED

The United States of America, strongest and richest and most materialistically capable power in the world today, has gone into its periodic flagellant orgy of masochism, crawling about on its collective knees and begging forgiveness for its genius, its ambition, its drive, its health and its virulence because of a public tragedy.

It is not new, this self abasement. It happens almost daily in varying degrees of intensity.

It happens when the baby cries and daddy walks the floor all night instead plugging mommy's ears.

It happens when there's a mugging in a "decent" neighborhood and we blame the successful guy down the street who amassed so much affluence he tempted a "good" boy to go bad.

It happens monthly when we look at the FBI crime rate statistics. "Look," we say, "at the crime in the streets. We've abolished capital punishment, eased up on jail terms, increased probation and paroles, turned penitentiaries into country clubs. What have we done wrong?"

It should be obvious what we have done wrong.

We have gotten rid of the woodshed and turned the disciplining—even the serious punishment—of our young over to tender-hearted Mom. Mom was first to abolish capital punishment. She did it at home. And the consequences of that symbolic petticoat folly—with its attendant "don't you hit him, you brute" admonitions—cometh home to roost like cockroaches.

The Supreme Court merely formalized the job.

It is becoming increasingly obvious to the majority of people across an aroused America that what we have done, in reality, is abdicate the running of the nation to a bunch of foggy-brained, under-nourished, over-haired, ivy tower theoreticians who tossed away common sense and the tried-and-true in favor of a permissive, progressive, preposterous parade of ridiculous theorems that have ruined a number of succesive American generations and nearly ruined the nation.

A senator is shot.

President Johnson, like the predictable doll when its button is pushed, appoints a commission.

We haven't taken time to digest the book published by the Kerner commission—the last commission.

Eugene McCarthy, spaniel-eyed and professorial, intones the opening liturgy of the national masochistic chant: "We must all share the guilt."

Must we all share to guilt, too, of Benedict Arnold, Jefferson Davis, Warren Harding and Judy Garland?

Pompous, play-acting, over-paid and under-talented psychiatrists take to the airwaves with lip-smacking relish and invent new scientific platitudes to explain the bad that is baked into apple pie.

All the politicians in the world ride down upon us on the wornout hobby horse that the assassination of John F. Kennedy made; that the assassination of Martin Luther King nourished.

"This horrible thing," all the parade intones, "is a product of our guilt, of our environment, of our civilization, of our affluence. Sell all your worldly goods and wear sack cloth now, henceforth and forever."

In any instance, the diet is as appetizing as a bushel of wetnoodles dipped in dried buffalo dung.

In this particular instance, the wooden heads who ride the hobby horses, the psychiatrists, McCarthy and the President are patently, individually and collectively off the track.

The assassination of Robert F. Kennedy had no relationship to those that were prior—nor to our national environment.

The accused assassin was no American. He was a native of Jordan, a militant Arab who hated Kennedy because of his stated leanings toward the state of Israel.

He allegedly shot Kennedy on the anniversary of the start of the brief Arab-Israeli war of 1967.

He is said to have written his intent to do so.

The act was as much connected with the environment of the United States today—or yesterday—as were the Mau Mau uprisings in Kenya, the discovery of Australopithecus in Africa or the evolution of the hunting habits of the Bengal tiger.

We are guilty, all right.

We are guilty of erasing the definitive borders between good and bad, the true and false in our civilization.

We are guilty of turning over the administration of our affairs and the expression of our likes and our dislikes to a vociferous few who display a giant vocabulary and a pigmy mentality.

If you haven't lost your faculties entirely through disuse, you could start resuming the mastership of your own governmental fate by letting your congressmen—and your newspaper—know how you feel about rioting students who need their fannies kicked; about looters and arsonists who should be stopped by any necessary force; about murderers who should die for their crimes; about self-serving legal folderol that makes it possible for the guilty to go unpunished for years; about politicians who give you words rather than facts; melon-headed charm rather than hard-headed logic.

Letters to congressmen and to editors should not come from the cranks in our society. They should come from every man; they should represent the opinion of the majority.

When they do, as they once did, we can hope to regain control of our nation and our fate.

WHAT'S HAPPENING TO OUR POLICE?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. RARICK. Mr. Speaker, laws can be passed to pacify the impassioned hysteria of the moment—but unless someone charged with the responsibility of enforcement has the authority to act, we only fool ourselves that we are contributing to law and order.

Why this hysteria over our citizens arming themselves? Have not the people seen those charged with leadership say time and time again they would not use force to repel force? Is it not that the individual citizen fears for his personal safety? Have not our police officers become so shackled that the citizen feels peace officers are all but forbidden to protect life and property? That the real reason the citizens are buying guns is that the citizen feels—as a last resort—he must defend himself.

An unwholesome condition—but let us not blame the people nor the shackled officers. Nor fool anyone by thinking passage of another law can solve all problems merely by punishing the citizen. If we are to start assessing blame, place it where it belongs—on leaders who will not or refuse to lead. They are the fear merchants—never the people.

Police officers are police officers. They cannot be converted to tour guides or human relations counselors if they are to deter violence.

How long? How much suffering, before we grant our people freedom from fear by using the laws we have—as intended—to protect society? Enforcement of the law—not new laws—is the answer.

I insert Mrs. Edith Kermit Roosevelt's column for June 2, 1968, in the RECORD, as follows:

BETWEEN THE LINES—CRIME JUNGLE: POLICE MORALE IN CAPITAL IS AT ALL-TIME LOW

(By Edith Kermit Roosevelt)

WASHINGTON.—A program for the step-by-step disarmament of Washington's police paved the way for the recent riots in the nation's capital. This program makes it sure that the guerrilla warfare on our streets will escalate.

Washington's blueprint for police is in the form of written and spoken directives by Public Safety Director Patrick Murphy, who in an unprecedented move was installed over the head of the police chief to enforce a so-called "modernization" program. Crime is regarded as no real threat under his sociological approach. Crime is to be dealt with by a long-range program, which was only hindered by what are considered virtual irrelevancies—muggings, rapes, arson, thefts and other acts on which public attention is focused.

Murphy's program emanates from theorists who have obtained influence in such bodies as the International Association of Chiefs of Police, some police science schools such as the ones at Michigan State University and Berkeley, and the Justice Department. Murphy is a charter member of the International Association of Chiefs of Police.

FILES DISAPPEAR

One of the first steps that made the police less effective, taken only a few weeks before the April riots, was the mysterious and secret dismantling of the only criminal intelligence files in the District of Columbia's police department. Where they are now is unknown—if they even still exist.

Police officers built up these files in three cabinets in an unused firehouse on U st. in Northwest Washington. The officers told this writer that the cabinets, crammed with more than 300 dossiers on Washington's most hardened criminals, were removed.

These files were considered the most sophisticated ever compiled on Washington's underworld. They were frequently consulted by the FBI. Capt. Charles Monroe, who recently took over the tactical force of the Special Operations Division of Washington's police, was quoted as telling the police officers who wanted to use them, "We don't need any intelligence files anymore—get rid of them."

OLD CLOTHES SQUAD

At the same time, orders came down from Public Safety Director Murphy to destroy the so-called "Old Clothes Squad." This unit was composed of police officers and men dressed casually so they could blend into criminal surroundings. The squad, consisting of an elite of 72 men, had the best apprehension record of the entire metropolitan police department. The hand-picked 72, in fact, had a combined felony record of arrests and convictions larger even than the Second Precinct's with its more than 180 policemen.

"The Old Clothes Squad" also made more arrests in narcotics cases in Washington than the Federal Bureau of Narcotics and the entire Narcotics Squad of the Morals Division of the Police. This crack unit really stalled the unbridled rise of crime in its area.

Since these men have been put back into uniform and members of their unit reassigned, their ratio in closing felony cases has dropped 90 percent. Crime generally has risen 48 percent in Washington.

THEORISTS WON

A veteran police official told this writer, "If we'd had our 'Old Clothes Squad' on April 4, we would have been able to grab the ringleaders of the riots before the looting and the fires began." The new directives, if they mean anything at all, show that this is exactly what the new police theorists want to avoid. Murphy's biggest concern was that this squad might have caused an "incident." Policemen in several precincts have indicated that the word was passed along not to arrest law violators connected with so-called "civil rights" groups because "this would cause bad publicity."

Shortly before the April riots broke out, orders were given to the police, under Justice Department guidelines, that "prevention and not apprehension was the goal." This was kept concealed. And may explain why there has been a hundred percent increase in bus holdups, amounting to 239 armed robberies of bus drivers since January 1. As of this writing, buslines have stopped running at night, after one driver was murdered by a hoodlum.

MEN ARE LEAVING

Police morale in Washington is at an all time low. Experienced men are leaving Washington's police department at a time when they are most vitally needed.

One veteran police officer who resigned explained, "the surest way to destroy a policeman's morale is to tell him to tolerate lawlessness."

Meanwhile, rookie cops are being hired and indoctrinated in "human relations" courses. These furnish every excuse for criminality, dodging the fact that the poor shopkeeper and pedestrian is confronted by an increasing crime rate every day.

HOUSE OF REPRESENTATIVES—*Friday, June 14, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

We will rejoice in Thy salvation and in the name of our God we will set up our banner.—Psalm 20: 5.

Almighty God, from whom all thoughts of life and love proceed, kindle in our hearts and in the hearts of our people a true love for peace, a sincere regard for the laws of our land, and a deep reverence for Thee.

Guide with Thy spirit those who lead our Nation in this decisive day. Make them wise with Thy wisdom, strong in Thy strength, diligent in duty, loving in life, and sincere in spirit. May Thy presence so live in their hearts and in the hearts of our countrymen that law and order, justice and peace, may everywhere prevail.

On this day we lift up before our eyes the flag of our beloved country with the glorious colors—red, white, and blue. Holding aloft this banner—the best hope of freedom in our day—may we go forth devoted to duty, steady in spirit, and firmly determined to keep liberty and law alive in our world.

In the Master's name we pray. Amen.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 15462. An act for the relief of Lennart Gordon Langhorne; and

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 6157. An act to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment; and

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 20) entitled "An act to provide for a comprehensive review of national water resource problems and programs, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDREWS, Mr. BIBLE, Mr. CHURCH, Mr. GRUENING, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3245. An act to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

The SPEAKER. Pursuant to the order of the House of May 22, 1968, the Chair declares the House in recess for the purpose of observing and commemorating Flag Day.

RECESS

Accordingly (at 12 o'clock and 3 minutes p.m.), the House stood in recess subject to the call of the Chair.

FLAG DAY

During the recess the following proceedings took place in honor of the United States Flag, the Speaker of the House of Representatives presiding:

FLAG DAY PROGRAM, U.S. HOUSE OF REPRESENTATIVES, JUNE 14, 1968

The United States Marine Band, directed by Captain Dale Harpham, and the United States Air Force "Singing Sergeants" entered the door to the left of the Speaker and took the positions assigned to them.

The Air Force "Singing Sergeants," directed by Captain Robert B. Kuzminski, presented "The Lord's Prayer."

The Doorkeeper (Honorable William M. Miller) announced *The Flag of the United States.*

[Applause, the Members rising.]

The Marine Band played *The Stars and Stripes Forever.*

The Flag was carried into the Chamber by Colorbearer and a guard from each of the branches of the Armed Forces, Sergeant Walter E. Dunkel, Jr., Army, Co. "E" (Honor Guard) (Continental Color NCOIC), 1st Battalion (REINF), 3rd Infantry (Old Guard), in charge; Lance Corporal Melton E. Sizemore, Marine; Seaman Gerard H. Henderson, Navy; Sergeant Samuel R. Vance, Air Force; Seaman George S. Martin, Coast Guard.

The Color Guard saluted the Speaker, faced about, and saluted the House.

The Flag was posted and the Members were seated.

Mr. BROOKS of Texas accompanied by the Honorable W. Pat Jennings, Clerk of the House of Representatives, took his place at the Speaker's rostrum.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, at this time I would like to express my appreciation to the other members of your Flag Day Committee, the Honorable BILL NICHOLS, of Alabama, the Honorable DURWARD HALL, of Missouri; and the Honorable RICHARD ROUDEBUSH, of Indiana, for their hard work and dedicated efforts.

I ask the distinguished gentleman from Missouri [Mr. HALL] to lead the Members and our guests in the *Pledge of Allegiance to the Flag.*

The Honorable DURWARD HALL led the Members and guests in the *Pledge of Allegiance to the Flag.*

Mr. BROOKS. The Air Force Choral Group, the "Singing Sergeants," directed by Captain Robert B. Kuzminski, will now present a medley of songs appropriate for this occasion.

The Air Force "Singing Sergeants," directed by Captain Robert B. Kuzminski, presented a medley of patriotic songs.

Mr. BROOKS. Mr. Speaker, earlier this year our attention and that of the whole world was focused on a group of Americans who were gallantly defending a remote outpost in Vietnam. That outpost, Khesanh, became part of everyone's life.

Khesanh has by now taken its place in the history and traditions of our Nation. It has done so because of the magnificent courage of 6,000 heroic men who withstood savage attacks, daily bombardment, and faced seemingly impossible odds.

Today we have here as our honored guests some of the men of the 26th Marine Regiment and their reinforcing units of Army, Navy and Air Force, all of whom proudly wear their Presidential Unit Citation ribbons for the defense of Khesanh and other heroic actions in Vietnam. I ask them to stand so that we can express our appreciation and admiration.

(The honored guests, cited for the defense of Khesanh and other heroic actions in Vietnam, rose.)

[Prolonged applause.]

Mr. BROOKS. Mr. Speaker, today, Flag Day 1968, is a time for reaffirming our belief in the ideas and aspirations we share together as a united people. It is a time to reflect upon the meaning of our citizenship in a free and democratic society.

This is a time for patriotism. It is a time to stand up to the challenges and complexities that confront our Nation. It is not a time for the doubters, or the haters, or those who are too fearful and confused to do anything but despair about our country's future.

America has had its full measure of triumph and tragedy. But, if there is one lesson our history has taught, it is that our greatness as a democracy depends upon the unity of our people. By unity I do not mean blind conformity—I mean living up to the principles upon which this country was founded.

There are those who say we are a sick country, a land where violence and hatred flourish. They are wrong. We are a growing country, a changing country, a dynamic country. Progress is not always neat and tidy; change is not always orderly; unity is not always easily achieved. But yet, who can doubt that America is moving ahead to correct the inequities and injustices that have plagued mankind almost from the very beginning of recorded history? And who can doubt that America shall succeed in achieving mankind's oldest dream for a peaceful, productive and meaningful life for all?

Our Flag represents a people who possess the need to achieve that true promise of greatness. It is a Flag worthy of our devotion as we—the people—are worthy of our citizenship. I believe in our future because I believe in our people and in their ability to master both the challenges and opportunities of our time.

Our values, our principles, and our determination to succeed as a free and democratic people have always been the torch to guide us through the darkness of hatred and divisiveness. Ours must continue to be a patriotism that stands for love of country and love of people. Our country is our people and its future strength and greatness can only be measured by our spirit and determination.

Our Flag represents us—the people of the United States of America. It is a Flag many Americans have loved and died for. And it is a Flag that shall always represent our great heritage and our promising future. [Applause.]

I request the Members to rise, and invite the visitors in the Gallery, to join with the "Singing Sergeants," accompanied by the Marine Band, in singing *The National Anthem.* And I request that everyone remain standing while the Colors are retired from the Chamber.

The Members rose and sang *The National Anthem,* accompanied by the Marine Band and the Air Force "Singing Sergeants."

The Colors were retired from the Chamber, the Marine Band playing *The National Emblem March.*

The Air Force "Singing Sergeants" retired from the Chamber, the Marine Band playing *The Armed Forces Medley.*

The Marine Band retired from the Chamber.

At 12 o'clock and 32 minutes p.m., the proceedings in honor of the United States Flag were concluded.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 34 minutes p.m.

PERMISSION TO PRINT PROCEEDINGS HAD DURING THE RECESS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FLAG DAY CEREMONIES HONOR VETERANS OF KHESANH

Mr. BROOKS. Mr. Speaker, the Flag Day ceremonies today honored members of the 26th Marine Regiment and its reinforcing units of the Army, Navy, and Air Force who received Presidential Unit Citations for the defense of Khesanh and other heroic action in Vietnam. These servicemen, who were warmly received by the House of Representatives at today's ceremonies are:

Maj. Raymond Valesquez, U.S. Marine Corps.

Capt. William E. Hudson, U.S. Marine Corps.

1st Lt. Edwin R. Matthews, U.S. Marine Corps.

S. Sgt. Barry L. Randall, U.S. Marine Corps.

Sgt. Eugene Hughes, U.S. Marine Corps.

Sgt. Jimmie Dalton, Jr., U.S. Marine Corps.

Sgt. Joseph Poptic II, U.S. Marine Corps.

Cpl. Robert Matzka, U.S. Marine Corps.

Cpl. Michael Walczak, U.S. Marine Corps.

Pfc. Thomas Mahr, U.S. Marine Corps.

Sgt. Rennie Woodale, U.S. Marine Corps.

LCpl. Richard Kammerer, U.S. Marine Corps.

LCpl. Richard Kennedy, U.S. Marine Corps.

LCpl. Raymond Berry, U.S. Marine Corps.

LCpl. William Cole, U.S. Marine Corps.

HM3 David Giurn, U.S. Navy.

HM2 Ernie Graces, U.S. Navy.

HM3 Lonnie Campbell, U.S. Navy.

HM2 William Drake, U.S. Navy.

HMCM B. Belsheim, U.S. Navy.

Sgt. James P. Waters, U.S. Air Force.
T/Sgt. Leo Boczak, U.S. Air Force.
M/Sgt. Severio R. Garcia, U.S. Air Force.
SMSgt. James Linard, U.S. Air Force.
T/Sgt. John Hart, U.S. Air Force.
PSG Robert R. Ricks, U.S. Army.
PSG Clarence B. Jones, U.S. Army.
SSG Calvin W. Cossaboon, U.S. Army.
SSG. Curtis P. Lane, U.S. Army.
Sgt. Billy E. Goodman, U.S. Army.
Sgt. John J. Hager, U.S. Army.
Sp5 Michael W. Graber, U.S. Army.
Sp4 Ivan F. Schopmeyer, U.S. Army.

It is with deep appreciation that I add my personal thanks to the other members of your Flag Day Committee—Bill Nichols, of Alabama; Durward Hall, of Missouri; Richard Roudebush, of Indiana—appointed by our distinguished Speaker, John W. McCormack. I would like also to express the gratitude of this committee for the full cooperation and assistance received from the Doorkeeper of the House, William M. "Fishbait" Miller.

It would be remiss for me not to extend my appreciation to Eugene F. Peters, of my staff, who spent many long hours working out the myriad details involved in coordinating the program and to recognize his significant contribution to the success of this ceremony.

The committee also appreciates the splendid cooperation of the Marine Corps, Army, Navy, Air Force, and Coast Guard—including the outstanding participation by the Air Force "Singing Sergeants," the usual excellent performance by the Marine Band, and the precision of the Joint Color Detail—all of which added greatly toward a representative celebration honoring our American flag.

Mr. PEPPER. Mr. Speaker, today, June 14, is Flag Day. To every American who cannot be bothered with this day, to every youth who would sooner burn our flag than honor it, let me say this: Go out and speak to the families of young Americans whose caskets are draped with the Stars and Stripes; consider the tremor that shakes all America each time the assassination of one of our leaders drops our flag to half-mast; ask survivors of enemy occupation how it felt when the American flag brought them freedom during World War II.

The flag is a symbol of America. Since 1777, it has led us into battle, given us strength, and shared our victories and defeats, with triumphs and our tragedies. Whipping joyously in the wind at the very top of its pole or sadly turning in the breeze, at half-mast, our flag has been the emblem of this unique and special Nation.

Those who originally discovered and pioneered this land sailed to our shores under the flags of different nations. The Norsemen sailed under the banner of the black raven; Columbus brought the flag of Spain; the Pilgrims carried the British flag. The Dutch colonists brought the striped flag of the Netherlands, while the French explored under their royal fleur-de-lis. Those who sought a new world still brought their old world symbols with them. Flags were important. They said, "This is who I am. This is where I came from."

In our great struggle for independence, the fighting patriots yearned to carry a new banner to represent the United States they were fighting for. The Navy often used a flag with a green pine tree. Its motto was "An Appeal to Heaven." "Don't Tread on Me," was a favorite of the angry colonists of the eastern seaboard. In 1775, the defenders of Charleston, S.C., fought under the Moultrie "Liberty" flag, a large blue banner with a white crescent in the upper corner. The Green Mountain Boys of Vermont carried, at the Battle of Bennington, on August 16, 1777, a flag similar to the Stars and Stripes.

The first flag of the Colonies to resemble greatly the present Stars and Stripes was the Grand Union Flag, sometimes called the "Congress Colors." It consisted of 13 stripes, alternately red and white, representing the Thirteen Colonies, with a blue field in the upper left hand corner bearing the crosses of St. George and St. Andrew, signifying union with the Mother Country. This flag was the standard of the Continental Army when it was formed in January 1776. It has been said that the first Navy Stars and Stripes had the rows arranged in alternate lines and rows of threes and twos on a blue field and that close inspection of the stars showed a distinct outline of the X-shaped cross and the cross of St. George of the English flag. This shows, of course, how difficult it was to completely sever ties with the Mother Country.

The first Stars and Stripes was created in 1777 on June 14 by the Continental Congress. In this flag, the 13 stars were arranged in a circle so that no State could claim precedence over another.

When two new States were added to the Union, two stars and stripes were added to the flag. Thus, in 1814, when Francis Scott Key was inspired to write the "Star-Spangled Banner" during enemy bombardment at Fort McHenry, Md., the flag that inspired him was one of 15 stars and 15 stripes.

Later, Congress returned to the original 13 red and white stripes, and, since 1818, a new star has been added to the flag as each new State enters the Union. From 1912 to 1959, the flag remained standard with 48 stars, but the entry into the Union of Alaska and Hawaii brought the change to 50 stars.

When the flag was first flown by the Continental Army, George Washington is said to have described it in this way:

> We take the stars from heaven, the red from our mother country, separating it by white stripes, thus showing that we have separated from her, and the white stripes shall go down to posterity representing liberty.

That was 200 years ago. American boys are still fighting and dying for the ideas our banner represents. Let us honor her today.

Mr. BARING. Mr. Speaker, perhaps never before in the history of our Nation is it more meaningful to display and pay homage to "Old Glory" than on this June 14 date.

The American flag has always been a symbol of liberty, and men throughout the world have rejoiced in it.

Yet, there are those in this country who would dearly love to see the American flag desecrated in the vilest way a human being could devise. There are some who have desecrated the flag and then loudly proclaimed "freedom of speech" when apprehended.

There are those, who call themselves Americans, who show their love for this great country of ours by burning the American flag and hoisting the flag of the Vietcong.

I am proud to say that the House saw fit to pass a bill making it a crime to desecrate the flag of the United States. I am unhappy to say that the other body has not seen fit to take any action on the bill.

Two years ago, Ross Yockey, a reporter for the New Orleans States-Item, wrote an article for his paper which he titled, "Old Glory Still Waves Proudly." This is what Mr. Yockey wrote:

> The flags you see flying proudly through the city today are clean and new—they won't show any of the blood, guts, sweat and tears that put them there on this Flag Day.
>
> Flag Day shouldn't be necessary in the world's greatest democracy, but it is. For some reason, flying America's flag and thinking about democracy have become corny. Red, white, and blue aren't the "in" colors in today's modern world.
>
> Maybe the flag should be all red-brown colored for the gallons of life blood that have been spilled for it—in reality, not just in some song writer's imagination.
>
> Maybe it should be stained yellow for the sweat and tears of men slaving and women crying.
>
> Maybe it should be muddy brown for the farmers, the builders, the ditch diggers, and the road carvers who have done all the dirty jobs that need doing to keep the flag flying.
>
> Maybe it should be green for the forests and the plains and for the hopes of future generations.
>
> Maybe it should be the pink of an infant, struggling to learn the rights and wrongs of a chaotic world.
>
> Maybe it should be the gray of indecision, of the futility of trying to please all the people all of the time.
>
> Maybe it should be the olive drab of the armies upon armies that have constantly fought to keep it aloft.
>
> Maybe it should be white for the pure dedication and purpose of the men who wrote our Constitution.
>
> Maybe it should be black for widows mourning and for the mistaken ideals, the sad truths, and the dirty politics with which democracy must always contend.
>
> But it isn't. It's clean and colorful red, white, and blue.
>
> Maybe it should fly a little higher.

Truer words were never written. The American flag has special significance to the children of this great Nation of ours. It strikes pride in the youngster whose home has taught respect and loyalty to this Nation.

One such youngster I would like to single out is Stacey Frank, an eighth grader in a New York State junior high school, who wrote the following poem in 1966 which he titled "The Flag":

This flag of red, white and blue
May not mean very much to you
But as for me this banner flies
And with its mighty voice it cries
Out to peoples far and near
To Proclaim our freedom here.
A small beginning, I agree,
But like the acorn to a tree

Thirteen states we had at first,
But as our country grew, our thirst
For land and freedom did not stop.
That land did well; produced a crop
For countries of the world to share
And then they knew our flag was fair.
And underneath the starry wing
Foreign peoples helped to sing
The greatest story ever told.
The story of our country bold,
Of its birth into the world
And of its wondrous flag unfurled.
And over the world there ne'er will stand
The flag of any other land
That will mean as much to me
As this flag of liberty.

Mr. Speaker, the American flag holds out the hope that it is possible that mankind will one day learn to live in peace if not in harmony with all other men.

Long may it wave.

Mr. REINECKE. Mr. Speaker, 191 years ago today, on June 14, 1777, the Continental Congress, sitting in Philadelphia, adopted a resolution declaring:

> That the flag of the United States shall be of thirteen stripes of alternate red and white, with a union of thirteen stars of white in a blue field, representing a new constellation.

Today we celebrate the birth of our Nation's most beloved symbol, the symbol of America's past, present, and future, of our aspirations, achievements, victories, and, most of all, the symbol of the fulfillment of a dream of liberty cherished by brave men nearly 200 years ago.

Popular observance of the anniversary of the adoption of the flag took hold and grew very slowly, and only near the end of the last century. It began in the schools. In 1889, George Bolch, principal of a free kindergarten for the poor in New York City, held patriotic exercises on that day which attracted considerable attention. Soon afterward, the State department of education arranged to have the day observed in all the public schools. The State legislature then passed a law providing:

> It shall be the duty of the State Superintendent of Public Schools to prepare a program making special provisions for observance in the public schools of Lincoln's Birthday, Washington's Birthday, Memorial Day and Flag Day.

The movement for national recognition of Flag Day gained strength as its official observance spread throughout the country. In response to a resolution of the Society of Colonial Dames of Pennsylvania, the mayor of Philadelphia, in 1893, ordered the display of the flag on the public buildings in the city. Dr. Bernard J. Cigrand founded, in 1894, an association to promote recognition of the birthday of the flag.

Some of the most eloquent words ever spoken on Flag Day were delivered by President Wilson after America had entered the First World War. On June 14, 1917, he said:

> We meet to celebrate Flag Day because this flag which we honor and under which we serve is the emblem of our unity, our power, our thought and purpose as a nation. It has no other character than that which we give it from generation to generation. The choice is ours. It floats in majestic silence above the hosts that execute those choices whether in peace or war. And yet, though silent, it speaks to us—speaks to us of the past, of the men and women who went before us and of the records they wrote upon it. We celebrate the day of its birth, and from its birth until now it has witnessed a great history, has floated on high the symbol of great events, of a great plan of life worked out by a great people.

On Flag Day in 1968, we affirm our resolve that our beloved country will continue to be a great plan of life worked out by a great people with faith in God.

GENERAL LEAVE TO EXTEND

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the body of the Record in commemoration of Flag Day, 1968.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Meskill (at the request of Mr. Gerald R. Ford), for June 17 to 19, on account of official business.

Mr. Horton (at the request of Mr. Gerald R. Ford), for June 17 and 18, on account of official business.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

(The following Members (at the request of Mr. Reinecke) and to include extraneous matter:)

Mr. Conte.
Mr. Reinecke.
Mr. Buchanan in two instances.
Mr. Don H. Clausen in two instances.
Mr. Mathias of California.
Mr. Lipscomb.
Mr. Erlenborn.

(The following Members (at the request of Mr. Brooks) and to include extraneous matter:)

Mr. Fraser.
Mr. Pepper in two instances.
Mr. Rivers in two instances.
Mr. Rarick in six instances.
Mr. Taylor in two instances.
Mrs. Sullivan in three instances.
Mr. Walker in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3245. An act to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965, to the Committee on Interstate and Foreign Commerce.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 15462. An act for the relief of Lennart Gordon Langhorne; and

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2709. An act for the relief of Suh Yoon Sup;

H.R. 4030. An act for the relief of Yong Chin Sager;

H.R. 4370. An act for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos;

H.R. 7042. An act for the relief of Dr. Jose Del Rio;

H.R. 7431. An act for the relief of Gilmer County, Ga.;

H.R. 8241. An act for the relief of Victorino Severo Blanco;

H.R. 12639. An act to remove certain limitations on ocean cruises;

H.R. 13439. An act to correct and improve the Canal Zone Code, and for other purposes;

H.R. 15190. An act to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans;

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, US51615166;

H.R. 15972. An act to permit black and white or color reproductions of United States and foreign postage stamps under certain circumstances, and for other purposes; and

H.R. 16489. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes.

ADJOURNMENT

Mr. BROOKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until Monday, June 17, 1968, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 13, 1968, the following bill was reported on June 14, 1968:

Mr. KIRWAN: Committee on Appropriations. H.R. 17903. A bill making appropriations for public works for water and power resources development, including certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1549). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 17895. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 17896. A bill to authorize preschool and early education programs for handicapped children; to the Committee on Education and Labor.

By Mr. REES:

H.R. 17897. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 17898. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. BARING:

H.J. Res. 1325. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BARRETT:

H.J. Res. 1326. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules. .

By Mr. DELANEY:

H.J. Res. 1327. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. GURNEY:

H.J. Res. 1328. Joint resolution relating to the assignment of deficits in the Puerto Rican sugar quota; to the Committee on Agriculture.

By Mr. LATTA:

H.J. Res. 1329. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ST GERMAIN:

H.J. Res. 1330. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WALKER:

H.J. Res. 1331. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ZABLOCKI:

H.J. Res. 1332. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAREY:

H.R. 17899. A bill for the relief of Dr. Erlinda P. Vidal; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17900. A bill for the relief of Raffaele Mazzariello and his wife, Teresa Mazzariello; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17901. A bill for the relief of Catherine Maria Fraser; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 17902. A bill for the relief of Lorenzo Selini; to the Committee on the Judiciary.

By Mr. ASHMORE:

H. Res. 1216. Resolution to refer the bill (H.R. 3736) entitled "A bill for the relief of Stephen H. Clarkson," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

347. The SPEAKER presented a petition of Henry Stoner, Erie, Pa., relative to awarding medals to certain U.S. citizens, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

WHEATON: 1967 ALL AMERICA CITY

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. ERLENBORN. Mr. Speaker, only 11 communities are designated All America cities each year, and so, of the 435 Members of this body, only 11 of us can point with pride to an award-winning town.

It has been my privilege to point with pride toward Wheaton, Ill., not only since its All America designation, but for many years. Although it is not my home, it is the town in which I started my law practice and the town in which I first worked for the people as an assistant State's attorney.

It is a good town, and deserves all the honors it receives.

The presentation of Wheaton's claim to All America honors was made by one of its civic-minded citizens, Richard Noble. Here is what he said:

> Ladies and Gentlemen: My name is Dick Noble. My hometown is Wheaton, Ill., 29 miles west of Chicago, population 28,000, seat of Du Page County.
>
> The story of Wheaton is a story of people who become involved in the day-to-day happenings of their chosen community. That's why I'm here today—not to tell a story of crisis, but to tell a story of people.
>
> The early pioneers of Wheaton were God-fearing, Bible-quoting men of Puritan stock.
>
> Jesse and Warren Wheaton, a carpenter and a teacher, laid the foundation of Wheaton in 1837. They had come west seeking a "good place to bring up their families" and were followed by others of similar inclination.
>
> In 1853 the town was laid out, Illinois Institute was founded, later to become Wheaton College, an interdenominational, fundamentalist institution.
>
> This college has had a profound influence on the town—spiritually, educationally and culturally.
>
> Until about 1950, this church-going, conservative, dry community sat in the middle of a growing county, satisfied and complacent.
>
> It liked being small and unrushed.
>
> It liked being a grass-roots sort of town where people go to church on Sunday, attend the band concert on summer nights, and line the curbs for the Fourth of July parade.
>
> Its people saw nothing wrong with their community, including the four-foot carriage curbs in the downtown section, and the dimly-lit main streets.
>
> They viewed their town as quaint, unspoiled and delightfully unchanged.
>
> In 1959, as Wheaton entered its second century, a wind of change began to blow across the prairie.
>
> Population had doubled in less than a decade. The cold facts of rapid growth, overcrowded schools, inadequate city facilities, and declining business caused new stirrings in old Wheaton.
>
> Where do you start when you realize that practically everything in town is either worn-out or overloaded?
>
> Many people and civic groups began to seek answers. Following a study by the League of Women Voters, Wheaton voted in a new council-manager type of city government aimed at greater efficiency.
>
> In that same year of 1961, aided by the Chamber of Commerce, the Property Owners' Association sought a special assessment on their property.
>
> The result—a quarter million dollars spent for mercury vapor lighting downtown.
>
> When the bright lights came on, merchants sudenly realized how dingy and antiquated their stores looked. Serious renewal began in 1963 and is continuing today, with creative remodeling, facelifting, enlargement of small businesses, and construction of new stores.
>
> As the high curbs came out, streets were widened and repaved. Five off-street municipal parking lots were built.
>
> The growing interest in renovation has led to the formation of a Beautification Commission to coordinate once sporadic efforts of garden clubs and others into a broad program.
>
> The first report of the commission and an elm tree replacement program have begun to show results.
>
> Ours is a residential community, but we are paying a price to keep it so.
>
> We have one of the highest tax loads in Du Page County for we have almost no industry. Most of the tax burden is due to the schools.
>
> In spite of this, since 1958 we have built three additional grade schools, a second junior high, a second high school, a new administration building, and early this year, we passed a substantial increase on the tax-rate ceilings to provide better teachers' salaries.
>
> Citizen committees spent hours making phone calls, distributing flyers, and taking voters to the polls.
>
> It hasn't always been easy. The new high school was a hotly-contested issue.
>
> The first referendum won by three votes, but was challenged, and taken to court. Would you believe it? The judge declared it a tie!
>
> The second referendum was lost.
>
> We weren't through yet. We worked even harder the third time, and the issue finally passed by a comfortable margin.
>
> I'm happy to say the people in our town still have this spirit of willingness to pay for good schools for our children.
>
> Just three weeks ago, on the first try, we passed our largest bond issue ever—over five and a half million, to build a third junior high, a 20-room grade school, and to add more classrooms and library learning centers to existing schools.
>
> Also this year a permanent voluntary group was formed to do independent research in school problems. This Committee for Educational Excellence makes its findings available to the school boards and the public.

We care about our children in other ways, too.

A year ago, the Jaycees assumed responsibility for our faltering Teen Center, and, working with the kids themselves, remodeled the center and created a wholesome program.

For some years the park board and a group of local citizens fought to replace the old swimming pool—leaking and over-crowded. Two referendums failed. The third passed.

In 1965 we dedicated our Olympic pool—the first in Illinois to be financed by revenue bonds.

A group known as Friends of the Library backed a bond issue to replace the Richardson Romanesque landmark with a new library having space for 80,000 books.

Fittingly enough, the old building has been turned into the Du Page Historical Museum by the energetic work of its members and friends.

This boxy, sagging, red brick building was our city hall. In 1966, the city offices were moved to this much larger, graceful, colonial building.

Wheaton citizens are also county leaders.

The fact that the Central Du Page Hospital, sparked by Wheaton Kiwanis, was initiated, planned and carried through to completion totally by citizens is only one example.

We've also worked with surrounding areas to develop a new YMCA, junior college and even a Prairie Path for naturalists.

The people in Wheaton are beginning to expect change. Newcomers arrive daily.

A few days ago, a couple walked into a real estate office, looked through the listings, chose the houses they'd like to see, and after looking at them, bought their new home.

What's new about this? Only one thing. This couple is Negro and their new neighbors are not.

This did not happen overnight.

In our human relations progress each step has been opposed, not only openly, but also by unconscious bias.

This was overcome by a growing perception and moral self-appraisal largely brought about by a voluntary Human Relations Council and an official Human Relations Commission which conducts public meetings, sponsors surveys, and holds seminars to alert the public conscience.

In 1966, with the cooperation of the realtors, a voluntary plan for open housing was put into effect.

And, moments before the clock struck midnight bringing in the Fourth of July, 1967, Wheaton's city council passed a fair-housing ordinance to assure equal housing opportunity to all persons.

This ordinance has received nation-wide publicity as unique legislation, because it places penalties on discrimination by the single-family homeowner as well as the realtor.

Wheaton has a long-established Negro community. Until recently, they were clustered in one section of town. Today their homes are located throughout the city.

Ladies and Gentlemen of the Jury:

We believe we are an All-America city.

Wheaton does what this country of our has done. We absorb large numbers of people of all kinds, making their needs our needs.

We accept and meet the challenge of changing times, up-dating, expanding, building, and renewing, through the persuasion of involved people.

But the character of the town has not been lost. It retains the influence of the founding fathers who sought responsible and responsive local government, educational excellence and responsive local government, educational excellence and moral order. Wheaton is still church-going, conservative and dry—a good place to bring up a family. But, most important, Wheaton is people who care.

That's why we think it is an All-America city.

WAKE UP, AMERICA

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. DON H. CLAUSEN. Mr. Speaker, much has been said recently about what is happening to our country. We have all heard the cry that we have become a "sick society" and a "racist society." And we have heard the demands for immediate drastic action to stop the violence, the hatred, and the lawlessness that is now so rampant in America.

On June 6, while Senater Robert F. Kennedy was fighting for his life in Good Samaritan Hospital in Los Angeles and while most citizens here and throughout the world were still recoiling from the shock of this latest national tragedy, an editorial appeared in the Fort Bragg, Calif., Advocate-News that, I believe, merits sharing with my colleagues in the Congress:

[From the Advocate-News, Fort Bragg, (Calif.) June 6, 1968]

WAKE UP AMERICA

Wake up America!

Where in the hell are we headed?

What's happening to us and why?

What are we doing or who is doing it to us?

These are just a few of the questions that most of us asked of ourselves yesterday as we tried to search our souls in an effort to find some answers. We have some and we are sure you too have reached some opinions.

To begin with, the attempted assassination of presidential hopeful New York Senator Robert F. Kennedy in Los Angeles is just the latest of tragedies to hit this country in the past few years. We believe it will not be the last unless and until someone wakes up and does something about it.

Authorities claim no evidence of conspiracy can be found but we are not so naive as to believe that a president, then a national civil rights leader and now a strong presidential aspirant can be shot down in cold blood without some sort of motive or connection by a particular group or groups.

Or shouldn't we go further and remind you that Communist Khrushchev once said of America "we will bury you"? Is it that we are now about to be buried?

Is it not coincidental that we are being poisoned by drugs, ravaged by riots, collared at colleges, all at huge expenses not afforded by those involved and being led into the underworld by our higher courts which continue to make life easier for lawbreakers and more miserable for the law abiding? Think about it.

Yesterday, we heard cries for immediate anti-gun legislation. Do we think we can legislate against sick minds or against those who already have openly advocated the overthrow of this country by force? Do laws hinder criminals?

Of course not. They only keep an honest man honest. They do not keep a criminal from being a criminal. Let's not fool ourselves. Anti-gun legislation is not going to keep conspirators from killing. All it will do is leave the honest man defenseless, or exactly as a conspirator would want to have him.

We didn't hear any outcries Monday when the U.S. Supreme Court issued its latest in a long line of ridiculous rulings in favor of the underground by virtually eliminating the death penalty in America, or, in effect, the dismantling of death row, USA.

This could mean that most of the 486 prisoners awaiting execution in state prisons across the country will be spared as would have Lee Harvey Oswald, Jack Ruby, Rev. King's assassin and yes, even the 24 year old Jordanian now being held in Los Angeles.

And, who said crime doesn't pay? And who is going to try to teach your children otherwise?

Wake up America!

It may be too late.

METROPOLITAN TRANSIT

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. MILLER of California. Mr. Speaker, the San Francisco Bay Area Rapid Transit District is pioneering in the solving of metropolitan transit problems.

The district was set up as a result of an initiative established in three counties and the adoption of a bond issue of $800 million.

One of its first acts was to rehabilitate 6 miles of an abandoned railroad on which to develop a new type of railroad car to meet the peculiar conditions of metropolitan traffic.

Also involved is the building of a tube under San Francisco Bay, and both subway and elevated railroad tracks to connect communities 30 miles away.

In the June issue of the BART Engineering Progress Report, two firsts were established: the first section of the tube was sunk on the San Francisco side of the bay and the award of a contract for laying the first 52.3 miles of track of its 75-mile system was made.

I include herewith an extract from this report:

CONTRACT LET FOR FIRST BART TRACKWORK

FIRST TUBE SUNK ON SAN FRANCISCO SIDE OF BAY

Another milestone in construction of the $180 million Trans-Bay Tube was reached last month when the contractor sank the first section of Tube on the San Francisco side of the Bay.

Trans-Bay Constructors started work on the Tube from the Oakland side 27 months ago. Since then, it has placed 30 sections, stretching nearly 2 miles into the Bay.

The first San Francisco section—326 feet long and weighing 12,000 tons—was sunk in two hours. It is being connected at a San Francisco terminal structure 400 feet offshore from the Ferry Building.

The Tube's joint connection, a major design project in itself, will protect the Tube during earthquakes, by permitting it to vibrate up to 2 inches transversely, 2 inches longitudinally, and 4 inches vertically.

The 3.6-mile-long Trans-Bay Tube is being constructed of 57 individual sections averaging 330 feet in length. The contractor must sink 27 more sections before the final "key" section can be lowered into place just off Yerba Buena Island.

Meanwhile, the large terminal structure to which the Tube ties on the San Francisco side has been safely put on the bottom in nearly 100 feet of water. The box-like structure was floated to the site several months ago and as the concrete walls were added, it was slowly sunk into place.

An $8.7-million contract was awarded last month for the first trackwork on the 75-mile BART System. It went to Dravo Corporation of Pittsburgh, Pennsylvania, for 52.3 miles of track, or 23 miles of two-track routes, plus some yard work, on the BART line between Oakland and Fremont.

Dravo will begin laying track this month under the contract, which was a stout 15% under the engineers' estimate.

BART's wide-gauge track—5 feet 6 inches, compared to the standard 4 feet 8½ inches—is designed to permit the use of light-weight trains. The rail will be installed in 1,440-foot lengths and continuously welded, to produce as quiet and smooth a ride as possible.

Track on surface routes will be installed on concrete ties, of which some 48,000 are included in this first contract. Another 11½ miles will be on aerial structures.

PBTB wrote the track specifications after extensive tests of rails, ties, rail fasteners and acoustics on the BART test track.

ADDRESS OF THE HONORABLE GORDON W. BLACKWELL AT THE CITADEL COMMENCEMENT

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. RIVERS. Mr. Speaker, the following address was given on June 1, 1968, at the commencement of The Citadel by the president of Furman University, the Honorable Gordon W. Blackwell. I found his remarks to be a great inspiration and I felt they should be shared with the Nation. It is for this reason that I am placing them in the RECORD and I hope that all who read them will take them to heart:

INTELLECTUAL AND SPIRITUAL POWER

(By Gordon W. Blackwell)

General Harris, members of the Board of Trustees, members of the faculty, members of the graduating class, distinguished guests, ladies and gentlemen.

On January 30, 1965 I received the Outstanding Civilian Service Medal of the United States Army. I tell you this not out of immodesty but because the citation was signed by Hugh P. Harris, Commanding General, United States Continental Army Command. Needless to say, this medal means even more to me now that General Harris has come to The Citadel, and Mrs. Blackwell and I have had the opportunity to number him and Mrs. Harris among our close friends. It is obvious, even to outsiders, that he is guiding The Citadel toward another great thrust forward just as Charles P. Summerall and Mark Clark did before him. Our nation can justly take pride in yet another indication that soldiers of the United States Army can also be great citizens, great educators, great leaders of men.

As I was preparing for this day, a copy of an interesting manuscript came into my hands. It was entitled "Essay on Education" and was delivered in 1851 by Cadet John G. Pressley at the Fifth Annual Commencement of the South Carolina State Military Academy, also known as the Citadel Academy. Mr. Pressley later became a lawyer and member of the state legislature; signed the Ordinance of Secession; gave himself wholly to the cause of the South attaining the rank of lieutenant colonel of the Twenty-fifth Regiment, South Carolina Volunteers; was seriously wounded at Petersburg; after the war, he left his devastated homeland and became a renowned jurist in California. In his graduating essay Cadet Pressley concluded with a statement which has considerable merit for us today:

"Educate and expand the mind, without imparting strength to the body, and live like a sword that cutteth through its scabbard; it destroys its possessor. Educate his head and not his heart, and you mix for him a cup in which is the gall of bitterness. Educate his head and heart and not his body, and the oil is consumed in the lamp of life ere the night is half gone."

If I may speak directly to the graduates, I am sure that your education at The Citadel has followed Cadet Pressley's classic philosophy. You are undoubtedly well prepared in body, mind and heart. And it is well that you are, because your timing coincides with national crisis both at home and abroad, as well as with a veritable knowledge revolution with unprecedented acceleration in what we know. The graduating classes of 1968 take their places in American society at one of the great moments in history. Like any young Spaniard leaving a Jesuit school in 1492 at the Dawn of the Age of Discovery, or any young Colonial graduating from Harvard College in the year 1775 on the eve of the American Revolution, your timing is propitious.

For, as college graduates, you are what I call the power generation.

Everywhere we turn we are confronted with power consciousness, whether the power for good or for evil, nuclear power, jet power, muscle power, minority power, white power, yellow power, black power, the power to act, the power to refrain, the power to build, the power to destroy, the power of the rich and the power of the poor.

Because of the special conditions which surround our present generation, the exercise of power never before has been such an omnipresent force for good or for evil. The reasons why are clear. We have developed sources of physical power greater than anything we could have conceived at the beginning of this century. Moreover, we have developed the facilities to transport and release this power swiftly and effectively, whether by means of the jet aircraft, the nuclear submarine, the solid fuel missile, the atomic warhead, or the electric impulse. And alongside these scientific and technical achievements we have developed unprecedented concentrations of economic and political power.

Beyond this we have a rapidly multiplying population able to communicate in amazing ways, if not to understand. We can transmit the command to use physical power in a matter of seconds—so fast indeed that Russia and the United States have installed the famous "hot line" between the White House and the Kremlin in an effort to forestall the misguided use of power.

Power takes on another form too—mob power—and we have seen the exercise of mob power on a scale and with a frequency within this last decade that has created its own backlash of dismay and concern among those who cherish freedom and the right of peaceful protest.

Zealous men, following the principles of Machiavelli, have seized upon the idea that might makes right and have hoisted it as a banner, crying to those who rally enthusiastically around them that they have only to shout, to march, to push, and to destroy in order to achieve their goals. Marc Antony knew that setting mischief afoot was a quicker way to power than Brutus' call to reason.

And perhaps the most disturbing factor in this whole mischievous situation has been the tendency toward reliance on muscle power and mob power in the places where one would least expect it—our college and university campuses. Here, where young minds are daily exposed to the collected reasoning of man, we find on occasion that the mob appears. Suddenly it borrows the historic call of the French revolution, "to the barricades", without much apparent thought for history, past or future. Is this call, then, the end result of study and learning as it rends the air—and makes the headlines? How deep, actually, is the veneer of education when we willfully transcend a thousand years of history and allow a portion of a college student body to be converted into a brawling, animal mob? Surely education must lead us to reason rather than to riot. Surely the college-educated youth should stand in the front lines demanding the use of brain rather than brawn when change is called for.

Education should produce the two most important kinds of power—intellectual power and spiritual power. David Bazelon in his recent analysis, *Power in America*, identifies the intellectuals as a new class emerging in power relationships. He says: "The matter is urgent, for now the intellectual has finally entered upon the historical stage as a technician-participant . . . as a doer . . . the intellectual must become aware of this profound change in his position of power . . . the academies are now in charge of training the new elites of our society."

If Emerson is right that "every revolution was first a thought in one man's mind," it should be clear that the power of the spirit is required to curb and channel the power of the intellect which is concerned with means. Spiritual power, as I am defining it, deals with goals and therefore is essential for sound leadership, among soldiers no less than civilians, witness Robert E. Lee and Stonewall Jackson.

It has been aptly said that the fires of conviction burn brightest in minds which are keenest. We must have men of well developed intellect and unswerving commitment of purpose who will use these two kinds of power with restraint for the common good. For the rapidity with which society is changing in all its parts, the urgency of its economic, political and social problems, and the snow-balling of complex knowledge have led us to this day when the power of the intellect, together with the power of the spirit, afford the best hope—and finally our only lasting solution.

Where other than in our best colleges can we develop leaders with these characteristics of mind and purpose? Where better can we find the analytical ability, the sound perspective, the sharp insights? Where better can we find leaders aware of the past of many civilizations and concerned for the destiny of mankind? Where better can we find the conscience and wisdom of the ages against which to draw a perspective for the present?

The greatest contribution the college can make is to transmit the great ideas of man from teacher to student. It is clear that the valid measure of success for a college lies in the ability of its graduates to use wisely the power of the intellect and the spirit.

As a result the college community has a special obligation not to resort to muscle power when the product it deals with is brain power. Are we so frustrated in intellect and in spirit that it takes a thrown tomato or a lie-in to express ourselves? The college community cannot justify the striking fist nor the intolerance of catcalls and organized bedlam. We cannot consider ourselves educated men if we have not the patience, courtesy, and wisdom to listen to those with whom we disagree, as well as to those with whom we share opinions.

We must seriously ask ourselves, what is the mission of the college today? With all the privileges we enjoy as free men, what are our responsibilities as educated men?

Should we encourage rebels? Yes! Should we encourage physical rebellion? No!

Should we encourage thoughtful challenge to the status quo? Yes! Should we encourage its overthrow by force? No!

Should we encourage peaceful, rational protest? Yes! Should we encourage reliance upon violence to make a point in objection? No!

We should not encourage discourtesy or violence in these situations, and we cannot in conscience condone it. Our colleges must draw the line in opposition to violence, while we promote the development of intellectual and spiritual power among our students, intellectual and spiritual power which can change those conditions which breed physical rebellion.

For the primary mission of the college is to give youth opportunity. Opportunity to test freedom and to meet and understand discipline. Opportunity above all to develop the intellectual and spiritual power that, if misused, can rock a nation; or, when used with restraint and purpose, can assure peace, freedom and access to opportunities for all.

And so it is within this framework of purpose that I suggest you, the graduates, go forth from this college. Purpose based upon firm faith, disciplined idealism, warm concern for human values. May you now move on in a continuing search for keener intellectual power and more deeply committed spiritual power.

In doing so, rather immediately you will, I am confident, live up to the character and reputation of an officer of the armed forces of the United States. As military leaders you must look out for the interests of the men under your command. I hope you will carry over this principle into an abiding concern for human freedom, justice, and opportunity for all in the human race.

In the 107 years since cadets from this institution helped ring up the curtain on the War between the States down to the present struggle in Vietnam, The Citadel has had much to remember, much in which to take pride. Similarly, I am sure that you who are graduating this morning will meet with equal courage and success the trying responsibilities which will face you in the months and years ahead.

May I wish you the inner peace of living to the maximum of your capacities, whatever the conditions of the moment may be. Certainly you are of the elite Corps and in many ways I envy you your opportunities, your capabilities. Tend them carefully, use them wisely, and you will create a new kind of history, quite beyond anything Cadet Pressley might have dreamed.

Godspeed! And God bless you—everyone.

SICK ASSASSINS—GREAT AMERICA

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. BUCHANAN. Mr. Speaker, in the wake of the tragic murder of Senator Robert Kennedy, many psychiatrists and self-appointed analysts proclaimed on television and in the press that America was a "sick society," that 200 million Americans were to blame for the death of Senator Kennedy as well as that of Martin Luther King and President John Kennedy.

Speaking at university commencement exercises in New York City, for example, Arthur Schlesinger, Jr., the historian and a close friend of both Kennedys, said:

> We (Americans) are today the most frightening people on this planet.

He called on all Americans to recognize "that the evil is in us, that it springs from some dark, intolerable tension in our history and our institutions."

Schlesinger's incredible condemnation of an entire Nation, its people, and its history, has been echoed all too many times by rational men who should have known better.

The all-important point is, of course, that the three accused assassins—Sirhan, Ray, and Oswald—were not typical, law-abiding citizens who had been driven to their violent acts by an allegedly "sick" America. They were, in fact, outsiders and malcontents who reviled and even hated the country in which they lived.

Lee Harvey Oswald was a self-proclaimed Marxist and defector who spent 3 years in the Soviet Union. He was extremely active in the misnamed Fair Play for Cuba Committee, which was financed in large measure by Fidel Castro.

James Earl Ray has spent nearly half his life behind bars and was only free to kill King because he had escaped from prison.

Sirhan Sirhan is a Jordanian immigrant with a blazing hatred of Israel who apparently murdered Robert Kennedy because the Senator strongly supported the Israel fight for freedom. Sirhan also is alleged to favor all brands of communism.

These three men are not representatives of, but rebels against, America and everything she stands for. Their acts cannot be attributed to the passions and tensions which exist in our society, as they do in any country.

It is not accurate to say that we are a "sick society." I do believe, however, that we are well on the way to becoming a permissive society which could be fatal in the end.

It is becoming more and more easy to resort to violence. People know they can get away with violence and disobedience of the law whether they are Black Panthers or the Ku Klux Klan. In the absence of penalties and punishment, people will do as they please. But, in the presence of firm leadership and firm enforcement of the law, people will conduct themselves as law-abiding members of a civilized society.

It is the present vacuum of national leadership and the all too prevalent tendency to allow looters, rioters, and defiers of the law to have their way which has produced the trend to violence—and bodes ill for the future.

Something even more important and more fundamental than law and order is at stake. The very foundation of reason and confidence which sustains a civilized nation has been badly shaken. There is a sense of events running out of control—of a small group of the angry and the alienated overwhelming the best of our society.

We are being challenged by a small minority which believes it can pick and choose which laws it will obey and which it will disobey. There is only one possible response.

The violence and the destruction must stop. The law must be applied equally and impartially to all citizens. Violence must not be glorified on television, films, radio, or anywhere else. Law-enforcement techniques must be modernized and expanded.

You and I have a solemn responsibility, as well, a responsibility outlined by another and more perceptive historian than Arthur Schlesinger. Urged Dr. Daniel Boorstin:

> Each of us should use his influence and persuasive power in school, church, and government to insist on the exclusive use of the means of a decent . . . society—that is, the word and the law; not the rock, the gasoline can, or the gun.

If we all do our part, and we must, the violence will begin to recede, the lawbreakers will end up where they belong—in jail—the Nation's self-confidence and self-respect will return, and America will emerge from a serious crisis even stronger and more secure than before.

JUDICIAL TRAVESTY

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. TAYLOR. Mr. Speaker, the following editorial from the Washington Evening Star of June 11, 1968, expresses strong reasons as to why President Johnson should sign the anticrime bill passed by Congress. I commend it to my colleagues:

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while properly represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. He agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witnesses were dead or unavailable." This will be even more true of a fourth trial—if there is one. There may not be a fourth trial however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

HANOI'S TRAGIC MISCALCULATION

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. IRWIN. Mr. Speaker, the following article in today's New York Times by James Reston makes clear that the road to peace will be difficult. Hanoi's response to the partial suspension of bombing, which includes Hanoi and Haiphong, has been an increase in its indiscriminate mortaring and rocketing of Saigon. I think we all have to appreciate that the road to peace has to be a two-way street.

HANOI'S TRAGIC MISCALCULATION

(By James Reston)

The Vietnam war is now going through a bloody and tragic phase. In an effort to put pressure on the United States to accept their peace terms in Paris, the North Vietnamese have stepped up the fighting in both I Corps area and the highlands of II Corps and launched a campaign of terror against the civilian population of Saigon. The cost in human life has been appalling and the political gains have been nil.

In the month of May alone, the enemy lost 26,000 lives. By forcing the battle, the Vietcong and the North Vietnamese have been killing Americans at the rate of about 500 a week. They are losing ten men to every one of ours.

Meanwhile, they have bombarded Saigon with 122-mm. rockets for 24 out of the last 39 days. These rockets, which are over six feet long have a range of almost seven miles. They are fired from concealed positions all around the South Vietnamese capital and have already killed 132 civilians and wounded more than 1,000. Yet in these last seven weeks they have not hit a single military target and they have killed only one U.S. soldier.

The brutality and stupidity of this latest offensive are fairly obvious. It has a certain propaganda advantage. It demonstrates that the United States and the Arvin troops cannot prevent these portable rocket-launching devices from hitting the capital, but aside from this it is not only failing to achieve its peace objectives but weakening Hanoi's position in the United States and elsewhere.

CHANGING OPINION

One of the surprising things of the last few weeks has been the movement of public opinion in the United States. No doubt the sentiment of the American people is for peace, but the pressure on the Government to settle at any price has let up. Letters on the war to newspapers, to the State and Defense Departments, and to the Presidential candidates have been reduced from a torrent to a trickle.

Senator Eugene McCarthy said here this week that while he thought the sentiment of the American people was now for "withdrawal," he was getting very few letters on the topic and even the "peace candidates" in the election campaign have not been talking much about Vietnam.

The reasons for this are fairly obvious. President Johnson's speech of March 31, limiting the bombing of North Vietnam and withdrawing from the election, seems to have satisfied most people that he was genuinely seeking peace on honorable terms. On this point he got much of the unity he requested.

Meanwhile, the murders of Martin Luther King and Senator Robert F. Kennedy turned the mind of the country from violence in Vietnam to violence at home, and even the increase in U.S. casualties in the last seven weeks has not resulted in any pressure on Washington to make more concessions to the enemy.

On the contrary, the indiscriminate rocketing of Saigon is beginning to have precisely the opposite effect in the United States from what Hanoi intended. It is putting the peace advocates in the United States on the defensive and strengthening those who want to answer the Vietcong offensive on Saigon with a renewal of American bombing of North Vietnam, including Hanoi and Haiphong.

This the U.S. Government does not want to do. It wants to restrict the bombing even further, if Hanoi will agree to any reduction in the level of combat. It wants to keep the Paris peace talks going, and preferably to move on to substantive proposals for reducing the fighting and a cease-fire and it is still privately working for the support of the Soviet Union on this procedure.

The Johnson Administration has taken a decision not to increase the size of its forces in Vietnam. It has speeded up the training and arming of the South Vietnamese Army, over half of which is now equipped with the M–16 rifle, and it is confident that this army will be able to play a larger role in dealing with the enemy, which not only replaced the 26,000 dead last month but sent 29,000 new men into the South.

This infiltration and the escalation of the war, however, are a factor on the peace talks. They are not only breaking the spirit of accommodation and adding greatly to the bloodshed, but hardening the American negotiating position, which is precisely the opposite of what Hanoi intended.

THE NATIONAL ANTHEM IS A SCREAM IN THE NIGHT

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. HOSMER. Mr. Speaker, Jim Murray, of the Los Angeles Times, must be considered one of the great writers of this era. He is a sportswriter, and those who do not read his column on the sports page in many newspapers across the country are missing a great deal.

The world of sport is filled with color, excitement, agony, victory, defeat, and pathos—it is a microcosm of the human experience. And Jim Murray sees and writes this better than any man alive.

About twice a year, Mr. Murray feels compelled by a single story on page 1, or a series of events, to put aside his love for sport and devote his column to looking at the rest of the world. He sees the nonathletic world with the same clarity and poignancy.

He is, first of all, a master of the phrase: "The National Anthem is a scream in the night."

He views the prevailing concern for the criminals rights as "a lamb defending the lion's right to eat."

On gun control laws, he says:

The President of the United States is chosen in a hardware store, a mail order catalogue.

On the Constitution:

The Constitution was never conceived as a shield for degeneracy.

On patriotism:

You start out burning the flag and you end up burning Detroit.

On hippies:

To be young is the only religion—as if it were a hard-won virtue.

On the future:

The next funeral procession will be for the Republic itself. The American dream will be rolling up Pennsylvania Avenue behind the roll of drums.

Mr. Speaker, a copy of Mr. Murray's column on the assassination of Senator Kennedy and the violent state of affairs in this country was recently sent to me by a constituent, Mr. Donald S. Grant, of Long Beach, Calif. I include the column in the RECORD at this point:

THE VIOLENT STATES OF AMERICA: A NATION IN SURGERY

(By Jim Murray)

I was going to write to you about fun and games today—a golf match on a sylvan lake, a track meet in a municipal amphitheater

But once again America the Beautiful has taken a bullet to the groin. The country is in surgery. The Violent States of America. One bullet is mightier than one million votes.

It's not a Democracy, it's a Lunacy. A country that shrinks from punishing its criminals, disciplining its children, locking up its mad. It's like an animal that disregards its senses. It's a lamb defending the lion's right to eat it.

Democracy is in the cross-hairs. The Assassination Party wins elections without going in a primary. The President of the United States is chosen in a hardware store, a mail order catalogue. We blame Dallas, but it's no good. It happens everywhere. Memphis, Los Angeles. The United States.

We quarantine the good, the reliable, the honest. We keep a 24-hour watch on the trustworthy, but get a habeas corpus to let anarchy loose.

Freedom is being gunned down. The "right" to murder is the ultimate right in this country. Sloth is a virtue. Patriotism is a sin. Conservation is an anachronism. God is over 30 years old. To be young is the only religion—as if it were a hard-won virtue. "Decency" is dirty feet, a scorn for work. "Love" is something you need penicillin for. "Love" is handing a flower to a naked young man with vermin in his hair while your mother sits home with a broken heart. You "love" strangers, not parents.

I will be severely criticized, even ridiculed for crying out. "Lousy sportswriter, what does he know?" I can hear it said. "Who does he think he is, Paul Harvey?" "Fulton J. Murray," still others will sneer. This is the 20th Centry, they will say, not Disneyland. Well, it's getting to look more like the Cave Man Era every day from this seat. Americans who have a podium should use it today.

I like people with curtains on the window, not people with "pads." The next guy that calls money "bread" should be paid off in whole wheat. I'm sick of being told I should try to "understand" evil. Should a canary "understand" a cat?

These are some of the things, it seems to me, that have put blood on the walls of America. The next funeral procession will be for the Republic itself. The American Dream will be rolling up Pennsylvania Ave. behind the roll of drums. It will be buried in Arlington. The Constitution was never conceived as a shield for degeneracy. You start out burning the flag and you end up burning Detroit. You do away with the death penalty for everyone but presidential candidates—and Presidents. The national symbol is not the eagle, it's the catafalque.

The point of the country is Fear. The rebellion is against good. Men of God become men of the Mob. The National Anthem is a scream in the night. Americans can't walk in their own parks, get on their own buses. They have to cage themselves.

"Get off your knees, America!" people cry, but it is ignored. Bare your teeth, they say. Threaten to fight back. The lion bares his teeth and the jackals slink away. A cowering animal invites attack. But America is not listening.

These are the things, it seems to me, that put a young senator, a servant of his people into the shadow of death. A young, vigorous country is immobilizing by bumper stickers, slogans, neurotic students with their feet on desks they couldn't make, pulling down universities they wouldn't know how to rebuild.

It all begins with that—the deification of drifters, wastrels, poltrooms—insolent guests at the gracious table of democracy overturning it on their dismayed hosts.

What have the Kennedys ever done to deserve ambuscades every five years at the hands of people they ask only to serve? What apology can we offer to a noble family except to resolve to stop begin ruled by our refuse, our human refuse that is? How many good men have to die before we wrest weapons from the terrible hands of our barbarians, demand respect for our institutions, stop glorifying hate?

Pray God our healers can repair Bobby Kennedy. Who is going to repair America?

LIKE IT IS, BABY—VI

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

HEALTH CARE IS FREE BUT PRICE ISN'T ONLY PROBLEM

(By Maurice Hobbs)

Leonard Allen, Mrs. Smith's 8-month-old son, had a cold. He was coughing, his nose was stuffed up and he was crying when he wasn't chewing on a rubber animal or the pacifier hung around his neck on a string.

Like most mothers, Mrs. Smith called a doctor and set up an appointment. She got two bottles of medicine for Allen, who had a touch of bronchitis, and he received a penicillin shot.

Unlike most mothers, however, Mrs. Smith didn't pay a cent for the doctor's time or the medicine.

For her and other people on welfare or with low incomes, such expenses are covered by Medical Assistance, a federal program under which almost $6.3 million was paid in January for cases involving 61,681 persons, including 15,707 who, like Mrs. Smith and her children, are on Aid to Families with Dependent Children.

TWO DOCTORS NEARBY

Mrs. Smith takes most of her health problems and those of her children to either of two doctors on nearby Plymouth Av., she said.

Allen and his sister, 11-year-old Marie, don't go to a pediatrician, a doctor specializing in the health problems of children, as do the youngsters of most people with higher incomes. Instead they go to a general practitioner.

Mrs. Smith said the fact "you can walk up there" is one reason she uses the doctors on Plymouth. "General Hospital is too far," she said. She would need to take a bus or cab to General, and once there might have to wait for long periods of time, she said.

Still, said Mrs. Smith, General is a "good hospital." Marie was born there, and Mrs. Smith's mother recently spent a month there with a kidney ailment—also covered by Medical Assistance.

For her own care while pregnant a third time, Mrs. Smith is the patient of a widely known obstetrician from St. Louis Park who has an office in downtown Minneapolis. Allen was born in Mt. Sinai Hospital, and the baby expected in September will probably be born there too.

Mrs. Smith has two major health problems—her weight and getting to the doctor.

She weighs 215 pounds, and one of the doctors she sees regularly tried last year to get her to diet down to 132 pounds.

BUT POTATO CHIPS

But the diet wouldn't allow her the fattening foods, such as potato chips, that she likes, so she didn't stay on it for long. She is more concerned about Marie's 110-pound weight than her own excess.

Her problem in getting to a doctor is partly a problem of time. One nearby doctor has office hours from 10 a.m. to 3 p.m. The other one has office hours from 1:30 to 6 p.m. This means she can't get to see a doctor in his office early in the morning and can't depend on being able to see the same doctor each time.

If she needs to go elsewhere, either to General or to her obstetrician, she would usually take a bus, since it's cheaper than a cab, and probably would have to take Allen along, since she hasn't the money to pay a babysitter.

But, by and large, Mrs. Smith voices no major complaints about health.

She and her children can get care when they need it and, although transportation may be a problem, it is one that can be handled.

SORRY, NO LEECHES

She has, however, acquired some misinformation about health.

She told about her cousin who had a black eye, for example. Mrs. Smith said the girl went to General where a leech was applied to the eyelid to suck out the dead blood.

General gave her $2 when she returned the full leech, said Mrs. Smith.

Officials at General say no such treatment method is used there, and one said the practice of using leeches is at least 400 or 500 years out of date.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. SCHERLE. Mr. Speaker, this is the 144th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

THE ELOQUENT COMMENCEMENT ADDRESS OF ASSISTANT SECRETARY FOR EDUCATION, DR. PAUL A. MILLER, AT THE UNIVERSITY OF FLORIDA

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. PEPPER. Mr. Speaker, in the depths of our national mourning following the tragic death of Senator Robert F. Kennedy, there were many eloquent efforts to put into words the anguish and the concern of those who love America and have faith in the future of this great country. One of the most heartrending tributes was delivered in my State by the very able Assistant Secretary of Health, Education, and Welfare, Dr. Paul A. Miller.

I would like to bring to the attention of my colleagues, and of all who read the CONGRESSIONAL RECORD, the very eloquent talk which Dr. Miller delivered at the commencement exercises of the University of Florida on June 8, 1968. By permission of my colleagues, I insert his remarks in the RECORD at this point:

REFLECTIONS IN A TRAGIC HOUR

(By Paul A. Miller, Assistant Secretary for Education, Department of Health, Education, and Welfare, University of Florida commencement, Gainesville, Fla., June 8, 1968)

My initial remarks, forwarded days ago to your good people, and prepared on the theme of "Not Education But Human Development", became useless in this tragic hour of sorrow. And they became useless in the early morning of Wednesday past when Senator Kennedy, in our capital of luxury, giving of his vast vitality and brilliance in a stand against blood and violence, was struck down by them. Whatever else calls us aside and together, none takes precedence over weeping for his loss and for the irretrievable death of still more of our national spirit.

Accordingly, with too little time and composure, but with my own hand, I wrote out these brief remarks to more properly serve you, recognizing fully and humbly that no man in this *one* hour can attend to the ceremony of commencement. The best of rhetoric, which I have never claimed, could neither depict nor remove those poignant visions of that tousle-headed leader, doing what he was destined to do, eyes shining, alternately grim and bouyant, necktie unstrung, caring deeply about what most of us, if caring, did too little. That Robert Kennedy, burdened with the violent loss of others he loved, could be consumed similarly, is so shattering to the commencement covenant that we can only pray together for the return to us of what it means to be an American.

Ours is a time of sorrow, more so now by means of another shot, this time, not a motel balcony, but a kitchen corridor. How long must we endure it? We shall have to endure it for so long as we refuse to know ourselves. We shall have to endure until we heed those voices crying openly about us: "My relationship with you is ended." Violent death warns us still again that knowing one's self is forged in the action of relationship—an action that can never end. Our sorrow is the continuing process of isolation that deepens in our national life.

This isolation—and the sorrow which is its fruit—began for us when we learned to flinch and turn aside from lesser things in the practice of community life.

It began when we started to pile up beer cans in public parks, to tolerate fumes and smoke, to walk on dirty sidewalks, to turn cities into jungles because we gave no time to loving them.

It began when we learned how to get people to buy things they didn't need, things planned carefully to wear out, when we sited junkyards in handy places, and set up markets to sell the sleaziest of imitations.

It began when we started to eat and drink too much and exercise too little, to sit down as unfit oldsters and watch increasingly soft youngsters win for us, to park an automobile in a flower bed rather than walk a city block, to arrange great spectacles about corruption in public and private life, yet produce few great moral advances.

It began when a black man and his family were not always welcome at a village church, when we made a ghetto out of the city and deserted it for still another in suburbia, when we could permit a child to go hungry at home or unloved at school.

And it began when acts of violence first seemed required for legislative breakthroughs.

No society had better tools.

We came to produce knowledge for the second and third time because we forgot that we had produced it the first time.

Our wealth was sufficient that a national project of less than a billion dollars made little, if any, news; dams could be built in the strangest of places; the GNP permitted two houses for many and none for some. Without blinking, we could go on the cuff for an Adriatic vacation, a private motor boat, a new tuxedo in junior high, a sports car with wire wheels in senior high.

Our skill was sufficient as to transform American agriculture, to add daily miracles to human health, to fashion the Marshall plan, and to make machines which do arithmetic better and remember it longer than people.

Our commitment was sufficient to effect monumental enactments in social legislation, to expand budgets for sending a man to the moon, and to devise new ways of community development, regional cooperation, and communications in the federal system.

We wanted to do these things. We wanted to do them more than slow the erosion of community life. If a further denigration of values is not to occur, we shall have to want to do something about the covenants of community life. Much will be required than we already know how to do.

There are some other steps we shall have to learn together.

We shall have to learn something of the sophistication and complexity of American society, of how general and interdependent its problems, how specific and discrete its solutions. This rift in the nature of problems and solutions is at the heart of much of our civic anguish.

We shall have to change the imbalance between our versatility with hardware and the neglect of institutions. *We are no longer able to buy our way out of it.* Billions of dollars and the proliferation of programs will not transform communities unless poor schools based on pastoral memories, courts and police offices based on frontier standards, and cities strangulated by antique jurisdictions are *all* transformed to serve the corporate existence.

We shall have to learn better how to live amid the separation of a man's job from his family and neighborhood life. All of us juggle the specialized parts we play, and all of us are juggled about in the process. Stressing occupation, we have elevated its status and narrowed the meaning of success.

We shall have to once and for all believe that it is a scandal that a fifth of our people live in poverty. The choice is hard upon us—whether or not to embark upon a great national tithing in order to cut out the malaise, the discrimination, the hunger, the cheapness, the violence, the untidiness, and the deprivation that has isolated us one from the other.

We must bring the media of communications to help fulfill the wants, and the bizarre anxieties surrounding them, that these media now provoke. The meaning of "communicate" is to make common. Its *purpose* is the creation of community. In the same way, the meaning of *"publish"* is to make public. *Its* purpose is the creation of the public: a collective noun meaning people with shared interests. The life-blood of free societies is dialogue; its *purpose,* the formation of working models; its *human* compulsion, the deep drive of our species to create communities to belong to.

Robert Kennedy called out to us the urgency of shared purpose, not as a subversion of individuality, but rather its enhancement by helping us reach for a strength beyond ourselves. He has been taken from the quest, but, as we must pledge, not that message which he gave us. To ignore it means that the pain of our self-centeredness will continue to grow . . . even more unhinged from family love, from the community of faith, and from a genuine Public.

Our self-centeredness, isolated from the action of relationship and therefore from an understanding of self, corrodes our role in the changing international order and, I must say, also in the lives of academic men. As we came to be told that the university was the last best hope of man, we took it in and believed it. With exuberant pridefulness, we often viewed society as some capricious infant, unable even to forge new instruments if academic men were to fail. Thus in such blissful euphoria we who tend the centers of the highest learning turned partially aside from creating new forms and imparting needs to society—without which wisdom itself is isolated.

No commencement will ever again be the same. Statring today, it will make little difference whether your diploma reads engineering, law, English, or medical technology. The true difference will come with the flash of insight about how unchained the revolution in man-thinking has become from his institutions. And I hope, too, that this insight will nurture still the understanding, rising from some mystical residue gained at the University of Florida, for knowing what makes a good man or woman, what goes into a good community, into good government, into good music and art, into good human relationships.

In all of my unsureness today, perhaps separated from you in age and generation far greater than these few years between us, I can tell you at least one thing that is true. No power over another, no vicarious visibility, no sought-after prestige, no rank elevated above the people, will make you as happy as the smile of a child you knelt down to help, or the continuing love of your family, or the honest thanks from a student you took the time to know, or some unrewarded act of goodness that counted in the neighborhood of your choice.

I've known something of power, visibility, prestige, and rank. They have no worth unless subordinated to service, which is to say, shared purpose. I knew it when an obscure professor drew down a volume from his shelves for me, and, in that instant, turned me to the academic life. I knew it when an obscure farmer who, after a night of cooperative labor assisting his prized ewe with the delivery of her mixed-up twin lambs, said to me: "Son, I will never forget this night, or you."

Unsure, perhaps inept, I have come to you, having learned not without suffering, a small bit of that lesson Senator Kennedy has taught us so fully and courageously: *as we exalt the hand as infallible, we shall desert the mind and heart.*

Thusly I would pray with you that we may come one day again to love justice, do mercy, and walk humbly together.

DAVID E. GRANT: IN MEMORIAM

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. KUPFERMAN. Mr. Speaker, David E. Grant, Esq., my constituent and friend, was a well-known lawyer and expert in Latin American law.

He was not only active in commercial matters, but also in "good neighbor" activities for Central and South America.

Although he lived to a fine old age, his passing leaves a void not only for his family and associates but also in the area of international relations.

The following obituary from the New York Times of Wednesday, June 12, gives some measure of the man:

DAVID GRANT, 75, OF LAW FIRM HERE—SPECIALIST IN LATIN AMERICAN AND AVIATION CASES DIES

David E. Grant, an international lawyer here who specialized in Inter-American and Latin-American questions, died yesterday of a heart attack at his home, 430 East 86th Street. He was 75 years old.

Since 1932, Mr. Grant had been foreign counsel in charge of Latin-American affairs for Pan American World Airways, Inc. He had his headquarters in New York City but frequently traveled to Latin America. He had been senior member of the law firm of Grant, Herrmann & Schwartz, 1 Wall Street, since its formation as Grant & Herrmann about 1948.

He was a short, active man with a smoothly informal afterdinner speaking style in both English and Spanish.

He was said to have done much to cement political and economic relations between the United States and Latin America and to have been instrumental in helping to draft laws in Latin-America republics relating to American aviation. He was an expert on aviation law.

Mr. Grant was born in Abiquiu, N. M., on May 17, 1893. His parents were Mr. and Mrs. Henry Grant.

IN SPAIN DURING FIRST WAR

He graduated from City College here in 1913 and was secretary to the military attaché of the United States Embassy in Madrid in 1917–19. In 1920, he received a law degree from Columbia University.

He practiced in Santa Fe, N. M., from 1920 to 1923 and served as special assistant to the Attorney General of New Mexico. He became assistant counsel to the General Sugar Company in Havana, then started in practice here in 1925 as a specialist in Latin-American law. He was a member of the law firm of Schuster & Feuille here from 1930 to 1932.

A former adjunct professor of law at New York University, Mr. Grant had lectured on Latin-American commercial law at the university's Law School and on aviation law at its Guggenheim School of Aeronautics, as well as on Latin American civilization at City College.

From 1943 to 1947 he was the moderator of a radio program in Spanish that the National Broadcasting Company beamed to Latin

America, answering questions on American public affairs asked on the radio or by mail.

SERVED INTER-AMERICAN BODIES

Mr. Grant was on a commission of legal experts of the Pan-American Union in Washington from 1934 to 1938 and had served on the Inter-American Commercial Arbitration Commission, which dealt with commercial disputes.

At a dinner at the New School for Social Research in 1945, he said racial intolerance and the cessation of lend-lease would be two principal threats to Western hemispheric solidarity after World War II. "Santa Claus," he said, "is never popular when he packs his bag to go home."

Mr. Grant, a former president of the American Brazilian Association, was in 1952 made a Commander of the Order of the Southern Cross, the highest honor granted to a foreigner by the Brazilian Government, for his many years of service to improvement of commercial relations between that country and the United States.

He had been a vice president of the Bolivarian Society of the United States and president of the Colombian American Chamber of Commerce. He was active in the American Bar Association and the Association of the Bar of the City of New York.

Surviving are his widow, the former Pauline M. Greenberg; a son, Robert L.; a sister, Frances R. Grant; a brother, Joseph B., and six grandchildren.

A funeral service will be held Friday at 9:45 A.M. at the Riverside, Amsterdam Avenue and 76th Street.

FLAG DAY

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. HAGAN. Mr. Speaker, today is Flag Day and I would like to call to the attention of my colleagues an editorial which appeared in the June 6 issue of the Soperton News, a fine weekly publication in my district. I believe it expresses quite well the deep meaning that should attend this observance:

FLAG DAY, 1968

The calendar tells us that we soon will be observing Flag Day. This year it should be proud to look upon the American flag as the greatest national symbol ever unfurled from any standard. It represents a nation formed on the unprecedented principle that the powers of government are derived from the people. The U.S. flag exalts the individual and the constitutional guarantees which preserve his freedom. It represents a people that have been generous, heroic, and creative. It is the symbol of freedom from political oppression, of opportunity to make a better life to which the oppressed of all nations have turned with hope and been fulfilled.

Flag Day is a good time to get back to basics and recognize that a tingling up your spine when the stars and stripes go by is one of the surest signs that the vitality and genius of this nation and its capacity to achieve great things on the stage of history is still very much with us. Despite our mechanized, computerized society, the fact remains that anything having to do with human endeavor rests upon an intangible quality of spirit in the individual. Some individuals have it in larger measure than others, and the same is true of nations.

The greatness of the United States is based on the spirit of her people. Let us remember in these complicated days of our history, there is much need for simple patriotism, deeply felt and clearly shown.

ADMIRAL BURKE'S ADDRESS TO THE ROTARY CLUB OF CHARLESTON, S.C.

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. RIVERS. Mr. Speaker, on May 30 I had the privilege of introducing Adm. Arleigh Burke to the Rotary Club of Charleston, S.C. Admiral Burke, who served with such great distinction as Chief of Naval Operations for 6 long years, delivered a splendid address. Its message, both as regards our maritime position in relation to the Soviets and our general reaction to national security threats, is so timely and so true that I want all of my colleagues in the House to have the opportunity to read it.

The contrast between the growing power and position of the Soviet merchant marine and the sad shrinkage of our own merchant fleet is tellingly presented in Admiral Burke's remarks. The admiral points out, for example, that our merchant fleet is about the size that of Greece and that our country imports about $500 million worth of fish a year, some of them caught off our own coasts.

With regard to our reaction to world situations, I would particularly call your attention to the following comments by Admiral Burke:

In the event it becomes necessary for the United States to resist another aggression, I don't think we should be as docile as we have been in the past. When it became necessary to take military action I would hit hard, fast and firmly in order to convince the enemy as soon as I could that his aggression would be repulsed and that he could not possibly win. The enemy would be severely hurt quickly so that he would realize his aggression did not pay and could not pay.

When he stopped his aggression and withdrew I would withdraw our forces at once. In the case of an ally under attack, I would hope this would do two things: first, make the aggressor realize that aggression would be punished quickly; and second, impress upon the ally that we would assist him quickly but also that the maintenance of internal order was his own responsibility. I realize that in some instances United States forces might have to go back in again, and this I would be prepared to do.

In short, after an enemy starts a war, I would hope our forces would exercise initiative and the enemy would have to adjust to our attacks, to our initiative, to our surprises, and that we would fight in his territory, instead of our reacting to enemy attacks and letting the enemy choose the type of battles, their timing and their place.

In situations short of armed conflict, I would be sensitive.

Above all, if any of our ships were attacked any time, any place, that ship would fight and she would have assistance quickly sent to her to help her—or to pick up survivors.

If the communists heckle us with impunity, if they attack us without penalty, if they create incidents without punishment, someday they'll go too far, and we'll surprise them, and fight—and we'll be in a larger war than if they realized earlier we would fight. It is for this reason I would be sensitive to incidents created to humiliate us, or to demonstrate we do not react rapidly.

The address follows, and I sincerely hope that it will have wide readership:

ADDRESS BY ADMIRAL BURKE

Ladies and Gentleman: I greatly appreciate being introduced by Congressman Rivers. There are a lot of good men in Congress who work hard for their country, but no one has done more for the United States than Mr. Rivers. He knows where he stands on all significant issues—and more importantly—so do other people. His staunch, forthright positions are correct and his leadership and wisdom are needed as much as they are admired in these troublesome days. The Navy and the other armed services are very fortunate that the mantle of leadership of the most important committee in Congress has fallen on the broad competent shoulders of the senior Congressman from South Carolina.

I also am grateful for the opportunity to come back to Charleston again. I'm sorry to have missed azalea time in this beautiful state, but we had to go to Japan and other countries in the Orient at that time. Japan is noted for having some of the most beautiful gardens in the world, and that reptuation is well deserved. Still the gardens there are no match for South Carolina in bloom in the springtime. You are fortunate to be able to live in this area.

You probably won't be surprised that I am going to speak about the Soviet Union and why and how the Soviets are developing seapower as a primary means to carry out their often repeated threat to destroy all non-communist governments and to bring the world under their domination.

As you all know, right after World War II, the Soviets not only took over the nations on its European borders, but also took as many German scientists as they could capture to Russia. The Soviets studied World War II actions carefully and completely. They analyzed all the events of the war and the causes of those events. They correctly assessed the value of seapower and made plans to develop seapower.

First they developed a fishing fleet because fish would provide food and would be economically self-sustaining. They now have one of the largest fishing fleets in existence, all under tight government control. Their trawlers are good but not all of them are busy fishing. A good many of them are completely equipped with electronic devices and it is no secret that some of these electronic ships are always just off the three mile limit of Cape Kennedy, New York and other ports of the United States. Nor is it any secret that these trawlers monitor the electronic signals and messages of our missile shots. They operate in the vicinity of our fleets and near all military installations close to the sea.

The results of World War II demonstrated to the Soviets the need for a Navy, but it takes a long time and much experience to develop a Navy. The Soviets were impressed by the performance of the German submarine force during world War II and so they decided to concentrate on submarines first. They built a tremendous number of submarines, using some of the Germans they had captured to help them. They probably did this because they realized that a skillful submarine campaign against allied sea lanes in war would do a great deal of damage, even though they must have also realized that they could not control the sea by use of submarines alone. Along with building over 400 submarines they built conventional cruisers and destroyers. They started to operate near their own coasts and in the Black and Baltic Seas and the Sea of Okhotsk.

It began when we started to pile up beer cans in public parks, to tolerate fumes and smoke, to walk on dirty sidewalks, to turn cities into jungles because we gave no time to loving them.

It began when we learned how to get people to buy things they didn't need, things planned carefully to wear out, when we sited junkyards in handy places, and set up markets to sell the sleaziest of imitations.

It began when we started to eat and drink too much and exercise too little, to sit down as unfit oldsters and watch increasingly soft youngsters win for us, to park an automobile in a flower bed rather than walk a city block, to arrange great spectacles about corruption in public and private life, yet produce few great moral advances.

It began when a black man and his family were not always welcome at a village church, when we made a ghetto out of the city and deserted it for still another in suburbia, when we could permit a child to go hungry at home or unloved at school.

And it began when acts of violence first seemed required for legislative breakthroughs.

No society had better tools.

We came to produce knowledge for the second and third time because we forgot that we had produced it the first time.

Our wealth was sufficient that a national project of less than a billion dollars made little, if any, news; dams could be built in the strangest of places; the GNP permitted two houses for many and none for some. Without blinking, we could go on the cuff for an Adriatic vacation, a private motor boat, a new tuxedo in junior high, a sports car with wire wheels in senior high.

Our skill was sufficient as to transform American agriculture, to add daily miracles to human health, to fashion the Marshall plan, and to make machines which do arithmetic better and remember it longer than people.

Our commitment was sufficient to effect monumental enactments in social legislation, to expand budgets for sending a man to the moon, and to devise new ways of community development, regional cooperation, and communications in the federal system.

We wanted to do these things. We wanted to do them more than slow the erosion of community life. If a further denigration of values is not to occur, we shall have to want to do something about the covenants of community life. Much will be required than we already know how to do.

There are some other steps we shall have to learn together.

We shall have to learn something of the sophistication and complexity of American society, of how general and interdependent its problems, how specific and discrete its solutions. This rift in the nature of problems and solutions is at the heart of much of our civic anguish.

We shall have to change the imbalance between our versatility with hardware and the neglect of institutions. *We are no longer able to buy our way out of it.* Billions of dollars and the proliferation of programs will not transform communities unless poor schools based on pastoral memories, courts and police offices based on frontier standards, and cities strangulated by antique jurisdictions are *all* transformed to serve the corporate existence.

We shall have to learn better how to live amid the separation of a man's job from his family and neighborhood life. All of us juggle the specialized parts we play, and all of us are juggled about in the process. Stressing occupation, we have elevated its status and narrowed the meaning of success.

We shall have to once and for all believe that it is a scandal that a fifth of our people live in poverty. The choice is hard upon us—whether or not to embark upon a great national tithing in order to cut out the malaise, the discrimination, the hunger, the cheapness, the violence, the untidiness, and the deprivation that has isolated us one from the other.

We must bring the media of communications to help fulfill the wants, and the bizarre anxieties surrounding them, that these media now provoke. The meaning of "communicate" is to make common. Its *purpose* is the creation of community. In the same way, the meaning of *"publish"* is to make public. *Its* purpose is the creation of the public: a collective noun meaning people with shared interests. The life-blood of free societies is dialogue; its *purpose*, the formation of working models; its *human* compulsion, the deep drive of our species to create communities to belong to.

Robert Kennedy called out to us the urgency of shared purpose, not as a subversion of individuality, but rather its enhancement by helping us reach for a strength beyond ourselves. He has been taken from the quest, but, as we must pledge, not that message which he gave us. To ignore it means that the pain of our self-centeredness will continue to grow . . . even more unhinged from family love, from the community of faith, and from a genuine Public.

Our self-centeredness, isolated from the action of relationship and therefore from an understanding of self, corrodes our role in the changing international order and, I must say, also in the lives of academic men. As we came to be told that the university was the last best hope of man, we took it in and believed it. With exuberant pridefulness, we often viewed society as some capricious infant, unable even to forge new instruments if academic men were to fail. Thus in such blissful euphoria we who tend the centers of the highest learning turned partially aside from creating new forms and imparting needs to society—without which wisdom itself is isolated.

No commencement will ever again be the same. Statring today, it will make little difference whether your diploma reads engineering, law, English, or medical technology. The true difference will come with the flash of insight about how unchained the revolution in man-thinking has become from his institutions. And I hope, too, that this insight will nurture still the understanding, rising from some mystical residue gained at the University of Florida, for knowing what makes a good man or woman, what goes into a good community, into good government, into good music and art, into good human relationships.

In all of my unsureness today, perhaps separated from you in age and generation far greater than these few years between us, I can tell you at least one thing that is true. No power over another, no vicarious visibility, no sought-after prestige, no rank elevated above the people, will make you as happy as the smile of a child you knelt down to help, or the continuing love of your family, or the honest thanks from a student you took the time to know, or some unrewarded act of goodness that counted in the neighborhood of your choice.

I've known something of power, visibility, prestige, and rank. They have no worth unless subordinated to service, which is to say, shared purpose. I knew it when an obscure professor drew down a volume from his shelves for me, and, in that instant, turned me to the academic life. I knew it when an obscure farmer who, after a night of cooperative labor assisting his prized ewe with the delivery of her mixed-up twin lambs, said to me: "Son, I will never forget this night, or you."

Unsure, perhaps inept, I have come to you, having learned not without suffering, a small bit of that lesson Senator Kennedy has taught us so fully and courageously: *as we exalt the hand as infallible, we shall desert the mind and heart.*

Thusly I would pray with you that we may come one day again to love justice, do mercy, and walk humbly together.

DAVID E. GRANT: IN MEMORIAM

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. KUPFERMAN. Mr. Speaker, David E. Grant, Esq., my constituent and friend, was a well-known lawyer and expert in Latin American law.

He was not only active in commercial matters, but also in "good neighbor" activities for Central and South America.

Although he lived to a fine old age, his passing leaves a void not only for his family and associates but also in the area of international relations.

The following obituary from the New York Times of Wednesday, June 12, gives some measure of the man:

DAVID GRANT, 75, OF LAW FIRM HERE—SPECIALIST IN LATIN AMERICAN AND AVIATION CASES DIES

David E. Grant, an international lawyer here who specialized in Inter-American and Latin-American questions, died yesterday of a heart attack at his home, 430 East 86th Street. He was 75 years old.

Since 1932, Mr. Grant had been foreign counsel in charge of Latin-American affairs for Pan American World Airways, Inc. He had his headquarters in New York City but frequently traveled to Latin America. He had been senior member of the law firm of Grant, Herrmann & Schwartz, 1 Wall Street, since its formation as Grant & Herrmann about 1948.

He was a short, active man with a smoothly informal afterdinner speaking style in both English and Spanish.

He was said to have done much to cement political and economic relations between the United States and Latin America and to have been instrumental in helping to draft laws in Latin-America republics relating to American aviation. He was an expert on aviation law.

Mr. Grant was born in Abiquiu, N. M., on May 17, 1893. His parents were Mr. and Mrs. Henry Grant.

IN SPAIN DURING FIRST WAR

He graduated from City College here in 1913 and was secretary to the military attaché of the United States Embassy in Madrid in 1917–19. In 1920, he received a law degree from Columbia University.

He practiced in Santa Fe, N. M., from 1920 to 1923 and served as special assistant to the Attorney General of New Mexico. He became assistant counsel to the General Sugar Company in Havana, then started in practice here in 1925 as a specialist in Latin-American law. He was a member of the law firm of Schuster & Feuille here from 1930 to 1932.

A former adjunct professor of law at New York University, Mr. Grant had lectured on Latin-American commercial law at the university's Law School and on aviation law at its Guggenheim School of Aeronautics, as well as on Latin American civilization at City College.

From 1943 to 1947 he was the moderator of a radio program in Spanish that the National Broadcasting Company beamed to Latin

America, answering questions on American public affairs asked on the radio or by mail.

SERVED INTER-AMERICAN BODIES

Mr. Grant was on a commission of legal experts of the Pan-American Union in Washington from 1934 to 1938 and had served on the Inter-American Commercial Arbitration Commission, which dealt with commercial disputes.

At a dinner at the New School for Social Research in 1945, he said racial intolerance and the cessation of lend-lease would be two principal threats to Western hemispheric solidarity after World War II. "Santa Claus," he said, "is never popular when he packs his bag to go home."

Mr. Grant, a former president of the American Brazilian Association, was in 1952 made a Commander of the Order of the Southern Cross, the highest honor granted to a foreigner by the Brazilian Government, for his many years of service to improvement of commercial relations between that country and the United States.

He had been a vice president of the Bolivarian Society of the United States and president of the Colombian American Chamber of Commerce. He was active in the American Bar Association and the Association of the Bar of the City of New York.

Surviving are his widow, the former Pauline M. Greenberg; a son, Robert L.; a sister, Frances R. Grant; a brother, Joseph B., and six grandchildren.

A funeral service will be held Friday at 9:45 A.M. at the Riverside, Amsterdam Avenue and 76th Street.

FLAG DAY

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. HAGAN. Mr. Speaker, today is Flag Day and I would like to call to the attention of my colleagues an editorial which appeared in the June 6 issue of the Soperton News, a fine weekly publication in my district. I believe it expresses quite well the deep meaning that should attend this observance:

FLAG DAY, 1968

The calendar tells us that we soon will be observing Flag Day. This year it should be proud to look upon the American flag as the greatest national symbol ever unfurled from any standard. It represents a nation formed on the unprecedented principle that the powers of government are derived from the people. The U.S. flag exalts the individual and the constitutional guarantees which preserve his freedom. It represents a people that have been generous, heroic, and creative. It is the symbol of freedom from political oppression, of opportunity to make a better life to which the oppressed of all nations have turned with hope and been fulfilled.

Flag Day is a good time to get back to basics and recognize that a tingling up your spine when the stars and stripes go by is one of the surest signs that the vitality and genius of this nation and its capacity to achieve great things on the stage of history is still very much with us. Despite our mechanized, computerized society, the fact remains that anything having to do with human endeavor rests upon an intangible quality of spirit in the individual. Some individuals have it in larger measure than others, and the same is true of nations.

The greatness of the United States is based on the spirit of her people. Let us remember in these complicated days of our history, there is much need for simple patriotism, deeply felt and clearly shown.

ADMIRAL BURKE'S ADDRESS TO THE ROTARY CLUB OF CHARLESTON, S.C.

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. RIVERS. Mr. Speaker, on May 30 I had the privilege of introducing Adm. Arleigh Burke to the Rotary Club of Charleston, S.C. Admiral Burke, who served with such great distinction as Chief of Naval Operations for 6 long years, delivered a splendid address. Its message, both as regards our maritime position in relation to the Soviets and our general reaction to national security threats, is so timely and so true that I want all of my colleagues in the House to have the opportunity to read it.

The contrast between the growing power and position of the Soviet merchant marine and the sad shrinkage of our own merchant fleet is tellingly presented in Admiral Burke's remarks. The admiral points out, for example, that our merchant fleet is about the size that of Greece and that our country imports about $500 million worth of fish a year, some of them caught off our own coasts.

With regard to our reaction to world situations, I would particularly call your attention to the following comments by Admiral Burke:

> In the event it becomes necessary for the United States to resist another aggression, I don't think we should be as docile as we have been in the past. When it became necessary to take military action I would hit hard, fast and firmly in order to convince the enemy as soon as I could that his aggression would be repulsed and that he could not possibly win. The enemy would be severely hurt quickly so that he would realize his aggression did not pay and could not pay.
>
> When he stopped his aggression and withdrew I would withdraw our forces at once. In the case of an ally under attack, I would hope this would do two things: first, make the aggressor realize that aggression would be punished quickly; and second, impress upon the ally that we would assist him quickly but also that the maintenance of internal order was his own responsibility. I realize that in some instances United States forces might have to go back in again, and this I would be prepared to do.
>
> In short, after an enemy starts a war, I would hope our forces would exercise initiative and the enemy would have to adjust to our attacks, to our initiative, to our surprises, and that we would fight in his territory, instead of our reacting to enemy attacks and letting the enemy choose the type of battles, their timing and their place.
>
> In situations short of armed conflict, I would be sensitive.
>
> Above all, if any of our ships were attacked any time, any place, that ship would fight and she would have assistance quickly sent to her to help her—or to pick up survivors.
>
> If the communists heckle us with impunity, if they attack us without penalty, if they create incidents without punishment, someday they'll go too far, and we'll surprise them, and fight—and we'll be in a larger war than if they realized earlier we would fight. It is for this reason I would be sensitive to incidents created to humiliate us, or to demonstrate we do not react rapidly.

The address follows, and I sincerely hope that it will have wide readership:

ADDRESS BY ADMIRAL BURKE

Ladies and Gentleman: I greatly appreciate being introduced by Congressman Rivers. There are a lot of good men in Congress who work hard for their country, but no one has done more for the United States than Mr. Rivers. He knows where he stands on all significant issues—and more importantly—so do other people. His staunch, forthright positions are correct and his leadership and wisdom are needed as much as they are admired in these troublesome days. The Navy and the other armed services are very fortunate that the mantle of leadership of the most important committee in Congress has fallen on the broad competent shoulders of the senior Congressman from South Carolina.

I also am grateful for the opportunity to come back to Charleston again. I'm sorry to have missed azalea time in this beautiful state, but we had to go to Japan and other countries in the Orient at that time. Japan is noted for having some of the most beautiful gardens in the world, and that reptuation is well deserved. Still the gardens there are no match for South Carolina in bloom in the springtime. You are fortunate to be able to live in this area.

You probably won't be surprised that I am going to speak about the Soviet Union and why and how the Soviets are developing seapower as a primary means to carry out their often repeated threat to destroy all non-communist governments and to bring the world under their domination.

As you all know, right after World War II, the Soviets not only took over the nations on its European borders, but also took as many German scientists as they could capture to Russia. The Soviets studied World War II actions carefully and completely. They analyzed all the events of the war and the causes of those events. They correctly assessed the value of seapower and made plans to develop seapower.

First they developed a fishing fleet because fish would provide food and would be economically self-sustaining. They now have one of the largest fishing fleets in existence, all under tight government control. Their trawlers are good but not all of them are busy fishing. A good many of them are completely equipped with electronic devices and it is no secret that some of these electronic ships are always just off the three mile limit of Cape Kennedy, New York and other ports of the United States. Nor is it any secret that these trawlers monitor the electronic signals and messages of our missile shots. They operate in the vicinity of our fleets and near all military installations close to the sea.

The results of World War II demonstrated to the Soviets the need for a Navy, but it takes a long time and much experience to develop a Navy. The Soviets were impressed by the performance of the German submarine force during world War II and so they decided to concentrate on submarines first. They built a tremendous number of submarines, using some of the Germans they had captured to help them. They probably did this because they realized that a skillful submarine campaign against allied sea lanes in war would do a great deal of damage, even though they must have also realized that they could not control the sea by use of submarines alone. Along with building over 400 submarines they built conventional cruisers and destroyers. They started to operate near their own coasts and in the Black and Baltic Seas and the Sea of Okhotsk.

At the end of the war the Soviets had no merchant marine and her shipyards were obsolete. She ordered ships from foreign yards and thus was able not only to increase her merchant tonnage but could also learn the techniques and new ideas used by foreign yards. She modernized her shipyards and made full use of West German and Finnish war reparations and Eastern European shipyards to build a fishing and merchant fleet. Now the Soviets have a big merchant fleet. She carries nearly all her own trade in her own bottoms. Her merchant fleet is still growing rapidly.

Although the merchant marine can be used in war as a fleet auxiliary it has a significant political utility in ordinary times. Soviet spokesmen have defined the purposes of the merchant marine:

a) To free the Soviets from reliance on foreign flag ships for any purpose;

b) To permit the Soviet Union to exert a decisive influence on international maritime freight rates; and

c) To enable the Soviets to become a major carrier of the commerce of other nations.

These are good sound objectives for any nation.

Supplementing the Kremlin's merchant marine is a highly organized program of oceanographic and hydrographic research. Over 200 vessels are now engaged in studying every ocean in the world. They are placing emphasis on applied research. The knowledge they gain from this extensive and expensive program will stand them in good stead no matter what happens.

About a dozen years ago the Soviets started a program of new Navy ships. They have some modern frigates, destroyers and destroyer escorts. They are building helicopter carriers. They have reinstituted their Naval Infantry. New landing type ships have recently been launched.

More importantly it is evident the Soviets decided to give their Navy missions other than supporting the Army and furnishing logistic support for the Army. In the last few years the Soviet Navy has been operating more and more on the high seas. They have a significant force in the Mediterranean, and during the recent Arab-Israeli war they put their fleet into Egyption ports and probably influenced the Israelis thereby. Also, the Soviet naval presence in the Mediterranean has a deterrent effect on the United States. Some of their units are operating in the South Atlantic, and as you know they have also extended their operations in the Pacific. They recently sent a squadron into the Indian Ocean for a visit to India, and for the first time in history, the Soviet Navy has visited the Persian Gulf—an area which has 60 per cent of the world's known oil reserves.

It is evident why the Soviets have developed seapower, for they have studied history and war. They know that seapower is of prime importance to a nation if it is to become powerful. In the last century those nations that became great developed seapower in the process. They realize that in the last century those nations which lost their seapower lost their ability to influence events in the world.

It is also evident that the Soviets will continue their drive for complete seapower. There will be more and more economic competition and a significant part of this will come in the fishing and maritime industries. They are still expanding their fishing fleets and their merchant marine.

They are not only building many new types of naval ships, but they also are expanding their operating areas. In the future we can expect to see more of their naval task forces in more seas, including the Caribbean, to flex their muscles and show their power to the world they want to come under their control.

They will try to fill the vacuum which the British withdrawal has caused in the Indian Ocean.

They will concentrate on trying to get control of strategic straits and other crossroads of the sea, like the Strait of Malacca, Suez, Strait of Gibraltar, and the seas south of Cape Horn and the Cape of Good Hope. In those areas in which they cannot probably get control, like the Panama Canal, they will try to institute other measures which would reduce the utility of such areas to the West.

The Soviets will try to foster an atmosphere which will permit their warships to call in many places of the world, especially in the Mediterranean and the Red Sea. Coupled with improved afloat logistics systems, these calls will permit the Soviet Navy to remain deployed for longer periods and at greater distances from their homeland.

Nobody can have any objection to the USSR building her seapower or to increasing her economic competition, and it is not these matters with which the United States and other free world nations are concerned.

What is of concern to the free world and especially to the United States is that behind nearly every Soviet action is their intention to destroy any society or any government that opposes them and to make communist satellites of the rest of the world. They say this frequently, and I, for one, believe it.

Even the economic base they have developed in the Soviet Union is built around production of war-making material.

So, as the Soviets increase their seapower, I expect the Soviets will take other actions. Some of these actions have already started.

They are heckling our ships in the Mediterranean and other places. They interfere with our operations as much as possible. Probably this heckling and this interference will increase.

The communists captured the *Pueblo* on the high seas, an act of piracy if there ever was one. The United States exercised great patience in that instance, much more patience than I would have recommended, I fear. Possibly other similar attempts will be made in the future, including the possibility of capture of merchant ships, perhaps of other nations.

There may be direct and serious confrontations between units of the United States fleets and the fleets of the various communist countries.

Of course, in addition to such actions I expect two psychological campaigns to be intensified by the Soviets.

The first campaign will be to do what they can to reduce the military capability of the United States, to sap the energy, enthusiasm, ability of our people and those of our allies; and to create disturbances within the United States and other free world nations. I don't mean to say that the communists are the source of unrest in our country, or control the thinking of many Americans. But I do mean that they will take advantage of any unrest anyplace and take advantage of any anti-war or anti-military feeling to exacerbate the situation and make the United States as weak and unresisting as possible. The communists have demonstrated their expertness in this technique in other parts of the world. Many of the slogans and programs used by our countrymen in opposition to our government taking action against communist aggressions do have their origin in communist groups. This type of communist action can be expected to continue and to be intensified.

The other psychological program I expect the communists to intensify as much as possible is an anti-United States sentiment throughout the whole world. They are pretty good at this already. Again not all anti-United States feeling is sponsored or controlled by the communists, but some of it is and I have not yet heard of any instance in which the reverse was true.

Against all this background of what the communists have done and what they may do, it is well to take a quick look at what we, the United States, have done.

We have a small fishing fleet. We import about $500 million worth of fish a year, some of them caught off our own coasts.

We have a small merchant marine and it's getting smaller. We carry an insignificant amount of our own goods in our own bottoms and it's quite clear that we, as a people, don't care much. We haven't done anything much about it, and there is little evidence that anything will be done. Our merchant marine is about equal to that of Greece, and if the trend continues next year we will fall further behind.

We do have a strong powerful Navy—the best in the world. As long as we have people in Congress who realize that United States security is dependent on naval power, I expect our Navy will remain the most powerful one. We can take action to stop the aggression of the communists in Vietnam because our Navy can control the seas. The allies could win World War II because our Navy did gain control of the seas. The United States can take whatever action is necessary in any part of the world in the future only if the United States has a Navy powerful enough to control the seas.

And that's important because Vietnam will not be the last communist aggression. The Middle East is in a turmoil now and nobody knows what may happen there within a year. India is fracturing and neither the Indians nor anybody else seems to be able to stop it. There will be trouble there one of these days. Africa is as full of war and revolts as it has been in the last few years and that's going to continue.

And all these possible trouble spots as well as the war we are now in bring up the question of how the United States should exercise its power.

Over the generations the United States has become a powerful nation. We did not intend to become the most powerful nation in the world but nevertheless by 1950 we were the most powerful. The United States recognized that along with great power go great responsibilities; but our people have certain characteristics which even we Americans sometimes do not understand. Among them is a real genuine abhorrence of war. Another one is idealism and wishful thinking. We would like to have a world of perfect men who would live together in complete harmony and sometimes we base our actions on the mistaken belief that that happy condition has arrived.

These characteristics may have caused us to refrain from exercising our power in a manner to reduce disorder in the world. Our failure to exercise our power properly and in a timely manner may have been the fundamental cause of some of the unhapply situations of disorder now existing in many parts of the world.

Certainly the United States cannot become "the policeman of the world." So we should restrict our activities to those in which our national interests are involved, and we should not involve the United States in any controversy or incident in which United States interests are not involved. The primary responsibility of any sovereign country is first of all to preserve and enhance its *own* security and the well-being of its *own* people. Unless these are accomplished, no nation can work effectively for peace and justice or anything else in another part of the world.

We should take very seriously the statements frequently made by the communists. Until, by their actions, the communists proved they had changed their intentions, they can be expected to try to do what they say they will do, to "bury us" by one means or another.

We should, of course, insure that the United States meticulously meets every international obligation we have, and that *is* one thing I am sure the United States *will* do, no matter what else happens.

We should insure that our nuclear retaliatory capability is sufficient to destroy any nation that launched a nuclear attack against us, no matter how or when or in what manner that attack were launched.

It behooves the United States to continue research and development on new weapons systems and to continuously improve its existing weapons system within a reasonable budget. We should build enough missiles, aircraft and ships to insure that our military capability is always capable of defending United States interests. Because of the importance of seapower to the United States and the emphasis that the USSR is placing on seapower, and particularly because of the usefulness of seapower in local wars or limited wars, emphasis should be placed on maintaining superior seapower.

In the event it becomes necessary for the United States to resist another aggression, I don't think we should be as docile as we have been in the past. When it became necessary to take military action I would hit hard, fast and firmly in order to convince the enemy as soon as I could that his aggression would be repulsed and that he could not possibly win. The enemy would be severely hurt quickly so that he would realize his aggression did not pay and could not pay. When he stopped his aggression and withdrew I would withdraw our forces at once. In the case of an ally under attack, I would hope this would do two things: first, make the aggressor realize that aggression would be punished quickly; and second, impress upon the ally that we would assist him quickly but also that the maintenance of internal order was his own responsibility. I realize that in some instances United States forces might have to go back in again, and this I would be prepared to do.

This type of strategy is one reason I would stress the maintenance of Naval forces in a high state of readiness.

In short, after an enemy starts a war, I would hope our forces would exercise initiative and the enemy would have to adjust to our attacks, to our initiative, to our surprises, and that we would fight in his territory, instead of our reacting to enemy attacks and letting the enemy choose the type of battles, their timing and their place.

In situations short of armed conflict, I would be sensitive. If any nation heckled our ships, I would retaliate in kind. If the maneuvers of our forces were interfered with, I would interfere with their maneuvers, but bettter. If they started a game of heckling or interference or harassment, let them be the first to say "enough."

Above all, if any of our ships were attacked at any time, any place, that ship would fight and she would have assistance quickly sent to her to help her—or to pick up survivors.

I know that the policies described above are not currently popular. Many people believe that such actions might bring on war and devastation. Many people sincerely believe that we should exercise extreme patience, that we should always try to negotiate before any severe action is taken, and that we should never react violently to provocations.

In answer to this I would point out that we do not initiate such actions. The communists do. And when they do initiate them, I think they should be hurt, and fast. If they stop then—so do we. If they don't stop, it is true there is danger of war.

But there is danger of war anyway. If the communists heckle us with impunity, if they attack us without penalty, if they create incidents without punishment, someday they'll go too far, and we'll surprise them, and fight—and we'll be in a larger war than if they realized earlier we would fight. It is for this reason I would be sensitive to incidents created to humiliate us, or to demonstrate we do not react rapidly.

The policies of a government are set by civilian officials elected by the people. That is as it should be. This means that all policies set by a government and all actions taken by a government must be determined by the political people at the head of the government. This means that the military will necessarily take action within prescribed restraints of the political heads of the government.

If our nation is to remain the leading nation in the world our governmental goals and policies must be clear and distinct, not only to all of us but to all the world. Above all, they must be based on wisdom as well as generosity, and they must be realistic as well as idealistic.

A WORTHY CRUSADE

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. MILLER of California. Mr. Speaker, in observance of National Flag Day, I would like to include this editorial from the Alameda, Calif., Times Star, in the hope that Americans would support the suggestions therein and pay homage to those who have made the supreme sacrifice for their country:

A Worthy Crusade

"If we can do it for nationally-known persons, why can't we do it when one of our boys gives his life?"

With this guiding thought, an Alameda man yesterday launched a campaign which we hope will culminate in a new, though sad, tradition in our community.

He read in yesterday morning's Times-Star of the Vietnam combat death of Marine Pfc. Michael W. Williams, son of Mr. and Mrs. Charles F. Williams of 2158 San Jose Ave.

"I fly the Flag daily at my own home," said our caller, who asked to remain anonymous. "I lowered it to half-staff in honor of this boy, whom I didn't know personally. I had lowered it in memory of Dr. Martin Luther King and others nationally-known persons, so why shouldn't it be lowered in honor of this young Marine?

"Then I thought of the highest flagpole in town, the one in the South Shore Shopping Center. I went out there, polled the various merchants in the center, and within 15 minutes the Flag was brought down to half-staff, to remain there throughout the day.

"I think we should do this every time one of our Alameda servicemen dies. Even if we don't always agree with our policies in Vietnam or the way the war is being conducted, we owe these men at least this much for the sacrifice they have made.

"Many of us seem to want to be guided, these days, when we should be doing something on our own. Nobody has to tell me to fly the American Flag at my home, and nobody has to tell me when it should be lowered to half-staff.

"If it doesn't accomplish anything else, flying all our Flags at half-staff when we learn of the death of one of our servicemen will at least let his family know we share some of their grief."

We respectfully endorse this gentleman's suggestion and offer it for the consideration of government officials and individuals.

WHERE DO WE GO FROM HERE?—AN ADDRESS BY THE HONORABLE WILBUR J. COHEN

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. MOORHEAD. Mr. Speaker—

This time, like all other times, is a very good one, if we but know what to do with it.

These words of Ralph Waldo Emerson, spoken more than 130 years ago, still apply today—in spite of our many problems, in spite of the emotional void in which we find ourselves.

In an address before the HEW Forum yesterday, the new Secretary of Health, Education, and Welfare, the Honorable Wilbur J. Cohen, addressed himself to the problems, issues, and challenges facing the American people today—problems which he optimistically regards as signs of the "dynamism of hope."

We are indeed fortunate to have men of his vision, versatility, and vitality in a position of leadership today—he knows "what to do with it."

I include the Secretary's remarks at this point in the Record:

Where Do We Go From Here?

(By Wilbur J. Cohen, Secretary of Health, Education, and Welfare)

You will recall that this meeting was originally scheduled for last week—the day of the tragic shooting of Senator Robert F. Kennedy. Once again we were all shocked and horrified by the senseless assassination of a national leader.

On Saturday I rode on the train that carried Senator Kennedy's body from New York to Washington, D.C. That train ride revealed to me, in an emotional and powerful way, the deep concern of Americans with these tragedies. Hundreds of thousands of individuals lined the railroad tracks all along the way in a moving expression of regret and respect. These Americans—young and old, black and white, rich and poor—stood for hours in city train stations and in rural areas to convey, in the most personal way they knew, their sense of loss and remorse.

Their presence was heartening to me. They expressed, individually and collectively, the reservoir of good will and concern for others on which our democracy is founded.

But how do we channel this concern into constructive actions? And how do we focus it on the violence and injustice that enter the lives of thousands of Americans every day?

Why does it take an assassin's bullet to fill Americans with remorse and resolve when millions of lives are lost or stunted by poverty, illiteracy, and ill health every year? How do we mobilize a national concern for the everyday tragedies of infant deaths and hunger?

Our society is full of restlessness and full of hope, dazzled by prosperity and dimmed by despair, replete with opportunity and crisis.

Consider our economic and social progress. Affluence abounds; productivity is on the increase, personal incomes are reaching new highs; more of the nation's income is being devoted to education and health, and the war on poverty; more social legislation has been enacted in the last 5 years than in all of our history.

Yet there is a growing restlessness—an impatience with the gap between expectation and reality. And intolerable it is to those who still suffer from poverty, discrimination, ill health, inadequate education in the world's most affluent nation.

I believe that the impatience and discontent now being exhibited by various segments of the population are healthy signs—signs of the dynamism of hope. I believe it will quicken the pace of solution. As de Tocqueville once pointed out: "The evils which are endured with patience as long as they are incurable, seem intolerable as soon as a hope can be entertained of escaping from them."

PROBLEMS AND ISSUES

Let me list some of the major domestic problems facing our society and our Department as I see them.

1. *The most important and pressing domestic problem calling for national solution is racial inequality and discrimination—an intolerable condition in a democratic society.* We must break down age old customs and attitudes that judge a man by his color, religion or nationality—prejudices that breed fear, hatred, and distrust. We must make equality of opportunity a reality. Racism in any way, shape or form must be eliminated.

Ways must be found to open up all the avenues of opportunity for all citizens and to insure freedom of choice in their decisions about where they shall live, or work or go to school—unrestricted by the barriers of discrimination. We must abolish the dual school system whether in the South or the North.

2. *A second national problem is poverty, the stimulation of continued economic growth, and the expansion of jobs for the disadvantaged.* One of the most significant developments of recent years has been the growing consensus that productive and satisfying jobs and income security should be assured all members of the labor force; and that an adequate income should be provided under dignified conditions for workers and non-workers alike.

There is widespread agreement that poverty can and must be eliminated. But as yet there is no general agreement on how it specifically should be done. Many good ideas are competing in the market place—the guaranteed income, the negative income tax, family allowances, and the wage supplement. Out of this discussion will come some new proposals. Somewhere in our great Department, among the able men and women working on these new ideas, I hope there is someone who will help develop the practical provisions of an acceptable plan.

I believe that poverty and hunger can be eliminated by a combination of continued economic growth, jobs, education, training, elimination of discrimination, and improvements and changes in our income maintenance programs.

If the minimum monthly social security benefits were raised to $70 for an individual and to $105 for a couple, one million people would be lifted out of poverty in one stroke. Further improvements in coverage and an across-the-board increase in benefit amounts could greatly reduce the number of people who live in poverty. We could take these steps early next year without waiting for longer-run changes which may require extensive debate.

In addition, radical changes must be made in the existing welfare system—in the scope of coverage, the adequacy of payments, and in the way payments are administered. One way we could approach the problem is through a Federally financed system of income payments for the aged, blind, disabled and dependent children with eligibility, the amount of payments, financing and appeals determined on a national basis as a substitute for the present State-by-State welfare programs. This would overcome many of the problems of inequity, State variations and fiscal inadequacy which have plagued the present welfare system for over 30 years.

The success of any of our efforts to eliminate poverty, of course, depends on the continued economic growth of the Nation. We must pursue enlightened monetary and fiscal policies that will insure the healthy growth of the economy. And we must close tax loopholes and adjust our tax system to pay for the improvements in social programs which are so vitally necessary.

3. *A third problem is the future of our educational system.* Today, too many of our schools are in trouble financially, socially and culturally. They are inadequately financed, inefficiently organized and unable to meet the demands of an increasingly complex society.

We need schools that will prepare children for mature, responsible citizenship; schools that will reinforce the moral and social values that are necessary in a democracy; and schools that will introduce children to the excitement of learning and thinking.

We must assure not only equal opportunity to education but equal access to high quality education, through a much greater investment in education, from day care to graduate school. New ways of financing education must be found.

We must encourage and support research that delves into the secrets of learning and creativity. We must be willing to experiment with new ways of delivering knowledge, enlisting new personnel to work in the educational system. And the universities must be encouraged to participate more actively in the process of education at all levels.

The vitality of our Nation is to a large extent dependent on the effectiveness of American education. Our Nation will be greatly endangered unless we have a large corps of professional and technical personnel. The universities are a primary source of the new knowledge we need so desperately. Ways must be found to finance and provide the quality and the innovation that higher education needs if it is to meet the demands of tomorrow.

4. *A fourth problem is the inadequacy of our health care system.* There are serious deficiencies in the way health care is organized, financed, and delivered in the United States. Despite recent landmark health legislation and a $50 billion annual health bill, we are far from assuring every American the right to the best health care modern medical science makes possible.

We don't have enough trained health workers or enough facilities. Those that we do have are not used with the maximum effectiveness. As a result, costs are higher and many people go without needed care.

We are not preventing all the diseases we know how to prevent or reversing all the handicaps that can be reversed. As a result, people are suffering and dying needlessly.

We are not making health care available where it is needed most—in our city ghettoes and rural slums. As a result, morbidity and mortality rates in those areas are shockingly higher.

Ways of correcting these deficiencies must be found. We must be willing to invest wisely and to experiment with new ways or organizing, financing and delivering health care. Both the public and private sector need to reach out with new health services, particularly for the poor, the disadvantaged and for children. For example, we need to find ways to extend health insurance protection to groups not now covered and to broaden the scope of coverage.

We need a total new effort in the field of child health, including comprehensive prenatal and postnatal care for all children. And one of these days, I believe, we will have a "kiddie care" program in addition to Medicare.

5. *A fifth problem is the quality of our environment.* The air we breathe is polluted, our cities are becoming broken down tenements, concrete and macadam are rapidly replacing the green grass; we drive miles to parks that may be overcrowded when we get there.

We must find ways to improve the quality of our environment. Our resources are not boundless and we must learn to conserve, preserve and better manage the valuable ones we have. We must be willing to invest more thoroughly in the management of natural resources. In an increasingly mobile and leisure-oriented society greater open spaces with woods, parks and clean rivers and lakes are a basic need.

We need to find ways of relieving overcrowding and minimizing situations of stress which impair mental health. Advanced technological knowledge must be put to work building new towns and rebuilding old towns. We must make our cities the places of beauty and the economic, social and cultural centers they were meant to be, with easy access to jobs, libraries, art, music, and outdoor recreation.

6. *A sixth problem is the communications gap—not only among the races but among the young and old, the poor and the nonpoor.* We must begin talking *with* each other than *at* each other; communicating our desires, ideas and frustrations. This is a problem in *every* institution of modern day society—from the family to the Federal Government.

We must find better ways of encouraging people to speak out before they reach the explosion point. Television, for example, is a relatively untapped reservoir today, and the potential of educational TV for communicating ideas and stimulating discussion is unlimited.

But we need to find other ways to keep the dialogue open and to make sure that we hear what is being said. Those in authority should listen and learn—and respond, wherever possible. But I must also add that those who are protesting must also be willing to respect the rights of others, to listen and to help constructively in the resoluion of the problems.

The poor must have a larger role in all the programs that affect their lives. Parents must be given the opportunity to participate in the decisions that are made about their child's education. Students must be given a larger role in school activites. City halls must be closer to the people they govern. Citizen participation must be encouraged in every institution.

7. *A corollary to this problem is that today many of our essential institutions are not able to respond effectively to society's needs.* They must be vitalized and strengthened.

We need to start with our basic institution—the family. All of our efforts in health, promote a wholesome and stable family life. education, and welfare, are designed to promote a wholesome and stable family life. This is the basis for efforts to assure every family access to family planning information and services.

Increasing investments in family planning services will greatly strengthen the integrity of the family and will help to assure that every child will be a loved and wanted child—the key to healthy development and mature adulthood.

And we must also strengthen the institutions that serve families—Federal, State and local governments, voluntary agencies, and the universities. Many of our institutions are faced with severe financial problems and hampered by outmoded, antiquated policies and procedures. They need to be modernized and strengthened so that they can respond more readily to changing human needs and deal more effectively with intricate, complex problems.

Perhaps new Federal-State-local arrangements are required. Many problems—water and air pollution for example—clearly extend beyond State boundaries and are regional in character. The proliferation of local government units—school districts, water districts, sewage districts—each with its own authority, and overlapping jurisdictions gives rise to a number of serious problems in the effective management of public programs.

We need modern charters based on today's urban realities. The problems are metropolitan in scale and do not lend themselves to single shot specialized fragmentary treatment. Local governments should be so grouped so that decisions can affect a wide multitude of problems.

There are two possible approaches to the problem: (1) Enlarge the jurisdictions of local governments to take in both the central city and suburbs by creating a regional federation of local governments to handle a specific function such as education; or (2) create a unified metropolitan government with broad responsibilities. Other ways of reorganizing our governments should also be explored.

New methods of financing public services must also be found to improve the tax structure and tax yields. In order that communities may expand their services, property taxes should be eliminated or at least drastically reduced and alternative methods of raising revenue used.

The public-private partnership also must be vastly expanded and strengthened. The private sector can make many contributions to meeting community problems. For example, business could play a much greater role in helping to improve the quality of education in inner-city schools. Universities should be encouraged and supported in their efforts to help solve the problems of our cities, including the problems of the students who live there.

8. *Finally, there is the problem of continuing the commitment of the American people to social progress and to the supremacy of human values.* We must maintain the interest of the American people in social progress. Rather than reacting on a crisis by crisis basis, they must be encouraged to expand their vision, to view problems in all their complexity and interrelationships, and to work toward long run as well as immediate solutions. We must create a climate in which the average middle class, middle age voter is sensitive to the needs of a minority and does not ignore or resist their valid protests, and in which the minority does not resort to lawlessness to register those protests. We must replace divisiveness and violence with meaningful dialogue.

An immediate step that can be taken is to keep murderous weapons out of the hands of criminals, the young, the irresponsible and the deranged. And that means effective gun control legislation. The people of the United States want strict control of guns. Their safety demands action now.

We must also seek to understand the reasons for violence and crime. The Commission to study violence, appointed by President Johnson last week, will look into the causes, the occurrence and the control of physical violence. The causes of these acts must be brought to the attention of the American people, so that they may act constructively to prevent them. We have much to learn. We hope that through the work of the Commission, supported by criminologists, sociologists, psychiatrists, and other scientists, we will find the reasons for the hatred and bitterness that lead men to violence and the methods to deal with it.

WHERE DO WE GO FROM HERE?

I have by no means exhausted the list of challenges facing the American people. What I have attempted to highlight, however, are those that are most relevant to our Department.

What kinds of conclusions can be drawn about these problems? How will we respond to them—in our society as a whole and within HEW?

I can't provide a blueprint for the future. But I would like to identify certain elements that will determine our response.

Perhaps that most important factor is the general and widespread recognition that these *are* national problems, requiring a national solution. I believe there is no longer any serious debate—as there was as little as five years ago—that, for example, many people in this Nation are not getting adequate medical care or satisfactory nutrition or that job opportunities are closed to whole segments of our population. Many of the searing ideological issues have been largely resolved.

The question now is not *should* there problems be solved but how best *can* they be solved. What kind of mix of Federal, State, local, and private initiative can best do the job?

Setting the elimination of poverty as a national goal is a huge, demanding undertaking. It is infinitely complex. If our nation has big headaches, that's because it has big dreams. And I want it to continue to have big dreams, even if this means big headaches.

There are some who have suggested that the situation could be eased if we would cut back on the goals and expectations publicly expressed. Don't promise so much, these critics say; don't raise expectations. But I am certain the American people will not be satisfied with anything less than the best kind of society and the best kind of life for every individual in that society. And I believe we must continue to make new promises, dream new dreams, and state new goals. I for one will continue to do so.

Progress is made in fits and starts. Although our progress has been generally upward, it does not consist of one continuous, smooth line. We have just come through a period of astonishing social achievements. We have reached a new plateau, and we are now engaged in improving the administrative and organizational machinery so that the many new programs that have been launched are administered as effectively as possible.

During this time we must gain new strength and new experience for the next great leap forward. I believe that in the decade of the 70's, our technological capability, the speed of communication, and the spirit of involvement will enable us to reach higher levels much more quickly than we have ever done in the past. We will still have discussion and debate, of course, and proposals and counter-proposals. That is the heart of our democratic process. We can never have or hope to have the instant millenium. But I am convinced that our society will move much more swiftly in reaching the goals that the American people have identified.

One of the things that will help us reach those goals is the way we in the Department of Health, Education, and Welfare carry out the assignments that have been entrusted to us. If we do our job, day in and day out, to the best of our ability and with constant regard to the human beings whose lives are affected, we will move our programs and our society forward.

CONCLUSION

The decade ahead, characterized by drastic, dramatic change, will not be an entirely painless period. As Eric Hoffer has said: "It requires inordinate self-confidence to face drastic change without inner trembling." But I do not subscribe to pessimism and despair. I know, through experience, that patience, persistence, deliberation, and a belief in the future can result in social progress. It takes a lot of good ideas, hard work, and prodding, but major social reforms can be accomplished in our society through peaceful democratic means.

And with your help I expect to keep on prodding and pushing until we see the day when every American has the health, the education, and the income that will enable him to be free from any discrimination and to choose freely and intelligently the course of his life—a life which I hope will be full of books, art, music, love and friendship. A life with a purpose and full of rewards.

That is what our work in the Department of Health, Education, and Welfare is all about.

COMMENTS ON OUR NATION

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. LIPSCOMB. Mr. Speaker, under leave to extend my remarks, I submit for inclusion in the RECORD a column which appeared in the June 9, 1968, San Gabriel Valley, Calif., Tribune.

The column was written by Mr. Dick Tracy, respected managing editor of the Tribune.

Mr. Tracy, I believe, has captured and put into words the thoughts of many people in commenting on the state of our Nation and placing events of the day in their proper perspective.

I commend his observations to the attention of my colleagues in the Congress, as follows:

FESTERING SORES NEED TREATMENT

(By Dick Tracy)

I, too, grieve today for Sen. Robert Kennedy, buried in the soil of Arlington National Cemetery near his brother.

And I grieve for this American's family.

What sorrow that it should be visited by so much tragedy . . . in such short time.

So I join the national mourning today for a fallen leader.

But as much as I grieve the loss, I do not want to join in the loud chorus proclaiming this to be a "sick society" bent on its own destruction, beyond recovery.

America is no sicker, nor more healthy, than any nation with large population and large problems. That is what I want to believe.

To say that the nation is deathly sick because a few of its residents are sick is an extreme oversimplification. It is irrational, I want to say.

The man accused of killing Sen. Kennedy, it must be pointed out, is a Jordanian . . . an extreme nationalist, probably deranged in his hatred of Israel and any leader who supports it for any reason.

So the bullet which killed Robert Kennedy could be more rightly described as having been fired by a form of nationalism which transcended rational thought.

At worse, the great crime of a sick man.

Yet the preachers, the politicians and the pundits have all rushed to the podium to tell us again—as they did when madmen slew John F. Kennedy, Martin Luther King and Medgar Evers—of our collective guilt and our need to repent. And I want not to believe it.

No one, not even I, however, can deny there are festering sores on the body of America. And they need treatment before the body can become covered with them.

Some of the sores are all too obvious.

We tend to glorify violence, in our movies, our books and too often, as in some protests, in the flesh.

We permit undisciplined behaviour and reap the consequences in an increase in narcarotics use and rape, robbery and murder.

We surrender our religious values for vague self-regulating mechanisms.

We laugh at laws with which we cannot agree "in conscience."

We reward incompetence.

We sanction sloth as a rightful vocation.

We heap fame and fortune on the bizarre, applaud the perverse and ignore or condemn the good and normal among us.

Our patriotism is negligible . . . and negotiable.

Our flag as a symbol of a great nation is forlorn.

These are some festering sores and more are forming every day.

If America is "sick," could it be a flagging spirit, one too weak to restore our national values to their proper place, is the cause?

In less than a generation, we have seen the young alienate themselves from our "society" because they consider it "sick."

By our example, by our festering sores, we have failed to convince them of the greatness of our nation and the essential correctness of our role in the world.

And now the young are creating festering sores, too.

Perhaps there is, as the pundits say, an aura of brute force which exists in this country and perhaps it provides all the impetus some deranged minds need for senseless slaughter.

But that aura of brute force surely has received some sanctions from a crumbling respect for law and order.

Ponder this: On the day the tragic news of Robert Kennedy's assassination made every top headline in the world, there was a smaller headline in The Tribune which told of the sentencing of a 25-year-old Barstow man who had shot two California Highway Patrol officers with one of the officers' guns.

A judge and jury gave the defendant exactly 300 days in jail even though he tried to murder two police officers.

It only leads to the belief that violence has so been accepted that it is deserving of little effort at control.

Somehow our values have turned around and we provide more protection for the transgressor than the victim.

There now will be great clamor for stringent gun controls and even the outright confiscation of all weapons from the citizenry. But that would not have helped Robert Kennedy, who himself, favored restriction on gun sales.

Sen. Kennedy was shot by a gun which had been obtained illegally. It would not have kept the officers from being shot.

Respect for people and respect for law and order are the base fabrics of this democracy. We have lost both somewhere and have the festering sores of our society to prove it.

So today while we mourn Sen. Robert Francis Kennedy, we should reflect anew about what is happening to our society and tearing its values, traditions and nobility apart.

It is not enough to mourn their demise while we mourn the loss of another of our leaders. If that is all we can do, then—somewhere—Sen. Kennedy is mourning for us.

A TOAST TO THE FLAG

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. RARICK. Mr. Speaker, Mr. John Jay Daly, of Washington, D.C., has provided me with a copy of his poem, "A Toast to the Flag."

It is most appropriate on Flag Day for us to be reminded of the traditions and symbology of our national emblem.

I include Mr. Daly's poem, as follows:

A TOAST TO THE FLAG

Here's to the Red of it—
There's not a thread of it,
No, nor a shred of it
In all the spread of it
From foot to head
But heroes bled for it,
Faced steel and lead for it,
Precious blood shed for it,
Bathing it Red!

Here's to the White of it—
Thrilled by the sight of it,
Who knows the right of it
But feels the might of it
Through day and night?
Womanhood's care for it
Made manhood dare for it;
Purity's pray'r for it
Keeps it so White!

Here's to the Blue of it—
Beauteous view of it,
Heavenly hue of it,
Star-spangled dew of it
Constant and true;
Diadems gleam for it,
States stand supreme for it,
Liberty's beam for it
Brightens the Blue!

Here's to the Whole of it—
Stars, stripes and pole of it,
Body and soul of it,
O, and the roll of it,
Sun shining through;
Hearts in accord for it
Swear by the sword for it,
Thanking the Lord for it,
Red, White and Blue!

RUMANIA

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. BUCHANAN. Mr. Speaker, I join my distinguished colleagues in calling to the attention of the House the situation still prevailing in Rumania in regard to the personal rights of the citizens in general and the members of the 1.75 million Hungarian minority in particular.

For 2 years we have been waiting for signs of improvement by the Rumanian Government after presenting the facts to the House membership and to Secretary Rusk. The only positive achievements seem to be the removal of visa requirements for the Hungarians and Rumanians visiting each other's country and the lifting of the house arrest of Bishop Aron Marton. The school question has even deteriorated, economic discrimination remains blatant, and the dispersal of people with college and university degrees is still practiced as a matter of conscious, though unwritten, policy.

The administrative changes in reorganizing the country into counties instead of regions failed to materially improve the cultural and administrative autonomy of Hungarians which continues to exist on paper only, and not even on paper any more as the Mures-Magyar autonomous region was dissolved on February 16, 1968.

Next week our Government is receiving a visitor who has the highest rank in Rumanian science, but also ranks fifth in the Communist power structure of that country, Alexandru Barladeanu, Deputy Prime Minister and member of the party presidium. He comes to gain technological knowledge, exchange, and possibly economic funds. It is, therefore, proper and timely to remind our Government, and remind our visitor as well, that improvement of relations represents a two-way street and that without a further restoration of human and civil rights both to the general population and the Hungarian minority their efforts will not be successful despite the present administration's general willingness to better relations with Eastern Europe. Performance in field of human rights must remain a sine qua non for such improved relations unless we want to abandon the cause of human freedom for empty slogans of coexistence.

SUNDERLAND, MASS.—2½-CENTURY HERITAGE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. CONTE. Mr. Speaker, soon Americans everywhere will be preparing for another celebration of the birthday of our great Nation. By this July 4, 192 years will have passed since those courageous men met in Philadelphia to pledge their mutual honor, lives, and fortunes for the freedom of the new land. Sunderland, Mass., in my own congressional district, was already a mature community at the time of the Declaration of Independence and fully played its role in the Revolutionary struggle. This coming birthday holiday will hold special significance for the good people of Sunderland, for on July 4 to 7 the town will celebrate the 250th anniversary of its founding.

Sunderland shares its name with no less than four other places in the world. Of the four Sunderlands in North America, our Massachusetts town, nestled below Mount Sugarloaf on the banks of the Connecticut River, is the oldest and the largest. Its 1,300 inhabitants live a peaceful life, enjoying fine government and community spirit in accord with their 2½-century heritage. Sunderland, Mass., like the other Sunderlands—in Maryland, Vermont, and Ontario, Canada—has always been primarily an agricultural town. The fertile soil of the plains of the Connecticut valley have yielded bountiful crops in return for the cultivating and reaping efforts of Sunderland's farmers.

The oldest community named Sunderland lies not in this country but in the northeast of England. This granddaddy of all New World Sunderlands has a much different profile as a noted mining, manufacturing, and fishing center, with a population of 180,000. Nevertheless, it was from this English town and countryside and its Earl, that Sunderland, Mass., took its name.

But I wanted to share with my colleagues a few of the many fascinating episodes in the history of a community that was a century old by the time of the Revolutionary War. And that history begins long before the town was known as Sunderland. For the first half century of its existence the tiny settlement struggled along under the somewhat inglorious name of Swampfield, descriptive at least at that early date because of the numerous swamps in the town's area. The founders of the town apparently made the best of this situation. The minutes of a town committee meeting showed plans for "the town street to be eight rods wide, till it comes toward ye lower end, then to hold something wider by reason of a swamp that lies in ye street."

The first settlers of Swampfield came from nearby Hadley to the land they had been granted by the general court in Boston. An entry in the records for 7the May, 1673, shows:

> In answer to the petition of sundry inhabitants of Hadley, the Court judgeth it meet to grant . . . the quantity of six miles square in the place desired . . . provided that within seven years, there be a competent number of families settled here, and that they provide themselves with an able and orthodox minister.

The first step toward a settlement of the tract was to purchase the Indian title to the land. This task was entrusted to Maj. John Pynchon who obtained the deed from the Indians on April 10, 1674, in exchange for "80 fathom of wampum, an old coat, and several other small things."

But this arrangement did not finalize affairs with the Indians. The settlement was broken up in 1675 when the chief known as King Philip opened hostilities, and the settlers fled to Hadley for safety. Swampfield reverted again into a wilderness during the succeeding years of Indian warfare. At the close of Queen Anne's War and the return of a peaceful era, steps for resettlement were taken. A petition for this purpose was handed to the general court in 1713. To the returning settlers some of the efforts of the first inhabitants were still in evidence. It is said:

> When the second settlement was made, a basswood tree, about one foot in diameter had grown in the fire place of one of the houses and an apple tree, set out by the first settlers, was found large and thrifty.

The resettlement was quickly accomplished. By 1718, the general court agreed that the conditions set out in the original grant had been fulfilled, and on November 12 ordered "that the inhabitants be invested with the power, privileges, and authorities to order, direct, and manage all the affairs of their township—and that the name of the town be henceforth called Sunderland."

The name was selected to honor Charles Spencer, Earl of Sunderland, then a member of the British Cabinet, and in 1718 appointed to be first Lord of the Treasury. It will be the 1718 date of the "second" founding of the Sunderland that the townspeople will celebrate in July.

Part of the requirements of the original grant was the procuring of a minister and the building of a church. In order to fulfill at least part of those conditions, the townspeople resolved in November 1716, shortly after the second settlement, to build "a meeting house 30 feet wide and 40 feet long, and in height 18 feet." And the town records show that it was further agreed "that all the proprietors of Swampfield shall appear early in the morning of Tuesday next to assist in raising the meeting house, or else each man that absents himself to pay the sum of 4 shillings per day."

It was the same type of community spirit—we find it too rarely today—that bound the citizens of Sunderland together in building a prosperous and personable community during the next century.

In 1775, the same dedication and willingness to sacrifice to the common good underlay Sunderland's eagerness to spring to the rescue when the Lexington alarm sounded. The farsighted town leaders early made provision for the training of volunteers. Sunderland's soldiers, well drilled and equipped, were ready to defend their American countrymen when the British Army first began to march.

Another evidence of Sunderland's preparation for the future was the constant concern for the proper education of her children. Even with the town's small size, the citizens have maintained since 1771 both primary and secondary schools. Today the buildings of the University of Massachusetts at Sunderland's sister city, Amherst, tower above the treetops within sight of the residents of Sunderland. The town provides a home for many of the university's professors and students.

Sunderland remains the small quiet Massachusetts town amidst beautiful countryside, preserving a most pleasant way of life. Both visitor and resident can witness the evidences of a modern society in a community that prepares its future. But they can also reminisce on the history of love of independence, spirit of community, and faith in God that is the heritage of the citizens of Sunderland. I wish a most enjoyable 250th anniversary year to the citizens of Sunderland who have ample reason for historical pride and a cause for celebration.

AUTOMATED INFORMATION SYSTEMS AND COPYRIGHT LAW

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. KASTENMEIER. Mr. Speaker, the fourth, and final, installment of the report of the American University Symposium on Automated Information Systems and Copyright Law is contained in the following material—"Automated Information Systems and Copyright Law, Part IV":

SUMMARY AND ANALYSIS

(By Lowell H. Hattery and George P. Bush, the American University)

The purpose of this chapter is threefold:

1. To comment briefly on papers presented at the symposium.

2. To summarize symposium discussion based on editors' notes and on materials furnished by symposium members during or subsequent to the symposium.

3. To offer analysis preliminary to editors' conclusions and recommends.

COMMENTARY ON PAPERS PRESENTED

The papers in most cases represented highly condensed statements of complex subjects. Only selected highlights are reported here.

After a review of legislative history of copyright law revision by Barbara A. Ringer, the state-of-the-art of electronic computing systems relevant to copyright law matters was reported by Mervin Muller. Dr. Muller emphasized limitations of computer systems for storage and retrieval of "intellectual information." He believes that such equipment for the next 10 years will be "unreliable, impractical and uneconomical for bulk storage." This does not belie the usefulness of computers for text manipulation. George Ectgroth applied concepts of systems analysis to the problems of copyright and changing technology.

Communications technology was reviewed by James F. Holmes.

Microform storage and automatic retrieval of film was reported by A. Kenneth Showwalter. He described the film technology which permits 300 x 1 linear reduction with the capacity of 6000 pages of 12'' x 15'' text in a 4'' x 5'' microfiche which can be searched by an electronic retrieval system. The technology and economics of high density film and other microform storage including video techniques seem to have special significance for the copyright problem.

Julius Marke posed the probability of changing patterns of research due to the "information explosion and new technology." He stated, "Not only will collaboration become characteristic of intellectual research, but in all probability there will be a greater dependence on the artifacts spawned out by computer programs." Professor Marke foresees the search for and retrieval of information rather than documents. "Inasmuch as it appears to me that in the future information retrieval will be the point of departure in automated systems, rather than document retrieval, especially as the rate of obsolescence of information becomes more rapid, it is my thought that sophisticated and complicated information programs fed into computers and related technology will dominate the research world, and these programs in turn will be extravagantly employed to develop and create new information systems."

Statutory licensing systems providing pricing structures whereby copyright owners may compete for patronage were discussed by Norton Goodwin. Some elements of a clearinghouse were presented by Kirby Westheimer.

Howard Hilton suggested a universal document identification system and described a model system. He pointed out the great need for a code which can uniquely identify documents of various kinds, worldwide, and for a period to the year 2500. He explained the need for a universal system particularly in the resolving of copyright problems in the area of permissions and payments. The specifics for such identification are stated.

A briefer presentation by Hilton appeared as a paper in a recent book: *Proceedings of the American Documentation Institute. Annual Meeting. Vol. 4. 1967,* entitled: "A Method for Organizing Information by Uniquely Identifying All Recorded Knowledge" (p. 119–123). He stressed the necessity for early adoption of such a system and its important relationship to any sort of clearinghouse for permission and payments for copyrighted materials.

Numerous attempts have been made to classify "the literature". Those attempts in the western world with which one is most familiar are the Dewey Decimal System, the Library of Congress system, and Universal Decimal Classification (UDC) used in Europe especially. In contrast to these and other classification systems, the Hilton proposal (HUC) is a code identification which uniquely designates each individual item and which can incorporate within itself a large number of lesser numbering systems, thus facilitating its introduction and usefulness.

Norton Goodwin has offered a numerical document identification system for control and accounting purposes which has the qualities of uniqueness and simplicity. It does not include any subject or other non-objective classification elements. The system is described in his statement before the Senate Subcommittee in April 1967.[1]

Mr. Goodwin also discussed the design characteristics of such a system at the American University Institute on Management of Automation in Printing and Publishing in January 1967. He said in part: [2]

"In drafting an automation-oriented statute designed to deter unauthorized copymaking, care must be taken that all operational instructions can be executed on the basis of data in hand. This calls for specification of an efficient format for the notice of copyright in which the unique identity of each work, the identity of the payee, and the expiration date is to be given. To be efficient, the format must recognize that payee and expiration information are part of, and not additions to, the identification of the work.

"Similarly, the format for the authorization entry must be specified with a view to storage economy. In addition to the identity of the work, the authorization entry must include fields for the identity of the authorized copy-maker, the execution date, and for the serial number, should more than one copy of the work be executed on that day.

"Record-keeping cost considerations require that the requisite fields be kept as few and as small as practical."

In view of the fact that permissions and payments are dependent upon unique identification of copyrightable materials, it is obvious that a code identification is part and parcel of the copyright revision problem. In further studies, symposia, or Congressional hearings, Professor Hilton, Mr. Goodwin and others should be heard on this subject and its related aspects.

On adoption of an official document identification system, the following steps should be taken:

a. A manual should be prepared for the use of publishers, librarians, educators, Federal contractors, Federal offices—all sources which generate "literature". Such a manual should explain the steps in selecting appropriate code identification numbers.

b. Literature dated after September 1, 1968 (or other specified deadline) presented to the Copyright Office for copyright should bear a code number on the application and the same number should appear on the verso of the title page of the book or on the title page of monographs, U.S. government publications, reports and other "literature". After the deadline date no copyright would be issued without such code number.

c. Literature dated prior to September 1, 1968 (or other deadline) should be identified by a code numbering system as rapidly as possible.

d. Universal application. Steps should be taken to suggest to the members of the Berne Convention that they adopt the code identification system.

The organization of an operational clearinghouse to provide systematic access to the contents of published works that will at the same time secure incentives to intellectual creativity and formal organization was considered but not in detail. In his paper on "Systems of Permissions and Payments" Norton Goodwin commented on the matter of securing a competitive market for intellectual property in a made-to-order information copy technology.[3]

Of the thirteen study areas suggested by Goodwin[4] the question of alternative methods of pricing was the only one on which a detailed position was reported. Review of the complete list of study areas identified further topics for serious study in the formulation of a public policy concerning new technologies for storing and accessing the contents of published documents.

Paul G. Zurkowski, in a paper analyzing the unique elements of the post Gutenberg era, suggests three specific changes in existing copyright law concepts "to continue protection for rights of authors and copyright owners and to provide the means for accounting for copying." These changes are: (1) Provision for a "format copyright"; (2) provision for statutory copyright licensing; and (3) a unique identification numbering system for accounting purposes.

Several papers reported the interests of special groups. Charles F. Gosnell discussed the interests of librarians. Dr. Gosnell is chairman of the Committee on Copyright Issues of the American Library Association. He takes the position that copying as practiced in libraries, is a time honored custom that does not affect sales of books and periodicals seriously, if at all. He raises strenuous objections to actual and proposed invasions of the public domain, such as extension of duration of copyright, development of the "lending right" or royalties on loans of books from libraries, the proposal to establish clearing houses for collecting royalties from libraries, the restriction of computer input, and is against the proposals to base royalties on use of copies rather than on sale.

Dr. Gosnell reports that the American Library Association supports the proposal for a National Commission. The ALA has adopted a resolution that "the copyright revision bill be amended to provide that such of its terms as relate to any copyright usage under study by the National Commission shall not become effective until the Commission has made its reports and the recommendations contained therein have been acted upon by the Congress."

Arthur J. Greenbaum argued for copyright protection against conversion into machine readable form. Charles H. Lieb discussed the problem of adequate rewards for producers of intellectual works.

Bella Linden outlined the requirements to protect the publishing industry in the application of the new information technology for creative, packaging and marketing functions. She endorsed the idea of a study commission, and presented the following statement of position:

"1. The proposed copyright bill in no way changes the present law with respect to computerized uses of copyrighted material.

"2. It is not yet known as to what the terms 'programs,' 'input' and 'output' will encompass as computer technology develops. Therefore it is not advisable at this time to draft language for a statute using these terms or referring to what they intend to cover.

"3. At the present time there is no evidence whatsoever that publishers, authors, owners and users of computerized information systems will not be able to negotiate and work out reasonable contractual arrangements.

"4. It is not in the public interest to take away authors' and publishers' private property. This would lead to a government supported and administered publishing industry. This is contrary to the cultural and economic good as well as political philosophy of the United States."

Irwin Karp pointed out the importance and creativity of the writer. He endorsed the idea of a Federal Study Commission, probably appointed by the Congress.

Harold Wigren reviewed trends in educational methods and the requirements he sees as necessary to the fulfillment of those methods. Among requirements are:

1. Input into computers should be exempt from copyright.

2. The doctrine of "fair use" should be extended to the use of computers and automated systems.

3. Students should be enabled to use the new technology as freely as teachers.

Dr. Wigren reported further that the Ad Hoc Committee of Educational Organizations and Institutions on Copyright Law Revision proposes a statutory Federal Study Commission which would make recommendations in 3 to 5 years.

Dr. Wigren also said, "Some type of statutory procedure is urgently needed for the periodic reassessment of the copyright questions generated by the computer."

Although no one spoke specifically for journal publishers, one participant provided the statement of the President of the American Chemical Society, Charles G. Overberger, to Senator John L. McClellan (the ACS publishes 18 journals and *Chemical Abstracts*). The statement expressed concern "that the unauthorized use of materials under an increasingly liberalized 'fair use' doctrine could impair or even destroy our ability to generate, publish and disseminate such scientific information in the future. While the Society in no way seeks to hamper or restrict either the learning process or the use of technological developments and equipment needed to improve the exchange of information, it cannot be oblivious to the effects of these developments on the essential financial support needed to continue the publishing function which generates the basic materials."[5]

DISCUSSION AND PRINCIPAL ISSUES

Discussion following symposium papers was full, vigorous and issue-related. A wide range of interests and background was represented. To some the stakes were high and the issues critical. It should be recalled that the House of Representatives had passed a controversial revision bill just four weeks earlier and that the Senate had held hearings.

Bearing in mind that this group of persons represented several disciplines, there was some groping toward a statement of the problem. But it soon developed that there was not one central problem only, but many interrelated problems—legal, procedural, legislative, cultural, technological and time-related. Principal interest in the debate concerned these topics: Input and Output, Economics and Pricing, Clearinghouse, Author-Publisher-Educator-Researcher, Study Commission, Fixed versus Ephemeral Image, Pending Legislative Action. Interdependency of some of these topics results in some redundancy in reporting.

INPUT-OUTPUT ISSUE

This issue is complex and critical. In general, producers of information feel they will be served better with copyright protection at input to an automated systems; users feel they will be served better with protection at output only.

---

[1] For the full paper see U.S. Senate, *Hearings* before the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, 90th Congress, 1st Session. Pursuant to S. Res. 37 on S. 597. Part 3, April 6, 11, and 12, 1967. Washington, D.C.: U.S. Government Printing Office, 1967, pp. 737 ff.

[2] *Ibid.*, p. 746.

[3] *Ibid.*, pp. 760–765.

[4] *Ibid.*, p. 762.

[5] Letter dated May 3, 1967, published in *Chemical and Engineering News*, July 31, 1967, p. 59.

Within this general division there are variables. The use to which information is to be put may be recognized as a significant variable at either input or output. For example, the privilege to input copyrighted materials for experimental, research purposes might be differentiated from input for general retrieval purposes. On the other hand the concept of "fair use" is a variable applied at output. (The same concept *could* be applied at input also.)

The issue was debated vigorously. Polar positions were expressed. However, there was a significant voice expressing the view that neither polar position was realistic. The voice seemed to favor protection at input with exceptions which in general would be determined on the basis of use.

The input-output issue might well have been the focal subject for the full symposium, or a similar symposium in the future. Appraisal of the situation, now and in the future, requires a hard look at several technologies—computer memories and tapes, line communication, facsimile, ephemeral visual display, microprint, microfilm and coupling one or more of these technologies into automated systems. Such a prospective review assumes study of the economic benefit derived from the file organization as distinct from the value of the information contained in the file.

As to input, it was pointed out that there should not be too great rigidity of policy because the copyrighted materials vary greatly even within educational materials. It is also possible that some materials should be controlled at input, others at the output stage. A representative of education believed that at this point in time we know very little about the economics of this question, the size of the data base, and the definition of input and output. He thought it abundantly clear that this topic needs further study and that this is not the time to take a hard position in terms of legislative language. In this same vein, he called attention to Sections 108 and 110 of H.R. 2512, with the suggestion that prejudice against the computer should be removed.

At this juncture it was noted that H.R. 2512 makes no reference to input, whereas output is frequently mentioned or implied. Also noted was the act of infringement in the making of a microform. An attorney who represents publishers suggested that the lack of protective security is the reason for controlling input rather than output.

An attorney for educational interests expressed the hope that out of Congressional debates the educational community would get a bill favorable to its interests. For example, in the matter of input and output, both should be exempted. As to the point of payment, he indicated that agreement could be made at any point in the output process. Implicit to the interests of the educational community was the issue which emerged during the course of the symposium: the public's interest versus the owner's interest in the free dissemination and accessibility of ideas, particularly in the three areas of research, development, and education. A new phenomenon is apparent as one notes the merger activities between publishers and the electronic hardware, software and reprographic machine corporations. This matter is being watched with interest by the Department of Justice, which was represented by attorneys at the symposium.

A Federal official reported a movement to set up an interagency Ad Hoc Task Group on Legal Aspects Involved in National Information Systems. Its function would be to consider the relationship between scientific communication and property rights, including the implications of proposed general revision of the copyright law. This appeared to be a positive step by the Executive Branch, which heretofore had not taken much action in the revision process.

Control by copyright owner at input was deemed essential by a publisher representative, as otherwise instructional materials are likely to be severely discouraged, and, furthermore, protection against misuse cannot be adequately safeguarded. It was also pointed out that there is nothing inherently wrong with the input into the information storage and retrieval system. What is wrong is that the user who makes the multiple use does so at the cost of a single hard copy instead of a cost realistically determined with relation to the cost of publishing, on the one hand, and the nature of the user on the other. To insist in these circumstances on free input and the equivalent broad educational exemption is an "exercise in futility," in the opinion of this participant.

Another counsel for publishers urged that proprietors should be able to control the use of their material at the point where it is converted into machine-readable form for use as computer input. This kind of transcribing should constitute copyright infringement.

As a practical matter, it was pointed out, it is difficult or impossible to measure the extent of output of copyrighted material or the extent of internal manipulation of such material. Therefore, controls have to be placed at the input stage. A differing view was presented for the special case of ephemeral display. It was suggested that the introduction of a work into the data processing system for ephemeral display purposes should not be considered as violating the constraint of the copyright law.

ECONOMICS AND PRICING

Most of the byways of discussion finally lead back to central issues of economics and pricing. Users claim they are not seeking something for nothing and producers claim they are simply protecting viability. The problems about which it is difficult to agree, even within producer groups and within user groups, include:

(1) Compulsory vs. voluntary licensing;
(2) Fixed vs. variable fees;
(3) Antitrust considerations;
(4) Agent for collection of fees;
(5) Accounting for usage.

There is precedent for applying different fees to different kinds and frequency of use. A participant cited an example: "An individual might spend $3.50 to buy a printed copy of *My Fair Lady* in order to read it, but he cannot perform the play commercially unless the copyright proprietor's consent is obtained and perhaps a considerable royalty paid." He concluded, "In short, use of a copyrighted work in a computer operation contributes a different and higher quality of use which cannot be equated with a single or multiple use of a single work in print form."

Manifestly, pricing has been solved in past years by bargaining in the market place. The advent of automation and the new technology, it was argued, would not greatly affect pricing practices in the publishing field. On the other hand it might greatly affect the payments practices.

It was noted that Chemical Abstracts, Inc. had considerable success with standardized contracts for its informational services. CA leases microfilm and tape replicas, and varies the price based upon the number of users at any given facility. The annual subscription price for computer tape data consisting of a file of abstracts is $1,300, plus $50 for each group of 25 or fewer scientists. (The abstract service also provides a computer program and documentation for file searching.)

This latter practice evoked a comment that the public interest must be reflected in the pricing structure. For example, students in the United States have free access to books within a library. Should there be a charge to him for remote access, when a book or an article is secured for him through interlibrary loan or its equivalent?

It was suggested by a publisher representative that there should be willingness on the part of users to sit down with publishers or authors to negotiate a fee system for any one specific use.

Pricing in the future will be further affected by the newer technology and its applications; for example, the application not only to schoolhouse education, but to home use via telephone circuitry. In both cases pricing can be based upon use because the computer can maintain auditable records. It was urged that pricing based upon user frequency not be written into the language of the copyright law.

Discussion turned from larger producers and users of copyrighted materials to individual users—a shut-in child, for example. We are moving in the direction of life-long, de-institutionalized learning. Therefore there is little data upon which to base a pricing policy.

Another element in the problem of fixed prices is the difference in costs of developing and marketing different kinds of publications. One participant said, "Consider, for example, the different factors involved in the publication of a directory, or an encyclopedia, or a reference work, or a text book, or a work of belles-lettres."

It seems obvious that a statutory fixed fee is impractical. On the other hand there are legal questions associated with a private clearinghouse pricing system. This issue was discussed by a participant in the following statement:

"A voluntary clearinghouse with which each user would bargain in order to secure permission to use whole batches of copyrighted material raises difficult problems insofar as it eliminates competition between owners of copyrighted material to sell that material to a user. Such a system provides ready access to material and the convenience of bargaining with only one person, but it gives that one person the power to set a monopoly price. And, for that reason, if such a system is not specifically sanctioned by law, it is probably illegal under the antitrust laws."

The participant added these comments on a "reasonable royalty" approach by a clearinghouse:

"The monopoly problem of a clearinghouse arrangement is mitigated to the extent that the clearinghouse is required to charge a reasonable royalty. The major problem is that of determining the amount of reasonable royalty. This might be a) set by a governmental representative on the clearinghouse staff, b) set by a court, or c) set by the private parties, but with penalties provided if a court later determines that the royalties were not reasonable (like the CATV compromise in the proposed revision). This last proposal sounds the most practical, for it will eliminate much of the burden thrown upon the courts by, for example, the ASCAP decree, which requires them to set reasonable royalties. (It would also be possible to have the statute provide for compulsory licensing at a reasonable royalty without a clearinghouse.)"

Related to the topic of pricing is that of payments, and closely related to payments is that of permissions. There is great divergence of views on both permissions and payments. There are many who would prefer not to recognize the problem because of time and effort to seek out the copyright owner. Furthermore, there is the problem of negotiation on price and formalities of payment. As a consequence, there is more and more familiar are the Dewey Decimal System, the Library of Congress system, and Universal Decimal Classification (UDC) used in Europe especially. In contrast to these and other classification systems, the Hilton proposal (HUC) is a code identification which uniquely designates each individual item and which can incorporate within itself a large number of lesser numbering systems, thus facilitating its introduction and usefulness.

Norton Goodwin has offered a numerical document identification system for control and accounting purposes which has the qualities of uniqueness and simplicity. It does not include any subject or other non-objective classification elements. The system is described in his statement before the Senate Subcommittee in April 1967.[1]

Mr. Goodwin also discussed the design characteristics of such a system at the American University Institute on Management of Automation in Printing and Publishing in January 1967. He said in part: [2]

"In drafting an automation-oriented statute designed to deter unauthorized copymaking, care must be taken that all operational instructions can be executed on the basis of data in hand. This calls for specification of an efficient format for the notice of copyright in which the unique identity of each work, the identity of the payee, and the expiration date is to be given. To be efficient, the format must recognize that payee and expiration information are part of, and not additions to, the identification of the work.

"Similarly, the format for the authorization entry must be specified with a view to storage economy. In addition to the identity of the work, the authorization entry must include fields for the identity of the authorized copy-maker, the execution date, and for the serial number, should more than one copy of the work be executed on that day.

"Record-keeping cost considerations require that the requisite fields be kept as few and as small as practical."

In view of the fact that permissions and payments are dependent upon unique identification of copyrightable materials, it is obvious that a code identification is part and parcel of the copyright revision problem. In further studies, symposia, or Congressional hearings, Professor Hilton, Mr. Goodwin and others should be heard on this subject and its related aspects.

On adoption of an official document identification system, the following steps should be taken:

a. A manual should be prepared for the use of publishers, librarians, educators, Federal contractors, Federal offices—all sources which generate "literature". Such a manual should explain the steps in selecting appropriate code identification numbers.

b. Literature dated after September 1, 1968 (or other specified deadline) presented to the Copyright Office for copyright should bear a code number on the application and the same number should appear on the verso of the title page of the book or on the title page of monographs, U.S. government publications, reports and other "literature". After the deadline date no copyright would be issued without such code number.

c. Literature dated prior to September 1, 1968 (or other deadline) should be identified by a code numbering system as rapidly as possible.

d. Universal application. Steps should be taken to suggest to the members of the Berne Convention that they adopt the code identification system.

The organization of an operational clearinghouse to provide systematic access to the contents of published works that will at the same time secure incentives to intellectual creativity and formal organization was considered but not in detail. In his paper on "Systems of Permissions and Payments" Norton Goodwin commented on the matter of securing a competitive market for intellectual property in a made-to-order information copy technology.[3]

Of the thirteen study areas suggested by Goodwin [4] the question of alternative methods of pricing was the only one on which a detailed position was reported. Review of the complete list of study areas identified further topics for serious study in the formulation of a public policy concerning new technologies for storing and accessing the contents of published documents.

Paul G. Zurkowski, in a paper analyzing the unique elements of the post Gutenberg era, suggests three specific changes in existing copyright law concepts "to continue protection for rights of authors and copyright owners and to provide the means for accounting for copying." These changes are: (1) Provision for a "format copyright"; (2) provision for statutory copyright licensing; and (3) a unique identification numbering system for accounting purposes.

Several papers reported the interests of special groups. Charles F. Gosnell discussed the interests of librarians. Dr. Gosnell is chairman of the Committee on Copyright Issues of the American Library Association. He takes the position that copying as practiced in libraries, is a time honored custom that does not affect sales of books and periodicals seriously, if at all. He raises strenuous objections to actual and proposed invasions of the public domain, such as extension of duration of copyright, development of the "lending right" or royalties on loans of books from libraries, the proposal to establish clearing houses for collecting royalties from libraries, the restriction of computer input, and is against the proposals to base royalities on use of copies rather than on sale.

Dr. Gosnell reports that the American Library Association supports the proposal for a National Commission. The ALA has adopted a resolution that "the copyright revision bill be amended to provide that such of its terms as relate to any copyright usage under study by the National Commission shall not become effective until the Commission has made its reports and the recommendations contained therein have been acted upon by the Congress."

Arthur J. Greenbaum argued for copyright protection against conversion into machine readable form. Charles H. Lieb discussed the problem of adequate rewards for producers of intellectual works.

Bella Linden outlined the requirements to protect the publishing industry in the application of the new information technology for creative, packaging and marketing functions. She endorsed the idea of a study commission, and presented the following statement of position:

"1. The proposed copyright bill in no way changes the present law with respect to computerized uses of copyrighted material.

"2. It is not yet known as to what the terms 'programs,' 'input' and 'output' will encompass as computer technology develops. Therefore it is not advisable at this time to draft language for a statute using these terms or referring to what they intend to cover.

"3. At the present time there is no evidence whatsoever that publishers, authors, owners and users of computerized information systems will not be able to negotiate and work out reasonable contractual arrangements.

"4. It is not in the public interest to take away authors' and publishers' private property. This would lead to a government supported and administered publishing industry. This is contrary to the cultural and economic good as well as political philosophy of the United States."

Irwin Karp pointed out the importance and creativity of the writer. He endorsed the idea of a Federal Study Commission, probably appointed by the Congress.

Harold Wigren reviewed trends in educational methods and the requirements he sees as necessary to the fulfillment of those methods. Among requirements are:

1. Input into computers should be exempt from copyright.

2. The doctrine of "fair use" should be extended to the use of computers and automated systems.

3. Students should be enabled to use the new technology as freely as teachers.

Dr. Wigren reported further that the Ad Hoc Committee of Educational Organizations and Institutions on Copyright Law Revision proposes a statutory Federal Study Commission which would make recommendations in 3 to 5 years.

Dr. Wigren also said, "Some type of statutory procedure is urgently needed for the periodic reassessment of the copyright questions generated by the computer."

Although no one spoke specifically for journal publishers, one participant provided the statement of the President of the American Chemical Society, Charles G. Overberger, to Senator John L. McClellan (the ACS publishes 18 journals and *Chemical Abstracts*). The statement expressed concern "that the unauthorized use of materials under an increasingly liberalized 'fair use' doctrine could impair or even destroy our ability to generate, publish and disseminate such scientific information in the future. While the Society in no way seeks to hamper or restrict either the learning process or the use of technological developments and equipment needed to improve the exchange of information, it cannot be oblivious to the effects of these developments on the essential financial support needed to continue the publishing function which generates the basic materials." [5]

DISCUSSION AND PRINCIPAL ISSUES

Discussion following symposium papers was full, vigorous and issue-related. A wide range of interests and background was represented. To some the stakes were high and the issues critical. It should be recalled that the House of Representatives had passed a controversial revision bill just four weeks earlier and that the Senate had held hearings.

Bearing in mind that this group of persons represented several disciplines, there was some groping toward a statement of the problem. But it soon developed that there was not one central problem only, but many interrelated problems—legal, procedural, legislative, cultural, technological and time-related. Principal interest in the debate concerned these topics: Input and Output, Economics and Pricing, Clearinghouse, Author-Publisher-Educator-Researcher, Study Commission, Fixed versus Ephemeral Image, Pending Legislative Action. Interdependency of some of these topics results in some redundancy in reporting.

INPUT-OUTPUT ISSUE

This issue is complex and critical. In general, producers of information feel they will be served better with copyright protection at input to an automated systems; users feel they will be served better with protection at output only.

---

[1] For the full paper see U.S. Senate, *Hearings* before the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, 90th Congress, 1st Session. Pursuant to S. Res. 37 on S. 597. Part 3, April 6, 11, and 12, 1967. Washington, D.C.: U.S. Government Printing Office, 1967, pp. 737 ff.

[2] *Ibid.*, p. 746.

[3] *Ibid.*, pp. 760–765.

[4] *Ibid.*, p. 762.

[5] Letter dated May 3, 1967, published in *Chemical and Engineering News*, July 31, 1967, p. 59.

Within this general division there are variables. The use to which information is to be put may be recognized as a significant variable at either input or output. For example, the privilege to input copyrighted materials for experimental, research purposes might be differentiated from input for general retrieval purposes. On the other hand the concept of "fair use" is a variable applied at output. (The same concept *could* be applied at input also.)

The issue was debated vigorously. Polar positions were expressed. However, there was a significant voice expressing the view that neither polar position was realistic. The voice seemed to favor protection at input with exceptions which in general would be determined on the basis of use.

The input-output issue might well have been the focal subject for the full symposium, or a similar symposium in the future. Appraisal of the situation, now and in the future, requires a hard look at several technologies—computer memories and tapes, line communication, facsimile, ephemeral visual display, microprint, microfilm and coupling one or more of these technologies into automated systems. Such a prospective review assumes study of the economic benefit derived from the file organization as distinct from the value of the information contained in the file.

As to input, it was pointed out that there should not be too great rigidity of policy because the copyrighted materials vary greatly even within educational materials. It is also possible that some materials should be controlled at input, others at the output stage. A representative of education believed that at this point in time we know very little about the economics of this question, the size of the data base, and the definition of input and output. He thought it abundantly clear that this topic needs further study and that this is not the time to take a hard position in terms of legislative language. In this same vein, he called attention to Sections 108 and 110 of H.R. 2512, with the suggestion that prejudice against the computer should be removed.

At this juncture it was noted that H.R. 2512 makes no reference to input, whereas output is frequently mentioned or implied. Also noted was the act of infringement in the making of a microform. An attorney who represents publishers suggested that the lack of protective security is the reason for controlling input rather than output.

An attorney for educational interests expressed the hope that out of Congressional debates the educational community would get a bill favorable to its interests. For example, in the matter of input and output, both should be exempted. As to the point of payment, he indicated that agreement could be made at any point in the output process. Implicit to the interests of the educational community was the issue which emerged during the course of the symposium: the public's interest versus the owner's interest in the free dissemination and accessibility of ideas, particularly in the three areas of research, development, and education. A new phenomenon is apparent as one notes the merger activities between publishers and the electronic hardware, software and reprographic machine corporations. This matter is being watched with interest by the Department of Justice, which was represented by attorneys at the symposium.

A Federal official reported a movement to set up an interagency Ad Hoc Task Group on Legal Aspects Involved in National Information Systems. Its function would be to consider the relationship between scientific communication and property rights, including the implications of proposed general revision of the copyright law. This appeared to be a positive step by the Executive Branch, which heretofore had not taken much action in the revision process.

Control by copyright owner at input was deemed essential by a publisher representative, as otherwise instructional materials are likely to be severely discouraged, and, furthermore, protection against misuse cannot be adequately safeguarded. It was also pointed out that there is nothing inherently wrong with the input into the information storage and retrieval system. What is wrong is that the user who makes the multiple use does so at the cost of a single hard copy instead of a cost realistically determined with relation to the cost of publishing, on the one hand, and the nature of the user on the other. To insist in these circumstances on free input and the equivalent broad educational exemption is an "exercise in futility," in the opinion of this participant.

Another counsel for publishers urged that proprietors should be able to control the use of their material at the point where it is converted into machine-readable form for use as computer input. This kind of transcribing should constitute copyright infringement.

As a practical matter, it was pointed out, it is difficult or impossible to measure the extent of output of copyrighted material or the extent of internal manipulation of such material. Therefore, controls have to be placed at the input stage. A differing view was presented for the special case of ephemeral display. It was suggested that the introduction of a work into the data processing system for ephemeral display purposes should not be considered as violating the constraint of the copyright law.

ECONOMICS AND PRICING

Most of the byways of discussion finally lead back to central issues of economics and pricing. Users claim they are not seeking something for nothing and producers claim they are simply protecting viability. The problems about which it is difficult to agree, even within producer groups and within user groups, include:

(1) Compulsory vs. voluntary licensing;
(2) Fixed vs. variable fees;
(3) Antitrust considerations;
(4) Agent for collection of fees;
(5) Accounting for usage.

There is precedent for applying different fees to different kinds and frequency of use. A participant cited an example: "An individual might spend $3.50 to buy a printed copy of *My Fair Lady* in order to read it, but he cannot perform the play commercially unless the copyright proprietor's consent is obtained and perhaps a considerable royalty paid." He concluded, "In short, use of a copyrighted work in a computer operation contributes a different and higher quality of use which cannot be equated with a single or multiple use of a single work in print form."

Manifestly, pricing has been solved in past years by bargaining in the market place. The advent of automation and the new technology, it was argued, would not greatly affect pricing practices in the publishing field. On the other hand it might greatly affect the payments practices.

It was noted that Chemical Abstracts, Inc. had considerable success with standardized contracts for its informational services. CA leases microfilm and tape replicas, and varies the price based upon the number of users at any given facility. The annual subscription price for computer tape data consisting of a file of abstracts is $1,300, plus $50 for each group of 25 or fewer scientists. (The abstract service also provides a computer program and documentation for file searching.)

This latter practice evoked a comment that the public interest must be reflected in the pricing structure. For example, students in the United States have free access to books within a library. Should there be a charge to him for remote access, when a book or an article is secured for him through interlibrary loan or its equivalent?

It was suggested by a publisher representative that there should be willingness on the part of users to sit down with publishers or authors to negotiate a fee system for any one specific use.

Pricing in the future will be further affected by the newer technology and its applications; for example, the application not only to schoolhouse education, but to home use via telephone circuitry. In both cases pricing can be based upon use because the computer can maintain auditable records. It was urged that pricing based upon user frequency not be written into the language of the copyright law.

Discussion turned from larger producers and users of copyrighted materials to individual users—a shut-in child, for example. We are moving in the direction of life-long, de-institutionalized learning. Therefore there is little data upon which to base a pricing policy.

Another element in the problem of fixed prices is the difference in costs of developing and marketing different kinds of publications. One participant said, "Consider, for example, the different factors involved in the publication of a directory, or an encyclopedia, or a reference work, or a text book, or a work of belles-lettres."

It seems obvious that a statutory fixed fee is impractical. On the other hand there are legal questions associated with a private clearinghouse pricing system. This issue was discussed by a participant in the following statement:

"A voluntary clearinghouse with which each user would bargain in order to secure permission to use whole batches of copyrighted material raises difficult problems insofar as it eliminates competition between owners of copyrighted material to sell that material to a user. Such a system provides ready access to material and the convenience of bargaining with only one person, but it gives that one person the power to set a monopoly price. And, for that reason, if such a system is not specifically sanctioned by law, it is probably illegal under the antitrust laws."

The participant added these comments on a "reasonable royalty" approach by a clearinghouse:

"The monopoly problem of a clearinghouse arrangement is mitigated to the extent that the clearinghouse is required to charge a reasonable royalty. The major problem is that of determining the amount of reasonable royalty. This might be a) set by a governmental representative on the clearinghouse staff, b) set by a court, or c) set by the private parties, but with penalties provided if a court later determines that the royalties were not reasonable (like the CATV compromise in the proposed revision). This last proposal sounds the most practical, for it will eliminate much of the burden thrown upon the courts by, for example, the ASCAP decree, which requires them to set reasonable royalties. (It would also be possible to have the statute provide for compulsory licensing at a reasonable royalty without a clearinghouse.)"

Related to the topic of pricing is that of payments, and closely related to payments is that of permissions. There is great divergence of views on both permissions and payments. There are many who would prefer not to recognize the problem because of time and effort to seek out the copyright owner. Furthermore, there is the problem of negotiation on price and formalities of payment. As a consequence, there is more and more copying, as the mechanism and associated materials become cheaper.

Against the kind of activity, few copyright owners have asserted their rights. To justify the cost of a suit for infringement the prospective damages and certainty of relief must be substantial. Few copyright owners would, on the other hand, like to sue a school teacher, or a library. Copyright owners may not prevent the Federal government from infringing, and the procedure for securing payment under Sec. 1498(b) of Title 28 is clumsy. What is needed is an efficient, workable, relatively inexpensive system of permissions and pricing; and accounting, collecting, and billing for use of copyrighted materials. Some have pointed out that to be efficient the system must assume a predetermined price and a compulsory license.

The reliability of a computer in any system of payments either now or in the future was questioned. It was pointed out that such reliability depends upon the soundness with which such a system is designed and controlled.

Discussion arose regarding the antitrust aspects of pricing, particularly differential pricing based on quantity or any other factor. The same argument applies to a clearinghouse operation, which might unlawfully exercise a monopoly control. There are various ways in which a clearinghouse could violate U.S. antitrust laws. After all, a copyright is a limited monopoly as is a patent. In the previously mentioned mergers between publishers and communicators, one can foresee the possibilities for problems due to refused access to intellectual property, or in the event of flagrant special treatment of preferred customers.

Another participant described the economics issues: If the economics of publishing is recognized as a basic factor in the discussion, then consideration must be given to the market for which the published information is prepared and this, in turn, requires not an examination of publishing in general, but inquiry into the economic aspects of the many and varying segments of the publishing industry. As another example of economic issues, he cited the many libraries of the New York State system, which together might purchase but one copy of a given book. The same action may be taken by large industrial companies. Under such circumstances, the work will not be published—unless the purchasers of single copies for multiple use pay the publisher more than the cost of a single hard bound copy.

The economic issue was capsulized by one participant: Regardless of the legalisms or the technology of computerized systems, the important question concerning the rights of the copyright proprietor is whether he is being hurt in the pocketbook. To the extent that the availability of the work in a system substitutes for the purchase of multiple copies from the copyright proprietor, he is being hurt.

STUDY COMMISSION

The concept of a national study commission was discussed at some length in the symposium and in supplementary statements submitted by the participants.

Sponsorship. Many suggested establishment by the Congress. A voluntary private commission to parallel an official commission was suggested. It was pointed out also that the already-existing Committee to Investigate Copyright Problems (CICP) and other groups could provide this unofficial parallel to a Federal Commission, to serve as supplementary and checking agents.

Composition. There are several issues of commission membership—e.g., size, source of appointments, and representation. One participant said it should be "large enough to include all significant groups of creators, transmitters, conservators and other users and small enough to be workable—no more than twenty persons."

Life. Recommended lifetimes of 3, 5, and 7 years were suggested, in most cases assuming a terminal report with recommendations. A continuing, indefinite term was also suggested.

Powers. There was little discussion of powers. A difference of opinion was expressed about subpoena power.

Reporting. A terminal report embodying findings and recommendations to the Congress was assumed by most who expressed themselves. Others suggested reports from time to time.

A publisher representative said that an impartial study is desirable, but during the study period the present law should remain as it is, so the rights of authors and publishers may be protected; furthermore, that an Advisory Council be established to keep the computer subject under consideration, study the problems as they come up, and report to a joint Congressional committee; and that the committee then make proposals for consideration by Congress.

A more specific suggestion was offered for creation of a national study commission funded by Congress; its membership should comprise persons from Congress, the Department of Justice, the publishing community, authors' interests, educators, librarians and other user groups. The chairman should be the Register of Copyrights. Selection of these commission members would be delegated to whoever at the time were chairmen of the sub-committees of the House and the Senate which were considering Copyright revision legislation.

CLEARINGHOUSE

The discussions of economics and pricing lead to a consideration of the desirability of some sort of clearinghouse, through which to administer permissions and payments for the use of copyrighted materials. Although the ideas of a clearinghouse had been considered for years, some persons present had vague notions as to what functions it should have and which niche it should occupy in the administrative hierarchy. Views ranged along a continuum from: "do nothing," as one extreme to, "transfer the Copyright Office from the Legislative Branch to the Executive Branch and give it regulative powers somewhat similar to the Patent Office."

Between these extremes are many variants. Previous mention has been made of the (CICP) Committee to Investigate Copyright Problems Affecting Communication in Science and Education, which concerned itself with this concept of a clearinghouse. It will be noted that CICP has a limited focus, confined to science and education. Thus, fiction and a host of other copyrightable materials are unaffected.

There were comments regarding analogies such as (ASCAP) American Society of Composers, Authors and Publishers, 1914, and (BMI) Book Manufacturers Institute, 1932, which were industry-controlled regulative bodies which had functioned for many years. It was pointed out that the analogy to the problem at hand did not fit. Several comments concerned the Patent Office and it was remarked that attorneys who practiced in copyright cases also frequently served in patent and trademark cases.

Reflecting the vested economics in the present media, there were those who wanted clearinghouse control to be in the hands of the copyright proprietors but others preferred user control. Some preferred a combination of both. Still others advocated participation and control by members of the public. Beyond the differences of opinion as to control the discussion touched on the threat of antitrust action, the just regulation of rates, and access to store—whether it is to be negotiable or compulsory.

Related issues were raised, such as individual licensing of permissions versus blanket licensing and the concomitant matter of payments; their basis, their measuring, their collection, etc. Also important to the discussion was the point of determining where accounting takes place: on input, on output, or perhaps both. This matter has been discussed under the topic, Input and Output.

The organization of a clearinghouse system was discussed. Should it be located at one central point, or should it be sliced up one way or another with responsibility assigned to separate branches for music, pictures, science, education, CATV, etc. Another issue concerned the supplying of hard copies of enrolled works as a function of the clearinghouse. In this instance reference was made to the Clearinghouse for Federal Scientific and Technical Information at Springfield, Va., an agency of the Department of Commerce operated by the U.S. National Bureau of Standards.

Concern was expressed for the integrity of intellectual property. The question was raised but not answered.

Systems for numerical and alphanumerical identification of documents were proposed by both Goodwin and Hilton, who argued that this was a core requirement in an efficient clearinghouse system. It was stated that the Union of Soviet Socialist Republics (U.S.S.R.) was sponsoring a standardized numbering system for suggested use in all of Europe.

A voluntary clearinghouse, in the opinion of a Justice Department official, raises difficult problems insofar as it eliminates competition between owners of copyrighted material to sell that material to the user. Such a system provides ready access to material and the convenience of bargaining with only one person, but it gives that one person the power to set a monopoly price. For that reason, if such a system is not specifically sanctioned by law, it is probably illegal under the antitrust laws.

The monopoly problem of a clearinghouse arrangement is mitigated to the extent that it is required to charge a reasonable royalty, as for example the ASCAP decree, which requires reasonable royalties to be set. It is difficult to determine what constitutes a reasonable royalty and there are further difficulties in collecting such fees.

SCHEDULE FOR LEGISLATION AND STUDY

There were two schools of thought concerning priority of action. One school believes we should study first, then legislate. The preponderance of opinion seemed to favor action on the legislation pending before the Congress with simultaneous action to establish a study commission which might recommend further legislation at the completion of its work.

There is a concern about this procedure however, lest present restrictions on input into automated systems impede progress in research and education. At the same time, commercial producers of computer assisted instruction (CAI) tapes are concerned about immediate protection.

Some of the reasoning which lies behind these two principal legislative options follows. For example, one participant preferred passage of the pending bill and stated:

"My prediction is that the publishers will do an excellent job of handling the new technology and there will be no need to make any major revisions in the future. The publishers will not be able to sit back and do nothing (as predicted by some) because there will always be at least one publisher (or the fear that there will be one) in the vanguard and he will force the others as a matter of competitive necessity to find the best ways to utilize the computer and related new fangled devices. No publisher will want to concede the new technology to his competitors."

Another participant offered this comment: "I believe that the pass-now group is the stronger, particularly in view of all the momentum that has built up. The study group is regarded in some quarters as a political requirement for accommodating dissidents and securing passage. The now familiar points of opposition persists, and any new law will not be totally welcomed"

Early enactment is favored in the following comment:

"It is commonly believed that large-scale dissemination and use of data in memory banks is some years off. It is also generally agreed that educators, librarians, and equipment manufacturers should be free in the public interest to experiment with the possibilities inherent in electronic data processing. My suggestions are as follows:

"(1) To enact the copyright bill into law, eliminating exemptions which, no matter how well intentioned, may have the effect of destroying certain sectors of private publishing;

"(2) To encourage cooperative experimentation between publishers and interested users on an informal ad hoc basis in each of the various fields of publishing which are of mutual interest;

"(3) . . . creation of an Advisory Council. . . ."

FIXED VERSUS EPHEMERAL IMAGE

The status of an ephemeral image as a copy was mentioned but not discussed fully. It seems likely that this issue will receive more attention in the future as (a) retrieval systems emphasize the retrieval of selected passages rather than entire documents and (b) the use of display is extended. One person commented: "the ephemeral, real time display has the essential attributes of communication as an agency of the mind-problem-data interaction, not at the same time creating permanent reference works for the more thoughtful, contemplative processes."

Conclusions and Recommendations

(By Lowell H. Hattery and George P. Bush, the American University)

The sponsors of this symposium here offer their own conclusions. This is a time for needed action and for mutual understanding and conciliation of opposing viewpoints.

1. *Current Legislation:* The language of the Copyright Revision bill now pending does not please all parties at interest and it may be difficult to secure its passage as a unit. Nevertheless, several portions of the bill are in need of early passage and may well be offered piecemeal as amendments to existing law. Care should be taken that interrelated topics are carefully explored.

2. *Future Legislation:* Because of the the rapidity of evolution of information technology and media, educational needs and methodology, any legislation affecting copyright must be subject to continuous review and periodic amendment.

3. *Problems Are Interrelated:* The impact of automated information systems upon the copyright law appears to have created not just one problem, but rather many interrelated problems: legal, procedural, legislative, cultural, technological, and time-related. It is unrealistic to approach one aspect without due consideration of many other aspects.

4. *The Ad Hoc Study Commission:* In furtherance of Par. 2 above it is desirable to establish some form of administrative body, preferably on a continuing basis. The Copyright Law as it now stands is based upon the Act of 1909, but has been amended in minor degrees since that date, a period of 59 years. It has been the thinking of many that a revision of the Copyright Law might remain essentially undisturbed for a future period of 20 years or more.

Such an assumption seems to be unjustified primarily because of the effects of technology and automation. Neither effect has been made the subject of a study by the Register of Copyright or by the Congress.

In view of the foregoing it is concluded that amendments made at this time or in the future be deemed to be more transient than has been the case in the past.

We suggest that the Copyright Office be made an independent agency and expanded to include quasi-legislative, quasi-judicial and administrative powers.

Such agency should conduct continuing studies and suggest appropriate legislation to the appropriate Committees of the Congress.

The independent agency proposal obviates the necessity for an ad hoc study commission.

5. *Economics and Pricing:* Pricing should continue to be done in the market place. Contracts should continue as a convenient method of arriving at pricing agreements. Differential pricing should be encouraged and regulated, preferably through a clearinghouse, whose officers would include a member of the Department of Justice. The permutations and combinations in the problem of pricing will in a few years become so complex that the independent agency would do well, if established, to give high priority to this issue.

6. *Moratorium:* It has been proposed by some of the users of copyrightable materials that there be declared by the Congress a moratorium on certain uses of materials to the end that no charge be made for these materials while they are in a computer or other machine use.

It has been suggested to the contrary that the rights to enter any intellectual property into a computer be compensated for by traditional bargaining in the open market.

The mechanism for achieving the latter objective does not exist at present. It appears to be imperative that a body be constituted for administering the function of permissions and payments. Whether such a body should be a public agency or a private corporation, such as ASCAP, presents a major problem in public policy, requiring further study and debate.

7. *Code for Unique Identification:* Legislation for the revision of the Copyright Law should provide for the unique identification of a document in order (1) to facilitate access to the world's knowledge and (2) to facilitate the processing of permissions and payments for copyrighted materials. (For example see Professor Howard J. Hilton's proposal in Chapter 9 and the editors' discussion in Chapter 11.)

In due course the code should be suggested for international adoption. Early adoption is desirable because it is preferable, all things considered, to have a code identification rather than a possibly less efficient system initiated elsewhere. It is desirable that an agreement be reached between east and west to adopt the same coding system.

8. *Input-Output:* A dilemma exists regarding the issue of whether it be an infringement of copyrighted material to transcribe it for input into an electronic computer in machine-readable form or to print it out. There appears to be a conflict in securing incentives for creativity of authors and the distributing functions of their publishers, and at the same time securing socially desirable access through technology beyond control of either author or publisher—copyright owner. The problem goes far beyond the purview of a study commission. Fundametal questions of Public Policy are involved.

9. *Fair Use:* The concept of "fair use" is so difficult to define, control and adjudicate in a dynamically changing environment that it is not feasible to incorporate it into statute law.

Therefore, it should be assigned to the proposed independent agency referred to above for rule-making, administration and adjudication, responsive to changing needs, interests and technologies.

10. *Microforms:* The medium of microforms and associated technology have received less attention than computer systems. Nevertheless we foresee that for the next few years microimage systems will constitute a more severe problem. Hybrid systems, comprised of both computer and microfilm are already in operation and can be expected to proliferate after 1968.

11. *Exclusive Rights:* The sponsors' posture favors continued copyright protection in the form of exclusive rights. In our opinion such incentives best serve the long-run interests of both creators and users of intellectual property.

Finally, we are aware that many divergent interests require resolution, such as:

a. different technologies for storing and assessing the written and spoken word;

b. the psychology of learning;

c. The identification of intellectual property, its documentation, and permissions and payments for its different uses.

Resolution of all the foregoing will require a sense of balance; a sense of trade-offs; an understanding of what is both technically and politically feasible; an awareness of the actual cost to society of furnishing access to knowledge in traditional imprint documents; all this in the interests of a free society.

Selected Bibliography

(*Note on the Bibliography:* The bibliography is included to provide additional background and guidance. An endeavor has been made to provide the interested reader with optimum information sources, covering much of the broad spectrum of the subject. The reference is followed in most cases by a brief commentary, frequently a quoted paragraph or sentence from the text or editor's comment. Most of the items cited are dated in 1966 and 1967.)

Adkinson, Burton W. and Charles M. Stearns. 1967. Libraries and Machines—A Review. *American Documentation* 18:121–124. July 1967.

The application of computers to library operations is discussed in broad terms; the need to stay in business during conversion; the demonstration in advance of the economic advantages of conversion; the difficulty of proving in advance that conversion will meet real user needs; and solving standardization and compatibility problems to use one another's services.

Advances in Computer Typesetting. 1967. The *Proceedings of the International Computer Typesetting Conference*, Sussex University, Sussex, England. London. Institute of Printing. 1967. 300 p.

Includes such topics as keyboard design, input equipment, editing systems, software, hardware, graphic arts equipment, photo composers, computer-set books in Sweden.

Alt, Franz L. and Arthur Herschman. 1968. *Plans for a National Physics Information System*. ID68–6 (March 1968). New York. American Institute of Physics, Information Division. 42 p. + Supp. A, 12 p. (NSF Grant GN 710).

This report concerns the classification aspect of a proposed national information system for physics. Computer-aided photo composition will produce the AIP journals. "The requisite computer tape furnishes, as a byproduct, the input to a computer store of information about the AIP-generated primary physics literature." Other byproducts can be generated.

American Society for Testing Materials. 1967. *Statement Relative to the Establishment of a National Commission on the Uses of Copyrighted Works for Education, Scholarship, and Research*, July 25, 1967.

"The American Society for Testing Materials respectfully submits that the formation of the proposed Commission would duplicate work, would delay the development of an equitable solution to problems which are essentially private in nature, and would expend public funds for a solution which, in

part at least, should be paid for by private interests."

Application of Copyright on Computer Usage. 1967. Washington, National Academy of Sciences, Dec. 1, 1967. 26 p.

Summary of main findings: 1. Computer information processing is of growing importance, and in a multitude of ways involves dealing with what is copyrightable material. 2. The copyright revision bill does not deal directly with many vital aspects of computer information processing. We feel that enacting it into law in its current form could lead to difficulties of interpretation. 3. We recommend further study of the copyright issue, and support in general the proposal to create a study commission on copyright law. We find that the Panel is divided on the advisability of enacting the present bill in its current form, pending the outcome of the Commission's study. Panel participants: Albert V. Crewe—chairman, Robert M. Hayes, Benjamin Kaplan, William F. Miller, Charles G. Overberger, W. B. Wiley, F. Karl Willenbrock and Charles P. Bourne—executive director.

Association of American University Presses. Copyright Committee. Report. June 1966. 7 p. (Submitted by Mark Carroll, Lambert Davis, Phlip Lilienthal and Gordon Hubel.)

Summary report on photocopying and the use of computers in copying within the United States. Discussion includes "fair use", permissions to copy, input and output, and relationships of AAUP to other interested groups.

ATPI: Past, Present and Future at 25th Anniversary Meeting. 1967. In *Publishers' Weekly* 191:22:29–30. May 29, 1967.

Under the heading: Status of Copyright Revision, the following paragraph is noted: "Considering these pressures to limit copyright, Mr. [Lee] Deighton continued, educational publishers might well consider taking this position: that publishers are able to operate under the present (1909) copyright law and might prefer to continue operating under the present law to operating under a new law whose meaning is unclear. This position, when it has been suggested, has surprised certain educator's groups, which had come to think of the current revision as a 'publishers bill', Mr. Deighton said."

Banzhaf, John F. III. 1966. Copyright Law Revision: a recent amendment favors information storage and retrieval—a report to the data processing community. IN *Computer and Automation* 15:10–11. Dec. 1966.

A brief statement related to H.R. 4347, 89th Congress and the impact of computers and computer programs on the copyright law.

Banzhaf, John F. III. 1967. When a Computer Needs a Lawyer. In *Dickinson Law Rev.* 71:240–256. Winter 1967.

The purpose of this article is to sensitize the reader to the legal problems which may occur in the operation of a computer so that he can, with foresight, take steps to avoid the difficulties before they happen. At the same time it illustrates some of the fascinating and unresolved legal problems computer usage has created. To dramatize some of these problems each area is considered in terms of a particular hypothetical situation.

Barr, Robert. 1967. Key Interests Await Senate Action on Copyright Bill. In *Electronic News*. April 17, 1967. p. 10.

"Computer and educational interests may be breathing easier over prospects for a new Federal copyright law that will not impede them." An interpretation of certain aspects of final House action on H.R. 2512: CATV, face-to-face teaching, educational TV.

Becker, Joseph. 1966. Communications Networks for Libraries. In *Wilson Library Bull.* 41:383–387. Dec. 1966.

A short discussion of some of the factors and time-elements in such networks. "Fundamental to the conception of such a network of libraries is that its communications system be free of inherent restrictions with respect to media, discipline, or geographical location of participants "

Behrens, Cary. 1967. Publishing Goes Electronic. In *Science News* 92:44–45. July 8, 1967.

"Books are not about to be replaced by electronic substitutes, but changes are in the works as the publishing industry moves farther and faster into the electronic age." A brief discussion of some new developments, including computer aided education.

Benjamin, Curtis G. 1967. *Computers, Copyrights and Educators.* An address before the 75th Annual Meeting, American Society for Engineering Education, Michigan State University, June 19–22, 1967. Unpaginated.

This address concerns the emerging problem of computer uses of copyrighted materials. Topics include: Permissions and payments; Input—output; Clearinghouse; EDUCOM, ERIC. "So I can heartily endorse the widely favored suggestion that Congress should enact the present copyright bills without more specific legislation on computer uses, but with a provision for the appointment of a study commission to investigate the impact of the developing new technology on the creators, publishers, and users of copyrighted works."

Benjamin, Curtis G. 1966. Copyright and Government. "A Sea of Troublesome Questions" in *Library J.* 91(4):881–6. Feb. 15, 1966.

Discusses the Copyright Act now in process of revision: Governmental publication; governmental employees; federally financed research resulting in publications, including textbooks.

Brown, George W., James G. Miller and Thomas A. Keenan. (authors and eds). 1967. *Edunet:* Report of the Summer Study on Information Networks. Conducted by Interuniversity Communications Council. New York. John Wiley & Sons, Inc. 1967. 440 p.

"The aim is rather to produce a coherent analytic presentation of the ideas expressed [at the Summer Study], or some reliable facsimile thereof, always in the context of the goal of the study, which was to provide, if possible, a basis for the preparation of network proposals." Edunet is a revolutionary, elaborate, complex plan for a new system through which colleges and universities of all sizes and in all parts of the country can have quick access to information and can share library and computer resources. The impact upon the copyright laws, while mentioned briefly, was not explored. (Charts, diagrams, tables, glossary and index)

Cain, Alexander M. and Irwin H. Pizer. 1967. The SUNY Biomedical Communication Network: Implementation of an On-Line, Real-Time, User-Oriented System. In *Proceedings of the American Documentation Institute Annual Meeting. Vol. 4.* Levels of Interaction between Man and Information. Washington. Thompson Book Co. p. 258–262.

The Network is headquartered in Syracuse, New York, on the campus of the Upstate Medical Center where a full-time staff of 20 persons is engaged in the work. Central computing facilities for the Network will also be at that location. The Network has been designed as the pilot project for university-wide system linking all 58 libraries.

Campbell, E. L. 1967. Electronics and the Printed Word. In *Electronic Age* 26:11–13. Spring 1967.

New advances for the graphics industry are promised through video-composition techniques that combine the speed of electronics, the image-making abilities of television, and the organizing capabilities of the computer. A simplified explanation of RCA's Videocomp.

Carter, Launor F., Gordon Cantley, John T. Rowell, Louise Schultz, Herbert R. Seiden, Everett Wallace, Richard Watson, and Ronald E. Wyllys. 1967. *National Document-Handling Systems for Science and Technology.* New York. John Wiley & Sons, Inc. 1967. 356 p.

"The book grew out of a study undertaken for the Committee on Scientific and Technical Information (COSATI) by the System Development Corporation." The original study report, PB 168 267, containing COSATI recommendations, is available from the Clearinghouse, Springfield, Va.

Cary, George D. 1967. The Quiet Revolution in Copyright: The End of the 'Publication' Concept. In *George Washington Law Rev.* 35:652–674. May 1967.

"It is the purpose of this article to briefly examine the background of that revolution, some cases which illustrate the need for a change, and the innovation brought about by the new bill.

* * * * *

"In sum, the 'most serious defect' of the present copyright law has been quietly excised from the law in the bill as reported favorably by the House Judiciary Committee. . . . it is probable that the death of the 'publication' concept will not be mourned by anyone."

Cass, James. 1966. Education and the Copyright Law. In *Saturday Rev.*, May 21, 1966. p. 53–54.

An editorial concerning the proposed revision of the U.S. Copyright Law, with emphasis upon educators, and their differences with publishers.

CATV and Copyright Liability. 1967. In *Harvard Law Rev.* 80:1514–1537. May 1967.

"The purpose of the Note is to examine one important aspect of the attack on CATV—the attempt to show that CATV infringes copyright either by 'copying' or 'performing' when it picks up a broadcaster's signals and transmits programming to its subscribers' TV sets—and to consider some of the policy factors which are relevant to both the judicial resolution of the issue and the legislative treatment of CATV in the proposed copyright revision bill."

Computerized Classrooms Are Almost Here. 1967. In *Changing Times.* 21:24–28. Mar. 1967.

". . . for a dozen years classrooms have been boiling with change—new things to teach, new ways of teaching them. And now just ahead lies a full-scale technological revolution in the tools of learning. What's coming, says one expert, will have the same effect on education as the automobile had on transportation.

* * * * *

"Whenever this revolution really does take hold, chances are that we'll have at last what educators have been talking about for years—the truly child-centered school."

Copyright Law as it Relates to National Information Systems and National Programs. 1967. A study by the Ad Hoc Task Group on Legal Aspects in National Information Systems, by the Committee on Scientific and Technological Information (COSATI), Federal Council for Science and Technology, Washington, D.C. Distributed by the Clearinghouse for Scientific and Technical Information, Springfield, Va., microfiche 58 p. + 15 p. Summary.

The study concerns three areas: Ready access to copyrighted material; (2) Conversion of copyrighted material into machine readable form as a possible infringement of copyright; (3) Exemptions from copyright by non-profit users.

The Copyright Law Revision: Its Impact upon Educational Activities. 1967. In *AAUP Bull.* 53:126–132. Summer 1967. AAUP (American Association of University Professors) Washington.

This article is comprised of a 1-page editorial introduction, followed by a statement presented to the Senate Judiciary Committee on April 12, 1967 by John C. Stedman, Chairman of the Special Committee on Copyright Law Revision of the American Association of University Professors and "reflects the Association's efforts to come to grips with some of these problems."

Cranfield, Paul F. 1967. Retrieving the Irretrievable; or the Editor, the Author, and the Machine. In *Bull. Medical Library Assn.* 55:129–134. Apr. 1967.

"Abstract. Present day programs of computerized informational retrieval overvalue the importance of retrieving 'facts' without either attaching a scale of importance to the material with which they deal or ordering information in any way which corresponds to the order of human thought. The limitations of classification by subject heading become especially apparent when a body of information becomes, through new insight, pertinent to a new area of thought. That body of information thereby acquires new subject headings: thus one sees that the system of retrieval by subject heading can never serve to aid fundamental discovery. The dangers of the present approach lie in their devaluation of traditional methods. Critical reviews are devalued, and a false impression is created that knowledge is the same as retrievable information. This diminishes respect for that sort of personal organization of knowledge which alone can serve creative insight."

Cunningham, Dewey J. 1966. Information Retrieval and the Copyright Law. In *Bull. Copyright Soc. U.S.A.* 14:22–27. October 1966. (1966) American Bar Association Symposium)

A discussion of the impact of technology upon certain aspects of the copyright law, with stress upon the valid interests of the authors who create and the publishers who disseminate. At the same time the author recognizes that "we cannot operate information exchange in the future according to the rules of the past. It is not the same world. Thus, we must be able to retrieve particular accumulated information to meet the needs of the readers if we are to have progress. Indeed, the scientists and engineers who create the scientific and technical literature have the same need of any other reader."

Diaz, Albert James. 1967. On-Demand Publishing—The Clearinghouse Concept. In *Proceedings of the American Documentation Institute Annual Meeting. Vol. 4.* Levels of Interaction between Man and Information. Washington. Thompson Book Co. p. 238–24.

"This paper describes in detail the Clearinghouse for Sociological Literature, an organization based on the "demand publishing concept." Also stated are the advantages of the system and answers to questions which may arise. Small organizations in the sociological field "simply deposit all research reports with the Clearinghouse and subsequently refer any inquiries to it."

Diebold, John. 1966. The New World Coming. In *Saturday Rev.*, July 23, 1966. p. 17–18.

"Tomorow's computers will revolutionize business, education, communications, science—in ways only dimly foreseen.

* * * * *

"If there is one salient fact about information technology, it is that it is going to produce enormous social change. As the quality of life is changed, as the rate of learning, information, travel, and communications all change, we will see a major change in living patterns, in hopes and desires. In short, a complete new environment will exist."

Dorn, William S. 1967. Computers in the High School. In *Datamation* 13:34–38. Feb. 1967.

Examples of computer-extended instruction, the teaching of a discipline using a computer, which is contrasted with a computer science course.

Drury, Harold F. 1967. The Printing and Publishing Industry: Where Is It Headed in 1967? In *Inland Printer*, Jan. 1967. p. 35–37.

A statement by the Director, Printing and Publishing Industries Division, U.S. Department of Commerce, covering the several aspects of the twenty billion dollar per annum business. "Several factors are at work transforming the printing and publishing industries from a trade of craftsmen into units of broadly-based communication facilities. Advances in technology, computer-assisted graphic techniques, and mergers with non-graphic arts companies have created substantial pressures on industry management."

Fanwick, Charles. 1967. Computer Safeguards: How Safe Are They? *SDC Magazine* 10: 26–28, July–Aug. 1967.

The limitations on use of a given information retrieval system cannot be assigned exclusively to the hardware. "Few technological bars exist today which in themselves preclude retrieval of any data from a data bank. . . . That which man has programmed, man can also unprogram. . . . Only when suitable secure hardware is combined with intelligent construction of the data base; legal threats against divulgence; high cost of time, effort and money to obtain access; and suitable screening and proof of the ethical qualifications of authorized users can we hope to offer an operational system which is present as being capable of protecting the privacy of the individual."

Fedde, George A. 1967. Plated Wire Memories: Univac's Bet to Replace Torroidal Ferrite Cores. In *Electronics* 40:101–109. May 15. 1967.

Thin films on wire substrates form stores that are fast, cheap, yet easy to make; memories of 100 million bits are feasible. "Neither intentional nor accidental power shutdown affects information stored in a plated-wire memory."

Garfield, Eugene. 1967. In *Science* 156: 1398–1401. June 9, 1967.

A report on a symposium: "The place of information retrieval and scientific communication in the education of the scientist," held at the 133rd American Association for the Advancement of Science Meeting, Washington, D.C., December 27, 1966.

One speaker, Alvin Weinberg, is quoted: "The information center . . . is proving to be a dominant element in the new information system. The information center will surely continue to proliferate and develop as science and scientific information increase. . . . The education of every scientist will have to include instruction in handling the new and ingenious tools of information retrieval."

Gipe, George A. 1967. *Nearer to the Dust:* Copyright and the Machine. Baltimore, Md. Williams & Wilkins Co. 1967. 290 p.

"The purpose of this book is to describe, in layman's language these basic unsolved problems [subsequent to the expected passage of a revision of the copyright law in 1967] and their relevance to the average person in our society."

Chapter 4 is concerned with the invention of xerography and its impact upon the office copier field. Chapter 5 is concerned with "fair use" of copiers by students and librarians. Chapter 6 is a discussion of several aspects of the concept of "fair use." Chapter 12 expresses views of various interested parties in the conflict between copyright and computerized storage, retrieval, and dissemination of information. Chapters 12, 13 and 14 discuss the efforts toward revision of the copyright law. Chapter 15 discusses permissions and payments, as related to some type of clearinghouse. Three appendices relate to Chapter 15. Index.

Goldberg, Morton David. 1966. Recent Judicial Developments in Copyright Law. In *Bull. Copyright Soc.* 13:378–401. Aug. 1966.

Originally a paper delivered before the Section of Patent, Trademark and Copyright Law of the American Bar Association at Montreal, Canada, Aug. 10, 1966. Mr. Goldberg discusses the CATV case: United Artists Television, Inc. v. Fortnightly Corp. and comments briefly upon three scores of lesser cases.

Goodwin, Norton. 1967. *Automated Information Storage and Retrieval: Permissions and Payments.* Text of an address at Institute on Printing and Publishing: Management of Automation, The American University. Washington. January 16, 1967. 9 p.

"The real subject of my talk is statutory systems of deterrents to unauthorized copymaking. It is a subject of major significance if the public interest in sustaining commercial publishing activity on the one hand is to be reconciled with the public interest in getting automated access to published information on the other."

Goodwin, Norton. 1965. *Information Processing Systems and Copyright Legislation.* A paper presented at the Society of Photographic Scientists and Engineers' 1965 Symposium on Photography in Information Storage and Retrieval. Washington. October 21–23, 1965. 14 p.

A discussion of certain proposals for revision of the copyright law, particularly those relating to copying and methods for paying royalties for copying.

Goodwin, Norton. 1967. *Intellectual Property in Automated Information Systems.* Remarks to members of the Patent and Proprietary Information Committee, Electronic Industries Association, Washington, March 14, 1967, 5 p.

"In a library, the relation between the storage and retrieval system hardware and the meaning of text on the shelves is essentially mechanical. The same is true of an automated library, but the results of going to electronics, in terms of reduced access time and lower copy costs, represent a major break-through in human communications."

Gosnell, Charles F. 1966. The Copyright Grab-bag. Observations on the New Copyright Legislation. *ALA Bull.* Jan. 1966, p. 46–55.

"These reflections by the chairman of the American Library Association Committee on Copyright Issues incorporate the substance of some of his testimony before congressional committees which are working on the legislation. Mr. Gosnell is director of the New York University Libraries." Topics include: History of copyright; What actually is copyrighted; Photocopying; Fair use; Joint committee on fair use; Current efforts for revision of the coypright law; The ALA Committee on Copyright Issues. "The bills as they stand are essentially good and fair. We advocate some changes while we would strongly oppose amendments that others might urge."

Gosnell, Charles F. 1967. The Copyright Grab Bag, II. A New Kind of Lend-Lease. *ALA Bull.* June 1967, p. 707–712.

Reference is made to a previous article (ALA Bull. Jan. 1966, p. 46–55.) "Since then, several copyright bills have been introduced in both the House and the Senate, together with a substantial report by the House Committee on the Judiciary. It is now appropriate to assess the current trend and to issue a warning accordingly." Topics include: Fair use; Duration; Not-for-profit; Proposals for a clearinghouse and a regulatory commission.

Grossman, Alvin. 1967. The California Educational Information System. In *Datamation* 13:32–37. Mar. 1967. Diagrams.

A general description of the evolving California information system for centralizing data processing at regional centers. Such facilities could be utilized part-time for instructional purposes.

Hattery, Lowell H. 1966. Computers, Typesetting, Printing and Publishing. In *Computer Yearbook and Directory.* Detroit, Mich. American Data Processing, Inc. 1966. p. 196–206.

In this chapter is discussed the state of the related arts of printing, publishing, typesetting, and electronic computers, as of 1965, their interrelationships, problems, and outlook. "The total system of the printing process, tied together and driven by computer control seems to be the inevitable direction for automation of the future." Illustrated. Bibliography.

Hattery, Lowell H. 1966. Federal Programs and Commercial Book Publishing. In *An Eco-*

nomic-Media Study of Book Publishing. New York. American Textbook Publishers Institute. 1966. p. 31–118.

The objective of this study is to identify and assess current policies, practices, and trends in the legislative and executive branches of the federal government in the perspective of present and potential impact on commercial book publishing. Includes a bibliography and three appendices.

Hattery, Lowell H. 1966. Microfiche Comes of Age as a Publishing Medium. In *Book Production Industry* 42:46–49. Dec. 1966.

Easy handling and excellent page storage capacity are creating a mushrooming growth market for these 4x6'' film sheets. Prices for microfiche copies are dropping sharply—sometimes to a small fraction of the cost of the same publication in conventional printed form.

Hattery, Lowell H. and George P. Bush (eds.). 1965. *Automation and Electronics in Publishing*. Washington. Spartan Books. 1965. 206 p.

This book is derived from a symposium in 1965 sponsored by the Center for Technology and Administration of The American University, which explored the electronic printing automation problem, its various technologies, viewpoints, proposed solutions, and outlook. In addition to reporting the symposium the book includes a summary chapter and a selected bibliography.

Hattery, Lowell H. and George P. Bush (eds). 1964. *Reprography and Copyright Law*. Washington. American Institute of Biological Sciences. 1964. 204 p.

This book is derived from presentations at symposium in 1963 sponsored by The American University, which explored the reprography-copyright problem, its varied interests, and viewpoints, proposed solutions, and outlook. It included a summary chapter, three appendices, and a selected bibliography.

Heilprin, Laurence B. 1967. Technology and the Future of the Copyright Principle. In *Phi Delta Kappan*: 220–225. Jan. 1967.

The background of copyright. New need for copyright revision. Technology and copyright control. Users' need of new technology. Conflicting valid principles. Possible solutions.

Hilton, Howard J. 1967. A Method for Organizing Information by Uniquely Identifying All Recorded Knowledge. In *Proceedings of the American Documentation Institute. Annual Meeting. Vol. 4*. Levels of Interaction between Man and Information. Washington. Thompson Book Co. p. 119–123.

The author presents the case for the adoption of an identifying symbol for each item of recorded knowledge and explains the need therefore and the mechanics thereof. The necessity for early adoption of some such method is stressed, particularly as it affects a proposed clearing house system for copyrighted materials.

Hilton, Howard J. *A Code for the Unique Identification of Recorded Knowledge and Information*. To be cited as HUC No. 7HIL–NTC2A–2. Obtainable from the author at the Pennsylvania State University, Middletown, Pa. 17 p. with appendices.

This paper explains the need for a system which will uniquely identify recorded knowledge and information by means of a universal code. An application to the processing of permissions and payment of copyrighted materials is set forth. Another application concerns the identification of materials in automated information systems. The first six pages of this document appear in the author's chapter in this book. The balance of the paper consists primarily of the specifics in applying the code.

Hoshovsky, A. G. and H. H. Album. 1965. Toward A National Information System. In *American Documentation* 16:313–322. Oct. 1965.

"Our objective is to offer a general plan for the construction of a comprehensive national technical information system. The system we will consider will deal exclusively with the published scientific literature."

Howe, Harold, II. 1967. Realities of the Learning Market. In *Library J*. 92:297–301. Jan. 15, 1967.

"The business firm able to make something that would be in a school library is clearly in the wave of the future, for the library is the fastest growing element in the modern school."

This article was originally a speech given before the American Management Association's First Practicum in Educational Technology in New York on Aug. 9, 1966. "No matter how effectively computers are used in the classroom, they do not really teach anything. It is the program that teaches—a program designed by a teacher."

Information Dissemination by Decentralized Data Center System Becoming Widespread in Both Government and Private Sectors. 1967. In *Scientific Information Notes* 9:1–2. April–May 1967.

"The bill to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data at present in Congress formalizes the National Standard Reference Data System (NSRDS) of the National Bureau of Standards (NBS), with its dispersed activities and central administration. Decentralization of information and data compilation and dissemination, coupled with centralized coordination, seems to constitute the prevalent pattern of information handling in the physical, biological, and medical sciences."

Janning, Tom. 1967. Optical Scanners Come of Age! In *Graphic Arts Mo.* 39:50–55. Apr. 1967.

A report on the current status of optical character reading in electronic data processing—types of equipment, capabilities, applications, form design, paper and printing requirements, and levels of practicality. "At present, a theoretical break-even point in terms of volume is 10,000 documents per day in industrial applications. At this level—or higher—optical scanning is a time and money saver . . . high volume is not absolutely necessary if speed and accuracy are the primary requirements."

Kaplan, Benjamin. 1967. *An Unhurried View of Copyright*. New York. Columbia University Press. 1967. 142 p.

The James S. Carpentier Lectures delivered by Professor Kaplan at the Columbia University School of Law in March 1966. "His counsel that greater emphasis should be placed on the public's interest in the free accessibility of ideas is particularly appropriate in an era when freedom of expression is frequently under attack and when the means of dissemination of ideas are increasingly concentrated in fewer hands." Of particular interest at this time is Chap. III. Proposals and Prospects.

Karp, Irwin, 1955. A "Statutory" Licensing System for the Limited Copying of Copyrighted Works. In *Bull. Copyright Soc.* Feb. 1965. p. 203–204.

Misgivings regarding possible application of ASCAP procedures to a clearinghouse.

Kastenmeier, Robert W. 1967. Information Explosion and Copyright Law Revision. In *Bull. Copyright Soc.* 14:195–204. Feb. 1967. (Originally an address before the American Patent Law Association, Washington, January 24, 1967.)

A commentary on H.R. 4347 as it progressed through the House Judiciary Committee during 1966. Includes some reference to computer applications.

Keppel, Francis. 1967. The Computer and the Structure of Education. In *Educational Technology* 7(3):1–8. Feb. 14, 1967.

". . . it is likely that without new scientific aids to learning the school and the college will be hard put to it to make more economic use of human and physical resources and at the same time show greater individual concern with the student.

". . . it is computer technology, uniquely, that realizes its power *only* as it helps *individual* students to learn."

Klein, Peter J. 1967. International Telex Service through Computerized Line Switching. In *Western Union Tech. Rev.* 21:14–22. Jan. 1967. (Five figures)

Western Union connects to three international Telex carriers, thus providing Telex communications to all parts of the world. These international carriers are IT&T World Communications, RCA Communications Inc., and Western Union International, Inc.

Knox, William T. 1965. *Planning for National Information Networks*. A talk given at a meeting of the Federal Science Trends Committee of the Industrial Research Institute and the U.S. Chamber of Commerce Science and Technology Committee, Denver, Colorado, Oct. 14, 1965.

An exploration of Cosati's relationship to the proposed National Document Handling System's Network.

Lasswell, Harold D. 1966. Policy Problems of a Data-Rich Civilization. In *Wilson Library Bull.* 41:58–65. Sept. 1966.

A short discussion on various topics: Implications for world security; Implications for individuality, and; Implications for democracy. "Shared data means shared power; a monopoly of data means a monopoly of power."

A Licensing System; a Proposal by the Author's League of America, Inc. In *Library J.* 91(4):892–3. Feb. 15, 1966.

This proposal is a system under which authors and publishers would license the making of copies and material from books and periodicals on a royalty basis.

Marke, Julius J. 1967. Copyright Revisited. *Wilson Library Bull*. Sept. 1967. p. 35–45.

A discussion of the basic problem of whether copyright law can respond to the new techniques of electronic document-storage and computerized information, as well as the emerging possibilities of miniaturization and remote transmission of data. All this in relation to the current thrust of the current copyright revision activities.

Marke, Julius J. 1967. *Copyright and Intellectual Property*. New York. Fund for the Advancement of Education. 1967. 108 p.

A study of the public domain issue as raised by the U.S. Office of Education policy with related matters such as government-financed research and its accessibility, and copyright and reprography. Of particular interest is the last chapter: The Information Explosion and the New Technology, pp. 88–105.

Markham, Jesse W. 1967. *A presentation to the Subcommittee on Patents, Trademarks, and Copyrights of the United States Senate on March 15, 1967*. 12 p.

A discussion of the more important findings of the document: An Economic-Media Study of Book Publishing as prepared for the American Book Publishers Council and the American Textbook Institute during the late 1965 and early 1966.

Marron, Harvey and L. G. Burchinal. 1967. ERIC—A Novel Concept in Information Management. In *Proceedings of the American Documentation Institute Annual Meeting. Vol. 4*. Levels of Interaction between Man and Information. Washington. Thompson Book Co. pp. 268–272.

ERIC refers to the Educational Resources Information Center which is a national information system dedicated to the progress of education through the dissemination of educational research results and research related materials. This article describes the overall concept, a system description, the clearinghouse, research in education, lexicography, copyight considerations, and future plans.

A McLuhan Montage. 1967. In *Library J.*: 2:1701–1703. Apr. 15, 1967.

This article is comprised of quotations from various sources related to publications upon the writings of Marshall McLuhan. "The future of the book is huge, because as it weds other media, including xerox, it takes on vast new dimensions of persuasiveness. The printed book is going to become an information service rather than a package on bookshelves. But it's going to acquire far greater circulation and usefulness than ever before. The people who are in charge of it, the people who write for it and distribute it and so on, will all be different. But its sheer usefulness is going to increase enormously with the wedding of these electric media. . . ."

Menkhaus, Edward J. 1966. The Many New Images of Microfilm. In *Business Automation:* 32–58. Oct. 1966.

"Long accepted as a storage medium, microforms are now assuming an important role in the development of modern information systems." In-line and some on-line (to computer) film systems are already in existence. Microfilm is complementary to computers. The optimum system involves the use of both computers and microfilm. Graphics are stored best on film. It is less expensive to distribute information on film than with online computer equipment.

Miller, James G. 1966. EDUCOM: Interuniversity Communications Council. In *Science* 154: 483–488. Oct. 28, 1966.

Institutions have joined forces to foster application to higher education of the burgeoning information sciences. A brief account of the founding, the objectives, and the current [October 1966] operations of the Interuniversity Communications Council. Mention is made [p. 486] of the establishment of a Committee on Copyright with Benjamin Kaplan of Harvard Law School as chairman and Arthur Miller of Michigan Law School as co-chairman.

Miller, Arthur R. 1967. The Copyright Revision Bill in Relation to Computers. A statement approved by the Board of Trustees and the Task Force on Legal and Related Matter of the Interuniversity Communications Council (EDUCOM). In *Communications of the ACM* 10:318–321. May 1967.

This statement refers to Senate Bill 597, which would generally revise the copyright law of the United States. "It is submitted that these provisions in their present form will seriously hamper the educational programs of the nation. The following statement examines the impact of the bill upon the development of the use of computers in instruction and research and suggests measures and means which will fairly protect authors and publishers and which will at the same time permit the full application of the genius of the computer to the advancement of the nation's educational program.

Mohrhardt, Foster E. and Blanche L. Oliveria. 1967. A National Network of Biological-Agricultural Libraries. In *College and Research Libraries* 28: 9–16. Jan. 1967.

Efforts to gain systematic control of the entire range of biological and agricultural literature are reviewed. In view of the need manifested therein, an efficient network of biological-agricultural libraries is being developed to serve the communities in those fields. Problems are discussed, and the elements of such a system are enumerated.

Moore, J. Kenneth and John F. Cavanaugh. 1967. A Picture Worth a Thousand Words. In *Electronics* 40:113–121. Apr. 3, 1967. Charts and diagrams.

Using new character-generating tube and a crt, photocomposition system for printing is capable of setting type at speeds of 1000 to 10,000 characters per second while making up the page in the same process. A description of the Linotron typesetter to be installed at the U.S. Government Printing Office in Washington. A joint effort by Mergenthaler Linotype Corp. and Columbia Broadcasting System Inc., CBS Laboratories Divn. Mention is made of the Lexical Graphical Composer Printer, being built for the Air Force Logistics Command.

Morehouse, H. G. 1966. *Telefacsimile Services Between Libraries With the Magnavox Telecopier.* A study prepared for Council on Library Resources, Inc. (CLR–314). Reno, Nevada. University of Nevada Library. Dec. 20, 1966, 54 p.

A 30-day test of the Xerox Magnavox Telecopier was conducted in order to evaluate its feasibility as a means of transmitting printed pages between libraries, primarily as a faster alternative to the usual method of mailing a Xerox copy of a journal article from one library to another in response to a mailed request. Cost about $9.85 for a 10-page transmission from Reno and Las Vegas to Davis, Cal. Quality is adequate *when the machines are functioning* properly.

Munster, J. H., Jr. and Justin C. Smith. 1965. The Care and Feeding of Intellectual Property. In *Science* 148: 739–743, May 7, 1965.

How much legal protection of "property rights" in ideas is desirable? A discussion of protection under these categories: patents, copyrights, trade secrets and ideas. The means and methods of protection may vary with the type of property, and protection under one category may well destroy protection which might exist under another.

Murphy, Arthur R., Jr. 1967. Communications—Mass without meaning. In *Educational Technology* 7(7):1–5. Apr. 15, 1967.

"The print medium is neglecting content in that it is failing to take as much advantage as possible of its natural strengths. For one thing, the medium has more time and more space in which to work than television does. Its people can write the story down and rework it and present it so that those who receive it can ponder it at their leisure.

"Where the print men really belong is behind the scenes following up the lead that television turned up and anticipating the next lead. This is the new role of the print media in the modern information scheme of things."

Nelson, Greg J. 1966. The Copyrightability of Computer Programs. In *Arizona Law Review* 7:204–218. Spring 1966.

A discussion of the legal aspects of computer programs with reference to copyright law. "Science has created a new tool in the computer, and now the legal field must come to grips with the accompanying legal problems . . . It [the program] cannot be made to fit the patent notch and thus copyright law is the only remaining statutory protection for the proprietary rights therein."

Overhage, Carl F. J. and R. Joyce Harman (eds.) *INTREX.* Report of a Planning Conference on Information Transfer Experiments. Cambridge, Mass. MIT Press. 1965. 276 p.

The object of those experiments is to provide a design for evolution of a large university library into a new information transfer system that could become operational in the decade beginning in 1970. Such a system will result from a confluence of three streams. (a) The modernization of current library practices. (b) A national network of libraries and other information centers. (c) The extension of on-line, interactive computer communities into domains of libraries and other information centers.

Park, Ford. 1967. The Printed Word. In *Int'l Science & Tech.* No. 61: 24–36. Jan. 1967.

"High technology has begun to remake the ways we shape ideas into patterns on the printed page. The result is new vitality in a stodgy industry . . . New plastics, adhesives, coatings, metal laminates, controls, photographic typesetters, computers, scanners, electronic character generators, video tubes, all these and more are having their impact. In short, a revolution in printing is in the making.

Passano, William M. 1967. The Photocopying Menace. *Johns Hopkins Magazine* 18:30–33. Fall 1967.

"Many academic journals may be doomed to extinction by the widespread, illegal use of photocopying machines, says a prominent medical publisher." The gist of this article concerns payments and permissions for copying copyright materials, particularly on the part of libraries and educators. Suggestions are made for resolving the dilemma.

Phelps, Ralph H. 1967. Factors Affecting the Costs of Library Photocopying. In *Special Libraries* 58:113. Feb. 1967.

The Director, Engineering Societies Library, New York City, answers some questions relative to the factors which bear upon the setting of rates for photocopying materials in that library. They seem to be relevant to other library situations.

The Photographic Reproduction of Protected Works by or on Behalf of Libraries, Documentation Centers and Scientific Institutions. Permanent Committee of the International Union for the Protection of Literary and Artistic Works. Intergovernmental Copyright Committee, Geneva, Switzerland, Dec. 12–15, 1967. 2 p. with Annex A, 9 p; and Annex B, 93 p.

Annex A. Study of existing practice in the Federal Republic of Germany in regard to reproduction by photography or similar processes of copyrighted works and to the reproduction of such works by commercial firms or for commercial purposes.—Annex B. A study of photocopying practices in the United Kingdom.

Publishers Study the Management of Change (1). 1967. In *Publishers' Weekly* 191:18:22–27. May 1, 1967.

This was the topic of a two-day seminar, April 4–5, at Tarrytown, N. Y., held for members of the American Book Publishers Council. The topic: "The Forces of Change" was presented by Putney Westerfield, who "foresaw that, by 1980, most major commercial printing will be from 'digital storage' and that document storage on film will also play a dominant role . . . computer-based systems for each major discipline are in prospect by 1980. . . . The new world of information . . . will mean 'instantaneous, simultaneous involvement' of the individual—and there will be a problem of information overload . . ."

Recommendations for National Document Handling Systems in Science and Technology. Washington. Committee on Scientific and Technical Information (COSATI), Federal Council for Science and Technology. November 1965. In three parts: "The Committee Report," 20 p.; Appendix A, "A Background Study by System Development Corporation, September 1965," constituting Vol. I, 155 p.; Vol. II, 277 p.; with a glossary, a bibliography, and an index. (PB 168 267 is the Clearinghouse identification number.)

These three documents represent a comprehensive attempt to develop guidelines for planning at a high level in the federal government, so that the information activities within each department and agency as well as nongovernmental components may be knit into a national network. (See also Carter, Launor F. et al. 1967 National Document-Handling Systems for Science and Technology. New York. John Wiley & Sons, Inc. 344 p.)

Ringer, Barbara A. and Paul Gitlin. 1965. *Copyrights.* Rev. ed. New York. Practicing Law Institute. 1965. 185 p.

This book accents the legal aspects of copyright in the United States and to a lesser extent the administrative aspects. It is heavily documented and should prove useful not only to the legal profession, but also to publishers and authors who are in need of the facts about copyright. Appendix B comprises a tabulation of Copyright Law Revision Studies.

Root, Augustin A. 1967. Programmed Learning. The ASEE Programmed Learning Project, 1965–1967. In *J. of Engineering Education* 57: 428–432. Feb. 1967.

". . . during the last two years it has been found that engineering professors can learn to prepare programmed materials that are unusually effective in accomplishing the technical goals of engineering education."

Seiden, M. H. & Associates, Inc. 1967. *The Economic Impact of the Proposed Copyright Law upon Educational Television Broadcasters.* A report to Educational Television Stations, a division of the National Association of Educational Broadcasters. Washington. April 1967. 20 p.

"The proposed copyright law will have a far reaching effect upon the organization and character of educational broadcasting. This effect will flow from the costs of copyright clearance and the effect which these costs will have upon the sources and content of educational programs." Includes: cost components; administrative costs; the process of copyright clearance; copyright fees; summary of costs; structural impact of proposed law. Eight tables.

Senate Copyright Hearings Study Fair Use and Education, Computers, ETV. 1967. In *Publishers' Weekly*. 191:19:34–35. May 8, 1967.

A brief report on the rebuttal testimony regarding five major controversial issues which have developed concerning the general copyright revision bill, S. 597 (April 28, 1967). Speakers mentioned are: Harry Rosenfield, Horace Manges, Mrs. Bella Linden, Irwin Karp, W. Brown Morton, Jr., Charles Stewart and Norman Jorgenson.

Sheers, Edward H. and Frederick L. Enke. 1967. Copyrights of Patents for Computer Programs. In *J. Patent Office Soc.* 49:323–327. May 1967.

A brief review of case law in this area. ". . . patenting is the only logical choice for the protection of computer programs." (See item: Jacobs, Morton C.)

Shera, Jesse H. 1967. Librarians against Machines. In *Science* 156:746–750. May 12, 1967.

Librarians are having difficulty adopting the new technology because they have no professional philosophy. Four topics: (1) The Library Problem: Not Storage But Retrieval; (2) Librarianship as a Profession; (3) A Profession in Change; (4) Impact of Technological Change. "If librarians, then, are to take advantage of the new technology they must first extend the boundaries of their thinking which has been channeled and confined for so many generations, and accept into the body of their professional knowledge ideas that at first may seem alien, if not hostile."

Shera, Jesse. 1967. Without Reserve: The Trickster in Library Research. In *Wilson Library Bull.* 41:521, 533. Jan. 1967.

"'Reading maketh a full man,' is accepted without questioning the nature of that which the man is filled. Yet no one has ever really established scientifically the relationship between reading and behavior, or the social effects of the book." A short feature related to automation of the library and the pitfalls related to systems applications.

Siebert, Fred S. 1964. *Copyrights, Clearances, and Rights of Teachers in the New Educational Media.* Washington. American Council on Education. 1964. 62 p.

The purpose of this study is to explore and, wherever possible, recommend solutions for three groups of problems growing out of the use of the new instructional media in American education: (1) methods of protecting educational material through copyright; (2) identifying materials which may infringe the rights of others; and (3) analysis and evaluation of compensation policies in the new media and teacher relationships.

Smith, Karl U. and Margaret F. Smith. 1967. *Cybernetic Principles of Learning and Educational Design.* New York. Holt. 1967. 529 p. (Illus.)

Provides a new approach to studying human learning phenomena by introducing the concepts and methods of the closed-loop hybrid analog-digital computer system as a generalized laboratory instrument in cybernetic research.

Smith, R. H. 1966. Comment by D. M. Lacy. In *Publishers' Weekly* 190(6): 22–23. Aug. 15, 1966.

Ways in which publishers and librarians agree on copyright.

Sophar, Gerald J. and Laurence B. Heilprin. 1967. *The Determination of Legal Facts and Economic Guideposts with Respect to the Dissemination of Scientific and Educational Information As It Is Affected by Copyright—A Status Report.* Washington. U.S. Department of Health, Education, and Welfare, Office of Education, Bureau of Research. 86 p. +5 App. (Project No. 7 0793).

This report is "organized by chapters of which the first four are introductory of the fifth, which contains the substance of the report and conclusions." Chapter 5—Findings and Analysis: Analysis of Current Practices of Libraries and Information Centers and the Resulting Size of the Problem Due to these Practices. Section One treats such subjects as "Fair Use"; Aborted or Curtailed Library Services Due to Action of Copyright Owner; ERIC; Do Libraries Profit from Copying Facilities and Services?; Inter-library and Intra-library Networks; Clearinghouse System Question; National Commission on New Technological Uses of Copyrighted Works. Section Two. Economics of Copying of Copyrighted Works.

Springer, C. H. 1967. The "Systems" Approach. In *Saturday Rev.*, Jan. 14, 1967, p. 56–58.

". . . I can foresee four major activities for the computer in the educational system of today and tomorrow.

* * * * *

"Finally—and this is by far the most exciting innovation of all—computers can substantially enhance the learning process. . . . computer based systems will strengthen the teacher-learner relationship. . . ."

Stabler, Charles N. 1967. Copiers and Copyrights: Growing Reproduction of Books, Periodicals Is Worrying Publishers. In *Wall Street J.*: 1, 12, May 2, 1967.

A popularly written piece about the dilemma of permissions and payments, all this against a background of automation, technology, and electronics.

Stafford, George F. 1967. Yesterday Fax Transmission—Today Graphic Communications. In *Signal* 21 (5):50–53. Jan. 1967.

"Secured transmissions over 3,000 miles of line have demonstrated excellent operation at 17 db Signal-to-Noise and interestingly demonstrated a high tolerance to error with 7db Signal-to-Noise ratio having measured error rates up to 10% showing no serious degradation of typed copy intelligence. . . . Digital facsimile techniques combined with Alden All Speed facsimile characteristics open new horizons for new low cost facsimile distribution networks."

Stedman, John C. 1967. Statement on Copyright Law Revision. *AAUP Bull.*, Summer 1967, p. 127–132.

The author is Chairman of the Special Committee on Copyright Law Revision of the American Association of University Professors. The other members of the Committee are: Ralph S. Brown, Jr., Fritz Machlup, James E. Miller, Glen E. Weston. The statement refers to Senate Bill 597. Topics include: Traditional Education-Copyright Relationship, and Modern Developments Affecting This Relationship; Provisions of S. 597 Relating to Education—and the premises that Underlie Them; Summary and Conclusions; Specific Recommendations.

Stevens, Mary Elizabeth and John L. Little. 1967. *Automatic Typographic-Quality Typesetting Techniques: A State of the Art Review.* (*National Bureau of Standards Monograph No. 99*) Washington (GPO). April 7, 1967. 98 p.

This report describes the current [April 1967] state of the art in automation of graphic arts composition starting from either one of two sources—keyboard entry of manuscript material or mechanized input in the form of available tapes or magnetic tapes.

Subsisting Copyrights and Innocent Infringement. 1966 In *U. Penna. Law Rev.* 115: 129–137. Nov. 1966.

A discussion of Section 404(a) of the proposed revision (H.R. 4347, 89th Congress, 1st Sess. (1965)).

Suppes, Patrick. 1967. The Teacher and Computer-Assisted Instruction. In *NEA Journal* 56:15–17. Feb. 1967.

"The purpose of this article is to acquaint the reader with some of the ways that computers can be used for instruction, and to answer, at least briefly, some of the questions that are frequently asked about computer-assisted teaching.

". . . Teachers will look on computers as a new and powerful tool for helping them to teach their students more effectively."

Teaching Machines: the impact of new devices on educational publishing. In *Publishers' Weekly* 189:10:103–105, 108, 109. Mar. 7, 1966.

Speakers at a recent meeting in Boston analyzed the threat of photocopying and duplicating machines in the school to conventional graphic arts techniques. Mr. Richard B. Gladstone of Houghton Mifflin Company, the final speaker, is quoted as saying: "Before almost any major instructional innovation can establish itself in these [State] sections of the country, change must take place not only in custom but in law. . . . I foresee little change for some time to come and books should continue to rule the roost indefinitely."

Tebbel, John. 1966. Book Publishers' Salvation? in *Saturday Rev.*, July 23, 1966, p. 32–33.

"Why new technology not only represents no basic threat to print media, but may be its long-term benefactor."

* * * * *

"For the book audience, the new technology can be expected to enable publishers to make better books, at lower prices, to be distributed to readers far more efficently than is possible today. . . ."

Titus, James P. 1967. Copyright Revision Legislation. *Communications of the ACM* 10:314–15. May 1967.

This is a brief commentary upon the state of legislation in the Spring of 1967. H.R. 2512 had just been approved by the House Judiciary Committee. It was noted that S. 597 "does not specially mention computers, but it refers to them in several sections." Section 110(2) was controversial as it "eliminates the traditional exemption for schools and libraries and substitutes exemptions for computer operations with copyrighted works that are nominal rather than real."

U.S. Congress. House. *Copyright Law Revision, Part 6.* Supplementary Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law. 1965 Revision Bill. May 1965. Washington (GPO). 1965. 338 p.

This report explains the 1965 bill in detail, namely H.R. 4347 and S. 1006, 89th Congress. In this connection see a later report, No. 83, issued by the House Judiciary Committee in 1967.

U.S. Congress. House. Judiciary Committee. 1967. *Copyright Law Revision: Report No. 83.* Washington (GPO). 1967. 253 p. (90th Congress. 1st Session)

A favorable report on H.R. 2512 for the general revision of the copyright laws, title 17 of the United States Code with a recommendation that the bill be passed. The first 144 pages are devoted to a summary of the principal provisions. Pages 145 to 251 are tabulations of the proposed changes in existing law. The last two pages state dissents.

U.S. Congress. Senate 1965. *An Act to Amend the Public Health Service Act to Provide for a Program of Grants to Assist in Meeting the Need for Adequate Medical Library Services and Facilities.* Cited as: the

Medical Library Assistance Act of 1965. Public Law 89-291. S. 597. October 22, 1965. Washington (GPO). 1965. 9 p.

Principal interest concerns Sec. 398, "Grants for Establishment of Regional Medical Libraries," and Sec. 378, "Regional Branches of the National Library of Medicine."

U.S. Congress. Senate. Judiciary Committee. 1967. *Copyright Law Revision*. Hearings on S. 597 in four parts. March 15–April 28, 1967. Part 1, 320 p.; Part 2, p. 321–663; Part 3, P. 664–1042 and Part 4, p. 1042–1383, Washington (GPO), 1967, (90th Congress, 1st Session).

The Subcommittee on Patents, Trademarks and Copyrights resumed the public hearing on legislation to provide for a general revision of the copyright law. It considered all sections of S. 597 with the exception of CATV.

U.S. Congress. Senate, 90th, 1st Session. 1967. *National Commission on New Technological Uses of Copyrighted Works*. S. 2216. Aug. 2, 1967. Washington. (GPO). Committee on the Judiciary, 5 p.

Section 1. Establishment and Purpose of Commission; Sect. 2. Membership; 3. Compensation; 4. Staff; 5. Expenses; 6. Reports; 7. Powers; 8. Termination. The purpose of the Commission is to study and compile data on the reproduction and use of copyrighted works of authorship (1) in automatic systems capable of storing, processing, retrieving, and transferring information, and (2) by various forms of machine reproduction.

van der Wolk, L. J. 1966. Teletype and the Telecode for Libraries. In *Unesco Bull. Libr.* 20:170–176. July-Aug. 1966.

This article concerns library cooperation through union catalogs, teletype systems, and reprography. "Libraries nowadays can buy only a small segment of the literature collection they should have to satisfy really all the demands of the clientele by themselves. Consequently, they need a fast and reliable means of communication in order to continue their good service to their clients. It is here that teletype in combination with reproduction methods, especially with microfiche (which can be sent in an airmail envelope) offers a solution."

Warren, Albert. 1966. The Coming Cable TV War. In *Saturday Rev.*, June 11, 1966. p. 90, 93, 101.

"But CATV has possibilities that make AT&T uncomfortable. With its potentially unlimited access to homes what's to stop CATV from providing many services other than TV? Facsimile newspapers? Shopping from the home? Library references? Channels of background music? Telegrams? Mail delivery? Maybe—who knows—telephone service itself, not only aural, but visual?

* * * * *

"Presumably, copyright holder [of TV programs] could expect powerful forces on the development of CATV—granting or withholding distribution rights."

Weinstock, Melvin. 1967. Network Concepts in Scientific and Technical Libraries. In *Special Libraries* 58:328–334. May-June 1967.

"National information networks of the future will formalize and by augmentation and expansion of existing facilities will strengthen the existing fabric of interrelationship between central national libraries and the technical library community. Computers will play an important role in such networks to the extent that they are used in document retrieval systems, and give users access to the total resources of the national document handling system. . . ."

Wessler, John. 1967. EDP Typesetting Shows Sharp 12 Months Gain. Electronic News. Dec. 11, 1967. p. 28.

"Computerized typesetting is beginning to live up to its advance billing, with a 70 per cent increase in installations in the last 12 months. . . . Speed is essentially all the computer is bringing to typesetting. . . . There's just no way of getting copy into the computer untouched by human hands. Output is a similar situation. Plate preparation is still a manual process.

Wigren, Harold E. 1967. New Copyright Law for the New Congress. In *School and Society* 95:50–51. Jan. 21, 1967.

A brief explanation of the copyright revision bill as it came from the House Judiciary Committee in the closing days of the 89th Congress. The new language of 'fair use'; the nature of the copyrighted work; the effect of the use on the potential market for or value of the work.

Williams, Bernard J. S. 1967. Microforms in Information Retrieval and Communications Systems. In *Aslib Proc.* 19:223–231. July 1967.

"I intend in this paper to draw attention to microform developments likely to have a substantial influence on library and communication technology in the near future. The major microforms at present in use, or coming into use, and their areas of application are as follows: 16 mm roll . . ., 35 mm roll . . ., aperture cards . . ., microfiches . . ., micro opaques . . ., PCMI . . ., 8 mm roll . . ., 70 mm roll . . , magnetic tape . . . ."

Woledge, G. 1967. Copyright and Library Photocopying: The Practical Problems. In *Aslib Proc.* 19:217–222. July 1967.

"The present paper, based on an address to an Aslib Winter Meeting and on the very useful discussion which followed it, concentrates on the kinds of cases that trouble the librarian most frequently, and approaches them practically rather than theoretically." Topics treated: Periodical articles: single copies; Books: single copies; Interlibrary copying; Copying by individuals; Multiple copies; and The influence of xerography.

Wolfe, Dael. 1967. Copyright and Computers. In *Science* 156:319. Apr. 21, 1967.

An editorial summarizing the situation at the time the House of Representatives adopted the revised copyright bill on April 11, 1967. "The computer-use problems is the only major area not resolved between publishers and the scholarly community."

LEADERSHIP'S CHANGING RESPONSIBILITIES

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. BRADEMAS. Mr. Speaker, on May 23, 1968, Harold Howe, U.S. Commissioner of Education, delivered an address before the annual meeting of the American Book Publishers Council in which he made some very perceptive observations on the movement among both college students and the poor of our country to assert a larger role in governing their own affairs.

Mr. Speaker, under unanimous consent, I insert the text of this address, entitled "Leadership's Changing Responsibilities," in the RECORD at this point:

LEADERSHIP'S CHANGING RESPONSIBILITIES

(An address by Harold Howe, II, U.S. Commissioner of Education, Department of Health, Education, and Welfare, before the annual meeting of the American Book Publishers Council, Washington, D.C., May 23, 1968)

A few days ago one of the universities here in Washington was presented with a petition requesting assistance for the social action campaign now encamped in Washington.

The petitioner short-cut the normal formalities of submitting such a document by simply heaving a brick through a campus window with a note wrapped around it reading: "You can help support the Poor People's March."

An unpalatable and unacceptable approach, but it got the message through, and in doing so it summed up one of the basic dilemmas of our time. The well-turned arguments for recognition and equity having failed to get satisfactory results, the well-thrown brick becomes the method of conveying the mood of frustration and impatience that has seized both the university community and the poor community in this country today.

One would have imagined these two groups to be separated by nearly every circumstance of their existences—by good fortune on one hand and despair on the other, by their aspirations and expectations, by the quality of their lives, and by the experiences and influences that have shaped them.

COMMON GROUND OF DISCONTENT AMONG STUDENTS AND THE POOR

But today these groups stand on common ground in their discontent, sharing bleak and profound dissatisfaction with the methods, the characteristics, the practices, and the results of official authority as they have experienced it. And in their mutual distress, they are both resorting to methods of protest and petition that jar our complacency, challenge our ingenuity and try our patience as never before in my experience.

I hesitate to make another entry in the list of crises besetting our Nation. We have more than enough of those already. And yet it seems to me that the attitudes and actions of students in our colleges and universities on the one hand, and the attitudes and actions of the poor people of the country on the other, add up at the very least to a major turning point in the evolution of our society and our system of government, and that they form a particular challenge to our traditional concepts of leadership and the exercise of authority.

LEADERSHIP—UNDER INDICTMENT

Leaders at every level and in every sphere seem to be under a kind of indictment today. They are charged with being old—something over 25, as I get it—and either ineffective or tyrannical. Where their authority is not challenged it is as often as not ignored.

Those officials of our institutions of higher education appear particularly vulnerable to these challenges, and, it develops, particularly vulnerable also to the techniques employed by the students to gain their ends.

Moreover, although the activist students usually make up only a minor percentage of the total enrollment, they very often appear to mirror the real even if unspoken desire of the majority for greater participation in the administration of the institutions they attend. So all the student activists cannot be dismissed simply as crack-pots or troublemakers. And thus though student rebellion is usually unattractive, and sometimes ugly, we must keep alive to the proposition that it may lead to some desirable ends. Furthermore, we must keep in mind the possibility that these ends, if any of them are desirable now, always *were* desirable.

Thus the inflexibility of authority has led on campuses and in cities first to the challenge of authority and then to illegal denials of its right to exist—from a reasonably polite request for a responsible role in university affairs to a determination to bring those affairs to a standstill. And since nothing breeds excess like excess, we have had the miserable picture on a few campuses of buildings being taken over, deans and trustees insulted and even threatened, and property destroyed. While we have also had silent vigils, well-behaved picket lines, and entirely courteous conferences between student delegations and college and university administrative officials, it is the image of unbridled force and violence that remains. Similarly we have had peaceful and non-violent demonstrations in the cities but the riots are what we remember.

Without any question, the conduct of some students in some campus disorders has been outrageous and irresponsible. It is difficult to summon up any respect for those who demand greater rights while demonstrating an utidy disregard for the rights of others. But we must be careful not to confuse this part of the group with the group as a whole, nor to imagine that the campus bully boy's delusions represent the over-all cause. This is not to deny that the group as a whole is often irritating and disturbing. But just as often the reforms it seeks prove to be substantial, desirable, and long-overdue.

CHALLENGE TO REAPPRAISE GOALS AND VALUES

A couple of weeks ago in a splendid *New York Times Magazine* article, Associate Supreme Court Justice Abe Fortas observed: "I do not know how profound in intensity or how lasting the current youth revolt may be. It may presage a new and welcome era of idealism in the nation. It may forecast the development of greater maturity and independence of outlook among our young people and thus may be productive of much good. It may even bring about the development of increased maturity in the educational and living rules of our colleges. In any event, it presents a challenge to the older generations as well as to youth to reconsider the goals of our society and its values, and urgently to reappraise the distribution of function and responsibility among the generations."

Some of that reappraisal has already been set in motion. Campus demonstrations can be credited with modifying discriminatory practices in colleges and universities, helping to bring about better and more relevant course content, and initiating some movement toward a situation in which students are not just autocratically manipulated but rather are creatively and productively engaged in making the institution serve its purposes more effectively.

Perhaps students are resorting to unorthodox methods because orthodox means are unavailable to them. In any case, they are forcing open new and necessary avenues of communication to carry their ideas to the decision-making centers—to the faculty, the administration, or the trustees—or all three.

While mass discontent among college and university students is a new phenomenon on the American scene, a dramatic contrast to the superficial foolishness of earlier decades, discontent has always been one of the inevitable characteristics of the poor. The new element is the emergence—as one result of of the civil rights movement—of an organized, effective protest by the poor against their wretched state and against a system that, in the view of the poor man, officially permits and perpetuates his misery.

That view can of course be called unjust. No country in the world, it can well be argued, has attacked poverty with the energy and the resources that the United States has employed, particularly under the Kennedy and Johnson administrations. We have in operation today a great many programs sponsored by the Federal Government to help poor people. And without any question, definite progress has been made in the war against poverty.

But progress is an abstraction, meaningful to planners and philosophers, perhaps, but of no relevance to a mother whose children are living with rats or to an illiterate farm hand whose work has been taken over by machines.

For that matter, progress is by no means a uniformly pleasant experience even for those at least statistically involved in it. The Negro youngster who was the first of his race to attend the local white high school found it hard to appreciate his opportunities while he was being subjected to the silent treatment by white students his age. Such is the uneven pace at which society moves that programs designed to help the poor frequently wind up frustrating them in the process. Aroused expectations left unsatisfied rapidly ferment into bitter and corrosive resentment. That resentment is a clear and present danger. We have given poor people the vision of a new life, of a successful, rewarding life. And television—especially in its commercials—nails that vision down every day in its portrayal of happiness through overconsumption.

DEMAND FOR MEANINGFUL PART IN GOVERNING PROCESS

What increasingly grates on the poor—as on students—is that they themselves are systematically excluded from the process of charting the course by which they are expected to achieve the lofty goals that are held out to them. The Negroes who say they are sick and tired of being studied—of having still another team of sociologists and planners and other experts come in to the ghetto to make a survey—may have a good point. The ghetto dweller has been engaged in such a study all his life, and if expert opinion is needed, he can reasonably lay claim to being about as expert as it is possible to get. For that reason alone—not to speak of the fundamental right of people to govern themselves—the poor are today demanding access to the machinery of government and the right to participate in making decisions that affect their lives. Rightly or wrongly, the poor feel they can do a better job for themselves than others can do for them.

That point of view seems to me to represent a really remarkable step forward. The traditional attitude of the poor person has been one of apathy bred by hopelessness. Convinced that he was powerless, that he simply didn't count, the poor man has characteristically just drifted with the tide, passively accepting whatever came his way, be it charity or a rap over the head. No longer. Poor people—or at least thousands of them now here in Washington—have decided that they *do* count. They have grasped the ideas of self-respect and of self-determination, and they have lost their shyness about making themselves heard, just as college students have.

I can testify to this new willingness to speak out from the experience of meeting with a delegation of the Poor People's March, along with other officials of the Department of Health, Education, and Welfare. That experience was not altogether painless. Beneficiaries of Federal programs, we were bluntly told, are basically young, poor, and colored while the administrators are basically old, rich, and white.

But my more basic reaction was that these people had a great many constructive ideas to advance—"demands," as they termed them—and that we would do well to respond with action: not as a means of palliating some demonstrators but in the larger interests of our society.

Above all, in this meeting, these people were impressive in their liveliness—in their resolution, their hard-nosed insistence on improvement, in their refusal to be cowed or awed. Like the student activists, these black, white, and brown representatives of the poor evidently have no further intention of putting their faith in the good intentions of an invisible but all-powerful "leadership" and then sitting back to await developments. They are determined to make their voices heard now. They demand a meaningful part in the governing process, however much change and discomfort and reallocation of power that may entail, believing with Thomas Jefferson that a little rebellion, now and then, is a good thing.

NO LONGER WILLING TO BEG

Whatever their origin, condition, or color, however unlearned they may be or however deep their poverty, these Americans are no longer willing, as an Indian woman from a North Dakota reservation told us, to "beg, and beg, and beg." Rather, in words spoken by a disabled Eastern Kentucky coal miner at the same meeting, "If there is to be any more government, we demand to be a part of it." Such is the mood of the other America, and I think we would be wise to recognize it and act upon it.

One of the things we must do, I would judge, is to redefine the character and responsibilities and obligations of leadership in this country, developing a kind of leadership that is fully responsive to the deep-seated changes that are taking place in American life and American viewpoints, and receptive to the further changes that inevitably will occur.

Leadership has largely been a closed corporation. Those in authority may seek consultation with experts of various kinds as they consider a decision, but the usual practice is to decide on a course of action and then try to persuade those on the receiving end that this course is in their best interest and that it would be bad form to raise any complaints about it.

In our institutions of higher learning and in the programs that serve poor people, that kind of leadership is no longer accepted. The concept of *noblesse oblige* will no longer do. Particularly in the conduct of public business—in agencies and institutions at the Federal, State and local levels—the demand is for leaders who are not so much manipulators of power as they are organizers of across-the-board participation, ready to tap the strength of ideas that rise from the bottom of the pyramid rather than accommodate only those that trickle down from the top.

I am not suggesting that we scratch the Founding Fathers' ideas and start all over again. The governmental institutions developed in the United States have served us well for nearly two centuries and will continue to serve us. But I do suggest that the administrators of these institutions and the authority they impose must take account of the new demands of these new times. We must recognize that changes in the social organization of the country, in the size and distribution of our population, in technological development, in our wealth and power, and particularly in the aspirations of our people and their determination to achieve those aspirations—that these changes demand concomitant changes in the way the country is governed and the priorities it sets.

Clearly there need to be operational mechanisms—in government, in the colleges and universities, or in any other organized activity—to facilitate formal communication between those who set policy, those who carry out policy, and those who endure or profit by policy. But such mechanisms are no substitutes for the realities of life. As the news reports bring home to us every day, it is no longer enough to say to the dissident student or the husbandless mother on welfare or the high school graduate denied a job because of his color, "Well, if you don't like what's going on, why don't you wait a couple of years and elect somebody else?" The students are not waiting; they are demonstrating. The poor are not waiting; they are marching. And the demonstrations and marches will go on until our society and our systems of governance are able to augment traditional concepts of representative democracy by providing real opportunities for participation by every citizen—whatever the condition of his life.

Colleges and universities and the agencies of government and all the other public organizations and institutions in America cannot successfully ignore the social, economic, technological, and spiritual changes that are transforming this Nation. Among other things, they must reach for a new and open environment which will permit and encourage constructive dialogue with every individual and group whose well-grounded feelings of isolation and omission breed outrage and rebellion. It will be a monumental task of compromise and conciliation, and it will not come about simply because we all nod our heads and agree that it should.

MUST REVISE OUR CONCEPT OF LEADERSHIP

We must revise our concept of leadership, seeking leadership that listens and not just tells, that judges an idea on its merits and not by the status of the person who advances it, that is more concerned with justice and equity than with prestige, and that sees the decisionmaking process as embracing the concern and participation of citizens of every station rather than as a closed preserve.

The first step toward developing that kind of leadership, I would suppose, is to accept the necessity of achieving it, and to accept also the irritations and challenges to established order and custom that inevitably will be entailed.

To take America's urgent goals seriously," Michael Harrington has observed, "and to make the system work again will demand vigorous democratic conflict and a vivid social imagination."

The campus demonstration, and the Washington pilgrimage are inefficient, expensive ways to achieve social renewal. But one would hesitate to denigrate their effectiveness or to imagine that they can be brought to an end by persuasion or force. The more logical assumption is that the student demonstrations and poor marches and civil disorders will cease only when those who take part in them no longer feel impelled to do so—when their demands for the rights and privileges of participation can find more constructive, dignified expression.

The leadership we need in the university and in the nation must, of course, believe in law and order. But it must go beyond that phrase which is so frequently an incantation for preserving the status quo, an excuse for doing nothing constructive, for simply awarding penalties designed to force conformity.

If we are to find our way to new hope for poor people and to calm on our campuses, law and order must be accompanied by a willingness to reexamine the rules, by a welcome into responsibility of those who made the disturbing demands. Retribution and resentment directed by officialdom at college students and poor people may make the officials feel better, but it will only aggravate the problems that the students and the poor people are steamed up about.

ILL-CONSIDERED HOUSE ACTION

In an ill-considered action two weeks ago the U.S. House of Representatives voted to deny the benefits of Federal education programs to persons convicted of rioting or judged by college authorities to be disruptive. This action is a triumph of resentment over wisdom. It is a perfect illustration of the kind of leadership we do not need, leadership which in one oversimplified action interferes with the self-governing right of colleges and universities, lays the threat of unduly heavy and doubled-up punishments on young people, discriminates particularly against poor students, and does all these things in a way which could scarcely be better designed to alienate the student generation even further. If these amendments become law, we may have to live with them during a depressing period while their dubious constitutionality is being settled. During that time we might consider what could have happened had the Congress added an amendment to provide grants for special programs to help students from poor families succeed in college and to involve the students themselves in the design of such programs.

"WE IS HUMAN"

One of the members of the Poor People's March who was present at the meeting I mentioned earlier was a woman from Sunflower City, Mississippi. During her remarks she set forth in a very basic way the essence of what I have been talking about here today: the demand of two disparate groups of disaffected people—one from the higher education community and the other from the community of the poor—for a significant role in their own governance.

"We is human," she said. "We is not oxen." Perhaps all of us need to be reminded of that fact. Let us fashion our leadership so that it does not have to be reminded by a brick thrown through a window.

FLAG DAY

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. MATHIAS of California. Mr. Speaker, today we pause to show our respect for our flag. It is fitting that we do so.

The flag is a symbol of all our Nation stands for and a symbol of our pride in our country. Through the years—at Valley Forge, at Fort McHenry, at Iwo Jima, and today at places like Dakota and Khesanh—the flag has been the emblem of our pride and perseverance.

One hundred and eighty-nine years ago today the Continental Congress resolved:

> That the flag of the thirteen United States be thirteen stripes, alternate red and white: that the union be thirteen stars, white in a blue field, representing a new constellation.

From the very beginning the flag has been a symbol of our unity—a symbol of the common commitment of people from many States to the cause of justice and liberty.

During the War of 1812, Francis Scott Key was so moved by the sight of the flag flying over Fort McHenry that he wrote the words which have become our national anthem. Key, a resident of Washington, had gone to the commander of the British squadron in the Chesapeake Bay with a note from President Madison requesting the release of a physician taken prisoner. While Key was with the British fleet, it sailed up the bay and at 7 a.m. began a 25-hour bombardment of Fort McHenry. Key's emotions, as he strained at the break of dawn to see whether the flag still flew, are recorded in the verses of our national anthem. They are verses of dedication, perseverance, and triumph.

The same spirit which Key captured in verse at Fort McHenry was witnessed by photographer Joe Rosenthal on Iwo Jima in 1945. Rosenthal's classic picture of U.S. Marines raising the flag in the midst of battle has captured the indescribable dedication and determination which inspire men to fight and even to die for the honor and protection of flag and country.

Today the flag is again a battle banner in far-off places like Dakto and Pleiku. It is again leading young American men in the struggle to defend liberty; it stands as a warning to those who would oppress others; it tells of a way of life rooted in the soils of justice; it mirrors America. The young men who follow that flag also lead the Nation.

But the flag can never be fully described by words alone. It is a symbol of all the things for which this Nation strives and stands. The flag can, in an instant, have a greater impact on us than all the books that have or could be written.

Today on Flag Day, and every day, it is fitting that each and every American fly his flag with pride and show his commitment to the ideals and accomplishments which make this Nation great.

I would also like to include here in the RECORD an excellent editorial from the Bakersfield Californian of June 4 which is most appropriate for Flag Day:

DEMONSTRATE YOUR PATRIOTISM

The Californian offers high praise to the many Kern County citizens who proudly displayed the United States Flag on Memorial Day. Such a manifestation of citizen patriotism always is inspirational and restores new faith in the American way of life.

This newspaper urges all Kern County residents to continue to display the national colors in front of homes and businesses through Flag Day, June 14—as an expression of national faith and unity for the troubled world in which we live today.

The concept of flying and displaying the United States Flag between Memorial Day and Flag Day is not ours. It is part of a program, "Operation Close Ranks," sponsored by Freedoms Foundation at Valley Forge, designed to encourage each citizen to display the flag—on his person, in and outside his home, on his automobile, at his business—and to carry out symbolic flag-raising projects at schools, churches and public buildings.

In announcing "Operation Close Ranks," Freedoms Foundation President Dr. Kenneth D. Wells, declared:

"We are asking all Americans to join together in this positive expression of reaffirmation of loyalty to God and country, and to emphasize our determination to insure equality of opportunity and equity under law for all people, whoever and wherever they may be.

"Our United States Flag is the dramatic, visual symbol of the unity of our country and liberty under law. It represents duty, honor and country. Men of every color, creed and race have given their lives to protect the free way of life for which it stands and will continue to pay any price to keep the flag flying—representing American aspirations of bravery, faith and purity."

"Operation Close Ranks" suggests the flying of flags or displays of flag decals on automobiles and requests that the Pledge of Allegiance, as well as prayers of gratitude, be given in every home by all members of the family in conference together—contemplating the need for responsible citizenship, self-reliance and dedication to God and country.

This newspaper recommends that municipal and county officials declare support for "Operation Close Ranks," and urges all citizens to break out the colors through Flag Day, June 14. It is high time to stand up and be counted for Wonderful America. What better way than to display Old Glory?

In this day when draft card and flag burning is championed by a militant minority, let the majority of patriotic Americans counter with a proud showing of the United States Flag.

MEMORIAL DAY IN AMERICA, 1968

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. DON H. CLAUSEN. Mr. Speaker, as the House today appropriately recognizes Flag Day, I am taking this opportunity to bring to the attention of my colleagues a recent address given on Memorial Day, 1968, in Carbondale, Ill., by my close friend, Arthur Godfrey, the well-known and highly respected television and radio personality.

Recently our Congressional Flying Club honored Mr. Godfrey for his extraordinary contributions to aviation. Mr. Godfrey has done many things for many people over the years that have gone totally unnoticed. To many he is one of the greatest, yet unheralded Americans of our time. During this Memorial Day address I believe he has transmitted a message that all America should read and take to heart. I am hopeful that my colleagues in the Congress will read its contents and further encourage their constituency to do the same. You will feel better for having done so and, hopefully, help to renew the proper support of patriotism in every section of our country:

MEMORIAL DAY IN AMERICA, 1968

(Address by Arthur Godfrey, Memorial Day, 1968, Carbondale, Ill.)

I am honored to have been asked to come out here to address you today.

The occasion is filled with nostalgia for me. The last time I participated in Decoration Day ceremonies was exactly half a century ago. I didn't make a speech that day—I was the proud color bearer of my Boy Scout Troop—and I vividly recall with what young manly pride and patriotic zeal my heart was fairly bursting. The armistice was still nearly six months away then and the country was athrob with patriotic fervor. That was the war to "make the world safe for democracy", y'know—the war to end all wars.

I can remember seeing a service star flag proudly displayed in the front window of almost every home along the parade route in that little New Jersey town—with here and there, sadly—but pridefully—a gold star marking the home of one who had made the supreme sacrifice. There were many fresh graves in the cemeteries of even that little hamlet.

Today there are more fresh graves than ever all over America—but, oh, what a far cry from the glorious, fervent, dedicated love of country that we knew then—and again only a quarter century ago in WW II!

Patriotism, 50 and 25 years ago, was simple and eloquent. It was the Fourth of July and fireworks and flags and bunting; brass bands and oratory—and a statue—and a cannon in the courthouse square.

On Decoration Day there was solemn moments in the cemeteries, and the graves of loved ones were decorated with flowers and tiny American flags. The hearts of the very young pounded in the presence of death and they wondered deep inside if their courage would hold when duty called. The very old and the very lonely were silent with their memories.

Just the other day, Will Durant, the noted historian, observed that in five thousand years, there have only been 300 years where man was not engaged in a major war. Mr. Durant said war seemed normal to the course of events.

That does appear to be true, doesn't it? But, I suggest that at least patriotism is changing. I think patriotism is taking on a new and more sophisticated meaning. We can only hope that it will continue to have its roots in the human spirit.

This new patriotism, it seems to me, celebrates a reverence for life, rather than finding a glory in death.

It is not an easy transition for many. Beating swords into ploughshares lacks the excitement of thundering artillery and troops marching. But if we bring about a world at peace, free from hunger and suffering, then we *have* built the final monument to those who died in battle yearning for such a world.

There are, among us, those who think patriotism in *any* form is embarrassing. Well, I am embarrassed for them. Nitwits who burn the American flag or fly the colors of the Viet Cong from a window on the campus, and other such neurotic nonsense. And I am just as embarrassed by those who would clap these characters in irons or *otherwise* banish them. My faith in our country is such that I figure there's room for all kinds of nuts, of every persuasion. The fabric of American life has always been strong enough to tolerate all sorts—not excluding even pestiferous extreme rightists and do-gooders. It has been thus since the Revolution.

However, we Americans have done some pretty silly things in the name of patriotism. Remember World War One, when it was considered patriotic to say Liberty Cabbage instead of sauerkraut?

How time does change things. Consider the passions we felt in World War Two, about the Nazis and the Japanese. Yet our youngsters today get a vicarious thrill when they see the movies of World War Two: storming the beaches of Normandy on D-Day, of John Wayne getting himself a Jap on Guadalcanal. Nobody today gives a second thought to watching a drive-in movie while cuddling in a Volkswagen; or staying home and watching the Late, Late Show on a TV set made in Japan.

We would be less than an honorable people if we didn't own up to some black deeds done in the name of patriotism. In World War Two, our treatment of Japanese-Americans—the Nisei—was unforgivable in a society which calls itself democratic.

And it occurs to me often that Hitler could never have ravaged the world were his people not zealous patriots of their Fatherland. *There* was a perverted patriotism if *ever* there was, and I suspect Mao Tse-tung has studied the formula well.

For the tyrants, patriotism has always been a handy excuse for shutting off debate and putting aside dissent, and calling a people to terrible and bloody sacrifice. It has also been the means of free and determined people to call on unbelievable strength and energy.

Patriotism, in my view, however, is too precious and fragile in the human condition to limit it to deeds on the battlefield. Too often, we equate it with orthodoxy and conformity. There are times in the lives of men when to be unorthodox and to resist blind conformity takes all the courage the soul can muster.

At the same time, I will quarrel with those who would revise all of history to conform with the allegedly enlightened ethics of these times. The heroism of Americans has always been relevant to their own time.

Our indifference to the plight of the Indian *is* a national disgrace—because we continue it. But nothing in our past should impugn the courage of the men and women who stormed the wilderness to open the new frontiers of this nation. They were simple, God-fearing people, mostly illiterate, and all of them completely ignorant of what are popularly considered the values of today's society.

We could, I suppose, find fault with our ancestors to a point where we would even curse the cave man because he wasn't kind to animals.

Someday, *we* are going to be judged on the quality of our deeds in this time. We are no longer a simple, ignorant people. We are a highly educated society with a marvelous technology at our command, and a slowly developing awareness of the worth of all humanity—black, red and yellow as well as white. This is what separates us from our ancestors, and we will be judged by our children with this in mind.

Almost two years ago in the Mekong Delta of Vietnam I met a man I shall long remember. He had not one but three college degrees and he wore the black beret of our Special Forces. What I am—he told me—is a heavily armed sociologist. And what he wanted more than anything in this world, was to get a filthy war over with and get on with the building of a country so topographically beautiful it overwhelms you.

There was not an ounce of hate in his heart, but he carried a submachine gun. He lived in constant danger, in dirt and squalor and terrible heat and humidity. But his every thought was of peace, and how to bring health and abundance to the weariest people on earth. He thought in terms of crop rotation and irrigation canals, and medicines and hospitals and schools. Of creating a civil service and a viable political structure in which the poorest peasant had a voice.

This man represents the new patriotism to me. He is not one who glories in war and victory. He is a healer, and he is desperately needed to bind the wounds of a ravaged world. Even so are those laying their lives on the line in military service today. Their courage and love of country is possibly even greater than those who have gone before because they are fighting a war most of them heartily despise.

They are drafted into service, hastily trained and sent abroad, mostly unheralded and unacclaimed, to an unpopular highly controversial, vicious war without parallel in world history. They are fighting a war that knows no front, where the enemy is anywhere and everywhere, often indistinguishable, and where 25,000 of the cream of our youth have already lost their lives.

Already, many of our young men have put in their time in Vietnam and are back among us. Some have wounds that will never entirely heal . . . wounds of both mind and body.

They may well ask of us—"what were you doing, while we were away?" And if these few are asking that . . . what will all of them say, when it is finally over over there, and they all come back.

Will they wonder that we continued with business as usual? That we made so little effort to clean up the mess and put our cities in order? That we got our priorities mixed up, and thought that maintaining the status quo was the most important thing in the world?

Or will they see that we have grown up to our responsibilities. That we realize that racism is not the problem of the minorities, it is the problem of the great white majority. That poverty is not the problem of the poor, it is the problem of the well-to-do.

Let us take our cue from these young heroes. They are serving their country. We at home can do no less. We, too, have work to do and sacrifices to make. We must prove to these stalwarts that their sacrifices are also relevant to the times and are not made in vain.

FIREFIGHTER AL BRICK HONORED

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. MILLER of California. Mr. Speaker, the American Legion Post 117 of San Leandro, Calif., presented to Firefighter Al Brick a meritorious service citation for his heroic action in rescuing an occupant in a fire- and smoke-filled residence.

I am pleased to include, as a part of these remarks, the news release which outlined this courageous deed:

SAN LEANDRO FIREFIGHTER HONORED

The American Legion Post 117 of San Leandro presented a meritorious service citation to San Leandro Firefighter Al Brick for his expedient action and disregard for his personal safety when he entered and searched a fire and smoke-filled residence in order to rescue the trapped occupant.

The legion award was presented to honor the firefighters and to show their appreciation as part of the American Legion's civic duty in recognizing outstanding service rendered to our community.

Fireman Al Brick, 32, a veteran of ten years in the fire service, resides at 26750 Trinidad Street, Hayward. He is assigned to Fire Station No. 3 in Mulford Gardens. He was commended and congratulated by Congressman George Miller, Mayor Maltester and Fire Chief Rodriguez during the award presentation in the Mayor's office, May 27th. Presentation of the award was made by Commander Robert Wilbur and Post Commander Ernest Leal.

The rescue occurred last January 11, when at 5:40 a.m. the Fire Department received a report of a fire in a duplex located on West Avenue 135th. On their arrival, the fire crew found the interior of the house engulfed with flames and emitting large quantities of smoke. Captain Herb Bahr and Fireman Brick were informed by the occupants of the front house that there were two, possibly three, people inside. As the crew prepared to effect the rescue and attack the fire, Fireman Brick ran around to the front door, using a nearby garden hose to knock down the flames around the door, and tried to crawl into the house but the fire and hot smoke forced him back.

At this point he heard someone yelling from the inside, "Help me, help me, I'm burning up." Brick stated that the fire and smoke was so intense that it was difficult to believe anyone could still be alive inside. With the aid of oxygen mask, he entered the house through the front door, encountering heavy black smoke which made it impossible to see anything. He felt his way around, yelling, "Where are you?" The victim was yelling back, "Help me, I'm here, I'm burning." Through the smoke and intense heat he felt his way around sofas, chairs, tables and through other rooms. After yelling back and forth several times, he found the victim lying in the hallway.

As he grabbed the victim's hands the burned skin rolled off his fingers like a glove. He then grabbed the forearms and carried him out of the hall and through the burning living room where he met Captain Bahr, who grabbed the victim's feet, and they carried him to the outside porch. They administered first aid until arrival of the city ambulance. The victim was placed in intensive care with between 20 to 30% of his body burned.

The fire destroyed the front room and caused extensive heat and smoke damage throughout the duplex. The Fire Department estimated the damage to the building and contents at $6,000.

ADDRESS DELIVERED BY DR. JAMES A. PERKINS, PRESIDENT, CORNELL UNIVERSITY, 123D ANNUAL COMMENCEMENT, UNIVERSITY OF NOTRE DAME, JUNE 2, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1968

Mr. BRADEMAS. Mr. Speaker, one of the most thoughtful and perceptive leaders in our country is the distinguished president of Cornell University, Dr. James A. Perkins.

I am pleased to insert in the RECORD the text of the address delivered by Dr. Perkins on the occasion of the 123d annual commencement at the University of Notre Dame.

Dr. Perkins analyzes some of the most urgent issues facing our country today.

Mr. Speaker, I want also here to note that the University of Notre Dame conferred a number of honorary degrees to several outstanding persons, including Dr. Perkins, on this occasion. The persons honored are as follows:

The degree of doctor of laws, honoris causa, on His Beatitude Maximos V Hakim of Beirut, Lebanon; Dr. James A. Perkins, Ithaca, N.Y.; Mr. Joseph A. Beirne, Washington, D.C.; Mr. William Benton, New York, N.Y.; Hon. William J. Brennan, Jr., Washington, D.C.; Mr. Howard V. Phalin, Chicago, Ill.; Hon. C. R. Smith, Washington, D.C.; and Mr. Walter W. Smith, New York, N.Y.

The degree of doctor of fine arts, honoris causa, on Mrs. Helen L. Kellogg, Chicago, Ill., and Mr. Walter Kerr, Larchmont, N.Y.

The degree of doctor of science, honoris causa, on Dr. Albert L. Lehninger, Baltimore, Md., and Dr. Eric A. Walker, University Park, Pa.

The text of Dr. Perkins' address follows:

ADDRESS BY DR. JAMES A. PERKINS

I suppose that anyone—particularly a university president—who stands up to speak on Commencement Day 1968 should have his head examined. But we presidents are in great need of mutual consolation these days, and I could not refuse this invitation from my good friend, Father Hesburgh. Besides, I wanted to see for myself how well Notre Dame's revolutionists stack up against Cornell's.

That the modern world is in the toils of a social revolution is not news, certainly not on campuses like this one. All great universities are caught up in these critical events not only because they are part of the problem but because they are also part of the answer. At this point it is impossible, of course to predict either the tempo or the outcome of the new revolution. But one thing about it is sure, as James Reston recently noted: "Whatever else can be said about America today, it is grappling with the great issues of human life."

LAST YEAR'S SOLUTIONS ARE NOT TODAY'S ANSWERS

Yet how quickly this new revolution has spread and how profoundly its shape has changed—even within the past twelve months! If this were June of last year, I would be talking with some confidence about the war in Vietnam, the drive of the Negro for social equality, the rising visibility of the urban poor, and the demands of students for a larger role in the management of university affairs. These imperatives are still very much with us, and they survive as the proximate causes of much of our malaise.

However, since last June the social lightning which first struck Berkeley has cut a zigzag course around the world—from Rome to Kyoto to Berlin to Columbia and now to Paris.

Something large is afoot that cannot be explained by our commencement speeches of 1967. This year we are confronted with the need to examine the whole underpinning of our economic and social structure, wherever that might lead us. It is a task we cannot shrink from, even though we run the risk of trying to describe and analyze what at this stage can only be dimly perceived.

YESTERDAY'S REFORM IS TODAY'S CONSTRAINT

My central thesis in this examination is that the institutions that emerged from the social revolution of the 1930's have become the establishment of the 1960's. What was viewed as great progress by my generation is now viewed as a gigantic conspiracy by the next.

Neither side of the imperfect dialog between these two generations has yet faced up to this fundamental difference in view, and therefore neither side is prepared to deal with it. The result is explosive frustration on the one hand and defensive appeals for law and order on the other. We must find ways to break the jam-up. I think we can only reestablish a progressive society by recreating a progressive style and momentum.

How did we revolutionists of the 1930's manage to turn our revolution into a conservative status quo? We did it in three ways, each of which seems to me to be highly relevant to the current troubles.

The first was by creating a successful rapprochement among the four major institutions of our society—government, business, labor, and the university. The second was by turning the management of this increasingly interconnected enterprise over to neutral experts. The third was by making the new system work in terms of its major objectives—full employment and a steadily rising GNP.

Let us take up in succession these three accomplishments and their effect on today's young revolutionists.

Look first at the social revolution of the 1930's. Even though some of you may shudder at the prospect of another adult statement that starts, "Now in my day, here's how it was," let me assure you that these reflections are germane to the problems we must solve and the institutions we must change.

Those of us who graduated from college during the early 1930's knew beyond the shadow of a doubt that business and businessmen were responsible for the Depression. We were also convinced that the answer to the Depression lay in labor unions, strong enough to contest the internal power of management, and in government—particularly the federal government—strong enough to control both labor and business in the larger public interest.

Just as it is today, social reform was in the air during that period. But the great difference between my generation and yours was that we had a clear plan for reform. We knew how we wanted society to look when we were through with it. Even more important, we the reformers were asked to help create that society. We were able to touch the levers attached to both labor and government. The New Deal had arrived in Washington, the unions needed economists and lawyers, and bright young men were being called from the campus to join the revolution. We were told that all was possible, we believed it, and we flocked to the scene of action.

After World War II, a fourth power emerged—the university. Not only was it feeding bright young men and their ideas into the system, but it began to assert interests of its own. It became a more and more attractive place for young men to build their careers, in large part because they could move around to advise business, labor, and government without, so they felt, becoming involved in the bureaucracies that had begun to develop there.

Our dream was still that these four great social powers—business, labor, government, and the university—should work in some kind of balance toward the public good. The intellectual in government would assure wise public policy. Government working alongside business would curb the profit motive with public objectives. The bargaining between management and labor, monitored by government, would lead to higher wages, better working conditions, and a stable national income.

We worked hard during the '30s and '40s

to bring these four powers to some kind of understanding. They had to learn to talk to each other in the same language, to sit down at the same table without tearing at each other's throats, to stop paralyzing the country every time they couldn't work out their differences. Who, even today, would deny that agreement is better than disagreement, collaboration better than conflict, and full employment better than depression? We revolutionists, old style, look back on these as vintage years, when social reform was accomplished, when jobs were recreated, and when confrontations, old style, had yielded to constructive collaboration.

So it comes as a mean blow to discover that our successors now view our painstaking, hard-won collaboration as one vast, interlocking conspiracy. I feel like the husband of Shaw's Candida, whose Fabians and Anarchists, so symbolic of the revolution of his youth, had become organized, middle-age clubs to be scoffed at by a new generation of romantics. I wonder what it will be like when hippies and sit-ins are old hat. What then?

PERFECTED REFORM IS NOT SELF-CRITICAL

But the truth is that out of the collaboration worked out among business, labor, government, and the university came another development. As these powers began to understand and to depend on each other, they also became less critical and combative. The growls of labor and management at the bargaining table are but a distant echo of the open warfare of the '30s—and the personalities, I might add, a whole lot less colorful. The bitterness between government and business has softened to the point where they regard each other as partners in managing a stable and growing economy.

As for the university, its relations with government, the corporation, and the labor union—opened up originally so that trained intelligence could be applied to the major social problems of the nation—have now made it increasingly a party to the whole treaty. The university has been accused, with some justice, of understanding the points of view of government, business, and labor all *too* well. The price has been the muting of the role of the university as a social critic.

And so the result of all our efforts of the '30s and '40s has been to turn the promising instruments of reform into the foundation of the establishment itself.

THE NEW REFORM—ANTINEUTRALISM

A new generation walks out the college gates at the end of the '60s into a web of rather faceless institutions that seem to be indistinguishable one from another. The reformer, modern style, feels he has no visible opening for his progress, no established institutions ready to act as agents of change, and no welcome mats out for his early arrival. He feels often that the only way he can be heard is to yell, and if that doesn't work, then to throw a monkey wrench into the wheels. At least someone will then come to find out what went wrong. As one girl at Columbia said, "Well, after all, we can't vote and nobody listens to us anyway. So what can we do but demonstrate?"

The important point here is that the new reformer feels that the establishment is so preoccupied with its own mission that it has become deaf to those who are shouting that the whole show is heading in the wrong direction.

This sense of frustration for the reformer is exacerbated by the government's success in widening the consensus that supports it in office. The political leader who successfully practices the politics of ever-widening consensus does not in fact get good marks for his great democratic style. He just finds that he has managed to push the reformer outside the political system altogether.

It is not so strange as it might first seem that the monopoly of De Gaulle's political power, the recent merging of contending parties in Germany, and the landslide victory of Lyndon B. Johnson in our own last election have, in each case, been followed by some of the most violent agitation in recent history. I cannot believe that these large-scale, across-the-board achievements at consensus have not confirmed in the minds of the young what they regard as the alarming stability of the status quo, offering little opening for new and fresh ideas and changing times.

This contrary view of the social structure by the middle-aged liberal on the one hand and the new adults on the other is the first substantial factor explaining and maintaining the gap between the generations.

The second factor is the neutrality on large moral and social issues that the major institutions of society have developed. When my generation was working out the problems of social engineering, it seemed imperative to us that no single institution should exercise undue influence on the course of social change. Above all, each institution was too important to be vulnerable to shifts in political leadership.

So we concluded that the management of governmental agencies, of labor unions, of the universities, and of business should be protected. Such managers had a critical job to do directing the affairs of large and complex institutions and must be shielded from the pressures of public politics. These people, we felt, should be dispassionate professionals, expert at solving the requirements of the workers for a stable life, filling and forecasting the economic and social needs of the country, and seeing to it that the nation was a prosperous, cohesive working unit that would offer its members the utmost in freedom and bounty.

The school teacher was to be free from capricious hiring and firing by the local pols—but the other side of the bargain was that he would not use his classroom to favor any party to political, social, or religious dispute. The civil servant, likewise, was to be exempt from political patronage, but only if he steered clear of partisan politics himself.

Corporate management discovered, too, that it could best make a contribution to the national corporate well-being by not inflaming the political passions of its buyers and suppliers, not to mention its employees. And even the unions have reached a point of stability by demanding the least possible political commitment of their members.

The public interest during this period was regarded, in short, as requiring a guarantee of stability and expert management of the enterprises that should serve the public. Neutrality became the order of the day, and the expert became the real manager of the new establishment.

But neutrality is frustrating to the young. In its concerns for peace and justice, today's generation has found that not only are society's major institutions engaged in tacit accommodation with each other, they are also silent about the most vital preoccupations of the young. Accommodation and neutrality are two things standing smack in the way of everything that concerned young people care about most.

Perhaps most crucial of all, the great social revolution of the 1930s was a success—a stunning success. The economy did recover; the breadlines disappeared; jobs largely, if not entirely, replaced direct relief; social security was extended to almost everyone; and the second world war only increased the pact of industrial development.

Government *did* become more realistic and business more conscious of the human equation. Labor and management *have* learned to settle most of their disputes over the bargaining table rather than through strike or lockout. And all have made increasing use of the trained manpower and research findings of the university.

But, to repeat, success was necessarily measured by the objectives, which were full employment, greater social security, and an expanding economy. That these have been obtained to a considerable degree has made it particularly difficult for the managers of this revolution to be receptive to criticism. It illustrates the old saw that there is no one more conservative than the reformer defending his own reform.

That's why we have been so bedazzled with the success of our revolution that we have had great trouble recognizing the new needs, new imperatives, and new purposes now crying for attention. But it is just not good enough to tell the new revolutionists to be quiet and admire the rising GNP.

It is these factors, then, that are in my judgment at the root of our contemporary dilemma. Today there are ambitions rampant that will in all probability be too powerful for the old doctrines of consensus and administrative neutrality to cope with. The Negro is saying that accommodation and neutrality are not good enough if they deny me social equality. The 19-year-old facing the draft says that accommodation and neutrality are not good enough if they force me to fight a war I neither understand nor approve. The poor are saying that accommodation and neutrality are not good enough if they cannot provide us with bread and work.

Clearly, both the institutions and the doctrines these institutions have lived by will have to change.

THE ORDEAL OF CHANGE

The question is how. Those of us who have been through the '30s know that massive change is possible, in both social philosophy and the structures that will have to apply it. If the rise of the industrial middle class and the expansion of the democratic idea could upend the landed aristocracy and the notion of absolute monarchy, the drives of our own society ought to be able to change the national patterns of thought and social action—particularly when we have so many possibilities for expressing these drives.

Only the congenital pessimist can deny that this democracy—with its universal franchise, its many avenues of political participation, and its diverse means of communication—is flexible and resilient enough to make the necessary changes.

But we will have to work hard at it—starting now.

INVOLVEMENT OF THE YOUNG

First, it seems to me, the vote. The performance of our system of franchise bears scrutiny in several areas, but in this particular context, I do not think we can any longer withhold the vote from those between 18 and 21. Proposals for extending the vote to 18-year-olds have been submitted to Congress every year since 1942. It is high time Congress give its consent.

To draft men and command their lives requires at least that we give them a voice in the affairs of the state they are called on to defend. We have already fought one war on the premise that there should be no taxation without representation. What higher tax than a man's life?

In addition to voting rights, there are many other ways we can open up to make sure that the fresh ideas, commitment, and enthusiasm of young people are put to work on our public problems—and at the same time to introduce this generation to the realities of applying solutions in a highly complex democracy.

The State of New Jersey, for example, has begun a program for summer interns. They come in from colleges and graduate schools around the Northeast, and the jobs they do in community affairs have run the gamut from writing municipal personnel manuals to bringing food trucks into riot-stricken ghettos. One young man, a junior from Princeton, spent last summer performing the duties of acting mayor of a New Jersey town that couldn't afford a full-time official. The report is that he won the confidence of the townspeople, who were able for the first time to get a hearing during daytime office hours.

My friend, Paul Ylvisaker, New Jersey's Commissioner for Community Affairs, tells me that local government in particular are suffering an acute shortage of well-trained and dedicated people. City planning posts go begging, civil engineers are in short supply, the level of administrative personnel in most cities and towns is low. All up and down the line of local government there is work that carries enormous responsibility for shaping the course of urban life—and far too few people to do this work well.

Clearly, if industry and business can use summer employees from high schools and colleges, government has all the more reason for recruiting such help. No city or town can escape the obligation to find ways of bringing interested and able young people into the mainstream of political activity and public process.

As for industry, surely the corporation can respond even more meaningfully to many of the criticisms that young people express. One way is to make better use of students in the solution of some of the new problems facing business now. At Cornell we are beginning a cooperative program with industry in the Finger Lakes region this summer that will allow Negro students to help personnel departments think through the problems of training and employing large numbers of Negro workers. We hope that out of this program will come not only more jobs for underemployed black people in the area, but a better understanding on the part of both the students and industry of the issues involved here.

Labor has much to do to revive itself as a progressive force. With unemployment at the lowest rate in our history, it would seem that labor could afford to be less exclusive and defensive of its admittedly hard-won security. Now that it knows how, labor could fight for the inclusion of many new workers under its protective wing—Negroes in particular, but also younger workers in part time and summer jobs and in the more tightly controlled trades. Young people might also be more interested in taking part in the future of the labor movement if they were given a chance to work with labor unions during the summer and to do first-hand research on labor problems as part of their university study.

It is no secret by now that the university itself has its next few years cut out for it, too. We will all have to be most imaginative about how we can include more and more students in university management. This applies to academic as well as institutional affairs. This process will be hobbled, however, if students demand more than they can deliver and if faculty and administration stand too much on their prerogatives.

RE-ESTABLISHMENT OF PROGRESSIVE SOCIETY

Beyond the specific reforms that must be undertaken by each of our major institutions, however, I think that a re-establishment of a progressive society in this country will require several rather substantial changes of attitude.

Although I do not advocate a return to the domestic battles of the '30s, it seems clear there will have to be a loosening of the ties among government, labor, business, and the universities. These institutions will have to become more critical of each other, and they can do this only if they are not so closely bound by interest and inclination to each other's goals.

For government, this will mean a much tougher attitude toward the demands of business and labor and even, alas, the universities. George Meany said recently his unions would respond to a command from Washington to put a ceiling on wage demands but not a polite request. He got, as you may remember, a polite request. If business is to pursue more public-spirited policies, it may have to be given much more uncomfortable prodding from the government that it has been accustomed to in the recent past.

Universities, too, will have to make sure they are not so dependent upon government and business for their survival that they cannot afford to speak out plainly when necessary. The acceptance of government work and corporate donation has been known to result in a slowing down of the university's critical faculties. The answer will have to be an increasing diffusion of support for the university, and that is something the university itself will have to insure.

I think, too, that institutions will have to become less neutral in the face of pressing social and moral issues, and more and more concerned. Northrop Frye, the Canadian critic who has been in residence at Cornell this spring, has said of scholarship that it is always in danger of degenerating from detachment to indifference. It *is* possible to maintain objectivity without losing concern. A labor union can protect the rights of its members without becoming indifferent to the context in which its members must live and work.

A government bureau can protect the interests it was designed to serve without losing sight of other national needs. And a corporation can decide to manufacture useful objects as well as useless ones. Norman Mailer, as you may have noticed in last Sunday's New York Times Magazine, made a very telling point on this subject. "There's the incredible fact," he said, "that in a supposedly rational society we've come to a point where it's almost literally impossible to breathe the air in the city. That's a sign," he concluded, "of a society that's made." It is hard not to agree with him. A corporation cannot be so bent on making a profit that it no longer makes any sense.

Above all, it is necessary that our large institutions, the people who manage them, and the people who operate them, must be dissatisfied, for dissatisfaction is the beginning of change and, I think, progress. I know it is tempting for many young people to believe that progress can only take place outside of institutions in anarchy and disorder. It is my view that you can't have progress without some order. But by the same token, you can't have order without making it progressive.

Institutions can bend to any purpose we want them to. Corporations do not serve the same people in the same way they used to, and it is unlikely that they will follow the same patterns in the future. The same is true of other organizations.

What is needed, however, is to bring progressive individuals into positions of power in all our institutions. The easy answer is either to smash them or to call for more law and more order. The really tough answer is to inject all our institutions with a new spirit, ready to serve a progressive will.

The structure of our society, I think you will find, is not so rigid after all. It *is* flexible enough to change. And I hope you will be among those of us who intend to change it.

SENATE—*Monday, June 17, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. N. T. Stavrakis, pastor, the Presentation of Christ Eastern Orthodox Church, East Pittsburgh, Pa., offered the following prayer:

O God of our fathers, and Lord of mercy, who hast made all things with Thy word, and ordained man through Thy wisdom, that he should have dominion over the creatures which Thou hast made, and order the world according to equity and righteousness, and execute judgment with an upright heart, on this day and hour send down Thy holy spirit upon these Thy servants who know that Thy power is the beginning of righteousness, and because Thou art the Lord of all, it maketh Thee to be gracious unto all.

With bended head and contrite heart we ask Thee to shower us with reason before every enterprise, and counsel before every action. Look down with favor upon the Members of the Senate, and bless each of them according to his needs. Remind them daily that to every right there is a duty and to every privilege an obligation. And, Lord, strengthen our land with freedom's holy light. Protect us by Thy might, great God our King. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, June 13, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 15, 1968, the President had approved and signed the following acts:

S. 2178. An act for the relief of Dennis W. Radtke;

S. 2452. An act to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois;

S. 2585. An act for the relief of Kap Rai Kim and Young Nam Kim;

S. 2634. An act to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes; and

S. 3017. An act to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI of the Merchant Marine Act, 1936.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

REPORT ON NATIONAL WILDERNESS PRESERVATION SYSTEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 328)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I am pleased to transmit the fourth annual report on the status of the National Wilderness Preservation System, covering the year 1967.

The Federal Government continues to carry on programs to preserve the natural beauty of our land and make outdoor recreation facilities available to all our citizens. We must also preserve, for use by this and future generations, some of the America that tempered and formed our national character.

- —An America with undisturbed mountains and plains, forests and valleys.
- —An America with placid lakes and lonely shores which will not be dominated by man and his technology.
- —An America where a man can be alone with all the glories of nature, and can renew his spirit in solitary communion with the land.

This was the reason for the Wilderness Act.

And this is the reason why we shall not be content until we have a National Wilderness Preservation System adequately symbolic of our great national heritage.

To pursue this goal, I recently transmitted to the Congress 26 recommended additions to the National Wilderness Preservation System. I urge that the Congress take early and favorable action on them.

Each generation has its own rendezvous with the land. May ours be one that understands the heritage of America, that passes it on for the welfare and enjoyment of future generations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 14, 1968.*

REPORT OF NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 329)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the National Advisory Council on Extension and Continuing Education.

In the second year of community service and continuing education programs under the Higher Education Act of 1965, 314 colleges and universities conducted more than 600 programs in 53 states and territories. Seminars, workshops, conferences, special courses, counseling, and consultative services were sponsored throughout the country to help in meeting the complex task of improving the quality of life in our communities. The programs were designed to find new answers and to bring new skills and energies to bear on the broad spectrum of community problems—in government, education, health, manpower, housing and other areas.

Nearly half of the 425,000 participants in continuing education and community service programs were employees of state and local governments and other public bodies. The others represented a wide variety of occupations and professions, ranging from workers in private social welfare agencies to owners of small businesses. Each of these participants has gained increased knowledge of the dimensions of the community problems and acquired new skills to cope with them.

Last year, after consultation with the Council, the Administration developed and submitted legislation to the Congress to improve our Continuing Education programs under the Higher Education Act by:

- —Extending the program for another five years.
- —Enabling smaller colleges and universities to continue to participate.
- —Providing additional funds for experimental projects.

This year, the Administration has added to the still-pending legislation a number of the suggestions made by the Council in this report, including the vital recommendation that appropriations be provided in advance of the academic year during which they will be used.

I commend this report to your attention and urge prompt action on the pending legislation to improve the important program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 17, 1968.*

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk proceeded to read sundry nominations in the Department of Health, Education, and Welfare.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

COUNCIL OF ECONOMIC ADVISERS

The bill clerk read the nomination of Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. MARINE CORPS

The bill clerk read the nomination of Lt. Gen. Ralph K. Rottet, U.S. Marine Corps, for appointment to the grade indicated on the retired list, in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of his retirement.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk read the nomination of Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

OFFICE OF ECONOMIC OPPORTUNITY

The bill clerk read the nomination of James D. Templeton, of Kentucky, to be an Assistant Director of the Office of Economic Opportunity.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The bill clerk read the nomination of George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NATIONAL LIBRARY OF MEDICINE

The bill clerk proceeded to read sundry nominations in the National Library of Medicine.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NATIONAL SCIENCE BOARD

The bill clerk proceeded to read sundry nominations in the National Science Board.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMY

The bill clerk proceeded to read sundry nominations in the Army which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

TRIBUTE TO THE LATE SENATOR ROBERT F. KENNEDY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a very warm and heart-touching letter from Prof. Juan B. Sepulveda Lozano of the Mercantile Institute of Monterrey, Monterrey, Mexico, commenting on the passing of our late and respected colleague Robert F. Kennedy.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[Spanish translation]

MERCANTILE INSTITUTE OF MONTEREY,
Mexico 4, D.F., June 7, 1968.

Let Us Pray: Grant us, Oh Lord, that the soul of your servant Robert F. Kennedy who has been wrested from the recent fights in our lives here, enter the kingdom of heaven through our Lord Jesus Christ.

Senator MIKE MANSFIELD,
U.S. Senate, Office of the Majority Leader, Washington, D.C.

DEAR SIR: The attempt made in the early hours of June 5th on Senator Robert F. Kennedy, a dear friend of Mexico and of the humble, deeply moved the administrative personnel, the teaching staff and the students of this commercial school.

Truly, on Wednesday and Thursday of this week, family man, teachers and students of this educational institute have been avidly reading and listening to the bulletins which, transmitted by the press, radio and T.V., gave a step-by-step account of the different stages of this dismal happening that fills with mourning the hearts of our good Neighbors of the North and also those of the Great Mexican Family who learned that the splinters of an assassin's bullet brought about irreparable damages to the brain which caused the death of an outstanding, valiant, temperate, modest, gay and, most of all, big-hearted man whose life and work—both exemplary—furthermore are a symbol of virtue and austerity, a lofty example for the youth of the present and the future who will take and hold up the banners of Democracy and Social Justice which always have been maxims in the life of this glorious and exemplary U.S. Citizen.

This inexplicable, odious and inhuman attempt is, in our opinion, an affront to human dignity and a violation of the commandment of brotherly love which God's Law prescribed to all men: "Love each other."

Mr. Mansfield, we, the administrative and teaching personnel of this institute, observed this morning one minute of silence to show our grief, affection and admiration for the vanished; furthermore, we sent our most sincere prayers for him to God, Our Lord, and, truthfully, we wish to tell you that we all felt great pain when we heard of this new tragedy that filled this great American people with sadness, fright and mourning.

As technical director of this House of Education, I respectfully wish to tell you that I as well as my colleagues and teachers were profoundly moved when we learned of the attempt on Senator Robert F. Kennedy, Presidential Candidate. Furthermore, as a Christian, I see in this act a terrible, inhuman, useless affair that will only achieve the opposite.

With the preceding, we fervently wish to declare that we, the management, the teachers, family men and students of this school, share grief with you, the Kennedy family and your people and we, piously, beg and ask our Lord that the eminent U.S. citizen, Robert F. Kennedy, may rest in peace because he fought so much in his life and his virtues are the everlasting fuel that will always revive his memory in the heads and hearts of the U.S. people.

On behalf of the young men of this Institute we salute you and ask God that this so painful happening turn to light to explain to us why there is so much harm in the life of the Civilized Nations.

Yours truly,
[Signature],
For the Management and Teaching Staff.
Prof. JUAN B. SEPULVEDA LOZANO,
Technical Director.
PEDRO VISCANA,
For the Students.
——— SANCHEZ,
For the Association of Parents.

FIREARMS CONTROL LEGISLATION

Mr. MANSFIELD. Mr. President, on June 10, in a speech before the Senate, I set forth my views on my position on firearms legislation. I stated at that time what I thought should be done and what I had consistently stood for. I ask unanimous consent that the remarks I made on June 10 be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GUN CONTROL LEGISLATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 5 or 6 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, there has been a great deal of pressure for the passing of antigun laws to prevent violence and to stop assassinations. I believe that it is imperative for the American people to understand that no type of gun law will prevent murder, and that any law passed will not prevent persons who are bent on breaking the law from acquiring guns or weapons of any sort. I believe that most guns used in the execution of a felony are bootlegged, stolen, or guns bought under the counter. It is my further belief that the persons who would be most affected are those law-abiding citizens who possess firearms for the protection of their families, their homes, their possessions, and their recreation.

I would point out that the Senate, on its own initiative before the assassination of our late beloved and respected colleague, Senator Kennedy, completed action on the safe streets and crime control bill.

The Congress completed action on this bill which bans interstate mail order sales of handguns and permits over-the-counter sales of handguns within a State only to residents over 21. Incidentally, 44 percent of the murders in this country were committed with handguns and only 16 percent by other guns. Rifles and shotguns are not covered by the restrictions. The bill also outlaws possession of any sort of firearms by persons convicted of a felony, mental incompetents, veterans with anything less than an honorable discharge, Americans who have renounced their citizenship and aliens illegally in this country.

The action of the Senate, concurred in by the House, does not ban the mail-order sale of rifles or shotguns, nor does it fulfill many of the recommendations cited by the President's Commission on Law Enforcement and Administration of Justice. That Commission recommended:

First. The outlawing of private possession of such military-type firearms as bazookas, machineguns, mortars, and antitank guns.

Second. Prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms. This has already been done by the Senate in the safe streets and crime control bill.

Third. Underscored the need for State registration of all firearms, and State permits to possess or carry handguns.

These requirements will not stop the killing; they may help to discourage it, and personally I would favor them.

The President and the people of this country can be assured that the Chief Executive's plea to close the "brutal loopholes" in our gun laws will be given every consideration.

I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States refused to assume theirs.

As far as handguns are concerned, it is my belief that they should not only be outlawed, as they are in the bill passed by the Senate, but that the most serious consideration should be given to restricting their use to law enforcement authorities or other persons qualified to use them in the line of duty.

Again I want to repeat, so that the issue can be set forth in perspective, that we can pass all the gun laws in the country and still not prevent people from getting shot. Gun laws no matter how stringent are not the answers and are not a cure-all, and we all had better face up to that fact. The answer lies in a sense of responsibility, parental control, more and better trained police, improvement of environmental conditions, obedience to the law, and less protection for the criminal and more protection for the innocent. There is too much lawlessness, disrespect, and irresponsibility today, and as far as guns are concerned every weapon in the country could be seized and confiscated, but we would still have the problem of guns of a crude type which could be manufactured at home, could be used with deadly accuracy, and they could kill.

It is impossible to give total protection to any public figure today, and while some States, such as California, Michigan, and New York, have tight gun control laws, yet in California a suspect possessing a gun illegally, carrying it illegally, and using it illegally, took the life of our late colleague.

Any proposal on gun legislation will, I hope, and I am sure, be given prompt consideration by the Judiciary Committee or by whatsoever committee it may be referred to.

Any bill that is reported will be taken up promptly by the Policy Committee and will be brought to the floor of the Senate after that committee has acted.

We ought to think not only of public persons—and their deaths are, indeed, tragic—but also of the ordinary people, such as the two marine lieutenants, one of them from Fishtail, Mont., who were shot in a little hamburger stand in Washington during the past week; of the busdriver who was held up and murdered; of the high school boy from Wilson High School, who a week or 10 days ago was assaulted and murdered; and of the thousands of little people, who are likewise entitled to just as much protection as are public figures, although certain public figures, because of their particular circumstances, need a great deal more. I shall have more to say about that at a later time.

Mr. President, I conclude by stating again that it was the Senate that initiated a good bill for the control of handguns, and that the House also approved that bill. So far as I am concerned, I hope that the President will sign the safe streets and omnibus crime control bill, because I think it is not only needed, but is also long overdue.

Mr. MANSFIELD. On June 12, the distinguished junior Senator from Maryland [Mr. Tydings] introduced a firearms control bill, and during the course of that speech I engaged in a colloquy with him relative to its meaning and intent. I ask unanimous consent, Mr. President, to have that colloquy printed at this point in the Record.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

Mr. Mansfield. Mr. President, will the Senator from Maryland yield?

Mr. Tydings. I am glad to yield.

Mr. Mansfield. Following the distinguished Senator's line of thought, I should like to add the fact that two marine lieutenants who had just been graduated from Quantico were shot in a hamburger shop in Washington last week. One of them, 2d Lt. Thaddeus Lesnick, was from Fishtail, Mont.

A Negro boy, a graduate of Wilson High School, also was shot and killed. He, likewise, should be considered along with the others.

I am glad that the Senator from Maryland is emphasizing that this is a problem which is not only confined to great men or great personalities, but includes also the little people, who cannot generate the type of support the others can, but whose needs and considerations are just as great. I feel, and I know certain, that these examples could be multiplied many times over.

If I may, I should like to ask a question of the distinguished Senator.

Mr. Tydings. Certainly.

Mr. Mansfield. Do I correctly understand the Senator to say that the bill which he is introducing today—I have not seen it; I am looking at some statements concerning it—would provide for the registration of all firearms in the United States?

Mr. Tydings. The Senator is correct.

Mr. Mansfield. Is it the Senator's contention that that would encourage——

Mr. Tydings. This bill would in no way require the turning in of weapons—I hope I correctly judge the import of the Senator's question——

Mr. Mansfield. Yes, indeed. Would it also encourage States to provide for such registration, among other things?

Mr. Tydings. That is correct. It would be my hope that the States would enact their own registration laws. My bill provides that if a State did act its law will automatically preempt. If a State does not act, the Federal law would apply.

Mr. Mansfield. Very well. That is what I was trying to understand.

The Senator may or may not recall that on Monday last I made a speech on the floor of the Senate in which I stated that a number of proposals had been made by the President's Commission on Law Enforcement and Administration of Justice, including the outlawing of the private possession of such military types of firearms as bazookas, machineguns, mortars, and antitank guns; second, prohibiting such persons as habitual drunkards, drug addicts, mentally incompetents, mentally disturbed, and ex-convicts from buying or possessing firearms.

In my opinion, this has already been done in title IV of the safe streets and crime control bill in the section relating to handguns.

Mr. Tydings. One part of the National Crime Commission's recommendations was embodied in title IV. The Senator from Montana brings up a very good point. That is why I included the entirety of the National Crime Commission's recommendations in my own remarks, because my bill is really patterned after and based on the recommendations which the Senator has read and which the Senator has quoted.

Mr. Mansfield. The third recommendation underscored the need for State registration of all firearms, and for State permits to possess or carry handguns. My remarks follow:

"These requirements will not stop killing; they may help to discourage it, and personally I would favor them."

Further, I stated:

"I favor, and I have favored, the registration of all firearms, but I believe that it is basically a State function, and that the various States should accept this responsibility and not place it on the shoulders of the Federal Government. If the States will not act, then I think it will be the duty of the Federal Government to assume that responsibility, as it has all too often when the States have refused to assume theirs."

Is that in accord with the Senator's proposal?

Mr. Tydings. That is exactly the philosophy of the proposal. As a matter of fact, we had before us the Senator's speech and his recommendations while we were drafting the proposed legislation. Unfortunately, in the past 30 years the only one gun control law which was able to pass any State legislature—in New Jersey—and that was a far weaker law than we propose, and that was in New Jersey. During that period, all attempts to enact sane gun laws by State legislatures have been vehemently opposed by the National Rifle Association and the gun lobby. So we provide that our bill would take effect only if the State failed to act. The State could act and would thus preempt the field at any time.

Mr. Mansfield. I suppose the Senator has in mind California, Michigan, New York, and New Jersey as States which have good gun control laws at present.

Mr. Tydings. Yes. So far as registration is concerned, I think they accomplish what we seek.

My bill also requires that an individual must obtain a license in order to possess, purchase, or transfer a firearm. Under the bill, each State will set up its own licensing procedure. But if the State does not do that, then the Federal law will apply. Under this bill, a license will automatically be given to an individual who states truthfully, that he is not a convicted felon, is not under indictment for a felony, has not been convicted of a misdemeanor involving violence, has never been institutionalized, under court order, for alcoholism, drug addiction, or mental incompetency, is over 18 years of age, and is a U.S. citizen.

In addition, fingerprints and a photograph would be required, unless the Governor of a State indicates to the Secretary of the Treasury that obtaining fingerprints or a photograph would not be practicable for residents in his State. For example, if a State is sparsely populated or long distances must be traveled to find people qualified to take fingerprints or to develop photographs, then the Governor could get an exemption for his State from this requirement.

If a license application is submitted containing all this information, and if the information is truthful, automatically the firearms license would be issued. The Secretary of the Treasury would have no discretion to withhold the license.

Hopefully, the States would move to set up machinery for firearms licensing and for registration. If a State did act, then the Federal law would not apply in that State.

Mr. Mansfield. I appreciate the remarks of the distinguished Senator. I assure him that I have followed his statements with great interest.

Mr. Tydings. I thank the distinguished majority leader. I hope he will agree that my proposed legislation is basically within the philosophy and meets the objectives set out in the remarks which he made earlier this week.

I should like to re-emphasize the point made by the majority leader, that this is not a problem involving only public officials. This is a problem involving the people of the United States.

After the riots in Detroit, rioters were arrested and guns were confiscated. It was found that a substantial majority—as many as 9 out of ten guns—confiscated could not have had firearms which they could not have purchased under Michigan law. All they did was slip over the State line into Toledo, Ohio, and pick up those "Saturday night specials" for a few dollars and drive back to Detroit.

Last summer, at our hearings on gun control the Governor of New Jersey, after the riots in Newark, pointed out that people who were ineligible to buy a firearm in New Jersey because of a criminal record would hop into their automobiles and drive into other States and purchase all the guns they wanted—and drive back to New Jersey.

The entire thrust of this bill is really to protect the average citizen.

Mr. MANSFIELD. The Tydings bill will place primary responsibility on each State to enact a strong gun law, but will provide Federal Government protection to the extent any State fails to act. This bill is complementary to the gun law Congress enacted as title IV of the omnibus crime bill. The Tydings bill will require registration of all firearms, and a permit for the possession of any firearm.

Registration will provide a record of every gun. Requiring a permit for the possession or purchase of a firearm will at last give the American public some assurance that criminals, addicts, and mental incompetents will not be able to purchase, own, or even possess a weapon.

Indeed, unpermitted possession would be heavily punished.

This bill will not disarm any law-abiding citizen or unreasonably interfere with his right to own or obtain a gun. In fact, it will require permits to be issued for such meritorious reasons as protecting one's home or property or for sporting purposes, including hunting and target shooting. The bill will not preempt States right. It specifically provides that a State law of equal force or effect as the Federal law will control. Where a State does not act, the Federal law will apply simply to protect the public.

There is no person in this country whose conscience has not been deeply troubled by recent events; by the public tragedies covering the assassinations of our late beloved President, John F. Kennedy, of Dr. Martin Luther King, of Medgar Evers, and of our late beloved and highly respected colleague, Robert F. Kennedy. We have been troubled, too, by the other murders, assassinations and assaults—the private tragedies that have received little in the way of publicity but continue to serve as constant reminders of the depth of violence in our everyday lives. I speak of the murder of two young marine lieutenants earlier this month, one of them a young man from Fishtail, Mont., and other incidents too numerous to mention but all still alive in our memories.

I have been thinking of all of these people and what could be done, not as a cure-all which no one should believe is feasible or possible, but in alleviating crime, curbing irresponsibility and the lack of respect which has become so endemic in this Nation's history.

It is my belief that a sound gun law is a sane and rational approach; one that can be of great help in bringing about a reduction in the murders caused by long and short guns alike. I recognize, of course, as I have stated on many occasions, that there are legitimate, necessary, and compelling reasons for law-abiding citizens to possess guns. And the Tydings bill will protect such citizens just as car owners and others are protected through registration from misappropriation or theft.

The Tydings legislation will not disarm anyone of the right to own a gun. It will strengthen the hands of police officials in the tracing of murder weapons. It will prevent the petty criminal and others of like nature who cannot buy a gun over the counter from a licensed dealer from buying one through the mails.

I have also gone over the testimony of Mr. J. Edgar Hoover, the Director of the FBI, who states:

> There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public.

And also of Quinn Tamm who is, incidentally, a former Butte, Mont., man and is now the director of the International Association of Chiefs of Police, who says:

> Law-abiding citizens and the police are tired of living in a country which is becoming a veritable armed camp, erupting too frequently into violence, bringing death and destruction by firearms to innocent citizens . . . The ease with which any person can acquire firearms . . . is a significant factor in the prevalence of lawlessness and violent crime in the United States.

I have also gone over again the recommendations of the President's Commission on Law Enforcement and the Administration of Justice and have come to the conclusion, in line with my own conscience and on my own responsibility, that I will support the Tydings firearms control bill. It is in accord with the remarks which I made in the Senate on June 10. It will, in my opinion, help to reduce gun crimes, and it will have my full support.

I ask unanimous consent that I may be listed as a cosponsor of the Tydings firearms control bill.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

THE 40TH ANNIVERSARY OF FLOOD CONTROL ACT OF 1928

Mr. STENNIS. Mr. President, this year marks the 40th anniversary of the enactment of Federal legislation which has had a tremendous impact on the development of the State of Mississippi, the Lower Mississippi Valley, and the Nation as a whole.

On May 15, 1928, President Coolidge signed into law the Flood Control Act of 1928 which provided authority for a direct Federal program of flood protection for the alluvial valley, encompassing parts of seven States and stretching from near Cape Girardeau, Mo., to the Gulf of Mexico, an area which only a year before had suffered a devastating flood in the greatest natural disaster which has ever visited this Nation. In terms of 1968 dollars, property damage alone was on the order of $1 billion. More than 200 lives were lost.

The 1928 act committed the Federal Government, for the first time, to a direct responsibility to its citizens for protection from such natural disasters. From this regional commitment has grown a nationwide program, first established in 1936, which has grown in concept to include not only control of floods but participation in major drainage, soil erosion control, hurricane protection and beach erosion.

The results have been dramatic. Under the competent guidance of the Corps of Engineers, U.S. Army, the project on the lower Mississippi River stands as one of the great engineering achievements of all times. The works which the corps has built in the lower valley have prevented damages thus far of nearly seven times the cost of the improvements. The completed work has allowed the area to become a vital force in the agricultural and industrial economy of the Nation.

As the works of improvement have progressed through the years, our basic farm economy has grown and prospered. Our farmers are no longer subject to periodic losses due to floods. Once we had a one-crop cotton economy; now there is a year-round agriculture which produces grains, truck crops, and cattle in abundance. The prosperity of our agriculture has made the area one of the great markets of the Nation and many of the industries which have located along the river and in the tributary basins are there to meet the demands of this new and expanding demand for the products of their manufacturing plants.

Where once industry refused to consider location in the area because of the threats of floods, it now comes willingly. Ample water supplies, cheap water transportation, and abundant labor have brought tremendous industrial growth throughout the valley.

To illustrate this growth the Delta Council of Mississippi, a very fine regional organization in my State, recently completed a study of the industrial growth in 18 counties of the Mississippi Delta for the 11-year period through 1967. The study revealed that due, in considerable measure, to the flood control and drainage improvements in the area, the number of manufacturing enterprises had increased from 36 to 130; the number of manufacturing jobs from 6,050 to 28,000, and the annual manufacturing payroll from $15,000,000 annually to $115,000,000 annually. Let me emphasize that few, if any, of these new establishments represent movement of industry from other areas into Mississippi. Almost without exception, these plants came there as part of expansion programs to reach new markets. I am sure this experience has been shared by the other States within the valley.

On this anniversary date, I salute the Corps of Engineers for this wonderful accomplishment made possible in large measure by a long-ago Congress with the vision and courage to enact this legislation. I particularly want to pay tribute to the late Hon. Will M. Whittington who was then the Representative of the Mississippi Delta in Congress. He was a member of the committee which framed the original legislation and continued to serve in the House until 1951. During his service as chairman of the Flood Control Committee and, later, the Public Works Committee, the Lower Mississippi Valley project was expanded and the program extended to the remainder of the country. He stands today not only as the "father of flood control" but also as one of the great leaders in the history of the development of our natural resources.

AVAILABILITY OF FORMS TO BE SUBMITTED BY SENATORS AND SENATE EMPLOYEES

Mr. STENNIS. Mr. President, this is a brief announcement concerning the availability of forms for reports of outside employment, contributions, financial interests, and other information in compliance with recently adopted Senate rules 41, 42, and 44.

The Select Committee on Standards and Conduct has prepared three different printed forms which Senators, candidates for Senator, and officers and employees of the Senate may find convenient in making reports under those rules. These forms are entitled, "Statement of Personal Service Activity or Employment," "Confidential Statement of Financial Interests," and "Statement of Contributions and Honorariums."

The forms provide blanks for the insertion of information required to be reported by the rules. In addition, each form contains detailed instructions as to who must file, when to file, what period of time is covered, and with whom the report must be filed.

The rules do not require any particular form for making the reports. Although our committee recommends their use, I wish to make clear that use of these particular forms is not mandatory. They are provided for the convenience of all parties in interest, and their use is entirely a matter of choice.

The Secretary of the Senate has a supply of the forms and will make them available upon request.

VIETNAM AND BERLIN

Mr. SYMINGTON. Mr. President, when the United States announced last March that there would be no further attacks on 75 percent of the territory of North Vietnam, by this action a decision was made not to attack the areas of that nation in which are located nearly all of the enemy's more important military targets.

It has been stated that this decision was taken in the hope some reciprocal reaction from Hanoi would be forthcoming. To date, however, there has been no evidence whatever of any such reaction.

Those who are opposed to giving the enemy any reprieve from air attacks predicted that the North Vietnamese would take advantage of any cessation to rush more weapons and more men into South Vietnam; and justified that prediction on the grounds such reinforcing occurred during all of the seven previous bombing cessations.

There prediction has now come true. During the some 11 weeks since air attacks were halted, the rate of flow of military supplies, weapons and people moving into South Vietnam has more than doubled. Since March 31, tens of thousands of North Vietnamese regulars have moved into South Vietnam.

As a consequence, U.S. casualties have been very heavy. During one 2-week period, more than 1,100 U.S. troops were killed, the highest death rate of the war.

Mr. President, put yourself in the place of Ho Chi Minh. Why would he not use these Paris negotiations to spare his country and its warmaking potential from air attacks during the months of clear weather from May to November?

Has anyone considered the tragic psychological effect such negative policies are having on the average citizen on South Vietnam, as expressed by the woman standing in front of her destroyed home in Saigon when she said: "Saigon is burning. Why not Hanoi?"

A long time ago experienced and objective military critics observed that if the North Vietnamese military reverted to guerrilla warfare, and then coordinated that type effort with the obvious and growing distaste of the South Vietnamese people for the present South Vietnamese Government, victory in any true sense of the word would be impossible.

For many months I have predicted that, if we continue to spend these some $2½ billion a month to carry on this tragic Vietnam stalemate, not only would there be political and economic repercussions, but also additional military action would develop in other parts of the world.

That prediction has already been proved correct: Examples, the *Pueblo* and the steady Soviet buildup in the Mediterranean area, which the new American Ambassador to the United Nations, George Ball, said only this morning was of far more importance to the United States than Southeast Asia.

Now, however, we note an even more dangerous example, further tightening of the Communist cords around West Berlin.

It becomes "steadily more clear" that some decisive action should be taken with respect to the future of this "Vietnam venture" subsidiary, before that subsidiary undermines the security and well-being of the parent company.

Otherwise, earlier than anyone could have expected, the United States will be forced to accept a real military defeat unless it decides to use nuclear weapons. In case the latter, there could be no winner.

Mr. President, the following is an interesting excerpt from a letter written by one of my more thoughtful constituents, from Kansas City:

> No one, but no one, out here cares even a little bit about saving "face" in V-Nam. No amount of face of anyone can justify what is going on. No point in going into detail; it has all been said a million times. *We don't belong there.* The people don't want us, we cannot afford it in lives, money or ruined moral fibre. Complex solutions are getting us nowhere. So make it simple—just get out!

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "East Germans Tightening Berlin Grip" in the Washington Post with a Bonn dateline, and an article by Chalmers Roberts, "United States Concerned Over Berlin."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 12, 1968]

EAST GERMANS TIGHTENING BERLIN GRIP

(By Dan Morgan)

BONN, June 11.—The East German Communist government announced today that it plans to impose what amounts to almost complete control over all overland movement of people and goods between Berlin and West Germany.

The move was seen by observers here as the most daring yet in a series of actions aimed at firmly establishing the sovereignty of an East German state permanently divided from West Germany and in control of West Berlin's economic lifeline to the West.

West Berlin Mayor Klaus Schuetz, who was recently refused transit to West Germany under an earlier East German edict, said the news meant "a black day for all Germans." He said the move affected the free status of Berlin and added that the situation could no longer be played down.

[American officials in Washington took a serious view of the East German move, and Under Secretary of State for Political Affairs Eugene V. Rostow said in Bonn that it "can't be tolerated."

Among the planned requirements announced by the East Germans are passports and transit visas for West Germans and West Berliners who use the land access routes, new taxes on goods brought into the city by land or water, and a ban on the shipment of right-wing literature to West Berlin.

East German Interior Minister Friedrich Dickel, in announcing the sweeping measures before the Volkskammer (People's Assembly) in East Berlin, said the visas could be applied for at border points.

The visa rules go into effect Wednesday. Instead of simply showing their identity cards, as they have been doing, West Germans will have to present a passport at the border checkpoints and pay 10 DMarks ($2.50) to have a roundtrip transit visa stamped in the passport.

The East German news agency ADN indicated that although visas will be required starting Wednesday, travelers will be given until July 15 to obtain passports, since many West Germans don't have them.

East German Finance Minister Horst Kaminsky announced the new levies on goods and travel, and said the new tax on travel will take effect June 20 and the tax on goods will begin July 1.

The new taxes include a transit charge of 8 pfennig (about 2 cents) per kilometer on buses using the autobahns to and from West Berlin. New charges also will be imposed on dangerous materials—such as gasoline and fuel vital to the city's survival—brought into West Berlin by truck or barge.

East Germany's intention of putting an economic squeeze on the city was apparent despite the Communist government's claim that it would not endanger West Berlin's economic relations with the West.

Western diplomatic sources said the taxes and surcharge levies appeared aimed at putting West German trade with West Berlin on an international basis, instead of its present internal basis.

The visa plan is viewed by authoritative sources as dangerous because the United States has insisted upon unhindered access to West Berlin. Now the East Germans appear to be saying that they have the right to say who may pass.

In 1965, more than 3 million persons, most of them West Germans, used the autobahns to West Berlin.

The extent of the city's dependence on goods from West Germany is shown by the fact that in 1966 some $5.25 billion worth of goods from West Germany were shipped into West Berlin.

Representatives of the U.S., French, and British allied control powers met with West German officials in Bonn shortly after Dickel's announcement was distributed by ADN.

[In Vienna, West German Foreign Minister Willy Brandt said tonight that he plans to shorten his visit to Yugoslavia in the next few days in order to return to Bonn for discussions on the situation created by the East German move.]

East German edicts in the last three months have barred travel to members of the right-wing National Democratic Party and to senior West German officials.

TIED TO NEW LAWS

Dickel told the Volkshammer in his two-and-a-half-hour speech today that the reason for the new measures was the recent passage by the West German Parliament of the controversial emergency laws for dealing with crises.

The laws, which West German leftists opposed as opening the door to a future dictatorship, provoked considerable indignation in Moscow and East Berlin.

Dickel said that it has become "absolutely necessary to hold in check the source of neo-Nazism and revanchism . . ."

He went on:

"In order to protect the peaceful construction of our German Democratic Republic and in order to protect the sovereign rights over our territory, we foresee measures to better regulate and control the traffic through our territory."

"We must see to it that our territory isn't used for aggressive purposes," he said.

RIGHT HELD IMPLICIT

However, he said that travel to and from the city would not be adversely affected, nor would the city's economic relations with the West. This phrase, which has appeared in previous announcements of tightened East German control, is thought by some observers to have been inserted at the insistence of the Soviets.

Although there is nothing in the Four-Power-Agreements on Berlin giving West Germans a specific right to travel to and from the city, the Western Allies insist that it is implicit in the Potsdam Accords.

The three Western powers responsible for Berlin have also insisted that the Soviet Union is responsible in the last analysis for maintaining access, whether or not it chooses to delegate this responsibility to East Germans.

At least two theories were advanced by Western observers here tonight for the East German plans.

The first was that the East Germans, perhaps with Soviet backing, seek to stir up a new Berlin crisis so as to justify stepped-up Warsaw Pact activities that could include a Soviet military presence in Czechoslovakia.

Czechoslovak reformers have been resisting all efforts for such a turn of events, lest it limit their political maneuverability.

East German and Soviet leaders agreed in Moscow two weeks ago that the East Germans had a right to control the access routes to West Berlin. The same communique mentioned the emergency laws and the need for closer Warsaw Pact cooperation—a phrase whose constant repetition has begun to take on unpleasant overtones for Czechoslovakia.

PRAGUE DISAGREES

The leaders in Prague have been downplaying the West German "military threat," and the emergency laws, and have contended that Berlin comes under Four-Power status.

Another theory is that the East Germans and Russians are stepping up pressure on Berlin prior to bargaining with West Germany over such questions as recognition.

But, with the Kremlin leaders widely reported to be divided on almost every major foreign policy issue, observers think it is doubtful that the Soviets are overly anxious for speedy settlement of the German question.

Some observers believe that the East Germans may have simply decided to try to make West Berlin too expensive an endeavor to run, and thus achieve the city's de facto isolation.

[From the Washington Post, June 12, 1968]

UNITED STATES CONCERNED OVER BERLIN

(By Chalmers M. Roberts)

American officials took a serious view yesterday of the new East German rules on travel to Berlin but Secretary of State Dean Rusk enforced an official "no comment" policy.

Nonetheless in Bonn, the West German capital, Under Secretary of State for Political Affairs Eugene V. Rostow told the Associated Press that the travel restrictions are "going to be a serious situation . . . Such a change from the present pattern can't be tolerated."

Rostow was catching a train after completing negotiations on a new U.S.-German agreement on how to pay for the cost of American forces in Germany.

Washington officials indicated that the critical decision on what to do will have to be made by the West German government.

A tripartite (American-British-French) meeting with the Germans on the ambassadorial level will take place in Bonn today, it was said here, to consider what to do. The new restrictions will go into effect today.

The position of the United States and its allies has always been that assuring free access from West Germany across East Germany to Berlin is the responsibility of the Soviet Union. This responsibility grew out of the Nazi surrender and continues because there has been no common peace treaty ending the German phase of World War II.

While the American contention is that this applies to all access, there has been constant argument with the Soviets and no clear document exists to sustain fully the Western position. Generally, it is felt here, the rights of the Americans, British and French to free access are on firmer legal grounds than those of the West Germans.

Yesterday officials here said they were dusting off long-made contingency plans but they refused to divulge their contents. High officials held a series of meetings on the problem during the afternoon.

The new East German move was not expected, as the Communist regime recently sought to curb the right of right-wing West Germans to go to Berlin. Two months ago the three Western powers, in identical letters to the Soviet Ambassador in East Germany, once again put the responsibility for free access on Moscow.

The initial reaction here related the new move to East German fears of liberalization in other parts of Eastern Europe, especially in Czechoslovakia. There appeared to be no connection between the move and the Paris talks on the Vietnam war.

What is involved is land transit by West Germans to Berlin, which accounts for more than 90 percent of all traffic to that city.

The new East German regulations cannot affect West Germans flying to Berlin nor would they affect the travel rights of American, British, French or other nationals. Hence the explosive elements of earlier East-West crises over Berlin are not now evident.

West Germany has a powerful economic weapon, its extensive trade with East Germany, but no one here would predict whether the Bonn Government would make use of that weapon. To do so, some felt, would be to jeopardize the current Bonn policy of improving relations with all of Eastern Europe, including to some degree relations with East Germany.

EAST-WEST TRADE

Mr. YOUNG of Ohio. Mr. President, trade between Eastern and Western Europe is surging ahead by almost 20 percent a year. Witness the following dramatic increases in Western European exports to Eastern Europe from 1961 to 1966: France, $240 million to $387 million; Italy, $216 million to $357 million; England, $295 million to $410 million; West Germany, $473 million to $696 million; Spain, $15 million to $57 million; Switzerland, $66 million to $112 million. During this period U.S. exports to eastern Europe increased from $135 to only $198 million. West European industrialists have established a strong foothold in the fastest growing market in the world for industrial goods—those 350 million people who live under Communist rule from Prague to Vladivostok. West European firms have built or are building approximately 150 factories throughout Eastern Europe and the Soviet Union and more contracts are on the way. Italy's Fiat Co. concluded an $890 million agreement to build a plant in the Soviet Union to produce 730,000 cars a year.

While members of the Common Market have abolished import restrictions on Eastern European products, we still maintain trade barriers which discriminate against American businessmen, farmers, and working men and women. Increased trade has forced many Communist governments to institute sweeping economic reforms in order to make their products more competitive in both price and quality. Increased trade from America with European Communist nations will also provide a powerful political tool to woo them toward peace, complete independence of Russia, and consumer orientation. Trade makes for good neighbors. Good neighbors make for peace.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. McCLELLAN. Mr. President, on Thursday, June 6, the House of Representatives by on overwhelming vote of 368 to 17 approved the Omnibus Crime Control and Safe Streets Act of 1968, which had previously, on May 23, passed the Senate by an almost unanimous vote of 72 to 4.

For several days now, this measure has been on the desk of the President of the United States awaiting his signature. He has not yet taken any action on it, and so far as I know, he has not publicly indicated whether he will sign it, veto it, or permit it to become law without his signature. I, therefore, am not informed, and I cannot advise you with reference to his intention. But, time is running out, and we will soon know. He must act before midnight Wednesday, June 19. I can hardly conceive that he will fail to sign it.

In the meantime, however, apparently every conceivable pressure is being brought to bear on the President to have him veto the bill. Some of the extreme liberal press have called for its veto by strong and misleading editorials. And, according to news media, "labor, civil rights, and political groups" called on the President Saturday to veto the measure.

An article in yesterday's Washington Post states:

> At a press conference here representatives of the United Auto Workers, the AFL–CIO, Americans for Democratic Action, the Amerisan Civil Liberties Union, and other organizations assailed the bill "as unconstitutional in part and unwise in other parts".

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Rights, Other Groups Urge Crime Bill Veto," published in the Washington Post on yesterday, June 16, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 16, 1968]

RIGHTS, OTHER GROUPS URGE CRIME BILL VETO

Labor, civil rights and political groups called on President Johnson yesterday to veto the omnibus crime control bill.

At a press conference here, representatives of the United Auto Workers, the AFL–CIO, Americans for Democratic Action, the American Civil Liberties Union and other organizations assailed the bill as "unconstitutional in part and unwise in other parts."

Lawrence Speiser, director of the Washington ACLU office, said the conference had been called to demonstrate the wide range of opposition that exists to the crime control bill Congress passed last week.

"We recognize that vetoing the bill in the face of lopsided Congressional majorities will require statesmanship and courage," Speiser said. "We hope the President will exercise these."

ADA leader Joseph L. Rauh Jr. said the veto would be "the surest of getting a real gun control law." He said the crime bill's gun control provisions were effectual, but would "take some of the steam out of the move for a real gun control law."

The crime control bill includes restrictions on the sale of handguns but not on rifles and shotguns. The President sent Congress a much stronger gun control bill last Monday.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **McCLELLAN**. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **McCLELLAN**. Mr. President, this aggressive effort from these sources to have the bill vetoed surprises no one. This effort was to be expected. And, it adds neither new recruits nor additional strength to the opposition—to the forces who oppose the enactment of an effective anticrime bill. All these groups and organizations opposed, lobbied against, and made every effort possible during its legislative consideration to defeat and have removed from the bill titles II and III—vital provisions which they so viciously oppose. Their efforts failed—they were resoundingly defeated.

I, therefore, would most respectfully remind the President of the United States that the Members of the Senate and of the House of Representatives were well aware of this opposition—of the position and activities of the leaders of these groups and organizations—against this measure, when, less than 2 weeks ago, they voted for passage of this bill by a majority of more than 95 percent of those present and voting. Less than 5 percent voted against it.

I would also respectfuly remind the President that this vote in Congress represents the considered judgment and determination of the people's elected representatives. Through them and our democratic processes, the great mass—the irrefutable majority—of American people has spoken.

They want meaningful action taken—not just authorization of another money-spending program. They want corrected and grievous errors of some 5 to 4 Supreme Court decisions which favor the criminal and mete out "unequal" justice to society. They want the Supreme Court to stop overruling long-established equitable and just precedents which result in the releasing upon society of dangerous criminals who have confessed their crime and about whose guilt there is neither issue nor doubt. They want the Supreme Court to construe the Constitution as written and as correctly and wisely interpreted by its predecessors for more than 100 years. They want the Court to stop its unwarranted and illegal attempts to amend the Constitution by edict and decree so as to have it conform to their personal whims and social philosophies of what they think the Constitution should be. They want it construed to mean what it says and that which is intended—no more and no less.

This authority, the power to amend the Constitution, is not vested in the Supreme Court. Article 5 of the Constitution states how the Constitution can be amended—by action of the Congress, by the State legislatures, and by authorized conventions of the people in the several States. The Constitution can be amended only in the manner explicitly prescribed in article 5.

The American people are sick and tired of the Supreme Court—five of its members—flouting the plain provisions of this article and usurping the powers which the Constitution has reposed in the Congress, in the several States, and in the people themselves. They are becoming resentful and indignant about it, and they want this practice stopped.

Mr. President, I most solemnly and reverently express the hope that President Johnson will measure up to this historic opportunity and to the high privilege and duty that is his by signing this bill into law. By doing so, he will join the Congress and the American people in striking a hard blow against crime and lawlessness in this country and against the injustice that certain 5 to 4 Supreme Court decisions have imposed on society.

I am constrained to say, without hesitation or reservation, that the signing of this bill will go a long way toward renewing faith and restoring the confidence of our people in the American system of justice. It will immediately strengthen their hope for safety and for better law enforcement in the future. And, Mr. President, I assert with equal emphasis and conviction that a Presidential veto of this anticrime bill can only bring rejoicing to the hearts of the law violators and give cause for a jubilant celebration in "Crimesville." A veto will dash the hopes and further instill distrust and despair in the hearts of the law-abiding, God-fearing, decent citizens of this country. I pray that this will not happen.

Mr. President, I ask unanimous consent to have printed in the RECORD a Viewers Interest Poll conducted by television station WAVY in Norfolk, Va., from May 20 to May 24, 1968.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

VIEWER INTEREST POLL OF WAVY–TV, MAY 20 TO MAY 24, QUESTIONS AND VOTING RESULTS

[Results in percent]

Monday, May 20: "Would you favor an all volunteer army to replace the current draft system?"

Yes	61
No	39

Tuesday, May 21: "Do you think recent Supreme Court decisions have increased crime?"

Yes	83
No	17

Wednesday, May 22: "Should courts have the power to control news coverage?"

Yes	37
No	63

Thursday, May 23: "Should college students who protest by disorderly conduct be denied federal loans and scholarships?"

Yes	76
No	24

Friday, May 24: "Do you think the Parent Teachers Association serves any useful function?"

Yes	46
No	54

Mr. **McCLELLAN**. Mr. President, on May 21, the question asked viewers was:

Do you think recent Supreme Court decisions have increased crime?

The response to this was an overwhelming 83-percent yes vote, while only 17 percent of the respondents answered no.

The **PRESIDING OFFICER**. The time of the Senator from Arkansas has expired.

Mr. **McCLELLAN**. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **McCLELLAN**. Mr. President, I also ask unanimous consent to have printed in the RECORD letters from Aaron E. Koota, district attorney, of Kings County, N.Y.; Frank Hogan, district attorney, New York County, N.Y.; and Arlen Specter, district attorney, Philadelphia, Pa.—these letters bring up to date statistics showing the harmful effects the Miranda decision is having on law enforcement; and a telegram from Justice Michael A. Musmanno of the Supreme Court of Pennsylvania recommending legislation to offset recent Supreme Court decisions such as Miranda.

There being no objection, the letters and telegram were ordered to be printed in the RECORD, as follows:

OFFICE OF THE DISTRICT ATTORNEY,
KING'S COUNTY,
Brooklyn, N.Y., May 16, 1968.

WILLIAM A. PAISLEY, Esq.,
Chief Counsel, Committee on the Judiciary,
Senate Office Building, Washington, D.C.

DEAR MR. PAISLEY: Thank you for your letter of May 13th and the copy of the printed report on S. 917.

My office has kept records which cover the period from June 13, 1966 to April 30, 1968. In the category of crimes of homicide, robberies, rape and felonious assault, 2385 defendants came to our attention. Of these, 1450 made statements and 935 refused. The percentage of refusals is therefore 39% over this approximate two year period. Prior to *Miranda*, as I have stated previously, the percentage of refusals was approximately 10%.

I reiterate the testimony I gave before the Senate Subcommittee on Criminal Laws and Procedures, that *Miranda* has had a serious and deleterious impact on criminal law enforcement in this county.

Cordially yours,

AARON E. KOOTA.

DISTRICT ATTORNEY OF THE COUNTY
OF NEW YORK,
New York, N.Y., May 17, 1968.

Hon. WILLIAM A. PAISLEY,
Chief Counsel, Committee on the Judiciary,
Senate Office Building, Washington, D.C.

DEAR MR. PAISLEY: Responding to your letter of May 13, 1968, I can tell you that our experience with admissions used in presenting cases to our grand juries, following Miranda, remains fairly constant. In my testimony before the Senate Subcommittee on Criminal Laws and Procedures on July 12, 1967, I reported that, for the six month period before Miranda, roughly 49% of the non-homicide felony defendants made incriminating statements. I then compared that with the six month period after Miranda where only 15% made admissions. From this I drew the conclusion that in felony cases generally the Miranda rule caused a significant reduction in the number of defendants who gave incriminating statements.

You might be interested in our recent statistics for the past year. From May 1967 through October 1967, another six month period, cases against 2,117 non-homicide defendants were presented to the grand jury. Only 437 admissions could be presented as part of the evidence. This comes out 20.6% as contrasted with the 49% before Miranda. From November 1967 through April 1968 cases against 2,556 defendants were presented with only 522 admissions—20.4%.

You were also interested in our general reaction to S. 917, Title III. I am enclosing a memorandum from our Appeals Bureau which, in paragraph one, reflects our thinking. Paragraph two of the memorandum is a critique of a report by the Federal Legislation and Civil Rights Committee of the Association of the Bar of the City of New York. Since the report was published in the Congressional Record, we thought you might want to know the views expressed therein are not representative of the entire membership of the Association. Indeed, the Association's Committee on the Criminal Courts, Law and Procedure came to entirely different conclusions.

With kindest regards.

Sincerely,

FRANK S. HOGAN.

MEMORANDUM ON EAVESDROP DEVELOPMENTS

To: Mr. Hogan.

From: Appeals Bureau, May 17, 1968.

I. WITH RESPECT TO S. 917, TITLE III

Although in some respects it differs from and may be incompatible with the state measure which recently passed both houses in New York, the federal bill is very good. Insofar as it impinges on state procedure, we find that essential state needs are not violated. The latitude allowed to state investigators is broad enough, and the procedures, adapted to state tribunals, are reasonable and serviceable. In sum, we are well satisfied with the measure.

II. WITH RESPECT TO THE REPORT OF THE FEDERAL LEGISLATION AND CIVIL RIGHTS COMMITTEES OF THE BAR ASSOCIATION OF THE CITY OF NEW YORK

A. The report is contrary to the expressed views of another committee of the same association, The Committee on the Criminal Courts, Law and Procedure. That committee commented approvingly on the state measure introduced to regulate eavesdropping in New York (1968 Legislative Bulletin #1 of that committee). The bill favored by the Criminal Law Committee was drafted by Richard Uviller of this office and sponsored by the Law Revision Commission, a most balanced, knowledgeable, and prestigious agency. Needless to say, the proposed state measure was totally different than the suggestions in the report of the Bar Association Federal Legislation and Civil Rights Committees. To that extent, at least, it is fair to say (and should perhaps be stated in the Congressional Record which now contains the latter report on pages 12164–12174 of May 7, 1968) that the views there expressed do not represent the views of the entire association.

B. From our standpoint, the Federal Legislation and Civil Rights Committee report makes several suggestions which affect state procedure in totally unacceptable fashion. To mention but two of the most horrendous:

1. The report disparages the state judicial system and would deprive state courts of authority to issue wiretap orders. State authorities would be compelled to seek warrants from federal courts wherein exclusive jurisdiction in these matters would reside. This proposal, in our view, raises major questions of jurisdiction. We do not believe that federal courts enjoy the power to pass upon the application of a local prosecutor to install a microphone in the investigation of a local crime. Such authority, under the federal scheme of the Constitution, is clearly a matter of police power over which the states—not the United States government—exercise exclusive jurisdiction. In addition, the proposal creates enormous practical problems: Would the state court in which the case is to be prosecuted pass upon the validity of the federal court order? Or would the federal district court hear and determine a motion to suppress evidence to be introduced at a state trial?

2. It is proposed that for state crimes other than murder and kidnapping, the local prosecutor must apply to the Attorney General in Washington for approval of his application for an eavesdrop order. The Attorney General must daily sift through thousands of such applications, award permission on the basis of a national scale of priorities. Further, he must hold his approvals within a quota, suggested to be 100 outstanding orders existent nationwide at any given time. We need not belabor the ludicrous impracticality of such a proposal. We are sure the Attorney General would decline such staggering responsibility, and as for states, the idea is onerous beyond words. We can not voice too strongly our opposition to this hare-brained scheme.

In many other particulars, comparable lack of wisdom in the report's criticisms of pending federal measures is evident. We can only surmise that the draftsmen had little if any experience in the field in which they undertook to speak so boldly. We would urge that the report be rejected without serious consideration, for it deserves none.

DISTRICT ATTORNEY'S OFFICE,
Philadelphia, Pa., May 24, 1968.

Mr. WILLIAM A. PAISLEY,
Chief Counsel, Subcommittee on Criminal Laws and Procedures, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. PAISLEY: Thank you for your letter of May 13, enclosing for me a copy of the printed report on S917.

In testimony which I presented to Senator McClellan's Committee on March 8, 1967, I set forth the results in Philadelphia which disclosed that statements had been reduced significantly as a result of the *Miranda* decision.

I am attaching to this letter an up-to-date statistical summary showing that this trend has continued.

I regret the delay in sending these statistics on to you, but it was necessary to segregate the police statistics in order to be sure that they were a continuation of those which we had originally reported. It took several days to accomplish the updating of these statistics.

I appreciate your continuing concern on this matter.

Sincerely,

ARLEN SPECTER.

RESULTS OF WARNINGS TO DEFENDANTS

Date	Total arrests	Total who refused statement after warning
July 10 to July 16, 1966	127	78
July 17 to July 23, 1966	139	73
July 24 to July 30, 1966	167	90
July 31 to Aug. 6, 1966	158	76
Aug. 7 to Aug. 13, 1966	113	62
Aug. 14 to Aug. 20, 1966	138	99
Aug. 21 to Aug. 27, 1966	158	87
Aug. 28 to Sept. 3, 1966	170	104
Sept. 4 to Sept. 10, 1966	161	99
Sept. 11 to Sept. 17, 1966	176	108
Sept. 18 to Sept. 24, 1966	167	96
Sept. 25 to Oct. 1, 1966	127	77
Oct. 2 to Oct. 8, 1966	164	107
Oct. 9 to Oct. 15, 1966	130	74
Oct. 16 to Oct. 22, 1966	142	67
Oct. 23 to Oct. 29, 1966	136	78
Oct. 30 to Nov. 5, 1966	143	78
Nov. 6 to Nov. 12, 1966	145	82
Nov. 13 to Nov. 19, 1966	156	86
Nov. 20 to Nov. 26, 1966	142	96
Nov. 27 to Dec. 3, 1966	157	100
Dec. 4 to Dec. 10, 1966	151	98
Dec. 11 to Dec. 17, 1966	154	85
Dec. 18 to Dec. 24, 1966	134	73
Dec. 25 to Dec. 31, 1966	107	97
Jan. 1 to Jan. 7, 1967	141	78
Jan. 8 to Jan. 14, 1967	151	96
Jan. 15 to Jan. 21, 1967	156	89
Jan. 22 to Jan. 28, 1967	143	86
Jan. 29 to Feb. 4, 1967	145	92
Feb. 5 to Feb. 11, 1967	134	68
Feb. 12 to Feb. 18, 1967	118	64
Feb. 19 to Feb. 25, 1967	143	101
Feb. 26 to Mar. 4, 1967	163	101
Mar. 5 to Mar. 11, 1967	147	94
Mar. 12 to Mar. 18, 1967	144	84
Mar. 19 to Mar. 25, 1967	157	91
Mar. 26 to Apr. 1, 1967	164	98
Apr. 2 to Apr. 8, 1967	173	103
Apr. 9 to Apr. 15, 1967	166	115
Apr. 16 to Apr. 22, 1967	201	121
Apr. 23 to Apr. 29, 1967	162	80
Apr. 30 to May 6, 1967	157	93
May 7 to May 13, 1967	178	102
May 14 to May 20, 1967	143	69
May 21 to May 27, 1967	171	109
May 28 to June 3, 1967	175	99
June 4 to June 10, 1967	185	136
June 11 to June 17, 1967	184	122
June 18 to June 24, 1967	181	119
June 25 to July 1, 1967	164	97
July 2 to July 8, 1967	201	128
July 9 to July 15, 1967	187	114
July 16 to July 22, 1967	173	98
July 23 to July 29, 1967	172	103
July 30 to Aug. 5, 1967	166	103
Aug. 6 to Aug. 12, 1967	175	123
Aug. 13 to Aug. 19, 1967	192	124
Aug. 20 to Aug. 26, 1967	170	112
Aug. 27 to Sept. 2, 1967	170	103
Sept. 3 to Sept. 9, 1967	176	103
Sept. 10 to Sept. 16, 1967	177	105
Sept. 17 to Sept. 23, 1967	198	128
Sept. 24 to Sept. 30, 1967	220	133
Oct. 1 to Oct. 7, 1967	197	120
Oct. 8 to Oct. 14, 1967	216	145
Oct. 15 to Oct. 21, 1967	228	132
Oct. 22 to Oct. 28, 1967	225	109
Oct. 29 to Nov. 4, 1967	219	137
Nov. 5 to Nov. 11, 1967	228	136
Nov. 12 to Nov. 18, 1967	197	150
Nov. 19, to Nov. 25, 1967	194	139
Nov. 26 to Dec. 2, 1967	176	121
Dec. 3 to Dec. 9, 1967	244	163
Dec. 10 to Dec. 16, 1967	191	115
Dec. 17 to Dec. 23, 1967	246	155
Dec. 24 to Dec. 30, 1967	182	107
Dec. 31, to Jan 6, 1968	187	121
Jan. 7 to Jan. 13, 1968	181	103
Jan. 14 to Jan. 20, 1968	201	112
Jan. 21 to Jan. 27, 1968	201	122
Jan. 28 to Feb. 3, 1968	207	111
Feb. 4 to Feb. 10, 1968	236	147
Feb. 11 to Feb. 17, 1968	198	133
Feb. 18 to Feb. 24, 1968	205	125
Feb. 25 to Mar. 2, 1968	215	143
Mar. 3 to Mar 9, 1968	246	156
Mar. 10 to Mar. 16, 1968	190	105
Mar. 17 to Mar. 23, 1968	253	158
Mar. 24 to Mar. 30, 1968	222	133
Mar. 31 to Apr. 6, 1968	309	199
Apr. 7 to Apr 13, 1968	267	154
Apr. 14 to Apr 20, 1968	217	127
Apr. 21 to Apr. 27, 1968	245	146
Apr. 28 to May 4, 1968	280	168
May 5 to May 11, 1968	246	183
Total	17,234	10,529

Note: 61 percent refused to give statement.

RESULTS OF WARNINGS TO JUVENILE DEFENDANTS

Date	Total arrests	Total who refused statement after warning
Aug. 13 to Aug. 19, 1967	242	39
Aug. 20 to Aug. 26, 1967	240	41
Aug. 27 to Sept. 2, 1967	562	55
Sept. 3 to Sept. 9, 1967	271	15
Sept. 10 to Sept. 16, 1967	229	14
Sept. 17 to Sept. 23, 1967	244	19
Sept. 24 to Sept. 30, 1967	217	14
Oct. 1 to Oct. 7, 1967	212	17
Oct. 8 to Oct. 14, 1967	251	28
Oct. 15 to Oct. 21, 1967	285	35
Oct. 22 to Oct. 28, 1967	301	47
Oct. 29 to Nov. 4, 1967	283	40
Nov. 5 to Nov. 11, 1967	250	37
Nov. 12 to Nov. 18, 1967	312	39
Nov. 19 to Nov. 25, 1967	295	8

RESULTS OF WARNINGS TO JUVENILE DEFENDANTS—Continued

Date	Total arrests	Total who refused statement after warning
Nov. 26 to Dec. 2, 1967	273	31
Dec. 3 to Dec. 9, 1967	301	43
Dec. 10 to Dec. 16, 1967	332	55
Dec. 17 to Dec. 23, 1967	434	78
Dec. 24 to Dec. 30, 1967	405	98
Dec. 31 to Jan. 6, 1968	330	40
Jan. 7 to Jan. 13, 1968	281	26
Jan. 14 to Jan. 20, 1968	288	36
Jan. 21 to Jan 27, 1968	281	29
Jan. 28 to Feb. 3, 1968	269	24
Feb. 4 to Feb. 10, 1968	300	34
Feb. 11 to Feb. 17, 1968	289	39
Feb. 18 to Feb. 24, 1968	282	39
Feb. 25 to Mar. 2, 1968	265	46
Mar. 3 to Mar. 9, 1968	317	69
Mar. 10 to Mar. 16, 1968	301	53
Mar. 17 to Mar. 23, 1968	322	64
Mar. 24 to Mar. 30, 1968	325	71
Mar. 31 to Apr. 6, 1968	341	62
Apr. 7 to Apr. 13, 1968	381	68
Apr. 14 to Apr. 20, 1968	317	53
Apr. 21 to Apr. 27, 1968	348	61
Apr. 28 to May 4, 1968	375	75
May 5 to May 11, 1968	363	87
Total	11,914	1,769

SUPREME COURT OF PENNSYLVANIA,
June 4, 1968.

Senator JOHN J. MCCLELLAN,
U.S. Senate Office Building,
Washington, D.C.:

On your gracious invitation it was my privilege to testify before your committee on anti-crime legislation now pending before Congress. I respectfully recommend that the legislation be amended to offset the decision of the Supreme Court on murder cases. This pronouncement of the Supreme Court was not a legal decision but a legislative mandate which is not within the constitutional power of the court to render. If I were in Congress or a State legislature I would vote against capital punishment. But so long as that type of verdict remains within the law of the land, courts may not arbitrarily put it aside. The abolition of capital punishment is strictly a legislative matter and the decision of the majority members of the Supreme Court shows their determination to cross the Capitol Grounds and take up seats in Congress. I believe the time has come for Congress to resist this invasion. Unless the Supreme Court exercises judicial restraint, Congress has the constitutional duty to prevent the court from entering into fields where it has no right to be. This court has rendered many decisions which are in effect judicial legislation, as, for instance the Miranda decision which lays down rules which are strictly within the province of the Executive and Legislative Departments continuing decisions of the court striking down the rights of the States and the people to be secure in their homes and on the streets can only encourage disrespect for law and order. The appalling increase of crime in America argues for strict upholding of laws intended to protect the people, and not a constant battering down of walls of security. Recent decisions of the Supreme Court demonstrate practically conclusively that most of the members thereof have set themselves up as a supersenate and are making law, which is bad enough, but they are rendering decisions which are overturning convictions of obviously guilty persons on flimsy technicalities and generally weakening law enforcement. If your committee should reconvene, I stand ready, if invited, to appear and speak on this renewed attack of the Supreme Court on the pillars of Constitutional Government.

Respectfully,
MICHAEL A. MUSMANNO,
Justice.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled "The Prison Population Puzzle," published in the Washington Daily News on May 31, 1968, which points out that while the U.S. crime rate has soared to 88 percent since 1960, the total number of persons in Federal and State prisons has dropped. While the crime rate increases, the prison population drops. There is the gap between law enforcement and law and order and a crime-ridden country such as we have today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE IS EVERYBODY?: THE PRISON POPULATION PUZZLE

(By Thomas Talburt)

Altho the FBI says the U.S. crime rate has soared 88 per cent since 1960, the total number of persons in state and Federal prisons has dropped.

Federal Bureau of Prisons figures show that between 1960 and 1966, the number of inmates in state prisons increased by only 376 (to a total of 190,000) while the number of Federal prisoners declined by 2934 to 21,040.

A U.S. prison official says the number of inmates in Federal prisons hit a peak of 24,925 in 1961. Although the last official figures are for 1966, he estimated the decline continued thru 1967. He said the figure might rise slightly this year because of an increase in violations of the Selective Service Act.

SAME NUMBER

Federal prisons today can accommodate the same number of prisoners they could handle adequately 10 years ago—about 20,000. Officials estimate there has been a similar lack of growth in state prisons.

Why hasn't prison population grown with the crime rate? Officials cite these reasons:

Three of every four crimes reported to police never are solved. FBI Director J. Edgar Hoover says the percentage of crimes "cleared" by arrests in 1966—24.3 per cent—was 8 per cent below the clearance figure for 1965.

This 8 per cent dropoff equalled the 8 per cent decline in crimes solved shown for the entire period of 1961 thru 1965. The FBI's preliminary report for 1967 shows a further decrease in percentage of crimes solved.

Based on Federal Court figures, the rate of convictions for felony suspects who reach trial, has remained the same at about 85 per cent—but not everyone who is convicted, goes to prison.

Between 1960 and 1966, Federal judges granted probation to 37 per cent of the criminals convicted in their courts. Tho available statistics show no marked increase in the percentage of probations granted in each of these years, officials predict the findings for 1967–1968 will reflect a distinct trend toward releasing more convicts on probation.

Paroles from Federal prisons have increased. * * * Authorities say there is no question state parole boards have shown a corresponding increase in leniency.

AVERAGE STAY

They note, for example, that the average stay in prison today is 21 months, compared with 32 months only three years ago. This may reflect both an increase in paroles and softer sentencing by judges. (The figures do not include persons sentenced to life in prison. They serve an average of 20 years.)

Another important factor, not told by the statistics, is that many cases are dropped after a defendant is charged but before his case comes to trial—for lack of evidence, or possibly more importantly, because of Supreme Court rulings which have emphasized individual rights and restricted police procedures.

Federal officials also point out that many judges tend to deal less harshly with youthful offenders, often preferring to order some form of rehabilitation rather than a prison term.

Mr. Hoover recently told a Congressional committee that youths under 18 accounted for one-fifth of all police arrests in 1966.

The FBI chief also renewed his sharp criticism of judges and parole officials who release repeat offenders "just to get rid of them."

Declaring that a hard-core group of repeaters is "contributing heavily" to the rising tide of crime, Mr. Hoover cited FBI statistics which showed that of 41,733 offenders arrested in 1966, more than half had received leniency in the form of parole, probation, suspended sentences or some other form of conditional release.

Another train of thought, which the FBI dismisses as nonsense, is that the Bureau's figures depicting a steep increase in crime actually show instead increased efficiency in gathering statistics from police agencies across the nation.

But even some who doubt the absolute validity of the FBI reports agree there has been a clear-cut rise in crime.

The mounting cry by many criminologists and sociologists that criminals should be treated rather than caged—coupled with the trend of court rulings—largely explains the dwindling prison population, most authorities believe.

And they emphasize that the cost of maintaining existing prisons and building new ones places pressure on many states to keep their prisoner population within strict bounds.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD, a letter appearing in the Palo Alto Times, February 24, 1968, under the heading "Did Freeing Two Desperadoes Serve Justice?"; an article entitled "Politicians, High Court Blamed for U.S. Mess" appearing in the Miami Herald, May 23, 1968; an article entitled "Serious Crimes Up 27 Percent Here in April—Robberies Double," appearing in the New York Times, May 28, 1968; an article entitled "Can High Court Be Curbed?" appearing in the Miami Herald, May 23, 1968; an article "Judicial Travesty," published in the Washington Evening Star of June 11, 1968; and an article entitled "Trials and Public Safety," published in the Washington Daily News of June 12, 1968.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Palo Alto (Calif.) Times, Feb. 24, 1968]

DID FREEING TWO DESPERADOES SERVE JUSTICE?

EDITOR OF THE TIMES:

The Feb. 9 Times carried a report of an assault with a deadly weapon, theft, conspiracy, possession of narcotics and an arrest. Yet a week later the people who perpetrated this crime were free and again on the streets of Palo Alto.

The Times headline read, "Youth beaten by two men rifling auto." Briefly, the 20-year-old victim found two men trying to steal the radio from his car. He gave chase. He caught them. He held one while the other attacked and beat him with a tire iron.

About 20 minutes later both were arrested by the Palo Alto Police Department on University near Bayshore. In their possession was found an eight-lid supply of marijuana valued at $2,000, and the speaker for the radio from the car.

The victim identified the property and the person he had earlier caught. Thereafter, he was transported to the Palo Alto Hospital where he incurred medical expenses while his cuts were sutured, x-rays taken and medication prescribed.

On Thursday, Feb. 15, the two persons arrested appeared in Municipal Court in Palo Alto and were charged with assault with a deadly weapon and possession of marijuana. Both were released.

Though there was no question that marijuana was in their possession, the police officer making the arrest failed to advise the prisoners formally that they were arrested. Therefore, the officer was guilty of illegal search and seizure.

The victim was able to identify only the person he caught and held, and because of this the charge of assault was dismissed.

There was no question that a crime had been committed. Judge Scoyen acted in accordance with the law and had no choice other than to release these two hoodlums. Defense counsel (a public defender paid for by the taxpayers of the County or Santa Clara) had properly pointed out the technical imperfections of the charge.

Wherein, then, lies justice? Where is justice for the victim who suffered damage to his property, injuries to his person, and must pay the hospital costs for medical care?

Where is the justice for the taxpayer who must pay the cost of the trial proceedings and the providing of an expensive counsel for two who are demonstrably guilty?

Where is the justice for the police who must suffer yet another frustrating exercise in the enforcement of the law only to see offenders freed by legal loophole?

Perhaps in the final analysis the solution for the problem of crime in the street will be the armed private citizen who, from his own home, will defend himself. In this particular case the interest of justice would have been better served with two rounds of 00 buckshot rather than two hours of trial trickery.

A. L. CALDWELL.

PALO ALTO.

[From the Miami (Fla.) Herald, May 23, 1968]

CALDWELL TELLS DINNER: POLITICIANS, HIGH COURT BLAMED FOR U.S. MESS

(By Mike Toner)

Millard Caldwell, chief justice of the Florida Supreme Court, Wednesday night blamed political indifference, the U.S. Supreme Court, and other national bodies for "the precarious position in which America finds itself."

He told the Dade Grand Jury Association that growing indifference has permitted "the liberal majority in Congress, the Supreme Court, and the White House," to discard the "basic principles of free government."

The Grand Jury Association presented two awards Wednesday night at its 21st annual dinner:

The Outstanding Citizenship Award was given to Sheriff E. Wilson Purdy for an "outstanding job" during his service here.

Outstanding High School Essay on Florida's Grand Jury System Award went to Robert Oaks of Miami Palmetto High School.

More than 250 persons attended the dinner meeting at the Grand Ballroom of the Sheraton Four Ambassadors.

Caldwell, 71, repeatedly compared the troubles of the U.S. with previous world civilizations which collapsed from internal division and strife.

And the former governor frequently laid the blame for social and political problems on the U.S. Supreme Court:

"The criminals are happy with the Supreme Court's Mallory and Miranda decisions because they have gained great advantage over law enforcement and society.

"The Communists are happy with Supreme Court decisions which insure their right to join the professions of law and education.

"The mothers of millions of illegitimate children appreciate the generous contributions by the Congress and are delighted with the pleasure and profit of repeat performances.

"The minority is pleased with the prospect of being trained and paid by the federal government to riot and demonstrate and of being preferred by the courts as a class apart."

Caldwell said the U.S. Supreme Court exercised virtually unlimited power in "cynical judicial disregard for the restraints imposed by the U.S. Constitution."

[From the New York Times, May 29, 1968]

SERIOUS CRIMES UP 27 PERCENT HERE IN APRIL—ROBBERIES DOUBLE

The number of serious crimes reported to the police during April was 27.7 per cent higher than during the same month in 1967, the New York Police Department reported yesterday.

The largest increase was in the number of reported robberies. They jumped from 2,503 in April of 1967 to 4,201 last month, up 58.9 per cent.

The second largest increase in the seven major crimes used by the Federal Bureau of Investigation for its crime index was reported auto thefts. They increased 56.1 percent, from 3,703 to 5,782.

Murder and larceny $50 and over increased at about the same rate. A total of 55 murders were reported in April of 1967 and 70 during last April, up 27.3 per cent. Reported larcenies of $50 and more increased 26.1 per cent, from 8,914 to 11,242.

Reported burglaries showed the next highest increase, from 11,313 to 13,555—a 19.8 per cent increase.

Citizen reports of two crimes declined. Forcible rapes dropped from 156 to 128, a decline of 18 per cent. And reported assaults declined 2.4 per cent, from 2,414 in April of 1967 to 2,357 last month.

Because a large but unknown proportion of many kinds of crime are not reported to the police, it is not known how accurately the police statistics reflect what is actually occurring on the streets and subways and in the homes and parks of New York.

[From the Miami (Fla.) Herald, May 23, 1968]

CONGRESS HAS POWER: CAN HIGH COURT BE CURBED?

(By David Lawrence)

WASHINGTON.—The United States Senate has been considering a bill which would remove some of the technicalities in law-enforcement procedures that have permitted murders and other criminals to escape punishment. Senator John L. McClellan of Arkansas, one of the veteran members of the Senate Judiciary Committee, has issued a memorandum explaning the proposal that would permit a trial judge to decide whether a confession has been made voluntarily. It would leave it to the jury to determine how much weight shall be given to a confession.

This attempt to correct Supreme Court decisions has been denounced by other senators as an assault on the independence of the judiciary and on the Constitution itself.

But many of the critics either have not read the Constitution or have forgotten what it says about the power of Congress to limit the jurisdiction of the Supreme Court. Article III of the constitution reads as follows:

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Congress has rarely utilized this power, but the crime crisis in America has focused attention on the part the courts have unwittingly played in giving freedom to criminals. Senator McClellan, in his latest memorandum, criticizes particularly three Supreme Court rulings—two of which were rendered by a five-to-four decision—and declares:

"These decisions have set free many dangerous criminals and are daily preventing the conviction of others who are guilty. How can the freeing of known, admitted, and confessed murderers, robbers, and rapists by the courts, not on the basis of innocence, but rather on the pretext of some alleged, minor, or dubious technicality be justified? . . .

"Gangsters, racketeers, and habitual criminals are increasingly defying the law and flaunting duly constituted authority and getting away with it. As a consequence, public confidence in the ability of the courts to administer justice is being destroyed. Until the courts, and particularly the United States Supreme Court, become cognizant of this damaging trend and begin to administer justice with greater emphasis on truth and a deeper concern for the protection of the public, the crime rate will continue its upward spiral and the quality of justice will further deteriorate."

The most momentous opinion by the Supreme Court was handed down on June 13, 1966, in what is known as the "Miranda" decision. In that case, by a five-to-four ruling, the court said that no confession, even if wholly voluntary in the traditional sense, could be admitted in evidence over the objection of a defendant in a state or federal proceeding unless the prosecution could show that certain warnings were given in advance. The prosecution also was required to prove that the suspect had voluntarily and "intelligently" waived his rights. In many instances, it was not possible to furnish such proof. This is why many senators are in agreement with Justice John M. Harlan, who, in a dissenting opinion, said:

"We do know that some crimes cannot be solved without confessions, that ample expert testimony attests to their importance in crime control, and that the court is taking a real risk with society's welfare in imposing its new regime on the country. The social costs of crime are too great to call the new rules anything but a hazardous experimentation."

Thus many members of the Senate are reflecting the views expressed by the minority of the Supreme Court itself. Senator McClellan says:

"The Constitution has not changed. A misinterpretation of it by five judges has sought to change it."

When such a division of opinion appears, it is natural for Congress to raise the question of how the jurisdiction of the Supreme Court should be defined to cover a certain type of case. The purpose, of course, is to have the judge and jury decide the ultimate guilt or innocence in criminal cases, rather than to have flat rules made in advance that would paralyze the prosecuting process.

[From the Washington (D.C.) Evening Star, June 11, 1968]

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while properly represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. We agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witnesses were dead or unavailable." This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretrapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

[From the Washington (D.C.) Daily News, June 12, 1968]

Trials and Public Safety

In some recent decisions, the Supreme Court of the United States seems to have given the side of law enforcement a measure of help—as against the string of decisions which released convicted criminals on delicate technicalities. This week's decision, for instance, which restored to police a limited freedom to "stop and frisk" suspicious persons.

But the court is still being sticky about confessions, and a decision the other day went so far in throwing out a murder conviction that Justice White, in a bitter dissent, predicted this result:

"Criminal trials will simply become less effective in protecting society against those who have made it impossible to live today in safety."

Justice Black specifically joined in that ominous forecast, and Justice Harlan joined in the dissent.

The case in point had to do with a shotgun killing in the District of Columbia. After he was convicted in 1960, the accused man was freed by an appellate court on the ground he was represented by an ex-convict posing as a lawyer. He was convicted again in 1963, but again a higher court upset the conviction because it said two confessions introduced as evidence were tainted.

The confessions were not presented in the third trial—which also led to conviction—but the defendant's testimony in the second trial was read to the jury. Now the Supreme Court says that testimony was inadmissible because it may have been induced by the confessions.

Even by the time of the third trial in 1966, some of the witnesses were dead or unavailable. If a fourth trial is held, the problem of getting at the truth will be compounded.

It is cases like this which discourage law enforcement—cases in which, despite evidence "of the highest relevance and probity," as Justice White said, convictions are reversed for relatively minor technical reasons.

It makes it possible, no matter the gravity of the crime, no matter the clarity of the evidence, for a convicted criminal to escape punishment simply by having a persistent lawyer who can find a misplaced comma in the prosecution.

The question of guilt beyond doubt is no longer the main issue; the ultimate verdict depends on the niceties of procedure.

The anti-crime bill passed by Congress last week attempts to clear up some of this fuzziness. When is President Johnson going to sign the bill?

LET THERE BE NO MORE VIETNAMS

Mr. YOUNG of Ohio. Mr. President, there are more than 3 million Vietnamese in miserable refugee camps throughout South Vietnam. They have been bombed out of their homes or driven out of their villages. Their homes and shrines of their ancestors were destroyed and their fields defoliated by our Armed Forces.

When I was in Vietnam earlier this year I beheld what is meant by defoliation. Miles and many square miles of what had been beautiful green forestland with humble homes of peasants were and are being defoliated as our forces have burned, destroyed, and poisoned the crops and foliage. The land itself has been poisoned, and may remain sterile for many years to come. Men, women and children have been forcibly removed from their homes and most of them taken, against their will, to refugee camps, so-called. Some of our refugee camps which I visited, with thousands of old men, women, and children herded together, may not be as terrible as this gutted, seared, destroyed land bereft of bushes and trees, but all except one refugee camp I saw were in exceedingly deplorable condition.

A few of those camps, I am sorry to say, were so terrible that they caused me to think about what we denounced in World War II when we talked about Dachau and other of Hitler's concentration camps in Germany.

Also, more than an additional million Vietnamese peasants have fled in terror from their hamlets and are existing in dire poverty in Saigon and other cities. These Vietnamese, mostly children, women, and old men, are suffering from malnutrition. Some have died from starvation. It is no wonder that refugee camps and villages throughout South Vietnam have been greatly infiltrated by members of the National Liberation Front, the political arm of the Vietcong.

Unfortunately, U.S. policy in South Vietnam is not to enforce the provisions of U.S. Public Law 480. This law requires that we ourselves deliver all aid material to the designated recipients. Contrary to this law, our AID officials deliver rice, cement, money, not to the refugees—not to the designated recipients—but they deliver everything to South Vietnamese officials. As a result, little, if any, of the assistance meant for impoverished Vietnamese peasants reaches them. Instead, it ends up in the black market in Saigon and other cities, and the proceeds from the sale of this material eventually is deposited in Hong Kong banks or in numbered accounts in Swiss banks belonging to South Vietnamese officials.

This unfortunate policy should be discarded immediately to end the estimated 60 percent of the billions of dollars worth of U.S. aid material now going into black markets or directly to the Vietcong. In the United States, youngsters 19 to 26 subject to the draft who are below standard physically for combat service should be enrolled in anticorruption squads, trained and sent to Vietnam to have full charge of receiving and distributing economic aid for the millions of refugees. If we do this then the corrupt generals of the South Vietnamese friendly forces, so-called, and many officials of the Saigon military regime would no longer have fat personal accounts in Swiss and Hong Kong banks. More important, the ill feeling against Americans would gradually be dissipated.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, it is time that we cease our defoliation operations, napalm bombing, and cluster bomb operations, which have resulted in mass evictions causing refugee camps in South Vietnam to overflow. The only answer we Americans can give is immediately to deescalate our military operations in South Vietnam, halt the bombing of North Vietnam, and gradually disengage from this miserable civil war in a little agrarian country 10,000 miles distant from our shores definitely of no strategic or economic importance to the defense of the United States—never was and never will be.

Again, I suggest and urgently recommend to our President that he immediately order the bombing of North Vietnam to be stopped with no conditions attached to said order.

This would be another step toward the peace and an end to the bloodshed and carnage in Vietnam.

The United States is not at war with North Vietnam. There has been no such declaration of war ever suggested. Secretary of State Rusk, with all his shrewdness, Machiavellian attitude, and imagination, would be hard put to help write a message to the Congress giving any valid reason for a declaration of war against North Vietnam.

Instead of bombing North Vietnam, destroying that backward little country which is the potential barrier against Chinese aggression to the south, the President should direct our Armed Forces to limit all bombing and military operations to South Vietnam until an armistice and cease-fire has been worked out. Furthermore, this would end the destruction of our valuable airplanes and the killing of the priceless lives of our pilots for the reason that missiles from Sams and the antiaircraft fire would be practically nonexistent. There would be no Mig 21's firing air-to-air missiles such as our airmen encounter constantly in air runs over North Vietnam.

Then, at about the time details for an armistice or cease-fire are reaching completion, our Ambassador to the United Nations should suggest that under the auspices of the United Nations arrangements be made for a referendum throughout all of South Vietnam, and the questions to be answered on this referendum to be somewhat as follows: "Do you favor reunification with what is now North Vietnam? Do you desire that South Vietnam remain a state independent of North Vietnam?" If the majority of the South Vietnamese vote in the affirmative on this latter question, an added question could be submitted: "If it is your wish that South Vietnam remain independent of North Vietnam, do you wish that the United States withdraw our Armed Forces entirely from South Vietnam or do you wish the assistance of the United States to help build South Vietnam into a neutral independent nation?"

The time has come to abandon our bankrupt policy in South Vietnam. The only answer is for the administration to make a determined effort to seek peace, to extricate the Nation from the Vietnam quagmire, and to allow the South Vietnamese people to voice their true hopes and aspirations.

Mr. President, Americans have been deeply saddened over the violent rampant in this country and the recent assassinations of Dr. Martin Luther King, Jr., and U.S. Senator Robert Kennedy. Undoubtedly, this is part of the price all Americans have been paying and must pay for the murder, violence, body counts and other terrifying views shown and information issued on that undeclared war we have been waging in Vietnam throughout the Johnson administration.

Most Americans know we are violently engaging in an immoral, undeclared, unpopular foreign war without act of Congress, despite the provision in our Constitution "The Congress shall have power to declare war"; and without authority from the United Nations. Has the violence which we have perpetrated in Vietnam, body count, defoliation, the napalm bombing, turning over to the friendly forces, so-called VC prisoners of war who have surrendered to our GI's and then witnessing the killing of these unarmed prisoners of war, and the indiscriminate bombing, shelling, and destruction of villages and city blocks contributed to the opening of the floodgates of violence among our citizens? Let there be no more Vietnams.

CRIME AND GUN CONTROL LAW

Mr. WILLIAMS of Delaware. Mr. President, when the anticrime bill was considered by the Senate I voted for those amendments which would have given us a stronger gun control law.

I voted for the Kennedy-Tydings amendment which prohibited mail-order sales of rifles and shotguns to aliens and juveniles or to anyone who has a criminal record.

I voted for the Brooke amendment which prohibited the sale to individuals of bazookas, machineguns, and other implements of mass destruction.

I voted for the amendment which provided for registration of rifles and shotguns as well as registration for smaller arms.

Likewise, I voted against the Hruska amendment which was offered as a substitute for the gun control provisions of the committee bill. I supported a strong gun control law then and will do so again.

It should be emphasized that there is nothing in the gun control law which I have supported or in any which have been proposed which would prohibit the law-abiding citizen from purchasing and owning rifles and shotguns for sporting purposes. I would strongly oppose such a step, but as one who considers hunting his favorite sport I see no objection to the registration of a shotgun or rifle, and in my opinion Congress should enact such legislation.

However, just as I denounced the propaganda which the NRA circulated in opposition to a strong gun bill as being an exaggerated misrepresentation of what the bill actually did, I am today warning the American public not to fall for the equally exaggerated propaganda which is being broadcast by some of the proponents of the administration's new gun bill.

I issue this warning as one who supported a strong gun bill before and as one who intends to support it again, but I cannot remain silent and let the administration's proposed gun bill be sold to the American public as a cure-all for the serious crimewave sweeping our country.

Contrary to what many claim, a Federal gun-control law would not have prevented the recent tragedy at Los Angeles which cost the life of one of our colleagues. California already had as strong a gun-control law as the one recently requested by the Senate or the one now being proposed by the administration, yet it did not prevent the crime.

The man who assassinated Senator Kennedy violated several provisions of the California law:

First. He had in his possession an unregistered gun and one which had been stolen.

Second. He violated the California law which prohibits an alien from having in his possession a deadly weapon.

Third. He was carrying a concealed deadly weapon without a permit.

California's strong gun-control law did not prevent the murder.

I cite this example not as an argument against a bill restricting the sale of firearms—as I stated before, I have supported and will continue to support such legislation—but merely in an effort to illustrate that while the enactment of a gun registration act may help, it will not by itself solve our crime problem.

Far too often when a new crisis develops, rather than admit and seek to correct the causes, as a diversionary tactic it is proposed that we enact a series of new laws. They then attempt to excuse what happened on the premise that it was the result of inadequate laws.

What we need in this country as much if not more than any new law is more rigid enforcement of our existing laws plus stiffer penalties imposed on the criminal by the courts.

When our Justice Department sits back while demagogues publicly threaten to riot unless their demands are met something is wrong in America. When our police are given orders to turn their heads while mobs loot and burn our cities, something is wrong with our public officials.

When our courts give suspended sentences to men convicted of looting and arson on the flimsy excuse that it was their first offense, something is wrong with our courts. Are we to assume that each man is entitled to one spree of looting and arson before being punished?

When drivers operating the night buses in our Nation's Capital are being robbed and killed, with the result that demands are made for police protection on each bus, it is time we pause. Think of it, having to put an armed guard to ride shotgun on the buses in our Nation's Capital.

Recently two marines were killed and two of their companions wounded in a hamburger stand here in Washington by three who claimed to be a part of the so-called Poor Peoples March. These holdups, murders, and mysterious fires are becoming daily occurrences.

Registering or locking up all the guns in America while turning the criminal loose will not solve the crime problem.

For far too long we have condoned law violations under the label of civil disobedience. This principle that any man has the right to determine which law he will or will not violate is just one step away from anarchy. We are a government of laws; and if our laws are wrong let us change them in the democratic process, but in the meantime they must be obeyed.

I respect the principal that the accused should be presumed innocent until convicted and that every man is entitled to counsel and a fair trial. But in protecting the rights of the accused are we not forgetting the rights of the victims of their crimes?

The property and personal rights of the individual are a sacred part of the American heritage, and any man who violates those rights should be punished.

Every American citizen has a right to feel safe and secure in his home.

Our wives and daughters have a right to walk the streets of our cities in safety.

What has happened to law enforcement in America?

Why do we not give our police more support?

Why do we hear so much about police brutality and so little about the criminal's brutality when a police officer or fireman is killed or wounded in the performance of his duty?

What about the brutality of the arsonists who start a fire in an apartment house, thus endangering the lives of the innocent or the sniper who threatens the life of the unarmed fireman risking his life to protect our property?

How do these policemen and firemen feel when they read that the convicted arsonist or looter has been turned loose with a mild lecture and a suspended sentence?

Yes, I voted for and will continue to support a gun control law. In my opinion its enactment will help cut down on the crime rate, and even if it saves but one life it will be worth it. But this law alone will not be a cure for the lawlessness we see developing in this country.

As we consider this new legislation let us not lose sight of the fact that the basic weakness in America today is not the lack of adequate laws but the lack of proper enforcement of existing laws.

America today needs a moral reawakening—a reestablishing of a greater respect for those values of integrity and responsibility.

This has become an age of permissiveness. It begins with the lack of discipline in the home and in the schools. Far too often our ministers, who should be counseling their membership on moral and spiritual matters, become too involved in questions of political policy.

There has been too much coddling of the criminal and not enough concern for the victims of their crimes.

Too many people are trying to excuse lawlessness on the basis of poverty or denied rights, yet an analysis of the arrests in the recent riots shows that a large percentage of those arrested for looting and arson had full-time jobs at respectable salaries. For many of those arrested it was their first offense, and the argument ofttimes advanced by their defenders was "Well everybody was looting and the police were doing nothing, so why not?"

Congress has already passed a good anticrime bill with an improved gun control section, and this bill now awaits the President's signature.

I appeal to the President to sign this anticrime bill promptly.

While not requiring registration of long guns and rifles, that bill does restrict the sale of all small arms. In addition to the section dealing with gun control, that bill contains many other sections of major importance needed to help our police control crime on the streets of America.

Once that bill has been signed Congress can more intelligently proceed to enact a more comprehensive gun law which will extend control to the sale and registration of shotguns and rifles.

As stated before, I have supported and will continue to support a gun control law, but what we really need in America today is first, an Attorney General who will enforce the laws that are already on our statute books; second, judges who will impose stronger sentences on the convicted criminal and stop turning him loose on society with a mere lecture or a suspended sentence; third, a more responsible press, one that will give more prominence to the good deeds of man, rather than operating as scandal sheets with headlines to statements by some irresponsible demagog; and, fourth, men in public office who will forget political considerations long enough to remember that the crime problem in America is an American problem and its solution is not to be found on a partisan basis.

We have a great country and one of the best forms of government of any nation in the world, but this can remain a great country only so long as the people can have confidence in the integrity of the public officials and confidence in their ability to maintain law and order.

THE LATE ROBERT FRANCIS KENNEDY

Mr. **KUCHEL**. Mr. President, this is the first opportunity I have had to stand here in the Senate to lament the terrible passing of Robert F. Kennedy, late a Senator from the State of New York.

Robert F. Kennedy was a man of drive and of determination. In his short lifespan, he seemed almost constantly to be on the move. He crowded enormous action into few—too few—years.

He was my friend. I well remember when he first said so. It was just after he had been sworn in as U.S. Senator. He had defeated the Republican incumbent, Kenneth Keating—who happens to be with us today—whom I had supported and campaigned for, and with whom I had served here. Bob Kennedy and I shook hands, as I welcomed him to the Senate. He said to me: "I'm glad to be here with you. You were a friend of my brother. That makes you a friend of the whole Kennedy family."

Like my fellow American citizens, I shed tears of sorrow for the enormous sacrifice this remarkable family has given to our Nation. And, like most Americans, too, my heart is full of shame and pain at an America where wanton murder—lawlessness, violence of any kind—may suddenly erupt in any segment of our society, to do incalculable damage to our entire society, as they suddenly bring shock and grief to the family of the victim.

The tragedy of his death was not simply because of the high place in Government that he had held, nor in the enormous number of people he then represented in New York State, nor in the potential of candidacy of his political party for the most important post in the world. The tragedy lies in the stark and painful fact that a man of high purpose was robbed of his life, of his happiness and of his chance to fulfill constructively that purpose in some form on some future day. The tragedy is deepened because the mortal wound was inflicted at a moment of triumph for Robert Kennedy. It is deepened also for me because it happened in my State of California in Los Angeles. I mourn his death and grieve his loss.

I would not be one to affix a mass blame for the killing of one man by another. But there is some measure of natural reaction beyond the grief we feel. Assassination has become too much a part of our public life in the 1960's not to provoke outrage. The outrage can be channeled into fitting action, I believe, if one considers that all of the horrible deeds which have been unfolding, as well as most of the homicides in this Nation, are gun crimes. I add my voice, once again, to those who say that meaningful gun control laws, demanded by the public for decades of opinion polling, should be enacted immediately.

Must not this be a time of dedication to the cause of a Nation united? The evil tendencies toward polarizing America into separate camps, which official reports and unofficial observers fear or prophesy, is to me one of the most terrifying portents of this century. I believe it was equally frightening to Robert Kennedy. One of the most urgent tasks of men both in Government and out of Government is to keep the fabric of our society whole. It is a dedication, a commitment, which surely represents the best kind of memorial for a man who kept a sense of purpose to the day he lost his life.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Supplemental Budget Request for Fiscal Year 1968 (S. Doc. No. 84)

A communication from the President of the United States, transmitting a supplemental budget request of $14.6 million for fiscal year 1968 (with an accompanying paper); to the Committee on the Appropriations, and ordered to be printed.

Correction of Inequity Affecting Officers of the Supply Corps and Civil Engineer Corps of the Navy

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to correct an inequity affecting officers of the Supply Corps and Civil Engineer Corps of the Navy (with accompanying papers); to the Committee on Armed Services.

Payment of Family Separation Allowance

A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide payment of a family separation allowance, even though the member does not maintain a residence or household for his primary dependents (wife and children) subject to his management and control (with an accompanying paper); to the Committee on Armed Services.

Purchases and Contracts Made by Coast Guard Under Clause 11 of Section 2304(a) of Title 10, United States Code

A letter from the Secretary of Transportation, transmitting, pursuant to law, a list of purchases and contracts made by the U.S. Coast Guard under clause 11 of section 2304(a), title 10, since November 1, 1967 (with an accompanying paper); to the Committee on Commerce.

Annual Report of the Secretary of the Treasury on the State of Finances

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the finances of the Federal Government for the fiscal year 1967 (with an accompanying report); to the Committee on Finance.

Proposed Amendment of National Firearms Act

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the National Firearms Act (with an accompanying paper); to the Committee on Finance.

Proposed Split-Tour Arrangement for Medical Officers and Nurses in the Postal Field Service

A letter from the Postmaster General, transmitting a draft of proposed legislation to exempt medical officers and nurses in the Postal Field Service from the provisions of sections 3571 (a) and (c) of title 39, United States Code (with an accompanying paper); to the Committee on Post Office and Civil Service.

Proposed Legislation To Permit Postal Employees To Accept Checks or Money Orders

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend title 39, United States Code, to permit employees of the Post Office Department to accept checks or money orders, to provide penalties for the presentment of bad checks to the Post Office Department, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

Proposed Legislation Providing That the Qualification of Municipalities for City Delivery Service Be Expressed in Terms of Revenue Units

A letter from the Postmaster General, transmitting a draft of proposed legislation to provide that the qualification of municipalities for city delivery service be expressed in terms of revenue units, rather than cash receipts, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDING OFFICER**:

A concurrent resolution of the General Assembly of the State of South Carolina; to the Committee on the Judiciary:

"S. 958

"A concurrent resolution to memorialize the Congress of the United States to propose an amendment to the Constitution which would authorize citizens to exercise freedom of choice in the selection of the public schools which they wish to attend

"Whereas, a recent decision of the United States Supreme Court has taken away the right of citizens to select the public school which they may attend; and

"Whereas, this ruling contravenes the basic and traditional ideas of freedom which have successfully guided our Nation throughout its history; and

"Whereas, people of good faith of all races require a reasonable principle to guide them in their search for an orderly and equitable resolution of the difficult problems involved in the desegregation of our schools. Now, therefore,

"*Be it resolved* by the Senate, the House of Representatives concurring:

"That the Congress of the United States be and is hereby memorialized to propose an amendment to the Constitution of the United States which will authorize citizens to exercise freedom of choice in the selection of the public schools they wish to attend and insure thereby an orderly and equitable approach to the difficult problems involved in the desegregation of our schools.

"*Be it further resolved* that copies of this resolution be forwarded to each member of the South Carolina Congressional Delegation, the Speaker of the United States House of Representatives and the President of the Senate.

"Sent to House *By Order of the Senate.*

"L. O. Thomas,
"*Clerk.*

"Concurred in as amended and returned to Senate *By Order of the House.*

"Inez Watson,
"*Clerk.*

"Concurrence of House received as information.

"L. O. Thomas,
"*Clerk.*"

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Public Works:

"House Concurrent Resolution 26

"A concurrent resolution to petition the United States Congress and all Federal agencies responsible to pardon and otherwise forgive all remaining balances due on Federal Government sponsored loans of ten thousand dollars or less initiated to assist victims of Hurricane Betsy and Hurricane Audrey

"Whereas, the state of Louisiana and its citizens were made to suffer unmeasured property damage, grief through loss of loved ones and economic calamity from Hurricane Betsy in the recent past and from Hurricane Audrey only a few years prior thereto; and

"Whereas, the United States Congress thereafter came to the aid of many victims of this destructive force of nature by enacting legislation affording assistance in the form of loans through Federal agencies; and

"Whereas, the assistance so provided enabled many grateful citizens to recover a portion of their losses, but there neverthless continues serious economic obstacles to development in the state caused by Hurricane Betsy and also from Hurricane Audrey; and

"Whereas, to absolve and pardon all remaining balances due upon all Federal Government sponsored loans of ten thousand dollars or less initiated to assist victims of Hurricane Betsy and Hurricane Audrey would be of incalculable benefit to the affected citizens in their valiant efforts toward recovery from losses sustained.

"Therefore, be it resolved by the House of Representatives of the Louisiana Legislature, the Senate thereof concurring, that the Congress of the United States be petitioned, by copy of this Resolution, for the pardon of all amounts remaining due and owing on said loans of ten thousand dollars or less, and

"Be It Further Resolved that a copy of this Concurrent Resolution be transmitted without delay to the President of the United States, to the Administrator of the Small Business Administration and to each member of the Louisiana Delegation in the United States Congress.

"Attest:

"John S. Garrett,
"*Speaker of the House of Representatives.*
"——— ———,
"*Lieutenant Governor and President of the Senate.*"

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, informed the Senate that pursuant to the provisions of House Resolution 1187, 90th Congress, the Speaker had appointed as delegates to attend the International Labor Organization Conference in Geneva, Switzerland, between June 5, 1968, and June 27, 1968, the following members of the Committee on Education and Labor: Mr. Thompson of New Jersey and Mr. Ayres; and that the following members of the Committee on Education and Labor had been appointed as alternates to attend said conference: Mr. O'Hara of Michigan and Mr. Ashbrook.

The message also informed the Senate that pursuant to the provisions of section 402(a) Public Law 90–321, the Speaker appoints as members of the National Commission on Consumer Finance, the following Members on the part of the House: Mr. Patman, Mrs. Sullivan, and Mrs. Dwyer.

The message announced that the House had passed the bill (S. 2914) to authorize the further amendment of the Peace Corps Act, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 16363) to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

H.R. 15462. An act for the relief of Lennart Gordon Langhorne; and

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 16363) to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **SPARKMAN**, from the Committee on Banking and Currency, with an amendment:

S.J. Res. 160. Joint resolution to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors (Rept. No. 1237).

By Mr. **BURDICK**, from the Committee on the Judiciary, without amendment:

S. 839. A bill for the relief of the village of Orleans, Vt. (Rept. No. 1238);

S. 1164. A bill for the relief of Rollo Oskey (Rept. No. 1239);

S. 2026. A bill for the relief of Yvonne Davis (Rept. No. 1240);

S. 2036. A bill for the relief of Mrs. Aili Kallio (Rept. No. 1241);

H.R. 1655. An act for the relief of Clara B. Hyssong (Rept. No. 1242);

H.R. 2270. An act for the relief of Capt. David Campbell (Rept No. 1243);

H.R. 2455. An act for the relief of Dean P. Bartlet (Rept. No. 1244);

H.R. 2688. An act for the relief of the estate of Charles C. Beaury (Rept. No. 1245);

H.R. 4820. An act for the relief of Sylvan H. Miller (Rept. No. 1246);

H.R. 4961. An act for the relief of Donald E. Crichton (Rept. No. 1247);

H.R. 5199. An act for the relief of James E. Denman (Rept. No. 1248);

H.R. 5854. An act for the relief of Mrs. E. Juanita Collinson (Rept. No. 1249);

H.R. 6305. An act for the relief of Claud Ferguson (Rept. No. 1250);

H.R. 6890. An act for the relief of Lester W. Hein and Sadie Hein (Rept. No. 1251);

H.R. 8088. An act for the relief of Willard Herndon Rusk (Rept. No. 1252);

H.R. 9568. An act for the relief of Lucien A. Murzyn (Rept. No. 1253);

H.R. 10050. An act for the relief of Capt. Russell T. Randall (Rept. No. 1254);

H.R. 10058. An act for the relief of Mrs. Esther D. Borda (Rept. No. 1255);

H.R. 10199. An act for the relief of Lloyd W. Corbisier (Rept. No. 1256);

H.R. 10655. An act for the relief of Arthur Anderson (Rept. No. 1257);

H.R. 11166. An act for the relief of Earl S. Haldeman, Jr. (Rept. No. 1258); and

H.R. 12073. An act for the relief of John Allunario (Rept. No. 1259).

By Mr. **BURDICK**, from the Committee on the Judiciary, with an amendment:

S. 1274. A bill for the relief of Donald C. Goewey (Rept. No. 1260).

By Mr. **BURDICK**, from the Committee on the Judiciary, with amendments:

S. 986. A bill for the relief of Edward L. Pickren (Rept. No. 1261); and

S. 2860. A bill for the relief of Maj. Clyde Nichols (retired) (Rept. No. 1262).

REPORT ENTITLED "CANADA-UNITED STATES INTERPARLIAMENTARY GROUP" (S. DOC. NO. 83)

Mr. AIKEN. Mr. President, I submit the report of the Senate delegation to the 11th meeting of the Canada-United States Interparliamentary Group, of which I was Chairman, held in Washington, D.C., in March. The report is under 50 pages, and I ask unanimous consent that it be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROUTY (for himself and Mr. Scott):

S. 3649. A bill to provide private enterprise with incentives to employ and train unemployed and low income unskilled persons residing in both urban and rural areas, and to provide community employment and training by Federal and local governments as the employer of last resort; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 3650. A bill for the relief of Elias P. Demetracopoulos; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3651. A bill for the relief of Eufemia C. Balandray;

S. 3652. A bill for the relief of Lam Mun Kwai, Au Yeung Kwai Wing, Enoch Shih also known as Isaac Shih, and Yim Ho Shing; and

S. 3653. A bill for the relief of Ruggero Curzi, his wife, Maria Curzi, and their three children, Oscar Curzi, Fabio Curzi, and Loredana Curzi; to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. Aiken):

S.J. Res. 178. Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Mansfield when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MANSFIELD (for himself, Mr. Aiken, Mr. Pearson, Mr. Proxmire, Mr. Byrd of West Virginia, and Mr. Tydings):

S.J. Res. 179. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Mansfield when he introduced the above joint resolution, which appear under a separate heading.)

ADDITIONAL COSPONSORS OF BILLS

Mr. TYDINGS. Mr. President, I ask unanimous consent that, at its next printing, the names of the distinguished Senator from Maine [Mr. Muskie], the Senator from Pennsylvania [Mr. Clark], the Senator from Hawaii [Mr. Fong], and the Senator from Washington [Mr. Magnuson], be added as cosponsors of the bill (S. 3634) to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I should like to take occasion to thank the distinguished majority leader for adding his name as a cosponsor of this important proposed legislation. I think the response of the leaders in the Senate to the problem, at least as a partial solution, is gratifying. I hope that perhaps more of my colleagues will have an opportunity, in the days ahead, to study the proposed legislation and render their assistance.

Mr. PEARSON. Mr. President, I ask unanimous consent that at the next printing of S. 3640 introduced by myself and Mr. Ribicoff to establish a Commission To Study the Organization, Operation, and Management of the Executive Branch of Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy, the names of the Senator from Texas [Mr. Tower] and the Senator from Hawaii [Mr. Fong] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 76—NINTH INTERNATIONAL CONGRESS ON HIGH-SPEED PHOTOGRAPHY

Mr. MAGNUSON. Mr. President, I submit, for appropriate reference, a concurrent resolution, which the Senate has passed on several occasions in other Congresses, dealing with the forthcoming Ninth International Congress on High-Speed Photography which will be held in Denver, Colo., in August 1970. The congress is sponsored by the Society of Motion Picture and Television Engineers.

This congress has been preceded by similar meetings in Washington in 1952, Paris in 1954, London in 1956, Cologne in 1958, Washington in 1960, The Hague in 1962, Zurich in 1965, and Stockholm in 1968. Previous congresses abroad have been endorsed and assisted by the government of the country in which they were held and, in the United States in 1960, under Senate Concurrent Resolution 75 of the 86th Congress.

I ask unanimous consent that the Senate concurrent resolution which I am submitting today and a statement be printed in the Record to explain the purpose of this congress, and the importance of high-speed photography in this age of automation and space travel.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred, and, without objection, the concurrent resolution and statement will be printed in the Record.

The concurrent resolution (S. Con. Res. 76) was referred to the Committee on Commerce, as follows:

S. Con. Res. 76

Whereas high speed photographic techniques can magnify the time scale of scientific phenomena revealing parameters for research, engineering and testing that are extremely important to every nation; and

Whereas the First and Fifth International Congress on High Speed Photography were held in the U.S.A., as organized and conducted by the Society of Motion Picture and Television Engineers; and

Whereas the Fifth International Congress on High Speed Photography in 1960 was supported by the Federal Government, as expressed in the S. Con. Res. 75 in 1959; and

Whereas other meetings were held in Paris, London, Cologne, The Hague, Zurich, and Stockholm, and in each instance these meetings have received the recognition and the support of the governments of the respective host countries; and

Whereas with each meeting the International Congress on High Speed Photography has grown in prestige and stature, and attracts more countries in a continuing growth pattern; and

Whereas the importance of high speed photography is reflected in nearly all of the physical sciences, including medical, biological, space and many other fields; and

Whereas the SMPTE is once again sponsoring the International Congress on High Speed Photography in Denver, Colorado, in August, 1970, and is desirous of representing the U.S.A. as the host country in the best possible light; and

Whereas the Congress is fully appreciative of the importance of assuring this international scientific meeting is conducted in a manner which will bring credit and enhanced prestige to the U.S.A.; and

Whereas it is the belief of the Congress that—

(1) the democratic environment of the free world is the best environment for the achievement in science; and

(2) scientists and engineers have special advantages and opportunities to assist in achieving international understanding since the laws and concepts of science cross all national and ideological boundaries; and

(3) high speed photography is a universal tool in science, important to nearly all sciences internationally, and the International Congress on High Speed Photography is an excellent means of disseminating the advances in technology; and

Whereas the Congress is interested in (1) promoting international understanding and good will; (2) enhancing the excellence of American science, both basic and applied; and (3) furthering international cooperation in science and technology by creating the necessary climate for effective interchange of ideas: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that all interested agencies of the Federal Government should participate actively to the greatest practicable extent in the Ninth International Congress on High Speed Photography to be held in Denver, Colorado, in August 1970, under the sponsorship of the Society of Motion Picture and Television Engineers.

The statement, presented by Mr. Magnuson, is as follows:

Importance of High-Speed Photography

Section 1. High speed photography continuously increases in complexity, as well as importance in our world, since each year its application to science goes forward at an accelerated pace. As a tool in science, high speed photography is constantly alerted to the needs in the study of the whole universe in its infinite space or infinitesimal objectivity. Fundamental data in many fields or research throughout the world require observations and measurements that would be impossible without the unilateral growth in high speed photographic techniques.

HISTORY OF THE INTERNATIONAL CONGRESS ON HIGH-SPEED PHOTOGRAPHY

Section 2. Realizing the importance of high speed photography in the ever widening periphery of science on an international basis, the First International Congress on High Speed Photography was organized and conducted under the sponsorship of the Society of Motion Picture and Television Engineers, in Washington, D.C., in 1952. Subsequent meetings were held at 2- and 3-year intervals in Paris (1954), London (1956), Cologne (1958), Washington, D.C. (1960), The Hague (1962), Zurich (1965), and Stockholm (1968). In each instance, these meetings have received the recognition and the support of the Government of the respective host countries. With each meeting, the International Congress on High Speed Photography has grown in stature, prestige, and is ever influencing additional countries who are now realizing the significance of these meetings. In 1952 only 4 countries were represented at the meeting, whereas more than 20 were in attendance at the latest meeting.

The Society of Motion Picture and Television Engineers is once again sponsoring the International Congress on High Speed Photography to be held in Denver, Colorado, August 1970, for the 9th Congress in the series. The SMPTE is fully appreciative of the importance of assuring that this international scientific meeting is conducted in a manner which will bring credit and enhance prestige to the U.S.A. as the host nation.

PURPOSE OF THIS RESOLUTION

Section 3. The Congress, sincere in the belief that:

(1) The democratic environment of the free world is the best environment for achievement in science,

(2) Scientists and engineers have special advantages and opportunities to assist in achieving international understanding since the laws and concepts of science cross all national and ideological boundaries; and being interested in:

(a) promoting international understanding and good will;

(b) enhancing the excellence of American science, both basic and applied;

(c) furthering international cooperation in science and technology by creating the necessary climate for effective interchange of ideas; does hereby endorse the Ninth International Congress on High Speed Photography to be held in Denver, Colorado, in August 1970, under the sponsorship of the Society of Motion Picture and Television Engineers, and urges that all interested agencies of the Federal Government actively participate to the fullest extent possible.

Peacetime Uses of High-Speed Photography

High Speed Photography is applied to nearly every field of the physical sciences permitting the analysis of events otherwise impossible to see or, in many cases, to comprehend or predict. Investigations by High Speed Photographic methods for study of basic phenomenon in the laboratories leads to measurements in many other fields so that specialized techniques and equipments for one area of science soon become the working tool for other areas. Introduction of new optical systems such as fiber optics, new light sources such as lasers, new mechanical friction free systems such as magnetic suspension rotary units, new high speed photographic color emulsions, new electronic concepts and other innovations have all been utilized in helping to advance the technology of High Speed Photography in almost every conceivable physical science.

The medical field is rapidly advancing in the use of high speed photography in blood, retinal, heart and brain studies; internal deformities, and diseases; bodily defects, cleft pallet, oral malformations, calcification, and cellular or tissue conditions in the medical research.

In the fields of research in biology and botany, high speed photography has been instrumental in gaining information about single cell sea animals for nuclear studies; in oceanography, previous guesswork is rapidly becoming replaced by precise knowledge in underwater research; precise motion in minute particles can now be studied; increasingly effectiveness in measurement in atomic physics, including photographs of photons; and in space science meters and artificial meters are photographed for study of metal disintegration at all possible speeds, and the age old secrets of the universe are now coming into sharper focus through more sophisticated camera and computer combinations in contemporary research.

Our everyday lives, as well as the latest advancements in science, are highly influenced by the accurate visual and precise data gathering possibilities of high speed photography. The automobile we drive with highly efficient combustion systems and with the latest innovations in passenger safety devices; the jet aircraft of today in its aerodynamic stability, efficient motor burning characteristics, and vibration free bodies; alloys of metal used in cooking utensils and cutlery with fracture reducing stainless steels; tin can, paper and fabric manufacture and testing; and, many other items in which time-motion or breakage tests have become constantly increased in effectiveness by utilizing high speed photography in its various categories.

High speed photography has not only been a tool for fault finding in mechanical motion, but has been a most valuable tool in the field of research in explosive phenomena, dynamic characteristics of electricity and light, the chemistry of condensation and vaporization in volatile liquids, and the study of outer space. It seems since we are continuously finding new fields in which proven techniques have become applicable that every field of the physical sciences in research, engineering and testing now has something to gain through the application of high speed photography.

In a simplified terminology, high speed photography can be broken down into these major categories: high speed cinematography, often referred to as "time magnification"; short duration pulsed light sources of plasma arcs and lasers with controlled timing possibilities down to one nanosecond duration (the time that light travels a distance of about one foot); image dissection and image converter systems and cameras; sequence framing cameras that will take several pictures at the rate of several million per second; continuous writing streak or smear cameras that will give a signature characteristic of scientific parameters frequently for self-luminous objects; and, a multitude of systems utilizing combinations of these different types with equipment designed specifically for research in the various fields of the physical sciences.

The problems of scientific investigation become the areas of advancement in high speed photography when the nature imposed limitations on man for observation in time and space prevent reaching into the unknown. The sharpening of our scientific senses by the technology of high speed photography has deepened our knowledge of the world and enabled us to see what is actually happening. Man's technical know-how has increased more rapidly in the last few years than ever before. It is of paramount importance that the research worker keep in touch with their professional colleagues internationally. This scientific grapevine utilizes a cross-fertilization for the different sciences with high speed photography as a tool for delving into the unknown.

SENATE RESOLUTION 305—RESOLUTION TO PRINT AS A SENATE DOCUMENT "PROGRESS IN THE PREVENTION AND CONTROL OF AIR POLLUTION"

Mr. **RANDOLPH** submitted the following resolution (S. Res. 305); which was referred to the Committee on Rules and Administration:

S. Res. 305

Resolved, That there be printed as a Senate document the first report of the Secretary of Health, Education, and Welfare, entitled "Progress in the Prevention and Control of Air Pollution", in accordance with Section 306, Public Law 90–148, the Air Quality Act of 1967, together with illustrations; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 849

Mr. **PROXMIRE**. Mr. President, I ask unanimous consent that the name of the Senator from Wisconsin [Mr. Nelson] be added as a cosponsor of amendment No. 849 to S. 3097, a bill extending the Defense Production Act.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AUTHORIZATION OF CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS—AMENDMENT

AMENDMENT NO. 851

Mr. **YOUNG** of Ohio submitted an amendment, intended to be proposed by him, to the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON BILLS RELATING TO ADDITION OF NEW AREAS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. **JACKSON**. Mr. President, as chairman of the Senate Committee on Interior and Insular Affairs, I would like to announce that open public hearings on four bills to add several new areas to the National Wilderness Preservation System will be conducted starting at 10 a.m., Thursday, June 20.

The hearings will be held in room 3110 of the New Senate Office Building by the Senate Subcommittee on Public Lands, of which Senator Frank Church is chairman.

The bills to be considered are—

S. 3379, to designate the Great Swamp Wilderness Area in Morris County, N.J.;

S. 3343, to designate the Pelican Island Wilderness Area in Indian River County, Fla.;

S. 3425, to designate the Monomoy Wilderness Area in Barnstable County, Mass.; and

S. 3502, to designate as wilderness certain lands in the Seney, Huron Island and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine.

Individuals or organizations interested in presenting direct testimony should call or write the Committee on Interior and Insular Affairs, room 3106, New Senate Office Building, Washington, D.C. Statements submitted for the record should also be addressed to the committee.

ANNOUNCEMENT OF HEARINGS BY SUBCOMMITTEE ON AGRICULTURAL RESEARCH AND GENERAL LEGISLATION

Mr. JORDAN of North Carolina. Mr. President, I wish to announce that hearings on poultry inspection have been scheduled for July 1 and 2 by the Subcommittee on Agricultural Research and General Legislation. The subject bills are S. 2846, S. 2932, H.R. 16363, and title I of S. 3383. The hearings will be held in room 324 Old Senate Office Building beginning at 10 a.m. Anyone wishing to testify should contact the committee clerk as soon as possible.

NOTICE OF HEARING ON TAX COURT BILL (S. 2041)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of the relationship between S. 2041 and a recent Department of Justice study of the desirability of revising the procedure for litigating tax disputes. S. 2041 is a bill which would remove the Tax Court from the executive branch of the Government and make it an article III court.

The hearing will be held at 9:30 a.m., on Wednesday, June 26, 1968, in the District of Columbia hearing room, 6226 New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building, Washington, D.C.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be permitted to proceed for approximately 10 minutes, during which time there will be a colloquy between the distinguished senior Senator from Vermont and myself.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ELECTORAL REFORM

Mr. MANSFIELD. Mr. President, on Tuesday of last week, I offered to the Senate some comments concerning what I feel are the inadequacies, the inequities, in our electoral system. The proposals I then made were neither new, nor original with me. But the response received—from the press and public sources and from interested citizens across the land—has reinforced my own personal belief that the time has come to investigate seriously some of our basic electoral procedures. I do not propose the ultimate solutions but I do believe that a fresh and far-reaching study of the electoral system touching at least the areas where I have attempted to precipitate discussion is at the least necessary and long overdue.

Eliminating the electoral college and allowing the people to elect their President directly; extending the franchise of the ballot to young adults 18 and older; and replacing our circus-like party conventions would be a considerable improvement that I believe would withstand the test of any objective study.

Today I shall introduce recommendations for constitutional reform along these lines and joining me, I am happy to say, are the distinguished Senator from Kansas [Mr. PEARSON] and senior Senator from Vermont [Mr. AIKEN], whose status as the ranking Republican in this body and whose long years of political experience and public service add a great deal to this dialog. We hope that these proposals, along with those previously introduced by many of our colleagues will provide the necessary vehicles to conduct the investigation long overdue.

First of all, we ask that the Senate review the nominating process and offer a plan to replace the present happenstance primary and convention system with a measure calling for a single national primary.

The presidential primaries under our present happenstance system find the great confrontation of candidates in areas that often represent less than a valid cross section of the American people. The candidates, although competing for the delegate votes which they may not receive even if victorious, are attempting to demonstrate to the country their broad appeal to the people. What better method is there to demonstrate broad appeal than to permit all voters to demonstrate their preference? Under our present system, we seem to be blindly seeking a choice of a nominee enmeshed in a maze of conflicting State law and dubious custom and practice that preclude a rational popular choice at this most critical point in our election process.

The net result is that a great deal of money is spent to achieve an apparent victory in a few primary States; the effect may be fatal for the underfinanced, understaffed candidate and the American voter is left bewildered and confused, uninitiated to the political ploy and counterploy and ready, justifiably, to make the charge: "political manipulation." I hope that any study along these lines will also renew the effort to achieve a realistic proposal for the financing of presidential primaries and elections. With a national primary I feel much could be accomplished to avoid what so many people have characterized as the "circus" atmosphere that surrounds this frantic delegate hunt and the extravaganza of a convention. A national primary could replace the convention completely. However, a national convention would have greater direction if it were held after a national primary especially if the delegates thereto were disciplined by the results of the primary from their State.

The plan offered by Senator AIKEN, Senator PEARSON, and myself also calls for the abolition of the electoral college. The case has been made and there is little to add. I would only say that it is a measure of our political confusion today that we still face the prospect of having a President who does not represent the people or even the election results of the States from which the electors were sent. Plainly and simply, this is the fallacy of the electoral college. Abolition of the electoral college would eliminate the bloc State voting. The changing world has had its effects upon the structure of the Presidency. The fact is that the interest of the constituency rests directly in the office of President as the representative of the electorate's views rather than the views of a region. To continue the electoral college is to deny the cohesiveness of the 50 States as a national unit—to ignore the evolution of our Nation technologically and idealogically.

The States are represented by two Senators, the cities and the districts by their elected Congressmen. The people should be represented by the President, and he should be elected by popular vote.

The proposal I am introducing along with the Senator from Vermont [Mr. AIKEN] and the Senator from Kansas [Mr. PEARSON] would allow just that. It is not a new proposal. Over the years many such measures have been introduced and a number are pending this Congress. The Senator from Indiana [Mr. BAYH] and the Senator from Maine [Mrs. SMITH] have advocated such a procedure for sometime, as have the Senators from Florida [Mr. SMATHERS] and North Dakota [Mr. BURDICK]. They and others have advocated reforms in our electoral college system, even its abolition. I wish to join these Senators in stimulating further study of these matters in hopes of revealing the shortcomings, the inequities, and the inadequacies of the electoral college.

In my remarks last Tuesday I also mentioned extending the franchise of the ballot to young adults, 18 years and over. The arguments have been set forth more fully for this proposal than for any of the others; the right to vote simply would be given to those who are compelled to fight our wars but have no voice in selecting the officials who make the policies that lead to war; to those who are treated as adults by our civil and criminal courts and are made to suffer the full penalties of the law yet have no opportunity to choose the officials who make the laws. I think it is about time we faced this issue squarely.

Senate Joint Resolution 8 would provide the necessary constitutional change. That resolution is now pending before the Constitutional Amendments Subcommittee—the Bayh subcommittee. Hearings have been held, and I would hope that the measure could be reported out by the subcommittee and by the full committee so that the Senate could consider such a change before the 90th Congress closes this year.

I mentioned further in my remarks last Tuesday the suggestion that the Office of the Presidency be limited to one 6-year term. This is not a new proposal. I do believe that any investigation of the electoral system must include the term of the Presidency while considering the methods of his election. One cannot separate the effects of partisanship after the election when considering the issue of partisanship before the election. Any study should include the demands of partisan politics and the burdens of seeking renomination. The single 6-year term is the case in Mexico. It has worked well and it should be considered. The distinguished Senator from Vermont [Mr. Aiken] and I are offering a resolution that provides for such a constitutional change so that this aspect may rightly be included in the investigation.

With the introduction of these various proposals to supplement those that have already been introduced, the investigation can begin. It can encompass all the aspects of Presidential politics. The study is long overdue.

The tragic events of the past days have shocked and saddened us beyond expression. Robert Kennedy was a man of great energy and great capacity for seeking new ideas and new approaches to very old problems. Our shock and sadness could be no better channeled than to express it as he would—in a constructive search for solutions.

I proposed last Tuesday that a restriction should be considered on the open exposure of our presidential candidates. I appreciate the desire of the candidates to meet the people directly and of the people to be in the presence of these candidates. But the tragedies of the past 5 years have demonstrated the inordinate risk. The appointment of a Presidential Commission on Violence demonstrates that there are questions that must be answered about the use of violence against our public figures. I believe also that there is something wrong in our society that must be corrected. I do not believe that this country is sick beyond cure, that our society's illness is terminal. I do believe, however, that a cure for the violence against our public figures is not yet available and to deny that something must be done—as an interim measure—to utilize the potential of mass communication and restrict the risk to our national leaders is to prejudge that the status quo is an acceptable norm for this society.

I hope the interest in these proposals will not dissipate with the passage of time. For time is no longer unlimited.

Mr. President, on behalf of the distinguished Senator from Vermont [Mr. Aiken] and myself, I send to the desk a joint resolution to change the term of the Presidency, and on behalf of both of us and the distinguished Senator from Kansas [Mr. Pearson] I send to the desk another joint resolution seeking to establish a national primary and requiring the direct election of the President.

The PRESIDING OFFICER. The joint resolutions will be received and appropriately referred.

The joint resolutions, introduced by Mr. Mansfield, for himself and other Senators, were received, read twice by their titles, and referred to the Committee on the Judiciary as follows:

S.J. Res. 178. Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States; and

S.J. Res. 179. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the Record various newspaper editorials and articles concerning this matter.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 7, 1968]

A Threat to the System

The shooting of Senator Kennedy, some commentators fear, threatens the very survival of America's political system. While that may overstate the case somewhat, surely the worry is not entirely unfounded.

If violence continues to grow and spread, it will of course lead to stronger efforts to suppress it. In such circumstances it would be easy to envision not only this country but others drifting closer to totalitarianism.

We naturally prefer to think that the recent unhappy events will shock leaders of opinion into ceasing the preachments that do so much to stimulate the violence. The way some of them have talked, violent acts have become little more than another form of free speech.

Even if the trend is arrested, though, there still will be reason to reappraise the nation's methods of choosing its leaders. It is possible to alter those methods, in ways that would promote both candidate safety and intelligent public choice, without endangering the country's tradition of freedom.

The idea that candidates should drop in on almost every hamlet and shake as many hands as they can grasp is, after all, of relatively recent origin. Campaigns that stretch over many months are something that earlier Americans never foresaw either. This process certainly endangers public figures excessively; no matter how careful the security measures, a candidate will still be at the mercy of an assassin who is willing to take the consequences.

Aside from that, the present setup simply serves the nation poorly. The incessant campaigns drain the physical energy of men who, if they attain office, will need all the strength they can summon. When governors, Congressmen and other elected officeholders tramp the country interminably, moreover, their constituents are denied their services for far too long.

The lengthy campaigns have also helped to balloon political budgets, enlarging the risk that the candidates who attain office will be beholden to their biggest contributors.

It's a problem that cannot be completely solved; no one wants to isolate a candidate somewhere in a sealed room. But wiser use of television and other modern communications media should make it possible to cut down on the hand-shaking.

If that were done, it should be possible to cut down on the length of campaigns as well. Britain manages to pick its governments in a matter of a very few weeks, and there's no evidence that its political process suffers thereby.

The grim event of this week clearly offers fresh reason to dispense with elongated political circuses.

[From the Baltimore (Md.) Sun, June 17, 1968]

Time To Change

Senator Mansfield speaks for many in and out of politics when he calls for a whole new procedure for nominating and electing Presidents. The existing system is nonsensical and dangerous. The state primaries are expensive and prove not enough. Both conventions have become unrepresentative of the electorate. The post-convention face-to-face campaigning style of the past decade is dangerous, too demanding, of more benefit as a morale booster for party workers than as a vote getter, and a showcase for talents that are not really crucial in a President. Then when all of that is over, there is the electoral college, with its capacity to elect the candidate with the fewer votes, or no one at all.

Senator Mansfield proposes specific remedies, such as a national primary and direct popular election of the President, and greater use of television and radio. There would be drawbacks involved in each of those approaches, but they may be the best of all the possibilities. What is needed—we hate to say it—is a top level commission of government and non-government experts to study the existing political environment and the many ideas for change and recommend to the Congress the changes it believes will be most useful.

[From the Washington (D.C.) Post, June 15, 1968]

Mike's Electoral Package

Senate Majority Leader Mike Mansfield has properly read the mood of the country in calling for a major overhaul of the machinery for the election of the President. The assassination of Senater Kennedy has made us more aware of the extravaganza aspects of our quadrennial campaigns. It is unfortunate that nothing can be done to alter the machinery that is operating so uncertainly before the 1968 decision is made.

The most important item in the Majority leader's galaxy of reforms is the direct election of the President and Vice President. Fortunately, this now has widespread public support. The alternatives have been exhaustively studied, and most of the authorities who have been warning us for years about the perils in the outmoded Electoral College are now ready to accept direct election of the President and his running mate, without any wobbling and manipulable device between them and the people. Congress has been too slow in sending this reform, already embodied in a carefully worked out constitutional amendment, to the states for ratification.

Much more difficult is the Mansfield recommendation for Nationwide primaries to be held on a single day for nomination of presidential and vice presidential candidates. Unlike the direct-election amendment, this proposal has not been carefully worked out. Despite much talk of abolishing the national party conventions, no group has yet devised a system of uniform primaries that has won anything like a consensus. Additional work will have to be done on this reform, and there would be no point in holding up enactment of the direct-election amendment until this more troublesome problem has been solved.

Extension of the right to vote to 18-year-olds in every state, a reform that is sponsored by President Johnson and many others, is in a very different category. It can be, and should be, promptly approved. The country seems to be ready for it. No complicated machinery would be necessary to put it into effect.

As for Mr. Mansfield's other proposal, a single six-year term for the President, it might better have been left in his secret file. Having limited every President to two four-year terms only a few years ago, Congress is not likely further to shorten the time in which an administration can carry out its program. This controversial item serves only to detract from the constructive reforms to which the Majority Leader has lent his support.

Another item that may well be eliminated from any action program is the Mansfield suggestion that presidential campaigning be restricted to television and radio. This is not a matter that can reasonably be regulated by law. Both Presidents and candidates for the office must have some contact with the rank and file to function properly. Congress has wisely extended protection to such candidates, but the nature and style of their appeal to the people will have to be left largely to the individual. We hope that these ill-advised items in the Mansfield package of electoral reforms will not detract from its other admirable segments.

[From Newsday, June 14, 1968]

Election Reform

With the assassination of Sen. Robert Kennedy (D. N.Y.) still a fresh memory, Senate Majority Leader Mike Mansfield (D. Mont.) has proposed some sweeping election reforms. Some of these are based upon the mob-scene, circus-extravaganza atmosphere that tends to surround all candidates for nomination and election to the presidency. Others are related to the cumbersome and even outmoded systems which control our presidential elections.

The Mansfield program would: (1) abolish the quadrennial nominating conventions and state presidential preferential primaries; (2) establish a nationwide presidential primary to be held on single day; (3) abolish the Electoral College so the President and vice-president would be chosen by direct vote, (4) limit the presidency to a single six-year thereby requiring the successful candidate to go through only one campaign and (5) extend the right to vote to 18-year-olds in all states. In addition, more or less as a post-script, Mansfield would confine public appearances by presidential candidates to TV and radio, thus sharply reducing campaigning hazards.

These are all thought-provoking ideas. For each there is an ample set of pros and cons. It is a serious question, for example, whether the candidates can be shut off from their constituents without losing the personal contact that, up to now, has been the essence of our political system. Maybe this is necessary in these turbulent times, maybe not. All the Mansfield proposals, however, need the most careful consideration.

Memo to Congress: Why not appoint a joint Senate-House committee to make a thorough study and to come up with some conclusions? The American political system has served us well in the past. But as times change, institutions must change, too. This would be a good time for Congress to make a fresh appraisal of the machinery of American politics.

[From the Baltimore (Md.) Sun, June 17, 1968]

Campaigning by Physical Contact

(By Gerald Griffin)

There has always been something demeaning, and wasteful as well in terms of time and energy, about a candidate for the presidency of the United States campaigning in the streets like a candidate for county sheriff. This is something relatively new in American politics, having been originated largely by the late Senator Estes Kefauver of Tennessee, and it would be no great loss to our system now if, in our renewed concern for the safety and security of our public men, it is stopped.

But if because of this same concern a much wider restriction must be placed on the appearances of Presidents and other leaders at public gatherings—at outdoor meetings or in street parades—our national life will be affected and our political system will be substantially changed, probably for the worse.

Moreover, the matter no longer is a subject for idle speculation. President Johnson has long since been forced to curtail drastically his own public appearances. Not only is he heavily guarded when he leaves the White House. His travel plans are not disclosed until the last possible moment. He has been moving about the country blanketed in a secrecy seldom experienced here except in a period of all-out war.

It is only common sense, of course, to guard against the murder of Presidents and other national leaders. But it must be recognized that the device of keeping a President under security rules which come close to seclusion is an expedient which points to a malady but does not get at its source.

President Johnson, in his remarks last Monday to members of the commission he had appointed to investigate violence in America, touched upon the political aspects of the problem when he asked the commission: "Does the democratic process which stresses exchanges of ideas permit less physical contact with masses of people—as a matter of security against the deranged individual and obsessed fanatic?"

Our Presidents, as the record since Abraham Lincoln attests, have all too often been the targets of assassins. The murder this year of the Rev. Martin Luther King and Senator Robert Kennedy, both of whom were national leaders engaged in the exchange of ideas in the democratic process, has broadened the subject.

It has never made any sense for a President to mingle with a crowd, shaking hands with people pushing against an airport fence, for example, as President Kennedy did and as President Johnson did, in particular, during his 1964 campaign. Reporters who remember Mr. Johnson's hands, scratched and bleeding from such encounters, would bar such practices, on this evidence alone. Whether the risk of assassination in such a setting was as great as it seemed may be open to question; President Kennedy was moving in an automobile when he was shot and Senator Kennedy was in the relatively restricted kitchen of a large and expensive hotel.

Perhaps we have too many people and too many obsessions—too many people already deranged or on the fringe of insanity—to permit a President or even a candidate for President to walk in crowds or even to appear unsheltered in public. It will be hard to accept this as anything more than an emergency measure, yet people in the cities have learned not to walk alone after dark and otherwise to condition themselves to this era of reckless crime and violence.

Raising the level of our presidential campaigning by taking it out of the streets is a different matter. It will be a national gain if this is done, even without reference to the threat of volence. I am not referring here to open-air meetings and motorcades through city streets, but to the street corner and store-to-store kind of handshaking campaigning which Senator Kefauver perfected in New Hampshire in 1952.

Mr. Kefauver, a big folksy man, shambled through the primaries so tirelessly and successfully that other candidates, notably Adlai Stevenson in 1956, had to match him in this technique. Often they went into barbershops and lunchrooms to grab the hands of bemused voters. The returns never have seemed worth the price.

A certain dignity is properly associated with the presidency. It is nice to shake hands with a President or a candidate for that office, but it isn't everything. He should be elected on the basis of his capacity to be President, and this has much more to do with the quality of his mind than the warmth of his grip.

[From the New York Times, June 16, 1968]

Go Slow, Mike Mansfield

(By Tom Wicker)

WASHINGTON.—Woodrow Wilson chose an apt moment, his first message to Congress in 1913, to propose the national nominating primary as a substitute for the national party convention. After all, just the year before in the sweltering heat of Baltimore before air conditioning, Wilson had sweated out 45 ballots before winning the Democratic Presidential nomination from Champ Clark of Missouri.

Majority Leader Mike Mansfield of Montana now has chosen another appropriate moment to revive the national primary idea, a hardy perennial that not too many years ago was regularly brought forward by Senator William P. Langer of North Dakota. At least, this moment seems appropriate to many who believed that the struggle in the state primaries between Robert F. Kennedy and Eugene McCarthy ought to have some effect on the Democratic party Presidential nomination, and who now fear that it will go to Vice President Humphrey, for whom there was no appreciable support in any primary save that of South Dakota.

Mansfield made his proposal as part of a deceptively attractive package of political reforms—including also the abolition of the electoral college in favor of direct popular election, reduction of the voting age to 18, and limitation of the Presidency to a single six-year term.

He also proposed, in the residual shock of Kennedy's murder, that candidates' appearances be limited to television and radio, because "you just don't know who's out there in the crowd." It is, of course, not only impossible to accomplish this objective short of an obviously unconstitutional statute; it is also undesirable, since if in-person campaigning is judged too dangerous in the United States, we need no longer delude ourselves that we are a democracy, a republic, or any other form of representative government.

With the coming of one-man, one-vote procedures in apportioning legislative representatives, the last good reason for retaining the electoral college is disappearing. The activities of Senator McCarthy's youthful army have shown how ready and eager are American 18-year-olds for the vote and the fuller participation in society that it represents.

But Americans ought to scrutinize with extreme care any proposal either to lengthen a Presidential term (suppose it were Lyndon Johnson's?) or to limit any President to but one term (which would not only rule out the only men qualified by experience, but change the nature of the office).

And even if, to the disappointment of Kennedy and McCarthy supporters, Humphrey wins the 1968 nomination with a bag of non-primary delegates, there ought to be equal caution about doing away with the convention system in favor of the national primary.

CONVENTIONS USEFUL

A convention does, for instance, provide a natural party forum in which a platform can be cooperatively written, and in which pressures exist to choose candidates who can stand on it, thus loosely framing a national party identity. It gives room for maneuver to party leaders who want a broad-based Presidential candidate, and if no such man has presented himself it gives the leaders an opportunity to put pressure on him (as they did on Adlai Stevenson in 1952). At its best, a convention both tempers and consolidates sheer factional strength within a party.

National primaries raise many problems. Where do the independents go? Either they would be excluded from the nominating process (as it is now, independents at least have had the indirect participation of having to be taken account of by the delegates to a convention), or forced to choose a party identity. Is either option desirable?

What about multiple entries? These might well produce either runoff primaries, which would drag out the length and cost of the process, or minority nominees. In a runoff, factional combinations could and often would defeat the original front-runner. A minority nominee, even though he ran ahead of his opponents, might be far too narrowly based to win a national election against the other party.

QUESTION OF COMPATIBILITY

How would Presidential and Vice Presidential candidates be matched, either politically (like Kennedy and Johnson in 1960) or to avoid incongruous combinations (say, Humphrey and McCarthy, men of the same state and of incompatible views)?

Both the conventions and the electoral college, moreover, act as safeguards against pure democracy—as brakes on unbridled popular will, with all its dangers. Together, they make it almost impossible for some demagogue to vault into power by exploiting popular prejudice, and while the temper of the age is unquestionably that of more "participation" in the political process, there is a real question whether both the nomination and the election of Presidents ought to be opened at once to unchecked popular choice.

For the moment, abolishing the electoral college in favor of direct election is a reasonable and modest step toward a political process compatible with modern requirements. Both the American Bar Association and the Senate Subcommittee on Constitutional Amendments have produced satisfactory plans for this reform. No such qualified body has yet developed a good national primary plan and until this is done, the nominating convention remains the most workable alternative.

Mr. AIKEN. Mr. President, I feel honored to be invited by the distinguished Senator from Montana to be a cosponsor of the two proposed constitutional amendments. I think the Senator from Montana has made it plain in his remarks that they may not be phrased in exactly the words to accomplish the purpose which is intended.

I am quite sure that, as written, they may not be a cure-all for the present unsavory political situation which exists in this country. But I do believe that we have to take cognizance of the situation as it is now and undertake to do something about it. Something is wrong with the working of our electoral system as it now exists. Something is wrong with our convention system.

I have attended a few party conventions in my lifetime and have kept in touch with others by telephone. I am sure that the people do not have an adequate voice in the convention system as it is carried on today.

Something is definitely wrong with our electoral system under which electors from each State elect the President. I do not think that they betray the confidence which is entrusted in them. I think some of them think that being a presidential elector is a great honor which will stay with them for the rest of their lives. I can understand why they feel so, but nevertheless the convention system and the election system do need renovating.

I am also glad to join with the distinguished Senator from Montana, as I believe other Members of the Senate have, in advocating a vote for the 18-year-old people today who are probably better qualified to vote at the age of 18 years than most of us were.

One way in which to arouse the interest and concern of the young people today as to the seriousness of the situation is to give them responsibility.

Party platforms mean very little. I do not know just what they do mean. The public certainly does not have an adequate voice in writing party platforms.

It is true that in many respects representatives of the public can testify before a committee for a day or two before the convention if they have the money to appear at the site of the convention, a couple of thousand miles from home. But usually the planks of the platform are written well in advance of the so-called public testimony.

I have mentioned the electoral college.

I do not know whether the creation of a 6-year term for the President is a perfect solution. But I do know that it should be studied by Congress. I do know that so long as a President is eligible for reelection, under our present system, three out of four incumbents would undoubtedly use the machinery of government to bring about their own reelection.

They would not be human if they did not. And I do not mean that Lyndon Johnson is not human, because he certainly is. But he is the fourth one to whom I have referred. Three out of four would not do what he did.

I am sure that that situation should be studied, and I am also sure that, just as we try to keep up with technology in our industrial machinery, we should also try to keep up with desirable changes in the political machinery, which requires modernization just as much as our industrial plants and our agriculture have to keep up with the changes brought about by time and knowledge.

I thank the Senator from Montana for inviting me to be a cosponsor of the two proposed amendments to the Constitution.

I do not know of anything in the interest of democracy that is more important than that we give these matters the fullest possible study and consideration.

Mr. MANSFIELD. Mr. President, I extend my deepest and most heartfelt thanks to my distinguished colleague the senior Senator from Vermont. As I have said many times, anything that interests him or anything to which he adds his name brings with it dignity, prestige, understanding, and knowledge.

This effort is an attempt to at least make a start in the direction of bringing about a revival of a political system which in many respects has become dormant and in some respects irrelevant with the passage of time.

The distinguished Senator from Vermont indicated that it is the delegates, not the people, who, unfortunately, are the ones who select a presidential candidate, and many times the people are not left with much in the way of a choice.

I ask unanimous consent at this time that the name of the distinguished Senator from Wisconsin [Mr. PROXMIRE] be added as a cosponsor of the resolution dealing with national primaries and direct election of the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. If this proposal is worth anything, it should be given the consideration which I believe it deserves. This is one way of taking the power away from the delegates, who may or may not represent the people of the State from which they come, and giving the power to the people, where it belongs—giving them more of a say in the affairs of Government and at the same time creating, in my opinion, a better democracy.

Mr. President, I agree with the Senator from Vermont when he says that the 18-year-olds today are far smarter than the 21-year-olds of our generation—and that would apply to practically everyone who serves in this Chamber. These young people, this year, have made the greatest contribution to a primary that I have seen in my political life, by getting actively involved in politics, picking a candidate, sticking with him, and doing what they could to advance the causes in which they believe and in following a leader in whom they have faith.

The votes, to me, are of relative insignificance; but the participation of the younger generation in a constructive channel is to me of the greatest significance.

Again, I thank the distinguished Senator from Vermont, as well as the distinguished Senators from Wisconsin and Kansas, for joining in this effort.

Mr. PROXMIRE. Mr. President, I wish to express my gratitude to the distinguished Senator from Montana, the majority leader, for including me as a cosponsor of his excellent constitutional amendment.

This will add a new dimension to democracy, as I see it.

I introduced a similar national Presidential primary amendment 4 years ago, and I feel very strongly that the most important vote an American citizen casts is for the Presidency. Now, the American citizen only has a choice between the two men who happen to be nominated by the Democratic and Republican Parties. He does not have a real choice.

The Mansfield amendment would give him that choice. I believe it would tremendously improve not only the citizens' participation and interest but also would improve the excellence of our presidents, the office which we all know is the most important and significant in our democracy.

Also, I am delighted to take part in supporting the majority leader in the portion of the resolution which would end the electoral college. This is a dangerous appendix which should have been taken out of the body politic long ago. The vote at 18, I believe, also is long overdue.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the joint resolution (S.J. Res. 179) which has been introduced by the majority leader for himself, Mr. AIKEN, Mr. PEARSON, and Mr. PROXMIRE, which would abolish the electoral college and provide for the direct election of the President and Vice President in a primary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I make the same request with respect to the distinguished Senator from Maryland [Mr. Tydings].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX PACKAGE HITS POOR HARDEST

Mr. PROXMIRE. Mr. President, over the past 2 weeks the Joint Economic Committee has been holding hearings on the implications of the report of the President's Commission on Civil Disorders for the employment and manpower problems of our Nation's urban and rural poor. The testimony of all of our large group of distinguished witnesses firmly supported the conclusion presented in the Kerner report that "unemployment and underemployment are among the most persistent and serious grievances of our disadvantaged minorities." There was, furthermore, virtually unanimous agreement that perhaps the major responsibility confronting our Nation today is that of redressing this grievance, of providing this segment of our population with the opportunity to gain and retain respectable employment, in order to measure up to this traditional test of participation in American society.

I am happy to see that the Gallup poll, as reported in the newspapers yesterday, shows that whereas a great majority of the American people opposed the negative income tax concept or the guaranteed annual income, the overwhelming majority, in every income category, favored guaranteed jobs and opportunity for all people to work, and the Government as a residual employer.

Mr. President, it seems to me that this is most significant at this time; because, in view of these strongly supported conclusions, I question how we can justify a tax increase which would, according to the estimates of the President's Council of Economic Advisers, result in a loss to our economy of many needed jobs.

When a sizable Federal budget cut is added to the tax proposal, the effect on the job market is significantly aggravated.

Arthur W. Saltzman, manager of the education and training department of the Ford Motor Co., stressed in his testimony that "programs to create new jobs are ultimately dependent upon the real growth of the economy." Of course, the tax increase and the spending cut are going to slow that down.

In commenting on the outlook for our economy should the proposed tax and expenditure package be implemented, Dr. Lester C. Thurow, professor of economics at Harvard University, pointed out:

> If you look at all the existing econometric models of the American economy, and you program into them the current tax increase, and the current expenditure reduction, they all show a recession in 1969.

Dr. Gerhard Colm, chief economist at the National Planning Association, agreed that the tax conference report contains elements of "overkill"; our unemployment rate, which is currently about 3.5 percent, may well rise to 4 or 4.5 percent, expanding the ranks of the unemployed by some 500,000 to a million individuals.

And the picture, Mr. President, is even more bleak than might initially be assumed from a glance at these aggregate figures. It is common knowledge among experts in the manpower field, and indeed among minority groups themselves, that members of these nonwhite groups tend to be "the last hired and the first fired." The tax increase and spending cuts would generally dampen demand, and, therefore, cause a slackening of production and a decreased demand for labor. Which portion of the labor force would be likely to lose the most jobs, and be in the worst position to acquire other employment?

All of our witnesses agreed that the minority groups would suffer most severely. Thus, the tax package would have the most detrimental impact on the people we are especially anxious to help.

Dr. Thurow pointed out that in periods of low unemployment—3 to 3.5 percent—black incomes are approximately 60 percent of white incomes. During recessions, however, black incomes fall to only 50 percent of white incomes. It is thus quite clear which segment of our population bears a disproportionately large measure of the burden of a contraction in our economy. Dr. Thurow concluded that, if we are to alter the distribution of income in favor of the currently disadvantaged groups, "recessions must be avoided."

There is further irony, Mr. President, in trying to fight what is largely a cost-push inflation with the blunt aggregate measures contained in the tax conference report. In an economy in which a 2.2-percent rise in productivity over the years ending March 1968 was vastly outpaced by an increase in unit labor costs of 3.9 percent, with a consequent 3.9-percent rise in the consumer price level, there is a clear need for guideposts to restrain wage and price advances.

The aggregate tax and expenditure measures will have a decidedly depressing effect on the economy, while both failing to come to grips with the true causes of our current inflation and, simultaneously, imposing an unjust burden on that portion of our population least able to support it.

Mr. Garth L. Mangum, codirector of the Center for Manpower Policy Studies, offered powerful food for thought in the following comment on our proposed fiscal measures:

> I think we should recognize that we have all required the poor to be our price stabilizers . . . If we are going to do it [restrain inflation] by employment, obviously the people left out will be the people less able to bear that kind of burden.

BEST NEWS OF VIETNAM WAR—LAND REFORM GETTING ITS BIG CHANCE

Mr. PROXMIRE. Mr. President, Frederick Taylor writes in the Wall Street Journal of Friday, June 14, that it now appears possible that the Saigon government will pass a really big and meaningful land reform bill.

This bill is reported to go much farther than all past efforts. It would give to each farmer the land he is working and would gradually pay off the landowner.

As I said last year on the floor of the Senate, land reform will do more to provide the South Vietnamese with the will to fight and win than anything else that can possibly be done.

It will mean that the peasants who constitute such a large and vital part of the South Vietnamese population and who have been the special target of the Vietcong, and who have been vulnerable exactly because they have been exploited by absentee Saigon landlords at last will have a real stake in their nation and their government.

It is interesting that this vital reform was only adopted when the South Vietnamese, as Taylor reports, recognized that "in the foreseeable future—the pessimists put the time at 2 years and the optimists sooner, depending on peace talks in Paris—the South Vietnamese Government will have to stand on its own feet." The officials say the Saigon regime "had better start taking steps to win as much popular support as possible before that time."

Mr. President, this Senator has decided to do all he can to encourage our turning over to the South Vietnamese just as much of this war as possible as fast as possible for many, many reasons, and one big one is that this is the only way viable peace, freedom, and stability in South Vietnam are going to be achieved. For this reason this Senator intends to oppose any kind of escalation on our part in Vietnam from here on, whether that involves sending additional personnel, escalating bombing, or anything of the kind, with the single exception of stepping up our arming the South Vietnamese, the Thais and the South Koreans and others to do more of the job.

We have done our share in this operation and then some. We can not and should not pull out suddenly. But we should prepare to turn more and more of the war over to the South Vietnamese and we do not do that when we escalate our own operations in Vietnam. It has taken a long time for us to realize this. But it is about time we did so in action as well as words.

This means, in my view, that we should scrutinize appropriation measures and authorization measures to be sure that this Congress is not continuing to provide more and more funds for American escalation in Vietnam.

Mr. President, I ask unanimous consent to have printed in the Record the article entitled "Vietnam Land Reform May Get Moving Now After Years of Delay," written by Frederick Taylor, and published in the Wall Street Journal.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam Land Reform May Get Moving Now After Years of Delay—Saigon Assembly Likely To Act on a Plan; Granting Peasants Plots Seen Building Loyalty

(By Frederick Taylor)

Washington.—Though Presidential candidate Eugene McCarthy may find it hard to believe, land reform in South Vietnam may be on the way.

Sen. McCarthy, in his television debate with the late Sen. Robert F. Kennedy, commented dourly that he doubted there was "much point in talking about reform in Saigon or land reform because we've been asking that for at least five years and it hasn't happened."

But action may come shortly. South Vietnamese legislators plan to introduce in the National Assembly, possibly within the next week, a new, simplified, American-conceived land reform proposal that could have far more effect than all past efforts. Under this plan, the Saigon government would give each tenant farmer the land he's working and would gradually pay off the landowner. Proponents estimate three million to four million acres, roughly half of all the farmland in South Vietnam, would change hands. The cost might total $500 million, to be paid over five to seven years; the money, inevitably, would have to come from the U.S.

This program is given a good chance of passage in the assembly in Saigon. Phan Quang Dan, named minister of state in the South Vietnamese cabinet reshuffle on May 24, has been telling Americans on his current tour of this country (he was in the U.S. when appointed) that a year ago a land reform measure would have received only four votes but that the climate of opinion has changed so much that today a proposal will pass the legislature. U.S. officials, while not quite so optimistic, still believe that land reform has a strong chance of enactment.

WINNING POPULAR SUPPORT

The reason for the increased interest in land reform, after years of talk and abortive attempts at action, is the dawning recognition by both South Vietnamese and U.S. officials that in the foreseeable future (the pessimists put the time at two years and the optimists sooner, depending on the peace talks in Paris), the South Vietnamese government will have to stand on its own feet. The officials say the Saigon regime had better start taking steps to win as much popular support as possible before that time arrives.

Moreover, there's a growing belief among both South Vietnamese and U.S. officials that land reform would help shorten the war by swinging over to the government's side masses of Vietnamese peasants who either accept the Vietcong or are apathetic. One U.S. land reform advocate argues that the only new step in this direction taken since 1961 has been what he calls "negative land reform," which provides for landlords to recover their property when U.S. or South Vietnamese troops free Communist-controlled areas; in such situations, the Americans may seem to be abetting the taking of land from peasants, and resistance to U.S. efforts may harden.

Roy L. Prosterman, a law professor at the University of Washington, did a special land study in South Vietnam last year. The study, financed by the State Department, started out as a fact-finding mission on the landowning situation in South Vietnam. But it ended up as a series of recommendations for land reform. The study apparently helped swing both the department and some doubting members of the U.S. mission in Saigon behind a land reform program. The plan to be introduced in the South Vietnamese legislature is basically Mr. Prosterman's, endorsed by both South Vietnamese and U.S. officials. U.S. support is as crucial as South Vietnamese because of the reliance on American funds.

Some Vietnam experts in and out of Government have long argued that redistribution of land is a vital step toward winning the peasants' allegiance. As evidence of the need, they point to statistics on the ownership of farmland in South Vietnam.

TINY PLOTS

About three-fifths of the country's 16 citizens are farmers, living mainly by growing rice. About three-fifths of this rural population live south of Saigon in the Mekong Delta, where 80% of South Vietnam's rice is produced. Only 257,000 of the 1,176,000 farm-operating families in the delta own all the land they farm, according to a 1961 census, with an average size of 4½ acres. More than half a million delta families are only tenants on their land; the plots they farm average 3½ acres. Some 335,000 families own about one-third of the land they work; they rent the rest.

In the central lowlands, the rice strip along the coast, some 400,000 out of 696,000 families occupy farms averaging two acres in size, generally owning one acre and renting the other; in that region, 774,000 families live on rented land only.

The landlords, many of them absentees living in Saigon, collect rents ranging from one-third to one-half or more of the value of the crops raised; in the event of crop failure, they still demand most of the rental. Tenants who can't pay usually borrow at high rates of interest in order to remain on the land.

Howard University Professor Bernard Fall, who was one of the most knowledgeable men in the world on Vietnam, wrote not long before he was killed there in 1967: "While it is obvious that the middle of the war is not the best place to start such reforms, it must be realized that in Vietnam the choice no longer exists, for the reforms are as essential to success as ammunition for howitzers—in fact, more so, because the failures of land reform create an almost hopeless vicious circle. With only 25% of the non-urban population under effective government control, the large mass of landless peasants stands to lose a great deal the day Saigon re-establishes control over the countryside and thus restores the old tenant-landlord relationship, as invariably happened in the past whenever government troops reoccupied a given area."

The Prosterman land-reform proposal assumes, to start with, that the key to success of any plan is administrative simplicity. This would reduce the corruption that could otherwise be expected to bog down a land-reform program in Vietnam, he suggests.

The proposal also recognizes that most of South Vietnam's farmland is being worked by tenant farmers rather than by the landowners and that property boundaries are clearly marked by dikes; the tenants know the boundaries of the land they rent, and so do their neighbors. Under the plan, the government would simply declare that the land now being worked by the farmers is theirs, that they no longer must pay rent and can't be evicted. There would be no immedaite need to make land surveys or hand out property titles; these would be impractical, anyway, in areas now controlled by the Vietcong. In Vietcong areas, the peasants could get the word by air-dropped leaflets. "The tenant, or the squatter, would be confirmed on the land he presently occupies, without need for any administrative capability for shifting or resettling families, or for measuring amounts of land," Mr. Prosterman says.

To give the Vietnamese bureaucracy time to work out the details of paying off the landlords and to deliver land titles (as would eventually be done), Mr. Prosterman proposes an interim program of five years during which the government would pay the landlords the rents they would otherwise have collected from their tenants.

U.S. officials hope the South Vietnamese will approve a pilot program in one or two Mekong Delta provinces before the National Assembly ends its first regular session at the end of this month; the proponents of land reform figure legislation extending the program throughout the delta and then into the central lowlands would be introduced when the legislature returns in October.

FAILURE TO RATIFY HUMAN RIGHTS CONVENTIONS SPEEDS EROSION OF CONGRESSIONAL POWERS

Mr. PROXMIRE. Mr. President, the Senate in failing to ratify the various Human Rights Conventions before it is contributing to the erosion of the powers of Congress.

There is presently much concern about the Congress. Many say that the Congress is failing to keep abreast of the times and that the executive branch more and more is assuming policy-determining functions that constitutionally belong only to Congress.

Every 2 or 3 weeks the cry goes up on the floor of either the House or Senate or both that the executive is trespassing on the domains of Congress. Either the IRS is repealing longstanding tax law by executive fiat or the executive is repealing the antidumping laws without so much as a by-your-leave or the executive is entering into international agreements and then putting them into effect without Senate advice and consent.

It has become such a concern that the Senate created the Subcommittee on the Separation of Powers of the Judiciary Committee to investigate the roles of the three branches of government in light of their constitutional mandates and the way they are or are not carrying out those mandates.

I submit, Mr. President, that this investigation should not only look at the specific instances where it appears there has been encroachment by the executive or the courts but at why this encroachment could take place in the first place.

This encroachment and its escalation has reached the point where Under Secretary of State Katzenbach in effect could say to the Committee on Foreign Relations that the power to declare war has been removed from the Congress by the exigencies of the 20th century and that if there are to be checks and balances on this declaration, they will have to be provided by different points of view within the executive.

Mr. President, this is an amazing thing for a diplomat to say to the committee having jurisdiction over his department. But here is the point, we have encouraged this sort of attitude. We have not done enough to make clear to the executive that not only do these specific powers reside in Congress they will be exercised by Congress.

Thus our refusal to ratify the Human Rights Conventions reinforces the growing and dangerous notion that Congress is too slow and cumbersome and divided to meet the challenge of the 20th and 21st centuries. Our inaction makes the argument that the executive must take over more and more of our policymaking functions somewhat plausible.

Mr. President, the Senate by ratification of the Human Rights Conventions could assert not only its leadership in furthering the rights of all men but could reassert its leadership in the field of foreign relations. This is our domain and we gradually abdicate our position of leadership each time we fail to exercise our powers.

Mr. President, I urge speedy ratification of the Human Rights Conventions. Failure to do so only compounds the constitutional impasse that continually clogs the relations of the three branches of Government.

AMENDMENT OF PEACE CORPS ACT

Mr. SPARKMAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2914.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2914) to authorize the further amendment of the Peace Corps Act, which was, strike out all after the enacting clause and insert:

> That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1968" and "$115,700,000" and substituting "1969" and "$112,800,000", respectively.

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

ORDER OF BUSINESS

Mr. PROUTY. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3649—INTRODUCTION OF JOB OPPORTUNITIES ACT OF 1968

Mr. PROUTY. Mr. President, on behalf of myself and my distinguished friend, the junior Senator from Pennsylvania [Mr. SCOTT], I introduce a bill entitled Job Opportunities Act of 1968. I ask that the bill be appropriately referred, and I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

The bill (S. 3649) to provide private enterprise with incentives to employ and train unemployed and low-income unskilled persons residing in both urban and rural areas, and to provide community employment and training by Federal and local governments as the employer of last resort, introduced by Mr. PROUTY (for himself and Mr. SCOTT), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. PROUTY. Mr. President, I have long been concerned with the problems faced by our children, our elderly, and our disadvantaged citizens. As a result of my position on the Labor and Public Welfare Committee and as ranking minority member on the Education and the Employment, Manpower, and Poverty Subcommittees, I have been in a favorable position to identify and understand the problems involved and to try to do something about them.

The bill which Senator SCOTT and I are introducing today is an attempt to face up to our manpower problems in a realistic way and in a manner which we feel has a very good chance of being enacted by this Congress.

We are convinced, as I am sure many of our colleagues are, that the problems of training, employing, and upgrading our disadvantaged citizens cannot be successfully accomplished without the substantial involvement of private enterprise.

Accordingly, the primary purpose of our bill is to provide incentives to private enterprise not only to hire and train the hard-core unemployed but also to upgrade the skills of underemployed and low-income employees in order that they may progress up the job ladder. This not only will open promotional opportunities for qualified disadvantaged persons originally trained for positions at the bottom of the job ladder, but will also provide a more highly skilled general work force, which it is predicted our expanding economy will need and be able to fully utilize in the coming years.

Title I of this bill is intended to provide these incentives to private business, by providing that up to 25 percent of an employer's costs under a training plan approved by the Secretary of Labor may be reimbursed to the employer. Its provisions are patterned on those contained in S. 812, my Human Investment Act, giving tax credits to employers, which has been cosponsored in both the House and Senate by a substantial number of Republicans.

In our present economic situation, however, I think it is fairly obvious that no tax credit proposal will be enacted by this session of Congress. As a result, this title permits financial assistance through grants from the Secretary of Labor. An employer who receives a maximum grant of 25 percent will in fact be able to recover from just under 50 to 75 percent or more of his training costs through the combination of the grant and savings from the deduction of training expenses on the company's Federal tax returns.

Mr. President, I ask unanimous consent that two memorandums from the Legislative Reference Service of the Library of Congress dealing with this subject, dated June 3 and June 7, 1968, respectively, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PROUTY. Mr. President, in considering this analysis, it must be kept in mind that the bill I am introducing today provides a maximum grant of 25 percent, while these memorandums deal in terms of a maximum grant of 10 percent.

Title II of the bill which the junior Senator from Pennsylvania and I are introducing provides for community employment and training programs.

It is obvious that private business will not be able to immediately pick up all the slack in our need for additional employment and training programs. It is also clear that there are numerous Americans who, through no fault of their own, are not capable of obtaining or being trained for employment in private enterprise.

The general outline of our community employment and training program is similar to others which have been offered in the past, including my proposed amendment to the poverty bill last fall, cosponsored by my distinguished friend from Pennsylvania, which lost here in the Senate by a very narrow margin.

The innovative feature of our public works proposal involves the creation of a State council to plan and fund programs on a State basis under a plan approved by the Secretary of Labor. Sixty percent of the funds authorized for this title are designated for State use in programs designed to implement public service employment programs, with each States receiving a minimum allotment of $1 million.

It will be envisioned that State councils will be existing statewide comprehensive area manpower planning systems—CAMPS—expanded to include representatives of the general public such as from the ranks of labor, industry, social welfare, and agriculture. Prime sponsors who may submit applications to a State council to conduct community employment and training programs are limited to State agencies, local CAMPS organizations, and local community action organizations.

The Secretary of Labor, on the other hand, may provide financial assistance to any public agency or nonprofit private organization from the 40 percent of the authorization reserved for his use. State councils will be given 30-days' notice of any applications to the Secretary for direct funding in order to have the opportunity to comment on how the proposal fits into their over-all training plan.

This title is also designed to achieve equality of treatment for rural areas. It recognizes the impact on urban areas of outmigration, and provides that priority in filling positions be given to heads of households. I trust that my colleagues will seriously study this bill, and give it their support. The junior Senator from Pennsylvania and I do not believe that the country can afford to wait until next year to pass this legislation. We are convinced that our funding proposals are sufficient to get these programs off the ground and moving, yet modest enough to merit support in this time of fiscal instability.

Mr. President, I have also had prepared by the Library of Congress a section-by-section analysis of the Prouty-Scott bill, as compared to the provisions in the other pending manpower bills, S. 3063 and S. 3249. I ask unanimous consent that this also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

EXHIBIT 1

S. 3649

A bill to provide private enterprise with incentives to employ and train unemployed and low-income unskilled persons residing in both urban and rural areas, and to provide community employment and training by Federal and local governments as the employer of last resort.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Job Opportunities Act of 1968".

Findings and statement of purpose

SEC. 2. (a) The Congress finds that certain urban and rural areas in the United States are severely burdened by substantial problems of unemployment and underemployment; that many citizens are unable to obtain or retain productive jobs in the private sector of our economy as a result of lack of education, occupational skill or work experience, as a result of automation which continues to render obsolete many traditional skills, and as a result of artificial barriers to employment and occupational advancement; that the problem of unemployment and underemployment is aggravated by a sizable and continuing migration of unskilled and uneducated persons from rural areas to urban communities; that there is an urgent need to immediately develop job opportunities for all individuals residing in rural areas, thereby removing a major cause of such migration and reducing the problems which are contributing to social unrest and civil disorder in many urban localities; that there are certain disadvantaged persons who through no fault of their own have reached a stage in life where they can no longer be taught the skills required to obtain productive jobs in the private sector of our economy; and that unemployment and underemployment result in a tremendous loss of national productivity and are equally destructive of human dignity.

(b) It is, therefore, the purpose of this Act to provide incentives to American business to invest in the improvement of the Nation's manpower resources by hiring, training and employing presently unemployed persons lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed and to provide meaningful community employment and training in public services and other public employment positions for low income, unemployed, and underemployed persons.

TITLE I—HUMAN INVESTMENT JOB TRAINING

Statement of Purpose

Sec. 101. The purpose of this title is to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

Definitions

Sec. 102. For purpose of this title—

(a) The term "employer" means any private person, corporation, firm, or business concern which employs more than ten individuals in a trade or business, and any public corporation or institution engaged in a trade or business, or providing health or educational services.

(b) The term "employee training expenses" means—

(1) the wages and salaries of employees who are apprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training;

(2) the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962;

(3) the wages and salaries of employees who are participating in a cooperative education program involving alternate and approximately equal periods of study and employment in cooperation with—

(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Education to be an area voctaional education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88–210), or

(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89–287);

(4) tuition and course fees paid or incurred by the employer to—

(A) a school or college, or department or division of a school or college, which is certified by the United States Commissioner of Educaiton to be an area vocational education school as defined in section 8(2) of the Vocational Education Act of 1963 (Public Law 88–210), or

(B) a business or trade school, or technical institution or other technical or vocational school, which is certified by the United States Commissioner of Education to be an eligible institution as defined in section 17(a) of the National Vocational Student Loan Insurance Act of 1965 (Public Law 89–287)

for instruction of an individual in job skills necessary for and directly related to his employment by the employer or his continued employment with the employer in a position requiring additional job skills, and amounts paid or incurred by the employer to any such individual in reimbursement for such tuition and fees paid by such individual;

(5) home study course fees paid or incurred by the employer to any home study school accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education for instruction of an individual in job skills necessary for and directly related to his employment by the employer or his continued employment with the employer in a position requiring additional job skills, and amounts paid or incurred by the employer to any such individual in reimbursement for such individual;

(6) expenses of the employer for organized job training (including classroom instruction) provided by him including (but not limited to) expenses for the purchase or lease of books, testing and training materials, classroom equipment and related items, and instructors' fees and salaries, incurred in training any individual in job skills necessary for and directly related to his employment by the employer or his continued employment with the employer in a position requiring additional job skills;

(7) expenses of the employer for organized job training described in paragraph (6) provided by another employer, but only to the extent the expenses of providing such instruction would, if it were provided by the employer, constitute employee training expenses of the employer under paragraph (6) of this subsection; and

(8) expenses of the employer for organized job training described in paragraph (6) provided by a business or trade association, joint labor-management apprenticeship committee, or other similar nonprofit association, group, trust fund, foundation, or institution for an employee or prospective employee of any employer member of such association, committee, group, trust fund, foundation, or institution in job skills necessary for and directly related to his employment by such employer member or his continued employment with such employer member in a position requiring additional job skills.

(c) The term "organized job training" means job training according to a plan formulated or approved by the employer which contains—

(1) the title and description of the job objectives for which individuals are to be trained;

(2) the length of the training period;

(3) a schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

(4) the wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

(5) the entrance wage or salary paid to employees already trained in the kind of work for which the individuals are to be trained; and

(6) the number of hours of supplemental related instruction required.

Grants to encourage job training

Sec. 103. The Secretary of Labor is authorized to make grants to employers, in accordance with the provisions of this title, to pay not to exceed 25 per centum of employee training expenses of such employer.

Limitations

Sec. 104. (a) No grant may be made under this title except upon an application submitted by an employer at such times, in such manner, and containing or accompanied by such information, as the Secretary of Labor deems to be reasonably necessary.

(b) No grant may be made under this title unless the employee training expenses paid or incurred by the employer for which the grant is to be made is allowable as a deduction under section 162 (relating to trade or business expenses) of the Internal Revenue Code of 1954. For purposes of applying the preceding sentence, such expenses which are paid or incurred by the employer with respect to an individual who is not his employee shall be treated as paid or incurred with respect to an individual who is his employee.

(c) No grant may be made under this title for any employee training expense paid or incurred in training any individual in—

(1) management, supervisory, professional, or human relation skills;

(2) scientific or engineering courses creditable to a baccalaureate degree by an institution of higher education (as defined by the first sentence of section 103(b) of the National Defense Education Act of 1958);

(3) courses of a type determined by the Veterans' Administrator to be avocational or recreational in character under the authority of section 1673 of chapter 34 of part III of title 38, United States Code; or

(4) subjects not contributing specifically and directly to such individual's employment or prospective employment with the employer (or an employer member of an association, group, trust fund, foundation, or institution as used in paragraph (8) of section 102(b)).

This subsection shall not apply to—

(A) expenses described in paragraphs (4) and (5) of section 102(b) paid or incurred for courses and at institutions certified by a State apprenticeship agency (or where none exists, by the Bureau of Apprenticeship and Training) as eligible for inclusion in a registered apprenticeship program in an apprenticeable occupation listed by the Bureau of Apprenticeship and Training;

(B) expenses described in paragraphs (4) and (5) of section 102(b) paid or incurred for courses offered in a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge by an institution which is accredited or otherwise certified by the United States Commissioner of Education under paragraph 401(f)(5) of the Higher Education Facilities Act of 1963 (Public Law 88–204); or

(C) expenses described in section 102(b) for training which has been approved by the agency of a State that administers its State unemployment compensation law for individuals receiving unemployment compensation.

(d) No grant may be made under this title for any employee training expense for which the employer has been reimbursed by any other employer, by any association, group, trust fund, foundation, or institution, or by any State, local, or Federal Government program, grant, contract, or agreement.

(e) No grant may be made under this title for any employee training expense paid or incurred by the employer for training conducted on the territory of any foreign country.

(f) A grant may be made under this title for employee training expenses paid or incurred with respect to any one individual under either paragraph (3) or paragraph (4) of section 102(b), but may not be made for expenses concurrently paid or incurred with respect to such individual under both such paragraphs.

Coordination with Federal income tax laws

SEC. 105 (a) For purposes of applying chapter 1 of the Internal Revenue Code of 1954, any grant received by an employer under this title—

(1) shall not be included in the gross income of such employer, and

(2) shall not be treated as reimbursement for expenses incurred by such employer in his trade or business.

Authorizations

SEC. 106. (a) For the purposes of carrying out the provisions of this title, there is hereby authorized to be appropriated $450,000,000 for the fiscal year ending June 30, 1969, $600,000,000 for the fiscal year ending June 30, 1970, and $750,000,000 for the fiscal year ending June 30, 1971.

(b) Appropriations authorized by this section shall remain available until expended.

Short title

SEC. 107. This title may be cited as the "Human Investment Act."

TITLE II—COMMUNITY EMPLOYMENT AND TRAINING

Statement of purposes

SEC. 201. It is the purpose of this title to provide meaningful employment opportunities in public service and other community activities which contribute to the development of human potential, better the conditions under which people live, learn and work, and aid in the development and conservation of our Nation's natural resources thereby relieving severe unemployment in both urban and rural areas while contributing to the national interest by fulfilling unmet needs.

Definitions

SEC. 202. As used in this title—

(1) "Community employment and training program" means a program designed to create employment opportunities, including provisions for necessary training and supportive services, for low-income, unemployed, or underemployed persons who reside in eligible areas within a State, in public service and other community activities to be carried out by State and local public agencies and nonprofit private organizations. Such term includes establishment, operation, and strengthening of any such program;

(2) "Low-income person" means any such person as defined pursuant to section 125 of the Economic Opportunity Act of 1964;

(3) "Heads of families" shall include any person who contributes more than one-half the support of one or more persons;

(4) "Urban area" means any metropolitan area as defined by section 208(4) of the Demonstration Cities and Metropolitan Development Act of 1966;

(5) "Rural area" means any area in any State no part of which is within an area designated by the Secretary pursuant to section 203 as an urban area and in which there is no city whose population exceeds 50,000 inhabitants;

(6) "Secretary" means the Secretary of Labor;

(7) "State" means each of the several States and the District of Columbia; and

(8) "State Council" means a State Manpower Coordinating Council, composed of not more than 20 persons established pursuant to State law or established by the chief executive of the State for purposes of this title, or an existing agency designated for the purposes of this title, which Council shall be broadly representative of the manpower and training resources of the State, including persons representative of—

(A) State agencies administering manpower, employment and training programs;

(B) State agencies administering apprenticeship and vocational education programs;

(C) State agencies administering social welfare, industrial development, labor, poverty and agriculture programs;

(D) the official within such State representing the Bureau of Apprenticeship and Training of the U.S. Department of Labor; and

(E) the general public, including industry, labor, social services and agriculture.

Eligible areas

SEC. 203. (a) The Secretary shall designate urban and rural areas to be eligible for assistance under this title. Eligible urban areas shall contain a high concentration of low-income families and individuals and shall have severe problems of unemployment and underemployment. Eligible rural areas shall contain a high proportion of low-income families and individuals and shall have severe problems of unemployment and underemployment, or a substantial emigration of individuals residing in such areas as a result of the problem of finding employment.

(b) The Secretary may define eligible areas under this section without regard to political boundaries. In defining such boundaries, however, the Secretary shall give due consideration to (1) boundaries of regional planning and development districts established by State planning agencies or by the chief executive of the State, and (2) to boundaries of existing areas to the extent practicable established for the purposes of the Economic Opportunity Act of 1964, the Public Works and Economic Development Act of 1965, the Appalachian Regional Development Act of 1965, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant provisions of Federal law.

Authorization of appropriations and distribution of funds

SEC. 204. (a)(1) For the purpose of carrying out the provisions of this title, except the provisions of section 211, there is hereby authorized to be appropriated the sum of $300,000,000 for the fiscal year ending June 30, 1969; the sum of $400,000,000 for the fiscal year ending June 30, 1970; and the sum of $500,000,000 for the fiscal year ending June 30, 1971.

(2) For the purpose of making loans under section 210 of this title, there is hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1969; the sum of $40,000,000 for the fiscal year ending June 30, 1970; and the sum of $25,000,000 for the fiscal year ending June 30, 1971.

(3) Appropriations authorized by this subsection shall remain available until expended.

(b) From the sums appropriated pursuant to section 204 (a) (1) for any fiscal year, the Secretary shall reserve up to 40 per centum for the direct funding of community employment and training programs, allot the remainder of such sums among the States in accordance with such uniform standards as the Secretary shall prescribe. In arriving at such standards the Secretary shall consider the following: (1) the proportion which the population of a State bears to the population of all the States, (2) the proportion which the average family income of a State bears to the average family income in all States; and (3) the proportion which the unemployed in a State during the preceding calendar year bears to the number of unemployed in all States during the preceding calendar year.

(c) Any portion of an allotment of a State under subsection (b) of this section for any fiscal year which the Secretary determines will not be required for the period for which such allotment is made, shall be available after the ninth month in such year for grants pursuant to section 205, but only after the Secretary furnishes such State 30 days prior notice of his intention to make a determination under this subsection.

(d) Not to exceed 50 per centum of the funds available to a State council under this title may be used to implement community employment and training programs operated by State agencies.

(e) In any State which has not submitted a State plan, or in any State where a submitted State plan or modification thereof has been disapproved by the Secretary, funds allocated to such State under subsection (b) shall be made available to qualified applicants in that State directly by the Secretary pursuant to section 205.

(f) Not more than 12½ per centum of the sums appropriated for any fiscal year to carry out the provisions of this title may be used within any one State.

Financial assistance

SEC. 205. (a) From funds reserved pursuant to section 204 (b) the Secretary is authorized to provide financial assistance to public agencies and nonprofit private organizations having applications approved by him pursuant to section 207 to pay part or all of the costs of community employment and training programs.

(b) From funds allotted to each State pursuant to section 204(b) the Secretary is authorized to provide financial assistance to State councils having a State plan approved pursuant to section 206 to pay part or all of the costs of community employment and training programs.

(c) Financial assistance under this section shall include but need not be limited to, public service and community activity job opportunities in such fields as health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, beautification, and other fields of human betterment and public improvement. Such jobs shall include (1) those which can be made available immediately to persons who are otherwise unable to obtain adequate employment, (2) those which provide placement resources for persons completing training under titles I and V of the Economic Opportunity Act of 1964 and other relevant manpower training programs, and (3) those which use the skills of unemployed persons in areas with a chronic labor surplus. Priority shall be given to projects which are labor intensive in character. To the extent possible, such programs shall be designed to facilitate the placement of persons employed in such jobs in private employment and training under title I of this Act and in regular competitive employment, including the encouragement of private employers to adopt innovative approaches which create or make available additional jobs and new types of careers for unemployed, underemployed, and low-income persons.

(d) Up to 25 per centum of the funds available to the Secretary or a State Council under this title, as the case may be, may be used for the purpose of carrying out training programs under the Manpower Development and Training Act of 1962, part B of title I of the Economic Opportunity Act of

1964, and other relevant Federal training programs if it is determined by the Secretary or the State Council, as the case may be, that this is the most effective method of providing opportunities for further education, training and necessary supportive services for program participants in order to prepare them to obtain regular competitive employment in the future.

State plans

SEC. 206. (a) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall establish a State Council and through such Council shall—

(1) set forth dates before which State agencies, local comprehensive area manpower planning agencies, and community action agencies eligible under section 122 of the Economic Opportunity Act of 1964 shall submit applications for grants to such State Council to carry out community employment and training programs in eligible areas;

(2) review applications from such agencies or organizations;

(3) prepare and submit through the chief executive of such State the State plan required by this section at such time and in such detail as the Secretary deems necessary;

(4) develop and maintain definitive and comprehensive information on the number and characteristics of the unemployed and underemployed in the State, up-to-date information on present and projected future employment opportunities in the State, and effective means of bringing job seekers and employment opportunities together in an expeditious manner;

(5) provide planning and technical advice to grantees and applicants, and otherwise assist them in coordinating and consolidating community employment and training programs; and

(6) develop methods of improving communications among manpower agencies, identify areas not covered by existing manpower programs and unnecessary duplications in such programs, and recommend the manner in which such programs may be combined or more efficiently funded.

(b) The Secretary shall approve a State plan or modification thereof if he determines that the plan submitted for that fiscal year—

(1) sets forth a community employment and training program;

(2) sets forth administrative organization and procedures in such detail as the Secretary may by regulation prescribe;

(3) sets forth criteria for achieving an equitable distribution of assistance under this title within the State, which criteria shall be based on—

(A) the geographic distribution of eligible areas within such State,

(B) the concentrations or proportions of unemployed, and the estimated concentrations or proportions of underemployed and low-income persons in such areas,

(C) the estimated number and trends in the movement of job opportunities in private enterprise, and

(D) the estimated movement of unemployed, underemployed, and low-income persons to and from such areas;

(4) contains satisfactory procedures to be followed by such State Council for coordinating and consolidating community employment and training programs assisted under this title with similar programs assisted under other provisions of Federal law, including such programs assisted under the Social Security Act;

(5) provides for adoption of effective procedures for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State Council assisted under the State plan in meeting the purposes of this title and for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects;

(6) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Secretary, by regulation) that would, in the absence of such Federal funds, be made by the applicant for the purposes of this title;

(7) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(8) provides for making an annual report and such other reports, in such form and containing such information, as the Secretary may reasonably require to carry out his functions under this title, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (5) of this subsection, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(9) provides that final action with respect to any application (or modification thereof) regarding the proposed final disposition thereof shall not be taken without first affording the applicant submitting such application reasonable notice and opportunity for a hearing.

(c) The Secretary shall not finally disapprove any State plan submitted under this section, or any modification thereof, without affording the State Council submitting the proposed plan reasonable notice and opportunity for a hearing.

Applications

SEC. 207. (a) A grant under this title pursuant to an approved State plan or by the Secretary for a community employment and training program may be made only upon application to the appropriate State Council or to the Secretary, as the case may be, at such time or times, in such manner, and containing or accompanied by such information as the Secretary deems necessary. Such applications shall—

(1) provide that the activities and services for which assistance is sought under this title will be administered by or under the supervision of the applicant and identify the agency or agencies designated to carry out such activities or services;

(2) set forth a community employment and training program, with adequate procedures to assure priority for eligible persons who are heads of households, and in sufficient detail to describe—

(A) the unemployed, underemployed and low income persons to be assisted by such programs, together with a description of the methods to be used to recruit and select such persons;

(B) the title and description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired, and the approximate duration for which participants would be assigned to such jobs;

(C) the wages or salaries to be paid participants and a comparison with the prevailing wages in the area for similar work;

(D) the education, training, and supportive services which complement the work performed and which will prepare participants for regular, competitive employment in the future;

(E) the placement activities for participants, including a description of probable future job opportunities;

(F) the means to be employed to assure full participation and maximum cooperation among local public officials, representatives of business and labor, and residents of eligible areas in the development of the program and a description of their respective roles, if any, in the conduct and administration of such program;

(3) set forth procedures for coordinating at the local level the program for which assistance is being sought and other relevant federally assisted programs, including programs assisted under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, the Public Works and Economic Development Act of 1965, and Demonstration Cities and Metropolitan Development Act of 1966;

(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and to the extent practical increase the level of funds that would in the absence of such Federal funds be made available in the area to be served by the applicant for the purposes described in section 201 and in no case supplement those funds;

(5) provide, in the case of an application made directly to the Secretary, adequate procedures to assure that such application has been submitted to the appropriate State Council for comment at least 30 days prior to the submission of such application to the Secretary;

(6) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for the Federal funds paid to the applicant under this title; and

(7) provide for making an annual report and such other reports in such form and containing such information as the Secretary may reasonably require to carry out his functions under this title and for keeping such records and affording such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports.

(b) An application, or modification, or amendments thereof, for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and meets the requirements set forth in subsection (a).

Special conditions

SEC. 208. (a) No financial assistance shall be provided for any program under this title unless it is determined by the Secretary or the appropriate State Council, as the case may be, pursuant to regulations prescribed by the Secretary, that—

(1) no participant will be employed on projects involving political parties, or the construction, operation or maintenance of so much of any facility as is used or as is to be used for sectarian instruction or as a place for religious worship;

(2) the program will not result in displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(3) wages paid a participant shall not be lower than, whichever is the highest of (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the participant and he was not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rate of wages in the area for similar work;

(4) the program will, to the extent appropriate, contribute to the occupational development or upward mobility of individual participants.

(b) For programs assisted under this title related to physical improvements preference shall be given to those improvements which will be substantially used by low-income persons and families in urban or rural areas having concentrations or proportions of low-income persons and families.

(c) Programs assisted under this title shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement, including civil service requirements which restrict employment opportunities for the disadvantaged.

Withholding

SEC. 209. Whenever the Secretary, after reasonable notice and opportunity for hearing finds that there has been a failure by an applicant to comply substantially with any requirement set forth in the application of such applicant or the State Council to comply substantially with any requirement set forth in the plan of that State approved under this title, the Secretary shall notify the applicant or State Council that further payments will not be made to the applicant or State Council under this title (or, in his discretion, that the applicant, or State Council shall not make further payments under this title to agencies and organizations receiving assistance from it and affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the applicant or State Council under this title, or payments by the applicant or State Council under this title shall be limited to agencies and organizations not affected by the failure, as the case may be.

Loans

SEC. 210. (a) From sums appropriated pursuant to section 204 (a) (2) the Secretary is authorized to make loans to public agencies and private organizations for the purchase of supplies and equipment which support community employment and training programs assisted under this title.

(b) Loans authorized under this section may be made without interest and under such other terms and conditions as the Secretary may prescribe.

Administration

SEC. 211. (a) In administering the provisions of this title the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

(b) (1) The Secretary shall pay to each applicant which has an application approved by him pursuant to section 207 from funds reserved by him, and to each State Council which has a State plan approved by him under section 206 from funds allotted to such State, the amount necessary to carry out the cost of the programs pursuant to such application or plan.

(2) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

Reports

SEC. 212. The Secretary shall submit to the Congress a report on the progress made in implementing this title together with such recommendations, including recommendations for additional legislation, as he deems advisable on or before May 15, 1969, November 15, 1969, and on or before May 15 and November 15 of each year thereafter.

EXHIBIT 2

[From the Library of Congress, Washington, D.C., June 3, 1968]

To: Hon. Lister Hill, Chairman, Senate Committee on Labor and Public Welfare.

From: Economics Division.

Subject: Comparison of several employee training bills.

This memorandum is in partial response to your letter of May 22 in which you request information on several bills. It is concerned with your question "whether the 10 percent reimbursement allowance under their proposed bill will result in as much financial assistance to a participating employer as would be received under the 10 percent tax credit provisions in S. 812." The part dealing with Senator Javits' amendment will be forwarded to you as soon as we have completed our evaluation of it.

In most cases the 10 percent tax credit and the 10 percent reimbursement would be expected to provide the same financial benefit to the employer. This presumes, however, that:

(1) The same type of expenses qualify for the tax credit as for the reimbursement.

(2) The amount of reimbursement would be set by the Secretary of Labor at 10 percent and not at a lower percentage. The bill authorizes the Secretary of Labor to make grants to employers *up to 10 percent* of employee training expenses.

(3) The amount and method of distribution of the appropriation available for grants will be sufficient to reimburse eligible employers for 10 percent of the qualifying expenses.

A tax credit, as distinguished from a deduction from income, provides the taxpayer a tax saving equivalent to the tax credit. Thus, if an employer is allowed a tax credit equal to 10 percent of his training expenditures, and incurs $1,000 training expenses, the credit will reduce the employer's tax liability by $100.[1] Similarly, if the employer is granted a 10 percent reimbursement for training expenses he would receive a Government payment equal to $100.[2]

Under certain circumstances described below, the ten (10) percent tax credit may provide less financial benefit than the reimbursement of 10 percent of the training expenses.

If an employer has no taxable income during the taxable year in which the training expenses are incurred, he would have no tax liability in the current year against which to offset the tax credit. Also, the employer may be unable to take advantage of the full credit, because of the limitation of the amount of tax credit based on the current year's tax liability. Thus, the taxpayer may not be able to offset the tax credit in whole or in part against the current year's tax liability. The reimbursement, however, would be equal to the full 10 percent of the training expenses regardless of the profits or tax liability of the employer.

S. 812 provides, however, that if an employer is entitled to a tax credit, but either has no tax liability in the current year against which to offset the credit, or cannot use the full credit because of the limitation to the credit based on the curent year's tax liability, the unused amount of credit may be offset against tax liabilities of other years. Thus, a taxpayer may be able to carry back the full amount of his unused credit for three years prior to the current taxable year.[3] If so, he will obtain a tax saving equivalent to the full 10 percent tax credit. If, however, any credit is still unused, it may be carried forward for seven years subsequent to the current taxable year until fully used. If the employer is able to use up the credit within this seven year period, his tax saving from the credit will be 10 percent of the expenses. However, he will sustain a financial cost to the extent that he has lost the earning power of the funds for the period of 1-7 years during which the full credit was used. If the taxpayer is unable to use his full credit during the seven year carry forward period, the unused amount will be lost. Thus, the employer would receive a tax benefit in an amount less than 10 percent of the expenses, and also lose the amount of income that he would have earned on the funds if he had obtained a full 10 percent tax credit in the taxable year in which the expenses were incurred.

As a supplementary comment, we wish to note the bill which proposes a 10 percent reimbursement may in some cases grant less favorable tax treatment to the employee than S. 812 allows. Section 5 of S. 812 specifically provides for an exclusion from the employee's gross income certain tuition fees paid by the employer. We have not identified any similar exclusion in the reimbursement bill.

[From the Library of Congress, Washington, D.C., June 7, 1968]

To: Senate Committee on Labor and Public Welfare, Attention: Mr. Peter C. Benedict.

From: Economics Division.

Subject: Comparison of several employee training bills.

This is in further response to your request for a comparison of several proposals which provide a financial incentive to employers who incur employees' training expenses.

Our memorandum of June 3 compared the financial benefit provided in Senator Prouty's bill, S. 812, with his proposal to grant employers a reimbursement for a percentage of training expenses. As our memorandum pointed out, it could be expected that basically the two proposals would provide a similar benefit. Thus, in comparing these proposals to Senator Javits' Amendment No. 679 to S. 3249, we will limit our comparison of the amendment with S. 812. This will simplify our presentation.

Both S. 812 and Amendment No. 679 allow an incorporated or unincorporated business to reduce its tax liability by a tax credit equal to a specified percentage of certain expenses incurred for training employees.

S. 812 provides that a tax credit will be allowed for wages, tuition fees, and other related expenses connected with a training program. Related expenses would include such expenditures as books and materials. Senator Javits' amendment would be more restrictive in its coverage since it covers only wages.

S. 812 provides a tax credit equal to ten percent of the qualifying expenses. Senator Javits' amendment to S. 3249 provides for a tax credit based on a sliding scale as follows:

(1) 75% of the qualifying wages paid during the first 6 months of employment;

(2) 50% of the qualifying wages paid during the second 6 months of employment;

---

[1] This of course is in addition to the tax saving resulting from deducting the $1,000 training expenses in computing taxable income. Your bill does not disallow any of this deduction.

[2] The employer will realize the full $100 benefit since your bill does not require the employer to include this payment in his income, nor does the bill require the employer to reduce the $1,000 deduction he is allowed for the training expenses in computing taxable income.

[3] There is a temporary limitation on the carryback provision, however, because the bill provides that the unused credit may not be carried back to any year prior to 1967.

(3) 25% of the qualifying wages paid during the second year of employment.

The following example illustrates the tax benefits that would be derived from the tax credit proposal in S. 812 and Amendment No. 679.[1]

ILLUSTRATION OF AMOUNTS OF TAX CREDITS PROVIDED UNDER S. 812 AND UNDER SENATOR JAVITS' AMENDMENT TO S. 3249 FOR EMPLOYEES RECEIVING WAGES AT AN ANNUAL RATE OF $4,000 FOR DIFFERENT PERIODS OF TRAINING

	Employee trained for 6 months	Employee trained for 1 year	Employee trained for 2 years
Tax credit under S. 812	$200	$400	$800
Tax credit under Senator Javits' amendment to S. 3249	1,500	2,500	3,500

The amounts under S. 812 were computed simply by multiplying the wages by 10 percent. The total wages of $8,000 for the two-year period, for example, were multiplied by 10 percent to derive a tax credit equal to $800. The amounts under Senator Javits' proposal were computed as follows:

(a) For the 6-month period:
$2,000 × 75 percent = $1,500

(b) For the 1-year period:
$2,000 × 75 percent = $1,500
2,000 × 50 percent = 1,000
2,500

(c) For the 2-year period:
$2,000 × 75 percent = $1,500
2,000 × 50 percent = 1,000
4,000 × 25 percent = 1,000
3,500

Since the tax credit proposal provided by Senator Javits' amendment is very liberal, particularly for the early period of employment, it may be helpful to compare the overall tax benefit provided by the amendment and also by S. 812.

As noted above, under both proposals, the tax credit would be allowed in addition to the currently allowed deduction from income for the amount of the expenses. (The table below compares this overall tax benefit provided by the amendment and S. 812.) In compiling the table, we assumed training expenses equal to $4,000 for one year in order to compare the actual tax savings under both proposals. The illustration uses a small corporation and a large corporation. Additional comparisons could be made by including unincorporated businesses.

ILLUSTRATION OF FEDERAL CORPORATE INCOME TAX SAVINGS TO EMPLOYERS WHO INCUR $4,000 EMPLOYEE TRAINING EXPENSES, AS PROPOSED (I) UNDER S. 812, AND (II) UNDER SENATOR JAVITS' AMENDMENT NO. 679 TO S. 3249

I. UNDER S. 812

	Corporation with $50,000 gross income		Corporation with $500,000 gross income	
	Incurs no training expenses	Incurs $4,000 training expenses	Incurs no training expenses	Incurs $4,000 training expenses
A. Tax liability computations:				
Gross income	$50,000	$50,000	$500,000	$500,000
Less deductions except for training expenses	25,000	25,000	250,000	250,000
Subtotal	25,000	25,000	250,000	250,000
Less training expenses	0	4,000	0	4,000
Taxable income	25,000	21,000	250,000	246,000
Tax liability before tax credit	5,500	4,620	113,500	111,580
Less tax credit for training expenses	0	400	0	400
Tax liability after tax credit for training expenses	5,500	4,220	113,500	111,180
B. Tax savings attributable to:				
Deduction for training expenses	0	880	0	1,920
Tax credit for training expenses	0	400	0	400
Total	0	1,280	0	2,320

II. UNDER SENATOR JAVITS' AMENDMENT NO. 679 TO S. 3249

	Corporation with $50,000 gross income		Corporation with $500,000 gross income	
	Incurs no training expenses	Incurs $4,000 training expenses	Incurs no training expenses	Incurs $4,000 training expenses
A. Tax liability computations:				
Gross income	$50,000	$50,000	$500,000	$500,000
Less deductions for training expenses	25,000	25,000	250,000	250,000
Subtotal	25,000	25,000	250,000	250,000
Less training expenses	0	4,000	0	4,000
Taxable income	25,000	21,000	250,000	246,000
Tax liability before tax credit	5,500	4,620	113,500	111,580
Less tax credit for training expenses	0	2,500	0	2,500
Tax liability after tax credit for training expenses	5,500	2,120	113,500	109,080
B. Tax savings attributable to:				
Deduction for training expenses	0	880	0	1,920
Tax credit for training expenses	0	2,500	0	2,500
Total	0	3,380	0	4,420

From the preceding table, several general observations can be made:

(1) The deduction for training expenses provides a larger tax benefit for the larger corporation than for the small corporation. This is not due, however, to any differences in the two proposals, but rather results from the difference in the tax rates applicable under current law to the small and large corporations.[2]

(2) The tax credit does not vary according to the size of the corporation. The table shows that under S. 812 training expenses amounting to $4,000 will provide a tax credit equal to $400 for the small corporation as well as the large corporation. Similarly, Senator Javits' amendment to S. 3249 provides a tax credit equal to $2,500 for both the small and large corporation.

(3) The tax saving provided by Senator Javits' amendment is substantially more liberal than that provided under S. 812. In fact, the large company derives a tax saving in excess of the amount expended for training expenses. The large company, in our illustration, reduces its tax liability by $4,420 as a result of training expenses equal to $4,000. It should be noted here, however, that the tax credit is diminished considerably (to 25 percent of the training expenses) in the second year of employment of the employee; and then is no longer granted after two years.

Certain additional observations that are not illustrated in our table can also be made. Senator Javits' amendment would generally provide a substantially larger tax credit than S. 812 for the same amount of qualifying expense. However, due to certain restrictions and limitations, fewer expenses may qualify for the credit under the amendment than under S. 812. This could reduce, or possibly eliminate in some situations, the advantage of the higher percentage tax credit allowed under the amendment.

S. 812 allows a tax credit for wages, tuition fees, and related expenses, while Amendment No. 679 limits the tax credit to wages. The amendment sets forth other limitations which are not included in S. 812. The amendment limits the credit to expenses incurred during the first two years of employment of the trainee. It also limits the number of employees for which the employer may take a tax credit. The ceiling varies, depending on the total number of employees in the company. The amendment also disallows the tax credit if a full period of employment is not completed by the employee (except for reason of death or disability). If the employee who is receiving the qualifying wages terminates his employment during the first 6 months, the wages paid during the period of less than 6 months will not qualify for the credit. Similar limitations are provided for the second 6-month period and for the second year of employment.

---

[1] Neither proposal disallows a deduction for the training expenses in computing taxable income.

[2] For the same size deduction, a corporation with less than $25,000 taxable income derives a smaller tax benefit than a corporation with more than $25,000 income. The larger corporation (which is taxed at a rate of 48 percent on income over $25,000, derives a tax saving equal to $48 for each additional $100 deduction. The small corporation (which is taxed at a rate of 22 percent) derives a tax saving of only $22 for a $100 deduction. Owners of unincorporated businesses would derive varying tax benefits depending on their so-called "tax brackets." For example, a married taxpayer with taxable income of $15,000 is in the 25 percent tax bracket (i.e. 25% is the highest marginal tax rate at which any of his income is taxed) would derive a tax saving equal to $25 for an additional $100 deduction.

EXHIBIT 3

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
Findings **Sec. 2. (a) In certain urban and rural areas in the U.S., a substantial problem of unemployment and underemployment exists. Citizens are unable to obtain or retain productive jobs due to their lack of education, occupation skills or work experience and/or as a result of automation or artificial barriers. The problem is aggravated by sizable and continuous migrations from rural to urban areas.**	Sec. 2. (a) Similar to Job Opportunities Act of 1968.	TITLE I—AMENDMENTS TO THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962 Sec. 101. Section 101 of the M.D.T.A. is amended to read as follows: Sec. 101. (a) and (b) Similar to Sec. 2(a). Sec. 101. (c) Would establish a comprehensive national policy to assure all citizens an opportunity for useful work and training. This policy would be founded on the following principles: (1) Private enterprise has the basic responsibility and maximum ability to provide job training and employment. (2) Government assistance should encourage and complement private efforts through education, training, job development, upgrading skills and supportive assistance. (3) Government's responsibilities shall include the development of meaningful employment opportunities in public service to fulfill critical needs and relieve unemployment would recognize the fact that numerous individuals, because of age, poor health or other disability cannot be helped through employment or training programs and should be given some form of income maintenance.
Sec. 2. (b) Purpose of this Act would be to provide incentives to American business to train and employ the unskilled, to upgrade skills of the employed, and to provide employment and training in public services.	At the same time, there is a great need for additional community services and facilities. Where possible private employers should provide the training and services necessary to enable the unemployed and underemployed to fill jobs in the private sector. Sec. 2. (b) Purpose of this Act would be to provide public and private opportunities in community service to relieve unemployment and underemployment and to provide incentives to private employers (other than nonprofit) to hire, train, and employ low income and unemployed persons residing in areas of severe unemployment and underemployment.	
TITLE I—HUMAN INVESTMENT JOB TRAINING Sec. 101. Would provide incentives to American business to hire and employ the unskilled, and to upgrade employed workers for new job opportunities.	TITLE II—PRIVATE ENTERPRISE EMPLOYMENT AND TRAINING	
Definitions Sec. 102. (a) "Employer" would mean any private person, corporation, firm, or business concern employing more than ten individuals, or public corporation or institution engaged in trade, business or health or educational services. (b) "Employee training expenses" would mean: (1) Wages or salaries of employees who are apprentices. (2) Wages or salaries of employees who are enrolled in on-the-job training pursuant to the MDTA. (3) Wages or salaries of employees who are in a cooperative education program, involving either (a) An area vocational education school (b) A technical institution or vocational school (4) Tuition and course fees paid or incurred by employer to: (a) An area vocational education school (b) A technical institution or vocational school for instruction necessary and related to any individual's initial employment or continued employment in a position requiring additional skills. (5) Home study course fees paid or incurred by an employer, necessary and related to an individual's initial employment or continued employment in a position requiring additional skills. (6) Employers' expenses related to job training, such as classroom instruction, purchase of books, testing and training materials, classroom equipment and instructor's fees. (7) Employers' expenses related to job training actually provided by other employers, to the extent that such training expenses would be allowable if incurred by employers directly. (8) Expenses of training provided by a business or trade association, joint labor-management committee, or other non-profit association for training an employee or prospective employee in job skills necessary and related to his initial employment or continued employment in a position requiring additional skills.	*Definition* Sec. 201. "Employer" would mean any private person, corporation, firm, or business concern employing more than ten individuals in a trade or business.	

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(c) "Organized job training" would mean training according to approved plans containing: (1) Title and description of job objectives (2) Length of training period (3) List of tasks to be learned, and approximate length of time to be spent on each (4) Wage paid at beginning of training, at each step, and at conclusion of training (5) Entrance salary paid to employees already trained for comparable work (6) Number of hours of supplemental related instruction required	*Training Plan* Sec. 203. No financial assistance would be provided until approval by the Secretary of a plan submitted by an employer revised from time to time and including: (1) Description of eligible areas from which participants would be recruited (2) Description of methods used to recruit including specific eligibility criteria (3) Title and description of job objectives. (4) Identical to sec. 102(c) (2–6). (5) Identical to sec. 102(c) (2–6). (6) Identical to sec. 102(c) (2–6). (7) Identical to sec. 102(c) (2–6). (8) Identical to sec. 102 (c) (2–6). (9) Information as to cost of usual training and service provided employees other than those eligible under this Act, to make such employees productive (1) Committtment to meet requirements of Title III (General Provisions and Limitations)	
Grants to encourage training Sec. 103. Would authorize Secretary of Labor to make grants to employers to pay up to 25% of their training expenses.	*Financial assistance* Sec. 202. Would authorize the Secretary to provide financial assistance to employers for training and employment costs incurred pursuant to an approved plan under section 203, including: (1) Cost of unusual training and services during period of trainees marginal productivity. (2) All or part of employer costs of recruitment of unemployed or low income persons. (3) Payments to permit employers to provide transportation to and from work or to reimburse employees for costs of such transportation. (4) Unusual overhead costs incurred as result of employee's lack of education, training or experience.	
Limitations Sec. 104. (a) No grants would be made unless employer's application contains all information and is submitted in time and manner deemed necessary by Secretary of Labor. (b) No grant would be made except where employers' employee training expenses are deductible from Federal income taxes under section 162 of Internal Revenue Code of 1954 as trade or business expense. Comparable training expenses for individuals not employed by employers would be allowed in determining amount of grant to employers. (c) No grants would be made for training in— (1) Management supervisory, professional or human relation skills. (2) Scientific or engineering courses creditable to a baccalaureate degree. (3) Vocational or recreational courses as determined by the Veterans' Administrator. (4) Subjects not related to individual's employment or prospective employment. This subsection would not apply to: (a) Apprenticeship courses. (b) Courses preparing students as technicians at a semiprofessional level. (c) Training provided in conjunction with a State's unemployment compensation law. (d) No grants would be made to an employer who has already been reimbursed for training expenses. (e) No grants would be made for training in a foreign country. (f) No grant would be made to cover training expenses of individuals enrolled in both an area vocational education school and technical institution, or vocational school, but grants would be applicable to expenses of individual trained in one of these programs.	*Safeguards* Sec. 204. Secretary would prescribe regulations to prevent abuses of incentives, such as using such incentives to transfer enterprise to another area, or as subsidy for normal operations.	
Coordination with Federal income tax laws Sec. 105. A grant received by an employer— (1) Would not be included in his gross income.		

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(2) would not be treated as reimbursement for expenses in his trade or business for Federal income tax purposes. *Authorizations* Sec. 106. (a) authorized to be appropriated for fiscal year 1969, $450,000,000; fiscal year 1970, $600,000,000; fiscal year 1971, $750,000,000. (b) Appropriation authorized would be available until expended. Sec. 107. This title may be cited "Human Investment Act."	Sec. 308(b) Authorized to be appropriated for fiscal year ending June 30, 1969 and for each succeeding fiscal year such sums as may be necessary to employ— (1) 150,000 participants on or before June 30, 1969. (2) 300,000 participants on or before June 30, 1970. (3) 600,000 participants on or before June 30, 1971. (4) 1,200,000 participants on or before June 30, 1972. Sec. 308(c). Identical.	
TITLE II. COMMUNITY EMPLOYMENT AND TRAINING *Statement of purpose* Sec. 201. Would provide employment opportunities in public service to relieve unemployment.	TITLE I. COMMUNITY EMPLOYMENT AND TRAINING	Sec. 103. The Manpower Development and Training Act of 1962 is amended by adding at the end a new Title IV—Community Service Employment Program. *Purpose* Sec. 401. Would provide public and private employment opportunities in community service occupations for unemployed and low income residents of urban and rural areas. Would prepare persons for jobs in private sector, increase opportunities for local entrepreneurship by creating local service companies and meet national needs for community services.
Definitions Sec. 202. (1) "Community employment and training programs" would be designed to create employment opportunities in public service operated by State and local public agencies and nonprofit private organizations. Would include strengthening of already existing programs. (2) "Low-income persons" would be defiend by Sec. 125 of Economic Opportunity Act of 1964. (3) "Heads of families" would be persons who contribute more than ½ the support of 1 or more persons. (4) "Urban area" would be any metropolitan area as defined by the Demonstration Cities and Metropolitan Development Act of 1966.	Sec. 302. Similar except that participants in both community employment and training, and private employment and training, must be unemployed or low-income persons residing in eligible areas. "Low-income" would be defined by Sec. 125 of the Economic Opportunity Act of 1964.	*Definitions* Sec. 402. (1) "Community Service employment programs" would be programs providing public or private work and training opportunities to unemployed and low-income persons in public service. (2) "Low-income" identical to Sec. 202 (2) [Col. 1]. (3) "Local service company" would mean a corporation, partnership, or other business entity organized to operate a community service employment program owned in part by unemployed or low income residents of 1 or more eligible areas. (4) "Secretary" would mean the Secretary of Labor. (5) "State" would mean each of the States and D.C. (6) "State agency" would be the agency designated by the Governor of each State or officer chosen by him to develop and carry out the State plan for these purposes.
(5) "Rural area" would mean any area within a State not defined as urban area by the Demonstration Cities Act, and in which there is no city which exceeds 50,000 inhabitants. (6) "Secretary" would mean Secretary of Labor. (7) "States" would mean each of the States and District of Columbia. (8) "State council" would mean State Manpower Coordinating Council or an existing agency composed of not more than 20 persons designated to represent the manpower and training resources of the State, including representatives of manpower training, vocational education, apprenticeship, welfare, poverty and agriculture programs, and the general public.		
Eligible areas Sec. 203. (a) Eligible areas would contain high concentrations or proportions of low-income families and individuals, and would have severe problems of unemployment and underemployment, or substantial emigration of individuals from rural to urban areas.	*Eligible areas* Sec. 301. Similar except provisions apply to both community employment and training and private employment and training.	*Eligible areas and prime sponsors* Sec. 404. (a) Eligible areas would be defined as areas having high concentrations or proportions of unemployed or low income persons. A community program area designated under Sec. 121 of Economic Opportunity Act would be eligible. The Secretary would consult with other Federal agencies to establish coterminous or complimentary boundaries for planning purposes.

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(b) In declaring areas eligible, consideration would be given to existing boundaries established by State regional planning agencies. In the case of multi-jurisdictional areas, consideration would be given to the views of the chief executive of the State, and also to the boundaries established by existing Federal legislation.		(b) For each eligible area the Secretary would recognize a public or private nonprofit organization as a prime sponsor to receive funds under sec. 405. A prime sponsor recognized under the provisions of sec. 122 of the Economic Opportunity Act would be deemed to be the prime sponsor for its eligible area.
Authorization of Appropriations and Distribution of Funds		*Authorization of Apropriations and Distribution of Funds*
Sec. 204. (a) (1) Authorization of Appropirations—(excludes Sec. 211). Fiscal year 1969, $300,000,000. Fiscal year, 1970, $400,000,000. Fiscal year 1971, $500,000,000. (2) For the purpose of making loans under Sec. 210 there would be authorized to be appropriated. Fiscal year 1969, $50,000,000. Fiscal year 1970, $40,000,000. Fiscal year 1971, $25,000,000.	Sec. 308. (a) And authorized to be appropriated for fiscal year 1969 and for each succeeding year thereafter, such sums as may be necessary to employ: (1) 300,000 participants on or before June 30, 1969. (2) 600,000 participants on or before June 30, 1970. (3) 1,200,000 participants on or before June 30, 1971. (4) 1,200,000 participants on or before June 30, 1972. Sec. 308. (c) Identical.	Sec. 403. (a) fiscal year 1969, $400,000,000. Fiscal year 1970, $500,000,000.
(3) Appropriations authorized would remain available until expended. (b) From the sums appropriated pursuant to section 204(a)(1) for any fiscal year, the Secretary would reserve up to 40% for direct funding of community employment and training programs. He would allot one million dollars to each State, and in allotting the remainder among the States would consider the following: (1) The proportion which the population of a State bears to the population of all the States (2) The proportion which the average family income of a State bears to the average family income in all States (3) The proportion which the unemployed in a State during the preceding calendar year bears to the number of unemployed in all States during the preceding calendar year. (c) Beginning as soon as possible, but no later than Jan. 1, 1969, the Secretary would provide funds to the States under this title, or $1,000,000 whichever would be greater directly to the State Council in each State having an approved State plan. Any portion of a State's allotment, for any fiscal year, which the Secretary determines would not be required for the period for which the allotment was made, would be available after the first nine months in such year for grants pursuant to sec. 205, but only after the Secretary had furnished such State with 30 days prior notice of his intent to make such a determination. (d) Of the funds available to a State Council, not more than 50% could be used to implement community employment and training programs conducted by State agencies. (e) In a State which had not submitted, or had its plan approved, funds allocated to that State would be made available to qualified applicants in that State pursuant to sec. 205.		Sec. 403. (b) From the sums appropriated for any fiscal year, the Secretary would allot not less than 40% among the States according to the criteria pursuant to Sec. 130 of the Economic Opportunity Act of 1964 (similar to Sec. 204(b). No State would receive less than $1,000,000. Effective fiscal year 1970, a State's allotment would be available only for use pursuant to a State plan under Sec. 410, unless the responsible State agency has not submitted a State plan prior to date fixed by Secretary, or the State plan is disapproved. (c) Remaining sums appropriated for any fiscal year would be expended according to criteria prescribed by the Secretary. (d) Funds allotted for use by a State agency and not expended for the purposes allotted, would be made available to prime sponsors within the State.
(f) Not more than 12½% of sums appropriated for any fiscal year to carry out the provisions of this title could be used within any one State.	*Distribution of assistance* Sec. 307. The Secretary would establish criteria to achieve equitable distribution of funds appropriate under this act among States, but not more than 12½% of such funds for any fiscal year would be used within one State.	
Financial Assistance Sec. 205. (a) From funds reserved pursuant to Sec. 204(b), the Secretary would be authorized to provide assistance to public agencies and nonprofit private organizations with approved applications and (b) State councils whose plans were approved, to pay part or all the costs of community employment and training programs.	Sec. 101. (a) Secretary would be authorized to provide financial assistance in urban and rural areas for part or all costs of programs providing public services and employment opportunities for unemployed or low-income persons.	***Financial Assistance*** Sec. 405. (a) Would authorize the Secretary to provide financial assistance to prime sponsors and State agencies whose plans for community service employment programs have been approved.
(c) Financial assistance would include but is not limited to public service and community activity job opportunities. Jobs include: (1) Those immediately available to the unemployed.	Sec. 101 (a)(1). Identical.	(b) Financial assistance would include, but not be limited to activities designed: (1) To provide jobs. (2) To provide placement services and resources for persons completing training pro-

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(2) Those providing placement opportunities for persons completing training under Titles I & V of the Economic Opportunity Act and other training programs. (3) Those utilizing skills of the unemployed in areas of labor surplus.		grams assisted by Federal funds, particularly programs under Title II of this Act, and the Economic Opportunity Act. (3) To assure persons employed in community service employment programs would be provided opportunities for further education, training, and supportive services, including rehabilitative and preventive services for narcotic and alcoholic addicts. (4) To promote establishment of local service companies.
To the extent possible, programs would be designed to place persons in private employment and to encourage private employers to make such jobs available.	SEC. 101(a)(3) Identical.	For the purposes of carrying out paragraph (3) of this subsection, funds appropriated under this title could be used to carry out service programs under other titles of this Act and under other provisions of Federal law. Other Federal agencies may be reimbursed if the use of such funds would be the most effective means of providing services. Financial assistance under this section would include loans for purchase of supplies and equipment necessary to carry out community and employment program.
	SEC. 101(b) Secretary would provide financial assistance through prime sponsor designated by Economic Opportunity Act. However, assistance may be directly provided to other public and private nonprofit organizations if determined that such assistance would enhance program effectiveness, or acceptance by persons served.	(C) The Secretary or State Agency could provide financial assistance to a public agency or private organization other than a prime sponsor, if determined that such assistance would enhance program effectiveness or acceptance.
(d) Up to 25% of available funds could be used for training under the M.D.T.A., Eco. Oppor. Act (Title I, Pt. B) or other relevant programs if these would be a more effective means of preparing individuals for employment.	SEC. 101 (a) (2) Funding would be provided for the establishment of activities, assuring persons employed in such jobs, opportunities for further education, training, and supportive services to prepare them for regular employment. Up to 20% of funds could be used to carry out training programs under MDTA, Economic Opportunity Act (Title I, Pt. B) or other relevant programs if determined that these most effectively assure the provision of such activities.	
State Plans Sec. 206(a) A State desiring to receive payments for any fiscal year would have to: (1) Set dates as to when applications must be received from State agencies, local Comprehensive Area Manpower Planning System agencies (CAMPS), and community action agencies eligible under sec. 122 of the Economic Opportunity Act, for grants to operate community employment and training programs in areas as defined under Sec. 203. (2) Review applications. (3) Prepare and submit plans through the Chief Executive. (4) Develop and maintain information on the State's unemployed and underemployed workers, present and future employment opportunities, and a means of bringing the two together. (5) Provide planning and technical advice to applicants and grantees. (6) Improve communications between manpower programs to facilitate coordination, and make recommendations as to how such programs may be combined or more efficiently funded.		*State Plans* Sec. 410. (a) (1) Any State desiring to receive financial assistance to carry out a State plan under this title (Community Service Employment Program) would: (A) Establish a State manpower policy council; (B) Set dates before which prime sponsors and applicants must apply to State agency for financial assistance; (C) Submit to Secretary a State plan. (2) State Council would: (A) Be appointed by the State agency and be representative of job training and employment resources of the State. (i) Prime sponsors within State. (ii) State and local public agencies familiar with employment and vocational programs. (iii) Private organization. (iv) Residents of areas and programs served. (v) Other appropriate organizations. (B) Develop and implement State plan including: Development of criteria for approval of applications under State plan. (C) Where requested, review rejection of application for applicants. (D) Evaluate program. (E) Prepare and submit through State agency a report, recommendations and evaluation to the Secretary.
(b) The Secretary would approve a State plan or a modification of an existing State plan if it sets forth: (1) A community employment and training program; (2) Administrative procedures. (3) Criteria for equitable distribution of assistance based on: (A) Geography and density of population. (B) Proportions of unemployed/underemployed and low income persons. (C) Job opportunities in private enterprise. (D) Movement of unemployed, underemployed or low-income persons to and from such areas. (4) Coordinates and consolidates community employment and training programs with similar programs. (5) Provides for annual review, evaluation, and dissemination of program information. (6) Sets forth policies and procedures assuring that Federal funds under this Title for each fiscal year would be used to supplement or increase the State's expenditures,		(3) Secretary would not approve State plan unless such a plan: A. Identical to 206(b)(3). B. Assets prime sponsors in coordination and consolidation of community service employment programs. C. Reflects achievement by State in coordinating and consolidating community service employment programs with programs assisted by other provisions of Federal law. D. Provides for exchange of information, for evaluation and for communication of results to the Secretary. E. Provides that final action with respect to an application would not be taken without affording applicant notice and opportunity for hearing. F. Provides for maximum of 25% of funds to be received by State agencies to carry out community service employment programs—the remainder distributed to prime sponsors except as provided in Sec. 405(c).

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
which would be necessary in the absence of these Federal funds. (7) Provides for fiscal control. (8) Provides for annual report and records of evaluation. (9) Before final action on an application or modification of an application each applicant would have an opportunity for a hearing. (C) Secretary could not disapprove a State plan without first affording the State Council on opportunity for a hearing.		G. Conforms to requirements of this Title. (b) If the Secretary should approve only part of a State's plan, it would receive an amount necessary to carry out that portion of its approved plan. The remaining amount which the State agency would be eligible to receive would be made available to the prime sponsors or other applicants. (c), Before disapproving any State's plan the Secretary would first afford that State reasonable notice and opportunity for hearing.
Applications	*Employment, training, and placement plan*	*Applications*
Sec. 207. (a) Grants, pursuant to an approved State plan, could be made upon application by the prime sponsor to the State Council or to the Sec'y. Applications would have to contain:	Sec. 102. No financial assistance would be provided until approval by the Sec'y of a plan submitted by the eligible sponsor, containing:	Sec. 406. Secretary could provide financial assistance upon application by a State agency, pursuant to an approved State plan, a prime sponsor, pursuant to an approved community employment plan, or another eligible applicant if assurance is given that:
(1) Assurance that applicant would supervise activities and would identify agencies operating program.	(1) Description of eligible areas, including data indicating number of potential participants, their income and employment status.	(1) Adequate administrative controls would be established.
(2) Priority given to heads of households.	(2) Description of methods to be used for recruitment and selection of participants and specific eligibility criteria.	(2) Effective personnel policies would be established.
(A) Description of methods to be used for recruitment and selection of participants.		
(B) Description of jobs, skills, and duration for which participants would be assigned.	(3) Identical.	(3) Procedures for proper accounting, reporting and evaluation be established.
(C) Wages or salaries to be paid to participants in comparison to prevailing wages for comparable work.	(4) Identical.	(4) Would carry out other established requirements.
(D) Education, training, and supportive services offered to prepare participants for regular employment.	(5) Identical.	
(E) Placement activities and future job opportunities for participants.	(6) Identical.	
(F) Indication of participation and cooperation expected of local public officials, residents of eligible areas and representatives of business and labor in developing and administering programs.	(7) Similar.	
(3) Procedures for coordination at local level with other Federally assisted programs.	(8) Procedures for coordination at local level with other Federally assisted programs, under M.D.T.A. Equal Opportunity Act, Economic Development Act, Demonstration Cities and Metropolitan Development Act of 1966 and other relevant Federal legislation.	
(4) Assure that Federal funds made available under this Title for any fiscal year would be used to supplement or increase the level of expenditure which would be necessary in the absence of Federal funds in the area involved and assure that the Federal funds would not be used to supplement Federal funds granted pursuant to sec. 201.	(9) Commitment to meet requirements and special conditions set forth in Title III of this Act.	
(5) Provide, in the case of an application made directly to the Secretary, adequate procedures to assure the application had been submitted to the appropriate State council at least 30 days prior to the submission of such application to the Secretary. (6) Procedures for fiscal control to assure proper disbursement of funds paid to applicant. (7) Provision for annual report. (b) Modifications in applications could be approved only if consistent with provisions of this Title and requirements set forth in subsection (a).		
Special conditions	*Special conditions*	*Special conditions and limitations*
Sec. 208. (a) No financial assistance could be provided unless it was determined by the secretary, or State Council that:	Sec. 303. (a) Sec'y would not provide financial assistance for any program under Title I or II this act unless he determined:	Sec. 411. (a) Secretary would not provide financial assistance for any program under this title (Community Service Employment Program) unless he determines:
(1) No participant would be employed on projects involving poltical parties, or facilities used, or to be used, for sectarian construction or religious worship.	(1) Identical.	(1) Identical to 208(a)(1).
(2) Program would not result in displacement of employed workers or impair existing employment contracts or substitute Federal funds for private expenditures for work which would otherwise be performed.	(2) Identical.	(2) Identical to 208(a)(2).
(3) Wages paid participant would not be lower than— (A) Minimum wage under Fair Labor Standards Act of 1938.	(3) Identical.	(3) Identical to 208(a)(3).

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
(B) State or local minimum wage for comparable work. (C) Prevailing rate of wages in area for similar work.		
(4) Program would contribute to occupational development or upward inability of participants.	(4) Identical.	(4) Identical to 208(a)(4).
(b) For programs relating to physical improvements, preference would be given to improvements which would be used by low income persons and families in eligible areas.	(4b) Identical.	(b) For programs of community service and employment related to physical improvements, preference would be given to improvements which would be used by low-income persons and families in areas served by the prime sponsor.
(c) Programs under this title would have to contribute to the extent feasible to the elimination of artificial barriers to employment and occupational advancement.	(4c) Secretary would prescribe regulations to assure programs have adequate internal administrative controls, accounting requirements, personnel standards, and evaluation procedures.	(c) Similar to 208(c).
	(4d) Identical.	(d) Federal financial assistance to any program under this title, to a public agency or private nonprofit organization, would not exceed 90% of cost provided that Federal assistance to a participant under this title, who is employed by a State or local public agency, would be progressively reduced from year to year to cause public agency to assume greater portion of necessary financial contributions.
Withholding Sec. 209. If the Secretary determines after hearings that the applicant or State Council has failed to comply with any requirement, he shall terminate financial assistance.		*Withholding* Sec. 414. Similar to Sec. 209.
Loans Sec. 210. (a) Secretary would be authorized to make loans to public and private organizations for purchase of supplies and equipment supporting a community employment and training program. (b) Loans under this section would be made without interest and under such terms and conditions as Secretary would prescribe.	*Supplies and equipment* Sec. 103. (a) Secretary would be authorized to provide financial assistance, and make loans to public agencies and private nonprofit organizations for purchase of supplies and equipment supporting and supplementary projects. Sec. 103. (b) Identical.	
Administration Sec. 211. (a) In administering this title, the Secretary would be authorized to utilize services and facilities of any Government agency, or other public or private nonprofit institution in accordance with agreements between the Secretary and heads of agencies. (b)(1) The Secretary would pay to each applicant and State Council whose application or plan has been approved the amount necessary to carry out cost of program. (2) Payments would be made in advance, installments, or by means of reimbursements.	*Evaluation* Sec. 304. Secretary would require sponsors of community employment and training programs, and private employers provided assistance, to evaluate program effectiveness. He would arrange for obtaining the opinions of participants concerning programs and may contract for independent evaluations. Results of evaluations must be included in reports required by section 305.	*Administration* Sec. 413. (a) Secretary would provide for administration of all community service employment programs within a single office or agency within the Department of Labor. (b) Similar to Sec. 211(a) (b)(1) and (2). (c) Similar to Sec. 211(a) (b)(1) and (2). *Reports* Sec. 415. (a) and (b) similar to Sec. 304, 305 of S. 3063.
Reports Sec. 212. Secretary would submit to Congress on or before May 15, 1969 and November 15, 1969 a report, including recommendations for additional legislation and a similar report would be made on or before May 15, and November 15 of each year thereafter.	*Reports* Sec. 305. Secretary would submit to President for transmittal to Congress on or before March 1 of each year a report of progress made in implementation on all activities under this Act.	
	Duration of programs Sec. 306. From fiscal year 1969 through fiscal year 1972.	
	No provisions.	TITLE V. ECONOMIC OPPORTUNITY CORPORATION Sec. 501. This title would be cited as the Economic Opportunity Corporation Act of 1968. *Findings and purpose* Sec. 502. (a) Congress finds— (1) The conditions of urban and rural poverty threatening the welfare and security of the Nation. (2) Any successful effort to eliminate poverty must involve private resources. (3) Individuals and organizations in the private sector would be willing to contribute to solutions of these problems, but lack a central source of information, technical assistance, and seed money. (4) Federal government can facilitate involvement of the private sector, but organization and control of the program should be left in private hands. (b) Purpose of this title would be to establish a private, nonprofit corporation to stimulate greater participation by the private sector in public and private manpower training and antipoverty programs by:

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968

S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968

S. 3249—NATIONAL MANPOWER ACT OF 1968

(1) providing a central source for information and research.

(2) furnishing technical and financial assistance.

(3) Participating on a contractual or other basis, in developing and implementing Government antipoverty programs with a view to encouraging the role of the private sector.

(4) Encouraging and coordinating efforts with private business firms to make available training programs and employment opportunities for unemployed and low-income persons.

(5) Encouraging development of businesses providing needed products and services, and increasing local business ownership in urban slum areas.

(6) Developing methods of applying modern business management techniques to social problems and encouraging increased participation by private enterprise.

Creation of corporation

Sec. 503(a) Would establish a nonprofit Economic Opportunity Corporation which would not be an establishment or agency of the U.S. Government. The Corporation would be subject to the provisions of this title and the District of Columbia Nonprofit Corporation Act. The right to repeal, alter or amend this title would be expressly reserved.

Job vacancy and labor supply information

Sec. 102. Sec. 106 of the Manpower Development and Training Act of 1962 would be amended to read as follows:

Job vacancy and labor supply information

Sec. 106. (a) Secretary of Labor would be directed to develop, compile and make available information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a national, State or area basis to be used in the educational training, counseling and placement activities under this Act.

(b) Secretary would develop and establish a program for matching qualifications of unemployed, underemployed and low-income persons with employer requirements and job vacancies on a local, interarea and nationwide basis. Electronic data processing and telecommunications networks would be established.

Local service companies

Sec. 407. (a) Secretary and State agencies would be given preference to applications for community service employment programs from local service companies. Contracts may provide for financial incentives to be paid to such companies for satisfactory and superior performance of programs.

(b) Secretary would be authorized to provide financial assistance to public agencies or private organizations to act as service development organizations. Financial assistance may include cost of programs, including, but not limited to:

(1) Planning and research.

(2) Legal and technical assistance.

(3) Financial assistance.

A service development organization may acquire a minority interest in a local service company, and deal with such company on a profitmaking basis.

(c) Secretary and State agencies could make use of services of other Federal agencies and from private organizations in developing local service companies and service development organizations.

Public safety programs

Sec. 408. (a) Secretary would be authorized to provide financial assistance for community service employment programs in pub-

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968

S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968

S. 3249—NATIONAL MANPOWER ACT OF 1968

lic safety. Programs may include development of employment and training opportunities for community service officers who need not meet ordinary police standards for employment and who will be engaged in:

(i) Recruitment of police personnel.

(ii) Improvement of police-community relations.

(iii) Community escort and patrol.

(iv) Encourage neighborhood participation in crime prevention.

(v) Other activities designed to improve public safety.

(b) Secretary and Attorney General would prescribe regulations governing program.

Consolidation of community service employment programs and community employment plans

Sec. 409. (a) Secretary would make arrangements to assure prime sponsor in any eligible area receives all Federal funds available for community service employment programs under all applicable Federal legislation, except as otherwise provided by Sec. 123(c) of the Economic Opportunity Act. In areas in which a comprehensive city demonstration plan, under the Demonstration Cities Act would be in effect, the prime sponsor and city demonstration agency would consult and coordinate training aspects of the city demonstration program.

(b) Prime sponsor would develop and carry out a community employment plan, which should be part of any comprehensive work and training program for that area required under Sec. 123 of the Economic Opportunity Act. All funds received by prime sponsor pursuant to a community employment plan would be subject to a plan approved by the Secretary.

(c) No community employment plan would be approved by Secretary until Governor of that State had had a reasonable opportunity to submit to the Secretary his evaluation of the plan.

(d) Prime sponsor should provide for participation of employers, labor, and residents of eligible areas in planning and conduct of community service employment program.

(e) If a community service employment program would be operated by a prime sponsor other than a local service company public and private agencies should be used.

Industrial employment pool

Sec. 412. The Secretary would establish procedures giving preference to qualified participants in community service employment programs, assisting them in entering programs operated by him, which offer on-the-job training and employment opportunities in the private sector.

Sec. 503. (b) No part of the net earnings of the Corporation would inure to benefit any private person. The Corporation would qualify as an organization described in sec. 501(c)(3) of the Internal Revenue Code of 1954 which would be exempt from taxation under sec. 501(a).

Process of organization

Sec. 504. Would establish a Commission composed of the Vice President as Chairman, Speaker of the House of Representatives, Director of the Office of Economic Opportunity, Secretary of Labor, Secretary of Commerce and the majority and minority leaders of the Senate and House of Representatives to meet 30 days after the Title's enactment to appoint incorporators, who with the advice and consent of the Senate would serve as the central Board of Directors. The incorporators would organize the Corporation.

Directors and officers

Sec. 505. (a) The Corporation would have a Board of Directors consisting of 15 individuals, who would be citizens of the U.S.,

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968

S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968

S. 3249—NATIONAL MANPOWER ACT OF 1968

one of whom would be elected annually by the Board to serve as Chairman. Five members of the Board would be appointed by the President, by and with the advice and consent of the Senate, for terms of 3 years.

(1) The terms of the directors first taking office would be effective on the date on which the members of the Board were elected and would expire at the time of appointment, 1 at the end of 1 year, 2 at the end of 2 years, and 2 at the end of 3 years.

(2) A director appointed to fill a vacancy would be appointed for the remainder of his predecessor's term.

Ten members of the Board would be elected annually by members of the corporation.

(b) The Corporation would have a President and other officers, named and appointed by the Board, at rates of compensation fixed by the Board. No officer of the Corporation could receive a salary from any source other than the Corporation while employed by the Corporation.

Membership in the Corporation

Sec. 506. (a) Any person or organization could become a member of the Corporation by:

(1) Purchasing from the Corporation one or more of the debentures referred to Sec. 507(a) or;

(2) Donating to the Corporation money or property valued at least $100.

(b) Each member would have one vote regardless of the amount of debentures held, or amount donated by him to the Coporation.

(c) Any donation to the Corporation would qualify as a charitable contribution within the meaning of Sec. 170 of the Internal Revenue Code of 1954.

Financing the Corporation

Sec. 507. (a) The Corporation would issue bonds, debentures, or other certificates of indebtedness as the Board determines would be required for fulfillment of the purpose of the Corporation.

(b) The Secretary of Treasury would be authorized to make grants to the Corporation to assist it in meeting its organizational expenses and in carrying on its activities. There would be authorized to be appropriated $20,000,000 for the purpose of providing financial assistance. $10,000,000 would be available to the Corporation at its time of incorporation, and additional amounts, not in excess of $10,000,000 would be made available to match donations or purchases of debentures made pursuant to Sec. 506(a). Appropriations authorized under this subsection would remain available until expended.

Activities and powers of the Corporation

Sec. 508. (a) In order to carry out the purposes of this title, the Corporation would be authorized to:

(1) Establish an information and research center on how private individuals and organizations can participate in antislum and antipoverty projects.

(2) Organize educational programs to disseminate information to encourage individuals and organizations to participate in antislum and antipoverty activities.

(3) Provide technical assistance to public and private agencies in planning and operation of programs, including advising U.S. Government representatives as to how to effectively encourage the participation of the private sector in such activities.

(4) Participate and coordinate on a contractual basis in Government programs in support of purposes of this title, including programs providing incentives to private employers to encourage the training and employment of unemployed and low income persons.

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968	S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968	S. 3249—NATIONAL MANPOWER ACT OF 1968
		(5) Stimulate the establishment of, invest in, and operate new and existing business enterprises which, by reason of their location, employment effect, or products or services produced, would ameliorate conditions of poverty. Would include new business enterprises operated for profit by the corporation and enterprises owned by existing firms, organizations, or individuals. (6) Establish one or more subsidiary corporations, including corporations qualifying as small business investment companies under Title III of the Small Business Investment Act of 1958 to invest in or operate such new business enterprises. (7) Provide technical and financial assistance to private lending institutions and other private organizations to stimulate provision of capital to new and existing enterprises located in urban areas of high concentrations of low-income persons or owned by low-income persons. (8) Develop in conjunction with public and private agencies and organizations methods for applying modern business management techniques to social problems, and encouraging private agencies and organizations in providing needed public services. (9) Establish and support new and existing private organizations at the State and local levels to carry out purposes of this title and to mobilize communities to support antislum and antipoverty efforts. (10) Carry on activities furnishing purposes of this title. (b) In performing the function set forth in subsection (a) Commission would be authorized to: (1) Enter into contracts, leases, cooperative agreements and other transactions deemed appropriate. (2) Charge fees deemed reasonable and appropriate. (3) Carry out activities on areawide, State or local basis. (4) Accept and use, with or without reimbursement, services, equipment and facilities of Federal agencies, and State and local governments and such Federal agencies would be authorized to provide with or without reimbursement such services, facilities and equipment to the Corporation. (5) Receive grants and other financial assistance from the U.S., State and local governments, foundations, corporations, organizations and individuals. (6) Exercise powers conferred upon a nonprofit corporation by District of Columbia Nonprofit Corporation Act. *Reports to Congress* Sec. 509. Corporation would submit annually and at times it deems desirable, to the Congress a report of its operations, activities and accomplishments.
No provisions.	No provisions.	TITLE VI—EVALUATION AND OVERSIGHT STUDY BY THE COMPTROLLER GENERAL SEC. 601. (a) The Comptroller General would be authorized to direct and conduct a continuing evaluation of all job training, work experience, and employment programs conducted and financially assisted by the U.S. and to assist the Congress in its legislative oversight functions. (b) The evaluation would include— (1) Analytical and statistical breakdown of unemployment and underemployment in the Nation, including information concerning age, race, and geography. (2) Comparison of relative costs and benefits of different types of training and employment programs, including a comparison of— (A) Institutional and on-the-job training. (B) Different types of institutional and on-the-job training.

EXHIBIT 3—Continued

JOB OPPORTUNITIES ACT OF 1968

S. 3063—EMERGENCY EMPLOYMENT AND TRAINING ACT OF 1968

S. 3249—NATIONAL MANPOWER ACT OF 1968

(C) Training for job entry and for job advancement.

(D) Job development programs in community service activities and in regular competitive employment.

(3) Evaluation of job upgrading programs.

(4) Evaluation of the degree of coordination between different job training and employment programs at Federal, State, and local levels.

(5) Evaluation of the degree of effective support provided by Federal-State employment service system to job training and employment programs for unemployed and low-income persons.

(6) Evaluation of administration and management of Federal departments and agencies of job training and employment programs.

(C) The Comptroller General would assist the Congress in its legislative oversight function by:

(1) reporting to Congress annually on efforts and progress made by Federal departments and agencies in complying with and implementing—

(A) Legislation authorizing or extending programs enacted within the 2 year period prior to the issuance of this report.

(B) Instructions contained in reports of relevant Committees of Congress with respect to such legislation.

(2) performing other oversight functions as Congress may require.

Reports

Sec. 602. The Comptroller General would make interim reports as he deems advisable, not later than 60 days after the beginning of each calendar year, to Congress including recommendations for additional legislation.

Powers of the Comptroller General

Sec. 603. (a) The Comptroller General, or any officer of the General Accounting Office, authorized by the Comptroller General could hold hearings and take testimony as he deems advisable.

(b) Each department and agency would be authorized and directed to furnish the Comptroller General information he deems necessary to perform his functions.

(c) The Comptroller General would be authorized to:

(1) appoint and fix compensation of staff personnel he deems necessary without regard to provisions of title V, U.S. Code, and to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and general schedule of pay rates.

(2) procure temporary and intermittent services to the extent authorized by Sec. 3109 title V, U.S. Code, but at rates not exceeding $100 a day for individuals.

(d) The Comptroller General would be authorized to enter into contracts with Federal or State agencies, private firms, institutions, or individuals for research, surveys, reports and other necessary activities.

Authorization

Sec. 604. There would be authorized to be appropriated such sums as would be necessary to carry out provisions of this title.

Mr. SCOTT. Mr. President, I am pleased to join my able and distinguished colleague from Vermont [Mr. PROUTY], who is the ranking Republican member of the Subcommittee on Employment, Manpower, and Poverty of the Senate Labor and Public Welfare Committee, in introducing the Job Opportunities Act of 1968.

This measure consists of two parts—first, private enterprise job training and development; and, second, public service jobs for individuals who, through no fault of their own, simply are not yet able to obtain a job with private employers.

The first part of our bill permits the Secretary of Labor to pay 25 percent of training costs to private employers who have submitted training applications which have been approved by the Secretary. It is patterned on S. 812, the Human Investment Act, which Senator PROUTY, I, and many other Republican Senators have sponsored.

We recognize that job opportunities with private industry are not readily available in many rural communities in the country or in the centers of many of our cities. Accordingly, the second part of our bill authorizes financial assistance, primarily to the States, but to local communities as well, for the creation of community employment and training programs in such fields as health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, and beautification.

Sixty percent of the funds authorized by the second part of our bill would be allotted to State governments in recognition of their important role of planning and coordinating meaningful manpower development and training programs in the many different fields of community service. Forty percent of the funds would be reserved for direct allocation by the Secretary of Labor to local community groups for community service employment programs.

The bill which Senator Prouty and I introduce today authorizes the expenditure of $3,115,000,000 to assist various job development and training programs over the next 3 fiscal years. The funds are divided approximately 60 to 40 in favor of training by private enterprise. Thus, for fiscal 1969 the bill authorizes $450 million for private enterprise job training and development programs and $300 million for community service employment and training programs.

Mr. President, I hope that the Committee on Labor and Public Welfare, to which this bill is being referred, will give serious consideration to the bill introduced today by Senator Prouty and myself.

I ask unanimous consent that a memorandum summarizing the contents of our proposal in greater detail be printed at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Prouty-Scott Job Opportunities Act of 1968

TITLE I—HUMAN INVESTMENT JOB TRAINING

This Title permits the Secretary of Labor to pay 25% of training costs to an employer of more than ten employees who has submitted a training application which has been approved by the Secretary.

This Title is patterned on S. 812, the Republican-sponsored Human Investment Act. Accordingly, allowable "employee training expenses," as well as the limitations upon grants which the Secretary may make, are the same as in that bill. For example, a reimbursable training expense must be one allowable as a deduction under Section 162 of the Internal Revenue Code relating to trade or business expenses.

Grants to employers are excluded from gross income and are not to be treated as reimbursement for business expenses under Chapter 1 of the Internal Revenue Code.

TITLE II—COMMUNITY EMPLOYMENT AND TRAINING

This Title provides for the creation of public service and community employment and training by the government as an employer of last resort for low income unemployed and underemployed persons residing in eligible rural and urban areas as determined by the Secretary of Labor. Priority is given to heads of families. Rural areas suffering from substantial problems of out-migration are eligible for participation in an attempt to provide meaningful job opportunities in rural areas to residents who otherwise will move to bigger cities.

This Title provides for the creation of a broadly-based State Manpower Coordinating Council which in most States, would probably be the existing CAMPS (Cooperative Area Manpower Planning System) organization. The State Council under a plan approved by the Secretary is permitted to operate and fund State programs directly.

Forty percent of any fiscal year's appropriation is reserved to the Secretary for direct funding of similar programs at the local level. The remaining sixty percent will be allocated to the States by the Secretary and will be made available to a State Council wherever a State plan has been approved. An important provision stipulates that each State will receive at least $1 million, regardless of its allocation.

A State Council may use up to fifty percent of its funds to operate State programs and up to twenty-five percent of its funds to provide supportive services under the Manpower Development and Training Act of 1962 or Title I–B of the Economic Opportunity Act of 1964 (Work and Training for Youth and Adults). The State Council may use the rest of its money to fund approved applications from local prime sponsors designated under Section 122 of the Economic Opportunity Act.

Minimum standards are set for State plans to be approved by the Secretary and also for applications by sponsors which are submitted to either the Secretary or a State Council.

This Title provides the general and usual type of limitations, special conditions and reporting requirements. It permits the Secretary to withhold funds from a State Council if he determines a State plan is not being followed, after giving the Council an opportunity for hearing. The Secretary may fund all programs directly in States not having approved State plans, but no State may receive more than 12½ percent of total appropriations in any fiscal year from the Secretary and a State Council jointly.

The Secretary is authorized to make interest-free loans to public agencies and private organizations for the purchase of supplies and equipment necessary for programs approved under this Title.

AUTHORIZATIONS

This bill authorizes a three-year program. Total authorizations are $750 million for fiscal 1969; $1 billion for fiscal 1970; and $1.25 billion for fiscal 1971.

These are divided approximately 60–40 in favor of training by private enterprise. Thus Title I provides authorizations of $450 million for fiscal 1969; $600 million for fiscal 1970; and $750 million for fiscal 1971.

The specific authorizations for public service jobs under Title II are $300 million for fiscal 1969; $400 million for fiscal 1970; and $500 million for fiscal 1971.

In addition, authorizations for making loans under Title II are $50 million for fiscal 1969; $40 million for fiscal 1970; and $25 million for fiscal 1971. The theory for declining authorizations here is that the need for loans will decrease as these programs get started.

EXTENSION OF AUTHORITY OF EXPORT-IMPORT BANK

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, I want to make a few preliminary remarks and then should like to address a unanimous-consent request to the leadership.

The last legislative day was Thursday, June 13, 1968. There were several votes on that day. The last one came, as best I can recall, a little after 5 o'clock.

I was in the Chamber most of the day, but when the final vote was taken and I was informed that there would be no further votes that day, I went to the airport to take an airplane to the far western part of my State of Virginia, a distance of some 400 miles.

I find that in the interim a time limitation was placed on consideration of S. 3218, which is the pending legislation now before the Senate.

Mr. President, this is a far-reaching piece of legislation. It would radically change the policy which has been in effect for 34 years with regard to the Export-Import Bank.

The pending legislation states that it is the policy of the Congress that the Export-Import Bank should facilitate loans, guarantees, and insurance on export transactions which do not meet the test of reasonable assurance of repayment. Such legislation could cost the taxpayers of this Nation hundreds of millions of dollars. Yet, we will be called upon to debate the bill today, under a time limitation of 30 minutes to each amendment, which is 15 minutes to a side, and 2 hours on the bill, which is 1 hour to a side.

We are dealing with a great deal of money in this bill, a bill which would radically change a policy which has been in existence for 34 years. And we propose to do that under a time limitation of only 15 minutes to a side on amendments, and 1 hour to a side on the bill itself.

It seems to me that is a very undesirable procedure in a bill as far-reaching in its consequences as this one can be. In my judgment, it is an unwise bill. But, whether wise or unwise, it is far-reaching. As I mentioned, it would be a radical departure from the procedures, policies, and practices under which the Export-Import Bank has operated for 34 years.

Let me say that I am in support of the Export-Import Bank and have commended on the floor of the Senate—and commend again today—the efficiency and good management under which the Bank has operated.

But, this morning, I protest the fact that the Senate has been placed under a time restriction.

I realize that, had I been present, I would have had an opportunity to object to that request. I did not leave the Chamber until sometime after 5 o'clock, as I best recall, on last Thursday, the last legislative day.

During the two previous sessions, I have been on the floor almost as much as any other Member of the Senate with the exception of the leadership. So I have no concern about not having been on the floor at the particular time that the request for a time limitation was made. It must have occurred well after 5 o'clock on Thursday.

What I would like to propose—I shall not make it at this moment, but I would like to make it before the morning hour ends—is that the time limitation and the unanimous-consent request which was agreed to last Thursday be rescinded insofar as S. 3218 is concerned. I do not make that as a unanimous-consent request at this time, but I do ask unanimous consent that I be again recognized before the end of the morning hour, so that I may at that time make such a request.

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Is there objection? The Chair hears none, and it is so ordered.

Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AIKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous unanimous-consent agreement, the Chair recognizes the Senator from Virginia [Mr. BYRD].

Mr. MANSFIELD. Mr. President, is the distinguished Senator from Virginia willing to vacate that unanimous-consent agreement?

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the previous order that I be recognized at this time be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY HON. EDWARD M. CURRAN AT MAINE STATE SOCIETY DINNER

Mr. MUSKIE. Mr. President, on May 24 the Maine State Society held its annual lobster dinner, at which the coveted Big M Award is presented each year to an outstanding son or daughter of the Pine Tree State. At this year's banquet the society presented the Big M Award to the Honorable Edward M. Curran, a native of Bangor, Maine. Judge Curran is chief judge of the U.S. District Court for the District of Columbia.

In accepting the award, Judge Curran spoke about what it means to be an American today and what that citizenship demands of each of us. He spoke of the need for brotherhood and conciliation among all Americans and all segments of our society.

In these days, when we hear talk of division within our system, Judge Curran's remarks are especially appropriate. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BROTHERHOOD AND CONCILIATION

(Address by the Honorable Edward M. Curran, Chief Judge, U.S. District Court for the District of Columbia, at the annual dinner of the Maine State Society, National Press Club, May 24, 1968, Washington, D.C.)

Words cannot adequately express my deep feeling of gratitude and appreciation to the Maine State Society for the honor conferred upon me this evening.

Having been born and reared in that state of silvery lakes and green forests, I am well aware of the ideals of the people of Maine.

Conservative in nature, they are imbued with the principle that justice is the great interest of man on earth. Over a century ago, the ideals to be achieved by the administration of justice were eloquently expressed by Lord Brougham as follows:

"It was the boast of Augustus . . . that he found Rome of brick, and left it of marble; . . . But how much nobler would be the Sovereign's boast when he shall have it to say that he found law dear, and left it cheap; found it a sealed book—left it a living letter; found it the patrimony of the rich—left it the inheritance of the poor; found it the two-edged sword of craft and oppression—left it the staff of honesty and the shield of innocence. . . ."

Our forefathers in America decreed that it shall be: "One nation, indivisible, with liberty and justice for all". It became our task, therefore, inherited from the founding fathers, to create on the American continent a nation of free people, strong enough to withstand tyranny and oppression, wise enough to educate their children in the ways of truth, and broad enough to accept, as a self-evident truth, the right of every human being—regardless of race, creed and color—to worship Almighty God according to the dictates of his own conscience.

America is unique in that it has, from the time of its discovery, been the haven of the unfortunate, the oppressed, and the persecuted. For years, people of every nationality, of every religion, of every race, have willingly and freely come to our shores in search of shelter and solace and to rid themselves from the economic, political, and religious intolerances of other governments.

America is truly one nation with many nationalities. It is a nation dedicated to inspired principles, for which people have been willing to sacrifice and suffer; a democracy of cultures, as well as a free and tolerant association of individuals; a country in which there is present the values and the ideas, the arts and the sciences, the laws and techniques of the people of every civilized tradition.

The late Mr. Chief Justice Hughes expressed this thought: "* * * our unity in fact is not racial and does not depend upon blood relationship, whether near or remote. It is the unity of a common national idea; it is the unity of a common conception of the dignity of manhood; it is the unity of a common recognition of equal civil rights; it is the unity in devotion to liberty expressed in institutions designed to give every man a fair opportunity for the exercise of his talents and to make the activities of each subordinate to the welfare of all . . . This is a common country. Whatever the abode of our ancestors, this is our home and will be the home of our children, and in our love for our institutions, and in our desire to maintain the standards of civic conduct which are essential to their perpetuity, we recognize no difference in race or creed . . . we stand united, a contented people rejoicing in the privileges and determined to meet the responsibilities of American citizenship".

The American people have always been concerned with the flagrant violations of the rights of peaceful little nations; and of the cruel and bitter persecution of God-fearing men, and women, and children because of their religion, race, or political opinions. The vile and barbarous deeds which were inflicted upon democratic peoples of the Old World represent an attack against everything that we hold dear—an attack against international good faith, against religion, political freedom and against civilization itself.

We cry for peace, and yet we have no peace. The present conflict is not just a struggle of armaments, but rather is it the spawn of that atheistic culture and philosophy that stemmed from Marx and Engels, that not only threatens our peace, but also our very way of life by those who openly avow that the altar of the omnipotent state is the only shrine before which every head must bow and every knee must bend. But surely there is hope when, in quietude, we realize that there is a Supreme Being, and when, in the stress and strain of daily life, we seek the guidance of a Divine Providence.

If the people of America have no convictions with regard to the values in which they so strongly believe, no faith in the principles for which their fathers and forefathers died, democracy then is doomed. If Americans will not voluntarily obey the disciplines of morality, then immoral forces will discipline us, and if the citizens of the United States have no ideals which they would die to preserve, then despotism and darkness will come over the western hemisphere.

The great problem today is how people of different races and with conflicting viewpoints in the realms of religion and politics can live together in harmony. The solution of this problem, perhaps, is America's destiny, and in that solution may lie her future as a nation. Since America is a medley of differences, engendered by the existence, within her borders, of more than a score a nationalities and an infinite number of religions, those differences must find one common denominator—one level—and that is understanding and friendship. It is not so much tolerance which is needed as appreciation—appreciation of the rights of others which all humans possess, because freedom of thought and conscience is not a matter of favor granted by the state and withheld by the state, or granted by the majority and withdrawn by the majority, but it is a matter of right, inalienable, God-given, and self-evident. The enjoyment of such rights is a common heritage, and the free enjoyment of these rights necessarily implies the appreciation of one another's differences.

We must be highly critical and severely disdainful of those in our midst who would spread the doctrine of class hatred, prejudice and bigotry; who would set one social class against another.

Let us not forget too quickly the long ordeal the Negroes suffered in their efforts to be treated in accordance with the truism that "all men are created equal"; the trial of social ostracism and persecution which the Mormons experienced in their trek from New York to Utah; the organized hate of the 1920's by the Klu Klux Klan of Jews, Catholics and Negroes; and the other national prejudices being suffered today by millions of Americans born in the United States of immigrant parents. Our only hope is in a unity of effort between all people, all religions, all races, in a common brotherhood of man, under a common fatherhood of God.

I need not remind you, whether your forebears came to America on the first Mayflower, or on the thousands of Mayflowers that followed, in the creaking barks and clippers of the 1840's, with their dark and reeking holes, or in the steerage of those ships in the later era, of what we owe them for their contribution in sweat, blood and tears for the wonder that is America. These things are ours. We have known their cost, and so we should all unite as Americans, resolving that the hates and prejudices of the Old World cannot abide in the New, under the bright light of a new day an the flaming splendor of a new sun.

We should lend ourselves to the preservation of those fundamental principles that have their basis and roots in the natural law and which have been enshrined in the Declaration of Independence and the Constitution of the United States.

Remember this—we are servants of society, accredited representatives of a system which has for its ultimate purpose the administration of justice in its highest sense. Take up the line of advance into the future and press with earnest purpose toward the noblest aims of America the great Nation, that is so proudly known as the land of the free and the home of the brave.

CENTENNIAL OF JAPANESE IMMIGRATION TO HAWAII

Mr. FONG. Mr. President, I speak in commemoration of a significant milestone in Hawaiian history—the centennial of Japanese immigration to Hawaii. Appropriate ceremonies and festivities are being held in Hawaii and Japan this week to mark the 100th anniversary of the arrival of the first group of Japanese immigrants in Hawaii. The observance commemorates the saga of the struggle and success of these pioneers, those who followed them, and their American-born descendants.

The centennial celebration is graced by the presence and participation of their Imperial Highnesses Prince and Princess Hitachi of Japan. To the royal couple and their party, Mrs. Fong and I join Hawaii's people in extending our warmest welcome and aloha. We wish them a memorable and pleasant sojourn in our 50th State.

Although the earliest Japanese immigrants are long gone from the scene, their place in history is secure. The 1868 group was the first ever to migrate from their native land and to achieve success as organized immigrants abroad. Because of the Japanese Government's strict prohibition against such emigration, no other group of Japanese had previously departed to work overseas.

The pioneer company of 153 Japanese immigrants arrived in Honolulu in June 1868, as contract laborers for the Hawaiian sugar plantations. Despite initial difficulties, they were followed by thousands of others—aliens all in a strange community. Their language, religion, customs, traditions, and political, social and cultural life were radically different from those they found upon their arrival in Hawaii.

Although they came under short-term contracts to toil in the sugarcane fields and mills, many, especially those with children, chose to stay. Life for the immigrants was generally rigorous, but it offered opportunities for themselves and their American-born children. The Japanese American youths, educated in American schools, grew up imbued with Western ideas and ideals. America was their future.

In war and peace, they demonstrated their loyalty and devotion to the nation of their birth. Faced with many obstacles, including racial discrimination, they nevertheless persevered and overcame them. Today, they are contributing fully to the progress and prosperity of the State of Hawaii and the United States. They have won their places in the political, economic, social, and cultural life of our Nation.

They drew their strength, industry, patience, perseverance, and courage from their immigrant ancestors, who contributed so much to the development of Hawaii and who instilled these sterling qualities in the succeeding generations of Japanese Americans. To these immigrants belong a substantial credit for the successes enjoyed by their descendants today.

It is most fitting, therefore, that during this centennial celebration, tribute be paid to both the immigrants and their descendants, for all have given much of themselves to their country and community. I extend my warmest congratulations to those individuals who are being decorated by the Japanese Government to commemorate the centennial anniversary.

I share the sentiments of Japan's Ambassador to the United States, His Excellency Takeso Shimoda, when he expressed the hope that Japanese Americans of Hawaii, like their distinguished ancestors, will continue to exert their best efforts toward further advancement of their social and economic status and toward the promotion of even closer relationships between the United States and Japan.

On this eventful occasion, I commend the Japanese community for the progress it achieved during its first century in Hawaii and extend my best wishes for still greater progress during the next century. May its contributions to a greater Hawaii and America continue to grow ever larger in the years ahead.

U.S. SPACE INVOLVEMENT

Mr. SPARKMAN. Mr. President, on May 6, Dr. Edward C. Welsh, executive secretary of the National Aeronautics and Space Council, addressed the St. Louis section of the American Institute of Aeronautics and Astronautics. He made a strong defense of space activity.

I ask unanimous consent that major excerpts from the address be printed in the RECORD.

There being no objection, the excerpts from the address were ordered to be printed in the RECORD, as follows:

DR. WELSH ANSWERS CRITICS OF U.S. SPACE INVOLVEMENT

I have heard it said that critics of the national space program generally live in the leisurely world of ignorance. I would add that few who have been informed and who understand what the program does for the country continue to oppose it.

There are those, of course, who are trapped by the illogical proposition that if the money involved were not spent on space, it would automatically flow into projects in which they are more interested. They are the ones who refer to problems of health, housing, crime, air and water pollution, educational deficiencies, and other ills of our complex society and suggest it would be better if we invested our resources in those areas instead of in space technology and space exploration. I do not agree. It is not an "either/or" situation. In my judgment, if this country is great—and I know it is—it has the will, the ability, and the responsibility to handle both a vigorous space program and the social and economic problems which confront it.

ISSUES OF CITY

In fact, our competence to solve the issues of the city is greater because of the space program. It is greater not only because of the improved technology and management experience which can be brought to bear on these problems, but it is also greater because the United States is wealthier as a result of the space program. When I said that the space program increases our gross national product and increases our national income, I could have added that it also raises our standard of living and makes larger our tax revenues which can be devoted to public service. We are indeed wealthier, not poorer, because of the national space program.

At this point, it may be instructive to note that not only does our space program, through its strong support of basic and applied research, make us better equipped to cope with our massive socio-economic problems, but history suggests that this kind of expertise is not nurtured and developed automatically. There is no precedent for the degree of support that the Government has provided for research and development since the advent of the Space Age. It is questionable whether this expenditure of money on research and development, in universities, industry, and government laboratories, with its enrichment of our over-all scientific and technological competence, would have occurred without the challenge of space. In the absence of such a challenge, we might have drifted fatally into the unenviable position of a formerly great nation . . .

INTANGIBLE VALUES

I am sometimes troubled by those who attempt to measure the value of our national space program only by the number and the importance of the material benefits which can be clearly identified. They count the inventions, the new products, the improved services, the electronic advances, and the multitude of related benefits and say this is the total. Actually, as important as those items are—and I consider them to be of great importance—there are other even more significant benefits flowing from the space program.

They may seem nebulous because they cannot be precisely measured or weighed or packaged. But I draw to your attention the fact that we cannot weigh or measure or package or even put a dollar sign on the value of education, or better health for our population, or greater national security, or a healthy competitive enterprise system, or better conditions of human welfare, or increased chances for world peace. Yet, even though they cannot be measured precisely, their values are so great as to make them priceless. And the point I want to emphasize here is that the national space program helps us progress toward every one of these major goals. If serious cutbacks to the program are imposed, our achievement will be less and our objectives of social gain far more distant from attainment.

SPACE POLICY

We are engaged in an effort to reach out into the vast distances of space. We want to know more about this solar system which is our home. In the process of living up to these objectives, we create a greater ability to do things here on earth. We create the competence which is essential if this country is to lead the world in human dignity and in human welfare. These benefits keep us going. And, therefore, I again urge that all who have the ability to speak do so in order that the program will continue to live and grow. Such is the policy of this Nation; but a policy, no matter how sound, can only result in major accomplishment if it is understood and supported by the general public. We have confidence that the road to space is the right direction to travel. We are convinced that to detour from this highway would give competitors an unearned advantage and cause us to lose some of the speed of our rate of national growth.

As an optimist and a crusader, I believe that this nation will not neglect the priority of space for other important priorities but rather will distribute its resources among all the high priority programs. This we will do provided that the people understand the need.

HUNGER AND MALNUTRITION

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the American Corn Millers Federation and Export Institute before the Committee on Education and Labor of the U.S. House of Representatives. The statement relates to the whole matter of hunger and malnutrition and is, I think, an excellent contribution to the literature on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statement of the American Corn Millers Federation & Export Institute Before the Committee on Education and Labor, U.S. House of Representatives, on H.R. 17144 and Related Bills, May 22, 1968

Mr. Chairman and Members of the Committee: My name is Bert Tollefson, Jr., and I am the Executive Director of the American Corn Millers Federation and Export Institute.

I am grateful for this opportunity to appear before you to discuss the problems of hunger and malnutrition in the United States. In this presentation I shall focus more on opportunities than on problems.

The Congress of the United States declared it as the policy of the United States to obliterate poverty when it passed the Economic Opportunity Act of 1964. Actually, we as a people, had taken a firm stand against hunger and starvation for any American long before that. Justice and freedom are the cornerstones of this free society called America.

As a trade association, we are dedicated to the principle of the dignity and worth of every individual. Certainly, we should have as a cherished ideal, the ability of every family to earn the means to attain at least a minimum standard of living. This also means the ability to buy the family food requirements.

However, until we reach that ideal, it is our view that we should keep making improvements in the food assistance programs so that reports such as "Hunger USA" are but a relic of a past era. This, of course, does not mean that we endorse everything in that report.

I spoke earlier of an ideal, a realizable ideal. Certainly our agricultural productive capability in the United States is one of our greatest assets—unmatched anywhere in the world. This gives us the means to really close any nutrition gap that now exists for any American. I do not believe that any member of this elected body disagrees with the concept that hunger and malnutrition should be obliterated in the United States. Once we have agreed on the objective, we should move toward the implementation.

Morally, this objective is right, and economically it makes sense. Researchers tell us that malnutrition is a silent crippler—adversely affecting the work performance of the individual, and even the ability to learn. Thus, good nutrition becomes a key element in efforts to lift persons from a life of poverty and ignorance—and in many cases off the welfare roles. Not only does keeping people in a hunger status result in inefficiencies, it has overtones of questionable morality to the nation.

This means that as a minimum we should do the following:

(a) Make food available to mitigate hunger and malnutrition no matter in what part of the United States it is located;

(b) Use the food capabilities of the nation, one of several feasible means to help people become income earners and taxpayers.

Certainly, USDA should be commended for its fine dedicated personnel—men and women who are administering the several programs which are helping feed millions of our fellow Americans. We have seen their work in the School Lunch Program, the School Milk Program, the Commodity Distribution Program, the Pilot Breakfast Program, the Food Stamp Program, etc. As one examines the background and constant search for improvements, one cannot help but feel proud of the achievements and we are glad that milled corn products are an important part of these feeding programs.

We are here today to combine our talents with yours in an effort to make further improvements in the program to eradicate hunger.

One of the items that I would like to discuss today is CSM, which the July 1967 issue of *Today's Health*, published by the American Medical Association characterized as "one of the newest weapons in the Food for Peace Program's effort to combat malnutrition. It was developed for the infant (after weaning) and the school age child."

This product was the result of a close working relationship between private industry, USDA technicians and AID officials. About 500 million pounds have been shipped to about 100 developing countries where there is a desperate need for proteins.

Designed especially for recently weaned infants and preschool children, the formulated food consisting of processed corn meal (64%), defatted soybean flour (24%), nonfat dry milk (5%), and soy oil (5%), to which minerals and vitamins (2%) have been added, can be used by any age group.

Blended Food Product-Formula No. 2 (the technical name for CSM) is a complete precooked food which requires only a minimum of preparation. The cost has been going down and is now less then 8 cents per pound packaged and delivered to ocean ports—and the industry has been able to produce the formula in large amounts.

Three and one-half ounces, when made into a gruel or porridge, will supply a child with one-third to one-half or more of the necessary daily nutrients, except for ascorbic acid (vitamin C), during a period in his life when lack of proper food can seriously damage both body and mind. When children are reached in time they respond rapidly to the improved diet.

Although the product has been well received, USDA has not stopped with development of the CSM formula. Scientists from the Department's Consumer and Marketing Service check each shipment to be sure the product is uniform from batch to batch. They make sure the product meets specifications for protein, fat content, texture and cooked consistency.

Of great importance are the checks for odor and flavor the Agricultural Research Service of the Department of Agriculture food specialists prepare samples of soups, beverages, gruels, and porridges and test for flavor and other characteristics which combine to make the blend acceptable. Experience shows that even hungry people will not eat a food if the taste, appearance, texture, or odor offends them—and each country has its own standards. Food habits are hard to change, often reflecting centuries-old religious and social beliefs and superstitions.

Agricultural Research Service scientists have done research on different methods of precooking corn meal, the major ingredient. This research has contributed to increased production thereby making the product more available to the government. The revised specifications assure uniformity regardless of the method by which the blend is produced. All the while, efforts to develop new uses for CSM continue along with experiments designed to further perfect the formula.

After exhaustive tests, UNICEF decided that CSM provided a unique, great, new economical protein product. This great, humanitarian, world-oriented group made a substantial purchase with its own funds. On the distribution end, we find it universally applauded by CARE, Catholic Relief, Church World Service, Lutheran Relief, and many other voluntary agencies.

Many members of this Congressional Committee at a recent Milled Corn Products luncheon, sampled CSM and know of its versatility through use in various nutritious and tasty recipes. One Congressman liked the CSM soup so well, he had three cups.

As an added step, we would suggest that this uniquely, low cost, high-protein product be included by USDA in the Commodity Distribution Program, the School Lunch Program and any child feeding programs. The cost per unit of protein is extremely low—probably lower than any other food. The potency of the protein is fortified by the vitamins and minerals which comprise 2% of the mixture.

The significance of this food is that it is here and available now, for use now, for helping eradicate malnutrition now.

This working together by the dedicated people of the Department of Agriculture and the War on Hunger group in AID with private enterprise to utilize knowledge and technology to combat the devastating toll of child malnutrition is showing results. This is a unique war—the war against child malnutrition—which can provide only more and better lives, as we wage it with greater vigor. If we retire from this war, casualties result. Our successes abroad encourage us to suggest using it in programs here at home. This has a meaning for today in the new emphasis and energies devoted to tackling the problem of hunger.

ENDORSEMENT BY NEW YORK TIMES OF S. 3634, NATIONAL GUN CRIME PREVENTION ACT

Mr. TYDINGS. Mr. President, this morning the New York Times endorsed editorially S. 3634, the National Gun Crime Prevention Act. I and all the cosponsors of the bill are delighted to have the support of the Times.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The Why of Gun Control

There is mounting evidence that the killer who shot Senator Robert F. Kennedy may have also provided the additional push needed to create the aroused public opinion that would finally force through effective national gun control legislation. The most spectacular sign is the partial, but significant, change of position by several of the nation's leading gun manufacturers. Legislatively more important is the apparent shift on this issue by several Senators formerly opposed to gun control proposals.

Ever since the dying days of November 1963, we have pointed out that the usual reason given by advocates of no controls—the so-called constitutional right to bear arms—is only a half-truth. For the right is preceded by a phrase—"A well-regulated militia being necessary to the security of a free State"—that is self-explanatory. This is the 1960's, not the 1790's and, as a law-abiding people, we are not permitted to take the law into our own hands. We rely on trained police instead of turning guns on each other.

Of course, even strong gun control will not stop crime; it will not prevent all murders. Granted, but the statistics in this country and abroad show that regulation and registration markedly reduce the risks.

A comparison of gun homicides in states with strong gun laws and those with weak gun laws establishes the point. There are weak laws, for example in Mississippi, Texas and Florida; in these states guns were used, respectively, in 71, 69 and 66 per cent of all murders during the four years ending in 1965. In three states with strong laws—New Jersey, Massachusetts and New York—the comparable rate was 38, 35 and 32 per cent.

Firearms control in other nations is strict. Britain requires a certificate from local police before a long gun can be purchased. In England guns account for 10 per cent of all homicides, compared to 60 per cent in the United States. France requires police permits for handguns and military rifle purchases;

Canada requires registration of all handguns; in Sweden a need must be proved before gun ownership is allowed. In these and other civilized nations, homicide with handguns or long guns is minor as against ratios in the United States.

The gun-control title of the omnibus crime bill will not meet the country's needs. The most complete measure before Congress has been introduced by Senator Tydings. His National Gun Crime Prevention Act of 1968 would require licenses and registration for the purchase or possession of any firearms. The bill's provisions are sound and reasonable.

"We believe," Senator Tydings says, "that a society which regulates automobiles, of which death is only a by-product, should regulate guns, of which death is a primary purpose." The tide of demand from angry Americans should persuade Congress of the accuracy of that statement.

SENATOR TOWER'S SPEECH ON FISCAL POLICY

Mr. SCOTT. Mr. President, the distinguished Senator from Texas [Mr. Tower] delivered the kickoff speech this month at the 1968 management conference of the General Acceptance Corp. in Lancaster, Pa.

Senator Tower's address was the highlight of the conference, which brought together 450 representatives of the banking, investments, and finance community for a 5-day session.

I ask unanimous consent that Senator Tower's speech, urging effective monetary and fiscal policies, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Developments over the last seven or eight months have made it painfully clear that the U.S. dollar and the global monetary system are in their deepest crisis since the early 1930's.

Since the British pound sterling devaluation in November, 1967, confidence in the dollar has been severely shaken. It was expected that the sterling devaluation would temporarily upset the world's exchanges, but few expected that the devaluation would create such violent reactions against the dollar—disrupting the very foundation of the world monetary system.

I have found it most interesting to observe the collective reactions of our country's official financial experts to this crisis. Instead of casting blame on a record of reckless fiscal and monetary practices, we find a growing desire to doubt the *system* itself. I must challenge such attempts to misplace the responsibility.

I believe the gold standard has proven to be the strongest and most equitable international monetary system in the history of the world. Unfortunately, because this country's monetary managers have disregarded built-in disciplines of the system, we now find ourselves in a critical financial situation.

The acceleration of the dollar's immediate difficulties began during 1964 when the Administration attempted to turn a booming economy into what some observers now term as a "super boom." The 1964 tax cut, coupled with relatively easy credit practices, placed an undue strain on the economy.

Three subsequent moves from early 1965 until the pound devaluation in November of 1967 exerted tremendous pressures on the dollar and the international monetary system.

First: In 1965, with Vietnam war costs rapidly escalating, the Administration chose to *expand* rather than to curtail its *domestic spending*. Cash outlays increased at an annual rate of over 45 billion dollars—domestic spending accounting for roughly 50 per cent of the enormous increases.

Second: Federal deficits contributed 20 billion more dollars to an already boiling economy setting off the worst round of price inflation experienced in years.

Finally: in 1967, the nation underwent a *credit expansion* resulting in an increase of 15 per cent in the nation's money and credit supply.

These accelerating inflationary pressures at home have triggered alarming difficulties in our balance of payments. The self-reinforcing wage and price spiral automatically discourages exports and increases imports.

In the past, foreign financial experts were hesitant to question the stability of the dollar *as long as we managed to maintain a surplus status in our merchandise trading*. However, our trade surplus declined from 6.7 billion dollars in 1964 to less than 4.5 billion dollars in 1967. Furthermore, in March of this year, this country experienced a trade *deficit*, not suplus, of 157.7 million dollars—the first monthly trade deficit in five years.

Recently Barron's, the highly respected national business and financial newspaper carried an article projecting a 1968 "commercial" trade deficit for the United States in excess of one billion dollars.

Barron's went on to say, ". . . such a development would come as a considerable shock to the international financial community whose confidence in the dollar has been supported by the fact that the U.S. has consistently shown export surpluses."

By overheating an already booming economy, the dollar is being hurt in two ways—Imports are sucked in at a tremendous clip while higher prices are causing losses of markets for U.S. exports.

Devaluation of the pound acted as the catalyst that finally set off an explosive round of world-wide monetary speculation. The events that followed have been hectic to say the least.

The United States and the various Gold Pool countries provided over 3 billion dollars in gold to meet the demands. In the process, Congress was called upon to pass legislation to remove the 25 per cent gold backing of the dollar—this move, according to the Treasury Department, would prove to the world that the United States was prepared to defend the dollar to its last ounce of metal reserves. This measure did barely pass in both houses of Congress—but within hours after passage, the "gold rush" had become so frantic that the President of the United States was compelled to call the British Prime Minister and ask him to suspend trading in the London Gold Market for an indefinite period until the crisis could be resolved.

That weekend the Finance Ministers of the various European nations flew into Washington to discuss the critical situation with Treasury Secretary Fowler and the other monetary officials. The meeting resulted in the creation of the "two-tiered" gold system whereby the present gold price of 35 dollars an ounce would be maintained by all nations in their *official* dealings with each other; but with a free gold market also permitted for *all other transactions* in gold.

Meanwhile, the U.S. gold reserves have continued to decline. Since the establishment of the two-priced system in mid March, we have lost another quarter of a billion dollars worth of gold.

Secretary of the Treasury Fowler recently advised us that the "two-tiered" system would last for decades. Under Secretary Frederic Deming outdid Fowler by predicting that it could last "till hell freezes over." I beg to differ with the Secretary and the Under Secretary—*Never* has the world's monetary system been so exposed! Never before has there been a barometer of our actions so open to the public—so reactive to the forces of the market place.

It seems obvious to most veteran financial observers that as the free market price of gold rises, dollar convertibility becomes questionable. And as the price of free market gold rises, the confidence in the dollar as a unit falls.

Drastic pressure was placed on the dollar as the free gold price reached the 40 dollar level—with many economists believing that a 45 dollar price would bring about a forced *dollar* devaluation. Negative developments in the war, further rioting in our cities, unfavorable news in U.S. fiscal circles—virtually any bad news could set off another flurry of speculation that would drive the "free" market price to and past the 45 dollar danger level.

Another factor that threatens to disrupt the two-priced system is South Africa's policy of not selling its gold production on the "free" market. The South Africans supply almost 80 per cent of the non-Communist world's demand for gold. Many believe it is only a matter of *weeks* before the "free" market will be unable to meet both the industrial and speculative demands for gold. I have been advised that South Africa will be able to continue this policy for at least five months before substantially suffering in their balance of payments.

Another development that merits careful attention is the proposed creation of a new reserve asset called "Special Drawing Rights" or "paper gold." These Special Drawing Rights received a new interest at a meeting of financial ministers in Stockholm after the March gold panic. The S.D.R.'s are proposed as a vehicle to increase world liquidity for international trade and ultimately reducing the need for gold in the global monetary system. They now seem to be presented at times as a blank check with which nations may meet their commitments. However, we have a long, tedious period ahead before the S.D.R.'s even begin to function as initially planned. Already the United States has had to make a major concession to the Common Market countries allowing them a powerful veto right over ordinary International Monetary Fund quota increases. As *Fortune* magazine points out in its June issue, this development has shifted world monetary power still further toward Europe and away from the U.S.

Furthermore, it will be years in my opinion before nations will become accustomed to accepting the so-called "paper gold"—they may never get used to it.

First consider the amount the S.D.R.'s represent. The United States will be entitled to 24.6 per cent of the total International Monetary Fund quota. If, as expected, one billion dollars is authorized for the fund, then the United States will have roughly 245 million dollars worth of "paper gold." If the decision were to activate two billion dollars in S.D.R.'s, then the United States would have approximately 490 million dollars in "paper gold." *Neither figure is sufficent* when viewed in the environment of a commercial balance of payments *deficit* of 157.7 million dollars which, as I said before, the U.S. experienced during March alone.

Another consideration is the timing for introduction of the Special Drawing Rights—activation would result *only after* the United States and the United Kingdom have firmly established equilibrium in balance of payments and/or when a defacto condition of world illiquidity is imminent. Concerning the first qualification, we have already considered the U.S. dilemma in this area of balance of payments. Regarding the second S.D.R. condition, a lack of liquidity, I believe the *real* problem is a *lack of confidence* in the reserve currency units, the pound and the dollar. This situation will not be altered by the introduction of the Special Drawing Rights.

Our central concern must be the loss of confidence in the dollar unit.

Recently, Mr. William McChesney Martin, Chairman of the Federal Reserve Board, warned of both *uncontrolled inflation* and *uncontrolled deflation*. What actually is *un*controlled is *in*flation. This is not the kind of inflation with which we are all familiar. It is a direct result of the failure of the dollar to perform its function in world trade. The dollar as the major reserve currency is the flatbed truck carrying the trade goods. If it fails—then trade fails, and the flight is from the dollar units to stronger, more stable currencies.

In world currency trading, the dollar loses its buying power. If inflation, as defined by the loss of buying power, occurs in world markets, the same effects will occur on an insular basis. The result is uncontrolled *in*flation—followed by the upset of the private debt structure and then ultimate *de*flation.

Mistakes, then, have led to the present situation; lack of understanding has given it greater proportions; and avoidance of responsibility is resulting in crisis. The true question is whether or not responsible men will accept their obligations, define the problem, and come to action; or whether they will be forced to crisis action from the exposure to undue pressure of the two-priced gold system and its effects on confidence in the dollar. We will *fail* if we do not have the courage to accept responsibility. We will *succeed* if we undersand what results "inaction" brings. Proposals such as the Special Drawing Rights are in *no way* a substitute for *effective* monetary and fiscal policies. We can no longer substitute words for action. Any action that attempts to buy time must pay something for that time. The payment is deterioration of the system's basic fundamentals. Will the problem be settled in the market place or will the Administration attempt to accomplish an organized and understood solution?

WILLIAM P. GWINN, DEDICATED CITIZEN AND SAVINGS BONDS LEADER

Mr. RIBICOFF. Mr. President, hundreds of thousands of workers, their families, and the Nation as a whole are the beneficiaries of the volunteer service being performed by William P. Gwinn, president, United Aircraft Corp., and chairman of the U.S. Industrial Payroll Savings Committee of the U.S. Treasury Department. Exemplifying the tradition of citizen service to the Nation, Mr. Gwinn is the leader and moving spirit of a drive to enroll at least 2 million employees in 1968 as new payroll savers or for increased allotments in series E savings bonds and the new freedom shares.

The drive is viewed by President Johnson and Secretary of the Treasury Fowler as a vital force working for the sound management of the public debt and the maintenance of the value of the dollar.

Mr. Gwinn's committee includes 54 other top executives of America's major companies and Secretary Fowler, who is ex officio general chairman. Since its formation in January 1963, payroll savings campaigns organized by the committee have increased the yearly savings in small denomination E bonds and freedom shares by $1 billion. The committee's efforts have helped to increase the holdings of E and H bonds and freedom shares by the American people to their present level of $51.6 billion, "thus," according to Secretary Fowler, "providing the Treasury with a hard-core of noninflationary borrowing upon which our debt management can rely, and also, improve the maturity structure of the debt." Last fall, when thanking Mr. Gwinn for agreeing to serve as committee chairman for 1968, Secretary Fowler said:

> The U.S. Industrial Payroll Savings Committee has been performing a service which the President and I feel is of great importance to the Nation. Your work will be of special significance in this coming year when every effort is needed to offset the inflationary pressures stimulated by Vietnam.

Mr. Gwinn became the chairman of the committee at its annual meeting in Washington on January 9, 1968, but his work on the 1968 campaign began months earlier. To aid the committee members, who would be responsible for persuading companies in their industries or areas to conduct employee payroll savings drives, Mr. Gwinn produced some exceptionally fine sales tools. These included a 20-minute sound motion picture in color narrated by Bob Considine, for use in campaign meetings of top executives. He also produced the enclosed brochure which committee members have found helpful in campaign meetings and in personal calls on other top executives.

To build interest in the campaign and support for the personal sales work by the members of the committee and other savings bonds volunteers, Mr. Gwinn organized and conducted a personalized letter campaign consisting of a series of three letters addressed to the presidents of 18,317 companies with 100 or more employees. The first two letters were sent by Mr. Gwinn. The third was mailed by the area savings bonds campaign chairmen. To date, more than 3,735 companies—20.3 percent of the target list—have returned commitment forms or pledges, an exceptionally high return for a mail campaign.

Mr. Gwinn delivered his sales message in person to area meetings of top executives in Pittsburgh, Chicago, Los Angeles, Dallas, New York, and Hartford. He stressed the importance of expanding employee payroll savings participation to help the Government manage the public debt. He also underscored the value of systematic savings in bonds to the individual and his family, and hailed bond campaigns as an opportunity for employer and employee to give practical and meaningful expression to their patriotism.

Full-page advertisements which Mr. Gwinn ran in the Wall Street Journal on February 13 and March 26 again underscored the importance of the business community giving active support to the campaign.

The sales aids and Mr. Gwinn's spirited leadership of the campaign have built enthusiasm among the members of the committee. Their esprit de corps has also been enhanced by letters and by phone calls which underscore his interest in their campaign accomplishment. For example, when in Chicago on business recently, Mr. Gwinn telephoned area chairmen Robert Reneker, president, Swift Co.; petroleum industry chairman Robert Milligan, chairman of the board, Pure Oil; retail merchandising chairman Edward S. Donnell, president, Montgomery Ward & Co.; and banking chairman David M. Kennedy, chairman of the board, Continental Illinois Bank & Trust Co., to discuss campaign progress with them.

The committee is organized along both geographic and industry lines. As Mr. Gwinn explained to the meeting of the business leaders of Dallas:

> The members not only organize active campaigns within their own companies to enroll as many employees as possible as Bond buyers but they give willingly of their own time to sell other chief executives on the merits of payroll savings for their employees. That is what the U.S. Industrial Payroll Savings Committee is all about.

Twenty-two members are geographic chairmen, working with the businessmen and State and local governments in their respective areas. Twenty-seven members are industry chairmen, working with the large employers of their respective industries wherever they may be located.

The committee also includes the past chairmen: Harold S. Geneen, chairman and president, International Telephone & Telegraph Corp., 1963 chairman; Frank R. Milliken, president, Kennecott Copper Corp., 1964 chairman; Dr. Elmer W. Engstrom, chairman of the executive committee, Radio Corp. of America, 1965 chairman; Lynn A. Townsend, chairman of the board, Chrysler Corp., 1966 chairman; and Daniel J. Haughton, chairman of the board, Lockheed Aircraft Corp., 1967 chairman.

Also gaining inspiration from Mr. Gwinn's dedication to the savings bonds movement are the businessmen who are organizing payroll savings campaigns in 145 medium-sized cities throughout the country. Mr. Gwinn met with the chairmen for these cities in Washington on January 10, 1968, when they participated in a day-long meeting with Government leaders which launched the 1968 Share in Freedom Campaign. He has also provided them with prints of the movie, the top executive brochure, the personalized letters to top executives, and other sales aids. He writes to them from time to time, too, to report campaign progress and to pass along ideas.

Mr. Gwinn, the industry committee members, and the other Share in Freedom Campaign chairmen are asking employers to sign up at least one of every two employees not yet on the payroll savings plan and to obtain increased allotments in E bonds and freedom shares from at least one of every two employees who are already payroll savers. They recommend that the top executive display an active interest in the payroll savings plan and organize a person-to-person campaign in which every employee is canvassed by a fellow employee or supervisor and asked to sign up or to increase his or her allotment.

The campaign has the unqualified support of organized labor. The Nation's unions, led by AFL–CIO President George Meany, have long encouraged their members to become payroll savers.

The early campaign results are highly encouraging. Already, the automotive industry has signed up 194,500 employees as new or increased savers, putting the industry 85.2 percent over its goal of 105,000. James M. Roche, chairman of the board, General Motors Corp., is the member of the U.S. industrial payroll savings committee who is the chairman for the campaign in the automotive industry. He reports additional employee enrollment can be expected at companies which have campaigns still in process.

At General Motors, 71 percent of all employees are now payroll savers in E bonds and freedom shares. In the GM 1968 campaign, 55,512 employees enrolled as new savers; 34,827 employees already savers enrolled for increased allotments. A total of 30,874 employees signed up for freedom shares as well as series E bonds. Participation at Chrysler was raised to a new company record of 82 percent by the enrollment of 14,341 new savers to bring the number of participants to 113,752, also a company record. Almost half of those already saving—44,461—enrolled for increased allotments in E bonds or freedom shares.

Ford Motor participation was increased to a new post-World War II company high of 60 percent by the enrollment of 24,557 new savers, and 20,831 regular savers increased their allotments. In the campaign, 35,840 employees signed up for freedom shares.

The first member of Mr. Gwinn's committee to complete the campaign in his own company was Michael R. McEvoy, president, Sea-Land Service, Inc., chairman for the maritime and trucking industry. He set a strong example for the committee as well as his industry by increasing participation in his company from 12 to 97 percent.

Mr. Gwinn's convictions about savings bonds are shared by his associates at United Aircraft. The company completed its 1967 campaign with 90 percent of its 78,000 employees on the payroll savings plan. This year, with Mr. Gwinn serving as national industry chairman, United Aircraft campaigners are determined to better their record. They begin their campaign in mid-June.

President Johnson's raising of the interest rate on E and H savings bonds and freedom shares effective June 1 was welcomed by Mr. Gwinn and his team of savings bonds volunteers.

> These increases provide new ammunition for Payroll Savings campaigns now under way and for the companies which have not yet conducted full scale person-to-person campaigns among their employees this year.

Mr. Gwinn said:

> By taking prompt advantage of the President's action, we can give extra impetus to our campaign to keep our dollar and our Nation strong.

Effective June 1, the interest rate on E and H bonds was increased to 4.25 percent compounded semiannually when held to maturity. Freedom shares, which can be purchased in conjunction with series E bonds, will pay 5 percent compounded semiannually when held to maturity.

Mr. Gwinn served as a member of the committee and the chairman for the Hartford area in the 1965 and 1967 campaigns.

Secretary Fowler declared recently:

> The heavy pressures our fiscal system faces at home and abroad makes the Committee's work and the Payroll Savings achievement of business and industry of greater significance than ever before. Mr. Gwinn is a real inspiration for all of us.

OPPOSITION BY KANSANS TO GUN CONTROL LEGISLATION

Mr. PEARSON. Mr. President, there is a great deal of opposition in the State of Kansas to legislation which would restrict the sale, use, or possession of firearms. Some is a subject of misunderstanding, but other opposition is modified by sincerity and by the circumstances which surround the lives of people in their own communities.

Mr. Cleveland Cole, publisher of the St. John News, has written an editorial which I feel actually expresses the concern of many who oppose antigun legislation and who are deeply concerned about the prospect of Congress legislating in panic, emotion, or under pressure.

Mr. President, I supported the gun legislation as offered in the crime control bill recently passed. That bill does not unreasonably restrict the sale, use, or possession of firearms. I ask unanimous consent that Mr. Cole's editorial be printed in the Record, because it accurately represents what many Kansans feel.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Government by Frenzy Is Upon Us

Government by frenzy.

Government by hysteria.

It is about to be foisted upon a naive American public which, one of these days will realize in shock and shame, what has happened.

In the days of over-wrought emotions following the senseless killing of Senator Kennedy, the anti-gun addicts have been opportunists and they have been quick to seize upon the chance to try to ram through further violations of the Constitution, and to move one step closer to disarming all law abiding citizens.

Any holier-than-thou pretext that eventual disarming of all the law abiding populace is not the goal toward which the anti-gun nuts are scheming, planning, and working, is blatant, bald-face lying. Step by step, that is the goal, and don't you forget it.

Anti-gun laws would not have prevented and will not prevent criminals from getting all the firearms they want. The sad and sorry record of New York, of the infamous Sullivan law, stands as a monument to the stupid idea that by passing a law a criminal can be prevented from getting a gun (while the law abiding citizen by such a law can be rendered defenseless against rioters, burglars, attackers, robbers, and government leaders who want to be dictators).

The great need is for a quick end to our senseless near-worship of criminals—the protection of rioters, the apathy toward such anarchy, the end of insane babbling about "police brutality" and a more realistic, harder, sterner, more emphatic sledge-hammer treatment of anarchists, rioters, killers, and all others who hold the law in such contempt.

While the fires of hysteria are being kept alive in behalf of anti-gun clamps, would it be unreasonable to ask: What of those three persons (three, mind you) who were killed so senselessly during the great spectacle of moving Senator Kennedy's remains toward the burial?

Were their lives any less precious? Was their killing any less senseless—any less tragic? Were they killed by a gun in the hands of a deranged criminal or were they victims of hysteria?

Is there a drive for a law against hysteria?

Is there a drive for a law against automobiles (How many are killed daily by automobiles?) Are persons killed by automobiles not important? Are their lives not worth stern efforts to reduce speed, imprison drunken drivers, curb the popular mania for greater power, less vision, and bob-sled driving position?

Government by frenzy borders on idiocy.

The person who dares question it (including this writer) is often the object of efforts at vicious, misleading questions of inference and double meaning.

All the same, freedom is invariably the price paid when government by frenzy is effected.

VIOLENCE ON TELEVISION

Mr. McGEE. Mr. President, as America searches its soul and looks inward in the wake of the senseless assassination of Robert F. Kennedy, one of the areas requiring intense scrutiny is, most certainly, television.

The impact of the electronic media appears to be incalculable—yet it needs to be calculated. All reasonable men seem to agree its effect is immeasurable, yet it needs to be measured.

What effect does television have upon the child who now by the time he enters the first grade will have already spent more time in front of a TV screen than he will spend in a college classroom?

What effect does the daily bloodbath coverage of the most violent incidents of the Vietnam war have upon the moral ethic of John Q. Citizen?

Does the bulk of our society now react in near-robot fashion to the urgings of Madison Avenue which are drumbeat daily into our conscious and subconscious?

These are the kinds of questions we should be asking, Mr. President. These and many more. A careful assessment—a systematic determination and analysis of this entire phenomena—is very much in order.

One of those who has quite clearly sensed and articulated this need is Federal Communications Commissioner Nicholas Johnson. For the Sunday, June 16, edition of the Washington Post, Mr. Johnson wrote an excellent article on this subject entitled "An Evil Genie in the Tube." I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

An Evil Genie in the Tube

(By Nicholas Johnson, member, Federal Communications Commission)

"Violence on television," like a "sick society," has been a common phrase in the national soul searching following Robert Kennedy's assassination.

Comments about violence on radio and television have come often and from many sources--the President and the appointees to his new Commission, Congressmen, experts on all facets of human and social behavior, the citizens who express their views in letters to the edtior and on radio's "open mike" programs, and the reflective print and electronic journalists themselves. For this reason, if no other, it is likely that radio and television —still staggering from charges of their contribution to racial tensions—are in for quite an evaluation.

This is healthy. It is appropriate. Television and radio station owners are, in effect, elected public officials. They make private profit from public property—the airwaves. Accordingly, every three years, when their FCC license expires, they are called to account for their trusteeship. As the FCC's past performance makes clear, however, only through public inquiry and participation will this accounting be made meaningful. For this reason, the broader inquiries now under way can do great public service.

But the inquiries should be as fair and as productive as possible. And it just may be that "violence on television" both charges too much and asks too little.

ENTITLED TO A TRIAL

The electronic journalists did an extraordinary job from the time of Sen. Kennedy's shooting through his funeral. They worked long hours, with journalistic professionalism and human sensitivity, to help a Nation struggling to pull itself back together once again. In doing so they were careful, you will recall, to characterize Sirhan Sirhan (and later James Earl Ray) as "suspects" or "the accused" rather than "murderers." We should be no less judicious in our characterizations of broadcasting's responsibility for violence in America.

The only information I now have is that *proof* is skimpy at best that violence on television produces violent behavior on the part of viewers. Television is, in short, no more than a "suspect," its contribution to a violent society no more than a hypothesis to be tested. I think it a hypothesis very much worth testing. But my point is that television, like Sirhan Sirhan, has at this point only been charged by a grand jury and that it, too, is entitled to a trial.

Moreover, in our understandable urgency to right broadcasting's wrongs, we must be especially cautious to protect its independence from governmental control of content. Let us first find the facts, present them publicly, and see if broadcasting does not respond responsibly before urging remedies with more serious implications.

THE BROADER ROLE

The reason why the "violence on television" charge asks too little, in my view, is that it fails to address the broader role and impact of radio and television.

"You are what you eat," the saying goes. If the basic chemistry of the body is the end product of all the ingredients we pour down our throats, the functioning of the nerve cells of the brain is just as surely the consequence of what we pour in through our eyes and ears. And what we pour in through our eyes and ears is, in large measure, the product of the broadcasting industry.

There are more radio receivers in this country than people—and another 40 million were sold last year. The average family television set is running 5 hours 45 minutes a day.

It is in that sense that the product of radio and television—all of it—bears a responsibility not alone for Americans' violence, but for the totality of their information, sense of values, powers of analysis, feelings, esthetic sense and moral standards.

Children get more verbal impact from radio and television than from parents, teachers, neighbors and church combined. The songs they sing are the catchy commercial jingles written in the advertising agencies of Madison Avenue, the heroes they emulate are the creation of Hollywood, the possessions they crave are those of the sponsors and the nightmares they dream are provided by the reruns of World War II feature films and the premieres of Vietnam television news. By the time he enters first grade, the average child has spent more hours in front of a television set than he will spend in a college classroom.

What is radio and television preaching to us? What is its *total* impact upon our lives? Until we can answer those questions about the entirety of radio and television programing, our understanding of its parts, such as "violence" in television entertainment, will be superficial indeed.

JUST ENTERTAINMENT

We make a mistake, I think, in attempting to distinguish between "serious" programing—news and documentaries, some specials and "educational" television—and "just entertainment" or a "commercial interruption." We sometimes seem to assume that only the former has "meaning" or "a message" and that the worst that can be said about the latter is that it is "nothing," a waste of time.

The fact is, of course, that each minute has its own significance and impact, alone, in juxtaposition to what precedes and follows and in the context of the events of the day. We are changed, however slightly, by each exposure to the tube.

Those who have studied the role of the media in race relations report that ghetto Negroes are alienated not so much by what they see as by what they don't see: the absence of Negroes and lower class life styles from commercials and entertainment (as well as the failure by the "white press" to report legitimate news items from their community). What is not shown or said is often as significant as what is.

A commercial in the midst of a news program tends to minimize the significance of any reported events; when those events involve a heart-wrenching assassination, efforts to sell mouthwash are absolutely ghoulish. The juxtaposition of programming fare communicates something, too.

How are the tactics of social reform affected when "rat bites baby" does not make the evening news, but "Burn baby burn" does? Does that not communicate as much about our religious, moral and humanistic judgments as our "news" judgment?

What is the effect of the almost exclusive use of nothing but current fashion's "beautiful people" throughout television's product? Does this not communicate a sense of failure, or alienation or at least make life unnecessarily less pleasant for those—white and black—who are not blessed with the hair style, complexion, physical attributes, and voice quality deemed acceptable at the moment?

When poetry or tears are the most appropriate human expression, what does it do to us to receive the message in mellow, pear-shaped tones?

We should listen more carefully to today's popular music—the sex education it provides, the philosophy and tactics of social protest and the commercially successful singing jingles for the blessings of smoking pot. What other "public service advertising" is being provided by the Top 40?

What is the relationship between that 20 to 35 per cent of all programming that is commercials and a child's materialistic sense of values that tends to honor conspicuous consumption over more homely virtues?

ELECTRONIC MIND MOLDERS

These examples are intended to be illustrative, not exhaustive. The point is simply that the FCC majority, and radio and television management, can no longer be permitted to say, "because it would be inappropriate for government, or business, to use the media to propagandize self-serving ends, therefore no one should make the effort to discover its present effects."

Nor can they say that radio and television merely mirror society ("the public interest is what interests the public"), for in this feedback of electronic escalation what they mirror in what they made as well.

Radio and television mold minds, 200 million of them, in numerous ways every day. It is long past time that we find out just what it is these potters are making out of the clay they knead inside our heads--and through their exported films and programming, what they are doing to the minds of the rest of the world as well.

Violence on television there may be. But there is much more. And whatever the human mentality and emotions of America are today, they are in large measure the product of radio and television programming. Precisely what its effect has been, and is, is open to question. That its impact on every facet of our lives is immense there appears to be little doubt.

We have long since passed the time for a "call to conscience" to American broadcasters, urging them, as well as the academic community and government, to learn more about all the effects of this endless outpouring into the heads of all of us. Until we do we shall never understand the small part of this problem that is "violence on television."

If Robert Kennedy's assassination can provide some impetus to such understanding it will be but one example of the many useful ways in which his example, his spirit and his service can long outlive his brief physical presence among us.

THE CASE FOR STRONG GUN-CONTROL LEGISLATION

Mr. PEARSON. Mr. President, throughout the long history of legendry Americana, rarely has any symbol of our historic national development been so romanticized as has the gun. Across the width and breadth of this Christian land, songs are written, folklore is perpetuated, and museums are dedicated to the memory of Americans—hero and villian alike—who have lived and died by the gun.

Despite this, pollster George Gallup, in the June 21 issue of Time magazine, maintains that in his first sampling of public opinion concerning firearms legislation, taken 34 years ago, 84 percent of the Nation favored strong legislation. The figure has consistently remained at or near that high level ever since.

Today, as never before, the American people are voicing their concern over the appalling laxness of gun-control laws in this Nation. Their concern and indignity over the tragic and senseless killings we have witnessed in this country deserves the most heartfelt attention of every Member of Congress.

Mr. President, an editorial published recently in the Kansas City Star eloquently argues the case for strong gun legislation. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHILE THE UNITED STATES WAITS FOR GUN CONTROL

Once again the shooting of a leading American who is an important political figure underlines the lack of gun-control laws in the United States and the inadequacy of the weak firearms measure that now is before Congress.

Surely the patience of the American people is about to run out in this matter. We wonder how many distinguished men will have to be killed or wounded before Congress acts. We wonder whether the political processes of this country can function in a gun-saturated atmosphere in which candidates or officials must fear for their lives.

Look back over the last few years. In 1963 Medgar W. Evers, a Negro civil rights leader, was killed in Mississippi, apparently shot by a .30–06 Enfield rifle equipped with an imported Japanese Gold Hawk sight.

In November of that year President John F. Kennedy was killed in Dallas by shots from a 6.5 millimeter mail-order Italian rifle.

Two months ago Dr. Martin Luther King was assassinated in Memphis with the evidence pointing to a .30–06 Remington rifle with telescopic sights as the murder weapon.

And Sen. Robert F. Kennedy was shot in Los Angeles. The weapon was a .22-caliber revolver.

Others have been the victims of gunfire, including Malcolm X, James Meredith and George Lincoln Rockwell.

We are aware of all the old arguments in opposition to even modest firearms regulation: The people have a constitutional right to bear arms. Guns don't kill people, people kill people. Sportsmen would be inconvenienced because of the acts of criminals.

But we are tired of these arguments and perhaps a great many of the American people are tired of them, too.

The constitutional right to bear arms is based on the necessity of a "well-regulated militia," which has nothing at all to do with the free flow of weapons to anyone who wants them. Beyond a doubt, the proliferation of guns in this country makes it easy for people to kill people. And we cannot agree that sportsmen really would be inconvenienced by reasonable firearms regulations. Some of the lobbyists who have worked sportsmen into a hysteria over gun control might be inconvenienced if this profitable issue should be removed.

Whatever Congress decides to do with the crime bill that contains the gun control measure, it seems obvious that the proposed restrictions are not sufficient. At this point in American history the issue has become not so much the rights of individual sportsmen or the legal mechanics of regulating firearms. The issue is the permeating presence in society of guns that make murder the simple matter of pulling a trigger and the ease with which those guns can be obtained.

TRIBUTE TO THE LATE SENATOR ROBERT F. KENNEDY

Mr. HAYDEN. Mr. President, my administrative assistant, Roy Elson, paid tribute to the late Senator Robert F. Kennedy and affirmed hope in America when he delivered a speech at a flag presentation ceremony in Tempe, Ariz., on June 9, 1968.

I ask unanimous consent that his speech be printed in the RECORD as a tribute to the late Senator Robert F. Kennedy.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TRIBUTE TO LATE SENATOR ROBERT F. KENNEDY

It may be significant that we honor our national emblem on a day of national mourning. I trust it is not symbolic. For death is never a nation's finest hour.

Our Nation . . . which this flag symbolizes . . . has been sharply reminded, once again, of the dangers that surround us in a changing world, we have seen again . . . for the second time in five years . . . A senseless murder committed against a family symbolic of American opportunity. We have watched the crime almost in its commission. We have seen the dying man, and shared the grief of his family, and those close by him. We have followed the course of the victim right up to his final resting place.

Having witnessed all of this . . . having watched every movement of the players in this bizarre drama . . . I cannot help but wonder what we have learned. We know that Robert Kennedy was serving the cause of his ideas and ideals on the battlefield when he was struck down. We know that Robert Kennedy had every intention of taking his fight to change America *to* every doorstep in America. We know that he lost his life in pursuit of that goal.

Ironically, just moments before the assassin's bullet ended his career, Senator Kennedy had just claimed the biggest prize yet in the race to American leadership . . . the California primary. Now we will never know how the drama would have ended.

It is like an author's unfinished manuscript.

It is now up to us to fulfill the role in Robert Kennedy's tragic drama and pursue the American dream in a spirit of tranquility rather than catastrophe. Should any man give his life in pursuit of a better America, and have it go unremembered . . . his work unfinished? Robert Kennedy's death can serve as an inspiration to the people of this country. It can serve as a rallying point for people who are suddenly sick of what is happening in this country, and sick of what has happened this week. You don't have to agree with Robert Kennedy to see that this Nation needs our help. You cannot elect a man to the White House, or to the Congress, or to the city council . . . and then expect him to solve all of your problems. Good government is a continuous process, calling for participation from all levels of the governed.

Furthermore, it is no longer possible to stand still in the process of governing, legislating or being governed. As fast as we find solutions, new problems emerge and old problems enlarge. As fast as the law-making machinery smooths out a rough spot in our society, a new abrasion needs treatment elsewhere. And, most frustrating of all, those of us being governed find ourselves in a constant state of fright that things are moving too fast to comprehend. All in all, it would be nice if we could declare a national moratorium on these matters, but we cannot . . . anymore than we can wish away the problems and responsibilities of modern life.

Instead of a moratorium, maybe it's time that the American people give their consent to solving the problems of this country. Maybe it's time we gave up sectionalism, classism, racism, and some of the other *isms* that stand in the way of a *united* United States of America.

Maybe it's time that everyone in this country examines his conscience. Maybe we should attach some *meaning* to words like . . . duty . . . responsibility . . . freedom . . . justice and dignity of the individual. Maybe we should examine our personal goals. Are we losing our freedom in a frantic race for personal success? Are we losing our sense of humanity in the quest of personal gain? When we speak of freedom, do we ask freedom for whom? Is it freedom for *some* of us? Or freedom for *all* of us? I prefer the latter.

Perhaps these questions and our problems cannot be answered or solved today or tomorrow or next week. They will persist long after the flag goes back to the top of the staff. But the quest for the answers will go on. For to abandon the quest is to abandon the American dream. And we all have an American dream. The stars and stripes, at half mast or full mast symbolize it.

Thank you.

S. 1035 AND EMPLOYEE PRIVACY—ADDRESS BEFORE THE NATIONAL ASSOCIATION OF INTERNAL REVENUE EMPLOYEES

Mr. ERVIN. Mr. President, at the last annual convention of the National Association of Internal Revenue Employees, George Autry, the former chief counsel of the Constitutional Rights Subcommittee, delivered a keynote address on privacy and the rights of Americans who work for the Federal Government.

As the House Post Office and Civil Service Committee continues hearings tomorrow on S. 1035 and 11 companion House bills, I know the information in this address will be of assistance to those working on the legislation.

Mr. Autry has clearly documented the need for the enactment of S. 1035.

He has also described some action guidelines for individuals and organizations who complain of privacy invasion or violation of their rights by Government officials.

The subcommittee has found these guidelines useful and I commend them to those Members of Congress and their staffs who daily do battle with an intransigent Federal bureaucracy on behalf of their constituents.

I ask unanimous consent that the address to the NAIRE Convention be printed at this point in the RECORD.

These being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY GEORGE B. AUTRY BEFORE THE NATIONAL ASSOCIATION OF INTERNAL REVENUE EMPLOYEES ANNUAL CONVENTION, LOS ANGELES, CALIF., AUGUST 21, 1967

Thank you for your invitation to attend the National Convention on the first anniversary of NAIRE's unanimous endorsement of the Ervin bill.

This week, NAIRE is considering major changes in its Constitution. I don't know what's in those changes, so I couldn't pretend to advise you. But I will say this: If they will help you do an even better job at the local level—if they give you the power to represent the membership even better at the national level, then make those changes. The Federal employee needs all the help he can get, and the IRS employee needs it more than anyone else.

As Senator Ervin has said "you are the most regulation-ridden, questionnaire-ridden group of Federal employees there has ever been." The Senator's bill is soon going to put a stop to all that. But in the meantime, let's look at why the IRS forces its employees to submit to so many audits and disclosures of their personal assets and debts and to sign so many affidavits attesting to their honesty.

Is it because, as the Reader's Digest has said, Internal Revenue officers and agents have "bullied, degraded and crushed innocent citizens"?

I can only say that when it comes to being bullied and degraded, I'd rather be a taxpayer than a tax collector anytime.

No—after working with NAIRE and its representatives for over a year on the Ervin bill, and after meeting all of you here, I can testify that you are neither walking computers nor are you the sadistic monsters described in the magazine article.

You are unfortunately something like our baseball umpires. That is, you may never be beloved by the American citizen. But you will always be tolerated as men and women of honesty and integrity who perform one of the first and most important tasks of a civilized society—that of collecting the money to finance the greatest, most complex government in the history of the world.

Today, most Americans accept your honesty, integrity, and objectivity, and those who don't will not be convinced no matter how many forms you are required to fill out and no matter how many times you swear to your honesty. If the Internal Revenue Service wants to improve its image, first and foremost, it must stop harassing its own employees.

Now, the average American might find this hard to believe, but it's high time they found out that you have exactly those problems—professionally and personally—that Internal Revenue has been said to cause the rest of us. Your privacy, too, is unreasonably invaded, your personal life is often monitored.

You, too, have rights and privileges to protect. And like every Federal employee, you also need the support and understanding of every other American citizen in order to protect those rights.

Here is one of several hundred complaints we have received from IRS employees:

"Why should one segment of government employees be singled out for such treatment? Why should this stigma be applied and forced on only the employees of the Internal Revenue Service? The average IRS employee is no different than any other government employee, regardless of what the IRS may say. In addition, and what is more important, he has the same rights and is entitled to the same respect and consideration as the highest or lowest citizen in this country, insofar as his honesty and integrity are concerned.

"If you think this way and if you feel that all of us are equal in the eyes of the law and deserve the same respect and consideration, will you please use your position to bring a stop to this infamous practice of the Internal Revenue Service?

"(Signed) A loyal employee of the Treasury Department.

"Were I retired, I would sign my name; but since I am not and desire to continue working, retribution would be swift and sure."

What is responsible for such complaints?

In testimony before the Constitutional Rights Subcommittee, NAIRE President Vincent Connery told us last October:

"Like too many Federal agencies, IRS boggles at the prospect of being pinned down by its own employees. It wants no fetters on its own management prerogatives or discretion. It may grant certain benefits as a matter of grace, but as a matter of right.

"This managerial attitude is one of the principal impediments to the growth of real collective bargaining under Executive Order 10988. It can be truly said that the principle most opposed by IRS management, in dealing with their own employees, is what is known in judicial circles as the rule of law. So long as managerial discretion is unencumbered by any meaningful or specific limitations, there is no rule of law to which employees or employee groups may resort."

We cannot place all of this at the door of Commissioner Cohen or previous Commissioners. Other forces are at work, beyond the control or even the influence of NAIRE, if that is possible; and it is time they were dragged out into the open and faced. Your agency is operating in a political goldfish bowl; probably more than any other Federal agency, it is on the firing line, and you deal with the public more than any agency other than the Post Office. In order to survive, it has been forced to respond to the President, the Congress, the public, and to the Civil Service Commission. And it is the fortune of war that you as employees have had to suffer the wounds. The personnel practices of your agency—and it is by no means alone in this—have been directed to preserving and improving the public image of the Service, toward producing a political effect.

I guess by asking an employee how many pair of shoes he has or how much his life insurance is worth, they figured to immunize the Adminnistration in power and the agency itself from the fallout of any instance of misconduct anywhere.

It seems to me that you have three main problems as Internal Revenue Service employees. And in this respect you are like other citizens who work for government.

The first stems from deliberate policy decisions by administrators and from specific regulations which show little regard for your rights and liberties as citizens or which give official sanction to violation of those rights and liberties.

Into this category you can place the political decision, supposedly under Congressional pressure, to make you fill out these forms telling you to:

"List all assets, or anything you and your immediate family own.

"Include your cash in banks, cash anywhere else, anything due from others, the cash surrender value of your life insurance, your personal effects and household furnishings—the date you acquired them and how much they cost."

"Do you or your immediate family rent or use any safe deposit box—tell the amount of cash in each box."

"List all life insurance policies held by you and your immediate family—tell the type of policy, the date acquired, the annual premium, and the cash surrender value."

Another example is reflected in the IRS Manual draft regulations of last year telling employees to lobby for local ordinances, to paint fences, to work for Administration programs in their spare time, and to support certain organizations.

The second threat to your privacy comes from personal abuse of delegated authority and arbitrary interpretation of regulations. This is where value judgments enter the picture. Constitutional rights are always at stake when the values applied in carrying out a regulation fail to reflect a respect for individual dignity and the right to personal privacy in the employee's private life, and in his thoughts and beliefs. This is what produced the following complaint from IRS employees:

Please find attached a second minority status questionnaire request which I received.

The subject matter was presented to me in the following manner:

1. My supervisor walked up and handed me the material and stated it appears your last questionnaire must have become lost or mutilated and you should file another one.

2. I asked my Branch Chief how he knew that I had not completed this form. He indicated that he had received about 30 of the same for other employees in the Branch. I mentioned that I thought our names were to be kept secret. He stated that I should then send it back in blank.

3. I then called the Chief of Personnel, who indicated that there were no changes in the previous instructions and that I could throw it away if I wished. I asked him how many more times they were going to do this and he indicated he did not know since this form originated at a higher level.

4. Since everyone seems to have a different opinion as to what I should do with it, I am sending it to you, Senator.

Now, I don't wish any of the above persons to get into any trouble because I believe that they all acted in good faith. But from the foregoing it does appear that the communications in the Internal Revenue Service are atrocious.

But, perhaps, the most serious complaints of infringements on privacy come from that great unpoliced, legal no-man's land of personnel investigations.

Thus far, the investigators have been relatively free from investigations themselves. This, however, will no longer be true. On instruction from Senator Ervin, the Subcommittee has now begun a new study.

At the outset, let me make it clear that as a group, personnel investigators are no better and no worse than other men. But those few who are unscrupulous have unlimited power to damage the careers and reputations of others. And for the great majority who are conscientious—whether they represent the IRS, the Civil Service Commission, or the State Department—new guidelines are needed to produce more accurate results with less damage to the reputation of the employee or applicant.

There is that initial background check when you are hired. With few restrictions, investigators can run around to your friends and neighbors and ask about the most intimate details of your private life. Even if you don't have anything to hide, the impression is left that you may.

For instance, the Subcommittee received this letter—and it is a typical complaint:

I am writing to express to you my dissatisfaction with the Civil Service Commission's conduct of purportedly routine character investigations of federal government employees.

I have recently been contacted by Mr. Doe of the Commission's investigation staff concerning a friend of mine—a single woman—who is employed by the Department of Agriculture. I found Mr. Doe's manner and techniques offensive to the person being interviewed, insulting and possibly discrediting toward the person under investigation, and unsuitable in achieving the purpose of the investigation, which I presume to be ascertaining reliable information from which an evaluation of character might reasonably be made.

In fact, Mr. Doe was able to pose one question, which encompassed all three of the undesirable elements mentioned above. The particular question was: Do you have any reason to believe that the young lady in question has borne a child out of wedlock?

I was disgusted to learn that Mr. Doe regarded this tasteless question as the natural way to determine the moral character of unmarried women in general. The question has the additional vice of permitting unwarranted inferences to be drawn by persons interviewed who may not have seen the subject of the interview for periods of sufficient time during which the subject could have borne a child and placed it for adoption. Finally, the question is ill-conceived and possibly irrelevant to the purpose of the investigation.

The question unfortunately is illustrative of the negative tenor of Mr. Doe's entire investigation. Mr. Doe approached his task with obvious delight in the possibility of digging up some dirt. The fact that the subject had lived only a short time with me while finding an apartment upon first coming to the city suggested to Mr. Doe that we had had a falling out concerning which he would be delighted to learn the details.

My concern goes beyond my own encounter with Mr. Doe. During a recent visit to the New England town in which both the subject and I were reared, I was informed by my parents and others interviewed that my friend and the daughter of their neighbors was being investigated by the National Security Agency and/or the Federal Bureau of Investigation, that she was obviously taking a new job requiring security clearance, and that she was apparently mixed up in something immoral, unlawful, or both. My point is that such misapprehensions would not be so likely to arise if the Commission were careful to see that its agents adopted a proper approach and employed sensible investigation techniques. However, if Mr. Doe is typical of the Commission's investigators, it is easy to understand why the persons contacted in such an investigation are either confused or intimidated, or as in my case insulted, disgusted with the reflections cast on the subject under investigation, and convinced that the aims of the investigation stand little chance of being achieved.

I think the Commission's investigative procedures could benefit immeasurably from some well-directed Congressional scrutiny.

Then there are the privacy-invading personal interviews with the applicant. For instance, an engineer applying for a job with a private airline company, was subjected to an extensive investigation and interview by

Air Force investigators because the company had a defense contract. They asked him, a married man, such questions as "Have you ever had extramarital relations? Have you ever lied about your golf score? Do you and your wife have an agreement that both of you can engage in extra-marital activities?"

There is a Defense Department memorandum setting guidelines for security investigations.

But when he asked the investigators what possible relevance such questions had to a security determination under the guidelines, they flatly refused to tell him. Their supervisor said he didn't know anything about that memo and since his investigators weren't lawyers, they couldn't rule on the relevance of the questions they asked.

There was the IRS employee being investigated for a job with the Service whose neighbors were asked how he treated his adopted children. Neither the neighbors nor the children knew they were adopted.

On the basis of another employee's contention that he was a CIA employee, a civil servant in the Defense Department was locked in a room and interrogated for hours by investigators, refused the presence and advice of his superior or a lawyer. He was told to write and sign a statement describing his personal life and habits in great detail. Then he was pressured to take a lie detector test. When he demanded to know the reasons for the investigation and the charges, he was told there were none. Yet, he was immediately removed from his top-secret job and assigned to a non-sensitive personnel job where he has remained for months, despite Subcommittee demands to the Army and the Civil Service Commission that the matter be cleared up.

In such cases, a person has little recourse or remedy. His clearance is not revoked; it is merely indefinitely "suspended."

The irrelevancy of matters drawn into these investigations would be funny if it were not tragic. One employee was investigated for pilfering candy machines. Yet he was asked, didn't he know his wife was running around with another man.

As a class within the Federal government and as a group within the Internal Revenue Service, investigators and inspection officials have become a law unto themselves.

You are all familiar with the problem in your own agency, so I'm not going to detail the cases of denial of right to counsel; the gestapo-like surveillance techniques; the investigations leading to discharges on the basis of matters completely unrelated to the individual's job; the failure of the Civil Service Commission to look behind the motives and basis of the investigation in the first place; their failure to monitor and control the methods and techniques used to conduct investigations.

You have put up with them for years, with no understanding or concern from Congress or the American public.

S. 1035, the employee privacy bill, will correct some of the more glaring violations of privacy by investigators, but by no means does it cure them all.

That is the purpose of the Subcommittee's new inquiry. Senator Ervin is in the process of sending questionnaires to the heads of various departments and agencies to determine exactly what controls and guidelines should be adopted to govern these investigators, and where political and administrative responsibility for these functions should lay.

In the meantime, there is the immediate problem in getting something done about current invasions of your privacy. This is the third problem area. In the labor-management negotiations and the procedures established under Executive Order 10988, you have one channel—inadequate as that may be—for resolving job-related difficulties. But for threats to the unique individual rights and liberties which are yours as citizens, Senator Ervin's bill will provide two other recourses—to the Board on Employee's Rights and to the Federal District Courts.

In addition, I would recommend Senator Ervin's ten commandments for individual or group action on a complaint of such a violation or threat. These are based on the Subcommittee's experience with many thousands of complaints from employees and other citizens.

At the risk of sounding like Moses on his return from Mount Sinai, I'll list them for you.

1. Hear both sides and resolve contradictions in stories. A seemingly minor instance of bureaucratic tyranny may hold dire implications for the liberties of the employee.

2. Find out who is ultimately responsible for the act and for the policy. Pursue this through the agency, the department, the Civil Service Commission, the White House, or even the Congress.

3. Determine the precise legal basis for the action. Don't be afraid to ask what authority they are acting under. They probably don't have any.

4. Get a copy of that authority. If it's a regulation, find out if it's based on a statute. More than likely, it isn't.

5. Find out if this is an isolated incident or if it reflects a general practice. Look beyond your own organization. Has this happened to other employees? It probably has.

6. Test the administrative practice or policy as well as the cited legal authority against those constitutional values and standards of fairness which our society cherishes, which you yourself have a right to expect in dealing with your Federal government, even if it is your employer. Don't accept the glib reply that no legal right of an individual has been violated. For instance, if you suspect your employer of tapping your phones or eavesdropping on you, don't let him tell you the law is unclear.

7. If there is a contradiction between the policies and practices of your agency and these basic principles, call it to the attention of the man at the very top.

8. Let Congress know. It has the responsibility to protect, by general legislation if necessary, the constitutional rights and liberties of all citizens, even Federal servants and Internal Revenue employees. Employee complaints are what produced S. 1035, the Federal employees' Bill of Rights.

9. Don't settle for correction or adjustment of your own personal problem, or of the problem of a single employee or of a single group of NAIRE employees. Aim to change that policy or regulation. You'll be doing yourselves, other Federal employees, and the Government itself a favor. You may have to drag the decision-makers into the 20th Century, but it will be worth it. And your Association will be the winner.

10. Choose your fight. This is probably the most important commandment of all. For on your individual and collective judgment as to the merit of the causes you champion depend the reputation and the influence of your organization with the Federal bureaucracy, the Congress, the press and the public at large.

You may win the economic skirmishes concerning salaries, hours, working conditions and other internal job-related matters. But are you willing now and then, as you grow, to take on the big fights over questions of values? The long shots on matters of principle? Are you willing to spend your time, energy and resources for the benefit of the climate of the Federal service as a whole and for the quality of the society you live in?

Perspective and unselfish contribution in this area is the key to a responsible organization in a democratic society. It is also, I might add, a characteristic displayed by NAIRE throughout the study of employee rights by the Constitutional Rights Subcommittee.

You have lent your active support to S. 1035, the bill to protect rights of all government employees and prohibit unwarranted invasion of their privacy. The NAIRE national offices and chapters throughout the country have conscientiously provided research materials, documented cases and well-reasoned arguments illustrating the need for such legislation. For this, all Federal employees thank you; and for myself, I ask you keep it up until the bill is signed into law.

TV INTERVIEW ON GUN CONTROL LAWS, PRESIDENT'S COMMISSION ON VIOLENCE, AND "RESURRECTION CITY, U.S.A."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of questions which were asked of me during a television interview which was filmed on June 12, and of my answers thereto.

There being no objection, the transcript was ordered to be printed in the RECORD as follows:

TEXT OF SENATOR BYRD'S TELEVISION INTERVIEW JUNE 12, 1968

Q: Senator Byrd, How do you view the need for additional gun legislation?

A: Well, there are a number of things I would like to say in response to that question. 40 percent of the murders that are committed in the United States are not committed with guns. And of the gun murders, 71 percent are committed with small firearms, such as the pistol which killed Senator Kennedy. Now legislation has already been passed by the Congress covering the sale and purchase of these small weapons. In other words, 71 percent of the problem has been dealt with by Congressional legislation already.

So the question boils itself down to whether or not we should enact legislation regulating the sale and purchase of long guns such as rifles and shotguns. Now I would not want to support legislation which would prevent the law-abiding citizen from purchasing and owning a long gun. But I do think there is a great deal of misunderstanding with regard to the legislation that has been proposed. I don't think that it would do this. I also feel very strongly we should do whatever we effectively can to prevent the possession, by juveniles, lunatics, and persons with criminal records, of firearms.

But I think we must also remember that anything we pass will not prevent firearms from falling into possession of the criminals. No legislation will guarantee this. Just as prohibition did not guarantee that whiskey would not be manufactured and consumed, no gun legislation will prevent the bootlegging of guns. A criminal will secure a firearm if he has to steal it. So I think we must keep our perspective about this matter. As long as we make life easy for the criminal in the United States, crimes are going to be on the increase, guns or no guns. They will continue to commit their acts of murder and violence. Crimes have been increasing while punishment has been decreasing. The death penalty, for example, has been repealed in many states. Probation and parole are easier to get. Trials are delayed months and even years. Sentences are becoming shorter and self-confessed criminals are allowed to go scot-free as a result of some of the tenuous technicalities that have been raised by the Supreme Court in some of its recent decisions.

I believe all of these things must be considered, not only gun control legislation, but the disregard by the Federal Courts, in particular the U.S. Supreme Court, of the right of the public to be protected against the criminal. So let us also fight to remove the roadblocks that have been placed by the United States Supreme Court in the way of conviction and punishment of murderers whatever the weapon used—be it gun or knife or club.

Q: What do you think of the President's newly appointed Commission on Violence?

A: Well I think it is all right, but I do feel that these commissions are all too often unbalanced and they come out with one-sided reports. I hope this report will be a good one, will be balanced, and will take into consideration the many factors that are affecting the crime rate.

Q: "Resurrection City, U.S.A." has been in existence in Washington several weeks. How do you view its future?

A: Well I was against the issuance of the permit to camp on Federal Property in the beginning. It created a bad precedent. It left the impression that the Federal government was unwilling to stand up against the demands of militant groups and it also created problems for the city. In view of the march, that is planned for June 19, however, I recognize the practical problem of forcing a shutdown of the camp just three days before the march on Washington. So I have urged the Secretary of the Interior and the U.S. Attorney General to extend the permit, but not to extend it beyond a week at most.

Q: Well Senator, Mr. Abernathy's group has indicated that they will stay, permit or no permit, how about that?

A: Well I think he should be asked to be off Federal property by June 23, and if he and his group refuse to do this, I believe the camp should be sealed off, no persons should be permitted to enter the camp, and those who insist on remaining on Federal property should be arrested and moved out. The camp should be torn down and the grounds restored to their original use.

Interviewer: Thank you, Senator Byrd.

GUN CONTROL LEGISLATION

Mr. PEARSON. Mr. President, there is much emotionalism and misunderstanding concerning the various proposals regarding gun control; but out of this sea of confusion occasionally a person will write a letter, take a position, or publish a newspaper column which is persuasive by the force of its simplicity and honesty of mind and purpose.

Such an article recently appeared in the Pittsburg, Kans., Headlight. It was written by Roy Miller, a sports columnist of that newspaper. It is a sensible, courageous statement. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEEK OUTDOORS

(By Roy Miller)

I'm sorry but some of my outdoor writing brethren won't like this piece. Neither will some of the public—as if outdoor writers weren't part of that public.

Nevertheless, count me in favor of gun control legislation.

Unfortunately, my vote won't do much good. My vast fan club hasn't been able to get me elected to a congressional seat.

Therefore, it's up to Kansas' congressional delegation. I urge them to support reasonable gun control legislation.

Just what is "reasonable" gun control legislation? I don't know. I'm not up that well on the subject.

But I do know it's time for outdoor writers and some sportsmen to stop blindly attacking any sort of curb on the sale or use of firearms.

Unlike some folks, I've never held a strong belief one way or the other on the subject. But I have been suspicious of some news releases crossing my desk from the National Rifle Association and the National Shooting Sports Foundation, among other groups.

Admittedly, I've used plenty of this stuff. Some of it I've used verbatim.

But it's time to start questioning the frantic lobbying against firearms legislation. I questioned it before the latest series of national tragedies.

I don't own a firearm. Although I'm pretty wicked in an unintentional sort of way when I cast with my ultra-light fishing outfit, my closest contact to a firearm has been with M–14 and M–1 rifles.

Those times, I wore a green uniform that says "Miller" on one pocket and "U.S. Army" on the other.

But this doesn't mean I'm against shotguns, rifles or pistols. I enjoy hunting.

And I can't see how some of the discussed firearms legislation would hamper the hunter. So what if every firearm had to be registered?

How would this hamper any basic freedom?

Listen for a while to an editorial from the The Kansas City Star:

"We are aware of all the old arguments in opposition to even modest firearms regulations: The people have a constitutional right to bear arms. Guns don't kill people, people kill people. Sportsmen would be inconvenienced because of the acts of criminals.

"But we are tired of these arguments and perhaps a great many of the American people are tired of them, too.

"The constitutional right to bear arms is based on the necessity of a 'well-regulated militia,' which has nothing at all to do with the free flow of weapons to anyone who wants them. Beyond a doubt, the proliferation of guns in the country makes it easy for people to kill people. And we cannot agree that sportsmen really would be inconvenienced by reasonable firearms regulations. Some of the lobbyists who have worked sportsmen into a hysteria over gun control might be inconvienced if this profitable issue should be removed.

"Whatever Congress decides to do with the crime bill that contains the gun control measure, it seems obvious that the proposed restrictions are not sufficient. At this point in American history the issue has become not so much the rights of individual sportsmen or the legal mechanics of regulating firearms. The issue is the permeating presence in society of guns that make murder the simple matter of pulling a trigger and the ease with which those guns can be obtained."

Don't rush for the mailbox if you're offended by this column. Wait a couple of days. Thayne ("The Kansas Sportsman") Smith has a column in the works that may turn out to be diametrically opposed to my thinking.

He said as much the other day when I brought up the subject, mentioning that I disagreed with him on the subject.

"Why?" Thayne asked. "How can you regulate guns and not people?"

I realized I had given him a line for his column.

I stammered for an answer. Maybe I don't have the answer.

Sure, crimes will continue.

But if firearms legislation will make it possible to spare even one life, to stave off even one murder, I'm for it.

It doesn't seem too high a price to pay.

ICELANDIC INDEPENDENCE DAY

Mr. BURDICK. Mr. President, today is the 24th anniversary of the date the Republic of Iceland gained its independence. It was June 17, 1944, that this island Republic gained its independence when 97 percent of Iceland's participating voters elected to end its union with Denmark.

Iceland and Americans of Icelandic descent have given much to this Nation, and it is for this reason that we pause to pay honor to that Republic today.

The history of Iceland shows a vigor and independence which the citizens brought with them when they joined the massive immigration to America in the 1870's. Many of them settled in the Dakota Territory. Today, some 1,000 Icelandic-Americans are residents of North Dakota. In fact, Mountain, N. Dak., is one of the few Icelandic-American communities in our Nation today. These small communities were and still are examples of the democratic way of life.

Early local governments were centered around the individual and his life in the community. Representative forms of government were established in the community as was the means of protection for the individual. Trial by jury was initiated in Iceland and this essential part of democracy carried forth in the new communities in this Nation.

History has allowed Iceland to contribute significantly to the development of America. The Vikings stopped there on their way to the North American Continent. Early Scandinavian explorers also stopped at the island to replenish supplies and repair their vessels before continuing on their journeys of exploration.

The Republic of Iceland has given us many men famous in several fields of endeavor. Stephan G. Stephansson, who lived in North Dakota before moving to Canada, has been pronounced the greatest poet in Canada by Prof. Watson Kirkconnel. Another great writer with tremendous wit was the North Dakota poet Kainn.

North Dakota has had as its attorney general, Sveinbjorn Johnson, who later became justice of the Supreme Court of North Dakota, and later, legal counsel and professor of law at the University of Illinois. Another, Gudmundur S. Grimsson, won international acclaim for his prosecution of the Tabert case in 1923.

A man who was one of the greatest Arctic explorers is a North Dakotan of Icelandic descent. Vilhjalmur Stefansson, writer, scientist, and explorer, has added much to the understanding of our world.

Thus, Mr. President, because of the contributions the Republic of Iceland and people of Iceland have made to these United States, I join in today honoring the anniversary of Iceland's independence.

A VETERAN WESTERN UNION MANAGER LEAVES THE SENATE PRESS GALLERY

Mr. FONG. Mr. President, a recent visitor to Hawaii was James O. Mathis, whose name is familiar to the congressional press corps. Mr. Mathis and his wife spent a relaxing vacation in Hawaii after his retirement May 1 as manager of the U.S. Senate Press Gallery staff for Western Union.

During a quarter century of handling news stories, Mr. Mathis' service included the managing of his company's news operations in the House of Representatives, before he moved to the Senate side.

A brief account of his interesting career prior to his retirement was published in the Honolulu Star-Bulletin of June 11, 1968.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEY'RE SEEING PLACES TO WHICH HE SENT STORIES

(By Peggy Bendet)

A man who transmitted news stories around the country for 25 years is paying a leisurely visit to some of the places where they were published.

James O. Mathis, manager of the U.S. Senate press gallery staff for Western Union before his retirement May 1, is touring Hawaii with his wife.

Mathis handled the coverage for such events as the United States Declaration of War after the bombing of Pearl Harbor and the inaugurations of Presidents John F. Kennedy and Lyndon B. Johnson.

Mathis managed Western Union's news operations in the House of Representatives before he took that job in the Senate.

"The biggest story I handled from my point of view was Sen. Joseph McCarthy's appearance before the House," Mathis said, adding that the basis for his view is the number of wires he set up to handle the news flow.

Washington correspondents credit Mathis with the correction of hundreds of errors in their stories.

"I tried to help them out when I could," Mathis said. "I suppose the most serious errors were when the correspondents forgot to put in a 'not'."

"Western Union had a slogan when I first went to work for them," Mathis explained. "We have nothing to sell but service."

His wife smiled, "He took it seriously."

The Mathises met through Western Union in 1926. She was manager of the office in Savannah, Ga., where he came to work.

"It was one of those lovely 'first sight' things," Mrs. Mathis said.

They married and moved to Washington, D.C., the following year. Mrs. Mathis worked in the Washington D.C. office of Western Union until her retirement three years ago. Since then she has worked for the federal "Voice of America" which is broadcast to 169 countries.

She plans to leave her job soon, so that she and her husband can do some traveling.

They arrived in Honolulu May 30, after driving from Washington to Los Angeles. They will leave the Islands tomorrow, pick up their car and drive back to the East Coast through Canada.

They are staying at the Hilton Hawaiian Village.

REVISION OF GRAIN STANDARDS ACT

Mr. **BURDICK**. Mr. President, I am happy that the Subcommittee on Agricultural Research and General Legislation held hearings today on legislation pertaining to a revision of the Grain Standards Act. I was pleased to cosponsor with the Senator from Montana [Mr. METCALF] and the Senator from South Dakota [Mr. McGOVERN] S. 272 which provides for inspection and grading of grain to be accomplished on the basis of submitted samples. The Grain Standards Act is essentially the same as it was when passed over half a century ago. It is imperative that the modern methods of sampling by automatic machinery be brought to the grain marketing industry.

I hope that our distinguished colleagues on the Committee on Agriculture and Forestry will favorably report to us proposed legislation which will permit mechanical sampling. Any help we can give to the farmer to help him to market his produce in a more efficient manner will ultimately result in more dollars in the farmers' pockets. We all know that the farmers' share of the market dollar is pretty small. We should try to increase it.

Mr. President, I ask unanimous consent that my testimony in behalf of S. 272 be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR QUENTIN BURDICK TO THE SENATE AGRICULTURAL RESEARCH AND GENERAL LEGISLATION SUBCOMMITTEE IN BEHALF OF S. 272 ON JUNE 17, 1968

Mr. Chairman, I thank you for this opportunity to testify in behalf of 272 of which I am the co-sponsor together with Senators Metcalf and McGovern, I believe it is safe to say that any regulatory legislation, in order to remain pertinent, must be updated from time to time. I believe that the time for updating has come for the Grain Standards Act which, as you know, is essentially the same as it was when passed a half century ago. That is not to say that many of the provisions are not still good. They are, but I believe we must update the act in order to make it relate to the conditions of today. In the 89th Congress, I supported legislation which declared the railroad boxcar shortage a national emergency and I also supported other legislation which would help alleviate the critical shortage of rolling stock.

I think, Mr. Chairman, that the legislation before your committee today will have the indirect effect of increasing the availability of rolling stock on the railroads and therefore will have a direct effect on the commerce of our nation. And, needless to say, I am in favor of any measure which will increase the income of the farmer. I believe this proposed change in the Grain Standards Act will increase the farmers' income.

In eliminating the requirement for box cars of grain to travel to designated inspection stations, I think we will revolutionize the marketing process of grain. What is being proposed is that a regulated and licensed system be set up whereby mechanically extracted samples of grain can be submitted for grading at a central point and also can be sent to prospective buyers. Box cars containing the grain from which the samples were extracted can then be shipped to any destination determined by the seller and can be graded according to the results of the gradation test which would have taken place many miles away. Of course this will make possible market shopping for the farmer or the grain elevator operator. He can wait until he learns of a market opening which is attractive and then ship the grain to that market without delays of enroute inspection. We know that the agricultural community is not getting its fair share of the produce dollar. I think that this is one way of insuring that they get a little bigger share of that dollar.

The probability that a sample of grain represents the contents of a car load is much greater when it is extracted by the mechanical sampling device than when it is taken by the present hand probe method. The Secretary of Agriculture will continue to have the authority and responsibility to insure that the sampling is done by approved methods.

In summary, Mr. Chairman, let me itemize the arguments in favor of this legislation. First, the taxpayer will gain because there will be significant savings in cost from the present sampling system. Secondly, the buyer will be gaining an advantage in that he will be assured of a better representative sample. Thirdly, the purchase can be consummated on the basis of submitted samples and delivery can be expedited without current layover delays for inspection so that both buyer and the seller are protected from price fluctuations which can occur between the purchase time and a prolonged time of delivery. Fourthly, there will be increased equipment utilization and this perhaps will encourage the design and purchase of more and better grain box cars.

I understand that presently the railroad can expect to get only eighteen trips a year out of a single piece of grain-hauling equipment. I believe that the enactment of this legislation will increase the car utilization time. In other words, more trips from the elevator to the buyer can be made by a single box car if there does not have to be a layover at an inspection station. Lastly, the farmer and the small country elevator operator will gain in that the range of markets available to them will be increased. For example, a farmer in North Dakota can go east with his submitted sample to the prime markets of Minneapolis or Duluth. Or if the market is better in the west he can go to the Pacific coast markets. He does not have to gamble with an entire carload of grain. He can sell on the basis of his submitted sample.

This, I believe, Mr. Chairman, will revolutionize the marketing process for grain. In summary, Mr. Chairman, I think all that we are doing if we pass this legislation is adapting the modern methods of sampling and analysis that are used in countless other industries today to the marketing of grain. Certainly modern techniques are needed in this area, just as much as they are needed anywhere else.

COLLECTIVE BARGAINING FOR FARMWORKERS

Mr. **WILLIAMS** of New Jersey. Mr. President, S. 8, a bill that I introduced and which has been cosponsored by 11 other Senators, is scheduled for executive consideration by the Committee on Labor and Public Welfare tomorrow, June 18, 1968.

The purpose of the bill is to bring to agricultural employers and employees of large-scale farms the same rights and responsibilities presently applicable to employers and employees in all other industries. As pointed out in an editorial today in the New York Times, the Congress is nearing "a point of decision" on this legislation "in the long fight to extend to agricultural laborers the freedom to unionize that workers in industry generally have been guaranteed for more than 30 years."

Coverage under the National Labor Relations Act would permit use of election procedures successfully developed and used for over 30 years by the National Labor Relations Board to guarantee to employees the right to decide for themselves if they want to engage in collective bargaining with their employers. Over 30 years ago, industrial workers were provided these basic procedures to bring peace to labor-management relations and to end the jungle warfare which cost much but settled nothing.

Labor unrest, evidenced by strikes, violence, boycotts, and other disruptive conditions that materially affect food production, farm profits, workers' earnings, and the general flow of farm products to the consumer, now characterizes the national farming scene, as they affected industry 30 years ago.

Meanwhile, the NLRB procedures have developed peace and stability in the industrial sector.

These conditions are due to the farmworkers' exclusion from the laws' democratic, secret-ballot election procedures. Their continued exclusion will continue to disrupt vital and basic human relations: acceptance of people, negotiations, improved communications, dignity and fairplay.

In America today, this is a time of testing of the willingness of our people to work out problems by peaceful negotiations, democratic election procedures, and firm agreements instead of relying on the law of the jungle.

We now have an opportunity to act by enacting legislation that has relatively little or no cost to our Nation's Treasury. As correctly noted in the New York Times editorial, "the hired farmworker is the most deprived section of the entire work force." While the New York Times editorial suggests Republican members will boycott the committee meeting tomorrow, in hopes of blocking the quorum of the committee, I have been assured by the minority members that they will be present and the committee will be able to take up this long overdue measure that will bring economic emancipation to the poorest workers in the country.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the New York Times editorial was ordered to be printed in the RECORD, as follows:

FAIR DEAL FOR FARMWORKERS

A point of decision is nearing on Capitol Hill in the long fight to extend to agricultural laborers the freedom to unionize that workers in industy generally have been guaranteed for more than thirty years. Hired farm labor is the most deprived section of the entire work force. Even now, with a Federal minimum wage finally in effect, the average annual earnings for farm workers run to substantially less than half the poverty level set by the Federal Government.

A bill to give them the same organization and bargaining rights that now prevail for all other workers has been reported out by the House Committee and is now bottled up in the Rules Committee. In the Senate the subcommittee on migrant farm labor headed by Senator Harrison Williams of New Jersey, has endorsed a similar measure. The big question is whether it can move this week through the full Senate Committee on Education and Labor. The Republican members have indicated that their strategy will be to boycott the sessions in the hope of blocking a quorum and thus killing the bill.

The measure has twelve Democratic sponsors in the Senate. It deserves the support of both parties. Unionism has won a small foothold in California's vineyards, thanks to the inspirational leadership of Cesar Chavez, but even there the infant United Farm Workers has had to rely heavily on strikes and boycotts.

Agriculture is becoming big business. It is time that the 1.5 million laborers on the largest farms were brought under the umbrella of industrial democracy.

WHAT IS THE REAL PROBLEM?

Mr. FANNIN. Mr. President, in the current mood of our Nation there hangs a question. "What shall we do to prevent another tragedy befalling one of our public figures?" From this question then arises many "solutions," each clamoring for public attention.

I suspect that we have made a significant mistake here, Mr. President. We should be asking, "What is the problem?"; rather than, "What is the solution?" Our emphasis at the moment seems entirely concentrated on finding solutions. When we have these hastily fashioned answers in hand and try to put them into effect, we may well find that the solution does not fit the problem.

This is my fear.

I think it is shared by a large majority of the people in this country. I would call to the attention of the Senate an editorial and article appearing on the editorial page of the June 12 edition of the Tucson Daily Citizen. The editorial speaks directly to this question of where the problem actually resides; the article, by Paul Harvey, touches on the same area. Mr. President, I ask unanimous consent that the two items which I have mentioned be printed at this point in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Tucson Daily Citizen, June 12, 1968]

MOOD, NOT LAWS, NEEDS RESHAPING

The hysteria that has gripped the nation since the assassination of Sen. Robert F. Kennedy becomes as senseless as the assassination itself if there is no accompanying facing the facts.

A man has been murdered and this is a crime. This man was a man of great stature and public affection. He also was a husband and father of 10 children. This murder was shocking to the extreme.

A promising career in public life has been terminated and this should be lamented. A prominent and respected family once again has been cruelly shattered and this is heartbreaking.

But to use Sen. Kennedy's death—any more than the death of any faceless victim of violence in the nation today—as a peg on which to hang new government restrictions is to ignore the mood of the nation itself.

That mood—for whatever the rational cause—is a mood of violence.

And it is the national mood of violence, not the laws of the nation, that must be changed and reshaped.

The President has requested quick passage of gun control laws. So have members of Congress.

Many stores have self-righteously said they will forego the sale of guns and ammunition. And some gun-owning citizens have been pictured turning in their guns to police.

How foolish it all will sound some day when the mayor of San Francisco, in fact, recalls that he once urged citizens to turn in their guns with the vague promise that "no questions would be asked." He did not—and perhaps could not—suggest what questions should be asked of law-abiding citizens turning in legally possessed firearms.

Certainly there are persons who never should own firearms. There also are persons who never should own knives, throw rocks, drive an automobile—or even wear shoes.

Only a short time ago, Tucson was shocked to learn how a teen-age girl had been stoned to death in the desert. And, only a few weeks ago, two teen-agers, in Phoenix, forced their way into a third teen-ager's home and kicked him to death.

It is common for victims of violence to be stabbed to death. All too frequently victims of sexual assault—again part of the national mood of violence—are choked to death. And in Tucson alone last year, three persons were beaten to death. No one will ever know how many times a motor vehicle has been used as an instrument of murder.

Whatever weapon a scheming person conditioned to violence demands as his instrument of death, he can obtain—regardless of laws in force to control that weapon. And when a person explodes in violence, that person brutally will attack with any available weapon—be it a shoe, a rock, a knife, a baseball bat or his fists.

America truly is gripped in a mood of violence and the assassination of Sen. Bobby Kennedy epitomizes this mood as did the assassinations of Dr Martin Luther King and President John F. Kennedy before him.

But could it not be, in the jargon of today, that each assassin was only "doing his thing," being true to his own twisted scruples—and only carrying today's mood of violence to its inevitable, chaotic conclusion?

If it has become moral to resort to violence, to defy laws that the individual himself may judge unjust, then is not the assassin apt to find no moral bar to the taking of a life he finds contrary to his own contorted perception of justice?

When a nation and its people condone trespassing though technically illegal, and robbery in the name of civil rights, and violence in the name of student unrest, then doesn't murder logically follow? When one law can be taken into private hands, cannot all laws?

Three decades of almost constant war, two decades of uncontrolled television mayhem and the current unrelenting and permissive civil disobedience have contributed to the mood of violence.

No new action of Congress by itself can change that mood. Nor can that mood be changed overnight by any sentimental waxings.

The will to lead the nation away from violence can come only from a people sick of lawless acts that rob men and nations of their dignity. The change can come only when men decide to live within a restored moral code that demands respect for man and law.

Only then can a troubled nation overcome the mood that has America in its grip.

AMERICA NEEDS SPIRITUAL REVIVAL

(By Paul Harvey)

"Let us, for God's sake, learn to live under law!"

With those words the President of the United States responded to the assassination of Sen. Robert Kennedy.

But President Johnson was talking about all manner and all degrees of violence—on campuses, in public buildings, on main streets—and dark side streets.

The statement and the events which inspired it should have a sobering effect on all rational men. Now we have seen so graphically the inevitably ugly results of disrespect for law—surely rational men will sober up and cease and desist from the small crimes which lead to big ones.

But what of the irrational persons inevitably included in our conglomerate sardine society?

Sirhan Bishara Sirhan entered our "melting pot" but didn't melt. He retained a fanatical allegiance to his mother country, Jordan.

Lee Harvey Oswald, at least for a while, let his responsibility to his homeland be superceded by a distorted preoccupation with Castro's Cuba.

What I'm saying is that a presidential commission designated to determine what causes violence is going to seek a rational explanation for the behavior of irrational persons, and there is none.

I recall during the height of the national controversy over Sen. Joe McCarthy my own life was threatened.

Scheduled to speak in a certain Southwestern town, I arrived to discover an extraordinary escort of police at the airport and FBI agents guarding my hotel corridor.

These precautions, resulting from receipt of an unsigned postcard, I found embarrassing.

I telephoned FBI Director J. Edgar Hoover. "Anybody intending to shoot me is not going to send me a warning," I protested.

Director Hoover's response was firm: "You can't rationalize what an irrational person is likely to do!"

He went on to explain that if the protection were to be withdrawn—then anything should happen—the bureau would be in trouble for ignoring the warning. The guards remained.

I relate the experience only to underscore the problem facing the President's new commission as it undertakes to explain or anticipate what an Oswald or Sirhan is likely to do.

When the investigators have done their best, have piled more laws on laws vainly trying to provide salvation by legislation, Americans may then recognize that the only way out is up; that the change must be made in the hearts of men.

Our beloved republic, born in pain out of a spiritual God-man wedding, has backslid so far that it now must be born again, one individual at a time.

We don't need more laws. All we need is renewed respect for the Basic Ten. If to a sophisticated generation it sounds "corny" to propose spiritual regeneration, so be it.

This generation will accept the narrow gate to heaven—or live in hell right here.

KILPATRICK ON RESURRECTION CITY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a letter to the editor, which appeared in today's Washington Evening Star. The letter was written by Gladys L. Baker under the heading "Kilpatrick on Resurrection City."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SIR: Bravo, James J. Kilpatrick! A vast amount of sham indeed! Welfare must be given, of course—to those who are truly unable to provide for their own necessities. But for these thousands, and hundreds of thousands—yes, millions—of able-bodied, healthy men and women in their prime years to sit in idleness while badgering a working population to "give" the fruits of their endeavors to provide the idlers not only with the necessities of life but with the comforts as well is unthinkable. Let me tell you about my family.

There are nine of us children who grew up in the State of South Dakota during the depression years where the economy of that state was sorely hit during that time with the area ravaged by the drought and by the dust storms that devastated the midwestern states. We knew poverty intimately. And yet during all those terrible long, anxious, destitute years, my father accepted for himself and his family not one cent of relief from any charitable agency, private or governmental. He did not go on "WPA;" but he did work hard, long, back-breaking hours seven days a week.

MY MOTHER

My mother cooked and scrubbed and canned produce from our own garden, sewed all the clothing for her large active family. (My first "store-bought" coat was for my twelfth birthday.) I can remember Mother carefully ripping apart adult garments, washing and pressing and "turning" the fabric to make our smaller coats and dresses and underclothing on a treadle sewing machine. She taught us girls to sew, and I still make most of my own clothing.

Each spring my father plowed and planted a large vegetable garden, after working from 12 to 15 hours at his job, and we children knew as a matter of fact that we were to tend the garden and, under father's eagle-eyed supervision, make it produce the food that would be on the family dinner table. I hated the weeding and hoeing and picking and digging. We all did—it's hard on the back, and it gets awfully hot and sultry in the summer sun in Dakota—but we did it. And we had good food on our table in the summer with a cellar stocked with our own carrots and turnips and cabbages and potatoes for the long, cold, blizzard-driven winter.

There were hundreds of Mason jars in long, gleaming rows of tomatoes and green beens and corn and peaches and pears and strawberries and applesauce and jelly and jam and pickles that we girls helped Mother "put up" in a steaming kitchen in those torrid August days—without benefit of air-conditioning. And the excess garden vegetables that would quickly perish, we children were instructed by a thrifty and watchful father to gather and wash and neatly tie into bunches, put in our little red wagon, and sell from door-to-door to the housewives on the "west side"—the more prosperous section of town. And I loathed doing that!

And so we grew up in a poor state during hard times, and, as I said before, with not one of us having eaten the stale bread of charity. Charity, in the thinking of my parents, is something to be given not taken. I can remember my mother setting a bountiful repast before the "tramps" who came to our back door in an endless procession during those depression years from earliest chilly spring on through the lovely, hazy autumn until snow began to fly. None were turned away. Some offered to work, some didn't; all were fed and given sandwiches and such to take with them.

MY FATHER

Let me tell you about my father. He was born in a sod house on the prairie near Yankton, South Dakota, where his parents had staked out a homestead. Can you think of anything more "under-privileged?" Can you visualize living in a rude structure, part cave, part wooden shanty in the howling blizzards of Dakota winters and the searing heat of those prairie summers? And can you visualize wresting your very sustenance from that hostile land with no corner market or drug store or clothing store or doctor or even neighbors? Our forebearers knew poverty intimately, but not welfare or charity. They were proud, strong, purposeful people who asked for nothing from any person and certainly not from their government.

My father's father, while staking his claim, also rode for the pony express, and he was robbed of his pouch and killed and his body thrown into the Missouri River leaving my grandmother young and pregnant and alone on that vast prairie with my father, a little boy of three. Later Grandmother made her way to the little village of Sioux Falls where she took in washing and ironing to support herself and her two children. She did not go on welfare.

My father went through only five grades of grammar school, and when he was but ten years of age, he was taken out of school and put to work. There were no public appeals to "send this boy to camp." And yet he grew to manhood—largely through his own efforts; he became owner of a fine butcher shop—entirely through his own effort. He married, had a family, lost his business in the great depression, and became an employee again instead of a shop owner; but he fed and clothed his family, paid for his home, and eventually again opened his own business. But how hard he worked!

UNDERPRIVILEGED?

This sounds like an under-privileged family? Don't you believe it! We grew up to be diligent, honest, useful people. None of us has asked for—nor would accept—welfare or charity or relief and would consider it "beneath our dignity" to do so. We go to church, we vote, we argue politics; but we pay our taxes, we own our homes, we pay our bills, we send our kids to college and our men to war when called to do so. We gripe a lot, but we don't make a public nuisance of ourselves; and we're proud to be Americans. We grew up knowing that the people support their government; the government does not support its people.

This story of my family is not an unusual one—it could be duplicated, matched, or elaborated upon by every community in the country. Let our lawmakers now have the wisdom not to emasculate a large portion of our population by the lavish and unwise distribution of charity and thus deprive them of the privilege to develop their characters and the characters of their children.

Guaranteed annual income?

GLADYS L. BAKER.

SILVER SPRING, MD.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

EXTENDING AUTHORITY OF EXPORT-IMPORT BANK IN ORDER TO IMPROVE THE BALANCE OF PAYMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending business take place at 2 o'clock tomorrow, notwithstanding rule XII.

Mr. BYRD of Virginia. Mr. President, reserving the right to object, may I ask the majority leader a question?

Mr. MANSFIELD. Yes, indeed.

Mr. BYRD of Virginia. Mr. President, how does that affect the time limitation presently in effect?

Mr. MANSFIELD. It affects it in no way. We can, if the Senator wishes, vacate that time limitation, or we can extend it, whichever is his wish.

Mr. BYRD of Virginia. As I understand it, under the unanimous-consent agreement of last Thursday, the time limitation on the bill is 1 hour on each side.

Mr. MANSFIELD. That is correct.

Mr. BYRD of Virginia. Now, under the unanimous-consent agreement that the Senator from Montana proposes at this time, where is the time limitation?

Mr. MANSFIELD. Just to keep within the confines of the agreement announced; and I further ask unanimous consent that the time from 1 o'clock until 2 o'clock tomorrow be equally divided between the majority and minority leaders, or by whomever they may designate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. We have not gotten to the other unanimous-consent agreement yet.

Mr. MANSFIELD. Yes. That would still hold, and be extended; or, if the Senator insists, it can be vacated.

Mr. BYRD of Virginia. No; I do not wish to insist, Mr. President, as long as I am clear on how it is to operate. Suppose the Senator from Virginia wishes to speak an hour and the Senator from Iowa wishes to speak an hour in opposition. How do we do that?

Mr. MANSFIELD. Just extend the time; and I can assure the Senator there will be no trouble.

Mr. BYRD of Virginia. I thank the Senator from Montana. I have no objection.

The PRESIDING OFFICER. Without objection, the provisions of rule XII will be waived, as requested by the majority leader, and the unanimous-consent agreement is entered into.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Ordered, That on Tuesday, June 18, 1968 the Senate proceed to vote not later than 2 o'clock p.m. on the final passage of H.R. 16162, to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

Provided, That debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited not to exceed one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Maine [Mr. MUSKIE].

Provided further, That debate between 1 and 2 p.m. on June 18 be equally divided and controlled by the Senator from Maine [Mr. MUSKIE] and the minority leader. *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1214, H.R. 16162, and that the unanimous-consent agreements that have been reached apply to H.R. 16162.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

Mr. BYRD of Virginia. Mr. President, reserving the right to object, as I understand it, the Senator from Maine proposes to substitute the bill passed by the House of Representatives for the Senate bill.

Mr. MUSKIE. The Senator is correct. This would make the House bill the pending business, subject to amendment and debate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine? The Chair hears none, and it is so ordered, and the unanimous-consent agreement will be applicable to H.R. 16162 instead of to the Senate bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that any time allotted under the agreement to the majority leader be allocated to the Senator from Maine [Mr. MUSKIE].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the joint leadership, I assure the Senate that if any extensions of time are needed, those extensions will be forthcoming without objection.

Mr. BYRD of Virginia. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, today we consider H.R. 16162, a bill which is a part of the administration's overall legislative and administrative program to restore equilibrium to our balance of payments. This legislation, which is a companion bill to S. 3218 recently reported by the Senate Banking and Currency Committee, was passed by the House last Wednesday. However, several substantive changes were included in the House bill which are not part of the reported Senate bill. With the exception of one of these amendments which needs clarification, I think the House has made constructive changes. I understand that the minority leader will offer an amendment to clarify the meaning of that House amendment. I plan to discuss briefly the other changes made by the House.

This legislation seeks to help our balance of payments by creating a special fund for loans, guarantees, and insurance within the existing statutory authority of the Export-Import Bank. The bill would stimulate the export of U.S. goods to foreign buyers which do not meet present Eximbank statutory criteria but, nevertheless, should be financed in order to improve the balance of payments and foster the long-term U.S. commercial interests.

As Senators are aware, the United States has experienced a deficit in its balance-of-payments position for 17 of the last 18 years. The administration has placed a very high priority on measures which would contribute to the improvement of this situation. The extended period of deficits in our balance-of-payments accounts has shaken world confidence in our ability to maintain the soundness of the dollar. Foreign countries have begun to doubt whether the United States will take constructive steps to reduce these deficits.

The recent gold crisis has again highlighted the fact that our friends abroad have serious misgivings about our intentions to bring about improvement in our accounts. While the situation in the gold markets has been temporarily eased with the establishment of the two-price system for gold, I think it is fair to describe conditions in these markets as remaining uncertain. And while we can take encouragement in the fact that the world's major international bankers only recently agreed to proceed expeditiously with the special drawing rights system which, hopefully, eventually would replace the dollar as the principal reserve currency of the world, it is imperative that we still take action to protect the dollar. Congress has recently approved legislation authorizing U.S. participation in the special drawing rights plan.

It is true that the strength of the dollar abroad depends to a very great extent on our payments system. The international monetary system which rests so largely on the dollar would be greatly strengthened by elimination of the U.S. payments deficit. A stable international monetary system is essential to assure expanding world trade and a prosperous international economy.

Senators will recall the comprehensive balance-of-payments program that was undertaken by the President on January 1 of this year. Many of us did not feel that some of the proposals that were recommended would be in the best interests of the United States. For instance, there has been quite a bit of controversy surrounding the administrative program to cut back foreign investment by American industry and foreign lending by our banks. It has been argued by many of our major exporters and bankers that these measures will be counterproductive in terms of contributing to our payments position. I am informed, however, by the Commerce Department that certain aspects of the program to curtail foreign investment are being reconsidered.

The administration has also announced that it would cut back on Government expenses by reducing the number of U.S. personnel working overseas and trips made to other countries by Government employees. We have also embarked upon a program to encourage increased foreign investment and travel in the United States.

In addition to the tourist tax which appears stymied in the House, the President recommended legislation to authorize a $2.4 million supplemental appropriation to enable the Commerce Department to launch a 5-year program to promote American exports in trade fairs and shows. Legislation has also been introduced to extend the present authority which allows domestic banks to pay interest rates to foreign government depositors without regard to interest rate ceilings applicable to domestic depositors. The President also proposed a more liberal rediscount program by Eximbank to enable banks further to help firms increase their exports.

However, the thrust of the present legislation is to stimulate the export of U.S. goods and services to foreign buyers. It has been most disturbing to observe that our trade surplus has been decreasing rather rapidly in the last few years. While we enjoyed a trade surplus of $6.6 billion 4 years ago, the surplus dropped off to only $3.6 billion last year. In 1967, we exported some $30 billion worth of products—the highest in our history—which must be increased in order to meet foreign competition if we are to expect improvement in our balance of payments.

The Commerce Department has reported disappointing trade results for the first quarter of 1968, when imports rose by 17 percent while exports increased by only 3 percent over the same period of 1967. Should the trend of the first quarter be extended through the entire year, the trade surplus for 1968 would be considerably less than the surplus of $3.5 billion for 1967. Figures for March indicate that imports exceeded exports by $157.7 million, the first time since 1963 that the United States in any month failed to send abroad more merchandise than it purchased abroad. While there may be a number of factors which account for the sharp downswing in exports, such as the longshoreman's strike, the copper strike, the buying of foreign steel as a hedge against a domestic steel strike, and the inflation of prices of U.S. goods, these latest figures are cause for grave concern. As our trade surplus diminishes, we will likely again have an unfavorable payments balance. While the April figures from Commerce show some improvement in the volume of U.S. exports, our overall trade is still not good.

Clearly, Congress must take action to reverse this undesirable trend by authorizing appropriate legislation to expand trade. The Export-Import Bank has done a most commendable job of helping to finance the export of U.S. goods and services. During its over 30 years of operation, the Bank has been involved directly in billions of dollars of loans and has made possible by participating in other loans with banks and by guarantees and insurance a much greater amount of exporting.

However, I do detect a feeling on the part of many bankers and exporters that Eximbank may have been a little too conservative in carrying out the intent for which the Bank was originally created—that of expanding the sale of American goods to other countries. Complaints have been expressed by exporters that Eximbank has appeared overly concerned about the record of its own losses, rather than the active pursuing of the objective of expanding exports. It may well be that many opportunities for trade have been lost for want of an aggressive, positive stance on the part of Eximbank.

The proposed legislation would provide that within certain prescribed limits, Eximbank may relax its present standards for financing. The new export expansion facility would permit financing for transactions with a distinct but acceptable credit risk. Under present law, Eximbank may not become involved in financing transactions, unless there is a "reasonable assurance" that the loan would be repaid. That phrase, to me, has acquired a very specific and demonstrable meaning in terms of the precedents which have been established by the Bank and its Board of Directors—a meaning which is binding upon the Bank in the exercise of its present policy, and which we have taken into consideration in reporting the proposed legislation.

The bill as introduced would have permitted Eximbank assistance under the new facility when the Board of Directors felt that in their judgment such transactions would contribute to improvement of our balance of payments. The House amended this part of the legislation so that Eximbank would be required to determine that any transactions pursuant to this legislation would offer a "sufficient likelihood of repayment." This amendment would tighten up the standard that Eximbank would be required to follow under the new program, and in my judgment, would tighten it up consistent with the testimony which the Bank gave to the committee.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. BYRD of Virginia. Would the Senator indicate what he means by "tighten up"? It would tighten up the Senator says, the Bank's obligation. Does the Senator mean tighten it up beyond what it is now?

Mr. MUSKIE. No. Tighten it up beyond what some fear might be the interpretation of the language reported in the Senate bill.

Mr. BYRD of Virginia. Would the Senator indicate the difference between "offer sufficient likelihood," on the one hand, and "meet reasonably tests of assurance," on the other hand?

Mr. MUSKIE. I will undertake to discuss that feature of the bill in my prepared remarks, and will be happy to go into it further to any extent to which it may be desired by the Senator from Virginia.

Mr. BYRD of Virginia. I thank the Senator.

Mr. MUSKIE. Applications would be reviewed by Eximbank to determine if the transaction could be supported under the regular direct loan, guarantee, or insurance program, or from private sources. A transaction that did not meet the traditional criteria used by Eximbank could then be considered in light of the new authority. These transactions would be specially designated on the books of the Bank.

Mr. President (Mr. Pell in the chair), the bill provides that for purposes of calculating charges against the Bank's $13.5 billion statutory authority, the full amount of loans and 25 percent of Eximbank's contractual authority under guarantees and insurance would be taken into account under the new authority. The total of loans would be limited to $500 million, or, theoretically, the Bank could have outstanding $2 billion in guarantees and insurance if no loans were involved. However, since some portion of the $500 million would be used for loans which are chargeable at 100 percent, the portion used under the new program should not approach the larger figure.

Under the amended House bill, loans in default under the new program would be charged off against the reserves of the Bank up to $100 million. The next $100 million of losses would be borne by the Treasury. There is some uncertainty under the House bill as to who would be responsible for any losses above $200 million, if the losses should ever reach that amount. Senator Dirksen, I understand, has some language to clear up any ambiguities about this particular House amendment.

It should be made clear that while the successful operation of the new program will undoubtedly be beneficial to the balance of payments, we should not expect it to work miracles in the early years of its operation. This program is the type of long-range farsighted approach that over time should yield substantial benefits to our payments accounts by stimulating additional trade. Hopefully, the new authority would permit our products to become established in new markets where the potential for follow-on sales is promising. It should help the United States more effectively to meet competition from other countries that push their exports aggressively.

Unfortunately, many U.S. companies are not now involved in the exporting of their products. Many others are only involved in exporting to a limited extent. The major reason for the lack of enthusiasm by many of our companies concerning the expansion into foreign markets has been that they have been able to sell their products relatively easily in domestic markets. It is hoped that this legislation will provide an incentive for many U.S. businesses to become more active in the exporting field.

Over the last decade, Mr. President, our exports have averaged about 4 percent of the gross national product. The level of imports as a percentage of GNP has been steadily rising in the last few years, and for 1967 it was 3.4 percent.

The objective of this legislation is to raise the level of U.S. exports perhaps to 4.3 percent or even higher over the next 5 years by penetrating new foreign markets and encouraging new exporters in the U.S. industrial ranks. We will have to count on the Export-Import Bank, which now finances about 10 or 11 percent of all exports sold on credit, to help us reach that objective.

The Export-Import Bank recognizes that it is only repayment of principal and interest, and not credit sales, as such, that will contribute to our balance-of-payments position.

Mr. President, I wish to emphasize that statement as it was emphasized over and over again in the hearings before the committee. The Export-Import Bank recognizes that it is only repayment of principal and interest, and not credit sales, as such, that will contribute to our balance-of-payments position.

Consequently, the Bank will by no means approve every loan application which it receives. The Eximbank has never been a soft loan agency, nor do we intend that the new export facility would be used for that purpose.

Mr. SYMINGTON. Mr. President, will the Senator yield at this point?

Mr. MUSKIE. I yield.

Mr. SYMINGTON. Is this, in effect, a softening up of loan requirements of the Export-Import Bank?

Mr. MUSKIE. It has nothing to do with the softening up of terms with respect to payment of principal or payment of interest. It would permit the Bank to consider credit risks, which, under its current authority, are excluded from support.

Mr. SYMINGTON. The Senator knows we had the World Bank, where we put in the soft loan window of IDA. Then we had a Bank for South America, in which we put in the social progress soft loan window then we formed the Asian Bank. That one at least started out without a soft loan window, but now a major effort is going to get into it a soft loan window.

The one international setup we had that was apparently proceeding on what might be called a normal business basis under sound accounting or and loan principles, like any other reputable private bank, was the Export-Import Bank.

I am not on the committee involved, although as a member of the Committee on Foreign Relations I have watched with increasing apprehension all this desire to install soft loan windows everywhere, so as to, in effect, "tap the till" of the United States for the benefit of those outside of this country.

I was interested in the Asian Bank, into which we agreed to put money in December 1965.

This year, when the question of a soft loan window came up, we asked how much of that $1 billion in the Asian Bank had been loaned out; and found not one cent had been loaned.

I do not use the word in a derogatory sense, but if we "infect" also the Export-Import Bank with the same type and character of soft loan potential by saying, "You do not have to be reasonably sure that the loanee will repay," do we not, to some extent, destroy the last really business-like international bank we have in this Government today?

Mr. MUSKIE. As I understand the characteristics of the so-called soft loan to which the Senator referred, those characteristics have to do with terms of repayment, interest rates, downpayment required, and periods of grace where no payment of principal and interest would be required, and the like. There is nothing of that kind involved in this legislation. There was nothing of that kind involved in the form in which the Senate committee reported the legislation to the floor, and certainly that was not the intent. The amendments of the House of Representatives clarified that intent even more than the Senate version of the legislation.

For example, there is a House amendment before us, of which the committee approves, to the effect that the usual Export-Import Bank terms and interest rates would apply under the new program. There is no suggestion or hint in any testimony on the part of President Linder, or those representing the bank, that soft loans or any characteristics associated with that phrase would be intended under the bill.

Mr. SYMINGTON. May I make a short observation. I have served on many bank boards, as I know also has the Senator from Maine in his career.

There would appear to be no real difference between the softest of terms to somebody capable of repaying, and harsh terms to somebody incapable of paying.

Therefore, I do not think it entirely right to talk about the fact that, because the terms are not soft, the loan is automatically not a soft loan. The one thing any banker wants to know about first, when he lends, is: Will the loan be repaid?

Mr. MUSKIE. The Senator is absoutely right. However, again, it is a question of degree and semantics. We could describe the Export-Import Bank in its present authority as involving soft loans since in the sense it is intended to cover risks which are not conventional in conventional banking circles. To that extent, one might say they are softer than bank loans.

In the same way, one could call the Small Business Administration a soft loan agency in the sense it is intended to provide lending authority in those instances where credit is not available from private banking circles. Indeed, a condition of the SBA law is that a showing must be made by the borrower that he cannot get the loan from conventional banking circles. I cite this example not in direct response, but to show the difficulty in spelling out semantically the difference between the application of the bank's present authority—that interpretative job gained by years of experience and the new philosophy in the House bill before us, that of substantial likelihood of repayment.

The bank meticulously reshaped present policies and one has only to study the description of that policy. The phrase "reasonable assurance of repayment" has not only an illustrative effect but it is a positive restrictive effect that may not have been the intent when that legislation was first adopted.

So the bank will not breach here its expressed authority or even its interpretation of that authority because of its commitment not only to the statute but to interpretation of the statute.

If we had the original language "reasonable assurance of repayment" before us in today's world climate without the precedent, it is conceivable that the bank could use that authority in the way it intends to use new authority, if granted, but it is bound by precedents and now undertakes to expand its authority.

Mr. SYMINGTON. Mr. President, let me make another observation. No one is more for the Small Business Administration than I. No one has greater respect for the ability of the Senator from Maine in this field, and in many other fields. But when he describes comparability of this development, the Small Business Administration, I believe he answers the point I was trying to make.

Mr. MUSKIE. I do not think the Senator should draw the conclusion the words might imply. All I am trying to show is that when one is in the process of applying for funds of this kind, case by case, the loan applications, which vary in degree and purpose as to credit risks, represent a degree of subjective judgment in which it is difficult to spell out guidelines for in this legislation.

All I am trying to suggest, by comparison with the Small Business Administration, is that various administrators of SBA have had similar problems in undertaking to apply policy to classes of risks not acceptable to banking authorities. It is that kind of difference that the Bank would be involved in interpreting. It is a vague, subjective kind of thing. I am not trying to suggest that the SBA is the precedent for this legislation.

Mr. TOWER. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. TOWER. If the Senator from Missouri would forbear for a moment. Under the present language of the act which in bankers' terminology is highly restrictive, we cannot adjust to the Indonesia situation, where Sukarno collapsed the entire economy of the country, expropriated everything, and threw out the entrepreneurs from all over the world who had invested in his country. That regime has been overturned, and still the Indonesian economy is in a state of collapse.

Now there is in existence in Indonesia, under Suharto, a government which has been trying to get Indonesia back on its feet, and to bring back foreign investments to develop the country which has great resources for development. Under the present state of its economy and its monetary system, the old provisions of the Ex-Im law would serve as a restriction on any effort on our part to encourage investment of American capital in Indonesia and to aid in the process of rehabilitating the country which is potentially a great ally of the West.

Mr. SYMINGTON. I do not know of any objection to lending money to Indonesia. But we have already given away over $180 billion—more than half our debt—to other countries. I saw recent figures to the effect that the U.S. debt is $43 billion more than the total debt of all the other countries in the world combined. I have watched with a sort of fascination, this operation develop. When we cannot give or soft-loan lend any more on a unilateral basis, we begin to search around on a bilateral basis. That is what happened to the World Bank, to the Asian Bank, and to the IDA Bank.

I was hoping there would be one bank left where the question of how the board of directors decided they would use the taxpayers' money would be comparable to normal business practice.

We often find that the very country we are supporting is the country which shortly turns its political government into a different type and character. In justification of that remark, I would refer the able Senator from Texas to a recent article in the Saturday Evening Post which starts off with a quotation from the head of the Vietcong expressing his gratitude to the United States. He says they never could have lasted if it were not for the materiel and supplies this country had been good enough to send them, even if it was done indirectly. Sarcastic no doubt, but effective.

Mr. TOWER. If I could pursue the point further. I understand what the Senator is referring to. In any case, the point that I was trying to make is, I think there is a good potential in Indonesia for the United States to help develop that country. Under the prevailing language in the current legislation, the lenders and their associates could conscientiously loan money to the extent that it could be regarded as a good risk. Once we get the infusion of capital, we could go ahead and orient it later. Indonesia is devoting 90 percent of its efforts to civic actions rather than to military, so that I think ultimately this is a good risk for us, another potential for us, because this country is so tremendously great in resources that it could be a wealthy country.

Mr. SYMINGTON. Is this legislation based on sending money to Indonesia?

Mr. TOWER. Not entirely. I use Indonesia just as an illustration.

Mr. SYMINGTON. I would hope that just once, we could see some figures showing why it is important for us not to give or lend money to some other country, what with all the gigantic social and financial problems we have here at home, plus all the wars and war preparations we have around the world. Maybe we could withdraw a bit, instead of constantly expanding, to the point where it affects the security of the United States. I believe an economic collapse would, in the long run, be just as serious as a military defeat.

Mr. TOWER. I think the Senator from Maine has answered that question; that what we are doing here is engaging in an exercise in semantics as to what is a risk. We cannot stick by the dogmas of the past. We must make progress and, therefore, we must adjust the language to the times.

Mr. MUSKIE. Mr. President, let me finish my prepared remarks at this point.

I emphasize again that the Export-Import Bank has never been a soft loan agency, nor is it intended that the Export-Import Bank's new expansion facility would be used for that purpose. The objective here—in further response to the distinguished Senator from Missouri—is directly in our national interest; that is, to improve our balance-of-payments position.

In other words, the new authority would not be in any sense a form of foreign aid—another AID program—where long terms and low interest rates are customary. Eximbank's usual repayment terms and standard interest rates would apply under the new program. "Usual repayment terms" are understood to mean the downpayments and maturities which are normally used in international trade for goods being sold, unless it is demonstrated that longer terms are necessary to match offers of government-supported credit being extended by our foreign competitors for a particular piece of business. Standard interest rates at the present time are 6 percent for a direct loan to a foreign borrower. A House amendment would write into the law a provision that the usual Eximbank terms and interest rates would apply under the new program.

Eximbank expects normal cash payments and exporter participation in transactions to the same extent as are now applicable under the regular program. Most of the new authorizations will be for short and medium term transactions, usually on terms providing for repayment over a period not exceeding 5 years. Most of the new transactions would be financed by U.S. commercial banks under Eximbank's guarantee, or by the exporter himself under an insurance policy provided by the Foreign Credit Insurance Association in conjunction with Eximbank.

The program would concentrate on short and medium term transactions since the sooner the dollars flow back into this country, the more help will they be in alleviating the balance-of-payments crisis.

Eximbank does not plan to instigate an international credit war by making its terms too attractive.

Eximbank could, under the new authority, consider loans where the credit worthiness of the customer may not be first rate, or where the customer is located in a country in which Eximbank may be overexposed from past loans. Eximbank could give more consideration to making loans in those countries where potential political problems might otherwise deter them. It is also contemplated that credits would be extended to developed countries as well as to the less-developed countries.

The new program could be extended to countries that are being phased out of the AID program. This could include those countries where the external debt is fairly high and traditional credit terms are not available, and where new businesses appear to be getting underway. Eximbank might also contemplate making additional credit available to foreign buyers who may now have a $50,000 line of credit from our exporters by expanding this amount to $75,000.

The new export expansion facility, had it been in effect, could have been used in a number of different types of transactions, several of which I shall mention:

First. The special account could have been utilized to finance the sale of diesel locomotives to a Latin American country, which would have assured substantial follow-on sales of spare parts thereafter and would have given American firms a favored market position on future orders of locomotives.

Second. The special account could help assure as much as $500,000 annually in sales by an American firm to an African customer.

Third. If available at the time, the special account might have assured approximately $20 to $25 million in sales from the United States to Iran in compressor equipment for a petrochemical plant.

Fourth. The special account could have assured the sale of an electric power generating unit for Korea.

Fifth. The special account would permit Eximbank to increase its financing for priority exports to Brazil.

I ask unanimous consent to insert in the RECORD following my remarks a more detailed explanation of these transactions from the Commerce Department.

The PRESIDING OFFICER. Without objections, it is so ordered.

(See exhibit 1.)

Mr. MUSKIE. Mr. President, these illustrations from the Commerce Department are intended to suggest ways in which the special authority might have been used in the past and in which it might be used in the future if the Bank is given that authority.

In order to provide guidance to the Export-Import Bank in administering the new account, the President announced when he proposed this legislation that he will establish an Export Expansion Advisory Committee, chaired by the Secretary of Commerce. Applications for loans, guarantees, and insurance would be examined, processed and developed by Eximbank personnel. The Advisory Committee would be available for consultation in connection with those transactions which did not meet the standard Eximbank criteria. The panel would be made up of various experts in this field.

The House amended the bill to prohibit any Eximbank assistance under the new program in connection with the sale of defense articles or defense services. Although Chairman Linder stated in unequivocal terms that the new authority would not be used for such purchases, I think it will be helpful to have this prohibition written into the legislation.

In conclusion, I believe the new program can make a valuable contribution to our balance of payments. This legislation was supported by all the interested agencies of Government, including Eximbank, Treasury and Commerce Departments, as well as by exporters and bankers active in this field. There appears to be general agreement that the legislation will be helpful in expanding our trade. Mr. President, I urge that the Senate act favorably on this legislation.

EXHIBIT 1

EXIMBANK OVEREXPOSURE IN IRAN

If available at the time, the special account might have assured approximately $20 to $25 million in sales from the United States to Iran in compressor equipment for a petrochemical plant.

An American bidder was invited to supply $20 to $25 million of gas engine compressors and auxiliary equipment in which the firm had technical leadership. In addition to the initial order, follow-on orders of $200,000 in spare parts were expected. Market penetration also was involved in this transaction, since a successful bid would have placed the firm in a position to bid on additional equipment for an Iranian petrochemical plant. European firms allegedly were able to offer favorable credit terms supported by their governments.

Eximbank was unable to respond affirmatively because of its current high level of commitments in Iran, and potential U.S. exports were lost to firms in Europe.

Iran has substantial promise as a market for U.S. exports. If American exporters are to achieve their full potential in this market, it will be necessary to make available more adequate and more flexible financing.

MARKET PENETRATION AND FOLLOW-ON SALES IN LATIN AMERICA

The special account could have been utilized to finance the sale of diesel locomotives to a Latin American country, which would have assured substantial follow-on sales of spare parts thereafter and would have given American firms a favored market position on future orders of locomotives.

A Latin American railroad asked for bids on 60 diesel locomotives worth approximately $10 million. Besides the initial order, follow-on sales of spare parts over the next 17 years would have amounted to approximately 15 to 30 percent of the value of the initial order. Placement of American equipment in this market would, moreover, have assured American companies of a favored position for future diesel orders.

Because of the foreign exchange difficulties of the particular Latin American country involved, Eximbank was able to offer only credit terms that were less competitive in interest and in maturity than that offered by a European firm. The export was lost to the United States.

KEEPING A BUYER IN AFRICA

The special account could help assure as much as $500,000 annually in sales by an American firm to an African customer.

A government bus line in an African country has been buying up to $500,000 of tires a year from a large American manufacturer on a c.o.d. basis. Now several foreign companies are seeking to break into the market by offering 1-year credit.

The American firm countered with six-month credit terms and believed it could have kept the customer because of its superior product. However, for its own protection the American firm asked Eximbank for credit insurance against the possibility of non-payment.

Because the bus line does not operate on a profit-making basis and is partially dependent on a government subsidy, Eximbank was unable to offer the insurance, unless payment was guaranteed through a bank letter of credit. This condition led the bus company to shift its order to a Belgian competitor, with the loss of $500,000 in sales for the United States this year.

SELLING TO A COUNTRY WITH HIGH DEBT-SERVICING OBLIGATIONS

The special account could have assured the sale of an electric power generating unit for Korea.

The Korean Government applied to Eximbank to finance one unit of a two-unit power plant on commercial terms. Another unit was to have been supplied by an American manufacturer under AID financing. The United States is competitive in this type of plant, and it would have been sensible to have an American supplier for both units in order to take advantage of equipment and spare parts compatibility and a unified staff of technical personnel. Eximbank was unable to finance the project because of some uncertainties regarding Korea's foreign exchange position in the 1970's reflecting increased foreign debt repayments. Also, the project would have preempted funds for other Korean projects Eximbank was considering at the time. Subsequently, the order fell to a German firm with financing on commercial terms.

Present indications are that Korea will continue to develop rapidly and to maintain a high level of export earnings and imports. Whether American or foreign suppliers meet Korea's import needs will depend largely upon the availability of financing. Several other Korean power projects have been supplied by foreign competitors on terms varying between 5 to 20 years.

It also is worthy of note that the Japanese have normalized their relationships with Korea, and they have agreed to put in $800 million of tied assistance over 10 years, $300 million of which are on commercial terms. The Koreans would very much like to diversify their sources of supply and have asked us to increase our commercial presence in Korea. The Department of Commerce plans to step up its trade promotion activities in Korea, and it would be most useful if more flexible U.S. credit facilities were available.

EXIMBANK EXPOSURE IN BRAZIL

The special account would permit Eximbank to increase its financing for priority exports to Brazil.

Brazil's international credit standing has taken a turn for the better in recent years, partly as a result of the healthier economic climate fostered by our economic assistance program. Foreign businessmen have taken advantage of the more favorable market situation and have expanded their exports to Brazil, in part through liberalizing their credit terms to Brazilian customers. Due to Eximbank's considerable exposure in Brazil of over $600 million, it has been forced to hold back on financial commitments in this promising market; and export sales have been lost by American suppliers.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MUSKIE. Yes; I am happy to yield.

Mr. BYRD of Virginia. Before the Senator from Virginia can determine whether to support or oppose the legislation, he would need to know how the criteria to meet the test of the likelihood of repayment differs from the current criteria to meet the test of reasonable assurance of repayment. What is the difference between the two?

Mr. MUSKIE. I think I can say to the Senator only that the difference can be perhaps suggested by the kinds of illustrations which I have put in the RECORD.

Let me say this to the Senator: Suppose we had before us, not the present language, but the language of the present law, "reasonable assurance of repayment." Suppose we had that language, without any background in the context of the present world of international finance, and the floor managers of the bill was asked to explain under what situations loans would be made under that kind of language. I think the Senator would have as much difficulty in trying to describe the exact application of that language as the Senator from Virginia and I are having with respect to the language before us.

We went into it at considerable length with Chairman Linder, in the hearings and outside the hearings, to try to get the difference spelled out as explicitly as possible. Unfortunately, that is not possible unless you have the applications before you.

We can say these things about it. First of all, the language as added by the House bill, will be somewhat more liberal than the present language of the statute. We can say, secondly, the present language is somewhat more restrictive than would be the case under the new authority. We can say, thirdly, that the directors of Eximbank, in applying their present policy, have undertaken to do so with great meticulousness and with an exercise of self-discipline and self-restraint in the light of their interpretation that the words of their present authority have a clear meaning in credit terms. Eximbank will consider the new language with the same conservative approach that they use with respect to their present authority.

There is no way for me or anyone else, other than by examples from the Bank's record, to spell out what kind of loans would be approved and what kind of loans would not be approved.

We can say about this authority, further, what I have already undertaken to say in my prepared remarks: that is, that the new language will not mean any relaxation of the down payment requirements; that it will not mean any relaxation with respect to the repayment of loans; that it will not mean any relaxation with respect to the interest charge; and other traditional terms will not be relaxed.

We are talking about situations with respect to foreign countries and businesses purchasing U.S. equipment dealing with exporters, from our country, who are not now in the field, and the Bank considers that there is a promise of improving our payments position while still retaining sufficient likelihood of repayment.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. What the Senator is saying, is he not, is that certainly this is not a soft loan under the terms of the loan. As a matter of fact, the terms remain the same. They are, in effect, hard terms. What we are talking about is the fact that we want to go into the areas that could be considered higher risk areas under the conventional and traditional understanding of the language as it exists in the original bill.

What we are saying here is, that where there is a potential for repayment, and at the same time a potential for development, we do not want to be bound by existing precedent as established under existing language, which precedent might not have existed had that language been created in this session of the Congress. Would that seem to be a fair assessment?

Mr. MUSKIE. I think the Senator has said, in shorter comment than I, precisely what is involved here. It is difficult to be precise in detail with respect to the future application of a policy such as this.

Mr. BYRD of Virginia. Mr. President, will the Senator yield for another question?

Mr. MUSKIE. I yield.

Mr. BYRD of Virginia. I assume the purpose of the legislation is to assist or encourage the Eximbank to make more risky loans than it has made up to date. Is that a fair appraisal?

Mr. MILLER. Mr. President, will the Senator yield to me?

Mr. MUSKIE. In a literal sense, that is true; in the sense that the Bank would be in a position to entertain risks that it is not now willing to undertake in the same way that Small Business Administration considers risks, or the conventional banks of the country; but I do not know that it is fair to say that the words of the Senator imply that the SBA is going off the deep end in some way.

Mr. BYRD of Virginia. Mr. President, will the Senator yield for another question?

Mr. MILLER. Mr. President, will the Senator yield to me to allow me to help partially answer the question propounded to the Senator from Maine? I think it is pertinent. On page 29 of the hearings there is a memorandum to the Senator from Texas [Mr. TOWER] from Harold Linder. It is a memorandum in the form of a question and answer. One of the questions propounded by the Senator from Texas to Mr. Linder was this:

> Question: The determination of "reasonable assurance" of the repayment is made by the Bank Board under the basic act and the Board will determine under this bill what transactions do not carry with them "reasonable assurance of repayment." Isn't it true that in its regular operations the Bank has approved transactions that might be classed on the riskier side of "reasonable assurance of repayment?"
>
> Answer: Yes, we believe we have operated at the outer limits of our present authority in respect of some of our credits.
>
> Question: Isn't it true that under the provisions of both the basic Act of the Bank and S. 3218 the judgment of the Board in deter-

> mining Bank participation in transactions can run the gamut from no risk to a riskier than usual situation?
>
> Answer: Export transactions supported under the Bank's existing authority do range from those with little real risk to those with a substantial degree of risk, even though the Board concludes that reasonable assurance of repayment exists. However, transactions under the S. 3218 authority will by definition all be on the riskier side, due to either commercial or political factors.

So, I offer this to the Senator from Virginia, because I think his question was very appropriate, to point out this subject has been covered by our colleagues from Texas in those questions and answers.

Mr. LAUSCHE. Mr. President, will the Senator permit me to make a comment on this point?

Mr. MUSKIE. May I say, first of all, there is no attempt on the part of the Senator from Maine or the Senator from Texas or anyone else to suggest that this does not open up the door to supporting riskier loans than those now permitted under the Eximbank's present statutory authority, as interpreted by the Bank over a period extending back to 1934.

Mr. BYRD of Virginia. Does the Senator say it does or does not do that?

Mr. MUSKIE. It does. The question was whether the bill represents a continuation of present policy or more liberal policy. Obviously it is a more liberal policy.

Mr. BYRD of Virginia. The Senator says he does want to emphasize that it does permit the Bank to make more risky loans than it has made in the past?

Mr. MUSKIE. That is correct. There is no question about it. Whether it goes beyond the bounds of a rational policy for our country, in the light of our present balance-of-payments problem, is a question which each of us must answer for himself.

The Bank has demonstrated over the period of its history for 34 years that it could follow a riskier policy, to use the Senator's phrase, than conventional banks were prepared to follow, and still operate within sound limits. It has still not only shown a record of minimal losses, but in addition, has been able to pay to the Treasury $535 million as a profit on its transactions.

The Bank is now saying to us that on the basis of this salutary experience, it is possible, in its judgment, that it is sound to liberalize the risks which the Bank would cover.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield.

Mr. BYRD of Virginia. What the Senator is saying is that the Bank is a bank of last resort in many cases, that it has taken higher risks, that that is one of the purposes of it, that the legislation was enacted so that it could and would take risks, and it has taken risks. Now, what this measure proposes that it do is go beyond that, and take even more risks?

Mr. MUSKIE. That is right.

Mr. BYRD of Virginia. Mr. President, I commend the Bank. I think it has done a good job.

Mr. MUSKIE. The bill reflects the Bank's recommendation.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. I do not think I would support this recommendation were it not for the fact that the Bank's experience has been very good, even in higher risk areas.

Mr. BYRD of Virginia. It seems to me what we want to do is establish a forward looking policy that will stand for a good many years. I do not believe we can do that on a personality basis. As I say, I commend the Bank; I think it has done a good job.

Mr. MUSKIE. We did not suggest that this be done on a personality basis. Over 34 years, there have been a number of personalities involved. What we have, rather, is a 34-year period of policymaking that has not exposed the country's credit to unusual or unsafe risks, and has returned dividends to the Treasury; and it is on the basis of that experience over 34 years that the Bank now says, "Considering what we have done, the loans we have approved, and also the loans we have turned down, we are saying that we believe there is an area of larger risks into which the country could venture without undue risk."

Several Senators addressed the Chair.

Mr. TOWER. Mr. President, I might suggest since the experience has been so good even under a Democratic administration, it will be even better under the Republican administration that will take over in January of next year.

Several Senators addressed the Chair.

Mr. MUSKIE. Mr. President, may I make one further point lest it be lost?

What we are talking about is not the exposure of all the Bank's resources, but of $500 million in a separate fund—not the full $13.5 billion of the Bank's lending authority.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to explore further the quotation read by the Senator from Iowa consisting of questions by Mr. Tower and answers in response thereto by Mr. Linder. I ask the Senator from Virginia to pay special attention:

> Question: Isn't it true that under the provisions of both the basic Act of the Bank and S. 3218 the judgment of the Board in determining Bank participation in transactions can run the gamut from no risk to a riskier than usual situation?

The answer to that question, to me, is very important. Mr. Linder answered:

> Answer: Export transactions supported under the Bank's existing authority do range from those with little real risk to those with a substantial—

I repeat, "substantial"—

> degree of risk, even though the Board concludes that reasonable assurance of repayment exists.

My question of the Senator from Maine is this: If under the present law the Bank can assume substantial risks, under its definition of reasonable assurance of repayment, how large will the risks be when they go beyond "substantial" risks?

Mr. MUSKIE. I say to the Senator from Ohio that the sentence the Senator has read from the Bank's answer could be descriptive of the policy of many banks—at least of my bank, because I am borrowing money there, and I would say that I could be a substantial risk in some people's eyes, especially as they look forward to 1970, when I will run for the Senate again.

But let me say to the Senator, obviously there is a range of risks, with respect not only to the Export-Import Bank, but to the First National Bank on Main Street in any community of this country, if that bank is to participate in the life of the community and the life of the area, and engage in making developmental loans.

So the Bank, in using this langauge in response to the question from the Senator from Texas, is not responding in the sense the Senator interprets the answer at all.

Mr. LAUSCHE. I interpret it according to the language.

Mr. MUSKIE. "Substantial"? What is meant by substantial?

Mr. LAUSCHE. I suppose it means risks beyond what is reasonable. It has been making loans assuming substantial risks, but now it says, apparently: "We want authority to make loans that go beyond substantial risks," and I ask the Senator from Maine what is meant by taking risks that are greater than substantial.

Mr. MUSKIE. Mr. President, when the Senator equates the words "substantial and unreasonable," I have no answer for him. I can only say that, in my judgment, a risk can be substantial and still reasonable. It depends on how the Senator wants to react to those words.

Mr. LAUSCHE. Mr. President, if it is true that it can be substantial and still reasonable, then we need no modification of the law. The law now says that the loan or the risk may be guaranteed if there is any assurance of repayment.

Mr. MUSKIE. The Senator's best protection is exactly in the fact that the Bank will not breach its own policy.

I would agree with the Senator that if we begin all over again to deal with the words "reasonable assurance of repayment" without the Bank's precedents and concept of the limitation on the policies on which it relies, we could begin and go beyond the risk which the Board is now willing to approve, so that the Bank's reluctance to do that without this new kind of authority is the best protection the Senator could ask for, short of denying all authority.

Mr. LAUSCHE. The Senator has not yet answered my question. If the Bank now has the provision that when it finds there is reasonable assurance of repayment, even though the risk is substantial, how much power will it have after we modify this language in the guaranteeing of risks beyond what is a substantial degree of nonrepayment? If the Senator can answer that question, I would like to hear it.

Mr. MUSKIE. Mr. President, much of the discussion for the last hour or hour and a half has been an effort to try to give some insight into what judgment the bank will apply to an undefined area of risk.

The only way I could satisfy the Senator, I suspect, would be to anticipate all applications for loans that might be filed with the Bank over the next 5 or 10 years and tell the Senator what the Bank would do under this authority.

We have to keep in mind the fact that the Bank has 34 years of experience in exercising its present authority in a way which, I think, meets with the approval of every Senator. Eximbank has been a sound Bank, a Bank which has sound reserves, a Bank which has contributed $535 million in dividends to the U.S. Treasury, a Bank which has a minimal record of losses.

That Bank, with that demonstrable judgmentmaking record, a record of having some appreciation of the kind of loan that was considered outside its present authority, comes to us and says, "Here is a risk which we can safely include if you want to give us the authority."

Mr. TOWER. Mr. President, what the new authority would do would be not to liberalize the basis of the judgment on which loans are made, but rather to evidence some relaxation as to where loans can be made.

Let me repair to the last answer of Chairman Linder to my questionnaire.

It states:

> As my answer to the last question indicates, the new authority will not affect the Board's judgment on whether or not it should authorize a particular transaction under its regular programs, taking into account, among other factors, our existing exposure in the country. By the same token, any decision to increase the Bank's total exposure in a given country by making authorizations under the new authority but not under its regular authority would be made by the Bank's Board of Directors, using its best judgment. In the latter case, however, we would expect to seek and rely in substantial measure upon the recommendations of the proposed Advisory Committee.

The fact of the matter is that under the existing terminology, there is involved in the construction of reasonable reassurance of repayment not only the basis of judgment on the nature of the risk involved, and the likelihood of repayment, but also the amount of exposure a bank has in a given country.

Beyond that, take the case of a country whose economy has collapsed and which has been regarded as an area in which no loans could be made at all. If a sudden coup d'etat is successful, the entire nature of the problem changes overnight. We then have no existing credit rating for that country. The previous experience was very bad.

Are we to be bound to the rule that we cannot go into such a country and make loans that would appear to have a tremendous capacity for repayment and would generate further loans for the enrichment of the Export-Import Bank and would enhance the repayment of the old loans?

Mr. LAUSCHE. Mr. President, I concur with everything the Senator has said. However, the questions propounded here have been intended to ascertain what new risks the Export-Import Bank will be authorized to undertake.

Certainly, they have had a good record. It seems to me that Chairman Linder is saying to Congress, "We have operated this Bank on a sound basis. You are now asking us to assume guarantees on loans and other undertakings that are far more risky than the ones we have been inclined to undertake. Before we do that and undertake risks that are beyond substantial, we want Congress to say that we may do so."

Mr. TOWER. Mr. President, perhaps we are redefining the word "risk." What would change is not the substance of the judgment as to whether or not the loan is substantially repayable. We are trying to break out of the shackles of some conventional application of terms. It is just a matter of semantics.

Mr. LAUSCHE. The terms will be the same.

The Senator from Maine has repeated time and time again that there will be no change in terms, and the interest rates will be identical. The only difference will be in the risk that Congress authorizes the Export-Import Bank to assume.

Mr. MUSKIE. Mr. President, I yield to the Senator from Illinois.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I should point out that first of all we are considering not the Senate bill, but the House bill.

Mr. LAUSCHE. I understand that.

Mr. DIRKSEN. Mr. President, I point out that in the House bill on page 2 they do not use the word "substantial." It relates to a continuation of loans that offer sufficient likelihood of repayment to justify the Bank's support in order to actively foster the foreign trade and long-term commercial interests of the United States.

I am not too sure that the Bank does not have that much latitude already. However, I am satisfied to see it in the legislation.

There is only one issue really involved. The Bank wanted $500 million, and we got the impression that they wanted to make more liberal loans.

I stated in our policy committee that I thought they were getting ready to open up a soft loan window, and I am against that sort of thing and for a reason. I think we have been decently generous in the whole field of foreign aid for a long time, and that it is about time we call a halt and get these things down on terms that are reasonably favorable to the United States for a change.

So that leaves one issue. The Bank was going to pick up the first $100 million of the loss, and then the Treasury would pick up the other $400 million if it went down the drain. I do not believe in that either. This is an agency unto itself. It is an independent agency, and let them stand on their own bottom. If they have losses, let us put it on them and not on some other department or agency of government. If they have commitments abroad that look shaky, well and good—not in one sense, but at least they have a reserve of $1.1 billion.

Why should the Treasury pick up their losses out of the people's Treasury? If you make the Bank do it, except for a hundred million dollars, you are going to get some discipline in the Bank, for one thing.

Do not forget that they have to come to Congress and give an accounting of their stewardship, and then we will know whether they have been good servants or bad. And that is the reason for this amendment. Having labored with it, with the distinguished Senator from Texas and the distinguished Senator from Maine and others, we all agree that this is a far better method.

I shall read, for the edification of Senators, a portion of the amendment, and I shall read it slowly:

> SEC. 2. In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, the first $100,000,000 of such losses shall be borne by the Bank;

That is the way an agency should be made to operate. That makes them strictly and completely accountable to Congress, and that means accountable to the people of the United States of America; because this is the people's money and the people's credit with which they are dealing, and the people have a right to know and to get as much of a safeguard as they possibly can.

Mr. LAUSCHE. I concur with that amendment.

Mr. DIRKSEN. Mr. President, I offer the amendment at this time, because we have generally all agreed on this.

Mr. LAUSCHE. But may I ask the Senator from Illinois, with his very incisive mind——

Mr. DIRKSEN. I do not have an incisive mind.

The **PRESIDING OFFICER.** The amendment offered by the Senator from Illinois will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

> On page 2, beginning with line 18, strike out all through line 13 on page 3, and insert in lieu thereof the following:
>
> "SEC. 2. In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, the first $100,000,000 of such losses shall be borne by the Bank; the second $100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof shall be borne by the Bank. Reimbursement of the Bank by the Secretary of the Treasury of the amount of losses which are to be borne by the Secretary of the Treasury as aforesaid shall be from funds made available pursuant to section 3 of this Act. All guarantees and insurance issued by the Bank shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America.
>
> "SEC. 3. There are hereby authorized to be appropriated to the Secretary of the Treasury without fiscal year limitation $100,000,000 to cover the amount of any losses which are to be borne by the Secretary of the Treasury as provided in section 2 hereof."

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. The Senator from Kansas has been waiting to speak.

Mr. PEARSON. That is all right. I wish to address a question to the distinguished manager of the bill.

The PRESIDING OFFICER. Who yields time?

Mr. MUSKIE. I yield to the distinguished Senator from Kansas.

The PRESIDING OFFICER. There is a time limitation of 15 minutes to a side.

Mr. TOWER. I yield 5 minutes to the distinguished Senator from Kansas.

Mr. PEARSON. One matter that concerns me, I say to the distinguished manager of the bill, is that, as I understand the authority of the Eximbank, it is $13½ billion, and that was increased, actually, in March of this year; was it not?

Mr. MUSKIE. The Senator is correct.

Mr. PEARSON. I do not remember what the increase was, but I suppose at that time the increase was made on the basis that they needed new authority to operate the Bank within section 2(b)(1), which is the reasonable assurance section. If that is so, I am wondering whether or not, under the authority of this bill, $500 million is to be taken out of this authority, which ordinarily would have been used within the section from which we are going to depart—which ordinarily would be used under the reasonable assurance section—and then use it here under a new risk section.

I believe the Senator from Washington, in a statement filed with the committee, made reference in an oblique way to the same matter. His statement reads:

> The new account must result in genuine additional exports for the United States. We must recognize the possibility that certain transactions represented to the Ex-Im Bank might simply be shifted to the new account, which, in the absence of this new facility, Ex-Im might have financed in any case under its regular authority.

All of this is by way of putting the question of whether or not we are removing from the $13.5 billion loans which ordinarily would have been made under the old judgment and shifting them over and making them now under a new risk policy.

Mr. MUSKIE. The $500 million authority for this new program would come out of the $13½ billion of existing authority which the Bank has. Whether or not this, as events unfold, would represent a transfer from some of the assurance of repayment loans to the other, I do not believe I can answer.

The Bank's authority in the past has never been geared to a particular term or a particular period of business. They always come to us when they need new authority, when the existing authority is used up.

I believe the net effect would be that this $500 million might expedite by some months the date upon which the $13½ billion would otherwise expire.

Mr. TOWER. We can conceivably generate new sources of importation from the United States or new opportunities for export, and particularly in terms of Indonesia. I do not wish to harp on that particular example, but here is a country with which we have had virtually nothing in the way of exports during the Sukarno regime. It requires investment of considerable capital. Everybody knows the investment of American capital abroad has proved to be very good, because we have realized more in the way of dividends than we have actually invested. It has been a favorable balance of trade factor, and the testimony before the Committee on Banking and Currency, time and time again, has brought this out.

Other countries are going to go into these higher risk areas. Japan is going in, West Germany is going in, the Dutch are going in, the French are going in—the French sometimes. Mr. de Gaulle is a little uncertain about some of these things.

We are in the situation of competing with these countries, and if we are not prepared to go into some of these higher risk areas, using sound judgment as to the potential for repayment, then I believe we might conceivably lose some potential markets.

Mr. PEARSON. Then, would the Senator say that one of the purposes of this bill is to meet the credit competition of the countries the Senator has named, and in addition to the special funds to the British and the Canadians?

Mr. TOWER. I would say that would be a very legitimate pursuit. We are talking about balance of payments, and one of the basic designs of this bill is to enhance our balance of payments.

I believe adequate legislative history has been made here to make it clear to the Bank that this is what we purport to do, and this is what must orient their judgment as to the nature of the credit they extend.

Mr. PEARSON. The point I was trying to develop is this: There is an authority of $13½ billion. That was increased this year. It was increased on the basis that we need this authority, that we need to make loans. We needed to make loans under the provisions and standards of section 2(b)(1).

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield 5 additional minutes to the Senator.

Mr. PEARSON. Now we come in with $500 million. The point has been developed, and expressed very well, that it is not different terms. It is the same interest rates, same down payment, same term for repayment. So there is no increase in the risk at all.

Are we taking authority from the Eximbank that they can normally make loans under section 2(b)(1) and now make them under this special fund for a greater risk?

Mr. MUSKIE. Let me put it this way, without trying to evade the question: The Bank's request for authority—its request for expansion to $13.5 billion—was based upon its estimate of the amount of business it would do over a period into the future. If we should increase our export sales and our export sales for credit, whether or not this bill is passed, obviously, that authority will run out sooner than the bank estimated.

Suppose, for instance, in 1968 our export sales goods is $30 billion, the highest figure in our history. Suppose that trend were to continue wholly independent of this legislation. Then, the credit sales associated with that growth would grow and the Bank's share of our credit sales which has been 10 or 11 percent for quite some time; so the Bank's share of that business would grow and the $13.5 billion would run out before the 5 years, whether or not this bill were passed. Obviously, since the purpose of the bill is to stimulate the growth of exports, the result would be comparable to the result I have described.

Mr. PEARSON. To get it out quicker and to get a quicker return on the payment.

Mr. MUSKIE. To sell goods and to get a quick return on the balance of payments.

Mr. TOWER. Let me reiterate what the Senator from Illinois said awhile ago. There is congressional oversight. The amount appropriated for this year is somewhat less than authorized. There is that check and an annual ceiling that is imposed through the appropriation process. Therefore, we will have congressional oversight.

Mr. PEARSON. I have one more question. I understand the $500 million comes within the $13.5 billion.

Mr. MUSKIE. The Senator is correct.

Mr. PEARSON. Within that the limitation upon loans and guarantees is $3.5 billion.

Mr. MUSKIE. Yes.

Mr. PEARSON. Would loans and guarantees out of the $13 billion come out of that limitation?

Mr. MUSKIE. The $13.5 billion as well as the $500 million for loans and guarantees are charged to the extent of 25 percent.

Mr. PEARSON. That is correct.

Mr. MUSKIE. So that if all of this $500 million were used for loans and guarantees the total could be $2 billion.

Mr. PEARSON. Would that be within $3.5 billion?

Mr. MUSKIE. That is correct.

Did the Senator from Ohio wish me to yield to him?

Mr. LAUSCHE. The Senator has answered the question I had in mind.

Mr. BYRD of Virginia. Mr. President, will the Senator yield to me?

Mr. MUSKIE. I yield 5 minutes to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I support the amendment offered by the distinguished Senator from Illinois. It seems to me that this proposal greatly improves the legislation which we are considering; and the House bill is superior, it seems to me, to the Senate version which was reported by the committee.

The statement has been made that Congress has legislative oversight and that is correct in the appropriation process.

However, I invite the attention of the Senate to the fact that when we pass this legislation we are declaring it to be the policy of the Congress that the Export-Import Bank should be taking more risk; then, when they lose the money and come back here and say, "Make it up out of the Federal Treasury," we will be in the awkward position to appropriate the funds the Bank has lost, if they do lose.

I support the Export-Import Bank. I commend the management of the Bank. They have had an excellent policy for 34 years. I am wondering if we ought to change that policy. They have made great strides and they have been very helpful to the commerical international transactions of our Nation and have done a good job.

I am doubtful of the wisdom. I do not oppose or support the bill. I am trying to understand the bill. I still do not have a clear understanding of the language which provides "or of sufficient likelihood," but I am assuming, since we took that language, or the last part of the language submitted by the committee; namely, with respect to the policy of the Bank to make loans which do not meet the test of reassurance of repayment, that we do not want to go that far, and the language of the House bill, I assume, does not go that far.

If my assumption is correct this is a far better bill than was submitted to the Senate.

I wish to ask a question of the Senator from Maine. I believe I heard the Senator accurately in his opening statement when he stated that any loans made under this proposal would be specially designated on the books at the Export-Import Bank.

Mr. MUSKIE. The Senator is correct. I believe that language is in the bill.

Mr. BYRD of Virginia. I thank the Senator for clarifying that point.

Mr. MUSKIE. As I indicated in my prepared remarks, the Bank would first consider every application under the reasonable reassurance test of its authority. If it does not meet that test, it would reexamine it.

Mr. BYRD of Virginia. It would keep such loans separate on its books?

Mr. MUSKIE. Yes. This would be necessary because of separate authorizations.

Mr. BYRD of Virginia. That explanation clarifies that point, for which I thank the Senator.

On page 13 of the hearings there is printed a letter to the chairman of the committee, the distinguished Senator from Alabama, from the general counsel, Mr. Burt W. Roper. I wish to read one paragraph from the letter:

> The export sales that would be eligible for loans, guarantees and insurance from the new account established under S. 3218 would be those which the U.S. commercial banking system and the Export-Import Bank were not otherwise able to handle because further lending by these banks would be considered imprudent in light of their loans already outstanding and the overall exchange position of the importers' country.

I just wanted to read that one paragraph into the RECORD where this proposed new legislation would permit the Bank to make loans which are now considered imprudent.

Mr. MUSKIE. May I say, in light of the Bank's present authority, some of the loans already on its books would be considered imprudent by commercial banks without a Government guarantee or insurance provided by the bank; imprudent in the light of conventional banking policy.

Mr. BYRD of Virginia. I am aware of that.

Mr. MUSKIE. In the same way the Bank uses the word "imprudent" with respect to departing from application of its present authority.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Will the Senator yield for 1 additional minute?

Mr. MUSKIE. I yield 1 additional minute to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 1 additional minute.

Mr. BYRD of Virginia. The Bank is speaking not of commercial transactions when they use the word "imprudent" but as I understand the report it would be imprudent in light of its own method of doing business—it would be imprudent to make them under the present policy.

Mr. MUSKIE. The Senator has defined "imprudent" in light of the policy being applied. If a loan were made that is not within the policy it would be imprudent; if the Eximbank were to approve some of these loans it would be imprudent to do so in the light of its present policy.

Mr. BYRD of Virginia. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator from Maine yield to me so that I may ask a question?

Mr. MUSKIE. I yield myself 2 minutes for the purpose of answering questions.

Mr. MILLER. I think discussion has been helpful up to a point, but any discussion on such a fine line as we are treading here, I think can only be made meaningful by example. I do not know whether it is possible for the Senator from Maine to obtain from the Export-Import Bank people this information but I suggest it would be most helpful for Senators if the Senator could obtain a list of loan applications which under present discretionary policy they feel do not fit within their longstanding record, and which, under the new policy, if we legislate this bill, would fit so that Senators can see, on an ad hoc basis, what kind of loans we are talking about. I think the Senator from Maine has done an excellent job pointing out that we can have a substantial risk and still not be imprudent; but I fail to see, really, when I get down to the line, where we draw the line between the high risk we are assuming under present policy and the high risk that they would assume under the new policy. The Senator from Texas has attempted to cover that in part by saying that it is really more on a country-by-country proposition——

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 minute.

Mr. MILLER (continuing). Rather than on each individual loan, but if the Senator from Maine could obtain some kind of list between now and tomorrow when we act on the bill, I think it will be most helpful to all of us. It certainly would be helpful to me.

Mr. MUSKIE. In connection with my prepared remarks, I placed in the RECORD and referred to them briefly, in detail, about five such situations. I would be happy to go into them in any degree.

Mr. MILLER. Are these actual cases?

Mr. MUSKIE. These are actual cases of loans before the Bank that have not been approved under its present policy, which it may or may not approve under the new policy. The Bank is not going to make any hard or fast judgments in advance. These are situations which would be appropriate for consideration under the new authority.

Mr. MILLER. Could the Senator add to that, perhaps, by a list or a number, so that we know whether we are talking about 50 or 100 loans, rather than just five illustrations?

Mr. MUSKIE. I put five illustrations in the RECORD.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 additional minute.

Mr. MUSKIE. There are other examples of these kinds of transactions.

Mr. MILLER. These are typical examples. If we could have an idea of the volume, I think that would be very helpful.

Mr. MUSKIE. There are five.

Mr. MILLER. These are just typical examples, but if we could have an idea——

Mr. MUSKIE. These are illustrative, actual cases. In some cases, the name of the country has been eliminated from the description. But these are actual cases.

Mr. MILLER. That would be helpful, but I still think that if the Senator could obtain from the bank say 50, 75, or 100 loans which probably would fit into the new policy and have not fitted into the old policy, it would be helpful to evaluate the degree to which we are legislating.

Mr. MUSKIE. Is the Senator asking whether there are now applications on file?

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 additional minute.

Mr. MUSKIE. Is the questionnaire applications on file now, which might be up for immediate consideration?

Mr. MILLER. Not quite. I should like to know whether in the last 3 or 4 years there have been, let us say, 100 applications, or perhaps 50, which would have been approved under the new policy, or even 25, so that we will have an idea of the volume we are talking about. The Senator's illustrations will be most helpful, but I should like to know how many of the applications we are talking about occurred over a 2-, 3-, or a 4-year period.

Mr. MUSKIE. I would be glad to explore that again with the Bank, but let me say this to the Senator, that I have already asked the Bank that question several times. The Bank has given me these illustrations and then has made the point that we are talking about, that in many cases the applications never come to the Bank because of the awareness of the Bank's existing policy; so that any figure, I suspect, may be a figure based on those that will be eligible.

Mr. MILLER. The Senator has done a good job and I would appreciate it if he would try to get that information.

Mr. MUSKIE. I will be happy to do so.

Mr. TOWER. Mr. President, I yield myself as much time as is necessary.

We have been debating and holding a dialog on the bill. I think that we had better not lose sight of the fact that the pending business, on which we have a control of time, is the amendment offered by the Senator from Illinois [Mr. DIRKSEN], which would limit the liability of the Treasury, under the provisions of the new authority, to $100 million. I think this is tightening up the provisions. It is a sound amendment which should be adopted. I think that Senators who have been questioning the measure would be in wholehearted support of the amendment offered by the Senator from Illinois.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield 2 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. Mr. President, obviously, the Dirksen amendment will narrow the latitude under which the directors of the Bank will be able to assume increased risk guarantees. The amendment provides that the first $100 million of loans shall be borne by the Bank, the second $100 million will be borne by the taxpayers of the United States, and that all amounts beyond the second $100 million shall be borne by the Bank.

I believe that the proposal is sound. I agree with what the Senator from Illinois has said, that when the directors of the Export-Import Bank know that the final burden will fall upon the Bank and not upon the taxpayers, they will exercise greater care in determining what loans they will guarantee.

On final passage of the bill, to me, there is only one issue, under the present circumstances of the adverse imbalance of payments, and that is: Should we assume the risk of guaranteeing loans in order to sell goods around the world in excess of any program which we have thus far maintained?

We must procure foreign markets. We must do something about solving the imbalance of payments, but I shall want to discuss that subject a bit later. I think it is fitting to see whether the Government has explored to the fullest possible degree other avenues of help to solve our imbalance of payments. We should not try to solve them by allowing the Bank to enter into dangerous guarantees.

There are many other things that have to be done and I will want to discuss them in due time before the bill is passed.

Mr. BYRD of Virginia. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. BYRD of Virginia. I should like to ask the Senator a question for clarification of the amendment.

The amendment seeks to limit the liability of the Government but, then, in the last sentence of the amendment, it states:

> "All guarantees and insurance issued by the bank shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America."

With that sentence in there, is the obligation, in fact, limited?

Mr. MUSKIE. This language is in here because there is no way to avoid the Bank's relationship to the credit of the U.S. Government. This conclusion was reached by an interpretation of the Bank's authority, by the Department of Justice, as I recall.

Mr. BYRD of Virginia. I am not opposing the amendment, or any part of it. I am wondering whether, with this sentence in it, the amendment is accomplishing what the earlier part of the amendment seeks to accomplish.

Mr. MUSKIE. The language in the bill the Senator has described is from an opinion of the Department of Justice. We are not undertaking to change the current status of the Bank's obligation. The effect of the amendment is to throw the burden upon the Bank's directors and policymakers to recognize the limitation upon their ability to draw directly from the Treasury for any losses under the new program.

Mr. TOWER. Mr. President, if the Senator will yield, this is the standard clause—that all the guarantees, insurance, and so forth, are backed by the full faith and credit of the United States.

Mr. BYRD of Virginia. So that does not restrict the earlier part of the amendment?

Mr. TOWER. No.

Mr. BYRD of Virginia. Mr. President, I yield back the remainder of my time.

Mr. MUSKIE. I yield back the rest of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MUSKIE. Mr. President, I move to table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. BYRD of Virginia. Mr. President, in the discussion with the Senator from Maine a few moments ago, he stated that the books of the Bank will specifically designate these loans and any other loans that may be transacted under this legislation. That brings to mind this point: Would the Senator from Maine be agreeable to an amendment under which the Bank would report quarterly to Congress the loans made under the new criteria? It seems to me that that would be helpful in considering future legislation. Also, we are changing the criteria by which loans should meet the test of reasonable assurance of repayment. We are broadening and lessening the criteria. That being the case, I am wondering whether the Senator will accept an amendment along the line of having the board of directors report to Congress the loans that are made under the new section.

Mr. MUSKIE. Mr. President, I see no difficulty whatever with such an amendment.

Mr. BYRD of Virginia. Mr. President, in that case, I submit the amendment for consideration and ask that it be stated.

Mr. TOWER. Mr. President, I see no objection to the amendment, and I am prepared to accept it for the opposition.

Mr. BYRD of Virginia. Mr. President, I submit the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 2, after line 17, insert the following:
>
> "(c) The Board of Directors of the Bank shall submit to the Congress for the calendar quarter ending September 30, 1968, and for each calendar quarter thereafter a report of all actions taken under authority of this Act duing such quarter."

Mr. BYRD of Virginia. Mr. President, I yield back the rest of my time.

Mr. MUSKIE. Mr. President, I yield back the rest of my time.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 16162) was read the third time.

Mr. BENNETT. Mr. President, as a cosponsor of this proposal in the Senate, I made a statement when the bill was introduced expressing my views on it. Let me just repeat that I think it is a positive program which can contribute to bringing our balance-of-payments accounts into equilibrium. Certainly assistance to our private business firms to help them increase their exports is a much better approach than the self-defeating restrictions on export of capital and foreign investment.

The purpose of this bill is to provide financing assistance on similar terms as are now granted by the Export-Import

Bank but on which the repayment is somewhat more risky. It is not to set up what are commonly referred to as soft loans which border on foreign aid. Such loans would not contribute to a solution of our balance-of-payments problems but would only aggravate the situation.

Following our committee's approval of the proposal, the House acted on the same proposal and made some changes in the language to reflect the way the Bank witnesses testified the program would operate. These included restrictions on the sale of arms and the terms on which the loans under this new authority would be granted. Certainly there is no problem in my view with accepting the strengthened language adopted by the House. It merely holds the Bank operations to the testimony presented in the hearings.

I think that it is also important to point out that all of the restrictions applying to Export-Import Bank loans to Communist countries or those involved in assisting North Vietnam at the present time, will apply to loans made under this new authority.

Mr. MUSKIE. Mr. President, I have no desire to prolong the discussion today. I think the subject has been pretty well covered for the consideration of Senators who will study the RECORD tomorrow; but there is an additional piece of information relative to the operations of the Bank which might be helpful.

First, the total loan exposure which the Bank has incurred has been $25 billion. Against that exposure, the Bank has experienced losses, actually written off, of $8 million—an infinitesimal fraction of the total. Loans which are in default total, in amount of principal in default, $100 million.

I make the further observation that the Bank expects the new program to be a break-even one at worst.

Canada and Great Britian, which have programs comparable to that sought under the pending legislation, have found the programs to be moneymakers.

The Bank is more conservative in its estimates and suggests that it would be at worst a break-even program.

DOWNED AIRCRAFT RESCUE TRANSMITTERS

Mr. MAGNUSON. Mr. President, some days ago I introduced a bill which would require the installation of a downed aircraft rescue transmitter—DART—on most aircraft. Recently, in the State of Washington, certain incidents have been reported which reiterate the tremendously beneficial possibilities which could be realized from such legislation. I ask unanimous consent that articles published in the Seattle Post-Intelligencer and the Skagit Valley Herald be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Seattle (Wash.) Post-Intelligencer, May 18, 1968]

PRETTI AIDS IN RESCUE

Ron Pretti, state aeronautics director, yesterday helped rescue a 20-year-old Bellevue student pilot who was lost over the Pacific Ocean off Hoquiam.

The student pilot, Gregory Rex of 3122-98th Ave. NE, Bellevue, was guided to a safe landing at Hoquiam Airport. He was on his first cross-country solo flight.

"Our experience pointed up the value of electronic rescue equipment," Pretti said.

He was flying co-pilot with Jack Christensen, commission chief pilot, when he picked up a distress call from Rex. The latter said he had become disoriented in heavy overcast and asked the Federal Aviation Administration flight service station at Hoquiam for aid.

Christensen obtained flight service station permission to use the plane's VHF-DF electronic equipment to locate the student pilot, 53 miles away.

Pinpointing the lost pilot's location, Christensen notified the flight service station, and it plotted the location on a map. The station directed the lost pilot, who remained cool, to Hoquiam, where he made a good landing.

[From the Skagit Valley (Wash.) Herald, June 3, 1968]

BEACON LOST IN CASCADES, LOCATED IN 20 MINUTES

Expensive and time-consuming grid-pattern searches for downed aircraft can become the exception, rather than the rule. The method was dramatically demonstrated on a recent test officially conducted by the Washington State Aeronautics Commission, with the cooperation of the Civil Air Patrol.

In a simulated air-search mission, planes equipped with VH-12 Directional Instruments located a Life Pak Rescue Beacon hidden in the rugged North Cascade mountains, in just twenty minutes of flying time.

The VH-12 and Life Pak, manufactured by Micro Electronics, Inc., Anacortes, showed dramatically how precious hours, or even days, can be saved in locating crashed aircraft.

The Life Pak Rescue Beacon is little larger than a package of king-size cigarettes. The completely portable, battery-operated unit mounts easily in any plane. The beacon operates on impact or can be manually fired, and transmits on 121.5 MHz for as long as two days. Its range, depending upon altitude of the search plane, is up to 150 miles.

The VH-12 instrument couples to any standard VHF aircraft communications receiver. The signal received by twin antennas is translated into a positive direction, and indicated by the instrument needle.

For the test, a light plane was assumed to have been last heard from over the Cascades on a flight from Spokane to Victoria, B.C. Captain Larry Tucker of the Civil Air Patrol, a veteran air search pilot, traveled to the northwest slope of Green Mountain, about 15 miles northeast of Granite Falls.

The site is ten miles south of the direct air route the plane would have travelled. Tucker fired off the Life Pak rescue Beacon at 11 A.M., and two planes took off from Boeing Field to start the electronic search.

William H. Hamilton, Operations Officer, flew a State Aeronautics Commission plane. Also participating was Don Knutsen, president of Micro Electronics, Inc., in the company aircraft. The two planes headed north and climbed steadily toward the usual 10,000 foot search altitude.

While still south of Everett and at about 7,000 feet, both planes picked up the beacon signal. By following the direction needle on the VH-12 receiver, they passed directly over the carefully hidden transmitter just 20 minutes after takeoff.

Hamilton flew low to identify fluorescent signal panels laid out to mark the site. It was confirmed officially, and the test pronounced a complete success, just 37 minutes after the start of the operation.

The test marked the third anniversary of the disappearance of Wing Luke, Seattle City Councilman, and two other persons, on a flight over the northern Cascades. Despite a prolonged and intensive search no trace has ever been found of their plane.

Senator Warren G. Magnuson, long interested in air safety, estimated the cost of the Wing Luke search to local, state and federal agencies, alone, at approximately one million dollars. By way of contrast, the VH-12 unit sells for about $279, and the Life Pak Beacon for $219.

Luke and his companions were only three of a dozen people who have taken off from Washington State Airports during the past five years, never to be seen again. The Washington State Aeronautics Commission is vitally interested in any system that will save lives, and eliminate the need for such costly searches.

So, it's not surprising that the Commission requires a direction-finding receiver and a beacon transmitter on all state-owned aircraft, and on all planes doing contract work for the state. As proven, economical and readily available types, the Micro Electronics products have been installed.

Thankfully, the Life Paks have not had to prove their value. But the VH-12 Directional Instruments in state-operated aircraft have figured in two rescue operations in recent months. A plane down near Stampede Pass was located and its pilot saved. And the day before the simulated test, another pilot was located over the ocean and guided to a safe landing at Hoquiam.

THE AMERICAN TRAGEDY

Mr. MAGNUSON. Mr. President, Mr. Hugh Davis, a distinguished news commentator in the eastern part of the State of Washington and president of Columbia Empire TV, broadcast an editorial on June 6, 1968. Because the editorial is particularly fitting for the times, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITORIAL

Announcer. Here with an editorial is Hugh Davis, President of Columbia Empire TV:

Mr. DAVIS. Those of us who saw the portion of the NBC coverage of the California primary the night before last on KNDO and KNDU watched in almost disbelieving horror as yet another chapter of the American tragedy unfolded before our eyes. The story continued on these stations throughout the night and is still going on as a full realization of the total revulsion in the pit of our stomachs that has almost become an American way of life is driven home time and time again.

Last night at 11:30 the NBC news team, of which we are very proud to be a part, headed by anchorman Frank McGee and featuring reports and comments by Chet Huntley, David Brinkley, Sandor Vanocur and others, tried to find some of the answers as to what is wrong with us.

Senator Birch Bayh, among others, deplored the fact that we are living in a state of almost anarchy where a minority of our people—and we're not so sure that its a small minority—apparently feels that it has a constitutional right to break the law under the guise of freedom. From the shooting of President John Kennedy four and a half years ago and the assassination of Reverend Martin Luther King, to the rioting and looting of many major cities, and even the take-over of a major college campus by a mob, and now to the senseless killing of Senator Robert Kennedy, the bits and pieces of shameful actions are forged into the face that we turn outward toward the world.

Where will it end? Last night David Brinkley voiced the words that we have all feared in our hearts when he said that . . . "If the people cannot control these senseless outbreaks, then the Government will be forced to do so, and it will do it with a police state action. Police states lead to dictatorships where the people don't shoot the officials—the officials shoot the people—and we will have lost the freedom under which banner these terrible things repeatedly occur."

Sander Vanocur concluded his remarks last night by saying that four and a half years ago we spent several days mourning the assassination of President Kennedy, and then did nothing more. The American people did the same for the memory of Reverend Martin Luther King; and he wondered if we would probably mourn the memory of Senator Robert Kennedy, and again, do nothing more.

Is this then what it all comes down to? Will we continue to have so little regard for the life and property of our neighbor that we continue the downward spiral of morality until the American dream becomes a nightmare? I don't know about you, but as for me, I'm ashamed of it all—ashamed enough to stand up and be counted with an opinion in three areas that I think could at least help start us on the road back to respectability.

First, while it is true that gun legislation will probably not have an immediate effect on our terrible situation, and certainly many other reforms will be necessary, we are told that the sportsman would resent the inconvenience caused by the simple necessity to register their firearms. In fact, last night I heard that the Justice Department mail on the question is currently running nine to one against gun legislation. It occurs to me that you and I have not made our wishes known and as usual have let the special interest groups dominate by way of a lobby against gun legislation. . . Couldn't it be time now for a simple question to the American sportsman to the effect that what is wrong with the simple act of having to register firearms if it could in any way help ease the situation.

Secondly, the almost fanatical concern for the rights of the individual, to the apparent exclusion of those of the people as a whole, by the courts—including especially the United States Supreme Court—is something that I fail to understand. The seeming permissiveness that has our officials saying "Let them riot and loot a little bit and maybe they'll get it out of their systems" must be stopped.

If it's against the law—it's against the law. A too liberal interpretation of the law of land has left us wounded and bleeding. I think that it's time to do something about it.

Thirdly, because I believe in first things first, I believe, I think, that we should first put our own house in order before we attempt to tell the rest of the world how to live. While the needs of two hundred million people cry to be heard here at home, we lost another forty-three hundred young Americans killed or wounded last week alone in Viet Nam. Fighting in a war that has no beginning or end. The corruption of our South Vietnamese allies is appalling and you can't tell friend from enemy without a daily scorecard. We are obviously going nowhere and we're going more rapidly all the time . . . therefore, what are we really doing in Viet Nam? I have thought long and hard about our commitment there and I know that I'm just one voice in two hundred million, but I vote to come home and start to pick up the pieces here. If this means a period of isolationism, then I guess I feel that a little isolationism at this point in time wouldn't hurt a bit. As a matter of fact, perhaps the world isn't ready for us to be all things to all men. Maybe we're not ready either.

Now, because I feel that it is time to stand up and be counted, I am delivering a copy of this editorial to Congresswoman Catherine May and Senators Warren Magnuson, and Henry Jackson, with the prayer that perhaps together we can find that new beginning. If you feel the same about any or all of my thoughts, then I urge you to join me. . . . however, don't you think that the real answer lies within our souls? We've slipped a long way, and the road back is not going to be easy. We'll all have to work very hard, but perhaps what our country really needs is a little honest toil. As Charles Kingsley said a hundred and ten years ago, "Being forced to work, and forced to do your best, will breed in you temperance, self control, diligence, and strength of will, cheerfulness and content, and a hundred virtues which the idle never know".

Because of the idiosyncrasies of the broadcast law, I must now state that I have attempted to find opposing viewpoints to my conclusions and herewith additionally offer public service time on KNDO and KNDU for the airing of a reasonable opposing view.

Thank you.

NEED FOR AN ADEQUATE GUN-CONTROL LAW

Mr. MAGNUSON. Mr. President, the American Advertising Federation, the largest advertising group in the United States, issued a special bulletin on June 14, 1968. The bulletin expresses its deep concern, as does the entire country, about the need for an adequate gun-control law. It believes that Congress should take action to remedy the situation by adopting what is calls a much more responsible firearms policy.

The federation suggests that its members support such a law by signing a petition sponsored by the National Council for a Responsible Firearms Policy, which has as its president Mr. James V. Bennett, formerly Director of the U.S. Bureau of Prisons.

I ask unanimous consent that the bulletin and the form of petition be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD as follows:

JUNE, 14, 1968.

SPECIAL BULLETIN

The American Advertising Federation is concerned, as the entire country is, about the need for an adequate gun control law.

J. Edgar Hoover states "The easy accessibility of firearms is a significant factor in murders committed in the United States today."

Statistics show that guns claim on the average of 50 lives a day, or one every half hour.

President Johnson has said "To pass strict firearms control laws at every level of government is an act of simple prudence and a measure of civilized society. Further delay is unconscionable."

The New York Times reported in an editorial June 11 on the strict law enacted two years ago in New Jersey stating "Despite initial opposition from sportsmen, the sale of hunting licenses has increased . . . The law is preventing the sale of guns to those who should not have them and it is not deterring legitimate sportsmen."

Advertising Age in an editorial in its June 10 issue has come out in the strongest terms for strict gun control laws and has urged the advertising community generally and the advertising associations and the AAF specifically to lend active support to those seeking enactment of such laws at the state and federal levels.

The AAF believes that even though not directly bearing on advertising, this issue is of such paramount importance that exceptional action is called for. The AAF recognizes that a strict gun control law is no panacea and will not completely eliminate murder, other violent crimes or even illegal traffic in guns any more than any law eliminates all violations. But it is a first and necessary prudent step and is indeed a measure of civilized behavior.

The AAF does not believe that hunters and sportsmen can reasonably object to buying their hunting and sports gun over the counter rather than through the mail. Neither do we believe that registration of guns and obtaining permits is too heavy a burden for legitimate hunters and sportsmen to bear in order that easy accessibility of guns for those who should not have them may be curtailed.

Similar licensing and permit requirements are in the American tradition, for example, with regard to motor vehicles and the ownership of pets.

For these reasons the AAF is urging all of its members who support the following to write directly to their Representatives and Senators urging adoption of gun control legislation which:

1. *Bans* mail order sales or rifles and shotguns as well as hand guns, sales to individuals under 18, and out-of-state purchases.
2. Requires the registration at the state and/or national level of all firearms possessed, sold or transferred.
3. Provides for state law requirements that gun purchases be made only through permits calling for adequate identification and a waiting period for a police check.

As an alternative, or in addition, AAF members supporting such a law may want to sign the attached petition sponsored by the National Council for a Responsible Firearms Policy, which has as its President, James V. Bennett, former Director, U. S. Bureau of Prisons, and has on its Board of Directors such nationally known figures as Mayor John Lindsay, New York; former Mayor of Cincinnati, Charles P. Taft; Erwin Canham, Editor of Christian Science Monitor; Judge David L. Bazelon, Chief Judge, U.S. Court of Appeals, District of Columbia; and, Dr. Karl Menninger, Chairman of the Menninger Foundation.

We urge each advertising club to reproduce this Special Bulletin and the attachment for mailing to each member of the Club. We urge each advertiser member supporting such legislation to endorse publicly the enactment of a strict gun control law and that advertisers and clubs support the National Council for a Responsible Firearms Policy in its efforts to obtain 10 million signatures in support of its petition.

KENNETH LAIRD,
Chairman.
HOWARD H. BELL,
President.

A PETITION FOR GUN CONTROL NOW

To: The President, Members of Congress, and State government officials.

We, the undersigned, favor immediate action to control the sale, possession and use of handguns, rifles and shotguns.

Such federal and state legislation should include the following:

1. Regarding rifles and shotguns, there should be a ban on mail-order sales to individuals, on sales to those under 18, and on out-of-state purchases.
2. All firearms possessed, sold or transferred should be registered at the state and/or national level.
3. States should require that gun purchases be made only through permits calling for adequate identification and a waiting period for a police check.

This we urge in the name of President John F. Kennedy, Senator Robert F. Kennedy, Dr. Martin Luther King, the 6,500 others killed annually, and in the name of a more civilized and less violent United States society.

Name *Address*

1. ------------------------------------
2. ------------------------------------
3. ------------------------------------
4. ------------------------------------
5. ------------------------------------
6. ------------------------------------
7. ------------------------------------
8. ------------------------------------
9. ------------------------------------
10. ------------------------------------

Please return this petition immediately to the National Council for a Responsible Firearms Policy, 100 Maryland Avenue, N.E., Washington, D.C., 20002. As soon as sufficient petitions are on hand, they will be presented in a public ceremony to the appropriate officials.

JAMES V. BENNETT,
President, National Council for a Responsible Firearms Policy (and Former Director of U.S. Bureau of Prisons).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2276) to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 6157) to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment.

PROGRAM

Mr. TOWER. Mr. President, while the distinguished majority leader is present in the Chamber, I ask him concerning the agenda for the remainder of the day.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I expect that when the distinguished Senator from Texas finishes speaking, he may want to move to adjourn the Senate.

Mr. TOWER. Mr. President, the Senator from Texas has no more to say today.

ADJOURNMENT

Mr. TOWER. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 18, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 17, 1968:

IN THE ARMY

Gen. Earle Gilmore Wheeler, O18715, Army of the United States (major general, U.S. Army), for reappointment as Chairman, Joint Chiefs of Staff, for an additional term of 1 year.

IN THE NAVY

Having designated Rear Adm. Ralph W. Cousins, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 17, 1968:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare.

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare.

COUNCIL OF ECONOMIC ADVISERS

Warren L. Smith, of Michigan, to be a member of the Council of Economic Advisers.

OFFICE OF ECONOMIC OPPORTUNITY

James D. Templeton, of Kentucky, to be an Assistant Director of the Office of Economic Opportunity.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review for a term expiring July 15, 1973.

NATIONAL LIBRARY OF MEDICINE

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms of 4 years from August 3, 1968:

William George Anlyan, of North Carolina.
Max Michael, Jr., of Florida.
George William Teuscher, of Illinois.

NATIONAL SCIENCE BOARD

The following-named persons to be members of the National Science Board, National Science Foundation, for a term expiring May 10, 1974:

Philip Handler, of North Carolina.
Harvey Brooks, of Massachusetts.
Norman Hackerman, of Texas.
Frederick E. Smith, of Michigan.
R. H. Bing, of Wisconsin.
William A. Fowler, of California.
Grover Murray, of Texas.
James G. March, of California.

IN THE ARMY

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Bruce Palmer, Jr., O20117, Army of the United States (major general, U.S. Army).

To be lieutenant generals

Maj. Gen. John Edward Kelly, O20156, U.S. Army.

Maj. Gen. Richard Giles Stilwell, O21065, U.S. Army.

Maj. Gen. Walter Thomas Kerwin, Jr., O21963, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Donald Vivian Bennett, O23001, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Robert Howard York, O21341, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general, under the provisions of title 10, United States Code, section 3962.

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Berton Everett Spivy, Jr., O19479, Army of the United States (major general, U.S. Army).

To be lieutenant generals

Maj. Gen. William Pelham Yarborough, O20362, U.S. Army.

Maj. Gen. John Jarvis Tolson III, O20826, U.S. Army.

IN THE MARINE CORPS

Lt. Gen. Ralph K. Rottet, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list, in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of his retirement.

IN THE ARMY

The nominations beginning Thomas Abercrombie, to be first lieutenant, and ending Alfred J. Ziegler, to be first lieutenant which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 6, 1968.

HOUSE OF REPRESENTATIVES—*Monday, June 17, 1968*

The House met at 12 o'clock noon.

His Beatitude Maximos V Hakim, patriarch of Antioch and of all the East, of Alexandria and of Jerusalem, offered the following prayer:

Blessed be the kingdom of the Father and of the Son and of the Holy Spirit, now and always, and forever and ever.

In peace, let us pray to the Lord.

For the peace from on high and for the peace of the whole world.

But let us remember, O Eternal Father, that peace is not only the absence of war but the tranquillity of order—order built on freedom and dignity and justice for all men.

Thou, who art the lover of all men, grant to these Thy servants, the Members of this honorable assembly upon whom rests an awesome responsibility in these troubled days, the vision to see Thy way and the will to follow it.

Bless them, O Most Holy One, and guide them and instill in them the courage to lead, the wisdom to perceive, and the determination to build the good society for all men everywhere.

Blessed is our God now and forever. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, June 14, 1968, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on June 15, 1968, the President approved and signed the joint resolution of the House of the following titles:

H.J. Res. 1224. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1968.

PATRIARCH MAXIMOS V HAKIM

The SPEAKER. The Chair recognizes the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I take this time in order to give the Members of the House some of the background of His Beatitude Maximos V Hakim who offered the prayer today.

Mr. Speaker, His Beatitude Maximos V Hakim, patriarch of Antioch and of all the east of Alexandria and of Jerusalem has journeyed from the Holy Land to bestow his blessings on the 90th Congress.

I join with my friends and colleagues in welcoming to this historic legislative Chamber His Beatitude who is one of the outstanding churchmen of the world and a great leader in the field of religion, a man who wields tremendous influence both in the religious community and on the world scene.

Mr. Speaker, for the benefit of my colleagues, under unanimous consent I insert that biographical material on His Beatitude in the RECORD at this point together with the text of his homily at the Washington National Cathedral on Sunday, June 16.

The material referred to follows:

BIOGRAPHICAL SKETCH

His Beatitude Maximos V Hakim, Patriarch of Antioch and of all the East of Alexandria and of Jerusalem is making his first visit to the United States since his election as Patriarch last November 22 by the Melkite Synod of Bishops.

Born George Selim Hakim in Tanta, Egypt, on May 18, 1908 of Syrian parents, he attended local elementary schools before entering the Jesuit College of Cairo. After completing his classical education at the Jesuit College, he entered the International Melkite Seminary of St. Ann in Jerusalem which is administered by the White Fathers. Upon completion of his theological studies at St. Ann's he was ordained in 1930 at the early age of 22.

After a year at the Patriarchal College in Beirut, he was sent to the Patriarchal College in Cairo where he became Rector in 1934. As Rector of the college, his many innovations included the founding of *Le Lien,* the well-known magazine which has been so important in the field of ecumenical activities.

In 1943, George Hakim was consecrated to the episcopacy and given charge of the seventeen-century-old Archbishopric of Saint John of Acre, located on the Mediterranean coast of Israel. (This Archdiocese is comprised of the entire nation of Israel.)

After surveying the condition of his archdiocese, the new prelate began making spiritual and material reforms. He welcomed non-Orientals' aid, but he cautioned them against Latinization. One group accepting his invitation was the Little Sisters of Jesus, founded by Father Charles de Foucauld.

Besides his extensive travels during the last few years, Archbishop Hakim has gained fame as a writer. He founded a magazine called *Message of Galilee* (published in French and English editions) and wrote the book *Reading the Good News in Galilee,* published in France, England and the United States.

The Archbishop deplores the mass exodus of Christians from the Holy Land, and he has encouraged Catholics to support the natives of the Near East.

The 59-year-old hierarch is no stranger to North America. His latest trip here was during the summer of 1967 when he attended the International Theological Conference in Toronto, Canada, as the replacement for the late Patriarch Maximos IV, who was ill. He also represented the Patriarch at the annual Melkite Convention in New England last July. He then visited with Catholic and non-Catholic congregations from Los Angeles to Montreal. The multi-lingual clergyman has appeared on local and national television both here and overseas.

In March 1966, American Meliktes received their first permanent bishop, the Most Rev. Justin A. Najmy, D.D., S.E.O.D., of Boston. Previously, the Melkites were scattered and disorganized for lack of an Ordinary. During that time Archbishop Hakim, who has been referred to as "the unofficial Melkite Bishop of America," ordained many seminarians to the priesthood, presided over conventions and meetings in the U.S.A., and gently guided his North American brethren. It was altogether fitting that he was appointed consecrator of Bishop-elect Najmy.

REVIVES ANCIENT CUSTOM

Upon his election, Archbishop Hakim chose the name Patriarch Maximos V in memory of his immediate predecessor who bore that name. Also, he cabled the Vatican, informing the Pope of his election and asking to be accepted into communion with the Holy See of Rome. In recent centuries Rome had practically controlled the election of the Antiochene Patriarch. Now, due to Vatican II, the old and venerable customs are being restored to the Catholic Eastern Churches.

HOMILY DELIVERED BY HIS BEATITUDE MAXIMOS V HAKIM, WASHINGTON NATIONAL CATHEDRAL, SUNDAY, JUNE 16, 1968

The Middle East has often been called the cradle of civilization and the crossroads of the world. But to every Christian, to every Moslem, and to every Jew, it is the Holy Land.

To the Jews, it is the site of the great Temple, where for many centuries their ancestors gathered to worship God.

To the Moslems, it is the place of the Dome of the Rock, a sacred shrine of Islam second only to Mecca and Medina, where the prophet Mohammed brought spiritual teachings to his followers.

To us Christians, it is the place where Jesus was born, was crucified, and rose from the dead. It is the area of Bethlehem, of Nazareth, of the Sea of Galilee, and of a hundred other sacred places where He taught and worked.

I have known this Middle East from the very days of my birth. I have travelled every path and have shared every dream of my people. For I am a part of and have been enriched by each of those lands so dear to my ancestors.

I take pride in the fact that I am Lebanese by nationality, Egyptian by birth, of Syrian origin, and Palestinian and Jordanian by education and culture, for I was educated in Jerusalem, the city of peace and brotherhood.

And I have lived for a quarter of a century in the Diocese of Galilee, on the very ground made holy by Jesus. My episcopal see was there, and for years I struggled in difficult fields and under harsh circumstances to preserve our Christianity.

Despite its unique spiritual position in the hearts of men, the Middle East has known little peace in history, and even as a cradle of religion, it has had a most delicate history. For the followers of the world's three great religions—representing half of the world's population—have all fought fanatically for possession of this vital land.

And in my own lifetime, I have witnessed the turmoil that disrupts the security and stability of the Middle East.

Throughout this turmoil I was in Galilee, a Melkite Bishop caring for his flock in Israel. I was there with my brothers and sons in the midst of the battle. Along with these brothers and sons of all communities and creeds, we remain there, until such day, with God's permission, when right and justice and peace are restored to these lands.

These past twenty years of Middle East strife have left an impact on our homeland. In the ghettos of the refugee camps languish over a million homeless, undernourished, disease-infected children of our common Father in Heaven, waiting patiently for a return to their homes. In one country after another are the signs of poverty and unrest and economic want—the aftermath of constant war.

At this momentous juncture in history, the Almighty has placed upon our shoulders a new and heavy responsibility. It was His will that I should be elected Patriarch of the Melkite Greek Catholic community in succession to the great Patriarch Maximos IV Sayegh. It is our mission, together with other heads of churches, to insure that Christianity will survive and flourish in the Middle East, in the face of the strife and dangers that still exist. It is also our mission to make sure that, in this age of spiritual renewal, the Melkite form of worship and Melkite way of Christian life will find an atmosphere of friendship and growth here in the West among other Christians.

It is not as a stranger that we come to your country and to its people. It has been our good fortune to have made several extended trips to America in recent years and to have visited many parts of your land from coast to coast. There are in the United States about two dozen Melkite parishes, with which we have maintained close contacts over the years. These parishes and their people are, within God's Province, essential elements of our Melkite Church and hold a special place in the affection of their Patriarch. Thus, we know your aspirations and we feel your spirit and we share your concern for freedom.

It is for this reason that we are deeply honored by the invitation extended to us by Dean Sayre to participate in this ecumenical vesper service in Washington Cathedral. All of these brotherly meetings with other Christians encourage us toward the road of sacred unity, based on love and respect, under the image of Christ. But this ecumenical spirit is not restricted to Christians alone. In the spirit of the Council, it extends to our brethren of all religions, who believe as we in one God. In the words of Pope John XXIII, "Turn your eyes to what unites and not to what divides—to the union and not the disunion of hearts."

It is in this broader ecumenical spirit—and in this great Cathedral of America—that I exhort all of you to join together in a common crusade of the twentieth century to insure that Christianity and other forms of spiritual worship, so close to Middle East history, will survive in those lands. As Patriarch of the Melkites, I plead with my brothers in God, wherever they may be, to undertake with me four special missions towards this goal.

In the first place, thousands upon thousands of innocent refugees, dependent on charity alone for their daily existence, still dwell in sub-standard camps in Lebanon, Jordan, Syria, and Egypt. Here I would mention the fine work being done by the very many volunteer groups such as the efforts expended by your own good Angus Campbell MacInnes, the Anglican Archbishop in Jerusalem. Without means of livelihood, with little opportunity for education and training, despite the efforts of UNRRA, they have been waiting for twenty years for repatriation to their homes or compensation for their property. Innocent victims, they cry out time and time again for the people of the world to alleviate their plight. Let us together, those of Christian and other faiths, lend our material and spiritual support towards the final and just solution of this great injustice.

Secondly, despite the antipathy which Arabs have to atheistic ideologies, it is apparent that such forces are making inroads into the Middle East. Particularly in the refugee camps, where there is little hope, have these ideologies, with their false hopes of freedom and prosperity, found support. Realizing that the Arabs are a deeply religious people, and that atheism is abhorrent to them, we *pray* that the West will always keep open the lines of communication with the Arab world. We *must* rekindle that policy of friendship, mutual respect, and sincere confidence which long ago was America's trademark there. To fight the penetration of these atheistic ideologies, there must be reestablished in the Middle East and in relationships with that area those ideals of justice and fair play which the West values so highly.

Thirdly, let us recall that our faith, which teaches that the state is the servant of man, originated in the Middle East. All three monotheistic religions were born there. And the City of Jerusalem is holy to them all. Jerusalem is the site of the Church of the Holy Sepulchre, the Wailing Wall, and the Dome of the Rock. It has deep spiritual significance to all who believe in one God. It should not become a political pawn nor the spoils of war. Though for centuries, and by its character an Arab city, let us hope and pray that men everywhere will reason together to make of Jerusalem a place sacred and apart, a place international in character, a place where the shrines of all faiths will be equally protected, a place that will ever be freely accessible to all who profess the true God.

To achieve this end and to *remove completely* the *sacred* from the realm of *politics and power*, let us consider prayerfully a possible solution which should appeal to reasonable men everywhere. I speak here of the old Jerusalem—the City which contains the hallowed shrines of Moslem, Jew, and Christian. What could be more agreeable, in this age of increasing good will among the people of God, than to entrust Jerusalem and its administration to the three great *religions* for whom this place is hallowed. *Not* to any one *secular* government, *not* to an international association of governments—but to those whose very being is committed to the principles of Islam, of Judaism, and of Christianity. I am sure that, if the principle is accepted, the means can be found to implement this concept and remove for all time the sacred City of Jerusalem from the arena of human intrigue and power politics.

Finally, let us remember the fundamental affinities which had for so long a time characterized the relationships between the people of the United States and the Arab world. American educational institutions in the Middle East, such as the American University of Beirut and the American University in Cairo, have taught American history to the Arab youth and have instilled in them Western political ideals. American missions as well have brought to the Middle East the culture and traditions of the West. In like manner, Arab immigrants and Arab students have brought to the West facets of their own culture which have helped to shape America's cosmopolitan history. It is my fervent hope that such cultural and spiritual exchanges will flourish anew so that the reservoir of good will between our peoples may someday soon find a new vitality.

Throughout the dark ages of Arab history, and even in the midst of the turmoil of the past two decades, that spark of Christianity still burned in the Middle East. The rich traditions of the Eastern Churches, dating back to Christ Himself, are yours today because that spark has never been extinguished.

Let the Christians of the West now undertake to preserve and to fortify these great spiritual legacies of the East. Let them join with all other believers in the endeavors I have proposed. Let their voices be heard in the halls of government and in the pulpits of the churches. Let the light of America shine from Jerusalem just as it shines from this noble Capital City.

As a brother to all of you, I pray with you today in this ecumenical service, asking the blessing of the Almighty upon our endeavors. Let us work with confidence for peace, a peace which will safeguard the rights of all and strengthen the bonds of love throughout the world, a peace which will make of the Middle East a spiritual home for all faiths. Let us share our spirits, our hearts, and our love with one another, so that together we may walk in the Grace of the Lord.

A HOMILY FOR THE FEAST OF PENTECOST

(By His Beatitude Maximos V Hakim, Delivered June 2, 1968, during baccalaureate services at the University of Notre Dame, South Bend, Ind.)

In the holy gospel that has just been read, our Lord said: "'Peace' is my farewell to you. My 'peace' is my gift to you . . ." But he warns both his disciples then, and us today, that his peace is not the sort of peace the world can give. It is, somehow, different; but what the difference is he does not define in so many words. As on so many other occasions during his life, he refrains from being explicit, leaving his hearers down across the ages to draw their own conclusions.

This makes my task difficult, because the conclusions I draw from his words may be different from yours. You and I are, obviously, different in so many ways—in background, language, nationality, and in our professional concerns. It may be that the only things we share are our common humanity and our single faith. More immediately, however, we also share today in a certain sense of accomplishment verging upon exaltation. We have all come to this day from all walks of life, and the day itself sharpens our common humanity and faith—as well as our diversities—into a unique focus that conditions the way in which we may hear our Lord's words about peace.

It is, then, within this day of graduation that we must listen, for it is within this day of graduation that the Lord speaks to us: it is *now* that we must draw our own conclusions about a peace the world cannot give. And having drawn them, *we* must make them live in our day; for peace exists thus, or it cannot be said to exist at all. This is so because peace is not merely the absence of conflict: it is the control of conflicts by people such as we, for a positive rather than for a destructive end. Peace is not a thing or a product industry can fabricate: it is a state in which men live together, a level of human existence—or it is nothing but words. Men neither live nor die by words alone, but by human deeds of peace or its horrible antithesis.

The issue our Lord's words raise among us permits me to be nothing but candid. Yet graduation days are notorious occasions for collective fantasy. I hope to spare you this conventional but dubious gift—spare you what the Lord called stones and scorpions, in favor of the bread that is truth. Graduates of so great a Christian university as this surely appreciate that this bread is won only by labor and suffering. And if you do not know it now, you will soon learn that this bread, while the staff of life, is equally demanding in its preservation. It is less soft than incredibly hard, as a scalpel that cuts clean in order to heal and quicken. It is safe only in the hands of the mature and wise, this sharp bread of truth—bread that is grains of separate facts crushed into a single loaf of vital reality; bread that is broken like Jesus' body on the cross so that life may flow and all things be made new. Christians for twenty centuries have made this sort of bread the focal point of their rejoicing in the Eucharist. They have realized that there is, in fact, no other alternative but the shallow frenzy of illusion that ends in mourning—the motive for which is not truth and life and the way things are, but rather the short-lived insulation of the lie told beautifully and with an excellent fancy.

I beg you thus to regard me, a Christian caught in such a fit of candor, with the patient reverence that is proper to the pain and the pity of the human condition itself. I ask you to regard me thus, as I say the things I think one must say of this peace the world cannot give.

The first and, perhaps, the most obvious thing to say is that there are sorts of peace the world indeed can give. One is the peace of *détente*—the peace that is an absence of aggression between persons or societies whose power is so balanced that anything but such a peace is unprofitable. Another is the peace of *ennui*—the peace that comes not from active power, but from a passive heaviness of mind that sees nothing in man worthy of being defended.

In between these two extremes there come to be, and come so easily to die as well, those fragile human efforts to establish a peace more true and lasting; a peace that is not filled with the terror of a balance of power, not consumed with the fatalism—or even cynicism—of *ennui*. Peace true and lasting, not of terror nor of *ennui*, is the foundation of what our Lord speaks of. But the peace he speaks of its more—more in this, that the peace he has to give is *not* a sometime thing; *not* fragile as a summer flower; *not* prostrate before the gusty will of men who are maimed through our race's once and constant free choice to be so; *not* at the mercy of that random, brutal senselessness that stalks the pages of recorded human history.

His peace, on the contrary, is an abiding presence—a robust, searing, tangible reality that goes so far beyond what men of themselves can do as to elude being put into words. The Lord himself calls it simply his "Spirit": Christian tradition calls it a loving relationship maintained between Jesus and his Father, a relationship so intense that it is yet a third Person in the Godhead.

Venerable though all these words may be, they are of infinitely less importance than that which they speak of: a Person who *is* Peace; a Person whom Jesus gives us in his own victory over brutal death and violence; a Person who lives in the world not as a phantom in the mist, but as a love-structured and love-suffering community of people such as you and I. Look into the eyes of anyone you love, and you see him who *is* Peace looking back. Look into the face of hate, and you see his antithesis, the Beast, who would destroy us all. Look about you at this Eucharist, and you see him here—if our faith, our hope, and our love *are* what we together announce them in this world to be. May God forbid that faithlessness, despair, and hate return our gaze: in such a case, we sin by being here, and what we do together had better not be done at all.

Like the Church, I am old. But, also like the Church, I am still very much alive. Thus my candor is seasoned by the past, while remaining concerned about the present and the future. Being old, alive and, moreover, foreign (to you, at least), you will perhaps indulge me in the prerogative of the old and the strange in giving advice to others.

My advice to you is this. Whether or not Christianity has a future will depend upon the ability of Christians such as you graduates to be people of that peace which the world cannot give, the peace of which our Lord speaks in today's gospel. That sort of peace cost him his life; that sort of peace has cost the lives of others like him; and it may very well cost you your lives too. Peace such as this has always come at a high price, *because it is worth it*. Without it, life is more a curse than a blessing: for brother is set against brother, race against race, nation against nation, and horror feeds upon the little and the poor. In our own day, the absence of peace has transcended being merely unprofitable: on its presence or absence the fate of the world itself has come to depend. To serve the cause of peace is, therefore, to serve nothing less than the survival of mankind.

If this can be done anywhere in the world, I believe it will have to be done first, and above all in your own great country. The United States may well be crucible in which a new world, secular and religious, will be compounded out of the debris of what has gone before. This is so not only because of your country's vast powers: it is mainly so because the United States is today what other nations will be only in the future—that is, a technological society verging on a degree of dehumanized massiveness that is surely the most critical challenge to man, if not the virus of his ultimate degradation. The world outside your borders is interested in what you do; and to that world you have an astonishing responsibility, for its fate may very well rest in your own hands.

Perhaps I am naive, but I think that the role of the Church in your society may be cardinal in all this. The dissolution of the Church into dull little retreats of ineffective and petulant discontent can do little more than hasten mankind's Armageddon. The effective and vigorous cohension of the Church in the face of such threat is imperative. But the sort of cohesion I mean is not an administrative or even an economic one. It is a living *in that Peace who is a Person*, who makes us what we are.

My conclusion is somber because our era is a somber one. And it is this. If Christians have no peace to give the world in which we live, then one may question seriously whether Christianity is not already a dead thing—glorious in its tomb, perhaps, but dead none the less. I remain convinced that the Church's requiem (which has been prematurely sung by the world times without number) is not yet *a propos*. But my conviction is tempered by the realization that, although God has promised not to fail his People, his People have never promised not to fail him. If we are to remain faithful to him in our service to the world he created, and for which his only Son poured out his blood, then we shall have to do more than just speak fine words of peace. *We shall have to become Peace itself.*

So deeply must we change in our own hearts and minds and souls that, wherever we are or wherever we go—as Christian individuals and as communities of Christians—the world at large must be *forced* to cry out: "Peace has passed this way, Peace is here!"

Mr. ZABLOCKI. Mr. Speaker, it was indeed a privilege and honor to meet on last Friday, His Beatitude Maximos V Hakim, newly elected Melkite Patriarch of Antioch and all the East, of Jerusalem and Alexandria.

His comments and observations regarding the crisis in the Middle East served to substantiate in many ways my views regarding the most effective means of bringing peace to that troubled part of the world.

I have long held, Mr. Speaker, that as a first step in that sought-after peace the Arab countries must seek to reestablish diplomatic relations with the United States and other friendly countries. Second, it is necessary that Israel take a more conciliatory attitude regarding the overall Arab-Israel dispute, particularly the Palestine refugee problem and the internationalization of the Holy City of Jerusalem. Third, if the United States is to assist in resolving the Middle East crisis it must maintain an unbiased position of strict neutrality—supporting respectively those positions of both Israel and the Arab countries which are right and just within the context of our own national interests and world peace.

My colleague, the distinguished gentleman from Wisconsin [Mr. LAIRD], has included in the RECORD, His Beatitude Hakim's thought-provoking remarks on the Middle East problem delivered at the National Shrine of the Immaculate Conception. I recommend those comments to the full and careful reading of my colleagues in the House.

Mr. JOELSON. Mr. Speaker, I want to join my colleagues in a warm welcome to the newly elected Patriarch of Antioch and all the East, of Jerusalem and Alexandria, His Beatitude Maximos V Hakim.

I number among my close friends faithful members of St. Ann's Church in Paterson where Melkite Catholics worship in the Eastern Rite. Monsignor Cyril Anid and Father Maxim Chalhoub of this parish are truly dedicated servants of God, and are an inspiration to all.

I hope that the stay of His Beatitude Maximos V Hakim in this country will be most pleasant.

Mr. DANIELS. Mr. Speaker, I am very happy to extend my own personal welcome and that of the people of the 14th Congressional District of New Jersey to the newly elected Melkite Patriarch of Antioch and all the East, His Beatitude Maximos Hakim.

The House of Representatives has honored itself by inviting His Beatitude to offer the opening prayer at the beginning of today's session. His inspiring words reflect the deep philosophical tradition of the Eastern Rite of the Catholic Faith, whose spiritual leader he is.

GENERAL LEAVE

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on His Beatitude Maximos V Hakim.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

BODYGUARDS ASSIGNED TO EX-GOVERNOR STASSEN

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, everybody is complaining about expenditures these days, and I notice that ex-Governor Stassen has been assigned 15 bodyguards on the ground that he is a candidate for the Presidency.

Now, I have 10 delegates, and I am sure I have more delegates and more enemies than he has, and I do not have any bodyguards, and I do not want any and I would not accept any.

But I would submit we might be able to save the salaries of these 15 guards. If he has that many bodyguards around, that is the biggest crowd he has had during this campaign.

PELLY OPPOSES RETROACTIVE PROVISION OF TAX BILL

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, although I believe a tax increase is necesary because of present fiscal problems, I very much oppose the section of the bill making any tax increase retroactive to April 1.

Retroactivity, as most people will discover to their dismay next April 15, will impose great hardship on many citizens of the Nation. While indecision and charges and countercharges have been thrown back and forth between the leadership of the majority party in both the legislative and executive branches of Government, the people of this Nation have not known what to expect or when to expect action on this bill.

Now it appears with a provision which would not just increase taxes, but present each citizens with an extra and unexpected tax bill. This unanticipated financial burden on American families is not fair.

The conditions which created the need for this tax increase are no fault of the people who now have to bear the blow of paying their Government more money. Some of us in both political parties, but mostly in the minority party, warned during these recent years of where the Nation has headed under programs designed to spend, spend, spend. And, now, the American taxpayer, already overburdened by a fiscally damaging inflation as a result of these policies, is faced with an unfair retroactive tax increase.

Mr. Speaker, I strongly oppose the retroactive provision to April 1 of the President's 10-percent tax surcharge. I think the tax should be effective not earlier than next September.

PERMITTING FEDERAL EMPLOYEES TO PURCHASE SHARES OF FEDERAL- OR STATE-CHARTERED CREDIT UNIONS THROUGH VOLUNTARY PAYROLL ALLOTMENT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6157) to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That subsections (b) and (c) of section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), are amended to read as follows:

" '(b) (1) Notwithstanding subsection (a) of this section or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency shall, upon the written request of an employee of the agency to whom a payment for wages or salary is to be made, authorize a disbursing officer to make the payment in the form of one, two, or three checks (the number of checks and the amount of each, if more than one, to be designated by such employee) by sending to each financial organization designated by such employee a check that is drawn in favor of the organization and is for credit to the checking account of such employee or is for the deposit of savings or purchase of shares for such employee: *Provided*, That the agency shall not be reimbursed for the cost of sending one check requested by such employee but shall be reimbursed for the additional cost of sending any additional check reqested by such employee by the financial organization to which such check is sent. For the purposes of the foregoing proviso, the check for which the agency shall not be reimbursed shall be the check in the largest amount.

" '(2) If more than one employee to whom a payment is to be made designates the same financial organization, the head of an agency may, upon the written request of such employee and under regulations to be prescribed by the Secretary of the Treasury, authorize a disbursing officer to make the payment by sending to the organization a check that is drawn in favor of the organization for the total amount designated by those employees and by specifying the amount to be credited to the account of each of those employees.

" '(3) In this subsection, the term "agency" means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative (except the Senate and House of Representatives), or judicial branch of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia; and the term "financial organization" means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

" '(c) Payment by the United States in the form of more than one check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the employee requesting payment.' "

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, I surmise from hearing the amendment or amendments read, that they are germane to this bill, but I want to be absolutely certain.

Mr. PATMAN. Yes, they certainly are, I can tell the gentleman.

Mr. GROSS. In recent days the other body has served notice that it proposes to take some bill that comes from the House and add legislation to it, specifically concerning so-called gun control legislation, and I propose in the future to make certain whether Senate amendments are germane to all House approved bills.

Mr. PATMAN. The amendments are very short.

Mr. GROSS. I am not asking for an explanation I only want to know whether these amendments are germane to the bill.

Mr. PATMAN. They are absolutely germane. It just includes banks, savings and loan institutions, and mutual savings institutions.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. PATMAN. Mr. Speaker I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, H.R. 6157 is legislation that was passed unanimously by the House on February 5, 1968. The legislation passed by the House would provide credit union payroll deductions for Federal employees.

The Senate, after lengthy hearings, extended the same benefits to banks, savings and loan associations, and mutual savings institutions.

Of course, all of these institutions, like the credit unions, would have to pay the Government for the cost of providing this service so that there would be no cost to the Government on this legislation.

The Senate rejected an extension of the payroll deduction to other groups since they do not feel they fall under the definition of financial institutions.

I have discussed the Senate amendments with the distinguished ranking minority member of the Banking and Currency Committee, the gentleman from New Jersey [Mr. Widnall], and he is in agreement with me that the Senate version is acceptable. Therefore, Mr. Speaker, I ask that the House adopt the Senate version of H.R. 6157.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas [Mr. Patman]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT DURING GENERAL DEBATE TODAY

Mr. OLSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Roads be permitted to sit during general debate this afternoon.

Mr. Speaker, this has been cleared.

The **SPEAKER.** Is there objection to the request of the gentleman from Montana?

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HOUSE PAYS FOR ACLU MAILING

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, apparently the House is paying for free mail delivery for the American Civil Liberties Union.

I was surprised to receive through the mail Friday a letter from the ACLU, stamped "Inside Mail," asking me to oppose H.R. 16981—which forbids the Interior Department to grant further camping permits for marchers and protesters.

As a cosponsor of similar legislation I do not intend to take the advice of the ACLU, but beyond that, surely the House does not intend its mail distribution system to be used by lobbyists of any kind.

Mr. Speaker, I ask that you investigate this matter and see that the ACLU pays full postage due on this mailing to Members, and that you also take whatever action is required to see that any other such free distribution of lobbyist material free of postage in the House office buildings be stopped.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

June 14, 1968.

The Honorable the Speaker,
U.S. House of Representatives.

Dear Sir: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States received in the Clerk's office at 1:18 p.m. on Friday, June 14, 1968 and said to contain a Message from the President wherein he transmits the fourth annual report on the status of the National Wilderness Preservation System, covering the year 1967

Sincerely,

W. Pat Jennings,
Clerk, U.S. House of Representatives.

FOURTH ANNUAL REPORT ON THE STATUS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM, COVERING THE YEAR 1967—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 328)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit the fourth annual report on the status of the National Wilderness Preservation System, covering the year 1967.

The Federal Government continues to carry on programs to preserve the natural beauty of our land and make outdoor recreation facilities available to all our citizens. We must also preserve, for use by this and future generations, some of the America that tempered and formed our national character.

- —An America with undisturbed mountains and plains, forests, and valleys.
- —An America with placid lakes and lonely shores which will not be dominated by man and his technology.
- —An America where a man can be alone with all the glories of nature, and can renew his spirit in solitary communion with the land.

This was the reason for the Wilderness Act.

And this is the reason why we shall not be content until we have a National Wilderness Preservation System adequately symbolic of our great national heritage.

To pursue this goal, I recently transmitted to the Congress 26 recommended additions to the National Wilderness Preservation System. I urge that the Congress take early and favorable action on them.

Each generation has its own rendezvous with the land. May ours be one that understands the heritage of America, that passes it on for the welfare and enjoyment of future generations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 14, 1968.*

SECOND ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 329)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the National Advisory Council on Extension and Continuing Education.

In the second year of community service and continuing education programs under the Higher Education Act of 1965, 314 colleges and universities conducted more than 60 programs in 53 states and territories. Seminars, workshops, conferences, special courses, counseling, and consultative services were sponsored throughout the country to help in meeting the complex task of improving the quality of life in our communities. The programs were designed to find new answers and to bring new skills and energies to bear on the broad spectrum of community problems— in government, education, health, manpower, housing and other areas.

Nearly half of the 425,000 participants in continuing education and community service programs were employees of State and local governments and other public bodies. The others represented a wide variety of occupations and professions, ranging from workers in private social welfare agencies to owners of small businesses. Each of these participants has gained increased knowledge of the dimensions of the community problems and acquired new skills to cope with them.

Last year, after consultation with the Council, the Administration developed and submitted legislation to the Congress to improve our Continuing Education programs under the Higher Education Act by:

- —Extending the program for another five years.
- —Enabling smaller colleges and universities to continue to participate.
- —Providing additional funds for experimental projects.

This year, the Administration has added to the still-pending legislation a number of the suggestions made by the Council in this report, including the vital recommendation that appropriations be provided in advance of the academic year during which they will be used.

I commend this report to your attention and urge prompt action on the pending legislation to improve the important program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 17, 1968.*

RELATIONSHIP BETWEEN LAW AND FREEDOM, JUSTICE AND ORDER

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, in the May–June 1968 issue of Case and Comment magazine, the cover lists the feature article on "Improving the Administration of Criminal Justice" by Senator Robert F. Kennedy. Among the suggestions made by the Senator in this article were the following noteworthy comments:

> St. Thomas Aquinas once said that "freedom is willing obedience to law." One of the principal issues facing our society today is the simple relationship between law and freedom, justice and order.
>
> The most elementary freedoms of all—against arbitrary interference with one's bodily security or property—are in growing jeopardy. As a result, a deepening concern over law enforcement pervades our society. This concern is justified. Fear and freedom go ill together.
>
> The policeman is the law enforcement system's representative on the street.
>
> Beyond increased training, we must explore a variety of ways to improve the status of police work.
>
> We should encourage the recruitment of many men who now do not consider police work at all—for example, most college graduates. About 50 percent of all high school graduates now go on to college, and the proportion is increasing every year. Thus, if the present pattern of police recruitment is maintained, we will be restricting ourselves to the lower half of our population for one of our most difficult and vital jobs. In the past, when education was more restricted and police pensions offered unique security, there was far more competition, among a wider range of people, for places on the force; now most young men do not consider it.
>
> Improving police administration is, of course, just one aspect of the task ahead. After the arrest, the next step is the prosecution, and deficiencies in that process can also contribute to increased crime. Justice delayed is, after all, justice denied—in a variety of ways. The undue delay of a prosecution means that witnesses may die or forget or leave the jurisdiction, and, if a defendant escapes conviction on that account, the result is inevitably a decreased respect for the law, and an increased chance that others will think it worth the risk to commit a crime. Moreover, during a long delay before trial, the defendant who is out on bail or on recognizance, may get a job and settle down, only to be uprooted from his self-achieved rehabilitation—or he may commit another crime. Either way, respect for law suffers.
>
> Crime is not distributed evenly by social and economic class. The offenders themselves are normally the poor and the alienated; young people we have failed to integrate into American life. The possibility that a boy from the poorest area of a city will turn to crime is something like twenty times the chance that a boy from wealthy circumstances will do so.
>
> We know that crime is associated with lack of jobs and lack of skills.
>
> We know that crime is associated with lack of education.
>
> Several advantages would accrue from increasing the use of probation. For one, it would reduce the expense of dealing with convicted criminals. The average cost of maintaining a man on probation is anywhere from one-third to one-tenth the cost of imprisoning him. It would also alleviate the overcrowding of prison facilities and make it possible for those who are in prison to receive more adequate care and treatment. And probation, by keeping a young man out of prison, can keep the casual offender from being turned into a hardened criminal. Most significantly, probation, if properly administered, can serve as society's first step in reclaiming the young law breaker. With supervision, help, and encouragement, the probationer can return to school or find employment. He can grow to understand the causes of his previous behavior and learn to work out his problems without resorting again to crime. He can, in short, become a useful citizen.
>
> Several factors are vital to any effort aimed at reducing this Nation's high rate of crime. And the salient point is that we must start now. If we do not help our police, unclog our courts, and reform our incarceration process, we can expect even worse problems than we now face.
>
> There is the matter of the spirit as well—of public attitudes, of our values, and our support for law enforcement.
>
> Crime is not just in the streets. It is in the suburbs too. It is in white-collar offices and business. And it is organized.
>
> Crime in the streets is directly related to

these attitudes, and especially to public apathy about organized crime.

As long as the public cares too little about the racketeers who control the gambling and the narcotics and the prostitution that feed upon the poor and the weak, there will be youngsters who see the gangster's way as the model, the path to follow.

Anomalies of public attitude also impede the course of legislation which would aid in reducing crime.

For example, where is the public outcry for more effective gun laws? Every year, thousands of Americans are killed by firearms—5,634 in 1965 alone. During the last six years, 278 law enforcement officers have been killed by criminals—and of these 96 percent died because of wounds from firearms. Of the weapons-users responsible for these deaths, 66 percent had been convicted of crimes before acquiring the murder weapon. Each year over one million inexpensive mail order weapons pass unchecked across state lines. Many of these guns go to juveniles, individuals with criminal records, and emotionally unstable persons. How many mass murders by firearms will the public need before it demands stronger national and local legislation to control their sale and possession?

Thus, public attitudes impede the course of law enforcement. The public's lack of support of the police, and, in the last analysis, of an almost complete breaking of the bonds of community. In the end, we can never demand very much from our law enforcement system if we cannot cooperate with it and with our brothers in society.

When we consider the sacrifices of the Kennedy family, three of four sons lie dead in our country's service, we may well ask what contribution each of us can make that will be worthy of our heritage.

In a poem written years ago but which might well be a tribute to either Senator or President Kennedy, Kenneth Patchens wrote:

Feeling chilled in a cold country—
And having no fuel at all to light a fire,
A deliberate man availed himself with flame—
Burning himself out in the service of his country.
As he stood there, burning—
Shivering men passed muttering, "He is a great fool."
But he answered them quietly, saying—
"I am warm now, and it shall never again be dark."
Dying—he turned his face from death.
And commemorative cities were built—
In places where the man himself had never stood.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

MAKING CERTAIN RECLAMATION PROJECT EXPENSES NONREIMBURSABLE

The Clerk called the bill (S. 1251) to make certain reclamation project expenses nonreimbursable.

There being no objection, the Clerk read the bill, as follows:

S. 1251

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of the Federal reclamation laws, as amended and supplemented, or the laws applicable to Indian irrigation projects, severance payments to employees of the Department of the Interior resulting from the transfer to a non-Federal agency of operation and maintenance responsibilities for any irrigation or reclamation project shall be nonreimbursable and nonreturnable.

With the following committee amendment:

Strike out all after the enacting clause and insert the following language in lieu thereof:

"That, notwithstanding any provision of the Federal reclamation laws, as amended and supplemented, (a) severance payments heretofore made to employees of the Department of the Interior resulting from the transfer to the A and B Irrigation District of operation and maintenance responsibilities for the North Side pumping division of the Minidoka Federal reclamation project, Idaho, and (b) severance payments which hereafter may be made to employees of the Department of the Interior as a result of the transfer to the Quincy-Columbia Basin Irrigation District, the East Columbia Basin Irrigation District, and the South Columbia Basin Irrigation District, of operation and maintenance responsibilities for the irrigation facilities of the Columbia Basin Federal reclamation project, Washington, shall be nonreimbursable and nonreturnable."

The committee amendment was agreed to.

Mrs. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, very simply, S. 1251, as amended by the committee, will remove an obstacle to private irrigation district takeover of operation and maintenance responsibilities on the Federal Columbia Basin reclamation project in the State of Washington, and will do the same for a private irrigation district on the Federal Minidoka reclamation project in the State of Idaho.

It is Federal policy, and a good one, to allow private takeover of these responsibilities as soon after the development period of a reclamation project as is feasible. In most cases, the Federal employees working for the Bureau of Reclamation, when these responsibilities are transferred, go to work for the private irrigation districts. They are Federal employees one day, and private employees the next. Types of jobs, pay, and benefits, are in most cases quite similar, although probably not identical.

Acting to prevent this desirable step, however, is a provision in the Federal Employees Salary Act of 1965, allowing for severance pay to certain employees whose Federal jobs are terminated. Although this provision, according to its legislative history, was aimed at employees affected by military base closures, who might not find alternate Federal employment, this provision of the law also affects other Federal employees including those in the situation I have described.

In effect, what this meant in the case of irrigation districts to which Federal operation and maintenance responsibilities are transferred, was that they would have to pay the Federal severance pay to these Federal employees, even though the employees kept right on being employed, at similar jobs, similar pay, and similar benefits, beginning in most cases the very next day. Although the severance payment requirements were a Federal provision not actually intended in circumstances such as this, it would be the private irrigation districts that would have to pay it.

To partially solve this problem, the Civil Service Commission changed its regulations late last year to provide that severance pay would go to the Federal employees whose jobs are terminated on reclamation projects only, first, if they are not offered comparable employment by the irrigation district; and, second, they do not accept any alternative employment with the district within 90 days of date of transfer.

The effect of this change in regulations, in terms of expenditure, is to reduce the estimate of severance payments for the three Columbia Basin districts from an estimated $400,000 to $100,000.

S. 1251, as amended, will remove from the irrigation districts the responsibility of paying this remaining $100,000. It is about $50,000 in the case of the irrigation district in Idaho. Thus, those Federal employees who do not choose to go to work for the private districts, or for whom the private districts may not have comparable employment, will be entitled to severance pay, but the inequity of requiring the irrigation districts to make the severance payment will be removed.

Once this inequitable and unexpected burden is removed from the irrigation districts, Mr. Speaker, the districts can proceed with their takeover plans of both the operation and the maintenance of the Columbia Basin project. They are eager to do this, the Nation's taxpayers will benefit, and the objective of this Federal policy will have been met.

On behalf of the three irrigation districts on the Columbia Basin project, I urge enactment of S. 1251 as reported and approved by the House Committee on Interior and Insular Affairs.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WATERSHED PROJECT CONTRACT PROCEDURE

The Clerk called the bill (S. 2276) to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations.

There being no objection, the Clerk read the bill, as follows:

S. 2276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(2) of the Watershed Protection and Flood

Prevention Act is amended to read as follows:

"(2) Except as to the installation of works of improvement on Federal lands, the Secretary shall not construct or enter into any contract for the construction of any structure: *Provided*, That, if requested to do so by the local organization, the Secretary may enter into contracts for the construction of structures."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO THE PAY OF THE U.S. CAPITOL POLICE FORCE FOR DUTY PERFORMED IN EMERGENCIES

The Clerk called the concurrent resolution (H. Con. Res. 785) relating to the pay of the U.S. Capitol Police force for duty performed in emergencies.

The **SPEAKER**. Is there objection to the present consideration of the concurrent resolution?

Mr. **GROSS**. Mr. Speaker, I reserve the right to object.

Mr. **DAVIS** of Georgia. Mr. Speaker, a parliamentary inquiry. I have an amendment to offer to House Concurrent Resolution 785, which is at the desk. May we not take it up before we have the reservation of objection?

The **SPEAKER**. If there is no objection, the Chair will recognize the gentleman.

Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Clerk read the concurrent resolution, as follows:

H. CON. RES. 785

Resolved by the House of Representatives (the Senate concurring), That, effective on the passage of this resolution and ending at the close of August 31, 1968, with respect to which the United States Capitol Police Board determines that emergency conditions or circumstances exist which require the performance of duty by officers and members of the United States Capitol Police force, in addition to their regularly scheduled tours of duty, in order more effectively to discharge the duties and responsibilities of the United States Capitol Police force, each officer or member of such police force performing duty in addition to the number of hours of his regularly scheduled tour of duty, shall be paid for each such additional hour of duty, in lieu of compensatory time off from his regularly scheduled tour of duty, compensation at a rate equal to his hourly rate of compensation. The hourly rate of compensation of such officer or member shall be determined by dividing his annual rate of compensation by 2,080.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this concurrent resolution.

With the following committee amendments:

On the first page, line 2, strike out "That" and all that follows down through and including "force" in line 7, and insert in lieu thereof the following:

"That, during any period between the date of adoption of this resolution and September 1, 1968, with respect to which the United States Capitol Police Board determines that emergency conditions and circumstances exist which require the performance of duty by those officers and members of the United States Capitol Police force who have completed the training program approved by such Board, and have qualified to receive a certificate for such training,".

On the first page, line 10, after "each" insert "such".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. DAVIS OF GEORGIA

Mr. **DAVIS** of Georgia. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia: Page 2, line 3, following the word "training," insert: "with the exception that an officer or member in the judgment of the Chief of the Capitol Police force is qualified to perform such emergency overtime duty,".

Mr. **GROSS**. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, it is my understanding that this legislation will expire on August 31.

Mr. **DAVIS** of Georgia. That is correct. It is set up to run only through midnight, August 31, of this year.

Mr. **GROSS**. This apparently is because it is hoped that the situation in the District of Columbia will be cleared up by that time?

Mr. **DAVIS** of Georgia. Certainly we hope so. We hope nothing will happen between now and that time, but the committee was highly cognizant of the fact that the provision of the pending resolution might set a precedent and the committee was reluctant to allow this matter to cover a longer period of time than from now to August 31, 1968.

Mr. **GROSS**. Mr. Speaker, I commend the committee for placing a limitation in the bill and for the reason the gentleman has just stated, that otherwise it would create a precedent. I commend the committe for the legislation and hope with the gentleman that the situation which so seriously affects Washington, D.C., now will have been alleviated by September 1, so there will be no necessity for continuation of this legislation at that time.

Mr. **DAVIS** of Georgia. Mr. Speaker, I join the gentleman in that hope.

Mr. **JOHNSON** of Pennsylvania. Mr. Speaker, I move to strike the requisite number of words. I should like to further interrogate the gentleman.

As I understand this resolution, it applies only starting, let us say, today, and it ends August 31. Any overtime from today until the 31st of August would be covered, is that correct?

Mr. **DAVIS** of Georgia. That is correct.

I might point out that in framing the resolution the committee has tried to word it in such a way, for example, to cover a policeman who might have gone to work this morning, who had not had an opportunity to receive training not only about the law of arrest but also about the environment in which he will be working and about the duties of police officers. We have tried to frame the resolution so that he would not be called upon for overtime duty.

I might further point out that when a policeman is called upon for overtime duty he is not paid time and a half; he is merely paid straight time for overtime hours.

Mr. **JOHNSON** of Pennsylvania. I have another question, Mr. Speaker.

I have talked with some of the fellows who are on our Capitol Hill police force. Since the riots in April quite a number of them have put in a large number of hours of overtime. Do I correctly understand there will be no recompense to these young men for that service up to now?

Mr. **DAVIS** of Georgia. This bill is not retroactive. I might say, though, that the Sergeant at Arms and the Chief of the Capitol Hill police force have both endeavored to allow the policemen compensatory time off to make up for the time they did serve overtime. That was really the only way they had of legally seeing that the men were treated with justice.

Mr. **JOHNSON** of Pennsylvania. I thank the gentleman.

The **SPEAKER**. The question is on the amendment offered by the gentleman from Georgia [Mr. DAVIS].

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **TEAGUE** of California. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ASPINALL**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 187]

Adair
Addabbo
Andrews, N. Dak.
Ashbrook
Ashley
Ayres
Bell
Bingham
Blanton
Boland
Bolton
Bow
Brasco
Bray
Brown, Mich.
Button
Celler
Collier
Conyers
Corbett
Corman
Culver
Cunningham
Curtis
de la Garza
Delaney
Dellenback
Dent
Devine
Dickinson
Diggs
Donohue
Dulski
Erlenborn
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Fisher
Ford, William D.
Fraser
Frelinghuysen
Friedel
Gardner
Giaimo
Gibbons
Gilbert
Goodell
Gubser
Gurney
Hall
Halleck
Halpern
Hansen, Idaho
Hansen, Wash.
Horton
Hosmer
Jacobs
Jones, N.C.
Kelly
Kupferman
Kyl
Kyros
Leggett
Long, La.
McCarthy
McMillan
Macdonald, Mass.
MacGregor
Mathias, Calif.
Mathias, Md.
Meeds
Minshall
Morris, N. Mex.
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Nelsen
Nix
O'Neill, Mass.
Passman
Pettis
Philbin
Pickle
Pirnie
Podell
Pollock
Pool
Price, Ill.
Purcell
Randall
Reifel
Resnick
Riegle
Rivers
Ronan
Rooney, N.Y.
Rosenthal
Roudebush
Rumsfeld
St Germain
Scherle
Scheuer
Schweiker
Smith, N.Y.
Snyder
Steiger, Wis.
Stephens
Stratton
Stuckey
Taylor
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tunney
Udall
Waggonner
Watkins
Whalley
White
Williams, Pa.
Willis
Wolff
Wydler
Zion

The **SPEAKER**. On this rollcall 304 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE FOX IN THE CHICKEN COOP

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, an advertisement in yesterday's Sunday New York Times—full page no less—urged that Congress by law should proceed to disarm all private citizens in this land. I quote from a part of the ad at page E5:

> DISARM AMERICA'S PRIVATE CITIZENS—OURSELVES
>
> The country needs a much stiffer gun-control law. Insist that all private ownership of guns be outlawed; that the guns now around be collected and destroyed. No private interests of gun lobbies or manufacturers can be permitted to perpetuate this danger to our whole society.

Responsible restrictions on interstate sales of firearms may be helpful in lessening the ease of acquiring guns for so-called "risk" individuals. Possibly this may be true of long guns—rifles—as well as short guns—pistols.

But this is a far cry from the objective of many extreme gun control advocates who want to confiscate all guns.

Mr. Speaker, let us not lose our heads about this business of gun control.

The Constitution still means something in America and our people have the constitutional right to keep and bear arms. Whether required for use in the militia or not, the right to keep and bear arms is expressly guaranteed all citizens in this country. Article II of the Bill of Rights specifically sets out that a militia is necessary.

Registration of all guns is the first step toward Government power to confiscate. No dishonest person will comply with an order to register. The gangsters, the hoods, the criminal element, will never register their guns. How silly can one get to expect they will? Even if the law should provide that guns not registered are outlawed, what difference would this make to the criminal who is intentionally engaging in unlawful conduct? All of the recent tragic assassinations were with unlawfully held firearms.

What will happen in this country should such proposals become law is that guns will be registered by and eventually taken away from only the law-abiding citizens of our country. These citizens have them for protection of life and property, as well as for hunting and recreation.

Then when the criminal armed with his illegal gun goes to work, who will be able to stop him? Who can? The situation would be like putting a fox in a chicken coop. No thinking American wants his Congress to legislate such a situation.

Mr. Speaker, it is the basic constitutional right of all citizens in the United States, who may also at any time be called for service in the militia, to keep arms with which to defend themselves, their families and their State if need be. Congress must not destroy this right in the process of doing what it can to reduce the availability of firearms to the undesirable.

RE-REFERENCE OF H.R. 17487 TO COMMITTEE ON PUBLIC WORKS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that H.R. 17487, to authorize the Secretary of the Army to provide school facilities for the education of dependents of persons engaged in the construction of the Dworshak Dam and Reservoir project, and for other purposes, be re-referred to the Committee on Public Works instead of the Committee on Education and Labor.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DESIGN AND CONSTRUCTION OF BUILDINGS FINANCED WITH FEDERAL FUNDS TO BE ACCESSIBLE TO THE PHYSICALLY HANDICAPPED

Mr. GRAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6589) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped, as amended.

The Clerk read as follows:

H.R. 6589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act, the term "building" means any building or facility (other than (A) a residential structure containing less than four dwelling units and (B) any building or facility on a military installation, including any fort, camp, post, naval training station, airfield, proving ground, military supply depot, military school, or any similar facility of the Department of Defense) the intended use for which either will require that such building or facility be accessible to the public, or may result in the employment or residence therein of physically handicapped persons, which building or facility is—

(1) to be constructed or altered by or on behalf of the United States;

(2) to be leased in whole or in part by the United States after the date of enactment of this Act after construction or alteration in accordance with plans and specifications of the United States; or

(3) to be financed in whole or in part by a grant or a loan made by the United States after the date of enactment of this Act if such building or facility is subject to standards for design, construction, or alteration issued under authority of the law authorizing such grant or loan.

SEC. 2. The Administrator of General Services, in consultation with the Secretary of Health, Education, and Welfare, is authorized to prescribe such standards for the design, construction, and alteration of buildings (other than residential structures subject to this Act) as may be necessary to insure that physically handicapped persons will have ready access to, and use of, such buildings.

SEC. 3. The Secretary of Housing and Urban Development, in consultation with the Secretary of Health, Education, and Welfare, is authorized to prescribe such standards for the design, construction, and alteration of buildings which are residential structures subject to this Act as may be necessary to insure that physically handicapped persons will have ready access to, and use cf, such buildings.

SEC. 4. Every building designed, constructed, or altered after the effective date of a standard issued under this Act which is applicable to such building, shall be designed, constructed, or altered in accordance with such standard.

SEC. 5. The Administrator of General Services, with respect to standards issued under section 2 of this Act, and the Secretary of Housing and Urban Development, with respect to standards issued under section 3 of this Act, is authorized—

(1) to modify or waive any scuh standard, on a case-by-case basis, upon application made by the head of the department, agency, instrumentality of the United States concerned, and upon a determination by the Administrator or Secretary, as the case may be, that such modification or waiver is clearly necessary, and

(2) to conduct such surveys and investigations as he deems necessary to insure compliance with such standards.

The SPEAKER. Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GRAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H.R. 6589 is a bill which received unanimous support from Members on both sides of the aisle. This bill was first introduced by our distinguished colleague, the gentleman from Florida, the Honorable CHARLES E. BENNETT. A number of other Members, including myself, introduced similar legislation.

The purpose of H.R. 6589 is to insure that buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped.

Approximately 22 million people, or 10 percent of the entire population in the United States, are restricted in their ability to move from place to place due to some form of physical handicap. These people should be afforded every opportunity to obtain gainful employment and otherwise enter into the mainstream of American life. Through unintentional neglect or oversight millions of its citizens have been literally locked out from the public buildings which the Federal Government has constructed or otherwised financed by not requiring that these buildings be designed and constructed so that people with physical impairments could readily enter and use the facilities of such buildings, thus denying the use of these buildings to many of the people whose tax dollars supported their construction.

For years the need to rehabilitate and employ as many of the physically handicapped as possible has been recognized by the Federal Government. These people constitute a tremendous asset of our country which is not being fully utilized. The President has appointed a Special Committee on Employment of the Handicapped, and there has been established under the provisons of the Vocational Rehabilitation Act of 1965, the National Commission on Architectural Barriers to Rehabilitation of the Handicapped within the Department of Health, Education, and Welfare to study and assist with this problem. On June 3, 1968, the President transmitted to the Congress the report of the National Commission entitled "Design for All Americans." This legislation before us today is a major implementation of proposals recommended by the Commission in its report.

While some States have already taken the lead in passing legislation to eliminate architectural barriers in State and local government buildings and while some agencies of the Federal Government, such as the General Services Administration, have voluntarily adopted helpful architectural and construction standards which provide for accessibility and use of the buildings they constuct or lease for Federal govermental purposes, many others have no such policy. Although voluntary standards have been helpful, these efforts need to be supplemented by the provision of minimum mandatory standards applied on a Government-wide basis to Federal construction programs grant-in-land programs, and leasing arrangements.

The committee, believing that the scope of the legislation should be expanded, amended it to include any nonmilitary, and nonresidential building or facility and any nonmilitary residential building of facility of four or more housing units constructed or altered by or on behalf of the Federal Government or a building to be leased and constructed or altered pursuant to plans and specifications specified by the Federal Government, or financed with funds provided by a Federal grant or loan, if the recipients are required by the basic legislation governing the grant or loan to adhere to regulations establishing standards for design, construction, and alterations, if the intended use for the building will require that it be accessible to the public or handicapped persons employed or resident therein. The Administrator of General Services, in consultation with the Secretary of Health, Education and Welfare, is authorized to prescribe regulations establishing such standards for design, construction, and alteration of nonresidential buildings as may be necessary to insure that they will be accessible to and usable by physically handicapped persons. Similarly, the Secretary of Housing and Urban Development would determine the extent to which nonmilitary residential buildings of four or more housing units should be accessible to and usable by physically handicapped persons, and would prescribe regulations therefor. Plans and specifications for the construction or alteration of buildings would have to comply with the standards prescribed by the Administrator and the Secretary of Housing and Urban Development. The Administrator and the Secretary are authorized to grant modifications or waivers of the prescribed standards where the standards are clearly not necessary, upon request of the head of any department or agency of the Federal Government. Lastly, the Administrator, the Secretary of Housing and Urban Development, and the Secretary of Health, Education, and Welfare are authorized to conduct studies and investigations to assure that there is compliance with the standards and criteria developed and promulgated pursuant to this legislation.

The committee believes that it is incumbent upon the Federal Government to insure that all buildings, as defined in the first section of H.R. 6589, as amended, be constructed or altered in such a way that they are accessible to all people. It is vitally necessary if people who are physically handicapped are to rehabilitate themselves and seek gainful employment that they have access to and are able to use buildings in which they work, visit, and reside in carrying on a normal life. The committee was deeply impressed by the overwhelming and convincing evidence which was presented and indicated need for expeditious legislative action. We believe that H.R. 6589, as amended, provides a desirable vehicle for eliminating architectural barriers in buildings and recommends enactment of this legislation.

Mr. FULTON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I am delighted to yield to one of the sponsors of this legislation, the distinguished gentleman from Tennessee.

Mr. FULTON of Tennessee. I thank the distinguished gentleman, who was the chairman of the committee, for yielding to me.

I rise in support of this legislation.

Mr. Speaker, we have before us today legislation, H.R. 6589, a bill which I am co-sponsoring and which should arouse little controversy, will cost the taxpayers very little but will contribute a great deal to the comfort and convenience of the thousands of physically handicapped citizens in our society who must daily use our public buildings.

For the millions of us who take for granted the ease with which we mount a flight of stairs or open a door it is easy to overlook or hard to comprehend the difficulty encountered by the handicapped in performing these seemingly routine acts. Yet the difficulty is there. It is very real. Often it can be physically painful.

This bill is designed to insure that Federally financed public buildings are so designed and constructed as to be accessible to the physically handicapped. The need for our attention to this matter is becoming increasingly great today as buildings rise higher and higher.

Nor is this a concern which is shared by the Congress alone. Spokesmen for the handicapped have been aware of its need for years.

In my own district the Nashville Federation of Women's Clubs has worked very diligently in this field for some time. Just last year the Federation undertook a survey of public buildings in Metropolitan Nashville, Davidson County to determine what our local inventory and needs are. In addition they have undertaken the task of publishing a directory of buildings.

Mr. Speaker, I note the committee has reported this bill favorably and has further stated:

> It is the intent of the committee that the word "building" be given the broadest possible interpretation and include any structure which may be used by the general public, whether it be a small rest station at a public park, or a multi-million-dollar Federal office building.

May I take this opportunity to urge my colleagues to give this legislation their favorable consideration.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I would like to take this opportunity to congratulate our colleague from southern Illinois for bringing this bill to the floor and to congratulate the gentleman from Florida [Mr. BENNETT] for introducing it. The gentleman in the well, by bringing this bill to the floor, again shows the compassion that he has demonstrated time and again as chairman of this very important Subcommittee on Public Buildings of the Committee on Public Works and his interest in the problems of our people.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. GRAY. Mr. Speaker, I yield myself 1 additional minute. I yield further to the gentleman from Illinois.

Mr. PUCINSKI. This is one of those sleeper bills that do not get a great deal of notoriety. The fact remains, as the gentleman from Illinois said, that it will open up a whole new vista of opportunity for some 22 million Americans in this country who find tremendous difficulty in visiting various Federal buildings and transacting their business there because they are confined to wheelchairs or have other physical handicaps.

I wish to congratulate the gentleman and I am proud of the work he is doing as chairman of this committee, because time and again he has brought before us legislation that is worthy of our support. I wish to congratulate him for his compassion for these unfortunate citizens, the handicapped people.

Mr. GRAY. Mr. Speaker, I thank my esteemed colleague, the gentleman from Illinois [Mr. PUCINSKI], for his kind remarks and for his active support of this legislation.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I yield to my friend the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman for yielding and I wish to commend the gentleman in the well for the leadership he has taken in bringing this bill to the floor of the House.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Illinois has again expired.

Mr. GRAY. Mr. Speaker, I yield myself 1 additional minute.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 6589, a bill which would insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped.

Employment of the physically handicapped has been marked by great progress since World War II. Because of the shortage of labor resulting from wartime conditions, many employers in this

Nation were forced to hire the physically handicapped and discovered that they were industrious and dependable workers. On their part, physically handicapped persons achieved a certain measure of self-respect and independence through gainful employment.

In the intervening years since World War II, we have encouraged the millions of Americans who have some form of physical handicap to earn their own livelihood. We have provided vocational training programs. We have devised helpful orthopedic appliances. We have enlightened prospective employers. However, this three-sided emphasis on handicapped persons, job training and willing employer has overlooked a very important consideration—mobility.

We have in the past preached vocational preparation and financial independence to the handicapped person, but we either gave no thought to this freedom of movement or merely assumed that he would at all times have someone to assist him in the numerous trips of every nature that an employed person finds it necessary to make daily. In this connection, buildings or facilities designed and constructed for the person without any physical handicap can and does offer an insurmountable obstacle to another person who has one. A carefully planned vocational career for the person with a physical handicap is meaningless if the job site and other usual places of business are inaccessible to him.

As a former director of the Society for Crippled Children and Adults in Hawaii, I am acutely aware of this problem. It was during the period of my affiliation with that organization, and largely through its efforts, that Hawaii enacted the same type of legislation we are now considering and became one of the first States to adopt such a law.

The measure on the floor would literally open the door to public buildings financed with Federal funds and make them accessible to the physically handicapped. Its adoption by this body today would complete the picture in the rehabilitation of the handicapped person by providing the means of ingress and egress which would make possible his normal use of such buildings.

Mr. Speaker, this legislation deserves our unanimous support.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I am glad to yield to the distinguished gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I wish to join in commending the author of the bill, Mr. Bennett, and the Committee on Public Works for bringing it out for consideration on the floor of the House today. I would ask the gentleman this question: On page 3, paragraph 2 of the bill, may I assume those provisions will cover the lease-purchase post offices presently being built throughout the country?

Mr. GRAY. I would say to my distinguished friend, the gentleman from Iowa [Mr. Gross], that we did admonish the people downtown to go back and eliminate those barriers which are necessary if we already have the building under lease. And, if it is a new building to be leased, we make it mandatory that the provisions of this bill be carried out.

I thank the gentleman from Iowa for his contribution.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I would hope so, because I am sure many handicapped go each day to these post offices.

Mr. GRAY. I thank my friend, the gentleman from Iowa, and the gentleman is absolutely correct. This legislation covers all buildings except military installations.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Maryland.

Mr. GUDE. Mr. Speaker, I wish to congratulate the distinguished gentleman from Florida [Mr. Bennett] who sponsored this legislation, but I would like to ask the question if this would apply with respect to transit facilities if they were developed subsequent to the passage of this act?

Mr. GRAY. The gentleman from Maryland is absolutely correct. If constructed with Federal public funds such facilities would be covered.

Mr. GROVER. Mr. Speaker, I yield myself such time as I may consume.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. GROVER. I yield to the gentleman from Maryland.

Mr. GUDE. Mr. Speaker, I strongly support this bill.

Mr. GROVER. Mr. Speaker, I wish to concur in the remarks which have been made here today by the gentleman from Illinois [Mr. Gray] in that the enactment of this legislation would show a compassion for these people who are afflicted and who badly need these services.

Mr. Speaker, the bill was acted upon by the committee with unanimity on both sides of the aisle. We had very comprehensive hearings on the bill and there was no one who appeared in opposition to it.

I wish to compliment the distinguished gentleman from Illinois [Mr. Gray] as well as the distinguished gentleman from Florida [Mr. Bennett] who has been the prime mover indeed for this very compassionate piece of legislation which I think is long overdue.

Mr. GRAY. Mr. Speaker, it is my distinct pleasure and honor to yield at this time to the distinguished gentleman from Florida, the author of the bill, 5 minutes.

Mr. BENNETT. Mr. Speaker, I wish to express my deep appreciation to the committee and its chairman for bringing this bill to the floor of the House for the consideration of the membership of the House and it is my fervent hope that it does pass.

Mr. Speaker, in my opinion this is an important bill. I individually have experienced, as many of you know, some of the handicaps sought to be diminished by this legislation. As a practical matter for about 2 years I have been in hospitals and have experienced extreme difficulty for many, many months in trying to enter buildings and rooms which were not adequate because of the slight difference in the size of the wheelchair and the doors of these buildings. Mr. Speaker, there are many other facilities which are not equipped or constructed for persons who have certain disabilities.

There are persons who encounter these difficulties even though they have a disability which is not obvious. There are many people who walk the streets today who look healthy, but who may have a heart condition or some other condition which keeps them from using stairs and things such as that. Traditionally, we have been following the old patterns in architecture, and we have put in front of many of our public buildings large numbers of steps.

My own mother, who is in her 80's, cannot attend the church she used to attend because of all of the steps there. This prevents her from attending the church of her denomination.

Many of the Members know about these problems that arise with the disabled. This bill will assist in opening the minds of the architects to see to it that in the future in designing Federal buildings that they will take these factors into consideration.

Mr. Speaker, the legislation before the House today, H.R. 6589, is to insure that buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped. It is an important bill to millions of people in the United States. These are the persons who, because of their physical disabilities, are restricted from moving into or inside buildings where no consideration was given to handicapped persons in the construction.

I was proud to join with Senator E. L. Bartlett, of Alaska, in introducing and supporting a companion measure to his bill, S. 222, which has already passed the Senate. My bill, H. R. 6589, has been considerably strengthened by the Subcommittee on Public Buildings and Grounds of the House Public Works Committee. The leadership of the gentleman from Illinois, Congressman Kenneth J. Gray, chairman of the subcommittee, was very instrumental in the final language of the bill and the approval of the full House Public Works Committee. I want to congratulate our friend and dedicated colleague, Congressman Gray, on his resourcefulness and hard work, which led to the favorable report on the bill we have before us today.

The bill was amended by the subcommittee in favor of the 22 million Americans who are held down because of existing architectural barriers. While it has been the policy of the Government for over 10 years that planning for the handicapped shall be required on all Federal projects, it has in fact not been enforced.

Congressman Gray and his subcommittee—responsible for so much important legislation directed at the good of all Americans—ably and wisely amended my bill for the betterment of the physically handicapped.

The legislation as amended covers buildings intended for public use or for possible employment or residence therein of disabled persons where the buildings are nonmilitary and nonresidential or nonmilitary and residential with four or more housing units when the building is, first, constructed or altered by or on behalf of the Federal Government; or second, leased to the Government after construction or alteration pursuant to plans and specifications specified by the Government; or third, financed with funds provided by a Federal grant or loan, if the building is subject to regulations establishing standards for design, construction, and alterations issued under the law conferring the grant or loan.

The amended legislation authorizes the Administrator of General Services, in consultation with the Secretary of Health, Education, and Welfare, to prescribe regulations establishing such standards for design, construction, and alteration of nonresidential buildings.

The Secretary of Housing and Urban Development in consultation with the Secretary of Health, Education, and Welfare would prescribe appropriate standards for the nonmilitary residential buildings subject to this act to make them usable by physically handicapped persons.

Mr. Speaker, this bill, as the committee report states, "provides a desirable vehicle for eliminating architectural barriers in buildings." It is a good bill. It is much needed, and it will not necessarily cost the taxpayers anything and in some cases would save costs of construction and design of buildings.

I am hopeful for speedy and favorable action on this bill in the House and in the Senate. Senator BARTLETT, our colleague in Congress for 14 years as the delegate from the territory of Alaska, is pleased with the House Public Works Committee's amendments and believes it should pass as amended. I believe this legislation is one of the most worthwhile bills to come before the Congress this session. The beneficiaries are the crippled, those in wheelchairs, victims of polio, multiple sclerosis and other diseases and conditions—the 22 million Americans who are physically handicapped.

Mr. Speaker, again I want to express my deep appreciation to this committee for the work it has done, and also to the central department.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I want to commend the gentleman in the well for his leadership in this area, and for the statemanship which he has displayed for a long time in pressing to get recognition of this matter so as to provide such improvements to all public facilities.

Mr. Speaker, I rise in support of H.R. 6589, a bill to assist in making our public buildings more accessible to our handicapped citizens. I am proud that our Committee on Public Works has brought this long needed measure to the floor, and feel sure it will be overwhelmingly approved.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to extend my very best appreciation to the gentleman in the well who originated this legislation. I have a niece who has been a wheelchair patient for almost 10 years and who may never be out of the wheel chair. At the University of Illinois they have a department to assist the physically handicapped. It is one of the best in the country. I have seen what they have been able to do in assisting the physically handicapped to get about the campus. They have done wonders with the buildings at the University of Illinois so that these handicapped students can go about with relative ease.

Indeed, Mr. Speaker, it is a tremendous thing to see these young people, who are physically handicapped, able to get about almost as the other students do because the buildings have been made available to them in such a way that they can be used by all of the students.

Mr. Speaker, I believe this is a fine piece of legislation, and one that deserves the support of every Member in the House.

Again I congratulate the gentleman from Florida [Mr. BENNETT] for originating this legislation.

Mr. BOLAND. Mr. Speaker, the United States is deeply and actively concerned with opportunity for all of its citizens, yet millions of physically handicapped Americans are being denied basic opportunities every day. These are victims not of injustice, but of a lack of awareness of the society in which they live.

These handicapped include those in wheelchairs, orthopedically impaired children, and cardiac cases. Architectural barriers, thoughtlessly incorporated into buildings and facilities, have in effect denied education, employment, and recreation to many of these citizens. Such barriers include stairs or steps, narrow or revolving doors, inadequate restrooms, and unreachable drinking fountains, telephones, and elevator buttons. Their effect is often to prevent the handicapped from voting, conducting ordinary business, worshiping, and otherwise moving about as others do.

The Vocational Rehabilitation Amendments of 1965 included provisions for the establishment of a National Commission on Architectural Barriers to Rehabilitation of the Handicapped. The mandate of this Commission was to determine the extent of such barriers, to see what is being done to eliminate them from present and future buildings, and to prepare plans to make buildings and facilities accessible to all disabled persons.

The Commission made its report just a few weeks ago—June 3, 1968—and its first recommendation was the enactment of a Federal law to require that public buildings financed with Federal funds be so designed and constructed as to be accessible to the physically handicapped. That is the purpose of H.R. 6589, the bill under consideration at this time. It is my feeling that this bill is long overdue and I hope that this House will pass it swiftly.

We should have done this a long time ago, for not only do architectural barriers affect an astoundingly large percentage of our population, estimated at over 20 million persons, but they frustrate the goal of rehabilitation—that of restoring an individual to his greatest degree of physical, psychological, social, and economic independence. No matter what amount of public and private funds is allocated for rehabilitation services, this goal will be largely thwarted until architectural barriers are eliminated. The struggle to become independent is fruitless if one cannot enter the building he wishes—to work, to study, to pray.

Let us take the step that will help the physically handicapped to reach their goal of independence. Let us pass H.R. 6589 and pass it resoundingly.

Mr. CLEVELAND. Mr. Speaker, as one of the original sponsors of legislation to make public buildings financed with Federal funds accessible to the physically handicapped, I rise in support of H.R. 6589. The provisions of this bill are modest and inexpensive. They would simply authorize the Administrator of General Services to set certain standards of design for the construction of new public buildings. It would not require alteration of already existing buildings, except to set design standards if alterations were undertaken anyway.

Today, despite increasing public awareness of the problem, a significant number of Federal buildings are still being designed and constructed in a fashion that makes them inaccessible to the physically handicapped.

This is, of course, a form or discrimination against the handicapped, discrimination which is obviously unfair. But it can be easily remedied. After all, if we can design automobiles which can be easily handled by the handicapped, sure it is no great problem to design buildings which are readily accessible to them.

There is no longer any question that physically handicapped persons lead normal, productive lives. The Federal Government has for years been losing the services of a whole sector of society simply because they have difficulties getting to and from their place of work.

Most States have already adopted legislation or taken official action to eliminate architectural barriers in new public buildings. Certainly the Federal Government, which has done so much to help the physically handicapped and so much to fight discrimination of all sorts, should do its utmost to follow this commendable start.

Mr. Speaker, this is a very commendable bill, and I urge my colleagues in giving it their overwhelming support.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Illinois [Mr. GRAY] that the House suspend the rules and pass the bill H.R. 6589, as amended.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 303, nays 0, not voting 130, as follows:

[Roll No. 188]

YEAS—303

Abbitt
Abernethy
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blatnik
Boggs
Bolling
Brademas
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.

Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Conte
Cowger
Cramer
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Denney
Derwinski
Dingell
Dorn
Dow
Dowdy
Downing
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Fascell
Feighan
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gude
Hagan
Haley
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha

Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich
McEwen
McFall
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Matsunaga
May
Mayne
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morse, Mass.
Morton
Mosher
Murphy, Ill.
Natcher
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger

Patman
Patten
Pelly
Pepper
Perkins
Pike
Poage
Poff
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Railsback
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rostenkowski
Roth
Roush
Roybal
Ruppe
Ryan
St. Onge
Satterfield
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tiernan
Tuck
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watson
Watts
Whalen
White
Whitener
Whitten
Widnall
Wiggins
Wilson, Bob
Winn
Wright
Wyatt
Wylie
Wyman
Yates
Zablocki
Zwach

NAYS—0

NOT VOTING—130

Adair
Addabbo
Andrews, N. Dak.
Ashbrook
Ayres
Bell
Bingham
Blanton
Boland
Bolton

Bow
Brasco
Bray
Brown, Mich.
Celler
Clark
Collier
Conyers
Corbett
Corman
Culver

Cunningham
Curtis
Delaney
Dellenback
Dent
Devine
Dickinson
Diggs
Dole
Donohue
Dulski

Edwards, Calif.
Erlenborn
Everett
Evins, Tenn.
Fallon
Farbstein
Findley
Fino
Fisher
Ford, William D.
Frelinghuysen
Friedel
Giaimo
Gibbons
Gilbert
Goodell
Gubser
Gurney
Hall
Halleck
Halpern
Hansen, Idaho
Herlong
Horton
Hosmer
Howard
Irwin
Jacobs
Kelly
Kupferman
Kyl
Kyros
Leggett

Long, La.
McCarthy
McMillan
Macdonald, Mass.
MacGregor
Mathias, Calif.
Mathias, Md.
Meeds
Minshall
Morris, N. Mex.
Moss
Murphy, N.Y.
Myers
Nedzi
Nelsen
Nix
O'Neill, Mass.
Passman
Pettis
Philbin
Pickle
Pirnie
Podell
Pollock
Pool
Price, Ill.
Purcell
Randall
Reifel
Resnick
Riegle
Rivers
Ronan

Rooney, N.Y.
Rosenthal
Roudebush
Rumsfeld
St Germain
Sandman
Scherle
Scheuer
Smith, Calif.
Smith, N.Y.
Snyder
Steiger, Wis.
Stephens
Stratton
Stuckey
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tunney
Udall
Waggonner
Watkins
Whalley
Williams, Pa.
Willis
Wilson, Charles H.
Wolff
Wydler
Young
Zion

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Corbett.

Mr. Delaney with Mr. Bow.

Mrs. Kelly with Mrs. Bolton.

Mr. Corman with Mr. Smith of California.

Mr. Murphy of New York with Mr. Sandman.

Mr. Celler with Mr. Fino.

Mr. Rooney of New York with Mr. Frelinghuysen.

Mr. Addabbo with Mr. Ayres.

Mr. Culver with Mr. Bray.

Mr. Everett with Mr. Collier.

Mr. Dulski with Mr. Goodell.

Mr. McMillan with Mr. Ashbrook.

Mr. Rivers with Mr. Halleck.

Mr. Dent with Mr. Williams of Pennsylvania.

Mr. Macdonald of Massachusetts with Mr. Reifel.

Mr. Morris of New Mexico with Mr. Andrews of North Dakota.

Mr. Randall with Mr. Hall.

Mr. Howard with Mr. Pirnie.

Mr. Purcell with Mr. Kyl.

Mr. Tunney with Mr. Bell.

Mr. Boland with Mr. Horton.

Mr. Brasco with Mr. Cunningham.

Mr. Irwin with Mr. Brown of Michigan.

Mr. Teague of Texas with Mr. Devine.

Mr. Meeds with Mr. Findley.

Mr. Moss with Mr. Gubser.

Mr. McCarthy with Mr. Smith of New York.

Mr. Kyros with Mr. Watkins.

Mr. Waggonner with Mr. Dickinson.

Mr. Fallon with Mr. Roudebush.

Mr. Udall with Mr. Hosmer.

Mr. Pool with Mr. Thompson of Georgia.

Mr. Philbin with Mr. Wydler.

Mr. Wolff with Mr. Halpern.

Mr. Young with Mr. Erlenborn.

Mr. Clark with Mr. Minshall.

Mr. Leggett with Mr. Kupferman.

Mr. Willis with Mr. Nelsen.

Mr. Charles H. Wilson with Mr. Mathias of California.

Mr. Tenzer with Mr. Rumsfeld.

Mr. Evins of Tennessee with Mr. Whalley.

Mr. Farbstein with Mr. Zion.

Mr. Friedel with Mr. Dellenback.

Mr. Giaimo with Mr. MacGregor.

Mr. Gibbons with Mr. Myers.

Mr. Jacobs with Mr. Pettis.

Mr. Nedzi with Mr. Riegle.

Mr. Donohue with Mr. Pollock.

Mr. Passman with Mr. Scherle.

Mr. Fisher with Mr. Snyder.

Mr. Gilbert with Mr. Taft.

Mr. Pickle with Mr. Steiger of Wisconsin.

Mr. Long of Louisiana with Mr. Curtis.

Mr. Price of Illinois with Mr. Dole.

Mr. Herlong with Mr. Gurney.

Mr. Ronan with Mr. Hansen of Idaho.

Mr. Podell with Mr. Mathias of Maryland.

Mr. Resnick with Mr. Nix.

Mr. Bingham with Mr. William D. Ford.

Mr. St Germain with Mr. Blanton.

Mr. Conyers with Mr. Edwards of California.

Mr. Stephens with Mr. Scheuer.

Mr. Rosenthal with Mr. Diggs.

Mr. Thompson of New Jersey with Mr. Stratton.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped."

A motion to reconsider was laid on the table.

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the Committee on Public Works be discharged from further consideration of the bill S. 222 and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 222

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) The term "public building" means any nonresidential building—

(A) constructed by or on behalf of the Federal Government after the date of enactment of this Act, or

(B) financed in whole or in part with funds provided by a grant or loan made by the Federal Government after the date of enactment of this Act,

if the use for which such building is intended will require that it be accessible to the public.

(2) The term "Administrator" means the Administrator of General Services.

SEC. 2. The Administrator in consultation with the Secretary of Health, Education, and Welfare is authorized to prescribe regulations establishing such standards for design and construction of public buildings as may be necessary to insure that all public buildings will be accessible to and usable by persons who are physically handicapped.

SEC. 3. (a) Plans and specifications for the construction of public buildings by or on behalf of the Federal Government shall be drawn in compliance with the regulations prescribed under section 2, and shall be incorporated in the construction contract.

(b) All grants or loans made by the Federal Government for the purpose of financing the construction of public buildings shall be made upon the condition that the design and construction of such buildings shall comply with the regulations prescribed under section 2.

SEC. 4. The Administrator may grant modifications or waivers of the regulations prescribed under section 2 in specific cases where such regulations are clearly not necessary, upon request of the head of any department or agency of the Federal Government.

AMENDMENT OFFERED BY MR. GRAY

Mr. GRAY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAY: Strike all after the enacting clause of S. 222 and insert in lieu thereof the provisions of H.R. 6589, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 6589) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADDITION TO THE NATIONAL GALLERY OF ART

Mr. GRAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16358) authorizing the trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and making provision for the maintenance thereof, as amended.

The Clerk read as follows:

H.R. 16358

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Trustees of the National Gallery of Art are authorized to construct within the area reserved as a site for future additions by the third sentence of the first section of the joint resolution entitled "Joint Resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937 (50 Stat. 51; 20 U.S.C. 71 et seq.) one or more buildings to serve as additions to the National Gallery of Art. The cost of constructing any such building shall be paid from trust funds administered by such Trustees. The plans and specifications for any such building shall be approved by the Commission of Fine Arts and the National Capital Planning Commission.

SEC. 2. Any building constructed under authority of the first section of this Act shall upon completion, be a part of the National Gallery of Art.

SEC. 3. Paragraph (2) of section 9 of the Act entitled "An Act relating to the policing of the buildings and grounds of the Smithsonian Institution and its constituent bureaus", approved October 24, 1951 (65 Stat. 634; 40 U.S.C. 193n et seq.) is amended by inserting "(A)" immediately after "held to extend" and by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "(B) to the line of the face of the south curb of Pennsylvania Avenue Northwest, between Fourth Street and Third Street Northwest, to the line of the face of the west curb of Third Street Northwest, between Pennsylvania Avenue and Madison Drive Northwest, to the line of the face of the north curb of Madison Drive Northwest, between Third Street and Fourth Street Northwest, and to the line of the face of the east curb of Fourth Street Northwest, between Pennsylvania Avenue and Madison Drive Northwest."

SEC. 4. The Commissioner of the District of Columbia is authorized to transfer to the United States such jurisdiction as the District of Columbia may have over any of the property within the area referred to in the first section of this Act.

SEC. 5. If any public utility (whether privately or publicly owned) located within the area referred to in the first section of this Act is required to be relocated or protected by reason of the construction within such area of any addition to the National Gallery of Art, the cost of such relocation or protection shall be paid from trust funds administered by the Trustees of the National Gallery of Art.

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GRAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H.R. 16358 authorizes the trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and makes provision for the maintenance thereof.

In accepting the late Andrew Mellon's gift to the Nation of his magnificent collection of art and funds to construct the National Gallery of Art, the Congress of the United States anticipated the possibility that the gallery would need expansion room at some future time. For this purpose, an area was specifically reserved in the joint resolution of Congress, which authorized the acceptance of the gift; the area bounded by Fourth Street, Pennsylvania Avenue, Third Street, and North Mall Drive—now Madison Drive—NW.

The situation foreseen by the Congress in 1937 is now an actuality. The National Gallery of Art needs room to expand. Funds sufficient to enable the trustees of the National Gallery of Art to construct a new building or buildings for this purpose have been made available to the trustees as the result of unrestricted and approximately equal gifts to them from Mr. Paul Mellon and his sister, Mrs. Mellon Bruce. I am happy to inform the House that the combined gifts are valued at approximately $20 million. The proposed new building or buildings will therefore be constructed without cost to the taxpayers.

In the relatively short period of its existence, the National Gallery of Art has grown into, and is generally recognized as, one of the foremost art galleries in the world. Its collection and the educational services offered the public can no longer be housed adequately in the present building if its collection and its services are to grow and contribute to the cultural heritage and development of the people of the United States. The new building will provide additional exhibition space, will facilitate the expansion of the gallery's extension services to the schools of the Nation which already reach some 3,000 communities throughout the 50 States, and room for a center for advanced study in the visual arts. The trustees hope that the center will serve as a meeting ground for teachers and scholars from all over the world. The stipends of members of the center and of the participants in its fellowship program will be met from private funds administered by the trustees. It will also free additional space in the present building for exhibition purposes inasmuch as it is intended that certain administrative functions now being carried on in the present building will be transferred to the new building.

The committee made several amendments to the text of the introduced bill to make it clear that the trust funds administered by the trustees of the National Gallery of Art will be responsible for any costs due to necessary relocation or protection of utilities because of the construction of any additions to the National Gallery of Art. This legislation authorizes no expenditure of public funds for site preparation and construction purposes. The incorporation of the new building on its completion into the National Gallery of Art will, of course, require the appropriation of Federal funds to defray its operating and maintenance costs as is currently true with respect to the present National Gallery of Art building.

The committee, recognizing not only the need for a new building on the part of the National Gallery of Art, but also the outstanding generosity on the part of two of our citizens, the Mellon family, which makes the construction of the new building possible, without requiring the expenditure of publicly appropriated funds, urges the enactment of H.R. 16358.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I am delighted to yield to our distinguished friend from Iowa—and before I yield let me say to the gentleman that this certainly should be a red-letter day for him, because we have brought out two good bills in succession today that will not cost the taxpayers any money.

Mr. GROSS. I thank the gentleman for yielding.

I wanted to raise a question as to who presently owns the property on which this structure will be built?

Mr. GRAY. The Federal Government owns the property now. It was set aside by Congress in 1937 for the purposes which this legislation provides. However, we feel that the legislation was not strong enough at that time, it was merely an intent that the Federal Government would use this land for this purpose, and the trustees of the National Gallery of Art felt they needed specific legislation before they wanted to commit themselves to a $20 million construction program.

But in direct answer to the question posed by the gentleman from Iowa, this property is presently owned by the Federal Government, and it is immediately adjacent to the present National Gallery of Art building. It is presently being used as a tennis court, and for other recreational use for Federal employees. We feel that this new beautiful building housing some of the world's finest art will be a much better use of property owned by the American taxpayers.

Mr. GROSS. So that to the extent of the value of the property upon which the building is to be constructed, there is a Federal contribution to this project?

Mr. GRAY. The gentleman from Iowa is correct, however, since 1937 this property has been set aside for this purpose. Therefore, it has had no other use to the taxpayers, and now it will be used for the purposes originally intended.

Mr. GROSS. But if the Federal Government, in constructing an office building, must purchase land elsewhere because this site is unavailable for the erection of a Federal office building, it would mean an out-of-pocket cost to the taxpayers; is that correct?

Mr. GRAY. That would be a correct assumption. However, I would say to my distinguished friend that the visitations at the National Gallery of Art now are in excess of a million visitors a year and therefore we believe this is using this space for a very acceptable public service.

Perhaps I could give an example, that if someone gave me a car I believe I ought to be willing to provide a garage for it.

Mr. GROSS. Is the gentleman stating unequivocally that the proposed structure itself will not result in any cost to the taxpayers?

Mr. GRAY. None whatsoever, not even in the preparation of the site. They intend to pay for the preparation of the site, and for the construction of the building.

Mr. GROVER. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Speaker, in Walter Pater's "The Renaissance" we read:

> Art comes to you proposing frankly to give nothing but the highest quality to your moments as they pass.

H. L. Menchen said:

> The true function of art is to . . . edit nature and so make it coherent and lovely. The artist is a sort of impassioned proofreader, blue-penciling the bad spelling of God.

Aldous Huxley in his "Ends and Means XII" reminds us that:

> The finest works of art are precious, among other reasons, because they make it possible for us to know, if only imperfectly and for a little while, what it actually feels like to think subtly and nobly.

Mr. Speaker, the National Gallery of Art eloquently and quite adequately fulfills the purpose of the great thinkers on art. It is the property of the United States through some generous givers and lovers of art. It is one of our finest living monuments to inspire and fulfill enquire. It stands in the shadow of our Capitol and it is the capital of the art of America. It is enjoyed by millions and it influences beyond measure the attitudes and lives of millions who come to America from every State and every principality in America. Its influence is uplifting and its benefits are immeasurable. We have it because there were those among us who could and did underwrite the cost of its establishment and its support so generously through the years. For this all of us should be everlastingly thankful and show, whenever we can, our appreciation for this great asset. We in the Congress can do this by cooperating with its present leaders.

The reasons for its magnificent success and there are many in number. The most important of all reasons this institution has been so successful is that through the years it has had good—indeed, great—leadership. Today it has excellent leadership in the person of Mr. John Walker who with many of his associates work unceasingly and intelligently in the development of its program. Under him there is a fine staff, great artists, and excellent planners. They have been forward looking and have missed no chance to make additions to the collections, providing and increasing the opportunities to see and benefit from this incomparable collection. The program, its various aspects, will be noted and commented on for years to come. Their program and plans now call for an extension and expansion.

Mr. Speaker, through the generosity of Mr. Paul Mellon and his sister, Mrs. Mellon Bruce, $20 million has been donated for a new building and to meet the great need for the expansion of this program. Fortunate are we that this building can be built without cost to the taxpayer. Congress is asked only to authorize the National Gallery.

Mr. Speaker, I reiterate that the time has come for the National Gallery of Art to expand its facilities. Through the generosity of Mr. Paul Mellon and his sister, Mrs. Mellon Bruce, $20 million has been made available for the erection of a new building to meet the great need for expansion. This building, therefore, will cost the taxpayer nothing. The Congress is asked only to authorize the National Gallery so that it may utilize the site adjoining the present building to the east of Fourth Street. To justify and make clear the urgency of this action now, I would like to comment on the National Gallery of Art, the uses to which the new building will be put, the services that this institution has provided and provides for the people of this country, and the collections that make up a treasurehouse of our common heritage of which every American can be proud.

The visitors from all over the country, in fact, from all over the world, who stream onto that beautiful marble building on the Mall at the rate of many thousand each day have the opportunity of seeing what is generally considered the greatest collection of painting and sculpture from our Western heritage in this hemisphere, and one of the greatest art museums anywhere in the world. More about those collections later. First, it should be pointed out few of those visitors realize that, in addition to the beautiful works of art on view at the gallery, this institution serves an even broader public, a national and international public through the activities that go on behind the scenes.

The Extension Service of the National Gallery of Art, for instance now reaches some 3,000 communities ranging in size from several hundred to several millions in population. The Service extends into every one of the States and territories represented in this Congress. The number of people reached by this program will, at the end of this fiscal year, probably amount to about 2 million or more people than come into the National Gallery itself. In hundreds of small towns and villages across the country, there are no art museums or other suitable facilities to receive exhibits of original works of art. To help fill this void, the Extension Service of the National Gallery of Art offers large framed color reproductions for educational exhibitions to schools, clubs and libraries. Through descriptive labels accompanying the pictures, the exhibitions are transformed from simple shows of reproductions to informative art lectures.

In addition, the gallery circulates motion pictures on art, illustrated recorded lectures with accompanying texts, using original color slides taken at the National Gallery, filmstrips, books, kits of small reproductions, and other audiovisual aids that go into schoolrooms across the country. These are left free of charge, except for transportation costs. The operating cost of this program, which was developed largely with private funding, will cost the United States in this fiscal year the sum of only $63,000.

All of this is in addition to various pilot projects that the gallery has conducted with school systems and university art departments, using materials funded from private sources. For example, they have put on indefinite loan in university departments some 100,000 original slides of gallery objects, packaged in sets, and distributed to over 200 institutions.

The National Gallery has in preparation a Radio Picture of the Week scheme by which people across the country will be able to subscribe at minimal cost for color reproductions of works of art that will be discussed over the air. Listeners not only have a chance to look at a high quality reproduction while its significance is explained to them, but end up with a collection of lovely pictures which can help decorate their homes.

At the time of its 25th anniversary 2 years ago, the National Gallery inaugurated a medal for "Distinguished service to education in art." This was distributed in a White House ceremony to dedicated teachers, scholars, and administrators, representing all levels of education from the elementary school in a remote rural district to the Institute for Advanced Study in Princeton.

The educational services of the National Gallery of Art function, of course, in the building in Washington as well. its educational department furnishes a variety of services, all of them without charge. Its audience is a remarkably varied one, being primarily national in composition, as thousands of families come from towns and cities across the country to see the Capital and make what is in some cases their first visit to an art gallery anywhere. The education department mans full-time information desks at each entrance, and in addition provides some 36 guided tours a week. The staff arranges special tours and lectures for groups of 15 or more on any topic requested without charge. On Sunday afternoons there are free lectures in the auditorium by prominent scholars, critics, and writers.

For those visitors who prefer to set their own pace and make their own independent discoveries without holding to a schedule, the gallery pioneered for art museums in this country an electronic tour-guide system that provides the equivalent of an aural catalog to the collection.

Another do-it-yourself educational technique pioneered by the gallery is the use of a one-page leaflet giving information on each week of art in a given room. The leaflets may be taken away by the visitor without charge. Remarkably few have been found discarded. Over 15 million have been distributed since the project was started in 1958.

In addition, the gallery trains docents who take planned tours of school children in the District area through its collections. The number of youngsters benefiting from this exposure now amounts to some 90,000 a year. The Education Department also prepares radio talks which are broadcast in the intermission of the Sunday night free concerts that are a Washington institution, taking place in the beautiful setting of the Gallery's East Garden Court. The Education Department also operates a special slide lending service to assist teachers in classroom programs.

Also as a part of its basic educational responsibilities, the National Gallery of Art has maintained a vigorous program of publication. Using only the sales desks in the Washington building, and serving inquirers who write for materials from all over the country, the gallery has distributed over 20 million individual items at moderate cost. Prices are kept at a minimum, and receipts are plowed back into a publications fund to increase the number of publications offered. Prices on many of the items have not risen in the 27 years of operation. For example, the publications service still sells monotone postcards at three for 5 cents, color postcards for 5 cents, and 11-by-14-inch color reproductions for 25 cents.

The revolving fund principle has permitted the gallery continually to expand the range of reproductions published as well as finance the publication of catalogs and scholarly and popular material. An example is the "Ten Schools of Painting" booklets. Each booklet contains an essay by a member of the staff on a period of painting represented in the collection, followed by 16 one-page discussions of specific pictures, each facing an illustration of the painting in color. Since their publication in 1959–60, over a million copies have been sold.

The necessary backstop to the educational activities of the National Gallery is its scholarly research. In this area, too, our National Gallery has exerted leadership. In addition to the work done on its own collection and other scholarly research carried by its professional staff, the gallery has sponsored through private funds distinguished series of publications in the cultural field. Also, with the help of the Samuel H. Kress Foundation, the bequest of Chester Dale, the Avalon Foundation, and the Old Dominion Foundation, it has been able to pursue a program of training young people in the field by offering them fellowships to study at the gallery and elsewhere. This has already resulted in graduates of this program assuming important directorial and curatorial posts in leading American museums across the land. One of the most serious threats in the museum field in recent times has been the shortage of qualified talent entering the profession, and the gallery's fellowship program has been a vital factor in combating this problem.

In addition, the gallery, again through the use of outside resources, has sponsored a highly successful program of scientific research into problems of conservation. The deterioration that is going on in works of art everywhere has been a primary object of study, and new materials and techniques to help retard this somewhat horrifying process have resulted from the National Gallery's program.

Another area that the Gallery's scientific research has been exploring is the detection of forgeries and the dating of questioned pictures through the application of nuclear physics. A program is currently being pursued jointly with the Atomic Energy Commission in which the radioactivity of materials used in certain pigments may turn out to be a key factor in unmasking art frauds.

The basis on which all of this educational and scholarly activity rests, is, of course, the collection of the National Gallery itself. In 27 short years, the growth through private philanthropy of the collections of the National Gallery of Art has probably been faster than that of any other art museum in history. We can all be grateful that it started when it did; had the Gallery been founded just a few years later, it might well have been impossible, at whatever price, to gather together a collection of the astounding quality that is now housed here in Washington.

The rapidity with which the Gallery's collection has grown has resulted principally from the donation, virtually in their entirety, of five of the greatest of American private collections.

The nucleus of the collection was that assembled by Andrew Mellon, who served this country as Secretary of the Treasury under three presidents and subsequently as Ambassador in London. His aim was to provide a nucleus collection, each picture of which would set the standard for some aspect of the history of art. It is one of the remarkable feats of collecting that he was able to amass a collection of masterpieces, which in their sum total illustrate virtually every major turning point in the history of Western art from the Middle Ages to the last century.

Mr. Mellon also provided the building in which the National Gallery is now housed. It was his expressed wish, furthermore, that the institution he founded not be named after him, but that it be known as the "National Gallery of Art." He foresaw that this would increase the appeal to other donors of giving their treasures to this Nation. His gift may be the greatest gift ever given any government at any time. The modesty and vision with which this gift was made reflect one of the proud moments in American history.

Joining the Andrew Mellon collection in the new National Gallery of Art came four other collections, any one of which could make up an outstanding museum on its own.

The Samuel H. Kress collection provided America with its most comprehensive survey of the great period of Italian Renaissance art. As the gallery grew, the Samuel H. Kress Foundation, headed for many years by Mr. Rush Kress, continued to donate works of art, many of them in other fields, providing Washington with one of the greatest collections of French art, and probably the greatest collection of German art in the country. The Renaissance bronzes and medals which the Kress Foundation gave is equaled only by the National Museum in Florence and the Victoria and Albert Museum in London.

The collection formed by Peter A. B. Widener and his son, Joseph E. Widener, of Philadelphia, was one of the most remarkable in American history. It was refined over a period of 50 years with one end in view, that each painting should be of high enough quality that the artist's reputation would be as great today if that one picture were all that remained of his work. Priceless masterpieces by Raphael, Rembrandt, El Greco, Vermeer, and many others came to Washington with the gift of the Widener collection to the National Gallery in 1942.

In 1962, at the death of Chester Dale, the gallery acquired 309 works of art that help give it one of the world's great representations of French impressionist and postimpressionist art.

Finally, Lessing J. Rosenwald has given the National Gallery of Art what the Saturday Review has called America's greatest gallery of prints. With great discernment, Mr. Rosenwald has amassed a collection of more than 20,000 woodcuts, engravings, etchings, lithographs, prints, and drawings.

In addition, over 200 other donors have presented works of art or funds with which art could be acquired. In fact, every single object of art in the collections of the National Gallery has been provided through the generosity of private citizens.

At the time of Mr. Mellon's original gift, he foresaw, as did the Congress, that the gallery would one day need to expand. Therefore, in Public Resolution 14 of the 75th Congress, after providing for the acceptance of Mr. Mellon's gift and for the site on which the gallery was to be erected, it was further provided that an adjoining area bounded by Fourth Street, Pennsylvania Avenue, Third Street and North Mall Drive be reserved as a site for future additions to the National Gallery.

The spectacular growth of the collections at the National Gallery has brought with it an acute shortage of space. It is thus proposed that a new building be erected, and it is contemplated that this facility house the following functions:

First. Additional exhibition space would be provided. Facilities for temporary exhibitions, with the latest technology in lighting and flexibility, would be available to the visitors on the Mall. In addition, space would be provided for the expansion of the collection.

Second. There is to be founded at the National Gallery of Art a Center for Advanced Study in the Visual Arts. This would be an expansion of the gallery's current program of fellowships, so that scholars at all stages of their careers could be invited to Washington to pursue their research, to benefit from the interaction with each other, and to take advantage of the great art collections and libraries in the Nation's Capital.

Third. The Extension Service and publications facility will need new space to accommodate the growing demand. Since 1962, the number of borrowers of art educational materials has increased by over 700 percent. Last year the increase was 39 percent over the previous year. This vital service to the Nation as a whole is now cramped into closets and corridors and storage areas and will need more room.

The greatness of this Nation in the years to come will depend, not only on its material successes, but on the quality of life that its citizens lead. With the projected increases in leisure time, the way in which these human lives are to be filled with more than meaninglessness is, I believe, through a deepened awareness of our common cultural heritage and of the spiritual values that that heritage represents. We can all, as Americans, take pride in the achievements of our National Gallery of Art. With the proposed new building, being generously donated to us, the benefits of this great National Gallery of Art will be brought to more and more citizens of the United States and our foreign friends will more fully appreciate America and the goodness of its people as they are.

Mr. GROVER. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I want to compliment the the Committee on Public Works. As the chairman of the Public Buildings and Grounds Subcommittee has stated, these are two very fine pieces of legislation that we have brought before the House today—and again in these times of fiscal restraint, we are proud to say that there will be no appropriation necessary to complete—(1) the building, under this particular bill—and it was not pointed out in the debate on the prior bill, but the architects, engineers, and those with the know-how in the construction of Federal buildings have told us that in the construction of the facilities for assistance to the handicapped in future construction and reconstruction of Federal buildings not only will there be no cost but in many instances there will be less cost—and I think the members of the committee are to be congratulated.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. GROVER. I yield to the gentleman.

Mr. GRAY. I certainly want to commend the very distinguished gentleman from New York who now has the floor and all of our colleagues on his side of the aisle for the bipartisan spirit in which these two pieces of legislation have come to the floor.

We did not have one dissenting vote on either piece of legislation, and I want to commend the minority side for their tremendous cooperation.

Mr. GROVER. I am glad that the gentleman has pointed out the unanimous action of the committee—it was precisely what I was about to do.

Mr. FULTON of Pennsylvania. Mr. Speaker, as a long-time friend and supporter of the National Gallery of Art, it is a pleasure to rise in support of the bill, H.R. 16358 to authorize its expansion with the construction of the new building. Already recognized as one of the outstanding galleries in the world, the National Gallery continues its growth and development and sets an admirable pace for progress in the fine arts in America.

It should be well noted that this marvelous expansion of the National Gallery is without cost to the U.S. taxpayers. The original National Gallery building and the famous Mellon collection of paintings were the gifts of our Pittsburgh first citizen, the Honorable Andrew W. Mellon. The funds for the new building are the generous gift of his son, Mr. Paul Mellon, and his sister, Mrs. Ailsa Mellon Bruce. The gift has already been made to the trustees of the National Gallery and constitutes a fund of approximately $20 million in unrestricted securities and cash. As a Representative in the U.S. Congress from Pittsburgh, and interested as a collector, I am pleased to express the gratitude of the people of the United States, the students and schoolchildren of the future, and the visitors from many lands who will benefit from this gift. We give our sincere and continuing thanks to Mr. Paul Mellon and Mrs. Ailsa Mellon Bruce.

The resolution before Congress today provides the necessary congressional authorization for the construction of the building on the public or reserved lands within the District of Columbia. When the U.S. Congress accepted the gift of the National Gallery of Art in 1937, it provided for the future by expressly reserving this site for a second building. Within this short period of time, the fine services and the remarkable collections of the National Gallery have so grown that the trustees are petitioning Congress for the authority to expand the already substantial facilities. During that time, the National Gallery has performed a truly great service to the people of the United States by its constant encouragement of a popular appreciation and understanding of the fine arts.

With the new Mellon gift, the National Gallery will be able to expand its extension services, which presently reach 1½ million Americans each year in 3,000 communities throughout the 50 States. Through the media of slides, lectures, and movies, the National Gallery travels to those Americans who cannot come to Washington to enjoy and study its fine collections. The extension services will reach three to four times as many Americans under the building and development program.

Within the new building, the National Gallery will house an Institute for Advanced Study in Art History modeled along the lines of the Princeton Institutes for Advanced Studies in the physical sciences and the humanities. It will be the first such institute in the United States.

The new building will provide space for the many temporary exhibitions attracted to Washington by the National Gallery. Recent exhibitions have included collections from France, Turkey, and Iran. The expansion will also permit a more desirable exhibition of the National Gallery's own permanent collection which continues to grow.

Mr. Speaker, I wholeheartedly support the resolution before us, which has the approval of the Bureau of the Budget, the District of Columbia government, and most certainly the American people. I congratulate the Mellon family for their civic and patriotic gift to the United States, and commend Director John Walker, and the trustees of the National Gallery of Art for their continued good work and contribution to the developing American culture.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Illinois that the House suspend the rules and pass the bill H.R. 16358, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. GRAY. Mr. Speaker, I ask unanimous consent that the Committee on Public Works be discharged from the further consideration of the bill (S. 3159) authorizing the Trustees of the National Gallery of Arts to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and making provision for the maintenance thereof, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Trustees of the National Gallery of Art are authorized to construct on the area reserved in section 1 of the "Joint resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937 (50 Stat. 51; 20 U.S.C. 71); that is, the area bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive Northwest, a building or buildings to serve as an addition or additions to the National Gallery of Art: *Provided, however*, That costs of such construction shall be defrayed from trust funds administered by such Trustees: *And provided further,* That the plans and specifications for such building or buildings shall be approved by the Commission of Fine Arts and the National Capital Planning Commission.

SEC. 2. Upon completion, the building or buildings erected pursuant to section 1 hereof shall be incorporated into and become a part of the National Gallery of Art, and all provisions of the "Joint resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937 (50 Stat. 51, 20 U.S.C. 71 et seq.), shall apply to such building or buildings, to the site referred to in section 1 hereof, and to the activities of the National Gallery of Art carried on in such building, or buildings, and site to the same extent as they apply to the original National Gallery of Art Building and its site and to activities carried on therein.

SEC. 3. All provisions of Public Law 206 approved October 24, 1951 (65 Stat. 634, as amended, 40 U.S.C. 193n et seq.), shall apply to the building or buildings constructed pursuant to section 1 hereof and to the site referred to in section 1 hereof which shall for such purpose be held to extend to the line of the face of the south curb of Pennsylvania Avenue Northwest, between Fourth Street and Third Street Northwest, to the line of the face of the west curb of Third Street Northwest, between Pennsylvania Avenue and Madison Drive Northwest, to the line of the face of the north curb of Madison Drive Northwest, between Third Street and Fourth Street Northwest, and to the line of the face of the east curb of Fourth Street Northwest, between Pennsylvania Avenue and Madison Drive Northwest.

SEC. 4. The Commissioner of the District of Columbia is authorized to transfer to the United States such jurisdiction as the District may have over any of the property delimited in the first section of this Act.

SEC. 5. In the event any privately owned or publicly owned utility located in the area delimited in the first section of this Act is required to be relocated or protected by reason of the construction on such area of any addition to the National Gallery of Art, such relocation or protection shall be at the expense of other than the District of Columbia.

AMENDMENT OFFERED BY MR. GRAY

Mr. GRAY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAY: Strike out all after the enacting clause of S. 3159 and insert in lieu thereof the provisions of the bill H.R. 16358, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 16358) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GUAM ELECTIVE GOVERNOR ACT

Mr. CAREY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7329) to provide for the popular election of the Governor of Guam, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Organic Act of Guam (64 Stat. 384, 386; 48 U.S.C. 1422), is amended to read as follows:

"SEC. 6. The executive power of Guam shall be vested in an executive officer whose official title shall be the 'Governor of Guam'. The Governor of Guam, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the Legislature of Guam. The Governor and Lieutenant Governor shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices. If no candidates receive a majority of the votes cast in any election, on the fourteenth day thereafter a runoff election shall be held between the candidates for Governor and Lieutenant Governor receiving the highest and second highest number of votes cast. The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning with the year 1974, the Governor and Lieutenant Governor shall be elected every four years at the general election. The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified.

"No person who has been elected Governor for two full successive terms shall again be eligible to hold that office until one full term has intervened.

"The term of the elected Governor and Lieutenant Governor shall commence on the first Monday of January following the date of election.

"No person shall be eligible for election to the office of Governor or Lieutenant Governor unless he is an eligible voter and has been for five consecutive years immediately preceding the election a citizen of the United States and a bona fide resident of Guam and will be, at the time of taking office, at least thirty years of age. The Governor shall maintain his official residence in Guam during his incumbency.

"The Governor shall have general supervision and control of all the departments, bureaus, agencies, and other instrumentalities of the executive branch of the government of Guam. He may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws. He may veto any legislation as provided in this Act. He shall appoint, and may remove, all officers and employees of the executive branch of the government of Guam, except as otherwise provided in this or any other Act of Congress, or under the laws of Guam, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of Guam and the laws of the United States applicable in Guam. Whenever it becomes necessary, in case of disaster, invasion, insurrection, or rebellion, or imminent danger thereof, or to prevent or suppress lawless violence, he may summon the posse commitatus or call out the militia or request assistance of the senior military or naval commander of the Armed Forces of the United States in Guam, which may be given at the discretion of such commander if not disruptive of, or inconsistent with, his Federal responsibilities. He may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, proclaim the island, insofar as it is under the jurisidiction of the government of Guam, to be under martial law. The members of the legislature shall meet forthwith on their own initiative and may, by a two-thirds vote, revoke such proclamation.

"The Governor shall make to the Secretary of the Interior an annual report of the transactions of the government of Guam for transmission to the Congress and such other reports at such other times as may be required by the Congress or under applicable Federal law. He shall have the power to issue executive orders and regulations not in conflict with any applicable law. He may recommend bills to the legislature and give expression to his views on any matter before that body.

"There is hereby established the office of Lieutenant Governor of Guam. The Lieutenant Governor shall have such executive powers and perform such duties as may be assigned to him by the Governor or prescribed by this Act or under the laws of Guam."

SEC. 2. Section 7 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422a), is deleted and replaced by the following new provision, also designated section 7:

"SEC. 7. Any Governor of Guam may be removed from office by a referendum election in which at least two-thirds of the number of persons voting for Governor in the last preceding general election at which a Governor was elected, vote in favor of recall and in which those so voting constitute a majority of all those participating in the referendum election. The referendum election shall be initiated by the legislature of Guam following (a) a two-thirds vote of the members of the legislature in favor of a referendum, or (b) a petition for such a referendum to the legislature by registered voters equal the number to at least 50 per centum of the whole number of votes cast for Governor at the last general election at which a Governor was elected preceding the filing of the petition."

SEC. 3. Section 8 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422b), as amended, is amended to read as follows:

"SEC. 8. (a) In case of the temporary disability or temporary absence of the Governor, the Lieutenant Governor shall have the powers of the Governor.

"(b) In case of a permanent vacancy in the office of Governor, arising by reason of the death, resignation, removal by recall, or permanent disability of the Governor, or the death, resignation, or permanent disability of a Governor-elect, or for any other reason, the Lieutenant Governor or Lieutenant Governor-elect shall become the Governor, to hold office for the unexpired term and until he or his successor shall have been duly elected and qualified at the next regular election for Governor.

"(c) In the case of the temporary disability or temporary absence of the Lieutenant Governor, or during any period when the Lieutenant Governor is acting as Governor, the speaker of the Guam Legislature shall act as Lieutenant Governor.

"(d) In case of a permanent vacancy in the office of Lieutenant Governor, arising by reason of the death, resignation, or permanent disability of the Lieutenant Governor, or because the Lieutenant Governor or Lieutenant Governor-elect has succeeded to the office of Governor, the Governor shall appoint a new Lieutenant Governor, with the advice and consent of the legislature, to hold office for the unexpired term and until he or his successor shall have been duly elected and qualified at the next regular election for Lieutenant Governor.

"(e) In case of the temporary disability or temporary absence of both the Governor and the Lieutenant Governor, the powers of the Governor shall be exercised, as Acting Governor, by such person as the laws of Guam may prescribe. In case of a permanent vacancy in the offices of both the Governor and Lieutenant Governor, the office of Governor shall be filled for the unexpired term in the manner prescribed by the laws of Guam.

"(f) No additional compensation shall be paid to any person acting as Governor or Lieutenant Governor who does not also assume the office of Governor or Lieutenant Governor under the provisions of this Act."

Sec. 4. (a) Effective on the date of enactment of this Act, the second and third sentences of subsection (a) of section 9 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422c(a)) are deleted.

(b) The first sentence of subsection (b) of section 9 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422c(b)) is deleted.

(c) A new sentence is added at the end of section 9(a) of the Organic Act of Guam reading as follows: "Members of boards of election and members of school boards, which entities of government have been duly organized and established by the government of Guam, shall be popularly elected.".

Sec. 5. Effective on the date of enactment of this Act, the Organic Act of Guam is amended by adding immediately after the end of section 9 (64 Stat. 384, 387; 48 U.S.C. 1422c) the following new section 9–A:

"Sec. 9–A. (a) The Secretary of the Interior shall appoint in the Department of the Interior a government comptroller for Guam who shall be under the general supervision of the Secretary of the Interior and shall not be a part of any executive department in the government of Guam, and whose salary and expenses of office shall be paid by the United States from funds otherwise to be covered into the treasury of Guam pursuant to section 30 of this Act. Sixty days prior to the effective date of transfer or removal of the government comptroller, the Secretary shall communicate to the President of the Senate and the Speaker of the House of Representatives his intention to so transfer or remove the government comptroller and his reasons therefor.

"(b) The government comptroller shall audit all accounts and review and recommend adjudication of claims pertaining to the revenue and receipts of the government of Guam and of funds derived from bond issues; and he shall audit, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of Guam including those pertaining to trust funds held by the government of Guam.

"(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the Governor of Guam all failures to collect amounts due the government, and expenditures of funds or uses of property which are irregular or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of Guam, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of the government of Guam are properly accounted for and audited.

"(d) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the Governor, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(e) If the Governor does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of Guam if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the Governor, on behalf of the head of the department concerned, may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction.

"(f) The government comptroller is authorized to communicate directly with any person or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

"(g) As soon after the close of each fiscal year as the acounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of Guam and the Secretary of the Interior an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government. The Secretary of the Interior shall submit such report along with his comments and recommendations to the President of the Senate and the Speaker of the House of Representatives.

"(h) The government comptroller shall make such other reports as may be required by the Governor of Guam, the Comptroller General of the United States, or the Secretary of the Interior.

"(i) The office and activities of the government comptroller of Guam shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the Governor, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives.

"(j) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment."

Sec. 6. (a) Effective on the date of the enactment of this Act, section 18 of the Organic Act of Guam (64 Stat. 384, 388; 48 U.S.C. 1423h) is amended to read as follows:

"Sec. 18. Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue for such term as the legislature may provide. The Governor may call special sessions of the legislature at any time when, in his opinion, the public interest may require it. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session. All sessions of the legislature shall be open to the public."

(b) Effective on the date of enactment of this Act, section 12 of the Organic Act of Guam (64 Stat. 384, 388; 48 U.S.C. 1423b) is amended by adding after the last sentence thereof the following: "The quorum of the legislature shall consist of eleven of its members. No bill shall become a law unless it shall have been passed at a meeting, at which a quorum was present, by the affirmative vote of a majority of the members present and voting, which vote shall be by yeas and nays.".

Sec. 7. Effective on the date of enactment of this Act, section 25(b) of the Organic Act of Guam (48 U.S.C. 1421c(b)) is repealed.

Sec. 8. (a) Section 19 of the Organic Act of Guam (64 Stat. 384, 389; 48 U.S.C. 1423i) is amended by deleting its fourth, fifth, sixth, seventh, eighth, and ninth sentences and by substituting therefor the following: "When a bill is returned by the Governor to the legislature with his objections, the legislature shall enter his objections at large on its journal and, upon motion of a member of the legislature, proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members of the legislature pass the bill, it shall be a law."

(b) Effective on the date of enactment of this act, section 19 of the Organic Act of Guam (48 U.S.C. 1423i) is further amended by deleting the last sentence thereof.

Sec. 9. (a) Effective on the date of enactment of this Act, subsection (c) of section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d(c)) is repealed.

(b) Effective January 4, 1971, the remainder of section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d), as amended, is amended to read as follows:

"Sec. 26. The salaries and travel allowances of the Governor, Lieutenant Governor, the heads of the executive departments, other officers and employees of the government of Guam, and the members of the legislature, shall be paid by the government of Guam at rates prescribed by the laws of Guam."

Sec. 10. Effective on the date of enactment of the this Act, section 5 of the Organic Act of Guam (64 Stat. 384, 385; 48 U.S.C. 1421b), is amended by adding at the end thereof the following new subsection (u):

"(u) To the extent not inconsistent with the status of Guam as an unincorporated territory of the United States, the provisions of the Constitution of the United States of America and all its amendments shall have the same force and effect within Guam as in the United States."

Sec. 11. Effective on the date of enactment of this Act, chapter 15 of the General Military Law (70A Stat. 15, 16; 10 U.S.C. 331–334) is amended by adding at the end thereof the following new section 335:

"Sec. 335. For purposes of this chapter, 'State' includes the unincorporated territory of Guam."

Sec. 12. (a) Section 3 of the Organic Act of Guam (64 Stat 384; 48 U.S.C. 1421a), as amended, is further amended by deleting all after the words "Federal Government" and inserting in lieu thereof the words "in all matters not the program responsibility of another Federal department or agency shall be under the general administrative supervision of the Secretary of the Interior."

(b) Section 28(c) of the Organic Act of Guam (64 Stat. 384, 392; 48 U.S.C. 1421f(c)), as amended, is amended by deleting the words "head of the department or agency designated by the President under section 3 of this Act," by deleting from the proviso the words "head of such department or agency," and by substituting in each such instance the words "Secretary of the Interior".

Sec. 13. Those provisions necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective on January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971.

Sec. 14. This Act may be cited as the "Guam Elective Governor Act."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **SAYLOR**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER** pro tempore. The gentleman from New York is recognized for 20 minutes.

Mr. **CAREY**. Mr. Speaker, I yield 8 minutes to the distinguished chairman of the full committee, the gentleman from Colorado [Mr. Aspinall].

Mr. **ASPINALL**. Mr. Speaker, H.R. 7329, as amended, is one of two significant pieces of legislation which the Committee on Interior and Insular Affairs brings to the floor of this House today.

H.R. 7329, as amended, provides for the popular election of the Governor of Guam and for other purposes. This legislations is significant because it represents another important step in extending the development of full local-self government in the Territory of Guam, and a fulfillment of the political aspirations of these American citizens.

Mr. Speaker and Members of the House, the people of Guam have for the past 18 years demonstrated their capacity to govern themselves in a responsible manner. I ask my colleagues to indulge me for the moment as I briefly trace the development of Guam over the past decade or more.

Following World War II, the island of Guam was war torn, battle scarred, and completely dependent upon a military economy. In 1950, Congress passed the Organic Act of Guam which established a local civil government consisting of executive, legislative and judicial branches. The Organic Act of 1950 was the first important step in granting local self-government to the people of Guam. The Organic Act of 1950 created a unicameral legislature, provided for the appointment of a Governor and Government Secretary, directed that taxes be levied, and granted American citizenship to the Guamanians.

The Organic Act of 1950 presented the people of Guam the challenge and opportunity to demonstrate their willingness and ability to share the burdens of governing themselves. The Guamanian people have responded to this challenge in a most remarkable way, and in the responsible manner of American citizens everywhere. I must mention at this point, Mr. Speaker, that they have also responded to the challenge and burdens of our effort in Vietnam, not only as a naval and air base of our efforts there—but, too—up to this time in the supreme sacrifice of 30 of her native sons.

Since the passage of the Guam Organic Act, Congress has enacted additional measures which have extended the principle of local self-government to Guam. These enactments have provided Guam with the economic, political, and social base to continue to move ahead.

In fiscal 1967, Guam experienced a 38-percent increase in construction in the private sector, while government and military construction declined 13.9 percent. Gross receipts for the year increased 6.8 percent to a new high of $145.5 million.

Tax collections from income, business, privilege taxes and licenses, showed an increase of about $3 million over the previous year's total of approximately $14 million. Overall government revenue increased approximately 7.7 percent, while government expenditures were up only 6.2 percent.

Guam's public school enrollment reached some 18,000 students with an operating budget of $11.5 million. The College of Guam had an enrollment of over 4,000 with an appropriation of approximately $1 million for the fiscal year.

In fiscal 1967, Guam's new international air terminal was opened which replaced an old quonset hut and now handles 10 scheduled international flights weekly, plus 14 flights to and from the Trust Territory of the Pacific Islands. Construction on a new commercial port was started at a total cost of $10.5 million and to be completed in 1970.

The Ninth Guam Legislature approved an urban renewal plan for which the Department of Health, Education, and Welfare has reserved $13.4 million. A comprehensive islandwide master plan was approved, and marked a turning point in the history of planning on Guam.

Mr. Speaker and Members of the House, the economic, political, and social progress in Guam over the past decade and 8 years—is truly remarkable. Perhaps the greatest single highlight for the Guamanian people in 1967 was the historic visit to the island in March of our President, Lyndon B. Johnson, for high-level talks on the war in Vietnam. Mr. Johnson was the first president to visit the territory and it became the center of world attention for several days. The President was visibly moved by the warm reception he received, and left reassured that despite the many miles separating the territory from the mainland, Guam is a strong and proud part of these United States of America.

Mr. Speaker and Members of the House, the Committee on Interior and Insular Affairs points with pride to the accomplishments of the people of Guam. Our pride in these accomplishments prompts the Committee to ask the House to pass H.R. 7329, a bill similar to H.R. 11775 passed by the House in the 89th Congress, and which will permit the people of Guam to assume more of the responsibilities of local self-government.

H.R. 7329, as amended, provides for the popular election of the Governor and Lieutenant Governor of Guam, jointly, for a term of 4 years. The first election is to be held on November 3, 1970, and every 4 years thereafter. The bill defines the scope of their authority and the duties and qualifications of their officers.

At the present time, the Governor of Guam is appointed by the President of the United States with the advice and consent of the other body. Since 1950, two of the six appointed Governors have been native sons. And, over the years, the Office of Governor of Guam has become primarily an office of local territorial importance. The Governor no longer is concerned exclusively with Federal functions. The Governor now plays an important role in the local government and performs almost all the functions of a Governor of one of our 50 States.

Mr. Speaker, the people of Guam have clearly demonstrated their ability and political maturity to assume a greater share in the government of their island. The Committee on Interior and Insular Affairs recommends that the Office of Governor of Guam be one whose incumbent is in all respects responsible to the electorate—the people of Guam.

The provisions of H.R. 7329, as amended, providing for the appointment of a Government Comptroller for Guam presented a question of some difficulty to the committee. Representatives of the Guam Legislature appeared in opposition to the appointment of a Government Comptroller for Guam. At the present time, Guam has no federally appointed comptroller.

Approximately two-thirds of the revenues available to the government of Guam either come directly from the Federal Government or are received by the government of Guam pursuant to Federal law. Congress has the responsibility to see that these substantial revenues are properly audited, accounted for, and expended for the purposes provided for by law.

In view of the continuing Federal interest in the operations of the government of Guam, including direct and indirect Federal financial assistance, and when the Governor becomes an elected official of the Territorial government and functions without any direct supervision from the Federal executive branch of Government, there exists some basis for the appointment of a Government Comptroller.

H.R. 7329, as amended, provides for the appointment of a Government Comptroller for Guam in the Department of the Interior, who shall be under the general supervision of the Secretary of the Interior, with no responsibility for the operation of the Territorial government.

Mr. Speaker, this legislation is in keeping with our congressional policy that when the abilities of the people of our offshore flag areas are such as to permit them to assume more responsibilities of government, they should be granted. During my tenure as chairman of the Committee on Interior and Insular Affairs, I have come to know very closely the Guamanian people. I respect their judgment and have every reason to believe that the responsibilities being transferred to them by this legislation will be in good hands.

Mr. Speaker, the Committee on Interior and Insular Affairs recommends the enactment of H.R. 7329, as amended.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I commend the gentleman for his very distinguished statement here in support of the bill, which I also support.

As the gentleman knows, I have expressed, however, some very deep reservations about the necessity of establishing a Comptroller General. I wonder if the gentleman would respond to a question as to whether this provision we are now considering, which establishes a Comptroller General, if passed by the House, would still be a subject over which a conference committee might make revisions and amendments?

Mr. ASPINALL. May I advise my very able and distinguished colleague from Hawaii, when we go to conference this will be a matter in controversy, because we intend to strike everything below the enacting clause in the Senate bill and place the House bill provisions under the title of the Senate bill. This moves everything into controversy.

May I advise the gentlewoman from Hawaii that I, too, feel as if perhaps there is some other way of getting to the same position that we desire, which is to see that there is proper supervision over these funds. In going to conference I shall keep this in mind, and I hope members of the conference committee do too.

Mrs. MINK. Mr. Speaker, I thank the gentleman from Colorado.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, may I say to my distinguished chairman, if he recalls, I raised that question in hearings we had in the subcommittee and when we were marking up the bill. At that time I probably was not aware of the substantial amount of Federal contributions that we make to Guam.

It seems to me that when we are spending Federal funds to the extent we are in Guam certainly the Federal Government and the Congress really should have some oversight. Whether we will be giving too much power to the Comptroller I am not going to say, but I do say that certainly we are entitled, when huge sums of Federal money are being expended, to have some way of knowing how those funds are being expended at the time, rather than after they have been expended, when we ask for an audit.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. CAREY. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. ASPINALL. I thank the gentleman from Florida for reminding us of his position and for a statement of his present position on this legislation. I might say that it is my opinion that if we had had a little closer operation between the committee and the Department of Interior officials we would have known exactly the position they took and might have been able to have recommended a little different position from that which we have.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. I commend the gentleman and his committee for bringing this measure to the floor today. I intend to support the measure.

I am, however, very much disturbed by the provisions pertaining to the Comptroller General.

I would think to a large degree the intent and purpose of giving more self government to the people of Guam is a worthy one. Because the bill is being considered under a suspension of the rules procedure, I understand an amendment will not be in order to remove the provision to which I refer.

I pose a question for the chairman. Will the committee on the House side make some effort to remove that provision in conference?

Mr. ASPINALL. May I suggest this: I doubt if the conferees will want to remove the provision entirely, because there must be some surveillance over these funds. We should keep that in mind. Whether the surveillance we place here is the proper way, I am not sure. I thought it was at one time, but since the Department of the Interior has taken the position it has taken, I have questions now I did not have when the bill was reported out. We will restudy the matter.

Mr. MATSUNAGA. I thank the gentleman.

Mr. CAREY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, too, rise in support of H.R. 7329, as amended, a bill to provide for the popular election of the Governor of Guam, and for other purposes.

At the outset, I want to associate myself with the remarks of the gentleman from Colorado, the distinguished chairman of the Committee on Interior and Insular Affairs [Mr. ASPINALL]. I share his respect for the people of Guam. As the chairman of the Subcommittee on Territorial and Insular Affairs, I, too, have come to know and witness the demonstrated capacity of these American citizens, some 5,053 miles from the mainland, to govern themselves in a responsible manner. I have had the opportunity to witness firsthand, "The place where America's day begins," which also serves as our bastion of freedom and democracy in the Pacific.

Mr. Speaker, H.R. 7329 is similar to legislation passed by the House on May 16, 1966, during the 89th Congress, providing for the popular election of the Governor of Guam. Unfortunately, a conference on the differences between the bills passed by both Houses during the 89th Congress did not meet prior to adjournment.

The principal purpose of H.R. 7329, as amended, is to provide for the popular election of the Governor and Lieutenant Governor of Guam. The bill further amends the Organic Act of Guam in other respects to extend the principles of local self-government to the Territory of Guam and provides for the appointment of a Government Comptroller for Guam.

H.R. 7329, as amended, provides that the Governor and Lieutenant Governor shall be popularly elected for a term of 4 years, defines the scope of their authority, and sets out the duties and qualifications of their offices. The first election is to be held on November 3, 1970, and every 4 years thereafter. The bill also provides that a person elected Governor can serve two full successive terms but is not again eligible to hold the office until one full term has intervened.

The bill sets forth the procedure for the removal of any Governor by recall at a referendum election and sets out the line of succession in the event of a vacancy, temporary or permanent, in the office of Governor or Lieutenant Governor.

Section 4 of the bill provides for the popular election of members of school boards and boards of elections if such entities are duly organized and established by the government of Guam.

Section 5 of the bill creates the office of Government Comptroller for Guam in the Department of the Interior, under the general supervision of the Secretary of the Interior. The bill clearly specifies the duties and responsibilities of the offices.

This provision has presented a difficult question to the committee. Some members of the committee have taken the position in support of the Legislature for Guam that the appointment of a Government Comptroller for Guam is incongruous with the provisions providing for the popular election of the Governor as a grant of further autonomy.

The committee has concluded that the paramount consideration is not the alleged inconsistency, but the congressional responsibility to make certain that the substantial Federal revenues flowing to the government of Guam are properly audited and accounted for. With the popular election of the Governor, who will function without supervision from the Federal executive branch, it becomes incumbent upon the Congress, because of the substantial direct and indirect Federal financial assistance, to discharge its responsibility to the taxpayers of the United States by providing for the appointment of a Government Comptroller for Guam.

Other provisions of the legislation amend the Organic Act of Guam to remove the limitations imposed on the length of both regular and special sessions of the legislature and to amend those provisions of the organic act which are not consistent with the purposes of this legislation. The bill also provides that the Constitution of the United States and all its amendments shall have the same force and effect in Guam as in the United States, so long as this is not inconsistent with the status of Guam as an unincorporated territory of the United States. The bill authorizes the President to call upon Federal and local forces in cases of insurrection or similar emergencies and provides for the Secretary of the Interior to exercise general administrative responsibility on all matters affecting Guam which are not the program responsibility of some other Federal department or agency.

This legislation involves no Federal expenditures and should, in fact, result in a reduction of Federal costs, because the provisions of the bill require the government of Guam to assume a considerable portion of the costs of the territorial government.

Mr. Speaker, I heartily endorse the enactment of H.R. 7329, as amended.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. I thank my good friend, the gentleman from New York [Mr. CAREY], for yielding.

Mr. Speaker, as the introducer of H.R. 7097, a bill similar to the one now under consideration, I rise in support of H.R. 7329.

Mr. Speaker, this bill will provide for the long-delayed extension of a basic American right to a people who have been citizens of the United States for the last 18 years and who have been Americans in their hearts for more than half a century. Although denied any significant measure of self-government until passage of the Organic Act of 1950, the people of Guam not only suppressed their resentment over the unwarranted paternalism of the United States but also continually manifested, to their eternal credit, a deep and appealing pride in their allegiance to a country that returned them less than a full measure of enlightened interest.

After finally attaining limited statutory autonomy, the Guamanians demonstrated that patriotism was not their sole attribute. Their unicameral legislature, which under the act of 1950 was no longer simply an advisory body, soon distinguished itself by the maturity of its deliberations and the excellence of its legislation. It quickly became evident that in terms of ability and devotion to the public weal the 21 members of the Guam Legislature could stand comparison with their counterparts on the mainland United States; that they reflected the worth, as well as an instinct for the American political process, that characterized their constituents.

As dedicated legislators and as enthusiastic voters, the people of the Guam have continued to demonstrate an impressive aptitude for self-government, in addition to an enviable sense of civic and social responsibility. Their basic abilities and attitudes have now been sufficiently enhanced and refined by training and experience to merit the right basically inherent in all free and intelligent men to choose their own leaders in the executive branch as well as in the legislative.

For these reasons, I unreservedly support H.R. 7329, which provides for the popular election of the Governor and Lieutenant Governor of Guam. Jefferson's sage observation that "Governments derive their just powers from the consent of the governed" was valid in 1776 and it is just as valid today. It cannot be disputed that that power of consent can never be fully exercised by the governed, unless it is vested with the right of election.

There was, perhaps, some degree of reason is not countenancing an elective executive before the Guamanians could prove an ability to legislate effectively for themselves; but surely any doubt in that regard has been completely dissipated.

H.R. 7329 not only provides for the popular election of the Governor, but also creates the office of Lieutenant Governor, with both officials to be chosen by the people qualified to vote for the members of the Legislature of Guam. Both would hold office for a term of 4 years; the first elected Governor and Lieutenant Governor would begin their term of office on the first Monday in January 1971.

Having visited Guam and knowing its people, I know that they are prepared and qualified to accept the challenge posed by this bill.

The only reservation which I have about this bill is with relation to the provision of section 5, on page 18 of the bill. I believe the Government Comptroller for Guam ought to be designated, not by the Department of the Interior which is the administrative agency, but by an independent agency such as the General Accounting Office. I understand that consideration of alternatives will be undertaken by the conference committee. In other respects the bill would grant to the people of Guam a long overdue political right.

Let us by positive action today present fresh evidence to the world that we who proudly call ourselves Americans not only preach but practice democracy; that we will not deny the governed the right to choose their own Governor.

Mr. CAREY. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I rise in wholehearted support of this bill.

Mr. Speaker, it is in the warm climate of an enwrapping sentiment that I speak of Guam, the proud island in the far Pacific, the most faraway land over which flies the Stars and Stripes, and the fine men and noble women of Guam who have lived their daily lives by the loftiest American traditions and have brought honor and glory to their fellow Americans on the mainland. I am happy that Guam, as stout in its loyalty to the United States as is my native State of Michigan and the State of Illinois of the years of my adult life, is to have its own elected Governor. That is as it should be. I hope soon Guam also will have its seat in the House of Representatives of the Congress of the United States as did Hawaii and Alaska when I came to the Congress and they were territories.

At present Guam at is own expense does send to Washington as its representative here the Honorable Won Pat, former speaker of the legislature in Guam, and as able and dedicated a statesman as one can find anywhere. Speaker Won Pat has been a valued member of the Washington community and has rendered a service of large dimension to Guam and to the United States. I urge upon my colleagues the wisdom and the justice of giving to the representative of Guam, and a representative of the Virgin Islands, the status of nonvoting Members of the House, paid by the Federal Government as are all Members of the Congress. I hope and pray that this will be the next step taken in a program of full recognition of our unincorporated territories.

Mr. Speaker, I have said that my vote and my voice today are bedded in the wells of sentiment. My youngest son Howard, his wife Gladys, and their daughters, Judy and Susan, passed many happy years in Guam. They loved Guam and the people of Guam, and if Guam and its people are half what they say it must indeed be a land of paradise with a population as near angelic as is possible in a world of human frailties.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 7329, as amended, to provide for the popular election of the Governor of Guam, and for other purposes.

H.R. 7329, as amended, basically does three things. First, the bill provides for the popular election of the Governor and Lieutenant Governor of Guam, on November 3, 1970, and every 4 years thereafter. The bill sets forth the qualifications, authority and duties of the offices, provides for the removal of the Governor, and sets out the line of succession in the event of a temporary or permanent vacancy in the office of Governor and Lieutenant Governor.

Second, the bill provides for the appointment in the Department of the Interior of a Government Comptroller for Guam, who shall be under the general supervision of the Secretary of the Interior. And, third, the bill amends the Organic Act in several respects to provide the people of Guam a greater opportunity to participate in the government of their island and in turn, brings these American citizens a step closer in their association with the United States.

Mr. Speaker, the fact that this legislation is before the House under the supervision of the rules calendar should not minimize its importance. H.R. 7329 is important because its passage and enactment will mark the second time, in my recollection of history, that the Congress of the United States has authorized the popular election of the Governor of an unincorporated territory of the United States. The passage and enactment of the Guam Elective Governor Act will also mark an historic event in the lives of 77,000 Guamanian people.

It is my hope that our continued relationship with the people of Guam will prosper and grow into a fuller and closer relationship in the years ahead.

Mr. Speaker, H.R. 7329 is not without its oppostion. The provisions of H.R. 7329, as amended, providing for the appointment of a Government Comptroller has met with vigorous opposition in Guam. Such vigorous opposition, I might add, comes primarily from the Democratic Party in Guam. Nevertheless, I congratulate my majority party colleagues on the committee for their insistence that the provisions calling for the appointment of a Government Comptroller for Guam be retained in this legislation.

I, too, favor the provisions providing for the appointment of a Government Comptroller for Guam. The need for such a Comptroller with the popular election of the Governor is borne out by the testimony of Governor Guerrero before the committee when he said:

> Guam has made steady and significant progress since passage of the Organic Act of 1950. . . . While much remains to be accomplished, *and while the local government is perhaps still overly dependent on Federal assistance* (emphasis added) Guam nevertheless has come of age, both economically and politically.

If the present chief executive of Guam considers Guam to be overly dependent on Federal assistance, then the Governor is telling me that a federally appointed Government Comptroller is absolutely necessary under the circumstances. The utility of the conduct of appointing a comptroller far outweighs the magnitude of the risk inherent in not doing so at this time.

The committee report makes very clear the committee's position that the federally appointed comptroller is not a policymaker and shall not in any way interfere with the executive branch of the Government of Guam.

Mr. Speaker, H.R. 7329, as amended, is similar to H.R. 11775, providing for the popular election of the Governor of Guam which passed this House in the 89th Congress but failed to be enacted into law. I supported the passage of the legislation in the 89th Congress and I urge the passage of H.R. 7329, as amended, and before the House at this time.

> ### A Potent Club
>
> The Guam Legislature is holding up a pretty potent club to the U.S. Congress, when they should instead be trying to use a little diplomacy. We doubt whether the American Congress is going to be intimidated much by the Ninth Guam Legislature, and their rather rash action, of Thursday night, when they recessed for one week in protest over the Federal Comptrollership provision in the elective governor bill. They also voted to place an open letter to President Johnson, and to Congress in four mainland daily newspapers, requesting defeat of the bill in its present form.
>
> It is just that kind of spending money which the federal government comptroller would object to. The placing of such advertisements will undoubtedly run into many thousands of dollars—and that money could be better spent on a variety of programs on Guam, including such necessary items as garbage pick-up, and education.
>
> We don't feel that the elected governor would be "hamstrung by the Federal comptroller" in practice, as the plan is proposed by Congress. We do think that if the plan was unworkable, after a few years, certainly we could get it changed. We do feel that we have to take this autonomy one step at a time. First you learn to crawl, then walk, and finally run. The government of Guam is in the same position. It has only been since 1950—a relatively short period of time—since we've had the Organic Act. We have moved rapidly since then, and are moving more rapidly still each year. Guam is maturing. But we still need experts, in a variety of fields, and we still need controls, and brakes in a burgeoning economy. Everybody wants as much independence as they can—whether it be around the house, in business, or in government. But this independence must be tempered with responsibility.
>
> We're convinced that we do want an elected governor here, but we're not quite ready, or capable of cutting off all our ties with the federal government. We think that the legislature is going to find that this is a petty form of blackmail—"either give us what we want or we'll take our ball and go home." And finally, we are convinced that the U.S. Congress won't like being pushed into an uncomfortable corner by the Guam Legislature. It appears that we are about to lose our governorship bill for 1970—and we'll know who to blame.

The SPEAKER pro tempore. The gentleman from Pennsylvania has consumed 7 minutes.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. MORTON].

Mr. MORTON. Mr. Speaker, I also rise in support and urge the passage of H.R. 7329, as amended, providing for the popular election of the Governor and Lieutenant Governor of Guam. Rather than discuss the whole bill which has been so adequately done by the chairman of the subcommittee, the chairman of the full committee, and my colleague the gentleman from Pennsylvania [Mr. SAYLOR], I would like to speak to one point, and that is the matter of the appointment of a Government Comptroller for Guam.

I believe a careful review and study of the legislative history that led to the reporting of this bill would reveal that that concept of the comptroller as the members of the committee visualized it is a concept of that of an auditor.

We felt that the primary responsibility of the comptroller was one of auditing the expenditures, revenues, and transactions carried out by the government of Guam.

This function is a standard function not only in State governments, county governments, and the Federal Government but also a standard function of nearly every corporate enterprise doing business in the free enterprise system.

It was not felt that this Government control would be an oversight—overseeing the policies that were being carried out by various echelons of the Guamanian government. A federally appointed Government Comptroller for Guam will simply provide good accounting practices that every government should have.

I hope before emotions rise and become involved in this legislation either here in the Congress of the United States or in Guam that we put this whole matter in its proper perspective, realizing that what we are doing is simply carrying out good management practices in providing effective auditing control over expenditures and transactions.

There is no element of mistrust. There is no element of suspicion. There is no lack of faith on the part of the committee regarding the competence in the people of Guam or the ability of the new administration as it will be created in Guam, by provisions of this legislation providing for the appointment in the Department of the Interior of a Government Comptroller for Guam.

It is my hope that this bill will be passed—a Governor will be elected—and a Federal comptroller will be appointed and that everyone in the government in Guam and the people of Guam will realize that this comptroller is a person who is there to serve their best interests and not to supervise them in any way.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. MORTON. I yield to the chairman of the full committee.

Mr. ASPINALL. I wish to commend the gentleman from Maryland and also the gentleman from Pennsylvania for their statements concerning the necessity of someone to look after the funds of the people of Guam, which is what the committee really intended.

Now if the procedure has been a little bit awkward as to where we place the responsibility—that is one thing. But I think all of us agree that what the gentleman has just stated is the feeling of every member of the committee.

Mr. MORTON. I thank the chairman very much.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. MORTON. I yield to the gentleman.

Mr. SAYLOR. I just want to commend my colleague, the gentleman from Maryland, for the emphasis that he has placed upon the functions of this comptroller. We do not expect him to have the right to veto any acts of the legislature, but both the Congress of the United States and the people of Guam are entitled to have somebody reporting to them as to how the moneys that are collected by that territory are spent—and if there is any expenditure which violates any Federal law or violates any law which the legislature has passed, it should be called to somebody's attention.

This is the primary purpose of having established this comptroller.

I think the gentleman from Maryland has rendered a tremendous service to the country on the record that he has just made.

Mr. MORTON. I thank the gentleman.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. MORTON. I yield to the distinguished gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I too wish to commend the gentleman now in the well, as well as the gentleman from Pennsylvania, for explaining the provision with reference to the comptroller general.

However, it appears to me, inasmuch as the Department of the Interior is the administrative agency over Guam that perhaps the ombudsman—which is what the comptroller general amounts to—but in this instance, as I see it, perhaps he should come from another agency more representative of the people, perhaps, than the General Accounting Office.

I strongly suggest that the conferees take this into consideration. It is somewhat repugnant to my concept of the principle of extending greater self-government to a people to have the comptroller general coming from an administrative agency to be over—or in a way overseeing—the functions of a newly elected Governor.

I would again strongly urge that the gentleman consider having the appointing agency perhaps the General Accounting Office.

Mr. MORTON. I thank the gentleman very much. I would associate myself with the remarks made earlier in the well by the chairman of the full committee that if there is a way to get at this, if there is a way to provide the necessary management controls, if there is a way to protect people, not from themselves, but from the mass of administrative detail which sometimes becomes overpowering, then perhaps different language can be used. I am perfectly willing to try to do that. But I feel very strongly that this federally appointed comptroller for Guam is not someone who is there to supervise or to direct but is there to be helpful. He is there to provide a tool of management which will be most valuable, not only to the new Governor, but to the legislature and to the people of Guam. Thank you very much.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 7329, as amended.

The question was taken; and (two-

thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

Mr. CAREY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 449) to provide for the popular election of the Governor of Guam, and for other purposes, a similar bill to the bill just passed, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill as follows:

S. 449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Organic Act of Guam (64 Stat. 384, 386; 48 U.S.C. 1422), is amended to read as follows:

"Sec. 6. The executive power of Guam shall be vested in an executive officer whose official title shall be the 'Governor of Guam'. The Governor of Guam, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the Legislature of Guam. The Governor and Lieutenant Governor shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices. If no candidate receives a majority of the votes cast in any election, on the fourteenth day thereafter a runoff election shall be held between the candidates for Governor and Lieutenant Governor receiving the highest and second highest number of votes cast. The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning with the year 1974, the Governor and Lieutenant Governor shall be elected every four years at the general election. The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified.

"No person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened. The term of the elected Governor and Lieutenant Governor shall commence on the first Monday of January following the date of election.

"No person shall be eligible for election to the office of Governor or Lieutenant Governor unless he is able to read and write the English language, is and has been for five consecutive years immediately preceding the election a citizen of the United States and a bona fide resident of Guam and will be, at the time of taking office, at least thirty years of age. The Governor shall maintain his official residence in Guam during his incumbency.

"The Governor shall have general supervision and control of all the departments, bureaus, agencies, and other instrumentalities of the executive branch of the government of Guam. He may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws. He may veto any legislation as provided in this Act. He shall appoint, and may remove, all officers and employees of the executive branch of the government of Guam, except as otherwise provided in this or any other Act of Congress, or under the laws of Guam, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of Guam and the laws of the United States applicable in Guam. Whenever it becomes necessary, in case of disaster, invasion, insurrection, or rebellion, or imminent danger thereof, or to prevent or suppress lawless violence, he may summon the posse comitatus or call out the militia or request assistance of the senior military or naval commander of the Armed Forces of the United States in Guam, which may be given at the discretion of such military commander if not disruptive of, or inconsistent with, his Federal responsibilities. He may, in case of rebellion or invasion, or imminent danger thereof when the public safety requires it, proclaim the island, insofar as it is under the jurisdiction of the government of Guam, to be under martial law. The members of the legislature shall meet forthwith on their own initiative and may, by a two-thirds vote, revoke such proclamation.

"The Governor shall make to the Secretary of the Interior under section 3 of this Act an annual report of the transactions of the government of Guam for transmission to the Congress and such other reports at such other times as may be required by the Congress or under applicable Federal law. He shall have the power to issue executive orders and regulations not in conflict with any applicable law. He may recommend bills to the legislature and give expression to his views on any matter before that body.

"There is hereby established the office of Lieutenant Governor of Guam. The Lieutenant Governor shall have such executive powers and perform such duties as may be assigned to him by the Governor or prescribed by this Act or under the laws of Guam."

Sec. 2. Section 7 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422a) is deleted and replaced by the following new provision, also designated section 7:

"Sec. 7. Any Governor of Guam may be removed from office by the people registered to vote in Guam if a majority of two-thirds of the persons registered to vote shall vote in favor of recall at a referendum election. A referendum election, for purposes of this section, shall be initiated by the legislature of Guam following: (1) a two-thirds vote of the members of such legislature in favor of a referendum; or (2) a petition for referendum to the legislature by 25 per centum of the people registered to vote in Guam."

Sec. 3. Section 8 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422b), as amended, is amended to read as follows:

"Sec. 8. (a) In case of the temporary disability or temporary absence of the Governor, the Lieutenant Governor shall have the powers of the Governor.

"(b) In case of a permanent vacancy in the office of Governor, arising by reason of the death, resignation, removal by recall, or permanent disability of the Governor, or the death, resignation, or permanent disability of a Governor-elect, or for any other reason, the Lieutenant Governor or Lieutenant Governor-elect shall become the Governor to hold office for the unexpired term and until his successor shall have been duly elected and qualified at the next regular election for Governor.

"(c) In case of the temporary disability or temporary absence of the Lieutenant Governor, or during any period when the Lieutenant Governor is acting as Governor, the speaker of the Guam Legislature shall act as Lieutenant Governor.

"(d) In case of a permanent vacancy in the office of Lieutenant Governor, arising by reason of the death, resignation, or permanent disability of the Lieutenant Governor, or because the Lieutenant Governor or Lieutenant Governor-elect has succeeded to the office of Governor, the Governor shall appoint a new Lieutenant Governor, with the advice and consent of the legislature, to hold office for the unexpired term and until his successor shall have been duly elected and qualified at the next regular election for Lieutenant Governor.

"(e) In case of the temporary disability or temporary absence of both the Governor and the Lieutenant Governor, the powers of the Governor shall be exercised, as Acting Governor, by such person as the laws of Guam may prescribe. In case of a permanent vacancy in the offices of both the Governor and Lieutenant Governor, the office of Governor shall be filled for the unexpired term in the manner prescribed by the laws of Guam.

"(f) No additional compensation shall be paid to any person acting as Governor or Lieutenant Governor who does not also assume the office of Governor or Lieutenant Governor under the provisions of this Act."

Sec. 4. (a) Effective on the date of enactment of this Act, the second and third sentences of subsection (a) of section 9 of the Organic Act of Guam (64 Stat. 384, 367; 48 U.S.C. 1422c(a)) are deleted.

(b) The first sentence of subsection (b) of section 9 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422c(b)) is deleted.

Sec. 5. Effective on the date of enactment of this Act, section 9 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422c) is amended by adding immediately after the end of section 9 the following new section 9–A:

"Sec. 9–A. (a) The Secretary of the Interior shall appoint in the Department of the Interior a government comptroller for Guam who shall be under the general supervision of the Secretary of the Interior, shall not be a part of any executive department in the government of Guam, and whose salary and expenses of office shall be paid by the United States from funds otherwise to be covered into the treasury of Guam pursuant to section 30 of this Act.

"(b) The government comptroller shall audit and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of Guam and of funds derived from bond issues; and he shall audit and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of Guam including those pertaining to trust funds held by the government of Guam.

"(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the Governor of Guam all failures to collect amounts due the government, and expenditures of funds or uses of property which are irregular, unnecessary, or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of Guam, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of the government of Guam are properly accounted for and audited.

"(d) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the Governor, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(e) If the Governor does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of Guam if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the Governor, on behalf of the head of the department concerned, may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction.

"(f) The government comptroller is authorized to communicate directly with any person having claims before him for settlement, or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

"(g) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of Guam and the Secretary of the Interior an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government. The Secretary of the Interior shall submit such report along with his comments and recommendations, to the President of the Senate and the Speaker of the House of Representatives.

"(h) The government comptroller shall make such other reports as may be required by the Governor of Guam, the Comptroller General of the United States, or the Secretary of the Interior.

"(i) The office and activities of the government comptroller of Guam shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the Governor, the Secretary of the Interior, and to the Congress.

"(j) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of nay such department, agency, or establishment."

SEC. 6. Effective on the date of enactment of this Act, section 18 of the Organic Act of Guam (64 Stat. 384, 388; 48 U.S.C. 1423h) is amended to read as follows:

"SEC. 18. Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue for such terms as the legislature may provide. The Governor may call special sessions of the legislature at any time when in his opinion the public interest may require it. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session. All sessions of the legislature shall be open to the public."

SEC. 7. Section 19 of the Organic Act of Guam (64 Stat. 384, 389; 48 U.S.C. 1423i) is amended by deleting its fifth, sixth, seventh, eighth, and ninth sentences and by substituting therefor the following: "If, after such reconsideration, two-thirds of all the members of the legislature pass the bill, it shall be a law.".

SEC. 8. (a) Effective on the date of enactment of this Act, subsection (c) of section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d(c)) is repealed.

(b) Effective January 4, 1971, section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d), as amended, is amended to read as follows:

"SEC. 26. The salaries and travel allowances of the Governor, Lieutenant Governor, the heads of the executive departments, other officers and employees of the government of Guam, and the members of the legislature, shall be paid by the government of Guam at rates prescribed by the laws of Guam."

SEC. 9. Effective on the date of enactment of this Act, section 5 of the Organic Act of Guam (64 Stat. 384, 385; 48 U.S.C. 1421b), is amended by adding at the end thereof the following new subsection (u):

"(u) The provisions of clause 1 of section 2 of article IV and section 1 of amendment XIV of the Constitution of the United States shall have the same force and effect within the unincorporated territory of Guam as in the United States or in any State of the United States."

SEC. 10. Effective on the date of enactment of this Act, chapter 15 of the General Military Law (70A Stat. 15, 16; 10 U.S.C. 331–334) is amended by adding at the end thereof the following new section 335:

"SEC. 335. For purposes of this chapter, 'State' includes the unincorporated territory of Guam."

SEC. 11. (a) Section 3 of the Organic Act of Guam (64 Stat. 384; 48 U.S.C. 1421a), as amended, is further amended by deleting all after the words "Federal Government" and inserting in lieu thereof the words "in all matters not the program responsibility of another Federal department or agency, shall be under the general administrative supervision of the Secretary of the Interior."

(b) Section 28(c) of the Organic Act of Guam (64 Stat. 384, 392; 48 U.S.C. 14211 (c)), as amended, is amended by deleting the words "head of the department or agency designated by the President under section 3 of this Act"; and deleting from the proviso the words "head of such department or agency" and by substituting in each such instance the words "Secretary of the Interior".

SEC. 12. Those provisions necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective on January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971.

SEC. 13. This Act may be cited as the "Guam Elective Governor Act".

AMENDMENT OFFERED BY MR. CAREY

Mr. CAREY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAREY: Strike out all after the enacting clause of S. 449 and insert in lieu thereof the provisions of H.R. 7329, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7329) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CAREY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

VIRGIN ISLANDS ELECTIVE GOVERNOR ACT

Mr. CAREY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 450) to provide for the popular election of the Governor of the Virgin Islands, and for other purposes, as amended.

The Clerk read as follows:

S. 450

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective on the date of enactment of this Act, section 7(a) of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 500; 48 U.S.C. 1573(a)), as amended, is amended to read as follows:

"(a) Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue for such term as the legislature may provide. The Governor may call special sessions of the legislature at any time when in his opinion the public interest may require it. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session. All sessions of the legislature shall be open to the public."

SEC. 2. Effective on the date of enactment of this Act, section 9, subsection (a) of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 501; 48 U.S.C. 1575(a)) is amended by deleting the first sentence and by substituting therefor the following: "The quorum of the legislature shall consist of eight of its members."

SEC. 3. Section 9, subsection (d), of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 502; 48 U.S.C. 1575(d)) is amended by deleting its fifth, sixth, seventh, eighth, ninth, and tenth sentences and by substituting therefor the following: "When a bill is returned by the Governor to the legislature with his objections, the legislature shall enter his objections at large on its journal and, upon motion of a member of the legislature, proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members of the legislature pass the bill, it shall be a law."

SEC. 4. Section 11 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 503; 48 U.S.C. 1591) is amended to read as follows:

"SEC. 11. The executive power of the Virgin Islands shall be vested in an executive officer whose official title shall be the 'Governor of the Virgin Islands'. The Governor of the Virgin Islands, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the legislature of the Virgin Islands. The Governor and Lieutenant Governor shall be chosen jointly, by the casting by each voter of a single vote applicable to both officers. If no candidates receive a majority of the votes cast in any election, on the fourteenth day thereafter a runoff election shall be held between the candidates for Governor and Lieutenant Governor receiving the highest and second highest number of votes cast. The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning with the year 1974, the Governor and Lieutenant Governor shall be elected every four years at the general election. The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified. No person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened. The term of the elected Governor and Lieutenant Governor shall commence on the first Monday of January following the date of election.

"No person shall be eligible for election to the office of Governor or Lieutenant Governor unless he is an eligible voter and has been for five consecutive years immediately preceding the election a citizen of the United States and a bona fide resident of the Virgin Islands and will be, at the time of taking office, at least thirty years of age. The Governor shall maintain his official residence in the Government House on Saint Thomas during his incumbency, which house, together with land appurtenant thereto, is hereby transferred to the government of the Virgin Islands. While in Saint Croix the Governor may reside in Government House on Saint Croix free of rent.

"The Governor shall have general supervision and control of all the departments, bureaus, agencies, and other instrumentalities of the executive branch of the government of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws. He may veto any legislation as provided in this Act. He shall appoint, and may remove, all officers and employees of the executive branch of the government of the Virgin Islands, except as otherwise provided in this or any other Act of Congress, or under the laws of the Virgin Islands, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Virgin Islands and the laws of the United States applicable in the Virgin Islands. Whenever it becomes necessary, in case of disaster, invasion, insurrection, or rebellion or imminent danger thereof, or to prevent or suppress lawless violence, he may summon the posse comitatus or call out the militia or request assistance of the senior military or naval commander of the Armed Forces of the United States in the Virgin Islands or Puerto Rico, which may be given at the discretion of such commander if not disruptive of, or inconsistent with, his Federal responsibilities. He may, in case of rebellion or invasion or imminent danger thereof, when the public safety requires it, proclaim the islands, insofar as they are under the jurisdiction of the government of the Virgin Islands, to be under martial law. The members of the legislature shall meet forthwith on their own initiative and may, by a two-thirds vote, revoke such proclamation.

"The Governor shall make to the Secretary of the Interior under section 30 of this Act an annual report of the transactions of the government of the Virgin Islands for transmission to the Congress and such other reports at such other times as may be required by the Congress or under applicable Federal law. He shall have the power to issue executive orders and regulations not in conflict with any applicable law. He may recommend bills to the legislature and give expression to his views on any matter before that body.

"There is hereby established the office of Lieutenant Governor of the Virgin Islands. The Lieutenant Governor shall have such executive powers and perform such duties as may be assigned to him by the Governor or prescribed by this Act or under the laws of the Virgin Islands."

SEC. 5. Section 12 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 503; 48 U.S.C. 1593) is deleted and replaced by the following new provision, also designated section 12:

"SEC. 12. Any Governor of the Virgin Islands may be removed from office by a referendum election in which at least two-thirds of the number of persons voting for Governor in the last preceding general election at which a Governor was elected vote in favor of recall and in which those so voting constitute a majority of all those participating in the referendum election. The referendum election shall be initiated by the legislature of the Virgin Islands following (a) a two-thirds vote of the members of the legislature in favor of a referendum, or (b) a petition for such a referendum to the legislature by registered voters equal in number to at least 50 per centum of the whole number of votes cast for Governor at the last general election at which a Governor was elected preceding the filing of the petition."

SEC. 6. Effective on the date of enactment of this Act section 13 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 503; 48 U.S.C. 1594) is hereby repealed.

SEC. 7. (a) Section 14 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1595), is amended to read as follows:

"SEC. 14. (a) In case of the temporary disability or temporary absence of the Governor, the Lieutenant Governor shall have the powers of the Governor.

"(b) In case of a permanent vacancy in the office of Governor, arising by reason of the death, resignation, removal by recall or permanent disability of the Governor, or the death, resignation, or permanent disability of a Governor-elect, or for any other reason, the Lieutenant Governor or Lieutenant Governor-elect shall become the Governor, to hold office for the unexpired term and until he or his successor shall have been duly elected and qualified at the next regular election for Governor.

"(c) In case of the temporary disability or temporary absence of the Lieutenant Governor, or during any period when the Lieutenant Governor is acting as Governor, the president of the legislature shall act as Lieutenant Governor.

"(d) In case of a permanent vacancy in the office of Lieutenant Governor, arising by reason of the death, resignation, or permanent disability of the Lieutenant Governor, or because the Lieutenant Governor or Lieutenant Governor-elect has succeeded to the office of Governor, the Governor shall appoint a new Lieutenant Governor, with the advice and consent of the legislature, to hold office for the unexpired term and until he or his successor shall have been duly elected and qualified at the next regular election for Lieutenant Governor.

"(e) In case of the temporary disability or temporary absence of both the Governor and the Lieutenant Governor, the powers of the Governor shall be exercised, as Acting Governor, by such person as the laws of the Virgin Islands may prescribe. In case of a permanent vacancy in the offices of both the Governor and Lieutenant Governor, the office of Governor shall be filled for the unexpired term in the manner prescribed by the laws of the Virgin Islands.

"(f) No additional compensation shall be paid to any person acting as Governor or Lieutenant Governor who does not also assume the office of Governor or Lieutenant Governor under the provisions of this Act."

(b) Section 15 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1596), is repealed.

SEC. 8. (a) Subsection (a) of section 16 of the Revised Organic Act of the Virgin Islands, as amended (68 Stat. 497, 504; 48 U.S.C. 1597(a)), is further amended by deleting therefrom the last sentence and inserting in lieu thereof the following sentence: "Members of school boards, which entities of government have been duly organized and established by the government of the Virgin Islands, shall be popularly elected."

(b) Subsection (c) of section 6 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 499; 48 U.S.C. 1572(c)), is amended by changing the period to a colon and inserting the following: "*Provided, however,* That members of boards of elections, which entities of government have been duly organized and established by the government of the Virgin Islands, shall be popularly elected."

SEC. 9. Effective on the date of the enactment of this Act, section 17 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1599) is amended to read as follows:

"SEC. 17. (a) The Secretary of the Interior shall appoint in the Department of the Interior a government comptroller for the Virgin Islands who shall be under the general supervision of the Secretary of the Interior and shall not be a part of any executive department in the government of the Virgin Islands, and whose salary and expenses of office shall be paid by the United States from funds derived by transfer from the internal revenue collections appropriated for the Virgin Islands. Sixty days prior to the effective date of transfer or removal of the government comptroller, the Secretary shall communicate to the President of the Senate and the Speaker of the House of Representatives his intention to so transfer or remove the government comptroller and his reasons therefor.

"(b) The government comptroller shall audit all accounts and review and recommend adjudication of claims pertaining to the revenue and receipts of the government of the Virgin Islands and of funds derived from bond issues, and he shall audit, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Virgin Islands, including those pertaining to trust funds held by the government of the Virgin Islands.

"(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the Governor of the Virgin Islands all failures to collect amounts due the government, and expenditures of funds or uses of property which are irregular or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of the Virgin Islands, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of the government of the Virgin Islands are properly accounted for and audited.

"(d) It shall be the duty of the government comptroller to certify to the Secretary of the Interior the net amount of government revenues which form the basis for Federal grants for the civil government of the Virgin Islands.

"(e) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the Governor, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(f) If the Governor does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the Governor, on behalf of the head of the department concerned, may seek relief by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction.

"(g) The government comptroller is authorized to communicate directly with any person or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

"(h) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of the Virgin Islands and the Secretary of the Interior an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government. The Secretary of the Interior shall submit such report along with his comments and recommendations to the President of the Senate and the Speaker of the House of Representatives.

"(i) The government comptroller shall make such other reports as may be required by the Governor of the Virgin Islands, the Comptroller General of the United States, or the Secretary of the Interior.

"(j) The office and activities of the government comptroller of the Virgin Islands shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the Governor, the Secretary of the Interior, President of the Senate, and the Speaker of the House of Representatives.

"(k) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment."

SEC. 10. Section 20 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 505; 48 U.S.C. 1592, 1598, 1641), as amended, is amended to read as follows:

"SEC. 20. The salaries and travel allowances of the Governor, Lieutenant Governor, the heads of the executive departments, other officers and employees of the government of the Virgin Islands, and the members of the legislature shall be paid by the government of the Virgin Islands at rates prescribed by the laws of the Virgin Islands."

SEC. 11. Effective on the date of enactment of this Act, section 3 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 48 U.S.C. 1561) is amended by adding at the end thereof the following paragraph:

"To the extent not inconsistent with the status of the Virgin Islands as an unincorporated territory of the United States, the provisions of the Constitution of the United States of America and all its amendments shall have the same force and effect within the Virgin Islands as in the United States."

SEC. 12. Effective on the date of enactment of this Act, chapter 15 of the General Military Law (70 A Stat. 15, 16; 10 U.S.C. 331-334) is amended by adding at the end thereof the following new section 336;

"SEC. 336. For the purposes of this chapter, 'State' includes the unincorporated territory of the Virgin Islands."

SEC. 13. Section 2 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 48 U.S.C. 1541) is amended by adding at the end thereof the following new subsection (c):

"(c) The relations between such government and the Federal Government in all matters not the program responsibility of another Federal department or agency shall be under the general administrative supervision of the Secretary of the Interior."

SEC. 14. Effective on the date of enactment of this Act, section 19 of the Revised Organic Act of the Virgin Islands (68 Stat. 505; 48 U.S.C. 1632) is hereby repealed.

SEC. 15. Effective on the date of enactment of this Act, section 8(b)(1) of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 500; 48 U.S.C. 1574(b)), as amended, is further amended by (a) deleting the third and fourth sentences thereof, and (b) by deleting the eighth and ninth sentences thereof and substituting in lieu thereof the following sentence: "The bonds so issued shall bear interest at a rate not to exceed that specified by the legislature, payable semiannually.".

SEC. 16. Those provisions of this Act necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective on January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971.

SEC. 17. This Act may be cited as the "Virgin Islands Elective Governor Act".

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **SAYLOR**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **CAREY**. Mr. Speaker, I yield 8 minutes to the distinguished chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL].

Mr. **ASPINALL**. Mr. Speaker, S. 450, as amended, which provides for the popular election of the Governor of the Virgin Islands and for other purposes, is the second of two significant pieces of legislation brought to the floor of the House today by the Committee on Interior and Insular Affairs.

This legislation is significant because it represents the latest in a series of steps taken to establish full local self-government in the Virgin Islands, and a fulfillment of the political aspirations of these American citizens.

The principal purpose of S. 450, as amended, is to provide for the popular election of the Governor and Lieutenant Governor of the Virgin Islands. S. 450, as amended, also revises the present law relating to the appointment, tenure, and duties of the Government Comptroller for the Virgin Islands and removes the present restrictions and limitations on the issuance of revenue bonds and notes to provide more flexibility in the financing of public improvements in the Virgin Islands.

Mr. Speaker, March 31, 1967, marked the semicentennial of the relationship between the United States and the Virgin Islands. The contemporary efforts of this administration and that of others since 1917, when viewed and evaluated within the context of these 50 years, presents a remarkable record of progress in terms of the economic, social, and political development of the Virgin Islands. Today, the Virgin Islands stand forth as the showcase of democracy in the Caribbean and represent a model of advancement for all the world to see.

Since June 22, 1936, when Congress passed the Virgin Islands Organic Act, which established the executive, legislative, and judicial branches of government, the people of the Virgin Islands have demonstrated their capacity to govern themselves in a responsible manner.

Congress has, since then, provided the people of the Virgin Islands with more of the responsibility for local self-government by a number of other enactments. These measures have provided the path of progress which the Virgin Islanders have willingly and responsively accepted in the course of a 50-year association with the United States.

In fiscal 1967, the efforts of the government of the Virgin Islands to diversify their economy saw steady results. Definite inroads were realized in the government's efforts to provide more and better housing, expanded health services, increased classroom space, educational facilities and services, and additional power and water supplies.

Fiscal 1967 continued to show upward growth in the Virgin Islands with employment opportunities expanding, government revenues increasing, and per capita income at a healthy level. Tourist-derived dollars set an all-time high with 649,652 visitors showing an expenditure of $75 million as compared with $59 million in fiscal 1966.

During the past 6 years, the Virgin Islands have enjoyed a period of uninterrupted and unprecedented economic growth. Economic progress, as we all know, requires good local government and administration. The economic progress and political maturity which has been demonstrated in the Virgin Islands over the past few years offers substantial proof that the people of the Virgin Islands are capable of assuming additional burdens of full local self-government.

Mr. Speaker, S. 450, as amended, provides additional measures of local self-government. The bill provides for the popular election of the Governor and Lieutenant Governor to be held on November 3, 1970, and every 4 years thereafter. The bill defines the scope of their authority and sets out the duties and qualifications of their offices.

The Governor of the Virgin Islands is at the present time appointed by the President with the advice and consent of the other body. Like one of his predecessors, the present Governor is a native Virgin Islander. Over the years, the Office of Governor has become primarily an office of local territorial importance. The Governor of the Virgin Islands, like State Governors, is responsible for the execution of the Federal and local laws, the administration of all activities of the executive branch, and he reports annually to the local legislature on the state of the territory and recommends new legislation to carry out the programs of local government.

The Committee on Interior and Insular Affairs recommends that the office of the Governor of the Virgin Islands be made fully responsible and responsive to the local needs and the local electorate. The record of the past few years in the Virgin Islands clearly warrants this progressive step toward full local self-government in the Virgin Islands.

S. 450, as amended, contains two other important features. The bill revises the present law relating to the appointment of the Government Comptroller for the Virgin Islands. The bill removes the semiautonomous character of the present office, specifies the duties of the office, and eliminates the present 10-year term. The bill provides for the appointment of a Government Comptroller for the Virgin Islands under the general supervision of the Secretary of the Interior with no responsibility for the operation of the territorial government.

Because of the continuing direct and indirect Federal financial assistance provided the government of the Virgin Islands, the committee takes the position that continuance of the Office of Government Comptroller in the Virgin Islands is desirable, and representatives of the people of the Virgin Islands have expressed no opposition to the continuance of this office.

The other important feature of S. 450, as amended, is the removal of present restrictions and limitations on the issuance of revenue bonds and notes for the financing of needed public improvements. The present restriction of $30 million on the issuance of revenue bonds of which not more than $10 million may be outstanding at any one time, and the limitation that such bonds shall bear interest at a rate of not more than 5 percent per annum are unrealistic in light of current bond market requirements and conditions. It is the committee's position that continued progress in the Virgin Islands requires the removal of such limitations.

Mr. Speaker, again I must say that during my tenure as chairman of the Committee on Interior and Insular Affairs, I have come to know the people of the Virgin Islands very well. I respect their judgment, and I know they are ready, anxious, and capable of exercising the privilege to elect their own chief executive and assume a greater responsibility in the government of the Virgin Islands.

Mr. Speaker, the Committee on Interior and Insular Affairs recommends the enactment of S. 450, as amended.

Mr. CAREY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 450, as amended, the Virgin Islands Elective Governor Act.

As the chairman of the Subcommittee on Territorial and Insular Affairs, I, too, have come to know and respect the abilities and judgment of the people of the Virgin Islands. I would, again, associate myself with the remarks of the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. Speaker, S. 450 is similar to H.R. 11777, passed by the House on May 16, 1968, providing for the popular election of the Governor of the Virgin Islands. Unfortunately, a conference on the differences between the bills passed by both Houses was not agreed upon prior to the adjournment of the 89th Congress.

The Subcommittee on Territorial and Insular Affairs conducted field hearings on S. 450 and H.R. 7330 in June 1967. Additional hearings were conducted here in Washington, D.C. These hearings conclusively established the desire of the people of the Virgin Islands to assume a greater responsibility in the government of the islands by electing their own chief executive. The capacity of these American citizens to participate in the processes of local self-government in a responsible manner is borne out by the record of their progress under the numerous enactments of the Congress which have provided greater self-government for the Virgin Islands.

Especially I wish to commend my colleague on the minority side, the distinguished gentleman from Maryland, who was with us, always with a significant number in attendance at all times in the subcommittee, at the field hearings conducted in the Virgin Islands. All who expressed an interest in this legislation were heard, and the overwhelming judgment of those who were heard was that the time had come to provide for the popular election of the Governor of the Virgin Islands.

I might add, while there has been no reference made to all the additional views expressed on this legislation and on the previous bill, covering Guam, I believe one set of individual views deserves some comment.

As a New Yorker, I want to call attention of the Members of the House to the additional views expressed by my distinguished colleague the gentleman from New York, the Honorable THEODORE R. KUPFERMAN, as set forth on page 41 of the report.

Members will see that while he has worked vigorously and effectively for the production of this legislation we have in a sense the "Swan Song" of a fine member of our subcommittee, for Congressman KUPFERMAN indicates he will not be with us when this bill is to be signed, as hopefully it will be signed, and although he will have very many demanding duties he indicates he will be pleased to be present in the Virgin Islands to attend the inauguration in 1971.

Those are very important additional views, which indicate how it is always a pleasure for an American to visit with his countrymen in the Virgin Islands. It there should be any doubt whatsoever about whether the people of the Virgin Islands are ready to govern themselves, that doubt will be dissipated by travel to that area.

The provisions of S. 450, as amended, extend the principles of full local self-government to the people of the Virgin Islands in accordance with their expressed desires to the Committee on Interior and Insular Affairs.

Sections 1, 2, and 3 of the bill amend the Revised Organic Act of the Virgin Islands to remove the limitations on both regular and special sessions of the legislature; revise the number of members required for a quorum of the legislature; and eliminates the Presidential veto over territorial legislation.

Section 4 contains the principal purpose of the bill which provides for the popular election of the Governor and Lieutenant Governor of the Virgin Islands for a term of 4 years. This section provides that the first election shall be held on November 3, 1970, and every 4 years thereafter. The bill defines the scope of their authority and sets out the duties and qualifications of their offices. The bill also provides that an elected Governor may serve two full successive terms but is not again eligible to hold the office until one full term has intervened.

Section 5 of the bill provides for the removal of a Governor by the process of recall at a referendum election, and section 6 repeals the positions of administrative assistants in St. John and St. Croix.

The bill in section 7 sets forth the line of succession in the event of a temporary or permanent vacancy in the office of Governor or Lieutenant Governor.

Section 8 of the bill deletes the requirement of Secretarial approval on the establishment of a new department or agency in the executive branch of the government of the Virgin Islands.

In addition, section 8 provides for the popular election of members of school boards and boards of elections if such entities have been duly organized by the government of the Virgin Islands.

Section 9 of the bill continues the office of the Government Comptroller for the Virgin Islands, within the Department of the Interior, who shall be under the general supervision of the Secretary of the Interior. This section sets forth the duties and responsibilities of the office.

Section 10 of the bill requires that salaries and allowances of the executive and legislative branches shall be paid by the government of the Virgin Islands.

Section 11 provides that the Constitution of the United States and the amendments there to shall have the same force and effect in the Virgin Islands to the extent not inconsistent with the status of the Virgin Islands as an unincorporated territory of the United States.

Section 12 of the bill provides the President with authority to call upon local and Federal forces in cases of insurrection or similar emergency.

Section 13 provides that the Secretary of the Interior shall have general administrative supervision of all matters affecting the Virgin Islands which are not the program responsibility of other Federal departments or agencies.

Section 14 repeals a provision of the Revised Organic Act of the Virgin Islands concerning the annual report of the Comptroller General which is retained in section 9(j) of the bill.

Section 15 contains another principal feature of the bill. This section deletes the debt restrictions and interest rate limitations on the issuance of revenue bonds and notes for needed public improvements.

S. 450, as amended, involves no additional Federal expenditures and should in fact result in a reduction of Federal costs, because the bill requires the government of the Virgin Islands to assume a considerable portion of the costs of the territorial government.

Mr. Speaker, I heartily endorse the legislation and urge its passage.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 450, as amended, to provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

S. 450, as amended, basically does three things. The bill provides for the popular election of the Governor and Lieutenant Governor on November 3, 1970, and every 4 years thereafter. S. 450, as amended, sets forth the qualifications for office, the authority and duties of the offices, provides for the removal of the Governor by the recall process and sets out the line of succession in the event of a temporary or permanent vacancy in the office of Governor and Lieutenant Governor.

Second, the bill provides for the appointment in the Department of the Interior of a Government Comptroller for the Virgin Islands, who shall be under the general supervision of the Secretary of the Interior. This provision of the bill revises the law relating to the appointment, tenure, and duties of the present position of Government Comptroller.

The third thing S. 450, as amended, does, is to remove the present restrictions of the law regarding the issuance of revenue bonds and notes for the purpose of financing public improvements in the Virgin Islands.

Mr. Speaker, this legislation is equal in importance to the legislation providing for the popular election of the Governor of Guam. It is important because the Congress of the United States is taking action which has not been the usual course of action by the Congress, throughout our history, as it relates to the unincorporated territories of the United States. In the past, except for Puerto Rico, Congress has always required that a territory of the United States achieve the status of Statehood before providing for the popular election of the Governor.

Today, the House is asked to depart from its usual course of action and pass S. 450, as amended, providing for the popular election of the Governor of the Virgin Islands. The passage and enactment of this legislation will mark a historic occasion for 56,000 Virgin Islanders.

Mr. Speaker, I would hope that with the passage of this legislation our continued relationship with the people of the Virgin Islands will bring us into a fuller and closer relationship in the years ahead.

S. 450, as amended, is similar to legislation passed by the House in the 89th Congress providing for the popular election of the Governor of the Virgin Islands. I supported the passage of that legislation and I urge the House to pass S. 450, as amended.

Before we close the record with the passage of this important piece of legislation, I would like to express my commendation for the dedicated service rendered to the people of the Virgin Islands by one who is not a public official but as the editor and publisher of the Virgin Islands Daily News, Mr. Ariel Melchior, is nevertheless a dedicated public servant.

His newspaper was of great assistance in focusing attention of the House Committee on Interior and Insular Affairs on this bill and enabling us to improve it in many respects. I have specific reference to the original terms of the bill that was introduced in the 89th Congress, which would have provided that the Governor be elected in this year, 1968. If elected in this year, his election would have coincided with the Presidential election. It just so happens that the present Governor of the Virgin Islands has been in that office for almost 8 years. I think we have reason to believe that if the election had been held this year, he would have been elected as the first elected Governor, making a total of 12 years. This is 4 years more than we allow the President of the United States.

Moreover, I would like to say that the Virgin Islands Daily News has been effective in seeing to it that some changes were brought about which I believe were to the benefit not only of the Virgin Islands but to any country, particularly our own, interested in the democratic processes. The paper did this by calling attention to the housecleaning that needs to be done when people begin to think they are above the laws of the land. It was as a result of the charges by the editor of this newspaper that the U.S. Civil Service Commission made an investigation and found violations of the Hatch Act during the last municipal election in 1966. This involved a number of Government officials and one a member of the Governor's cabinet. This newspaper took the position that all the officials who are subject to the Hatch Act had been duly notified and warned as to what might happen if they participated in elections.

I can only say that I am a little disappointed in the U.S. Attorney General in view of the fact that when the Civil Service Commission determined after a full investigation that several persons had violated the law, there was no prosecution of those alleged to be guilty.

Mr. Speaker, I believe that some of the things that the Virgin Islands Daily News called to our attention caused the Department of Justice to take a look at the claims of irregularities in the election. I have no objection to any political body in the Virgin Islands or in this country waging a campaign for the election of their officials. I do believe that it is incumbent upon the people of the Virgin Islands or anywhere else to conduct their elections in the proper manner. This paper waged a compaign against the common practice of building a machine through the wholesale appointment of unclassified workers just before an election. They discovered and charged that more than 800 persons were on the government payrolls through political appointments. But as a result of the action on the part of this paper the Governor corrected a lot of the practices which had been in effect for a long period of time. As a result, the islands became an object of study by a personnel study team, and the number of persons owing their careers and livelihood to executive whim was drastically reduced.

One of the most dramatic battles waged by the Virgin Island Daily News was against a legislative act which would have required political aspirants to take an oath of allegiance to a specific political party. Allied with the Civil Liberties Union, the Daily News assisted in bringing a test case in the district court. This act passed by a majority in the legislature and opposed by the minority, was declared unconstitutional and the decision was upheld by the third circuit court of appeals.

I think this is a tremendous credit to a newspaper which has served the people in the highest and best sense of the public press.

Mr. Speaker, I sincerely hope that if this legislation is passed that the editor of the Virgin Islands Daily News will continue his strong editorial stand on matters which he feels are informative to the people of the Virgin Islands because they, too, are American citizens and are entitled to the benefits of good government.

Mr. Speaker, I hope this bill will pass not only in this body but will pass by a convincing vote in the other body and that we can look forward toward the inauguration of a duly elected Governor and other public officials of the Virgin Islands in 1970.

Thus will dawn a new day and a new era in the Virgin Islands for all of its people. I sincerely believe that the Virgin Islands Daily News has contributed in a large measure to the political maturity of the Virgin Islands. And I hope that under the direction of Mr. Melchior, its publisher-founder, that the Virgin Islands Daily News will continue to maintain that vigilance, characteristic of the free press of our land, to insure good, clean, efficient, and democratic government in the Virgin Islands.

Mr. MORTON. Mr. Speaker, the bill now before us provides for the elective Governor of the Virgin Islands. As the Members of the House will note, the Committee on Interior and Insular Affairs made a concentrated effort to make S. 450 conform to the fullest extent practicable with the Guam elective Governor bill. While we recognized the physical and cultural differences between the two island territories, we also realized the importance of establishing a uniform policy with respect to each of them.

Under the terms of S. 450, as amended and recommended by the committee, the people of the Virgin Islands will be permitted to elect their own Governor and Lieutenant Governor beginning in 1970. Since 1954, when the Organic Act authorized the establishment of the legislature, the people have been electing their own legislature and a healthy political environment has emerged. In the years ahead, it seems apparent that, by enabling the people of the Virgin Islands to elect their own Governor, we can expect to see highly competitive elections for the highest public office in the territory.

Mr. Speaker, the chief executives appointed by the President in recent years have been selected from the people of the Virgin Islands and they have served effectively. We have every reason to believe that in the years ahead the people of the Virgin Islands will assume this serious responsibility and elect the most capable of their political leaders as their Governor and Lieutenant Governor.

Another important provision of this legislation removes the present unrealistic restrictions with respect to revenue obligations. At the present time, there is a limitation of $30 million on the issuance of revenue obligations sold to the public. Not more than $10 million may be outstanding at any one time for public improvements other than water and power projects. This, of course, severely limits the ability of the government of the Virgin Islands to finance its needed public improvements.

Mr. Speaker, we cannot and we should not compare these territorial areas of the United States with the States. They are a unique element in our system, but we cannot expect them to exist in a void or to be insulated from some of the same problems which beset our States. The second major element in S. 450, as amended, will enable the government of the Virgin Islands to issue revenue bonds at competitive interest rates. It will, also, enable the territory to issue bonds subject to the usual limitations imposed by the public need for the facilities to be financed and by the sufficiency of the revenues to secure the obligations.

I am pleased to join my colleagues on the committee in support of S. 450, as amended, and I urge its approval by the Members of the House.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from New York [Mr. CAREY] that the House suspend the rules and pass the bill S. 450, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CAREY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks in the Record on the bill just passed.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

FARM REAL ESTATE LOANS ON LEASED LANDS IN HAWAII

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15562) to extend the expiration date of the act of September 19, 1966.

The Clerk read as follows:

H.R. 15562

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans by the Secretary of Agriculture on leasehold interest in Hawaii, and for other purposes", approved September 19, 1966 (80 Stat. 809), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1970."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, I am happy to yield such time as he may consume to the distinguished gentleman from Hawaii [Mr. Matsunaga].

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 15562, a bill which I introduced to continue for 2 years, through June 30, 1970, the provisions of Public Law 89-586 which make lessee-operators of farmland in the State of Hawaii eligible for the Farmers Home Administration loan program. Before I speak about the bill, however, I wish to thank the Speaker, the chairman of the Committee on Agriculture [Mr. Poage], and the members of that committee on both sides of the aisle for making the immediate consideration of my bill possible.

The need for the legislation is stated in the committee report, and I quote:

> Because of a land-tenure system peculiar to Hawaii, there is virtually no farmland in the State available for purchase in fee simple. For generations, most of the farmland in Hawaii has been held under an entailed status which permits its transfer only on a lease basis. Many of these leases run for 99 or 55 years. The Consolidated Farmers Home Administration Act of 1961 authorizes real estate loans only to owners or prospective owners of farmlands in fee. Therefore, for all practical purposes, Hawaii is barred from participation in the real estate loan provision of this law.

The success of the farm loan program under Public Law 89-586 is evidenced by figures which were furnished my office recently by the Farmers Home Administration. In fiscal year 1967, actually over a period of a little more than 9 months, five loans were approved and a total amount of $125,000 was disbursed under this statutory authority. In fiscal year 1968, 10 loans totaling $294,790 have already been approved and disbursed. However, seven other loan applications have been received by the Farmers Home Administration and are still in process. These seven applications, involving the sum of $232,380, are from farmers who were displaced in recent years by the rapid urbanization of the area which once constituted the easterly fringe of the city of Honolulu. Their loan applications have been completely developed and reviewed by the Farmers Home Administration, but because the farmer applicants do not yet hold the requisite leases in a new agricultural tract the loans cannot be consummated.

The delay in the issuance of individual leases to these farmers, who belong to an association called Kamilonui Farmers Cooperative, named after Kamilonui Valley where the new agricultural tract is located, has been the result of prolonged negotiations involving at least four different parties. The farmland is held in fee by the Bernice P. Bishop Estate. The trustees of the Bishop Estate have been negotiating with the developer, the Kaiser Hawaii-Kai Development Co., which in turn has been negotiating with the farmers cooperative. Some 80 acres have been set aside for this agricultural tract and it is planned to create approximately 27 2½-acre minimum farm lots. City and county regulations require that the agricultural tract must receive the approval of the city and county planning department, and either tract improvements completed or bonds posted guaranteeing such completion before leases can be issued by the Bishop Estate to the individual farmers.

In spite of every effort now being made by all parties concerned to expedite the negotiations in order that individual leases could be issued, it appears unlikely that the farmer-applicants will have their individual leases before June 30, 1968, when Public Law 89-586 expires.

I have also been informed that, in addition to the seven farmers whose loan applications are pending under existing law, other lessee-operators of farmlands in Hawaii would probably submit applications for loans if this law is extended.

These displaced farmers formerly supplied much of the fresh vegetable requirements of the military as well as the civilian population on the Island of Oahu. Because of Hawaii's insularity, the production of vegetables at former levels is necessary to avoid the disastrous conseqeuences which could flow during an emergency as the result of total reliance on west coast sources of supply.

Mr. Speaker, because of the emergency confronting this important segment of our farmer population, I earnestly request unanimous support for the bill now on the floor.

I might point out, Mr. Speaker, that 2 years ago this bill was passed on the Consent Calendar by unanimous consent.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to my colleague, the distinguished gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 15562 and join in the remarks of my distinguished colleague from Hawaii. This bill is urgently needed by the farmers of my State who are not privileged to own their farming lands in fee simple. If this bill is not enacted, many will be unable to benefit from the loan provisions of the Farmers Home Administration Act of 1961 which is limited to loans on farms owned in fee.

This bill will extend the present provisions of the law, Public Law 89-586, for 2 additional years through June 30, 1970. These loans will be limited to farmers who cannot acquire fee simple title to their lands, who provide adequate security for the loans, and give adequate assurances of repayment of the loan.

A small group of farmers known as the Kamilonui Farmers Cooperative are especially affected by this legislation. These farmers were displaced from their farms by residential development, but were given an opportunity to secure adjoining lands specially zoned for farming purposes.

Negotiations of the lease terms have been progressing for the past 2 years, and are presently in final stages of agreement. However, it appears that it will not be possible for the loans to be granted by the present deadline of June 30, 1968, as currently provided in Public Law 89-586. Therefore, specifically for these groups of farmers, this legislation is urgently needed. I am certain that there are also others affected by this cutoff date. An extension to June 30, 1970, is necessary and I believe will greatly promote the granting of benefits of this program to farmers in my State of Hawaii.

As the committee report of H.R. 15562 so well states, the land tenure system in Hawaii is unique in this country, and based on that, I believe that it would be proper for this Congress to take special cognizance of this and pass this legislation in order to assure that the benefits of the Farm Home Administration Act will be available to all farmers in this country, including the State of Hawaii.

I urge this House to pass this bill, and ask that every effort be expended to assure its final enactment prior to June 30, 1968.

Mr. MATSUNAGA. I thank the gentlewoman for her contribution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I gladly yield to the distinguished gentleman from Iowa.

Mr. GROSS. If the gentleman is able to make an estimate, when does he think it will be possible to end the land tenure system in Hawaii?

Mr. MATSUNAGA. I will say to the gentleman from Iowa that there have been many attempts made to break up the so-called land tenure system of Hawaii, without too much success. The attempts have been without success because the farmers themselves have not been too much in favor of breaking up the system, the reason being that under a long lease system, under which they now operate, they can spend the money for the capitalization of improvements rather than on the purchase of land.

Because the leases run up to 99 years, they feel that it is a better system.

Mr. GROSS. The gentleman would not advocate this system for Iowa or Oklahoma or Georgia, would he?

Mr. MATSUNAGA. I will definitely not advocate such a tenure system for other States of the Union.

But, as I pointed out in my prepared statement, we have inherited this peculiar system which you find only in the youngest State in the Union, Hawaii.

Mr. GROSS. I am sure that many tenant farmers in the State of Iowa would like to be able to avail themselves of Farmers Home Administration loans, but they cannot do so.

Mr. MATSUNAGA. I appreciate the suggestion of the gentleman from Iowa.

Mr. BELCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 2 years ago I supported this legislation both in the committee and on the floor of the House. I think it has been successful.

I am in support of the legislation today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. GROSS. What has been the experience on the repayment of Farm Administration loans in Hawaii?

Mr. BELCHER. I think it has been just as good as it has been anywhere else. On the repayment of loans to the Farmers Home Administration ever since its inception the repayment of loans has been exceptionally good and I think in Hawaii it has been just as good as anywhere else.

Mr. GROSS. I thank the gentleman.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 15562?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE REPORT ON H.R. 15030

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on H.R. 15030, to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

WHOLESOME MEAT ACT PROVIDING PROTECTION TO CONSUMERS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, on May 27 NBC news commentator Chet Huntley broadcast an editorial against the Wholesome Meat Act of 1967 in which he stated, among other things, that the new law is a farce. I objected to Huntley's editorial because it was completely biased and included erroneous statements and also because Huntley failed to reveal to his listeners that he has a close corporate relationship with persons who were affected by passage of the Wholesome Meat Act on April 1.

NBC has provided me with network time to respond, and my reply to Huntley will be carried this afternoon on NBC radio's ragular "Perspective on the News" program. In my reply, which was taped early Friday afternoon, I stated that Federal and State officials already have closed 21 meat plants as a result of the Wholesome Meat Act, I knew at that time that the figure was a conservative estimate, but it now turns out that it was even more conservative than I had thought.

While complete information is still not available, the U.S. Department of Agriculture has now reported that at least 49 slaughtering and processing plants have been closed down since December 15, 1967, when the Wholesome Meat Act became law. These include plants closed by State officials who were spurred into action because Federal officials, under an emergency provision of the law, had designated them as potentially so bad as to clearly endanger public health. State officials agreed that the conditions were so bad that these 49 plants should be closed and this should completely refute those who have been claiming there was nothing wrong and that the law was not needed.

The plants which were shut down were doing business only within one State and, without the Wholesome Meat Act, there is every reason to believe they would still be in operation. Under the new law, the States are given a minimum of 2 years to bring their inspection programs for intrastate plants up to Federal standards. During this interim period, however, intrastate plants are required to meet certain minimum requirements with regard to sanitation, adequate inspection procedures and control of harmful additives in order to avoid endangering the public health. It is this emergency provision in the new law which has provided the authority and incentive needed to shut down these hazardous plants.

The finding of such conditions as to require the closing of these plants should be enough to refute critics who claim that the new law is not needed. In Connecticut, according to USDA reports, a slaughtering plant was closed because of failure to control condemned, diseased carcasses which had been marked inspected and passed and because spoiled meat byproducts were present in the cooler. In Delaware, a slaughtering and processing plant was closed because contaminated water was being used in producing products for human consumption. In addition to action taken against such plants as these, the information now available indicates that many intrastate plants are correcting improper conditions that existed prior to the passage of the Wholesome Meat Act.

The latest USDA reports also reveal that more than 300 cutting and boning plants, which come under the immediate provisions of the new law, have failed to meet Federal standards. Prior to passage of the Wholesome Meat Act, these plants could do business in interstate commerce without being federally inspected. Now, however, they are required to have Federal inspection before shipping meat across State lines. According to information from USDA, 516 cutting and boning plants have been granted Federal inspection and applications from 304 were rejected or canceled.

The Wholesome Meat Act has been law for only 6 months, but already it is providing valuable protection to the American consumer. Nevertheless, there are critics who are trying to discredit it and other consumer protection legislation. As I said in my reply to Mr. Huntley, the fight for clean meat is not over and American consumers dare not relax.

THE LUNATICS GO FREE

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, events of the past few weeks have served to crystallize for many of us what we have feared for a much longer time. By this I mean the attitude of permissiveness abroad in our country that threatens to bring it crashing down upon our heads unless a change in direction is made and made swiftly.

I am speaking not only of the criminal who goes unpunished, not because he is unapprehended but because his rights are valued above his victim's. I am speaking also of the attitude that prevails among all levels and all segments of American society.

This attitude seems to say: "Get modern. This is the 20th century. You cannot expect us to accept values of another day."

In short, this attitude says: "Anything goes."

Well, we have seen the results of this

peculiar form of thinking. We have seen it in the cruel deaths of Senator Robert F. Kennedy and Dr. Martin Luther King. We have seen it also in the daily record of the violent crimes in which lesser known but no less human individuals are the victims.

The entire problem is discussed briefly but lucidly in a column by, of all people, a sports columnist for the Los Angeles Times. He is Jim Murray, who needs no introduction to readers of the sports pages.

In order that all my colleagues might have a chance to read his pointed and poignant observations, under unanimous consent I insert in the Record his column of June 6, 1968:

The Violent States of America: A Nation in Surgery

(By Jim Murray)

Lake Tahoe.—I was going to write to you about fun and games today—a golf match on a sylvan lake, a track meet in a municipal amphitheater.

But once again America the Beautiful has taken a bullet to the groin. The country is in surgery. The Violent States of America. One bullet is mightier than one million votes.

It's not a Democracy, it's a Lunacy. A country that shrinks from punishing its criminals, disciplining its children, locking up its mad. It's like an animal that disregards its senses. It's a lamb defending the lion's right to eat it.

Democracy is in the cross-hairs. The Assassination Party wins elections without going in a primary. The President of the United States is chosen in a hardware store, a mail order catalogue. We blame Dallas, but it's no good. It happens everywhere. Memphis. Los Angeles. The United States.

We quarantine the good, the reliable, the honest. We keep a 24-hour watch on the trustworthy, but get a habeas corpus to let anarchy loose.

Freedom is being gunned down. The "right" to murder is the ultimate right in this country. Sloth is a virtue. Patriotism is a sin. Conservation is an anachronism. God is over 30 years old. To be young is the only religion—as if it were a hard-won virtue. "Decency" is dirty feet, a scorn for work. "Love" is something you need penicillin for. "Love" is handing a flower to a naked young man with vermin in his hair while your mother sits home with a broken heart. You "love" strangers, not parents.

I will be severely criticized, even ridiculed for crying out. "Lousy sportswriter, what does he know?" I can hear it said. "Who does he think he is, Paul Harvey?" "Fulton J. Murray," still others will sneer. This is the 20th Century, they will say, not Disneyland. Well, it's getting to look more like the Cave Man Era every day from this seat. Americans who have a podium should use it.

I like people with curtains on the window, not people with "pads." The next guy that calls money "bread" should be paid off in whole wheat. I'm sick of being told I should try to "understand" evil. Should a canary "understand" a cat?

These are some of the things, it seems to me, that has put blood on the walls of America. The next funeral procession will be for the Republic itself. The American Dream will be rolling up Pennsylvania Ave. behind the roll of drums. It will be buried in Arlington. The Constitution was never conceived as a shield for degeneracy. You start out burning the flag and you end up burning Detroit. You do away with the death penalty for everyone but presidential candidates—and Presidents. The national symbol is not the eagle, it's the catafalque.

The point of the country is Fear. The rebellion is against good. Men of God become men of the Mob. The National Anthem is a scream in the night. Americans can't walk in their own parks, get on their own buses. They have to cage themselves.

"Get off your knees, America!" people cry, but it is ignored. Bare your teeth, they say. Threaten to fight back. The lion bares his teeth and the jackals slink away. A cowering animal invites attack. But America is not listening.

These are the things, it seems to me, that put a young senator, a servant of his people into the shadow of death. A young, vigorous country is immobilized by bumper stickers, slogans, neurotic students with their feet on desks they couldn't make, pulling down universities they wouldn't know how to rebuild.

It all begins with that, the deification of drifters, wastrels, poltroons—insolent guests at the gracious table of democracy overturning it on their dismayed hosts.

What have the Kennedys ever done to deserve ambuscades every five years at the hands of people they ask only to serve? What apology can we offer to a noble family except to resolve to stop being ruled by our refuse, our human refuse that is? How many good men have to die before we wrest weapons from the terrible hands of our barbarians, demand respect for our institutions, stop glorifying hate?

Pray God our healers can repair Bobby Kennedy. Who is going to repair America?

ALVIN LEE MORSE

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, earlier this month, Alvin Lee Morse, counsel of the House Committee on Banking and Currency announced his resignation to enter private law practice with offices at 1250 Connecticut Avenue NW., Washington, D.C. He will also open on office in Atlanta, Ga.

While, of course, we wish him well in this new undertaking, Lee will be missed by many of us who have known and worked with him over the last 4 years.

I have known Lee all of his life. He was born in my hometown, Griffin, Ga., and grew up in Manchester, a few miles away.

It has been my privilege to observe Lee as he has grown to manhood, and I have followed his many accomplishments with interest and pride.

After graduating from college, he obtained degrees in master of business administration and bachelor of laws from Emory University in Atlanta. He is a veteran of the Korean war and has held major staff positions with the Securities and Exchange Commission and the Comptroller of the Currency, in addition to the House Committee on Banking and Currency.

Coupled with sound mature judgment, his education and experience in banking and finance will be invaluable in his chosen practice of business, corporate, and banking law. He is well qualified and will perform a distinct service to his future clients. I wish him well as I know do many of my colleagues who have known and worked with him.

Mr. Speaker, at this point I include an article from the June 6, 1968, edition of the Atlanta Journal:

Washington.—Georgian Lee Morse, chief counsel for the House Banking and Currency Committee, said Thursday that he is resigning to open law offices in Washington and Atlanta.

Mr. Morse, 37, has served as counsel for the committee for the past four years. He has also worked with the Securities and Exchange Commission and the comptroller of currency.

There is speculation that the move by Mr. Morse will make him available for work in the 1968 Democratic party campaign.

"I expect to be active in the campaign," he said, but added that he had no statement on presidential politics for the present.

A native Georgian, Mr. Morse was born in Griffin and grew up in Manchester. He received a master's degree in business and a law degree from Emory University in Atlanta.

Mr. Morse said that his practice would be in the field of business, corporation, and banking law. "I plan to open an office in Atlanta as well as Washington," he said.

Tenth District U.S. Rep. Robert G. Stephens Jr., D–Ga., of Athens, a member of the House Banking and Currency Committee, praised the young Georgian's work on the committee.

"He has done a good job during his years with the banking committee and we will miss his services," Rep. Stephens said.

Mr. Morse held one of the highest staff positions on Capitol Hill occupied by a Georgian. He said his resignation would be effective this week.

He is a member of the Georgia Bar Association, the federal bar, the American Bar, and the District of Columbia Bar. Mr. Morse is also president of the Automobile Club of America, Inc., at Savannah.

FOREIGN TRADE POLICY

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, earlier today it was my privilege to testify before the Ways and Means Committee of the House of Representatives on the subject of our foreign trade policy. My good friend, Chairman Wilbur Mills, and the members of his committee were most cordial in their reception and most gracious in permitting me to be the first congressional witness to testify in behalf of a sound trade policy for the people in the textile industry.

The hundreds of thousands of people in America who are directly or indirectly dependent upon the American textile industry for jobs have a great stake in the pending legislation relating to our foreign trade programs. As a matter of fact, the total American economy is involved in what this Congress will do in legislating an amended trade program.

Mr. Speaker, I make my testimony before the Ways and Means Committee a part of my remarks at this point:

Statement of Hon. Basil L. Whitener, Member of Congress, Before the Committee on Ways and Means of the House of Representatives on the Trade Expansion Act of 1968 on June 17, 1968

Mr. Whitener. Mr. Chairman, I am grateful for the opportunity to appear before the Ways and Means Committee this morning. As the Representative of a Congressional District which has more textile manufacturing plants than any other section of the country, I have a particular interest in the problems of the industry and the nation's export-import policy.

I want to commend you, Mr. Chairman, for the great interest that you have shown and the invaluable assistance that you have rendered to the American people in the field of international trade. I am likewise grateful to the members of your Committee, who, not always agreeing with my views and recommendations on import-export policy, have nevertheless conscientiously worked for an equitable solution to the many highly complex factors involved in our international trade relations.

Mr. Chairman, as we all know, the great turning point in American trade policy took place with the adoption of the Trade Agreements Act of 1934. The legislation was conceived and enacted at a time of economic distress throughout the world. The great Cordell Hull thought of the legislation as a means of reviving a stagnant and demoralized international trade. He believed that by a system of reciprocity in international trade commerce could be revived among the nations.

The Reciprocal Trade Agreements Act of 1934 was a great step forward for the United States, and as Cordell Hull had predicted, the legislation set the wheels of industry and commerce turning again.

Mr. Chairman, social, political, and economic forces in the world are in a constant state of evolution and change. With the drastic revolution that has occurred in industry and technology since 1934 and under the many amendments which have been made to the original Reciprocal Trade Agreements Act the basic principle of reciprocity enunciated by Cordell Hull has become eroded and practically non-existent in many instances.

The President has well stated the case for a reexamination of our international trade relations. In his message to the Congress on May 28, 1968, the President said: "Trade is a two-way street. A successful trade policy must be built upon reciprocity. Our own trade initiatives will founder unless our trading partners join with us in these efforts."

It is my hope, Mr. Chairman, that all of us in the Congress will bear in mind these words of the President as we fashion the proposed Trade Expansion Act of 1968.

No one can deny that many industries basic to the economic well-being of the American people and the very survival of our nation are being seriously damaged by our present trade policy. Instead of a two-way street to which the President refers, our trade relations at the present time, in far too many instances, are a one-way avenue to oblivion for certain of our great industries.

In our humane desire to better the standard of living for overseas countries we have made too many concessions in foreign trade. We have made a mockery of reciprocity.

The great textile industry, which is so vital to the welfare of the people I represent and to millions of other Americans, has been particularly the victim of well-intended concessions and agreements.

Mr. Chairman, the most recent statistics of the Bureau of the Census indicate that we have over 574,000 persons employed in all types of manufacturing in North Carolina. We gain some idea of the tremendous importance of the textile industry to the economy of North Carolina when we realize that over 234,000 North Carolinians are employed in the manufacturing of textile mill products. Another 55,000 North Carolinians gain their living in the apparel and related products industry, which as we know, is closely associated with the textile industry. It will be readily seen, therefore, that any factor that affects, even in the slightest degree, the economic health of the textile industry has an immediate impact upon hundreds of thousands of North Carolinians. Over 70,000 people in my Congressional District earn their living in textile plants.

The Congress has expressed a genuine desire to alleviate some of the pressing economic problems of our less fortunate fellow citizens residing in the beautiful Appalachian areas of the Southeast. Few people realize the tremendous impact that textiles have on Appalachia. 26% of manufacturing employment in Appalachia is in textiles. 453,000 persons in Appalachia earn their living in textile plants.

In those counties adjacent to Appalachia 236,000, or 31% of the laboring force, is employed in textiles. It will be seen, therefore, that any dislocation of textile employment opportunities will be felt more severely in an area of the nation already plagued by the lack of job opportunities.

Mr. Chairman, the phenomenal increase in textile imports during the last several years staggers the imagination. In spite of the best efforts of our country to convince our textile importing friends that they must honor their agreements with the United States, textiles continue to flood the nation in ever-increasing amounts.

In 1961, 720.2 million square yards of cotton textiles were exported to the United States. In 1967, the figure had nearly doubled. Last year 1 billion 485.4 million square yards of cotton textiles reached the United States. The dollar value of these imports have increased from $198.8 million in 1961 to $416.7 million in 1967.

In man-made fibers we have witnessed the same tremendous increase in imports. In 1961, 164.3 million square yards of man-made textile imports reached the United States. In 1967. these imports had reached the astounding figure of 933.5 million square yards of man-made fiber textile imports. In dollar value man-made fiber textile imports have increased from $59.7 million in 1961 to $311.8 million in 1967.

Mr. Chairman, when we combine cotton, wool, and man-made fiber imports we find that the total of such imports for 1961 was 985.2 million square yards. In 1967 the figure had more than doubled for in that year 2 billion 571.8 million square yards of these textile fiber imports were received in the United States. In dollar value the total for these imports more than doubled. In 1961 the figure was $458.7 million; by 1967 it had reached $1 billion 55.8 million.

Mr. Chairman, it is a credit to the leadership of the textile industry that the industry has been able to withstand the economic shock of such an alarming increase in imports.

The industry has been accused of poor management and the lack of dynamic new approaches to manufacturing and marketing. The experience that the textile industry has had in meeting the unprecedented challenge of textile imports certainly belies these unwarranted accusations.

Mr. Chairman, the textile import picture for 1968 reflects the accelerated trend in imports. Textile exports to the United States during the first quarter of 1968 were a record 780.7 million square yards. This was the highest first quarter import level on record. The first quarter total for 1968 was 77.8 million square yards, or 12–12% higher than the first quarter of 1967. All major categories—cotton, wool, and man-made fibers—were substantially higher the first quarter of this year than they were the first quarter of 1967.

There are those in the United States who labor under the erroneous impression that the textile industry is amassing tremendous profits. Those who are familiar with the fiscal condition of the industry know that this is not a fact. During the period 1961 through 1966, for instance, the comparable rate of return for the producers of textile mill products was below that of all manufacturing.

In July–September, 1967, for example, the net profit of the textile industry was 5.3%, or about one-third lower than that of all manufacturing corporations which was 7.8%.

There is a school of thought in the nation that the textile industry is expendable and that our textile plants could be converted to other types of employment. Those who advance these radical ideas are also ignorant of the facts concerning textile manufacturing.

They fail to realize that the physical resources of the textile indstry more nearly than any other industry are so peculiar to the industry that it would be nearly impossible to shift plant and management to other industrial uses. Extensive studies of the feasibility of converting mills to non-textile production have in nearly every case provided a uniformly negative answer.

In order to survive textile mills must have their production facilities and distribution so highly engineered and balanced that even to convert to another line of textile manufacturing would result in a substantial restructuring of plants and tremendous additional investment.

These facts are not peculiar to the United States. They apply to textile operations in nearly every other country of the world. It has been said that no industry operates more uniformly as to manufacturing methods and distribution than does the textile industry.

Mr. Chairman, I feel that in the consideration of our international trade relations we should also give serious thought to the impact that textile imports are having upon the domestic production and sale of cotton at home and abroad.

Ten years ago textile imports represented approximately 200,000 bales of cotton. In 1966 textile imports comprised more than 1,000,000 bales of cotton. This tremendous increase in imported cotton in the form of textile products takes on an ominous meaning when we realize that the six nations which furnish 84% of cotton yarn imports to the United States buy almost no United States cotton.

In the fiscal year ending July 31, 1967, these six countries purchased only 3,858 bales of United States cotton, or less than 0.1% of total United States exports of 4,668,847 bales. Those who are interested in promoting an expanded market abroad for United States cotton would do well to heed this dangerous trend.

The ease with which overseas nations can sell their textile products in the United States has tremendously accelerated the construction of textile plants abroad. The governments of textile-exporting nations have adopted various methods of subsidizing textile manufacturing.

The Japanese, for instance, employ special aids for their textile industry, consisting of export insurance arrangements, special foreign exchange policies, special tax measures such as a favorable depreciation rate applicable to exports, low-cost export financing, the subsidization of overseas trade promotion, and subsidies to protect the consolidation and modernization of the industry.

In his message to the Congress on May 28, 1968, the President also said: "Other nations must join with us to put an end to non-tariff barriers." The example I have just cited with respect to Japan is a classic case of an effective non-tariff barrier to United States textile competition.

The barriers erected by overseas nations to the sale of American textile products take many ingenious forms, involving, among other things, taxation, financing, advertising, quota arrangements, distribution, product content. While the Congress has no voice in the internal policies of our trading partners the Executive Departments should nevertheless exert maximum effort along the line indicated by the President to induce foreign export nations to receive American products on an equitable and reciprocal basis.

I am hopeful, as this Committee approaches the drafting of legislation to regulate our international trade, that serious consideration will be given to the conditions prevailing in the textile industry and other basic industries forming the bedrock of our industrial capacity.

I hope that the sound trade principles embodied in the Mill Bill may find expression in the Trade Expansion Act of 1968. Let us make international trade truly reciprocal. Let us abolish the one-way street to which the President has referred.

At a time when the nation has been forced to make drastic changes in our traditional international monetary policy it is all the more mandatory that the Congress take a realistic look at some of the import conditions that have jeopardized the job opportunities of thousands of our people and which have been a contributing factor in diminishing our gold reserves.

I strongly recommend that the Congress provide in the Trade Expansion Act of 1968 more effective methods of security relief for American industry seriously threatened by imports.

The history that industry has had with the Tariff Commission under existing law offers little hope for effective relief in the future. The law should be explicit. There should be no authority, implied or otherwise, in the Trade Expansion Act of 1968 that will give the Tariff Commission, or any executive department of the government or independent agency, the power to bargain away the jobs of the American people on the grounds of international political expediency.

"Reciprocity and fair play are the essential standards for international trade," said President Johnson in his message to the Congress on May 28, 1968. I hope this great Committee will report a bill which embodies the spirit of the President's declaration.

TELEPHONES FOR THE HANDICAPPED

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the C. & P. Telephone Co. of Maryland recently sent to subscribers a pamphlet describing a number of services that have been developed to help individuals with certain handicaps to overcome communication problems. While the innovations may not yet be available in all areas of the Bell System, the services should be publicized as widely as possible to enable the maximum number of handicapped persons to take advantage immediately and to encourage others by letting them know of the developments which will be of use at a later date.

Through a 2-year research program sponsored by the Institute of Rehabilitation Medicine of New York University and the American Telephone & Telegraph Co., there have evolved a number of new methods that will make communication easier for the deaf and the hard of hearing, the blind and those who cannot speak. Various devices also are ready for persons confined to bed, for those with physical defects that make dialing difficult or impossible, and for the convenience of those with other types of disability.

The telephone company is to be commended for bringing help to the handicapped. As the services are broadened throughout the system, it is important to get the word to all who may benefit from them.

Telephone Services for Special Needs

For the physically handicapped, methods for communicating are vital.

The ability to communicate can substitute for lost mobility. It can mean the chance to maintain contacts with friends and relatives and to reach outside the home and participate in community affairs. It can mean an added degree of safety for those who live alone. And it can mean an opportunity for a job.

To make telephone communication easier—and in some instances to make it possible at all, we are trying to provide equipment and service that meet special needs.

As the result of a two-year research program sponsored by the Institute of Rehabilitation Medicine of New York University and the American Telephone and Telegraph Company, we have learned more about what type of telephone equipment suits each situation.

A number of services have been specially developed to help the person with a handicap—whether the problem has to do with hearing, speech, vision, or movement. And in many instances the solution can be found in our standard telephone line or through minor modifications of equipment.

Here are some of the services now available.

IF YOU HAVE TROUBLE HEARING OR BEING HEARD

Volume control handsets

These phone sets come in different versions to meet different needs. A person who has trouble hearing can adjust the small wheel on the handset to amplify the volume of the voice he's listening to. One who has difficulty being heard can make a similar adjustment to increase the volume of his voice. Other members of the family can turn the volume down when they're using the phone.

Bone conduction receiver

Designed for use with a regular phone, the bone conduction receiver can aid someone who has a conductive hearing loss. This special receiver, placed on the bone structure behind the ear, by-passes a defective middle ear and sends sound vibrations directly to the inner ear.

Headset amplifier

An aid for switchboard attendants with impaired hearing, the headset amplifier does not require complicated installation. The headset is simply plugged into the amplifier, which is plugged into the switchboard. A volume control knob allows the operator to adjust the degree of amplification to her needs.

PHONE CALLS FOR THE DEAF

Watchcase receiver

By "listening with his eyes," a deaf person who can talk can carry on a phone conversation. The watchcase receiver, an auxiliary earpiece attached to the phone, lets a helper listen to the incoming voice. As he repeats the words, the deaf person reads his lips. Then, to answer the caller, the deaf person simply speaks into the regular handset.

Teletypewriter exchange service

By operating a TWX machine, which works much the same as a standard typewriter, a deaf person can easily receive a message. Or he can send one across the street or across the nation to any of the 50,000 subscribers to teletypewriter exchange service.

For business purposes, he can also use Data-Phone® service, which provides a link between customer-owned teletypewriters, facsimile machines, and telewriting equipment.

TELEPHONE AIDS FOR THE BLIND

Card dialer

For the blind, punched-for-dialing cards can have names in braille at the top. Pressing the card into the slot on a card dialer phone and pushing the start button automatically dials the number of the person identified on the card.

Seeing aid switchboard

This equipment enables a blind person to be an attendant for a business telephone system. A photo-electric device converts a switchboard's light signals to sound so that the attendant can answer and route calls.

FOR THE DEAF, THE DEAF AND BLIND, AND THOSE WHO CANNOT SPEAK

The tactile-visual telephone set converts sound signals into sight signals (via a flashing light) and into touch signals (via vibrations of a half-dollar-size disc.)

If the signals are coded in some prearranged way—such as the dots and dashes of the Morse code, the deaf person can read them by watching the light or by feeling the disc with his fingertips. A person without speech can send code signals out by pushing the sending button.

THE VOICE YOU CARRY WITH YOU

The electronic larynx was developed by the Bell System to help those who have lost the use of the larynx from surgery or paralysis. When pressed against the throat, this device substitutes electronic vibrations for the natural vibrations of the voice.

Forming words by moving his tongue, lips, and teeth in the usual way, a person using the electronic larynx can speak conversationally—even with inflections. This battery-operated device is available in a low pitch range for men and a higher range for women.

IF YOU HAVE TROUBLE HOLDING OR REACHING A PHONE

Speakerphone

A person confined to bed can use a speakerphone as easily as he can hold a conversation with someone nearby. The table-top microphone picks up his voice, and the speaker amplifies the voice on the other end of the telephone line. And rather than having to lift the receiver, he just presses a button on the microphone.

Headsets

A headset plugged into a jack-equipped phone can be useful to someone unable to hold the regular handset. After removing the handset from the cradle, he can enjoy hands-free phoning. Several types are available—even a one-ounce model that can be attached to eyeglass frames.

Home interphone

When someone who is confined to bed or to one floor picks up the phone, his voice can be gently broadcast throughout the house from speakers mounted near each extension phone. A member of the family can answer without picking up the phone, because a microphone in the base of each instrument picks up the replies from anywhere in the room. The front door has a microphone and a speaker, too, so that one can answer the door from any phone.

IF YOU HAVE TROUBLE DIALING

Trimline® phone

Using a Trimline phone, a bedridden or hospitalized person can dial while lying down and can "hang up" simply by pressing the button below the dial.

Touch-Tone® service

Buttons for dialing take a minimum of effort. Even when there is paralysis in the hands, a pencil or similar aid held in a utensil holder (on a cuff or splint) can depress the buttons on a Touch-Tone phone.

SIGNALS THAT LET YOU KNOW SOMEONE IS CALLING

For those who hear better at a frequency other than that of the regular telephone bell, signals are available in several different ranges.

There are special bells, gongs, and chimes as well as a buzzer which acts as a sounding board when attached to a panel of wood such as the headboard of a bed.

A beehive lamp, which visually indicates that the phone is ringing, can be used by someone with an acute hearing loss or in a location where a loud bell is not feasible.

Another device is the signal control. When the phone rings, the control turns on whatever is plugged into it—a flashing floodlight which a deaf person can see or an electric fan that blows air toward a blind person.

A PRESCRIPTION TO FIT YOUR NEEDS

If you have a physical disability that interferes with your use of the telephone, we should be able to work out a prescription for service to fit your needs. Let us try.

Or if you have a handicapped friend who can't get in touch with us himself, we'd appreciate your contacting us for him.

Just call or write our Business Office, which is listed in the front pages of your phone book.

We want to help if we can.

LOWER POSTAL RATES FOR LOCAL SHOPPING GUIDES

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, over the years in the fixing of postal rates, Congress very wisely has recognized a wide variety of factors. Second-class rates, to some extent have been based on the news value of this class of mail. Local and in-county rates for newspapers have been minimal for this reason and the further fact that they do not travel a long distance through the mail stream.

Classroom publications benefit from a reduced rate because of the educational value of the material involved. Publications of certain fraternal, charitable, and other like organizations enjoy a greatly reduced rate because of their mission in our national society.

Notwithstanding these and many other exceptions to the general rule applicable to each of the several classes of mail, there is one small but extremely important industry whose plight has not been recognized. This inequity cries out for attention and should not be permitted to continue. I refer to the free-circulation newspapers often referred to as shopping guides locally owned and locally circulated in almost every community of the Nation.

Under existing postal law, these publications, strictly for local distribution, are required to go at the regular third-class rates, applicable to mail that travels the length and breadth of the mail stream.

A bill I am introducing today, in which I am joined by the ranking minority member of the Post Office and Civil Service Committee, the gentleman from Pennsylvania [Mr. CORBETT], would fix the rate for these publications at 85 percent of the regular mail rate. This is justified in recognition of the community service value of these particular publications and on the basis of reduced handling and transportation costs on the part of the Post Office Department. I hope my bill will receive early and favorable consideration.

RESTORE CONGRESSIONAL CONTROL OF U.S. TRADE POLICY

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut.

There was no objection.

Mr. MONAGAN. Mr. Speaker, the House Ways and Means Committee is presently conducting extensive hearings on the broad subject of U.S. trade and tariff policy.

As the Representative of a district which includes industrial, suburban, and farm areas, I have seen the impact of imports on many segments of our economy and I have realized the importance which these shifting trends have for our country and their significance to the welfare of our industries and their employees. In my appearance before the Ways and Means Committee I offered my comments on the trade bill now before Congress (H.R. 17551) and also review some of the conflicts and problems which our policy now creates.

I have also made a recommendation which I believe will lead to the solution of much of the confusion which now characterizes our trade policy. I submit this statement for the consideration of my colleagues:

Statement of Hon. John S. Monagan Before the Committee on Ways and Means House of Representatives, on the Trade Expansion Act of 1968, H.R. 17551, June 12, 1968

I appreciate the opportunity to appear before your Committee this morning, and commend your efforts to examine in detail the vitally important and complex topic of U.S. trade and tariff policy.

In my statement I will quickly review some of the possibilities which the proposed trade bill offers, present my own ideas on their potential merit, and then recommend a course of action which seems to me a promising remedy for dealing with the problems which we face in this field.

Adjustment Assistance: A provision of the Administration's bill now before us would liberalize the terms of the Government's adjustment assistance program to aid industries and workers adversely affected by imports. Since 1962 this program could not have been other than-existent, and as we know, of 25 requests for relief made in the last six years all have necessarily been denied. As early as 1963, in a statement in the House, I pointed out that it could not be otherwise because of the impossible burden of proof required by the law. I am not one who desires to substitute damages for jobs, but if this law is to be continued, clearly this section must be changed to have any real meaning. Even altering the language of the 1962 Act from "major cause" to "substantial factor," as my bill (H.R. 8490) proposed in 1963, and in succeeding Congresses (currently H.R. 9310 which is now before the Committee) is really not enough to make the present provisions realistic. The Administration's proposal in H.R. 17551 to liberalize the terms of the Act is an obviously necessary one. But under the current proposal the onus of decision is shifted from the Tariff Commission to the President. Although it may lead to a streamlining of an inconvenient procedure, it places yet another responsibility on an office which is already overburdened. The proposed method calls for all research and investigation to be conducted by the Tariff Commission, but places the burden of decision squarely with the President. We complain of the impossibility of the Chief Executive's duties, and yet here would create even more responsibility for him. Also, this means in fact further delegation and decisions by second echelon officials whose activities cannot easily be scrutinized and followed.

Beyond the question of who should make the necessary adjustments of trade agreements, there is the vital question of passing on basic policy matters of industrial life and death. What is the point beyond which an industry can no longer survive? Is there a "peril point" at which remedial action should be considered, or must we wait until it is perhaps too late before exercising the authority to compensate for loss from foreign competition?

Extension of Presidential Powers.—Another purpose of this bill is to extend to 1970 the President's authority to conduct tariff negotiations. I originally opposed the granting of this authority under the Trade Expansion Act of 1962, and I see little in the proposed bill to cause me to change my opinion. The Act of 1962 greatly surrendered legislative power to rule on such matters, and also removed the various pre-existing methods of appeal. No real, effective relief is currently available to injured producers, nor is any adequate system proposed. Nevertheless, responsibility lies with the Congress, and it behooves us to exercise that responsibility in a creative and realistic manner rather than to delegate it to the Executive every few years and then attempt, by second-hand methods, to adjust the results of Executive decisions which run counter to legislative policy.

Non-tariff Barriers.—Beyond the task of authorizing the power to set tariffs, we must also meet the problems posed by non-tariff barriers. Here we enter the realm where few hard facts and much emotion surround the problem. Although most observers from different points of view are able to compile lists of such barriers, there seems to be a lack of machinery to deal with them on a multilateral basis. To date much criticism and not enough constructive cooperation has existed among the leading trading nations of the world. I suggest that in preparing a policy for future U.S. trade, the challenge of non-tariff barriers is just as relevant as our present concern with equitable tariff reduction.

American Selling Price.—The difficulty with the American Selling Price has stemmed from the exercise of authority by the Treasury Department, through the Customs Bureau, to select the American Selling Price for any particular article covered by the system and tax comparable imports on the basis of that price. With respect to rubber footwear—a field with which I have been particularly concerned—the recent manipulation of prices was broad and all downward. In February 1966, the Customs Bureau changed its policy to use the *lowest* priced comparable article, rather than the *highest-priced,* as the basis for establishing the ASP and consequent duty, and therefore a very substantial tariff reduction resulted. The February 1966 guidelines for rubber footwear which the Treasury established by administrative regulation represented a tariff cut of about 35% below the previous level. Ambassador Roth, as Administrative spokesman, acknowledged that this action amounted to a "unilateral tariff reduction." In my view, the change was quite contrary to the spirit of the Kennedy Round which was supposedly predicated upon *mutual* tariff and trade-barrier reductions. It was also a devious and ex parte executive action contrary to Congressional intent. It is this sort of behind-the-scenes manipulation which destroys confidence in Executive custody over tariff authority.

It seems to me that beyond a reappraisal of our role in world trade and the relationship of our domestic economy to international conditions, we must try to create a new system or framework which will give us a more orderly control of this complex field. At the same time, however, we should make provisions which will assure a means of practical redress for those elements of our economy which fall outside the agreed framework. We have not been realistic in the international marketplace; it is time that we recognized the new economic strength of our trading partners and acted with a sense of determination and self-interest more in keeping with our world role and their reinvigorated economies. Other nations may not love us for friendly concessions, but they will respect us for fair-minded conduct.

For example, the record clearly shows that several of our industries have declined or disappeared as a result of foreign competition. Others, whether covered by existing legislation or not, fear the spectacular increase of expanded competition as a result of the Kennedy Round and low wages and increased efficiency in competing countries. We might conclude that some have been overly protected and by the severe laws of economics ought to decline, while others have not been protected enough and should never have been permitted to suffer. But the basic question which we should ask in either case is whether the present means available are the best to assure stable conditions in our markets and sound development in our industries. It seems to me that the answer is "no".

To permit the collection and dissemination of basic data on U.S. trade, and to facilitate the conduct of studies and research to aid in future policy decisions, I recommend that we create a new body, as an arm of the Congress, to provide us the information necessary to shape and administer a coordinated and creative trade policy in the future.

This new body would be similar to the General Accounting Office which was originally created to serve the Government Operations Committee. It could serve the House Ways and Means Committee and the Senate Finance Committee by providing the Legislative Branch with the range of information and facilities necessary to create trade policy which will be truly commensurate with our responsibility. At present Congress must rely to a large extent on the various departments of the Executive Branch, or on the statistics prepared by its staffs or the particular interest groups affected by policy decisions, in order to obtain the data necessary to write laws. The efforts of the Congressional Committees, and the work of the Legislative Reference Service, are all useful—but not extensive enough to permit us the creative research and fact-finding needed to provide accurate and timely information.

Now faced wtih hundreds of bills which would adjust our trade position on products of just about every description, it seems to me that the claims made, and the consideration and deliberation which they deserve, cannot be conducted as effectively as we would wish. Under the present arrangement this monumental task will either continue to choke the committees concerned, or will result in further delegation of authority to the Executive. Both possibilities are fraught with difficulties.

The new trade policy body which I propose would be empowered to do more than merely provide advice. It should actually prepare policy positions for negotiations, review the claims of particular industries for relief, and also formulate proposals for legislative action. In short, we should attempt to combine the many loose ends which have for decades formed our "trade policy." Only with such an arrangement will we be able to coordinate effectively the diverse demands of particular and general interest which the shaping of an effective and equitable trade policy requires.

I have not covered all aspects of the trade bill now before the Committee, nor have I attempted to present a thesis on trade policy and its broader implications. But I hope that this presentation has permitted us to focus on some of the basic conflicts which now exist in our pursuit of a policy on international trade, and to suggest some area where we may take remedial action.

The present bill continues the 1962 Act which has raised violent opposition in some quarters and dissatisfaction in many others. We must consider the return to Congress of the exercise of the power which it is granted under the Constitution unless the Executive agencies show a more realistic attitude. We have delegated authority to the Executive because of a lack of capacity under the existing legislative framework to deal with these multifarious problems, and in the process we have permitted an unwieldy and unresponsive system to evolve in the Executive Branch. I offer this proposal in the hope that it will be a step toward the retrieval of that power by Congress, and its efficient exercise in the future.

THE TAX BILL

Mr. **BRINKLEY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. **BRINKLEY**. Mr. Speaker, I wish to offer what I consider to be the best formula to comply with the proposed spending ceiling set by the conference report on H.R. 15414.

According to reliable figures, foreign aid and related expenditures amounted to over $9 billion during fiscal 1967. Why not specify that the $6 billion reduction, or such part of that amount as remains necessary, be made in this lowest priority area? Would we not thus be acting with wisdom while reserving this prerogative and responsibility of where to cut to the proper authority—the legislative branch of Government?

If we should vest this authority in the executive branch, cuts could be reasonably expected in places felt to be best by the administration; but the feelings of this Congress might not be in accord, and I would prefer to cast my vote in favor of or against a definite circumstance depending on whether it appears right to me, or wrong to me. For example, if we delegate our responsibility to the executive branch, might we not expect Great Society programs to be fully funded to the detriment of other programs?—and is it the feeling of this Congress that these programs should enjoy such priority status?

Under the rules, the conference report cannot be amended. But it can be sent back to conference with instructions. At the proper time a motion should be made to recommit the conference report on the bill (H.R. 15414) to the committee of conference with instructions to the managers on the part of the House to insist on language providing that the required reductions in expenditures and in obligational authority will come first from foreign aid, to the extent of such aid.

I wish I could offer this motion. But under the rules, the prerogative of offering such a motion falls to the Republican side. If it is offered I shall certainly give it the support it deserves.

WASHINGTON STAR JOINS FIGHT FOR STIFF GUN CRIME PENALTIES

Mr. **CASEY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **CASEY**. Mr. Speaker, a growing number of responsible, thinking Americans are joining in my long fight to enact sensible, responsible firearms legislation which strikes at the criminal use of guns.

Sunday, the Washington Star newspaper, in an excellent editorial, cut through the maze of hysteria and panic and misinformation sweeping the land and advocated a "get tough" policy on criminals who use firearms in a career of crime.

With this, I agree.

And with this, the President agrees, for in March he urged this Congress to enact legislation to provide for a 10-year additional prison sentence for those who use firearms to rob in the District of Columbia.

I go even further, Mr. Speaker. Not only do I have legislation pending to make use or possession of a firearm during commission of crimes of violence in the District subject to a mandatory 10-year prison sentence—I also have legislation pending to make such a penalty mandatory on a nationwide basis.

This is the answer. Strike at those 115,000 hardened, mostly repeat offenders who use firearms in a continuing career of crime. Strike at the lax prosecution, the soft sentencing, the loose parole boards who repeatedly turn loose these thugs to continue preying on society—not at the millions of decent, law-abiding citizens who buy, own, or use firearms in accord with all laws and regulations.

Mr. Speaker, I commend the Star on this fine editorial, and because the mass media—particularly television—has made this issue of firearms control a "cause celebre"—I want to bring it to the attention of my colleagues.

I also want to bring to their attention the Star editorial of Saturday, June 15, on televised violence, which I think my colleagues will find of interest. The "moguls of Madison Avenue" who use the unregulated television networks to flood our homes with crime and violence bear more than a small portion of the responsibility for the conditions which exist in this country today. And I can assure the American people that if they do not move swiftly to clean their own house, and bring into our society clean, wholesome programs of high educational, cultural and entertainment value, this Congress will do it for them.

The editorials follow:

Televised Violence

Both the Columbia Broadcasting System and the National Broadcasting Company have issued statements pledging cooperation with the Violence Commission in exploring the link between televised and real life violence. CBS President Frank Stanton, moreover, has instructed programming executives to "immediately undertake individual conferences with producers and writers to discuss specific measures to de-emphasize violence in programs now in production." This initial display of public mindedness by the two networks is a step in the right direction.

Unfortunately, parts of both statements hint that the networks are hedging on a full-fledged commitment to reform. Dr. Stanton observes that "it may take a considerable length of time to determine whether there is a causal relationship between the fictional portrayal of violence in the mass media and any increase of actual violence in American life." He pledges cooperation in "whatever improvements can be brought about." NBC takes the surprising line that it already has "established policies and procedures to guard against the depiction of violence for its own sake" and promises to "continue pursuing these policies with responsibility and vigilance."

It seems to us undeniable that television's "entertainment" shows contain a great deal of violence, and that this is bound to affect the dangerous climate of thought which is only too obviously developing in the country. The networks should lose no time in putting their houses in order in this regard—before pressure starts building up to have someone else do the job for them.

Gun Controls

Despite all that has been written and said to the contrary, the crime bill recently approved by Congress really does contain effective provisions to prevent the sale of hand guns through the mails or over the counter. If anyone doubts this, let him read the bill.

It does not impose comparable restraints on the sale of shotguns and rifles, and the President has grounded his complaint on this omission. As a guess, we would say that 99 percent of the crime in which guns are used involves hand guns—not rifles or shotguns. Nevertheless, there is no good reason why the sale of the latter should not be as tightly controlled as the sale of the former.

Another notion being kicked around is that crime would be curbed if persons who already own guns were required to come forward and register them with the authorities. This strikes us as being close to the ultimate in nonsense. And for this reason: If such a requirement were in force people who obey the laws presumably would comply. But the criminals, those who use their guns to kill, rob and commit other crimes of violence, most assuredly would not. And if registration were to be followed by a requirement (this actually has been advocated) that people surrender their weapons, the net effect would be to deprive the law-abiding citizen of such protection as he may enjoy from keeping a gun in his home or place of business, while making things easier and safer for the criminal types who are not about to turn in their weapons.

There is one thing, however, which could be done and which might be effective. This is to enforce, and if necessary toughen, the laws which make it illegal to carry a concealed weapon without a permit.

This may come as a surprise, but under existing law it is a mere misdemeanor for the first offense of carrying a concealed gun on the street without a permit. The maximum penalty is a $1,000 fine and a year in jail. Needless to say, the maximum penalty is rarely if ever imposed. Why not make the maximum mandatory, or even increase it?

In other circumstances, being convicted, for example, of possessing a gun while committing a felony, such as robbery, the maximum penalty can be 15 years or more. But the maximum is never imposed.

It is our view that the gun toters would think twice and maybe three times before exposing themselves to a really tough sentence—if they knew that the tough sentence surely would be imposed. Why not try it? And if the judges, for whatever reason, won't be tough about it, then Congress can make the severe sentences mandatory.

Instead of wringing their hands and advancing more or less futile proposals, the anti-gun people should get behind some such project as this.

GUN CONTROL PREVENTION ACT OF 1968

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the tragic assassination of Senator Robert F. Kennedy, the tragic assassination of the Reverend Dr. Martin Luther King, Jr., the tragic assassination of President John F. Kennedy, certainly should compel all of us to reexamine the question of gun control and recognize that it is time for an effective system for licensing firearms in this country. Therefore, I introduced last week the Gun Crime Prevention Control Act of 1968 (H.R. 17879), which was introduced by Senator TYDINGS in the Senate, to require the registration of all firearms and the licensing of all users.

I urge pompt action on that.

It is appalling that there should be such resistance to effective legislation.

In addition to legislation, there are administrative actions which can be taken.

Last week the Postmaster General took constructive action toward countering the danger of firearms. Forthwith, mailed packages containing firearms must be clearly labeled "Firearms," and such packages will not be delivered until the name and address of the recipient have been forwarded to the local law enforcement agency.

However, only a portion of the firearms purchased by mail order are actually delivered through the mail. The remainder are shipped by carriers such as Railway Express, United Parcel Post, and other private delivery services. These domestic land carriers fall under the jurisdiction not of the Post Office Department but of the Intertate Commerce Commission. The Postmaster General's action will not be very effective if it can be circumvented by other delivery services.

Therefore, on June 13, I telegraphed Paul A. Tierney, Chairman of the Interstate Commerce Commission, urging the Commission to adopt the Postmaster General's position and to issue regulations directing that no package containing firearms be sent via any land carrier in the United States unless the package is clearly labeled "Firearms," and that no such package be delivered until the name and address of the recipient is provided to the local police.

Firearms in the hands of irresponsible and criminal elements present a threat to each citizen of our Nation which this Government can no longer ignore.

The statistics concerning shootings in the United States are shocking; Attorney General Ramsey Clark, testifying before the Senate Special Subcommittee on Juvenile Delinquency on July 18, 1967, estimated that between 1,800 and 1,900 Americans—about 50 a day—were shot to death in 1966. At that rate, as we sit here this afternoon, 10 Americans will die from wounds inflicted by firearms. In 1966, the latest year for which Federal Bureau of Investigation figures are available, 6,552 Americans were murdered with guns, more than died in Vietnam that year. As we sit here this afternoon four Americans will be shot to death.

There can be no doubt that a large proportion of these murder weapons were purchased by mail order, a system which allows anonymity for anyone who wishes to purchase a gun under a false name. Studies of Washington, D.C., and Chicago by the Senate's Special Committee on Juvenile Delinquency revealed that 25 percent of those receiving mail-order firearms had criminal records.

Every step must be taken to control this traffic in lethal weapons. It would be unconscionable to allow the tragic sacrifice of human life to continue.

CONSTITUTIONAL RIGHT TO BEAR ARMS NOT INFRINGED BY REQUIREMENT FOR REGISTRATION

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I listened with considerable interest to the statement made earlier by our colleague, the gentleman from New Hampshire [Mr. WYMAN], regarding the constitutional right of people to bear arms in this country. In the present debate as to whether or not we should have stricter laws controlling firearms in America, this constitutional argument is raised more and more often and many opponents of stricter gun control laws say we cannot have them because the Constitution bars such limitations.

I am not aware of any proposal before any body that would bar citizens from their constitutional right to bear arms. What we are talking about is—more effective control over these arms in terms of registration, in terms of limiting how people may gain access to such weapons, and in proposing that they be denied an opportunity to buy weapons through the mails.

There are many constitutional rights that prescribe certain duties to go with these rights in this country.

One of the highest rights in America

is the right of a free press. Yet newspapers in this country have to follow local zoning laws, newspapers in this country have to abide by libel laws, and newspapers in this country have to submit their books and records for the purposes of taxation. No newspaper that I know has ever said it will not abide by these provisions because it has a constitutional right to a free press.

There are other limitations.

We also have a limitation on free speech.

The Constitution provides the highest freedom to every American, of the right to free speech. Yet, the courts have held that shouting "fire" in a crowded theater when there is no fire is not a constitutional exercise of free speech.

So those who argue that somehow or other, because the Constitution provides a guarantee of a right to bear arms, we shall not in any way abridge the bearing of such arms, are mistaken. I submit, Mr. Speaker, Congress has every right to prescribe adequate rules and regulations for the orderly control of arms and ammunition in an organized society and I believe those who raise objections to proposals for stricter control of firearms in the country on constitutional grounds are torturing the real meaning of our Constitution.

GUN CONTROL LEGISLATION

Mr. YATES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, with reference to what has just been said by the gentleman from Illinois [Mr. Pucinski] respecting the constitutional right to bear arms, those who advocate such a constitutional right conveniently omit citing the entire provision of the second amendment of the Constitution.

The entire provision reads as follows:

> A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

The right to bear arms is not absolute. It relates to organization of a militia. There is no constitutional right anywhere in the basic document of the United States which gives a separate right to bear such arms.

Mr. PUCINSKI. I agree with the gentleman. Nothing has been more distorted in this country by those who object to any further legislation dealing with effective Government control than this whole business of the constitutional guarantee of a right to bear arms. I believe it has been totally out of proportion to reality.

I agree with the gentleman.

Mr. YATES. Would not the gentleman agree with me further that reasonable restraints are called for in the registration of and in the transportation and sale of such weapons?

Mr. PUCINSKI. I agree with the gentleman.

The statement made here earlier today I believe is inconsistent. What is wrong with asking people to register a firearm when they buy it, when the legitimate gun dealers now do that? If a person walks into a legitimate gun dealer now he has to fill out a long questionnaire. What is wrong with saying a person shall personally present himself to buy a gun, instead of permitting mail order traffic?

Mr. YATES. There is nothing wrong with such procedure.

Mr. PUCINSKI. Of course not.

Mr. YATES. Nor is there anything wrong with required registration of such weapons. Registration of firearms is certainly as important as the registration of automobiles.

Mr. PUCINSKI. I believe the gentleman will agree with me that Victor Hugo said there is no force stronger than an idea whose time has come. I believe we can agree the idea for effective gun control is long overdue.

Mr. YATES. I agree with the gentleman.

URBAN EDUCATION—PRIORITY CONGRESSIONAL RECOMMENDATIONS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the following recommendations on urban education financial needs were developed for priority congressional consideration during a special meeting of NSBA's Council of Big City Boards of Education in Washington, D.C., on June 17, 1968. The Council of Big City Boards of Education is a division of the National School Boards Association. Membership of this council is comprised of local school board members who serve on one of the school boards from the 43 U.S. cities, each of which has a core city population of 300,000 or more persons.

The recommendations follow:

1. FEDERAL FUNDING FOR ELEMENTARY AND SECONDARY EDUCATION

We recommend that the funds allocated for Title I of the Elementary and Secondary Education Act, which primarily focuses on the needs of disadvantaged children, be fully funded at $2.9 billion by fiscal year 1970, in accordance with the total authorization for this program. We see this as minimum Federal funding and express the hope that the ceiling will be substantially raised in future authorizations and appropriations. To achieve this critical national objective, the Council of Big City Boards of Education stands ready to support, with the National School Boards Association, an adequate level of Federal taxation—as it may be necessary to insure an adequate level of financial support that will allow local school districts to provide comparable programs within their schools which will more realistically meet the total educational needs of our nation's educationally disadvantaged children.

In addition, we further recommend that the Congress assign a higher priority to education by providing for the exclusion of educational programs from the mandated $6 billion cut in Federal expenditures.

Rationale

We are very seriously concerned that at a time when our nation's central cities are in the throes of an extremely severe financial crisis, that the projected fiscal year 1969 and 1970 Federal expenditures for education will result in a very substantial reduction in the total dollars that will be allocated for educational purposes. This municipal financial crisis is being caused by the twin pressures of rapidly rising numbers of "high cost" citizens who are concentrating within the boundaries of America's cities and quickly diminishing tax resources which reflect the exodus of middle and high income families, as well as business firms, from the central cities to the suburbs. We are especially concerned that the educationally disadvantaged children—wherever they may be located and whose present needs are the greatest—have been most drastically affected by our nation's failure to make them the object of our first and highest priority.

2. NSBA'S PROPOSED PUBLIC HOUSING AMENDMENT

We recommend that the Federally-Affected Areas Program be amended to provide an annual in lieu of local property tax payment of $1,000 per low-rent public housing unit to the local school districts which have these dwelling units within their boundaries. These payments are to be in addition to the existing levels of Federal, State, and local financial support.

Rationale

A highly significant factor in the financial crisis confronting the inner city school systems, which are for the large part dependent for local tax funds upon property tax revenues, is the disparity among school districts in their financial ability and in the educational costs necessary to provide comparable programs for the children from more than 650,000 Federally-supported public housing dwelling units throughout the United States. Though the per-child cost of educating an economically deprived public housing child is quite significantly higher than the cost of educating the more affluent suburban child who is located within another local school taxing jurisdiction, the full local tax cost for public housing children is being borne by property-taxpaying neighbors who themselves constitute a rapidly diminishing tax base. The net result within the more than 2,000 local communities that have public housing units is that children who need education the most are receiving the least. This is not exclusively a large city problem since about three-fourths of the public housing units are located outside of the fourteen largest U.S. cities.

3. ADVANCE FUNDING FOR ESEA TITLE I

We recommend that the United States Senate restore to the Second Supplemental Appropriation bill (H.R. 17734) the "advance funding" request of the President for ESEA's Title I program. We further request that the Senate insist, during the House-Senate Conference on this bill, that this ESEA Title I "advance funding" be retained.

Rationale

We feel that it is a wasteful expenditure of Federal tax dollars when local school districts cannot plan in advance of their budgetary process for the expenditure of these funds. A highly significant step toward resolving the serious problem, caused by the incompatibility of the local school budgeting process with the Congressional appropriations cycle, was taken with the enactment of Public Law 90–247 which authorizes "advance funding" for educational programs. To implement this "advance funding" concept, the President requested this year, in his Second Supplemental Appropriations request (H.R. 17734), $1.2 billion for ESEA's Title I program for expenditure during fiscal year 1969. He also requested a similar amount for fiscal year 1970 in his regular Budget request. We view with serious alarm the regressive action last week (June 11, 1968) by the U.S. House of Representatives in deleting the "advance funding" provision when it passed the Second Supplemental Appropriations bill (H.R. 17734). Senate consideration of this bill is expected during the week of June 17, 1968.

GUN CONTROL LAWS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, present frenzied efforts to enact additional gun control laws should lead to careful inquiry into the real basis for those efforts. It is notable that they are spearheaded by the leftist press which never seems to have a hostile word for Communists or communistic activities in the United States. Regretfully, there are public officials who join in the chorus each time this element renews its demands for gun registration and other limitations on gun ownership.

Somehow in the minds of many well-meaning persons, the ownership and use of firearms has obscured the true causes of crime and has resulted in a national wave of intense effort to enact severe firearms controls both against the criminal and law-abiding citizen without differentiation.

Yet, all of this may be a prelude to denying law-abiding citizens the right to own weapons in the United States.

Obviously crime has reached frightening proportions in the United States. But there is nothing to show that gun controls will cure the problem. A recent feature article in a major U.S. newspaper was entitled "By Night Nation's Capital Is a Fear-Haunted Ghost Town." The opening paragraph states:

> The nation's capital still bustles with people by day. But by night it turns into a fear-haunted ghost town. Few people dare to venture afoot on the streets after darkness falls. Downtown business outside the ghetto is stagnating. Once plentiful tourists are sparse.

All of this somehow the antigun bills are supposed to change. It should be very obvious that the problem is not guns but crime. Antigun laws are not the answer. Taking guns away from law-abiding citizens, or restricting their right to own weapons, will not stop crime. Only vigorous law enforcement will do this.

It is notable that despite the fact that the Supreme Court of the United States has voided every law passed by Congress to curb Communist activities, no hysterical outcry is raised against communism. No drives have been mounted for legislation to replace these voided laws, to register Communists, and to show communism in its true light as the enemy of the American way of life and of world freedom. The FBI files are replete with information which shows that America's domestic problems are being provoked by Communist agitators. At the bottom of every campus outburst, every city riot, and every antiwar demonstration can be found communism and communistic sympathizers. I endorse the proposal that it is time to register Communists—not guns.

This Congressman feels that weapons in the hands of law-abiding citizens help to provide a guarantee against a takeover of America by the elements now seeking to tear down our democratic structure. Certainly these weapons help to meet the obvious need for protection against the lawless elements who seem to operate almost at will in so many of the Nation's cities. These lawless elements are armed and will continue to be armed whether or not weapons are taken away from the law-abiding citizens. New York, which has the most stringent antigun laws in the Nation, also has one of the highest crime rates. Strangely, no one attempts to explain this discrepancy which offsets the current reasoning that curbing guns will curb crime.

I do not object to reasonable and effective firearms control, and I have supported efforts to keep firearms out of the hands of criminals, the mentally incompetent, and unsupervised juveniles. I do object, however, to efforts to unduly restrict the right of law-abiding citizens to own firearms in America, and I oppose legislation which appears to be designed for that purpose.

THE 338TH ANNIVERSARY OF FOUNDING OF DORCHESTER, MASS.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the first settlement founded in 1630 by the Massachusetts Bay Colony and by the Puritan colonists was Dorchester, Mass., now a part of the city of Boston.

A few days ago the city of Dorchester celebrated the 338th anniversary of the establishment of Dorchester. The people of Dorchester have always contributed to the progress of our country both in colonial days and under constitutional government.

In my remarks, I include an excellent article, entitled "A Salute to Dorchester—338 Years Young: The Story of Dorchester," appearing in the Dorchester Argus-Citizen of June 6, 1968:

A Salute to Dorchester—338 Years Young: The Story of Dorchester

Dorchester, the first settlement of the Massachusetts Bay Colony was founded by Puritan Colonists in 1630.

There were fourteen vessels in a fleet that sailed under the command of Governor John Winthrop, from Plymouth, England on March 20, 1630, and on June 6, its company of settlers landed at a place called "Mattapannock" by the Indians, a most favorable site for their new home. This group of 140 men and women, most of whom were Dorsetshire people, had been selected to include the nucleus of leadership for a strong community, in which they would endeavor to perpetuate the ideals of religion and education of the man in whose honor Dorchester was named.

In 1633 the town of Dorchester called the first town meeting on October 8 "to settle and set down such orders as may tend to the general good" and chose twelve "Selectmen" to administer the affairs of the community.

In 1639 the first school was built in Dorchester. Because all boys, poor and rich alike, could attend, it became the first "free" school in America. However, it was not until 1784 that girls were admitted to public schools. The first free high school was opened in 1852.

The original settlement of Dorchester was located inland from Savin Hill on a level stretch later known as Allen's Plain, to the east of Edward Everett Square. The town's earliest streets (Boston Street, Stoughton Street, Pond Street, Hancock Street, Pleasant Street, Crescent Avenue and Savin Hill Avenue) were built through the district north of Meeting House Hill. Probably the oldest roads in Dorchester are Adams Street and Norfolk Street, both of which follow the route of Indian Trails.

From a mere handful of 140 persons in 1630, the population increased by 2,000 in 1800 and again by 6,000 during the next fifty years. The 8,000 residents in 1850 grew to a staggering 150,000 by 1900, an incredible gain of 142,000 people within a span of fifty years. From 1900 it has increased almost daily and in 1950 there were 200,000 residents listed in Dorchester. In 1960 another high of over 250,000 "Dorchesterites" was listed as being in the district.

Today, in the year 1967, Dorchester and its residents can well be proud of its accomplishments, both in education and religion. There are now over fifty schools located in the community, and the educational attainment of its residents is well above the City average. Its many churches continue to serve a universal need and represent the community center in most of the district neighborhoods. The people, predominately working class, perpetuate some of the elements of the early tradition. Dorchester today is still a community of stable, God fearing families and pleasant homes.

GUN CONTROL

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I include at this point in the RECORD excerpts from an article written on the day Senator Robert Kennedy was shot. The author is a sportswriter for the Los Angeles Times.

(By Jim Murray)

LAKE TAHOE, CALIF.—I was going to write to you about fun and games today—a golf match on a sylvan lake, a track meet in a municipal amphitheater.

But once again America the Beautiful has taken a bullet to the groin. The country is in surgery. The Violent States of America. One bullet is mightier than one million votes.

It's not a democracy, it's a lunacy. A country that shrinks from punishing its criminals, disciplining its children, locking up its mad, is like an animal that disregards its senses. It's a lamb defending the lion's right to eat it."

We quarantine the good, the reliable, the honest. We keep a 24-hour watch on the trustworthy but get a habeas corpus to let anarchy loose.

Freedom is being gunned down. The "right" to murder is the ultimate right in this country. Sloth is a virtue. Patriotism is a sin. Conservation is an anachronism. God is over 30 years old. To be young is the only religion—as if it were a hard-won virtue. "Decency" is dirty feet, a scorn for work. "Love" is something you need penicillin for. "Love" is handing a flower to a naked young man with vermin in his hair while your mother sits home with a broken heart. You "love" strangers, not parents.

I will be severely criticized, even ridiculed for crying out. "Lousy sports writer, what does he know?" I can hear. "Who does he think he is, Paul Harvey?" "Fulton J. Murray," still others will sneer. This is the 20th century, they will say, not Disneyland. Well, it's getting to look more like the caveman era every day from this seat. Americans who have a podium should use it today.

I like people with curtains on the window, not people with "pads." The next guy that calls money "bread" should be paid off in whole wheat. I'm sick of being told I should try to "understand" evil. Should a canary "understand" a cat?

These are some of the things, it seems to me, that have put blood on the walls of America. The next funeral procession will be for the Republic itself. The American dream will be rolling up Pennsylvania Avenue behind the roll of drums. It will be buried in Arlington. The Constitution was never conceived as a shield for degeneracy. You start out burning the flag and you end up burning Detroit. You do away with the death penalty for everyone but presidential candidates—and presidents. The national symbol is not the eagle, it's the catafalque.

The point of the country is fear. The rebellion is against good. Men of God become men of the mob. The national anthem is a scream in the night. Americans can't walk in their own parks, get on their own buses. They have to cage themselves.

Get off your knees, America; people cry, but it is ignored. Bare your teeth, they say. Threaten to fight back. The lion bares his teeth and the jackals slink away. A cowering animal invites attack. But America is not listening.

These are the things, it seems to me, that put a young Senator, a servant of his people, into the shadow of death. A young, vigorous country is immobilized by bumper stickers, slogans, neurotic students with their feet on desks they couldn't make, pulling down universities they wouldn't know how to rebuild.

It all begins with that—the deification of drifters, wastrels, poltroons—insolent guests at the gracious table of democracy overturning it on their dismayed hosts.

What have the Kennedy's ever done to deserve ambuscades every five years . . .? What apology can we offer to a family except to resolve to stop being ruled by our refuse, our human refuse, that is? How many good men have to die before we wrest weapons from the terrible hands of our barbarians, demand respect for our institutions, stop glorifying hate?

THE ROYAL WHEEL OF FORTUNE—MACBETH AND KING LEAR, A THESIS BY MRS. SARAH PEPPER WILLIS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, you know all of us are proud of our family and like to commend any member who does anything creditable. My sister, Mrs. Sarah Pepper Willis, who has been a teacher in the public schools of Florida for many years recenfly wrote a thesis as a part of her graduate work entitled, "The Royal Wheel of Fortune—Macbeth and King Lear." Since I am proud of my sister, who received an A+ on this thesis, I thought her thesis on the lives of these two kings might afford some lessons of interest to us all. I place the thesis at this point in the RECORD:

THE ROYAL WHEEL OF FORTUNE—MACBETH AND KING LEAR

(By Sarah Willis)

INTRODUCTION

If there is any "remorseless process" in *King Lear,* it is one that begs us to seek the meaning of our human fate, not in what becomes of us, but what we become. It is life whose quality may be made noble and distinctive. We all recoil from suffering, but we know it is a greater thing to suffer than to lack the feelings and virtues that make it possible to suffer.

From honor and happiness to degradation and ruin, King Lear and Macbeth fell. King Lear fell through blind stupidity and sudden impulse, and Macbeth fell through superstition and the lust for power and position. In the end they are both destroyed because they have betrayed themselves. These two truly tragic figures moved in a world which was rich and complex. Evil mankind is self-slaughterous, but even they know love and die in its cause.

"If evil is stronger than good, it does not conceal the fact that there exists in the same world with evil, nobility that it seeks to corrupt, truth that it denies, and the beauty that it destroys."[1]

Macbeth became possessed and was destroyed by evil. He had an eminently practical nature, but his practical power develops as capacity for crime. He undertook his first crime only after a terrible struggle; however, this capacity for murder seemed to grow until slaughter became an end unto itself.

"Some say he's mad; others that lesser hate him
Do call it valient fury." (Act V, Scene I)

Macbeth was not only a practical man, but he was a man of action, of highest experience, power, and energy in military and political command. On the other hand, he is poorly disciplined in thought and goodness. It is impossible to follow Macbeth's history far without evidence that real love of goodness for its own sake, founded on intelligent choice or deep, lasting affection, has failed to root a single fibre in his nature. Macbeth is willing to take his chance in the next world if only he can be guaranteed against penalties in this life. He seems to regret that he cannot find more incentive to his villainy.

"I have no spur
To prick the sides of my intent, but only
Vaulting ambition, which overleaps itself
And falls on the other." (Act I, Scene VII)

There are two flaws in Macbeth's completeness: His lack of training in thought has left him without protection against the superstition of his age, and he is a prey to supernatural imagings. The practical cannot reach its perfection without the assistance of the inner life, and, therefore, his practical nature afforded him little. In suspense he had no power of self-restraint, and these two things alone were the real source of his self-betrayal.

Consequently: as Macbeth continued to spread destruction wherever he went, adding crime to crime, he became more and more callous, cold, and empty—not even shrieks and cries upset him.

"I have almost forgot the taste of fears;
The time has come, my senses would have cooled
To hear a night-shriek.
Direness, familiar to my slaughterous thoughts,
Cannot once start me." (Act V, Scene V)

I think Macbeth was ultimately aware of all he might have been. Truly he proved to be a desperately wicked man, but he was, I think, more than a "butcher" Malcolm called him. The tragedy of his life is summed up in the tragic words to Seyton when told of beloved wife's death:

"Tomorrow, and tomorrow, and tomorrow,
Creeps in this petty pace from day to day.
Out, out, brief candle!
Life's but a walking shadow, a poor player
That struts and frets his hour upon the stage
And then is heard no more: it is a tale
Told by an idiot, full of sound and fury,
Signifying nothing." (Act V, Scene V)

The final bravado with which Macbeth dies fighting is conventional enough; but he dies as a man free of illusion, and his courage Dr. Johnson says "preserves some esteem." In his last moments, there is something in him of an Everyman without Good Deeds, who before God "hath no helpe at all."

King Lear is an old man who is brought to grief by the vicious selfishness of the ungrateful daughters to whom he has delegated his power, authority, and possessions—and by his own complacent blindness. It is, in a sense, a conflict between the generations, the miseries of old age and retirement, and the tension between parents and children.

"To shake all cares and business from our age;
Conferring them on younger strengths."
(Act I, Scene I)

Lear is an anointed monarch, and the hostile acts against his person are blasphemous treason. The daughters, their men, and their servants are guilty of a double offense, for Lear is not only an abused father, he is a King. He is the victim of an ungovernable pride, self-centered, and complete lack of understanding of his daughters' behavior.

"Filial ingratitude!
Is it not as this mouth shall tear this hand
For lifting food to't?" (Act III, Scene IV)

Only too late did Lear realize that he had committed his all to his two daughters, and that they had all united to beat him down. He appealed to the Heavens against the injustice:

"You heavens, give me that patience, patience I need!
You see me here, you gods, a poor old man,
As full of grief as age; wretched in both!
If it be you that stirs these daughters' hearts
Against their father, fool me not so much.
To bear it tamely; touch me with noble anger,
And let not women's weapons, water-drops,
Stain my man's cheeks!" (Act II, Scene IV)

After Lear's madness, his acute mania gave place to the pitiful spectacle of a shattered intellect. There is no longer sharp suffering, but the whole mind is wrecked. As King Lear leaned over the dead body of his beloved daughter Cordelia, whom he had rejected, he said pleadingly:

---

[1] Babette Deutsch, *The Reader's Shakespeare* (New York, 1946), p. 332.

"Why should a dog, a horse, a rat have life,
And thou no breath at all." (Act V, Scene III)

Lear represents the human soul, and Cordelia represents the human spirit. When Lear banished Cordelia, he threw away "the pearl." He is not banished from Paradise, but he himself banishes Paradise.

David Garrick once expressed in a letter to a friend, "Lear is certainly a weak man. It is a part of his character—violent, old, and *weakly* fond of his daughters."

The old man actually died of a broken heart; however, I feel that Lear's suffering brought him some compassion in the end. If everyone living today could learn a lesson of sympathy brought out in *King Lear*, human misery could well be reduced—and if there is any remorseless process in King Lear, it is one that begs us to seek the meaning of our human fate; not in what becomes of us, but in what we become. Suffering we all recoil from; but we know it is greater to suffer than to lack the feelings and virtues that make it possible to suffer.

BIBLIOGRAPHY

Adler, Mortimer and Seymour Cain. *Imaginative Literature I.* Chicago: Encyclopaedia Britannica, Inc., 1961.

Deutsch, Babette. *The Reader's Shakespeare.* New York: Julian Messner, Inc., 1946.

Elton, William R. *King Lear and the Gods.* San Marino, California: The Huntington Library, 1966.

Knight, Wilson G. *The Wheel of Fire.* New York: Barnes and Noble, Inc., 1965.

Lings, Martin. *Shakespeare in the Light of Sacred Art.* New York: Humanities Press, 1966.

Mack, Maynard. *King Lear in Our Time.* Los Angeles: University of California Press, 1965.

Moulton, Richard G. *Shakespeare As a Dramatic Artist.* New York: Dover Publications, 1966.

Rogers, H. L. *"Double Profit" in Macbeth* Australia: The Humanities, 1959.

MR. LEONARD USINA—A GREAT HUMANITARIAN

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the outstanding citizens of Florida, distinguished banker, civic and church leader, and dedicated American, is Leonard Usina who comes from a distinguished family long eminent in the life of St. Augustine, Fla. Mr. Usina is a man who has immeasurably contributed toward a better Florida and a greater America. His compassionate heart makes the problems of every handicapped or underprivileged person his own problem and he has not only extended his sympathy innumerably but he has given invaluable help toward eliminating conditions which deny to any American what is in essence the American way of life.

The Miamian, published by the Miami-Dade County Chamber of Commerce in the issue of May 1968, carried an excellent article by this banker statesman of Miami, Mr. Usina, entitled "Future Unlimited for Miami—Usina."

Mr. Usina speaks out of great experience, deep understanding, and perceptive vision. I commend this article to my colleagues and fellow citizens and place it at this point in the RECORD:

FUTURE UNLIMITED FOR MIAMI—USINA

Leonard Usina views Miami and all of its problems with the same objectivity that a philosopher views his society.

In many ways, his 77 active years rate him almost the same privileges. A native of St. Augustine, Usina has worked with banks in Jacksonville and St. Petersburg before coming to Miami where he was president of the Florida National Bank and Trust Co. at Miami for several years.

Since 1950, Mr. Usina has organized six banks, each of which he now heads as chairman of the board: the Peoples First National Bank of Miami Shores, the Peoples American National Bank of North Miami, the Peoples National Bank of North Miami Beach, the Peoples National Bank of Commerce, the Peoples Liberty National Bank of North Miami and the Peoples National Bank of Bay Harbor Islands.

Between organizing all of these banks, Leonard Usina has found the time to serve his community in many areas, and to draw certain conclusions that only one who has come to know an area can do.

"Miami has an unlimited future for overall growth, well-balanced, overall growth in hospitals, schools, churches, recreational areas, plus the population that is necessary to have these things," Usina said.

This population growth, which everyone connected with the area realizes is coming, may not necessarily be of the nature many people expect, according to Usina.

"We don't have to have jobs available in order to attract the people to this area," Usina commented.

"The population which we will be attracting will be such that the jobs necessary for their service will follow as did with the Cuban influx.

"All concerns of importance, and even the smaller ones, are offering pensions to their employees now. This plus social security and other benefits will bring a large number of persons over age 65 to Miami in the future. These will be people who will not need a job to survive; however, they will need services, and this means they will create jobs.

As one of the original charter signers for the Metro form of government, Usina believes that an improvement on the system would be to divide the county into boroughs, rather than the present system of several municipal governments.

"Too centralized government is not good for the little people. However, I am basically an advocate of the central form of government.

"I would prefer to see seven boroughs within Dade County, each of which would elect perhaps five representatives to govern that particular section. The one representative elected out of each of the seven would represent that area to the central government," Usina explained.

"Some people tell me this sounds like the old ward politics, and that's bad. I don't think it's that bad. It built Chicago and New York. Our present form of government doesn't give the little guy a chance."

Usina is all for giving the little guy a chance whenever possible. As a banker, he believes that a small percentage of the low income people who are entitled to credit have not been able to get it, and he hopes to be able to accommodate those who are deserving.

"The best way to build up these low income neighborhoods is to finance the establishment of their own businesses. These people can be taught to be merchants and service their own people," he said.

Building up all areas of the economy is only part of the future for South Florida. Usina thinks in terms of Miami becoming a banking center, soon to surpass Atlanta.

"Miami may soon become a Federal Reserve Bank city," Usina believes. "It is only a matter of time, and we are reaching the point when this will become a reality very rapidly. It takes growth. That's all."

Usina recently completed a three-year term on the Federal Reserve Board, and he believes that Miami will soon outdistance Atlanta, not only within its own growth and banking needs, but also as a banking center for all of South and Central America. He has been appointed to a new post as a member of the Regional Advisory Committee on Banking Policies and Practices of the Sixth National Bank Region of the U.S. Comptroller's Office.

Among his other activities are: member of the advisory committee of the Small Business Administration, member of the Florida and the American Bankers Associations, and he has been appointed to the Legislative Committee of the Florida Bankers Association.

Within the community, he has been honored by the Credit Women International of Florida as the "State Boss of the Year" for 1967, and was chosen "Citizen of the Year" by the Miami Shores Chamber of Commerce.

These honors reflect his wide interest in the development of the total community.

In the past, he has been on the Board of Trustees of the Kiwanis International Youth Foundation, a past president of the Miami Kiwanis Club and also past district governor for the State of Florida. Usina is a past deputy of the Knights of Columbus, a member of the Serra Club of Miami, on the Advisory Board of the Florida Memorial College, a director of the Miami Shores Chamber of Commerce and a member of the Miami-Dade County Chamber of Commerce.

His efforts toward the improvement of health services and facilities include working closely on the Board of Directors of the Marion Center for Retarded Children, as a member of the advisory committee of Miami's Mercy Hospital and as a member of the Mental Health Society of Greater Miami.

To add to all of his other honors and distinctions, Usina this month had a building dedicated in his honor at the South Campus of the Miami-Dade Junior College, the Leonard A. Usina Hall of Science.

It's enough to make a philosopher out of a bank executive.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRIEDEL (at the request of Mr. ALBERT), for today, on account of official business.

Mr. CORMAN, for Monday and Tuesday, June 17 and 18, 1968, on account of official business.

Mr. WOLFF (at the request of Mr. ALBERT), for today and tomorrow, on account of official business.

Mr. HOSMER (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. SMITH of Oklahoma (at the request of Mr. WINN), to revise and extend his remarks and to include extraneous matter, for 1 hour, on Monday, June 24.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. ZABLOCKI in two instances and to include extraneous material.

Mr. MADDEN to revise and extend his remarks and include extraneous material.

Mr. SAYLOR to include extraneous matter in his remarks made today on H.R. 7329 and S. 450.

Mr. YATES to revise and extend his remarks made under the 1-minute rule.

(The following Members (at the request of Mr. WINN) and to include extraneous matter:)

Mr. BYRNES of Wisconsin.
Mr. QUILLEN in four instances.
Mr. FULTON of Pennsylvania in five instances.
Mr. LAIRD.
Mr. UTT.
Mr. WINN.
Mr. DERWINSKI in three instances.
Mr. BROYHILL of Virginia in two instances.
Mr. ASHBROOK.
Mr. SCHWENGEL.
Mr. BIESTER.
Mr. WATSON.
Mr. MICHEL in two instances.
Mr. WYATT in two instances.
Mr. THOMSON of Wisconsin.
Mr. CONTE.
Mr. WYMAN in three instances.
Mr. SMITH of Oklahoma.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. FRASER in four instances.
Mr. LONG of Maryland in three instances.
Mr. MURPHY of New York.
Mr. FRIEDEL.
Mr. MORGAN.
Mr. PEPPER in four instances.
Mr. ASHLEY.
Mr. RARICK in six instances.
Mr. GALLAGHER.
Mrs. SULLIVAN in two instances.
Mr. MACHEN in six instances.
Mr. GONZALEZ in three instances.
Mr. O'HARA of Michigan.
Mr. ROYBAL in six instances.
Mr. GIAIMO.
Mr. HAMILTON in two instances.
Mr. VANIK.
Mr. GATHINGS in four instances.
Mr. WHITENER in two instances.
Mr. SMITH of Iowa in two instances.
Mr. MOORHEAD in two instances.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Tuesday, June 18, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1939. A letter from the Secretary of the Treasury, transmitting the annual report of the Secretary on the state of the finances of the Federal Government for the fiscal year 1967 (H. Doc. No. 213); to the Committee on Ways and Means and ordered to be printed with illustrations.

1940. A letter from the Secretary of the Army and the Assistant Secretary of Agriculture, transmitting a notification of a proposed interchange of jurisdiction of civil works and national forest lands (Kinzua Dam and Allegheny Reservoir, N.Y. and Pa.) by the Department of the Army and the Department of Agriculture, pursuant to the provisions of 16 U.S.C. 505a, 505b; to the Committee on Agriculture.

1941. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to correct an inequity affecting officers of the Supply Corps and Civil Engineer Corps of the Navy to the Committee on Armed Services.

1942. A letter from the Under Secretary of the Army, transmitting a draft of proposed legislation to amend title 39 of the District of Columbia Code to provide for the pay, allowances, and benefits of the District of Columbia National Guard performing militia duty in the District of Columbia, and for other purposes; to the Committee on Armed Services.

1943. A letter from the Assistant Secretary for Administration, Department of Transportation, transmitting a list of the purchases and contracts made by the U.S. Coast Guard since November 1, 1967, under the authority contained in 10 U.S.C. 2304 (a)(11), pursuant to the provisions of 10 U.S.C. 2304(e); to the Committee on Armed Services.

1944. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control; to the Committee on Armed Services.

1945. A letter from the Secretary of the Treasury, transmitting a report on foreign credits by the U.S. Government, pursuant to section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1946. A letter from the Postmaster General, transmitting a draft of proposed legislation to provide that the qualification of municipalities for city delivery service be expressed in terms of revenue units, rather than cash receipts, and for other purposes; to the Committee on Post Office and Civil Service.

1947. A letter from the Postmaster General, transmitting a draft of proposed legislation to exempt medical officers and nurses in the postal field service from the provisions of sections 3571 (a) and (c) of title 39, United States Code; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 13780. A bill to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.; with amendment (Rept. No. 1552). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 14205. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes; with amendment (Rept. No. 1553). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 16211. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 276, and for other purposes; with amendment (Rept. No. 1554). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 16402. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission docket No. 337, and for other purposes; with amendment (Rept. No. 1555). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 17524. A bill to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies (Rept. No. 1556). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 203. An act to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes (Rept. No. 1557). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S.J. Res. 157. Joint resolution to supplement Public Law 87–734 and Public Law 87–735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations; with amendment (Rept. No. 1558). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 15030. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer; with amendment (Rept. No. 1559). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 11782. A bill to authorize and direct the Secretary of the Interior to accept allotment relinquishments, approve a lieu allotment selection, and issue appropriate patents therefor to the heirs of Dolly McCovey; with amendment (Rept. No. 1550). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 14654. A bill for the relief of Dr. Olga Concepcion Perez de Lanio; with amendment (Rept. No. 1551). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 13, 1968, the following bill was introduced on June 14, 1968:

By Mr. KIRWAN:

H.R. 17903. A bill making appropriations for public works for water and power resources development, including certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes.

[*Submitted June 17, 1968*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DELLENBACK:

H.R. 17904. A bill to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARSHA:

H.R. 17905. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17906. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 17907. A bill to provide for an extension of Interstate Highway 82 and Interstate Highway 5 in the States of Washington and Oregon; to the Committee on Public Works.

By Mr. KARTH:

H.R. 17908. A bill to amend the Securities Act of 1933 to exempt therefrom certain securities issued by public bodies; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 17909. A bill to amend the definition of "metal bearing ores" in the tariff schedules of the United States; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 17910. A bill to amend the Service Contract Act of 1965 to exempt nursing home care contracts with the Veterans' Administration from the operation of such act; to the Committee on Education and Labor.

H.R. 17911. A bill to amend section 620 of title 38, United States Code, with respect to contracts for nursing home care under such section; to the Committee on Veterans' Affairs.

By Mr. ASPINALL (for himself and Mr. BROTZMAN):

H.R. 17912. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS (for himself and Mr. CORBETT):

H.R. 17913. A bill to adjust third-class bulk mail rates for community service publications, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRASER:

H.R. 17914. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. ROTH:

H.R. 17915. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mrs. SULLIVAN (for herself, Mr. PODELL, Mr. NEDZI, Mr. THOMPSON of New Jersey, Mr. BURKE of Massachusetts, Mr. ASHLEY, Mr. ZABLOCKI, Mr. GREEN of Pennsylvania, and Mr. HOLLAND):

H.R. 17916. A bill to amend the Food Stamp Act of 1964, as amended, for the purpose of authorizing appropriations for the fiscal years ending June 30, 1969, June 30, 1970, June 30, 1971, and June 30, 1972, and for other purposes; to the Committee on Agriculture.

By Mr. HALPERN:

H.J. Res. 1333. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HAMILTON:

H.J. Res. 1334. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HATHAWAY (for himself and Mr. JACOBS):

H.J. Res. 1335. Joint resolution to provide for the revision of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mrs. KELLY:

H.J. Res. 1336. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. MILLER of California:

H.J. Res. 1337. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

352. The SPEAKER presented a memorial of the Legislature of the State of California, relative to establishment of an insurance fund for protection of shorelines from offshore oil development, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 17917. A bill for the relief of Domenico DiChiefalo; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 17918. A bill for the relief of Pauline Hollingsworth; to the Committee on the Judiciary.

H.R. 17919. A bill for the relief of Graziano Randazzo; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 17920. A bill for the relief of Agostino Licata; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17921. A bill for the relief of Dr. Erol Gursel, his wife, Sevgi Gursel, and their daughter, Sumru Gursel; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 17922. A bill for the relief of Caterina Elisabetta Polera; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 17923. A bill for the relief of Peter Karamitos, Sophie Karamitos, George Karamitos, and Aggelo Karamitos; to the Committee on the Judiciary.

H.R. 17924. A bill for the relief of George Xydis; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 17925. A bill to authorize the negotiated sale of not to exceed five vessels from the reserve fleet to the Calabrian Co., Inc., New York, N.Y.; to the Committee on Merchant Marine and Fisheries.

By Mr. O'HARA of Illinois:

H.R. 17926. A bill for the relief of Demetre Spiliakopoulos; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 17927. A bill for the relief of Vincenzo La Bella; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17928. A bill for the relief of Ali Samimi; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 17929. A bill for the relief of Christaline A. Ysaguirre; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

FRASER'S STATEMENT ON ANTIPROLIFERATION TREATY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. FRASER. Mr. Speaker, I am proud to call attention to the vote of the United Nations General Assembly expressing overwhelming support of the treaty for the nonproliferation of nuclear weapons.

The great majority of countries have voiced their strong determination to band together to halt the spread of these weapons. Due largely to the farsightedness of President Johnson and the perseverance of chief negotiator William C. Foster, the role of the United States has been a prominent one.

Many governments participated during the 4½ years since this treaty was introduced in the Disarmament Conference at Geneva. We should extend our gratitude to all those who worked to make this historic step possible. The success of this treaty is also an encouraging demonstration of the promise as well as the reality of Soviet-American cooperation. With the Soviet people apparently sharing our desire to halt the arms race, the spirit of cooperation can, hopefully, be strengthened in the months to come.

Finally, I need hardly point out that the treaty will not take effect until ratified by the Senate. Prompt and favorable consideration will insure that the United States remain in the forefront, as an example to any country having lingering doubts about the sincerity of our commitment.

WHAT KIND OF COUNTRY?

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. GRIFFIN. Mr. President, it is always a special occasion when one has the opportunity to return to the community where he grew up to give the commencement address.

I ask unanimous consent that the text of an address which I delivered recently on such an occasion be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WHAT KIND OF COUNTRY?

(Address by U.S. Senator ROBERT P. GRIFFIN, Garden City, Mich., High School, June 13, 1968)

Dr. Shader, distinguished officials, members of the faculty, proud parents, graduates of this 1968 class, and friends:

Because I return as an alumnus of the Garden City school system, I feel that this occasion has very special meaning for me—just as I know it does for each of you who will receive your diploma this evening.

Back in 1941, when I worked in Wolf's Drug Store at the corner of Ford and Middlebelt, and looked forward—as you do tonight—to receiving my high school diploma, I had no idea that I would have the honor to return some day as a U.S. Senator to deliver the commencement address in such a beautiful school, before such a large, and, I'm sure, such a distinguished graduating class.

To the many who must be concerned, let me say that, although the tug of nostalgia is strong and although Senators are notoriously long-winded, I pledge that I shall be reasonably brief. I realize that I now stand as a last major obstacle between you and your diploma, and I want to assure you there will be no filibuster.

The story goes that a father tip-toed into the bedroom of his sleeping son to borrow a map of the United States on the boy's desk. As the father picked up the map and started toward the door, the boy awoke and sat up in bed.

"Dad," he said, "What are you doing with my country?"

A week ago yesterday, in the early morning hours of that fateful day when Senator Robert Kennedy was shot, our family huddled around the television set, hanging onto every word of news which followed that horrible act of madness. At one point, our oldest son, Paul—who will graduate from high school tomorrow—turned to me and said—

"Dad, what kind of country have we got?"

Since then, I've been thinking a good deal about that question. I thought about it as I sat in St. Patrick's Cathedral in New York City last Saturday morning.

I thought about it last Saturday night as I watched the casket move slowly toward its final resting place in Arlington Cemetery—a casket with the remains of a colleague who sat next to me, and worked next to me, as a member of the Senate Committee on Labor and Public Welfare.

Needless to say, there is no simple, ready-made and completely satisfactory answer to that searching question—a question that is deeply troubling all America today—and particularly young Americans.

But this evening I should like to share with you some observations, some reflections, some thoughts of one father who has pondered the question of his son:

"What kind of country have we got?"

There are those who say that a mood of violence has spread across our land—a mood of violence that is peculiar to America. There is fear that a kind of madness is loose which threatens our very existence as a Nation.

In this season of tragedy and turmoil there has been a rush to indict the whole population for the act of one fanatic.

Let me suggest that this is a time to keep your cool—to hang onto your head, even when those about you seem to be losing theirs. This is a time to reach for solid ground—to maintain some perspective.

To be sure, our society has many faults and is not blameless. But it also happens to be a fact that the accused assassin of Senator Kennedy is not a product of our society; his apparent motives were not related to any of the domestic problems which so deeply trouble us; he is not a citizen of the United States; he is a product of division and violence in the Middle East—not America.

As we survey with deep concern the violence that has disrupted our society, it is no consolation to note—but still it is a fact—that violence is not peculiar to our nation or to our times.

Back in 1741 more than 30 years before the Revolutionary War and the Boston tea party there was a terrible riot. When it was over, 13 Negroes had been burned alive, more than 100 Negroes and whites were convicted of arson, and 22 people were hanged.

In 1863 during the Civil War some poor Irish immigrants started a riot in New York City. They complained bitterly that the burden of the draft fell inequitably upon them, and they feared the loss of their jobs to newly-freed Negroes.

When the riot was over, 1,000 people had been killed, more than 8,000 were injured, and vast areas of New York City had been put to the torch.

Of course, our times are new, our circumstances are different, and our problems are complex. But it may be important—though not necessarily comforting—to realize that even such violence as we have known is nothing new.

When your generation poses the question, "What kind of a country have we got?" I sense an implication—even an accusation directed at the older generation—which says: "You have failed us."

Today, in many different ways, young Americans are saying to their elders: "You have failed us."

And in a sense, the new generation is right.

But let me register the point that throughout human history, no matter how great the progress, each generation has always fallen short of its own hopes—as well as the expectations of the new generation.

Today, we hear a lot about a generation gap. There is, and there always has been, a generation gap. Incidentally, (parents, please take note) every reliable study and survey reveals that the new generation of today—represented by this fine group of graduates—is not only more "hip" than "hippie," they are more intelligent, they are better educated, they are more interested in politics and government, and they have greater potential than any generation in the history of our nation.

Each new generation feels deeply about the failure of the old.

And, each new generation is impatient and dissatisfied.

But this is a condition which kindles the determination that drives the wheels of progress. It should be that way—and our dynamic Republic will continue to thrive and be dynamic so long as it is that way.

Let me be clear. To say that we should maintain perspective against the backdrop of history is not to suggest that we can afford to ignore the problems and divisions which tear at the fabric of our society.

The riots, the assassinations, the rise in crime (9 times faster than the population) all point to the assessment that something is basically wrong.

Racial injustice is not the only thing wrong, but it is part of our problem today.

I am convinced that most Americans, deep down in their hearts, have long had a dream—the dream of a Nation where men really do have equal opportunities and are not judged by the color of their skins.

Although we can point to important progress that has been made, still my generation thus far has failed—and you must face the fact that America's dream is still a long way from fulfillment.

It will be up to you to complete the unfinished work—to bring about the changes in the hearts and minds of people that can make this dream a reality.

Poverty is not the only thing wrong with our society—but it is part of our problem today.

Some people say that the way to cure poverty is for government to provide everyone with a guaranteed annual income, whether he wants to work or not.

The other day, a group from Michigan—people living in Resurrection City as part of the "Poor People's Campaign"—were in my office. One person in the group was a university student, a white girl, who argued vehemently that no one should be expected to work if he doesn't want to, and that the government should support, at a comfortable income level, all who choose not work—for whatever reason.

It was interesting to me that none of the Negroes in that particular group spoke up in support of this point of view expressed by a girl, who left me with the impression that she had probably grown up in Grosse Pointe.

Of course, no one denies that government must take care of those who are unable to take care of themselves.

But I sharply and strongly disagree with those who would destroy the dignity of work and the incentive to work. These people simply do not understand what makes our system operate—and operate so successfully.

Throughout our history, the United States has distinguished itself among the nations because our people have worked hard and they have produced. Occupying only 6% of the world's land area, and with less than 6% of the world's population, think of it, our people account for more than ⅓ of the gross national product of the world.

To be sure, charity is a virtue that we should admire and cultivate. And yet, human experience has demonstrated over the years that giving a man something is just about the least you can do for him.

An old Chinese proverb goes like this: If you give a man a fish, he can live another day. But if you teach a man to fish, he can live a lifetime.

In a sense, it must be said that my generation has failed because we have been unable to eliminate all poverty. Perhaps your generation can succeed where we have failed, if you realize that poverty will never be cured with government hand-outs—that it can only be eliminated by making sure that every man is taught—how to fish, and how and why our system works.

Crime is not the only thing wrong with our society—but surely it is a large part of our problem today.

In the aftermath of Senator Kennedy's assassination, Washington is being flooded with letters demanding enactment of a strong gun control bill. So far as I am concerned, I favor such legislation.

But even though a gun control bill could be helpful to law enforcement officials, make no mistake about it—such legislation will not eliminate crime.

What we desperately need today—and

seem to have lost—is plain, ordinary respect for law and order.

That respect can only be restored when and if—

. . . our laws are strictly and promptly enforced, with one standard of justice for all;

. . . when people realize once again that ours must be a government of laws, not of men; that each person cannot choose to obey some laws and ignore others.

Today, some are proceeding on the theory that crime will fade away if somehow we could just eliminate all poverty. Unfortunately, it is not that simple. Morality and affluence are not synonyms—any more than crime and poverty are synonymous.

In fact, there are frightening statistics to prove that the richer we have become materially as a nation, and the more benefits our government has heaped upon us, the poorer we have become morally and spiritually.

During the depression of the 30's, when I was growing up in the Garden City, there was widespread poverty right here in this community. The father of almost every boy and girl I knew—and my own father—was out of work for long periods of time.

People were hungry and welfare payments were meager. Some were able to dig ditches for a dollar a day.

Now, I am quite sure that Garden City was not the perfect model of morality then, any more than it is today. But I am willing to wager anyone (based on relative population), that the crime rate in the community then was no higher—and probably much lower—than the crime rate in Garden City today.

Your generation may be able to succeed where mine has failed, in the war against crime—if you will rediscover some old lessons that we once knew as a nation—but seem to have forgotten.

Benjamin Rush, a close friend of Thomas Jefferson, often said: There is only one way to prevent crime; that is by disseminating the seeds of virtue—to teach morality.

The word "discipline" derives from "disciple"—one who is taught.

Of course, the concept of character building—individual by individual—in poor families and in rich families—is as old as the Bible itself. But, unfortunately, the Bible now is considered pretty old-fashioned. And it's even illegal in the public schools.

In recent years, we have heard many references to a "great Society"—that somewhat illusive, undefined status toward which we are supposed to be striving as a nation.

At the same time, from many quarters, we have been hearing talk that this is a "sick society."

As you ponder your future role, let me emphasize the point that true greatness is never a gift. A "Great Society" will not, and cannot be, the gift of government—or of any politician. Rather, it can only be the achievement of people; people who individually possess the characteristics of greatness; qualities such as: devotion to God, strength of character, humility, integrity, dedication, self-discipline and the desire to work hard with a purpose.

Throughout history, great men and women—whether they have been statesmen, scientists, musicians, authors, athletes or others—have achieved greatness because they possessed—not only ability—but, more importantly, the strength of character to discipline themselves and to work hard with a purpose.

"What kind of a country have we got?"

To be sure, our country is far from perfect. But with all the inequities and shortcomings that cry out for reform still it is the marvel of the ages that our forefathers were able to create, and thus far we have been able to preserve, a society which has afforded more opportunity and more material blessings for more people than any ever previously recorded.

Perhaps the best proof is the fact that throughout our history, as well as today, it seems that everyone wants to come into our country—very few want to leave. Certainly we build no walls on our borders to keep them in.

As you and your generation now step out—to gradually take over and provide the leadership for our Nation, let me caution you in advance that you will often be discouraged-and you will sometimes ask yourselves:

"What kind of country have we got?"

At such a moment, you might remember this thought once expressed by Winston Churchill:

". . . democracy is the worst form of government—except all those other forms that have been tried from time to time."

You graduate at a time when our Nation does face an awesome array of dangers and problems. But I am very optimistic about the future—particularly so long as our system and our institutions produce in the ranks of our young people, the potential for greatness that we see in evidence here this evening. So, I'm delighted to be here and to congratulate each and every one of you on this very important occasion in your life.

Shortly before he died, General Douglas MacArthur spoke to a class at West Point—the school from which he had graduated many years before.

He said (with a paraphrase or two):

"I hope your educational experience has been more than the mere accumulation of some facts and knowledge.

"I hope your education . . .

. . . has molded you for your roles as custodians of the Republic;

that it has taught you to be strong enough to know when you are weak, and brave enough to face yourself when you are afraid;

that it has taught you to be proud and unbending in honest failure, but humble and gentle in success;

to learn to stand up in a storm but to feel compassion for those who fall;

to have a heart that is clear and a goal that is high;

to master yourself before you seek to master others;

to learn to laugh, yet never forget how to weep;

to reach into the future, yet never neglect the past;

to be serious, yet never to take yourself too seriously;

and, finally—in all these ways—that it has taught you to be a good citizen of your country and the world."

Thank you very much.

THE FUTURE AND YOU

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, on June 9, a young man delivered an unusually fine commencement address at Woodson High School in Fairfax, Va., in my congressional district. I believe his remarks deserve the attention of all who read this RECORD.

The address entitled "The Future and You," by Harris Whitton Hollis, Jr., reads as follows:

THE FUTURE AND YOU

Governor Pollard, Mr. Ladson, Students of the Class of 1968, Ladies and Gentlemen:

My remarks today will be brief. I do not wish to duplicate an experience that recently befell a long-winded speaker. After talking for over an hour be brought his fist down and inquired of his listeners: "Did you ever stop to think?" To which came the reply, "Did you ever think to stop?"

As a class we repeat a ritual today that our predecessors have experienced. We begin the ceremony of our High School Graduation. In a few hours we will clip those strands which have bound us together as high school students and make a timid but irrevocable entrance into a new day, a new responsibility and into new associations. For the first time in our lives we will become members of a society not under the daily supervision of our parents.

The oceans and tides, the sky and rains, the mountains and fields, the marvels of technology, the stars and space confront us. We are able to visualize the vastness and complex nature of the society in which we live. Our purpose should be to make some positive contribution to the world and that society.

What can we (as industrious young men and women) do in the days ahead?

We can become involved in the constructive purposes of our Republic and not in its destruction. As students we can strengthen our educational institutions and not merely seize them.

We can work for the honorable and the upright.

We can learn that exercising our freedoms does not involve trampling on our neighbors.

We can understand that the problems of our neighbors are also our own.

We can kindle in our hearts imagination and spirit.

We can work together.

We can seek to understand others and in so doing, understand ourselves.

As young people, we can strive to be better human beings, and lend a helping hand.

In all of this we, as the Class of 1968, can learn, teach and ultimately lead.

This learning can be done in the workshops, classrooms and libraries of our cities, far better than in the streets with placards and slogans.

We can seek to become mature adults, and in maturing gain the insight necessary to govern ourselves.

All of this we can do in the months before us. Our pursuit should be that of improving upon what has already been given us.

Each one of us can strive towards this end. Each one of us should.

BALTIC GENOCIDE DAY

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. GRIFFIN. Mr. President, I wish to join my many friends of Estonian, Latvian, and Lithuanian descent in commemorating Baltic Genocide Day, which was observed on June 14.

Twenty-eight years ago the free and independent Baltic States of Estonia, Latvia, and Lithuania were forcibly occupied by the Soviet Union in violation of peace and nonaggression pacts it had signed with those nations.

For more than a quarter of a century

now the proud people of those areas have suffered under Soviet annexation of their countries. Since 1941, hundreds of thousands of Lithuanians, Latvians, and Estonians have been deported by the Soviet Union to Siberia and other remote areas of the Russian hinterland.

The Soviet Union, by its program of deportation, and other acts aimed at suppressing the national heritage of the Baltic peoples, was cited by the U.S. Congress in House Concurrent Resolution 416—89th Congress—as having engaged in cultural genocide.

It is a cruel irony that the Soviet Union, which for 28 years has held these three nations in bondage, should claim to be a champion of the cause of human rights and an opponent of colonialism.

It is appropriate that those of us who enjoy freedom's blessings take time to honor the spirit and determination of those behind the Iron Curtain who continue to pursue the goal of liberty.

THE PASSING OF MRS. CLYDE BROWN

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. BIESTER. Mr. Speaker, we hear a great deal these days about the problems older Americans have in adjusting to their retirement years and finding things to do to fill their lonely moments. In Bucks County, however, senior citizens have been active and energetic. In no small way, the fullness of their lives has been the result of the unselfish devotion of Mrs. Clyde Brown, Mimi to her friends, who served as executive director of the Bucks County Association for Retired and Senior Citizens in Pennsylvania. Mrs. Brown, active in civic and charitable organizations for most of her life, has served as executive director since June 1963.

Mimi was a member of St. Joseph the Worker Catholic Church in Fallsington, Pa., and was affiliated with the American Red Cross for over 50 years. She became active in the senior citizens program after she was employed by the county as director of adult welfare. During her years in Bucks County, Mrs. Brown had been associated with Lower Bucks Hospital as campaign director for the hospital's building fund drive and for 2 years served as field director for the Heart Association of Southeast Pennsylvania.

Those who were privileged to know Mimi Brown will always remember her smiling face and helpful manner. She was a member of the Daughters of the American Revolution and she was proud of her heritage because she was proud of her country. Last summer, I worked very closely with Mimi in staging a senior citizens forum attended by over 400 residents of the county. The success of this event, as so many of the events of its kind in Bucks County, could never have been achieved without Mrs. Brown's leadership. With the passing of Mrs. Brown, I feel the loss of a very close friend and all of the senior citizens of Bucks County, Pa., share in that loss.

HANOI FOLLOWS FIGHT-AND-TALK TACTICS IN PARIS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "Hanoi Follows Fight-and-Talk Tactics in Paris," published in the New York Times of June 14, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HANOI FOLLOWS FIGHT-AND-TALK TACTICS IN PARIS

(By Hedrick Smith)

PARIS, June 13.—More than two years ago in the jungles northwest of Saigon, a North Vietnamese general is reported to have said at a meeting of Vietcong leaders: "In fighting while negotiating, the side that fights more strongly will compel the adversary to accept its conditions."

These words, in the view of American negotiators, catch the essence of Hanoi's present maneuvers at the negotiations here and on the battlefield in South Vietnam.

This is what Hanoi terms its fight-and-talk strategy. It helps explain why the talks, which began on May 13, have made so little visible progress and why it may be several more weeks before there is a significant diplomatic breakthrough.

For the battle now raging around Saigon is regarded by Western analysts as a textbook example of the fight-and-talk strategy. It involves very high stakes. It is a critical test of strength, which must probably run its course before either Washington or Hanoi will signal any important shift in its bargaining position.

FOE'S OBJECTIVES ANALYZED

The enemy's objectives around Saigon, as seen through American eyes, are to intimidate the civilian population and to erode public confidence in the South Vietnamese Government in its own capital. If they were achieved, these objectives would give Hanoi significant leverage in the negotiations here.

For that reason and because June is regarded as a favorable time for guerrilla fighting in Vietnam, it seems unlikely to Western diplomats here that Hanoi will break off the attacks around Saigon despite the menacing words yesterday of Ambassador at large W. Averell Harriman. He warned that the attacks on Saigon could jeopardize the talks. However, he did not go so far as to threaten an American walkout.

Despite its complaints about the enemy attacks on Saigon, the United States command can be expected to press its counterattacks against the enemy, hoping to force Hanoi to a political compromise.

NEW RISKS ACCEPTED

For months Washington shied away from the idea of entering prolonged negotiations with Hanoi while heavy combat continued, recalling the experience in Korea, where casualties mounted while the talks dragged on.

But just as the United States slid piecemeal into another major ground war, so Washington also finds itself accepting the risks of Hanoi's fight-and-talk strategy.

Accordingly, with talks under way, the allies hope not only to blunt the enemy attacks around Saigon but also to inflict disabling casualties on enemy units. They hope to turn world opinion against the North Vietnamese by accusing the enemy of indiscriminate attacks on civilians.

On the ground, Hanoi's actions follow closely the strategy outlined in April, 1966, by Gen. Nguyen Van Vinh, Deputy Chief of Staff of the North Vietnamese Army, at the Vietcong meeting in the jungle. Allied troops sweeping through the Vietcong-held area in January, 1967, captured numerous documents and notebooks on the meeting, including 22 pages of notes on General Vinh's speech.

NEGOTIATORS MARK TIME

Even then, Western analysis recall, a Hanoi spokesman explained that when the war reached the stage "where both sides are fighting indecisively" there would be negotiations—but not the end of combat and not an automatic acceptance of compromise.

"While negotiations," General Vinh said, "we will continue fighting the enemy more vigorously. It is possible that the North conducts negotiations while the South continues fighting, and that the South also participate in the negotiations while continuing to fight."

He put special stress on stepping up "military attacks, the political struggle and military proselytizing" in the cities.

The concentration on the battlefield has left American and North Vietnamese negotiators here marking time on major issues, though their eight meetings in the last month have brought what one diplomat termed some "gains by nuance."

North Vietnam has overcome the handicaps of American size and prestige to establish a diplomatic parity.

By merely continuing to talk, Hanoi has also managed to perpetuate the partial suspension of bombing against most of its population while its infiltration into the South continues at a heavy rate.

WELFARE'S DILIGENT DISCIPLE OF WORK

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. LAIRD. Mr. Speaker, the executive branch of the Government is fortunate in having many highly motivated and deeply committed personnel in its top echelon. Among these, I am very happy to include my close personal friend, Mary Switzer, of the Department of Health, Education, and Welfare.

I have had the pleasure of knowing and working with Mary Switzer for many years when she was the director of HEW's Vocational Rehabilitation Administration and I was particularly pleased when she was appointed as the head of the new Social and Rehabilitation Service of HEW. Her new area of responsibility encompasses the whole range of social services provided by the Government.

I am pleased to insert in the RECORD at this point an article from the Wall Street Journal, of Thursday, June 13, 1968, which outlines the duties of the Director of the Social and Rehabilitation Service and discusses how Mary Switzer is eminently qualified to fill this new and demanding post:

WELFARE'S DILIGENT DISCIPLE OF WORK

(By Jonathan Spivak)

WASHINGTON.—"My life with rehabilitation has been a continuing renewal of acts of faith by myself and thousands of others who have joined in writing the rehabilitation story," Mary Switzer likes to tell her audiences.

For 17 years, this doughty, determined New Englander managed and merchandised the most politically popular social welfare program in Washington—the Vocational Rehabilitation Administration. Each year, VRA statistics show a mounting number of the mentally and physically disabled (175,000 in 1967) turned into self-supporting, tax-paying citizens. During Miss Switzer's sway, VRA's annual appropriations increased fifteenfold to $315 million and its domain steadily expanded, to encompass not only the medically disabled but those with educational and emotional difficulties.

Now, at age 68, Miss Switzer has assumed a far larger and more frustrating assignment, as head of the Health, Education and Welfare Department's newly organized Social and Rehabilitation Service. She is seeking to stem the inexorable expansion of the relief rolls, now at 8.3 million, and make the much castigated public welfare system palatable to the politicians who appropriate the money and to the taxpayers who ultimately pay the bill.

Of course, Miss Switzer is not alone in her efforts to recast relief into a fruitful social force, unifying families, diminishing dependency and enabling the unemployed to gain and hold jobs. She was picked for her present job by former HEW Secretary John Gardner, who was sold on spreading the rehabilitation philosophy throughout HEW's welfare activities; the department's current chief, Wilbur Cohen, is also an enthusiastic supporter.

MORAL CRUSADER

More moral crusader than welfare bureaucrat, Miss Switzer conceives of work as the salvation of the public assistance systems. Eventually, she would like to transfer aged, blind and disabled public welfare recipients, who are largely unable to work, to the Social Security rolls. Those remaining, unemployed fathers and mothers and their families, would be expected to take jobs, receiving welfare only as a supplement.

"I've done and my family has done housework, the lowest kind of labor," she declares. "Somehow we've gotten away from the idea that people ought to try." Indeed, her greatest thrill in nearly half a century of Federal service was attaining civil service grade 6 as a young Treasury Department aide and earning the munificent sum of $2,300 a year (she now makes more than that a month). The conclusion, of course, is clear—others, by dint of dedication and hard work, should similarly elevate themselves. "When I look at the people in VRA we've given an opportunity to remold their lives, I just think we have to take the position that a human being living in America today wants to be a part of the mainstream of life."

Unquestionably public welfare can benefit from an injection of Miss Switzer's inspiration. The system is bogged down in dreary details, endless record keeping, useless eligibility investigations and immensely complex financial formulas. But the belief that VRA knowhow alone can solve public welfare's woes seems wishful thinking. The differences are too drastic.

The plight of VRA's afflicted clientele catches at the heartstrings; its success stories supply stirring human interest yarns. A polio-stricken mother, paralyzed in arms and legs, raises two daughters, cares for her husband and becomes a local church leader; an aspiring young commercial artist, injured in an automobile accident and bedridden for two years, successfully resumes his career and then repays VRA for the cost of his care.

In contrast, public welfare's constituency, increasingly the Negro slum dwellers, has no appeal to the affluent. Its problems are unpleasant—illegitimacy, unemployment and other social ills—and politicians gain no votes by pushing the program. Welfare recipients are usually publicized only when they are arrested for fraud or other law violations.

VRA is able to pick the people it succors, concentrating on those who are easiest to rehabilitate, so the statistics are bound to look good. Public welfare must accept all applicants meeting eligibility standards, and the relief rolls are clogged with individuals who can't qualify for other, more exclusive Federal aid. Lack of education and motivation make their rehabilitation a formidable task.

VRA is liberally financed, 75% of the cost is paid by Congress, and states often overmatch the rest because of its popularity. Public welfare is in constant financial straits; relief grants invariably fall short of recipient needs, and local legislators quarrel over cost increases to meet its less liberal matching requirements.

VRA counselors, unfettered by legislative restrictions, can do almost anything that promises to help their clients, from buying them hearing aids and orthopedic appliances to enrolling them in college courses. Welfare case-workers, deeply involved in eligibility determinations, seldom have much time left to do something positive for their clients.

INNOVATIONS VERSUS STATUS QUO

Veteran welfare officials look on Miss Switzer as an intruder who naively underestimates the problems of making relief recipients self-supporting. Her emphasis on work offends them, because their main goal is raising grants. Her disdain for bureaucratic details bothers them, because they want to be told precisely what to do. She seeks to popularize public assistance programs, while they accept attack as inevitable. She eagerly envisions innovation, while they rigorously resist change.

Indeed, so far Miss Switzer and her new Social and Rehabilitation Service (an amalgam of existing HEW welfare agencies) have been unable to alter the grim public assistance picture. The number of families receiving aid continues to rise at a rate of about 20,000 a month and total welfare grants creep upward toward a record $5.5 billion a year. Her problems will probably pyramid.

Antipoverty and welfare rights organizations are arousing a new militancy among the impoverished. Many experts believe the rolls are increasingly largely because more eligible poor are claiming public assistance benefits, not because there is more poverty. Some activists even seek to destroy the existing public assistance system, which they view as demeaning and destructive, by loading up the rolls until taxpayers revolt. Others are attempting to organize relief clients into militant political action groups determining their own destinies.

State welfare officials, busy battling Congressional restrictions on Federal aid to unemployed fathers and children in broken homes, have had little time to absorb Miss Switzer's rehabilitation philosophy, and are worried that administrative changes will suddenly be made without their concurrence.

Furthermore, many of the nation's 3,000 local welfare agencies are unwilling to emphasize rehabilitation because it costs more money, at least at the outset. No amount of Federal reorganization can compel them, nor compensate for their shortages of skilled welfare workers.

Many of the measures Miss Switzer would institute could even accelerate welfare's cost climb. She wants to decentralize welfare offices into local neighborhoods to furnish more convenient services, and contract with nongovernmental agencies to meet relief clients' needs. She seeks to simplify procedures for obtaining assistance, and establish safeguards to assure that aid is not arbitrarily terminated.

DELAYED PROGRAMS

Another drawback: Not for years will the results be seen of the work training program adopted last year by Congress as the major means of reducing the welfare rolls. The endeavor was to have started in April, but Congress refused to appropriate the supplementary funds required. Referral arrangements must still be worked out between local welfare agencies and the Labor Department's Manpower Administration, which will furnish the training. Existing work programs for welfare recipients, particularly in Kentucky and West Virginia, may be cut back before the new one (called WIN, for Work Incentive) gets under way, leaving many of the poor in the lurch.

Day care facilities for the children of welfare mothers who want to work are in short supply, and Federal financial aid is insufficient to stir much action by the states. Even if the money were available, lack of space and of trained personnel would be immense obstacles.

One might think Miss Switzer, confronted with such difficulties, would join the growing chorus of critics who want to abandon the welfare program entirely. Their solution is a simpler system that would satisfy the economic needs of the poor without red tape and without rehabilitation—namely, a guaranteed annual income. The exact method doesn't matter, whether negative income tax, family allowance or some other means; it's the principle that's important—automatic payments to the poor.

But Miss Switzer's puritan principles prevail. "I'm absolutely personally unalterably opposed to the guaranteed annual income. I just don't see in America that we ought to accept the fact that we have to support a large number of the younger population."

Thus, for the first time in decades, the nation's public assistance program is headed by a diligent disciple of work. Yet if ultimately Miss Switzer fails, the stage will probably be set for the development she most detests—adoption of a guaranteed annual income.

SENATOR RANDOLPH CONDEMNS RISING CRIME TREND—CITES STATEMENT BY FBI DIRECTOR J. EDGAR HOOVER

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. RANDOLPH. Mr. President, the continually rising crime rate, the acts of violence and hate, the alarming crime-prone young age group, and the apparent tendency not to punish substantially the guilty criminal, bring stark warnings from J. Edgar Hoover, Director, Federal Bureau of Investigation.

Our national crime rate has risen by a fantastic 88 percent in the period between 1960 and 1967, while during the same period our population has risen only 10 percent. This extremely dangerous trend must be halted. Citizens must be protected from those individuals in our society who break our laws and who commit violent crimes. The crime rate must be reduced and our people must once again be able to walk the streets of our cities and towns at nighttime.

I have commented on several occasions that I believe that much of our crime by young people is brought about by permissive parents and by the lack of understanding and discipline in the home. We must realize that rules which are broken during childhood become laws that, in many cases, are broken in adulthood. Small offenses uncorrected in the home often lead to much larger offenses, and ultimately, to the commission of serious crimes later in life.

FBI Director Hoover has set down some very cogent observations in the June issue of the FBI Law Enforcement Bulletin. I ask unanimous consent to have Mr. Hoover's comments inserted in the Extensions of Remarks.

There being no objection, Mr. Hoover's remarks were ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE DOCTOR

The story is told of a mythical young knight who rode out to encounter his first fire-breathing dragon. When he spotted the beast, he froze with fear. He closed his eyes and hoped that the monster would go away. He was wrong, of course, and the dragon devoured him.

We have on the loose in our country today a predatory monster called crime. It is growing in size and violence. Its far-reaching forages threaten every city and hamlet in the Nation, and it strikes fear in the hearts and minds of the law abiding public. It is ripping away the very fiber of our society and our system of government.

The story of alarming crime increase each year is not a new story. Its old and it is true. One appalling aspect is the fact that many people in positions of responsibility continue to deny this truth. They prefer to close their eyes and hope that crime, if ignored, will go away. Here, as with the mythical young knight, this wistful approach is doomed to failure.

Concerted efforts have been made to minimize the seriousness of the crime problem and to explain away the shocking truths behind crime statistics. It is suggested that our population increase is responsible for a corresponding rise in the rate of crime, and that extensive population growth of the crime-prone young age group has not been taken into account in crime figures. Under close examination, as has been shown before, these arguments do not measure up.

For instance, our population increased approximately 10 percent from 1960 through 1967. During that period, the volume of serious crimes rose 88 percent. Thus, crime outpaced the population growth by almost 9 to 1. The young age group population, 10 to 17 years, climbed 22 percent from 1960 through 1967. Arrests of persons in this category for all criminal acts increased 72 percent during the same period.

We hear the claim that improved police reporting methods account for some of the rise in crime and that now citizens are more willing to report to police. These suppositions are weak. Actually, agencies which update their reporting systems are not included in the national trend totals until they have established at least two comparable years under their revised operations. This is done purposely to avoid any paper increase which might result from the change. As to more crime being reported to police, most persons concur that armed robbery and murder, with isolated exceptions, are consistently reported year after year. Consequently, with minor fluctuations, the annual totals for these two crimes should remain fairly constant. Yet, in 1967, armed robbery increased 30 percent above the 1966 figure, and murder rose 12 percent.

Let us not forget that crime statistics are based on violations known to police. We know that there are unlawful acts which are not reported by citizens to police agencies. This will always be true. This factor was known to and recognized by the police administrators, social scientists, and experts on law and public administration who authored the Uniform Crime Reporting program in the late 1920's. The concept is not new, and the fact remains that the criminal justice agencies can only work with those offenses reported to them or detected by them.

The answer to our Nation's crime problem will be found in direct, positive action—not by waiting and hoping the problem will go away. A good beginning would be to let the guilty criminal know that when he is arrested, he will be promptly prosecuted and substantially punished for his misdeeds. A good time to begin would be NOW.

JOHN EDGAR HOOVER,
Director.

GALLANT YOUNG LADY REACHES GOAL—A HOLLY HILL GRADUATE

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. WATSON. Mr. Speaker, I am proud to share with my colleagues a most inspirational story of faith and courage. In spite of an almost insurmountable handicap, Jennifer Martin, of Vance, S.C., has given a good account of herself, not only by her tenacity in securing her high school diploma, but by her outstanding academic record. We can all profit by reading the story of her dedication and bravery, as it appeared in the Times and Democrat, Orangeburg, S.C., on Sunday, June 2, 1968, by Joyce W. Milkie.

The article follows:

GALLANT YOUNG LADY REACHES GOAL—A HOLLY HILL GRADUATE

(By Joyce W. Milkie)

Like every other girl graduate, Jennifer Martin looked forward to her graduation, to the excitement, the emotion, surrounding it. But Jennifer is not exactly like every other girl in just one way . . . she has never attended the school from which she graduated on Friday night, May 31.

Jennifer, the daughter of Mr. and Mrs. Percy Martin of Vance, South Carolina, is 21 years old. When she was just beginning her fifth year in school, active and happy as are other children that age, polio struck, and for a while it looked as though Jennifer's school years were done.

The attendance officer for the County, Mrs. Jeanette Ashely, took up the cudgels for Jennifer. She and other county officials of the Board of Education, including the superintendent, Miss Ellen Chaplin, felt that Jennifer had too good a mind to just allow her to stagnate.

With tutors, dedicated teachers, over the years, ending with Mrs. Agnes Baker who has taught Jennifer in her final year of high school, Jennifer has come to her goal . . . graduation from Holly Hill High School. On Friday night, together with all her classmates, Jennifer rolled down in her wheel chair to receive her diploma.

Not only has she graduated, but she graduated with all A's . . . except for one B in shorthand, which Mrs. Baker worried that she should not have given her.

"After all," said Mrs. Baker earnestly, "she CAN read the symbols and knows the outlines of every one. It really isn't her fault if she can't write them rapidly."

Jennifer smiled lovingly at Mrs. Baker. She didn't seem to mind that B at all.

When I talked with Jennifer, she was anticipating her graduation, and spoke glowingly of having attended the Baccalaureate Service for the graduating class of Holly Hill High School, and of how kind her classmates had been to her.

Mrs. Baker said that Jennifer has taken a straight Commercial course, but that she felt English has been her best subject. "In fact," said Mrs. Baker a little ruefully, "she has taught me English this year!"

Jennifer discussed her handicap with the poise and assurance of a much older person. She said that she is accustomed to do much of her work in bed, where her arms are better supported. She types on an electric typewriter which was the gift of her classmates, and uses only her left hand.

"She types a perfect letter," said Mrs. Baker.

Jennifer said that she has had no trouble keeping up and has learned to work by herself over the years and to accomplish a great deal in the one hour twice a week time in which she has formal teaching by her tutor. Mrs. Baker admitted that she may have given just a little more time than that, once in awhile.

Three to four hours a day are spent on her lessons, but it isn't all work and no play for Jennifer. She loves to fish, and her dad takes her out frequently. He even took her deer hunting this year. Of course, she admitted that about all she could do was sit and listen to the dogs, but that was "wonderful" she smiled widely.

She also collects horses, miniature bronze and ceramic ones, that is. But dogs—those she collects in the all-too-solid flesh! She has a small and rather ancient Manchester Terrier plus five other dogs of her own, and she lays a pretty solid claim to her father's two hunting dogs, too.

The Martin's tiny home allows Jennifer only a small room, but this she has made home like and inviting with, of all things, a leopard print bedspread on the high narrow bed and a matching pillow sham. There are pictures and snapshots stuck around the edge of her mirror and shelves filled with books that Jennifer said she loves to read.

She also sews, knits and embroiders, but when she types, she can use only one hand, the left one. However, when she does the neat and precise bookkeeping that Mrs. Baker showed, she uses her right hand.

Mostly Jennifer said, she does everything for herself. She sometimes needs help in some of her dressing and in getting out of bed, but she hopes to become self-sufficient in that, too, and is looking forward to going to school in Warm Springs, Georgia, for this coming year.

She has been at Warm Springs before, and now the Vocational Rehabilitation people are going to send her there to find out just what her capabilities are, and what she will be best fitted to do. She, herself, hopes to become a "receptionist somewhere maybe."

Two of her greatest loves are her small niece and nephew, children of her older sister, Mrs. Henry Jones of Elloree. "If I have any money," she confided, "I love to buy things for them."

Many of Jennifer's classmates, and many of the townspeople have visited her during this past week or so, bringing gifts and offering congratulations. She has a table in her bedroom loaded with soft slippers, underwear, nighties, a dress, and her class presented her with her class ring, and an annual.

A neighbor, Mrs. G. T. Dukes Jr. of Vance made a handsome cake for her, frosted in yellow with chocolate leaves surounding it and topped with a "mortar board" cap and a tiny rolled diploma. With this, Mrs. Dukes gave her attractive favors in black and white shaped like caps and filled with salted mixed nuts, so that she might offer refreshments to her guests. It was delicious cake . . . I had some!

Her teachers, friends and family said that

Jennifer is always smiling. One remarked that people often drop by to have Jennifer cheer them up. Jennifer chuckled, her deep throaty chuckle and ducked her head.

Is she ever discouraged by the number of things she can't do?

"Not really discouraged," she said firmly. "I always try to look on the bright side. There are many compensations and I have to keep faith."

Faith was a word repeated often, by Jennifer and her mother. Mrs. Martin said that she and Mr. Martin had always had faith that Jennifer would graduate. That they are very proud of her is evident.

"I think I'm pretty independent," Jennifer said, and admitted that her worst failing was, "I get upset too easily!"

Does she have a temper?

"Oh, yes! I have one once in awhile. I wouldn't be a Martin if I didn't."

If she were going to apply for a job, what would she tell her future employer?

"Well I'd tell him that I'd work hard and try to do a good job."

Mrs. Baker said that she, and she was sure any of the other teachers, would recommend Jennifer highly.

What would Jennifer most like to do, if she had her choice . . .

"I'd love to go to Florida . . just anyplace in Florida I have met many people from there and they have been so nice."

She is, however, pretty satisfied that she will be going to Warm Springs. "I love it there!"

Like all girls, Jennifer loves pretty things, especially clothes. She loves music and laughter, and has deep and warm feelings about her family and friends. She enjoys meeting people, learning, and everything is an adventure. She may not be able to do everything, but what she can, she enjoys to the fullest.

Probably most people would call Jennifer "handicapped," but I believe that Jennifer Martin, girl graduate, is a most un-handicapped person in all the ways that matter most.

RESOLUTION CONCERNING EXPANSION OF NATIONAL AIRPORT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. BYRD of Virginia. Mr. President, I ask uanimous consent to have printed in the Extensions of Remarks a resolution concerning the expansion of National Airport, which was unanimously adopted by the Arlington County Board at its meeting on May 20, 1968.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the National Airport is presently being utilized to a point which could be dangerous, and

Whereas, proposals are being suggested to enlarge the runways to accommodate larger planes for greater passenger and freight service, and

Whereas, in order to enlarge the runways it would require further usurpation of the Potomac River which in turn would tend to cause greater flooding potential to all the area below the National Airport, and

Whereas, the National Airport does contribute economically to the immediate surrounding area, provided it is properly regulated, and

Whereas, we do have within a short traveling distance the Dulles Airport, which was constructed at great cost, to take care of the mammoth planes which are being constructed and which are now being proposed for flights in and out of National Airport, and

Whereas, the enlarged airport, larger planes, the increased air pollution, the increased area of the flight patterns, would so compound the problem now existing at the National Airport and in the area surrounding this Airport,

Now, therefore, be it resolved

That the County Board of Arlington County, Virginia, feels that:

(1) That National Airport must not be enlarged: but its present use reasonably restricted.

(2) That if planes are being constructed of such capacities that National is unable to accommodate them, these planes should be routed to Dulles Airport, which Airport was built for this purpose.

(3) That copies of this Resolution be forwarded to Governor Mills Godwin, to our United States Senators and Congressmen, the Alexandria City Council, the Fairfax Board of Supervisors, to the C.A.B., the F.A.A., and the Army Corps of Engineers, with the request that every proper effort be utilized by them in preventing this potentially horrendous situation in our immediate area.

GUINEA PIG CITY, U.S.A.

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. RARICK. Mr. Speaker, several recent announcements in the local papers would indicate that the citizens of Washington, D.C., have and will continue to be used as guinea pigs in the new revolution to justify violence and mental torture against the unwary citizen to promote untried and unproven laboratory theories.

Since many Members may want to be informed on the test tube violence mechanics in preparation of their promotion into other areas, I include that several clippings from the Evening Star and Sunday Star for June 15 and 16, as follows:

[From the Washington (D.C.) Evening Star, June 15, 1968]

POLICE PROJECT: MEET THE AUTHOR OF PRECINCT PLAN

(By John Fialka)

The author of a plan to begin an experimental police precinct in Washington is a 38-old social psychologist who spends much of his time cruising the city in squad cars.

Dr. Robert Shellow has spent the last four months exploring the operations of the Metropolitan Police Department and working with Public Safety Director Patrick V. Murphy on advanced police techniques to use in a "pilot precinct."

If a request for a $1.5 million grant is approved by the Office of Economic Opportunity, Murphy will select one of Washington's inner-city precincts for the project, which will be the first of its type in the country.

Shellow, who would become project director under the proposal submitted to the OEO by Murphy, said he will be ready by early fall to begin such tactics as team police patrols, the use of storefront neighborhood centers, a "family crisis unit" and a youth patrol.

STARTED WITH CALL

It all started when Shellow, who is chief of the Special Projects Section of the National Institute of Mental Health, phoned Murphy in December to congratulate him on his appointment as the District's safety director.

Murphy, who had worked with Shellow on various projects for the Justice Department's Office of Legal Enforcement Assistance, replied, "Do you have any ideas?"

Two months later Shellow, who also served as assistant deputy director of the President's Riot Commission, was on an indefinite loan from NIMH to the District government.

The proposal was approved this week by the board of trustees of the United Planning Organization, the local antipoverty agency, which would help the project establish a police-community council to act in an advisory capacity on policy matters and staffing.

Both UPO and OEO sources say the plan almost certainly will be approved by OEO executives.

TWOFOLD GOAL

The pilot precinct, according to Murphy has a twofold goal: "To curb crime and to give the citizen an increased stake in the safety of his community."

Shellow says in the proposal to OEO that police in Washington as in other major cities, "have come to occupy the role of a coercive, adversary force, especially in Negro innercity areas."

"The one, single most difficult task in starting this thing will be to make people realize that this is their service," Shellow said in an interview. "We are starting with an incredible amount of diffidence."

The focal point for most attempts to overcome the gulf between police and the community of the selected precinct would be five "neighborhood centers"—probably rented storefronts—open 24 hours a day.

The centers would be manned by police and representatives from a number of District agencies that supply services needed in ghetto areas, such as the health and welfare department.

GETTING TO KNOW AREA

The centers also would be the base for team patrols, a technique suggested by the President's Commission on Law Enforcement and Administration of Justice. The patrols would be composed of officers from different divisions, such as the Youth and Criminal Investigation divisions.

According to the proposal, the team would patrol a limited area around the center.

"Instead of being spread thin, they would have an opportunity to get to know families, youth on the street and proprietors of businesses much more intimately," the proposal states.

Other specialized teams, part of the "Family Crisis Unit," would patrol the precinct at large. The unit would be composed of officers who would receive special training in such courses as "family dynamics," and civilian psychiatrists or social workers, working pairs.

Such a unit, already in operation in New York City, is designed to take the burden of responding to family quarrels away from patrol officers, many of whom complain that patching up squabbles between husbands and wives or other relatives, seems to be their whole job.

Another unit that would operate out of the storefronts is the youth patrol. Shellow states that one way to create a bond of trust between youth and police is to employ "those with natural leadership qualities" to patrol their neighborhood on foot.

SEVENTY-TWO YOUTHS IN PROJECT

A total of 72 youths would be selected for the project, he said. They would patrol in teams with walkie-talkies. "We'll let them choose their own uniforms. It may well turn out to be a blazer with a special patch on it," he said.

The youths would be trained to give emergency services, such as first aid, and be given tips on "how to cool situations in the street." They would be responsible to an officer of the precinct and would be watched by youth patrol "supervisors" touring the precinct in cars.

By showing they could handle a variety of emergency problems, Shellow said, the neighborhood centers would develop good contacts with the community and become "two way streets" of information to the police and "conduits of aid to stop the many different types of human misery."

[From the Washington (D.C.), Sunday Star, June 16, 1968]

JOHNSON NAMES DISTRICT OF COLUMBIA PLANNER, NATIONAL CAPITAL PLANS CHIEF

President Johnson yesterday named a Washington city planner, Philip G. Hammer, to head the National Capital Planning Commission, succeeding Mrs. Elizabeth Rowe, whose term expired in April, 1967.

He also named James O. Gibson, a social scientist, as the new citizen member of the 12-member planning group. He replaces Walter C. Louchheim, whose six-year term expired last April.

Both men are members of the Potomac Institute, Inc., a nonprofit organization that works for civil rights. Hammer is on the board of directors and Gibson is a staff associate. Hammer also is president of Hammer, Greene, Siler Associates, a planning firm.

Mrs. Rowe, who learned of the appointments last week, said yesterday she knows both men and "thinks they're great."

She said she expects Hammer and Gibson to carry on with what she considers the greatest accomplishment of the NCPC during her seven-year chairmanship—an emphasis on planning for people.

Mrs. Rowe's husband, James, is a prominent Washington attorney and an intimate friend of President Johnson. Before the President's decision not to run for office again, Rowe had been tapped to run Johnson's 1968 presidential campaign. He now is active in the campaign of Vice President Humphrey.

Hammer, 54, who assumes his new duties July 1, has an economics education and professional background and has been heavily involved in planning since 1950.

From 1950 to 1953, after directing a committee that reorganized the governments of Atlanta and Fulton County in Georgia, he served as director of the Metropolitan Planning Commission in Atlanta.

The firm of Hammer, Greene, Siler Associates, at 1140 Connecticut Ave. NW, was opened here in 1954. It had done studies for more than 140 cities and metropolitan areas on such subjects as housing markets, retail and commercial locations, land development, urban renewal and bond issues.

Hammer is a native of Philadelphia and was graduated from the University of North Carolina in political science and economics in 1936. He earned his master's degree in economics at Harvard.

From 1939 to 1943 he worked as an agricultural economist for the Farm Security Administration and from 1943 to 1946 was staff assistant to former New York Governor Herbert H. Lehman when Lehman directed the Office of Foreign Relief and Rehabilitation Operations.

He served as executive director for a national planning organization, Urban America, and is a vice president of the American Society of Planning Officials.

He is married to the former Jane Ross of Charlotte, N.C. She is a national director of the Inner-City project and a member of the board of directors of the educational fund of the League of Women Voters.

The Hammers have three sons and live at 5152 Manning Pl. NW.

Gibson, 34, is a native of Atlanta and came to Washington in 1964 to direct the Neighborhood Development Center No. 2, a Federal juvenile delinquency-prevention project.

He joined the Potomac Institute staff in 1966, working mainly in equal opportunity and civil rights.

Gibson, a Negro, worked recently with Mayor Richard G. Hatcher of Gary, Ind., as a consultant on problems in the city ghettoes and was a member of President Johnson's National Advisory Commission on Rural Poverty.

He is active in Washington organizations concerned with low-cost housing. He is vice-president of the Washington Planning and Housing Association, of Mayor Walter E. Washington's ad hoc citizens committee on model cities and is director of the Northwest Washington Fair Housing group. He also is director of New Thing, a citizens group that works to bring cultural events to the Adams-Morgan area.

As a staff associate of the Potomac Institute, Gibson helped design equal opportunity programs for most federal agencies, including the Defense Department and the armed services, and helped set up the administrative structure for the federal Equal Employment Opportunity Commission and the Community Relations Service at the Justice Department.

Gibson was graduated from Duquesne University in Pittsburgh. He did graduate work at Atlanta University in Georgia and Temple University in Philadelphia.

FORMER NAACP OFFICIAL

After service in the U.S. Army, Gibson returned to Atlanta as co-chairman of the Student Movement, an early civil rights organization. He also served as executive secretary of the NAACP in Atlanta.

In December, 1962, Gibson moved to Indianapolis to become program director of Flanner House, a settlement house, a job he held until coming to Washington.

Gibson and his wife, the former Kathryn DeFrantz of Indianapolis, an art student at American University, live at 3409 Ordway St. NW.

One of the largest tasks facing the planning commission is the completion of the comprehensive plan for 1985, which is supposed to be a detailed blueprint for housing and location of federal and private employment centers in the District.

Since 1962, the planning commission has been trying to decide on the 1985 plan, but has been delayed by disputes over freeway location and housing policies.

During Mrs. Rowe's period of leadership, the planning commission worked on several major projects. It played a major role in helping the Pennsylvania Avenue Commission undertake its planning work to try to rebuild Pennsylvania Avenue between the Capitol and the White House.

SUPPORTED KENNEDY CENTER

Mrs. Rowe also helped get Congressional support and authorization for the John F. Kennedy Center for the Performing Arts in Foggy Bottom.

Several major urban renewal projects now in the planning stage were approved by Mrs. Rowe. These include the Shaw urban renewal area, the Anacostia-Bolling area, and a downtown urban renewal study.

Louchheim, a lawyer, has been active in planning commission activities. His advice was taken when he warned that the planning commission should avoid voting approval of freeway projects while a group of citizens were fighting the freeways in the court action.

A decision by the appeals court supported that advice.

Louchheim also was the key commission member who fought against moves by the Government Printing Office to take over the National Training School site for a sprawling one-story printing plant. Louchheim argued that the site should be reserved to provide low and middle income housing for the people of Washington.

The planning commission at first voted to approve the training school site for the printing office, but after fierce public criticism, reversed itself.

As a result, the training school site was saved and last year President Johnson said it would be used to provide the type of housing program Louchheim had advocated.

[From the Washington (D.C.) Evening Star, June 13, 1968]

U.S. OFFICIAL APPOINTED MODEL CITIES DIRECTOR

John G. Gloster, a State Department official with a wide-ranging background, has been appointed director of the District's Model Cities program by Mayor Walter E. Washington.

Gloster, 40, will take over the post next Monday and will work under Sherrill D. Luke, city director of program development, who will double as Model Cities administrator.

Gloster will direct the day-to-day operations of the program. The new job pays more than $18,000 a year.

Luke is taking over the administrator's job from Thomas Appleby, director of the Redevelopment Land Agency, who now will concentrate on rebuilding of riot-damaged areas of the city.

In a prepared statement, Mayor Washington said: "This realignment gives greater clarity to the organization and structure of our model cities program."

Gloster is a 1955 graduate of the Harvard Business School with a master's degree in business administration. He is a former finance instructor at Atlanta University.

He has been with the State Department since 1962, currently serving as officer-in-charge of Ethiopian affairs and alternate country director for Northeast Africa.

While in Atlanta, Gloster was an executive of the Negro-owned Citizens Trust Co., was treasurer of that city's branch of the National Association for the Advancement of Colored People, and helped organize the Atlanta Committee for Cooperative Action.

A native of Baltimore, where he now lives, Gloster formerly was business manager at Morgan State College.

The son of a dentist and a school principal, Gloster was graduated with honors from Amherst College in 1948 and received a master's degree from Columbia University in 1951 before attending Harvard.

He will head a staff of 28 persons who will work under a $346,000 federal grant to plan a model neighborhood in the area of the city bounded by 15th Street, Florida Avenue, Massachusetts Avenue, New Jersey Avenue, M Street, 13th Street and N Street, all in Northwest, and Florida Avenue, West Virginia Avenue, Mount Olivet Road, Bladensburg Road, Maryland Avenue and Massachusetts Avenue NE.

Gloster, who said he would move to the District soon, said he was concerned about the frustration of central-city Negroes and hoped that residents of the Model City area would accept a challenge to work together, subordinating parochial and selfish interests to create a model neighborhood.

AMERICAN FLAG DAY SALUTE

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. SCOTT. Mr. President, Mr. Howard C. Van Arsdale, president of the Holland Society of America, has prepared an excellent history of the American flag in a speech which he has given on several occasions to chapters of the Daughters of the American Revolution in my Commonwealth of Pennsylvania.

As one of its citizens, Mr. Van Arsdale is understandably proud that Pennsylvania, and the city of Philadelphia especially, are so prominently identified with the development of our national banner.

As a nation, we have just observed Flag Day. At a time when our national values and purposes are sometimes questioned, it is proper that we should remind ourselves that the stars and stripes, wherever they may fly, are for all Americans a symbol of the best that we could want this country to be.

Mr. Van Arsdale's speech underscores this point. I ask unanimous consent that it be printed in the Record so that all of us may recall, once again, the brave deeds and action which are so much a part of the American flag.

There being no objection, the speech was ordered to be printed in the Record, as follows:

SALUTE TO THE FLAG

(By Howard C. Van Arsdale, Holland Society of America)

Ladies and gentlemen: I should like to preface my talk with a quotation from one of America's great educators—the late Nicholas Murray Butler, a former president of Columbia University:

"On all the earth there are no peoples who ought to be more familiar with Dutch history than those who speak the English language. Of all the nations, none ought to be more grateful than the United States, since from the Netherlands they have in blood, speech, law, industry, inventions, art, and ideas borrowed so much. Even our Declaration of Independence."

Tonight my talk will be on the American flag. The colors of our flag were taken from the Dutch flag and "Long may it wave." Back in 1956 when the Italian liner Andria Doria sank off the coast of Massachusetts, it reminded me of the other Andria Doria that was to receive the first official recognition of our independence—by a foreign government.

The Andria Doria was a brig of fourteen four-pounders and fifteen swivel guns, with a crew of one hundred men, and was commanded by Captain Josiah Robinson of Philadelphia. She was one of a fleet of five ships comprising our infant Navy that was officially authorized by act of the Continental Congress on December 22, 1775—they were the Columbus, Cabot, Alfred, Providence and the Andria Doria.

On the last day of January 1776, the little fleet started off amid the firing of cannon and cheering thousands of spectators on the wharves of Philadelphia. It was bound for the Dutch port of St. Eustatius in the West Indies to obtain clothing, cannon, gunpowder and other war supplies. Her symbol was the flag of thirteen stripes, alternately red and white.

The flag officially adopted by Congress was intended to signify the Union of the thirteen colonies, and their adoption of sovereignty as a state among nations of the world. Except in the number of stripes it was exactly the same as that adopted by the seven states of the Netherlands when they formed a union in 1579 and made their declaration of independence. The usual military flag of the United Netherlands adopted in 1582 was orange, white and blue, in three perpendicular bands: but in 1650, the orange was changed to red. The naval flags were from the start, and all through Holland's career as a republic, alternate stripes of red and white—seven in number—in token of a federal republic. Whatever the origin of our stars and stripes the act of Congress ordaining the flag with which we are now familiar, was not passed until June 14, 1777.

When the Colonies declared war July 7, 1776, the desire was for friendly allies from whom they could obtain supplies for Washington's troops. They knew they could depend upon the friendship of France and Holland, but while she was sympathetic to the American cause, the latter endeavored to maintain her neutrality. This well known and understood feeling of the little mother-country of the Netherlands was also felt in her Dutch colonies, especially where the opportunity for attempting a lucrative trade afforded, as at St. Eustatius in the West Indies.

The little island, first discovered and colonized by Pierre Nicholas Escart with one-hundred and fifty men and one armed ship, was made a French colony in 1629.

In 1631 it was captured by the Spanish with a fleet of forty ships. Later the Dutch took the island. It is one of the leeward islands between the islands of Saba and St. Christopher, the latter belonging to England, thus the Dutch Colony was under surveillance of the strongly fortified British.

In 1776 St. Eustatius Island boasted of several hundred homes. A windmill, a fort and a Dutch reformed church, with a splendid beach on which imports and exports could easily be handled. The governor of the island at the time was Johannes de Graeff, and the commander of the fort and milita was Abraham Ravene, who were responsible to the Netherland Government.

The Andria Doria, bearing a copy of the Declaration of Independence of July 4, 1775, and her commission from the Continental Congress, signed by John Hancock, with copies in blank signed by the same, for the equipment of privateers, and with a thirteen-striped flag flying at her mast-head, sailed into the roadstead of St. Eustatius on the 16th of November, 1776. She dropped anchor before Orangetown and in front of Fort Orange. Not many yards away were the ships of Captain John Dean and Captain John Spicer. The latter, on seeing the Continental Brigantine, with floating flag and Pennon said:

"There comes a tender of a man of war".

"No", answered Captain Dean, "By God, it is an American privateer—don't you see the flag of the Continental Congress with thirteen stripes?"

Watching the vessel until its anchor had been dropped, these Englishmen noticed that the red, white and blue flag over Fort Orange was lowered in welcome to, and in recognition of the American ship. Just as soon as the Andria Doria had heaved to and lowered her sails, she fired eleven guns. Those aboard the ships in the roadstead, especially those on shore who had been waiting the advent of the new flag, watched from the docks, or came out of their houses to witness the salute.

The commander of the fort, Ravene—on seeing the character of the vessel, and recognizing the flag of the American Congress, was in a quandary. What should he do? Should he salute it with the full number of "honor shots" which were usually accorded to men-of-war of a recognized nation—and thus officially recognize sovereignty of the United States of America?

Not desiring to take the responsibility upon himself, he waited before giving orders to return the salute and sought the advice of Governor De Graeff. He was ordered to return the salute with two guns less, as if the Andria Doria were a merchantman. Upon the commander's return to the fort, the Dutch garrison belched forth a salute of eleven guns.

Following this event were serious repercussions. Governor De Graeff was subsequently recalled to Holland. The English protested in no uncertain terms to The Netherlands government and accused it of violating its neutrality in recognizing an enemy!

During the entire Revolutionary War, St. Eustatius was the headquarters of supplies for the American army. It is said that no other port supplied so largely the needs of the American troops. In addition to war materials, supplies of a civil nature were liberally furnished. Even the paper upon which Thomas Paine wrote some of those spirit-stirring papers, on the time that tried men's souls, came from this Dutch port of St. Eustatius.

Following is the text of the plaque given St. Eustatius by President Franklin D. Roosevelt after his visit to Oranjestad. In this the President officially acknowledges that the American flag was first raised on St. Eustatius, and that there the sovereignty of the United States was first recognized:

In commemoration of the salute to the flag of the United States, fired in this fort on November 16, 1776, by order of Johannes de Graaf, Governor of St. Eustatius, in reply to a national gun-salute fired by the United States brig-of-war, *Andrew Doria,* under Captain Isaiah Robinson, of the Continental Navy.

Here the sovereignty of the United States of America was first formally acknowledged to a national vessel by a foreign official; presented by Franklin Delano Roosevelt, President of the United States of America.

Cooper, commenting upon the event in his "Naval History of the United States," says:

"The first salute ever paid to the American flag was fired in return for the salute of the *Andria Doria* when she went to the island."

It was once said that the first salute ever given to our flag by a foreign government was to the American ship *Ranger*, at Brest, France, by the French Government, to the great indignation of the English residents of that place. The event is described by Dr. Ezra Green, surgeon of the *Ranger*, who wrote home:

"This is the first salute ever payed to the American flag." This was on Friday, February 13, 1778—but Dr. Green evidently was unaware of the fact that this incident occurred long after the salute to the *Andria Doria* at St. Eustatius.

LAUNDROMADDENING

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GATHINGS. Mr. Speaker, Mr. Art Buchwald, whose column appears in the Washington Post and other newspapers throughout the Nation, recently commented on the various synthetic materials with his usual wit and humor.

With rapier sharpness, Mr. Buchwald makes the point that those who use cotton and wool need not suffer the problem of special instructions for rinsing, washing, or maintaining. For, as he has had his wife admonish him:

> If you bought suits made of wool and shirts made of cotton, you'd have something to wear tonight.

Mr. Buchwald's comment on the trials and tribulations of miracle fabrics is commended for enjoyable and enlightening reading, as follows:

LAUNDROMADDENING—THE MIRACLE IS WHEN YOU MANAGE TO CLEANSE THE NEW FIBERS

(By Art Buchwald)

There are so many different kinds of clothes made of miracle fibers that one is hard put to remember the instructions on how to launder and clean them. Each new piece of clothing now comes with a long list of instructions explaining how the garment must be treated, plus many warnings about what will happen if the instructions aren't adhered to.

The other day I came home to find my wife washing my 45 per cent alphazate, 25 per cent prymnon, 30 per cent cotton turtleneck sweater. I was horrified to discover that she was washing it the wrong way.

"You're supposed to wash that sweater in cold lamb's milk and you're washing it in warm lamb's milk."

"No," she said. "I read the instructions quite clearly. You wash in it warm lamb's milk and then you rinse it in cold."

"You're thinking about my 100 per cent all-kozel undershirts. My turtleneck sweater is just the opposite."

I was right, because as we were talking the turtleneck started to disintegrate before my eyes.

"That sweater cost me $12," I cried.

"I can't keep all of these washing instructions straight," she said angrily.

"What are you going to do now?"

"I'm going to wash your 89⅓ per cent rogiflex wash 'n' dry shirt."

"You have to use fresh essence of lime mixed with distilled underground spring water," I reminded her.

"Are you sure? It seems to me that there was a warning attached to the shirt that if you use distilled underground spring water the colors would run."

"That only applies to shirts with French cuffs," I told her.

"Of course," she said. "What an idiot I am for not keeping it straight."

I started to put on a clean pair of socks. My large toe went right through the sock.

"What the blazes did you do with my socks?"

"Nothing. I put them in the washing machine, added virgin calf detergent and followed the instructions sewn in the sock."

I read the instructions. "Did you set the washing machine at 7.5 revolutions per minute?"

"I tried to, but I had to hold it manually and my arm got tired," she confessed. "I guess at the end the machine was going 9 revolutions per minute, but I figured it didn't matter."

I threw down the socks in disgust. If it didn't matter, why would they sew the instructions into the sock?"

She started to sob. I felt bad and said, "It's all right. I'll buy another pair of socks that can be washed at 9 revolutions per minute. Well, I think I'll put on my 100 per cent stay-pressed-forever seersucker suit."

I put on the pants. As I was inserting the belt, the legs, just below my hips, collapsed and fell to my ankles.

"What did you do to my suit?" I yelled.

"I had it dry cleaned."

"You're not supposed to dry clean a stay-pressed-forever material," I screamed. "Look, it says right here in the coat that the only way to clean it is to place it over an air conditioning unit for 24 hours."

"I put your Nehru suit over the air conditioning unit."

"The Nehru suit has to be dipped in naphtha and airline hydraulic fuel."

"It didn't say so in the coat."

"The instructions were printed on the beads that came with the suit."

"Don't yell at me," my wife yelled. "If you bought suits made of wool and shirts made of cotton, you'd have something to wear tonight."

"Yeah, but then look at the laundry and cleaning bills we'd have."

BOOSTING BAD DEBTS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Boosting Bad Debts," published in the Birmingham, Ala. News, of June 4, 1968.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BOOSTING BAD DEBTS

Senate Bill 3218, sponsored by Senator John Sparkman of Alabama and others, declares its purpose as being "to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interest of the United States."

Fine and good. We do need to improve our balance of payments. We also need to improve the general fiscal position of the federal government. The President and his economic advisors, the Federal Reserve Board chairman, many members of Congress and responsible business leaders agree that a tightening up and a more realistic approach to spending versus income is critically imperative.

But what does S. 3218 suggest?

It would authorize the Export-Import Bank to employ up to $500 million of its lending authority for "loans, guarantees and insurance . . . those export transactions which, in the judgment of the board of directors, *do not meet the test of reasonable assurance of repayment*. . . ."

Beyond that, S. 3218 would hold the U.S. Treasury liable for losses in excess of $100 million on loans that might turn sour on the Export-Import Bank.

This is a sound approach toward fiscal responsibility? *The News* doubts it. The country can no more assure itself of a stronger financial position through obligating its general faith and credit to back up questionable loans than it can continue to spend its way from under mounting deficits.

We agree with Senator Harry F. Byrd Jr. (D-Va.). Commenting on S. 3218, he declared, "The proposed drastic liberalization of the Export-Import Bank Act is done in the name of improving the balance of payments position of our government. This is a worthy objective. But the best way to tackle the balance of payments problem is by controlling inflation, in which government spending is the major factor.

"I support the Export-Bank. Through the years it has been well managed. But I think it is a mistake to change the basic requirement . . . namely that the bank's export assistance should be limited to those transactions which offer 'reasonable assurance of repayment.' "

The risk involved in such a chancy proposal hardly appears worth the possible good that might accrue. Surely there are much better ways to promote exports without further jarring the nation's already shaky fiscal foundation.

ONE HUNDRED THIRTY HOUSE MEMBERS SPONSOR FOOD STAMP BILL

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mrs. SULLIVAN. Mr. Speaker, I am today introducing bill No. 7 in a series of identical bills to permit the food stamp program to be expanded into additional areas of the Nation. This bill is cosponsored by Mr. PODELL; Mr. NEDZI; Mr. THOMPSON of New Jersey; Mr. BURKE of Massachusetts; Mr. ASHLEY; Mr. ZABLOCKI; Mr. GREEN of Pennsylvania; and Mr. HOLLAND.

With the introduction of this latest bill in the series, there are now 130 Members of the House who have lent their names to this legislation, including 10 chairmen of standing committees and four ranking minority members of standing committees. Thirty-one States are represented.

Mr. Speaker, as I have already said on several occasions since introducing my first bill on this subject back in March, all of the talk about combating hunger or malnutrition in this country—and there is a great deal of such talk here—is nothing but words unless we pass legislation to amend the basic Food Stamp Act of 1964 to permit increased appropriations for this program. Under present law, only $225,000,000 can be appropriated for fiscal 1969 for food stamps, and even though every cent of that amount has been included in the appropriation bill passed by both the House and Senate, it will not permit any significant expansion of the program. This amount will barely cover the 1,027 food stamp projects now in operation.

Following, Mr. Speaker, is a list of the Members of the House, by States, who have joined me so far in cosponsoring the legislation to remove the ceiling on food stamp appropriations for fiscal 1969, and also for the three subsequent fiscal years, so that Congress can then legally appropriate whatever amount it considers justified for this purpose:

Alaska: Mr. POLLOCK.

Arizona: Mr. UDALL.

California: Mr. JOHNSON, Mr. MOSS, Mr. LEGGETT, Mr. BURTON, Mr. COHELAN, Mr. MILLER, Mr. EDWARDS, Mr. SISK, Mr. HOLIFIELD, Mr. CORMAN, Mr. REES, Mr. BROWN, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. VAN DEERLIN, Mr. TUNNEY, Mr. WALDIE, Mr. HAWKINS, and Mr. MCFALL.

Colorado: Mr. ROGERS, Mr. EVANS, and Mr. ASPINALL.

Connecticut: Mr. DADDARIO, Mr. ST. ONGE, and Mr. IRWIN.

Florida: Mr. PEPPER.

Hawaii: Mr. MATSUNAGA and Mrs. MINK.

Illinois: Mr. DAWSON, Mr. O'HARA, Mr. KLUCZYNSKI, Mr. RONAN, Mr. ANNUNZIO, Mr. YATES, Mr. PUCINSKI, Mr. GRAY, Mr. SHIPLEY, and Mr. PRICE.

Indiana: Mr. BRADEMAS and Mr. JACOBS.

Iowa: Mr. SMITH and Mr. CULVER.

Kentucky: Mr. PERKINS.

Maine: Mr. KYROS and Mr. HATHAWAY.

Maryland: Mr. GARMATZ.

Massachusetts: Mr. BOLAND, Mr. PHILBIN, Mr. DONOHUE, Mr. O'NEILL, Mrs. HECKLER, and Mr. BURKE.

Michigan: Mr. RUPPE, Mr. O'HARA, Mr. DIGGS, Mr. WILLIAMS D. FORD, Mr. DINGELL, Mrs. GRIFFITHS, Mr. CONYERS, and Mr. NEDZI.

Minnesota: Mr. KARTH, Mr. FRASER and Mr. BLATNIK.

Montana: Mr. OLSEN.

New Jersey: Mr. HELSTOSKI, Mr. RODINO, Mr. MINISH, Mrs. DWYER, Mr. GALLAGHER, Mr. DANIELS, Mr. WIDNALL, and Mr. THOMPSON.

New Mexico: Mr. WALKER.

New York: Mr. WOLFF, Mr. TENZER, Mr. HALPERN, Mr. ADDABBO, Mr. ROSENTHAL, Mr. CAREY, Mr. MURPHY, Mr. RYAN, Mr. SCHEUER, Mr. BINGHAM, Mr. REID, Mr. RESNICK, Mr. BUTTON, Mr. HANLEY, Mr. MCCARTHY, Mr. DULSKI, Mr. HORTON, and Mr. PODELL.

Ohio: Mr. FEIGHAN, Mr. VANIK, and Mr. ASHLEY.

Pennsylvania: Mr. BARRETT, Mr. NIX, Mr. BYRNE, Mr. RHODES, Mr. FLOOD, Mr. MOORHEAD, Mr. ROONEY, Mr. SAYLOR, Mr. MOR-

GAN, Mr. FULTON, Mr. McDADE, Mr. SCHWEIKER, Mr. GREEN, and Mr. HOLLAND.

Rhode Island: Mr. ST GERMAIN and Mr. TIERNAN.

South Carolina: Mr. McMILLAN.

South Dakota: Mr. REIFEL.

Tennessee: Mr. FULTON and Mr. ANDERSON.

Texas: Mr. PATMAN, Mr. ECKHARDT, Mr. WRIGHT, and Mr. GONZALEZ.

Washington: Mr. ADAMS, Mrs. HANSEN, and Mr. HICKS.

West Virginia: Mr. SLACK, Mr. HECHLER, and Mr. KEE.

Wisconsin: Mr. KASTENMEIER, Mr. REUSS, and Mr. ZABLOCKI.

THAILAND'S VIEW OF VIETNAM

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1968

Mr. SCOTT. Mr. President, on May 10, the distinguished Minister of Foreign Affairs of Thailand, His Excellency Thanat Khoman, addressed a luncheon meeting of staff assistants to Senators. Minister Khoman, who is an able and experienced diplomat, eloquently and articulately presented his Government's view concerning the outlines of a settlement of the war in Vietnam. I ask unanimous consent that the transcript of Minister Khoman's address and the questions and answers that followed during the discussion be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ADDRESS BY HIS EXCELLENCY THANAT KHOMAN, MINISTER OF FOREIGN AFFAIRS OF THAILAND, AT THE SENATE STAFFERS' FOREIGN POLICY DISCUSSION LUNCHEON, U.S. SENATE, NEW SENATE OFFICE BUILDING, MAY 10, 1968

Mr. Chairman, Ladies and Gentlemen, I consider it a real privilege to be here today not to make a speech but, rather, to talk to you as from one man to another; therefore, I hope you will forgive me if I am frank, direct and occasionally blunt, because it is my belief that in this age of ours, international affairs or diplomacy is not something in which you can indulge by turning around the pot or going around the bush but by going directly to the core of the problems. I realise that you, ladies and gentlemen, represent what I might call, I hope you will not take it as an offense, the gray eminence, the real sources of power in this monumental building. I know also that the power that you wield will not be tainted with arrogance but it is a power marked by discipline and, I hope, by reason, because all of us are living in a difficult time, and here in the United States I understand you have been going through a rather difficult debate, some called it agonizing. For us in our part of the world, in Southeast Asia, which is threatened by an appetite for conquest and expansion, it is an even more difficult and agonizing debate. It is a dilemma of whether we shall survive as a free nation, as free men and women, or whether we shall become another province of either North Vietnam or Communist China. This is the meaning of the dilemma for us in Southeast Asia. That is the reason why my county which is a small country has come to a decision after scrutinizing the various developments which have taken place in our part of the world. There is not much choice, we can neither submit ourselves nor wait for the doomsday for the conqueror to come and take us over, taking the fruits of our labours and dominating and changing us. We shall have to do something to safeguard our heritage which has been transmitted to us by our forefathers. And that is why the western press in general would brand us now as a committed nation.

Recalling that in the past Thailand, or Siam as it was known then, was a country which knew how to preserve neutrality and non-alignment, well, I can tell you that it is not out of our desire to be committed. Of course it is suggested that we are committed to the western nations, to the United States in particular. But for us it is not a commitment to any one nation. It is a commitment to our freedom and our independence. We have seen all around us in Asia one country after another which have strenuously sought to accommodate with another larger power or other regime different from their own. This attempt to find accommodation with these expansionist powers has shown to be of no avail.

India was attacked by none other than the country for which it has spoken so many times in the United Nations and other forums of the world. How many times have we listened to the Indian delegates supporting the admission of China, casting vote for China to be taken into the United Nations. How many times have the Indian representatives taught us that a great nation, a large nation if it is not great, a large nation can't be left outside the United Nations. In spite of these friendly thoughts from India toward China. India was the first Asian nation to be attacked by China.

And just look at Indonesia which has strenuously also sought to win favours from China. How many times has it spoken in favour of mainland China, how many times my former colleague, Dr. Subandrio, had travelled to Peking with a plan to set up new terms of agreement. And yet, China wanted to take over Indonesia. It could have succeeded were it not for the small circumstances of two generals being away from their homes and because a young girl sacrificed her life so that her father could jump over the wall and escaped the bullets of the communist agents. I am referring, of course, to the daughter of General Nasution who helped her father and gave her father time to escape while she was felled by the bullets of the communist agents. General Suharto, who is now the leader of the government of Indonesia, escaped the fate of being shot down and thrown into the ditch because he had to go to the hospital to visit a relative. So you see how the trend of a country can be changed by the small circumstances.

And look at Cambodia which, in spite of its anti-Americanism, is complaining very bitterly about the activities of the Chinese communist agents. Cambodia cannot be termed as an enemy of the communists. Cambodia has broken off relations with the United States because it wants to please communist China. And yet, Cambodia is now under the thumbs of the communists.

And Burma, whose leader is now vilified every day and every night by the propagandists of Communist China.

These examples have taught us that perhaps our salvation lies not in hiding our head and not in seeking accommodation with the expansionist powers although there is nothing better than, I would like to add, an accommodation. *But accommodation would not be available or would not be relevant.* That is why we have come to cooperate and to work with other powers which are in the position to resist these expansionist schemes. One of them, certainly a great power, is the United States.

But mind you, and I would like to stress this particular point, because the press has been suggesting on many occasions that Thailand has, or Thailand and others have sought to involve the United States in Southeast Asia and particularly in Vietnam. I do not think there is a grain of truth in such a statement because the United States is a big power, a great power. How can a great power be induced by smaller nations, like Thailand, to get involved in anywhere, in any place, against its own will. It does not hold water to say that Thailand has involved the United States in Vietnam or in Southeast Asia. Rather the contrary is true that if we are now involved in South Vietnam, it is certainly at the suggestion of the United States although I would certainly not blame you for that nor would I say it is because of invitation or inducement or suggestion of the United States that we should be involved in Vietnam. We get involved in Vietnam because we see that it is our interests to be involved in Vietnam or otherwise we would later be involved much more deeply and much more costly than we are now. That is why I suggest that it is idle talk to say that either Thailand has dragged the United States into Vietnam or vice versa—that the United States has dragged Thailand into Vietnam. It is rather a manifestation of our realization of our national interests.

What are those interests? If I may suggest you to look at the geographical map, economic map of Southeast Asia, just to pause upon it for one moment and imagine how much more strengthened the communist powers in Asia would be if they were to be granted the resources of Southeast Asia which are abundant in many respects, in minerals, in petroleum products—I mean in oil, in foodstuffs and in many other resources, and in terms of manpower. If Southeast Asia would be lost to communist powers, it would mean more than 200 million people added to the already large population of mainland China which, I understand, is in the proximity of 650 or more million souls. So this is the reason why we in Thailand believe that it is in our national interests to defend ourselves and to join with others to bring about an effective resistance to the expansionist schemes of other communist powers. Therefore, it is a matter of our common interests that we have to be there. It is not a question of ideology. And we are disappointed to see that certain quarters in America or in Europe have traced this matter on rather emotional and not very realistic basis.

They have been saying that it is, to them, unjust to wage war in Vietnam against communist expansion. For them, morality would mean to close our eyes and to let the expansionist power take over South Vietnam so that at least for a short time we shall not hear about the human suffering and certainly you will not hear about the noise of the gun. That would be a very short-lived peace. That is why we have no belief in this kind of morality, morality which, in my opinion, is based on double standard judgment of value. That it is all right for people or power that is filled with lust or expansionist desire to take over another smaller country, smaller nation.

We in Thailand, we have always been free and independent. We cannot indulge in such a morality nor such a liberalism because we do not like to be liberal with the freedom and independence of our country. It is already hard to defend our own liberty; therefore, we will do everything we can to ensure that our freedom and other people's freedom will be maintained and preserved. Liberalism of the kind that sacrifices other people's liberty and freedom is not our brand and certainly those who would be willing and eager and ready to sacrifice other people's liberty will not appear to the eyes of the world as liberals.

Now, after a long struggle which has cost many lives both from the United States and from our country and other nations in Southeast Asia, we begin to see a little difference. That kind of difference in the terms of events should have taken place sometime ago, perhaps six months or perhaps a year. If it did not take place, I believe it is because of the encouragement that the expansionist powers have been getting from many quarters in Europe and in America. Now at last, I think they have come to the realization that the possibility of their winning a military victory, of attaining their objectives militarily, has gone. And that is why they have come to the realization that perhaps at the conference table they might use their various resources, especially propaganda resources, playing on the emotion and the dissension in various quarters in the world, to snatch a political victory or a diplomatic victory at the conference table and that is why we begin to hear about the agreement of the other side, North Vietnam, going to join, to have a talk with the United States. The first meeting has been held as you know but how many more meetings will be required. No one knows. And certainly I would not attempt to give you the number of future meetings before any concrete results will be obtained. And now that we are engaged in a difficult time, perhaps we might try to look at our diplomacy—what, in our opinion, should be done and should not be done.

In our modest and humble opinion, we believe that it would not be in our interests, in the United States' interests or in Thailand's interests, to get what I might politely call an agreement which would camouflage a surrender. I do not believe that by agreeing to a makeshift solution we are serving the interests of our nations. Why? Because if we were to agree to such a patchwork, peace will come and stay only for a short time, maybe a few months or may be a year at the most. And then the whole thing will begin again. You may know that it is the axiom of the communist side that they move perhaps two steps forward and one step backward and so on so forth. Therefore, they would be willing to get even half a step backward with a possibility of getting two steps forward. If we were to agree to a solution that does not bring a lasting solution, your country and mine and others will have to resume our struggle again. This is the meaning of what then would appear to us to be camouflage solution to a surrender.

I have in mind particularly a solution that has been thrown around in this country and in other parts of the world that a coalition government is a necessity for the other side to agree. I cannot agree with this in the sense that we, which means the United States and Thailand and others, should join in imposing on South Vietnam such a kind of solution. Some fifteen or sixteen years ago when we settled the Korean war, no mention was ever made that South Korea should be imposed a coalition government. War came to an end because North Korea had had enough with the war and could not pursue any further aggression towards the South. Now, after the attempt in Laos to set up a troika coalition government, such a solution has become or has appeared to be a panacea for the Vietnam situation. But if anyone were to be reasonable enough to look at the situation prevailing in Laos, one would be convinced that coalition is certainly not a remedy for curing the ills in neither Laos nor Vietnam. Laos was imposed a solution by other powers to adopt a troika coalition government. It did not work from the start, it was a still-born baby right from the beginning because the communist faction, the communist element of the three elements, refused to observe its part of the bargain. The communist faction never allowed the Prime Minister of Laos, Prince Souvanaphouma, to inspect the territory held by the communist side. They have not withdrawn their forces and they have kept on maintaining considerable obstacles against the legitimate government of Prince Souvanaphouma.

If a coalition government did not work in Laos, what makes them think that a coalition government would work in Vietnam, unless we have at the back of our mind the idea that by suggesting a coalition government we want to get over with Vietnam and agree to a moratorium for the communists to take over South Vietnam. If that is the real intention behind the solution of coalition government, then of course there is some reason for putting forward such a solution. But I can tell you that in my part of the world no one will accept that solution imposed from outside. If a coalition government were to emerge in South Vietnam, it should come as a result of a free expression, expression of free will or free wishes, of the population of South Vietnam and not through a directive from a group of powers outside of Vietnam. If it is the wishes of the people in the South to have a coalition government with the Vietcong or the so-called National Liberation Front taking part in it, then it is all right. But I do not think that anyone, any free nation in Southeast Asia, will agree to the solution of a coalition government being imposed by outside powers. This is the point which, I think, should be made clear. The other point which is very important is that we have agreed for the time being to give the mandate to the United States to talk for us, to talk for those nations which have taken part in resisting aggression in Vietnam. It is a limited subject of preparing for future substantive talks. But no one, I say this with due respect to the United States, no nation in Southeast Asia, and that comprises Australia, New Zealand will agree to give the mandate to the United States to settle the Vietnam problem on our behalf. I do not believe that it is the intention of the United States to exact that kind of mandate from us, nations of Southeast Asia. The question does not arise that we should give mandate to the United States to bring about a lasting, a final solution on the Vietnam question.

The United States, in my opinion, has an option of continuing the efforts with other nations in Southeast Asia to bring about peace and stability in Vietnam or if it is felt by the great majority of the American people that it is not any longer in the interests of the United States to remain in Vietnam and to take the sacrifices, it has the right to withdraw in the same way that it went into Vietnam, not because it has been compelled by anyone to go into Vietnam but because it was thought by three Presidents and many people in the United States to be in the national interest of the United States to be there. Therefore if it is now the consensus of the opinion in the United States that it is no longer in the national interests of this country to be in Vietnam, it can withdraw but not to act on behalf of other free nations in Southeast Asia and to impose a solution which we believe, will not be just and lasting.

This is the point which we have made very clear and with deference to and with the high esteem and respect that we have for your coutnry. We say this not out of animosity against the United States government or American people but because in this instance, in this case of our surviving, of remaining free and independent, it is our duty to safeguard our own interests. And that is, in the final analysis, the basis on which the United States can and will cooperate with other nations not only in Southeast Asia but in the world. But particularly since the problems are now located in Southeast Asia, I believe that we can find an area of common interests with the United States and work together for the interests of the United States and the rest of the world.

This, I submit, is the principal guidance for your country and for mine. And for this purpose my Prime Minister has just come to Washington. He has been received very warmly by the Government and the people of America and we intend to carry on our cooperation, our close cooperation with the United States, with the American people, for our common interests.

QUESTIONS AND ANSWERS

1. Question: Mr. Minister, will you tell us what is your government's assessment of the current state of the communist insurgency in Thailand?

Answer: Well, sometime about a year or so ago the communist danger was quite serious, but our government has put in so much resources, energy and time, men and money and much of our energy to meet the danger and we have to some extent, to a great extent, succeeded. Now, the situation is well under control. It does not mean that it is the end of the danger. But contrary to certain press reports, the situation is under control and I would like to say that we do it with our own resources, namely man power resources. We have never asked our friends, the United States or other countries to send soldiers or to send men to help us to fight communist danger. And I want to emphasize and to stress very strongly that the 46,000 or 47,000 American soldiers who are stationed in Thailand have not been asked nor have they taken part in any combat operation against communist agents in Thailand. American soldiers in Thailand are there for the sole purpose of carrying out the war, the Vietnam war, not for assisting in any way in combat operations against the communists guerrillas in Thailand.

2. Question: Mr. Minister, I would request you to explain further, you may certainly have remarked which I am not quite sure but it is good. I think you said that if the United States—nobody knows what the United States will do—but if the United States agrees to setting up a coalition government and to withdraw American forces—and that the other surrounding Asian nations will choose to—if not agree to this—to carry on the war. What do you mean by that—to continue the war or what alternative will be?

Answer: Well, what I meant was—in 1961 when we had the Geneva Conference on Laos, many nations in Southeast Asia were there to take part in that conference, and then an agreement was reached with the communist side, communist China, North Vietnam and so on so forth, that a troika government should be set up in Laos as a measure recommended, suggested and perhaps imposed by the outside on Laos. That kind of solution will not get our agreement. In other words, we will not sign the agreement. If the United States wants to do that, and I do not think it is the intention of the United States to do that, but in the eventuality of a repetition of such an occurrence—I think the United States will meet with rather strong opposition from other nations in Southeast Asia—meaning that we and many other nations in Southeast Asia will not be parties to such an agreement.

3. Question: Mr. Minister, you discussed earlier about Chinese expansion in Southeast Asia but many have said that North Vietnam is quite independent from Communist China and some even compared North Vietnam with Yugoslavia, will you please comment on that.

Answer: Yes, I heard about that theory. That theory has as much currency as the so-called Domino Theory. I do not know exactly what it means but I have heard from my very close friend who suggested not longer than three or four days ago that North Vietnam could be really independent from communist China.

It was told to the Prime Minister and myself in all seriousness. As the conversation went on about the selection of site for the meeting, first contact, first meeting, between North Vietnam and the United States, and we had been talking about the statement from North Vietnam that it would prefer to have the site of the meeting located in Asia. Then we drew the attention of our interlocutor that among the places suggested by the United States—there were at least three or four places in Asia: New Delhi, Djakarta, Rangoon and perhaps some others. All of them were rejected by North Vietnam.

So we asked—why—then, what reasons had North Vietnam in rejecting those places in Asia. The reply we got and was very suavely said that those places were rejected by North Vietnam out of deference to communist China's dislike for the governments in those countries. *So I think the reply came by showing the measure of independence North Vietnam had or was supposed to have in regard* to communist China. As regards the comparison between North Vietnam and Yugoslavia, I think those who made such a suggestion must have forgotten to look at the map. Yugoslavia is separated by many countries from Moscow, from the Soviet Union, while North Vietnam has long common border with communist China. How can a country which has long common border and which has long been under the shadow of communist China can become a Yugoslavia. It is beyond my comprehension.

4. Question: Mr. Minister, you said that you do not subscribe to the Domino Theory, will you please explain on that?

Answer: I do not know exactly what it means, if it means that the communists have a comprehensive scheme of expanding their control over other parts of Southeast Asia namely that, after they succeeded in taking over South Vietnam, they would intensify their efforts towards taking over Cambodia, Laos, Burma, Thailand, then of course, I would agree. But I do not believe and this may contradict some of the statements or some of the reports which have been made regarding Thailand. That is if South Vietnam were to fall and of course now we have hope that it will not fall under communist control, but if it were to fall under communist control—I do not believe that it would automatically bring other nations like Thailand under communist control. We would do everything we can to avoid that. This is the implication of the so-called Domino Theory with which I would not be in agreement.

5. Question: Mr. Minister, former Ambassador to Thailand, Mr. Kenneth T. Young, was giving a lecture at the University of South Carolina, he discussed peace in Southeast Asia in terms of a family of nations comprising Thailand, Laos, Burma, Vietnam, Cambodia, India and the Philippines which could possibly form a group getting together for peace, have you heard of that view?

Answer: No. What I have been saying to a number of friends and especially in New York when I spoke at the Council on Foreign Relations that it is my humble viewpoint that out of a situation which, in the opinion of some Americans, looks like a bad situation—I mean I am talking about Vietnam war and the participation of the United States—I think it is my personal opinion, modest opinion, that the United States has a real chance to turn the so-called, the alleged, bad situation of Vietnam into a historic situation, historic attempt, to settle not only the war in Vietnam but to bring about a general settlement for the whole of Asia. It may be a long range and of course it will come after the question of Vietnam has been settled. But it is my contention that certainly the United States has a real chance to turn this possibility into bringing about a general settlement in the whole of Asia, by bringing possibly such powers as the Soviet Union, communist China— if it is willing to take part—and all the nations of Asia to establish a durable and meaningful peace. We in our part of the world, in our small portion of Asia namely in Southeast Asia, we have been doing everything we can to start this kind of a nucleus of general settlement in Asia by banding together in the so-called Asia and Pacific Council or in a more limited group of the Association of Southeast Asian Nations. We are sowing the seeds, we are planting the seeds of future settlement in Asia and certainly we keep in mind the possibility of having—say—North Vietnam or perhaps communist China or North Korea—I mean all of the communist regimes in Asia if they are willing to renounce their policy of forceful expansion. We are willing to consider working with them for a general settlement in Asia. We have not lost sight at all of the future and ultimate solution, the war in Vietnam is only a first step. If we can settle that satisfactorily not by a camouflaged surrender to the communists and not by a madeshift solution, then we have a real chance to bring about a long lasting and general comprehensive settlement in Asia.

6. Question: Mr. Minister, I would like to ask you two questions in relation to China:

1. You referred to North Vietnam's deference to China in selecting the site for talk, do you believe that when North Vietnam agrees to hold talks with the United States, is it out of deference to China or against the wishes of China?

2. In the next four years, what policy would you like to say the United States should have towards communist China: the United States should continue the present policy or you prefer a change from one direction to another?

Answer: Well, in reply to the first part of your question, I do not think North Vietnam has agreed to go to meet with the United States' representatives in Paris against the wishes of Communist China. I think North Vietnam has accepted to meet with the American representatives because it has come to realize that a military victory is not possible and that it has reached, North Vietnam has reached, a point of no return—I mean a point of inadequate returns—for the sacrifices and the efforts it has waged in pursuing the war. That is why they believe that to pursue further military efforts—I mean in the large scale and without seeing the end of it—would not be in the best interests of North Vietnam at the present time. Therefore, I think, they would like to try something else and of course the fightings are still going on but with less intensity than before. I think if I were the North Vietnamese, I would want to try something else if the direct fightings are not going to yield the benefits that they had expected. They would like to try something else, perhaps the struggle at the conference table in the diplomatic field may yield better results, or perhaps by continuing the two, they might have better chance or better hope of attaining their objectives. I think this is perhaps the motive or the motivation behind the North Vietnamese decision to meet with the United States in Paris.

Now, the second part of your question, I would like to say in this connection that if in the future Communist China and North Vietnam and North Korea were to indicate some kind of a changed policy and renounce a policy of expansion and willing to work with other non-communist nations in Asia, I would certainly recommend to the United States to give its support to Communist China and other communist regimes in Asia. But as long as these regimes continue their policy of forceful expansion, we would not be in favour of seeing the United States supporting the communist regimes.

7. Question: Mr. Minister, what in your view is a wise policy that this country should follow in particular in Southeast Asia which in the next five years could be calculated to bring a lasting peace other than military efforts?

Answer: Well, as I have begun to make reference to our efforts to forge a Southeast Asian solidarity by creating, by setting up, organization like the Asia and Pacific Council and the Association of Southeast Asian Nations, we would like to relieve the United States of the burdens of defending other nations because we understand that American people in general do not relish the tasks of fighting and killing. We understand that and that is why we in Thailand have always said that the primary task of defending our independence, our freedom, lies with us and that is why we have never asked the United States, the American soldiers in Thailand, to go into fighting to help us. I think the future lies with our cooperation, cooperation between small nations of Southeast Asia and perhaps the entire continent of Asia. If there is sufficient cohesion among the Southeast Asian nations, the danger of conquest and expansion will be greatly minimized and the United States will not have to shoulder such a heavy responsibility. This is what we have in mind. The United States can cooperate with other nations especially the nations of Asia for much more constructive tasks and I think in this kind of tasks the United States excels. Your creativeness has been admired and perhaps envied by the whole world and we certainly would hope to see the creative genius of the American nation come to join with us and to help us or to assist us in bettering the condition of life for our millions of people. I think this form of cooperation will be much more to the taste of the American people and I am sure that the American people can do a very good job because they have shown how creative they have been, how they have brought their undeveloped nation into the most advanced nation of the world in the field of industry, technology and so on so forth. So I think this is the form of cooperation we certainly would like to see the United States engage in relation with us—the nations of Southeast Asia.

8. Question: Mr. Minister, in view of the direct or indirect interests of Thailand and other nations and groups of Southeast Asia in the Vietnam settlement, do you feel that in the talk we should include other nations and groups and not just bilateral between the United States and North Vietnam?

Answer: We do not know yet. The whole thing is very hazy and very misty. We do not know at all at present time.

I have been talking to many people here not only official but members of the press and try to ask them to give me what impression they have and what guesses or estimates they may have about the future development of the talk in Paris. Of course there are a variety of opinions and I am sure, your opinions and guesses are as good as mine. I think it is somewhat too early for anyone to try to venture to predict what result will come. The only thing that I know, that I expect, that I anticipate, is that the talk is going to be a long one. If it took the negotiators at Panmunjom some two years to reach a result, in a much more charming, a much more attractive place as Paris I think they might want to remain there for a much longer time.

9. Question: Mr. Minister, you said earlier that Thailand would be opposed to a Laos-type coalition government being imposed on South Vietnam but you will not be opposed to a self-determination by which such a government may be created, is it in your view you are looking to election throughout both North and South Vietnam into one general country or one unified country under international control and what type of election you are thinking of?

Answer: I do not know either but one thing that I know is that North Vietnam will resist most strongly an internationally-supervised election—that we know for sure. *They want an election in the South but not in the North.* I think it will take a lot of convincing to make them accept election in the North. If they were to accept such a measure, I think we should support that. If North and South Vietnam were to agree to impartial election well observed and well conducted, I think that will be a boon to all of us.

10. Question: Mr. Minister, how do you view the much publicized and so-called split between Russia and China?

Answer: From Asia we look at the split as a rivalry between the two nations which, in spite of their communist doctrines and ideologies, are perhaps more nationalistic than the United States or Thailand. Both Communist China and the Soviet Union are certainly nationalistic and occasionally—I do not hide from you that—I try to play that nationalistic guidance, not with Communist China because I have no opportunity except very rare ones of toasting with Marshal Chen-Yi who incidentally declared guerrilla warfare on Thailand two years ago, but with the Soviet Ambassador in Bangkok. I have tried to talk with him on that nationalistic basis and tried to convince him that even though the Soviet Union claims to be the leader of the communist world, we, non-communist nations, would like to pay our respect and to give our respectful regards to the Soviet Union as a great power if only the Soviet Union can give precedence to the interests of the Soviet Union as a great power and bring down the interests of the Soviet Union as a communist power to a secondary rank. The prestige of the Soviet Union will be much higher than it is now with us or perhaps with the other communist nations. Well, by requesting the old method, it begins to work a little bit and our relation with the Soviet Union is not so bad. They understand us. Of course, they look upon us as a stooge of the United States but who can say anything about that, we know that we are not. The split has stemmed from rivalry of national interests. The Chinese—as you may know—are very nationalistic people, communist or non-communist, mind you. Communist China feels that Asia or perhaps beyond that, especially the underdeveloped nations, should be under the leadership of Communist China and not under the leadership of the Soviet Union. That is why they have come out with the theory which is consistent with this line of policy—namely—the Lin Piao theory of rural areas joining together in fighting the urban areas which comprises not only the United States but also the Soviet Union. This is completely consistent with the Chinese thinking that Communist China should be the leadership of the developing part of the world.

11. Question: Mr. Minister, what is your account for the failure in some quarters of the United States to understand your country which is the United States' ally in Southeast Asia?

Answer: Yes, this is one of the things that our people cannot understand well. We may be backward or outmoded people. We believe that when we are good to some people or when we are friendly to some people, we expect to see reciprocity of friendliness. But we were shocked to see that the reactions is not entirely what we expected. Some quarters would consider us more as the enemy of the United States than friends. They prefer to look upon—say—Hanoi as friends of the United States. May be the influence of the book called "The Enemy Within" or whatever theory may come from that. You may know that we did not ask the United States to send forces or American soldiers into Thailand. We have accepted them and extended to them our hospitality. We have admitted them and have been working with them. Once in a while I received a postcard from certain people who may have a vision very clear, a postcard said "Shame on you for cooperation with the United States and for allowing American troops into Thailand and to use the installations in Thailand." If you ask an explanation from me, I can reply to you as an Asian. You may have heard of an Indian mythology called the Trilogy meaning that the World, the Nation, and the Individual are composed of three elements. As the Indians are very religious people, the elements are represented by Gods. One element is the destructive element represented by God Vishnu who is the God Destroyer. The second element is the preservation element represented by God Shiva. And the third element is the creative element represented by Bhrama. I think this represented the three elements of life according to the Hindu mythology. Three elements of life mean that, in the life of any individual or any nation, there are always three elements but one against another. The destructive side would occasionally take precedence over the preservation side or the creative side. Of course we know that at some stage of our life the destructive side would take over, but I hope it will be for a short period of time and it should give precedence to the preservation side or the creative side.

I would like to say to you that in spite of misunderstanding shown to Thailand or to our nation and, in some cases abuses and insults which may come our way or come in our direction, we have not lost faith in the general spirit of America. I can assure you—and I am not usually saying things I do not believe—that there is greater faith than you would believe in the spirit of America from the far-away country in Asia.

Thank you very much.

CONGRESSMAN BARRATT O'HARA, A PIONEER STATESMAN

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MADDEN. Mr. Speaker, yesterday's Sunday Chicago Tribune contained a five-column story with photographs concerning our colleague, Congressman Barratt O'Hara of Illinois.

It is indeed an interesting résumé of some outstanding events in his long career as a soldier, Spanish-American War veteran, newspaper correspondent, lawyer, Lieutenant Governor of Illinois, and a Member of this House of Representatives.

One omission in the article was when Congressman Barratt O'Hara was Lieutenant Governor of Illinois in 1913, he appointed a commission of which he was chairman and investigated through public hearings in Chicago and other communities the deplorable "sweat shop" child labor practices of some of the factories in that pioneer period. It was the first time a public official in the Nation had the daring ability to subpena into a hearing officials of the so-called child labor practices in the early part of this century.

Among the witnesses subpenaed was the head of Sears, Roebuck Co., who, at that time, was one of the leading employers when the labor of minors was a general practice throughout the Nation.

During the early days, Barratt was associated as a partner with the celebrated nationally known lawyer, Clarence Darrow, and they jointly participated in many criminal and civic cases as cocounsel.

The Tribune story follows:

Barratt O'Hara's Eyes Mist Easily Now

(By Aldo Beckman)

Washington, June 15.—Tears come easily these day to Rep. Barratt O'Hara [D., Ill.], the oldest member of the House.

O'Hara, at 86, insists he is not bitter about his defeat by Abner Mikva in last Tuesday's primary, which spelled an end to his 18-year career in Congress. He's proud of the more than 11,000 votes he received, following what he describes as his "poverty-stricken campaign." But the moisture that creeps into the corners of his eyes seem to belie his insistence that the defeat was "a real relief."

When the Democratic organization refused to reslate O'Hara, his friends warned him he could not successfully buck the Daley machine, but, during an interview shortly after the returns were in, the veteran legislator persisted in his belief that he could have won if the voters hadn't, for some reason, stayed at home.

ABOUT 41,000 VOTES CAST

Only about 41,000 votes were cast, he explained, compared with 60,000 two years ago. The organization always gets out its votes, so all those who stayed at home would surely have voted for him, O'Hara reasoned. He believes the assassination of Sen. Robert F. Kennedy, a week before the primary might have been a factor, but he can't logically connect the shooting with the light vote.

Whatever the reason, O'Hara's career is ended, although he officially remains in office until next January.

Tuesday's vote changed a lot for O'Hara. He's the same proud man, who will go all-out for a constituent, but some things don't seem quite so important now.

RECORD ONE OF BEST

He's always pointed with pride to his attendance record, one of the best in the history of Congress. Except for two months, when he was serving as a special United States delegate to the United Nations several years ago, O'Hara had missed only one roll call in the House since he was elected in 1948.

That one came while he was campaigning in Chicago, on a day when he had been promised there would be no roll calls.

Thursday, a few hours after O'Hara returned from Chicago, three bells rang in his office, signaling a roll call vote. But, instead of dropping what he was doing and heading for the floor, as he has been doing for nearly 18 years, the veteran legislator smiled at an aid and said "Thank God, I don't have to worry about those anymore."

Several hours later, the three bells again sounded, signaling another vote. O'Hara shrugged shoulders, smiled, and went back to his correspondence.

"I knew they weren't key votes," he explained later, "or I'd have gone over."

HEADED AFRICAN COMMITTEE

O'Hara spent most of his career in the House on the foreign affairs committee, and headed the African subcommittee since its conception in 1959.

He sees a great future for the African continent, comparing circumstances there now with the way America was growing 70 years ago.

His outlook for America isn't quite so rosy. He fears that America may be getting soft during its prosperity. He is frightened by the growing nuclear arsenals thruout the world.

"You can't serve on the foreign affairs committee as long as I have without feeling deep concern," O'Hara said. "World War III is inevitable, I fear, and I'm not sure our civilization will survive the next half dozen years."

His greatest fear is Red China, which he believes will have the potential to deliver a nuclear bomb within the next two years.

RECALLS "PUEBLO" INCIDENT

"The night a group of us was called to the White House to be told about the capture of the Pueblo, we all knew how close we could be to World War III," he said.

O'Hara has made many trips to the White

House, at the behest of both President Johnson and the late President Kennedy.

"I served in the House with Jack Kennedy," he recalled, "And I told him one day that he got his sweetness from his mother's father, who was the mayor of Boston at one time.

"We were always friendly and about two weeks before he was killed, he served as a guide when I took several constituents thru the White House," O'Hara continued. "When we left, he said 'Barratt knew my grandfather.' Those were the last words I heard him say."

VOLUNTEERS FOR THE INFANTRY

O'Hara, the only Spanish-American war veteran in the House, first saw the nation's capital during that war. He volunteered in his native St. Joseph, Mich., for the 33d Michigan volunteer infantry, at the age of 15, and was sent to Camp Alger, which was at what now is suburban Falls Church, Va.

"I was just a kid at the time," O'Hara reminisced, "and went out one day in search of a quart of fresh milk.

"I found a farmhouse and told the woman of the house that I didn't have a nickel at the time, but would come back and pay her the next day," he said. "She gave me the milk and then we were shipped out that very night for Cuba, landing there three days after Teddy Roosevelt and his Rough Riders.

"When I first came to Congress, I went out to Falls Church several times, trying to find that woman and give her that nickel I owed her," O'Hara chuckled. "But I could never find that farmhouse."

O'Hara said he plans to write a book in his retirement from Congress. No author of fiction would dare create a character who has lived O'Hara's life, because it would be too unbelievable.

EXPLORED THE JUNGLES

Even before his early enlistment which led to his trip to Cuba, O'Hara had explored the jungles of Nicaragua, seeking a route for the Panama canal. Later he was a newspaper man [which he looks back on as his happiest days], a criminal lawyer, a radio announcer, and the youngest lieutenant governor in the history of Illinois.

His plans for the future are uncertain.

INTERNATIONAL TAX LOBBY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. RARICK. Mr. Speaker, with the president of the International Monetary Fund lobbying to raise taxes, little wonder our people are frustrated with the one-worlders.

Who are Congressmen to perform for—their constituents or the international bankers? I wonder if the IMF also called on our leaders to cut wasteful spending and foreign giveaways?

I include the United Press International release of June 13:

[From the Washington (D.C.) Evening Star, June 13, 1968]

SCHWEITZER URGES UNITED STATES TO TRIM GROWTH RATE

NEW YORK.—If the United States fails to take action to reduce inflationary pressure for goods and service, its economic competitive position in the world may be gravely undermined, Pierre Paul Schweitzer, managing director of the International Monetary Fund said last night.

Schweitzer told the annual spring dinner of the New York Financial Writers Association that a reduction in the rate of expansion of the U.S. economy "is not the same thing as a downturn." Therefore, he said Americans should face up to the necessity for such a reduction. In particular, Schweitzer expressed the hope that Congress soon will enact the 10 percent tax surcharge asked by President Johnson.

Considering the world econom'c picture as a whole, Schweitzer said, "it would be in the interest of the world economy, if Continental Europe took up the role of pacemaker from the United States" in the present circumstances and that this would considerably facilitate the process of international balance of payments adjustments.

THE SCIENCE ATTACHÉ PROGRAM

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MILLER of California. Mr. Speaker, I recently returned from a meeting of the Council of Europe in Strasbourg, France, where I was invited to speak to the Consultative Assembly on the subject of science policy. On this trip, I was once again impressed by the great benefits of the State Department's science attaché program.

In Paris, Dr. Edgar I. Piret is Counselor for Scientific Affairs at our Embassy, and Dr. Philip W. Hemily is science advisor in the U.S. mission to the Organization for Economic Cooperation and Development. The briefings and assistance given to me by these outstanding men and their staffs contributed significantly to the success of the Strasbourg meeting. In London, Dr. Alan G. Mencher is our science attaché. In the course of a brief stopover there, he was able to arrange a very useful meeting with Members of Parliament representing their Select Committee on Science and Technology.

The expert service and creative counseling available from our embassy science personnel has multiplied the effectiveness of U.S. visitors many times. I have heard laudatory comments from private businessmen, executive branch officials, and my colleagues in the Congress. The science attachés are up to date on their local country's research and development. They are able to pinpoint the proper contacts in foreign governments and industries for our officials. At the same time they are ambassadors and interpreters for American science and technology.

Recently, the effectiveness of science attachés as an adjunct to diplomacy has been recognized by other nations. For example, France has appointed Dr. Maurice Levy to the post of science counselor at its embassy in Washington. I met Dr. Levy in Paris and look forward to a pleasant association with him in his work here.

As this interchange of attachés goes forward it demonstrates anew the international nature of science, a meeting ground which transcends politics and ideologies.

Mr. Speaker, the magazine Scientific Research published an article on May 13, 1968, entitled "Science Makes the Embassy Scene." It describes the growing importance of science attaché posts in foreign services. I include the article at this point in the RECORD:

SCIENCE MAKES THE EMBASSY SCENE

(By Peter Kilborn)

PARIS—In recognition of the national and international importance of science, both France and the United States have created new posts in their foreign services that raise science to levels of diplomatic prominence heretofore reserved for commerce and the military.

The new post of scientific counselor has been established at the French Embassy in Washington, and Maurice Levy, a 45-year-old theoretical physicist, has been assigned to it.

Almost simultaneously, Washington has promoted Edgar I. Piret, scientific attaché at the U.S. Embassy in Paris, to the new office of counselor for scientific affairs. Piret, 57 and a chemical engineer, is the first and only U.S. science emissary ever to hold so high a diplomatic rank.

Piret has single-handedly made his Paris science post a major new tool in U.S. diplomacy, according to his embassy colleagues. When he left private industry in 1959, Washington was concentrating its diplomatic energies on political, military and commercial relations. "Even three or four years ago we were looking around for what we should be doing," Piret himself recalls. "Now we're being overwhelmed from all parts of the embassy from Washington, and also by the French. We can barely keep up."

With the entrée to the highest French government circles that his new rank affords, Piret hopes to make the office even more effective.

Levy's assignment is an outgrowth of French concern over the so-called technology gap, the brain drain and other phenomena that have enabled the United States to surpass the European nations in scientific and technological progress.

European science managers seem agreed that the higher U.S. efficiency cannot be explained solely by the greater national resources it can commit to science. The French want to learn what the explanation is and at the same time to monitor the U.S.' continuing achievements for possible home application.

It was these factors, rather than any attempt to reverse a cooling political climate, that moved the French government to bolster its Washington science office, Levy says.

Levy's assignment marks a radical departure for French science policy, especially as it concerns the U.S. His operation in Washington will be the only one of its structure or size supported by the French Foreign Affairs Ministry.

For the first time, French supervision of nearly all the U.S.-French scientific programs will be concentrated in one office. To make the undertaking effective, branch offices will be opened at the French consulates in Boston and San Francisco.

At the outset, Levy will have a staff of five project research assistants, and, in addition, three attachés will report to him—one in Washington, the other two from Boston and San Francisco. He hopes to open more branch offices and recruit more assistants once he gets under way.

Levy, who arrived in Washington in February, says he will focus on three broad areas: facilitating the exchange of people and information, arranging specific joint research projects, and investigating American research policies.

There is nothing especially new in these objectives, Levy notes. What's new is their scale. "We have some cooperation of this kind already with the U.S., and also with Britain, West Germany and the Soviet Union," he says. "But none is as big as what we are now trying to do in the United States."

Levy thinks France will try hardest to promote cooperation where the nation is strongest—in high-energy physics, oceanography, microbiology, and medicine. He expects also to try to widen collaboration in areas such as space research and computer technology, where France is well-placed in Europe but less advanced than the U.S.

He puts special emphasis on the part of his assignment dealing with the promotion of exchange programs. Before leaving for Washington, Levy spent five months setting up correspondents in those French research institutes, universities and industries that wished to broaden their contacts with the U.S. "It's important to have that relationship with the people who use our work," Levy says. "They help us considerably by formulating the right questions so that we can give the right answers."

Piret, the newly promoted American science counselor, is above all a scientist. He holds a PhD in chemical engineering from the Univ. of Minnesota and a second doctorate in bacteriology and biochemistry from the Univ. of Lyons in France. He has taught at the Universities of Minnesota, Paris, and Nancy, France; more than 50 of his graduate students won their doctoral degrees. Piret has lectured at universities throughout Western Europe, and a year ago he took a year off from the embassy to serve as visiting professor of chemical engineering at MIT.

In addition, Piret has held three Fulbrights, published 60 scientific papers, and edited a book on the world wide practice of chemical engineering. He holds several patents, including one on K-ration components, and was instrumental in the development of Scotchlite while working for Minnesota Mining & Manufacturing Co.

Levy, although younger, also bears impressive credentials, many of which were earned in the U.S. He came here first in 1950 for two years to work at the Institute for Advanced Study at Princeton, and returned to the Institute in 1955 and again in 1962, each time for one semester to work on elementary particles and high-energy physics.

He has taught in the U.S. as visiting professor at the University of Rochester, Stanford University, Caltech, and, most recently, Columbia, and has written some 70 scientific papers. He received his doctorate in molecular optics from the Faculté des Sciences, Paris, after doing part of his research at the Univ. of Leyden, the Netherlands. He then switched to theory, attending the University of Manchester for two years to study particle physics. Since 1954 Levy has been professor of theoretical physics at the Faculté des Sciences in Paris.

Exchanges among scientists—those making long-term visits as well as those passing through for a conference or to witness an experiment—can be increased, Levy feels. "Exchanges take place quite often now, of course, but not systematically," he says. "Most of them are initiated by individuals on the basis of whom they know." Levy wants to preserve individual initiative, rather than route these exchanges through Washington and Paris, but wants to keep closer tabs on them so he can encourage more exchange in areas now neglected.

Piret also stresses the importance of scientific exchanges. While other embassy officials may resent the time required to expedite the trips of Americans to France, Piret considers that an essential diplomatic function. "It's extremely important [because] it's fairly well established that constantly evolving research and development information is most effectively transferred by word of mouth," Piret says, "regardless of what has been published."

Thanks to his years in Paris cultivating contacts in the French science community, Piret thinks he can nearly always manage to make a visiting scientist's trip worth while. "And," he adds, "we are very careful about whom we match with whom, so that we can remain effective."

One far-reaching consequence of closer liaison between the science establishments of the two nations could be the evolution of a totally new French educational structure patterned to some degree on that of the U.S. Many French scientists, and even a number of top-level public officials, have proposed such a move.

Both scientific counselors suspect that the French school system may be a factor in France's lower productivity per capita in science and technology. Says Piret: "A principal problem for France is whether it will be able to advance and restructure its science-education system rapidly enough." Levy also thinks that the model for a new educational structure may be found in the U.S.

Whatever the obstacles at the university level, Piret feels that French science has made notable program. "Ten or 20 years ago, French science was largely an academic matter," he says. "There's been a most impressive advancement in the level and quality of the effort, which is reflected in the manpower, laboratories, organization and funding.

"Science is being used as a powerful instrument of national and international policy—political, economic and military," he says. "It is being used as an important tool, to strengthen both France and France's relations with its neighbors."

Piret hopes to see both countries employ science and technology to help in the solution of their respective social problems.

INDIANAPOLIS PAYS TRIBUTE TO SENATOR KENNEDY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1968

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the report of tribute to Senator Robert F. Kennedy by my colleague, Congressman ANDREW JACOBS, JR., and by the mayor of Indianapolis, Richard Lugar.

The newspaper account tells us that some 300 Indianapolis residents remained for an hour and one-half in 92-degree temperatures for an outdoor memorial program.

The words and the reactions described in the article typify the reaction across the country to this tragedy The newspaper account of the memorial program reads as follows:

LUGAR LEADS MOURNERS OF CITY IN MEMORIAL TO FALLEN KENNEDY

Mayor Richard G. Lugar said yesterday that the citizens of the United States must not let the deed of an assassin overshadow the life and accomplishments of Robert F. Kennedy, nor can we allow ourselves to be swept away in a tide of violence.

Lugar addressed an estimated 300 mourners of the slain senator here at a memorial service at the Washington Street Plaza of the City-County Building.

Speaking in 92-degree temperature, the 36-year-old mayor eulogized Senator Kennedy for his determination to always be present, "in neighborhoods where men and women cry out for understanding."

The crowd, both young and old, white and Negro, sat silently in the stifling heat more than 90 minutes, in memory of the 42-year-old Democratic presidential candidate who was fatally shot after his victory in the California primary last Tuesday.

United States Representative Andrew Jacobs Jr. (D-Ind.), a strong Kennedy supporter, said the nation partially must be to blame for the killing.

"No man is an island," Jacobs said. "The shot was fired by one who lived among us. What each person says and does is influenced in some measure by what is said and done around him."

Jacobs criticized American tastes in movies and television which, he said, "reveal a taste for violence which cannot be separated" from reality.

"If one lives in a life surrounded by gentleness and love his ability to control himself from acts of violence is greater," he said, "and if he is surrounded by hostility and hate he is likely to consider violence."

Mayor Lugar, a Republican, said although it is difficult to accept that the assassinations of recent years were senseless and absurd acts by individuals, society must discount the idea they were the products of conspiracies by either Communism or those who oppose civil rights.

"I am deeply weary of the drone of voices who wish to chastise the United States of America," the mayor said. "Or those who use our grief to further a political or theological premise."

Lugar said even the senator's political opponents must admire Kennedy for "coming to the people."

"He could be gentle with children and youth but curt with adults who were loyal only when the sun shone and turned tail so very quickly when clouds appeared," Lugar said.

One of the young admirers of the New York senator explained why she attended the services yesterday:

"I loved him. He knew what we wanted and what we needed," said Brenda Gregory, 17 years old, 2217 South Meridian Street.

Another man, 79-year-old Henry A. Sleets, 2030 North Capitol Avenue, leaned on his cane and said:

"It was no more my duty than all the rest of America to be here for a good man."

Another man, who brought his wife and young daughter to the services, said: "I had great respect for the senator—and for what he stood. I was moved by the services on television."

LEGALIZE THE COURTS

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GATHINGS. Mr. Speaker, Mr. Bill Courtney, the editor of the Wynne, Ark., Progress, in the Thursday, June 6, 1968, issue of that fine newspaper, files a strong complaint against those who would change this Nation by judicial fiat.

With penetrating logic, Mr. Courtney points out that the Supreme Court, through its decisions, has actually been legislating and that such legislation certainly has not been in the best interests of the people of this Nation nor in the preservation of our constitutional democracy.

Mr. Courtney's editorial is commended to the Members, as follows:

LEGALIZE THE COURTS

Communism has never taken over an orderly, productive society. It never will.

To subvert a nation, communism must either create chaos and then take over, or it must seize the initiative in a situation of chaos brought on from outside causes, such as war.

The United States has not been devastated by war; therefore communism, or any other despotism, must create chaos in order to subvert and conquer.

One method of creating chaos would be to cause a breakdown in law enforcement. If crime proliferates unchecked, a rich seedbed for despotism is created.

It would be impossible to destroy law and order by massive criminality under orderly laws of society. The laws and law enforcement would simply overwhelm any concerted increase in crime.

The only way it could be done is from the top, where the law could be changed to favor the criminal and to hamstring law enforcement.

Recent Supreme Court decisions have done this. It is virtually impossible now for police to make an arrest and obtain conviction of certain types of criminals. Certain types of evidence which were once conclusive are not now even admissible in court. Any petty criminal, who is backed by money enough to appeal his case up through the higher courts, can be assured of exoneration. The appeal courts no longer support law and order with any semblance of effectiveness.

Police, therefore, cannot enforce the law against communist-backed criminals. They cannot enforce the law against those who say they do not understand the law (and what guilty person would admit it?).

During the past seven years, our population has increased by 10 percent; our crime rate has increased by 88 percent. The spiral will continue unless the shackles are removed from law enforcement, unless the public demands prosecution and conviction of criminals, unless the appeal courts support the law rather than the criminal.

Congress has taken steps to change the trend by passing new laws relating to arrests and evidence. There is still far to travel before we stop the tide unleashed by the Supreme Court.

We "little people", therefore, should seek more legislation to favor law and order over the criminal. We should condemn by all means at our disposal, any Administration which favors a law-making Supreme Court such as we now have.

We must not allow a criminal minority to control our nation, whether that minority is in the streets or in high places of government.

RESOLUTION ADOPTED BY THE PITTSBURGH STEEL CO.

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MORGAN. Mr. Speaker, I have joined other Members of Congress in introducing legislation which would place a ceiling on the importation of foreign steel into this country. The domestic steel industry, including an important segment in my own congressional district, is being seriously hurt because of the great increase in foreign steel permitted to enter this country. It is having a serious effect on American industry and American jobs.

Following is a copy of the resolution which was adopted at a recent meeting of the board of directors of the Pittsburgh Steel Co., which indicates that in 1967 the volume of imports of steel approximated the output of 85,000 American steelworkers:

PITTSBURGH STEEL CO.

(Certified copy of preambles and resolution adopted at a meeting of the board of directors held May 27, 1968.)

Whereas, A flood of foreign produced steel—11.5 million tons in 1967 alone—is flowing into the United States at a steadily accelerating rate; and

Whereas, The volume of such imports in 1967 approximated the output of 85,000 American steelworkers; and

Whereas, These imports created a deficit in the U.S. balance of payments of more than $1 billion; and

Whereas, Increasing dependence on foreign sources of steel is a threat to our national security;

Now, therefore, be it resolved, That Pittsburgh Steel Company is in full support of the American steel industry's recommendation that the U.S. Congress enact a bill which would set up a system of quotas limiting the quantities of pig iron and steel that can be brought into this country.

I, R. McL. Hillman, Secretary of Pittsburgh Steel Company, a Pennsylvania corporation, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a meeting of the Board of Directors duly called and held on May 27, 1968, and at which a quorum was present and voted, and that the foregoing resolution has not been amended or modified and remains in full force and effect on the date hereof.

In witness whereof, I have hereunto set my hand and affixed the seal of said Company this 29th day of May, 1968.

R. McL. Hillman, Secretary; J. K. Beeson, C. A. Breuer, H. B. Collamore, Charles Denby, D. C. Duvall, A. D. Hannah, R. McL. Hillman, G. M. Lothrop, R. M. Marshall, A. R. Maxwell, Jr., H. S. Krusen, D. G. Sisterson.

GLASSBORO: THERE IS STILL HOPE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. O'HARA of Michigan. Mr. Speaker, about a year ago, President Johnson met with Soviet Premier Kosygin in Glassboro, N.J. A spirit of hope was generated at that meeting—hope that world peace could be attained through the cooperation of the two major world powers. Although there has been progress since then in some specific areas of mutual interest, the world is still far from the peaceful state people dreamed about in the aftermath of the Glassboro Conference.

The President recently returned to Glassboro, alone this time, and he reaffirmed America's willingness to join with the Soviet Union in reviving the spirit of which means so much to all people. His remarks have been commented on favorably in newspapers across the country. I should like to quote briefly from two editorials.

The Cleveland Plain Dealer—

> It was a message full of hope and longing for closer American-Soviet cooperation to "move from war to peace, from hostility to reconciliation, from stalemate to progress".

The Denver Post—

> The President used the commencement at Glassboro State College to issue a statesmanlike appeal for closer American-Soviet cooperation on problems of war and peace.

I think all of us can join in these sentiments, and I insert the texts of the two editorials in the RECORD:

[From the Denver (Colo.) Post, June 5, 1968]

REVIVING THE "SPIRIT OF GLASSBORO"

President Johnson appropriately returned to Glassboro, N.J., the site for dramatic summit talks last year with Soviet Premier Alexei Kosygin, to deliver a major foreign policy address Tuesday.

The President used the commencement at Glassboro State College to issue a statesmanlike appeal for closer American-Soviet cooperation on problems of war and peace.

Specifically, Johnson called for a new initiative in the direction of a disarmament treaty between the two great powers. Even more important, he expressed willingness for the United States to open serious negotiations immediately with the Soviet Union on disarmament.

Past experience on other treaties—from one banning nuclear tests in the atmosphere to one on establishment of consular offices—shows clearly that accord on disarmament is possible if mutually advantageous terms can be worked out.

The President's East-West bridge building was aimed at improving the climate for peace talks in Vietnam. Johnson openly—and correctly—asked for Moscow's assistance in breaking the stalemate with Hanoi over the preliminary peace talks in Paris.

Until now the Russians have shown little inclination for action on this matter, and North Vietnam has continued its propaganda barrage in Paris without offering any constructive response to U.S. proposals.

But perhaps Moscow will tire of Hanoi's theatrics and will advise its ally to get down to the business at hand. In the meantime, however, Washington has no choice but to stand fast and wait until Hanoi has exhausted its bellicose vocabulary.

Fortunately, disagreement over Vietnam has not prevented the United States and the Soviet Union from working together—particularly in the United Nations—on other matters. Both countries are cooperating to win U.N. approval for a treaty to stop the spread of nuclear weapons, and both countries have acted in concert at times to find a U.N. solution for the Middle East conflict.

The President's Glassboro address emphasized the positive aspects of American-Soviet relations in the hope that further progress can be achieved by joint efforts.

His attempt to revive the cordial "Spirit of Glassboro" deserves support.

[From the Cleveland (Ohio) Plain Dealer, June 5, 1968]

ONE YEAR AFTER GLASSBORO

While he used the Glassboro rostrum for a clear warning to Hanoi that there would be no further American bombing concessions, President Johnson left little doubt that his hopes for a durable world peace are riding on the progress of understanding between the United States and Russia.

He admitted there was not much to report since he and Soviet Premier Alexei Kosygin met in Glassboro a year ago but it was obvious that his determination to press the peace-building process "brick by brick and agreement by agreement" is undeterred.

His goals for Soviet-American cooperation are practical and in some instances exciting.

He emphasized the need to agree on steps toward peace in the Middle East and to avoid an antiballistic missile race between the two big powers.

But he also called for joint studies of the human environment by Russian and American scientists and for combined explorations of world resources from ocean floors to tropical rain forests.

He mentioned a global satellite communications system in which Russia and Eastern Europe might join.

By such small threads, he predicted, "we will weave a strong fabric of peace in the world."

It was a message full of hope and longing for closer American-Soviet cooperation to "move from war to peace, from hostility to reconciliation, from stalemate to progress."

The challenge the President issued to his

1967 conferee at Glassboro is a dramatic one. With any reciprocal determination, the possibilities of a saner world appear limitless.

TV'S ASSASSINATION ORGY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MICHEL. Mr. Speaker, while watching some of the television coverage of Senator Robert Kennedy's funeral, a rather disturbing thought occurred to me. The discomforting thought that perhaps the television networks in providing saturation coverage of the funeral and events related to the funeral might be unwittingly providing to the sick mind of a potential assassin still another rationalization for taking the life of some other prominent public official and thus be catapulted into the public spotlight to the exclusion of all other news and events.

An editorial from the June 12, 1968, edition of the Peoria Journal Star discusses this point in some detail and if they have not already done so, I would hope that leaders of the television industry would ponder this point and perhaps make some public comment about it.

I include the editorial at this point in the RECORD:

TV'S ASSASSINATION ORGY

A dangerous phenomenon has taken place in American mass media in relation to the practice of assassination.

Out of respect for the dead, entertainment programs are cancelled on our TV.

As a result of the cancellation, there is an immense amount of program time to fill extemporaneously, without real preparation.

The result is a marshalling of all kinds of people in the news departments, in show business, and in politics to talk off the top of their heads about past events and the deceased, and the "situation in the country."

This produces a great many irresponsible statements widely publicized to the mass audience, including errors in fact concerning history, and unconsciously inflammatory material (considering the variety of audience on whom it is inflicted) plus the hazards of compromising the trial process involved in the criminal act, itself.

Nor is it an atmosphere that breeds responsible conversation. It is an intensely emotional climate into which intensely emotional people are brought to speak from the depths of that emotion.

Nor can show business people in a show business medium seem to help but exploit drama in whatever situation presents it to the fullest possible emotional pang.

Even several people who have previously appeared on TV to ridicule the whole funerary process in America as overdone, unwholesome, imposing brutal demands on the bereaved, and establishing a social necessity for processes beyond the financial ability of most—lest they seem disrespectful—suddenly became a sympathetic part of a funerary process that is naturally much grander than those they previously condemned—and much more influential in establishing social requirements as to how one should show love and respect for their own loved dead.

The mere fact that their feelings were so reversed in this case reflects the extent of emotion that dominated the scene, and dominated the decisions made about the mass audience.

As an unwitting by-product of the need to (1) cancel other programs, and (2) fill the time hastily, we end up making death by assassination the most grandiose spectacle with the most complete coverage into every detail possible, past and present, than any other event on earth.

It has the physical appearance of being more significant than the selection of a presidential candidate and his total personal history, more important than the elections, more important than the political conventions, more important than peace talks, more important than our first man in space flight, more important than an inauguration, more important than a war, even.

And to whom are we giving such a powerful impression?

Among 200,000,000 Americans, how many are emotionally unstable?

How many youths the age of Sirhan Sirhan, if burning with whatever kind of emotional fire, can think of any event in their lives that had as much attention and as much apparent impact on the whole world as an assassination?

To how many border-line people among our hundreds of millions have we been saying that this is one act by which you, unknown and insignificant, can wipe out everything else and create the biggest event in the world by one explosive act of destruction!

This beats standing on a ledge and threatening to jump while a crowd forms below hundreds of times over.

It is not easy to point this out in the midst of such a climate of emotion and emotional reactions to whatever one may say, but surely, it needs to be said.

This kind of emotional orgy is a very dangerous indulgence for our society. It does not stabilize it. It drastically increases the risks of suggestivity and imitation.

And for years to come, people whose nerves have come to the point of explosion, are apt to have well up in them as the most dramatic, all-encompassing "event" of their lives, and the loudest way they can cry out to the whole world—the memory of those days when the world seemed to stop to watch day after day and night after night, nothing except the circumstances around a single event—assassination.

It is hard to know what we should do at such a time.

But some very sober thought by competent people ought to be given to that question, separate from and independent of the emotions of these past days, for some guidance as to what is healthy and responsible as a mass media action under like circumstances.

The assassination is tragic enough without it being an influence toward further tragedy of the same kind, or further, specifically, marking that family for a greater focus of danger than would already be inescapably true.

Neither the surviving brother, nor those remarkable children ought to be so marked as the chief target of the thinking of every "nut" in the country!

That is too much.

THE FLAG

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. THOMSON of Wisconsin. Mr. Speaker, my young constituent, Jackie Schindler, 652 North Jefferson Street, Lancaster, Wis., is a student in the fourth grade of St. Clement School, and the author of the following poem which was awarded first prize.

In this verse I believe that Jackie has captured the hopes of all Americans and the pride of our country's patriots.

The poem follows:

THE FLAG

I watch the flag flying so high,
As it twists and turns reaching for the sky,
I think what a picture the flag should be,
And I know that it hangs there as a protection for me,
The red and white stripes and silvery stars,
Tell me how many states there are,
It means all the states are one and strong,
To form a nation to protect us from wrong.

ONE WAR UNITED STATES IS WINNING—BIGGER CROPS FOR HUNGRY WORLD

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. SCHWENGEL. Mr. Speaker, the problems of hunger and malnutrition in our world are slowly being overcome. An article in the June 10 issue of U.S. News & World Report tells of the breakthrough which has taken place around the world in increasing food production.

The long and often tedious research has begun to pay big dividends. Certainly, this is no time to cut back on our research activities in this area.

[From U.S. News & World Report, June 10, 1968]

ONE WAR UNITED STATES IS WINNING—BIGGER CROPS FOR HUNGRY WORLD

(NOTE.—There is more food in the bowls of hungry people around the world. Years of U.S. research have begun to pay off in the fields of "have not" nations. It is another kind of "Marshall Plan" that is bringing hope to hundreds of millions.)

MEXICO CITY.—One war in which the U.S. is heavily involved has taken a turn for the better. There is hope that the worldwide battle against hunger may be won, after all.

This new-found optimism is buoyed by a revolution in food-crop production that is taking place in the hungry countries faster than most experts had thought possible. It is a development brought about in large part by U.S. know-how and research dollars.

Here in Mexico, for example, 25 years of painstaking research by agricultural scientists at the International Maize and Wheat Improvement Center is paying handsome returns. At this center, sponsored by the Rockefeller and Ford foundations, a vast "bank" of seed varieties has been created for use by countries all around the world.

Says Dr. J. George Harrar, president of the Rockefeller Foundation:

"When an underdeveloped country comes to the center for help now, a scientist can match germ plasm from the bank to the ecology of any part of the world and produce a plant with the genetic potential for doing well in that region."

NEW HOPE

These special seeds, coupled with fertilizer, irrigation water and improved farming practices, are making possible a tremendous increase in food output by India, Pakistan and other have-not nations. What's more, this center in Mexico has set the pattern for similar research stations now springing up in other parts of the world.

Mexico, not many years ago, was a food-deficit nation with an exploding population. It now meets its own needs for wheat and corn and has enough of both grains left to export substantial quantities.

Pakistan is expected to become self-sufficient in wheat production, possibly next year, but no later than 1970. Iran already is meeting its wheat needs from its own production. The Philippines have become self-sufficient in rice production, ending the tremendous drain formerly caused by heavy spending for rice imports.

Even in India, where recent drought years had compounded the problems of age-old farming ways, this year's wheat crop is expected to exceed the previous record by one third.

"ENGINE OF CHANGE"

In Washington, D.C., Lester R. Brown, head of the International Agricultural Development Service of the U.S. Department of Agriculture, says:

"The dramatic new, high-yielding varieties of food grains are being disseminated more rapidly among farmers in some countries than had either been planned or anticipated. Further, the yield of these varieties is proving much more transferable from experimental plots to field growing conditions than was thought possible.

"The impact of the new varieties is such that they are becoming an 'engine of change,' bringing numerous other changes in their wake. They also provide a means for tapping some of the . . . potential of tropical agriculture, heretofore largely unexploited."

Mr. Brown sees this heartening turn of events as opening up a whole new era in the war against hunger, making it possible to change the emphasis in U.S. foreign aid from giveaway food shipments to self-help farm programs.

TOOLS TO BE NEEDED

Mr. Brown also sees opportunities for U.S. business to supply tools that will be much in demand as the new seeds and farming practices spread. There will be needs for fertilizer factories, farm equipment of all kinds, irrigation pumps and pesticides. The Agriculture Department expert predicts:

"The present dynamic agricultural climate makes Asia today far more receptive to U.S. assistance policies and to sound private-business investments than was the Asia of two years ago."

Two years ago, U.S. foreign-aid officials were thoroughly pessimistic about the possibility of ever bridging the world's food gap. In many poor countries, population was spiraling upward while food production failed to increase.

U.S. grain was being poured into drought-hit India by one of the largest peacetime fleets ever assembled. America's grain bins were being emptied at an alarming rate. The years of American generosity through the Food for Peace plan appeared to have accomplished little or nothing.

CHANGE OF POLICY

Late in 1966, President Johnson announced a revision of U.S. plans for food aid to the less developed countries. Word went out that priority would go to those nations willing to help themselves by building fertilizer plants, making modern farm equipment available, and guaranteeing their farmers a decent price.

Fortunately, at the time of the President's decision, the decades of research on new seeds and techniques for use in the less developed countries were beginning to pay off.

The International Maize and Wheat Improvement Center, with headquarters in Mexico City, has been a joint operation of the Rockefeller and Ford foundations since 1966. Its beginning goes back to 1943, when the Mexican Government turned to the Rockefeller Foundation for help in improving food output through research and training.

At that time, Mexico's population growth was racing ahead of food production. In 1943, the country was forced to import 10 million bushels of wheat and 160,000 tons of corn.

VICTORY FROM DEFEAT

At the invitation of the Mexican Government, a small group of Rockefeller Foundation scientists was recruited to work side by side with young Mexicans to reverse Mexico's food-population trend. They, and the scientists who have followed them, have won an epic victory by their skill, hard work and devotion. Not only did the U.S. specialists succeed in overcoming Mexico's food deficits, they played a major role in laying the base for today's world-wide revolution in crop production.

These scientists visualized agricultural improvement as a package that included better seed varieties, the control of insects and plant diseases, irrigation and drainage where needed, and proper fertilization to increase output.

Teams of specialists set up experimental stations in different parts of Mexico to develop and test new varieties and cultural practices. Sites ranged from high altitudes, with short, cool growing seasons, to the heat of the tropics.

"We sort of moved up and down the mountains," is the way Dr. Harrar, who was in charge of the group, puts it.

THE WHEAT STORY

An early problem was to conquer the stem rust then attacking Mexican wheat. This was accomplished by crossing the best Mexican varieties with rust-resistant wheat from many other countries. The most promising of these crosses were then bred with a dwarf wheat from Japan. The result was a high-yielding wheat that is resistant to stem rust and can take heavy doses of nitrogen fertilizer without falling over.

There have been almost unbelievable changes in Mexico's agriculture. Average production of wheat per acre has increased almost fourfold since 1943. Average yield of corn has almost doubled since the 1930-34 period. New bean varieties, resistant to disease, have increased output of this crop from 150,000 to 600,000 tons a year. Potatoes that resist blight now yield a harvest five times that of 1943.

As word of Mexico's success spread around the world, agricultural students from other nations beat a path to the International Maize and Wheat Improvement Center. They were taught the new methods and returned to put new seeds and new knowledge to work in their home countries.

Today, Mexican dwarf wheat varieties are improving the diet of millions of people in more than a dozen countries. And in each country these varieties are being crossed with the best local wheat for further improvement.

THE RICE STORY

In 1962, the Rockefeller and Ford Foundations established the International Rice Research Institute in the Philippines. Dr. Harrar tells about that venture in these words:

"Having had success with wheat and corn, we felt ready to do something about rice, the world's most important food crop. Rice is the staple food for almost 60 per cent of humanity. With 20 years of research work behind us in Mexico, we felt we had the experience to begin with an ambitious program.

"We assembled a professional staff from all over the world. Most of our International Rice Research Institute's scientists are Asians, and at any one time the center has 75 trainees from Asian countries.

"In less than five years, by 1966, the Institute had developed a new rice now called IR8—a short, stiff-strawed plant responsive to high levels of fertilization and insensitive to the length of day. This means it can be grown successfully in parts of the world differing greatly in climate and geography. IR8 has been so successful that it has become known as a 'miracle rice.' I have been told by Philippine officials that IR8 has already added 300 million dollars to Southeast Asia's annual income. And the Institute has two new varieties—IR5 and IR12, coming right along behind it."

IR8 already has transformed the Philippines from a rice-importing country to a rice-exporting country. It outyields traditional varieties by as much as two times, when properly cultivated.

TAPPING THE TROPICS

As for realizing the potential of tropical farmlands—where the great bulk of the world's hungry people live—Dr. Harrar says:

"It is from the tropics and subtropics, where crops could be grown 365 days a year, that much of the food must come to feed future populations.

"In some parts of the Philippines, for example, one acre can yield several harvests [each year] through multiple cropping. At the International Rice Research Institute they do not let the land stand idle. As fast as one crop is harvested, they get another in the ground.

"One acre has produced as much as 20 tons of food in a year by being planted to rice, sorghums and vegetables—one after another."

As for the future, Dr. Harrar says:

"It has now been demonstrated that it is possible for underdeveloped nations to begin to close their food gap by taking up these new seeds and methods. An increase of 2 million tons in the output of wheat in just one section of India is part of the evidence.

"Farmers everywhere are visually oriented. They may not even be able to read, but they can see. When you show them a way of growing 50 to 100 per cent more on the same acre of ground, they understand perfectly. In Mexico, when we started, farmers were getting around 700 pounds of grain per acre. When they got it up to 1,500 pounds, we thought we were doing pretty well. But now, yields are up around 4,200 pounds of grain per acre."

ROLE OF GOVERNMENT

The major problem now, says Dr. Harrar, is to get governments of developing countries to give high priortly to agricultural programs, because:

"Farmers cannot manufacture tools or fertilizers. They cannot print their own money. They must have credit. They must have organized markets and incentive prices. Otherwise, it does not pay them to raise more food. I am not saying that government must do it all, but if it doesn't do its part, all the improved seeds in the world will not close the food gap."

Government in many less developed countries is responding to needs of modern agriculture, according to Mr. Brown. He reports:

"At the top, one senses a new political commitment by Asian governments to respond to the demands by farmers for incentive prices and the range of inputs needed to modernize agriculture."

India, for example, says Mr. Brown, now is spending the equivalent of one fifth of its total export earnings to buy fertilizer.

ROLE OF BUSINESS

As for the opportunities opening up for U.S. firms in the less developed countries, Mr. Brown says:

"If I were a vice president for international operations of an American agribusiness firm, I would have some of my staff out in the wheat fields and rice paddies of Asia attempting to assess the marketing and investment implications of the new, high-yielding varieties of grain.

"There is going to be an accelerating demand for irrigation pumps, engines and tubewells as the new varieties spread over more land and farmers discover how responsive they are to supplemental irrigation.

"Crop-drying equipment will be in growing demand to condition wheat and rice after harvest. Grain-storage facilities also are needed."

BETTER NUTRITION

Along with the revolution in crop production in underdeveloped countries is going an improvement in the quality of the food produced from those crops, often by adding protein to cereal foods. By this tactic, U.S. food manufacturers have developed imitation or substitute meats and also high-protein beverages, gruels and breakfast foods.

One striking example is that the addition of a few pounds of lysine, an amino acid, to a ton of wheat raises the quality of protein in the wheat to a level approaching that of casein, the basic protein in milk. Now, Indian Government bakeries in Madras and Bombay are marketing a lysine-fortified bread called "Modern Bread."

Mr. Brown warns that the war against hunger in less-developed countries cannot be completely won until population growth is slowed.

However, of the sudden and dramatic progress now reported, he says:

"The agricultural revolution in Asia could become the most significant worldwide economic development since the reconstruction of Western Europe following World War II."

THE FORGOTTEN MAN

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, in President Johnson's Economic Report to the Congress in 1967, the administration devoted only one sentence to agriculture. In that single reference, the President pointed out that the net income of farm proprietors "had dipped during 1967." This should have received an award for being the understatement of the year.

What the President failed to explain was that the dip amounted to almost $2 billion in realized net income. Meanwhile, farm debt had increased by more than $4 billion. Also during 1967, the number of farms declined by 92,100, while the farm population declined by 595,000.

The farmer in America is rapidly becoming the forgotten man of this generation. He is not going to be able to remedy the situation if certain trends continue in the Congress.

In 1920, the farmers' interests were protected by a majority of the Members in the Congress. In that year, Members who represented farm districts reconstituted 57 percent, or a clear majority of the 435 Members then in the Congress. By 1960, farm Congressmen represented only 12 percent of the total membership. And, the 1970 census estimates are expected to show this figure has dropped to approximately 9 percent of the total membership of Congress.

The farmer in this country has tried to stop this erosion of strength in the lawmaking body of his country. As well, he is attempting to pool his resources and speak with one voice on farm problems.

However, the American farmer, particularly the dairy farmer, is being clouted unmercifully by the rising cost of everything he has to buy. The result for the farmer—unlike the rest of our economy whose incomes have managed to keep pace with rising costs—is that net farm incomes in the past 20 years from 1947 to 1967 is down 5 percent, and that includes Government payments during that period of time.

The combination of low market prices and ever-increasing costs of production, which have occurred because of faulty policies designed in Washington, have put our farmers in a cost-price squeeze that is creating a profitless enterprise.

In the 90th Congress, many of us introduced dairy import legislation, and the whole dairy import industry got behind the measure. Since then, over 200 other Members of this body, and 59 Members of the other body have joined in sponsoring the bill. The National Milk Producers Federation has played a key role in organizing support for the legislation and in bringing pressure to bear on the President and the U.S. Tariff Commission to act under existing authority. The action taken in July 1967 was beneficial to the industry, but not enough.

Even now, additional commodities are entering the United States through the mechanism of modifications in container sizes and types. Experience in controlling imports under section 22 of the Agricultural Adjustment Act proves conclusively that new legislation is badly needed.

Unless this legislation is passed, the dairy industry of this country will continue to be severely affected.

Dairy products imports are increasing at an alarming rate, with the U.S. Department of Agriculture estimating that in 1967 more than 3.5 billion pounds of milk equivalent was imported.

The quotas presently in effect are not working. For example, the U.S. quota on butterfat-sugar mixture used in ice cream applies only to imports containing 45 percent or more butterfat and 25 percent or more sugar. Importers have only to cut these ingredients 1 percent below the minimums, and ship in unlimited quantities—which they are doing.

It is time that the Congress begins to remember the forgotten man in our economy. Rural poverty is equally as great as urban poverty, but it is not brought about in the rural areas from a failure to work. The farmers and dairymen of this country are looking to this Congress not for a guaranteed annual wage, but for a living wage for the fruits of their labors. We must insure no less.

Mr. Speaker, I am not a dairyman, but as one who has spent most of his life in gaining a livelihood from the soil of my own land, I believe that I bring these thoughts from personal experience. We must begin to act on behalf of the farmers in our Nation, if we are to remain a nation able to feed ourselves and the starving of the world. To ignore these problems, to allow our farmers to be driven off the land, and to fail to act, will result in this great country's eventual downfall.

This we will not, and cannot, allow to happen.

GUNS

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. UTT. Mr. Speaker, there are physical assassins and character assassins, and the latter outnumbers the former by a high mathematical figure. Mass hysteria is rampant regarding physical assassins, but I see no indignation against the character assassins, whose irresponsible and ignorant reporting is a proper subject of condemnation. A case in point is Mr. Paul Coates, columnist for the Los Angeles Times, who engages in character assassination against all whom he dislikes, and his hates are varied and numerous. I think I should put the record straight. My office issued a release to the effect that I was flying back to Washington to vote on the omnibus crime bill, which was to be on the floor the next day. I felt that the urgency of passing the anticrime bill was of such importance that I should return to Washington ahead of my planned schedule.

Some rewrite artist gratuitously added to that release that I was returning to Washington to vote against the gun control bill. This erroneous rewrite was picked up by Paul Coates, who maliciously included in his column of June 12 the following:

> Among those voting against the Kennedy amendment were California's Sen. George Murphy, and Congressman James Utt from Orange County who said of gun control legislation: "Such a scapegoat will not solve our society's breakdown." Perhaps you might have expected such a remarkable statement from Utt.

Now, a high school graduate should know that the Kennedy amendment was offered in the Senate, and that I, a Representative, have no vote in the Senate. It was not offered in the House. As a result of this column, I have received more hate mail than at any time during my tenure of office. Coates did his work well, by his standards. He went on further to misquote me on some other matters, which are of little consequence. I suggest that the President's new Crime Commission also examine the modus operandi of character assassination, as well as other crimes.

The anticrime bill was passed in the House by a vote of 368 to 17, and in the Senate by a vote of 72 to 4. I voted for the bill, as was the purpose of my early return to Washington.

This anticrime bill had a complete title on State firearms-control assistance dealing with handguns, and penalties for violations. Some 20 pages were devoted to this subject. As of this writing, the omnibus crime bill has been on the President's desk for a week, unsigned. Why is this criticism directed at me instead of the President? With crime running rampant in the streets, this legislation should, and could, have been working immediately after passing the House, but the President has been so busy criticizing Congress for not including rifles and shotguns, that he has not had the inclination to sign the bill into law.

According to Attorney General Clark:

> Each year 6,500 murders, 43,000 aggravated assaults and 60,000 robberies are committed with firearms. Each day, 50 lives—more than one every half-hour—are destroyed by firearms.

In the vast majority of these cases the firearm was a handgun. And the gun-control provision of the omnibus crime bill passed by the Congress imposes restrictions on the shipment of handguns in interstate commerce. I believe gun laws should be left in the hands of the individual States as provided by the Constitution.

California has one of the strictest gun laws in the Nation—far stricter than the Federal law proposed by the President, as far as handguns are concerned. Senator Kennedy's assassin violated several sections of our California law: section 12021 prohibits aliens from owning or possessing any concealable firearm. The penalty for violation is up to 15 years of imprisonment. Section 12022 makes it a crime, punishable by 5 to 10 years internment, to commit a felony while armed with a firearm capable of being concealed. Section 12025 makes it a misdemeanor to carry a concealed weapon without a license. Section 12031 makes it a misdemeanor to carry a loaded firearm in a public place. Section 12072 prohibits the transfer of any firearm that might be concealed to any alien. Furthermore, the licensing provisions in California are stringent. In order to carry a concealed firearm, a person must have a permit, and this can only be obtained after an affirmative determination by the local law-enforcement officials that the applicant is of good moral character, and after the State bureau of criminal identification and investigation has notified the local law-enforcement officials of any information it has in its possession with regard to the applicant.

So you see, this strict law did not prevent a heinous crime.

I received letters that say that the argument that criminals will get guns regardless of any laws is a spurious one. Sirhan Sirhan got one. Pennsylvania's State police commander, Lt. Col. Paul Rittelman, says:

> The criminal will get hold of a gun, regardless of any laws passed.

Former Washington, D.C., Police Chief Robert Murray says:

> A criminal who wants to use a gun will get a gun, law or no law.

In New York City, which also has one of the strictest gun control laws in our Nation, requiring a police permit to possess a handgun even in your own home, in 1966 not one of that city's gun-involved homicides was committed by a licensed firearm. The criminals still get all the guns they need; the gun laws disarm only their potential victims and leave a fertile field for gun bootlegging.

The recent crimes, which have terrified our citizenry and panicked Congress, did not involve guns. They involved gasoline-molotov cocktails. In 1966, there were 3,243,370 serious crimes committed in the United States; firearms of all types were involved in only 3.4 percent of these crimes. What this means is that, if we were able to disarm everyone, and totally eliminated all firearms from our society, we still would have 96.6 percent of our serious crimes, not including the massacre on the highways by drunken drivers.

It is a false notion that gun laws would significantly reduce crime. They never have. Historically, gun laws have been misused by despots. They begin with registration, then taxation, then confiscation. Then a disarmed citizenry is at the mercy of men who may lack mercy. Incidentally, that is the process that was followed by Castro.

These are the reasons that the Founding Fathers of our country wrote into the Bill of Rights:

> A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

It is this type of legislation, which could lead to confiscation of guns and to the overthrow of our Government, that I will oppose.

CAMPUS AGITATORS

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GATHINGS. Mr. Speaker, the citizens of this Nation have been shocked to find that the red flag of communism and the black flag of anarchy has been raised over many of the colleges and universities in the United States by students dominated by an organization calling itself Students for a Democratic Society. Totally alien to all concepts of American principles and ideals these student demonstrations have been paralleled in other nations where radical students and nonstudent mercenaries have disrupted educational institutions and have sought to destroy what they cannot re-create.

Mr. Richard Starnes, who has investigated this threat to educational institutions, has written two articles in depth which have been printed in the Scripps-Howard newspapers throughout the Nation. The articles are so important that I am bringing them to the attention of the Congress by making them a part of these extensions of remarks. Also included is the editorial comment on the articles carried in the Washington Daily News of June 12, 1968:

CAMPUS AGITATORS

In two articles (see Page 7) Richard Starnes, staff reporter for The Daily News and other Scripps-Howard newspapers, has outlined the activities and the objectives of the so-called "Students for a Democratic Society." SDS is, as the expression goes, way out in left field. To say the least.

The activities are clear. This small but noisy bunch of college students, ex-students and non-students has stirred up or had a hand in most of the campus riots and other turmoil of recent years. SDS was conspicuous in the Columbia University disturbances, which were among the worst.

SDS objectives are less clear. They are, in fact, deliberately fuzzy, if indeed there are any in a political or idealistic sense. But whatever they may hope to accomplish, they propose to do it by destruction.

There is nothing enlightening or constructive about what they do. They seize on any convenient gripe to start a ruckus. They make impossible demands of university administrators. Some things they ask may be legitimate, or have a grain of validity. But their purpose is not to gain these ends, but to disrupt, to tear down. And they are skillful about it.

Moreover, on many campuses, they get some of their muscle from witless faculty members who join their fracases. Professors and university instructors ought to be leaders, not followers. They ought to understand and be able to help adjust legitimate student problems. Instead they merely go mushing along with the mob.

The result is that higher education now has a real problem. And it will require some stern and realistic academic leadership to meet it. Read Mr. Starnes' articles and see for yourself.

A PRODUCT OF CAREFUL PLANNING: THE U.S. CAMPUS RIOTS DIDN'T BLOOM OVERNIGHT

(By Richard Starnes)

NEW YORK, June 12.—The riotous disorders that swept U.S. college campuses this spring did not come into tumultuous full bloom overnight. To a large extent they were the product of careful planning and preparation by a hard-core organization of young radicals who call themselves Students for a Democratic Society.

The quest for the true meaning and nature of SDS is not easy, and the findings are not conclusive. But one starting place is a double door, unmarked, the glass painted over in a baleful shade of waiting room green. The door is at the end of a skein of side street entrances, jerky elevators, peeling and ill-lit corridors high in a Federal warehouse building in Lower Manhattan.

Behind the door, in a dusty, book-littered loft, is one of the Government's top experts on the restive, rebellious student new left. He knows a great deal about the new left, and particularly about SDS, its revolutionary spearhead. But what neither he nor any other left-watcher in or out of Government knows with any degree of certainty is what SDS really stands for, how big it is, what its goals really are, who its real leaders are, where it gets its money and whether it is seriously dedicated to overthrow of the Government.

"I think the collapse of the power structure is the goal of SDS," the expert, who must remain anonymous, says uncertainly.

"You know, in the Newark riots SDS was there. They had been working in the Newark ghetto, whipping things up. When the riot started one of them (he mentions a name, but the charge remains unproven) was right in the middle of it, passing out something from his Volkswagen. Later in that same area, there were firebombings."

The word "something" hangs in the lifeless air of the room leaving one to wonder if it means SDS was distributing Molotov cocktails to the Newark rioters.

LUNATIC JUKEBOX

Some distance away from the hidden loft, in a bar on upper Broadway, not far from the main gate of beleaguered Columbia University, a member of the SDS national leadership shouts to make himself heard over the din of 200 students accompanied by a dirge out of a lunatic jukebox.

Steve Halliwell (24, graduate student in Russian history, from Paterson, N.J.) grins and wipes droplets of beer from a down-turned red moustache. He is a member of the national interim committee of SDS, which is a powerful policy making organism in the deliberately fuzzy structure of the student organization.

"We have a great deal of idealism," he says, trying to explain himself to a reporter, "but also a great deal of fundamental pessimism about changing society. But it is intolerable to live the way we are being asked to live."

Intolerable in what way?

These students don't waffle like minor office holders when they're confronted with specific questions. Steve takes a sip of beer and replies:

"It's intolerable on a lot of levels. The elements that rule this country have created a great deal of suffering around the world. For example, as a clear cut consequence of international capitalism, 300,000 children will die of starvation this year in Brazil."

How, the reporter persists, is American capitalism or the American Establishment (to use a term much esteemed by SDS types) to blame?

Steve patiently explains: "Control of their economy means control of their social institutions. The International Monetary Fund dictates how these countries can run themselves.

"Capitalism," Steve concludes with finality, "will have to be destroyed."

Steve and his colleagues in SDS are not numerous viewed against the background of six million American college students, but their power is explosive. They have disrupted dozens of universities, struck and closed Columbia. They have been in the forefront of the swirling maelstrom of violence that has cut like a knife thru the fabric of American society. The nation's bitter division that prompted President Johnson to announce his retirement is, in part, their handiwork.

COMMUNIST PARTY

Like the Student Non-violent Co-ordinating Committee and the W. E. B. DuBois Clubs (most directly dominated by the Community Party of the student action groups), SDS has shown time and again that it can make some of its demands stick. It will, for example, get much of what it is demanding from the shaken administration at Columbia, just as it helped win the ouster of University of California President Clark Kerr in the Berkeley riots of four years ago.

Whether or not SDS has (as it claims) 30,000 students "who consider themselves members," the organization burns like a white hot coal in the kindling of discontent that exists in the ranks of America's embittered, alienated young.

In the United States, as in France and Germany, student political action can no longer be brushed aside as the vaporings of an aberrant handful. Understanding the students, and if possible reaching an accommodation with them, is one of the most pressing domestic concerns facing the nation today.

Steve, to the echoed assent of three other SDSers at the table, isn't optimistic that any reapproachment can be worked out.

"I think when corporate liberalism realizes that the student and black rebellion is a real threat, then there is going to be a Fascist government in the United States. They know the only way they can preserve the existing social fabric is by military or parliamentary solutions."

"Is SDS Marxist?" Steve shrugs and gives an answer that is often heard. "The question really is irrelevant. Marxism emerged in a wholly different set of circumstances in the mid-19th Century. Everything is substantially different now."

"Will we assimilate the way your generation did? Oh, we may lose a few along the way, but we're kind of like the Viet Cong—take out one wave and another one springs up right behind. They try to make us appear as an isolated minority, but we're not. Again like the Viet Cong."

SDSers are extravagant in their admiration of the Viet Cong. "All their (the government's) political options have been sealed off by Viet Cong successes," Steve remarks with apparent satisfaction. "The President has no more control over the military than Mayor (John V.) Lindsay has over the New York Police."

The symbolic heroes of the New Left are Che Guevara, Fidel Castro, Mao Tse-tung and Ho Chi Minh. In the SDS Morningside Heights strike headquarters, posters of the slain guerrilla leader proudly proclaim: "Che lives!"

Of the targets in the SDS lexicon of villainy—and the roster includes the Establishment, the power structure, the military-industrial complex, the CIA, the Pentagon, the press—none now commands quite the level of SDS vituperation as the New York City Police Force. The reason is the heavy-handed efficiency (or brutality, depending on which side of the Establishment you're on) with which the police cleared students from the buildings they occupied at Columbia during a seven day strike last month.

SUBTLE, ELUSIVE

Like everything else about the New Left the Columbia strike is subtle, elusive and difficult to understand. The bright and dialectically nimble members of SDS customarily resort to such elliptical terms as "participatory democracy" when the outlander asks them what they want from Columbia. Reduced to such terms as ordinary mortals can understand, however, this really means they want a major (and perhaps decisive) voice in running the university.

At Columbia, the student left has bitterly opposed the university's links with the Institute for Defense Analysis, a university-Government organism concerned chiefly with weapons research. (Last week IDA restructured itself so that its members, including Columbia President Grayson Kirk, henceforth will serve IDA as individuals rather than as representatives of their schools.)

The proximate cause of the Columbia strike, however, was the university's attempt to build a gymnasium in an area it owned but was regarded by Negroes as their own recreation area. The gym issue crystalized student-community opposition to Columbia's expansion program in Morningside Heights. Like the student strike that led France to the brink of civil war, the riots at Columbia may have lasting consequences reaching far beyond the academic world.

MOTION TO DELETE FUNDS FOR DICKEY-LINCOLN

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GIAIMO. Mr. Speaker, in the last two Congresses, in the past 3 years, the House has cast four rollcall votes against the proposed Dickey-Lincoln power project.

Last year we deleted all funds for its construction planning from the public works appropriations bill. By our votes we directed that all planning on this obsolete powerplant be terminated.

Notwithstanding, a request for funds needed to bring this discarded project back to life has been included in the public works appropriation bill for 1969—scheduled to come before the House Wednesday, June 19.

I would like to make it clear that when that bill is before the House, I will move to delete the entire appropriation of $671,000 requested to resume construction planning of Dickey-Lincoln.

I believe the membership is familiar with the infirmities of Dickey-Lincoln. It was bad in the past, it is worse today. Its staggering cost has gone up to a level we now know is in the neighborhood of $500 million.

Dickey-Lincoln is rejected by the overwhelming majority of the New England delegation because it could only provide us with high-cost power.

I trust it will again be rejected by the House.

THE VULNERABLE RUSSIANS AND COLD WAR VICTORY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. DERWINSKI. Mr. Speaker, a number of Americans, intellectuals as well as others, seem to believe that the cold war is nearing an end or has already ended. The facts of Moscow's operations in Asia, its consistent anti-American broadcasts, its subversive activities in the Middle East, Western Europe, Latin America, and on our own terrain do not seem to impress them. There can be no better measure of the effectiveness of Moscow's deceptive peaceful coexistence policy than this. They represent the intended product of this strategic policy.

That the cold war is far from over—indeed, it has assumed a more subtle and dangerous character than ever before—is one of the chief theses in the current work, "The Vulnerable Russians." Authored by Dr. Lev E. Dobriansky of Georgetown University, the book provides the necessary background to the present, winning strategy of the Soviet Russian totalitarians.

The work is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. However, some excerpts from the book will give the reader an indication of the novel nature of the work.

The excerpts follow:

A POLICY OF COLD WAR VICTORY

"A house divided against itself cannot stand.

—ABRAHAM LINCOLN.

Properly applied in our time to the world at large, these words of the Great Emancipator have more profound and extensive meaning for humanity than they did in his time. And where a house divided against itself "cannot endure permanently half slave and half free," the present division of the world between the Red Empire and the Independent Nations points to an inevitable resolution that may be cast either in armed conflict or psychopolitical action. The theme developed throughout this book stresses the latter, points out just some of the opportunities we can realistically avail ourselves of, and indicates how fixed and groundless preconceptions, rooted in antiquated thought, blind us to these and numerous other opportunities for successful psychopolitical action and thus Cold War victory.

* * * * *

Time favors the Soviet Russian and Red Chinese imperio-colonialists, not the world's exponents of democratic freedom. Time for economic acceleration, also time for further nuclear development, perhaps a scientific breakthrough, and anti-missile defense, and certainly time for methodical subversion and psycho-political preparations—all these developments require time and in time will produce further Red takeovers. On our side it is well to recall that cultural exchange, trade, diplomatic acquiescence, self-imposed restraints on military, economic, and political power, and other measures of peacebuilding were applied in even greater degree to the German, Italian, and Japanese totalitarians, and they failed.

* * * * *

In a politically contrived address on improving relations with Eastern Europe, President Johnson placed favorable emphasis on a number of factors which will inevitably intensify this disadvantage and thus repeat the grave errors of only thirty years ago. The first and most significant is the continuity of U.S. policy toward the Soviet Union. "Under the last four Presidents our policy toward the Soviet Union has been the same," he said approvingly. Relate this policy to demonstrative facts, particularly the grossly disproportionate growth in the power and influence of the USSR, and there is every empirical reason to demand a necessary change in this misleading policy.

* * * * *

Most noteworthy was Senator Fulbright's endorsement of this presidential address. The chairman of the Foreign Relations Committee, who also is under the illusion that the USSR is a "nation," could hardly restrain his delight in blessing the address and in quoting from the President's previous Idaho Falls speech where Johnson underscored the need for "cooperation between the United States and the Soviet Union. In the benefits of such cooperation, the whole world would share and so, I think, would both *nations.*" Could you have visualized the United States "cooperating" with Nazi Germany or Imperial Japan, powers that were not as dangerous and insidious as the Russian apparatus is? Then, too, what are we to "cooperate" in? There is little or nothing for us to gain from the Russian copyists, but there are immensities of knowledge, skills, and technology they stand to gain from us.

* * * * *

It is startling, indeed, how little perspective has been shown regarding this virtually pro-Russian policy, whose roots really extend back to President Woodrow Wilson. One should judge any policy, whether it's based on false assumptions and loose principles or not, by its concrete results. This is the only final and rational approach to a critical evaluation of any policy. To laud the continuity of a policy that has already led to heavy losses for freedom borders on the irrational. By the record we have nothing to take pride in our insular policy toward the USSR.

Just consider a few highlights of this record. The spectacular expansion of the Soviet Russian Empire—from the Russian Soviet Federative Socialist Republic to the USSR to the Danube, the Pacific, and Cuba—within the brief span of 50 years and with patently inferior resources, is a hallmark of political art and genius, regardless of its immoral qualities. Fifty years are but a second in historical time; quite objectively, the empire-building achievements of the Russian totalitarians must be given due and full credit, again despite their brutal and unethical aspects.

* * * * *

In this broad perspective, the original Wilsonian error was compounded and added to by the U.S. economic contributions to the growth of the Soviet Russian Empire (now in the form of the USSR, 1920's–40's), America's diplomatic recognition of this empire-state, Roosevelt's unconditional support of the tyrannical empire during World War II, and his naive trust in Russian words at Yalta and Teheran. Few Americans appreciate the incalculable assistance provided by American capital, skill, and technology in the construction of the industrial foundations of the present chief enemy. Today, self-seeking interests are once again clamoring for liberal trade with "Russia" and the Red Empire, which in the nature of things can only mean more efficient technology for the totalitarians to pursue more effectively their Cold War aggressions on all continents of the Free World.

* * * * *

Those who argue for the recognition of the Red totalitarians in Peiping and elsewhere in the empire, might do well to review the deception and adverse results of our earlier diplomatic recognition of the Russian totalitarians. Progressive humanization and genuine peaceful relations, not to speak of opportunities for expanded freedom, were the lost objectives of that venture. The 1933 step broadened the field for Moscow's Cold War operations against the U.S. Moreover, the cruel aspects of humanitarian America recognizing the USSR while millions of Ukrainians, Cossacks, North Caucasians and others were starving and dying in a massive Russian man-made famine was of no concern to those bent on honoring the world's outstanding genocists. How foolishly we squander the uses and power of diplomatic recognition was again demonstrated in October, 1956, when the occasion of the Hungarian Revolution called for a strategic withdrawal of such recognition from the USSR.

* * * * *

Clearly, Roosevelt's errors formed the second colossal, political blunder in this century. They opened up the dikes for the third wave of Soviet Russian imperio-colonialism, the two preceding ones being the 1918–22 and 1939–40 periods. The conquest of Central Europe, mainland China, North Korea and others are traceable to this egregious blunder. You will recall from an earlier chapter, as Anthony Eden plainly shows in his memoirs, the very first thing that troubled Stalin was the allied attitude toward the captive non-Russian nations in the USSR! In the chapter appropriately titled "The Bear," Stalin is quoted as saying, "If you say that, you might well say tomorrow that you do not recognize the Ukraine as forming part of the U.S.S.R." To which Eden replied, "That is a complete misunderstanding of the position. It is only changes from the pre-war frontiers that we do not recognize."

* * * * *

Almost in the nature of a political cycle repeating itself after a generation, measures being considered today are once again placing us on the brink of re-committing past errors. The whole illusory concept of "detente with Russia," the U.S.-USSR Consular Convention, increased trade with the empire-state, and notions of an alliance with "Russia" against Red China are based on the false assumptions and preconceptions underlying the continuity of U.S. policy toward the USSR. These and other facets of the mid-60's Grand Illusion are argued for on the basis of "changes sweeping Eastern Europe," but few bother to distinguish logically between substantial and accidental changes, between those leading to the elimination of Communist Party monopolies, which are not at all evident, and those actually strengthening the Red states under these political monopolies, which are quite abundant. The presence of nuclear weapons in the current picture is extraneous to the issue at hand and cannot logically be introduced as a basis of rationalization for perpetuating old myths.

* * * * *

Simple as it may seem, the chief key to peace, victory and freedom is a principled and rational policy toward the USSR. The major source of trouble and threat to the peace of the world is not Peiping, Havana, Hanoi, Cairo and what have you, but solely and exclusively Moscow. A bit of reflection will show that the prime and determining power base of the Red Empire is Moscow's inner empire, the Soviet Union itself. In ultimate terms of distributed power the rest of the empire, including mainland China, depends for its survival upon this base. The USSR stands in the same relation to the entire Red Empire as the United States does to the Independent Nations; the collapse of either would mean the collapse of its respective field. Nevertheless, this power center is so profoundly fraught with vulnerabilities that a sane policy toward the USSR could insure an essential surcease in Russian Cold War aggression in the Free World, a drastic weakening of the total empire itself, and paramount strides in the direction of world peace and freedom.

* * * * *

For the past two decades comedy and tragedy have marked the discussions, formulation, and effects surrounding general U.S. foreign policy. The tragedy has been in its effects, as seen in Korea, scandalously in Viet Nam, and in the Dominican Republic, where unnecessary expenditure of American lives took place in situations that could have been prevented. In this respect, there will be more Koreas, Viet Nams, and Dominican Republics if we fail to change our policy. Curious, isn't it, that Russian lives are not as freely spent in diverse parts of the world? Nor will they be, so long as the old Russian borderlands policy in its modern Red version of Communist Party transmission belts continues to succeed.

* * * * *

The verbal parade has included "containment," "liberation," "peaceful liberation," "containment without isolation," "massive retaliation," "peaceful coexistence," "the Geneva spirit," "competitive coexistence," "mutual deterrence," "evolution," "escalation," "disengagement," "bridges of understanding," "competitive engagement," "co-engagement" and many other scintillating terms. What the semantic mill will disgorge tomorrow is anyone's guess. Similar to the annual dress fashion or auto shows, old ideas evidently require new verbal dresses and bodies. But whatever the dress or body the basic structure of ideas has remained the same. This has been so true for our "changing world," our "nuclear age," our "new horizons"; as though all of the past has been static.

* * * * *

What are the prospects for liberating the captive nations not only in Eastern Europe but also in the Red Empire as a whole—and without precipitating a global holocaust? Though time is steadily running out, the prospects nevertheless are still bright. There can be numerous opportunities for us if we exert the knowledge, understanding, will, and courageous determination to plan for them and to implement accordingly. The situation calls for a different type of leadership than what we have been getting. Because of our unpreparedness to seize upon fortuitous opportunities, we missed the boat, for example, during the spectacular Hungarian Revolution. The agent of freedom, Oleg Penkovsky, who largely penned the now famous volume, *The Penkovsky Papers*, was not wrong in saying that the Russian General Staff had opposed the "Khrushchev adventure" in Hungary and that if "the West had slapped Khrushchev down hard then, he would not be in power today and all of Eastern Europe could be free." From the viewpoint of ideological considerations, it is interesting that the former Russian leader, aided by the West's ineptitude, rationalized his delayed action on the basis of Tsar Nicholas I's intervention in the Hungarian Revolution of 1848.

* * * * *

As we saw earlier, Russian cold war activity is not new; it was an essential institution of the White Tsars as it has been and is now of the Red Tsars. The fact that the Bear on strategic occasions cries "peace" doesn't mean its forthcoming. It would do most of us well to re-read Rudyard Kipling's poem about the bear that walks like a man:

> "When he stands up as if pleading, in wavering, man-brute guise;
> When he veils the hate and cunning in his little swinish eyes;
> When he shows as seeking quarters, with paws like hands in prayer,
> That is the time of peril—the time of the Truce of the Bear!"

* * * * *

The very nature of the Soviet Russian menace predetermines the choice of either victory or defeat. Its victims amply attest to this truth, and its own oft-repeated determination to win is enough to pre-judge our resolution to do likewise. By the third proposition it follows that for survival as a nation we must logically seek positive victory in the Cold War, i.e., net balance gain, or, barring last-minute recourse to military arms and the likelihood of a hot global war, be ready in time to surrender even in a state of ignoble compromise to the enemy. To read the words of the Secretary of State—"Sometimes it seems to me that some of those who talk about a 'no win' policy want to participate in a hydrogen war"—one cannot but wonder about the deep impression created by Moscow's propaganda machine and its coexistence or co-destruction myth on minds in this country. The posibility of such a war scarcely inhibits Red Cold War strategy and tactics throughout the world.

* * * * *

Knowing that this is a war, albeit a Cold War with the main adversary, if we are not dedicated to the defeat of the enemy, then it obviously follows that we are prone to compromise ourselves morally and politically. Logically, there is no middle ground. We are fooling ourselves to believe otherwise, and the Maginot Wall of patched-up containment won't protect our fooleries. We have already developed a sense of compromise in our willingness by omission of deed to accept the status quo of slavery in a substantial part of the world, praying that "evolution" (selective or random?, no one knows) will somehow set things aright. By this we wishfully look for peace where there can be no peace. And as this inclination deepens, we shall continue to compromise more and more until the only alternative will be "I'd rather be dead than Red" or "I'd rather be Red than dead," depending on one's patriotic or cowardly proclivities. The policy of unfinished liberation offers the choice of being both alive and free.

* * * * *

At the beginning of the 50's we hid behind the fact that we had a distinct superiority in arms. We spoke effusively of physical deterrence, the great deterrence against the Soviet Russian wave of the future. It was a plain fact that we had overwhelming material superiority; it was also plain that we squandered its uses in the Cold War because of a lack of understanding, timidity, and short vision. Since the sputniks, ICBM's and so forth the deterrence has become "mutual." Regardless of a 3:1 ICBM ratio in our favor now—through a more accurate, a far lower ratio embraces also total megatonnage, IRBM's, SLM's, space weapons, and strategic bombers—there has been a relative decline in our power of overall physical deterrence which has shifted the power play to other elements in the psycho-political warfare arsenal. Unquestionably, the arms race will continue with inevitable Soviet Russian superiority in some lines of weaponry, particularly anti-missile missilry and all its obvious implications.

* * * * *

An integral part of Soviet Russian imperio-colonialism is its international conspiracy under the guise of Communism and the Communist Parties network. We mustn't overlook nor depreciate this fact despite Moscow's "peaceful coexistence" pretensions. The undercurrent of international conspiracy continues unremittingly, for investment purposes if nothing else. Multi-billions of rubles haven't been spent for fun to train professional revolutionaries in the hundreds of thousands, prepare "sleepers" and potential assassins on every continent, and provide unlimited facilities for the Day as determined by conditions and chance. Moscow persistently plans for political and violent sabotage at the appropriate moment. Spawning a network of subversion, conspiracy, disloyalty, espionage, and sabotage has been a traditional Russian stock in trade both in times of so-called peace and a hot war. Based on the old divide-and-conquer principle, operatives in the network are the cadres forming the enemy from within, and within the United States they are operating as already shown in several dress rehearsals featuring civil rights and Viet Nam war dissent.

* * * * *

Briefly, then, when one reflects on these five factors pinned to our present policy of patched-up containment, one cannot but arrive at the conclusion that two real frightening possibilities will face us in time. One is for the United States to suffer military defeat, given a peculiar complex of events and situations. But this will be unlikely as long as we maintain our uninhibited progress in military technology, and the passage of the Nuclear Test Ban Treaty does not eventuate into a fatal mistake. The other possibility, the much more likely, is a progressive, psycho-political isolation resulting from successful Red takeovers, and this, too, would spell disastrous defeat. The Common Market in Europe, the Alliance for Progress in Latin America and several other similar developments in the Free World are no guarantees against this possible outcome. In fact, they engender tendencies of euphoria, apathy, indifference, and eroded vigilance that could accelerate it.

* * * * *

Background of Thought

Despite Mr. Rusk's mistaken belief, there is a rich background of thought on the policy of unfinished liberation. What it is, what it calls for, and how to do it are incorporated in this literature. There is no excuse for not knowing it. There is every reason to become familiar with it now because once the present phase of appeasing the Russians is over, with of course a price to pay for our lack of real leadership, the liberation policy will be our only alternative. Those responsible for our present errors of both commission and omission will be written off, and self-legitimations in the name of having pursued "peace" will be found groundless. Lost time, repeated errors and blunderous assists to the Red Empire cannot be whitewashed by mere "peace" utterances.

* * * * *

In the period of 1952–54 much was written and discussed about the policy of liberation. Months before John Foster Dulles' article on liberation appeared in *Life* magazine in May, 1952, this writer had prepared for the Republican National Committee tracts on liberation which were later distributed at the Republican Convention in Chicago and during the subsequent campaign. Although much utterance was given to the new policy, it became apparent that very few, even at the highest echelon, grasped its essence and ramifications. General Eisenhower spoke in terms which are applicable to our present deteriorated situation. "Our determination," he said, "must go beyond the negative concept of containment to the positive concept of expanding by peaceful means the areas of freedom. If this is not done, we will once again find ourselves at war. It must be done. It can be done." Because of what had not been done, we were already in a war when these words were uttered. For the same reason a little over a decade later we found ourselves in another war. And there still will be additional hot wars if we fearfully cling to simple but negative containment.

* * * * *

Before it will be too late, by then most will have learned that the best way to prevent a hot global war is to win the Cold War. Contrary to the notions of some writers, they will have understood that the liberation policy never theoretically rejected the concept of containment. It is necessarily founded on containment, though its advocates have consistently pointed out the inherent insufficiency of containment and the need for its reinforcement through liberation. Events have proven them right as we witness the Red totalitarians leaping over the Maginot containment wall into the Middle East, Cuba, Latin America, Africa and elsewhere. Simple containment now is a badly patched-up affair, and the coarse and unsophisticated, last-minute resort to U.S. military assistance, as in Viet Nam, will inevitably and rightly tax the good patience of the American public itself. And lastly, in sharp contrast to our present policy of "building bridges of understanding," in itself a desperate variant of crumbled containment, the liberation policy is firmly oriented toward the revolutionary aspirations of the captive nations and not the further strengthening and entrenchment of totalitarian Red regimes which, in effect, the hopeless Johnsonian policy sponsors.

* * * * *

Some flexible lines of implementation

It is always a source of amusement in any discussion of this subject to be asked "Yea, what can be done about liberating the captive peoples?" As a pharmacist preparing pills in a drug store for the remedy of a lingering condition, you're supposed to offer quickie formulae and solutions. There are none, no more than can be found in any process of human action. As there are no short cuts to learning and living, so there are no short cuts in liberating and enlarging the environment of world freedom. In both, expressed principles, definite goals, methodical planning, and resolute action are the interrelated ingredients of success. The policy of unfinished liberation demands these ingredients and at the same time, in contrast to mere containment, offers the widest latitude for flexibility, initiative, and creative imagination, traits which are in keeping with our American tradition.

* * * * *

In outline form here, the policy of unfinished liberation is structured by all of these elements. Its firm principles are those enshrined in the Declaration of Independence itself: national self-determination and independence, religious freedom, personal liberty under just law, and individual freedom of speech, economic investment, association, and representation. Moral and political responsibility grafted in justice is at the base of each principle. Almost predetermined by these principles are the following fixed goals: the universalization of our Declaration of Independence, the liberation of the captive nations, national independent states, the encouragement of regional cooperation in whatever suitable form, and a genuine United Nations of free nations. The realization of these goals would mean the end of all imperio-colonialist systems and with this, probably the end of any major threat to world peace. Certainly the freedom and security of the United States would be guaranteed for the long future.

* * * * *

Finally, in the implementation of the policy a whole spectrum of operational devices already exists and, as pointed out above, would be used prudently but with a dedicated commitment to win. The usual superficial arguments about precipitating "premature revolutions," escalating into a hot global war, and being unable to help Hungary are well taken account of. It is not difficult to rebut each of these. The first two point up the contradictions inherent in the narrow policy of patched-up containment, which really has not contained the aggressive influences of imperialist Russia. The general counterargument to all of them is that without careful cold war planning and execution over the years you can scarcely expect a minimization of risks in a contingent world which is becoming increasingly fraught with risks, the greatest being the risk of losing our independence.

* * * * *

Insurance against a hot global war

Now, would this course of psycho-political action lead to thermonuclear war? No. Indeed, it is the best insurance against a hot global war. In the 50's, when we enjoyed clear-cut atomic monopoly and air supremacy, opponents said such action would lead to war; mind you, while the Korean War was in vogue. Now in the 60's, with the enemy a member of the nuclear club and its empire more extended, the same shortsighted opponents say the same thing. They offer nothing new and urge us to sit tight on the self-contradictions of patched-up containment.

* * * * *

It must take some "blinders" and lack of realism to recreate an empire and extend it with relatively inferior resources within the short span of 50 years, and in the process rob atomic secrets from an "ally," bamboozle it with nuclearistic fear, contest the most powerful nation in space and power gaining, as in Cuba, and threaten its whole security with increasing success in Asia, the Middle East, Africa, and Latin America. What all this has to do with "Marxist-Leninist ideology," only the Senator can tell, and perhaps also academicians who like to read Lenin's imperialism into these real developments; they have everything to do with 500 years of Russian empire-building experience and wisdom in psycho-political warfare. By all essential evidence the "blinders" rest on the eyes of those lauding the continuity of U.S. policy toward the USSR, naively seeking bridges of understanding studded with Red toll gates and, like innocent sheep, prone to be sucked into another Russo-American alliance to guard the Soviet Russian Empire, i.e. the USSR, against "the yellow peril."

* * * * *

The fact is that we are guided by no well thought-out policy and, as a consequence, are resorting to old errors and approaches that will make a hot global war inevitable. Our state of "mutual deterrence," as long as it exists, necessitates more than ever before the policy of unfinished liberation. To avert hot wars, whether hydrogen, conventional or guerrilla, we must decide to enter the ring where the totalitarian Russians are at their best—the ring of methodical, psycho-political action.

* * * * *

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. **SCHERLE**. Mr. Speaker, this is the 147th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

GETTING A GHETTO BACK IN SHAPE

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. **ASHLEY**. Mr. Speaker, within the next several weeks the House will be asked to consider one of the more important pieces of domestic legislation—the Housing and Urban Development Act of 1968.

The thrust of this new legislation is to emphasize the production of new and rehabilitated housing for families of low and moderate income.

More and more we are learning that rehabilitation is a feasible approach to help meet the housing problem of the poor. I think the President is right in emphasizing this approach along with new construction, because together this will help increase the supply of housing directly available to low-income families and broaden their choice.

In Business Week of March 23, there was a very interesting article, "Getting a Ghetto Back in Shape," which deserves the careful attention of every Member of the House.

I insert the text of the article at this point in the RECORD:

GETTING A GHETTO BACK IN SHAPE

(NOTE.—In Boston's heavily Negro Roxbury section, five developers are carrying out the Nation's largest moderate-income housing rehabilitation project—and learning that the Negro voice counts.)

The growing Negro demand for a role in deciding matters that affect the Negro community is reaching more and more businessmen. This is particularly true in housing: Where large-scale building projects go into Negro neighborhoods, builders and planners are finding they must take Negro attitudes into account. When they don't, they can find themselves in expensive trouble.

In Boston, businessmen are finding that social consciousness can not only help produce decent housing for ghetto residents, but can also do wonders for the ledger. In the city's predominantly Negro Roxbury section—the scene of rioting last summer—a total of five developers are carrying out the nation's most ambitious low and moderate-income housing rehabilitation project—thanks to the Federal Housing Administration's 221 d3 program, and participating Negro investors.

The undertaking consists of two separate ventures: the Boston Rehabilitation Project (referred to as Burp), and a smaller project under FHA's rent supplement program. The totals for the two ventures are impressive: 2,800 apartment units refurbished at a cost of $32-million.

Depreciation value. Apart from cash returns on their investments, the developers stand to profit—as is the case with most government-backed projects like these—from depreciation credits, which can be applied against other activities. And a private Boston utility, Eastern Gas & Fuel Associates, is showing how a non-builder can participate in renovating housing, and—at least in this instance—acquire a welcome new heating market.

For Secretary Robert Weaver of the Dept. of Housing & Urban Development, the Burp project represents a key test of the feasibility of quick, large-scale rehabilitation in a racially sensitive area. Apart from materially improving the lives of large numbers of people, success could provide an increase in ghetto morale, an alternative to rioting, and the impetus for the rehabilitation of other urban slum neighborhoods. Failure, conversely, could mean all the grim opposites.

Coping. And, for a time, it seemed as if Negro hostility—stemming in part from unavoidable business demands, in part from the clumsiness of the developers—would doom the program. But after a rocky start, the white businessmen and government officials involved have reached a point where they seem to be coping successfully with Negro objections.

For one thing, they are helping four Negro investors form a joint venture that will permit them to share in rehabilitation work in Roxbury. The group, Sanders Associates—so named for partner Tom ("Satch") Sanders, the Boston Celtics basketball star—is getting extensive financial and technical help from private developers and FHA officials, plus the largest mortgage commitment FHA has made so far to an all-Negro group.

The formation of this group has helped convince many local leaders that their community is not simply being milked by Whitey—a suspicion that had been a real barrier to progress in Negro-housing rehabilitation. In fact, the hope is that Sanders Associates will be able to handle future rehabilitation projects on its own and perhaps be the prototype for other rehabilitative work affecting the Negro community.

TESTING GROUND

For now, the principal rehabilitator is Burp, a project that stemmed from various smaller projects in Roxbury last summer. While in Boston for business reasons during September of last year, FHA Asst. Commissioner Edwin Callahan was impressed by the caliber of some of the projects he saw. One was the 731-unit rent-supplement rehabilitation work started by builder Maurice Simon several months before. After talking with Simon and other contractors, Callahan got the idea for a major rehabilitation effort.

Roxbury, he reasoned, would provide an excellent demonstration area: Acquisition costs, for one thing, would be low enough to place the rents of renovated apartments within the spending capacities of poor families. FHA claims the Burp units will average something between $5 and $7 additional rent per month including utilities. Too many government-backed ventures, critics charge, have displaced low-income families only to put up housing that low-income families cannot afford.

Fast. In addition, Callahan knew that Boston had contractors with relevant experience and that it had a local FHA office—unlike some of its type—capable of responding to demands for fast action.

Within a few weeks, Callahan had a commitment for $25-million in mortgages. He promptly called in a dozen contractors and set stiff terms: Units should be bought at an average of $4,000 each, and improvements—new kitchens and bathrooms, wiring, plumbing, and re-painting—should amount to no more than $8,000. The $12,000 per unit cost represented not only a financial saving—per unit cost in new construction ranges from $14,000 to $18,000—but also a saving in time. New buildings take 24 to 36 months. Callahan wanted the Roxbury rehabilitation finished by June of this year.

Record low. In return, he promised, FHA would slash the red tape, and it did. The agency took a record low of 60 days—6 to 18 months is a more typical time—to approve the plans of the five contractors who accepted the work. Simon added another 1,050 units to his rent supplement projects and thereby became the largest developer. And Eli Goldston, president of Eastern Gas & Fuel, saw an opportunity to beat out oil in the competition to be fuel supplier for the new units.

Through a real estate subsidiary, Eastern Associated Properties Corp., he bought an interest in Simon's units for $300,000. He has since won contracts for supplying 1,750 units with gas heat and is angling for the whole 2,800. If he succeeds, his Boston gas company will gross $400,000 a year in new revenues.

THE TROUBLE

By early October, developers were buying up property—for the most part 40-year-old brick buildings containing about a half-dozen apartments each—and on Dec. 4, Weaver went to Roxbury to unveil the plans. But the course of true rehabilitation, until this point running remarkably smoothly, suddenly ran into trouble.

In any real estate venture, a key to acquiring property at a reasonable price is secrecy. The Roxbury developers were no exception, but their secrecy meant that the project was sprung full-blown without any consultation with Negro groups, and there was an immediate uproar.

As Callahan puts it: "There are the plain facts of life. We know the price goes up whenever the word gets out, without a low purchase price the arithmetic just won't produce low rents." Boston's Urban League, however, at once called a meeting to protest what its leaders construed as white opportunism in charging in to make money out of Negroes without offering to share.

Minority developers. One response from the developers and the FHA was to canvass the area for likely-Negro investors. They found Sanders, who had $5,000 to invest, two property owners who were in a position to put up buildings as security, and a contractor who could add his fee. With Goldston's help, the developers arranged interim bank financing for the group, which made possible rehabilitating 83 units at a cost of $1-million.

The developers also held lengthy sessions to initiate the Negro investors in the mysteries of applying for FHA commitments and showed them how to turn modest cash investments into large tax depreciations. As Sanders says: "This has been a business education for me. After we do this job, I'd like to feel we can move in and get a bigger piece of the business."

Problems. Apart from Negro demands for a piece of the action, the projects faced problems growing out of FHA's insistence on speed. One consequence was an overzealous haste in forcing tenants out of their apartments—which led to the image of the white man turning helpless Negro families out into the cold.

Over the past decade, relocation has been the dark underside of numerous urban renewal and construction projects. Because Negroes are often bulldozed out of their homes with little thought to locating them in new ones, Negroes have come to refer to urban renewal as "Negro removal." And consequently, they are acutely sensitive to abuses, real and threatened.

Because of the need for haste, the developers took on the job of relocation themselves. During the cold weather of December and January, many Negro families received eviction notices (the legal requirement is 30 days advance notice), and some families got 14-day notices for nonpayment of rent. Still others had their utilities turned off.

Quite understandably, there was an uproar. Martin Gopen of Boston's Urban League comments: "Relocation was mishandled from the beginning. This is the form of exploitation that leads to riots."

The Boston Redevelopment Authority backed up Negro protests with a letter to HUD protesting that 2,000 families were about to be kicked out into the snow. Matters came to a head at a mass meeting in early February. Community leaders, government officials, and the developers then agreed to turn relocation work over to the Redevelopment Authority, and HUD agreed to kick in $200,000 to pay for it.

While Callahan admits "we would have encountered far fewer problems if we had not tried to speed up the progress," he adds: "But we wouldn't have been doing our job of trying to provide quick massive rehabilitation in one area."

But Walter Smart, Boston Redevelopment Authority relocation director, thinks the uproar could have been avoided if the developers had not tried to do the job themselves. "I knew exactly how the developers would take care of it," says Smart, a Negro, "—by giving 30-day notices and then shutting off gas, electricity, and heat. I knew that a program of that size carried out on that large a scale would tear the city apart."

Coordinating. Smart thinks he has the problem under control. His major plan is to coordinate the beginning of refurbishing work with the completion of apartments to house the displaced family. And several of the developers are carrying out the work while the family remains in the apartment.

The delay has meant hard times for both parties. Thomas Atkins, a Negro city councilman and Boston's first, talks about the "social cost" of the dispute. Simon talks about another cost—losses of some $200,000 in extra labor and other delay-caused expenses.

Learning. But everyone has learned from the experience. The FHA has learned that speed has its drawbacks. The developers have learned that community feelings mean a great deal. The Negro investors have learned that Negroes are capable of doing their own rehabilitation work—given the knowhow.

"If business has the knowhow," says Sanders, "who else can we go to for this kind of help? Working hand in hand with the white businessman is one key to the Negro problem—as long as it is not all take on the part of the white man." End

---

LIKE IT IS, BABY—VII

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article, which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

THE CHILDREN: AN UNCERTAIN FUTURE

(By Maurice Hobbs)

Mrs. Sally Smith and Marie, her 11-year-old daughter, sat in kitchen chairs in their darkened living room, watching the mourners arrive at the Atlanta, Ga., funeral for Dr. Martin Luther King Jr.

The shapes could barely be seen on the ailing portable television set resting on a big set which doesn't work at all.

Marie, impressed at the names of the people attending, commented occasionally as they arrived.

"Where is Johnson buried?" she asked her mother. Mrs. Smith explained it was former President Kennedy who was dead, not Lyndon Johnson.

The announcer said the King family had arrived and Marie thought for a moment it was the blond singing family instead of the relatives of the slain civil rights leader.

Marie looked more like a plump teen-ager than the child she still was. She already required a brassiere.

"She did mature fast," said Mrs. Smith, as we continued our talks about what it's like to be poor in Minneapolis.

Marie, a Negro growing up in North Minneapolis near Plymouth Av., attends Hay School, a 63-year-old building at 1014 Penn Av., N., with a 43-year-old addition—one of the city's older schools, but not the oldest by some 30 years. It has one of the highest rates of children with reading problems and disciplinary problems in the city's 60 primary schools.

Marie said she liked it and the teachers, however, and so did her mother.

Mrs. Smith said getting along with the other children is Marie's major problem in school.

READY TO FIGHT

"She talks, they talks back and she be ready to fight them," said Mrs. Smith.

She doesn't mind if the teachers hit the students to enforce discipline, "long as they don't leave no scars."

She said she liked the schools better in Texas, where her family came from in 1956, and would take Marie and Allen, Marie's baby brother, back there to school if she had her choice.

"Down there, if they don't learn, they whup 'em," she said.

Marie usually gets up about 7 a.m., said Mrs. Smith, and has plenty of time to get to Hay, about a half-mile away, by 8:30.

"But she slow," said Mrs. Smith. She likes to watch "Clancy and Carmen," "Clancy and Willie," and "Captain Kangaroo," children's television shows which begin at 7 and run to 9 a.m.

LATE GETTING UP

Sometimes, if she's late getting up, she doesn't get breakfast. When she's up in time, however, she gets bacon and eggs and cornflakes.

"She eats pretty near as much as I do," said Mrs. Smith, who weighs 215 pounds.

While we were talking, three of Marie's cousins—4-year-old Johnny Lee, 5-year-old Marvin and 12-year-old Elizabeth—came into the house while their mother ran an errand.

Marie went into the kitchen to get a turtle she had brought home from Mitchell Lake at Camp Wells, a settlement house camp near Big Lake, Minn., about 35 miles northwest of Minneapolis. She carried it to the table in the dining room.

The children clustered around as the turtle wandered from hand to hand. They shrieked with laughter as Mrs. Smith shouted, "Keep it away from me! Put it back in the kitchen!"

Then she laughed with the children as Allen, sitting on the table, bent over for a nose-to-nose inspection of the animal.

"You afraid of that thing?" she laughed at Johnny Lee as he jerked his hand back to escape the turtle when it went his way.

Marie put the turtle back in the kitchen, and Elizabeth held Allen, while the other children went out to play by the grassless curb in front of the house.

MARIE AT CAMP

Marie said she went to the camp with a busload of other children who attend functions of the Wells branch of Northside Settlement Services.

"Boys went!" she smiled. "We had a picnic and we walked in the water and we caught frogs and turtles."

Mrs. Smith's family also uses another community center, The Way, at 1913 Plymouth Av. N. The Way, which has sometimes been controversial, doesn't worry her.

She told about a part of its program that hasn't received previous publicity: The Way provided her with a 10-pound, 10-ounce turkey and other food for Thanksgiving, and Christmas presents for the children last year.

On Easter, Mrs. Smith and her sister, Deborah, went to The Way with Mrs. Smith's two children and Deborah's six for an Easter egg hunt and an afternoon of games and contests.

"It's a nice place," said Mrs. Smith, "because they got activities there. The kids can do anything they want. They're teaching them in from the streets.

"They ain't going to turn nobody down."

Mrs. Smith also goes to Phyllis Wheatley Community Center, Inc., 809 Aldrich Av. N., and likes it, but goes more often to The Way because it is closer.

Johnny Lee, Deborah's 4-year-old, was in a bubble gum contest at The Way at Easter.

"He couldn't blow a bubble for nothing," said Mrs. Smith.

Johnny will enter Hay School next fall, and if the city has a Head Start program this summer would probably attend. But his mother isn't enthusiastic about it.

Head Start, an antipoverty program operated by the Minneapolis public schools, has operated summer classes in the last three years for about 1,000 prekindergarten children a year.

Deborah's 5-year-old, Marvin, was in Head Start last year.

"They had 'em color, learn to fix blocks and play together," said Deborah. "He learned some stories, and to be quiet and listen."

But Johnny Lee, she said, is a little quieter than Marvin and can sit and be quiet already.

"I don't think he needs it," said Deborah.

HOPE FOR A BETTER LIFE

Mrs. Smith hopes both her children can go to college and lead a better life than she has.

"I'm trying to keep Marie away from drinking and smoking," she said. "My opinion is, she's going to be a nice girl."

Her eyes glistened, and she seemed for a moment near tears.

"I want my kids to have a job," she said, "a place of their own and to raise their family right."

YEAR 1968 CHARITY PROJECT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. LONG of Maryland. Mr. Speaker, I recently received a letter from the Baltimore chapted of the Painting & Decorating Contractors of America informing me of a project they are undertaking. I should like to share part of this letter with my colleagues:

> DEAR CONGRESSMAN LONG: As you may know, the Baltimore Chapter Painting and Decorating Contractors of America has volunteered to clean the Washington Monument in Mount Vernon Place, Baltimore, as its 1968 Charity Project.
>
> We, of course, think this is a monumental endeavor, outstripping last year's which resulted in our winning first place in the National PDCA Charity Week Contest. We estimate that this cleaning of the monument will represent a $10,000 value to the City of Baltimore.
>
> But we are not satisfied to let our charity endeavors stop there. With the firm belief that our clean up efforts may do much to encourage citizens to clean up their own houses or places of business this summer, we have also volunteered to do the following:
>
> 1. Paint the exterior of the Peale Museum.
> 2. Paint the exterior of the Maryland Historical Society Building.
> 3. Paint the exterior of the Druid Hill Avenue Y.M.C.A.
> 4. Paint the exterior of the Mental Health Association.
>
> We will begin the task of cleaning the Washington Monument and the painting of the other buildings on Monday June 17. All of the jobs, with the exception of the Washington Monument, will be completed that same day. The Washington Monument job will take longer—until Friday, June 21.

I would like to commend this fine, civic-minded group on its endeavor and thank each of its members for his splendid contribution to the Baltimore area.

CONGRESSMAN MACHEN'S QUESTIONNAIRE RESULTS SHOW CRIME AND CIVIL DISORDERS ARE THE MAJOR ISSUE

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MACHEN. Mr. Speaker, I recently circulated in my congressional district of Prince Georges and Charles Counties, Md., a comprehensive questionnaire on a number of vital issues. The more than 12,000 replies have been tabulated. I also received more than a thousand notes and letters accompanying the returns and I only wish I had the time and staff to answer each one. I sincerely appreciate the time and effort that each respondent put into each questionnaire and into the notes and letters I received. Many respondents expressed their appreciation for being asked their opinions on these vital issues and a great number lauded the objectivity of the questionnaire.

I would like to point out that as far as I know my sampling is the first taken in a suburban area of Washington since the civil disorders, looting, and arson here in April. Thus, the results can be construed as the judgment of many residents of the Washington suburbs in Maryland of the handling of the civil disorders. I would hope and urge that Federal and District authorities take into serious consideration the views expressed by my constituents as I always have and will continue to. It is important for Federal and District authorities to give consideration to those of us who, although we live in the suburbs, work, shop, or own small businesses in Washington and who, like my staff and myself, must necessarily go into Washington daily to serve the public. The following is my report on the questionnaire results:

RESULTS OF CONGRESSMAN MACHEN'S QUESTIONNAIRE, 1968

(By HERVEY G. MACHEN)

Perhaps the foremost question was "How would you assess the action taken by the Federal Government and the District of Columbia officials in restoring law and order in Washington during the recent disturbances?"

In general terms, 60% replied that it was poor or bad, and 35% replied that it was average, good or excellent. The specific results are Poor—30%; Bad—27%; Good—15%; Average—14%, and Excellent—6%.

After asking my constituents how they rated the handling of the disturbances, I asked them to select the reasons for their rating. They chose among eight alternatives. The results:

"The actions taken will not discourage future disorder"—63%. "Police were too lenient and did not do all they could have to prevent looting, etc. because they were restricted by orders from higher authorities"—60%. "Federal troops should have been brought in much earlier"—53%. "Prompt and efficient measures should have been taken to restore law and order as soon as possible"—52%. "Federal troops were too lenient and did not do all they could have to prevent looting, etc., because they were restricted by orders from higher authorities"—48%. "Prompt and firm action would have been more desirable but police were handicapped because of lack of sufficient personnel"—29%. "Combined positive action with sound judgement and restraint"—15%. "Police were too brutal"—0.33% or 40 replies out of more than 12,000.

A third question on the same subject asked "What action do you feel should be taken to prevent riots and violence in the future?" The results:

"Strict enforcement of state and local laws and upon conviction severe fines or jail sentences for persons who participate in rioting, looting and arson"—73%. "Local law enforcement officials should be permitted to use such force, as necessary, to stop violations of the law"—69%. "Immediate deployment of Federal troops upon request to areas where rioting and looting is taking place"—56%. "Other"—21%. "Local government officials should restrict arrest of lawbreakers and looters to minimize loss of life"—4%. "Federal troops should be restricted from using force to prevent breaches of peace and violations of the law in order to minimize loss of life"—4%.

It is very clear that the Maryland suburban residents of this metropolitan area take a very hard-nosed attitude toward law enforcement, particularly during civil disorders. The questionnaire results also buttress my feeling that our law enforcement officers have to be backed up by the Community, by the Courts and by their superiors in order to fulfill their responsibilities to enforce law and order. The majority replying feels that future disorders will not be prevented by the method of handling the April problems, but it wants strict enforcement of the law.

The majority also feels police should be unfettered to enforce the law against violators. As trained policemen they must have the right to use their best judgment as the situations dictate to enforce the law.

There is obviously strong and clear dissatisfaction among suburban residents with the handling of the April disorders. All of the major responses to the questions I asked are related to firm and quick action by law enforcement officials and government authorities. The majority rejected the policy of restraint that characterized the handling of the civil disorders here. The returns were not close and I know from reading the large number of letters and notes accompanying the returns that my constituents feel very strongly about this matter.

Another follow-up question dealt with crime: "How do you feel that the Federal Government can best combat the high incidence of crime and civil disorders?" Apparently the three selections provided were not really what people were looking for. Many people filled in their own comments in reply to the question and they stressed strict law enforcement as the key to the crime problem. They also noted their feelings that the courts (especially the Supreme Court) have handicapped law enforcement officials.

The returns to the question:

"Additional Federal aid to the State to combat crime"—47%. "Increasing Federal and State expenditures on poverty programs—jobs, housing, welfare, slum clearance, etc."—33%. "Direct Federal involvement in law enforcement by creation of a Federal Police Force"—17%.

I was pleased that only 17% selected the Federal Police Force. I do not believe it is the answer. Crime control is basically a state and local problem and this is where the emphasis should properly be to combat crime. We in Congress provide the laws and some Federal financial support to the localities to combat crime. We, as Congressmen, cannot go out and arrest lawbreakers and hoodlums.

Those few who cry for Congressmen to enforce the law are misleading the public and it is obvious to me that most people do understand that law enforcement begins at home. Certainly this was demonstrated by only 17% who advocated direct Federal involvement in crime control and the 80% who recommended more Federal financial aid to states to fight crime and more aid in attacking the roots. This response bears out my position that aid to the States and localities to combat crime is the best and most effective approach.

Also related to the crime problem was a question asking, "Do you favor or oppose stricter Federal control in the sale and shipment of firearms?" Gun control advocates won a clear victory in this question. The replies were Favor—64%; Oppose—24%; Other—12%, and No Opinion—4%. Those who selected Other generally stated that controls should be made more restrictive with regard to sales but not so with regard to possession of firearms. (The questionnaire returns were tabulated before Senator Robert Kennedy was tragically assassinated in Los Angeles.)

On the question on drug control—"Do you favor or oppose stricter penalties for possession, production, and/or sale of LSD, STP, and similar drugs?"—79% replying favored stricter control. Only 11% opposed and 4% had no opinion.

The next series of questions and replies concern a wide range of issues. The first two deal with Viet Nam.

On the question—"Should the President's bombing moratorium over North Viet Nam prove to be unsuccessful in securing peace negotiations, which course of action would you suggest that the United States pursue?"—there was no majority response for any alternative answer. The results:

"Continue bombing North Viet Nam and take necessary steps to achieve a military victory without a major escalation, while continuing to seek peace through negotiations"—30%; "Declaration of war by the United States Congress, with the expressed purpose of bringing the war to a successful conclusion as soon as possible, and to provide for the use of nuclear weapons if necessary"—28%; "Escalate bombing North Viet Nam to include cities, using conventional bombs, and our armed forces in Viet Nam, and to continue to increase our commitment slowly with as many armed forces personnel and as much material as the President deems necessary"—17%; "Immediate withdrawal from Viet Nam, without regard to effect on South Viet Nam or other nations of Southeast Asia"—15%, and "Continue limited warfare in South Viet Nam without bombing North Viet Nam while seeking peace through negotiations"—12%.

These returns indicate that the President's peace offer and partial bombing halt have enhanced his position and gained more support for our commitment. Approximately 75% of the respondents have indicated a continuation of the war effort or escalation if peace negotiations fail. Only 15% recommend immediate withdrawal on the other hand.

Related to Viet Nam is the draft question—"Draft deferments for graduate students were recently discontinued by executive order. In which of the following categories do you believe deferments should be continued, if any?"

Of the replies, 45% selected "Universal government service under which all young men would serve the Federal government either in a military or civilian capacity for two years and have the benefits of the G.I. Bill after service." This was by far the most popular alternative. The second-favored reply—"Continuation of deferments for all undergraduate students"—received 22%. Next were "No student deferments at all (undergraduate or graduate)" with 19%; "Graduate students in the field of medicine and dentistry only" with 18%, and "No deferments for graduate students" with 9%.

Another critical issue deals with our economy and national expenditures. My questionnaire had two questions on this matter. The first was "In an effort to curb inflation and reduce the budget deficit, which of the following steps would you prefer?" The results:

"A 10% surtax on individual incomes combined with a substantial reduction in government spending"—32%. "No surtax at all with sharp reduction in overall government spending"—28%. "A lesser surtax on individual incomes combined with a reduction in overall government spending"—23%. "A 10% surtax on individual incomes, while maintaining present level of government spending"—11%. And, "No surtax and no reduction in government spending"—2%.

Assuming that there would be a mandate for a reduction in goverment spending in the responses, I provided a follow-up question: "In which of the following areas would you favor reducing government programs and expenditures to avoid a tax increase to reduce the budget deficit?" The replies:

Foreign aid was selected by 73%; space programs by 38%; anti-poverty programs by 37%; agriculture programs by 27%; aid to cities by 19%; defense programs by 18%; other programs by 14%, and aid to education by 7%.

On an issue critical to metropolitan areas, I asked: "Traffic congestion and lack of parking are becoming an increasingly significant problem in the Washington metropolitan area. Which measure do you feel should be instituted to alleviate this problem?"

The responses indicate a victory for those of us who favor a balanced transportation system. Of the six alternative answers, 42% selected "Balanced system of rapid rail transit and more freeways." Second was "Construction of a rapid rail transit system from inner city to suburbs with decreased emphasis on freeway construction" with 36%. Following were "Other" at 13%; "Increasing service of present public transportation facilities would be sufficient at this time to handle the traffic problem" at 6%; "Construction of more freeways through the inner city instead of construction of a rapid rail transit system" at 5%, and "No serious problem; no action should be taken at this time," at 2%. Many persons wrote in the great need for more parking facilities for Federal employees in Washington and in the suburbs.

Turning to consumer affairs, 78% of the respondents favor my legislation to provide short-term aid to establish and strengthen State Offices of Consumer Protection. Only 11% opposed the bill and 4% had no opinion.

The last questions were optional, but a picture of the respondents can be gained from those who answered the optional questions. Of those replying 69% were men and 29% women; 81% were from 26–64 in age, 11% were 25 years or younger, and 5% age 65 or over; 65% were registered voters—Democrats, 53%; Republicans, 23%, and Independents, 16%.

Saving the first questionnaire question for last, I want to explain that it was very difficult to tabulate the replies to the question, "What do you feel are the five most important issues facing the people of the United States today?"

Because there were many ways of wording each issue (some persons used a single word and others used a complete sentence or paragraph) we had to combine the five most important issues into single categories. The first selection as the most major issue was crime and civil disorders. Second was Viet Nam and foreign policy, and this includes both proponents and opponents of Viet Nam. Third was fiscal policy which includes inflation, budget deficit, balance of payments deficit and other similar issues. Fourth was civil rights and racism, and this includes those for more legislation on civil rights to those who feel there has been too much legislation on civil rights to those who object to black power or black racism. The last selection was poverty and this includes a broad range from hunger to slum housing.

I have not attempted to go into lengthy explanations or interpretations of the results because I feel they are self-explanatory. Again, I wish to reiterate my heart-felt gratitude to every person who read and replied to my questionnaire.

CALIFORNIA FINANCIAL INSTITUTION IN 80TH YEAR OF SERVICE TO RESIDENTS OF GOLDEN STATE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. ROYBAL. Mr. Speaker, I believe a special note of commendation is due the State Mutual Savings & Loan Association of Los Angeles as it approaches the start of its 80th year of continuous service to southern Californians.

Headquartered in my own 30th Congressional District, this outstanding financial institution was founded on June 20, 1889, with a twofold purpose: first, to encourage thrift on the part of the citizenry, and, second, to provide increased opportunities for homeownership.

In 1889, there were fewer than 50,000 inhabitants in the city of Los Angeles; today, there are more than 7 million residents of the Greater Los Angeles area—one of the fastest growing metropolitan centers in America.

As State Mutual Savings begins its 80th year of service to residents of California's southland community, it can reflect on some of the momentous events that have occurred during the past eight decades.

The addition of 16 States to the Union. Participation of this country in five major wars, together with the occurrence of numerous economic recessions and depressions. Such things have neither dimmed SMS's optimism, nor prevented this Los Angeles-based firm from meeting all its commitments.

A fine example of the successful operation of the private enterprise system in the United States, and with current assets totaling over $300 million, SMS stands as a symbol of southern California progress, linked with years of experience and know-how.

California is a growing State, and State Mutual has grown with it. The people at State Mutual are rightfully proud of the significant contribution they have made, and the leadership role they have played, in helping form today's dynamic California.

With over 60,000 savers and more than 15,000 home loans, SMS continues to honor its founding precepts to encourage thrift and provide homeownership.

So it gives me great pleasure, Mr. Speaker, to offer my heartiest congratulations and personal best wishes for continued success in the future to the men and women at State Mutual Savings & Loan Association.

RETURN TO ORDER

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. WHITENER. Mr. Speaker, the recent serious outbreaks of civil disobedience in the District of Columbia and our increasing rate of crime in the District has shocked the Nation. The citizens are relucant to visit their Capital and as a result the economic well-being of Washington is seriously threatened.

In that connection, I would like to call the attention of the Congress to a very excellent article by Donald B. Hadley which appeared in the June 13 edition of the Washington Evening Star. Mr. Hadley is the financial editor of the Star.

His article should be of great interest to everyone who is concerned over the future of the Nation's Capital. I insert the article in the Extensions of Remarks of the RECORD:

RETURN TO ORDER IS VITAL TO CITY, KOONTZ TELLS DBA

(By Donald B. Hadley)

HOT SPRINGS, VA.—The short-term outlook for the city of Washington is "bleak" and the first order of business must be a return to law and order, and equal protection under the law, Robert K. Koontz, Jr., president of the District Bankers Association warned here today.

Addressing the opening session of the association's 50th annual convention at the Homestead, Koontz cited $24 million of losses in the April riots and burning, a drop in assessed property values, the continued loss of business in deserted downtown sections at night, serious decreases in retail and tourist business and an expected drop in tax collections.

He urged the convention to draft a resolution "that puts this association strongly in the forefront of those who demand a return to law and order, and to the proper concern for property rights as well as civil rights.

Joining in Koontz' plea, Sen. Alan Bible, D-Nev., told the bankers "We have reached the point where strong corrective action is not merely a preferred course of action—it is now the only course of action, unless we are willing to abandon our streets to those who are contemptuous of our institutions and laws. He added:

"We cannot be permissive about violence. We cannot accept excuses for looting and killing. Let us remember that among all civil rights there are none more fundamental than the right of an honest man to his life, the right of a child to walk the streets without peril, and the right of all citizens to live without fear.

"I am fully aware of the pressures within our social order which can nurture the seeds of violence. But as long as we are capable of reason, our first obligation must be to the lawabiding citizen. If we refuse to punish a criminal for reasons of compassion, are we not denying compassion to the past and future victims of crime?

Sen. Bible is chairman of the Senate District Committee.

The spread of crime in larger cities threatens to reach epidemic proportions and Washington's record is sorry indeed, he said.

RANKS NEAR TOP

Among 16 cities of comparable size, the nation's capital is first in robbery, second in aggravated assault, third in murder, fourth in housebreaking and larceny, fifth in auto theft and eighth in rape, he reported.

In Washington there were 2,000 more robberies in 1967 than the year before. There were 4,000 more burglaries, 2,000 more larcenies and 2,000 more car thefts, he said.

Koontz noted that "a serious attack" was made on Washington banks by the Commissioners' Council after the April riots.

"It accused us of applying a double standard in considering requests for credit tendered by Negroes," he said.

"We most emphatically deny the charge, but hasten to point out that to qualify for a loan from our members, the applicant must meet high standards—high standards that are applied equally to all.

"The Council also seeks compensatory loans to Negroes and the funds for redeveloping and rebuilding the damaged areas," he added.

"Certainly as bankers we are intensely interested in the well-being of our city. To be otherwise would be foolish. A viable business community in a climate of harmony will provide the lifeblood of our banks.

"If I were to have an audience with Mayor Washington or Mr. Hechinger (chairman of the council), not as president of the District bankers, but as a concerned, individual banker, I would say that you can count on my bank doing its part in the future, as it has in the past.

RULES OUT PRESSURE

"But, it shall not be pressured by those in high places to participate in plans produced only for political expediency, nor shall it be a party to plans produced only to placate a majority, a minority or ethnic group. We shall act only, in our judgment, in the best interests of our entire city. But, the first order of business must be a return to law and order, and equal protection under the law."

In common with the community, the bankers deplored the assassination of Martin Luther King, "but what was permitted to follow in our city was a disgrace to every decent man, white, black, yellow, or red," Koontz declared.

"Near anarchy reigned for several days, with arson, looting and extortion continuing in its aftermath."

"After the assassination, insurance companies writing casualty coverage were presented with 2,300 claims totaling upwards to $24 million. It naturally follows that the assessed value of real property in the riot areas will be reduced on both damaged and undamaged properties.

FEARS SLOW RECOVERY

"Real estate assessments in the Watts district of Los Angeles were reduced 23 percent on the average after trouble there. How many years will it take values to return to the pre-April level?" he asked.

"Tourism is the second most important segment of our economy. In 1967, tourists and conventioneers generated $531 million dollars. This year, during April and May, which usually account for 30 percent of the total, our businessmen suffered a reduction of $40 million.

"Restaurants, theaters and others whose business is conducted principally during evening and night hours are experiencing drastic reductions in volume. One can anticipate a loss of taxes from all sources. With these problems and occupation of the city by the poor, the prospects for the short-term are bleak."

The banks are moving ahead with a student loan program that will produce $4 million of loans if continued at the same rate in the next four years before the first dollar of principal is repaid, Koontz reported.

They have disbursed $310,700 to 350 approved applicants.

Banks also are working with teachers and counsellors of District schools and devise courses that will better prepare students for jobs and are giving financial assistance to various organizations, especially the Opportunities Industrial Council, which provides training in the trades for drop-outs and others, he said.

Enrollment for courses of Washington Chapter, American Institute of Banking, totaled 1,240 in the last year and a faculty of 33 members conducted a broadened educational program for career employees of area banks, reported James T. Seitzinger, vice president of Alexandria National Bank, who has just completed his term as chapter president.

The educational program of 21 courses was presented in some 49 classes over two semesters, he said. Membership rose to 1,419. Special seminars and the annual forum on bank management were well received.

PROMISES OF REFORM IN FRANCE BY DE GAULLE CALLED INADEQUATE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. QUILLEN. Mr. Speaker, Capt. John M. Jones, Jr., who is in Paris, France, has written of the student revolt in France and of De Gaulle's May 24 speech. His article appeared on the front page of the Greeneville Sun on Saturday afternoon, June 1, 1968.

Captain Jones is the son of John M. Jones, editor and general manager of the Greeneville Sun. Both father and son write with authority and are well known in newspaper circles.

I consider it an honor to make the article by Capt. John M. Jones, Jr., available to the readers of the RECORD:

PROMISES OF REFORM IN FRANCE BY DE GAULLE CALLED INADEQUATE

(EDITOR'S NOTE.—Capt. John M. Jones Jr., who is in Paris, France, writes of the student revolt in France and De Gaulle's May 24 speech in today's story from him, datelined May 26.)

(By John M. Jones Jr.)

PARIS, May 26.—For some reason, President Charles de Gaulle did not make a realistic attempt to reach rebellious French students in his address to the nation Friday night.

The vague promises he made to reform the university and French social and economic life so as to "open the way more widely to the new blood of France" might have had an effect if he had made them two or three weeks ago. But in the context of the situation on the night of May 24, the time of the address, they were very inadequate.

The President's speech was only about 10 minutes long. He spoke seriously and, I felt, sternly, as a father might speak to older children; he seemed as though worried, growing short on patience, yet not sure that his authority would be respected.

There were numerous general references to the need for reform and reappraisal. He also said that the government had a duty to make "the contacts" which could facilitate a return to order. The government, he said, "is ready."

He announced that there would be a referendum in which the French people would be asked to give him and his government "a mandate for renewal." The actual subject matter of the referendum would be a draft law, presumably to make needed reforms.

Then he became more specific about what he had in mind. One paragraph was devoted to the students, the next to the workers and the farmers.

He dealt with student grievances in 31 words: "Rebuild the university, not by following its centuries-old traditions but according to the real needs of the country's evolution and the effective outlets in a modern society for young students."

The President's statement to the workers and the farmers was more than twice as long and contained several more specific references to the sort of reforms envisioned: "improving the living and working conditions of the staff of public services and private business," "organizing their participation in professional responsibilities," "developing the training of the young," "ensuring their employment," "putting into action industrial and agricultural activities within the framework of our regions."

Undeniably, these proposals to the workers and the farmers were themselves pretty general, too. They were, however, more specific than anything the students heard in the way of reforms.

Moreover, the proposals to labor doubtless carried much greater impact in the light of an announcement by Prime Minister Georges Pompidou earlier in the day that he was ready to meet at 3 p.m. on May 25 with leaders of the major unions and of the Patronat, the national organization of big French business. No corresponding gesture was made to the students, possibly because previous conversations with student leaders had been inconclusive.

Perhaps it was unwillingness to have his hand forced that kept President de Gaulle from coming forward with concrete, significant reform proposals.

Perhaps there was a strong dose of politics involved: some idea worked out by the President and the political professionals around him for trying to win over the striking workers and the dissatisfied farmers with concrete concessions and thereby isolate the students.

Or perhaps it was just that he did not, could not, or would not understand that the students, professors, and others who comprise the intellectual side of this revolt are not much impressed with Charles de Gaulle and are especially disillusioned with Gaullist-style politics.

Why should this be so when the general has without doubt done much for France in many ways?

As far as the students themselves are concerned—and they are certainly the most important component of the intellectual side of the revolt—they probably do not have very clear recollections of the political and economic chaos of the years between the end of World War II and the beginning of the Fifth Republic under de Gaulle's leadership.

When the general came to power in 1958, most of students who today debate French problems for hours in the Sorbonne or risk fractured skulls behind the barricades were not yet teenaged. Many have no doubt read about conditions in those difficult years and many more have been told about the problems, but that is not the same as having wrestled with the difficulties as adults.

President de Gaulle, his personality and policies, have dominated French political life for the 10 years since 1958. Thus, what these students know of politics as adults is Gaullism, and the things they associate with Gaullism are authoritarianism, paternalism, and grand promises the complaining farmers, workers, or educators, often with very little follow-through.

Older supporters and sympathizers on the student side can remember pre-Gaullist disorders, but they, too, are tired of the paternalistic Guallist political style, of the casual disregard of conventional legislative processes, and of a situation in which, they feel, the internal problems of France have been ignored in favor of a grandiose foreign policy. One point often made by critics of de Gaulle, both in the present crisis and before, is that the President's determination to make France a nuclear power has taker billions of francs that could have been better spent on internal needs, such as more universities.

No one can say that the students are easy people to reach or to work with, especially at the present. So great is their faith in direct democracy—itself a reaction against President de Gaulle's authoritarianism—that their leaders have very uncertain control over the masses of the led.

Moreover, there is still much disagreement and confusion among the students over just what they themselves want. In some, fairly isolated cases, progress has been made toward coming up with specific programs of reform for specific branches of the university.

And UNEF, the national union of French students, which has been one of the less extreme spokesmen for the students almost from the beginning, published about a week ago a 4-point program intended to give more direction to the debates and to the movement in general. The four points were, in summary: immediate increase of student power in university affairs, including the right of veto over all decisions; autonomy of the universities from the government; extension of the movement to the press; better liaison with the workers.

All points-of-view are represented within the student camp, however, and many students simply have no clear point-of-view. Ask 10 different students what they are fighting for, and you may get 10 somewhat different answers. The frank comments, "We don't really know yet what we want" or "We're not sure what we want, but we know what we don't want," are very often heard.

Still, from the reform proposals which have been drawn up, from the statements of student leaders, from the hundreds of newspaper and magazine analyses that have been written, and from the government's own thorough knowledge of conditions in French education, there was ample material for President de Gaulle to have come up with specific proposals for reform which might at least have become the basis for talks.

Any proposals he made would have had to have been accompanied by clear verbal concessions that the government had, in the fact of many other pressing concerns allowed the state of French education to deteriorate—something to indicate to very mistrustful students, professors, and others that the reform proposals were not just a government tactics to get the students out of the streets but that, instead, the government accepted the necessity of fundamental change.

Suppose President de Gaulle had laid out such a group of reforms and had summoned student spokesmen to a conference similar to that to which the government invited labor and management. Who could have talked for the students?

The President might perhaps have called for a representative from each faculty (physics, philosophy, mathematics, etc.) as well as for representatives from the major organizations, such as UNEF, which have taken part in the movement.

Nothing but a dramatic gesture would have had any chance of success, I feel, for the students were expecting just the sort of general promises, appeal for order, and Gaullist melodramatics (call for a mandate) that the President delivered in his address.

Even a dramatic appeal might not have drawn a response. Its only effect might have been to damp down the counter-appeal of the extremely militant elements among the students.

Surely President de Gaulle must have realized the mood of the students and the general situation as far as they were concerned. One can only assume 1) that he is already doing something behind the scenes about solving the student end of the crisis and for some reason wanted to say nothing or 2) that he did not want to try to make peace with the students yet, despite renewed violence.

There is no evidence known to me to support the first of these possibilities, and I am left with the conclusion that every government move is well planned.

If the President's strategy is to end the strike, isolate the students, and deal with them alone, it is quite possible that somehow he will succeed.

The workers' demands have always been chiefly economic, and they would probably settle for substantial concessions on wages, hours, and other economic issues. They might also get some sort of political concession, and it is not impossible that they would insist on a settlement with the students as their final condition for returning to work.

What is much less likely than a settlement with the students is a settlement which will not leave behind it a residue of bitterness and even deeper disillusionment with the political process than exists already.

President de Gaulle might have had Friday night, and might still have, a chance to demonstrate to the students that politicians can be depended on to deal with problems straightforwardly and seriously.

If he could accept the street violence as a tragedy for which both sides bear responsibility, concede the obvious need for major educational reforms, and bring the whole problem into a context of peaceful problem-solving, he would achieve a real victory for the nation.

If he cannot or will not find a way to do this, he may find a way even so to make the students accept peace. But he will run a grave risk of driving still further from political life, and especially from conventional representative democracy, thousands of young people just at the beginning of their adult citizenship.

TWO FROM MARYLAND SLAIN IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. James L. Harris and Sp4c. Ronald S. Gilliam, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and to honor their memory by including the following article in the RECORD:

TWO FROM STATE SLAIN IN VIETNAM—PFC. JAMES L. HARRIS AND SP4C. R. S. GILLIAM DIE

Two Maryland servicemen, one of them a draftee from Baltimore, have been killed in action in South Vietnam, the Defense Department announced yesterday.

The city youth was identified as Pfc. James L. Harris, 24, son of Mr. and Mrs. Hazel Harris, of 126 Kossuth street.

The other Vietnam casualty was listed as Spec. 4 Ronald S. Gilliam, husband of Mrs. Patricia A. Gilliam, of the 2200 block Phelps road, Adelphia, Md.

DRAFTED IN OCTOBER

Private Harris died May 25 of wounds received in a mortar and rocket attack. His mother said that her son's last reported assignment as an infantryman was at Hill 824, near Pleiku, in the Central Highlands of South Vietnam.

Born in Baltimore, Private Harris attended Carter Woodson Elementary School and Cherry Hill Junior High School.

He was employed as a shipping clerk by the Roger's Printing and Carton Company for about five years before being drafted into the Army in October, 1967.

SAID IT WAS "HOT"

Private Harris underwent basic training at Fort Bragg, N.C.

The soldier, who planned to go to work for the Post Office Department when he finished his military obligation, told his family in a recent letter that it was "hot" in South Vietnam.

Also, in a recent letter, he paraphrased scripture for his family, writing: "And whosoever wishes to be first among you shall be slaves of all; for even the son of man did not come to be served but to serve and to give his life as ransom for many."

Besides his parents, Private Harris is survived by two brothers, Reginald and John Harris, both of Baltimore; five sisters, Mrs. Linda Primeaux; Mrs. Betty Hazel, and the Misses Janie, Eva and Gloria Harris, of Baltimore, and a maternal grandmother, Mrs. Anna McIver, of Sanford, N.C.

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

MEMO

Dairy Imports.—Low-priced foreign dairy products, often produced under unsanitary conditions, constantly seek to enter the U.S. through loopholes in import quotas. Those quotas are absolutely necessary. The price of milk is supported in the U.S. in order to insure an adequate supply (i.e., in order to make it worthwhile for the farmer to devote his energy and resources to milk production). Unlimited dairy imports would make the price support program impossible. I have been concerned with three particular import situations:

Canned Milk.—I recently protested a Food and Drug Administration decision that canned milk imports were no longer subject to the sanitary requirements of the Import Milk Act and succeeded in obtaining a reversal of this decision as regards sweetened condensed milk and a promise of rigid inspection of evaporated milk imports. At the same time, in view of the threat of vastly increased low-priced canned milk imports, I urged the Department of Agriculture to take quota action to stop them.

Chocolate Milk Crumb.—Milk crumb is a dairy product used in candy manufacture and imports have recently shot up because there is no quota on the product. I have been urging the Department of Agriculture to close this loophole.

Italian Cheese.—There is a quota on Italian-type cheese imports, but it has been easily circumvented. The quota is on cheese "in original loaves". Importers merely had the loaves cut in half or grated and imports of these products, outside the quota, have shot up 1470% in two years. I introduced legislation two weeks ago to include such cheese in the quota.

Action.—Because of my concern in these areas and my efforts to obtain action by the Administration, I was pleased last week to see that the President and Secretary of Agriculture have now recognized the seriousness of the situation. By presidential proclamation the President (1) imposed temporary import quotas on all condensed and evaporated milk and cream pending an investigation by the Tariff Commission, and (2) ordered a Tariff Commission investigation to determine the need for quotas on other dairy products, including milk crumb and Italian-type cheese not in whole loaves. The Secretary of Agriculture called the action a "realistic move which is urgently needed to meet a threat which is widespread."

Library.—I recently designated the library of the University of Wisconsin-Green Bay as a Government Depository library. This means the library will automatically receive copies of U.S. Government publications, providing a new service to residents of the area when the library becomes fully operative. The southern part of the district is already serviced in this regard by the library of Lawrence University, one of the oldest government depositories in the nation.

Appointments.—In addition to my regular appointments to the military service academies, two more district competitors will attend academies after receiving direct appointments. Richard J. Bjorklund, 624 N. 6th St., Manitowoc, will enter the Air Force Academy, and Larry V. Hill, 620 N. Michigan St., DePere, will attend West Point. Congratulations!

OLD SHAWNEE TOWN CELEBRATION

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. WINN. Mr. Speaker, men of great courage and diverse origins opened the American West. Across a thousand miles of waving prairie they blazed the Santa Fe Trail and later spanned the continent with a railroad. As they journeyed westward, frontier towns sprang to life. Many of these towns would live only as reminders of the greatness of another era, while others, as familiar as Kansas City, Santa Fe, and San Francisco, were destined to grow to great prominence.

One such town was Shawnee, Kans., actually a part of greater Kansas City. Shawnee was discovered by M. DeBourgemont in 1724, and officially became a part of the United States, October 31, 1803. It was the first settlement in Kansas located on the Santa Fe Trail.

In the 1820's the Kansas Indians were the sole owners of what would later become the State of Kansas, and in 1828 Shawnee became the official headquarters of the Shawnee Indians.

Shawnee was chosen by Joseph Smith, the founder of Mormonism, as the site for the Mormon headquarters in 1831, but because the Indians had title to the land they returned to Missouri before pushing further west.

Rich in history that is now part of the folklore and tradition of the American West, Shawnee has many claims to fame. It was the first capital of the Kansas Territory. The first newspaper published in Kansas was located at Shawnee, as was the first grist and sawmill west of the Missouri River.

Today, one may still enjoy the romance of the early West through a nostalgic visit to "Old Shawnee Town," thanks to the Shawnee Historical Society. I made such a visit when I recently attended the third annual Old Shawnee Town celebration, and I invite you to Shawnee when you come to Kansas.

THE MYTH OF GREEK FREEDOM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. FRASER. Mr. Speaker, Alfred Friendly told, with a deft touch, the story of the continued stifling of organized opposition to and public criticism of the Greek military regime in the following column from the June 15 Washington Post:

Relatively Gentle Curbs Stifle Criticism of Regime in Greece

Athens.—As its defenders diligently point out, the Greek military dictatorship is, as dictatorships go, not brutal. No one is known to have been killed, there are only about 1200 political prisoners and there is no brooding fear of a 3 a.m. knock on the door.

Torture and bashing about have been applied selectively, almost entirely to Communists and their suspected associates, while treatment of political detainees from the society's upper levels has been, as the Germans would say, "correct."

It is something of a triumph, therefore, that the colonels' government has succeeded by such relatively gentle measures in totally quenching any potentially effective organized opposition and all public criticism. The Greeks being what they are—the most irrepressibly voluble political conversationalists on earth—the regime cannot stop them talking politics in private anymore than it can stop crickets from chirping.

But it has stopped dead all talking for publication by Greeks still inside the country. A reporter's 10-day inquiry discloses only two resident Greeks who have done so and have remained free.

One is Yankos Pesmazoglou, former deputy chairman of the Bank of Greece. In Brussels two months ago, answering questions at a university forum, he said he was "vigorously opposed to the regime" and favored "the immediate return to legality and democratic processes."

Back in Athens, he will reaffirm those sentiments on being asked. They are scarcely radical, but a proceeding has already begun that may end in his removal from his professorial post at the University of Athens.

The other exception is 34-year-old press tycoon Chrystos Lambrakis, controversial and colorful man who wrote a blast against the government, later published in The London Observer while he was serving an eight-month stint in jail. The British reporter who got the statement, Leslie Finer, was expelled from Greece, but Lambakis continues to live in Athens, subjected to further punishment.

The explanation may be that the dictatorship wants his cooperation; but he refuses to go along.

He was hauled into the presence of Premier Georges Papadopoulos by the government's famous chief of secret police, Inspector Lambrou. Papadopoulos asked Lambrakis to behave like a good fellow and to stop snubbing the government's meetings with publishers. Lambrakis replied that he would be pleased to do so once martial law was ended, censorship lifted and appeals permitted in civil courts.

Then, he added, he would fall to in attacking the regime to the best of his ability. Nothing further has been heard of the matter.

Supporters of the government, such as Savvas Constandopoulos, a press lord of extreme right-wing views, argue that full freedom was granted for argument and criticism of a proposed new constitution submitted for consideration six months ago. Such a discussion, he asserts, would have meant a complete airing of all current political issues, yet no political figure accepted the offer.

This is not quite true: three leading figures of former Premier Georges Papandreou's Center Union Party acted on the promise of immunity and issued statements (all refused for press publication by the censor). Technically, they violated the rules, in not being comments on individual sections of the draft but attacks on the entire procedure and declarations that no acceptable constitution could emerge from its present sponsorship. The three gentlemen have been detained in police headquarters since April.

The only right-wing politician to speak up was George Ralis, who called for the return of the conservative former Premier Constantine Karamanlis. Ralis was thereupon jailed!

Papandreou is effectively silenced by house arrest, and lest he smuggle out a statement or otherwise conspire, a security officer is at all times present, even when the old man's doctor makes a periodic check-up.

Also under house arrest is former Premier Panayiotis Canellopoulos. Ten days ago he sought to send a telegram of condolence to the Kennedy family. Its dispatch was forbidden...

GUN CONTROL

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GALLAGHER. Mr. Speaker, the popular cry for strong gun-control legislation continues. Hundreds of letters have been pouring into my office and the offices of my colleagues since the tragic assassination of Senator Kennedy; these letters carry the same message: Congress must pass stringent gun-control measures.

The House Judiciary Committee meets again this week to vote on the distinguished gentleman from New York, Mr. CELLER's proposed gun legislation. More days of waiting. According to statistics compiled for this past year, we can expect 17 murders each day between now and the committee meeting this Thursday, a total of 68 Americans murdered with guns before the committee convenes on Thursday. How much longer will we permit this appalling figure to grow?

Mr. Speaker, the Bayonne Times of Bayonne, N.J. has been a consistent supporter and leader in the struggle to obtain firm Government regulations on the sale of firearms. The editors of the Bayonne Times has long argued, as have I, that while gun control is not the final solution to the problem of violence in this Nation, the control of guns "would decrease the number of murders by insuring that guns do not get into the wrong hands."

I think that all Members of this body would benefit by reading an editorial recently published in the Bayonne Times. I am pleased to insert the editorial in the RECORD at this point:

GUN CONTROL

President Johnson has asked Congress to pass a strict gun control law which would require registration of all weapons and would outlaw the sale of all guns by mail order.

A bill based on the President's plea was introduced Monday in the Senate by Sen. Thomas Dodd of Connecticut and in the House by Rep. Emanuel Celler of New York.

Two influential senators, Everett Dirksen and Mike Mansfield, have already spoken out against the proposal, giving it little chance for passage in the upper chamber. In the House, a move to report the bill out of the Judiciary Committee yesterday failed as the committee deadlocked in a 16–16 tie.

The committee has scheduled another vote on the measure June 20, and Rep. Celler has said he hopes a compromise version of the bill will be accepted by the committee then.

June 20 is next Thursday, a little more than a week away. A week doesn't seem to be a long time. That is, it doesn't seem long until the number of deaths involving guns is tallied up.

Two national leaders have been shot down in public within months of each other this year. These are the shockers, the violent deaths that cause national sorrow.

But in addition to these well-publicized murders, there have been more than 2,000 accidental deaths involving firearms every year since 1960. And, an even more horrible statistic, some 6,500 murders are committed each year with guns.

That adds up to an average of some 8,500 deaths each year involving firearms. Now consider the week that the House Judiciary Committee is waiting to vote again on the gun control proposal; more than 160 deaths related to firearms are likely to occur during this time.

And after the week is over, the committee will probably consider a compromise version. Is it right to compromise over the deaths of two national leaders in the past three months, the slaying of more than 6,000 people and the accidental deaths of another 2,000 in the past year?

The answer to that question seems obvious to most people. It apparently is not obvious to the United States Congress, nor to the powerful gun lobby which has stifled every attempt at reasonable firearms control legislation.

Some congressmen and the lobbyists would argue that control of guns would not stop murder. There is no doubt about this. But it would decrease the number of murders by insuring that guns do not get into the wrong hands. As Congressman Cornelius E. Gallagher of Bayonne has noted, gun control would be the beginning of halting the "virus of violence" in this nation.

The lobbyists and congressmen would also argue that gun control would be an infringement on the rights of hunters and collectors. If the hunter or gun lover were a reputable man with a reason to own a gun, there would be nothing in the proposed legislation to stop him from buying one.

What the legislation would do is to prevent those not capable of handling guns responsibly from buying them. It would help to dry up the illegal traffic in guns. And it would provide identification of the owners of all guns through registration.

Although these are troubled times and deeper cures than firearms measures must be found to cure them, a law to place reasonable limitations on gun ownership would be a help in halting the violence in our nation.

It is the responsibility of the Congress to protect the public by adopting a strict gun control law as soon as possible.

FLY THE FLAG

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. DERWINSKI. Mr. Speaker, last Friday, with very proper ceremony, we commemorated Flag Day in the House of Representatives. Throughout the country this day was commemorated in a spirit that demonstrated the great depth of legitimate patriotism in the United States.

A very thoughtful editorial stimulating interest in Flag Day was carried in the Wednesday, June 12, Suburbanite-Economist which I feel merits reflection:

FLY THE FLAG

Old Glory, The Star-Spangled Banner, The Stars and Stripes—your country's flag.

Fly it every day, if you wish, but be sure to fly it Friday, June 14. That's Flag Day.

It was on June 14, 1777, that the Continental Congress passed this resolution:

"Resolved, that the flag of the thirteen United States be thirteen stripes alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation."

No one knows who designed this flag, or who made the first one. William J. Canby said in 1870 that his grandmother, Betsy Ross, made the first one, but historians doubt it.

The Continental Congress left no record to show why it chose red, white and blue for the flag, but in 1782 the Congress of the Federation chose these same colors for the newly designed Great Seal of the United States.

The resolution on the seal said red is for hardiness and courage, white is for purity and innocence, and blue is for vigilance, perserverance and justice.

And the flag itself? World Book Encyclopedia says:

"The Stars and Stripes stands for the land, the people, the government, and the ideals of the United States, no matter when or where it is displayed."

Fly it proudly.

NEED FOR STRONG FIREARMS LEGISLATION

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MURPHY of New York. Mr. Speaker, the need for strong firearms legislation is well documented; the mail from my constituents is strongly in support of such legislation, and a similar national trend has been shown by recent polls.

For 6 years, since first coming to the Congress in 1963, I have introduced legislation which would restrict the mail order sale of all firearms, and which would prohibit the sale of firearms to juveniles, convicted felons, and mental incompetents.

After much discussion, a limited version of this bill was incorporated in the omnibus crime bill this year, and has been passed by both the House and the Senate. As passed, only the sale of handguns would be restricted; rifles and shotguns are omitted entirely. President Johnson has recently recommended additional legislation to the Congress to extend coverage to long guns, and hopefully this will receive favorable consideration.

Even with this additional legislation to include long guns, however, I feel that a further step is needed—the licensing of the gun user. This would be comparable to a driver's license, and would be handled by the individual States. I am drafting a resolution which will ask the Congress to express its support of a "model bill" for all States to consider for adoption. This "model bill" will set forth what I consider to be the basic ingredients of a good program for licensing gun users; the final decision, of course, would be the States.

I think that such a licensing procedure, which would be similar to New York's present policy regarding handgun permits, would provide an important means of reducing the criminal use of firearms.

GUN CONTROLS

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. WHITENER. Mr. Speaker, the Sunday Star of June 16, 1968, carried an excellent editorial entitled "Gun Controls."

I feel sure that those who are interested in effective firearms control will find the editorial to be most interesting. I insert it in the Extensions of Remarks of the RECORD:

GUN CONTROLS

Despite all that has been written and said to the contrary, the crime bill recently approved by Congress really does contain effective provisions to prevent the sale of hand guns through the mails or over the counter. If anyone doubts this, let him read the bill.

It does not impose comparable restraints on the sale of shotguns and rifles, and the President has grounded his complaint on this omission. As a guess, we would say that 99 percent of the crime in which guns are used involves hand guns—not rifles or shotguns. Nevertheless, there is no good reason why the sale of the latter should not be as tightly controlled as the sale of the former.

Another notion being kicked around is that crime would be curbed if persons who already own guns were required to come forward and register them with the authorities. This strikes us as being close to the ultimate in nonsense. And for this reason: If such a requirement were in force people who obey the laws presumably would comply. But the criminals, those who use their guns to kill, rob and commit other crimes of violence, most assuredly would not. And if registration were to be followed by a requirement (this actually has been advocated) that people surrender their weapons, the net effect would be to deprive the law-abiding citizen of such protection as he may enjoy from keeping a gun in his home or place of business, while making things easier and safer for the criminal types who are not about to turn in their weapons.

There is one thing, however, which could be done and which might be effective. This is to enforce, and if necessary toughen, the laws which make it illegal to carry a concealed weapon without a permit.

This may come as a surprise, but under existing law it is a mere misdemeanor for the first offense of carrying a concealed gun on the street without a permit. The maximum penalty is a $1,000 fine and a year in jail. Needless to say, the maximum penalty is rarely if ever imposed. Why not make the maximum mandatory, or even increase it?

In other circumstances, being convicted, for example, of possessing a gun while committing a felony, such as robbery, the maximum penalty can be 15 years or more. But the maximum is never imposed.

It is our view that the gun toters would think twice and maybe three times before exposing themselves to a really tough sentence—if they knew that the tough sentence surely would be imposed. Why not try it? And if the judges, for whatever reason, won't be tough about it, then Congress can make the severe sentences mandatory.

Instead of wringing their hands and advancing more or less futile proposals, the anti-gun people should get behind some such project as this.

THE FDA AND DMSO: A CASE HISTORY

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. WYATT. Mr. Speaker, I have previously inserted a considerable volume of material into the CONGRESSIONAL RECORD concerning the plight of DMSO, the persecuted drug.

I have introduced legislation with other Members of both Houses and both political parties to counteract Food and Drug Administration mishandling of this drug and, indeed, all new drug applications.

This legislation—H.R. 16562 and S. 3310—would remove the evaluation of new drugs from the FDA and place it under the National Academy of Sciences. The Academy is a corporation, chartered by Congress, designed to give just this sort of scientific advice. Its active arm is the National Research Council, an organization eminently qualified to develop a standing committee for evaluation of new drugs.

Through the transfer of new drug evaluations the power of evaluation and the power of enforcement are separated, the power of judge is separated from the duty of the policeman. Not only would such a transfer expedite efficient evaluation of new drug applications, but the separation of powers, as in the other major sections of our Government, would provide for a much fairer treatment of these applications.

An eloquent plea for this approach, coupled with an accurate and detailed background of FDA handling of DMSO is contained in a letter I recently received from Dr. Stanley W. Jacob of the University of Oregon Medical School. The letter follows:

JUNE 11, 1968.

DEAR REPRESENTATIVE WYATT: I am writing in reference to H.R. 16562. My interest in this bill originally stemmed from FDA actions against the therapeutic agent DMSO. I have subsequently studied other facets of the total FDA problem.

If the FDA had not made any other mistake but the one regarding DMSO, this would be sufficient to call for prompt Congressional hearings. Unfortunately for the American public, the FDA has performed unsatisfactorily in other areas deeply affecting the health of the people of this country.

In 1962, the Kefauver-Harris amendments were passed. These in essence gave the FDA the responsibility to determine efficacy in addition to safety of a drug. The intent of Congress was admirable. This would have been a difficult task for highly qualified scientists. It should not have been entrusted to a regulatory group.

The amendments of 1962 instructed the FDA to establish regulations to implement enforcement of this law. In essence the amendments intensified a situation in which a police agency was also judge and jury. In actual practice the FDA found it was more and more difficult to act scientifically. No scientific check and balance was provided. Legalistic considerations took priority over scientific ones. It would be the same if we permitted the police department to serve as judge and jury in trials against individuals taking part in riots. What would be the result?

I would like to give you some background on safety and efficacy of drugs. It should be recognized that there is no such thing as absolute drug safety. Safety is at best a relative matter. As simple a drug as aspirin sold over the counter every day by the millions of pounds has produced death unrelated to dosage. As therapeutic efficacy increases, the danger and toxicity of drugs increase and the physician has to measure the danger of the drug he is using against the goal he is attempting to attain. You might be interested in looking at the Physician's Desk Reference, a book many doctors have on their desks at all times describing various drug toxicities. As a layman you would be appalled at the toxicity recorded for even the most simple of drugs.

The question of efficacy is always open to debate. There has never been a major advance in medicine or science which has not been challenged. Pasteur, Freud and the discovery of the polio vaccine have been severely criticized by many other scientists. There are some physicians today who even challenge the use of the smallpox vaccination. (Which by the way still causes occasional deaths.)

Since toxicity is at best relative and efficacy can always be challenged, what we did in effect with the Kefauver-Harris Amendments was to allow the FDA, a non-scientific regulatory agency, to impose scientific censorship. We had never before permitted such censorship.

It might be well to examine what has happened in the 5½ years since the Kefauver-Harris law went into effect.

It can be statistically demonstrated that since 1962 fewer new drugs per year have been released than prior to the passage of the law. This is an amazing phenomenon in view of the scientific explosion in other areas and considering the large sums being spent by the federal government for basic research.

It can be documented that it takes a longer period of time to put an effective and relatively safe drug on the market today than was the situation existing before 1962. In addition to the time lapse, the actual cost of placing a drug on the market today is larger, resulting in higher drug costs to the public.

It can be shown that the amount of paper work demanded by the FDA to place a drug on the market today has reached unreasonable proportions. To argue that this paper work can be digested by a computer attributes powers of reasoning to the computer which really do not exist. It is apparent that in new drug development we are beginning to lag behind Europe. In many instances since 1962 relatively safe and effective drugs which have come to the market in the U.S. have been on the market months or years in European countries prior to approval in this country.

I am told by knowledgeable individuals who have dealt with drug development that the center for drug development has moved primarily into Western Europe and to some extent into Japan since 1962. This movement is in part related to the regulations promulgated by the FDA proportedly to implement the intent of the 1962 law.

Another area in which progress has been slow in the U.S. since 1962 is in the field of drugs which are effective for *relatively restricted types of diseases.* Pharmaceutical companies are discouraged from putting time and energies into a drug which has a relatively restricted use. An instance of this type is a drug effective against iron poisoning in children developed by Ciba. Obviously the market is small, but nevertheless this drug is of *life saving import* to some children. The company cannot possibly break even on this agent no matter what happens, yet the FDA has held Ciba to needless and time-consuming studies before permitting the drug to be marketed. I doubt that they have yet permitted this drug to go on to the market. This would be an interesting case history for any Congressional committee.

An important point about delays caused by the U.S. FDA is that these delays have frequently been detrimental to the health of the American public. It is a known fact that drug toxicity sometimes does not occur for long periods of time or until drugs have been used on large numbers of patients. It is obvious that the FDA has taken the position that the longer we delay in releasing a drug, the less chance there is of making a mistake. This philosophy may at times be detrimental to the health of the American public.

If a new drug were discovered for cancer today and it takes 7 years for that drug to be released as is the case for many new drugs being developed, how many people would needlessly die of cancer while the drug was going through FDA red tape? The FDA answers it would promptly release any drug for the treatment of cancer, but I must point out that the value of a drug is always open to argument and even great discoveries such as Pasteurization and polio vaccination are not immediately recognized by outside critics.

A recent case in which FDA action has been detrimental to the health of a segment of the American public is the case of Zyloprim. It was easy to prove efficacy of Zyloprim because it required simple objective chemical determinations. Zyloprim is one of the newest drugs used in the treatment of gout. It has altered the course of chronic gouty arthritis. It has been my privilege to see many patients walking again due to Zyloprim. Yet the FDA took more than 5 years to release this substance. How would you feel if someone close to you had been crippled with chronic gouty arthritis 5 years ago. You now discover there is a drug that would allow him to get out of bed or his wheel chair. Maybe it's too late because there has already been too much joint destruction. On the other hand, if this patient had had that drug 5 years ago he might be walking today.

Another case in point refers to the therapy of tic douloureux. The FDA has released tegritol for the relief of pain of tic douloureux. It has taken them 6 years. Tic douloureux is an excruciating pain. It feels as if a dentist is constantly drilling your tooth without blocking the nerve. Patients with this affliction are often addicted to narcotics and frequently undergo surgery which leaves them with a numbed side of the face just as if they had a permanent dental block. How would you feel if during the last 6 years a member of your family had to undergo surgery for tic douloureux while all the time a drug existed which might have helped but which was not released because of FDA procrastination.

Another area in which FDA action has been dertimental to public interest is its effort to actually restrict medical writing. The agency has publicly taken a stand that only FDA can determine drug dosage and drug usage. FDA has attempted to censor a chapter in a medical textbook because the dosage of a drug advocated differed from the official FDA opinion. When penicillin first appeared the usual accepted dose was 600,000 units once or twice a day. If the FDA were functioning in 1942 as they are now, that would have been the approved dosage. Any physician who exceeded such a dosage would been guilty of violating FDA regulations and possibly be subject to suit. Yet we know that some diseases respond only to 10,000,000 units of penicillin per day.

The FDA has made it clear that when a drug is released it is only to be used for the treatment of diseases it itself has approved. Every day some of the most competent physicians in America violate this regulation in the interests of their patients by using drugs for diseases other than those approved by the FDA. Few of these physicians realize that in so doing they are possibly violating the law and subjecting themselves to prosecution. Few realize that the FDA would prosecute them if it would serve FDA's purpose.

Next I would like to discuss the DMSO matter. I have had personal experience with the treatment of 2,000 patients with DMSO at the University of Oregon Medical School and have studied all the written reports I could find on this subject. I believe we have compiled as complete a bibliography on the pharmacologic aspects of DMSO (over 600 references) as can be found and am presently completing for publication, together with Drs. Don C. Wood and Edward E. Rosenbaum, a comprehensive textbook on the biologic applications of dimethyl sulfoxide.

I am willing to make the statement that there is *no* question concerning the efficacy of DMSO. It is one of the few drugs in which efficacy can be demonstrated before the eyes of observers. For instance, if we had patients with swollen, sprained ankles the application of DMSO would be followed by objective diminution of swelling within an hour. What other drug will do this? If we had a patient with acute bursitis unable to move his shoulder in any direction the application of DMSO would be followed by a dramatic increase in range of motion at the end of a half an hour. If we had patients appear with chronic bursitis the application of DMSO would usually be followed by a notable increase in the range of motion within an hour.

DMSO is as safe as any drug I have ever used or seen used in medicine. I recently completed a review article on the status of DMSO published in the *American Journal of Surgery* for September, 1967. In my opinion, there are more data on animal toxicology regarding DMSO than have ever before existed for an experimental drug. In my opinion there are more data on human toxicology of DMSO than ever before has been obtained for an experimental drug. A critical review of published data reveal that DMSO *is a substance of remarkably low toxicity.*

DMSO has been shown to be of value in a number of illnesses for which no other effective or low risk treatment is known, such as the skin manifestations of scleroderma in which the skin becomes tight and the joints are prevented from moving. Microscopic sections of the skin of patients with scleroderma have been studied before and after treatment with DMSO. These studies demonstrated definite improvement with DMSO. They were carried out under the supervision of Dr. Arthur Scherbel, Chairman of the Division of Rheumatology at the Cleveland Clinic. In Dr. Scherbel's summary of his results appearing on page 628, volume 141, New York Academy of Sciences Symposium on DMSO he stated, "The healing of ischemic ulcers of fingertips has been consistently observed. The relief of pain, stiffness and to a lesser extent weakness in these patients who have been treated with DMSO is impressive. *It should be emphasized that the results seen in treating patients with scleroderma with DMSO have never been observed with any other method of therapy.*

The value of DMSO in other illnesses for which effective treatment does not exist include: Dupuytren's Contracture, carpal tunnel syndrome, subcutaneous fibrosis from cobalt irradiation, keloids and Peyronie's Disease. A broader spectrum of benefit has been described in the scientific literature for DMSO than for most other substances with which I am familiar. No attempt will be made at this point to record the long list of entities for which benefit from DMSO has already been reported in scientific articles. In my opinion DMSO is the treatment of choice for severe acute musculo-skeletal trauma, acute and chronic bursitis, and intractable pain problems such as post herpetic neuralgia. *Potential value of DMSO has been reported for cancer, stroke and heart disease.* Publications on the potential value of DMSO in cancer, stroke and heart disease can be found in Volume 1, article 141 of the New York Academy of Sciences. The authors are Ayres, Paul and Finney.

There are many diseases in which DMSO has brought about pain relief. Interstitial cystitis is one. This is an entity in which the patient is constantly subjected to painful, frequent urinations day and night. The urology group at the Cleveland Clinic in Cleveland, Ohio has demonstrated that DMSO instilled into the urinary bladder will offer such patients relief. There is no other non-surgical treatment. It is now 5 years since the therapeutic action of DMSO was discovered. Consider the anguish that might have been spared had the FDA been more expedient in making DMSO available in such cases.

In no other area of endeavor do we permit one agency to legislate, judge, enforce and prosecute. We do not permit any other agency to impose censorship or restriction of thought as this agency has attempted to do in the last few years.

I hope that the Congress will see fit to hold hearings on the proposed legislation. If I were to show you only a fraction of the thousands of letters I have received from all over the U.S.—letters from people who in many instances are suffering needlessly because DMSO is not available to them, you might feel as deeply about this matter as I do.

Sincerely,

STANLEY W. JACOB, M.D.

BEACHWOOD, OHIO, HIGH SCHOOL SUPPORTS PEACE CORPS AND PHILIPPINE SCHOOL

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. VANIK. Mr. Speaker, it has come to my attention that the students and faculty of the Beachwood, Ohio, High School have recently sent the Peace Corps a check to help fund and support an overseas school under the school partnership program. The students at Beachwood raised and contributed $1,176.54 for a school in Barrio Herrera, southern Luzon Island, the Philippines.

The school partnership program was originally started in 1964 and has been a phenomenal success. To date, 264 school projects have been completed and 395 are presently under construction, for a total of 659 projects in 41 countries around the world. The program is a method by which schools in the United States may help build schools in developing countries through personal contributions. The contribution of the students of Beachwood High School will be used toward the purchase of construction materials. The school is then constructed in the developing country by the residents of the foreign community with the technical assistance of a Peace Corps volunteer.

When individual citizens, like the students of Beachwood High School, contribute to the development of the social and educational life of another community, more than a school is built. Bonds of friendship and understanding are developed which have the potential of improving relations between the nations of the world.

The entire Greater Cleveland community is proud of the spirit which prompted this gift by the students of Beachwood High School.

U.S. FOOD POLICIES CAUSE HIGHER PRICES, TIME FOR A CHANGE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave previously granted, I insert the following article from the June 17, 1968, edition of Barron's:

U.S. FOOD POLICIES: TIME FOR A CHANGE—FARM POLICIES HAVE GROWN COSTLIER AND MORE WASTEFUL THAN EVER

"St. Louis—DJ—McDonnell Automation Co., a division of McDonnell Douglas Corp., is conducting a computer study of the potential agricultural production of the entire Missouri River basin for the Department of Agriculture, the company announced. The study, which will be for the years 1980, 2000 and 2020, will evaluate costs and benefits of future irrigation, drainage and flood protection projects in the 285-million acre basin as they relate to agricultural production—it will also be possible to compare costs of producing farm products on existing lands to estimated costs on land developed by water resource projects, the announcement noted.

"By applying the Missouri River basin linear program to other major river basins, McDonnell claims that an improved understanding of the nation's future agricultural potential can be obtained. Calculations are based on data developed by the Agriculture Department."

In farming out its long-range projections to private enterprise (as the newswire reported last Wednesday) USDA may have been seeking to advance the growing partnership between business and government. Or it may simply have acted with a belated weather eye on its own shortcomings in the tricky realm of forecasting. Barely a half decade ago, after all, Secretary Orville L. Freeman, hardy perennial of the Kennedy and Johnson administrations, made a famous tour of the Soviet Union, then in the grip of one of the worst crop failures on record, without noticing anything amiss. The Department's own yearly predictions of sugar supply and demand long since have become a sour joke on producers and consumers alike. As to its skill in other fields, here is what an old hand like Charles B. Shuman, president of the American Farm Bureau Federation, recently told the Senate: "The Administration had three chances to prove the value of centralized planning in 1967 (in cotton, wheat and feed grains), but it struck out all three times."

Secretary Freeman's lifetime batting average—with some office-holders, seven years can seem like a lifetime—looks equally bleak. During his stewardship, the annual expenditures of USDA increased from $5 billion to nearly $8 billion (adjusted for some fancy bookkeeping), to the point where virtually half of the farmer's net income today comes from cultivating Washington. Lavish federal outlays have inflated land values beyond the reach of all but the richest or most efficient operators, thereby accelerating the relentless decline in the number of family farms and farm families. Acreage restrictions and other forms of official market manipulation have caused unsettling cycles of scarcity and glut in such key raw materials as cotton, while helping to push food prices ahead of the rise in the overall cost of living. Finally Food for Peace and Freedom—which Secretary Freeman has eulogized in a new book, "World Without Hunger"—has subsidized socialist folly and communist aggression from the Red Sea to the Indian Ocean. U.S. farm policy (like the Augean stables) was a stench in the nostrils of honest men long before the current Secretary of Agriculture set foot in Washington. Unlike Hercules, however, Orville Freeman has done nothing to clean up the mess.

On the contrary, a compelling weight of evidence suggests, he has helped make matters measurably worse. That's certainly true of the load on the taxpayer. Thus, the federal budget for the 12 months ended June 30, 1962 (the last one readied by the Eisenhower Administration) called for USDA to spend approximately $5.2 billion. For fiscal '69, in sharp contrast, the budget projects outlays of over $7 billion, to which one must add perhaps $1 billion more for the levy on wheat channeled via flour mills into domestic consumption (the nation's first "bread tax"), which goes to the Commodity Credit Corp. and for probable large overages in the cost of propping up the prices of record soybean and wheat crops. Since the number of farms has declined in the past seven years by over 20% (while U.S. farm population has plunged by nearly 30%), government cash payments per farm have soared from $175 to $978. According to the redoubtable Sen. John J. Williams (R., Del.) 6,579 farm operators each snatched $25,000 or more from the federal trough last year. Fifteen were paid from $500,000 to $1 million apiece, while five corporate sod-busters made off with over $1 million in subsidy payments.

What's good for the J. G. Boswell Co., Rancho San Antonio, South Lake Farms, Hawaiian Commercial and U.S. Sugar Corp. (the fortunate five) may not be so good for the rest of the country. In any case that's plainly the view of the American Farm Bureau Federation and its eloquent spokesman, who recently testified before the Senate Committee on Agriculture and Forestry on "Experiences Under the Food and Agriculture Act of 1965." The latter, Mr. Shuman ventured to suggest, has left much to be desired. In particular, he assailed both the precept and practice of centralized planning, through which USDA seeks to strike a balance between supply and demand in key commodities. Commenting on the aforementioned three "strikeouts," Mr. Shuman observed: "A sharp acreage cut was ordered in cotton to reduce the surplus, but an unfavorable season brought the crop down to less than eight-million bales, and a serious shortage of the better grades developed. As a consequence, cotton is suffering a further loss of markets which producers can ill afford. Opposite results were experienced with wheat and feed grains. The Administration over-reacted to hysterical evaluations of the world food situation and encouraged farmers to expand grain production in advance of effective demand. . . . The inevitable result was lower grain prices."

At the wholesale level U.S. farm policy thus has had its ups and downs. However, over the retail counter, where the public must deal, the effect has been all one way. Since 1960 the cost of living has advanced from 103.1 (1957–59 equals 100) to 119.9, or by roughly 13%. Food prices in the same period have jumped by 16.7%, nearly one-third again as much, while certain staples in the nation's market basket, notably bread and delivered milk, have risen even more. Secretary Freeman may have a justifiable complaint against the CBS television network, which, in a recent broadcast on "Hunger in America," placed too much blame on the Department of Agriculture. USDA makes nobody starve. All it does through its price support programs, marketing agreements and acreage curbs is to put a mericless squeeze on the American family food budget.

Under catchy new labels—supply-management, Food for Freedom and the like—Washington continues to pursue the same old dreary, depression-spawned and discredited techniques. Yet left to its own devices agriculture is an exciting economic and technological realm where the watchword is change. In "What's Ahead in Farming, Spring-Summer 1968," the editors of Farm Journal have caught some of the excitement. In once unproductive areas like the fringes of the Mississippi and Louisiana Delta, as well as the sagebrush country of southern Idaho, whole new farming frontiers have begun to emerge. Science has developed a strain of hybrid corn that ripens in only 70 days, thus opening up the prospect of harvesting two crops instead of one. In contrast, Secretary Freeman and his party remain yoked to policies that long ago outlived their usefulness. It's time to start breaking fresh and far more hopeful ground.

MOUNT JEFFERSON WILDERNESS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. WYATT. Mr. Speaker, the proposal to establish a new wilderness area in the Mount Jefferson region of Oregon's Cascades is now undergoing scrutiny by the House Interior Committee.

The newspaper the Oregon Statesman recently published an editorial concerning the Mount Jefferson Wilderness proposal. I insert that editorial at this point:

[From the Salem (Oreg.) Statesman, June 7, 1968]

MOUNT JEFFERSON WILDERNESS

Hearings are in progress before the House Interior Committee on Rep. Ullman's bill to establish the Mt. Jefferson Wilderness. Some conservation groups want to add considerable more acreage. A lumber organization wants to eliminate some acreage included by the Forest Service in its plan.

The Statesman thinks the Forest Service had prepared a satisfactory program for this Wilderness, now mostly in a Primitive Area. One might wish for more, but what is included is most important.

We don't agree with the conservationists who call for "buffer zones" of timber at the boundary of a Wilderness. The boundary line should be drawn to include what is needed for Wilderness, leaving the outside for other uses.

The area for Mt. Jefferson Wilderness was quite thoroughly discussed in public hearings in the region. Its boundaries should be determined and the Wilderness created at this session of Congress.

CONSTITUENT'S LETTER

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. MICHEL. Mr. Speaker, recently we considered the budget request for the Equal Employment Opportunity Commission and I am sure my colleagues will recall the flurry of telegrams, letters, and telephone calls we all received from folks who were urging approval of a rather substantial increase in the appropriation for that agency.

A letter from a constituent of mine in the contracting business reminded me of that debate and his letter brings out some rather interesting aspects of this whole problem area that may not have occurred to Members of Congress and other individuals who are not required to operate a business with the Federal Government looking over their shoulder.

I have removed the letterhead and signature from the letter and place the main body of the letter at this point in the RECORD:

Hon. ROBERT H. MICHEL,
House Office Building,
Washington, D.C.

DEAR BOB: I am writing you with reference to Equal Opportunity as interpreted by the Equal Opportunity Officer of Homewood, Illinois whom I believe covers the State of Illinois.

Recently, we were called to Springfield to be brought up-to-date on what is to be required on contracts in which any Government money is involved. At this time we were informed that it was up to the employer to see that the minorities were to be given work in all crafts. This places a terrific burden on the employer who cannot possibly fulfill this requirement due to the fact that the Operators', Carpenters' and Iron Workers' Locals have all informed me that they will not lower their standards for anyone.

The reason for this difficulty is that in this area employers have labor agreements which include the hiring hall and the referral system which means that we must look to the unions for our labor needs. We will not have any difficulty with the Laborers', Teamsters' and Finishers' Unions because their requirements are rather lenient and negroes have no difficulty in getting membership cards. However, this is not the case with the Iron Workers', Carpenters' and Operators' Unions who require that an individual must have a high school education or equal, as a consequence, we do not get any negroes because so few have the required education.

Last Tuesday I spent the morning with a committee representing the State Highway Department and the Federal Bureau of Roads and informed them that any individual employer, which included myself, could not possibly break down the Unions' standards and explained to them my efforts in this matter. We were informed that unless we had minorities in the Unions above mentioned, the State Highway Department would be penalized and they in turn would pass on that penalty to us either by stopping the work or nonpayment of the work completed. I stated that the only one that would get hurt was the contractor because stopping one job in one small area of the state would not disturb the Unions. There is so much to be done and so many jobs open that they would have no difficulty in going up to Hennepin for instance or across the river from here. To have any effect at all one would have to close down all the construction where Government money is involved in the state as I understand is the case in Ohio where the Operator's Union is involved. To think that one small employer can get a Union to change its ways is ridiculous. Frankly, the "monkey" is on the wrong party's back.

It is Congress that has made it possible for the Unions to be so strong and to control so much of the economy. It is also Congress who has made it possible for the Equal Opportunity people or other similar organizations to throw their weight around by harassing employers for reasons which are far beyond their control. In view of this, I think that Congress should look into this matter and straighten it out before a good many contractors are badly hurt financially. I do not think that it was the intent of Congress to give the Equal Opportunity people authority to make statements or attempt to enforce them such as they have. The only way that the Unions will change their ways is to have Congress or someone in high authority to put the pressure on them. This is a very serious problem for us contractors in this area or any area where any number of negroes live.

I think Congress should forget about the election and votes and try to do something for the people who already are loaded down with so many problems who have to meet the payrolls. I am referring to the small businessman, the Vanishing American.

Sincerely yours,

——— ———.

CIVIC ENDEAVORS OF PAINTING AND DECORATING CONTRACTORS

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. FRIEDEL. Mr. Speaker, in recent years business and industry are exhibiting an ever greater degree of civic consciousness and an awareness of the important part they play in our society. Hence, they properly feel that the communities in which they operate are worthy not only of their consideration, but also of the material benefit they can contribute to a better America.

It gives me great pleasure to report to the Congress that the Baltimore Chapter, Painting and Decorating Contractors of America, an organization of 43 professional cleaning and painting businesses, is an industry whose progressive members want their city to be a better place in which to live. The chapter president is Mr. James C. Hamilos and this organization has decided to voluntarily undertake five different projects in Baltimore as part of its 1968 charity endeavors. For this effort they are deserving of our highest commendation.

The first of these projects is the cleaning of the famous Washington monument with water under high pressure. It may be of interest to my colleagues to know that this is the first major monument in the Nation erected to the Father of our Country.

The Washington monument, whose cornerstone was laid in 1815, is a graceful, unfluted, Doric column surmounted by a 16-foot marble statue of George Washington surrendering his military commission. The column is 160 feet high, and with base and statue towers 188 feet above the street. It was designed by Robert Mills, and the statue was executed by an Italian sculptor, Henrico Causici. It was completed in 1829 at a cost of $190,000. It is estimated that the cleaning of this monument represents a $10,000 value to the city.

The Baltimore Chapter, Painting and Decorating Contractors of America, in their firm belief that their cleanup efforts may do much to encourage citizens to clean up their own homes and places of business have also volunteered to paint the exterior of the following four important buildings: First, Peale Museum; second, Maryland Historical Society Building; third, Druid Hill Avenue YMCA, and, fourth, Mental Health Association Building.

The Peale Museum was erected by Rembrandt Peale, the famous portrait artist, in 1913, and opened as Peale's Baltimore Museum and Gallery of the Fine Arts in 1814. Here the practical use of illuminating gas was first demonstrated in 1816. This building was purchased by the city in 1830 and served as the first city hall until 1875. It was restored and reopened in 1931 as a museum devoted to the life, history, and traditions of Baltimore, the largest city south of the Mason and Dixon line. The painting of its exterior will do very much to preserve this fine and historic structure.

The building of the Maryland Historical Society is of special importance because it contains Francis Scott Key's original manuscript of "The Star Spangled Banner" and other Key associated objects. Its library of books, pamphlets, maps and hundred of thousands of manuscripts is devoted to American history, with emphasis on Maryland. The repainting of the society's home, which was built in 1847, is a civic enterprise that merits special notice.

In like manner, the fact that the Baltimore Chapter, Painting and Decorating Contractors of America will also paint the exterior of the Druid Hill Avenue YMCA, and the building of the Mental Health Association only serves to emphasize the magnitude of that business organization's interest in making Baltimore a more attractive place to live and work.

Here, Mr. Speaker, is concrete evidence of solid accomplishment in the community's behalf by business and industry. The Baltimore Chapter, Painting and Decorating Contractors of America is to be warmly congratulated upon this fine charitable work as well as their civic interest. These projects began today and will be completed in about a week. Last year this organization won the National Painting and Decorating Contractors charity week contest and I am confident their extra efforts this year will also receive well deserved recognition.

As a Member of Congress from Baltimore I extend to the members of this organization and their employees the heartfelt thanks of all our citizens.

THE DIGNITY OF MAN

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. CONTE. Mr. Speaker, under leave to extend my remarks, I am pleased to place in the CONGRESSIONAL RECORD an eloquent eulogy on the life of Dr. Martin Luther King. These remarks were written by my good friend Bill McDonough. Mr. McDonough is the associate editor of the Bay State Fed, the official publication for the Massachusetts Federation of Postal Clerks. The remarks are quoted from a recent issue of the publication:

THE DIGNITY OF MAN

With his gospel of compassion he lit a towering candle in the jungles of racial intolerance that transformed and exalted the ideal of civil rights.

An inspired and inspiring leader selflessly dedicated to human rights, who by precept and example nobly advanced the cause of freedom and the dignity of man. . . .

Assassination has silenced the eloquence of his message, but the conscience of America will not be stilled. And the validity and vitality of Dr. King's message will endure as long as there is a shred of conscience and a particle of decency in the American dream. The dream for which he so valiantly labored, even unto death.

ONE-WAY TICKETS FOR 83 MEN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. ASHBROOK. Mr. Speaker, it is tragic comment on the administration and its diplomats when Americans must advertise through automobile bumper stickers that 83 Americans, one of them dead, have been abandoned in North Korea. It is tragic and nearly incredible, but I heartily endorse the efforts of the wife of the *Pueblo's* skipper and other Americans who care enough to remind others.

All Americans and especially those of us here in Congress should consider the effect this lack of action has had on each and every American fighting man who might someday face capture.

As Mrs. Lloyd Bucher said recently in a Chicago Tribune article:

> They (the crew) took an oath as military men—to protect and die for their country, but it is one-way ticket. The country does not do the same thing.

I submit this article from the June 17 Chicago Tribune at this point.

REMEMBER THE "PUEBLO," ASKS MRS. BUCHER, WIFE OF SKIPPER

(By Patricia Krizmis)

"I am just an ordinary housewife, but I am asking the American people for help. I am asking them to remember the Pueblo."

These are the words of Mrs. Lloyd M. Bucher, the wife of the captain of the U.S.S. Pueblo, the intelligence ship seized Jan. 23 by the North Koreans.

Until that date, Rose Bucher was an ordinary housewife—the wife of a naval officer and the mother of two sons.

HEADS NATIONAL DRIVE

Rose Bucher is now the head of a national campaign to remind Americans that her husband and his 82-man crew remain prisoners of the North Koreans.

"I waited a month. I thought something would be done. I realized then I couldn't be content to sit and wait," Mrs. Bucher told The Tribune during a telephone interview at her San Diego, Cal., home.

A few months ago, Mrs. Bucher traveled to Pueblo, Colo., as guest of the city's chamber of commerce. She discovered that bumper stickers reading "Remember the Pueblo" were being distributed throughout the city.

PRINTS MORE STICKERS

Mrs. Bucher had more stickers printed and began sending them to persons throughout the country who had written to her offering their condolences.

She appeared on television shows and was interviewed by newspapers—each time urging the public to remember the Pueblo.

It was impossible for Mrs. Bucher to answer each letter she received. A group of women in San Diego formed a committee to help her.

"The leaders [of this country] are trying to lull people into a deep sleep," Mrs. Bucher said. "The American people have not forgotten the Pueblo. They want to do something."

Mrs. Bucher in reply to letters urges the public to write to their congressmen demanding action on the ship and its crew.

"I have received seven letters from the state department and each one says the same thing: be patient, no progress has been made, we are doing everything we can."

SHE INQUIRES FIRST

The first letter from the state department was dated March 30. Mrs. Bucher also has received a letter from President Johnson.

"But like the state department," she said, "I had to initiate the communication."

Tho she was refused a list of the families of the Pueblo's crew, Mrs. Bucher has heard from most of them. These families also are distributing the bumper stickers.

Mrs. Bucher has set a goal to place one million bumper stickers thruout the country. The bumper stickers may be obtained by writing to her in care of box 9796, San Diego, Cal., 92109. A donation of 25 cents is asked to defray the cost of the stickers.

CLAIMS U.S. RESPONSIBILITY

"They [the crew] took an oath as military men—to protect and die for their country," Mrs. Bucher said. "But it is a one-way ticket. The country does not do the same thing."

One of the persons who has been helping Mrs. Bucher with her campaign is Carelton W. Voltz, 31, of Hawthorne Woods, who was held prisoner by the North Koreans from May 17, 1963, to May 16, 1964.

Voltz, a pilot for American Airlines, was an army instructor pilot when his helicopter was shot down by North Koreans while on a routine survey mission.

"My wife, Suzanne, contacted Mrs. Bucher after the ship was seized to offer any help we might give," Voltz said. "We hoped to give her some encouragement."

CONTACT FOR HELP

Mrs. Bucher visited the Voltzes and "we spoke at length about my treatment as a prisoner," Voltz said. Voltz said that he and Capt. Ben Stutts, the pilot of the helicopter who also was captured, were tortured while they were prisoners.

"The North Koreans staged pictures—they sat me in front of a table loaded with food—they had to beat me to sit there. They took the picture and the food disappeared.

MISINFORMATION SENT

"Yet, while I was getting this type treatment, the state department sent my wife word that I was in good health, well treated. They did not know any different."

Voltz and Stutts, who is now deceased, were released after the senior United Nations commander signed a statement saying the men had been spies.

"In our case, it took that signature," Voltz said. "We were not spies."

Voltz said that by making speeches to various organizations and circulating the sticker, he hopes to "keep the Pueblo in people's minds and put pressure on government officials."

As I have said before, the lives of these men are certainly important but other questions have been raised by the *Pueblo* fiasco. We must ask what has happened to our defense and response systems? What caused the delays in communications? What policies caused the inability to respond? What reserve forces do we have and are they deployable? These questions, occasioned by the *Pueblo* capture, should be answered to the satisfaction of all.

TREATY FOR THE NONPROLIFERATION OF NUCLEAR WEAPONS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GALLAGHER. Mr. Speaker, if ever there was a light in the darkness, the Treaty for the Nonproliferation of Nuclear Weapons is truly that light. It appears at a time when the world is torn by passion and strife, and human folly is armed with a power for catastrophe unknown since the beginning of time.

If a signal of hope has now gone up, no small part of the credit goes to Lyndon Baines Johnson, who, four and a half years ago instructed our chief negotiator at Geneva, W. C. Foster, to seek a treaty to prevent the spread of nuclear weapons.

The President's faith, the skill of our negotiators, the good will of the 18 Nation Disarmament Committee, and the wisdom of the General Assembly of the United Nations have brought forth an instrument which may indeed give the world time to protect itself against Armageddon.

Few agreements in history have required so much time, so much skill, so much patience, and so much good will. That two great powers—the United States and the Soviet Union—could find a common ground of understanding despite the gravity of their differences is by itself a signal achievement. That the overwhelming majority of the nations of the world could renounce the manufacture or possession of a weapon that is not without its fascination is an affirmation of man's basic nobility.

The give and take represented by the Nonproliferation Treaty is perhaps the most promising social and political development of our times.

It goes far to prevent the spread of nuclear weapons. But it also commits the nuclear powers to redouble their efforts to end the nuclear arms race and arrive at nuclear disarmament. And it ensures an equitable sharing of the peaceful uses of nuclear energy, with a special regard for the developing nations of the world.

The system of safeguards envisioned has one simple objective: to prevent the diversion of nuclear materials to the production of nuclear weapons. And we must not overlook the significant contribution of the treaty to the promotion of the principles of the United Nations Charter on the threat or use of force in international relations.

The Treaty for the Nonproliferation of Nuclear Weapons truly sets forth what

President Johnson has described as an instrument of international peace and sanity, a testament to peace, and the will of our species to endure.

It is a beginning. It is hope.

We have a solemn duty to our Nation and to mankind to strengthen the beginning and nourish the hope by an overwhelming vote for ratification of the Nonproliferation Treaty.

The text of President Johnson's address to the General Assembly of the United Nations on June 12, 1968, follows:

Address to the General Assembly by President Lyndon B. Johnson, June 12, 1968

Mr. President, Mr. Secretary General, Your Excellencies, Delegates to the General Assembly:

I have asked for the privilege of addressing you this afternoon to acknowledge this momentous event in the history of nations; and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago—shortly after the awesome responsibility of leadership was thrust into my hands—I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recalled the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said then,

"Let us pray that the tide has turned—that further and more far-reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations at Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world—for their speedy ratification—the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race, and to achieve nuclear disarmament.

It will insure equitable sharing of the peaceful uses of nuclear energy—under effective safeguards—for the benefit of all nations.

On behalf of the government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulation. The quest—and the need—for disarmament is too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek, peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signature; to sign it on behalf of our own government; and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily, so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty has entered into force—we of the United States will carry out our responsibilities under it in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear weapon party; *not* to transfer nuclear weapons, or control over them, to any recipient whatsoever;

—and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, in agriculture, in medicine, industry and the de-salting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic offensive and defensive nuclear weapons systems.

We shall search for an agreement that will not only avoid another costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armageddon. And if my faith is well-founded, as I believe that it is, then *this* Treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the *peaceful* use of the atom.

And, when this treaty comes into force, the growing number of nuclear power reactors around the world—with their inevitable by-product of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, then let us press forward to halt and to reverse the buildup of nuclear arsenals; to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

And in the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

And to all of the delegates that are here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes; and to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

THE SOLUTION OF OUR PROBLEMS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. DERWINSKI. Mr. Speaker, a very thoughtful and timely commentary on the problems that beset us appeared in the Tri-City Advertiser, a publication serving the Dolton, Riverdale, and South Holland, Ill. areas, in its Thursday, June 13 edition. This editorial appeals to reason:

The Solution of Our Problems

In the midst of the disturbing forces seemingly hard at work in the world, we sometimes forget that forces for good are also busy.

The success of these forces for good depends upon, in our opinion, the impetus that all citizens of the country give to them.

Looking about the community we note, with a deep measure of gratitude, the many fine young people graduating from our schools and universities. We observe the many young people who were confirmed in the many churches of our community.

We note further, the interest of many of our police and firemen who take time to study to further their measure of protection to the public. Men from the Dolton and Riverdale fire departments attended the Annual Fire college for several days. Two Dolton police officers attended a basic police training course in one of our universities. One finished second and the other fifth in the class of 32. We feel you will agree that what we have just written about assures you that we do have fine girls and boys, men and women who are enthusiastic about their place in life and take the time to make it known.

Because the forces of anger and hate and revenge now seem to be in the ascendancy, is not a sign they will achieve the zenith of success. There are many obstructions in their courses and we feel that, ultimately, they will be defeated.

Coming out of the maze of opinions in the aftermath of the recent tragic event was one by the Senator of one of our Western states.

Commenting on the fact that commissions are now being appointed, laws are being studied and passed, he said that, in his opinion, we could pass all the laws and appoint all the commissions we wanted to and that these would help. But, and we are obliged to concur in his views, he added that, until we marshall the spiritual forces of the world, we will fail in our efforts to bring good to the surface.

To assess blame for the many varied omissions of careful thinking, does not accomplish much. The easiest think for any one to do is to see the bad. People gloat on the misfortunes.

We submit we had soon better turn our gaze on the forces for good and seek to develop them.

TWO MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. LONG of Maryland. Mr. Speaker, S. Sgt. Thomas N. Blades and Cpl. Michael L. Horn, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memories by including the following article in the RECORD:

TWO MARYLANDERS DIE IN VIETNAM—ARMY, MARINE NONCOMS ARE KILLED IN COMBAT

Two more Maryland servicemen have died in South Vietnam, the Defense Department announced yesterday.

They were:

Army Sfc. Thomas N. Blades, 25, husband of Mrs. Mary Agnes Blades, of 600 Talbot street, St. Michaels.

Marine Cpl. Michael L. Horn, 22, originally of Cumberland, son of Mr. and Mrs. James E. Horn, of Route 1, Furnace Acres, Ridgely, W. Va.

ALSO SERVED IN GERMANY

Sergeant Blades was killed in action at 10:30 A.M. June 3 by mortar shells on a hill somewhere in South Vietnam, according to information received by Mrs. Blades from the Army.

A native of Easton, Md., Sergeant Blades attended St. Michaels High School. He enlisted in the Army in November, 1960.

Taking his basic training at Fort Jackson, S.C., and further training at Fort Gordon, Ga., he left the States for Germany with the 18th Infantry Regiment of the 8th Division.

While stationed at Mannheim he received a citation for "the historical move" from Mannheim to the area of the wall in Berlin with a 1,500-man battle group in August, 1961.

He returned to the United States and left the regular Army in 1963 but maintained his reserve status. He reenlisted and left for Vietnam from Fort Lewis, Seattle, January 28.

Besides his wife, who he married in April, 1963, at the Easton Methodist Church, he is survived by a daughter, Shelley Marie, 4, and Thomas Ellwood Blades, an infant and his stepparents, Mr. and Mrs. Raymond P. Stewart, of Royal Oak, Md.

Also surviving are four brothers, Elwood M., Edward B. and Roy Eugene Blades, of St. Michaels and Hubert C. Blades, a serviceman stationed at Fort Bragg, N.C.

Corporal Horn, a rifleman with the 4th Marines Regiment died May 29 in the Quang Tri area. His death was attributed to sniper fire, according to James R. Horn, his brother.

A native of Cumberland, he attended school there and was a June, 1965, graduate of the Ridgely (W. Va.) High School.

Besides his parents and his brother James, of the 1600 block Doolittle road, Essex, he is survived by his wife, Mrs. Linda Horn, of Wiley Ford, W. Va.; a sister, Mrs. Patti Beyer, of Morgantown, W. Va., and his grandmother, Mrs. May Horn, of Cumberland.

NATIONAL GUN CRIME PREVENTION ACT OF 1968

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. FRASER. Mr. Speaker, today I have introduced a strong firearms control bill. It is entitled the National Gun Crime Prevention Act of 1968. It is, with a few modifications, patterned after S. 3634, the bill introduced in the Senate last Wednesday by Senator TYDINGS of Maryland.

The principal features of the bill would:

Require the registration of all firearms in the United States—rifles and shotguns as well as handguns.

Require the licensing of persons desiring to buy a firearm or ammunition.

Prohibit sale of firearms to minors under 18, aliens who have declared their intention to become American citizens, persons convicted of a felony or misdemeanor involving violence, any persons who have been institutionalized as alcoholics, narcotics addicts, mentally ill or mentally incompetent. Parenthetically, Mr. Speaker, I would like to express some doubts about tying disqualification for gun ownership to institutionalization. I am not sure that this is the fairest and most effective way of getting at the problem. And I hope the Committee on the Judiciary will take a close look at this section before reporting the bill out.

Require the reporting of the loss or theft of a firearm.

In States with firearms' laws at least as strong as the Federal law, State laws would preempt Federal action.

The new law would be administered by the Secretary of the Treasury. Violators would be subject to heavy penalties.

Last week, Mr. Speaker, I introduced a gun control bill identical to the administration-sponsored measure introduced in February 1967. A few days ago the President proposed an amended version which would extend controls to rifles, shotguns, and ammunition. I approve of these bills. Both bills are considerably stricter than the weak firearms' provisions in title IV of the crime bill passed by the House last week.

Yet, neither goes far enough. I have reached the conclusion, Mr. Speaker, that a sound, enforceable registration law is an essential step toward curbing the frightening growth of violence and murder in the United States.

The bill I am sponsoring is a solid, moderate bill. Its purpose is to save lives by keeping guns out of the wrong hands. It would in no way infringe upon or interfere with the rights and liberties of the law-abiding majority of America's hunters, sportsmen, and gun collectors. One difference between my bill and S. 3634 is this: My bill would allow issuance of a firearms license to 16-year-old youths who have a State-issued certificate of satisfactory completion of a safety course in hunting and in handling common hunting firearms.

During the days following the shooting of Senator Robert F. Kennedy, hundreds of letters, cards, and telegrams have flooded my office, pleading for stringent gun-control legislation. The same kind of appeals are, I know, being heard by every Member. They should not be ignored. Among the communications I have received, only a few have opposed gun controls.

Public opinion polls also reflect the same desires expressed in the cards, letters and telegrams.

The statistical arguments for strict firearms control are compelling. Alone among the world's civilized nations, the United States allows the virtually unchecked sale and use of firearms. And we have paid the price in death, injury and misery. Look at these appalling figures:

In three categories of gun fatalities in 16 nations—in homicides, suicides, and accidental shootings—the United States surpassed all the others, usually many times over.

The gun murder rate in the United States in 1963 was five times the rate of Australia, 10 times the rate of Belgium, five times the rate of Canada, 20 times the rate of Denmark, 54 times the rate of Great Britain, 23 times the rate of West Germany, 67 times the rate of Japan and 90 times the rate of the Netherlands.

In 1966, more than 6,500 persons died in gun murders in this country—a figure that climbs almost every year.

Fifty-five of the 57 police officers killed in the line of duty that year were killed with firearms.

Gun assaults increased 36 percent in the United States between 1964 and 1966.

Gun homicide rates in States with weak firearms laws are consistently lower than the rates in States with strong laws.

We are all to familiar with the names of the famous men who have died by the gun, needlessly and brutally, in the past few years. But we pay less attention to the short articles on the back pages of the newspapers that tell the repetitive story of ordinary people who are murdered, who are wounded, who commit suicide. We have become immune to the shocking bloodbath that is a way of life in our violence-hardened society.

Our lack of sound gun laws is unforgivable, Mr. Speaker. Let us bring sanity to our country by quickly passing an effective gun-control law.

HIGH SCHOOL GRADUATES SALUTED BY CONGRESSMAN

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. VANDER JAGT. Mr. Speaker, at this traditional time of high school graduation I am saluting the young people of my district by sending each one of them awarded a diploma with a copy of "The American's Creed," by William Taylor Page.

At this time I wish to enter "The American's Creed" in the RECORD as a reminder of the great accomplishments of young people completing high school education:

THE AMERICAN'S CREED

(By William Taylor Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its Constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

Presented to ——— ——— with congratulations upon graduation from High School. May the highest ideals of American citizenship guide you in a life of success, happiness, and achievement.

GUY VANDER JAGT,
Member of Congress,
Ninth District of Michigan.

WHAT DO THE STUDENTS WANT?

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. GATHINGS. Mr. Speaker, the first articles written by Mr. Richard Starnes concerning the Students for a Democratic Society pointed out how nonstudent leaders planned the recent campus riots and the efforts to destroy American education. His second and concluding article illustrates the inability of these SDS students and nonstudents to foresee the evil that they have so cunningly worked in the United States and abroad. The article emphasizes that this leftist movement pholisophy "is not one for the support of America and its traditions. . . . It is one of defiance, hostility, and opposition to our free society."

As Mr. Starnes so aptly reports:

> The past of SDS is reasonably clear. What is not clear is its future.

For the sake of the Nation's well-being and education, let us hope that the students awake to the anarchy planned by SDS and that the campus be cleared of chaos and disorders as well as those who perpetrate this violence.

WHAT DO THE STUDENTS WANT? "WE'LL TAKE CONTROL OF YOUR WORLD"

(By Richard Starnes)

NEW YORK, June 13.—The political genealogists who man the U.S. anti-subversive apparatus spend a great deal of time and money looking for rotten apples in the Students for A Democratic Society family tree.

They are rarely disappointed. While SDS is not communist-directed in the manner of the W.E.B. Dubois clubs, there is enough Red roguery in its collateral lines of descent to freeze any old-time commie hunter into a classical point.

The people of the SDS themselves shrug off questions regarding Marxist influence, generally with the observation that the whole issue is "irrelevant."

Campus activists of SDS and the new-left today are far too sophisticated for any such simplistic answers. Their fever chart of political persuasion starts in the old-shoe socialism of such venerable organizations as the League for Industrial Democracy, which was the immediate forebear of SDS, and continues thru at least three gradations of communism (of which Maoism is the most virulent) and goes on to such negative, destructive philosophies as nihilism and anarchy.

"STRUCTURED"

"The Communist Party is too structured," one furry activist explains to a reporter in an uptown Manhattan bar that serves as command post to the more radical of Columbia University's restive students. "Structured" is an in-term of opprobrium, and is used in the same way that "establishment" is.

But the rejection of SDS of the "structure" of the communist apparatus isn't really so important when it is understood that some of the influences in SDS actually are much further out in left field than communism.

In his book "The New Left," which is one of the few coherent investigations of student radicalism, Phillip Abbott Luce describes SDS as "the last outpost of non-communist youth on the new left," but he goes on to write:

"While SDS is non-communist and has published documents antagonistic to various precepts of communism, this organization is finding it more and more appealing and politically expedient to align itself in demonstrations with the young communists who have come to dominate the new left."

A CATALYST

SDS is important chiefly because it has had a dominant (although by no means solo) role in directing the epidemic of protest that has swept campuses in this country since, roughly, four years ago. SDS also has been a catalyst in the accumulating drumfire of protest against the war in Vietnam and has been a force in the civil rights movement.

Whether SDS's membership is 6000 or 30,000 it is the diamond-hard point of the phalanx of university students who are dedicated to wreaking revolutionary changes in American society.

The demonologists of the new left customarily date the "real" SDS from 1962, when a convention was held in Port Huron, Mich., and drafted a program of goals and methods which welcomed "liberals and radicals, activists and scholars, students and faculty" into SDS ranks, and became the Bible of campus radical organizations.

The Port Huron statement runs the gamut of civil libertarian causes, including peace, poverty and civil rights. Altho it runs to 60 pages and is often foggy and obfuscatory, the following brief excerpts offer a clue to the sort of thinking that launched SDS:

"The American political system is not the democratic model of which its glorifiers speak. In actuality it frustrates democracy by confusing the individual citizen, paralyzing policy discussions, and consolidating the irresponsible power of military and business interests."

Or—

"We are subject to a remote control economy, which excludes the mass of individual 'units'—the people—from basic decisions affecting the nature and organization of work, rewards, and opportunities."

PARTICIPATION

Again and again the same theme occurs in SDS dialectics—the demand for individual participation in the decisions of business and government—"participatory democracy" in the customary SDS usage.

It is difficult to weigh the influence that national officers have in SDS, particularly since their function with respect to larger chapters such as Columbia's seems at best sketchily advisory.

Tom Hayden, a former editor of the Michigan Daily, was one of the principal architects of the Port Huron statement. A sometime visitor to Hanoi and Havana, he continues to wield influence.

Michael Spiegel, a 21-year-old one-time Harvard student, is SDS national secretary. He and two other national secretaries, Carl Davidson, 24, (Penn State) and Robert Pardun, 26, (University of Texas), operate out of a sleazy headquarters over a chicken carry-out joint on West Madison-st. in Chicago.

But the national leaders are seldom at home in its Chicago headquarters. By design or accident they are elusive and refuse to be interviewed by reporters for the "establishment" press.

The past of SDS is reasonably clear. What is not clear is its future. One clue was offered recently by Grayson Kirk, beleaguered president of Columbia University, who conceded that the police repression of the SDS-directed Columbia student's strike had brought more recruits into the ranks of the new left. This proves the validity of one of the new left's basic strategic concepts: violence provokes harsh police repression, which in turn swells the ranks of student revolutionary groups.

OPEN LETTER

Another clue, which must be tempered by the general agreement that its author is an eloquent spokesman for—but apparently not a policy maker in—SDS, was an open letter to President Kirk that appeared in the Columbia Spectator, the university's 90-year-old campus daily. Mark Rudd, head of the SDS Columbia chapter, wrote:

"If we win, we will take control of your world, your corporation, your university and attempt to mold a world in which we and other people can live as human beings. Your power is directly threatened, since we will have to destroy that power before we take over."

One of the nation's oldest hands at appraising left wing causes had this to say about the new left:

"The new left's mood—and philosophy of life—is not one of support for America and its traditions, of upholding moral and democratic values. Rather it is one of defiance, hostility, and opposition to our free society. It seeks to destroy, not to build. Its whole approach is one of negativism—to criticize, belittle, denigrate the principles on which this nation was built. Cynicism, pessimism and callousness are its mottoes. At its heart, the new left is nihilistic and anarchistic."

WARNING

FBI Director J. Edgar Hoover, author of the foregoing appraisal, concluded with this warning:

"Hence to dismiss the new left, as some do, as a collection of simpletons, eccentrics, and jocular fools is to commit a grave mistake. Its adherents should not, as so often happens, be judged strictly by their beatnik dress and ways (repugnant as they may be to most Americans). New leftism poses today challenging and provocative questions for the nation—questions that each thoughtful citizen should carefully analyze, study, and understand. Who are these young people? Why have they chosen to disparage the society and institutions that gave them birth? Why is their gospel one of nihilism? Why have they rejected the values of our Judaic-Christian civilization?"

Good questions all, but perhaps unanswerable until distance in time lends historical perspective to the tumultuous days in which we live. All anyone can say for certain today is that the student new left—and its activist groups like SDS—do these things, and do them with frightening skill.

COMMISSAR COHEN I

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. RARICK. Mr. Speaker, the vast power given Wilbur Cohen over the Nation's health can but raise serious questions as to what is "unhealthy."

Cohen becomes the first Commissar of Health which, by the way, includes "Environmental Health." Dr. Chisholm can tell you what this includes. Dr. Pavlov can tell you how it will affect you.

I include the Associated Press release of June 16 covering the announcement of a full-scale socialization of all medical fields is like other countries:

[From the Washington (D.C.) Star, June 16, 1968]

U.S. HEALTH SERVICES ARE MERGED: COHEN GIVEN VAST POWER BY JOHNSON

AUSTIN, TEX.—President Johnson announced yesterday a shakeup of the Public Health Service and named Secretary of Health, Education, and Welfare Wilbur J. Cohen as his chief adviser to coordinate the $15.6 billion federal health program.

The plan was embodied in a report Cohen laid before the President on Friday at the LBJ Ranch. Johnson approved it immediately.

Effective July 1, there will be a new Consumer Protection and Environmental Health Service in the Department of Health, Education, and Welfare.

It will consolidate in one branch of the Public Health Service all departmental activities relating to the safety of food and drugs, pollution control, radiological health problems, urban and industrial health and elements of communicable disease control.

COHEN STATES PURPOSE

"It will be my purpose," Cohen said at a news conference, "not only to make a very important thrust forward in environmental health, but also in the whole field of consumer protection—food, drugs, cosmetics, quackery that affects older people and a whole series of problems that we will be working on."

Also on July 1, the PHS division of regional medical programs, dealing with the three major killer diseases—heart trouble, cancer and stroke—will be shifted from National Institutes of Health to the Health Services and Medical Health Administration.

Congress will be asked soon to establish by law a new position of HEW undersecretary for health and science.

By executive order, Cohen will be made Johnson's chief adviser on federal health policies and programs, assisted by a new Interdepartmental Health Policy Council.

The secretary said he had proposed this action "with a little hesitancy," but that he is convinced "we need a much more coordinated attack on health problems" than the efforts now spread out over a number of agencies.

THREE APPOINTED

Cohen announced three appointees to what he described as "a dynamic team" to tackle these problems.

Charles C. Johnson Jr., 46, assistant commissioner of health for environmental health in New York City, will be administrator of the new Consumer Protection and Environmental Health Service. For 20 years he was, Cohen said, "a very distinguished officer in the Public Health Service."

The present director of the regional medical programs, Robert Q. Marston, will be moved up to administrator of the Health Services and Mental Health Administration.

Dr. Stanley W. Olson, 54, will succeed Marston in charge of the regional programs. Olson now is director of regional medical programs in the Nashville, Tenn., area and a professor at Vanderbilt University.

CALLS FOR STRONGER ROLL

Arguing for a stronger role for his department in guilding federal health efforts, Cohen took particular aim in his report at the Defense Department. He said there is no effective way now for the secretary of HEW to offer guidance on such things as the drafting of physicians to care for civilian dependents of servicemen in the United States.

Cohen told newsmen that not much can be done to solve the health manpower problem before 1975 because it takes so long to produce doctors and nurses.

To be sure "we are getting the best use out of every physician," he said, "the way doctors are drafted and used by the Defense Department must be re-examined."

"We've discovered," Cohen said, "that a guy trained 16 weeks as a corpsman in some cases can do better than a man who has just come out of medical school."

And, the secretary contended, better use can be made of nonprofessionals, technicians, and nurses' assistants.

"I make the categorical statement that we are wasting much of the skilled manpower we have today," Cohen said.

A $50 BILLION INDUSTRY

Cohen said the protection of health is a $50 billion industry affecting the lives of all the people, yet the public-private system fails to meet their needs. The system, his report said, has proven strengths but also limitations.

"It is weakened by a chronic shortage of trained physicians and allied health workers," he said. "It has been characterized by persistent and substantial rises in costs and wide variations in the quality of care provided.

"It has failed to recognize and respond fully to the growing hazards to health in our environment."

Cohen said many people in the country don't have a private physician or prompt access to medical care. In some areas, particularly infant mortality and certain diseases, he added, "we are far behind other countries."

HOUSE OF REPRESENTATIVES—*Tuesday, June 18, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

As for me, I will walk in mine integrity: redeem me and be merciful unto me.—Psalm 26: 11.

We thank Thee, our Father, for this moment when we unite our hearts in prayer and when in all reverence we wait upon Thee, seeking light upon our way and life for our day.

While we are mindful of our material resources may we never forget our moral resources without which we cannot truly lead our Nation in the path of justice and good will.

Bless these representatives of our people with good health. Give to them the good sense to maintain it and to stop wearing themselves out by overwork and overworry. In their activities keep them from anxiety, in their devotion to our country keep them from destroying themselves. As they plan wisely for the future may they also pray worthily for the present. Help them to care for themselves as much as some of them care for their golf clubs and their automobiles.

This day may we not walk with leaden feet, but with the wings of the morning may we soar to the heights in our endeavor to do our best for Thee and for our Nation.

In the name of Him who always walked in integrity we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2914.—An act to authorize the further amendment of the Peace Corps Act.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO SIT DURING GENERAL DEBATE TODAY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT FROM WEDNESDAY, JUNE 19, TO 11 A.M. THURSDAY, JUNE 20

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, June 19, it adjourn to meet at 11 a.m. on Thursday, June 20.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I have made inquiry of several of our Members, and a question was raised whether this would preclude the Committee on Appropriations from continuing any markup process on several appropriation bills. I have indicated to those who raised the question that in my judgment it would not.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Certainly it need not. The Committee on Appropriations meet regularly while the House is in session.

Mr. GERALD R. FORD. It is my recollection that at the outset of the session we gave permission for the Committee on Appropriations all during the session to meet during general debate.

Mr. ALBERT. It always has that permission.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. As I understand the request, we would meet at 11 o'clock on Thursday. Has it been considered that the Judiciary Committee is supposed to meet that day on the gun bill, at 10 o'clock?

Mr. ALBERT. I have not advised with the gentleman from New York on this matter, because he is not in Washington, D.C., today. He will be back tomorrow.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MAXIMUM SECURITY MEASURES SHOULD BE TAKEN WITH REFERENCE TO THE SOLIDARITY MARCH

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I have wired President Johnson and Mayor Washington urging that maximum security measures be taken immediately in order to guard against, and, if possible, preclude any possible militant action before, during, or following the Poor People's Solidarity March tomorrow.

Mr. Speaker, the people of the District of Columbia, red, yellow, black, and white, are in overwhelming majority law-abiding and responsible citizens whose rights and liberties are more gravely threatened by unrestricted lawlessness and civil disturbances than by anything else at this time.

Mr. Speaker, these citizens deserve the protection of life and property from the criminal actions of a lawless minority. And I say that this must be done with whatever concentration of military and police force is needed in the metropolitan area, now and at any future time of like potential danger and unrest.

Mr. Speaker, I urge my colleagues to urge that this be done for our citizens who live in our Capital City.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 155) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DWAYNE C. COX AND WILLIAM D. MARTIN

The Clerk called the bill (H.R. 2281) for the relief of Dwayne C. Cox and William D. Martin.

There being no objection, the Clerk read the bill, as follows:

H.R. 2281

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Dwayne C. Cox and William D. Martin, employees of the Umatilla Army Depot, Department of the Army, Hermiston, Oregon, are hereby relieved of all liability for repayment to the United States of the sums of $1,216.80 and $1,810.40 representing gross salary overpayments to the said Dwayne C. Cox and William D. Martin, respectively, for the respective periods October 21, 1962, through June 11, 1966, and October 21, 1962, through July 9, 1966, as a result of administrative errors without fault or knowledge on their parts, in adjusting their salary rates under section 504 of the Federal Salary Reform Act of 1962 (76 Stat. 84, 5 U.S.C. 1173, 1964 ed.) and the regulations promulgated thereunder. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be allowed for the amounts for which liability is relieved by this section.

SEC. 2 The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Dwayne C. Cox and William D. Martin, respectively, the sum of any amounts received or withheld from them by the United States from amounts otherwise due either of them from the United States, on account of the liabilities referred to in the first section of this Act. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any persons violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On Page 2, lines 15 and 16, strike "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. L. TOWNLEY

The Clerk called the bill (H.R. 11381) for the relief of E. L. Townley.

There being no objection, the Clerk read the bill, as follows:

H.R. 11381

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That E. L. Townley of Grand Prairie, Texas, is relieved of liability to the United States in the amount of $1,658.40, representing overpayments of basic and firefighter premium pay received, as a result of administrative error, by the said E. L. Townley during the period January 1, 1963, through March 25, 1967, while employed at the United States Naval Air Station, Dallas, Texas. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said E. L. Townley an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert the following:

"That each individual named in section 2 of this Act is relieved of liability to pay to the United States the amount specified in section 2 of this Act, which amount represents the overpayment, through administrative error, of compensation to that individual while an employee of the Department of the Navy at the United States Naval Air Station, Dallas, Texas, which is specified in section 2 of this Act. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

"SEC. 2. The individuals referred to in the first section of this Act, the period during which each of them erroneously received overpayments, and the amount of overpayment to each individual, are as follows:

"Name	Period of overpayment	Amount
E. L. Townley	Jan. 1, 1963, to Mar. 25, 1967	$1,658.40
Otis T. Hawkins	Jan. 1, 1963, to Mar. 25, 1967	1,598.72
Leo T. Matous	May 10, 1964, to July 16, 1966	487.20

"SEC. 3. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual named in section 2 of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

"(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of E. L. Townley, Otis T. Hawkins and Leo T. Matous."

A motion to reconsider was laid on the table.

JOSEPH W. HARRIS—REFERRAL OF H.R. 14109 TO CHIEF COMMISSIONER, COURT OF CLAIMS

The Clerk called the resolution (H. Res. 991) to refer the bill (H.R. 14109) entitled "a bill for the relief of Joseph W. Harris," to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CERTAIN EMPLOYEES OF THE NAVAL WEAPONS CENTER, CONCORD, CALIF.

The Clerk called the bill (H.R. 2282) for the relief of certain employees of the Naval Weapons Center, Concord, Calif.

There being no objection, the Clerk read the bill, as follows:

H.R. 2282

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the following named persons is relieved of liability to the United States in the amount which appears beside his name:

Fabio C. Guillion	$89.10
Ralph W. White	80.08
Aubrey R. Brock	108.80
Frank Cattolica	336.00
Charles R. Clover	96.00
Billy H. Bible	133.21
Vernon E. Flegge	171.20
Ohren J. Garber	740.00
Joseph I. Gromacki	581.60
Victor M. Guerisoli	906.40
Raymond F. Harz	855.20
William A. Mayer	881.76
Robert E. Mead	462.28
Robert E. Mertens	854.40
William K. Nystrom	850.94
Robert L. Onstott, Jr	1,072.80
James Richards, Jr	581.60
Matthew W. Riley	16.00
Clarence Roberts	691.20
Kenneth F. Wildeson	1,017.60
James L. Carrier	6.40
William E. Petersen	1,138.96
Donald A. Weaver	400.80

Such amounts represent overpayments of premium pay made, as a result of administrative error, to the above-named employees of the Naval Weapons Center, Concord, California, during the years 1956 through 1966. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section an amount equal to the aggregate of the amounts (if any) paid by him, or withheld from sums otherwise due him, with respect to his indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, after line 5, in the list of names:

After "Aubrey R. Brock" strike "$108.80" and insert "70.40".

After "Charles R. Clover" strike "96.00" and insert "48.00".

After "Billy H. Bible" strike "133.21" and insert "95.21".

After "Raymond F. Harz" strike "855.20" and insert "228.80".

After "Robert E. Mead" strike "$462.28" and insert "$463.28".

After "William K. Nystrom" strike "850.94" and insert "208.00".

After "Robert L. Onstott, Jr." strike "1,072.80" and insert "844.00".

After "William E. Petersen" strike "1,138.96" and insert "1,097.60".

After "Donald A. Weaver" strike "400.80" and insert "369.60".

On page 2, line 2, before "made," insert "and errors in salary payments".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF THE ARMY AT FORT SAM HOUSTON, TEX.

The Clerk called the bill (H.R. 10327) for the relief of Louis J. Falardeau, Irva G. Franger, Betty Klemcke, Wineta L. Welburn, and Emma L. McNeil, all individuals employed by the Department of the Army at Fort Sam Houston, Tex.

There being no objection, the Clerk read the bill, as follows:

H.R. 10327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each individual named in sections 3 and 4 of this Act is relieved of liability to pay to the United States the amount set forth opposite his or her name, which amount represents an overpayment of compensation, due to administrative error, received by him or her within the period beginning August 1955 and ending January 1966, as a civilian employee at Fort Sam Houston, Texas. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual named in sections 3 and 4 of this Act an amount equal to the aggregate of the amounts paid by him or her, or withheld from sums otherwise due him or her, with respect to the liability to the United States which is relieved by the first section of this Act.

SEC. 3. Four of the individuals referred to in the first section of this Act, and the amount of the liability of each of them, within the period beginning November 1962 and ending January 1966, are as follows:

Name:	*Amount of overpayment*
Louis J. Falardeau	$859.70
Irva G. Franger	668.90
Betty Klemcke	492.10
Wineta L. Welburn	560.27

SEC. 4. The remaining individual referred to in the first section of this Act, and the amount of her liability, within the period beginning August 1955 and ending August 1960, is as follows:

Name:	*Amount of overpayment*
Emma L. McNeil	$304.25

SEC. 5. No part of the amount appropriated in section 2 of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 3, line 2, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAURENCE BLOOM

The Clerk called the bill (H.R. 1608) for the relief of Laurence Bloom.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HORACE H. EASTERDAY

The Clerk called the bill (H.R. 2758) for the relief of Horace H. Easterday.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOSEPH H. BONDUKI

The Clerk called the bill (H.R. 4939) for the relief of Joseph H. Bonduki.

There being no objection, the Clerk read the bill, as follows:

H.R. 4939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph H. Bonduki, the amount certified by the Director of the United States Information Agency as the amount which would have been paid to the said Joseph H. Bonduki in the period from February 14, 1953, to the date of approval of this Act, less amounts earned by him through other employment during such period, in full settlement of the claims of the said Joseph H. Bonduki, who was employed in certain broadcasting duties for the United States Information Agency from January 1951 until February 14, 1953, when he was removed from such position.

No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agency or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That, notwithstanding laches of any other statute of limitations, jurisdiction is hereby conferred on the United States Court of Claims to hear, determine, and render judgment on the claim of Joseph H. Bonduki based upon his allegedly wrongful separation from employment with the International Information Administration of the Department of State on February 14, 1953. Any action filed under the authority of this Act must be filed within one year of the effective date of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WASSON COAL MINING CORP.

The Clerk called the bill (H.R. 12539) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of the Wasson Coal Mining Corp. against the United States.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. RUTH BRUNNER

The Clerk called the bill (H.R. 12894) for the relief of Mrs. Ruth Brunner.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROBERT J. BEAS

The Clerk called the bill (H.R. 15633) for the relief of Robert J. Beas.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RACHEL STIMPSON

The Clerk called the bill (H.R. 1527) for the relief of Rachel Stimpson.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REFERENCE OF H.R. 1761—MR. AND MRS. RALPH J. MESSINA, SR., AND JOHN H. FITZGERALD—TO CHIEF COMMISSIONER, COURT OF CLAIMS

The Clerk called the resolution (H. Res. 1111) to refer the bill (H.R. 1761) entitled "a bill for the relief of Mr. and Mrs. Ralph J. Messina, Sr., and John H. FitzGerald," to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code.

There being no objection the Clerk read the resolution, as follows:

H. RES. 1111

Resolved, That the bill (H.R. 1761) entitled "A bill for the relief of Mr. and Mrs. Ralph J. Messina, Senior, and John H. FitzGerald", together with all accompanying papers, is hereby referred to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, for further proceedings in accordance with applicable law.

CHARLES BERNSTEIN

The Clerk called the bill (S. 321) for the relief of Charles Bernstein.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CUBAN TRUCK & EQUIPMENT CO.

The Clerk called the bill (H.R. 6321) for the relief of the Cuban Truck & Equipment Co., its heirs and assigns.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REMCO INDUSTRIES, INC.

The Clerk called the bill (H.R. 10417) for the relief of Remco Industries, Inc.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ENRICO DEMONTE

The Clerk called the bill (H.R. 2046) for the relief of Enrico DeMonte.

There being no objection, the Clerk read the bill, as follows:

H.R. 2046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the determination of the right of Enrico DeMonte, of Niagara Falls, New York, to widower's insurance benefits under section 202(f)(1) of the Social Security Act, as amended (42 U.S.C. 402(f)(1), as amended), the said Enrico DeMonte shall be held and considered to have been receiving at least one-half of his support from his late wife, Rose DeMonte, at the time of her death on October 15, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMALIA P. MONTERO

The Clerk called the bill (H.R. 5959) for the relief of Amalia P. Montero.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FRANK KLEINERMAN

The Clerk called the bill (H.R. 2654) for the relief of Frank Kleinerman.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MUTUAL BENEFIT FOUNDATION

The Clerk called the bill (H.R. 2976) for the relief of the Mutual Benefit Foundation.

There being no objection, the Clerk read the bill, as follows:

H.R. 2976

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Mutual Benefit Foundation, a charitable corporation, the sum of $49,912 in full settlement of its claims against the United States for the value of the private yacht Southern Breeze which was requisitioned by the United States in 1941 and delivered to the District Manager, United States Maritime Commission, New Orleans, Louisiana, on December 17, 1941, at Galveston, Texas, which claim was assigned by the owner of the vessel, Leslie A. Layne, to the said Mutual Benefit Foundation: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 6, strike "$49,912" and insert "$7,500".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MRS. CLAUDETTE C. DONAHUE

The Clerk read the bill (H.R. 10321) for the relief of Mrs. Claudette C. Donahue.

There being no objection, the Clerk read the bill, as follows:

H.R. 10321

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Administrator of Veterans' Affairs is authorized and directed to pay, out of funds available for the payment of policies of national service life insurance, to Mrs. Claudette C. Donahue of Bristol, Connecticut, the sum of $5,000, less any amounts repaid to her by the Administrator of Veterans' Affairs as overpayments of premiums on the policy of national service life insurance on her husband, the late Sergeant Daniel F. Donahue, United States Air Force. The payment of such sum shall be in full settlement of all claims of the said Mrs. Claudette C. Donahue against the United States for the difference between $10,000, the amount of the policy of national service life insurance which the late Sergeant Daniel F. Donahue was led to believe was in effect on his life and for which premiums were deducted from his pay and the amount of $5,000 which was actually paid to the said Claudette C. Donahue as being the amount of the policy of national service life insurance which was in effect on the life of the said Sergeant Daniel F. Donahue.

(b) No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contact to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, lines 4 and 5, strike "funds available for the payment of policies of national service life insurance" and insert "the National Service Life Insurance appropriation".

On page 2, lines 10 and 11, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAITH M. LEWIS KOCHENDORFER AND OTHERS

The Clerk called the resolution (H. Res. 1177) for the relief of Faith M. Lewis Kochendorfer and others.

There being no objection, the Clerk read the resolution, as follows:

H. Res. 1177

Resolved, That H.R. 4815, entitled "A bill for the relief of Faith M. Lewis Kochendorfer and others", together with all accompanying papers is hereby referred to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, for further proceedings in accordance with applicable law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DR. JORGE RICARDO DAVALOS-REYLING

The Clerk called the bill (H.R. 10854) for the relief of Dr. Jorge Ricardo Dávalos-Reyling.

There being no objection, the Clerk read the bill, as follows:

H.R. 10854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jorge Ricardo Dávalos-Reyling shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 20, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JOSÉ RAMÓN FERNÁNDEZ-GONZÁLEZ

The Clerk called the bill (H.R. 10857) for the relief of Dr. José Ramón Fernández-González.

There being no objection, the Clerk read the bill, as follows:

H.R. 10857

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor José Ramón Fernández-González shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. REYNALDO A. GEERKEN-SALADRIGAS

The Clerk called the bill (H.R. 10859) for the relief of Dr. Reynaldo A. Geerken-Saladrigas.

There being no objection, the Clerk read the bill, as follows:

H.R. 10859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Reynaldo A. Geerken-Saladrigas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 8, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ROLANDO GUZMÁN-RODRÍGUEZ

The Clerk called the bill (H.R. 10861) for the relief of Dr. Rolando Guzmán-Rodríguez.

There being no objection, the Clerk read the bill, as follows:

H.R. 10861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rolando Guzmán-Rodríguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a moton to reconsider was laid on the table.

DR. ESTHER MARTHA ESPINOSA BÁEZ DE GUZMÁN

The Clerk called the bill (H.R. 10862) for the relief of Dr. Esther Martha Espinosa Báez de Guzmán.

There being no objection, the Clerk read the bill, as follows:

H.R. 10862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Esther Martha Espinosa Báez de Guzmán shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. OSCAR F. CARTAYA

The Clerk called the bill (H.R. 10863) for the relief of Dr. Oscar F. Cartaya.

There being no objection, the Clerk read the bill, as follows:

H.R. 10863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Oscar F. Cartaya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 19, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JORGE MAÑACH-BAÑOS

The Clerk called the bill (H.R. 13159) for the relief of Dr. Jorge Mañach-Baños.

There being no objection, the Clerk read the bill, as follows:

H.R. 13159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jorge Mañach-Baños shall be held and consider to have been lawfully admitted to the United States for permanent residence as of January 21, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ARTURO BRITO SANTOS

The Clerk called the bill (H.R. 13380) for the relief of Dr. Arturo Brito Santos.

There being no objection, the Clerk called the bill, as follows:

H.R. 13380

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Arturo Brito Santos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. VICTOR LUIS BIENES JIMENEZ

The Clerk called the bill (H.R. 13381) for the relief of Dr. Victor Luis Bienes Jimenez.

There being no objection, the Clerk read the bill, as follows:

H.R. 13381

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Victor Luis Bienes Jimenez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 3, 1960.

With the following committee amendment:

On page 1, line 6, strike out the date "June 3, 1960." and substitute in lieu thereof the date "June 2, 1960.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ORLANDO DE VARONA DE ZAYAS

The Clerk called the bill (H.R. 13382) for the relief of Dr. Orlando De Varona De Zayas.

There being no objection, the Clerk read the bill, as follows:

H.R. 13382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Director Francisco Loza Diaz shall be shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 10, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. FRANCISCO LOZA DÍAZ

The Clerk called the bill (H.R. 14658) for the relief of Dr. Francisco Loza Díaz.

There being no objection, the Clerk read the bill as follows:

H.R. 14658

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Director Francisco Loza Días shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 8, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. LEOPOLDO PÉREZ PÉREZ

The Clerk called the bill (H.R. 14660) for the relief of Dr. Leopoldo Pérez Pérez.

There being no objection, the Clerk read the bill, as follows:

H.R. 14660

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Leopoldo Pérez Pérez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 27, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR CONVEYANCE BY SECRETARY OF THE INTERIOR OF CERTAIN LANDS AND INTERESTS IN LANDS IN GRAND AND CLEAR CREEK COUNTIES, COLO.

The Clerk called the bill (H.R. 16429), to provide for the conveyance by the Secretary of the Interior of certain lands and interests in lands in Grand and Clear Creek Counties, Colo., in exchange for certain lands within the national forests of Colorado, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 16429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon acceptance on behalf of the United States of title to not less than an equal value of land within the exterior boundaries of any one or more of the Arapaho, Gunnison, Pike, Rio Grande, Roosevelt, Routt, San Isabel, San Juan, Uncompahgre, or White River National Forests in Colorado to be conveyed by American Metal Climax, Incorporated, a New York Corporation, in accordance with procedures set forth in the Act of March 20, 1922 (42 Stat. 465), as amended and supplemented, the Secretary of the Interior shall, in exchange therefor, issue patents to American Metal Climax, Incorporated, for the following:

FIRST.—A tract of land in the Arapaho National Forest and in Clear Creek and Grand Counties, Colorado, not to exceed 150 feet in horizontal width, within which tract shall be located a tunnel to be excavated by American Metal Climax, Incorporated, from the portal thereof at a point in Grand County, Colorado, in what will probably be, when surveyed, township 3 south, range 77 west of the sixth principal meridian, to the mining property belonging to said company in Clear Creek County, Colorado, said tract to be described by metes and bounds survey which shall be completed by the Secretary of the Interior within six months after the effective date of this Act, excepting and reserving, however, unto the United States the surface thereof and full rights to the soil, vegetation, and other surface resources.

SECOND.—A tract or tracts of land in the Arapaho National Forest and in Grand County, Colorado, which, when consolidated with lands already owned by American Metal Climax, Incorporated, will comprise a consolidated tract not to exceed eight hundred feet in horizontal width, within which consolidated tract shall be located a railroad to be constructed by American Metal Climax, Incorporated, from the portal of the tunnel referred to in the first subparagraph of this section to lands said company has applied for in exchange pursuant to the Act of March 20, 1922 (42 Stat. 465), as amended, said tract or tracts to be described by metes and bounds survey which shall be completed by the Secretary of the Interior within six months after the effective date of this Act, excepting and reserving, however, unto the United States an easement of access by authorized officers and employees of the United States, for forest management and protection, through and across the tract or tracts in the performance of their official duties, together with the right at such time or times and at such place or places on the tract or tracts as is deemed necessary or desirable by the United States, at its own expense, to construct and maintain means of access or game crossings in, across and through the tract or tracts, in addition to those constructed at the time said railroad is constructed: *Provided*, That the construction, maintenance and use of said additional means of access or game crossings shall not obstruct, interfere with or otherwise hinder, impede or delay the operation of the mine, mill, railroad, or related facilities belonging to American Metal Climax, Incorporated, its successors and assigns. Title to the tract or tracts patented pursuant to this subparagraph of this section shall, however, be conveyed to and held by American Metal Climax, Incorporated, its successors and assigns, subject to the following conditions: Whenever said company, its successors and assigns, shall no longer require the use and possession of the said consolidated tract, the then owner thereof shall tender to the United States its deed conveying said consolidated tract to the United States in such form and under such conditions as may then be prescribed by the United States. The then owner shall be deemed to no longer require the use and possession of the said consolidated tract only (A) when the fixtures, structures, and improvements constructed or maintained thereon have been removed, without being replaced, within a period of five years from the time of such removal, with fixtures, structures, and improvements constructed for uses substantially similar to or associated with the uses to which the fixtures, structures, and improvements so removed were put, or (B) when the use and possession of said consolidated tract shall have been permanently abandoned.

SEC. 2. The value of the tracts hereby directed to be patented to American Metal Climax, Incorporated, shall be determined by the Secretary of Agriculture and shall not exceed the value of the lands to be accepted by the United States in exchange therefor as determined by the Secretary of Agriculture. The patent issued for lands granted pursuant to this Act shall express the conditions and contain the reservations provided for in section 1 of this Act with respect to the separate titles thereby granted.

With the following committee amendments:

On page 2, line 4, strike out "patents" and insert "patent"

On page 3, lines 9, 10, 11 and 12, strike out "by authorized officers and employees of the United States, for forest management and protection, through and across the tract or tracts in the performance of their official duties," and insert "through and across the tract or tracts,"

On page 3, line 18, after "constructed" insert "by and at the expense of American Metal Climax, Incorporated,"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EASEMENT TO ST. LOUIS-SAN FRANCISCO RAILWAY CO.

The Clerk called the bill (H.R. 17320) to authorize the Secretary of Agriculture to grant an easement over certain lands to the St. Louis-San Francisco Railway Co.

There being no objection, the Clerk read the bill, as follows:

H.R. 17320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of Agriculture is authorized, upon such terms as he may deem advisable, to grant, and to convey by proper instrument a perpetual easement to the Saint Louis-San Francisco Railway Company, its successors and assigns, in, upon, across, and over national forest lands and other lands under the jurisdiction of the Department of Agriculture for the construction, maintenance, and operation of a railway line between a point approximately one and seventy-five one-hundredths miles north of Keysville, Crawford County, Missouri, to a point at or near Buick, Iron County, Missouri, and for any related purpose deemed appropriate by the Secretary. Such easement (1) shall be granted only upon a finding by the Secretary that it will not be incompatible with the public interest, (2) shall not include any more land than is reasonably necessary for the purpose for which granted, (3) shall include provisions for payment of adequate compensation, and (4) may include a right to use from the subject lands materials and products for the construction and maintenance of authorized improvements thereon upon the payment of adequate compensation therefor.

SEC. 2. All or any part of such easement may be annulled or forfeited by declaration of the Secretary for failure to comply with the terms of the grant or for nonuse for a period of two consecutive years or abandonment of rights granted under authority hereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANTONIO F. FREXES

The Clerk called the bill (H.R. 10415) for the relief of Dr. Antonio F. Frexes.

There being no objection, the Clerk read the bill, as follows:

H.R. 10415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of the Immigration and Nationality Act, Doctor Antonio F. Frexes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 9, 1963.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILLIPS PETROLEUM CO., A DELAWARE CORPORATION, AND DAVID MILLER

The Clerk called the bill (H.R. 16880) for the relief of Phillips Petroleum Co., a Delaware corporation, and David Miller.

There being no objection, the Clerk read the bill, as follows:

H.R. 16880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of Phillips Petroleum Company, a Delaware corporation, and David Miller, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "BLM A 068348" and United States oil and gas lease "BLM A 068348(C))", as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

With the following committee amendment:

Strike out all after the enacting clause and insert the following language:

"That the Secretary of the Interior shall receive, consider, and act upon any petition of Phillips Petroleum Company, a Delaware Corporation, and David Miller, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas leases (BLM–A–068348 and BLM–A–068348(C)), and accompanied by the required rental, including back rental, accruing from the date of termination, and may reinstate such leases in accordance with the provisions of section 31(c) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 188(c)): *Provided*, That it is shown to the satisfaction of the Secretary that the failure to pay timely was either justifiable or not due to lack of reasonable diligence."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of oil and gas leases (BLM–A–068348 and BLM–A–068348(C))."

A motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONSIDER A PETITION FOR REINSTATEMENT OF AN OIL AND GAS LEASE (WYOMING 0310090)

The Clerk called the bill (S. 102) to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090).

There being no objection, the Clerk read the bill, as follows:

S. 102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall receive, consider, and act upon any petition of Paul T. Walton, Thomas F. Kearns, and Jerome B. Guinand filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease (Wyoming 0310090), and may reinstate such lease in accordance with the provisions of section 31(c) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 188(c)): *Provided*, That it is shown to the satisfaction of the Secretary that the failure to pay timely was either justifiable or not due to lack of reasonable diligence.

With the following committee amendment:

On page 1, lines 7 and 8, after "(Wyoming 0310090)," insert "and accompanied by the required rental, including back rental, accruing from the date of termination,".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONSIDER A PETITION FOR REINSTATEMENT OF AN OIL AND GAS LEASE (WYOMING 0280122)

The Clerk called the bill (S. 443) to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122).

There being no objection, the Clerk read the bill, as follows :

S. 443

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall receive, consider, and act upon any petition of Mountain Fuel Supply Company, a Utah corporation, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease (Wyoming 0280122), and may reinstate such lease in accordance with the provisions of section 31(c) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 188(c)): *Provided*, That it is shown to the satisfaction of the Secretary that the failure to pay timely was either justifiable or not due to lack of reasonable diligence.

With the following committee amendment:

On page 1, line 7, after "(Wyoming 0280122)," insert "and accompanied by the required rental, including back rental, accruing from the date of termination,"

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO REINSTATE OIL AND GAS LEASE (LAS CRUCES 063610)

The Clerk called the bill (S. 823) to authorize the Secretary of the Interior to reinstate oil and gas lease (Las Cruces 063610).

There being no objection, the Clerk read the bill, as follows:

S. 823

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall receive, consider, and act upon a petition of Elwyn C. Hale, lessee of the terminated oil and gas lease (Las Cruces 063610), for reinstatement of said lease if filed within one hundred and eighty days after the effective date of this Act, together with the required rental, including back rental, accruing from the date of termination of the lease. The Secretary may reinstate said lease in accordance with the provisions of section 31(c) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 188(c)): *Provided*, That it is shown to the satisfaction of the Secretary that the failure to pay timely was either justifiable or not due to lack of reasonable diligence. If the Secretary grants a reinstatement of the terminated lease and finds that such reinstatement will not afford the lessee a reasonable opportunity to continue operations under the lease, he may extend the term of the lease for a period not to exceed two years from the date the Secretary grants the petition.

With the following committee amendment:

Page 1, line 11, and page 2, line 1, strike out "(30 U.S.C. 188(e)):" and insert "(30 U.S.C. 188(c):".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. That concludes the call of the Private Calendar.

LIMITATION TO SEVEN CATEGORIES FOR THE 1970 CENSUS

(Mr. ROGERS of Florida asked and given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which will place in proper perspective the decennial census of population in these United States.

This bill would limit to seven the categories in such a census which must be answered under penalty of law.

Those seven would be: name and address; relationship to head of the household; sex; date of birth; race or color; marital status; and visitors in one's home at the time of census.

The 1970 census will contain over 120 questions, many of which are tantamount to an invasion of personal privacy.

There is one question which asks the income, dollar by dollar, from all sources including public assistance, alimony, unemployment and disability insurance, pensions and investments.

Another asks with whom bathroom and kitchen facilities are shared.

A simplified census form will permit more Americans to respond, the objective of the census, to count people, will be realized, and a person's privacy will remain inviolate.

There will also be a savings to the taxpayers because less manpower and time will be required in the preparation and tabulation of the census.

I urge the adoption of this legislation by the Congress.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 189]

Addabbo
Ashbrook
Ashley
Ayres
Bingham
Blackburn
Blanton
Bolton
Bow
Brasco
Bray
Celler
Collier
Conyers
Corman
Cunningham
Dawson
de la Garza
Delaney
Dickinson
Diggs
Dulski
Eilberg
Evins, Tenn.
Farbstein
Fino
Flynt
Gilbert
Green, Pa.
Gurney
Halleck
Hansen, Wash.
Holland
Horton
Howard
Jacobs
Karsten
Kelly
Kupferman
Kyl
Lukens
McMillan
Minshall
Moore
Morris, N. Mex.
Murphy, Ill.
Murphy, N.Y.
Myers
Passman
Podell
Purcell
Reifel
Resnick
Rooney, N.Y.
Rosenthal
Roudebush
Ryan
Scheuer
Stephens
Stratton
Sullivan
Tenzer
Thompson, N.J.
Tuck
Williams, Pa.
Wolff
Wydler

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15856) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration:

"(a) For 'Research and development,' for the following programs:

"(1) Apollo, $2,025,000,000;

"(2) Apollo applications, $253,200,000;

"(3) Advanced missions, $2,500,000;

"(4) Physics and astronomy, $136,900,000;

"(5) Lunar and planetary exploration, $92,300,000;

"(6) Bioscience, $33,000,000;

"(7) Space applications, $98,700,000;

"(8) Launch vehicle procurement, $115,700,000;

"(9) Sustaining university program, $9,000,000;

"(10) Space vehicle systems, $31,800,000;

"(11) Electronics systems, $35,500,000;

"(12) Human factor systems, $19,700,000;

"(13) Basic research, $21,000,000;

"(14) Space power and electric propulsion systems, $42,300,000;

"(15) Nuclear rockets, $55,000,000;

"(16) Chemical propulsion, $30,200,000;

"(17) Aeronautical vehicles, $74,900,000;

"(18) Tracking and data acquisition, $289,800,000;

"(19) Technology utilization, $3,800,000.

"(b) For 'Construction of facilities,' including land acquisitions, as follows:

"(1) Ames Research Center, Moffett Field, California, $386,000;

"(2) John F. Kennedy Space Center, NASA, Kennedy Space Center, Florida, $12,109,000;

"(3) Manned Spacecraft Center, Houston, Texas, $1,500,000;

"(4) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $400,000;

"(5) Wallops Station, Wallops Island, Virginia, $500,000;

"(6) Various locations, $23,705,000;

"(7) Facility planning and design not otherwise provided for, $1,000,000.

"(c) For 'Administrative operations,' $603,173,000.

"(d) Appropriations for 'Research and development' may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will be best served by vesting title in any such grantee institution or organization.

Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for 'Research and development' pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

"(e) When so specified in an appropriation Act, (1) any amount appropriated for 'Research and development' or for 'Construction of facilities' may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the 'Administrative operations' appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

"(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

"(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

"(h) No part of the funds appropriated pursuant to subsection (a) of this section may be used for grant to any nonprofit institution of higher learning unless the Administrator or his designee determines at the time of the grant that recruiting personnel of any of the Armed Forces of the United States are not being barred from the premises or property of such institution except that this subsection shall not apply if the Administrator or his designee determines that the grant is a continuation or renewal of a previous grant to such institution which is likely to make a significant contribution to the aeronautical and space activities of the United States. The Secretary of Defense shall furnish to the Administrator or his designee within sixty days after the date of enactment of this Act and each January 30 and June 30 thereafter the names of any nonprofit institutions of higher learning which the Secretary of Defense determines on the date of each such report are barring such recruiting personnel from premises or property of any such institution.

"SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), and (6) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

"SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (7) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modifiation, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"SEC. 4. Notwithstanding any other provision of this Act—

"(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

"(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

"(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"SEC. 5. (a) No part of the funds appropriated pursuant to this Act shall be available for the payment of any salary of an individual convicted by any Federal, State, or local court of competent jurisdiction of—

"(1) inciting a riot or civil disorder;

"(2) organizing, promoting, encouraging, or participating in a riot or civil disorder;

"(3) aiding or abetting any person in committing any offense specified in clause (1) or (2); or

"(4) any offense determined by the Administrator of the National Aeronautics and Space Administration to have been committed in furtherance of, or while participating in, a riot or civil disorder;

if the offense for which he is convicted is a felony. Any such individual holding a position in the National Aeronautics and Space Administration on the date his conviction becomes final shall be removed from such position.

"(b) For the purposes of this section, 'felony' means any offense for which imprisonment is authorized for a term exceeding one year.

"(c) The provisions of subsection (a) shall apply only with respect to acts referred to in clauses (1)–(4) which are committed after the date of enactment of this Act.

"SEC. 6. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

"SEC. 7. This Act may be cited as the 'National Aeronautics and Space Administration Authorization Act, 1969'."

The **SPEAKER** pro tempore (Mr. Albert). Is there objection to the request of the gentleman from California?

Mr. **FULTON** of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to address a question to the chairman of our Science and Astronautics Committee.

The Senate amendments reduce the total amount in the authorization bill for NASA and space for the coming year, 1969, by approximately $18 million. The authorization of $4,013,373 which we propose to accept is $18,050,000 less than the House figure: Is that not right?

Mr. **MILLER** of California. That is correct.

Mr. **FULTON** of Pennsylvania. This authorization provides for a different emphasis among the various line items within the space program proposed by the administration. It contains no programs that have not been proposed by the administration and passed by the Bureau of the Budget; is that correct?

Mr. **MILLER** of California. That is correct.

Mr. **FULTON** of Pennsylvania. Mr. Speaker, I yield to the gentleman from Iowa [Mr. Gross].

Mr. **GROSS**. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to ask the gentleman from California, in view of the word from the other body that certain Members of the other body intend to hang certain legislation on bills coming from the House—am I correct in assuming that all of the amendments to this bill are germane to the bill?

Mr. **MILLER** of California. They are germane to the bill. They are for the most part reductions in several items, and adjustments on other items.

Mr. **GROSS**. I thank the gentleman from California for his response.

Mr. **FULTON** of Pennsylvania. The total overall amount represents $18 million less than the House figure; is that not correct?

Mr. **MILLER** of California. That is correct.

Mr. **FULTON** of Pennsylvania. Mr. Speaker, I withdraw my reservation of objection.

Mr. **HECHLER** of West Virginia. Mr. Speaker, $3 million is a very small amount in an authorization bill totalling over $4 billion. In fact, it is less than one-tenth of 1 percent. However, I wish there were some way under this parliamentary situation that the House could insist on its figure for aeronautical research, which the Senate has cut by $3 million.

The Subcommittee on Advanced Research and Technology, which I chair, held extensive hearings on the necessity for greater emphasis on aeronautical research. We voted $1 million beyond what had been requested in the budget for this vital area, and this recommendation was sustained by the Committee on Science and Astronautics and the entire House. We felt that in the highly important fields of aircraft noise control, vertical and short takeoff and landing planes, and collision avoidance, it was a sound investment to support basic research to the fullest possible extent.

NASA requested $76.9 million for aeronautical research, and the House voted $77.9 million. Along comes the other body and rather arbitrarily lops $3 million off this figure. I do not wish to be a party to agreeing to such a cut. My colleagues point out that $3 million is only a small amount, but my answer to this is that at a time when the budget is very tight, we ought to be thankful for small favors and stand up and cheer that only $3 million is involved here. What this means, however, is a symbol of progress in a field where we could be pressing forward to achieve new breakthroughs.

There are times in this Congress when you have to go along, or else be branded as a screwball. I regret that in a moment of spineless, weak-kneed, utterly unprincipled desire to get this bill through and not insult our senior colleagues too much I agreed not to object when the question of yielding to the Senate figure was brought up today.

I am already ashamed that I did not have the guts to stand up to my colleagues and fight for aeronautics. We are authorizing funds for an agency whose name is the National Aeronautics and Space Administration, and we have allowed the space tail to wag the areonautics dog. We must appreciate the fact that we have not reached the farthest horizons in our developmental work, our basic research, and in our potential for pushing forward great new frontiers.

Therefore, I serve notice that in the future I am not going to prove to be the same kind of soft touch on an issue of this nature. I hope that my colleagues who have forced this decision on the Congress will wake up and appreciate that to keep the American eagle flying high we are going to have to place more emphasis on aeronautics.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3306, AMENDING SECTION 4 OF THE ACT OF MAY 31, 1933 (48 STAT. 108)

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1213 and ask for its immediate consideration.

The clerk read the resolution, as follows:

H. RES. 1213

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3306) to amend section 4 of the Act of May 31, 1933 (48 Stat. 108), and all points of order are waived against that language in the bill beginning on page 6, line 23 to page 7, line 4, inclusive. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). The Chair recognizes the gentleman from Hawaii [Mr. MATSUNAGA] for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield to the gentleman from Ohio [Mr. LATTA] 30 minutes, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1213 provides an open rule with 1 hour of general debate for consideration of H.R. 3306 to amend section 4 of the act of May 31, 1933—48 Stat. 108. The resolution also provides for a waiver of points of order against that language in the bill beginning on page 6, line 23 to page 7, line 4, inclusive. The waiver of points of order was granted because that part of the bill is in effect an appropriation and would normally come under the jurisdiction of the Committee on Appropriations.

The purpose of H.R. 3306 is to grant to the Pueblo de Taos Indians in New Mexico trust title to 48,000 acres of federally owned land which the United States took from the Indians without the payment of any compensation.

The 48,000 acres are part of a larger area to which the Taos Pueblo had aboriginal Indian title. In 1965, the Indian Claims Commission determined that the Pueblo had established its Indian title to the larger area, and that the United States had extinguished the Indian title in 1906 without payment of compensation. The Commission ordered that the value of the land be determined in order that a monetary award could be made; however, the value has not yet been determined.

The Pueblo attaches great significance to the ownership of these particular 48,000 acres and urges the Government to return the title to the land, rather than give the Pueblo money as compensation.

The importance of the area to the Pueblo has long been recognized and they have made repeated but unsuccessful efforts to obtain title to the land. A statute enacted in 1933 authorized the Secretary of Agriculture to issue to the Pueblo a 50-year special use permit covering part of the area, and the permit was issued in 1940, but a controversy has continued over the terms of the permit. The controversy centers around the desire of the Pueblo to preserve the area in its natural state, and to limit access to, and use of, the area by non-Indians.

Preservation of the area in its natural condition and limitation on non-Indian use is said to be essential to protection of the Indian religion of the Pueblo. The religion is secret and, therefore, not easily explained, but it is based on nature and is said to regard this area as sacred. Complete privacy is regarded as essential to maintenance of the integrity and efficacy of the Indian religion.

The issue, therefore, is whether the Pueblo should be paid for the 48,000 acres, as ordered by the Indian Claims Commission, and the land retained in the national forest for the benefit of the public generally, or whether the land should be restored to the Pueblo. Equities seem to be on the side of the Indians. They have a greater need for the land than does the public.

Mr. Speaker, I urge the adoption of House Resolution 1213 in order that H.R. 3306 may be considered.

Mr. LATTA. Mr. Speaker, I agree with the statement just made by my friend, the gentleman from Hawaii.

Mr. Speaker, the purpose of the bill is to grant title to 48,000 acres of Forest Service land to the Pueblo Indians of New Mexico. This land is part of a larger tract which the Pueblo have owned since before the coming of the white man. The United States took approximately 130,000 acres from the Pueblo without compensation in 1906. In 1965 the Indian Claims Commission decided that the Indians had established their title to the acreage in question and ordered the land evaluated prior to ordering a lump-sum payment by the Government to the Indians.

The Indians do not want the money; they want the land. They attach great significance to this land because it has a special place in their religious ceremonies stretching back many, many years. It is significant that the Federal Government has, since its appropriation of the land from the Indians, recognized the special significance of this particular parcel to the Pueblo Indians. The land is now administered by the Park Service as a wilderness area and recreational location.

The bill resolves the issue in favor of the Indians by transferring title to the 48,000 acres in question to the Pueblo de Taos Indians rather than confirming the cash payment. The committee believes the Indians have a greater need and use for the land than does the general public, particularly since this is only a small part of the almost 1½ million acres contained in the National Forest of which they are now a part. The committee also points out that it does not consider this legislation a precedent for bypassing future decisions of the Indian Claims Commission. The report indicates that the committee knows of no other Indian tribe whose situation is comparable to this particular one.

No additional cost is anticipated through passage of this bill.

The Department of the Interior, Bureau of the Budget, and the Department of Agriculture have all submitted favorable reports and there are no minority views.

Mr. Speaker, I have no further requests for time.

Mr. MATSUNAGA. Mr. Speaker, I have no requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. 1028, FEDERAL EMPLOYMENT CONDITIONS FOR FORMER EMPLOYEES OF AGRICULTURAL COUNTY COMMITTEES

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1182 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1182

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1028) to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MATSUNAGA. Mr. Speaker, I yield to the gentleman from Ohio [Mr. LATTA] 30 minutes, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1182 provides an open rule with 1 hour of general debate for consideration of S. 1028 to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act.

S. 1028 would provide for desirable changes in the conditions under which ASCS personnel may enter into Federal employment with the Department of Agriculture, as follows:

First. The Department of Agriculture will be enabled to place the employee in a civil service position at a salary step which is comparable to, but does not exceed, his prior county salary rate.

Second. The employee's annual and sick leave will be transferred to the new position in the Department of Agriculture.

Third. The employee's former county committee employment service will be creditable for leave-earning purposes and reduction-in-force purposes in the new position in the Department of Agriculture.

The bill does not in any way change the continuing principle of the merit system required of a county employee going to work for the Department of Agriculture.

Mr. Speaker, I urge the adoption of House Resolution 1182 in order that S. 1028 may be considered.

Mr. LATTA. Mr. Speaker, I agree with much of what the gentleman from Hawaii has said about the bill and particularly with the matter dealing with the transfer of these employees. Whether such a practice will be in the best interest of the Federal Government is a question.

We could have wholesale transfers into the Federal service from these county committees. This could destroy the present committee system. I just wonder whether or not these employees, even though they are paid out of Federal funds, should become a part of the Federal civil service system. The administration has already loaded down the Department of Agriculture with a good many new employees in the last several years. Many Members of the House will recall when, Senator GRIFFIN, of Michigan, was a Member of this House, he offered an amendment which was passed for a few moments, which would have provided that at no time shall the number of employees of the Department of Agriculture exceed the number of farmers in this Nation. If the administration keeps loading down the Department of Agriculture with new employees and coming up with bills such as this, I can see the time when there will be real need for Senator GRIFFIN's amendment.

I hope some attention to the number of Agricultural employees will be given by the House before this legislation passes.

The purpose of the bill is to remove for employees of county agricultural committees certain impediments which make them reluctant to transfer to the Federal civil service and become employees of the Department of Agriculture.

While these employees of county committees are paid from Federal funds and administer Federal programs, they are hired by local committees and are not a part of the Federal civil service. The Department of Agriculture often would like to hire some of these people but is sometimes precluded because of the financial loss which such an employee would suffer by transferring his employment. He now gets no credit for his accumulated sick leave or annual leave, and he sometimes must take a pay cut.

The bill would remove these two impediments. An employee will have his accumulated leaves credited to his new job with Agriculture, and he will come into the department at a comparable salary level.

The Department of Agriculture supports the bill. They want to be able to recruit successfully from among this group of skilled, professional personnel. The Civil Service does not support the bill, nor does the Bureau of the Budget.

Minority views have been filed by three Members opposing the bill. They point out that it gives special privileges to one class of non-Federal employees who are administering a federally funded program. Where would it stop? They also note that all Federal employees do not have the advantages granted in the bill when they decide to transfer from one Federal agency to another.

They note the opposition by the Civil Service Commission and believe its solution—by making all these employees Federal employees—is preferable to the solution offered in the bill.

The bill has been before the committee before. As H.R. 2452, a rule was denied by a show-of-hands vote of 6 to 8, with one abstaining, on August 25, 1966.

Mr. Speaker, I have no further requests for time on this side, and I reserve the balance of my time.

Mr. MATSUNAGA. Mr. Speaker, having no further requests for time, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING SECTION 4 OF THE ACT OF MAY 31, 1933 (48 STAT. 108)

Mr. HALEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3306) to amend section 4 of the act of May 31, 1933 (48 Stat. 108).

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3306, with Mr. FULTON of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. HALEY] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HALEY. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, the purpose of this bill is to right a wrong that was done to the Taos Indians in 1906 when 48,000 acres in the Blue Lake area, in addition to other lands, were taken from them by the United States.

The Taos Indians have lived in their present pueblo since the year 1400. They are a sedentary people, and have continually used and occupied a well-defined area surrounding the pueblo for farming, grazing, hunting, gathering, and other purposes. Because of the 7,000-foot elevation and a 100-day growing season, the Indians have relied less on farming than on hunting and gathering. They are a conservative people and are resistant to change. They value their Indian culture, their Indian religion, and their traditional way of life. They insist on preserving them.

When the Spaniards came to this continent in the 16th century, they encroached on some of the lowlands of the Taos Indians along the Rio Grande, but the Spaniards left the Taos Indians relatively undisturbed in their aboriginal use and occupancy area. When the United States acquired sovereignty over New Mexico by the Treaty of Guadalupe Hidalgo on February 2, 1848, the Taos Indians were the owners of all of the lands which they then used and occupied exclusively.

In 1906 the United States took 130,000 acres of the Taos Indians lands for inclusion in the Carson National Forest. The taking was by Executive order of the President. The Indians were not consulted, they were not paid, and they did not agree to the taking. These 130,000 acres include 48,000 acres in the Blue Lake area which are most important to the Indians, particularly from the standpoint of their religion. It is these 48,000 acres which the Indians want back.

The Indians have been persistent and unrelenting in their efforts to recover their land. In the early days of the national forest, the Indians were given exclusive use of the Blue Lake area when the forest service set it aside for grazing by the Indians. The Indians were dissatisfied with this arrangement, and in 1912, the Secretary of the Interior proposed to include the area in an Executive order reservation for the Indians. The Department of Agriculture objected pointing out that the Indians already had exclusive use of the area.

Under a 1924 statute, a Pueblo Lands Board was established to confirm the titles of non-Indians to certain lands, which are not involved here, which had been occupied in good faith by non-Indians. The Pueblo Lands Board extinguished the Indian title to land appraised at $458,520, but awarded the Indians only $76,128. The Indians offered to waive payment of $297,000 on the understanding that they would be given title to the Blue Lake area, which they so greatly desired. A bill providing for the issuance of a patent to the Indians was introduced in the 72d Congress, but did not pass.

The Indians then sought from the Forest Service a cooperative agreement giving them exclusive use of the area. An agreement was signed in 1927, but it did not give exclusive use.

The Indians were not satisfied, and in 1928 the matter came before Congress. The Forest Service opposed a grant-of-title to the Indians but recognized the special interest of the Indians in the Blue Lake area. The acting chief forester pointed out that the Indians have a peculiar interest, and, to some degree, equity in the area.

In 1932 another bill was introduced in Congress to patent the lands to the Pueblo, but it also was opposed by the Forest Service. This time there was a compromise and the act of May 31, 1933, was enacted. It provided for issuance to the Indians of a 50-year special-use permit. The special-use permit was intended to safeguard the interests of the Indians by giving them the right to occupy and use the land and resources for their personal use and benefit. The Indians thought their use rights would be exclusive, but the Forest Service thought differently.

Although this act was approved in 1933, a special-use permit was not issued until 1940 because of continuing controversy between the Forest Service and the Indians over its terms, particularly the desire of the Indians for exclusive use. The Indians have never been satisfied with the permit, and friction between them and the Forest Service has continued.

The controversy centers around the need of the Indians to have exclusive use of the area in order to protect their Indian religion. Their religion is based on nature, is secret, and demands complete privacy. For that reason the Indians have insisted that the Forest Service issue no permit to enter the area unless the permit is countersigned by the Pueblo chief. The Forest Service objected and has insisted on permitting recreational use of the area by the public. It is this recreational use of the area by the public that threatens the interest of the Indians.

Bills with respect to this area were introduced in 1955, 1957, 1959, 1965, and 1967.

In 1965 the Indian Claims Commission determined that the Indians had been deprived of their title to this land without compensation and were entitled to be paid for its value, less the value of the special-use permit. The amount has not yet been determined. The Indians do not want money, but want their land back.

The issue before us is simple: Do the Indians or the Forest Service have the greater need for this land? The Indian needs have not been met adequately by the special-use permit from the Forest Service. We have had 60 years of conflict and of dissatisfaction. The Forest Service has identified no Federal need that would be prejudiced by the enactment of the bill. From the standpoint of the Government and the public interest, the conservation values of the area can be fully protected by the Secretary of the Interior under Indian ownership, and the bill requires such protection to be maintained. The Forest Service may, in fact, continue to provide conservation services in the form of disease, insect, and fire control.

Two arguments have been made which in my judgment are without merit and should be rejected. The first is the contention that when lands are included in the national forest system, they are dedicated to the system in perpetuity and can never be used for any other purpose, no matter how great the need. The mere statement of the contention is enough to discredit it. The Forest Service itself disposes of national forest lands by exchange whenever the disposition is desirable in order to acquire other lands which it prefers to have. These dispositions are made every year. But more importantly, no program should be regarded as immune from change, and if the United States unjustly took land from the Indians, it should not say that it will keep its ill-gotten gains solely because the lands are now in a national forest. This contention ignores the real question, which is: Is the Indian need for the land greater than the need of the Forest Service, particularly when conservation of the land and protection of the watershed by the Secretary of the Interior is assured? It is significant that the Forest Service has not claimed that the land resource will be protected inadequately by the Secretary of the Interior if the land is conveyed to the Indians as proposed.

The second argument is that conveyance of the land to the Indians, rather than payment of money under the Indian Claims Commission award, would establish an undesirable precedent of giving Indians national forest lands instead of money. I am convinced that it would not establish any precedent. The report of the Interior and Insular Affairs Committee, at the top of page 4, specifically states that the enactment of the bill will not be considered as a precedent and gives the reasons for that conclusion. The land is immediately adjacent to the existing Pueblo. The Indians have continuously used the land since the year 1400, despite the Government taking in 1906. The land is vital to the continued welfare of the Indians, particularly the protection of their religion. After careful search, our committee staff has found no other case like this one. The enactment of the bill will be a recognition of the unique interests of this one Indian group, and would in no way be a recognition of any obligation on the part of the Government to return land to other Indian tribes who have claims which blanket the entire United States.

The bill should be enacted solely on its merits. The Indians once owned this land. The land was taken from them unjustly. The Indians have continued to use the land under special-use permit from the Forest Service, but there have been continuing administrative conflicts with the Forest Service and return of the land to the Indians would not prejudice any interest of the United States. Administration of the land for purposes of watershed protection and conservation will be continued by the Secretary of the Interior instead of by the Secretary of Agriculture. The bill expressly so provides. In fact, the bill provides even greater protection of natural values than is required under present law by requiring the lands to be administered as a wilderness.

Simple justice requires that the Indians be given title to the land when their need is great, when no public purpose other than conservation of the resources involved, and when the resource can be protected and conserved as effectively by the Secretary of the Interior as by the Secretary of Agriculture.

Now, Mr. Chairman and members of the Committee, in the minds of many of us, 48,000 acres of land is quite an area of land, but, let me tell you what kind of land this is. This is land which is located 7,000 feet and over above sea level and it is essentially forest-covered land. There is contained therein very little agricultural land. The Forest Service lands involved in the Carson National Forest consist of 1.5 million acres. The 48,000 acres involved in the legislation is a very small part of the 1.5 million acres. The 48,000 acres of land are presently controlled by the Forest Service—now subject to the special-use permit to the Taos Indians. They still have his amount of land to be used, until about 1980, for their own uses.

Mr. Chairman, what is involved? We have involved in dollar value at the present time returns to the Federal Government of $340 a year. This is all that the Federal Government gets out of these lands for the administration of the present expenses to the reservation. Also, the Forest Service does issue without charge some permits for recreational use. There are no buildings, nor facilities of any kind involved. The recreational permits issued to non-Indians to go on to the Forest Service lands involved have ranged from none to 90 per year.

Mr. Chairman and members of the Committee, the question of equity is on the side of the Indian in this matter Representatives of the Forest Service appeared before our committee and we listened to them and it is my opinion that they received a fair hearing thereon.

Mr. SAYLOR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I support the enactment of H.R. 3306 as a matter of simple justice. The Pueblo de Taos Indians need this land more than the Forest Service needs it. A conveyance in trust to the Pueblo de Taos Indians will not prejudice sound conservation management of the land.

The Pueblo de Taos Indians owned the land from about 1400 to 1906—a period of about 500 years. They were in continuous possession. They have been a sedentary group, rather than nomadic; they live in a central village, or pueblo; and use the surrounding land for farming, grazing, hunting, gathering, and other purposes. The Spaniards recognized this Indian use. The Mexicans recognized this Indian use. When the United States acquired the Territory of New Mexico in 1848 by Treaty, it agreed to respect and protect all property rights in the ceded area, but we have failed to do so.

In 1906 the President took the land from the Pueblo de Taos Indians by including it in the Carson National Forest. Strangely enough, one of the purposes was to protect the Indian use of the land by including it in a forest reservation. The record shows that care was taken to draw the boundaries of the national forest in a manner that left no gap between the forest and the pueblo where the white man or the Mexican might get a foothold. The purpose of putting the land in the national forest was, of course, to conserve the resource, but the Indian reliance on the resource was recognized.

The Pueblo de Taos Indians have continued to use the land. Their use has been consistent with national forest administration. They have been repeatedly assured by the Forest Service that their interest would be respected and protected. Nevertheless, the Indians have been dissatisfied and during the past 60 years they have made continuing efforts to have the land made a part of their Pueblo reservation. The Forest Service has adamantly resisted these efforts, claiming that the national forest must remain inviolate, and that only they can be trusted to protect the natural resource.

The Pueblo de Taos Indian use of the area is completely consistent with watershed protection and conservation of the resource. The use consists of grazing, hunting, gathering of wood and timber for personal use, but not for commercial sale, and, above all, protection of the land as the center of their religious life. Their religion is secret and demands complete privacy. It is based on nature, and many shrines in the Blue Lake area are regarded as sacred. The Pueblo de Taos Indian religious use of the area is not confined to a few days of the year but is continuous. This religion requires the land to be kept in its natural state.

The need for privacy to practice their religion is at the center of the conflict between the Pueblo de Taos Indians and the Forest Service. In the early days when the Forest Service emphasis was on preservation of the resource, the conflicts were few. In recent years, however, when greater emphasis has been placed on multiple use and on recreational use, the Indian use and the Indian values have been placed in jeopardy. It is the intrusion into the area by non-Indians, principally interested in camping and recreation, that causes the trouble. The presence of the non-Indians threatens destruction of the Indian religious life.

The number of non-Indians who have been allowed to enter the area for camping and recreational purposes has varied from none to 90 per year. The Forest Service tends to encourage recreational use by the public. The Pueblo de Taos Indians resist such use. The timber, wood, and forage of the statutory permit area—32,000 acres—are reserved for the exclusive use of the Indians, recreational use is not.

This is a case where bureaucratic desires have been allowed to interfere with equitable values. Continued inclusion of the Blue Lake area in the national forest is not necessary for the protection of the watershed and the natural resources of the area. The Pueblo de Taos Indians want to preserve these values more than the Forest Service does. Preservation of the land in its natural state is essential to the Pueblo de Taos Indian religion. The bill before us requires such preservation. Conveyance of the land in trust to the Pueblo de Taos Indians and administration as a part of the Indian reservation would further the cause of conservation. If the bureaucratic issue is removed, the equities are all on the side of the Indians. A limitation on recreational use of the area by 90 non-Indians a year is a small price to pay for the protection of the religious life of an entire Pueblo Indian community.

I want to subscribe to the statement of the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL], that the enactment of this bill will not set a precedent for compensating the Indians with land instead of money in Indian Claims Commission cases.

There is no other claims case like the Taos-Blue Lake case. These Indians have never wanted to be compensated for these lands. They have been trying to regain title to this particular portion of their land, which has great religious significance to them, long before the Indian Claims Commission Act was enacted. They filed a claim before the Indian Claims Commission reluctantly and only as a precautionary measure to safeguard their interest. This was only prudent. The significant facts in this case are that the lands are adjacent to the Pueblo, that the Indians have been using them for 500 years and are still using them, that the Indian use is compatible with good conservation management, and that no other Indian tribe is in a similar position.

I also want to reject the idea that the enactment of this legislation would in some way be regarded as a threat to the integrity of the national forest system. National forest lands are disposed of every year when the disposition is in furtherance of the conservation program. A transfer of the Blue Lake area from a national forest reserve to an Indian reserve, with explicit provisions for conservation management, is in furtherance of the conservation program and at the same time a belated amends for a wrong committed 60 years ago.

In essence, then, the enactment of the bill will protect a religious need of the Pueblo de Taos Indians, and it will not impair the conservation program of the Government.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the chairman of the full committee.

Mr. ASPINALL. The gentleman has referred to the fact that the Taos Tribe has suggested 48,000 acres would be sufficient. This means therefore that the judgment, referring to 130,000 acres, would be reduced by these 48,000 acres, and they would still have the value of the other 82,000 acres; is that not correct?

Mr. SAYLOR. That is correct.

The Indians Claims Commission found that the Government took all of the land without making any compensation to the tribe.

Mr. ASPINALL. Is it not true that if we can settle this by a friendly method such as this, it is more than likely they are going to be willing to take a lesser figure, so far as the remaining acreage is concerned.

Mr. SAYLOR. There is no doubt in my mind that the representatives who appeared before our committee felt that the judgment which the Indian Claims Commission rendered may be reduced materially as to the amounts that we will have to pay.

I urge that this bill be enacted to preserve the religious needs of a small minority group in this country whose rights have been so violently violated.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. HALL. I want to say to the gentleman from Pennsylvania, the ranking minority member of this committee, and indeed to the chairman, and the chairman of the subcommittee, I appreciate their detailed explanation of this bill.

I have been associated with and known the Taos Pueblo Indians for a long time because their reservation, or that which they have been permitted to use under the Forest Service permit, has adjoined the Pawnee Reservation and the Philmonte Boy Scout Ranch reservations in the "high country" of the Sangre del Cresto Mountain range, in which I have been interested throughout the years and which I have visited on many occasions. I have met the chiefs of the Pueblo in company of the camp director. I have met them on various occasions. It is a unique arrangement that they have worked out between the private reservation, between the U.S. Federal reservation and their rights on their own pueblo and lands. They have been an inspiration. They have foraged, found their meat, their forest woods, and followed their religion; and as was said so succinctly and clearly by the gentleman from Colorado and the gentleman from Pennsylvania, we must be equitable and just. I am impressed by these statements. I intend to vote for the bill.

Mr. HALEY. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, this bill restores to the Taos Pueblo in New Mexico the trust title to 48,000 acres of land that were taken from them in 1906 by an Executive order which put the lands in a national forest. The Indians did not agree to the taking, they were not paid for the land, and they want their land back. It is only fair that they get it.

Restoration of the land to the Indians will right a wrong in the only manner that is acceptable to the Indians, and it will not affect adversely the conservation program of the United States. Ordinary principles of fairness and equity require this action.

The governor of the Taos Pueblo, a secretary of the Pueblo, and two senior council members appeared before the Subcommittee on Indian Affairs in support of this bill. They are proud descendants of a proud people. The Taos Indians have maintained their pueblo life in the original Taos Pueblo since the year 1400, long before the white man arrived. All of us who heard the four leaders were impressed with their dignity, their sincerity, and the fairness of their request. They are asking only for something which was theirs and which they continue to believe is theirs.

The Pueblo Indians are noted for their peaceful ways. They are friendly. They do not bother others, but in turn they expect others to leave them alone. They value their Pueblo society and they want to preserve it.

They do not have much in the way of worldly goods. They live frugally. They have little cash income.

The Taos Indians are a closely knit group, and religion permeates their communal life. The Blue Lake area is the most holy symbol of their ancient religion, and the symbolism attaches to the entire watershed. The watershed is the source of their life. Although the nature of their religion is secret, it is clear that if the area were extensively used for recreation by the public, it would be desecrated in the eyes of the Indians.

In 1933 Congress authorized the Secretary of Agriculture to issue to the Taos Pueblo a special-use permit for approximately 32,000 acres in the Blue Lake area. The Indians thought the special-use permit gave them an exclusive use, and it did insofar as timber and forage were concerned. The admission of non-Indians for recreational use, however, has been a constant source of conflict between the Indians and the Forest Service. The Forest Service administration of the Blue Lake area has exerted a continuing pressure on the religious use of the land of the Pueblo. Religious privacy has been constantly jeopardized.

This bill amends the 1933 act by substituting for the special-use permit on 32,000 acres a trust title to 48,000 acres of land. In other words, the Indians will get a trust title to the land, and the land will become a part of their reservation. The enlargement of the area from 32,000 acres to 48,000 acres describes more accurately the land the Indians actually use and need.

The transfer of the lands from a national forest reservation to an Indian reservation will not affect the management of the land for conservation purposes. The Indians want the land to be retained in its natural condition, and the bill so requires. Except for traditional Indian uses such as religious ceremonials, hunting, fishing, forage, and wood for personal use, the land must be maintained as a wilderness. This is a limitation which the Indians sought because it reflects their intended use and because it should dispel any idea that they want to exploit the natural resources for purposes of private gain. Moreover, the bill requires the land to be administered in accordance with sound conservation practices, and the Secretary of the Interior may enter into an agreement with the Secretary of Agriculture providing for the services of the Forest Service in this respect. The interest of the United States in the conservation of the resource is therefore fully protected.

Seven grazing permits are now outstanding on portions of the land. The annual fees paid for the permits are about $340. The bill provides that the permittees may renew their permits under regulations of the Forest Service to the same extent they could have been renewed prior to enactment of the bill. The Pueblo, however, may purchase relinquishments of the grazing permits. This provision is not intended to recognize the permits as a property interest. They are not property rights. The Indians desire, however, to liquidate the permits in an orderly way, and this provision of the bill authorizes the use of tribal funds for this purpose.

The bill also provides that the Indian Claims Commission will determine the extent to which the value of the interest in the land conveyed should be set off against the claim of the Taos Indians which is still pending. This is a standard set-off provision that is carried in all similar bills. Incidentally, this provision of the bill will result in reducing the financial liability of the United States to the Indians in the claims litigation. This is not, however, a reason for enacting the bill. The bill is fully justified on its merits.

I urge that the bill be enacted.

Mr. SAYLOR. Mr. Chairman, I have no requests for time.

Mr. HALEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 3306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of May 31, 1933 (48 Stat. 108), providing for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians in New Mexico, be and hereby is amended to read as follows:

"SEC. 4. (a) That, for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of New Mexico, the following described lands and improvements thereon, upon which said Indians depend and have depended since time immemorial for water supply, forage for their domestic livestock, wood and timber for their personal use, and as the scene of certain religious ceremonials, are hereby declared to be held by the United States in trust for the Pueblo de Taos:

"Beginning at the southeast corner of the Tenorio tract on the north boundary of the Taos Pueblo grant in section 22, township 26, north, range 13 east;

"thence northwesterly and northeasterly along the east boundary of the Tenorio tract to the point where it intersects the boundary of the Antonio Martinez grant;

"thence following the boundary of the Antonio Martinez grant easterly and northerly and northwesterly to a point on Vallecito Mountain in section 33, township 27 north, range 14 east;

"thence northeasterly through sections 33 and 28 to Lake Fork Peak in section 28, township 27 north, range 14 east;

"thence easterly through sections 28, 27, and 26 to Simpson Peak in section 26, township 27 north, range 14 east;

"thence along the watershed divide in a

southeasterly direction to Old Mike Peak in section 25, township 27 north, range 14 east;

"thence along the divide between Rio Pueblo de Taos and Red River in an easterly direction to a point a half mile east of Rio Pueblo de Taos, located on the west boundary of the Maxwell grant in unsurveyed section 30, township 27 north, range 15 east;

"thence southeasterly, southwesterly, and southerly along the west boundary of the Maxwell grant to the north line of unsurveyed section 33, township 26 north, range 15 east;

"thence southerly to the north boundary of fractional township 25 north, range 15 east;

"thence southerly and southwesterly through sections 4, 9, 8, and 7, township 25 north, range 15 east to the southwest corner of said section 7;

"thence westerly along the divide between the Rio Pueblo de Taos and Rio Fernandez de Taos to the east boundary of the Taos Pueblo grant;

"thence north to the northeast corner of the Taos Pueblo grant;

"thence west to the point of beginning; containing approximately 48,000 acres, more or less.

"(b) The lands held for the Pueblo de Taos under this section shall be a part of the Pueblo de Taos Reservation and administered the same as other trust or restricted Indian lands and shall be subject to the exclusive use and benefit of the Pueblo de Taos, provided that the Secretary of Agriculture shall supervise the establishment and maintenance of conservation measures for these lands.

"(c) Those lands described in subsection (a) which are not included in the lands described in the Act of May 31, 1933, shall be held under this section subject to existing rights owned or held by non-Indians by lease or otherwise. Lessees or permittees in said land shall have the right to renew such leases or permits under the rules and regulations of the Forest Service to the same extent and in the same manner as they had prior to the enactment of this Act; but the Pueblo de Taos shall have the right to obtain the relinquishment of any and all such lease or permit interests from the lessees or permittees under such terms and conditions as may be agreed between said Pueblo and said lessees or permittees. The Secretary of the Interior is hereby authorized to disburse, from the tribal funds in the Treasury of the United States to the credit of said tribe, so much thereof as may be necessary to pay for the purchase of any rights or improvements owned by non-Indians on said lands, and for the acquisition or relinquishment of any leases or permits held by non-Indians on any of said lands."

Mr. SAYLOR (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 2, line 8, strike out everything through page 3, line 4, and insert:

"thence northwesterly and northeasterly along the east boundary of the Tenorio tract to the point where it intersects the boundary of the Lucero de Godoi or Antonio Martinez Grant;

"thence following the boundary of the Lucero de Godoi Grant northeasterly, southeasterly and northerly to Station 76 on the east boundary of the survey of the Lucero de Godoi Grant according to the March 1894 survey by U.S. Deputy Surveyor John H. Walker as approved by the U.S. Surveyor's Office, Santa Fe, New Mexico, on November 23, 1894;

"thence east .85 mile along the south boundary of the Wheeler Peak Wilderness, according to the description dated July 1, 1965, and reported to Congress pursuant to section 3(a)(1) of the Wilderness Act (Public Law 88–577);

"thence northeast approximately .25 mile to the top of an unnamed peak (which is approximately .38 mile southeasterly from Lew Wallace Peak);

"thence northwesterly 1.63 miles along the ridgetop through Lew Wallace Peak to Old Mike Peak;

"thence easterly and northeasterly along the ridgetop of the divide between the Red River and the Rio Pueblo de Taos to Station No. 109 of said 1894 survey, at the juncture of the divide with the west boundary of the Beaubien and Miranda Grant, New Mexico (commonly known as the Maxwell Grant) according to the official resurvey of said grant executed during July and August, 1923, by U.S. Surveyor Glen Haste and approved by the General Land Office, Washington, D.C., on April 28, 1926;."

Mr. ASPINALL (during the reading). Mr. Chairman, this is purely a typographical or clerical amendment. I ask unanimous consent that it be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 5, line 2, strike out "50,000" and insert "48,000".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 5, line 3, strike out all of subsection (b) and insert a new subsection (b) as follows:

"(b) The lands held in trust pursuant to this section shall be a part of the Pueblo de Taos Reservation, and shall be administered under the laws and regulations applicable to other trust Indian lands: *Provided*, That the Pueblo de Taos Indians shall use the lands for traditional purposes only, such as religious ceremonials, hunting and fishing, a source of water, forage for their domestic livestock, and wood, timber, and other natural resources for their personal use, all subject to such regulations for conservation purposes as the Secretary of Agriculture may prescribe. Except for such uses, the lands shall remain forever wild and shall be maintained as a wilderness as defined in section 2(c) of the Act of September 3, 1964 (78 Stat. 890). With the consent of the tribe, but not otherwise, non-members of the tribe may be permitted to enter the lands for purposes compatible with their preservation as a wilderness. The Secretary of the Interior shall be responsible for the establishment and maintenance of conservation measures for these lands, including without limitation, protection of forests from fire, disease, insects or trespass, prevention or elimination of erosion, damaging land use, or stream pollution, and maintenance of stream flow and sanitary conditions, and is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any such measures."

Mr. ASPINALL (during the reading). Mr. Chairman, this amendment provides for the conservation practices to be used in this area. I ask unanimous consent that it be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 7, line 4, strike out "lands." " and insert "lands."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 7, after line 4, insert:

"(d) The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1049, 1050), the extent to which the value of the interest in land conveyed by this Act should be credited to the United States or should be set off against any claim of the Taos Indians against the United States."

Mr. SAYLOR. Mr. Chairman, I move to strike the last word.

The purpose of this amendment, as explained in the colloquy between the chairman of the full committee and myself, is to allow the Indian Claims Commission to offset the value of the 48,000 acres of land against the claim which this tribe has against the United States.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FULTON of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 3306) to amend section 4 of the act of May 31, 1933 (48 Stat. 108), pursuant to House Resolution 1213, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HALEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

FEDERAL EMPLOYMENT CONDITIONS FOR FORMER EMPLOYEES OF AGRICULTURAL COUNTY COMMITTEES

Mr. HENDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1028) to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1028, with Mr. FULTON of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. HENDERSON] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. CORBETT] will be recognized for 30 minutes.

Mr. HENDERSON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of S. 1028, an act to facilitate the hiring of qualified personnel for the Department of Agriculture by removing certain impediments to the recruitment of experienced county employees of the Agricultural Stabilization and Conservation Service. S. 1028 passed the Senate on June 28, 1967, and the Post Office and Civil Service Committee voted it out on April 4, 1968, with four minor technical amendments.

S. 1028 is a sound bill that will help promote greater effectiveness in important agricultural programs. It will improve the conditions under which county committee employees may enter into employment with the Department of Agriculture. The changes are needed primarily for the benefit of the Department in order to obtain the services of these employees. The legislation will:

First. Permit the Department of Agriculture to place the former county committee employee in a civil service position at a salary step which is comparable but does not exceed the prior county salary rate;

Second. Transfer the former county committee employee's annual and sick leave to the new position in the Department of Agriculture; and

Third. Credit his former county committee employment service for leave earning purposes and reduction-in-force purposes to the new position in the Department of Agriculture.

There are now approximately 14,600 county employees with the ASCS program. These employees are hired by the county committeemen and work under the direction of a county manager with personnel administration regulations developed by the U.S. Department of Agriculture. These regulations are nationwide in scope.

During fiscal year 1967, 82 county committee employees resigned their county positions to go to work for the Department of Agriculture. In moving from their committee jobs to the Department of Agriculture, many had to sacrifice pay and accumulated sick and annual leave. For examples—one county committee employee went to work for the Department of Agriculture in Washington and by so doing lost over $1,000 in annual salary and 800 hours of sick leave. In another instance, a county committee manager took a job with the Department of Agriculture and by so doing took a cut in pay of $315 a year and lost 175 hours of sick leave.

Were this legislation to become law, Department of Agriculture officials estimate that probably as many as 130 county committee employees would agree each year to go to work for the Department of Agriculture, assuming, of course, there were such vacancies.

The proposed legislation does not in any way change the continuing principle of the merit system required of a county employee going to work for the Department of Agriculture. A committee employee is employed under the very same merit principles as any other employee. All benefits proposed in S. 1028 are conditional. They have no application to a committee employee so long as that employee works in his or her present position as a county committee employee.

The bill applies only to the Department of Agriculture. It is limited to appointments of experienced county committee employees who are needed by the Department of Agriculture for placement in existing positions. It will have no effect on any other department or agency of the Government.

The committee believes that any additional cost resulting from the benefits granted by this legislation will be minimal, and will be more than offset by the better manpower utilization and greater efficiency realized through the appointment of trained and able men in responsible positions in the Department of Agriculture.

Mr. Chairman, I urge the support of the Members for the passage of S. 1028.

Mr. CORBETT. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, as my colleagues know, I have always tried to be helpful to our Great Society administration in extricating it from difficult spots.

However, the bill we are considering, S. 1028, presents a particular problem because the administration itself does not seem to know which side it is on.

This legislation establishes special conditions for the treatment of former county ASC employees who accept positions with the Department of Agriculture. First, these persons would enter Federal service with the USDA at a salary step comparable to their prior county salary. Second, they would transfer to the Federal position the sick and annual leave which they accumulated as county employees. And third, they would be able to credit their prior county service for leave and retention in force purposes in the Federal position.

On one hand we have the Bureau of the Budget, which is directly responsible to the President for the coordination and clearance of legislative programs "opposed to the grant of special benefits to any group of employees based on prior service rendered another employer."

And on the other, we have the Secretary of Agriculture, who I assume also is responsible to the President, strongly recommending that the bill be passed.

To further complicate matters, we have the Civil Service Commission denouncing the bill on the ground that it is undesirable in that it "would accord preferential treatment not available to other groups."

I think my colleagues will agree that this assortment of executive agency views is a confusing pattern against which to consider any legislation. Under the circumstances, I suggest that one guideline for judging this legislation is the history of similar legislative proposals.

As is pointed out in the minority views accompanying the report on S. 1028, this is the third time in as many Congresses that the Post Office and Civil Service Committee has favorably considered the legislation embodied in this bill. Neither of the two previous bills were ever enacted, and S. 1028 should be similarly rejected.

As I have already said, the Bureau of the Budget takes a dim view of this legislation. I call to the attention of my colleagues the Budget Bureau's comments which appear on pages 4 and 5 of House Report 1371, accompanying this bill. In part, the bureau says:

> Although concededly not Federal employees, the ASC county committee employees have been allowed to participate in practically all of the fringe benefits incident to Federal employment. No corresponding increase in Federal supervision, direction, or responsiveness of their activities has accompanied the grant of benefits.

If the Congress is disposed to act favorably on legislation of the nature of S. 1028, the Budget Bureau offers an alternative which I can fully support and which would offer me the opportunity to again be of assistance to the present administration.

The Budget Bureau recommendation is as follows:

> In the absence of other considerations we believe the best solution in the existing situation would be to federalize employees at the county committee level, as is already true of employees of State ASC offices.

The Civil Service Commission reinforces this alternative suggestion. On page 7 of the committee report, Chairman John W. Macy, Jr. of the Civil Service Commission says:

> There is another approach which the Commission has felt would provide a better way of accomplishing the objectives of this legislation. It would be to enact legislation making county office employees full-fledged Federal employees of the Department of Agriculture, subject not only to the benefits of Federal employment but to all the obligations and protections as well.

I am impressed with the logic and soundness of the suggestion of the Civil Service Commission and the Bureau of the Budget and recommend this alternative to the special benefits bill which we have before us.

I would also like to draw attention to a comment of the Civil Service Commission which appears in the Senate Report of S. 1028 and which may have some bearing on the action we take today. Says Chairman Macy:

> The Commission also wishes to emphasize that if this legislation is enacted, the Commission would continue to work toward the objective of making these employees Federal, subject not only to the benefits of Federal employment but to the rights and obligations as well.

I suggest, Mr. Chairman, that we have the opportunity to accomplish this objective today and at the appropriate time I shall move for this purpose.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I must confess I am not well informed about the content of the proposal, and therefore welcome this opportunity for clarification.

Would this be to make permanent the positions occupied by the full-time employees of the ASC committees throughout the country?

Mr. DERWINSKI. It is my understanding that they would be granted permanency under the civil service laws.

Mr. FINDLEY. The problem I see in that is that most of what these employees deal with relates to commodity programs. Now, maybe I live in faint hope, but I still hope for the day when we are going to get rid of these ineffective commodity programs, and that we would be able to eliminate these feed grain and cotton programs and other programs, and I am wondering what these ASC people would do.

Mr. CORBETT. Mr. Chairman, would the gentleman yield?

Mr. FINDLEY. I am sorry, but I do not have control of the time.

Mr. DERWINSKI. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I might say to the gentleman from Illinois that this bill does not confer permanency on the committee employees. There is always the possibility that they will not do their political job, and hence someone would like to fire them and replace them with somebody that would. They would be given civil service protection only in the event they transferred over to the Department of Agriculture.

Mr. FINDLEY. In that event they would no longer continue their duties they are now performing, is that correct?

Mr. CORBETT. That is absolutely correct, because they would be taking on a new job.

Mr. FINDLEY. This would affect only employees who cease to be effective in the ASC organization, and they were given assignments within the other activities of the Department of Agriculture; is that correct?

Mr. CORBETT. Yes; that is absolutely correct.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CORBETT. Mr. Chairman, I yield 2 additional minutes to the gentleman from Illinois.

Mr. DERWINSKI. I thank the gentleman for yielding me the additional time.

Mr. FINDLEY. Mr. Chairman, if the gentleman will yield further, I am still puzzled as to the need for this legislation.

All county ASC employees were hired for assignments in connection with the commodity programs, and they knew exactly what the nature of their job was. I do not see, at least, on the face of it, why the Congress feels it has any obligation to those employees to confer on them the fringe benefits that would apply if they had a different job than the one in which they have served these past few years.

Mr. DERWINSKI. The gentleman from Illinois [Mr. FINDLEY] touches a point that I referred to when I quoted the Bureau of the Budget stating that it was opposed to granting special benefits to any group of employees based on prior service rendered to another employer. That was the position of the Bureau of the Budget.

The Civil Service Commission makes the statement that this bill provides preferential treatment.

The gentleman from Illinois [Mr. FINDLEY] has raised a point that I do not recall having arisen in our committee deliberations, the possibility of the specific work that these men now do being eliminated by virtue of the elimination of the programs—on which, incidentally, I would agree with the gentleman from Illinois, that this is a long-overdue step.

Mr. FINDLEY. If the gentleman will yield further, the great disadvantage I see in this to the public interest is that it would give the advantages of Federal employment to personnel who have been in positions that are very much political. They have been cheerleaders for the administration farm programs through the years, and that is what they were essentially hired to take care of, and the political character of the ASC organization is well known, and this would, I believe, be an unfortunate step to take, at least, based on the information now before me.

Mr. DERWINSKI. May I point out to the gentleman and to the Members again my great concern is the obvious inconsistency between official positions—and, of course, it is quite disturbing to find the Civil Service Commission and the Bureau of the Budget at odds with the Department of Agriculture. I realize it must embarrass and pain Members of the majority party when they find such disarray in the administrative branch of the Government—but not being responsible for that disarray in the administrative branch of the Government, I can only call this to your attention this afternoon.

Mr. FINDLEY. The ASC employees are not under the Hatch Act; am I correct on that point?

Mr. DERWINSKI. That is my understanding—they are not under the Hatch Act.

Mr. FINDLEY. If they are not under the Hatch Act, certainly they are in a different category than the ordinary Federal employee and they should not have these benefits.

Mr. BERRY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Chairman, at the present time county office employees of ASCS are not included under civil service. They receive most of the fringe benefits such as annual leave, sick leave, health insurance, life insurance, and Federal retirement that regular civil service employees receive, yet they do not have the job protection that civil service employees enjoy.

County office ASCS employees are hired by the office manager, the office manager is hired by the county committee, the county committee is elected by a convention of community committeemen. The community committeemen, in turn, are elected by the farmers in their respective communities by eligible farmers who vote in a small mail election.

On the other hand, the State office ASCS employees are under civil service and are directed by a State executive director and a three-man State ASCS committee who are appointed by the Secretary of Agriculture. As employees in State offices over the Nation reach retirement age, the logical place to recruit replacements is from the ranks in the county offices. Many of these county office employees have had 10 to 20 years' experience in administering all types of farm programs.

The problem is this—county office employees not being covered under civil service cannot transfer any of their accumulated sick leave, annual leave, leave-earning rights, salary grades, et cetera, if they accept a State office or Washington office position which is covered under civil service. They lose all of their benefits and must start at the bottom because the only time these benefits can be transferred is from one county office to another. For this reason no county office employee can be enticed to move into State office positions or into other USDA agencies covered by civil service.

This problem can be solved by passage of S. 1028 which would allow county office ASCS employees to transfer to civil service positions and retain all of the benefits that they enjoy while working as county office employees. For this reason, I urge my colleagues to join me in wholeheartedly supporting this legislation.

Mr. HENDERSON. Mr. Chairman, I yield to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, as representative of the 15th District of Texas, a district largely concerned with agricultural matters, and as a member of the House Committee on Agriculture, I would appreciate the opportunity of commenting in support of S. 1028.

It is my understanding that the primary objective of this bill is to eliminate the severe hardship and inequity which ASC county committee employees now suffer if they accept civil service employment in the Department of Agriculture. The Agriculture Department supports this proposal and interested employees in my own congressional district have expressed to me their strong support for the following reasons, which would:

First. Permit the Department to appoint ASC county committee employees to civil service positions at a salary step which does not exceed his prior county salary rate.

Second. Transfer the county committee employee's annual and sick leave when he moves to a civil service position in the Department of Agriculture.

Third. Credit his county committee employee service for leave-earning and reduction-in-force purposes.

Mr. Chairman, from personal acquaintance with many of this dedicated group I can testify to the service rendered by ASC county committee employees. They are a group which I am proud to be associated with in serving as a member of the House Agriculture Committee from a largely rural district.

Many experienced county committee employees are and will, in the future, be needed to fill more responsible positions within ASCS and the Department. A few county committee employees have accepted assignments in civil service positions. They were required to take salary cuts and they lost their accumulated sick leave. Salary cuts can amount to over $2,000 for an employee moving to a comparable level position. Such a cut in salary would occur, for example, if a county office manager at step 10 of CO-9 is appointed to a comparable level civil service position which is GS-9. A county employee advancing to a higher level position may be required to take a salary cut of over $800. A county employee with 10 to 15 years of service probably has over 1,000 hours of sick leave. The loss of this leave is a serious loss of financial protection against future illness.

ASC county committee employees are a primary source of qualified candidates to fill key positions in ASCS State offices. This source of talented personnel with years of invaluable experience in the Department's programs at the grass roots level also provides the source for filling many other positions within the Department of Agriculture. Without this legislation, we well could be deprived of the services of persons seriously needed.

I believe these employees have earned, through their services, Mr. Chairman, the privileges provided under S. 1028 and I hope a sufficient number of my honored colleagues will see eye to eye with me on this proposal that it may become the law. Thank you.

Mr. DE LA GARZA. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SISK. Mr. Chairman, I rise in support of S. 1028, a bill designed to facilitate the Department of Agriculture in the hiring of qualified personnel now employed as county employees of the Agricultural Stabilization and Conservation Service.

There are now some 14,000 of these county employees administering various programs for the Department of Agriculture. However, these employees often take a loss in pay and sick leave to take a job with the Department. The bill before us, S. 1028, merely makes it possible for county employees who qualify to leave their county jobs and join the Agriculture Department where they are needed, without a personal loss.

Mr. HENDERSON. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, I support this legislation.

In response to the questions raised by my distinguished friend, the gentleman from Illinois [Mr. FINDLEY], let me say that you can look at this legislation in two ways. If you look at it—and I am one who hopes too that we will end some of these commodity programs one of these days—if you look at this solely from the standpoint of the employee—we are conferring a windfall of unearned benefits, and there is really no justification for the bill.

But if you look at the bill from the standpoint of the Government—how can we best carry out these programs—as long as we have them, and how can we most efficiently carry out the Department of Agriculture's program, then there is considerable justification for the bill.

This is a very limited piece of legislation. What it says is the Department of Agriculture in its search for good men, good employees, and in recruiting those men, can go out to the States where these county employees who have become familiar with the Government programs in handling their duties, can offer them equivalent kinds of jobs in the Federal service. Thus we are going to be able to get these good men for the Federal service.

If you were trying to run the Interstate Commerce Commission and enforce their regulatory procedures out on the highways, and if you wanted to hire investigators, the place that you would want to go for investigators would be to some of the people in the States who have been doing this kind of work, and who had experience with similar State regulations and the Federal regulations.

This is not a transfer of any employees to the Federal Establishment. It simply says that if we hire these people with experience in this kind of work and they go into the Department of Agriculture on a regular employee basis, then we will give them the benefit of the accumulated leave and the other fringe benefits they have accumulated.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. FINDLEY. Would it not be just as logical to give credit for service to the fulltime employees of the Illinois Agricultural Association and the Illinois Farm Bureau personnel who are likewise intimately acquainted with the farmers' problems and the farm commodity programs?

I think it would make just as much sense to grant them the same privilege for their service that they have had with this private organization as to grant it to the ASC organization.

Mr. UDALL. The gentleman makes a shrewd argument, but I do not think he can show nearly as much justification for men who have worked in the administration of the Federal programs not to go under the bill, or those who have been working on the county committees—as he could with reference to the kind of men he mentioned.

Mr. HENDERSON. Mr. Chairman, I yield to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I would like to express my support for S. 1028, a bill to allow former employees of the Agriculture Stabilization and Conservation Service to be employed by the Department of Agriculture without loss of sick leave, seniority or accumulated vacation time.

This legislation has long been supported by the Department of Agriculture since it will help tremendously in securing trained employees in the USDA. Coming from Texas, the State with more ASCS employees than any other, I have also had sizable correspondence from individuals in support of the principles of the bill.

I think the mutual advantages flowing from this bill are well worth the effort, and in light of the fact that no significant expenditures are involved, it is surprising that a similar measure has not been considered earlier.

Again, Mr. Chairman, I would say I support this bill and its purposes, and I am glad it is coming before the House for vote.

Mr. CORBETT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in good conscience I am forced to oppose this bill and to urge that it be defeated.

This legislation is strongly opposed by both the Bureau of the Budget and the Civil Service Commission. It is the latest in a long history—too long in my opinion—of proposals that seek to extend all the benefits and all the privileges of Federal employment to a select group of non-Federal employees who work in the county committee offices of the Agricultural Stabilization and Conservation Service.

If this latest proposal is adopted there will be no significant Federal employee benefit that these non-Federal county committee employees will not have. They are under the Civil Service Retirement Act, the Federal employees' health and life insurance programs, sick and annual leave, injury compensation, unemployment compensation, reimbursement for relocation and transfer expenses, the incentive awards program, and they have been specifically included in every Federal employee pay bill for over 10 years.

In all this time, not one proposal has ever come before us which even remotely suggests that this select group assume one obligation of Federal employment. They are hired without regard to civil service procedures at the sole discretion of the county office manager. They are completely exempt from the Federal service provisions of the Hatch Act and they work with complete immunity to the myriad laws and regulations that govern the employment of Federal employees.

Mr. Chairman, S. 1028 is most unfair to our thousands of dedicated and loyal Federal workers. The bill would give away important Federal employee benefits to non-Federal personnel. And, just as important, S. 1028 is highly discriminatory in that it singles out one select, favored group of non-Federal employees for these benefits to the exclusion of many other thousands around the country who could lay claim to us for similar special advantages.

I would like to elaborate on this latter point since it is so important. If we enact this bill we will be establishing a completely undesirable precedent. We will be opening the way for all other non-Federal personnel employed in federally sponsored, or federally assisted, programs to come to the Congress and lay claim to special advantages. If we enact this bill we could establish a precedent that any work financed in whole or in part by the Federal Government, or carried on in close cooperation with it, is an adequate basis for granting all those who do the work any and all of the benefits of Federal employment. And, I might point out that there are many thousands of such people, examples of which are the employees of our post exchanges and commissaries; thousands of State employment service personnel; the employees and members of all the regional development committees or commissions, and literally many thousands of people in every State of the Union who are working in a multitude of Federal-State cooperative programs.

Mr. Chairman, there is a much better and much easier approach to this problem, and it is one I think would satisfy all concerned. It is the approach recommended by the Civil Service Commission that we make these county office employees full-fledged Federal employees of the Department of Agriculture subject not only to the benefits of Federal employment, but to all the obligations and protections as well. Such legislation, according to the Civil Service Commission, would end the "in between" status of county office personnel and would place them directly in the main stream of career progression in the Department of Agriculture.

In fact, the Civil Service Commission has notified the Senate Committee that even if this bill is enacted the Commission will continue to work toward the final objective of making county committee employees Federal employees.

The gentleman from Illinois [Mr. DERWINSKI], a ranking member of our committee, will offer a motion to recommit with instructions to report the amendment sponsored by the Civil Service Commission. I intend to support this motion and I hope it will be adopted.

If the motion to recommit is not adopted, then this entire bill should be rejected in the interest of justice and fairplay.

Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina [Mr. BROYHILL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **BROYHILL** of North Carolina. Mr. Chairman, I rise to express my support of the measure before us, S. 1028, and to urge its approval.

Although the provisions of this bill have been explained, I wish to reiterate them so that the scope of this legislation is made absolutely clear.

First, this legislation deals only with employees of the Department of Agriculture who have had prior service with county Agriculture Stabilization and Conservation Service committees. The legislation is limited in its application, and rightfully so, for it is intended to deal with specific placement problems of the Agriculture Department.

Under this legislation, the Department of Agriculture will be able to place a former county employee in a position under the general schedule for which he qualifies at a salary step which is comparable to his prior county ASC salary rate. Presently, such a person who accepts a position with the Agriculture Department must be placed in the first step of his salary level, a requirement which frequently results in a loss of pay. This is so because county ASC employees are technically not Federal employees and when they do accept Federal employment with the Agriculture Department they must be treated as persons beginning Federal service.

The role of this county employee in relation to the Federal Government is clearly defined in the following excerpt of the statement before our subcommittee by Mr. Ray Fitzgerald, Deputy Administrator of State and County Operation, ASCS, U.S. Department of Agriculture:

> They perform all of the functions which are delegated to the county ASC committees by the Congress and the Secretary, which means they serve the farmer on a day-to-day basis helping him to make application for each and every program which we administer in the various states. . . . All of the way from that to issuing to the farmer his allotment, telling him how he might participate in the program and what benefits will accrue to him if he does participate—signing him up and seeing to it that his farm is in compliance during the season, and transmitting to him his loan receipts, diversion payments and certificates.

It should be apparent that these county employees must have a complete comprehension of the operation of Federal programs and at the same time remain responsive to local conditions and jurisdiction. It is just this sort of experience which the Department of Agriculture values in examining applicants for certain positions in the Department.

In addition to permitting the Department of Agriculture to place a former county employee in Federal service at no loss of pay, this legislation would also:

> Transfer to the new position the employee's annual and sick leave earned as a county ASC employee, and, permit him to credit his prior ASC service for leave earning purposes and for retention in force purposes, as an employee in the Department of Agriculture.

It is estimated that with the provisions of this legislation, as many as 130 county committee employees would agree each year to accept positions with the Department of Agriculture. This estimate emphasizes, I believe, the limited but important scope of this legislation.

County ASC employment provides a valuable source of well-trained personnel for responsible positions in the Department of Agriculture. This legislation offers the method by which the Federal Government can utilize this source of skilled employees and I therefore strongly urge its enactment.

Mr. HENDERSON. Mr. Chairman, I yield myself 2 minutes.

In closing the debate on this bill, two things should be pointed out:

First, the Hatch Act very definitely will apply if any of these employees receive the benefits, because they will become fulltime Federal employees. There is no doubt about that. The record is clear.

Second, the argument that the gentleman from Illinois made that these county committeemen should not be locked in is the best answer I know to the motion to recommit, about which the gentleman from Pennsylvania has spoken. I do not think I could make the argument any better except to add one thing, that rather than vote for the motion to recommit, which would bring this group in, it is the position of the Department of Agriculture and the speaker that you should vote the legislation down. We are trying to help the Department of Agriculture. The motion to recommit very definitely would not do that, but it would do just what the gentleman from Illinois said ought not to be done, and I could not agree with him more.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. As the gentleman has said, if the employees about which we are speaking should come in as Federal employees, they would be under the Hatch Act and civil service. Of course, they would. But all of the other thousands that are not employed by the Department of Agriculture would continue to receive all the benefits they now receive and would not have any duty to obey the Hatch Act.

I do not know whether this is a matter ter of getting too rough with the question or not, but what the gentleman is saying is that these Agriculture workers ought to be out there available for the use of the majority party to help carry on the farm program and help in any other political manner that they please. It is a good thing. If I were on the majority side, I would be against this recommittal motion.

Mr. MONTGOMERY. Mr. Chairman, it is a pleasure for me to rise in support of this bill. After studying it, I realize that this bill is essential to grant relief from the inequities that ASCS employees face in the transfer of benefits. Enactment of this bill would also be of great assistance to the Department of Agriculture in its recruitment of experienced, qualified persons now serving in the ASCS county offices.

Although they share an extremely close relationship to the Federal Government, employees in the county offices of the ASCS are not technically Federal employees. Their salaries are paid entirely out of Federal funds, and in recent years Congress has extended to these employees the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act, the Federal Employees Health Benefits Act and the Severance Pay Act.

Under present law, when an employee of a county committee is appointed to a position in the Department of Agriculture, he begins his Federal service at the minimum rate of the appropriate grade of the general schedule, regardless of the number of years he may have served in a county office or the degree of experience he has attained. He accumulates annual leave on the basis of a beginning employee and for the purposes of determining seniority for a reduction in force, his ASCS service is not considered. There is, therefore, little incentive at the present time for this employee to accept a position in the Department of Agriculture when he knows that the only difference insofar as employee benefits are concerned is that his salary may be reduced and his seniority abolished.

Mr. Chairman, I would also like to emphasize that the committee has indicated that any additional cost resulting from the benefits granted by this legislation will be minimal. They have also said that any cost will be more than offset by the better manpower utilities and greater efficiency realized through the appointment of trained and able men in responsible positions in the Department of Agriculture.

Mr. HENDERSON. Mr. Chairman, I have no further requests for time.

Mr. CORBETT. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

S. 1028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5534 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) An employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) may upon appointment to a position under the Department of Agriculture, subject to this subchapter, have his initial rate of basic pay fixed at the minimum rate of the appropriate grade, or at any step of such grade that does not exceed the highest previous rate of basic pay received by him during service with such county committee."

Sec. 2. (a) Subchapter I of chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"Sec. 6312. Service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37), shall be included in determining years of service for the purpose of section 6303(a) of this title in the case of any officer or employee in or under the Department of Agriculture. The provisions of section 6308 of this title for transfer of annual and sick leave between leave systems shall apply to the leave system established for such employees."

(b) The analysis of chapter 63 of title 5, United States Code, is amended by adding the following new item immediately after item 6311:

"6312. Accrual and accumulation for former ASCS county office employees."

Sec. 3. The second sentence of section 3502(a) is amended—

(1) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon and the word "and"; and

(2) by adding after subparagraph (B) the following new subparagraph:

"(C) who is an employee in or under the Department of Agriculture is entitled to credit for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37)."

Mr. HENDERSON (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

COMMITTTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

Mr. HENDERSON. Mr. Chairman, I ask unanimous consent that the committee amendments be considered as read, printed in the Record, and considered en bloc. All the amendments are technical in nature.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The committee amendments are as follows:

On page 1, line 3, strike out "section 5534" and insert in lieu thereof "section 5334".

On page 2, line 8, strike out "Sec. 6312. Service rendered as an employee of a" and insert in lieu thereof:

"§ 6312. Accrual and accumulation for former ASCS county office employees.

"Service rendered as an employee of a"

On page 2, line 11, strike out "590(b)" and insert in lieu thereof "590h(b)".

On page 3, line 1, insert "of title 5, United States Code," immediately following "section 3502(a)".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. UDALL

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall: add a new section to S. 1028 to read as follows:

"Sec. 4. Effective as of the beginning of the first applicable pay period which began on or after October 1, 1967, the per annum (gross) rate of compensation of the position of Superintendent of Garages (House Office Buildings) under the Architect of the Capitol is $12,540 Such position is subject to the provisions, pertaining to the Office of the Architect of the Capitol, in section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90–206), relating to the implementation of salary comparability policy."

Mr. UDALL. Mr. Chairman, this amendment would cure a technical oversight in the 1967 salary legislation. The committee added an identical provision to another bill, which passed here and is now pending in the other body, and has been now for several months. That bill has been involved in some controversy. I do not know if it will ever come back to the House. I take this opportunity to offer this amendment because this is a bill within the jurisdiction of our committee. The amendment is to correct an oversight. One individual was overlooked. There may be some argument about whether we should have had a salary raise for the Federal employees or in what amount, but this man should receive the raise if everyone else is going to receive it. I think the amendment will cure that inequity, and it should be agreed to.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Chairman, the gentleman from Arizona has properly stated the case. This is to correct an oversight. All members of our full committee supported this particular amendment and I think it should be included in this bill.

Mr. UDALL. Mr. Chairman, I thank the gentleman, who today is apparently the administration's floor leader on the legislation we are considering. I thank him for his support of my amendment and I also commend him for his vigor here in representing the family farmers of Cook County, as he sees their interests.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. Udall].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore Mr. Holifield having assumed the chair, Mr. Fulton of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1028) to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes, pursuant to House Resolution 1182, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The **SPEAKER** pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The **SPEAKER** pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER** pro tempore. Is the gentleman opposed to the bill?

Mr. DERWINSKI. I am, Mr. Speaker.

The **SPEAKER** pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DERWINSKI moves to recommit the bill, S. 1028, to the Committee on Post Office and Civil Service with instructions to report the same back forthwith with the following amendment:

Strike out sections 1, 2, and 3; renumber section 4 as section 6; and insert the following:

"That (a) notwithstanding any law, rule, regulation, or decision to the contrary, the positions of the employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), existing on or after the effective date of this Act, and the employees holding such positions, shall be held and considered to be positions and employees in and under the Department of Agriculture of the Government of the United States to the same extent as other positions and employees in and under such Department with all of the rights and benefits incident to employment by such Government.

"(b) Each of such positions and employees existing on or after the effective date of this Act shall be in and under the competitive civil service of the United States.

"(c) On or after the effective date of this Act, new appointments to such positions shall be made by the Secretary of Agriculture in accordance with the civil service laws, rules and regulations.

"(d) On and after the effective date of this Act, the Secretary of Agriculture shall fix the rate of basic compensation of each of such positions in accordance with the General Schedule contained in section 5332 (a) of title 5, United States Code, or under the appropriate prevailing rate schedule established in accordance with section 5341 of title 5, United States Code, as applicable.

"SEC. (a) In the initial adjustment of the rates of basic compensation of employees on the effective date of this Act to whom the first section of this Act applies, the following provisions of this subsection shall govern:

"(1) If the employee is receiving a rate of basic compensation which is less than the minimum rate of the appropriate grade of the General Schedule, or which is less than the minimum rate of the appropriate prevailing rate schedule, as applicable, in which his position is placed, his basic compensation shall be increased to such minimum rate.

"(2) If the employee is receiving a rate of basic compensation which is equal to a rate of the appropriate grade of the General Schedule, or which is equal to a rate of the appropriate grade or compensation level under the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall receive basic compensation at such rate of such General Schedule, or at such rate under such prevailing rate schedule, as applicable.

"(3) If the employee is receiving a rate of basic compensation which is between two rates of the appropriate grade of the General Schedule, or which is between two rates of the appropriate grade or compensation level under the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall receive basic compensation at the higher of such two rates under such General Schedule or appropriate prevailing rate schedule, as applicable.

"(4) If the employee is receiving a rate of basic compensation which is in excess of the maximum rate of the appropriate grade of the General Schedule, or which is in excess of the maximum rate of the appropriate grade or compensation level of the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall continue to receive basic compensation without change in the rate until—

"(A) he leaves such position, or

"(B) he is entitled to receive basic compensation at a higher rate,

but, when any such position becomes vacant, the rate of basic compensation of any subsequent appointee thereto shall be fixed in the manner provided by applicable law and regulations.

"(b) The conversion of positions and employees to appropriate grades of the General Schedule and the initial adjustment of rates of basic compensation of such positions and employees, provided for by this Act, shall not be held or considered to be transfers or promotions within the meaning of section 5334(b) of title 5, United States Code, and the regulations issued thereunder.

"(c) Each employee on the effective date of this Act whose position is converted to the General Schedule as amended, or to the appropriate prevailing rate schedule, as applicable, who, prior to the initial adjustment of his rate of basic compensation under subsection (a) of this section, has earned, but has not been credited with, an increase in such rate, shall be granted credit for such increase before his rate of basic compensation is initially adjusted under such subsection.

"(d) Each employee on the effective date of this Act whose position is so converted shall be granted credit, for purposes of his first step increase under such General Schedule or prevailing rate schedule, for all satisfactory service performed by him since his last increase in compensation prior to the initial adjustment of his rate of basic compensation under subsection (a) of this section.

"(e) An increase in rate of basic compensation by reason of the enactment of this section shall not be held or considered to be an equivalent increase with respect to step increases for employees whose positions are converted to the General Schedule or the appropriate prevailing rate schedule under authority of this section.

"SEC. 3. (a) In the determination of length of service for the purposes of leave, retirement, veterans' preference, group life and health insurance, seniority, tenure, training, status, and all other rights and benefits of employees of the Government of the United States, all satisfactory service as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h (b)) and of a committee or an association of producers described in section 10(b) of the Agriculture Adjustment Act (7 U.S.C. 610(b)) shall be included and credited.

"(b) The Secretary of Agriculture or his designee shall certify to the appropriate Government authority concerned the amount of satisfactory service to be included and credited for the purposes of employment rights and benefits as provided in subsection (a) of this section. Such appropriate Government authority is authorized and directed to accept such certification.

"SEC. 4. The following provisions of law are hereby repealed:

"(1) Section 8331(1)(f) of title 5, United States Code, relating to Civil Service Retirement;

"(2) Section 8701(a)(8) of title 5, United States Code, relating to Federal Employees' Group Life Insurance Act; and

"(3) Section 8901(1)(h) of title 5, United States Code, relating ot Federal Employees' Health Benefits.

"SEC. 5. Sections 1 through 5 of this Act shall become effective on the first day of the first pay period which begins more than sixty days after the date of enactment of this Act."

Mr. CORBETT (during the reading). Mr. Speaker, I believe there has been an adequate explanation of this motion. I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The **SPEAKER** pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER** pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. CORBETT) there were—ayes 24, noes 25.

Mr. FINDLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 136, nays 228, not voting 69, as follows:

[Roll No. 190]

YEAS—136

Adair
Anderson, Ill.
Arends
Bates
Battin
Belcher
Bell
Betts
Biester
Broomfield
Brotzman
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Bush
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Conte
Corbett
Cowger
Cramer
Curtis
Davis, Wis.
Dellenback
Derwinski
Devine
Dole
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Ford, Gerald R.
Fulton, Pa.
Gardner
Gathings
Goodell
Goodling
Gross
Grover
Gude
Hall
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Keith
King, N.Y.
Kleppe
Kuykendall
Laird
Langen
Latta
Lipscomb
Lukens
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md
Mayne
Meskill
Miller, Ohio
Mize
Morse, Mass.
Morton
Mosher
Nelsen
O'Konski
Pelly
Pirnie
Poff
Pollock
Price, Tex.
Quie
Railsback
Reid, Ill.
Reinecke
Rhodes, Ariz
Riegle
Robison
Rogers, Colo.
Roth
Rumsfeld
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Skubitz

Smith, Calif.
Smith, Okla.
Snyder
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Utt
Vander Jagt
Vanik
Wampler
Watkins
Whalen
Whalley
Widnall
Wiggins
Wilson, Bob
Winn
Wylie
Wyman
Zion

NAYS—228

Abbitt
Abernethy
Adams
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashley
Ashmore
Aspinall
Baring
Barrett
Bennett
Berry
Bevill
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brinkley
Brooks
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Cabell
Carter
Casey
Clark
Cohelan
Colmer
Conable
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Denney
Dent
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Eckhardt
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Fisher
Flood
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gonzalez
Green, Oreg.
Griffin
Griffiths
Gubser
Hagan
Haley
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Hull
Hungate
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Kirwan
Kluczynski
Kornegay
Kyros
Landrum
Leggett
Lennon
Lloyd
Long, La.
Long, Md.
McCarthy
McClure
McEwen
McFall
Macdonald, Mass.
Machen
Madden
Mahon
Marsh
Matsunaga
May
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Moss
Murphy, Ill.
Natcher
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Pucinski
Quillen
Randall
Rarick
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roush
Roybal
Ruppe
St Germain
St. Onge
Satterfield
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stephens
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Thompson, Ga.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vigorito
Waggonner
Waldie
Watts
White
Whitener
Whitten
Willis
Wilson, Charles H.
Wright
Wyatt
Yates
Young
Zablocki
Zwach

NOT VOTING—69

Addabbo
Ashbrook
Ayres
Bingham
Blackburn
Bolton
Bow
Brasco
Bray
Brock
Carey
Celler
Collier
Conyers
Corman
Cunningham
Delaney
Dickinson
Diggs
Dulski
Edwards, La.
Eilberg
Evins, Tenn.
Farbstein
Fino
Flynt
Gilbert
Gray
Green, Pa.
Gurney
Halleck
Halpern
Hanna
Herlong
Holland
Horton
Howard
Jacobs
Karsten
Kelly
King, Calif.
Kupferman
Kyl
McMillan
Michel
Minshall
Moore
Murphy, N.Y.
Myers
Nedzi
O'Hara, Ill.
Passman
Podell
Purcell
Reifel
Resnick
Rooney, N.Y.
Rosenthal
Roudebush
Ryan
Scheuer
Stratton
Tenzer
Thompson, N.J.
Walker
Watson
Williams, Pa.
Wolff
Wydler

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Dulski with Mr. Ashbrook.
Mr. Addabbo with Mr. Minshall.
Mr. King of California with Mr. Ayres.
Mr. Carey with Mr. Horton.
Mr. Celler with Mr. Halleck.
Mr. Delaney with Mr. Bow.
Mr. Stratton with Mr. Fino.
Mr. Purcell with Mr. Cunningham.
Mrs. Kelly with Mrs. Bolton.
Mr. Karsten with Mr. Roudebush.
Mr. Jacobs with Mr. Kyl.
Mr. Evins of Tennessee with Mr. Bray.
Mr. Rooney of New York with Mr. Reifel.
Mr. Brasco with Mr. Kupferman.
Mr. Herlong with Mr. Gurney.
Mr. Hanna with Mr. Brock.
Mr. Gray with Mr. Collier.
Mr. Passman with Mr. Blackburn.
Mr. McMillan with Mr. Dickinson.
Mr. Tenzer with Mr. Myers.
Mr. Walker with Mr. Moore.
Mr. Gilbert with Mr. Halpern.
Mr. Thompson of New Jersey with Mr. Williams of Pennsylvania.
Mr. Edwards of Louisiana with Mr. Watson.
Mr. Farbstein with Mr. Wydler.
Mr. Green of Pennsylvania with Mr. Michel.
Mr. Podell with Mr. Flynt.
Mr. Ryan with Mr. Holland.
Mr. Conyers with Mr. Scheuer.
Mr. Murphy of New York with Mr. Corman.
Mr. Diggs with Mr. O'Hara of Illinois.
Mr. Bingham with Mr. Eilberg.
Mr. Wolff with Mr. Nedzi.
Mr. Rosenthal with Mr. Howard.

Messrs. O'HARA of Michigan, BROOKS, and SMITH of New York changed their votes from "yea" to "nay."

Mr. LANGEN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 353, nays 14, not voting 66, as follows:

[Roll No. 191]

YEAS—353

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Baring
Barrett
Bates
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Conte
Cowger
Cramer
Culver
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Denney
Dent
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long ,La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Natcher
Nelsen
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—14

Corbett
Dellenback
Derwinski
Erlenborn
Findley
Hosmer
Mailliard
Pike
Pollock
Pucinski
Robison
Vanik
Yates

NOT VOTING—66

Addabbo
Ashbrook
Ayres
Battin
Bingham
Blackburn
Bolton
Bow
Brasco
Bray
Brock
Carey
Celler
Collier
Conyers
Corman
Cunningham
Davis, Wis.
Delaney
Dickinson
Diggs
Dulski
Eilberg
Evins, Tenn.
Farbstein
Fino
Flynt
Gilbert
Green, Pa.
Gurney
Halleck
Halpern
Hanna
Herlong
Holland
Horton
Howard
Jacobs
Karsten
Kelly
King, Calif.
Kupferman
Kyl
McMillan
Michel
Minshall
Moore
Murphy, N.Y.
Myers
Nedzi
O'Hara, Ill.
Passman
Podell
Purcell
Reifel
Resnick
Rooney, N.Y.
Rosenthal
Roudebush
Ryan
Scheuer
Stratton
Tenzer
Thompson, N.J.
Williams, Pa.
Wolff
Wydler

So the bill was passed.

The Clerk announced the following pairs:

Mr. Dulski with Mr. Ashbrook.
Mr. Addabbo with Mr. Minshall.
Mr. King of California with Mr. Ayres.
Mr. Carey with Mr. Horton.
Mr. Celler with Mr. Halleck.
Mr. Delaney with Mr. Bow.
Mr. Stratton with Mr. Fino.
Mr. Purcell with Mr. Cunningham.
Mrs. Kelly with Mrs. Bolton.
Mr. Karsten with Mr. Roudebush.
Mr. Jacobs with Mr. Kyl.
Mr. Evins of Tennessee with Mr. Bray.
Mr. Rooney of New York with Mr. Reifel.
Mr. Brasco with Mr. Kupferman.
Mr. Herlong with Mr. Gurney.
Mr. Hanna with Mr. Brock.
Mr. Passman with Mr. Collier.
Mr. McMillan with Mr. Blackburn.
Mr. Flynt with Mr. Dickinson.
Mr. Tenzer with Mr. Myers.
Mr. Wolff with Mr. Moore.
Mr. Diggs with Mr. Nedzi.
Mr. Green of Pennsylvania with Mr. Corman.
Mr. Conyers with Mr. Holland.
Mr. Gilbert with Mr. Howard.
Mr. Podell with Mr. Thompson of New Jersey.
Mr. Bingham with Mr. Williams of Pennsylvania.
Mr. Murphy of New York with Mr. Wydler.
Mr. Scheuer with Mr. Halpern.
Mr. Eilberg with Mr. Davis of Wisconsin.
Mr. O'Hara of Illinois with Mr. Michel.
Mr. Farbstein with Mr. Battin.
Mr. Rosenthal with Mr. Ryan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. HOLIFIELD). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD in connection with the Senate amendments to the bill H.R. 15856, the NASA authorization bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

TIME FOR CONGRESS TO ESTABLISH A NATIONAL POLICY REGARDING SALE AND OWNERSHIP OF FIREARMS

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, the time has come for this Congress to establish a national policy regarding the sale and ownership of firearms. Up to this point, the public, one of the most important forces shaping national policy, has been silent, by and large, on the matter of gun control. At last, that silence has been broken in a resounding flood of communication. Citizens are speaking their minds. They are expressing their views. They want strict Federal law regulating the sale of all guns.

Prior to June of 1968, the lion's share of debate on gun control was taken up with attempting to dispel all of the doubts and misunderstandings which have formed an unbreachable barricade against firearms legislation here in the Congress. Let us make no mistake about it, Congress has been remiss in its responsibility, but so have the citizens been remiss.

The field of debate on the entire question was virtually abandoned and was occupied almost exclusively by those who saw in gun control laws some vague threat to their continued ownership and use of firearms. Gun control proposals have never threatened legitimate ownership and use of such weapons. Never. Those who have opposed such legislation have been misled, they have been misinformed, but they have never been challenged, except by a few.

The tables have turned now, and the American people have finally awakened to the realization that they have an overriding interest in this question of gun control, and they are beginning to express their views. And this includes those Americans, millions of them, whose recreational activities involve firearms; the hunters, the target shooters, and the collectors. It also includes those Americans who choose to own firearms as means of home or business protection. The vast majority of Americans have absolutely nothing to fear because of strict controls on the sale of guns. Only those who ought not to have guns in the first place have reason to be apprehensive.

Suddenly, Mr. Speaker, the statistics on the role which firearms play in criminal activities in this country, are making an impression. In 1966, 6,552 Americans were shot to death, and this amounted to 60 percent of our total number of homicides. About 30 percent of those who were shot were shot with rifles or shotguns. Our statistics also show that in Massachusetts, a State with a strong gun control law, 35.3 percent of all the murders over a 4-year period resulted from gunshot wounds. In Mississippi, a State with a weak gun control law, 70.9 percent of all murders during the same period resulted from gunshot wounds. The President's Crime Commission also comments on a study by the Massachusetts State Police which showed that 87 percent of concealable firearms used in the commission of crimes in that State were obtained from outside sources.

On June 6 of this year, the House of Representatives agreed to accept the Senate version of the Omnibus Crime Control and Safe Streets Act, including its title VI, which has been called the "concealable weapons" amendment. In essence, this was part of the gun control provisions recommended by the President. Title IV is not enough, but it does represent major progress. It does not relieve us of the responsibility to do more.

Title IV prohibits all mail-order sales of handguns to non-State residents. It prohibits over-the-counter sale of handguns to non-State residents and to minors. It requires that all purchasers of firearms from federally licensed dealers be required to identify themselves by name, address, and age. The Federal licensing of dealers, manufacturers, and importers of firearms will involve the meeting of certain minimum standards in order to eliminate fraudulent and fly-by-night dealers. Title IV also prohibits the import into the United States of all military handguns, destructive devices, and other nonsporting guns, including nonsporting rifles.

As I said before, Mr. Speaker, this is not enough, but it certainly is an important accomplishment. Already, the House Judiciary Committee is working on the President's proposal to bring within the provisions of title IV the sale of rifles and shotguns. The House must have the opportunity to vote on this measure soon, and I intend to vote in favor of bringing rifles and shotguns within the same strict sale provisions contained in title IV of the Crime Control Act.

Clearly, this legislation will help to make State and local gun control laws more effective and more meaningful. It will be difficult for an individual to obtain a weapon in violation of the law of his State. Needless to say, it will not completely prevent someone intent on obtaining a gun from finding one. He may be able to steal one or make a purchase through a clandestine operation. The law will not prevent the private citizen who is eligible to purchase a weapon in his State from purchasing it either in his State or through a licensed dealer, but the law will indeed seriously inconvenience and hinder an individual who has no right to own a weapon under the laws of his State.

Regulating the sale of firearms to individuals through interstate commerce is the principal purpose of these gun control measures. Certainly, the effectiveness of a strong gun control law in a given State depends on the degree to which the citizens of that State are prevented from obtaining firearms elsewhere. The problem is reflected in the Massachusetts study referred to earlier. A gun control law in one State can easily be rendered ineffective if the citizens of that State have open and unregulated access to firearms in nearby States.

A number of proposals have already been introduced for consideration by Congress. Some call for compulsory Federal registration of all firearms. Others call for the issuance of a license which would be necessary for ownership of a firearm and for the purchase of ammunition. All of these proposals recognize the primacy of the States and local jurisdictions in demanding registration and licensing of firearms, and the bills would make the Federal program not applicable in areas where a similar State program has been enacted. The principal purpose of these bills is to force all of the States to adopt strong gun control laws, thus putting an end to the easy availability of firearms for those who ought not to have firearms in jurisdictions with weak laws.

Today, we are all greatly concerned about what we can do to assist our local law-enforcement agencies, our police, in the task of fighting crime. We can do a substantial service to the police by enacting the kind of strong firearms law they have been requesting. In 1967, the President's Commission on Law Enforcement and the Administration of Justice recommended the registration of all firearms, stating that a record of ownership would aid the police in tracing and locating those who have committed or who threaten to commit violent crime. According to the Commission, law-enforcement officers should know where each gun is and who owns it. The Federal Bureau of Investigation, and particularly its Director, J. Edgar Hoover, supports this idea. So also does the International Association of Police Chiefs.

Mr. Speaker, I believe that it is time now to move reasonably but vigorously into this task of building the kind of law we need to make the best effort we can to keep firearms out of the hands of those who should not have them. We do not intend, and certainly do not propose, that private ownership of firearms be abolished. Nor do I suggest that enactment of gun legislation will provide a cure-all for existent social ills, such as the tragedy of assassination; but certainly, in view of the awesome statistics associated with the criminal and negligent use of guns, restrictions are definitely a mandate.

OPENING USIA MATERIALS DISTRIBUTED ABROAD TO PUBLIC INSPECTION

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, today I am introducing a new bill which is directed at improving the performance of the U.S. Information Agency by removing outmoded restrictions on the flow of information about that Agency.

More specifically, my bill would open to the inspection of private individuals—particularly scholars and students—the materials distributed abroad by the USIA in the name of the United States.

At present the statutes under which the Agency operates are restrictive and discriminatory as to access to such materials. The U.S. Information and Exchange Act of 1948, as amended, provides for examination only by "representatives of U.S. press associations, newspapers, magazines, radio systems, and stations." It also allows its materials to be made available to Members of Congress, on request.

Because of the explicit wording of the statute, Agency officials have tended to exclude all nonjournalists from examinations of Agency materials. This restriction has fallen heaviest on scholars, students, and communications experts who have sought to do research on the USIA and its impact abroad.

Either these researchers are forced to abandon their projects or must resort to the subterfuge of having their Senator or Congressman obtain the material needed and then pass it on.

This is indeed an unfortunate situation and one which robs the USIA of much benefit which might be derived from the recommendations and criticisms of outside experts. The USIA is being deprived of invaluable advice which could be obtained at little or no cost.

In essence, my bill would change the existing statutes in three ways:

First, it would expand the right of inspection to all people with a legitimate interest.

Second, it would require the Agency to keep a file for inspection somewhat more extensive than it now must have. Under the 1948 law only press releases and radio scripts are to be made available. Equally important today in the output of the Agency are films, TV tapes, books, and other items. These too, I believe, should now be open for examination by interested parties.

Third, the 1948 law is very ambiguous and vague about the length of time which USIA must keep materials available for inspection. My bill ends the ambiguity by providing no time limit and giving the Director of the Agency a continuing responsibility. He may, of course, make arrangements with other institutions, such as the National Archives, to administer materials of largely historical interest.

This bill, to a great extent, meets the recommendation of the U.S. Advisory Commission on Information, a group of distinguished American citizens who annually examine and make observations on the performance of the USIA. The Commission, in both its 1967 and 1968 reports, recommended that Congress give legislative sanction to appropriate inspection of USIA materials on specific request by parties with a legitimate interest—their own or the public's.

The Commission expressed the belief that "the American people have a right to know—and their Government an obligation to tell them—how the USIA is posturing America before the rest of the world."

My bill would have that desired effect, while at the same time fostering greater access to materials by those who can make a positive practical contribution to the operation of the Agency.

It is my hope, Mr. Speaker, that hearings can speedily be initiated on this legislation in order than an outmoded, restrictive statute may be suitably amended in the interest of the public's right to know and the USIA's own need for expert advice and counsel.

M-16 PROCUREMENT

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, the M-16 Subcommittee of the House Armed Services Committee has today received a report from the General Accounting Office to the effect that the recent letter contracts awarded to Hydramatic Division of General Motors and Harrington & Richardson for the production of 240,000 M-16 rifles each was not rendered illegal by reason of the contracting officer's failure to obtain price proposals from the two unsuccessful competitors, even though the proposal of one competitor would have been $20 million under the highest successful contractor.

Although the decision is not a blanket finding that section 2304 of title 10 of the United States Code permits the contracting officer to completely disregard price as a factor in all cases of negotiated contracts, I can only interpret the decision to authorize a procedure whereby price can, in effect, be completely disregarded.

Regardless of legality, I believe it is obvious to all that the contracting officials in this case have exercised outrageously bad judgment in callous disregard of the already overburdened taxpayers of the United States.

Therefore, I intend to introduce legislation as soon as it can be readied for introduction to correct this obvious defect. The decision, I believe, establishes a dangerous precedent and this Congress should take steps before adjournment to remedy this very serious defect.

I include at this point the statement of Mr. Robert F. Keller before the committee this morning:

Statement of Robert F. Keller, General Counsel, Before the Special Subcommittee on the M-16 Rifle Program, Committee on Armed Services, House of Representatives, on the Legality of Contracts Awarded to Two Additional Sources for the Production of the M-16 Rifle

Mr. Chairman and members of the subcommittee, in accordance with the request made in letter from the Chairman dated June 13, 1968, we are appearing before you today to give you our opinion on the legality of contracts awarded to General Motors and

Harrington & Richardson by the United States Army Weapons Command for the production of M–16 rifles.

A report dated June 11, 1968, on this procurement signed by Robert A. Brooks, Assistant Secretary of the Army, was received by us on June 12. A request for proposals was issued on October 3, 1967, for the stated purpose of establishing a "strong, responsible second source for the M–16 Weapons System Family and thus broaden the production base." The procurement was initiated as a two step negotiated procurement pursuant to the authority of section 2304(a)(16) of title 10 of the United States Code, which provides that where formal advertising is not feasible and practicable, the head of an agency may negotiate a purchase when: "(16) he determines that (A) it is in the interest of national defense to have a plant, mine, or other facility, or a producer, manufacturer, or other supplier, available for furnishing property or services in case of a national emergency; or (B) the interest of industrial mobilization in case of such an emergency, or the interest of national defense in maintaining active engineering, research, and development, would otherwise be subserved."

The material furnished by the Department of the Army includes a copy of a Determination and Findings dated September 27, 1967, signed by Assistant Secretary of the Army Robert A. Brooks, to justify use of the authority to negotiate as required by 10 U.S.C. 2310(a).

In response to the request for proposals technical proposals were submitted by General Motors, Harrington & Richardson, Maremont Corporation, and Cadillac Gage Company, and all four firms submitted acceptable technical proposals under the procurement contemplated at that time; that is, for the number of rifles and the delivery dates called for in the October 1967 request for proposals. However, before the price proposals required under the second step of the procurement were due to be submitted, a new Determination and Findings was issued on March 28, 1968. This new Determination and Findings was issued as the result of a review of the M–16 requirements in January and February 1968, which concluded that both the immediate and long range requirements for the weapons were substantially in excess of previously programmed requirements. The D & F of March 28, 1968, provided that:

"The purpose of this procurement is to establish two additional producers who will supply a quality product in an economical manner and act as additional mobilization producers. This will necessitate preaward discussion and negotiations to ensure selection of the best overall prospective contractors."

As a result of the new D & F, Amendment No. 10 to the RFP was issued on March 29, cancelling the second step of the original procurement action and advising that:

"As a result of increased urgency to supply the maximum number of rifles at the earliest possible date with minimum risks of production interruption, the object of this procurement is changed to select those two sources which will afford to the Government the highest degree of confidence in their ability in meeting or exceeding the accelerated schedule set forth below while maintaining good quality and provide the Government the strongest mobilization base."

The amendment included the new delivery schedule and the increased quantities of rifles required. The amendment stated that the Army proposed to enter into letter contracts based on reasonable ceiling prices with the two selected sources. The amendment also advised the offerors that final discussions on the technical aspect of their proposals would be held on April 4 and 5.

In another telegram of March 29 the four offerors were informed of the exact time discussions would be held with them. This telegram included instructions to prepare budgetary estimates of their ceiling prices and to have such estimates available on April 13. The telegram also included a warning that the budgetary estimates were not to be provided until specifically requested.

We understand that discussions with the four offerors were held on April 4 and 5. The technical proposals which had previously been evaluated were reevaluated on the basis of modifications made during the discussions and in light of the changes in the RFP. The Army reports that on April 15 the Source Selection Authority, the Commanding General of the Army Materiel Command, selected General Motors and Harrington & Richardson for award because it was believed that the two companies afforded to the Government a higher degree of confidence in their ability to meet the accelerated schedule while providing the strongest mobilization base. Thereafter, the two successful offerors were requested to submit their ceiling prices to be incorporated in letter contracts with the understanding that negotiations would continue to establish a definitive contract price. It is reported that the ceiling prices for General Motors and Harrington & Richardson are approximately $56.2 million and $41.6 million, respectively. Price proposals were not requested from the two unsuccessful offerors. We understand from earlier hearings held by your Subcommittee that Maremont had established a ceiling price of approximately $36.5 million and that Cadillac Gage had established a ceiling price of approximately $36.8 million. Letter contracts with General Motors and Harrington & Richardson were executed on April 19, 1968.

On the question of the legality of the contracts awarded to General Motors and Harrington & Richardson we think the basic question is whether the Army was required to obtain price proposals from Maremont and Cadillac Gage before deciding to make awards to General Motors and Harrington & Richardson.

10 U.S.C. 2304(g) provides, in pertinent part, as follows:

"(g) In all negotiated procurements in excess of $2,500 in which rates or prices are not fixed by law or regulation and in which time of delivery will permit, proposals shall be solicited from the maximum number of qualified sources consistent with the nature and requirements of the supplies or services to be procured, and written or oral discussions shall be conducted with all responsible offerors who submit proposals within a competitive range, price, and other factors considered * * *."

In the usual case the contracting agency has both price and other factors, such as technical know-how, delivery capability, and the like, before it when it determines which proposals are within a competitive range. And, there are situations in which factors other than price are determinative in deciding whether a particular proposal is within a competitive range. For example, if the product or delivery offered falls short of the needs of the Government and it seems improbable that the proposal can be satisfactorily upgraded, the price offered by that particular bidder becomes immaterial.

Ordinarily, of course, price should be considered. We understand the Army position as agreeing with this. In the Army's report of June 11, 1968, it is stated that the Army did not disregard price; that it had, prior to the final selection, made its own estimate of the probable prices of all four proposers. On this point, we do not believe Congress is enacting 10 U.S.C. 2304(g) contemplated the substitution of Government estimates for prices from competing bidders in determining those within a competitive range.

We are informed that there was a substantial difference in the Army cost estimates as between General Motors and Maremont. In other words, the Army's decision to select General Motors as a contractor was made with knowledge that the course of action followed would probably be most costly to the Government. While we believe there would have been a sounder basis for the exercise of judgment if prices had been obtained from both companies, we think there is some support for the Army's position that cost to the Government was not ignored in the selection process.

Secretary Brooks' report to us states the Army is convinced that prices were solicited from the maximum number of *qualified* sources consistent with requirements of the Government. We interpret this statement to mean that the Army had determined, prior to requesting ceiling prices from General Motors and Harrington & Richardson, that Maremont and Cadillac Gage were not considered within a competitive range after evaluation of the four technical proposals in the light of the revised requirements in that General Motors and Harrington & Richardson afforded to the Government a higher degree of confidence in their ability to meet the revised requirements.

We are not in a position to substitute our judgment for that of the Army in evaluating the technical ability and qualifications of the four companies who made technical proposals. However, Amendment No. 10 to the solicitation made it quite clear that selection would be made on the basis of sources which would afford to the Government the highest degree of confidence in their ability in meeting or exceeding the accelerated schedule while maintaining good quality and providing the strongest mobilization base, and we think that bidders were on notice throughout the procurement process that awards would not be made primarily on the basis of price.

As stated the Army determined, after technical evaluations of all four proposals, that General Motors and Harrington & Richardson were the most qualified. Since award was to be made to only two sources, Maremont and Cadillac Gage, having been rated lower technically, were, in effect, determined as not within a competitive range at that point in time. Consequently, the failure of the Army to obtain prices from them did not contravene 10 U.S.C. 2304(g).

Under the circumstances, we do not believe the contracts awarded to General Motors and Harrington & Richardson can be questioned from a legal standpoint.

RETIREMENT OF LT. COL. WILLIAM R. CORSON

Mr. WHALEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WHALEN. Mr. Speaker, I was very much disturbed to learn that the Marine Corps is considering the cancellation of retirement orders for Lt. Col. William R. Corson, the author of a forthcoming book on Vietnam entitled "The Betrayal."

According to information I have, Colonel Corson was scheduled to retire on June 30. On February 28, 1968, the Secretary of the Navy approved Colonel Corson's request of February 13, 1968, for voluntary retirement.

Colonel Corson's book will be published on July 1, 1968. For all practical purposes, he will be publishing the book as a civilian since it will not appear until the day after he retires.

Allegations now are being made that

Colonel Corson may have broken Marine Corps regulations in publishing the book. This appears to be the basis for the Corps' attempt to cancel his June 30 retirement date. It seems quite clear, however, that Colonel Corson was fully aware not only of the military regulations but of the basic law itself in arranging for publication at a time when he no longer would be a member of the military service. He perhaps went further than he really had to in providing the Secretary of the Navy with a full text of the final version of the book on June 1 for file purposes in accordance with title 10 of the United States Code.

In my view, Colonel Corson has gone out of his way to avoid violating either the law or military regulations. The action of the Marine Corps, although denials already have been made, suggests that retaliatory action is being taken against him simply because he has written a book critical of certain U.S. policies in Vietnam. If this is indeed the case, the Marine Corps has made a very grave mistake.

This action is heavyhanded and unworthy of the Marine Corps. It suggests that the corps is being used by certain interests or individuals of influence within the administration which are determined to go to any length to suppress this book because it criticizes aspects of our Vietnam policy.

Unfortunately, there already have been too many atttempts to obscure circumstances surrounding the war as the public and the press so well know.

Therefore, I urge the Marine Corps to drop this matter and allow Colonel Corson to retire as originally scheduled on July 1, 1968.

I might add that I only learned of the impending publication of the book 1 week ago and obtained a prepublication copy from the publisher on Tuesday. I have not had the opportunity to do more than scan it. Thus, I have no idea what my reaction to its thesis will be. I will let the author's arguments and manner of presentation decide that.

REAL POVERTY ON INDIAN RESERVATIONS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, we have been hearing a great deal about tomorrow's demonstration to point out the problem of poverty. We do not need any such demonstration. If anyone would like to see real poverty that far exceeds anything these people here have seen, I would invite them to any American Indian reservation where the unemployment rate is over 60 percent and the annual family income is only $1,500.

For 10 years I have tried to attack this problem through legislation which would provide a tax incentive to induce private industry to locate on remote reservation areas. The Treasury Department and the Bureau of Indian Affairs opposed the plan because they were not certain how much it would cost, so the plan was changed and last year we introduced legislation which would serve as a pilot project. This pilot project would apply to only South Dakota and Arizona.

This bill, which was introduced by Congressman UDALL and myself, would provide a 10-year Federal tax exemption to any industry which would locate on a reservation in Arizona or South Dakota, providing jobs and opportunity for the Indian people.

Now, the interesting thing is that the Bureau of Indian Affairs is opposing this bill and they are using the excuse that such legislation is not necessary because they say they are contacting industries and getting them to move on to reservation areas, and, this is true to a certain extent. They are getting a few industries, employing a few Indians, and they have quite a staff working on it, but, this is a mere pittance. The plants are small and few and far between. Many of them are being closed down after 6 months or a year of operation because they find they cannot compete because of transportation costs.

Our bill, Mr. Speaker, would give an industry an opportunity to compete in transportation costs because it would give them this tax break.

Our bill is H.R. 10218 and is before the House Ways and Means Committee. I hope the Department of Interior will relent and support this legislation.

WIND RIVER'S HUNDREDTH ANNIVERSARY: A RECORD OF ACCOMPLISHMENT

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. HARRISON. Mr. Speaker, July 3, 1968, marks the hundredth anniversary of the treaty with the Eastern Band of Shoshone and Bannock at Fort Bridger, Utah Territory, authorizing the setting aside of land for the Wind River Indian Reservation in Wyoming. A centennial celebration is planned at Wind River Agency, Wyo., June 30 to July 3, and I would like to comment on the significance of this celebration, both to our Nation and to the citizens of my own State, Wyoming.

On May 8, I introduced a House resolution calling on the President to proclaim June 30 National Original Americans Day. As a Wyomingite I was pleased to point out in my resolution that—

The Wind River Indian Reservation is central to the rich and colorful history of the State of Wyoming, the Rocky Mountain West, and the great westward migration of the late 1800's.

The 2-million-acre Wind River Indian Reservation is one of America's oldest and largest reservations.

The members of the Arapahoe and Shoshone Tribes residing on the Wind River Indian Reservation are respected and progressive members of the community of Wyoming citizens.

The American Indian has too long been the forgotten member of the great American Nation, being too few in number to demonstrate for civil rights, too respectful of his history to wish to sever himself from it, and too proud personally to disintegrate his respected position as the original American by displays of force, venom, and violence, which widen, not bridge, the gap between our races.

Looking at things in the world perspective of 1968, we see a great difference from 1868. Now, we are able to travel in great jet airliners across both oceans and continents in a matter of a few hours in journeys which a hundred years ago would have required months for their completion. The treaty whose centennial we celebrate made possible the construction of the Union Pacific Railroad through Wyoming, thus enabling the Atlantic and the Pacific coasts to be linked by rail for the first time on May 10, 1869.

The Indian whose name heads the list of treaty signers in the treaty of July 3, 1868, was Washakie, chief of the Eastern Shoshones. Born in Montana, according to varying accounts either in 1798 or 1804, Chief Washakie early became, through his prowess and leadership, the chief of the Eastern Band of Shoshones. He has been described as light complexioned, tall, powerfully built, of dignified carriage and endowed with great endurance. It was the commanding figure of Chief Washakie which dominated the Oregon Trail northwestward during the critical years of western settlement in the 19th century.

Had it not been for the friendship of Chief Washakie for the white settlers, it is entirely possible that the settlement of the Oregon Territory would have been delayed considerably. When, in the 1850's emigrants in great numbers passed through the Shoshone country in what is now the State of Wyoming, Chief Washakie and his people exercised great forbearance. They followed the injunction of the Federal Government to aid overland travelers in recovering strayed stock, helped the emigrants cross dangerous fords, and refrained from all acts of reprisal when animals of the white men destroyed the Indian roots and hunting grounds.

So friendly and helpful were Chief Washakie and his people that 9,000 emigrants signed a paper commending the kind treatment which they had received. Chief Washakie was for many years the valued companion of white hunters and trappers. Yet, throughout his life he maintained the dignity proper to a great chief. He realized the importance of his position and was fond of form and ceremoney in his dealings with the white people.

Chief Washakie's role in history rests primarily on his signing of the treaty of July 3, 1868. This treaty provided a permanent home for the Shoshones in the Wind River Valley, and, although the land was not immediately occupied, made it possible for the Union Pacific Railroad to find a right-of-way across Wyoming, the roof of North America, to the south of Wind River, thus spanning the continent for the first time by rail.

Among his own people Washakie

owed his great popularity to his exploits on the warpath. He brooked no opposition within the tribe and allowed no asylum to a horse thief or a criminal. Before the Battle of Bear River in 1863 during which General Connor defeated the hostile Bannock and those Shoshones who refused to heed Chief Washakie's warning, he led the greater portion of his tribe to Fort Bridger, Wyo., thus saving many of his people from destruction.

Chief Washakie died in 1900, a devout member of the Protestant Episcopal Church and a great friend of the missionaries. He was buried with military honors in the cemetery at Fort Washakie, Wyoming, where a monument has been erected over his grave. A photograph of him in the Smithsonian Institution shows him in his chiefly regalia and holding a peace pipe in his hand.

Through the years, Wind River Reservation has progressed significantly in education, in its economy, and in community relations. Since 1878 two tribes have shared the reservation; the Federal Government placed the Arapahoe Indians there with the reluctant consent of Chief Washakie. Even today, however, the tribes live apart, the Shoshones in the western part at Fort Washakie, Wind River, and Crowheart, and the Arapahoes at Ethete, Arapahoe, and St. Stevens in the eastern part.

The Wind River is the third-largest Indian reservation in the United States, with a total area of 1,887,761.99 acres. It compares equally in age with Navajo, the largest, and is much older than Papago, the second largest, which was authorized in 1917.

In educational matters the progress of Wind River has been marked. Since the closing of the Bureau of Indian Affairs School in 1955 the Indian students at Wind River have attended public schools. Moreover, the tribes themselves have become active in educational matters. At the present time they sponsor two educational programs; an adult education program and a scholarship grant program. The aim of the first is to provide academic and practical instruction which will help the tribal members cope with today's changing world. The scholarship program is designed to provide supplementary assistance to the various Federal educational programs, at junior and senior college levels, and to cope with the problems of vocational education and school dropouts. Also, the tribes are currently engaged in the task of developing bookmobile services for communities without libraries.

The economic progress of Wind River would make Chief Washakie proud of his reservation if he came back to see it today. Approximately 85 percent of the homes on the Wind River Reservation have electricity and the same percentage have radio or television. Training in trades is currently offered in plumbing, electrical work, carpentry, welding, masonry, and sheet metal work. The tribes constructed—and maintain—the Chief Washakie Hot Springs Recreation Center between Fort Washakie and Ethete.

Social advance at Wind River is manifested in several ways. Numerous 4–H Clubs have been organized on Wind River Reservation through cooperation with the Bureau of Indian Affairs Extension Service and the tribal business councils. During 1965–66 a Boy Scout troop was organized at Fort Washakie. An organization known as the Junior Mounted Patrol has been initiated by the Federal juvenile officer and the members study law enforcement, citizenship, first aid, and teamwork. A Neighborhood Youth Corps program has been in operation since 1966 and includes both in-school and out-of-school activities. Also active on the reservation are a VISTA program and an Upward Bound program. VISTA provides volunteers for specific assignments to live and work with Indians. Upward Bound, a precollege program, seeks to motivate secondary school students handicapped by economic, cultural, and educational deficiencies.

There is reason to be optimistic about the future of the Wind River Reservation. During the last several years a great expansion of horizons has occurred for Wind River Indians. The tribes now have a dirt strip airport with two runways, located 2 miles from Fort Washakie. In a sense, the present Wind River Reservation is the lengthened shadow of the Chief Washakie, the single individual whose example has affected the entire Wind River Indian community. Hence we honor in this centennial not only the great leader whose name survives in so many ways at the reservation today, but also the living Indians of Wind River who have demonstrated through their civic ambition that they share the progressive spirit of the State of Wyoming.

We invite you, then, to come to the Wind River centennial on June 30, and relive the days of Chief Washakie and the building of the Union Pacific Railroad. You will come away with an appreciation of the faith and the strength of character which built this Nation and which maintains it today.

MINIMUM WAGE FOR VA NURSING HOMES

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I have introduced two bills to resolve a problem which has been slowly brewing for the past few months, and which now appears to be coming to a head. The gentleman from Texas [Mr. TEAGUE] yesterday introduced similar bills—H.R. 17910 and H.R. 17911.

Due to a preliminary interpretation of the Service Contract Act, the Veterans' Administration community nursing home program stands in severe jeopardy. The interpretation, made by the Department of Labor, holds that any nursing home under contract to care for a VA patient is subject to the full Federal minimum wage provisions.

The retroactive application of this ruling presents hardships on those nursing home owners who have already served veterans under this program, and the future application of the rule threatens numerous contract cancellations, as well as difficulty in finding new nursing home participants.

By June 3, the Administrator of the Veterans' Administration reported that there have been 30 nursing homes in Oklahoma alone which have canceled their contracts with the VA. I have also been informed that the scope of this problem has already had its effects in Texas, Mississippi, and Colorado.

Mr. Speaker, I understand that the Department of Labor is now taking a second look at the ruling in question, and I would certainly hope that the issue could be resolved completely at that level. The Secretary of Labor has the authority under section 4(b) of the Service Contract Act to make exemptions when the business of the Government would otherwise be impaired. But in spite of this administrative development, the nursing home operators are most apprehensive, and I feel it is important to show that the legislative processes stand ready. It would be most unfortunate that the Secretary of Labor would invoke his authority to exempt these nursing homes, only to find that the VA community nursing home program had already become a skeleton.

I hope, Mr. Speaker, that this legislation and the deliberations on it will dissuade any additional owners from taking action which would do irreparable harm to the community nursing home program, and impress on all the need for getting this problem settled quickly.

Mr. Speaker, these nursing homes presently pay the same minimum wage as hospitals. They take patients from the Veterans' Administration program at the request of the VA. Usually a nursing home has no more than 5 percent or less of VA patients. It is a great service to the veterans of this country. Unless we give these nursing homes relief, this pending ruling could wreck the VA nursing home program. It is a wonderful program and we must find an equitable solution immediately.

SCHOLARSHIP WINNERS INSPIRE CONFIDENCE IN FUTURE OF AMERICA

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I take this time to express for the RECORD my confidence in the young people of America. In my opinion, they are just great. This is evidenced in the outstanding group I have with me this week. They are in Washington as scholarship winners from my congressional district. They exemplify America at her best, not only for this hour, but for what we can anticipate in the future by way of good citizenship and leadership.

The Indiana Fifth District scholarship trip is an innovation which has proven to be most successful. One reason for its success is that it involves many people and many groups. It focuses on one student from each high school in the Fifth District of Indiana. This student is sponsored by a local organization after selection by the high school. My congressional office handles the trip which is awarded to each student as recognition of their outstanding ability, personality, and scholarship.

Good government, particularly in a democracy, stems from active participation in government. Although we permit voting only after one becomes 21 years of age, age is no barrier to an expression of interest in government. With this in mind, I initiated the "Fifth District scholarship trip to Washington."

On Sunday, June 16, the second of three groups arrived at Washington National Airport to begin a 3½-day introduction to "what goes on in Washington." Their schedule is so planned that the students will have the opportunity to actively learn about the executive, legislative, judicial, and administrative processes of our Government. They will meet with Representatives and Senators of both political parties, view sessions of the House and Senate, speak with a Peace Corps representative, attend a Department of State foreign policy briefing, visit the Supreme Court, and hear the proceedings of a congressional hearing.

I hope and believe that this will be a rare opportunity to get firsthand answers to questions raised in their high school government classes. We hope they will return not only with some answers, but with a continued interest in these processes of government.

Mr. Speaker, I would like at this point to include the names of these specially selected, capable students who are participating in this program which promises to offer an unusual and educational "inside" look at how our Government works:

Arden Absher, Alexandria-Monroe Township Joint High School, Alexandria, Ind.

Jane Ann Butler, Dunkirk High School, Dunkirk, Ind.

Sharon Lynn Strain, Bellmont High School, Decatur, Ind.

Debbie Van Briggle, Frankton High School, Frankton, Ind.

Pamela Sue Fisher, Lapel High School, Lapel, Ind.

Marilyn Knox, Montpelier High School, Montpelier, Ind.

Robert Hingst, Kokomo High School, Kokomo, Ind.

Rick Maples, Huntington High School, Huntington, Ind.

Danny Gordon, Lancaster Central High School, Wells County, Ind.

Pat Schreiner, Eastern High School, Greentown, Ind.

Jim Pace, Southern Wells High School, Wells County, Ind.

Tom Horton, Portland High School, Portland, Ind.

FINANCIAL POSITION WE FACE TODAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, I have been a member of the House Appropriations Committee since I first came to Congress in 1958, and have maintained a particular interest in the economic and financial well-being of our Nation.

A combination of events has brought us today to a critically dangerous financial position and unless action is taken to deal with this crisis. We face drastic consequences.

It is clear what has basically thrown our financial picture out of order—the costs of the war in Vietnam combined with our failure to take significant steps to adjust our economic conditions to these costs. For the period running from July 1, 1965 to July 1, 1968, we will have spent well over $50 billion on the costs of this war alone—an additional $26 billion is budgeted for fiscal 1969—without meaningful fiscal adjustments to meet this increased burden.

As the budget now stands prior to any action on pending matters we are facing back-to-back budget deficits of close to $25 billion each year for fiscal 1968 and fiscal 1969.

The gross national product grew by a record $20 billion from the fourth quarter of 1967 to the first quarter of 1968—a 10-percent annual rate of growth.

We are experiencing significant inflation today with prices rising at a rate of some 4 percent a year.

We are in an extremely difficult balance-of-payments situation which threatens to get far worse as increased prices reduce our trade surplus.

The cost of credit is sky high with interest rates in some cases reaching the highest in a century.

The strength of the dollar is being questioned all over the world with lack of confidence in the dollar expressing itself in the buying of gold by foreigners and with potential danger of further heavy attacks on our diminished gold reserves.

Under these circumstances, corrective action is not just important—it is absolutely vital.

The question of putting our financial house in order has been a matter of concern for some time now. The administration, however, was quite slow, I believe in facing up to the fact that we could not maintain a policy of guns and butter, and for an extended period of time insisted on conducting business at home as usual almost disregarding the effect of the tens of billions of dollars in expenditures being made in Vietnam.

This kind of attitude carried over to the general public and even today, I believe, a great number of our citizens are just not aware of how really dangerous our financial situation is. One reason for this is because a good deal of the danger involved cannot be felt or seen yet—it resembles that part of an iceberg which rests under the ocean's surface not visible to the naked eye but massive and extremely powerful.

Most people's lives have not suffered that much to date.

Although inflation has caused increased prices, we have had a low unemployment rate and the average individual has experienced in general stable or improved conditions in his daily life.

This cannot, however, be allowed to belie the truth of the matter—the fact that we stand dangerously close to a fiscal breakdown—on the national and on the world scene—the results of which would be severely felt by everyone across the board.

Let me give some examples of where, in my belief, spending cuts can and should be made. These cuts would, in effect, constitute an ordering of our priorities during this time of emergency, something which is greatly needed.

Before going into these cuts, however, I would like to talk for just a moment about the general question of ordering our priorities and controlling our expenditures. The House-Senate Joint Economic Committee, after examining the proposed fiscal 1969 budget stated unanimously that:

> An urgent need exists for concerted congressional and executive department action to tighten control of Government expenditures and increased economy and efficiency in spending based on an objective comparison of goals, alternatives, benefits and costs. Assessment of priorities among public expenditures remains an urgent task for the administration and the Congress.

It is the job of the Appropriations Committee on which I sit to examine each year the budget requests of the President and in so doing it is only natural that we continually carry out a review of what has been going on in the past concerning the money we have already given for these various programs.

It is our responsibility to assist the House in achieving the most economical expenditures of Federal money that we can achieve—this does not mean at random reductions or cuts—it means using our funds to their best possible manner.

Despite our substantial efforts in overseeing the programs of the Government, Congress is just not presently equipped to do the job that should be done in this vital area of legislative oversight.

This is why earlier this year I joined with a substantial number of my colleagues in introducing a resolution to create a joint select committee on Government program analysis and evaluation.

The resolution calls for a thorough study to be made immediately by a joint select committee of Congress to determine the best methods through which Congress can provide itself with the means of objectivity and scientifically evaluating Federal programs and activities.

It is critical that Congress begin action immediately to deal with this problem of modernizing and expanding its own governmental techniques.

Getting back to cuts in Government spending one example of potential savings is in our public works program. In this time of economic trouble, there are many public works programs that can be deferred until such time as the economy improves. We are talking here, furthermore, of amounts in the billions, not millions. But we are also talking about programs which have heavy political backing because of the local interest involved in each one of them. This situation requires a true appreciation by the public and by Government officials of the crisis we face and of the need to think first and foremost in terms of the national interest.

The space program is another area where substantial reductions and postponements should be made. We have been spending over $5 billion each year in this program; and, considering the priority of today's needs, we simply cannot afford this. Substantial reductions can and should be made below the President's budget recommendations for fiscal 1969.

A third area where substantial savings can be made and which would significantly help our balance of payments is the reduction of the number of troops that we have stationed in Europe. I am not talking about completely withdrawing our presence in Europe, but six divisions—300,000 or 400,000 Americans, counting dependents—is certainly more than we need in Europe today. We could save substantial sums by withdrawing three or four divisions.

We have a defense budget of $80 billion. That is $80 billion out of a total Government program of some $185 billion for fiscal 1969. Now, we all know that in an $80 billion budget, you are certainly going to have some room for cuts—that there are certainly some excesses and extras which could be curtailed. But if you even talk about cutting the defense budget, you are just about accused of being a traitor to your country.

Well, I think it is wrong to have this defense budget treated as a sacred cow. I think we can find substantial amounts which can be saved in this area without in any way injuring or endangering the security of this Nation and I hope that action will be taken to achieve this.

Research and development is another area. Some $17 billion is projected for research projects sponsored by both civilian agencies and the military. Substantial reductions and postponements can be made here.

Then, there is the SST airplane program for developing a supersonic plane—we cannot afford this program today and it should be postponed.

Our agriculture programs are still another area. It is absurd that we have individual farmers and farms in this country receiving Government subsidies in the millions of dollars each. There is just no excuse or justification for this.

Foreign aid is yet another area where reductions will have to come during this time of financial crisis and domestic need.

These are some areas where reductions can be made. Such cutbacks are going to cause problems: they are going to cause difficulties and they are going to require sacrifice.

The point is, however, that if we do not face the realities of the problems which exist today, the adverse consequences which we as a nation stand to suffer in the future will far outweigh any difficulties which may arise from taking action now.

But expenditure reductions by themselves will not do the job. We need, and our economy needs a tax increase—it needs it from the standpoint of controlling inflation and it needs it from the standpoint of reducing the Federal deficit.

Now, nobody likes a tax increase; nobody likes to pay more taxes. But it is encumbent upon all of us to realize that at certain times such action is absolutely necessary and is to the benefit of all of us in the long run.

Now is such a time—this Nation must have a tax increase.

The fiscal crisis that we are presently experiencing is matched in intensity and in demand for action by another crisis in this country—a domestic crisis. We have a number of critical domestic problems facing our Nation today—problems which require the concerted efforts of the Federal Government, local governments, and private enterprise.

This situation requires us to minimize our reductions in the important ongoing social programs presently being carried out by this Government. We have many excellent programs.

We must continue these programs, we must meet the challenges of poverty and starvation, of the need for urban revitalization, of the need to improve our educational opportunities and our health facilities, of the need to see every ablebodied man in this country employable and employed.

These two critical situations—our financial disorder and our domestic disorder—must both be dealt with.

We cannot, as a nation, afford to ignore either of them at this pivotal time.

The economic and the social health and well-being of this country requires and demands an immediate enactment of the tax increase—expenditure cuts and a continuation of our important social programs.

These are not easy times—they are very difficult times requiring sacrifices on the part of all of us. We, as a nation, have always risen to meet the challenges of our times. I am confident, I am sure we will do so again.

Mr. Speaker, I insert at this point in the RECORD four editorials from the New York Times, the Washington Post, the Springfield Daily News, and the North Adams Transcript urging the enactment of a tax bill. These are just examples of the many editorials which have appeared across the Nation calling for the passage of a tax bill.

The editorials follow:

[From the New York Times]

THE COST OF TAXES

President Johnson's announcement that he is prepared to accept $6 billion in spending reductions for fiscal 1969 removes the last roadblock in the way of speedy passage of his tax surcharge proposal.

Since action on taxes is essential, domestically as well as internationally, the President has had no choice but to give in to Congress and go along with the $6 billion reduction it wanted rather than the $4 billion he preferred. The long deadlock on fiscal policy has already produced inflation at home and cut deeply into the trade surplus that the nation has enjoyed in transactions abroad. Mr. Johnson has recognized that he could not risk further harm to the dollar or a fresh speeding up of the inflationary spiral by holding out against an extra $2 billion in spending reductions.

Thus fiscal policy is at long last coming to the rescue. It is coming very late in the day and its composition may be questionable, but clearly it is better than a continuation of the frustrating paralysis that has heretofore prevented any positive action at all.

Paralysis could have been avoided if the Administration and Congress had not been so intent on blaming each other for the loss of control over policy. In capitulating, Mr. Johnson noted that he had been seeking a tax increase for the past two years. Yet during these same two years Federal spending for both civilian and military programs was soaring, serving to fuel the inflation that is now so apparent. The President could have obtained earlier approval of a tax increase by simply holding down spending, which would have been easier to accomplish last year or the year before than it is now.

It will be far from easy, in fact, to cut $6 billion out of the budget for the coming fiscal year without harm to needed social services. Of the $186 billion estimated to be spent starting in July, close to $150 billion is in defense and mandatory civilian programs. That leaves less than $40 billion in discretionary programs, many of them devoted to vital efforts in education, health and the war on poverty.

If the nation is to avoid serious social unrest, it cannot cut back on spending in these areas. Instead, it will have to recognize that, with the slums festering and the Vietnam war still raging, reductions must come solely from other areas. The non-Vietnam defense budget, which is close to $50 billion, cannot be regarded as sacrosanct. Neither can spending on highways, rivers and harbors, the space race, the supersonic transport plane or many other programs currently favored by the Administration and by Congress.

The Administration has, in fact, done some trimming on its space outlays, but it surely should be able to make additional cuts in a space budget that is still estimated at $4.4 billion. Similarly, the $351 million allotted to the development of the supersonic transport can be postponed, while the $4.4 billion slated for highways—an increase over this year's total—can certainly be substantially reduced. There are other programs—notably in agriculture and in the Government itself—that can safely be pared without harm to the welfare or strength of the economy.

It would have been wiser, in terms of economic stability as well as the needs of the poor, to have held the reductions to $4 billion as the price of tax action. But now that the President has agreed that a tax increase was needed even at the price of $6 billion, he and Congress must demonstrate the will to see to it that the poor are not made to pay that price.

[From the Washington (D.C.) Post, May 11, 1968]

THE TAX BILL ADVANCES

The 10 per cent surtax passed an important hurdle when the House-Senate conference reported out a bill. Its most controversial provision, that the President must reduce Government spending in fiscal 1969 by $6 billion, will doubtless draw fire from Congressmen who are fearful of impairing programs to assist the urban poor. But much of the danger can be averted through skillful budget trimming by the Johnson Administration and its successor. If that point is borne clearly in mind, little time should be lost in a fight over spending cuts that may later be restored.

What matters now is that the surtax be passed.

To the extent that the budget reductions are actually effected, the exercise may in the end prove salutary. Federal expenditures have been out of control in recent years, and the more rapid growth of non-military programs cuts the ground from under those who would pin all the blame on the Vietnam war. With a mandate to trim expenditures, the President and his advisers will be compelled to reconsider program priorities, cutting back those which seek to achieve less urgent objectives and those which are ineffectual, irrespective of the objective. With a serious reshuffling of priorities, it should be possible to protect programs that assist the poor. Congress might not like the Presidents decisions, but under the mandate to cut the budget by a specified sum, he will have what amounts to line veto power over budget cuts that they may seek to restore. If such power were used wisely, it could enhance efficiency in Government spending.

The tax bill as passed by the Senate was accurately described as an "Easter Basket" of special interest legislation. Happily, the conference saved the Senate from its folly. The rejection of import quotas on man-made textiles was a stunning defeat for the protectionists. The enactment of another textile quota would doom the efforts to obtain an agreement under which other countries would accelerate their Kennedy Round tariff reductions. The conference is also to be commended for delaying the freeze on the Aid to Families with Dependent Children program, upholding the Treasury's decision to tax the advertising revenues of non-profit organizations and partially lifting the tax exemption on the industrial revenue bonds that are issued by local governments on behalf of private enterprise.

None of the extravagant claims made on behalf of the surtax are likely to be realized. Interest rates are not likely to decline in the immediate future and the course of inflation will not be significantly altered. But the passage of a tax increase will place Federal finances on a more orderly basis by making the public fully aware of the costs of Government services, a goal that should be achieved with a minimum of delay.

[From the Springfield (Mass.) Daily News, May 8, 1968]

Progress Toward a Tax Bill

The executive-legislative impasse that has surrounded the Johnson administration's long-needed tax surcharge may have been resolved with the proposal's endorsement by Chairman Wilbur D. Mills' House Ways and Means Committee.

The committee's 17 to 6 vote in favor of raising tax revenues by $10 billion next year presumably came as the result of its desire to get back into the act. Both the House and the Senate in recent months have passed tax bills in their own, bills that differ from the administration's proposed program in the means by which revenues would be raised as well as in the extent of administration budget cutting demanded in the legislation.

But the Ways and Means Committee's affirmative vote on what is basically President Johnson's proposal by no means ensures quick passage. In fact, heightened controversy is likely before a tax is enacted.

Crucial to the Mills' committee's proposal is the stipulation that in addition to an immediate $4 billon budget cut, present and future appropriations of $18 billion must be cut from the administration's budget in following years.

The responsibility of wielding the economy ax is never an easy one to assume, especially in an election year. But the need for increased tax revenues as well as decreased spending is clear if the balance of payments deficit is to be reduced while vital foreign and domestic programs are continued.

Though President Johnson must have been reluctant to accept budget cuts of such dimension, the responsibility for passage of a tax bill now, ironically, falls on his shoulders. Just as it is the requirement of the Ways and Means Committee to originate all tax legislation, so is it the responsibility of the executive to suggest the areas in which spending can best be cut.

The best way to curb the outflow of funds, of course, would be to continue the pursuit of a negotiated end to the Vietnam war until a settlement is achieved. But until that happens, low priority government programs will have to suffer.

One thing is certain: Executive procrastination in suggesting fiscal cuts will be just as disastrous as continued procrastination by Congress in enacting this necessary legislation.

[From the North Adams (Mass.) Transcript, Apr. 22, 1968]

Time To Cut Out the Candy

Now that Congress is back from its Easter recess, perhaps it will finally take steps to cool off an overheated economy which is reflected in ever-mounting inflation and increasing tightness of money.

Although the Johnson Administration must share some of the blame for the present dangerous situation—it was extremely late in proposing a tax increase, has never been really convincing about its intentions to reduce federal spending, and has until recently failed to put any real pressure on Congress to act—only Congress can now do what has to be done.

That the time for action is overdue was indicated last week by several developments. A startling gain in the Gross National Product was reported—40 per cent of which was attributable to price inflation. The Federal Reserve Board tried to stick another finger in the dike by again increasing its discount rate to 5½ per cent. And Arthur M. Okun, chairman of the President's Council of Economic Advisors likened the nation to a fat woman munching candy.

"Nobody can promise her a lovely figure overnight if she stops nibbling," Mr. Okun said. "Nobody can legitimately warn her that one more piece would do incalculable damage. And foregoing the candy means sacrificing a lot of fun in the short run. But the more she indulges, the more serious the risks become. The time to stop our economic indulgence is now."

Federal Reserve Chairman William McChesney Martin Jr. gave a blunter description of the booming economy: "The nation is in the midst of the worst financial crisis since 1931."

Both men again pleaded for responsible action by Congress in the form of higher taxes and reduced government spending.

It may be hard to accept such warnings in the midst of an unprecedented boom. And Congress has always been particularly allergic to higher taxes in an election year.

But it is becoming clear that the present boom is the type which has in past years ended in a bust. The arguments for cooling down the economy through fiscal policies which have been found in the past to be effective are becoming overwhelming.

To its credit, the Administration has done about all it can do without congressional action by utilizing monetary controls. Most important of these is increasing the cost of borrowing, which the Federal Reserve has done three times in the past year. The trouble with this approach, while it does serve to check the overheated boom, is that, if carried to the extreme, it can throttle real growth and create large-scale unemployment. Even now the increase in interest costs will inevitably bring a slowdown in home buildind and will cause business to think twice before it embarks on even needed growth and development.

So it becomes clear that the really effective weapon in the battle to maintain the value of the dollar, fight inflation, and retain the confidence in the financial world in the U.S. dollar, is a combination of higher taxes and lower government spending. It already is clear that hopes for the latter have been pretty well dissipated—although efforts to reduce federal expenditures must continue. Military spending shot up again in the first quarter, creating new inflationary pressures—and the obvious needs of our crisis-ridden cities precludes much hope that spending cuts of any real significance can be achieved in the near future. This leaves higher taxes as the single most important weapon in the effort to avoid economic catastrophe.

Congress and the Administration have been wrangling about this step long enougn. As we said, the Administration until recently did not seem to have its heart in demands for a tax boost, but it has recently become frightened of what is happening and the question now is whether the 10 per cent surcharge it has proposed will be enough.

The country cannot afford to wait any longer. Action by Congress is long overdue. It is time to take the candy box away from a dangerously overweight nation.

IMPORTS AND THE NATIONAL SECURITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. Saylor] is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, when American lives are being sacrificed in combat, it is unthinkable to permit debilitation of our mobilization base.

When unbalance of payments threatens the Nation's monetary structure, it is folly to encourage an increase in the outflow of dollars.

When the administration insists upon an oversized budget for relief of the unemployed, it is ridiculous to adopt policies that destroy jobs in the United States.

Either we are or we are not.

If we are fighting in Vietnam to protect nations from falling like dominoes to Communist intrigue and encroachment, then we must concede that communism is a mortal enemy and that the United States must remain at maximum strength militarily for as long as the Red menace threatens world tranquillity.

If it is necessary to apply a double standard to gold and at the same time attempt to impede the free movement of our citizens in order to retain enough of a stake in our larder to prevent insolvency, then we must not foster unnecessary exportation of legal tender already suffering from overexposure abroad.

If there is a lack of employment opportunity in this country, then we must project a remedy as a first order of business.

Today it is the distressing responsibility of Congress to challenge an attempt to undo whatever progress we might have hoped is being made toward securing the national defense, checking the decline in gold supply, and improving the lot of our people. You have seen the Interior Department plan to encourage increase of foreign oil into this country. It is an incredible and defiant proposal in light of the many problems that face the Nation. Who indeed would believe that it has come from the same administration that even now asks for acceptance of a series of programs with which this scheme is in direct conflict?

For years the domestic coal and oil industries have been subjected to the unfair competition of a surging sea of foreign oil entering America's fuel markets. Railroads, which depend upon a going coal business for a large proportion of total freight revenue, have suffered in kind. Suppliers and equipment manufacturers serving the coal and oil industries have been similarly victimized by the excessive shipments from the shiekdoms of Africa and the dictatorships of South America. While autarchs and tyrants were made rich, American people were kept poor.

Despite conditions in mining regions during the decade and more following the end of World War II, oil imports climbed incessantly. Nor has there been any abatement in recent years despite the new hostilities in which American servicemen were to become involved.

Whether or not there is concern for domestic industry and labor among those who seek to satisfy the greedy demands of international shippers, one might assume that even the most fervent supporter of free trade would recognize the danger that lies in reliance upon foreign sources for materials and supplies vital to national defense. If Russian shipments of war supplies to North Vietnam are not sufficient notice of Soviet intentions with respect to the United States, surely the photograph of a U.S.S.R. warplane buzzing an American ship ought to cause some alarm among the most credulous of our people.

We cannot afford to take a chance on fuel that is shipped over ocean lines that could easily be closed by modern aircraft, submarines, and rockets. We cannot afford to stunt the growth of American industries that would have to produce and carry energy for an all-out war effort. We cannot, under any circumstances, accede to another boost in oil imports.

The potential of the plan is frightening. The reason for it is fallacious.

According to its own admission, the Interior Department would step up oil imports to promote production of low-sulfur oil that would meet requirements of new and proposed Federal and State air pollution regulations. Though the effects on human health of pollutants from the burning of coal and oil have not yet been determined, the Interior Department is apparently succumbing to undocumented alarms first sounded in the Department of Health, Education, and Welfare and echoed recklessly by bureaucrats of lower rank in a number of State and local governments.

To States and communities which have adopted unrealistic air pollution regulations and have come to the realization that technology has not yet been able to reduce contamination from available fuels to the extent desired, I suggest that those regulations be amended as required. In no case should Federal Government betray its own citizenry by subordinating the general welfare to the convenience of selected segments of the populace.

I ask my colleagues to join in adamant rejection of the plan for more foreign oil, for how can we possibly permit the national security to be compromised and jeopardized? How can we allow further weakening of the dollar? How, when there is poverty at home, can we give preference to foreign commodities? How, in fact, do you tell a teacher who has been saving for a trip abroad that people must stay home so that more dollars may be paid out to potentates who will share in the profits that come at the expense of American industry and labor?

Mr. Speaker, as a part of my remarks, I would like to include a letter which I directed to the Secretary of the Interior on May 10, 1968:

MAY 10, 1968.

Hon. STEWART L. UDALL,
Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Since you are familiar with the sharp increases in imports of residual oil into District 1, it is unnecessary for me to cite statistics.

What it amounts to is that the oil import control program seems to be getting completely out of hand and needs a complete reevaluation. It is certainly not achieving the purposes intended.

That foreign fuel is cutting more sharply into domestic markets at the expense of our own suppliers, should be of general concern, particularly in view of our discouraging balance-of-payments position. Equally disturbing is the ever-increasing dependence upon sources of energy that may very well not be available in an emergency. Under prevailing conditions, I do not think that we can afford to ignore this danger.

Please give these factors your close consideration. Perhaps it would be advisable to arrange for a discussion of the subject with responsible officials in your Department and other interested parties who can help decide whether the problem is as threatening as I am inclined to believe. My office is open to such a meeting, which at the moment would seem urgently needed to determine just how the national interest is affected.

With every good wish,
Sincerely,

JOHN P. SAYLOR,
Member of Congress.

Mr. Speaker, last Wednesday, I appeared before the House Ways and Means Committee and presented testimony which I would like to have inserted in the RECORD, as follows:

TESTIMONY OF REPRESENTATIVE JOHN P. SAYLOR, BEFORE THE HOUSE WAYS AND MEANS COMMITTEE, JUNE 12, 1968

As representative of a district with a variety of mining, manufacturing, and processing industries, I could confine this appeal exclusively to the problems of my constituency.

I could recite chapter and verse of the lost job opportunities, in and around Johnstown and Western Pennsylvania. Alone, incident to the unrestrained heaping of foreign steel on American markets.

I could repeat the statistics that I have time and again presented to Congress in illustration of the perennial harm suffered by Pennsylvania's coal and railroad industries as a consequence of the relentless waves of foreign oil inundating the East Coast of our country.

I could give you a detailed accounting of the deleterious economic impact persisting through the years in many districts because of too much foreign glass, pottery, dairy and machine products, electrical equipment, shoes, mushrooms, mink pelts, and other items that could be built or made or grown in one or all of the five counties which I represent. In the past I have submitted a miscellany of tables showing job losses, dollar losses, and other aspects—including national security implications of the continual stream of foreign goods that move onto our shores.

Today I am not going to offer tabulations of any kind. Before these hearings are concluded, the committee will no doubt have received complete figures from the various affected industries.

I will not, in fact, confine my remarks to the exclusive interests of Pennsylvania's 22nd Congressional District. I would like, instead, to go on record as a friend in court of every industry, every business, every community, every union, and every individual exposed to the hardships of foreign competition. Whether hardship is experienced in the east, the west, the north, or the south, I feel that the onus is on Congress and it is our responsibility to effect the recommendations needed.

For more than a quarter of a century Congress has, in disregard of the Constitution, surrendered more and more authority not only to the Executive Branch of our government, but the Judicial as well. In a recent case the Supreme Court openly admitted that it, not the Congress, legislated the matter before it.

The State Department, their and/or pretender to Congress' power to legislate in matters concerning international commerce, has used the power not to influence the economic and social improvement of our country, but rather solely for diplomatic purposes. In effect, it has traded American jobs, fiscal stability, and national defense for what Department officials alleged or assumed would be to their advantage in the field of international relations, rather than the well being of the citizens of their own country.

That the State Department has failed in these objectives is a matter of obvious record. Even had the strategy succeeded, however, there would have been no justification in exchanging economic sacrifice for so-called international friendship.

From the military point of view, the State Department philosophy is equally horrendous. Now more than any other time in the history of this nation it is incumbent upon the Federal government to do everything possible to bring America's industrial capability to maximum strength. I say this advisedly, Mr. Chairman, because—for the first time since the United States came to be recognized as a world power after the battle of New Orleans, marking the final encounter in the War of 1812—Uncle Sam's military supremacy is no longer unchallenged. Through miscalculations and misdirected affection, the State Department, for a quarter century, nourished the growth of Soviet economic and military prowess. Even today, while Soviet weapons hammer at the very innards of Siagon, the State Department stubbornly refuses to recommend a program designed to curtail our commercial association with the USSR. It even fosters imports of commodities produced behind the Iron Curtain. It fails to recognize that Communist Russia is our enemy and that we must make every possible move in the direction of reinforceing our defense posture in anticipation of an eventual showdown with the Soviet Union.

We do not improve our military and industrial strength by irrational trade policies that tend to destroy or impede domestic steel and other production. Is it not obvious, Mr. Chairman, that we are not going to be ready in an all-out emergency if we do not in the interim encourage industrial expansion? Our policy should be to offer every encouragement to industry and to make certain that as many as possible of our labor force are put to work and kept on the job.

We pray that international hostilities will cease and the fantastic productive capacity that is possible in this country will be restored to peacetime activities. In any case, our present course in the field of international trade is impractical and unrealistic. Regardless of the world situation—today and tomorrow—our responsibility is to keep our mills and our plants and our mines going strong. We must do so not only for the safety of the nation but also for the general welfare of our people.

Mr. Chairman, I do not care in which form protection for American industry and labor may come. Foreign beneficiaries of our liberal trade policy employ a variety of devices to make certain that goods produced in the United States will not enter markets in those countries to the disadvantage of their own producers. Their objective is accomplished through subsidies, subventions, licenses, quotas, and manipulates of currency exchange, or through monopolies and consortiums.

I do not believe it necessary that the United States resort to deception or circumvention in the formation of policies to prevent foreign products from engulfing our markets. I look to this Committee only for conclusive legislation that will give Congress an opportunity to create some kind of barrier against economic destruction from abroad. I would prefer that the Committee work up a blueprint for a single piece of legislation that will safeguard every industry on the list of victims of excessive imports. While I would also support legislation accomplishing the same purpose on an industry-by-industry basis, I would prefer the bill containing general coverage, so that we can avoid controversies that might arise because of segmented and parochial interests.

In conclusion, let me point out that there is no question about the need—the immediate need—for a law to cut back on the record volumes of ore and steel now being unloaded at American ports. As sponsor of the "Buy American" amendment that was of considerable benefit to affected industries before it was repealed at the insistence of the State Department and the White House, I have continually warned that protection of basic industry is vital to national security and economic welfare. I reiterate that the American steel industry is urgently in need of relief from the battering to which it has been subjected by the products of countries whose wages and standards of living are far below our own. I believe that I speak for all the people in my district, yes, and for all the people in the country, when I tell you that we are willing to have the standard of living and the wages of all other countries raised to our standards. But we will never permit our wages and standards to be lowered to theirs.

We need a bill for steel, but we cannot stop there. There's too much at stake in other industries large and small. American industry and labor look to this committee for the answer to a problem that becomes more critical by the day.

SENSE ABOUT THE CENSUS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. OLSEN] is recognized for 60 minutes.

Mr. OLSEN. Mr. Speaker, the time has come, in fact it is overdue, for someone to speak up and set forth the facts about the 1970 Censuses of Population and Housing. For some time now, we have been hearing and reading too much misinformation, distortion, and exaggeration about these censuses, and I cannot in good conscience let these distortions stand.

As a member of the Subcommittee on Census and Statistics for 8 years, I have had a unique opportunity to study at firsthand the work of the Census Bureau, so I feel I can speak with knowledgeable authority. It is a professional agency of the U.S. Government that is recognized throughout the world as having the most advanced statistical techniques. In fact, the U.S. Bureau of the Census has, in part, become an international university for training in the techniques of census and survey taking, with 1,300 nationals from 90 foreign countries having been trained by the Bureau in the last 22 years. Supplementing this effort, the Census Bureau, at the request of the governments concerned, has sent 300 of its technicians to 70 foreign countries to assist them in the development of their statistical programs. In addition, hundreds of nationals from practically every country in the world have visited the Bureau for consultations, conferences, and seminars.

I am proud to be a member of this great legislative body which has given bipartisan support to the censuses throughout the history of our Nation, making it possible for the U.S. Bureau of the Census to develop the most advanced statistical programs in the world.

But all of their scientific competence would be of questionable practical application were it not matched with equal concern in dealing with people. Census employees visit homes, businesses, and industries and it is because of the confidence the Census Bureau enjoys among our peoples, as much as its expertise in statistical and computer science, that the Census Bureau is able to collect and process quickly the facts we need to have about ourselves: our social and economic characteristics, the houses we live in, the State and local governments that protect us, the industries that employ us, the businesses that serve us—facts that make possible intelligent decisions not only by the Congress and the administration, but by our State and local governments, our businesses, and our industries.

So it is with amazement that I hear voices raised objecting to vital aspects of the 1970 Decennial Census as it is proposed to be conducted by the Bureau. These voices are crying out that the census is unduly coercive, an invasion of privacy, burdened with nonessential questions, and that results will be chaotic if the census bureaucrats are allowed to continue their nefarious scheming.

What, specifically, is it that is worrying these people? For one thing, they say that many of the questions have no relation to the constitutional purpose of the census, and that the number and personal nature of such inquiries have increased almost unnoticed and unobstructed.

CONGRESS BROADENED SCOPE OF CENSUS

Let us review a little history here. From the very beginning, the census was not confined to merely a count of the number of persons. The very First Congress decided not to limit the 1790 census to the bare essentials needed for apportionment stipulated in the Constitution. Here is what the U.S. marshals were instructed by the Congress to do:

> ". . . to cause the number of inhabitants within their respective districts to be taken; omitting in such enumeration Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all others; distinguishing also the sexes and colours of persons, and the free males sixteen years and upward from those under that age . . ."

The additional information was desired for the purpose of ascertaining the military strength of the country.

So it was the value of the census machinery as a means of obtaining essential and accurate information about the Nation beyond the purpose set forth in the Constitution was recognized by the First Congress. And it was the subsequent Congresses, working with distinguished leaders of the various administrations, that further expanded and modified the scope of the census to meet the growing and changing needs of the Nation. James Madison, Thomas Jefferson, John Quincy Adams, and Martin Van Buren were among those instrumental in expanding the scope of the early censuses.

The Congress enacted a separate authorization for each census up to 1930, before turning the authority for determining questions and procedures over to the Census Bureau. The Census Bureau has not, since that time, gone beyond the precedents established by the Congress; on the contrary, in spite of the greater needs of modern society for statistical data, they have succeeded, by judicious pruning and the use of sampling, in making the census trimmer, easier, and better.

In looking over the lists of questions asked in early censuses, I find in the census of 1820 the first indication of the need to know characteristics of the population other than age, sex, free or slave. In that census Congress asked whether each person was engaged in agriculture, commerce, or manufactures, and, if foreign born, whether naturalized.

A decade later came the first recognition of health and social problems. At every household, the census taker asked if there were persons who were deaf, dumb, or blind. Then in 1840, Congress became concerned with mental illness, and the crude question: "Is there anyone living here who is insane or idiotic?" was asked of every household. That question remained in the census questionnaire each decade through 1890, by specific direction of the Congress.

It was in 1840 that the first questions about education were asked. How many people over 20 could read or write? How many schools were there, and how many scholars?

In 1850, the first attempt was made to gather information about wealth. Each free person was asked the value of his real estate. In 1860, he was asked the same question and also the value of all other wealth.

By 1880, the number of questions had not only skyrocketed, but pried into the individual's history and condition to an unprecedented degree. Here are some of the questions asked in that census of 1880: of the insane, "Is this person kept in a cell or other apartment under lock and key?", "Is this person restrained by a strap, strait jacket, etc.?"; of idiots, "Is this person self-supporting?", "What is the size of his head (large, small, or natural)?"; of homeless children, "Is this child illegitimate?", "Has origin of this child been respectable?"; of prisoners, "Alleged offense?", "Awaiting trial, execution, etc.?"; of paupers, "Able bodied, intemperate, epileptic?"

By 1890, a further increase in such questions made the census schedule of that year the longest and most searching of all time. These census questionnaires, I repeat, were devised by the Congress.

CONGRESS ESTABLISHED CENSUS OFFICE

By the beginning of the 20th century our population had increased to 76 million and we had grown into a highly industrialized Nation. Our railroads stretched from coast to coast. Our foreign commerce encircled the globe. We had extended our protective arm across the oceans to the Philippines and to Cuba. We were a leading world power with all the complex problems such a role entailed.

The need for the Congress to legislate wisely for such a large, sprawling, and complex Nation had become increasingly demanding, Also, the collection, processing, and analysis of statistical data was beginning to evolve into a specialized science. So it was that in 1902, the Congress set up a permanent office which became the Bureau of the Census, and which later was made a part of the Department of Commerce.

In the 1929 act authorizing the fifteenth and subsequent decennial censuses, the Congress gave final responsibility for initiating census plans to the Secretary of Commerce and the Bureau of the Census acting for him. The Congress recognized the necessity of placing the planning of census work in the hands of professional statisticians because of the increasing size and complexity of the demand for statistical information and the scientific and technological nature of the developments that provided means to cope with the demand. But the Congress has continued to play an important role in reviewing, authorizing, and funding the programs presented to it. Since 1959, legislative and general review responsibility in the House has been assigned to the Subcommittee on Census and Statistics of the Committee on Post Office and Civil Service. In addition to legislative committee review, the Census Bureau must justify its proposed plans for a census to House and Senate Appropriations Committees before funds are made available to take it.

I should like to say right here that I wish every one of my colleagues could serve a term on the Census Subcommittee to become enlightened about the work of the Census Bureau. They would soon see how unwarranted and ill-conceived are the attacks against this vital agency of Government. There is no basis whatsoever for the allegation that the number and personal nature of questions have increased unnoticed and unobstructed, or for the implication that questions other than those for a simple head count have been newly and improperly added.

The First Congress established the precedent for using the decennial census as a means of obtaining facts about the people in order to legislate intelligently. The Congress itself determined the scope of each of the first 15 decennial censuses, and the Congress reviewed the plans for the 16th, 17th, and 18th censuses and found them to be in accord with its own established precedents.

Every question that finally winds up on the census schedule has competed with many others that did not survive the intensive and extensive scrutiny all underwent. Even the questions that were in the previous census are reexamined for their usefulness and some dropped. Census questions are based on established and proved official needs. Only those which would supply information most urgently needed survive the sifting process and appear on the census.

MANDATORY RESPONSE OLD AS CENSUS

Let us take up another misconception; namely, that voluntary response to questions would bring as good, if not better, cooperation from the public than mandatory response and that mandatory inquiries are a new invention of the bureaucratic mischiefmakers.

It has been proposed that the census law require individuals to answer only a few specified questions: name, age, sex, race, or color, relationship to head of household, and marital status. Any other questions could be answered or not, as the individual wished.

Could anyone be so naive as to actually believe that if people were merely invited to answer every question, rather than informed they must, that everyone would do so? If anyone really does believe this, I can only shake my head in wonder at his ignorance of human nature. I could envision a census in which only partisans of the then-current administration would fully cooperate and others would not.

The First Congress, in its wisdom, decided that response to the census questions should be a public duty. On March 1, 1790, the Congress adopted an act providing for the enumeration of the inhabitants of the United States. Section 6 of that act reads:

> And be it further enacted, That each and every person more than sixteen years of age, whether heads of families or not, belonging to any family within any division of a district made or established within the United States, shall be and hereby is, obliged to render to such assistant of the division, a true account, if required, to the best of his or her knowledge, of all and every person belonging to such family respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered by such asistant, the one-half for his own use, and other half for the use of the United States.

In 1850, and again in 1880, the original law was strengthened, and penalties have been included in every subsequent repassage and codification of census law.

The requirement that all census questions must be answered goes back to the first census. It has been incorporated into every census act which has been passed since that time, and applies not only to the censuses of population and housing, but also to the censuses of business, manufacturers, mineral indutries, transportation, and agriculture, and to many major surveys as well.

The record of the intent of the Congress that mandatory reporting on all questions is required for the Nation's basic statistical programs is repeated and clear. All other nations of the world recognize the same necessity and require mandatory reporting by their inhabitants in their national censuses. It is inconceivable that the success of such a basic and necessary operation should be jeopardized by ignoring the plain facts of life.

The Census Bureau has never been interested in punishment of nonrespondents. In connection with the most recent Decennial Census only two persons—out of 180 million—were cited for willfully failing to comply with the law. They were subjected to a fine, and both verdicts were upheld on appeal.

The mandatory provision in the census law underscores the importance of the census. It is a key ingredient in enabling the Census Bureau to conduct a successful census as long experience shows, because, although resort to actual penalties has been extremely rare, the existence of the provision has opened many doors which would otherwise remain closed. There are always some respondents who have made their response conditional on the existence of the mandatory requirement or have been reluctant to provide answers until assured that they were required by law to do so.

In addition, to the millions of citizens who are not adverse to answering but who simply would not get around to it, the fact that there is a legal requirement to report has effectively proclaimed the official and essential status of the census and the need for their cooperation.

Each individual is assured by means of this mandatory provision that he is important to the census, that it would not be a success without his help.

Before I leave this subject, I feel I must mention briefly a survey taken of private market research organizations by an advocate of voluntary response to census questions. In itself it was a poor example of a statistical survey designed to gather objective data. The two questions asked were so worded as to solicit affirmative replies and to make negative replies a confession of inadequacy.

The gist of the first question was whether or not voluntary response works in private market research, whether "a high response is received yielding meaningful results based on the willingness of respondents to cooperate?"

The replies reported from this question, affirming the principle of volunteerism, are meaningless. Of course, private research firms are reluctant to criticize the volunteer method. It is the only method they can use. Further, the replies themselves are subject to a wide range of interpretation. "A high response yielding meaningful results" in a survey, say of brand preferences, could be construed to be a level of response that would be totally inadequate to meet the official needs of a census.

Could we rely on a 50-percent response for our major census? That is the percentage of response this voluntary survey pulled even though it had the authority of a congressional inquiry behind it.

The second question of the survey asked whether private research firms could successfully contract some of the surveys now conducted by the Census Bureau. No answers have been made public. The conclusion is obvious.

I might add here that without the benchmarks from the complete census, most private research surveys would be of questionable value, if not useless.

There is no competent evidence to demonstrate that voluntary surveys can obtain the completeness and accuracy of data needed for the census. On the contrary, the experience of many seasoned and reputable survey firms and the Census Bureau itself shows that voluntary surveys at their best fall short of the census and are useful primarily for showing broad indications, not detailed area-by-area measures. Even the Census Bureau's current population survey, probably the best designed and most carefully administered voluntary population survey in the world, with the professional reputation of the Bureau behind it, falls short of the census in response rates.

NUMBERS GAME

A third allegation by those who oppose the planned 1970 census is that filling out the questionnaire would be an onerous burden on the public because of the great number of questions.

It must be that these people have difficulty in counting because all kinds of totals are being bandied about as to the number of questions included. I have read in various statements the figures 50, 67, 94, 100, 120, and so on.

I do not know what they are counting, maybe the checkboxes and circles providing alternative answers to questions. However, a question that is answerable by marking one of five circles is one question, not five.

The impression given by this numbers game is that every question must be answered for every person. This is not the case. For individuals in three out of every four households only five questions other than name will be asked, all easy to answer: relationship to head of household, sex, color or race, date of birth, and marital status.

For individuals in the sample—the fourth household in every four—there will be about two dozen additional questions, many of which apply only to certain groups of persons such as adults, job holders, and so forth, and can be skipped by the others.

The housing census questions are answered only once for each housing unit, not for each person, and many questions do not apply to every housing unit, and need to be answered only when applicable.

No one person could have such a unique combination of characteristics that an answer to every question would be required: he is either a child or an adult, male or female, employed or unemployed, and so forth. For the average person—including those who received the longer sample questionnaire—only 11 population census questions would have to be answered. This is about the same as the corresponding average for 1960, less than the averages for 1950 or 1940, and far less than for some of the earlier censuses.

As for the 1970 census of housing, the average number of questions to be answered per housing unit is 15, again representing no bureaucratic inflation over the level of previous censuses of housing. For the average family, there will be about the same number of housing items to be filled as in 1960 and 1950, and considerably less than there was in 1940. Questions on home equipment and appliances have been included in every census of housing by law of Congress.

According to field tests, it will take about 15 minutes for a typical family to answer the population and housing census questions asked of all households, and about another 30 minutes for a typical family in the sample to answer the additional sample questions. Is this an unreasonable request for the Government to make of its citizens once every 10 years?

The 1970 census questionnaires are not more burdensome or searching than those for 1960, and there is no evidence that they would produce a less complete census than in 1960, unless the public is deliberately influenced to be uncooperative.

The propaganda directed at the question on bathroom facilities in an effort to point up the impertinence of some census questions is a case in point. The fun that reporters and cartoonists have had with this question just goes to show what can happen when the facts are not checked. Taking on faith that the question is worded: "Do you share your shower?", they have concluded, and rightly, it is no business of anyone's that you do or do not shower with another.

If they had seen the census schedule, they would have learned that the question was misstated and misrepresented to them. The exact wording is:

> Do you have a bathtub or shower?
> ☐ Yes, for this household only.
> ☐ Yes, but shared with another household.
> ☐ No bathtub or shower.

The purpose is not to satisfy bureaucratic curiosity but to provide one of the best available indexes of housing quality. It is almost identical to the corresponding question included in the 1940, 1950, and 1960 censuses, and it yields very useful statistics for government housing programs.

ALL QUESTIONS ARE IMPORTANT

Critics of the 1970 census plans have supplied a wide choice of "improvements"; almost as many and as varied recommendations have been offered up as there are critics.

They would eliminate many of the questions; as many as one-half of the questions on population, and as many as three-fourths of the questions on housing. The critics would allow only a minimal number of questions, something under ten, on a 100-percent mandatory basis, and rule out many of the rest. For the few remaining, they would reduce the sample size below the limit of statistical usefulness, and complete the destruction by placing them on a voluntary, throw-away basis.

Omitting what the critics term nonessential questions, or relegating them to inadequately small samples, would result in chaos for the administration of many Federal programs. As an example of the dependence on census statistics by administrative agencies, here is what the Secretary of Agriculture says:

> The Department of Agriculture determines the eligibility of rural areas to receive loans, grants, and other benefits made available by the Area Redevelopment Act which provides that areas be made eligible which "are among the highest in numbers and percentages of low-income families, and in which there exists a condition of substantial and persistent unemployment or underemployment." It also specifies that the "number of low-income farm families be considered, as well as the extent of migration out of the area."
>
> The Manpower Development and Training Act of 1962 has specific provisions for unemployed and underemployed workers in low-income farm families. Basic figures on the occupational and educational characteristics of farm population are important to the furtherance of the objectives of this act.

And the Secretary of Housing and Urban Development has this to say about that Department's use of census statistics:

> There is at present no other source for the detailed information on housing characteristics and the correlation of these characteristics with population data outside the Bureau of Census. Hence the Federal Housing agencies draw heavily from census data and require applicants for Federal housing and community development aid to document their cases with census data.
>
> The most urgent statistical need for housing and community development planners and administrators is for data for small areas including census tracts and blocks. It would be undesirable to conduct a census of housing that failed to yield the information most needed by its major users.

Some critics of the 1970 plans, in the interest of reducing costs and burden, would defer some of the questions to a series of voluntary intercensal sample surveys and other questions to surveys conducted by State or local governments.

As for intercensal sample surveys, it is well known that they can serve useful purposes, but they cannot serve as a substitute for a census because they can provide only limited data for large geographic areas. Thus they would fail in their prime purpose—to meet the statistical needs of Federal and local governments for such areas as cities, counties, congressional districts, census tracts, city blocks. Nor would they provide the detail required for the Nation, States, and large metropolitan areas that the much larger 25-percent sample within the census can provide.

The truth is that when questions are dropped, or sample size reduced, in the national census and then covered in separate surveys or censuses, the usefulness of the data is severely reduced because there is no standardization and the data from the different surveys or censuses cannot be interrelated. Nor is there any "savings of millions of dollars." The real situation is that a series of sample surveys, of any adequacy at all, carried out separately from the census would cost considerably more than the all-in-one census and would, in addition, be far more burdensome to the public.

The census director of the State of Massachusetts, which is one of the two States that take a limited mid-decade population census, said in his testimony before the subcommittee during hearings on the Federal Mid-Decade Census:

> The method we use to take a census in Massachusetts, in my opinion, does not compare with the method which the Federal Government uses. The Federal Government is better equipped to conduct a census.

At the same hearings, the mayor of Durham, N.C., made this statement:

> The Federal Government has already recognized the national character of many of the problems which face local governments and the stake of the Nation in preserving vital municipal centers. Congress has wisely, we think, enacted housing legislation to stimulate new home construction, urban renewal, slum clearance, public housing, and residential conservation and rehabilitation. Federal laws now aid municipal governments in the fields of airport construction, hospital construction, community facilities planning and construction, sewage treatment, and other programs.
>
> There can be no doubt that prudent investments of vast sums of public money should be made with the best possible data in mind. Simple economics requires that we

build facilities which will serve their intended purpose for the maximum time. Adequate census data is the cornerstone of this effort.

CENSUS IS CONFIDENTIAL

And now I want to scotch the worry we have heard the loudest cries about—invasion of privacy.

It may not flatter you to know that the Census Bureau is not interested in you as an individual, but such is the case. Your name, address, and phone number are on the census form for your use and to enable the census taker to call back if necessary to complete the census. When the census form is returned to the Bureau, the information is put on computer tape, but your name, address, and phone number are omitted; thus, the data included in the files are wholly impersonal and unidentifiable.

Every employee of the Census Bureau, including temporary workers, must take the oath of confidentiality, and is subject to imprisonment and fine for violation of the oath. Penalties for disclosure are severe. There is no known case of any census employee violating his oath of confidentiality.

Your census report cannot be used for purposes of taxation, investigation, or regulation. The information may not be released to other Government agencies or to anyone else for any purpose whatsoever.

The copies of the census forms are kept under lock and key. The only person who can obtain the information about you is yourself or your designated legal representative. This census service has proved a lifesaver for millions of Americans who had lacked necessary vital documents. In the last 2 years about 1½ million persons turned to the Census Bureau, asking that a search be made in past census records to prove their age for social security or medicare benefits, their place of birth for citizenship, their family relationship for a rightful inheritance, and for other purposes.

I do not want anyone to misunderstand me. I am confident that the critics of the census are sincere in their concern about invasion of privacy. I am worried about it, too. It is something we should be concerned about. But the critics of the Census Bureau have the saddle on the wrong horse. Its reputation for the preservation of confidentiality, both in the letter and the spirit, is a byword.

The Congress has already expressed its concern in this area as regards the real violators of privacy: the credit bureaus, financial houses, employment agencies, lie detector operators, private investigators, psychological testers, who not only obtain the most personal information, but exchange it with other firms. This is where our efforts to protect the individual's privacy should be directed, not toward the Census Bureau, which maintains inviolate the privacy of the individual.

MAIL METHOD

With the mail-out mail-back method to be used to enumerate most of the population in 1970, the census gives even further protection to private information as most households will receive their census forms by mail to fill out in the privacy of their homes, and mail back to the Census Bureau.

This mail method is a logical extension of Census Bureau technology. It has been used for years to take the economic censuses and many other surveys. It was used to a limited extent in the 1950 population and housing census and more widely in the 1960 census. But it has never been used on the scale planned for 1970 simply because complete, reliable resident address lists were not previously available.

Some critics say, however, that this mail method spells nothing but trouble, and is just another reason why results of the census could be chaotic. They evidently have not heard about the testing that has taken place. The Census Bureau has been testing mail methods for the past 7 years. A series of population and housing censuses trying out questions, techniques, methods—in fact, every aspect of census taking—has been conducted in various kinds of areas ranging from small towns to large metropolises.

Experience has been gained and techniques polished in the successive tests, until now plans for the Nineteenth Decennial Census are in the final stage and are being tested in three "dress rehearsal" censuses planned this year: Sumter and Chesterfield Counties, S.C.; Dane County—Madison metropolitan area—Wis.; and Trenton, N.J.

As for respondent cooperation in the previous seven test censuses, results speak well for public acceptance. Altogether, upwards of 70 percent of the households returned their questionnaires. In the two largest areas the response rate was very high: 88 percent for the Louisville, Ky. metropolitan area—covering three counties; and 81 percent for the city of Cleveland, Ohio.

The Bureau knows there will always be some people who will be laggard, or whose educational level precludes their ability to answer the questions, or who are physically handicapped, such as the blind or the aged. Enumerators will call on those who do not return their questionnaires or who return incomplete ones. Experience has shown that often a telephone call will provide the missing information and save the cost of a personal visit.

The mail method will not be used in most rural areas and small urban communities in 1970 because address lists suitable for census purposes are unobtainable. Personal house-to-house enumeration will be used in these areas as in 1960.

TESTING THE METHOD

Critics also noted that there was a significant undercount of some groups in the 1960 census, and say that, after their perusal of the content and methodology planned for 1970, they can only conclude that there will be an even greater undercount.

But it was the Census Bureau itself that pointed out the problem and reported on the 1960 undercount and much of the Bureau's effort in preparing for the 1970 census has been directed toward finding means of enumerating these "lost Americans."

In several test censuses, particularly in that part of North Philadelphia, which is known locally as "The Jungle," much valuable experience was gained. Also, the Census Bureau has had the advice and suggestions of sociologists, welfare workers, minority group leaders, and others. Some of their suggestions have been tried and found helpful.

Now, if these critics who seem to be bubbling over with new ideas for taking censuses, would come up with some effective ways to gain the trust of persons who fear being counted because they are wanted by the law, or because they are living in a household where the welfare agency believes no man is present, or who are militantly antagonistic toward the Government, they would make a constructive rather than a destructive contribution to the census.

The Bureau knows there is no simple way to reach these people. But through trial and error, and through the help of public-spirited residents in these hard-to-enumerate areas, the Bureau is making progress in finding ways to obtain their cooperation.

The Census Bureau is continuously searching for the best, most lucid wording of questions so that they can be readily understood by persons of limited education. Efforts are being made also to provide special assistance to the innercity residents. However, in these areas, the final completeness and accuracy of the census does not depend upon the initial mail response, but upon the intensive followup made by trained field workers. Savings in personnel requirements through the use of the mail in easy-to-enumerate areas will enable the Bureau to concentrate canvassing activities in difficult areas to an even greater extent than ever before.

The questions, techniques, and procedures planned for the 1970 census have gone through a long and comprehensive period of testing and review. No question is on the schedule unless the information it will supply is needed and requested by the Government. The fact that the information is also useful to the private sector is an added benefit, and since it is taxpayers' money that pays for the collecting and processing, the Government should make the information available to anyone who can make use of it. But no question appears on the schedule simply because it serves the interests of non-Government users alone.

This is something I want to underscore. Through the years, the Census Bureau has strongly and effectively resisted the addition of questions where the needs and uses—nationwide not local or special—have not been amply demonstrated and proved.

COOPERATION IS GOOD CITIZENSHIP

A Presidential proclamation issued at the time of the 1960 census sets forth the purpose of the census and the uses to be made of the information. It said, in part:

> The sole purpose of the Census is to secure general statistical information regarding the population, its characteristics and its homes. Replies are required from individuals only to enable the compilation of such general statistics. No person can be harmed in any way by furnishing the information required.
>
> Life and liberty in a free country entail a variety of cooperative actions for the com-

mon good. The prompt, complete, and accurate answering of all official inquiries made by Census officials should be regarded as one of the requirements of good citizenship.

This statement applies equally to the 1970 census. I am appending a list of the questions planned for inclusion in the 1970 census. With each question is an explanation of the need for the data which answers to that question will provide.

The 1970 census will count as many as 210 million persons and 70 million housing units, the biggest decennial census of all time. It is the Nation's basic statistical program from which most of our knowledge about the population and their housing must come. The Census Bureau needs the confidence and the support of all of us in order to make it a success, and all valid evidence indicates that it will be a success. It would be catastrophic if misguided anticensus and antistatistics propaganda reduces the fine cooperation this Nation has historically given its census takers.

I know only too well how little time we in the Congress have to give to research; with so many demands made upon us, it is impossible for us personally or our staffs to dig out all the facts about every cause before committing ourselves to it. As a result, we are vulnerable to being misled by misinformation, no matter how well meant.

It is for this reason that I have searched out the facts about the census and made an effort here to answer those who appear to find so much wrong with it. I hope my words will be taken in the light in which they were offered—a sincere and honest attempt to look objectively and with a broad view at the 1970 census plans.

As useful as census statistics have been in the past, all indications are that they will become even more vital in the future. America's social and economic problems are going to confront us with more and more urgency in the years ahead. We dare not create havoc in our planned census programs. America would lose in the end.

We have a simple choice: knowledge or ignorance. Experience has long since shown that it costs too much to know too little.

The material mentioned above follows:

NEED FOR ITEMS ON THE CENSUS SCHEDULE

POPULATION ITEMS

Relationship to head of household (100 percent)

Collected in each census since 1880. This information provides the basis for classifying the population into families and other residential groupings, and for characterizing families in terms of their structure and composition. It is fundamental to all statistics showing characteristics of the family and basic to the consideration of social and economic problems which affect the family as a group. Much of the recent discussion about the association between the "broken" home and poverty is based on the information about family structure collected in the census.

Color or race (100 percent)

Collected in each census since 1790. Information about the racial composition of the population is of fundamental importance in analyzing the data on families, school enrollment, fertility, and economic activity. All of these data become much more meaningful for the planning, administration and evaluation of programs and for demographic, economic, and sociological analyses when they are classified by race. Objective information on the numbers, location, and characteristics of persons identified with the several racial groups is essential to the Government, as well as to agencies which are concerned with ameliorating the conditions of Negroes, Indians and other ethnic groups.

Age and sex (100 percent)

Collected in each census since 1790. Most social and economic characteristics of the population—family relationship, school attendance, labor force participation, occupation and income are closely related to age and sex. Thus, in any comparison of relative social and economic status among various segments of the population, a knowledge of the age and sex composition is essential. For some subjects such as labor force, unemployment and school enrollment, the figures are meaningful only for persons in selected age groups. The age data are also directly used for planning major government programs in health, education, and social security.

Marital status (100 percent)

Collected in each census since 1880. This question shows whether an adult has married and, if so, whether he is still married or has become separated, divorced, or widowed. The data are used by research workers in Federal agencies and elsewhere to analyze such subjects as the number of single men subject to military draft, dependency involving widowhood and orphanhood, employment of wives and mothers, and the level of fertility.

State or country of birth (25 percent)

Collected in each census since 1850. The information on State of birth is useful in measuring the streams of internal migration from certain regions of the country to other regions, for example, Negroes from the South to the big cities of the North and West.

The Government finds information on country of birth essential in formulating immigration policy and in considering immigration laws. The information is also used by organizations concerned with the welfare of various ethnic groups and provides a measure of assimilation when the population, classified by nativity and country of origin, is tabulated by such characteristics as fertility, education or occupation.

Years of school completed (25 percent)

Collected in each census since 1940. The educational level of the population is an important measure of the quality of the manpower pool. Federal, State and local agencies concerned with manpower training and development need this information as the starting point in all program planning. Education exerts a major influence in the social and economic condition of the individual. It also indicates the output of the educational system. Statistics on almost every item in the census are tabulated by education (as well as age, color and sex) because of the light these cross-classifications throw on the relationship between successful completion of various levels of schooling and eventual success in other types of life adjustment.

Number of children ever born (25 percent)

Collected in each census since 1890 (except 1920 and 1930). This item is the only source of census data on the entire number of children a family has had, including any who may have already left home or died. Statistics on children ever born are unique in providing significant information on the current and future trends of population growth through births and how the composition of the population is changing through differences in fertility of various population groups. Such data are needed for projecting the age of the future population. In turn, these projections are needed by Federal, State, and local governments and private industry for the planning of various short and long range projects.

Activity 5 years ago (25 percent)

This is a new item in the census. Respondents will be asked what they were doing 5 years ago—were they in the Armed Forces, working at a civilian job, going to college, keeping house, or performing some other activity. A sample of those who report that they were working 5 years ago will be asked to state the occupation and industry in which they were employed. This information is needed to aid in developing programs for manpower development and will be of considerable value to guidance counsellors.

One major purpose of these questions is to measure employment and job mobility in somewhat the same fashion as geographic mobility (i.e., place of residence 5 years prior to the census). The aim is to obtain information on individual (or gross) changes, in contrast to the standard data which provide measures of net changes between two censuses. The question would also be highly useful in distinguishing streams of migration based on movement into and out of the Armed Forces, to and from college, and into and out of the labor force.

Employment status and hours worked—Weeks worked last year—Last year in which worked (25 percent)

Although elements of this subject were collected as early as 1820 in the census, the forerunner of the group of questions as they appear today began with the 1880 Census. The census is the only source that provides data on employment, unemployment, hours worked, weeks worked, and other work activity characteristics for States, cities, and counties. These data are extensively used in developing and administering manpower training, welfare, education, and other government programs both on a national and local level. The data are widely used in State and local market analyses in determining the manpower resources and skills available in an area. The census data provide a much more detailed and comprehensive description of the Nation's work force and its labor reserve than is possible in the monthly data on the labor force.

Occupation, industry and class of worker (25 percent)

Information on type of work has been collected in each census since 1840. The census is the only source providing data that includes all economically active persons, including such groups as self-employed, unpaid family workers, and private household workers. For States and local areas, tabulations by detailed occupation provides the only information we have on the occupational skills of the labor force. These data are used to formulate economic development programs, to provide data to government and private firms in locating facilities and new plants, as well as for the various manpower programs. The detailed listings of industry and occupation tabulated by other demographic and economic characteristics such as education and income are used in planning manpower training and utilization programs.

Income (25 percent)

Collected in each census since 1940. Several Federal programs are now based directly on the income levels of specific areas as measured in the census. For example, under the Economic Opportunity Act of 1964, and the Elementary and Secondary Education Act of 1965, Federal funds are distributed to States and counties in accordance with formulae that include census income as a basic element. Census income information (earnings and income other than earnings) is the only source which provides income size distribution data for small areas and the only source which relates such data to social and economic characteristics such as residence, sex, color, education, family type, employment status, industry, occupation, type of income received and others. It is one of the best indicators of the economic welfare of the population. This information is used widely by businessmen to conduct marketing studies, city planners to formulate urban development and transportation plans, government officials to develop social programs for low income families, and economists to construct State and regional development plans. The expansion in income detail for the 1970 Census is designed to provide new information on, for example, levels and patterns of income of farmers and the composition and characteristics of families receiving public assistance payments.

Country of birth of parents (20 percent)

Collected in each census since 1870. This provides the basis for identifying the national origins of second generation Americans, i.e., persons who were born in the United States, but whose parents were born abroad. By comparing the social and economic characteristics of first and second generation Americans within each national origin group we can measure the progress that is being made by each group. This information was published for census tracts in 1960 and has been widely used to identify areas which are loosely called Irish, Polish, German, etc. The progress which second generation immigrants make in adjusting to American life is a matter of direct concern to many governmental agencies. Some groups have been more successful than others in making such adjustments. Communities with large numbers of first and second generation immigrants may have special problems in relation to schools, welfare programs, and the provision of other public services to these groups.

Mother tongue (20 percent)

Collected in each census since 1910 (except 1950). The primary use of these data will be to identify the Mexican-American, Puerto Rican, and other Spanish speaking groups in the population. Such information is especially needed in relation to education programs, including adult and other special educational activities.

Data on mother tongue will also make possible the identification of such bilingual groups as the French-speaking in New England and Louisiana, the German-speaking in the midwest, the Czech in Texas, etc.

The mother tongue data will also provide a rough approximation of the national origin of the population.

Year moved into this house—Place of residence 5 years ago (20 percent)

Data on year moved into house were collected for the first time in 1960. Data on past residence were collected in each census since 1940. Differences in growth rates of various sections of the country are in large part a function of migration. This is not only a matter of numbers, but primarily a matter of changing characteristics; witness the present concern with the effects of migration from rural to urban areas. Data on migration serve to explain differential rates of growth, and their social and economic impact in various parts of the country. The figures are particularly useful in projecting the future geographic distribution of the Nation's population by age, color and other characteristics. The figures for short-distance movers are used to study the rapid suburbanization in our metropolitan areas and to identify high turnover areas in the big cities. A knowledge of the number and characteristics of migrants, especially those into our large cities, is essential to programs for the improvement of large cities. The recently announced programs for the improvement of life in rural areas and the reduction of migration from such areas require information on the areas of outmigration and the number and characteristics of the outmigrants.

School or college enrollment (20 percent)

Collected in each census since 1850. Education has become a vast enterprise, involving about 30 percent of the population as students and accounting for 40 percent of State and local government expenditures. Furthermore, education is a major ingredient in many plans to improve the skills and performance of members of our society. The census question provides enrollment rates and a basis for analyzing the characteristics of dropouts. These items of information are essential for planning educational programs and assessing educational conditions in specific geographic areas and among different groups of people. Nursery school enrollment is now included because of the Federal support given this level in the Headstart program.

Veteran status (20 percent)

Collected in 1840, 1890, and 1910, and each census since 1930. The Veterans Administration has information about the veterans with whom it is in touch, but it needs the information from the census because it has no direct contact with many veterans. The number of veterans of various wars, and their age, provides information which that administration needs to plan its program. Moreover, information about the educational, occupational, and economic level of veterans in relation to other persons is used by the Veterans Administration and by other governmental agencies and the Congress in evaluating programs for the benefit of veterans.

Place of work—Means of transportation to work (20 percent)

Questions on these subjects were asked for the first time in the census of 1960. In that census the classification of work place was limited to cities of 50.000 or more, the balance of counties containing cities of 50,000 or more, and the counties in which there was no such place. At present, the Bureau is examining the possibility of expanding this classification so that information on work place can be obtained by traffic zones, census tracts, and the like in metropolitan areas. This information would be extremely useful to persons planning highway construction and to urban planners generally. This information will aid in developing estimates of the daytime population of various areas which are particularly needed by the Office of Civil Defense. The information on extent of commuting between various areas is also used to define the very widely used Standard Metropolitan Statistical Areas.

Occupation—Industry 5 years ago (5 percent)

This is a new item. Addition of this item would allow us to gain an understanding of the dynamics of manpower allocation and economic opportunity. For the first time analysts could compute meaningful outmigration rates by socioeconomic status and function in the labor force. For depressed areas, such information would be invaluable in delineating the "push" in migration; for growing areas, in measuring the "pull" and identifying the sources of recruitment. Across the board, this kind of data would give important insight into the actual efficiency of migration as a means of facilitating occupational mobility. This item would also permit analysis of gross as well as net changes in the employment situation of specified population groups such as Negroes, older persons, women, etc. Manpower programs need information on the extent to which workers have moved from lower-paying to better-paying jobs, or vice versa, and also what is happening to persons who leave slow-growing or declining industries.

Citizenship (5 percent)

A question on citizenship was included in 1820, 1830, and 1870, and each census from 1890 to 1950. Since over 5 million immigrants have come to the United States in a 20-year interval, there is need for basic data on citizenship and the characteristic of aliens.

Information on citizens is useful in the measurement of the extent which people entitled to vote actually do so and of the assimilation of various categories of the foreign born by naturalization.

Year of immigration (5 percent)

A question on year of immigration was included in each census from 1890 to 1930. It permits the classification of the foreign born as long-term residents or recent arrivals. Those concerned with immigration legislation may evaluate the effect of previous legislation by comparing the characteristics of immigration before and after the law became effective. There is now particular interest in the effect of the labor force provision in the Immigration Act of 1965.

Marital history (5 percent)

Data on whether married more than once have been collected in each census since 1940; data on duration of marriage have been collected in each census since 1900 (except 1920). These data are used in studying permanence of marriage and in measuring the effect that the changing marriage age has on household formation and on the birth rate. Statistics derived from these questions are used to measure the relation between early marriage and the eventual disruption of marriage and to measure the extent to which changes in the fertility of women may be ascribed to changes in age at marriage and permanence of marriage. The newly-added question on how the first marriage of remarried persons was terminated will provide information on persons who have ever been widowed or ever divorced, orphans, children of diverce, and frequency of remarriage of widowed and divorced persons.

Vocational training completed (5 percent)

This is a new item in the census. This information is needed to assist the Federal, State and local government agencies in locating new vocational training facilities and assessing the potential market for various training programs. A comparison of the incomes and work experience of persons with and without vocational training, for specific occupations, will provide a rough measure of the financial return from an investment in vocational training.

Presence and duration of disability (5 percent)

Some questions on disability were asked in each census from 1830–1890 and one on duration of disability was asked in 1890. Questions on this subject will show whether the person has a serious health condition which limits the amount or kind of work he can do, and how long it has lasted. The data will meet an urgent need by government and volunteer agencies for a factual basis on which to make an efficient allocation of billions of dollars annually for the assistance of disabled persons.

HOUSING ITEMS

Telephone (100 percent)

First collected in 1960. This item is collected as an aid to enumeration, so that in many cases the followup interviews can obtain information needed for completing a schedule, resolving inconsistencies, etc., by a telephone call rather than a personal call. Its tabulation as a statistic is therefore a by-product. The item is used as an indicator of the level of living.

Access to unit (100 percent)

First collected in 1960. Whether a particular living quarters constitutes a separate housing unit, depends, for the most part, on whether it has separate and independent access and complete kitchen facilities. Identification of the mode of access therefore is of fundamental importance in determining how many housing units there are in the United States.

Complete kitchen facilities (100 percent)

New item in 1970. Complete kitchen facilities are defined as including a range or stove, a mechanical refrigerator and a sink connected to piped water. This question is used as a component, together with mode of access, in defining a separate housing unit. The availability of complete kitchen facilities for the exclusive use of the occupants is also one of the six items which will be used to evaluate the quality of the housing inventory.[1]

Rooms (100 percent)

Collected in each census since 1940. The number of rooms in the unit provides the only basis for estimating the amount of available living space in the housing unit. This item, together with *number of persons*, provides a *persons per room* ratio which is used as a measure of crowding.

Water supply—flush toilet—bathtub or shower (100 percent)

Collected in each census since 1940. The presence of these basic plumbing needs[1] is the most significant indicator of housing quality. The items are used in combination with heating equipment, complete kitchen facilities and rent or value to provide a comprehensive measure of quality.

Basement (100 percent)

First collected in 1960. The item is used for emergency planning by the Office of Civil Defense, which uses the data in developing shelter programs.

Heating equipment (100 percent)

Collected in each census since 1940. This item is one of the six criteria to be used in evaluating the quality of a housing unit.[1]

Tenure (100 percent)

First collected in 1890. Information on tenure gives a measure of the extent to which the goal of widespread homeownership is achieved. Agencies concerned with housing need to know also the characteristics of households which own their homes and those which rent. Data on owners and renters are used by builders, mortgage lenders, and national and local agencies in the planning of long-range housing programs.

Commercial establishment of property (100 percent)

Collected in each census since 1940. The question is used to exclude properties with a business establishment from the value data on single-family homes.

Value (100 percent)

Collected in each census since 1930. Value is not only a measure of the level of living, but over a period of time is a measure of the appreciation (or depreciation) of the homeowner inventory. In the aggregate, value of homes is an important component of national wealth. The census is the only source of data with respect to current market value, as distinguished from construction cost or purchase price. "Value" is one of the six criteria to be used in evaluating the quality of a housing unit.[1]

Contract rent (100 percent)

Collected in each census since 1930. Rent, like value, is a measure of the level of living and changes in the price of housing over the decades. It is an important characteristic of the rental housing inventory, particularly to those who analyze the rental housing market and predict demand for such housing.

Contract rent is one of the six criteria to be used in evaluating the quality of a housing unit.[1]

Vacancy status (100 percent)

Collected in each census since 1940. Vacancy status provides a count of the vacant housing inventory and the type of vacancies—the amount of vacancies that are on the market for rent or for sale, those that are for seasonal use and those that are not on the market. The information on the supply of vacancies is used by the Nation's builders, lenders and Federal and local agencies for analyzing the supply and demand for housing.

Months vacant (100 percent)

First collected in 1960. The data are used by national and local builders, mortgage lenders, and housing agencies to estimate the amount of activity in the housing market, and to measure how quickly the vacant inventory is being utilized. This item, when cross-tabulated by selected characteristics of vacant units, is particularly useful in interpreting patterns and changes in local housing markets by indicating which types of units remain vacant longer, such as units with high or low values and rents, the older or newer units, etc.

Components of gross rent (25 percent)

Collected in each census since 1940. Gross rent is the sum of contract rent plus the additional cost, if any, to the renter for electricity, gas, water, and fuels. Gross rent or total shelter cost, therefore, makes all rents comparable. Gross rent as a percent of income shows the relationship between housing costs and income for various income groups within our population.

Year structure built (25 percent)

Collected in each census since 1940. Cross-classifications of this item with other housing characteristics show the difference between housing built in recent decades as compared with that built earlier. Information about the age of our housing is also useful in assessing replacement needs. By comparing the age distributions of housing units in successive censuses, it is possible to measure the impact of new units and the disappearance of old units on the inventory. With the growing concern of Federal and municipal governments for the improvement of the available housing, information on the age of existing housing, and the proportion of relatively new housing in the total inventory is of prime importance.

Number of units in structure and whether a trailer (25 percent)

Number of units in structure was collected in each census since 1940. This item tells how many households live in one-family homes, or in two-family or other various sizes of apartment structures. It helps in planning the extension of utility lines, estimating automobile parking and traffic flow requirements, school, and playground and shopping center needs. This item, when cross-tabulated with other items such as income, household composition, rent, etc., describes the differences in the social and economic character of the people who live in one-family homes or in large or small apartment houses in various parts of a city.

Trailers were included in each census since 1950. Mobile homes have comprised a steadily increasing proportion of new one-family housing unit structures over the past few years. In 1966 they accounted for approximately 20 percent of such units. Information about the numbers of trailers (and mobile homes), their location, and about the people who live in them is important in estimating housing needs, and space and facilities requirements, and in assessing school and other public service requirements in a community.

Farm residence (25 percent)

Collected in each census since 1890. Information on acreage and sales of farm products is used to classify the Nation's population and its housing inventory by farm-nonfarm residence in rural territory. Data provided by the farm-nonfarm classification are widely used by many private and government agencies. They are used particularly by the Agriculture, and Housing and Urban Development Departments for the planning and implementation of their programs.

Source of water—Sewage disposal (20 percent)

First collected in 1960. Both of these items were included at the request of public health officials, for their bearing on problems of water-borne disease and of pollution. They are also useful to State and local public works officials in estimating prospective need for greater facilities (purification, treatment, distribution, etc.) and for new construction, such as extension of sewers. They are also important when cross-tabulated with other items such as washing machine or dishwasher to show the potential overloading of facilities.

Bathrooms (20 percent)

First collected in 1960. This item provides a measure of the number of complete and partial bathrooms. It is important to both the Federal Government and private organizations in measuring the quality of the housing units which have the minimum essentials.

Air conditioning (20 percent)

First collected in 1960. Air conditioning has become a fairly common feature of housing, so that it is an indicator of the level of living and power consumption. The distribution of water-cooled systems is important to studies of water usage.

Automobiles (20 percent)

First collected in 1960. This item was adopted for the 1960 Census of Housing at the urgent request of numerous planning groups for use in highway planning, thruway planning, other traffic planning, parking planning, and related uses. Increased congestion makes this item even more important for 1970.

Stories, elevator in structure (5 percent)

First collected in 1960. This item measures the extent to which the housing inventory includes walk-up apartments and also makes it possible to distinguish between multi-unit structures which are of the high-rise type and those that are of the garden-apartment type. This item is used by local agencies in the establishment of modification of zoning codes and regulations.

Fuel—heating, cooking, water heating (5 percent)

Data on fuel used for heating and cooking have been collected in each census since 1940; data on fuel used for heating water were first collected in 1960. Data about domestic fuels are important for air pollution control activities, in public and industry studies of additional facilities needed (such as for natural gas transmission or long-distance electricity transmission), and are a measure of the level of living. The extent to which electricity is used for high-load purposes such as heating is distinctly important in planning for the availability of an adequate supply of power.

Bedrooms (5 percent)

First collected in 1960. Data on number of bedrooms are used to measure the adequacy of sleeping space. Data on bedrooms cross-classified with figures on rent and value provide a standardized basis for evaluating the cost of shelter. The item is also used to provide an alternative indicator of crowding, and, hence, of the level of living. For some purposes the number of bedrooms provides a more useful measure of the adequacy of housing than is given by number of rooms, especially in structures where living, dining, and kitchen space may not be clearly separated into rooms. The number of bedrooms in relation to family size gives local housing authorities important information on the adequacy of the local housing supply.

---

[1] Information about the quality of the Nation's housing for areas as small as city blocks is used by the Department of Housing and Urban Development (HUD) and by local planning and urban renewal officials to delineate areas for their housing programs. The six items are: water supply, toilet, and bathtub or shower, complete kitchen facilities, heating equipment, and rent or value.

Second home (5 percent)

New item in 1970. "Second" or "vacation" homes are becoming an increasingly large part of the housing inventory. Second homes are of a great variety ranging from rustic cabins to high-rise condominiums. The data are needed by Federal agencies, the Nation's home builders, and financial institutions to determine the effect of this incremental housing demand on planning and program requirements.

Clothes washing machine[2]*—Clothes dryer*[2]*—Dishwasher*[3] *(5 percent)*

These appliances indicate levels of living. In addition, information on these items shows the need for water and sewerage facilities and provides the data needed for the efficient planning of new utility lines and the modernization of existing facilities.

Home food freezer (5 percent)

First collected in 1960. This is descriptive of the level of living. Urban food freezers are related to the frequency and size of food purchases, and to the types of dealers from which the purchases are made, and thus are related to distribution channels and distribution costs for farm products and other foods. Data on food freezers are used in food production studies by agricultural agencies, home economists, and the food processing industry.

Television[4]*—Radio*[5] *(5 percent)*

The question on the availability of a battery-operated radio provides information on the extent to which households can receive radio signals, particularly in disaster situations and during power failures. The inquiry on television sets is of particular concern to the FCC.

GUN CONTROL

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. **HALPERN**. Mr. Speaker, I am greatly distressed by, and strongly deplore, the failure of Congress to date to enact effective gun-control legislation. I appeal to those colleagues who have apprehensions about rigid regulatory legislation to reconsider—to reassess their position—and to agree to a broad, strong firearms control act as a potential vital tool for cracking down on crime, disorders, and violence.

I find it most regrettable that the bill proposed by the administration on June 10, which I joined in introducing in the House, was bottled up in the Judiciary Committee. This bill would have broadened the weak gun provision in the anticrime bill passed by Congress and now awaiting Presidential action. Tragically, the bill is now reposing in the Judiciary Committee where a tie vote last Wednesday of 16 to 16 stymied action on it. This bill was far superior to the limited provisions of title IV of H.R. 5037, the anticrime bill.

I am heartened that the committee is rescheduling action on the bill for Thursday and I fervently urge and plea with Members to not only report the bill, H.R. 17735, but to go even further. For, even this broadened administration bill does not go far enough. I feel the gut of any firearm legislation is the registration and licensing of weapons, and this should be an integral component of the legislation. And, I urge the committee to accept the provisions of the bill introduced in the Senate by the junior Senator from Maryland, Mr. TYDINGS, which I have sponsored in the House. This bill provides for mandatory registration of all firearms and would require a license for the purchase of firearms or ammunition.

Licenses would be denied to persons convicted of a felony, or a crime of violence, and to aliens, alcoholics, narcotics addicts, incompetents, and juveniles. The bill preempts State law, except in those cases where the State law is as strong as, or stronger than, Federal law.

While the administration bill bars the wanton mail-order trade in firearms and excludes the sale of weapons to juveniles and out-of-State residents; it does not meet the need for registration and licensing of weapons. This, to my mind, is the gut of any effective firearm legislation. It is an essential concomitant to any meaningful crackdown and regulation of traffic in firearms.

I think we should recognize the advantages that a register of weapons would bring about. Firearms would no longer be as easily lent or borrowed, and the ownership of weapons could be traced quickly and efficiently in cases where a weapon is the instrument for commission of a crime. To the would-be perpetrator of an act of violence, the knowledge that his weapon and his name are on record, that his firearm cannot easily be used criminally without implicating himself, would serve as something of a deterrent.

Why there should be any resistance to Federal registration on the part of responsible sportsmen and persons with a legitimate need for firearms is, indeed, beyond me. I find it impossible to comprehend the opposition of the National Rifle Association and its friends to the establishment of a system of Federal registration. I should think they would welcome responsible registration, and take pride in the fact that their members are of such character to qualify for gun possession. Certainly the process of annual renewal should not greatly disturb legitimate possessors of firearms, for the process would be very simple. In fact, there is no reason why it should be any more difficult than auto registration and renewal. There is a simile here, for the auto has long been recognized as potentially dangerous, and responsible citizens and government have taken measures to increase the safety of the vehicle and insure its proper usage by those properly qualified to use it.

There is no way to make a gun safe; its purpose, indeed, is quite different. But we can take this always dangerous, often lethal instrument out of the hands of irresponsible persons, and we can attempt to decrease the facility with which the violent impulses that would wreak havoc in our society find vent.

Mr. Speaker, I urgently commend to the conscience of this Congress the enactment of firearms legislation that covers all firearms, whether it be handguns, long guns, or ammunition and that there be a Federal and a State system of registration. Let us face realities, this is the only solution to the problem of violence in our society.

THE LOST AMENDMENT—TO HAVE AND BEAR ARMS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 30 minutes.

Mr. **WHITENER**. Mr. Speaker, as the Congress considers legislation relating to the right of the citizen to have and bear arms it is incumbent upon each of us to undertake to understand the historical significance of the second amendment to the Constitution. Two articles have come to my attention in recent days which discuss the origin and meaning of that amendment.

Robert A. Sprecher, a member of the Chicago, Ill., bar won the 1965 Samuel Pool Weaver Constitutional Law Essay competition for his essay entitled "The Lost Amendment." Subsequently his essay was printed in the American Bar Association Journal in June and July, 1965.

I make Mr. Sprecher's essay a part of my remarks at this point:

THE LOST AMENDMENT

(NOTE.—What does the Second Amendment, guaranteeing "the right of the people to keep and bear arms", mean? Does the guarantee extend to the keeping and bearing of arms for private purposes not connected with a militia? These perplexing questions were posed as the subject matter for the 1965 Samuel Pool Weaver Constitutional Law Essay Competition, which is sponsored annually by the American Bar Foundation. Mr. Sprecher's essay was the winner, and the *Journal* is publishing it in two installments—the first herewith and the second next month.)

(By Robert A. Sprecher of the
Chicago, Ill., bar)

The wisdom of the Founding Fathers has proved to have been "infinite" enough to enable the United States for almost the first two hundred years of its history to exist and prosper under its 1789 Constitution with remarkably few amendments. Insofar as the tremendous scientific and technological advances during this time have resulted in a constantly shifting economy and in vastly changed political and social environments, the framework of the original document has proved durable enough to encompass great flexibility through the device of judicial interpretation.

Even before, but especially since, the advent of ever-potential atomic warfare, can any continuing meaning be derived from the Second Amendment? It provides that: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed."

Does the Second Amendment guarantee extend to the keeping and bearing of arms for purely private purposes not connected with the maintenance of a militia? Do the citizens of the United States now need, or will they ever need, the "right" (as opposed to any possible duty) to bear arms either for private purposes or for maintaining a militia?

---

[2] First collected in 1960.

[3] New item in 1970.

[4] Collected in each census since 1950.

[5] Collected in each census since 1930.

Except for the Third Amendment, prohibiting the quartering of soldiers in private houses, no amendment has received less judicial attention than the second. However, courts have been confronted with none or few Third Amendment cases because there is universal agreement as to its meaning and desirability,[1] whereas the Second Amendment is not at all clear in its meaning and reasonable minds have differed widely as to the desirability of any assigned interpretation. Lacking the thorough judicial treatment accorded most of the guarantees of the Bill of Rights, the history of both the right (or duty) to bear arms and of the militia becomes important.

I

Plato, observing in about 340 B.C. that "no man can be perfectly secure against wrong . . . and cities are like individuals in this", counseled that—

> ". . . Wherefore the citizens ought to practise war—not in time of war, but rather while they are at peace. And every city which has any sense, should take the field at least one day in every month, and for more if the magistrates think fit, having no regard to winter cold or summer heat; and they should go out *en masse*, including their wives and their children . . . and they should have tournaments, imitating in as lively a manner as they can real battles."[2]

About the same time Aristotle noted that oligarchies prevailed where the land was adapted for cavalry or heavy infantry since only the rich could afford horses or cannon, while democracies existed in countries suitable for the light arms owned by most citizens.[3] "Citizen soldiers" early became identified with democratic government.

Rousseau looked back in history and found that—

> ". . . all the victories of the early Romans, like those of Alexander, had been won by brave citizens, who were ready, at need, to give their blood in the service of their country, but would never sell it. Only at the siege of Veii did the practice of paying the Roman infantry begin. . . . [The mercanaries'] swords were always at the throats of their fellow-citizens, and they were prepared for general butchery at the first sign. It would not be difficult to show that this was one of the principal causes of the ruin of the Roman Empire."[4]

Machiavelli detected a similar pattern in Italy:

> "[Mercenaries] are useless and dangerous . . . disunited, ambitious and without discipline, unfaithful, valiant before friends, cowardly before enemies; they have neither the fear of God nor fidelity to men. . . .
>
> ". . . the ruin of Italy has been caused by nothing else than by resting all her hopes for many years on mercenaries. . . ."[5]

Adam Smith concluded in *The Wealth of Nations* that:

> "Men of republican principles have been jealous of a standing army as dangerous to liberty. . . . The standing army of Caesar destroyed the Roman republic. The standing army of Cromwell turned the Long Parliament out of doors."[6]

Mercenaries and standing armies began to be identified with imperialism, suppression of individual liberty and, eventually, moral and economic decay. Toynbee ascribed as one cause of the breakdown and disintegration of civilizations the "suicidalness of militarism".[7]

As in the history of Greece, Rome, Italy and other European countries, English history traces a similar parallel development of the concept of a "militia" in place of mercenaries or standing armies, and the right (or duty) of individual citizens to keep and bear arms.

Blackstone recorded that King Alfred (871–899) first organized a national militia in Anglo-Saxon England and "by his prudent discipline made all the subjects of his dominion soldiers".[8] Throughout feudal England, and indeed from 1066 to 1660, "knight service" required a lord to do military service in the King's host accompanied by the number of knights required by his tenure, a duty which was in the late stages fulfilled by the payment of money instead of service. Thus arose a concept of "duty to bear arms".[9]

For a long time after the Norman conquest in 1066, the authority of the monarch was almost unlimited. "Inroads were gradually made upon the prerogative, in favor of liberty, first by the barons, and afterwards by the people, till the greatest part of its most formidable pretensions became extinct."[10] Among the other rights and promises extracted from King John by the twenty-five barons at Runnymede on June 15, 1215, was that "And immediately after the re-establishment of peace we will remove from the kingdom all foreign-born soldiers, crossbow men, servants, and mercenaries who have come with horses and arms for the injury of the realm."[11]

After Magna Charta the monarchy was held reasonably in restraint until Charles I (1625–1649) tried to govern through the army and without Parliament, a reign followed by the rigorous military rule of Oliver Cromwell.[12] Charles II (1660–1685) maintained a peacetime standing army of 5,000 and James II (1685–1688) increased this number to 30,000 in his fight against Parliament and the people.[13]

The English Bill of Rights, presented to William and Mary in 1688 as a protest against grievances committed by James II, complained that he had endeavored to "subvert and extirpate the protestant religion, and the laws and liberties of this kingdom. . . . 6. By causing several good subjects, being protestants, to be disarmed, at the same time when papists were both armed and employed, contrary to law," whereupon it was declared:

> "6. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of parliament, is against law.
>
> "7. That the subjects which are protestants, may have arms for their defence suitable to their conditions, and as allowed by law."[14]

Not only was the English Bill of Rights, largely declarative of rights which were conceived to have existed theretofore,[15] but those rights persisted in England long beyond their religious significance, so that in 1765 when Blackstone catalogued the methods by which the absolute rights of man (personal security, personal liberty and private property) were secured, he listed:

1. The constitution, powers and privileges of parliament;
2. The limitation of the king's prerogative, by well-defined bounds, which cannot be legally exceeded, except by the consent of the people;
3. The right of everyone to apply to courts of justice for the redress of injuries;
4. By petition for redress; and
5. By bearing arms for defense and these must be "suitable to [the] condition and degree [of the subject], and such as are allowed by law."[16]

Blackstone epitomized the common law view of militias and standing armies as existing immediately prior to the American Revolution:

> "In a land of liberty, it is extremely dangerous to make a distinct order of the profession of arms . . . no man should take up arms, but with a view to defend his country and its laws: he puts not off the citizen when he enters the camp. The laws . . . [of England] know no such state as that of a perpetual standing soldier, bred up to no other profession than that of war. . . .
>
> "Nothing then . . . ought to be more guarded against in a free state than making the military power . . . a body too distinct from the people. . . . [I]t should wholly be composed of natural subjects; it ought only to be enlisted for a short and limited time; the soldiers also should live intermixed with the people. . . ."[17]

By the time of the American Revolution, the term "militia" had a well-defined meaning. In 1776 Adam Smith wrote that "In a militia, the character of the labourer, artificer, or tradesman, predominates over that of the soldier; in a standing army, that of the soldier predominates over every other character: and in this distinction seems to consist the essential difference between those two different species of military force."[18] It was that portion of the manpower of a society which is enrolled on military rosters and is at least partially trained for local defense in short terms of service.[19] The Supreme Court of the United States said that "the militia comprised all males physically capable of acting in concert for the common defense" and "ordinarily when called for service these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time," together with a supply of ammunition therefor, a blanket, knapsack and canteen.[20]

Also by the time of the Revolution it was apparent that free citizens had some kind of a right to bear arms, but it was not as unassailable a right as, for example, the right to a jury trial. It has been said that "Weapon bearing was never treated as anything like an absolute right by the common law."[21] Such statements are based primarily upon the Statute of Northampton of 1328 which declared that no man should "go nor ride armed by night or by day in fairs, markets, nor in the presence of the justices or other ministers, nor in no part elsewhere".[22] Blackstone commented: "The offense of *riding* or *going armed* with dangerous or unusual weapons is a crime against the public peace, by terrifying the good people of the land, and is particularly prohibited by statute. . . . By the laws of Solon, every Athenian was finable who walked about the city in armor." [23] This was part of the common law which was adopted by the various states.[24]

---

[1] Miller, The Constitution 646 (1893).

[2] Plato, *Laws* viii :829 (Jowett transl.).

[3] Aristotle, *Politics,* Book VI, Chapter 7.

[4] Rousseau, *Discourse on Political Economy* (38 Great Books 380).

[5] The *Prince*, Chapter XII (23 Great Books 18).

[6] Book V. Chapter 1, Part 1 (39 Great Books 308).

[7] 1 Toynbee, A Study of History 336 (2 vol. ed.).

[8] 1 Blackstone, Commentaries *409.

[9] Plucknett, A Concise History of the Common Law 333 (1929).

[10] The Federalist No. 26, at 160 (Modern Library ed. 1937) (Hamilton).

[11] Sources of Our Liberties 19 (Perry ed. 1959), hereafter cited as Sources. The quotation is Chapter 51 of the original Magna Charta, but it was omitted from subsequent reissues, together with several other chapters deemed unnecessary after King John's death in 1216. *Id.* at 4–5.

[12] *Reid* v. *Covert,* 354 U.S. 1, 24–26 (1957).

[13] The Federalist No. 26, at 161 (Modern Library ed. 1937) (Hamilton).

[14] Sources 245–246.

[15] 3 Macaulay, The History of England 1311 (Firth ed. 1913–1915).

[16] 1 Blackstone, Commentaries *143–144.

[17] *Id.* at *408, *414.

[18] The Wealth of Nations, Book V, Chapter 1, Part 1 (39 Great Books, 304).

[19] 15 Encyc. Brit. 484 (1961).

[20] *United States* v. *Miller*, 307 U.S. 174, 179, 180–182 (1939). The Court also noted at 178–179 that "The Militia which the States were expected to maintain and train is set in contrast with Troops which they were forbidden to keep without the consent of Congress. The sentiment of the time strongly disfavored standing armies; the common view was that adequate defense of country and laws could be secured through the Militia—civilians primarily, soldiers on occasion."

[21] *United States* v. *Tot*, 131 F. 2d 261, 266 (3rd Cir. 1942), *rev'd on other grounds,* 319 U.S. 463.

British troops were quartered at Boston from 1768 until the Revolutionary War to harass and intimidate the people. The Battle of Lexington on April 19, 1775, occurred while the British were marching to Concord to seize the colonists' arms.[25] The Declaration of the Causes and Necessity of Taking Up Arms of July 6, 1775, cited as one cause of war: "The inhabitants of Boston . . . accordingly delivered up their arms, but in open violation of honour, in defiance of the obligation of treaties, which even savage nations esteemed sacred. . .".[26]

Even the Englishman Tom Paine, who had watched the first motley citizen army line up in Philadelphia Commons in 1775, some with only sticks as weapons, less than a year later wrote that "The Continent hath at this time the largest body of armed and disciplined men of any power under Heaven, and is just arrived at that pitch of strength, in which no single colony is able to support itself, and the whole, when united, is able to do anything." [27]

A year later the Declaration of Independence protested that George III had "affected to render the military independent of, and superior to the civil power." [28]

The right to bear arms was secured in the early constitutions of Virginia (1776), [29] North Carolina (1776),[30] New York (1777)[31] and Massachusetts (1780) [32] in the context of the militia, but the constitutions of Pennsylvania (1776) and Vermont (1777) contained identical provisions which secured an absolute right to bear arms: "That the people have a right to bear arms for the defense of themselves and the State . . .".[33]

Some of the states did not adopt a constitutional provision regarding the right to keep and bear arms, but of those which did, many granted that right to the individual for the purpose of defending "himself *and* the state," thereby apparently intending that the individual might bear arms in his own private defense.[34] At the same time the Articles of Confederation, approved in 1781, provided that "every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred".[35]

"There was a protracted controversy in the Constitutional Convention over whether there should be a standing army or whether the militia of the various states should be the sources of military power." [36] The Constitution as agreed upon by the convention on September 17, 1787, contained provisions designed to keep military power under the civilian control of Congress, the President and the people, and under the dual control of the Federal Government and the states:

"The Congress shall have Power . . .

"To raise and support Armies, but no Appropriation of money to that Use shall be for a longer Term than two Years; . . ." [37]

"To provide for calling forth the Militia to execute the laws of the Union, suppress Insurrections and repel invasions; . . ." [38]

"To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress; . . ." [39]

"The President shall be Commander in Chief . . . of the Militia of the several States, when called into the actual Service of the United States . . ." [40]

During the struggle over ratification of the Constitution by the States, Alexander Hamilton considered how the provisions for the militia might best be implemented. After dismissing as impracticable the arming *and training* of every citizen, he concluded:

"The attention of the government ought particularly to be directed to the formation of a select corps of moderate extent, upon such principles as will really fit them for service in case of need. By thus circumscribing the plan, it will be possible to have an excellent body of well-trained militia, ready to take the field whenever the defence of the State shall require it. This will not only lessen the call for military establishments, but if circumstances should at any time oblige the government to form an army of any magnitude that army can never be formidable to the liberties of the people while there is a large body of ctizens, little, if at all, inferior to them in discipline and the use of arms, who stand ready to defend their own rights and those of their fellow-citizens. This appears to me the only substitute that can be devised for a standing army, and the best possible security against it, if it should exist." [41]

On June 8, 1789, James Madison introduced his proposed amendments, which included:

"The right of the people to keep and bear arms shall not be infringed; a well armed and well regulated militia being the best security of a free country; but no person religiously scrupulous of bearing arms shall be compelled to render military service in person." [42]

In view of the parallel history of the militia and the right (or duty) to bear arms, it is not surprising that the Second Amendment as adopted coupled the two ideas in a single sentence. But history does not warrant concluding that it necessarily follows from the pairing of the concepts that a person has a right to bear arms solely in his function as a member of the militia.

(EDITOR'S NOTE: *This is the first of two installments of Mr. Sprecher's winning essay on the Second Amendment and the right to bear arms. The second installment will appear in the July 1965 issue.*)

THE LOST AMENDMENT

(NOTE.—This is the concluding installment of the paper which won the 1954 Samuel Pool Weaver Constitutional Law Essay Competition. The first was published in our June issue, page 554. In this portion Mr. Sprecher examines the few decisions that have considered the meaning of the lost amendment—the Second Amendment to the United States Constitution—and he concludes that we should rediscover the amendment and broaden the scope of its guarantee of the right of "the people to keep and bear arms".)

(By Robert A. Sprecher of the Chicago, Ill., Bar)

II

In 1833 Justice Story wrote:

"The militia is the natural defence of a free country against sudden foreign invasions, domestic insurrections, and domestic usurpations of power by rulers. It is against sound policy for a free people to keep up large military establishments and standing armies in time of peace, both from the enormous expenses, with which they are attended, and the facile means, which they afford to ambitious and unprincipled rulers, to subvert the government, or trample upon the rights of the people. *The right of the citizen to keep and bear arms has justly been considered, as the palladium* [43] *of the liberties of a republic;* since it offers a strong moral check against the usurpation and arbitrary power of rulers;

---

[22] 2 Edw. 3, c. 3.

[23] 4 BLACKSTONE, COMMENTARIES *149.

[24] See *State* v. *Workman*, 35 W. Va. 367, 372, 14 S. E. 9, 11 (1891). For example, Illinois has a statute providing "That the common law of England . . . and all statutes or acts of the British Parliament made in aid of, and to supply the defects of the common law" prior to the 1607 "shall be the rule of decision and shall be considered as of full force until repealed by legislative authority." ILL. REV. STAT. ch. 28, § 1.

[25] COMMANDER, DOCUMENTS OF AMERICAN HISTORY 89–90 (3d ed. 1943).

[26] SOURCES 298.

[27] *Common Sense*, THE SELECTED WORKS OF TOM PAINE 31 (Modern Library ed. 1937). Adam Smith may have explained the reason for the success of the American Revolutionary War militia when he wrote in THE WEALTH OF NATIONS, Book V, Chapter 1, Part 1 (39 GREAT BOOKS 305): "A militia, however, in whatever manner it may be either disciplined or exercised, must always be much inferior to a well-disciplined and well-exercised standing army. . . . A militia of any kind, it must be observed, however, which has served for several successive campaigns in the field, becomes in every respect a standing army." George Washington often became frustrated with the militia: ". . . [They] come in, you cannot tell how; go, you cannot tell when, and act, you cannot tell where, consume your provisions, exhaust your stores, and leave you at last at a critical moment." Nevertheless, without them (they constituted 165,000 of his 396,000 troops), victory would have been impossible. 15 ENCYC. BRIT. 485 and 16 ENCYC. BRIT. 146 (1961).

[28] *Reid* v. *Covert, supra* note 12, at 27 and 29.

[29] VA. CONST. (June 12, 1776): "Sec. 13. That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free State . . .".

[30] N. C. CONST. (December 4, 1776): "XVII. That the people have a right to bear arms, for the defence of the State . . .".

[31] N. Y. CONST. (1777). A militia was to be kept in readiness for service in time of peace, as well as in war. SOURCES 309–310.

[32] MASS. CONST. (October 25, 1780): "XVII. The people have a right to keep and bear arms for the common defence . . .".

[33] PA. CONST. art. XIII (August 16, 1776); VT. CONST. art. XV (July 8, 1777).

[34] For a catalogue of state constitutional provisions, see McKenna, *The Right To Keep and Bear Arms,* 12 MARQ. L. REV. 138, 138–141 (1928).

[35] Art. 6, para. 4.

[36] *Kinsella* v. *United States* ex rel. *Singleton,* 361 U.S. 234, 268 (1960) dissenting opinion).

[37] Art. I, § 8, cl. 12.

[38] Art. I, § 8, cl. 15.

[39] Art. I, § 8, cl. 16.

[40] Art. II, § 2.

[41] THE FEDERALIST No. 29, at 179 (Modern Library ed. 1937) (Hamilton).

[42] SOURCES 421–422.

[43] The Palladium was a statue of Pallas Athena which stood on the citadel of Troy, on which the safety of the city was supposed to depend. Hence, the word came to mean anything believed to afford effectual protection or safety. THE AMERICAN COLLEGIATE DICTIONARY (1954). The word *palladium* was frequently used in Colonial times. Hamilton, for example, said that "the friends and adversaries of the plan of the convention, if they agree in nothing else, concur at least in the value they set upon the trial by jury; or if there is any difference between them it consists in this: the former regard it as a valuable safeguard to liberty; the latter represent it as the very palladium of free government." THE FEDERALIST No. 83, at 542–543 (Modern Library ed. 1937) (Hamilton).

and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.

And yet, though this truth would seem so clear, and the importance of a well regulated militia would seem so undeniable, it cannot be disguised, that among the American people there is growing indifference to any system of militia discipline, and a strong disposition, from a sense of its burthens, to be rid of all regulations. How is it practicable to keep the people duly armed without some organization, it is difficult to see. There is certainly no small danger, that indifference may lead to disgust, and disgust to contempt; and thus gradually undermine all the protection intended by this clause of our national bill of rights."[44]

Since the adoption of the Second Amendment, the Supreme Court has had only four direct occasions to construe it. In 1876 in *United States* v. *Cruikshank*, 92 U.S. 542, the Court, in holding defective an indictment under the Enforcement Act of 1870 charging a conspiracy to prevent Negroes from bearing arms for lawful purposes, said that the right of the people to keep and bear arms "is not a right granted by the Constitution" and

". . . The second amendment declares that it shall not be infringed; but this, as has been seen, means no more than that it shall not be infringed by Congress. This is one of the amendments that has no other effect than to restrict the powers of the national government, leaving the people to look for their protection against any violation by their fellow-citizens of the rights it recognizes to [the State power of] . . . internal police. . . ."[45]

In 1886 the Supreme Court in *Presser* v. *Illinois,* 116 U.S. 252, held that an Illinois statute which forbade bodies of men to associate together as military organizations, or to drill or parade with arms in cities and towns unless authorized by law, did not infringe the right of the people to keep and bear arms. Although the Court quoted the above language from the *Cruikshank* case, it then proceeded to cast some doubt on whether the Second Amendment restricts only the Federal Government, saying:

"It is undoubtedly true that all citizens capable of bearing arms constitute the reserved military force or reserve militia of the United States as well as of the States, and, in view of this prerogative of the general government, as well as of its general powers, the States cannot, even laying the constitutional provision in question out of view, prohibit the people from keeping and bearing arms, so as to deprive the United States of their rightful resource for maintaining the public security, and disable the people from performing their duty to the general government."[46]

In 1894 in *Miller* v. *Texas,* 153 U.S. 535, the Supreme Court held that a Texas statute prohibiting the carrying of dangerous weapons on the person did not violate the Second Amendment since "the restrictions of these amendments [the Second and Fourth Amendments] operate only upon the Federal power, and have no reference whatever to proceedings in state courts."[47] In a dictum in *Robertson* v. *Baldwin,* 165 U.S. 275, 281 (1897), the Court observed that "the right of the people to keep and bear arms (art. 2) is not infringed by laws prohibiting the carrying of concealed weapons. . . .".

In 1939 the Supreme Court upheld in *United States* v. *Miller,* 307 U.S. 174, the National Firearms Act of 1934 insofar as it imposed the limitations upon the use of a sawed-off shotgun. The Court for the first time in 150 years had the opportunity to pass squarely on the nature of the right to keep and bear arms and it said:

"In the absence of any evidence tending to show that possession or use of a 'shotgun having a barrel of less than eighteen inches in length,' at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense."[48]

Mr. Justice Black has recently written that "Although the Supreme Court has held this amendment to include only arms necessary to a well-regulated militia, as so constructed, *its prohibition is absolute* [italic added]."[49]

The course taken by the Supreme Court in recent years in its attitude toward the Bill of Rights foreshadows a possible enlargement of the scope of the right to keep and bear arms if the Court should become convinced that an enlargement serves some sound public purpose.

The Supreme Court had held in 1833 in an opinion by Chief Justice Marshall that the Bill of Rights restrained the Federal Government only and not the states.[50] The ratification of the Fourteenth Amendment in 1868 raised the question whether it did not have the effect of preventing state, as well as federal, invasion of the rights enumerated in the first eight amendments. Until recently, the answer was in the negative.[51]

Beginning as early as 1925, however, the Supreme Court itself has cast considerable doubt about that answer. In that year *Gitlow* v. *New York,* 268 U.S. 652, overruled *Prudential Insurance Company* v. *Cheek,* 259 U.S. 530 (1922), and began a long series of decisions, which hold that each First Amendment protection—the freedom of speech, press, religion, assembly, association and petition—the freedoms of speech, press, religion, assembly, association and petition for redress of grievances—is immune from state invasion through the Fourteenth Amendment.[52]

In 1961 *Mapp* v. *Ohio,* 367 U.S. 643, overruled *Palko* v. *Connecticut,* 302 U.S. 319 (1937), and the Fourth Amendment's right of privacy against search and seizure has been declared enforceable against the states through the Fourteenth Amendment.

In 1963 *Gideon* v. *Wainwright,* 372 U.S. 335, overruled *Betts* v. *Brady,* 316 U.S. 455 (1942), and the right to counsel in all criminal cases was made obligatory on the states by the Fourteenth Amendment.

In 1964 *Malloy* v. *Hogan,* 378 U.S. 1, overruled *Twining* v. *New Jersey,* 211 U.S. 78 (1908), and *Adamson* v. *California,* 332 U.S. 46 (1947), the Court stating: "We hold today that the Fifth Amendment's exception from compulsory self-incrimination is also protected by the Fourteenth Amendment against abridgment by the States."[53]

Mr. Justice Harlan's dissent in *Malloy* v. *Hogan* stated:

". . . While it is true that the Court deals today with only one aspect of state criminal procedure, and rejects the wholesale "incorporation" of such federal constitutional requirements, the logical gap between the Court's premises and its novel constitutional conclusion can, I submit, be bridged only by the additional premise that the Due Process Clause of the Fourteenth Amendment is a shorthand directive to this Court to pick and choose among the provisions of the first eight Amendments and apply those chosen, freighted in the States."[54]

There exists, then, the possibility that the Supreme Court could determine that the second Amendment declares a right which may not be infringed by either the Federal Government *or by the states.* Furthermore, it would not be difficult for the Court, in view of the kinds of arms which now exist, to convert the Second Amendment into an *absolute* right to bear arms, unhampered by any concept of arms for militia use only.

In *Cases* v. *United States,* 131 F. 2 916 (1942), the Court of Appeals for the First Circuit, in upholding the constitutionality of the Federal Firearms Act of 1938, stated:

Apparently, then, under the Second Amendment, the federal government can limit the keeping and bearing of arms by a single individual as well as by a group of individuals, but it cannot prohibit the possession or use of any weapon which has any reasonable relationship to the preservation or efficiency of a well regulated militia."[55]

The court found that the rule of the *Miller* case[56] was outdated "because of the well known fact that in the so called 'Commando Units' some sort of military use seems to have been found for almost any modern lethal weapon". The court also speculated that under the *Miller* rule Congress could not regulate "the possession or use by private persons not present or prospective members of any military unit, of distinctly military arms, such as machine guns, trench mortars, anti-tank or anti-aircraft guns, even though under the circumstances surrounding such possession or use it would be inconceivable that a private person could have any legitimate reason for having such a weapon".

III

The rights of the individual citizen would be little different today if the Second Amendment did not exist. It has become lost for several reasons: the word "militia" long ago passed from common language; citizens rely almost wholly upon the processes of government—courts and law enforcement agencies—to protect their rights; and the rights of the other first eight amendments have been given so much judicial and popular attention that the Second Amendment has been all but overlooked.

---

[44] 3 COMMENTARIES ON THE CONSTITUTION OF THE UNITED STATES § 1890, pages 746–747 (1833).

[45] 92 U.S. at 553.

[46] 116 U.S. at 265.

[47] 153 U.S. at 538.

[48] 307 U.S. at 178.

[49] Black, *The Bill of Rights,* 35 N.Y.U.L. REV. 865, 873 (1960).

[50] *Barron* v. *Mayor of Baltimore,* 7 Pet. 243.

[51] Decisions that guarantees provided by the first eight amendments were not safeguarded against state action by the Fourteenth Amendment:

First Amendment: *United States* v. *Cruikshank,* 92 U.S. 542, 551 (1876); *Prudential Insurance Company* v. *Cheek,* 259 U.S. 530, 543 (1922).

Second Amendment: *Presser* v. *Illinois,* 116 U.S. 252, 265 (1886).

Fourth Amendment: *Weeks* v. *United States,* 232 U.S. 383, 398 (1914).

Fifth Amendment: *Hurtado* v. *California,* 110 U.S. 516, 538 (1884) (requirement of grand jury indictments): *Palko* v. *Connecticut,* 302 U.S. 319, 328 (1938) (double jeopardy).

Sixth Amendment: *Maxwell* v. *Dow,* 176 U.S. 581, 595 (1900) (jury trial).

Seventh Amendment: *Walker* v. *Sauvinet,* 92 U.S. 90, 92 (1876) (jury trial).

Eighth Amendment (prohibition against cruel and unusual punishment): *In re Kemmler,* 136 U.S. 436, 448–449 (1890); *McElvaine* v. *Brush,* 142 U.S. 155, 158–159 (192); *O'Neil* v. *Vermont,* 144 U.S. 323, 332 (1892).

[52] See *New York Times Company* v. *Sullivan,* 376 U.S. 254 (1964).

[53] 378 U.S. at 6.

[54] 378 U.S. at 15.

[55] 131 F. 2d at 922; *cert. denied* 319 U.S. 770 (1943) *sub nom. Velazquez* v. *United States.*

[56] *United States* v. *Miller,* 307 U.S. 174 (1938).

Perhaps the people have lost a valuable right and privilege which should be cherished rather than forgotten. Perhaps the Founding Fathers, as they so often seem to have done, gave the people an enduring right which changing history does not outmode but merely places in a new context—often more compelling than the old.

What considerations could lead the Supreme Court to determine that the rights guaranteed by the Second Amendment are protected against state as well as federal infringement, and that those rights are dual—to guarantee a "well regulated Militia" and to guarantee an individual right to keep and bear arms, separate and apart from the needs of the militia?

1. The United States maintains a large peacetime standing army and what once were called state militias are now an integral part of that army. For more than one hundred years acts of Congress had prohibited a national militia, nor could the Federal Government use state militias unless permitted by state authorities. State militias provided significance forces for the 1812, Mexican, Civil and Spanish-American Wars. By 1896 most states had renamed the militia "the national guard". In 1903, Secretary of War Elihu Root procured the enactment of laws whereby the Federal Government assisted the states in organizing, training and equipping state national guards. In 1916 the national guard became a component part of the national peace establishment subject to call into the Army of the United States. In 1933 the "National Guard of the United States" was created and became a part of the Army of the United States at all times.[57]

Almost each peacetime year finds an increased National Guard enrollment and, while these forces are available to "repeal invasions", particularly in the important work of maintaining and operating antimissile site,[58] in time of war outside of the United States these former state militias are called into active service. Therefore, the states must provide for civil defense and many of them have formed stand-by home guard units for activation when the National Guard is in active service.[59] Thus militias (by whatever name) are as important as ever, and perhaps more so in the atom-and-missile age to "repel invasions".

With the urgent need for civil defense and particularly if the "stand-by home guard" is ever incorporated into the national army, is it not important that as wide a base of the citizenry as possible be armed and somewhat trained? Armed and trained citizens may not prevent an atomic attack but they can preserve internal order after one.[60]

2. Chief Justice Warren has written that the "subordination of the military to the civil . . . is so deeply rooted in our national experience that it must be regarded as an essential constituent of the fabric of our political life." He has also noted that "military men throughout our history have not only recognized and accepted this relationship in the spirit of the Constitution, but they have also cheerfully co-operated in preserving it".[61]

If history and forecast both indicate that the future holds continuously larger standing armies and the continuous swallowing up of state militias by the federal army, can we always passively rely upon "cheerful" military leaders who will eschew the vast powers placed in their hands?

3. Up to this time neither the Federal Government nor the states have shown any particular ability or effectiveness in suppressing or controlling organized crime. A great cry of despair has arisen because it has suddenly become apparent that the "average citizen" will either retreat or quietly stand by while his fellow-citizen is attacked, maimed, raped or murdered. Before decrying this national apathy, it might be well to consider what happens to the person who intervenes. If the criminal is "organized" in the sense that he is acting as part of a group (most criminals are and the bystander has no way of distinguishing those who are not), his intereference can not only lead to his own murder on the spot, but his interference or witnessing or testifying or even co-operating with the police can lead to his own murder or that of members of his family, or to constant harassment and threats, which can be equally terrifying and disastrous. The efforts of law enforcement agencies to "protect" a witness are not only ineffective but, even when effective, are as debilitating as exposure to the criminal—the witness and his family (immediate and sometimes remote) are spirited away, often to another state, where they spend the rest of their lives in mortal fear and hiding.[62] This is the current reward for courage and for compassion toward one's fellow-man.

Perhaps the odds in favor of the individual citizen should be improved. Perhaps the spirit of the Second Amendment should be revived. We have come to rely so heavily on the law that often we are helpless in the face of those who operate outside the law. Do we need the fact and spirit of a well-armed citizenry, a little self-help and some of the bravado of the Old West where, when two individuals stood face to face, each one had at least a chance for survival? Actually, we are traveling in the opposite direction; today many states makes it a crime for a citizen to defend himself or his home with a deadly weapon against the attacker or invader. The concern for the rights of the criminal has brought us to the rather horrifying situation that if organized crime decrees one's death, neither the law nor the victim can do much about it. Hamilton argued for the guarantees of the Second Amendment to protect, among other things, against "the ravages and depredations of the Indians".[63]

Should we protect ourselves against the ravages and depredations of organized crime through the Second Amendment and perhaps at the same time halt the decaying moral effect of national apathy?

4. Does danger lurk in any consideration to broaden the concept of individual arms bearing? The federal and state restrictions on the right are substantial.

The National Firearms Act of 1934 levies a heavy tax on all transfers of machine guns, rifles, sawed-off shotguns and silencers, and requires the registration of all weapons not transferred in conformity with the act.[64] The Federal Firearms Act of 1938 regulates the movement in interstate commerce of all firearms and ammunition larger than .22 caliber, licenses all dealers and prohibits shipment to or receipt by criminals or the movement of stolen weapons.[65] Every state has some form of statute regulating either the possession, carrying, purchase, sale or pledging of of firearms.[66] Criminal law doctrines militate heavily against the wrongful use of weapons. For example, the deadly weapons doctrine presumes that the commission of an unlawful act with a deadly weapon is performed with malice aforethought.[67]

Furthermore, it is the opinion of police experts that criminals obtain firearms regardless of regulation. The assassination of a President with a mail-order rifle and the subsequent killing of a police officer with a mail-order pistol may cast doubt upon the advisability of expanding the right to keep arms, but a person such as an assassin would probably obtain a firearm regardless of statutory restrictions, since he would not be concerned about the violation of statutes.[68] On the other hand, the security of the President in motorcades through large cities may best be assured by the deputizing of armed citizens along the entire route. It is conceivable that an armed witness in Dallas might have been alert enough after the first shot to have prevented the fatal shot.

5. The few modern writers on the subject of the right to keep and bear arms are sharply divided as to whether the right is personal or relates solely to the militia. Some conclude that the right runs only "to the people collectively for the common defense against the common enemy, foreign or domestic"[69] and "has reference only to matters of common defense and relates to military affairs and not to private brawls".[70] One commentator questions whether *any* such right exists and whether "the Constitution would protect the right to keep and bear arms, if there were such a right, but that it does not exist".[71]

On the other hand, one writer finds that "the affirmative side of the use of firearms by the private citizen is substantial. . . . Hunting and target-shooting are popular and wholesome recreations. . . . There is still much need for self-help, especially against robbery and burglary. . . . A valuable military asset lies in the reservoir of persons trained to use small arms."[72] And he concludes that the "Supreme Court has admitted there are *exceptions* to the right to bear arms" [italics added], thus impliedly recognizing the right and that "the logical result is that the terms militia and people were thought to be separate in nature and preserving two distinct rights".[73]

6. The key seems to lie in the fact that the Second Amendment differs from the other first eight amendments in that it is not a right which people enjoy per se—that is, the average person does not derive any inherent satisfaction from the mere keeping of a firearm and perhaps most people would

---

[57] 15 Encyc. Brit. 484; 16 Encyc. Brit. 145 (1961).

[58] See, for example, Encyc. Brit. yearbooks for 1962, 1963 and 1964 under "National Guard".

[59] 1964 Encyc. Brit. Yearbook 786.

[60] No one yet has challenged the constitutionality under the Second Amendment of Section 92 of the Atomic Energy Act of 1954 making it unlawful "for any person to transfer or receive in interstate or foreign commerce, manufacture, produce, transfer, acquire, possess, import, or export any atomic weapon". 42 U.S.C. § 2122.

[61] Warren, *The Bill of Rights and the Military,* 37 N.Y.U.L. Rev. 181, 186 (1962). See also, *Reid* v. *Covert,* 354 U.S. 1, 23: "The tradition of keeping the military subordinate to civilian authority may not be so strong in the minds of this generation as it was in the minds of those who wrote the Constitution."

[62] See, for example, Arnbrister, *The Price of Getting Involved,* Saturday Evening Post, September 26, 1964, page 81.

[63] The Federalist No. 24, at 151 (Modern Library ed. 1937) (Hamilton).

[64] 26 U.S.C. Chapter 53.

[65] 15 U.S.C. §§ 901–909.

[66] For a catalogue of all state laws regulating the possession and use of firearms, see Note, *Restrictions on the Right To Bear Arms: State and Federal Firearms Legislation,* 98 U. Pa. L. Rev. 905 (1950).

[67] Oberer, *The Deadly Weapon Doctrine—Common Law Origin,* 75 Harv. L. Rev. 1565 (1962).

[68] The Warren Commission apparently made no recommendation regarding the restriction of the availability of firearms.

[69] Emery, *The Constitutional Right To Keep and Bear Arms,* 28 Harv. L. Rev. 473, 477 (1915).

[70] Haight, *The Right To Keep and Bear Arms,* 2 Bill of Rights Rev. 31, 42 (1941).

[71] McKenna, *The Right To Keep and Bear Arms,* 12 Marq. L. Rev. 138, 149 (1928).

[72] Note, *Restrictions on the Right To Bear Arms: State and Federal Firearms Legislation,* 98 U. Pa. L. Rev. 905, 905–906 (1950).

[73] Hays, *The Right To Bear Arms, A Study in Judicial Misinterpretation,* 2 Wm. & Mary L. Rev. 381, 405–406 (1960).

rather not keep one—but it is a right which tends to insure, protect and guarantee the other and fundamental rights to life, liberty and property. If we can always be certain that the law will enforce the fundamental rights, the Second Amendment becomes superfluous. Hamilton was not convinced that we could always rely upon the law (and this means the law among nations as well as within the United States). He wrote that "The idea of governing at all times by the simple force of law (which we have been told is the only admissible principle of republican government), has no place but in the reveries of those political doctors whose sagacity disdains the admonitions of experimental instruction."[74]

The Universal Declaration of Human Rights of the United Nations, adopted in 1948, does not refer to any "right to bear arms", yet it declares, among other things that:

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; . . .

Article 12

No one shall be subjected to arbitrary interference with his private family, home or correspondence, nor to attacks upon his honor and reputation. . . .

Article 13

1. Everyone has the freedom of movement and residence. . . .

Article 17

2. No one shall be arbitrarily deprived of his property.

These rights are protected by law. Article 12 concludes, "Everyone has the right to the protection of the law against such interference or attacks", and Article 8 provides that "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the Constitution or by law."

If we can ever be certain that we have for all time reached the ideal of universal existence based upon law, world disarmament would follow and the Second Amendment would be without any meaning. Until that happens, the Second Amendment may prove to have been another remarkable insight by the Founding Fathers into our needs for a long period of history. We should find the lost Second Amendment, broaden its scope and determine that it affords the right to arm a state militia and also the right of the individual to keep and bear arms.

Another treatment of the subject is found in the article entitled "To Have and Bear Arms" by Judge Bartlett Rummel which was printed in the American Rifleman in June 1964. I make Judge Rummel's article a part of my remarks at this point:

[From the American Rifleman, June 1964]

TO HAVE AND BEAR ARMS

(By Judge Bartlett Rummel)

A DISCUSSION OF LEGAL DECISIONS AND INTERPRETATIONS OF THE 2D AMENDMENT TO THE CONSTITUTION

Constantly, over the years, people who like to own guns and use them for competitive shooting, hunting, collecting, and as a protection in their homes or places of business, have asked this question: How can anti-firearms laws be passed when we are guaranteed the right to have and bear arms by the Constitution of the United States? After all is there anything so complex about the language of the 2nd Amendment to the Constitution? This amendment reads as follows:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The citizen ponders the why of the continual battle against the inroads of legislation proposed by those who would take our guns away. Why can laws be passed which require me to have a license in order to have a firearm, or which cause my right to have a gun depend on the whim of some public officer, or which require me to register my firearm, or pay a discriminatory tax on it, or which go to the extent of prohibiting me entirely from possessing a gun?

The 2nd Amendment is one of the first 10 amendments to the Constitution of the United States, which are referred to as the Bill of Rights. These amendments were added to the original Constitution in order to overcome the reluctance of the 13 American colonies to ratify the Constitution. These were the basic rights incorporated into the Constitution to allay the fears our forefathers had toward a central government which might become tyrannical.

JUSTICE DOUGLAS' STATEMENT

William O. Douglas, Justice of the Supreme Court of the United States, in a lecture at the New York University Law Center in January 1963, on the subject of the Bill of Rights, stated:

"A Bill of Rights sets the ideal to which on occasion the people can be summoned. It is a reminder to officials that all power is a heady thing and that there are limits beyond which it is not safe to go.

"A few provisions of our Bill of Rights, notably the Third Amendment and its prohibition against quartering of soldiers in private homes, have no immediate relation to any modern problem. Most of the other guarantees against government are, however as important today as they were when first adopted. Many of them are even more important."[1]

Justice Douglas spoke of the whittling away of the Constitution by the courts. He said:

"The default of the judiciary, as respects the Bill of Rights, has not been purposeful and it is not of recent origin. Its beginnings are distant from the contemporary scene. The retreat has had two manifestations. First, the courts have diluted the specific commands of the Constitution." He continues by pointing out the different degrees of restraint set up by the Constitution. "Parts of the Constitution are *generalized*, such as the provisions of the Fifth and Fourteenth Amendments that no person shall be deprived of life, liberty, or property 'without due process of law.' Parts contain *partial* prohibitions, such as those against 'unreasonable' searches and seizures in the Fourth Amendment and 'excessive' bail in the Eighth. Others are in the form of *Commands*, such as 'Congress shall make no law . . . abridging the freedom of speech' in the First Amendment.

"The guarantees that the Framers phrased in terms of commands with no qualifications would seem therefore to be in a 'preferred' category. Yet even those guarantees that are seemingly 'preferred' have by judicial construction been taken as only admonitions to moderation. The words 'Congress shall make no law . . . abridging freedom of speech' have been read to mean 'Congress may make some laws that abridge freedom of speech.'"[2] (Emphasis added.)

Justice Douglas speaks of the 2nd Amendment in the following connection:

"So far as the Bill of Rights is concerned the individual is on his own when it comes to the pursuit of happiness. The right to work, the right to education, the right to marry as one chooses, the right to medical care—these and all like guarantees are significantly absent. The closest the Framers came to the affirmative side of liberty was in 'the right of the people to bear arms.' Yet this too has been greatly modified by judicial construction."[3]

A serious limitation on the application of the Bill of Rights began with a series of United States Supreme Court decisions commencing in 1875.[4] The decision dealing specifically with the 2nd Amendment and its application to the States is *Presser* v. *Illinois* in 1886.[5]

Presser was charged in Illinois with violating an Illinois statute which made it unlawful to associate together as a military company and parade with arms without a license from the governor. Armed with a cavalry sword he marched in the streets of Chicago at the head of some 400 men armed with rifles. These men were associated together in an organization with a German name, an organization we would probably think of today as being Nazi. On appeal to the Supreme Court from a conviction, Presser contended that the State of Illinois had no right to prosecute him because of various provisions of the U.S. Constitution, including the 2nd Amendment. The Supreme Court, in answer to the argument regarding the 2nd Amendment, said:

"But a conclusive answer to the contention that this amendment prohibits the legislation in question lies in the fact that the amendment is a limitation only upon the power of Congress and the National Government, and not upon that of the States."

COMMENT OFTEN OVERLOOKED

Despite the limits of application of the 2nd Amendment as recognized in the Presser case, this United States Supreme Court decision did contain a very cogent comment relative to the power of the States. This comment has been too often overlooked, but, strangely enough, it was quoted in a decision in New York State which sustained the Sullivan Law. The Presser case contains this statement:

"It is undoubtedly true that all citizens capable of bearing arms constitute the reserved military force or reserve militia of the United States as well as the States; and, in view of this prerogative of the General Government, as well as of its general powers, the States cannot, even laying the constitutional provision in question out of view, prohibit the people from keeping and bearing arms, so as to deprive the United States of their rightful resource for maintaining the public security, and disable the people from performing their duty to the General Government."

A number of decisions before and after the Presser case have held that the first 10 amendments did not restrict the States, but were only a restraint upon Congress.

Many states have incorporated the provision relative to arms in their own constitutions. These have varied in type, some being similar to the 2nd Amendment, while others empower the legislature to regulate the carrying of concealed weapons or the wearing of arms, or to prohibit armed bands of people, and like restraints. Some 15 states, or nearly one-third, have no provision whatever in their constitutions. It is obvious that, without the Federal Constitutional restriction, the court decisions in the various states, dependent on their own constitutional provisions, have not been uniform. New York, the home of the infamous Sullivan Law, has no constitutional provision, but their Civil Rights Law incorporates a provision which is substantially in the language of the 2nd Amendment. However, this being merely a statute, it can be superseded by a later statute passed by the legislature.

---

[74] THE FEDERALIST No. 28, at 171 (Modern Library ed. 1937) (Hamilton).

[1] NYU Law Rev Vol 38, pg 211.

[2] NYU Law Rev Vol 38, pg 216.

[3] NYU Law Rev Vol 38, pg 233.

[4] NYU Law Rev Vol 36, pg 761 (Article by Wm. J. Brennan, Asso. Justice Supreme Court of US).

[5] 116 US 252, 29 L ed 615.

NEW YORK COURT DECISION

The New York court decision,[6] heretofore mentioned as quoting an excerpt from the Presser case, upheld the right of the State of New York to prohibit the possession of a pistol, revolver, or other concealable firearm in a home. In discussing the fact that the Bill of Rights in the State of New York is embodied in its Civil Rights Law and not in its constitution, the court said:

"Nevertheless we fully recognize the proposition that the rights enumerated in the Bill of Rights were not created by such declaration. They are of such character as necessarily pertain to free men in a free state. . . ."

"The right to bear arms is coupled with the statement why the right is preserved and protected, viz., that 'a well-regulated militia is necessary to the security of a free state.' If the Legislature had prohibited the keeping of arms, it would have been clearly beyond its power."

Before a further discussion of the evolution of this doctrine of non-application to the States, and its status today, let us digress and discuss the nature of the *right* to bear arms. Arguments have been made in recent hearings before the Commerce Committee of the U.S. Senate that, (1) the right to bear arms is not a basic right, and (2) the right to bear arms is not a personal right accorded to the individual, but is only a collective right preserved to the militia as an organization. First, we shall examine whether the right to bear arms is a basic right. It is important that we keep this idea of a basic right in mind, because this concept of a right as being a natural or basic right has had considerable influence on the recent thinking of the Supreme Court.

ENGLISH COMMON LAW

As you know, the common law of England is the source of legal precedent in all States and the District of Columbia, with the exception of Louisiana, where the law has depended on the authority of the civil law of the Continent.[7] The "bible" of the law of England was Blackstone's Commentaries. In Jones' Blackstone,[8] Book the First, entitled, "Of the Rights of Persons", and Chapter First, entitled, "Of the Absolute Rights of Individuals" we find:

"Right To Bear Arms, the fifth and last auxiliary right of the subject, that I shall at present mention, is that of having arms for their defense, suitable to their condition and degree, and such as are allowed by law. Which is also declared by the same statute . . . and it is indeed a public allowance, under due restrictions, of the natural right of resistance and self preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression."

In summarizing this chapter on the rights, Blackstone says:

"In these several articles consist the rights, or, as they are frequently termed, the liberties of Englishmen: liberties, more generally talked of than thoroughly understood; and yet highly necessary to be perfectly known and considered by every man of rank or property, lest his ignorance of the points whereon they are founded should hurry him into faction and licentiousness on the one hand, or a pusillanimous indifference and criminal submission on the other. And we have seen that these rights consist, primarily, in the free enjoyment of personal security, of personal liberty, and of private property. So long as these remain inviolate, the subject is perfectly free; for every species of compulsive tyranny and oppression must act in opposition to one or other of these rights, having no other object upon which it can possibly be employed. To preserve these from violation, it is necessary that the constitution of parliament be supported in its full vigor; and limits, certainly known, be set to the royal prerogative. And, lastly, to vindicate these rights, when actually violated or attacked, the subjects of England are entitled, in the first place, to the regular administration and free course of justice in the courts of law; next, to the right of petitioning the King and parliament for redress of grievances; and *lastly, to the right of having and using arms for self-preservation and defense.*" (Emphasis added.)

Going back to as early as 1215 and Magna Carta, after the battle of Runnymede, it is found that Section 61 provided that if the King did not follow the provisions of the charter, the Barons should have the right to correct the King by force until the King should begin to follow the articles of the charter.[9]

Shifting to a most recent event, as measured by time, we find that Article 51 of the Charter of the United Nations includes this statement:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security."

TREATIES RECOGNIZE RIGHTS

The real import of the fact that the Charter of the United Nations recognizes "the inherent right of individual or collective self-defense" is that the United States is one of the signatory nations to this charter. Thus the charter has all the force and effect of a treaty. It is well-established law that treaties are superior to and supersede any of the Constitutional provisions of any of the States. For example, the early laws protecting migratory birds were held unconstitutional, but after we entered into a migratory bird treaty with Great Britain a statute passed to implement the treaty was upheld as a valid exercise of the power[10] to regulate. If the United States has by treaty recognized the inherent right of self-defense, presumably it has recognized the right to possess the usual and ordinary weapons used for self-defense.

More of the history of the Right to Bear Arms is found in the old 1840 Tennessee case of *Aymette* v. *The State*,[11] where it is said:

"The evil that was produced by disarming the people in the time of James II, was that the king, by means of a standing army quartered among the people, was able to overawe them, and compel them to submit to the most arbitrary, cruel, and illegal measures. Whereas, if the people had retained their arms, they would have been able, by a just and proper resistance to those oppressive measures, either to have caused the king to respect their rights, or surrender (as he was eventually compelled to do) the government into other hands. No private defence was contemplated, or would have availed anything. If the subjects had been armed, they could have resisted the payment of excessive fines, or the infliction of illegal and cruel punishments. When, therefore, Parliament says that 'subjects which are Protestants may have arms for their defence, suitable to their conditions, as allowed by law.' it does not mean for *private defence*, but being armed, they may as a body rise up to defend their just rights, and compel their rules to respect the laws. This declaration of right is made in reference to the fact before complained of, that the people had been disarmed, and soldiers had been quartered among them contrary to law. The complaint was against the *government*. The grievances to which they were thus forced to submit were for the most part of a public character, and could have been redressed only by the people rising up for their *common defence*, to vindicate their rights."

OTHER CONTENTION

Now to pass on to the other contention mentioned as having been asserted before the Commerce Committee of the Senate, i.e., that the right to bear arms is not a right accorded to the individual but only to the militia. The Supreme Court of the United States, our highest legal authority, handed down a decision in 1939, in the case of *U.S.* v. *Miller*.[12] Miller was charged with transporting a sawed-off shotgun in violation of the National Firearms Act. This is the case upholding the validity of this act. In speaking of the 2nd Amendment the court said:

"The signification attributed to the term Militia appears from the debates in the Convention, the history and legislation of Colonies and States, and the writings of approved commentators. These show plainly enough that the Militia comprised all males physically capable of acting in concert for the common defense. 'A body of citizens enrolled for military discipline.' And further, that ordinarily when called for service these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time."

The Supreme Court went on to quote from a book on the history of the times by Osgood. This stated:

" 'In all the colonies, as in England, the militia system was based on the principle of the assize of arms. This implied the general obligation of all adult male inhabitants to possess arms, and, with certain exceptions, to cooperate in the work of defence.'

" 'The possession of arms also implied the possession of ammunition, and the authorities paid quite as much attention to the latter as to the former.' 'A year later [1632] it was ordered that any single man who had not furnished himself with arms might be put out to service, and this became a permanent part of the legislation of the colony [Massachusetts].'

"Also 'Clauses intended to insure the possession of arms and ammunition by all who were subject to military service appear in all the important enactments concerning military affairs.' "

The court cited provisions of the laws from not only Massachusetts, but from New York and Virginia, all dated in Colonial times. These reveal that not only must the individual have had a musket or a rifle and the necessary ammunition and other equipment in his possession, but he must have purchased them at his own expense. He had to be ready at all times to produce these arms, and could be punished for his failure to do so. This case demonstrates that the right to bear arms was a right accorded to the individual person.

Those who contend that the right to have and bear arms is not an individual right but only a collective right accorded to the militia as a body, frequently point to the case of *Salina* v. *Blacksley*, decided in 1905 by the Supreme Court of Kansas.[13] This is the only case research has turned up which unequivocally holds that the right to bear arms applies only to the right to bear them as a member of the militia. As authority for this bland statement, it cites a Massachusetts case[14] as strongly supporting this position, but an examination of the Massachusetts decision reveals it did not discuss this proposition at all, but only sustained the right of the State to prohibit parades of privately armed organizations which were not a part of the state militia. As legal precedent, the

---

[6] 139 NYS 277 (1913).

[7] 11 Am Jur pg 157.

[8] Jones' Blackstone.

[9] The Right to Bear Arms, a Study in Judicial Misinterpretation, William & Mary Law Rev Vol 2, pg 381 at 385.

[10] 252 US 416, 64 L ed 641, 40 Sup Ct Rep 382, 11 ALR 984.

[11] 2 Humphreys' 154.

[12] 307 US 174, 83 L ed 1206.

[13] 83 Pac 619, 3 LRA (NS) 168.

[14] 44 NE 138.

Kansas decision appears to be of doubtful value.

What is all this discussion leading to, and why is it so important? It is important because the Supreme Court of the United States is gradually getting around to holding that all the provisions of the Bill of Rights have been incorporated into the Constitution, as applied to the States, by the enactment of the 14th Amendment.

JUSTICE BRENNAN SPEAKS

In 1962, William J. Brennan, Jr., another Associate Justice of the Supreme Court of the United States, also appeared in lectures at the New York University School of Law. His subject was exactly what we have been referring to. i.e., "The Bill of Rights and the States."[15] It is revealing to read some of his statements. As to natural or basic rights he says:

"The constitutions of the original states anticipated the national Constitution in declaring the doctrine that there are human liberties which are inalienable. This doctrine has ever since been the center and core of the American idea of limited government. The government of each state was the creation of the people of the state; the source of power was the people of that state. The only end and aim of government was to secure the people in their natural and civil rights."

Justice Brennan traces the history of the cases which have marked the steady progress of the court toward applying the provisions of the Bill of Rights to the States.

In *Adamson* v. *California,* in 1947, an appeal was taken to the Supreme Court by Admiral Dewey Adamson while California was waiting to execute him for murder.[16] He contended that the adoption of the 14th Amendment to the Constitution resulted in making the Bill of Rights applicable to the States and that certain rights accorded him by the Bill of Rights had been violated. The 14th Amendment, Sec. 1, is in these words:

"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law; nor deny any person within its jurisdiction the equal protection of the laws."

Nevertheless, the majority of the court still clung to the doctrine of the old decisions and held that the Bill of Rights was not activated as to the States by the 14th Amendment. Justice Black, however, wrote a famous dissent in which he contended that the Framers intended by the 14th Amendment, to apply the Bill of Rights to the States.

MORE RECENT DECISIONS

Justice Brennan points out that, although the Supreme Court has not accepted the incorporation of the Bill of Rights as a whole, it has proceeded piecemeal to hold that certain of the 10 Amendments restrict the States. The Court has extended the 1st Amendment's protection as regards freedom of religion, speech, press, assembly, and petition. The requirements of the 5th as to just compensation being paid for private property taken for public use have long been upheld. Due process has required counsel for an accused in criminal cases as stated in the 6th. Due process applies against unreasonable searches and seizures secured under the 4th. The rights granted under the 5th as to confessions have been applied.

When we ask ourselves the question, "Is the right to bear arms a natural and basic right?" we are supported in the affirmative by the following quote from Justice Brennan's lecture:

"The Bill of Rights is the primary source of expressed information as to what is meant by constitutional liberty. The safeguards enshrined in it are deeply etched in the foundations of America's freedoms."

Does not this quote strengthen our right to assert that the 2nd Amendment expresses a basic right? Our founding fathers thought the right to bear arms so important that it was incorporated in the Bill of Rights directly after the 1st Amendment protecting freedom of speech and religion.

Mr. Norman Redlich, Professor of Law at New York University School of Law in an article concerning this same subject, the Bill of Rights,[17] also reviews decisions of the Supreme Court which extend many of the restrictions to the States. In addition to those already mentioned, he includes the 8th Amendment. He predicts the future in these words:

"As already indicated, however, most of the major provisions of the Bill of Rights have either been incorporated into the Fourteenth Amendment, or are likely to be in the near future."

In reviewing what these authorities have said we are really trying to answer this question: What would the Supreme Court rule if it was confronted today with the specific problem of the right to bear arms contained in the 2nd Amendment? From what I have said I believe it is a fair statement to conclude that we have much more than a feeble hope. Based on substantial probability, we have a reasonable expectation that the Supreme Court would extend the restrictions of the 2nd Amendment to all of the States. Certainly if the right to bear arms is a basic, natural right, the court logically can hardly do otherwise.

Should this happen, do not conclude that suddenly Utopia has arrived for the gun owner. Despite all constitutional provisions, under the police power of the States the courts generally have upheld what they have considered the reasonable regulation, of concealed weapons, the possession of weapons not ordinarily used for defense or warfare, the firing of guns in populous areas, and many other like regulations. Although the Federal government has no police power and can impose controls, over firearms only through its right to regulate commerce, its right to tax, and its jurisdiction over the mails, all the States do have what is known as police power. Police power is the right to regulate the conduct of persons in furtherance of the health, the safety, and the general welfare of the citizens. Such powers may be extended by a state to its governmental subdivisions, such as cities and counties, which is one reasons why the surveillance of anti-gun legislation is so difficult. However, extension of the 2nd Amendment to the States would mean that the amendment would apply to those states having no constitutional restriction, and it could lead to more uniformity and a more sensible type of legislation.

Because the 15 States which have no constitutional provision regarding the right to have and bear arms include New York, Illinois, and California, the number of persons who would be affected, if the provisions of the 2nd Amendment were extended to the States, would be 40% of the population.

In conclusion, we should note that Justice Douglas, speaking in January 1963, eleven months before the brutal assassination of President Kennedy, said these prophetic words:

"Fear of assassination often produces restraints compatible with dictatorship, not democracy."[18]

It is important, in these most difficult times, that we stoutly stand up for our constitutional rights, those liberties which are rightfully ours.

The importance of the National Rifle Association and our affiliated state associations and clubs in informing our members and the public about detrimental legislation, can be characterized by this further quote from Justice Douglas:

"We have a Bill of Rights designed to keep government out of private domains. But the fences have been broken down; and machinery to restore them has been denied. The Bill of Rights—with the judicial gloss it has acquired—plainly is not adequate to protect the individual against the growing bureaucracy. He faces a formidable opponent in government, even when he is endowed with funds and with courage. The individual is almost certain to be plowed under, unless he has a well-organized active political group to speak for him. The church is one. The press is another. The union is a third. But if a powerful sponsor is lacking, individual liberty withers—in spite of glowing opinions and resounding constitutional phrases."

Mr. Speaker, it is my hope that all of our colleagues will give careful study to the content of the above referred to articles as they determine the course that we shall follow in meeting our responsibility as legislators.

THE 200TH ANNIVERSARY OF SHELBURNE, MASS.

Mr. CONTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I wish that I and my colleagues all had the time to enjoy a leisurely trip along the beautiful and historic Mohawk Trail. Our journey would lead us beside the winding Deerfield River through Franklin County in my own congressional district to the picturesque town of Shelburne, Mass. Shelburne is a small town in population but its dynamic citizens have from the beginning portrayed that rugged character and fortitude that typified the pioneer and revolutionary spirit. This month, Mr. Speaker, the good people of Shelburne will be celebrating the 200th anniversary of the incorporation of their town and since we all will not be present to share in the festivities, I would like to briefly review here the highlights of its long and most interesting history which give it just cause for celebration.

The territory now occupied by the town of Shelburne was at first part of a tract granted to Deerfield in 1712 and was called Deerfield Northwest or Deerfield Pasture. The area was inhabited and tamed only by the most determined and repeated efforts of the early settlers. Some time between 1752 and 1756 Jonathan Cathin and James Ryder moved from Deerfield and established the first settlement at Shelburne Falls. Cathin and Ryder, with their families bravely faced the difficulties and fears caused by the Indians but were driven at last to retire to Deerfield in 1756. It was not long before others from Deerfield and nearby

---

[15] NYU Law Rev Vol 36, pg 761.

[16] 332 US 46 (1947).

[17] NYU Law Rev Vol 37, pg 787.

[18] NYU Law Rev Vol 38, pg 210.

Coleraine returned to the Shelburne settlements so that by 1760 the families there numbered five and by 1761, 14.

These settlers still experienced fearful apprehensions of attacks by wild beasts and Indians and frequently fled to the Coleraine fort for safety. But they were always quick to return even when others less hardy were afraid to venture into the territory. The story is told that when Archibald Lawson an early settler bargained for 50 acres of land in Deerfield Northwest with the land agent in Deerfield, the agent said that he "would not go to Northwest for all the land there. Lawson took his 50 acres where he found a place to suit him."

Despite the hardship and trials which they faced, the inhabitants of Deerfield Northwest were there to stay and by 1768 were ready to petition to be set off as a separate district. On May 9 of that year, the petition was granted and on the 21st of the following June, the Great Court of Massachusetts incorporated the district of Shelburne. The name was chosen in honor of William Fitz-Maurice, of England, second Earl of Shelburne. Lord Shelburne, responding in the usual tradition, sent the town a bell which, as was also usual, disappeared after it arrived in Boston. Town and church meetings for a quarter of a century thereafter were "called together by the blowing of a conch shell."

These early citizens, hardened by the trials which they endured and made confident by the successes they achieved, were an independent and self-reliant lot. Consequently, in the conflict with Great Britain beginning in the 1770's, the town was quick to join forces with those who wanted the colonies to determine their own fate. In 1775, the district chose a town father, Samuel Fellows, to attend the Continental Congress at Watertown. Evidently, he returned with a favorable report of the proceedings for the town voted in 1776 that:

> This town will stand by the Honorable Continental Congress with their lives and fortunes, if their Honor think it expedient to declare us independent of the kingdom of Great Britain, for the safety of our rights and privileges.

The last district meeting called in His Majesty's name was held in February 1776. In 1779, the district resolved to take the oath of allegiance to the United States of America and, as evidence of its determination to be perseveringly patriotic, recorded a majority vote that:

> This town will agree as a town in raising soldiers from the beginning to the end of the war.

Fifteen men of the town served in the War of Revolution.

The citizen's concern for the freedom of the individual was expressed in other decisions that were not in full accord with the popular opinion of the times. Early in 1777 when the district was hiring soldiers for the Continental Army, a Negro man named Charles was one of the recruits and it was agreed by the town that he must be paid and treated as all the others. At a later date, when slavery was still legal in the Commonwealth of Massachusetts and a few families still held slaves, a fugitive slave from the State of New York took up residence in Shelburne. He was, however, kidnapped by those in search of him and carried off toward New York. The people of the town the record shows "were aroused to resentment, and a party started in pursuit of captors and captured, rescued the Negro and restored him to Shelburne, where he was allowed to remain unmolested until his death."

The people of Shelburne early realized the value of education for their sons and daughters and the first attempts to provide schools were made already in 1770. The town was divided into four parts. Each was to have a school and financial appropriations were made to that end. In 1793, the town proposed to found an academy which was chartered as the Shelburne Falls Academy, an institution of quality learning that was held in high respect through the next century. The report of the school committee in 1878 stated that there were 11 schools in the town of all types, for which the expenditure for a school year was $3,700.

Nor were the citizens of Shelburne lax in the emphasis they placed upon a sound religious basis to their community. In 1769, it was first resolved "to git us a minister to preach and to build a round-log meeting house." The outlay on church and minister made up the greatest part of the public expenditures. Shelburne Falls was always open to a broad range of religious convictions and at some time or other in its history Congregationalists, Baptists, Unitarians, Methodists, Universalists, and a Society of Shakers among others have erected churches upon the town's soil.

Shelburne had always been a town of agriculture but in the final decades of the last century, it also turned to industry so that its prosperity derived about equally from each. The first major industrial enterprises were the factory of J. W. Gardner whose works were devoted to the production of pocket cutlery, and the company of Streeter & Mayhem which manufactured "silk twist." Shelburne Falls has also been the home of the German Harmonica Co., organized in 1877—the "only one in the world that manufactured harmonicas by other than hand power." Agriculturally, Shelburne was always "noted for the production of fat cattle, butter, and maple sugar."

The people of Shelburne Falls have a right to be proud of their 200 years of history in which they have shown the true American spirit and character of independence and respect for the rights of others. Shelburne Falls has maintained the beauty and atmosphere of a New England town. The record reads:

> One hundred years after the incorporation of Shelburne, the town celebrated its centennial anniversary with public rejoicings, speeches, feasting, and musical exercise.

From June 21 to 30 the town of Shelburne, Mass., will celebrate its second hundred years with similar enthusiasms, I am sure, and I look forward to rejoicing with them at least in spirit if not in presence.

U.S. TRADE POLICY

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a speech.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, the hearings by the Ways and Means Committee on questions of trade policy are among the most important legislative considerations in the Congress at the present time. One of the most disturbing elements in this problem has been the degree to which the Congress has delegated control over matters of international trade to the executive branch of the Government. The present hearings seem to me to be a reassertion of responsibilities by the Congress.

I am very much concerned about the serious economic problem which imports are causing for some of our major industries. There is an increasingly ominous threat to the American textile industry, as well as to other segments of American productive enterprise.

Yesterday, I offered testimony to the Ways and Means Committee concerning the severity of these problems, and I would like to enter my comments in the RECORD at this point:

> Mr. Chairman, and members of the Ways and Means Committee, I very much appreciate the opportunity to offer testimony this morning on the question of United States trade policy. In my opinion, the deliberations of this Committee will have far-reaching consequences for the economic welfare of the nation.
>
> I should like to say at the beginning of these remarks that there is a regrettable tendency in discussing international trade policies to oversimplify the very complex arguments and to categorize those participating in the discussion as "free traders" or "protectionists." Oversimplification or name calling, however, only damages a sincere and reasonable consideration of the issues involved here.
>
> There is no question that international trade is essential to the American economy. The exchange of goods among the nations of the world is equally essential for stable and harmonious relations. These are basic facts which any consideration of trade policy must accept at the outset of the discussion. Our problem is to assure that we formulate trade policies which will stimulate international commerce in an orderly and equitable way. There is ample evidence, I believe, that we have failed to develop such policies and we are beginning to see the serious consequences of this failure.
>
> For twenty years, we have assisted both the reconstruction of the war-destroyed economies of other nations and have assisted scores of countries, old and new, in building stronger economic bases. In this process, we have opened our domestic market to encourage imports on an unprecedented scale. At the same time, we have not reacted to the barriers to trade other nations have erected. Certainly, the emergency conditions which brought about the uncritical attitude on the part of the United States no longer exist and it is time that we develop a more realistic posture. We can no longer afford to say, as I believe we have indicated in effect, that we will be willing to lower our tariffs only on the promise that other nations will not raise their barriers against our products.

In North Carolina, we have several major industries which are in various stages of difficulty because of present trade policies. Certainly, the textile industry is a major factor in our State and it is obvious now that serious problems are ahead for that industry if present trends continue. We need only to look at what is happening in our own marketplace.

In 1967, imports of cotton, wool, and man-made fiber textile products amounted to about 2.6 billion square yards or 10.1% of the U.S. market. This compares with an import penetration of 6.2% in 1961, indicating the very large increases in textile imports today.

As the Committee is aware, there is in existence an International Cotton Textile Trade Arrangement, which is supposed to provide some measure of control over imports. Negotiated in 1961, it was extended during the Kennedy Round negotiations to 1970. The arrangement does not provide for absolute import quotas. As it has developed, cotton textile imports have risen from 720 million square yards in 1961 to 1.5 billion square yards in 1967.

No restraints of any sort exist on man-made fiber or wool textiles. Wool textile imports now account for over 22% of the U.S. market, while man-made fiber textile imports rose from 151 million square yards in 1961 to 933 million in 1967.

For the first four months of 1968, total textile imports were 1,055,600,000 equivalent square yards—a record for any four-month period. Should they continue at this rate, textile imports in 1968 would reach almost 3.2 billion square yards. The previous import record, set in 1966, was 2.8 billion square yards.

All indications, therefore, are that without government action to restrain the growth of texitle imports, they will continue to increase, undermining a basic U.S. industry.

The textile industry has plants in 42 states, employing 950,000 people on a payroll of $4.5 billion. The apparel industry employs 1.4 million people in every state at more than $5 billion annually. Man-made fiber producing involves some 90,000 employees who are paid almost $650 million.

Textile, apparel and man-made fiber employment account for one out of nine U.S. manufacturing jobs. This complex supplies 27% of all manufacturing jobs in the Appalachian region where the government is trying to encourage industrial development.

In the State of North Carolina, the textile industry is the leading manufacturing employer. Textiles alone, employing almost 265,000 people, account for 43% of industrial employment in North Carolina, with an annual payroll of almost $1.2 billion. The State's more than 1000 textile plants produce almost one-fourth of all broad woven cotton goods in America; more than one-third of all man-made fibed fabric; almost 10% of the woolen and worsted goods; and nearly one-half of all cotton sales yarn.

The textile industry is unusually vulnerable to imports. The industry, worldwide, is largely labor intensive; textile fibers are abundantly available throughout the world and at a cost no higher, but often lower, than in the United States; per unit transportation costs are low and promise to decline further; textile technology is so widely known that no offsetting productivity advantage accrues to the U.S.; equipment can be used to produce textiles of various fibers, constructions and styles; relatively low capital requirements mean that the industry is marked by ease of entry and geographic dispersion; intense price competition characterizes the U.S. textile market and changes in the price of one product or construction frequently affect the prices of others; textile products are standard and interchangeable; and the physical resources of the industry cannot easily be shifted to other industrial uses.

These characteristics have led to the adoption of quantitative restraints on imports by many industrialized countries as the only answer to the import problem. Because of the all-fiber limitations applied by other countries, cartelization of foreign textile industries, and subsidization by many foreign governments of their textile exports, the U.S. market has received a disproportionate share of imports from low-wage countries. The U.S., of all developed countries, perhaps has the most liberal textile trade policy. However, government action is required on a multi-fiber basis if we are to meet this problem.

The volume, trend, and diversity of textile imports, if continued, will drastically alter the future shape and structure of the U.S. textile industry. If present policies continue, the management of the industry will be faced with the decision of whether to participate in the import business or face continuing erosion. Either would have devastating effects upon employment, wages, and the economy of the areas affected, as well as our national economy.

The industry does want to move abroad, either through the establishment of overseas facilities or by importing yarn and cloth. But unless there are reasonable restraints on the growth of imports, competition may force such considerations. Already, several major apparel manufacturers are exploring the feasibility of moving their productive operations abroad.

The solution to the import problem is to be found in the legislation pending in the Congress and sponsored by more than 250 members of the House and Senate. These bills contemplate international agreements which would give foreign producers a share of the U.S. market based on the highest levels of imports which they have enjoyed so far, plus participation in market growth. This kind of development of our domestic market would provide an orderly process which would deal fairly with all producers, domestic and foreign.

Although the textile industry is of paramount concern in North Carolina, we also see problems involving steel imports and huge increases in shoes. In our State, we have shoe producers in a number of communities where great economic hardship would result if these factories curtailed their production further. The import threat has reached serious proportions. Imported footwear, for instance, accounted for 14.9% of the market in the United States in 1966. However, this figure had grown to 21.4% of the market during 1967 and the rate is known to be increasing in the current year.

Obviously, we cannot go on sacrificing industries and the productive capacity of the nation in the name of expediency to foreign policy. Also, the mechanism in the present Trade Agreements Act whereby an industry can seek relief from damages is cumbersome and ineffective. We need a more flexible procedure for the satisfactory proof of damage than we now have available to American industry. And most of all, we need to recognize the immense advantages foreign products receive as a result of the encouragement of exports by their governments. This fact, plus the imposition of border taxes and other levies against U.S. products by many countries abroad, must not be ignored any longer.

It is my sincere hope that the Committee will favorably consider import quota legislation which I and many other members of the House have offered. I wish to recommend, also, that methods be explored to change our tax structure so that exports will be encouraged and U.S. products can be more competitive abroad.

It is urgent that these questions be given attention in depth if we are to deal fairly with our domestic industries and increase the exportation of American products. Both are essential for the economic well-being of the nation.

ADDRESS TO THE GRADUATING CLASS OF BENJAMIN FRANKLIN HIGH SCHOOL, CARBONDALE, PA.

Mr. McDADE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McDADE. Mr. Speaker, I was singularly privileged last week to address the graduating class of Benjamin Franklin High School, in Carbondale, Pa. This was a class of splendid young men and women who were obviously well prepared to step out of the classroom into the world of adults. I could not help but think that the generation which will one day be responsible for the great traditions of America is a fine one, if all over this Nation the graduating classes were like the one at Benjamin Franklin High School.

Present on that occasion were not only the parents of these fine graduates, but also the very distinguished educational leaders of the community: James D. Curran, superintendent of schools; William A. McDonough, principal of Benjamin Franklin High; James A. Moore, president of the school directors; Frank T. Mancuso, first vice president; John J. Gilhooley, secretary; Joseph P. McDonald, treasurer; and the other distinguished school directors, Frank T. Lee, Gordon W. Postlethwaite; and one to whom I must pay particular thanks for his courtesy and kindness, Mr. Matthew A. Lynch.

However notable the evening would have been as merely a graduation, it was made even more notable by the leaders of the class of 1968. I believe all of my colleagues will be impressed, as I have been impressed, by the sentiments of these young men and women who achieved first honors in their many courses. With your permission, Mr. Speaker, I include their remarks at this point:

WORLDS TO SHARE IN HOME ECONOMICS

(By Mary Ann Grebausky)

Home economists have many worlds to share. There is the world of youth . . . the oncoming generations to whom as teachers and advisors Home Economists are transmitting knowledge and professional understandings. There is the world of scientific research, in which Home Economists are cooperating to advance the knowledge of man and his needs. There is the world of the disadvantaged in America . . . the poor, the physically handicapped, the aged . . . for whom service oriented professional Home Economists are taking increasing responsibility. And there is the world of the developing nations, where families are still seeking the basic information that Home Economists have to share.

People from different backgrounds view their worlds in specialized ways. The expectations that they have for the future are completely different. Those in Home Economics are among the many professional groups forced with a heightened awareness of their failure to reach the families whose need for help is the greatest.

These families must be helped to recognize their citizenship in the world and to develop a willingness to assume the responsibilities involved. An understanding of international implications has relevance to the education of our students in assuming their places in the world and is absolutely essential if those in Home Economics are to meet the needs of people and families in other countries.

They can be forgiven for not meeting these needs in the past because many other groups were limited in their outreach and did not understand the needs of these people.

But in the future the eyes of the world will be upon them to see if they are developing new approaches based on study, research, and the desire to understand. Somehow they must create within themselves the attitudes, values, and experiences which will enable them to reach across the gap of the different styles of life to the central core of humanity . . . sharing their own worlds. It is only then that the helping hand can be both extended and accepted.

Education Bigotry

(By Rita Daniels)

Perhaps even greater than the threat of the atom bomb is the presence of racial strife throughout the world. Pick up any newspaper: riots in Tennessee, demonstrations in England, violence in Africa. Why? The roots of discrimination are embedded deep within history. For years they have penetrated far into the heart of man and left him with a cold and tangled world of unwarranted bigotry, prejudice, and hatred.

From the beginnings of time, one race or another has been placed atop the throne of scorn: The Israelites, the Indians, the Chinese. Today, society and education face perhaps the most crucial and most violent of all social problems in history—the white man vs. the black man.

Though he has declared the races to be equal, the white man has continued for a century to play the role of the superior being. His actions—segregating schools and communities and creating Negro ghettos—have continued to deny the Negro an equal place in society.

The Negro of the twentieth century can no longer remain dormant under the condescending hand of his one-time masters. Through the education of his race, he can gain respect and prestige. Eventually, he will forget the thousands of years of ignorance and prejudice that bound him outside of society.

Through education, the white man can come to a full understanding of the culture of the Negro, the nature of his customs, and the biological reasons for his darkened skin.

Education can place the white child in the same classroom with the dark child and accomplish the age old miracle of everlasting friendship.

Education can take the heart of a dying Negro and place it inside a white, thereby giving that man new life and re-establishing the fact that color means nothing.

We, as Americans, have nearly two-hundred years of education and experience to share with the less fortunate peoples of our world.

Through foreign exchange of our students and teachers, we can bring our world of prosperity into their world of poverty, ignorance, and hunger.

Perhaps the greatest of our educational-exchange media is the Peace Corps. The Peace Corps is an organization where Negro and white work hand-in-hand to build a schoolhouse for the children of Nigeria, or to sow the cotton fields of Tanganyika.

In short, education can unite our world by uniting its peoples. Education can accomplish its part; but more vital and pressing are the questions: Can society? **Can you?**

Worlds To Share in Business

(By Walter Parks)

I had chosen the Commercial Course in high school in order to prepare myself for the vast field of business with its many diversified areas. With my four years of preparation in high school, I hope to have the start to fulfill my personal goals in the field of business.

Business has a place for everyone with a will to work and learn and patience to endure the many setbacks that will occur in his own personal aims and ambitions.

Individual initiative can payoff in our free enterprise system, but one needs an education also, for without it there's no place for the uneducated worker in today's computerized society. Fifty years ago jobs were easier to get for requirements were lower but chances for promotions were very few. Today a high school diploma is one of the first requirements for jobs in the business world. They are getting increasingly harder to get because of the computer. Even though it has taken up many jobs previously done by man, it has also created a vast field of new and complex jobs which are open to bright young high school and college graduates.

Technical computer work is not the only area open up to a graduate. Business has need for many trained and willing workers. Typists, secretaries, and accountants are in great need. Every day in the newspapers one finds many advertisements for these specialized jobs. Even the Armed Forces are looking for skilled workers in the field of Business Administration. There are hundreds of openings for executive positions, in industry, for people who can start from the bottom and work up.

Today is the era of big business, of the super shopping center, of mergers, utilities, giant corporations and world cartels. It is the day of fantastic technology, of the computer and the I.B.M. machines, of lightning communication, and of automation in all phases of commerce and industry—in production, manufacturing, and transportation.

We are in the age of the automobile, of the textile industry with its countless new fabrics, of the great scientific strides in farming and agriculture, and of the ever-present television.

It is an age of gigantic banking, of an octopus known as the stockmarket, of sprawling insurance companies, of electronics, the super super-jets, intercontinental missiles, and of the atomic and nuclear world.

We're living in a generation of unlimited opportunities.

The field of Business has many worlds to share. Fellow Classmates, Business has a future for you.

Worlds To Share in Science

(By George Graham)

As we read the daily newspapers, we invariably find, conspicuously placed, in large letters, on the front page, an example of hostility between nations. It happens every day, whether it be in the Middle East, in Southeast Asia, or wholly within the Communist bloc; nations are continually, perpetually exhibiting their animosity toward each other. As long as there has been mankind, groups of men fought other groups of the same species. The origin of this type of conflict is lost in antiquity, possibly originating in the form of tribal warfare over territory for hunting, or as a result of provocation.

Now, turning to the last page of the paper, we will possibly find, much less blatantly displayed, an example of international cooperation. And the odds are that this act of brotherhood was performed in the name of science. For instance, many internationally sponsored research programs have taken place during the last few years. And, indeed, the cold war may yet be extinguished as a result of efforts in the cause of science.

The men of this discipline have a passionate curiosity that may lead them into years of tedious experimentation and re-experimentation, which may yield frustratingly inconsistent results. This untiring devotion to the exploration and explanation of the various phenomena of our world and the universe ultimately yields results whose benefits can be reaped by all of mankind. The new "miracle" drugs, our incredible electronic satellite communications systems, heart transplant operations, vicarious exploration of the moon and the planets via robot space probes; all of these are the result of long years of hard work by these men.

In their quest for new knowledge, scientists must cope not only with the lack of understanding on the frontiers of knowledge, but also with the lack of understanding on political frontiers, which may make it impossible for a researcher to consult with a colleague conducting a similar investigation in another country. For this reason, scientists have clamored for years for an open exchange among scientists from all countries.

During our four years of high school, we, as students, have been exposed to varying amounts of study in the diverse fields of science. We have learned of the attitudes of the scientist when he conducts an investigation. We can realize the great benefits which mankind can gain from a united scientific world to share. Such benefits might include a solution to the world-wide problem of starvation, or a united effort to unlock the secrets of the atom.

Some of us here in this Class of 1968 will go on to be the scientists of tomorrow, some, the political leaders of the future. Together it is possible that we will create worlds to share in science.

FAREWELL

Tonight truly represents a turning point in our lives, a time to sever old connections and create new ones. The past four years of our lives have, indeed, been truly memorable, and we can look back upon them with great affection. These fondest memories are the result of the tireless effort of many devoted individuals. The compassion and understanding, the advice and counsel, and the sometimes seemingly endless supply of patience that these people showed us were more than adequate to pull us through the minor trials of these vital and formative years unscathed.

As we stand on this threshold in our lives, we are moved to express the deepest, warmest, and most heartfelt gratitude to these individuals.

To Mr. Curran, and to the Board of Education, who have tried to make Ben Franklin High School a better place for us, we express our sincere thanks.

To Mr. McDonough and our faculty, who have been the source of advice, counsel, friendship, and the wealth of knowledge which makes up a high school education, we are deeply indebted.

And to our parents, who have lived these years with us, shared with us our triumphs and our setbacks, and who have been the source of a deep and immutable love which makes this occasion as significant a milestone in their lives as it is in ours, making them, perhaps, the happiest people in the audience; to them, we express a gratitude equal to the depth and strength of their love for us.

And now, classmates: This evening, in addition to being one of the most important, should be one of the happiest of our lives; but we cannot help feeling a little regret. This is, perhaps, the last time we shall be assembled as a class. During the last four years, we have all been together, working together, making strong and lasting friendships. After tonight we shall go our separate ways; friends always feel a little sorrow at parting, but we must go on, and make the most of our lives. Although we all may not perform great deeds, we have been given the training that will enable us to be intelligent and useful citizens, and with initiative and courage we can be successful in our quests.

Tomorrow, when we go out into the world, though we may go our separate ways, we can all look back on the one great thing that bonds us, the one thing we all share: we are the Class of 1968 of Benjamin Franklin High School. Classmates, farewell!

FEDERAL EMPLOYEE FREEDOM OF CHOICE ACT OF 1968

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, I am pleased to join with some of my colleagues in introducing a bill known as the Federal Employee Freedom of Choice Act of 1968. Let me state at the outset that this legislation is not intended in any way to curtail regular union activity and organization. I am sure that we all are aware of the fact that the recognized, legal union movement played an important role in the growth and prosperity of our Nation as well as in the betterment of our working citizens. I certainly do not oppose, and in fact uphold the right of an employee to join a union whether he is in the private sector of our economy or in the Federal service, as long as the individual right of choice is protected. It is my sincere belief that the passage of this legislation is necessary to prevent the possibility that compulsory unionism could be forced upon Federal employees at some future date by Executive order.

The Federal Employee Freedom of Choice Act of 1968 is in keeping with our traditional constitutional concept of the individual's "right to refrain." I quote from the Executive order issued by the late President Kennedy in 1962:

> Employees of the Federal government have, and shall be protected in the exercise of, the right, free and without fear of penalty or reprisal, to form, join and assist any employee organization or to refrain from any such activity.

In this instance I agree with the late President and believe that this concept should be permanently established by congressional action.

I have opposed compulsory arbitration, except where our national defense might dictate and I therefore must oppose compulsory unionism. To me, the chief objective of our Government, of our businesses, and of our organized unions, must be service to our people. Whenever either loses sight of this fundamental purpose, then we, the Congress, as representatives of the people, have the right and duty to legislate for the best interests of all concerned. Thus, when management puts profit above the service to the people; or when labor puts wages above service to the people; or when the Government grants favorable consideration to one above the other against the best interests of the people for the purpose of gaining votes, then we put our Republic in peril and make ourselves prey to outside agitators, as well as those who lay wait within for the opportunity to destroy our Nation.

I am convinced that we must by law establish once and for all the right of Federal employees to join a union or not to join a union. I believe that these basic rights, which are embodied in this bill, will find support among all Americans who believe in the rights of the individual.

INTRODUCTION OF A JOINT RESOLUTION CREATING A JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I am today joining with other Members of the House in sponsoring legislation to set up a Joint Select Committee of the House of Representatives and the Senate to make a study of all aspects of crime and to make recommendations to the respective Houses of the Congress with respect to any remedial legislation which would contribute to protecting the lives and property of our people.

I do not think there is any doubt that our current methods of dealing with crime are inadequate and that we are facing a crime crisis of gigantic proportions in the United States. If the media's daily news reports do not give us the picture, a look at the crime reports compiled by the Federal Bureau of Investigation will make it abundantly clear.

The statistics for 1967 as compiled by the FBI under the Uniform Crime Reports will not be available until July of this year but a look at the figures in the 1966 crime report gives unmistakable evidence of the appalling growth rate of serious crime in this country.

Just a brief look at the summary of the 1966 report shows that there were approximately 3¼ million serious crimes reported during 1966; an 11-percent rise over 1965. The risk of becoming a victim of serious crime increased 10 percent in 1966 with almost 2 victims per each 100 inhabitants. Firearms were used to commit more than 6,500 murders and 43,500 aggravated assaults. The summary goes on to show the increase in all types of crime and I highly recommend the reading of this document to every Member of the House.

Mr. Speaker, this trend must be reversed immediately. Although Congress has enacted several measures to combat the increase in crime and provide assistance to law-enforcement agencies in recent years, the plain fact is that we have a national crisis on our hands. Acting in unity and with calm determination we can overcome this crisis. The prompt establishment of a Joint Congressional Committee To Evaluate and Act on the Findings of the President's Crime Commission report is the first step we must take together and we should take it now.

I believe that the majority of Members in the House share my sense of urgency in this matter and I invite others to join in sponsorship of this legislation. Congress can and must lead the way in the all-out fight to prevent the further spread of the crime epidemic which is invading every area of our country.

NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, the National Commission on the Causes and Prevention of Violence had its first working meeting today. At the end of the meeting Dr. Milton Eisenhower, Chairman of the Commission, issued the following statement.

I commend its reading to all Members of the Congress:

STATEMENT BY DR. MILTON EISENHOWER, CHAIRMAN OF THE NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

Today the National Commission on the Causes and Prevention of Violence held its first working meeting, in which we mapped our plan for carrying out the mandate the President has given us. In establishing this Commission, the President charged us to search for the causes of violence and the means of containing or preventing it, and to report on the results of that search. Our studies will take us into our past as well as our present, our traditions as well as our institutions, our customs and culture as well as our laws. We shall try first to measure the extent of violence and to understand its causes, and next to develop concrete recommendations to control and reduce the domestic violence which now seems to be scourging this Nation.

We start work with open minds. But we do not begin our effort at dead-center; instead, we can build on the important work that has already been done by the Congress and its Committees, by previous National Commissions, and by the social scientists who have been doing productive work in these fields at our leading universities and centers of research.

Specifically, we shall investigate three major types of violence:

Assassination and other physical attacks on and threats against public officials and others in positions of authority or prominence;

Violence associated with the activities of formal and informal groups, particularly illegal mass action of various kinds; and

Violent crimes against private persons committed by individuals or small groups.

As part of our investigations of these three major types of violence, we shall focus particular attention on prominent features of contemporary American life which may have a special bearing on problems of violence. These include:

Guns and controls over their sale and use; the structure of law and law enforcement; the influence of mass media; the historical, cultural, sociological, psychological, religious, and other factors that relate to an understanding of the occurrence of the major types of violence.

On behalf of the Commission, I have asked the Executive Director to assemble and organize the staff necessary to produce for the Commission's consideration a series of staff reports on these topics. Based on these staff reports and on such other evidence as we develop, the Commission will prepare and publish one or more reports in response to its mandate. The President has requested us to report to him by December if possible, and we will do our utmost to put out at least an Interim Report by that time.

We will be a working Commission. We anticipate some public hearings later in the summer. We will carefully study published and unpublished materials from many sources. We will confer with scholars and people in other walks of life who have concerned themselves with the subject of violence. Most of all, we will try to make an informed application of our collective common sense and judgment in an effort to understand, to explain, and to suggest solutions for the great problems which the President has laid before us.

At the outset of our work, we express our confidence that liberty, progress and order are not irreconcilable. We are today a free, open and progressive society. We shall remain so by finding ways to achieve our goals without violence. We hope our Commission can help to illumine the path.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Flynt (at the request of Mr. Albert), for today, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Conte, for 15 minutes, today; to revise and extend and include extraneous matter.

Mr. Saylor, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Olsen, for 1 hour, today; to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Thompson of Georgia), for 10 minutes today; to revise and extend his remarks and include extraneous matter.

Mr. Whitener (at the request of Mr. Matsunaga), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Matsunaga), for 30 minutes, on June 19; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Edmondson and to include extraneous matter.

Mr. Hall in two instances and to include extraneous matter.

(The following Members (at the request of Mr. Thompson of Georgia) and to include extraneous matter:)

Mr. Gardner.
Mr. Harvey.
Mr. Wyatt in two instances.
Mr. O'Konski in two instances.
Mr. Michel.
Mr. Denney.
Mr. Scherle in two instances.
Mr. King of New York in three instances.
Mr. Scott.
Mr. Zwach.
Mr. Keith.
Mr. Curtis in two instances.
Mr. Derwinski in three instances.
Mr. Ashbrook.
Mr. Bush.
Mr. Brown of Ohio.
Mr. Gerald R. Ford.
Mr. Lukens.
Mr. Brotzman.

(The following Members (at the request of Mr. Matsunaga) and to include extraneous matter:)

Mr. Dingell in two instances.
Mr. Long of Maryland in four instances.
Mr. McFall.
Mr. Ottinger.
Mr. Daniels in two instances.
Mr. Minish.
Mr. Brown of California.
Mr. Pepper.
Mr. Andrews of Alabama.
Mr. Willis in two instances.
Mr. Fraser in two instances.
Mr. Rarick in six instances.
Mr. Hébert.
Mr. Ullman in five instances.
Mr. Hamilton.
Mr. Brademas in six instances.
Mr. Patten in two instances.
Mr. Nix.
Mr. Brinkley.
Mr. Clark.
Mrs. Sullivan in three instances.
Mr. Eckhardt in two instances.
Mr. Gonzalez in three instances.
Mr. Dorn in two instances.
Mr. Hathaway in two instances.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2276. An act to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations; and

S. 2914. An act to authorize the further amendment of the Peace Corps Act.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6157. An act to amend section 3620 of the Revised Statutes with respect to payroll deductions for Federal employees.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 19, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1948. A letter from the Assistant Administrator for Program and Policy, Agency for International Development, Department of State, the report on offshore procurement in bulk in excess of $100,000, for the period of July to December 1967, pursuant to the provisions of section 108, Foreign Assistance and Related Agencies Appropriations Act of 1966; to the Committee on Appropriations.

1949. A letter from the Postmaster General, transmitting a draft of proposed legislation to empower postal inspectors to serve warrants and subpenas and to make arrests without warrant for certain offenses against the United States; to the Committee on the Judiciary.

1950. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according the beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1951. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Trademark Act of 1946 to provide an exemption from the restrictions of the trademark laws, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENDERSON: Committee on Post Office and Civil Service. H.R. 13844. A bill to amend title 5, United States Code, to provide time off from duty without loss of pay or reduction in leave for employees of executive agencies to attend and make necessary arrangements in connection with the funerals of their sons or daughters in the U.S. Armed Forces overseas who died in or as a result of armed conflict with a hostile foreign force or forces, and for other purposes; with amendment (Rept. No. 1560). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15714. A bill to extend until June 30, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways; with amendment (Rept. No. 1561). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1217. Resolution providing for the consideration of H.R. 15651, a bill to amend the Immigration and Nationality Act to facilitate the entry of foreign tourists into the United States, and for other purposes. (Rept. No. 1562). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1218. Resolution providing for the consideration of H.R. 17126, a bill to amend the Food and Agriculture Act of 1965 (Rept. No. 1563). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1219. Resolution providing for the consideration of S. 322, an act to restrict the disposition of lands acquired as part of the national wildlife refuge system (Rept. No. 1564). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 1220. Resolution providing for the consideration of the conference report on H.R. 15414, an act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations (Rept. No. 1565). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Florida:

H.R. 17930. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 17931. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

H.R. 17932. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 17933. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 17934. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 17935. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States, to encourage the study and improvement of the care, handling, and treatment, and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities, and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Louisiana:

H.R. 17936. A bill to amend the Sugar Act of 1948, to provide that deficits in the Puerto Rican sugar quota shall be prorated to domestic areas, and for other purposes; to the Committee on Agriculture.

By Mr. ROGERS of Florida:

H.R. 17937. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RONAN:

H.R. 17938. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 17939. A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

By Mr. YATES:

H.R. 17940. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 17941. A bill to open U.S. Information Agency materials distributed abroad to public inspection; to the Committee on Foreign Affairs.

By Mr. ASPINALL (for himself, Mr. SAYLOR, Mr. CAREY, and Mr. MORTON):

H.R. 17942. A bill to amend the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

H.R. 17943. A bill to amend the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 17944. A bill to modify the project for improvement of Miami Harbor, Fla.; to the Committee on Public Works.

By Mr. FRIEDEL:

H.R. 17945. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 17946. A bill to amend the act of August 22, 1949 (63 Stat. 623), so as to authorize the Smithsonian Institution to plan and construct museum support and depository facilities; to the Committee on House Administration.

By Mr. KYROS:

H.R. 17947. A bill to amend the Public Health Service Act to provide for the estab- National Institutes of Health; to the Com- lishment of a National Eye Institute in the mittee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 17948. A bill to amend section 34(b) of the Trading With the Enemy Act to extend the time within which certain depositor creditors of the Yokohama Specie Bank, Ltd., may file claims with the Attorney General; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 17949. A bill to extend the scope of nonmailable matter to all firearms; to the Committee on Post Office and Civil Service.

By Mr. PICKLE:

H.R. 17950. A bill to amend the Service Contract Act of 1965 to exempt nursing home care contracts with Veterans' Administration from the operation of such act; to the Committee on Education and Labor.

H.R. 17951. A bill to amend section 620 of title 38, United States Code, with respect to contracts for nursing home care under such section; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Georgia:

H.R. 17952. A bill to require that persons displaced from their dwellings by real property condemnations in Federal or federally assisted programs be provided equivalent replacement housing; to the Committee on Public Works.

By Mr. TUNNEY (for himself and Mr. UDALL):

H.R. 17953. A bill to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 17954. A bill to correct certain inequities and relieve certain liabilities arising out of overpayments of compensation to Government employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ASHLEY:

H.J. Res. 1338. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BURKE of Massachusetts:

H.J. Res. 1339. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DENNEY:

H.J. Res. 1340. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. GUDE:

H.J. Res. 1341. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H.J. Res. 1342. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 17955. A bill for the relief of Andrew Panothiocas; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 17956. A bill for the relief of Jamie Caro Gregorio and Helen Ilan Gregorio; to the Committee on the Judiciary.

H.R. 17957. A bill for the relief of Yerk-Fei Sze; to the Committee on the Judiciary.

H.R. 17958. A bill for the relief of Antoine Samuel Taimana, Toimata Teraiefa Taimana, and Gilbert Taimana; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 17959. A bill for the relief of Dr. Hermann Josef Lohmann; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 17960. A bill for the relief of Niranjan K. Sharma; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 17961. A bill for the relief of Alton J. Fairchild; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 17962. A bill for the relief of Paulino Guim Lopez; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17963. A bill for the relief of Antonio Zuma; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 17964. A bill for the relief of Dr. Chong Choon Han, his wife, Soon Hwa Han (nee Lee), and their minor children, Soo Man Han, Kyung Sunn Han, Kyung Mi Han, and Kyung Eun Han; to the Committee on the Judiciary.

H.R. 17965. A bill for the relief of Dr. Poh-Yuan Tseng and his wife, Chi Hui Tseng; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 17966. A bill for the relief of Fabrizio Mariano Tazzioli; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 17967. A bill for the relief of Archilleos Buterakos; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 17968. A bill for the relief of Georgios Mangaritsides; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 17969. A bill for the relief of Licia Marchi; to the Committee on the Judiciary.

H.R. 17970. A bill for the relief of Antonio E. Marti; to the Committee on the Judiciary.

H.R. 17971. A bill for the relief of Dr. Juan G. Roederer; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 17972. A bill for the relief of Francisco Ricchuiti; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 17973. A bill for the relief of Demetrios Souvatzis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

348. By the SPEAKER: Petition of Richard L. Walker, St. Matthews, Ky., relative to Rhodesia; to the Committee on Foreign Affairs.

349. Also, petition of the Chairman, District Government Council, Guam, relative to opposition to a federally appointed comptroller in the elective governor bill; to the Committee on Interior and Insular Affairs.

350. Also, petition of the city council, Elizabeth, N.J., relative to the sale and use of firearms; to the Committee on the Judiciary.

351. Also, petition of the board of supervisors, El Dorado County, Calif., relative to Federal welfare assistance to nonresidents; to the Committee on Ways and Means.

SENATE—*Tuesday, June 18, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, the reality behind all earth's shadows: Seeing that we spend our days as a tale that is told and that we pass this way but once, keep us from unkind words and from unkind silences, yet sure and strong in the faith that is in us.

Enrich us with those durable satisfactions of life so that the multiplying years may not find us bankrupt in those things that matter most—the golden currency of faith, and hope, and love.

May we follow the gleam of the highest and best we know, as it leads o'er moor and fen and crag and torrent till the evening comes and the fever of life is over, and our work is done.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 17, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 449. An act to provide for the popular election of the Governor of Guam, and for other purposes;

S. 450. An act to provide for the popular election of the Governor of the Virgin Islands, and for other purposes;

S. 1251. An act to make certain reclamation project expenses nonreimbursable; and

S. 3159. An act authorizing the Trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive Northwest, in the District of Columbia, and making provision for the maintenance thereof.

The message also announced that the House had passed the bill (S. 222) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 15562) to extend the expiration date of the act of September 19, 1966, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 785) relating to the pay of the U.S. Capitol Police force for duty performed in emergencies, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2276. An act to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations;

S. 2914. An act to authorize the further amendment of the Peace Corps Act; and

H.R. 6157. An act to amend section 3620 of the Revised Statutes with respect to payroll deductions for Federal employees.

HOUSE BILL REFERRED

The bill (H.R. 15562) to extend the expiration date of the act of September 19, 1966, was read twice by its title and referred to the Committee on Agriculture and Forestry.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 785) relating to the pay of the U.S. Capitol Police force for duty performed in emergencies, was referred to the Committee on Rules and Administration.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

Mr. DIRKSEN. Mr. President, I am compelled to object.

The PRESIDENT pro tempore. Objection is heard.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1212 and 1215.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF THE WATER RESOURCES PLANNING ACT

The Senate proceeded to consider the bill (S. 3058) to amend the Water Resources Planning Act to revise the authorization of appropriations for administering the provisions of the act, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment; on page 1, after line 7, strike out:

(a) such amounts as may be necessary to administer the provisions of titles I, II, III, and IV: *Provided*, That not to exceed $400,000 annually shall be available to administer the provisions of title III; and

And, in lieu thereof, insert:

(a) such amounts as may be necessary for the administration of the Act: *Provided*, That not to exceed $1,500,000 annually shall be available until the expiration of the program established by title III, and not to exceed $1,100,000 annually shall be available thereafter; and

So as to make the bill read:

S. 3058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Water Resources Planning Act (Public Law 89–80; 79 Stat. 244) is amended to read as follows:

"Sec. 401. There are authorized to be appropriated to carry out the provisions of this Act—

"(a) such amounts as may be necessary for the administration of the Act: *Provided*, That not to exceed $1,500,000 annually shall be available until the expiration of the program established by title III, and not to exceed $1,100,000 annually shall be available thereafter; and

"(b) not to exceed $6,000,000 annually to carry out the provisions of title II: *Provided*, That not more than $750,000 annually shall be available for any single river basin commission."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1234), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE MEASURE

The purpose of this legislation, which was proposed by the administration, is to revise the authorization of appropriations for the administrative expenses of carrying out the provisions of the Water Resources Planning Act (79 Stat. 244). The act is amended to increase from $700,000 to $1,500,000, the amount authorized to be appropriated annually for the administrative functions of the Water Resources Council under all titles of the act.

BACKGROUND

The Water Resources Planning Act of 1965 established the Water Resources Council and assigned to it a number of functions relating to the coordination of planning for the conservation, development, and utilization of the water and related land resources of the United States. Title I of the act sets forth the Council's functions in the administration of the provisions of the act. Section 401 of the act authorizes "* * * to be appropriated not to exceed $300,000 annually, to carry out the provisions of title I * * *".

Section 401 further authorizes "* * * not to exceed $400,000 annually for the administration of title III". Title III establishes a program of grants to the States for comprehensive water and related land resources planning.

The Water Resources Council is now established and operating. Its estimated expenditures under title I are $290,000 for fiscal year 1968. The fiscal year 1969 budget includes $311,000 for these activities, which is in excess of the appropriation limitation of the act. Because of passage of the Federal Salary Act of 1967 and other factors, programs exceeding $300,000 are anticipated in future years.

Estimated expenditures for the administration of title III are $220,000 for fiscal year 1968 and $235,000 for fiscal year 1969.

PRESENT LEGISLATION

On February 24, 1968, the Water Resources Council submitted to the Congress proposed legislation to amend the Water Resources Planning Act. The legislation, by substituting new language for section 401 of the act, would entirely remove the limitation on appropriations to carry out the provisions of title I. The other provisions of section 401 would not be changed by the proposed amendment.

The Subcommittee on Water and Power Resources held an open hearing on April 22, 1968, to take testimony on the bill, S. 3058, submitted by the Water Resources Council.

COMMITTEE AMENDMENT

The committee amended the bill by deleting language which would retain the limitation of $400,000 annually for the administration of title III, but which would completely remove the limitation on authorizations for other administrative functions of the Council, and substituting instead language which would provide a new limitation of $1,500,000 for all administrative functions of the Council under the act. The amendment further provides that when the program established by title III expires, the limitation will be reduced to $1,100,000 annually to reflect the reduced responsibility.

It is the intention of the committee to provide the necessary authority for the Council to obtain adequate appropriations to effectively carry out its responsibilities under the Water Resources Planning Act. The committee recognizes that increasing costs for personnel services and operating experience gained by the Council may indicate the desirability of providing additional funds in future years.

A small increase in the limitation is necessary to cover the Council's appropriation request for fiscal year 1969. In testimony before the subcommittee on Water and Power Resources, administration witnesses indicated that further increases will be necessary to provide adequate staff for the various activities in which the Council is engaged. The administration has recommended the elimination of any limitation so that such increases may be requested, as necessary, in the appropriation process.

The committee has decided to retain a limitation and has set it at $1,500,000 to cover foreseeable increases in the cost of the Council's administrative functions including the future funding of economic studies which are presently being funded by transfers from several Federal departments and agencies. The new limitation is based upon estimates of future requirements which were provided by the Water Resources Council at the request of the committee. The derivation of the limitation is as follows:

Present limitations:	
Title I	$300, 000
Title III	400, 000
Subtotal	700, 000
Future costs of economic studies now funded by other agencies	250, 000
Increased costs of administration anticipated	550, 000
Total new limitation	1, 500, 000

The anticipated increase in administrative costs of $550,000 includes $200,000 which would not be required annually but only in those years in which national assessment reports are being finalized.

The committee has substituted a single limitation for the two limitations provided in the act. The separation of the authorization for administering title III from that for administering the remainder of the act imposes unwarranted accounting problems, because the Council is a small organization in which particular individuals often perform duties in connection with title III as well as other provisions of the act. It is anticipated, however, that the costs of administering the title III program will not exceed $400,000 and the total limitation will be reduced by that amount at the expiration of the program.

In testimony before the Subcommittee on Water and Power Resources, administration witnesses discussed the Council's activities regarding the establishment of principles, standards, and procedures for the formulation and evaluation of Federal water and related land resources projects. Specific mention was made of the Council's current consideration of revision of the discount rate formula set forth in the present principles, standards, and procedures, approved by the President on May 15, 1962, and printed as Senate Document 97, 87th Congress, second session.

The committee believes that the Council should give attention to all of the criteria utilized in the economic analysis of water resource projects, of which the discount rate is only one part.

Of particular concern is the impact of water resource development upon other economic and social objectives of the Nation. The committee feels that the present interpretation of Senate Document 97 results in benefit analyses which place little or no emphasis upon the indirect and secondary effects of projects. As a result, projects are being formulated and proposed which optimize the value to the direct beneficiaries and neglect the impact, both beneficial and detrimental, upon other sectors of the economy and society. To facilitate more valid consideration of investments in water resource development in relation to other Federal programs, the economic analyses of projects should reflect the broadest scope of potential benefits and costs which will result from the implementation of proposals.

The committee believes that the promulgation of new discount formula should appropriately be made a part of a reconsideration and restatement of principles, standards, and procedures for economic analyses of Federal water and related land resource projects.

COMMITTEE RECOMMENDATIONS

The Interior and Insular Affairs Committee recommends that S. 3058, as amended, be enacted.

SUSPENSION OF DUTY ON ELECTRODES USED IN PRODUCING ALUMINUM

The Senate proceeded to consider the bill (H.R. 17104) to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum which had been reported from the Committee on Finance, with an amendment, on page 1, after line 10, insert a new section, as follows:

> Sec. 3. Title XI of the Social Security Act is amended by adding at the end thereof the following new section:
>
> "AUTHORITY OF SECRETARY TO MAKE CERTAIN PUBLIC ASSISTANCE PAYMENTS
>
> "Sec. 1122. The Secretary is authorized to make, after March 31 of any fiscal year (beginning with the fiscal year ending June 30, 1968), payments out of any moneys in the Treasury not otherwise appropriated, to States under titles I, IV (except with respect to activities included under part C), V, X, XIV, XVI, and XIX, for months of the last quarter of such fiscal year and for months of the first quarter of the next fiscal year. The obligations incurred and the expenditures made under the preceding sentence for payments under each of such titles for months of the last quarter of any fiscal year shall be charged to the appropriations for such fiscal year or the next fiscal year, and the obligations incurred and the expenditures made under the preceding sentence for payments under each of such titles for months of the first quarter of any fiscal year shall be charged to the appropriations for such fiscal year or the preceding fiscal year."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1235), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

COMMITTEE AMENDMENT

The committee amendment, which adds a new section to the Social Security Act is designed to insure the orderly funding of the medicaid and other public assistance programs during the final quarter of each fiscal year.

SUSPENSION OF DUTIES ON ELECTRODES FOR USE IN PRODUCING ALUMINUM

The purpose of H.R. 17104, as it passed the House, is to continue until the close of July 15, 1969, the suspension of duties on electrodes imported for use in producing aluminum.

Under the permanent provisions of the Tariff Schedules of the United States, electrodes of the kind covered by the bill are currently dutiable under item 517.61 at 11 percent ad valorem, the first stage of a rate reduction to 6 percent as a result of the tariff concessions agreed to in the Kennedy round. However, the duty on electrodes imported for use in producing aluminum was suspended from October 7, 1965, under Public Law 89-241, until July 15, 1966, and was further suspended by Public Law 89-434 until July 15, 1968.

The committee is informed that the electrodes of the type covered by the bill usually are manufactured by aluminum companies themselves at the site where they are to be used in the electrolysis of alumina into aluminum. These electrodes, generally of carbon or graphite, are consumed in great quantities in the electrolysis process. The committee is informed that the small aluminum plant which has been importing electrodes due to an insufficient volume of aluminum production to permit efficient manufacture of electrodes at its plant is now planning to produce its own electrodes and should be doing so within 1 year. In view of this, the committee believes that an extension of the suspension of duty on electrodes imported for use in processing aluminum for a 1-year period, as provided in H.R. 17104, is warranted.

AMENDMENT TO THE SOCIAL SECURITY ACT

For some years, the Department of Health, Education, and Welfare Appropriation Acts have each year authorized that Department to make public assistance payments to States during the last months of the fiscal year even though the regular appropriation has been obligated and supplemental appropriations have not yet been made available. This is done through the device of "borrowing" funds from the following fiscal year's appropriation until a supplemental appropriation is enacted. The 1968 Health, Education, and Welfare Appropriation Act permits this "borrowing" to begin on May 1.

During the current fiscal year, the May 1 date proved too late. Health, Education, and Welfare began to run out of funds during April because of unanticipated increases in public assistance costs. To assure that recipients received their cash payments during April, Health, Education, and Welfare decided to defer all medicaid (title XIX) payments, and instead to use the limited funds available only for cash payments. Because of this, many nursing homes and other providers of medicaid services will not receive payment for April until supplemental appropriations become available.

The committee amendment is aimed at preventing this kind of problem by adding permament authority to the Social Security Act permitting the Secretary of Health, Education, and Welfare during the last quarter of a fiscal year to "borrow" funds from the following year's appropriation for public assistance. This would permit the Department of Health, Education, and Welfare to continue to advance funds to States so that they could make payments to recipients and medical vendors during the last 3 months of the fiscal year (instead of only the last 2 months, as the 1968 Health, Education, and Welfare Appropriation Act provides).

The title was amended, so as to read: "An act to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum, and for other purposes."

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. Ribicoff in the chair). Without objection, it is so ordered.

CORRUPTION IN VIETNAM

Mr. TALMADGE. Mr. President, a newly published book by William J. Lederer sets forth in shocking detail some of the corruption and massive stealing and costly mismanagement in the war zone of South Vietnam.

Excerpts of this book, "Our Own Worst Enemy," were published in the June 1 edition of the Saturday Evening Post. It has been widely read and discussed. I have received many, many letters about it.

I have not yet had an opportunity to read the book in its entirety. But based upon the magazine article, I shudder to think of what further revelations are unfolded for the American taxpayers on how their dollars—millions upon millions of them and perhaps even billions—are squandered or stolen in South Vietnam. I suspect that this book will have a tremendous impact on the American public.

I hope that the impact on Congress will be just as great.

Reports of governmental graft and corruption, stealing and black marketeering in South Vietnam have become so numerous and alarming that they cannot be ignored or brushed aside. Congress must take notice. The administration must take notice.

These reports should be fully investigated. The American people are financing this war. They are sending their sons and husbands over there to fight and die. They have a right to the facts.

The American people have a right to know if the war effort in Vietnam is being undermined by official graft and thievery. The taxpayers have a right to know if there is in fact corruption and stealing in Vietnam and, if so, how extensive it is, how long it has been going on, and how many millions or billions of dollars have gone down the drain.

And equally important, the people have a right to know what is being done to stop it. We have a right to demand—not just to request on bended knee, but to demand—the full and unqualified cooperation of the South Vietnamese Government in protecting the investment of American lives and money.

We are over there at a cost of $2½-billion a month and are sacrificing American men on the battlefield in a war that is not our war, but theirs. The American people are entitled to the truth about how their dollars are being spent and under what conditions our men are fighting.

It is my understanding that the Department of Defense and the Agency for International Development are in the process of preparing an answer to the Lederer article and other similar reports of corruption that have come out of Vietnam.

I do not believe this will be enough. Their report can hardly be expected to be objective. Certainly, they are going to be concerned primarily with protecting their own bureaucratic spheres of influence. They are not likely to report that any of their minions in the far-flung world of foreign aid have been guilty of gross inefficiency, negligence, or multi-billion-dollar wasteful spending.

Moreover, I do not believe they can explain to the satisfaction of the American people how it is that the United States could commit a half million soldiers to the battlefield in defense of a country, and then allow that country to steal us blind—if this has been the case, as reported from numerous sources over at least the past 2 years.

For example, on May 12 there appeared on the front page of almost every major daily newspaper in the country an Associated Press story on a Senate report prepared by the Senator from Connecticut, Senator Ribicoff, the present occupant of the chair, in which it is charged that millions of dollars are being squandered in Vietnam because of "inefficiency, dishonesty, corruption, and foolishness."

According to the Associated Press, this report claims that the Vietnamese society is riddled with corruption and racketeering, and contributes substantially to mounting evidence that this is true.

Referring again to the Lederer article, I noted at the outset of my remarks that it cited "some" of the corruption and graft taking place in South Vietnam. If Mr. Lederer was able to report this much, and assuming that his data is correct, how much more wrongdoing is there that he did not discover?

And how many more millions or billions of dollars are being stolen or wasted in other American military or foreign aid operations in other parts of Asia or elsewhere in the world?

We can only speculate. But I believe we can agree that this is a question worthy of our attention.

I recently received a copy of a letter to Chairman Mills of the House Ways and Means Committee from an Army man stationed at Fort Gordon, Ga. He recently returned from Taipei, Taiwan, and his letter specifies serious cases of waste and crookedness there similar to what Mr. Lederer reported from Saigon.

The writer of this letter reflected the view of most American citizens, I believe, who are opposed to the income surtax. He commented that if the American Government would eliminate the waste in its foreign operations, in so doing, we could reduce our deficit and eliminate the need for more taxes.

I wholeheartedly agree. In fact, I submit that many of the economic woes that face this country today are directly attributable to excessive and wasteful foreign spending. Judging from the way the U.S. foreign aid program at long last has been tightened and somewhat restricted in recent years, I think other Members of the Congress are also getting the word.

It is argued that we are guests in South Vietnam. In a sense, that is correct. It is not our country, and we have no desire to run its government. We are there only because of a commitment to help South Vietnam resist Communist aggression. And even though we are there in large numbers, fighting harder, longer, with great determination, and spending a greater proportionate cost than the South Vietnamese themselves, we are nonetheless only a guest in that country.

But this does not mean that we have to acquiesce to Vietnamese corruption. It does not mean that the Vietnamese Government or the people have a license to steal, lie, or make a sucker out of Uncle Sam. It certainly does not mean that the United States is compelled to remain a guest in a house where it becomes increasingly apparent we are not wanted.

I do not believe we are obliged to put up with shoddy treatment—not when we have Americans over there fighting and dying every day, and not when the American taxpayers are shelling out $30 billion a year to support this war.

I am aware of our commitment in Vietnam. I know full well of the threat of Communist aggression in Southeast Asia. But I do not believe we ought to put American boys on the line in a war that is being sabotaged by the very people we are trying to protect.

There should be a full-scale congressional investigation into this matter. The facts should be laid bare.

If there is in fact widespread government graft and corruption in South Vietnam at the expense of the American Government, it must be halted.

If we are unable to secure the assistance and cooperation of the Saigon Government, and if it cannot be halted, then we ought to get out of the fighting.

I call the Senate's attention to the Lederer article, and I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD, along with the letter concerning the situation in Taipei, Taiwan, and the May 12 Associated Press story, as published in the Atlanta Journal-Constitution.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

"OUR OWN WORST ENEMY"

(By William J. Lederer[1])

Maj. Pham Van-linh, logistics officer for the National Liberation Front (Viet Cong)—in an interview in Saigon, June 1967: "Without American money, guns, food, medicine and supplies, we of the National Liberation Front would have a hard time surviving. . . ."

Every government we have helped into power in Vietnam has been inadequate; and all of them have been rejected by the Vietnamese people. First it was the French; next Ngo Dinh Diem; and then, after a period of coups and counter-coups, the military junta headed by General Thieu and Marshal Ky.

One of the measures of inadequacy is the degree of governmental corruption. I am speaking of excessive corruption, not the accepted Asian practice of reasonable "cumshaw" for services rendered, which grew from a tradition of low salaries for government officials. Vietnam corruption has gone far beyond the traditional. It has, for example, become the usual method of acquiring government positions and the usual reason for wanting them—from top to bottom, from cop to high-ranking general or province chief.

My first experience with the Vietnamese black market occurred in Saigon. I told the Army public-relations officer at JUSPAO (Joint United States Public Affairs Office) that I planned to go out with the troops, and asked where I could buy jungle fatigues and jungle boots.

"We have lots of goodies for reporters if they have the right papers," he said, handing me an authorization to buy Army uniforms.

A friend took me, on the back of his scooter, to the big PX in the Cholon district. Outside the compound, with its sandbags and U.S. armed guards, was a place for customers to park their vehicles. As the vehicles were parked, small Vietnamese boys ran up, their hands outstretched, demanding "watch-your-Jeep [or scooter] money." They wanted money to stop "someone" from cutting ignition wires or letting air from tires.

I angrily told a PX officer about the situation. He replied, "The street is Vietnamese territory. We are guests in this country. We have no jurisdiction over anything that happens in the street. Those kids can sell stolen PX merchandise out there, and we can't touch them. Only the Vietnamese police can do anything. We are guests in this country—and that's the way General Westmoreland has ordered it."

I made the obvious remark that it was a strange way to treat guests who were dying by the thousands to protect their hosts.

The major shrugged and said. "This is their country. We are fighting and dying in combat because we have permission from the Vietnamese to be on those battlefields. Parking scooters on their streets is something else."

A sergeant took me to the uniform shop, but when I gave the clerk my authorization, he shook his head. "We haven't had fatigues or jungle boots for months."

"When are you expecting them?"

He held up his hands and shrugged.

My friend and I returned to the street, mended the cut ignition wire on the scooter, and returned to JUSPAO. There I told the public-relations officer that the store did not have jungle uniforms. He laughed and said that I would have to find them where he and his men did—on the black market. "They may charge you a couple of bucks more, but the gear is always available and in all the sizes anybody could want."

I walked down the street past the USO and the flower markets and the sidewalk restaurants. It took about five minutes. And there was the "Little Black Market" (the name implying that there were bigger places elsewhere).

Stalls crowded and leaned against each other, as in any Oriental bazaar. Hundreds of customers milled about, pushing and inspecting the merchandise. Among them were four U.S. Army noncommissioned officers, one Army captain, and a U.S. Navy yeoman. Four Vietnamese policemen stood about, keeping order.

In the stalls were all the most desirable items from the PX.

I noted transistor radios, blankets, toasters, electric blenders, watches, clocks, pens, cigarettes, tobacco, shirts, television sets, cameras, film, toilet articles, patent medicines, shirts, lingerie, socks, and a variety of the best-advertised American liquors, as well as cans of just about every kind of food available in the Army commissary.

I asked a Vietnamese official if it were not against the law to sell merchandise stolen from the PX. He replied that it was, but that there was no proof this merchandise was stolen. I pointed out that almost every item still carried the PX label, and that the PX was most certainly the only local importer of them.

"That is true," he said, "but in this country, for goods to be declared stolen, we must catch someone in the act of stealing them. One must be very careful in making charges. Perhaps the 'PX' stamped on that bottle of brandy is a brand name, is that not so?"

I continued up and down the stalls looking for uniforms and jungle boots. There were none visible. Then one of the black-market operators came up and, speaking in English, asked me what I wanted. When I told her, she said, "All complete uniform. Everything. Helmet. Pants. Boots. Shirt. Everything. Forty-eight hundred piasters or thirty dollars. You want?"

"I want to see them."

"You buy them if they all new and right size?"

"Yes, of course I will. Do I pay you now?"

The woman turned to a boy, spoke to him in Vietnamese and gave him a piece of paper. "Go with boy. Pay when you get clothes."

The boy took me several blocks along the street and into a store that had copper pots in the window. The boy went to an old man who was clacking an abacus. Without speaking, the old man led me out the back of the store, across a yard, into an alley which stank of rotten vegetables, and then up two flights of equally smelly dark stairs into the loft of another building.

The place looked like a U.S. Army ammunition depot. Everything seemed to be painted brown and to smell of oil or fresh paint. Equipment was arranged in orderly rows, and printed price tags hung from everything. Automatic rifles were $250. A heavy mortar was priced at $400. There were about 1,000 American rifles of different kinds standing neatly in racks. M–16's cost $80. On one side of the loft were uniforms of all services, including the U.S. Air Force. There was even U.S. Navy diving equipment.

The old man inquired as to my size, and then brought me the uniform and the boots I wanted.

Later that evening I talked about the black market to an old friend whom I shall call Tran Trong Hoc (and of whom I'll speak more later). He said, "What you saw is nothing. Go down to the waterfront some day and see how the big operators work. The whole South Vietnamese Government is involved."

"Any Americans?"

"Plenty are becoming millionaires—exactly as happened when the U.S. Army occupied Japan and Germany. You can be sure of this, because illicit dealings in Vietnam total about ten billion dollars a year—all in American goods and moneys. This could not exist without American collusion. It would be impossible."

I did not answer.

"We'll go to the waterfront in a few days," said Tran Trong Hoc, "and watch the big operations. We have to plan it well. If we are not careful, neither of us will be alive to tell what we saw."

The Little Black Market, which does business openly near the U.S. Embassy and JUSPAO in Saigon, is small stuff. It is only one bit of crookedness in the vast cesspool of cupidity. It is so small—by contrast to others—that both the South Vietnamese and United States Governments tacitly consider it semi-legitimate. The Little Black Market is one of the showplaces of Saigon. Visitors on official tours are shown the Little Black Market as they are shown the U.S. Embassy, the railway station, and the public market. Americans, as well as Vietnamese, buy things at the Little Black Market because sometimes it has a better selection than the legitimate U.S. Government stores from which the merchandise has been stolen. There is nothing disguised about the Little Black Market. Everyone—even the officials in charge—knows how its goods are sneaked out of the PX and the U.S. commissary and by whom, and who gets paid off. If either the U.S. Government or the South Vietnamese Government wished, the retail black market in Saigon could almost certainly be eliminated within a week.

---

[1] William J. Lederer: "Not long ago I returned from my thirty-fourth trip to Asia, and my ninth tour of Vietnam. What I saw in Vietnam violated almost everything I had learned during my twenty-eight-year career in the U.S. Navy, almost everything I had learned as a professional observer of Asian affairs. I beheld the United States being beaten—not by the strength of the enemy, but by its own mistakes and incompetence. We have botched up almost everything we have attempted in Vietnam."

Ten years ago Mr. Lederer, in collaboration with Eugene Burdick, startled the nation with the controversial best-seller, "The Ugly American," which made its first appearance in this magazine. The following article is taken from his latest book, "Our Own Worst Enemy."

"We aren't too strict about it," said a U.S. police instructor in Saigon, "because we don't want to antagonize the Koreans or the Filipinos [both deeply involved in black-market operations, both allies of the U.S.], and because the black market helps stop inflation. I don't know how, but that's what our economists say."

A Vietnamese National Police lieutenant said, "The Little Black Market is permitted to continue because it is useful to everyone. When the American press—or perhaps a visiting senator—complains about corruption, we close the Little Black Market for a few days. A few people are arrested. The Americans are satisfied. Action against corruption has been taken. It takes pressure off the U.S. Embassy. It takes pressure off my government. Do you see how useful the Little Market is?"

I wanted to learn how the black market got its luxury items, so I went to its main Saigon supplier—the PX. When I arrived at the big PX in Cholon, the store had not yet opened, and a line of people had formed. At the end of the line were two GI's who appeared to have come from the combat area. Their jungle clothes were mud-splattered, and their helmets were covered with camouflage netting. I was curious to know what two combat soldiers would buy in the PX, so I got behind them in line. The two GI's were from an isolated Signal Corps station beyond Pleiku, and they were at the PX to buy a refrigerator. Within the last few days their electrical supply had been converted from battery to generator; the men had chipped in to get a refrigerator so that they could have cold drinks, sandwiches, and so forth.

The GI's told me how they had made special arrangements to get the refrigerator on an airplane, and how the Special Services officer in Pleiku had found out that the refrigerators had arrived in Saigon the day before.

When the doors of the PX opened and the GI's got to the counter, they learned that there were no more refrigerators. The shipment had arrived at noon the day before, and all the refrigerators had been sold by closing time.

I learned that of the entire shipment of 16 refrigerators, 12 had been sold to Filipino and Korean soldiers. How did the Filipinos and Koreans know about the refrigerators in order to buy them so quickly? Here again the answer was simple.

The U.S. Army, which runs the PX in Saigon, has brought Filipinos and Koreans into the store at a managerial level. When there is a shipment of some desirable article, these men call up their Korean and Filipino friends.

As the unhappy GI's walked out of the PX, one said, "You remember the Viet Cong supply dump we raided last month?"

"Yeah, I know. It had a refrigerator in it—with the PX tag on the back, and with U.S. antibiotics inside the damn thing."

The PX in Vietnam is a $300-million-a-year business, according to the officer in charge, and it demonstrates in miniature why the United States is in deep trouble in Vietnam—and in foreign affairs in general.

The clerks in the PX's are Vietnamese women, over 5,000 of them. They do not know the merchandise, and on the average, they are uninterested and discourteous. And these women clerks steal from the PX's. In the month of May, 1967, the small headquarters PX in Saigon lost $65,000 in petty pilferage alone. This is the *small* PX. At one time the PX management had the Vietnamese salesgirls searched as they left the store. The clerks objected to the search procedure and said they would go on strike unless the searching was stopped. The searching was stopped. The Americans who operate the PX (the U.S. Army) would rather have things stolen than "not look good" to the Vietnamese.

I personally have seen clerks standing on the main highway outside a PX, removing PX merchandise from their bodies. They dropped the items into a basket while a Vietnamese man made notes of the amount and type of merchandise each girl had taken.

Much of the merchandise in the PX's couldn't possibly have been chosen with the welfare of the GI's in mind. In the Saigon PX, for example, there were no alarm clocks. They hadn't had any for two months. There were no pipes. There was a shortage of film. The PX was "temporarily out" of good razor blades and pipe tobacco. There was no mosquito repellent. (Later I found the "temporarily out" items for sale on the black market—at three times the PX price.) Nevertheless, the whole rear of the store was used for selling diamonds.

Merchandise headed for the PX—and also for the commissary—is stolen before it gets to either place, as well as after it is on the shelves. But the corruption involves more than the black market. For example, some time ago a PX purchasing agent, an American civilian, shared an apartment in Saigon with another American, the representative of a company that sold a famous brand of whiskey. The PX purchasing agent had his rent paid for, he had his food paid for and his "home entertainment" paid for. The PX purchasing agent overbought the salesman's product, and six months later the PX in Vietnam was still overstocked with it.

The purchasing agent involved was caught at his unethical activities. At this writing he is working for the PX in another country and at a higher position than he held in Vietnam. This entire story was given me by a senior PX officer.

It is no secret that the PX and the commissary are supplying just about everybody in South Vietnam (who has the money) with luxury items via the black market. An importer told me he has stopped dealing in legitimately imported refrigerators and tape recorders—they could be had cheaper and quicker from the PX, via the black market. Foreign-food importers are in the same fix. I myself have seen an Army truck with Filipinos and South Koreans, *in uniform,* stop in front of the Continental Hotel at 6 a.m. and unload a truckful of Spam and fruit juices. The menu at the Continental Hotel advertises "American Spam." When one orders tomato juice for breakfast, the waiter brings a small can with the U.S. commissary stamp still on it—10 cents. At four different times during my stay in Saigon, I saw this truck deliver PX and commissary edibles to the Continental Hotel. Once a large package of meat with General Westmoreland's name on it was delivered to the Continental along with the tomato juice. There is hardly a bar in Saigon that does not have liquor that comes from the U.S. supplies.

In investigating PX practices, I requested an interview with a responsible officer. The interview was granted with a colonel on the condition that I would not quote him directly.

I was ushered into the colonel's presence, and I described to him the malpractices I had discovered. What follows is his explanation.

The PX, he said, employs over 5,000 Vietnamese women because it is the duty of the United States to train these women in merchandising practices. After the war is over, the women will know how to be skilled clerks in the stores of Vietnam and will therefore be able to aid the commerce of the country.

This seemed crazy to me. Any store that was run like the PX would soon go bankrupt.

The colonel said that the PX was using Vietnamese women as clerks, and Koreans and Filipinos as merchandising executives, because it was far cheaper than using Americans, and because the Filipinos and Koreans have had PX experience in Seoul and Manila.

I pointed out to the colonel that the service was bad, and that perhaps $75 million a year in merchandise was stolen or diverted to the black market largely because of employment of foreigners, including clerks, executives, truckers, longshoremen, and so forth.

The colonel denied that the service was bad. He denied that there was any sizable black-market leak from his stores. He denied that there was $65,000 worth of pilferage in one month from the small Saigon PX. (I myself had seen the Saigon PX's own estimates of pilferage. Either the colonel did not know what was happening in his own stores, or he was lying.)

The colonel said that another reason for employing over 5,000 foreigners in the PX's was to give work to worthy Vietnamese of good character, which helped the war economy. I asked him if he knew how the employment racket worked. The facts are that each clerk employed has to get a recommendation from someone in the Vietnamese Government. This recommendation has to be paid for—and the standard payment is approximately a month's wages.

The colonel said he had never heard of any such thing. He then told me what a wonderful thing the PX was. It was being operated so that there could be profits made to supply the Army and the Air Force with money to pay for motion pictures and other recreational activities for the troops. He also said that the PX was a place where restless Americans could spend their dollars—instead of unloading their money on the Vietnamese economy and thus causing inflation.

I asked him. "Isn't the primary mission of the PX's to give the troops a service?"

He said it was.

But the troops come last as far as the big Saigon PX is concerned. Training Vietnamese comes first. Then comes making money for recreational services. Then comes improving the economy of Vietnam. Then comes "looking good." Last and least is the GI.

And it is not the small percentage of men actually in combat who makes the most of the Post Exchange. It is the fat boys in the cities and headquarters, and thousands of civilians—construction workers, newspapermen, AID employees and members of the embassy staff.

The luxury items in the Post Exchange are bought by Americans—and also by the Vietnamese elite, via the black market or American friends. The garish way in which American and Vietnamese officials exhibit these things can do nothing but widen the gap that separates the masses from the local rich and the Americans. And the wider the gap the less the people identify themselves with us—and the more they identify themselves with the Viet Cong.

The PX as it is run now makes the United States a collaborator in the worst kind of corruption. Everyone—including the Americans—knows that some Americans are involved. Everyone knows that many Vietnamese clerks are corrupt, that Filipino and Korean PX assistants often are in cahoots with their friends. Therefore, because of the PX and the commissary, the average Vietnamese believes the Americans to be corrupt.

The PX foul-ups and the sale of millions of dollars of PX products in the black market seemed almost petty compared to what turned up later.

I was walking along the Saigon River with my old friend Tran Trong Hoc. A former police official in Hanoi, when it was under

French rule, Tran is sort of a retired mandarin who sits back, observes everything, listens to the rumors and gossip, reads the papers, and watches the ever-present power struggle in Vietnamese politics. He has children and grandchildren all over Southeast Asia. Some are employed by the South Vietnamese Government, some by the American Government, and some by the National Liberation Front. Several are in business. Tran Trong Hoc is a miniature Central Intelligence Agency. This for him is only a pastime, a hobby. And yet when I remarked on the danger implicit in his hobby, he smiled and said slowly, "What else can an old man do to help his country?"

During the 1950's Tran spent 18 months in Los Angeles, studying American police techniques. While there he learned the American way of life, and he takes delight in using American slang as much as possible when he is with his friends.

We walked north, past the German hospital ship which is West Germany's humanitarian contribution to Vietnam. Tran told me that the hard-working German doctors and nurses unwittingly are contributing to a crooked racket. All charity patients must have a "permit" to visit the foreign ship. For this they must pay a "tax" to a police organization. Actually, no Vietnamese gets on board unless he is a friend or relative of an important official, or has the money to bribe his way by paying the "tax." The same racket was applied to the American hospital ship the SS *Hope*, when it was in Saigon. The visiting foreign physicians think they are doing good by helping the "people." In reality they are either treating or enriching the Vietnamese elite.

We saw several American freighters moored in the river. The nearest was a big gray cargo vessel. Her booms were swinging back and forth, and she was discharging cargo to barges alongside.

"That is the one we will watch," said Tran. "But it will be safer if we watch from my car. After all, we are spying. We are gathering intelligence. We are spooks. We want to see who cops the American military supplies. Standing here in the street, using binoculars, is asking for . . ." He drew his forefinger across his throat. We turned and walked back until we reached Tran's car—an old and beat-up Citroën, the front seat covered by an imitation leopard skin. The Citroën started quickly, and in a few minutes we were back by the river, parked about 500 feet from the wharf toward which the barges from the American freighter were headed.

"Those barges," said Tran, pointing, "belong to a Vietnamese company owned by a couple of Vietnamese generals. You Americans pay for the use of those barges. You Americans pay for the privilege of sending ammunition and food and war supplies to this country."

The barges approached the wharf. Standing on the dock were eight 5-ton trucks. Once they had been U.S. Army trucks, but now they were painted a slightly different shade of brown. The barges tied up at the wharf, and Vietnamese longshoremen began to carry the cargo off, loading it directly into the brown trucks.

"The United States pays the wages of those Vietnamese longshoremen," said Tran.

There were no American soldiers or civilian officials about, supervising and checking. I asked about this.

"The South Vietnamese Government has told the American Government to keep its nose out of something which is an internal affair."

I said angrily, "That cargo is American war matériel. The wooden crates are marked, Department of Defense, Electronics, this side up. They come from the United States, and are paid for by U.S. citizens."

"Bill," said Tran, "the United States has no customs rights in Vietnam. You must understand that you are only guests here. That is your country's official attitude. Perhaps that's why there is no one here checking on these war supplies. Guests, you know, do not check up on the dishonesty of their hosts."

"But this is American equipment for American troops."

"Yes."

We continued to watch. It took about an hour to load the eight trucks with their 40 tons of American cargo.

The truck drivers clearly were restless. They kept looking at their watches and talking agitatedly among themselves.

Tran said, "Ordinarily time means very little to us. Therefore when Vietnamese drivers are nervous about a schedule, it means only one thing. They are about to go through V.C. territory. The V.C. are paid off to let a convoy come through at a specified time. If the convoy is early or late, the trucks might be blown up."

A Vietnamese Army Jeep, with a small Vietnamese flag flying on the left front fender, drove up to the wharf and stopped. A stout Vietnamese, about 35, dressed in khaki (but wearing no insignia), got out. He carried a new black leather briefcase, which he opened on the hood of the Jeep. The truck drivers clustered about him. To each of them the fat man gave a piece of paper. He talked intensely to the drivers, looking almost like a football coach instructing his team. Finally he nodded, and the drivers fanned out, moved quickly into the cabs of their big trucks, and started their motors. Each driver put his piece of paper into a plastic envelope which he then attached to the sunshade of his truck.

The fat Vietnamese in khaki nodded again. The first truck started off, and the others fell in behind. The convoy left the river area and headed inland, moving slowly through town. We lost sight of them then, but Tran knows their route as well as their routine. Among his hundreds of friends and informants is one who rides regularly along this convoy route.

When the eight trucks carrying 40 tons of U.S. electronic equipment reach the Saigon-Bienhoa Highway, they are stopped by a Vietnamese guard accompanied by an American soldier. The drivers show their pieces of paper. The Vietnamese guard walks down the line, looking at each paper for a moment. He says something to the American soldier, who, after all, neither speaks nor reads Vietnamese and is dependent on his Vietnamese opposite number. The American says, "OK," and returns to the side of the road. The Vietnamese guard waves the convoy on.

The convoy moves on to Old Route 1, the highway that leads to Phnom Penh, Cambodia. It is only 50 miles to the border. The convoy keeps moving straight for Cambodia. Near Trang-Bang there are holes in the road where a military convoy was blown up by Viet Cong mines. Despites the presence of South Vietnamese and American troops, the Viet Cong are in absolute control of this stretch of land.

The drivers look at their watches. They steer around the holes in the road and speed up. Four times on the way the trucks are stopped by armed guards; four times they have their papers examined. Twice the armed guards are in South Vietnamese Army uniforms, and twice they are in the black pajamas of the peasants. The trucks finally reach their destination, Go Dau Ha, a village almost on the Cambodian-Vietnamese border, 50 miles and about two hours and 20 minutes from metropolitan Saigon.

The trucks pull up at a dirt road called Tu Xuong. At the intersection of this and an even smaller road called Van Lang is a rather large wooden house with a thatched roof. Armed South Vietnamese soldiers come from the house. One of them collects the pieces of paper from the drivers. He gives each a receipt in return. One of the soldiers bellows something. The drivers get out of the trucks. They go to a table by the side of the thatched house. Two women in black pajamas bring some lunch. It comes in a large blue bowl, and it smells like fish and garlic.

While the drivers are eating, a convoy of black-painted trucks arrives from the other direction—from Cambodia. The Cambodian trucks stop, and immediately a crew of laborers swarms from the rear of the thatched house. The cargoes of the two convoys are swapped. The American electronics gear goes to Cambodia, the cartons from Cambodia go into the Vietnamese trucks. Within half an hour the Vietnamese convoy is returning to Saigon, loaded with tons of Red Chinese merchandise. There is no attempt to disguise anything. Everything is marked clearly on the large cardboard cartons. The boxes contain toothbrushes, tooth powder, vitamins, imitation Parker fountain pens, and Thermos bottles, among other things.

Now it is three hours later. The trucks have reached Cholon, on the outskirts of Saigon. They park outside a block-square warehouse. The Chinese Communist products are carried inside. Several National Policemen stand by, watching. Inside the warehouse are big stacks of tires for Jeeps and other U.S. military vehicles. Piled up in the rear are hundreds of bags of U.S. cement (with the USAID markings on them) and hundreds of bags of U.S. rice. The warehouse belongs to a Chinese named Hop Tan.

That was what happened to the trucks with the 40 tons of U.S. military supplies. The story needs no further detail, but there is further detail, and it is of considerable importance.

The fat man in khaki who met the trucks at the Saigon wharf is from the office of the province police for Tay Ninh Province (which is on the Cambodian border). Every day he arrives at the wharf at least once to give pieces of paper to truck drivers. The papers are official documents which say that the materials in the trucks are being delivered to the South Vietnamese Intelligence Forces and that they are for the use of the Intelligence Forces.

Of course these materials are not going to the Vietnamese Intelligence Forces. They are going up the Old Route 1 to Go Dau Ha, or perhaps Ta Loc, or Nan Pi—all of which are gateways to Cambodia. Once there, the contents of the trucks are turned over to a Nationalist Chinese from Taipei, who represents an international blackmarket cartel.

Involved in the payoffs that make all this possible are high-ranking officials of the South Vietnamese Intelligence Forces, the Tay Ninh Province police, and of the diplomatic and administrative services in Saigon.

The entire operation is beautifully coordinated among the various South Vietnamese Government agencies.

Certain officials of the port of Saigon know which American ships and what American cargoes will be coming to Saigon. These officials control the unloading. Perhaps two weeks before an American freighter arrives in Saigon, the contents of the American vessels have been broadcast among various possible customers. There are many—the Viet Cong, the North Vietnamese, sometimes Red China, perhaps a middleman in Hong Kong, or any nation in the world that needs the cargo and is willing to pay a high-enough price.

According to a Filipino source, Israel was one of the black-market customers in the summer of 1967. She desperately needed the 175-mm. howitzer shells that only the United States was making in considerable numbers. They cost about $400 each. The howitzer shells, designated for the U.S. Army in Vietnam, were diverted via Manila. And from Manila the shells were transported, by a different ship, to Israel.

Who handles these deals?

There are many people. After all, the corruption under discussion here is a multi-billion-dollar operation. But in order of profit and numbers, the following are involved:

1. South Vietnamese generals and officials.
2. South Vietnamese businessmen who are friends of the Vietnamese in official power.
3. The National Liberation Front (Viet Cong).
4. American black-market operators.
5. North Vietnamese agents.
6. Nationalist Chinese businessmen, both in Vietnam and in Taiwan.
7. Korean troops, businessmen and officials.
8. Filipino troops, businessmen and officials.

In other words, just about everyone plunders the United States war effort in Vietnam.

Professor Vo Van Kim after a few glasses of rice wine on the occasion of his 70th birthday:

"You are an old friend, and we are here at a family celebration, so I will tell you what I think is the truth. We professors call your diplomats and generals 'The Groveling American.' They would kiss the backside of a North Vietnamese carpetbagger like General Ky—at noontime in front of the Parliament Building—rather than take a chance of offending the Vietnamese. . . ."

Tragically, American officials are afflicted with a paralysis which has made it impossible for them to force the South Vietnamese Government to eliminate corruption. They are afraid of offending the Vietnamese. Because of this helplessness, the Vietnamese treat us with scorn and contempt. They humiliate us at every opportunity—of which there are many. Thus American self-esteem is diminished, and "doormat diplomacy" develops. Efficiency is wrecked.

Here are a few examples of the kind of humiliation heaped upon the United States by her ally, and some examples of just how these humiliations have contributed to our disgraceful performance in Vietnam.

There is a large U.S. air base in South Vietnam which, to protect one of its officers, I will not identify. At this base, one hot Monday morning, the medical officers of all services met for a special conference. Two subjects were on the agenda: (1) the shortage of broad-spectrum antibiotics, and (2) a mysterious disease.

A serious skin infection had appeared among an increasing number of patients of a young Air Force doctor. It had immobilized its victims, and he hoped that his seniors could give him some help. None could, but all reported similar outbreaks in their units.

As a result of the meeting, a public-health team was flown in and an exhaustive investigation undertaken. Laboratory technicians found, on the men's clothing, several different types of fungi and bacteria hostile to the human skin. The dermatitis was traced to the home laundries run by a local Vietnamese company. The clothes were being washed by hand by Vietnamese women. The cold water these laundrywomen used was contaminated by human sewage, some of which carried intestinal parasites.

The military doctors and the public-health personnel ordered the Vietnamese laundrywomen to boil their water, gave them a water purifier and demonstrated how to use it. The managers of the laundries said their employees understood and would comply. Nevertheless, the washerwomen continued to wash clothes in cold, contaminated water, and the troops continued having skin ailments.

One of the service officers on the base—Col. John Adams, I'll call him—found a solution to the problem. Adams negotiated with a non-Vietnamese commercial firm to come to the base and set up a modern laundry. In about six weeks the laundry was operating. The skin-ailment epidemic stopped. The troops now were getting two-day (instead of five-day) laundry service, with the clothes not only sterilized but pressed.

Everyone was grateful for Colonel Adams's initiative. Everyone, that is, except the Vietnamese laundry people, the Vietnamese Army officer and the Vietnamese prostitutes—a combination strange to the Americans but reasonable by local custom.

The South Vietnamese military junta controls or has a finger in almost every form of business in Vietnam. The laundering, dry-cleaning and clothes-mending for U.S. troops is about a $120-million-a-year business. Vietnamese officials get a kickback from every washerwoman, laundry operator and tailor who serves foreign troops. Thus, when Colonel Adams established a modern laundry run by outsiders, he automatically stripped the South Vietnamese leaders of their very considerable profits.

The prostitutes got into the act by a less direct route. As soon as the new laundry began operating, there was a sharp drop in the sale of laundry powder at the PX. The Vietnamese laundry managers had been getting their laundry powder from the PX via the troops. For every 10 boxes of soap powder delivered from the PX to the Vietnamese laundry, the men received a coupon usable at some of the better brothels. With the coming of the modern laundry, business fell off.

A few weeks after the new laundry began operating Col. John Adams received an order from his superiors. The Vietnamese corps commander in Adams's area had complained about the establishment of the new laundry because it had put Vietnamese women out of work. Therefore, said the order to Colonel Adams, if he could not find equal sources of revenue for the Vietnamese women, he would have to shut down the new laundry and give the laundry contracts back to the local Vietnamese.

Colonel Adams was not happy at the idea of becoming an employment agent for washerwomen and a middleman for Vietnamese racketeers. He went into a rage over the fact that the welfare of perhaps 100 Vietnamese washerwomen and perhaps 200 Vietnamese prostitutes was considered more important than the health of thousands of American servicemen assigned to combat duty on behalf of the Vietnamese. But Colonel Adams is intelligent and practical. He realized that he had no choice. The ex-washerwomen were employed as messengers; they picked up the soiled clothes at the barracks, took them to the new laundry, and later delivered the clean clothes. Their service was not needed; in fact they slowed deliveries and increased laundry prices. But it was now possible to continue the new laundry and to keep the men healthy.

And it was now possible for the prostitutes near the U.S. base to keep up their business. Even though the Vietnamese laundries were not operating, the troops still had someone to whom they could give the laundry soap from the PX. They gave it to the ex-washerwomen, who, in return, produced the coupons for the brothels. Instead of being used for local laundry, the soap is now sold on the black market.

"Everything worked out OK in the end—at least our troops didn't get dermatitis any more," says Colonel Adams. "But it does make one realize that, if we are ever to win this war, the United States must defeat the South Vietnamese Government's racketeers. After that it will be a cinch to lick the Viet Cong and the North Vietnamese. Man, then it would be a cinch!"

Only a small percentage of the more than half a million Americans in Vietnam are in combat. Therefore only a small percentage of them live in the field. The great majority, both military and civilian, are located in urban communities.

Thousands of Americans sleep in houses rented from the Vietnamese. Officially there is rent control. But rent control for American tenants is not enforced. This may not appear important. We have rent-control problems at home. But the way it happens in Vietnam illustrates the contempt the Vietnamese elite have for Americans, and it illustrates the self-humiliation—the "doormat diplomacy," the groveling—that so conspicuously marks the behavior of the Americans in Vietnam.

I inspected some of the houses rented from Vietnamese for the use of American personnel. The first was listed as a "two-bedroom villa." Upon entering it, I thought I must be in the wrong place. It smelled like a cesspool. The stench came from the sewage which backs up through the toilet every time there is rain. The sewage flows all over the floor, which is rotten, and remains between and under the boards. There were holes in the roof, each with a bucket underneath to catch the rain. One of the bedrooms was 10 feet by 12 feet. The other one was 8 feet by 8 feet. The kitchen had no stove. The refrigerator was an old-fashioned icebox that had no drain. It had to be bailed out.

The lease stated that any furniture or equipment brought in became the property of the owner of the house when the tenants moved out. The U.S. Government was paying $200-a-month rent for this pigpen—roughly three times the rent-control ceiling. The two-bedroom dump was occupied by eight American enlisted men. The landlord is a major in the South Vietnamese Army. The American officer whose men lived here complained about the house. His American superiors told him, "Keep quiet. The major is doing us a favor. He could raise the rent if he wanted to."

Three blocks away a South Vietnamese lieutenant colonel was building an apartment house. It was his personal, private venture. The cement, hardware and lumber had been stolen from the U.S. Government. The material, plainly marked, was in an open lot near the USAID building. American officers passed there daily.

Many of the new, large apartment houses in Saigon are owned by senior Vietnamese military officers. The building material used in them—much of it—is USAID goods intended for refugees. Some of the construction labor is done by South Vietnamese Army personnel. The U.S. Government does not complain. One USAID official told me, "At least it relieves the housing shortage. That's how I got my apartment."

The second rented house I looked at had four miniature bedrooms. It had one room that might be called a bath. It contained only a toilet bowl and a shower; the shower had only cold water. Two of the bedrooms each had a basin with cold water, so the house was designated by the Vietnamese as a "three-bathroom house." By Vietnamese zoning law, if a house has three bathrooms it can be designated as a hotel. If it is a hotel, the rent can be raised. This miserable shack was listed as a three-bathroom hotel, and the U.S. Government was paying $400 a month for it.

In Saigon I was invited to a pleasant three-bedroom home in a respectable residential area. It had a garden around it, an airy porch on two sides, and it was well furnished with tropical furniture. It was occupied by three embassy officials. The rent was $2,000 a month.

The rent-control law in Vietnam is a farce. The majority of rental contracts involve the U.S. Government; therefore, the U.S. Government is a party to violating the law—and a party to harming the Americans who reside in the overpriced units.

Everywhere in Vietnam the Americans permit themselves to be gouged and suckered. For example, the Vietnamese military establishment receives equipment which is denied to the American fighting forces.

"On this base, if we don't give the Vietnamese what they want," a supply officer told me, "they complain to Westmoreland that we are insulting them or wrecking the war effort. If I get a couple of such complaints against me, I'll get transferred and get a lousy fitness report."

He took me on a tour of the Vietnamese base. "See," he said, "the Vietnamese have plenty of fire extinguishers, lumber, Jeeps, forklifts and cement. But on our own base we don't even have fire extinguishers. If even a small fire started, we'd go up in flames. I am forced to give first crack at everything to the Vietnamese. Our boys come next—if there's anything left."

So many Jeeps and trucks are stolen from the U.S. military that there is a shortage of transport for our troops. The shortage is so acute that for some time now the American military has been renting its own stolen Jeeps from black-market operators at $250 a month.

In Danage, one of the Vietnamese administrative officials very popular with Americans is an officer in the South Vietnamese Army. He speaks fluent English. He gives parties and flatters the American officers, arranges "entertainment" for them. In return for this he expects no interference from Americans in the local black-market operation. This official requested that the U.S. military pave many of the streets of Danage. He requested that the whole shoreline along the river be strengthened and shored up. The U.S. military did this for him. But of course this Vietnamese official allows Vietnamese landlords to violate the laws and overcharge the military for its housing. The landlords give him a cut.

Several years ago, when there was a terrible rice shortage in Vietnam, the United States sent shiploads of rice to Saigon—on a high-priority basis. But the unloading of the ships was so slow that sometimes they stayed at anchor as long as 40 days. One of them had taken in water in a storm. The rice was spoiling because of the dampness. The captain said if his cargo wasn't unloaded quickly his rice would go bad. The American Government requested that the ship be unloaded. (The priority of cargoes that come ashore in Vietnam is the prerogative of the Vietnamese.) Even though the ships are American and the cargoes are donated by the United States, the ships' cargoes are brought ashore on Vietnamese lighters (for which America must pay a charge) and there they are unloaded by Vietnamese longshoremen.

The Department of Supplies for Vietnam turned down the request from the American Government to unload the rice ship—even though the country was close to famine in some areas. Instead, it gave orders that ships carrying Honda motor scooters be given first priority for unloading.

A high official in the Department of Supplies received a five-percent kickback on every Honda landed in Vietnam. The U.S. Embassy and the U.S. military knew about this. I asked an Army colonel why we didn't do something. He looked at me with puzzlement. "How could we do anything? It's their country, isn't it?"

American economists have spent much time advising the Vietnamese on how to stay economically healthy. They recommend all kinds of measures to prevent inflation, to keep the piaster stable and to safeguard government funds. Despite all this counsel and American supervision, the Government bank of Vietnam does as it pleases. It usually disregards American advice.

At one time the Vietnamese Government funds were deposited in many banks throughout the world. This was to safeguard the security of the funds. But now much of the money has been withdrawn and placed in just a few banks.

I asked the Vietnamese economist who told me about this why the Government bank had done such a thing. He replied, "It wasn't so silly for certain officials who received kickbacks, or shall I say 'favors,' from people connected with the 'preferred' banks. It is no accident that these officials are rich men."

The many thousands of Vietnamese who are employed by the United States are paid in piasters. The hundreds of millions of dollars paid by the United States to Vietnam for the rent of land and buildings and other services are paid in piasters. To get these piasters the United States gives dollars to the Vietnamese Government, which converts them to piasters—which the United States will pay out. But the rate of exchange which the United States gets is artificial—about 80 piasters to the dollar instead of the free-market rate of 160 piasters to the dollar. In short, Uncle Sucker is paying twice as much as he should for everything.

In South Vietnam there are more than four million refugees and displaced persons. A great number of them are refugees because their villages have been destroyed by U.S. bombs or artillery fire, and the United States pays compensation for their homes and property. Assistance to the unfortunate villagers is sent frequently by CARE and AID.

Such money and supplies are supposed, of course, to go to the Vietnamese whose property has been damaged or destroyed. But in questioning approximately 100 Vietnamese in two widely separated sections of South Vietnam, I was unable to find a single instance in which a Vietnamese family had received the money. The consensus was that the money went into the pockets of Vietnamese officials.

Personal-injury money is a compensation paid by the United States if an individual is wounded or killed by accident. The money goes to the individual or to his family, and is known as solatium money.

"Oh, everyone knows," said a Vietnamese woman, "that the Americans give the money to the officials, but it never reaches the people.

"My brother is a clerk in the Army. He said that whenever his officers need money they go to the Americans with a solatium claim which they make up. It is easy—they mentioned the name of a town where a big shell or bomb has dropped, and hand in a list of names of people killed or hurt. Sometimes the Americans send an interpreter to check on the accident. But the interpreter gets money from the Vietnamese officials. So he says the claim is true. It is only the Marines who sometimes insist on personally inspecting the bodies and the damages. That is why the Army interpreters hate the Marines."

I asked for evidence of cheating for solatium money, and was told about a district chief in Quang Nam Province. I investigated, and got this story firsthand from the Marine officer involved.

One day the district chief, Major Hao, came into the field-command office of a U.S. Marine Corps lieutenant colonel.

"Colonel," he said, "I've come to collect solatium money for the five villagers who were accidentally killed the other day over by the river."

"How were they killed, and by whom?" asked the Marine.

The Vietnamese officer unrolled a map and put his finger on it. "Your Marines were dropping mortars in here, and some of them fell on the outskirts of the hamlet, killing three men and two women. This is in my district, and I have come to collect the money for the families."

"Three men and two women? When did it happen?"

The Vietnamese major told the Marine, who knew that at approximately the date and time given the Marines had been firing in that general direction at what they thought was a guerrilla concentration.

The Marine said, "Let me see the bodies."

"They are outside in my Jeep."

They walked outside. In the back of the Jeep were five bodies, well wrapped in sacking.

The Marine said, "Major, put the bodies on the ground and cut open the cloth."

"Oh no," said the Vietnamese major. "They're all bloodied and multilated by the shrapnel."

"Put them on the ground and cut open the cloth. I want to look at them."

"Colonel, I assure you, you don't want to look at them. They are mangled and mutilated, with stomachs and chests blown open, and with heads smashed. And putrefaction has set in."

The Marine unloaded the bodies from the Jeep and laid them on the ground. Taking out his pocketknife, he cut the wrappings away.

They were the bodies of five men. There were no women. None of the bodies was mutilated or bloodied. In each of the men was one bullet hole. Obviously these individuals had been killed by rifle fire.

Without saying a word, the Marine lifted the bodies and put them back into the Jeep. He took the Vietnamese major's elbow and pushed him into the front seat.

"Major," said the Marine, "if you wish to collect solatium money for dead Viet Cong, I suggest you go and collect it from the headquarters of the National Liberation Front, not from the U.S. Marines. Now get the hell out of here."

Major Hao drove away.

My old shipmate, Chief Photographer's Mate O'Leary—a fictitious name—was going to take me on a tour of Saigon night life. But when O'Leary showed up at 7:30 p.m., he was in uniform and carried cameras. "I got a duty assignment this evening," he said, "but I don't have to leave for a few minutes yet."

"Chief," I said, as we walked about, "I've noticed that the South Vietnamese seem to be making a good thing out of kicking us around. What's the story?"

"It's humiliating," he said. "They lead us around like cattle. And we're so ashamed of our own groveling that everyone lies about it. All the brass—civilian and military—are scared of the South Vietnamese, scared of stepping on their toes. If by chance any of us complain about it, the brass is quick to remind us that we are guests here." O'Leary added, "We're guests, all right. Paying guests."

He pointed at a big generator on the sidewalk. "That generator provides electricity for this building, which has quarters and offices used by our armed forces. It's our building, on lease from the Vietnamese. We pay rent for it. Well, we make our own electricity, because the power supplied by the Vietnamese is unreliable. But we run our cables through their meter, and we have to pay the South Vietnamese what the meter reads at the end of the month. We have to pay *them* for the electricity *we* generate."

"How come?"

"The Vietnamese say they'll throw the United States out of the building if we don't comply. What's more, if we pay without a squawk and everything goes smoothly all-up and down the line, some colonel or general gets a commendation for 'unselfish devotion to duty and cooperation' when his tour in Vietnam is up."

O'Leary pointed to a U.S. Army truck. "See that license plate? Well, the U.S. Government pays the Vietnamese the fee for that plate—on the truck we send out here to fight their war with. The Vietnamese will hold up the delivery of the truck until the license fee is paid." O'Leary went on. "Go look for yourself. We invite the Vietnamese to kick us around. We almost have big signs tattooed on our foreheads, saying, 'I am an American. Please kick me around.' Well, damn it all, I've got to go on duty now."

"I thought you had the day shift."

The chief spat in the street. "The Vietnamese Officers' Club is having a party. One of them is getting married. They've got plenty of photographers of their own, but they put in a request for an American photographer. And I'm the guy who got stuck."

"Do you make pictures of the parties for American officers?"

"Hell no," said O'Leary. "That's illegal. It's supposed to be illegal to do it for the Vietnamese Officers' Club also. But you know how it is in Vietnam. When a Vietnamese says jump—then, baby, the Americans jump."

Maj. Tom Smoot, USAF, (not his real name), calls himself "an honest cop who happens to be in the Air Force." He is heavyset, almost stout. He speaks slowly, walks quickly, and has a reputation among the men as a square shooter. In civilian life he was the police chief of an American city of about 20,000. At Danang he was one of the provost marshals.

At the Air Base in Danang where Major Smoot was stationed, the U.S. Air Force has many out-of-doors storage depots—areas of land jammed with supplies and surrounded by high fences. The gates are always locked except when supplies go in or out. There is always a guard; in most instances he is not an American. In the following incident, the guard was Chinese.

This particular outdoor storage depot contained thousands of cases of supplies. Over a period of two weeks it was observed that stacks of cases were disappearing. The thefts were mentioned to the U.S. Air Force provost marshal, Maj. Tom Smoot.

The next evening Major Smoot hid his men outside the depot. Shortly after midnight, a large South Vietnamese Air Force truck drove up. The Chinese guard unlocked the gate. The truck drove in. The Vietnamese crews loaded the truck with goods belonging to the United States Air Force. When the truck was full, the Vietnamese lieutenant in charge of the working party handed an envelope to the Chinese depot guard.

When the South Vietnamese Air Force truck had moved outside the compound, Major Smoot gave a signal. Floodlights illuminated the truck, and U.S. Air Force policemen surrounded it. The truck and its contents were confiscated. Pictures were made of the truck and the Vietnamese with it. The Vietnamese were taken to jail. The Chinese guard, who had an envelope with 10,000 piasters in it, was jailed.

Within the hour, Major Smoot received a phone call from the South Vietnamese airbase deputy commander demanding that his men be released immediately. Major Smoot refused. By morning the South Vietnamese air-base commander had received a report of what had happened—along with pictures.

The next afternoon the South Vietnamese air-base commander made an official protest to the U.S. Air Force commander: "You have again exceeded your authority. Your provost marshal arrested innocent men who were transporting food to Vietnamese soldiers—on duty.

"Your provost marshal does not know that he is forbidden to meddle in the affairs of my command. I could get along with your former provost marshal, who understood about these things. I trust you will take appropriate corrective action."

The South Vietnamese commander summoned the U.S. Air Force commander, and in personal conversation made it plain that the U.S. Air Force should get rid of the provost marshal who had arrested the South Vietnamese airmen. After all, the U.S. Air Force was on the base only as a guest.

The U.S. commander explained that the provost marshal had only two months to go before returning to the United States. This satisfied the South Vietnamese commander, but he said he would put in a claim for compensation for the inconvenience and insult his men had suffered by being arrested on false charges.

Several miles outside Danang there is a mountain. On this mountain is perhaps $15 million worth of U.S. Air Force equipment—equipment that is secret in nature.

But the United States of America does not own or lease this mountain. It had to get permission from the Vietnamese to build its installation there. The mountain is controlled by a Vietnamese Army officer, a major. There is nothing the U.S. Air Force can do on this mountain without getting this major's permission on a day-to-day basis. And whatever the major wants, even if it is contrary to U.S. war interests, the major usually gets.

In early 1967 the Air Force was building a transmitter near the top of this mountain. A large concrete base was laid on which to erect a tower. But as soon as the concrete foundation was completed, the Vietnamese major called on the U.S. Air Force commander. The major said that he had always wanted a summer home on the mountain. In fact, he wanted it exactly where the new concrete foundation had been poured, and he wanted a home almost precisely the size and shape of the new foundation.

The U.S. Air Force commander objected.

The major said he wanted that concrete base for his summer home; unless this was arranged, he would not give permission for the Air Force to continue erecting its electronic units on the mountain. The Air Force commander held consultations with his superiors, both in Danang and Saigon. It was suggested to him by American headquarters in Saigon that "for political reasons it is expedient to cooperate."

The U.S. Air Force built the major a home on the concrete base and furnished it—and it supplies the labor to maintain the house and the grounds.

The major has decreed that all personal services for American airmen on the mountain will be done by Vietnamese. The charges of these cooks, servants, tailors and barbers to the personnel of the U.S. Air Force are about twice those for similar services on other bases around Danang. When queried about this, the barbers said frankly, "We have to give half the gross to the major. That's why the prices are double."

There is nothing the U.S. Air Force can do about it. They have instructions to knuckle under. Whatever the Vietnamese want from the United States, the United States will give them. After all, "We are guests here."

AUGUSTA, GA.,
May 31, 1968.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing in objection to the ten percent surtax bill, now in consideration by the Congress. I am opposed to any tax increase until our government starts practicing fiscal responsibility and supervising the unloading and distribution of material the U.S. ships into foreign ports and the handling of foreign aid funds distributed through the Assistance for International Development Agency.

I have recently returned from Taipei, Taiwan, and witnessed many incidents of waste in that country. For instance, approximately one-third of the Navy Exchange items (one-third is a conservative estimate) disappears between the dock at Keelung and the Navy Exchange at Taipei. Prices in the Taipei Exchange are raised approximately twenty per cent above normal to compensate for the pilferage. An Air Force Major and I witnessed a Chinese dock worker deliberately drop and break open a crate he was unloading from a ship to see what was inside. He rifled through the crate, removed some undistinguishable item and hid it behind some other crates. We called this to the attention of the Navy Chief nearby. He said "everyone" knew this was going on, but there was nothing they could do about it. The local authorities won't cooperate, and if anyone said anything to the worker, all of the dock workers would walk off. Then the Admiral and the Ambassador would be "on his neck" for creating an international incident, so they just let them steal.

I don't mind aiding and cooperating with our allies, but I do object to allowing them to steal us blind, particularly when we are fully aware of it.

The highway between Taipei and Keelung, built with A. I. D. funds, and supposedly under A. I. D. supervision, has never been fully open. A portion of it has been under repair since before it was completed. Although A. I. D. personnel were sent to Taipei for the purpose of supervising the construction and work on the highway, not one A. I. D. official was known to be present on the site during the construction, regardless of what has been reported. That is why the highway is of such poor quality.

These are only a few of the incidents where our "allies" and "friends" are "taking us for a ride". As I stated previously, these are commonly known incidents. There are many other areas I could relate in which we are being taken, but time and space do not permit. Can we begin to imagine what this adds up to when we multiply this by all the other ports the United States has around the world?

In Saigon Harbor it is a commonly known fact that seventy-five percent of all American goods, materials, and equipment that arrive disappear at the docks. Only twenty-five percent of the military equipment reaches the military! At one million dollars a day, this means that $750,000 per day is being *stolen* from us! Are we to sit idly by and not only tolerate, but condone this thievery by our allies?

The Saturday Evening Post, dated 1 June 1968, ran a story by William J. Lederer titled "Our Own Worst Enemy". In it he relates in detail how the thievery is being perpetrated and about the appalling collusion of American officials. I feel very strongly that this should be investigated and the responsible people brought to task.

All of this could be rectified. We could have our own soldiers unload the ships and our own drivers drive our trucks. After all, it is our materials we are shipping and we have not only the right, but the duty to insure that they arrive at the destination for which they are intended. Some will claim it will be too expensive to have Americans do this, but I say it could not possibly be any more expensive than it already is. I feel that by making responsible people responsible, and initiating supervision by American personnel from the ship to the user, this waste could be eliminated, and we could save more than the ten billion dollars the President is asking for in the tax increase.

We must start being firm with our allies and insist that they be honest with us. I don't think it is too much to ask a "friend" to be honest with us.

I am not writing this with the intention of perpetrating an "exposé" or being disloyal to my superiors. I am writing this in the spirit of a concerned American citizen who has a deep love and devotion to American tradition and the American way of life. I certainly hope this letter is accepted in that spirit.

Sincerely yours,
THOMAS T. OSTEEN.

[From the Atlanta (Ga.) Journal and Atlanta Constitution, May 12, 1968]

VIET REPORT CHARGES MILLIONS SQUANDERED—CONSTRUCTION KICKBACKS ARE CITED

(By Gaylord Shaw)

WASHINGTON.—A secret Senate report charges there are definite indications of kickbacks in a U.S. construction project in South Vietnam—a country where it says millions of dollars are being "squandered because of inefficiency, dishonesty, corruption and foolishness."

The 75-page document, prepared by Sen. Abraham Ribicoff, D-Conn., after a tour of Southeast Asia last December, urges a broad congressional investigation of U.S. operations and programs in the war zone.

Ribicoff's report has been filed with the Senate permanent investigations subcommittee chaired by Sen. John L. McClellan, D-Ark. The document, only recently completed, has not yet been made public but The Associated Press obtained a copy of it.

Ribicoff describes the Agency for International Development mission in Saigon as "one of the most overblown bureaucracies I have ever seen." He claims Vietnamese society is riddled with corruption, and said there is "collusion between Vietnamese racketeers, military and civilian personnel."

"It is obvious," Ribicoff writes, "that a thorough investigation in depth would swiftly bring about corrective measures which would save many millions of dollars in federal funds which are now being squandered because of inefficiency, dishonesty, corruption and foolishness."

In reporting on U.S.-financed construction projects in Vietnam, he says the General Accounting Office should examine contracts held by Pacific Architects & Engineers Inc., a Los Angeles firm, and RMK–BRJ, a joint venture that includes Raymond International of Delaware Inc., Morris-Knudsen of Asia Inc., Brown & Root Inc., and J. A. Jones Construction Co.

Pacific Architects & Engineers received $133 million last year to operate and maintain physical facilities and utilities at Army installations throughout South Vietnam, Ribicoff says, and is second only to RMK–BRJ in funds received for Vietnam projects. RMK–BRJ's contract, when phased out late this year or early in 1969, "will total approximately $1.4 billion," Ribicoff reports.

In mid-1965, the report says, the Army contracted with PAE to renovate the Grand Hotel in Nha Trang for use as a headquarters. The initial Army estimate was $208,423 but the final cost was $996,226, the report says.

"PAE personnel and the Army contracting officer went to Hong Kong and Singapore to purchase material and supplies for the Grand Hotel project," Ribicoff says. "Some $125,000 was spent in Singapore, in spite of the fact that assistance-in-kind funds (used to pay the firm) are provided by the government of Vietnam to U.S. forces for use only in Vietnam.

". . . There were also definite indications that some of the PAE employes were receiving kickbacks for giving the business to certain Singapore firms. There are further indications that the contracting officer, if not directly involved, was purchasing inferior commodities at higher prices."

Ribicoff reports using assistance-in-kind funds circumvented a statute and violated a military regulation. He adds: "We understand the Army contracting officer did not necessarily agree with this arrangement, but indicated that this was the only way he could get the funds and that he was going to burn all of the records shortly after completion of the project."

The senator writes the "matter of kickbacks involving a PAE civilian employee" was referred to the Justice Department which declined prosecution "apparently because witnesses were scattered around the world."

The Army relied on a "worthless engineering survey to show that the costs were justified," the report says, although GAO investigators found "some $165,000 in materials were unaccounted for.

The RMK-BRJ venture receives a 1.7 per cent fixed fee on its contract, the report says, plus a maximum incentive of .76 per cent.

It says General Accounting Office auditors found last spring that the firm could not account for $120 million worth of government-reimbursable material shipped from the United States to Vietnam.

"Now, however, we are told by both RMK-BRJ officials and Navy officers that the $120 million of materials reported unaccounted for has dwindled to a mere $5 million carried in the 'in transit' account," Ribicoff writes.

He terms such a reduction incredible and adds: "It is hard to believe that the Navy would acquiesce in what appears to be some form of coverup or subterfuge.

Turning to other areas, the Ribicoff report says hundreds of dedicated employes work in the U.S. aid program, "but I was dismayed to find the Saigon AID mission one of the most overblown bureaucracies I have ever seen."

"A vast complex of over 4,700 American and Vietnamese employes, the Saigon headquarters outnumbers the AID personnel in the field by nearly two to one."

The report says also "it is clear that the whole Vietnamese infrastructure, in the civilian government and the military and other aspects of the society, is riddled with corruption."

Ribicoff tells of meeting a high Vietnamese official who "lost his police post because he was too honest." This official "spoke of corruption everywhere," the senator says. "He cited a Vietnamese Army captain who owns a bar at Long Bienh and has a half-dozen or so of his soldiers serving as bartenders and otherwise running the bar for him on a full time basis."

Corruption is difficult to prove and "a Vietnamese witness who testified about it could do so only at the risk of personal danger," Ribicoff writes.

EXAMPLES OF FAILURE OF FHA TO PROTECT HOME BUYERS IN NEWPORT, KY., AREA

Mr. **WILLIAMS** of Delaware. Mr. President, today I call attention to some outrageous examples of the Federal Housing Administration's failure to protect the home buyers in Newport, Ky., area. Not only did the FHA fail to protect the home buyers, but the home buyers were actually victimized as the result of excessive appraisals by the FHA's own inspectors.

The details of these cases were outlined in a series of articles by Mr. Carl West which appeared recently in the Kentucky Post.

Some of the more glaring cases are outlined as follows:

Case 1: The Ardmore Realty Co., Cincinnati, Ohio, purchased a two-story brick house at 403 Forest Avenue on Newport's east side for $8,600. At the time of the purchase this property was assessed on the county tax rolls at $7,095.

Without any improvements having been made, the FHA inspector examined this property and appraised it for $13,800.

Ardmore then sold the property to Mr. Henry Reece, a 33-year-old odd jobs man for $13,350, and the FHA, based upon its own appraisal, insured this mortgage for that full amount.

This gave the realty company an immediate profit of $4,750.

Case 2: The Ardmore Realty Co. bought this property from Harry and Lillian Rinck for $10,100.

Without making any improvements thereon Ardmore asked for an FHA appraisal. The FHA appraised this property at $15,900 and agreed to guarantee the mortgage for $15,400. At the same time this property was assessed on the county tax rolls at $11,385.

Ardmore then sold the property to Mr. Thurman Miller for $15,400, the amount of the FHA-guaranteed mortgage, thereby giving Ardmore an immediate profit of $5,300.

Mr. Miller, to whom the property was sold, was described as a mountaineer who wanted to own his own home. He is married, has three children, and works as a brakeman for the C. & O. Railroad. Mr. Miller is quoted as saying that the house was in a poor state of repair, but he was told that since he had served an apprenticeship as a carpenter he himself should be able to make such repairs, including fixing a leaky roof, sagging floors, and so forth.

Case 3: On April 17, Ardmore Realty Co. purchased property at 14 Chesapeake, Newport, from James and Helen Caldwell for $9,000.

The property was assessed on the county tax rolls for $5,610.

Ardmore sold this property to Mr. Carlos Fornash, age 21, for $15,100, representing a $6,100 overnight profit.

The FHA after appraising the property, insured the full amount of this mortgage with a 30-year loan at 6 percent.

FHA records in Washington show that no improvements were made prior to the sale.

Mr. Fornash is quoted as having told the Kentucky Post when asked about the recent visit of the FHA's chief appraiser:

> He told us he's sorry it happened. He said we'll just have to suffer with it.

Case 4: Ardmore purchased this property at 523 Columbia Street, Newport, for $8,025 from Mr. Matt Neace. The county assessment in 1967 was $7,000.

Upon Ardmore's request the FHA appraised this property and agreed to guarantee a mortgage for $13,650.

Ardmore then sold this house to Mr. Arch McIntosh for $13,650. Mr. McIntosh is an employee of the Anchor Paper Co. in Cincinnati.

No improvements were made, but Ardmore did agree to throw in a new gas furnace as a part of this deal.

This gave Ardmore a profit of approximately $5,000 on the transaction.

Case 5: Ardmore bought an old house located at 2 Summer Hill, Newport, from Harold and Agnes Pfeffer for $10,000. The county assessment was $9,750.

After its purchase Ardmore requested the FHA appraisal, and the Government appraiser agreed to guarantee an FHA loan for $15,400.

Apparently no improvements were made between the time of the purchase and the sale. Ardmore sold this property to Mrs. Nancy Kaufman for $15,400, financed by an FHA-guaranteed mortgage, thereby giving the company a $4,500 profit on this deal.

When interviewed by the Kentucky Post concerning these transactions a representative of the company is quoted as having said:

> Those who accuse me of profiteering aren't getting all the facts. First, I don't set the value of these houses. And second, I don't

care what the profits are. I don't think they're anybody's business.

One FHA official responsible for some of these high appraisals is quoted as having said:

> You've paid too much for your home. All we can do is apologize.

Mr. President, the FHA was established by the Congress and is financed by the American taxpayers with the understanding that it will aid and protect the average American family in financing the purchase of his own home. The No. 1 objective of this agency should always be to protect the home buyer, but in far too many instances we find that the interest of the individual home buyer has been neglected.

In the cases outlined here today not only were the interests of the home buyers neglected, but the FHA was apparently a party to this scheme wherein these prospective home buyers were victimized.

A mere apology is not enough. Those Government officials responsible for allowing these home buyers to be victimized should be fired. Then a thorough investigation should be conducted to determine whether these overappraisals resulted from shear incompetence; or was there a conspiracy between the representatives of the Government agency and the real estate company? Those questions must be answered.

I compliment the writer Mr. Carl West and the Kentucky Post for the public service they have rendered in exposing this racket. At the same time I am asking the Federal Housing Administration for a full and complete report of all Government transactions in the past 5 years involving guaranteed mortgages on homes sold by the Ardmore Realty Co. along with a list of the names of the appraisers and the appraisals in each case.

I ask unanimous consent that the series of articles outlining these questionable transactions as appearing in the Kentucky Post be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Kentucky Post and Times Star, May 29, 1968]

Newport Buyers Are Pawns: $5,000 Profit on FHA's Quickie Old House Deals

(By Carl West)

Newport home-buyers have become pawns in a FHA scheme that is letting one realtor make a nearly $5000 profit on each quickie sale of old houses.

A typical victim is Henry Reece, 33-year-old unemployed odd jobs man.

Reece bought a two-story brick last March 7 at 403 Forrest avenue on Newport's east side. It is the first house he's owned.

The house cost Reece $13,350. He bought it from Ardmore Realty Co., Cincinnati. Ardmore had bought the same house for $8600 just before they sold it to Reece.

The FHA, a government agency, not only encouraged the deal that gave Ardmore a paper profit of $4750 on the transaction—they guaranteed the loan.

A series of such strange transactions have been brought to light by a 10-day investigation by The Kentucky Post.

The scheme involves several recent house sales in Newport. It may be operating elsewhere in this area.

The FHA appraised the house for $13,800 although it is on the county tax rolls for $7095—and no improvements were made after it was bought for $8600.

The overnight sky-high jump in the value of the house was engineered under a billion-dollar FHA program originated last fall to get dilapidated "inner city" houses renovated as an antiriot measure.

The way it has worked in Newport is merely to turn over some older houses—with Ardmore Realty Co. making about a $5000 profit.

In some cases this represents a profit of 33 to 50 per cent.

The Kentucky Post began looking into the transactions because the strange souped up old house sales mystified Newport realty and building and loan officials.

The house in the Reece deal was formerly owned by Norman Linkugel. He is 35 and works for Kirk Blum Mfg. Co., Cincinnati. He decided about a year ago to get out of Newport.

His house went up for sale. But there was little interest. He was asking around $9000. He didn't know anything about the new FHA national program that would up the government loan value on his property.

The Ardmore Co. did, however. They came along in January or February and agreed to take it off his hands for $8600.

They conditioned this, Linkugel told The Kentucky Post, on getting a "satisfactory FHA commitment for a guaranteed mortgage."

They got one—for $13,350!

Ardmore arranged the financing through the Kissell Co., in Cincinnati. And Reece had his first home.

All this took place under new relaxed and revised FHA home mortgage requirements.

The new program went into effect in Kentucky last fall.

It allows investors to buy homes in dilapidated or "inner core" areas of a city, fix them up, then resell to low income families.

The FHA "inflates" the appraisal of homes under the program. Their value is based on what the home's actual worth is, plus certain improvements that are to be made by the investor.

The FHA spells out what these improvements are and estimates the cost of doing them.

If there were any improvements to be made on the house Reece bought from Ardmore, he said he knew nothing about them.

"The only thing they told me was how much the house cost and what the payments were," Reece said.

FHA records of the transaction in Washington show that certain improvements had been made to the house before it was appraised.

They included a new furnace, hot water heater, plaster and wallpaper, floors refinished and exterior painted.

Ex-owner Linkugel agreed that he had done a lot of work to the house in the four years he lived there.

He had put in a new furnace the first year he lived there for $990, and later installed a hot water heater for $45.

He said he had also painted the outside and remodeled and enlarged the kitchen.

But he said he wallpapered only one room and he had not refinished the floors nor had he done any plastering.

A directive from FHA's office in Louisville supervised by Raymond G. Fleming says the program is designed to make profits for private investors.

"And our office is committed to make it work," reads the release from Fleming's office.

Fleming said that insurance companies of America have pledged a billion dollars to get the program moving.

He says no location in a city is ineligible unless the highest and best use of the land is for other than residential.

A house may be eligible even though it is surrounded by slums. "Shotgun" cottages will qualify even if the bathroom opens into the kitchen.

Fleming has the program set-up so families with regular monthly incomes as low as $200 per month may be able to qualify.

All they need is a good record of paying rent. The FHA will overlook "minor credit blemishes"—even garnishments and lawsuits against bad debts.

Before Reece moved into his new home, he lived with his wife Ruby and three children in Peter Noll Homes, Newport.

He is a former nightwatchman for the Beverly Hills Country Club. He says he "just piddles" around now scraping together enough at jobs to meet the mortgage payments.

Those are $80.10 a month. The loan on the $13,350 runs for 30 years at 6 per cent.

"Look," Reece admitted. "I'm not going to lie to anyone. I know it's going to be tough."

The Kentucky Post unraveled the curious workings of the government deal by first checking with Fleming's office in Louisville.

Officials there said all the records on Reece's case—and others—had been forwarded to their Washington, D.C., files and records department.

A check by The Kentucky Post's Washington Bureau revealed the files were there, but it would take a while to dig them out.

Further checks were made in the deed and mortgage records in the Campbell County Courthouse.

This investigation revealed that, in some cases. Ardmore recorded their buying and selling transactions all in the same day.

[From the Kentucky Post and Times Star, May 30, 1968]

Find Two More $5,000 Housing Scheme Victims

(By Carl West)

Two more Newport home buyers have been caught in a FHA scheme that allowed a Cincinnati realtor nearly a $5000 profit on each sale of old homes.

Both owners bought their homes from Ardmore Realty Co. after FHA gave its blessing to the deals under a new guaranteed mortgage plan.

The unusual real estate transactions were uncovered by The Kentucky Post during an 11-day investigation.

One swept into the deal is Thurman Miller, 29. He's married with three children and works as brakeman in Silver Grove for the C. & O. Railroad.

Miller, an easy-going, mountaineer, wanted to own his own home. He was renting for $80 a month in a brick house at 1007 Central avenue, Newport.

He noticed a house on Grand for rent with an option to buy.

Miller bought the house from Ardmore for $15,400 on a 30-year FHA mortgage at per cent. The deal was recorded May 1 at the courthouse.

"They wanted $16,500 for it," Miller recalled. "When they came down to $15,400 I wondered why and asked them.

"They said that's all the FHA would approve on the house."

In the Miller deal, Ardmore bought the same house from Harry and Lillian Rinck for $10,100.

Then Ardmore asked for an FHA appraisal on the property located in a well-shaded section of Grand at 1051.

The FHA value came back at a whopping $15,900. And they agreed to back a loan for $15,400.

The same property is assessed on the county tax rolls at $11,385. There have been no improvements.

But Miller says the house needs several. And he figures he's going to have to pay for them out of his own pocket.

"The floors sags a little," he said. "And the doors don't fit and the right side of the house is sinking a little."

Miller served an apprenticeship as a carpenter and figures he can do all the work himself for $500.

But under the guidance of new FHA mortgage policies, any improvements have to be made by the seller—in this case Ardmore.

The new program—backed by a billion dollars from U.S. insurance companies—is designed to rehabilitate homes in "inner core" city areas and give homes to low income families.

Kentucky's version of the deal allows investors to buy old homes, fix 'em up then resell with a FHA backed loan. The federal guarantee is based on what the house is worth after a specified improvements.

"They never mentioned any new program," Miller said with surprise.

"I understand from Mrs. Rinck they are supposed to spend the money on it. But they never said anything to me," Miller said.

He said the roof on the house leaked and he called Ardmore about it.

"They sent a man over and he dabbed a little tar on it," he continued. "But the roof still leaks."

Another pawn in the FHA scheme is Nancy Kaufman. She bought a home from Ardmore at 2 Summer Hill in Newport for $15,400.

Ardmore got the same house from Harold and Agnes Pfeffer for an even $10,000.

The county appraised the home for taxes at $9750. But a government appraiser said it was worth $15,400 and guaranteed the loan.

A check with FHA records in Washington, D.C., shows that no improvements were required by Ardmore to increase the value of the house from $10,000 to $15,400.

One of the central figures in these and similar Ardmore homes sales in Newport is Leon Steinberg, 41.

He's president of Ardmore Realty Co., with offices in a quiet residential section of Walnut Hills at 2345 Kemper Lane.

Steinberg, an aggressive and hard-working realtor and dealer, also has set up an office in Covington at 106 E. Eighth street.

It's managed by Paul Phillips, one of several who work for Steinberg.

"Those who accuse me of profiteering aren't getting all the facts," he opened an interview with The Kentucky Post.

He clicked off three reasons for this:

"First," he announced, "I don't set the value of these houses. And second, I don't care what the profits are. I don't think they're anybody's business.

"And third," he continued, "those who accuse me don't know what the costs involved are."

He said another factor in his profit picture was the risks involved.

"If I don't sell one of these houses after I get an FHA commitment I have to eat it."

Steinberg claimed that on a transaction where he buys a house for $10,000 and resells it for $15,000 his actual net profit is just over $1000.

He said this is after he figures in his costs of doing business, including office expenses, advertising, any improvements to the properties and other expenses.

"But look," he questioned, "is it wrong for me to make a profit? Why should I be put under a microscope on the profits I make?"

Steinberg, clean-cut and handsomely dressed, became active as a realty dealer in northern Kentucky last fall.

He said he was attracted to the area because "there's a strong market there."

"There's a lot of money to be made in northern Kentucky," he said: "Sure, a lot of brokers are mad at us because we can sell in 30 days what they've been sitting on for months."

"And," he pointed out with reference to the new FHA scheme, "we're reaching the poor people. And that's just what Uncle Sam wants."

[From the Kentucky Post and Times Star, May 30, 1968]

Assails FHA for False Appraisals

John L. Day, president of Kenton-Boone Board of Realtors, Inc., today commended The Kentucky Post for its disclosure yesterday of quickie sales of Newport houses at high profit.

Day assailed the Federal Housing Administration for what he called "conspiring with certain real estate brokers and mortgage companies in rendering false appraisals on houses in order to make large profits for private investors at the expense of minority groups and the poor.

"It is criminal and inexcusable for a branch of the federal government to participate and encourage this robbery of the poor and uneducated.

"FHA was designed to help the working man obtain a home through long-term, federally insured mortgages.

"However, under current directives from Washington, it is being used to swindle the poor and uninformed home buyer who is relying on the FHA appraisal as his guide to value."

Day placed the blame directly on Washington and said the Kentucky office of FHA and local FHA appraisers are "just following the directives as they receive them from Washington."

He called for a congressional investigation of FHA practices and offered the aid of Kenton-Boone Board of Realtors and its members in gathering data.

[From the Kentucky Post and Times Star, May 31, 1968]

FHA Says Home Buyer Victimized by $5,000 Profit

(By Carl West)

"You've paid too much for your home. All we can do is apologize."

That is what Kentucky's chief FHA appraiser told a Newport home buyer after reexamining a sky-high FHA appraisal of his home at 403 Forrest avenue.

The homeowner, Henry Reece, 33, bought it with an FHA guaranteed loan for $13,350. This is nearly $5,000 more than the realty company he got it from paid for the property.

Kentucky's chief FHA appraiser is balding, bow-tied Charles Card. He works out of FHA state headquarters in Louisville.

"I apologized to Reece because he'd been victimized," Card told The Kentucky Post, adding he could not comment further.

CHECKING LOCAL APPRAISALS

Card was in Newport this week checking appraisals on at least four other homes.

Early in the week he said that "some of the values seem high." He said anything further on the matter would have to come from FHA offices in Washington, D.C.

FHA's Washington public relations director Gerald Poston released this terse statement:

"Some of the FHA values placed on homes in Newport are questionable. We're going to have a full investigation."

The appraisal on Reece's home was made by Wendell Cooper, 624 Hallam avenue, Erlanger. He's area appraiser in northern Kentucky for the FHA.

Cooper had "no comment" on the Reece appraisal, which placed the home at $6000 more than county appraisal of $7095.

The FHA investigation of the Reece purchase—and others—is a result of The Kentucky Post's probe of several unusual real estate transactions recorded recently.

The Kentucky Post inquiry began because realty and loan officials were puzzled over some high profit sales that popped up on old houses in the city.

All of the transactions unfolded under a new billion-dollar, home loan policy sponsored by the FHA.

FHA drew up the scheme to rehabilitate homes in blighted and slum areas. And it's supposed to put homes within reach of low income families.

EXPLAINS AIM OF SCHEME

In Kentucky, the FHA interpreted the scheme as one to allow private investors to buy dilapidated homes, make improvements, then resell at a profit under an FHA-guaranteed mortgage.

Reece's home was one of the first that appraiser Card re-checked Monday when he began his investigation.

Reece, unemployed and putting bread on the family table by odd-jobbing, bought the house from Ardmore Realty Co., Cincinnati.

"He wanted to know how much Ardmore spent to improve the place," Reece recalled after Card looked the home over inside and out.

"I told him as far as I knew not a damn penny!"

FINDS TERMITES

Reece said Card not only told him he had paid too much for the home—he found termites in a beam and a leaky basement floor.

After Reece learned his $13,350 mortgage on the home was too high, he announced he was going to file bankruptcy.

"That's the only way I can see out of it," he mumbled.

In at least three other of the properties Card checked, the appraisal was made by the FHA for Ardmore Realty Co.

The paper profit to Ardmore on each of the sales indicated by deeds in the Campbell County Courthouse was about $5000.

[From the Kentucky Post and Times Star, June 1, 1968]

Now It's $6,000 Profit in FHA Deal

(By Carl West)

Husky Carlos Fornash is only 21 and he's strapped with a $15,100 mortgage on a Newport home that's probably worth only $9000.

And the Cincinnati realty company he got it from pocketed a $6000 profit on the deal that closed under the new FHA housing scheme.

Fornash and another Newport family are two more victims of the FHA scheme uncovered by a Kentucky Post investigation into quick sales of old homes that turn high profits.

Fornash, married with one child, is an apprentice book binder for American Book Co., Cincinnati.

He bought the house on 14 Chesapeake from Ardmore Realty Co.

The story he tells is similar to others told The Kentucky Post.

"We were renting," he said. "We wanted a home. Ardmore showed us three. We took this one."

He took it for $15,100 on a 30-year loan at 6 per cent. The Kissell Co., Cincinnati, financed it. And the FHA is standing behind Kissell's loan.

Ardmore got the same piece of property from James and Helen Caldwell for $9000. Both Ardmore's deeds and the mortgage were recorded April 17.

The county carries the property on the tax duplicates for $5610.

"What would happen," Fornash asked, "if I just walked out of the house and left it?"

He said he was thinking of skipping his first mortgage installment of $112 due today.

"I just don't feel like staying. If I sold it, I just wouldn't get near my money back."

Fornash said the foundation is cracked, the basement leaks, doors don't fit, and the floors aren't level.

"No! Ardmore didn't do anything to improve the place. They didn't do anything."

Under the new FHA deal, the appraiser

inflates value of a house based on what it's worth after specified improvements.

FHA records from Washington, D.C., show no improvements were required on the Fornash deal.

Another of the FHA scheme victims is Arch McIntosh, a 47-year-old Owsley County native working as a cutter for Anchor Paper Co., Cincinnati.

McIntosh and his wife, Patricia, were living in Newport's Peter Noll Home project. They wanted their own home and spied one for sale at 523 Columbia street.

The price tag was $13,650. And Ardmore said it would throw in a new gas furnace as part of the deal.

"There didn't seem to be anything wrong with it," Mrs. McIntosh told The Kentucky Post. "We like the house real well."

She said neither she nor her husband knew of any other improvements planned for their home, a three-story run-down brick structure.

"We want to put in a front porch," she added. "And we're going to try to do some work on the inside."

Before Ardmore sealed the deal with the McIntoshes for a nearly $5000 profit, the company bought the home from Matt Neace for $8025.

That price was more in line with what the county assessed the property for taxes in 1967—an even $7000.

But when the FHA looked the property over, they said they would guarantee a mortgage on it for $13,650.

The same property sold in 1967 to Neace for $6500, according to stamps affixed the deed in Campbell County Courthouse.

Since the Kentucky Post has revealed the hiped up FHA home appraisals on Newport houses, FHAs chief appraiser from Louisville has been re-examining them.

He's Charles Card. He visited the McIntosh home at 523 Columbia this week.

"He did more writing than he did asking," Mrs. McIntosh said. "He went all through the house taking notes."

But Card did more talking when he visited the Fornash home.

"He told us he's sorry it happened," Fornash said. "He said we'll just have to suffer with it."

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. CURTIS. Mr. President, I appeal to the President to sign the anticrime bill. The American people justly wonder why there has been all the foot dragging. They wonder what relationship there is between the overt efforts to distract and cry hysteria on other matters, and the fact that this bill has not been signed.

As I recall, when the bill was passed by the Senate there were only four or five negative votes. The individuals who worked out the crime bill spent months and months on it. The bill deals with a number of important matters. It places some balance in our system. It provides guidelines in meeting Supreme Court decisions so our police will not be hampered by extreme, unreasonable, and unjustifiable considerations toward the accused.

After all, one of the prices that we all must pay for living in a peaceful society is cooperation with the police. If that embarrasses us, delays us, or inconveniences us, that is a just price we all must pay. The bill deals with that. It provides for wiretapping under the jurisdiction of the courts.

Mr. President, when our forefathers knew of the wrongs being done them by searches and seizures, they did not outlaw searches and seizures, but declared that it must be done by a writ of the court.

That is the answer Congress placed on the question of wiretapping, because the big leaders of organized crime are back in business. It is the "small fry" out on the streets who are being caught without wiretapping. The leaders of organized crime, of violence, and pushing drugs cannot be caught. Yet that bill remains on the President's desk.

There are some in the country who are attempting to create hysteria by advocating new legislation.

The bill on the President's desk is a good bill. It meets the needs we face. It contains some very good provisions relating to the control of guns. I refer particularly to the amendment offered by the distinguished Senator from Louisiana [Mr. LONG], making it unlawful for exconvicts, the mentally disturbed, and other disqualified people, to have or own a gun. Yet that bill remains unsigned.

Why?

What forces in the country are opposed to that bill?

Who is it that will be disturbed if wiretapping is judiciously carried out under the direction of the courts?

Who is it that will be handicapped if we return to the procedure where the court will decide whether a confession is voluntary?

Mr. President, it is time that the law-abiding citizen, those who work for a living, those who pay their taxes and who carry the burdens of the country, receive a little attention.

They are asking for this crime bill. It should be signed.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement on the crime bill made by the Honorable Richard M. Nixon.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY HON. RICHARD M. NIXON ON THE CRIME BILL

President Johnson should cease dragging his feet on the omnibus anticrime bill and to sign that measure into law now. 70,000 serious crimes are committed in this country every week; the nation needs action on the crime-control front; and the President's procrastination on the issue is wholly unjustifiable.

The President's demand for stronger gun control legislation should not prevent passage of an anticrime measure which not only has 90% gun control features, the President asked, but also provides new authority and new resources for the states and communities of this country to deal with the growing crime menace. If the President is interested in vigorous national action against this crime, he will sign this bill.

It is apparent today that the country and the Congress are ready to take up debate on the issue of added measures for more effective gun control. There is no call for the President to threaten to veto the anticrime bill, which includes a ban on interstate shipment of hand guns, to get that debate underway. In my view, the interstate mail order shipment of guns and rifles should be controlled so as to:

(1) prevent their falling into hands of minors, convicted criminals, those with a history of mental illness and others not qualified to have a gun in their possession;

(2) prevent the mail order circumvention of state and local gun control laws.

Such legislation can be drafted by the Congress so as not to interfere with the legitimate right of sportsmen and hunters to buy and own weapons they are legally able to buy and own in their own states. Such legislation in my view can be drawn and it will enjoy the support of the vast majority of the Congress and the Country as well.

But let us keep this in mind, there is no gun legislation at the federal, state, and local level that will bring us the solution to the crime crisis that the word spawned in America in recent years.

The solution to that crisis will depend on wholesale judicial reform, penal reform and the restoration of the balance between the peace forces and the criminal forces within society which has been upset partially by some of the decisions of some of the courts in this country. It will require great new investment of resources in crime research. It will entail a dramatic increase in the number and quality of our police; it will require a new attitude on the part of the public and on the part of the national Administration about crime and criminals in America. The necessary attitude has not been evident throughout the history of this Administration—it is not evident today as the Administration drags its feet on the only significant national crime measure it has considered.

Mr. CURTIS. Mr. President, it is my understanding that by tomorrow evening the time will have expired for the signing of the bill by the President.

My question is: What forces are opposing it?

Mr. MANSFIELD. Mr. President, I have listened with interest to what the Senator from Nebraska has just stated. What he said at the last, he should have stated at the beginning, because what he is trying to do is to put the burden on the President, so far as the safe streets and omnibus crime control bill is concerned. He knows that the President, under his right, has until midnight tomorrow either to sign or not to sign the bill passed by the Senate and concurred in by the House.

I feel certain that the Senator would be willing to withhold judgment as to the action to be taken by the President during the period of consideration which is his under the law.

There is no question about my support of the bill and my desire that the President sign it; but I certainly think the President should be given the privilege of as much time as he needs to look into the various titles which comprise the bill. It is a far-reaching bill. It is a good bill. I hope that he will sign it. But I certainly would not deny this President or any other President the right to determine within the time limit what his final decision shall be.

I would assume that what President Johnson is doing now is discussing the whys and the wherefores, the ins and the outs, and all the details of this far-reaching bill with those having the most expertise in the area; namely, the Attorney General, J. Edgar Hoover, and others, those who will be able to advise him concerning of their opinions and who will be able to make recommendations as to what they think should be done.

But the final decision will be made by the President. He will face up to it, and when he does, then, I think, in line with our own feelings, we should consider the possibility of criticizing the President.

S. 3654—INTRODUCTION OF BILL TO PROVIDE A GUARANTEED ANNUAL INCOME FOR OLDER AMERICANS

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, a bill to provide a guaranteed annual income for older Americans. I ask unanimous consent that the bill be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD at the conclusion of the Senator's remarks.

(See exhibit 1.)

The bill (S. 3654) to amend the Social Security Act so as to add thereto a new title XX under which aged individuals will be guaranteed a minimum annual income of $1,200, in the case of single individuals, and $1,800, in the case of married couples, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Finance.

Mr. PROUTY. Mr. President, today I am proposing a guaranteed annual income for citizens age 65 or over because I believe it represents the best way to meet the pressing economic needs facing millions of Americans.

The proposal itself is simple. It guarantees an income to all citizens age 65 or over to be paid out of general revenues. The Social Security Administration would make the appropriate monthly payments based on both earned and unearned income.

Tentatively I have set the income level to be guaranteed at $1,200 per year for an individual and $1,800 for an aged couple. These figures were selected because they roughly approximate the lowest poverty threshold.

I ask unanimous consent, Mr. President, that a table illustrating the mechanics of my proposal be printed immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PROUTY. Mr. President, unlike many proposals for guaranteed annual income, my proposal is directed to a specific group of individuals whose greatest need is money. These are the Nation's elderly.

Many suggest that if a guaranteed annual income were given to all citizens we could eliminate all poverty overnight. Unfortunately there are few, if any, facts to support such a conclusion.

For example, Mr. President, if such facts were available, I for one would have acted differently last September when we considered the Economic Opportunity Act as a vehicle for the war on poverty. At that time it was crystal clear that we had no meaningful facts for determining how to best eliminate poverty among children, young adults, and the middle aged. For that reason I sponsored an amendment authorizing an in-depth investigation and analysis of the war on poverty by the Comptroller General. Hopefully, next January we will have some of the facts necessary for a pragmatic and effective attack against all poverty.

In the meantime, we already have comprehensive data concerning the largest single group trapped by poverty—those Americans age 65 or over.

Not only do older Americans constitute the largest single group trapped by poverty, but also that group is growing at an alarming rate. The Social Security Administration reports that the number of poor persons dropped between 1965 and 1966 from 32,669,000 to 29,657,000. Overall the percentage of individuals living in poverty decreased from 17.1 to 15.3 percent.

This was an improvement, but where did it come from? Getting behind the statistics, who actually moved out of poverty?

Mr. President, the fact is that the improvement in the poverty statistics was totally in the under-age-65 population. The shocking truth is that the number of poor over age 65 actually increased by over 100,000 between 1965 and 1966. Nearly 20 percent of those now living in poverty are age 65 or over.

I say this is shocking, because here is a group of Americans living in poverty and the shadow of death while we know the solution to their plight.

The solution is not education.

The solution is not job training.

The solution is not make-work.

The solution, Mr. President, is simply cash income.

In testimony before the Labor and Public Welfare Committee, Ambassador R. Sargent Shriver, then head of OEO, clearly stated the reason for this when he testified that—

> Many of those over age 65 are not able to work and indeed should not be expected to work. They have completed a lifetime of productive activity and in an affluent society such as ours they have a right to expect to live out their years without having to continue to work.

As a matter of fact since the enactment of the Social Security Act in 1935 we have created an illusion of old age protection in this country. I say "illusion" because, for too many Americans, there is no old age protection.

It is an illusion because many Americans were excluded from social security coverage during their working years.

It is an illusion because many Americans, who were covered by social security, earned such low wages they find themselves eligible for a grossly inadequate minimum payment when they retire.

It is an illusion, because inflation continues to outdistance social security increases.

In 1966, my amendment to the Tax Adjustment Act was adopted. That amendment provided the modest sum of $35 a month to individuals over age 72 who had never been covered under social security.

When I first introduced the amendment I expected that from 300,000 to 350,000 individuals would be eligible for benefits. In fact, Mr. President, nearly a million Americans have received the benefit.

Thousands have written to me in gratitude explaining that this paltry amount of money had made a significant difference to them.

Some were able to buy meat once a week rather than once a month.

Some were able to buy all of the medicine they needed rather than only a portion of it.

Some were able to regain dignity by getting off welfare.

That $35 monthly payment has been increased to $40, Mr. President, but I feel we can do better for those Americans existing in poverty and the shadow of death. Equally important, Mr. President, are those older Americans only eligible for minimum social security.

Did you know Mr. President, that over 1 million social security recipients are forced to supplement their meager social security benefit with welfare payments?

What disillusionment must plague these good people? Think about it. For a lifetime they have worked and paid the social security payroll tax, but then retire only to receive a benefit unable to sustain them.

Since 1964, I have sought to have the minimum social security benefit increased to $70 a month. Finally, last year, President Johnson supported this position. Nevertheless, the best we could do in Congress was to raise the minimum payment to $55 a month.

This then is the problem. Between 5½ and 6 million Americans aged 65 or over live in abject poverty. Another 5 million live in near poverty. Over 2 million Americans, one-half of whom receive social security, are forced to abandon dignity and receive a welfare dole in order to exist.

Mr. President, I believe that we in this wealthy Nation can and must do much better.

The bill I have introduced today would help those, who through no fault of their own, were never covered by social security during their working years. It would also help those Americans who receive low social security payments either because they were covered late by social security or always had a low-paying job.

In addition, this bill would strengthen the social security system by retaining the insurance principles without depriving older Americans of an adequate income. As originally intended the social security system was designed to maintain a relationship between earnings and benefits for all who paid the special tax. Over the years we have moved toward a welfare benefit concept by paying lower wage earners a progressively higher benefit.

Certainly, this can be justified by compassion and need. However, in the process we are illogically shifting a welfare burden to employees and employers subject to the social security payroll tax. In my mind, an adequate income for older Americans is vitally needed but it should be paid for by all taxpayers—not just those subject to social security.

My bill represents the first step toward removing welfare from the social insurance concept. In the future we could have a two-tier system. One tier would be social security. The other tier would be a supplement to social security financed by a broadly based tax in the form of a federally guaranteed annual income.

Finally, Mr. President, the welfare burden now facing almost all the States would be relieved to the extent they might want to discontinue old-age assistance. In the process much of the degrading stigma now attached to welfare would be ended.

In 1966, we in Congress took a step forward when the Prouty amendment was adopted. It provided help to those most in need using general revenue financing.

I sincerely hope that the year 1968 finds us taking the next important step by providing a guaranteed income for older Americans.

The facts are too revealing.

The need is too great.

The answer is too clear.

EXHIBIT 1

S. 3654

A bill to amend the Social Security Act so as to add thereto a new title XX under which aged individuals will be guaranteed a minimum annual income of $1,200, in the case of single individuals, and $1,800, in the case of married couples.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Social Security Act is amended by adding after title XIX thereof a new title XX as follows:

"TITLE XX—GUARANTEED MINIMUM ANNUAL INCOME BENEFITS FOR THE AGED

"Eligibility for benefits

"SEC. 2001. Every individual who—

"(1) has attained age 65,

"(2) is a resident of the United States (as defined in section 2009),

"(3) has an annual income (as determined pursuant to section 2004) of less than $1,800, in the case of an individual who is married and living with his spouse, or $1,200, in the case of any other individual,

"(4) has filed application for benefits under this title, shall (subject to the succeeding provisions of this title) be entitled to guaranteed minimum annual income benefits for the aged.

"Payment of Benefits

"SEC. 2002. (a) Benefits under this title shall be paid on a monthly basis, except that, if the benefit payable to an individual for any month is less than $5, such benefit may be paid on such other basis (but not less often than semi-annually) as the Secretary shall by regulations provide.

"(b) Benefits under this title shall be payable to any individual only for months (i) after the month in which his entitlement thereto is established pursuant to an application therefor filed under section 2001, and (ii) prior to the month in which such individual dies.

"(c) No married individual who is living with his spouse for any month shall be entitled to a payment under this title for such month if the spouse of such individual receives such a payment for such month.

"Amount of Benefits

"SEC. 2003. The amount of the monthly benefit of any individual under this title shall be equal to one-twelfth of the amount by which $1,800 (in the case of a married individual living with his spouse), or $1,200 (in the case of any other individual), exceeds the amount of such individual's annual income (as determined under section 2004) for such year.

"Determination of annual income

"SEC. 2004. (a) For the purposes of this title, the term 'annual income' means, in the case of any individual, the total amount of income (other than income derived by reason of benefit payments under this title) from all sources received in the calendar year with respect to which a determination of annual income is made, except that, in determining the annual income of any individual who, during the calendar year, engaged in any trade or business, there shall be deducted any expenses incurred in carrying on such trade or business, and except that, income derived from the sale or exchange of property shall be taken into account only to the extent of the gain derived therefrom.

"(b) In determining the amount of the annual income, for purposes of this title, of any individual who is married and living with his spouse, the annual income of such individual shall be regarded as the sum of the annual income of such individual and of the spouse of such individual.

"Report of income to Secretary

"SEC. 2005. (a) Any individual applying for benefits under this title shall submit with his application for such benefits and thereafter reports to the Secretary of his income and of any other matter which is relevant to his entitlement to receive, or the amount of, any benefit payable under this title. Such reports shall be filed at such time, in such form, and shall contain such information as the Secretary shall by regulation prescribe.

"(b) Benefits otherwise payable to an individual for any month shall be suspended until such time as any report required pursuant to subsection (a) to be filed prior to such month shall have been received and evaluated by the Secretary.

"Suspension of benefits for months when individual is absent from the United States

"SEC. 2006. Any benefit otherwise payable to an individual under this title for any month shall not be paid if such individual is physically absent from the United States (as defined in section 2009) during all of such month, or if such individual is not during all of such month, a resident of the United States (as so defined).

"Overpayments and underpayments

"SEC. 2007. Whenever the Secretary finds that more or less than the correct amount of payment has been made to any individual under this title, proper adjustment or recovery shall be made in accordance with regulations of the Secretary patterned so as to conform, to the maximum extent feasible, to the provisions of section 204 (relating to overpayments and underpayments of benefits under title II).

"Administration

"SEC. 2008. This title shall be administered by the Secretary by and through (to the extent feasible) the organization and personnel engaged in the administration of title II.

"Definition of United States

"SEC. 2009. For purposes of this title, the term 'United States' means the 50 States and the District of Columbia.

"Appropriation

"SEC. 2010. There are hereby authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the provisions of this title."

EXHIBIT 2

HOW THE PROUTY GUARANTEED ANNUAL INCOME FOR OLDER AMERICANS WORKS

1. Mary Jones, who is unmarried, receives a minimum Social Security benefit of $55 a month. She also gets interest on a savings account of $12 a year. That is her only income.

Under the Prouty bill she would also receive $44 a month bringing her total annual income up to $1200 a year.

2. John Smith and his wife, Mary, have a combined income of $100 a month from a private pension. That is their only income but they own their own home.

Under the Prouty bill Mr. and Mrs. Smith's home would not count as income, since it is a non-income producing asset. However, they would be entitled to $50 a month bringing their combined income up to $1800 a year.

3. Sam O'Neale, who is unmarried, has a pension of $25 a month. He also earns $380 a year at odd jobs and receives $40 a year interest on money in the bank. His total income, therefore, is $720.

Under the Prouty bill he would receive $40 a month bringing his annual income up to $1200 a year.

4. Mr. and Mrs. Smith (in example #2) sell their house in 1970 for $10,000.

Under the Prouty bill they would be ineligible for benefits in 1970. The next year they could receive benefits if their combined income again fell below $1800.

MARY F. THOMAS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 321, H.R. 4566.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. H.R. 4566, for the relief of Mary F. Thomas.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 337), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to pay to Mary F. Thomas of Yonkers N.Y., the amount of compensation benefits she would have received for the period from October 17, 1942, through December 3, 1961, based on the death of her son, Curtis S. Thomas, while on active duty with the Navy in World War II, if she had filed a claim for such benefits on November 24, 1943.

STATEMENT

The Congress also has before it a similar Senate bill, S. 1020.

In its favorable report on the House approved bill, H.R. 4566, the Committee on the Judiciary of the House of Representatives said:

"Mrs. Mary F. Thomas' son, Curtis S. Thomas, was reported missing in action as of October 17, 1942, and was presumed by the Navy to have died on October 18, 1943. In its report to the committee on the bill, the Veterans' Administration stated that in a letter, dated November 24, 1943, Mrs. Thomas was advised of her potential entitlement to death compensation as the dependent mother of a Navy man who died in the service. At approximately the same time, on December 16, 1943, the Veterans' Administration sent the mother a letter advising her of entitlement to proceeds of a policy of national service life insurance. She submitted a claim for the proceeds of the insurance in January of 1944 and on February 12 of that year the Veterans' Administration notified her that she would receive $22.41 per month for the balance of her life. However, the Veterans' Administration does not have a record of a reply or application for dependency benefits at that time. The Veterans' Administration report further notes that an inquiry in Mrs. Thomas' behalf in 1946 by the Municipal Housing Authority in Yonkers, N.Y., concerning any other benefits that might be available to Mrs. Thomas resulted in the factual reply that she was being paid insurance benefits, but not dependency benefits. Finally, on December 4, 1961, Mrs. Thomas filed an application for death compensation as a dependent mother. On December 12 of that year, she was advised of an award in the amount of $75 per month, effective December 4, 1961. She has received payments on this basis from that time.

"In 1963, Mrs. Thomas made inquiries concerning her entitlement for payment of the dependency allowance prior to December 1961. At the time, the Veterans' Administration replied that it had no authority to pay death compensation for any period prior to the date of her application. In essence, this bill would waive this obstacle to consideration of her claim for retroactive payment of that compensation.

"The report of the Veterans' Administration indicates that Mrs. Thomas has asserted that she did file an application for death compensation in response to the Veterans' Administration letter of November 24, 1943, but received no reply. The facts available to the committee indicate that when Mrs. Thomas' son was declared dead after his ship was lost in action, she was required to complete a large number of forms and applications. Her son's dependency allotment from the Navy was stopped upon his death and she began receiving payments based upon his Government insurance. The insurance payment was a few dollars more than his dependency allotment and under the circumstances Mrs. Thomas assumed that this was all the Government payment she was entitled to receive. The reply to an inquiry made in her behalf after the war may have reinforced this belief, since it merely stated that she was receiving insurance benefits, but nothing more. The committee does not dispute the fact of the accuracy of the Veterans' Administration report, but only the interpretation placed upon that report by a private person in Mrs. Thomas' circumstances.

"In view of all the facts of this case, the committee feels that the bill should be favorably considered. The terms of the bill are such that the Veterans' Administration is empowered to certify the amount Mrs. Thomas would have received under applicable law. The Veterans' Administration questions the entitlement for certain periods but the committee observes that the bill would authorize the Veterans' Administration to determine that entitlement in accordance with applicable law and regulations. Accordingly, it is recommended that the bill be considered favorably."

The committee believes that the bill, as approved by the House, is meritorious and recommends it favorably.

AMENDMENT OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1207, S. 1974.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. S. 1974, to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 203(j)(1) of the Federal Property and Administrative Services Act of 1949, as amended, is further amended to read as follows: "Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate without cost (except for costs of care and handling and, with respect to excess property described herein, costs of transportation and repair) for use in any State for purposes of education, public health, or civil defense, or for research for any such purpose, any equipment, materials, books, or other supplies (including those capitalized in a working capital or similar fund) under the control of any executive agency which—

"(i) shall have been determined to be surplus property; or

"(ii) shall have been determined to be excess property and is being held under section 608 of Public Law 87–195 (75 Stat. 424), approved September 4, 1961, as amended, which property shall be offered to designated State agencies, as herein defined, before being offered to any other eligible donee; and

"(iii) shall have been determined under paragraph (2), (3), or (4) of this subsection to be usable and necessary for such purpose."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1229), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES

S. 1974 would amend section 203(j)(1) of the Federal Property and Administrative Services Act of 1949, as amended, for the purpose of giving State agencies for surplus property first choice on Federal excess personal property acquired by the Agency for International Development and held by that Agency pursuant to section 608 of the Foreign Assistance Act of 1961 for use in connection with the foreign assistance programs.

Section 608 of the Foreign Assistance Act of 1961, as amended, provides for an advance acquisition program under which AID obtains the transfer of items of excess property in advance of known requirements. The amount of personal property held by AID pursuant to section 608 cannot exceed at any one time $15 million in total original acquisition cost. Under section 608, when the amount of domestic excess transferred for AID programs in any fiscal year without prior offering for donation under section 203(j) of the Federal Property Act reaches $45 million in total original acquisition cost, no additional domestic excess property may be transferred unless it has been determined that the property is not required for donation.

BACKGROUND

During April and May of 1967, the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations undertook an investigation of the excess property program of the Agency for International Development. The investigation was part of a broad and continuing inquiry into the surplus and excess property programs of the Federal Government.

The chairman of the subcommittee visited Europe immediately prior to the withdrawal of U.S. forces from France and received extensive briefings from our top military and diplomatic officials on the movement of bases and supplies and on property disposal operations necessitated by the withdrawal. The visit included inspection of United States and French military bases and military organizations responsible for the disposal of surplus property. Subsequently, two of the subcommittee staff members visited additional military bases in Germany, where much of AID's acquisition of excess property is made, and the facilities of a major AID contractor in Antwerp, Belgium, where the excess property acquired by AID from military disposals is overhauled before being shipped to recipient countries. The subcommittee staff members also visited Turkey, Thailand, South Vietnam, Korea, and Japan to study the adequacy of AID's controls over the programing of excess property and the utilization of such property by recipient countries. The visit to Japan involved an investigation into the administration of the AID contract with a private repair contractor.

DESCRIPTION OF AID'S EXCESS PROPERTY PROGRAM

AID's excess property program comprises three separate and distinct segments although the final objective of each is the same, i.e., to put excess equipment and supplies to use in foreign countries. These segments consist of the advance acquisition program, the direct acquisition program and the non-AID-financed program. AID's authority for carrying out each segment of the program is contained in the Federal Property and Administrative Services Act of 1949 and the Foreign Assistance Act of 1961, as amended.

Advance acquisition program

Section 608 of the Foreign Assistance Act of 1961, as amended, established a revolving fund of $5 million for AID's use in repairing and overhauling the property it obtains at no cost from excess stocks of other Federal agencies. In order to facilitate AID's use of excess property, the legislation permitted AID to acquire excess property in advance of known requirements, to utilize the $5 million in accomplishing needed repairs of the property, and to store the property until such time as a need develops for it in foreign countries receiving economic assistance from the United States. Catalogs listing the excess property held in inventory are periodically circulated to overseas missions of AID and shipments of property are made upon receipt of an order from the missions reimbursing the revolving fund. The reimbursement, at a flat 15 percent of the original acquisition cost of the property, has been established by AID's administrative policy and is made from funds allocated to the AID missions for the operation of the economic assistance program in each of the foreign countries involved.

In order to limit the adverse effect of AID's acquisition of excess property on the availability of such property to eligible State and local agencies, section 608 of the Foreign Assistant Act specified that AID could acquire no more than $45 million in excess property in any one year and could hold no more than $15 million in its inventory at any one time. However these restrictions applied only to excess property acquired from domestic sources and no limits whatsoever were placed on AID's acquisitions or holdings of excess property overseas.

AID established five excess property regional offices (EPRO's)—three in the United States; one in Tokyo, Japan; and one in Frankfurt, Germany—to acquire excess property from other Federal agencies, to undertake needed repair and overhaul, and to arrange for shipment to recipient countries. In both the United States and overseas, AID uses a mix of facilities to accomplish repair and overhaul. In some instances repairs are performed at U.S. military installations; in other cases, private contractors are used under direct contract with AID; in still other instances, AID has tied its repair requirement into existing contracts between the military services and private firms. The largest overseas contractors are the Japan Aircraft Manufacturing Co. in Yokohama, Japan, and the J & M Adrianssens N.V. in Antwerp, Belgium—both are under direct contract with AID.

Direct acquisition program

Where specific requirements exist for items of excess property, AID missions can submit requests directly to the GSA region where the property is located. If the transfer is authorized, such property is acquired directly from the Federal agency holding the excess property with the AID mission paying the accessorial and transportation costs. AID missions have found an additional source of large quantities of excess property overseas, mainly from excess stocks of the Department of Defense. The AID missions in Korea and Turkey, taking advantage of the fact that sizable U.S. military forces are located in those countries and are constantly generating excess property, have acquired large quantities of excess equipment directly from military disposal operations.

Non-AID-financed program

Under this program, friendly countries, international organizations, the American Red Cross, and voluntary nonprofit relief agencies registered with AID are eligible recipients of excess property for approved programs outside the United States. These eligibles submit their requests directly to the GSA region in which the property is physically located and if the transfer is approved the property is acquired directly from the Federal agency holding the excess. Accessorial and transportation costs are paid by the recipient agency. Considerable quantities of excess property have been obtained abroad by these countries and organizations with the assistance of the AID missions, with acquisitions made directly from the military service disposing of the excess property.

Magnitude of AID's excess property program

Since the inception of the program in 1960, AID has acquired about $400 million in excess property as shown in the following table:

EXCESS PROPERTY UTILIZED BY AID FROM 1960 THROUGH 1967, BY TYPE OF PROGRAM

[In millions of dollars]

	Acquired from—		Total
	Domestic sources	Foreign sources	
Advance acquisition	49.2	57.4	106.6
Direct acquisition	63.8	122.4	186.2
Non-AID financed	84.5	22.1	106.6
Total	197.5	201.9	399.4

Significant changes that have shifted program emphasis and administration have occurred in the program in recent years. The most noteworthy change has been in the rapid increase of the advance acquisition program. This program started in 1963 when about $1 million in excess property was acquired. As AID threw the weight of its resources into this newly found source of excess property, the program grew $4.2 million in 1964; $18.8 million in 1965; $35 million in 1966 and $42.6 million in 1967. The aggressive acquisition by AID of property excess to the needs of the military services resulting from the withdrawal of U.S. forces from France in 1967 became the major factor in the increase of the excess property inventory which rose to a peak of $85 million as of July 1, 1967, as compared to the $40 million a year earlier.

AID has also taken full advantage of the absence of statutory limitations on excess property acquisitions overseas. While its acquisitions from domestic sources in 1967 were at about the same level as they were in 1960, foreign acquisitions grew from $3.6 million in 1960 to $66.7 million in 1967. Of the $85 million inventory being held by AID or on order, over $67 million represents stocks being held abroad.

FOREIGN COUNTRIES HAVE A PRIORITY OVER OUR OWN COMMUNITIES IN OBTAINING EXCESS EQUIPMENT AND SUPPLIES

AID contends that its acquisition of excess property is a small part of the total amount of excess generated each year by the Federal Government and that its program makes little appreciable inroad on the excess and surplus property available to State and local agencies. The subcommittee does not concur in this view. Agency testimony at the subcommittee hearings disclosed that the priority AID has been awarded in obtaining excess property has resulted in the agency acquiring the most useful kind of equipment and supplies. It has, in effect, been able to "skim the cream of the crop." There can be little doubt that the large quantities of excess property acquired by AID would represent a substantial and much needed accretion in property to State and local agencies if a means could be found for making such property available to them before it is shipped to foreign governments.

Testimony from a number of officials of local poverty programs, particularly those in rural areas, indicated that the most important obstacle to the betterment of the rural poor was the lack of transportation in rural areas. The need for excess property was forcefully expressed by Mr. James Scott, executive director of the Fairfax community action program:

"In a county like Fairfax (Virginia), with a median family income of considerably over $12,000 per year, there are over 8,000 families with incomes under $4,000. According to a recent survey there is an average of seven persons in each of these households. Thirteen percent of the fathers interviewed were unemployed during a portion of the previous 12 months.

"Over one-third of these families are scattered throughout the rural portions of the suburban county with an area of over 400 square miles.

"Throughout Fairfax County, but particularly in rural areas, the inaccessibility of jobs and the inadequacy of public facilities perpetuate the cycle of poverty.

"To serve such a large territory, there are three health department clinics, two State employment commission offices, one county hospital, one welfare department office—all at considerable distances from the rural parts of the county.

"Rural children travel miles to school. Recreation facilities and community centers range from poor to nonexistent except for what is provided through such agencies as ours.

"Centers of employment in Fairfax County are difficult if not impossible to reach via public transportation. It is apparent that a major problem for the rural as well as the urban low income residents is a lack of public transportation facilities. Unless one lives near a major thoroughfare and works in the District of Columbia or in one of the shopping centers on the bus route to the District, he is likely to have great difficulty in getting to the job."

AID'S MISMANAGEMENT OF THE EXCESS PROPERTY PROGRAM

The Subcommittee on Foreign Aid Expenditures of the Senate Committee on Government Operations held hearings with respect to the manner in which AID has managed its portion of the excess property program.

The subcommittee's findings are embodied in Senate Report 1089, 90th Congress, second session, filed April 10, 1968.

Highlights of that report are as follows:

"The subcommittee's investigation of the program has disclosed gross waste and mismanagement resulting from the failure of AID to apply effective controls over contractor operations and over the programing and utilization of excess property in foreign countries.

"Overcharges on repair contracts

"The subcommittee uncovered the fact that AID contractors had overcharged the Government by submitting bills for repair work not actually performed as well as for excessive labor hours. The full amount of such overcharges is difficult to determine because AID did not make sure that the repair contractors maintained adequate records, but partial audits have resulted in claims of over $600,000 for 1966 and 1967 alone. The subcommittee is of the opinion that overpayments to repair contractors since the start of the program far exceed $1 million.

"Delivery of defective equipment

"In addition, the subcommittee investigation disclosed that substantial quantities of equipment have been delivered to recipient countries in defective condition. The equipment, which consisted of trucks, tractors, cranes, bulldozers, electric generators, and other major items, was not operative on arrival in foreign countries or broke down shortly after being put into use. For example, 500 major pieces of defective and broken-down equipment were found in Saigon that had been brought there to relieve the congestion at the port. Port congestion has cost the United States millions of dollars in demurrage and other costs. AID had to contract with a private firm to repair the equipment in Saigon at substantial additional cost even though the items were supposed to have been overhauled before being sent to Vietnam.

"Numerous cases of defective equipment were also found in Turkey, Thailand, and other countries.

"AID officials ignored known program deficiencies

"These conditions were known to many middle-echelon personnel of AID and were also disclosed in a number of independent and Agency studies. However, they were ignored by top Agency officials and no action was taken to correct the situation until the subcommittee initiated its investigation of the program, and brought its findings to the Agency's attention.

"Department of Defense subsidized AID excess property shipments

"The subcommittee's review of the arrangements AID had worked out with the Department of Defense for the transportation of excess property from repair shops to foreign countries, most of which was done in vessels operated by the Military Sea Transportation Service, disclosed that AID had been paying the Department of Defense far less than the cost of such services. After this matter was brought to DOD's attention, it admitted that there was no authority or justification for any transportation subsidy and initiated a claim against AID for over $400,000.

"AID missions have overprogramed excess property for delivery to foreign countries

"The absence of any meaningful legislative restraints on AID's acquisition and utilization of excess property afforded the Agency the opportunity of supplementing existing economic assistance programs at little extra cost. With the enactment of section 608 of the Foreign Assistance Act of 1961, as amended. AID embarked on an aggressive effort to acquire excess property in advance of known requirements. To rid itself of the property thus acquired, AID, of necessity, had to embark on an equally aggressive campaign and persuade recipient countries through its AID missions, to accept increasing quantities of excess property. As the program grew from about $1 million in 1963 to over $40 million in 1967 and as the Agency's excess property management was given free rein to acquire and ship ever-increasing quantities of equipment abroad, the evident need for additional controls was ignored and even the established controls broke down. As a result large quantities of equipment and supplies were delivered to foreign countries without establishing the need for the equipment or the in-country capability to maintain and utilize the equipment after receipt.

"AID agrees with subcommittee findings

"Top Agency officials testifying before the subcommittee admitted that these serious shortcomings existed in the management of the excess property program. They stated that the fault lies with the Agency's policy to acquire the maximum amount of property, to make minimum repairs before shipping the items to foreign countries, and in the Agency's failure to employ a sufficient number of trained inspectors to check on contractor's performance. Agency officials outlined the actions now being taken to correct each of these deficiencies which, in the opinion of the subcommittee, should result in a much improved program in the future if these corrective actions are properly carried out.

"The General Services Administration has not carried out its statutory responsibility by checking into AID's misuse of excess property

"The Federal Property and Administrative Services Act of 1949, as amended, vests in GSA the regulatory responsibility for assuring maximum utilization of excess property. However, all responsibility for the redistribution of excess property and the disposal of surplus property overseas has been delegated to the agencies holding such property. With regard to domestic excesses, the Agency's regulations require that all property excess to the needs of any Federal agency above a specified value and in usable condition must be reported to GSA for screening by other agencies. The regional offices of the GSA undertake this screening activity and approve transfers to other Federal agencies. It is through this process that AID acquires all of the property it does in the United States for its excess property program.

"In testimony before the subcommittee, officials of GSA expressed unequivocal support of AID's excess property program notwithstanding the serious deficiencies in that Agency's administration of the program as disclosed in the hearings * * * It is evident that GSA does not fully understand the way in which AID uses excess property. GSA makes available excess property to AID on the assumption that such property will substitute for new procurement. AID operates on the basis that the use of excess property as a supplement to its normal procurement is perfectly proper."

On the basis of its findings, the Subcommittee on Foreign Aid Expenditures recommended, among other things, in Senate Report 1089:

"Under existing legislation, AID can obtain unlimited quantities of excess property overseas from other Federal agencies. Domestic acquisitions of excess property is limited to $45 million per year, of which only $15 million can be held in inventory at any time. The limitation on domestic excess property is designed to keep AID from making too heavy an inroad on the amount of Federal excess property available to State and local health, education, and civil defense agencies.

"The subcommittee asked the Governors of the 50 States for their comments on the desirability of making AID's overseas excess property acquisitions available to State and local agencies before it could be sent to foreign countries. The overwhelming number of replies indicated support for such proposal. Most of the Governors complained that in recent years there had been a decreasing amount of Federal surplus property available to the States at a time when there was increasing need for such property. Some of the replies indicated concern that under existing legislation foreign communities were given a higher priority in obtaining excess property than our own communities.

"The subcommittee believes that a reordering of priorities is now required. There can be little justification of furnishing useful equipment and supplies to towns, villages, and local agencies in foreign countries when such material is desperately needed by local communities and agencies in our own country. This situation can be corrected only by legislative action since testimony received from the executive agencies indicated that they were split on this matter. Such legislation should be given prompt consideration by the Congress."

S. 1974 would carry out the subcommittee's recommendation and would permit the Administrator of the General Services Administration to offer excess property to States for "purposes of education, public health, or civil defense, or for research for any such purpose" where such property is being held under section 608 of Public Law 87–195. This property would be offered to such eligible State agencies before being offered by AID to foreign countries.

EXTENSION OF AUTHORITY OF THE EXPORT-IMPORT BANK IN ORDER TO IMPROVE THE BALANCE OF PAYMENTS

Mr. BYRD of Virginia. Mr. President, the Senate did a good job yesterday.

It greatly improved the committee-recommended bill to amend the Export-Import Bank Act.

The legislation reported by the Senate committee was, I felt, totally unacceptable.

It declared it to be the policy of the Congress that the Export-Import Bank make loans that did not meet the criteria of reasonable assurance of repayment.

The Senate was wise in refusing to revise the lending criteria as recommended by the Senate committee. The new language, "offer sufficient likelihood" of repayment, is not much different than the present requirement that there be reasonable assurance of repayment before loans are made.

The Senate also voted to limit the liability of the Federal Treasury and refused to go along with the blank check request contained in the committee bill.

I think it desirable, too, that the Senate approved my amendment which requires the Bank to report to Congress every 3 months apprising it of how this money is being used and what countries are benefiting from it. This should be helpful both in protecting the taxpayer and in considering future legislation.

So, all-in-all, S. 3218 is a much better bill today than it was yesterday morning.

I still have doubts as to the wisdom of this legislation, or the need for it, but what we will be called on to vote upon this afternoon will be substantially better than when debate began yesterday.

I support the Export-Import Bank. Through the years it has had good management. We want to keep it that way.

Mr. LAUSCHE. Mr. President, I shall vote for the measure that will be before the Senate at 2 o'clock. I listened to the debates yesterday and participated in them. I concur in the statement just made by the Senator from Virginia [Mr. Byrd] that the amendments adopted yesterday improved the bill in a very high degree.

The amendment making the Bank liable for the first $100 million of possible loss, then the Federal Treasury liable for the second $100 million, and then the balance falling again upon the Bank itself, will cause the directors to exercise considerable care in making certain that the loans which it makes and the loans which it guarantees shall not be overloaded with peril, risk, and hazard.

The reporting that is to be made every 3 months will give Congress the opportunity to see how the directors are exercising the new authority given to them.

Our imbalance of payments has been a pain and a threat to us for a decade. Much talk was had about it, but little was done. It is obvious now that both Congress and the administration are conscious of the fact that great danger hangs over the dollar of the United States unless action is taken to reduce the imbalance that has plagued us, since 1958 especially.

Many things have been done to strengthen the soundness of the dollar. The administration has not tackled the problem with great vigor.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask unanimous consent to speak for 3 or 4 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. If I may digress for a moment, when I speak of the soundness of the dollar, I am talking about the danger that faces every holder of Government bonds, every recipient of a pension or annuity, every individual who has put dollars away, upon which he intends to draw in hours of distress, every thrifty individual who has tried to take care of himself.

If the soundness of the dollar is not protected, every one of this group will eventually be robbed of a part of what he has saved.

A disintegration of the dollar results in a reduction of the buying power of the dollar. When that buying power is reduced, the class which I have just mentioned is the one that pays the price.

I shall now attempt to identify the courses taken. First, dissuasion of banks making loans to foreign enterprise and foreign nations. Second, the adoption of the interest equalization tax. Third, the dissuasion and the prohibition of any of our foreign aid or AID moneys which go to foreign countries being used to buy foreign goods. Fourth, the insistence that the European nations which profit from the dollars our soldiers are taking into Europe use those profits to buy American goods. Fifth, the program to invite foreign tourists to the United States. Sixth, the program begging U.S. citizens to visit America, and not foreign countries, and thus help the improvement of the problem confronting us.

There is one field in which we have not succeeded, and that is in keeping our prices in a competitive position with foreign nations. This last year, wages have gone up 10 percent. With wages going up 10 percent, the price of our goods to be sold in the world market will go up substantially. That field has not adequately been taken care of, and it is my hope that the administration will do something about it.

I read the report of the Treasury Department about maintaining the soundness of the dollar. In one paragraph the Treasury Department pointed out that the copper strike caused the loss of $300 million. In another paragraph the Treasury Department pointed out that the steel strike of a few years ago caused a loss in a substantial amount.

On the basis of what I said, Mr. President, I shall vote for this measure, believing that we are finally attacking this problem as it should be attacked. Great credit goes to the House and Senate, especially if they pass the 10-percent surtax and the $6 billion reduction in spending, which will insure the stability of our dollar at home and in the world market.

I yield the floor.

The **PRESIDING OFFICER**. Is there further morning business?

Mr. **LAUSCHE**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **STENNIS**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. **STENNIS**. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to meet during the session of the Senate today. This request has been cleared with the minority.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **STENNIS**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The **PRESIDING OFFICER** announced that on today, June 18, 1968, the Vice President signed the following enrolled bill and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

H.R. 15462. An act for the relief of Lennart Gordon Langhorne; and

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Joint Order Interchanging Administrative Jurisdiction of Department of the Army Lands and National Forest Lands

A letter from the Secretary of the Army and the Assistant Secretary of Agriculture, transmitting, pursuant to law, a notice of intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of civil works and National Forest lands (with accompanying papers); to the Committee on Agriculture and Forestry.

Pay and Allowance Benefits of District of Columbia National Guard Performing Militia Duty in the District of Columbia

A letter from the Under Secretary of the Army, transmitting a draft of proposed legislation to amend title 39 of the District of Columbia Code to provide for the pay, allowances and benefits of the District of Columbia National Guard performing militia duty in the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Adjustment of Immigration Status

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law a copy of an order entered on adjustment of immigration status relating to Jimreivat, Vaewmanee, A17-731-869 and Mimreivat, Tahwawn, A17-731-873 (with an accompanying paper); to the Committee on the Judiciary.

Annual Report of Railroad Retirement Board

A letter from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the annual report of the Railroad Retirement Board for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on Labor and Public Welfare.

Proposed Legislation Clarifying the Authority of Postal Inspectors To Serve Warrants and Subpoenas and To Make Arrests With a Warrant

A letter from the Postmaster General, transmitting a draft of proposed legislation to empower postal inspectors to serve warrants and subpenas and to make arrests without warrant for certain offenses against the United States (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDING OFFICER**:

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"Senate Joint Resolution 15

"Joint resolution relative to transportation monopolies

"Whereas, There is an increasing danger of a monopoly situation in the metropolitan areas of California with respect to air-commuter transportation and connecting land transportation systems; and

"Whereas, This unhealthy situation has been aggravated by the Civil Aeronautics Board through the granting of exclusive air-commuter franchises within California's metropolitan areas pursuant to its Economic Regulations, 14 C.F.R. 298.21 (b) and (d); and

"Whereas, If this system of preferential franchises is ended by the Civil Aeronautics Board it will allow nonintegrated air-commuter companies to compete for the commuter market in the metropolitan areas of California and thus provide a healthy competitive atmosphere; and

"Whereas, The California Legislature wishes to be put on record as opposing any such monopolistic practices as may now exist; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to direct the Civil Aeronautics Board and the Justice Department to investigate this situation and to take the steps necessary to prevent these monopolistic practices; and be it further

"*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the members of the Civil Aeronautics Board, to the Speaker of the House of Representatives, and to each Senator and Representatives from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 4

"Joint resolution relative to establishment of insurance fund for protection of shorelines from offshore oil development

"Joint resolution

"Whereas, The government of the United States, through the Secretary of the Interior, is letting oil leases outside of the three-mile limit offshore of the coastline of the State of California; and

"Whereas, The California shoreline is of unique scenic beauty and is highly developed for residential, commercial, and tourism uses; and

"Whereas, Any leakage, contamination, subsidence, or beach pollution emanating from such oil operations, whether caused by negligence of man or forces of nature, or any other cause, could cause great damage to the valuable California shoreline areas; and

"Whereas, Recent events have demonstrated that there is a potential danger to shore properties resulting from shipwrecks occurring beyond the three-mile limit; and

"Whereas, It is in the public interest that an insurance fund be established to protect the shoreline against such eventualities; and

"Whereas, There exists a precedent for establishing such a fund in that the State of California has required that a reserve fund for subsidence contingencies, in an annual amount of two million dollars ($2,000,000), be provided for in contracts between the City of Long Beach and oil developers with respect to oil and gas extraction from tidelands granted in trust to the City of Long Beach; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to establish an insurance fund from moneys derived from the offshore oil leasing and oil production, and require that in instances when the person responsible for debris, contamination, pollution, or subsidence cannot be determined, such fund be available to remove and clean up any debris, contamination, or pollution, and mitigate the effects of subsidence, which may occur by reason of oil leasing, oil operations, or shipwreck and to compensate landowners, including public agencies, for any loss or damage occasioned thereby to private or public property; and be it further

"*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Interior."

A resolution adopted by the Board of Supervisors of El Dorado County, Calif., praying for the enactment of legislation relating to length of residence requirements under the Social Security Act; to the Committee on Finance.

A resolution adopted by the Board of Supervisors of Solano County, Calif., praying for the enactment of legislation relating to length of residence requirements under the Social Security Act; to the Committee on Finance.

Memorials from sundry foreign governments, expressing condolences on the death of the late Senator Robert F. Kennedy; to the Committee on Foreign Relations.

A resolution adopted by the City Council of Elizabeth, N.J., praying for the enactment of legislation relating to the sale and use of firearms; to the Committee on the Judiciary.

A resolution adopted by the Arizona State Council, Knights of Columbus, Glendale, Ariz., expressing disappointment at the Supreme Court ruling forbidding prayer in the public schools; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **SPARKMAN**, from the Committee on Banking and Currency, with amendments:

H.R. 15345. An act to provide security measures for banks and other financial institutions (Rept. No. 1263).

By Mr. **WILLIAMS** of New Jersey, from the Committee on Banking and Currency, with amendments:

S. 1299. A bill to amend the Securities and Exchange Act of 1934 to permit regulations of the amount of credit that may be extended and maintained with respect to securities that are not registered on a national securities exchange (Rept. No. 1264).

By Mr. **PROXMIRE**, from the Committee on Banking and Currency, with amendments:

H.R. 14907. An act to amend the Federal Credit Union Act (Rept. No. 1265).

By Mr. **MONRONEY**, from the Committee on Commerce, without amendment:

S. 2499. A bill to extend the act of September 7, 1957, relating to aircraft loan guarantees (Rept. No. 1267).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of nominations were submitted:

By Mr. **MONRONEY**, from the Committee on Post Office and Civil Service:

Two hundred thirty-seven postmaster nominations.

ADVISORY COMMISSION ON PARCEL DISTRIBUTION SERVICES—REPORT OF A COMMITTEE (S. REPT. NO. 1266)

Mr. MONRONEY. Mr. President, I report, from the Committee on Post Office and Civil Service, an original bill (S. 3656) which would extend the life of the Advisory Commission on Parcel Distribution Services, and for other purposes, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar, and the report will be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. **PROUTY**:

S. 3654. A bill to amend the Social Security Act so as to add thereto a new title XX under which aged individuals will be guaranteed a minimum annual income of $1,200, in the case of single individuals, and $1,800, in the case of married couples; to the Committee on Finance.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. **MILLER**:

S. 3655. A bill for the relief of Abbas Bekhrad and his wife, Haydeh Bekhrad; to the Committee on the Judiciary.

By Mr. **MONRONEY**:

S. 3656. A bill to extend the life of the Advisory Commission on Parcel Distribution Services, and for other purposes; placed on the calendar.

(See the remarks of Mr. MONRONEY when he reported the above bill, which appears under the heading "Reports of Committees.")

By Mr. **BROOKE**:

S. 3657. A bill for the relief of Agnese Modano; to the Committee on the Judiciary.

By Mr. **BREWSTER**:

S. 3658. A bill for the relief of Chang Chen Yeh, and Wong Tin Tai; to the Committee on the Judiciary.

By Mr. **JAVITS**:

S. 3659. A bill to give a preference for the location of Federal buildings in poverty areas and for the use of certain companies in the design, construction, and operation of such buildings; to the Committee on Public Works.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. **BYRD** of West Virginia (for Mr. BARTLETT):

S. 3660. A bill for the relief of Robert Harry Urch; to the Committee on Interior and Insular Affairs.

S. 3659—INTRODUCTION OF BILL RELATING TO FEDERAL BUILDINGS IN THE GHETTO

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to give a preference for the location of Federal buildings in poverty areas and for the use of resources in those areas in the design, construction, and operation of such buildings.

As the ranking minority member of the Committee on Labor and Public Welfare, which has jurisdiction over the antipoverty program and a number of related Federal activities, I have been most interested in trying to increase governmental effort to rid this Nation of poverty and urban blight. A rearrangement of expenditures to provide greater Federal spending on the problems of the areas heavily impacted with poverty is eminently desirable and possible yet, in these times of budgetary restraint we must be particularly attentive to ways in which we might increase our antipoverty efforts without greatly increasing spending. One of these ways is through the use of the Federal procurement dollar. In this manner, by selective and directed use of Federal contracts for the procurement of products and services, we can encourage the employment of disadvantaged people in such areas and the development and strengthening of businesses owned and operated by poverty area residents. I have, myself, within the last year offered a variety of steps to tie in Federal procurement to this type of activity.

In amendments to the Economic Opportunity Act in 1967—to the special impact program, and to the Small Business Development program under title IV—a requirement was included that Federal procurement and bank deposit activities be utilized in support of the purposes of that act. Since then, in an amendment to the military procurement authorization bill, which was accepted on the floor of the Senate and is now pending before the House, the Secretary of Defense was required to take into account as a favorable factor in awarding defense procurement contracts the undertaking by an employer to hire a substantial number of unemployed and low-income persons in carrying out the contract. In addition, I have, together with Senator MONTOYA, been a party to hearings in the Senate Committee on Small Business in which this whole area of procurement as a means of inducing slum economic development and employment of such disadvantaged persons was thoroughly explored.

The bill I am introducing today is the fourth step in this series of specific actions seeking to mobilize the available leverage of the Federal procurement effort, at little or no added cost to the Government, in support of slum and poverty aid and economic development and employment. This bill provides that the Administrator of the General Services Administration is to give a preference, insofar as feasible, to the location of Federal buildings in urban or rural poverty areas, which are to be identified by the Director of the Office of Economic Opportunity as those areas having high concentrations or proportions of unemployed or low-income persons. The bill specifically states that greater immediate costs, if any, associated with the location of a Federal building in such a poverty area shall not, by themselves, be necessarily a bar to such location.

This is designed to be a flexible preference, and in no way mandates that a particular Federal building be located in a poverty area. The legislative language is specifically qualified, stating that the policy shall be implemented only 'insofar as feasible," and it specifically states that the Administrator shall consider questions of cost, accessibility to transportation and other needed public facilities, and other relevant factors in making his determination of where to locate such buildings.

I hope that this policy favoring the location of important new Federal structures in urban and rural poverty areas will have a very direct impact in terms of providing accessible employment opportunities for poverty area residents and in terms of opening up new satellite business opportunities in such areas. Any major structure like a Federal building automatically increases commercial traffic in an area, generates a need for new service businesses of all kinds—from restaurants and laundries, to office supply and building maintenance organizations. Moreover, a new construction effort of this type, when linked with other rehabilitation projects, can be the basis for a regeneration of an entire slum area. In addition, no valuable commercial property needs to be preempted by any such Federal structure, and the area can be left free to develop fully its own commercial potential.

My bill takes special care to take into account the views of residents and established business to any proposed new Federal building. The bill provides that the Administrator must consult with persons representative of various groups in a poverty area whose interests would be affected, and that he should hold a public hearing to give such persons and residents an opportunity to be heard.

I am hopeful that a large amount of new economic development activity can be generated by a simple and flexible preference policy such as this. The Government is going to spend the money anyway, so why not spend where it will do the most good, all other factors being equal? About $80 million was appropriated in this fiscal year to the GSA for new construction of Federal buildings, not including post office construction for which some $88 million has been requested for fiscal year 1969. In some cases, such as post office buildings, rather than new construction the government might undertake to lease space in a proposed new building—hopefully ownership of which could be shared in part by slum area residents—and thereby provide a rental guarantee sufficient to get such a development project going.

And we can do even more than to give a preference for the location of a Federal building in an urban or rural slum area. My bill provides also for a similar flexible preference to any design, construction, or building service company "owned or managed in substantial part by residents of eligible poverty areas" in the award of contracts and subcontracts for the design, construction, or provision of services to such Federal buildings. In this manner, Federal construction and building operation funds can serve to provide a special market and customer relationship for minority group companies and can help tremendously to produce the large-scale economic development we are after. These are not business opportunities for "mom-and-pop stores," but for substantial enterprises which can give us a real multiplier effect. The required contracting preference would provide a needed market for the development of slum-based design and architectural companies, for major building contractors and smaller subcontractors, for building service companies of all kinds, including maintenance, laundry supply, office supply and similar firms, and even for real estate management firms which might operate such a building. This is the kind of "black capitalism" about which we have been hearing so much lately, and to which the private sector is making important contributions. There are many examples around the country, including the Watts Manufacturing Co. in Los Angeles, several newly announced companies in Rochester, N.Y., and at least one company in Boston, where established private corporations have committed themselves to purchasing the products of a slum-based firm, thereby providing that firm with a stable market sufficient to get it going.

There is no reason why the Federal Government should not, in its own contracting policy, duplicate this kind of private sector effort.

Mr. President, I am also inviting the Administrator of the General Services Administration and the Postmaster General specifically to make every effort to place a new Federal building in the Harlem area of New York. Harlem has already had a precedent in this regard in the farsighted initiative of Gov. Nelson A. Rockefeller to place a State office building on Harlem's 125th Street. If we could coordinate a major Federal installation with this State project, or at least not far from it, we might provide the basis for a really major economic renaissance for the community.

I have also suggested to the Administrator of the GSA and to the Postmaster General that any such Federal building or center might well be named after my colleague, Senator Robert F. Kennedy, who made the problems of the slums his major legislative concern. This would be an eminently fitting tribute to him, and I hope only the first of many, and I feel that the people of New York would support wholeheartedly the establishment of such a Robert F. Kennedy Center in Harlem.

Mr. President, I hope that the Senate will move to early consideration of this bill, and will agree with me that it offers one way in which at very low or no cost to the Government we can provide major new impetus to our rural and urban antipoverty efforts.

I ask unanimous consent that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3659) to give a preference for the location of Federal buildings in poverty areas and for the use of certain companies in the design, construction, and operation of such buildings, introduced by Mr. Javits, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 3659

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) The term "Federal building" means any building constructed, purchased or leased by the Federal Government, or any department or agency thereof, after the date of enactment of this Act and intended to be used in substantial part by a department or agency of the Federal Government;

(2) The term "qualified design, construction, or building service company" means a company engaged, by contract or subcontract, in the design, architectural planning, construction, rehabilitation, or improvement of physical facilities, or in the provision of services needed in the operation of physical facilities, and certified by the Secretary of Housing and Urban Development, under regulations issued by him, as being owned or managed in substantial part by residents of eligible poverty areas;

(3) The term "eligible poverty area" means an urban or rural area, defined without regard to political or other subdivisions or boundaries, and identified by the Director of the Office of Economic Opportunity as having high concentrations or proportions of unemployed or low-income individuals;

(4) The term "Administrator" means the Administrator of General Services.

LOCATION PREFERENCE

Sec. 2. Notwithstanding any other provision of law, the Administrator, and, in the case of post office buildings, the Postmaster General of the United States, is authorized and directed to establish procedures and prescribe regulations to give a preference, insofar as feasible, to the location of Federal buildings in eligible poverty areas. In considering whether to so locate such a building, the Administrator shall consider, among other factors, the relative costs of acquisition, lease or construction in such a location as compared to other locations, accessibility to transportation and other needed public facilities, and the impact of the project on improving opportunities for businesses in the area. Greater immediate costs associated with the location of Federal buildings in poverty areas shall not, by themselves, be a necessary bar to such location. Before finally approving a site and design plans for such a building in an eligible poverty area, the Administrator shall consult with persons representative of various groups in the poverty areas whose interests would be affected; and shall before offering such a site hold a public hearing, after reasonable notice, to give such persons and residents of the poverty area an opportunity to be heard.

LOCAL COMPANY PREFERENCE

Sec. 3. The Administrator, and, in the case of post office buildings, the Postmaster General of the United States, is authorized and directed to establish procedures and prescribe regulations to give a preference, insofar as feasible, in the award of contracts and subcontracts for the design, construction, rehabilitation, or improvement of Federal buildings, or for the provision of services needed for the maintenance and operation of such buildings, to qualified design, construction, or building service companies.

REPORTS

Sec. 4. Not later than one hundred and twenty days after the close of each fiscal year, the Director shall prepare and submit to the President and the Congress a full and complete report on activities and achievements under this Act, including any recommendations for further legislation.

ADDITIONAL COSPONSORS OF BILLS

Mr. BROOKE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Washington [Mr. Magnuson] and the Senator from New Jersey [Mr. Williams] be added as cosponsors of the bill (S. 3637) to provide for the establishment of a national firearms registry.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. Mr. President, I also ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. Case], the Senator from Connecticut [Mr. Ribicoff], the Senator from Washington [Mr. Magnuson], and the junior Senator from New Jersey [Mr. Williams] be added as cosponsors of the bill (S. 3643) to amend title 18, United States Code, to prohibit the sale and delivery of destructive devices.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Michigan [Mr. GRIFFIN] be added as a cosponsor of the bill (S. 3212) relating to the authority of the States to control, regulate, and manage fish and wildlife within their territorial boundaries.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF] I ask unanimous consent that, at its next printing, the names of the Senator from Pennsylvania [Mr. CLARK] and the Senator from Hawaii [Mr. INOUYE] be added as cosponsors of the bill (S. 3640) to establish a commission to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TAX ON TRANSPORTATION OF PERSONS BY AIR—AMENDMENT

AMENDMENT NO. 852

Mr. MURPHY. Mr. President, I submit an amendment which indicates my serious objection to one provision in H.R. 16241, which extends the travel tax. The basic provisions of the bill passed by the House of Representatives are an extension of the 5-percent ticket tax on domestic flights to international flights and changes in the customs rules relating to tourist exemptions and noncommercial importations. While these may be warranted in light of our balance of payments difficulties, there is another provision which is wholly foreign to the primary intent of the bill. This is section 101(b) which would terminate the existing exemptions from the 5-percent tax on air travel for State and local governmental bodies and for nonprofit educational organizations. In my judgment the enactment of these would be a serious mistake.

Provisions for eliminating the long-established exemptions from the tax on domestic travel of persons related to governmental units and nonprofit institutions will not serve to reduce our balance-of-payments deficit. Furthermore, State and local governments are in a financial squeeze as never before. They are confronted with common problems that transcend State and local boundaries, and we should not now take steps to slow down the frequency of intergovernmental meetings and exchanges of information, by placing added financial burdens on our State and local governments.

A telegram from Casper Weinberger, director of finance in California, estimates the cost to the California State government, exclusive of the expense to local governments, would reach $200,000 a year and I am sure that other States will be similarly affected.

By the same token, our nonprofit educational organizations are finding themselves confronted with steeply rising costs. Income in terms of tuition and endowments simply do not keep pace. Travel to meetings, to conventions, and to sister institutions is essential and should remain unrestricted by the Federal Government if our colleges and universities are to continue to make administrative and educational improvements.

From the fact that the cost to the nine branches of the University of California will approximate $40,000 per year, and that the University of Southern California will be required to spend an additional $25,000 per annum, the effect of the removal of this exemption on large universities, both private or State supported, becomes evident.

Such a provision, however, will also impede improvements by the small college. As Samson B. Knoll, chancellor of the Monterey Institute of Foreign Studies, states:

> It will restrict severely the availability of the travel funds for both administrative and teaching personnel, thus hampering the constant maintenance of relations with foundations and corporations throughout the country, which are vital to the continued existence of the private liberal arts college.

I am told that the expense to the Claremont Colleges "would pay nearly half of a young professor's salary." Loyola University of Los Angeles, by necessity, would spend an additional $5,000 to $6,000 annually for faculty and administrators to attend meetings and conferences.

For the Congress to finance and encourage improvements in education on the one hand while taxing the universities and colleges who receive these funds on the other hand seems to be completely inconsistent. Surely it is wiser to permit the exemption than it would be to collect the tax and make subsequent supplemental grants to help the colleges and universities meet their expenses.

Every college and university in our Nation that is a vital factor in the continuing excellence of our higher educational system will be affected. It is imperative that we preserve the dynamic and progressive work of these institutions by refusing to place additional financial strain on them at this time.

Serious consideration should also be given to the advisability of the Federal Government taxing State and local governmental functions. To allow this would be at variance with the traditional immunity of State and local governments from direct Federal taxation and might presage taxation on other activities of State and local governments.

Furthermore, I believe the constitutionality of such a tax is questionable at best. In 1939, the Supreme Court's decision in *Graves* v. *New York ex rel. O'Keefe* (306 U.S. 466, 1939) made State employees subject to the Federal income tax. This, of course, was not a direct tax on a State or locality. While it might have led to the necessity for a State to pay its employees higher wages, this would have been an indirect effect and could certainly be differentiated from the imposition of a sales tax on tickets purchased by States and localities for travel by employees in the performance of their official duties.

Nor does the Court's decision in *New York* v. *United States* (326 U.S. 572, 1947) justify the type of tax contained in section 101(b). In that case, the Court held that the United States could tax the sale of mineral waters taken from State-owned property. To prohibit this reach of the Government's taxing power must likely would have led a State to extend its business activity in every direction so as to remove subjects at will from the national taxing power. We are not confronted, however, with this problem in the instant case. The States and localities have never utilized the previously held travel exemption to withdraw their citizens from Federal taxes.

While the Supreme Court has been unable to agree on the extent to which the State's immunity from Federal taxation existed, an important principal, relevant to the ticket tax being considered, was announced by the Court in *Helvering* v. *Gerhardt* 304 U.S. 405 (1938):

> . . . dependent upon the nature of the function being performed by the state or in its behalf, (the law) excludes from the immunity activities thought not to be essential to the preservation of State governments even though the tax be collected from the State treasury.

It is hardly necessary to recite a listing of all the reasons why air travel is essential to the proper functioning of a State or local government in an age in which States and cities operating complex administrative machinery must work with each other in order to utilize to the fullest extent possible the limited knowledge possessed by each.

If we are to assume, however, that the tax would be constitutional, its intended effect of providing Federal income might be negatived by State retaliation. I would imagine that it may simply open the flood gates, as I have said, to subsequent direct taxation on State and local governments, by a similar rationalization and this, in turn, might incite retaliatory action by the States on the Federal Government. It seems valid to ask: If the Federal Government can move in this direction, why can't and why won't the States and localities respond? The Federal Government's immunity from State taxation was originally recognized by Chief Justice John Marshall in McCulloch against Maryland with the words:

> The States have no power, by taxation or otherwise, to return, impede, burden, or in any matter control, the operations of the Constitutional laws enacted by Congress to carry into execution, the power vested in the federal government.

Since then the immunity doctrine has been extended and expanded in many areas and for many forms of taxation. There are areas, however, I am sure, in which States have not as yet, tested the constitutionality of their taxing power and the imposition of a Federal ticket tax might well initiate in them a sense of adventure to see exactly how far they can go.

In this regard, it might be well to look at the words of Mr. Justices Douglas and Black in dissent to New York against United States:

> If the power of the Federal Government to tax the states is conceded, the reserved power of the states guaranteed by the Tenth Amendment does not give them the independence which they have always been assumed to have.

In short, there are many unfavorable consequences that the acceptance of this provision of H.R. 16241 would have. It would be injurious to the State and local governments—whose help in solving the problems of this Nation we sorely need. It would be damaging to our educational institutions—who need our help to continue their excellent job of turning out the quality leadership this Nation must have. It would be dangerous in its legal implications. And I, for one, do not think the Senate can ignore these important considerations and I would respectfully urge my colleagues to join me.

The PRESIDING OFFICER. The amendment will be received, printed, and will be appropriately referred.

The amendment (No. 852) was referred to the Committee on Finance.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO LIMIT ON LOSSES ALLOWABLE WITH RESPECT TO FARMING OPERATIONS—AMENDMENT

AMENDMENT NO. 853

Mr. MILLER submitted amendments, intended to be proposed by him, to the bill (S. 3443) to amend the Internal Revenue Code of 1954 to limit the losses allowable with respect to farming operations which are incurred by taxpayers whose principal business activity is not farming, which were referred to the Committee on Finance and ordered to be printed.

AUTHORIZATION OF CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS—AMENDMENT

AMENDMENT NO. 854

Mr. COOPER. Mr. President, I submit, on behalf of myself, the Senator from Michigan [Mr. HART], and the Senator from New Jersey [Mr. CASE], an amendment intended to be proposed by us jointly to H.R. 16703, to authorize certain construction at military installations and for other purposes.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

Subsequently, Mr. COOPER proposed the above amendment.

(See reference to the above amendment when proposed by Mr. COOPER, which appears under a separate heading.)

ADDITIONAL COSPONSORS OF AMENDMENT NO. 850 TO S. 3098

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that, at its next printing, the names of the Senator from Oklahoma [Mr. HARRIS], the Senator from Hawaii [Mr. INOUYE], and the Senator from Rhode Island [Mr. PELL] be added as cosponsors of amendment No. 850 to S. 3098, the Higher Education Amendments of 1968, an amendment to the Higher Education Act to expand the Teacher Corps by enabling college graduates to serve for a year or two as voluntary teaching assistants in local schools.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 18, 1968, he presented to the President of the United States the following enrolled bills:

S. 2276. An act to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works improvement upon request of local organizations; and

S. 2914. An act to authorize the further amendment of the Peace Corps Act.

NOTICE OF HEARING ON TAX COURT BILL (S. 2041)

Mr. TYDINGS. Mr. President, as chairman of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I wish to announce a change of date of the hearings for the consideration of the relationship between S. 2041 and a recent Department of Justice study of the desirability of revising the procedure for litigating tax disputes. S. 2041 is a bill which would remove the Tax Court from the executive branch of the Government and make it an article III court.

The hearings will be held on July 9 and 10, 1968, at 9:30 a.m., in the District of Columbia hearing room, 6226 New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building, Washington, D.C.

NOTICE OF HEARINGS ON AIRCRAFT CRASH LITIGATION, S. 3305 AND S. 3306

Mr. TYDINGS. Mr. President, as chairman of the Senate Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce the continuation of hearings for the consideration of S. 3305 and S. 3306. These bills would improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of certain operations of aircraft.

The hearings will be held on June 19, 1968, at 9:30 a.m., in room 6226, New Senate Office Building; and on June 20, 1968, at 9:30 a.m., in room 2228, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building, Washington, D.C.

NOTICE OF HEARINGS BY THE SENATE SMALL BUSINESS COMMITTEE ON EXPORT EXPANSION AND THE BALANCE OF PAYMENTS

Mr. SMATHERS. Mr. President, yesterday and today, the Senate has been considering a bill to augment the authority of the Export-Import Bank. I believe it is thus particularly appropriate to announce that the Select Committee on Small Business has invited the Federal agencies responsible for all of the major programs of assistance to American exporters to appear at public hearings at 9:30 a.m., Thursday, June 20, 1968, in room 1318 of the New Senate Office Building.

This Washington session culminates a 3-year study by the committee, which has been pursued in a series of five regional hearings across the country and on every seacoast.

These field hearings have been designed to make it convenient for the business and export communities of our gateway cities to present their views to a congressional panel. For this purpose, the committee met in Portland, Oreg., on May 19 and 20, 1967; in Mobile, Ala., on November 10, 1967; in Milwaukee, Wis., on December 1 and 2, 1967; in Miami, Fla., on March 15 to 18, 1968; and in the Ports of Newark and New York on May 3 and 6, 1968. These 9 days of testimony produced an impressive number of suggestions and criticisms reflecting the practical experience of those actually engaged in international trade.

The June 20 hearing will allow the principal agencies of the Federal Government to respond to these witnesses and also to the urgencies which our balance-of-payments situation have raised.

Unfortunately, Mr. President, this country has incurred a deficit in its international accounts in 17 of the last 18 years, the extraordinary year of the Suez crisis being the only exception. During the period of the committee's inquiry, the situation has become progressively worse, as we have seen our trade surplus decline from $7 billion in 1964 to less than one-half that figure in the first quarter of 1968, with an actual deficit in March on the commercial account.

Imports have grown 2 to 2½ times as fast as exports during this period. We know that there have been inflationary trends related to Vietnam and the lack of action on the surtax legislation, and this has stimulated imports. But to halt our analysis at this point does not get to the heart of the problem.

The fact of the matter is that imports have risen faster than exports for a long time. Further, the U.S. share of world markets in manufactured goods in practically every major category has consistently declined. While the share of our GNP exported has remained constant at about 4 percent, Italy, for instance, has increased its GNP-export share from 10.8 to 13.1 percent; Germany from 15.4 to 16.9 percent; and Japan from 9.6 to 10.1

percent.[1] And, as the committee has been pointing out for some years now, the GNP export percentages of other Western industrialized countries have ranged from about 14 percent for France and 21 percent for Canada to 24 percent for the United Kingdom and 36½ percent for Belgium.[2]

One consequence of this lack of success in matching export growth with import growth in this country has been to touch off widespread calls for protectionist import quota legislation at home. Another has been to distort the business patterns of American corporations abroad. Even allowing that the large wave of U.S. investment resulting from the formation of the Common Market had begun to subside, the controls on loans, investments, and profits have restrained highly profitable uses of U.S. capital abroad, and have directly inhibited exports to U.S. affiliates overseas, which normally accounts for about a quarter of all merchandise exports. This further reduces the competitiveness of American companies overseas and increases the immediate as well as ultimate pressures on the dollar.[3]

As a result of the persistent deficits on our international accounts, foreign nations have been acquiring more dollars than they literally know what to do with. They have been under increasing economic and political pressure to change these dollars into gold in order to have their reserves of national wealth in a form that appears to be more stable than the dollar. Thus, the U.S. gold supply has dwindled from about half the world's supply after World War II to about one-quarter at the beginning of this year.

It has seemed to many of us in the Congress that the efforts to reverse these trends have largely taken the form of restrictions: limitations on investment, regulations on lending, constraints on the use of earnings, and further proposed encumbrances on travel and freedom of corporations and banks to operate abroad.

Events such as the devaluation of the pound and the subsequent gold rush demonstrate conclusively that the economies of Western nations are increasingly interdependent, and that our efforts to balance our accounts cannot be undertaken in isolation.[4]

Since the announcement of our hearings on February 1, 1967, the committee has been suggesting that an expansionary policy, concentrating on the liberation of the energies of our businessmen to expand trade, investment and travel, is the only sound alternative in the trade field.

We have been given the impression, however, that the emphasis placed on export expansion by the cognizant federal departments and agencies is relatively minor, has not been sustained, and is not lodged at a sufficiently senior level to achieve results.

For instance, the Commerce Department appears to have no statistics on how many small businesses are exporting, or how many have entered the export market in past years. Despite the existence of promotion programs such as trade centers, fairs, and missions, the Department sometimes seems to be administering these programs in the absence of objective standards for assessing their cost-effectiveness. How can the efficiency of various programs then be compared, and how can Congress decide where additional appropriations might be productive? Business groups have in the past called attention to the desirability of applying more definite standards to Commerce Department activities.[5]

An examination of the Department of Commerce budget reveals that only $4,800,000, or less than four-tenths of 1 percent of its money, is devoted to its 42 field office operations, which bear the major burden of acquainting and assisting exporters and potential exporters with respect to possible avenues of assistance. We are finding that although the level of inquiries to field offices has risen threefold and fourfold since 1958, staffs of these offices have not increased proportionately, and have in some cases actually been reduced.

In fiscal year 1968, the Department spent more money on limiting exports through the Export Control Office than it did on export promotion through field offices. The Census Bureau spent twice the field office total for collecting figures for the single year of 1967. The National Bureau of Standards spent $6,970,000 in 1967 on the construction of one facility.

The committee wonders how the several Federal export programs can adequately be coordinated with each other, let alone regional, State, and local activities under these conditions.

In another area, the questions of whether the Export-Import Bank and the Federal Credit Insurance Association are competitive with counterpart export financing institutions abroad, and whether they are fulfilling the needs of the American business community and whether more can be done remain very much open to discussion.

These agencies should be exercising the leadership the Nation requires in order to respond to our international financial problems. They should at least be able to advise the Congress what can now be done about them.

However, the indications are that some of the most deep-seated obstacles to trade expansion may be within the Federal Government itself, and that the shortcomings of our export expansion efforts may be undermining the entire commitment of the United States to constructive foreign economic policies.

Accordingly, at our hearing the burden of proof will be on the Federal agencies to explain why the programs of the past decade have not measured up to the objective tests of the world marketplace and what concrete steps are being taken to reverse the adverse trade and balance of payments trends.

If we are to preserve the financial soundness of this country and the integrity of the international monetary system on which all exchanges of services and goods between people depend, we must have performance rather than prose from these agencies over the next 10 years.

Mr. President, following the hearings our committee hopes to submit an early interim report making its findings and recommendations available to the administration and the public in an effort to do all we can to assist all American exporters and potential exporters of all sizes, but particularly the 95 percent which are small businesses and which hold such an enormous potential for participating in the world market, improving their profit pictures, and at the same time benefiting the U.S. balance of payments.

THIS WEEK COMMENTS ON CONSERVATION YEARBOOK OF THE DEPARTMENT OF THE INTERIOR

Mr. McGEE. Mr. President, it is a pleasure to note happily the continuing enthusiasm with which the public is receiving certain Government publications. The message contained in the Department of the Interior's conservation yearbooks is of critical importance in the ongoing shaping of our environment. Fortunately for the Nation, the message has been so well presented that the yearbooks have become consistent "bestsellers" by the Superintendent of Documents of the U.S. Government Printing Office. The continuing story of our land and air and water and our entire natural resources inventory is one that should be followed intently by every citizen of the United States. The interactions between people and their land are faithfully reported in these yearbooks, but I think that the books have done even more than merely report—they have helped to shape us, as readers, into a sharper awareness of how our actions affect our surroundings. In this sense, the books have been a tool for environmental betterment as well as a record of progress. I should like to insert in the record the comments of This Week magazine on June 9, 1968, commending Secretary of the Interior Stewart L. Udall for his departmental stand and recommending the book for those who want to know "what is being done and what can be done to turn back the tide of danger." This Week quotes the book as maintaining that hope lies chiefly in "understanding the totality of the problem of survival." Such documents as this Interior yearbook, that help us all to understand the nature of our survival problems, are a tremendous force for good in the struggle to stave off human extinction.

---

[1] "Regional Export Expansion—Part V, Port of New York" hearings before the Select Committee on Small Business, U.S. Senate, May 6, 1968, Transcript page 961, Testimony of Howard D. McPherson, Deputy Commissioner, New York State Department of Commerce.

[2] See, for example, S. Rept. 345, Seventeenth Annual Report of the Select Committee on Small Business, June 14, 1967, page 27.

[3] "American Investments and the Balance of Payments Program," excerpts from remarks by Otto Schoeppler, *Commerce in Germany* magazine, May 1, 1968, p. 5 *et seq.*

[4] See "The Community and the U.S. Payments Deficit," by Anthony Thomas, *European Community* magazine, May 1968, p. 4.

[5] Most recently in "Export Promotion," report of Action Committee of the National Export Expansion Council, as revised April 3, 1967, page 10.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PROBLEM OF SURVIVAL: IN TERMS OF HUMAN LIFE, "BIGGER IS NOT BETTER, SLOWER MAY BE FASTER"

WASHINGTON, D.C.—Will man wipe himself out?

According to a new book, "Man—An Endangered Species?"* (compiled by the Interior Department, with a foreword by Secretary of Interior Stewart L. Udall), man's survival is threatened by (1) Pollution of the air he breathes, (2) Drying up and poisoning of our water supply, (3) Overcrowding our earth with people, (4) Plundering our natural resources.

Ironically, Secretary Udall, while he was working on the book, visited Indians on location at Arizona National Park Land, where Columbia Pictures is filming "Mackenna's Gold" and where our cover picture was taken, and said:

"Less than a century ago the Indian—alone of all Americans—faced a very real threat of extinction. Today, the Indian population is growing at a rate twice the national average."

But now the new threat, the book points out, hangs over the heads of all people, equally. It's as if we were standing at a fork in our environmental road to the future, one signpost marked, "Man—Master of Himself" and the other labelled, "Man—An Extinct Species," but it is increasingly apparent that the direction he takes now will move him rapidly toward one or the other destination.

But "Man—An Endangered Species?" is not entirely a scare book. Far from it. It is a book about what is being done and what can be done to turn back the tide of danger. "Our main hope," it says, "is that we are beginning to understand the totality of the problem of survival."

The book points out that Congress has made a great beginning by appropriating amounts adding up to $1,500,000,000 for "nationwide natural resource programs." Biggest single item is a $57,200,000 authorization to build the "world's largest desalting plant" in Southern California, using nuclear reactors. The plant, designed to produce 150,000,000 gallons of fresh water per day will more than double the capacity of all the desalting plants presently operating on earth.

"We have enhanced the future of everything—except the human race," Udall says. "We need to realize that bigger is not better; slower may be faster; less may well mean more."

I WANT TO VOTE

Mr. HARTKE. Mr. President, never before have young people played such an instrumental and vital role in politics as they do today. Never before have the young channeled so directly their interest and enthusiasm into civic affairs. Yet, we do not allow them until the age of 21 to really participate in representative government—we withhold from them the right to vote.

A young constituent of mine, Dennis A. Headlee, recently spoke in his freshman speech class at Purdue University, calling upon Congress to lower the voting age to 18 years of age by a constitutional amendment. I ask unanimous consent that this young man's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

I WANT TO VOTE

(By Dennis A. Headlee)

On December 16, several prominent residents of Boston, Massachusetts, boarded a ship in Boston Harbor. These men then proceeded to commit one of the most startling acts of opposition to a new law in the history of mankind. This Act in 1773 was the Boston Tea Party. These men were opposing "Taxation Without Representation."

Today you and I, those of us who are too young to vote, are subjected to taxation without representation. Also our national leaders ask us to fight and die for our nation, yet we can't help pick our leader. In light of these facts, I feel the voting age should be lowered to 18.

There are three main reasons for lowering the voting age to 18:

1. If we are old enough to fight and die, we are old enough to vote.
2. We are the best informed electorates the world has ever produced.
3. Granting 18 year olds the right to vote would tend to decrease voter apathy.

Let us examine these more fully. You have all heard "If I'm old enough to fight and die, I'm old enough to vote." This whole controversy started in 1942 when the draft age was lowered to 18. At this time during a Senate Debate, the late Senator Arthur Vandenburg said, "Mr. President, if young men are to be drafted at 18 years of age to fight for their Government, they ought to be entitled to vote at 18 years of age for the kind of Government for which they are best satisfied to fight." President Eisenhower in his State of the Union Message, January 7, 1954, urged Congress "to propose to the State a Constitutional Amendment permitting citizens to vote when they reach the age of 18."

As you can see prominent men have felt that if a man is old enough to fight and die, he is old enough to vote.

People who are against lowering the voting age say that 18 year olds don't know enough or aren't well enough informed to cast an intelligent ballot. Abraham Lincoln's father could vote yet Thomas Lincoln could read or write little more than his own name! Hubert Humphrey, when he was Senator from Minnesota, made the following statement April 1, 1953 during a Senate Debate:

"The young people of this generation are better prepared educationally for political responsibility at the age of 18 than were the Americans of previous generations. We do not have very complete figures on the education of our population prior to the 1940 census, but even comparison with the year 1940 tend to highlight our progress toward the preparation of our youth for civic responsibility. In 1940, 14.1% of Americans completed high school, 4.6% completed college. In 1950, 20.2% of Americans completed high school, 6% completed college."

Today these figures are even higher. As you can see we are informed.

Much is said today about voter apathy. What causes apathy? Is it lack of interest? Is it lack of ability to do anything? The answer is yes.

This situation can be combated by granting 18 year olds the right to vote. All high school graduates in Indiana have to take a course in U.S. Government. Fresh from high school these young voters would be informed in the operation of government. They would be interested in politics and they would have the ability to take action! These young voters would be an enthusiastic active force in politics before the humdrum of everyday life caused them to loose interest.

We have seen that the voting age should be lowered to 18. The next question is "How?" There are two ways: Individually, state by state, and collectively, by amending the Federal Constitution.

Since the establishment of voting regulations is a state function, some people feel that each state should lower its own voting age. I feel this would take too long.

I feel that this issue requires a Constitutional Amendment. Since an amendment must be ratified by ⅔ of the full body of Congress and ¾ of the individual states, the ultimate decision to lower the voting age still rests with the states.

Since the only way citizens can secure Congressional action is to write to their Congressmen, this is what I've done.

BIBLIOGRAPHY

Bagley, William C., Ed. School and Society, "Should 18-Year-Olds be Entrusted With the Ballot?" Volume 58, No. 1495, August 21, 1943.

Humphrey, Hubert, *et al.* The Congressional Digest, "The Question of Lowering the Voting Age to 18." Volume 33, No. 3, March 1954.

Jensen, Merrill. Collier's Encyclopedia, 1968, "Boston Tea Party." Volume 4, Page 416.

WITCH-HUNTING VIGILANTES

Mr. YOUNG of Ohio. Mr. President, while Russian military and economic power is at an alltime high, the influence of Kremlin leaders on other Communist governments is at an alltime low. They recently called a meeting of world Communist parties in Hungary, proposing to eject China from the Communist movement. Five Communist governments—China, Albania, North Vietnam, North Korea, and Cuba—sent no representatives whatever. Yugoslavia was not invited. The Japanese Communist Party was invited, but refused the invitation.

It is evident, Mr. President, that the Communist world is in a state of disunity.

Recently, some top members of the Cuban Communist Party were arrested and tried because they were "too pro-Russian," and Castro did not like that. The Communist Party in Czechoslovakia has undergone an internal political convulsion, and Czechoslovakia is now independent—no longer a Soviet satellite.

Of course, for years Yugoslavia has been, as it is now, a nationalist Communist country. Yugoslavia is definitely not a Soviet satellite. Romania is increasingly independent of the Soviet Union. Its delegates walked out of the Budapest conclave.

Of the Eastern European Communist countries, only East Germany, still occupied by some Russian troops, remains a Soviet satellite. All the others are national Communist countries, independent of the Soviet Union. Very definitely, they are not Soviet satellites. The Budapest meeting of the Communists further revealed the bitter schism between the two great Communist powers—the Soviet Union and Communist China.

There is a long common border, over 6,500 miles long, separating the Soviet Union and Communist China. Soviet troops are stationed along that border, particularly around Mongolia. There have been some border clashes, and the Soviet Union, with its power and its troops along the border, is threatening some of the border territory disputed with China. Yet, right-wing extremists in the United States talked of a monolithic world Communist conspiracy. Their hysterical ravings unfortunately influence our foreign policy and work to the detriment of the United States.

---

*Copies available for $1.50 apiece through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

This brings to mind that couplet: "Last night I saw upon the stair a little man who wasn't there. He wasn't there again today. Oh, how I wish he would go away."

These right-wing extremists groups such as the Liberty Lobby and the John Birch Society—those Birch saps—rave about a monolithic international Communist conspiracy. They do not know what they are talking about.

TAXPAYERS' MONEY THROWN DOWN WALNUT CREEK

Mr. PROXMIRE. Mr. President, probably there would be an extensive number of names in a pot to select the winner of the most intransigent group or organization. I know at least one of my nominations would have to be the Army Corps of Engineers. At issue at present is the corps' project for the damming of the Big Walnut Creek in Indiana.

The main support of this project centers on three issues. The corps contends that more water is needed for Indianapolis residents. Yet the Indianapolis Water Co. announced plans for a new reservoir which could be adequate for all current water needs. Second is the pitch for more recreation for Indianapolis residents. Presently there are at least six or seven reservoirs built or in process in this area. I certainly feel that for recreational purposes a natural area such as the Big Walnut Creek is preferable to a manmade reservoir. The third point of sewage control advantages is also debatable.

As long as there is a question regarding the advisability and necessity of this project, a decision by the corps should be postponed. The conservation groups have offered compromises which have been refused. I believe that only where there is a clear-cut necessity for a public works project and no reasonable alternative is available, then—and only then—should practicality override conservation and recreational interests.

Mr. President, at this point, I would like to insert in the RECORD two editorials from the News-Sentinel and the Indianapolis Star, which very cogently state the case against this Big Walnut Creek project.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Fort Wayne (Ind.) News-Sentinel, Feb. 26, 1968]

THE DIRE FATES THAT DON'T EXIST

Death by dehydration is an awful thing. If Hoosiers were faced with a clean-cut decision of permitting people to die of thirst or destroying some of their most valuable natural assets and heritages, they probably would vote unhesitatingly in favor of the second alternative.

Bodily uncleanliness is a slightly less horrible outlook, but if the regular bathing habits of Indianapolis residents depended upon it, Hoosiers might be willing to compromise to some moderate destruction of its biological and geological treasures as the price of preserving a pure atmosphere.

As it is, we cannot see that either dread alternative is posed in the plans of the Corps of Engineers to build a reservoir on Big Walnut Creek in Putnam County, flooding a valley which, in the almost unanimous view of Hoosier conservationists, includes some of the States most impressive stands of native timber, specimen trees of record proportions, geological remnants which are irreplaceable, and unparalleled natural beauty.

For its Big Walnut Creek project, the Corps of Engineers has offered the customary formal arguments of flood control, recreational values, water supply, erosion reduction and so forth. The flood control matter can be disposed of quickly. The Big Walnut simply isn't that much of a stream.

But the real "selling points" for the Big Walnut Creek project, we believe, have been three:

1. Water for Indianapolis residents.
2. Recreation for Indianapolis residents.
3. Water to dilute the sewage of the City of Greencastle.

On the first score, it should be noted that the project was mapped before the Indianapolis Water Company announced plans for a new "Mud Creek Reservoir" northeast of Indianapolis, which, we are told, is adequate for all current water needs of the capital. Impoundments such as that contemplated for the Big Walnut are short-lived because of extremely rapid effects of siltation. If the impoundment were in fact needed for water supply for Indianapolis, now would be a wasteful and unreasonable time to build it and it might be little more than a mud flat by the time its waters were required. To build a water reservoir for uncertain future needs is a magnificent exercise in poor judgment.

As for recreation, it can only be said that there are many kinds of recreation, some involving land and some involving water. Presently there are at least six or seven major reservoirs built or a-building within the approximate recreational radius about Indianapolis represented by the Big Walnut Creek project, including the huge Monroe Reservoir. How many reservoirs does it take?

As for Greencastle's sewage problems, it must be said that "dilution" is a pretty inadequate approach to pollution control, and it consists mainly of flushing one's wastes onto another person's property. Lake Erie, and increasingly Lake Michigan, are splendid examples of what sewage "dilution" can accomplish.

Indiana Conservation groups repeatedly have urged a compromise plan for Big Walnut Creek which would keep flood waters of the project out of the creek's valley above U.S. Highway 36—the most treasured sector of the stream from the conservationist's viewpoint.

Just as often, the sponsors of the project have refused to compromise, and they have increasingly tended to cloak their plans, meetings, and discussions in secrecy.

Presently something like 260 Water Conservancy District programs, not to mention the Corps of Engineers' designs, are considered for the State of Indiana. If all of the damming and dredging projects contemplated in these designs were carried out, there would be scarcely a free-flowing river or stream of any proportions in the state.

It is, we feel, an unnecssary sacrifice to the juggernaut of Federal bureaucracy.

[From the Indianapolis (Ind.) Star, Apr. 7, 1968]

BATTLE OF BIG WALNUT

Big Walnut Valley is a tract of rare wilderness more than 1,000 acres in expanse west of Greencastle.

It contains Canadian Yew and Eastern Hemlock unique to Indiana and giant sugar maple and sassafras trees that are irreplaceable. It is rich in other plantlife. Biologists have called it a "living library of nature."

The valley contains deep gorges and canyons cut over the time of many centuries by waters that began flowing millenia ago when the great ice sheet that once covered part of what is now Indiana began to retreat at the end of the Glacial Era.

Big Walnut Valley is threatened with destruction. The Army Corps of Engineers plans to dam the stream and turn the valley into a big reservoir. The purpose would be dual: flood control in the Wabash Basin and a future water supply for Indianapolis.

Flood control and an adequate future water supply for Indianapolis are both necessities. No one is going to argue against their desirability. But the huge Mud Creek Reservoir planned by the Indianapolis Water Company plus Geist and Morse reservoirs should supply all the water Indianapolis will need in the foreseeable future.

As for flood control, there are alternatives which would make the dooming of Big Walnut Valley unnecessary.

The crucial point in the Big Walnut proposal is the water level. If the level is kept to a specific maximum the unique features of the valley can be spared. If it is not, they will not.

The Army Corps of Engineers has not offered any compromise on the issue of the water level.

A campaign to save the valley is being waged by the Indiana Division of the Izaak Walton League with about 5,500 members, the Indiana Conservation Council with 12,000 members, the Indiana Audubon Society, the Indiana Covered Bridge Society and other conservation and nature groups.

Leaders of these organizations seek to have the valley designated a natural landmark by the National Registry of National Landmarks. A report on the issue will be made to the Registry's advisory committee, under Interior Secretary Stewart Udall, during its three-day meeting which starts April 16.

A decision by the board recommending the valley's inclusion as a national landmark would not affect directly construction of the reservoir, or ownership of the land. Owners would be invited to register their holdings voluntarily and a bronze plaque would be erected in the area pointing out its significance.

This would help the campaign to save the valley. We urge the board to make a favorable decision.

Congressmen E. Ross Adair, J. Edward Roush and Ray Madden already are supporting the drive. We ask the other members of the Indiana congressional delegation to do what they can to help.

This generation of Hoosiers should preserve what nature has taken thousands of years to create and leave it unspoiled for generations yet to come.

A FAIR DRAFT POLICY

Mr. McGEE. Mr. President, two young Wyoming people, Tom Long of Casper, and Janet Crawford of Cheyenne, have returned home after spending a week in my office. They came to Washington, D.C., as winners of the sixth annual McGee Senate Internship Contest, having been selected by a panel of impartial judges for the honor on the basis of their scholarship, extracurricular participation, interest in civic affairs, and essays on the question: "What is a Fair Draft Policy?"

Mr. Long and Miss Crawford, Mr. President, are both high school juniors—a year away from graduation. They have enviable records which impressed the judges. I, too, was impressed as they proved in person to be fully as outstanding as their records and as their essays had indicated. It is encouraging to me to have such contact with young people whose outlook on life is refreshing and sensible.

Since the topic for this year's contest was chosen, the same topic has been picked as the subject for next year's national high school debates. Thus, young people all across the country will shortly be turning their attention to this subject—which is one of vital concern to their age group, as it is to all of us. Both the boy and the girl winners in this year's McGee internship contest affirmed their belief in service to our country, Mr. President. Both, in fact, espoused a system of universal service, with Miss Crawford favoring the inclusion of young women in the draft. And both favored a broadened scope for the draft so that it would encompass more than military duty alone.

These attitudes are best expressed in their own words, so I would ask, Mr. President, for unanimous consent to have the essays written by Tom Long and Janet Crawford printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

A Fair Draft Policy

(By Tom Long)

I. The problem:
A. Rhetoric vs. action.
B. The search for solution.
II Draft by lottery:
A. The need.
B. The advantages.
C. The unheeded cry.
III. Draft into non-military service:
A. The reason.
B. Benefits.
IV. Drafting of women:
A. Rights vs. duties.
B. Improvement of programs.
V. Deferments.
VI. The goal of universal national service.

WHAT IS A FAIR DRAFT POLICY?

A healthy nation is one in which there is more than just a single side of an issue to be heard. Debate over such issues inevitably leads to improvement. But debate must not continue in an endless chatter of misguided orators. The draft problem of today has become caught in the snare of elocution. We must reject such tactics of Congress; the irrelevancy, the cliches, the hullabaloo of sophistry. Similarly, we must neither become answerable to the violence of the mob and its dissension over the draft. This dissension, were it not merely chants of "It ain't fair," but a workable solution, might arouse Congress to action.

The action that should be taken until recently was not totally necessary. But action must be taken, not just to appease the American youth, but to satisfy certain demands within the Constitution. The end of discrimination seems the best way to eliminate the protest chants.

The loudest cry heard in Washington is for a system of draft by lottery. Many local draft boards somehow manage to select the more indigent men or those with a different skin color in a proportion greater than their number. Accordingly, Vietnam has been called "the poor boy's war." Draft by lottery would take this ammunition from the verbiage barrage of the dissenters. The answer given to that cry was not the much needed change in the draft, but a slap in the face by General Hershey. However the cry of dissent will not relinquish in the face of punishment. That is not the solution. The solution sought for has not gone completely unheeded though. Those in Congress should be fully aware of its possibilities. Why, then, is it not being taken care of? A system of draft by lottery has no such discrimination as does the present answer of General Hershey. Perhaps in the past there was little pressure to change. However, now the dissension could hardly be greater. Now is the time for Congress to change the voice of dissent to service for the government.

A bigger step toward a fair draft policy is one with other advantages also. As many people have commented, we need a policy which will allow a person to serve his country instead of "serve his term." Out of the draft debate has risen the old truism that war is hell. Pacifists, cowards and conscientious objectors have joined together under this as a license to evade the draft. They feel that if they must kill, or train to kill for their government, then they will merely burn their card or move to Canada. Many of these men would serve their country if they did not have to violate their beliefs. Killing may be too difficult a task for some to do as a show of patriotism. But war is not the only function of our government. The domestic and foreign programs such as VISTA, Peace Corps, Project Headstart, Job Corps, the Neighborhood Youth Organization and others are severely handicapped by inadequate personnel. If Congress killed the proverbial two birds with one stone, these programs would become practical in effect and the draft would gain in stature. The draft would be more equitable; by being drafted into non-military programs no longer would a man feel cheated of his freedom, but would truly be serving his country. Men will not be rejected from military service because of beliefs or minor physical ailments, they will be rechanneled into non-military service. Discrimination would be set at a minimum in this respect also.

But who is to talk of discrimination. One half of all United States citizens are not even considered in the draft. In the draft debate women are also declaring themselves. These are the women who served with men in the Peace Corps or helped in the War on Poverty. Women are assuming more and more rights and privileges in this nation; they are the equals of men. Should not they also assume the same duties to their country? Margaret Mead, whose editorials voice a multitude of pointed opinions in *Redbook*, summed up the question as "whether it is fair to ask only a portion of a generation to give involuntary service to their country, whether it is equitable to exclude . . . all the girls . . .". The general public has not taken up this point as extensively as other ideas, but it is best to remember that all discrimination should be dealt with. Women should be drafted, not to shoot or to bomb the Demilitarized Zone, but to serve in an administrative or non-military capacity. Women make much better nurses and equally good teachers, why should the draft neglect one half of the population then? Drafting women will in effect unite the generation in the service of their country. They can learn skills of great value in their home life. Why has Congress done nothing then? Perhaps the voice was not loud enough to be heard in Washington.

Deferments must also enter into the consideration of a non-discriminate draft. No deferments at all would be the least discrimination possible, but no deferments at all is not possible. Who should receive a deferment? All those who work in government positions should be exempt because they are doing a service to the nation already. That is the clue. Those who are doing a service to their government should be deferred. All those who are in a valuable position, such as doctors and professional men, are exempt. But what of the graduate student who so recently lost his deferment? During the revolution we valued the brain trust which we drained from England. Are we so far ahead of every other nation that the student, and graduate student, are not doing a service to their country?

The most fair draft policy is one in which everyone possible is working toward the goal of universal national service. It is one in which there is the least discrimination; the one that will do the most. The housewife or the draft dodger in Canada are doing little for their nation. Universal service to the government could not only ease the plight within the non-military programs, but also end the violent dissension over the draft. With no discrimination in the choosing or deferring, and a legal way for the pacifists not to fight, what can there be dissension about?

Feasibility and practically are not synonymous however. It is time for the Congress to heed the voice of dissent and to do something about it. It is time for responsible action, not rhetoric.

BIBLIOGRAPHY

1. "Case For Drafting All Boys and Girls," Margaret Mead, *Redbook*, September, 1966.
2. "Draft by Lottery?" M. F. Nolan, *New Republic*, July 30, 1966.
3. "Draft Debate," *Time*, August 26, 1966.
4. "Time Essay, 'New Demands of the Draft'," *Time*, February 4, 1966.

What's a Fair Draft Policy?

(By Janet Crawford)

"Every person who enjoys the protection of free government owes . . . his personal services to the defence of it,"[1] said George Washington. The key word is "everybody". Every citizen; male, female, Negro, Mexican, Dane; all have marblized into what is America, and each owes his individual talents to it. Our country should not limit itself to drafting only the male citizens. As Wyoming's Secretary of State, Thyra Thomson, told Casper students, "Can we, through fear of relinquishing our prejudices, deny our nation the use of half its productivity, talent, initiative, and intelligence? I think not. Our nation needs the brilliant minds of both men and women."[2] Although she was not talking about drafting women, Mrs. Thomson hit the nail right on the head. Our country needs all its potential strength, both men and women. The United States needs a universal draft.

Everyone agrees that our present draft policy is unfair. *Life* magazine has editorialized, "At a moment when the war in Vietnam is in so discouraging a state, and many more troops are being talked of, it is tragic for the nation to be saddled with an unfair draft law."[3] Regardless of possible reform, any selective service is going to be unsatisfactory because some will be chosen and some rejected. I have lived my life in the Equality State during a time when equality has been continually stressed. All right, let's see some equality in our draft policy.

My brother and I were born in the same hospital, attended the same schools, and had generally the same opportunities. Yet, he has a responsibility to his country which I do not face. He knows that someday he will probably be drafted. When he is drafted, he may be required to do a job for which I am better qualified. It is unfair to him and me, both, that just because he has one "y" chromosome which I lack, he is forced into service and I am not. Women hold jobs, vote, run for and are elected to office—are citizens in every sense of the word but one; they are not drafted. This is a remnant of the feudal age when women were considered second class decorations. It is an out-moded policy that has no place in the space age. If women were drafted to do women's work, then men would be free to do more masculine jobs.

---

[1] "The G.I. and the Draft," *Senior Scholastic* Vol. 87, No. 7 (October 28, 1965), p. 7.

[2] "Thyra Cites Need of Responsibility," *The Wyoming State Tribune*, (March 27, 1968), p. 28.

[3] "The Draft Must be Made Fairer," *Life*, Vol. 64, No. 10, (March 8, 1968), p. 4.

Under my plan, every American citizen who is physically and mentally useful will, upon graduation from high school, be called into the service of the United States for a period of two years. Any person who does not graduate from high school will be drafted on his or her eighteenth birthday. Deferments will be granted only for severe mental or physical handicaps and pregnancy. These will be granted by panel of three federally appointed judges and are liable for review at any time. Husbands and wives will serve together whenever possible, except when the husband is stationed in a combat zone where no women are allowed. There will be two main divisions of service; civic and military. The draftee will be allowed to choose the division he prefers.

Civic service will include the Peace Corps, Vista, the Job Corps, auxiliary police work, such as riot control, and some staff jobs now held by civil service personnel. The duties would range from typist-stenographer, work on Indian reservations, to big city slums and centers of rural poverty. These draftees will receive wages corresponding to their counterparts in military service. All women draftees will go into civic service, although some will be assigned to jobs on military bases like those presently held by servicewomen.

Draftees choosing to go into military service would again be divided into two groups—combatant and non-combatant. Combatant troops would be trained and sent to war zones, such as Vietnam, while non-combatant troops will fill the country's other obligations, such as NATO, SEATO, European troops, and standby forces in this country. This means our soldier who is going to war will be a double volunteer. Hanson W. Baldwin, military historian and military editor of the New York Times concurred with this idea when he said, "Today's technological revolution and nuclear age have reduced the demand for 'bodies' and the 'big battalions' and have accentuated, instead, the need for 'brains' and the 'ready battalion.' " [4] Our man going into battle would want to be there; he would be trained, willing, and ready to defend himself and his country. Those who object to a certain war or war in general will have the opportunity to serve in other areas of endeavor.

It has often been said that the United States cannot fight a war in Southeast Asia at the same time as a war on poverty at home. But, backed up by 100 percent of the nation's youth, instead of approximately 15 percent, our country could progress on both fronts. The biggest problem our poverty programs face now is that they are dreadfully understaffed. Vista is attempting to relieve poverty with a smattering of 8,000 workers. Draftees would be like a shot in the arm to this service. Also, by taking 18-year-old slum dwellers out of their environment and exposing them to legitimate modern life, possibly the hard-core of poverty will be broken. "Education can get a man out of the ghetto, but learning requires some peace of mind. There is none." [5] Service away from the ghetto would provide a golden opportunity for both formal and practical education for the ghetto dweller.

Most graduating high school students, I know, are uncertain about what they want to do with their lives. Many boys find mediocre jobs and wait to be drafted. They are afraid to make definite plans because they don't know when or if those plans could be interrupted by military service. Girls, too, are often not ready to settle down. If this plan is enacted, each person will know that for two years, he will serve his country. This will give each an opportunity to get away from home and the rut he is in; to think, to mature, and to decide what he wants to do.

When I mentioned the idea of a universal draft with two areas of service to some of my friends, one of the reactions was, "I don't agree with the philosophy behind the Peace Corps and Vista." Fine, for this person there will be other areas of service. "Two years is a long time to waste." To this person I say that people have given lifetimes and lives to their country, which has given each of us unaccountable blessings. Surely we can each give a little of our time to it. One's service to America would not be charity, each would gain along with the land. With our constantly lengthening life expectancies, American youth can afford to spend more time being young. We are going to be grown-up for about sixty years, let's be youth for a little longer. Those who objected to having girls fight misunderstood my point. Girls would not fight, only perform jobs like those they perform in the outside world, to free men for the duties men should have.

To those who will call this idea radical, I say that what is radical today will be conservative tomorrow. Something must be done about our draft policy. The universal draft may not be the only answer, but it is an answer. And America needs answers.

BIBLIOGRAPHY

Gerald Moore. "The Ghetto Block," *Life*. Vol. 64, No. 10, (March 8, 1968), pp. 66–83.

"The Draft Must Be Made Fairer," *Life*. Vol. 64, No. 10, (March 8, 1968), p. 4.

"The G.I. and the Draft," *Senior Scholastic*. Vol. 87, No. 7 (October 28, 1965), pp. 6–8.

"Thyra Cites Need of Responsibility," *The Wyoming State Tribune*. (March 27, 1968), p. 28.

LAW AND ORDER

Mr. ANDERSON. Mr. President, last month an international symposium was conducted at the Rotary International Convention in Mexico City. The topic of discussion was law and order, a subject which has recently come to dominate the attention of our entire Nation.

The moderator of the presentation was Edwin D. Canham, editor in chief of the Christian Science Monitor. Other participants were Chief Leonard G. Lawrence, of Hamilton, Ontario, president of the International Association of Chiefs of Police; Chief Gerhard Littmann, of Frankfurt, president of the Association of Chiefs of Police in West Germany; Kurt Lindroth, deputy head of the Swedish State Police; and Judge Yorihiro Naito, of the Tokyo Family Court.

During the discussion, the ever-increasing problem of law enforcement was brought into perspective when Mr. Lawrence pointed out that almost 50 percent of the world's serious crimes were committed by 5 percent of the world's juvenile population. The panel went on to touch upon such subjects as Japan's changing family structure and the causes of demonstrations and riots in European universities.

So that this frank discussion might receive the attention it deserves, I ask unanimous consent that it be printed at this time in the Record.

There being no objection, the text of the discussions was ordered to be printed in the Record, as follows:

International Symposium on Law and Order, Rotary Convention, Mexico City, May 15, 1968—Erwin D. Canham's Introduction of Panel Members

I will, of course, have more to say about each of these gentlemen as we proceed with our discussion, so for the moment I will just briefly identify them for you. The order is without protocol, and simply signifies their seating order.

On my left is the president of the International Association of Chiefs of Police, Chief Leonard G. Lawrence, of Hamilton, Ontario.

On his left is Dr. Gerhard Littman, president of the police in Frankfurt, and also president of the Association of Chiefs of Police in West Germany.

On Dr. Littman's left is Judge Yorihiro Naito of Tokyo's Family Court.

Your program lists Carl G. Persson, National Director of Police in Sweden, but Mr. Persson cabled this week that unforseen events (which of course do arise in police work) hold him in Stockholm, and so he has sent to us his associate and deputy, Mr. Kurt Lindroth. We welcome him.

To start things off, I would like to ask Chief Lawrence a question:

Canham. Is it true that the world now seems to be experiencing a world-wide eruption of lawlessness that is unprecedented in history?

Lawrence. The short answer is yes . . . Of course the world has never been free of crime. The very presence of crime has served to prod man further along the path toward development of a society less apt to produce criminals. In spite of this, there are in this year, 1968, pertinent indications that crime is increasing at an alarming rate throughout the world.

For nearly forty years, J. Edgar Hoover of the Federal Bureau of Investigation in the United States has been collecting world crime statistics. While direct comparisons are impossible, because there is really no uniform system of reporting among countries, the FBI does its best to make adjustments. The figures naturally focus on the most serious crime—forcible rape, robbery, aggravated assault, burglary, serious larceny, and so on . . . Without attempting a country-by-country comparison, I would judge from the FBI figures, and my own observations for the International Chiefs, that we have seen about a 40 per cent increase in major crimes in the world in the past half-dozen years.

Canham. We are told on every side that the crime problem is really a youth problem. Chief Lawrence, do your figures and your experience confirm this?

Lawrence. Yes. The FBI reports that at this time 49 per cent, half of those arrested for *serious crime*, and I underline *serious*, are under 18 years of age. However, Mr. Canham, a very important additional point needs to be made.

Canham. What is that?

Lawrence. It is that only a small percentage of our juveniles are involved. When we measure arrest activity, we find that only five per cent of the juvenile population is responsible for nearly half of all serious crimes!

Canham. That does pinpoint the problem. I wonder if this view coincides with the experience of you other gentlemen. . . . Mr. Lindroth, I believe that in Sweden you have carried forward some studies of this problem.

Lindroth. We have indeed. As Chief Lawrence has said, figures are difficult to compare, but I do think that our studies may contribute a side to this that has not yet been brought out, that is the extreme youth of the youth problem. For we have found that usually the die is cast on the side of criminality before the age of 14.

Canham. That is terribly young—14! I had no idea of the "critical age," so to speak. Dr. Littmann?

Littmann. We find in the Federal Republic that the number of offenders in the 18 to 21 year group has declined from 9.9 per cent to 9.3 per cent. The age group 14 to 18 shows a one per cent rise. But in the age group under 14 years, the situation is unfavorable. Here the percentage of male perpetrators has grown from 4.1 per cent to 5.7 per cent. I might say that we find at least seven times as many males are affected as females. It is a boy problem . . . a *young* boy problem.

---

[4] "The G.I. and the Draft," *Senior Scholastic*, Vol. 87, No. 7 (October 28, 1965), p. 8.

[5] Gerald Moore, "The Ghetto Block", *Life*, Vol. 64, No. 10 (March 8, 1968), p. 80.

CANHAM. Judge Naito, does this view of things agree with your experience in Japan?

NAITO. As to the ages of those who get in trouble, and as to the relatively small percentage of the total population who seriously go astray, I believe our Japanese experience is roughly the same. However, we are making improvements. In the past two years there has been a notable decline.

CANHAM. To what do you attribute this decline?

NAITO. We believe we have found better ways of handling our *young* problem people before they become *old* problem people.

CANHAM. Well, that brings us neatly to the next central question . . . namely, what do we do about youngsters *before*, or even *after*, they start down the wrong path? What do you find is the most important single remedy in Japan, Judge Naito?

NAITO. The most indispensable thing is a feeling of affection; a warm and pleasant home atmosphere; a disciplined training and education.

CANHAM. Mr. Lindroth, do you agree?

LINDROTH. I fully agree.

LAWRENCE. . . . So do I.

CANHAM. Dr. Littmann, I see you have more to say . . .

LITTMANN. Looking for solutions to stop a further growth of juvenile delinquency, one should drop from the beginning the idea of more severe punishment. Nothing would be improved by this.

CANHAM. Yes, Mr. Lindroth?

LINDROTH. In Sweden we consider hereditary factors, about which we can of course do nothing . . . But we find often that many choose crime as a short-cut to the attainment of material ends. To them, crime is a speculation in the chance of eluding discovery. It must be admitted that in our larger cities—and the world is tending towards urbanization—the chances of not being caught are statistically better than when communities were smaller. It is accepted in the police world that it is not fear of punishment that deters the criminal, but fear of being found out. This is the nub of our problem: How do you convince a young lad who is crazy about automobiles and wants to steal one, and who is willing to break into a house and steal so he can buy petrol (and this is not too far from being a picture of today's "criminal") . . . how do you convince him that it won't pay: that it won't make him happy? One way of course is to convince him of the shame that being found out will bring upon his family.

CANHAM. Dr. Littman?

LITTMANN. But what if he doesn't have a family?

CANHAM. Yes, Judge Naito?

NAITO. There you have a key question. For I am sure all your statistics indicate that the number of offenders who come from broken homes is far greater than the others. This is a known fact. So in Japan we try to answer that need. Our family court has as its most important task the prevention of broken homes. Many of our traditional family customs were liquidated by the new Constitution of 1947, and the new Family Law was enforced in 1949. The old family based on the father as head of the house disappeared. The position of the wife, or the mother, was raised considerably. These changes must be considered as a great advance in the social progress of Japan. But it has been unavoidable for us to meet some difficulties, due to these traditional changes.

CANHAM. I presume these difficulties have fallen hardest on juveniles?

NAITO. We have generally considered the problem of juvenile delinquency to be confined to families in trouble. We approach it as a "family in trouble" matter, rather than just as a "boy-or-girl-in-trouble" affair. Our effort is aimed at healing the family, which we feel will incidentally include the youngster.

CANHAM. What do you do?

NAITO. We rely most heavily on the help of volunteer citizens. For example, in Japan, the Family Court appoints some 18,000 volunteers annually, 30 per cent of them women, to assist the court in conciliating families. About 55,000 cases are handled each year.

In addition, we have in the Tokyo area a "Juvenile Friend Society," composed of ladies who understand the gravity of the problems of young people. They work closely with the individual boys and girls, trying to show loving interest and concern, which we feel "heals," rather than "wounds".

CANHAM. Mr. Lindroth, how does this compare with Sweden?

LINDROTH. You know, Sweden is half a world away from Japan, and I don't think we have communicated much on this, but I must say our findings and our approaches are very similar. Japan is not the only country where traditional social and moral values have been relinquished to a large extent. The school discipline of old has been abandoned. Parents and other adults do not hold the same authoritative position as before. Young people are more independent and more open to the currents of life than they were in past times. I think we all agree that this liberation of youth has been good for the stable young people who form the great majority. It has given them better possibilities than before to develop into frank and independent persons.

CANHAM. No turning back the clock?

LINDROTH. Certainly not. Now, in approaching the problem of those children who are not stable and who get into trouble, or who even threaten to get into trouble . . . our Swedish police turn for help, and in large measure *get* such help, from the child welfare committees that now exist by law in every community.

These committees work in various ways, but one of their responsibilities is to see to it that there are leisure-time institutions, such as youth centers, or cafes, and ample sports facilities. They arrange educational and hobby activities and they run child-care agencies, play schools, day camps, and, importly, they arrange courses and lectures for parents and others charged with caring for young children.

CANHAM. You try to "nip the problem in the bud," in other words?

LINDROTH. Precisely. . . .

CANHAM. I see both Chief Lawrence and Dr. Littmann nodding rather energetically. We have an agreement, I take it. . . . So I would like to change rather abruptly the directions. Thus far, it seems to me, we have been talking about the problems of young people, 14 years and younger. But I am curious about your views concerning those of an older age . . . let us say, of college student age. We have been reading and seeing quite a bit about this lately, everywhere from New York, Chicago, Paris, even Berlin, I believe. Dr. Littmann.

LITTMANN. Right! While juvenile delinquency endangers the life, health, and property of the respectable citizen, the *unrest* among youth is directed against public order, "the establishment"—the present form of society—and in some countries, even against parliamentary democracy. Under certain circumstances it may become even more dangerous than juvenile delinquency.

CANHAM. Do you see any connection, or parallel, in this student eruption?

LITTMANN. The forms of protest show strong parallels, but this should not lead to the conclusion that the causes are the same. Behind the Iron Curtain youth is protesting against the lack of intellectual freedom allowed by the political regime. The protest of the youth of the Free World has mostly quite different causes, although the conditions in the universities and the war in Viet Nam certainly appear in country after country in Europe. Looking into the situation objectively, one has to agree that the demand for university reform in European countries is to a great degree justified. The universities are hopelessly overcrowded; the teaching system shows severe deficiencies. The authority of the professors and the lack of student participation in forming university life are additional serious deficiencies. For a long time, all this has been known.

CANHAM. Then the students have some right to erupt?

LITTMANN. Without this loud protest there would not be a beginning even today.

CANHAM. What relationship does Viet Nam have to the student situation?

LITTMANN. It is remarkable that protest concerning Viet Nam is loudest in countries which were immediate participants in World War II, and have suffered from it most. There is, by the way, no doubt that the United States has failed sufficiently to inform the general public and especially the youth of the world right from the beginning, and with continuous repetition, about the reasons for United States intervention. The consequence is that this war is called "imperialistic."

CANHAM. What do the knowledgeable people of Europe see it as?

LITTMANN. A form of attempted Communist expansion.

CANHAM. Is this what you see beneath the propaganda in Germany?

LITTMANN. In Germany there are some additional causes which contribute to the unrest of youth. One is the Grand Coalition of the Federal Government, which has existed since the end of 1966, and the lack of a strong opposition. Instead, a radical leftist extra-parliamentary opposition has been formed. Certain student groups are a part of this opposition. Under the pretext of protesting against the war in Vietnam and the situation in the universities they try to replace the parliamentary democracy by a system similar to the Soviet Republic in 1917–1918. They are clever enough to involve, on certain occasions, other groups who ideologically have nothing to do with them. Certain communist tendencies cannot be overlooked within those groups. The disturbance of public order caused by them has reached considerable proportions.

CANHAM. It was generally accepted that the student uprisings in Belgium last winter forced a change in the Government. And, as we all know from today's headlines, the students in Paris are causing considerable disturbance. Incidentally, The Christian Science Monitor reports a situation there not unlike that which Dr. Littmann just described in Germany, which is to say, I quote: "Students join in demonstrations against the Vietnam war, but these have their origins in many non-student groups. You have had student problems in Sweden.

LINDROTH. When one speaks of protests, naturally "the march of the poor people on Washington" comes into the conversation.

CANHAM. It certainly does. However, here we have not necessarily rebellious students, but protests of those who feel by-passed by the surge of progress. This must certainly give the police special problems. For example, Mr. Lawrence, how can the police distinguish the right to "peaceable assembly," as guaranteed for example in the U.S. Constitution, and the point where riots erupt?

LAWRENCE. Regardless of age or the causes, it is true that special problems are imposed on the police. Police must be at once very careful to protect rights to peaceful protest and at the same time protect the persons and property from those who are not really legitimate protesters or peaceful.

CANHAM. May I ask Dr. Littmann for his views?

LITTMANN. Many citizens have gained the impression that the constitutional institutions are not in a position to maintain law and order as expected by the majority of the population. This is a danger, but it also offers opportunity for political and community leaders to do something more than issue platitudinous statements. Youth today is critical, and not willing to accept the existing social structure as unchangeable. Youth wants to be informed and convinced. It wants means of education adapted to the modern world. Youth asks to be acknowledged—at home, in profession, in politics.

NAITO. And are we doing this?

CANHAM. Obviously Dr. Littmann has more to say on this.

LITTMANN. Being honest, we must admit that we have not done justice to these wishes, neither at home, at schools and universities, nor in politics. We should neither overestimate nor underestimate the unrest of youth. We should give it the meaning that it deserves.

CANHAM. Up to this point I think we have seen two sides to the world's youth problem.

First, we have been told that there is a grossly serious rise in the volume of crime and that it has been ascending more rapidly in just the last few years. We have been shown that a criminal tendency starts very early in life; 14 and under were mentioned as the most critical ages. We have in some measure been reassured, however, that the percentage of young people who do fall into criminal pursuits is small, about five percent, of the total of world youth.

Second, we have learned that there is another youth problem, not necessarily criminal in motivation, but posing a serious threat to law and order because of its violence, which is such that it can at times bring down governments. We have been warned that this unrest is sometimes formented and often channeled into the use of those opposed to the democratic processes.

Both of these clearly are problems on which the future literally hinges. Unchecked crime and unrestrained protest can both destroy the foundations of civilization.

What do we do? Chief Lawrence?

LAWRENCE. I was just thinking of that American president, Theodore Roosevelt, who put it rather succinctly: "If you are going to do anything for humanity, the chances of success lie not in working with the man, but with the boy. The Boy of today is the citizen of tomorrow."

CANHAM. Mr. Lindroth . . .

LINDROTH. That is what we have been trying to say, but perhaps not so pointedly.

CANHAM. Please continue, Chief Lawrence. . . .

LAWRENCE. Crime prevention is a complex and costly process, involving proper homes, proper parental care and guidance; adequate education and employment opportunities. However, there is another point which I wish to make, quoting the reply of Judge Lester H. Loble of the Juvenile Court of Helena, Montana, when he was asked about organizations for youngsters. He said: "I have never had before me an active Boy Scout, Campfire Girl, 4-H member, or member of a similar group, or a youngster who is a regular attendant of Sunday School or Church. These organizations are real character-builders, and the adults who so unselfishly give of their time and energy in these worthwhile groups are entitled to everlasting praise."

CANHAM. I see Mr. Lindroth has something to add. . . .

LINDROTH. The organizations around the world may in some measure be different; some are privately supported, and others have state money, but the objectives are constructive. Here all of us have a great task to fulfill—the task to do our share in bringing about a secure existence and a good upbringing of children in a spirit of loyalty towards society.

CANHAM. Dr. Littman, do you agree?

LITTMAN. Our youth is not worse, but at least as good as, if not better than, in former times. We must only find a way to lead them in the right direction. Rehabilitation of criminals is not nearly so successful or rewarding and effective as crime prevention. Work such as the Police Athletic League, Big Brother, and all the other organizations and personal efforts offer a good answer.

CANHAM. I do hope the Rotarians will rouse the people to lend a helping hand to rehabilitate and to prevent juvenile delinquency within their own communities and also to help volunteer or official workers in the rehabilitation and prevention work.

CANHAM. Chief Lawrence, you are a Rotarian, are you not?

LAWRENCE. Yes, for 17 years. I believe that Rotary is the greatest international service organization in the world today. Under dedicated officers, with the twin objective of service to mankind and World Peace, I am convinced that Rotary through its various programs, is making a massive contribution to the prevention of crime, the maintenance of Law and Order throughout the world.

CANHAM. I, too, have observed the work of Rotary in many parts of the world. It seems to me that with the insights we have been given this morning that every Rotary Club should be better able to understand the problem laid out for us so well by our participants. I will now turn the meeting back to President Hodges.

HODGES. As parents, as Rotarians, I believe we have been given a great deal to ponder this morning. It is true that there is nothing more precious and more vital to the march of man than our children. To learn, as we have this morning, something of the dimensions of the tragedy threatening this fundamental asset of our civilization is deeply moving.

Yet, the answer has been rather plainly stated: Love our children more. Love them better.

Rotary has done and is doing much. I have a suggestion. Why wouldn't it be a good program idea for every Rotary club in the world to have a symposium of its own, modelled somewhat after this one this morning? Suppose every club invited in its local chief of police, perhaps a sociologist, an educator, one or more from the churches, to explore your local problem. You could then consider what further community leadership could be exerted to help conciliate threatened homes; to provide wholesome outlets for the normal exuberance of youth; to look with compassionate eyes into the things in our schools that our young people complain about. Rotarians have influence; they have ways of getting things done. Best of all, Rotarians have hearts, and this is the time to use them.

SECRETARY GENERAL OF U.N. URGES ALL MEMBER STATES TO RATIFY THE HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, the Assembly for Human Rights met in Montreal on March 22 through March 27 of this year. The assembly felt that such a convocation of citizens of the world was a fitting means of calling attention to the fact that 1968 is Human Rights Year. The assembly also reviewed progress in the field of human rights and delineated those areas in which greater efforts must be expended if all men are to enjoy those rights which are inalienably ours simply because of our humanity.

In subsequent statements to the Senate I shall discuss the various points made by the assembly and shall discuss in detail the various recommendations made to further the cause of universal human rights. At this point, however, I should like to share with my colleagues the words of a message filmed by U Thant for presentation to the assembly.

The Secretary General makes the point of preeminent importance when he states:

> Indeed, the maintenance of peace and the achievement of economic development and social justice must surely rest on commonly accepted standards of fair treatment for all individuals and groups.

Mr. President, I wholeheartedly associate myself with U Thants "Declaration of Peace." I also urge the commitment of each Senator to the cause of human rights through swift ratification of the human rights conventions now pending in the Senate.

I ask unanimous consent that the text of U Thant's message be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The following message from United Nations Secretary-General U Thant was recorded on film at the United Nations and projected during the opening session of the Assembly for Human Rights.

"I am very pleased to have this opportunity to extend my greetings to the World Assembly for Human Rights, which has been convened in Montreal as a contribution to the International Year for Human Rights. Your Assembly also meets in response to the United Nations General Assembly's invitation to all concerned to devote the year 1968 to intensified efforts and undertakings in the field of human rights as an appropriate way of celebrating the twentieth anniversary of the Universal Declaration of Human Rights.

"The International Year for Human Rights offers a unique opportunity to review and reassess activities in the field of human rights since the adoption of the Universal Declaration and to propose objectives for future efforts. Over the years, substantial progress has been achieved through the United Nations in setting international standards and objectives in the area of human rights and fundamental freedoms—an area which the United Nations Charter firmly established as being a matter of international concern and responsibility. The proclamation of the Declaration 'as a standard of achievement for all nations and peoples' was a first step in this process.

"Since then, many international conventions have been adopted, culminating in these International Covenants on Human Rights. In this manner, the moral imperatives of the Declaration are being progressively recognized as binding obligations through ratification of existing conventions by Member States in accordance with their constitutional processes and by their incorporation in the national constitutions and laws of numerous States.

"It is my firm conviction that the active participation of Member States in this United Nations long-term effort to secure a system of law, legally binding on the national and international level, is an essential part of the efforts to attain the Charter objectives of peace, economic and social well-being and the harmonization of the action of nations. Indeed, the maintenance of peace and the achievement of economic development and social justice must surely rest on commonly accepted standards of fair treatment for all individuals and groups.

"In your meetings, you will be examining, in the light of technological changes, the means of preserving the concepts expressed in the Universal Declaration of Human

Rights. In addition to evaluating existing and new methods and techniques for the protection of human rights, you will be discussing new areas of concern and new dangers which accompany rapid technological advances. These important subjects are a challenge to the distinguished participants in your Assembly, and the results of your deliberations will, I am sure, merit attention at all levels.

"The efforts of the non-governmental sector of world public opinion have contributed much to the progress made over the last twenty years in the promotion and protection of human rights. While Governments must take final and effective responsibility, it is well known that activities on the private level have often paved the way and stimulated governmental action. These activities can also contribute to the search for ideas as to the future course of the international community's concern for the activities in the field of human rights, which, I hope, will be charted during this International Year for Human Rights.

"May I, in conclusion, express to you my best wishes for the success of your deliberations."

U Thant,
Secretary General of the United Nations.

NEW CONCEPTS IN RECREATION, CONSERVATION, AND RESOURCE DEVELOPMENTS — ADDRESS BY SENATOR KUCHEL

Mr. METCALF. Mr. President, before the Sierra Club on May 4, the senior Senator from California [Mr. Kuchel] delivered an outstanding address on the subject of new concepts in recreation, conservation, and resource developments.

A national leader for more than two decades in the field of wise use and orderly development of our natural resources, the Senator from California has delivered a significant statement that merits the attention of every Senator.

I ask unanimous consent that a partial text of his address be printed in the Record.

There being no objection, the partial text of the address was ordered to be printed in the Record, as follows:

The Search for New Horizons

(Partial text of remarks by U.S. Senator Thomas H. Kuchel before the Sierra Club, Santa Monica, Calif., May 4, 1968)

On a morning in March over four years ago near Los Banos, California, a giant bulldozer was engaged in carving out of the ground the monumental walls that are today San Luis Dam. Suddenly, in the dirt that churned before its large blade, there appeared several long white objects. Upon closer examination, it was discovered that the objects were bones—later determined to be those of prehistoric animals that roamed the San Joaquin Valley tens of thousands of years ago. Indeed, one geologist estimated the age of the bones at 400,000 years—about the middle of the Pleistocene era. Later, during the same excavation, the petrified remains of a large and primeval forest were uncovered along with the artifacts that marked the existence of an ancient civilization of man that lived in the hills and valleys of our state.

In the summer of 1965, near the town of Washtucna in the State of Washington, another bulldozer carving out another dam brought forth from the earth the story of yet another ancient civilization of western man. It was less than a week ago that, at this very site, fragments of a skeleton were found which scientists believe to be the oldest human remains found in the Western Hemisphere, somewhere between 11,000 and 13,000 years old. These are but the last remnants of what one professor termed "a nomadic, hunting society" that may well have turned on each other for food.

Imagine for a moment, if you will, a scene some 10,000 years from today, possibly near what was once known as the City of Santa Monica: a high speed monster of machinery is rapidly excavating a site for another thermonuclear desalting plant when, suddenly, the bones of our present civilization are uncovered. Will scientists then say "these are but the remains of a hunting society that turned on each other?" Will they file our remains in the Nuclear Era and charge us with failing to preserve our fellow man; or will they credit our civilization with having fought successfully for the survival of man on earth?

This, ladies and gentlemen, is the challenge that faces all men in this era of crisis, the challenge of dealing with the basic problems of the spirital, emotional and physical survival of humanity in our time. It is not a task that belongs to simply one segment of our society but to every man, whatever his call in life, whatever his personal goals may be.

I want to read a portion of a letter recently received from an authority on wilderness, a pre-eminent conservationist and a great human being. Ansel Adams wrote:

"For quite a few years I have had a growing doubt about the logic and efficacy of general Conservation approaches and practices. The Wilderness is extremely important and I feel more strongly than ever that we must not relax our efforts to save what we can and protect what we have.

"But the total picture of man's survival on earth—to say nothing of his assuring himself some reasonable and healthful existence—is of far greater importance than any particular segment of his conservation effort.

"The alarming air and water pollution, the despoiling of land, the poor planning for urban and suburban areas, and the gross spirit of exploitation of our natural resources, all lead to disaster—and this must be apparent to all thinking men."

We must all, you and I together, heed the prophetic words of Ansel Adams. We no longer live in the kind of world that gave birth to your organization. When John Muir formed a handful of men into the Sierra Club some seventy-five years ago, California had but a population of 1.2 million and only 50,000 people lived in the Los Angeles area.

There was no smog to obscure the sun. Lakes and rivers had not yet fallen victim to water pollution. The word suburbs was not yet in the dictionary, and the ghettos that stifle life for so many Americans had not attained reality.

But, alas, our world has changed. Today, your organization is over 60,000 strong, bound together in the common concern for the preservation of nature and respect for the land God gave us. Today, California has a population of over 20 million people—the largest in the Nation—with over 2 and a quarter million in the City of Los Angeles alone. Daily, some 1500 new citizens pour into the communities of our Golden State, and we expect a population of 50 million by the turn of the century.

Within less than an hour, we can drive from the luxury of this room to the poverty of Watts, or from the confusion of downtown Los Angeles to the quiet beauty of the mountainous San Gabriel Wilderness. But both ghetto and park are a part of the world in which we live today. And if conservationists are to cope with the problems of man's environment, both must be treated as part of the same world.

Mr. Henry L. Diamond, Vice-president of the American Conservation Association, has aptly described the political problems of mobilizing conservation forces:

". . . Some people are nuts about birds, some about flowers. Some want plenty of ducks, others want plenty of trout. Some people hate billboards, some hate noise and same hate ragweed.

"Some want 100,000 acres to get lost in; some want a half acre where their kids can play in the city; some want a place to play squash; some a place in the open to eat it.

"Our problem is to tie all these diverse desires together into a working coalition for a better environment."

There is much that citizens devoted to conservation can do. Indeed, because of your efforts, you have opened the eyes of America to the need to preserve our rich natural resources. An Outdoor Recreation Review Commission and the Bureau of Outdoor Recreation have been established. The Wilderness Act of 1964 has been passed largely because of your work. We are now in the final stages of congressional action on a National Trails bill and Wild Rivers legislation.

During the past few years, Congress has approved, and sent to the White House, nearly fifty additions to the national park system. We have national seashores at Cape Cod, Cape Hatteras and Assateague. Legislation to preserve the Delaware Water Gap and the Indiana Dunes has been enacted.

In California, I have had the honor to sponsor legislation for the Point Reyes National Seashore, the Tule Lake National Wildlife Refuge, the Whiskeytown National Recreation Area, and the San Rafael Wilderness.

With your assistance, the Redwood National Park bill and my San Gabriel Wilderness bill have both passed the Senate, and are pending in the House of Representatives. And with your continued help, I look forward to passing five more additions to the wilderness system which I have introduced in the Senate—Ventana, Desolation, Pinnacles, Lava Beds, and Lassen wilderness areas.

Although the battle to save wilderness is not yet over, we have, in my view, resolved the basic policy questions. The minds of the legislators are open to conservation needs. Each endeavor will require vigilance, but the sympathy of the American people is on our side.

The primary task today is to open the eyes of America to the other world, the world in which most of life is lived. Make Americans aware of the poverty, the blight, the drab surroundings, and the dismal conformity in which too many live. And bring your vision of the wilderness to those who may go through life not realizing that there is a rich and beautiful world outside the confines of our inner cities.

We must educate people to question. Americans must ask themselves whether urban blight and ugliness is an essential way of life. Is it really necessary to have smog-filled air? Must our lakes and rivers be clogged with algae and debris? Are jet noise and thermal pollution inescapable facts of life? Must highways and parking lots continue to swallow up our surroundings?

Conservation should mean fighting for more neighborhood parks. It should mean an end to bad local zoning, and more and better open space legislation. It should mean guarding against threats to the air and water in our cities, and more attention to the aesthetic aspects of housing. An effort must be made to understand what the ever stronger detergents and excessive carbon dioxide emission are doing to our environment.

There is a crying need for action. You have the vehicle to move into this void without forsaking your basic commitment to wilderness preservation. You have an organization with the people, the momentum, the public confidence and the brain power and energy to face this challenge.

At the local level we recognize that the problems of urban America, particularly the problems of environment, transcend the traditional political boundaries which jumble and splinter our major population centers.

There is no way for Pasadena to put up a smog barrier to keep out Los Angeles smog. There is no way for Palo Alto alone to keep San Francisco Bay from being filled and polluted.

Man's urban environment requires basic services: fire protection, garbage and waste disposal, water, police protection, smog abatement, schools, zoning and land use control. Too often there is no rational distribution of responsibility for these functions, and the political subdivisions we have were formed largely by chance, not because they are the best way to provide basic services.

Reform will not come overnight. Efforts to achieve reform of local institutions will meet continuous resistance. In Southern California a beginning has been made with the formation of an organization called the Southern California Associated Governments. In Northern California, a similar organization, the Associated Bay Area Governments, is now attempting to survive its recent financial misfortunes. The San Francisco Bay Area has attempted a regional solution of transportation problems through the formation of Bay Area Rapid Transit, and there even are recent hints of a trend toward consolidation of major taxing entities in the Bay Area.

Reform is essential wherever population sprawl has outrun the boundaries of the original core city. If the challenge of this reform is not met, I fear the federal government will step into the void and force federal solutions to what are essentially local problems.

At the Federal level, reforms are also necessary. The first order of business is a thorough look at the federal effort to understand and cope with man's environment. The ad hoc creation of federal environmental programs has resulted in a crazy patchwork quilt, full of duplication and full of holes.

I count at least eighteen federal agencies having responsibility in the area of man's environment. There are seven agencies dealing with air pollution problems alone. In water pollution, the federal agencies abound. Thirteen have responsibility in the area.

An executive reorganization to bring rationality and order to these duplicating and sometimes competitive efforts should be given top priority. Both political parties ought to make a pledge that it will be done.

We will pay dearly if we do not face the need for fundamental reorganization of the federal effort in environmental control. The price we pay will be the continued degradation of man's surroundings.

To meet that challenge, the Chairman of the Senate Interior Committee, Senator Henry M. Jackson, and I, as ranking Republican, have joined in introducing a bill to establish a national program on environmental quality control.

Title I of our bill, S. 2805, authorizes the Secretary of the Interior to conduct investigations relating to the Nation's environmental quality, and Title II would establish a Council on Environmental Quality to study and analyze environmental trends and how they relate to the conservation, social, economic and health goals of the Nation. We contemplate that the Council would study the federal effort in environmental quality and recommend the needed institutional reform. I believe that a convincing case can be made to the Congress and to the American people for immediate and forceful action.

But the real task does not lie solely in the hand of government, it lies in the understanding and will of all the people to act. This is where the Sierra Club is uniquely well-suited to move into the fight for man's immediate and daily environment.

Your Club and its membership, and the high goals towards which you have successfully struggled, can play an enormous role in the preservation of the resources of Mother Nature, including the human race. Perhaps more than any group in our society, activists in conservation, especially the members of this excellent organization, can awaken the American people to the whole spectrum of our modern day challenge.

All of us need to realize that decent housing is as important to humanity as is the majesty of a public park, that clear air and water are as important to mankind as is the beauty of a protected waterfall, and that adequate transportation is as important to our well-being as is a primitive trail in a wilderness area.

I urge you to help me awaken concern wherever our voices reach, to see that our surroundings are vastly improved. And I invite you to work with the strengths you have to achieve that end.

What is at stake, in Ansel Adam's words, is the spiritual emotional and physical survival of humanity itself. Let us not ignore the challenge nor disappoint the chroniclers of our civilization which we intend shall continue and improve for the good of all men.

PROFITS ON DEFENSE CONTRACTS

Mr. RUSSELL. Mr. President, the Secretary of Defense has addressed a letter to me as chairman of the Committee on Armed Services on the subject of profits on Defense contracts.

Because this is a subject of continuing interest and concern, and in order that the views of the Department of Defense be made available to Members of Congress and the public, I ask unanimous consent that this letter that is dated June 13, 1968, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., June 13, 1968.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During recent weeks there have been several Congressional and press comments implying that there has been a sharp increase in profits on Defense contracts—or expressing concern that the increased volume of Vietnam procurement has given rise to "war profiteering".

I have examined the best available data on this matter and do not find a basis for such conclusions. I would like to report to you on the data which this Department has available.

We continue to strive for maximum effective competition in procurement, at minimum costs possible. I acknowledge that some mistakes are inevitable, but the facts tell a story of significant progress in military procurement.

The Defense Department is now processing approximately 15 million purchase transactions annually. While most of these are small, we entered into more than 229,000 transactions last year with a face value of $10,000 or greater. In such numerous transactions, spanning purchases ranging from simple parts and services to the most complex weapon systems, there will always be a range of profit results—from occasional substantial losses to occasional instances of relatively high profits. To protect the public against any abnormal trend to high profits, Congress has established the Renegotiation Board. We support the continuation of the Board.

Permit me now to relate to you the factual data which are available.

PUBLISHED REPORTS OF THE RENEGOTIATION BOARD

As you know, the Renegotiation Act of 1951 provides that the Renegotiation Board is to review the total profit derived by a contractor, during the year, from all of his renegotiable contracts and subcontracts in order to determine whether or not this profit is excessive. Each year the Board reports the total sales contained in the filings it receives, and the total profit on these sales. The tabulation below, from the Renegotiation Board reports for 1956–1967, shows sales and pretax profits, and the over-all percent of pretax profit on sales.

[Dollar amounts in billions]

Year ending June 30	Renegotiable sales	Renegotiable profits	Profit on sales (percent)
1956	$28.2	$1.8	6.5
1957	27.7	1.6	5.8
1958	26.6	1.3	4.9
1959	26.3	1.1	4.2
1960	28.5	1.1	4.0
1961	25.1	.9	3.6
1962	29.3	.9	3.1
1963	31.2	.9	2.9
1964	39.3	1.1	2.9
1965	34.8	1.0	3.0
1966	31.8	1.0	3.0
1967	33.1	1.2	3.5

It is reported that, due to Vietnam, the number of filings with the Renegotiation Board has begun to show an increase. This, of course, is to be expected. The number of contract awards with a face value of $10,000 or greater has increased from 149,700 in 1963 to 229,400 in 1967. During the same period, the net value of Defense awards increased from $29.4 billion to $44.6 billion.

Based on the above data, I find no grounds for concluding that a sharp increase in Defense profits has occurred. To the contrary, Department of Defense officials frequently have expressed concern with the steady decline in profit rates between 1956–1963. This was one of the factors that led us to conduct a—

SPECIAL STUDY OF PROFITS EARNED BY FORTY DEFENSE HARDWARE CONTRACTORS

Two years ago, the Defense Department determined that more detailed information was required on profit trends related to sales, capital invested, and type of contract—especially among companies engaged in the development and production of military hardware. We obtained the assistance of a research organizations (the Logistics Management Institute) to gather such detailed information on a confidential basis from a number of medium volume ($25–$200 million annually) and high volume (over $200 million annually) Defense contractors. The survey covered 40 companies (23 high volumes and 17 medium volume). This group represents a significant sample, since its aggregate Defense sales have ranged between $13–$15 billion annually since 1958. Thus far, sales and profit data have been obtained and analyzed for the calendar years 1958 through 1966. We are currently in the process of obtaining data covering earnings through Calendar Year 1967.

The following summary shows the profit performance, before taxes, for this group of Defense companies, compared with 3,500 durable goods companies reporting to the Federal Trade Commission and the Securities and Exchange Commission.

[In percent]

Year	40 defense companies		3,500 FTC/SEC companies	
	Profit to sales	Profit to total capital invested	Profit to sales	Profit to total capital invested
1958	5.4	20.4	7.1	14.1
1959	5.1	19.1	8.9	18.8
1960	4.5	17.0	7.8	15.9
1961	4.3	14.6	7.7	15.1
1962	4.2	14.3	8.9	18.5
1963	3.9	12.5	9.1	19.2
1964	4.0	12.2	9.5	20.4
1965	4.8	14.3	10.4	23.1
1966	4.5	13.0	10.0	22.6

As the above data show, the trend in Defense companies' earnings has been downward, while that of the commercial companies has steadily increased. The Logistics Management Institute has also obtained data on Defense company profit trends by type of contract. These show that the lowest profit rates since 1963 have been earned on firm-fixed-price contracts, and on those awarded under competitive conditions.

A copy of the study containing the above data is enclosed. When this report is supplemented to show 1967 data, we will be pleased to furnish you a copy if you wish.

TRENDS IN "GOING-IN" PROFIT RATES ON NEGOTIATED CONTRACTS

A misunderstood and misinterpreted profit statistic which has been discussed recently is the negotiated "going-in" profit on noncompetitive contracts. Some people apparently assume that this profit is a guarantee of what the contractor will actually earn when the contract is completed. This is not the case. It simply means that if the contractor's actual costs are the same as the estimated, allowable costs established by negotiation—then he can expect to earn the profit percentage which is negotiated. However, costs incurred above the negotiated estimate, (1) either do not change the amount of profit negotiated, or (2) decrease the amount earned—depending on the type of contract. Hence, the contractor's profit percentage can be expected to decrease to the extent that his actual costs are higher than negotiated at the outset—a very frequent occurrence on development and initial production of complex military items.

Furthermore, by law and regulation there are many contractor costs which are not allowed on Government work and which thus must be paid by the contractor out of his profits. These unallowable costs include interest on borrowed capital, donations and contributions, advertising, and others; in the aggregate such unallowables average in excess of 1.5% of the contractor's actual costs.

The statement has been made that since 1964 "going-in" negotiated profits have increased 25% over the 1959–1963 period. The actual increase from January 1, 1964 through December 31, 1967 has been 22%. A principal reason for this increase in "going-in" profit rates is the fact that we have consistently increased the use of firm-fixed-price and incentive type contracts, while reducing the use of cost-plus-fixed-fee (CPFF) contracts. This shifts responsibility and risk from the Government to the contractor, and provides an incentive for better management. Our experience shows that the *total cost* to the Government is thereby reduced. Hence, it is sound practice to share the cost savings with the contractor.

Since 1961 the percent of awards based on firm-fixed-price contracts has increased from 31.5% to 56.3% of all awards; incentive contracts have increased from 14.4% to 26.1%; while the percent of CPFF awards has dropped from 36.6% to 10.4%. We would indeed be exacting unreasonable penalties if such dramatic shifts in risk were not accompanied by improved profit *opportunities*. As a consequence, the average negotiated "going-in" profit has increased from 7.7%, on estimated cost, to 9.4% since January 1964—a 22% increase.

Despite this apparent improvement in profit opportunities, the limited data available to us thus far on completed contracts show no improvement in realized profits—that is, they are remaining at the 1959–1963 level. We are currently examining why the anticipated improvement has not occurred, because we cannot properly expect industry to accept greater risks, and to apply an ever larger share of their own financial resources to the performance of complex military undertakings, without a valid opportunity to obtain profit results commensurate with the lower cost to the Government. Unless such improvements do occur in the future, we can only expect strong pressures to revert to much greater use of CPFF type contracts. I am sure that you will agree, as I find industry leaders do, that this would be a retrogressive step.

CONCLUSION

In the light of the above evidence, I can only conclude that those who express alarm about "profiteering" are making assumptions as to the future without a factual basis. Of course, no one can predict future results in each individual contract or company. It is possible that the high volume, long production runs, which characterize some Vietnam procurement programs; may produce different patterns of profits from those of the past seven years. Again, it should be noted that the Renegotiation Board has been established to protect the taxpayer against any individual instances of excessive profits.

I can assure you that we will continue to keep Defense costs and profits under the closest scrutiny; that we will continue to pursue the objective of wisely using the profit motive and competition to attract the best industrial capabilities to Defense work, and reward contractors appropriately for their performance as measured by on-time performance, technical achievements, and cost.

Sincerely,

CLARK M. CLIFFORD.

NEED FOR BILINGUAL ABILITY

Mr. YARBOROUGH. Mr. President, as a further indication of the need for the Bilingual Education Act which became law in January, I point to recent action taken by Supervisor Ernest E. Debs, of the Los Angeles County Board of Supervisors, to encourage bilingual abilities of county employees. As Supervisor Deb's action makes clear, the need for personnel with bilingual ability is manifest. We should get on with the job of providing full funding for this vitally needed program.

Congress has authorized $30 million for fiscal 1969—a conservative request in light of the more than 3 million children who should be assisted under this legislation. In response, however, the administration in its budget has requested only $5 million, a gesture of patent tokenism which does dishonor to the law Congress has passed.

I ask unanimous consent that the press release of the Los Angeles County Boad of Supervisors, dated June 11, 1968, be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[From the Office of Supervisor Ernest E. Debs, Third District, Los Angeles County Board of Supervisors, Hall of Administration, Los Angeles, June 11, 1968]

EMPLOYEE BILINGUAL EDUCATION SUPPORTED

In a move to encourage bilingual abilities of County employees, Supervisor Ernest E. Debs moved today for establishment of a tuition reimbursement program.

Commenting that Spanish-speaking personnel are in demand particularly in the East Los Angeles area, Debs proposed that the County cover tuition costs for employees who may be regularly assigned to public contact jobs calling for extra language skills.

The Supervisor pointed to a recent report by the Director of Personnel which identified 922 positions where Spanish language skills are desirable for proper public service to the Spanish-speaking community. Seventy-three per cent are presently filled, with efforts now under way to find qualified civil service personnel for the remaining 250 positions, Debs concluded.

PROPOSED CIVIL AGREEMENTS FOR COOPERATION WITH DENMARK AND IRELAND

Mr. GORE. Mr. President, the executive branch recently submitted to the Joint Committee on Atomic Energy proposed amendments to this country's civilian agreements for cooperation with Denmark and Ireland that would extend the term of these arrangements and permit additional cooperation in the peaceful uses of atomic energy. The Atomic Energy Act of 1954 requires that the proposed amendments lie before the Joint Committee for a period of 30 days while Congress is in session before becoming effective.

In order that Congress may be apprised of these new agreements, I ask unanimous consent that they and the necessary supporting documents be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD. as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 3, 1968.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to Section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

a. A proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Denmark Concerning Civil Uses of Atomic Energy";

b. A copy of a letter from the Commission to the President recommending approval of the amendment; and,

c. A copy of a letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and approving the amendment and authorizing its execution.

The proposed amendment has been negotiated by the Department of State and the Atomic Energy Commission pursuant to the Atomic Energy Act of 1954, as amended. It will revise and extend the Agreement for Cooperation between the United States of America and the Kingdom of Denmark which was signed at Washington on July 25, 1955, as amended by the agreements signed on June 27, 1956, and on June 26, 1958, and which is scheduled to expire on September 7, 1968.

The main purposes of the amendment are to extend the present agreement through July 24, 1973, and to increase the ceiling quantity of U–235 in enriched uranium which may be transferred to Denmark during the period of the agreement. The ceiling on U–235 is raised from the current limit of 50 kilograms to 200 kilograms, this larger quantity being needed to accommodate fueling requirements of the three Danish research reactors and also to accommodate fabrication and conversion services Denmark plans to perform for "third" countries. In order to permit this latter intended use of the enriched material, the necessary authority for "third country" fabrication and conversion services has been incorporated in the agreement by Article II of the amendment.

Safeguards on materials and facilities transferred to Denmark under the current agreement will be administered by the International Atomic Energy Agency in accordance with the trilateral agreement signed on February 29, 1968. Pursuant to Article VII of the amendment, the United States' bilateral safeguards rights would continue to be suspended to the extent and during the time Agency safeguards are in effect.

Article V of the amendment reflects the "Private Ownership" legislation of 1964 respecting privately-arranged transfers of special nuclear material. Arrangements for the transfer of special nuclear material and performance of services with respect thereto may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party. Such arrangements would be in addition to those between the Governments allowed under the current agreement and would be subject to the policies of Denmark and the United States concerning such transactions, as well as applicable laws, regulations, and license requirements.

In developing the amendment, the opportunity was taken to bring other articles of the present agreement into conformity with those of more recent agreements. For example:

a. Article I updates and expands the formulation of language specifying areas of information which may be exchanged. Information may be exchanged on health and safety aspects related to all the areas of information in paragraph A of Article I of the agreement rather than just to research reactors, as is presently the case. Article I of the amendment also updates paragraph B of the same article of the agreement to provide that the disclaimer respecting use and suitability of information transferred to Denmark also be extended to materials, equipment and devices.

b. Article II provides for the transfer of uranium enriched to more than 20% in U-235 for use as fuel when there is a technical or economic justification for such a transfer. The current limitation on fuel enrichment in the present agreement is 90% in U-235.

c. Provisions of the agreement respecting transfers of various materials, including special nuclear material other than that used as fuel, are consolidated into Article III of the amendment.

d. Definitions for terms which are listed in the agreement but are currently defined only by cross-reference to the Atomic Energy Act of 1954, as amended, have been incorporated in the agreement pursuant to Article XII of the amendment.

The amendment will enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for entry into force.

Cordially,

GLENN T. SEABORG,
Chairman.

MAY 21, 1968.

The PRESIDENT,
The White House

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Denmark Concerning Civil Uses of Atomic Energy", determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment, which has been negotiated by the Department of State and the Atomic Energy Commission pursuant to the Atomic Energy Act of 1954, as amended, would revise and extend the Agreement for Cooperation between the United States of America and the Kingdom of Denmark which was signed at Washington on July 25, 1955, as amended by the agreements signed on June 27, 1956, and on June 26, 1958.

The proposed amendment would extend the present agreement through July 24, 1973. Safeguards on materials and facilities transferred to Denmark under the current agreement would be administered by the International Atomic Energy Agency in accordance with the trilateral agreement signed on February 29, 1968. Pursuant to Article VII of the proposed amendment, the United States' bilateral safeguards rights would continue to be suspended to the extent and during the time Agency safeguards are in effect.

In addition to extending the agreement, the proposed amendment would increase the ceiling quantity of U-235 in enriched uranium which may be transferred to Denmark from fifty kilograms to two hundred kilograms. This larger quantity would accommodate fueling requirements of three Danish research reactors; it would also be available to accommodate fabrication and conversion services which Denmark may provide to third countries. In order to permit this latter intended use of the enriched material, Denmark requested that the necessary authority for "third country" fabrication and conversion services be added to the agreement. This is accomplished in proposed Article II, paragraph C.

In developing the amendment for these purposes, the opportunity was taken to bring other articles of the present agreement into conformity with those of more recent agreements. The more significant of these changes are as follows:

(a) Proposed Article I updates and expands the formulation of language specifying types of information which may be exchanged. Information could be exchanged on health and safety related to all the areas of information specified in Article I, paragraph A, of the agreement rather than just to research reactors, as is presently the case.

(b) The disclaimer in paragraph B of Article I of the agreement concerning accuracy, suitability, and completeness of information transferred, would be extended to materials, equipment and devices.

(c) As has been done in recent amendments and agreements, proposed Article II provides for the transfer of uranium enriched to more than 20% in U-235 for use as fuel when the Commission finds there is a technical or economic justification for such a transfer. This will permit the transfer of fuel enriched above the current limitation of 90% in the present agreement.

(d) Provisions of the agreement respecting transfers of various materials, including special nuclear material other than that used as fuel, would be consolidated into proposed Article III, which is similar to the corresponding article in recent agreements, such as those with Switzerland, Sweden, and Norway.

(e) Article XII of the amendment would incorporate definitions for terms listed in Article X of the agreement, but currently defined only by cross-reference to the Atomic Energy Act of 1954, as amended.

As is regularly included in our new agreements and recent amendments, proposed Article V would reflect the "Private Ownership" legislation of 1964 permitting arrangements for the transfer of special nuclear material and performance of services to be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party. Such arrangements would be in addition to those between the Governments allowed under the current agreement and would be subject to the policies of Denmark and the United States concerning such transactions, as well as applicable laws, regulations, and license requirements.

Following your approval, determination, and authorization, the proposed amendment will be formally executed by appropriate authorities of the Government of the United States of America and the Government of the Kingdom of Denmark. In compliance with Section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

W. E. JOHNSON,
Acting Chairman.

THE WHITE HOUSE,
Washington, June 1, 1968.

Hon. GLENN T. SEABORG,
U.S. Atomic Energy Commission,
Washington.

DEAR MR. SEABORG: In accordance with Section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me by letter dated May 21, 1968, a proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Denmark Concerning Civil Uses of Atomic Energy" and has recommended that I approve the proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

Pursuant to the provisions of Section 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) approve the proposed amendment and determine that its performance will promote and not constitute an unreasonable risk to the common defense and security of the United States of America;

(b) authorize the execution of the proposed amendment on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

LYNDON B. JOHNSON.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF DENMARK CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Kingdom of Denmark,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Denmark Concerning Civil Uses of Atomic Energy, signed at Washington on July 25, 1955, as amended by the Agreements signed on June 27, 1956, and on June 26, 1958,

Agree as follows:

ARTICLE I

Article I of the Agreement for Cooperation, as amended, is amended to read as follows:

"A. Subject to the provisions of Article V, the Parties shall exchange unclassified information with respect to the application of atomic energy to peaceful uses and the problems of health and safety connected therewith. The exchange of information provided for in this Article shall be accomplished through various means, including reports, conferences, and visits to facilities, and shall include information in the following fields:

"(1) Design, construction, operation and use of research reactors, materials testing reactors, and reactor experiments;

"(2) The use of radioactive isotopes and source material, special nuclear material, and byproduct material in physical and biological research, medicine, agriculture, and industry; and

"(3) Health and safety problems related to the foregoing.

"B. The application or use of any information (including design drawings and specifications), and any material, equipment and devices, exchanged or transferred between the Parties under this Agreement shall be the responsibility of the Party receiving it, and the other Party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, material, equipment and devices for any particular use or application."

ARTICLE II

Article II of the Agreement for Cooperation, as amended, is amended to read as follows:

"A. As may be agreed, the Commission will transfer to the Government of the Kingdom of Denmark or authorized persons under its jurisdiction, uranium enriched in the isotope U–235 for use as fuel in defined research applications, including research reactors, materials testing reactors, and reactor experiments, which the Government of the Kingdom of Denmark decides to construct or operate or authorizes private persons to construct or operate in Denmark. Contracts setting forth the terms, conditions, and delivery schedule of each transfer shall be agreed upon in advance.

"B. The net amount of U–235 in enriched uranium transferred under this Article during the period of this Agreement shall not at any time exceed two hundred (200) kilograms. This net amount shall be the gross quantity of such contained U–235 in uranium transferred to the Government of the Kingdom of Denmark during the period of this Agreement less the quantity of such contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this Agreement or transferred to any other nation or group of nations with the approval of the Government of the United States of America.

"C. The Commission may also transfer to the Government of the Kingdom of Denmark or to authorized persons under its jurisdiction, under such terms and conditions with respect to each transfer as may be agreed, special nuclear material for the performance in the Kingdom of Denmark of conversion or fabrication services, or both, and for subsequent transfer to another nation or group of nations with which the Government of the United States of America has an Agreement for Cooperation within the scope of which such subsequent transfer falls.

"D. Within the limitations contained in paragraph B of this Article, the quantity of uranium enriched in the isotope U–235 transferred under this Article and under the jurisdiction of the Government of the Kingdom of Denmark for the fueling of reactors or reactor experiments shall not at any time be in excess of the quantity thereof necessary for the loading of such reactors or reactor experiments, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments.

"E. The enriched uranium supplied hereunder may contain up to twenty percent (20%) in the isotope U–235. All or a portion of the foregoing special nuclear material may be made available as uranium enriched to more than twenty percent (20%) by weight in the isotope U–235 when the Commission finds there is a technical or economic justification for such a transfer for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed eight (8) kilograms of the isotope U–235 contained in such uranium.

"F. When any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after removal from a reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"G. Special nuclear material produced as a result of irradiation processes in any part of fuel leased hereunder shall be for the account of the lessee and, after reprocessing as provided in paragraph E of this Article, shall be returned to the lessee, at which time title to such material shall be transferred to the lessee, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with a credit to the lessee based on the prices in the United States of America referred to in paragraph H of this Article, any such special nuclear material which is in excess of the needs of the Kingdom of Denmark for such material in its program for the peaceful uses of atomic energy.

"H. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors while fueled with materials obtained from the United States of America by means other than lease which is in excess of the needs of the Kingdom of Denmark for such material in Denmark's program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices than prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or group of nations in the event the option to purchase is not exercised.

"I. Some atomic energy materials which the Commission may be requested to provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials, the Government of the Kingdom of Denmark shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear material or reactor materials which the Commission may, pursuant to this Agreement, lease to the Government of the Kingdom of Denmark or to any private individual or private organization under its jurisdiction, the Government of the Kingdom of Denmark shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material or reactor materials after delivery by the Commission to the Government of the Kingdom of Denmark or to any private individual or private organization under its jurisdiction."

ARTICLE III

Article III of the Agreement for Cooperation is amended to read as follows:

"A. Materials of interest in connection with the subjects of agreed exchange of information as provided in Article I and subject to the provisions of Article V, including source material, heavy water, byproduct material, other radioisotopes, stable isotopes, and special nuclear material for purposes other than fueling reactors and reactor experiments, may be transferred between the Parties for defined applications in such quantities and under such terms and conditions as may be agreed when such materials are not commercially available.

"B. Subject to the provisions of Article V and under such terms and conditions as may be agreed, specialized research facilities and reactor materials testing facilities of the Parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available when such facilities are not commercially available.

"C. With respect to the subjects of agreed exchange of information as provided in Article I and subject to the provisions of Article V, equipment and devices may be transferred from one Party to the other under such terms and conditions as may be agreed. It is recognized that such transfers will be subject to limitations which may arise from shortages of supplies or other circumstances existing at the time."

ARTICLE IV

Article III bis of the Agreement for Cooperation, as amended, is deleted in its entirety.

ARTICLE V

Article IV of the Agreement for Cooperation is amended to read as follows:

"A. With respect to the application of atomic energy to peaceful uses, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party for the transfer of equipment and devices and materials other than special nuclear material and for the performance of services.

"B. With respect to the application of atomic energy to peaceful uses, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party for the transfer of special nuclear material and for the performance of services with respect thereto for the uses specified in Articles II and III and subject to the limitations of Article II, paragraph B.

"C. The Parties agree that the activities referred to in paragraphs A and B of this Article shall be subject to the limitations in Article V and to the policies of the Parties with regard to transactions involving the authorized persons referred to in paragraphs A and B."

ARTICLE VI

Article V of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the provisions of this Agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the Parties shall cooperate with each other in the achievement of the uses of atomic energy for peaceful purposes.

"B. Restricted Data shall not be communicated under this Agreement, and no materials or equipment and devices shall be transferred, and no services shall be furnished, under this Agreement, if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of Restricted Data.

"C. This Agreement shall not require the exchange of any information which the Parties are not permitted to communicate."

ARTICLE VII

Article V bis of the Agreement for Cooperation, as amended, is amended to read as follows:

"A. The Government of the United States of America and the Government of the Kingdom of Denmark note that, by an Agreement signed by them and the International Atomic Energy Agency on February 29, 1968, the Agency has been applying safeguards to materials, equipment and facilities subject to safeguards under this Agreement. The Parties agree that Agency safeguards shall continue to apply to such materials, equipment and facilities as provided in the trilateral Agreement, as it may be amended from time to time or supplanted by a new trilateral, recognizing that the safeguards rights accorded to the Government of the United States of America by Article VI of this Agreement are suspended during the time and to the extent that Agency safeguards apply to such materials, equipment and facilities.

"B. In the event that the trilateral Agreement referred to in paragraph A of this Article should be terminated prior to the expiration of this Agreement and the Parties should fail to agree promptly upon a resumption of Agency safeguards, either Party may, by notification, terminate this Agreement. In the event of termination by either Party, the Government of the Kingdom of Denmark shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to this Agreement and still in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of the Kingdom of Denmark or the persons under its jurisdiction for their interest in such material so returned at the Commission's schedule of prices then in effect in the United States of America."

ARTICLE VIII

Article VI of the Agreement for Cooperation, as amended, is amended to read as follows:

"A. The Government of the United States of America and the Goverment of the Kingdom of Denmark emphasizes their common interest in assuring that any material, equipment or devices made available to the Government of the Kingdom of Denmark or any person under its jurisdiction pursuant to this Agreement shall be used solely for civil purposes.

"B. Except to the extent that the safeguards rights provided for in this Agreement are suspended by virtue of the application of safeguards of the International Atomic Energy Agency, as provided by Article V bis, the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

"(1) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any

"(a) reactor and

"(b) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards,

which are to be made available under this Agreement to the Government of the Kingdom of Denmark or to any person under its jurisdiction by the Goverment of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

"(2) With respect to any source or special nuclear material made available under this Agreement to the Government of the Kingdom of Denmark or to any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment or devices so made available:

"(a) source material, special nuclear material, moderator material, or other material designated by the Commission,

"(b) reactors, and

"(c) any other equipment or devices designated by the Commission as an item to be made available on the condition that the provisions of this paragraph B (2) will apply.

"(i) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such materials, and

"(ii) to require that any such materials in the custody of the Government of the Kingdom of Denmark or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guarantees set forth in Article VII;

"(3) To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in paragraph B (2) of this Article which is not currently utilized for civil purposes in Denmark and which is not retained or purchased by the Government of the United States of America pursuant to Article II, transferred pursuant to Article II, or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;

"(4) To designate, after consultation with the Government of the Kingdom of Denmark, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of the Kingdom of Denmark, shall have access in Denmark to all places and data necessary to account for the source and special nuclear material which are subject to paragraph B (2) of this Article to determine whether there is compliance with this Agreement and to make such independent measurements as may be deemed necessary;

"(5) In the event of non-compliance with the provisions of this Article or the guarantees set forth in Article VII and the failure of the Government of the Kingdom of Denmark to carry out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and to require the return of any materials, equipment and devices referred to in paragraph B (2) of this Article;

"(6) To consult with the Government of the Kingdom of Denmark in the matter of health and safety.

"C. The Government of the Kingdom of Denmark undertakes to facilitate the application of the safeguards provided for in this Article."

ARTICLE IX

Article VII of the Agreement for Cooperation is amended to read as follows:

"The Government of the Kingdom of Denmark guarantees that:

"(1) Safeguards provided in Article VI shall be maintained.

"(2) No material, including equipment and devices, transferred to the Government of the Kingdom of Denmark or authorized persons under its jurisdiction by purchase or otherwise pursuant to this Agreement and no special nuclear material produced through the use of such material, equipment or devices, will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purposes.

"(3) No material, including equipment and devices, transferred to the Government of the Kingdom of Denmark or authorized persons under its jurisdiction pursuant to this Agreement will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Kingdom of Denmark, except as the Commission may agree to such a transfer to another nation or group of nations, and then only if, in the opinion of the Commission, the transfer of the material is within the scope of an Agreement for Cooperation between the Government of the United States of America and the other nation or group of nations."

ARTICLE X

Article VIII of the Agreement for Cooperation, as amended, is amended to read as follows:

"This Agreement shall enter into force on July 25, 1955 and remain in force until July 24, 1973, inclusively, and shall be subject to renewal as may be mutually agreed."

ARTICLE XI

Article IX of the Agreement for Cooperation is amended to read as follows:

"The Parties reaffirm their hope and expectation that this Agreement for Cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors. Accordingly, the Parties will consult with each other from time to time concerning additional cooperation with respect to the production of power from atomic energy in Denmark."

ARTICLE XII

Article X of the Agreement for Cooperation is amended to read as follows:

"For the purposes of this Agreement:

"(1) 'Atomic weapon' means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

"(2) 'Byproduct material' means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

"(3) 'Commission' means the United States Atomic Energy Commission.

"(4) 'Equipment and devices' and 'equipment or devices' means any instrument, apparatus, or facility, and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

"(5) 'Parties' means the Government of the United States of America, including the Commission on behalf of the Government of the United States of America, and the Government of the Kingdom of Denmark. 'Party' means one of the above 'Parties'.

"(6) 'Person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation but does not include the Parties to this Agreement.

"(7) 'Research reactor' means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy and diagnosis, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear material.

"(8) 'Restricted Data' means all data concerning (1) design, manufacture, or utilization of atomic weapons, (2) the production of special nuclear material, or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of Restricted Data by the appropriate authority.

"(9) 'Safeguards' means a system of controls designed to assure that any material, equipment and devices committed to the peaceful uses of atomic energy are not used to further any military purpose.

"(10) 'Source material' means (1) uranium, thorium, or any other material which is determined by the Commission or the Government of the Kingdom of Denmark to be source material, or (2) ores containing one or more of the foregoing materials, in such concentration as the Commission or the Government of the Kingdom of Denmark may determine from time to time.

"(11) 'Special nuclear material' means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission or the Government of the Kingdom of Denmark determines to be special nuclear material, or (2) any material artificially enriched by any of the foregoing."

ARTICLE XIII

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this ——— day of ———, 1968.

For the Government of the United States of America:

DONOVAN Q. ZOOK,
Director, Office of Atomic Energy Affairs, International Scientific and Technological Affairs, Department of State.
WILLIAM L. YEOMANS,
Assistant Director for Agreements and Liaison, Division of International Affairs, U.S. Atomic Energy Commission.

For the Government of the Kingdom of Denmark:

ANKER K. A. HANSEN,
Scientific Counselor,
Embassy of Denmark.

Initialed May 21, 1968.

ATOMIC ENERGY COMMISSION,
Washington, D.C., June 6, 1968.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to Section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

a. A proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy";

b. A copy of a letter from the Commission to the President recommending approval of the amendment; and

c. A copy of a letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and approving the amendment and authorizing its execution.

The proposed amendment has been negotiated by the Department of State and the Atomic Energy Commission pursuant to the Atomic Energy Act of 1954, as amended. It will revise and extend the Agreement for Cooperation between the United States of America and Ireland which was signed at Washington on March 16, 1956, as amended by the agreements signed on February 13, 1961, and on August 7, 1963, and which is scheduled to expire on July 8, 1968.

The main objective of the amendment is to extend the present research-type agreement and the amended term will be for an additional 10 years The ceiling quantity of U–235 in enriched uranium which may be transferred to Ireland is raised from the current level of 6 kilograms to 25 kilograms in order to provide flexibility in meeting future needs for enriched material over the life of the agreement, particularly, in the event Ireland acquires a research reactor, with respect to management of the fuel cycle. Article IV of the amendment further provides that (a) uranium fuel transferred to Ireland may be enriched to more than 20% in U–235 when the Commission finds there is a technical or economic justification for such a transfer and (b) fuel transfers will no longer be confined to lease arrangements.

Since provision is made for the transfer of highly-enriched fuel, the standard United States' comprehensive safeguards rights have been incorporated in the agreement by Article VII of the amendment. The Parties have agreed that, prior to the transfer to Ireland of materials and facilities subject to bilateral safeguards, the International Atomic Energy Agency will be requested to assume safeguards responsibilities respecting such materials and facilities.

Article VI of the amendment reflects the "Private Ownership" legislation of 1964 respecting privately-arranged transfers of special nuclear material. Arrangements for the transfer of special nuclear material and performance of services with respect thereto may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party. Such arrangementss would be in addition to those between the Governments allowed under the current agreement, and would be subject to the policies of Ireland and the United States concerning such transactions, as well as applicable laws, regulations, and license requirements.

In developing the amendment, the opportunity was taken to bring other articles of the present agreement into conformity with those of more recent agreements. For example:

a. Definitions for terms which are listed in the agreement but are currently defined only by cross-reference to the Atomic Energy Act of 1954, as amended, have been incorporated in the agreement pursuant to Article I of the amendment.

b. Article III of the amendment updates and expands the formulation of language specifying areas of information which may be exchanged. Information may be exchanged on health and safety aspects related to all the areas of information in paragraph 1 of Article III of the agreement rather than just to research reactors, as is presently the case. Article III also updates paragraph 2 of the same article of the agreement to provide that the disclaimer respecting use and suitability of information transferred to Ireland be extended also to materials, equipment and devices.

c. Provisions of the agreement respecting transfers of various materials, including special nuclear material other than that used as fuel, are consolidated into Article V of the amendment.

The amendment will enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for entry into force.

Cordially,

GLENN T. SEABORG,
Chairman.

MAY 31, 1968.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy", determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment, which has been negotiated by the Department of State and the Atomic Energy Commission pursuant to the Atomic Energy Act of 1954, as amended, would extend the Agreement for Cooperation between the United States of America and Ireland which was signed in Washington on March 16, 1956, as amended by the agreements signed on February 13, 1961, and on August 7, 1963.

The present agreement is scheduled to expire on July 8, 1968, and the proposed amendment would extend the agreement for ten years. The ceiling quantity of U–235 in enriched uranium which may be transferred to Ireland would be raised from the current level of six kilograms to twenty-five kilograms in order to provide flexibility in meeting future needs over the life of the agreement, particularly in programming fuel cycle operations of research reactors. Such transfers would not be confined to lease arrangements as is now provided. Further, the present agreement limits fuel enrichment to 20% in U–235.

Article IV of the proposed amendment, however, provides for the transfer of uranium enriched to more than 20% in U–235 for use as fuel when the Commission finds there is a technical or economic justification for such a transfer.

As a consequence of the provision for the transfer of highly-enriched fuel, Article VII of the amendment would incorporate in the agreement the standard, comprehensive United States' safeguards rights. Pursuant to Article VIII of the proposed amendment, prior to the transfer to Ireland of materials or facilities subject to bilateral safeguards, the International Atomic Energy Agency will be requested to assume safeguards responsibilities respecting such materials and facilities. This formulation, rather than the usual requirement of a prompt request to the Agency, has been used because Ireland is not now a member of the Agency.

Proposed Article VI would reflect the "Private Ownership" legislation of 1964 permitting arrangements for the transfer of special nuclear material and performance of services with respect thereto to be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party. Such arrangements would be in addition to those between the Governments allowed under the current agreement and would be subject to the policies of Ireland and the United States concerning such transactions, as well as applicable laws, regulations, and license requirements.

As is normally done in extending the Agreements for Cooperation, the opportunity has been utilized to bring other provisions of the current agreement with Ireland into conformity with those of recent agreements and amendments. For example, proposed Article I of the amendment would incorporate definitions for terms which are listed in the same article of the agreement but are currently defined only by cross-reference to the Atomic Energy Act of 1954, as amended. Proposed Article III would update and expand the formulation of language specifying types of information which may be exchanged; and it would also extend to materials, equipment and devices the disclaimer in Article III of the current agreement concerning accuracy, suitability, and completeness of information transferred. Proposed Article V would consolidate provisions of the agreement respecting transfers of various materials, including special nuclear materal other than that used in fueling.

Following your approval, determination, and authorization, the proposed amendment will be formally executed by appropriate authorities of the Government of the United States of America and the Government of Ireland. In compliance with Section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

THE WHITE HOUSE,
Washington, June 5, 1968.

Hon. GLENN T. SEABORG,
U.S. Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: In accordance with Section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me by letter dated May 31, 1968, a proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy" and has recommended that I approve the proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

Pursuant to the provisions of Section 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) approve the proposed amendment and determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America;

(b) authorize the execution of the proposed amendment on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

LYNDON B. JOHNSON.

Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy

The Government of the United States of America and the Government of Ireland,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of Ireland Concerning Civil Uses of Atomic Energy, signed at Washington on March 16, 1956, as amended by the Agreements signed on February 13, 1961, and on August 7, 1963,

Agree as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"For the purposes of this Agreement:

"(a) 'Atomic weapon' means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

"(b) 'Byproduct material' means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

"(c) 'Commission' means the United States Atomic Energy Commission.

"(d) 'Equipment and devices' and 'equipment or devices' means any instrument, apparatus, or facility, and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

"(e) 'Parties' means the Government of the United States of America, including the Commission on behalf of the Government of the United States of America, and the Government of Ireland. 'Party' means one of the above 'Parties'.

"(f) 'Person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation but does not include the Parties to this Agreement.

"(g) 'Research reactor' means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy and diagnosis, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear material.

"(h) 'Restricted Data' means all data concerning (1) design, manufacture, or utilization of atomic weapons, (2) the production of special nuclear material, or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of Restricted Data by the appropriate authority.

"(i) 'Safeguards' means a system of controls designed to assure that any material, equipment and devices committed to the peaceful uses of atomic energy are not used to further any military purpose.

"(j) 'Source material' means (1) uranium, thorium, or any other material which is determined by the Commission or the Government of Ireland to be source material, or (2) ores containing one or more of the foregoing materials, in such concentration as the Commission or the Government of Ireland may determine from time to time.

"(k) 'Special nuclear material' means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission or the Government of Ireland determines to be special nuclear material, or (2) any material artificially enriched by any of the foregoing."

ARTICLE II

Article II of the Agreement for Cooperation is amended to read as follows:

"1. Subject to the provisions of this Agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the Parties shall cooperate with each other in the achievement of the uses of atomic energy for peaceful purposes.

"2. Restricted Data shall not be communicated under this Agreement, and no materials or equipment and devices shall be transferred, and no services shall be furnished, under this Agreement, if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of Restricted Data.

"3. This Agreement shall not require the exchange of any information which the Parties are not permitted to communicate."

ARTICLE III

Article III of the Agreement for Cooperation is amended to read as follows:

"1. Subject to the provisions of Article II, the Parties shall exchange unclassified information with respect to the application of atomic energy to peaceful uses and the problems of health and safety connected therewith. The exchange of information provided for in this Article shall be accomplished through various means, including reports, conferences, and visits to facilities, and shall include information in the following fields:

"(a) Design, construction, operation and use of research reactors, materials testing reactors, and reactor experiments;

"(b) The use of radioactive isotopes and source material, special nuclear material, and byproduct material in physical and biological research, medicine, agriculture, and industry; and

"(c) Health and safety problems related to the foregoing.

"2. The application or use of any information (including design drawings and specifications), and any material, equipment and devices, exchanged or transferred between the Parties under this Agreement shall be the responsibility of the Party receiving it, and the other Party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, material, equipment and devices for any particular use or application."

ARTICLE IV

Article IV of the Agreement for Cooperation is amended to read as follows:

"1. As may be agreed, the Commission will transfer to the Government of Ireland or authorized persons under its jurisdiction, uranium enriched in the isotope U–235 for use as fuel in defined research applications, including research reactors, materials testing reactors, and reactor experiments, which the Government of Ireland decides to construct or operate, or authorizes private persons to construct or operate in Ireland. Contracts setting forth the terms, conditions, and delivery schedule of each transfer shall be agreed upon in advance.

"2. The net amount of U–235 in enriched uranium transferred under this Article during the period of this Agreement shall not at any time exceed twenty-five (25) kilograms. This net amount shall be the gross quantity of such contained U–235 in uranium transferred to the Government of Ireland during the period of this Agreement less the quantity of such contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this Agreement or transferred to any other nation or group of nations with the approval of the Government of the United States of America.

"3. Within the limitations contained in paragraph 2 of this Article, the quantity of uranium enriched in the isotope U–235 transferred under this Article and under the jurisdiction of the Government of Ireland for the fueling of reactors or reactor experiments shall not at any time be in excess of the quantity thereof necessary for the loading of such reactors or reactor experiments, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments.

"4. The enriched uranium supplied hereunder may contain up to twenty percent (20%) in the isotope U–235. All or a portion of the foregoing special nuclear material may be made available as uranium enriched to more than twenty percent (20%) by weight in the isotope U–235 when the Commission finds there is a technical or economic justification for such a transfer for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed eight (8) kilograms of the isotope U–235 contained in such uranium.

"5. When any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after removal from a reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"6. Special nuclear material produced as a result of irradiation processes in any part of fuel leased hereunder shall be for the account of the leasee and, after reprocessing as provided in paragraph 5 of this Article, shall be returned to the lessee, at which time title to such material shall be transferred to the lessee, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with a credit to the lessee based on the prices in the United States of America referred to in paragraph 7 of this Article, any such special nuclear material which is in excess of the needs of Ireland for such material in its program for the peaceful uses of atomic energy.

"7. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors while fueled with materials obtained from the United States of America by means other than lease which is in excess of the needs of Ireland for such material in Ireland's program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or group of nations in the event the option to purchase is not exercised.

"8. Some atomic energy materials which the Commission may be requested to provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials, the Government of Ireland shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear material or reactor materials which the Commission may, pursuant to this Agreement, lease to the Government of Ireland or to any private individual or private organization under its jurisdiction, the Government of Ireland shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material or reactor materials after delivery by the Commission to the Government of Ireland or to any private individual or private organization under its jurisdiction."

ARTICLE V

Article V of the Agreement for Cooperation, as amended, is amended to read as follows:

"1. Materials of interest in connection with the subjects of agreed exchange of information as provided in Article III and subject to the provisions of Article II, including source material, heavy water, byproduct material, other radioisotopes, stable isotopes, and special nuclear material for purposes other than fueling reactors and reactor experiments, may be transferred between the Parties for defined applications in such quantities and under such terms and conditions as may be agreed when such materials are not commercially available.

"2. Subject to the provisions of Article II and under such terms and conditions as may be agreed, specialized research facilities and reactor materials testing facilities of the Parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available when such facilities are not commercially available.

"3. With respect to the subjects of agreed exchange of information as provided in Article III and subject to the provisions of Article II, equipment and devices may be transferred from one Party to the other under such terms and conditions as may be agreed. It is recognized that such transfers will be subject to limitations which may arise from shortages of supplies or other circumstances existing at the time."

ARTICLE VI

Article VII of the Agreement for Cooperation is amended to read as follows:

"1. With respect to the application of atomic energy to peaceful uses, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party for the transfer of equipment and devices and materials other than special nuclear material and for the performance of services.

"2. With respect to the application of atomic energy to peaceful uses, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party for the transfer of special nuclear material and for the performance of services with respect thereto for the uses specified in Articles IV and V of this Agreement and subject to the limitations of Article IV, paragraph 2, of this Agreement.

"3. The Parties agree that the activities referred to in paragraphs 1 and 2 of this Article shall be subject to the limitations in Article II and to the policies of the Parties with regard to transactions involving the authorized persons referred to in paragraphs 1 and 2."

ARTICLE VII

Article VIII of the Agreement for Cooperation is amended to read as follows:

"1. The Government of the United States of America and the Government of Ireland emphasize their common interest in assuring that any material, equipment or devices made available to the Government of Ireland or any person under its jurisdiction pursuant to this Agreement shall be used solely for civil purposes.

"2. Except to the extent that the safeguards rights provided for in this Agreement are suspended by virtue of the application of safeguards of the International Atomic Energy Agency, as provided in Article VIII bis, the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

"(A) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any

"(1) reactor and

"(2) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards,

which are to be made available under this Agreement to the Government of Ireland or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

"(B) With respect to any source or special nuclear material made available under this Agreement to the Government of Ireland or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment or devices so made available:

"(1) source material, special nuclear material, moderator material, or other material designated by the Commission,

"(2) reactors, and

"(3) any other equipment or devices designated by the Commission as an item to be made available on the condition that the provisions of this paragraph 2 (B) will apply,

"(i) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such materials, and

"(ii) to require that any such materials in the custody of the Government of Ireland or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guarantees set forth in Article IX;

"(C) To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in paragraph 2 (B) of this Article which is not currently utilized for civil purposes in Ireland and which is not retained or purchased by the Government of the United States of America pursuant to Article IV, transferred pursuant to Article IV, paragraph 7 (b), or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;

"(D) To designate, after consultation with the Government of Ireland, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of Ireland, shall have access in Ireland to all places and data necessary to account for the source and special nuclear materials which are subject to paragraph 2 (B) of this Article, to determine whether there is compliance with this Agreement and to make such independent measurements as may be deemed necessary;

"(E) In the event of non-compliance with the provisions of this Article or the guarantees set forth in Article IX and the failure of the Government of Ireland to carry out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and to require the return of any materials, equipment and devices referred to in paragraph 2 (B) of this Article;

"(F) To consult with the Government of Ireland in the matter of health and safety.

"3. The Government of Ireland undertakes to facilitate the application of the safeguards provided for in this Article."

ARTICLE VIII

The following new article is added directly after Article VIII of the Agreement for Cooperation:

"ARTICLE VIII BIS

"1. The Government of the United States of America and the Government of Ireland, recognizing the desirability of making use of the facilities and services of the International Atomic Energy Agency, agree that prior to the transfer to Ireland of any materials or facilities subject to safeguards under this Agreement the Agency will be requested to assume responsibility for applying safeguards to such materials and facilities. It is contemplated that the necessary arangements will be effected without modification of this Agreement through an agreement to be negotiated among the Parties and the Agency which may include provisions for suspension of the safeguards rights accorded to the Government of the United States of America by Article VIII of this Agreement, during the time and to the extent that the Agency's safeguards apply to such materials and facilities.

"2. In the event the Parties do not reach a mutually satisfactory agreement on the terms of the trilateral arrangement envisaged in paragraph 1 of this Article, either Party may, by notification, terminate this Agreement. In the event of termination by either Party, the Government of Ireland shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to this Agreement and still in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of Ireland or the persons under its jurisdiction for their interest in such material so returned at the Commission's schedule of prices then in effect in the United States of America."

Article IX of the Agreement for Cooperation is amended to read as follows:

"The Government of Ireland guarantees that:

"(a) Safeguards provided in Article VIII shall be maintained.

"(b) No material, including equipment and devices, transferred to the Government of Ireland or authorized persons under its jurisdiction by purchase or otherwise pursuant to this Agreement and no special nuclear material produced through the use of such material, equipment or devices, will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose.

"(c) No material, including equipment and devices, transferred to the Government of Ireland or authorized persons under its jurisdiction pursuant to this Agreement will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Ireland, except as the Commission may agree to such a transfer to another nation or group of nations, and then only if, in the opinion of the Commission, the transfer of the material is within the scope of an Agreement for Cooperation between the Government of the United States of America and the other nation or group of nations."

ARTICLE X

Paragraph 1 of Article XI of the Agreement for Cooperation, as amended, is amended by deleting the word "ten" and substituting in lieu thereof the word "twenty".

ARTICLE XI

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this ——— day of ———, 1968.

For the Government of the United States of America:

DONOVAN Q. ZOOK,
Director, Office of Atomic Eneregy Affairs, International Scientific and Technological Affairs, Department of State.

WILLIAM A. BURKE,
Chief, European Branch, Division of International Affairs, U.S. Atomic Energy Commission.

For the Government of Ireland:

NOEL DORR,
First Secretary, Embassy of Ireland.

Initialed at Washington, D.C., May 31, 1968.

GUN CONTROL LEGISLATION

Mr. HRUSKA. Mr. President, I have supported the need for improved firearms legislation for a number of years. I worked hard for Senate approval of S. 1853 and S. 1854, the amendments which I introduced to the National Firearms Act of 1934 and the Federal Firearms Act. The fact that 21 other Senators and I had our own solution to the firearms problem did not and does not mean that we oppose all others. After the Senate, in its wisdom, saw fit to reject the content of S. 1853 and S. 1854, I voted in favor of the control provisions of title IV of the omnibus crime bill.

Times change, and sometimes they change rapidly. The changing force can be an event which transpires in a split second. A few weeks ago, gun control legislation was passed which satisfied a majority of Members of Congress. Now additional legislation has been introduced. We are faced with a call for more gun controls.

Mr. President, if the majority of the Senate feels it is necessary to pass gun control legislation such as the President suggests, I will not object. Indeed, I will support it. On the question of Federal licensing or registration, I will keep an open mind.

When the Senate considered the question of a mail-order ban on long guns, it was rejected by a vote of 53 to 29. Clearly, in the considered judgment of the Senate, after extensive debate, this was the best way to handle the problem. Now the Senate must consider whether that judgment is still valid.

Because of our efforts to find effective legislation, it has been charged that some Senators, including me, supported groups and organizations other than our constituents. Such charges need no answer. It is well known that I have consistently sought to represent not only my State, but the best interests of the country. In my efforts, I have had wide support from all over the Nation and from persons in all walks of life.

In the past week, public opinion has crystalized. It is reasonable for Congress to review its work in the light of changing circumstances. This is a natural and vital part of the democratic process.

The new proposals on licensing and registration, however, raise a number of constitutional, substantive, and administrative questions. I hope that these questions will be answered in the light of calm reason. Hearings will be necessary to give them adequate consideration. If there is a need for such a regulatory system, it must be shown by facts and reasoning, rather than by emotion and forensics.

One fact is immediately obvious. The first step in improving control over firearms should be the immediate signing of the Omnibus Crime Control Act. Congress has proved its support for the bill's provisions, now the President must do likewise.

Let me emphasize a point that I made earlier this year on the Senate floor. Gun legislation will not eliminate murder, rape, or assault. The purpose of the legislation is to deny to those who would misuse firearms the use of legal channels of commerce.

Congress, several weeks ago, passed strict legislation designed to do this. The key to the effectiveness of that act is effective law enforcement. The President has asked, in addition, that Congress extend the ban on mail-order sales to include long guns. Since he is responsible for the enforcement of the law, and he feels this addition is necessary, I will not object.

The President made a wise gesture last week when he called on the Governors of the 50 States to review and improve their own gun control laws. I heartily concur in this action. In the final analysis it is on the States that the responsibility for enforcement of these laws must rest.

The President also called on the Commission on the Causes and Prevention of Violence to study uniform State laws on the subject. As a member of the Commission, I welcome his comments. This is a proper and constructive area of inquiry, one in which I hope the Commission will act.

IMPROVEMENT OF RIO GRANDE RIVER FLOODWAY

Mr. YARBOROUGH. Mr. President, I have on two previous occasions asked for and received unanimous consent to have printed in the RECORD resolutions of various local growing bodies located in the valley of Texas concerning the Rio Grande River floodway improvement plan as proposed by Commissioner Fridkin of the International Boundary and Water Commission. The plan was proposed by the IBWC as a result of the flooding last September caused by Hurricane Beulah.

I ask unanimous consent that the resolution of the Hidalgo and Cameron County Water Control and Improvement District No. 9 in support of the IBWC plan for floodway improvement, dated February 17, 1968, and signed by Harold V. Hansen as president and director; Tom Solether, director; Hannis Tuberville, director; William R. Powell, director; Garland F. Smith, general attorney; W. D. Parish, general manager; W. A. Heller, assessor and collector; and attested by Tom Solether as assistant secretary, together with the letter of transmittal dated February 27, and signed by W. D. Parish, general manager, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

HIDALGO AND CAMERON COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT,
Mercedes, Tex., February 27, 1968.

Hon. RALPH YARBOROUGH,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I am forwarding herewith a Resolution by the Board of Directors of this District endorsing the plan for modifying and improving the Rio Grande floodway below Mission, Texas, as proposed by the International Boundary and Water Commission.

I am sure you are familiar with the damages that occurred all along the Rio Grande below Falcon Reservoir. McAllen and Harlingen were especially hard hit, with losses running into the millions of dollars.

I feel that the plan of floodway improvement as proposed by the International Boundary and Water Commission is a good plan and construction should be commenced at the earliest possible date. Harlingen is quite vulnerable at this time with the control weir in the floodway at Mercedes knocked out. There is a very good possibility that flows below Falcon Reservoir will exceed the river channel capacity and require the use of the floodway system during the next few months.

I know that you are very much interested in the problems in this area and that you are kept well informed on those problems by our mutual friend, Garland Smith, at Weslaco. We will certainly appreciate anything you can do to keep this project moving along.

Very truly yours,

W. D. PARISH,
General Manager.

RESOLUTION OF HIDALGO AND CAMERON COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 9

Whereas, Hurricane Beulah, which struck the Rio Grande Valley of Texas in September of 1967, caused extensive flooding and pointed up the inadequacies and defects in the existing drainage and floodway systems in the area; and

Whereas, the IBWC has, since Hurricane Beulah, made an extensive study of the problems involved in altering and improving the existing drainage and floodway system; and

Whereas, said organization did during the month of January, 1968, at Bayview, Texas, present its proposed plan for alteration and improvement of the existing floodway system, which proposal has been studied by the officers of Hidalgo and Cameron Counties Water Control and Improvement District No. 9, insofar as it affects the lands lying within said District, and said officers are of the opinion that said proposed plans are practical and should be put into effect;

Now therefore, be it resolved that the Board of Directors of Hidalgo and Cameron Counties Water Control and Improvement District No. 9 go on record as approving the proposed plan presented by the IBWC for alteration and improvement of the existing floodway system in the Lower Rio Grande Valley of Texas, and the Secretary of the District is hereby requested to forward a copy of this Resolution to the Governor of the State of Texas, a copy to the interested legislators representing this area in Congress, a copy to the IBWC, and to place a copy of said Resolution on the records of the District.

SIGN THE ANTICRIME BILL

Mr. BENNETT. Mr. President, as the deadline draws nearer and nearer, it is becoming more and more clear that the President is considering vetoing the anticrime bill which cleared Congress earlier this month.

I speak today in support of that bill and urge the President to sign it as quickly as possible so that it can soon begin to reduce the ever-increasing crime rate that seems to be sweeping the land.

As former Vice President Richard M. Nixon said the other day:

> Seventy thousand serious crimes are committed in this country every week; the nation needs action on the crime-control front; and the President's procrastination on the issue is wholly unjustifiable.

Mr. Nixon continued:

> If the President is interested in vigorous national action against crime, he will sign this bill.

Mr. President, I concur in the remarks of Mr. Nixon, and I, too, join many other Senators in urging the President to act quickly on the bill.

The proposed legislation is probably the most significant anticrime measure to come before Congress in a good many years. It cleared the Senate after some 3 weeks of debate and discussion. Like all legislation and other things, it is not perfect, but it is a beginning for our police officers and for Americans as they attempt to bring to an end the tremendously costly crime wave in this country.

FOOD FORTIFICATION

Mr. HARTKE. Mr. President, a recent development in the field of nutrition promises to aid significantly the efforts to solve the pressing problem of hunger throughout the world. By increasing the quality of food through the fortification of cereal products, it is possible to improve nourishment levels substantially without increasing the agricultural output. Thus, hunger problems can be partially alleviated before major agricultural improvements can be made.

Mr. Chester Bowles, Ambassador to India, wrote in the American Reporter of May 6, 1968, of the possibilities of such fortification, and Mr. James Iwan, of the U.S. Department of Agriculture, described its use in India in the May issue of Cereal Science Today. I ask unanimous consent that the two articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From American Reporter, May 6, 1968]

THE CRITICAL IMPORTANCE OF A BALANCED DIET

(By Chester Bowles)

Nineteen sixty-eight will be remembered as the year of the "Great Agricultural Breakthrough".

In many parts of the world and particularly in India, an awakened peasantry is eagerly turning to new hybrid seeds, fertilizers, pesticides and more efficient use of irrigation water. The result is a dramatic increase in foodgrain production.

In 1953 the average Indian consumed about 1,500 calories a day. This year the amount will rise to 2,100 calories.

It would be a serious mistake, however, to assume from this comparison that India's food problems have been solved. As employment opportunities increase, additional calories will be required to provide more energy for daily tasks. Moreover, as incomes rise there will be increased demand for the better grades of rice, wheat and other foodgrains.

Another factor in the food situation which has not received adequate attention is the importance of a "balanced diet". In addition to foodgrains, a healthy person requires proteins from foods such as soybeans, eggs, fish, poultry; also fats from milk products and nuts; and other minerals and vitamins found in fresh fruits and vegetables.

This means that even if an individual eats enough foodgrains to provide a high level of caloric intake, he may still be subject to malnutrition if the essential elements in his diet are not available.

Mortality statistics point to such relatively minor diseases such as measles, chicken pox and whooping cough for the tragically large number of Indian children who die before they are six. But these statistics obscure the fundamental fact that most of these children lacked a balanced diet which rendered them highly vulnerable to what would otherwise not have been a severe illness.

For those malnourished youngsters who survive the hazards of early childhood, the problem is no less grave. Undernourished children do not grow as strong or as tall as they should.

An even more serious result is the debilitating mental effect which is often irreparable. The consequent loss of a most important economic asset—a nation's human resources—is irreplaceable.

A promising new means of preventing malnutrition is the "fortification" of foods. This involves the scientific enrichment of commonly consumed foods to provide the necessary fats, vitamins, proteins, and carbohydrates. This can be achieved without affecting the taste, colour or odour of the original food, and without significantly increasing its cost.

India has taken dramatic steps forward in this field. Among these is the fortification of bread produced by nine new modern bakeries. Already more than one million loaves per year of this highly nutritious bread is available in many cities and towns. This is the largest effort of the kind any place in the world.

This bread is fortified with six nutrients, including lysine, a protein component which significantly increases the protein value of bread. I am delighted to learn that the Indian Government is now exploring possibilities of fortifying a wide range of other foods including rice, wheat, salt and tea.

A second important means of combating malnutrition is through the development of low-cost protein foods. India is already among the world's leading producers of protein-rich oilseeds such as groundnut and cottonseed. After extracting the oil, the meal can be processed into edible-grade protein concentrates. This in turn can be incorporated into a wide variety of high protein products: biscuits, sweets, soups, beverages and baby foods.

The Indian Government is also producing thousands of tons of a new groundnut-based children's food called Bal Ahar, which is being distributed by CARE through school-feeding programmes which now reach several million children daily.

Thus India has taken the lead in the development of nutrition programmes that provide not only adequate calories but also the balanced intake of proteins, fats, minerals and vitamins. This effort will not only help make many crores of Indian people healthy and strong, it will provide the techniques which can benefit hundreds of millions of men, women and children all over the world.

India is proving that malnutrition, so long a critical obstacle to rapid economic development, is an evil that can be met and overcome.

[From Cereal Science Today, May 1968]

FORTIFIED BREAD TAKES HOLD IN INDIA—MODERN BAKERIES, INDIA, LTD., STARTS UP WORLD'S LARGEST LYSINE FORTIFICATION PROGRAM

(By James L. Iwan, U.S. Department of Agricultural Development Service, Washington, D.C.)

The concept of fortification of cereal foods is being introduced to the Indian diet through the combined efforts of the Governments of India, Canada and Australia and the technical assistance of the U.S. Agency for International Development. The people of India can now buy bread fortified with vitamins, minerals and the essential amino acid lysine at no appreciable increase in price for a standard loaf.

Modern Bakeries (India) Ltd., a Government of India enterprise, inaugurated its first bakery unit in Bombay on January 2, 1968. Startup of its production of enriched loaves marked the creation of the largest lysine fortification program in the world.

The Governments of Canada and Australia cooperated under the Colombo Plan to provide India with automatic baking equipment and the training of personnel in its use. Sufficient equipment was donated to establish ten public-sector bakery lines. Besides the unit in Bombay, with a 72,000 400-g.-loaves-per-day capacity, bakeries will also open this year in Madras, Ahmenabad, Cochin and Delhi, each having a 36,000 400-g.-loaves-per-day capacity. India will soon be producing 80 million loaves of fortified bread yearly.

This new "Modern" Bread is probably the most nutritious bread available in Southeast Asia, of such quality that it is essentially converted into a new commodity particularly beneficial to infants and pregnant and lactating women.

The entire output of bread from the Modern Bakeries is being fortified with Vitamin A, Vitamin B complex (riboflavin, thiamine, niacin), iron, and lysine. Fortification is at U.S. levels for thiamine, riboflavin, niacin and iron (ferrous sulfate), plus 8,000 I.U. Vitamin A per kg. of flour and 0.10% lysine based on flour.

There is no attempt at self-deception in the Modern Bakeries project, and it is recognized that only 1–2 percent of the population will be able to buy and benefit from lysine-fortified bread at this stage. However, there are already reports from India of the great demand for the new product. Shelves are empty before noon each day in the government milk booths where bread is sold. Small bakery competition is keen and rival bakers have been known to take the wax wrappers from Modern Bread, insert their own standard unfortified loaf and sell it for the "real thing." Speculators have even been buying up loaves of the enriched bread and reselling it at higher prices. Such fierce competition as is now raging should cause other bakeries to fortify their bread, increasing the supply of the high-quality cereal product.

The benefits to be derived from a high-protein quality bread were immediately recognized by the Indian Government, and the output from the trial runs during December was sent to the Koyna Region which had been hit by an earthquake. It has also been reported recently that Modern Bread is being supplied to hospitals in Bombay and is included in school lunch programs.

Leaders in India have long realized the need, not only for more food, but for higher quality food, permitting better utilization of the existing supply. In the words of Jawaharlal Nehru, "It is of vital importance to enrich low-grade foods; develop new types of protective foods from indigenous food resources in conformity with time-honored tastes and dietary patterns; apply traditional methods scientifically and adapt them to get foods of better nutritional value. . . ." This is what must happen in "developing" countries, and "developing" areas of "developed" nations.

Although Modern Bread is being sold in urban areas only, reports from India state that commercial bread is found in even the poorest sections of Indian cities, sometimes being sold by the slice rather than by the loaf. American observers are encouraged by Modern Bakery surveys which indicate an apparently rapid change in Indian eating habits, with a real demand for wheat products developing.

Modern Bakeries proposes to continue its experimentation, and is now conducting research on the possibilities of manufacturing a less expensive, but no less wholesome and nutritious bread, by blending flours made from millet, corn, groundnuts, soybeans, tapioca and any other feasible sources.

WHERE FUN IN HUNTING ENDS AND SENSELESS KILLINGS BEGIN

Mr. YARBOROUGH. Mr. President, in an article published on Sunday, May 21, 1968, the Dallas Morning News presented evidence which, in my opinion, indicates the importance of the bill S. 2984 which I introduced on February 16. S. 2984 would provide for the regulation of the importation of endangered species or parts thereof.

The article, written by Roger Caras, points out the pressing nature of the problem of the importation of these species. It deals specifically with the threatening extinction of the rare species of big cats from the wilds of the world due to the demand for furs. Mr. Caras points out that in supplying these furs to the fashion world we are also depriving the natural world of wild cats which should be allowed to exist for study, pleasure, and to maintain the balance of nature.

The article presents noteworthy and important statistics taken from the International Union for the Conservation of Nature and Natural Resources in Switzerland.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Dallas Morning News Sunday magazine, May 21, 1968]

The True Price of Fun Furs

(By Roger Caras)

There is a grave on Cape Sable in Florida, where the body of a young man lies buried. The date on the marker is 1905, the name inscribed is Guy Bradley. Three years later another grave was dug in Florida's sandy soil—this time to receive the body of Columbus McLeod. Both young men were game wardens murdered by poachers seeking egret feathers—then in demand as adornments for women's hats and dresses.

Is it hard to believe that a feather for Grandma's hat was so important to her that men had to be murdered to assure her of a supply? It really shouldn't seem extraordinary, because the whole thing has started up again.

Just last year, a game warden in East Africa—father of six children— was speared to death in a dry riverbed by a poacher hunting leopards.

In a very real way, this murderer was in the "employ" of every woman who wears a "fun fur" today. During the month of the murder a fashion column proclaimed, "The rage for spotted furs continues." Another paper noted, "Not an animal can call his skin his own this season . . ." The rarer and more expensive a fur is, the more frantic the demand.

What is the result of all this going to be? The International Union for the Conservation of Nature and Natural Resources in Switzerland is the clearing house for data on endangered species collected all over the world. Here's what they have to say:

Spanish lynx: "Rare and decreasing—population unknown but there may be 150–200 . . . suffers constant persecution."

Caspian tiger: "No longer exists in Central Asia . . . estimates between 50 and 80 . . . perhaps 15–20 in Iran."

Amur tiger: "In the wild state already quite rare and continuing to decline. Unless measures are taken will soon become extinct."

Javan tiger: "A possible 20–25 in all Java."

Chinese tiger: "Has become very rare in recent years."

Bali tiger: "Estimated at three or four at most."

Barbary leopard: "Difficult to evaluate; around 50–100 in Morocco."

Asiatic cheetah: "The last definite report of cheetah in India was 1951—probably now extinct in Jordan—not seen in Israel in 100 years."

In another 50 years, the wild cats of the world will almost be exterminated unless the pressure is taken off them immediately. The jaguar and ocelot, will vanish from Central and South America, the cheetah from Africa, the tiger from Asia and the leopard from almost all the world.

Ten thousand leopards are taken out of Africa each year—on license. The wildlife experts have determined this to be the absolute maximum amount of attrition the species can bear and still maintain itself. However, another 60,000 (!)—30,000 of them females—are taken by poachers, leaving thousands of unweaned cubs to die of starvation.

It is fatuous to argue that buying a coat harms no one, since the animals are already dead. As soon as a fur coat goes off the rack the retailer orders another from the wholesaler—and the whole ugly trail goes right back down to the trader and poacher. When you buy *one* leopard coat you are ordering the death of *six* leopards.

Fun fur? Fun for *whom?*

WHERE FUN ENDS AND MURDER BEGINS

I am not suggesting that it is wrong to wear furs. If you want to wear a fun fur made from rabbit or lamb, or a mink coat or a mutation fox, you are not doing harm to anyone except a farm-raised animal. I eat meat and I wear leather shoes, both products derived from animals intended for slaughter from the moment of birth. I do most heartily protest, however, when a person's need for self-adornment impinges upon my rights and the rights of my children to live in a world where wild animals can still exist for study and for pleasure.

The wild cat furs are not even practical. They are not warm (almost all come from animals with coats suited to tropical environments) and they are not durable.

Not only the great cats—approximately 1,000 other species of animals are in danger of extinction at this moment. Between 1851 and 1900, at least 31 mammals were exterminated by man—a species every 1.6 years. Between 1901 and 1944, 40 more were exterminated—nearly a species a year. In another 100 years there may not be a single major species left!

We are destroying the critical balance of nature for all time, to satisfy the egos of a small group of affluent people.

No furrier can know whether the skin in your cat is legal or has been poached. A government tag means nothing. Throughout most of Africa and Asia today bribery is rampant, as it always is in underdeveloped areas. It takes a small bribe to get an official tag put on a skin marked for export.

So, the next time you examine a $15,000-or-so leopard, cheetah or jaguar coat—add, to the price, "plus death and destruction to man and animal alike." For that, truly, is the price of a "fun fur."

"STUDENT POWER"—A COMMENCEMENT ADDRESS BY SENATOR SYMINGTON

Mr. PELL. Mr. President, on June 8, 1968, the distinguished senior Senator from Missouri [Mr. Symington] gave one of the best received and most excellent graduation speeches at the Madeira School commencement that it has been the good fortune of young people anywhere to hear.

We are often told we are old "fogies"—or even worse, young "fogies"—and that we are out of communication with the youth of our Nation. But, I can assure Senators that when Senator Symington gave this speech, he was in complete communication with the young people at the ceremony. In fact, I was told, that never had they been moved more by a speaker than they were by him.

I ask unanimous consent that the speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Student Power

(Address by Senator Stuart Symington, Democrat, of Missouri, commencement, the Madeira School, Greenway, Va., June 8, 1968)

It is a privilege to be here at Madeira with you today, and to have this opportunity, along with your faculty, your family, and your friends, to extend congratulations upon reaching "another rung" in the ladder of your education; and to wish you all success in your next endeavor.

Most of you will be entering college next fall.

In so doing you will have an opportunity to participate in an ever-increasing phenomenon—"student power;" and it is about that new power, along with its connotations, that I would speak briefly this afternoon.

Students at Columbia University riot, take over the administration building, and set up headquarters in the President's office.

Students at Berkeley demonstrate in protest against the Vietnam war; and also for more voice in college affairs.

Students in Paris are involved in "violent clashes" with police, resentful of the fact that, in effort to establish France as the leader of a "Third Power," General de Gaulle lost touch with the problems of his own people.

Students in Tokyo, after their sad recent experience rightly apprehensive about militarism, resent United States policy in Southeast Asia, and protest bitterly against the presence of American military bases on Japanese soil.

Students in Czechoslovakia lead protests in effort to achieve that individual freedom, for their parents and for themselves, which we "take for granted" in this country.

These are but a few examples of the scores of student-led protests that have occurred in recent months, all around the globe.

What do these protests mean?

For one thing, they mean that "student power" is a strong and vibrant force, to be acknowledged and reckoned with in all societies, but probably most in the United States, because in numbers alone, students constitute an ever-increasing factor in our society.

In 1940, 1,500,000 were enrolled in the colleges and universities of the United States. In the mid-1950's there were 2,600,000. Today that figure has jumped to 7,000,000.

With this increase in numbers has come an increase in power, primarily vocal power. The so-called "silent generation" has indeed come to life. Perhaps it is fair to say that the old axiom "children should be seen and not heard" has been replaced with "out of the mouth of babes . . ."

Secondly, yours should be the generation of more affluence, more economic security than any other in history. As a result, higher education is no longer a goal beyond the grasp of most youth. It is expected.

For a variety of reasons, not all students are able to attend the college or university of their first choice. But through an expanded system of higher education, university branches, additional small colleges and private institutions, accompanied by an increasing number of grants and scholarships to ease the financial burden, more than ever before they can look forward to some measure of advance education.

There are still many who work their way through college; but their number is proportionally decreasing; and it is a fact that, despite the increased competition both on entering, and during college, today opportunities for gaining more education are greater and more easily attained.

This is as it should be. Because your grandfather and grandmother may have had to walk five miles to school in sun, rain or snow, is no reason you should do the same.

Improvement in higher education, along with the opportunity to participate in that improvement, should continue as the other facets of our society advance—industry, science, agriculture, the arts and professions.

Those students who have been exposed to diverse points of view not previously taught in the classroom now find themselves with both the time, and the beginning knowledge, to question the very institutions of which they find themselves a part—the world organization, their own society and its government, their school, their community, even their family.

Such questioning often leads to demands for change—and these demands have recently exhibited themselves in the form of these protests.

It is important to recognize the power of lawful protest designed to stir the conscience of society, in effort to make the dream of America a reality; and to ensure that words and promises do not paste over the existence of poverty, of inequality of opportunity, of substantial dissatisfaction with specific government policies.

Within the limits of the law which protects that right for all, the right of dissent is basic to the workings of our democracy. As Madison noted in "The Federalist Papers," there are many factions within our society; but the goal of a democracy is not to eliminate them, rather to provide the framework within which the members of those factions can present their opinions, and arrive at understanding for the good of all concerned.

Here in the United States we know that student protests can be constructive. We know also that student riots and violence are destructive.

As students, you all realize, I am sure, that if you are to be a conscience of the Establishment, you can do so more effectively within the structure of our democracy; because no nation is more tolerant of the protest or the mass demonstration than is the United States.

The function of a mass demonstration is to make a point, to arouse enthusiasm for a cause, to encourage others to join that cause, and to demonstrate a collective opinion of the need for change.

A mass student demonstration, however, accompanied by terror, injury to others, looting and vandalism, does not accomplish any of the above. Actually it causes a backlash reaction on the party of the very Establishment which previously might have been in sympathy with the particular cause.

There is no student President of the United States. Students do not serve in the Cabinet or the Congress. Members of the so-called Establishment serve in these positions; and it is they whom the student power leaders should seek to influence, through sincere forms of protest conducted within the boundaries of the democratic system; not by acts of violence.

As but one example, many of the people of this country, along with many leaders of this country, identify with, and support, the peaceful and thoughtful protestors against our present policy in Vietnam. But those who burn draft cards, who attempt to storm the Pentagon, who desecrate the American flag, should not be tolerated. They do irreparable harm to the very cause for which they demonstrate.

Not only do such acts of violence harm the cause itself; they also harm the innocent victims of the civil disobedience.

Do those who burn, and loot, consider the poor whom they have made homeless and without food?

Do those who succeed in shutting down colleges and universities, or otherwise disrupt the academic life, consider the rights of the students who want to complete their education?

It would seem that many of the holders of student power have not effectively utilized all the avenues within the law to effect the changes they desire, in our foreign policy as well as our domestic structure. With the acceptance of power—in your case student power, comes necessary acceptance of responsibility; responsibility to wield that power not only in criticism of the existing structure, but also to encourage positive steps, so as to bring about a change in the policies being criticized.

Student power seeks greater liberty in determining college curricula and campus regulations, more liberty for those of their generation who have not gained the opportunities promised, more freedom to influence the decisions of our Government.

But liberty, in itself, is not possible without some degree of restraint.

Liberty for all would be liberty for none; in other words, chaos for all. That would be the system represented by the black flag of anarchy, which recently appeared ever more frequently in the streets of Paris.

As a Justice of the Supreme Court recently observed: "The rule of law is the essential condition of individual liberty, as it is of the existence of the state."

American society is unique, in that it has so many institutions for registering dissent, and demands for change. And we are glad to possess these alternatives to violence, the channels which should be used by all citizens, including our campus citizens.

It is relatively simple to find fault with some of the standards and conditions which exist in our nation today. It is easy to paint signs, wear buttons, march in parades; or for that matter to withdraw completely, as do the hippies and the flower children.

Nevertheless these activities, alone, will not result in any lasting change in the faults of the system against which the protestors demonstrate.

Being against something is only a beginning. Being for something to take its place is essential to any constructive change.

Student power can indeed make a meaningful contribution to our society; and with that premise, may I urge you students to work for such power being translated into constructive action.

Before you support the easy, flash-in-the-pan method of violence and "anti" demonstrations, consider the avenues open for putting your ideas to work within the flexible borders of our democratic society.

How many of you have worked, or plan to work, actively for the candidates you believe would best express your views?

How many of you plan, or have volunteered, to work in community action, or similar programs, in an attempt to tackle the problems of our urban areas?

How many have volunteered to tutor those students in our ghettoes who have not had the opportunity to keep pace with others of their same age and grade?

How many of you can say you have made an effort to gain a friend of another race?

How many of you have taken the time to let your representatives at the local, state and national level know of your views on particular issues?

How many of you have welcomed foreign students into your home, or on your campus, or in your communities in effort to further the world peace for which so many demonstrate?

How many of you plan to take an active part in campus activities; and thus help achieve the right to increased student participation in matters affecting curricula and regulations?

How many of you have taken the time to acquaint yourselves with all sides of major issues before taking a stand?

As we have noted, peaceful mass demonstrations and protests have their place in a democratic society. But they are only a small part of any exercise of student power; a power can be only as strong, and effective, as the individuals who are willing to work to correct the policies and the inequities which they criticize.

In the final analysis, it is the individual himself or herself, who can better our society, and lay the foundation for needed change, not the masses who demonstrate and carry placards.

Our nation is now faced with serious and growing problems, many brought on by the telescoping of time and space along with the electronic tubes of this nuclear age; and the platform of our nation's security and well-being, as I see it, is supported by three legs—one political, one military, the third economic.

And if we are honest with ourselves, we know what the strength of all these three legs has been seriously reduced in recent years. That fact, in itself, is food for your serious thought, because the world to come is your world.

In closing, may I quote one paragraph from an extraordinary address of last Saturday by Mr. George Kennan, diplomat, historian, educator, Pulitzer Prize winner, delivered at Williamsburg in this State of Virginia.

"In the case of the radical students it is plain what we have to do, here, not really with those rapidly-changing complaints and demands—some justifiable, some silly—with which they come at us but with some deep emotional discomfort, approaching at times a mass hysteria, the roots of which reach far back into the environment of home and school: into the disintegrated family, the bored over affluent parents, the timid secularism of parental and school authority, the television set, the over-crowded school room, and the false freedom of the automobile. To correct these conditions will indeed require a revolution—a revolution in the social and intellectual and spirtual environment of American childhood and early youth—but a thoughtful and orderly and constructive sort of a revolution—not the kind they picture."

That is how Mr. Kennan sees it.

American society needs your criticisms, and your lawful protests. But even more important, it needs your creativity, your constructive energies, in order not only to improve the educational system of which you are the products, but also the day-to-day society which you will soon enter.

As contributing student citizens, therefore, and later as adult citizens, taking your place in the stream of American life, may I again urge that you consider not only what you are against, but also what you are for.

Then, hopefully, let us all work together to achieve the results we know in our minds and hearts are wise and right for the future of our country.

Perhaps these thoughts are a bit serious, especially in that this is such a joyous day for you.

But these are serious times. And today a very sad day for those who admire courage, and capacity, and compassion—and patriotic urge.

Nevertheless, I would hope that what I have presented in no way suggests that you should avoid your special avocations in such fields of pleasure as the humanities and the arts. And above all, and no matter what, do be optimistic, about yourself, and your country.

There are problems enough for all of us. Let us not be downhearted, however. Perhaps, in effort to cherish a sense of humor as well as a sense of balance, we would do well to remember the last two lines of a poem by Edwin Arlington Robinson:

"The shame I win for singing is all mine;
The gold I miss for dreaming is all yours."

Thank you and the best of luck.

FIFTY-SIX HAWAII RESIDENTS HONORED AT CENTENNIAL CELEBRATION

Mr. FONG. Mr. President, a signal honor has been conferred by Japan on 56 residents of Japanese ancestry in Hawaii in conjunction with the current centennial celebration of Japanese immigration to Hawaii.

The coveted Order of Merit—a decoration from Emperor Hirohito—was awarded to these outstanding members of the Japanese community in recognition of their special contributions to their adopted country and their role in improving relations between Japan and the United States.

The ceremony at which the awards were made by Consul General Yoshio Yamamoto last Friday, June 14, was the initial event in an elaborate centennial program which was officially opened the following day when Their Imperial Highnesses Prince and Princess Hitachi arrived from Japan to participate in the observance.

I extend to each recipient of the award my warmest congratulations and best wishes on the well-deserved honor bestowed by a grateful government.

Seven persons received the Fifth Order of Merit with the Order of the Sacred Treasure, the most important of the four orders to be awarded on that occasion.

The recipients were:

Rev. Kikujiro Kondo, 2457 Liliha St., retired minister.

Tetsuo Toyama, 2513 Stream Drive, magazine editor.

Rev. Kashu Higa, 1441 Lakona Walk, minister.

Kaoru Ota, 982 Prospect St., former president of the United Japanese Society, soda factory owner.

Tokuyoshi Awamura, 247 N. King St., factory owner.

Kumaji Furuya, 1429 Lalamilo St., retired retail store executive.

The late Yoshio Koike, principal of Japanese language school.

SIXTH ORDER OF MERIT

The next highest award, that of the Sixth Order of Merit with the Order of the Sacred Treasure, was presented to 39 Islanders.

They are:

Teiichi Sugimoto, 1965 Dillingham Blvd., painting contractor.

Mrs. Sae Tachikawa, 1203 Rycroft St., principal, Tachikawa Girls' School.

Mrs. Sei Soga, 720 11th Ave., widow of the president of Hawaii Times newspaper.

Futoshi Ohama, 1389 Alewa Drive, retired principal, Palama Japanese Language School.

Katsuichi Wakimoto, 1636 Olona Lane, retired, Hawaiian Memorial Park salesman.

Rev. Yoshio Hino, 524 Kalihi St., retired minister, Honpa Hongwanji Mission.

Bishop Tenran Mori, 1641 Palolo Ave., Paolo Higashi Hongwanji.

Sadasuke Terasaki, 3319–A Maunaloa Ave., retired Hawaii Hochi editor.

Seiichi Tsuchiya, 12 N. School St., Commercial Times owner.

Akira Furukawa, 734 10th Ave., Hawaii Times reporter.

Rev. Kunio Ota, 2330 Palolo Ave., retired minister, Jodo Mission.

Ichiro Sato, 419 N. King St., owner of Komatsuya Travel Agency.

Dr. Ryuichi Ipponsugi, 3750 Pahoa Ave., dentist.

Dr. Zensuke Kanashiro, 1322 Matlock Ave., dentist.

Masai Honda, 2555 Rooke Ave., retired managing editor, Hawaii Hochi.

Kinzo Sayegusa, 1077 Kinau St., retired importer.

Ryuichi Moribe, 1812 Nuuanu Ave., importer.

Dr. Yokichi Uyehara, 3080 Kahaloa Ave., physician.

Bishop Mitsumyo Tottori, 1710 Liliha St., Shingon Buddhist Mission.

Tsurumatsu Haida, 3623 Kumu Place, officer, Yuai Junji Kai.

Shikazo Hayashi, 3928 Pili Place, retired businessman.

Mrs. Sunao Tamura, 3944 Gail St., widow of the Rev. Paul Tamura.

Sawajiro Ozaki, 2415 Pauoa Road, retired businessman.

Sanzo Okumura, 2985 Koali Road, landlord.

Mrs. Haru Tanaka, 63–A Ilima St., teacher, Wahiawa Japanese Language School.

Mrs. Kinu Miyasaka, 1733–A Hull St., teacher, Fort Gakuen.

Mrs. Shinayo Mizukami, 414 Ehako Place, teacher, Palama Gakuen.

Usaku Morihara, Honaunau, Hawaii, owner, Kona store.

Yoshio Shinoda, 23 Kanoa St., Hilo, Hawaii, Japanese Language School principal, father of Dr. Minoru Shino, vice chancellor of the East-West Center.

Dr. Zenko Matayoshi, 59 Hoku St., Hilo, founder of a Hilo hospital.

Minezo Nakahara, Paauilo, Hawaii, store owner.

Koichi Taniguchi, 1062 Kinoole St., Hilo, founder, supermarket chain.

Dr. Seiihci Ohata, Lower Paia, Maui, retired physician.

Yakichi Watanabe, 440 Kea St., Kahului, Mauri, retired teacher.

Hikoji Koijima, Paia, Maui, teacher, Japanese language school.

Toshio Morinaga, Kaunakakai, Molokai, retired pineapple company worker.

Junokichi Senda, 4450 Hardy St., Lihue, Kauai, retired photo studio owner.

Masaji Toyofuku, Hanapeep, Kauai, retired bakery owner.

Torao Iseri, 3126 Okahi St., Lihue, Kauai, Hawaii Times representative.

RISING SUN ORDER

The Seventh Order of Merit with the Order of the Rising Sun, was presented to seven persons:

Yosaku Fukumoto, 2424 Kapiolani Blvd., retired businessman.

Noriyasu Kagesa, 2945 Kalei Road, retired owner, Rainbow Garden Teahouse.

Giichi Wakamoto, Kaneohe, Hawaii Times reporter.

Shuji Mikami, 3223–B Herbert St., retired businessman.

Kiyoichi Kimura, 715–A Birch St., owner, New Orleans Cafe.

Ichiro Teshima, 2148 Aigaroba St,. former Kona resident, retired.

Kazuso Miyake, Waimea, Kauai, retired foreman, Amfac lumber department, Hanapepe.

SEVENTH ORDER OF MERIT

The Seventh Order of Merit with the Order of the Sacred Treasure was presented three residents:

Mrs. Toku Fukushima, 1707–A Nuuanu Ave., retired dancing school teacher.

Mrs. Mitsu Namiki, 1424 Kohou St., music teacher.

Mrs. Matsu Hayashi, Holualoa, Kona, Hawaii, language school teacher, widow of Dr. H. S. Hayashi.

HAWAII ACTS TO AID INNOCENT VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, the 1967 general session of the State Legislature of Hawaii passed an act which provided for "compensation to victims of crime and indemnifying citizens in connection with crime prevention."

All of us know that crime is the No. 1 issue we face. Thirty percent of all Americans are afraid to go out alone at night in their own neighborhoods. Among women, the figure rises to 40 percent.

It is unfortunate enough that citizens are scared off of the streets of American cities, but it is even worse that victims of crime may be dealt an economic blow that will set them back for life. Innocent victims of violent crimes suffer painful injury, loss of money, medical expenses, and lost wages through missed days of work.

I have introduced a bill, S. 646, which provides for a system of compensation. Since I introduced the first bill to compensate the innocent victims of crime, the States of California, New York, and Hawaii have now taken action. It is time to enact this bill so that the Federal Government can take the leadership among all States in a truly total attack on the problems of crime by helping to compensate the innocent victims for their loss.

I ask unanimous consent that Act No. 226 of the 1967 General Session of the State Legislature of Hawaii be printed in the Record.

There being no objection, the act was ordered to be printed in the Record, as follows:

[From the 1967 General Session, State Legislature of Hawaii, Act No. 226]

Compensation to Victims of Crime and Indemnifying Citizens in Connection With Crime Prevention

Provides for compensating victims of certain crimes and indemnifying citizens for personal injuries and property damages suffered in preventing crime or apprehending criminals. Establishes, within the department of social services, a criminal injuries commission composed of 3 members, 1 of whom shall be an attorney, appointed by the Governor and compensated at the rate of $55 per day of service but not more than $7,200 annually in the case of the chairman, and $50 per day of service but not more than $6,600 annually for the other members. Designates the attorney general as legal advisor to the commission. Authorizes the commission to receive applications for compensation; hold hearings; take testimony; administer oaths or affirmations; exercise powers of subpoena, compulsion of attendance of witnesses and production of documents, and examination of witnesses as are conferred upon circuit courts; receive evidence, whether or not admissible in a court of law; appoint physicians to examine applicants for compensation; allow reasonable attorney's fees to be paid out of an award of compensation to applicants' attorneys; and order payment of compensation in an amount not to exceed $10,000. Orders and decisions of the commission are conclusive, except for the right of appeal to the supreme court on the ground that an order or decision exceeded the commission's authority or jurisdiction. For the purposes of the Act, a person is deemed to have intentionally committed an act or omission even if legally incapable of forming a criminal intent because of age, insanity, drunkenness, or otherwise.

Compensation to Victims or Dependents: Payment of compensation for injuries or death to victims of specified violent crimes may be payable to the victim, any person responsible for the maintenance of the victim if the injury causes pecuniary loss or expenses to the person, or for dependents of a deceased victim. Compensation may be reduced to the extent the commission finds that a share of the responsibility for the crime causing the injury or death is attributable to the victim, because of provocation or otherwise. No order for compensation shall be made: (1) except after an arrest or report to the police, whether or not any person is prosecuted or convicted of a crime; and (2) if the victim is a relative of the offender or a spouse living with the offender or as a member of the offender's household, except for actual and reasonable expenses incurred as a result of the injury or death. The items for which the commission may order payment of compensation are: (1) actual and reasonable expenses; (2) loss of earning power; (3) pecuniary loss to surviving dependents; (4) pain and suffering; and (5) other directly caused pecuniary loss. If a person is convicted of an offense that was the basis of an order or payment of compensation, the commission may institute a derivative action against the person for damages, the amount reccovered to belong to the State to the extent of the compensation paid under the order.

Compensation to Private Citizens: Payment of compensation for injuries or property damage to private citizens in the course of preventing commission of a crime, apprehending a person who has committed a crime or materially assisting a peace officer engaged in prevention or attempted prevention of a crime or apprehension or attempted apprehension of a person who has committed a crime may be payable to the private citizen or to any person responsible for the maintenance of the private citizens if the injury causes pecuniary loss or expenses to the person. The items for which the commission may order payment of compensation are: (1) actual and reasonable expenses; (2) loss of earning power; (3) pain and suffering; and (4) pecuniary loss to the private citizen directly resulting from damage to his property.

The method of payment of compensation awarded is to require the commission to report annually to the Governor and the director of finance, require the director of finance to transmit the report, within 3 days of each legislative session, and a tabulation of compensation awarded to the committee on ways and means of the Senate and the committee on appropriations of the House of Representatives, and provide for appropriation of funds to pay the compensation award in the same manner as payment of other claims for legislative relief. Effective July 1, 1967. (SSCR 58, 315, 744; HSCR 900)

VOICES FOR RESPONSIBILITY

Mr. FANNIN. Mr. President, last week I addressed the Senate on the need for calmness and responsibility in these particularly troublous times.

I am happy to say that some voices of responsibility are being raised across America. One of the most encouraging came to my attention this week from the pages of the Phoenix Gazette.

Miss Barbara Mitchell, a high school senior from Chandler, Ariz., makes some responsible observations to those in her age group, and those of her race, which I think deserve wide attention. She calls for responsibility and letting the criminal know that he will be punished.

The same sentiments came last week from the court of general sessions in Washington, D.C., about the same time Miss Mitchell's letter appeared. Judge Alfred Burka put his finger squarely on the problem when he noted that the April rioting in Washington "apparently resulted from a breakdown, lack of respect, or lack of fear of officers of the law."

He said:

> It seems that the public has come to believe that what is done in a group is all right, although the same act committed by an individual would be punished.

Whom do we have to thank for this attitude but those within our society today who preach that an individual is almost solely the product of his environment and that society must bear the blame for his environment.

I think that America is fed up with this kind of reasoning, or what passes for reasoning, and will demand that law-enforcement officials enforce the law. The people will demand that there be no privileged class that regards itself above the law. They are saying it is time that we return our Nation to its foundation built upon respect for law and order.

In this connection, still another article, published last week in the National Observer, does a much-needed job of putting into perspective the relationship between violence and respect for law and justice in this land.

I ask unanimous consent that the articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Phoenix (Ariz.) Gazette, June 10, 1968]

Letters to the Editor: They're Not Rioters—Their Acts Are Listed Under Crime Headings

To the Editor of the Gazette:

I am a senior in high school. I am also a Negro. For the past few years, Negroes my age have been rioting. I think it's time for someone my age to speak out against it and show that not all Negro teen-agers are for violence in order to get something. Lots of people, both black and white, feel this way, only they don't put their feelings into words. Well, I've put my feelings into words and I hope you can use them, if only to show people all Negro teen-agers aren't for violence.

I'm tired of this rioting bit and I think it's time for someone to do something about it. I only hope other teen-agers feel the same way.

It's now the early part of June and in a little while summer will officially be here. Most people are looking forward to summer as a time when children are out of school and they can leave their jobs and go on vacation. But people in some cities aren't thinking of summer as a time for vacationing. They will think of it as a time when the world will take notice and the United States will do something about the conditions under which they exist. These people are Negroes and they live in such cities as Chicago, Detroit and Newark. They can live in any city, for that matter.

How will the world take notice? By their rioting. Or doing what they call rioting. Frankly, I can't see burning down your neighbor's house as rioting. Or, for that matter, stealing from a friend's store or shooting and injuring a friend or killing a friend. But some people can see it as rioting and they do it. I don't think much of Negroes rioting. As a matter of fact I don't see what they stand to gain by doing it. From my viewpoint, I don't think Negroes will stand to gain anything by rioting. But they will gain one thing—disrespect from the people they think they are rioting against.

I ask you: What can a Negro gain from stealing, burning, shooting and killing but disrespect? The Negroes who riot think they will gain better housing, better jobs, better living conditions, fairer treatment and equal rights if they riot. They don't think about all the property they destroy by burning or all the people they injure and kill by shooting. They don't think of the people who are homeless with no food to eat, no clothes to wear and no place to stay because they burned a house. They don't think of the people they put out of business because they looted and then burned a store. They only think that they, the rioters, have gained an inch when in reality they have lost two.

The law calls someone who destroys property by burning an arsonist; someone who gets things by stealing a thief; someone who sits upon a rooftop and starts shooting, a sniper; and someone who kills, a murderer. The law puts these names under one heading: criminal. Well, I think it's time for the law to do something about these people who destroy things. And if they don't do it soon before it gets worse than it has been, to these people there soon won't be any law.

Miss Barbara Mitchell.

Chandler.

[From the Washington Evening Star, June 11, 1968]

Riot Cases Appraisal: Judge Cites Lack of Fear

(By Donald Hirzel)

A judge in the Court of General Sessions said yesterday the April rioting here resulted from an "apparent breakdown, lack of respect, or lack of fear of officers of the law."

Judge Alfred Burka also said individuals tend to obey that law but the public apparently has come to accept group violation of the law.

In speaking of the lack of fear on the part of rioters, Burka said: "It seems that the public has come to believe that what is done in a group is all right, although the same act committed by an individual would be punished."

He made the comments while conducting the second group sentencing of persons arrested during the riot. The first was conducted last week.

Yesterday, one man was sentenced to a straight jail term with work release and eight others were given suspended sentences.

DIDN'T EXPECT ARREST

As in the group sentencing last week, most of the defendants said they had no thought of being arrested, and the few who did were willing to take their chances because everybody else was looting.

Burka asked each of the defendants if he would have gone on the street if he thought he might be arrested or shot, and all said that under those circumstances they would have stayed home. Yesterday's responses were the same as those expressed last week.

Also, as in last week's cases the defendants held jobs (one was a student) and lacked serious arrest records.

The man receiving a 36-day jail term with work release, which means he will work during the day and spend his nights in jail was Edgar Winston, 36, of the 700 block of Somerset Street NW. He pleaded guilty to attempted burglary 2 (looting) and petty larceny.

He was arrested on April 4, the first night of rioting, released the next day and then rearrested for a curfew violation.

OTHERS GIVEN SENTENCES

Others sentenced were: Phillip S. Miller, 25, of the 5000 block of 10th Street NE, who received a suspended 360-day sentence for unlawful entry and petit larceny. He was placed on probation for two years.

Stanley B. Roberts, 21 of the 200 block of Oakwood Street SE received a suspended 360-day term for receiving stolen property and was placed on probation for two years.

Richard O'Neal, 36 of the 1100 block of G Street NE, received a suspended 720-day sentence for unlawful entry and attempted petit larceny, placed on probation for two years.

William B. Thomas, 19 of the 1100 block of K Street NE received a suspended 720-day sentence for unlawful entry and attempted petit larceny. He was placed on probation for two years.

George Daniel, 27, of the 4100 block of New Hampshire Ave. NW, received a suspended 360-day term for attempted burglary 2 and petit larceny and was fined $100 to be paid within a year. He was placed on unsupervised probation for one year.

Reginald Pitt, 18 of the 5500 block of 8th Street NW, a high school student, was given a suspended 360-day jail term and placed on probation for two years for attemped burglary 2 and petit larceny.

Robert Spearman, 50, of the 1200 block of Holbrook Terrace NE, received a suspended 180-day sentence and placed on unsupervised probation for unlawful entry. An earlier charge of burglary 2 was dismissed.

Charles M. Little Jr., 32, of the 1900 block of T Street SE, was given a suspended 180-day jail term and placed on probation for one year after pleading guilty to petit larceny.

[From the National Observer, June 10, 1968]

THE SICK-SOCIETY CLICHE: VIOLENCE ROOTED DEEP IN THE UNITED STATES—BUT SO IS REVERENCE FOR THE LAW

Violence, one commentator observed, has become "a political norm, an everyday occurrence, a real American way of life." It is becoming commonplace "to kill political figures in broad daylight in sight of their relatives, before the television cameras, and in the presence of large numbers of people."

It was not surprising to hear that commentary last week from the New York correspondent of Izvestia, the Soviet government newspaper. What was new was that millions of Americans—sadly, reluctantly, numbed by grief—were echoing it.

In the wake of the assassination of Sen. Robert F. Kennedy, people were asking once again, Why? Why in America? When an assassin's bullet felled President John F. Kennedy 4½ years ago, the same questions were asked. But it was easier then to be satisfied with the answer: Every society has its sick. Lee Harvey Oswald was one of ours.

Now such an answer no longer satisfies great numbers of Americans. For what other society that claims to be civilized could match this known death roll among its public figures in five years?

Medgar Evers, June 12, 1963; John F. Kennedy, Nov. 22, 1963; Malcolm X, Feb. 21, 1965; George Lincoln Rockwell, Aug. 25, 1967; Martin Luther King, April 4, 1968; Robert F. Kennedy, June 6, 1968.

Accordingly, Americans began to look inward, at themselves and their society, in their search for answers to the questions Why? Why in America? And many of them concluded the country is "permeated with violence," "filled with hatred," "striken by fear," or guilt, or hypocrisy. There's a sickness in the land, it was stated, a malignancy that threatens to destroy the nation.

THE EXPLANATIONS HEARD

The explanations for this turn of events—if indeed, a turn it is—were many:

"A turning away from religion" (Rabbi Dr. Abraham Heschel, a noted Biblical scholar); a glorification of violence in the mass media (psychiatrist Fredric Wertham); an atmosphere of permissiveness (the Rev. Robert McNamara, a Fordham University sociologist); the growing complexity of life and helplessness of the individual (the Rev. Avery Dulles of the Jesuits' Woodstock College); the war in Vietnam (Sen. Eugene McCarthy); a conspiracy against champions of the poor (the Rev. Ralph Abernathy, leader of the Poor People's campaign in Washington); criminal-coddling court decisions (Georgia Gov. Lester Maddox).

It was duly noted that six of the last 20 Presidents have been targets of assassins: Bullets claimed the lives of Lincoln in 1865, Garfield in 1881, McKinley in 1901, and Kennedy in 1963; in addition attempts were made on Franklin D. Roosevelt in 1933 and Harry S. Truman in 1950. In 1912, former President Theodore Roosevelt was shot as he campaigned for election.

THE BIG QUESTION

Is something indeed wrong with America that assassins can rise in its midst and strike down its leaders?

In attempting to answer that question, it is necessary to establish some relevant facts. First, the United States is the only major civilized nation where arms can be purchased openly by almost anyone. An April 1968 Harris poll found that slightly more than half the households in the nation own one or more guns.

Second, its leaders expose themselves to the public—and potential assassins—far more than in most nations. It's a tradition of an "open" society.

Third, the United Nations demographic yearbook pegs the United States homicide rate slightly higher than the all-country average. This country is far surpassed by Mexico and most Latin American nations, plus Ceylon and many countries in Asia. Even so, the murder rate here exceeds that of all Western European countries and Japan.

DISTINCTIONS TO BE MADE

Here a distinction has to be made between crimes against public figures and homicide in general. Other types of violent acts might also be noted—vigilantism, for example, in which the United States has something of a tradition, and mass rioting and mass murder of racial and class dissidents, in which the nation has never competed with many European and other countries.

These distinctions are important because discussions of violence in America all too often are resolved with a knowing reference to "our lawless tradition," by which it is implied that Americans always have regarded taking the law into their own hands as legitimate means of resolving disputes. It cannot be denied, of course, that guns won freedom from Britain, tamed the frontier, and cowed the Indians; nor that the slave revolts, Civil War, labor strife, gangsterism, and the chain of Negro murders and lynchings in the South even into the 1960s reflect significant strains in American history.

But political assassination goes back little more than 100 years in the United States; it can hardly be attributed to a legacy of frontier days. Similarly, it is hard to trace today's purse-snatchings or drug-induced holdups to the fact that outlaw cowboys used to snare stage coaches in the wild West.

Indeed, it is possible to argue that Americans are among the most law-abiding citizens in the world. They pay their taxes, obey traffic rules, keep contracts, return lost property, and support statutes with a fidelity that is hard to match.

HONORING ELECTION RESULTS

Similarly, Americans honor election results; political transitions are smooth, amicable. Americans have no tolerance for politicians who would stuff ballot boxes or buy votes. Following the counting of votes come handshakes and pledges of support, not recriminations and firing squads.

Moreovor, assassination attempts in the United States, unique among the nations of the world, bespeak wild irrationality more often than political conspiracy. Charles Julius Guiteau, who slew James A. Garfield, was a disappointed office seeker, not an ideolog. Leon Czolgosz, assassin of William McKinley, was an anarchist, probably insane. President Kennedy, who alarmed the right wing, was silenced by a fanatic of the left. George Lincoln Rockwell, hated by the left, was killed by a rightist. Both he and Malcolm X were killed not by their enemies but by their former friends.

These acts were essentially apolitical, divorced from the central issues that divided Americans and gave rise to rancor in public debate. There are exceptions, to be sure: John Wilkes Booth, Lincoln's assassin, and the Puerto Rican nationalists who stormed Blair House in hopes of killing President Truman had essentially political grievances. Booth sought to avenge the South, the Puerto Ricans, to obtain independence from U.S. rule. And it may, indeed, have been Robert Kennedy's sympathy for Israel that turned against him the young Arab immigrant now charged with the murder.

THE RISING RATE OF HOMICIDE

This is not to say that violence in America is rare. The point is made only to suggest that it is treacherous and frequently misleading to seek a reflection of historical forces in the acts of deranged individuals. Demonstrably, there is violence in the country. The Justice Department reports that 12,200 Americans came to violent deaths last year at the hands of their fellow citizens, and the rate is increasing twice as fast as the population.

The homicide rate is driven upward by a disproportionate murder rate among urban Negroes. Today, according to sociologist Lee N. Robins, writing in the current issue of Trans-action, homicide is the second leading cause of death among Negro males, 15 to 25 years of age.

Consider this, too: Many, perhaps most, Americans experienced shock, horror, and dismay upon hearing that Martin Luther

King had been murdered. In fact, however, hadn't people been speculating for years that he would die a violent death?

Americans sense something has happened to the social climate in the country. It's not that they are more apt to condone, much less commit, violent acts. It's partly that they recognize there are fewer restraints against their commission. Psychiatrist Leonard Duhl, special assistant to the Secretary of the Department of Housing and Urban Development, is an authority on the effects of urban life on mental health. He argues:

"A society that has leadership and runs by a set of rules that everybody accepts can contain the sickest people. What's happening in our society is that the old rules are breaking down, people don't accept them any more, and we lack not only new rules to replace them but, in its absence, the leadership to keep us going until we develop new rules.

"The Kennedys and the Dr. Kings engender bitterness and become objects of hostility in the same way that you sometimes find psychiatrists are resented for the adverse diagnoses they give their patients. People become defensive, they attack those who diagnose."

In France, it might be said, the old rules also are breaking down, as evidenced by the recent general strike that brought national economic life to a standstill. Then, not only in America are old rules disintegrating.

Here, however, it is happening faster than anywhere else. Technology, mobility, and a civil-rights revolution are creating problems only dimly understood. To cite but one problem: Since 1940 some 3,000,000 Negroes have migrated from the rural South to the urban North. Is it surprising that sociologists now speak of "social dislocation"?

There are other factors that must also be taken into account. One is the mass media. The immediacy of television not only creates new wants in the viewer (a process that, no doubt, has accelerated the Negro revolution), it evokes strong emotions of all sorts in the public at large.

People recognize today's public figures instantly—and personally: their voices, their accents, their expressions, their words.

What's more, in an open political system like ours, where candidates can cross the continent in under six hours, almost any American can come within shooting range of a candidate for national office in the course of an election campaign.

SOPPING UP THE VIOLENCE

Experts have long differed on whether the glorification of violence in the mass media inspires acts of violence that wouldn't otherwise be committed. (Indeed, they are even at odds on the question of whether aggression is instinctive or environmentally induced.) The fact remains, however, that most Americans can sop up the violence of the media all their lives without being driven to crime. Perhaps what distinguishes the lunatic fringe is not its exposure to toy pistols at an early age but its access, when older, to real pistols—and to the public figures they hold responsible for their frustrations, as well as a lack of a climate of restraint.

Surely there is hate in American society. In which society has it been banished? But it is probable that divisiveness in America has been greater in other recent times, the 1930s, for example. Franklin D. Roosevelt, who was called names far more intemperate, was shot at but once, shortly before his inauguration, when he was comparatively noncontroversial. His assailant, Joseph Zangara, was an anarchist. Lyndon Johnson, the man who arouses the most passionate emotions in the land, has not been targeted by an assassin.

It is not collective hate that kills America's leaders; it is fringe elements acting for a variety of strange reasons. That may seem small comfort indeed at a moment of national grief, but it does make a difference in the way people regard society. The mantle of collective guilt ill-fits Americans. And they deceive not only themselves but the world when they assign to society or "the system" the responsibility for acts against which the great mass of citizens recoil in horror and shame.

"Tonight," a choked President Johnson told a nationwide television audience last week as Robert Kennedy lay in coma, "this nation faces once again the consequences of lawlessness, hatred, and unreason in its midst. It would be wrong, it would be self-deceptive, to ignore the connection between lawlessness and hatred and this act of violence.

"It would be just as wrong and just as self-deceptive to conclude from this act that our country itself is sick, that it has lost its balance, that it has lost its sense of direction, even its common decency.

"Two hundred million Americans did not strike down Robert Kennedy last night any more than they struck down President John F. Kennedy in 1963 or Dr. Martin Luther King in April of this year. But those awful events give us ample warning that in a climate of extremism, of disrespect for law, of contempt for the rights of others, violence may bring down the very best among us."

—MARK R. ARNOLD.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess will not extend beyond 1 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 12 o'clock and 42 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 12:46 p.m., when called to order by the Presiding Officer (Mr. CASE in the chair).

THE OMNIBUS CRIME CONTROL BILL

Mr. McCLELLAN. Mr. President, yesterday I made some remarks regarding the omnibus crime control bill, including some suggestions about the inadvisability of the President vetoing the measure. In support of my position, I asked to have printed in the RECORD a number of editorials and other supporting data.

Today, by way of addition to the material that I placed in the RECORD yesterday, I ask unanimous consent to have printed in the RECORD an editorial entitled "Crime Bill Is Okay," published in the Arkansas Democrat of Monday, June 10, 1968, and a letter dated June 7, 1968, addressed to me as subcommittee chairman, from Hon. Homer L. Kreider, president judge, Court of Common Pleas, Dauphin County, Pa.

There being no objection, the items requested were ordered to be printed in the RECORD, as follows:

CRIME BILL IS OKAY

The crime bill that was approved 368 to 17 in the House last week in the momentum of emotionalism following the assassination of Sen. Kennedy is an acceptable piece of legislation.

Many objections being raised to it are unrealistic and unwarranted. President Johnson, for instance, is mad because the gun-control provision is not more strict. The bill prohibits the sale by mail-order of handguns and the over-the-counter sale of handguns to persons under 21 and to non-residents of the state in which the store is situated. This is a limited kind of bill but the wonder of it is that any kind of gun-control bill was passed, considering the fact that the last time that even a committee of Congress acted favorably on gun-control legislation was 1938. Actually, whatever control of the ownership of guns is needed beyond this bill probably should be worked out by the states.

There's a lot of groaning and moaning going on about the way that the bill overrules the precedents established in the Supreme Court's Mallory and Miranda decisions. The Mallory decision involved a confessed rapist who was freed because he had been held in jail overnight without being arraigned. Since then, the idea of speedy arraignment has been carried to such extremes that one man accused of manslaughter was freed by a court because detectives questioned him for five minutes before he was arraigned. The bill would permit suspects to be detained as long as six hours before being arraigned.

The Miranda decision is more widely known. In this case, a precedent was established that voluntary confessions could not be accepted unless the person who made them was apprised of all of his rights and furnished a lawyer. Among the hundreds of people freed because of this technicality are a mother who killed her 4-year-old son, an arsonist who burned up 12 persons, a 14-year-old boy who shot his mother 10 times, and a factory worker who killed his wife and five children. All voluntarily confessed their guilt; all went free.

The bill would not change the requirements to determine if a confession were voluntary but only leaves it up to the trial judge to make the decision; if the trial judge says it's okay, then the appeal court couldn't overrule the decision of the lower court on this single point.

What has been charged is that in overturning the precedents set in these two controversial decisions, (the Miranda case was decided, 5 to 4), the legislative branch of government is tampering with the judicial branch and tearing away at the constitution. This hardly seems correct, however, when you consider what Article III, Section 2 of the constitution says: "The Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make."

The most serious objection we think anyone could take to the bill is the provision that permits the tapping of telephones in certain instances for 48 hours without a court order. Our hope was that wiretapping would have been permitted only on court orders and then only for such crimes as treason and murder.

But the bill's accomplishments outweigh its imperfections. Sen. John L. McClellan, who was instrumental in passing it, will be praised for his work by the public, which in a recent Gallup Poll (before the assassination) showed that it considered lawlessness the third most important problem in the nation following the Vietnam war and race relations. We hope that President Johnson will sign the bill. It will give the public a sense of accomplishment it can use in these mournful days. Improvements in the law can be made later.

COURT OF COMMON PLEAS, DAUPHIN
COUNTY, PA.,
June 7, 1968.

Hon. JOHN J. MCCLELLAN,
Chairman, U.S. Senate Judiciary Subcommittee, Senate Office Building, Washington, D.C.

DEAR SENATOR MCCLELLAN: I congratulate you on the magnificent battle you have waged through the years for the protection of the decent law-abiding citizens of this country and the successful culmination of your campaign in the passage by the Senate of Titles II and III of the Omnibus Crime Control and Safe Streets Act. This was a monumental achievement and you deserve the heart-felt thanks of the long-suffering citizens of this Nation. I am sure they deeply appreciate this outstanding accomplishment in the face of what appeared at first to be insurmountable obstacles.

My contact with a large number of persons in all walks of life, including some too timid to write letters to their representatives in Congress, convinces me that the common-sense of the American people will ultimately prevail and that meanwhile they will continue to insist that they receive the protection in law to which they and their children are justly entitled.

The overwhelming majority by which the House voted last Wednesday (317-to-60) to concur in the Senate Amendments and send the Bill to the President, should be clear notice that the American people want affirmative and remedial action now.

Sincerely,

HOMER L. KREIDER.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Senate again stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond 1 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 12 o'clock and 49 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1 p.m., when called to order by the Presiding Officer (Mr. RIBICOFF in the chair).

EXTENSION OF AUTHORITY OF EXPORT-IMPORT BANK IN ORDER TO IMPROVE THE BALANCE OF PAYMENTS

The PRESIDING OFFICER. Under the order of yesterday, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The Senate proceeded to consider the bill.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, this legislation was reported to the Senate by the Committee on Banking and Currency. It was, I thought, a very far-reaching piece of legislation. It radically changed the method of doing business for the Export-Import Bank. As reported to the Senate, S. 3218 provided that it shall be the policy of the Congress that the Export-Import Bank make loans or guarantees of loans to the extent of $500 million, which in certain cases could run up to $2 billion, even though there was no reasonable assurance that this money would be repaid.

The form in which this legislation reached the Senate, to me, was completely and totally unacceptable. I could not imagine the Senate passing legislation providing that it is the policy of Congress that the Export-Import Bank should make loans and guarantees and insurance of export-import transactions which, in the judgment of the Bank, do not meet the test of reasonable assurance of repayment. Yet, that is what the Senate was called upon to adopt.

I first protested this bill about 3 weeks ago. I called the attention of the Senate to the proposed legislation in a speech on the floor of the Senate, pointing out that it would radically change the policy regarding the Export-Import transactions, and also pointing out that it is an open-ended proposal which provides that all losses of the Export-Import Bank beyond $100 million would be borne by the general treasury.

I could not accept and I could not vote for S. 3218 in the form in which it came to the Senate.

Then, last week the House of Representatives made substantial changes in this proposal. During the consideration of this matter in the Senate yesterday, and after I had talked with both the majority leader and the minority leader, the managers of the bill recommended, and the Senate agreed, to substitute H.R. 16162, the House bill, for S. 3218, the Senate bill.

This was saying, in a way, that the Senate and the managers of the bill voted to scrap S. 3218 as reported by the committee.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield to the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, I congratulate the Senator upon the change worked in the bill, largely as a result of his efforts.

I wonder what justification was advanced for the declaration of a policy that a loan be made even though the evidence of repayment was absent.

Mr. BYRD of Virginia. I thank the distinguished Senator from Tennessee for his kind comments.

In regard to his question, the committee report indicates that the Export-Import Bank, in the belief of some, has not been liberal enough in its policies and in regard to making loans.

The Bank has had a very good loan record. I think the managers of the Bank should be congratulated on the management that has given these funds. After all, the funds are the taxpayers' funds and the Bank has been proceeding on the basis, in making loans, that the test of reasonable reassurance of repayment must be met.

Then, it was felt that in order to change that policy, it was necessary for Congress to enact legislation. It was proposed that it be the policy of the Congress that the Export-Import Bank make these loans and other guarantees even though the test of reasonable reassurance of repayment is not met, the purpose being to liberalize the credit policies of the Bank.

However, as the able Senator from Tennessee knows, the Bank is already the bank of last resort for so many of the borrowers. The proposed bill would have the Bank involved in even riskier loans than the Bank has been involved in in the past. It seemed to me that it went too far. As a Member of Congress, it seemed to me that none of us would want to be in the position of directing the Bank to make these loans even though there was no reasonable assurance of repayment. The Bank would come back to Congress in perhaps 5 years or 2 years and say, "We have lost $500 million of the taxpayers' money," or whatever the amount might be, "and we want you to make it up."

Congress could hardly refuse to make it up because Congress itself, were it to approve the original bill, would have directed the Bank to make those loans, even though there is no reasonable assurance of repayment. Thus, I think it is a very undesirable piece of legislation.

The bill now before the Senate is greatly improved, and was further improved yesterday. It specifies that before a loan can be made, it must offer sufficient likelihood of repayment.

In querying the Senator in charge of the bill yesterday, to differentiate between "offer sufficient likelihood of repayment" and the present term of "test of reasonable assurance of repayment," as to where the difference lies, I frankly could not get clear in my mind how those two terms differed. In my judgment, they do not differ substantially, if at all.

So, for that reason, I am inclined to go along with the legislation as it has been amended by the Senate, not only in adoption of the House bill, but also in adoption of the amendment offered by the Senator from Illinois [Mr. DIRKSEN], which places a limit on the amount of money the Federal Treasury will bear of any losses the Export-Import Bank might incur. It places a limit of $100 million as the part the Federal Treasury would bear.

The purpose of this legislation is to expand export transactions, in the hope that our balance-of-payments position will be improved. This is a worthy objective.

But, I submit, if we are going into very high-risk loans where the chance of repayment is small, then that cannot possibly help our balance of payments, because the money is going out, it is not coming in.

All in all, I think that the Senate did a good day's work yesterday in scrapping Senate bill 3218, substituting H.R. 16162, and adopting the amendment offered by the Senator from Illinois, which I was pleased to support.

I was also pleased that the Senate adopted the amendment submitted by the Senator from Virginia which specifies that the Export-Import Bank shall submit quarterly to the Congress details of all loans that it makes under the particular section that the Senate will be called upon to vote shortly.

It seems to me it is important for Congress to have this information, so that it will know how properly to legislate in the future. It should also be helpful in protecting the taxpayers of this country.

Mr. President, I reserve the remainder of my time.

Mr. MUSKIE. Mr. President, yesterday, in the discussion of the pending measure, the distinguished Senator from Iowa [Mr. MILLER] put a question to me in these words. He said:

> I should like to know whether in the last three or four years there have been, let us say, 100 applications, or perhaps 50, which would have been approved under the new policy, or even 25, so that we will have an idea of the volume we are talking about. The Senator's illustrations will be most helpful, but I should like to know how many of the applications we are talking about occurred over a 2-, 3-, or a 4-year period.

I suggested to the Senator yesterday that I doubted very much that there was that kind of specific information available, especially in view of the fact that I had asked for similar information. Nevertheless, I asked the agency to undertake to respond to the Senator's question, and I have here a five-page memorandum which I think might be helpful not only to the distinguished Senator from Iowa but to Senators as a whole as they read the RECORD.

So I should like to ask unanimous consent that the memorandum be included in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

EXPORT-IMPORT BANK OF
THE UNITED STATES,
Washington, D.C., June 18, 1968.

Memorandum to Senator Muskie.

From: B. Jenkins Middleton, Vice President, Program Planning and Information.

Subject: Response to question of Senator Miller during floor debate on S. 3218 (see page 17417 of the Congressional Record for June 17, 1968.)

During the floor debate on S. 3218 Senator Miller made the following request:

"I should like to know whether in the last three or four years there have been, let us say, 100 applications, or perhaps 50, which would have been approved under the new policy, or even 25, so that we will have an idea of the volume we are talking about. The Senator's illustrations will be most helpful, but I should like to know how many of the applications we are talking about occurred over a 2-, 3-, or a 4-year period."

During the colloquy on this subject, Senator Muskie indicated that such a list might be difficult to obtain for two principal reasons: First, the submission by Eximbank of a list of transactions which it has not fully considered but which it believes might be approved under the new program might be considered as an advance approval of these transactions; and second, any such list which might be compiled would not present a true picture since "in many cases the applications never come to the Bank because of the awareness of the Bank's existing policy". Eximbank concurs in these statements by Senator Muskie.

Moreover, a mere statement of the number of "applications" received by the Bank over the past 2 to 4 years which might have been approved had the export expansion facility under consideration been in existence would not be meaningful. "Applications" run the gamut from requests for so-called "special buyer credit limits" under short-term export credit insurance policies which have been as small as $5,000 to applications for direct credits to foreign purchasers in amounts which, under Eximbank's normal programs, may range as high as $100 million or more. Moreover, an "application" which is turned down may take the form of a telephone call.

Earlier in the debate, prior to Senator Miller's request, Senator Muskie submitted for the record a series of examples of transactions which might have been assisted under the proposed export expansion facility (see Congressional Record, page 17412). We believe that this type of illustrative example is more helpful to an understanding of the potential nature and volume of business which could be done under the new program than would be a listing of the number of applications which might be involved. Perhaps the following additional examples will be responsive to the substance of Senator Miller's request.

The proposed export expansion facility will permit assistance to export transactions involving a number of countries where political and economic risk factors now preclude Eximbank from offering medium-term guarantees or insurance under its regular operations. Perhaps the outstanding example in this category is Indonesia, which is potentially an important market for U.S. products. It is the fifth largest country in the world, with a population of over 100 million. Indonesia has been going through a period of debt readjustment. Eximbank has an exposure in that country of some $80 million. The Bank has not been receiving payments under these credits for some time, but it has worked out an arrangement with the Indonesians for the resumption of payments and lengthening of repayment periods. This has been done in cooperation with other Western creditors of Indonesia, and the Soviet Union has worked out a parallel arrangement.

There is growing confidence in the chances for Indonesian recovery. Nevertheless Eximbank does not feel that under its "reasonable assurance of repayment" standard it can resume the extension of loans, guarantees, and insurance for exports to that country until further progress is evident and it becomes clear that payments on existing debts will be resumed. In the meantime, however, both the Japanese and some of our Western competitors have resumed their export credit, guarantee, and insurance operations for exports to Indonesia. Eximbank does not wish to be left behind in this resumption of normal commercial activity, but feels that the new authority is necessary for early resumption of its activity there.

Nigeria, like Indonesia, is a country for which the Bank is not currently able to provide export credit support. With the new authority a resumption of Eximbank activity involving exports to that country may become possible.

There are also instances in which Eximbank's existing commitments are so large in relation to the foreign exchange position and prospects of the borrowing country that the Bank's Board has deemed it prudent to limit new undertakings in support of export sales. Brazil, for example, is a country in which the readjustment process has been under way for a considerably longer period than is the case with Indonesia, but which also has a large external debt which requires servicing. Eximbank's exposure in Brazil has been around $700 million for some time. While the Bank has been willing to make new commitments in Brazil in the amount of repayments being received on its outstanding commitments, up to the present time Eximbank has not been willing to increase this exposure. Other exporting countries, however, have a far smaller exposure in Brazil, and with the improving prospects for the country they have been vigorous in their support of exports destined for the Brazilian market. With the new authority, Eximbank will be in a far better position to offer our own exporters the same kind of support which is being extended to our foreign competitors.

Other countries where Eximbank feels it is near the limit of the exposure it should take on under its existing authority are the Dominican Republic, Turkey, and Bolivia.

The new facility can also serve to assist transactions involving a number of foreign airlines, some of which are owned by countries which are financially weak and others of which are privately owned and only marginally profitable. Potential sales opportunities in this category exist in Bolivia, Chile, Honduras, Guatemala, and Brazil.

On occasion the proposed fund could be used for direct loans to foreign borrowers in order to assist in financing projects where it is important for the U.S. to be the initial supplier so as to affect the future development of an important market abroad. This is particularly true of projects involving sophisticated technologies. Possibilities of this type are projects involving the construction of facilities for nuclear power plants and satellite communications ground stations in countries where the amount of credit required is large in relation to the country's foreign exchange resources, the borrowing entity is not a first-class credit risk, or the level of Eximbank's outstanding commitments is already high.

There are also a number of rapidly developing countries—Korea, Taiwan, Israel, and Iran come immediately to mind—which are no longer heavily dependent on concessionary aid-type assistance but whose current import requirements for capital equipment *on normal commercial terms* are greater than the Bank can meet under its normal standards. It may nevertheless be desirable to preserve for the United States the benefits of trade relationships which have been established with these countries as a result of previous AID and Export-Import Bank financing. There exists today a considerable volume of medium-term business in such areas, involving railroad rolling stock and other transportation equipment, highway construction equipment, and a variety of industrial machinery, which might be lost to the U.S. without the proposed facility.

Most of the examples cited thus far have involved "country problems"—that is, problems with the debt capacity and foreign exchange capability of the country itself which are relevant whether the actual borrower within the country is public or private. But even where there is no "country problem" there may be problems involving the creditworthiness of the individual buyer. As an example, for several years Eximbank has had guarantees outstanding to several U.S. commercial banks covering repetitive shipments of automobile components and knocked-down automobiles to a company in a middle eastern country. The guarantees have been issued at the request of two American automobile manufacturers. The foreign buyer assembles the automobiles and sells them. The aggregate liability of the Bank under these guarantees has been about $2 million. The guarantees protect the U.S. commercial banks against defaults on account of both the commercial risks—such as the possible bankruptcy of the buyer—and the political risks which are inherent in credit transactions with foreign countries. The risk of inconvertibility is probably the most important potential cause of loss of a political nature.

In this particular case the foreign buyer has a good reputation and a good record of servicing his debts. However, the assets of the company consist primarily of plant and equipment, and the assets of the principal owner, who has guaranteed the debt obligations of the company, are largely tied up in the company and in real estate—in other

> words, in assets which cannot be readily liquidated. As is so often the case with companies abroad, the balance sheets and income statements of the buyer are not readily understandable to American financial analysts. Eximbank therefore considers its present exposure of some $2 million to be marginal even under the present statutory standard, which requires that transactions supported by the Bank offer "reasonable assurance of repayment."
>
> Now, however, the two American automobile manufacturers, who rely heavily upon export sales to support their manufacturing facilities in this country, are seeking to increase their sales to and through this particular foreign buyer. They have accordingly asked Eximbank to increase its liability under its guarantees of these transactions to an aggregate of some $12 million. The Bank does not believe it can do this under its present authority. However, in view of the buyer's reputation and other favorable factors the Bank is inclined to the view that there may be a "sufficient likelihood of repayment to justify the Bank's support in order to actively foster the foreign trade and long-term commercial interest of the United States"—the standard proposed by the bill, as amended. This, then, is another concrete example of a case in which the proposed authority may make a very real contribution to our exports, our commercial interests, and our balance of payments.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, as one who has taken a keen interest in the pending legislation for more than 3 weeks, I wish to speak a few concluding words.

In the form that the bill was submitted to the Senate by the committee, it was to my mind completely unacceptable. I could not support the committee's recommendation.

Yesterday, however, the Senate took a series of actions which greatly improve the legislation, which eliminate the more objectionable features, which would give protection to the taxpayers which the original version did not give, and which, in addition, knock out of the bill a congressional policy statement which to my mind it would have been unthinkable for Congress to have adopted.

So, Mr. President, with the changes that have been made by the Senate, I feel that this is now a proposal I can support. I still have some doubt as to its wisdom, and I have doubt as to the need for it; but I think the new phraseology with respect to policy and the safeguards that have been written into the measure insofar as the handling of moneys from the general Treasury is concerned makes the proposal acceptable.

Mr. TOWER. Mr. President, I rise in support of H.R. 16162, companion bill to S. 3218, designed to improve the U.S. balance-of-payments situation through facilities of the Export-Import Bank.

Under this bill, $500 million of the Bank's present authorization would be set aside as a separate fund, or category, for loans to which the present law's limitation of "reasonable assurance of repayment" would not apply. The new criteria under H.R. 16162 would be "sufficient likelihood of repayment."

It was my intention to offer as an amendment to the Senate version of the bill language similar to that appearing in H.R. 16162 relating to sufficient likelihood of repayment. Since we have now substituted H.R. 16162 for the Senate bill, the substance of my amendment will be incorporated into the final version of the bill.

Mr. President, the U.S. balance of payments has been running a deficit for 17 of the last 18 years. After World War II, these deficits began and, until the mid-1950's, have run about $1 billion a year. Many have felt that a modest deficit in our balance of payments was both a necessary and a desirable means of providing the dollars needed for European economic recovery, but, by 1959, our payments deficit had risen to more than $3.5 billion annually.

By 1961, there was no longer a shortage of dollars abroad. Foreign monetary authorities became reluctant to hold increasingly large amounts of their international reserve assets in dollars. Such a situation posed a real and continuing threat to the strength of the dollar, and, as a result, the U.S. Government began taking action to improve our balance-of-payments situation.

More specifically, since 1965, the United States has witnessed a substantial increase in this deficit. This situation has been brought about primarily because of a sharp increase in our imports, our increased military expenditures abroad in support of the Vietnam war, outflows of capital for private investment, and, to a lesser extent, because of a widening gap in the travel account. During the fourth quarter of last year our balance-of-payments deficit increased sharply as a result of the British devaluation of the pound in November of 1967. As confidence in the pound and the dollar declined, foreign deposits were withdrawn from the United States, followed by a burst of speculative buying of gold. Measures were immediately taken by the United States to free our gold stock. In order to sustain international confidence in the dollar, the United States must take additional steps which are necessary to reduce our balance-of-payments deficit.

A major factor in the total balance of payments picture is U.S. exports to foreign governments. Last year the United States exported some $30 billion worth of products, the highest in our country's history. The trade surplus from that commerce contributed about $3.5 billion to our payments balance. However, there are indications that if our foreign trade is not further stimulated, the trade surplus this year will be sharply reduced rather than raised.

Mr. President, the Export-Import Bank has been a powerful force in furthering American exports over the years. I believe that our present trade situation and balance-of-payments position justify an aggressive posture by the Bank in its operations under existing statutory authority. It should be possible to adopt such a posture without jeopardizing in any way the well-deserved reputation of the Bank as a basically sound lending institution. I am convinced that such a reputation can be preserved while, at the same time, the Eximbank continues to offer adequate support to our exporters.

Under present statutory authority, the Export-Import Bank is limited to credits offering "reasonable assurance of repayment."

This special fund called for by H.R. 16162 would be created in the belief that loans issued will improve our balance of payments and will foster the long-term commercial interest of the United States.

The Senate is mindful, I am sure, of the extraordinarily important role that the Export-Import Bank has played for many years in financing the exports of the United States into areas where credit risks were somewhat higher. Time and again, the Bank has inaugurated new techniques and introduced new principles of international finance. Such new ideas, techniques, and innovations have been followed, for the most part, by all the great exporting nations of the free world. Japan has even given the name "Export-Import Bank" to its financing facility.

Testimony before the Senate Banking and Currency Committee was implicit in its praise and appreciation for the fiscal responsibility of the Bank. Also evident was the notion that the time has come when the Eximbank could do much more to promote U.S. exports if a very reasonable modification could be made in the statutory authorizations of the Bank.

Mr. President, our trade surplus last year fell to less than $3.6 billion, a decrease from the $6.6 billion in 1963. Inherent, of course, in all business transactions is financing; the strong arm of financial encouragement is sorely needed to aid the efforts to increase our exports. Private financing still continues to carry the major burden of financing the exports of the United States, however, domestic pressures on our private financial institutions are so severe today that they cannot respond in the international field to the degree necessary. Private banks likewise are unable to respond in those areas where credit risks are somewhat greater—yet these are precisely the areas where the United States can increase its exports.

Mr. President, the Export-Import Bank continues to operate as one of the oldest of our Government's international credit facilities in existence. Though the Eximbank has built up substantial reserves, the Bank is heavily committed in many underdeveloped and developing countries. And naturally, as the Bank's credit commitments increase in a particular nation, its risks of taking large and sudden losses as the result of general political or economic developments in that country also increase.

Therefore, a certain private credit risk in a given country may be quite good, but, because of the large credit commitments the Bank has in that country, the Board of Directors of the Bank may have considerable difficulty in determining that in that particular case there is a "reasonable assurance of repayment." The borrower who may be a private concern may have a most adequate credit responsibility, and yet the Bank could not make a favorable determination as to his loan.

Mr. President, it should also be pointed out that a foreign government credit facility or central bank which is not so heavily committed as the Eximbank in a particular importing country is often willing and able to guarantee credits of a much lower quality for the sole reason that it has a small extension of risk at that particular time. The situation now faced by the Export-Import Bank is usually just the opposite, and it is unable to embark upon such an arrangement.

Even if the United States were not faced with serious balance-of-payment problems, competition in the world marketplace alone would, I believe, warrant our support of H.R. 16162. The passage of this legislation will encourage acceptance of our exports in difficult markets; it will aid in establishing our products in new markets and expanding markets where the potential for repeat sales is high; and it will assist in the maintenance of existing export markets.

The basic for expanded authority for the Eximbank has been under consideration for years. H.R. 16162 is an outgrowth of recommendations of the Action Committee on Export Financing of the National Export Expansion Council as well as the Export Expansion Act introduced in the Senate in 1965.

I wish to emphasize, Mr. President, that the desired results of this legislation can very well be accomplished without turning the Bank into a soft loan agency. It is clear that in the days ahead, there is more need for the Bank to act as an accelerator rather than as a brake. If H.R. 16162 is administered by the Bank as intended by the legislative history thus far existing, this new facility of the Eximbank can quickly become a forceful and useful addition. Because I believe that it is of the utmost importance to solve our balance-of-payments problem and to foster the long-term commercial interests of the United States, I feel that the Export-Import Bank in the past warrants confidence in a new and challenging future role for the Export-Import Bank of the United States.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The hour of 2 p.m. having arrived, the Senate, pursuant to the order of yesterday, will now proceed to vote on the passage of H.R. 16162.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD, of West Virginia. I announce that the Senator from Hawaii [Mr. Inouye] and the Senator from Oregon [Mr. Morse] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Minnesota [Mr. McCarthy], and the Senator from New Mexico [Mr. Montoya] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Alaska [Mr. Gruening], the Senator from Massachusetts [Mr. Kennedy], the Senator from Minnesota [Mr. McCarthy], the Senator from New Mexico [Mr. Montoya], and the Senator from Oregon [Mr. Morse] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Oregon [Mr. Hatfield] is necessarily absent, and if present and voting, would vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 187 Leg.]

YEAS—88

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—11

Bartlett
Fulbright
Gruening
Hatfield
Hayden
Inouye
Kennedy
Long, Mo.
McCarthy
Montoya
Morse

So the bill (H.R. 16162) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 1082, S. 3218, be taken from the calendar and indefinitely postponed.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MANSFIELD. Mr. President, I rise to commend the distinguished Senator from Maine [Mr. Muskie] for the exemplary manner in which he managed the Export-Import Bank measure just adopted unanimously by the Senate. His abilities as a legislator, his clear and convincing arguments for the measure compelled its overwhelming success. But, even more, its passage represents another outstanding achievement in the abundant record already compiled by Senator Muskie. The Senate is deeply in his debt.

Joining Senator Muskie to assure this overwhelming success was the Senator from Texas [Mr. Tower]. During his years in the Senate and as a member of the Banking and Currency Committee he has contributed immensely. His cooperation on this, as on so many proposals, has been greatly appreciated.

Other Senators also joined to assure swift and efficient action. Notable were the efforts of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen], and the Senator from Virginia [Mr. Byrd]. And we all may be proud of another fine achievement.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 15856) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1216, and that the rest of the calendar be considered in sequence.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will proceed to state the items on the calendar, beginning with Calendar No. 1216.

AMENDMENT OF THE SECURITIES EXCHANGE ACT OF 1934

The Senate proceeded to consider the joint resolution (S.J. Res. 160) to amend the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities markets of the operation of institutional investors which had been reported from the Committee on Banking and Currency, with an amendment, strike out all after the resolving clause and insert:

That section 19 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following:

"(e)(1) The Commission is authorized and directed to make a study and investigation of the purchase, sale, and holding of securities by institutional investors of all types including, but no limited to, banks, insurance companies, mutual funds, employee pension and welfare funds, and foundation and college endowments, in order to determine the effect of such purchases, sales, and holdings upon (A) the maintenance of fair and orderly securities markets, (B) the stability of such markets, both in general and for individual securities, (C) the interests of the issuers of such securities, and (D) the interests of the public, in order that the Congress may determine what measures, if any, may be necessary and appropriate in the public interest and for the protection of investors. The Commission shall report to the Congress, on or before December 31, 1969, the results of its study and investigation, together with its recommendations, including such recommendations for legislation as it deems advisable.

"(2) For the purposes of the study and investigation authorized by this subsection, the Commission shall have all the power and authority which it would have if such investigation were being conducted pursuant to section 21 of this Act. The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and to pay, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such personnel as the Commission deems advisable to carry out the study and investigation authorized by this subsection, but no such rate shall exceed the per annum rate in effect for a GS–18.

"(3) In connection with the study authorized by this subsection, the Commission shall consult with representatives of various classes of institutional investors, members of the securities industry, representatives of other government agencies, and other interested persons. The Commission shall also consult with an advisory committee which it shall establish for the purpose of advising and consulting with the Commission on a regular basis on matters coming within the purview of such study.

"(4) There is authorized to be appropriated not to exceed $875,000 for the study and investigation authorized by this subsection."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble as agreed to, as follows:

Whereas there has been a very significant increase in the amount of securities held and traded by institutional investors both in absolute terms and in relation to other types of investors; and

Whereas such an increase may have an impact upon the maintenance of fair and orderly securities markets, upon the issuers of securities traded in such markets, and upon the interests of investors and the public interest: Now, therefore, be it.

BILL PASSED OVER

The bill (S. 839) for the relief of the village of Orleans, Vt., was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

ROLLO OSKEY

The bill (S. 1164) for the relief of Rollo Oskey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations or lapse of time, jurisdiction is hereby conferred upon the United States District Court for the District of Minnesota to hear, determine, and render judgment upon any claims of Rollo Oskey, of Saint Paul, Minnesota, against the United States arising out of an accident which occurred on March 7, 1958, when a United States vehicle operated by a member of the United States Air Force collided with a vehicle owned and operated by the said Rollo Oskey.

SEC. 2. Suit upon any such claims may be instituted at any time within one year after the date of the enactment of this Act. Proceedings for the determination of such claims and review thereof, and payment of any judgment thereon, shall be in accordance with the provisions of law applicable to cases over which the court has jurisdiction under section 1346(b) of title 28 of the United States Code. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1239), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to waive the 2-year statute of limitations and confer jurisdiction on the U.S. District Court for the District of Minnesota to consider the claim of Rollo Oskey for damages against the United States as the result of a motor vehicle accident on March 7, 1958. Suit must be brought within 1 year from the date of enactment.

STATEMENT

Identical bills, S. 724 of the 88th Congress, and S. 1987 of the 89th Congress, were reported favorably by the committee.

The facts in the case are contained in Senate Report 1196 of the 88th Congress on S. 724, and are as follows:

"The accident giving rise to the claim is described as follows in the Department of the Air Force report on a similar bill, S. 2510, of the 87th Congress: On March 7, 1958, M. Sgt. Franklin O. McCombs, a member of the U.S. Air Force assigned to the Air Force Reserve Officers' Training Corps unit at the University of Minnesota, was operating a General Services Administration truck on assigned mission in Minneapolis, Minn. Sergeant McCombs testified that he approached a certain intersection and seeing that the traffic light was green proceeded to cross the intersection. About the same time an automobile owned and operated by the claimant, Mr. Oskey, entered the same intersection from the right of the Government truck and collided into the right side and right fender of the truck. The collision resulted in both property damage and personal injury. Mr. Oskey required hospital care for 8 days and physiotherapy treatment for 7 months. The report also states that there is no substantiation of Sergeant McCombs' version of the accident, nor could Mr. Oskey support his contention that he entered the intersection on a green light.

"On March 31, 1959, Mr. Oskey and his insurer filed a joint administrative claim for $4,517.95, of which $786 was for property damage and the remainder for pain and suffering and miscellaneous expenses. It is further stated in the Air Force report that certain documents to support the amount of the claim were not submitted as requested and that 'therefore, the case was held in abeyance for several months before it was finally concluded that no such evidence would be forthcoming.'

"The claim was finally returned without adjudication on February 1, 1960, with the statement that authority to settle claims administratively under the Tort Claims Act was limited to $2,500. It is observed in the Department's report that—'Precisely why such disposition was not made earlier is not clear.'

"It is apparent that upon receipt of the claim there was an inadvertent failure to recognize that the amount of Mr. Oskey's claim precluded its being handled administratively. Had the claimant been advised promptly of that fact and of the further fact that his remedy lay in filing suit under the Tort Claims Act, he would have had an additional 10 months in which to seek advice of counsel. That was the period from March 31, 1959, when the claim was filed, to February 1, 1960, when the claim was returned without adjudication. As it was, Mr. Oskey, in all good faith, spent the time in exchanging correspondence with various claims officers regarding certain details of this claim. He did not know either that the Department actually had no administrative jurisdiction over a claim in the stated amount or that the statute of limitations was running against him. In a communication in the committee files, the claimant's attorney characterizes the claimant and his situation as follows:

"'Mr. Oskey had a matter of only 20 and some days in which to file a suit, and not being a sophisticated individual and being an elderly man, and also not being a lawyer and trained in claims work as the gentlemen from the Air Force were, and being in continuous negotiation with Government agencies including the Air Force for nearly 2 years, he was not aware that his claim was being extinguished by a statute of limitations.'

"Since it would have been both possible and proper to have returned Mr. Oskey's claim to him immediately upon its receipt, it does not seem fair to penalize him for the Department's mistake in retaining a claim it could not settle under administrative procedures. The proposed legislation would give Mr. Oskey an additional 12 months in which to file his suit, and that seems to be no more than a fair exchange, in a sense, for the 10 months of his statutory period that he lost because it was not determined promptly that the amount of the claim exceeded the Department's statutory authority.

"The Department suggests the probability that even if Mr. Oskey had filed a timely suit he would not have prevailed because the position of the cars at the time of the collision 'clearly shows that the Government vehicle entered the intersection first.' In this connection, there is in the committee files a photocopy of the official police accident investigation report which states that the Government vehicle entered the intersection against a red light. Hence, granting permission to the claimant to file suit would not necessarily be an empty gesture.

"Records available to the committee indicate that Mr. Oskey was diligent to the best of his abilities in pursuing his claim. Under all the circumstances, the committee feels that the claimant should have his day in court and, therefore, recommends favorable consideration of the bill."

In agreement with the committee's action of the 88th and 89th Congresses, it is recommended that the bill, S. 1164, be considered favorably.

YVONNE DAVIS

The bill (S. 2026) for the relief of Yvonne Davis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any funds in the

Treasury not otherwise appropriated, to Yvonne Davis of Old Town, Maine, the sum of $561.05. Such sum represents the amount of hospital and medical expenses incurred by the said Yvonne Davis in connection with an ear operation performed on her in a civilian hospital in Bangor, Maine, after having been erroneously advised by medical personnel at Dow Air Force Base, Maine, that she was, as a dependent parent of a member of the Armed Forces, entitled to hospital and medical care in civilian facilities at the expense of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1240), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay the sum of $561.05 to Yvonne Davis, of Old Town, Maine, representing the amount of hospital and medical expenses incurred by the claimant in connection with an ear operation performed on her in a civilian hospital in Bangor, Maine, after having been erroneously advised by medical personnel at Dow Air Force Base, Maine, that she was entitled to hospital and medical care in civilian facilities at the expense of the United States.

STATEMENT

The facts of the case are contained in the report of the Department of the Air Force, and are as follows:

"Mrs. Davis is the dependent mother of a member of the Women's Army Corps (WAC), Specialist, Fourth Class Deborah F. Davis, WA8120775, Headquarters Company, WAC, Fort Myer, Va. As such a dependent parent (residing in a dwelling place provided by the member), she was entitled to hospitalization and medical care in facilities of the uniformed services, subject to the availability of space and facilities and capabilities of the medical staff. At the time involved, the Dow Air Force Base Hospital did not have an otolaryngologist on its staff, and, therefore, lacked the surgical capability required to perform an operation of the type needed by Mrs. Davis, the operation being a stapedectomy. As a parent, she was not entitled to any care from civilian sources under either the original Dependent's Medical Care Act or under the 1966 amendments. However, in an outpatient visit to the Air Force Hospital, Dow Air Force Base, November 28, 1966, Mrs. Davis was advised by an Air Force medical officer that she was entitled to obtain hospitalization and medical care from civilian sources at U.S. expense. Thereafter, her civilian physician had her admitted to the Eastern Maine General Hospital, Bangor, Maine, and she underwent a stapedectomy operation at that hospital December 12, 1966.

"Whether the circumstances related would justify a private law to reimburse Mrs. Davis is, of course, a matter of legislative discretion. The stapedectomy, while necessary to prevent a further loss of hearing, may not have been desired by Mrs. Davis if she had been properly advised that she was not entitled to medical care at the expense of the Government. However, since she had been advised to have the operation by her civilian physician and since it could not be performed at the Dow hospital, it can be argued that there was no reasonable alternative to obtaining the operation, if at all, from civilian sources. On the other hand, she might well have decided to make arrangements for the operation where she could have been accommodated on a space-available basis.

"In view of her clear reliance on the erroneous information given to her by an Air Force medical officer, the Department of the Air Force believes that the uncertainty in the case should be resolved in favor of Mrs. Davis and the Department would, therefore, have no objection to an award to her in the amount of $536.05. This award reflects the $561.05 in medical and hospital costs incurred by Mrs. Davis reduced by $25 representing the contribution she would have been required to make to such costs by law had she, in fact, been a dependent of a member of the uniformed services eligible for medical and hospital care in civilian facilities at Government expense."

Inasmuch as Mrs. Davis was erroneously informed by an Air Force medical officer as to her eligibility for medical and hospital care in civilian facilities at Government expense, the committee is of the opinion that she should be reimbursed for her expenses involved.

The committee is in agreement with the Department of the Air Force that in view of Mrs. Davis' reliance on the erroneous information given her by an Air Force medical officer, the case should be resolved in her favor, and accordingly, the committee recommends that the bill, S. 2026, be considered favorably.

AILI KALLIO

The bill (S. 2036) for the relief of Mrs. Aili Kallio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Mrs. Aili Kallio, out of any money in the Treasury not otherwise appropriated, a sum of money to be determined as provided in section 2 of this Act, in full settlement of any claim she may have against the United States because of failure to receive merchantable title to a tract of land containing 24 acres more or less, located within the southeast quarter southwest quarter, section 19, township 51 north, range 32 west, Michigan Meridian, Baraga County, Michigan, by deed recorded on the land records of Baraga County, Michigan: *Provided,* That prior to such payment Mrs. Kallio shall convey by deed in form acceptable to the Secretary of the Interior all her right, title, and interest in the above described property to the heirs of William Owen.

SEC. 2. The Secretary of the Interior, after taking into consideration such appraisals as he deems necessary or appropriate, shall determine the fair market value of the property described in section 1, as of the effective date of this Act, and shall notify the Secretary of the Treasury of said sum which shall be paid as provided in the first section of this Act.

SEC. 3. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by an agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1241), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

The Department of the Interior has no objection to the enactment of this legislation.

The property described in the bill is part of the original allotment of one William Owen, deceased allottee No. 262 of the L'Anse Reservation, Mich. William Owen died testate July 10, 1918, and his will was approved by the President on September 20, 1921. Mr. Owen willed his entire estate to his surviving wife, Emeline Owen, who subsequently died February 27, 1919. When the will of William Owen was approved, the Assistant Commissioner of Indian Affairs notified the special agent in charge of the Mackinac Agency (now L'Anse) that approval of the will by the President removed the restrictions on the lands and that they were no longer under the supervision of the Indian Office.

In 1923, Margaret Duggan, as administratrix of the estate of Emeline Owen, conveyed the land described in the bill, together with other lands, to Edward Sicotte for a consideration of $1,100. This transaction was approved by the Baraga County Court. This action was taken by Mrs. Duggan after the Assistant Commissioner had advised the special agent in charge that approval of William Owen's will by the President removed the restrictions on the lands. However, the Solicitor subsequently held that approval of a will by the President of an Indian who died after February 13, 1914, did not effect the removal of restrictions on Indian lands (Solicitor's opinion of February 11, 1944, M–33441). Mrs. Kallio, in 1934, prior to the Solicitor's opinion, purchased the land described in the bill from Mrs. Sicotte for a consideration of $850. Mrs. Kallio has stated that she first became aware of the default in the title when she attempted to sell the land in 1965.

There are 14 heirs to this parcel of land. The majority of the heirs refuse to convey their interests in this land in order to assist in clearing the title. At the same time, since the original conveyance was made in good faith upon advice from the Bureau of Indian Affairs that the property was no longer restricted, the present record titleholder should not, after having paid consideration and having acted in good faith, be penalized by being required to forfeit her right to the land without reimbursement.

The property in question is located approximately 2½ miles north and east of L'Anse, Mich. It fronts a paved, all-weather county road. There are no improvements on the land; however, there are 10 acres of cleared, idle cropland and 13.5 acres of timberland. Government appraisers, as of July 1967, have estimated the fair market value of the land to be $2,000. Mrs. Kallio, in a written statement, has acknowledged her willingness to accept this amount.

After a review of the facts of the case as set forth in the report of the Department of the Interior and in a report directed to the Honorable Philip A. Hart, the sponsor of this legislation, from the Minneapolis area office of the Department of the Interior, the committee is of the opinion that the bill should be approved. Accordingly, it is recommended that the bill, S. 2036, be considered favorably and so reported to the Senate.

CLARA B. HYSSONG

The bill (H.R. 1655) for the relief of Clara B. Hyssong was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1242), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Clara B. Hyssong of liability to the United States in the amount of $1,448.40 representing a portion of the amount of sums paid to her in the period January 1957 through November 1962 as widow's benefits under title 38 of the United States Code, which were held to have been in violation of the provisions of that title relating to income limitation for income in addition to the pension payments. The bill further provides for a refund of any amounts paid in connection with the liability referred to above.

STATEMENT

The facts concerning this claim are set forth in the House report of H.R. 1655 and are as follows:

"On August 13, 1953, Mrs. Hyssong was awarded death pension at the then statutory rate of $48 per month on the basis of a reported annual income not in excess of $1,400, the income limitation under the pension law pertaining to a widow without a child. On September 29, 1953, she was notified of the award, informed that pension was not payable if the annual income limitation of $1,400 was exceeded, and advised to notify the Veterans' Administration if her income increased to the extent of exceeding the stated limitation.

"In a letter of October 3, 1953, the widow advised the Veterans' Administration that she was 'somewhat confused' as to how much she could earn and still receive pension. By letter of October 7, 1953, Mrs. Hyssong was again informed of the statutory $1,400 income limitation, and of the importance of advising the Veterans' Administration of any increase in income which would exceed the stated amount.

"This bill was the subject of a subcommittee hearing on April 13, 1967. At that hearing the testimony established that the income which is referred to in this bill was earned by Mrs. Hyssong as an employee of the Handley Library, Winchester, Va. When she was employed by the library, she sought to determine how much she could earn and still be entitled to her widow's pension. The fact that she contacted the Veterans' Administration has been referred to above and has been noted in the Veterans' Administration report on the bill. Ultimately, she consulted with an individual who was a Veterans' Affairs adviser and was advised that she could only earn $120 a month and that if she limited her income to this amount, she would not exceed the limitations set by the Veterans' Administration.

"In her initial employment with the library, she had been compensated at the rate of $150 a month. Upon receiving this advice, she contacted the officials of the library board and requested that her salary be adjusted so that she would receive only $120 a month. The individual who gave her the advice concerning her salary was assumed to be a representative of the Veterans' Administration but subsequent investigation established that he was an employee of the State of Virginia and not of the Veterans' Administration. However this may be, she clearly relied on this advice to her detriment, with the result that the Veterans' Administration has ruled that she was erroneously paid the widow's benefits referred to in this bill with the consequence that she has been held to be obligated to the United States to refund the amount she received over the 5-year, 11-month period and this amount is $3,578.40.

"The committee feels that Mrs. Hyssong sought in good faith to comply with the regulations of the Veterans' Administration and further sought to adjust her income in reliance on advice of an individual whom she felt spoke with knowledge and authority concerning these regulations. However, when it is considered that the library board benefited to the extent of $30 a month by reason of the reduction of income received by Mrs. Hyssong as her monthly salary, the committee feels that since the reduction did not benefit Mrs. Hyssong, she in equity should receive this amount. This is beyond the power of Congress to adjust but it can be reflected by providing for a reduction in the amount received in the bill equal to the aggregate of that amount. Accordingly, it is recommended that the amount relieved by the bill be reduced to $1,448.40 and, with this amendment, it is recommended that the bill be considered favorably."

The committee has considered the recommendation of the House of Representatives and recommends that the bill, H.R. 1655, be considered favorably.

CAPT. DAVID CAMPBELL

The bill (H.R. 2270) for the relief of Capt. David Campbell was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1243), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve David Campbell, captain, U.S. Air Force (72056A) of liability to the United States in the amount of $3,292.36, the amount of an overpayment of his pay and allowances as a member of the U.S. Air Force in the period beginning April 5, 1961, and ending August 31, 1964, because of an administrative error. The bill would authorize the refund of any amounts paid or withheld by reason of the liability.

STATEMENT

The Department of the Air Force, in reporting to the committee, states that it has no objection to favorable consideration of the bill.

The facts of the case are contained in House Report No. 965, as follows:

"Lieutenant Campbell was a midshipman in the Naval Reserve Officer Training Corps, U.S. Naval Reserve, from September 16, 1957, until his honorable discharge on June 1, 1959. He enlisted in the U.S. Air Force as an aviation cadet on May 19, 1960. On April 5, 1961, he was commissioned as a second lieutenant in the Air Force. He has been on continuous active duty with the Air Force since May 19, 1960. While an Air Force cadet, he was properly paid 50 percent of the basic pay of an officer in pay grade O–1 with 2 or less years' service as prescribed in 37 U.S.C. 201(e). H.R. 2270 states the overpayments commenced on April 5, 1960. Air Force records show they commenced April 5, 1961, the date he was commissioned as a second lieutenant. At that time, his pay date was erroneously established as September 16, 1957. Thus he was given credit for pay purposes for continuous military service from the date he entered naval service. Lieutenant Campbell states the midshipman service credit was originally started at Harlingen Air Force Base when he went from cadet to officer status. Upon his transfer to McGuire Air Force Base in May 1961, the finance officer checked on this service and found it to be proper. In December 1961, upon his arrival at Chateauroux Air Force Base, the finance officer disagreed with the findings of the previous finance officer. Lieutenant Campbell states he then voluntarily took a reduction in pay. This committee feels that it is significant to note that the officer stated that in mid-1962 the finance officer at Chateauroux told him he had received confirmation from Washington that he was entitled to the credit. He then was given a check for the backpay. From then until he left Chateauroux Air Force Base in 1964 he received credit for the midshipman service. This review and the resulting assurance by finance personnel that he was entitled to the credit served to compound the error and misled Lieutenant Campbell. Normally an officer would be entitled to rely upon a determination of this type. However, following his arrival at James Connally Air Force Base (in July 1964), the finance officer there disagreed with second Chateauroux determination. After contacting the Air Force Accounting and Finance Center at Denver, Connally Air Force disallowed the credit.

"In its report the Air Force stated that the sequence of events related by Lieutenant Campbell is similar to that revealed by Air Force records. Commencing on April 5, 1961, he was paid on the basis of the September 16, 1957, pay date. His pay record for the period January 1, 1962, through June 30, 1962, shows that an adjustment in pay was made. During that period he was first paid on the basis of his proper pay date (May 19, 1960). However, these entries were lined out and entries made to show payment for the entire period based on the erroneous September 16, 1957, pay date. The record also shows a $676.06 payment for the last pay date in June. This apparently represents basic pay, flight pay, and allowances for the last half of June, plus a lump-sum payment of back pay due to retroactive reestablishment of the erroneous September 16, 1957, pay date. Thereafter, he was paid on the basis of the September 16, 1957, pay date. Air Force records contain no explanation for the adjustments made during this period; however, the committee feels that these facts serve to corroborate the statements of Lieutenant Campbell concerning the assurances that he was entitled to pay on the basis of the pay date which was subsequently ruled to have been erroneous.

"Lieutenant Campbell was assigned to James Connally Air Force Base in July 1964. That base obtained a verified statement of service from Headquarters, U.S. Air Force, which shows a pay date of May 19, 1960. Effective September 1, 1964, his basic pay and flight pay were reduced to reflect the correct pay date. At the request of James Connally Air Force Base, the Air Force Accounting and Finance Center (AFAFC) audited Lieutenant Campbell's pay records. The audit showed overpayments totaling $3,168.36 were made from April 5, 1961, through March 31, 1964 (the latest pay record available at AFAFC). The base later determined additional overpayments totaling $124 were made from April 1, 1964, through August 31, 1964. Therefore, erroneous payments totaling $3,292.36 were made from April 5, 1961, through August 31, 1964.

"In view of all of the facts outlined above and in the departmental report, the Department of the Air Force stated that it would have no objection to favorable consideration of the bill. It further noted that it had found no evidence of lack of good faith on Lieutenant Campbell's part. In this connection, the Department of the Air Force stated as follows:

" 'The Department of the Air Force does not have authority to waive Lieutenant Campbell's indebtedness. There is no evidence of lack of good faith on his part. The overpayments were the result of administrative error on the part of Air Force personnel.

" 'Based upon a review of the circumstances of this case the Department of the Air Force interposes no objection to favorable consideration of the bill.' "

After a review of the circumstances of this case, the committee concurs in the views of the House Committee on the Judiciary that this is a proper subject for legislative relief, and accordingly recommends that the bill, H.R. 2270, be considered favorably.

DEAN P. BARTELT

The bill (H.R. 2455) for the relief of Dean P. Bartelt was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1244), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Dean P. Bartelt, of Madison, Wis., of liability in the amount of $102.36 based upon an overpayment of travel allowance while he was a member of the U.S. Army.

STATEMENT

The Department of the Army in its report to the House Judiciary Committee on the bill outlined the hardship involved in this case and indicated that it would have no objection to legislative relief.

On November 13, 1962, Dean P. Bartelt, then an Army enlisted man, received permanent change of station orders from Fort Wainwright, Alaska, to Fort Eustis, Va. The orders authorized his travel and dependents' travel by privately owned vehicle via the Alaskan Highway. He complied with these orders and was reimbursed for his travel of 5,255 miles to Fort Eustis, Va. (via Seattle, Wash.) and for his dependents' travel of 5,226 miles to Williamsburg, Va. (also via Seattle, Wash.). He was honorably discharged as a sergeant from the Army on July 8, 1965. On January 13, 1965, the Army Finance Center informed him that the U.S. General Accounting Office had determined that the maximum mileage allowable was 4,398 miles (via Edmonton Alberta, Canada) for him and 4,377 miles (via Edmonton, Alberta, Canada) for his dependents. These limitations on allowable mileage resulted in an indebtedness to the United States of $102.36, the amount of this bill.

The Department of the Army outlined the basis for the erroneous payment and the hardship in the case and on the basis of these circumstances and equities indicated that it had no objection to the bill. In its report, to the House Judiciary Committee, the Army stated:

"The Department of the Army generally does not oppose a bill of this nature when a former serviceman has received in good faith an erroneous payment made through administrative error. The payments for excessive travel performed pursuant to permanent change of station orders from Fort Wainwright, Alaska, to Fort Eustis, Va., resulted from the failure of administrative personnel of the Department to compute correctly the mileage for such travel. Sergeant Bartelt accepted the erroneous payments in good faith and apparently had no reason to suspect any irregularity until notified of the indebtedness on January 13, 1965, 2 years after the travel was performed. In a letter submitted to this Department, Mr. Bartelt explained that when he reported for duty at Fort Eustis, Va., on January 20, 1963, he learned that his household goods had been destroyed by a warehouse fire in Seattle, Wash. Although he received $2,497.61 from the United States in March 1964, in settlement of the loss, he and his family experienced personal and financial hardship in the intervening months. In 1963 he also incurred hospital and doctor bills of almost $1,000 because of the birth of a child in the summer, followed by a hysterectomy performed on his wife in October. He has a monthly net income of only $391.78 to support his wife and two young children, with average monthly expenditures of $416.68. In view of these equitable considerations, the Department of the Army has no objection to the bill."

The committee has carefully weighed this matter and agrees that this is a proper subject for legislative relief. The man actually performed the travel for which he was paid and the action by Government personnel led him to believe that he had been paid correctly. The delay in uncovering the error and asserting the claim on the part of the Government has served to accentuate the hardship experienced by this former Army member. In view of this demonstrated hardship, it is recommended that the bill be considered favorably.

CHARLES C. BEAURY

The bill (H.R. 2688) for the relief of the estate of Charles C. Beaury was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1245), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve the estate of Charles C. Beaury of indebtedness to the United States in the amount of $288, representing the unpaid balance of a claim by the Government against the decedent based upon the loss of a piece of registered mail.

STATEMENT

The bill, as originally introduced in the House of Representatives, authorized the payment of $508 to Mr. Charles C. Beaury, a sum representing the amount of his liability to the Government as the result of the loss of money contained in a registered letter which apparently was stolen from his mail vehicle.

The bill, as passed by the House, was amended, the effect of which would be to relieve Mr. Beaury's estate or widow of any further liability to the United States arising out of the loss of $508. The Post Office Department advised the House Judiciary Committee that they would have no objection to the favorable consideration of this proposal in the lesser amount due to the fact that Mr. Beaury died on April 13, 1967. Of the original claim to the Government, Mr. Beaury, before his death, had repaid $220 leaving outstanding an indebtedness to the Government of $288. The bill, as passed by the House, would relieve the estate of Mr. Beaury of repaying this amount to the Government growing out of the loss of the registered letter which contained a remittance of $508 in currency from a contract station.

In a supplemental report submitted to the House Judiciary Committee, the Post Office Department advised that Mr. Beaury died after an extended illness and left little by way of estate; that his widow is working in a clerical capacity in order to support two surviving dependent children; that in view of this it would invoke an extreme hardship on the estate to repay the amount owed to the Government, and for that reason the Department would not oppose the enactment of the bill in the reduced amount.

The committee is in agreement with the action of the House in amending the bill so as to relieve the estate of the repayment of the $288 and, accordingly, recommends favorable consideration of H.R. 2688, without amendment.

BILL PASSED OVER

The bill (H.R. 4820) for the relief of Sylvan H. Miller was announced as next in order.

Mr. KUCHEL. Over.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

DONALD E. CRICHTON

The bill (H.R. 4961) for the relief of Donald E. Crichton was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1247), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Donald E. Crichton, U.S. Air Force, retired (AF 17179390), of liability to the United States in the amount of $1,550.12, representing overpayments resulting from an administrative error in fixing a pay date in order to provide for the payment of longevity pay as a member of the Air Force. The bill provides for a refund of any amounts repaid or withheld by reason of the liability.

STATEMENT

The Department of the Air Force, in its report to the committee, states that it is not opposed to enactment of this legislation.

The facts of the case are contained in House Report No. 957 as follows:

"M. Sgt. Donald E. Crichton (AF 17179390) served as an enlisted member in the Navy from January 12, 1943, through December 6, 1945, and in the Navy Reserve from April 12 through October 16, 1947. From October 17, 1947, through October 26, 1949, he served as an enlisted member in the Army. He enlisted in the Air Force on October 27, 1949, and served on continuous active duty until his retirement January 31, 1966. On February 1, 1966, he became entitled to retired pay at the rate of $223.97 a month. On December 1, 1966, this was increased to $232.26.

"When he enlisted in the Air Force, Sergeant Crichton's pay and allowances were based on a pay date of January 12, 1943. This pay date gave him credit for continuous military service from the date of his first enlistment in the Navy. In 1964, prior to his pending retirement, the Air Force reviewed Sergeant Crichton's military records. This review showed that during his first Navy enlistment, Sergeant Crichton had 69 days' lost time which was not creditable for pay purposes. The review also showed that from December 7, 1945, through April 11, 1947, he had no military service. Based on the review of his records, a statement of service was issued showing his correct pay date as July 26, 1944. The pay date on which his pay was then computed (Jan. 12, 1943) was determined to be erroneous. It gave him credit for 1 year, 6 months, and 15 days more service than the pay date listed on the statement of service.

"The Air Force Accounting and Finance Center (AFAFC) made a complete audit of Sergeant Crichton's pay account. The audit established that from the date he enlisted in the Air Force his pay had been based on the erroneous pay date. As a result, he received overpayments of base pay, fly pay, reenlistment bonus, and accrued leave totaling $1,560.46. The overpayments were made from October 27, 1949, through January 31, 1966. The audit also shows that he was underpaid $10.34 on his reenlistment bonus on July 16, 1960. Applying the underpayment against the overpayments reduced his total indebtedness to $1,550.12.

"Early in December, AFAFC asked the accounting and finance officer at his duty station to collect the overpayments from Sergeant Crichton's active duty pay. However, he retired before collection could be initiated. Following his retirement, AFAFC notified Sergeant Crichton directly of the indebtedness. He was advised that unless he voluntarily made restitution, the indebtedness would be collected by monthly deductions from his retired pay. Deducations at the rate of $55.99 were initiated from his retired pay beginning November 1, 1966. However, this collection action was suspended March 20, 1967, at the request of the sponsor of this legislation, pending consideration of H.R. 4961 by the 90th Congress.

"The Department of the Air Force in its report to the committee noted that the overpayments which are the subject of this bill occurred over a 16-year period. The Air Force investigation disclosed no evidence of lack of good faith on the part of this retired sergeant. As a retired enlisted man, it appears that repayment of this substantial amount which accrued over a period of 16 years would impose an unfair hardship upon him. Under the particular circumstances of this case, the committee feels that the legislative relief is merited and recommends that the bill be considered favorably."

The Committee on the Judiciary concurs in the views of the House committee and recommends that the bill, H.R. 4961, be considered favorably.

BILL PASSED OVER

The bill (H.R. 5199) for the relief of James E. Denman was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

MRS. E. JUANITA COLLINSON

The bill (H.R. 5854) for the relief of Mrs. E. Juanita Collinson was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1249), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Mrs. E. Juanita Collinson, of Rock Island, Ill., of liability to pay the United States the amount of $579.13, representing overpayments of compensation which she received through administrative error in the period from November 4, 1962, and ending May 2, 1964, while an employee of the Department of the Army at the Rock Island Arsenal, Ill.

STATEMENT

Records of the Department of the Army disclosed that on January 15, 1961, Mrs. E. Juanita Collinson, who previously was employed at the Rock Island Arsenal as a GS–6, supervisory stock control clerk, had her grade changed to GS–5, supervisory stock control clerk. Under applicable regulations, her salary was to continue unchanged until January 15, 1963. The change in grade was due to reevaluation of her job using a new evaluation guide. Effective November 4, 1962, Mrs. Collinson was promoted to GS–6 and her yearly salary increased to $6,225 (GS–6, step 8 rate). It should have remained at $5,885 (the salary for GS–6, step 6, and GS–5, step 9), the rate of her earlier GS–6 position. This error occurred because her salary as a GS–6 was used as the base instead of her salary as a GS–5. Because of the erroneous November 4, 1962, increase, Mrs. Collinson received additional erroneous salary increases on January 12, 1964, and July 12, 1964. The January 12, 1964, increase should have been to $6,110 per year (GS–6, step 6 rate) under the Federal Salary Reform Act of 1962 (Public Law 87–793, 76 Stat. 841), but was recorded as $6,460 (GS–6, step 8 rate). The July 12, 1964, increase should have been to $6,430 per year (GS–6, step 6 rate) under the Federal Employees Salary Act of 1964 (Public Law 88–426, 78 Stat. 400), but was recorded as $6,800 (GS–6, step 8 rate). These errors were discovered in October 1964 and correct entries were made on October 23, 1964. Overpayment collection action was initiated in December 1964 by informing Mrs. Collinson to make arrangements for repayment. Mrs. Collinson was erroneously informed that the amount of the overpayments to be collected was $208.96 for the period May 3, 1964, to October 23, 1964, whereas the true amount was $788.09 (base pay and overtime) for the period November 4, 1962, to October 23, 1964. Mrs. Collinson has repaid the amount originally stated to be due; i.e., $208.96 for the period May 3, 1964, to October 23, 1964. The outstanding balance due is $579.13 for the period November 4, 1962, to May 2, 1964.

The committee is impressed by the fact that Mrs. Collinson endeavored in good faith to repay the amount she had been advised was the amount of the overpayment; that is, $208.96. However, it now appears that she owes an additional amount of $579.13. The assertion of this additional indebtedness, as is noted in the departmental report, is a financial hardship to Mrs. Collinson. Mrs. Collinson is a widow and is now more than 60 years of age. In the past she supported her father and furnished financial assistance to her sister who was in a nursing home and to the sister's two minor children. As a result, her ability to save money was severely limited. The imposition of this liability at this point in time as she approaches retirement is a clear hardship for this widow.

The Department of the Army, in its report to the chairman of the House Judiciary Committee, emphasizes that the overpayment resulted from errors by Department of the Army personnel and through no fault of Mrs. Collinson, and the payments were received by Mrs. Collinson in good faith. Accordingly, the Department of the Army has no objection to favorable consideration of this proposed legislation.

The committee is in agreement with the Department of the Army that this legislation should be favorably considered, inasmuch as the committee has on a number of occasions favorably reported legislation, such as the instant case, wherein the overpayments resulted from governmental error, there was good faith on the part of the claimant, and repayment would impose an undue financial hardship upon the claimant. Inasmuch as all these elements are present, the committee recommends favorable consideration of H.R. 5854, without amendment.

The committee has been advised that an attorney has rendered services in connection with this matter, and therefore the bill carries the customary limitation upon attorney's fees.

CLAUD FERGUSON

The bill (H.R. 6305) for the relief of Claud Ferguson was considered, ordered to a third reading, read the third time, and passed.

LESTER W. HEIN AND SADIE HEIN

The bill (H.R. 6890) for the relief of Lester W. Hein and Sadie Hein was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1251), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to pay Lester W. and Sadie Hein, of Independence, Mo., $4,510.39 in settlement of their claims against the United States for compensation for damages sustained on August 7, 1960, when a National Guard 5-ton wrecker assigned to the Missouri National Guard crashed into their drive-in restaurant.

STATEMENT

The House Judiciary Committee, in its report No. 851, states the facts of the case as follows:

"The collision which gave rise to the claim embodied in this bill occurred during the time that the 110th Engineer Battalion of the Missouri National Guard was returning to its home station in Kansas City, Mo., from Camp Ripley, Minn., by motor convoy on August 7, 1960. At approximately 10:30 in the morning, the brakes of the 5-ton wrecker operated by a member of the Missouri National Guard failed as the vehicle approached an intersection on bypass Route 71 and 23d Street in Independence, Mo. There were a number of civilian cars stopped at a stoplight at the intersection and the driver of the wrecker quickly decided to turn off the highway and onto the property of Mr. and Mrs. Hein. The Heins operated a drive-in restaurant at that location known as Tasty Delight. The driver was unable to stop the wrecker and it hit the building and did serious property damage.

"In the 89th Congress, the Senate passed a bill, S. 574, providing relief in a manner similar to this bill. In the report accompanying that bill, Senate Report 92, 89th Congress, first session, the Senate committee stated that a Maj. C. D. VanKirk, of the headquarters of the 110th Engineer Battalion, made an investigation of the accident and found that the driver was experienced and used good judgment under the difficult circumstances in which he found himself. This committee agrees with the conclusions of the Senate committee in connection with the other bill when it stated that the damage suffered by Mr. and Mrs. Hein was caused by personnel of the National Guard acting within the scope of their employment. In this connection, it is pertinent to note that the accident occurred in 1960 prior to the enactment of amendments to section 715 of title 32, United States Code. These amendments in effect made it possible to apply the standards and procedures of the Military Claims Act to claims based on National Guard activities and from the facts before the committee, it appears that the claim of Mr. and Mrs. Hein would have been cognizable under the amended section. The amendments were added by Public Law 86–740, approved September 13, 1960.

"The Senate report in 1965 indicated the original claim in this case was for a loss of $16,113.56. This included the loss of business suffered by the Heins in the period from August 7, 1960, to December 11, 1960, when they were unable to operate the drive-in restaurant due to the damage caused by the wrecker. A firm of certified public accountants determined the loss of business in the period to be $5,887.81. The damage suffered by the claimants was compensated in part by insurance carried by them which resulted in a payment of $7,092.78.

"The committee has inquired into the basis of the uncompensated loss, in addition to the loss of business, which is the subject of this bill. The equipment of the Tasty Delight Restaurant damaged in the collision could not be duplicated by the Heins. Instead a larger fountain had to be purchased. The original equipment was custom made, and their original supplier was out of business. Furthermore, custom-built equipment would have cost more. This necessitated an enlargement of the building. Secondly, the bottles broken in the accident released ice cream topping and other substances into the septic system which ultimately caused a clogging of the system which, some time after the accident, required work on the septic tank. Initially, it was felt that a cleaning of the septic tank would correct the situation, but this was not possible, and the consequent work and excavation caused additional expense. Among the papers submitted to the committee is an itemization of the work associated with the septic tank, and this totaled $1,687.80.

"In addition to the itemized material submitted to the committee, the committee recognizes that there are other elements of damage which are perhaps best recognized in the figure computed by the firm of accountants and summarized as loss of business over the period that the restaurant could not operate. However, after much study of this case, it was concluded that the damage suffered would not be capable of complete computation but rather would have to be approximated. The figure originally stated in the bill was $9,020.78 and the committee felt that the loss should be compensated at an amount approximately half that amount. Accordingly, the figure recommended by the committee is $4,510.39 which, in the light of all the factors, the committee has concluded would provide full compensation for the uncompensated loss occasioned by the accident involving the National Guard wrecker. Accordingly, it is recommended that the bill amended to provide for payment of $4,510.39, be favorably considered."

The committee, after a review of all of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 6890, be considered favorably.

WILLARD HERNDON RUSK

The bill (H.R. 8088) for the relief of Willard Herndon Rusk was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar for the time being.

CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1210, H.R. 16703. I do this so that the bill may be the pending business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, strike out all after the enacting clause and insert:

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

INSIDE THE UNITED STATES

UNITED STATES CONTINENTAL ARMY COMMAND

(First Army)

Fort Belvoir, Virginia: Operational and training facilities, research, development, and test facilities, and medical facilities, $2,175,000.

Fort Dix New Jersey: Training facilities, and utilities, $2,449,000.

Fort Eustis, Virginia: Operational and training facilities, and troop housing, $3,312,000.

Fort Hamilton, New York: Utilities, $160,000.

A. P. Hill Military Reservation, Virginia: Troop housing, $501,000.

Fort Knox, Kentucky: Research, development, and test facilities, and medical facilities, $727,000.

Fort Lee, Virginia: Training facilities, and troop housing, $2,021,000.

(Third Army)

Fort Benning, Georgia: Training facilities, maintenance facilities, research and development, and test facilities, troop housing, and utilities, $4,126,000.

Fort Bragg, North Carolina: Maintenance facilities, and medical facilities $618,000.

Fort Gordon, Georgia: Hospital facilities, $21,362,000.

Fort Jackson, South Carolina: Operational facilities, and medical facilities, $1,661,000.

Fort McPherson, Georgia: Operational facilities, $596,000.

Fort Rucker, Alabama: Operational facilities, $2,298,000.

(Fourth Army)

Fort Bliss, Texas: Training facilities, $465,000.

Fort Hood, Texas: Maintenance facilities, $877,000.

Fort Sam Houston, Texas: Operational facilities, $1,226,000.

Fort Polk, Louisiana: Training facilities, $1,690,000.

Fort Sill, Oklahoma: Research, development, and test facilities, and medical facilities, $581,000.

Fort Wolters, Texas: Maintenance facilities, and troop housing, $1,021,000.

(Fifth Army)

Fort Carson, Colorado: Troop housing, $270,000.

Fort Benjamin Harrison, Indiana: Hospital facilities, $4,320,000.

Fort Riley, Kansas: Troop housing, $245,000.

Fort Sheridan, Illinois: Troop housing, $1,111,000.

Fort Leonard Wood, Missouri: Training facilities, $462,000.

(Sixth Army)

Hunter-Liggett Military Reservation, California: Maintenance facilities, and troop housing, and utilities, $2,975,000.

Fort Irwin, California: Utilities, $52,000.

Fort Lewis, Washington: Training facilities, and utlities, $1,871,000.

Presidio of San Francisco, California: Troop housing, $1,666,000.

(Military District of Washington)

Fort McNair, District of Columbia: Troop housing, $167,000.

UNITED STATES ARMY MATERIEL COMMAND

Aeronautical Maintenance Center, Texas: Maintenance facilities, $3,656,000.

Atlanta Army Depot, Georgia: Operational facilities, $107,000.

Burlington Army Ammunition Plant, New Jersey: Utilities, $164,000.

Fort Detrick, Maryland: Research, development, and test facilities, $6,433,000.

Dugway Proving Ground Utah: Operational facilities, $1,787,000.

Joliet Army Ammunition Plant, Illinois: Utilities, $2,188,000.

Lake City Army Ammunition Plant, Missouri: Utilities, $472,000.

Lexington Army Depot, Kentucky: Maintenance facilities, $75,000.

Fort Monmouth, New Jersey: Operational facilities, and troop housing, $1,307,000.

New Cumberland Army Depot, Pennsylvania: Operational facilities, $638,000.

Picatinny Arsenal, New Jersey: Research, development, and test facilities, $337,000.

Pine Bluff Arsenal, Arkansas: Utilities, $169,000.

Pueblo Army Depot, Colorado: Maintenance facilities, $846,000.

Red River Army Depot, Texas: Maintenance facilities, $372,000.

Redstone Arsenal, Alabama: Research, development, and test facilities, $3,255,000.

Rock Island Arsenal, Illinois: Production facilities, $432,000.

Sacramento Army Depot, California: Maintenance facilities, $855,000.

Savanna Army Depot, Illinois: Maintenance facilities, $464,000.

Sierra Army Depot, California; Training facilities and troop housing, $170,000.

Sunflower Army Ammunition Plant, Kansas: Utilities, $460,000.

Tooele Army Depot, Utah: Operational facilities, and maintenance facilities, $2,283,000.

Volunteer Army Ammunition Plant, Tennessee: Utilities, $1,028,000.

White Sands Missile Range, New Mexico: Research, development, and test facilities, $1,435,000.

Fort Wingate Army Depot, New Mexico: Utilities, $162,000.

Yuma Test Station, Arizona: Maintenance facilities, $736,000.

UNITED STATES ARMY AIR DEFENSE COMMAND

CONUS, various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing, community facilities, utilities, and real estate, $227,460,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Fort Huachuca, Arizona: Maintenance facilities, research, development, and test facilities, troop housing, and utilities, $8,948,000.

Fort Ritchie, Maryland: Utilities, $167,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York: Cadet housing, $16,000,000.

ARMY MEDICAL SERVICE

William Beaumont General Hospital, Texas: Hospital facilities, $17,545,000.

Walter Reed Army Medical Center, District of Columbia: Research, development, and test facilities, $2,856,000.

MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

Bayonne Naval Supply Center, New Jersey: Supply facilities, and utilities, $812,000.

Oakland Army Terminal, California: Supply facilities, $312,000.

UNITED STATES ARMY, ALASKA

Fort Richardson, Alaska: Utilities, $112,000.

UNITED STATES ARMY, HAWAII

Fort Shafter, Hawaii: Administrative facilities, $312,000.

Tripler Army Hospital, Hawaii: Utilities, $621,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY, PACIFIC

Japan, various: Maintenance facilities, and utilities, $909,000.

Korea, various: Maintenance facilities, $377,000.

Okinawa, various: Utilities, $129,000.

UNITED STATES ARMY FORCES, SOUTHERN COMMAND

Canal Zone, various: Training facilities, troop housing, and utilities, $300,000.

UNITED STATES ARMY MATERIEL COMMAND

Kwajalein Atoll: Research, development, and test facilities, and housing, $3,925,000.

UNITED STATES ARMY SECURITY AGENCY

Various locations: Operational facilities, troop housing, and utilities, $5,386,000.

UNITED STATES ARMY, EUROPE

Germany, various: Operational facilities, maintenance facilities, and supply facilities, $17,384,000.

Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including international military headquarters, for the collective defense of the North Atlantic Treaty Area, $55,000,000: *Provided*, That within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Various locations: Utilities, $2,200,000.

SEC. 102. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1969, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 103. (a) Public Law 89–188, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 101, as follows:

(1) Under the subheading "CONTINENTAL UNITED STATES, Less Army Materiel Command (First Army)" with respect to "Fort Devens, Massachusetts", strike out "$11,964,000" and insert in place thereof "$13,258,000".

(2) Under the subheading "CONTINENTAL UNITED STATES, Less Army Materiel Command (First Army)" with respect to United States Military Academy, West Point, New York", strike out "$18,089,000" and insert in place thereof "$20,635,000".

(3) Under the subheading "CONTINENTAL UNITED STATES, Less Army Materiel Command (Second Army)" with respect to "Fort Knox, Kentucky", strike out "$15,422,000" and insert in place thereof "$15,511,000".

(4) Under the subheading "CONTINENTAL UNITED STATES, Less Army Materiel Command (Third Army)" with respect to Fort Campbell, Kentucky", strike out "$1,992,000" and insert in place thereof "$2,092,000".

(5) Under the subheading "CONTINENTAL UNITED STATES, Less Army Materiel Command (Third Army)" with respect to "Fort Stewart, Georgia", strike out "$2,317,000" and insert in place thereof "$2,872,000".

(6) Under the subheading, "CONTINENTAL UNITED STATES, Less Army Materiel Command (Fifth Army)" with respect to "Fort Benjamin Harrison, Indiana", strike out "$4,017,000" and insert in place thereof "$4,513,000".

(7) Under the subheading, "CONTINENTAL UNITED STATES, Less Army Materiel Command (Fifth Army)" with respect to "Fort Leonard Wood, Missouri", strike out "$16,536,000" and insert in place thereof "$16,848,000".

(8) Under the subheading, "CONTINENTAL UNITED STATES, Less Army Materiel Command (Sixth Army)" with respect to "Presidio of Monterey, California", strike out "$3,046,000" and insert in place thereof "$3,249,000".

(9) Under the subheading, "CONTINENTAL UNITED STATES, Less Army Materiel Command (Military District of Washington)" with respect to "Fort Myer, Virginia", strike out "$5,409,000", and insert in place thereof $5,631,000".

(10) Under the subheading, "UNITED STATES ARMY, HAWAII" with respect to "Schofield Barracks, Hawaii", strike out "$3,175,000" and insert in place thereof "$3,884,000".

(b) Public Law 89–188, as amended, is amended by striking out in clause (1) of section 602 "$254,399,000" and "$311,260,000", and "$260,925,000" and "$317,786,000", respectively.

SEC. 104. (a) Public Law 89–568, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 101 as follows:

(1) Under the subheading, "UNITED STATES CONTINENTAL ARMY COMMAND (First Army)" with respect to "Fort Eustis, Virginia", strike out "$957,000" and insert in place thereof "$1,110,000".

(2) Under the subheading, "UNITED STATES CONTINENTAL ARMY COMMAND (Third Army)" with respect to "Fort Jackson, South Carolina", strike out "$4,072,000" and insert in place thereof "$5,565,000".

(3) Under the subheading "UNITED STATES ARMY MATERIEL COMMAND" with respect to "Atlanta Army Depot, Georgia", strike out "$237,000" and insert in place thereof "$470,000".

(b) Public Law 89–568, as amended, is amended by striking out in clause (1) of section 602 "$57,473,000" and "$132,188,000" and inserting "$59,352,000" and "$134,067,000", respectively.

SEC. 105. (a) Public Law 90–110 is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the heading "INSIDE THE UNITED STATES" and under the subheading, "UNITED STATES ARMY AIR DEFENSE COMMAND" with respect to "CONUS various locations," strike out the words "Operational facilities and utilities, $64,846,000" and insert in place thereof "Operational facilities, utilities and real estate, $64,846,000".

(2) Subsection 106(a)(2), Public Law 90–110, amending Public Law 88–390, as amended, in section 101 under the subheading "CONTINENTAL ARMY COMMAND (Military District of Washington, District of Columbia)" with respect to "Fort Myer, Virginia," having inserted erroneous figures, is amended by striking out "$4,052,000" and "$4,330,000" and inserting in place thereof "$4,524,000" and "$4,802,000", respectively.

(3) Under the subheading "OUTSIDE THE UNITED STATES (United States Army, Pacific)" with respect to "Korea", strike out "$2,810,000" and insert in place thereof "$2,850,000".

(b) Public Law 90–110 is amended by striking out in clause (1) of section 802 "$100,480,000" and "$385,712,000" and inserting in place thereof "$100,520,000" and "$385,752,000".

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

INSIDE THE UNITED STATES

FIRST NAVAL DISTRICT

Naval Air Station, Brunswick, Maine: Ground improvements, $75,000.

Naval Shipyard, Boston, Massachusetts: Maintenance facilities, and utilities, $2,645,000.

Naval Schools Command, Newport, Rhode Island: Troop housing, $1,151,000.

Navy Public Works Center, Newport, Rhode Island: Utilities, $2,874,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and maintenance facilities, $1,152,000.

THIRD NAVAL DISTRICT

Naval Submarine Base, New London, Connecticut: Operational facilities, $1,225,000.

FOURTH NAVAL DISTRICT

Naval Air Station, Lakehurst, New Jersey: Operational facilities, and troop housing, $1,284,000.

Naval Air Test Facility, Lakehurst, New Jersey: Operational facilities, $770,000.

Naval Air Propulsion Test Center, Trenton, New Jersey: Utilities, $152,000.

Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania: Administrative facilities, $645,000.

Naval Supply Depot, Mechanicsburg, Pennsylvania: Administrative facilities, and utilities, $802,000.

Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, maintenance facilities, and utilities, $6,030,000.

Naval Station, Philadelphia, Pennsylvania: Troop housing, $2,581,000.

Naval Supply Depot, Philadelphia, Pennsylvania: Utilities, $327,000.

DISTRICT OF COLUMBIA NAVAL DISTRICT

Naval Academy, Annapolis, Maryland: Ground improvements, $2,000,000.

Naval Ordnance Station, Indian Head, Maryland: Research, development, and test facilities, $1,376,000.

Naval School, Explosive Ordnance Disposal, Indian Head, Maryland: Training facilities, $134,000.

Naval Air Test Center, Patuxent River, Maryland: Operational facilities, research, development, and test facilities, and administrative facilities, $4,822,000.

Naval Weapons Laboratory, Dahlgren, Virginia: Research, development, and test facilities, $468,000.

FIFTH NAVAL DISTRICT

Naval Training Center, Bainbridge, Maryland: Utilities, $50,000.

Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Troop housing, and utilities, $1,213,000.

Naval Amphibious Base, Little Creek, Virginia: Troop housing, and utilities, $1,582,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $4,869,000.

Fleet Operations Control Center, Norfolk, Virginia: Operational facilities, $888,000.

Naval Station, Norfolk, Virginia: Troop housing, $1,959,000.

Naval Air Station, Norfolk, Virginia: Operational facilities, and maintenance facilities, $7,441,000.

Naval Supply Center, Norfolk, Virginia: Operational facilities, $601,000.

Atlantic Fleet Anti-Submarine Warfare

Tactical School, Norfolk, Virginia: Training facilities, $205,000.

Navy Public Works Center, Norfolk, Virginia: Utilities and ground improvements, $1,950,000.

Naval Radio Station, Northwest, Virginia: Administrative facilities, and medical facilities, $175,000.

Naval Air Station, Oceana, Virginia: Operational facilities, troop housing, and utilities, $3,020,000.

Naval Weapons Station, Yorktown, Virginia: Maintenance facilities, $156,000.

SIXTH NAVAL DISTRICT

Naval Air Station, Cecil Field, Florida: Maintenance facilities, $3,379,000.

Naval Air Station, Jacksonville, Florida: Maintenance facilities, $1,085,000.

Naval Station, Mayport, Florida: Community facilities, $550,000.

Naval Air Station, Key West, Florida: Operational facilities, $97,000.

Naval School, Underwater Swimmers, Key West, Florida: Training facilities, $100,000.

Naval Hospital, Key West, Florida: Utilities, $140,000.

Naval Training Center, Orlando, Florida: Training facilities, $2,416,000.

Naval Auxiliary Air Station, Ellyson Field, Florida: Supply facilities, $79,000.

Navy Mine Defense Laboratory, Panama City, Florida: Research, development, and test facilities, $7,411,000.

Naval Air Station, Pensacola, Florida: Operational and training facilities, maintenance facilities, troop housing, and real estate, $8,041,000.

Naval Communications Training Center, Pensacola, Florida: Troop housing, $866,000.

Navy Public Works Center, Pensacola, Florida: Utilities, $3,100,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Operational and training facilities, and maintenance facilities, $700,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Operational and training facilities, maintenance facilities, and utilities, $626,000.

Naval Air Station, Albany, Georgia: Operational facilities, $181,000.

Naval Supply Corps School, Athens, Georgia: Troop housing, $1,372,000.

Naval Air Station, Glynco, Georgia: Training facilities, $141,000.

Naval Auxiliary Air Station, Meridian, Mississippi: Operational and training facilities, maintenance facilities, troop housing, and utilities, $1,204,000.

Naval Shipyard, Charleston, South Carolina: Training facilities, maintenance facilities, and utilities, $4,160,000.

Naval Station, Charleston, South Carolina: Administrative facilities, and troop housing, $1,487,000.

Naval Weapons Station, Charleston, South Carolina: Maintenance facilities, supply facilities, and utilities and ground improvements, $4,734,000.

Fleet Ballistic Missile Submarine Training Center, Charleston, South Carolina: Training facilities, $2,540,000.

Fleet Training Center, Charleston, South Carolina: Training facilities, $180,000.

Naval Schools, Mine Warfare, Charleston, South Carolina: Training facilities, $1,639,000.

Naval Hospital, Charleston, South Carolina: Hospital and medical facilities, $13,356,000.

Naval Air Station, Memphis, Tennessee: Troop housing, $2,366,000.

Navy Training Publications Center, Memphis, Tennessee: Administrative facilities, $289,000.

EIGHTH NAVAL DISTRICT

Naval Support Activity, New Orleans, Louisiana: Troop housing, $400,000.

Naval Ordnance Missile Test Facility, White Sands, New Mexico: Research, development, and test facilities, $698,000.

Naval Auxiliary Air Station, Chase Field, Texas: Operational and training facilities, maintenance facilities, troop housing, and utilities, $5,106,000.

Naval Hospital, Corpus Christi, Texas: Hospital and medical facilities, $8,000,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational and training facilities, $721,000.

NINTH NAVAL DISTRICT

Naval Training Center, Great Lakes, Illinois: Training facilities, $1,199,000.

Navy Public Works Center, Great Lakes, Illinois: Utilities, $667,000.

Naval Ammunition Depot, Crane, Indiana: Operational facilities, and production facilities, $150,000.

ELEVENTH NAVAL DISTRICT

Naval Air Facility, El Centro, California: Maintenance facilities, $2,223,000.

Naval Shipyard, Long Beach, California: Operational facilities, and maintenance facilities, $10,398,000.

Naval Undersea Warfare Center, Pasadena, California (San Clemente Annex): Research, development, and test facilities, troop housing, and utilities, $2,119,000.

Pacific Missile Range, Point Mugu, California: Operational and training facilities, at Naval Missile Center; and utilities on San Nicolas Island, $159,000.

Naval Construction Battalion Center, Port Hueneme, California: Training facilities, $94,000.

Naval Weapons Station, Seal Beach, California: Supply facilities, $465,000.

Naval Amphibious Base, Coronado, California: Training facilities, maintenance facilities, troop housing, and utilities $5,798,000.

Naval Air Station, Imperial Beach, California: Maintenance facilities, troop housing, utilities, and real estate, $5,674,000.

Naval Air Station, Miramar, California: Maintenance facilities, $390,000.

Naval Air Station, North Island, California: Maintenance facilities, and utilities, $17,630,000.

Naval Station, San Diego, California: Operational facilities, and troop housing, $3,313,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Utilities, $90,000.

Fleet Training Center, San Diego, California: Utilities, $1,200,000.

Naval Training Center, San Diego, California: Troop housing, $2,569,000.

Naval Hospital, San Diego, California: Ground improvements, $123,000.

TWELFTH NAVAL DISTRICT

Naval Weapons Station, Concord, California: Troop housing, and utilities, $771,000.

Naval Schools Command, Mare Island, California: Training facilities, $183,000.

Naval Air Station, Moffett Field, California: Operational and training facilities, troop housing, and utilities, $1,871,000.

Naval Supply Center, Oakland, California: Utilities, $123,000.

Naval Air Station, Moffett Field, California: Maintenance facilities, and utilities at Hunters Point Division; and maintenance facilities, research, development, and test facilities, and utilities at Mare Island Division, $8,595,000.

Naval Auxiliary Air Station, Fallon, Nevada: Operational and training facilities, $120,000.

THIRTEENTH NAVAL DISTRICT

Naval Ammunition Depot, Bangor, Washington: Utilities, $63,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, and utilities, $1,640,000.

Naval Torpedo Station, Keyport, Washington: Maintenance facilities, and utilities, $918,000.

Naval Air Station, Whidbey Island, Washington: Operational facilities, $2,430,000.

FOURTEENTH NAVAL DISTRICT

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, and utilities, $2,330,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Ground improvements, $30,000.

Naval Communication Station, Wahiawa, Oahu, Hawaii: Medical facilities; and, at Naval Radio Station, Lualualei, troop housing, $817,000.

Pacific Missile Range Facility, Barking Sands, Kauai, Hawaii; Operational facilities, $854,000.

SEVENTEENTH NAVAL DISTRICT

Naval Arctic Research Laboratory, Barrow, Alaska: Operational facilities, $285,000.

VARIOUS LOCATIONS

Various Naval and Marine Corps Air Activities: Operational facilities, $1,337,000.

MARINE CORPS FACILITIES

Marine Corps Supply Activity, Philadelphia, Pennsylvania: Administrative facilities, $200,000.

Marine Corps Development and Education Command, Quantico, Virginia: Training facilities, $466,000.

Marine Corps Base, Camp Lejeune, North Carolina: Operational and training facilities, $213,000.

Marine Corps Air Station, Cherry Point, North Carolina: Maintenance facilities and utilities, $3,413,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, supply facilities, administrative facilities, troop housing, and utilities, $1,966,000.

Headquarters Fleet Marine Force, Atlantic, Norfolk, Virginia: Administrative facilities, $70,000.

Marine Corps Supply Center, Albany, Georgia: Maintenance facilities, $188,000.

Marine Corps Air Station, Yuma, Arizona: Operational and training facilities, maintenance facilities, administrative facilities, and troop housing, $3,565,000.

Marine Corps Supply Center, Barstow, California: Utilities, $60,000.

Marine Corps Air Facility, Santa Ana, California: Maintenance facilities $2,220,000.

Marine Corps Base, Camp Pendleton, California: Operational and training facilities, medical facilities, administrative facilities, and utilities, $1,838,000.

Marine Corps Recruit Depot, San Diego, California: Troop housing, $2,788,000.

Marine Barracks, Bremerton, Washington: Troop housing, $764,000.

OUTSIDE THE UNITED STATES

MARINE CORPS FACILITIES

Camp Smedley D. Butler, Okinawa: Utilities, $38,000.

Marine Corps Air Station, Iwakuni, Japan: Maintenance facilities, $501,000.

TENTH NAVAL DISTRICT

Naval Station, Roosevelt Roads, Puerto Rico: Supply facilities, and utilities, $1,568,000.

ATLANTIC OCEAN AREA

Naval Station, Keflavik, Iceland: Operational facilities, $138,000.

EUROPEAN AREA

Naval Activities, United Kingdom Detachment, Greenock, Scotland: Community facilities, $440,000.

PACIFIC OCEAN AREA

Naval Communication Station, North West Cape, Australia: Administrative facilities, and supply facilities, $1,544,000.

Naval Air Station, Agana, Guam, Mariana Islands: Utilities, $55,000.

Naval Air Station, Atsugi, Japan: Maintenance facilities, and administrative facilities, $995,000.

Fleet Activities, Sasebo, Japan: Operational facilities, $137,000.

Fleet Activities, Yokosuka, Japan: Administrative facilities, $63,000.

Naval Ordnance Facility, Yokosuka, Japan: Maintenance facilities, $29,000.

Naval Air Facility, Naha, Okinawa: Maintenance facilities, $251,000.

Naval Station, Sangley Point, Republic of the Philippines: Operational facilities, $92,000.

Naval Magazine, Subic Bay, Republic of the Philippines: Community facilities, $69,000.

Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $138,000.

VARIOUS LOCATIONS

Various Naval Air Activities: Operational facilities, $293,000.

SEC. 202. The Secretary of the Navy may establish or develop classified Navy installation and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $1,509,000.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committee on Armed Services of the Senate and House of Representatives, immediately upon reaching a decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1969, except for those public works projects concerning which the Committee on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 204. (a) Public Law 89–188, as amended, is amended in section 201 under the heading "INSIDE THE UNITED STATES" as follows:

(1) Under the subheading "BUREAU OF SHIPS FACILITIES (Naval Shipyards)" with respect to Naval Shipyard, Bremerton, Washington, strike out "$1,692,000" and insert in place thereof "$2,211,000".

(2) Under the subheading "NAVAL WEAPONS FACILITIES (Field Support Stations)" with respect to Naval Station, Adak, Alaska, strike out "$5,000,000" and insert in place thereof "$5,931,000".

(3) Under the subheading "NAVAL WEAPONS FACILITIES (Fleet Readiness Stations)" with respect to Naval Ammunition Depot, Charleston, South Carolina, strike out "$1,355,000" and insert in place thereof "$1,489,000".

(4) Under the subheading "MEDICAL FACILITIES" with respect to Naval Hospital Corps School, Great Lakes, Illinois, strike out "$1696,000" and insert in place thereof "$2,431,000".

(b) Public Law 89–188, as amended, is amended in section 201 under the heading "OUTSIDE THE UNITED STATES" and subheading "MARINE CORPS FACILITIES" with respect to Camp Smedley D. Butler, Okinawa, by striking out "$841,000" and inserting in place thereof "$1,125,000".

(c) Public Law 89–188, as amended, is amended by striking out in clause (2) of section 602 "$236,590,000", "$34,607,000" and "$322,296,000" and inserting respectively in place thereof "$238,909,000", '$34,891,000", and "$324,899,000".

SEC. 205. (a) Public Law 89-568 is amended in section 201 under the heading "INSIDE THE UNITED STATES" as follows:

(1) Under the subheading "NAVAL SHIP SYSTEM COMMAND (Naval Shipyards)" with respect to Naval Shipyard, Bremerton, Washington, and Naval Shipyard, San Francisco Bay, California, strike out "$1,928,000" and "$2,782,000", respectively, and insert respectively in place thereof "$3,128,000" and "$3,412,000".

(2) Under the subheading "NAVAL AIR SYSTEMS COMMAND (Field Support Stations)" with respect to Naval Air Station, Cecil Field, Florida, and Naval Air Station, Lemoore, California, strike out "$619,000" and "$251,000", respectively, and insert respectively in place thereof "$876,000" and "$502,000".

(3) Under the subheading "NAVAL AIR SYSTEMS COMMAND (Research, Development, Test, and Evaluation Stations)" with respect to Naval Air Test Center, Patuxent River, Maryland, strike out "$283,000" and insert in place thereof "$432,000".

(4) Under the subheading "MEDICAL FACILITIES" with respect to Naval Hospital, Chelsea, Massachusetts, strike out "$9,300,000" and insert in place thereof "$10,300,000"; and with respect to Naval Submarine Medical Center, New London, Connecticut, strike out "$4,957,000" and insert in place thereof "$6,101,000".

(b) Public Law 89–568 is amended in section 201 under the heading "OUTSIDE THE UNITED STATES" and subheading "NAVAL SHIP SYSTEMS COMMAND" with respect to Atlantic Undersea Test and Evaluation Center, West Indies, by striking out "$1,371,000" and inserting in place thereof "$1,798,000".

(c) Public Law 89–568 is amended by striking out in clause (2) of section 602 "$114,138,000", "$9,948,000" and "$137,874,000" and inserting respectively in place thereof "$118,769,000", $10,375,000", and "$142,932,000".

SEC. 206. (a) Public Law 90–110 is amended in section 201 under the heading "INSIDE THE UNITED STATES" as follows:

(1) Under the subheading "FIFTH NAVAL DISTRICT" with respect to Naval Amphibious Base, Little Creek, Virginia, strike out "$6,072,000" and insert in place thereof "$6,220,000".

(2) Under the subheading "SIXTH NAVAL DISTRICT" with respect to Naval Hospital, Key West, Florida, strike out $243,000" and insert in place thereof "$370,000".

(b) Public Law 90–110 is amended in clause (2) of section 802 by striking out "$414,833,000" and "$461,132,000" and inserting respectively in place thereof "$415,108,000" and "$461,407,000".

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

INSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Duluth Municipal Airport, Duluth, Minnesota: Operational facilities, $494,000.

Logan Field, Billings, Montana: Utilities, $46,000.

McChord Air Force Base, Tacoma, Washington: Utilities, $695,000.

NORAD Headquarters, Colorado Springs, Colorado: Utilities, $900,000.

Perrin Air Force Base, Sherman, Texas: Troop housing, $1,136,000.

Peterson Field, Colorado Springs, Colorado: Operational and training facilities, $369,000.

Phelps-Collins Airport, Alpena, Michigan: Operational facilities, $51,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Utilities, $146,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, $50,000.

Tyndall Air Force Base, Panama City, Florida: Operational facilities and troop housing, $954,000.

AIR FORCE LOGISTICS COMMAND

Griffiss Air Force Base, Rome, New York: Utilities, $196,000.

Hill Air Force Base, Ogden, Utah: Operational and training facilities, administrative facilities, and utilities, $1,058,000.

Kelly Air Force Base, San Antonio, Texas: Maintenance facilities, administrative facilities, and utilities, $999,000.

Lynn Haven POL Annex, Panama City, Florida: Operational facilities, $71,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, and utilities, $1,397,000.

Newark Air Force Station, Newark, Ohio: Operational facilities, administrative facilities, $665,000.

Robins Air Force Base, Macon, Georgia: Operational and training facilities, maintenance facilities, and administrative facilities, $924,000.

Tampa Air Force POL, Tampa, Florida: Operational facilities, $53,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities and maintenance facilities, and administrative facilities, $3,445,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development and test facilities, $2,454,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development, and test facilities, $4,089,000.

Brooks Air Force Base, San Antonio, Texas: Research, development and test facilities, $350,000.

Edwards Air Force Base, Muroc, California: Maintenance facilities and utilities, $656,000.

Eglin Air Force Base, Valparaiso, Florida: Operational and training facilities, research, development, and test facilities, and supply facilities, $3,681,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, troop housing and utilities, $2,808,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Utilities, $360,000.

Laurence G. Hanscom Field, Bedford, Massachusetts: Research, development, and test facilities and real estate, $2,184,000.

Patrick Air Force Base, Cocoa, Florida: Maintenance facilities, $476,000.

Eastern Test Range, Cocoa, Florida: Research, development, and test facilities and utilities, $560,000.

Western Test Range, Lompoc, California: Research, development, and test facilities, $1,766,000.

Satellite Tracking Facilities: Research, development, and test facilities, $1,773,000.

AIR TRAINING COMMAND

Chanute Air Force Base, Rantoul, Illinois: Medical facilities, administrative facilities, troop housing, and utilities, $1,478,000.

Craig Air Force Base, Selma, Alabama: Training facilities, $415,000.

Keesler Air Force Base, Biloxi, Mississippi: Troop housing, $919,000.

Lackland Air Force Base, San Antonio, Texas: Operational facilities, troop housing and community facilities, and utilities, $1,615,000.

Laredo Air Force Base, Laredo, Texas: Operational facilities, maintenance facilities, troop housing, and utilities, $1,157,000.

Laughlin Air Force Base, Del Rio, Texas: Utilities, $107,000.

Lawry Air Force Base, Denver, Colorado: Utilities, $281,000.

Mather Air Force Base, Sacramento, California: Training facilities, $900,000.

Moody Air Force Base, Valdosta, Georgia: Training facilities, $513,000.

Randolph Air Force Base, San Antonio, Texas: Operational facilities and real estate, $1,074,000.

Reese Air Force Base, Lubbock, Texas: Training facilities, $101,000.

Sheppard Air Force Base, Wichita Falls, Texas: Hospital facilities and troop housing, $3,708,000.

Vance Air Force Base, Enid, Oklahoma: Operational facilities, $165,000.

Webb Air Force Base, Big Spring, Texas: Operational and training facilities, $2,796,000.

Williams Air Force Base, Chandler, Arizona: Operational facilities and utilities, $545,000.

AIR UNIVERSITY

Gunter Air Force Base, Montgomery, Alabama: Utilities, $87,000.

Maxwell Air Force Base, Montgomery, Alabama: Operational facilities and maintenance facilities, $652,000.

AERONAUTICAL CHART AND INFORMATION CENTER

Aeronautical Chart and Information Center, Saint Louis, Missouri: Administrative facilities, $456,000.

ALASKAN AIR COMMAND

Elmendorf Air Force Base, Anchorage, Alaska: Operational and training facilities and maintenance facilities, $2,940,000.

Various locations: Maintenance facilities, troop housing, and utilities, $2,068,000.

HEADQUARTERS COMMAND

Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, $35,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Altus, Oklahoma: Operational facilities and maintenance facilities, $1,672,000.

Dover Air Force Base, Dover, Delaware: Operational and training facilities, and maintenance facilities, $7,671,000.

McGuire Air Force Base, Wrightstown, New Jersey: Operational facilities and utilities, $1,172,000.

Norton Air Force Base, San Bernardino, California: Operational facilities, maintenance facilities, and real estate, $1,403,000.

Travis Air Force Base, Fairfield, California: Maintenance facilities, and utilities, $1,067,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, administrative facilities, and utilities, $278,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Shreveport, Louisiana: Training facilities, $291,000.

Beale Air Force Base, Marysville, California: Operational facilities and utilities, $498,000.

Columbus Air Force Base, Columbus, Mississippi: Operational and training facilities, maintenance facilities, and troop housing, $5,791,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $5,456,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Operational facilities and maintenance facilities, $1,151,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Administrative facilities, $53,000.

Fairchild Air Force Base, Spokane, Washington: Operational facilities, maintenance facilities, and administrative facilities, $210,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Maintenance facilities, $400,000.

Grissom Air Force Base, Peru, Indiana: Utilities, $70,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Maintenance facilities, $560,000.

Loring Air Force Base, Limestone, Maine: Operational facilities, $59,000.

Malmstrom Air Force Base, Great Falls, Montana: Troop housing, $560,000.

Matagorda Air Force Range, Matagorda Island, Texas: Real estate, $607,000.

Minot Air Force Base, Minot, North Dakota: Administrative facilities and utilities, $639,000.

Offutt Air Force Base, Omaha, Nebraska: Operational facilities, administrative facilities and utilities, $2,369,000.

Pease Air Force Base, Portsmouth, New Hampshire: Utilities, $194,000.

Vandenberg Air Force Base, Lompoc, California: Utilities, $404,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Operational facilities, $150,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $2,731,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Austin, Texas: Operational facilities and administrative facilities, $354,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, $1,641,000.

Cannon Air Force Base, Clovis, New Mexico: Training facilities, maintenance facilities, and utilities, $479,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities and hospital facilities, $3,949,000.

Forbes Air Force Base, Topeka, Kansas: Operational facilities, $702,000.

George Air Force Base, Victorville, California: Operational facilities, administrative facilities, and utilities, $1,152,000.

Homestead Air Force Base, Homestead, Florida: Operational facilities, $75,000.

Langley Air Force Base, Hampton, Virginia: Training facilities, maintenance facilities, and utilities, $537,000.

Lockbourne Air Force Base, Columbus, Ohio: Operational facilities, maintenance facilities, and utilities, $1,090,000.

Luke Air Force Base, Phoenix, Arizona: Operational and training facilities, maintenance facilities, administrative facilities, troop housing, and utilities, $2,006,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, $542,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, maintenance facilities, and utilities, $1,116,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Operational facilities, maintenance facilities, and troop housing $2,710,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational facilities and maintenance facilities, $254,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing, $9,668,000

Pope Air Force Base, Fayetteville, North Carolina: Operational facilities, $257,000.

Seymour-Johnson Air Force Base, Goldsboro, North Carolina: Operational facilities, $99,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, and utilities, $614,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, and administrative facilities, $530,000.

AIRCRAFT CONTROL AND WARNING

Various locations: Operational facilities, maintenance facilities, and utilities, $777,000.

OUTSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Various locations: Maintenance facilities, $278,000.

AIR FORCE SYSTEMS COMMAND

Eastern Test Range: Research, development, and test facilities, and utilities, $647,000.

Western Test Range: Utilities, $118,000.

Satellite Tracking Facilities: Research, development, and test facilities, $558,000.

PACIFIC AIR FORCES

Okinawa: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, $2,170,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and utilities, $4,180,000.

STRATEGIC AIR COMMAND

Goose Air Base, Canada: Utilities, $84,000.

UNITED STATES AIR FORCE IN EUROPE

Germany: Operational facilities, maintenance facilities, and utilities, $522,000.

United Kingdom: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and utilities, $6,326,000.

Various locations: Operational facilities and maintenance facilities, $1,121,000.

UNITED STATES AIR FORCES SOUTHERN COMMAND

Albrook Air Force Base, Canal Zone: Operational facilities and administrative facilities, $326,000.

Howard Air Force Base, Canal Zone: Operational facilities, $140,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Various locations: Operational facilities and utilities, $1,184,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $54,001,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $10,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1969, except for those public work projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. Section 9 of the Air Force Academy Act, as amended (68 Stat. 49), is further amended by striking out in the first sentence the figure "$141,797,000" and inserting in place thereof the figure "$141,978,000".

SEC. 305. (a) Public Law 89–188, as amended, is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "STRATEGIC AIR COMMAND", with respect to Barksdale Air Force Base, Shreveport,

Louisiana, strike out "$3,015,000" and insert in place thereof "$3,744,000".

(b) Public Law 89–188, as amended, is amended by striking out in clause (3) of section 602 the amounts "$215,631,000" and "$339,377,000" and inserting in place thereof "$216,360,000" and "$340,106,000", respectively.

SEC. 306. (a) Public Law 89–568, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 301, as follows:

(1) Under the subheading "Air Force Logistics Command", with respect to Robins Air Force Base, Macon, Georgia, strike out "$154,000" and insert in place thereof "$210,000".

(b) Public Law 89–568, as amended, is amended by striking out in clause (3) of section 602 the amounts "$109,786,000" and "$200,702,000" and inserting in place thereof "$109,842,000" and "$200,758,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for defense agencies for the following projects:

INSIDE THE UNITED STATES

DEFENSE ATOMIC SUPPORT AGENCY

Sandia Base, New Mexico: Utilities, $35,000.

Manzano Base, New Mexico: Utilities, $28,000.

Naval Ordnance Laboratory, White Oak, Maryland: Research, development, and test facilities, $1,697,000.

DEFENSE COMMUNICATIONS AGENCY

Headquarters, Defense Communications Agency, Building 12, Navy Department Service Center, Arlington, Virginia: Operational and administrative facilities, $575,000.

DEFENSE INTELLIGENCE AGENCY

Headquarters, Defense Intelligence Agency, Arlington Hall Station, Virginia: Utilities, $290,000.

DEFENSE SUPPLY AGENCY

Defense Depot, Memphis, Tennessee: Supply facilities, $120,000.

Defense General Supply Center, Richmond, Virginia: Supply facilities, $415,000.

Defense Depot, Tracy, California: Supply facilities and administrative facilities, $2,937,000.

Defense Depot, Ogden, Utah: Utilities, $195,000.

Defense Electronics Supply Center, Dayton, Ohio: Supply facilities, $134,000.

Defense Logistics Services Center, Battle Creek, Michigan: Administrative facilities, $2,500,000.

NATIONAL SECURITY AGENCY

Fort Meade, Maryland: Training facilities and troop housing, $2,121,000.

OUTSIDE THE UNITED STATES

DEFENSE ATOMIC SUPPORT AGENCY

Johnston Island: Operational facilities, $649,000.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $70,000,000: *Provided*, That the Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including real estate actions pertaining thereto.

TITLE V

SEC. 501. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, which are necessary outside the United States in connection with military activities in Southeast Asia, or in support of such activities, in the total amount as follows:

Department of the Army, $142,308,000.

Department of the Navy, $54,700,000.

Department of the Air Force, $17,617,000.

SEC. 502. The Secretary of Defense, in connection with construction projects undertaken in South Vietnam pursuant to section 501 above, shall furnish to the Committees on Armed Services of the Senate and House of Representatives such reports as were heretofore furnished pursuant to section 401(c) of Public Law 89–367 (80 Stat. 36, 37).

TITLE VI

MILITARY FAMILY HOUSING

SEC. 601. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Secretary, Department of Housing and Urban Development, as to the availability of adequate private housing at such locations. If agreement cannot be reached with respect to the availability of adequate private housing at any location, the Secretary of Defense shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

Family housing units—

(a) The Department of the Army, five hundred units, $9,750,000:

Fort Gordon, Georgia, two hundred units.

Fort Leavenworth, Kansas, one hundred units.

Fort Hood, Texas, two hundred units.

(b) The Department of the Navy, seven hundred and fifty units, $15,725,000:

Marine Corps Air Station, Yuma, Arizona, one hundred units.

Naval Complex, Oahu, Hawaii, one hundred and fifty units.

Pacific Missile Range Facility, Kauai, Hawaii, fifty-six units.

Naval Air Test Center, Patuxent River, Maryland, one hundred units.

Naval Auxiliary Air Station, Fallon, Nevada, forty-four units.

Naval Complex, Newport, Rhode Island, one hundred units.

Naval Auxiliary Air Station, Chase Field, Texas, one hundred units.

Naval Air Station, Whidbey Island, Washington, one hundred units.

(c) The Department of the Air Force, seven hundred and fifty units, $17,375,000:

George Air Force Base, California, two hundreds units.

Mountain Home Air Force Base, Idaho, two hundred and fifty units.

Holloman Air Force Base, New Mexico, three hundred units.

SEC. 602. Authorization for the construction of family housing provided in this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the following limitations on cost, which shall include shades, screen, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The average unit cost for each military department for all units of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed $19,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(b) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $35,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilites.

(c) When family housing units are constructed in areas other than those listed in subsection (a) the average cost of all such units shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000. The cost limitations of this subsection shall include the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(d) Units constructed at George Air Force Base, California, shall not be subject to the limitations of subsections (a) and (b) of this section, but the average cost of such units shall not exceed $30,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 603. Nothing contained in this Act and nothing contained in section 603 of Public Law 90–110 (81 Stat. 279, 304) shall be deemed to affect the cost limitations provided in section 502(f) of Public Law 89–188 (79 Stat. 793, 813) with respect to construction of family housing units at the United States Military Academy, West Point.

SEC. 604. Except as provided in section 603 of this Act, and notwithstanding the limitations contained in prior Military Construction Authorization Acts on costs of construction of family housing, the limitations on such cost contained in section 602 of this Act shall apply to all prior authorizations for construction of family housing not heretofore repealed and for which construction contracts have not been executed by the date of enactment of this Act.

SEC. 605. The Secretary of Defense, or his designee, is authorized to construct, or otherwise acquire, in foreign countries, fourteen family housing units. This authority shall include the authority to acquire land and interests in land, and shall be limited to such projects as may be funded by use of excess foreign currencies when so provided in Department of Defense Appropriation Acts. The authorization contained in this section shall not be subject to the cost limitations set forth in secton 602 of this Act: *Provided*, That no family housing unit constructed or acquired pursuant to this authorization shall cost in excess of $50,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 606. The first sentence of section 515 of Public Law 84–161 (69 Stat. 324, 352) as amended, is amended by striking out "1968 and 1969" and inserting in lieu thereof "1969 and 1970", and by adding the following sentence at the end thereof: "As to any such housing facilities to be leased at or near Fort Leavenworth, Kansas, the numbered conditions set forth hereinabove shall not apply."

SEC. 607. Section 507 of Public Law 88–174 (77 Stat. 307, 326) as amended, is amended by striking out "1968 and 1969" and inserting in lieu thereof "1969 and 1970".

SEC. 608. Subsection 610(a) of Public Law 90–110 (81 Stat. 279, 305) is amended to read as follows:

"SEC. 610. (a) None of the funds authorized by this or any other Act may be expended for projects for the improvement of any single family housing unit, or for the improvement of two or more housing units when such units are to be converted into or used as a single family housing unit, the costs of which exceed $10,000 per unit including costs of repairs undertaken in connection therewith, and including any costs in connection with (1) the furnishing of electricity, gas, water, and sewage disposal; (2) roads and walks; and (3) grading and drainage, unless such improvement in connection with such unit or units is specifically authorized by law. As used in this section, the term 'improvement' includes alteration, expansion, extension, or rehabilitation of any housing unit or units, including that maintenance and repair which is to be accomplished concurrently with an improvement project. The provisions of this section shall not apply to projects authorized for restoration or replacement of housing units damaged or destroyed."

Sec. 609. The Secretary of Defense or his designee is authorized to relocate one hundred units of relocatable housing to Fort Polk, Louisiana, from other military installations where the requirement for such housing shall have been terminated: *Provided*, That the Secretary of Defense shall notify the committees on Armed Services of the House of Representatives and the Senate, not less than thirty days prior thereto, of the proposed relocations and estimated costs.

Sec. 610. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $48,740,000, and

(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $537,960,000.

TITLE VII

HOMEOWNERS ASSISTANCE

Sec. 701. In accordance with subsection 1013(i) of Public Law 89–754 (80 Stat. 1255, 1292) there is authorized to be appropriated for use by the Secretary of Defense for the purposes of section 1013 of Public Law 89–754, including acquisition of properties, an amount not to exceed $11,800,000.

TITLE VIII

GENERAL PROVISIONS

Sec. 801. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Sec. 802. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, V, VI, and VII shall not exceed—

(1) for title I: Inside the United States, $365,981,000; outside the United States, $85,610,000; or a total of $451,591,000.

(2) for title II: Inside the United States, $226,165,000; outside the United States, $6,351,000; section 202, $1,509,000; or a total of $234,025,000.

(3) for title III: Inside the United States, $120,826,000; outside the United States, $17,654,000; section 302, $54,001,000; or a total of $192,481,000.

(4) for title IV: A total of $81,696,000.

(5) for title V: Southeast Asia support—Department of the Army, $142,808,000; Department of the Navy. $54,700,000; Department of the Air Force. $17,617,000.

(6) for title VI: Military family housing, 586,700,000.

(7) for title VII: Homeowners assistance, $11,800,000.

Sec. 803. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

Sec. 804. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, unless the Secretary of Defense or his designee determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, as its construction agent providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

Sec. 805. (a) As of October 1, 1969, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Act of October 21, 1967, Public Law 90–110 (81 Stat. 279), and all such authorizations contained in Acts approved before October 22, 1967, and not superseded or otherwise modified by a later authorization are repeated except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1969, and authorizations for appropriations therefor; and

(3) notwithstanding the repeal provisions of section 606(a) of the Act of September 12, 1966 (80 Stat. 739, 755) or of section 805(a) of the Act of October 21, 1967 (81 Stat. 279, 308), authorizations for the following items which shall remain in effect until October 1, 1970:

(a) utilities in the amount of $843,000 at Fort Greely, Alaska, that is contained in title I, section 102 of the Act of September 16, 1965 (79 Stat. 796).

(b) maintenance facilities in the amount of $7,393,000 for Naval Shipyard, Boston, Massachusetts, that is contained in title II, section 201, under the heading "BUREAU OF SHIPS FACILITIES (Naval Shipyard)" of the Act of September 16, 1965 (78 Stat. 797) and amended in section 205 of the Act of September 12, 1966 (80 Stat. 747).

(c) hospital and medical facilities in the amount of $4,736,000 for Naval Hospital, Newport, Rhode Island, that is contained in title II, section 201, under the heading "MEDICAL FACILITIES" of the Act of September 16, 1965 (79 Stat. 801).

(d) maintenance facilities in the amount of $412,000 for Naval Air Station, Oceana, Virginia, that is contained in title II, section 201, under the heading "NAVAL AIR SYSTEMS COMMAND (Field Support Stations)" of the Act of September 12, 1966 (80 Stat. 744).

(e) administrative facilities in the amount of $236,000 for Naval Oceanographic Distribution Office, Ogden, Utah, that is contained in title II, section 201, under the heading "NAVAL SUPPLY SYSTEMS COMMAND" of the Act of September 12, 1966 (80 Stat. 745).

(f) medical facilities in the amount of $2-442,000 for Naval Training Center, location to be determined (Orlando, Florida), that is contained in title II section 201, under the heading "SERVICE SCHOOL FACILITIES" of the Act of September 12, 1966 (80 Stat. 745).

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing, including trailer court facilities, all authorizations to accomplish alterations, additions, expansions, or extensions to existing family housing, and all authorizations for related facilities projects, which are contained in this or any previous Act, are hereby repealed, except—

(1) authorizations for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date;

(2) notwithstanding the repeal provision of section 606(b) of the Act of September 12, 1966 (80 Stat. 739, 755) or of section 805(b) of the Act of October 21, 1967 (81 Stat. 279, 308) the authorization for two hundred family housing units at the United States Military Academy, West Point, New York, that is contained in the Act of September 16, 1965 (79 Stat. 793, 811); and

(3) authorizations to accomplish alterations, additions, expansions, or extensions to existing family housing, and authorizations for related facilities projects, as to which appropriated funds have been obligated for construction contracts before such date.

Sec. 806. None of the authority contained in titles I, II, III, IV, and V of this Act shall be deemed to authorize any building construction projects inside the United States (other than Alaska) at a unit cost in excess of—

(1) $36 per square foot for cold-storage warehousing;

(2) $9 per square foot for regular warehousing;

(3) $2,500 per man for permanent barracks;

(4) $9,200 per man for bachelor officer quarters; unless the Secretary of Defense or

his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impractical: *Provided*, That notwithstanding the limitations contained in prior Military Construction Authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded by the date of enactment of this Act.

SEC. 807. None of the funds authorized by this Act or by any military construction authorization Act hereafter enacted shall be expended for the construction of any waste treatment or waste disposal system at or in connection with any military installation until after the Secretary of Defense or his designee has consulted with the Federal Water Pollution Control Administration of the Department of the Interior and determined that the degree and type of waste disposal and treatment required in the area in which such military installation is located are consistent with applicable Federal or State water quality standards or other requirements and that the planned system will be coordinated in timing with a State, county, or municipal program which requires communities to take such related abatement measures as are necessary to achieve areawide water pollution cleanup.

SEC. 808. Titles I, II, III, IV, V, VI, VII, and VIII of this Act may be cited as the "Military Construction Authorization Act, 1969".

TITLE IX

RESERVE FORCES FACILITIES

SEC. 901. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) For Department of the Navy: Naval and Marine Corps Reserves, $4,600,000.

(2) For Department of the Air Force:

(a) Air National Guard of the United States, $7,700,000.

(b) Air Force Reserve, $4,000,000.

SEC. 902. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 903. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1969".

Mr. MANSFIELD. Mr. President, this is by way of formality. The debate on the bill will start tomorrow and probably will continue through most of the week.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE LAND AND WATER CONSERVATION FUND

Mr. RIBICOFF. Mr. President, the land and water conservation fund, which was set up in 1964, has been a responsible, effective first step in the vital preservation of our land resources. Every citizen will benefit from it. The debates in the Senate and the House of Representatives this year has reflected the awareness that land must be preserved for the benefit of present and future generations. It has not, however, reflected agreement on how best to achieve this important end.

We have been gratified at the tremendous response of the individual States to the Land and Water Conservation Fund Act of 1965. The program got off to a good start.

Then, during these first 4½ years of the fund's existence, Congress authorized acquisition of lands worth $450 to $500 million, while income from the fund's three main sources of revenue—the sale of surplus real property, the motorboat fuel tax, and admission and user fees—came to only about $278 million, about 63 percent of the predicted income. A crippling backlog of unfunded programs was the result.

Obviously, the commitments we have made have to be met. And future demands will have to be answered. But they will not be answered until we find new sources of revenue. In the meantime, land costs spiral upward at a rate of approximately 10 percent a year; potentially valuable sites are consumed by urban spread or highway sprawl; and local and State conservation programs suffer for lack of means to implement them.

By approving S. 1401 we have the unique opportunity to lighten the financial burden of the public as well as preserve some of our most beautiful natural resources from irresponsible development.

In my own State of Connecticut, for example, projects totaling over half a million dollars are pending in the Bureau of Outdoor Recreation for lack of funds. And the Department of the Interior warns that over the next 10 years, without even computing the meteoric rise of land costs, we can expect to be short $2.7 billion. Add to that an additional $1 billion increase in land value, and the old adage "time is money" takes on new meaning.

We should not ignore the recommendations of the President, the Department of the Interior, and the House and Senate committees shepherding the bill. We cannot ignore the interests of each of our constituents throughout this growing Nation.

We need a stable fund with resources which are consistent with our promises. And the most sensible way of achieving this end is through the supplemental use of earmarked revenue from a predictable source. This source is available in the lease receipts which come to the Treasury under the authority of the Outer Continental Shelf Land Act. These receipts have been averaging approximately $300 million a year, and projected revenue goes as high as $500 million annually for the next 5 years. Only a moderate portion of this amount need be used to maintain the fund at a steady $200 million a year—probably around $100 million.

We must keep in mind that these sums are available only upon appropriation by the Congress, and if any portion should remain unused for 2 years, it will revert back to the general Treasury fund, thus obviating the danger of a buildup of large sums earmarked for one purpose alone. At no point, then, is the legislative process circumvented.

We can put these earmarked funds to excellent use now in the land and water conservation fund, for this is one program that cannot be fully effective under the stop-and-go conditions of the regular appropriations process. In 5 years, the whole issue will come back to us and we can evaluate our experiment and revise it should we think it necessary.

Mr. President, now is the time for strong action. Halfhearted improvements will serve only to make a farce of our good intentions.

AMENDMENT OF TITLE I OF LAND AND WATER CONSERVATION FUND ACT OF 1965

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1401.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes, which was, strike out all after the enacting clause, and insert:

That (a) section 2, subsection (a), of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460 1–5), except the fourth paragraph thereof, is repealed; said fourth paragraph is redesignated section 9 of said Act; and subsections (b) and (c) of said section 2 are redesignated (a) and (b), respectively.

(b) It is not the intent of the Congress by this repealer to indicate that Federal agencies which have under their administrative jurisdiction areas or facilities used or useful for outdoor recreation or which furnish services related to outdoor recreation shall not exercise any authority they may have, including authority under section 501 of the Act of August 31, 1951 (65 Stat. 290; 31 U.S.C. 483a), or any authority they may hereafter be given, to make reasonable charges for admission to such areas, for the use of such facilities, or for the furnishing of such services. Except as otherwise provided by law or as may be required by lawful contracts entered into prior to May 28, 1963, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees so charged shall be covered into a special account under the Land and Water Conservation Fund and shall be available for appropriation, without prejudice to appropriations from other sources for the same purposes, for any authorized outdoor recreation function of the agency by which the fees were collected.

(c) Section 6, subsection (a), of said Act is amended by striking out the words "in substantially the same proportion as the number of visitor-days in areas and projects hereinafter described for which admission fees are charged under section 2 of this Act".

(d) The provisions of subsections (a) and (c) of this section shall be effective March 31, 1969.

SEC. 2. The aforesaid section 2 of the Land and Water Conservation Fund Act of 1965 is further amended by adding at the end thereof the following new subsection:

"(c) OTHER REVENUES.—All revenues received on and after July 1, 1968, and prior to July 1, 1973, to the extent such revenues otherwise would be deposited in miscellaneous receipts of the United States Treasury, under the Outer Continental Shelf Lands Act of 1953 (67 Stat. 462; 43 U.S.C. 1331 et seq.), as amended (including the funds held in escrow under an interim agreement of October 12, 1956, between the United States and Louisiana, to the extent the United States is determined to be entitled to such escrow funds), but no more annually than an amount equal to the difference, to be determined by the Secretary of the Interior, between $200,000,000 and the total revenues and collections estimated to be covered into the fund pursuant to subsections (a) and (b) of this section, as amended."

SEC. 3. The first sentence of section 4, subsection (b), of the Land and Water Conservation Fund Act of 1965 is amended by deleting "for a total of eight years" and inserting in lieu thereof "until the end of fiscal year 1969".

SEC. 4. The Land and Water Conservation Fund Act of 1965 is further amended by adding thereto the following new section:

"SEC. 8. Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each of fiscal years 1969 and 1970 for the acquisition of lands, waters, or interests therein within areas specified in section 6(a)(1) of this Act. Any such contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary of the Interior. Any such contract so entered into shall be deemed a contractual obligation of the United States and shall be liquidated with money appropriated from the fund specifically for liquidation of such contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless such acquisition is otherwise authorized by Federal law."

SEC. 5. (a) With respect to any property acquired by the Secretary of the Interior within a unit of the national park system or miscellaneous area, the Secretary may convey a freehold or leasehold interest therein, subject to such terms and conditions as will assure the use of the property in a manner which is, in the judgment of the Secretary, consistent with the purpose for which the area was authorized by the Congress. In any case in which the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as the Secretary may prescribe, but such conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary; except that if any such conveyance is proposed within two years after the property to be conveyed is acquired by the Secretary, he shall allow the last owner or owners of record of such property thirty days following the date on which they are notified by the Secretary in writing that such property is to be conveyed within which to notify the Secretary that such owners wish to acquire such interest. Upon receiving such timely request, the Secretary shall convey such interest to such person or persons, in accordance with such regulations as the Secretary may prescribe, upon payment by him of, or agreement by him to pay, an amount equal to the highest bid price.

(b) Within a unit of the national park system or miscellaneous area in which exchange is authorized by law as a method for property acquisition, the Secretary may accept title to any non-Federal property or interest therein within such unit or area and in exchange therefor he may convey to the grantor of such property or interest any federally owned property or interest therein under his jurisdiction within any such unit or area, subject to such terms and conditions as he deems necessary. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor from funds appropriated for the acquisition of land for the area, or to the Secretary as the circumstances require.

(c) The proceeds received from any conveyance under this section shall be credited to the land and water conservation fund in the Treasury of the United States.

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House on S. 1401 and ask for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington.

Mr. LONG of Louisiana. Mr. President, I ask that the motion be divided.

The ACTING PRESIDENT pro tempore. The motion is subject to division.

Mr. LONG of Louisiana. Mr. President, I ask that we vote first on disagreeing to the House amendments.

The ACTING PRESIDENT pro tempore. And asking for a conference?

Mr. LONG of Louisiana. Yes.

The ACTING PRESIDENT pro tempore. Is it clear that the question is on the first part of the motion to disagree and ask for a conference?

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

There will be no further proceedings until the Senate is in order.

The Senator from Louisiana [Mr. LONG] was recognized.

Mr. LONG of Louisiana. Mr. President, I might say that Senators would be well advised to be present in the Chamber because we hope to set a very important procedural precedent here this afternoon. I do think that Senators would be well advised to be here and understand the issues we will vote on.

The Senator moved, in the usual procedure, that the Chair lay before the Senate a message from the House of Representatives on S. 1401. Then, he stated:

> I move that the Senate disagree to the amendment of the House on S. 1401 and ask for a conference on the disagreeing votes of the two Houses thereon—

I asked for a division on that part.

Then the last part of the motion of the Senator was:

> That the Chair be authorized to appoint conferees on the part of the Senate—

And proceeded to designate five conferees.

On that part, I propose to make a substitute motion. Therefore, I ask that we first agree to the first part of the Senator's motion which is that we disagree to the House amendments and ask for a conference on the disagreeing votes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the first part of the motion of the Senator from Washington. [Putting the question.]

The first part of the motion of the Senator from Washington [Mr. JACKSON] was agreed to.

Mr. LONG of Louisiana. Mr. President, I am prepared to make a substitute motion with regard to the second part of the Senator's motion: The Senator proposes that there be five conferees named, none of whom, I believe, represent the real controversial and important part of this measure which is in conference between the two Houses. That controversy between the two Houses was a hot controversy that was waged on the floor of the Senate for 2 weeks, as to whether certain funds, which most of us regard as being totally irrelevant to the land and water conservation fund, should be dedicated to that purpose. After considerable debate, we adopted two amendments, one by the Senator from Delaware [Mr. WILLIAMS], and the other by the Senator from Louisiana [Mr. ELLENDER]. The Williams amendment limited the amount of funds available. The Ellender amendment stated that certain funds would not be dedicated to this purpose.

The five conferees suggested by the Senator, while senior members of the committee, did not vote the Senate position on what is the controversial part of the bill.

Usually, when something of this sort happens, there would be some Member of the Senate on the committee who had voted the Senate position. Traditionally, a considerable number of conferees, usually a majority, would be named from the committee among committee members who had voted the majority position on what was in conference between the Senate and the House.

It has been my practice, as a committee chairman, usually to name a majority of the conferees, even if I had to reach down and pick the most junior member of the committee who voted the majority position of the Senate on a bill in conference. In some instances, when that was not the case, I, as chairman of the conferees, would name enough Senators who voted the Senate position so that together, on a vote, they would constitute a majority, with the firm intention to stand with the conferees named, in order to give the majority on the conference their support on what was the position of the Senate.

I followed that position when I named the conferees on medicare, when the Gore amendment carried some years ago, and the bill died in conference. As one who had voted against the amendment, I insisted on Members who had been appointed and who had supported the Gore amendment, to see that that amounted to a majority of the Senate in conference, even though we had not voted that way prior to it.

In this instance, we have a situation where the committee was unanimous and was strongly in opposition to the Senate position and took the attitude that the Senate amendment would, in effect, destroy the purposes of the bill and that the Senate amendment should be disagreed to overwhelmingly.

Now when the vote occurred, the committee was unanimous in its position contrary to the Senate. Mr. President, Senate precedents make it clear that the conferees are appointed to represent the Senate. When appointed to a committee, they are appointed to represent the Senate. I am looking at page 212 of Senate Procedures where it will be noted that while conferees can be appointed by the Presiding Officer, they should represent the Senate, and that if it is desired by the Senate, the Senate will elect its conferees.

It is also pointed out in the precedents that while ordinarily one would pick from the committee and one would appoint those members of the committee who met the proper specifications, that the conference should represent the majority will of the Senate as well as a proper proportion of the party representation in the Senate, if that is possible. I also point out that the precedents further spell out that one may go beyond the membership of a committee if that is necessary to represent the will of the Senate.

In this particular case, this Senator well knows that the Interior Department, which has strongly opposed the Ellender and Williams amendments—the Ellender amendment in particular—have not given up for one moment in their desire to prevail in this matter. They have been making great efforts to have various people associated with their position bring pressure to bear upon Senators, by mail, in editorials, and otherwise, to try to compel a change in the position voted on the Senate floor; after the bill was considered over a period of 2 weeks.

In other words, the administration and the executive branch have not given up on this issue.

That being the case, this is a situation where we have a right to ask that the conferees represent the majority position of the Senate. The five conferees suggested by the Senator, so far as I am concerned, can speak for their committee amendments in conference.

I would urge those whom I would suggest as conferees, to abide by the committee's and the Senate's position on the relatively noncontroversial committee amendments in disagreement between the Senate and the House, and that those conferees representing the committee should go along by the conferees who I would suggest in representing the Senate majority position on the controversial part which is in the conference.

Therefore, Mr. President, I feel it my duty to move as a substitute that the Senate elect the following conferees:

Mr. JACKSON, Mr. KUCHEL, Mr. ELLENDER, Mr. SMATHERS, and Mr. TOWER.

By doing that, we would then have two senior members on the committee and would have a majority of conferees who voted the Senate position.

The ACTING PRESIDENT pro tempore. Will the Senator from Louisiana please send the names to the desk so that they may be reported.

Mr. LONG of Louisiana. I send forward the five names I mentioned, Mr. President, and I move, as a substitute, that the Senate elect the just-mentioned five conferees to represent the Senate on this measure.

Permit me to say further that, as a chairman of a Senate committee, I am perfectly prepared to abide by the decision of the Senate. As a committee chairman, I have been urged time and again to appoint conferees who would be more in agreement with the views of the Senator from Louisiana, the chairman of the Committee on Finance, than in agreement with the Senate itself. I have found it tempting to do such a thing, but have resisted that temptation, feeling that while it was a very tempting thing to do, it was not appropriate to fail to provide adequate representation for the majority position of the Senate in conference. The Senate can decide whether a committee chairman, who prefers to name his conferees, not one of whom voted the Senate position in conference when the matter is challenged by those in the majority representing the will of the Senate, is entitled to have a majority of conferees.

I personally have been willing to negotiate about this matter, to consider some sort of compromise. I suggested that the conferees should be evenly divided between those Members who voted for the Senate position and those who did not. No suggestion was forthcoming.

This is nothing new to me, to contest a matter of this sort. Many years ago, when we debated the tidelands issue, when Senator O'Mahoney of Wyoming was the chairman of the Senate Committee on Interior and Insular Affairs, the Senate having voted contrary to the position taken by the chairman, the chairman proposed to name a majority of conferees, contrary to the Senate position. After it was objected to, and there was some consultation between those representing the contending sides, it was felt that those who had prevailed were entitled to have a majority representation. One of the senior members of the committee, at that time the Senator from Arizona, Mr. McFarland, who subsequently became majority leader, suggested that he should not serve on the committee on conference in order that one of the other members could serve who would then make the committee representative of the majority position of the Senate.

In my judgment, this is the position the Senate should take. In some respects it might conflict with the power a Senate committee chairman might have, and perhaps should have, but there is no doubt in the mind of this Senator that if we are to be a body that represents the views of the Senate and the democratic principles as the Senate is theoretically founded, and as set forth in the Senate rules and Senate procedure, then I think the Senate should select conferees the majority of whom will represent the will of the Senate.

The ACTING PRESIDENT pro tempore. The clerk will state the motion of the Senator from Louisiana.

The LEGISLATIVE CLERK. In lieu of the conferees to be appointed by the Chair, the Senator from Louisiana [Mr. LONG] proposes that the Presiding Officer appoint the following conferees: Senators JACKSON, KUCHEL, ELLENDER, SMATHERS, and TOWER.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JACKSON. Is the motion previously made by the junior Senator from Washington pending at the desk?

The ACTING PRESIDENT pro tempore. The first part has been adopted and agreed to.

Mr. JACKSON. The first part of the motion has been adopted and agreed to?

The ACTING PRESIDENT pro tempore. To disagree and send to conference.

Mr. JACKSON. The second part of the motion is pending. The first part was agreed to?

The ACTING PRESIDENT pro tempore. Yes.

Mr. JACKSON. The second part of the motion of the junior Senator from Washington is pending, but, in effect, a substitute has been offered?

The ACTING PRESIDENT pro tempore. The Senator from Louisiana has offered a substitute.

Mr. JACKSON. First, for the benefit of Members of the Senate, I think it should be made clear that more than just the dedication of a portion of the Outer Continental Shelf oil receipts is involved in the disagreement between the two Houses on S. 1401. The Senate disagrees to five other amendments. I will just name the amendments that are involved: I realize that to the Senator from Louisiana the Ellender amendment is the most important one, but the facts are as follows:

For example, the House deleted from the act the admission and user fee system we established in 1964 in Public Law 88–578, known as the Golden Eagle program. The House version deletes this provision of the law, while in the Senate version it is retained. This is an important difference between the two bills which must be resolved in conference.

Next we come to the amendment which concerns the Senator from Louisiana. This is the one on new sources of revenue. The House provides a 5-year, rather than a 3-year program as adopted on the Senate floor. Enough of the receipts from the Outer Continental Shelf operations are made available for appropriation under the House version to bring the income of the fund to a total of $200 million a year for this 5-year program, while the Senate voted a 3-year program with no source for the funds provided except general appropriations.

Third, with respect to the option authority, the House version does not contain the new section 9 the Senate added to the act. This would authorize $500,000 a year for the purchase of options of not less than 2 years for acquisition of property in any authorized area of the national park system.

Fourth, on the lease-back, sell-back provision, the House version does not have the protective language exempting our national parks and those national monuments of scientific significance from this authority as does the Senate bill.

Fifth, on exchanges, the House version restricts exchanges to units within the authorized outdoor recreation area itself and to areas where exchange is already authorized. The Senate version authorizes exchanges of lands within the same State, or States, for such in-holdings and extends this authority to include areas where it is not now available. Also, the House does not require public hearings in the area, as does the Senate version; nor does the House version contain the Morse amendment forbidding exchange of sustained-yield timberlands.

CONFEREES HISTORICALLY APPOINTED FROM LEGISLATIVE COMMITTEES

Mr. President, I think everyone in this body knows what the rules, and especially the traditions, are with reference to the appointment of conferees. We do draw them from the legislative committees which processed the legislation which is the subject of the conference. But, as long as my good friend from Louisiana has raised this question and makes a point of this specific issue, I think the Senate should know what the Senate did when the Outer Continental Shelf bill was up in the Senate, in the 83d Congress, in 1953. The Hill amendment had been adopted by the Senate and had been rejected by the House. The Hill amendment, it will be recalled, provided for the earmarking—and this is very important—of all receipts from the Outer Continental Shelf for educational purposes. What did the Senate do? The Senate appointed a majority of conferees who had been vigorously opposed to the Hill amendment. The conferees at that time—and this is on all fours with the issue raised by the Senator from Louisiana—were Senators Butler of Nebraska, Millikin, Cordon—all three opposed the Hill amendment—and Senators Murray and Anderson for the then minority.

So we find a situation in which the Senator from Louisiana—and he was on the Interior Committee in 1953—did not insist that there be a majority of conferees that went along with the Senate's view on this one particular issue.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. JACKSON. Yes; I am happy to yield.

Mr. LONG of Louisiana. Is it not true that two out of five of those conferees had voted for the Hill amendment, and that no one raised the point about the Hill amendment with regard to that bill?

Mr. JACKSON. I am pointing out that in 1953, on the very substantive issue the Senator from Louisiana is raising on the floor now, a majority of the conferees were opposed to a major amendment in issue—a majority of them had fought against what became the Senate version.

Mr. LONG of Louisiana. But 40 percent of them were for the Hill amendment.

Mr. JACKSON. However, in the present bill as I pointed out, earmarking is only one of the issues involved. I have discussed five other issues of substance that are in disagreement.

If we are going to depart from the established system by selecting conferees from outside of the legislative committees that consider measures, we are going to be in a very sorry situation in the Senate. But if the Senate wants to establish such a precedent, this is an opportunity to do it.

I want to point out again that in 1953—and Senator ANDERSON is on the floor at this time—a majority of the conferees—that is, Senators Butler, Millikin, and Cordon, who had been floor manager of the bill, were opposed to the amendment the Senate had adopted, the Hill amendment. Nevertheless, they were appointed and comprised a majority of the Senate conferees.

In my judgment, procedures in the Senate are going to be in a sorry state if every time we have a difference of opinion over one item in a major bill we are going outside the legislative committee to select conferees. If Senators want to establish such a precedent, they will have an opportunity of doing it here on this particular motion by the Senator from Louisiana.

I must say again that the earmarking of funds is not by any means the only issue at stake here. There are at least 5 other points, which I have just specified, over which there are substantial differences between the House version and the Senate version.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. LONG of Louisiana. With regard to the 1953 precedent the Senator mentions, I am sure the Senator is aware, is he not, that there was no argument about the conferees? No point was raised. Thus, so far as establishing precedent is concerned, there was no argument one way or the other; but even assuming that this would be regarded as a precedent and that a precedent had been established, 5 members were senior members of the committee, and 40 percent were in favor of the majority position which took a view with regard to earmarking, contrary to the view of the majority of the conferees.

Mr. JACKSON. That is precisely what my motion would do. It would bring about the appointment of the senior members of the committee from both sides of the aisle. The Senator from Louisiana did not object to this procedure at the time the Outer Continental Shelf bill went to conference. We do not think he should object to the same procedure at this time.

Mr. LONG of Louisiana. Not one of them voted for the Ellender amendment or the Williams amendment, nor could he name a member of the committee who did.

Mr. JACKSON. I should point out that although he was not here for the vote on the floor, the Senator from Colorado [Mr. ALLOTT] has announced his opposition to the earmarking amendment in the bill and so advised me that he intends to support the Ellender amendment in conference.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, as long as my thoughts are being voiced by others, I think I should make them clear for myself.

In the consideration of this bill, there were several of us on the Committee on Interior and Insular Affairs who voiced our doubts as to the advisability of earmarking of funds. The reasons for that feeling are many, but I will say that from my own experience with earmarking in my State of Colorado, it has led us into great financial binds over the years.

We discussed the matter in committee, and as I recall, the Senator from New Mexico [Mr. ANDERSON] was generally in sympathy with that point of view. At least he had some doubts as to the advisability of earmarking such substantial amounts out of what has suddenly become a very large fund available to the Federal Government. As I recall it, in a little more than a year, this fund has grown to the neighborhood of $1.8 billion, close to $2 billion.

Of course, that is a luscious and attractive—I was going to say peach tree, but in deference to the Senator from Virginia I shall make it an apple tree—for people who want money to spend.

We discussed the matter at some length. The Senator from Washington is correct. I do not think there was any member of the committee who had any doubt about how I personally felt as to the advisability of doing this. I had raised this question repeatedly in connection with the original consideration of the bill when we were considering the methods of financing the land and water conservation fund. There is not a member of the committee present who will not agree with that.

What happened subsequently was this: Seeing that the committee was completely or almost completely of another mind—with the exception of possibly two or three members—I did not move the matter to a vote. I, however, did try to make the bill as palatable as possible and moved to cut down the amounts committed to the land and water conservation fund. After these cuts were agreed to, the bill was reported to the floor.

The day that the Ellender amendment came up for consideration on the floor of the Senate, having committed myself several months previously to an engagement out of the city, I was absent. So I did not vote on the Ellender amendment. If I had been here, I would have voted for the amendment, not for the reason, perhaps, that the Senator from Louisiana [Mr. LONG] wants the Ellender amendment agreed to, but for the general reason and proposition that I am simply opposed to earmarking funds, particularly in a national situation, as at present, where we need money so badly. I am not in favor of earmarking funds at any time; however, I wanted to make the RECORD perfectly clear that I would have voted for the Ellender amendment.

As it now stands, I say to the Senator from Louisiana that if I am on the conference committee, I will uphold the position of the Senate. I regard that as my obligation; but I am less than enthusiastic about the proposition of earmarking funds out of the Outer Continental Shelf moneys.

Mr. LONG of Louisiana. I thank the Senator.

Mr. JACKSON. Mr. President, I now yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, I ask the Senator from Washington whether the method for selecting the conferees for which he has moved is not the customary way that the Senate has appointed conferees for the many bills that are considered in conference each year?

Mr. JACKSON. The Senator is certainly correct; and, as I pointed out, in the 83d Congress in an identical situation when we were talking about the earmarking of funds from the Outer Continental Shelf revenues for educational purposes, we followed the same rule that I now propose. At that time we followed the seniority rule in the committee, although a majority of the conferees were opposed to the Hill amendment that the Senate had adopted. We have followed the same precedent here. My motion is to appoint conferees according to seniority on the committee, because this bill was taken up in the full committee, as the Senator knows. In addition, as I have pointed out, there are five other items in disagreement.

Recently when we had before the Senate the crime bill, there were disagreements on various matters, including gun control legislation. A majority of the Senators who were appointed as conferees, as I recall the situation, were opposed to gun control. But no objection was heard to the appointment of those conferees.

If the only issue was the earmarking of the oil receipts, the situation might be different; but there are other items of substantial nature in dispute.

Several Senators addressed the Chair.

Mr. JACKSON. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I suggest to the Senator from Washington that he had no oppsition on his committee amendments. They were all agreed to, without exception, is the point I am raising here.

Mr. JACKSON. I know the Senate agreed with the committee, but it is what the House did on these other questions as well as the oil receipts issue which must be resolved in conference. What is the difference?

Mr. LONG of Louisiana. As a practical matter, with regard to the committee amendment, does the Senator have any doubt in his mind that he would have any difficulty in reaching agreement with those of us who support the Ellender amendment, or that he would be fully supported with regard to his committee amendments, which were not controversial? Did we even have a rollcall vote on any of them?

Mr. JACKSON. No, we did not; but we did have a rollcall on the Ellender amendment. However, the Ellender amendment is only one of the very substantial issues in disagreement. My motion for appointment of conferees follows the established precincts under the circumstances.

Mr. LONG of Louisiana. I would propose to the Senator from Washington that he had a unanimous position for his committee amendments, which were not controversial, here in the Senate, and I would be happy to work out any arrangement to assure him of 100-percent unanimous support for his position. With regard to that part of the bill which is the controversial part of what is in conference, from the Senate point of view, I would urge that the conferees represent the majority position of the Senate.

There is nothing new about this. Just this year, we had a major bill where the jurisdiction, in veterans' matters, fell both in the Committee on Banking and Currency and in the Committee on Finance.

Here is how we worked that one out: The Committee on Finance had the bill, but we appointed conferees——

Mr. JACKSON. Mr. President, the Senator's point is not on all fours with what we are talking about now. This is not a question of overlapping, concurrent, or conflicting committee jurisdiction. The Interior Committee has sole jurisdiction over the legislation before us. And because he is concerned with only one issue of difference between the Senate and House versions of the bill, the Senator from Louisiana is attempting to take control of our committee altogether with respect to this proposed conference.

Mr. LONG of Louisiana. Just a moment. We appointed half the conferees from the Committee on Finance, and half from the Committee on Banking and Currency. We agreed that on the points the Committee on Finance recommended, the Committee on Banking and Currency would support the members from the Committee on Finance, and on the points the Committee on Banking and Currency recommended, the Committee on Finance would support the judgment of the members from the Committee on Banking and Currency. There was never a moment of controversy.

As far as what the Senator from Washington has in conference from his committee, there will be no problem about his getting 100-percent unanimous support for his position in conference. All I am asking is that on the point which is extremely vital from the point of view of those of us who do not agree with his minority position, and what is really controversial, our views be respected and upheld in conference by all the Senate conferees. I believe we have a right to make such a request.

In my experience, whenever a controversy about a conference has come before the Senate, or there was some dispute about a matter, and those who had prevailed wanted to be sure their position was adequately supported in conference, it has always been arranged that they had supporters.

If it does not work out that way, I think we will be setting a precedent to favor committee chairmen. I would certainly like to reserve the right to have the full benefit of that precedent.

But on occasions when that point has been raised, it has been my experience, during 20 years in the Senate—and the precedents are in accord—that those who were in the majority, such as in this instance, when we had debated the bill for 2 weeks in the Senate, fully understood that they would be entitled to have sufficient strength in conference so that their position could be sustained.

Mr. JACKSON. Mr. President, I now yield again to the distinguished senior Senator from Idaho.

Mr. CHURCH. Under the customary procedures of the Senate, when conferees are chosen from the committee having jurisdiction of the bill, is it not the obligation of the conferees to do all possible to uphold the position of the entire Senate rather than the position that might have been previously taken by the committee?

Mr. JACKSON. That is correct. They are conferees on the part of the Senate, not conferees on the part of a committee.

Mr. CHURCH. Would not that obligation be binding on the conferees named by the Senate?

Mr. JACKSON. That is correct. The conferees must exercise their judgment while being dutybound to uphold the position of the Senate. We are dealing, in this instance, with several different items in disagreement. We must use our best judgment in resolving these differences.

Mr. CHURCH. Would not the effect of the amendment offered by the Senator from Louisiana be to take the matter away from the committee having jurisdiction of the bill?

Mr. JACKSON. The Senator is correct.

Mr. CHURCH. Can the Senator from Washington remember any instance during his service in the Senate when a committee was denied jurisdiction by reason of the appointment of other Senators to be the majority in the conference?

Mr. JACKSON. No. The last time, according to Senate Procedure, in the notation I have found on page 213, was in 1896. But I know of no instance at all where a committee was denied its control of a conference situation such as proposed by the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Washington has just read a footnote. Would he mind reading the language of Senate Procedure itself? Do not read the footnote.

Mr. JACKSON. I am talking about the precedent.

Mr. LONG of Louisiana. That is a precedent.

Mr. JACKSON. I have the precedent. The Senator from Louisiana can speak on his own time. I shall read the first paragraph on page 211:

> It is the universal practice in the appointment of conferees for the Presiding Officer to name the Senators suggested to him by the Member in charge of the particular bill, the Senate already having agreed to an order in each instance, as follows:

Then the form is provided. This is the tradition as everyone is well aware. Of course the Senate can appoint any Senators it chooses.

Mr. LONG of Louisiana. The Senator seems to be reading from a different volume. I am sure, though, that he must be reading from Senate Procedure.

Would the Senator permit me to read the same paragraph he read in part?

It reads:

> It is also almost the invariable practice to select managers from the Members of the committee which considered the bill * * * But sometimes in order to give representation to a strong or prevailing sentiment in the House the Speaker goes outside the ranks of the committee * * *

The last sentence reads:

> Senators not members of the committee which reported a bill have been appointed as conferees thereon.

It is very clear in that one precedent.

Mr. JACKSON. What is that date?

Mr. LONG of Louisiana. The precedent goes back to 1896, but we have had precedents since then, as well. That precedent has been followed.

Mr. JACKSON. Does the Senator mean it has been followed quite regularly? In addition, it does not say that Senators not members of the committee actually controlled the conference.

Mr. LONG of Louisiana. It is very seldom that it needs to be followed. I believe that I can provide the Senator with other occasions when that precedent has been followed. But it is very seldom that it occurs. The Senator raises the point. It is very seldom that a controversial bill which is in conference involves a matter which the committee voted unanimously against the Senate bill.

I am pleased to learn that the distinguished Senator from Colorado [Mr. ALLOTT] would have voted for the Ellender amendment. That comes as news to me.

I would be pleased to include the Senator's name on my list of suggested conferees in view of the fact that he would have voted for the Senate position all the way. If that would make the Senator feel better, I would add the name of the Senator from Colorado [Mr. ALLOTT] to the list of conferees I have selected.

Mr. KUCHEL. Mr. President, does that mean that there is now the suggestion of six Senate conferees under the Long substitute?

The ACTING PRESIDENT pro tempore. The Chair is in doubt. Does the Senator from Louisiana wish to substitute the name of the Senator from Colorado [Mr. ALLOTT] for one of the other conferees?

Mr. LONG of Louisiana. I suggest that his name be added to the list.

The ACTING PRESIDENT pro tempore. So that there would be six conferees.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JACKSON. Mr. President, is this not a new precedent?

Mr. LONG of Louisiana. Mr. President, there is nothing new about this at all. I have seen it happen before.

Mr. JACKSON. Mr. President, I yield further to the Senator from Idaho.

Mr. CHURCH. Mr. President, I think it has been established by the colloquy had with the distinguished Senator from Washington that the effect of the motion offered by the Senator from Louisiana would be to take this bill and the conference on it away from the Committee on Interior and Insular Affairs that had jurisdiction over the legislation in the first place.

I asked the distinguished Senator from Washington if there were any precedents for doing this. He replied that the only precedent was in 1896, in the last century, and as I understand it, that only applied to naming other Senators to the conference committee.

What we are now being asked to do is to abandon a customary and universal practice of the Senate that has been adhered to faithfully throughout the whole course of the 20th century.

I do not know whether oil has that much influence, but I would hope that it does not against such well-established, customary rules of procedure as are followed by this distinguished body.

Mr. KUCHEL. Mr. President, I shall detain the Senate but a moment. I well remember the deliberations in the Committee on Interior and Insular Affairs on the problems involved in this matter.

My able friend, the Senator from Colorado, is correct. He did help guide the members of that committee in its consideration of S. 1401, and he helped bring to the floor of the Senate a far better bill than that which had been introduced.

If we are now going to adopt the substitute proposal of my able friend, the Senator from Louisiana, we might as well take the rulebook and the book on Senate Procedure and throw them in the ashcan.

There were divergent points of view among the members of the Committee on Interior and Insular Affairs on most of the matters of substance in the legislation now sought to be sent to a conference committee.

I ask my colleagues in the Senate to vote down the substitute with its recommendation for a new list of six Senate conferees and to approve the motion made by the Senator from Washington [Mr. JACKSON], the chairman of the committee. The motion of the Senator from Washington [Mr. JACKSON] is precisely in line with the way the Senate has consistently acted over many years.

Mr. LONG of Louisiana. Mr. President, I consulted with the Parliamentarian while the debate was going on, and he advised me that many times while he has been a servant of the Senate in one capacity or another, we had gone beyond the committee membership to name a conferee or conferees on a conference committee, members who were interested in the matter in controversy and who were supporting the prevailing position of the Senate.

There is nothing new about it. While we have been discussing the matter on the floor, I have had senior Members of the Senate tell me that they have seen it happen while they have been Members. We did it on a supplemental bill this year. There is nothing new about it. It is just that when we have a controversy where there is some difficulty in naming a majority of the conferees to represent a majority position of the Senate, we go beyond the committee if need be to find the conferees we want. Usually we work those things out. I have helped to work them out many times.

No one has protested more than the Senator from Louisiana in years gone by when some of us, who were then junior members of the committee, would fight to make our position prevail on the Senate floor only to see the amendment or amendments thrown out in conference.

I remember on one of our very controversial social security bills, I fought as diligently as I knew how, along with other Senators. The matter went to conference, and I saw it disagreed to on the motion of a Senate conferee before we had been there for 5 minutes and before the House conferees had been officially appointed by the House.

I was very much upset because one of the amendments was mine.

I came back and I said then that the Senate conferees virtually threw the Senate amendments in the trash can before they got to the House side of the rotunda. The Senate amendments were not considered at all.

When one is on the prevailing side, he has a right to ask that his side be adequately represented in order to be sure that if the House can be prevailed upon to accept his position, his position will be agreed to.

The conferees I have suggested are Senators who have served and who presently serve on the committee.

The Senator from Florida [Mr. SMATHERS], whom I have suggested, served with distinction on the Committee on Interior and Insular Affairs for a number of years and is highly regarded by members of that committee. I have served with him and have the highest regard for him. If if would make the Senator feel any better, I would be glad to serve as a conferee, but it is not my amendment that is in controversy; it is that of the Senator from Louisiana [Mr. ELLENDER].

May I say that as a senior member of the Appropriations Committee, the Senator from Louisiana [Mr. ELLENDER] has every right to be considered in the appointment of conferees with regard to his amendment, because, as a member of the Appropriations Committee, he has an even more compelling need to think about the earmarking of Federal revenues than does one who does not serve on the Appropriations Committee.

Aside from the fact that this happens to be money that passes through the Interior Department to reach the Treasury, there would be no jurisdiction in the committee even to talk about what happens to this source of revenue. It would be a matter within the jurisdiction of the Appropriations Committee to say whether Federal revenues are going to be earmarked for one purpose or another. It would be appropriate for the Senator from Louisiana, who offered the amendment, and who the Senate agreed should be on the committee.

The Senator can dispose of this matter as he wishes. I suppose that as a committee chairman, I should be tempted, and other committee chairmen and senior members should be tempted, to vote for a position to let them represent the Senate, even though they voted for everything that was in conference between the Senate and the House. In this instance, all that is really in conference is the Williams and Ellender amendments. There would be no problem whatever.

Let me make this suggestion to the Senator: I believe I could persuade the three conferees I have suggested to vote with the Senator on everything that is in conference other than the Ellender amendment and the Williams amendment, which happen to be the will of the Senate, and contrary to those the Senator has suggested. If he wanted to work on that basis, I would suggest someone else. The Senator knows what he wants to do. He wants to kill those two amendments, the Ellender amendment in particular. The matter was debated for approximately 2 weeks. The Senator went in with a majority of votes, and after it was debated a couple of weeks, he did not have that majority.

I urge the Senator to let us have conferees at least half of whom could be relied upon to take a position in support of the Ellender amendment.

Mr. KUCHEL. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, will the Chair state the question?

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana as a substitute for the second part of the motion of the Senator from Washington.

The clerk will read the names of the conferees now suggested to be appointed by the Senate.

The Assistant Legislative Clerk. Mr. Jackson, Mr. Kuchel, Mr. Ellender, Mr. Smathers, Mr. Allott, and Mr. Tower.

Mr. CLARK. Mr. President, has debate been closed?

The ACTING PRESIDENT pro tempore. No.

Mr. CLARK. Mr. President, I ask recognition.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, I was strongly opposed to the Ellender amendment, and I supported wholeheartedly the position taken by the Senator from Washington in connection with this bill.

Over the years that I have been in the Senate, I have been insistent on many occasions that the precedents set forth in the manual prepared by our late dear friend Charles Watkins and our present eminent Parliamentarian, Floyd Riddick, should be applied.

It is only sound sense that the conferees for the Senate should, as a majority, represent the view of the Senate on matters in disagreement with the House. The conferees represent the Senate. They do not represent the committee. This has been established by precedent after precedent.

Approximately a month or 6 weeks ago the same question arose, when I spoke on the floor and suggested to my able and dear friend, the Senator from Alabama [Mr. Hill], that he had appointed conferees whose views were not in conformity with those of the Senate. He is chairman of the Subcommittee on Appropriations, where the matter in dispute was involved. They went to conference. The Senate conferees yielded. They took the position of the House conferees.

The bill came back to the floor of the Senate, and we defeated the conference report. At that point it was suggested that the same conferees go back again. I raised what I hoped was more or less diplomatic parliamentary language and the suggestion that the gentlemen should think several times before they go to conference and support a matter in dispute with the House, in which they are on the House side and not on the Senate side.

At that point the conferees, I thought with great graciousness, resigned. Other conferees were appointed. I believe this was salutary and wise and was done in a very gentlemanly and orderly way.

I cannot reverse my position, which I believe to be one of principle, and now vote not to put on this conference committee enough Members of the Senate as conferees who supported the Ellender amendment. Even though I strongly disagree with the Ellender amendment, I shall support the position of the Senator from Louisiana.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana as a substitute for the second part of the motion of the Senator from Washington for the Senate to elect the conferees. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, on this vote I have a live pair with the distinguished Senator from Oregon [Mr. Hatfield]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Arkansas [Mr. Fulbright] the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. Inouye], and the Senator from Oregon [Mr. Morse] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Alaska [Mr. Gruening], the Senator from Massachusetts [Mr. Kennedy], and the Senator from Oregon [Mr. Morse] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Oregon [Mr. Hatfield], and the Senator from New York [Mr. Javits] are necessarily absent.

The Senator from New Jersey [Mr. Case] is detained on official business.

If present and voting, the Senator from New York [Mr. Javits] would vote "nay."

The pair of the Senator from Oregon [Mr. Hatfield] has been previously announced.

The result was announced—yeas 13, nays 69, as follows:

[No. 188 Leg.]

YEAS—13

Clark
Curtis
Eastland
Ellender
Hart
Hartke
Holland
Hollings
Long, La.
Sparkman
Stennis
Talmadge
Williams, Del.

NAYS—69

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Bible
Boggs
Brewter
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Cotton
Dirksen
Dodd
Dominick
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Hayden
Hickenlooper
Hill
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Spong
Symington
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

PRESENT AND GIVING LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mr. Tower, for.

NOT VOTING—16

Bartlett
Case
Fulbright
Gruening
Harris
Hatfield
Inouye
Javits
Kennedy
Lausche
Long, Mo.
McCarthy
Mondale
Montoya
Morse
Smathers

So the motion of Mr. Long of Louisiana, to the second part of the motion of the Senator from Washington, was rejected.

The ACTING PRESIDENT pro tempore. Now the question recurs on the second part of the motion of the Senator from Washington that the Chair be authorized to appoint the conferees.

The motion was agreed to.

Mr. KUCHEL. Mr. President, I move that the vote by which the motion was agreed to be reconsidered.

Mr. JACKSON. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Chair appoints the following conferees: Mr. Jackson, Mr. Anderson, Mr. Bible, Mr. Kuchel, and Mr. Allott.

The Chair lays before the Senate the pending business.

AN APPEAL TO HANOI

Mr. BROOKE. Mr. President, I rise today to speak as soberly and carefully as I can about the current situation in Vietnam and the negotiations in Paris. In doing so I am well aware that I am breaking the silence which most of us in this body have adopted in recent weeks, a silence reflecting a responsible concern not to jeopardize the vital effort to substitute diplomacy for warfare in Southeast Asia. We have prayed that by withholding comment on the war during this crucial period we might facilitate the progress of the peace discussions.

Unfortunately, it appears that the North Vietnamese have misconstrued our silence, just as they seem to have misjudged the earnest overtures for a peaceful settlement made by our President. They have responded to America's unilateral deescalation of the war by rapidly increasing their own military efforts. They have punctuated the talks in Paris with intensified terror attacks in Saigon. Apparently they have come to the conference table with little disposition to conduct serious negotiations at this time and with an intent to use the diplomatic forum for propaganda.

In an outrageous denial of fact, the North Vietnamese even refuse to acknowledge the presence of their forces in South Vietnam. What is worse, Hanoi continues to operate under the illusion that its bargaining position can be improved by calculated acts of the utmost brutality against the civilian population of the South. In hopes of undermining the Government of South Vietnam and of disrupting its relations with its principal ally, the North Vietnamese regime is following its established doctrine of escalating the war while talking.

This policy was enunciated by Hanoi's Deputy Chief of Staff, General Vinh, in a speech to the fourth congress of the Vietcong:

> We will take advantage of the opportunities offered by the negotiations to step up further our military attacks. The decisive factor lies on the battlefield. In fighting while negotiating, the side which fights more strongly will compel the adversary to accept his conditions.

The North Vietnamese are compounding the tragedy of the war by a fundamental misunderstanding of the relation between the terrorism which they are instigating in South Vietnam and the willingness of the allies to seek a negotiated settlement. Contrary to the dogma which prevails in Hanoi, a hundred nights of a hundred rockets in Saigon will not bring concessions. Nothing could be more certain to harden the will of the South Vietnamese Government and its allies, for there could be no more discouraging evidence of the character of their adversaries.

So far as the United States is concerned, I believe it is imperative that we disabuse the North Vietnamese of their misguided notion that increased terror attacks will compel us to accept their conditions for peace. As the Citizens Committee for Peace With Freedom in Vietnam has stated:

> One of the greatest threats to successful negotiations is that Hanoi may under-estimate America's resolve.

I fear that this is exactly what is happening.

If the just peace for which we all yearn is to come, Hanoi's misperception of our determination must give way to an accurate appreciation of American purpose and will. That purpose remains to assist the South Vietnamese in defending their right to determine their own political order. That will remains sufficient to the task.

Beneath the long and noisy debate in this country, there is a bedrock solidarity to American opinion on the war in Vietnam. It is essential for Hanoi to recognize that Americans want a fair peace and that they will accept nothing less.

The American public will not give way before the horrors being perpetrated by the People's Army of North Vietnam and the Vietcong. Precisely the opposite will occur. For example, in the wake of the Tet offensive on the cities, Louis Harris reported that support for the U.S. war effort had soared from 61 percent to 74 percent. A similar tendency is fully predictable if the PAVIN and Vietcong persist in their current tactics. This is the habitual response of the American people in time of trial. They will do what has to be done.

Hanoi should not infer from the growing concern over our needs at home that we will withdraw from necessary commitments abroad. Another recent Harris poll indicates that a solid majority of Americans favor spending what is required in Vietnam.

This rockbottom sturdiness in American opinion is the political reality with which Hanoi must reckon. Should Ho Chi Minh still doubt that the United States has the will to bear its burdens, he should pay particular attention to the tax increase which Congress has already approved.

Hanoi should not delude itself into thinking that the start of negotiations has created expectations in this country of an early settlement or that the United States has no choice but to continue the talks, however fruitless they may prove. Quite the contrary is true. The American people have adopted a highly skeptical attitude toward the Paris discussions and are prepared for the contingency of their failure. In fact, polls reveal that most Americans doubt that the talks will end the war, and a substantial majority expect them to drag on for a long time. Moreover, while 88 percent of those surveyed by Harris are strongly in favor of a negotiated settlement and 68 percent are prepared to see a neutralist solution to the war, a firm majority are opposed to the imposition of any coalition regime on South Vietnam.

What this means to me, and what I think it should mean to Hanoi, is that the American public is fully prepared to seek a compromise settlement in which all South Vietnamese, including those presently members of the NLF, will have an opportunity to take part in the political life of their country. But there is no inclination to reward force by guaranteeing the National Liberation Front a political role which it has not won through political processes.

The new Cabinet in Saigon gives the South Vietnamese Government its widest popular base to date, collectively representing more than half the total votes in the recent national elections. Premier Tran Van Huong has displayed his own enlightened view of the need to end the war by discouraging talk of reprisals against Hanoi for the bloody assaults on Saigon. He has noted, simply and compassionately, that the innocent people who die in any such retaliatory attacks are also Vietnamese. The question is "Where is the leader in Hanoi who will voice the same humane attitude toward the innocent civilians under attack in Saigon?"

If the North Vietnamese are actually intent upon peace in the region, they should be looking toward direct discussions with Saigon. The fundamental question, obviously, will have to be the role of the National Liberation Front in the future Government of South Vietnam. For my part, I believe there is a reasonable basis for including the members and adherents of the Front in the political processes of the South. That basis is the principle of one man, one vote, a principle which can be implemented through the constitutional procedures already established in South Vietnam. This is the view of the Citizens Committee for Peace With Freedom in Vietnam, a distinguished group of Americans founded by our respected former colleague, Senator Paul Douglas, and numbering among its members both President Eisenhower and President Truman.

The committee has spoken for most Americans in its declaration that—

> Any representation of the National Liberation Front in the political structure of South Vietnam should occur as a result of a free political choice expressed by the South Vietnamese themselves.

The electoral procedures of South Vietnam provide for all parties to be represented on the boards which process the ballots, adequate arrangements exist, or can be designed, to insure fair access to the voters for any candidates sponsored by the Front or its sympathizers.

It is my considered judgment that, once the North Vietnamese and their associates in the NLF give convincing evidence of their willingness to move toward serious negotiations, the Government of South Vietnam should make clear that it is prepared to accept the NLF or a successor organization into the political life of the country. The exact terms of their participation may well be the subject of protracted discussions, but those are the discussions which should be undertaken as soon as possible.

The people of the United States and of most other countries have taken President Johnson's unilateral deescalation and peace initiative as a genuine and far-reaching step toward political settlement of the war. In return it is assumed that the North Vietnamese will themselves demonstrate a sincere willingness to reach an agreement. So far, in more than a month of talks, they have failed to do so. Should they continue in their present course, the consequences could be extremely grave.

Neither we nor our adversaries should lightly countenance a collapse of the negotiations. If this occurs, the invaluable channels of diplomacy could be discredited for years to come and both the allies and the North Vietnamese could face a longer and more horrible war. Given present moods and trends, such a development could only confirm the suspicions that Hanoi is seeking to exploit negotiations for propaganda advantage rather than for an honest peace. It will reinforce the painful experience of the Laos accord of 1962, an accord which the North Vietnamese have violated from the beginning. Indeed, as Prince Souvanna Phouma has recently disclosed, Hanoi already had troops in

Laos at the time of the 1962 agreement, and assured the Prince that they would be removed if he did not make an issue of their presence at Geneva. Yet large numbers of North Vietnamese are still in Laos today. The knowledge that North Vietnam has reneged on its private bargains as well as its public ones is not designed to enhance mutual trust. It is bound to make the Paris discussions more difficult, and if they are terminated because of North Vietnam's total disregard for their serious purpose, to make their resumption less likely.

An outcome of this sort in Paris is bound to weaken the influence of those of us in the United States who have long favored a negotiated end to hostilities. James Reston is certainly right in noting that the callous behavior of the North Vietnamese to date is "not only breaking the spirit of accommodation and adding greatly to the bloodshed, but hardening the American negotiating position, which is precisely the opposite of what Hanoi intended." It threatens to discredit future arguments that America should take the first steps to moderate the war, in the expectation that North Vietnam would reciprocate.

Mr. President, it is my sad conviction that we are in one of the most dangerous and precarious periods of the entire war. Should the negotiations fail, I fear that there will be tremendous pressure on the U.S. Government, both from its electorate and its allies, to resume escalation. There are likely to be not only calls for the bombing limitations to end, but also overwhelming demands for an all-out assault to close Haiphong. Under some circumstances, a frustrated and impatient public might even insist on such harsh measures as strikes against the dikes in North Vietnam, an action which would be a radical and lamentable departure from America's consistent effort to limit the conflict. Already I am hearing from colleagues and constituents vehement arguments that every rocket that falls on Saigon should be matched by a bomb on Hanoi.

Of even greater danger to world peace would be the possibility of a wider, as well as a more intense, war. In some quarters there may arise new proposals for interdicting the Ho Chi Minh trail by sending ground troops into Laos. The occupation of the demilitarized zone might become a real issue. And I am deeply apprehensive that the scare stories one has heard so often about an impending invasion of the North might cease to be mere fantasy. With the growing capacity of the Army of South Vietnam, there may even be those who will urge Saigon to establish a beachhead above the DMZ with U.S. naval and air support.

Should these contingencies develop in the aftermath of a debacle in Paris, both the Allies and the North Vietnamese would be dealing with a vastly altered military and political situation. Hanoi must know that, having sent 100,000 of its best troops south, North Vietnam is in several respects more vulnerable to a renewed war above the 17th parallel. Moreover, it now has at stake in the South a greater investment of men and materiel than ever before. Northern troops now comprise the bulk of the main force units in South Vietnam, and Northerners are serving as "fillers" for badly depleted Vietcong units which cannot sustain their former rate of recruitment in the South. Thus, resumption of even fiercer warfare in the North and South must be judged, by any rational assessment, a costly prospect for all parties.

If Hanoi is to make a balanced appraisal of the negotiations in Paris, it must understand some central truths about the domestic political trends in the United States. The present administration is ready and willing to get on with the hard business of negotiating an equitable peace in Vietnam. In this effort it has the general support of the American people. It has the general support of Congress. No successor administration will be prepared to accept an inequitable peace, and with a fresh mandate it will be capable of prolonged negotiations, if necessary. In short there is nothing for North Vietnam to gain by procrastination, and much for it to lose.

By making the personal and political sacrifice announced in his speech of March 31, President Johnson has effectively neutralized the political constraints under which American leaders normally function. He has gained unprecedented freedom of maneuver and has sought to use it in the interests of peace. But make no mistake about it, the President's options do not lead only to the conference table. He is still Commander in Chief of the Armed Forces of the United States.

No President could have a stronger incentive than Lyndon Baines Johnson to conclude the war in Vietnam. No moment will be more opportune for Hanoi to negotiate than now.

Mr. President, Hanoi's present strategy can prolong the war. It cannot bring peace. Without a reasonable measure of reciprocity by North Vietnam, it is difficult to conceive of further concessions by the allies.

The people of Vietnam, the people of America, and, indeed, the people of all the world, want peace. They need peace. They deserve peace. The decision rests with Hanoi.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. MURPHY. Just as a matter of classification, is it not a fact that the National Liberation Front is in actuality the hard-core Communist element in South Vietnam which is directly connected with the Communist element in Hanoi?

Mr. BROOKE. There is no question that there is a relationship between the National Liberation Front and the Hanoi government.

Mr. MURPHY. I interrupted to ask the question because quite often, in dealing with terms, I am afraid that everyone does not always understand every implication.

I congratulate my distinguished colleague for the objective, enlightening, and noteworthy remarks he is making.

I thank the Senator for permitting the interruption.

Mr. BROOKE. I thank the Senator from California.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BROOKE. I yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I did not hear the beginning of the Senator's speech, but I have listened with great interest to the last 10 or 15 minutes of his remarks. I think his speech was well worthwhile, not only worthwhile making but worthwhile publicizing.

It is important, I believe, to try to impress on the North Vietnamese that this country wants peace, but is not going to stay its hand forever, particularly in the face of the renewed attacks which the North Vietnamese are making in South Vietnam at the present time.

I congratulate my distinguished colleague. I am happy that he made the speech.

Mr. BROOKE. I thank the distinguished Senator from Colorado. I am glad that he emphasized the position of the American people. I think it is important that not only Hanoi but the world understand the American position at this time.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. ALLOTT. I congratulate the distinguished Senator from Massachusetts on his speech, which contains, I think, some very valuable new thoughts. The primary one, of course, is that Hanoi will never be in a more advantageous position to wage a peace at the conference table than it will be in the few months before the end of this year.

Another thought which strikes me is that, as I have felt for a long time and have stated many times, I do not believe that we would ever negotiate a peace which did not reflect the status of the battlefield. With that the Senator may not entirely agree, but at the beginning of his speech, before I was called from the floor for a few minutes, the Senator quoted a dispatch from Hanoi which said that this was their belief, and said it in almost exactly these words, that they intend to continue and even escalate the war as long as they are negotiating, and that to them negotiation is only another instrument in the prolongation and the waging of the war. I am sure the Senator agrees that that is their position, as matters now stand.

The Senator's very brilliant speech brought to my mind the fact that during the course of the last 2 or 3 years I have talked with many people who were bitterly and emotionally opposed to the Vietnam war. Of course, that is their right and privilege. Many of us have had second thoughts about the means and the mechanisms by which we became involved in that war to the extent which we have.

But in the emotional reactions of the people who are so bitterly opposed to the war there constantly recurs the theme of the cruelty and suffering that has come upon the South Vietnamese people because of the war. I ask the Senator, has he ever seen a better example of a scorched-earth policy than the warfare the Vietcong and the North Vietnamese have waged against Saigon during the last few weeks?

Mr. BROOKE. My answer is "No."

Mr. ALLOTT. I was sure the Senator would agree. I make this statement simply to call the attention of the American people, and particularly those who somehow have got stars in their eyes with regard to who the Vietcong are, whom they represent, and what they are trying to do: That here is one of the most brutal, inhuman, continuing policies of scorched earth and brutality against people that we have seen, perhaps, in our lifetime.

When we think about where we are going and with whom we are negotiating and what we ought to do in the future, I think we must constantly remember those days beginning with the Tet offensive, and the days up to the present hour, during which the Vietcong have brutally sought the destruction of Saigon and its terrified citizenry. The Vietcong know that this destruction has to be ultimate and final if they are to be successful in their efforts to dominate this war-ravaged country.

I appreciate very much the remarks of the Senator, and I appreciate his yielding to me.

Mr. BROOKE. Mr. President, I am very grateful to the distinguished Senator from Colorado. He certainly has pinpointed what the North Vietnamese and the Vietcong have been doing in South Vietnam since the negotiations have commenced. Obviously, they are of the erroneous opinion that they will compel the negotiations to go their way by an escalated waging of the war and by terrorism and acts of brutality, as the Senator has pointed out, against the South Vietnamese people.

I think this is a misconception and a misinterpretation of our purpose and our will. And I think that unquestionably they must realize—and I hope soon—that our Nation intends to stand up to its commitment in Vietnam and that we will not be compelled to negotiate any unfair or unjust peace.

I think that the statement to which the Senator refers is a clear indication of their intent and their doctrine that the battlefield is the important place from which to win at the negotiating table. And this is unfortunate, for certainly the time for them to negotiate is now. The conditions and the climate for negotiations are better now than perhaps they will be at any other time in the foreseeable future. And as I have tried to point out in the speech—and I think it is accurate—President Johnson's position is unique in American history and in the history of the world. He does have freedom at this time by virtue of the fact that he will not be a candidate for reelection.

So I am very hopeful that Hanoi will harken to this appeal and get on with serious negotiations in Paris. I hope that Hanoi will undertake deescalation rather than an escalation of the war, and will not threaten us with their present course of action, including acts of brutality against their own people.

I thank the distinguished Senator from Colorado for his contribution.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. MURPHY. Mr. President, I agree with the distinguished Senator from Massachusetts. President Johnson has performed in a manner the like of which has not existed in history.

On several occasions he has done more than some people have thought was in the best interest of the United States in order that we achieve peace. I think that in the minds of all honest and serious-minded people there can be no question of that. However, the entire conduct of the war in Vietnam has been that of contrived confusion.

At this present juncture, although a cessation of bombing in the North was permitted as part of our invitation and hopeful aspiration to achieve a complete cessation of the fighting so that we might talk in a peaceful atmosphere, we find once again that, advantage has been taken of us.

Now we find that because of the cessation of bombing the area north of the 19th parallel, there has been a great concentration of aircraft in this area and that our airmen are forced to fly missions today under extremely hazardous conditions—conditions unparalled in history.

It is also known now that there were three, and possibly four, enemy airfields which were continually kept out of commission by our airstrikes.

I am told now that with the cessation of the bombing, these airfields are being rebuilt and are being manned and staffed by the very latest Russian fighting planes and Russian medium bombers. It may be that the great destruction and, in my judgment, the needless destruction taking place today may be the result of the gracious action on the part of our President to seek the peace.

I wonder if the distinguished Senator feels as I do, that maybe the time has come in these negotiations that we should begin to negotiate on the same basis that we have negotiated successfully with Communist nations in the past. Maybe the time has come for us to show our strength.

It worked for President Truman in Greece. It worked for President Eisenhower in Lebanon. It has worked in two or three other areas of the world. It seems, however, that every time we choose to negotiate from the standpoint of friendship, which is in keeping with the American character, we are misunderstood.

Maybe the time has come when the President should take a firmer position and say: "Gentlemen, I have come with clean hands and with an absolutely honest intent. You have taken advantage of it. You have used it to waste time and to create world propaganda against the United States, and to create needlessly a situation in which American boys are being killed. So, as of a given date, the bombing will resume."

If it is the choice of the North Vietnamese Government in Hanoi to fight while they talk, then they must accept our actions on those same terms. I am afraid that at one point we either have to accede to what they are proposing, which is unthinkable, or say: "Now the game is over. We are now going to go back to conducting the war in a warlike manner."

Mr. BROOKE. Mr. President, in response to the distinguished Senator from California, it is not my purpose at this time to advocate a resumption of the bombing in North Vietnam. I shudder to think that that should ever have to be done again.

The purpose of my remarks on the Senate floor today is to attempt to avoid a resumption of the bombing in Vietnam, a resumption of our escalation in the war.

Hopefully, we would be able to get on with serious negotiations. But I think that the Senator very clearly points out the danger of the present course of action of the Hanoi government; that, as the distinguished Senator has suggested, there may very well be a call for a resumption of the bombing of North Vietnam. There may be a call for the mining of the Haiphong harbor. There may be a call for an interdiction of the Ho Chi Minh Trail, and so on. The conflict could grow and grow.

As I tried to point out, it could grow into a much wider and broader war. The character of the war would be changed from that which we have steadfastly adhered to.

This is the danger that Hanoi faces by its present course of action.

Mr. MURPHY. Mr. President, one of the current sayings in Saigon at this time is: "The bombs are falling on Saigon. Why aren't they falling on Haiphong?"

The people have been saying this for a long time. Also, having listened to the remarks of the Senator, I point out that the last time I was in Vietnam, during the election, the terrorists, in order to scare the people of South Vietnam and keep them from going to the polls, killed more people than have been killed by the terrorists' bombing of Saigon in this present effort.

In 1 week before the election, terrorists killed nearly 1,000 people. I believe now that the number is still under a thousand. While the casualties may number a thousand, not that many have been killed so far.

It is a strange, unfortunate situation, and I believe much of it has not been discussed in public. That is why I am pleased that the Senator has made his remarks today, to call attention to the fact, once again, that we in the United States carry out the stated policy of the people and the last four administrations of the United States, to guarantee the self-determination of small nations. I do not know what is wrong with that. It is an ideal that all nations should adopt. Yet, in carrying out this policy, we have been painted as imperialists.

I listened one day to the Russian ambassador to the United Nations. For an hour and a half, he blamed the United States for every problem that existed in the world for the last 30 years. Obviously, he was not telling the truth, and he knew that. But those of us who have watched the developments know that being truthful has no relationship to accomplishing the ends of the Communist basic ideology. This one aspect of the situation makes it very difficult for us to perform successfully while being truthful.

I am pleased that the Senator has made his remarks, because it will attract a great deal of light and understanding as to exactly what is happening in Paris today.

Mr. BROOKE. Again, I believe the distinguished Senator from California has made a very rich contribution in this colloquy. All the actions that he has mentioned, have resulted from a misreading of the American position by the Hanoi Government.

I am hopeful that the discussion which we have begun will continue, and that Hanoi will get a correct reading of the American position.

Mr. MURPHY. We must bear in mind, also, that the people of Hanoi are not as well informed as the people of the United States.

While I was in Vietnam, for instance, I saw Communist propaganda tracts taken from prisoners—some of who were 14 years of age—in which some of our colleagues were quoted out of context. The point was to prove that the people of the United States were going to call off the war and that the United States was just as divided as the people of Paris were when they called off the war. This was not so, but this was what was being said.

The North Vietnamese government insists that they are winning militarily, when we have it on the best authority that they cannot possibly win militarily. They know this, but they do not think their people know it. Every time we stop bombing or make a gesture, they use this as proof that the Hanoi government is doing the right thing and that they are going to win.

Again, I congratulate the distinguished Senator from Massachusetts for bringing light to the matter. I hope that more of our colleagues, as time goes on, will consider this matter in the calm, thoughtful, and well-considered atmosphere in which the Senator from Massachusetts has prepared his remarks.

Mr. BROOKE. I thank the Senator from California.

This statement today is an appeal to Hanoi, and I hope and believe they will hear the message. We cannot expect that all the North Vietnamese will be informed. Certainly, they are not as well informed as the American people, with our system of government and with our media of communication. But the leaders of the Hanoi government and the negotiators who will reconvene tomorrow in Paris certainly will know of this appeal and will get the message and, hopefully, will give it due consideration.

My remarks are not intended, as I have said in response to a question of the Senator from California, to advocate any stepped-up or escalated maneuvers of the war. I believe we went to the negotiating table in all earnestness, in all sincerity, and in all good faith. I believe we have lived up to the agreement under which we went to the negotiating table. Certainly, there have been no claims that we have not. On the contrary, I believe it is Hanoi that has not lived up to the agreement.

If this is their intent and their strategy, based upon a misconception of the American will, then they should reread the American will and understand it. If they do, then, hopefully, negotiations can begin in earnest, and this war can be brought to a successful conclusion.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BROOKE. I am delighted to yield to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I note that in the first sentence of the speech of the distinguished Senator from Massachusetts, he said:

> I rise today to speak as soberly and carefully as I can about the current situation in Vietnam and the negotiations in Paris.

In his characteristic way and with his good judgment, the Senator from Massachusetts has spoken soberly and carefully about the matter. I believe that a speech of this type at this time requires such an approach and the deep concern that the Senator from Massachusetts has shown.

For a long time I had urged the President to take a step which, hopefully, would lead to negotiations, and I was glad when he took that magnificent step. Of course, like everyone else, I had hoped that the negotiations would proceed expeditiously and that some progress would be made. It is obvious that little progress has been made thus far, but I believe this was to be expected in the early days of talks.

I believe it is correct that we must view the situation in the context of the President's proposal and the response received after a few days from Hanoi, when Hanoi suggested that negotiations would take place in two phases. In the first phase the question of whether there should be a complete cessation of bombing, and in the second, an agenda for negotiations.

President Johnson has taken the first step. Perhaps North Vietnam believes it might negotiate under better conditions with the election of a new President. I agree with the Senator from Massachusetts that a new President would have to make a decision which might be exceedingly difficult, to take a step beyond that which President Johnson already has taken.

One step which I hope may occur after the negotiators reconvene tomorrow would be to enter into private talks. The public talks have been accompanied by propaganda, as expected. It seems to me very difficult to make any progress in public talks.

It is difficult to be optimistic in these circumstances, but I believe that it is most important to pursue negotiations and to maintain our efforts to reach a political settlement.

I would hope that Hanoi would hear the voice of the Senator from Massachusetts, as he has spoken today; that when the negotiators reconvene, they will enter into private negotiations; and that we will give more time to determining whether a way can be found to talk purposefully and to reach the negotiations rather than to make a choice to resume the bombing of North Vietnam. It may not be a very popular approach for some, but our country must make the effort to look at the issue as a whole, to stick with our objectives, to act justly and properly, as I believe we have, to see if the North Vietnamese will actually enter into fruitful negotiations. I believe we have to continue the effort.

Again I wish to say that I appreciate very much the Senator's measured, sober, and careful approach which was indicated in his first sentence, and which he followed throughout the speech.

Mr. BROOKE. I thank my colleague, the very distinguished member of the Committee on Foreign Relations. I am very much encouraged by his contribution and what he has said. I certainly share with the distinguished Senator from Kentucky his opinion. I think the American people are patient, and I think they have faith. I think patience has its own limitations, to be sure.

Five weeks is a long time, and yet we did not expect, perhaps, that negotiations would have been concluded in 5 weeks; but we could reasonably expect they would have started within 5 weeks. I do not think it is impatient to call out at this time for some act of serious negotiation on the part of the Hanoi government.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. MURPHY. I would think that the Hanoi government, if they came to the conference table in good faith, could quickly ask for and establish conditions for a ceasefire. This is our first hope. I think the Senator from Kentucky will agree with that.

Mr. COOPER. Of course, I do.

Mr. MURPHY. We must not forget the situation in Korea, which still goes on. We have a treaty there and it is going into the eighth year. Now, we must stop deluding ourselves at some point about the good faith, the good desire, and the promises of the Hanoi government.

The only thing that disturbs me, and I know it disturbs the Senator from Kentucky, and many other colleagues, is, How do we explain the casualty list when it is said, "All right, we tried and we tried as hard as the best interests of the United States would permit?"

Mr. President, you come to the point where it must be said, "I believe we can try a little further, but I must finally make the hard decision," and as the President said the other day, bite the bullet and face reality.

I think this is a time that is approaching. I am not so sure it would not be effective.

I look back at the years when we had great military superiority, not to make war in the world, but to guarantee the peace. We enjoyed many peaceful years because the troublemakers were afraid to move against us. Now, this is beginning to change. The more we permit it to erode and the more vacuums we permit to come into being, the more trouble there will be for the future, not only for our country but for the entire free world.

Mr. BROOKE. I think it is unreasonable for Hanoi to expect that we can stay at the conference table for an unlimited period of time during which more and more military and civilian casualties are sustained. We have had some of our highest casualty rates in the period since negotiations started. Something is basically wrong when the casualty rates increase after negotiations commence.

As I said earlier, I think the American people are patient, and that they have faith and confidence. However, all of these virtues have their limitations. I think it is time now for Hanoi to show good faith on its part by some serious act of negotiation. I am hopeful that they will proceed in that direction.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. BROOKE. I yield to the distinguished Senator from Wyoming.

Mr. HANSEN. Mr. President, I would like to add my words of commendation to the Senator from Massachusetts for the very excellent words of advice and warning he has given those in this country and other nations in the world today. I think he is to be complimented on his understanding of the situation in Southeast Asia.

I am aware of the fact that a little more than a year ago, as I recall, the Senator made a rather extended visit to that faraway part of the world in order to gain a first-hand understanding of the situation over there.

We have all been benefited very greatly by his observations. I hope Hanoi will ponder well his words in the Senate this afternoon because I think he has spelled out clearly and unmistakably something of the determination of this country and something of the patience of this country, which is not beyond limit, and that we are all trying to exercise in this difficult period of time. His words will serve to guide us as we work toward achieving a settlement that can result in a diminution of the struggle and a minimizing of the loss of life.

We will be misunderstood if Hanoi should make any other conclusion regarding our participation at this time.

I just wanted to add my words to those already expressed to the distinguished Senator for the very important contribution he is making toward a better understanding of the position of America today.

Mr. BROOKE. I thank the distinguished Senator for his kind and generous remarks and for stating his position on this most important matter.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. MURPHY. Mr. President, I yield the floor to the Senator from Colorado.

Mr. MANSFIELD. Mr. President, will the Senator yield to me in order that I may propound a unanimous-consent request?

Mr. DOMINICK. I am happy to yield to the distinguished majority leader. But first I had told the distinguished Senator from Kentucky I would yield to him.

CONSTRUCTION AT MILITARY INSTALLATIONS

The Senate resumed the consideration of the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes.

AMENDMENT NO. 854

Mr. COOPER. Mr. President, I call up the amendment I submitted earlier today to H.R. 16703.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. COOPER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 135, between lines 12 and 13, insert a new section as follows:

"SEC. 808. None of the funds authorized to be appropriated by this Act may be obligated or expended for the construction, procurement, or deployment of any antiballistic missile system, or for the acquisition of any real estate for any such system, prior to the fiscal year beginning July 1, 1969."

On page 135, line 13, strike out "SEC. 808" and insert in lieu thereof "SEC. 809".

Mr. HART. Mr. President, the Senator from Kentucky [Mr. COOPER] and I prepared the amendment to H.R. 16703, the Military Construction Authorization bill for fiscal year 1969.

Briefly, the amendment would postpone for 1 year the authorization for real estate acquisition and construction of the first Sentinel tactical site facilities, thus reducing the authorization by $227.3 million.

In offering this amendment, the Senator from Kentucky and I are mindful of the many other Senators who, over the past months, have repeatedly questioned the wisdom of proceeding with this system at this time. I pay tribute to the effective work of—among others—the Senator from South Dakota [Mr. McGOVERN], the Senator from Pennsylvania [Mr. CLARK], the Senator from Wisconsin [Mr. NELSON], the Senator from New Jersey [Mr. CASE], the Senator from Oregon [Mr. MORSE], the Senator from Alaska [Mr. GRUENING], the Senator from Idaho [Mr. CHURCH], the Senator from New York [Mr. JAVITS], the Senator from Illinois [Mr. PERCY], and the Senator from Ohio [Mr. YOUNG].

Senator COOPER and I would welcome their cosponsorship of this amendment as we would welcome the support of others of our colleagues.

Mr. President, the Hart-Cooper amendment provides, in effect, that no funds authorized for construction of the Sentinel antiballistic missile system deployment shall be obligated or expended in fiscal year 1969. We desperately need a last clear chance to evaluate the pros and cons of beginning nuclear missile defenses deployment. The additional year will give us that last clear chance.

What makes this postponement particularly timely is that the Chinese missile program is at least 1 year behind the schedule which we anticipated last fall, when Secretary McNamara announced the commencement of thin defense deployment. But that is only one of the five principal reasons for supporting the amendment and I would like to address myself at this point to those five persuasive considerations:

First, we can afford to wait. The grounds presented for deployment last September depended on the timing of a potential future Chinese missile threat—a timing which has been reevaluated repeatedly since then. It now appears from a Defense Department communication of June 11 that there has been "at least a 1-year slip in the Chinese ICBM program beyond what we expected when we made the deployment decision."

Second, Sentinel is not ready for deployment. Important components have not been adequately tested. Deployment will tend to divert resources from needed additional research; a delay may therefore result in a more effective system. In sum, by postponing the deployment, the ABM program will benefit if it ultimately develops that deployment is in the national interest.

Third, Sentinel would hamper prospects for United States-Soviet Arms Control Agreement. Sentinel deployment will clearly cause the U.S.S.R. to react to some degree by developing countermeasures. At the very least it will make more remote the possibilities of serious negotiations with the Soviets over strategic armaments. A worse possibility is that a U.S. ABM deployment will open a Pandora's box of dangerous new armament programs which will decrease U.S. security rather than enhance it, at enormous added cost to both sides.

Fourth, important dollar savings may be realized. The cost of the system as presently planned is likely to soar beyond the present official figure of $5.5 billion. In addition, in the time saved alternative and less costly means of providing security may be developed, whether in the arms control area or by such means as providing protection for Minuteman ICBM's with increased site hardening. Thus a decision to spend $1 billion now could mean wasting not only that amount but in the long run $5.5 billion and probably much more.

Fifth, Sentinel's effectiveness is in grave doubt. Few Senators would argue against the acquisition of a missile defense system if they could be assured it would perform the tasks for which it was intended. If a defense system could be built which would save lives in the event of nuclear attack the expenditure of many times the funds now requested might be well justified. But the testimony of many military and technical experts provides more than adequate justification for the belief that such a system does not now exist, nor is it likely to exist in the future. The best that can now be offered is a "thin" defense system—the proposed Sentinel—which would have no capability against a large Soviet attack, only a "marginal" capability for a very short period of time against a possible

Chinese ICBM attack, and none against a Chinese attack using nuclear weapons other than ballistic missiles or concentrating even a small ICBM force on one or two of our major urban centers.

Mr. President, in view of the most serious questions about the effectiveness of a thin defense deployment, the costs of such a system at a time when we cannot afford to waste millions and billions, and the probable adverse effect of deploying Sentinel now upon the prospects for achieving important arms control agreements with the Soviets, there is surely ground for a last look before we leap. And delay is doubly wisdom when we consider that there is really no need for us to rush ahead now to meet any Chinese threat. Our original timetable last fall was actually in anticipation of a Chinese intercontinental missile capability—only projected for the 1970's—and it now appears that there has been at least a 1-year slippage in the originally expected timetable for Chinese missile development.

I will not further belabor the importance of a postponement in a program which may entail such great waste of our assets and add new burdens to the progress of indispensable nuclear arms control measures. I would conclude my remarks only by noting that the whole question of missile defense deployment requires an agonizing last appraisal by the Congress and the administration to be elected to office this November, for the ominous importance of this question has been underlined by our most respected leaders since the question of ABM deployment was raised last year. Thus, the distinguished minority leader warned us in January of 1967 against commencing any antiballistic missile race with the Soviet Union. As Senator DIRKSEN stated on a nationwide program:

> When I think in terms of antimissiles and then, of course, they are defensive weapons. But if they have enough to annihilate us and we have enough to annihilate them, then what real difference does it make how many we have and how many they have? Because you are looking at coannihilation. That only means that more work had to be done in the general disarmament field and in controls, in the hope that this thing can be kept from escalating to a point where no country can afford that kind of an expenditure.

The next major warning came from Secretary McNamara himself. In the historic speech in which he announced in 1967 that there are marginal reasons for believing that a thin defense deployment may be prudent, he warned in the most dramatic terms aganst the continuance of a mad nuclear race whose ultimate result can only be bankruptcy or annihilation for the nuclear nations of the world.

Soon after that announcement it was ex-President Eisenhower, speaking in the magazine of the United Nations Association—VISTA, January 1968—who warned us of the dangers implicit in any commencement of "thin" missile defense deployment. As he stated it:

> I wouldn't call it a form of excessive arms, *if* I though it would be effective. But I tend to agree with McNamara when he minimized the need for the thing. If it's a "thin" defense, as they now describe it, it won't appreciably improve our defensive posture. And, anyway, it's still axiomatic that the best defense is a perfect offense. We've got *that.*

And it was only a few days ago that President Johnson once more expressed our great hopes for substituting firm nuclear arms control agreement with the Soviet Union for the present reckless pace of the nuclear arms race. His most recent comments bring to mind the President's statement on February 17, 1967, on transmitting to us the report of the Arms Control and Disarmament Agency; there he spoke of the limited antiballistic missile system around Moscow and warned that our hard-won accomplishments in arms control "can be swept away overnight by still another costly and futile escalation of the arms race", since "decisions may be made on both sides which will trigger another upward spiral."

These are sobering warnings, Mr. President, from men as knowledgeable and wise as the distinguished minority leader, Secretary McNamara, former President Eisenhower, and President Johnson. When it comes to commencing another upward sweep in the nuclear arms race, it is surely national wisdom to exhaust every last avenue first. If, as I hope, the pending amendment is adopted by the Congress, we must use the coming year for a last vital attempt to defuse the nuclear arms race with sober measures of nuclear arms control and restraint. We here, our children, and all mankind will be the gainers if by postponing the evil day we can make progress which will substitute the security of arms limitation and peace for the relentless perils of nuclear escalation.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have discussed the unanimous-consent request which I am about to propound with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], the chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL], the chairman of the subcommittee handling the pending bill, the Senator from Washington [Mr. JACKSON], the ranking minority member of the Committee on Armed Services, the Senator from Maine [Mrs. SMITH], as well as the Senator from Kentucky [Mr. COOPER], the Senator from Missouri [Mr. SYMINGTON], the Senator from Michigan [Mr. HART], and others.

I ask unanimous consent that beginning at 1 o'clock on Monday next there be a time limitation of 30 minutes on the pending amendment, the time to be equally divided between the Senator from Kentucky [Mr. COOPER] and the distinguished chairman of the subcommittee, the Senator from Washington [Mr. JACKSON].

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that on other amendments there be a 1-hour limitation of time, to be equally divided between the proposer of the amendment and the manager of the bill, and that there be a 2-hour limitation on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. MURPHY. Mr. President, may I make an inquiry of the distinguished majority leader?

Mr. MANSFIELD. I yield.

Mr. MURPHY. Has the distinguished majority leader any idea at this particular time as to how many amendments there will be to the bill?

Mr. MANSFIELD. As far as I know, there is only one. There may be others, but at this time I am not aware of any.

Mr. WILLIAMS of Delaware. Do I understand there will be a limitation of 30 minutes to each side on any other amendment?

Mr. MANSFIELD. The Senator is correct.

Mr. President, may I say for the information of the Senate—and the Senator from Delaware will be interested in this fact, as well as other Senators—that if the House passes the conference report on the tax bill on Thursday, it is the hope, the desire, and the wish of the joint leadership that it will be possible to take up that conference report in the Senate on Friday.

Mr. WILLIAMS of Delaware. I agree completely with the majority leader on that plan and think that the earlier we act on the tax bill the better it will be. I see no reason why we cannot act on Friday next.

Mr. MANSFIELD. That is our hope. The joint leadership is very desirous that if at all possible the conference report can be considered at that time. I thank the Senator from Colorado [Mr. DOMINICK].

The PRESIDING OFFICER. The Chair inquires of the Senator from Montana whether he wishes the unanimous-consent agreement in the usual form?

Mr. MANSFIELD. In the usual form; yes, indeed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, later reduced to writing, is as follows:

> *Ordered,* That effective at 1 o'clock p.m., Monday, June 24, 1968, during the further consideration of the bill (H.R. 16703), to authorize certain construction at military installations, and for other purposes, debate on any amendment (except pending amendment No. 854 offered by the Senator from Kentucky [Mr. COOPER] on which debate shall be limited to 30 minutes, to be equally divided and controlled by the Senator from Kentucky and the Senator from Mississippi [Mr. STENNIS], motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Mississippi [Mr. STENNIS]: *Provided,* That in the event the Senator from Mississippi is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him. *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.
>
> *Ordered further,* That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any

Senator during the consideration of any amendment, motion, or appeal.

Mr. COOPER. Mr. President, I ask unanimous consent that other Senators who wish to cosponsor my amendment may be permitted to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I also ask unanimous consent that the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I believe I took the floor at a strategic moment because although the amendment of the Senator from Kentucky was not reported in full, I believe I know what he was talking about, and that it dealt with the ABM system and the question of whether there should be deployment or whether we should reserve the money for further development.

Mr. President, I wish to address myself to this subject for a short time this afternoon. I am a member of the Armed Services Committee. I have attended most of the briefings, particularly those in connection with the ABM system. In addition, I have had several private briefings from the Department of Defense and other intelligence sources. The material I am going to discuss today obviously cannot come from any classified source and, therefore, cannot be in as much detail as I should like to give.

Along with a number of others in the Senate, in our committee, in the Defense Appropriations Subcommittee, and, I believe, in the country at large, we are somewhat concerned over the defense posture which the United States exhibits at this time with respect to our two principal sources of danger; namely, Red China and the Soviet Union.

Mr. President, on this very date, 1 year ago, Red China detonated its first hydrogen bomb. This was only 2½ years after they had detonated their first nuclear device in late 1964. I might add, parenthetically, that they detonated that device far more rapidly than any of our experts had forecast and that they are, at this point, in terms of hydrogen development, apparently ahead of France which has been working in the area for a considerable period of time. We also know that Red China has been devoting a substantial part of its resources to the development of a missile delivery system. Our experts calculate that they will have an initial ICBM capability in the early 1970's.

We do not know why the Red Chinese are seeking to develop an ICBM system. We do not know, because we are unable to get in there or to get the proper intelligence sources, to be able to talk and communicate with their leaders on this very important item.

Perhaps Red China is to attain the international prestige of being a nuclear power. Of greater concern, however, is the alternate possibility that Red China seeks the power to blackmail her neighbors into submission to Chinese Communist influence. I hope not. But I can find little comfort in the actions of Communist China against its neighbors in recent years, or in the utterances of its leaders against the United States.

One of this country's most distinguished China scholars, Prof. Richard L. Walker, director of the Institute of International Relations at the University of South Carolina, has said:

> It is doubtful whether ever in history a group of leaders has carried on as protracted and intense a campaign of international hatred as Mao Tse Tung and his colleagues have carried on against the United States.

One of the many examples which Professor Walker offered was this quote from Chou En-lai in his report to the National Peoples' Congress:

> U.S. imperialism has done all the evil things it possibly can. It is the most arrogant aggressor ever known to history, the most ferocious enemy of world peace and the main prop of the forces of reaction in the world. Peoples and nations all over the world who want to make revolutions and liberate themselves, all countries and people that want to win their independence and safeguard their sovereignty and all countries that want to defend world peace, must direct the sharp edge of their struggle against U.S. imperialism.

That is patently ridiculous but it indicates the vocal and articulate utterances of the leaders of Red China and their attitude both toward international law and toward the United States.

The Maoist regime, like the Nazi regime in pre-World War II Germany, seeks to uproot and destroy religion. Like the Nazi regime, it seeks to wipe out the humanizing traditions and culture of the past. Like the Nazi regime, it carries its excesses to the point of lunacy. Like the Nazi regime, it glorifies the role of force through countless preachments such as Mao's famous statement that "power grows out of the barrel of a gun."

The list of aggressive acts against her neighbors by Communist China since Mao Tse-tung came to power is long and deplorable. It includes Red China's intervention in Korea, her genocidal annexation of Tibet, her two attacks on India, her attempted coup in Indonesia, her support for the Vietcong and the North Vietnamese in Vietnam, her support for the Pathet Lao movement in Laos, support for the Thailand independence movement, support for the Malayan National Liberation Army, support for the Hukbalahap movement in the Philippines and her support for the communist insurgents in Burma.

These do not seem to be the actions of a peace-loving nation who deserves the respect and friendship of the other peaceful nations of the world.

Red China's acts of aggression have not been restricted to her neighbors. Peking's subversive activities have extended to Africa. Such activities have succeeded in installing pro-Peking regimes in the island of Zanzibar on the east coast of Africa and in the Brazzaville Congo on the west coast. Such activities have been the subject of protests and denunciations and warnings by the governments of at least a dozen African countries. These protests and denunciations have come from the Governments of Burundi, Niger, the Ivory Coast, Dahomey, Upper Volta, Malawai, the Central African Republic, Kenya, and Ghana. Several protests have charged Peking with organizing insurgent armies against them. I think there is a direct relationship between the sorry record of Red China and the problem that confronts us today in Vietnam. If there is one point on which Far Eastern experts, both doves and hawks, agree it is that Red China has been using all its influence with Hanoi to keep the Vietnam war going. There is reason to believe that if Hanoi ever does agree to a reasonable settlement, it will be despite Peking's advice and against Peking's pressure.

The fanatical doctrinal commitment to the destruction of America which characterizes all the speeches and statements of the Communist Chinese leaders is something that bears no relationship to traditional politics or normal human psychology. One can only comprehend it by entering into the realm of political psychopathology—the realm inhabited by Adolf Hitler and Joseph Stalin and the other tyrannical madmen who have bloodied the pages of history. For this reason, I do not believe that this Nation can afford to depend on the assumption that the actions of such madmen will be rational. I believe that we owe it to ourselves and to the people of this Nation to provide reasonable defense against irrationality.

The thin ABM system now being created would provide such a defense against the possibility of attack by the Red Chinese in the next decade.

There are many experts who feel that the thin system does not go far enough and there is strong support for a system having greater mobility. One such system is the U.S. Navy's seaborne antiballistic missile intercept system—SABMIS.

Advocates of the SABMIS intercept system contend that by placing this ABM in ships off the Soviet and Chinese coasts, enemy missiles could be intercepted shortly after they are fired and before they have time to break into a shotgun scatter of real and decoy hydrogen bombs. Thus, enemy missiles would be destroyed before they could get anywhere near the United States and release their multiple warheads which would have been aimed at individual targets.

It may very well be that our future security will demand the employment of such a system, but certainly this issue is not now before us.

In addition our experience with the Soviet Union provide no more comfort than have our experiences with the Red Chinese. In 1961, we had a rude awakening when the Soviet Union broke the 1958 moratorium on nuclear testing and began a massive series of 300 atmospheric nuclear tests. It is now apparent that the purpose of those tests was to explore in depth the development of antiballistic missiles. It has recently been revealed that during the 1961–62 tests, the Russians detonated nuclear devices in such a way as to destroy two incoming missiles. Unclassified information which has now come to light reveals that the Soviet Union has proceeded at a steady pace to continually build its nuclear capability. The strategic military balance in terms of nuclear capability between the United States and the Soviet Union has been almost completely reversed during the past 8 years. For example, in 1962, the United States had a delivery capability ranging between 25,000 and 50,000 megatons. At that time, the corresponding figures for the Soviet Union ranged between 6,000 and 12,000 megatons—in other words, we had a more than 2-to-1 superiority. Last year, we reached the point at which the high estimate of Soviet capability surpassed our own. It is now estimated that we have a total megaton delivery capability of between 8,000 and 29,000 megatons.

That is considerably less than in 1962, I should add. At the same time, the Soviet's delivery capability is estimated at between 16,000 and 37,000 megatons. This is almost three times what they had in 1962.

While building its offensive delivery capability, the Soviet Union has also proceeded in the development of an antiballistic-missile system in depth. The Soviets have deployed the long-range Galosh antiballistic missile and also the Griffon, the latter being a short-range antiballistic missile. These systems are in the process of construction and they comprise regional defense against a missile attack as well as spot defenses around some of their cities.

Fortune magazine of June of last year reported that the Soviet Union is rapidly deploying new ICBM's in hardened, dispersed sites, and that the extensive antiballistic-missile defense system being installed east of the Urals and in the southwestern area is designed to afford protection, not only against intercontinental ballistic missiles but also against our Polaris submarine missile and our high-flying B-52's.

While improving their defensive and offensive strategy, the Soviet Union has also produced more sophisticated offensive weapons. In addition to the normal ICBM, the Soviets have developed a fractional orbital bomb and also a multiple independently targeted reentry vehicle to operate from outer space. Their system for employing all three of these systems has been given the name Scrag. According to presently available unclassified information, Scrag can be configured as an intercontinental ballistic missile carrying a 50 megaton warhead. It can also be configured as a suborbital missile carrying a 40 megaton warhead. And in its third configuration as an orbital weapon, it can carry multiple warheads with a combined yield of about 30 million tons of TNT. By comparison, one ICBM–Scrag—I am talking about the Soviet system—equals more than five of our Titan II's or 50 of our Minuteman missiles. One orbital Scrag is the equivalent of 20 to 30 of our Minutemen missiles.

The Soviet Union has gone forward also in the development of strategic aircraft. Last July, they exhibited six new tactical fighter aircraft and six additional improved versions of existing fighters. Heretofore, the Russian tactical fighters had been short legged and designed to operate within a very limited range. Now, however, the newer aircraft have had their range considerably extended, indicating the Soviet Union's aim to expand their strategic operational range.

With the increase in the Soviet's nuclear capability, and their delivery capability, it is essential that we look at our own position. Our deterrent strategy, in order to be realistic, must insure the ability of our own ICBM's to launch a second strike. In order to have this insurance, we must provide some defense against offensive weapons. The thin antiballistic system will at least provide some insurance—and I emphasize the word "some"—that our second strike capability will exist, will survive an attack, and will be a deterrent in the event the Soviet militarists should gain control over Soviet policy.

Mr. President, this is a change in position for me. In 1963, when the distinguished Senator from South Carolina called a secret session of the Senate to urge at that time the deployment of an antiballistic missile system, I listened with great care to the information which he gave, and I listened with great care to counter arguments. I also had done a considerable amount of work from intelligence sources in connection with the Soviet threat, the capability of our own system to defend against it, and whether or not this would be the time to deploy it.

At that time it did not seem to me we were sufficiently advanced, nor did it seem to me that we had lost our strategic superiority in the process of trying to say we had a realistic deterrent. Since 1963, however, it seems to me that our situation has drastically changed. I pointed out some of the figures that led me to that conclusion. As we know, we also have an improved capability for a proposed system to be deployed under our military construction bill.

Taking those things together, I think we should examine the realism of our theory of preventing a first strike by the Soviets through a deterrent philosophy.

If we put ourselves in the place of the Soviets and if we take into consideration the fact that they really do have an intent to dominate this world, through one form or another, it would seem to me that our present defense situation is not nearly as strong as the American people would like if they really knew the facts about it. And it seems to me that if the Soviets were looking at it, they would feel our deterrent capability was not as strong as has been portrayed, particularly by Secretary McNamara in some of the speeches he has made in the past. We do not now have a fractional orbital bomb. We do not now have a capability of intercepting such a bomb. The Russians now have a fractional orbital bomb, and they now have at least a viable antiballistic missiles system which has worked on tests and which is now currently deployed.

Under those situations, it would seem to me it is in the interest of our people and our country to try to maintain our deterrent capability by insuring that we would still have the opportunity of at least launching a second strike in the event the militarists gained control of the Soviet Union and made a second strike in order to incapacitate our country and its military defenses.

It is for those reasons that I have discussed this matter today. I realize there may be some room for disagreement, but I think the room for disagreement lies in the overall intent of the Soviets and the possibility of the militarists gaining control, as opposed to whether or not we should move forward at this time in order to make some improvement in our defense structure and in order to reinforce the credibility of our deterrent philosophy.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. THURMOND. I compliment the distinguished Senator from Colorado for the splendid address he has just delivered on the Sentinel antiballistic missile system. This is a matter in which I have long been interested, having begun work on it as far back as 1957.

General Taylor, the former Chief of Staff of the Army, was vitally interested in this subject at that time, and a section of his book, I believe, was devoted to the subject of this system.

There has been some controversy about it, and there still is. Some people take the position that massive retaliation—that is, the ability to bring the enemy to his knees with a strong offense—is all that is needed. But it has been my position all along that we ought to have the best defense available also, in order to save as many American lives as possible in the event of an all-out attack.

It has been estimated by competent officials that if we should have an all-out attack, if we had an adequate antiballistic missile system, it would save some 80 to 100 million lives. I have felt that we could not take a chance if that condition existed, and this is what the experts say.

Mr. DOMINICK. If I might interrupt at that point, without intending to disturb the Senator's train of thought, it is interesting to me that when someone comes out in favor of a defense missile of this kind, his position is turned around by some of its opponents, who say we are militarists because we are trying to achieve a defense capability in the United States. That, to my way of thinking, is a most ridiculous argument, but I have seen it over and over again in newspapers and magazines, and have heard it advanced by people who are fundamentally opposed to an antiballistic missile system, for reasons that I do not clearly understand.

Mr. THURMOND. That is exactly correct. One might understand, perhaps, why some people oppose offensive weapons but might not oppose defensive weapons, but it seems that the same people oppose both.

Mr. MURPHY. Mr. President, will the Senator yield for a brief comment at this point?

Mr. THURMOND. I yield.

Mr. MURPHY. For a number of years before I came to the Senate, I was very familiar with the fact that a double standard of judgment seems to apply in these matters. I wish, through means such as this dialog, that fact could be brought home not only to the American people but to the peoples around the world, in both the free and the totalitarian nations. Only in this way can the people gain an honest, true concept of the conditions and the problems which we face, and the reasons for the problems. A great deal of our difficulty, I believe, has to do with the double standard which has just been pointed out by the distinguished Senator from Colorado. It seems to arise all too often.

Mr. DOMINICK. I thank the Senator from California.

Mr. THURMOND. I thank the distinguished Senator.

There are some today who say they do not favor the system being presently advocated, called the thin system, designed for use against Red China. They think the Soviet Union is the chief enemy of the United States and of the free world.

I thoroughly agree that the Soviet Union is the chief enemy of the United States and the free world, but this thin system would be a step in the right direction. It would be progress toward a fuller system which we hope will be developed later, that would help protect us against the Soviet Union. That is really no excuse for voting against this system.

I recall one Senator who says he intends to vote against it because it ought to be directed against the Soviet Union. But if that Senator would reflect on the matter, he would see that this is a step in the right direction, and would help us to accomplish sooner the complete system which will be needed against the Soviet Union in the event that they should ever direct their missiles toward us here in the United States.

I do not see how we can afford to jeopardize the lives of American people for the sake of a few billion dollars. Some people say the system costs too much. It has been estimated by the former Secretary of Defense that the system would cost about $5 billion.

Suppose it does cost $5 billion or $10 billion. If it will save millions of lives of American citizens, it will certainly be worth the cost. Even the value of property that would be destroyed would many times exceed its cost. However, the most important consideration would be that it would save lives.

I congratulate the distinguished Senator from Colorado. At a later date I shall have more to say on this subject, but I am very pleased to hear that he supports this antiballistic missile system which I feel is so vital to the security of the people of this Nation.

Mr. DOMINICK. I thank the distinguished Senator from South Carolina. I know how hard and how long he has worked in this field, and what an able job he has done. Again I emphasize that every Cabinet member and indeed every knowledgeable person of whom I have heard emphasizes that our defense theory is one of deterrent—to try to have available weaponry with which we can prevent an attack upon us.

Unless we deploy some kind of a system of this nature, with the overwhelming power that the Soviet Union has, conceivably it could knock out our ICBM system so that we could not have a credible deterrent at all, because we could not retaliate.

With their fractional orbiting bombs and the new bombers and new fighters which they have developed, and with their nuclear capability in ICBM's, it seems to me that we must go forward if we want to be reasonable in the defense of our people and our country.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. THURMOND. On that point I think the Senator is entirely correct. Some take the position that to deploy an antiballistic missile system would be provocative. In my judgment it would not be provocative, but, as the able Senator has said, it would be a deterrent, because if the enemy knows we can knock down their missiles, then they will be deterred from making an attack against us.

Why is the Soviet Union so against our building and deploying an antiballistic missile system, if its leaders do not feel it is highly to the advantage of the United States? The goal of the Soviet Union is to take over the United States, because if the United States falls, the rest of the free countries of the world will fall like ripe apples into a basket. We are the only Nation that can stop the Soviets from communizing the world, and they do not want us to build an antiballistic missile system. I think this in itself signifies the great importance that they place upon this weapon. They are attempting, in every way possible, to try to crystallize sentiment to prevent the United States from building and deploying an ABM system.

Mr. DOMINICK. Once again, I thank the Senator from South Carolina for bringing this matter to our attention.

I do not think we would necessarily want to follow along the path of the Soviet Union all the time, but since 1963—and, in fact, since long before that—they have been deploying their own antiballistic missile system across Russia; and as I said in my prepared remarks, it is not only a spot system designed to take care of certain cities, but a regional system which has the ability of hitting any missile that we or any other country might send in their direction, and destroying that missile prior to its hitting its target.

Mr. MURPHY. Mr. President, I am pleased to have been present in the Chamber today during the last two speeches and the discussions which followed. Strangely, they are related, each in a different way, to the remarks that I intend to make.

In the address of the distinguished Senator from Massachusetts, he pointed out the good faith on the part of our country and the bad faith on the part of the government of Hanoi that has been exhibited in the alleged negotiations in Paris.

We now come down to the hard material concerning military posture and capability. During the last few years our posture has changed completely. There was a time when peace in the world was guaranteed and absolute because of the Strategic Air Command.

Its strength was proved when the late President Kennedy demanded that the Russians get their missiles out of Cuba and in a hurry and they did. The fact that we had that capability, I am certain, was not the only deciding factor in the decision to take the missiles out, but it is true that Mr. Khrushchev overbid his hand. He had played poker a little too close to the chest. If he had made a mistake, he might have brought serious trouble to his country.

As long as this condition continued, we had some duty to perform in guaranteeing peace and safety to the world. But, as my colleague, the distinguished Senator from Colorado, has pointed out, as the capability, the power, and strength changes, our safety in this country also changes. And as the troublemakers become more powerful, the safety of the free world diminishes.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT

The **PRESIDING OFFICER** laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

America's War on Poverty is fought on many fronts, with many weapons. Dozens of programs span the entire spectrum of human need. They range from increased social security benefits to financial aid for slum schools; from medical care for the poor and aged to a higher minimum wage for the Nation's workers.

In their varying ways, all these programs have helped to improve the conditions of life for millions of Americans in the past five years.

With the Economic Opportunity Act of 1964, the Nation mapped a concentrated poverty-fighting strategy around two basic concepts.

The first was that assistance to the poor would be most meaningful in the form of expanded opportunities—in jobs, education and training. Consequently, the programs of the Office of Economic Opportunity are designed to help a man increase his skill and earning power, and broaden his opportunity to participate in the mainstream of the country's economic and social life.

The second concept was that poverty can ultimately be defeated only by action at the local level—in the cities and towns and rural areas where it holds a paralyzing grip on people's lives. Programs and guidelines can be drawn up and administered in Washington and in regional and State headquarters. But their effectiveness depends on how they turn to action in the neighborhoods where the poor live.

This is the concept of Community Action. In principle, it means that the citizens of a community—government officials, welfare and other agency representatives, and members of the poor themselves plan and carry out comprehensive attacks on the causes and conditions of poverty in their area, tailoring a wide variety of special programs to the particular needs of that community.

The National Advisory Council on Economic Opportunity which the Congress established to review the operation of programs under the Economic Opportunity Act, focused its attention in its first year primarily on Community Action as an instrument to combat poverty. In its first report, which I am transmitting to the Congress today, the Council documents the effect of Community Action in practice.

The report tells what the anti-poverty program has meant to a Mexican American migrant worker who lived with his wife and eight children in a shack in Visalia, California. When he could find work, he earned less than $2,200 a year. When he could not, his family existed on welfare.

He had never gone beyond grade school. But when an adult education course was made available—through a Community Action Program—he enrolled, and earned the equivalent of a high school diploma.

He then signed up for another program and received on-the-job training as a butcher. Through still other programs he was able to get a low-interest loan for a decent home—and learn enough construction skills to help build the house himself and thus provide his equity with his own labor.

Locally organized counselling services gave him his first guidance in how to budget his newly-earned income, pay his debts, and start a savings account.

The effect on that man's life is nothing less than a shattering of the pattern of poverty and failure in which he and his children were born.

Not all the stories of success through these programs are as complete. For the great work we have undertaken to banish poverty from America must proceed against stubborn problems of long entrenchment.

But the great story of our day is that we *are* moving. The heartening success which has transformed the life of a migrant worker in Visalia is quietly reflected—at least in part—in the lives of millions of men and women and youngsters across this land.

Today there are about 1,000 Community Action Agencies operating in every part of the United States.

City and county government officials, school officers, health and welfare councils, and federally financed agencies are working with the poor for the first time to attack the roots of poverty. Neighborhood centers are being established and strengthened to provide greater access to social, health, welfare and other public services for those who need them most.

However difficult these accomplishments are to measure statistically, they have had great impact in terms of new hope, an increased sense of citizenship, and better days in the minds and the lives of many poor citizens.

I think it is vitally important that the American public understand what these programs have done and can yet do to break the cycle of poverty.

This report will contribute to that understanding. I am pleased to commend it to the attention of the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 18, 1968.*

NEGATIVE FAULT-FINDING WITH EVERYTHING AMERICAN

Mr. MURPHY. Mr. President, my remarks today have to do with the development of an attitude on the part of some Americans which I have watched with a great deal of disturbance and discouragement over the last few years. It seems that a strangely defensive, almost defeatist attitude seems to be developing in our country. Negative faultfinding with everything American is becoming the order of the day. Here in the freest, most progressive and productive society ever created, I am astonished to find that our schools and universities, our culture, our Armed Forces, our laws and civic leaders, our free enterprise system, and our social structure in general are routinely downgraded and often subjected to open attack.

The rules of the game played by America's detractors seem to require that they seek out and expose what are often minor imperfections, while they carefully avoid any mention of the positive, creative, and productive aspects of our society. Moreover, at the same time that America's difficulties are being magnified out of all proper proportion, many more basic faults in the social and economic structure of countries opposed to us are dismissed as transient and unimportant.

I am distressed to find that it is becoming fashionable in some circles, in fact in far too many circles, to speak of America as a "sick society." Certain political leaders and highly publicized opinionmakers seem to enjoy promoting the idea of a "mass guilt" for recent tragic events. A Presidential Commission has even suggested that this type of general condemnation is the main source of many of our problems.

I personally have never subscribed to the theory that 200 million Americans are responsible for the violence, lawlessness, and general breakdown of our legal, moral, and social system. On the contrary, I think such activities are completely unrepresentative and un-American. In fact, I have always had the feeling that a small group of troublemakers are seeking to use America's problems as an excuse for violent, undemocratic actions—actions which are in no way connected with potential solutions to our problems.

Rather than accept the "mass guilt" theory as a basis for increasing violence, I am strongly inclined toward the thinking of Eric Hoffer, the San Francisco longshoreman and philosopher. Mr. Hoffer has said that if in fact any mass guilt exists, it arises out of our cumulative failure to react violently enough to the growing violence around us. Mr. President, I am delighted that this prominent Californian has been named to President Johnson's new Commission on Violence.

I am sorry, however, to point out that the negative, fault-finding game continues—America's detractors are redoubling their efforts. Just a few days ago, Prof. Arthur Schlesinger, Jr., a former adviser to President Kennedy, declared on nationwide TV that the new Presidential Commission on Violence was not constituted in a serious manner, apparently because he disagreed with the political philosophies of some of the people named to the Commission. He demanded that our colleague, Senator HRUSKA, and Mr. Hoffer resign from the Commission, because, in his opinion, these two distinguished Americans had closed their minds to the matter which the Commission will investigate. Frankly, in this Senator's view, Mr. Schlesinger appears to be the one who is guilty of prejudgment and narrowmindedness.

Instead of talking so extensively and morbidly about "mass guilt" and a "sick society," I would suggest that attention be given to some of the real causes of our problems. Let us start, for instance, with the character and the background of some of the individuals charged with the horrible crime of political assassination. Lee Harvey Oswald's record shows he was discharged from the Marine Corps under highly questionable circumstances, which clearly sets him apart from that great body of fine, and I think representative, young Americans. By his own choice Oswald then went to live in the Soviet Union, a country whose ideologies are violently opposed to those of America, and this obviously sets him further apart from the great majority of ordinary, God-fearing, law-abiding American citizens. When he came back to the United States—and there were those who counseled against allowing him to return—he exhibited many antisocial attitudes and if I recall correctly, he actively attempted to drum up support for Castro's repressive regime in Cuba. I see no reason why 200 million Americans should be blamed for the actions of this unfortunate young man.

To date we know very little about what motivated the accused killer of Dr. Martin Luther King. But this much seems to be true, and this much has been alleged in the press: He is a habitual lawbreaker, an escaped convict, whose record clearly indicates he is an outcast, rather than a representative member of American society. However, something more is known of the man alleged to have taken our beloved colleague Senator Robert F. Kennedy from us. As it turns out, he is not an American at all. In fact, he has lived here only part of his life. His formative years were spent in the Middle East, where he was most likely exposed to intrigue and alien ideologies.

Although I do not wish to say anything which might prejudice the case being developed against Sirhan Sirhan, I think it appropriate to note that most Palestinian refugees are steeped in the politics of hate from early childhood. Schools for Palestinian refugees in particular, and for Arabs in general, I am afraid, emphasize hate for Israel and the West in the most undisguised and offensive manner. For instance, a typical math problem describes one Arab meeting 10 Israelis. The refugee child is told that the brave Arab kills eight Israelis and is asked how many Israelis are left. This sounds like an exaggeration, I am sure, but it is an accurate, although brief, description of a situation that has obtained in that part of the world for too many years.

Moreover, it is worth noting that we, the 200 million allegedly guilty people of America, provide much of the money to pay for such textbooks. Until the June

Arab-Israeli war of last year, the United States provided two-thirds of the budget for the United Nations Relief and Works Agency—UNRWA—which supports refugee programs, including refugee educational programs—and including the type of textbooks to which I have just referred. Although as of last June we had contributed $425 million out of UN RWA's budget of $625 million, to my knowledge we have never seriously tried to stop the hate propaganda generated in the schools and in other ways among the unfortunate refugees.

I regret to say Americans may have indirectly, and certainly unknowingly, subsidized the politics of hate in the Middle East. Yet, having lived in the United States for well over 50 years, I must note that hatred does not seem to be a normal characteristic of the individual American citizen. Certainly, we should insist that those who preach hate should pay their own bills. And from now on, we would vigorously oppose any of the distortions and lies which are told about us. Let us, for a change, insist that the truth be told about the 200 million people who live in the United States.

Mr. President, it is high time that the practitioners of political hatred abroad and the prophets of gloom in the United States be put in their proper place. We are most fortunate that two alleged assassins, James Earl Ray and Sirhan Sirhan, will be brought to trial. Hopefully, this will happen in the not-too-distant future, and it will afford us an opportunity to learn exactly what hatred or sickness motivated these two men—exactly what, if any, additional individuals or groups prompted or supported their unthinkable crimes. Once the evidence is presented and once the jury has reached its verdict, it is my sincere hope that he will have conclusive proof that 200 million Americans do not have to share any part of the guilt of these alleged assassins.

In the meantime, Mr. President, I feel that we owe a tremendous debt of gratitude to the often maligned and frequently impeded law enforcement agencies—local, State, Federal, and even international—which have done such a masterful job in apprehending these suspects. Operating in a calm, professional manner despite the atmosphere of unrest, distrust and confusion, which I regret to say is created at times by the actions of certain public figures, these men have performed in a magnificent manner.

I hope my colleagues in the Senate will join me in paying tribute to my long-time friends, Chief Thomas Reddin of the Los Angeles Police Department, Sheriff Peter Pitchess of Los Angeles County, and District Attorney Evelle Younger, for the careful, proficient, and yet swift manner in which they and their men have handled the Sirhan case. I further would ask my colleagues to join me in expressing our appreciation for the magnificent work done by the men of the Federal Bureau of Investigation, directed by that great American, Mr. J. Edgar Hoover.

We Americans also owe a debt of gratitude to law enforcement officers in other countries who were involved in this fine example of advanced police work and international cooperation. We must particularly single out the Royal Canadian Mounted Police, who untiringly screened thousands upon thousands of passport photos, and the men of the famed Scotland Yard, who patiently waited for an opportunity to apprehend the suspect.

Finally, I urge all Americans to support our law enforcement agencies at the local, State, and Federal levels. We must all realize and understand the complex problems involved in the maintenance of law and order. As I noted recently on the Senate floor, the effectiveness of our laws depends most upon good enforcement. Due process of the law is also a function of timely and just enforcement. Reestablishment of respect for the existing laws of the land, combined with public support for our police officials, may well be the most vital imperative of our time.

To sum up, Mr. President, I think it is time that we all stop acting like the character in my good friend Al Capp's Little Abner cartoon who is always walking around with a big black cloud over his head labeled "gloom." It is time to reemphasize those attributes of individual character—the pride, the charity, the kindness—for which our society has been renowned throughout the world. There is nothing in all of history to compare with the assistance and support America has extended to other nations. Never have a people been more charitable or well disposed toward others than have the people of our great country. This is the American tradition as it really is—not as the troublemakers and the prophets of turmoil would have us believe.

In the past, Americans have many times faced great challenges and seemingly insurmountable problems. In the past, Americans have always risen in unison and with determination to confront those challenges. They have attacked their problems with commonsense, inventiveness, faith, self-confidence, and have been very successful in finding solutions.

Today, our leaders must once again inspire our people to face adversity with the optimism, the creativeness, and the determination which are basic in the character and in the soul of every American citizen.

Today, we, the people of America, must vow to emphasize what is right, what is decent, what is good about our great country. Certainly, we face many complex problems today—but, to borrow some words from an old song, it is time to "accentuate the positive and eliminate the negative."

So let us try to convince America's detractors to concentrate their efforts in other areas of the globe more worthy of their attention and questionable talents.

Above all, let us agree to tell the truth, the whole truth, and nothing but the truth about this great country of ours and its 200 million citizens. I believe we have more to be proud of than we have to be ashamed of.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. FANNIN. Mr. President, I wish to commend the distinguished Senator from California for his excellent presentation of the problems facing this Nation today. Not only has he placed this matter in proper perspective but he has also related his own personal experiences in connection with the establishment of law and order in this great Nation of ours. The Senator has certainly reemphasized that it is a small minority causing the trouble.

I commend the Senator for his courage and determination in going to places of violence and trouble and investigating personally so that he could bring back a report to the Senate.

Mr. MURPHY. Mr. President, I wish to thank my distinguished colleague from Arizona for his kind remarks. I have been conscious of this problem of downgrading America for a long time. I saw it start some years ago in the motion picture industry. I saw the general overall plan to poke fun at anybody in a place of authority, as it began to lead into what has now become civil disobedience. It has brought us to the most unbelievable state where we find all sorts of alleged leading thinkers espousing an entirely new idea that, "If you do not like the law, you do not have to obey it."

Mr. President, I submit this is the most generous invitation to anarchy that could possibly be issued. I do not believe this country is quite ready for anarchy.

To the contrary, I believe our people have come to the realization that we must restore much that has been eroded away, that we must rebuild respect for law and order and get back to the sound foundations of the American tradition that made it possible for this great Nation to become the most dynamic, the freest, and most productive nation in the history of mankind.

I thank the Senator for his comments.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESPONSE TO PEARSON AND ANDERSON'S COLUMN OF JUNE 18, 1968

Mr. DODD. Mr. President, this morning Pearson and Anderson continued their vendetta of hate and their campaign to destroy me. It was the 124th column which they have written attacking me.

This morning's column is as false and as baseless as the previous 123 were. Anyone who has studied the constant lying of Pearson and Anderson, as I have, is aware that there is a fascinating pattern to their lies.

Occasionally they get "caught up in their lies," as they did in their column about me last week when they contradicted two columns which Pearson had written back in 1964 which he had obviously completely forgotten.

This morning's Pearson and Anderson article clearly demonstrates the underhanded tactics they employ when charges which they have made are proven to be false.

Last Thursday they charged that I suppressed the Juvenile Delinquency Subcommittee studies of sex and violence on television.

Later that day I proved here on the Senate floor beyond any question that Pearson and Anderson were liars. I displayed the voluminous hearing records of my investigation into violence and sex on television, and I displayed a copy of the subcommittee report on this problem which was issued in 10,000 copies on October 27, 1964.

Now to be proven wrong, Pearson and Anderson this morning reluctantly conceded that the report was issued, but now insist that the real point is that I omitted the hardhitting material which was critical of the networks on TV violence.

In my further remarks, I shall conclusively demonstrate that this "fall-back" charge is equally as false as Pearson's first charge against me.

Once Pearson sees that I have caught him again he will undoubtedly make a further attempt to justify himself, and he will issue a third "fall-back" charge.

I do not believe any other public official in the United States could afford the risk of doing what I am doing in calling Pearson's bluff and demonstrating his lying schemes to the American public.

Pearson has made the mistake of attacking me so often and to such a degree that I am virtually immune to further attack and hence I am in a position where I can fight back, and fight back I will.

The point of Pearson and Anderson's column this morning is that I received a $2,000 or $3,000 contribution from NBC and then suppressed all derogatory information about NBC from the subcommittee report.

Let us look at the facts.

First, was there ever a contribution from NBC to me at any time?

The answer is unequivocally "No."

This morning NBC issued the following statement:

> The statements in Drew Pearson's column are untrue. NBC has made no such contributions, directly or indirectly, to Senator Dodd or any other candidate.

This morning Peter Kenney, vice president of NBC, also issued the following statement here in Washington:

> The statements in Drew Pearson's column about NBC contributions to Senator Dodd are untrue.
>
> When I worked and voted in Connecticut, I made small personal contributions to Senator Dodd as one of his constituents. I made no contribution in 1964. I have never offered any contribution on behalf of NBC, and I know of no NBC contribution ever made to Senator Dodd.

Second, did I omit or suppress any critical material about NBC?

The answer here is a second unequivocal "No."

The hearing record is replete with my sharp and serious criticisms of NBC.

I wish that all of my colleagues would read this report which was printed in the Record last Thursday, and see for themselves that I did not "go light" on NBC, or any other network.

NBC was not the sole object of my criticisms. I was highly critical of the content of the programs of all of the networks.

Pearson and Anderson also charged this morning that I made no "stiff legislative recommendations."

It was my intention, and I believe it was the correct approach, to thoroughly publicize the results of our investigation and let the American public know the extent to which violence and sex are spread before their children during prime viewing time.

Once this point had been driven home it was up to the Federal Communications Commission to take appropriate action. They have it within their power to revoke the license of any station in this country. They have it within their power to refuse to renew a license to any station in America. They have it within their power to set up guidelines to which the stations should adhere or suffer the consequences.

There was clearly no reason for any further legislative action.

Finally, Pearson and Anderson charged that when I was facing censure charges by the Senate, NBC's law firm came to my defense. They insist that first, the Cahill firm offered to represent me free of charge, but that after Pearson had exposed the NBC connection, the firm submitted me a bill for their legal services.

First, the only reason I turned to the Cahill firm to defend me before the Senate was that it was recommended to me by a friend as being an extraordinarily capable firm. I was not even aware at the time that this firm represented NBC.

Second, the Cahill firm did offer to represent me without charge, as a public service. But from the very beginning they made it clear that I would be responsible for any expenses which they incurred. I willingly agreed and the firm has billed me for all their expenses. They have never billed me for their legal services.

In each article that Pearson and Anderson write, they weave a web of lies so numerous and so tight that it almost defies a response.

This is the technique of the "multiple untruth."

Not long ago a certain newspaper made the point that the greatest contribution to demagoguery in recent years is the technique of the "multiple untruth."

> The Multiple Untruth—

Said the newspaper article—

> places an unbearable burden of disproof on the challenger. The work of refutation is always inconclusive, confusing, and, most important of all, boring to the public.

This article explains, better than anything I have seen, what I have been up against in this unparalleled attack by Pearson and Anderson.

Pearson and Anderson are the most notorious character assassins and liars ever to creep into the American press.

The American press is aware of this fact, as is every Member of this body.

When will the 600-odd newspapers who regularly carry Pearson and Anderson's column wake up, realize what they are doing, and refuse to publicize this daily filth to their faithful readers?

Lastly, Mr. President, let me repeat that I shall have more to say about these two during the rest of this session of Congress. I am particularly reminded of the evil that they have perpetrated on our country with their vicious articles against our late, lamented colleague, Robert F. Kennedy. They should be ashamed of themselves. They should be kicked out of the Press Gallery into the sewer where they belong.

ORDER OF BUSINESS

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SINEWS WITHOUT HEART

Mr. BYRD of West Virginia. Mr. President, the Senator from Alaska [Mr. Bartlett] is absent from the Chamber, and I therefore ask unanimous consent that a statement by him entitled "Sinews Without Heart," be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement of Senator Bartlett, is as follows:

Sinews Without Heart

I think in light of the events of recent years, months, and even days, it is entirely proper that we ask ourselves if our nation is "in grave danger of cutting out its heart and mind to strengthen its sinews."

I wish I could claim the eloquence of those words, but I cannot, for they belong to Dr. Barnaby Keeney, chairman for the National Endowment for the Humanities.

Dr. Keeney spoke those words when he made a very persuasive case for appropriating the full authorization for the National Foundation on the Arts and the Humanities.

Dr. Keeney said:

"The nature and development of human aspiration must be far better understood than it is now by all of us who make decisions for the Nation. We are a people which prides itself on material accomplishment, and we have reason for pride: We took and settled the wilderness. We have exploited the resources of the earth and of sea. We have explored the atmosphere, and now we venture into space.

"Yet we cannot sufficiently understand the people of our own country so that we can keep peace within it."

I strongly endorse those thoughts, for in building the strongest economy and military force in history, we have yet to solve the problem of finding peaceful ways for all our citizens to achieve their aspirations, or even a realistic portion of those aspirations.

As Dr. Keeney observed:

"We can assemble military power to destroy the captured citadel of Hue, but we still cannot understand the character, the aspirations, and the needs of the simple peasants of Vietnam sufficiently to find a way to gain their enduring support against the Vietcong."

However, we should not be surprised that our scientific and military development has outstripped our knowledge of the humanities, for it is in the former areas where we have spent our money and exerted our national energy.

I have read figures that show in 1966 the federal government and private foundations spent 30 times as much on the sciences as on the humanities. The figures for funds for research were even more onesided, as the federal government spent 205 times as much on the sciences as on the humanities.

While man always neglects the humanities at the risk of losing his heart, the risk is probably greater today than at any time in our history. Congress can take a small but important step to redress this precarious imbalance by appropriating adequate funds for the National Foundation for the Arts and the Humanities.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 19, 1968, at 12 o'clock noon.

EXTENSIONS OF REMARKS

SENATOR KENNEDY SPEAKS TO A NATION IN MOURNING

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. EDMONDSON. Mr. Speaker, on June 8, 1968, Senator EDWARD M. KENNEDY paid tribute to his fallen brother, the late Senator Robert F. Kennedy, at St. Patrick's Cathedral, where the funeral was held.

I believe that these remarks by Senator EDWARD KENNEDY made to a nation stricken with grief will long stand and be cherished by America and the world. They are more than a beautiful eulogy. They are words that capture the spirit of idealism and courage, and I believe that they will remain a source of strength and inspiration for all who seek to reaffirm and rededicate themselves to those labors that must find strength in the qualities of idealism and courage.

The complete text of Senator EDWARD KENNEDY's remarks follow:

EDWARD SPEAKS FOR FAMILY, TELLS "WHAT WE FEEL"

On behalf of Mrs. Robert Kennedy, her children and the parents and sisters of Robert Kennedy, I want to express what we feel to those who mourn with us today in this cathedral and around the world.

We loved him as a brother and father and son. From his parents, and from his older brothers and sisters—Joe, Kathleen and Jack—he received inspiration which he passed on to all of us. He gave us strength in time of trouble, wisdom in time of uncertainty, and sharing in time of happiness. He was always by our side.

Love is not an easy feeling to put into words. Nor is loyalty, or trust or joy. But he was all of these. He loved life completely, and lived it intensely.

A few years back, Robert Kennedy wrote some words about his own father and they expressed the way we in his family feel about him. He said of what his father meant to him:

"What it really all adds up to is love—not love as it is described with much facility in popular magazines, but the kind of love that is affection and respect, order, encouragement, and support. Our awareness of this was an incalculable source of strength, and because real love is something unselfish and involves sacrifices and giving, we could not help but profit from it."

"Beneath it all, he has tried to engender a social conscience. There were wrongs which needed attention. There were people who were poor and who needed help. And we have a responsibility to them and to this country. Through no virtues and accomplishments of our own, we have been fortunate enough to be born in the United States under the most comfortable conditions. We, therefore, have a responsibility to others who are less well off."

This is what Robert Kennedy was given. What he leaves us is what he said, what he did and what he stood for. A speech he made to the young people of South Africa on their Day of Affirmation in 1966 sums it up the best, and I would read it now:

"There is a discrimination in this world and slavery and slaughter and starvation. Governments repress their people; and millions are trapped in poverty while the nation grows rich; and wealth is lavished on armaments everywhere.

"These are differing evils, but they are the common works of man. They reflect the imperfection of human justice, the inadequacy of human compassion, our lack of sensibility toward the sufferings of our fellows.

"But we can perhaps remember—even if only for a time—that those who live with us are our brothers, that they share with us the same short moment of life; that they seek—as we do—nothing but the chance to live out their lives in purpose and happiness, winning what satisfaction and fulfillment they can.

"Surely this bond of common faith, this bond of common goal, can begin to teach us something. Surely we can learn, at least, to look at those around us as fellow men. And surely we can begin to work a little harder to bind up the wounds among us and to become in our own hearts brothers and countrymen once again.

"Our answer is to rely on youth—not a time of life but a state of mind, a temper of the will, a quality of imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease. The cruelties and obstacles of this swiftly changing planet will not yield to obsolete dogmas and outworn slogans. They cannot be moved by those who cling to a present that is already dying, who prefer the illusion of security to the excitement and danger that comes with even the most peaceful progress. It is a revolutionary world we live in; and this generation at home and around the world, has had thrust upon it a greater burden of responsibility than any generation that has ever lived.

"Some believe there is nothing one man or one woman can do against the enormous array of the world's ills. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant Reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and the 32-year-old Thomas Jefferson who proclaimed that all men are created equal.

"These men moved the world, and so can we all. Few will have the greatness to bend history itself, but each of us can work to change a small portion of the events, and in the total of all those acts will be written the history of this generation. It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current that can sweep down the mightiest walls of oppression and resistance.

"Few are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change. And I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the globe.

For the fortunate among us, there is the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who enjoy the privilege of education. But that is not the road history has marked out for us. Like it or not, we live in times of danger and uncertainty. But there are also more open to the creative energy of men than any other time in history. All of us will ultimately be judged and as the years pass we will surely judge ourselves, on the effort we have contributed to building a new world society and the extent to which our ideals and goals have shaped that effort.

"The future does not belong to those who are content with today, apathetic toward common problems and their fellow man alike, timid and fearful in the face of new ideas and bold projects. Rather it will belong to those who can blend vision, reason and courage in a personal commitment to the ideals and great enterprises of American society.

"Our future may be beyond our vision, but is not completely beyond our control. It is the shaping impluse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine our destiny. There is pride in that, even arrogance, but where is also experience and truth. In any event, it is the only way we can live."

This is the way he lived. My brother need not be idealized, or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

Those of us who loved him and who take him to his rest today, pray that what he was to us and what he wished for others will some day come to pass for all the world.

As he said many times, in many parts of this nation, to those he touched and who sought to touch him.

"Some men see things as they are and say why.

"I dream things that never were and say why not."

RETIREMENT OF MAJ. GEN. ROBERT H. CURTIN

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. STENNIS. Mr. President, last month, Maj. Gen. Robert H. Curtin retired from his position as Director of Civil Engineering, Office of the Deputy Chief of Staff, Programs and Resources, Headquarters, USAF.

For several of the past years it was my privilege to serve as chairman of the Military Construction Subcommittee of both the Armed Services and Appropriations Committees. Beginning in 1960 and continuing through this year, General Curtin was the principal Air Force witness for the military construction program. In this capacity, he has earned high admiration and respect. His representations to the committees before which he testified were marked with exceptional sincerity and admirable candor. He has truly served with distinction, and has been an effective, knowledgeable witness.

General Curtin is a native of Winchendon, Mass. His military career spanned a period of almost 30 years. After graduating from the U.S. Military Academy in 1939, he was commissioned a second lieutenant. He held a wide variety of civil engineering positions. During World War II he was assigned to the Engineering Division of Supreme Headquarters Allied Expeditionary Forces and later served as area engineer, U.S. Air Forces in Europe. He occupied several important positions in U.S. Air Force Headquarters culminated by his assignment as the Director of Civil Engineering for the Air Force in 1963. In addition to the degree he received at West Point, General Curtin obtained a master's degree in civil engineering at Harvard University and attended both the Air War College and the Industrial College of the Armed Forces. His decorations include the Distinguished Service Medal, the Legion of Merit, the Bronze Star Medal with Oak Leaf Cluster, the Air Force Commendation Medal, and numerous other awards including two foreign decorations.

In his position as Director of Civil Engineering for the Air Force, he concerned himself with considerably more than just the day-to-day operation and maintenance of the Air Force's base facilities and real property. Through his personal efforts several of the most important civil engineering programs in the Air Force were devised. One of his most outstanding innovations was the Prime Beef and Red Horse programs. Prime Beef consists of highly skilled engineering groups located strategically throughout the world and capable of being dispatched on extremely short notice to respond to short-term combat operations, emergencies, civil disasters, and other unusual contingencies. Their operations have extended from performing urgently required specialized engineering services in Vietnam to recovery operations during the 1967 floods in Alaska. Red Horse was also conceived and organized by General Curtin to respond to longer term civil engineering requirements for heavy repair and construction requirements beyond the capabilities of base civil engineers. The Red Horse accomplishments in Southeast Asia have received the highest praise.

General Curtin has now taken over as Director of Facilities, Office of Administration, NASA. The country is indebted to General Curtin for his service during a distinguished career.

I know that he will meet his new duties with the same devotion, energy, and ingenuity that have been his trademark.

Mr. President, it is not my practice to make remarks such as I have made about General Curtin. However, I have been so impressed with this gentleman over a period of years that I desired to express the sense of loss and sense of appreciation for his extraordinary, able, and effective service. I regret that the Air Force and the Government are losing the services of such an outstanding man at such an early age.

RESPECT FOR LAW AND INDIVIDUAL RIGHTS

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HALL. Mr. Speaker, Bill D. Hemphill, sheriff of Barry County, Cassville, Mo., has written an article in the May–June issue of the National Sheriff. Sheriff Hemphill is one of the outstanding sheriffs in our Nation and is so recognized as president of the National Sheriffs Association for 1967–68. His article is a thoughtful analysis of mankind's efforts to maintain respect for law, while at the same time maintaining respect for individual rights.

I insert the article at this point in the RECORD:

"Though liberty is established by law, we must be vigilant, for liberty to enslave us is always present under that very liberty."

That admonition could well have been uttered by any American political scientist today. It was not however the oratory of any American. It was not even said in our lifetime.

These words of warning were first heard more than 2000 years ago as a young attorney named Marcus Tullius Cicero was addressing the Roman Forum.

Cicero was concerned because of certain trends which he noted in Roman government. He had observed that the people no longer cared to interest themselves in affairs pertaining to government of the Roman Empire. There were some complaints that too much authority was being centralized in the hands of ambitious politicians of that day. Those who made this charge were generally belittled and those elected officials in Rome's government openly showed their contempt for citizens who dared criticize their actions.

The Roman patriot and orator observed this centralization of authority with dismay. He also noted a breakdown in family relationships, a disrespect for the laws and ordinances of Rome, and a general disregard for the Constitution of Rome. He publicly expressed the view that unless this tide were reversed, his country was in danger of collapse.

He eloquently warned that more and more, custom and the Constitution of the Republic meant less and less. He spoke against complacency and apathy, saying: "He who is not for Rome and Roman law is against Rome."

Cicero's dehortations were largely unheeded by Roman citizens. They were too busy enjoying their version of *la dolce vita* to concern themselves with the activities at the Capitol.

There were those however who heard this young attorney. There were those politicians who feared that unless Cicero were silenced, he might influence enough Romans to overturn the ambitious legislators and thereby effect a diminution in their quasi-oligarchic plans for the future of Rome.

Cicero's last appearance before the Roman Forum was to defend himself and to try to prevent his banishment from Rome. There were other familiar faces there that day. Caesar was there as were Pompey and Brutus. They spoke however no words in defense of Cicero.

The triumvirate of Brutus, Caesar, and Pompey, literally shrugged their collective shoulders and said, "It can't happen here."

Cicero was banished from the Forum. The morality of Rome continued to degenerate. The spending went on unabated while the populace enjoyed free food, circuses, and debauchery. The government meant little: the gods of Rome meant even less.

Even the mighty Caesar finally realized that conquest from without or collapse from within was inevitable. Brutus sought out the no longer young attorney and asked his advice. Cicero replied that it was already too late to save Rome, that the very foundations of the constitutional Republic had been so weakened as to make salvation impossible. *Ut sementem feceris, ita metes:* As you sow, so shall you reap.

Rome fell.

Many years were to pass before another great Republic was to be born. Its founders took heed of Cicero's comments, motivated with the desire to succeed where others had failed, and hoping to benefit from a knowledge of that which had gone before.

While considering a constitution for the new government, another young man warned:

"Be extremely cautious, watchful, jealous of your liberty. Instead of securing your rights, you may lose them forever." Patrick Henry had spoken much as Marcus Tulius Cicero had done so many years before.

It was reported that when the delegates to the Constitutional Convention had completed their work and emerged from their final meeting, Benjamin Franklin was asked, perhaps facetiously, by a woman standing without, "What have you given us?"

The same Franklin, who shortly before had warned that our government would flourish for a time but that it can "only end in despotism," replied to his questioner, "Madame. We have given you a Republic, if you can but keep it."

George Mason, author of the Virginia Bill of Rights had refused to sign the Constitution, saying that a centralized, consolidated government "is totally subversive of every principle which has hitherto governed us."

Time passes quickly and it is now some nine score years later. The founders of the Republic have long since returned to the dust from which they sprang. The nation has grown and has prospered. But there are changes—many changes—to be noted.

Let us think of Rome and of the U.S.A. for a moment as we prepare to enter a new NSA year, as we prepare for another Annual Informative Conference, and as we later this year make our thoughts (if any) known at polling places around the nation.

One seldom hears the word *Republic* anymore. To be sure, it is found in the Pledge of Allegiance to the Flag of the United States. But, who wastes his time with such nonsense as pledging allegiance to the Flag? One can't be forced to say it, you know, anymore than one can be forced to swear allegiance to the

United States of America before being hired by that same government.

Salute the flag? If you wish. Burn the flag or crush it into the dust? Certainly, if you wish. To prohibit this would be depriving you of your right to free expression. It is after all difficult to conceive any right more precious and hallowed than the right to vullify, curse, and profane the nation which gave us birth and which has nurtured us.

My country tis of thee? Outdated! Replaced by *Burn, baby, burn.*

Dissent? Debate? You bet. But maybe this isn't enough to maintain this right. It's better to throw in enough profanity and obscenity to make sure that the right to free speech is really there. (One must not be confused though. The right to free speech is not absolute. While one may curse freely just about anywhere, he must remember that it's unlawful to pray under certain circumstances or in certain places. Free speech can't be carried to extremes.)

The Republic? Let's call it a Democracy. Although those astute thinkers whose political and literary midwifery brought forth the new nation did not see fit to use the word *democracy* in the Declaration of Independence, in the U.S. Constitution, or in any other of their major writings, we are assured that this was merely an oversight. The drafters of these documents obviously believed that equality was more important than mere quality.

This is America in 1968.

Let us consider for a moment *The Decline and Fall of the Roman Empire,* an historical analysis of what went wrong in ancient Rome. Edward Gibbon wrote in 1788 that there were five principal causes for the death of the republic that was Rome. Gibbon's five causes were:

1. The undermining of the dignity and sanctity of the home, which is the basis for human society.

2. Higher and higher taxes; the spending of public money for free bread and circuses for the population.

3. The mad craze for pleasure; sports becoming every year more exciting, more brutal, more immoral.

4. The building of great armaments when the enemy was within—the decay of individual responsibility.

5. The decay of religion; faith fading into mere form, losing touch with life, losing power to regulate people.

All right, we've thought for a few minutes now. Let's return to our fun and to our games and leave the problems of spending of government, of subversion, up to somebody else.

History repeats itself? Don't be foolish. *It can't happen here!*

WHERE NEGRO BUSINESS GETS CREDIT

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. CLARK. Mr. President, the impact of what President Lyndon B. Johnson calls "creative federalism" is visibly seen in the Commonwealth of Pennsylvania. This harmonious partnership of citizens and Government working together through financial and management assistance programs has capitalized on individual initiative and bold imagination of the struggling small businessman.

President Johnson has spearheaded the drive to bring more Negroes into the mainstream of our American economic system and to encourage the entrepreneurship of our minority groups. A good example of the success of these efforts is the cooperative ventures of the Small Business Administration and the First Pennsylvania Banking of Philadelphia. The success of lining up Negroes as business borrowers is graphically presented in an article entitled "Where Negro Business Gets Credit," published in Business Week for June 8, 1968.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE NEGRO BUSINESS GETS CREDIT

First Pennsylvania Banking of Philadelphia is aggressively trying to line up Negroes as business borrowers. So far, defaults are less than 1%, half the loss rate on its other business loans.

Two Negro sisters who run a psychedelic dress shop in West Philadelphia recently borrowed $15,000 from First Pennsylvania Banking & Trust Co., the city's largest bank. The sisters rang up sales of $45,000 last year and are planning now to open their second store.

A few years ago, the bank probably would not have made the loan—and the sisters probably would not have applied. But over the past two years, it has lent some $1.2-million to encourage Negro-owned and managed enterprises.

The amount is small, but it is significant. Recently, the Small Business Administration cited First Pennsylvania for "leading the way in the formation of new attitudes for the entire banking community in this nation."

DOOR-OPENER

Developing Negro businesses, especially in Negro neighborhoods, is worthwhile, both militant blacks and conservative businessmen agree. And it is getting attention in Philadelphia.

First Pennsylvania's program was spearheaded by John R. Bunting, Jr., former executive vice-president just named president and chief executive officer. He puts his long-range goals this way: "About 50% of the market in Philadelphia is non-white. If we were going to do business properly and profitably, we had to face up to that fact."

The bank says its Negro lending program has made money, that the rate of default is less than 1%—half the loss rate of the bank's normal business loans. When the bank started its special "soft loan" program in 1966, most of the lending was tied to SBA guarantees. Today, only about half the loans have that security. On the other hand, the loan rejection rate runs about 50%—"roughly comparable to other businesses of the same size," says Bunting. However, he adds, rejections would be much higher if the bank were not leaning over backwards to make these loans.

FACT-TO-FACE

Mainly the bank believes it is gaining experience to meet a standard Negro complaint that white-owned banks do not understand how to evaluate loan applications from Negroes. Another part of the lesson, though, is that in today's social climate, white efforts can easily stir controversy.

First Pennsylvania's Negro loan program is handled out of a single branch at 49th St. and Baltimore Ave. in an integrated section of West Philadelphia. Both Negroes and whites criticize the general procedure. Negroes want to know why they can't get equal consideration in all 66 branches, while some white businessmen grumble about discrimination in reverse.

Bunting concedes both points. "If a Negro businessman wants to be treated like any other borrower," he says, "he can go to any of our branches. If he wants favored treatment, he must go to West Philadelphia. We needed a concentrated program." As for white complaints, he says simply that the program is specially aimed at Negro businessmen.

Directly in charge of the program is 31-year-old Gordon McDaniel, aided by Charles D. Bigelow, 42. Bunting did not want the program involving hidebound bank officers.

COOPERATION

Essential to the program's success, bank officials agree, is the working relationship First Pennsylvania has established with the Negro-owned Business Development Corp. Run by John H. Clay, BDC is owned by 3,000 Negro stockholders who put up $2 a share.

Clay explains the approach: "When a Negro sees a white man in business, he automatically assumes the white man is running the show. The Negro has to have an image of guys on his own level who have made it by hard work."

BDC, which has a 35-man board consisting of successful local Negro businessmen, acts as the bank's chief liaison with the Negro community. It channels Negro businessmen to the bank, helps in preparing the needed loan papers, and provides accounting and management consulting to borrowers.

Clay also thinks that BDC's profitmaking approach makes it more effective than federally financed and nonprofit business development groups. Describing BDC as a "profitmaking company used as an education forum," he adds that "the more you do something for nothing for someone, the less he learns."

SCORECARD

So far, BDC has helped arrange over 140 loans and more than 100 have come through First Pennsylvania. SBA has taken on the rest.

Under terms of an informal agreement between the bank and BDC, Bunting promised to review any loan promoted by BDC but rejected by the bank. While Clay has gone to Bunting a few times to question why a loan was turned down, he has not complained publicly about it. By the same token, Bunting, who has final say on loans, has yet to overturn a decision by loan officers.

Almost all the loans average between $6,000 and $8,000 for seven to eight years at a rate comparable to other business loans. While the bulk has gone into Mom-and-Pop type enterprises, a few have been large.

Claudas Bey, 30, received a $100,000 loan, partially secured by SBA, to buy a warehouse for wholesaling candy, tobacco, patent medicines, cookies, and school supplies. His business has grown in three years from a basement operation to a $750,000 enterprise. This year, he projects sale of $1-million.

Another star is Jack Baylor, 40, an ex-RCA and Univac engineer, who operates Data Preparation Corp., a key-punching business. Baylor put up $7,600 and First Pennsylvania came across with $35,000, partially secured by SBA. In 1967, his first full year of operation, he grossed $275,000.

ROUTINE

More typical is the $9,500 loan made to a woman operating a daytime baby-sitting center. About half the money went to pay delinquent debts, the rest to remodel her home so she could take on more children. Another soft loan, for $15,000, went to an automotive repair shop with an estimated net worth of $3,000; the owner, in addition to a history of debt delinquencies and income tax woes, needed money for a new shop. His roof had collapsed.

On most loans, McDaniel and Rodgers play it by ear. They base their decisions mostly on intuition and on-the-spot checks of the prospective borrower's business operation. They often overlook a background of debt delinquency if they feel a loan will put the borrower's business back on its feet. In some cases, they ignore a criminal record if it is rooted in social pressures.

One reason for this approach is that normal credit channels do not work for checking out loan applicants. Even Negro businessmen who would easily meet borrowing requirements hesitate to seek bank loans. Often they have been snubbed in earlier attempts to borrow, or they assume without trying that the gesture would be useless. Many try to capitalize their businesses out of profits, or they turn to high-cost finance companies.

GRIPES

BDC's Clay maintains that banks unwittingly apply to Negroes traditional business standards, which he says cannot be applied. However, First Pennsylvania's and BDC's actions are working to improve rapport between Negro businessmen and the white banking world.

Follow-up counseling of borrowers has been the weakest part of BDC's operation. Because its 35 board members are businessmen with their own problems, it has been difficult getting a consistent program going. Then, too, BDC has had sparse results in getting Negroes who put in 12 to 16 hours daily at their own businesses to go to school at night.

SPREADING

One outgrowth of the First Pennsylvania-BDC program has been establishment of a $2-million pool by eight Philadelphia banks to make loans to businesses in depressed areas. Called Job Loan Corp., it parallels the program of First Pennsylvania, which has a piece of that action, too.

Job Loan Corp. is off to a shaky start. A premature announcement by Mayor James H. J. Tate brought a flood of telephone calls while the program was still being organized. The callers had to be stalled, and some Negro leaders view it as little more than a public relations sham. They also think it laughable that the eight banks could come up with only a $2-million commitment.

STATEMENTS BY THE REPUBLICAN TASK FORCE ON CRIME

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks I include three recent statements by the Republican Task Force on Crime. The first issued May 17, 1968 is entitled, "GOP Crime Group Endorses LSD Curbs." The second entitled, "GOP Crime Group Disputes Clark's Crime Figures" was released on May 21, 1968. In the third statement issued on June 14, 1968, the "GOP Crime Group Calls for Federal 'Stop and Frisk' law—Terms It a 'Powerful Deterrent' To Carrying Handguns."

The statements follow:

GOP CRIME GROUP ENDORSES LSD CURBS

Noting the report of the House Health Subcommittee, unanimously endorsing legislation to make criminal the possession as well as the distribution of LSD and related drugs, the House Republican Task Force on Crime today asked that the enactment of such legislation be assigned top priority in the House of Representatives.

Rep. Richard H. Poff (R.-Va.), Chairman of the Task Force said, "As more and more information becomes available demonstrating the effect of LSD on the human body, it is apparent that this family of drugs should be prohibited in America. We urgently recommend favorable action upon legislation outlawing the possession and use of LSD in the United States."

GOP CRIME GROUP DISPUTES CLARK'S CRIME FIGURES

WASHINGTON, D.C.—The House Republican Task Force on Crime declared today that: "It is reported that during a nationally televised panel discussion recently, Attorney General Ramsay Clark defended the dismal performance of the Kennedy and Johnson Administrations in the field of crime control.

"According to a news story by George Lardner, Jr., 'Clark said that in the eight years [Richard M.] Nixon was Vice President during the 1950's, the crime rate had gone up 98 percent, or a greater figure than the 88 percent Nixon said it had risen during the Kennedy-Johnon Administration.'

"We have grown accustomed to spokesmen for the Administration playing 'fast and loose' with the facts, but the blatant manner in which they attempt to carry it off never ceases to amaze us.

"In the first place, *Mr. Nixon* didn't say there was an 88% increase, Mr. Clark's *Department of Justice said it,* in a well publicized press release earlier this year.

"Next, crime in the eight Eisenhower years between 1953 and 1960 *did not increase by 98%*. That charge is simply inaccurate.

"Crime reported in 1960, the last year of the Eisenhower Administration, was *63%* greater than in 1952, the last year of the Truman Administration.

"This, of course, covers 8 years. If the experience of 1967 holds true this year, the 8 year Kennedy-Johnson record will show a whopping *118% increase* for the comparable period, or almost double the rate under a Republican Administration. Paranthetically, if only a 7 year frame of reference is used, they fare even worse. During the first 7 years of the Eisenhower Administration the crime *increase was 43%*, less than half of the 88% recorded during the seven years thus far under Kennedy and Johnson.

"All of this would be 'much ado about nothing', of course, were it not for Mr. Clark's blitheness in attempting to foist an inaccuracy off on the American public. Any crime increase is bad and this is 1968, not 1960 or 1952.

"It is fundamental that most Americans today view crime in the streets as our number one domestic problem, and rightly so. In 1960 there was no such concern. Crime has been steadily increasing since the end of World War II and while no Administration is wholly to blame for this, the present Democrat policies of non-enforcement and permissiveness cannot be defended in the face of this. The plain truth is that we were a whole lot safer in 1960 than we are today. When General Eisenhower left office he did not leave behind a legacy of rampaging lawlessness that is most certain to face the new President in 1969."

GOP CRIME GROUP CALLS FOR FEDERAL STOP AND FRISK LAW—TERMS IT A POWERFUL DETERRENT TO CARRYING HANDGUNS

The House Republican Task Force on Crime today endorsed again the concept of a "stop and frisk" law for Federal agents and police in the District of Columbia, and called for "prompt hearings by the House Judiciary Committee on three bills proposing such a law which have already been introduced this year by GOP Congressmen."

The renewed call for action came in the wake of last Monday's ruling by the Supreme Court upholding State laws which permit police to stop suspicious persons on the street and to "frisk" them for weapons if they reasonably fear danger.

"Action on the pending proposals, some of which were introduced six weeks in advance of the Court decisions—which include the McCulloch-Poff bill (H.R. 16908), the Wyman bill (H.R. 17773), and the Railsback bill (H.R. 17875)—has understandably been delayed until the Court ruled,' the GOP Group said. "But the way is open now—there is no longer any bar to hearings on the bills nor to ultimate enactment of some law in the area.

"In view of the concern over firearms control at this time," they continued, "a 'stop and frisk' law for Federal agents and police in the District of Columbia will really put teeth into handgun laws. Properly utilized, 'stop and frisk' laws can be powerful deterrents to the illegal carrying of weapons in addition to being effective enforcement tools where handgun laws are violated.

"Sixteen States have approved 'stop and frisk' procedures which, by one means or another, permit police to stop suspicious persons, detain them for a short period of time, ask them questions and 'frisk' them for weapons, if necessary, all without effecting a formal arrest, as long as the police have reasonable cause to do so.

"Over the years such laws have proven decidedly useful," the Task Force continued, "for the prevention and detection of crime, for the obtaining of evidence and, most important, for the protection of police officers.

"At this time no federal statute exists which extends this protection and this very valuable investigative tool to either Federal agents throughout the country or to police in the District of Columbia. Each of these bills is designed to fill this gap.

"We do not endorse any one bill over any of the others," the Task Force said. "Each adopts a somewhat different approach but to the same overall objective.

"Careful consideration by the Judiciary Committee will doubtless resolve the differences and the best law will emerge. The important thing is to begin hearings at once," they concluded.

THE ROAD TO OBLIVION—SPEECH BY SENATOR THURMOND

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. TOWER. Mr. President, I have recently reread a speech first delivered by the distinguished Senator from South Carolina [Mr. THURMOND] in the spring of 1965. Because his thoughts then are applicable today and because they were quite prophetic, I ask unanimous consent that the text of his speech be printed in the Extensions of Remarks.

I call especially to the attention of Senators and other Americans Senator THURMOND's thoughts about the "provocation" of demonstrations and his lucid explanation of the equation between "disobedience" and "lawlessness."

It is unfortunate for our Nation that we did not have the wisdom to heed Senator THURMOND's words 3 years ago. I hope we have learned something since then.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE ROAD TO OBLIVION

(Address of Senator STROM THURMOND, Republican, of South Carolina, to the board of directors of Christian Freedom Foundation at the Wellington Hotel, New York City, April 29, 1965)

In the comparatively short history of our Republic, society in the United States has advanced to the pinnacle of civilized achievements. Our people have advantages exceeding the fondest dreams of contemporary and past civilizations.

These magnificent benefits and accomplishments have been possible because of a unique political structure which is based on and revolves around the Constitution of the United States.

The governmental structure based on the Constitution imposes a rule of law and excludes a rule of men.

It provides for the maintenance of order and stability while permitting not only the basic individual freedoms—such as of religion, speech and assembly—but also permitting the operation of a free economic system from which our material bounty has flowed.

The inherent concept of federalism in the Constitution accommodates diversity without stimulating division, and from diversity stems the initiative which gives birth to true progress.

Recent years, unfortunately, have witnessed increasing erosion of the Constitution in the form of evasions, usurpations and circumventions, which in turn has constricted individual freedoms, inhibited diversity, diluted stability, and invited disorders.

Realistically, these departures from and weakening of the Constitution portend an early end to our society's benefits and achievements. The demise of the Constitution can convert a noble experiment in government to a flash in the pan—a brief, brilliant meteoric ascent to the heights, snuffed out and merged with the darkness by an attempt to change course in mid-trajectory.

We are now confronted with the point of no return in our departure from a Constitutional course, if, indeed, we have not already passed it.

As you all are aware, there is now pending before the Congress a proposed "Voting Rights Act of 1965." This bill is unquestionably the most abysmal and chasmic departure from and contradiction of the Constitution which has confronted the Congress and the nation in a century, if not in all time.

This proposal to pervert the Constitution is particularly profane, for it masquerades as an attempt to enforce a provision of the Constitution, itself.

The 15th Amendment to the Constitution provides:

"1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

"2. The Congress shall have power to enforce this article by appropriate legislation."

The sole power given to Congress by that amendment, and the only appropriate legislation which can be enacted pursuant to it, is to *prevent* the United States or any State from denying certain people the right to vote on account of their race or color.

The 15th Amendment does not confer the right to vote on anyone, nor does it vest power in the Congress to confer the right to vote on anyone.

The Constitution clearly provides that the several States shall have the power and the authority to establish qualifications for voters. Section 2 of Article 1 of the Constitution provides that, in choosing Representatives for Congress, "The Electors in each State shall have the qualifications prerequisite for Electors of the most numerous branch of the State Legislature." There can be no argument that this provision was not modified by the adoption of the 15th Amendment. Years after the adoption of the 15th Amendment, the 17th Amendment was adopted; and it contains, with respect to the election of Senators, the identical language of Section 2, Article 1, to wit: "The Electors in each State shall have the qualifications prerequisite for Electors of the most numerous branch of the State Legislature."

The proposed "Voting Rights Act of 1965," however, would invalidate a whole spectrum of voter qualifications currently imposed by a number of States, particularly the requirement for proof of literacy. Such qualifications would be invalidated in certain States, regardless of the impartiality as to race or color of such qualifications and their application.

For instance, in South Carolina there has been no allegation that the voter qualification requirement of ability to read and write is used to deny or abridge the right to vote on account of race or color. Yet, under the proposed "Voting Rights Act of 1965," the literacy requirement for voters in South Carolina would be invalidated.

The proposed "Voting Rights Act of 1965" is also in conflict with Article 4, Section 2, of the Constitution, which provides: "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

The invalidation of voter qualifications would apply *not* to all States requiring such qualifications, nor even to those in which there is use of such requirements to deny the right to vote on account of race or color. On the contrary, the invalidation would apply only in States or political subdivisions which fall within the confines of an arbitrary statistical formula having no rational relationship to incidents of voting denials.

The determination of those States and Subdivisions in which existing qualifications for voters would be invalidated would hinge on the percentage of voting age population registered and participating in the Presidential election of 1964.

The statistical formula proposed reflects no consideration of the numbers of people who have applied to register or vote, nor of whether any person has been illegally denied the right to vote.

The statistical formula in no way reflects any number and variety of circumstances which influence, in fact, the numbers of persons who apply to register and vote. For instance, until very recently, the Southern states—to which this bill, incidently, would principally apply—were dominated by a one-political-party system. It has been only a little more than a decade that any substantial number of persons voted in general elections in those States, because nomination in the Democratic Primary was tantamount to election. Now the Republican Party is becoming established in the Southern States, but by no means has the prevailing apathy toward general elections been overcome. Yet, it is the percentage of voting age population participating in the general election which provides the basis of this arbitrary statistical formula.

There is another rather paradoxical factor concerning the choice of the Presidential election from which to draw statistics by which to determine the applicability of the proposed "Voting Rights Act of 1965." There is no constitutional requirement that any of the electorate be given the opportunity to participate directly in the selection of Presidential electors. Article II, Section 1, Paragraph 2, of the Constitution, which determines the mode of choosing electors for Presidents and Vice Presidents provides: "Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." It is within the Constitutional power of a State Legislature, therefore, to, itself appoint Presidential electors and, thereby, legally to have a zero percentage of the voting age population registered or voting in a particular Presidential election.

It is a basic and fundamental constitutional tenet, never to my knowledge overtly disputed, that the status of statehood is an invariable entity, with each State having the same powers and authority as every other State.

The proposed "Voting Rights Act of 1965" would flout that constitutional tenet, by denying to selected States while leaving to other States the power to fix voter qualifications which would not discriminate on account of race or color.

The bill would constitute a bill of attainder or an *ex post facto* law in violation of specific constitutional provisions. This result would follow from the fact that a State would be adjudged guilty of voting discrimination prohibited by the 15th Amendment and penalized accordingly on the basis of past actions—too small a percentage of voting age population voting in the 1964 Presidential election—which action did not constitute an offense at the time it was committed.

The enactment of this bill would violate the due process of law provisions of the 5th Amendment to the Constitution by virtue of any number of its provisions. For example, the bill would establish a conclusive presumption that a State was guilty of denying persons the right to vote on account of race or color, if too few people voted in the Presidential election of 1964, and provide no opportunity to the State to rebut the presumption.

Probably the most constitutionally incompatible provision in the bill is that which would prohibit, in States affected by the bill, the enforcement of any act of a State Legislature which changed voting qualifications or procedures from those in effect on November 1, 1964, without specific prior approval of either the United States District Court for the District of Columbia or the Attorney General of the United States. It is difficult to conceive of any provision more antagonistic to the constitutional concept of federalism than is this provision.

It would, I assure you, take more time than we have here today just for me to list the specific provisions of the Constitution and the provisions of the bill which conflict with them. I have mentioned but a few examples.

From at least one standpoint, it is not surprising that any legislation proposed to the Congress for enforcement of rights under the 15th Amendment sharply conflicts with the Constitution. You will recall the Congress enacted laws in this field in 1957, in 1960, and again in 1964. Almost every conceivable protection of the right to vote consistent with the Constitution, and some not consistent with the Constitution, were incorporated in these or previously enacted statutes. As a consequence, there is little, if any, room within the constitutional framework to enact other than repetitive implementations of the 15th Amendment. After all, it is not a broad field, for the 15th Amendment is, in fact, self-executing—that is, the Courts can enforce it upon application of any offended person without resort to any legislation passed by the Congress.

The question logically arises then, how and why did the proposed "Voting Rights Act of 1965" come into being and possess such a bright prospect for early enactment?

Rarely, if ever, has the *genesis* of a legislative proposal been of more pertinence. No realistic evaluation of this bill's breadth, its scope, its operation, or its consequences is possible in the absence of an understanding of its origin and the environment from which it sprang.

The proposed "Voting Rights Act of 1965" is before the Congress today as a consequence of what has been generally described as "mass demonstrations." It is somewhat difficult to pinpoint the precise point in time when the so-called civil rights movement took to the streets, but several years have passed now since it gained the focus of public attention. Although we have all been witness through the media of television and the printed word to these mass activities, and although each of us have been influenced to some degree and in some direction by such activities, there apparently remains little understanding of either the precise nature, pattern, or actual purpose and effect of such an activist movement.

For all the familiarity with the incidents, the places, the organizations, the people—there is obviously precious little comprehension of what is occurring. It is almost as though the nation has viewed these occurrences through the mind's window of emotion, never daring to crack that shutter of the mind which might subject these activities to the perceptiveness of reason.

For the most part, the so-called demonstrations are well organized. The leaders have largely succeeded in exercising the slight degree of control which is possible over large masses of aroused people. They have been diligent in training those activists who participate regularly in techniques long since perfected for this type of activity. Only to the untrained and only to the careless observer, do the so-called demonstrations appear either spontaneous or unmanipulated. They comprise one of the most successful, calculated propaganda operations ever undertaken.

The so-called demonstrations, themselves, constitute the professional application of the art of civil disobedience. Part and parcel of the operation is a massive verbal barrage, professing and acclaiming such activities to be the essence of non-violence. Indeed, the term "non-violence" has become almost an automatically accepted adjective for such activity, so successful has been the campaign of oral and written propaganda. The demonstrations have, in fact, actually been surprisingly non-violent, particularly in view of the violent tendencies inherent in mob psychology.

But non-violence is only one of the two major elements which composes the successful civil disobedience operation. For civil disobedience success, non-violent a demonstration *should* be, but provocative it *must* be; for prevocative is the other adjective, rarely enunciated, never advertised, which is the key to the success of the civil disobedience operation which we are witnessing and have witnessed for several years.

A careful study of the so-called civil rights demonstrations proves clearly that nothing is more *un*successful than a demonstration which provokes no resistance. Such is the nature of these non-violent provocative operations, however, that those activities which have failed to elicit some type of resistance merely evidence poor planning by the leaders or poor execution by the trained participants.

It is almost invariably possible to mount an essentially non-violent activity, which is at the same time so provocative that it will require even the most benevolent authority to respond with resistance, which resistance usually requires the use of force.

If massive demonstrations at noon in the city square are ignored and provoke no responses, demonstrations are re-scheduled from noon to 11 p.m., and to residential neighborhoods rather than the city square. Such was the case, for instance, in St. Augustine, Florida.

Thus, are non-violence and provocation the two ingredients which constitute the essence of the civil disobedience operations commonly referred to as civil rights demonstrations. The careful cloak of non-violence provides shelter from the potential disapproval of a fair-minded public which takes note of the operation from afar—not being directly affected by the particular demonstration. The element of provocation insures application of resisting force, which can be used to effectively gain the sympathy of that same public witnessing from afar. The more brutal and excessive the resisting force which can be provoked, the more successful becomes the particular civil disobedience operation.

I have described the so-called mass demonstrations as operations of civil disobedience. This is no chance choice of terms. I use "civil disobedience" deliberately and accurately. The term "civil embraces the non-violent appearance and ostensible character of the demonstrations, and distinguishes such activities from those of a similar nature and purpose which utilize "military", as contrasted to "civil" means. The term "disobedience" embraces the provocativeness of such activities, but it also includes and describes another aspect of the demonstrations. Disobedience embraces lawlessness, and the term is accurately applied to the so-called civil rights demonstrations, because they are inherently lawless. The disobedience is disobedience to duly enacted and prevailing law. Those laws to be disobeyed are selected at the discretion, usually, of the directors of the civil disobedience operation, but occasionally the participants expand the scope of the laws chosen by the leaders to be disobeyed.

A distinction should be made at this point between the grievances to which the massive civil disobedience is ostensibly directed at correcting, and the laws which are disobeyed in the process of the activity, for rarely are the object of the ostensible grievance and the laws which are disobeyed either identical or related.

It is the provocative disobedience of laws, unrelated to the ostensible grievance, which distinguishes this as an insurrection, rather than a reform movement. Because the campaign of civil disobedience seeks to undermine, through defiance, a whole spectrum of the rules of society, the movement denies and seeks to undermine the rule of law, itself. Necessarily, it also undermines the political order which the society has instituted for its own government.

The movement, therefore, is nothing more or less than a war against society and the existing political order—in short, and insurrection.

Insurrections are wars against society and undermine the entire political structure—the good elements as well as the bad. By its very nature, a revolution strikes at the whole political structure through which all the laws are instituted, those with which we agree, as well as those with which we disagree. When one chooses individually to openly defy a law, he becomes a criminal. When one conspires or joins an *organized* effort to defy a whole spectrum of laws, he becomes an insurrectionist; and his participation constitutes a declaration of war on the society in which he lives.

In a number of ways, almost any society contains vulnerabilities to this type of activity. The ingrained antipathy for violence and the sympathetic inclination in each of us for the under-dog and victim of violence tends to align us emotionally with the participants of the insurrection. At the same time, they obscure an objective evaluation of the movement. In many instances, the grievances against which the activity is ostensibly directed are in fact legitimate grievances. The existence of unused remedies escapes our notice, and as a consequence all too many of us fail to evaluate the goals and proposed remedies of the insurrectionist movement, and to test their suitability for correction of the ostensible grievances. The innate desire for domestic tranquility promotes a willingness to make concessions against the best interest of society in an effort to regain the blessings of tranquility.

Nor is the alternative to concessions pleasant to contemplate. The alternative would require strict law enforcement, and this in turn would almost surely mean violence and the disruption of peace and order, not to mention unfavorable political consequences.

It was a prolonged campaign of insurrection in Alabama which gave the immediate impetus to the "Voting Rights Act of 1965."

In the early weeks of this year, a campaign of civil disobedience was launched in Selma, Alabama, under the leadership of Martin Luther King, a resident of Atlanta, Georgia. The campaign of civil disobedience took the form of mass demonstrations in the usual pattern—for the most part, non-violent, but always provocative. The grievance ostensibly protested was the denial of voting rights. As time went by, the crowds participating grew—made up not only of applicants for voting registration, but also of non-residents of the State of Alabama, and to a major extent, of juveniles drawn from the schools of Selma.

Even when the campaign of Civil Disobedience began in Selma, a suit was pending in Federal Court for relief of those denied the right to register and vote. The court action was brought under provisions of the Civil Rights Acts of 1960 and 1964. On February 4, 1965, almost at the beginning of the campaign of civil disobedience, the Federal Court found Negroes were being denied the right to vote on account of race or color.

From the order of the Court, it is obvious that the remedy to voting denials was provided through the orderly prescribed process of law. The order insured that all eligible persons in Dallas County, Alabama, would be registered to vote long before the next election, and even made provision for registrations by the Court-appointed referee, should the Registration Board not comply with the Court's order. The order even provided that a minimum of 100 applicants be registered on each registration day.

The fact that the Court remedied the ostensible grievances of the insurrectionists was ignored by the insurrectionists and went unknown to, or unnoticed by most of the people in the nation.

The insurrectionist campaign continued until finally the persistent provocations got results—results in the form of violence, and martyrdom.

The President announced that he would send to the Congress a bill on voting, and on March 15, 1965, the President addressed the people of the nation in the context of an appearance before a Joint Session of Congress. It was an emotion-packed address, even more so than his usual.

The Congress reacted to the President's charge with a responsive emotional obedience.

Since the presentation to Congress of the proposed "Voting Rights Act of 1965," speed has been the watchword. Every effort, from drafting through hearings, has been bent to keeping ahead of the demonstrations. Congress seems to have adopted the motto of Mr. Satchel Paige: "Don't ever look back, something may be gaining on you." Underlying it all is obviously the fear that a slow or measured pace might permit the demands of the leaders of the civil disobedience campaign to overtake and surpass even this radical appeasement at the cost of the rule of law.

And down deep, we all know that the demands will continue to grow, and will never be satisfied with less than the total destruction of any structure of society based on the rule of law.

The "Voting Rights Act of 1965" is not, of course, just an isolated incident or divergence from constitutional government, and neither can the so-called civil rights movement be separated from the total insurrection with which we are faced; which includes the campaigns and activities of the professed pacifists protesting our Vietnam policies and those loosely referred to as "students" who are engaged in the so-called "campus revolt."

The "Voting Rights Act of 1965" is but one milestone—albeit a crucial one—on the road to oblivion for our Constitutional Republic. It is part and parcel of the seemingly inevitable, rapidly accelerating journey of our society into the dark realm of destroyed civilizations.

I do not know what you, individually, or as a Board of Directors, can or will do about either the "Voting Rights Act of 1965" or, even more important, the insurrection which has brought this voting rights bill so near to fruition. Your presence here this morning, however, attests to your leadership capabilities, and I implore you to use your abilities with renewed dedication in an attempt to save our Republic.

Even though the chances of success may be slight, we have no alternative but to make the effort.

Our Republic is too young, and its potential too great, for it to be propelled down the road to oblivion without someone at least trying to pull the brake.

ANGLO-AMERICAN CRIMINAL JUSTICE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MICHEL. Mr. Speaker—

There is abundant evidence that British criminal justice is still based on the philosophy under which it was founded—that it's main purpose is the prevention of crime.

This quotation is taken from a review by Charles L. Dancey, editor of the Peoria Journal-Star, of a book entitled, "Anglo-American Criminal Justice." The book, written by two American and one Australian professors of law, provided an interesting item-by-item study of British and American practice from police to prisons and, not surprisingly, its major finding is that the U.S. Supreme Court and U.S. legal philosophies have crippled crime prevention in America.

The book review appeared in the June 15, 1968, edition of the Peoria Journal-Star and I include it at this point in the RECORD, together with an editorial from the same edition, entitled "Tainted Evidence." Those of our colleagues in the legal profession may find this book to be of great interest.

The material follows:

STUDY FINDS FLAWS IN U.S. CRIMINAL LAW

(Review by C. L. Dancey)

(NOTE.—Following is a review of the book "Anglo-American Criminal Justice," by Delmar Karlen with Geoffrey Sawer and Edward M. Wise (Oxford Univ. Press, $6).)

A serious research study has found that the U.S. Supreme Court and U.S. legal philosophies have crippled crime prevention in America.

Two American and one Australian professors of law, operating under a research grant, have produced an interesting item by item study of British and American practice from police to prisons published under the title, "Anglo-American Criminal Justice".

The differences revealed are dramatic.

To an American, it comes as something of a shock to discover the extent to which practices and attitudes so "sacred" and "traditional" and "basic" to our legal system are, in fact, unique—and not accepted or regarded as practical methods elsewhere.

For example: In English law the professional bail bondsmen is forbidden, and to make a bond for remuneration is, itself, a criminal offense.

There, courts commonly use a "summons" instead of an arrest where it is deemed appropriate, and by-pass the whole bond business, and hence "lock up" fewer people than we do.

At the same time, they also often lock up an accused without bond because of grounds to fear that he may otherwise commit other crimes while out on bond—or tamper with witnesses. In America, such considerations are downright unlawful, and giving bond is required unless there are grounds to fear the accused will "jump" bond.

In England, there is no such thing as the U.S. district attorney or state's attorney. Eighty eight per cent of all prosecutions are either carried forward by the complainant as a private citizen or by police in the same capacity, hiring a prosecutor.

Thus, the "discretion" of the state's attorney, by which he has more effective powers over basic decisions than the judges concerning prosecution, does not exist, nor do the political involvement or considerations relating to prosecution.

The British police are organized and interrelated on a national basis, and a police officer can act as such anywhere. Also, standards and training are thus reasonably uniform.

While British courts exclude illegal evidence, they do not throw out whole cases or reverse them because of such a "taint"—they first look to see if, independently of such, there is decisive evidence of guilt.

Throughout, there is abundant evidence that British criminal justice is still based on the philosophy under which it was founded—that it's main purpose is the prevention of crime.

There is also abundant evidence that the U.S. system has become esoterically preoccupied in a large measure with internal complex "philosophies" concerning one phase of that overall task.

The authors find U.S. court decisions often based in part on "an exaggerated notion of the feasibility of police detection by other means than interrogation" and seems unconcerned about the failure to solve crimes thus imposed on police agencies . . . much less the failures of prevention resulting from heavy emphasis on "search and seizure" and arrests without prior legal procedures and papers of authorization.

TAINTED EVIDENCE

The British jurists and legal philosophers, and indeed, the British in general regard a number of American legal principles as "far fetched" theories.

That is typical British understatement.

On the Book Review page of the Weekender today is a review of a research work in which three Anglo-American lawyers laid out an item by item comparison of British and American procedures and organizations and rules in "criminal justice."

In the light of so much controversy these days over police practices, Supreme Court decisions, and law enforcement doctrines, not to exclude the new "Commission on Violence," it seems a good idea to find out how much of what we have been doing is "normal" and commonplace and how much of it is peculiarly and uniquely American.

The review to some extent, and the book's research to a very large extent, will shock many Americans to discover that the disputed "oddities" in modern American law are odd, indeed.

Far from being commonly accepted principles, half a dozen U.S. Supreme Court judges have cooked up entirely new concepts and inflicted them upon this society, exclusively.

The most far-reaching of these is the policy of no longer considering the validity or nonvalidity of evidence if it is in any way "tainted" by police or trial procedure.

In other words, whether the procedural fault actually puts the evidence in question or not is regarded as beside the point in the U.S. court doctrine, now.

For example, suppose police have reason to suspect something criminal is happening in a house or apartment and also that there isn't time to go through the search warrant process if they are to affect what is happening. So they then break down the door and catch a criminal red-handed in the performance of a crime.

If the court decides that the reason for breaking in wasn't good enough, and the catching the criminal was just a lucky circumstance, they decide that the police action was illegal—ergo, they say, the evidence against the crook is "fruit from a tainted tree" and, in spite of the fact that there is no doubt the criminal committed an illegal act, he is set free.

This doctrine, whereby the court second-guesses the motives and judgment of the police—and ignores whether results proved them right, even—and regards the perfection of police procedure as more important than proven criminal activity is considered "far fetched" and completely impractical everywhere but here.

The British regard it as absurd to "skip over" on such a basis the central question of whether the accused before the bar is, in fact, guilty or not guilty.

And it really is absurd!

What the U.S. high court has done is to become so preoccupied with the internal procedural theories of a Utopian nature that they are blind to the fact that "informal" and "unofficial" attacks upon the rights, the life, the liberty, and the property of citizens are tyrannies quite as real as official acts.

They have become so "institutionalized" and formal in their outlook, that they regard it as better that 1000 citizens lose their rights and be treated with brutal injustice by unofficial and uncontrolled criminal acts, than the one person lose his rights by an official mistake.

This is making a wholly imaginary distinction, in their pride of profession, between getting killed "formally" or "informally" ignoring the cold fact that the victim is equally dead in both cases.

They are more concerned about police interrogation than about murder, because they have freed murderers against whom the evidence was unimpaired as a means of "punishing" police for not having a defense lawyer present during an interrogation!

Thus the absence of a lawyer they regarded as a worse crime than the murder.

This is carrying professionalism to a rather fanatic degree.

There are legal remedies against illegal police actions.

There certainly should be.

The police can and should be restrained from capricious action.

They should have good reason to act on an emergency basis in search, etc., and they had better be right when they take extraordinary action.

But when they do so, and are proven right, and decisive evidence without cavil is produced of a heinous crime such as murder, the evidence should not be discarded and the murderer set free.

And nobody in the wide world but half a dozen Supreme Court justices has made that "far-fetched" decision at law.

It is not "the law" anywhere but here, and was not "the law" here until recently invented.

Only we have judges who apparently don't give a damn what happens in society as a whole, but only care about what happens in their courtroom. And there they care only for philosophic perfection, not human justice.

THE DECLINE IN LAW AND ORDER—RESOLUTION BY THE CAROLINAS BRANCH OF POSTAL SUPERVISORS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. THURMOND. Mr. President, the Carolinas branch of postal supervisors recently met in Greensboro, N.C., and adopted a resolution of notable significance

The resolution urges Congress to be cognizant of the obstacle impeding strong law enforcement and to give full support to State and local law-enforcement personnel. This resolution was prompted by the obvious decline in law and order which our Nation is experiencing. It is a strong, clear call for a reversal of the permissive attitudes which have encouraged anarchy in our Nation.

Mr. President, I ask unanimous consent that the resolution be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The following is a resolution adopted by the Carolinas Branch of Postal Supervisors (composed of 833 members in North and South Carolina) in convention in Greensboro, N.C. June 6–8, 1968:

"Whereas: The moral state of our Great Nation seems to be steadily deteriorating, the process of law and order appears to be observed in the breach, rather than in the letter of the written law, and;

"Whereas: Certain individuals, groups and ideologies are interpretating the law to their own usage, all to the detriment of our Nation, and;

"Whereas: These conditions are resulting in assassinations, murders, rape and other crimes, too numerous and heinous to mention, further resulting in chaotic conditions, which can only lead to the downfall of the Country which we all so dearly love, and;

"Whereas: When and if the perpetrators of these crimes are taken into custody, the cry of "Police Brutality" is shouted to the highest heavens and if taken to the courts, cases are often thrown out by reason of devious rulings, technicalities or further interpretations of the Law, not consistent with our Constitution as originally written; Therefore be it

"Resolved: That the Carolinas Branch of the National Association of Postal Supervisors strongly urge all Congressmen and Senators to use every effort in their power to see that present laws are observed, and be it further

"Resolved: That Police Officers and members of Municipal Governments be backed in their efforts to quell any outbreak of crime, insurgency or other illegal acts, which would lessen the respect of other nations and individuals for our Great Country.

"WALTER L. EAKES,
"*Secretary-Treasurer.*"

QUESTIONNAIRE RESULTS ALONG WITH WASHINGTON NEWSLETTER

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HARVEY. Mr. Speaker, as is now customary, I would like to insert my Washington Newsletter, dated June 17, 1968, which will be distributed to Michigan Eighth District residents this week.

Highlighting this monthly report are the results of the eighth annual congressional questionnaire which was distributed early last month.

The answers are based on a tabulation of 10,244 of the nearly 12,500 returns. As a matter of fact, a few returns still are being received daily.

I am particularly grateful to the weekly and daily newspapers in our district who also published our questionnaire as a public service.

The newsletter follows:

WASHINGTON NEWSLETTER

1963, 8,500 Americans; 1964, 9,250 Americans; 1965, 9,850 Americans; 1966, 10,920 Americans; 1967, 12,230 Americans; 1968, ? ? ? ? ? ? ? ?

These are grim statistics. They represent the number of Americans who have been murdered in the United States in recent years. The fact that it is now estimated that a murder takes place every 48 *minutes* would be sufficient reason alone for the creation of the new National Commission on the Causes and Prevention of Violence.

The tragic death of Senator Robert F. Kennedy has awakened this nation to the violence and crime that are taking place as nothing else has in the past. It's a shameful and frightening review.

Many weeks ago, I stated that ". . . Our country will be a jungle—a battleground for survival—unless this disturbing criminal and civil disobedience wave of terror is slapped down. Sordid, appalling disrespect of law and order cannot be ignored any longer."

In announcing the new Commission, President Johnson stated in part, ". . . let this be remembered, too; that out of anguish came a national resolve to search for the causes and to find the cures for the outbursts of violence which have brought so much heartbreak to our Nation."

Legislation cannot and will not provide the total answer. Perhaps additional gun legislation will be helpful. Undoubtedly, better judgment by the television media in the showing of films during the prime children hours is in order. Certainly, a better means of classifying films suitable for young people is a must by the movie industry. All of these will be reviewed by the President's Commission.

The real answer though lies with each citizen. Law and order must be respected and observed. Crime breeds more crime. Anarchy will bring ruin. I believe 200 million Americans have had enough of both and will act, individually but as one voice, to restore the true principles of this country.

QUESTIONNAIRE RESULTS

On the reverse side are the results of our annual Congressional Questionnaire. Over 10,000 returns were tabulated by a Washington computer service. Of particular current interest was the strong support given to prohibiting mail order sales of guns, and the sentiment that government at all levels must take additional steps to enforce law and order.

ACTION AT LAST

The Administration, just in recent days, announced temporary import quotas on condensed and evaporated milk and cream. As one who introduced legislation, H.R. 6361, last year to better regulate the imports of milk and dairy products, I was delighted to support this action. The importance of this move to our Eighth District's 2,300 dairy farmers—the biggest concentration in Michigan—may well mean their survival against cheap dairy products from other nations.

I recognize both the value and fairness of a balanced export-import program for our country. But just consider that in April alone, for example, 1.2 million pounds of evaporated milk entered this country, an amount nearly equal to the 1.3 million pounds imported during all of 1967. Further, chocolate milk crumb import volume soared to 3.5 million pounds in the first quarter of this year, up 42% from a year ago. This certainly doesn't indicate much of a balance.

The United States Tariff Commission is to investigate present dairy quota problems and make recommendations. I trust it will move swiftly.

STOP AND FRISK

In recent years, I can't say that I have generally supported decisions of the United States Supreme Court on a number of issues, particularly those dealing with the apprehension of criminals, as well as obscene literature. Nonetheless, I have respected those judgments and the integrity of the Court.

I believe, however, the Supreme Court just last week showed that it is becoming more attuned to the times when it ruled 8–1 in favor of the so-called "stop and frisk" laws. I applaud this action.

Many can argue, with a degree of merit, that this is a gross infringement on personal liberty to be stopped and searched on the street. But our nation's crime situation is so bad—with crime up 88% in just the last seven years—that this ruling is absolutely necessary to meet the demands of law and order.

RESULTS OF THE 1968 MICHIGAN 8th DISTRICT CONGRESSIONAL QUESTIONNAIRE

[Based on tabulation of 10,244 returns; in percent]

	Yes	No
1. Would you support a negotiated settlement in Vietnam which provided participation by the National Liberation Front (Vietcong) in a coalition government?	51.9	48.1
2. When a satisfactory solution of the Vietnam conflict is found, would you support continued U.S. military commitments in southeast Asia?	46.9	53.1
3. Do you support a general reduction of Federal spending as a precondition to the administration's proposed income tax increase?	89.6	10.4
4. Do you favor Federal Government tax incentives to private business to hire and train unskilled workers?	55.2	44.8
5. Do you feel government at all levels must take additional steps to enforce law and order?	94.4	5.6
6. Do you favor legislation prohibiting mail-order sales of guns?	63.5	36.5
7. Do you support a guaranteed minimum income for each householder as an alternative to public welfare programs?	25.4	74.6
8. Do you believe the Government provides sufficient and complete information on vital foreign and domestic issues?	20.2	79.8
9. Do you favor ending Federal subsidies and controls?	75.1	24.9
10. Do you favor eliminating political appointments of postmasters?	86.6	13.4

BOB GRIFFIN OF MICHIGAN

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. SCOTT. Mr. President, as one of his colleagues, I can testify that the Senator from Michigan, BOB GRIFFIN, has been making his presence felt in the Senate during the short time in which he has served in this body. I am glad that the Pontiac Press, in its lead editorial of June 10, has taken note of Senator GRIFFIN's increasingly influential role in the Senate. I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FRESHMAN GIVEN HIGH MARKS IN EXACTING SENATORIAL TEST

As time passes, we hear an increasing number of favorable reports on Michigan's new Senator—Robert Griffin.

Senator Griffin is slowly working himself into the role of one of the important figures in the world's greatest legislative body. He has to serve a freshman apprenticeship of sorts. Let there be no mistake about that. Brother Senators make absolutely certain no one escapes the traditions of this distinguished and powerful body.

But during the period of servility and subservience, they are shrewdly appraised and graded by cautious brethren and by their constituents back home. Senator Griffin is passing both tests admirably. When a line of action arises with which he is in accord, the Wolverine digs in solidly and helps make things move in the direction he favors. His Washington experience helps mightily. He will never bog down or descend to the "me, too" level. Senator Griffin is also rightly self assertive.

As time passes, I believe this fledgling in the Senate will move onward into the most influential and powerful circles. Apparently he is destined to emerge as one of the leaders and motivating influences in shaping and formulating party, national and international policies.

Michigan did well when she sent this capable, energetic and stout-hearted man to represent the Wolverine Commonwealth in Washington in this capacity. He brings back pleasant memories of Senator Arthur Vandenberg who was one of the two or three most influential men in all Congress over an extended period of time.

The Press breaks into applause for this new Senator.

A DIALOG ON THE ACCURACY OF THE SOCIAL SECURITY ADMINISTRATION'S OFFICIAL COST ESTIMATES OF GOVERNMENTAL HEALTH CARE PROGRAMS

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. CURTIS. Mr. Speaker, on March 25, 1968, I inserted in the Congressional Record, pages 7553–7557, a copy of a letter of March 21, 1968, which I received from Dr. Barkev S. Sanders which was highly critical of the official cost estimates of Government health care programs made and publicized by the Social Security Administration over a period of several years. It was upon such estimates that the Congress has based its judgment in regard to health care legislation in the past decade and plans for improvement in the future. I placed Dr. Sanders' letter in the Record because the accuracy of these estimates is extremely critical for sound health care legislation and therefore they ought to be carefully and publicly scrutinized.

Dr. Sanders' March 21 letter challenged the assumptions gaining currency in certain segments of the news media that the present increase in costs of health care programs, such as medicare, are "unexpected" and due primarily to the "increase in physicians' fees." On the basis of his many years experience both inside and outside of the Social Security Administration, Dr. Sanders attempted to document in his letter that these increases in costs should never have been called "unexpected" and that it was erroneous to attribute them to the medical profession. He warned that they should have been fully anticipated, and to give the impression that they are due primarily to increases in doctors' fees is an error which covers over the more basic underlying actuarial errors permeating other aspects of the social security's official estimates.

Mr. Robert J. Myers, Chief Actuary of the Social Security Administration, responded in a letter to me of April 12, 1968, challenging many of the points raised by Dr. Sanders. Mr. Myers requested that I give his letter equal publicity in the Congressional Record. I assured him I would, and am placing his letter in the Congressional Record today, as I am deeply interested in getting a dialog moving on the specific health care estimates used by social security, and also on the broader issue of the soundness of the actuarial assumptions underlying the social security system itself.

In fact it is appropriate to point out here that a dialog on the larger issue of the soundness of social security was begun last fall, but aborted by the Department of Health, Education, and Welfare shortly thereafter. The dialog was instigated by a very provocative article in the Reader's Digest, October 1967, entitled "How Secure Is Your Social Security." The present Secretary of the Department of Health, Education, and Welfare, Wilbur J. Cohen, prepared a rebuttal to the Digest article which my colleague, Chairman Wilbur Mills, placed in the Congressional Record, volume 113, part 20, pages 27026–27029—notably along with a copy of the Reader's Digest article the Secretary was attempting to rebut. However, when the Secretary circulated his rebuttal in the Social Security Administration's Bulletin, just as notably, he failed to circulate with it the Digest article.

As I felt Secretary Cohen missed some of the essential points brought out in the Reader's Digest article, I prepared a rebuttal to his position which is found in the Congressional Record, volume 113, part 22, pages 28461–28466. Secretary Cohen has since verbally promised to supply further comments clarifying the position he sought to advance, and I again invited him to do so in a letter I sent him on April 22 commenting on the dialog between Mr. Myers and Dr. Sanders.

What is fundamentally involved, along with the health care issue is the functional effectiveness of the congressional process. Issues of vital importance, such as the health of our people, can be determined outside the congressional process and therefore apart from the understanding and participation of the people only so long as Congress is lax in demanding accurate accounting from the Executive. This is a matter of substance as well as of procedure, as better programs result when Congress broadens the base to include the wisdom and knowledge which exists elsewhere in our society outside the Federal governmental bureaucracy.

Of course there are better means of debate and discussion than dialog by written correspondence. Nevertheless, this is a start, and I am inserting Mr. Robert Myers' letter of April 12, and Dr. Sanders' reply of June 10, in the Record at this point in the hope that fuller discussion will result from this beginning. Mr. Myers may have further rebuttal and, if so, I shall be pleased to place it in the Record.

Following this exchange of correspondence, I would like to insert in the Record an editorial from the June issue of Nation's Business which presents their views on this dialog:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Washington, D.C., April 12, 1968.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: In the *Congressional Record* for March 25, you inserted a letter from Dr. Barkev S. Sanders that criticized the cost estimates which I have made over the years for the legislation leading to the Hospital Insurance program that was enacted in 1965. I am taking the liberty of writing to you to discuss some of the points raised by Dr. Sanders, since I know that you are interested in hearing about all sides of important matter such as this. I hope that you will consider inserting this letter in the *Congressional Record* so that all viewpoints will be available to the general public.

Over the years, I have studied comments on the actuarial cost estimates that were made by various persons (including Dr. Sanders) and have taken them into consideration in the periodic revisions of the cost estimates. Dr. Sanders always held the view that the costs would be much higher than I had estimated—and his estimates have been far higher than the actual experience.

Dr. Sanders comments on my actuarial cost estimates are based upon (or include) several factual errors. In the first place, the legislation that was enacted included the provision of benefits for uninsured persons, whereas the early legislation did not. Dr. Sanders did not take this element into account in comparing the experience for calendar year 1967 with the estimates for Public Law 89–97, even though I have pointed out to him that the necessary data for making this adjustment and correction are contained in the same documents from which he derived his figures. Specifically, for Public Law 89–97, Dr. Sanders compares the estimate of $2,777 million that I made during 1967 with his March 1968 estimate of the 1967 actual experience of $3,360 million (the actual figure being $3,430 million). He should have increased the $2,777 million figure by the published figure of $439 million for the uninsured group (which was contained in the same source from which he obtained the $2,777 million figure). This would have made my 1967 estimate of the experience for that year $3,216 million—as compared with the actual figure of $3,430 million. In passing, it should be noted that the actual experience of the hospital insurance program as to the benefit payments with respect to both insured and noninsured persons for the first year of operation (July 1966 through June 1967) was only 7% above the actuarial cost estimate made at the time the legislation was enacted in 1965.

Dr. Sanders states repeatedly that the current experience is biased downward because of the lag in making payments to hospitals. This is not correct, since such payments are now being made on a current basis—and have been since the first few months of operation of the program—so that 1967 cash disbursements were virtually on an accrual basis.

Dr. Sanders is not correct when he states that the enacted program is narrower than the early proposals such as H.R. 3920, 1963. That bill had somewhat broader coverage for the auxiliary benefits (although neither it nor earlier bills provided "unvarnished nursing home care," as Dr. Sanders asserts), but this was far more than counterbalanced by the narrower hospital benefits (namely, 90 days of benefits with a deductible of $10 per day for the first 9 days—or two alternative equivalent options—as against the deductible of only $40 under the legislation that was enacted, again with a 90-day maximum).

Dr. Sanders states without explanation, that the existence of the Supplementary Medical Insurance program has the effect of reducing the cost of the Hospital Insurance program by about one-third. In other words, he is saying that the cost of the HI program would be 50% higher than it actually is if it were not for the fact that the SMI program had been enacted. This seems to be an impossibility because this would mean that if there were no SMI program, then HI would have cost $5.1 billion in 1967; yet, HI and SMI together had a cost of only $4.7 billion in 1967 (for far more benefit protection than HI alone). In my opinion, if there is any cost effect for the HI program due to the existence of the SMI program, it would be a small increase in cost because persons can more readily afford elective surgery which might be performed in a hospital.

Dr. Sanders gives data for *Hospitals* for February 1968 that purport to show that the increase in hospital utilization by the aged estimated by me is a 5-fold error. This analysis is based on the proportion of beds occupied by the aged, which is not a completely vaild basis for analysis.

However, even if it were assumed that this is a valid basis for analysis, the conclusions that he has drawn are wrong for several reasons. First, the published figure of 35.6% for November 1967 was in error and has now been corrected to 32.7%. Dr. Sanders should have seen that this figure was out of line if he had considered the data for the earlier months of 1967, which ranged from a low of 30.4% to a high of 32.4%, and he should not have used the highest figure that he saw. The average for the first 11 months of 1967 was 31.8%, and this is only 14% above the 28% level prevailing when Medicare went into operation (Dr. Sanders states, without proof, that this figure was 25%)—well within our stated 20% range.

Dr. Sanders purports to make comparisons of the various past cost estimates for selected future years. As I have pointed out to him several times, the comparison that he makes is not valid, for several reasons. The long-range estimates for H.R. 1, 1965 and earlier bills are in terms of level wages, whereas the later estimates assume continuously rising wages into the future (and hospitalization costs rising even more rapidly). Thus, an estimate of benefit costs for a future year—particularly a long-distant one—that is based on constant-wage assumptions (which also involve essentially constant-hospitalization-cost assumptions) is not properly to be compared with an estimate that is based on dynamic-wage assumptions. As you know, consideration of dollar costs of benefits alone is not the basis for the financing of the program but rather there must be considered the percentages that benefit costs are of taxable payroll. (The taxable payroll too differs significantly for any particular future year, depending upon whether level earnings are assumed or whether increasing earnings are assumed, just as is the case with the cost of hospital services.)

In presenting my cost estimates that were made in several previous years, Dr. Sanders ignores published short-range figures which are properly comparable with the actual 1967 experience. Thus, for example, for H.R. 3920, 1963–64, he gives a figure of $1,230 million for the estimate for 1967. That figure is from the long-range level-earnings estimate, and he should instead have used the short-range estimate of $1,720 million that was contained in the same document from which he obtained his figure (*Actuarial Study No. 57*, pages 22 and 23). If he had applied his stated "more probable multiplier" of 4 to the latter figure, his estimate would have been $6.9 billion—as against the comparable actual figure of $2.9 billion (the total of $3.4 billion minus the $0.5 billion attributable to the uninsured persons).

In discussing the significantly higher actual benefit cost than had been estimated initially, Dr. Sanders neglects to look at the other side of the coin—the contribution income. Considering the cost estimate made when the law was enacted, the cost for benefits and administrative expenses for both insured and uninsured persons was $2,554 million for calendar year 1967 (as contained in the Actuarial Cost Report of July 30, 1965); the actual experience ($3,430 million) was $876 million higher. But the estimated contribution income was $2,756 million, and the actual experience ($3,207 million) was $451 million higher. Thus, more than half of the "excess" disbursements was met by "excess" income. It is always necessary to look at the effect of economic conditions on both the income and outgo of the system. The sizable increases in wages and in the general price level since 1965 have been reflected in both the taxable payroll and the benefit costs (thereby the increase in the former partially offsetting the increase in the latter); these increases were not predictable in 1964 and earlier.

Finally, Dr. Sanders states that the figures which he quotes have not been authenticated by the Social Security Administration because of our refusal to do so. This is not correct, because we have never been asked to check the type of figures that Dr. Sanders presents in his letter (which we could readily do, and would be glad to do). Actually, I have pointed out to Dr. Sanders several times that the figures in his Table A are not consistent and comparable. As you will recall, you had earlier requested very detailed data on the Hospital Insurance program, and we had been unable to supply all of them to you because they were not available, but these were not the summary data used by Dr. Sanders in his letter.

In this letter I have dealt with the most important points in Dr. Sanders' letter, and not with numerous other errors of commission or omission that I believe he has made.

Sincerely yours,

ROBERT J. MYERS,
F.S.A. Chief Actuary.

JUNE 10, 1968.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: I am very appreciative of your invitation to provide further comments on the official estimates of governmental health care programs, and specifically to respond to the comments on my letter to you of March 25, 1968, by Mr. Robert J. Myers, Chief Actuary of the Social Security Administration.

Before getting into the substantive issues, I would like to make some observations generally regarding our dialogue. First, I think that it is excellent that such a dialogue is taking place, and you are to be commended for fostering it.

Secondly, I hope to be able to respond to you with as much speed and diligence as Mr. Myers. It is to be remembered, however, that I do not have the personnel and facilities available as Mr. Myers and the Social Security Administration have. The statements I prepare are based upon my independent study after the regular working day, and are taken from my research and experience both within and outside of the Social Security Administration. If I am occasionally in error, I regret this, and I hope will be quick to admit it. I am also hopeful that this attitude will be reciprocated by Mr. Myers as neither of us should have any interest higher than the search for truth and the development of the best health care programs possible.

Turning now to Mr. Myers' letter to you of April 12, 1968, I would observe generally that Mr. Myers raises valid points. However, they are essentially technicalities, and taken together do not overcome the main thrust of my analysis which you placed in the Congressional Record for March 25, 1968 (7553–7556). What Mr. Myers has not addressed himself to is the fact that, using HEW's own figures given in Mr. Myers' letter (without any adjustments), the cost of Medicare (Part A) in 1967 is about 2½ times as high as HEW only three years before had told the American people it would be. (Actual $3.0 billion, for the insured only, compared to $1.2 billion estimated in H.R. 3920.)

It should also be noted that costs in future years will continue to escalate as already illustrated by the repeated upward revisions which Mr. Myers has had to issue almost each year.

In this connection it should be noted that Mr. Myers' 1967 estimate for 1990 is $11.2 billion for only Part A of P.L. 89–97, as contrasted with his earlier estimate of $2.5 billion under H.R. 3920. This change in estimated cost occurred within 3 or 4 years, and for a program less costly than H.R. 3920 would have been had it become law (these are of course exclusive of Part B costs and Medicaid). Such contrasts can not be wiped off by petty alleged differences. However, this is not all, there is every reason to believe (and in this the Secretary of Health, Education, and Welfare, Wilbur J. Cohen supports my assertion) that the actual costs by 1990 would be much greater than $11.2 billion for Part A alone, even if the program were not to be extended.

According to the Evening Star, May 11, 1968:

"Forecasts of the probable cost of medicare in 1972 made just last December have been described by Wilbur J. Cohen, Secretary of Health, Education and Welfare, as too low by at least 50 percent.

" 'Nobody could have anticipated the way medical costs have gone up,' Cohen said yesterday in a statement responding to questions posed by Sen. Carl T. Curtis."

The facts are, as indicated in my writings and my recent letter to you which is the basis of the present dialogue, I did anticipate the effects that medicare would have on medical cósts, and I advised Mr. Myers and his superiors of this long before my article appeared for the *Nation's Business*, in which I again emphasized this effect which Mr. Cohen says "no one could have anticipated."

I shall now rebut Mr. Myers' criticism of my letter to you paragraph by paragraph.

PARAGRAPH 1

This paragraph needs little additional comment except to reiterate my endorsement of Mr. Myers' desire to get all viewpoints out to the public. Had this been allowed by the Social Security Administration the charges of passing a law (P.L. 89–97) on false premises would have been averted, and public confidence in the credibility of their government better preserved.

PARAGRAPH 2

I am not sure what Mr. Myers is driving at by his statement that he has studied actuarial cost estimates of others including mine taking these into consideration in his successive estimates. But whatever his motive there is no objective evidence of this whatsoever. The successive estimates published by the administration prior to my public criticism of these cost estimates can be explained in terms of the findings of the 1957 OASDI household survey, showing a higher hospital utilization than had been used for the 1958 estimates and the failure in each instance to take into consideration the sharper increase in per diem hospitalization costs. After my publication it is something else as I would indicate. More specifically:

(1) I have prepared no cost estimates for the various hospitalization bills from the time that I left the Social Security Administration in 1956. When HEW Secretary Flemming's Report to Congress, giving estimates of the cost of H.R. 4700 was published, in 1959, I did criticize the estimates and indicated my willingness to prepare more real-

istic estimates if given time and authorized to do so. There were no takers. In fact, in 1962, the Chamber of Commerce of the United States approached me to prepare independent cost estimates for H.R. 4222. I requested the Department's permission to accept the offer to do the work on my own time but no permission was given.

Moreover, in my reply to Mr. Myers' criticism of my article "What Would 'Medicare' Cost?" (J. of Risk and Insurance, Dec. 1965) I stressed to Mr. Myers that I had made no estimates of my own. In my reply I wrote:

"I have refrained from labeling what I have done as an estimate; when I did prepare estimates for SSA and I spent months and sometimes years studying analogous on-going programs. I cannot afford to prepare free estimates for SSA, but Mr. Myers' estimates are so far off the course that anyone who knows this field must wonder whether they may have resulted from political pressure for low estimates." (J. of Risk and Insurance, March 1967, p. 163.)

(2) Prior to my preparation of the article for the *Nation's Business* (U.S. Chamber of Commerce) after I had left the government service in 1964, there is no indication whatsoever that Mr. Myers was in the least responsive to my criticisms of the deficiencies in his estimates for successive bills. I had advised him, for instance, that the nursing home benefits would be at least 10 times what he was allowing for. Recent confession of 10 fold error has borne me out. I advised him that the sharper increase in hospitalization cost as against wage levels will not only not disappear, as he had assumed they would in all his estimates prior to 1965, but will be accentuated (contrary to Mr. Cohen's assertion "nobody could have anticipated") as it has been, by the enactment of medicare. I also advised Mr. Myers that hospital utilization rates which he used were unrealistic. These are only a few of the score of specific criticisms I had of his estimates, but at least prior to 1965 none of these provisions were modified. To be sure, after my public criticism radical changes in the estimates did occur, and it is quite possible that my public criticism had something to do with these. If so, it was through pressures of others who were made knowledgeable to the deficiencies in Mr. Myers' estimates. In this connection it is pertinent to quote some of the remarks of the Chairman of the House Ways and Means Committee, Congressman Wilbur Mills:

"We were aware also that the administration's estimates *had been revised substantially upward over the years, primarily as a result of our prodding*. After our review and after the benefit of testimony from experts in the hospital and health insurance fields, the Committee adopted new and more conservative financing assumptions. For example, we increased the administration's utilization rate assumption by 20 percent . . .

"The Committee on Ways and Means earlier this year received testimony that hospital costs have gone up and will continue to go up even faster than was anticipated by our governmental and private sector advisers in 1965. The American Hospital Association gave us testimony this year which indicated that hospital costs will have gone up 30.2 percent in the 2-year period ending October 1967—well above the increase assumed in the estimates." (Report of the National Conference on Medical Costs, Washington, D.C. June 27, 28, 1967, U.S. Department of Health, Education, and Welfare, pp. 52–53). (Emphasis added)

Referring to 1965 hearings, some Congressmen who had seen my writing urged me to testify but I declined to appear as a partisan witness, though I would have been happy to have been called as expert witness. The paper which I prepared for the *Nation's Business* was reproduced in the Senate hearing, Committee on Finance, 89th Congress, 1st session, Part 2, 1965, pp. 1140–1147. It was submitted by the Ohio State Medical Association without my knowledge. This and other papers on medicare costs which I have published have been made available to interested members of the Congress. Therefore, indirectly my writings on costs could have influenced Mr. Myers' estimates in late 1964 and after, but not before they were made public. And any such influence must have come through outside pressure, such as Chairman Mills has referred to, and not spontaneously.

Thus, if there is any truth in what Mr. Myers says it is an influence in this indirect sense only. This is not only true with respect to my criticisms of administration's cost estimates, but the criticisms of others as well. For instance:

(3) In the House hearings on H.R. 9467, in 1958, Mr. E. J. Faulkner, President of the Woodmen Accident and Life Insurance Co., representing the Health Insurance Association of America, presented a well reasoned estimate of H.R. 9467 to the House Committee on Ways and Means. Hardly any attention was paid to Mr. Faukner's estimates by the administration. In fact, in the Report of Secretary Flemming in 1959 Faukner's estimates were criticized and discarded. Future events have proved Faulkner's estimates to be far more realistic than those advanced by the Department of Health, Education and Welfare. There is no indication that in the 1959 or subsequent estimates made by Mr. Myers these estimates by Mr. Faulkner were taken into consideration. One distinctive feature of these estimates was the progressive rise in hospital utilization once the program was introduced. As late as 1965 House hearings Mr. Myers was adhering rigidly to the hospital utilization figures used in the 1959 Secretary Flemming's Report, 2.37 days of hospitalization per insured person per year, until, as Chairman Mills has said he was forced to increase this by 20 percent, making it 2.8 days.

As far as I know the administration has issued no official figures of the days of hospital care per insured eligible for benefits at the beginning of 1967 (this is the method used by the administration in getting its cost estimates). If we take the number of aged hospitalized in 1967 (Social Security Bulletin, May 1968, Table M–17 (p. 41)), and multiply this by 13.2 (number of days per admission in 1967) and relate the product to 19 million, we get 3.5 days per person per year. This is on the low side, since not all the hospitalization occurring in 1967 had been reported. Furthermore, this is only the beginning. *Hospitals*, published by the American Hospital Association observes:

"Average length of stay for patients 65 and over, generally on the rise since July 1966, reached 13.7 days per admission this month, a new high. (Hospitals, Vol. 42, No. 10, May 16, 1968, p. 27)."

Thus Mr. Myers in estimtaing the costs of hospitalization initially was about 50 percent too low, and eventually 100% which he could have remedied had he profited from the estimates of Mr. Faulkner.

(4) As my letter of March 20th to you, Congressman Curtis, documents, Mr. Myers' estimates have always been too low. This applies even to the estimate for 1967 made at the end of 1967. With such a record Mr. Myers has no basis whatsoever to write "and his estimates have been far higher than the actual experience". Mr. Myers seems to have lost sight of the fact that these estimates are not just for 1967 but for the next 24 years, 1990.

PARAGRAPH 3

I find many points of disagreement in this paragraph. In this first place the 1967 experience was based on Public Law 89–97, and there was no legislation prior to that, although there were legislative proposals. If what Mr. Myers meant to say is that P.L. 89–97 includes non-insured aged not included in H.R. 3920, (a legislative proposal in 1963–64) the payment for these non-insured comes from the U.S. Treasury and is not a part of the health insurance trust fund. As far as I am aware these costs are not included in the estimates shown in the table included in my letter to you. I have limited my discussion to the insured. In any event in complex legislative proposals there may be scores of minor variations some of them with plus signs and some with minus. These generally make little difference. If Mr. Myers thinks this difference is significant he should indicate how much this alleged oversight reduces his three to four fold error in estimation. This is the critical question.

In this same paragraph, the language used by Mr. Myers, "even though I have pointed out to him . . ." implies that he and I have been in close association. I have not met with Mr. Myers face to face since 1961, and therefore I am uncertain what is the adjustment that he is talking about.

The $2,777 million comes from the Committee of Ways and Means Report (Dec. 11, 1967). The $3,360 million is not my estimate, it is a derivation which I explained was obtained from Feb. ('68) *Hospitals*, p. 144. The *Hospitals* article has no reference to $439, though I surmised that the higher figure which I got for the 12 month period did probably include the expenditure for the non-insured and indicated as much.

I notice Mr. Myers labels his $2,777 million figure published in December 1967 as an estimate. Surely it is not customary or profitable to make estimates after the fact. But even this latest estimate, made after the fact (December 1967) is in error, as admitted by Mr. Myers; the correct figure for 1967 according to him is $2,991 million. The $2,991 million may not be the complete incurred costs for 1967, since in his letter to you Mr. Robert M. Ball, the Commissioner of Social Security, indicated that it was not possible to obtain incurred costs. But accepting this total, at least provisionally and comparing it with the cost estimate for H.R. 3920 (1963–64), which I first criticized publicly one finds a difference of 243% (without any adjustment); compared with the estimate for H.R. 11865 (1964) the difference is 166%; compared with the estimate for H.R 6675 (1965) the difference is 132%, this was the bill that was enacted into law; finally, compared with the estimate for 1967 after P.L. 89–97 was passed the difference is 131%. The percentages above reflect the minimal error for the first full year of operation. With this kind of estimating performance on a program on which Mr. Myers has been preparing estimates for nearly 30 years, what signficance can the reader attach to the estimates that Mr. Myers has prepared for 1968 to 1990? Question arises, why publish these estimates at taxpayers' expense to mislead the public?

PARAGRAPH 4

With respect to the incompleteness of 1967 experience, as you well know you tried to get from the Social Security Administration the incurred costs for the different benefits and the extent of utilization of each. You were not successful and the reasons given to you were:

"The reported claims data do not provide the information you requested on incurred cost. To obtain an accurate picture of incurred costs by type of service, we must wait until all the claims incurred for the period in question are filed and recorded in our system. Because there is no cut-off period for the submission of bills, we are still receiving bills for services incurred in the early months of the program. Our records show that one percent of the July 1966 in patient hospital bills recorded in our fines after one year of operation were received and recorded in June 1967." (From letter signed by Robert M. Ball, Commissioner of Social Security to Congressman Curtis, Nov. 1, 1967).

Since our discussion has been with respect to 1967, the preceding documentation which should be well known to Mr. Myers, establishes my assertion as to the difficulty of obtaining information from the Social Security Administration. It also means that the 5,060,968 hospitalization and $2,991 million costs which has materialized for 1967 (calendar) are incomplete and partial.

PARAGRAPH 5

The capsulized benefit provisions with their main limitations on H.R. 3920 and Public Law 89–97, Part A, Title XVIII were as follows:

H.R. 3920	*P.L. 89–97*
Hospitalization	
Three different options said to be equivalent (without proof) one of which provided 180 days of hospital care in a benefit period after a deductible of $92.50 (deemed equivalent to 2.5 days of average hospital charges). No co-payment.	A maximum of 90 days hospitalization in a spell of illness with $40 deductible (deemed equivalent to 1st day average charges) for the first 60 days in a spell, then co-payment of ¼ hospital deductible for each of the additional 30 days eligible for benefits.
Nursing Home Care	
180 days of skilled-nursing facility within a benefit period when such services are furnished following transfer from hospital and are necessary for continued treatment of a condition for which the individual was hospitalized.	100 days post-hospital extended services in any spell of illness with a co-payment beginning with the 21st day and continuing for each day up to a total of 80. Co-payment each day would equal ⅛ of the in-patient hospital deductible ($5.00). Only those eligible who have been in hospital at least 3 days and need nursing care on a continuing basis for any of the conditions with respect to which the individual was receiving inpatient hospital care prior to transfer to the extended care facility.
Home-Health Service Visits	
240 days home-health services during a calendar year.	100 post-hospital home health service visits during one year after the beginning of a spell of illness and before the beginning of the next while the patient was under the care of a physician. It should be noted that the same individual is entitled to 100 home-health service visits in a year, without any of these limitations under Part B, which would mean minimal use of these benefits under Part A.
Outpatient-Hospital Diagnostic Services	
Outpatient-hospital diagnostic services in excess of a $20 deductible during 30 days period.	Outpatient-hospital diagnostic services with a deductible equal to one-half of the sum of in-hospital deductible ($20) for a 20 day period and a 20 percent co-payment for the remainder of the cost.

The preceding capsulized statements fail to reflect the general tone of far more exacting and restrictive requirements of P.L. 89–97 for each of these benefits as compared with the parallel provisions of H.R. 3920. One must read the respective documents to appreciate the full difference. But even the capsulized provisions I believe support my judgment that P.L. 89–97 provisions were more restrictive than the comparable ones in H.R. 3920.

It should be observed also that as late as in 1963–64 the term used in legislative proposals is "skilled-nursing facility" and not "post-hospital extended care services" as used in P.L. 89–97, Sec. 1812 (a) (2), p. 7. It is also of interest that in his criticism of my paper, "What Would 'Medicare' Cost?", Mr. Myers was willing to settle this difference in our respective judgments by saying the provisions were about the same differences balancing each other. He wrote:

"Most important, he [Sanders] states that the scale of the benefits is reduced from 1963 proposal. This is not the case, because the various changes broadening the scope approximately counterbalance those narrowing it. On the broadening side are the inclusion of mental and tuberculosis hospitals and the more costly hospitalization benefits (60 days with 1 day deductible) . . ." (J. of Risk and Ins. March 1967, p. 146)

In the above quotation from Mr. Myers it should be noticed:

(1) He is willing to assume that the hospitalization and related benefits were about the same for H.R. 3920 and for P.L. 89–97. In paragraph 3 of his letter he mentions a difference in coverage which he accuses me of overlooking in comparing costs under P.L. 89–97 with estimates of H.R. 3920. In the quotation enumerating the pluses and minuses no such difference in coverage is claimed.

(2) In paragraph 5 of his present letter, Mr. Myers leaves the reader with the impression that the plus adjustments in P.L. 89–97 more than outbalance the minus adjustments in P.L. 89–97 more than outbalance the minus adjustments when compared with H.R. 3920.

(3) In his earlier criticism (quoted partly) Mr. Myers takes lightly the auxiliary benefits, with respect to which as I have shown, and the experience bears me out, he has been prievously wrong—a ten fold error in the first year with respect to nursing home benefits.

In concluding, I disagree that plus items in P.L. 89–97 (Part A) come anywhere near counterbalancing the minus items when compared with the provisions of H.R. 3920, especially when the entire tone of the two proposals are considered.

PARAGRAPH 6

Contrary to Mr. Myers' assertion, I did not attribute the higher cost of H.R. 3920 solely to the presence of the Supplementary Medical Insurance in P.L. 89–97, but to the combined effect of that and other differences touched upon in my discussion of paragraph 5. Though admittedly I would say the major single factor is the SMI in P.L. 89–97 which was not a part of H.R. 3920.

I cannot agree with Mr. Myers, I see no impossibility at all that under certain circumstances hospital benefits alone can considerably exceed hospital and SMI benefits provided by P.L. 89–97. We know that prepaid group practice plans, such as Kaiser Foundation Health Plan on the West Coast which provide all health care services in addition to hospitalization have lower aggregate cost per patient than some Blue Cross plans providing hospitalization only. This in all probability results from the concern of the doctors. Under H.R. 3920 there was no provision whatsoever to remunerate for doctor's services. Commitment to a hospital would have facilitated for the doctor to be charitable to a patient who could not pay for services. Furthermore, the bill provided that the interns and residents working in the hospital could give medical attention to hospitalized patients. This situation would have led to many hospitals staffing themselves with trainees so as to attract more of the patients whose hospitalization would be assured by the federal government. This would have meant more and more of the patients would have gravitated toward the hospitals with large trainee staffs, and with consequent very high "reasonable charges." It should be apparent that this type of hospitalization program, which made no provision for out of hospital medical care costs would have increased hospitalization very markedly, regardless what Mr. Myers says.

PARAGRAPH 7

In this paragraph Mr. Myers is critical of certain figures taken from *Hospitals*. I took it for granted that the editors of *Hospitals* could be relied upon when they wrote that 35.6 per cent of the beds were occupied by patients age 65 and over. If this figure was in error, I am sorry, I used it in good faith. But even if we take the 32.7 per cent figure, which according to Mr. Myers would have been the appropriate figure to use, it would still be far above the level which Mr. Robert M. Ball said he would expect. (See the quotation in my March 25th letter.)

The 25 per cent which Mr. Myers says I used "without proof," comes from the statement of Mr. Robert M. Ball, Commissioner of Social Security. In the 1965 House hearing Mr. Ball said:

". . . about 20 to 25 per cent of hospitalization is in this age group [65 and over]." (Hearings 1965, p. 122.) It was also Mr. Ball who said "perhaps a 10 per cent increase in utilization by the aged which would make about a 2½ per cent increase in the total use of beds." (p. 128)

Since the above statements were being made in defense of the costs for estimates extended over 25 years, it would be natural to assume that these observations were not made for the first full year but as an average for the entire period. This should be kept in mind. Now, if we subtract (20+2½) from 32.7, the difference would be 10.2, which when divided by 2½ still indicates at least a four-fold understatement. Even if we took the upper limit of the range given by Mr. Ball, subtracting (25+2½) from 32.7 leaves 5.2, divided by 2½ shows a difference at least twice as large as that prognosticated by Mr. Ball. Finally, if we use the mid point as the more probable, and therefore subtract from 32.7 (22½+2½), we get a difference of 7.7, which is three times as large as the difference indicated by Mr. Ball. As I have said in the context in which Mr. Ball was speaking the 2½% increase was to be the average increase over the 25 years. However, we find in the first full year of operation this prognostication is only one-third of the actual increase. Therefore, Mr. Myers' criticism even though literally meritorius is irrelevant with respect to the real issues involved.

I assume what Mr. Myers has in mind in saying "well within our stated 20% range" is the 20% increase in utilization which Chairman Mills said his Committee was influential in getting adopted by the administration. Applied to 2½ per cent increase this would make a 3 per cent increase, which is still less than half of the 7.7% increase in the first full year of operation. There is every reason to believe that this difference will increase year after year, and the 5-fold increase which Mr. Myers disputes may prove to be ultra conservative.

I notice that Mr. Myers feels I should use 31.8%, the average for 1967; I must again remind him that his estimates were for 25 years and not for 1967. If anything, I should use a projection of what the percentage would be by 1978, which in all probability would be substantially higher than 32.7%. As *Hospitals* has indicated the percentage of beds occupied by the aged has been creeping up month after month since 7/1/66, and there is no indication when this upward trend will flatten out.

In this paragraph there is another observation that is of interest. According to Mr. Myers the percentage of beds occupied by the aged was 28 on 7/1/66. If so, then on what basis was Mr. Ball telling the Congress of the United States in 1965 that it was 20 to 25%. How could it be that having worked on these estimates for decades the Commissioner of Social Security was using figures which were not true, and which could have been established with relative ease? It seems the government spends billions for research, and yet it never has the appropriate information which it needs to come up with sensible estimates, as in this instance. Again let me stress that the figures I have used are those used by Commissioner Ball in the 1965 Hearings before the Ways and Means Committee of the House.

PARAGRAPH 8

If the prior dollar cost estimates were meaningless and inappropriate for future years why were they made and published for everyone to see. As I mentioned earlier, back in the 1958 hearings on H.R. 9546 Mr. Faulkner presented a relatively much more realistic cost estimate of what then proposed hospital benefits would cost, but in Secretary Flemming's Report this estimate was regarded as unrealistically too high and was rejected. This early estimate for the future is actually lower than the revised estimates for the program for 1968 and subsequent years, prepared by Mr. Myers at the end of 1967. This repudiates the argument that the dollar values of earlier estimates should not be compared with the dollar values in more recent estimates for identical calendar years.

Part of the criticism from HEW Secretary Flemming's 1959 report of Mr. Faulkner's estimate reads:

". . . the HIAA estimated that the cost of a 60-day hospital benefit for aged and mother and child eligibles in 1959 would be $1,370.0 million or 0.67 per cent of taxable payrolls (table 3). The SSA estimate of the 1960 benefit cost for these two groups—$861.8 million—increased by 5 per cent for the cost of administration, is $904.9, or 0.43 per cent of taxable payroll." (pp. 86–87)

"The 1979 utilization and cost figures developed by the HIAA when used in combination with intermediate long-range cost estimates of the Division of the Actuary of the SSA, assuming a 2.6 per cent interest rate and a $4,200 taxable wage limit (the applicable amount in 1958), resulted in an estimated level-premium cost for a 60-day hospital benefit for aged and young survivors eligible groups of 1.655 per cent of taxable payroll. If adusted to the present $4,800 taxable pay roll base and a 3 per cent interest rate, the level-premium cost would be 1.50 per cent of pay roll. The comparable SSA estimate (for aged and mothers and children, intermediate hospital cost factors, 5 per cent administrative costs) is 0.66 per cent of taxable pay roll." (Flemming's 1959 report, p. 87)

These observations, which should be well known to Mr. Myers, indicate beyond the shadow of any doubt that HEW has multiplied its early cost estimates by a factor of at least three and this multiplier of the early estimates to equal actual costs is bound to become larger still with passage of time even if the present restrictions in the program were retained, which I would say is far from the intent of the strategists of the Department.

The estimate of 0.66 per cent of the payroll with a maximum of $4,800 for hospitalization benefits for 60 days for all the beneficiaries of OASDI might be compared with 1.8 per cent ultimate tax rate on a taxable payroll of $7,800 for 90 day hospitalization and auxiliary benefits for the aged—keeping in mind that according to Mr. Myers hospitalization constitutes more than 85 per cent of Part A benefits. Part A now includes in addition to hospitalization only post-hospital extended care, and post-hospital home health services, which according to Mr. Myers would cost .08 per cent of taxable payroll (Actuarial Study No. 57, p. 21). As a matter of fact, by the time 1979 comes around the costs of the program in all probability would far exceed the latest estimates as Secretary Cohen has indicated. It should also be noted that according to Mr. Myers raising the maximum duration of hospital benefits per period from 60 days to 90 days will add 9% to the cost. (Actuarial Study No. 57, July 1965, p. 9.)

This statement about static level wage assumption in prior estimates is of little moment since even if we limit the comparison of the latest estimate to that made for H.R. 6675, for which these so called dynamic assumptions were used for 1970 we find a deficit of 67% in the estimate ($4.127/2465). If Secretary Wilbur J. Cohen is right in his hunches, as I believe he is, by the time 1970 comes around the excess in actual expenditure can be twice as large as the estimate.

Undoubtedly, there has been depreciation of the dollar and there is some merit in what Mr. Myers is saying, but this could not account remotely for the 3 or 4 fold increase already experienced between 1963–64 cost estimates and 1967–68 incurred costs.

Not only is the increase demonstrated in terms of dollars, but also in estimates in terms of the percentage of taxable payroll. As I indicated in my letter, the estimate of cost for the earlier bills which were more liberal in their provisions, back in 1958 was 0.5 per cent of the taxable payroll, which at that time had a maximum taxable wage of $4,200. Compare this with 1.8%, the eventual tax on the pay roll, with a present maximum taxable wage of $7,800, which in all probability will be raised further as time goes on. Or for that matter consider the official estimate for H.R. 3920 in 1963–64, 0.68 per cent of taxable wages with a maximum of $5,200. (Actuarial Study No. 57, p. 21.) In making these comparisons do not forget the greater restrictions of P.L. 89–97 and the latest revision, P.L. 90–248, and the effects of Supplementary Medical Insurance on lower hospital utilization, and the reduction or actual removal of auxiliary benefits from Part A to Part B in the 1967 amendments.

PARAGRAPH 9

As a matter of fact, in my article on "What Would 'Medicare' Cost?" I used the short term estimates. It seems anomalous, since the 1970 long range estimate is considerably lower than that for 1967 on short range basis. It was really through an oversight that I used the long range estimate. But, since both of these are labeled as official estimates, and my purpose was to show the long range effect, I see no reason why I was not justified to use the long range estimate. In this as in other paragraphs Mr. Myers makes it sound that the whole impact of his deficient estimates is already apparent, which is far from the facts. His estimates were for the period 1966 through 1990, and not for 1967 only.

PARAGRAPH 10

First of all, the non-insured had no contribution, the U.S. Treasury is to pay the amount that their benefits come to. Therefore, even if the argument here has any merit, these two components must be separated. Secondly, the estimates were in terms of incurred costs. Disbursements for 1967 were less than incurred costs as emphasized by the quotation from the letter of Commissioner Ball to you. Third, and the most important point to remember is that these estimates were made for the 25 years starting on July 1, 1966, and yet here in 1967, the very first full year of operation of this program we find a disparity of $876 million (34%) between the estimate and the admitted disbursement of $3,430 million (which we have reason to believe is appreciably less than the incurred costs which the estimate $2,554 represent). Is this something to be proud of—especially when one considers that HEW had been working on these estimates since 1939? Therefore it would seem the Department had had ample time to get sound basic information for its estimates so that they would have been closer to experience than these estimates, in spite of their frequent highjacking, have turned out to be.

Still another logical fallacy is present in this paragraph. Mr. Myers is suggesting that two wrongs make a right. He erred by $451 million to estimate the correct income of the program for 1967, he wants to reduce his error in benefit disbursements by his error to predict correctly the income. Since when do two wrongs make a right?

PARAGRAPH 11

The statement in my letter reads:

"Again the above estimates referring to various prior cost estimates for hospitalization and related benefits for the aged are pieced together from various official sources since SSA refused to give official figures."

There is no implication in the above that I submitted the figures which I used for authentication. They were all taken from official publications. You had previously requested officially approved estimates for the different bills preceding P.L. 89–97 in terms of specific benefits both on utilization and costs in terms consistent with the assumptions on which the earlier official estimates were based. HEW declined to provide such information, saying it would not be practical, and that if you wished any information Mr. Myers can be helpful to you. Sir, I need not say more on this since the facts are well known to you.

In concluding, it would see to me even if we granted all the premises claimed by Mr. Myers, even for the first full year of operating experience compared with the 1958 estimates, the error would still be three to four fold. In terms of the 1963–64 estimates, H.R. 3920, the error would be two to three fold. But many of Mr. Myers premises are unwarranted or irrelevant, as I have tried to point out. Therefore it would be unreasonable to appraise the quality of 25 year estimates exclusively in terms of the first full year's experience. In Mr. Myers' entire letter the only valid point of criticism derives from the figures I used unknowingly from *Hospitals*, and even then, my adjustments for these figures do not invalidate my criticism of HEW's estimate as I have indicated.

I must assert again that the evidence strongly suggests that Mr. Myers' estimates were falsified with the thought that only thus the passage of the law in which the Department was interested would be possible. In my opinion, this was a gross disservice to this Nation, and it has contributed with other acts of the administration to the widening credibility gap and to the many disturbances which have beset our Nation.

Thank you again for allowing me this opportunity to respond.

Sincerely,

BARKEV S. SANDERS.

WHY COSTLY GOVERNMENT

Federal officials now feign surprise at the high costs of medicare.

As far back as 1964, NATION'S BUSINESS warned that officials' estimates were at least 300 per cent too low. Dr. Barkev Sanders, nationally respected authority on health and welfare statistics, made the true estimates for NATION'S BUSINESS. He retired from government service because he couldn't persuade his superiors to use realistic cost figures.

To help get the bill passed, federal health and welfare officials told Congress the medicare law would cost only $1.3 billion by 1970. Even though the benefits were subsequently restricted to make it less costly, the government now admits they will cost $4.1 billion.

When NATION'S BUSINESS warned of the future high costs, Social Security's chief actuary wrote an irate letter to the editor denying that the government's estimates were wrong or that they were used to influence passage of the law.

Those phony estimates typify how potentially ultra-expensive welfare programs can be slipped through Congress. And the public shouldn't be fooled by wrathful denials of federal officials either.

Wrath doesn't make right.

BALTIMORE TUTORIAL PROJECT GRADUATION ADDRESS

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. TYDINGS. Mr. President, on Tuesday, May 28, 1968, the Baltimore tutorial project held its seventh annual graduation ceremonies. In past years, the tutorial project's guest speakers have included Baltimore City Mayor Theodore R. McKeldin, U.S. Senator DANIEL B. BREWSTER, Representative CLARENCE B. LONG, and myself.

The totally privately funded and sponsored project has never had any large sums of money to spend. In fact, its largest single budget in any one year was only some $6,000. Yet because of the dedicated nature of its hundreds of volunteers, it has, year in and year out, been able to tutor some 250 children in each of its three semesters.

This year, rather than turn to the community in general for a speaker at graduation, the Baltimore tutorial project chose to look inward and invited instead a young man who is a product of the tutorial project, Mr. Samuel Lloyd.

Mr. Lloyd grew up in the Somerset public housing projects around the corner from the main office of the tutorial project. Even though he was a good student at Dunbar High School, he took advantage of the tutorial project to bolster himself in subjects in which he was weak.

Today Mr. Lloyd is president of the student government at Morgan College, Baltimore, and is also the secretary of the Mount Royal Democratic Club. I am proud to have Mr. Lloyd as a part-time caseworker on the staff of my Baltimore office.

Mr. Lloyd's graduation ceremony speech tells a remarkable story. It is my hope that its message will help people understand the importance of personal involvement in and commitment to the cause of human dignity. I am proud to be a supporter of the Baltimore tutorial project because it implements the noblest strengths of our society. It is, indeed, a daily testimonial to what excellence of spirit can achieve.

I ask unanimous consent that Mr. Samuel Lloyd's address to friends and graduates of the Baltimore tutorial project be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GRADUATION ADDRESS BY SAMUEL LLOYD

This is a happy season for young people all over the country. Thousands of young people much like yourselves will be graduated or promoted to another level of schooling. Still others will pause during this season to have their achievement in various areas recognized. This is why we are here tonight, and I am happy to join your many well-wishers in expressing congratulations to you upon your participation in a very worthwhile venture in learning. You have kept the faith and tonight is very properly your very own. Congratulations to all of you.

I feel especially happy about the opportunity to talk with you tonight, for as it has already been pointed out, I am more or less an alumnus of this fine tutorial project, and I want to tell you that whatever measure of success I may have achieved up to now, partial credit for that success is no doubt due to the discipline and confidence that this project helped to encourage in me. And so, as an alumnus of the Baltimore Tutorial Project, I want to pause and express a word of thanks to the dedicated young men and women who have stuck by us here in the ghetto because they really cared. The officials and the tutors well know that there is much work yet unfinished. Further, they know that they must depend on you and young people like you to continue their work, to carry the torch, to really care for others.

I want to say to you tonight that I have not given up on America. While I will make no attempt to argue the merits of various approaches to forcing the American dream into reality, I do want to impress upon you what is to me a cold but inescapable fact—*America owes you nothing* but the chance and the opportunity to develop into complete personal greatness. This is what America is all about and this in very simple terms is what the fury of the 1960's is all about.

I do not think that it is necessary for me to tell you of the advantages of staying in high school until you have graduated and that if your interest and ability are equal to the task of attending college, I wholeheartedly endorse it also. You know, for example, that the more education one has in American society, the more money he will be able to earn during the course of his life time. Money is important, very important, but far more important than money is that you will emerge from your schooling with a refreshing kind of what I call "excellence of spirit". I say "excellence of spirit" because mere excellence in academic activities is not enough, and if I had to choose between scholastic excellence and "excellence of spirit", I would choose "excellence of spirit.".

As you move on and on to obvious levels of schooling and finally complete your formal education, taking upon yourselves jobs and the responsibilities of family living, you simply must not forget the fact that whatever you are and whatever you become, such success is due directly to the fact that somewhere down the line somebody cared about you. This fine tutorial project in which you have participated is the result of somebody caring. Your gratitude for the efforts of your tutors will be reflected in your going on to continue improving yourselves toward the end of taking over this project, thereby making available to other girls and boys the same kind of patience and understanding and help that has been given to you. Excellence of spirit demands that you will give to others more than you have received.

You will never be able to achieve complete excellence of spirit until you, first of all, solve all of the personal conflicts which you have regarding yourself and others like you. You simply cannot believe yourselves or allow anyone to convince you that you are not an important and worthwhile individual. As the late and esteemed Dr. Martin Luther King often reminded us, the only legitimate basis for judging you or any person is not the color of your skin but the content of your character. It is no disgrace to be black, and the single most important message that you must give and impress upon America is people are people and there will be little comfort and peace until this message is accepted and translated into reality.

A friend of mine who teaches at Morgan State College told me that a few days ago he spoke to a small group of students at Dunbar High School. He said that he left Dunbar with an uncomfortable feeling because he sensed a strong feeling of dejection among the students. In his words, the Dunbar kids really think they are out of it. I say to you that Dunbar students are not out of it, and they simply must come to feel that they can find lives as full and as rich as students at other schools. Sure, Dunbar is in the ghetto, but look at the history of splendid achievement of Dunbar graduates. You know the story as well as I do. You know, for example, that it was a Dunbar graduate who broke down the racial barriers at the Nursing School at the University of Maryland. It was an East Baltimore Dunbar graduate, Martin Dyer, who broke down the racial barriers at Saint John's College in Annapolis. Calvin LaCompte, a Caroline Street Dunbar graduate teaches in the English Department of Catholic University of America. Elton Fax, a Dunbar graduate is an illustrator for one of the leading textbook publishers in the country. The beautiful voice of Jeannette Walters continues to charm concert audiences throughout the country. The chairman of the Art Department at Morgan State is a distinguished sculptor and a Dunbar graduate. The Dean at Coppin State College is a Dunbar graduate.

A member of the Baltimore City Council is a Dunbar graduate. These are people who walked the same streets of East Baltimore the way you now walk. These are some of the very successful people who attended Dunbar High School. These are some of the people who refused to allow anyone to tell them they did not count. These are some of the people who know the meaning of excellence of spirit. You do count!

"Excellence of spirit" does not come about automatically. Once you have developed a wholesome view of yourself as a worthwhile individual, you must use this self-respect and self-confidence as the springboard from which you will give direction to your lives. "Excellence of spirit," therefore, requires that you will dream better and higher dreams and that you will work hard to move any obstacle to the full realization of those dreams.

I believe that one of the more familiar songs of recent years has in it the real meaning of "excellence of spirit" as it relates to dreaming good dreams:

"To dream the impossible dream,
To fight the unbeatable foe,
To bear with unbearable sorrow,
To run where the brave dare not go;

"To right the unrightable wrong,
To love, pure, and chaste, from afar,
To try, when your arms are too weary,
To reach the unreachable star;

"This is my quest, to follow that star,
No matter how hopeless, no matter how far,
To fight for the right without question or pause,
To be willing to march into hell for a heavenly cause.

"And I know that if I'll only be true to this glorious quest,
That my heart will lie peaceful and calm
When I'm laid to my rest.

"And the world will be better for this,
That one man, scorned and covered with scars,
Still strove with the last ounce of courage,
To reach the unreachable stars."

I say again, young people, if you wish to achieve "excellence of spirit," you simply must reach for the stars, dream better dreams.

But what good is served if a man writes a book, composes a fine symphony, paints a beautiful picture, or invents a wonderful invention . . . of what good are all these things if they fail to improve the lot of mankind. Indeed, my friends, "excellence of spirit" carries with it another dimension. You must resolve now that your life will be a useful one, one that is designed to help make life and living more pleasant for others. If you complete high school or college or any school of your choice and sit back relaxed and comfortable while others about you are suffering and without, it would be better if you had never lived. Horace Mann put it simply by warning that we should "be ashamed to die until we have done some good for humanity". The slums are bad as everyone must admit, but I ask you to see in the ghetto a challenge. Thus, excellence of spirit depends on your leading an active life of doing . . . serving, if you please, your brothers and sisters. To me, it is criminal to aspire to go to Africa or Asia to do missionary work, when the job here at home is so great. I want you to begin now developing those skills necessary to become responible agents of change in our community. Equipped with a new sense of self-worth and a determination to reach the unreachable stars, you can be powerful forces for meaningful change in our community. To do less, means that this Tutorial Project, your school will have failed you and you will have failed them.

But "excellence of spirit" means even something else. It means that you will have to ask the right questions and once assured that you have asked the right questions, you will move on towards finding the answers to those questions. Are there really fifty million poor people in America? What can I do about it? Is this country really wealthy enough to afford everyone a decent living? What is my role in helping to move my brothers and sisters from the mere subsistence level of living? Are public officials really corrupt? What can I do about this? Are the people in my community getting their fair share of community and government services? What is my role here? Is there any such thing as a just war? Must we live in constant fear of having the lives of our loved ones needlessly snuffed out by war. How may I be heard on this score?

Questions like these, and many others must be raised by young people like you. Answers to questions like these must also be found by young people like you. It is important that you continue developing your capacity for clear thinking, not allowing yourselves to be swayed by opinions of others unless you are sure that their views are consistent with your own. The country, our State and our City have many problems.

We have at last come to appreciate the fact that a person does not have to be sixty years old to be a leader and to behave responsibly. History is on your side, for as you will recall, Mozart had written his symphonies at the age of eighteen; Napoleon had conquered half of Europe before he was thirty years old; William Pitt became Prime Minister of England at the age of twenty-three; Jesus of Nazareth had completely revolutionized the world by the time he died at the age of thirty-three; and Martin Luther King died at the age of thirty-nine and will go down in history as the central figure of the twentieth century. Young people are on the move, in quest of excellence of spirit.

I want to congratulate all of you tonight for jobs well done. You remember how almost everyday one of your friends dares you to do something? In closing this brief talk with you, I would like to pose for you a series of dares:

I dare you to remain in school until you have completed the highest level your abilities will allow you to complete.

I dare you to resolve tonight to chart for yourselves a life that is dedicated to helping others find better lives.

I dare you to participate in the life of your community as an agent of meaningful change.

I dare you to hold your head up high and defy any man who would suggest to you that you are anything less than a human being with dignity and worth.

I dare you to translate all the knowledge, abilities, and skills which you may develop into a rich depository from which human beings may draw freely.

I dare you to begin now searching for excellence of spirit.

I dare you to dream the impossible dream.

And so, in conclusion, I ask the question of each of you here tonight, will you accept my dares? I dare you!

PUBLIC EMPLOYEE UNIONISM

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HALL. Mr. Speaker, last month a score of my colleagues and I introduced a bill that has come to be called "the freedom of choice act." It in essence would grant Federal employees the right to refrain from union membership. It is principled on the basis of and duties of those in the public trust. This proposed legislation has generated much favorable editorial comment throughout the country. Among this editorial comment is one from the Columbia Daily Tribune, of Columbia, Mo. The editorial is entitled "public employee unionism," and reads as follows:

PUBLIC EMPLOYEE UNIONISM

Faced with static membership rolls, the nation's labor unions have turned their attentions to new and hopefully greener pastures in the persons of public employes.

There are three million people working for the federal government and another nine million on the payrolls of cities, counties and the 50 states. The recent efforts of unions to organize groups of these workers is well known and openly acknowledged by labor leaders.

One of the most troubling points in these negotiations is invariably the issue of the agency shop.

Under this provision the employer agrees to withhold union dues (or their equivalent) from workers' paychecks and send the money directly to the labor organization. From the union standpoint this provision has obvious advantages. It provides a tremendous power base because the union is relieved of having to depend on its members to voluntarily pay their dues—the public employer takes care of that, and the result is a locked in union membership and a loss of independence for the worker.

A bill has been introduced in Congress which guarantees a federal employe the right to refrain from joining a union. Rep. Ben Blackburn (R. Ga.) has put in statutory form the provision that is now only guaranteed by an Executive Order issued by John F. Kennedy when he was President. An identical bill has been introduced in the Senate by Sen. Wallace F. Bennett (R. Utah).

The protection of an individual's right not to join a union is even more important for public employes than those working for private concerns. If it becomes a condition of employment that all federal, state and local public employes must belong to a union—and, of course, pay dues—a situation with frightening consequences will have developed.

Aside from the obvious problem of strikes—an issue which has two sides to it—the financial implications are enough to cause concern all by themselves.

Suppose just the three million federal workers became involved in an agency shop condition. Regular dues alone would total a staggering amount of money over which the employes would have no control. But suppose in addition the AFL–CIO's COPE or some other union political organization made a special election year assessment of just 50 cents per member per month. This would create a war chest of some $18 million. To go on, imagine a like amount extracted from each of the other nine million public workers, and the union influence would be irresistible. An organization with $72 million to dump into a Presidential campaign—well, the implications are just too much. This example of the accumulation of power may be a trifle oversimplified, but the message is clear.

Trade unionism is a viable force in the socio/economic fabric of this country. Just like big business, big labor has its place. But unconscionable power in the hands of one cohesive influence group is bad, and the monolithic nature of big labor leadership makes the possibility of unilateral action likely indeed.

We do not like compulsory unionism any more than we would like compulsory customer allegiance in behalf of an industry. It would be wrong for a rule to be passed and enforced which would require that every citizen of Columbia subscribe to the Tribune. When business or industry loses the need to compete for its means of sustenance it becomes unresponsive and corrupt.

This is the scourge of monopoly.

DEFENSE CUTS PLANNED

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1968

Mr. THURMOND. Mr. President, the June 11 edition of the State newspaper, Columbia, S.C., contains an excellent column entitled "Report: Defense Cuts Planned," written by Mr. Paul Scott. Mr. Scott points out, that while there has been no public announcement, that the President has made a very controversial decision to carry out the congressional mandate for cutting $6 billion from the Federal budget. This is the well-known tradeoff in return for the 10-percent surtax, which the administration has sought for some time.

The controversial decision, Mr. Scott reports, is to slash the military budget by an estimated $3 billion, without affecting any reduction on the $30 billion now allocated to the war in Vietnam.

As I stated on the Senate floor on June 13, the most likely items to be cut from the military budget are expensive items of hardware such as the manned orbiting laboratory and the ABM—the Sentinel missile system.

While I realize the importance of national military strength, I also know that there are reasonable limits and constraints which must be taken from a financial point of view. In this regard, I hope that the administration will avoid the mistake of casting these issues in an adversary aspect of civilian versus military. This is not the issue. Both the civilians and the military have necessary and proper places in these decisions. In my opinion, the issue is what is best for the country and what will best insure its security and survival, and this is the hard decision that we must make.

Mr. President, I urge Senators to think of these defense cuts in this regard and invite their attention to this excellent article. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEFENSE CUTS PLANNED: L. B. J. MAY SLASH MILITARY BUDGET BY $3 BILLION

(By Paul Scott)

WASHINGTON.—Although there has been no public announcement, President Johnson has made a very controversial decision on how he will carry out a proposed congressional mandate to cut $6 billion from the huge federal budget.

After grimly agreeing to bow to Congress in order to obtain a $10 billion tax boost, the President has decided to cut at least $3 billion—or half—from the $79.8 billion now being spent for national defense.

The enormous defense request is the biggest single item in the Administration's $186 billion budget for the year beginning July 1. The $79.8 billion figure represents a cut from the $101.4 billion originally requested by the Joint Chiefs of Staff.

While President Johnson has ruled out any reduction in the $30 billion being spent for the Vietnam war, military experts here say the huge defense cutback will cripple a number of programs directly related to that conflict.

Most critical of the war-related projects to be affected will be the training and equipping of a new Army division needed to replace one being withdrawn from the Strategic Reserve in the U.S. for duty in Vietnam.

If the $3 billion is cut out of the coming year's military spending, members of the Joint Chiefs of Staff claim, plans to activate the division will have to be dropped.

Other military spending cuts will force the Army to withdraw an additional 50,000 troops from Europe, including part of the small garrison which is now in strife-torn West Berlin.

The President's controversial decision to take half of the proposed reductions out of defense was made known to Democratic congressional leaders.

Stressing his populist-liberal background, the President told the legislators that he was desperately trying to ease the spending cuts on domestic programs by using the meat ax approach on the Defense Department.

The other $3 billion in cutbacks, he pointed out, will be made in the domestic programs, with the main reductions coming in space, agriculture, and public works projects. An estimated $400 million would also have to be slashed from the government's anti-poverty program.

In making his reduction plans, the President stressed, $71.8 billion of the budget represented what he described as "uncontrollable civilian items" which could not be cut, including:

Social Security, medicare, and other social insurance, trust funds ($38.5 billion); interest ($14.4 billion); veterans ($5.2 billion); public assistance grants ($5.7 billion); farm price support commitments ($2.9 billion), and other government fixed payments ($4.4 billion).

For all his pretended alarm over the "chaos" to be produced domestically if his "Great Society" programs are cut back, the President so far hasn't included foreign aid on his reduction list.

Rep. Thomas B. Curtis, R-Mo., and Sen. John J. Williams, R-Del., two authorities on federal waste, have proposed $3.5 billion be cut out of foreign aid.

Curtis also has warned members of the House Ways and Means Committee, of which he is a member, that the President could blandly ignore any congressional mandate on spending cuts.

According to Curtis, President Johnson can if he wishes leave most of the budget cutting to his successor next January 20. He points out that Congress is giving the President a blank check on how the reductions are to be carried out.

Also, he claims, there is no way that the President can be forced to carry out the reductions during the remaining seven months of his Administration.

The House, which on May 29 rejected an amendment to limit the cut to $4 billion by a 259 to 137 vote, is expected to approve the $6 billion cut next week. The Senate already has voted the larger reduction.

The once-untouchable National Aeronautics and Space Administration now seems to be everyone's candidate for economy.

Less than a year ago, NASA had 420,000 persons working on space programs, compared with 240,000 as of June 1. Most of the 180,000 cut was made in contractor jobs and relatively few among civil service personnel.

Now, President Johnson has directed Administrator James Webb to eliminate at least 5,000 of NASA's 33,000 civil service jobs during the next three months.

STUDY OF ALL ASPECTS OF CRIME

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DENNEY. Mr. Speaker, today I have introduced House Joint Resolution 1340 to set up a joint select committee of the House of Representatives and the Senate to make a study of all aspects of crime. This committee would then make recommendations to the respective Houses of the Congress with respect to any remedial legislation which would contribute to protecting the lives and property of our people.

The tragic events of the past weeks and months make it imperative that the Congress exhibit to the citizens of this great Nation its determination to meet the challenge and eliminate crime and violence in every way within its power.

During times such as these, the citizens rightfully turn to their elected Representatives for leadership, guidance, and action. However, we must not allow the state of emotional shock in which we find ourselves to allow us to hastily legislate.

We must determine the reason for lawlessness and violence. When we find the cause, we will be better able to restore to our people a sense of security against the assault of the criminal.

Mr. Speaker, the majority of our citizens join with us in our desire and determination to find a solution to this problem. Their assistance and support will be the deciding factor in our return to the respect for God, country, and fellow man that made this Nation the greatest nation the world has ever known—a nation where every citizen, regardless of race, creed, religion, or national origin is entitled to equal protection of the laws, and are secure in their homes, and on the streets, wherever they may go.

THE ELECTORAL COLLEGE: RETENTION OR ABOLITION

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. WILLIS. Mr. Speaker, last summer, I had the pleasure of having Russell O. Ayo, Jr., as one of my summer interns. Mr. Ayo is a native of my congressional district. At the time of his internship, he was the immediate past president of the student body of Nicholls State College located in Thibodaux, La. He is presently a law student at Louisiana State University.

During the course of his service in my office, Mr. Ayo conducted a rather lengthy study into the electoral college. He carefully and studiously reviewed the history of the electoral college, the arguments for its retention or abolition, and alternate plans that have been offered as a replacement for it.

At the conclusion of his studies, Mr. Ayo prepared a rather lengthy paper for me. This paper, entitled "The Electoral College: Retention or Abolition," offers a significant contribution toward a better understanding of the issues that are involved.

Mr. Speaker, during the last several decades, our country has been faced with many substantial constitutional issues. Not the least of these is one concerning the manner in which presidential elections are conducted. Therefore, I am very pleased to extend in the RECORD at this point, Mr. Ayo's paper, so that all of my colleagues can share in the result of his herculean endeavor:

THE ELECTORAL COLLEGE: RETENTION OR ABOLITION

(Prepared by Russell O. Ayo, Jr., for Hon. EDWIN E. WILLIS, member of House Committee on the Judiciary)

INTRODUCTORY REMARKS

Never in the history of our Nation has a problem been so evident, so controversial, and yet remained so unresolved. The 90th Congress, as many of its predecessor Congresses, is trying to solve it. It is deliberating, analyzing, and investigating both the old and the new methods of possible constitutional change to our present system of electing the President and Vice President of the United States.

There does not seem to be general accord either in Congress or throughout the States on any one of four proposed plans of changing our present system—the direct election plan, the district plan, the proportional plan, and the President's automatic system—or even on the preservation of our present system, the Electoral College. Congressmen and their constituents, however, are realizing that some action must be taken to calm this recurring period of tension and uncertainty about the electoral system that transpires when election year approaches.

The American public, through agencies, organizations, and especially through their representatives in Congress must promote a workable, acceptable solution. Whether this solution will be one of permanence or of brevity remains to be resolved. President Johnson, in regard to this fact, has stated:

"The potential of paralysis implicit in these conditions constitutes an indefensible folly for our responsible society in these times. Common sense impels, duty requires us to act—and to act now, without delay."[1]

Our problem is one of urgency, and it cannot be taken lightly. Because of its gravity, it must be handled swiftly but assiduously and carefully. The burden of decision rests heavily upon the broad shoulders of Congress and this is as it should be; yet they are far from being alone. I am confident that their solution will be for the best—their decree will be made for you and I—the American people.

The 90th Congress must not and cannot be satisfied with merely attempting to create a solution; the attempt has been made many times in the past—today not tomorrow is the time for action. James J. Kilpatrick of the *Wall Street Journal* wrote:

"Congress has been trying to repair the Electoral College since it first backfired in the Presidential Election of 1800. Now the debate seems to be reaching a peak for two reasons:[2] One is the proposal submitted by the American Bar Association, and the other is a growing belief that George Wallace will run for President next year on a third party ticket. It's probably impossible to amend the constitution in time for direct voting in the 1968 election, but the Wallace candidacy is reminding alert politicians in both major parties of the present system's potential for chaos: A capture of just enough Southern States to deny anyone a majority of electoral votes and thus require the House to pick the President, or a 'spoiler' effect in pivotal Northern States that could tip the balance between the two major candidates.

" 'It took an assassination to get us the 25th Amendment' for filling a Vice Presidential vacancy, says a Capitol Hill supporter of direct voting. 'It may take a Wallace to give us the 26th.' "[3]

Whatever the reasons that guide Congress either to continue or to abolish our present system is important, but of more importance is that they do take proper action without further delay. Over one hundred sixty-seven years have proven that the longer they delay the more difficult it becomes to achieve something positive.

HISTORICAL BACKGROUND

At the Constitutional Convention of 1787, the "founding fathers" were in agreement that the President and Vice President of our Nation should be elected officials, but the method of election presented serious problems for the young country. These difficulties were resolved only after intense discussion and heated debate.

"Proposed methods included direct popular election, election by the Congress, election by the state legislatures, and election by intermediate electors."[4]

Each of these methods was widely opposed by numerous members of the convention for various reasons.

The direct popular election proposal failed because the members seemed to feel that the people, in general, were not capable of determining the character, integrity, and qualifications of the Presidential and Vice Presidential candidates. Communication during those days was slow, inadequate, and unreliable—making direct election impractical; popular election was thus destined for failure.

Election of candidates by Congress was a very controversial issue. Desiring to maintain an independent executive, the "founding fathers" believed that this proposal was unacceptable. Their rejection of this plan relieved the executive offices from contingency and dependence upon the wants and desires of Congress.

Election by the state legislature was not approbated because of reasons similar to those of election by Congress. The two top executives, if elected in this manner, would have been unable to avoid undue pressures exerted by the state legislatures.

Deadlock occurred. Which method was best? An eleven man committee was appointed to study the problem and hopefully develop an answer. After tiring efforts, the committee on September 4, 1787, issued its plan, and it was accepted by the convention with only a few minor changes. This report served as the foundation for Article II of the Constitution.

The following points were recommended in the report and adopted by the convention.

Each state legislature was to prescribe the manner in which the electors were to be chosen. A state was entitled to have the same number of electors as it had representatives and senators, and these electors would cast their own votes in their state for two persons for President, at least one of whom was not an inhabitant of their state.

"And they shall make a List of all Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States . . ."[5] where they will be tallied.

After the results were compiled, the candidate that received a majority of the votes was President and the individual with the second highest number was Vice President. The House of Representatives would elect the President in the event that no candidate received a majority of the votes. Each state, regardless of its number of representatives, was allowed only one vote when the election devolved upon the House; a majority vote with a quorum or two-thirds of the states voting was a necessary condition to elect a candidate. If two or more candidates received an equal number of votes with a majority of the vote, then one of them was chosen President; however, if a majority of electoral votes was not received by any candidate, then the House would select the President from the top five candidates and the candidates with the second highest electoral votes was the Vice President. The Senate would choose the Vice President if there were a tie between candidates for the second highest number of votes. (These provisions were later superseded by the 12th and 20th amendments.)

The original method of election lasted only four elections after its ratification by the States; its alteration was caused by the Jefferson-Burr incident in the election of 1800. Thomas Jefferson and Aaron Burr were candidates for the office of President and Vice President, respectively. But when the electoral votes were counted, it was discovered that both Jefferson and Burr had received an equal number. The cause for this unfortunate occurrence rested in the provision that the candidates for President and Vice President were voted for jointly and not by separate, distinct ballots.

Congress proposed in the 12th Amendment a method that would alleviate such incidents. This amendment included such provisions as the electors who ". . . shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, . . .; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot the President. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President. . .".[6] (This last part from "and if . . . shall act as President" has been superseded by section 3 of the twentieth amendment.)

Similar provisions were included in the 12th amendment for the election of the Vice President in case of a tie vote.

The election of 1800 had another major effect upon the electoral system. The members of the convention intended that the electors were to be independent and vote as individuals when choosing the President and Vice President. Political parties were the downfall of the independent electors; they were making their debut and becoming more popular and intense. By the fourth Presidential election, they had reached a summit and were destined to become one of our Nation's most notable traditions. The independent attitude of the electors had virtually disappeared with the evolution of political parties and each elector was expected to vote along party lines.

There were other changes developing in the early 1800's. At first, state legislatures chose electors as they were empowered to do by Congress; however, most of the electors were elected by direct popular vote in 1804. One of the most favorable early plans of choosing the electors was the district plan.

". . . one elector was chosen by the voters of each Congressional district, and two were elected by those of the state at large . . . The district plan of choosing electors was supported by leading statesmen of both parties, including Jefferson, Hamilton, Madison, John Quincy Adams, Jackson, Van Buren, and Webster."[7]

Eventually the district system was abandoned for the unit vote system whereby the state delivered its entire electoral vote to the Presidential and Vice Presidential candidate that carried the state. This eliminated the splitting of the State's electoral vote between two or more candidates.

"States which employed a unit vote or general ticket system were able to assign all their electoral votes to the candidate receiving the highest popular vote, with the result that these states were able to exert greater influence in presidential elections."[8]

---

[1] Message from The President of the United States, 89th Congress, 1st Session, House of Representatives (February 1, 1965), p. 2.

[2] James J. Kilpatrick, "Alternatives to the Electoral College, The Wall Street Journal, (June 5, 1967), p. 18.

[3] Ibid., p. 18.

[4] "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 1.

[5] The United States Constitution, 89th Congress, 2nd Session, House Document No. 470 (Washington, 1966), Article II, p. 5. (Later superseded by Article XII)

[6] Ibid., Article XII, p. 13.

[7] "Referendum No. 98: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 4.

[8] "Electing the President: A Report of the Commission on Electoral College Reform", the American Bar Association (Chicago, January 1967), p. 22.

In order to maintain an equal footing with states using the "en bloc" system, the remaining states were impelled to convert to the unit vote system. Every state since 1892 has used this, our present system.

ELECTORAL COLLEGE SYSTEM

The provisions of Article II, section 1, and the 23rd Amendment provide for the appointment or election of electors. Usually it is by direct, popular vote of the people, but it may be in any manner that the state legislature directs. These electors in turn elect the President and Vice President of the United States. At the present time, the American people directly choose their electors but they only have an indirect voice in the election of the President and Vice President. Each State's electors are the actual voice of the people in choosing the Nation's two most important elected officials.

These electors are known as "colleges" within each State and collectively they are called "the Electoral College". The electors convene and vote within their own State on the date prescribed by Congress; their vote is cast as a single and distinct ballot for both the President and Vice President, i.e., one ballot for President and a separate ballot for Vice President. The results of the vote in each State are sent to the President of the Senate and in the presence of both Houses, he opens all the certificates and the votes are counted, state by state, and the results are compiled and announced. The candidates who receive a majority of the electoral votes are declared to be the President and Vice President elect.

If no Presidential candidate receives a majority of the electoral votes, then the election of the President shall devolve upon the United States House of Representatives. The House shall choose the President from the candidates receiving the highest number of electoral votes, but not from more than three such candidates. In the voting, each State regardless of its size or population is allowed only one vote. Two-thirds of the States shall constitute a quorum for this purpose and a majority of the States' representations shall be necessary for a choice.

Each State's one vote is determined by polling the members of its delegation.

"If the State's votes in its poll are evenly divided, or if no candidate receives a majority in the poll, the State will lose its one vote." [9]

Should this occur, the State has two alternatives from which it can choose: either submit a blank ballot, or decline to vote. This could easily result in the House taking a number of ballots until one candidate has received the majority vote necessary to a choice.

If no Vice Presidential candidate receives a majority of the votes of the Electoral College, the right of choice shall devolve upon the United States Senate. The Senate shall choose the Vice President from the two candidates with the highest number of votes. Two-thirds of the whole number of Senators shall constitute a quorum and a majority of the whole number shall be necessary for a choice.

Whenever the right of choice of the President has devolved upon the House and such body has failed to choose the President by the beginning of his term, then the following provisions are put into effect:

"If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified." [10]

The present system, as now used, has three methods of electing the Presidential and Vice Presidential electors. The first is the Presidential short ballot where the names of only the Presidential and Vice Presidential candidates are printed on the ballot in the general election. This method implies that the electors who are chosen will be expected to vote for his party's Presidential and Vice Presidential candidate. It means that a vote cast for these candidates is a vote cast for that party's electors whom the Presidential and Vice Presidential candidates represent.

Another method has both the names of the Presidential and Vice Presidential candidates and the names of the electors printed on the same ballot. This also implies that a pledge exists because the ballot contains the names of the electors who are preceded by the names of the candidates for President and Vice President.

The last method has only the names of the electors on the ballots. These electors are unpledged and if elected in the general election, they are not obligated or even expected to vote for any particular candidate. They vote as individuals for the candidate of their choice; this closely resembles the manner that was established in 1789 when the framers of the Constitution wanted the electors to be independent, conscientious selectors of the President and Vice President. All three methods are used within the United States in choosing the two chief executive officers and the electors. They are presented in the order of most popular use, ranging from thirty-five states using the short ballot to only two states having only the names of the electors on the ballots. Each functions with a degree of success that is mainly dependent on what the individual state hopes to accomplish.

Arguments in favor [11]

Those proponents in favor of retaining our present "en bloc" unit vote system have their basic philosophy well expressed in a statement made by Senator John F. Kennedy in 1956:

"It is not only the unit vote for the Presidency we are talking about, but a whole solar system of Governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider the others."

Senator Kennedy's "solar system" refers to the elements in the American governmental structure—the Presidency, the Senate, the House of Representatives, the Supreme Court, and state and local governments. The proponents of this philosophy and of retaining our electoral system present the following arguments:

(1) Our existing system has successfully endured the test of time since it came into existence in 1789, with only minor amendments adjusting it.

(2) The electoral system has given us only three minority Presidents; that is, Presidents who had less popular votes in the general election than their chief opponent.

(3) The right of choice of the President has devolved upon the United States House of Representatives only twice under the electoral system—once in 1800, and again in 1824.

(4) Our present system gives ample representation to both the small and the large states without infringing upon the rights of either one.

(5) No other method has found general acceptance by the people; therefore, we should not abandon a system that has proven its dependability.

(6) The electoral vote exaggeration of the winner's margin serves as apparent national approval and acceptance of the newly elected candidates by the people.

(7) The Electoral College has had very few problems in dealing with "splinter" parties, thus strengthening our age old two party system.

(8) The present system affords organized minority groups attention that they might not necessarily receive.

(9) Both parties must and do have similar public appeal, thus limiting extremism in our government.

(10) The electoral system provides adequate expression of the metropolitan vote in Presidential elections to counterbalance the rural influence allegedly evident in Congress.

Comments on pros

The proponents argue that our present system has operated effectively for almost two centuries, nevertheless, we have had candidates who received less votes than their opponents as President. Whether or not such incidents occurred only three times is irrelevant, what is important is that we have had minority presidents. Is this the manner in which our democratic system should function? Or should it be designed so that this could never occur?

Why have candidates in modern times concentrated their campaigns in the large, "pivotal" states, if both the large and the small states have adequate representation? The answer is clear. These men want to win; they want to be elected, and they can only accomplish this by channeling their efforts in those states that have the largest number of electoral votes. It is possible—maybe not probable—for a candidate to be elected President and have carried only twelve of our fifty states. The following is a list of the twelve states and the number of electoral votes to which each is entitled (this is the present distribution of electoral votes for these states):

State	*Electoral votes*
New York	43
California	40
Pennsylvania	29
Ohio	26
Illinois	26
Texas	25
Michigan	21
New Jersey	17
Florida	14
Massachusetts	14
Indiana	13
Delaware	3
Total	271

These twelve states possess the 270 electoral votes necessary to elect the President and Vice President of the United States. (There are 538 electoral votes; a candidate needs only one more than half to be elected). This simply means that a candidate can carry these 12 states, lose the remaining thirty-eight, and still become President. Is this the workings of our democratic government? Should twelve states be the voice of fifty?

---

[9] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 4.

[10] The United States Constitution, 89th Congress, 2nd Session, House Document No. 470 (Washington, 1966), Article XX, section III, p. 18.

[11] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, December 1965), pp. 23–26. Alexander M. Bickel, "The Case for the Electoral College", The New Republic, (January 28, 1967), pp. 15–16. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 8–9. "Referendum No. 98: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), pp. 5–6.

The exaggeration in the electoral vote gives the appearance that the newly elected President is approved, accepted, and backed by the entire nation. This can be advantageous to our recently elected President. Gerald W. Johnson of *The New Republic* has this to say about the exaggerated margin:

"The electoral college is a device that emphasizes the fact that one man has been elected President, he is President of all Americans, Republicans, Democrats, and even those who vote for Byrd. It's our right to cuss him, but we have no right to challenge his authority."[12]

If the Electoral College does nothing else, it does strengthen the solidarity that the world's greatest nation must possess in order to maintain its position of leadership.

Do the American people have an actual choice or are they choosing between "the lesser of two evils", if both political parties concentrate on similar appeals to attract the public's attention? This similarity of party appeal may limit radicalism and extremism, but what does it offer the American people? Does it give you and I as individuals the type of choice that our American government claims to offer its citizens? To remain unbiased, it must be determined if there is a better method than our two party system. If there is, no one seems ready to advocate it. Furthermore, it does not seem likely that if we changed our present system of electing the President it in turn would alter the method by which our two party system operates. Most probably it would function in the same manner under any of the proposed plans of constitutional change.

Organized minorities under our present system receive attention that they might not ordinarily receive under another method. Should candidates be dictated by the whimsical desires of minority groups in the populous, key states only because their bloc vote might be the deciding factor of the election results in that state? A Texas Congressman was quoted by Prof. James M. Burns of Williams College regarding this matter:

"Is it fair, is it honest, is it democratic, is it to the best interest of anyone, in fact, to place such a premium on a few thousand labor votes, or Italian votes, or Irish votes, or Negro votes, or Jewish votes, or Polish votes, or Communist votes, or big-city-machine votes, simply because they happen to be located in two or three large, industrial, pivotal states?" [13]

But is there any other way in which minority groups can express themselves and make their voices heard? Would the Presidential candidates listen to their wants and needs if the vote of minorities was not a determining factor in some states?

Arguments have been propounded that this system affords the metropolitan and industrial areas with an advantage in electing the President and Vice President that is similar to the advantage formerly possessed by the rural areas in electing the members of Congress.

"Despite the undemocratic aspects of the Electoral College, the quadrennial drive for constitutional amendment has little chance of success. The large industrial states in particular are unwilling to compromise their determinative impact on National elections by splitting the solid block of electoral votes which they presently deliver." [14]

Likewise, the smaller states are hesitant to accept any proposal that would presently eliminate their two vote advantage in electing the President. Each state however large or small receives two electoral votes for its two senatorial seats, and the remaining number of electors is determined by the state's population. This is a definite benefit to the smaller, less populous states.

If a new proposal is to be adopted, it must be one that will be acceptable not only to the large, industrial states but also to the small, rural ones. This is the problem—to develop and adopt a plan that has the general accord of the citizens of all fifty states and the District of Columbia. The Electoral College will remain in existence as long as this is not accomplished.

Arguments against [15]

"The evils and weaknesses of the present system are well known and have been stated many times." [16]

Nevertheless, it would be advisable to restate and clarify these "evils" and attempt to determine whether they are alleged or valid weakenesses.

(1) There is no uniform method of choosing Presidential electors; each state elects its electors as it sees fit.

(2) There exists in the electoral system "independent" or "unpledged" electors who are not legally bound to cast their vote in the manner directed by the people.

(3) The Electoral College system tends to restrict National campaigns to a dozen or so key pivotal states.

(4) The "founding fathers" never intended the unit vote system to evolve into a system whereby a candidate receives all the electoral votes of a state regardless of his margin of victory.

(5) Each state, regardless of its size, is allowed to cast only one vote for President when the election of the President devolves upon the House of Representatives.

(6) A possibility exists that the President and Vice President may not be of the same party if neither candidate qualifies in the general election.

(7) The Electoral College system has permitted the election of fourteen "minority" Presidents; that is, Presidents who did not receive at least 50% of the popular vote cast in the general election and three of whom had less votes than their major opponent.

(8) The Electoral College permits and invites control and domination by organized minority groups within the key states, and encourages the development and solidarity of religious, economic, and racial blocs within these states.

(9) A candidate receives credit for his opponents votes in the states he carries but does not receive any credit for his own votes in the states his opponent carries.

(10) When the choice of a President devolves upon the House of Representatives, the elected candidate may not be the choice of the Majority of American people.

(11) The final count of the electoral vote does not always accurately reflect the popular vote of the people.

(12) The "winner-takes-all" system tends to restrict the choice of Presidential candidates to men who are from the large pivotal states that possess a large bloc of electoral votes.

(13) If the President elect dies between election day and the counting of the electoral votes in December, no provision is made for a successor to be chosen—except that the electors would have to exercise their authority and choose a President.

Comments on cons

"Today we begin a difficult task—a task that has been a troublesome one ever since the Constitutional Convention. It is the task of trying to find a better means to elect our President and our Vice President." [17]

This statement was made by Senator Birch Bayh, Chairman of the Subcommittee on Constitutional Amendments on February 28, 1966. As Senator Bayh has stated, this is a "troublesome" task, troublesome because many people wish to preserve a system that is "archaic, undemocratic, complex, ambiguous, indirect, and dangerous." [18]

There is a conflicting trend of thought in many arguments for and against the present system. In one instance, we hear people say that our system today does not function as it was designed to by the founding fathers. According to the Founding Fathers as stated in the Federalist Papers; No. 68, the electors were to operate in the following fashion:

"Thus without corrupting the body of the people, the immediate agents in the election will at least enter upon the task free from any sinister bias. Their transient existence, and their detached situation, already taken notice of, afford a satisfactory prospect of their continuing so, to the conclusion of it."

In another breath, someone will argue about the "independence" or "unpledged" attitude of some electors in a few of our states; but is not this how our system was supposed to function? When one hears contradictory arguments such as these, it can only be said that the present system is outmoded, and unable to adapt itself to the workings of modern times.

It was stated earlier and because of necessity it will be repeated again, there are three methods of choosing Presidential electors—the Presidential short ballot, ballots containing the names of the Presidential candidates and the electors and ballots with only the names of the electors. This lack of uniformity of choosing Presidential electors has caused intense clamor among the states and has raised the question that fraudulent practices may exist in some states in appointing Presidential electors. However, each state is legally authorized by Article II, Section 1, of the United States Constitution to appoint its electors in a manner determined by the legislatures of each state. Therefore, it is evident that as long as Congress does not feel that such an amendment to the Constitution is both necessary and imminent, the states will be authorized to operate in this manner.

The "winner-takes-all" system tends to limit campaign efforts to the large pivotal states that possess a great portion of the electoral votes. What consolation is it to a candidate to have carried thirty-eight small and medium sized states and yet have lost the election to his opponent who carried the twelve populous key states. This is how the system works under the unit vote method and it will continue to do so unless it is changed. The unit vote, or "en bloc" system as it is sometimes called, has another major disadvantage—it credits all the electoral votes to the candidate that carries the state regardless of his margin of victory. The pamphlet, *Statistics of the Presidential and Congressional Election of November 8, 1960*, which is compiled under the direction of the Clerk of the House of Representatives, showed that in Illinois 2,377,846 votes were cast for John F. Kennedy and 2,368,988 votes for Richard M. Nixon. Kennedy received Illinois' twenty-seven electoral votes, but he only had 8,858 more votes than Nixon. This system does not clearly reflect the results of the popular vote and the preceding example proves this to be true. Not only does it cast an untrue picture of the vote of the people, but it may also, as it has previously done, result in the election of a minority President.

---

[12] Gerald W. Johnson, "Leave the College Alone", The New Republic, (January 9, 1961), p. 22.

[13] Richard L. Strout, "So You Think You Vote for a President?", The Christian Science Monitor, January 19, 1966.

[14] "State Power to bind Presidential Electors", Columbia Law Review, Vol. 65, No. 4 (April 1965), 696.

[15] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1960), pp. 26–29. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 9–10. Neal R. Pierce, "The Case Against the Electoral College", The New Republic, (February 11, 1967), pp. 12–13. "Proposed Constitutional Amendment Abolishing Electoral College and Making Other Changes in Election of President and Vice President", Committee on Federal Legislation, The Association of the Bar of the City of New York, Vol. 4, Bulletin No. 3, (July 1965), pp. 123–124. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), pp. 4–5.

[16] Senator Quentin N. Burdick, "Director Popular Vote of the President and Vice President of the United States", Congressional Record—Senate, (March 15, 1966), 5677.

[17] "Reform the Electoral College", Virginia Commission on Constitutional Government, p. 21. (Statement by Senator Birch Bayh at the Opening of Hearings Before the Subcommittee on Proposed Changes in the Electoral College, February 28, 1966).

[18] "Electing the President: A Report of the Commission on Electoral College Reform", The American Bar Association (Chicago, January 1967), p. 3.

This fact is not new to the American people; it has occurred fourteen times since this system's inception. The following is a list of the fourteen minority Presidents (that is, Presidents who did not have at least fifty percent of the popular vote—three of whom had less votes than their chief opponent. The chart below shows the candidates and the percentage of the popular vote each received. (This information was taken from the American Bar Association's pamphlet, "Electing the President," January, 1967.)

Year	Elected		Opponents					
	Name	Percent	Name	Percent	Name	Percent	Name	Percent
1824	J. Q. Adams	30.54	Jackson	43.13	Clay	13.24	Crawford	13.09
1844	Polk	49.56	Clay	48.13	Birney	2.30		
1848	Taylor	47.35	Cass	42.52	Van Buren	10.13		
1856	Buchanan	45.63	Fremont	33.27	Fillmore	21.08	Smith	.01
1860	Lincoln	39.79	Douglas	29.40	Breckenridge	18.20	Bell	12.60
1876	Hayes	48.04	Tilden	50.99	Cooper	.97		
1880	Garfield	48.32	Hancock	48.21	Weaver	3.35	Others	.12
1884	Cleveland	48.53	Blaine	48.24	Butler	1.74	St. John	1.49
1888	Harrison	47.86	Cleveland	48.66	Fisk	2.19	Streeter	1.29
1892	Cleveland	46.04	Harrison	43.01	Weaver	8.53	Others	2.42
1912	Wilson	41.85	T. Roosevelt	27.42	Taft	23.15	do	7.58
1916	do	49.26	Hughes	46.12	Benson	3.16	do	1.46
1948	Truman	49.51	Dewey	45.13	Thurmond	2.40	Wallace	2.38
1960[1]	Kennedy	49.71	Nixon	49.55	Unpledged	.92	Others	.27

[1] 1960 percentages total more than 100 percent because of double-counted Alabama votes both under Kennedy and unpledged columns.

When neither the President nor Vice President or both fail to qualify in the general election, that is, have a sufficient number of electoral votes to be elected, the election of such candidates devolves upon the House of Representatives and the Senate, respectively. The House starts its undemocratic wheels rolling and the machinery necessary to elect a President goes into effect. Each state, regardless of its size or population, may cast only one vote for President when the election goes to the House. Both Delaware and New York cast the same number of votes—only one—and they are at opposite extremes, not only in population but also in size.

This is not the only unfavorable aspect of an election by the House. Another of equal importance is that the candidate elected might not be the choice of the people. The election devolving upon the House may cause undue pressure and fraudulent practices to be exerted, resulting in a "compromise" President that could be contrary to the will of the people.

"The big States tend to have healthy and strong two-party systems—and I think we all can agree on the virtues of this political competition which assures us public officials who are responsive to the people."[19]

The large states are not only conducive to strong two-party systems but also to the undue pressures of organized minorities. In a well-balanced two-party state where the result of an election is never decided until the last vote is cast, the large minority groups that cast their votes as a bloc can and do exert an enormous degree of influence, and they may often turn the result of an election end for end, even in the closing minutes of the campaign.

The 25th Amendment to the United States Constitution has established a line of succession and a method of choosing a new Vice President when this office becomes vacant. But no provision has been established to provide for the death of the President-elect if he should die between election day and the official count of the electoral vote which legally determines who shall be President.

What can a democratic people of a democratic nation that believes in democratic government do about "the evils and weaknesses" of our present system of electing the President and Vice President of the United States? President Lyndon Johnson in his Message from the President of 1965 gives us his answer:

"I believe it is the strong and overriding will of the people today that we should act now to eliminate these unhappy possibilities inherent in our system as it now exists. Likewise, I believe it is the consensus of an overwhelming majority of the Congress—without thought of partisanship—that effective action be taken promptly. I am, accordingly, addressing this communication to both Houses to ask that this prevailing will be translated into action which would permit the people, through the process of constitutional amendment, to overcome these omissions so clearly evident in our system."

Our President is calling the American people and the lawmakers of this great Nation to act without delay. We must not be afraid to accept this undertaking; in fact, we should accept it willingly and without hesitance. We are not embarking on a new horizon, a new dimension, when we speak of a constitutional change. This path has been trod upon many times by our forefathers.

"Since January 6, 1797, when Rep. William L. Smith of South Carolina offered in Congress the first Constitutional Amendment proposing reform of our procedure for electing a President, hardly a session of Congress has passed without the introduction of one or more resolutions of this character."[20]

RESULTS OF 1960 PRESIDENTIAL ELECTION[21]

States	Current electoral system		
	Kennedy	Nixon	Unpledged
Alabama	5		6
Alaska		3	
Arizona		4	
Arkansas	8		
California		32	
Colorado		6	
Connecticut	8		
Delaware	3		
Florida		10	
Georgia	12		
Hawaii	3		
Idaho		4	
Illinois	27		
Indiana		13	
Iowa		10	
Kansas		8	
Kentucky		10	
Louisiana	10		
Maine		5	
Maryland	9		
Massachusetts	16		
Michigan	20		
Minnesota	11		
Mississippi			8
Missouri	13		
Montana		4	
Nebraska		6	
Nevada	3		
New Hampshire		4	
New Jersey	16		
New Mexico	4		
New York	45		
North Carolina	14		
North Dakota		4	
Ohio		25	
Oklahoma		7	1
Oregon		6	
Pennsylvania	32		
Rhode Island	4		
South Carolina	8		
South Dakota		4	
Tennessee		11	
Texas	24		
Utah		4	
Vermont		3	
Virginia		12	
Washington		9	
West Virginia	8		
Wisconsin		12	
Wyoming		3	
Total	303	219	15

DIRECT ELECTION PLAN

The direct election plan is exactly what it claims to be—a proposal that would elect the President and Vice President by nationwide, popular vote of the people. It would abolish the Electoral College, the electoral vote, and the unit vote system; it would eliminate the election of a President and/or Vice President by the House of Representatives and Senate, respectively; and it would provide for the election of the chief executive by a majority of the total popular vote of the people. The plan would provide for a runoff election between the two persons who received the greatest number of votes cast for President but did not receive a majority of the total votes cast.

There seems to be a concerted effort on the part of some United States Senators and Representatives and certain organizations such as the American Bar Association, the United States Chamber of Commerce, the Association of the Bar of the City of New York and the Federal Bar Association to inaugurate the direct election plan as the new method of electing the President and Vice President of the United States. They have spent many laborious hours of hard work and study in developing proposals and statistical reports to support their views. Senator Quentin N. Burdick of North Dakota conducted a nation-wide poll involving all the Nation's state legislators. Of the Nation's 8,000 state legislators contacted, he received approximately 2,500 responses. The results showed:[22]

---

[19] "Reform the Electoral College", Virginia Commission on Constitutional Government, p. 29. (Statement By Senator Birch Bayh at the Opening of Hearings Before the Subcommittee on Proposed Changes in the Electoral College, February 28, 1966).

[20] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1960), p. 20.

[21] "Statistics of the Presidential and Congressional Election of November 8, 1960", U.S. Government Printing Office, (Washington, 1961), pp. 50–51.

(1) 58.8 percent were in favor of complete abolition of the electoral college and substitution of a direct election plan.

(2) 21.2 percent favored the proportional plan as a modification of the present system.

(3) 10.2 percent favored the district plan for electing the President and Vice President.

(4) 9.7 percent were for retaining our present system as it is today.

However, we must realize that this study is not determinative proof. It is a fairly good indication, but not conclusive, that all state legislators or even a majority of them are in favor of either retaining or abolishing our present system. Of the 8,000 legislators polled, only 2,500 replied—31.25 percent of the total legislators of all the states.

The American Bar Association established The Commission on Electoral College Reform. Robert G. Storey, President of the Southern Methodist School of Law, and former President of the ABA was Chairman. The commission arrived at the consensus that a Constitutional Amendment should be adopted. This amendment should:[23]

(1) Provide for the election of the President and Vice President by direct, nationwide popular vote.

(2) Require a candidate to obtain at least forty percent of the popular vote in order to be elected President and Vice President.

(3) Provide for a national runoff election between the two top candidates in the event no candidate receives at least forty percent of the popular vote.

(4) Require the President and Vice President to be voted for jointly.

(5) Empower Congress to determine the days on which the original election and the runoff election are to be held, which days shall be uniform through the United States.

(6) Provide that the places and manner of holding the presidential election and the inclusion of the names of candidates on the ballot shall be prescribed in each state by the legislature thereof, with the provision that Congress may at any time by law make or alter such regulations.

(7) Require that the voters for President and Vice President in each state shall have the qualifications requisite for persons voting therein for Members of Congress, with the provision that each state may adopt a less restrictive residence requirement for voting for President and Vice President provided that Congress may adopt uniform age and residence requirements; and

(8) Certain appropriate provisions in case of the death of a candidate.

These recommendations were the result of the industrious efforts of the members of the commission, and they closely coincide with those proposals introduced in Congress, thereby giving the appearance that some kind of harmony exists between the American Bar Association and some of the Members of Congress.

The Chamber of Commerce of the United States has composed a booklet entitled, "Electoral College Reform?". This booklet gives a historical background and an analysis of the present system and the major reform proposals. A proposed policy declaration was submitted to each chamber or association for their approval or rejection. The proposed declaration as stated in the Chamber of Commerce's Referendum No. 98, on Electoral College Reform, reads as follows:

The Chamber of Commerce of the United States supports the adoption of an Amendment to the Constitution that would:

(1) Abolish the Electoral College.

(2) Provide for the election of the President and Vice President of the United States on one of the following bases:

A. Nationwide Popular Vote, i.e., a plurality of the popular votes cast in the nation at large.

B. The District Method, i.e., one electoral vote for each congressional district and two electoral votes at large within each state with a majority of electoral votes in the nation required for election.

In order for the votes of each chamber or association to be recorded, they had to be received on or before January 31, 1966, at the National Chamber Headquarters.

"In the referendum—completed on January 31, 1966—member organizations in 49 states cast ballots.

"Over ninety percent of the ballots received favored the proposed policy statement. The result was 3,881 votes in favor and 369 against."

This excerpt was taken from the testimony of Donald H. Scott before the Subcommittee on Constitutional Amendments, Senate Committee on the Judiciary on March 9, 1966.

A resolution of the Association of the Bar of the City of New York through its Committee of Federal Legislation was submitted by Chairman Eastman Birkett in behalf of the committee:

"The following resolution was adopted at the Annual Meeting of the Association held on May 16, 1967:

" 'Resolved, that this Association favors the proposal and adoption of an amendment to the Constitution of the United States with respect to the election of President and Vice President which would abolish the electoral college and provide for the direct popular election of the President and Vice President.' "

The Federal Bar Association has recently joined its cohorts and taken a stand against our present system. An article in the August 1, 1967 issue of the *Washington Post* entitled "Federal Bar Joins Electoral College Foes" gives the Association's stand on this issue:

"A proposal to eliminate the electoral college and choose the President by popular vote has won the support of the 13,000-member Federal Bar Association.

"The FBA took action on the proposal through a vote of its 1,000-member House of Delegates Saturday at the closing session of its national convention. The Association thus joined the American Bar Association, which earlier took the same position."

These organizations seem to be in agreement on abolishing the Electoral College and substituting the direct election plan.

Senator Quentin Burdick says why we should favor abolition:

"The President is the President of all the people. It follows then that all the people should elect the President. We should remove forever the possibility of electing a President by less than a majority of the people. National popular election of the Presient? Why not?"[24]

Senate and House resolution (joint)

There have been numerous proposals to amend our Constitution and substitute the direct election plan in its place. The most recent proposals are those that have been introduced during the 90th Congress by members of both Houses. These resolutions were summarized and translated from their legal terms into laymen's language in order that a clearer picture might be presented. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

S.J. Res. 2—Introduced by Senator Birch Bayh (D.-Ind.)

Proposes a constitutional amendment to substitute the direct election plan for our present system. The President and Vice President shall be voted for by a single ballot and within 45 days after the election, the results shall be transmitted to the President of the Senate and the votes shall be counted. The Presidential and Vice Presidential candidates having the greatest number of votes, if such number is a plurality of at least 40% of the certified votes, shall be President and Vice President. If a 40% plurality is not secured, the two pairs of Presidential and Vice Presidential candidates that have joined their names together will participate in a runoff election. If the candidate who would have been entitled to election as President dies, the Vice President-elect shall be declared President.

S.J. Res. 6—Introduced by Senator Margaret Chase Smith (R.-Maine)

The candidates for President and Vice President shall be nominated by direct popular vote in a primary election. The time of the Primary election shall be uniform throughout the states and each voter is eligible to vote in the primary election of the party of his registered affiliation. The electoral college is abolished, and in its place, is substituted a general election by the people for President and Vice President. The voters shall cast separate, distinct ballots for President and Vice President. If no person receives a majority of votes for President or Vice President, a runoff election shall be held. The person receiving a majority of popular votes in the runoff election for President and Vice President shall be the President or Vice President. If a person receives a majority of votes in the general election for both President and Vice President due to write-in votes, he shall accept one of the offices and a runoff election shall be held between the candidates of the vacant office.

S.J. Res. 15—Introduced by Senator Quentin N. Burdick (D.-N. Dak.)

The President and Vice President shall be elected by direct popular vote; the time of such election shall be set by Congress and shall be uniform throughout the United States. Any person who has not attained the age of 18 years will not be permitted to vote, otherwise qualifications for voting shall be those requisite for the most numerous branch of that State's legislature. Congress shall establish voting qualifications for the District of Columbia. The voters shall cast a single ballot for President and Vice President. The results shall be transmitted to the seat of the Government of the United States. The candidates for the office of President and Vice President with the greatest number of votes totaling at least 40% of the total votes cast shall be the President and Vice President, respectively. If no candidate has at least 40%, a runoff election will be held. In case of the death of the President-elect, the Vice President-elect shall become President.

H.J. Res. 447—Introduced by Rep. Charles E. Bennett (D.-Fla.); H.J. Res. 463—Introduced by Rep. J. Edward Roush (D.-Ind.)

The President and Vice President shall be elected by the people of the several states and the District of Columbia by a single ballot for President and Vice President. Both of whom shall have consented to have his name on the same ballot with the other. The two persons on the same ballot are referred to as a "presidential candidacy."

If a presidential candidacy receives a plurality of at least 40% of the votes cast, they shall become the President-elect and the Vice President-elect. If no candidacy receives the required 40%, then a runoff election shall be held between the two candidacies receiving the highest number of votes. The election of the President and Vice President shall be held on the same day throughout the several states and such day shall be determined by Congress.

---

[22] "State Legislators Favor Direct Vote For President", Congressional Quarterly, (Washington, December 16, 1966), p. 3030.

[23] "Electing the President: A Report of the Commission on Electoral College Reform", The American Bar Association (Chicago, January 1967), p. 3.

[24] Senator Quentin N. Burdick, "Direct Popular Vote of the President and Vice President of the United States", Congressional Record—Senate, vol. 12, pt. 5, p. 5928.

The qualifications for voters in any election under this article shall be the same as apply to voters in such state election of Senators. Congress may provide uniform qualifications for age and residence by law; if Congress does not prescribe uniform residence qualifications, the state may prescribe less restrictive residence qualifications.

Congress shall by law establish procedures to provide for the death or withdrawal of a candidate on or before the date of election. This article shall not apply to any election for the term of office beginning two years after ratification date by a sufficient number of states.

H.J. Res. 545—Introduced by Rep. Charles S. Gubser (R.-Calif.)

Every fourth year on a uniform date throughout the several states and the District of Columbia an election shall be held in which the people shall vote for President and Vice President. The vote will be cast as a joint vote for President and Vice President, hereafter referred to as a "presidential candidacy". Both of whom shall have consented to have his name on the same ballot with the other. The state legislature shall prescribe regulations relating to places and the manner of holding such election, but Congress may by law alter such regulations. The voters in such election shall have the qualifications requisite for persons voting therein for Senator; however, uniform age and residence requirements may be adopted by Congress for voting in such election. If Congress does not take action regarding uniform residence requirements, a state may adopt less restrictive requirements. Congress shall prescribe all matters dealing with voting in the District.

If a presidential candidacy receives a plurality of at least 45% of the popular votes, the persons comprising such candidacy shall be the President-elect and the Vice President-elect. If no candidacy receives a 45% plurality, then a runoff election shall be held between the two candidacies receiving the largest number of votes.

Congress may provide by law for the death or withdrawal of a candidate. This article shall not apply to any presidential term of office beginning earlier than one year after its ratification.

H.J. Res. 461—Introduced by Rep. John Jarman (D.-Okla.)

The electoral college system is hereby abolished and the President and Vice President shall be elected by the people. Qualifications for electors shall be those requisite for electors of the most numerous branch of the state legislature. Congress may determine the time of election which shall be uniform throughout the states.

The official custodian of the state election returns shall transmit to the seat of the Government of the United States distinct lists of all persons voted for as President and Vice President. Each list shall include the number of votes cast for each person and the total number of votes cast for all such persons.

The votes shall be counted and the person having the greatest number of votes for President and the person having the greatest number of votes for Vice President shall be the President and Vice President, respectively. Congress may provide for the death of any person who, except for his death, would have been entitled to a plurality of the votes for President or for Vice President.

H.J. Res. 470—Introduced by Rep. Emanuel Celler (D.-N.Y.)

The people of the several states and the District of Columbia shall elect the President and Vice President. The electors in each state shall have qualifications for electors of Senators and Representatives in Congress except that lesser qualifications may be established by the state legislature in regards to residence. Congress may establish uniform residence and age qualifications. The persons having the largest number of votes for President and Vice President shall be elected, if such number is at least 40% of the popular vote cast. If no person has such a majority, a runoff election shall be held and the President and Vice President will be chosen from the persons who received the two highest numbers of votes for each office. The state legislatures shall have control over election proceedings and regulations but shall be subject to alterations by Congress.

Each elector shall cast a single vote for both President and Vice President. Both of whom shall have consented to having his name on the same ballot with the other. Congress shall determine the time of election, and it shall be uniform through the states. Congress may provide by law for the case of the death of any candidate and for the case of a tie in any election.

H.J. Res. 490—Introduced by Rep. James Harvey (R.-Mich.)

The people of the several states and the District of Columbia shall choose the President and Vice President. They will be elected by a joint vote on the one ballot, hereafter referred to as a "presidential candidacy." Both of whom shall have consented to be on the same ballot with the other.

If a presidential candidacy receiving a plurality of at least 40% of the popular vote cast, then these persons shall become the President and Vice President elect. If no presidential candidacy receives such plurality, then a runoff election will be held between the two candidacies receiving the largest number of votes.

Congress shall determine a uniform election date held pursuant to this article. The state legislatures shall have control over election regulations as long as they are consistent with the Acts of Congress. Congress shall have the power to provide by law control over election proceedings.

Voter qualifications shall be the same as those requisite in the state, in elections of Senators. Congress may prescribe uniform age and residence requirements; however, the state may require lesser requirements than in election of Senators if Congress has not acted on such matters. Congress may provide by law for the death or withdrawal of a candidate on or before election date.

Arguments in favor[25]

Those who favor the direct election plan as an adequate substitute for our present system give the following reasons:

(1) The direct election plan would abolish the unit vote system and substitute direct election which would give a more accurate picture of the election.

(2) The American people would actually elect the President and Vice President instead of merely "appointing" electors to express their views.

(3) Direct election would have more appeal to the people thus encouraging more voter participation.

(4) The "one-man, one-vote" ruling would apply to the election of the President as it now applies to Congress and the state legislatures.

(5) The possibility of an individual becoming President who had fewer votes than his opponent would be eliminated because under direct election the candidate with the greatest number of popular votes would be President.

(6) Direct election would abolish the complex ballots which contain the names of the President and Vice President and/or the electors, since only the names of the Presidential and Vice Presidential candidates would be on the ballots.

(7) Because the unit vote system would not be in effect, the two-party system would be strengthened especially in one party states.

(8) Direct election would not necessarily encourage the formation and participation of splinter parties.

(9) Minority groups would be unable to exert undue pressure on the major candidates and/or their parties for excessive concessions; these groups would have political power equal to their actual numbers.

(10) Party campaigns would be more evenly spread throughout the Nation and Presidential candidates would have a greater possibility of coming from a state that was not considered one of the "key", pivotal states.

(11) Direct election would provide that the day the people cast their vote would be the day the President and Vice President were officially elected; thus eliminating the no delay between election day and the day the electors usually cast their vote.

(12) The election of the President and Vice President would never devolve upon the House or Senate, respectively, because a runoff election would be held if a candidate failed to receive a sufficient number of popular votes to be elected.

(13) Fraudulent practices and weather conditions would have little or no effect on the outcome of the election.

Comments on pros

It is always difficult to make comments—favorable or unfavorable—on an issue that is not yet in effect. We all know how our Electoral College System has worked, where it has succeeded, and where it has failed, what it has accomplished and what we can expect from it in the future. But for any other proposal, including direct election, we can only assume how they would actually function and our comments and criticisms must be confined, therefore, to the theoretical existence of the plan. Our arguments, therefore, are based on what we believe would happen if this or any other plan became a reality. People are unique. At times predictable and other times entirely unpredictable, their thoughts, words, and deeds of today may be incongruent with their feelings tomorrow.

The direct election plan would give a clear picture of the results of the Presidential election. Every vote would be credited as cast whether it came from a large or a small state. There would no longer be the exaggerated margin of electoral votes that our present system often times affords the winning candidate. A candidate would receive credit for the votes cast for him in every state, thus eliminating the defect in our present system that gives a candidate credit for the votes cast in his favor only in those states that he carries. However,

"The fear is expressed that if we operate under a system of electing the President which permits all votes to be credited as cast, there is a possibility that a minority party might become the prevailing party in the Nation. Our present system gives the plurality candidate in each state credit for the whole vote of that state and gives no credit to any other candidate in that state."[26]

---

[25] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 39–53. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 14–15. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), pp. 6–7. "Electing the President: A Report of the Commission on Electoral College Reform", The American Bar Association (Chicago, January 1967), p. 3–13.

[26] Bowers Aly, "Selecting the President", The NUEA Discussion and Debate (1953–54), Vol. 2, (September 1, 1953), 96. (Edited by.)

If this plan were adopted, the "one-man, one-vote" ruling that now applies to legislative apportionment within the States as a result of the Supreme Court's decision in *Baker vs. Carr*, 369 U.S. 186 (1962), and to Congressional districts as a result of *Wesberry vs. Sanders*, 376 U.S. 1 (1964), would also be applicable to the election of the President and Vice President of the United States. As it is now, the situation in regard to Presidential elections is just the reverse and this should be corrected. As Chief Justice Earl Warren has said:

"To the extent that a citizen's right to vote is debased, he is that much less a citizen. The fact that an individual lives here or there is not legitimate reason for overweighting or diluting the efficacy of his vote. The complexions of societies and civilizations change, often with amazing rapidity. A nation once primarily rural in character becomes predominantly urban. Representation schemes once fair and equitable become archaic and outdated. But the basic principle for representative government remains, and must remain, unchanged—the weight of a citizen's vote cannot be made to depend on where he lives."

There remains the possibility that if this plan were substituted for the present system that minority or "splinter" parties would not necessarily multiply. The people want a strong, viable two-party system, and in the long run, it seems that the present two-party system would be strengthened by this plan. It is also reasonable, however, to assume that if a new plan is adopted that numerous minority parties will make an effort to establish themselves as official parties. This can be remedied by the continuous efforts of our party leaders to unite and solidify their members and by a Constitutional Amendment or state laws, some of which are now in existence, requiring parties to have a required number of members before it can become an official party.

Senator Quentin Burdick, in a statement made on March 15, 1966, comments on the meaningfulness of direct vote, the weight of the individuals vote, the possibility of fraud, and minority groups:

"It has been fairly well established that a direct vote would encourage larger turnout at the polls, because each person would know that his vote is meaningful in the final outcome of the election.

"The possibility of accident or fraud deciding a national election would be greatly reduced.

"It would eliminate the possibilities of electors disobeying instructions.

"With a direct popular vote, every citizen's vote would count. Minorities would have influence in direct relationship to their numbers. Today the voters choose officials at every successive leevl of the U.S. system by a popular vote. It, therefore, should follow that the Chief Executive be chosen on a one man, one vote basis." [27]

It is difficult to determine whether or not direct election would cause campaigns to be on a more nationwide basis or if they would still be concentrated in the large states because this is where the votes are and where a candidate has to "politik" in order to win. This is one of the theoretical aspects that we must cope with in a plan that is not in practice. The closing remarks of Senator Margaret Chase Smith of Maine in her statement to the Subcommittee on Constitutional Amendments on March 2, 1966, adequately conveys her feelings, the feelings of some of her peers, of some American organizations, and of some of the American people on the outcome of the direct election proposal:

". . . I am confident that ultimately it will be adopted because I think it is inevitable that the will of the majority cannot be forever denied. It is only a matter of time until that will of the majority is made sufficiently articulate and sufficiently brought to bear on Congress and the states to so amend the Constitution.

"The public will and the power are there. It is only a question of how soon the liberal and moderate supporters of not only direct election but direct nomination will be able to organize and crystallize this overwhelming sentiment of the American people."

Argument against [28]

(1) Direct Election would deprive the small or sparsely populated states of the competitive advantage of having two electoral votes for their two United States Senators.

(2) Direct election could possibly lead to an increase in the number of "splinter" parties.

(3) Direct Election would be the most drastic change of all the proposals to revise the electoral system.

(4) It is highly improbable that such a revolutionary change to our present system would be approved by two-thirds of Congress and ratified by three-fourths of the States.

(5) This proposal, in due time, could bring into existence national laws governing voting qualifications.

(6) Direct election could easily result in regulatory control over political parties by the Federal Government instead of the states.

(7) This proposal, if adopted, could seriously impair our principle of Federalism upon which this Nation was established.

(8) Because of direct election, campaign expenditures would increase; Presidential campaigns would have to cover a larger territory and on a wider scope.

(9) Campaigning would still be predominantly in the populace states and in the metropolitan areas and cities; this would remain a serious disadvantage to rural communities and small states.

(10) The political power of our two major parties might be unduly upset in some areas and party pride in "carrying the state" for its candidate would be reduced.

(11) The exaggerated results that are produced under the electoral system may be desirable.

(12) The importance and relative weight of each state's vote would no longer depend upon population but upon the number of votes cast.

Comments on cons

The smaller states do have an advantage in the provision that all states receive two electoral votes for their two Senatorial seats. The industrial states have a similar advantage which they, too, are hesitant to relinquish—their impact on national elections because of the large bloc of electoral votes they are able to deliver. Direct election of the President would eliminate both of these advantages. Both the small and the large states would have to be willing to compromise in order to accept this plan; each would have to give up their most precious advantage. Senator Burdick had this to say about the feasibility of the states ratifying a direct election amendment in the Congressional Record, March 15, 1966:

"A study of past considerations of this subject shows that nationwide popular vote has never fully and fairly been considered by the Congress. It is dismissed by some on the assumption that it has no chance of ratification because it is alleged the smaller states would lose a disproportionate voice in presidential elections if the electoral vote allocation were abolished. Just the contrary is true.

"As a Senator from one of these smaller states, I believe that my constituents and most other Americans will be attracted to the inherent fairness and justice of national popular election.

"To those who say that such an amendment is impossible of ratification, I say: Give the people a chance. The proposal, which makes so much sense and which is so inherent in our democratic principles should be no longer dismissed in congressional committees without giving the people a chance to decide for themselves."

It has been said, and possibly justly so, that if this plan were adopted and ratified, national standards and regulations would eventually be established governing voting qualifications. The feasibility of this occurring in the long-run is both highly probable and possible. This would destroy one of the basic principles upon which our governmental system was founded—federalism. Such a blow might affect our doctrines of democracy on both the national and state level. Yet, is it right, is it logical, is it just to preserve our electoral system when it is archaic and undemocratic, solely because we hope to retain every aspect, every detail, every expression of federalism. Senate Majority Leader, Mike Mansfield of Montana, issued a statement during the 87th Congress referring to this principle:

"To the only significant argument which still serves to underwrite the electoral college system—that is, that it is a part of the federal system and as such must be preserved—I can only reply that in my opinion, the federal system is not strengthened through an antiquated device which has not worked as it was intended to work when it was included in the Constitution and which, if anything, has become a divisive force in the federal system by pitting groups of states against groups of states.

"As I see the federal system in contemporary practice, the House of Representatives is the key to the protection of district interests as district interests, just as the Senate is the key to the protection of state interests as state interests. These instrumentalities, and particularly the Senate, are the principal constitutional safeguards of the federal system, but the presidency has evolved, out of necessity, into the principal political office . . . for safeguarding the interests of all the people in all the States. And since such is the case, in my opinion, the presidency should be subject to the direct and equal control of all the people."

If presidential campaigns did cover a wider scope and greater territory, they would be accompanied by a soaring increase in presidential campaign expenditures to meet the necessity of having nationwide coverage and to strengthen the power and enhance the image of each candidate's political party. This would lead to a "centrally-directed, television-oriented presidential campaign."

There are many well-founded advantages and disadvantages of direct, popular election, some of which are known and understood, while others remain unknown and much less understood. The Nation does face a serious crisis—a very grave domestic crisis. Maybe direct election is the solution; maybe it is not. We must, nevertheless, recall the underlying principle upon which our Electoral College system was founded:

"The choice of several, to form an intermediate body of electors, will be much less apt to convulse the community with any extraordinary or violent movements, than the choice of one who was himself to be the final object of the public wishes."[29]

---

[27] Senator Quentin N. Burdick, "Direct Popular Vote of the President and Vice President of the United States", Congressional Record—Senate, (March 15, 1966) p. 5677–5678.

[28] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington. January 1966), pp. 54–65. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 15–16. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 7.

If the national election plan is adopted, we will eliminate this principle which was established to protect the interests of the American people. However, if the substance of this principle is antiquated and no longer serves to safeguard the interests of Americans, then it must be rectified and there is no better time than now to do it.

RESULTS OF 1960 PRESIDENTIAL ELECTION[30]

States	Direct election plan	
	Kennedy	Nixon
Alabama	324, 050	237, 981
Alaska	29, 809	30, 953
Arizona	176, 781	221, 241
Arkansas	215, 049	184, 508
California	3, 224, 099	3, 259, 722
Colorado	330, 629	402, 242
Connecticut	657, 055	565, 813
Delaware	99, 590	96, 373
Florida	748, 700	795, 476
Georgia	458, 638	274, 472
Hawaii	92, 410	92, 295
Idaho	138, 853	161, 597
Illinois	2, 377, 846	2, 368, 988
Indiana	952, 358	1, 175, 120
Iowa	550, 565	722, 381
Kansas	363, 213	561, 474
Kentucky	521, 855	602, 607
Louisiana	407, 339	230, 980
Maine	181, 159	240, 608
Maryland	565, 808	489, 538
Massachusetts	1, 487, 174	976, 750
Michigan	1, 687, 269	1, 620, 428
Minnesota	779, 933	757, 915
Mississippi	108, 362	73, 561
Missouri	972, 201	962, 221
Montana	134, 891	141, 841
Nebraska	232, 542	380, 553
Nevada	54, 880	52, 387
New Hampshire	137, 772	157, 989
New Jersey	1, 385, 415	1, 363, 324
New Mexico	156, 027	153, 733
New York	* 3, 830, 085	3, 446, 419
North Carolina	713, 136	655, 420
North Dakota	123, 963	154, 310
Ohio	1, 944, 248	2, 217, 611
Oklahoma	370, 111	533, 039
Oregon	367, 402	408, 060
Pennsylvania	2, 556, 282	2, 439, 956
Rhode Island	258, 032	147, 502
South Carolina	198, 129	188, 558
South Dakota	128, 070	178, 417
Tennessee	481, 453	556, 577
Texas	1, 167, 932	1, 121, 699
Utah	169, 248	205, 361
Vermont	69, 186	98, 131
Virginia	362, 327	404, 521
Washington	599, 298	629, 273
West Virginia	441, 786	395, 995
Wisconsin	830, 805	895, 175
Wyoming	63, 331	76, 551
Total	34, 227, 096	34, 107, 664

*Includes 406,176 votes for Liberal Party.

DISTRICT ELECTION PLAN

The District Plan would preserve the person and the office of the elector. The Electoral College would be kept intact. It would eliminate the unit vote system of giving a state's entire electoral vote to one candidate. A number of electors, equivalent to each state's number of Representatives in Congress would be chosen by the voters—one for each Congressional or similar district and two for the state at large equivalent to the two Senators of each state. The geographical lines of these districts would be set by the state legislatures, and they would not have to be identical to their present Congressional districts. In each electoral district, the Presidential candidate receiving a plurality of the popular vote would win that district's electoral vote and the Presidential candidate receiving a plurality of the state's total popular vote would win the two electoral votes of the state. The Presidential candidate receiving a majority of all the electoral votes would be elected President. If no candidate received a majority of the electoral vote, the Senate and House of Representatives voting as a single body would choose the President from the persons having the three highest numbers of electoral votes. If no person for Vice President had a majority of electoral votes, the Vice President would be chosen in like manner. A quorum shall be three-fourths of the total number of Senators and Representatives and a majority of the whole number shall be necessary to elect.

In the 84th Congress, the district plan became known as the Mundt-Coudert Plan. Named after Senator Karl E. Mundt of South Dakota and former Representative from New York, Frederic R. Coudert, Jr.

Senate and House resolution (joint)

The following are Senate and House Joint Resolutions that were introduced during the 90th Congress. They would substitute the district plan for our present system, the Electoral College. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

S.J. Res. 12—Introduced by Sen. Karl E. Mundt (R.—S. Dak.)

Each State will choose a number of electors equal to its total number of Senators and Representatives in Congress. The two electors representing the Senators will be elected by the people of the state at large. The electors representing the Representatives will be elected by the people within single elector districts. Before being chosen elector, the candidate shall officially pledge his vote for President and Vice President. Such pledge shall be binding on any successor. The electors shall cast distinct ballots within their State for President and for Vice President and make distinct lists of all persons voted for as President and Vice President. These results shall be transmitted to the seat of Government of the United States and counted by the President of the Senate in the presence of the members of both houses.

The person having the greatest number of votes for President and the person having the greatest number of votes for Vice President shall be the President and Vice President respectively, if such number is a majority of the electoral votes. If no person voted for as President has a majority of the electoral votes, the members of both houses voting as a single body will choose a President from the persons with the three highest numbers of votes. If no person voted for as Vice President has a majority of electoral votes the members of both houses voting as a single body will choose a Vice President from the persons with the three highest numbers of votes.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose when the right of choice has devolved upon them.

H.J. Res. 7—Introduced by Rep. Thomas G. Abernethy (D.-Miss.); H.J. Res. 388—Introduced by Rep. Albert H. Quie (R.-Minn.)

Each State shall choose a number of electors equal to its total number of Senators and Representatives in Congress. Two electors shall be chosen by the people of the state at large and the remaining electors by the people in single elector districts established by the State legislature. A candidate for the position of elector must pledge his vote for President and Vice President and this pledge shall be binding upon any successor. The candidate for the position of elector must have the qualifications requisite for the most numerous branch of the State legislature except for possible lesser qualifications pertaining to residence.

The electors shall meet and vote within their State by signed, district ballots for President and Vice President, one who shall not be an inhabitant of that State. Distinct lists of all persons voted for President and Vice President shall be transmitted to the United States seat of the Government and shall be opened and counted by the President of the Senate in the presence of the members of both houses. The person with the greatest number of votes for President shall be President and the person with the greatest number of votes for Vice President shall be Vice President, if such number is a majority of the electoral votes.

If no person has a majority for President, the President shall be chosen by both houses voting as a single body from the persons with the three highest numbers of votes for President. A quorum shall be three-fourths of the total number of Senators and Representatives and a majority of the whole number shall be necessary to elect. If additional ballots are necessary, the choice on the fifth ballot shall be between the two persons who have the highest number of votes on the fourth ballot. The Vice President shall be chosen in a similar manner, if no candidate has a majority. No person constitutionally ineligible to hold the office of President shall be eligible to hold the office of Vice President. The Congress may provide by law for the death of any person President or Vice President that they may have the authority to choose when the right of choice has devolved upon them. The electors from the District shall be chosen in such a manner as Congress may direct.

H.J. Res. 8—Introduced by Rep. Thomas G. Abernethy (D.-Miss.)

Each State shall choose a number of electors equal to the total number of its Senators and Representatives in Congress. Two electors shall be chosen by the people of the State at large and the remaining electors by the people in single-elector districts established by the State legislature. The electors shall have the qualifications requisite for the most numerous branch of the State legislature. The electors shall meet and vote within their State by district, separate ballots for President and Vice President, one of whom shall not be an inhabitant of the same State. Distinct lists of all persons voted for as President and for all persons voted for as Vice President shall be made and transmitted to the seat of the Government of the United States. The President of the Senate in the presence of the members of both houses shall open all certificates and count the votes. The person having the greatest number of votes for President shall be President and the person having the greatest number of votes for Vice President shall be Vice President, if such number is a majority of the whole number of electoral votes.

If no person voted for as President has a majority then both houses voting as a single body shall choose a President from the persons having the three highest numbers on the list voted for as President. Three-fourths of the whole number of Senators and Representatives shall be a quorum and a majority of the whole number shall be necessary to a choice. If additional ballots are necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot. The Vice President shall be chosen in a like manner if no person has a majority. No person constitutionally ineligible to hold the office of President shall be eligible for the office of Vice President. Congress may provide by law for the death of any person from whom it may choose a President or Vice President whenever the right of choice has devolved upon them.

---

[29] Sherman F. Mittell, "Federalist Papers: No. 68", The Federalist, National Home Library Foundation (Washington, D.C.), p. 442. (Editor)

[30] "Statistics of the Presidential and Congressional Election of November 8, 1960". United States Government Printing Office, (Washington, 1961) pp. 50–51.

H.J. Res. 143—Introduced by Rep. Jamie L. Whitten (D.–Miss.)

Two of each State's electors shall be elected by the people thereof; and the remaining electors by the people in single-elector districts established by the State legislature. Such districts shall contain, as near as possible, the number of persons which entitles the State to one Representative in Congress and these districts shall not be altered until after the next census. One-fifth of the State legislature may petition Congress to establish such districts if the State legislature fails to do so. The electors shall have the qualifications requisite for the most numerous branch of the State legislature.

If no person voted for as President or Vice President has a majority of the electoral votes, then from the persons having the highest numbers, not exceeding three, on the lists voted for as President and Vice President both houses voting as one body shall choose the President or Vice President or both whatever the case may be. A quorum shall consist of three-fourths of the whole number of Senators and Representatives and a majority of those present and voting shall be necessary for a choice. If additional rollcalls are necessary, the choice shall be made from the two persons having the highest number of votes on the first rollcall. No person ineligible for the office of President shall be eligible for the office of Vice President.

Congress may provide for the death or inability of any of the persons from whom it may choose a President and Vice President whenever the right of choice shall have devolved upon them.

Arguments in favor[31]

(1) Under the district system, popular votes would tend to be reflected more clearly and accurately than under our present system.

(2) The district method would apply the same principles of representation that apply in the election of Congress to Presidential elections.

(3) This method would eliminate the "unpledged" elector by having each elector pledge his support to a candidate beforehand.

(4) The political importance of large states would be diminished because the unit vote system would be abolished and this would cause the major parties to seek more electoral votes from all states—large and small.

(5) This plan would be more favorable for and offer encouragement to the establishment and maintenance of a well-organized two party system.

(6) Minority parties or "splinter" groups would not necessarily increase because they could only divert a few electoral votes from the major candidates.

(7) The influence of organized minorities in metropolitan areas would be reduced to their actual numbers in the population of those areas.

(8) By preserving the electors, the district method would not evolve any threat to the role of the States in the Presidential election; our basic principle of the federal system would be preserved.

(9) Gerrymandering could be avoided by the creation of electoral districts that are of "compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress". And providing that such districts could not be changed until another census had been taken.

(10) Each voter, regardless of where he lived, would vote for two State electors and one district elector, thus giving equal weight, based on population to both rural and urban districts.

(11) The district system would attempt to equate the political pressures on the President with those felt by the Members of Congress.

(12) This system would establish a uniform method of choosing Presidential electors.

Comments on pros

There are certain inequities that exist under the present system, the most notable of these being the unit vote system, which is an inaccurate reflection of the popular vote and causes uncertainty because of the unpledged electors. Karl Mundt, (R.-S.D.) believes the district method eliminates these inadequacies:

"S.J. Res. 12, in my estimation, is the only plan proposed which would correct the inequities without making basic changes in our constitutional system. It would correct the unfairness by eliminating the general ticket system. It would correct the uncertainty because it would bind the presidential electors to the winning candidate. It would correct the undemocratic factors because it provides for a greater voice for the larger States should Congress be forced to name the President in the event no candidate wins a majority of the electoral college."[32]

The District system would cause the President to rely very heavily upon the members of Congress to pass necessary measures because the same principles of representation would be applicable not only to Congressional but also to the Presidential elections. The President could be forced into giving support to one of his party's candidates in Congressional elections in order that his views, beliefs, and measures would be supported by that district in Congress. This would diminish the independence of our executive and legislative branches and would be a clear violation of our "checks and balances" doctrine.

The candidates for electors would have to "pledge" their support to their party's choice of President and Vice President. This pledge would supposedly eliminate the independence of electors and the unpledged elector. According to the Supreme Court's decision in *Ray* vs. *Blair*, 343 U.S. 214 (1952), upholding the policy that it is constitutional for a party to have its candidate for elector pledge his support to his party's Presidential and Vice Presidential candidate. The feasibility of enforcing such a pledge will be discussed later.

The district method would preserve the electors, thus keeping our principle of federalism intact, but we would destroy one aspect of our federal doctrine by establishing a uniform system of choosing Presidential electors. This method would select one from each electoral district and two from the State at large. Which factor outweighs the other is something that must be resolved and the solution can only be one of compromise.

The influence of minority groups may possibly be reduced to their actual numbers in the population thus eliminating their overall impact of casting a state wide bloc vote. Splinter groups would only have influence within their electoral districts and their degree of influence would depend upon how well they were organized and the amount of pressure they were able to exert as a concentrated body of districts. The voices of minorities would seldom be heard in Presidential elections unless they could find a method to adequately express themselves and let their views be known. Could and would they be heard in their single electoral districts? If not, how would they be sufficiently represented? Both the rural and the urban districts would vote for only three electors as previously explained. This would give equal weight to each vote in all areas and would be in accord with the "one-man, one-vote" principle established by the Supreme Court. The Daily News in New York in its January, 1967, issue asked:

"If it's good enough for Congress and the state legislatures, why isn't 'one-man, one-vote' good enough for the President?"

Arguments against[33]

(1) Election of the President under the district plan would not necessarily reflect more clearly or accurately the results of the popular vote.

(2) The district system would not automatically convert the election of an elector into an electoral vote for a particular candidate.

(3) The adoption of this plan could result in the existence of two separate, distinct districts within a State, one Congressional and one electoral.

(4) The district method would lead to gerrymandering of electoral districts.

(5) The system might tend to overweigh and unduly favor the political power of the rural and small-town areas.

(6) Minority group influence would be intentionally reduced under this method.

(7) "Splinter" parties would concentrate their efforts in a few districts in every State in order to shift the balance of power in close national elections with hope of throwing the election into Congress where their voice would have more weight.

(8) Presidential campaigns would be concentrated in marginal districts as they were centered in pivotal States greatly increasing the cost of Presidential campaigns.

(9) The district plan would not eliminate the possibility of having a minority President.

Comments on cons

Why would the district plan reflect a more accurate picture of the people's vote? Is it not the same as the state's unit vote system but only on a smaller scale? The present unit vote system gives the plurality candidate of the state, all of its electoral votes and no credit is given to the other candidates regardless of how slim or how wide the margin of victory. The district plan would function in the same manner except on a district instead of state basis. It would give the district's electoral vote to the plurality candidate. This could result in a minority President being elected. It does not seem that we have eliminated this defect. It has been made more difficult for it to occur—and more complicated for us to resolve.

There is no reason why the state legislatures could not create electoral districts that would be entirely separate from the Congressional districts of each state. The legislatures could gerrymander the electoral districts even though such districts were "compact and contiguous" territories. This would not be too difficult a task in states where one-party was predominant even though the "one-man, one-vote" ruling was in effect. Electoral districts could "still be drawn for political advantage" even with the compact and contiguous requirement. And even though "neither political party has a monopoly on this sort of thing," the metropolitan areas which are heavily populated "are obviously more vulnerable to this divide and conquer partitioning." This could result, according to the late Senator Estes Kefauver in ***The Electoral College: Old Reforms Take on a New Look,*** Law and Contemporary Problems. Spring 1962, Vol. 27, 188, 199.

---

[31] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 73–80. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, December, 1965), p. 11–12. "Referendum No. 98 on: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 8–9.

[32] Senator Karl E. Mundt, "Electoral College-Reform or Retreat?", daily Congressional Record-Senate, (February 28, 1966), p. 4082.

[33] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 81–86. Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 6–7. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 13. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 9.

Even though the *Ray* vs. *Blair* decision said it was constitutional for political parties to require electors to pledge their support to a candidate, there are no legal grounds to enforce such a pledge or to correct the results when the pledge has been violated.

"The obligation of presidential electors to cast their electoral votes for the presidential and vice-presidential nominees to whom they have been pledged has remained largely undefined throughout the history of American presidential elections."[34]

It would be feasible to accomplish this result by a Constitutional Amendment and some authors of the district plan have included this type of provision in their resolutions.

By concentrating their efforts in a few districts, "splinter" parties might receive credit for electoral votes that they would not receive under another plan. If an organized splinter party carried an average of only one electoral district in each state, this would be sufficient, in some instances, to throw the Presidential election into Congress. In Congress this minority party would have a better opportunity to bargain and to express its views and these views would have a direct bearing on the Representatives of the district that party carried. If the minority party was strong enough to carry the district in a Presidential election then it could also determine the results of a Congressional election. We are assuming, in this example, that the Congressional and electoral districts are identical. Even if this were not the case, the minority party would still be exerting pressure on some Congressmen within that State.

Presidential candidates would be forced to campaign in marginal districts as they are now forced to campaign in the marginal or pivotal states. This localizing of national elections would increase campaign expenditures, shift the emphasis from national to local problems, and expand rural influence. The following excerpt from former Attorney General Nicholas deB. Katzenbach's statement on "Electoral College Reform" adequately brings these points to light.

"To some extent, the 'district plan' would move in the opposite direction from the 'national election' and 'proportional' plans. Whereas the latter would enlarge the unit in which popular elections are held from the State to the nation, S.J. Res. 12 would narrow it from the State to the Congressional districts. Instead of focusing on national problems in a national campaign, the emphasis would to a considerable degree be shifted to matters of local concern within a particular district. I see no point to localizing a national election. The principal effect of S.J. Res. 12 would be, I judge, to expand the influence of rural areas at the expense of the cities. To some of course, that is its virtue, but to others, it is a vice. Certainly, however, there is not now a consensus in the country that the rural areas are underrepresented in the government at either the State or national level."[35]

Senator Mundt's concluding remarks in the Congressional Record of February 28, 1966, tell us what S.J. Res. 12 and the other district plans hope to achieve:

"If you accept the thesis, which I do not, that two wrongs make a right, in 1961, the argument could be made that although large urban areas possessed a disproportionate influence in the selection of the President this was offset by a certain disproportionate representation in Congress on the part of the rural areas. In effect, then, there was a counter-balance of interests. As has been previously pointed out, this is no longer true. We have reformed and equalized the election process for the legislative branch. Now we must do likewise for the executive.

"Simply put, in the past a wrong existed and logic demanded that it be rectified. Today that same wrong exists and both logic and justice demand that it be rectified."

RESULTS OF 1960 PRESIDENTIAL ELECTION[36]

States	District election plan*		
	Kennedy	Nixon	Unpledged
Alabama	**1	1	**9
Alaska	0	3	
Arizona	0	4	
Arkansas	7	1	
California	13	19	
Colorado	1	5	
Connecticut	7	1	
Delaware	3	0	
Florida	4	6	
Georgia	12	0	
Hawaii	3	0	
Idaho	1	3	
Illinois	12	15	
Indiana	1	12	
Iowa	0	10	
Kansas	0	8	
Kentucky	2	8	
Louisiana	8	2	
Maine	0	5	
Maryland	6	3	
Massachusetts	16	0	
Michigan	10	10	
Minnesota	7	4	
Mississippi	3	0	5
Missouri	6	7	
Montana	1	3	
Nebraska	0	6	
Nevada	3	0	
New Hampshire	0	4	
New Jersey	10	6	
New Mexico	4	0	
New York	25	20	
North Carolina	7	7	
North Dakota	0	4	
Ohio	5	20	
Oklahoma	1	7	
Oregon	0	6	
Pennsylvania	17	15	
Rhode Island	4	0	
South Carolina	6	2	
South Dakota	0	4	
Tennessee	4	7	
Texas	17	7	
Utah	0	4	
Vermont	0	3	
Virginia	3	9	
Washington	4	5	
West Virginia	6	2	
Wisconsin	3	9	
Wyoming	0	3	
Total	244	279	14

*Calculated under terms of Mundt plan (S.J. Res. 12). Based in part on figures furnished by the American Good Government Society, dated Nov. 23, 1960.

**Alabama elector totals under district plan are computed by crediting each district's electoral vote to the highest polling single elector. At-large elector candidates are arbitrarily divided, 1 for Kennedy, and 1 unpledged.

PROPORTIONAL ELECTION PLAN

The proportional plan would abolish the Electoral College and the office of the elector but the electoral vote of each state would be preserved. Each state's number of electoral votes would be determined in the same—the electoral vote would be equivalent to the number of Senators and Representatives each state has in Congress.

Each Presidential candidate would receive the same proportion of the state's electoral vote as his share of the popular vote of that state. Fractional votes would be carried out three decimal places and fractional numbers of less than one-thousandth will be disregarded unless such computations would change the result of the election.

The candidate with the greatest number of electoral votes throughout the nation would be elected President provided he received a certain percentage, usually 40 percent, of the electoral vote. In case no candidate received a sufficient number of electoral votes to be elected, the election would devolve on Congress. Both Houses sitting jointly and voting as individuals would choose the President from the candidates with the two highest numbers of votes. A majority of the total votes of both Houses is necessary to elect. The Vice President of the United States shall be elected at the same time and in the same manner. The proportional plan is sometimes called the "Lodge-Gossett" plan after the two most ardent advocates—former Senator from Massachusetts, Henry Cabot Lodge, Jr., and former Representative from Texas, Ed Lee Gossett.

Senate and House resolutions (joint)

The following resolutions were introduced during the 90th Congress. They would abolish the Electoral College system and substitute the proportional plan in its place. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

S.J. Res. 3—Introduced by Sen. George A. Smathers (D.-Fla.)

Each nominee of a political party shall be determined by a primary election. The results of the primary election shall be transmitted to the seat of the Government of the United States and counted in the presence of both houses by the President of the Senate. Each political party within the state is entitled to a number of nominating votes equal to the total number of Senators and Representatives of that State in Congress. Each person who received votes for President or Vice President shall receive such a portion of his party's nominating votes as he receives of the total popular vote of his party. Fractional numbers of less than one-thousandth shall be disregarded when making computations unless such calculations would change the results. Party candidates must receive a majority of the nominating votes to be that party's nominee for President or Vice President. If no candidate of a political party has a majority of the nominating votes then a second primary shall be held for the two persons with the highest number of votes in the first primary. The person with the highest number of votes in the second primary is that party's nominee for President and Vice President. The party national committee shall provide for choosing a successor in event of the death of its candidate for President or Vice President.

A general election will be held on a date prescribed by Congress that is uniform throughout the States. The person having the greatest number of electoral votes shall be President or Vice President, providing it is at least 40% of the total electoral votes. If no candidate for President or Vice President has a majority of electoral votes, then both houses voting as a single body shall choose from the persons with the two highest numbers. Congress may provide by law for the case of the death of any persons who are candidates for President or Vice President that they may have the authority to choose when the right of choice has devolved upon them.

When the powers and duties of the President shall devolve upon the Vice President or another person designated by Congress in the absence of a Vice President, a special election shall be held for choosing a President and Vice President providing certain conditions are present.

---

[34] "State Power to Bind Presidential Electors", Columbia Law Review, Vol. 65, No. 4 (April 1965), 696.

[35] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 7.

[36] "A State and District Analysis of the 1960 Vote for President, Governor, Senator, and Representative", Congressional Quarterly Special Report: Complete Returns of the 1960 Election by Congressional Districts, Part II of C Q Weekly, Report No. 10 (March 10, 1961)

H.J. Res. 9—Introduced by Rep. Thomas G. Abernethy (D.-Miss.); H.J. Res. 255—Introduced by Rep. A. S. Herlong, Jr. (D.-Fla.); H.J. Res. 390—Introduced by Rep. O. C. Fisher (D.-Texas)

The electoral college system is hereby abolished. The President and Vice President shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Each State shall have a number of electors equal to its whole number of Senators and Representatives in Congress. Congress shall determine a uniform time for the election throughout the States.

The official custodian of the State shall transmit to the seat of the Government of the United States the result of such election within the State. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes for President in each State shall receive such proportion of the electoral votes of that State as he received of the total vote of the electors therein for President. Fractional numbers of less than one one-thousandth shall be disregarded. The person having the greatest number of electoral votes for President shall be President if such figure is at least 40% of the whole number of electoral votes. If no person has at least 40%, then both houses sitting in joint session shall choose the President. A majority of the whole number of both houses is necessary for a choice. The Vice President shall be chosen in the same manner and at the same time.

Congress may provide by law for the death of any persons for President and Vice President that they may have the authority to choose when the right of choice has devolved upon them.

H.J. Res. 16—Introduced by Rep. Charles E. Bennett (D.-Fla.)

The electoral college system is hereby abolished. The President and the Vice President shall be elected by the people of the several States. Qualifications requisite for electors shall be the same as those for the electors of the most numerous branch of the State legislature. Each State shall be entitled to a number of electors equal to its total number of Senators and Representatives in Congress. Congress shall determine a uniform time for the election. The State's official custodian shall transmit to the seat of the Government of the United States the election results of his State. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes for President in each State shall receive such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. The person having the greatest number of electoral votes for President shall be President if such number is a majority of the total number of electoral votes. If no person has a majority then from the persons having the two highest numbers of electoral votes for President, the members of both houses in a joint session shall choose the President by ballot. A majority of the votes of the total number of both houses is necessary for a choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose when the right of choice has devolved upon them.

H.J. Res. 40—Introduced by Rep. Glenn R. Davis (R.-Wis.)

The electoral college system is hereby abolished. The President and Vice President shall be elected by the people of the several States and the District of Columbia. The electors shall have the qualifications requisite for the electors of the most numerous branch of the State legislature. Congress shall determine by law the time of such election which shall be the same throughout the States. Each State shall have a number of electoral votes equal to its total number of Senators and Representatives in Congress. The District shall be entitled to a number of electoral votes equal to the number it would receive if it were a state but in no instance may it be greater than that of the least populous State.

The official custodian of each State and the District shall transmit the lists of all persons voted for as President and the number of votes each receive to the seat of the Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes as President in each State and the District shall be credited with such proportion thereof as he received of the total vote of the electors therein for President. Fractional numbers less than one one-thousandth shall be disregarded in making computations unless a more detailed calculation would change the outcome. The person having the greatest number of electoral votes for President shall be President. If two or more persons have an equal and highest number of electoral votes then the one with the greatest number of popular votes shall be President. The Vice President shall be elected at the same time and in the same manner.

H.J. Res. 101—Introduced by Rep. Olin E. Teague (D.-Texas)

The electoral college system of electing the President and Vice President is hereby abolished. They shall be elected by the people of the several States. The electors shall have qualifications requisite for electors of the most numerous branch of the State legislature. Congress shall determine a uniform time for the election throughout the States. Each State shall be entitled to a number of electoral votes equal to its whole number of Senators and Representatives to which such State is entitled to in Congress.

The official custodian of each State shall make distinct lists of all persons who received votes for President and the number of votes and he shall transmit them to the seat of Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person in each State who received votes for President shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. Fractional numbers of less than one one-thousandth shall be disregarded in the calculations. The person having the largest number of votes shall be President, if such number is at least 40% of the whole number of electoral votes. If two persons have an equal and highest number of votes, or if no person has at least 40%, then from the persons having the two highest numbers of electoral votes both houses sitting in joint session and voting as a single body shall choose the President by ballot. A majority of the votes of the total number of both houses is necessary for choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose whenever the right of choice has devolved upon them.

H.J. Res. 157—Introduced by Rep. John Dowdy (D.-Texas)

The office of elector of the President and Vice President is hereby abolished. The President and Vice President shall be elected by the people of the several States and the District of Columbia. The electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except for any lesser restrictions concerning residence requirements prescribed by the State. Each State shall determine the place and manner of such election; Congress shall determine it for the District.

Congress shall also determine the time of such election and it shall be uniform throughout the States. Each State is entitled to a number of electoral votes equal to its total number of Senators and Representatives in Congress. The District shall be entitled to a number of electoral votes equal to the total numer of Senators and Representatives in Congress to which it would receive if it were a State, but in no case more than the least populous State.

The official custodian shall make distinct lists of all persons receiving votes for President and their number and transmit them to the seat of Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person who received votes for President shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein. Fractional numbers less than one one-thousandth shall be disregarded in making computations. The person receiving the greatest number of electoral votes for President shall be President, if such number is at least 40% of the total number of electoral votes. If no person has the required 40%, then from the persons having the three highest numbers of votes, both houses in joint session shall choose the President by ballot. A majority of the total number of both houses is necessary for choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose whenever the right of choice has devolved upon them.

H.J. Res. 347—Introduced by Rep. Eligio de la Garza (D.-Texas)

The electoral college system of electing the President and Vice President is hereby abolished; they shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Congress shall determine the time of the election and it will be uniform throughout the States. Each State shall be entitled to a number of electoral votes equal to its total number of Senators and Representatives in Congress.

The official custodian shall make distinct lists of all persons voted for as President and the number of votes each received; these lists shall be transmitted to the seat of Government of the United States. The President of the Senate in the presence of both houses shall count the votes. Each person who was voted for as President shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. Fractional numbers of less than one one-thousandth shall be disregarded when making computations. The person having the greatest number of electoral votes for President shall be President, if such number is at least 40% of the total number of electoral votes. If no person has the required 40%, then from the persons having the two highest numbers of electoral votes both houses sitting in joint session shall choose the President. A majority of the votes of the total membership of both houses is necessary for choice. The Vice President shall be elected at the same time and in the same manner.

Congress may provide by law for the death of any person for President or Vice President that they may have the authority to choose whenever the right of choice has devolved upon them.

Arguments in favor[37]

(1) Proportionate distribution is the nearest approach to electing a President by direct popular vote while retaining and preserving the present strength of each state in the election of the President.

(2) For all practical purposes it would be virtually impossible to have a President that received less votes than his chief opponent.

(3) Voter participation would be encouraged because the proportional plan would tend to equate the power and importance of individual votes in large and small states.

(4) The voters would have a more direct voice in the election of the President since only the electoral votes of the states and not the electors would be used.

(5) Proportional distribution of each state's electoral votes would tend to reflect the popular strength of the candidates and conform more closely to the results of the popular vote within the State.

(6) There would be a more equal balance of power among the states because the unit-vote system would be abolished.

(7) The proportional plan would strengthen the two-party system; the opposition party would be encouraged in one-party states because every vote would have some effect in the national election.

(8) The influence of organized minority groups would be diminished because their influence would be measured by their numbers rather than their bargaining power.

(9) Unfavorable weather conditions, fraudulent voting practices, and accidental circumstances would be unlikely to defeat the choice of the people under the proportional system.

(10) The proportional plan would not infringe upon each state's right to establish voter qualifications and regulations.

(11) The abolition of the office of elector would no longer permit the state legislatures to determine how electors were appointed.

(12) Minority party votes would no longer go uncounted but they would not be encouraged to multiply and attempt to capture electoral votes because of the forty percent requirement that is necessary to elect.

(13) The election of the President would no longer devolve upon the House of Representatives but on both Houses if a candidate failed to receive a sufficient percentage of electoral votes. Even with the election in Congress, the large and small states would retain the same relative strength that they possess in electoral votes.

(14) Presidential and Vice Presidential candidates could be selected from a broader base because the necessity of a candidate coming from a large state would be diminished.

Comments on pros

"The fact that so little progress has been made over a period of so many years has not diminished the need for legislation one whit. This year, however, there are hopeful indications that indifference has been overcome and that a concentrated effort will be made to rectify the inequities and shortcomings of our present system."[38]

Senator George A. Smathers (D.-Fla.) believes this indifference will be surmounted and that some resolution, hopefully the proportional plan, will be adopted. We have seen resolutions initiated and heard about the heated committee hearings on this subject, but this is the only action that has been taken to correct the system. This is the first step to resolving our problem, but will Congress ever take the second—that of Constitutional Amendment?

Many advocates feel that the proportional plan is a compromise between the most drastic change—direct election and the most conservative change—the automatic system, or no change at all. Representative Glenn R. Davis of Wisconsin feels this way about his "compromise" plan:

"I consider this to be the most practical compromise solution between those who wish to keep the Electoral College as it is and those who wish direct national election for the Presidency.

"I oppose the direct national election suggestion because I fear it would result in competition among the states for the lowering of voting qualifications and would require federal supervision of elections."

It would be virtually impossible for a minority candidate to be elected President if this plan were adopted. A candidate with a large majority of the popular votes could not lose the Presidential election because he won his electoral votes by large majorities while his opponent won most of his electoral votes by slim majorities or even pluralities.

"Had there been proportionate distribution in 1876 and 1888, Hayes would have been defeated by Tilden, and Harrison by Cleveland."[39]

Both Hayes and Harrison were minority Presidents, that is, Presidents who not only had a smaller percentage of the popular vote than their chief opponent but also had less than fifty percent of the popular vote. (Refer to chart on minority Presidents in the section on the Direct Election Plan for figures.) The general rule would be that a minority President would not be elected but there are exceptions that we shall see later.

Because the unit vote system would be abolished, there would be a more equal balance of power among the states. A candidate would not receive the entire electoral vote of a large state simply because he carried that state. Each candidate would receive a number of electoral votes that was proportionate to his share of the popular vote of the state. However, the proportional method would preserve the relative strength of each state in Presidential elections because each state would retain its respective number of electoral votes. The large states would retain their large number of electoral votes while the small states would have their small number but would still possess their two electoral vote advantage for United States Senators.

The electoral vote would be retained but the office of Presidential elector would be abolished, thus giving the individual voter a greater voice in electing the President. This fact and the fact that the importance and power of individual votes in large and small states would be more nearly equated, would tend to encourage better voter participation. The American voter's voice through his vote would be heard and would have a direct effect on the total national result of the Presidential election.

The proportional plan would conform more closely and reflect more accurately the results of the popular vote than any other plan except direct national election. It would credit each candidate with a number of electoral votes that was proportionate to his share of the total popular vote. The exaggerated results produced under the present system by the electoral vote would no longer exist in the election of a President.

The two-party system would be strengthened in states where the dominant party was so strong that no other party could ever envisage victory. Now the second or opposition party in these one-party states would receive credit for electoral votes won under the proportional method. Just because credit is given for the votes of opposition parties, it does not necessarily mean that minority or "splinter" parties would multiply in number and increase in power. Minority parties could collect electoral votes without ever carrying a state, but it is unlikely that these parties would rapidly develop so long as a candidate had to have more electoral votes than any other candidate to be elected. The forty percent requirement included in most proportional plans would serve as a check to eliminate the weakening of the two-party system and the splintering of parties.

Under the unit vote system, a shift of a few thousand votes because of fraudulent voting practices or unfavorable weather conditions in a state could change the results of the election by swinging the entire electoral vote of the state from one candidate to another. The proportional plan would not permit this to happen. A shift of a few thousand votes would only result in a slight change in the percentage of the electoral votes that a candidate received.

"Furthermore, the current electoral system gives the legislatures the power to direct any method they wish of selecting Presidential electors, and the possibility of gross abuse of power by state legislatures is always evident."

This is the feeling of Olin E. Teague of Texas in his statement, "In Favor of Abrogation of Present Electoral College System." Mr. Teague has introduced H.J. Res. 101 in the 90th Congress to express his views. The plan would eliminate the office of elector and substitute the proportional plan for our present system.

Each state would still be able to establish voter qualifications and regulations within its own state. Only a constitutional amendment to that effect could authorize the Federal Government to alter or modify a state's voting standards. It is not probable that such an amendment would be introduced because it is highly improbable that the several states would be willing to give the Federal Government this authority.

"Whatever the virtues or disadvantages of leaving the control of voter qualifications to the states, there is reason to believe that no amendment opening the door to national control would be acceptable to the necessary two-thirds of the Congress and three-fourths of the State legislatures. Division of electoral votes in proportion to regular votes would not threaten the power of the States to regulate suffrage requirements. It would not alter existing State authority to determine who may vote."[40]

The proponents of the proportional plan recognize the need for a constitutional change and hope to correct the archaic and antiquated Electoral College system. Senator George A. Smathers in the Congressional Record of January 11, 1967, says that:

"If we are to assure that the results of a Presidential election truly reflects the will of the people we must eliminate the present winner-take-all system. It is in this spirit, in keeping with our democratic principles that I propose this constitutional amendment."[41]

---

[37] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 101–110. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 17–18. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 10.

[38] Senator George A. Smathers, "Proposed Amendment of Constitution Relating to the Election of President and Vice President", CONGRESSIONAL RECORD, vol. 113, pt. 1, p. 263.

[39] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 103.

[40] Congressman Eligio de la Garza, "Legislation to Abolish Electoral College System", daily CONGRESSIONAL RECORD (February 22, 1967), p. A814.

[41] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 110–120. "Electoral

Arguments against

(1) Proportionate distribution of the electoral vote would weaken the power of the major parties because it would be easier for minority parties to win a number of the electoral votes.

(2) The proportional plan would encourage the splintering of political parties in the United States.

(3) The proportional plan would provide no positive assurance that the popular will of the people would prevail in every Presidential election.

(4) This plan would retain the advantage that the small states presently possess by the allocation of two electoral votes to each state for its two United States Senators, regardless of its population.

(5) Some proportional plans would permit a plurality candidate to be elected President, i.e., one who received only a plurality of the electoral vote; the present system requires a candidate to receive a majority of the electoral vote to become President.

(6) The abolition of the Presidential electors may create some problem by eliminating the flexibility that exists in our present system.

(7) States would no longer have importance as single units in the Presidential election if the proportional plan were adopted.

(8) Undue political importance might be given to states having the least population relative to electoral votes.

(9) Proportional division of electoral votes might lead to pressure for proportional representation in Congress and State legislatures.

(10) The Constitution should not be amended unless we are positive that the general welfare of the people will benefit from it.

Comments on cons

It is said that the proportional plan could have an undesirable effect on the Nation's political parties. The present system gives electoral votes only to the candidate that carries the State but the proportional plan would credit each candidate with a proportion of the electoral vote equivalent to his share of the popular vote. The forty percent electoral vote requirement would be only a partial deterrent to the rise of minority groups. These new groups would not have to win a Presidential election to exercise political influence; they would possess such influence by holding the balance of power.

"It would weaken the two-party system and encourage the development of splinter groups. At present, minor parties can have little effect on Presidential elections, since they must capture an entire State's electoral votes to have any impact on the final outcome. Under a proportional system, however, just as under a national plebiscite, each vote for any candidate would enter into the final tally, thus permitting a relatively small minority vote, distributed among a number of States, to block the election of either of the major candidates. Even were the requirement of an absolute majority of the electoral vote to be relaxed—as some have proposed—there would remain a much increased incentive for the development of splinter groups or a third party. In theory, of course, there may be arguments in favor of a multiparty system. Once again, however, I would take experience as our guide, and the experience of countries with multi-party systems can hardly be reassuring. The two-party system works and works well, and I would view with the greatest concern any change in the method of electing the President that would tend to weaken or undermine that system."[42]

The popular will may not always prevail in Presidential elections under the proportional plan. There would not be an equalization in the value of popular votes in large and small states—i.e., one vote in a large state, where the number of electoral votes relative to population was low, would have less influence than a single vote in a small state where the number of electoral votes in relation to population was great. In the 1960 Presidential election, one electoral vote in New York represented 80,789 popular votes. One electoral vote in New York represented the voice of twice as many voters than in Louisiana.

"In at least two elections since 1860, proportionate distribution would have given the Presidency to a minority candidate who was defeated under the present system. In 1880, Winfield S. Hancock had over 7,000 fewer votes than James A. Garfield, but he would have won by a margin of 6 to 8 electoral votes if proportionate distribution had been in effect. In 1896, William Jennings Bryan won less than 47 percent of the popular vote to William McKinley's nearly 51 percent, but proportionate distribution would have given him an electoral vote margin of 6."[43]

The small states would retain their present two electoral vote advantage for their United States Senators under this plan. The large states, however, would be given an advantage when the election of the President devolved upon Congress. Presently each state has only one vote when the Presidential election devolves upon the House of Representatives, but under the proportional method the election would devolve upon both Houses and sitting jointly and voting as individuals they would elect the President. The abolition of the unit vote system would greatly reduce the importance of states as entities in Presidential elections. No longer would a state be "carried" by one political party or another; state political organizations would be unable to win power and prestige on the strength of having delivered the state—their candidate could claim credit only to the electoral votes he actually won from his proportion of the popular vote. Former Attorney General Katzenbach in his March 8, 1966, statement on "Electoral College Reform" said:

"It would greatly reduce the importance of the States in the election and work a significant shift in political power from the States with large urban populations, where the two-party system is strongly competitive, to the rural States and perhaps to those few States with historically a one-party political structure. The extra two electoral votes given to each State regardless of population already gives the smaller States power disproportionate to population, but it is now counterbalanced somewhat by the effect of the unit rule. Were the unit rule to be abolished while retaining the present distribution of the electoral votes, the imbalance would be greatly magnified. Moreover, the small rural States now enjoy an advantage disproportionate to population in representation in the legislative branch, and depriving the large urban States of the power they exercise in Presidential elections would leave them with too little influence in our political system. Considering the legislative and executive branches together, the present system has produced a delicate balance of power among the States. Whatever its defects in theory, it has proved satisfactory in practice, and it can be tampered with only at a grave risk of seriously upsetting the balance with results we cannot foresee."

The Supreme Court's decision of "one-man, one-vote" has supposedly eliminated the advantage that the small rural states once possessed in Congress and in state legislatures. To what extent this elimination has alleviated their influence is still unclear.

Not only do we have "a delicate balance of power among the states" but we also operate under a system which provides flexibility in choosing a President. The electors are not bound—except by their own conscience and party loyalty—to vote for any particular candidate—their electoral vote is unpledged. These electors would be unable to bargain and compromise in order to have the best candidate elected President.

"In 1912, Theodore Roosevelt's electors could declare before the election that if Roosevelt could not win they would vote for Taft against Wilson. If electoral votes were retained purely for counting purposes, it would not be possible to make such commitments."[44]

The desirability of this type of bargaining power by the Presidential electors has been called both a virtue and a vice. It could lead to complete distortion of the popular will and this would be more undesirable than the fact that the electoral vote of the states would be fixed and inflexible under the proportional system.

The proportional plan could lead to pressure for proportional representation in Congress. Our present system makes elected representatives responsible to geographical groups of people. If proportional distribution were adopted small minority parties that were not capable of winning Congressional seats might demand that the member of Congress be divided proportionally to the number of popular votes each party received. Even though it is unlikely that this would occur—it is not impossible for such demands to be made.

The forty percent provision in most proportional plans would allow the election of a plurality candidate to the Presidency. The present system, even with its inequities, requires that a candidate have a majority of the electoral votes to become President. The election of a plurality candidate means that the newly elected President not only received less than fifty percent of the popular vote but also—and I emphasize—less than fifty percent of the electoral vote. The proportional plan, even with its forty percent provision, could give us a "hung" election—one that remained in doubt for a number of days or even weeks because of a close popular and electoral vote. The computations of such an election would be complex and intricate and the votes may be challenged and recounted several times. The proportional plan would give each candidate a number of electoral votes equal to his proportion of the total popular vote. These calculations would normally be carried to three decimal places but in a tight election fractional numbers of less than one one-thousandth would have to be computed because they might change the results of the election.

The Constitution should not be amended unless it can be guaranteed that the general welfare of the people will prevail and be enhanced. Can the proportional system of electing the President and Vice President insure the American people that their best interests will endure?

College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), p. 19. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 10. Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), pp. 4–5.

[42] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 4–5.

[43] Robert L. Tienken, "Proposals to Reform Our Present Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 113.

[44] Ibid., p. 115.

RESULTS OF 1960 PRESIDENTIAL ELECTION[45]

States	Proportional election plan**			
	Kennedy	Nixon	Unpledged	Minor
Alabama	2.842	4.592	*3.411	0.153
Alaska	1.471	1.528		
Arizona	1.774	2.220		.004
Arkansas	4.014	3.444		.540
California	15.855	16.030		.114
Colorado	2.694	3.278		.207
Connecticut	4.298	3.701		.000
Delaware	1.519	1.469		.010
Florida	4.848	5.151		.000
Georgia	7.504	4.491		.003
Hawaii	1.500	1.499		
Idaho	1.848	2.151		.000
Illinois	13.495	13.444		.059
Indiana	5.797	7.154		.047
Iowa	4.322	5.670		.006
Kansas	3.128	4.835		.035
Kentucky	4.640	5.359		
Louisiana	5.042	2.859	2.098	
Maine	2.147	2.852		
Maryland	4.825	4.174		.000
Massachusetts	9.635	6.328		.035
Michigan	10.170	9.767		.062
Minnesota	5.564	5.407		.028
Mississippi	2.907	1.973	3.118	
Missouri	6.530	6.463		.005
Montana	1.949	2.050		
Nebraska	2.275	3.724		
Nevada	1.534	1.465		
New Hampshire	1.863	2.136		
New Jersey	7.993	7.865		.140
New Mexico	2.006	1.977		.017
New York	23.638	21.271		.089
North Carolina	7.294	6.705		
North Dakota	1.780	2.216		.002
Ohio	11.678	13.321		
Oklahoma	3.278	4.721		
Oregon	2.842	3.157		
Pennsylvania	16.338	15.595		.065
Rhode Island	2.545	1.454		
South Carolina	4.099	3.900		
South Dakota	1.683	2.326		
Tennessee	5.035	5.820		.143
Texas	12.125	11.645		.228
Utah	1.805	2.190		.003
Vermont	1.240	1.759		.000
Virginia	5.636	6.292		.071
Washington	4.344	4.561		.094
West Virginia	4.218	3.781		
Wisconsin	5.765	6.212		.021
Wyoming	1.349	1.650		.000
Total	265.623	266.075	3.608	1.692

* Alabama is figured 2 ways, 1st the generally accepted way which counts most of the Alabama Democratic votes twice; 2d, by arbitrarily dividing the highest Democratic elector vote, giving 5/11 to Kennedy and 6/11 to unpledged. The 2d method is applied in figuring the hypothetical 1960 result under the proposed proportional system.

** Calculated under terms of Kefauver plan (S.J. Res. 17). Fractions smaller than 0.001 disregarded.

AUTOMATIC VOTE SYSTEM

The automatic system would provide by constitutional amendment for the automatic operation of the present system. The Electoral College and the electoral vote would be retained but the person and office of the elector would be abolished. Each State would be entitled to a number of electoral votes that is equal to its total number of Senators and Representatives in Congress. The electoral vote of each state would be credited to the candidate receiving the greatest number of popular votes—but must be at least a plurality of the popular votes—of that state.

If no candidate receives a majority of the electoral vote then both Houses sitting jointly and voting as individuals would choose the President from the candidates, not exceeding three, with the highest number of electoral votes. Three-fourths of the total number of Senators and Representatives shall constitute a quorum and the person receiving the greatest number of votes shall be declared President. The Vice President of the United States shall be elected at the same time and in the same manner.

A proposal, almost identical in nature and content to the automatic system, is the "pledged elector" proposal. The Electoral College would be entirely preserved but each elector would be required to pledge his electoral vote to his party's choice of President and Vice President. Assuming that such a pledge was enforceable, the advantages and disadvantages of these two plans would basically be the same. Both of these plans, then, will be discussed jointly and the advantages and disadvantages of the automatic system will, for all reasonable purposes and intent, apply to the "pledged elector" plan.

Senate and House resolution (joint)

The following resolutions were introduced in the 90th Congress: The content of these resolutions has been transferred from legal terms to laymen's language. (Note: Each translation was taken directly from the Senate or House Joint Resolution introduced by that Senator or Representative.)

H.J. Res. 109—Introduced by Rep. Clement J. Zablocki (D.-Wis.)

The electoral college system is hereby abolished and the President and Vice President shall be elected by the people. Qualifications for electors shall be those requisite for the electors of the most numerous branch of the State legislature. Congress may determine the time of the election, which shall be uniform throughout the States.

The electors shall vote by distinct ballots for President and Vice President, one of whom shall not be an inhabitant of the same State. Distinct lists of the election returns shall be transmitted to the seat of the Government of the United States and shall be counted in the presence of both houses by the President of the Senate.

Each State shall have a number of electoral votes equal to its total number of Senators and Representatives in Congress. In each State, the person receiving the largest number of votes for President and the person receiving the largest number of votes for Vice President shall receive the whole number of electoral votes of that State for such office. The person receiving the greatest number of electoral votes for President and the person receiving the greatest number of electoral votes for Vice President shall be President and Vice President respectively of the United States.

H.J. Res. 469—Introduced by Rep. Emanuel Celler (D., N.Y.)

Each State can cast for President and Vice President a number of electoral votes equal to its number of Senators and Representatives in Congress. The voters in each State must have the qualifications requisite for persons voting for members of the most numerous branch of the State legislature. Congress shall determine a uniform time of such election.

Each voter shall cast by one ballot his vote for President and Vice President. The name of any person may be placed on the ballot for President or Vice President but only with his consent. The State's electoral vote shall be cast for the person who receives the greatest number of votes for President and its electoral votes for Vice President shall be cast for the person who receives the greatest number of votes, but is not an inhabitant of the same State as the person for President.

The election returns shall be transmitted to the seat of the Government of the United States and the President of the Senate in the presence of both houses shall count the votes. The person receiving the greatest number of votes for President shall be President and the person receiving the greatest number of votes for Vice President shall be Vice President, providing such number is a majority of the whole number of electoral votes. If no person has a majority then both houses voting as a single body shall choose from the persons not exceeding three, having the highest number of electoral votes for such office. The vote of each member shall be publicly announced and recorded. A quorum shall be three-fourths of the whole number of both houses and the person receiving the greatest number of votes shall be chosen President or Vice President.

If the presidential candidate entitled to receive a majority of the electoral votes for President has died, the Vice Presidential candidate who is entitled to receive the majority of electoral votes for Vice President shall become President-elect. Congress may provide for the death of either or both the Presidential and Vice Presidential candidate when the right of choice has devolved upon them.

S.J. Res. 86—Introduced by Sen. Ernest Gruening (D., Alaska)

Each State shall choose a number of electors equal to its total number of Senators and Representatives in Congress. Two electors are to be elected by the people at large and one elector from each congressional district. The elected elector will be pledged to his party's choice of the Presidential and Vice Presidential candidates that are paired together. In the event of the death of an elector, a substitute shall be appointed and shall honor the pledge of the original elector. Electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature. In the event of the death of a candidate for President or Vice President, a committee of seven established at the convention for that purpose shall make the necessary substitution. The electors shall each vote by separate and signed ballots for President and Vice President who are paired together, one of whom shall not be an inhabitant of the same State.

The results shall be transmitted to the President of the Senate and in the presence of the members of both houses the votes shall be counted. The persons receiving the greatest number of votes for President and Vice President paired together shall be the President and Vice President. In the event of a tie, the President of the Senate in the presence of both houses shall select the President and Vice President by drawing between the pairs of persons tied for the highest number of votes for President and Vice President.

The people of the District of Columbia shall elect its electors in the manner directed by Congress and the electors shall perform the duties prescribed in this resolution.

Arguments in favor[46]

(1) The automatic system would insure that the electoral votes of each state went to the candidate who carried that state.

(2) The automatic vote plan would eliminate the "independent" elector.

(3) It would give constitutional backing to the system we presently use—the general ticket system.

(4) It would maintain and strengthen our two party system.

(5) The automatic method would provide that the election of the President, whenever necessary, would devolve upon Congress and not upon the House of Representatives.

(6) This plan would preserve the unit-rule system and change it from a matter of custom to constitutional statute.

---

[45] "1960 Presidential Election Results Computed Four Ways", Congressional Quarterly Fact Sheet (February 13, 1961), p. 9.

[46] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 132–133. "Electoral College Reform", Public Affairs Department, Chamber of Commerce of the United States (Washington, September 1963), pp. 20–21. "Referendum No. 98 On: Electoral College Reform", Chamber of Commerce of the United States of America (Washington, December 1965), p. 10. Nicholas deB. Katzenbach, "Statement of Electoral College Reform", Department of Justice (Washington, March 8, 1966), pp. 3, 7–15. "Reform the Electoral College System", Message from The President of The United States, 89th Congress, 1st Session, House Document No. 64, p. 4. "Reform of the Electoral College System", Message from the President of the United States, CONGRESSIONAL RECORD, vol. 112, pt. 1, pp. 702–703.

(7) The automatic plan is a minimal change, preserving the basic nature of our present system and the principle of federalism.

(8) The political balance between urban and rural influence would be preserved.

Comments on pros

"It would remedy that defect in the existing Constitution by abolishing the office of elector and requiring the electoral votes of each State to be cast automatically for the candidates receiving the greatest number of votes in that State. Thus it would do no more than write into the Constitution the system that now exists in practice but without constitutional protection. The electoral votes given to each State would be unchanged and, as now, they would be cast as a unit for the candidates winning a plurality of that State's popular vote. The only effect would be to eliminate the latent power of a State or of an individual elector to depart from the customary practice. The need for that change is, I think, almost universally conceded, and it is the very minimum that is required to protect Presidential elections from the grave risks to which they are now exposed." [47]

According to Mr. Katzenbach, this system would insure that the popular will of the people prevailed, at least to the extent that the candidate who carried each state in popular vote received that state's electoral vote. The "unpledged" elector would no longer be able to put his will before the will of the people.

The general ticket system would now have constitutional support. It would become an integral part of the Constitution and would not be dependent on custom and tradition for its authorization. There would be a very slim chance—if one exists at all—of electing a President and Vice President from different parties.

Both the Senate and the House of Representatives would be authorized to elect a President and/or Vice President if neither candidate received a number of electoral votes necessary to elect. Once in Congress, the large states would be able to voice their choice for President with emphasis in direct relation to their numbers. Each state would have as many votes as they have Senators and Representatives instead of the previous one vote per state.

"It would preserve the political 'balance' in the existing system between urban influence in the populous States and the 'three minimum electors' advantage and the low voter turnout of small and/or safe States." [48] President Johnson in a message to Congress dated January 28, 1965, officially endorsed and urged the adoption of a constitutional amendment substituting the automatic vote system for our present Electoral College system. (This was taken from House Document No. 64, of the 89th Congress, 1st Session, page 4 of Message from The President of the United States.)

"ELECTION OF THE PRESIDENT AND VICE PRESIDENT

"III. REFORM OF THE ELECTORAL COLLEGE SYSTEM

"We believe that the people should elect their President and Vice President. One of the earliest amendments to our Constitution was submitted and ratified in response to the unhappy experience of an electoral college stalemate which jeopardized this principle. Today there lurks in the electoral college system the ever-present possibility that electors may substitute their own will for the will of the people. I believe that possibility should be foreclosed.

"Our present system of computing and awarding electoral votes by States is an essential counterpart of our Federal system and the provisions of our Constitution which recognize and maintain our Nation as a union of States. It supports the two-party system which has served our Nation well. I believe this system should be retained. But it is imperative that the electoral votes of a State be cast for those persons who receive the greatest number of votes for President and Vice President—and for no one else.

"At the same time, I believe we should eliminate the omission in our present system which leaves the continuity of the offices of President and Vice President unprotected if the persons receiving a majority of the electoral votes for either or both of these offices should die after the election in November and before the inauguration of the President.

"Electors are now legally free to choose the President without regard to the outcome of the election. I believe that if the President-elect dies under these circumstances, our laws should provide that the Vice-President-elect should become President when the new term begins. Conversely, if death should come to the Vice-President-elect during this interim, I believe that the President-elect should, upon taking office, be required to follow the procedures otherwise prescribed for filling the unexpired term of the Vice President. If both should die or become unable to serve in this interim, I believe the Congress should be made responsible for providing the method of selecting officials for both positions. I am transmitting herewith a draft amendment to the Constitution to resolve these problems.

"Favorable action by the Congress on the measures here recommended will, I believe, assure the orderly continuity in the Presidency that is imperative to the success and stability of our system. Action on these measures now will allay future anxiety among our own people—and among the peoples of the world—in the event senseless tragedy or unforeseeable disability should strike again at either or both of the principal offices of our constitutional system. If we act now, without undue delay, we shall have moved closer to achieving perfection of the great constitutional document on which the strength and success of our system have rested for nearly two centuries.

"LYNDON B. JOHNSON.

"THE WHITE HOUSE, *January 28, 1965.*"

The Congressional Record of January 20, 1966, on pages 656–657 contains another message to Congress by President Johnson reemphasizing his feelings and views relating to the automatic system:

"REFORM OF THE ELECTORAL COLLEGE SYSTEM

"In my special message to the Congress last January, I urged an amendment to the Constitution to reform the electoral college system. I renew this recommendation and strongly reaffirm the need to reform the electoral college system.

"There are several major defects in the existing system. They should be eliminated in order to assure that the people's will shall not be frustrated in the choice of their President and Vice President.

"First, there presently exists the possibility that the constitutional independence of unpledged electors will be exploited, and that their votes will be manipulated in a close presidential race to block the election of a major candidate in order to throw the election into the House of Representatives. This grave risk should be removed.

"Second, if the election is thrown into the House of Representatives, the existing system suffers from other fundamental defects. In such an election, the House of Representatives would be empowered to elect a President from the three highest candidates. However, each State casts only one vote, with the result that the least populous States have the same vote in the election of the President as the most populous States.

"As early as 1823, Madison reached the conclusion that—

" 'The present rule of voting for President by the House of Representatives is so great a departure from the republican principle of numerical equality, and even from the Federal rule, which qualifies the numerical by a State equality, and is so pregnant also, with a mischievous tendency in practice, that an amendment to the Constitution on this point is justly called for by all its considerate and best friends.'

"I firmly believe that we should put an end to this undemocratic procedure.

"Third, if the electoral vote is indecisive under the existing system, the President is elected by the House of Representatives, but the Vice President is elected by the Senate. This creates the possibility of the election of a President and a Vice President from different parties. That possibility should not exist. To prevent its realization, the President and the Vice President should both be elected by the same body.

"Fourth, the 23d amendment makes no provision for participation by the District of Columbia in an election of the President by the House of Representatives, or of the Vice President by the Senate.

"I firmly believe that we should extend to the District of Columbia all the rights of participation in the election of a President and Vice President which the 50 States may exercise.

"Fifth, existing law fails to provide for the death of the President-elect or Vice-President-elect between election day and the counting of the electoral votes in December. There is also no provision in the Constitution to cover the contingency presented by the death of a candidate for President or Vice President shortly before the popular election in November. These gaps should now be filled.

"Elimination of these defects in our Constitution are long overdue. Our concepts of self-government and sound government require it.

"Congress can now, in the words of Daniel Webster, 'perform something worthy to be remembered,' by uprooting the more objectionable features in the system of electing a President and Vice President, and thereby helping to preserve representative government and the two-party system."

The minimal change offered by the automatic vote system would be more acceptable because it does not abolish the essense of the system that has functioned—at least adequately—for almost two centuries. Nicholas deB. Katzenbach concludes that we should use these guidelines when pondering constitutional change.

"I should like to reemphasize the point that any change in so delicate a matter is likely to have influence, for good or ill, that cannot wholly be foreseen. That alone is enough to counsel against any such change until the demonstrated need for it has become overwhelming, which surely is not the case today. I would add one practical point: Whatever their theoretical merits, I think it clear that there is not now, nor is there likely to be, any consensus in favor of any one of the competing plans for fundamental changes." [49]

Arguments against [50]

(1) The automatic system does not achieve reform in depth.

---

[47] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 3.

[48] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), p. 133.

[49] Nicholas deB. Katzenbach, "Statement on Electoral College Reform", Department of Justice (Washington, March 8, 1966), p. 7.

[50] Robert L. Tienken, "Proposals to Reform Our Electoral System", The Library of Congress Legislative Reference Service (Washington, January 1966), pp. 133–134.

(2) This method would preserve the unit-rule system with all of its inequities and dangers into the Constitution.

(3) The adoption of the automatic system would serve as an obstacle to any meaningful reform in the near and possibly distant future.

(4) The possibility of having a "minority" President would not be eliminated under the automatic system.

(5) The results of the Presidential election could still be affected by fraud and weather conditions.

(6) An automatic vote was not the intent of the "founding fathers"; they did not foresee that the state would automatically cast its electoral vote for the candidate that carried it.

(7) The automatic system would not eliminate the inequities that exist under our present system relating to voting qualifications and requirements established by state laws.

Comments on cons

The automatic vote system may be the best solution to the problem, even if it does not achieve reform in depth. It may be called a "compromise" solution because it alleviates some of the inequities of the present system while preserving its basic nature. It could be the answer for those who want a change but not one that is revolutionary. However, if this method were adopted it is very unlikely that we would see any other reforms initiated; the automatic vote plan may be an impediment to any future revisional legislation of the Electoral College. Some advocate that if we are going to clean house, we should sweep every room—not just a few of them. Others argue that only a minimal change will be acceptable; their attitude is that something is better than nothing.

The retention of the unit-rule system would foster the same dangers that are present in the Electoral College system. The popular vote of the American people would not be clearly—and more important—accurately—reflected in the election results. The possibility of having a "minority" President in the White House would not have diminished, and this inequity is one that all people want rectified.

Once again, weather conditions and fraudulent practices would drift into the election picture. It would be possible in some circumstances for either or both of these conditions to swing the election from one candidate to another. It is not impossible to eliminate every defect in each plan, but it is not only desirable but also advisable to eliminate those that radically distort the election results.

The disparity which exists in the voting qualifications and requirements in the several states would not be eliminated by the automatic vote system. But to abrogate such differences would constitute a violation of our federal principle. Each state has the authority to establish its voter qualifications as long as they are not contrary to the 14th and 19th Amendments. Should the Federal Government under any of these plans be permitted to deny this right to the states?

The "founding fathers" never anticipated that the individual judgment and choice of the electors would be superseded by an automatic vote. They created the Electoral College with its independent electors to have a President who is elected by men of good conscience and sound reputation and to avoid any corruption by and interference from outsiders.

"They have not made the appointment of the President to depend on any pre-existing bodies of men, who might be tampered with beforehand to prostitute their votes, but they have referred it in the first instance to an immediate act of the people of America, to be exerted in the choice of persons for the temporary and sole purpose of making the appointment." [51]

However, contrary to the functions and duties of the Presidential electors, it logically seems that the automatic vote system could achieve better than any other plan the original intent of our forefathers—that of preventing the manipulation of the electors.

RESULTS OF 1960 PRESIDENTIAL ELECTION*

States	Automatic vote system	
	Kennedy	Nixon
Alabama	11	
Alaska		3
Arizona		4
Arkansas	8	
California		32
Colorado		6
Connecticut	8	
Delaware	3	
Florida		10
Georgia	12	
Hawaii	3	
Idaho		4
Illinois	27	
Indiana		13
Iowa		10
Kansas		8
Kentucky		10
Louisiana	10	
Maine		5
Maryland	9	
Massachusetts	16	
Michigan	20	
Minnesota	11	
Mississippi	8	
Missouri	13	
Montana		4
Nebraska		6
Nevada	3	
New Hampshire		4
New Jersey	16	
New Mexico	4	
New York	45	
North Carolina	14	
North Dakota		4
Ohio		25
Oklahoma		8
Oregon		6
Pennsylvania	32	
Rhode Island	4	
South Carolina	8	
South Dakota		4
Tennessee		11
Texas	24	
Utah		4
Vermont		3
Virginia		12
Washington		9
West Virginia	8	
Wisconsin		12
Wyoming		3
Total	317	220

*The automatic vote system guarantees to a candidate all of the electoral votes of each State that he carries in the presidential election. Therefore, the unpledged electoral votes given on p. 14 are credited to the candidate that carried that State. (Note: The source of the results of the presidential election on p. 14; the only difference is that the unpledged electoral votes are now included under the columns headed Kennedy or Nixon.)

COMMENTS

The following individuals have stated their views in response to my letter concerning *"The Electoral College: Retention or Abolition."* I wish to use this medium to express my gratitude to them for their effort in composing their statement.

Senator **MARK O. HATFIELD**: "It seems to me that the electoral college has outlived its usefulness. Certainly the reasons which were used in support of its adoption in 1787 at the Constitutional Convention are no longer valid. If our colonial citizens were unfamiliar with their candidates, our electorate today is brought into a nearly face-to-face familiarity with its political aspirants through a sophisticated and vast communications system. The fear that larger states would dominate elections has been replaced by the fact of disproportionate representation resulting from the electoral college system itself.

"For these reasons, I am presently supporting Senate Joint Resolution 2, which will amend the Constitution to allow for the direct election of the President and the Vice President. As this legislation is designed, each voter in such an election would cast a single ballot for two persons who have previously joined their names on the ballot for these offices.

"The system of direct popular election of the President seems to me an equitable and reasonable modernization of our electoral system, an adaptation to our modern times complementing our previous reform in the election of members of the Senate."

Senator **EVERETT M. DIRKSEN**, minority leader: "On April 14, 1967, I introduced for appropriate reference a proposed Constitutional Amendment providing for the Direct Election of a president."

Senator **KARL E. MUNDT**: "In view of the fact that I am the author of the so-called district plan, I believe my views are well known."

Senator **ERNEST GRUENING**: "I believe the Electoral College is dangerously outmoded and precludes the guarantee of one man equaling one vote as it is now established. If we can work out the technicalities for a direct one man one vote procedure in our Presidential Elections with the support of the individual states, I hope we can make use of this more modern method by no later than 1972, and, hopefully, in 1968."

Senator **MARGARET CHASE SMITH**: "I introduced in the 87th Congress and then reintroduced in the 88th and 89th Congress legislation to abolish the Electoral College and replace it with direct primaries and elections for the nominations and elections of President and Vice President."

Representative **JOHN W. MCCORMACK**, Speaker of the House of Representatives: "In reply to your letter of recent date in relation to the Electoral College system, I will say that while I feel that a change in the Electoral College as established under the Constitution is necessary, that I have not formed a definite opinion as to what provisions of the Constitution I would substitute. My strong inclination would not be to favor a popular election throughout the entire country. So you can see from this that my inclination, without binding myself, would be something along the lines of the proportional plan—or the 'district plan'."

Representative **CARL ALBERT**, Majority Leader: "From the time of the Constitutional Convention, the method of electing our President has been the subject of much debate and discussion. Hardly a session of Congress has passed without the introduction of resolutions concerning this election. In fact, in the last three-quarters of a century, almost 300 amendments have been introduced. I would imagine that more amendments have been proposed concerning the Presidential election than concerning any other single provision of the Constitution.

"There is no question that there are problems and disadvantages in using the Electoral College system. But a time-proven system should not be lightly discarded, especially when there is no certainty as to what is a better method. I feel we would only increase the problem if we were to change our present system without first knowing with a great degree of certainty that the system we were changing to would be more advantageous in terms of nomination and election.

'I have studied this problem, but have not come to any conclusion as to which proposal, if any, would be better than the other. I want to re-emphasize that if there is to be a change, that change should be made only after due consideration of all the facts and alternatives available."

---

[51] Sherman F. Mittell, "Federalist Papers: No. 68", The Federalist, National Home Library Foundation (Washington, D.C.), p. 443. (Editor)

Representative OLIN E. TEAGUE: "The three step election system—popular vote in November, the electoral vote in December, Congressional Canvass in January—is a cumbersome and confusing procedure. In the history of our country, the present system has permitted the election of at least fourteen 'majority' Presidents, three of whom actually trailed their opponents in the popular vote.

"The present system of 'winner take all' gives the large states excessive leverage in our Presidential elections, and I do not believe that our Founding Fathers ever intended that the individual states would cast their electoral votes en bloc. Under the present system, it is possible for the 12 large states to carry Presidential elections over the remaining 38.

"An elector is not bound by anything except custom, personal honor and party affiliation to vote for the candidate to whom he pledged himself before the election. The system permits the appointment of unpledged electors and in close elections, a few electors, being unobligated, might simply choose to change their candidate, thereby altering the choice of President.

"The present method permits and invites undue influence by minority groups in all states, but especially in large pivotal states, thereby perpetuating the continuation and political solidification of economic, racial and religious groups. In addition, it places excessive pressure on the candidate for office to favor the minority groups whose help he hopes will bring about his election.

"The unit vote system has tended to limit the choice of Presidential candidates to men from the large states who have the likelihood of capturing the large bloc of electoral votes in those states. It also puts a premium on fraud because the juggling of a few votes can swing the electoral votes of the entire state. Furthermore, the current electoral system gives the legislatures the power to direct any method they wish of selecting Presidential electors, and the possibility of gross abuse of power by state legislatures is always present.

"Because of some of the reasons outlined above, I introduced in the 1st session of the 90th Congress, on January 10, 1967, H.J. Res. 101 which would abolish the present electoral college system and substitute therefor a nationwide popular vote method on a proportional basis. Each state's electoral vote would be equivalent to the number of Senators and Representatives from that State and each Presidential candidate would receive the same proportion of the electoral votes as his share of the state's popular vote, with fractional votes being carried out to three decimals. High man would win, provided that if no candidate received at least 40% of the electoral vote nationwide, the new Senators and Representatives, sitting jointly and voting as individuals, would pick the President from the two candidates having the largest electoral vote. A majority of the combined votes of the House and Senate would be needed to elect.

"Such a system would be the nearest possible approach to electing a President by direct popular vote of the people and at the same time retain and preserve the present relative strength of each state in the election of a President as well as equate the power and importance of individual votes in the large and small states. Individual electors and/or state legislatures would no longer have the power to frustrate the will of the people. The influence of organized minorities in pivotal states would be reduced because such influence would be measured by their numbers rather than by their bargaining power in swing marginal states. It would also broaden the base for the selection of a Presidential and Vice Presidential nominee."

Representative ALBERT H. QUIE: "As you probably realize, I have introduced H.J. Res. 388, to amend the Constitution as it provides for the election of the President and Vice President. My resolution basically endorses what has been referred to as the District Plan, and I personally believe that this would not only be the most equitable reform of the Electoral College, but also one in keeping, as closely as possible, with the original intent of the Framers of our Constitution.

"To me, the automatic electoral vote system would solve little, and I believe that the direct election of the President would be difficult to legislate in light of our traditional position of allowing each State to determine the qualifications of its voters. In other words, such a law as direct election of the President may well require a Federal standard for voter qualification, and I do not believe that the Congress is willing to take that constitutional prerogative completely away from the States.

"The most important aspect of any reform bill is that every vote should count. Under our present system, if a majority of a State's voters cast their ballots for the Republican candidate for President, every Democratic vote for that same office is meaningless, and vice versa. Under the District Plan, as with proportional electoral votes, every vote does count, and no longer would many of our citizens be subtly disenfranchised."

Representative CLEMENT J. ZABLOCKI: "I appreciate hearing from you in this regard and am happy to send along to you a copy of legislation which I have introduced which would change the electoral system in order to preclude any future presidential contest from being thrown into the House of Representatives."

Representative ELIGIO DE LA GARZA: "As you will see . . . I introduced legislation to amend the Constitution to abolish the present system of electing our President and Vice President. I favor legislation which would provide that the electoral vote in each state be apportioned among the presidential candidates in accordance with the number of popular votes they receive, so that each candidate who received a plurality of the popular vote will not receive the state's entire electoral vote as he would under the present system."

Representative A. SYDNEY HERLONG, Jr.: "This report concerns the inadequacy of our Electoral College System. As it now stands, the Electoral College is badly outdated. What was probably necessary in 1789 is now just a useless, cumbersome piece of machinery which generally does nothing, but potentially can cause much harm. The Electoral College provides only for an indirect method for the people to elect the two highest officials of the nation—the President and Vice President. Rather than voting directly, they actually cast their ballot for a slate of electors of whom they have no knowledge. The electors do the actual voting of electoral votes, but are not bound by any pledge to vote for the candidate they were supposedly committed to. In theory, they can easily throw an election—and in fact have. (In the Hayes-Tilden election of 1876 a Floridian delegate voted for Hayes although he was supposedly pledged to Tilden. This vote caused the election of Hayes.)

"Each state is given one electoral vote each Senator and Congressman. (Florida, with 12 Congressmen and 2 Senators has 14 electoral votes.) The present system, however, does not accord at all with the Supreme Court decision of 'one man, one vote.' Each state has at least three electoral votes, regardless of size and this causes much discrepancy in the value of the Electoral vote among the states. Alaska, having a total population of only 250,000 people, still has three electoral votes. It has been estimated that one electoral vote in Alaska is worth 75,389 votes, while one electoral vote in California is worth 392,930 votes. A single vote cast in a presidential election in Alaska is worth five times as much as a California vote. As an outgrowth of this disproportioned system arises the problem of 'key areas.' California has 40 electoral votes to Alaska's 3. It becomes far more advantageous for a candidate to carry California than to carry Alaska, and his campaigning is centered around this knowledge. Certain areas in the country become more 'important' in that they control a large number of electoral votes. Candidates work especially hard in large urban areas where population is dense. Since electoral votes depend on population, these areas are natural campaign targets. Rural places with sparse population and little electoral strength tend to be brushed aside in importance. This development also runs contrary to the Supreme Court mandate, as a New York City resident's vote becomes more strategic than that of a farmer in Kansas. One of the most striking disadvantages of the present electoral system is that it gives all of a states electoral votes to the candidate who wins by one vote more than his opponent, he is the recipient of all the votes. This practice, needless to say, disenfranchises all the voters who voted for the other candidates. The minority voice remains unheard. Because the winner receives all the electoral votes, his electoral vote margin of victory can grossly inflate out of proportion his popular vote margin. Also, under this system if no candidate receives a majority of electoral votes, the House of Representatives elects the President and the Senate elects the Vice President. Both of these offices could possibly be filled by members of opposing parties.

"In view of the fact that the present Electoral College is filled with flaws, several changes have been suggested. To become law, one will have to be incorporated into a constitutional amendment. The proposals are as follows:

"1. Elimination of electors (Automatic Plan).

"2. District Plan.

"3. Proportional Plan.

"4. Direct Election Plan.

"(1) The Automatic Plan as proposed provides for the elimination of electors, but retains the electoral votes tehmselves. The people vote directly and cast their votes by state units of electoral votes. The winner of a plurality of the popular vote receives all of the states' electoral votes. Although this plan abolishes the nameless electors, it does not alter the problems that electoral votes produce. 'Key states,' unequal value of electoral votes in different areas, disenfranchisement of the minority votes still remain. It does provide a change for the method of election if no candidate receives a majority of electoral votes. In that case, rather than have the House and Senate elect respectively a President and Vice President the Senate and House will meet in joint session and choose both President and Vice President with each Member voting individually, a plurality being sufficient to elect. I do not feel, however, that an adaption of the Automatic Plan would produce any worthwhile effects.

"(2) The District Plan retains both electors and electoral votes. Each voter votes for three electors. Two of the electors are chosen at large and represent the electoral votes granted because of its two Senators. Then the voter elects one local elector who represents the vote granted for its House member. The basic change which distinguishes the District Plan from the present procedure is that the local electors are elected by the voters of a single electoral district established by the state legislature. Separate and independent presidential electoral districts are employed rather than the already established congressional districts.

"This plan seems to me to have the potential of caucing widespread confusion and problems concerning the size and shape of the districts. It is favored because it would provide for a better acquaintance with the elector and would enable party strength to wield power on the local level. Also, several proposals have been raised to include the binding of electors by pledges. This system would enable the individual to have more power over the elector, but as it still gives all the electoral votes to the winner, does not solve any problems there. Also, battles over districting and gerrymandering would cause confusion and chaos as it does now in Congressional districts.

"(3) Proposal 3 is the Proportional System. This system abolishes electors but still keeps electoral votes. However, each state's electoral votes are divided among the candidates in proportion to their shares of the total popular vote within the State. This plan, also referred to as the Lodge-Gosset Plan, would carry the computation to the nearest one-thousandth of an electoral vote. 40% of the total number of electoral votes would be necessary for election. This system, seems to be quite favorable in that it eliminates the problem of the minority votes not being accounted for, but could get unwieldly when computing the number of electoral votes allotted to each candidate.

"(4) The 4th proposed system is that of direct national votes. In this case the electoral college system would be totally abolished. Neither electors or electoral votes would be retained. The winning candidate would be he who polled at least 40% of the popular vote. In the case of no candidate receiving this percent, a run off election between the two top candidates would be held.

"I strongly favor the direct election system. It provides for a simple, democratic method of electing the President and Vice President. The American people vote directly for these two officials as they now do for their Congressmen and Senators. Direct election seems to be the only practical method in a modern society. When the Constitutional Convention first convened and established the electoral system, the people were isolated and transportation and communication were poor. Candidates could not possibly reach all the voters and expose them to the issues. Today every voter is kept constantly aware of all the facts and can hear and see the candidates many times in person and always via T. V. or radio. There is no excuse for not being informed. The problems offered by electoral votes have already been stated. A direct popular election eliminates any of the chaos that could arise from unpledged electors changing their votes. It eliminates the problem of how to divide electoral votes, or if the unit rule is operating, of having a disenfranchised minority. Direct election clearly fulfills the one man, one vote Court decision. Each voter's vote is directly equal to that of the other voters. Furthermore, the 40% figure representing the percent of popular vote necessary for election is sound. Below 40% would increase the possibility of a minor party candidate becoming President. Also, if the percent were fixed lower, the winner would not really have a "mandate," and if the percent were higher, splinter parties would, by taking some of the vote, many times cause run off elections to be held.

"Direct popular election decreases the states' importance as a voting unit. The Nation as a whole becomes the electoral district. Supporters of state's rights balk at the prospect of states losing their influence over electors and electoral votes. But why should the states have the power to handle the election of President and Vice President? These two officials are responsible to the people and the people should be able to vote for them directly."

Representative John Jarman: "My own thinking is that the present Electoral College System is archaic and in need of change, and I have introduced H. J. Res. 461, proposing an amendment to the Constitution of the United States providing for the popular election of the President and Vice President."

Representative Charles S. Gubser:"I believe the Electoral College, which was first conceived because of the difficulty in coordinating the vote of each state into a national total with the inadequate communication and transportation facilities which existed in our early history, has now outlived its usefulness.

"Furthermore, it is conceivable that a minority of voters can elect a President who has received less votes than his defeated opponent.

"Under these circumstances, I believe a straight popular vote for the office of President should be enacted and I have introduced legislation to accomplish this purpose."

Representative Charles E. Bennett: "I have publicly stated my strong feeling for establishing the direct election of the President and Vice President of the United States."

Representative James Harvey: "I believe the enclosed copy of the House Joint Resolution which I introduced in April on this legislation clearly illustrates my position in calling for a direct election of the President and Vice President.

* * * * *

"In favoring abolition of the Electoral College and supporting direct election of the President and Vice President, I do so mainly because the reasons for which the Electoral College were originally created no longer exist."

Representative Glenn R. Davis (Wisconsin): "I am pleased to enclose a copy of H.J. Resolution 40 which represents my view, a view that I have held for many years and continue to hold, relating to the Electoral College.

"I consider this to be the most practical compromise solution between those who wish to keep the Electoral College as it is and those who wish direct national elections for the Presidency.

"I oppose the direct national election suggestion because I fear it would result in competition among the States for the lowering of voting qualifications and would require Federal supervision of elections.

"I believe the present Electoral College system which gives all of the electoral votes of the state to the candidate who gets the majority vote within that state should be changed because I believe this system causes concentration of campaigning and appeals of pressure groups within a few large pivotal states."

Mr. Kenneth E. Gray, legislative assistant to the Vice President: "The Vice President has made no public statement of this issue as Vice President. Elaboration of the program of the President is, of course, the responsibility of the President of the United States.

"As a Senator from Minnesota, the Vice President is on record as favoring direct election of the President and Vice President, and was willing to lend support to compromise proposals during Senate consideration of this matter in earlier years."

Professor Rene de Visme Williamson, Louisiana State University: "My general position is that we should not change the Electoral College. The reason is not that I feel it is a perfect institution but rather that I want to see the Constitution amended as little as possible. I think the Constitution is an admirable instrument of government and that we would not do nearly as well as our forefathers if we were to make one anew. Most of the amendments which have been proposed but not ratified over the years have, in my opinion, been bad or unnecessary. Every time we amend the Constitution, we make it easier to amend it the next time, so I would support an amendment only for the strongest reasons.

"If we had to change the Electoral College at all, I would favor the abolition of the electors and the retention of the electoral votes as they stand. This would eliminate possible shenanigans and deals whereby electors could (and in some instances have) broken faith by voting for some other candidate than the one to which they were pledged. It would also eliminate unpledged electors who are an anachronism. Thoroughly established practice has annulled the intent of the framers of the Constitution that the Electors should use their own judgment and decreed that the Electoral College should be nothing but a registering device for the will of the people. If we believe, as I do, that the people should choose their own Chief Executive, the abolition of the Electors would insure that our practice is also our law.

"I favor the retention of the Electoral College as a registering device for substantially the same reason that John C. Calhoun did, namely that there should be some geographic distribution of majorities. The present system gives greater weight to the West and South without, however, giving them the power to obstruct. I do not think it would be in the national interest to place control in the Northeast and East Central states as a straight popular majority would do. Furthermore, present electoral votes are based on population rather than on those who actually vote. I favor this also. Those who do not vote (e.g. minors) have as much of a stake in the Presidency as those who do. Finally, the present winner-take-all system has the salutary effect of discouraging third and fourth parties and encouraging minority groups to seek accommodation within one or the other of the two major parties."

Mr. Richard M. Nixon: "With regard to the Electoral College, I am on record as favoring a proposal whereby the Electoral College itself would be retained, but the electoral votes apportioned on the percentage of the vote a candidate received."

Mr. Barry Goldwater: "As you know, I was for many years a co-sponsor of the Mundt proposals to change the electoral system as I feel there is probably no other part of our Constitution so outdated and in need of change. I believe it has been since 1804 or thereabouts that it was last touched and in a democratic country, such as ours, it is wrong, in my opinion, to still be using such an old, outdated system.

"I believe the change suggested by the American Bar Association is a good one and I would certainly back it. However, I would also back the Mundt approach which I think gets at about the same results with a few more bits of action than would take place in the Dirksen proposal."

CONCLUDING REMARKS

The case—both pro and con—for each of the proposed election plans has been presented; the arguments in favor and the arguments against each proposal have been stated and analyzed. Now it is time for the lawmakers to reach a conclusion—a positive decision which will be followed by immediate action. The time is opportune, the public is ready, and Congress is—we hope—willing to end this era of confusion and uncertainty.

Each of the plans has been analyzed several times by people well versed in this subject. They have studied the chronological development and progression of the present system and of the proposed plans. Some have reached a conclusion—others still linger in the realm of uncertainty. The research and study that compose this paper were based on objectivity and impartiality and have led to a broader insight and deeper apprehension of this problem. The following proposal is one that I have developed as a method and a step toward improving the system of electing the President and Vice President of the United States.

RESOLUTION

Proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (*two-thirds* *of each House concurring therein*), That an amendment is hereby proposed to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States. Said amendment shall be as follows:

" 'ARTICLE —

" 'SECTION 1. The electoral college system of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein. Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District of Columbia shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. The electors of the District shall have such qualifications as the Congress may prescribe.

" 'Within forty-five days after such election, or at such time as the Congress shall direct, the official custodian of the election returns of each State and of the District shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, and the total vote of the electors of the State for all persons for President, which lists he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall in the presence of the Senate and House of Representatives open all certificates and the votes shall then be counted. Each person for whom votes were cast for President in each State and in the District shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President provided he received at least 10 per centum of the total vote cast in the Nation, if he did not receive the 10 per centum then these votes would be ignored in making computations. In making computations, fractional numbers less than one one-thousandth shall be disregarded. The person having the highest number of electoral votes for President shall be President, if such number be at least 40 percentum of the whole number of such electoral votes. If no person have at least 40 per centum of the whole number of electoral votes, or if two persons have an equal and the highest number of such votes, then from the persons having the two highest numbers of electoral votes for President the Senate and the House of Representatives sitting in joint session shall choose immediately, by ballot, the President. A quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice.

" 'The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same provisions, as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

" 'The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a Vice President whenever the right of choice shall have devolved upon them.

" 'SEC. 2. Paragraphs 2 and 3 of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution, and section 4 of the twentieth article of amendment to the Constitution, are hereby repealed.

" 'SEC. 3. This article shall take effect on the 10th day of February following its ratification.

" 'SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress.' "

The proportional election plan is, to a certain extent, a "compromise" proposal. It retains the electoral vote and it clearly and accurately reflects the popular vote of the people. The preservation of the electoral vote retains the two vote advantage possessed by the small states which they would be unwilling to surrender. The popular vote is reflected as clearly as possible without succumbing to the weaknesses of direct election. The proportional plan would maintain the relative "balance of power" between the large populous states and the small, rural states.

The provision that requires a candidate to receive at least ten percent of the total popular vote of the Nation before he receives credit for any electoral votes from the states would discourage the growth of minority parties. If a third party candidate did enter the Presidential race then his campaign would have to be on a Nationwide basis rather than on a sectional basis. This candidate would have to appeal to the Nation as a whole and not to only a handful of states in one region.

Disregarding the third party candidate's popular vote if he did not meet the ten percent requirement would not be unfair or distort the reflection of the popular vote. The present system does not give any credit to a candidate if he fails to carry the state even if he receives 49 percent of that state's popular vote.

The dust and cobwebs are cluttering the house of our election process and the proportional plan is the best vacuum cleaner that has been developed. Let's vacuum every room until the entire house is clean and appealing to the American people. Without further delay we must initiate positive action before the Electoral College collapses on our Nation. Today—not tomorrow—is the time to act.

BIBLIOGRAPHY

Books

Aly, Bower, ed. Selecting the President: the twenty-seventh annual debate handbook. Columbia, Missouri, Artcraft Press, 1953. 2 vol.

Daugherty, John Hampden. The electoral system of the United States: its history, together with a study of the perils that have attended its operations, and analysis of the several efforts made by legislation to avert these perils, and a proposed remedy by amendment of the Constitution. New York, Putnam's, 1906. iv. 425 p.

Goldmand, Ralph M. Proposal for changing electoral college system of electing the President of the United States. Washington, Brookings Institution, 1956. 91 p.

MacBridge, Roger Lea. The American electoral college. Caldwell, Idaho, Caxton Printers, 1953. 89 p.

McKnight, David A. The electoral system of the United States: a critical and historical exposition of its fundamental principles . . . Philadephia, Lippincott, 1878. 433 p.

Mittell, Sherman F., ed. The Federalist. Washington, D.C., National Home Library Foundation.

Pamphlets

Eisenstein, Virginia and James. The Electoral College: How Does it Work? Should the System be Changed? Grass Roots Guides On Democracy and Practical Politics. 14 p.

Katzenbach, Nicholas deB., Statement on Electoral College Reform. Washington, D.C., Department of Justice, March 8, 1966. 15 p.

Tienken, Robert L. "Proposals to reform our electoral system". Washington, D.C., The Library of Congress Legislative Reference Service, April 1966. 149 p.

Message from the President Of The United States. 89th Congress 1st Session, House Document No. 64, February 1, 1965. 6 p.

Scott, Donald H., "Statement on Electoral College Reform before the Subcommittee On Constitutional Amendments Senate Judiciary Committee for the Chamber of Commerce of the United States." May 17, 1967.

Scott, Donald H., Bottler, Edgar O., Wilmerding, Lucius, Jr. "Testimony On Electoral College Reform before the Subcommittee on Constitutional Amendments Senate Committee of the Judiciary for the Chamber of Commerce of the United States". Mar. 9 1966.

Referendum No. 98 On: Electoral College Reform, Washington, D.C., Chamber of Commerce of the United States of America, December 1965. 10 p.

Electoral College Reform. Washington, D.C., Public Affairs Department, Chamber of Commerce of the United States, September, 1963. 24 p.

Electing the President: A Report of the Commission on Electoral College Reform. Chicago, Illinois, American Bar Association, January 1967. 51 p.

The United States Constitution (Presented by the Hon. Emanuel Celler on August 18, 1966). 89th Congress, 2nd Session, House Document No. 470. Washington, U.S. Government Printing Office, 1966. 72 p.

Electing the President: Should the Electoral College System Be Changed? Washington, Connecticut, Vital Issues, vol XVI, No. 8, 1967. 4 p.

Proposed Constitutional Amendment Abolishing Electoral College and Making Other Changes in Election of President and Vice President. New York, The Association of the Bar of the City of New York, Vol. 4, No. 3, July, 1965. pp. 121–133.

Reform the Electoral College. Virginia Commission on Constitutional Government, 98 p.

Statistics of the Presidential Congressional Election of November 8, 1960. Washington, United States Government Printing Office, 1961. 54 p.

Periodicals

Bickel, Alexander M. "The Case for the Electoral College." The New Republic, January 28, 1967. pp. 15–16.

Burns, James MacGregor. "A new course for the electoral college." New York Times Magazine, December 18, 1960. pp. 10, 22, 25–8.

Dewey, Donald O. "Madison's views on electoral reform." Western Political Quarterly. v. 15, (March 1962) 140–145.

Graham, Fred P. "Suits to Attack Electoral Vote System." The New York Times, June 29, 1965.

Johnson, Gerald W. "Leave the College Alone." The New Republic, January 9, 1961, p. 22.

Kefauver, Estes. "The electoral college: old reforms take on a new look." Law and Contemporary Problems, v. 27, (Spring 1962) 188–212.

Kilpatrick, James J. "Alternatives to the Electoral College." The Wall Street Journal, June 5, 1967.

Kilpatrick, Carroll. "Electoral Reform Plan Cuts Small State Vote." The Washington Post, January 30, 1965.

Lawrence, David. "Time to Change the

Presidential System." U.S. News & World Report, March 13, 1967.

Lewis, Anthony. "The Case against electoral reform." Reporter, v. 23, (December 8, 1960) 31–33.

Meyer, Donald H. "The Demise of the Independent Elector." American Bar Association Journal, June 1964, pp. 561–564.

Morley, Felix, "Time for Election Reform is Now." Nation's Business, December 1964, p. 25–26.

Morley, Felix. "Democracy and the Electoral College." Modern Age, Fall 1961.

O'Leary, J. A. "1960 Bolt of Oklahoma Elector Spurs Move for Election Reform." Washington Star, July 14, 1961.

Pierce, Neal R. "The Case Against the Electoral College." The New Republic, February 11, 1967. pp. 12–13.

Pusey, Merlo J. "Old and Dangerous, Our Presidential Electors." The Washington Post, May 28, 1967.

Strout, Richard L. "So You Think You Vote for a President." The Christian Science Monitor, January 19, 1967.

Strout, Richard L. "Next Year, a Funny Thing Could Happen on the Way to the White House." New York Times Magazine, July 23, 1967.

Welty, Richard C. "Who Really Elects Our Presidents?" Midwest Quarterly, v. 2 (Autumn 1960) 21–34.

"President Expected To Push for Electoral Changes." Congressional Quarterly, December 24, 1965. p. 2488.

"Strong Sentiments Voiced for Electoral College Reform." Congressional Quarterly, August 11, 1961. pp. 3–8.

"Proposals to Revise the Procedure for the Election of President and Vice President." Legislative Analysis, 87th Congress, 1st Session, Report No. 9, June 26, 1961.

"Electoral College Must Go." The Washington Post, December 26, 1965.

"Presidency Vote Attacked in Poll." The New York Times. January 1, 1966.

" 'It's an Anachronism'—Senate Starts Another Battle to Abolish Electoral College." The Washington Daily News, January 19, 1966. p. 27.

"Reform the Electoral College." The New York Times, January 23, 1966.

"The Case for Direct Election." The Christian Science Monitor, January 24, 1967.

"Unpledged Votes Called Illegal." The New York Times, June 14, 1964.

"Electoral College Abolishment." Congressional Quarterly Weekly Report, May 20, 1966, pp. 1042–1043.

"The Direct Vote and the Electoral College." Saturday Review, Vol. 50, No. 7, (February 18, 1967) p. 24.

"State Legislators Favor Direct Vote for President." Congressional Quarterly, December, 1966. pp. 3030–3031.

"Federal Bar Joins Electoral College Foes." Washington Post, August 1, 1967.

"Moves to revise the electoral system." Congressional Digest, v. 35, (April 1956) 99–128.

"New interest shown in reform of electoral system." Congressional Quarterly Weekly Report, v. 19 (February 17, 1961) 279–288.

" 'One man, one vote' theory threatens Electoral College." Congressional Quarterly, v. 21, (March 29, 1963) 442–443.

"The question of changing the electoral system." Congressional Digest (Washington), v. 32, (August–September 1953).

"State power to bind presidential electors." Columbia Law Review, v. 65, (April 1965) 696–709.

"Electoral College Reform." Here's the Issue. vol. 2, No. 24, November 25, 1963.

"Should the Electoral College Be Abolished." The American Legion Magazine, November, 1962. pp. 4–5.

"A State and District Analysis of the 1960 Vote For President, Governor, Senator, and Representatives" Congressional Quarterly Special Report: Complete Returns of the 1960 Election by Congressional Districts. Part II of CQ Weekly, Report No. 10, March 10, 1961.

"1960 Presidential Election Results Computed Four Ways." Congressional Quarterly Fact Sheet, February 13, 1961.

Congressional Record: 89th Congress

Bandstra, Bert A. "Statement on Electoral College". March 7, 1966. pp. A1250–1252.

Burdick, Quentin N. "Direct Popular Vote of the President & Vice President of the United States". March 15, 1966. pp. 5677–5678.

De la Garza, Eligio. "Legislation to Abolish Electoral College System". Feb. 22, 1967. pp. A813–814.

Ervin, Sam J., Jr. "Electoral College Reform". February 24, 1966. pp. 3764–3765.

Mundt, Karl E. "Electoral College-Reform or Retreat?". February 28, 1966. pp. S4082–4085.

Smith, Margaret Chase. "Statement in Support of Senate Joint Resolution 4, Relating to Proposed Amendment of Constitution Providing for Nomination Of Candidates for President & Vice President". March 1, 1966. pp. 4164–4168.

Younger, J. Arthur. "Should We Change Our Electoral College?" July 26, 1966. pp. 16339–16341.

"Reform of the Electoral College System". Message from the President of the United States. Congressional Record, January 20, 1966.

Daily Congressional Record: 90th Congress

Bayh, Birch. "Electoral Reform". May 15, 1967. pp. S6834–6836.

Bayh, Birch. "Direct Election of the President". May 9, 1967. pp. S6586–6588.

Bennett, Charles E. "Constitutional Amendment to Provide Direct Election of President & Vice President". March 20, 1967. pp. H2967–2968.

Gruening, Ernest. "A Constitutional Amendment for the Election of the President that would Safeguard the Position of the States with Small Population is Preferable to the Proposed Election by Popular Vote". May 19, 1967. p. S7151.

Hruska, Roman L. "Need for Study of Proposals for Electoral College Reform". March 13, 1967. pp. S3594–3596.

Mathias, Charles, Jr. "Electoral College Reform". February 1, 1967. p. H881.

Mundt, Karl E. "Electoral College Reform". January 16, 1967. p. S264.

Smathers, George A. "Proposed Amendment of Constitution Relating to Election of President & Vice President". January 11, 1967. pp. S92–93.

Tydings, Joseph D. "Sen Bayh Writes on the Electoral College". May 9, 1967. pp. S6525–6527.

Senate joint resolutions of the 90th Congress

S.J. Res. 2 Introduced by Senator Birch Bayh (D.-Ind.).

S.J. Res. 3 Introduced by Senator George A. Smathers (D.-Fla.).

S.J. Res. 6 Introduced by Senator Margaret Chase Smith (R.-Maine).

S.J. Res. 12 Introduced by Senator Karl E. Mundt (R.-S, Dak.).

S.J. Res. 15 Introduced by Senator Quentin N. Burdick (D.-N. Dak.).

S.J. Res. 86 Introduced by Senator Ernest Gruening (D.-Alaska).

House joint resolutions of the 90th Congress

H.J. Res. 7 Introduced by Representative Thomas G. Abernethy (D.-Miss.).

H.J. Res. 8 Introduced by Representative Thomas G. Abernethy (D.-Miss.).

H.J. Res. 9 Introduced by Representative Thomas G. Abernethy (D.-Miss.).

H.J. Res. 16 Introduced by Representative Charles E. Bennett (D.-Fla.).

H.J. Res. 40 Introduced by Representative Glenn R. Davis (R.-Wis.).

H.J. Res. 101 Introduced by Representative Olin E. Teague (D.-Tex.).

H.J. Res. 109 Introduced by Representative Clement J. Zablocki (D.-Wis.).

H.J. Res. 143 Introduced by Representative Jamie L. Whitten (D.-Miss.).

H.J. Res. 157 Introduced by Representative John Dowdy (D.-Tex.).

H.J. Res. 255 Introduced by Representative A. S. Herlong, Jr. (D.-Fla.).

H.J. Res. 347 Introduced by Representative Eligio de la Garza (D.-Tex.).

H.J. Res. 388 Introduced by Representative Albert H. Quie (R.-Minn.).

H.J. Res. 390 Introduced by Representative O. C. Fisher (D.-Tex.).

H.J. Res. 447 Introduced by Representative Charles E. Bennett (D.-Fla.).

H.J. Res. 461 Introduced by Representative John Jarman (D.-Okla.).

H.J. Res. 463 Introduced by Representative J. Edward Roush (D.-Ind.).

H.J. Res. 469 Introduced by Representative Emanuel Celler (D.-N.Y.).

H.J. Res. 470 Introduced by Representative Emanuel Celler (D.-N.Y.).

H.J. Res. 490 Introduced by Representative James Harvey (R.-Mich.).

H.J. Res. 545 Introduced by Representative Charles S. Gubser (R.-Calif.).

THE PRESIDENT IS STRANGLING THE SMALL WATERSHED PROGRAM

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCHERLE. Mr. Speaker, President Johnson has a stranglehold on the small watershed program established by Public Law 566. By virtue of a weird and belated interpretation of the Constitution, President Johnson is preventing the funding of 39 small watershed projects approved by the 90th Congress. Numerous others are being delayed in the process of final approval prior to transmittal to Congress.

Public Law 566, enacted in 1954, contains a provision for prior approval of watershed project plans by congressional committees. Basically, if a project has no single structure having a capacity of more than 4,000 acre-feet, it must be approved by the Agriculture Committees of the respective Houses. If there is a structure with a capacity in excess of 4,000 acre-feet, approval must come from the Public Works Committees.

The relevant provision of the Watershed Protection and Flood Prevention Act reads as follows:

> No appropriation shall be made for any plan involving an estimated Federal contribution to construction costs in excess of $250,000, or which includes any structure which provides more than twenty-five hundred acre-feet of total capacity unless such plan has been approved by resolutions adopted by the appropriate committees of the Senate and House of Representatives.

Once committee approval has been given, the Soil Conservation Service, using previously appropriated funds, allocates construction moneys to the approved projects.

This system has been in operation since 1954. However, 12 years later in 1966, President Johnson decided that the congressional approval provision was an insult to his authority. His objection is phrased in terms of a violation of the constitutional doctrine of "separation of powers." In other words, he feels this procedure "dilutes and diminishes the authority and powers of the Presidency."

A careful and thorough analysis of this objection establishes the fact that the "no appropriation" provision is simply a rule of each House of Congress, written into law. It is directed at a working relationship between the Appropriations Committees and the substantive committees concerned with the watershed program, rather than at the President's authority.

In the second Session of the 89th Congress, and again last year, President Johnson asked Congress to give up the authority to "approve" work plans, in exchange for the authority to "review" them. Quite understandably, the administration has had great difficulty in finding congressional support for this proposal. In fact, it has not been able to find a sponsor.

President Johnson has indicated that it is his intention to prevent funding of approved projects until he has his way.

Mr. Speaker, we are not dealing here with an abstraction. For your benefit, I am setting forth a list of the small watershed projects approved by both Houses of the 90th Congress, but which are not receiving one nickel—although the law provides explicitly for their funding.

I invite you to review this list. If none of these projects are in your congressional districts, or States, who knows—you may be next.

The list follows:

PUBLIC LAW 566 WATERSHED PROJECTS—OPERATIONS APPROVAL PENDING

State and congressional district	County(s)	Watershed	Public Law 566 cost	Other cost	Total cost
Alabama:					
4th	Cleburne	Cahulga Creek	$253,400	$265,700	$519,100
3d	Bullock, Macon	Old Town Creek	3,848,500	2,891,900	6,740,400
Arkansas: 1st	Lawrence, Randolph	Big Running Water Ditch	1,215,600	990,700	2,206,300
California:					
38th	Riverside	Main Street Canyon	1,289,200	680,100	1,969,300
15th and 16th	Merced, Stanislaus	Mustang Creek	372,100	1,508,200	1,880,300
Florida: 1st	Santa Rosa	Pond Creek	492,200	1,436,900	1,929,100
Georgia:					
6th	Coweta, Meriwether, Troup	Yellowjacket Creek	995,000	521,700	1,516,700
9th	Lumpkin, White	Tesnatee Creek	1,116,200	534,900	1,651,100
Indiana: 6th and 7th	Boone, Hendricks, Montgomery, Park, Putnam	Big Raccoon Creek	1,835,600	2,765,700	4,601,300
Iowa: 7th	Pottawattamie	North Pigeon	543,400	174,700	718,100
Kansas: 2d	Jackson, Pottawatomie, Shawnee	Cross Creek	1,739,100	512,800	2,251,900
Kentucky: 1st	Carlisle, Graves	West Fork Mayfield Creek	2,066,500	1,321,500	3,388,000
Louisiana:					
7th	Cameron	Cameron-Creole	1,580,000	601,700	2,181,700
5th	Madison	Central Madison	648,700	1,590,200	2,238,900
7th	Jefferson Davis, Calcasieu	West Fork Bayou Lacassine	838,300	1,165,500	2,003,800
3d and 7th	St. Landry, St. Martin, Iberis	Upper Bayou Teche	1,725,500	2,838,800	4,564,300
Mississippi:					
4th and 5th	Jasper, Jones, Smith	Big Creek	2,103,300	1,518,600	3,621,900
4th	Rankin	Eutacutaches Creek	564,000	245,100	809,100
4th	Yazoo	Five Creeks	2,067,700	1,384,100	3,451,800
4th	Rankin	Richland Creek	2,531,100	1,114,400	3,645,500
2d	Coahoms, Tallahatchie, Quitman	Tri-County Hopson Bayou	594,800	584,500	1,179,300
Missouri: 4th	Lafayette	Little Sni-A-Bar	803,900	517,600	1,321,500
Nebraska:					
1st	Gage, Lancaster	Clatonia Creek	450,000	246,000	696,000
2d	Douglas, Sarpy, Washington	Papillion Creek	1,515,400	2,344,100	3,859,500
Oklahoma 2d, and Kansas 5th	Washington, Osage, Nowata, Okla., and Chautauqua, Kans.	Cotton-Coon-Mission Creek	2,185,800	2,280,300	4,466,100
Oklahoma:					
3d	Pushmatoha, Choctaw	Dumpling-Beaver Creeks	1,000,500	1,474,700	2,475,200
1st and 4th	Pawnee, Payne, Noble	Lower Black Bear Creek	2,668,300	1,299,400	3,967,700
2d	Sequoyah	Garrison Creek	696,200	337,300	1,033,500
Oregon: 2d	Union	Wolf Creek	2,401,600	1,928,000	4,329,600
South Dakota: 2d	Charles Mix	Spring-Bull Creek	634,900	395,500	1,030,400
Texas:					
17th and 21st	Mills, Hamilton, Lampasas	Bennett Creek	679,300	238,600	917,900
13th	Montague	Farmers Creek	1,386,800	577,300	1,964,100
4th	Van Zandt	Mill Creek	2,004,500	1,715,500	3,720,000
17th	Hamilton	Pecan Creek	447,500	190,400	637,900
15th	Cameron	Rancho Viejo	3,231,500	8,398,800	11,630,300
Virginia:					
7th	Culpeper	Mountain Run (supp.)	466,500	554,000	1,020,500
9th	Tazewell	Upper Clinch Valley	1,226,000	632,700	1,858,700
West Virginia: 3d	Kanawha	Elk Twomile Creek	1,164,200	968,900	2,133,100
Wisconsin:					
3d	Monroe	Tri-Creek	812,200	334,200	1,146,400
3d	Vernon, Crawford	Blackhawk-Kickapoo	1,136,200	402,800	1,539,000

TAX INCREASE SEEN AS A MUST

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ULLMAN. Mr. Speaker, this week we will be considering one of the most important pieces of legislation presented in the 90th Congress. I am referring to the tax increase-expenditure reduction bill (H.R. 5414), which was recently approved by the full Ways and Means Committee, and by the joint House-Senate conferees.

I would like to share with my colleagues a column by Mr. Harold B. Dorsey which deals with this bill. I am sure his views on the possible effects of congressional approval or rejection of this legislation will be of great interest to everyone.

TAX INCREASE SEEN AS MUST

(By Harold B. Dorsey)

NEW YORK.—The uncertain outcome of the House of Representatives' action on the pending tax legislation Thursday presents a cliff-hanging problem for investment advisers and business forecasters.

If the bill is not passed:

Interest rates—some of which are already close to the highest in a hundred years—will go higher.

Deposits will probably flow out of thrift accounts into more attractive debt instruments.

Mortgage money will become less available and more expensive, which will have a negative impact on residential construction activity.

Small business people, in particular, will find it more difficult to borrow money and even the large corporations will have to pay higher interest rates for their borrowing.

The pace of inflation is likely to accelerate for a few months. The impact of higher prices on people in the lower income brackets will be particularly severe.

After a few months the adverse effects of tighter credit and higher prices will slow down consumption and production activity with a loss of jobs and purchasing power creation.

The exchange rate of the dollar and the pound sterling will weaken in the foreign exchange markets immediately and the price of gold in the free market should rise significantly.

The word "crisis" is likely to appear as a matter of course in the utterances of bankers, government officials and financial observers, because the avoidance of monetary disorders now hinges on the passage of the tax bill.

All of the foregoing consequences could have chain reactions that could easily lead to a serious business setback—both here and abroad.

If the tax bill is passed:

The fears of a financial crisis and international monetary disorder should subside at least temporarily.

The 10 per cent annual rate of Gross National Product being registered in the first half of this year will probably slacken to about 5 per cent annual rate in the second half and even a little lower in the first part of next year.

The economy will initiate a course that might be categorized as "disinflation," i.e., a gradual slackening in the recent 4 per cent a year rate of inflation and an initial step toward the restoration of a sound economy.

Broadly speaking, failure to pass the pending tax legislation probably means a few months more of the inflationary boom and then a rather severe recession, with the immediate possibility of acute trouble in domestic and foreign financial markets.

If the legislation is passed there is a much better prospect of a more moderate adjustment in the economy from its present overheated and inflationary state. The amplitude of the adjustment which is now needed might not have become necessary at all if a more sensible fiscal policy had been adopted a year or so ago. There is a direct relation between the severity of the inevitable adjustment and the extent of the delay in the tax legislation.

BEST WISHES TO LEE MORSE

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MINISH. Mr. Speaker, Mr. Lee Morse, counsel of the Banking and Currency Committee, is a shining example of the talented young men who in recent years have entered the Federal service from an acute sense of public responsibility. Often at great personal sacrifice, these men have devoted themselves to the public interest and have made a valuable contribution to the general welfare. After more than 4 years as committee counsel and 8 years in total Federal service, Lee is leaving us to engage in the private practice of law in Washington.

I have closely observed Lee Morse since February 1964 when he was appointed committee counsel, and I have formed the highest regard for his ability, integrity, and zeal. He combines enormous technical knowledge with a most attractive personality, and he has discharged the most exacting assignments in a manner that has merited the respect and esteem of the members of the committee. Mr. Morse was responsible for the preparation on the analysis, on "Acquisitions, Changes in Control, and Bank Stock Loans of Insured Banks," published by the Subcommittee on Domestic Finance, on which I am privileged to serve, in 1967. I particularly remember his tremendous help to me as staff aid to the Special Subcommittee on Currency Destruction which I chaired several years ago. I have found him most competent and knowledgeable in complex problems involving Federal supervision of financial institutions, bank and savings and loan holding companies, credit cards, credit data, small business financing, and so forth.

I know that all my colleagues on the committee, as well as his numerous other friends on Capitol Hill, will miss Lee and will join with me in wishing him every success in his new undertaking. Lee takes with him the appreciation of the Members whom he has served so well and faithfully and the satisfaction of having rendered valuable assistance in achieving the notable legislative history compiled by the Banking and Currency Committee under our distinguished chairman, the Honorable WRIGHT PATMAN.

MARVIN SMITH APPOINTED JUDGE

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MORTON. Mr. Speaker, an outstanding American and a devoted Marylander was recently appointed a judge on the five-member Maryland Court of Appeals. Marvin H. Smith's record of service to his community, to the great Eastern Shore, and, above all, to his fellow man, is unsurpassable. In recognition of his appointment, I wish to insert in the CONGRESSIONAL RECORD the following editorial from the News & Farmer of May 15, 1968:

JUDGE MARVIN H. SMITH

The appointment of Marvin H. Smith of Caroline County as a Judge on the Court of Appeals in Annapolis, the highest Court in Maryland, comes as no surprise to his close friends. The announcement was made by Governor Spiro T. Agnew from the State Capitol Monday evening.

While a life long and loyal Republican the Governor surely has recognized Mr. Smith's leadership in the party. But it must be said that Marvin Smith's knowledge of law and his recognition by members of the bar all over Maryland as a man of letters, a good lawyer, well versed in the law, and his tremendous community spirit, must have been guiding factors in naming this good man to so important a post in Maryland jurisprudence.

As a boy in Federalsburg Marvin Smith was loyal, vocal and above all honorable. As a soldier in the service of his country he was loyal, efficient, animated and honorable. He has been able to speak out, and honorably speak above the din.

As a lawyer he has been loyal to his profession and to his clients, worrysome to opposing lawyers, scrupulously polite and in perfect order to and with the Courts, wherever he appeared. Never once was he rebuffed by any Court. In his court room presence he has emulated the world's great legal minds that preceded him.

Marvin Smith has played the game of life fairly, and now he has won a prize envied by most of the members of his profession. He is a family man with a splendid family, a church man with a long record of service. Recently he received the third highest honor the Boy Scouts of America can give a man for service to boys, the Beaver Scout Award.

Marvin Smith has always been loyal to the causes which became his badges of honor. Now the greatest of all challenges has come to him, to be a peer to judge the actions of his fellowmen. A man who has lived so closely with loyalty, with the issues of the day, honorably with his fellow citizens, he is ably fitted for the great and important work that lies ahead.

Whatever judgments he is called upon to make, the people, all the people, can be assured now that they will have been made without fear or favor by a man of great character, Maryland's Judge Marvin Hugh Smith.

Thank you, Governor Agnew, for the wisdom you have again displayed.

OHIO VILLAGE REFUSES OEO FUNDS

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BROWN of Ohio. Mr. Speaker, at a time when the fiscal situation of the U.S. Government is in such a desperate state, I am encouraged at the unselfish action taken by the Milford Center, Ohio, village council recently—in my congressional district—in refusing further funds from the Office of Economic Opportunity because they feel they have no need for them.

With the thought that this action by one small Ohio community should receive the publicity it deserves, I am inserting herewith a copy of a letter I have received from the Honorable Ross Ingram, mayor of Milford Center, and a newspaper clipping giving an account of the action of the Milford Center Council containing a statement made by Councilman Lloyd E. Nicol. I feel the points made by both Mayor Ingram and Councilman Nicol are very well taken.

Certainly, where local elected officials feel no need exists for the expenditure of Federal funds, a Federal program to spend such funds should not be forced on the community. Such expenditures could only be considered an unnecessary waste at a time when the administration and Congress are seeking areas where Federal spending can be reduced. This is especially true when Congress is being asked by the President to raise taxes.

If our Nation is to reduce its Federal spending by $6 billion, there will have to be many Milford Centers in the United States where local leaders have the courage to say, "We can get along without money from Uncle Sam." If the belt of Federal spending is going to be tightened in Washington, it will certainly have to be tightened at home. And the forthright appraisal of Milford Center will have to be made by many communities throughout the Nation.

The letter and clipping follow:

MILFORD CENTER, OHIO.

DEAR CONGRESSMAN BROWN: Enclosed find newspaper clipping from yesterday's local paper.

As we realize this is of no avail and feel that when small towns lose their integrity and self-control to the Federal government in Washington, then all is lost. I, as Mayor, feel the action taken by the village council needs and deserves much more than this small clipping in a small local newspaper. We know that we cannot stop the complete waste of our tax monies by this action but what is wrong with the rest of our so-called "great society" that the programs of the Federal government have to be propelled into areas which in no way need them. At least one negative vote can be counted. This is our response to Washington and the complete disregard for home rule.

When we need help in providing a safe and pure water system for our town, and apply for an F.H.A. long-term loan, what happens? The first time a comedy of errors and then the answer of no money. Will this happen again? We will have to apply for a long-term loan and the possibility of an aid of a small grant. What answer will we get? Could we have the money that is needed for this out of the O.E.O. office? The answer here, of course, is "no."

If the money that is being wasted in the three-County area of Union, Delaware, and Madison Counties was put to use in giving the small towns in this area help in getting the things, such as water and sewage plants, that are needed so badly, then I feel this is a project that should be continued.

Yours truly,

ROSS INGRAM,
Mayor.

MILFORD CENTER COUNCILMAN SPEAKS OUT AGAINST OEO

Milford Center Council voted 4 to 1 Monday night against the Office of Economic Opportunity in Union County. "We are not in a region of economic stress and therefore such a political bureaucratic program as the CAO would be pouring federal funds down the drain and we don't want that kind of pollution in the drain of Milford Center." Councilman Lloyd Nicol said.

The action was taken on notification from the office of Economic Opportunity, Union, Delaware and Madison counties, that Milford Center would automatically continue to be included in the OEO program unless it requested withdrawal.

Nicol said it is "high time the community as well as individuals speak out on their own convictions of deficit spending by the federal government." He showed his concern for the overlapping of the program into such county departments as health and welfare. "The program is fine in areas in the country where poverty exists, but certainly we are possessed with resources." I understand there are more jobs available in the area then there are placements."

GATHERING LINE EXEMPTION

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BUSH. Mr. Speaker, the Pipeline Safety Act is designed to prescribe and enforce minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities. The exemption of gathering lines from the jurisdiction of this legislation has caused a great deal of concern from several Members of the House. As a former member of the oil industry, I would like to comment on this concern.

Gathering lines are the small lines that run from the wellhead to the transmission line; 98 percent of these lines are in rural areas and for all practical purposes there have been no time-lost accidents on these lines for the past 6 years.

I am not one who favors Government regulation of all industry. And, naturally, I abhor Government regulation where it is not necessary. The stated purpose of this bill is to prescribe and enforce minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities.

No attempt is made in this legislation to regulate safety procedures at the wellhead. As these gathering lines are the vehicle that transmit gas from the wellhead to the pipeline, it seems entirely consistent to me that the committee should have exempted these lines. The inclusion of gathering lines would only be an extension of the authority of this act into an area where it is totally unnecessary and would only increase the costs of this program to the Government and to the industry.

DR. RAYMOND W. MILLER PRESENTS FOOTNOTE TO HISTORY

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. McFALL. Mr. Speaker, Dr. Raymond W. Miller, of Linden, Calif., a constituent of mine who heads World Trade Relations, Inc., and Public Relations Research Associates of Washington, D.C., recently agreed to prepare a series of articles for publication in the Linden Herald.

First of the series, entitled "Give It One More Turn," appeared in the May 30 issue of the Herald. It will be part of a book Dr. Miller plans to publish at a later time.

The initial article was of particular interest to me because of the footnote to history it contained—an account of an incident dealing with the appointment by President John F. Kennedy of Dean Rusk as Secretary of State.

Feeling that this vignette of history will be of equal interest to other Members, I am glad to call it to their attention.

The article follows:

[From the Linden (Calif.) Herald, May 30, 1968]

GIVE IT ONE MORE TURN

(By Dr. Raymond W. Miller)

In the early 1920's, when Mrs. Miller and I were developing our walnut grove in Linden, one of our first purchases was a disc harrow, a farm implement for semiplowing or stirring the soil.

Ours had four "gangs" of sharp discs, 20 inches in diameter, spaced seven inches apart by steel spools. Each four-foot gang was held together by a long, specially hardened gang bolt, and since they were delivered unassembled, the salesman and I had the job of putting the gangs together. When all were assembled and fastened to the heavy frame, we tightened each of the big bolts with a heavy wrench, using our combined strength on the two-foot handle. It was no easy task, and we strained at our labor.

When we had them as secure as I thought possible, I heaved a sigh of relief and said: "Well, that job's done!" "No," objected the salesman, "we have them pretty tight but even a little wobble will ruin the discs. Let's give it one more turn."

We found a 2-foot piece of pipe, put the handle of the wrench into one end of it and, with this added leverage, were able to make one more full turn on the bolt nut. That disc outlasted any similar tool I ever owned, and I give the credit to my persistent helper who insisted: "Give it one more turn."

That salesman, incidentally, was killed a few days later when he drove his car into the side of a fast-moving freight train. The accident happened at an open intersection on a good road, on a clear day with perfect visibility, and the driver was known to be a teetotaler. I have often wondered what caused him, a patient and careful person, not to take one more look at the road.

There is a lesson in this story that can be applied to many areas of activity.

Recently, for instance, I was scheduled to deliver a lecture on India, which I called "Men or Beasts?" and I was to accompany my talk with slides. Upon my arrival at the meeting hall in a distant city, I was greeted by my hosts with word that all was in readiness for my post-banquet speech. Everything pointed to a fine evening.

The meal was delicious, all at the head table where I was seated were most congenial, and the room was filled to capacity.

After dinner was over and the tables were cleared, I was presented to the audience, and there was rather extravagant comment about the pictures I had taken on my travels. I made some introductory remarks and then, as the lights dimmed, I asked for the first slide to be shown. It was not—nor was any other picture to be shown that evening because the projector turned out to be large-sized frames and mine were regular 35 mm. The committee chairman had forgotten that the owner of the projector used it for showing technical pictures and not my travelogue types.

The audience was understanding and, since I always enjoy hearing myself speak anyway, to me the evening was not a complete flop. I'll wager, however, that in the future the projector owner and the committee chairman will profit from the experience and will take that "one more turn."

On Sunday evening, December 11, 1960, I took a train from Washington, D.C., for Boston, where I was to lecture during the week to my seminar group at the Harvard Business School.

A friend and fellow member of the Harvard faculty, Professor William Y. Elliott, often traveled on the same train after spending the weekend at his farm in nearby Virginia, and this particular trip found us in adjacent bedrooms. We visited for a couple of hours and, as we parted for the night, Bill said: "Ray, I may not see you in the morning, I'll have to rush off the train at South Station in Boston to phone President-Elect Kennedy at nine o'clock, sharp. "Jack is a former student of mine and has asked me for advice as to who might best be able, willing and available to serve as his Secretary of State after the inauguration. I have recommended Dean Rusk, and have suggested that Jack check with Dean Acheson and Bob Lovett, who don't happen to be available for the job, and also Paul Nitze. I think they'll agree with me."

He went on: "I'm to talk to Jack or his aide in the morning to button things up and, naturally, I hope Rusk is acceptable as I think he's the American for the job. If the others agreed with my suggestion, I think he'll have a good chance, but I'll phone and make sure I've covered all the bases."

Leaving a 7:30 A.M. call with the porter, I prepared for bed. The last thing I recall about that night is that before I fell asleep I looked out of the window as we pulled out of Philadelphia. There was a terrific blizzard raging and snow was accumulating rapidly.

The next thing I knew it was morning and the train was standing still. Glancing at my watch, I saw it was already 8:45 A.M., so I assumed we'd reached Boston and the car would be switched into the yards. I rang for the porter and asked why I hadn't been called earlier as I'd requested. He explained: We're frozen up in New Haven, Mr. Miller. We've been here two hours already, and we won't be getting to Boston for a long time."

I immediately thought of my friend and his important telephone call, and soon found he, too, was just discovering our plight. After dressing hurriedly, we asked the porter to open the vestibule door so Bill could get to the phone booth outside that we could see from our window. It was then about 8:50 A.M.

The porter told us he was sorry, but all the outer Pullman doors were frozen shut. He advised us to walk eight or nine cars forward to get to an open door and then walk back to the booth. We knew it would be slow going out there in the snow and we could see, too, that the phone booth door was ice-bound and would take precious time to open.

Bill Elliott took in the situation and decided to "take the extra turn." He said: "Ray, we will get to that phone!" The porter was willing to give us a hand so, with all our combined strength and some hot water from the washroom, we went to work on the frozen Pullman door. After precious minutes had ticked by, we finally managed to get it open enough to barely squeeze through. By now we had the problem licked, and we were able to jar open the door of the phone booth about halfway.

Aided somewhat by my pushing and exhortations, Bill, who stands six-foot-two or three, and at the time weighed too much for the health charts, edged himself inside. He dropped a coin in the slot, got the operator and, at exactly nine o'clock, I heard him ask: "Jack, is everything set about Rusk?" He made no mention of the storm, the stalled train or our difficulties.

He'd taken the "extra turn" and put his call through at exactly the appointed time. A few hours later it was announced that Dean Rusk was the choice of President-elect Kennedy to serve as his Secretary of State.

Professor Elliott never revealed his endorsement of Rusk to him nor to any public sources, but Rusk learned of it quickly from the President-elect and persuaded Bill to serve as a special consultant for an agreed-upon two years of the Secretary's "breaking-in" period in his new post.

For a fuller story of the Rusk nomination, I refer you to the book, "Facing the Brink." Its authors quoted the first part of Bill Elliott's letter recommending Dean Rusk, but they omitted Bill's advice to consult not only Acheson and Lovett, but Paul Nitze, who was, himself, a possible nominee for the post.

They do mention the favorable response received from the former Secretary and undersecretary of State, on which Kennedy acted at Bill's suggestion.

President Kennedy was marked by destiny to meet a tragic end at the hands of an assassin. We do not yet know whether "one more turn" on his part, or on the part of others responsible, could have changed this fate. We do know, however, that because of Bill Elliott's "one more turn," the late President will live longer and better in American memory, aided and abetted as he was during his brief administration by the work and support of Secretary Dean Rusk.

PFC. CARL M. MIDDLEBROOKS FATALLY SHOT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. Carl M. Middlebrooks, a fine young man from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

CITY MARINE DEAD IN WAR—PRIVATE FIRST CLASS MIDDLEBROOKS, 20, WAS FATALLY SHOT ON PATROL

A 20-year-old Baltimore marine has been killed in Vietnam, the Defense Department announced yesterday.

He is Pfc. Carl M. Middlebrooks, son of Mrs. Catharine L. Clark and stepson of Fred L. Clark, of 3008 Rosalind avenue.

Private Middlebrooks was killed June 7 by gunshot wounds of the head received while he was on patrol in Quang Tri province, where he had been stationed for the past several months.

He had enlisted in the Marines in March, 1967, and had been sent to Vietnam in September. During his first months in Vietnam, Private Middlebrooks participated in the successful assaults on Hills 881 and 950 near the Demilitarized Zone.

He graduated from Douglass High School in June, 1966, and according to his stepfather, planned to go to college after his discharge from the Marines.

In frequent letters to his parents, he wrote that the war was "not as bad as people say" and told them "not to worry."

He is survived by his stepfather and mother.

ECONOMIC ENVIRONMENT OF PREPAYMENT AND HEALTH INSURANCE

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. CURTIS. Mr. Speaker, I insert in the CONGRESSIONAL RECORD a most interesting analysis of the spread of group health insurance plans, and commentary on the financing of medical care. Dr. Rita Campbell, archivist and research associate, Hoover Institute of Stanford University, has prepared an article for the June 1967 issue of the Massachusetts Physician entitled "Economic Environment of Prepayment and Insurance." Dr. Campbell had also been an economist for the Social Security Subcommittee of the House Ways and Means Committee in 1953–54. Her article, which follows, contains many valuable insights which ought to be borne in mind when considering development of various forms of financing medical care programs in our society.

ECONOMIC ENVIRONMENT OF PREPAYMENT AND INSURANCE

(By Rita R. Campbell, Ph. D., archivist and research associate, the Hoover Institute, Stanford University)

Current economic discussion, as it pertains to my assigned topic, focuses on the central idea of a recent book, entitled *Goals, Priorities and Dollars.*[1] In three words this title poses the dilemma basic to understanding the economic environment relevant to all expenditures, private and governmental, and is especially pertinent to meaningful discussion of prepayment and insurance of health care.

There is nothing new in the juxtaposition of the world: "goals, priorities and dollars." They are a terse restatement of the classical economics doctrine that there are unlimited wants but only limited natural resources to supply these wants and that, therefore, choices must be made as to which goals are more important than other goals. Is it better to spend more on education, or on health, or on housing, or on national defense, or what you will?

RANGE OF CHOICE

The individual automatically makes such choices whenever he spends his income. Government taxation and government spending is also part of the decision-making process in attaining national economic goals. Since there are many ways to reach a given goal, hundreds of decisions are involved. If the choice made is to spend more on health, should this be in the form of private purchase of health insurance, or tax-supported medical research, or combined private and government-supported hospital construction or manpower training. The range of choices is great and can be even further extended by reflection that a dollar spent on eliminating air pollution or eradication of substandard housing may increase health more than a dollar spent directly on health facilities or providing health care.

Since the heyday of classical economic doctrine, the area of government expenditures has greatly widened to include many goals which were formerly met by the private consumer buying in the private market. The broader the area of government expenditures—and in 1965 United States governments, federal, state and local, spent $205 billion or nearly ⅓ of the $676 billion gross national product—the less explicit are directions by voters on where to spend their money. The political vote cannot be a precise tool to determine, for example, whether the Federal Government should or should not provide housing for the middle income group. People do not vote directly on specific programs, but rather on broad, general government policy which covers the gamut of expenditures from those on international affairs and military outlays through nondefense and welfare spending.

GUIDELINES NONEXISTENT

Specific guidelines for civil servants to determine allocations between more government expenditures on medical research or more on foreign aid or more on new health centers also do not and possibly cannot exist. Yet, these federal government programs, each of which may be socially desirable, compete not only with the private consumer's dollar but also for the same government dollar and even for labor from the same medical manpower pool. Today governmental expenditures for domestic purposes are about $150 billion or over ⅓ of our total private consumption expenditures.

STATISTICS

These rather general national income concepts have been stated as a frame of reference for the more narrow, but necessary, statistical picture which follows.

First, a few relevant figures. Total expenditures for health in the United States in 1964 were $36.8 billion or 5.8 percent of the gross national product. About ¾ of these expenditures were paid from private sources and ¼ by government, federal, state and local. This ratio between government and private sources of expenditures for health has remained more or less constant over the past 15 years despite a threefold dollar increase in national health expenditures from under $13 billion in 1950 or 4.5 percent of that year's gross national product in contrast to the current 6 percent.

Although the *real* gross national product has been rising in the United States since 1948 at an average annual rate of 3.7 percent, during 1966 until the last quarter the rate of rise has been falling. A falling rate of increase and possibly a leveling out of the real gross national product means there is less available for new forms of government programs, expanded national defense expenditures and also for private purchases of goods. For over a year, the monetary policy of the federal government has been to force downwards private demand in order to permit greater federal government expenditures. If anyone has any doubt about this, they might ask what the interest rates are currently on home mortgages. The tight money market today is restraining housing starts which population and vacancy rate data indicate would otherwise be much higher.

---

[1] Lecht, Leonard: *Goals, Priorities and Dollars*, The Free Press, 1966.

THEORY OF GAMES

Basic to the game of forecasting the coming year, a game in which all economists like to indulge, is some guess as to national defense expenditures. To predict total national defense expenditures in 1967 is, however, hazardous. All types of defense expenditures can be suddenly changed to meet changing world conditions. Some components may increase, while others decrease. For example, Soviet aid to North Vietnam appears to be rising, and the outcome of the United States' response to the now public evidence that the Soviet Union is already producing and deploying an antiballistics missile system can not be firmly predicted. There will probably be a good deal of debate in next year's Congress as to whether the United States should or should not increase its military budget many billions of dollars by also producing and deploying an antiballistics missile system. On the other hand, the current issue of *Fortune Magazine's* "Roundup" predicts that total defense purchases will gradually level out because "the rise will surely slow down sharply, right away, since current draft calls are very low . . ." etc.[2]

The private economy is continuing to run at generally full utilization of its resources. The unemployment rate was 4.6 percent in 1965, the first year under 5 percent since 1957, and the current unemployment rate is just over 3 percent. The tight money policy of the Federal Reserve Board is still restricting private demand. Despite the offsetting deflationary factor of probable reduction of the currently high inventories held by business, the combination of continued high level of government purchases and relatively full employment of all resources means that if defense expenditures do continue to rise, there are tough decisions ahead.

RESTRICTION OF DEMAND

The choice appears to be among further restriction of private demand by increase in taxes, a politically unpopular move, or considerable further inflation—either way effective private demand will be reduced—or cutbacks in nondefense government expenditures. The latter appears politically unlikely.

It would be presumptuous of me to try to predict precisely how the current and immediate future economic environment, used in the broad general sense of national income and government budgetary policy, may affect purchase of private health insurance, either by individuals or groups, that is largely by union-management negotiated plans. However, the following may throw some light on the subject.

INCREASED EXPENDITURES

Per capital health expenditures have increased in current prices from $84.00 in 1950 to $191.00 in 1964. Correction for changes in the price level shows that at least 75 percent of this is a real increase, reflecting greater utilization of health services.

Per capital expenditures for health insurance have increased proportionately more than total expenditures for health, from roughly $6.00 in 1948, to $26.00 in 1958 and to $52.00 in 1965. The percentage of national income spent for health insurance has risen from ½ of 1 percent in 1948, to 1.4 percent in 1958 and to 2.1 percent in 1965. If national income continues to rise, dollar expenditure for health insurance will also rise, and if the upward trend in the percentage share of health insurance continues, as seems likely, the dollar expenditure will rise even more. Even if disposable income of consumers, that is income after taxes, is reduced in 1967, indications are that consumers will spend more on health in 1967 than they spent in 1966. There is a general long-run upward trend in health expenditures, reflecting higher educational levels and increased awareness of health needs and the great scientific advances of medicine and its increased curative powers.

EMPLOYEE HEALTH INSURANCE

The bulk of health insurance purchases is made by groups, not by individuals, and an increase in corporate tax rates could, if profits are not too adversely affected, stimulate greater contributions by corporations to their employee health insurance plans. This is because these insurance premiums are accepted by the Bureau of Internal Revenue as labor costs.

Almost ⅔ of health insurance coverage is negotiated by union-management collective bargaining contracts. By the end of 1964, 73 percent of all wage and salary workers had hospitalization, 70 percent surgical and 25 percent major medical coverage. (The latter does not include Blue Cross-Blue Shield coverage of this nature.) These figures can be compared to percentages for the civilian population with some health insurance as follows: 74 to 81 percent with hospitalization coverage; 69 to 78 percent with surgical coverage and over 30 percent with major medical.

FUTURE PROGRAM

In line with past pronouncements, the AFL–CIO continue editorially to support for the future "a medically advanced and economically sound national health care program—a public program which will replace our fragmented, costly, inefficient and inadequate arrangements for health care with an acceptable nationwide program of comprehensive, high-quality health services which is accessible to all Americans."[3]

In practical day-to-day negotiations, labor unions generally follow a pragmatic course of pushing for greater employer contributions to support a widening coverage and greater range of health benefits. In September 1966, 2¾ million of United Auto Workers members and their families benefited from renegotiated plans which provide that the corporations pay the full cost of improved hospital-medical-surgical plans. These provide "outpatient mental health care, convalescent care up to 730 days, hospital care for mental and nervous disorders up to 45 days, prenatal and post-natal care, in-hospital laboratory and x-ray fees and other benefits."[4] In addition, the automobile companies agreed to pay the full cost of hospital-surgical-medical coverage for their present 175,000 retirees and dependents and similarly for future retirees.

MEDICARE SAVINGS

The trend in union negotiations is also to use whatever "savings" resulting from Medicare to extend health benefits.

Because of union pressure and tax stimulus, it is now usual for employers to pay *all* the premium costs for health insurance coverage of their employees and their dependents. In the past, although most plans provided that companies pay the whole premium for their employees, they generally contributed only half the premium for dependents of their employees. Employer contributions have increased from $2 billion in 1954 to $6.6 billion in 1964,[5] and it is anticipated that they will continue to rise.

TRENDS

Medicare does not appear to be slowing down the trend in union-management contracts to extend protection to employees after they retire. Studies indicate that about "60 percent of the employee group contracts protect the beneficiary after he retires, though usually at higher premium rates and/or lower benefits,"[6] and reports on recent negotiations show increases in this area and also additional benefits for protection of employees during lay off. The Health Insurance Association states as of November 1966 that the majority of people over 65 who had insurance are retaining or repurchasing private coverages of some type.

Despite union sponsorship and innumerable predictions that prepaid, group practice plans will be the solution to rising medical care costs in a society of rapid technological change and increasing demands by a better educated, more medically-aware consumer, membership in these plans still is only 4 to 7 percent of all those with insurance. Group practice vis-à-vis solo practice continues to increase, but prepayment plans offered by group practice are not increasing as fast.

The primary criticism of private health insurance as compared with prepaid comprehensive group plans is that the former is not comprehensive enough in coverage. An allied criticism is that sales have reached a saturation point and 80 percent of the civilian population is about the largest proportion which will be covered. Fifteen of the 50 states have health insurance enrollments estimated at 80 percent or above and four states at about 90 percent.[7]

Criticism of private health insurance is usually summarized by stating that only one-third of consumer expenditures for medical care are met by insurance benefits. This often quoted[8] HEW statistic appears in the same HEW article which states that in 1964, private insurance payments met 69 percent of consumer expenditures for hospital care and 36 percent of consumer expenditures for physicians' services, home and office calls.[9]

MONEY FOR CARE

How can these figures be reconciled? The matter is one of understanding statistics. Consumer expenditures for personal health care are defined to include not only expenditures for hospital care and physicians' services, but also expenditures for drugs, appliances and nursing-home care and "medical activities in Federal units other than hospitals, school-health services, and industrial and in-plant services." These total $25 billion, $25 billion including net cost of health insurance. Consumer personal expenditures for hospital care and physicians are only 59 percent of the $25 billion total, expenditures for drugs are 18 percent and expenditures for dentists 9 percent. Insurance offered in areas other than hospital and physician care is negligible and thus reduces the overall percentage well below the percentage for either hospital or physician care expenditures.

---

[2] *Fortune*, January 1967, p. 30.

[3] *AFL-CIO American Federationist*, January 1966, p. 24.

[4] *UAW Solidarity*, May 1966, p. 12.

[5] *Social Security Bulletin*, April 1966.

[6] H. B. Shaffer, "Preparation for Medicare," *Editorial Research Reports*, December 8, 1965, p. 915.

[7] *Social Security Bulletin*, November 1966, p. 13. The four states are New York, Pennsylvania, Indiana and Illinois. The article gives a range, *e.g.*, 91 to 83 percent for New York.

[8] One example, Roul Tunley, *The American Health Scandal*, Harper, 1966, p. 253. "Although almost three-quarters of the population has some form of insurance, it pays no more than 30 percent of the bill."

[9] See *Social Security Bulletin*, January 1966, "National Health Expenditures, 1950–64," pp. 15, 16. The percentage, 36 percent of expenditures for physicians' services met by insurance, also obscures the fact that in 1963–64, of those who actually were surgically treated in short stay hospitals, 68 percent (and this includes deliveries) had part or all of their surgical bill paid for by insurance and that of these, 60 percent had ¾ or more of their bill paid for by insurance.—U.S. HEW, Proportion of Surgical Bill Paid by Insurance, Ser. 10, No. 31, p. 3.

Coverage primarily via rapid growth of major medical commercial insurance policies and the comprehensive extended benefit contracts of the Blue Cross-Blue Shield is expanding into the heretofore less covered areas. The HEW reports that in 1965, 41 percent of the civilian population had some coverage for x-ray and laboratory services outside of the hospital, 33 percent some coverage for physician office and home visits, 31 percent for visiting nurse service, 29 percent for private duty, 28 percent for drug expenditures, but only 2 percent for dental services.[10]

Time permits only a brief discussion of the question of low income persons and financing of their medical care. The definition of poverty is a relative one. The standard demarcation line today appears to be $3,000 annual family income. Using constant dollars, in 1929, over 50 percent of U.S. population were poor on this standard; in 1962, 21 percent; today, about 18 percent.

HEW's poverty index for the number of families and individuals defined by them as poor declined during the 5-year period, 1959–1964, from 22 percent to 18 percent of the population or by nearly 5 million people.[11] This is a pretty good record for a nation that officially declared "war on poverty" as late as 1964.

MEDICAL CARE EXPENSIVE

That the number of poor is declining, however, does not eradicate the problem—medical care is expensive and aid, whether private or governmental, is needed. Some who are poor do have private health insurance. The wide prevalence of group health insurance plans rather than individual purchase partly accounts for what I personally feel is a surprising degree of insurance protection held by low-income persons. In 1963, 34 percent of those with family annual incomes under $2,000 and 52 percent of those under $4,000 had some hospital insurance while 29 percent and 47 percent respectively, had some surgical insurance.[12] Variation of income over the lifetime of an individual means that health insurance coverage can and should be obtained when the individual's level of income is high. Some individuals do not in the course of their life move out of the poverty level, and these are primarily those who never or rarely work. The financing of medical care for most people can be left to private mechanisms, but that of the latter group, those who are always in poverty, is largely a governmental problem.

AID POOR

The poor and the unfortunate in our society must be aided and in accordance with the American tradition generously so by both private and public means. But in doing this, there is no need to force the whole population into an ever-expanding web of compulsory governmental welfare programs for everyone.

The United States is now at a level of wellbeing where the individual can lead a much fuller life, both materially and spiritually, than he could a century or even a quarter century ago. The income of the average person in this country is now high enough so that he can buy his own health insurance policies, his own life insurance policies, his own retirement policies, not to mention his own cultural and recreational activities. This way he can obtain the things he desires and not what some bureaucrat feels is good for him.

This is the road to a truly Great Society, not the path of ever-proliferating federal programs which inevitably must interfere with individual liberty and weaken state and local governments and voluntary agencies.

DICKEY-LINCOLN SCHOOL PROJECT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HATHAWAY. Mr. Speaker, I rise to respond to the statement and charges made by my distinguished colleague, the gentleman from Connecticut [Mr. GIAIMO], yesterday against the Dickey-Lincoln School hydroelectric power project.

It is with deep regret that I note my colleague's vow to attempt to delete the modest appropriation of $671,000 included in the public works bill to continue advance planning of the project.

Furthermore, I am greatly distressed that he should base his decision to continue opposing the project on arguments which have been clearly shown to be unsupported by fact.

In announcing that he will seek to prevent the appropriation of funds for the Dickey project when the public works bill is acted upon tomorrow, Mr. GIAIMO described it as an "obsolete powerplant," charged that it will cost in the neighborhood of $500 million to construct, and that it would produce high-cost power. Let us examine the facts.

Fact No. 1: Hydroelectric powerplants are not obsolete. They are an important part of balanced, integrated power systems, and have been proven the best and most efficient and economical means of furnishing peaking power to meet system demands during peak load periods.

The private utilities who have led the fight against Dickey in order to preserve their monopoly in the Northeastern United States have frequently charged that hydroplants such as Dickey are obsolete. They have used this argument when it served their ends, but have abandoned it when it threatened their own self-interest, as I shall show.

Testifying before the Senate Committee on Commerce during hearings on proposed amendments to the Federal Power Act on February 26 of this year, two private utility officials spoke quite differently about hydroelectric plants.

William H. Dunham, president of the Central Maine Power Co., testified:

> Thermal plants are generally most economic when operated at full capacity around the clock. When they are used in combination with hydro-plants, which meet system peaks, maximum benefits are obtained.

He added that hydropower adds greatly to the reliability of an electric system.

The president of Alabama Power Co., Walter Bouldin, also spoke of the importance of hydroplants. He stated:

> These hydro plants are a most substantial and essential component of generation and transmission resources now being used to provide reliable and economical electric services to consumers in the area served by the Southern System affiliates.

He also noted:

> Hydro-electric plants are eminently better suited (as compared with other types of generating plants) for variable operating requirements since they can be kept synchronized with the system and ready to respond instantaneously to changes in load requirements.

So much for fact No. 1. Hydroplants are definitely not obsolete.

Fact No. 2: It will not cost $500 million to construct the Dickey project. The current estimate of construction costs submitted by the U.S. Army Corps of Engineers is $236.4 million, including $18 million for interest during construction.

All cost estimate factors have been treated in accordance with the standards prescribed in Senate Document No. 97, and the estimated total project construction cost is both sound and reliable.

The Corps of Engineers has an enviable record of reliability in preparing cost estimates. A Senate Appropriations Committee study of 51 Corps-constructed projects for which completion funds were requested in the 1968 public works appropriation bill showed this to be true. The 51 projects were estimated at the time of first construction funds to have a total cost of $734,637,000. Their estimated cost at the time completion funds were requested—and some of the projects had been under construction for 8 to 10 years—had risen to only $735,502,000.

This represents an increase over initial cost estimates of only one-tenth of 1 percent. Surely this record should instill confidence in the Corps of Engineers and settle fact No. 2.

Fact No. 3: The Dickey project will generate low-cost power, not high-cost power, as its opponents falsely charged.

The economic analysis of the Dickey project is sound. Not only does it meet the benefit-to-cost ratio test with a most favorable 1.9-to-1 ratio, but also meets the comparability test, which assumes comparable financing of the alternatives suggested to it.

Basically, the comparability or economic efficiency test provides for comparison of the costs of providing equivalent benefits from the most economical alternative likely to develop in the absence of the project under study.

The Corps of Engineers analysis on this basis indicates that the annual charge at market for Dickey power amounts to $11,002,000, while alternative equivalent power charges amount to $12,468,000. This results in a ratio of 1.13-to-1 in favor of the Dickey project.

This means that if the private utilities could obtain financing equivalent to the Federal Government rate, power could be provided by the Dickey project at 13 percent less cost than by the best alternative they offer. The economic efficiency test has undeniably established the fact that the Dickey project will provide the power at the lowest costs. Other studies by the Corps of Engineers, the Federal Power Commission, and the Department of the Interior have given further proof that Dickey power would cost consumers the least. So much for fact No. 3 and my reply to my distinguished colleague, Mr. GIAIMO.

---

[10] *Social Security Bulletin*, November 1966, pp. 6, 7.

[11] *Social Security Bulletin*, April 1966, pp. 24–25.

[12] *Social Security Bulletin*, November 1966, p. 7.

Mr. Speaker, opponents of the Dickey project have also, in recent days, implored Members of this body to oppose it in the interest of conservation. Letters sent to Members depict a grim picture of the impact of the project on Maine's natural and scenic resources.

If one were to take the letters literally, the Dickey project will denude the State of trees. A great wilderness area would be befouled, and great numbers of animals would be displaced from their natural habitat.

These charges are, of course, untrue or greatly exaggerated.

While construction of the Dickey project would result in the inundation of certain wilderness areas of value, it would not destroy an area that can be considered unique.

It would not, like the Glen Canyon project, threaten a natural wonder as magnificent as the Grand Canyon. It would not, like the Cross Rocks and Rankin Rapids projects considered before the Dickey project, destroy one of our great rivers. It would not, like the Con Edison project on the Hudson River, deplete a shrinking area of natural beauty adjacent to an urban metropolis.

Maine is 87 percent forested. There are more than 17 million acres of commercial forests in Maine. The Dickey-Lincoln project will flood approximately 88,000 acres of timber, much of which can be harvested before flooding. This represents less than one-half of 1 percent of the timber resource area of Maine.

The flooding will cover a number of deer yards. The Maine Department of Inland Fisheries and Game estimates that some 2,000 deer will be displaced. While some of these deer may be lost if they cannot adapt to new habitats, most should adapt and be saved. There are approximately 180,000 deer in Maine.

An extremely pessimistic estimate may be that 1 percent of the deer herd of Maine may be lost because of Dickey-Lincoln. Six major trout streams will be inundated. There are 3,600 streams in Maine. This represents a loss of one-sixth of 1 percent. In the lake that will be created by the Dickey project, a fishery for Togue or lake trout can definitely be created.

There will be wildlife losses and losses of esthetic value because of the creation of Dickey-Lincoln. This fact cannot be denied. But these losses must be seen in perspective and balanced against the loss in human terms of an undeveloped and underdeveloped economy, of a State that sees its northern counties denuded, not of trees, but of more than one-half of its younger age population in certain instances. Outmigration has created a human wilderness in many parts of Maine.

To the conservationists who oppose Dickey, I would say: "Yes, we know there will be some losses. We have measured the effects and we will do everything possible to keep these losses to a minimum."

Contrast this attitude to that of the Central Maine Power Co., which proposes to build a nuclear powerplant at Wiscasset, Maine, and to dump the thermal pollution of heated water into Montsweag Bay with unknown effect on the ecology of the entire midcoast. The president of Central Maine Power Co., William Dunham, when asked at a recent hearing whether the company should not provide cooling towers for this heated water, replied to the effect that he did not see any reason for taking precautions when he did not know if there would be any dangerous effects. At the same hearing, Dr. John Ryther, of the Woods Hole Oceanographic Institution, testifying for the Central Maine Power Co., admitted that the discharge of heated water could have a "disastrous effect" on marine life.

Mr. Speaker, I am deeply concerned about the environmental and ecological effects which will result from construction of the Dickey project. I regret that trees will be sacrificed, and by no means am I insensitive to effects on wildlife.

However, I am much more concerned with human need; with the thousands of families who live in poverty within the area to be served by the project, with the thousands of young people deprived of good education, adequate opportunities for development and growth, and job opportunities when they reach maturity.

I see in the Dickey project, great hope for the economic development of Maine and New England, and translate this into opportunity for better lives for many people who live there.

The Dickey project must be constructed. It has been proven to be deserving of support. I urge my colleagues to reject all efforts to defeat it and to vote to approve the modest appropriation recommended to continue advance planning for its construction.

MAIL-ORDER MURDER

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. NIX. Mr. Speaker, as chairman of the Postal Operations Subcommittee, I will introduce a bill which will bar all firearms, whether in condition to be used or not, and all destruction devices from the U.S. mails, with penalties for violation of up to 1 year in prison and/or $1,000 fine. In addition, the Postal Operations Subcommittee will hold hearings on this bill on the 24th of June, and I invite the Postmaster General to appear and ask all Members of this and the other body to submit testimony on this bill. The hearings will be held in room 210 of the Cannon House Office Building.

The United States of America is described in the last stanza of the "Star-Spangled Banner" as the home of the brave. With 100 million firearms unaccounted for in the United States, we are rapidly becoming a fearful nation when you consider that we only have 60 million households in the United States. That is one and a half firearms per household. In 1966 there was a major gun-connected crime every 5 minutes. Over 6,500 murders a year are committed by firearms in this country, 43,000 aggravated assaults connected with guns and 60,000 gun-connected robberies. Murder by gun in the United States is 55 times that of Great Britain, 25 times that of West Germany, and 90 times that of the Netherlands. Against this staggering record which gives our enemies the chance to say we are not a civilized nation, is balanced the convenience of hunters in obtaining mail-order weapons. This service to hunters was also a great convenience to Lee Harvey Oswald, who was able to kill a President of the United States with a long-range weapon at a total cost to himself of less than $20. John F. Kennedy was murdered through a service provided by the U.S. mails.

European nations have been dumping the deadly trash of war—army rifles—on our doorstep because they know that they can sell these weapons at cutrate prices through our mail service. There is no reason why an inherently dangerous object such as a firearm should be mailed. There is no reason why the U.S. Government should provide a mass distribution system for these things.

The ban on the sale and distribution of firearms through the mail will prevent the easy violation of State and Federal gun control laws. What is more, this prohibition will be applied against all weapons whether they are in a condition to be fired or not. Many weapons have had plugs inserted in their barrels or have the firing pin removed and then these weapons are sold as collectors items. There are cases where the plugs have been removed by merchants and the firing pins replaced, restoring the weapons to firing condition.

Postmaster General Marvin Watson took the first step in making State gun control laws effective last week by issuing postal regulations which require that packages containing firearms be labeled as such and that postmasters notify local police officials of the arrival of firearms in their communities. The journey begun by Postmaster General Watson will be completed by this bill in that firearms will not be forwarded by mail. One large distribution system will be dried up.

When Lee Harvey Oswald murdered President John F. Kennedy almost 5 years ago by use of a mail-order army rifle, I thought action would be taken. Nothing happened. The National Rifle Association is again fighting for time the way they did after John F. Kennedy's death. They are a powerful lobby, much too powerful for the good of the United States. I think we must act now to restore law and order and civilization to this country and gun control is the first step. Neither vicious lobbying nor the convenience of hunters should be allowed to stand in the way of restoring peace at home. If we want law and order, the arms traffic must be stopped.

At the conclusion of our hearings a clean bill will be introduced so that sponsors may be added to the subcommittee bill. I hope that many of you will find time to enter written statements in our hearing record. We must take action this time.

DICKEY-LINCOLN PROJECT

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. CLARK. Mr. Speaker, it is my understanding that on Wednesday of this week we are to consider the public works appropriation bill. A close examination of this bill results in the discovery of an incredible request for funds for the Dickey-Lincoln School hydroelectric project in Maine.

I say an incredible request, Mr. Speaker, advisedly because this project has been defeated in this Chamber four times in the last 3 years, each time by an increasingly larger margin.

It has drawn the fire and wrath of a number of business organizations, organized labor, conservationists, and Members of all political persuasions in this Chamber. It has been actively opposed at one time or another by two-thirds of the Members from New England—the very area that the proponents of the project have attempted to establish that it would benefit.

It has been the subject of reams and reams of editorial opposing it all across the country and particularly in New England. It has been studied and restudied and each time that has been done it comes out more in the red.

It started out as a $200 million project and now a number of reliable sources maintain that it could run to a half billion before they ever got through with it.

The project is so clearly bad that it has united the conservationists and the electric utility people and it has been some time since they have agreed on anything. It has brought the equally unusual situation of successive visits to many of our offices by labor and then management people—both opposing it.

At a cost of hundreds of millions of taxpayers' dollars, it would constitute the most expensive of all possible methods the Federal Government could pursue for the production of electric power in New England.

The opposition of competent conservations groups like the Natural Resource Council of Maine, the Audubon Society and the Sierra Clubs has mushroomed all across the Nation as they call out in anguished despair at still another unnecessary intrusion of beautiful, natural settings that need not be desecrated.

Now, Mr. Speaker, I ask, in view of all the foregoing, whether or not I am correct in describing this request as incredible. I ask further whether or not this is a serious misuse of the time of this House to be called upon again—in point of fact required—to debate this clearly discredited project?

Last year I aptly described Dickey-Lincoln as a "solid gold turkey" and they are still trying to stuff that turkey down our throats and particularly the throats of the New England congressional delegation.

Now all of the foregoing is incredible enough, but add this year the factor of a monstrous Federal deficit and add the fact that this very week we are also to be asked for an increase in Federal taxes, and the proposition of Dickey-Lincoln becomes almost unbelievable. Can anyone in this Chamber vote for a half-billion-dollar unneeded, ineffective, uneconomic, discredited solid gold turkey?

MEMORIAL DAY ADDRESS BY COL. WALTER W. FADE

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. KING of New York. Mr. Speaker, the following address was made by Col. Walter W. Fade, professor of military science, Clarkson College of Technology, at the Memorial Day exercises held at Schuylerville, N.Y. Personally, I found Colonel Fade's remarks both thought provoking and inspirational and I would like to share them with my colleagues. At a time when our Nation's goals and purposes are sometimes questioned, I feel that it is proper as Colonal Fade has emphasized, that we remind ourselves that we have the responsibility to become involved in our Nation's policies and these responsibilities can not be dismissed.

Colonel Fade's Memorial Day address follows:

> This morning our flag flies at half mast in memory of those who have given their lives in defense of our country. Throughout the nation similar ceremonies are being held, graves are being decorated, and words of eulogy are being spoken. We here recognize our solemn obligation to these men who died so that we may enjoy the fruits of freedom—that our Nation may endure. And so it is fitting that on this Memorial Day we should in turn rededicate ourselves to the cause of freedom. We, each one of us, must accept our individual responsibilities—to be involved in the preservation of our heritage.
>
> You see, in truth, involvement is really how Memorial Day began—involvement by men and women helping to heal the wounds of the Civil War. We recognize that this basic ceremony began in Waterloo, New York, as a result of the efforts of General Murray and Mr. Harvey Wells. In 1867 in Columbus, Mississippi, men and women decorated the Confederate and Union graves. In 1868, one hundred years ago today, General Blackjack Logan, Commander of the Grand Army of the Republic, published General Order Number 11 which established May 30 as Decoration Day. Since then Decoration Day has grown to be Memorial Day—grown to be a salute to the Nation's dead in all of our wars.
>
> If we as citizens are to be involved, then we have individual responsibilities that we must not discharge. We must defend our freedom from outside threats, we must help protect other free nations from aggression, and we must protect our freedom from within.
>
> You may ask yourself, "How can national defense be an individual responsibility? The Minuteman Days are over. Now it is a government responsibility. A job for the serviceman, not the civilian." True, a soldier's role in national defense is more direct. However, what makes a soldier? His strength lies in the moral fiber of the Nation, his training at home, at school, and in church. It is indeed sad that it must be the country's youth who pays the high price in defense of the Nation. But this was so in your grandfather's time, your father's time, and now in your time.
>
> The American citizen also pays for national defense. A real and tangible price is in the form of taxes, taxes that pay for the debts of past wars and support the present defense budget which buys the weapons and tools of warfare. Money, however, cannot be dedicated, weapons cannot be courageous, only the soldier, the ultimate weapon, the distinguishing mark of the U.S. Army can and does provide these qualities. Yes, the citizens' responsibility goes far beyond just paying taxes. A citizen must:
>
> 1. Be knowledgeable and interested in his Country's defense.
> 2. Respond to calls for assistance from other free nations.
> 3. Practice good citizenship by recognizing the equality of men and nations and respecting the laws of the land.
>
> It is not the dissent or protest which we hear of so often today that could destroy our freedoms and perhaps even our Nation. Rather, it is indifference which can do the greatest harm. If the majority of Americans are too apathetic, too timid to stand up and speak for America—we would one day have little to praise. We could lose our freedom—the freedom that the men have died for—by mere default.
>
> We have an inspiring heritage of freedom that has been wrought with the blood of men who died defending it. They gave their lives that we might live. They denied themselves a future so that we might have ours. They have given us the gift of freedom; and if we would keep that gift, we must use it wisely—defending it, cherishing it, sharing it. On Memorial Day, then, let us as individuals remember that we each have a stake in the future of this country. So it is written in the Preamble to the Constitution which states:
>
> "We the people of the United States, in order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."
>
> "We the people . . . ." "established these ideals." And "We the people . . ." must carry on this work. Let us therefore never forget our heritage. Noble men have given their lives in its defense. Let it not be said that they have died in vain.

PESTICIDES AND ENVIRONMENTAL POLLUTION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DINGELL. Mr. Speaker, the board of directors of the Michigan Association of Conservation Ecologists recently appointed a special committee, under the chairmanship of Dr. D. W. Douglass, to advise it on matters pertaining to pesticides and environmental pollution. The pesticide committee's report and recommendations were accepted by the association's members at a meeting held at Detroit on May 24, 1968. So that my colleagues may have an opportunity to be familiar with this excellent document and the recommendations it contains, I insert the text of the report of the MACE pesticide committee at this point in the RECORD:

> Your committee, representing a wide range of interests and backgrounds, is naturally not unanimous in its thinking on all points

regarding pesticides, but is in essential agreement on what it regards as the basic issues:

Certain insecticides, both highly toxic and persistent, of which a number of chlorinated hydrocarbons are the principal examples, represent a serious threat to the ecosystem and welfare of many forms of wildlife. (We decry the popular term "hard" for these compounds, because of the implication that the remainder are "soft." In view of the extreme toxicity of certain nonpersistent pesticides, and the low toxicity of some persistent materials, "hard" and "soft" are unsuitable terms.)

We have examined in some detail the existing system of regulations, federal and state, which affect the use of persistent, highly toxic insecticides, and find encouragement therein. In particular, we believe that as regards wildlife there has been a marked improvement in registration limitations and labeling requirements in recent years, so that today a conscientious heeding of the warnings on the label usually provides reasonable safeguards for wildlife. Nevertheless, some of the persistent and highly toxic pesticides are widely misused in one or more of the following ways:

1. Used when safer alternatives exist.
2. Used in greater quantity than required.
3. Used more frequently than required.
4. Used in routine application, when no real need exists.
5. Used when a proper weighing of factors would indicate not to use.

In view of the existing accumulation of certain compounds, notably DDT, and their known or suspected effect on many components of the ecosystem, it is advisable to reduce drastically the amounts of these materials applied annually to permit a gradual reduction in the amounts available in the soils and waters of our environment.

The committee wishes to emphasize that it recognizes the need for chemical pesticides of many kinds. It does not anticipate that biological, biochemical, or cultural controls will supplant chemical controls to any large degree. It does feel that there is great room for improvement in our use of chemicals, so that the undesirable effects can be minimized while maintaining essential and economical production of food and fiber. We do not believe that cost alone should be the deciding factor in determining which of alternate methods should be used.

Specific recommendations are as follows:

1. The committee is in general agreement (with some reservation) that there is definite need for a policy-making board or committee at the state level to supplement the work of the federal Pest Control Committee. It should include technically qualified individuals from a variety of disciplines and should have sufficient authority to implement its policies. There appear to be several possible ways in which such a board might be created and made effective:

(a) The present advisory committee to the Director of Agriculture provided by Act 233, P.A. 1959 (which has no real authority) could be given requisite authority by amendment. Some modification and expansion of the specified membership would probably be advisable.

(b) Through written interagency agreement, perhaps with the guidance of the Executive Office, an inter-departmental committee could be formed which would review and approve or disapprove any or all pest control programs of state agencies, and could review the registration of pesticides by the Department of Agriculture. If so agreed, it could order changes in registration and labeling.

This method is essentially the same as that which created the Federal Pest Control Committee. We believe that it would be more appropriate to refer to a Michigan counterpart as a *Pesticide* Control Committee. The state constitution requires that any board, council, or committee having permanent official status must be attached to one of the duly established Departments.

(c) A new law could be enacted which would create a Pesticide Review Board made up of representatives of all state Departments concerned with pesticides. It should include the director of M.S.U.'s Pesticide Research Center and perhaps technically qualified representatives of one or more of the other universities having major research programs on pesticides and ecology. Our committee is somewhat divided as to whether a broader citizen representation is desirable. We assume that the Legislature could assign virtually complete regulatory powers to such a board if it saw fit; we believe that in any case the board's authority should go well beyond an advisory capacity.

2. We believe that the law (Act No. 233, P.A. 1959) which provides for licensing of commercial applicators of economic poisons should be made much more effective than at present, so that only persons having adequate knowledge of the various effects of the various common pesticides will be licensed. There should be provision for inspection and policing of the work of the licensed applicators to insure compliance with the letter and intent of regulations. Licenses of applicators who do not measure up to reasonable standards, both technical and ethical, should be revoked.

3. Michigan's Economic Poison Law, also known as "The insecticide, fungicide, and rodenticide act of 1949" (Act 297, P.A. 1949) now permits a person who has been refused state registration of an economic poison to demand and receive registration "under protest." The label of the material so registered must carry conspicuously the words "Warning: Registered under protest in Michigan."

Federal regulations no longer provide for registration under protest. Although there are probably few, if any, instances of such registrations in Michigan now, we recommend elimination of this loophole in Section 5, Act 297, P.A. 1949.

4. Our committee was charged specifically with the task of advising regarding "prescriptive use" regulations for certain pesticides. There appear to be two interpretations of this phrase. One envisions that certain pesticides would be so restricted that they could only be obtained on prescription, much as various drugs are restricted. However, there is no large and widely distributed group of qualified "Doctors of Pesticides" to write the prescriptions. It is scarcely conceivable that any state board or committee on pesticide control would be in position to handle individual prescriptions in any volume. Turning the responsibility over to any existing group, such as the agricultural extension service, would mean in effect no uniform restrictions at all.

We consider that the only practical system of "prescriptive use" is through established registration and labeling procedures. These could be invoked to prohibit the use of highly toxic and persistent pesticides except for prescribed essential uses for which no effective alternate material is known. However, there appears to be no feasible method of taking punitive action against any individual who uses a pesticide in ways not sanctioned by the label, provided no prohibited residues and no damage to private or public property or welfare can be shown. The mechanism to provide for any greater degree of enforcement seems prohibitively elaborate and costly.

We believe that any pesticide control committee or board that may be established should direct its first effort toward the proper restriction of the use of the relatively toxic and persistent chlorinated hydrocarbons, the group which appears to be causing the most harm to the ecosystem. It may be that none of these can be entirely dispensed with, but we believe that the use of most if not all can be greatly curtailed without serious reduction in essential crops or undue increase in production costs. Specifically, we recommend stringent restriction of the use of the following chlorinated hydrocarbons: DDT (and DDD=TDE), Dieldrin, Aldrin, Heptachlor, Chlordane, Lindane (and benzene hexachloride), Endrin, and Toxaphene.

C. T. Black,
Eugene Kenaga,
Fred B. Knight,
Eugene W. Roelofs,
D. W. Douglass,
Chairman.

SUPPORTS VETERANS LEGISLATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HAMILTON. Mr. Speaker, the second session of the 90th Congress is steadily meeting its obligation to this Nation's 26 million veterans. That obligation, very simply, is to insure that veterans benefits and veterans programs will fully correspond to present-day needs and present-day responsibilities.

Already in this session, two major pieces of legislation, which are a part of that obligation, have been signed into law. And in the past month the House has passed and sent to the Senate three additional pieces of high-priority veterans legislation.

It is now public law that no veteran will suffer loss of income as a result of the recent increases in social security benefits.

It is now the law that the Federal Government will guarantee GI home loans up to the amount of $12,500. This change is the first increase in the maximum insurable amount since 1950 when the top level was set at $7,500. This same legislation also removed the 6-percent interest limitation on GI loans. The interest rate will now be set to correspond to local money markets.

These changes will not only stimulate the housing market and create more jobs, but more importantly, they will increase the opportunity for veterans to purchase a decent home because the financing protection this Nation has pledged to guarantee its veterans will now be competitive in a modern economy.

The House has now passed the administration-supported bill to provide increases in the rates of compensation for disabled veterans. This measure is now pending before the Senate Finance Committee.

The rate increases fully conform to the recommendations of the U.S. Veterans Advisory Commission by providing a $100 monthly increase for the service-connected, 100 percent disabled veterans, increasing their compensation from $300 to $400 monthly; and by increasing those rated less than totally disabled by 8 percent to meet the 7.66-percent increase in the cost-of-living which has occurred since Public Law 89-311 became effective on December 1, 1965. Increases for the more severely disabled have been made consistent with the proposed $400 rate for the totally disabled.

This bill is to become effective, when passed by the Senate, on January 1, 1969.

Now pending in the Senate, after passage by the House, is a bill to allow veterans to receive benefits for part-time vocational training by removing the present restriction that such training be taken on a full-time basis. The amount of subsistence is to be reduced in proportion to the amount of training taken part-time. This legislation will allow veterans to retain their present employment and at the same time train for better jobs.

Finally, the House has passed and sent to the Senate a bill to extend educational benefits to widows of veterans, and to wives of totally disabled veterans. The bill also extends benefits to veterans eligible for educational assistance under both the War Orphan's Educational Assistance Act and the GI bill.

Mr. Speaker, I believe this is a worthy record. And I am proud to have supported all five of these bills on the floor of the House. But it is a record we should build on, rather than just be content with.

The 90th Congress should add the following legislation to the books before it adjourns.

First. Life insurance: Increase servicemen's group life insurance from a maximum of $10,000 to a maximum of $30,000. And any increase which is legislated should not be tied to salary, but to the desire of the individual for insurance.

Second. Veterans' Affairs Committee: Enact legislation to create a Veterans' Committee in the Senate which will give undivided attention to the writing and consideration of veterans' legislation.

Third. Newly returned veterans: Pass the President's Veterans in Public Service Act to provide returning veterans with incentives to enroll in job training programs which will enable them to become teachers, policemen, firemen and to prepare them to work in hospitals and various health, education, welfare and employment opportunity programs. These jobs are critically understaffed throughout the Nation.

Fourth. Cemeteries: Enact the necessary legislation to coordinate the administration of our national cemeteries and to study and investigate sites in each of the 50 States for use as national cemeteries. Every deceased veteran should be insured of the right to be buried in a national cemetery which is reasonably close to his home.

This list of legislation does not pretend to be a complete agenda of action for veterans. But it does represent those programs which, I believe, should be enacted in this session of Congress.

Mr. Speaker, in the fiscal 1969 budget, this country will spend approximately $7 billion to provide services and benefits for America's 26 million veterans and their families, who make up 46 percent of the Nation's population. I believe the legislation we have passed so far in this Congress, and the work that remains to be done, will insure that this country is living up to the responsibility it owes to its fighting men on whom we all must depend.

Let us do honor to them, and to ourselves, by enacting these remaining pieces of veterans' legislation.

REMARKS OF MR. FRED M. BISHOFF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DANIELS. Mr. Speaker, on Saturday, June 6, 1968, Mr. Fred M. Bishoff, Director of the Safety and Health Division of the Bureau of Personnel of the U.S. Post Office Department, made a very outstanding presentation at the 51st annual convention of the New Jersey State Association of Postal Supervisors which was held at the Colony Motel at Atlantic City, N.J.

I think all Members of this House and all persons who read the CONGRESSIONAL RECORD will be interested in his remarks. Under unanimous consent I include Mr. Bishoff's speech at this point in the RECORD:

SPEECH BY MR. FRED M. BISHOFF, DIRECTOR OF SAFETY AND HEALTH DIVISION, BUREAU OF PERSONNEL, U.S. POST OFFICE DEPARTMENT, TO THE 51ST ANNUAL CONVENTION, NEW JERSEY STATE ASSOCIATION OF POSTAL SUPERVISORS, ATLANTIC CITY N.J., JUNE 8, 1968

I am pleased to be here today representing Postmaster General W. Marvin Watson, President Johnson, and Vice President Humphrey to talk with you, managers of the most extensive, important business in the United States.

The problems that beset our civilization today . . . the population explosion, the business explosion, the education explosion, the revolution of rising expectations and the unrest around the world which causes our men to spend months on alien lands . . . these problems are everyone's burden. Significantly, they weigh especially heavy upon *your* shoulders.

Today's civilization is more complicated than man could have dreamed when most of us were in school.

The pressure cooker of our social environment is particularly intense for the postal system because we fulfill a long range, vastly important obligation. A promise to the public based on a proven tradition of service. *The mail will go through.* We are the writingest people in the history of mankind and the most dependent upon the mails.

The announcement of a birth or death has continuing impact. A letter to a man in Vietnam who just weeks ago was but a mere boy can rekindle his light of faith. The notice of sale can keep a store solvent, workers gainfully employed and a customer happy. News, culture, the lifeblood of our nation surges through the postal arteries. Moving the mail is hard work—vitally important work and often very trying work.

Granted, conditions are not ideal in many post offices. There is drudgery. Yet, there also is drudgery in an electronic assembly line along Route 128, circling Boston.

Granted, 14,000 employees seem to be herded together in Chicago's main post office . . . just as an equally imposing number toil side by side in Chicago's gargantuan Western Electric plant.

Carrying the mail under the searing sun and the soaring humidity of August in our Nation's Capitol is no worse than working at Gary's steel mills or a heat-treat machine in St. Louis.

Lugging mail sacks in Seattle is nowhere near as messy as carting carcasses in a Kansas City slaughtering plant.

Possibly, our employees yearn for greener pastures. Maybe this is a cause for some criticism. You must mold the employee. It is you the supervisor who must teach. You must motivate. You must explain.

For we cannot stand aside in these days and be untroubled by our great problems.

The postal service is not isolated in society, but it is a dynamic force. It cannot block with cement every chink and cranny through which light might pierce.

The postal service, more than virtually any other aspect of our environment needs *innovation* and *quality*. If these virtues do not continuously emerge we will be doing ourselves and our compatriots a treasonous disservice.

As our problems have become broader and more complex, the old tried and true ways no longer work. You the boss can no longer sit back and instinctively call the shots because you have gone that route before. More and more the boss must depend upon his people or he and they are lost in the shifting winds.

In a recent speech, C. A. Efferson, Manager of Organization Planning at Kaiser Aluminum & Chemical Corporation, outlined the difference between the supervisor who belongs to the "human *relations* school" versus the supervisor who subscribes to the "human *resources* discipline."

"The human relations school was probably at its peak during the first decade after World War II," he stated. "Essentially, this school said that employees require recognition, security and a feeling of belonging, and each supervisor should set out everyday from his superior position, to make sure that 'his people' are salved and anointed in some way to meet these ends. The viewpoint, if benevolent, was condescendingly paternalistic. A naive but not uncommon interpretation of this viewpoint was that the supervisor should know whether employee Joe's brother, cousin or aunt had a particularly sore toe that week, so he could stop by and see Joe each morning, put his hand on his shoulder and say, 'Joe, how is Aunt Mamie's sore toe today?' This plus a few other rituals, should meet the fundamental needs of these people who were not wise or strong as the boss. Thus production would roll out."

Mr. Efferson went on to say that at one time this attitude worked. "There was a time for it to be there, and there is a time for it to be gone, just as there was at one time in human evolution, a time for us to walk upon our knuckles as we came down out of the trees."

The idea of the human resources discipline is that you do such a good job at cultivating the potential of your employees that they are at least as smart and capable as you. There is no paternalism and there is added possibility for personal career growth.

The recently instituted requirement for promotion advisory boards in post offices having 25 employees or more has been a genuine attempt to breach the barriers to career growth and upward mobility in the postal service. Our employee organizations, as you well know, have continually complained about this problem. These complaints have been valid.

The promotion advisory boards for jobs above the first supervisory level bring a new objectivity to the area of promotion. The establishment of qualification requirements for most jobs should be a plus factor in terms of morale, service and opportunity. They are just one aspect of the Department's strong dedication to the proposition that promotions should be *merit* promotions. . . and I stress the word *merit*.

The Department also is committed to providing training for jobs to which our supervisors aspire. As an impetus to career development, the Department has organized the Postal Service Institute in Washington for our supervisory employees. The Department is equally committed to the role of the supervisor as a manager. Thus, the Institute, which we can call a post graduate course in the arts and sciences of postal management, is a partner to the technological change that is revolutionizing mail processing. New methods and sophisticated equipment are being developed, and highly skilled supervisors and employees are needed to operate an increasingly complex mail system.

The postmaster of a major city recently was quoted in a newspaper about the Postal Source Data System installation in his office. "The supervisors are going to have to be more alert," he said. This largest of all source data systems in the world will cost over $30 million, hook together 75 post offices and their branches and stations, to give officials instant knowledge on personnel staffing and mail volumes. The supervisor and his handling of this information is the key to its success.

The Postal Service Institute is clearly a step in the direction of giving our supervisors the tools needed for their "more alert" status.

From the nucleus in the nation's capital, we hope to ultimately offer the services of the Institute through correspondence and extension courses to over 60,000 supervisors and postmasters. We envision about ten branches located throughout the country, with several thousand in attendance for a period each year.

A staff and temporary facility are already in operation and a number of courses have been held.

Of course, there's more to career development than education and experience. In today's society, we cannot forget that it takes money to survive.

The postal pay bill that passed last year was the first one in recent history providing a higher percentage increase in the supervisory category than in the lower levels. President Johnson, Vice President Humphrey, Postmaster General Watson, even while he was working at the White House, and the full Administration team working on this bill realize the importance of the supervisor to the Post Office Department. Supervisors can make or break a pattern of service, and with that position of responsibility they reasoned, should go the proper monetary rewards. As you know, the President personally recommended the policy of higher percentages in the higher categories.

In these turbulent times, we can no longer expect that every problem can be solved by guess and by gosh. We do need the background to handle the day-to-day situations.

We are a nation of volunteers, rich with talented people, ready, willing and able to serve the vital needs of our communities. In post office leadership, among whom supervisors are conspicuously included, there lies tremendous potential to meet the challenges facing our troubled nation at the local level. There is a need to seek out and get to know and understand those community leaders actively engaged in meeting the disadvantaged half way.

The phrase "meeting the disadvantaged half way" has been quoted and requoted. In fact, last Fall, 424 supervisors and other middle and top management postal employees from headquarters and across the country met in Washington to ponder the question of equal employment opportunity in the postal service. One recommendation they put forward was the following, directed essentially toward themselves:

"That a crash program in human relations, personnel procedures, the EEO Program and labor agreements, as it pertains to local and national conditions, be given to all supervisors and that this program be given on a recurring basis."

That injunction has become a part of Departmental Equal Employment Opportunity policy. For most employees, the only evidences of Departmental policy are those found in the workroom atmosphere. Therefore, it is most important that supervisors be trained and counseled periodically in methods whereby all employees regardless of race or sex may consider themselves to be a part of the common team, and be made to feel that the contribution of each is important to all.

Individual supervisors should not find anything prejudicial to themselves in requests for written statements on how they have advanced or are advancing the EEO Program. This is a managerial function as important as moving the mail, and its growth should be measured with the same care.

Women, thank Heaven, are here to stay, and while, in stature they continue to be smaller than the male, their contribution to the postal service is growing rapidly. Chairman John W. Macy, Jr. of the Civil Service Commission said recently that the program of equal employment opportunity for women, as enunciated by President Johnson, must be "given the support of your leadership." He said there must be the same regulatory backups as for other managerial activities, and that specific attention must be directed to those occupations which, in the past, have generally been restricted to men.

How to deal with women, both at home and at work, requires luck, skill and forethought.

They bring with them the obvious problems of working relationships with men and other women, plus the problems of working nights and being away from their children. At latest count, there are about 1,000 women classified as mail handlers who spend most of their time working among and lifting dusty, heavy sacks weighing as much as 80 pounds. The problems inherent in this type of work are apparent.

To solve these vexing problems, the Department has been in intensive discussions with the Civil Service Commission, the Department of Health, Education and Welfare and the Department of Labor. Interestingly, with that agency, we have been discussing, among other things, the pregnant employee.

We are looking into imaginative programs to lessen the hardships created by maternity leave, for example . . . trying to answer the question, "What happens when the woman runs out of sick and annual leave?" This may take some special legislation.

For those of you in the audience who happen, by the chance of birth, to be males, we must warn you that there is absolutely no thought being given to seeking legislation to enable a liberal policy on paternity leave.

The last subject I would like to cover briefly is employee conduct, appearance and discipline.

It is obvious that all personnel should observe standards of appearances and conduct which will promote the best interests of the postal service and which are in keeping with the code of ethical conduct. The supervisor must always exercise a high degree of common sense, good judgment and fair play. This you know.

Recent regional instructions along this line should be studied carefully. They cover such specifics as a prohibition of barefoot postmen and the need for our employees to divest themselves of occasionally offensive jewelry, gadgets and footwear. The hippie type letter carrier that delivers his mail with the salutation "Like here's your mail . . . man," does not do the service justice.

The maintenance of discipline is both vital and not always the easiest task of the supervisor. But, without discipline there is anarchy. Constructive discipline, in order to be effective, must be timely.

Legislation has been introduced which will make the act of physical violence against an employee of the postal service on official business a Federal offense. You will be hearing more of this later.

As I have discussed, the role of the supervisor in the postal service is changing rapidly. This is an exciting and encouraging time. A time for creativity, innovation, common sense and downright hard work.

I know that one and all will strive to meet that challenge.

Thank you.

A MODEL BUSINESS EDUCATION IN HIGH SCHOOL

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. PATTEN. Mr. Speaker, few high school programs throughout the Nation have been as successful as the Carteret High School—of New Jersey—school management program, which provides business education that is more in conjunction with the fast-changing technical employment needs of business today. This diversification and training, I am sure, is indeed welcomed by the business community—the only problem is that it is not widely implemented in the various high schools throughout the country in order to provide a visible substantial benefit.

This worthwhile program has been made possible by appropriate action by the Congress and the necessary funding of this constructive program of business education. Let us continue this fine program throughout the country—the dividends are worth the initial investment.

The appropriate articles follow which set forth in detail the operation of this program:

[From the Baltimore (Md.) Sun, May 21, 1968]

A NEW CURRICULUM

(By Barry Robinson)

On a recent afternoon, Larry Lurker was compiling a sales patter survey using a "402" data processing machine; Barbara Ravenbuhler and Josiane Richards were setting up a payroll survey for the home office; Lois Stefanow was tallying a pile of checks on a ten-punch calculator; Stephen Lukaszewski and Burt Clark were running a series of punchcards through an electronic sorter, and Elaine Harsa was taking dictation from a recording.

A typical day in an average office?

Not quite. All of the "workers" are Carteret, N.J., High School seniors participating in the school's pioneering clerical office practice and business machines programs. Now in its third year, the comparatively sophisticated curriculum is designed to prepare students for immediate entrance into the high-powered world of contemporary commerce.

BASIC SMATTERING

It wasn't so long ago that the most anyone pursuing a high school commercial curriculum could expect was a strong emphasis on typing skills and a pretty basic smattering of stenography and bookkeeping. All of which tended to leave the graduate somewhat unprepared for the competitive demands made upon him in the workaday world.

If he needed to learn about the complex machines that dominate most business offices or to familiarize himself with the complicated processes of commerce, he had to do so either on the job or after work in a so-called business college. Advancement, if and when it came, was slow because lack of adequate training forced him to start his career at a fairly low level.

While business education has matured a great deal in recent years, few programs are as far-reaching and successful as those of Carteret High which School Management magazine describes as one of "the relatively few schools in the nation that have taken significant steps to bring their business education curriculums more in line with fast-changing employment needs."

SUBSTANTIALLY HIGHER

One indication of the program's success is the graduates' average weekly starting salary of $67.47 and subsequent rate of advancement, both of which are substantially higher than for graduates of less sophisticated curricula.

A key factor weighing heavily in favor of the program's students is that by graduation time they have had vital experience working in a simulated office environment. Each student progresses according to his ability. For instance, when he has invoicing down pat, he moves onto accounting or programming.

The acquired skills never are left far behind. Students frequently are handed problems involving techniques mastered months ago. If they've got rusty, intensive practice and polish are in order.

"Business today is looking for a graduate who can adapt his skills to any number of different situations," says the department chairman, Howard Rozzelle.

COMMERCIAL VERSATILITY

Consequently, the theory behind office operations is stressed, and students are given a wide enough range of assignments to assure commercial versatility.

Perhaps Elaine will be told to stop taking dictation and move over to the calculator to cover for Lois who was called away to another problem, or Larry will be asked to interrupt his sales pattern compilation to process the payroll survey material collected by Barbara and Josiane.

"If someone is equipped only to handle a bookkeeping machine, then his advancement potential and value to his employer is limited," explains Rozzelle. "If he's a business machine operator and the use of his type of machine is discontinued, so is his usefulness to the firm. That's why we stress understanding of process. The student who understands how a payroll system should be laid out can apply his knowledge to whatever is needed to implement the system."

In order to keep pace with the ever-changing world of commerce, Rozzelle annually talks to former students and their employers about the program's strengths and weaknesses. So far the strengths are ahead by a mile.

POTENTIAL EMPLOYEES

Graduates claim to be thoroughly happy with the training. Employers are pleased enough to ask Rozzelle to send more potential employees.

Training in a simulated office environment obviously has its advantages for later on. After all, except or the two 45-minute back-to-back periods of simulated office work, the difference between school and the usual workday aren't so very great.

As soon as the bell rings to mark the end of the first period, students workers casually drop around to the water fountain. Typical office workers, you might say, taking the equivalent of a "coffee break."

[From School Management, March 1968]

LOOK HOW THEY'RE BEEFING UP BUSINESS EDUCATION

To survive in today's job market, business education students must learn two things in high school:

1. *Specific skills that enable them to get jobs.*
2. *Broad knowledge of the total business operation that enables them to* keep *jobs.*

The average business education graduate may or may not meet the first prerequisite. He almost never meets the second.

Not unless he attends Carteret, N.J., high school or Ingraham high school in Seattle. These are two of the relatively few schools in the nation that have taken significant steps to bring their business education curriculums more in line with fast-changing employment needs. The key: Total exposure to a business operation.

Here's a quick run-down of high schoolmen in Carteret and Seattle are making business education less of an artificial classroom situation and more of a realistic, exacting, in-office experience.

TOTAL EXPOSURE 1: CARTERET

It's one of the busiest offices in the booming industrial section of New Jersey. And one of the most unusual. The hum and buzz of work activity is continuous: Adding machines, calculators, accounting machines, keypunch units and typewriters speed the preparation of payrolls, percentage distribution of payrolls, percentage distribution of sales, invoices and occupational opportunity reports, while the bell of a time clock relentlessly signals time limits for each job.

Morale is high. So is motivation. People are on their own. If there is a seemingly disorganized moving about, from one work station to another—if the payroll clerk suddenly moves from the accounting machine to a calculator, where she immediately plunges into a sales analysis report—it's because everyone in this office needs to know every job equally well. The moves, far from being haphazard, are all part of a carefully detailed plan.

The product of this dynamic enterprise is a highly marketable one: Graduates who can walk into the world of modern business without batting an eyelash.

And the "office" is the 12th grade business education class in Carteret high school. It's one reason why the school has become one of the prime employee sources of local companies like Prudential Life Insurance.

Understanding processes

"Business today is looking for a graduate who can adapt his skills to any number of different situations," says business department chairman Howard Rozzelle. "If he's equipped only to handle a bookkeeping machine, then his advancement potential and value to his company is limited. If he's a business machine operator, and the use of his type of machine is discontinued, so is his usefulness to the firm. That's why we stress understanding of processes. The student who understands how a payroll system should be laid out can apply his knowledge to whatever is needed to implement the system."

Thus the course set up by Principal Douglas King and Rozzelle reproduces conditions that students will actually encounter on the job. This means building into the course interruptions, arbitrary deadlines ("These invoices must be ready today"), absences ("The bookkeeper is absent today; you'll have to take over"), innovations ("We're introducing a new machine to speed sales analysis").

Some students start off in the course with exercises on a 10-key calculator to develop accuracy and speed (up to 100 strokes a minute). But from there, most of them swiftly advance into working with sample office problems provided in an instruction book. In addition, problems gathered from the local business community are utilized.

Other students start off with introductory training sessions on an accounting machine and are moved into simulation situations, such as posting sales and payments, with shipping charges and discounts, at the earliest possible moment.

"Involvement with the business process—that's what we're after," emphasize Rozzelle. Thus even the role of the electronic computer in today's office is *fully* studied—not just physical processes, like key-punching, sorting and tabulating, but the logic behind computer programing as well.

In all, Carteret probably exposes students to 90% of the types of equipment and systems that are standard in present-day business. As King points out, the availability of federal funds is now enabling schools to equip business equipment laboratories in a manner that was impossible a few years ago.

Students on their own

Instead of moving all students—45 seniors took the course last year—in orderly progression from one subject to another, each student advances at his own pace. When he has mastered invoicing, for example, he moves into accounting or simulated programing, as the case may be.

This requires close observation of each student by Rozzelle and a fluid deployment of equipment.

Frequently, a student will complete his project during a study period; at other times, students will be required to work out their own equipment schedules. Thus one student, with an invoicing job to complete by the following day, will check with students using calculating equipment and work out a time schedule when the machines will be available—just as he would in a real office.

Business equipment has been purchased with total exposure and individual job responsibility in mind. Students are prepared for operation of *any* calculator, for example, through the training they receive on Classmate calculators, the simulation and training machines used to teach the basic calculation processes.

"We use this equipment to give the student a grasp of functions," says Rozzelle. "Once he understands the basic processes of this calculator, he can apply this knowledge to virtually any calculator."

A usable product

Production of a usable end product is the goal of this program. Thus, the student preparing statements on an accounting machine is "on his own" as far as the job is concerned. His "performance" on the machine is not evaluated, just the end product—a statement that is (or should be) completely ready for mailing.

"We want to get across to the student that he is being judged on the basis of what he achieves," says Rozzelle. "The statement he produces must be a document that any regular business office would judge acceptable for mailing: correct, itemized, neat and prepared on time."

If the statement does not stand up under these criteria, the student starts all over again.

It's the same with tapes that are prepared for bank deposit, to take another example. The student doesn't just submit a "correct answer"; he delivers the actual tape from the calculator which, in office practice, would routinely accompany the deposit slip.

Staying in shape

There's another reason for moving the students from one work station to another and that's to maintain the skill "banks" they have accumulated. Bookkeeping engages the students at several intervals throughout the course, not just the one time when it's studied. Thus the student engaged in a sales analysis project may be asked to "take over" the bookkeeper's job during a "peak load" period. In this way, his skills are maintained and he is alerted to the fact that all skills must be "on call" all of the time.

This kind of confrontation also serves to guide the student in his choice of employment. He knows just what to expect in a bookkeeping job or as a programer in the electronic data processing department. His exposure to the wide spectrum of activities in the classroom serves to alert him to those areas where he feels he would be most happy and productive.

But does it work?

As educational dynamics, it sounds fine, but does it work—*really* work—for the student out looking for a job?

The mean starting salary for Carteret business education graduates is $67.47—an excellent salary for the area. And students receive an increase of $5 after the first six months. The top firms in the area compete for them.

These facts and figures are taken from a continuing survey of graduates carried out by Rozzelle. A follow-up study questionnaire is sent to all business department graduates after they have been on the job six months. The purpose of the survey is to find out if the school program works, why some parts work better than others and what can be done to improve it in light of constantly changing business needs.

Job holders are also asked in this survey what kind of tests they took for the job so that current students can be prepared when applying at that company.

A complete breakdown of clerical, secretarial and bookkeeping jobs is arranged in check-off form, on the survey, so respondents can indicate in detail just where more preparation would have been desirable, where it was adequate, and where it was more than adequate.

By this keeping its finger on the pulse of the business community, Carteret high school finds that is can shift pace, attitude, or training methods to conform realistically and usefully to current business demands.

PREJUDICING THE CASE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ASHBROOK. Mr. Speaker, if my calculations are correct, 5 years to the day have transpired since mutilated documents were found in the burn bag of Otto F. Otepka, the State Department security officer, according to a statement by three State officials. Otepka, several months later, was accused by the State Department of mutilating the documents, a Federal offense. The statute of limitations on this particular violation is 5 years, a period of time which has now expired. As I have noted before, these mutilation charges against Otepka were dropped by the State Department just as Otepka's hearing was about to begin. Later, Otepka, who flatly denied the charges, asked the Civil Service Commission to investigate the issue of the mutilations, but the CSC declined on the grounds that only the first three charges, which did not cover the mutilations, were within their mandate to review.

Why was the period of 5 years allowed to transpire without prosecution being brought against Otepka or whoever was guilty? Several months before State made its accusation of Otepka, agents of the FBI on orders from the Justice Department, had questioned Otepka and other State Department employees concerning the Otepka case. Therefore, the Justice Department was quite familiar with the case, and when State made its formal accusation against Otepka, why was he not tried for violation of a Federal statute? According to the Washington Post, of June 7, 1967, the Justice Department attorney representing the State Department at Otepka's hearing, Irving Jaffe, was quoted as saying that the dismissal of the "mutilation" charges, "had nothing to do with problems of proof." Also, according to the Post article, Jaffe declined to elaborate. Therefore, if the Post account is correct, the State and Justice Departments had the proof necessary for the prosecution of Otepka but decided to drop the mutilation charges for "technical, legal reasons," according to Jaffe.

What has the Justice Department been doing for the last 5 years? As stated, they entered the case in the very beginning, yet to this date nothing has been done. This is the second instance in the Otepka cases in which a possible Federal violation has been ignored, the other being the charges of possible perjury against the State employees, Reilly, Belisle, and Hill.

The more one learns of this case, the more infuriating it becomes. I do not mind repeating what I have stated before that justice and fair play for Otto Otepka should be an issue in the presidential campaign this year. If this case of vicious intrigue is allowed to be swept under the rug, every Federal employee will be tempted to become a mere automaton under the whip of vindictive superiors. If the possible violation of Federal statutes by Federal officials are ignored, what chance has any Federal worker to secure justice in his pursuit of service to his country?

One device that has been used by Federal officials to dodge discussion of the Otepka case has been the plea that they do not want to prejudice the case while it is in the appeals stage. It is my understanding that Otto Otepka welcomes all discussion and investigation concerning any aspect of the issue. As far as he is concerned, his case will most certainly be prejudiced if all the facts are not brought to light. The case of the mutilation of documents is an excellent case in point. He categorically denies that he had anything to do with the mutilations and claims that they were planted in his burn bag. He was so anxious to have certain State Department employees questioned about this issue that he asked the Civil Service Commission to investigate. Part of his defense centers around his contention that there was a concerted campaign by various State employees to oust him from the Office of Security. Involved were some of those employees who, Otepka claims, can throw considerable light on the mutilation of documents. Yet, to date this issue has been ignored.

In the coming months of the presidential campaign, there will be ample opportunity to discuss this case more fully in public. To allow any facet of the Otepka affair to go unexplored will be prejudicing the case against Otepka. Those who are interested in seeing justice done should write to their elected officials and presidential candidates and demand that this mess be cleaned up once and for all—and do not take "Prejudicing the case" for an answer.

GUN LEGISLATION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ZWACH. Mr. Speaker, in light of the great countrywide discussion which is developing about the issue of gun-control laws, the following editorial is called to your attention.

Mr. Richard Olson, editor and publisher of the weekly Canby News, argues the value of H.R. 6067 as the model gun-control bill to be adopted. As the author of this article points out, my bill gets to the basic element in that it should be an automatic sentence and fine if a gun is used in any act of crime.

GUN LEGISLATION

We presume that we'll see a watered-down version of President Lyndon Johnson's gun registration bill in the near future. The rash of assassinations has brought a "do something quick" response from many persons who have never owned a gun nor gone hunting and again, we presume, these folks are well within their rights to ask for such a bill, but it is not going to be the panacea of this illness. The only things we would go along with (and these are not necessarily in the bill) would be prohibiting the mail order of guns and the necessity of having a permit to carry a concealed handgun. I don't know many hunters or target shooters who would buy a rifle or shotgun without seeing it, handling it and fondly throwing it to their shoulder to see how it fits. And, we can see no reason for a person carrying a concealed handgun. If they are hunting, undoubtedly they would carry it in a holster within easy reach and then it wouldn't be concealed. If it were concealed, it would be so because they have devious reasons for hiding it. There are persons who have a legitimate purpose for carrying a concealed weapon—those who take large sums of money to a bank, carry important papers, etc., and in these cases, they should have no objection to having a permit.

A recent District of Columbia Grand Jury found that only one-quarter of the guns used in homicides were obtained legally, inferring that laws restraining the legal purchase of firearms would affect only about 25 percent of the offenders. We believe it was one eastern city which has recently enacted an ordinance on the registration of guns and the proponents of this ordinance stated that this ordinance has stopped the purchase of guns by "x-number" of murderers, burglars, parolees, mentally incompetent persons and so on. We believe that if a law were enacted, these above mentioned persons would not even attempt to legally purchase a gun. If they have a reason to have one, they would steal it to prevent the law enforcement people from even knowing their whereabouts. It just isn't logical to think that with a foolproof * * * will be far more beneficial than roaming the streets, etc., looking for something to do.

We still think that the best proposal presented yet was one by Congressman John Zwach. This proposes that anyone caught in the act of any crime, regardless of its seriousness, in which a gun is used would automatically receive a jail or prison sentence and stiff fine.

Registration of guns and restriction upon the sale of them will only result in black market sales and another "sickness" which will increase the work-load of our law enforcement officials even more.

COMMENCEMENT ADDRESS DELIVERED AT LOUDOUN COUNTY HIGH SCHOOL, LEESBURG, VA., JUNE 12, 1968, BY HARRY A. FINNEY

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCOTT. Mr. Speaker, a constituent of mine, Mr. Harry A. Finney, recently delivered the commencement address at Loudoun County High School in Leesburg, Va. In his address Mr. Finney told the students that, according to the law of civilization and decay, there are two kinds of society: a society of dispersion and a society of centralization. He told them that we are now living in a society of centralization and that we are on the verge of reversing the trend toward centralization to the trend of dispersion—to a society of individualism once again. He believes the revolt of youth of today is a repeat of history, and that it will subside with new generations. Mr. Finney told the students youth is committed "to embarkation upon the road of individual responsibility." Mr. Speaker, I think his speech is inspiring and worthwhile and I submit it to my colleagues for their perusal:

A very brave man once said these words: "If I knew that the world would be coming to an end in exactly five minutes, I still would plant a tree."

There has been postulated a law known as The Law of Civilization and Decay. Respectable observers say that it is alarming and erosively at work in the land today and there is much evidence to support the assertion.

According to the law of civilization and decay, there are cyclic alternations between dispersion and centralization. At the beginning of a civilization, in a dispersed society, there is considerable freedom fostered by individualism with reverence for the unknown; there is virility; there is imagination. As the society prospers the nonproductive speculator and the usurer assert themselves and inevitably there develops a trend to centralization, with resultant economy of power, economy of production, and inferiority of quality. The ethics of the market place supersede those of the herdsman, the farmer and the artisan. The problems of debt and debtors, as well as those of creditors, intensify as money is manipulated and the coinage is debased. The individual is lost in the crowd and humanity falls into a new dark age from which there is emergence only with the infusion of new blood; new spirit, new virility to create a new dispersion to calm the passion for conformity and restore to the individual a new sense of pride and responsibility.

Rome, in a dispersed society in the early days of the Republic, was chiefly concerned with the maintenance of a population of strong freemen. Under the Empire, after centralization, she had but one anxiety: How to levy and collect more and still more taxes. In the time of Nero the silver content of the denarius was reduced from 1/84th to 1/96th of a pound, with copper alloy making up the difference. Later, under Trajan, the alloy was increased to twenty per cent. Under Septimus Severus it went to sixty per cent, and by the year 220 A.D. the coin had degenerated to base metal and it was repudiated. The once free farmers and artisans were reduced to slavery or piled up in the cities to beg for sustenance.

Undeniably, today's civilization is too tightly centralized and unhealthy forces are at work. But the God of creation is not dead and there is an area for abundant hope.

Without time to trace all the causes for all of the ailments of society and without genius to prescribe specific remedies, enumeration of the symptoms would avail no good and would serve only to acidulate the sweetness of your last hour together.

It was Oscar Wilde who told us that we, in order to judge reality and test the verities, must see them on the tight rope. The verities, that is, the beliefs heretofore accepted as truths, the ideals, the principles to which strong men adhered, indeed, are on the tight rope and today is a time of testing. And youth is in revolt.

Youth in normal revolt is no cause for excitation. Youth in madcap rampage is cause for earnest examination, sober discussion and peremptory remedial action.

Youth in normal revolt is youth reluctantly discarding the cherished illusions of childhood; it is youth in observation; youth in awareness; youth compassionate; youth unsatisfied with fastidious answers to its urgent questions. It is youth finding society in failure to practice its own preachments. It is youth with face set hard against compromise.

In relatively similar circumstantial settings youth has always been in revolt. Hear this quatrain of lamentation from the incomparably haunting cadences of Omar Khayyam:

> "Ah Love, could you and I with Him conspire
>   To grasp this sorry scheme of things entire,
> Would we not shatter it to bits and then
>   Re-mold it nearer to the heart's desire?"

Those lines were written in the Twelfth Century. Successive revolutions, upsetting old regimes, have brought us to this moment.

But there is outcry that never before has there been such great disorder. An historian will disprove that statement. Still, Youth seems to be inquiring: "If our elders contrived this great disorder, why should we hearken to their advice; why should we take instruction from them?" And there is talk of a communication gap.

Take this assurance. Your elders have not deliberately created unwholesome conditions. There has been no evil conspiracy. The preceding generation has not inordinately indulged in sin.

Much of what you look upon is the inevitable result of the supplantation of an agricultural economy by the industrial which, with overwhelming impact, coincided with and fomented centralization in its latest cycle. A terrible fratricidal war for the preservation of a dispersed society was fought in this land. With the loss of that war the rush to centralization was further accelerated. Today the continent is filled up and exploited. The ugly, festering tentacles of the megalopolis continues to creep, despoiling the countryside and replacing beauty with pollution because there are more and more people competing for shares in the available shrinking space. Wherefore, it might be said that there cannot be a new dispersion; that men, if they cannot move, cannot disperse.

Well, there can be and there must be, if not a physical, then an in place dispersion; a dispersion of power and of greed and clamor for power; a dispersion of responsibility; a discard of the idea that all problems can be settled by the central government, and a diminution of the demands made upon that government. This means that there must be a spiritual re-birth; a renewal of self reliance, energy, resolution and courage in the individual.

There is about to be cast before your generation a prodigious task which you will have to perform with resurrected tools or with better tools of your own invention. You will seek answers to well nigh imponderable questions. You will not find those answers by tossing borrowed money to the winds, or by passing laws which serve only to irritate one segment of society while disappointing another; especially since the disappointed ones are so plaintively and so clearly saying that they want from life something more than the bread of charity.

The challenge is magnificent and challenge assures an interesting future.

Competition enforces compromise. When you have finished your collegiate endeavors, you, if you take with you into the world a demand for absolute perfection and good order, will find where'er you turn capable, competitive adversaries determined as you are determined to stand upon their principles and to insist upon trial for their ideas. If you would accomplish, you will compromise. This is not to suggest that you will renounce any part of that which you hold good, but rather that you will accept and merge with your own good whatever good is proffered by your adversaries.

You will encounter men who are stupid and lazy and they will become vociferous and obstructive and you will have to take account of them. You will meet with men who are greedy and sordidly ambitious. They will overwhelm you if you, with gaze too firmly fixed upon a distant utopian ideal, refuse to look upon and act within the immediate prospect. Again, this is not to say that you will play dishonest games with furtive gamesters. Only that you will have to fight today's battle today.

And all of it means simply that each of you, with careful regard for the rights and claims of others, must dare to be yourself.

While men compete, not only for primal lusts as in the past, but now for each last inch of standing room, you will find that order is less than perfect. If perfect order and nothing less will do, go then and look into an ant hill or a bee hive. Your study of the ant and of the bee will convince you that for man in his present state of spiritual development perfect order and absolute freedom are not compatible. For sake of freedom men have tolerated conditions in which order is less than perfect. But that tolerance was never intended for and should never be extended to licentious disregard of decent human conduct or unrestrained mob violence.

There is one and only one condition in which perfect order and absolute freedom can subsist together. That is in a state of conservative christian anarchy. By conservative christian anarchy is meant a state in which each last individual is so noble and so just, so truthful and so peaceful and so dedicated to concern for the rights of others that no laws are necessary. Man as he is today would find existence in that state extremely dull. He would not enjoy it. He is not ready for it.

Christians profess their love for Jesus, but do not always follow his precepts. Frenzied Buddhists immolate themselves in the name of their religion, but in their lives stray far from the path which Gautama traced for them. The Chinese sing of Lao tze and of Confucius, but neglect the instructions those sweet old teachers gave to them. Arabs invoke the name of Allah and Israelis that of Yawveh, but they fight for territory. Man is only four hundred generations removed from the caves. Try to love the bewildered fellow. It has been said that history is only the record of the various stages through which man passes while trying to humanize himself. More and more human ought to be the motto for an ideal life. You do have a superb challenge and challenge does assure an interesting future.

If your elders are to be charged with fault, the indictment should say that they too generously took upon themselves responsibility for the accumulated guilt of all the ages and that they tried too hard, in too short time, with too little understanding, to satisfy all of the complaints of which all men make clamor. Too suddenly and too indiscriminately they gave freedom for exercise of personal prerogatives without first making certain that those to whom they gave it were willing to assume and prepare for the assumption of concommitant responsibilities. Your elders, in their own compassion, have gone deeply into their resources for the improvement of conditions and, all of the noisy publicity to the contrary, they have seen to it that no one of necessity goes hungry. They have reversed the old mercantile laws which favored the few against the many. They have softened, perhaps too softly, the criminal laws. They have ameliorated conditions in the institutions for the mentally ill. They have made available educational facilities which furnish vast opportunities for anyone who is sincerely in quest of knowledge.

It seems that your elders, when they assumed the blame for all the sins with which the face of man is scarred and precipitously went about atonement, expected of those for whom they labored adjustable proficiencies which those beneficiaries do not at once exhibit. In the rush for the abolishment of peasantry, they overlooked the fact that the transplanted person might not know how to perform in a new environment and might not try to learn. In this process they made discontented many who formerly had lived contentedly.

Mistakes must be acknowledged, not for assignment of blame, but for study and correction. You were told that revolutions of the past have uprooted customs of the past, but the sociological impacts of those revolutions, when sharply and immediately impressed as we have felt impressment, were terribly impressed by chopping block, guillotine, firing squad and gas chamber. In our land today, with centralization begetting more centralization and new demands piling high upon demands already high, there is no opportunity for appraisal or for adjustment and readjustment. There are complexities which no man and no congress of elected men can quickly comprehend and simplify. This much seems certain: It is time to stop the handout and give a hand up.

Regarding then the great disorder as consequence of industrialization and centralization, you may correlate your elders' well meant efforts; their too hasty and too haphazard efforts to right all wrongs for all time to come; their too sharp infliction of theory on practice.

Let it not be said that yours is a disinherited generation. Cry not that there is no future. Is youth's remonstrance honest? Is youth's professed compassion sincere? Affirmative answers commit youth to embarkation upon the road of individual responsibility.

Take the social and economic inaugurations and see to it that the benefits are more sensibly distributed. In that process reestablish discipline, including self discipline, which as the one real sin has been disestablished. Take your faltering brother's hand, but let your walk with him be one that will sustain him to walk alone and thereby to gain the pride of independence. Test whether you, even if it be the eleventh hour, can arrest decay.

Earlier it was said that there is an area of hope. You will control that area and the hope is that you will keep viable the verities. Honor, truth, self reliance, thrift, pride in endeavor, pride in achievement, humility of spirit, practical enlightened unselfishness . . . these are the verities. If you accept your challenge and respect and uphold them, they will be maintained in balance and you will not fail to make your progress. Neglect and dishonor them and you will complete the operation of that insidious law of decay and will leave to your posterity fresh and awful and unimaginable vicissitudes.

You are gloriously equipped for your course which we cannot chart for you. You have healthy minds in healthy bodies. You are loaded with untested courage. You have energy, that marvelous attribute of youth, and you have hope. You do have hope, else you would not have come thus far and would not be in preparation for onward going.

If an individual's aspirations reach higher than the everyday activities of the market place and acquisition of luxurious accommodations, then he must learn, and be content in the knowledge, that he will never see the full fruition of the trees that he has planted. He must come to know the magnitude of knowledge and to realize that he has not time to gain more than a little of it. His quest for the end of the rainbow must provide its own reward, for the end of the rainbow is not to be discouraged. His courage he must not vaunt in idle showmanship, nor his energies dissipate in pursuit of trivia. He must walk in humble pride and proud humility.

In words borrowed from sturdy old Justice Holmes, this charge is yours: Have faith! Have faith and pursue the unknown end.

I congratulate you and earnestly wish for you success in the work which you will find to do.

BETTY FURNESS CAPTIVATES NATIONAL PRESS CLUB AUDIENCE

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mrs. SULLIVAN. Mr. Speaker, it was my pleasure today, and indeed it was a great pleasure, to be a guest of the officers of the National Press Club when Betty Furness, Special Assistant to the President for Consumer Affairs, made a luncheon address summing up her first year in office.

Miss Furness is a delightful person and she made a delightful and witty speech, which I am sure all of the Members of Congress who are interested in consumer affairs will want to read. She completely captivated the audience of newsmen and newswomen.

Unfortunately, I do not have a transcript of the questions asked from the audience, and her poised, incisive, spontaneous replies. Her performance reminded me of her appearance before the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency at the opening day of our hearings last year on the Consumer Credit Protection Act when she demonstrated the same remarkable facility for responsive reply to difficult questions. I think she has done a wonderful job and has been a most worthy successor to Assistant Secretary of Labor Esther Petersen. We are fortunate to have had two such outstanding women in this demanding and difficult and challenging position.

Miss Furness' prepared remarks were as follows:

REMARKS BY BETTY FURNESS, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, BEFORE THE NATIONAL PRESS CLUB, NATIONAL PRESS BUILDING, WASHINGTON, D.C., JUNE 18, 1968

Last fall, I was in the middle of a speaking tour when I noticed a cartoon in Look. It showed a portly gentleman about to make a dinner speech, and he was saying:

"I am now going to deliver a long and boring harangue, full of cliches and not containing a single worthwhile or original thought. That's what you've paid $100 a plate for, and that's what you're going to get."

I was told that you would be paying $3.60 a plate today, so I could feel free to economize, too—at least on length.

As for subject matter, I knew that I could try to thrill you with dramatic tales from the marketplace, or arouse your reportorial fervor with an analysis of consumer credit.

But then it occurred to me that this would be the first time, really, that I'd had a chance to speak to the national press in one collective room.

My romance with the national press has had all the elements of a soap opera. Boy meets girl. Boy decides he'd rather kiss his sister than be seen with this disaster. Boy dates girl, but no hand-holding. Second date looks a little better. And tune in tomorrow to see if they're still speaking.

This romance began the day after I was appointed by the President. I turned to the papers the next morning, blushing and apprehensive, and pow!

I almost wished I was back getting slapped around by Bruce Cabot in "Midshipman Jack."

As the clipping service began sending in their goodies, I could see this was going to be a rocky romance.

"Incredible!" said Women's Wear. "Who's kidding whom?" I was described as "a kind of Saturday Review version of Consumer Reports."

In St. Louis, the Post-Dispatch said the President must have been playing the role of a casting director, quote "as we have not seen it before, since Tyrone Power, Jr., was signed to play Ferdinand de Lesseps." They said mine was a story Horatio Alger would have hesitated to write.

In Michigan, the Ann Arbor News said that quote "A more likely appointment would have been the housewife who keeps seeing that dove flying into Sarah Schlumpf's kitchen."

In Hackensack, New Jersey, the Record asked the poignant question: "If an actor with no experience in government can become a Governor of California or a United States Senator, why can't an underemployed actress from the East Side of Manhattan find a successful, useful life in the White House?"

The appointment did excite one man, Don Maclean, who said that he hadn't been so enthused about something since the invention of the self-loading waffle iron.

I got one flattering—well sort of flattering—comparison from the Chicago American, which said it could think of "nobody less qualified for the job of representing consumers, unless it might be Elizabeth Taylor."

But the other comparisons I could have done without. The Rochester Times-Union said the President was going to use my appointment for a springboard "to get Batman for the aviation agency and Ed Sullivan for graves registration."

from even knowing their whereabouts. It just isn't logical to think that with a foolproof * * * will be far more beneficial than roaming the streets, etc., looking for something to do.

We still think that the best proposal presented yet was one by Congressman John Zwach. This proposes that anyone caught in the act of any crime, regardless of its seriousness, in which a gun is used would automatically receive a jail or prison sentence and stiff fine.

Registration of guns and restriction upon the sale of them will only result in black market sales and another "sickness" which will increase the work-load of our law enforcement officials even more.

COMMENCEMENT ADDRESS DELIVERED AT LOUDOUN COUNTY HIGH SCHOOL, LEESBURG, VA., JUNE 12, 1968, BY HARRY A. FINNEY

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCOTT. Mr. Speaker, a constituent of mine, Mr. Harry A. Finney, recently delivered the commencement address at Loudoun County High School in Leesburg, Va. In his address Mr. Finney told the students that, according to the law of civilization and decay, there are two kinds of society: a society of dispersion and a society of centralization. He told them that we are now living in a society of centralization and that we are on the verge of reversing the trend toward centralization to the trend of dispersion—to a society of individualism once again. He believes the revolt of youth of today is a repeat of history, and that it will subside with new generations. Mr. Finney told the students youth is committed "to embarkation upon the road of individual responsibility." Mr. Speaker, I think his speech is inspiring and worthwhile and I submit it to my colleagues for their perusal:

A very brave man once said these words: "If I knew that the world would be coming to an end in exactly five minutes, I still would plant a tree."

There has been postulated a law known as The Law of Civilization and Decay. Respectable observers say that it is alarming and erosively at work in the land today and there is much evidence to support the assertion.

According to the law of civilization and decay, there are cyclic alternations between dispersion and centralization. At the beginning of a civilization, in a dispersed society, there is considerable freedom fostered by individualism with reverence for the unknown; there is virility; there is imagination. As the society prospers the nonproductive speculator and the usurer assert themselves and inevitably there develops a trend to centralization, with resultant economy of power, economy of production, and inferiority of quality. The ethics of the market place supersede those of the herdsman, the farmer and the artisan. The problems of debt and debtors, as well as those of creditors, intensify as money is manipulated and the coinage is debased. The individual is lost in the crowd and humanity falls into a new dark age from which there is emergence only with the infusion of new blood; new spirit, new virility to create a new dispersion to calm the passion for conformity and restore to the individual a new sense of pride and responsibility.

Rome, in a dispersed society in the early days of the Republic, was chiefly concerned with the maintenance of a population of strong freemen. Under the Empire, after centralization, she had but one anxiety: How to levy and collect more and still more taxes. In the time of Nero the silver content of the denarius was reduced from 1/84th to 1/96th of a pound, with copper alloy making up the difference. Later, under Trajan, the alloy was increased to twenty per cent. Under Septimus Severus it went to sixty per cent, and by the year 220 A.D. the coin had degenerated to base metal and it was repudiated. The once free farmers and artisans were reduced to slavery or piled up in the cities to beg for sustenance.

Undeniably, today's civilization is too tightly centralized and unhealthy forces are at work. But the God of creation is not dead and there is an area for abundant hope.

Without time to trace all the causes for all of the ailments of society and without genius to prescribe specific remedies, enumeration of the symptoms would avail no good and would serve only to acidulate the sweetness of your last hour together.

It was Oscar Wilde who told us that we, in order to judge reality and test the verities, must see them on the tight rope. The verities, that is, the beliefs heretofore accepted as truths, the ideals, the principles to which strong men adhered, indeed, are on the tight rope and today is a time of testing. And youth is in revolt.

Youth in normal revolt is no cause for excitation. Youth in madcap rampage is cause for earnest examination, sober discussion and peremptory remedial action.

Youth in normal revolt is youth reluctantly discarding the cherished illusions of childhood; it is youth in observation; youth in awareness; youth compassionate; youth unsatisfied with fastidious answers to its urgent questions. It is youth finding society in failure to practice its own preachments. It is youth with face set hard against compromise.

In relatively similar circumstantial settings youth has always been in revolt. Hear this quatrain of lamentation from the incomparably haunting cadences of Omar Khayyam:

"Ah Love, could you and I with Him conspire
  To grasp this sorry scheme of things entire,
Would we not shatter it to bits and then
  Re-mold it nearer to the heart's desire?"

Those lines were written in the Twelfth Century. Successive revolutions, upsetting old regimes, have brought us to this moment.

But there is outcry that never before has there been such great disorder. An historian will disprove that statement. Still, Youth seems to be inquiring: "If our elders contrived this great disorder, why should we hearken to their advice; why should we take instruction from them?" And there is talk of a communication gap.

Take this assurance. Your elders have not deliberately created unwholesome conditions. There has been no evil conspiracy. The preceding generation has not inordinately indulged in sin.

Much of what you look upon is the inevitable result of the supplantation of an agricultural economy by the industrial which, with overwhelming impact, coincided with and fomented centralization in its latest cycle. A terrible fratricidal war for the preservation of a dispersed society was fought in this land. With the loss of that war the rush to centralization was further accelerated. Today the continent is filled up and exploited. The ugly, festering tentacles of the megalopolis continues to creep, despoiling the countryside and replacing beauty with pollution because there are more and more people competing for shares in the available shrinking space. Wherefore, it might be said that there cannot be a new dispersion; that men, if they cannot move, cannot disperse.

Well, there can be and there must be, if not a physical, then an in place dispersion; a dispersion of power and of greed and clamor for power; a dispersion of responsibility; a discard of the idea that all problems can be settled by the central government, and a diminution of the demands made upon that government. This means that there must be a spiritual re-birth; a renewal of self reliance, energy, resolution and courage in the individual.

There is about to be cast before your generation a prodigious task which you will have to perform with resurrected tools or with better tools of your own invention. You will seek answers to well nigh imponderable questions. You will not find those answers by tossing borrowed money to the winds, or by passing laws which serve only to irritate one segment of society while disappointing another; especially since the disappointed ones are so plaintively and so clearly saying that they want from life something more than the bread of charity.

The challenge is magnificent and challenge assures an interesting future.

Competition enforces compromise. When you have finished your collegiate endeavors, you, if you take with you into the world a demand for absolute perfection and good order, will find where'er you turn capable, competitive adversaries determined as you are determined to stand upon their principles and to insist upon trial for their ideas. If you would accomplish, you will compromise. This is not to suggest that you will renounce any part of that which you hold good, but rather that you will accept and merge with your own good whatever good is proffered by your adversaries.

You will encounter men who are stupid and lazy and they will become vociferous and obstructive and you will have to take account of them. You will meet with men who are greedy and sordidly ambitious. They will overwhelm you if you, with gaze too firmly fixed upon a distant utopian ideal, refuse to look upon and act within the immediate prospect. Again, this is not to say that you will play dishonest games with furtive gamesters. Only that you will have to fight today's battle today.

And all of it means simply that each of you, with careful regard for the rights and claims of others, must dare to be yourself.

While men compete, not only for primal lusts as in the past, but now for each last inch of standing room, you will find that order is less than perfect. If perfect order and nothing less will do, go then and look into an ant hill or a bee hive. Your study of the ant and of the bee will convince you that for man in his present state of spiritual development perfect order and absolute freedom are not compatible. For sake of freedom men have tolerated conditions in which order is less than perfect. But that tolerance was never intended for and should never be extended to licentious disregard of decent human conduct or unrestrained mob violence.

There is one and only one condition in which perfect order and absolute freedom can subsist together. That is in a state of conservative christian anarchy. By conservative christian anarchy is meant a state in which each last individual is so noble and so just, so truthful and so peaceful and so dedicated to concern for the rights of others that no laws are necessary. Man as he is today would find existence in that state extremely dull. He would not enjoy it. He is not ready for it.

Christians profess their love for Jesus, but do not always follow his precepts. Frenzied Buddhists immolate themselves in the name of their religion, but in their lives stray far from the path which Gautama traced for them. The Chinese sing of Lao tze and of Confucius, but neglect the instructions those sweet old teachers gave to them. Arabs invoke the name of Allah and Israelis that of Yawveh, but they fight for territory. Man is only four hundred generations removed from the caves. Try to love the bewildered fellow. It has been said that history is only the record of the various stages through which man passes while trying to humanize himself. More and more human ought to be the motto for an ideal life. You do have a superb challenge and challenge does assure an interesting future.

If your elders are to be charged with fault, the indictment should say that they too generously took upon themselves responsibility for the accumulated guilt of all the ages and that they tried too hard, in too short time, with too little understanding, to satisfy all of the complaints of which all men make clamor. Too suddenly and too indiscriminately they gave freedom for exercise of personal prerogatives without first making certain that those to whom they gave it were willing to assume and prepare for the assumption of concommitant responsibilities. Your elders, in their own compassion, have gone deeply into their resources for the improvement of conditions and, all of the noisy publicity to the contrary, they have seen to it that no one of necessity goes hungry. They have reversed the old mercantile laws which favored the few against the many. They have softened, perhaps too softly, the criminal laws. They have ameliorated conditions in the institutions for the mentally ill. They have made available educational facilities which furnish vast opportunities for anyone who is sincerely in quest of knowledge.

It seems that your elders, when they assumed the blame for all the sins with which the face of man is scarred and precipitously went about atonement, expected of those for whom they labored adjustable proficiencies which those beneficiaries do not at once exhibit. In the rush for the abolishment of peasantry, they overlooked the fact that the transplanted person might not know how to perform in a new environment and might not try to learn. In this process they made discontented many who formerly had lived contentedly.

Mistakes must be acknowledged, not for assignment of blame, but for study and correction. You were told that revolutions of the past have uprooted customs of the past, but the sociological impacts of those revolutions, when sharply and immediately impressed as we have felt impressment, were terribly impressed by chopping block, guillotine, firing squad and gas chamber. In our land today, with centralization begetting more centralization and new demands piling high upon demands already high, there is no opportunity for appraisal or for adjustment and readjustment. There are complexities which no man and no congress of elected men can quickly comprehend and simplify. This much seems certain: It is time to stop the handout and give a hand up.

Regarding then the great disorder as consequence of industrialization and centralization, you may correlate your elders' well meant efforts; their too hasty and too haphazard efforts to right all wrongs for all time to come; their too sharp infliction of theory on practice.

Let it not be said that yours is a disinherited generation. Cry not that there is no future. Is youth's remonstrance honest? Is youth's professed compassion sincere? Affirmative answers commit youth to embarkation upon the road of individual responsibility.

Take the social and economic inaugurations and see to it that the benefits are more sensibly distributed. In that process reestablish discipline, including self discipline, which as the one real sin has been disestablished. Take your faltering brother's hand, but let your walk with him be one that will sustain him to walk alone and thereby to gain the pride of independence. Test whether you, even if it be the eleventh hour, can arrest decay.

Earlier it was said that there is an area of hope. You will control that area and the hope is that you will keep viable the verities. Honor, truth, self reliance, thrift, pride in endeavor, pride in achievement, humility of spirit, practical enlightened unselfishness . . . these are the verities. If you accept your challenge and respect and uphold them, they will be maintained in balance and you will not fail to make your progress. Neglect and dishonor them and you will complete the operation of that insidious law of decay and will leave to your posterity fresh and awful and unimaginable vicissitudes.

You are gloriously equipped for your course which we cannot chart for you. You have healthy minds in healthy bodies. You are loaded with untested courage. You have energy, that marvelous attribute of youth, and you have hope. You do have hope, else you would not have come thus far and would not be in preparation for onward going.

If an individual's aspirations reach higher than the everyday activities of the market place and acquisition of luxurious accommodations, then he must learn, and be content in the knowledge, that he will never see the full fruition of the trees that he has planted. He must come to know the magnitude of knowledge and to realize that he has not time to gain more than a little of it. His quest for the end of the rainbow must provide its own reward, for the end of the rainbow is not to be discouraged. His courage he must not vaunt in idle showmanship, nor his energies dissipate in pursuit of trivia. He must walk in humble pride and proud humility.

In words borrowed from sturdy old Justice Holmes, this charge is yours: Have faith! Have faith and pursue the unknown end.

I congratulate you and earnestly wish for you success in the work which you will find to do.

BETTY FURNESS CAPTIVATES NATIONAL PRESS CLUB AUDIENCE

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mrs. SULLIVAN. Mr. Speaker, it was my pleasure today, and indeed it was a great pleasure, to be a guest of the officers of the National Press Club when Betty Furness, Special Assistant to the President for Consumer Affairs, made a luncheon address summing up her first year in office.

Miss Furness is a delightful person and she made a delightful and witty speech, which I am sure all of the Members of Congress who are interested in consumer affairs will want to read. She completely captivated the audience of newsmen and newswomen.

Unfortunately, I do not have a transcript of the questions asked from the audience, and her poised, incisive, spontaneous replies. Her performance reminded me of her appearance before the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency at the opening day of our hearings last year on the Consumer Credit Protection Act when she demonstrated the same remarkable facility for responsive reply to difficult questions. I think she has done a wonderful job and has been a most worthy successor to Assistant Secretary of Labor Esther Petersen. We are fortunate to have had two such outstanding women in this demanding and difficult and challenging position.

Miss Furness' prepared remarks were as follows:

REMARKS BY BETTY FURNESS, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, BEFORE THE NATIONAL PRESS CLUB, NATIONAL PRESS BUILDING, WASHINGTON, D.C., JUNE 18, 1968

Last fall, I was in the middle of a speaking tour when I noticed a cartoon in Look. It showed a portly gentleman about to make a dinner speech, and he was saying:

"I am now going to deliver a long and boring harangue, full of cliches and not containing a single worthwhile or original thought. That's what you've paid $100 a plate for, and that's what you're going to get."

I was told that you would be paying $3.60 a plate today, so I could feel free to economize, too—at least on length.

As for subject matter, I knew that I could try to thrill you with dramatic tales from the marketplace, or arouse your reportorial fervor with an analysis of consumer credit.

But then it occurred to me that this would be the first time, really, that I'd had a chance to speak to the national press in one collective room.

My romance with the national press has had all the elements of a soap opera. Boy meets girl. Boy decides he'd rather kiss his sister than be seen with this disaster. Boy dates girl, but no hand-holding. Second date looks a little better. And tune in tomorrow to see if they're still speaking.

This romance began the day after I was appointed by the President. I turned to the papers the next morning, blushing and apprehensive, and pow!

I almost wished I was back getting slapped around by Bruce Cabot in "Midshipman Jack."

As the clipping service began sending in their goodies, I could see this was going to be a rocky romance.

"Incredible!" said Women's Wear. "Who's kidding whom?" I was described as "a kind of Saturday Review version of Consumer Reports."

In St. Louis, the Post-Dispatch said the President must have been playing the role of a casting director, quote "as we have not seen it before, since Tyrone Power, Jr., was signed to play Ferdinand de Lesseps." They said mine was a story Horatio Alger would have hesitated to write.

In Michigan, the Ann Arbor News said that quote "A more likely appointment would have been the housewife who keeps seeing that dove flying into Sarah Schlumpf's kitchen."

In Hackensack, New Jersey, the Record asked the poignant question: "If an actor with no experience in government can become a Governor of California or a United States Senator, why can't an underemployed actress from the East Side of Manhattan find a successful, useful life in the White House?"

The appointment did excite one man, Don Maclean, who said that he hadn't been so enthused about something since the invention of the self-loading waffle iron.

I got one flattering—well sort of flattering—comparison from the Chicago American, which said it could think of "nobody less qualified for the job of representing consumers, unless it might be Elizabeth Taylor."

But the other comparisons I could have done without. The Rochester Times-Union said the President was going to use my appointment for a springboard "to get Batman for the aviation agency and Ed Sullivan for graves registration."

And Art Buchwald kindly pointed out that my appointment was only natural, since Lassie was to be named head of the beautification program.

Connecticut was split in two—not on the merits of the appointment, but for the reason it was terrible. The Bridgeport Post attacked it because I had "never been a consumer," and the Stamford Advocate because I had always been "a consumer rather than a bureaucrat."

I was getting a roster of nicknames almost as colorful as those the New York Daily News assigns to murder suspects. I was quote The Ice Box Girl and The Chilling Huckster.

I was also told that I was being called a plumber, which I didn't understand until I read the item from the LaPorte, Indiana, Herald-Argus: quote, "It will be said of course, 'give the lady a chance', but such an admonition still flounders on the fact that 'a plumber has been sent to paint an oil masterpiece'."

All those appeared in March. I started work on May 1, and it took two more months until I found my first friend—a lady whom I will adore till I die. In July, a columnist named Erma Bombeck helped me start on the long road back from depressive to manic.

"Any woman whose approach to a kitchen is 'to stay out of it as much as possible' can't be all bad," she wrote. "Besides, as my old grandmother used to say, 'You don't have to give milk to know about cows.' . . . The late General MacArthur headed the Remington Rand Corporation, and it is rumored that he couldn't even type. And I'm fairly certain the research men dealing with 'the pill' have never been mothers in their lives."

As the months went by, our affair, yours and mine, mellowed a little, though we still had our spats. The Wheeling, West Virginia, News-Register was the first paper to suggest, or, rather, demand—in August—that I be fired outright for admitting that I didn't used to be able to understand the small print in contracts.

We even went pretty steady for a few months. But that had to end, and it did—last week, when Chet Huntley accused me of singlehandedly trying to destroy the meat industry in the United States and all its territories and possessions.

Mr. Huntley told the radio-listening nation that I was bad news down on the farm. Like some other investors in the meat packing business, he argues now and has before that the meat inspection act was unnecessary.

Well, I can tell you, gentlemen, that he's wrong. In the short time it's been on the books, the Wholesome Meat Act has already gone a long way toward insuring that the meat consumed at American tables will be clean and healthful.

Already, a good number of plants deemed hazardous to public health have been closed.

Even more have voluntarily closed themselves because they couldn't meet basic health standards they could ignore before the act was passed.

And countless numbers of slaughter houses, processing plants, boners and cutters, have made vital corrections in their plants, their products, their processes—corrections that weren't required before the act but certainly were needed.

The Wholesome Meat Act is an urgently needed piece of landmark legislation, no two ways about it.

On the whole, I think the press and I have come to terms. I'm glad of that. When I took this job, I asked that I be given a year. If by then housewives still wanted to march against me, then I'd march with them. I was relieved when there were no marchers on my first anniversary.

Even if I say it, but shouldn't, I think we have accomplished a good deal in the past year. And that "we" does not mean just my office. The public has been aroused and moved to make themselves heard—by the President, and by the press.

It's probably going too far to say that we wouldn't have gotten a meat bill without Nick Kotz. But I think it's safe to say that we wouldn't have gotten a bill as good—or as soon—without his series of articles.

Senator Douglas and Congresswoman Sullivan had been fighting for a good Truth-in-Lending bill for years. But this year the press helped take up the crusade and showed the public what it was paying in interest and service charges.

I won't hang out a laundry list of bills that have been passed to help the consumer. You know them as well as I do—from Flammable Fabrics legislation to product safety and clinical laboratory laws. There were eight in all.

There are a lot more needed, before we can say that a balance of trust has been established.

In answer to a loud and repeated complaint from consumers, we are studying the matter of warranties and guarantees in home appliances. I think it is essential that a person who buys a washing machine know exactly what the company is willing to do to back up the integrity of the product, I think the buyer should and must know who is responsible; the manufacturer, the wholesaler or the retailer, and at what point in the life of the product is he, the consumer, the lucky one who holds full responsibility.

We have had some encouraging response from manufacturers. The Whirlpool Corporation used the press to announce—in an open letter to Betty Furness—that it was simplifying its warranty process. And it did a good job. Its warranties are three paragraphs long. The paragraphs contain simple declarative sentences. The whole message contains eleven adjectives, one "but" and one "except." And the print is legible.

We are looking into the possibility of encouraging manufacturers to give some information to their customers about the life expectency of the products they buy.

The way some products are advertised, you'd think they were going to last until the millenium. Sometimes they barely make it until a week from Tuesday.

But of all my priorities, the vital need for good programs of consumer education comes first. The goal of American education has always been to prepare our youth to earn a living.

And you can't knock a knack for making money.

But it has become critically necessary for us to teach the ways of spending and managing money as well as earning it. So consumer education is simply teaching an individual how to make intelligent choices based on knowledge and information.

It teaches him to differentiate between his wants and his needs.

Home economic courses do not go far enough. Far too often boys avoid these classes thinking they are something for the girls. And to a large extent they have been right. Girls are taught skills but not necessarily how to spend their money wisely or how to shop for better values. They have not taught youngsters the facts of life on credit, installment buying or how to analyze a purchase. This is changing now in many schools.

Many schools are now beginning consumer education programs, and they can be quite ingenious. David Schoenfeld, who is now the head of my consumer education department, ran one such program at Lincoln High School in Yonkers, New York.

He dramatized consumer purchases by bringing used-car salesmen in to talk to his classes, by having bank or loan company executives talk on savings and credit. It wasn't long before the parents of his students were asking for lessons of their own.

Community groups and others are getting on the education bandwagon, I'm happy to say. But I am not so happy about some of the programs that are well meaning but self-serving—or others that don't face up to the problem. For instance one group in particular purported to deal with warranties, saying "If any of your members have had an unhappy warranty experience remind them that only a few years ago, a 30-day warranty was most unusual." They are saying in effect if you feel you've been had by a bad warranty just be happy you got any warranty at all. Apathy is better than action. That's soothing syrup. It's not consumer education.

Many programs claim to speak to the public at large, but make no allowances for the very special problems of the poor. And it is the poor who need education the most.

The same group I mentioned above endeavored to describe the sources of income of the average consumer. It listed wages, interest and dividends, gifts, inheritances, bonuses and commissions, subsidies from relatives, proprietorships and rentals, and prizes.

Prizes for what? Playing Double Dino Dollars at your gas station?

Its solutions for an overburdened budget included the following: if baby-sitting costs are high, can you exchange sitter services with a neighbor to enable you both to get out oftener? Can the doctor be persuaded to give cold treatments in exchange for yard work?

This kind of simplistic lunacy isn't consumer education. It's consumer fraud. It doesn't attack the problem. It nibbles around the edges in the tacit assumption that good fellowship and yard work will make it go away.

Consumer education can take place anywhere—not just in schools, but at home, at the YMCA, and any other gathering place you can name.

This Administration is doing everything it can to see that the consumer is taught how to get the best value for his money. It's that simple.

I don't want to anticipate any of the questions you will be asking, but in case no one does ask whether I think this has been a successful year, I can say this:

It has been a year of successes—the bills I mentioned are, of course, the major ones. But there have been other successes too.

Industry for the most part has shown an engaging desire to cooperate. Many leaders have called me and have visited me and my staff to see what they might do in their special fields to help further consumer protection. Many states have adopted protection programs and some cities. The idea of consumer protection is even reaching county level as in the case of Nassau County in New York. So there is progress—But.

It has also been a year of failures. Frankly, I have not been able to help the woman who wrote to demand that all artichokes henceforth have 15 leaves.

I haven't been able to help the woman who suffered from arthritis until she discovered that with five or six beers under her belt she could do her housework. Her complaint was the high price of beer.

And I'm sorry to say that I haven't been able to help the woman who wrote to the President and me earlier this month. If I may, I'll read you her short note, because it sums up the job I've been trying to do, as well as the problems we face.

"Please adjust the cost of living," she wrote, "like lowering prices, or whatever, so that I personally can have all the space and things and help that I want and need for myself and my sons to grow and develop. The last request I made to an official took two years in its fulfillment, but I'm getting tired of waiting and I'd like this request fulfilled right away."

Thank you.

A WEST POINT FOR DOCTORS

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HÉBERT. Mr. Speaker, I have been proposing the establishment of a Uniformed Services Military Academy for 16 years. I call it a West Point for Doctors.

To be operated along the lines of the other three military academies, this institution would give a complete medical education to an individual who would in turn serve a prescribed number of years in the Armed Forces.

In order to keep the Members of the House informed, I am inserting at this point a copy of the letter which I sent to Secretary of Defense Clark M. Clifford on this subject:

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 6, 1968.

Hon. CLARK M. CLIFFORD,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I wish to call to your personal attention an acute national problem which is of direct and immediate concern to our Armed Forces.

I have reference to the existing serious national shortage of physicians and undisputed evidence that this shortage will worsen in the years to come unless constructive action is taken immediately to increase the number of physicians available to satisfy both our civilian and military health care requirements.

The President's National Advisory Commission on Health Manpower has conducted a comprehensive study of the health manpower requirements of our nation and in its report in November 1967, expressed grave concern over this problem and therefore strongly recommended that—

"The production of physicians should be increased beyond presently planned levels by a substantial expansion in the capacity of existing medical schools, and *by continued development of new schools.*"

Despite this unequivocal recommendation by the Commission and the growing alarm of the medical community, no significant action has been initiated either in or out of government to stimulate the development of a program which will result in a massive increase in the production of physicians.

As you know, we have today approximately 280,000 physicians in our nation. Yet, our medical schools have only a marginal capacity for maintaining this physician strength with a production of approximately 8,800 physicians each year and no capability, in my view, of meeting the expanding physician requirements for health care required by our burgeoning society.

The President's Commission pointed out that little progress has been made in the past decade to increase physician production. For example, graduates of U.S. medical schools only increased from 7,000 in 1955 to 7,400 in 1965. The most optimistic estimates on present plans to expand medical school production indicate that the annual production of physicians in 1975 will not exceed 10,000. Every medical expert to whom I have spoken on this subject agrees that this projected production of physicians will be woefully inadequate to meet the growing needs of our expanding population.

Unfortunately, in the past some medical educators have contended that there are not a sufficient number of qualified young men capable of meeting the high standards required by our medical schools. However, the President's Commission has effectively dispelled this view by pointing out that there are at least two qualified applicants for each of the roughly 8,800 places that now exist in the entering classes of established medical schools.

It is evident from the foregoing circumstances that the major roadblock preventing increased physician production is essentially the lack of physical facilities. Because of the national implications of this problem, I therefore believe that action must be initiated on the Federal government level to overcome this roadblock to enable qualified applicants to obtain the medical education necessary for the future wellbeing of our nation.

Since our Armed Forces represent one of the major users of physician services, it is evident that any action that the Congress can take to meet physician requirements of the Armed Services without further depriving the civilian community of physicians services will be a major constructive step towards solving this problem.

Heretofore, the Department of Defense has urged the Congress to enact various statutory incentives which would encourage young physicians to enter and remain in our Armed Forces. Historically, it has been demonstrated that these incentives are of very questionable and limited value.

The Armed Services have now initiated a program of full scholarship assistance to commissioned officers who desire to become physicians. This new program, in my view, is not only illegal but an absolute waste of government money since it in no way will increase the total number of physicians available to our nation.

I can, however, appreciate the concern of the Armed Forces over their failure to retain adequate numbers of career physicians in the Military Departments. Today, fewer than 18% of our physician population in the Armed Forces are career officers, and every evidence indicates that this statistic will not improve. Obviously, this is an intolerable condition and reflects a dangerous degradation of the quality and experience of the medical services required by our Armed Forces personnel.

I strongly believe that this condition can only be corrected, for both the Armed Forces and our nation as a whole, by the establishment of a Uniformed Services Medical Academy. This medical academy would be established for the purpose of providing qualified applicants with a complete medical education with a requirement that they become career officers in the Uniformed Services with a stipulated obligated period of service commensurate with the Government's investment in their education.

I am well aware of the fact that the creation of a medical school *de novo* is ordinarily a long and arduous process covering a span of from 5 to 10 years. A dean and faculty of medicine, and associated medical disciplines, must be laboriously recruited and assembled. In addition, costly capital outlays must be forthcoming to build facilities such as an administrative center, basic science buildings, laboratory, research facilities for the basic and clinical sciences, housing for faculty and students, and teaching hospitals with an adequate patient census.

Fortunately, much of these resources are already in being and available in the Washington metropolitan area. There are in the Washington metropolitan area, military and Federal medical resources whose full potential in contributing an increased production of physicians has never been fully utilized. Within the environs of the Nation's Capital, for example, may be found the National Institutes of Health, the Armed Forces Institute of Pathology, the Armed Forces Radiobiology Research Institute, the National Library of Medicine, Walter Reed Army Institute of Research, Walter Reed Hospital, the Naval Medical School and Research Institute, the Naval Hospital at Bethesda, Andrews Air Force Base Hospital, the Walter Reed Army Institute of Nursing, and the Hospital of the Veterans Administration. These facilities, with their staffs, their patient population, their clinics, laboratories, libraries and classrooms form major assets for the creation of a medical education center.

These elements represent an enormous capital investment, all national assets, all currently operational, all mature institutions, many of which have national and international reputations. It would appear to be no longer justifiable, in the face of the urgent requirements for expansion of our medical education system, to leave these resources untapped. It is time for the Federal Government to capitalize on them by the creation of a medical school which will meet at least a portion of the medical needs of our Armed Forces and thus serve the nation as a whole.

I, therefore, propose to introduce legislation on the first day of the 91st Congress similar to H.R. 4240 of the 90th Congress, which will establish a Uniformed Services Medical Academy. The medical academy would be a new school of medicine which would utilize existing Federal resources within metropolitan Washington for the purpose of initially training physicians for the Uniformed Services.

It is my hope that whatever facilities are authorized by the Congress for this medical academy that planning be based upon an initial graduating class of 100 students with a gradual increase in the size of subsequent entering classes so that an annual ultimate production of 300 graduates per year can be achieved.

The establishment of this Uniformed Services Medical Academy could well be the forerunner to increased Federal effort in this area designed to combat the growing shortage of trained personnel in the health sciences in both the civilian economy as well as in the Federal-civilian career area.

I have been given assurances by many medical educators that this concept would be given the active support of both civilian medical educators as well as the Surgeons General of the Military Departments and the Public Health Service.

Details concerning the composition of the faculty, which I believe should essentially be civilian, as well as the opportunity for physicians in the Armed Forces to also be utilized in teaching and research capacities, are essentially matters which can be developed during Congressional hearings on this proposal.

I have discussed this matter with many of my Congressional colleagues who have indicated an unqualified support for my proposal. Therefore, with a view towards preparing for meaningful Congressional hearings on this subject, it is requested that you immediately appoint an inter-departmental study group for the purposes of examining this legislative proposal in detail, including consultation with appropriate civilian professional groups, and for the further purpose of making such meaningful recommendations as you deem appropriate on the subject with the requirement that the study group's efforts be concluded in sufficient time to enable the Department to provide the Committee on Armed Services with a report on this subject no later than December 15, 1968.

I might add as a footnote to this request, that I have personally pursued this subject with representatives of the various Military Services for more than 16 years, and with the assured support of the Chairman of the Armed Services Committee, Congressman L. Mendel Rivers, have every hope of bringing this matter to a happy conclusion during the 91st Congress.

With best wishes and warmest personal regards, I remain

Sincerely,

F. EDWARD HÉBERT,
Member of Congress.

In connection with this, I would also like to call to the attention of the Members a resolution passed by the Air Force Association Medical Advisory Council. I am most pleased to have this organization's support.

The resolution follows:

RESOLUTION: MILITARY MEDICAL ACADEMY

Whereas, the various Armed Forces Academies show a good officer retention history, and it can be projected in an analogous sense that an Armed Force Medical Academy would result in a similar medical officer retention, providing the solution to one of the most pressing problems in the Military Services; and

Whereas, creation of a medical school in the Washington, D.C., area which could utilize existing capabilities, such as the Armed Forces Institute of Pathology, Walter Reed Hospital and the National Institutes of Health, would provide unparalleled clinical and research facilities, and would also lower the initial cost of creating such a medical school; and.

Whereas, the existence of a military medical school would enhance the post graduate training programs in the various Services; and

Whereas, this new medical school would provide an opportunity to integrate the various health sciences with the new field of medical engineering; and

Whereas, there is already a precedent for Federal support of most medical schools, and it is therefore not illogical for the Government to support its own medical school to meet specific governmental needs; and

Whereas, it would add to the total medical graduate output for the country, which would benefit the entire nation;

Now, therefore, be it resolved that the Medical Advisory Council of the Air Force Association unanimously endorses the formation of an Armed Forces Medical Academy.

GUN CONTROL: NO ARGUMENT AGAINST IT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BROWN of California. Mr. Speaker, since the opening of this session of Congress, I have consistently expressed my concern for the growing problem of crime in America. I have been particularly concerned with preserving fundamental constitutional protections for the law-abiding citizen while permitting effective means of control over law-breaking citizens. The people of this nation are now asking for strong gun control legislation. I feel that reasonable regulation over the sale and distribution of guns is timely and necessary, and I feel that sportsman and gun collectors will graciously accept any small inconvenience.

Both sides in this controversy have presented lucid and valid arguments. Mr. Ron McGrath of the San Gabriel Valley, Calif., Daily Tribune, June 12, 1968, has written in his straightforward manner a rather refreshing article on the subject. I commend this article to my colleagues for their consideration:

GUN CONTROL: NO ARGUMENT AGAINST IT

(By Ron McGrath)

Mention the phrase "stricter gun control legislation" and you have all sorts of people running around screaming that their "rights" have been infringed upon.

The shouting and the carrying on, however, is strictly from the Mickey Mouse School of Acting. The people who really get excited when you talk about the control of guns are the people who make guns, the people who sell guns, and those people who want to own a gun without anyone, including the local police, knowing about it. But it's a sham. Their excuses about their so-called rights make you sick.

Just as it was inevitable that some hippier-than-hippy character would come out with a new bumper sticker "Make Love and War," it is now, more than ever before, evident that we need a really valid bumper sticker: "Register Communists and Firearms."

The odd point about all this gun business, and something that is rarely pointed out, is this: nobody is asking citizens to give up their guns. Hunters may still hunt, trapshooters can still shoot, collectors can still collect.

What new legislation should mean is that all gun owners must be required to register their weapons with local police. Sportsmen can have no objections to this. Collectors would likely be more than happy to comply, and the average resident should be delighted that all registered guns are legal, all unregistered guns are not.

NOTHING TO FEAR FROM LAW

Just what, then, is the objection to the registration of firearms? Unless you've got something to hide, unless you want to own a gun that isn't in the records, unless you mistakenly feel that you are "protecting" some foggy inalienable right, you have nothing to fear from a local ordinance that makes the ownership of unregistered firearms illegal.

People have a funny way of confusing even the simplest of issues. It is not because Senator Robert F. Kennedy was gunned down that new gun control legislation must be passed. It is not just because President John F. Kennedy was murdered with a rifle that mail-order and inter-state sales must be stopped.

It's simply because violence and crime is running rampant today all over this country. Guns, sold legally or otherwise, are easy to get, much, much too easy to get, and far, far too hard to trace. The fact that too many crimes go unpunished, even if the criminal is caught, is another critical factor.

You never hear about half the crimes that are committed with guns. When a man robs a liquor store or a gas station or a little grocery market he doesn't do with a yo-yo. When a weasel "cases" a bank branch one busy Friday then returns to rob it the next Friday he doesn't perform the stick-up with a knife.

IT WILL NOT DISARM PUBLIC

It is not the intention of gun laws to "disarm" the public, as you may have been told. Does licensing of automobiles mean we are a nation without cars? Many of the facets of the proposed watered-down legislation, in fact, have no meaning whatsoever for the average law-abiding citizen. Buying guns out-of-state, buying guns under 21 years of age, and so on.

The distinction between hand guns and rifles or shortguns is another factor that hampers any effective regulations. It makes little difference to a hold-up man if he shoots the guy at the cash register with a pistol or a sawed-off shot gun.

Let us not be misled by any mass of statistics which show that many crimes are committed without guns. They are used by people who want to confuse a simple terrifying situation.

The assassination of a President cannot be stopped by gun control laws, nor can riots or organized crime. By pointing to a lethal weapon and saying that it must be registered, however, we at least get a start in the right direction. We get a start on cutting down crime in the streets, in the asphalt jungles of America's cities. The small-time hoodlum would be undermined by gun laws which would aid all law enforcement agencies in the prevention of some crimes and the solution of others.

NO SANE ARGUMENT AGAINST IT

There cannot be one single valid argument in this nation today against the passing of a gun control law that would demand the registration of firearms. Still, we hear the protests. The sick, sick protests. "It's in the Bill of Rights" we hear. "It's in the Constitution" we hear, "Don't hurt the poor sportsman."

These people should read a little more of the Constitution. They should look around them and they'd see their nation with so many inalienable rights dying a little more every day. The citizen with anti-gun law views should say over and over to himself: "Just who am I trying to protect?"

Those against gun laws really needn't worry however. They'll never have to wonder about such things as the serial number of that old gun in some forgotten drawer.

Chances are good there will never be any effective gun control legislation because this is a nation of patsies. It is a nation afraid to punish its own criminals, afraid to offend the rights of evil people, afraid to convict the guilty no matter how obvious their guilt.

In this atmosphere, how could anyone dare bother the poor, poor citizen with little things like the registration of a gun?

WORKINGMAN'S PARTY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DERWINSKI. Mr. Speaker, a very fascinating commentary on the failure of the Democratic Party to properly serve citizens who have supported it was carried in the Thursday, June 13, Harvey, Ill., Tribune.

I deem this editorial to be of special interest since I can well imagine the Democratic Party plank making great promises to the workingman which it will then disregard or fail to produce.

WORKINGMAN'S PARTY

One of the ironies of the present money market is that a Democratic administration's policies have forced interest rates to an all-time high and forced a surtax in efforts to cope with growing inflation.

Since the Democratic party has traditionally favored low interest rates, presumably to help the working man who must buy on credit, the situation today is just the reverse of what former Democratic administrations sought to achieve.

The primary reason for this jump in interest rates is, of course, traceable to the high cost of the war in Viet Nam, but it is accomplishing its purpose, a slowdown in home, appliance, car and the buying of other things that have become a part of American life.

Again, it is ironic that interest charges hit the "little man" and the situation has been brought on by the party which he has considered his champion in the past.

"THE PEOPLE'S PRESIDENT," BY NEAL R. PEIRCE

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, during the past few years many informed individuals and groups have called for reforms of our cumbersome, antiquated electoral colleges system, to insure that the Nation will be governed by a President who is really the popular choice.

This spring the electoral college reform movement has been further strengthened by the publication of "The People's President," a thoughtful and thorough book by Mr. Neal R. Peirce, the very able political editor of Congressional Quarterly.

In an editorial on April 26, the Washington Post summarized some of Mr. Peirce's findings, and called his book "must reading for Members of Congress, the press, and great numbers of citizens who are concerned about this critical weakness in our system."

I would like to second that recommendation, and to include the Post editorial in the RECORD at this point:

DANGEROUS SYSTEM

The publication this week of Neal R. Peirce's *The People's President*—a title borrowed, incidentally, from an editorial in *The Washington Post*—may be an event in our political history. It is essentially a plea for abolition of the obsolete and mischievous electoral college and direct election of the President of the United States by popular vote. It comes at a time when the issue is actively before Congress and when the public mood appears to be favorable.

Mr. Peirce is the political editor of *Congressional Quarterly*. Though he has kept his volume for the most part in low key, it is a thorough and scholarly study of our highly complex system of electing the President. All the risks and perils of that system are explained in detail in their historical setting. A careful reader is likely to put the volume down with a feeling of wonder that our system of government has survived with so little impairment under so crude a method of choosing its Chief Executive.

Estes Kefauver once said that "every four years the electoral college is a loaded pistol aimed at our system of government. Its continued existence is a game of Russian roulette. Once its antiquated procedures trigger a loaded cylinder, it may be too late for the needed corrections." It may send to the White House a candidate who has lost in the popular vote because a strange counting device gives him an "electoral vote" majority. It may throw the election of the President into the House of Representatives where the absurd one-state-one-vote rule makes a mockery of democratic principle. It enables manipulating politicians in some states to defeat the will of their voters by keeping the presidential electors unpledged and then casting their votes for someone who is not even a candidate.

All these and other critical defects in the system are fully outlined by Mr. Peirce. "Through our entire national experience," he concludes, "we have learned that there is no safer, no better way to elect our public officials than by the choice of the people, with the man who wins the most votes being awarded the office." The book ought to be must reading for members of Congress, the press and great numbers of citizens who are concerned about this critical weakness in our system.

THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS SHALL NOT BE INFRINGED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, overlooked in the promoted emotionalism of the hour is the reason for our citizens arming themselves. The gunbuying is not a cause in itself. It is an effect—a reaction to fear. The effect is brought on from fear as a result of the breakdown in law and order.

The reaction of the average citizen—the family man or property owner—to announcements of no arrests and no convictions, is that if our leaders are not going to lead the way to peace and security, and our police are prohibited from defending them, then the individual citizen must and will defend himself.

Possibly, this is a desired reaction by some to force public reaction to create the gun-snatching hysteria now before us.

But the solution for lawmakers is not that of registering firearms and thus setting the stage for further antigun laws—laws to deny the law-abiding citizen the right of self-defense.

Rather, the solution seems clear that to prevent murders, violence, and criminal acts, we must remove the barriers, the stumbling blocks, that are preventing effective enforcement of existing laws.

Let us not blame the people. Put the blame where it belongs—not on the American citizen, but on leaders who are afraid or refuse to lead. And on communications people who emphasize the negative with half-truths and emotion-packed appeals.

There are an estimated 50 million Americans who now keep arms. Of this number, an estimated 100,000—one in every 500—are criminals or potential criminals with access to weapons for commission of crime.

The enactment of additional laws to infringe on the right of the 49.9 million law-abiding citizens to reach the criminal element, which is two-tenths of 1 percent of the firearms owners, is but another classic example of the retrogressive philosophy of punishing the majority because of a minute minority.

Nor should we be swayed by the so-called polls, unless the hysterical gun confiscation lobby wants to submit passage of the anticonstitutional measure to the people for a vote. Our people are upset and concerned over violence and the criminal degeneracy rampant in our country. The only thing the polls reflect is the public attitude that something must be done. Those in responsible positions, perhaps to divert attention from their own inadequacy, are misdirecting public opinion by not pointing out the true cause—lack of effective law enforcement, and, instead, are making the people think antigun legislation is the only answer.

Should the communications and public affairs propaganda be directed toward enforcement of the law, backing up our police and courts, the problem would be solved under the constitutional system in the traditional American manner.

The gun registration law without enforcement will solve no problem—and with law enforcement, new laws are unnecessary.

I cannot, in good conscience, be a party to denying our people the right of self-defense.

I insert the Alert No. 39; the Fulton Lewis newscast for the week of June 10; the news release of Gen. Thomas A. Lane, retired; the Sports Front column from the Baton Rouge Morning Advocate of June 16, 1968; and "Rules for Revolution":

ALERT NO. 39: CALLING ALL PATRIOTS—YOUR GUN IS THEIR TARGET

(By P. A. Del Valle, President, Defenders of the American Constitution)

Facts: (1) In May, 1919, military intelligence uncovered a document in Dusseldorf, Germany, entitled, "Rules for Bringing About a Revolution". Paragraph "C" of that document read, "Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

In WW II military intelligence uncovered gun registration lists in Germany that provided name, address, make of weapon and serial number. The civilian owners, or possessors, were quickly arrested and all weapons confiscated. More recently, in Red China, the people had to give up all the arms they possessed so that only the members of the Communist Party and the regular and irregular troops would be armed. As for the USSR, only a counter-revolutionary would ever think of arming the slaves. The Constitution of the USSR makes no mention of firearms. All weapons were registered and confiscated long ago, and today, aside from the military and police, only a handful of people may use, but not own, a firearm by special permission of the KGB (Committee of State Security) and under strict police supervision.

(2) Anti-gun laws aid the criminal, whether he be a traitor to his country or a common sneak-thief. A criminal has no respect for any law, including gun laws, and he will always steal or "capture" a gun or guns if he is so inclined.

(3) The President's Crime Commission has recommended the enactment of state laws that would require the registration of all privately owned handguns, rifles and shotguns, and the enactment of a similar law by the Congress if any state failed to comply within five years.

(4) Congressional "leaders" are not waiting "five years" but are today driving hard to persuade foot dragging Congressmen to enact a gun registration law during the life of the present 90th Congress.

(5) The American public is now being saturated with "gray" (false in part) propaganda appearing in such seemingly respectable media as The Readers Digest and CBS-TV for the purpose of breaking down their natural resistance to any gun legislation that encroaches upon their constitutional rights and in the hope of nullifying

their pressure on their congressional representative.

(6) The United States annually witnesses between 9,000 and 10,000 murders. One half of the murders are caused by handguns, rifles and shotguns, and the other half by knives, baseball bats, poison, etc. At the same time, in 1966, 52,000 Americans were killed and 1,900,000 hospitalized by licensed drivers of registered automobiles.

Significance: (1) Communism has captured and destroyed country after country—not by military force, but by political subversion from within the country. To assure the success of the subversives and traitors, they must be guaranteed immunity by the registration and confiscation of privately owned weapons that might be used against them and such military forces as would remain loyal.

(2) More than half of the states have constitutions that specify the rights of the citizens of the state to, "keep and bear arms in defense of his home, person and property." (Art. 1, Sect. 23, Missouri). This language is much more specific than the "right to bear arms" recorded in the Federal Constitution. Any gun legislation enacted by the federal government which usurps the intent of a state constitution and the laws of the state is void. By legal definition this simply means that such a federal law does not exist, and has never existed because the sovereignty of the state is superior to that of the Federal government in every matter except where the state has delegated certain specific powers through a contract, called The Constitution, to one of its three agents, called the Federal government. The power to regulate or control handguns, rifles and shotguns in the hands of citizens is not one of the powers delegated to the Federal government by any of the states, and won't be for so long as the citizens keep telling their representatives in the Congress to vote "NO" on any and all gun legislation, and to tell their state legislators to strengthen their state constitution, if needed, to bring it in line with the above cited Missouri constitution.

Action indicated: (1) Study your state constitution and tell your state legislator what to do.

(2) Remind your representative in the Congress to vote "No" on the Dodd Bill.

(3) Watch for and expose the crooked propagandists and masters of deceit that sneak into your home by way of the printed word, radio and TV.

[June 10, 1968]

Gun Debate

(By Fulton Lewis III)

Only 36 hours after the burial of New York Senator Robert Kennedy, the Congress today returned to a heated debate over the question of federal restrictions on the sale of guns. Connecticut's Democrat Thomas Dodd, the leading proponent of stringent gun control legislation, opened today's Senate session warning there will be an increasing number of "assassinations and attempted assassinations" unless the Congress promptly enacts the bill, which he introduced today, calling for national registration of all firearms and a ban on the mail order sale of all rifles and shotguns.

Dodd stated:

"If we fail to take these stringent measures in the immediate future, then it can be predicted as a certainty that our land will be the scene of more assassinations and attempted assassinations and that these crimes will occur with increasing frequency. Pious condolences over the assassination of President Kennedy or of Dr. Marthin Luther King, or over the assassination of Senator Kennedy, will no longer suffice.

"If our country is not to be regarded by the rest of the world as a nation of murderers and assassins, we must take the most energetic action to put an end to the conditions that today make America a land of murder and violence."

The Dodd Bill stands little chance of passage unless it receives the support of the Senate Democrat leadership and of Republicans. That appeared unlikely in view of two statements today. Senate Republican Leader Everett Dirksen's reply to the Connecticut Democrat—he said, "There is enough gun legislation on the books now."

Senate Democrat Leader Mike Mansfield promised immediate consideration of any proposal, but he carefully evaded any endorsement of the Dodd bill, which carries Administration support.

In a brief statement on the Senate floor, Senator Dirksen accused the news media of mounting an "emotional outburst" in the wake of the Kennedy assassination. He said he wished "those people who write so readily [about the lack of federal controls on firearms] would take a little time off" to read the anti-crime bill which is now at the White House awaiting the President's signature.

That package, he pointed out, bans the mail order sale of handguns. It is, in Dirksen's words, "a tough bill."

Mansfield, alluding to the recent pressure, said, "It is imperative for the American people to understand that no type of gun law will prevent murder, and that any law passed will not prevent persons who are bent on breaking the law from acquiring guns or weapons of any kind."

He said guns used in felonies are bootlegged, stolen or illegally acquired.

"It is my further belief that the persons who would be most affected are those law-abiding citizens who possess firearms for the protection of their families, their homes, their possessions, and their recreation."

Mansfield said he favored the registration of all firearms but said the state should accept the responsibility for such action. "If the states will not act, then I think it will be the duty of the Federal Government to assume the responsibility, as it has all too often when the states refused to assume theirs."

He also said serious consideration should be given to restricting the use of handguns to police and others who use it in the line of duty. Mansfield also said, "You can pass all the gun laws in the country and still not prevent people from getting shot. Gun laws, no matter how stringent, are not the answers and are not a cure-all, and we had all better face up to the fact.

"It is impossible to give total protection to any public figure today, and, while some states, such as California and New York, have tight gun control laws, yet in California a suspect possessing a gun illegally, carrying it illegally, took the life of our late colleague."

[June 11, 1968]

Gun Control and the Constitution

(By Fulton Lewis III)

President Johnson's request for tighter federal gun control laws stirred up more debate today on Capitol Hill, but no action. The House Judiciary Committee narrowly failed to approve a bill that would ban the interstate sale of rifles, shotguns and ammunition. The committee was split evenly, 16 to 16, on the issue, but Chairman Emanuel Celler predicted he will have the necessary votes for approval of the legislation when the panel meets again next week.

A similar legislative proposal in the Senate was assigned to the Judiciary and Commerce Committees today for their study and approval. A bill introduced by Connecticut Democrat Senator Thomas Dodd, which would go beyond the Administration's request by adding a provision for the national registration of all weapons, was also turned over to the Judiciary Committee.

Senate Democrat Leader Mike Mansfield, who is not a supporter of any of the new and stiffer gun control proposals, nevertheles promised quick floor action on any measures which may be reported out of committee favorably. There is general agreement, however, that none of these measures will stand much of a chance of Senate passage, this year at least, in view of the fact that most Republicans, Southern Democrats, and the Senate Democrat leadership are agreed that the anti-crime bill passed only a week ago should be signed by the President and enforced for awhile before new steps are taken.

There is new speculation that the President may gamble a little on this issue. He may veto the present anti-crime package now sitting on his desk in hopes he can get a stronger bill from the Congress. That would be gambling, however, because it is likely that the Congress would override that veto.

This issue of placing strict federal controls on the sale of firearms has become the subject of much emotion and heated debate, particularly over the past two months since the assassinations of Martin Luther King, Jr., and Senator Robert Kennedy.

Understandably, there are people with strong feelings on both sides of the question. There are also logical arguments both pro and con.

Supporters of stricter federal restrictions say that by controlling the methods in which firearms are distributed we can keep these weapons out of the hands of undesirables and can thus reduce the alarming rate of violence that plagues this nation. Arguing in behalf of the registration of all firearms, Senator Dodd asserts that this is no more an infringement on the rights of the individual than the registration of automobiles, which can also be a lethal weapon.

On the surface, at least, these points seem reasonable. On the other hand, there are certain questions of fact and philosophy which must be posed. It is a fact, for instance, that the state of New York does have strict laws regarding the sale and use of firearms and yet those laws have apparently done little to reduce the amount of crime there. Somehow, those who are intent upon committing acts of violence obtain their weapons from some source. In many cases they just steal guns, or purchase them, from persons who were responsible, law-abiding owners. No law under consideration would control that kind of transfer of firearms.

I think I would have to disagree, also, with Senator Dodd's suggestion that there is no difference between the registration of an automobile and a firearm. There is a great deal of difference. There is no Constitutional guarantee that a person shall have the right to own an automobile. There is one respecting a person's right to bear arms. In addition, automobile registration laws are all enacted at the state level—the measure Senator Dodd is proposing is a federal ordinance.

I don't mean to be picking apart minor technicalities in bringing these two points up. There is one overbearing issue in all of this debate that somehow has not been brought to the forefront. *The National Rifle Association* and other lobbyists that oppose stricter gun controls by and large are speaking for the American sportsman who, they say, would be inconvenienced if he could not purchase guns through the mails, or if he were required to register his weapons. That argument, very frankly, does not impress me very much, particularly if it can be shown that stricter gun controls *would* serve to reduce the violence and crime in the nation as a whole. As I said before, though, there is no such evidence. The crime rate in states like New York, which has strict gun controls, is rising as fast, if not faster, as in areas which have relatively few restrictions. This raises what, to me, is an important question. Since the crime rate continues to advance, what about the American citizen who now feels it is necessary to purchase a gun in order to protect himself? The criminals are armed, the Black Power militants are armed, the Minutemen and other insurrectionist groups are armed. Many decent, law-abiding, non-violent people in this country are beginning to realize that they are the only ones who do NOT own weapons. They also realize that, if the law enforcement agencies are not going to be able to provide them with the protection they need for their lives and property, they will, as a last resort, have to protect themselves. Many have sought refuge by moving from the crime-infested urban centers into suburbia. But this has only brought them temporary peace. Now the crime rate in the suburbs is increasing at a greater pace than in the cities. What then? Tragically, many individuals are convinced that they must purchase guns, although they admittedly do so reluctantly.

There is an even greater question when it comes to this issue of registration, and this one is more political. There are many people in this nation today, and I confess that I am one of them, who are disturbed by many of the political developments which have occurred and at the signs which can be seen on the horizon. The trends, unfortunately, have been in the direction of a collectivist state with increased power in the hands of the Executive. It is no longer wide-eyed paranoia, or extremist, to seriously suggest that this country is moving in the direction of a dictatorship. We can debate whether that dictatorship would be oriented to the left or to the right. That really is unimportant, since dictatorships are universally oppressive. When our founding fathers inserted the Second Amendment into the Bill of Rights—that's the one that says "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed"—they did so on the basis of their own recent experience with a dictatorship. One of the principal infringements of their British superiors had been to outlaw all weapons, and to seize those which were already in the possession of the colonists. The Second Amendment was added as a basic protection for future generations. It insures that people will not be left at the mercy of their government alone, or of their local law enforcement agencies, because sometimes, as our founding fathers knew all too well, sometimes the government itself can be corrupt and oppressive. In short, the people would be allowed to keep and bear arms as a method of protecting themselves FROM this corruption and oppression, should it ever reappear in this nation.

I am not saying that such a reappearance is likely, but it is certainly a definite possibility, and many people are understandably reluctant to register their weapons with the government, putting their names in the files of authorities who today may be responsible, but who tomorrow might be dictatorial. Such records could be used to destroy the right of the people to keep and bear arms if those files ever fell into the wrong hands.

There must be a better way. There must be some method of curtailing the violence in this nation without infringing on the basic rights of the individual. One of the first steps I would suggest would be to enforce stringently the laws which are already in existence.

If the rate of crime can be reduced through strict law enforcement it will in turn reduce the feeling on the part of many that they must run out and purchase weapons for their own defense. It would also serve to foster a feeling of confidence and trust by the people in their government—a feeling that very honestly, and tragically, does not exist in this nation at the present time.

It is a sad commentary on our society that these attitudes exist, but the fact that they do exist should sober us into a realization that many people are concerned. Many no longer trust government solutions. Many, in fact, no longer trust their government.

GUN CONTROL MISSES THE MARK

(By Thomas A. Lane)

WASHINGTON.—We are exposed to an intensive propaganda barrage in support of gun control legislation. Regrettably, the proponents are moved more by passion than by the public interest. They have embraced the false thesis that national gun registration will reduce crime. They cite misleading statistics about gun homicides in the United States and Britain, avoiding the reality that balancing homicides are committed in Britain by stabbing, throttling and bludgeoning.

The issue has these dimensions. About 50 million Americans now hold about 200 million firearms. About 100,000 criminals or potential criminals have access to weapons for the commission of crime. Does the denial of firearms to the 100,000 require national control of firearms in the hands of the 49.9 million law-abiding citizens who now possess them? The answer is a resounding NO!

The responsible Americans who own firearms comprise chiefly the sports-loving hunting and fishing element of our population. They are the most disciplined and law-abiding element of the community. They support the police and oppose the criminals. They will cooperate enthusiastically in any measures to reduce criminality but they know the criminality is not caused by the possession of a gun.

These hunters and sportsmen are represented by the National Rifle Association. It reflects their interests. Critics who misrepresent the NRA as "the gun lobby" are using a smear tactic to deceive the public. The NRA has worked closely with law enforcement agencies at all levels of government for effective crime control measures. It has supported legislation to deny firearms to criminals and other identified incompetents. It has supported federal legislation designed to reinforce state laws. These worthy aims had been incorporated in the Hruska Bill which was rejected by the Senate.

NRA has opposed the ambitions of some senators to establish a new federal authority and accompanying bureaucracy over gun control through a national registration program. In this position, the NRA is eminently wise and practical.

Gun control is not a federal problem. It is a local problem in which state governments are the best judges of local needs. New York is not like Vermont, which has no gun control law and the lowest gun homicide frequency of the states. Alabama, which had the highest gun homicide frequency in 1965, does have gun control laws. Our states vary widely in the character of their populations and in the measures required for crime control. Only laws serving these special needs can be appropriate and effective.

No sensible man seeking to solve the problem of crime in the United States would begin by controlling the firearms in the hands of our responsible sportsmen. These weapons are not a cause of crime. They are a deterrent to crime because they stand in support of lawful authority. To register all these guns would be an exercise in administrative futility. We keep firearms out of the hands of criminals and potential criminals by specific legislation to achieve that purpose and by law enforcement concentrating on that task.

Our states have done much in this field. They have exercised local initiatives to meet local problems. They know from practical experience what measures are effective and what initiatives have failed. They know that gun registration laws do not deny firearms to criminals.

It is not a coincidence that the very people who have sabotaged crime control with copious tears for criminals now advocate federal gun registration. These are the people who would solve every problem of society with a federal law. They have sponsored other social control legislation to saddle the federal government with impossible tasks. Their zeal for gun control operates to distract public attention from the real problem of crime control.

In the matter of gun control, the only proper federal role is to regulate interstate commerce *in conformity with state laws*. State law should regulate the possession of firearms by criminals and other dangerous persons and should prescribe such gun registration as state law enforcement officials may find helpful to their work.

Our people must reject the current cynical exploitation of the Kennedy tragedy with false pretenses that gun control can prevent such crimes. The target is crime and the new rash of proposed legislation is wide of the mark.

[From the New World News, Feb. 1946]

"RULES FOR REVOLUTION"

On a dark night in May, 1919, two lorries rumbled across a bridge and on into the town of Dusseldorf. Among the dozen rowdy singing "Tommies" apparently headed for a gay evening were two representatives of the Allied military intelligence. These men had traced a wave of indiscipline, mutiny, and murder among the troops to the local headquarters of a revolutionary organization established in the town.

Pretending to be drunk, they brushed by the sentries and arrested the ringleaders—a group of thirteen men and women seated at a long table.

In the course of the raid the Allied officers emptied the contents of the safe. One of the documents found in it contained a specific outline of "Rules for Bringing About a Revolution." It is reprinted here to show the strategy of materialistic revolution, and how personal attitudes and habits of living affect the affairs of nations:

"A. Corrupt the young. Get them away from religion. Get them interested in sex. Make them superficial, destroy their ruggedness.

"B. Get control of all means of publicity and thereby:

"1. Get people's minds off their government by focusing their attention on athletics, sexy books and plays, and other trivialities.

"2. Divide the people into hostile groups by constantly harping on controversial matters of no importance.

"3. Destroy the people's faith in their natural leaders by holding these latter up to ridicule, obloquy, and contempt.

"4. Always preach true democracy, but seize power as fast and as ruthlessly as possible.

"5. By encouraging government extravagance, destroy its credit, produce fear of inflation with rising prices and general discontent.

"6. Foment unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.

"7. By specious arguments cause the breakdown of the old moral virtues: honesty, sobriety, continence, faith in the pledged word, ruggedness.

"C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

FACTORS AFFECTING INTERPRETATION OF HOMICIDE STATISTICS

Reaction to gun control legislation is probably based upon an individual's own experience in his own cultural surroundings. The typical white middle-class citizen is rural or small-town oriented. He doubtless grew up with guns, even if he nows lives in a city. He sees no high incidence of violence around him, even if he hears about soaring crime statistics. Therefore, he sees gun registration and control as a needless infringement upon his liberties. There are statistical indications that this may be true.

1. 53.6 percent of all murders in the U.S. have a Negro as victim (FBI, 1966).

2. This represents a rate of 1 in 2400 for Negroes, as opposed to 1 in 45,000 for whites.

3. A study in Philadelphia showed that Negroes had committed 97 percent of the homicides in which the victim was a Negro (Wolfgang).

4. The same study showed that 75 percent of these homicides were committed by Negro *men*.

5. Among male Negro murderers, 74 percent were between 15 and 40. Conclusion: The typical murder in the U.S. is committed by a young Negro man against another Negro.

Note: The same study (Wolfgang) also showed that in Philadelphia, Negroes committed 14 percent of the homicides in which the victim was white. In other words, more Negroes kill whites than whites kill Negroes.

6. In Philadelphia, 61 per cent of male Negro *victims* of homicide had prior criminal records; 54 percent had been arrested for "offenses against the person" indicating that victims as well as murders have been prone to engage in physical aggression.

7. In addition, the most common relationship between the victim and his murderer was that of "close friend" (35 percent); only 10 percent were strangers to each other.

8. As many victims as murderers (61 percent of victims, 59 percent of murderers) in Negro homicides were drinking at time of crime.

9. One third of the Negro homicides were "victim-precipitated."

Conclusion: The high homicide rate among Negro males is the result of Negro behavior patterns not shared by most whites.

Note: The same study shows that a young Negro man has a greater chance of being murdered than a young white man has of dying from an accident.

Final conclusions: In so far as the pressure for gun legislation is generated by murder statistics, the white middle class is paying the penalty for behavior patterns of a deviant minority group. This may explain some of the emotional resentment of those opposed to control.

See: *Patterns in Criminal Homicide* by Marvin E. Wolfgang (Philadelphia: U. of Pennsylvania Press, 1958); "Negro Homicide Victims—Who will They Be?", Lee N. Robins, *Trans-action*, June, 1968, pp. 15–19.

[From the Baton Rouge (La.) Morning Advocate, June 10, 1968]

SPORTS FRONT

(By Bernell Ballard)

GUN SMOKE

America does not need a gun law.

Our strength, our cause and our judgment—which have prevailed through many grave and emotional passings—should not now be given to the panic thoughts of perilism and fatalism imposed by those attempting to restrict the use or sale of firearms to American citizens.

Tragedy is no stranger. America has survived war, depression, riots, assassination of her most beloved Presidents—and her citizens have always rallied to the protection of their country and the rights offered them by its Constitution.

The Dodd Bill, an attempt to employ Federal legislation restricting the use or sale of firearms, jeopardizes the very basic rights of the American citizen to "bear arms" granted by the Constitution.

To follow the line of reasoning offered by Sen. Dodd would lead you to believe we would not have as much crime, nor assassinations, if there were no guns or if at least they could not easily be obtained. Statistics prove this wrong. New York with its strict Sullivan law proves it wrong. Crimes have increased since the law was passed and criminals still have the guns, but the law-abiding citizen is harassed when he tries to enjoy the shooting sports.

The gun is not to blame. It is the person wielding the weapon who should carry the blame. If the weapon were not a gun it would be a knife, bomb, poison or anything that would accomplish what the criminal has in mind for his victim.

Sen. Dodd's bill only makes it harder on the law-abiding citizen and sportsman. Criminals would not be hampered. In fact, you can build a gun in 30 minutes from material found under a car hood. It would shoot and kill.

You can never take the guns or weapons away from criminals, only from the law-abiding citizens.

What happens if such legislation against the gun would pass. Simple. The use of knives and other weapons would increase.

We now have adequate laws to govern the use, sale and transport of guns. The ones we have would be quite sufficient if they were enforced. To make more laws would only add to the heap causing more confusion, costing more to enforce, and hamper the citizen—and make it easier for the criminal. And too, the federal government would be increasing its powers to tax the citizen and would be strengthening its police powers. This, in an age of increasing federal control over our every day lives, is more than disturbing.

A person is ignorant of the content of the Dodd Bill if he believes that it "should not prevent the average sportsman and gun collector, who has no criminal or mental disturbance records, from purchasing firearms."

Criminals will always be able to have guns, regardless of laws. It is a federal offense now to have a machine gun and recently several armored cars were held up with machine guns.

The mass murder in Texas proves that gun laws will not work. Whitman was not previously a criminal nor recognized until after his death as a mental case. This man's background was flawless: ex-Marine, apparently happily married, a good college student, well-respected by all who knew him. A good sportsman and hunter who had a collection of fine guns, he could have purchased a gun anytime, anywhere, no matter what the laws were; unless, of course, you ban the purchase or ownership of all guns.

Guns do not kill people, people kill people.

Convicted murderer Richard Speck killed eight nurses without a firearm. Actually, the mass murders committed by Speck and Whitman prove that citizens should have easier access to firearms and should know how to use them.

It is a fine thing to have an idealistic urge to change the world, but we must be realistic and honest enough to accept the unpleasant fact that violent and criminal men will manage to find weapons in any world.

Even in a Pastoral and nearly perfect world, Cain slew Abel with a rock . . .

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SCHERLE. Mr. Speaker, this is the 148th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

JENNIE GROSSINGER: QUEEN OF THE CATSKILLS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. PEPPER. Mr. Speaker, my district is privileged to share with the State of New York a great and gracious lady known as the "Queen Mother of the Catskills," Mrs. Jennie Grossinger. Gov. Nelson Rockefeller has issued a formal New York State Proclamation designating June 16—this grand lady's 76th birthday—as Jennie Grossinger Day and she will be honored by her fellow New Yorkers for her lifetime of humanitarian achievement.

We of Miami Beach where Mrs. Grossinger spends the winters and of Florida are proud to join New York in honoring this noble lady who, in addition to a distinguished business career, has immeasurably helped innumerable people to walk on higher ground. She personifies the highest traditions of our country and the finest sentiments of our society.

We extend hearty congratulations to Mrs. Grossinger and wish for her many more years of distingushed and dedicated leadership of the many great causes she has espoused with such distinction and a continued long and happy journey along the pathway of life which she has so beautifully brightened.

Mr. Speaker, I incorporate, following my remarks, a very excellent article in the Miami News of June 14, 1968, by Bella Kelly, Miami News reporter:

JENNIE GROSSINGER CAPTURES NEW YORK

(By Bella Kelly)

"When I die," Jennie Grossinger has been known to observe, "I hope I go to heaven and I hope they have a big hotel up there. I want to run the hotel and take care of all my friends just as I have done all my life."

So sayeth the undisputed Queen Mother of the Catskills—the indefatigable Jennie who has become a legend as an innkeeper, a celebrated humanitarian and confidant of renowned personages.

Mrs. Grossinger, who spends every winter at her Pine Tree Drive home on Miami Beach, is a familiar figure to South Floridians.

And Sunday, in New York, where she rose to fame and fortune, she'll be the talk of the town.

Governor Nelson Rockefeller has issued a formal New York State Proclamation designating June 16—Jennie's 76th birthday—as "Jennie Grossinger Day."

Across the length and breadth of the Empire State, New Yorkers will pay tribute to Mrs. Grossinger for "her lifetime of humanitarian achievement."

The governor's act marks the first time in the history of the state that such a proclamation has been issued for a living woman.

In a telephone interview from New York, Jennie was simply overwhelmed.

"Naturally, I am surprised," she said. "But more than that, I am very, very grateful."

The tribute to Mrs. Grossinger, who came to the United States in 1892, doesn't pull any punches.

Her life, says the proclamation, "has exemplified the American dream of success from humble beginning and a lifetime of humanitarian achievement for others rarely equaled in the annals of the United States."

Jennie Grossinger, Gov. Rockefeller said, "has friends all over the world who are proud to be in that category, including myself. To know her is to love her . . . it is fitting that we express on her 76th birthday, the esteem and affection in which she is held."

That she would be so honored never entered the wildest hopes and dreams of the girl came to America with her parents from Bialagrad, a village in what was then the Austria-Hungary empire.

The family settled on the lower East Side and pooled their money to buy a farm in Ferndale, N.Y. That was 54 years ago, and when the going got rough on the ramshackle farm they took in a few boarders to help meet expenses.

Jennie's friendliness and her interest in people won many a guest and business prospered.

Today, Grossinger's in the Catskills embraces some 1,300 acres, employs close to 1,000 people, caters to over 75,000 guests a year and is, to many, a national vacation outpost.

Mrs. Grossinger is sole owner of the hotel and still active in the enterprise as chairman of the board. Her guests and friends include Presidents, prizefighters, youngsters and oldsters, entertainers, politicians, international statesmen . . . people in all walks of life.

"I found out to have a friend, you must be a friend," Mrs. Grossinger said. "I love people and when you love people, you find they return that love."

Jennie only had four years of formal schooling but over the years made up for her educational deficiencies by going to night school, engaging tutors, studying German, Hebrew and French. She wound up receiving honorary Doctor of Humanities degrees from two institutions of higher learning—Wilberforce University in Ohio and New England College in New Hampshire.

She also will be the subject of a biographical study written by the late Quentin Reynolds that Viking Press plans to publish sometime later this year.

Jennie still sits on a high stool in the dining room of the Grossinger hotel to welcome guests as she's done for many a year. And she still sells the hotel to a non-Jew every Friday for $1 so there can be entertainment without violating the Jewish Sabbath.

She has managed to stay a close friend of Eddie Fisher, Elizabeth Taylor and Debbie Reynolds, even though their marriages ended in upheaval.

"I still love them all," Jennie says.

Also, she still has four servicemen as her guests at the hotel every week and she picks up the tab. During World War II, she hosted eight a week.

"It's my way of saying, 'Thank You, America,'" she said.

The philanthropic endeavors of Mrs. Grossinger are so varied they defy listing. And she explains her views this way:

"I learned the seeds of charity very young . . . they were planted in my heart and emotions as a child by my mother and father. They instilled them in me.

"I remember my mother told me a long, long time ago when we were standing on a hill and someone said how wonderful it was that we owned 1,000 acres of land. My mother said, 'We don't own it . . . God just loaned it to us to take care of.' I've never forgotten that."

HIGH OR LOW TARIFFS?

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. OTTINGER. Mr. Speaker, there has been a great deal of discussion recently on the desirability of establishing import quotas and higher tariffs on a number of items. It is, therefore, with particular pleasure that I noted an editorial in a recent Wall Street Journal which suggests that such restrictions on trade might have effects precisely contrary to those which were intended.

For the benefit of my colleagues, therefore, I include this editorial in the Record. The editorial follows:

Too Much Worry About Foreigners

Rep. John W. Byrnes is right, in a way, when he says the Administration worries too much about possible foreign reaction to any new measures to curb imports into the U.S. As the Wisconsin Republican contends, the prime concern should be the American economy.

Yet even if foreign nations did not retaliate with measures against American goods—and that's a lot to hope for—it's difficult to see that new U.S. import restrictions would be as beneficial as Mr. Byrnes and others appear to believe. It's not only a question of the higher prices that U.S. consumers would have to pay.

The protected domestic industry would of course be less troubled by foreign competition. It also would have less incentive to develop new and improved products, to make its operations more efficient.

An industry that can't compete with foreign producers soon might have trouble competing here at home. For instance, the steel industry—a leading applicant for import curbs—might find itself losing more markets to aluminum and other domestically produced materials.

The long-run effects of wholesale new import restrictions thus could include not only a widespread distortion of markets but a debilitation of a good deal of the U.S. economy. This would certainly have a much more severe impact on U.S. jobs than the competition now provided by imported goods.

We are by no means insensitive to the fact that imports in some cases can cause serious problems for domestic industries and their workers. But legislation already exists to provide Federal aid in such cases, and the Administration has proposed making this help more liberal.

The most important worry by no means is what foreign nations may do to the U.S. It is instead what this nation, by misguided trade legislation, might do to itself.

DEPARTMENT OF AGRICULTURE LAX ON IMPORTATION OF DANGEROUS ANIMALS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ROGERS of Florida. Mr. Speaker, newspapers in south Florida recently carried an article concerning the theft of 200 frogs which were described as highly dangerous.

First indications were that the frogs were Kokois, a deadly South American frog. Natives, as the story says, use venom from the frog to poison arrows and one frog is said to have enough venom to kill 50 persons.

I have checked with the National Institutes of Health, as did one reporter, and have found that there is some question as to whether the stolen frogs were indeed Kokois. And there is some question as to the deadliness of these frogs under normal circumstances. Some believe that even eating the frog would not prove fatal.

However, the point that I would make here is that the Department of Agriculture should take a more active role in policing potentially dangerous, indeed lethal, animals which are being imported into this country.

As far as I know, the NIH is conducting the only research with the Kokois frog. I can see no reason why they should be allowed entry other than for legitimate research purposes.

Some years ago I spoke out on a similar situation, that time when importers were bringing in piranha fish.

I would like to urge that officials in the Department of Agriculture pay close attention to the animals which come under their jurisdiction. They take enough caution in matters of people taking their dogs abroad. I think they should check the list of animals which come into this Nation which could represent a danger to our citizens.

AN AMERICAN SOLDIER TELLS WHY HE IS PROUD TO BE IN VIETNAM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. MOORHEAD. Mr. Speaker, most of what we hear and read about the American presence in South Vietnam concerns the violence of the struggle against the Vietcong and the North Vietnamese. We hear and read little of the other war.

Not many days ago, the mother of a 19-year-old soldier from my home city of Pittsburgh showed me a letter from her son dated May 29. The letter told her of his visit to a Vietnamese village that had been largely destroyed during the Communists' Tet offensive. His mission was to rebuild what had been destroyed, and to rekindle in the villagers the hope for freedom and a better life.

The story of the day he spent in Nam Dang Thang is a moving story, which, under leave to extend, I insert at this point in the Record:

Tuesday, May 29, 1968,
(293 days to go).

Dear Mom: Here's what's new.

Hi! How are you? I'm really great and hope you are too!

Today I went off base camp to Nam Dang Thank. It is a village five miles outside our base and was mostly destroyed by Charlie during T.E.T.! I was really proud to be in my uniform today. Little children of all ages to older men and women came running to greet us. We are building houses for them, but they do most of the work. All we end up doing is making sure they are secured properly.

They love the Americans. In Saigon Americans cannot shoot their weapons. This way, the only one who does the shooting is Charlie. We, both the Vietnamese and Americans, stay low while we are working. Charlie can't win the people by shooting at them, destroying their homes and burning their crops. Their faces turn from gloom to bright sunlight when the first American is sighted. The peace talks may fail, but the United

States has won the people and, therefore, the war. They fight and die beside the Americans. To them, we are their freedom, protection, and most of all, a friend to come to when they need help. We answer that call, and the resulting picture is worth not a thousand words, but a million words.

When we leave, they are left with happiness in their hearts. They know that we will be back.

It just takes one day with these people to make you appreciate our country.

I don't mind being in Vietnam anymore. Wherever that Flag is, I am at home. I have adopted Thomas Jefferson's oath: "I have sworn against all tyranny over mind and mankind" I have, and am, prepared to back up this oath.

Back home, demonstrators are talking out of their rear ends. Bring them over here and let them work with these people. They'll change their tune!

Al and I almost cried with overflowing joy while working with these people. They gave us shade from the sun, and they did a fine job. We feel sorry for these people. We want to help them. I never had such a feeling of accomplishment until I went out there today. I built a foundation, I helped foreign relations, I made friends, and we all worked as one. I have done just a minor job in the face of the world, but it is a job which achieved a goal. A goal, that only the American people know how to obtain, and so do some very happy villagers.

Mom, the joy in their faces, the errupting sensation in my heart and blood stream is something that I will always treasure.

I have tried to tell you how I feel, but there aren't enough words, with all languages combined, to described it. I am an American! And, any power that tries to invade my rights, the rights of the world, which I believe our Constitution was also written for, must pay a very high price. There are not enough people, or money, to begin to pay that price.

I'm going to try to catch some sleep, but I don't think I will. My insides are really stimulated with just one day's work, a day that in 19 and ½ years I had not experienced.

I would like you to pass this letter around the office, to Aunt Ann, and your friends. I know what we are fighting for. They must know!

Until my next letter, take care and be good. Say hello to everyone, and Princess.

Love always,

LARRY '68.

(Sp/4 Lawrence Williams, RA 11885215, Co. A—25th Supply & Transport Bn., APO San Francisco 96225 (Cu Chi, Vietnam)).

LAWLESSNESS IN WASHINGTON

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1968

Mr. QUILLEN. Mr. Speaker, it is refreshing to read an editorial of the air by Martin Karant of WKPT, Kingsport, Tenn., entitled "Lawlessness in Washington." This editorial was broadcast on May 31, 1968.

I agree with Martin Karant that—

> The District of Columbia . . . the seat of our nation's government . . . is setting a horrible example for the rest of the country by tolerating defiance of the law. In so doing, they are discriminating against those of us who do respect and obey the law.

The editorial follows:

LAWLESSNESS IN WASHINGTON

(By Martin Karant)

We will wager that if a poll of the entire United States were taken today, the overwhelming majority would soundly disapprove of the so-called "Poor People's March on Washington." From what we have heard and read, the objections are primarily these;

1. The march is an effort to "blackjack" our Congress into the most enormous spending program ever conceived, aside from a wartime budget.

2. The almost total defiance of duly enacted laws and the scorn for the proper means of protesting those laws. We strongly believe in the right of protest . . . but by due and legal process, not defiance.

It is hard to conceive that some of the leaders of the march are so ill-advised as to permit such things as took place in the cafeteria of the U.S. Department of Agriculture the other day. A large number of the marchers entered, took the food they wanted, ate it and then departed. The total bill was well over $220. A man who calls himself a minister told the cafeteria management to combine all of the tickets into one. When that was done, he told the management that they would not pay it . . . that the sum should be applied to what the government "owes" the poor people. With that statement, they departed.

We could not find a more clear case of defiance of the law . . . and within a U.S. government building itself. And what was done? Nothing. Who will pay the bill? We will, as taxpayers. We worked for our money and they literally *took* it away from us with no apologies.

A worse public-relations incident for the marchers is hard to find.

If you or I decided to camp out on the Mall in the capitol, we'd be run off or jailed in short order. Is the law selective by income or lack of same these days? If so, we've never heard of the change.

Are today's marchers any better than the returned veterans of World War One? They were forcibly evicted and their shacks burned down and smashed by the Army under General Douglas MacArthur. These are the questions we hear asked more and more every day as resentment grows over the march.

We have nothing but the utmost sympathy for those poor people who cannot help themselves. Remember, we used the word *cannot*. They are certainly not to be allowed to go hungry. But everyone knows all too well that there are many who will not work as long as they can draw money for rocking on the front porch of a shanty they won't even bother to sweep. When a person creates his own pig pen to live in and to rear his children in . . . he cannot expect the rest of the public to furnish him the money to perpetuate his idleness, and his family's misery.

We repeat . . . those who legitimately deserve help should have it. The overwhelming majority are getting a great deal of help. There are cases where an injustice is being done . . . and these must be corrected. But nobody . . . deserving or undeserving . . . is entitled to break the laws of the land with complete impunity.

The District of Columbia . . . the seat of our nation's government . . . is setting a horrible example for the rest of the country by tolerating defiance of the law. In so doing, they are discriminating against those of us who do respect and obey the law.

Think about it!

FOUR MARYLAND SERVICEMEN KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. Darrell E. Campanello, Pfc. Ronald A. Coleman, Cpl. Norman E. Hicks, and Pfc. John P. Thompson, four fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memory by including the following article in the RECORD:

FOUR SERVICEMEN FROM STATE KILLED IN VIETNAM

Four more Maryland service men have been killed in Vietnam, the Defense Department reported yesterday.

The dead were:

Marine Pfc. Darrell E. Campanello, 18, son of Mr. and Mrs. Eugene V. Campanello, of 8121 Fifteenth avenue, Hyattsville.

Army Pfc. Ronald A. Coleman, 25, son of Mr. and Mrs. Robert A. Coleman, of 805 North Augusta avenue, Baltimore.

Marine Cpl. Norman E. Hicks, Jr., husband of Mrs. Norman E. Hicks, Jr., of 910 Stoll street, Baltimore.

Army Pfc. John P. Thompson, son of Mrs. Carolyn M. Thompson, of 6 Weyburn court, Rosedale.

DRAFTED IN OCTOBER

Private Coleman died June 2 as a result of burns apparently received from enemy fire near Pleiku, where he was stationed, according to his sister, Montra M. Coleman. He had first been reported as missing by the Defense Department June 3.

Private Coleman, who was drafted last October, had been assigned to Vietnam as an infantryman since April 21, his sister said.

A graduate of Douglass Senior High School, where he played on the basketball team, Private Coleman had worked as a house painter in Baltimore before his Army induction.

Private Coleman, who was born in Baltimore, had been assigned to Company C, 2d Battalion, 8th Mechanized Infantry Regiment, 4th Infantry Division.

SURVIVORS LISTED

Besides his parents, Private Coleman's survivors include four brothers, Marine Staff Sgt. Lynwood O. Coleman, stationed at Camp Lejeune, N.C., and Robert A. Coleman, Jr., William A. and Craig D. Coleman, of Baltimore; five sisters, Montra M., Cecila A., Patricia B., Bonnie D. and Tanya R. Coleman, all of Baltimore, and a grandmother, Sally Mae Coleman, of Colonial Beach, Va.

Private Campanello was killed June 3 in an explosion, apparently caused by a land mine, while he was on a reconnaissance patrol near Quang Nan, a town near Da Nang where he was stationed, his mother said.

ENLISTED IN CORPS

Private Campanello, who enlisted in the Marine Corps shortly before his graduation from Springbook High School, in Silver Spring, Md., last June, had been assigned to duty in Vietnam since November 29.

Trained as a radio reconnaissance patrol specialist, Private Campanello was stationed with Company B, 1st Reconnaissance Battalion, 1st Marine Division.

Private Campanello had planned a military career, his mother said.

Besides his parents, Private Campanello is survived by a brother, Duane E. Campanello, of Hyattsville; a sister, Mrs. Donna J. Winner, of Lanham, Md., and his grandparents, Mr. and Mrs. Charles Hall, of Cherry Point, N.C.

A LITERALLY FATAL FLAW

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. EDWARDS of California. Mr. Speaker, our Nation is in a state of convulsion following yet another assassination of a vital, young public leader. Attention centers at long last on the weapon with which such violence and sickness finds expression and the prevalence of that weapon within our society. The effort to legislate controls on firearms is not an effort to keep the law-abiding citizen from owning a gun—for self-protection, for sporting, for whatever—but it is an effort to keep these dangerous weapons out of the hands of those who would likely use it to destroy another human being. This is discussed most rationally and forcefully by the editors of the San Jose Mercury, of San Jose, Calif.

The editorial follows:

A LITERALLY FATAL FLAW

Sen. Robert F. Kennedy will be buried today near his brother, the late President John F. Kennedy, in Arlington National Cemetery as the nation mourns. A sense of shock persists.

Both Kennedys were victims of assassins' bullets; both were cut down in the prime of their manhood and before the promise of their years could be fully realized. Both were killed because they were willing to take the risks attendant on public service in a huge, sprawling and exceedingly free nation.

It is probably inaccurate to say that the American society as a whole is "sick," but it is certainly true that any society as diverse as this, and more particularly any society which contains such visible disparity between the haves and the havenots, is going to produce a large number of sick individuals.

After the assassination of President John F. Kennedy in Dallas, in 1963, the nation passed from shock to apathy as concerns gun control legislation. This was a tragedy.

After the assassination of Martin Luther King, the nation passed from shock to slightly less apathy concerning gun control legislation. A flaccid, halfway measure covering only the sale of handguns under certain circumstances passed Congress. Again this was a tragedy.

New Sen. Robert F. Kennedy of New York has been assassinated, and the nation is still in a state of shock. President Johnson has called "in the name of conscience" for more truly comprehensive gun control legislation.

Congress should heed that call.

How much shock must a nation endure before it is willing to take effective steps to avert future tragedy?

The principal argument of those who oppose gun control legislation is that such laws do not deter the criminal elements from obtaining firearms; some advocates of this position go so far as to say that, consequently, the law-abiding should obtain and learn how to use guns for their own protection.

The history of the .22 caliber pistol used in the assassination of Sen. Kenndey effectively refutes this argument. The pistol, an Iver Johnson .22 caliber revolver, was purchased by a law-abiding citizen of Los Angeles County shortly after the Watts riots of 1965—doubtless for his self-protection.

After the racial tensions eased, he gave the pistol to his daughter-in-law, a Northern California resident. She in turn gave it to an 18-year-old friend of the family in Los Angeles County. This boy told police he sold it to a man known to him as "Joe." "Joe," it developed, was the brother of the man arrested as the suspected assassin, Sirhan Sirhan. Whether "Joe" gave the pistol to Sirhan or whether the latter stole it is irrelevant.

The point is that a pistol bought by a "good guy" wound up in the hands of a "bad guy" precisely because there is no effective law recording and supervising the disposition of firearms over the life of the weapons themselves. This is literally a fatal flaw and one that Congress must remedy.

OREGON'S GREENWAY PLAN FOR WILLAMETTE RIVER AREA

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ULLMAN. Mr. Speaker, I would like to bring to the attention of my colleagues a project in Oregon that is going to be the pride of all Oregonians and a real asset to the Nation.

I refer to the Greenway project for the Willamette River area which will provide a nearly continuous beautiful area of Oregon greenery for over 200 miles along the Willamette River. This imaginative project has been fully described in the June issue of Outdoor America, published by the Izaak Walton League of America, and I would like to share this fine article with my colleagues by placing it in the RECORD at this point:

OREGON'S GREENWAY PLAN FOR WILLAMETTE RIVER AREA

Secretary of the Interior Stewart L. Udall has endorsed a proposal by the State of Oregon to establish a 208-mile stretch of green space running through eight counties along the Willamette River and serving most of the State's population.

"The imagination, concepts and cooperation that went into this project are absolutely breathtaking," Udall declared. "I had the feeling of being swept away by a new, dynamic force in conservation as I reviewed Oregon's plan for conserving and using the Willamette River area."

Secretary Udall and Oregon Governor Tom McCall signed a project agreement which will enable the State to initiate land acquisition for the project. Under the agreement, Oregon pledged $1,600,000 of State and local money which will be matched by grants from the Land and Water Conservation Fund, administered by the Bureau of Outdoor Recreation.

Of the Federal share, $1 million will be allocated from the Secretary's contingency Reserve, that is available to help States meet emergency land acquisition needs for outdoor recreation projects. The remaining $600,000 in Federal matching money will come from Oregon's regular apportionment from the Land and Water Conservation Fund.

"The dream is that in the inevitable day when several million people are living in the Willamette Valley, there will still be green refuges in which they can relax and play along the river itself. Not a solid belt of green probably . . . but substantial stretches where people can walk, picnic, or maybe bicycle along the banks, while boaters and some ducks paddle by in the stream. That's a dream worth long-term effort."

Edward C. Crafts, Director of the Bureau of Outdoor Recreation, in a report to Secretary Udall, said the Willamette River Greenway is "nationally significant" because of an unusually exhaustive approach to resource preservation in a major population center and the intensity of intergovernmental cooperation that produced the plan.

"The Willamette River Greenway concept is much more than an assemblage of open space with natural corridors," Crafts stated. "It involves creative management of an entire river to provide land and water recreation in all its forms. Additional benefits will come from the control of erosion, pollution and preservation of the quality of the environment of this region."

The Willamette River Greenway plan was prepared by a special task force for Oregon's Governor Tom McCall and the 1967 Legislative Assembly. The plan was instrumental in obtaining passage of legislation to authorize the Oregon State Highway Commission to provide a program and financial assistance to local government for acquisition of land, or rights in land, along the Willamette River for scenic and recreation purposes. The law, HB 1770, officially established the Willamette River Park System.

The special task force found that the boundaries of the plan will require about 22,443 acres of land along the Willamette River over which some measure of governmental control will be needed to perpetuate a recreation greenway. Of the total acreage, the task force recommended purchase in fee title of 7,500 acres for public ownership with an estimated market value of $12 million. Purchase of scenic easements on 6,500 acres to protect scenic values and purchase of recreational use easements on 1,400 acres were recommended by the task force. Most of the remaining acres needed already are in public ownership.

Oregon's plans for development of the Willamette River Greenway include a river park system of recreation camps, a river access system with boat-launching sites, multi-purpose trails, scenic roads, and regional parks.

Fishing in the Willamette River is expected to increase considerably in the next few years with improvement of the river and construction of facilities to aid boaters and fishermen.

The task force said each site chosen will be carefully evaluated in light of State and Federal policy for possible environmental intrusions, including overhead wiring, and actions recommended to eliminate such intrusions where possible.

THE SOLIDARITY MARCH

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, the word "solidarity" as used for the threatened insurrection has deeper significance than merely the emotional front of a supposed "poor peoples" campaign.

The word "solidarity" rings with comparable semantics to such international Communist phrases as "national liberation front"—an international soul label for the joining of many Communist action groups for one unified and coordinated attack—in this instance a blatant assault on the existing Government of the U.S.A.

So obvious is the build-up to anyone who has followed the pattern—and recognizes the blueprint from the recent Solidarity Conference on Castro's Red Isle of Cuba—it was not surprising that the firebrand Tijerina has even promised to call on Castro, if necessary, for help by taking the United States before the U.N. Can anyone doubt Castro will have the U.N. votes to call for economic sanctions against the United States.

Another interesting comparison is a study of the operations and techniques of the IWW—International Workers of the World—also called "Wobblies", from such readily available books as, "Aliens and Dissenters," subtitled "Federal Suppression of Radicals 1903–33," by William Preston, Jr.; "The I.W.W.: A Study of American Syndicalism," by Paul F. Brissenden; and "The Wobblies," by Patrick Renshaw. The pattern, attacks and goals are unique even to the hymn-like songs.

Mr. Speaker, I ask the clippings from the Evening Star for June 17, the I.W.W. preamble and the W. E. B. DuBois material follow:

[From the Washington (D.C.) Evening Star June 17, 1968]

Tucker Expects Over 25,000 to Join Rally—Mrs. King to Speak—Mule Train Due in Alexandria Tonight

Wednesday's Solidarity March of the Poor People's Campaign will bring "surprising numbers" of people to Washington "to so stir and arouse the conscience of the nation that we are going to get reunited," the march coordinator said today.

Sterling Tucker declined to estimate numbers beyond the 25,000 "firmly committed" as of Friday. But he said, "We know the number is considerably larger than that" and indicated the official estimate would be revised upward sometime today.

Plans for the big march have been cleared with a number of government agencies now, and operations will move tomorrow afternoon to the Washington Monument grounds, where work already is under way on a sound system.

MRS. KING TO SPEAK

Mrs. Martin Luther King Jr., widow of the slain chief of the Southern Christian Leadership Conference, will speak and sing, as will Mahalia Jackson, who performed at the 1963 March on Washington. King's parents will attend, Tucker said.

The campaign's symbolic mule train, which started more than a month ago from Marks, Miss., is expected to arrive in Alexandria at midnight tonight. It was loaded aboard a Southern Railway train last night at Atlanta.

On board are 13 wagons, 30 mules, 2 horses and 2 attendants. United Press International reported that 130 passengers of the mule train were to board buses today for the trip to Alexandria, where the caravan will be reassembled for a "grand entrance" into Washington on Wednesday.

The campaigners, meanwhile, continued their round-the-clock demonstration at the Department of Agriculture for the sixth day. About two dozen demonstrators were on hand there early this morning as about 40 returned to the West Potomac Park encampment for replacements.

PLANNING WORK PUSHED

Also working round the clock are Tucker, head of the Washington Urban League, and his forces, who have had little more than nine days in which to plan for the march.

Plans for the march prepared by Tucker and the Rev. Ralph David Abernathy, SCLC leader, are designed to protect the health and safety of marchers and have been approved by the various government agencies involved, Tucker reported.

They include two hospital tents, five medical trailers and several tent aid stations to be set up by the D.C. Public Health Department, some 10,000 lunches to be available for those unable to buy food, and more than 20 chartered buses to shuttle marchers to the monument grounds from outlying areas.

More than 1,000 marshals recruited from off-duty police, fire, corrections and other city department employes of New York will help with security arrangements, he said.

While Tucker said coordinators have been advised that the federal government here will follow a "business as usual" policy, he expressed hope that employes would take leave under whatever arrangements they can even if it means giving up a day's pay.

"Many people around the country are doing this," he said.

He predicted the "substantial" crowds coming Wednesday will be well-behaved and well-disciplined and will know what the demonstration is all about.

"We're going to prove that in today's general climate of unrest in America, a large march can be conducted in the same kind of peace and dignity and absence of incident as the 1963 march," Tucker said.

People are going to come with "a new kind of commitment toward the problems of the poor," he said, predicting it will signal that the country is going to "move on up as one." He said:

"This march, I hope, will be the beginning of the end of the polarization between the races which has set in. This march, in my view, is going to stop this growing new problem of haves and have-nots, and let the Congress and all the people know that there is a real concern about poverty and violence in this land.

"It is going to prove once again that nonviolence is the means by which it can come."

Success will not depend on numbers, he said. He noted that the 1963 march had 10 sponsoring organizations, three months for planning and extensive staff, while Wednesday's SCLC-sponsored march has far less time, and a considerably smaller staff.

The Resurrection City encampment yesterday received more than 2,200 hot meals to celebrate Father's Day, from a man who strongly opposes federal "handouts" and the Poor People's Campaign.

Dr. Thomas W. Matthews, a neurosurgeon and leader of the self-help group called NEGRO, supplied a luncheon of barbecued beef and a dinner of hot fried chicken to show "what these people could do if they wanted to."

[From the Washington (D.C.) Daily News, June 17, 1968]

March Aide May Ask Fidel Help

WASHINGTON, June 16.—The leader of Spanish-speaking Southwesterners in the Poor People's March said today that, if necessary, he will ask Fidel Castro to take his claim against the United States Government to the United Nations.

Reies Lopez Tijerina said he hoped to convince Secretary of State Dean Rusk of the justice of his contention that 100 million acres in the Southwest belong to the present-day descendants of the land's original Spanish and Indian settlers. He meets with Rusk tomorrow.

THE MARCHERS RELAX

The marchers spent a relaxed day at Resurrection City, sweltering under near 90-degree temperatures.

Leaders continued making preparations for Wednesday's "solidarity day" mass march which is expected to bring thousands of sympathizers to Washington for a one-day show of support.

The IWW Preamble

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of working people and the few, who make up the employing class, have all the good things of life.

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

We find that the centering of the management of industries into fewer and fewer hands makes the trade unions unable to cope with the ever growing power of the employing class. The trade unions foster a state of affairs which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping defeat one another in wage wars. Moreover, the trade unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.

These conditions can be changed and the interest of the working class upheld only by an organization formed in such a way that all its members in any one industry, or in all industries if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.

Instead of the conservative motto, "A fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system."

It is the historic mission of the working class to do away with capitalism. The army of production must be organized, not only for the every-day struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

Memo

To: DuBois Clubs throughout the Nation.

From: W. E. B. DuBois Clubs of America, national office, New York, N.Y.

Re: The IX World Festival of Youth for Solidarity, Peace and Friendship in Sophia, Bulgaria from July 28 to August 6.

We're sending you some applications and brochures for the Youth Festival in Sofia, Bulgaria this summer. We're behind in organizing for it, and we need all the help you can give us in publicizing the Festival, getting people to go, etc. While we don't want all the progressive forces in the United States to leave the country, we do want to send a delegation of about 300 youth. Going to the Festival should not be viewed merely as a pleasure trip (although it will be fun) or as a cop-out, but as a political responsibility. There will be delegations from more than 110 countries (20,000 delegates are expected) and in this period (with U.S. aggression in Vietnam, etc.) it's particularly important to have a strong delegation of young people from this country to meet with them.

We will get first-hand reports on the struggles of young people in other Western capitalist countries such as France and Italy (who are equally interested in the American movement). There will be seminars and forums on the many struggles facing world youth. For example, a major seminar will be held on racial oppression which will highlight the situation in South Africa and the United States.

There will be a special meeting between the Vietnamese and American delegations which will be of great importance for future plans of action and in creating more understanding between the youth of both countries.

For about a dozen DuBois Club people in the U.S. delegation there will probably be a special tour of the Soviet Union after the Festival.

Following are some suggestions of things you can do:

1. Contact organizations in your area about the Festival. We will be in touch with many organizations around the country, but it's possible that we may miss some local ones.

2. Distribute brochures wherever there are people—at concerts, meetings, etc. Include the brochures in any mailings you put out. Ask other friendly organizations to include brochures in their mailings, or if there aren't enough, to mention the Festival with information on who to contact for more information.

3. If possible or feasible, place ads in local newspapers or bulletin put out by local groups whose readers might be interested. We would appreciate it if you could raise the money for these ads yourselves, but if you can't, let us know in advance so we can approve it (re our finances, etc.)

4. To raise money and interest: If there's anyone in the area who has been to any previous festivals, organize a meeting of some kind to discuss these trips and relate them to the Festival, bringing out the importance of meeting with youth of different countries and developing national ties.

5. In all publicity you put out ask for contributions. Have the money sent to: American Delegation to the IX Festival.

6. Speak to individuals who might be interested in attending the Festival.

We also have some really nice stamps issued by the Festival Organizing Committee in Bulgaria which you can sell for $2.00 a sheet, 25 on a sheet. We'll send some of them in this mailing.

For additional information refer people to the American Delegation to the IX Festival, (*not* the DuBois Club).

Hope to hear from you soon.

MAY 6, 1968.

IX WORLD FESTIVAL OF YOUTH, SOFIA, BULGARIA, JULY 28–AUGUST 6

Meet young workers and students fighting in liberation struggles against colonial regimes and United States aggression around the world: North and South Vietnam, Cambodia, Thailand, Laos, Ghana, France, West Germany, Spain, Bolivia, Colombia, Chile, Argentina, Australia, Canada, and scores of other nations from Asia, Africa and Latin America.

Meet youth who are building socialism in their countries.

THE AMERICAN DELEGATION

The delegation from the United States is of special importance this year. Our country is the most powerful exploiter and oppressor of other peoples in the world.

The struggle in Vietnam against U.S. imperialism is taking on even greater proportions than before, and is a dramatic indication of the growing hostility throughout the world towards the United States government.

The rebellions of black people in America against inferior jobs, housing and education, the increasing number of strikes and of student demonstrations are revealing to the world that the U.S. government oppresses people at home as well as abroad.

The U.S. delegation must discuss with youth from other countries what we can all do to end U.S. aggression around the world.

PROGRAM

Some of the many events which the delegations will take part in are:

Debates

On international politics; economic, social and cultural rights of youth; capitalism and socialism; the individual and society; fight of youth against U.S. interference in internal affairs of other countries; rights of women, etc.

Meetings

Special Meetings (such as young trade unionists, young intellectuals); Professional Meetings (such as youth from industry, high schools); Meetings According to Interest (such as amateur artists and photographers); meetings of delegations; meetings with statesmen and people of art, culture and science, etc.

Sports program

Mass competitions; international sports competitions, athletic demonstrations, etc.

Cultural program

Concerts and performances; artistic competitions; exhibits; film festival, etc.

Student program

Discussion on the role of the university, relations between developed and undeveloped countries, world unity of the student movement, etc.

GUN CONTROL

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. WYATT. Mr. Speaker, Mr. John D. Gray, chairman of Omark Industries, Portland, Oreg., one of the most enlightened and highly respected industrialists in the United States has issued a statement on gun control which deserves the attention and consideration of all our citizens, and my colleagues. It follows:

Omark Industries, a diversified manufacturer whose products include rifles, shotguns, and small arms ammunition, urges that both Houses of Congress move immediately to enact meaningful legislation and to support enforcement of present laws that would get and keep firearms out of the hands of the mentally unbalanced, addicts, and criminals. We urge effective laws that would accomplish this without hindering the responsible sportsman in his privilege of owning and using guns for hunting and acceptable gun sports.

People do kill people and they sometimes do it with guns. Congress has an obligation to do all in its power to stem the tide of violence of all kinds in America.

Whatever it does to this end, Omark supports and it recommends that others in this industry take a similar position.

TELL IT LIKE IT IS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DERWINSKI. Mr. Speaker, the Blue Island Sun-Standard, a publication serving that community and adjacent areas in southern Cook County, featured a most timely and thoughtful editorial under a very appropriate title.

In view of the wave of agitation on college campuses, this sober editorial merits thoughtful review:

TELL IT LIKE IT IS

We wonder about the general condition of the country when we listen to the news of the day concerning the upheavals taking place at colleges and universities.

Students in many areas seem to be taking over the institutions and attempting to dictate the terms under which they will consent to attend school.

To older people (over 30, of course) this seems quite shocking. How did these youngsters arrive at their glorious station in life? Why, their parents make sacrifices so that their children could have an easier time of it. How did some of them gain entrance to these institutions of higher learning? Why they were given scholarships, and grants, and other assistance, mostly donated by older people, who, feeling the importance of a good education and good schools, voted yes on untold numbers of bond issues for the improvement of educational facilities.

Why were they sent to universities? So that they could take advantage of higher learning and become the civic leaders in their communities, as well as in business a little later in life.

It's unfortunate, we think, that these future leaders have not yet learned a few basic facts, which some less educated youngsters learned before they started kindergarten . . . namely, pressure is a tactic used by someone who does not have a good case; threats are used by bullies; destruction of the property of others is illegal and immoral; and failure to observe the rights of others will occasionally result in the loss of rights for all.

Students have not yet reached the point in either experience or education that makes it practical for them to advise those older and wiser about how to run a school.

On occasion we have wondered, when asked to make financial contributions to the college of our choice, if we are not contributing to the delinquency of these big mouthed minors, some of whom may be bright enough to go out and get jobs and earn their own living.

We do acknowledge that this condition is not widespread, and that most students are harder working that we were; brighter than we can ever hope to be; and have a great future in which they will contribute much to the peace, harmony and well being of future generations.

There! We've had it in our system for a long time, and we've said it, and we're glad. We feel better now.

OMNIBUS CRIME BILL

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. COHELAN. Mr. Speaker, in the heat of the emotional outpouring which followed the murder of Senator Kennedy, the House passed the omnibus crime bill. This bill contains a very weak handgun restriction, a probably unconstitutional criminal procedure section, and an overbroad electronic eavesdropping provision.

I have joined with several of my colleagues in a letter urging the President to veto this bill. The New York Times and the Washington Post also urged that it be vetoed.

I include the letter we sent to the President, and the newspaper editorial comments in the RECORD at this point:

JUNE 11, 1968.

Hon. LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are writing to urge that you veto the so-called Omnibus Crime Control and Safe Streets Act recently passed by Congress.

This Act will contribute neither to crime control or safe streets. It represents an unreasonable and an unthinking response to a series of problems that require careful, sober thought and good judgment. The Act reflects none of these qualities.

We do not serve the worthy goal of preserving supremacy of the law by enacting bad law. Diluting the constitutional protection of the individual against compulsory self-incrimination, is bad law. The Act blatantly attempts to overturn the recent Supreme Court decisions elucidating this protection and this right. It is interesting to note that under the Military Code of Justice, members of the Armed Services have long been entitled to the rights which this portion of the Act would abolish for the civilian population. For example, Article 31 of the Military Code provides, in part, that no person accused or suspected of an offense may be interrogated without first being informed of the nature of the accusation and being advised that he does not have to make any statement.

This section has been in the code since 1956. It is ironic and perhaps a measure of the time that final enactment of the so-called Omnibus Crime Control and Safe Streets Act would strip away from civilians rights guaranteed to military personnel.

Authorizing wiretapping and bugging in cases not involving the national security, is bad law. You yourself, Mr. President, have previously gone on record opposed to such injudicious government activities. The multitude of violations of privacy which this act would permit cannot be justified. They can only be explained as an example of legislative hysteria. Instead of attempting to legalize invasions of privacy we ought to be seeking ways to "exercise the full reach of our constitutional powers to outlaw electronic bugging and snooping," as you stated in your State of the Union address last year.

The Act, Mr. President, is a defective and perverse effort to cope with some of the most serious problems this Nation has ever faced. But these diverse problems, including organized crime, civil riots and disorders, the excessive traffic in guns, and the need to assist local law enforcement agencies, cannot be effectively dealt with by taking 3 giant steps toward a police state.

Again, we urge you to veto the so-called Omnibus Crime Control and Safe Streets Act.

With every good wish, I am

Sincerely yours,

HENRY B. GONZALEZ, JOHN MOSS, RICHARD BOLLING, FRANK CLARK, PATSY MINK, DON FRASER, JOHN CONYERS, JEFF COHELAN, JEROME WALDIE, ROBERT LEGGETT, ROBERT KASTENMEIER, CHARLES DIGGS, PHILLIP BURTON, ED ROYBAL, DON EDWARDS, TOM REES, GEORGE BROWN, Jr.

"CRUEL HOAX": VETO CALLED FOR

A spectator listening to the debate in the House of Representatives on the so-called "crime-control" bill during the last two days prior to its final passage would have reason to doubt whether the Bill of Rights could get fifty votes if it were up for consideration. The tone and quality of the debate would have dismayed Thomas Jefferson and James Madison if they had had the misfortune to hear it.

Members of the House were more intent on demagoging against crime and putting themselves on record in favor of law and order than they were in analyzing the grave defects of this bill. One of the worst failures in the bill is its feeble provision on gun control. Rifles were used to shoot down President Kennedy and Dr. Martin Luther King Jr. But this bill permits the murderous mail-order traffic in rifles and shotguns to continue. The bill does ban mail-order sale of pistols and revolvers, but it does not even require registration of the ownership of these dangerous weapons with the police.

Registration of weapons is no more of an inconvenience than registering an automobile or obtaining a prescription for a drug. In arguing against registration, the gun lobby constantly points to the Constitution's protection of the right to bear arms. But the Constitution also assures the right to vote; yet to exercise that right every citizen must register. Why should owning a gun be more sacrosanct than the right to vote?

Title II of this bill is an attempt to overrule recent Supreme Court decisions on the admissibility of confessions in Federal courts, methods of arraignment of suspects, and police procedures in the questioning of suspects. Many members of Congress talk as if suspects are presumed to be guilty. Most of Title II is undoubtedly unconstitutional because two of the major decisions Congress attempts to overturn were founded upon provisions of the Bill of Rights and cannot be reversed by a mere statute. In short, this Congressional vaporing will promote confusion and help no one.

Title III would permit the sweeping use of wiretapping and electronic devices for comparatively minor suspected crimes and with inadequate court supervision. Only legislators who have forgotten the history of the long struggle for human liberty could sanction this reckless invasion by the Government of the privacy of the individual.

Except for the financial assistance for local police forces, virtually nothing in this measure is going to assist in combating crime on the streets. Representative Celler of New York has accurately described it as "an illusory bill which was a cruel hoax on people whose fear of crime is a fact of life."

After the House approved it yesterday, President Johnson sent a letter renewing his request for tighter gun controls. We trust the letter is not an indication that the President intends to become a party to this hoax on the crime issue. We urge him to return this monstrous bill to Congress with the veto it deserves.

A CALL AGAINST ARMS

Has the horror of a second assassination in 1968 served as a fireball, warning Congress that a real gun * * * now, the firearms lobby has had its way, shooting down every effort to strengthen the weak title in the omnibus crime-control bill covering interstate gun sales.

Yesterday Senator Dodd introduced two new bills that can close lethal loopholes in the measure now awaiting Presidential action The first would ban interstate mail-order shipments of rifles and shotguns—deliberately omitted in the omnibus bill, which covers only pistols and revolvers. The second would require registration of all firearms, short or long, in neither bill—it should be stressed in anticipation of lobbyist outcries—would private ownership of firearms be prohibited.

Compulsory Federal registration would be handled by the Treasury Department, with exemption for states already requiring registration. Two years ago, New Jersey enacted a strict law covering the purchase of rifles and shotguns as well as handguns. Despite initial opposition from sportsmen, the sale of hunting licenses has increased. "The law is preventing the sale of guns to those who should not have them," Senator Case says, "and it is not deterring legitimate sportsmen." What is good for New Jersey in this respect would be good for the United States.

Tragically, the wide open spaces in the Federal firearms title are merely samples of the flaws that permeate the omnibus crime-control bill. The administration of justice is dealt a serious blow by titles that would overturn existing Supreme Court decisions on confessions and police lineups, and open the door to widespread wiretapping and eavesdropping for comparatively minor crimes.

Attorney General Clark is on record against the weak firearms title; against the title that downgrades the Supreme Court; against the title extending the taps and bugs beyond national security cases.

This week the Justice Department is studying the omnibus crime-control bill prior to making a confidential recommendation to the White House. The Attorney General has removed any doubt about what that recommendation ought to be. On its demerits, the bill should be vetoed by President Johnson. Not only doesn't it do the job on guns; it fails to do the more fundamental job on crime and justice.

A SALUTE TO RICHARD C. FINA—KILLED IN ACTION ON MAY 24 IN VIETNAM

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. O'KONSKI. Mr. Speaker, another northern Wisconsin boy has died in action in Vietnam. Has it been in vain? I wonder.

I would like to add just one comment to the poem which ends "I've served my time in hell." The comment is "with one hand tied behind my back."

> "And when he goes to heaven,
> To Saint Peter he will tell:
> One more Marine reporting, sir,—
> I've served my time in hell!"

In memory of Richard C. Fina, HM3C, USN.

Born June 8, 1947.

Killed in Action on May 24 in Vietnam.

Services—10 A.M., Monday, June 10, First Presbyterian Church, Hudson, Wisconsin.

Officiating: Rev. Gerben Van Putten.

Survived by:

Parents: Mr. and Mrs. Edward L. Fina.

Brother: James A/1C U.S.A.F., Robbin.

Sisters: Jacqueline, Elizabeth, Susan, Janet.

Maternal Grandparents: Mr. and Mrs. Carl Finstad.

Paternal Grandparents: Mr. and Mrs. Ramon Fina.

Interment: Willow River Cemetery, Hudson, Wisconsin.

Arrangements: Kramer Funeral Home, Hudson, Wisconsin.

[From the Minneapolis Tribune, June 12, 1968]

(By Sid Hartman)

At Cretin high school, Tim Origer was a regular on the football and basketball teams and competed in track.

When he graduated from the St. Paul school, a number of colleges, including the University of Minnesota, offered the 238-pound gridder scholarships. He finally decided to enroll at Minnesota.

As a member of the Gopher freshman football team and as a student, Origer was restless and finally decided to enlist in military service on Aug. 16, 1967.

"I had a number of friends in the service. Several of them were wounded in Vietnam," said Origer. "My conscience bothered me. This is why I decided to enlist."

GETS HIT

Origer arrived in Vietnam Feb. 20. On March 16 while in action he stepped on a Viet Cong booby trap. He might never have survived were it not for the help of Rick Fina of Hudson, Wis.

"When I got hit, I severed a big artery in my leg," said Tim. "I would have bled to death if it wasn't for Rick. He was in another area but he came out to help me and got me on a helicopter and to a hospital ship where I was near death for a week."

Origer had his leg amputated. Except for this serious handicap, he is okay now.

However, Monday was a sad day for Tim. He was a pallbearer at Rick Fina's funeral. Fina was killed in Vietnam on May 24.

HEADQUARTERS, 3D BATTALION, 27TH MARINES 1ST MARINE DIVISION (REIN), FMF

FPO San Francisco, Calif., May 31, 1968.

Mr. and Mrs. EDWARD L. FINA,
629 Kinnic Kinnic Street,
Hudson, Wisconsin 54016.

DEAR MR. and MRS. FINA: Please accept the deepest sympathies of the Marine Corps and the Marines of this Battalion in the untimely death of your son, Hospitalman Third Class Richard Carl Fina, U.S. Navy, which occurred on May 24, 1968.

Richard as you know, was serving as a Field Medical Corpsman attached to the First Platoon of Company "K". While participating in "Operation Allen Brook" in Southern Quang Nam Province, the First Platoon's mission was to search for and clear out enemy positions. At about 2:30 p.m. the platoon came under intensive enemy automatic weapons fire. During the ensuing action several members of the platoon were wounded. Richard immediately administered first aid to the wounded men. At approximately 4:00 p.m. while administering medical aid to the wounded, Richard was struck by enemy small arms fire. Marines of his platoon rushed to his aid, however, it was to no avail as death had occurred instantly.

Richard was given the ministrations of his faith by Lieutenant Commander W. J. Cox, Chaplain Corps, U.S. Navy at the First Hospital Company, DaNang, Republic of Vietnam. A memorial service will be held in honor of your son at the Battalion Chapel.

Richard had made many friends in the Battalion, and was especially well liked by the men in his platoon. Richard's willing disposition, selflessness and devotion to duty were a great credit to him and an example for others to follow. Although I realize that words can do little to console you, I do hope that the knowledge that your son is keenly missed and that we share your great sorrow will, in some measure, alleviate the suffering caused you by this great loss.

If you feel that I can be of any help to you, please do not hesitate to write.

Sincerely yours,

TULLIS J. WOODHAM, Jr.,
Lieutenant Colonel, U.S. Marine Corps, Commanding Officer.

COMMISSIONING OF THE NUCLEAR SUBMARINE U.S.S. "SEAHORSE"

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, recently, I had the pleasure of reading the comments of the Honorable Paul Ignatius, Secretary of the Navy, given at the commissioning ceremony for our newest nuclear attack type submarine, U.S.S. *Seahorse* (SSN-669). I have been to Groton, Conn., the housing facility for the Electric Boat Division, and I feel that the fine work being done there should be recognized at every possible opportunity—certainly, it cannot be overemphasized.

Mr. Ignatius' remarks paint a history of the name Seahorse as it applies to our naval vessels, and he gives some indication of the magnificent work being done in Groton. At this point, I insert his comments in the CONGRESSIONAL RECORD, so our citizens can see the importance of the efforts being made in Groton and at the same time, become familiar with *Seahorse III*.

REMARKS BY HON. PAUL R. IGNATIUS, SECRETARY OF THE NAVY, AT LAUNCHING OF "SEAHORSE AT GROTON, CONN., JUNE 15, 1968

We gather here today in what is a significant and happy occasion for *Seahorse* as she will ride the waves for the first time in what we know will be a long and useful life.

The occasion of launching a ship is always a joyous one, and for me this launching is a particularly happy event. But I know that all of you share my distress in the recent loss of another of our Nation's submarines—*Scorpion*—as she returned from an active and successful deployment with the Sixth Fleet in the Mediterranean.

Scorpion was built right here at Electric Boat, probably by many of you who have devoted your skills and energies to the construction of *Seashore*. It is this association of man with ship that gives life to *Seahorse*, *Scorpion*, and to the other ships of our Navy. We honor *Seahorse* as she takes this first important step in her life, and, at the same time, express our grief at the loss of *Scorpion* and her gallant and professional crew of officers and men. Admiral Thomas H. Moorer, Chief of Naval Operations, in announcing the loss, said:

"Their families, the wives and children of Scorpion's men, have shared acceptance of the sea's challenge with their husbands and fathers just as we in the Navy, and indeed all Americans, now share so deeply the loss those families have sustained."

And so there is in our thoughts an end and a beginning. We mourn the loss of *Scorpion's* gallant crew and our hearts go out to their wives and families. But before us is a new ship to launch, a new attack submarine that soon will join the Fleet to carry out the demanding assignments that make all Navy men proud of the submarine service and that give submarine men themselves the special satisfaction of knowing that they are equal to the unique demands and responsibilities that submarine service impose. So let us now set our minds to the task before us and honor in traditional fashion the coming of a new submarine.

It is not often that we in Washington have the opportunity to participate in an event like this and to make it a family affair. One of my duties as Secretary is to extend invitations to the ladies whom the Navy Department would like to have serve as sponsors for our new ships. In this case, I was somewhat preempted by the Chief of Naval Operations, Admiral Moorer, who suggested that the Department wished to have Mrs. Ignatius christen *Seahorse*. Mrs. Ignatius accepted with considerable enthusiasm.

Another duty I have is to invite various dignitaries to be the principal speakers for these occasions. Again my responsibility was preempted—this time by my wife who suggested that she might like to have me accompany her to Groton. In order to do this, it turned out that I would have to serve as the speaker for the launching. Mrs. Ignatius accepted on my behalf. She also selected our daughter, Amy, to be the maid of honor. So this is definitely a family affair, one we will long remember, and we are pleased and honored to be here with you.

Launchings are wonderful occasions. A new ship is given a name and usually it begins its career by being introduced into the element in which it will operate—water. During World War II, the Navy had a film on ship characteristics and architecture which was a part of the general indoctrination of new officers in training. The subject was rather a dull one, and to keep the audience awake, there were some animated sequences. One which I recall was the scene of a launching where the ship slid down the ways and continued on the same glide path until it was completely submerged, and it wasn't a submarine.

The Electric Boat Division of General Dynamics has an outstanding reputation through the years for building fine ships for the Navy. But as good as this yard is, I am sure that in all launchings there is always that moment of anxiety, that flutter of doubt as the champagne bottle is properly broken and the new ship slides down the ways—will it float?

Launchings are the subject of many sea stories and a ship's reputation leans heavily on the manner in which it is launched.

Some ships have proved to be somewhat stubborn. On a cold December afternoon in 1843, for example, dubious spectators had gathered to observe the launching of the Navy's first iron ship, *Michigan*. The signal for launch was given, the ship crept down the ways, hesitated, and then stopped dead Workmen tried to coax her down, but to no avail. After considerable effort, shoulders were shrugged and everyone went home in the darkness which had set in. Just before dawn the next day, the yard workmen returned to the scene to resume the struggle, only to find that the ship was gone! Holding lanterns high to increase visibility, the anxious workmen finally sighted *Michigan*, riding the waves like a champion, untethered. She had launched herself.

Yorktown's launching took a somewhat different turn. This famous aircraft carrier was launched in January 1943 with the Assistant Secretary of the Navy scheduled as the principal speaker. First, however, the master of ceremonies was making brief remarks when he was interrupted by *Yorktown* herself as she prematurely began to slide down the ways. The sponsor, Mrs. Franklin D. Roosevelt, rose splendidly to the occasion, leaped up and smashed the bottle of wine on the bow before *Yorktown* was out of reach. For her efforts, *Yorktown* was nicknamed "Eager Ship." Mrs. Roosevelt was properly commended for her alertness and intrepidity and the Assistant Secretary never did deliver his speech.

In bygone days, men, usually naval officers, used to christen ships, and they often did it with brandy or Irish whiskey. The first ship in the U.S. Navy to be christened by a woman was *Concord*, launched in 1828. Her name is lost to us; she is known only as "a young lady of Portsmouth." She started a powerful tradition, for during the past seventy years, there have been only two known male sponsors of our ships. Since women have taken over, champagne has become the accepted christening medium.

The launching ceremonies at which the christenings take place are as old as seafaring itself. There is a record of a launching ceremony 4,000 years ago. The custom, no doubt, originated as a propitiation to the gods of the elements. Today, it serves to show the almost personal significance of a ship to her crew and to those responsible for her. In a sense, the ship takes on the beginnings of her personality at the launching ceremony. I trust my wife, ably supported by Amy, will be sure of hand, stout of heart, and flexible of mind, ready to coax *Seahorse* down the ways if she behaves like *Michigan*, and able to catch up with her if she repeats *Yorktown's* performance.

Attack submarines are among the most valued ships of the fleet, and *Seahorse* will have a long and valorous tradition to uphold.

The first *Seahorse*, however, was not a submarine but rather a one-gun schooner purchased in 1812. She was assigned to a station near New Orleans in 1814 and delayed an enemy advance long enough for Andrew Jackson to learn about the possible downriver defenses below New Orleans.

The second *Seahorse* was a submarine commissioned in March 1943. For her contribution to the World War II effort, she was awarded a Presidential Unit Citation for outstanding performance and a distinguished service during her second, third, and fourth war patrols. She also earned nine battle stars, and six of her war patrols were designated successful for the award of the Submarine Combat Insignia.

Seahorse III, the ship we are about to launch, is a *Sturgeon* class submarine that will accommodate 12 officers and 95 crewmen in a 292-foot length and 31-foot extreme beam. Her surfaced displacement will be 4,200 tons; her submerged displacement 4,600 tons. Her armament includes four torpedo tubes.

Since our first submarine, USS *Holland*, was accepted by the United States Navy in 1900, over 500 submersibles have served this nation in war and peace. Fleet Admiral Nimitz noted that in the dark days following Pearl Harbor he looked to the submarine force to carry the load until our great industrial potential could produce the weapons we so sorely needed to carry the war to the enemy. He further stated, "it is to the everlasting honor and glory of our submarine personnel that they never failed us in our days of greatest peril".

The submarines of today carry a significant responsibility for our nation's defense.

The introduction of nuclear propulsion has enabled United States submarines to open new frontiers of sea power. Impressive records of speed, endurance, and exploration have been established. *Nautilus, Triton, Skipjack, Skate,* and *George Washington* pushed underseas technology far beyond what we would have imagined a mere 13 years ago.

Today we accept as routine the long submerged patrols of our Fleet Ballistic Missile Submarines continually deployed on missions of deterrence in the oceans of the world. The 500th Polaris Patrol was completed last February by *Patrick Henry.* Nuclear powered submarines have sailed more than 10,000,000 miles since *Nautilus* broadcast to the world "under way on nuclear power" on January 17, 1955.

Seahorse will profit from the pioneering efforts of her illustrious predecessors. Her detection systems, nuclear propulsion plant, fire control equipment, Subroc weapons—all these *Seahorse* attributes have been perfected in the Fleet by a role call of famous nuclear submarines. Additionally, submarine safety features incorporated in *Seahorse* will provide her crew with a completely certified submarine in every detail.

The personnel who man our submarines are all volunteers, a fact which contributes immeasurably to the close knit corps that is our Submarine Force. No one understands the minute intricacies, the potential hazards, or the rewards of such service better than those who make up this force—those who prefer to serve beneath the seas.

I am impressed with the kinship which has developed between this band of fine and brave men and those—represented here today—who build the ships in which they sail. It is a unique and responsible relationship that continues to be close in a way that has no parallel in the Armed Forces and industry of this country. I know how proud all of you are of *Seahorse* as she stands here today.

She will join the Fleet in 15 months, and Captain Harper will shape his crew into another effective contingent of the Submarine Force. We are all confident of this, because it is the pattern of submarines and men who sail them.

There are many impressive symbols of our naval tradition. One which always, to me, gives form to the naval profession, to its service, its skills, and its sacrifice, is the oft-recited and sung Navy Hymn. I would like to close by reading the first stanza of that famous prayer which originated over 100 years ago:

"Eternal Father, strong to save,
  Whose arm hath bound the restless wave,
Who bidd'st the mighty ocean deep,
  It's own appointed limits keep;
Oh, hear us when we cry to Thee,
  For those in peril on the sea."

NORTHERN COLORADO WATER SUPPLY STUDY

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BROTZMAN. Mr. Speaker, yesterday I joined with our distinguished colleague from Colorado [Mr. Aspinall] in introducing legislation which would authorize the Bureau of Reclamation to conduct three water resources feasibility studies—the Front Range unit and the Armel unit in Colorado and the Willamette River project in Oregon.

The Bureau has done an excellent job of setting forth the parameters of these three studies, and it is my hope that this bill will reach the floor in the near future.

While I maintain an active interest in any project which will enable the Nation to use its limited water resources more efficiently, one of the three will have a direct impact on my district.

It is the Front Range unit, and there is no doubt but that the future growth of the northern portion of my district depends upon the Bureau's success in delineating economically feasible means to augment the area water supply.

A reconnaissance study last year gave us reason to believe that four or five major water-impounding and distribution projects might be built to augment the current water supply of such cities as Boulder, Longmont, Fort Collins, Estes Park, Loveland, Broomfield, Lafayette, and Louisville.

We anticipate that the study will show that more than 100,000 acre-feet of water per year can be realized by impounding surplus water during high-runoff years.

Despite the fact that the cities in this area have invested heavily in water supply and distribution systems, the growth of this beautiful and productive area is so rapid that future needs can only be accommodated for an average of 10 to 15 years.

And 10 to 15 years, as we know, is not a very long period in the context of city and county planning.

Thus, the problem is critical. A feasibility study—followed by Bureau of Reclamation dams and redistribution systems where the economics are favorable—is of the utmost importance in northern Colorado.

It is my hope that Congress can assist the dynamic and growing communities in the area by authorizing this feasibility study.

FREEDOM

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. BRINKLEY. Mr. Speaker, a recent address by the president of the Georgia Federation of Business and Professional Women's Clubs, Inc., was particularly apt, and I wish to share its message with my colleagues. Its balance is fundamental; its logic clear; its conclusions inspirational. The words address themselves to us all.

The address follows:

Acceptance Speech by President Margaret Brinkley Johnson, Thomaston, Ga., to the Georgia Federation of Business and Professional Women's Clubs, Inc., State Convention, Jekyll Island, May 25, 1968

Madam President, Madam National Representatives, fellow officers, club members, guests, I have two speeches tonight. Don't be alarmed. I am not going to give them both!

Most of you have made talks and you know how it is. First you prepare one filled with cleverness and style, sprinkled with just the right taste of wit and rhetoric and almost guaranteed to get you more than polite applause—quite a few handshakes and pats on the back and even a few hugs and kisses.

I most surely won't try to entertain you. I can't compete with "I Love Lucy" or the "Mothers-in-Law" and my heart is not so inclined anyhow.

Out of the abundance of the heart the mouth speaketh.

I am sure that each one here tonight will agree with me: time is too short, the times too critical to waste previous moments among leaders such as you on trifles.

However, in considering what I might say tonight to stimulate your thinking and provoke a worthwhile response, I must admit that I had a most difficult time.

Not in finding words and subject matter, there are a great number of subjects that lend themselves to a cosmopolitan audience like you.

You are composed of individuals of broad tastes and interests—but in finding just the right words—for just this time, which for me, certainly is a signal and singular honor and privilege to accept the duties and responsibilities of your office of President. The opportunity you have afforded me tonight is most challenging!

Ladies and Gentlemen, the times in which we live are crucial! Desperate issues affecting our very own personal lives—as well as society as a whole—demand our urgent and intelligent attention.

Old standards are being tested and new theories are being tried. Even old theories which have been tried and failed, are being resurrected.

Age old and deep-rooted problems still beg for solution—and new problems have been thrust upon us.

Many ills in our society . . . in fact, I dare say most ills in our society stem from a dearth of spiritual and moral values, a failure of parental training and influence, and a permissive and indulgent philosophy which is foreign to the American Spirit.

These ills require patient and unrelenting treatment.

Some of our woes come from the underprivileged and resentful—Others from the overprivileged and spoiled.

Some have had little and now seek "to get even." Others have had much—with little or no effort—and are now undisciplined and irresponsible!

The grave and menacing problems confronting us are not only problems within themselves, but they are seriously challenging our way of life! There are those who feel that solutions can only come from government and quick solutions are demanded from many quarters.

There are many who would scrap our Constitutional Republic and substitute for it some Benevolent Paternalism, some sort of Authoritative Federalism, or some dressed up brand of Socialism.

Some of you are probably wondering why I haven't given you a title or subject yet—Let me remedy that right now.

Please think with me tonight about a very profound and timely subject and call it "Freedom—The Individual's Birthright."

Yes, Freedom is our birthright!! Man is a divine creation unencumbered by charter, license or permit.

He is a free moral agent. Free to strive—Free to succeed. Free to surpass. Free to fail.

So many of our woes are self induced. We are outlined by our heredity. We are shaped by our environment. But we are measured and judged by our own free will and the choices we make!

Freedom is a diamond—A diamond of many facets.

The prime facet has to be Choice. We Americans use to expect it and demand it.

But you remember a basic law of physics: "for every action there is a definite and often predictable reaction."

One sows the seeds of choice and reaps the fruits of consequence!

Choice and Consequence: Two inseparable ingredients of Freedom!

Have we fathers and mothers and teachers and preachers failed our youth in teaching or not teaching—the choice and consequence relationship?

Don't we often excuse error and shield our children from the results of past error?

We permit Johnny to throw away his allowance before Wednesday, and then hand him more when a need comes up on Friday!

We permit Jimmy to tear up his bicycle between Christmas and May and then give him another one for his birthday in June!

We permit Freddie to while away his hours on comic books and TV and blame the teacher for bad grades.

We permit Sammy to go with his friends, we know not Who, to places we know not Where and when he gets into trouble we lambast the police officers or offer excuses to the juvenile judge.

Some of you have daughters! We permit Mary to date at 10, wear make-up at 11, have car dates at 14, go steady at 15 and then we give her a year's vacation at Aunt Minnie's in Chicago when she reaches 16.

We constantly threaten and cajole the toddler for bothering things on the shelf—fuss and lecture if he knocks off a book now and then, and then we blame the child and often punish him too severely if one day he breaks an expensive vase.

What happens when we make promise after promise we never keep, threat after threat we forget.

Are we rearing children with the discipline and restraint to cope with Freedom and perpetuate it?

Remember—There's the law of physics. . . . for every action, there is a definite reaction!

There's the law of God. "Whatsoever a man soweth, that shall he also reap."

There's the admonition of my father—He has said it a thousand times at least—: "Be very careful how you make your bed children, for you will surely one day have to lie in it."

There are those people in government, some in our universities, some in the pulpit and elsewhere who believe that the normal and predictable consequences of bad or unwise choices should be altered by government even at the expense of other—That to make choices need not be tampered with, but that the consequences should.

They would rob success of its luster by robbing failure of its bitterness, but most importantly, I sincerely fear they would weaken one of mankinds greatest motivations—the desire to escape the bitterness caused by bad choices.

There is an ever growing number who would even tamper with the choices themselves!

You and I believe that government should consider its credentials and abide within the framework of its authority—But there are those who believe it should guide man's destiny—make his decisions—usurp his perrogatives and make him its ward.

People's likes are different. Their choices are different. I may regret their choices, but as long as they are lawful, I have no choice but to respect them.

Some choose to drop out of school at an early age, marry young, and start bearing children before they are financially able.

Some choose to be late to work, gold brick as much as possible, change jobs when pressures mount and move when their creditors become too demanding.

Some will throw their money away on frivolities and luxuries instead of investing in gainful venture.

Some will buy a color T.V. when the roof is leaking and a new car he doesn't need when he should buy some life and hospitalization insurance!

The student may choose to study hard or give vent to self gratification. He can spend time and money on things that will improve his life or he can throw away his resources on stimulants, depressants, irritants and rebellion!

He can go out for football for the action or smoke pot for the reaction!

Freedom, the individual's birthright—Will we sell it for a mess of pottage?

Will we sell it for some sophisticated social experiment conjured up by dreamers who have no vision and little insight into human nature?

Will we sit still and remain quiet while we are forced to labor and support people who won't work, won't save, won't aspire?

Freedom—The Individual's Birthright—will we offer it as a sacrifice for past real and fancied social failures or abuses?

Surely man is imperfect, but what heights we in America have reached. . . . What accomplishments have been made by free man, directed by his own spirit and governed by his own conscience.

Yes, we have made mistakes, but we have also done good.

We must continue to respond as individuals—freely and voluntarily to the fallen, the failures, and the needy. We must respond with compassion, charity and brotherly love. We must offer encouragement, hope, respect, identity, opportunity, incentive, and reward for effort and productivity.

We must do it in a way to inspire proper attitudes and desires, stimulate ambition—not let pity and the dole generate complacency and indifference.

We must not penalize or discourage hard work, accomplishment and prudence. And we must have the "gumption" to supplement sentimentality with good sense and to fortify compassion with challenge. We must not equate constructive love with indulgent pity.

We should know that the measure of a man is not only in the number of his attainments but that he is also measured by the size of his striving.

Finally, Ladies and Gentlemen—(you have been most patient)—Freedom involves self-restraint and responsibility.

My freedom stops where yours begins, except by mutual understanding and consent we might reach an acceptable compromise.

I am talking to responsible people! I would simply like to say that where responsibility ends, anarchy begins and where anarchy begins, Freedom falters.

Business and Professional Women, we must let our elected representatives know that we expect government to maintain order in which free men and women may go their chosen and rightful ways without interference or harm.

Freedom, our individual birthright. We must not sell it for a mass of pottage. We must not discard it for some sophisticated social experiment. We must not sacrifice it as an atonement for past failures or abuses—And we must not timidly allow it to be taken away from us by the mob in the street.

What are you, you, and you going to do about it? Time is running out! God forbid we wait until it is too late.

Thank you.

LIKE IT IS, BABY—VIII

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. FRASER. Mr. Speaker, I insert in the RECORD the following article, which appeared in a Minneapolis Star series entitled, "Poverty in Minneapolis: Like It Is, Baby":

POVERTY AREA TEACHERS LACK EXPERIENCE—HANDICAPPED IN GAME WITH SAVVY STUDENTS

To help the child who's a slow reader, not very interested in school and a sometimes terror in the classroom, it takes a good teacher.

And few teachers are really good before they have had some classroom experience to develop techniques in handling problem youngsters.

For these reasons, some Minneapolis school officials were disturbed when they saw results of a study in 1967 about characteristics of teachers in two types of schools, in low- and middle-income areas.

The study showed that poverty-area school teachers were younger, had less teaching experience and were more likely to be fresh from college than their counterparts in middle-income schools.

INEXPERIENCED STAFF

In two poverty area junior highs, according to the study, only 15 per cent of the staff was between the ages of 35 and 60.

"Approximately 85 per cent of these staffs were made up either of young, inexperienced, turnover-prone teachers or teachers who were nearing retirement," it said.

One of the problems with having a new teacher in a poverty-area school is that she may have trouble "in the game which students play with teachers," according to Nathaniel Ober, assistant superintendent of secondary education.

"The teacher is always involved in kind of an open game with her students," Ober explains. "They test her to see how she reacts. No matter how bright she is, she is handicapped in this game with very savvy kids by her lack of experience.

Ober says that the number of transfer requests from teachers at poverty-area schools has been diminishing during the past 2 years.

"The move from the inner core schools may be slowing down," he says.

Another disturbing part of the report on teacher characteristics, according to school administrators, involved the specific subjects teachers in low-income area schools were assigned. The report found these teachers were less likely to have been trained to teach their assigned subjects than the high-income area teachers.

"Eighty per cent of the teachers teaching physical and biological sciences in high-income area junior highs had majored in teaching physical and biological sciences," the report stated.

"By contrast, in low-income area junior high schools, only 38 per cent of the teachers had been prepared for this field of teaching."

UNEQUAL PROPORTION

The study said the reason for this differential is that younger teachers, who make up an unequal proportion of the poverty area school staffs, are less likely to be assigned to their areas of preparation during their first year of teaching.

Another problem in target-area schools, Ober believes, centers on the need for more individual attention from teachers.

"We need, to use an analogy, a restaurant-type of school in the inner city," Ober says. "What we have done in some areas is to build and develop a cafeteria type of school. It's bright, shiny and kind of sterile.

"The kids at this school serve themselves. Now, this idea doesn't work badly in affluent areas where kids are already highly motivated to learn.

"But this won't do in poverty areas," Ober explains. "Here, we have to cater to individual needs. We have kids, as though sitting at separate tables, organized into smaller groups.

"Teachers, like waiters, watch for the particular needs of those small groups and must be quick to respond when they see the needs arise."

In addition to problems with teaching staffs, the schools in the poverty areas are generally much older physical structures than those in middle income areas.

One poverty area elementary school has paint peeling off walls, rotting woodwork, poor lighting, wooden stairways, creaking floors and coal-fired boilers.

"We need good looking schools in the inner city for two reasons," says School Supt. John B. Davis Jr.

"First, the student views a school as representative of the value the community attaches to him and his neighborhood. When he sees bright, new schools in other neighborhoods and looks at the shabby building in his own, he begins to wonder.

"Secondly, this is a task to persuade bright, thoughtful young teachers to work in schools lacking a coffee room, a couch in the lounge or decent teaching aids."

POOR KIDS LAG IN READING READINESS BEFORE FIRST GRADE

By the time a youngster from a poor family in Minneapolis starts first grade, he probably already has fallen behind in the education race.

That is, it is likely the poor youngster won't be able to read as well, won't think as highly of himself and won't like school as well as a similar youngster from an upper-middle class family.

It may be a question, in a poverty home, of whether a parent spends time coaching a preschooler. Or whether he has much skill to pass on to the child. Or whether he sees anything valuable or exciting about learning for learning's sake. Or whether his own example can inspire much self-esteem in his child.

Whatever the reasons, the results are clear.

Dr. Ralph Johnson, in charge of testing programs for Minneapolis public schools, says a reading readiness test was given to first graders last fall.

The test, he explains, measured the youngsters' ability to recognize letters of the alphabet as well as a general knowledge of left to right, a prerequisite in learning to read.

The test showed that an average of five out of 20 first-graders in the city probably will have difficulty learning to read.

But in a sample poverty area school, the test indicated that 12 out of every 20 first-graders could expect reading trouble. In a sample upper middle-class school, in contrast, the test showed that only one out of every 20 was likely to have reading trouble.

DIFFERENCES CONTINUE

The differences between the poor and middle-class children continue in higher grades, according to test scores.

A reading comprehension test—to see whether the student understood what he had just read—was given to city third graders last fall.

For the whole third grade school population, two out of 10 children scored below the expected reading level for third graders.

In the poverty-area school, six out of 10 scored below the expected reading level. Only one of 10 third graders at the upper-middle class school scored below the standard.

REACH THEM EARLY

"Some of these figures," explains Dr. Johnson, "point out how important it is to reach the deprived youngster between the ages of one and four.

"By the time children enter first grade, the differential is already too great. There are just too many hurdles for the poor kid who has trouble learing to read.

"When a child is a slow reader," he contines, "he begins to feel alienated from the others who are reading faster and able to progress faster in school.

"The good reader gets the compliments and the other youngster begins to feel frustrated and withdraws from scholastic competition."

AMERICA: BECOMING A LAND OF VIOLENCE—NO

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DINGELL. Mr. Speaker, there has been a great deal of talk of late to the effect that the United States has become a land of violence. While it is true that there are to many individuals in our country who do commit acts of violence against persons and property, I believe it to be the grossest kind of disservice to the Nation to charge that the aberations of the few are the fault of the entire population.

In my view, the proposition that the United States has become a land of violence is effectively refuted in a column by Mr. Darwin Bennett which was carried in the Guardian, an outstanding weekly newspaper published at Flat Rock, Mich. So that my colleagues may have an opportunity to read Mr. Bennett's well-reasoned column, I include it at this point in the CONGRESSIONAL RECORD:

AMERICA BECOMING A LAND OF VIOLENCE—NO

The death of Senator Robert F. Kennedy—the third major successful assassination upon a major political figure in the U.S. in less than five years—has set tongues wagging, both here and abroad, that America has finally become a land of violence.

The man on the street in Russia shakes his head in horror and asks, "Why do the American politicians let this happen? Where are the government troops?"

The dictator of a foreign land shakes his head and smiles saying, "See, that's what happens when you don't control the people."

And the kings and queen of older European nations shake their heads knowingly, remarking, "I knew the American colonies' experiment in Democracy wouldn't work out—Americans just have too much freedom."

Plus many American political analysts, commentators, etc., are all condemning the "age of violence" we live in for the recent rash of political assassinations.

But is this what is really happening? Let's take a long, hard look at ourselves first.

True, the murder of President John F. Kennedy in November 22, 1963, was the act of a warped, fanatic mind. But we will probably never learn all the real reasons for the final, extremist act of Lee Harvey Oswald.

Was it communist-inspired? Was it politically motivated? Did Castro send Oswald to create the tragedy? Who knows . . . maybe it was an act of violence that happens once every 100 years in any country.

Without a doubt, the sniper-slaying of Rev. Martin Luther King was racially motivated, spurred on by the domestic and moral crisis we have reached in grappling with America's acceptance of minority groups. Hate created hate.

Both the killer of President Kennedy and Martin Luther King are Americans—whether we like it or not. Our society and culture created the end result.

But the last death of Senator Kennedy at the hands of a self-styled Jordanian patriot, Sirhan Sirhan, leaves me with the observation that his act was (to him) an attempt to right a wrong for the country he had just left.

His actions are the result of a political and religious situation fermenting in nations half-way around the globe from the U.S.

He could have struck down some other prominent figure in any involved European nation for the same reason that he apparently shot Kennedy.

This, then, is not the result of our society, our culture, our way of life, our desire for violent sports, action entertainment and new morality.

What about the hippies? LSD? Draftcard burners? Marchers?

Every age has its extremists. Take the beatniks of 10–15 years ago and the flappers of the 1920's. Our age is no different.

Instead of becoming more violent, I see signs that America is reaching for new horizons of peace and understanding.

The strides taken by different church groups to merge and seek mutual understanding in the past 10 years has been fantastic. Never in the history of man have the world's major religious denominations made so many significant strides towards a common acceptance of the same religious truths.

When I was in college you never saw a student become involved in the national politics of the land. It was quite common in European countries, but not the U.S.

Now, literally thousands of American colleges' students and youth have sought to take an active and personal part in the running of their government. And many were inspired by Kennedy's example.

The Peace Corps, the Job Corps, a new willingness by the nation's youth to face up to a staggering, complex world, filled with the danger of atomic annihilation at any moment or political oblivion, are healthy signs of a brave new generation.

True, gun legislations may be needed to curb the fantastic flow of handguns and munitions, which seemed to have found their way in the nation's hands. But sane, reasonable legislation.

The very fact that Sirhan Sirhan was able to walk up and commit his gruesome task, proves that we have freedom of movement in our country.

To curb this, would eventually create the same type of police state which we despise as Americans, always cherishing our individual freedom.

Stricter security, yes! Stricter gun legislation, yes! But reasonable.

And most important of all, a rededication to fight for our country and what it stands for; a new surge of energy and spirit to face the days ahead, and a new optimism and faith in the American dream of Democracy.

The late John F. Kennedy once gave Americans that feeling.

During the Cuban crisis and confrontation with now-deposed Premier Khrushchev, Kennedy called the Soviet leader's bluff in the very ticklish situation in Cuba.

We all breathed a little easier with the realization that we had a good fighter, and a true leader on our side calling the shots.

Americans took a new pride in truth and destiny of their country.

Now another great American, with high ideals, a zest for life and possessing the courage to face the unknown, has died.

His death need not be in vain, if we fight now and in the future all the harder for the ideals we have traditionally believed in for the past 192 years.

PAPER CANCELS COMIC STRIPS

HON. JAMES C. GARDNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. GARDNER. Mr. Speaker, I would like to congratulate the Greensboro Daily News of North Carolina for its cancellation of two nationally known comic strips—Dick Tracy and Little Orphan Annie—because of what the paper described as their constant exploitation and advocacy of violence.

Little Orphan Annie has run continuously in the Daily News since 1926 and Dick Tracy since 1939.

The Greensboro Daily News, by this action, demonstrated its willingness to help improve our Nation's atmosphere, which is characterized by public displays of violence. This newspaper has taken a forthright stand and has set an excellent example which should be followed by others in the entertainment and public affairs media. The spontaneous withdrawal of movies, television programs, newspaper and magazine articles and pictures, with strong overtones of violence, would be a step in the right direction in improving our Nation's violent environment.

The breakdown of law and order which our Nation has experienced in the past few years is deplorable and should not be tolerated any longer. The time has come for positive action to prevent the recurrence of riots and assassinations. We must depend not only on corrective legislation, but must also look to the entertainment and public affairs media for their help.

THE FIGHT FOR CLEAN MEAT IS NOT OVER

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. SMITH of Iowa. Mr. Speaker, as I told the House yesterday, the fight for clean meat is not over. The Wholesome Meat Act of 1967, which affords the American consumer much needed protection seems to be the symbol of consumer legislation and even those opposing other consumer legislation seem eager to repeat any naked allegation that it was not needed. The National Observer and the Nation's Business printed stories to this effect but they were completely refuted by findings of State health officers and Federal inspectors who have already found 49 plants so bad that they were closed to protect the public health.

The author of the article in the Nation's Business was one Dr. Sussman, who has been a State veterinarian and some of them do not like to admit the situation they were responsible for administering was as bad as it was. Actually most of them could not help it because the legislatures did not give them the personnel or adequate law to work with, but some of them could have shown attention to the situation years ago. It is interesting to note that while Dr. Sussman is now making derogatory comments about a carcass-by-carcass inspection, he took the opposite position in testimony before the House Agriculture Committee in 1957.

I am including in the RECORD some extracts from Dr. Sussman's appearance before the Subcommittee on Poultry and Eggs on March 7, 1967, when he testified in support of a Federal poultry inspection bill, and also some newspaper articles which may be of interest to my colleagues. This material follows:

STATEMENT OF DR. OSCAR SUSSMAN, ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS, NEW JERSEY STATE DEPARTMENT OF HEALTH

* * * * *

Mr. SUSSMAN. I represent the National Association of State Public Health Veterinarians, in the New Jersey Health Officers Association and the Veterinary Medical Association of New Jersey.

Mr. Chairman, I am Oscar Sussman, a doctor of veterinary medicine with graduate training in the field of public health at Yale University School of Medicine from which I was granted a master's degree in public health.

My work is that of preventing the spread of animal and bird diseases to humans. I am an immediate past vice president of the American Veterinary Medical Association, and have been chairman or member of the Public Health Committee of the United States Livestock Sanitary Association for the last 7 years.

I am presently president elect of the Veterinary Medical Association of New Jersey, and am a licensed health officer, and was elected from ordinary member status to fellow status in the American Public Health Association.

I just present this as indication of my qualifications in this particular area, which we have under discussion.

I am here today as a professionally-trained doctor, representing the associations I previously referred to.

The issue of poultry inspection has been discussed for a number of years by public health and food and drug authorities..

The groups I represent appreciate this opportunity to summarize our views with respect to what type of legislation should eventually be prepared by this Congress.

* * * * *

Our criteria for good legislation is as follows:

First, our association considers that poultry inspection legislation is a public health function.

Secondly, that integrity of the Federal stamp is essential to the producer, processor, and consumer.

We therefore go on record as supporting any legislation which will contain the following elementary criteria.

First, the inspectors must be civil-service Federal Government employees. Plant employees should not be authorized to inspect. Allowing for Federal-State cooperation could lead to part-time employees becoming State and in turn Federal inspectors when needed.

Incidentally, we understand that in one of the States, the situation has existed as late as last year—we are not certain at the moment because we cannot get the records—that an inspector under the inspection system was in actual fact an employee of the plant, at other times he became the part-time employee.

It should be noted in this connection that State and local health officials want Congress to enact a law to prevent interstate passage of filthy, diseased poultry, not legislation that leads to a mammoth bureaucratic organization.

State officials will handle the intrastate problems, if you will help us handle the interstate problems.

2. There should be a specific requirement for ante mortem inspection. The extent and type of inspection should be left to the determination of the Secretary of Agriculture. There is need for ante mortem inspection to determine some conditions more readily discernible while the birds are alive, and to protect the health of the workers in industry.

Recent experiences of deaths and illness in Texas, Oregon, and New Jersey slaughterhouse workers due to psittacosis in turkeys are a case in point.

And ante mortem inspection can and will provide better protection to slaughterhouse workers and consumers, and will aid in preventive medical therapy at the farm level.

* * * * *

We are certain that this committee will agree that the thought of consuming an atomically sterilized abscess-loaded with nonappetizing but safe pus is repugnant to the American concepts of cleanliness and wholesomeness.

We are further certain that the consumers of poultry will be unwilling to accept for consumption diseased poultry which has been sterilized but still contains noxious byproducts of the disease processes.

Only bird-by-bird competent inspection will ever limit such possibilities. We cannot be vague on this point.

* * * * *

Mr. MCINTIRE. Mr. Chairman, I don't know just what the record is. I don't have it in front of me but if I recall correctly, the statement of the gentleman to which you refer was in connection with diseases which were transmittable to consumers in the consumption of poultry, in the eating of poultry.

Mr. SUSSMAN. Yes, sir.

Mr. MCINTIRE. I draw that distinction because I think that was the distinction that he was making.

Mr. SUSSMAN. And in answer to that, my statement still applies, and that is, in the Public Health morbidity records, I believe, of 4 weeks ago there were some cases of turkeys—I can't remember the disease, but it was the eating of turkey that was infected with an organism which was a spore former.

This organism was present in the turkey. The turkeys were properly cooked and heated. The spores resisted the proper temperature of ordinary cooking, and then the spores developed as the turkey cooled off and there were a number of people killed.

I don't mean killed but made sick. Strike the "killed."

But there are numbers of cases, Mr. McIntire, of Salmonella infections which actually are spread by means of diseased poultry to consumers in two ways.

One is by direct contact where they bring the bird in the house and put it on the drain board and then the drain board cannot be sterilized.

They cook the chicken and it is perfectly safe, but the material that they brought in with this diseased bird, the Salmonella organism are then present on the vegetables that are handled in the house.

The question, of course, resolves what is first, the chicken or the egg, but the point is you get sick in either case.

Incidentally, research on this case by Oscar Phesenfeld and by Dr. Edwards indicate that proper poultry inspection can eliminate from as much as 13 percent of carcasses that are infected to as low as 3 percent.

It doesn't completely eliminate it but it certainly lowers it percentagewise.

[From the Des Moines (Iowa) Register, June 12, 1968]

ASSAILS HUNTLEY ON MEAT INSPECTION

(By Nick Kotz)

WASHINGTON, D.C.—Representative Neal Smith (Dem., Ia.) charged Tuesday that NBC news commentator Chet Huntley improperly failed to reveal his interests in the meat industry while Huntley was editorializing against the Wholesome Meat Act of 1967.

Smith, in a House speech, said Huntley has corporate and financial relationships with persons who were required by the 1967 law to come under federal meat inspection. The interests include an Iowa cattle feeding firm.

ASKS PROBE

Smith asked the Federal Communications Commission (FCC) to investigate Huntley's broadcast and business interests in terms of proper broadcasting ethics. An FCC official has informed Smith that its investigation is under way.

Smith also asked the National Broadcasting Co. to grant him air time because of errors of fact in Huntley's broadcast and because of Huntley's undisclosed interests in the meat industry.

An NBC spokesman said Tuesday that the network has decided to grant Smith air time under "the fairness doctrine" after network officials had reviewed a transscript of Huntley's May 27 editorial against the act.

The NBC spokesman also said the network has begun an investigation of Smith's allegations concerning the propriety of Huntley's editorializing on a subject in which he has an economic interest.

Huntley attacked the Wholesome Meat Act in the May 27 radio editorial and again in another editorial June 10. Smith referred only to the first editorial.

In this editorial Huntley called the meat inspection law a "farce" because it guaranteed cleanliness only in the packing plant and was no guarantee that meat was improperly handled in the distribution process or by the housewife.

Huntley charged that meat wholesalers in New York and other cities are being needlessly thrown out of business by the arbitrary standards of USDA inspectors.

Furthermore, Huntley charged that truck drivers and other employes of the wholesale district in New York are quitting their jobs to become federal inspectors and "talk openly" of receiving "monies under the table" in return for "that misleading (federal) inspection stamp."

On Monday, on the NBC radio show "Emphasis," Huntley said:

"Betty Furness (the President's adviser on consumer affairs) is strictly bad news out on the farms and ranches of this country, and the guys who grow the produce are a bit fed up with the nonsense of Betty posing as the spokesman for and the epitome of the housewife.

"Thanks to the armies of Bettys on government payrolls we now have inspectors enforcing their nonsense and insane rules."

Huntley told his listeners that "99.9 per cent of all meat has always been clean."

Smith said USDA has reported to him 21 inspectors have been hired in New York since passage of the law and that none was a truck driver.

Concerning "monies under the table," Smith said Huntley has offered no substantiating evidence of this serious illegal activity, and has a responsibility to report any evidence he might have to authorities.

But the main thrust of Smith's statement and letters to both the FCC and NBC was to trace through a series of documents Huntley's connections with two men who are involved with Edmund Mayer, Inc., a New York wholesale meat firm.

Because this firm performed cutting and boning operations, it was required to come under federal inspection by the new law if it wished to continue to sell in interstate commerce. The firm came under federal inspection Apr. 1, according to Smith.

Both in his House speech and in his letter to the FCC, Smith detailed the following financial relationships which he said tied Huntley to the meat industry.

Huntley is executive vice-president of Group 21, Inc., a cattle feeding firm, at Sutherland in northwest Iowa. The president of the firm is Alfred Mayer and a director is Ludwig Mayer, with both men having interest in the Edmund Mayer firm. Two other directors of the firm are Gerald and Robert Pearson. Group 21, Inc., lists the same New York address as the Mayer firm.

SPENCER AFFILIATION

Group 21, Inc., which feeds about 18,000 cattle annually, sells some of its cattle to Spencer Packing Co., Spencer, Ia. Both Gerald and Robert Pearson are directors of this firm.

Spencer Packing Co., in turn sells some of its meat to Edmund Mayer, Inc.

An official of Group 21, Inc., confirmed in an interview Tuesday that Spencer Packing is one of its customers. An employe of Spencer Packing confirmed in an interview that the Mayer firm in New York "is a good customer."

Alfred Mayer, in a 1965 interview with The Register, said his firm handles more than one million pounds of beef weekly, and features Iowa beef almost exclusively. At that time, both Mayer and Huntley said in interviews that Group 21, Inc., would sell some of its cattle to Spencer Packing Co., and that Spencer provided meat to the Mayer firm.

In his House speech, Smith quoted Huntley's criticism of Betty Furness and Ralph Nader as "two self-styled protectors of the public weal."

HIS RELATIONSHIP

Then, Smith, commented: "He (Huntley) failed to reveal that his desire to become a self-styled opponent of the Wholesome Meat Act is the position of a person whose relationship to meat is not merely that of a consumer.

"Betty Furness and Ralph Nader openly proclaimed that they were representing the consumer's point of view, but Mr. Huntley did not reveal on this broadcast his corporate and financial relationship with persons affected by the Wholesome Meat Act.

". . . I am not saying that Chet Huntley should not have any financial interest of any particular kind but I do say that most of his listeners who heard this attack upon the Wholesome Meat Act would not have been aware of his relationship with this segment of the meat industry and were therefore not in a position to properly discount what he was saying or to assume that he might have been exaggerating."

In his letter to FCC Chairman Rosel Hyde, Smith said he believes that Huntley—"in the course of his strong and patently biased editorial"—should have revealed that he has a corporate relationship with persons who have been required to meet federal sanitation and operating standards.

FCC POLICY

Smith asked the FCC to explain its own policy governing editorializing by news commentators with an economic interest in a subject. He questioned whether NBC and other networks have a code of ethics concerning such matters, and whether the code is enforced.

If no code of ethics exists, Smith questioned whether one is being developed.

Huntley was involved in a similar controversy in March of 1964.

After he had editorialized in a radio program against foreign meat imports, New York Times television critic Jack Gould questioned the propriety of Huntley's editorial without revealing his interest in a domestic beef product.

At that time, Gould said Huntley had invited newsmen to a dinner to sample "Chet Huntley's nature-fed beef." The product was to be distributed by Edmund Mayer, Inc., the firm Smith referred to which has just been required to come under federal inspection.

Gould quoted Huntley in an interview as saying that, upon reflection, he should have disclosed to his listeners that he had a private business interest in one phase of the beef industry.

HALTS ADS

Ten days later, NBC announced that the company had decided for business and journalistic reasons that Huntley would discontinue all advertising and promotion of his beef product.

The New York Times quoted Huntley at that time as saying that he had invested about $150,000 in his New Jersey farm where he feeds cattle a special formula designed to increase their weight in meat.

Huntley said Wednesday night: "Too much has been made of my relatively small and recent investment in a feed lot company.

"In fact," he said, "my interest in cattle and cattle raising goes back many years to my boyhood in Montana. Because of this continuing interest I have sometimes felt the occasion to broadcast interpretive material about the problems of cattle farmers and others whose businesses have to do with cattle.

"In this spirit, I recently did this with respect to the Wholesome Meat Act. But I recognize, as does anyone who has followed the history of this act, that it is an issue where many points of view are possible. I welcome NBC's offer of broadcast time to Congressman Smith and Miss Furness so they can make their comments. This can only add to an atmosphere of healthy debate."

[From the Des Moines (Iowa) Register,
June 15, 1968]

More Than 45 Plants Shut by Meat Law—Most Actions Taken by the States

(By Nick Kotz)

Washington, D.C.—At least 45 meat packing plants have closed because of improper conditions and hundreds of others have not measured up to federal inspection standards since enactment of the Wholesome Meat Act, said Agriculture Department (USDA) officials Friday.

Rodney Leonard, administrator of USDA's Consumer and Marketing Service, and his aides described action that has been taken and some of the conditions found since President Johnson signed the law last Dec. 15.

BAD AND GOOD

Commenting on sample surveys of about 1,000 plants in 38 states, Leonard said:

"Conditions in state plants vary from being extremely bad to extremely good. The number of plants operating at a level that would qualify for federal inspection would not be typical."

Dr. James Payne, a USDA meat inspection official, said that at least 45 to 50 plants have been closed by state officials without any action by the federal government. He said exact figures are not available because the states have not reported all closings.

Leonard said about 20 plants have been closed by Illinois state officials and a number of plants have been closed by officials in Nebraska.

In joint action by both federal and state officials, 20 plants have been designated as endangering the public health, said Leonard and W. F. Moss, commissioner of agriculture in Tennessee.

The federal action was taken under a special provision of the Wholesome Meat Act which authorizes the USDA to act against plants endangering public health if state officials fail to act.

NO DIRECT ACTION

Some 123 plants across the country have been surveyed by both state and federal officials, said Leonard, and state officials took action against the 20 judged to be hazards. No direct federal action was required.

Four of the 20 plants were closed permanently, one has been closed temporarily and the others have taken corrective measures.

Leonard gave the following written report on conditions in the five federally inspected plants that have been closed:

A large Michigan slaughtering and processing plant was adjudged to endanger public health because of "insanitary handling of products and lack of proper environmental sanitation."

A Connecticut slaughtering plant was

closed because of "failure to control condemned, diseased carcasses which had been marked inspected and passed." In addition, the report stated "spoiled meat byproducts were present in a cooler."

A Delaware slaughtering and processing plant was closed because "contaminated water was being used in producing products for human consumption."

An Illinois plant was closed because of "lack of proper environmental sanitation."

A Nevada plant has been closed temporarily for "a clean-up" after its sanitation was judged to endanger the public health.

The main provision of the Wholesome Meet Act requires bringing inspection systems and plants up to federal standards within three years or else the federal government will take over inspection.

Leonard said USDA has signed agreements with 15 states, including Iowa, which will provide federal matching funds to help the states come up to federal standards.

Each state has agreed to make changes in its inspection system to comply with federal standards. Changes might include amendments to the state meat inspection law, hiring and training of more inspectors changes in inspection regulations and techniques.

NOT CERTIFIED

Leonard stressed that none of the 15 states has been certified as in compliance with the federal law, and will not be certified until complete federal standards are met and implemented.

Federal inspectors also found improper and unsanitary conditions in inspecting two classes of meat plants that were required by the new law to come under federal inspection for the first time if they desire to sell in interstate commerce.

One type establishment is typically a wholesale firm which performs "cutting and boning" of meat.

Leonard's written report showed that 1,004 of these firms have applied for federal inspection.

Of these firms, he said, 516 have been granted federal inspection, applications are still pending on 184, and 304 were either rejected for federal inspection or cancelled their applications. Leonard said virtually all of these 304 firms failed to meet federal standards.

Another group perviously exempted were specialty and mail order firms, or large cafeterias which perform boning and cutting. To sell in interstate commerce these firms must now be federally inspected. Previously, they held certificates of exemption.

Leonard's report showed that 289 firms had applied for federal inspection of which 275 were approved, four are pending and 10 were rejected or cancelled.

Dr. Payne said federal inspectors found conditions in 112 of the boning and cutting or previously certificate of exemption firms that were reported to the states for corrective action.

Leonard did not supply any detailed information on conditions found in the 1,000 plants so far surveyed in 38 states. USDA must report to Congress in detail on these conditions at the end of the year. No plants have yet been surveyed in Iowa, according to Leonard's report.

He supplied specific information only on plants declared to endanger the public health.

Aside from the five plants closed, other remarks on hazard plants which now have corrected improper conditions included:

An Arizona slaughtering plant—"failure to control insects and vermin. Lack of environmental sanitation. Unsanitary handling of meat and meat byproducts."

Another Arizona slaughtering plant—"Failure to control inedible and condemned products. Unsanitary procedures used in manufacturing product."

A Nevada slaughtering and processing plant—"Unsanitary procedures used in manufacturing products."

A Utah processing plant—"Lack of control of insects and vermin. Unsanitary handling of products. Improper environmental sanitation."

[From the Des Moines (Iowa) Register, June 13, 1968]

FCC To Probe Huntley on Meat Stand—Smith Given Time for Reply

Washington, D.C.—The Federal Communications Commission ordered an inquiry Wednesday to determine whether commentator Chet Huntley's financial interests influenced him in broadcasting an attack on a recently passed U.S. meat inspection law.

At the same time, the National Broadcasting Co. told Representative Neal Smith (Dem., Ia.) he will be allowed five time segments on June 17 in which to answer Huntley's May 27 broadcast.

Smith, a prime backer of the law that brings many small meat packers under federal inspection for the first time, charged Tuesday that Huntley has financial links to such a firm which he did not reveal when making his broadcast. The firm has Iowa connections.

He said Huntley's comments were "patently biased" and contained misleading and false information.

FCC Chairman Rosel H. Hyde told Smith in a letter Wednesday that while the commission is prohibited from censoring broadcasts it "expects its broadcast licensees to report the news as accurately and impartially as possible."

Hyde said the commission has ruled that "whenever an employe of a station who is in a position to influence program content has outside business interests which might create a conflict of interest . . ., it is the responsibility of the licensee either to insulate the employe from the program selection process or, . . . to adopt safeguards to make sure that the licensee's facilities are not improperly used."

"The commission will make inquiry into the matters set forth in your letter," Hyde told Smith, "and will take any action it deems necessary in this case."

Smith said he was told by NBC that his recorded reply to the Huntley broadcast will be fed into the network at intervals starting at 1:06 p.m. June 17.

[From the Los Angeles (Calif.) Times, June 12, 1968]

Chet Huntley's Links to Meat Company Told—Newscaster, Who Attacked Inspection Law, Has Interest in Firm Covered by It

(By Robert L. Jackson)

Washington.—Newscaster Chet Huntley, who has twice attacked the recently enacted federal meat inspection act in national radio editorials, has financial ties to a company that must meet the law's strict requirements, Rep. Neal Smith (D-Iowa) disclosed Tuesday.

Smith, who helped guide the act through Congress last December over strong industry opposition, said in a House speech that he had asked the Federal Communications Commission to investigate the ethics of Huntley's comments.

He said Huntley, of the National Broadcasting Co., should have informed his listeners of his financial interests in the meat industry so they could better assess his views.

The inspection law provided that plants selling meat within the boundaries of a state must meet within two years the same sanitation standards that now apply to companies selling meat in interstate commerce.

Huntley is executive vice president of Group 21, Inc., a New York-based firm headed by Alfred Mayer, according to company literature that Smith gave to reporters.

Mayer and Ludwig Mayer, another director of Group 21, are associated with Edmund Mayer, Inc., of New York, which operates a wholesale meat plant that came under the jurisdiction of the federal meat inspection program April 1, Smith said.

The New York address for Group 21 is the same as for Edmund Mayer, Inc., Smith said. Group 21, which is engaged in beef production near Royal, Iowa, sells beef to Spencer Packing Co., Spencer, Iowa, which in turn furnishes meat to the Mayer firm, he said.

An NBC spokesman in New York said the network would honor Smith's request for air time to respond to Huntley's remarks, but neither the network nor Huntley had immediate comment on the commentator's business interests, the spokesman said.

Smith said he would accept the NBC offer of air time.

On May 27, in his radio program, Perspective on the News, Huntley said "this whole new inspection program is a farce in that it attempts to guarantee cleanliness at only an early stage of meat distribution. Further, there was no need for the federal program's extension into new areas."

On Monday, on the NBC radio show, Emphasis, Huntley said:

"Betty Furness (the President's adviser on consumer affairs) is strictly bad news out on the farms and ranches of this country, and the guys who grow the produce are a bit fed up with the nonsense of Betty posing as the spokesman for and the epitome of the housewife.

"Thanks to the armies of Bettys on government payrolls we now have inspectors enforcing their nonsense and insane rules."

Huntley told his listeners that "99.9% of all meat has always been clean."

However, congressional committees last fall were told that state-inspected meat generally falls below standards set for federal meat products.

Even among meat subject to federal inspection, more than 4 million parts of carcasses were condemned by federal inspectors as unfit during the 1967 fiscal year, Congress was told.

In his letter to the FCC, Smith asked:

"What policy has NBC and other networks established with regard to editorializing by its commentators on public issues in which the commentator (has) a personal or an economic interest . . .?"

In 1964, Huntley was criticized for discussing on radio the beef industry's price structure on the same day that "Chet Huntley's Nature-Fed Beef" was introduced in some New York stores.

Subsequently, Huntley and NBC agreed that his name should no longer be used to promote beef produced at his farm in Stockton, N.J.

THE POLITICS OF DESPERATION

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. ECKHARDT. Mr. Speaker, in these times there is no subject that Congress needs to consider more seriously than that which constitutes the topic of the very cogent remarks of my distinguished colleague, the Honorable Henry B. Gonzalez, in his address to the San Jacinto Chapter of the National Association of Social Workers in my city of Houston, Tex., on June 14, 1968. Because I think these remarks contribute to the

dialog concerning a major issue of our time, I offer them here for the consideration of my colleagues:

THE POLITICS OF DESPERATION

(An address by HENRY B. GONZALEZ, Member of Congress, San Jacinto Chapter, National Association of Social Workers, Houston, Tex., June 14, 1968)

When I accepted your invitation to be here tonight, I did so with some trepidation. Not that I didn't feel that I would be welcomed and among friends—Houston has always been a warm and friendly city to me. The problem was that I would be talking to social workers. The job of deciding what to talk about has not been easy, because you people deal with the widest possible variety of problems, have the greatest assortment of concerns, and have unlimited interests. I could have talked about anything, and for a while was tempted to talk about nothing at all—but that would have been unfair. I knew that I could not get away with giving you a pep talk and John Wesley's commandment: "Do all the good you can, by all the means you can, in all the ways you can, in all the places you can, at all the times you can, to all the people you can, as long as ever you can." That would have been a good thing, but it still would not have done, because you all have been accused of being just plain old do-gooders, and you have had too many pep talks anyway.

Let me say at the outset that I know of no higher calling than that you follow. The fact is that in a world that seems largely callous and uncaring, you are the people who make it your business to care, and try to set wrongs right, and give help to those who are unable to help themselves. You have my admiration, because I know that you have jobs that are essentially impossible because they are never finished. The job is never finished because humanity is not finished, and as long as society exists there will be some who simply cannot cope with life without help and guidance.

You might say that a social worker deals in futility and desperation. His job is to prevent life from becoming either futile or desperate. That is not an easy job, but I think that I can understand it.

Even though a good part of my job is consumed in what is really social work—I get hundreds of letters every week from people who need jobs, who need help with social security or welfare, who need to find missing sons, who want in or out of the army, who have grievances against their bosses, and sometimes from people who are simply so overwhelmed that they want only for me to listen to their problems and offer some advice. But even though social problems are well known to me, I am not a social worker. My field is politics, and I would like to talk a little tonight about what might be called the politics of the desperate people. I chose this topic because it deals with a kind of politics that is all too familiar today, and causes all of us alarm and distress.

The politics of desperation is nothing new in this country; it is as old as the war of revolution and predates the Constitution itself. Essentially, the politics of desperation is practiced by those who have nothing to lose, or those who think they have nothing to lose—those who feel abandoned, left out, put upon by government, or simply ignored. The politics of desperation is important for us to understand because it is something that we see daily, but do not really understand and may not even recognize. Those who have no stake in our society or who think that they have no stake, are all about, and they have grievances that they want redressed, have problems that they want people to hear about. If they are ignored, they will resort to unconventional and even desperate tactics. There is in our country today the seeds of bitterness and the potential for tragedy, and it is bound up in the misfortunes of the land.

The politics of desperation stem most often from people who are in financial distress—people who are hopelessly in debt, who cannot get help, who feel that they are about to lose everything and are ready to do anything to either get help or stave off disaster. It also stems from people whose dreams and illusions are shattered, and whose hopes have somehow been twisted into bitter memories. This politics can take the form of revolution, anarchy, wild movements in behalf of a simple solution to all ills, demagoguery and other assorted aberrations. Through it all runs the common thread—people who have nothing to lose and everything to gain, or think so.

After the Revolutionary War, and before the Constitution was written each state had fairly comply control of its affairs. Each state issued money and more or less acted like an independent country. The central government was loose and ineffective. One result of all this was that every state had bad financial problems—money was often worthless and business was bad. Farmers were badly hurt by debt and by poor prices. In a great many states these economic ills were attacked by a variety of unorthodox schemes. But in other states, like Massachusetts, the state government called for sound money and prompt payment of all debts. This was because the state legislature was dominated by the merchants around Boston and other coastal towns. The problem was that the state was not selling its goods overseas. Merchants in Boston weren't selling what the farmers were raising. The farmers needed goods, but had no money. They had mortgages and bills to pay. In county after county the farmers were unable to pay debts, and found their property taken by the sheriff and themselves in jail for debt. The farmers came to believe that the seaboard merchants were out to get control of all the land in the state by means of having courts seize land for payment of debts. The desperate farmers, about eleven hundred of them, decided to march on the capital and demand relief. When the dust settled, the farmers were defeated by the state militia. But the result was that everyone suddenly realized that the government of the country needed some overhauling. The Constitution owes a great deal to those desperate farmers, because they proved that the confederation was not working. Not only that, they got relief from some of their pressing financial problems.

Here was a case where men simply had nothing to lose—they had already lost everything. Their government was either unable to respond to their complaints, or it was unwilling to do so. Without any other alternative to choose from the Massachusetts farmers revolted. Everyone was horrified except for Thomas Jefferson, who remarked that a rebellion was a good thing once in a while.

So the first and most obvious kind of political desperation is armed rebellion.

Rebellion has never succeeded in this country, not in 1786, and not in any other year. The reason is probably that most of us do in fact have a stake in our government and in our country, and so most of us are willing to fight to keep the government in operation. On the other hand not many people are eager to revolt, because not many are left out or left behind. Our government generally responds in time to prevent desperation from becoming disaster. Anarchy is what you might call unorganized rebellion. Anarchists simply don't believe in any government at all. Anarchy is not attractive to many people, mostly because it makes no sense. But to a few, who may be ignorant or insane, and some who may be brilliant and disillusioned, no government at all is the best government. These people tend to believe that government is a conspiracy against the people. So in the hey day of the anarchist movement they threw bombs and sabotaged factories, and sometimes killed people they believed to be keys to the whole thing. Anarchists are not always violent—the hippie communes of peace and love are essentially an attempt to achieve anarchy. The object of the hippie is to have a society where everybody is free to do his thing, whatever it may be—unfettered, undemanding life. It sounds beautiful, and may actually work on a small scale, but simply cannot work for a town or anything else bigger than a few dozen people because it demands complete agreement that no rules are needed. Anarchists are the dropouts of political life. They have never played an important role in the shaping or our social or political life.

In time of depression, as we had in the 1930's, the politics of desperation came into full flower. In the depression there were twelve million people out of work; there was no charity you could rely on. When President Hoover in 1929 tried to raise a giant charity fund from private sources he could get only fifteen million dollars—about two dollars for each man unemployed at the time. There was no government aid to speak of. No one knew what to do or where to go; no one had any answers. People everywhere were running out of time, out of resources; nothing seemed to help. The government was confused and was saying that prosperity was just around the corner, but people knew that it was not true. In this atmosphere, with literally millions of people drifting about without hope and without direction, the politics of desperation came alive in all its forms.

You had the revolutionaries. These were the Communists and the Socialists, who paraded and marched and foresaw the doom of the capitalist system. They were not about to mount any violent attack on the system, because they thought it was collapsing of its own weight.

Then you had the political the medicine men with the quick and easy answers. These were the promoters of politics, and they are still with us.

The Townsend Plan was one of the evangelistic appeals of the day. This plan was conceived in California, and it called for the Government to hand $150 every month to everyone over sixty years of age. All that had to be done was for the oldsters to guarantee to spend the money. Townsend did not say where the money would come from; he just wanted it distributed. This had a powerful appeal, because California was filled with retired people, and many of them had lost everything in the depression. It appealed to others because they believed the plan would put money back into circulation and end the depression. Townsend clubs started all over the country. A bill was introduced in Congress that would give $200 a month to all people over sixty. But it was dropped because in the cold light of day it turned out that this bill would have put one half of the national income into the pockets of one eleventh of the population. And Townsend's chief lieutenant took off with $90,000 of the poor people's money.

But the Townsend Plan is still with us. Today it takes the form of the land grant movement in New Mexico and elsewhere—the leader is Reies Tijerina, whose name you may know as a result of the Poor People's Campaign.

According to Tijerina, the people who lived in the Southwest when that part of the country was taken into the United States held their land from grants made by the government of Spain, and which grants were honored by the government of Mexico. But after the United States took over, these lands were swindled by the Anglo-Americans, and the result is that Spanish-surnamed people have been left landless and in poverty.

It is an undeniable fact that the land in a good part of the Southwest was owned by Mexicans and their descendants. Most of this land was bought at low prices and under questionable circumstances by settlers, often through sheriff's sales for back taxes. Some people of Mexican ancestry are still embittered about this, and so it is a potent source for an evangelistic political operator to draw on. The organization fostered by Reies Tijerina says that the lands ought to be restored, or the ancestors of the original owners indemnified. In either event the result would be instant riches for people who are now poor and landless, and who are ready to grasp at even the most unlikely of straws. It is an unlikely scheme at best, but it makes a living for Tijerina—and gives an outlet for people who are ready to dream rather than reason.

The evangelists of the thirties, like those of today, depend on the gullibility of people for their appeal. One of the songs of the day protested the wealth of the banks, and the poverty of the people. It went like this:

"O the banks are made of marble;
With a guard at every door;
The vaults are filled with money
That you and I have sweated for."

It ended with a call for unity, and promised that "some day we'll all own those banks of marble, with a guard at every door." There would be plenty for all, went the promise, jobs for the sailors, land for the farmers, food for the miners. But songs were no substitute for programs, and the song though still sung is still only a memory. Like the little red song book of the IWW, it preached and evangelized, and many followed, but few got anywhere with it. The banks may have been made of marble, but not many of them were rich. So people would curse, and thousands were driven out of the dust bowl by weather and the bankers, but they bore up under it all and somehow survived. It was a hard and sad time, but the people did not resort to revolution, to anarchy or flock to the evangelists.

One other class of desperate politics depends on shattered illusions, and that is the politics of the demagogue. Now an evangelist will offer some program, some magic elixir to remove the blight of poverty and misery. The demagogue will wrap himself in the flames of oratory, and make his appeal to passion. Where Townsend would promise a hundred and fifty dollars a month to everybody over sixty, Huey Long played on the passion of the people made poor by depression and promised to "share the wealth." He said that if he was elected President, the wealth of this land would be shared by one and all. There would be a great levy placed on fortunes and inheritances, Long said, and this would present every family in America with a $5000 house and a $2000 annual income. Huey Long would, his song went, would make "every man a king."

Some of you probably remember that song:

"Why weep or slumber America
Land of Faith and truth.
There's a castle, clothing and food for all,
All belongs to you.

"There'll be peace without end
Every man a friend
With every man a king."

Other demagogues have been simpler than the Kingfish, because they have depended on simpler passions for their popular support. Racists like Theodore Bilbo could become Senators like Long, but they could never become anything like the force that Long did. But in the end, Long was killed by the passion of a man who was his enemy, a man who said that his family had been ruined by the Kingfish. So ended the life of a most remarkable demagogue.

If popular passion can fuel the political fires of some, dead dreams can inspire others. Those who base their appeal on some shattered illusion and build a crystal hope on that foundation can offer great appeal to desperate people. George Wallace, by damning everything that moves, appeals to those whose dreams have soured, and who want to return to some good old days that never existed, finds a powerful source of support. He preaches from a platform mixed with agnosticism and hate, and finds friends in those who have found life sour, and who think that the country is going to hell in a handcart. Then there is the Nation of Islam founded by Elijah Muhammed, among whose followers is Muhammed Ali, the boxer who once was known as Cassius Clay.

The faith of Elijah Muhammed stems from his disillusionment with this country. Having lost faith, he wrote a theology that damns everything that is not black. His followers are even asked to change names, because he says any Negro in this country is descended from slaves, and his name is not a free name but that of a slave. By changing names Elijah's followers symbolically become free men, and they hope eventually to be free in a new nation of Islam, to be carved out of the country and set aside from Muhammed and the faithful. His dreams are more elaborate than those of George Wallace, but both stem from the same source: disillusionment and despair, and they appeal to those who have been soured by life, and whose dreams are shattered by forces greater than they are. On these bitter foundations the gullible build new dreams, and follow men who elaborate on the bitterness from which the dreams are made.

Our country has been shaken in recent years and months by a never ending succession of political aberrations. The shock waves set off by the draft card burners hardly had time to settle before the next wave started, this time in universities. Riots, exhortations and dreams have vented passions, and even assassins have worked their terrible destruction. We are tempted to believe that these wild events have become a way of life and that the country is being jarred from its foundations.

But I do not believe that the politics of desperation rules this country. I do not believe that the politics of revolt, of anarchy, of evangelism, of demagoguery or of disillusionment have the upper hand today any more than they did in 1786.

The fact is that most people have a stake in this country. They understand what political desperadoes are trying to do, and they realize that chaos is no solution to political ills.

Probably one of the best observers of American democracy was Alexis de Toqueville, who came from France to see how our system worked. He traveled far and wide and wrote a book that was remarkable for its perceptiveness and in some cases for its prophetic qualities. De Toqueville's book *Democracy in America* was published in 1835, and he saw then—and what he saw then is still true—that "In America, the lowest classes have conceived a very high notion of political rights; and they refrain from attacking the rights of others in order that their own may not be violated." In short he saw that every citizen understood what it was to be free, and understood his role and responsibility, knew that if he violated the rights of others, could not longer legitimately claim his own. People in this country, De Toqueville said, "obey the law not only because it is their own work, but because it may be changed if it is harmful."

Our country was built in struggle, and it exists now in the midst of struggle and tumult. But through it all there has been a faith in our system and mutual trust among our citizens. Most of us know people who are somehow desperate, but even these have hope for tomorrow and believe that they have a stake in this country. They do not therefore listen to the odd voices of the politicians who would seize on desperation and make it a springboard to power. The existence of such politicians is however a sign that we still face problems that have not been resolved; that there are still people who feel that they are being ignored and that their problems are going unsolved. That is why there can be a Reies Tijerina and that is why there is a Poor People's Campaign; and it is why we have draft card burners and social dropouts. It is why we have the black power movement and the Nation of Islam, and it explains why there can be the bitter preachments of George Wallace and like minded men. The passions of the desperate will find outlets; and the danger of the politics of desperation is that we will not understand that it is a symptom of ills and problems that need attention. I think that our government is responsible and that it is responsive; I believe that this is why our country has a firm and stable foundation. I believe that the politics of desperation is not a cause of our troubles, but a product of unmet problems; but I also believe the lines of Carl Sandburg:

"Across the bitter years and howling winters
The deathless dream will be the stronger
The dream of equity will win."

FAREWELL TO A SENATOR

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DANIELS. Mr. Speaker, a valued constituent of mine, Mr. Joseph A. Caspar, of West New York, N.J., has written two fine poetic tributes to the memory of President John F. Kennedy and Senator Robert Francis Kennedy of New York.

Mr. Speaker, I include these two fine poems by Mr. Caspar in the RECORD following my remarks.

The poems follow:

FAREWELL TO A SENATOR

(By Joseph A. Caspar)

A fighting man, a man was He.
He fought for peoples Liberty.
President He may have been,
If only the world was free from sin.

In California, He'll be remembered the most,
And all through the U.S.A., coast to coast.
It was in Los Angeles, this story began,
At the California Primary, in which He ran.

The Senator won, votes went His way.
Then came the shots, that made it a gloomy day.
Six persons were injured, the Senator was one,
And they caught the assassin with the gun.

The Senator lie in an unconscious state,
But the doctors, could not change His fate.
He died on the 6th day of June, 1968,
In the same manner of John, His Brother of late.

From Los Angeles to New York, His body was flown,
To Saint Patricks Cathedral, where it was known,
His body there would lie in State, until the Mass,
And thousands of people, by His casket would pass.

His body was then brought by rail,
To journey, on His last long trail.
The mourners waited, as the trains rolled by,
All were somber, many with tears in their eyes.

The casket was in the twenty-first car,
As the Funeral Trains traveled afar.
Through New York, New Jersey, Pennsylvania, to Delaware,
Maryland and Washington D.C., as people waited there.

The trains arrived, darkness had set in,
They carried the casket, the Navy Band played a Hymn.
The Funeral Procession then left Union Station,
Seen on T.V., all over the Nation.
Down, Constitution Avenue the Cortege moved along,
At the Lincoln Memorial, there was sung a song.
The Battle Hymn of the Republic, for which we all stand,
As did Lincoln, the Kennedys all three so grand.
They will all be to-gether in Heaven above,
To talk of the things, They all did Love.
Then over the Memorial Bridge He was taken,
To be sent to Heaven, where He shall awaken.
To National Arlington Cemetery, for His last ride,
To be buried by His Brother John, side by side.
So, Robert F. Kennedy, a Man was He,
Who died, fighting, for Americans Freedom and Equality.

Farewell to a President

(By Joseph A. Caspar)

This trip He made, was it to no avail,
Driving down that Texan Trail.
The crowds all cheered, as He smiled back,
Then came the sound of a rifle crack.

His car sped forward to the hospital near,
But Life for the President ended here.
The suspected killer was caught near-by,
But not before a policeman died.

They held him in their county jail,
When being moved his face turned pale.
A shot rang out, he fell down,
Killed by a man who was in town.

Meanwhile the President was flown away,
To the Capital where He did stay.
His casket there, it lie in State,
So that all the world could see His Fate.

The T-V viewers, the people there,
All could see and the sorrows share.
The 25th day of November, that was the day,
Our dear President was on His way.

The people stood by and all looked grim,
When out stepped His Son and saluted Him.
His Wife, His Daughter, His Family dear,
All looked down and standing near.

The men of the Armed Forces did their share,
To show for the President they did care.
Six white horses, and one on the side,
Took Our President on His last ride.

First to the Church where you heard the Mass,
Then over the bridge, through the gates they did pass.
Arlington National Cemetery, that's where they went,
To bury Our 35th President.

The casket was set atop of the grave,
Our Flag was held by Servicemen Brave.
A 21 gun salute, for a Hero so true,
Who has given His life, for His Country and you.

The Bugler blew the taps aloud,
Not a stir or a sound was heard from the crowd.
The Family left, then the Dignitaries too,
And down went the casket for a life anew.

So hoping His life was not given in Vain,
And by His quotation there's a lot we can gain.
"It's not what your Country can do for you,
But what you can do for your Country".

MODEL CITIES—THE DODGE REPORT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, all potential fellow guinea pigs may find of interest the confidential plans of Dodge Report, as to the new "multi-disciplinary" model cities.

This is a prime example of "environmental health" by environmental control.

Mr. Speaker, I include the Dodge Report of January 23, 1968 (Det 8 No. 667 615), the Pontiac Press release of December 28, 1967, and the article "We Are Not Free" following my remarks:

Dodge Reports

Experimental city (total syst des) (fed & pvt funds) $3,000,000,000 to $4,000,000,000 U S A—loc not selected.

Contemplated—Abt $250,000 Fed funds (from Dept of Commerce-Dept HUD-Dept HEW) & abt $100,000 from pvt industry being spent on phase 1 (problem definition) to take through Mar 1968—phase II & III to take abt 2 years ea—phase IV to start in abt 4½ to 5 years—site selection abt 1½ yrs away—const (phase V) target dated for 1974 (see below for phase description).

Sponsor—National Steering Committee for the Experimental city—Dr. Athelstan Spilhaus (pres. Franklin Institute 20th & Benjamin Franklin Parkway Philadelphia Pa) & Otto Silha (V-P Minneapolis Star Tribune-Minneapolis Minn) (co-chm) & Prof Walter K Vivrett (secy) 110 school of architecture bldg—Univ of Minnesota—Minneapolis Minn.

Organizer (phase 1) (contracted for Apr 1967-Mar 1 1968) The Experimental City proj—prof Walter K Vivrett (proj Dir) 110 school of architecture bldg univ of Minnesota—Minneapolis Minn.

Developer (phases II–IV) (planning & des) non-profit corp to be formed after completion of phase I.

Owner (at phase V) quasi—govt & quasi-priv corp (similar to comsat) to be formed nrg completion of phase IV.

Des team—a multi-disciplinary team consistg of systs des-city planners-archts-engrs & others to be selected some time during phase II–III—city to be for abt 250,000 people—to incl residential-civic-cultural-recreational bus & indstrial facils—possible des goals to incl tot environment control (in parts of city) tot at-source pollution control—symbiosis of industry-spec transportation systs—an information utility etc (phase I) problem definition (gathering available info-conferences-programming of next phase (phase II) lab evaluation of alt solutions of des component parts (phase IV) des of proj (thru working drawings) (phase V) const.

[From the Pontiac Press, Dec. 28, 1967]

Carless Model Cities Urged

(By Alton Blakeslee)

New York.—One solution for our vexing, horrendous city traffic and transportation headaches:

Build a city in which cars and trucks were totally banned—except for some perhaps underground.

Instead everyone would ride—entirely for free—on semiprivate pods, motorless, driverless, noiseless, all controlled by computer. They would whisk you to store, office or home speedily and nonstop.

Such a transportation system would or could be a feature of a new way of life, in a program called the Experimental City, to be built from scratch, with no propensity to follow practices of existing cities.

The city would be operated much like a big hotel, says Dr. Athelstan Spilhaus, president of the Franklin Institute in Philadelphia. In hotels and other buildings, elevator service to ride you up and down is free, he remarked, so why not free transportation across town?

City problems, pollution problems, transportation problems are among main topics being discussed this week at the annual meeting of the American Association for the Advancement of Science (AAAS).

This reflects an awareness, say officials of the AAAS, that the applications coming out of science and technology have created pressing social, economic and human problems to which science and technology could help supply some solutions.

Dr. Spilhaus told the association there is urgent need to start soon to build an experimental city, and then add many more of them.

The city would have a central core of homes, stores, industries, businesses, schools, hospitals, with open green land, farms and forests surrounding.

A typical population might be just 250,000 people.

RUN LIKE UTILITY

It would be operated by a quasi-public quasi-private corporation, run like a hotel or public utility.

If 800 such cities, all of controlled size, were scattered evenly across the country, all Americans could live in them, and "we would not have the problems, the traffic congestion problems, the riots and many of the other ills that develop when cities become too large," Dr. Spilhaus said.

He said urban renewal or model city programs tear down old slums, but make more room for more people and lead to future slums. And "new cities" like Reston, Va., and Columbia, Md., are in danger of being swallowed up by the spreading out of Washington and Baltimore.

In the experimental city, everything could be preplanned, including waste disposal, and ultimate reuse of wastes. So could transportation systems, and easy disposal of buildings that became outmoded or which no longer fitted into changing human needs.

MAIN AIM

A main aim, he added, would be to provide people with opportunities for rewarding use of their increasing leisure time.

Dr. Spilhaus said such an experimental city might cost $4 billion—"about the cost of the supersonic transport, and little less than one year's space program expenditures."

We Are Not Free

Study this confidential Dodge Report. The building of these cities is a reality.

Multiply 800 (cities) 4 billion dollars. $3,200 billion. Can you imagine this much money?

Only millionaires can match Federal funds for projects of this nature. As you can see, a great deal of the cost will be from the revolving fund of the Sec. of Commerce. This was made possible by passage of the Public Works and Redevelopment Act of 1965. This is the law that is making possible regional government.

Although our tax dollars are being used to build these cities, we face prosecution for using the information. *Do you want total environmental control? Are we to be experimented with like rats? Talus* is a 4 million dollar study to determine what form of rapid transit system it will take. It is a 42 month study. Talus offices are at 1248 Washington Blvd., Detroit, Mich. Other studies by Talus include freeways and highways, earmarking of land for recreational and residential uses, extension of sewer and water systems and changes in *governmental policies such as zoning*. The director of Talus is Irving J. Rubin. Conferences have been made in Detroit Talus about the study for metropolitan area news media. (Talus information, Detroit News, 4/9/67)

Many city councilmen are voting for and promoting annexation. By means of annexation, consolidation of counties, large governmental regions are now being formed, which overlap state lines or boundaries. By drawing money from the Sec. of Commerce fund, these huge cities will be built, we will lose our automobiles, for they will be carless. We will no longer own our homes. We will have environmental control. We will live in an integrated society, under complete control.

As you can see the design team referred to in the Dodge Report, will be multidisciplinary. There is complete secrecy desired in regards to this project.

[From the Washington (D.C.) Sunday Star, June 2, 1968]

HOUSING CHANGES HINT SOCIAL UPHEAVAL

(By Lyle Denniston)

Congress is likely to act soon to start the nation on a social revolution that some day may rival in impact the postwar creation of America's suburbia.

That is the implication of the lawmakers' work, now approaching its final phases, on a basic alteration in the federal housing laws.

It was that same set of laws which figured importantly in the postwar development of the suburbs—vast housing tracts on the outer fringes of U.S. cities.

The flight to suburbia was, in turn, a contributor to the decline of the cities and the resulting deepening of slum problems.

Now Congress is preparing to turn the housing laws around, and aim them more directly at housing conditions downtown, particularly in the slums.

The Senate began that change last week as it passed a $5 billion housing authorization bill. The House Banking Committee will carry the process ahead when it begins, on Wednesday, to draft final language of a bill very similar to the Senate's.

Lawmakers on both sides of Capitol Hill sense, and talk about, the symbolic significance of what they are preparing to do. They mean the symbolism of giving the poor people of America a chance to own a home and have the dignity that goes with it.

But the legislative effort has even more ambitious goals. Its larger aims, though not always stressed openly by the sponsors, include the ultimate and final "clearance" of the slums and the restoration of middle-class stability to troubled cities.

In effect, Congress—perhaps without fully realizing it—is attempting to apply the long-standing social theory that order and calm actually begin in the home and spread outward from there.

This approach is making the housing bill now under study something of a riot cure.

Indeed, the spread of rioting in the cities, and the lobbying pressure of the poor peoples' campaign are helping to push the new housing measure through Congress.

But just as importantly, the lawmakers are acting on their own belief that it is simply time that the generation-old housing laws be redirected toward the uplift of the low-income families.

There have been federal laws to provide assistance on housing since 1934. But in the 34 years since then, the assistance has gone mainly to the better-off segments of the population.

It is estimated that the government has helped finance more than 10 million dwelling units for persons who could pay prices in the middle and upper-income ranges. Less than a million units have been built for occupancy by the poor.

Moreover, housing aid for lower-income families has been restricted almost entirely to rental units. Only a limited experiment has been tried, beginning in 1966, to help poorer families buy their homes.

The whole tone of the Senate-passed bill, and the similar measure now coming up in the House committee, is keyed to lower-income home-seekers.

Significantly, most of the novel features of the legislation are aimed at getting the poor moved into purely private housing, as opposed to the government-related units of so-called public housing.

The change would be accomplished by giving lower-income families financial aid so that they could afford to live in privately built houses or apartments.

The Senate bill and the House measure both have these new features:

A federal subsidy to encourage the poor to buy their own homes. The subsidy would make it possible for families to pay monthly mortgage premium equal to 1 percent interest.

A relaxation of the normally stringent government requirements that a homeowner be a good credit risk before the government would insure his mortgage.

A relaxation of the government's ban on mortgage insurance for property in slum areas.

A federal subsidy for poor people who prefer to occupy rented quarters. This would make it possible for such persons to rent at rates below those the apartment owners would have to charge if the apartment had been financed at normal interest rates.

Even when the bill makes changes in existing housing programs, the emphasis on aid to lower-income home-seekers is apparent.

For example, the bill would require that 50 percent of all housing units built under urban renewal projects would have to be of "low and moderate cost." Twenty percent is the rule now.

The measure also would make it much easier to get urban renewal and slum-clearance projects started. This would be done by eliminating the requirement that an overall plan affecting the entire area to be renewed must be approved beforehand. The new scheme would permit isolated neighborhood sections of a renewal area to proceed immediately.

But over-all, the program can only make a start toward its ambitious goals. It would provide for the construction of 1,750,000 units for lower-income families over the next three years. By some estimates, there are more than three times that number of housing units already in such rundown condition that they are considered "substandard."

INTENSE SOUL SEARCHING AND REASSESSMENT CALLED FOR

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. HAGAN. Mr. Speaker, among the many vexing problems facing Congress and this country today are law and order, the poor, and an honorable termination of the Vietnam war. By and large, these problems defy legislative remedy. In my opinion, these problems call for some intensive soul searching and reassessment on the part of many of our citizens.

The restoration of law and order in our land can be accomplished only by action on the part of responsible people and a return to tried and true moral standards.

In many facets of our national life, too many of our people are wallowing in a self-destructive "permissiveness." Too many Americans no longer abhor the worst kinds of violence. Many are guilty of callously accepting the immoral as moral, the abnormal as normal, and the obscene as virtuous. Too much of the world it would appear that permissiveness is the new order in this country, or that America has lost its sense of decency and justice, law and order.

Just 2 months ago, over 20 cities in this Nation of ours were the victims of massive riots, arson, and looting. Many lives and much private property were destroyed. On many of our major college campuses, bearded youths and beatniks are demanding an disproportionate voice in establishing and executing the policies of the institutions, even while wantonly destroying property and holding school officials hostage. Earlier this month, a presidential candidate and several innocent people were shot down in cold blood.

In the wake of the violence that has racked this country since the first of the year, I can see only one answer.

Let responsible men who love their country speak out and act in rededication to one of the basic foundations of our Republic—law and order. We do not need a new moral climate here in America—we need to return to the old, the one set down by our forefathers to insure a society based on law, order, and justice for all, and most importantly, love of God.

These are not times for panic, nor for the formation of a police state, but times for action to curb the trend away from American principle, to reestablish the basis for a democratic land insuring for all the opportunity to pursue his individual endeavors—to know we can walk safely on the streets day or night, in the absence of fear.

I voted for the crime bill, which, as you know, passed the House by a vote of 368 for and 17 against. I had many good reasons for voting the way I did. One, it takes away much of the extraordinary power with which the U.S. Supreme Court has so hamstrung our law-enforcement agencies in the past few years, by making "voluntariness" the only test of the validity of a confession in many criminal cases. Two, it calls for the dismissal of any Federal or District of Columbia government employee convicted of riot-connected felonies, and disqualifies others similarly convicted, from Government employment for 5 years.

Three, this bill gives a reasonable measure of gun controls, thus avoiding the punitive steps the archliberals in this country have been promoting for many years.

Now it is up to Congress to take further steps to insure a return to law and order in this country.

I am as sympathetic as any man in Congress with the poor and the poverty stricken, but I will never believe that a guaranteed annual wage, which would come out of the pockets of hard-working taxpayers is the answer to the problem. And if those people camping out here in Washington seriously think that Congress is going to pass any such legislation, then they are sadly misreading the thinking and mood of most Members of Congress, which pretty well reflects the thinking of the majority of our citizens. I can promise you today that ELLIOTT HAGAN will be one of the many voting against any such proposal. And I think I can safely say that if they had left it up to most Members of Congress, we would never have allowed Government property to be used for such a purpose.

There is an answer to the problems of the poor, but it does not lie in the area of more giveaways. The only answer, in my opinion, is in well-planned, intelligent programs of job training and retraining. I could vote for such programs, in good conscience, because it would mean taking great numbers of people off the welfare rolls and helping them to live productive, taxpaying lives.

On the matter of the Vietnam war, I am growing more impatient each day with this "chess game" going on in Paris. Our leaders made it clear to the world that they would go anywhere, anytime, in efforts to end the war, and they have acted in good faith in the peace negotiations in Paris. But it appears nothing is being accomplished, since Hanoi seems to subscribe to a philosophy of winning the war by negotiation; in other words, if they can delay any progress in the peace talks, they apparently think they can wear the United States down to the point where we will grow weary of the whole thing and pull our forces out of Vietnam.

I am afraid that we are about to the point where we must set some sort of deadline on an indication of sincerity from the North Vietnamese. If we get no satisfaction, then I think commonsense dictates that we spare no reasonable effort in prosecuting the war to its fullest extent, in an effort to get the whole thing over with, in the shortest possible time, and bring our troops home.

BERNESE—"THE SAINT" AT NORTHERNAIRE, THREE LAKES, WIS.

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. O'KONSKI. Mr. Speaker, every day the people of the world are being told that they are sick, that they cannot get along with one another, and that we are doomed to destruction because of hate, prejudice, and downright greed and selfishness.

It has been the custom throughout history to use animals for experiments to find out why human beings act as they do. In fact, the Federal Government has spent millions of dollars to find out why rats, mice, and monkeys act the way they do.

For the past 25 years in northern Wisconsin, at no expense to the Government, a great humanitarian and a great savior of wildlife has been carrying on exactly such an experiment with no cost to the taxpayers. He has learned why wild animals act the way they do. He has discovered a way of getting the animals of the forest to accept each other, to live with each other, and to love each other. This noble experiment carried out over the past 25 years in northern Wisconsin has taught us more about wild animal life behavior than the hundreds of millions of dollars spent by the Federal Government.

It would be a wonderful thing for the world if the leaders, columnists, educators, philosophers, psychiatrists, and social workers could go to the Northernaire at Three Lakes, in northern Wisconsin, and learn from Carl Marty how the animals of the forest behave and why and apply the same techniques to human behavior in this world of ours.

Mr. Speaker, I wish to include with these remarks a poem written by Edith M. Johnson of Kenosha, Wis. Mr. Speaker, I also ask to include with these remarks a newspaper article describing how a wonderful dog adopted many species of wild animals of the forest and guides them to live together in a manner which should make human beings envious.

The poem and article follow:

BOOTS BELONG TO BERNESE

(Bernese is a St. Bernard Dog)

One hundred eighty pounds of St. Bernard
  And five whole pounds of fawn
Are having a game of "touch me,"
  In the middle of the lawn.

Boots, the fawn, is very sure
  That Bernese is her mother.
This tiny woodland orphan
  Has never known another.

Bernese deserves the name of "Saint".
  Her patience and her care
Extend to all the forest friends,
  Who are guests of Northernaire.

I wish the world could be like this,
  With love, one for another,
Like the love between small Boots, the fawn,
  And Bernese, her foster mother.

—EDITH M. JOHNSON.

[From the Rhinelander (Wis.) Daily News]

I REMEMBER WHEN I WAS BORN: FAWN "TELLS" OF CAESAREAN BIRTH AND FIRST HOURS UNDER DOG'S CARE

(EDITOR'S NOTE.—Carl Marty, owner of the Northernaire Hotel at Three Lakes and a noted wildlife expert, wrote the "first person" story about the Caesarean birth of a fawn after its mother was killed by a car in Vilas County last week. Marty, who has raised orphaned fawns for more than 25 years, says this one is "the greatest" he has had.)

It was dark, we were warm and comfortable, but a bit crowded. We could hear our mother's heart beat. We knew when she walked, and we would be jostled up and down a bit when she ran. When she lay down sometimes my twin brother lay pretty heavily on me, and when she laid on the other side, I guess I laid pretty heavily on him.

We were listening to mother's heart beat. She walked a few steps, her heart started to beat faster, and she ran. We heard a shriek, the crunch of bones, and the world seemed to turn upsidedown. Mother's heart beat slower; soon we could not hear it. I was frightened and it seemed colder. I couldn't understand how my twin brother slept through all of this confusion. Everything was dark and quiet.

Soon I heard someone say, "Both hind legs and her back are broken, and she is heavy with fawn." Then, all of a sudden, a man cut mother with a knife. I know it didn't hurt her because she was real still. Suddenly there as a bright light, which I had never seen before; light from the game warden's car He said, "There are twins. One of them is dead; the other is kicking." He meant me. He took me out, held me up by my back legs, shook me, and removed the mucus from my nostrils, and I took my first deep breath of fresh air. The warden said, "This one might make it."

He placed me on the seat next to him and I had my first automobile ride. He drove home as fast as he could and Shirley, Warden Chuck Wranosky's wife, said, "Hurry, give her to me." She bathed me with a cloth and warm water; it felt good. Then I heard Chuck Wranosky on the phone. I didn't understand all that he said, but he talked into the phone and said, "I have a problem." Then he said, "You will? Then I'll bring her right down." Shirley wrapped me in a warm cloth. I didn't know where we were going but I was warm and comfortable and I lay close to Chuck because I knew he saved my life and I felt safe between Shirley and Chuck.

I MEET MY NEW "MOTHER"

The next thing I knew, the car stopped and a big St. Bernard called "Bernese" came toward me with her tail wagging. I wasn't afraid of her. A man said, "Here's your newest orphan." Even though Shirley Wranosky had me nice and warm and dry, it didn't suit Bernese because she cleaned me up all over again. Bernese said, "I am your new mother and from now on you do what I tell you."

I never saw my real mother but I like Bernese and she told me her real name is "Bernese II of Northernaire." She also told me that she is one and a half years old, and that I am the 26th forest orphan she has mothered—three foxes, two wolves, three porcupines, 13 raccoons, and five fawns. She said I was the first Caesarean fawn but that she had raised a Caesarean porcupine. I guess this makes me something special although I don't know what she means by "Caesarean."

A man who is Bernese's boss gave me some warm milk in a bottle, which I nursed. He said I was "a good kid" and that he didn't expect me to accept the nipple so quickly.

After eating he put a rubber mat in the bathtub, drew about an inch and a half of lukewarm water, stood me in it for a few minutes and said, "Now you are safe for awhile; you can jump out." I know he didn't expect me to do it, but I did. He said I was the first fawn to jump out of the tub in less than two days. This seemed to please him. He told someone that if orphan fawns are handled properly they are the easiest of all animals to housebreak, but fawns and all other young animals must be kept immaculately clean. This is Bernese's duty and I heard the man say that if she had milk, she would perform every function of the wild mother.

Leslie Carroll, who has saved many forest orphans, hurried over to see me. She said, "Isn't she beautiful! I wish I had those eyes and long eyelashes." Aren't women silly?

I LIKE IT HERE

After eating and standing in warm water, I followed Bernese back to her room; she cleaned me up again and I nestled close to her and fell asleep. When I awakened, Bernese's boss said, "We will take this little girl outside." I followed Bernese outside and the first thing I did was to eat a mouthful of earth. I heard the man say that all young fawns need earth in their diets.

I followed Bernese around the hotel and laid down under a little pine tree, and Bernese stayed right with me. I asked her about my real mother and twin brother. She said, "Don't worry your little head about them—they don't hurt anymore." But, I still can't see how my twin brother could sleep through all of that noise and confusion.

I looked around and saw the green grass, the dandelions, the lake, and the forest. The man said, "It will be eight hours before she is two days old."

Gov. Knowles says, "We like it here!" I know I'm going to like it here.

THE ADDRESS BY AMBASSADOR GEORGE J. FELDMAN, MEMORIAL DAY CEREMONY, AMERICAN MILITARY CEMETERY, LUXEMBOURG

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. LUKENS. Mr. Speaker, on this past Memorial Day it was my distinct honor and privilege to participate with Ambassador George J. Feldman in a ceremony in Luxembourg to honor the American men buried in the U.S. military cemetery in that city.

I wish to say that it was a great thrill to see over a thousand people, the vast majority residents of foreign countries, gathered there to recall the debt they owe to the American men who died fighting for freedom in Europe in World War II.

Mr. Speaker, Ambassador Feldman draws attention to the power of the North Atlantic Treaty Organization and I believe this is particularly significant of this time. For today we are seeing East Germany engage in the same kind of aggressive Communist tactics which caused the founding of NATO in 1949. I further believe it is important to draw attention to Ambassador Feldman's comment that it is time to add the plowshare to the symbolism of the shield and sword in the NATO insignia.

I am sure all Members of this House join with me in the prayerful hope that peaceful endeavors will replace the military purpose for which NATO was founded in the years that lie ahead.

Mr. Speaker, I have unanimous consent to have Ambassador Feldman's Memorial Day remarks at the American military cemetery in Luxembourg printed in the RECORD at this point:

ADDRESS BY AMBASSADOR GEORGE J. FELDMAN, MEMORIAL DAY CEREMONY, AMERICAN MILITARY CEMETERY, LUXEMBOURG, MAY 30, 1968

As we stand on this hallowed and peaceful ground, our thoughts turn naturally to dwell on the supreme sacrifice made by the men buried here. We owe them our profound and everlasting gratitude for the peace they gave their lives to achieve. We did not forget their sacrifice in 1949 when the North Atlantic Treaty was signed as a solemn pledge to the peoples of Western Europe and North America that the peace so dearly paid for by their fallen sons would be maintained. And we do not forget their sacrifice today. NATO still stands as a monument to them and as a symbol of our promise to protect their children.

The North Atlantic Treaty Organization has as its symbol the shield and the sword. In a way, I think that the addition of the plowshare to the symbolism of the shield and the sword might have been appropriate, for the menace of the early 1950's was, in fact a double threat—military and economic. The NATO military alliance (the sword and shield) dealt with the first of these while the plowshare of the Marshall Plan effectively prevented the internal collapse so confidently predicted, even encouraged, by some. With the advent of the 60's, and the gradual lessening of tension between East and West, the Alliance came to be seen in some quarters as an embarrassment and an obstacle to a further rapprochement. Those who bring this charge do not appreciate the broader ramifications of the Alliance.

The defensive power of NATO is not a negative thing nor, as is sometimes said, is it a cruel waste of resources which might be better applied to some more humane purpose. It is, instead, a positive good, creating an environment of collective security in which economic and social needs may be pursued in peace and freedom and with a sense of permanence.

The Atlantic world today is seized by a quickening hope to move beyond a relationship between East and West based solely on mutual military deterrence. Our Atlantic Alliance itself is now actively engaged in a study to make that hope a reality. The groundwork for this study is contained in the so-called "Harmel Report," named for the Belgian Foreign Minister.

The Harmel Report came to two basic conclusions about the future tasks of NATO. First, it concluded that the NATO defense system must be maintained in order to deter any aggression in Europe. Second, it recommended that NATO act as a political clearing house and center of initiative—for a future European settlement and for future steps in arms control and disarmament. These recommendations were agreed to by the fifteen NATO Foreign Ministers at their meeting in December 1967. They rest on the assumption that, as the Harmel Report said, "Military security and a policy of detente are not contradictory but complementary."

The Harmel Report has made it clear that the fifteen allies are convinced not only that NATO's military shield will be necessary for the foreseeable future, but also that the Alliance has an important role to play in the great unfinished business before us all: the reconciliation of East and Western Europe and the creation of a just and stable security system for Europe. The Alliance is a growing and dynamic institution, which has shown itself capable of adapting to current realities. Always more than merely a military alliance, NATO has given new directions to its traditional policies of political consultation among its members.

How does NATO have a role to play in this great work? Simply for this reason: the construction of a stable and secure Europe is a task which will require the utmost vigilance, patience and careful planning. As long as the great military potential to the East remains arrayed against us, the members of the Alliance must retain that unity of military strength and political purposes which alone can guarantee the achievement of a just settlement of the problems of Europe. For the security of Western Europe cannot be guaranteed by idle talk of doing away with "blocs" and leaving the countries to the protection of paper guarantees. It is not a question of our imposing our will on the other side by sheer force; it is a question of our not having the will of others, or their system, imposed upon us because of weakness and division. And it is for this reason that NATO must continue to be intimately involved in the search for permanent peace.

In this work, my country will continue to be an active and understanding participant. For we believe that the freedom and security of Western Europe is vital to our own security, and we have acted upon that belief through our participation in NATO. Indeed, this point could not be more clearly illustrated than by looking out over this cemetery. The men who are buried here give adequate proof of our belief that our own freedom is inseparable from that of our allies. We have come here twice in this century because of this conviction. Our soldiers remain here in Europe, side by side with yours to preserve the security and freedom of us all.

In maintaining our unity within this Alliance, which has served us so well, and in applying the strength of that unity to solve the great problems at hand, we reaffirm our obligation to these men, these men who made the supreme sacrifice. Otherwise, they will have died in vain.

THE BROTHERS THREE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. COHELAN. Mr. Speaker, one of my constituents, Mrs. Michael S. Yonan, familiar with the beauty and grandeur of Yosemite National Park, proposes that the rock formation identified centuries ago by Indians as "The Brothers Three," be renamed for Joseph, John, and Robert Kennedy.

Mrs. Yonan has sent her suggestion to Director John Hartzog, of the National Park Service, together with her personal tribute to the Kennedy brothers. In order to share this proposal and Mrs. Yonan's moving tribute with my colleagues, I would like to insert at this point in the RECORD a copy of her letter to Director Hartzog:

OAKLAND, CALIF.,
June 8, 1968.

Subject: "The Three Brothers" rock formation, Yosemite National Park, Calif.

Mr. GEORGE B. HARTZOG, Jr.,
Director, National Park Service,
U.S. Department of the Interior,
Washington, D.C.

DEAR SIR: In the light of the tragic event of the past week, I felt strongly motivated to suggest that the rock formation in Yosemite National Park, California, for centuries known as "The Three Brothers", be further designated as *"Joseph, John and Robert Kennedy"* in honor of three valiant brothers who have given their lives for our Nation.

Having always considered Yosemite as my second home, I can think of no visible monument more fitting, as indicated by the following lines:

"THE BROTHERS THREE

"Among the granite monoliths
Hand-hewn by glacial artistry,
Our God in His own time has set
Within his garden called *Yosemite,*
A rare baguette—
A jewel known to visitors like me,
And by the Indians called,
The Brothers Three.

"Among the rarest manly souls
Created in our century,
Our God in His own time has wrought
Within one family known as Kennedy,
Three rarer yet—
Admired and loved by countrymen like me,
For whom they sacrificed their lives,
The Brothers Three

"Above the Eden-like grandeur
O Nation, lift your eyes to see,
Our God in His own time has given
Within the lives of three young men
A trilogy—
And stones like these cry out to you and me
To hearken to the lives of
Joseph, John and Robert Kennedy!

"Beyond the grandest monoliths,
Bold witnesses of noble souls
Of three who ventured, unafraid,
God calls us to pursue His goals
Obediently.
And as we lift our hearts His love to know,
Let us perceive, believe and go—
For brothers all, are we!"

—G. P. YONAN.

Sincerely yours,
MRS. MICHAEL S. YONAN.

ANOTHER LUMP IN THE MATTRESS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. DERWINSKI. Mr. Speaker, the latest Soviet directed Berlin crisis brings to mind the history of our constant problems with the Communists.

The Chicago Tribune, in a very hard hitting detailed editorial on Saturday, June 15, gives this latest Berlin crisis very appropriate attention:

ANOTHER LUMP IN THE MATTRESS

We are sometimes counseled by Sen. J. William Fulbright and other self-anointed wise men to rid ourselves of the notion that communism is a monolithic structure and that all communist states act in concert toward the end of our harassment and overthrow.

But it is the sad experience of our leaders that when they try to punch a lump out of the communist mattress so that they can find a little more ease, another bulge develops somewhere else, so that they find rest just as elusive as before.

This will serve to explain why there is a new Berlin crisis. The city, under four-power military occupation since the defeat of Hitler in 1945, lies 110 miles inside communist East Germany, which is a soviet stooge state. It is a neuralgic spot in world politics which the Communists choose to inflame periodically, when it suits their purpose.

The Communists are mindful that the United States already has so many preoccupations that it is inclined to shy away from other tests. So the moment seemed propitious for Walter Ulbricht's East Germany regime to announce that in future West Germans traveling to Berlin would have to carry passports with visas issued by East Germany. New and stiffer tolls on trucks, buses, and barges and a tax on passengers entering Berlin were also decreed.

The intended purpose of these moves is to isolate West Berlin from West Germany, create doubts about the city's ability to survive, and to wrangle indirect recognition of East German "sovereignty," which the United States, West Germany, and other countries have so far refused to acknowledge. Acceptance of East German visas on passports would accomplish this last end.

The western occupation powers, the United States, Britain, and France, have denounced the travel restrictions as invalid, as has the West German government. They were held to contravene four-power agreements with the Soviet Union as the other occupying power, dating from 1945. The controversy inevitably arose from the failure of the United States and the other western countries to get firm written commitments from Russia at the end of the war to guarantee free access to West Berlin for West Germans as well as allied military personnel.

Despite all the huffing and puffing, the East German Communists and the soviet wire-pullers who undoubtedly put them up to this latest gambit are probably pretty confident that the United States and its allies will be forced to hold still for the new impositions. There is little in the record to gainsay that impression.

When Stalin imposed the Berlin blockade in 1948, we didn't challenge him to a showdown by pushing men and supplies thru to West Berlin. We engaged instead in a long and costly air lift.

When the Communists threw up the Berlin wall in August, 1961, we didn't move up a bulldozer and promptly knock the first section down before the wall could be extended across the whole communist section of the city. We did nothing.

When the Communists got us entangled in Viet Nam, we didn't propose to knock them out of the war promptly and thoroughly. We have been dallying for years, assuring North Viet Nam we had no designs for its invasion or the destruction of its communist regime. We declared ourselves willing, as in Korea, to settle for a draw.

When North Korea seized the American intelligence ship Pueblo and its crew of more than 80 men last January, we held still for it and are still doing so.

Why shouldn't Communists figure they can get away with anything?

REGISTER COMMUNISTS—NOT FIREARMS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1968

Mr. RARICK. Mr. Speaker, in most higher types of civilization, the taxpayer and law-abiding citizen pays his taxes and in turn expects peace of mind and physical security from the organized state.

But what is the taxpayer receiving in Washington under reconstruction? Babysitters and social workers and psychiatrists—to pacify the criminal? Yet, the District crime marches on. And who is blamed for the breakdown in law and order? Not the do-nothing leaders but the people.

How long are the American people going to pay for this drivel? Everything for the criminal but only taxes for the law-abiding citizen—who is now less than a 50-percent citizen.

I insert several clippings from the Washington Evening Star for June 17 and pertinent portion of "Terrorism Invades the United States" from the June 20 Tactics following my remarks:

[From the Evening Star, Washington, D.C., June 17, 1968]

TWO TOURISTS ASSAULTED BY TENT CITY RESIDENTS

Two young tourists walking near the Resurrection City encampment were assaulted in separate incidents yesterday by members of a group from the camp who milled around just outside a fence between the camp and the Reflecting Pool.

Some youths in the group were angered in the early afternoon when police prevented a car of other camp residents from driving down a walk that runs by the fence parallel to the pool.

They uttered racial epithets against white persons and threatened bodily harm to some tourists who passed along the walk.

Three of the group attacked a 25-year-old white soldier after accusing him of taking pictures of the Poor People's Campaign camp after they told him not to.

He was punched three times in the face before others from the camp called off the attackers. The soldier, who did not want to be identified, did not report the assault to police.

Two hours later, at about 4:30 p.m., a 16-year-old white Fairfax County youth was beaten to the ground and kicked by youths in the same group by the fence.

David Frankel, of the 6400 block of Cavalier Corridor, Lake Barcroft, told Park Police he was with two friends on the walkway when one of the camp group saw a tear gas gun in his pocket and demanded it. Frankel said as he pulled it from his pocket, he was struck.

Shortly before, Negro youths in the camp group had threatened to beat up two other white youths if they did not hand over the film from their cameras. The white youth were accused of taking pictures of the camp when told not to.

[From the Evening Star, Washington, D.C., June 17, 1968]

DISTRICT OF COLUMBIA HIT ON RIOT ACTIONS IN POLL TAKEN BY MACHEN

Widespread dissatisfaction with methods used by Washington authorities during the April rioting has been turned up in a poll of some 12,000 Maryland residents.

Rep. Hervey G. Machen, a Democrat, who has just tabulated the responses of his Prince Georges and Charles County constituents, said the poll shows they take "a very hard-nosed attitude" on the question of dealing with looters and arsonists.

Machen asked in his questionnaire, "How would you assess the action taken by the federal government and the District of Columbia officials in restoring law and order in Washington during the recent disturbances?"

Sixty percent thought it was either "poor" or "bad." Only 15 percent thought the official reaction was "good."

A large majority said they thought police were "too lenient" because "they were restricted by orders from higher authorities."

Machen said an even larger majority thought that future disorders could be prevented by strict enforcement of the laws and stiff sentences for those who violate them.

On other topics, Machen said his poll showed that:

Sixty-four percent of those answering favor stricter federal gun control. (The poll was taken before the assassination of Sen. Robert F. Kenndey.)

Seventy-four percent want tighter controls for hallucinatory drugs.

[From the Evening Star, Washington, D.C., June 17, 1968]

OEO MODEL PRECINCT FUNDING NEAR

The Office of Economic Opportunity is expected to approve a $1.5 million grant this week that will be used starting within a few weeks to transform one of Washington's police precincts into an experimental model to test new police techniques.

Dr. Robert Shellow, 38-year-old social psychologist who will become project director, has spent the last four months exploring the operations of the Metropolitan Police Department.

Training for staff positions under the grant will begin in July and implementation will begin in the selected precinct in the early fall, Shellow said, if the grant is approved as soon as he expects.

Sources at OEO and at the United Planning Organization, the local antipoverty agency, said the project is virtually assured of final approval.

NEW APPROACHES

According to the proposal submitted to OEO by Safety Director Patrick V. Murphy, the project will combine a number of tactics that are new to Washington, including team police patrols, the use of special storefront neighborhood centers, a "family crisis unit," and a youth patrol.

Murphy said that the purpose of the project is twofold, to curb crime and to "increase the stake of the citizen in making his city safer." If the project is approved, Washington will be the first city to take up President Johnson's suggestion in his recent crime message that model precincts should be developed as well as model cities.

The project began when Shellow, who is chief of the Special Projects Section of the National Institute of Mental Health, phoned Murphy—with whom he had worked—in December to congratulate him on his appointment as District safety director. Shellow was asked by Murphy for his own ideas on the job.

CENTERS ARE THE KEY

Two months later, Shellow, who was also assistant deputy director of the President's Riot Commission, was on an indefinite loan from NIMH to the District government.

The focal point of the plan he assembled for Washington's model precinct, which will be selected by Murphy from several in the inner city, will be five "neighborhood centers," probably rented storefronts, that will be open 24 hours a day.

The centers will be manned by police and representatives from a number of government agencies that supply services needed in ghetto areas, such as the D.C. Department of Health and Welfare.

The centers will also be the base for team patrols, a technique recommended by the President's Commission on Law Enforcement and Administration of Justice, that will be composed of officers from different divisions, such as the Youth Division and the Criminal Investigation Division.

According to the proposal, the team will patrol a limited area around the center. "Instead of being spread thin, they would have an opportunity to get to know families, youth on the street, and proprietors of businesses much more intimately," it states.

FAMILY CRISIS UNIT

Another specialized team unit, the "Family Crisis Unit," will patrol the precinct at large in pairs. Each pair will have an officer who has received special training in family problems and a civilian psychiatrist or social worker.

The unit, already in operation in New York City, is designed to take the burden of responding to family arguments away from regular patrol officers.

Another patrol that will operate out of the storefronts is the youth patrol. Shellow says that one way to create a bond of trust between youth and police is to employ "those with natural leadership qualities" to patrol their neighborhood on foot.

A total of 72 youths will be selected for the project, he said. They will patrol in teams with walkie-talkies. "We'll let them choose their own uniforms. It may well turn out to be a blazer with a special patch on it," he said.

TO "COOL SITUATIONS"

The youths will be trained to give emergency services, such as first aid. One of their primary responsibilities will be to "cool situations on the street." They will be responsible to an officer of the precinct and watched by youth patrol supervisors touring the precinct in cars.

The foot patrols of youth will double the surveillance of the precinct and help to remove the "distance" that a motorized patrol system has created between the citizens and the policeman in the squad car, Shellow explained.

The first effect of all the various patrols and tactics, Shellow said, will be a prompt rise in the reported crime rate, because so much crime now is unreported.

In the proposed structure of the model precinct, Shellow's program unit would operate alongside the normal precinct police contingent.

[From Tactics, June 20, 1968]

CRIME AS A "PEACE FRONT" WEAPON—TERRORISM INVADES UNITED STATES

The American public is liable to wake up some morning to the realization that terrorism has become part of the normal American scene. We have not reached this stage yet, but we are on the way. We need not reach it, but in order to prevent terrorism from becoming part of the American way of life, we will have to know that it is possible for it to happen here, in time for us to do something about it. We will have to know this, and still possess enough initiative to use our democratic processes to prevent it. Panic reaction can bring about the very evil we fear the most.

A program for terrorism on the American streets is part of the enemy's psychological warfare strategy against us. An interlocking, red network is in the process of coordinating the so-called cold war or fake "peace" front on American soil with the so-called hot war or military front abroad, principally in Viet Nam. Terrorism always has been an integrated tactic in guerrilla warfare, that is the present revolutionary objective of communist "psywar" planners dealing with the United States.

What is meant is plainly terrorism as a war tactic against the American civilian population, exactly as it was employed against the North Africans of Algiers and the Asians of Pyongyang, Kuala Lumpur and Saigon. The major vulnerability of the Americans is their disbelief that so proud and prosperous a land as our own could become the target for the kind of warfare identified heretofore with primitive societies alone.

BOLD, RED TACTICS

A guiding tactic in red guerrilla warfare is to hit where least expected, whether the objective be political or military. It planted agents in the State Department and the White House during World War II. This was unbelievable, just as unbelievable to the American mind about 25 years ago, as terrorism on our city streets is to our thinking 25 years later. Yet these are exactly the sort of surprise situations that red strategy is best set up to exploit.

Only a few years ago, a man or woman was able to walk peacefully at any hour of the day or night anywhere in any city in the United States. Nowadays, to do so would be unthinkable at night in entire sections of practically all American cities. Once twilight sets in, women employed by the Supreme Court do not dare go to the parking lot to get their cars except under escort. If this is not terrorism come to American streets, what is it? The term, crime wave, cannot cover the senselessness of many of the attacks, and their sheer brutality. They are atrocities, our counterpart to the terrorism exercised by the Viet Cong in Viet Namese villages.

Many of the attackers are obviously drug-crazed. But this is directly in accordance with red planning. Peking, more directly, and Moscow, more covertly, all along have considered opium, its derivatives and other baneful drugs as a subtle weapon for the softening up of non-communist and anti-communist peoples, even Chinese and Russians living abroad. Red Cuba, itself not an opium producer, smuggles drugs into the United States and other countries. Profits from the drug traffic go to help finance communist operations in these target nations.

The Communist Party of China conducts the drug export business quite openly. A headquarters for this trade is located along the railroad from Canton to the Hong Kong colony, just before one reaches the British area. This writer first learned about this at Hong Kong when he was gathering material that went into his book, "Brain-Washing in Red China." The drug trade, more responsible than any other element for the debauchment of American youth and our crime wave, is directly related to this red strategic commerce.

TERRORISM STRIKES MORE AT THE BLACK MAN

Communist terrorism, wherever it has been imported, supports the pro-red minority in its false claims to speak for all by inflicting merciless atrocities in the ranks of the majority. The terrorism is indiscriminate, recognizing no difference between mere non-communists and anti-communists. The aim is to silence all except pro-reds. The anti-anticommunist propaganda climate in the United States is the first stage in this campaign, that unless crushed inevitably progresses to outright terror. The so-called crime wave in the United States makes its most deadly inroads in the black-skinned communities.

The difference between a crime wave and terrorism is that while the former is motivated primarily by criminal personal considerations, the latter is essentially political. The immediate objective may be robbery or rape, but the long-term objective is political "change," in the Orwellian use of this word as a synonym for anarchy, socialism or communism. These all work out the same in practice, and arise out of conspiracy. The "psywar" screen for this planned terrorism is provided by the anti-anticommunist climate, that insists that each incident in the conspiracy be regarded as spontaneous.

The use of atrocity needlessly or unrelated to the immediate victim is the main characteristic of terrorism. Its primary objective is to soften up a people, neutralizing or eliminating resistance, and achieving a forced collaboration that can be propagandized as support. Our cultural program with communist countries provides an ideal facade for this behind the iron curtain. More and more, we are becoming accustomed to reading about the senseless murder of perhaps an elderly shopkeeper, after he has fearfully handed over everything the robbers demanded. This is indoctrination of criminals themselves in terrorism. Meanwhile, the public is being indoctrinated into accepting such terrorism as normal. This is brainwashing, exercised against an entire population, precisely in the manner perpetrated against the lone individual.

The most devilish aspect of this calculated program of terrorism is that it uses normal crime as a front, encouraging and expanding it as a political weapon. Decent Americans have no alternative but to combat this, for it should not take much foresight to see that they cannot escape its increasing inroads into our society. The time may very well come when it will no longer be one's neighbor who has been bludgeoned into insensibility, or raped and robbed, but oneself and one's loved ones. Now is the time to forestall this.

GOVERNMENT HAS FALLEN INTO A TRAP: THIS IS OUR MAJOR OBSTACLE

The major handicap to the restoration of law and order with progress in the United States is its government. It is the seat of power. A government—any government—possesses tremendous power. If this power is exercised wrongly, it is practically impossible to remedy an adverse state of affairs. One can fight a rearguard action, slowing up a deterioration, but until the government is changed, or changes its policy fundamentally, there can be no real cure.

The anti-anticommunist policy in which our government is trapped permeates every facet of our operations at home or abroad. Our no-win policy in foreign relations assures the enemy of survival or a possible victory, making our best efforts at negotiations futile. Hanoi would be stupid to end a war in which its foe had guaranteed it against defeat. This is the price of our no-win policy abroad.

What no-win boils down to in the United States is anti-anticommunism. They are the two sides of the same coin. What Americans have failed to realize is that opposition to anti-communism constitutes, in effect, a no-win policy domestically. The equivalent in the United States of the military front abroad is the fake "peace" front in the United States. This is where the no-win policy of our government applies at home. Our national attitude, as determined by our government, and demonstrated by daily events, is the implementation of this anti-anticommunist/no-win policy to our Orwellian "peace" front. The form this warfare takes domestically is the guerrilla type, characterized by a growing crime wave that is slowly evolving into the type of terrorism that the reds impose abroad. This is the price of our no-win policy domestically.

ADMINISTRATION ADHERES TO NO-WIN IN EVERY SPHERE

This is the trap into which the Marxists have led the Administration. Such contemptible reactions as "better red than dead" are its natural consequence. The palsied hand penetrates everywhere in our society, bringing with it corrosion of character and our traditions, corruption whose example is set in the highest places, and unprecedented crime, both in numbers and in violence. This can happen because the no-win psychology has settled into our government agencies, everywhere from the Department of Defense to the Justice Department, from our police departments to the courts.

The lesson that we should have learned by now is that the no-win or anti-anticommunist line is static, and therefore contrary to the natural laws that govern life. One must seek to win, or one loses. Life is a struggle, the word used in dialectical materialism to encompass both the military front, and the civilian or fake "peace" front. Barely disguised surrenders to crime and terrorism ensue from such a policy.

This is disclosed by many symptoms that escape our notice. When workers at the U.S. Government Printing Office protested against overtime at night because of nightly attacks and robberies, the only solution the Administration was able to come up with was to spend more of the taxpayers' money providing them with taxi fares, so they could escape the brigands and terrorists. Protection against crime is becoming as old-fashioned a concept as patriotism and honor. Suppression of crime is more and more becoming, in effect, an infringement of the civil rights of crooks and communists. Worded this way, this sounds merely oratorical, but in practice, this is the way it is working out. Orwell isn't waiting for 1984.

The idea that a frontal attack might be made upon crime through emergency measures no more enters the heads of our over-intellectualized administrators in government than the thought that we need not sit back and watch Saigon burn in a tug-of-war, but set Hanoi afire, and that we might stem the invasion of South Viet Nam by permitting the invasion of North Viet Nam. We could seize the initiative, but this is another of those taboo conceptions under our anti-anticommunist and no-win policy.

REDS SETTING THEIR OWN AND OUR POLICY

Initiative is something that is not eliminated in a struggle, but is surrendered. Initiative is excluded by our no-win approach domestically as well as abroad. The initiative is passed by this to the reds, who thus are able to manipulate our policy as well as set their own. Certainly, all except the purposely blind have noticed the way in which our policy vis-a-vis the reds appears to coincide with what they want us to be doing. We are engaged in a land war in Asia, something that until we actually began it was considered the last thing we ever would do, because it tactically coincides so neatly with enemy needs. Our governmental approach facilitates what ordinarily would be recognized as treason.

Nothing less than the abandonment of the disastrous and consistently losing no-win policy is required for us to put a halt to the deteriorating situation domestically and in our foreign relations. Our artificially maintained anti-anticommunist policy would fade away. This is our need, for the sake of our survival.